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Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[Order 398]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

AUTHORITY OF CHIEF CLERK AND ASSISTANT TO CHIEF CLERK TO ISSUE CERTIFICATES AND TO ATTEST SIGNATURES OF OFFICIALS

Section 3.72 of Title 6, Code of Federal Regulations, as amended (3 F.R. 2885), and § 3.73 are hereby amended to read as follows, and § 3.74, as amended (4 F.R. 33), is hereby revoked:

§ 3.72 *Authority of Chief Clerk and Assistant to the Chief Clerk to issue certificates.* The Chief Clerk and the Assistant to the Chief Clerk of the Farm Credit Administration are hereby authorized to execute and issue under the seal of the Farm Credit Administration, statements (1) authenticating copies of, or excerpts from, official records and files of the Farm Credit Administration; (2) certifying, on the basis of the records of the Farm Credit Administration, the effective periods of regulations, orders, instructions, and regulatory announcements; and (3) certifying, on the basis of the records of the Farm Credit Administration, the appointment, qualification, and continuance in office of any officer or employee of the Farm Credit Administration, or any conservator or receiver acting under the supervision or direction of the Farm Credit Administration. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memoranda Nos. 846 and 1086, Sec. of Agric., Jan. 6, 1940, and April 26, 1943)

§ 3.73 *Attestation of signatures of officials.* The Chief Clerk and the Assistant to the Chief Clerk of the Farm Credit Administration are hereby authorized to sign official documents and to affix the seal of the Farm Credit Administration thereon for the purpose of attesting the signatures of officials of the Farm Credit Administration. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memoranda Nos. 846 and 1086, Sec. of Agric., Jan. 6, 1940, and April 26, 1943)

[SEAL] J. E. WELLS, Jr.,
Acting Governor.

[F. R. Doc. 44-2027; Filed, February 29, 1944; 11:31 a. m.]

Chapter II—War Food Administration (Commodity Credit)

[Shortening Payment Program, Form 1, Amdt. 1]

PART 247—1943 SHORTENING PAYMENT PROGRAM

OFFER TO MAKE PAYMENTS IN RESPECT OF STANDARD AND HYDROGENATED SHORTENINGS

In order to conform to marketing practices existing in certain portions of the industry, Commodity Credit Corporation (herein called "Commodity") hereby amends the "Offer of Commodity Credit Corporation to Make Payments in respect of Standard and Hydrogenated Shortenings" (herein called the "offer"), issued December 17, 1943, 8 F.R. 16958, in the following respects:

1. Section 247.2 (a) is amended by:

(1) Deleting the last word ("or") of subdivision (ii);

(2) Deleting the colon at the end of subdivision (iii) and substituting ", or";

(3) Inserting, after subdivision (iii), a new subdivision, to read as follows:

(iv) from its plant to its branch warehouse (when such shipment is treated by the manufacturing plant as an absolute and final disposition) for sale for consumption within continental United States, other than by a Government Agency:

2. Section 247.4 is amended to read as follows:

§ 247.4 *Prerequisites to payment.* Payments hereunder shall be made only to eligible manufacturers who (a) file applications for such payments in such form as may be prescribed by Commodity and (b) supply, in respect of each such application for payment, such supporting evidence, documents, and proofs as Commodity may require and no more than one payment hereunder shall be made in respect of the same shortening. An application for payment hereunder shall be filed by each eligible manufacturer not oftener than once each calendar month.

3. Section 247.6 is amended to read as follows:

§ 247.6 *Payment.* Commodity shall, as soon as practicable after receipt of each such application for payment, make

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Book 2: Titles 4-9, with index.

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payment thereof (if found to be in conformity with this offer) to the eligible manufacturer who files the application for payment. The making of any such payment shall not constitute final acceptance of the validity or amount of the claim represented by the application for payment. In the event of a subsequent finding: (1) that any such claim is invalid, defective or incorrectly computed, or (2) that the eligible manufacturer had not in fact complied with the terms of this offer, then and in any such event Commodity shall have the right to require restitution of any such payment or any part thereof, such right being in addition to any and all other rights of Commodity in the premises. At the time of each application for payment hereunder, the eligible manufacturer shall report to Commodity the respective quantities of the various classes of products included in payments by Commodity on prior applications for payment under this offer:

(1) Which were rejected by the person to whom shipped;

(2) Which were returned to such eligible manufacturer; and

(3) Which, from a shipment made in accordance with subdivision (iv) of subparagraph (a) of § 247.2, were sold to a Government Agency or for export from continental United States,

and appropriate adjustment shall be made therefor either by set-off or otherwise, as Commodity shall direct. Immediately upon termination of this offer reports and refunds shall be made to Commodity by each eligible manufacturer in respect of the various classes of products held by its branch warehouses as of the date of such termination and with respect to which a payment therefor has been made by Commodity hereunder. Reports and refunds shall be made to Commodity within 90 days thereof by each eligible manufacturer in respect of any such products rejected or returned to its plant or branch warehouses subsequent to the termination of this offer.

Persons acting in reliance upon this offer shall do so subject to this amendment.

(49 Stat. 4, as amended by 50 Stat. 5, 53 Stat. 510, 55 Stat. 498, and Pub. Law 151, 78th Cong.)

[SEAL] COMMODITY CREDIT CORPORATION,
By J. B. HUTSON,
President.

Attest: February 29, 1944.

NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-2926; Filed, February 29, 1944; 11:31 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATION

SUGAR BEETS, 1944 FARMING PRACTICES

Pursuant to the provisions of subsection (e) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.131 *Farming practices in connection with the production of sugar beets during the crop year 1944*—(a) *For farms in States other than California.* The requirements of subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1944 crop of sugar beets on any farm in a State other than California, if the producer and the county agricultural conservation committee certify that there has been carried out on land on the farm which is adapted to the production of sugar beets, not less than one-half acre of soil-conserving practices for each acre of sugar beets planted on the farm for harvest in 1944 for the extraction of sugar: *Provided, however,* That not in excess of 75 percent of the foregoing requirements in connection with rented acreage which would otherwise be part of another farm may consist of practices carried out on such farm in excess of any practices required thereon.

For the purposes of paragraph (a) of this section:

(1) Each of the following shall be deemed to be one acre of soil-conserving practices:

(i) Maintaining until after July 1, 1944, one acre of a protective covering of adapted perennial or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(ii) Seeding in 1944 one acre of adapted perennial legumes (except alfalfa) or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(iii) Seeding in 1944 one-half acre of adapted alfalfa.

(iv) Plowing under during 1944 one acre of a good stand and a good growth of an adapted green manure crop.

(v) Applying during 1944 eight short tons of animal manure.

(vi) Applying during 1944 to land on which sugar beets are planted for harvest in 1944, 75 pounds of net available nitrogen, potash and/or phosphoric acid in the form of commercial chemical fertilizer.

(vii) Protecting two acres of summer fallow from wind and water erosion in a manner which meets the requirements of the 1944 Agricultural Conservation Program for the State, but this practice shall be applicable only in the Red River Valley area of Minnesota and North Dakota.

(2) Adapted perennial or biennial legumes, or adapted perennial grasses, or mixtures thereof shall be deemed to be those perennial and biennial legumes or perennial grasses or mixtures thereof which are commonly seeded in the community in which the farm is located, and adapted green manure crops or adapted cover crops shall be deemed to be those green manure crops or cover crops which are commonly used as green manure crops or cover crops in the community in which the farm is located.

(b) *For farms in California.* The requirements of subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1944 crop of sugar beets on any farm in California if the producer and the county agricultural conservation committee certify that during the crop year 1944 peat land on the farm has not been burned unless the burning is approved by the county and state agricultural conservation committees as necessary to permit satisfactory crop production and that there has been carried out on land on the farm which is adapted to the production of sugar beets not less than one-half acre of the soil conserving practices approved in accordance with the provisions of subparagraph (2) of this paragraph for each acre planted to sugar beets for harvest for the extraction of sugar: *Provided, however,* That one-fourth acre of soil conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940, if a perennial legume was produced thereon in 1941 or if any legumes were produced thereon in 1942 or 1943; and three-eighths acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1941, if legumes were produced thereon in 1942 or 1943; and *Provided, further,* If practice (i), (ii), or (iii), specified in subparagraph (2) of this paragraph, or any combination of such practices, is used to meet the requirements with respect to all the sugar beets on the farm, one-sixth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940, if a perennial legume was produced thereon in 1941, or if any legumes were produced thereon in 1942 or 1943; one-fourth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1941, if legumes were produced thereon in 1942 or 1943; one-fourth acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1940; and one-third acre of soil-conserving practices shall be required for each acre planted to sugar beets on land which has not produced sugar beets since 1941: *Provided, further,* That a portion of the acres of soil-conserving practices required for rented acreage of any farm which would otherwise be part of another farm may consist of acres of practices carried out on the latter farm in excess of any practices required thereon, but an acreage of soil-conserving practices equal to not less than 12.5 percent of the acres planted to sugar beets on such rented acreage shall be carried out on the farm on which such rented acreage is a part in excess of any practices which would be required if such rented acreage were not a part of such farm.

For the purposes of paragraph (b) of this section:

(1) The term "crop year" means the calendar year, except where the grower requests that the crop year be a 12-month period beginning 120 days prior to the normal planting date of sugar beets for the community, in which case the crop year shall be such 12-month period, if approval is given by the county committee.

(2) Each of the following which is recommended by the county agricultural conservation committee and approved by the state agricultural conservation committee as a practice applicable to the county for preserving and improving fertility of the soil and for preventing soil erosion shall be deemed to be one acre of soil-conserving practices:

(i) Maintaining until after July 1, 1944, one acre of protective covering of adapted perennial or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(ii) Seeding during the crop year 1944 one-half acre of land to adapted perennial or biennial legumes, adapted perennial grasses, or mixtures of such legumes and grasses.

(iii) Seeding and maintaining until after December 31, 1944, one acre of a good growth and a good stand of an adapted cover crop, or plowing under during the crop year 1944 one acre of a good stand and a good growth of an adapted green manure crop.

(iv) Applying during the crop year 1944 eight short tons of animal manure.

(v) Applying during the crop year 1944 not less than eight tons (air dry weight) of leguminous crop residues.

(vi) Applying during the crop year 1944 three tons of lime, or 1,000 pounds of 18 percent gypsum or its sulphur equivalent.

(vii) Applying during the crop year 1944 to land planted to sugar beets, or to or in connection with the seeding of legumes except when seeded in rows to be cultivated, or to or in connection with the seeding of perennial grasses, 64 pounds of net available phosphoric acid in the form of commercial fertilizers.

(viii) Applying during the crop year 1944, either just before planting or during the growth of a crop of sugar beets, 75 pounds of available nitrogen and/or potash in the form of commercial chemical fertilizers.

(3) Adapted perennial or biennial legumes, or adapted perennial grasses, or mixtures thereof shall be deemed to be those perennial and biennial legumes or perennial grasses or mixtures thereof which are commonly seeded in the community in which the farm is located, and adapted green manure crops or adapted

cover crops shall be deemed to be those green manure crops or cover crops which are commonly used as green manure crops or cover crops in the community in which the farm is located.

(4) Acres of soil-conserving practices (other than acreage qualifying under practice (l)) carried out to meet similar requirements prescribed for the 1943 sugar beet crop shall not be used to meet the requirements set forth herein for the 1944 crop.

(c) *General provision.* All the foregoing soil-conserving practices shall be carried out in accordance with the farming methods commonly used in the community in which the farm is located.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 28th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F.R. Doc. 44-2928; Filed February 29, 1944; 11:31 a. m.]

Chapter X—War Food Administration (Production Orders)

[Rev. FPO 11]

PART 1225—PYRETHRUM INSECTICIDE

AGRICULTURAL USES OF PYRETHRUM INSECTICIDE

Effective immediately, § 1225.1 (8 F.R. 5062) is hereby revised and amended in its entirety to read as follows:

§ 1225.1 *Pyrethrum insecticide* — (a) *Agricultural use of pyrethrum insecticide.* (1) Because the armed services are requiring most of the supply, only small amounts of pyrethrum will be available for agricultural and other civilian uses. Since the quantity of pyrethrum for agricultural use is expected to be much less than is needed to meet the minimum requirements of all essential agricultural uses, it is impracticable to establish in this order a list of permitted uses of pyrethrum insecticides manufactured from pyrethrum allocated by the War Production Board for agricultural use. The Director is hereby authorized, therefore, to designate from time to time the uses to which such insecticide may be applied and the quantities of such insecticide which may be applied to each particular use. In exercising this authority, the Director shall take into account the supply of pyrethrum available or expected to be available for agricultural use and shall take such action as he deems to be in the best interest of the food program. Although the Director may designate agricultural uses on his own initiative, any person desiring to sell or use pyrethrum insecticide for an agricultural use may request approval of such use by applying to the Director in writing, setting forth the purpose for which the insecticide is to be used and the quantity of pyrethrum which will be needed.

(2) When the War Production Board makes an allocation of pyrethrum for any particular agricultural use, all persons may assume that such use has been approved by the Director in accordance with this order.

(3) Except with the prior approval of the Director, no person shall knowingly sell, deliver or use any pyrethrum insecticide, manufactured from pyrethrum allocated by the War Production Board for an agricultural use, for any purpose other than the purpose for which the allocation was made as shown on the package tag or label.

(4) Nothing in this order shall be construed to prevent the sale, delivery or use of any pyrethrum insecticide, manufactured from pyrethrum heretofore allocated by the War Production Board for an agricultural use, for the purpose for which the allocation was made.

(b) *Directions.* The Director is hereby authorized to issue such directions with respect to the delivery and use of pyrethrum insecticide, manufactured from pyrethrum allocated by the War Production Board for agricultural use, as he may deem necessary or appropriate to carry out the purposes of this order. Each person affected by this order shall comply with such directions.

(c) *War Production Board Order M-179.* The allocations to manufacturers and processors of pyrethrum and limitations upon the packaging and labeling of processed pyrethrum insecticide are not the subject of this order, but are regulated by War Production Board Order M-179, as amended (8 F.R. 11932).

(d) *Audits and inspections.* Each person affected by this order shall, upon request, submit his books, records and accounts for audit and inspection by duly authorized representatives of the Director.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance with this order would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the relief sought. The Director, upon the basis of such application and other information, may take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(f) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using pyrethrum insecticide, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to priority or allocation control of other governmental agencies. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provisions of this order.

(g) *Delegation of authority.* The administration of this Food Production Order No. 11, Revision No. 1, and the powers of the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director may delegate any of the powers conferred upon him by this order to any officer or employee of the War Food Administration.

(h) *Agricultural use.* The preservation and conservation of any "food" as defined by paragraph 10 of Executive Order 9280, dated December 5, 1942, by the use of pyrethrum insecticide shall be deemed an agricultural use.

(i) *Definitions.* For the purposes of this order:

(1) "Pyrethrum insecticide" means any compound derived from pyrethrum flowers containing pyrethrins, combined with other liquid or dry materials, either active or inert, which compound is suitable for use as an insecticide, but shall not include any insecticide the pyrethrin content of which is obtained entirely from marc containing 0.15 percent or less of pyrethrins and which is clearly so labeled.

(2) "Marc" means the coarsely ground pyrethrum flowers from which the pyrethrins have been removed with a solvent.

(3) "Person" means any individual, partnership, corporation, association, business trust, or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(4) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FPO 11, Rev. 1.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-2929; Filed, February 29, 1944; 11:31 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 22-5, Amdt. 1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED CITRUS FRUIT AND CANNED CITRUS FRUIT JUICES

Food Distribution Order No. 22-5 (8 F.R. 16097), issued by the Director of Food Distribution on November 26, 1943, is amended as follows:

1. By inserting "(1)" immediately to precede the first sentence of § 1425.7 (b).

2. By adding to § 1425.7 (b) thereof the following:

(2) In the event a canner does not pack, during the quota period, a quantity of any product designated in Column A of said Table 1 which is sufficient to meet the set-aside requirements for the respective product for such quota period, the respective canner shall be deemed to be in compliance with the set-aside provisions of this order with regard to the respective product if he sets aside the entire quantity of such product which is packed by him during the quota period.

(3) In lieu of setting aside a quantity of canned grapefruit juice equal to 38 percent of the total of grapefruit juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned grapefruit juice if he sets aside all grapefruit juice packed by him and which is in his possession on February 28, 1944, and all grapefruit juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 32 percent of the total quantity of grapefruit juice packed by such person during the base period.

3. By deleting from Column B of Table 1 the figure "32" and inserting, in lieu thereof, the figure "38."

4. By deleting the provisions of § 1425.7 (e) and inserting, in lieu thereof, the following:

(e) *Reports.* The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form FDA-685. The reports shall be submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

This amendment shall become effective at 12:01 a. m., e. w. t., February 28, 1944. With respect to violations of Food Distribution Order No. 22-5, liabilities incurred, or appeals taken, prior to the effective time of this amendment, said Food Distribution Order No. 22-5 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 22, 8 F.R. 2243, 6397)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2986; Filed, February 28, 1944; 2:35 p. m.]

[FDO 94]

PART 1461—OILSEEDS

RESTRICTIONS ON PURCHASES AND USE OF FLAXSEED

The fulfillment of the requirements for the defense of the United States will result in a shortage in the supply of flaxseed and flaxseed products for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest, and to promote the national defense:

§ 1461.1 *Restrictions on purchases and use of flaxseed*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "crusher" means any person engaged in the business of producing linseed oil.

(2) The term "seed dealer" means any person engaged in the business of buying and selling flaxseed for planting purposes.

(3) The term "country shipper" means any person regularly engaged in the business of purchasing directly from farmers at other than terminal markets, storing, and selling grain.

(4) The term "purchase" means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" shall be construed accordingly.

(5) The term "damaged flaxseed" includes undamaged flaxseed so commingled with damaged flaxseed or foreign substances as to make separation impracticable.

(6) The term "1943 crop" means the 1943 crop of flaxseed grown in the continental United States.

(7) The term "person" means any individual, partnership, association, business corporation, or any organized group of persons, whether incorporated or not.

(8) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* (1) No crusher or seed dealer shall, except as otherwise authorized by the Director, purchase or accept delivery of flaxseed of the 1943 crop in a total quantity which, together with his total existing supplies of flaxseed in the following areas, would be in excess of his requirements for (i) crushing at plants located in such areas during the period ending on the date set opposite such areas and (ii) seed deliveries from storage points located in such areas during such periods.

Area and Date Period Ends

California, June 1, 1944.
Iowa, Kansas, Minnesota, Oklahoma and Texas, August 15, 1944.
Illinois and Wisconsin, August 22, 1944.
Erie County in New York, Ohio and Oregon, September 1, 1944.

No flaxseed of the 1943 crop purchased or received by a crusher or seed dealer after the effective date of this order shall be used by him except for meeting such requirements or for sale to persons eligible under this order to purchase or accept delivery of such flaxseed. Except as otherwise authorized by the Director no flaxseed shall be transferred from any of the above specified areas to any place not included in one of such areas.

(2) No country shipper shall purchase or accept delivery of flaxseed of the 1943 crop if such action would result in his having on hand on any date a quantity of flaxseed of the 1943 crop exceeding (i) the greater of the quantity of flaxseed of the 1943 crop purchased by him during the thirty days immediately preceding such date or 2,000 bushels of such flaxseed, plus (ii) the quantity for which he has contracts to deliver to crushers and seed dealers on or before August 15, 1944, but which he has not yet delivered.

(3) No person other than a crusher, a seed dealer, or a country shipper shall purchase or accept delivery of flaxseed of the 1943 crop in a total quantity in excess of (i) the quantity for which he has contracts to deliver to crushers and seed dealers on or before August 15, 1944, but which he has not yet delivered, plus (ii) the quantity necessary to meet his planting requirements.

(4) Notwithstanding any other provision of this order, an insurer of flaxseed which is damaged by any casualty, risk or event insured against, and any person acting on behalf of such insurer, may purchase and accept delivery of such damaged flaxseed.

(5) No person shall sell flaxseed to any person if he knows or has reason to believe that the purchase thereof would be in violation of this order.

(c) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in flaxseed.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureal of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of flaxseed of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement of administration of the provisions of this order.

(f) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may file a petition for relief with the Director. Petitions for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. The Director may take such action with regard to any such petition as he deems appropriate; and such action by the Director shall be final.

(g) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making

any deliveries of, or using flaxseed or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FDO 94.

(i) *Delegation of authority.* The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Effective date.* This order shall become effective 12:01 a. m., e. w. t.; March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-2930; Filed, February 29, 1944; 11:31 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 373—NATURALIZATION HEARINGS AND PROOF OF NATURALIZATION REQUIREMENTS

FORMS USED FOR RECOMMENDATIONS TO NATURALIZATION COURTS AND COURT ORDERS

FEBRUARY 18, 1944.

Section 373.1 (d), Chapter I, Title 8, Code of Federal Regulations is hereby amended to read as follows:

(d) The designated examiner or officer shall prepare in triplicate his findings and recommendations for presentation to the court on Forms N-480 or N-481 for petitions recommended to be granted, on Form N-483 for petitions recommended to be continued, and on Form N-484 for petitions recommended to be denied. These findings and recommendations shall be signed by the officer in attendance at the final hearing and submitted to the judge of the court at or before the final hearing. After the final hearing has been held, an order of court shall be prepared in triplicate on Form N-482 for petitions recommended to be granted, on Form N-483 for petitions recommended to be continued, and on Form N-484-A for petitions recommended to be denied. The original order of court shall be presented for signature to the judge who presided at the final hearing. The originals of all of the forms named in this paragraph shall be filed permanently in the court, the duplicates forwarded by the clerk of court through the appropriate field office to the Central Office, and the triplicates filed in the field office.

(Secs. 333 and 334 (b), 54 Stat. 1156; 8 U.S.C. 733. 734)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-2890; Filed, February 28, 1944; 5:05 p. m.]

TITLE 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

PART 303—ADVERTISEMENT OF MEMBERSHIP

OFFICIAL SIGNS AND THEIR DISPLAY

Resolution amending paragraph (b) of § 303.1 which section relates to mandatory requirements with regard to the official signs and their display.

§ 303.1 *Mandatory requirements with regard to the official signs and their display.* * * *

(b) *Official sign.* The official sign referred to in paragraph (a) of this section shall be seven inches by three inches in size, and shall be of the following design:

[NOTE: For illustration which was filed as part of the original document see 12 CFR 303.1 (b).]

Any insured bank may procure the standard signs from the Corporation or may use any other sign of the same size, wording and appearance which shall have been approved in writing by the Corporation as conforming to the requirements of this section. Such approval will be given only in individual cases where the standard sign does not harmonize with the bank's counters and fixtures or where it cannot be adequately displayed because of the type of construction of the bank's counters or fixtures.

The Corporation shall furnish to banks an order blank for use in procuring the official signs. Any bank which promptly, after receipt of the order blank, fills it in, executes it, and properly directs and forwards it to the Federal Deposit Insurance Corporation, Washington, D. C., shall not be deemed to have violated this regulation on account of not displaying an official sign or signs, unless the bank shall omit to display such official sign or signs after same have been tendered to the bank through the instrumentality of the United States mail or otherwise.

[Reg. III, as amended by Res., Jan. 27, 1944]

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44-2883; Filed, February 28, 1944; 1:17 p. m.]

PART 303—ADVERTISEMENT OF MEMBERSHIP

OFFICIAL ADVERTISING STATEMENT

Resolution amending paragraph (a) of § 303.2, which section relates to mandatory requirements with regard to the official advertising statement and manner of use.

§ 303.2 *Mandatory requirements with regard to the official advertising statement and manner of use*—(a) *Insured banks to include official advertising statement in advertisements of types enumerated.* Each insured bank shall include the official advertising statement, prescribed in paragraph (b) of this section, in advertisements issued or caused to be issued by it after November 20, 1936, of the types enumerated in paragraph (c) of this section as being of the class in which the official statement is required to be included.

No bank which becomes an insured bank after October 26, 1936, is required to include the official advertising statement in such advertisements until 60 days after its first day of operation as an insured bank.

In cases where the Board of Directors of the Federal Deposit Insurance Corporation shall find the application to be meritorious; that there has been no neglect or wilful violation in the observance of this paragraph, and that undue hardship will result by reason of its requirements, the Board of Directors may grant a temporary exemption from its provisions to a particular bank upon its written application setting forth the facts.

In cases where advertising copy not including the official advertising statement is on hand on the date the requirements of this paragraph become operative, the insured bank may cause the official advertising statement to be included by use of a rubber stamp or otherwise. [Reg. III, Jan. 27, 1944.]

* * * * *

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44-2884; Filed, February 28, 1944; 1:17 p. m.]

PART 306—AGENTS FOR SERVICE OF PROCESS

DESIGNATION OF AGENTS

Resolution relating to the designation of agents upon whom service of process may be made in any State, Territory or jurisdiction in which an insured bank is located.

§ 306.1 *Agents for service of process.* The board of directors has designated an agent upon whom service of process may

be made in each state, territory and other jurisdiction in which an insured bank is located. A current list containing the names and addresses of such agents is kept on file in the office of the Corporation, Washington, D. C.; a current list of such agents in each Federal Deposit Insurance district is kept on file in the office of the supervising examiner for the district; and the name and address of such agent for each state, territory and jurisdiction are on file with the secretary of state or corresponding official in such state, territory or jurisdiction. Persons desiring to serve process upon the Federal Deposit Insurance Corporation may obtain the name and address of the proper agent by communicating with such local official, the supervising examiner for the district, or the Federal Deposit Insurance Corporation, Washington, D. C. (12 U.S.C. 264 (j) "Fourth"). [Res., Jan. 27, 1944.]

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44-2885; Filed, February 28, 1944; 1:17 p. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 47]

PART 30—FOREIGN TRADE STATISTICS

SHIPPER'S EXPORT DECLARATIONS

FEBRUARY 26, 1944.

Section 30.40 is amended to read as follows:

§ 30.40 *Penalty for failure to file shipper's export declarations for exports by rail.* The agent or employee of any railway or transportation company who shall transport any commodities into a foreign country by rail before delivering to the Collector of Customs the shipper's export declarations covering the commodities transported as required by law shall be liable to a penalty of $50 for each offense.

(R. S. 161, sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 44-2867; Filed, February 28, 1944; 1:06 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5026]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROCK CRUSHER MANUFACTURERS ASSOCIATION, ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:* § 3.30 (a 5) *Cutting off competitors' access to customers or market—Government specifications.* I. In connection with the offering for sale, sale and distribution, in commerce, of rock crushing machinery, and on the part of respondent rock crusher manufacturers association, respondent Daniels, its secretary, and respondent corporations, its members, and their officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of them, or between any one or more of them and others not parties hereto, to (1) determine upon or use any plan or scheme for the allocation of orders or sales among themselves or in any manner arrange for the distribution of orders or sales among themselves; (2) establish or maintain a policy or practice of refusing to accept used rock crushing machinery or parts thereof in trade from buyers of new rock crushing machinery or parts; (3) establish or maintain a policy or practice of refusing to rent rock crushing machinery to users or prospective users of such machinery; and (4) attempt through any means to have included in Federal Government specifications for rock crushing machinery provisions for the purpose or with the effect of eliminating any other seller of rock crushing machinery from competition with any respondent: II. Agreeing or cooperating with the respondents subject to the above provisions numbered (1) to (4), inclusive, of this order in doing any of the things prohibited therein, on the part of respondent Associated Equipment Distributors, its officers, board of governors, directors and members, including individuals and concerns, in order set forth: and III. In aforesaid connection and on the part of each respondent hereinbefore made subject to any provision of instant order, entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) establish, fix, or maintain prices, terms, or conditions of sale or adhere to or promise to adhere to prices, terms, or conditions of sale so fixed; (2) determine the amount of any bid or price quotation to be submitted to purchasing officials of any Government agency, or to any other buyer; (3) hold or participate in any meeting, discussion, or exchange of information between or among themselves, or under the auspices of respondent Rock Crusher Manufacturers Association, respondent Associated Equipment Distributors, or any other medium or agency concerning proposed or future prices, terms, or conditions of sale to be included in bids to buyers of rock crushing machinery; (4) assist or cooperate with each other in any way in submitting noncompetitive bids to any buyer; (5) establish, maintain, or carry out any practice or policy for the purpose or with the effect of restraining, persuading, or otherwise causing any seller of rock crushing machinery to refrain from submitting to any buyer price quotations, terms, and conditions of sale independently arrived at or determined; and (6) employ or utilize respondent Rock Crusher Manufacturers Association, respondent Associated Equipment Distributors, or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the things prohibited by this order; prohibited, subject to the provisos, however, that nothing contained in the order shall be construed (1) as prohibiting any seller of rock crushing machinery from entering into agreements with any of its (his) customers to sell to any such customers rock crushing machinery at any price or on any terms and conditions of sale independently determined and offered by either such seller or buyer and independently accepted by either such seller or buyer in any bona fide transaction when such agreements are not for the purpose nor have the effect of restraining trade; (2) as prohibiting the establishment or maintenance of any lawful bona fide relationship between any principal and its (his) agent; (3) as prohibiting any respondent seller of rock crushing machinery from including in any of its (his) sales contracts with any of its (his) customers, a provision for the marketing of its (his) rock crushing machinery exclusively through such customer within any particular territory specified in such sales contracts; or (4) as prohibiting any of the respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are permitted under the provisions of the Miller-Tydings Act. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Rock Crusher Manufacturers Association, et al., Docket 5026, February 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of February, A. D. 1944.

In the Matter of Rock Crusher Manufacturers Association; Arthur W. Daniels, Individually and as Secretary of Rock Crusher Manufacturers Association; Diamond Iron Works, Inc., Gruendler Crusher & Pulverizer Company, Iowa Manufacturing Company, Pioneer Engineering Works, Inc., Universal Crusher Company, Universal Engineering Corporation, Western-Austin Company, Corporations; Associated Equipment Distributors, a Corporation, Its Officers, Board of Governors, Directors, and Members, Including the Following, Individually and as Its Officers, Directors and Governors: James C. Alban, W. W. Bucher, George A. Cooper, William A. Danner, Charles O. Finn, J. S. Gilman, A. E. Hahnan, T. W. Harron, M. R. Hunter, G. F. Lowe, Frank McBath, Fred Mattheis, W. G. Morgan, R. R. Nixon, R. S. Patten, Ed. P. Phillips, R. S. Rosholt, A. F. Sersanous, G. W. Van Keppel, C. F. Winchester, Alban Tractor Company, Inc., Borchert-Ingersoll, Inc., R. E. Brooks Company, Clyde Equipment Company, Columbia Equipment Company, The Finn Equipment Company, Fuchs Machinery & Supply Company, Harron,

Rickard & McCone Company, Hedge & Mattheis Company, Hunter Tractor & Machinery Company, J. E. Ingram Equipment Company, Loggers & Contractors Machinery Company, Lowe Machinery Company, Nixon-Hasselle Company, Parker, Danner Company, Patten Tractor & Equipment Company, Phillips Machinery Company, The Victor L. Phillips Company, Thorman W. Rosholt Company, Smith Booth Usher Company, The George F. Smith Company, Inc., Tractor & Machinery Company, Inc., The G. W. Van Keppel Company, William H. Ziegler Company, Inc., Corporations, Members

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers thereto of the several respondents named in the caption thereof, and certain stipulations of additional facts, and respondents having expressly waived all intervening procedure and hearings as to the facts and consented that the Commission may, without any further intervening procedure, make and enter its findings as to the facts, its conclusion based thereon, and its order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act, and having entered its Cease and Desist Order herein on January 8, 1944, which respondents have requested be modified; now, therefore,

It is ordered, That respondent Rock Crusher Manufacturers Association, an unincorporated trade association, Arthur W. Daniels, individually and as secretary of the Rock Crusher Manufacturers Association, the corporate respondents Diamond Iron Works, Inc., Gruendler Crusher & Pulverizer Company, Iowa Manufacturing Company, Pioneer Engineering Works, Inc., Universal Crusher Company, Universal Engineering Corporation, and Wester-Austin Company, their respective officers, representatives, agents, and employees, in connection with the offering for sale, sale, and distribution of rock crushing machinery in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or practices:

1. Determining upon or using any plan or scheme for the allocation of orders or sales among themselves or in any manner arranging for the distribution of orders or sales among themselves.

2. Establishing or maintaining a policy or practice of refusing to accept used rock crushing machinery or parts thereof in trade from buyers of new rock crushing machinery or parts.

3. Establishing or maintaining a policy or practice of refusing to rent rock crushing machinery to users or prospective users of such machinery.

4. Attempting through any means to have included in Federal Government specifications for rock crushing machinery provisions for the purpose or with the effect of eliminating any other seller of rock crushing machinery from competition with any respondent.

It is further ordered, That respondent Associated Equipment Distributors, a corporation, its officers, board of governors, directors, and members, including respondents James C. Alban, W. W. Bucher, George A. Cooper, William A. Danner, Charles O. Finn, J. S. Gilman, A. E. Hahnan, T. W. Harron, M. R. Hunter, G. F. Lowe, Frank McBath, Fred Mattheis, W. G. Morgan, R. R. Nixon, R. S. Patten, Ed. P. Phillips, R. S. Rosholt, A. F. Sersanous, G. W. Van Keppel, C. F. Winchester, individually, and as such officers, governors, and directors, and respondents Alban Tractor Company, Inc., Borchert-Ingersoll, Inc., R. E. Brooks Company, Clyde Equipment Company, Columbia Equipment Company, The Finn Equipment Company, Fuchs Machinery & Supply Company, Harron, Rickard & McCone Company, Hedge & Mattheis Company, Hunter Tractor & Machinery Company, Loggers & Contractors Machinery Company, Lowe Machinery Company, Nixon-Hasselle Company, Parker, Danner Company, Patten Tractor & Equipment Company, Phillips Machinery Company, The Victor L. Phillips Company, Thorman W. Rosholt Company, Smith Booth Usher Company, The George F. Smith Company, Inc., Tractor & Machinery Company, Inc., The G. W. Van Keppel Company, and William H. Ziegler Company, Inc., individually and as such members, their respective officers, agents, representatives, and employees, do forthwith cease and desist from agreeing or cooperating with the respondents subject to the above provisions numbered 1 to 4, inclusive, of this order in doing any of the things prohibited therein.

It is further ordered, That each respondent hereinbefore made subject to any provision of this order do forthwith cease and desist, in connection with the offering for sale, sale, and distribution of rock crushing machinery in commerce, as "commerce" is defined in the Federal Trade Commission Act, from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or practices:

(a) Establishing, fixing, or maintaining prices, terms, or conditions of sale or adhering to or promising to adhere to prices, terms, or conditions of sale so fixed.

(b) Determining the amount of any bid or price quotation to be submitted to purchasing officials of any Government agency, or to any other buyer.

(c) Holding or participating in any meeting, discussion, or exchange of information between or among themselves, or under the auspices of respondent Rock Crusher Manufacturers Association, respondent Associated Equipment Distributors, or any other medium or agency concerning proposed or future prices, terms, or conditions of sale to be included in bids to buyers of rock crushing machinery.

(d) Assisting or cooperating with each other in any way in submitting noncompetitive bids to any buyer.

(e) Establishing, maintaining, or carrying out any practice or policy for the purpose or with the effect of restraining, persuading, or otherwise causing any seller of rock crushing machinery to refrain from submitting to any buyer price quotations, terms, and conditions of sale independently arrived at or determined.

(f) Employing or utilizing respondent Rock Crusher Manufacturers Association, respondent Associated Equipment Distributors, or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the things prohibited by this order.

It is further ordered, That nothing contained in this order shall be construed as prohibiting any seller of rock crushing machinery from entering into agreements with any of its (his) customers to sell to any such customers rock crushing machinery at any price or on any terms and conditions of sale independently determined and offered by either such seller or buyer and independently accepted by either such seller or buyer in any bona fide transaction when such agreements are not for the purpose nor have the effect of restraining trade;

That nothing contained in this order shall be construed as prohibiting the establishment or maintenance of any lawful bona fide relationship between any principal and its (his) agent;

That nothing contained in this order shall be construed as prohibiting any respondent seller of rock crushing machinery from including in any of its (his) sales contracts with any of its (his) customers, a provision for the marketing of its (his) rock crushing machinery exclusively through such customer within any particular territory specified in such sales contracts;

That nothing contained in this order shall be construed as prohibiting any of the respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are permitted under the provisions of the Miller-Tydings Act.

It is further ordered, That the case growing out of the complaint herein be, and the same hereby is, closed as to respondent J. E. Ingram Equipment Company without prejudice to the right of the Commission, should future facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3882; Filed, February 28, 1944; 12:05 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-491]

THE RURAL NATURAL GAS COMPANY

The Rural Natural Gas Company is an Ohio corporation having its principal office at Mount Washington, Ohio. It is engaged in the business of distributing and selling liquefied petroleum gas and as a usual incident of such business either bailment, lease or sale of liquefied petroleum gas equipment and the installation of the same. During the period from April 8, 1942, through August 1, 1943, respondent made installations of liquefied petroleum gas equipment, as defined in General Limitation Order L-86, without authority of the War Production Board, and in violation of General Limitation Order L-86. Of these installations, twenty-nine were wilful and deliberate violations of the order and one hundred forty-seven were made with knowledge of the existence and terms of the order and were grossly negligent. These violations of General Limitation Order L-86 by the respondent have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, That:

§ 1010.491 *Suspension Order No. S-491.* (a) The Rural Natural Gas Company, its successors and assigns, shall not install or deliver for installation purposes any liquefied petroleum gas equipment as the same is defined in General Limitation Order L-86, except in cases described in paragraph (d), subparagraphs 1 to 4 inclusive, of the order as amended September 30, 1942, unless hereafter specifically authorized in writing by the War Production Board.

(b) Deliveries of liquefied petroleum gas equipment to the Rural Natural Gas Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the Rural Natural Gas Company, its successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 28, 1944, and shall expire on May 28, 1944.

Issued this 21st day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2889; Filed, February 28, 1944; 4:50 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-494]

THE LOUIS M. HERMAN COMPANY

Louis M. Herman, doing business as The Louis M. Herman Company, is a wholesale dealer in electronic equipment in Boston, Massachusetts. On or about June 28, 1943, he placed three purchase orders with his supplier for a total of 7650 radio tubes, certifying on the orders that he was entitled to purchase the tubes under the provisions of General Limitation Order L-265, and that he was familiar with the terms of the order. On or about July 9, 1943, he accepted transfer of 995 radio tubes, although he was not entitled to purchase or accept the transfer of them because he had not fulfilled the requirements of General Limitation Order L-265. The acceptance of these deliveries constituted a wilful violation of Limitation Order L-265. In view of the foregoing, it is hereby ordered, that:

§ 1010.494 *Suspension Order No. S-494.* (a) For a period of three months from the effective date of this order, Louis M. Herman, doing business as The Louis M. Herman Company, or otherwise, his and its successors and assigns, shall not directly or indirectly receive any electronic equipment as the same is defined in General Limitation Order L-265 except to fill orders rated AA-1 or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of two months from the effective date of this order, Louis M. Herman, doing business as The Louis M. Herman Company, or otherwise, his and its successors and assigns, shall not directly or indirectly sell, or otherwise deal in electronic equipment as the same is defined in General Limitation Order L-265 except to fill orders rated AA-1 or higher, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Louis M. Herman from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on February 28, 1944.

Issued this 21st day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2888; Filed, February 28, 1944; 4:50 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16, as Amended Feb. 24, 1944]

AIRCRAFT INVENTORY TRANSFERS

§ 903.28 *Directive 16*—(a) *Control of idle aircraft inventory.* No person may sell, trade, give or otherwise transfer any "idle aircraft materials" of the type listed on Schedule B, attached, which are owned or held by any contractor now or hereafter listed on Schedule A, attached, except in accordance with regulations issued by the Director of the Aircraft Resources Control Office or by such persons as he may designate in writing. For purposes of this directive, "idle aircraft material" means any material of the type listed on Schedule B, purchased for an air program contract, which is not required to meet scheduled deliveries or contract commitments on existing air program orders or letters of intent.

(b) *Delegation of authority.* Authority is delegated to the Director of the Aircraft Resources Control Office to take the following action with respect to "idle aircraft materials":

(1) Issue regulations governing transfers of "idle aircraft materials" under paragraph (a) above. The regulations, in the cases of transfer between persons listed on Schedule A for the purpose of fulfilling a contract for the air program, may exempt persons from the provisions of Priority Regulation 13 and those provisions of CMP Regulation 1 relating to the use of allotment symbols or numbers.

(2) Require persons listed on Schedule A to file reports concerning "idle aircraft materials" owned or held by them.

(3) Further delegate his authority under this directive to such persons as he may designate in writing.

(c) *Applicability of WPB orders and regulations.* The restrictions imposed by this directive are in addition to any other restriction on the transfer, receipt or use of material imposed by any other order or regulation of the War Production Board except in the case of transfers between persons listed on Schedule A for the purpose of fulfilling a contract for the air program, to the extent exempted by regulations issued under (b) (1) above.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong, as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of February 1944.

C. E. WILSON,
Executive Vice Chairman and Chairman, Aircraft Production Board.

SCHEDULE A

All persons affected by this directive have been mailed complete copies of this directive, including Schedule A.

SCHEDULE B

A. All primary forms and non-assembled, partially or wholly fabricated forms of the following metals:

1. Aluminum and aluminum base alloys.
2. Copper and copper base alloys.
3. Steel (including carbon, alloy, stainless and tool steels).

B. Standard items of aircraft hardware and components on the following list:

1. Bolts, nuts, pins, and screws.
   a. Hex. Hd. bolts. Specifications: AN–3 through AN–16.
   b. Clevis bolts. Specifications: AN–21 through AN–36.
   c. Eye bolts. Specifications: AN–42 through AN–49.
   d. Hex. Hd. bolts. Specifications: Air Corps Drawing No. 60, Air Corps Drawing No. 65.
   e. Drilled Hex. Hd. bolts. Specifications: AN–73 through AN–81.
   f. Close tolerance bolts. Specifications: NAS–53 through NAS–60, NAS–62, NAS–64, NAS–66.
   g. Phillips Hd. bolts. Specifications: NAS–200, NAS–202.
   h. Prearson Hd. Bolts. Specifications: NAS–201, NAS–203.
   i. Nuts. Specifications: AN–310, AN–315, AN–316, AN–320. Air Corps Drawing No. 325, Air Corps Drawing No. 330, Air Corps Drawing No. 335, AN–340, AN–345, AN–350, AN–355, AN–360.
   j. Cotter pins. Specifications: AN–380.
   k. Taper pins. Specifications: AN–385, AN–386.
   l. Clevis pins. Specifications: AN–392 through AN–400, AN–402, AN–404, AN–406.
   m. Screws. Specifications: Air Corps Drawing No. 500, Air Corps Drawing No. 501, AN–502, Air Corps Drawing No. 503, AN–505, AN–510, AN–515, AN–520, Air Corps Drawing No. 525, AN–526, Air Corps Drawing No. 530, Air Corps Drawing No. 531, AN–535, Air Corps Drawing No. 540, AN–545, AN–550, Air Corps Drawing No. 560, Air Corps Drawing No. 565, Air Corps Drawing No. 566, Air Corps Drawing No. 570, NAF–1164, NAF–1175, NAF–1176, NAF–1177, NAF–1178, NAF–1193.
   n. Phillips hd. screws. Specifications: 42B4937 through 42B4945, 42A4946, 42A4947, 42B5184.
   o. Frearson hd. screws. Specifications: 42A5700, 42A5701, 42B5702 through 42B5711.
2. Turnbuckle assemblies and parts. Specifications: AN–130, AN–135, AN–140, Air Corps Drawing No. 150, AN–155, AN–160, Air Corps Drawing No. 161, AN–165, AN–170, NAF–1084.
3. Rod end adjusting clevis. Specifications: AN–665.
4. Threaded clevis type tie rod terminals. Specifications: AN–665.
5. Swaged cable terminals. Specifications: AN–666 through AN–669.
6. Daus fasteners or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
7. Elastic stop nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
8. Boots self-locking nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
9. Aircraft valves ("Parker," "Weatherhead," etc.). Standard AN, AC, and NAF part numbers only, but not including oxygen valves or high pressure valves.
10. Aircraft fittings ("Parker," "Weatherhead," etc.). Standard AC 611, AN and NAF part numbers only.
11. Spencer thermostats. Standard NAF and manufacturers catalog numbers (including specifications).
12. Flexible conduit. Standard AN numbers all sizes.
13. Conduit couplings. Standard AN numbers all sizes.
14. Aircraft switches and circuit breakers. Standard AN numbers or equivalent catalog parts numbers.
15. Plugs (cannon, breeze, amphenol, etc.). Standard AN numbers or equivalent catalog parts numbers only. (No special drawing parts to be included.)
16. Connectors. (Cannon, Breese, Amphenol, etc.). Standard AN or equivalent catalog parts numbers only. (No special drawing parts to be included.)
17. Motors (electric). Fractional motors to 1¼ horse. Standard manufacturers catalog numbers.
18. Micro switches. Standard catalog numbers including special drawing parts numbers.
19. Temperature and pressure control bellows. Standard AN, AC and NAF part numbers only.
20. Resisters. Specifications NAF 1099 and standard catalog numbers only. No special drawings to be included.
21. Rheostats and potentiometers. Specifications NAF 1099 and standard catalog parts numbers only. No special drawings to be included.
22. Bearings as listed.
    Guide rollers.
    Needle rollers.
    Fair-Leads.
    Bell cranks.
    Rod ends.
    A–500.
    Metric metal shielded.
    Metric felt sealed.
    Metric series.
    Miscellaneous.
    S–K.
    S–D
    S–DD.
    200S
    Cable and fittings.
23. Tachometer shafts. 3', 4', 5', 7', 8' lengths. Specification AN 94–9205 series.
24. Tachometer leads. 10', 15', 35', 40', 50' lengths. Specifications AN 94–27971.
25. High pressure air valves. "Parker," "Schrader" or "Dill." Specifications AN 812–1.

DEFINITIONS

1. "Primary form" means those forms in which metals are received from the mill, for example: ingot forging billets, sheet, tube, bar, wire, standard extruded shapes, etc., (and not including special extruded shapes, castings, or forgings); or mill forms which have been subjected to such fabrication as mills customarily provide upon specification of standard extras (such as cutting to length, tempering, etc.)

2. "Nonassembled, partially or wholly fabricated forms" means any nonassembled forms, (including special extruded shapes, castings, and forgings) whether purchased parts or materials which have been fabricated by or for you, produced entirely from a single primary form, and which has been subjected to any fabrication beyond the extent specified for Primary Form as defined above.

3. "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy; for example, brass, bronze, nickel-silver, etc.

4. "Aluminum base alloy" means any alloy metal in the composition of which the percentage of aluminum metal by weight equals or exceeds 50% of the total weight of the alloy; for example, Alcoa alloy No. 2608, 2108, etc.

[F. R. Doc. 44–2765; Filed, February 26, 1944; 11:40 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–81, Interpretation 2]

CANS

The following interpretation is issued with respect to Conservation Order M–81:

Schedules I and II list the foods which may be packed in cans. The foods so listed are limited solely to foods which are intended for human consumption. The order does not permit the canning of foods for animals or pets.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–2919; Filed, February 29, 1944; 11:09 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P–140, as Amended Feb. 29, 1944]

WOODEN SHIPPING CONTAINERS; RATINGS

Section 3270.7 *Preference Rating Order P–140* is hereby amended to read as follows:

To facilitate the acquisition of wooden shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3270.7 *Preference Rating Order P–140*—(a) *What this order does.* This order assigns preference ratings for new wooden shipping containers and parts to persons who need them for various purposes. It also explains to what extent ratings assigned in other ways may be used to get new wooden shipping containers and parts.

The ratings and rating systems described in this order are the only ones which may be used to get new wooden shipping containers and parts. All others are barred for this purpose. Furthermore, this order only applies to the containers and parts covered by the definitions (paragraph (c)). It should not be construed to establish a rating system for any other types of containers.

Preference ratings may be used to get wooden shipping containers in accordance with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3.

(b) *Suggested procedure for using this order.* The following procedure is suggested for determining the ratings you may use to get wooden shipping containers:

(1) *For a product you manufacture.* Refer to List A (paragraph (h)) to see if the product is listed there. Then refer to paragraph (i). Use the rating you are entitled to under either of these provisions.

(2) *For a product you do not manufacture.* Refer to List A (paragraph (h)) to see if the product is listed there. Then refer to paragraph (j). Use the rating you are entitled to under either of these provisions.

(3) *If you are a manufacturer or jobber of inner containers.* Refer to List A (paragraph (h)). Then refer to paragraph (n). Paragraph (n) sets forth the only ways in which manufacturers and jobbers of inner containers may use ratings for their wooden shipping container requirements.

(4) *If you are a jobber of wooden shipping containers.* Refer to paragraph (o).

(5) *For containers to be used for export shipment to specified agencies of products appearing on List A of Priorities Regulation 3.* Refer to paragraph (k) (2).

(6) *For wooden shipping containers to be delivered empty to foreign countries other than Canada.* Refer to paragraph (p).

(7) *For wooden shipping containers to be delivered empty to Canada.* Refer to paragraph (q).

(8) *For empty wooden containers to be delivered to the Army, the Navy, the Maritime Commission or the War Shipping Administration.* Refer to paragraph (k) (1).

(9) *For wooden shipping containers to be delivered on orders rated AAA.* Refer to paragraph (g).

(10) *For a product for which you have no rating under any other provisions of this order.* Refer to paragraph (m).

(11) *If, because of special circumstances, the ratings you may use under this order are inadequate.* Refer to paragraph (l). Note that the special ratings contemplated by this paragraph will be issued only in cases of extreme hardship or in special instances where it is determined that the war effort will be aided by so doing.

(12) *All persons.* Refer to paragraph (v) (Certification); paragraphs (d) through (f) (Over-all limitations on use of ratings); paragraphs (s) through (u) (Status of outstanding unfilled orders); paragraphs (x) through (cc) (Miscellaneous).

Definitions

(c) *Definitions.* For the purposes of this order:

(1) "Wooden shipping container" means any new or used shipping container in set-up or knock-down form made wholly or partially of wood, which is used for the shipment or delivery of commodities. The term does include wooden inner containers, but does not include trunks, luggage, military locker boxes or boxes consisting of more than 50% of corrugated or solid fibre (by area). Wherever this order makes a provision with respect to wooden shipping containers, such as providing a method for assigning ratings or limiting the use of ratings, the same provision shall apply to parts.

(2) "Part" means any new or used shook, cleat, stave, heading, lumber, veneer, plywood, or interior fitting made of wood, which is cut to size for any shipping container.

Limits on Use of Ratings

(d) *Prohibition against use of other ratings.* No person may use any rating except as provided in this order, to get wooden shipping containers; for instance, a person may not use a rating which has been assigned to him for maintenance, repair or operating supplies for this purpose.

(e) *Prohibition against use of ratings to obtain production materials for wooden shipping containers.* The ratings which this order allows a person to use to get wooden shipping containers may not be extended to obtain materials for use in the manufacture of containers. They may, however, be extended to get parts.

(f) *Limitation on use of ratings by persons owning container production facilities.* No rated order for wooden shipping containers need be accepted if the person applying or extending the rating owns or controls facilities on which he can produce the containers covered by his purchase order. The only exception to this rule is where the purchaser's facilities are required to fill higher rated orders or previously received orders bearing equal rating, or where the War Production Board specifically directs the acceptance of the rated order.

In order to avail himself of the provisions of this paragraph (f) a person who gets a rated order must first notify the person applying or extending the rating of his claim that this paragraph excuses acceptance of the rated order.

Preference Ratings Which May Be Used To Get Wooden Shipping Containers

(g) *AAA ratings.* Any person who receives an order rated AAA may use that rating to get wooden shipping containers which he will actually use to deliver that order. This rating may not be used to replace containers in inventory except under the circumstances described in paragraphs (i) (2), (j), (k) (2) and (o) of this order.

(h) *Assignment of ratings.* Any person may use the preference rating shown opposite any product or use listed in Schedule A to get the wooden shipping containers he needs for commercially shipping or delivering that product or for that use. He may also use the rating to provide his suppliers of that product with wooden shipping containers in which to deliver the product to him.

(i) *Manufacturers may use production material ratings.* Any manufacturer (other than a manufacturer of inner containers—see paragraph (n)) who has a rating to get production materials[1] for a product, may use the same rating, to the same extent, to get the wooden shipping containers he needs to package that product or to replace wooden shipping containers so used in his inventory. If he has two or more ratings (i. e., split ratings) for production materials, he must use them in the same proportion in ordering wooden shipping containers. However, regardless of any contrary provision of any other regulation or order of the War Production Board, he cannot use more than one rating on any single purchase order.

Examples of the way in which ratings may be used under this paragraph are the following:

(1) If a person has a split rating of 25% AA–2 and 75% AA–3 for production materials for a certain product, he may use the AA–2 rating to get his wooden shipping container requirements for 25% of that product and the AA–3 for the balance.

(2) If a person receives a rated order and is not prohibited by any War Production Board regulation or order, (such as Priorities Regulation 11B or CMP Regulation 3[2]) from using the rating to get his production material for the order, he may extend that rating to get the wooden shipping containers he will use to make delivery on the rated order or for inventory replacement purposes.

(j) *Non-manufacturers may extend customers' ratings.* A person who sells, on a rated order, material which he does not manufacture, may extend his customers' ratings to get wooden shipping containers to fill that order or for inventory replacement. This may be done regardless of the provisions of paragraph (d) (4) of Priorities Regulation 3.

(k) *Use of ratings assigned by certain agencies*—(1) *Empty containers.* The Army, the Navy, the Maritime Commission and the War Shipping Administration may use ratings which they assign to get empty wooden shipping containers of which they will take actual physical possession and which they will actually pack themselves. The rating described in this paragraph cannot be used to get wooden shipping containers which are delivered for packing by anyone else whether on a contract, agency or other basis.

(2) *Containers for export shipment of products on List A of Priorities Regulation 3.* A person may use a rating, assigned specifically for wooden shipping containers by the Army, the Navy, the Maritime Commission, the War Shipping Administration and the Foreign Economic Administration, only for the following purposes: To get wooden shipping containers which will be packed in the

[1] "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated into his product and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 8.

[2] Priorities Regulation 11B contains the following provision: "A person who has received a rating or ratings on Form WPB–2613 (formerly PD–870) for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product". CMP Regulation 3 contains the following provision: "A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer". Limited exceptions to these prohibitions are set forth in the respective regulations.

United States with a product appearing on List A of Priorities Regulation 3 and shipped to any point outside of the forty-eight states, the District of Columbia, Canada or Mexico, to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration or for lend-lease purchases. The same rating may be used to replace in inventory any wooden shipping containers used for such export shipment.

(l) *Special ratings.* The War Production Board may assign special ratings in addition to those described in paragraphs (h), (i), (j), (k), (m) and (n) for wooden shipping containers. Applications for such ratings should be filed on form WPB–2408.

(m) *Catch-all ratings.* If a person (other than a manufacturer or jobber of inner containers (see paragraph (o)) is not entitled to use a rating to get wooden shipping containers for a particular purpose or purposes under any other provision of this order, he may use the following ratings to get the wooden shipping containers he needs for that purpose or to replace wooden shipping containers used for that purpose in his inventory:

(1) AA–2X—if he has a blanket MRO rating of AA–1.
(2) AA–3—if he has a blanket MRO rating of AA–2.
(3) AA–4—if he has a blanket MRO rating of AA–2X.
(4) AA–5—if he has a blanket MRO rating of AA–3 or lower.

"Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation 3.

(n) *Ratings for manufacturers or jobbers of inner containers or closures.* When used in this paragraph (n), the term "inner containers" shall in all cases include closures for containers.

Manufacturers or jobbers of inner containers, such as glass jars, folding boxes, cans, etc., may not use their production material rating (paragraph (l)) or a catch-all rating (paragraph (m)), to get wooden shipping containers for the delivery of empty inner containers. However, they may use, for this purpose, any rating which they are entitled to under paragraphs (g), (h-List A), (j), (l) or (k) (2) of this order.

In addition, manufacturers or jobbers of inner containers may use the same ratings which their customers could use to get wooden shipping containers, within the following limits and under the following conditions:

(1) The customer must advise the manufacturer or jobber, in writing, that a specific number or all of the inner containers covered by his purchase order will be used for a purpose which would entitle him, under the terms of this order, to use a certain rating to get wooden shipping containers for shipping them after they (the inner containers) have been filled.

(2) When so advised, the manufacturer or jobber of the inner containers may use the same rating to get wooden shipping containers for delivering the specified number of empty inner containers to that customer, or to replace any wooden shipping containers so used in inventory.

(o) *Permitted extension of ratings by wooden shipping container jobbers.* A person who sells empty wooden shipping containers, which he does not make, or which he merely assembles, may extend his customers' ratings to get wooden shipping containers for delivery on the rated order, or to replace any wooden shipping containers so delivered in inventory.

Use of Ratings for Delivery of Empty Containers to Foreign Countries

(p) *Countries other than Canada.* No ratings except those assigned pursuant to paragraph (l) (Special ratings) may be used to get wooden shipping containers which will be delivered empty to any foreign country except Canada, unless the containers are to be delivered directly to and used directly by an agency of the United States Government.

(q) *Canada.* The ratings provided by this order may be used to get wooden shipping containers by persons in Canada only if they are authorized to do so in accordance with Priorities Regulation 22. Any person in Canada authorized to use a preference rating under this order shall use such rating in the manner provided by Priorities Regulation 22.

Directions

(r) *Special directions by the War Production Board.* The War Production Board may, from time to time, direct a producer to produce and deliver specific quantities and types of wooden shipping containers to specified persons. It may also direct the manner in which such production and delivery shall be effected. Such directions will be made to insure the satisfaction of war and essential civilian requirements, both direct and indirect, and shall take precedence, to the extent which may be indicated by the War Production Board in the Direction over any preference ratings.

Existing Unfilled Orders

(s) *Rerating of existing orders.* Preference ratings assigned or permitted to be used by this order may be applied or extended to any unfilled order for wooden shipping containers placed prior to February 29, 1944. Any ratings so applied or extended is a rerating under the provisions of Priorities Regulation 12.

(t) *Termination of existing ratings on unfilled orders.* All ratings applied or extended to any order for wooden shipping containers before February 29, 1944, shall be ineffective after April 29, 1944. If delivery is not made before the last mentioned date and the order is not rerated in accordance with paragraph (s) above, the order shall be regarded as bearing an AA–5 rating and shall be scheduled and filled accordingly.

(u) *Cancellation of special ratings previously assigned.* No ratings assigned on Form WPB–2408, before February 29, 1944, may be applied to orders for containers placed after February 29, 1944.

Certification

(v) *How the ratings provided for in this order may be applied or extended.* The ratings assigned or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the following form signed manually or as provided in Priorities Regulation 7:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is entitled to apply or extend the preference rating set forth on this order and that such application or extension is in accordance with Priorities Regulation 3, and is justified by paragraph (__) of Order P–140.

Purchasers applying or extending ratings to get wooden shipping containers shall insert the appropriate paragraph letter of this order in the blank appearing in the last line of the above certificate.

(w) *Standard certification.* The standard certification provided for in paragraph (g) (1) of Priorities Regulation 3, and in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certification provided by paragraph (v) above; nor may the certification provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Miscellaneous

(x) *Limits on the scope of this order.* This order deals only with the items defined as "wooden shipping containers" and "parts". It does not affect ratings applicable to any other kind of container. This order does not purport to define any containers of parts (including wooden shipping containers) as "production materials" for the product to be packed. Nor does it permit "production material" ratings, or any other ratings described herein, to be used to get any containers or parts, except those defined in paragraph (c).

(y) *Restrictions on acceptance of ratings.* No person receiving an order for wooden shipping containers shall give effect to any preference rating applied or extended thereto on or after February 29, 1944, if he knows or has reason to believe, that the rating has not been applied or extended in accordance with the provisions of this order.

(z) *Applicability of regulations.* Preference ratings may be used to get wooden shipping containers in accordance with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3. With this exception, this order and all transactions affected thereby are subject to all applicable provisions of the regulation of the War Production Board as amended from time to time. For instance, when this order allows a rating to be used for inventory replacement, this must be done in accordance with Priorities Regulation 3.

(aa) *Effect of other orders.* This order does not authorize the delivery, receipt, manufacture or use of any materials in violation of any other order of the War Production Board.

(bb) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(cc) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington (25) D. C., Ref: P–140.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

These are the product ratings described in paragraph (h) of this order. The preference rating shown opposite each product may be used to get "wooden shipping containers" for it.

Rating procedures to get wooden shipping containers for products not appearing in the following list are described in paragraphs (g) through (p) of this order. Some of these procedures may, in appropriate cases, be used to get containers for listed products if the shipper prefers them to his listed rating. However, attention is called to the fact that the so-called "catch all" rating procedure, described in paragraph (m) of this order, may not be used to get containers for any listed product.

The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

BUILDING MATERIALS

Product	*Rating*
Acoustical tile	AA–3
Facing tile, glazed and unglazed	AA–3
Floor and wall tile, glazed and unglazed	AA–3
Insulating tile	AA–3
Mineral wool, formed and for metal encased insulation	AA–2X
Non-rigid insulation materials—slabs, blocks, batts and blankets	AA–3

CHEMICALS AND ALLIED PRODUCTS

Chemicals under the following WPB Orders:			AA–1
M–34	M–254	M–306	M–338
M–169	M–287	M–322	M–346
Chemicals and allied products as follows:			AA–1
Explosives: military only.			
Hydraulic fluid: aircraft only.			
Penicillin.			
Chemicals under the following WPB orders:			AA–2
M–10	M–159	M–214	M–295
M–12	M–164	M–215	M–299
M–18–b	M–165	M–224	M–304
M–19	M–166	M–226	M–314
M–19–a	M–170	M–230	M–315
M–25	M–171	M–240	M–327
M–30	M–175	M–243	M–336
M–31	M–178	M–244	M–340
M–69	M–179	M–246	M–342
M–75	M–183	M–257	M–344
M–131	M–184	M–260	M–350
M–137	M–185	M–269	M–352
M–152	M–190	M–270	M–354
M–153	M–191	M–275	M–160[1]
M–157	M–203	M–289	
Chemicals and allied products as follows:			AA–2
Chemical Warfare agents.			
Coal tar and coal tar distillation products.			
Explosives: industrial.			

CHEMICALS AND ALLIED PRODUCTS—continued

Chemicals and allied products as follows:	AA–2
Product	*Rating*
Glass: optical and technical.	
High tenacity rayon.	
Hydraulic fluid: all military except aircraft.	
Nylon.	
Reagent chemicals prepared and packed for reagent use in laboratories.	
Wood distillation products.	
Chemicals and allied products as follows:	AA–3
Enamels.	
Glass: structural.	
Ink: printing.	
Lacquer.	
Matches.	
Paint (except marine).	
Pigment and colors.	
Preservatives.	
Textile assistants.	
Varnish.	
Chemicals and allied products as follows:	AA–4
Alkali cleaners and washing compounds.	
Bleaches, hypochlorites, peroxides and perborates.	
Carbon dioxide.	
Glass: tableware and kitchen.	
Metal polishes and buffing compounds (not abrasive).	
Chemicals and allied products as follows:	AA–5
Associated paint, varnish, and lacquer products, such as stains, fillers, polishes, putty, patching plaster and other surfacing compounds.	
Glass: not otherwise listed (but not including ornamental or novelty glass).	
Ink: all others not listed above.	

CONTAINERS, INNER

(As referred to in paragraph (o) of this order)

Product	*Rating*
Bags and sacks	AA–3
Bag ties	AA–3
Closures and hoods for containers	AA–3
Collapsible tubes	AA–3
Fiber cans & tubes	AA–3
Folding and set-up boxes	AA–3
Glass containers	AA–3
Metal cans	AA–3
Paper caps for glass bottles and jars	AA–3
Paper cups & nested food containers	AA–2X
Paper milk containers	AA–2X
Seed envelopes	AA–3
Till baskets and berry cups	AA–2X

PAPER AND PAPER PRODUCTS

(Ratings for items listed under this heading apply only when the items are made of paper)

Abrasive papers	AA–2
Adding machine and business machine rolls	AA–2X
All paper for delivery to United States Bureau of Engraving and Printing	AA–2X
Automotive oil cartridges	AA–2X
Blueprints and direct line papers	AA–2
Books and directories	AA–3
Cable insulation	AA–1
Caps for glass bottles and jars	AA–3
Caps, pads, cushions and guards for fruit and vegetable packing	AA–3
Carbon paper	AA–3
Carbonizing paper	AA–3
Chart paper	AA–2
Charts, rolls and tape for communication and recording instruments and machines	AA–2
Cigarette paper	AA–3
Cigarette paper books	AA–3
Clock backs and cases	AA–3
Clothing	AA–3

[1] Xylol only.

PAPER AND PAPER PRODUCTS—continued

Product	*Rating*
Condenser paper	AA–1
Condensers—component parts thereof	AA–1
Control knobs and dials	AA–2X
Cores and core plugs	AA–2X
Crepe cellulose wadding	AA–3
Crepe wadding for packing	AA–3
Dental mouth wadding	AA–2X
Diaper linings	AA–2X
Dishes and plates	AA–3
Electrical insulation tissues	AA–1
Envelopes in all styles except expansion type	AA–3
Expanding envelopes or pockets	AA–3
Facial tissues	AA–3
Faces for gauges, clocks and weighing equipment	AA–2X
Fibre conduit and fittings	AA–2X
File dividers and indexes	AA–3
Fillers, looseleaf (except accounting)	AA–3
Filter paper	AA–2
Fly paper	AA–3
Fly ribbons	AA–3
Folders (file)	AA–3
Forks and spoons	AA–3
Friction pulleys and wheels	AA–2X
Fuses and component parts thereof	AA–2X
Gaskets	AA–2X
Gears	AA–2X
Gummed flat paper	AA–3
Headrest rolls	AA–3
Helmets and helmet accessories	AA–3
Hospital wadding	AA–2X
Household waxed paper, all styles	AA–3
Index cards, plain and ruled	AA–3
Instrument panels	AA–2X
Lens tissue	AA–1
Lithomat and photomat paper	AA–3
Map paper	AA–2
Mimeograph stencils	AA–3
Napkins, for industrial and institutional use (bulk and dispenser type)	AA–3
Paper base plastics	AA–2X
Paper stationary and papeteries	AA–3
Plates and mats—printing, lithographic, duplicating and reproduction	AA–2X
Prepared tracing paper	AA–2
Pressure sensitive adhesive tape	AA–3
Reproduction papers (blueprint gelatin spirit process, photographing, protective and other sensitized)	AA–2
Sanitary napkins and wadding stock	AA–2X
Stencil base stock	AA–3
Straws (soda and drinking)	AA–3
Tablets, pads and notebooks	AA–3
Tabulating cards	AA–3
Tags, commercial and industrial only	AA–3
Toilet seat covers	AA–3
Toilet tissue	AA–3
Towels for industrial use	AA–3
Vertical file pockets	AA–3
V–Mail blanks	AA–3
Waxed and oiled paper, all types and grades other than household packages excluding paper wrapping for direct war use	AA–2X

TEXTILES, CLOTHING AND LEATHER PRODUCTS

Animal bristles and hair	AA–2X
Clothing, hats, gloves and all other outerwear and undergarments or apparel, except shoes, if made in whole or in part of leather or textile yarn, staple fiber or fabrics	AA–3
Closures, apparel	AA–3
Combinations of cotton, wool or synthetic fabrics: woven, knitted or braided	AA–2X
Combinations of cotton, wool or synthetic yarn	AA–2X
Cordage fibers (as defined in WPB Order M–84)	AA–2X
Cotton fabrics: woven, knitted or braided	AA–2X
Cotton yarn	AA–2X
Dyestuffs	AA–2X
Eyelets, metal	AA–3
Findings, shoe	AA–2X
Furs and products made therefrom	AA–3

TEXTILES, CLOTHING AND LEATHER PRODUCTS—continued

Product	Rating
Leather, limited to processed hides, skins and splits, which have not been incorporated into any product	AA–3
Leather finishes	AA–3
Shoe adhesives	AA–3
Shoe cut stock (repair tops, insoles, counters, box toes and welting)	AA–3
Sponges	AA–3
Synthetic fabrics: woven, knitted or braided	AA–2X
Synthetic yarn	AA–2X
Textile fibers (animal and vegetable)	AA–2X
Vegetable tanning materials	AA–3
Wool fabrics: woven, knitted, felted or braided	AA–2X
Wooden heels, soles and shanks	AA–3
Wool yarn	AA–2X

MISCELLANEOUS

Barium salts	AA–2X
Borax	AA–2X
Cement (refractories)	AA–2X
Ceramic closures	AA–3
Chicks, baby	AA–2X
Chinaware	AA–3
Church goods	AA–3
Controlled materials (as defined in CMP Reg. 1)	AA–1
Dental plaster	AA–2X
Drugs, medicinals and biologicals	AA–2X
Fluorspar	AA–2X
Foods, except soft drinks, alcoholic beverages, chewing gum, and the vegetables listed below:	
Cantaloupes and melons	AA–3
Cauliflower	AA–3
Celery	AA–3
Cucumbers	AA–3
Lettuce	AA–3
Radishes	AA–3
Fruit trees, berry bushes and vegetable plants	AA–2X
Furniture	AA–3
Micro crystalline wax and blends (as defined in Order PDO–19)	AA–2
Motion picture prints or film	A[illegible]
Orthopedic plaster	A[illegible]
Petroleum, restricted products as defined in M–201 to be delivered directly to Army, Navy, Maritime Commission or War Shipping Administration	AA–1
Petroleum, restricted products as defined in M–201 for deliveries other than described in preceding item	AA–2X
Potash	AA–2X
Poultry, live	AA–2X
Refractories	AA–2X
Safety equipment, clothing and devices, as defined in Order L–114	AA–2X
Sanitary napkins	AA–2X
Smelting and refinery products	AA–2X
Soap	AA–3
Surgical dressings	AA–2X
Tacks, cut steel (except thumb) and wire	AA–2X
Talc (crayons and forms)	AA–2X

[F. R. Doc. 44–3017; Filed, February 29, 1944; 11:09 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P–146]

FIBRE SHIPPING CONTAINERS—RATINGS

To facilitate the acquisition of fibre shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3270.26 *Preference Rating Order P–146*—(a) *What this order does.* This order assigns preference ratings for new fibre shipping containers to persons who need them for various purposes. It also explains to what extent ratings assigned in other ways may be used to get new fibre shipping containers.

The ratings and rating systems described in this order are the only ones which may be used to get new fibre shipping containers. All others are barred for this purpose. Furthermore, this order only applies to the containers, sheets, rolls and parts covered by the definition of fibre shipping containers (paragraph (c)). It should not be construed to establish a rating system for any other types of containers.

Preference ratings may be used to get fibre shipping containers in accordance with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3.

(b) *Suggested procedure for using this order.* The following procedure is suggested for determining the ratings you may use to get fibre shipping containers.

1. *For a product you manufacture.* Refer to List A (paragraph (h)) to see if the product is listed there. Then refer to paragraph (i). Use the rating you are entitled to under either of these provisions.

2. *For a product you do not manufacture.* Refer to List A (paragraph (h)) to see if the product is listed there. Then refer to paragraph (j). Use the rating you are entitled to under either of these provisions.

3. *If you are a manufacturer or jobber of inner containers.* Refer to List A (paragraph (h)). Then refer to paragraph (n). Paragraph (n) sets forth the only ways in which manufacturers and jobbers of inner containers may use ratings for their fibre shipping container requirements.

4. *If you are a jobber of fibre shipping containers.* Refer to paragraph (o).

5. *For containers to be used for export shipment to specified agencies of products appearing on List A of Priorities Regulation 3.* Refer to paragraph (k) (2).

6. *For fibre shipping containers to be delivered empty to foreign countries other than Canada.* Refer to paragraph (p).

7. *For fibre shipping containers to be delivered empty to Canada.* Refer to paragraph (q).

8. *For empty fibre containers to be delivered to the Army, the Navy, the Maritime Commission or the War Shipping Administration.* Refer to paragraph (k) (1).

9. *For fibre shipping containers to be delivered on orders rated AAA.* Refer to paragraph (g).

10. *For a product for which you have no rating under any other provisions of this order.* Refer to paragraph (m).

11. *If, because of special circumstances, the ratings you may use under this order are inadequate.* Refer to paragraph (l). Note that the special ratings contemplated by this paragraph will be issued only in cases of extreme hardship or in special instances where it is determined that the war effort will be aided by so doing.

12. *If you are a sheet plant or a cleated box manufacturer.* Refer to paragraph (z).

13. *All persons.* Refer to paragraph (v) (Certification); paragraphs (d) through (f) (Over-all limitations on use of ratings); paragraphs (s) through (u); (Status of outstanding unfilled orders); paragraphs (y) through (dd) (Miscellaneous).

Definitions

(c) *Definitions.* "Fibre shipping container" means the following items:

(1) Any new box, crate, case, basket, inner carton, hamper or sleeve, in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: Trunks, luggage, or military locker boxes; fibre cans, tubes or drums. It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area).

(2) Any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container manufacturing industry as "sheet plants" for their use in manufacturing fibre shipping containers. It also does not include corrugated or solid fibre sheets produced for delivery to cleated box manufacturers for use in manufacturing shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(3) Any new solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: Partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

Limits on Use of Ratings

(d) *Prohibition against use of other ratings.* No person may use any rating except as provided in this order, to get fibre shipping containers; for instance, a person may not use a rating which has been assigned to him for maintenance, repair or operating supplies for this purpose.

(e) *Prohibition against use of ratings to obtain production materials for fibre shipping containers.* The ratings which this order allows a person to use to get fibre shipping containers may not be extended to obtain materials for use in the manufacture of containers.

(f) *Limitation on use of ratings by persons owning container production facilities.* No rated order for fibre shipping containers need be accepted if the person applying or extending the rating owns or controls facilities on which he can produce the containers covered by his purchase order. The only exception to this rule is where the purchaser's facilities are required to fill higher rated orders or previously received orders bearing equal rating, or where the War Production Board specifically directs the acceptance of the rated order.

In order to avail himself of the provisions of this paragraph (f) a person who gets a rated order must first notify the person applying or extending the rating of his claim that this paragraph excuses acceptance of the rated order.

Preference Ratings Which May Be Used to Get Fibre Shipping Containers

(g) *AAA ratings.* Any person who receives an order rated AAA may use that rating to get fibre shipping containers which he will actually use to deliver that order. This rating may not be used to replace containers in inventory except under the circumstances described in paragraphs (i) (2), (j), (k) (2) and (o) of this order.

(h) *Assignment of ratings.* Any person may use the preference rating shown opposite any product or use listed in Schedule A to get the fibre shipping containers he needs for commercially shipping or delivering that product or for that use. He may also use the rating to provide his suppliers of that product with fibre shipping containers in which to deliver the product to him.

(i) *Manufacturers may use production material ratings.* Any manufacturer (other than a manufacturer of inner containers—see paragraph (r)) who has a rating to get production materials[1] for a product, may use the same rating, to the same extent, to get the fibre shipping containers he needs to package that product or to replace fibre shipping containers so used in his inventory. If he has two or more ratings (i. e. split ratings) for production materials, he must use them in the same proportion in ordering fibre shipping containers. However, regardless of any contrary provision of any other regulation or order of the War Production Board, he cannot use more than one rating on any single purchase order.

Examples of the way in which ratings may be used under this paragraph are the following:

(1) If a person has a split rating of 25% AA–2 and 75% AA–3 for production materials for a certain product, he may use the AA–2 rating to get his fibre shipping container requirements for 25% of that product and the AA–3 for the balance.

(2) If a person receives a rated order and is not prohibited by any War Production Board regulation or order, (such as Priorities Regulation 11B or CMP Regulation 3[2]) from using the rating to get his production material for the order, he may extend that rating to get the fibre shipping containers he will use to make delivery on the rated order or for inventory replacement purposes.

[1] "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated into his product and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

[2] Priorities Regulation 11B contains the following provision: "A person who has received a rating or ratings on Form WPB–2618 (formerly PD–870) for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product". CMP Regulation 3 contains the following provision: "A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer". Limited exceptions to these prohibitions are set forth in the respective regulations.

(j) *Non-manufacturers may extend customers' ratings.* A person who sells, on a rated order, material which he does not manufacture, may extend his customers' ratings to get fibre shipping containers to fill that order or for inventory replacement. This may be done regardless of the provisions of paragraph (d) (4) of Priorities Regulation 3.

(k) *Use of ratings assigned by certain agencies*—(1) *Empty containers.* The Army, the Navy, the Maritime Commission and the War Shipping Administration may use ratings which they assign to get empty fibre shipping containers of which they will take actual physical possession and which they will actually pack themselves. The rating described in this paragraph cannot be used to get fibre shipping containers which are delivered for packing by anyone else whether on a contract, agency or other basis.

(2) *Containers for export shipment of products on List A of Priorities Regulation 3.* A person may use a rating, assigned specifically for fibre shipping containers by the Army, the Navy, the Maritime Commission, the War Shipping Administration and the Foreign Economic Administration, only for the following purposes: To get fibre shipping containers which will be packed in the United States with a product appearing on List A of Priorities Regulation 3 and shipped to any point outside of the forty-eight states, the District of Columbia, Canada or Mexico, to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration or for lend-lease purchases. The same rating may be used to replace in inventory any fibre shipping containers used for such export shipment.

(l) *Special ratings.* The War Production Board may assign special ratings in addition to those described in paragraphs (h), (i), (j), (k), (m), and (n), for fibre shipping containers. Applications for such ratings should be filed on Form WPB–2408.

(m) *Catch-all ratings.* If a person (other than a manufacturer or jobber of inner containers, see paragraph (o)) is not entitled to use a rating to get fibre shipping containers for a particular purpose or purposes under any other provision of this order, he may use the following ratings to get the fibre shipping containers he needs for that purpose or to replace fibre shipping containers used for that purpose in his inventory.

1. AA–2X—if he has a blanket MRO rating of AA–1.
2. AA–3—if he has a blanket MRO rating of AA–2.
3. AA–4—if he has a blanket MRO rating of AA–2X.
4. AA–5—if he has a blanket MRO rating of AA–3 or lower.

"Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation 3.

(n) *Ratings for manufacturers or jobbers of inner containers or closures.* When used in this paragraph (n) the term "inner containers" shall, in all cases, include closures for containers.

Manufacturers or jobbers of inner containers, such as glass jars, folding boxes, cans, etc. may not use their production material rating (paragraph (i)) or a catch-all rating (paragraph (m)), to get fibre shipping containers for the delivery of empty inner containers. However, they may use, for this purpose, any rating which they are entitled to under paragraphs (g), (h–List A), (j), (l) or (k) (2) of this order.

In addition, manufacturers or jobbers of inner containers may use the same ratings which their customers could use to get fibre shipping containers, within the following limits and under the following conditions:

(1) The customer must advise the manufacturer or jobber, in writing, that a specific number or all of the inner containers covered by his purchase order will be used for a purpose which would entitle him, under the terms of this order, to use a certain rating to get fibre shipping containers for shipping them after they (the inner containers) have been filled.

(2) When so advised, the manufacturer or jobber of the inner containers may use the same rating to get fibre shipping containers for delivering the specified number of empty inner containers to that customer, or to replace any fibre shipping containers so used in inventory.

(o) *Permitted extension of ratings by fibre shipping container jobbers.* A person who sells empty fibre shipping containers, which he does not make, or which, he merely assembles, may extend his customers' ratings to get fibre shipping containers for delivery on the rated order, or to replace any fibre shipping containers so delivered in inventory.

Use of Ratings for Delivery of Empty Containers to Foreign Countries

(p) *Countries other than Canada.* No ratings except those assigned pursuant to paragraph (1) (Special ratings) may be used to get fibre shipping containers which will be delivered empty to any foreign country except Canada, unless the containers are to be delivered directly to and used directly by an agency of the United States Government.

(q) *Canada.* The ratings provided by this order may be used to get fibre shipping containers by persons in Canada only if they are authorized to do so in accordance with Priorities Regulation 22. Any person in Canada authorized to use a preference rating under this order shall use such rating in the manner provided by Priorities Regulation 22.

Directions

(r) *Special directions by the War Production Board.* The War Production Board may, from time to time, direct a producer to produce and deliver specific quantities and types of fibre shipping containers to specified persons. It may also direct the manner in which such production and delivery shall be effected. Such directions will be made to insure the satisfaction of war and essential civilian requirements, both direct and indirect, and shall take precedence, to the extent which may be indicated by the War Production Board in the Direction over any preference ratings.

Existing Unfilled Orders

(s) *Re-rating of existing orders.* Preference ratings assigned or permitted to be used by this order may be applied or extended to any unfilled order for fibre shipping containers placed prior to February 29, 1944. Any rating so applied or extended is a rerating under the provisions of Priorities Regulation 12.

(t) *Termination of existing ratings on unfilled orders.* All ratings applied or extended to any order for fibre shipping containers before Febuary 29, 1944, shall be ineffective after April 29, 1944. If delivery is not made before the last mentioned date and the order is not rerated in accordance with paragraph (s) above, the order shall be regarded as bearing an AA-5 rating and shall be scheduled and filled accordingly.

(u) *Cancellation of special ratings previously assigned.* No ratings assigned on Form WPB-2408, before February 29, 1944, may be applied to orders for containers placed after February 29, 1944.

Certification

(v) *How the ratings provided for in this order may be applied or extended.* The ratings assigned or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is entitled to apply or extend the preference rating set forth on this order and that such application or extension is in accordance with Priorities Regulation 3, and is justified by paragraph (...) of Order P-146.

Purchasers applying or extending ratings to get fibre shipping containers shall insert the appropriate paragraph letter of this order in the blank appearing in the last line of the above certificate.

(w) *Standard certification.* The standard certification provided for in paragraph (g) (1) of Priorities Regulation 3, and in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certification provided by paragraph (v) above; nor may the certification provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Sales of Sheet

(x) *Sales of sheet to sheet plants and to cleated box manufacturers.* A manufacturer of fibre shipping containers may supply corrugated or solid fibre sheets to sheet plants or cleated box manufacturers even though he has unfilled rated orders for fibre shipping containers to be made from such sheets. This does not mean that container manufacturers are required so to supply sheets or that sheet plants or cleated box manufacturers can extend ratings received from their customers to get sheets. It merely supersedes the provisions of Priorities Regulation 1 to the extent necessary (and only to that extent) to permit the sale of sheets to cleated box manufacturers and sheet plants regardless of whether this would prevent or delay the acceptance or fulfilment of rated orders for fibre shipping containers.

Miscellaneous

(y) *Limits on the scope of this order.* This order deals only with the items defined as "fibre shipping containers". It does not affect ratings applicable to any other kind of container. This order does not purport to define any containers or closures (including fibre shipping containers) as "production materials" for the product to be packed. Nor does it permit "production materials" ratings, or any other ratings described herein, to be used to get any containers or closures, except those defined in paragraph (c).

(z) *Restrictions on acceptance of ratings.* No persons receiving an order for fibre shipping containers shall give effect to any preference rating applied or extended thereto on or after February 29, 1944, if he knows or has reason to believe, that the rating has not been applied or extended in accordance with the provisions of this order.

(aa) *Applicability of regulations.* Preference ratings may be used to get fibre shipping containers in accordance with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3. With this exception, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time. For instance, when this order allows a rating to be used for inventory replacement, this must be done in accordance with Priorities Regulation 3.

(bb) *Effect of other orders.* This order does not authorize the delivery, receipt, manufacture or use of any materials in violation of any other order of the War Production Board.

(cc) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(dd) *Communications.* All reports to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: P-146.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

These are the product ratings described in paragraph (h) of this order. The preference rating shown opposite each product may be used to get "fibre shipping containers" for it.

Rating procedures to get fibre shipping containers for products not appearing in the following list are described in paragraphs (g) through (p) of this order. Some of these procedures may, in appropriate cases, be used to get containers for listed products if the shipper prefers them to his listed rating. However, attention is called to the fact that the so-called "catch all" rating procedure, described in paragraph (m) of this order, may not be used to get containers for any listed product.

The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Product	Rating
BUILDING MATERIALS	
Acoustical tile	AA-3
Asphalt shingles	AA-3
Asphalt tile	AA-3
Facing tile, glazed and unglazed	AA-3
Floor and wall tile, glazed and unglazed	AA-3
Industrial plaster	AA-3
Insulating tile	AA-3
Mineral wool, formed and for metal encased insulation	AA-2X
Non-rigid insulation materials—Slabs, blocks, batts, and blankets	AA-3
CHEMICALS AND ALLIED PRODUCTS	
Chemicals under the following WPB orders:	AA-1
M-34 M-254 M-306 M-338 M-169 M-207 M-322 M-348	
Chemical and allied products as follows:	AA-1
Explosives: Military only. Hydraulic fluid: Aircraft only. Penicillin.	
Chemicals under the following WPB orders:	AA-2
M-10 M-159 M-214 M-295 M-12 M-164 M-215 M-299 M-18-b M-165 M-224 M-304 M-19 M-168 M-226 M-314 M-19-a M-170 M-230 M-315 M-25 M-171 M-240 M-327 M-30 M-175 M-243 M-336 M-31 M-178 M-244 M-340 M-69 M-179 M-246 M-342 M-75 M-183 M-267 M-344 M-131 M-184 M-269 M-350 M-137 M-185 M-269 M-352 M-152 M-190 M-270 M-354 M-153 M-191 M-275 M-150 [1] M-157 M-203 M-289	
Chemicals and allied products as follows:	AA-2
Chemical Warfare agents. Coal tar and coal tar distillation products. Explosives: industrial. Glass: optical and technical. High tenacity rayon. Hydraulic fluid: all military except aircraft. Nylon. Reagent chemicals prepared and packed for reagent use in laboratories. Wood distillation products.	
Chemicals and allied products as follows:	AA-3
Enamels. Glass: structural. Ink: printing. Lacquer. Matches. Paint (except marine). Pigment and colors. Preservatives. Textile assistants. Varnish.	

[1] Xylol only.

Product	Rating
CHEMICALS AND ALLIED PRODUCTS—continued	
Chemicals and allied products as follows:	AA-4
Alkali cleaners and washing compounds. Bleaches, hypochlorites, peroxides and perborates. Carbon dioxide. Glass: tableware and kitchen. Metal polishes and buffing compounds (not abrasive).	
Chemicals and allied products as follows:	AA-5
Associated paint, varnish, and lacquer products, such as stains, fillers, polishes, putty, patching plaster and other surfacing compounds. Candles. Cosmetics and toiletries. Dentifrices, shaving creams and soaps. Glass: ornamental and novelty. Glass: not otherwise listed. Ink: all others not listed above.	
CONTAINERS, INNER (As referred to in paragraph (o) of this Order)	
Bags and sacks	AA-3
Bag ties	AA-3
Closures and hoods for containers	AA-3
Collapsible tubes	AA-3
Fiber cans and tubes	AA-3
Folding and set-up boxes	AA-3
Glass containers	AA-3
Metal cans	AA-3
Paper caps for glass bottles and jars	AA-3
Paper cups and nested food containers	AA-2X
Paper milk containers	AA-2X
Seed envelopes	AA-3
Till baskets and berry cups	AA-2X
PAPER AND PAPER PRODUCTS (Ratings for items listed under this heading apply only when the items are made of paper)	
Abrasive papers	AA-2
Adding machine and business machine rolls	AA-2X
All paper for delivery to U. S. Bureau of Engraving and Printing	AA-2X
Automotive oil cartridges	AA-2X
Blueprints and direct line papers	AA-2
Books and directories	AA-3
Cable insulation	AA-1
Caps for glass bottles and jars	AA-3
Caps, pads, cushions and guards for fruit and vegetable packing	AA-3
Carbon paper	AA-3
Carbonizing paper	AA-3
Chart paper	AA-2
Charts, rolls and tape for communication and recording instruments and machines	AA-2
Cigarette paper	AA-3
Cigarette paper books	AA-3
Clock backs and cases	AA-3
Clothing	AA-3
Condenser paper	AA-1
Condensers—component parts thereof	AA-1
Control knobs and dials	AA-2X
Cores and core plugs	AA-2X
Crepe cellulose wadding	AA-3
Crepe wadding for packing	AA-3
Dental mouth wadding	AA-2X
Diaper linings	AA-2X
Dishes and plates	AA-3
Electrical insulation tissues	AA-1
Envelopes in all styles except expansion type	AA-3
Expanding envelopes or pockets	AA-3
Facial tissues	AA-3

Product	Rating
PAPER AND PAPER PRODUCTS—continued	
Faces for gauges, clocks and weighing equipment	AA-2X
Fibre conduit and fittings	AA-2X
File dividers and indexes	AA-3
Fillers, looseleaf (except accounting)	AA-3
Filter paper	AA-2
Fly paper	AA-3
Fly ribbons	AA-3
Folders (file)	AA-3
Forks and spoons	AA-3
Friction pulleys and wheels	AA-2X
Fuses and compdnent parts thereof	AA-2X
Gaskets	AA-2X
Gears	AA-2X
Gummed flat paper	AA-3
Headrest rolls	AA-3
Helmets and helmet accessories	AA-3
Hospital wadding	AA-2X
Household waxed paper, all styles	AA-3
Index cards, plain and ruled	AA-3
Instrument panels	AA-2X
Lens tissue	AA-1
Lithomat and photomat paper	AA-3
Map paper	AA-2
Mimeograph stencils	AA-3
Napkins, for industrial and institutional use (bulk and dispenser type)	AA-3
Paper base plastics	AA-2X
Paper stationery and papeteries	AA-3
Plates and mats—printing, lithographic, duplicating and reproduction	AA-2X
Prepared tracing paper	AA-2
Pressure sensitive adhesive tape	AA-3
Reproduction papers (blueprint gelatin spirit process, photographing, protective and other sensitized)	AA-2
Sanitary napkins and wadding stock	AA-2X
Stencil base stock	AA-3
Straws (soda and drinking)	AA-3
Tablets, pads and notebooks	AA-3
Tabulating cards	AA-3
Tags, commercial and industrial only	AA-3
Toilet seat covers	AA-3
Toilet tissue	AA-3
Towels for industrial use	AA-3
Vertical file pockets	AA-3
V-Mail blanks	AA-3
Waxed and oiled paper, all types and grades other than household packages excluding paper wrapping for direct war use	AA-2X
TEXTILES, CLOTHING, AND LEATHER PRODUCTS	
Animal bristles and hair	AA-2X
Clothing, hats, gloves and all other outerwear and undergarments or apparel, except rationed footwear, if made in whole or in part of leather or textile yarn, staple fibre or fabrics	AA-3
Closures, apparel	AA-3
Combinations of cotton, wool, or synthetic fabrics: woven, knitted or braided	AA-2X
Combinations of cotton, wool or synthetic yarn	AA-2X
Cordage fibers (as defined in WPB Order M-84)	AA-2X
Cotton fabrics: Woven, knitted or braided	AA-2X
Cotton yarn	AA-2X
Dyestuffs	AA-2X
Eyelets, metal	AA-3
Findings, shoe	AA-2X
Footwear, rationed	AA-2X
Footwear, unrationed	AA-3
Furs and products made therefrom	AA-3
Harness	AA-3
Leather—Limited to processed hides, skins and splits which have not been incorporated into any product	AA-3

Product	Rating
TEXTILES, CLOTHING, LEATHER PRODUCTS—con.	
Leather finishes	AA-3
Shoe adhesives	AA-3
Shoe cut stock (repair taps, insoles, counters, box toes and welting)	AA-3
Sponges	AA-3
Synthetic fabrics: woven, knitted or braided	AA-2X
Synthetic yarn	AA-2X
Textile fibers (animal and vegetable)	AA-2X
Vegetable tanning materials	AA-3
Wool fabrics: Woven, knitted, felted or braided	AA-2X
Wooden heels, soles and shanks	AA-3
Wool yarn	AA-2X
MISCELLANEOUS	
Barium salts	AA-2X
Borax	AA-2X
Cement (refractories)	AA-2X
Ceramic closures	AA-3
Chicks, baby	AA-2X
Chinaware	AA-3
Church goods	AA-3
Controlled materials (as defined in CMP Reg. 1)	AA-1
Dental plaster	AA-2X
Drugs, medicinals and biologicals	AA-2X
Fluorspar	AA-2X
Foods, except soft drinks, alcoholic beverages, chewing gum, and vegetables listed below:	AA-2X
Cantaloupes and melons	AA-3
Cauliflower	AA-3
Celery	AA-3
Cucumbers	AA-3
Lettuce	AA-3
Radishes	AA-3
Fruit trees, berry bushes and vegetable plants	AA-2X
Furniture	AA-3
Micro crystalline wax and blends (as defined in Order PDO-19)	AA-2
Motion picture prints or film	AA-3
Orthopedic plaster	AA-2X
Petroleum restricted products as defined in M-201 to be delivered directly to Army, Navy, Maritime Commission or War Shipping Administration	AA-1
Petroleum, restricted products as defined in M-201 for deliveries other than described in preceding item	AA-2X
Potash	AA-2X
Poultry, live	AA-2X
Refractories	AA-2X
Safety equipment, clothing and devices as defined in Order L-114	AA-2X
Salt	AA-2X
Sanitary napkins	AA-2X
Smelting and refinery products	AA-2X
Soap	AA-3
Surgical dressings	AA-2X
Tacks, cut steel (except thumb) and wire	AA-2X
Talc (crayons and forms)	AA-2X

[F. R. Doc. 44-2918; Filed, February 29, 1944; 11:09 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, Interpretation 2]

The following interpretation is issued with respect to General Limitation Order L-79:

Office of Price Administration requirements not affected. Question has been raised as to

whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9–A.

The words "without restriction" as used in L–79 refer only to restrictions placed by the War Production Board, and Order L–79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–2920; Filed, February 29, 1944; 11:09 a. m.]

PART 3293—CHEMICALS

[Conservation Order M–353, as Amended Dec. 24, 1943, Amdt. 1]

PURE TITANIUM DIOXIDE

Section 3293.546 (Conservation Order M–353) is hereby amended as follows: Paragraph (d) should be stricken in its entirety.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–2921; Filed, February 29, 1944; 11:08 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Feb. 29, 1944]

Section 944.34 *Priorities Regulations 13* is hereby amended to read as follows:

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are three types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold to anyone who makes or produces such a product in the form in which the holder possesses it or to a wholesaler whose regular business is selling such a product in whole or in part from stock or inventory. They also may be sold to anyone on a rating of AA–5 or higher. The only other way in which a holder may make a special sale of a finished product which is not on List B is to obtain permission from the War Production Board. The way to get this permission is explained in paragraph (c) (2) (iii) below.

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB–1161 (PD–470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. There are two exceptions to this rule in which WPB–1161 is not to be used. These are controlled materials for which special rules have been provided in later paragraphs, and a few finished products where a note in List B states that another form is to be used.

(iv) A holder may sell freely to anyone if he has a total of less than $100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has $100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth less than $100.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.
>
> ---

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders bearing the endorsements described in M–21–b–1 and M–21–b–2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the Regional Office of the War Production Board for the region in which the material is located or to the appropriate materials division. If the material is being secured through the Copper Recovery Inventory Branch, then such request should be addressed to it at 350 Fifth Ave., New York 16, N. Y.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before February 29, 1944 which say that this regulation does not apply may be disregarded, except for Order U–1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P–98–c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after February 29, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised on the first of each month, beginning April 1st, 1944. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LISTS A AND B

Explanation of Lists A and B: Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes non-integrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are wholesaler dealers in the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular

business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons for the purpose of resale, or for fabrication or assembly into other products. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5," it means that the holder can sell to anyone who gives him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
PART I—METALS AND METALLIC ORES					
Alloy Steel (see Steel).					
Alumina	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):***					
In controlled material form	W. O. P.	No*	W. O. P.**	W. O. P.**	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors and wholesale dealers. Lists available at WPB offices. ***A holder may sell freely to anyone if the total amount of aluminum held by him does not exceed $25.00 in value.
Not in controlled material form	W. O. P.	No	W. O. P.**	W. O. P.**	
Antimony:					
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 36% or more of antimony by weight.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Beryllium*	W. O. P.	No	No	W. O. P.	*Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals)					
Carbon steel (see Steel).					
Cast iron products (see Iron)					
Chromium:					
High carbon ferro-chromium over .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Low carbon ferro-chromium under .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Copper:					
In Controlled Material Form (new and used).***					***A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in Para. (C), (2) (iii) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness alloy, or insulation. Differences in temper or length do not differentiate items. *Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to persons holding allocations certificates or specific authorization to buy.
Brass Mill Products	W. O. P.	No*	No**	No**	
Copper Wire Mill Products (Bare & Insul.)	W. O. P.	No*	No**	No**	
Foundry Copper or Copper Base Alloy Products.	No**	No*	X	No**	
Not in Controlled Material Form (new and used).					
Copper raw Materials (Ref. Shapes & Cu & Cu Base Alloy ingots).	W. O. P.	No.**	X	No.**	
Semi-fabricated or Fabricated Unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs and pins (such as cotter, clevis, brake, knuckle and taper)).	W. O. P.	PR-AA5	PR-AA5	PR-AA5	
Corundum (see Part III).					
Cryolite	No	No	No	No	
Electrical resistance material*	No	No**	No	No	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. ** A holder may sell freely to anyone if the total amount of electrical resistance material held by him does not exceed $25.00 in value.
Ferroalloys* (other than ferrocolumbium).					* May be sold as provided for principal non-ferrous element.
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	* Includes any alloy containing 40% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
Wrought iron (see Steel and Wrought Iron).					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					
Magnesium and magnesium products*	W. O. P.	W. O. P.	W. O. P.**	No	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WPB offices.
Molybdenum wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Monel (see Nickel).					
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR AA-5	No	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferronickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Nickel steel (see Steels).					
Osmium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in electrical contacts.
Pig iron (see Iron).					
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	No	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	No	W. O. P.	W. O. P.	
Treasury silver	W. O. P.	No	W. O. P.	W. O. P.	
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Stainless steel (see Steel).					
Steel and Wrought iron*					* A holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him (determined as provided in Par. (c) (2) (iii)) does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Rails and track accessories*	No	No	No	No**	*See L-88.
Tin plate, terne plate and tin mill black plate.*	W. O. P.	No**	No**	No**	*Subject to the limitations of M-21-c.
All other controlled material forms of steel and wrought iron.	W. O. P.*	No**	No**	No**	**Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. *Also includes nonintegrated steel producers who further process steel. *See CMP Reg. 1 for list of controlled material forms.
Not in controlled material form: *					
Bolts, nuts, screws, washers, studs and pins (such as cotter, clevis, brake, knuckle and taper).	W. O. P.	W. O. P.	X	W. O. P.	
Steel, Other	W. O. P.	PR AA-5	PR AA-5	PR AA-5	
Wrought iron	W. O. P.	PR A-9	W. O. P.	W. O. P.	
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Terne plate (see Steels).					
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin mill black plate (see Steel).					
Tin plate (see Steel).					
Tool steel (see Steel).					
Tungsten wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5	X	W. O. P.	
Wrought iron (see Iron).					
Zinc:					
Zinc	W. O. P.	PR AA-5	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
PART II—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde	W. O. P.	No*	W. O. P.	W. O. P.	*54 gals. Mo.[1]
Acetate, vinyl (and polymers of)	W. O. P.	No*	X	No	*25 lbs. Mo.[1]
Acetic anhydride**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Acids:					
Acetic	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Adipic**	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1] ** Includes all derivatives except "Nylon."
Arsenious**	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Citric	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo.[1]
Maleic	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Naphthenic	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phosphoric	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Acrylic Monomers and Acrylic Resins:					
Cast sheet	W. O. P.	No*	X	W. O. P.	*80 sq. feet Mo.[1]
Molding sheet	W. O. P.	No*	X	W. O. P.	*80 sq. feet Mo.[1]
Molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cast shapes	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Tube	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Rod	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Solution	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Emulsion	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomer	W. O. P.	No*	X	W. O. P.	*10 gals. Mo.[1]
Granular polymers	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Acrylonitrile**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Includes Isobutyl, secondary butyl, and tertiary butyl.
Capryl**	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo.[1] **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	No*	X	W. O. P.	*7,900 gals. quarter.[1]
Hexahydric Alcohols:					
d-Sorbitol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Technical grade d-Sorbitol	W. O. P.	No*	X	W. O. P.	*90 lbs. Mo.[1]
Commercial grade	W. O. P.	No*	X	W. O. P.	*800 lbs. Mo.[1]
Mannitol-crystalline	W. O. P.	No*	X	W. O. P.	*280 gals. Mo.[1]
Higher Aliphatic Alcohols:					
Octanol	W. O. P.	No*	X	W. O. P.	*370 lbs. Mo.[1]
Normal octanol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Normal decanol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Lauryl alcohol	W. O. P.	No*	X	W. O. P.	*260 lbs. Mo.[1]
Mixed aliphatic alcohols	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Isopropyl**	W. O. P.	No*	X	W. O. P.	*270 gals. Mo.[1] **Also called secondary propanol.
Methyl (methanol)	W. O. P.	No*	X	W. O. P.	*540 gals. Mo.[1]
Alcohols, denaturants:					
Acetabtol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.
Dehydrol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
G. C. 78	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
St. 115	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Alkanolamines	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Allyl Alcohol	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Allyl Chloride	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Aluminum hydrate	W. O. P.	No	X	W. O. P.	
Aluminum chloride, anhydrous	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Ammonia:					
By-product ammonia**	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Antimony sulphide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol).	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1] **Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzene	W. O. P.	No*	No	W. O. P.	*50 Gals. Mo.[1]
Benzene containing oils	W. O. P.	No	No	W. O. P.	
Beryllium chemicals	W. O. P.	No	No	W. O. P.	
Butadiene	W. O. P.	No*	X	W. O. P.	*135 lbs. Mo.[1]
2-butanol	W. O. P.	No*	X	W. O. P.	
Butyl phthalyl butyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Cadmium pigment	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1]
Calcium carbide	W. O. P.	No*	X	W. O. P.	*70 tons Mo.[1]
Calcium hypochlorite, high test**	W. O. P.	No*	X	No	**Available chlorine content 65% or more by weight.
Calcium metal	W. O. P.	No*	X	W. O. P.	*3 lbs. Mo.[1]
Other forms	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo.[1]
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Carbon tetrachloride	W. O. P.	No*	W. O. P.	W. O. P.	*52 gals. Mo.[1]
Casein	W. O. P.	No*	No	W. O. P.	*125 lbs. Mo.[1]
Castor oil phthalate	W. O. P.	No	X	W. O. P.	
Castor oil phthalate hydrogenated	W. O. P.	No	X	W. O. P.	
Cellulose acetate**	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1] **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
Cellulose ester sheets, rods, tubes and molding powder:					
Cellulose plastic molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cellulose plastic sheets	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Cellulose plastic rods	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic tubes	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose nitrate, plasticised**	W. O. P.	W. O. P.	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Chestnut extract	No	No	No	No	
Chlorate and perchlorate chemicals**	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo. **Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it — (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Chloride of lime**	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Chlorine	W. O. P.	No	X	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No	No	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Chromic Acid	W. O. P.	No*	No	W. O. P.	*800 lbs. Mo.[1]
Chromium tanning compounds	W. O. P.	No*	No	W. O. P.	*See sodium bichromate.
Sodium bichromate	W. O. P.	No*	No	W. O. P.	*4,000 lbs. Mo.[1] or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Potassium bichromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Potassium chromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Cobalt oxide	W. O. P.	No	X	W. O. P.	
Copper carbonate	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper chloride	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper cyanide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper oxide (except cuprous oxide)	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper sulphate	W. O. P.	No*	X	W. O. P.	*4,000 lbs. quarter.[1]
Cotton pulp, chemical	W. O. P.	No	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	No	W. O. P.	
Cuprous oxide	W. O. P.	No	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
DDT	W. O. P.	No*	X	W. O. P.	*1 lb. Mo.[1]
Diacetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Diamyl phthalate	W. O. P.	No	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Dibutyl phthalate	W. O. P.	No	X	W. O. P.	
Dicapryl phthalate	W. O. P.	No	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No*	No	No	*550 lbs. Mo.[1]
Dichlorodifluoromethane	W. O. P.	No	X	W. O. P.	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl phthalate	W. O. P.	No	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No	X	W. O. P.	
Dimethyl phthalate	W. O. P.	No	X	W. O. P.	
Diphenylamine**	W. O. P.	No	X	W. O. P.	**Also called phenylaniline.
Dyestuffs and organic pigments	W. O. P.	No	X	W. O. P.	
Ethyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo. of ethyl acetate and isopropyl acetate.[1]
Ethyl cellulose	No	No*	X	No	*10 lbs. Mo.[1]
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	No	X	W. O. P.	
Formaldehyde	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Furfural	W. O. P.	No*	X	W. O. P.	*110 gals. Mo.[1]
Gasoline Gum inhibitors	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Glycols:					
Ethylene	W. O. P.	No*	X	W. O. P.	*5,000 lbs. Mo.[1]
Propylene	W. O. P.	No*	X	W. O. P.	*950 lbs. Mo.[1]
Diethylene	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Triethylene	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Mixed glycols	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Glycol ethers:					
Monobutyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*430 lbs. Mo.[1]
Monoethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*410 lbs. Mo.[1]
Monoethyl ether of diethylene glycol	W. O. P.	No*	X	W. O. P.	*460 lbs. Mo.[1]
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Hydrogenated methyl abietate	W. O. P.	No*	X	W. O. P.	*5,000 lbs. Mo.[1]
Isobutyl castor oil phthalate	W. O. P.	No	X	W. O. P.	
Isopropyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of isopropyl acetate and ethyl acetate.
Lacquer, lacquer thinners (see Paints).					
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals**	W. O. P.	No	No	W. O. P.	**Excluding crude lithium sodium phosphate.
Magnesium oxide, light	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Maleic Anhydride	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Melamine Aldehyde molding compound and resins.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Methacrylic acid (see acrylic monomer and acrylic resins.					
Methanol	W. O. P.	No	X	W. O. P.	
Methyl bromide	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Methyl ethyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl Isobutyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Mineral oil polymers	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1]
Molding compounds:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Monoethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates**	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1] **Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naptha, high flash	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1]
Nickel chemicals**	W. O. P.	No	No	W. O. P.	**Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oxidized petrolatum	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Paints, varnishes, lacquers and lacquer thinners:					
Aluminum paint	W. O. P.	No	X	W. O. P.	

This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION—Continued

This list refers to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**.	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1] **Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Di-acetone.
Paints, other	W. O. P.	W. O. P.	X	W. O. P.	
Paraformaldehyde	W. O. P.	No*	X	W. O. P.	*3,000 lbs. Mo.[1]
Pentaerythritol	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Perchlorate chemicals	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1]
Perchlorethylene	W. O. P.	No*	X	W. O. P.	1 drum Mo.[1]
Perchloric acid	W. O. P.	No*	No*	W. O. P.	*25 lbs. Mo.[1]
Phenols (tar acids)**	W. O. P.	No*	No	W. O. P.	*55 gals. Mo.[1] **Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	No*	W. O. P.	W. O. P.	*10,000 lbs. Mo.[1]
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	*700 lbs. Mo.[1]
Pine oil	W. O. P.	No*	X	W. O. P.	*15 gals. quarter.[1]
Plasticizers:					
Phosphate**	No	No*	X	No	*1,000 lbs. Mo.[1] **Tricresyl and triphenyl.
Phthalate	W. O. P.	No	X	W. O. P.	
Plastics, cellulose (see cellulose ester flake)					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyethylene	W. O. P.	No	X	W. O. P.	
Polystyrene**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **In primary unfabricated forms.
Polyvinyl acetal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Potash**	W. O. P.	No*	X	W. O. P.	5 tons Mo.[1] **Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	No	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No	W. O. P.	*80 lbs. Mo.[1]
Resin:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	*750 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Vinsol	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	*5 lbs. or 1 gal. Mo.[1]
Rubber, synthetic (see Rubber, Part III).					
Shellac	W. O. P.	No	X	W. O. P.	
Sodium metallic	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Sodium metasilicate	W. O. P.	No*	X	W. O. P.	*800 lbs. Mo.[1]
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium phosphates	W. O. P.	No*	X	W. O. P.	*1000 lbs. Mo.[1]
Stabilized rosin	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Staybelite	W. O. P.	No	X	No	
Styrene	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No	No	X	No	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Tin chemicals	No	No	No	No	
Titanium dioxide	W. O. P.	W. O. P.	X	W. O. P.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	*5 gals. Mo.[1]
Toluene (toluol)	W. O. P.	No*	No	W. O. P.	
Tributyl glycerol triphtbalate	W. O. P.	No	X	W. O. P.	1 drum Mo.[1]
Trichlorethylene	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Triethanolamine	W. O. P.	No*	X	W. O. P.	
Tungsten chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Varnishes (see Paints).					
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No*	X	W. O. P.	*00 gals. Mo.[1]
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide-pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Abrasive, manufactured,* crude and grain.	W. O. P.	No	W. O. P.	W. O. P.	*Includes silicon carbide and used aluminum oxide only.
Agave Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Agave fibre:					
Suitable for cordage	No	No	No	No	
Not suitable for cordage	No	W. O. P.	No	No	
Asbestos fibre	W. O. P.	W. O. P.	X	W. O. P.	
Asbestos textiles	W. O. P.	W. O. P.	X	W. O. P.	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Broom Corn	W. O. P.	W. O. P.	X	W. O. P.	
Burlap	W. O. P.	W. O. P.	No	W. O. P.	
Cantala (see Agave fibre)					
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Cork	W. O. P.	W. O. P.	X	W. O. P.	
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	*Produced after July 31, 1943.
Cotton linters*	W. O. P.	No	X	W. O. P.	*Suitable for military use.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Report sales as required by M-199.
Diamonds, industrial*	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Width 15° to 87°.
Duck, Cotton*	W. O. P.	PR AA-5	X	W. O. P.	*Only to persons holding purchase permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Feathers: Waterfowl (new or used)	No*	No*	No*	W. O. P.	
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	
Graphite, strategic grades	No	No	No	No	
Hemp seeds	W. O. P.	W. O. P.	X	W. O. P.	
Hemp Sunn	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)					
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Hull fibre*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Istle, raw*	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Jewel bearings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearing material*	W. O. P.	No	X	W. O. P.	*Natural spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	W. O. P.	W. O. P.	X	W. O. P.	
Lacquer, lacquer thinners (see Paints, Part II).					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Fibre	No	No*	No	No	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon	W. O. P.	No	No	No	
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool).					
Paints (see Part II).					
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W. O. P.	W. O. P.	No	W. O. P.	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rubber:					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Co.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	No	No	X	No	
Waste, noils, etc.	No	W. O. P.**	W. O. P.**	W. O. P.	**Use certificate required.
Sisal (see Agave fibre).					
Sole leather (see Leather).					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Black Walnut	W. O. P.	W. O. P.	X	W. O. P.	
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Port Orford Cedar and derivatives.	W. O. P.	W. O. P.	X	W. O. P.	
Sitka Spruce	No	No	No	No	
Western Hemlock, aircraft	No	No	No	No	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR AA-5	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Abrasive products, bonded and coated.	WOP	WOP	WOP	WOP	
Asbestos:					
Asbestos marine type fireproof insulating board.	WOP	PR-AA-8	X	No	
Asbestos textiles	WOP	No	X	X	
High temperature all types pipe covering and blocks.	WOP	PR-AA-2X	X	PR-AA-2X.	
Automotive equipment:					
Axles	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Brakes	WOP	PR-AA-2X	X	WOP [1]	
Clutches	WOP	PR-AA-2X	X	WOP [1]	
Off-the-highway vehicles	WOP	PR-AA-2X	X	WOP [1]	
Propeller shafts	WOP	PR-AA-2X	X	WOP [1]	
Rims	WOP	PR-AA-2X	X	WOP [1]	
Transfer cases	WOP	PR-AA-2X	X	WOP [1]	
Transmissions	WOP	PR-AA-2X	X	WOP [1]	
Truck-trailers	WOP	PR-AA-2X	X	WOP [1]	
Trucks	WOP	PR-AA-2X	X	WOP [1]	
Wheels	WOP	PR-AA-2X	X	WOP [1]	
Engines:					
Air-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Diesel and gas (not gasoline) (non-marine only).	WOP	PR-AA-2X	X	WOP [1]	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only).	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Camshafts (finished only)	WOP	PR-AA-2X	X	WOP [1]	
Carburetors, gasoline	WOP	PR-AA-2X	X	WOP [1]	
Crankshafts (finished drop forged).	WOP	PR-AA-2X	X	WOP [1]	
Electric starting motors, engine mounted only.	WOP	PR-AA-2X	X	WOP [1]	
Exhaust and intake valves and seats—internal combustion engines.	WOP	PR-AA-2X	X	WOP [1]	
Fuel injection equipment	WOP	PR-AA-2X	X	WOP [1]	
Generators, internal combustion engine mounted.	WOP	PR-AA-2X	X	WOP [1]	
Magnetic starting switches—internal combustion engines.	WOP	PR-AA-2X	X	WOP [1]	
Magnetos	WOP	PR-AA-2X	X	WOP [1]	
Mechanical governors	WOP	PR-AA-2X	X	WOP [1]	
Piston rings	WOP	PR-AA-2X	X	WOP [1]	
Voltage regulators	WOP	PR-AA-2X	X	WOP [1]	
Bearings—anti-friction	No [3]	No [3]	No [3]	No [3]	[3] Sales of excess bearings are limited to the following: 1. To the original supplier; or 2. On any AAA order; or 3. On any AA-5 or higher rated order from Army, Navy, Maritime Commission, or War Shipping Administration or from any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 4. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 5. Specific sales authorized by the War Production Board.
Chain saws	WOP	No [4]	X	No [4]	[4] May be sold only on WPB authorization (Form WPB-3131).

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Construction machinery:					
Backhoes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	[5] May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located. This restriction does not apply to sales outside the 48 states of the United States and the District of Columbia and does not apply to the following special sales: 1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale. 2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer. 3. Sales by any Governmental agency to any other Governmental agency. 4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Cranes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	
Draglines (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	
Motorgraders (new and used), self propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four wheel drive types.	No [5]	No [5]	No [5]	WOP	
Shovels (new and used), power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	No [5]	No [5] [1]	No [5]	WOP	
	No [5]	No [5]	No [5]	WOP	
Tractors (new and used), crawler or track-laying type, all gauges, bare and including tractor mounted equipment such as bulldozers, angledozers, cranes, loaders, power control units, etc. (all diesel and semi-diesel powered models and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No [5]	No [5]	No [5]	WOP	
Cork products	WOP	WOP	WOP	WOP	[6] With hole diameter larger than .0015.
Diamond dies (large) [6]	WOP	WOP	WOP	WOP	
Diamond dies (small) [7]	WOP	No	No	No	[7] With hole diameter of .0015 and smaller.
Electronic parts and equipment:					
Electronic equipments	WOP	AA-5	X	No	
Capacitors (variable)	WOP	AA-5	X	No	
Capacitors (fixed)	WOP	AA-5	X	No	
Coaxial cable	WOP	AA-5	X	No	
Crystal assemblies	WOP	AA-5	X	No	
Instruments, electrical indicating, combat type [8]	WOP	AA-5	X	No	[8] Except fire control equipment, and navigation instruments.
Insulators [9]	WOP	AA-5	X	No	[9] Ceramic, micalex, plastic.
Loudspeakers	WOP	AA-5	X	No	
Microphones	WOP	AA-5	X	No	
Relays, other than motor control as used in radio communication equipment.	WOP	AA-5	X	No	
Resistors (radio and radar)	WOP	AA-5	X	No	
Sockets, tube (radio and radar)	WOP	AA-5	X	No	
Test equipment [10]	WOP	AA-5	X	No	[10] All items cleared as recognized B-1 items, (standard) electronic.
Transformers and resistors [11]	WOP	AA-5	X	No	[11] Radio and radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar)	WOP	AA-5	X	No	
Vibrator [12]	WOP	AA-5	X	No	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Engines, marine Diesel	WOP	No [13]	X	No	[13] Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-13 or higher.
Industrial power trucks (new and used).	WOP	No [14]	X	WOP	[14] Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1319)
Laundry equipment, commercial, dry cleaning equipment, commercial, and tailors pressing equipment:					
Group 1					
Boards, steam spotting	WOP	No [15]	X	WOP	[15] May be sold freely to the Army or Navy or any prime contractor or subcontractor for delivery to the Army or Navy, otherwise WPB Form 924 authorization is required.
Conveyors, monorail	WOP	No [15]	X	WOP	
Dry cleaning units, naphtha	WOP	No [15]	X	WOP	
Dry cleaning units, synthetic	WOP	No [15]	X	WOP	
Dryers, garment, hot air	WOP	No [15]	X	WOP	
Dryers, hosiery and sock	WOP	No [15]	X	WOP	
Dye machines	WOP	No [15]	X	WOP	
Extractors (including mechanical unloading).	WOP	No [15]	X	WOP	
Forms, collar	WOP	No [15]	X	WOP	
Forms, hosiery and sock	WOP	No [15]	X	WOP	
Forms, overall	WOP	No [15]	X	WOP	
Forms, sleeve	WOP	No [15]	X	WOP	
Forms, trouser	WOP	No [15]	X	WOP	
Filters, solvent, for dryeleaning	WOP	No [15]	X	WOP	
Fluffers, handkerchief	WOP	No [15]	X	WOP	
Folding machines, automatic	WOP	No [15]	X	WOP	
Ironers, collar	WOP	No [15]	X	WOP	
Ironers, flatwork	WOP	No [15]	X	WOP	
Ironers, handkerchief	WOP	No [15]	X	WOP	
Ironer attachments:					
Canopies	WOP	No [15]	X	WOP	
Feeding devices	WOP	No [15]	X	WOP	
Listing machines	WOP	No [15]	X	WOP	
Marking machines	WOP	No [15]	X	WOP	
Presses	WOP	No [15]	X	WOP	
Shakers, flatwork	WOP	No [15]	X	WOP	
Shapers, sleeve	WOP	No [15]	X	WOP	
Shapers, trouser	WOP	No [15]	X	WOP	
Spreaders, flatwork	WOP	No [15]	X	WOP	
Stackers, flatwork automatic	WOP	No [15]	X	WOP	
Stackers, handkerchief automatic.	WOP	No [15]	X	WOP	
Starch cookers	WOP	No [15]	X	WOP	
Starching and extracting machines.	WOP	No [15]	X	WOP	
Starching machines	WOP	No [15]	X	WOP	
Stills, vacuum, for drycleaning.	WOP	No [15]	X	WOP	
Stretchers, trouser	WOP	No [15]	X	WOP	
Tables, marking	WOP	No [15]	X	WOP	
Tumblers	WOP	No [15]	X	WOP	
Washers (except glove)	WOP	No [15]	X	WOP	
Group 2					
Blocking machines, garment	WOP	WOP	WOP	WOP	
Boards, pressing	WOP	WOP	WOP	WOP	
Boards, pressing, velvet and nap	WOP	WOP	WOP	WOP	
Boards, shirt folding	WOP	WOP	WOP	WOP	
Boards, troning	WOP	WOP	WOP	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Laundry equipment, etc.—Con.					
Boards, spotting, except steam	WOP	WOP	WOP	WOP	
Boards, steam	WOP	WOP	WOP	WOP	
Cabinets, deodorizing, drying or sterilizing	WOP	WOP	WOP	WOP	
Collar shapers	WOP	WOP	WOP	WOP	
Collar tippers	WOP	WOP	WOP	WOP	
Conveyors, bag (wet wash)	WOP	WOP	WOP	WOP	
Conveyors, "go back"	WOP	WOP	WOP	WOP	
Conveyors, shirt	WOP	WOP	WOP	WOP	
Cuff cleaners	WOP	WOP	WOP	WOP	
Dampeners, cloth	WOP	WOP	WOP	WOP	
Dampeners, collar and seam	WOP	WOP	WOP	WOP	
Dryers, blanket and curtain	WOP	WOP	WOP	WOP	
Dryers, rug	WOP	WOP	WOP	WOP	
Dryers, windwhip	WOP	WOP	WOP	WOP	
Dry rooms, conveyor	WOP	WOP	WOP	WOP	
Dry rooms, sectional	WOP	WOP	WOP	WOP	
Dye kettles	WOP	WOP	WOP	WOP	
Feather sanitizing machines	WOP	WOP	WOP	WOP	
Finishers, garment	WOP	WOP	WOP	WOP	
Finishers, sleeve	WOP	WOP	WOP	WOP	
Fluting machines	WOP	WOP	WOP	WOP	
Forms, glove	WOP	WOP	WOP	WOP	
Fur cleaning equipment	WOP	WOP	WOP	WOP	
Glazers, fur	WOP	WOP	WOP	WOP	
Glove cleaning machines	WOP	WOP	WOP	WOP	
Hangers, revolving shirt	WOP	WOP	WOP	WOP	
Hatters' equipment	WOP	WOP	WOP	WOP	
Holders, bag	WOP	WOP	WOP	WOP	
Holders, net	WOP	WOP	WOP	WOP	
Irons, puff	WOP	WOP	WOP	WOP	
Irons, rotary	WOP	WOP	WOP	WOP	
Irons, steam	WOP	WOP	WOP	WOP	
Ironers, edger	WOP	WOP	WOP	WOP	
Ironers, hat crown	WOP	WOP	WOP	WOP	
Ironers, ruffle	WOP	WOP	WOP	WOP	
Ironer attachments:					
String mark eliminators	WOP	WOP	WOP	WOP	
Napping machines (carding machines for blanket finishing).	WOP	WOP	WOP	WOP	
Puffers, steam	WOP	WOP	WOP	WOP	
Rug cleaning machines (stationary).	WOP	WOP	WOP	WOP	
Sand bags, hat	WOP	WOP	WOP	WOP	
Seam cleaners	WOP	WOP	WOP	WOP	
Shirt envelop machines	WOP	WOP	WOP	WOP	
Steamers, garment	WOP	WOP	WOP	WOP	
Steamers, velvet	WOP	WOP	WOP	WOP	
Sterilizers, feather	WOP	WOP	WOP	WOP	
Stretchers, blanket and curtain.	WOP	WOP	WOP	WOP	
Stretchers, dress	WOP	WOP	WOP	WOP	
Tables, steam	WOP	WOP	WOP	WOP	
Tubs, scrub	WOP	WOP	WOP	WOP	
Tubs, starch	WOP	WOP	WOP	WOP	
Tubs, stationary laundry	WOP	WOP	WOP	WOP	
Washers, glove	WOP	WOP	WOP	WOP	
Mining Equipment and machinery [17] (new and used).	No	No	No	No	[17] Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in P-56 may be transferred by such producer only to another producer who holds a serial number under such order or with permission of the Mining Division, WPB.
Motion Picture (35 mm.) projection equipment and accessories:					
List 1					
Amplifiers	No [18]	No [18]	No [18]	No [18]	[18] May be sold only on WPB authorization (Forms WPB-3253 WPB-3254).
Bases	No [18]	No [18]	No [18]	No [18]	
Complete portable projectors	No [18]	No [18]	No [18]	No [18]	
Complete projection arc	No [18]	No [18]	No [18]	No [18]	
Complete projectors	No [18]	No [18]	No [18]	No [18]	
Complete sound systems	No [18]	No [18]	No [18]	No [18]	
Current converting devices	No [18]	No [18]	No [18]	No [18]	
Loud speakers	No [18]	No [18]	No [18]	No [18]	
Pedestals	No [18]	No [18]	No [18]	No [18]	
Projection arc lamphouses	No [18]	No [18]	No [18]	No [18]	
Projector mechanisms	No [18]	No [18]	No [18]	No [18]	[19] May be sold only on WPB authorization (Forms WPB-3255, WPB-3254).
Sound heads	No [18]	No [18]	No [18]	No [18]	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
List 8					
Motion Picture, etc.—Con.					
Automatic enclosed rewinders.	WOP	WOP	WOP	WOP	
Change-over devices	WOP	WOP	WOP	WOP	
Film splicers	WOP	WOP	WOP	WOP	
Hand rewinders	WOP	WOP	WOP	WOP	
Nitrate film storage cabinets.	WOP	WOP	WOP	WOP	
Repair units and repair parts (except electronic parts).	WOP	WOP	WOP	WOP	
Steel fireproof booth tables	WOP	WOP	WOP	WOP	
Take-up reels	WOP	WOP	WOP	WOP	
Motors and generators, electric (fractional horsepower) excepting those used as starters or magnetos on internal combustion engines.	WOP	No [30]	X	No	[30] Does not apply to the sale, exchange or other transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, their contractors or subcontractors provided the fractional horsepower motors will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Office machinery:					
List 1					
Accounting machines, bookkeeping machines and billing machines (accounting principle.) Also continuous forms handling machines (typewriter principle) having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.	WOP	No [31]	No	No	[31] May be sold only on WPB authorization. (Form WPB-1688).
Adding machines	WOP	No [31]	No	No	
Addressing machines, including but not limited to embossing machines for plates, and stencil cutting machines embodying typewriter principle.	WOP	No [31]	No	No	
Calculating and computing machines:					
Rotary and others	WOP	No [31]	No	No	
Duplicating machines including but not limited to ink ribbon gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators:					
Gelatin.					
Offset and relief.					
Spirit.					
Stencil	WOP	No [31]	No	No	
Machines and collateral equipment intended for use for dictating purposes.	WOP	No [32]	No	No	[32] May be sold only on WPB authorization (Form WPB 1688).
Microfilm machines designed for office functions.	WOP	No [31]	No	No	
Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).	WOP	No [31]	No	No	
Payroll denominating machines.	WOP	No [31]	No	No	
Punched card tabulating and accounting machines and collateral equipment.	WOP	No [31]	No	No	
Time recording machines and collateral equipment, except watchmen's clocks.	WOP	No [31]	No	No	[31] May be sold on WPB authorization. (Form WPB-1688).
Time stamp machines and collateral equipment	WOP	No [31]	No	No	
Typewriters—new nonportable	WOP	No [31]	No	No	
Typewriters—new portable	WOP	No [31]	No	No	
Typewriters—used nonportable	WOP	No [31]	WOP	WOP	[31] Subject to OPA Reg. RO-4A.
Typewriters—used portable	WOP	No [31]	WOP	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
List 8					
Office machinery—Con.					
Autographic registers	WOP	WOP	WOP	WOP	
Cash (registering machines)	WOP	WOP	WOP	WOP	
Change making machines	WOP	WOP	WOP	WOP	
Check cancelling machines	WOP	WOP	WOP	WOP	
Check cutting machines	WOP	WOP	WOP	WOP	
Check dating machines	WOP	WOP	WOP	WOP	
Check endorsing machines	WOP	WOP	WOP	WOP	
Check numbering machines	WOP	WOP	WOP	WOP	
Check protecting machines	WOP	WOP	WOP	WOP	
Check signing machines	WOP	WOP	WOP	WOP	
Check sorting machines	WOP	WOP	WOP	WOP	
Check writing machines	WOP	WOP	WOP	WOP	
Coin counting machines	WOP	WOP	WOP	WOP	
Coin sorting machines	WOP	WOP	WOP	WOP	
Coin wrapping machines	WOP	WOP	WOP	WOP	
Currency counting machines	WOP	WOP	WOP	WOP	
Envelope contents folding machines	WOP	WOP	WOP	WOP	
Envelope handling machines	WOP	WOP	WOP	WOP	
Envelope mailing machines	WOP	WOP	WOP	WOP	
Envelope opening machines	WOP	WOP	WOP	WOP	
Envelope sealing machines	WOP	WOP	WOP	WOP	
Envelope stuffing machines	WOP	WOP	WOP	WOP	
Mail room folding machines	WOP	WOP	WOP	WOP	
Perforating machines (marking and cancelling).	WOP	WOP	WOP	WOP	
Postal permit mailing machines.	WOP	WOP	WOP	WOP	
Post office cancelling machines.	WOP	WOP	WOP	WOP	
Shorthand writing machines	WOP	WOP	WOP	WOP	
Stamp affixing machines	WOP	WOP	WOP	WOP	
Printing and publishing machinery, parts and supplies (new and used):					
Graphic arts machinery:					
Machine composition	WOP	No [33]	WOP	WOP	[33] May be sold only on WPB authorization. (Form WPB-1319). Does not apply to machinery put into use before May 1, 1937, which may be sold freely.
Hand composition	WOP	No [33]	WOP	WOP	
Photoengraving, lithographic and gravure plate making.	WOP	No [33]	WOP	WOP	
Electrotype, stereotype rubber and plastic.	WOP	No [33]	WOP	WOP	
Presses	WOP	No [33]	WOP	WOP	
Bindery	WOP	No [33]	WOP	WOP	
Tools:					
Machine tools [34]	WOP	WOP	WOP	WOP	[34] The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and foreing of metals.
Metal cutting [37]	WOP	WOP	WOP	WOP	[37] Except chasers.

[F. R. Doc. 44-2938; Filed, February 29, 1944; 11:45 a. m.]

Chapter XI—Office of Price Administration

PART 1371—IMPORT PRICES

[Max. Import Price Reg.,[1] Incl. Amdt. 2]

IMPORT PRICES

Sections 1 through 9, 13 and 14 are amended; Article V, section 10 is revoked; Article VI is redesignated Article V and section 10 is added by Amendment 2, effective March 2, 1944, so that the Maximum Import Price Regulation shall read as follows:

Revised Supplementary Regulation No. 12, as amended, is redesignated as the Maximum Import Price Regulation and is amended to read as set forth herein. Any reference to Supplementary Regulation No. 12 or to Revised Supplementary Regulation No. 12 in any price regulation heretofore issued by the Office of Price Administration shall hereafter be deemed to be to the Maximum Import Price Regulation.

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

§ 1371.1 *Maximum import prices.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, the Maximum Import Price Regulation which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1371.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM IMPORT PRICE REGULATION

ARTICLE I—APPLICATION OF THIS REGULATION

Sec.
1. Purchases from foreign sellers.
2. Application of this regulation to imported commodities.

ARTICLE II—IMPORTED INDUSTRIAL MATERIALS

3. Sales of imported industrial materials by importers to intermediate distributors or industrial users.
4. Sales of imported industrial materials by intermediate distributors to industrial users.
5. Applications for adjustment of maximum prices by industrial users.
6. Definitions relating to sales of imported industrial materials.

ARTICLE III—DOMESTIC MANUFACTURED GOODS MADE WITH IMPORTED INDUSTRIAL MATERIALS

7. Sales of domestic manufactured goods made with imported industrial materials.

ARTICLE IV—IMPORTED MANUFACTURED GOODS

8. Sales of imported manufactured goods.
9. Definitions relating to sales of imported and domestic manufactured goods.

ARTICLE V—GENERAL PROVISIONS

10. Applications for adjustment of maximum prices.
11. Less than maximum prices.
12. Failure to file reports.
13. Evasion.
14. Enforcement.
15. Definitions incorporated by reference.
16. Report to be made by importer of industrial materials.
17. Report to be made by intermediate distributor of industrial materials.
18. Current records.
19. Base-period records.
20. Licensing.
21. Modification of provisions of this regulation by order.

NOTE: Certain words and terms used in this regulation are particularly defined in sections 6 and 9 and have the meaning for the purposes of this regulation contained in those definitions. The terms so defined are in quotation marks the first time they appear in the text of this regulation.

ARTICLE I—APPLICATION OF THIS REGULATION

SECTION 1. *Purchases from foreign sellers*—(a) *Importations from foreign countries.* Neither this regulation nor any other price regulation, except to the extent that it contains express provision making it applicable to such purchases, applies to the purchase of any commodity to be "imported" into the continental United States from any foreign country, where such purchase is made from a foreign seller, whose place of business is located outside the continental United States, either directly or through his selling agent wherever located.

Any sale of a commodity after being imported, whether made through the selling agent of the foreign seller or not, is governed by this regulation (if such commodity falls within the scope of those enumerated in section 2) or by any other applicable price regulation.

(b) *Purchases through agents of foreign sellers.* Notwithstanding that a person in the continental United States is considered the selling agent of the foreign seller by the parties to the transaction, he shall not be deemed the selling agent of the foreign seller under this section if he invoices commodities in his own name without disclosing on the invoice that he is acting as the agent for a foreign seller and that he has filed the statement required under section 1 (c), or if he finances the transaction in any manner, or assumes any of the credit risks, or if he determines the selling price. In any such case, he shall be deemed to be the importer under this regulation.

(c) *Filing by agents of foreign sellers.* Any person appointed the selling agent of the foreign seller on or after January 1, 1942, shall file with the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a verified copy of the document or documents showing his authority to act as agent for such foreign seller and a statement of the commodities for which he has been appointed agent. Any person appointed the selling agent of the foreign seller prior to January 1, 1942 shall file with the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a statement containing the following information:

(1) The name and address of the foreign seller for whom he has been appointed as agent.

(2) The date of such appointment.

(3) The commodities for which he has been appointed agent.

No person shall be considered the selling agent of any foreign seller under this section with respect to any transaction after April 1, 1944, unless he has filed the document or statement above required.

[Section 1, formerly section 2, amended and redesignated by Am. 2, effective 3-2-44]

SEC. 2. *Application of this regulation to imported commodities.* (a) This regulation, except for section 1, applies only to purchases and sales of the following commodities imported after March 31, 1942, which, were it not for this regulation, would be governed by the General Maximum Price Regulation[3] or by an order or supplementary regulation issued thereunder which does not establish maximum prices in specific dollars and cents:

(1) "Imported industrial materials," other than lumber and wood shingles produced in and imported from Canada or Mexico.

(2) "Imported manufactured goods," other than beverages, foods and food products, and animal and poultry foods or feeds.

(3) Domestic manufactured goods made with imported industrial materials.

(b) The maximum prices of imported commodities not covered by this regulation or by a specific maximum price regulation are governed by the General Maximum Price Regulation (unless exempted from price control).

[Sec. 2, formerly sec. 1, amended and redesignated by Am. 2, effective 3-2-44]

ARTICLE II—IMPORTED INDUSTRIAL MATERIALS

SEC. 3. *Sales of imported industrial materials by importers to intermediate distributors or industrial users.* The maximum price for sales or deliveries of any industrial materials "imported" after March 31, 1942, by an "importer," other than the United States or any agency thereof, to an "intermediate distributor" or an "industrial user" shall be determined as follows:

(a) If the importer delivered or offered for delivery during March 1942, the same materials imported by him, his maximum price shall be the sum of his maximum price established under the General Maximum Price Regulation plus the

[1] 9 F.R. 11691.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 1385.

permitted increase in the "total landed costs" of the imported materials over the total landed costs of the same materials upon which his maximum price under the General Maximum Price Regulation was based.

(b) If the importer did not deliver or offer for delivery during March, 1942, the same materials imported by him but has, prior to August 20, 1943, established a maximum price for such materials under the General Maximum Price Regulation (exclusive of a higher price established under Revised Supplementary Regulation No. 12) he may sell at a price not in excess of that maximum price or he may, before making any sale, apply to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for a revision of that maximum price by submitting to that Office a statement containing the following information:

(1) A description of the materials.

(2) Did you sell or offer for sale the same imported materials between March 1, 1942, and August 20, 1943?

(3) What is your maximum price, if any, to each class of purchaser and how was it established?

(4) What were the total landed costs on which that maximum price was established?

(5) In what class does your customer fall under section 6?

(6) What was the highest price charged by the foreign seller on or during the thirty days prior to August 20, 1943, or his firm offering price on that date for the same materials? (If the foreign seller did not sell or offer for sale the same materials on or during the thirty days prior to August 20, 1943, so indicate.)

(7) What is your proposed selling price to each class of purchaser?

(8) What are the total landed costs of the importer materials, itemizing the "foreign invoice price" (if in foreign currency, the rate of exchange paid), transportation charges, any import duties and import taxes, marine insurance, war risk insurance (not exceeding WSA rate), and any other expenses from the point of shipment abroad to the point designated by the importer prior to importation for delivery into the continental United States?

(9) What processing, if any, is to be done by you?

(10) What is the cost of such processing?

No importer applying for a revised price under this paragraph shall accept payment in an amount in excess of the maximum price established under the General Maximum Price Regulation (exclusive of the higher prices established under Revised Supplementary Regulation No. 12) for any imported industrial materials for which the importer seeks a revised price until the Office of Price Administration either approves the proposed selling price or if, in its opinion, the proposed selling price is excessive, adjusts such price.

(c) If the importer had not established a maximum price under the General Maximum Price Regulation (exclusive of the higher price established under Revised Supplementary Regulation No. 12) prior to August 20, 1943 for the same materials imported by him, he shall, before making any sale, submit to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a statement containing the information set forth in paragraph (b) of this section.

The selling price shall be subject to approval or adjustment by the Office of Price Administration. The importer may deliver the material to his customer but he shall not accept payment therefor until his selling price has been approved by the Office of Price Administration.

(d) An importer who has established a maximum price for imported industrial materials under paragraph (b) or (c) of this section shall adjust that price on sales of future importations of the same material in accordance with decreases in the total landed costs; and may adjust that price on sales of future importations of the same materials in accordance with permitted increases in the total landed costs as defined in section 6 of the regulation.

(e) In calculating total landed costs under this section, the importer may not include any increases in the foreign invoice price above the highest amount the foreign seller charged a purchaser of the same class during the 30 days prior to August 20, 1943, or in the absence of an actual purchase, the foreign seller's firm offering price to a purchaser of the same class for the same materials on August 20, 1943. The importer shall not include that amount in calculating his total landed costs for the purposes of this regulation unless he has in his possession bona fide documentary evidence of the foreign seller's price on or during the thirty days prior to August 20, 1943, for the same materials. Such evidence may consist of a true copy of an invoice showing a purchase from the foreign seller on or during the thirty days prior to August 20, 1943, or a confirmation of an order on or during the thirty days prior to August 20, 1943, or a price list in effect on or during the thirty days prior to August 20, 1943, or a cable or statement in writing from the foreign seller to the effect that such price was his firm offering price on August 20, 1943, to a purchaser of the same class.

If the present foreign invoice price is lower than the highest amount the foreign seller charged the importer during the thirty days prior to August 20, 1943, or lower than the foreign seller's firm offering price on August 20, 1943, the importer shall include no more than the present foreign invoice price in calculating his total landed costs under section 3 of this regulation.

(f) Any importer who sells or delivers imported industrial materials to an intermediate distributor at a price established under this section shall include on his invoice to his customer either of the following statements, whichever is applicable:

(1) The invoiced imported industrial materials are sold to you at a price established under section 3 of the Maximum Import Price Regulation. In accordance with section 3 we have added $\$$_____ per _____ to our maximum price under the General Maximum Price Regulation. Your own maximum resale price should be determined under section 4 of that regulation, if it would have otherwise been determined under the General Maximum Price Regulation.

(2) The imported industrial materials are invoiced to you at a price subject to approval by the Office of Price Administration under section 3 of the Maximum Import Price Regulation. As soon as a price is approved, you will be further advised by us in writing of the approved price. Your own maximum resale price should be determined under section 4 of that regulation, if it would have otherwise been determined under the General Maximum Price Regulation.

(g) Any importer who sells or delivers imported industrial materials to an industrial user at a price established under this section shall include on his invoice to the industrial user either of the following statements, whichever is applicable:

(1) The invoiced imported industrial materials are sold to you at a price established under section 3 of the Maximum Import Price Regulation. You are not permitted to increase your maximum selling price for any article produced with the use of these materials unless authorized to do so by the Office of Price Administration.

(2) The imported industrial materials are invoiced to you at a price subject to approval by the Office of Price Administration under section 3 of the Maximum Import Price Regulation. As soon as a price is approved, you will be further advised by us in writing of the approved price. You are not permitted to increase your maximum price for any article produced with the use of these materials unless authorized to do so by the Office of Price Administration.

(h) Within 10 days after the first delivery by an importer to an intermediate distributor or industrial user at a price established under paragraph (a) of this section or within 10 days after the approval or adjustment by the Office of Price Administration of a price submitted pursuant to paragraph (b) or (c) of this section, whichever is later, the importer shall forward to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a report, in duplicate, of the first sale to each intermediate distributor or industrial user made at a price established under this section. These reports shall be made upon Form OPA-SR-12A set out in section 16 of this regulation, or upon a form copied therefrom. Copies of this form may be obtained from the

Export-Import Price Branch, Office of Price Administration, Washington, D. C.

If the importer's total landed costs should decrease, or if his selling price should be raised by reason of permitted increases in the total landed costs, the importer shall file supplemental reports on this form. These supplemental reports shall be filed in duplicate within 10 days after the first delivery, affected by such change in the total landed costs, to each intermediate distributor or industrial user.

(i) Whenever any importer who sells imported industrial materials directly to industrial users finds that the filing of individual reports required in paragraph (h) of this section for the first sale would place an undue burden upon him, he may apply in writing to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for permission to file consolidated reports. If such permission is granted, the importer will be instructed what information to include in the consolidated report. Supplemental consolidated reports shall be filed within 10 days after a change in the selling price by reason of permitted increases in the total landed costs, or if the total landed costs decrease.

(j) Whenever an importer who sells imported industrial materials to an intermediate distributor finds that Form OPA–SR–12A is not adaptable for the report required in paragraph (h) of this section, he may apply in writing to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for permission to file special reports, indicating in what respect the form is unsuitable. If such permission is granted, the importer will be instructed what information to include in the special report.

[Sec. 3 as amended by Am. 2, effective 3–2–44]

SEC. 4. *Sales of imported industrial materials by intermediate distributors to industrial users.* The maximum prices for sales or deliveries of imported industrial materials by an intermediate distributor, other than the United States or any agency thereof, to an industrial user shall be determined as follows:

(a) If the intermediate distributor delivered or offered for delivery the same materials during March, 1942, his maximum price shall be his maximum price established under the General Maximum Price Regulation plus the increase in his purchase price over the purchase price of the same materials upon which his maximum price under the General Maximum Price Regulation was based. However, no intermediate distributor may sell at a price established under this paragraph unless the importer's invoice to him contains the statements required under section 3 (f).

Moreover, no intermediate distributor shall establish a price under this paragraph if the importer's invoice states that the price charged by the importer is subject to approval or adjustment by the Office of Price Administration, until the intermediate distributor receives notice from the importer of the price approved by the Office of Price Administration.

(b) If the intermediate distributor did not deliver or offer for delivery the same industrial materials during March, 1942, but has prior to August 20, 1943 established a maximum price for such materials under the General Maximum Price Regulation (exclusive of the higher prices permitted under Revised Supplementary Regulation No. 12) he may sell at a price not in excess of that maximum price or he may, before making any sale, apply to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for a revision of that maximum price by submitting to that Office a statement containing the following information:

(1) A description of the materials.

(2) Did you sell or offer for sale the same imported materials between March 1, 1942, and August 20, 1943?

(3) What is your maximum price under the General Maximum Price Regulation to industrial users, if any, and how was it established?

(4) What is your proposed selling price to each class of industrial user?

(5) What is the name and address of your supplier?

(6) What price have you paid or is to be paid to the importer and what were the terms of purchase?

(7) What processing, if any, is to be done by you?

(8) What is the cost of such processing?

(9) What article is to be produced by your customer with the use of these materials?

(c) If the intermediate distributor had not established a maximum price under the General Maximum Price Regulation (exclusive of the higher price established under Revised Supplementary Regulation No. 12) prior to August 20, 1943 for the same materials, he shall, before making any sale, submit to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a statement containing the information set forth in paragraph (b) of this section.

The selling price shall be subject to approval or adjustment by the Office of Price Administration. The intermediate distributor may deliver the materials to an industrial user but he shall not accept payment therefor until his price has been approved by the Office of Price Administration.

(d) An intermediate distributor who has established a maximum price under paragraphs (b) and (c) of this section shall adjust that price on sales of the same materials purchased thereafter in accordance with decreases in his purchase price; and he may adjust that price on sales of the same materials purchased thereafter in accordance with permitted increases in his purchase price.

(e) Any intermediate distributor who sells or delivers imported industrial materials to an industrial user at a price established under this section shall include on his invoice to the industrial user either of the following statements, whichever is applicable:

(1) The invoiced imported industrial materials are sold to you at a price established under section 4 of the Maximum Import Price Regulation. You are not permitted to increase your maximum selling price for any article produced with the use of these materials unless authorized to do so by the Office of Price Administration.

(2) The imported industrial materials are invoiced to you at a price subject to approval by the Office of Price Administration under section 4 of the Maximum Import Price Regulation. As soon as a price is approved, you will be further advised by us in writing of the approved price. You are not permitted to increase your maximum price for any article produced with the use of these materials unless authorized to do so by the Office of Price Administration.

(f) Within ten days after the first delivery by an intermediate distributor to an industrial user at a price established under paragraph (a) of this section, or within ten days after approval or adjustment by the Office of Price Administration of a price submitted pursuant to paragraphs (b) or (c) of this section, whichever is later, the intermediate distributor shall forward to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a report, in duplicate, of the first sale to each industrial user made at a price established under this section. These reports shall be made upon Form OPA–SR–12B, set out in section 17 of this regulation, or upon a form copied therefrom. Copies of this form may be obtained from the Export-Import Price Branch, Office of Price Administration, Washington, D. C.

If the intermediate distributor's purchase price should decrease, or if his selling price should be raised by reason of increases in his purchase price, he shall file supplemental reports on this form. These supplemental reports shall be filed in duplicate within ten days after the first delivery affected by such change in the intermediate distributor's purchase price.

(g) If an intermediate distributor finds that the filing of individual reports required in paragraph (f) of this section for each sale would place an undue burden upon him, he may apply in writing to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for permission to file consolidated reports. If such permission is granted the intermediate distributor will be instructed as to what information to include in the consolidated report. Supplemental consolidated reports shall be filed within ten days after a change in the selling price by reason of permitted increases in the purchase price or by reason of decreases in the purchase price.

(h) Any intermediate distributor may apply to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for permission to sell imported industrial materials to another distributor at a price to be approved by the Office of Price Administration. Such permission will be granted if it is shown that it was the usual practice in the trade, prior to March 1942, for one intermediate distributor to sell such materials to another distributor, unless the Office of Price Administration is satisfied that the sale to another distributor at the approved price will be contrary to the purposes of the Emergency Price Control Act of 1942, as amended. If such permission is granted, purchasers from such intermediate distributors shall determine their maximum prices under section 4 as if they were intermediate distributors.

[Sec. 4 as amended by Am. 2, effective 3–2–44]

SEC. 5. *Applications for adjustment of maximum prices by industrial users.* (a) If the costs of the imported industrial materials used in the production of an article on which the industrial user established his maximum price under the General Maximum Price Regulation have increased so substantially that he cannot continue to use those materials in the production of that article or cannot continue to produce the article, he may file an application for adjustment of his maximum price for the article. The application must show:

(1) That the article he produces with the use of the imported industrial materials is subject to this regulation.

(2) A brief description of the article he produces.

(3) That the imported industrial materials represent a substantial portion of the total cost of the component materials of the article he produces. (State the percentage.)

(4) The current cost per unit (not exceeding suppliers' maximum price) of the industrial materials and the increase in that cost per unit over the cost to him of the same materials which he used in the article the sale of which established his maximum price under the General Maximum Price Regulation. If the material is imported directly by the industrial user, the cost per unit must be supported by possession of bona fide documentary evidence described in section 3 (e).

(5) His total cost of production per unit for the article he produces with the use of the imported industrial materials, indicating the cost of direct labor and materials, including waste, but less the salvage value of that waste, and applicable factory overhead.

NOTE: For the purposes of this paragraph, an industrial user may not include the cost of industrial materials which he has directly imported as a part of his materials cost in an amount in excess of the total landed cost as defined in section 6 of this regulation.

(6) His annual profit and loss statements for each of the three calendar or fiscal years ending nearest to the date of the application.

(7) His maximum selling price per unit for the article he produces and the terms of sale to each class of purchaser.

(8) His dollars-and-cents markup per unit to each class of purchaser for that article during March, 1942, or if he made no sale during March, 1942, on his first sale thereafter.

(9) His proposed selling price and terms of sale to each class of purchaser.

(10) A statement of the reasons why, if the adjustment is not granted, he cannot continue to use the imported industrial materials in the article he produces or to continue to produce that article.

The Price Administrator may grant an adjustment under this section in an amount not to exceed the additional total cost of the imported industrial materials permitted under this regulation.

The Price Administrator may deny the petition for adjustment if, in his opinion, the granting of it will interfere with the production or distribution, or will endanger the price control, of comparable articles made of domestic materials.

Any industrial user who has been granted an adjustment of a maximum price of any article under this section shall adjust that price in accordance with any decreases on future purchases of the imported industrial materials used by him in producing that article.

Any application for an adjustment under this paragraph shall be filed in accordance with Subpart B of Revised Procedural Regulation No. 1.[1]

(b) If an industrial user purchases for use as a material, ingredient, or component part of an article he produces, an article which another industrial user has produced with the use of imported industrial materials, (or with the use of an article made of such materials), he may apply for an adjustment in the maximum price of the article he produces by filing an application complying with the provisions of paragraph (a) of this section. However, wherever the term "imported industrial materials" is used in paragraph (a), the applicant for adjustment under this paragraph (b) shall treat the term as referring to the article purchased by him which was produced by another industrial user with the use of imported industrial materials, (or with the use of an article made of such materials).

The Price Administrator may grant an adjustment to such industrial user in an amount not to exceed the difference in the cost of the article he purchased during March, 1942, and the cost represented by the current price to him approved by the Office of Price Administration.

[1] 7 F.R. 8961; 8 F.R. 3813, 3883, 6173, 11806; 9 F.R. 1594.

The Price Administrator may deny the petition for adjustment if, in his opinion, the granting of it will interfere with the production or distribution, or will endanger the price control of comparable articles made of domestic materials.

Any industrial user who has been granted an adjustment of a maximum price of an article under this section shall adjust that price in accordance with decreases in the cost of that article on future purchases of an article which another industrial user has produced with the use of imported industrial materials.

Any application for adjustment under this paragraph shall be filed in accordance with Subpart B of Revised Procedural Regulation No. 1.

[Sec. 5 as amended by Am. 2, effective 3–2–44]

SEC. 6. *Definitions relating to sales of imported industrial materials.* When used in sections 3, 4, and 5 of this regulation, the term:

"Foreign invoice price" means the price charged by the foreign seller minus any charges included in such price for transportation, marine insurance, war risk insurance, export taxes, customs duties, import taxes, or any other expenses from the point of shipment abroad to the point of delivery in the continental United States. If a foreign invoice price is stated in a foreign currency, such price shall be the amount converted into U. S. dollars at the rate of exchange paid or to be paid or at the applicable rate of exchange prevailing in New York City on August 20, 1943, whichever is the lower.

"Imported" means transported into the continental United States from any place outside thereof. Materials entered in a customs bonded warehouse, or placed in a foreign trade zone or in a general order warehouse shall be considered as "imported."

"Imported industrial materials" means any commodity which is to be subjected to further processing after importation that results in the production of a new and different article having a distinctive name, character, or use, or which is to be used as an ingredient or component part of such an article, or which is to be consumed in such production.

"Importer" means the person in the continental United States who purchases industrial materials from the foreign seller whose place of business is located outside the continental United States and who sells them either to an intermediate distributor or to an industrial user. The person who purchases such materials from the importer shall be considered an intermediate distributor under this regulation if he resells the materials, notwithstanding that he may be

the importer of record for customs purposes.

"Industrial user" means any person who, either for his own commercial use or for resale, subjects imported industrial materials to a process that results in the production of a new and different article having a distinctive name, character, or use, or who uses the materials as an ingredient or a component part of such an article. A restaurant, hotel, or other similar establishment where food or beverages are served shall not be considered an "industrial user."

"Intermediate distributor" means any person who in accordance with established trade practice buys or receives imported industrial materials directly from the importer thereof and who sells or delivers such materials to an industrial user.

"Same," as applied to imported industrial materials, shall not require exact identity. Such materials are to be regarded as the same notwithstanding minor differences in grade or quality which, according to trade practice, would not result in any significant difference in the price charged.

"Total landed costs" means the price charged by the foreign seller converted into U. S. dollars at the rate of exchange actually paid or at the applicable rate of exchange prevailing in New York City on August 20, 1943, whichever is the lower plus all the costs, charges and expenses, including any customs duties or import taxes, and purchasing commissions incurred by the importer in transporting the industrial materials from the point of shipment abroad to the point in the continental United States designated by the importer prior to importation for delivery: *Provided*, (1) That the price charged by the foreign seller shall be, for the purposes of determining total landed costs, subject to the limitations of section 3 (e), above; (2) That in computing these costs, war risk insurance costs for industrial materials shipped after August 23, 1943 shall not exceed the amount of the applicable war risk insurance premium which was or would have been charged for such shipment by the War Shipping Administration; (3) That cable charges, banking costs, and other general overhead costs, and charges incurred in storing imported industrial materials in a foreign trade zone, a customs bonded warehouse, or a public warehouse in the continental United States for any period in excess of sixty days shall not be included.

[Sec. 6 as amended by Am. 2, effective 3-2-44]

ARTICLE III—DOMESTIC MANUFACTURED GOODS MADE WITH IMPORTED INDUSTRIAL MATERIALS

SEC. 7. *Sales of domestic manufactured goods made with imported industrial materials.* The maximum price for sales or deliveries of domestic manufactured goods made in whole or in part with imported industrial materials for which an adjustment in price has been granted by the Office of Price Administration under section 5 of this regulation shall be determined by the "primary wholesaler", "the secondary wholesaler" or "retailer" of such goods as follows:

(a) If, prior to August 20, 1943, the seller had established a maximum price under the General Maximum Price Regulation for the same domestic manufactured goods made with imported industrial materials he shall determine his maximum price for such goods in accordance with paragraph (c) or (d) of section 8 of this regulation.

(b) If, prior to August 20, 1943, the seller had not established a maximum price under the General Maximum Price Regulation for the same domestic manufactured goods made with imported industrial materials he shall proceed in accordance with paragraph (d) of section 8 of this regulation.

(c) Any person who has established a maximum price under paragraph (b) of this section shall adjust that price on future purchases of the same domestic manufactured goods made with imported industrial materials in accordance with decreases in the net cost of the goods to him; and may adjust that price on sales of the same domestic manufactured goods made with imported industrial materials in accordance with increases in their net cost.

(d) A primary or secondary wholesaler who sells or delivers at a price established under this section shall include the following statement on his invoice to his customer:

The invoiced domestic manufactured goods made with imported industrial materials are sold to you at a price established under section 7 of the Maximum Import Price Regulation. Your own maximum resale price shall be determined under that section of that regulation, if it would have otherwise been determined under General Maximum Price Regulation.

[Sec. 7 as amended by Am. 2, effective 3-2-44]

ARTICLE IV—IMPORTED MANUFACTURED GOODS

SEC. 8. *Sales of imported manufactured goods.* The maximum price for sales or deliveries of manufactured goods imported after March 31, 1942, by a seller (other than the United States or any agency thereof), whether an importer, a primary or secondary wholesaler or a retailer, shall be determined as follows:

(a) If the importer delivered or offered for delivery during March 1942, to a purchaser of the same class, the same manufactured goods imported by him, his maximum price shall be the sum of his permitted total landed costs for those goods subject to the limitations of paragraph (b) of this section, plus the same dollars-and-cents mark-up, or 75 per cent of the percentage mark-up, included in the highest price at which he delivered or offered those goods for delivery during March 1942.

(b) In calculating total landed costs under this section, the importer may not include any increases in the foreign invoice price above the highest amount the foreign seller charged a purchaser of the same class during the thirty days prior to April 30, 1943, or in the absence of an actual purchase, the foreign seller's firm offering price to a purchaser of the same class for the same goods on April 30, 1943. The importer shall not include that amount in calculating his total landed costs for the purposes of this regulation unless he has in his possession bona fide documentary evidence of the foreign seller's price on or during the thirty days prior to April 30, 1943, for the same goods. Such evidence may consist of a true copy of an invoice showing a purchase from the foreign seller on or during the thirty days prior to April 30, 1943, or a confirmation of an order on or during the thirty days prior to April 30, 1943, or a price list in effect on or during the thirty days prior to April 30, 1943, or a cable or statement in writing from the foreign seller to the effect that such price was his firm offering price on April 30, 1943, to a purchaser of the same class.

If the present foreign invoice price is lower than the highest amount the foreign seller charged the importer during the thirty days prior to April 30, 1943, or lower than the foreign seller's firm offering price on April 30, 1943, the importer shall include no more than the present foreign invoice price in calculating his total landed costs under section 8 of this regulation.

(c) If the primary wholesaler, secondary wholesaler, or retailer (acting in the same capacity) delivered or offered for delivery during March 1942, to a purchaser of the same class, the same imported manufactured goods, his maximum price shall be the sum of his "total cost of acquisition" for those goods, plus the same dollars-and-cents mark-up, or 75 per cent of the percentage mark-up, included in his highest selling or offering price for delivery during March, 1942.

(d) If the importer, primary wholesaler, secondary wholesaler, or retailer did not deliver or offer for delivery during March 1942, the same imported manufactured goods, but had prior to August 20, 1943, properly established a maximum price for such goods under the General Maximum Price Regulation, he may sell at a price not in excess of that maximum price, or he may, before making any sale or offer for sale, apply to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for a revision of that maximum price by submitting to that Office a statement containing the following information:

(1) A description of the article to be sold.

(2) Did you sell or offer for sale the same imported article between March 1, 1942, and August 20, 1943? If so, what was the maximum price and how was it established?

(3) Did you establish a maximum price under the General Maximum Price Regulation for a similar article domestically produced? If so, what was the maximum price?

(4) In what class do you fall under section 9?

(5) If you are not the importer, in what class does your supplier fall under that section? Give his name and address.

(6) In what class does your customer fall under that section?

(7) If you are not the importer, state your purchase price for the article and terms of purchase.

(8) If you are the importer, state the total landed costs of the article, itemizing the "foreign invoice price" (if in foreign currency, the rate of exchange paid or to be paid), transportation charges, any import duties and import taxes, marine insurance, war risk insurance (not exceeding WSA rate), and any other expenses from the point of shipment abroad to the point designated by you prior to importation for delivery in the continental United States.

(9) What are your proposed selling price and terms of sale to each class of purchaser?

(10) If you are the importer, state the highest price charged by the foreign seller on or during the thirty days prior to April 30, 1943, or his firm offering price on that date for the same goods. (If the foreign seller did not sell or offer for sale the same goods on or during the thirty days prior to April 30, 1943, so indicate.)

(11) The customary percentage mark-up in the trade during March 1942 (if known), for that kind of article when sold to a purchaser of the same class (state whether the mark-up is on cost or on selling price).

The selling price shall be subject to approval or adjustment by the Office of Price Administration. The importer, primary wholesaler, or secondary wholesaler may deliver the goods to his customer, but he shall not accept payment therefor until his selling price has been approved by the Office of Price Administration. The retailer may not deliver the goods to his customer until his price has been approved by the Office of Price Administration.

(e) If the importer, primary wholesaler, secondary wholesaler, or retailer, had not established a maximum price under the General Maximum Price Regulation prior to August 20, 1943, for the same imported manufactured goods, he shall, before making any sale or offer for sale, apply for approval of a selling price by submitting to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., a statement containing the information required in paragraph (d) of this section.

The proposed selling price shall be subject to approval or adjustment by the Office of Price Administration. The importer, primary wholesaler, or secondary wholesaler may deliver the goods to his customer, but he shall not accept payment therefor until his selling price has been approved by the Office of Price Administration. The retailer may not deliver the goods to his customer or accept payment therefor until his price has been approved by the Office of Price Administration.

(f) Any person who has established a maximum price for imported manufactured goods under paragraph (d) or (e) of this section shall adjust that price on future purchases of the same imported manufactured goods in accordance with decreases in the net cost of the goods to him; and may adjust that price on sales of the same imported manufactured goods, in accordance with permitted increases in their cost.

(g) Any person, other than a retailer or an importer selling at retail, who sells or delivers imported manufactured goods at a price established under this section shall include on his invoice to his customer either of the following statements, whichever is applicable:

(1) The invoiced imported manufactured goods are sold to you at a price established under section 8 of the Maximum Import Price Regulation. Your own maximum resale price should be determined under that section if it would have otherwise been determined under the General Maximum Price Regulation.

(2) The imported manufactured goods are invoiced to you at a price subject to approval by the Office of Price Administration under section 8 of the Maximum Import Price Regulation. As soon as a price is approved, you will be further advised by us in writing of the approved price. Your own maximum resale price should be determined under section 8 of that regulation if it would have otherwise been subject to the General Maximum Price Regulation.

(h) Any person who desires to sell all of the same manufactured goods imported after March 31, 1942, at a uniform maximum price, instead of at different prices computed or approved under any paragraph of this section, may compute that price by taking the properly weighted average cost of all of the same items in inventory at any given time: *Provided*, That the total sales value of all of the same items in inventory at that uniform price does not exceed what would otherwise be the total sales value at maximum prices established for each item under any other paragraph of this section.

Any person who establishes a maximum price for any imported manufactured goods in this manner shall submit to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., within 10 days of establishing such prices:

(1) A description of each article so priced.

(2) Its maximum price computed under this paragraph.

(3) The total sales value computed at the uniform price.

(4) The total sales value if each item had been otherwise individually priced.

A supplemental report shall be similarly filed whenever the maximum price on any item priced in the above manner is increased or decreased.

Any person who establishes a maximum price for any imported manufactured goods in this manner shall keep a record of his computations readily available as long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(i) If any person had an established practice prior to August 20, 1943 of maintaining price differentials in a related range or line of imported manufactured goods, he may continue to reflect his usual price differentials in that range or line when establishing his maximum price under this section: *Provided*, That the total sales value of all of the goods so priced does not exceed what would otherwise be the total sales value at maximum prices established for each item under any other paragraph of this section.

Any person who establishes a maximum price for any imported manufactured goods in this manner shall submit to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., within ten days of establishing such price:

(1) A description of each article so priced.

(2) Its maximum price computed under this paragraph.

(3) The total sales value computed at prices determined under this paragraph.

(4) The total sales value if each item had been otherwise individually priced.

A supplemental report shall be similarly filed whenever the maximum price on any item priced in the above manner is increased or decreased.

Any person who establishes a maximum price for any imported manufactured goods in this manner shall keep a record of his computations as long as the Emergency Price Control Act of 1942, as amended, remains in effect.

[Sec. 8 as amended by Am. 2, effective 3-2-44]

SEC. 9. *Definitions relating to sales of imported and domestic manufactured goods.* When used in sections 7 and 8 of this regulation, the term:

"Foreign invoice price" means the price charged by the foreign seller minus any charges included in such price for transportation, marine insurance, war risk in-

surance, export taxes, customs duties, import taxes, or any other expenses from the point of shipment abroad to the point of delivery in the continental United States. If the foreign invoice price is stated in a foreign currency, it shall be the amount converted into U. S. dollars at the rate of exchange paid or to be paid or at the applicable rate of exchange prevailing in New York City on April 30, 1943, whichever is the lower.

"Imported" means transported into the continental United States from any place outside thereof. Goods entered in a customs bonded warehouse, or placed in a foreign trade zone or in a general order warehouse shall be considered as "imported."

"Imported manufactured goods" means any imported articles which have been processed or manufactured prior to importation to such an extent that they require no further processing after importation that results in the production of a new and different article having a distinctive name, character, or use, and which are not used as an ingredient or component part of such an article.

"Importer" means the person in the continental United States who purchases manufactured goods from the foreign seller whose place of business is located outside the continental United States and who sells them either to a primary wholesaler, a retailer, or an ultimate consumer.

The person to whom such goods are sold by the original purchaser from the foreign seller shall not be considered the importer under this regulation, notwithstanding that he may be the importer of record for customs purposes.

"Primary wholesaler" means any person who performs a recognized distributive function by purchasing manufactured goods directly from either the importer or the domestic manufacturer thereof, and who sells or delivers them to a secondary wholesaler or a retailer in accordance with established trade practices.

"Retailer" means any person who buys or receives manufactured goods from the importer, the domestic manufacturer, a primary wholesaler, or a secondary wholesaler and who sells them to an ultimate consumer.

"Same," as applied to imported manufactured goods, shall not require exact identity. Such goods are to be regarded as the same notwithstanding minor differences in grade or quality which, according to trade practice, would not result in any significant differences in the price charged.

"Secondary wholesaler" means any person who performs a recognized distributive function by purchasing manufactured goods from a primary wholesaler and who sells or delivers them to a retailer in accordance with established trade practices.

"Total cost of acquisition" means the net price paid by a primary wholesaler, secondary wholesaler, or retailer (not exceeding suppliers' maximum price to him), plus any transportation costs actually incurred in acquiring the goods.

"Total landed costs" means the price charged by the foreign seller converted into U. S. dollars at the rate of exchange actually paid or at the applicable rate of exchange prevailing in New York City on August 20, 1943, whichever is the lower plus all costs, charges, and expenses, including any customs duties or import taxes, and purchasing commission incurred by the importer in transporting the goods from the point of shipment abroad to the point in the continental United States designated by the importer prior to importation for delivery: *Provided*, (1) That the price charged by the foreign seller shall be, for the purposes of determining total landed costs, subject to the limitations of section 8 (b), above; (2) That in computing these costs, war risk insurance costs on manufactured goods shipped after August 23, 1943 shall not exceed the amount of the applicable war risk insurance premium which was or would have been charged for such shipment by the War Shipping Administration; (3) That cable charges, banking costs, and other general overhead costs, and charges incurred in storing imported manufactured goods in a foreign trade zone, a customs bonded warehouse, or a public warehouse, in the continental United States for any period in excess of sixty days shall not be included.

"Ultimate consumer" means any person who buys manufactured goods for his own use. Any person who buys such goods for use in his business or profession and who does not resell them to any other person shall be considered an ultimate consumer.

[Sec. 9 as amended by Am. 2, effective 3-2-44]

ARTICLE V—GENERAL PROVISIONS

[Former Article V revoked and former Article VI redesignated as V by Am. 2, effective 3-2-44]

SEC. 10. *Applications for adjustment of maximum prices.* Any person may file a petition for adjustment of his maximum prices under section 3 or 8 of this regulation in accordance with the provisions of Subpart B of Revised Procedural Regulation No. 1.

[Sec. 10 added by Am. 2, effective 3-2-44]

SEC. 11. *Less than maximum prices.* Lower prices than those permitted under this regulation may be charged, offered, demanded, or paid.

SEC. 12. *Failure to file reports.* The failure of any person to file any report required by this regulation or by any order issued thereunder shall constitute a violation of this regulation and of the Emergency Price Control Act of 1942, as amended.

[Sec. 12 as amended by Am. 1, 8 F.R. 12237, effective 9-2-43]

SEC. 13. *Evasion.* No person shall buy, sell, receive or deliver any commodity to which this regulation applies at a price higher than the maximum price permitted by this regulation. No seller shall evade any of the provisions of this Maximum Import Price Regulation by changing his customary allowances, discounts or other price differentials, or by any other means.

[Sec. 13 as amended by Am. 2, effective 3-2-44]

SEC. 14. *Enforcement.* Any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provisions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. It shall be a violation to submit to the Price Administrator or to the Export-Import Price Branch information required under any provisions of this regulation which is false in any material respect.

[Sec. 14 as amended by Am. 2, effective 3-2-44]

SEC. 15. *Definitions incorporated by reference.* Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to any word or term not specifically defined in this regulation.

SEC. 16. *Report to be made by importer of industrial materials.*

Form OPA-SR-12A

Form approved
Budget Bureau
No. 08-R120-42

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

2 copies of
this report
must be filed

REPORT OF SALE OF IMPORTED INDUSTRIAL MATERIALS BY AN IMPORTER TO AN INTERMEDIATE DISTRIBUTOR OR INDUSTRIAL USER

Pursuant to section 3 of the Maximum Import Price Regulation

1. Name of importer (print or type).
2. Address—Number and street. City and state.
3. Description of commodity.
4. Date of importation.
5. Date of first delivery to buyer under reported sale.
6. Name of buyer.
7. Address of buyer—Number and street. City and state.
8. Class of buyer:
   Intermediate distributor ☐
   Industrial user ☐
9. Processing, if any, to be done by importer.
10. Processing, if any, to be done by buyer if an intermediate distributor.
11. Article to be produced by buyer if an industrial user.
12. Total quantity sold.
13. Quantity of first delivery.
14. Price per unit $_____ Per (unit).
15. Terms of sale.
16. Total landed costs per unit of commodity sold (use same unit for (a) through (h), as Item 14):
   (a) Foreign invoice price permitted under section 3 (c) $_____
   (b) Transportation charge from _____ to _____
   (c) Marine insurance _____
   (d) War risk insurance paid _____
   (e) War risk insurance at War Shipping Administration rate $_____
   (f) Duties and import taxes, if any _____
   (g) Other landing expenses (itemize) _____
   (h) Total landed costs per unit _____
17. Did you deliver or offer for delivery the same commodity in March, 1942? Yes _____ No _____

If "No", disregard Items 19 and 21, but indicate here (or on the back of this form) how you determined your maximum price under the General Maximum Price Regulation.

18. Maximum price per unit to which you would have been limited under the General Maximum Price Regulation, if the Maximum Import Price Regulation were not in effect: $_____ Per (unit) _____
19. Total landed cost per unit of the same commodity upon which maximum price under the General Maximum Price Regulation was established (Use same unit for (a) through (g), as in Item 14):
   (a) Foreign invoice price $_____
   (b) Transportation charge from _____ to _____
   (c) Marine insurance _____
   (d) War risk insurance paid $_____
   (e) Duties and import taxes paid if any _____
   (f) Other landing expenses (itemize) _____
   (g) Total landed cost per unit _____
20. Difference between Items 14 and 18 _____
21. Difference between Items 16 and 19 _____

Name of person signing this report (print or type)

Title, Date, Signature.

The signature is not required to be acknowledged before a notary public. Pursuant to section 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5,000, or by imprisonment for not more than one year, or both, to make any statement or entry in the above report which is false in any material respect.

SEC. 17. *Report to be made by intermediate distributor of industrial materials.*

Form OPA-SR-12B

Form approved
Budget Bureau
No. 08-R120-42

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

2 copies of
this report
must be filed

REPORT OF SALE OF IMPORTED INDUSTRIAL MATERIALS BY AN INTERMEDIATE DISTRIBUTOR TO AN INDUSTRIAL USER

Pursuant to section 4 of the Maximum Import Price Regulation

1. Name of intermediate distributor (please print or type).
2. Address—Number and Street. City and State.
3. Description of commodity.
4. Name of importer from whom purchased.
5. Address—Number and Street; City and State.
6. Name of industrial user to whom sold.
7. Address—Number and Street; City and State.
8. Date of first delivery to industrial user under sale reported here.
9. Processing, if any, done by intermediate distributor before sale to industrial user.
10. Article to be produced by industrial user.
11. Total quantity sold.
12. Quantity of first delivery to industrial user.
13. Price per unit to industrial user: $_____ Per (Unit).
14. Terms of sale.
15. Maximum price per unit under the General Maximum Price Regulation to which you would have been limited were it not for the Maximum Import Price Regulation: $_____ Per (Unit) _____
16. Price per unit paid to importer: $_____ Per (Unit) _____
17. Amount of increase in total landed costs per unit included on the importer's invoice: $_____ Per (Unit) _____
18. Difference between Item 13 and Item 15: $_____

Name of person signing this report (print or type); Signature.

Title; Date.

This signature is not required to be acknowledged before a Notary Public. Pursuant to section 205 (b) of the Emergency Price Control Act of 1942 it is a criminal offense punishable by a fine of not more than $5,000, or by imprisonment for not more than one year, or both, to make any statement or entry in the above report which is false in any material respect.

SEC. 18. *Current records.* Every person selling commodities for which, upon sale by that person, maximum prices are established by this regulation shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charges for such of these commodities as he sells after August 23, 1943; and, in addition, prior to offering such commodities for sale, shall prepare and make available records showing as precisely as possible how he computed the maximum prices for those commodities. All such records shall be preserved so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 19. *Base-period records.* Every person selling commodities for which, upon sale by that person, maximum prices are established by this regulation shall, prior to offering such commodities for sale, prepare and preserve, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a statement showing the highest prices which he charged for such of those commodities as he delivered during March, 1942, or, as to such of those commodities as he did not deliver during March, 1942, the highest price at which he offered them for delivery during that month. Such statement shall include an appropriate description or identification of each such commodity and shall show all of the seller's customary allowances, discounts and other price differentials applicable thereto.

This statement shall be made available for examination by any person during ordinary business hours of the seller except that any seller, other than a seller at retail, who claims that substantial injury would result to him from making such statement available to any other person may file it with the District Office of the Office of Price Administration for the district in which his place of business is located. The information contained in such statement will not, in the event of such filing, be published or disclosed unless it is determined that withholding it is contrary to the purposes of this regulation.

[Sections 18 and 19 added by Am. 1, 8 F.R. 12237, effective 9-2-43]

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 20 amended by Am. 1, 8 F.R. 12237, effective 9-2-43 and Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 21. *Modification of provisions of this regulation by order.* The provisions of the regulation as applied to certain commodities may be modified by order issued hereunder.

[Sec. 21 added by Am. 1, 8 F.R. 12237, effective 9-2-43]

Effective date. This regulation shall become effective August 23, 1943. [Issued August 20, 1943]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of February, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2893; Filed, February 28, 1944; 5:00 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11]

FUEL OIL

Preamble. The shortage of fuel oil and other petroleum products in the Eastern states and the Pacific Northwest has become one of the most critical problems confronting the nation. Prior to 1941, approximately 95% of the fuel oil used in the East was shipped by oil tanker from other areas. The diversion of tankers to other routes, since the outbreak of the war, has caused a sharp reduction in shipments and a consequent supply shortage of serious proportions.

It is essential to guarantee the continued availability of adequate supplies of fuel oil for military and naval uses and for industrial and agricultural operations. At the same time, provision must be made for the scarcely less critical domestic uses upon which civilian life has become dependent. Intensive efforts have, therefore, been made to increase shipments by railway tank car

[6] 8 F.R. 13240.

and other transportation facilities. Tank cars have been withdrawn from other routes to serve the Eastern states. Oil stocks in adjacent midwestern areas have been and are being drawn upon in order to reduce the shortage and alleviate the hardships in the East. As a result of these efforts, tank car shipments to the East Coast have been increased to an extent not previously thought possible. However, the shortage remains acute. Furthermore, the withdrawal of stocks and of transportation facilities from adjacent areas has produced a shortage in other localities. As an almost inevitable consequence of these measures taken to avoid a shortage of great proportions in the East, the area of shortage was extended westward.

In order to provide for equitable distribution of fuel oil in the areas of shortage, a system of rationing control was adopted. This was done pursuant to a directive issued by the War Production Board to the Office of Price Administration to ration fuel oil in 30 Eastern and Midwestern states, the District of Columbia, the states of Oregon and Washington and the western tier of counties in the state of Idaho.

Ration Order No. 11 was issued pursuant to that directive. Provision was made for an unrestricted supply of fuel oil for military and naval uses and for industrial, commercial and agricultural operations which, in a war economy, cannot generally be curtailed. The reduction of demand to the available supply was sought to be achieved largely by the curtailment of the use of fuel oil for heating premises and for hot water, virtually the only classes of uses which can be uniformly reduced without directly impeding the war effort. In order to avoid the unnecessary use of fuel oil, the order denied rations altogether where equipment using nonscarce fuels was available. To that end, Ration Order No. 11 was integrated with the conversion program of the Petroleum Administration for War.

For the purpose of determining heat and hot water rations, private dwellings and premises other than private dwellings receive significantly different treatment. In the case of private dwellings, heat rations are limited by a range reflected in tables computed on the basis of a heat loss formula. The formula was devised to determine normal fuel oil requirements of a private dwelling in a given area. By appropriate adjustments, a determination can be made of the requirements of an average house or of a well insulated house with high oil burner efficiency. Such adjustments, reflected in the tables, fix a maximum and minimum of the range within which the heat ration is determined. The maximum of the range represents, roughly, the requirements of the home of slightly less than average efficiency. The minimum represents the requirements of a well insulated home with an efficient burner. The heat ration is determined on the basis of 66⅔% of past consumption, within the limits of the range described above. The ration is not in any event to exceed the maximum of the range, nor to be less than either the minimum of the range or 85% of past consumption (whichever is less). The domestic hot water ration for private dwellings is determined on the basis of occupancy.

In the case of premises other than private dwellings, both heat and hot water rations are determined on the basis of 66⅔% of past consumption with no limiting range.

Since heating requirements vary according to weather conditions, the rationed area has been divided into zones and subzones. The figures used for computing heat rations differ in each subzone in order to reflect varying weather conditions. Moreover, the coupon sheets issued for heat rations contain primarily coupons of an indefinite gallonage value, thus permitting adjustments to weather conditions and available fuel oil supplies during the heating season. The zone wherein coupons for heat rations may be used are marked upon the coupons to provide additional controls.

Additional heat and hot water rations are made available in special cases, where an additional supply of oil is required for reasons of health or for the performance of certain commercial or industrial operations or to avoid immediate and undue hardship.

In order to control distribution, transfers of fuel oil may be made only in exchange for coupons or other designated ration currency authorized by the Ration Order. All members of the trade are required to register with their local Board, to state their initial inventory, and to keep records of their transactions. Primary suppliers, to whom coupons and other ration evidences ultimately flow, are required to make periodic reports to the Washington Office of the Office of Price Administration.

Experience developed during the first year of operations under Ration Order No. 11, indicated the need for changes and revisions. It was found desirable to make certain adjustments in computing heat rations for small private dwellings. Ration banking was introduced for primary suppliers and certain dealers and consumers requiring large quantities of oil. Deliveries on "ration credit" were deemed necessary in the trade and in the case of ration banking consumers.

These and many other changes were incorporated in Ration Order No. 11 by a large number of amendments. It is therefore desirable to issue a revised order which will incorporate all current provisions in one document and omit obsolete material.

Accordingly, pursuant to the authority vested in the Administrator by Executive Order No. 9125, issued by the President, on April 1, 1942, and by Directive No. 1 and Supplementary Directive No. 1–O, as amended, of the War Production Board, issued on January 24, 1942 and March 10, 1943, respectively, Ration Order No. 11 is revised and reissued as Revised Ration Order 11 to read as set forth herein.

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AUTHORITY: Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive No. 1, 7 F.R. 562; Supp. Directive No. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719.

DEFINITIONS

§ 1394.5001 *Definitions.* (a) When used in this order:

(1) "Additional facilities" means any fuel oil burning equipment which was installed subsequent to July 31, 1942, including any space heater, whether or not installed, transferred subsequent to December 19, 1942 (or in Area A transferred subsequent to March 15, 1943, or in Area B transferred subsequent to August 23, 1943). The term does not include internal combustion engines, equipment used for domestic cooking or lighting, nor equipment designed and used for raising and preparing for market crops, poultry, livestock or other agricultural products. The replacement of worn-out parts or the replacement of fuel oil burning equipment for the purpose of increasing the efficiency of the equipment (other than an additional facility) is not an installation of additional facilities.

(2) "Allowable ration" means the number of gallons of fuel oil used as a

base for determining the number and value of fuel oil coupons or the value of a fuel oil deposit certificate to be issued to an applicant.

(3) "Alternate fuel" means any fuel other than a petroleum product, electricity, natural gas, manufactured gas, or mixed natural and manufactured gas.

(4) "Base period" means the period from June 1, 1941 to May 31, 1942, inclusive.

(5) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(6) "Consumer" means any person acquiring fuel oil for use, including use as a component part of any manufactured article, material, or compound other than fuel oil. The term includes dealers and primary suppliers to the extent that they use fuel oil, or acquire fuel oil for use rather than for transfer.

(7) "Converted facilities" means any fuel oil burning equipment which was designed to use an alternate fuel and which has been converted to the use of fuel oil. The term includes any equipment altered or refitted to use an alternate fuel and thereafter converted to the use of fuel oil. The term also includes any fuel oil burning equipment used for furnishing heat or hot water, or both, to premises other than a private dwelling, if by September 24, 1943, substantial work had been done on the equipment to alter or refit it to use an alternate fuel.

(8) "Dealer" means any person (other than a primary supplier) who is engaged in the business of buying and selling fuel oil.

(9) "Depositor" means a person who has a fuel oil ration bank account.

(10) "Domestic," as applied to cooking or lighting, means cooking or lighting in a household for the benefit of the family occupying such household, and not for profit.

(11) "Domestic hot water" means hot water used in a private dwelling for household and lavatory purposes and for cleaning premises; it does not include hot water used as an integral part of any commercial, industrial, agricultural, or extractive process.

(12) "Establishment", when used for ration banking purposes means:

(i) As to a primary supplier, any establishment included in his primary supplier's registration;

(ii) As to a dealer, his place of business as included in his dealer's registration; and

(iii) As to a consumer, each place where fuel oil is used by him.

(13) "Evidence" means a token designated by the Office of Price Administration to represent a right to receive a transfer of fuel oil, and exchangeable for such fuel oil. The term includes coupons, ration checks, acknowledgments of delivery, exchange certificates and export certificates. The term does not include fuel oil deposit certificates (Form OPA R–1170).

(14) "Family" means either one person maintaining a household or two or more persons maintaining a common household.

(15) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades Nos. 1, 2, 3, 4, 5, and 6, whether or not blended or rebranded, such as Bunker C, Diesel oil, kerosene, range oil and gas oil. The term also includes any other liquid petroleum product having the same specifications as the above designated grades and used for the same purposes as such grades.

(16) "Heating year" means the period from October 1, 1942, to September 30, 1943, inclusive, which is also sometimes referred to as "the 1942–43 heating year". The term "1943–44 heating year" means the period from October 1, 1943, to September 30, 1944, inclusive.

(17) "House trailer" means any vehicle (whether or not self-propelled) used primarily for residential purposes. The term also includes any railroad car used for residential purposes and not for transporting persons or property.

(18) "Issuing Board" means the War Price and Rationing Board which issued a specified ration.

(19) "Limitation area" means: (i) The states of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia;

(ii) The states of Oregon and Washington, designated in this order as "Area A"; and

(iii) That part of the state of Idaho including the counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington, designated in this order as "Area B".

(20) "Occupation" means business or profession, or gainful work, or work or activity which contributes to the war effort or to the public welfare.

(21) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(22) "Primary supplier" means:

(i) Any person who refines fuel oil within the limitation area; or

(ii) The first person, in point of time, who has possession of fuel oil within the limitation area (other than as a carrier). Two exceptions to this subdivision (ii) appear in subdivisions (iii) and (iv).

(iii) The first person to have possession is not the primary supplier if he is a consumer who takes delivery of the fuel oil on direct shipment from without the limitation area in some way other than by pipeline, barge, tank ship or railroad tank car. Instead, the primary supplier is the person who had possession of the fuel oil (other than as a carrier) immediately prior to its entry into the limitation area.

(iv) The first person to have possession is not the primary supplier if the person from whom he purchased the fuel oil maintains within the limitation area a regular place of business at which the order for the fuel oil was placed. Instead, the primary supplier is the person from whom the purchase is made.

A person who is a primary supplier with regard to any fuel oil received or transferred at an establishment shall be regarded as a primary supplier as to all fuel oil which he receives or transfers at that establishment. A person is a primary supplier as to the establishments maintained by him at which he carries on any operations constituting him a primary supplier, and as to any other establishments which he chooses to register in his primary supplier registration (under paragraph (a) of § 1394.5701), except that if he does not maintain stationary storage facilities within the limitation area, he is a primary supplier as to all mobile facilities operated by him within the limitation area.

(23) "Private dwelling" means a building or structure, including a house trailer, designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodging house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

(24) "Ration," as the context requires, means either a right to use, or to acquire and use fuel oil, evidenced by coupons or fuel oil deposits certificates issued by a Board.

(25) "Ration credits" means the credits in a ration bank account reflecting deposits of fuel oil evidences or fuel oil deposit certificates.

(26) "Space heater" means any fuel oil burning equipment (including portable heaters) designed to heat the space adjacent to such equipment, without the use of pipes or ducts for conveying heat to such space.

(27) "Standby facilities" means equipment (other than fireplaces) in serviceable operating condition designed to use an alternate fuel, for the operation of which a supply of such fuel is available.

(28) "State" includes the District of Columbia.

(29) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply or furnish, and includes the transfer of title by legal process or operation of law, such as, but not limited to, the transfer of title by will, inheritance or foreclosure; it also includes the withdrawal or setting apart for his own use by any dealer or primary supplier of fuel oil held by him but not acquired for use; but does not include the creation of a security interest or security title involving no change of possession. The term also includes the detaching of a coupon by a dealer or primary supplier from a coupon sheet. Delivery to a carrier for shipment, or by a carrier in the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier. Any delivery of fuel oil into stationary storage facilities designated by the Petroleum Administration for War as a terminal to receive principal petroleum products pursuant to Petroleum Directive No. 59 of the Petroleum Administration for War shall be deemed a transfer of fuel oil to the owner or operator of such terminal, and delivery of fuel oil from such terminal to a person other than the owner or operator shall be deemed a transfer of fuel oil by the owner or operator to such person.

(30) "Unit," as applied to a coupon, means the amount of fuel oil, as fixed from time to time, by order or direction of the Office of Price Administration, for which a coupon bearing the imprint "1 unit" may be exchanged.

(31) "Washington Office" means the Office of Price Administration in Washington, D. C.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall include the feminine and neuter.

SCOPE OF REVISED RATION ORDER 11

§ 1394.5051 *Territorial limitations.* (a) Except as otherwise expressly provided, this order shall apply only within the limitation area as defined in § 1394.5001 (a) (19).

§ 1394.5052 *Scope of restrictions.* Nothing in this order shall be construed to limit the quantity of fuel oil which may be acquired:

(a) By or for the account of the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, or Maritime Commission, of the United States, or the British Ministry of War Transport, or any official war transport or war shipping agency of any United Nation acquiring fuel oil for any official purpose; or

(b) By any person for export to and consumption or use in any foreign country.

JURISDICTION OF BOARDS

§ 1394.5101 *Jurisdiction of Boards over issuance of rations.* For the purposes of this order, a Board shall have jurisdiction over:

(a) Persons who have applied to such Board for a ration, or who have registered with it; and

(b) The issuance of rations:

(1) For the operation of any stationary oil burning machinery or equipment in the area assigned to such Board;

(2) For the operation of any mobile oil burning equipment, including vehicles and watercraft, customarily garaged, stationed or kept in the area assigned to such Board;

(3) For any use, not specified in subparagraphs (1) and (2) of this paragraph, in the area assigned to such Board;

(4) For the operation of any stationary or mobile oil burning machinery or equipment, customarily used outside the limitation area; or for any other use outside the limitation area;

(5) To any person who shows good cause for failure to make application to the Board having jurisdiction pursuant to the provisions of subparagraphs (1), (2) or (3) of this paragraph; any person applying for a ration pursuant to this subparagraph shall furnish to the Board with which he files his application the address of the Board having jurisdiction pursuant to the provisions of such subparagraphs (1), (2), or (3); and

(c) Other matters specifically provided for in this order.

RESTRICTIONS ON ISSUANCE OF RATIONS

§ 1394.5151 *Restrictions on issuance of rations.* (a) No ration shall be issued or used:

(1) For the operation of additional facilities or converted facilities unless:

(i) In the case of new construction, the additional facilities were specified in the construction contract and the foundation under the main part of the structure in which the additional facilities were to be installed was completed prior to July 31, 1942; or

(ii) In the case of converted facilities, the conversion was completed prior to July 31, 1942; or

(iii) In the case of either additional or converted facilities, the person using them cannot use an alternate fuel either because it is unavailable or because technical utilization factors prevent its use; or

(iv) The additional facility is a space heater and one of the following facts is established by the applicant:

(*a*) equipment burning an alternate fuel is not immediately available to replace such space heater. In such case a ration may be issued for the operation of such space heater until the earliest date when such replacement can be made;

(*b*) the applicant may obtain an additional ration for the operation of a space heater for a purpose specified in § 1394.5342 (a) (1);

(*c*) such space heater is used to heat the same premises heated by it prior to December 19, 1942, or in Area A prior to March 15, 1943, or in Area B prior to August 24, 1943;

(*d*) for the purposes of increasing efficiency, such space heater replaces a space heater which is not an additional facility, or which is specified in inferior subdivision (c) of this subdivision (iv);

(*e*) such heater is used in a house trailer;

(*f*) the space heater has been acquired pursuant to Ration Order No. 9[1] or Ration Order 9A;[2]

(*g*) such space heater at the time the applicant acquired it was not "new" as defined by Ration Order No. 9 or Ration Order 9A, and the applicant was eligible for a new space heater pursuant to Ration Order No. 9 or Ration Order 9A;

(2) For the operation of fuel oil burning equipment if standby facilities are available and can be used as a substitute for such equipment, unless such standby facilities are operated in such manner as to take the place of such equipment to the maximum extent and to effect the maximum reduction in fuel oil requirements; the allowable ration for the operation of such equipment shall be reduced by the amount of fuel oil which can be saved by maximum utilization of such standby facilities;

(3) For the operation of fuel oil burning equipment for the purpose of cooling space (other than hospital space) for human occupancy;

(4) For furnishing heat or hot water to premises to the extent that such premises are supplied with heat or hot water as a by-product of an industrial process or of the production of power;

(5) For the operation of any space heater in premises adequately served by central heating facilities, except as otherwise provided in this order;

(6) For the operation of a private passenger automobile, as defined in General Order No. 21 of the Office of Defense Transportation;

(7) For the operation of coal spraying equipment with fuel oil other than grade No. 5 or No. 6 or Bunker "C" having an A. P. I. (American Petroleum Institute) gravity of 20° or below.

(b) The provisions of paragraph (a) of this section shall not apply to equipment with respect to which an exception has been granted by the Petroleum Administration for War pursuant to Petroleum Distribution Order No. 13, as amended.

(c) No ration shall be issued or used for furnishing heat or hot water to premises which are not used for residential or occupational purposes.

§ 1394.5152 *District Director must approve certain rations for additional or converted facilities.* (a) On and after October 15, 1943, no Board may issue a ration for the operation of any additional or converted facility for the reason that the applicant cannot use an alternate fuel because it is not available or because technical utilization factors prevent its use, unless the OPA District Director has, in writing, approved the application. However, such approval is not required with respect to a space heater, or with respect to any facility as to which the Petroleum Administration for War has granted an exception pursuant to Petroleum Distribution Order No. 13, as amended.

(b) The District Director shall approve the application if he finds that the applicant cannot use an alternate fuel because it is not available or because technical utilization factors prevent its use; otherwise he shall disapprove, and the Board shall deny, the application.

(c) Regardless of paragraph (a) of this section, in the case of extreme hardship, a ration may be issued for the operation of the facility until the application can be acted on by the District Director. If the application is denied, a ration may be issued until the earliest date the equipment can be altered or refitted to use an alternate fuel. The total of any interim rations granted under this paragraph to any applicant shall not exceed 10% of the allowable ration for the full 1943–44 heating year.

LATE APPLICANTS FOR HEAT AND HOT WATER RATIONS FOR THE 1943–44 HEATING YEAR

NOTE: Provisions of Ration Order No. 11, before revision, for the 1942–43 heating year,

[1] 7 F.R. 10720; 8 F.R. 1219, 2433, 2722, 2941, 8003, 8716, 10668, 11564.

[2] 8 F.R. 11564, 12749, 14049, 15254; 9 F.R. 92, 849, 908.

and for the 1943–44 heating year for consumers who applied on or before November 30, 1943 ("renewal rations" and "new applicants") are contained in Appendix A to this order.

§ 1394.5315 *Who is a late applicant.* A late applicant is a person who applies after November 30, 1943 for a ration for the 1943–44 heating year for the operation of fuel oil burning equipment designed for, and furnishing, heat or domestic hot water, or both, to all or part of any premises. The late applicant must be the person controlling the use of the equipment, but he may authorize someone to make the application for him.

§ 1394.5316 *How a late applicant applies for a ration*—(a) *What form must be used.* The late applicant who needs a ration for use in a private dwelling, or for use in any other residential premises furnished with heat or domestic hot water (or both) by means of one or more space heaters or units of cooking equipment, must apply to his Board on Form OPA R–1100 (Revised). All other late applicants must apply to their Boards on Form OPA R–1101 (Revised).

(b) *Previous ration holder's name to be given.* The late applicant must, except for good cause shown, submit with his application the name of the person to whom a heat or domestic hot water ration for the premises was issued for the 1942–43 heating year.

(c) *Number of applications which may be made.* (1) A separate application must be made for each unit of fuel oil burning equipment serving the premises and the application shall cover only the part of the premises served by such unit, except that if two or more units of equipment serving a single building are under common control, a single application must be made for all such units.

(2) If two or more persons are entitled to apply for a ration for the same unit of fuel oil burning equipment, application may be made by either of such persons, or by all jointly.

§ 1394.5317 *How the late applicant's heat ration for a private dwelling using central heating equipment is figured.* (a) The late applicant's ration for heating a private dwelling by means of central heating equipment for the balance of the 1943–44 heating year shall be figured as follows:

(1) The amount of the annual ration for the 1943–44 heating year shall first be determined by multiplying the amount of fuel oil consumed in heating the dwelling during the base period (adjusted to normal according to section 4 (c) of Appendix A) by two-thirds (⅔). (The amount of fuel oil consumed in heating the dwelling during the base period, that is, from June 1, 1941 through May 31, 1942, is the amount determined by the Board to have been consumed when it figured the ration for the 1942–43 heating year, and the late applicant need not furnish any information concerning such consumption.) However:

(i) If ⅔s of such fuel oil consumption is more than the maximum of the range for heating the dwelling, the annual ration shall be the maximum of that range (the range is figured according to section 5 of appendix A); or

(ii) If ⅔s of such fuel oil consumption is less than the minimum of the range for heating the dwelling, the annual ration shall be either that minimum or 85% of such past consumption, whichever is less; or

(iii) If the fuel oil consumption during the base period was not determined by the Board for the purpose of figuring the ration for the 1942–43 heating year, or if such consumption was then found to be not representative of normal fuel oil requirements for heating the dwelling, or if the amount of the allowable ration for heating the dwelling during the 1942–43 heating year is not available, the annual ration shall be the midpoint of the range.

(2) If the dwelling is regularly occupied by one or more children under four (4) years of age, the annual ration shall be increased by:

(i) 125 gallons, in Zones A–1, A–2 and A–3;

(ii) 100 gallons, in Zones B–1, B–2 and B–3;

(iii) 75 gallons, in Zones C–1, C–2 and C–3;

(iv) 50 gallons, in Zone D.

(3) The late applicant's heat ration shall be the amount of the annual ration for the 1943–44 heating year multiplied by the appropriate percentage figure determined from Table VIII (§ 1394.5851 (f)). The appropriate percentage is shown opposite the date of application listed under the weather station nearest the Board. If the date of application is not listed, the appropriate percentage is determined by the Board from the two dates between which the date of application falls.

§ 1394.5318 *How the late applicant's hot water ration for a private dwelling (other than a house trailer) is figured.* (a) The late applicant's ration for domestic hot water in a private dwelling (other than a house trailer) for the part of the 1943–44 heating year during which it is needed shall be figured as follows:

(1) *Central heating equipment.* Where the hot water is furnished by means of central heating equipment, the ration shall be two-thirds (⅔) of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying the dwelling, and multiplying that sum by the number of months for which the ration is needed.

(2) *Separate water heating equipment.* Where the hot water is furnished by means of separate water heating equipment, the ration shall be two-thirds (⅔) of the applicant's normal requirements for the purpose, but not more than two-thirds (⅔) of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying the dwelling, and multiplying that sum by the number of months for which the ration is needed.

(3) *Space heaters and cooking equipment.* Where the hot water is furnished by means of an attachment to a space heater or to cooking equipment, the ration for hot water furnished by each such unit of equipment shall be the figure obtained by multiplying ten (10) gallons by the number of months for which the ration is needed. (No ration may be issued for domestic hot water furnished by means of a space heater or cooking equipment unless it is equipped with a water heating attachment.)

§ 1394.5319 *How the late applicant's heat ration for all residential premises (other than a house trailer) using space heaters is figured.* (a) The late applicant's ration for heating any residential premises (other than a house trailer) by means of one or more space heaters for the balance of the 1943–44 heating year shall be figured as follows:

(1) The amount of the annual ration for the 1943–44 heating year shall first be determined by multiplying the amount of fuel oil needed to meet the applicant's normal heating requirements for the premises by two-thirds (⅔). However, the annual ration may not be more than the maximum of the range (figured according to section 5 of Appendix A).

(2) If the premises are regularly occupied by any child under four (4) years of age, the annual ration shall be increased by an amount determined by the Board to be needed for that reason, but not in excess of the amount specified in § 1394.5317 (a) (2) (children's allowance) for the zone in which the premises are located.

(3) The late applicant's heat ration shall be the amount of the annual ration for the 1943–44 heating year multiplied by the appropriate percentage figure determined from Table VIII (§ 1394.5851 (f)). The appropriate percentage is shown opposite the date of application listed under the weather station nearest the Board. If the date of application is not listed, the appropriate percentage is determined by the Board from the two dates between which the date of application falls.

(i) If the ration is required for a space heater which is also designed and used for domestic cooking, the heating ration shall be subject to the maximum specified in § 1394.5353 (c).

§ 1394.5320 *How the late applicant's hot water rdtion is figured for residential premises (other than a private dwelling) using space heaters or cooking equipment.* (a) The late applicant's ration for the balance of the 1943–44 heating year for domestic hot water in residential premises (other than a private dwelling), furnished by means of an attachment to a space heater or to cooking equipment, shall be, for each such unit of equipment, the figure obtained by multiplying ten (10) gallons by the number of months for which the ration is needed.

§ 1394.5321 *How the late applicant's heat or hot water ration for a house trailer is figured*—(a) *Heat.* The late

applicant's ration for heating a house trailer by means of a space heater for the balance of the 1943–44 heating year shall be figured as follows:

(1) The amount of the annual ration for the 1943–44 heating year shall first be determined: this is the amount of fuel oil the applicant needs for the purpose but not more than twice the maximum of the range (figured according to section 5 of Appendix A).

(2) The late applicant's heat ration shall be the amount of the annual ration for the 1943–44 heating year multiplied by the appropriate percentage figure determined from Table VIII (§ 1394.5851 (f)). The appropriate percentage is shown opposite the date of application listed under the weather station nearest the Board. If the date of application is not listed, the appropriate percentage is determined by the Board from the two dates between which the date of application falls.

(i) If the ration is required for a space heater which is also designed and used for domestic cooking, the heating ration shall be subject to the maximum specified in § 1394.5353 (c).

(b) *Hot water.* The late applicant's ration for domestic hot water for the balance of the heating year in a house trailer furnished by means of separate water heating equipment shall be two-thirds (⅔) of the applicant's normal requirements for the purpose, but not more than two-thirds (⅔) of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying the trailer and multiplying that sum by the number of months for which the ration for hot water is needed. No ration may be issued for domestic hot water in a house trailer furnished by means of a space heater or cooking equipment, whether or not equipped with a water heating attachment.

§ 1394.5322 *How the late applicant's heat or hot water ration is figured for residential premises (other than a private dwelling) using central heating or separate water heating equipment or for non-residential premises using any equipment.* (a) The late applicant's ration for furnishing heat or hot water, or both, to residential premises (other than a private dwelling) by means of central heating equipment or separate water heating equipment or to non-residential premises by means of any heating or water heating equipment for the part of the 1943–44 heating year for which it is needed shall be figured as follows:

(1) If fuel oil was used for the purpose during at least the corresponding or equivalent months in the base period, the ration shall be two-thirds (⅔) of the amount of fuel oil consumed for the purpose (adjusted to normal according to section 9 (c) of Appendix A) during those corresponding or equivalent months.

(2) If fuel oil was not used for the purpose during at least those corresponding or equivalent months in the base period, or if for any reason (other than weather conditions) the fuel oil consumption during the corresponding or equivalent months is not representative of the normal fuel oil requirements for the part of the 1943–44 heating year for which the ration is needed, or if the consumption during such months cannot be determined, the ration shall be two-thirds (⅔) of the amount of fuel oil needed to meet the late applicant's normal requirements for the purpose during the part of the 1943–44 heating year for which the ration is needed.

§ 1394.5323 *How the heat or hot water ration is figured for a late applicant in Washington, Oregon or Idaho who received advanced rations.* (a) The ration for heat or hot water, or both, for the late applicant to whom an advance ration for the purpose was issued in Area A or Area B under section 23 of Appendix A shall be figured as follows:

(1) The amount of the annual ration for the 1943–44 heating year shall first be determined according to §§ 1394.5317 to 1394.5322, inclusive, whichever may be applicable.

(2) The amount of the advance ration shall then be deducted from the annual ration so figured. No deduction by use of Table VIII (§ 1394.5851 (f)) shall be made.

§ 1394.5324 *What deductions will be made from the late applicant's ration—*(a) *Where he could not have applied for a renewal.* Where the late applicant could not have applied for a renewal ration, under section 11 of Appendix A, the Board shall deduct from the late applicant's ration the amount of fuel oil he has on hand, at the date of application, for the purpose for which the ration is needed.

(b) *Where he could have applied for a renewal.* In the case of the late applicant who could have applied on or before November 30, 1943, under section 11 of Appendix A, for a renewal of his 1943–44 heating year ration, the Board shall deduct from the ration only the gallonage value of any coupons or delivery receipts issued to him as a ration for ballast purposes (§ 1394.5402).

§ 1394.5325 *The late applicant's ration will be issued in coupon sheets or fuel oil deposit certificates*—(a) *General.* Class 3, 4, 5 and 6 coupon sheets (Forms OPA R–1107 to OPA R–1110, and OPA R–1137 to OPA R–1166, inclusive) or fuel oil deposit certificates (Form OPA R–1170) will be issued to late applicants as rations for heat or hot water, or both.

(b) *When Class 3 coupon sheets will be issued.* Class 3 coupon sheets will be issued as a ration where the amount of fuel oil which the late applicant may acquire for heat or both heat and hot water is 300 gallons or less. Class 3 coupon sheets will also be issued as a ration for hot water only except in those cases where fuel oil deposit certificates will be issued under paragraph (d) of this section.

(c) *When Class 4, 5 and 6 coupon sheets will be issued.* Class 4, 5 and 6 coupon sheets will be issued as rations for heat or both heat and hot water except in those cases where fuel oil deposit certificates will be issued under paragraph (d) of this section.

(1) All unit value coupons will be issued on the basis of ten (10) gallons per unit.

(2) If the gallonage for which coupons are to be used is not a multiple of the value (at 10 gallons per unit) of the unit value coupons of the coupon sheets to be issued, coupons may be issued to the next highest multiple of the value of such unit value coupons.

(d) *When fuel oil deposit certificates will be issued.* If the amount of fuel oil which the late applicant may acquire for heat or hot water, or both, for the balance of the 1943–44 heating year is between 20,000 gallons and 50,000 gallons, inclusive, fuel oil deposit certificates will be issued upon request of the applicant. If the amount is more than 50,000 gallons, fuel oil deposit certificates only will be issued.

(1) If the ration is for heat or both heat and hot water, the gallonage value of the first fuel oil deposit certificate issued to the late applicant will be the total ration multiplied by the figure obtained as a result of dividing the number of current coupon validity periods by the number of those periods which have not yet expired. A certificate representing the allocable part of the ration for each subsequent validity period will be issued after the value of the unit value coupons for the period and zone has been fixed. If the value of the Class 4, 5 and 6 unit value coupons for any validity period is changed from ten (10) gallons, a proportionate adjustment will be made in the amount of the fuel oil deposit certificate issued for that period.

(2) If an exemption is granted to a consumer under § 1394.5682 (d) because a bank is not accessible, he will receive coupons instead of fuel oil deposit certificates.

§ 1394.5326 *Class 3 coupon sheets*—(a) *They have fixed value coupons only.* Class 3 coupon sheets have coupons of a fixed gallonage value of one (1), five (5), twenty-five (25) and one hundred (100) gallons, respectively.

(b) *When these coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a coupon from a Class 3 coupon sheet only during the validity period of the coupon sheet.

(c) *When these coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a coupon from a Class 3 coupon sheet only on and after the first date when the coupon may be used for a transfer of fuel oil to a consumer. (§ 1394.5684 (b) explains when these coupons may be deposited in the ration bank account.)

§ 1394.5327 *Class 4, 5 and 6 coupon sheets*—(a) *They have both unit and fixed value coupons.* Class 4, 5 and 6 coupon sheets have coupons with a value

of one (1), five (5) and twenty-five (25) units, respectively, as well as coupons of definite gallonage value.

(b) *When and where unit value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a unit value coupon only during the validity period and in the zone printed on the coupon. (For the 1943–44 heating year the area where fuel oil is rationed is divided into ten (10) zones. The zones are described in § 1394.5330). The periods for each zone, during which these coupons may be used, are as follows:

(1) In Zones A–1, A–3, B–1, B–3, C–1 and C–3:

Coupon number and validity period

1—July 1, 1943 to January 8, 1944, inclusive.
2—November 30, 1943 to February 7, 1944, inclusive.
3—January 4, 1944 to March 18, 1944, inclusive.
4—February 8, 1944 to September 30, 1944, inclusive.
5—March 14, 1944 to September 30, 1944, inclusive.

(2) In Zone D:

Coupon number and validity period

1—July 1, 1943 to January 8, 1944, inclusive.
2—November 30, 1943 to January 24, 1944, inclusive.
3—November 30, 1943 to February 21, 1944, inclusive.
4—January 25, 1944 to September 30, 1944, inclusive.
5—January 25, 1944 to September 30, 1944, inclusive.

(3) In Zones A–2, B–2 and C–2:

Coupon number and validity period

1—July 1, 1943 to January 8, 1944, inclusive.
2—November 30, 1943 to February 7, 1944, inclusive.
3—November 30, 1943 to March 18, 1944, inclusive.
4—February 8, 1944 to September 30, 1944, inclusive.
5—February 8, 1944 to September 30, 1944, inclusive.

(c) *When unit value coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a unit value coupon on and after the first date when the coupon may be used for a transfer of fuel oil to a consumer. (§ 1394.5634 (a) explains when these coupons may be deposited in the ration bank account.) The coupon may not be used in any zone for any purpose (as, for example, for obtaining an exchange certificate or for deposit in a ration bank account) after the following dates:

Coupons numbered:	*Void after*
1	February 2, 1944
2	March 8, 1944
3	April 13, 1944
4	October 30, 1944
5	October 30, 1944

(d) *When and where fixed value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a fixed value coupon from a Class 4, 5 or 6 coupon sheet only during the validity period of the coupon sheet.

(e) *When fixed value coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a fixed value coupon from a Class 4, 5 or 6 coupon sheet only on and after the first date on which the coupon may be used for a transfer of fuel oil to a consumer, but not after November 30, 1944.

§ 1394.5328 *Issuance of ration not to be deemed a waiver of violations of § 1394.5603.* The issuance of a ration to a late applicant who was required to apply for a ration for the operation of the equipment in the premises for the 1942–43 heating year or the 1943–44 heating year, and omitted to do so, shall not be deemed a waiver of any violation by him of § 1394.5603.

§ 1394.5329 *Application for, determination and issuance of, heat and hot water rations for use outside the limitation area.* Notwithstanding any other provisions of this order:

(a) Application for a heat or a heat and hot water ration for use outside the limitation area shall be made to the nearest Board in the thermal sub-zone nearest the premises for which the ration is to be used.

(b) The Board shall, in such case, determine the allowable ration and issue coupons or a fuel oil deposit certificate in the same manner as if such premises were located in the thermal sub-zone in which the application is made.

§ 1394.5330 *The limitation area is divided into zones.* For the 1943–44 heating year the limitation area is divided into ten (10) zones, as follows:

(a) Zone A–1 consists of the States of Maine, New Hampshire, Vermont and that part of the State of New York north of, and including, the counties of Washington, Saratoga, Montgomery, Otsego, Herkimer, Oneida, Lewis and Jefferson.

(b) Zone A–2 consists of the States of Michigan, Minnesota, North Dakota, South Dakota, Wisconsin and that part of the State of Iowa north of, and including, the counties of Allamakee, Winneshiek, Chicasaw, Floyd, Cerro Gordo, Hancock, Kossuth, Palo Alto, Clay, O'Brien and Sioux.

(c) Zone A–3 consists of that part of the State of Idaho including the counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington; that part of the State of Oregon including the counties of Hood River, Wasco, Sherman, Gilliam, Morrow, Umatilla, Union, Wallowa, Jefferson, Wheeler, Grant, Baker, Deschutes, Crook, Klamath, Lake, Harney and Malheur; and that part of the State of Washington including the counties of Okanagan, Ferry, Stevens, Pend Oreille, Chelan, Douglas, Lincoln, Spokane, Kittitas, Grant, Adams, Whitman, Yakima, Franklin, Benton, Walla Walla, Columbia, Garfield, Asotin and Klickitat.

(d) Zone B–1 consists of the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania and that part of the State of New York south of, and including, the counties of Rensselaer, Albany, Schenectady, Schoharie, Delaware, Chenango, Madison, Onondaga, Oswego, Cayuga, Wayne, Monroe, Orleans and Niagara.

(e) Zone B–2 consists of the State of Nebraska, that part of the State of Ohio north of, and including, the counties of Columbiana, Jefferson, Belmont, Noble, Morgan, Perry, Hocking, Pickaway, Fayette, Clinton, Greene, Montgomery and Preble; that part of the State of Indiana north of, and including, the counties of Union, Fayette, Rush, Hancock, Marion, Hendricks, Putnam, Parke and Vermillion; that part of the State of Illinois north of, and including, the counties of Edgar, Coles, Shelby, Christian, Sangamon, Morgan, Scott and Pike; that part of the State of Missouri north of, and including, the counties of Pike, Ralls, Monroe, Randolph, Chariton, Livingston, Caldwell, Clinton and Buchanan; that part of the State of Iowa south of, and including, the counties of Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Cherokee and Plymouth; that part of the State of Kansas north of, and including, the counties of Atchison, Jackson, Shawnee, Pottawatomie, Riley, Clay, Cloud, Mitchell, Osborne, Rooks, Ellis, Trego, Gove, Lane, Scott, Wichita and Greeley.

(f) Zone B–3 consists of that part of the State of Washington including the counties of San Juan, Island, Kitsap, Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Lewis, Cowlitz, Clark, Skamania, Clallam, Jefferson, Mason, Grays Harbor, Pacific and Wahkiakum.

(g) Zone C–1 consists of the States of Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

(h) Zone C–2 consists of the State of Kentucky; that part of the State of Ohio south of, and including, the counties of Monroe, Washington, Athens, Vinton, Ross, Highland, Brown, Clermont, Warren and Butler; that part of the State of Indiana south of, and including, the counties of Franklin, Decatur, Shelby, Johnson, Morgan, Owen, Clay and Vigo; that part of the State of Illinois south of, and including, the counties of Clark, Cumberland, Effingham, Fayette, Montgomery, Macoupin, Greene and Calhoun; that part of the State of Missouri south of, and including, the counties of Lincoln, Montgomery, Audrain, Boone, Howard, Saline, Carroll, Ray, Clay and Platte; and that part of the State of Kansas south of, and including, the counties of Wyandotte, Leavenworth, Jefferson, Douglas, Osage, Wabaunsee, Geary, Dickinson, Ottawa, Lincoln, Barton, Russell, Hodgeman, Rush, Ness, Finney, Kearny and Hamilton.

(i) Zone C–3 consists of that part of the State of Oregon comprising the counties of Clatsop, Columbia, Washington, Multnomah, Tillamook, Yamhill, Clackamas, Marion, Polk, Lincoln, Benton, Linn, Lane, Douglass, Coos, Curry, Josephine and Jackson.

(j) Zone D consists of the States of North Carolina, South Carolina, Georgia and that part of the State of Florida lying east of the Apalachicola River.

ADDITIONAL RATIONS FOR HEAT AND HOT WATER

§ 1394.5341 *How to apply for additional rations*—(a) *Who may apply for an additional ration.* A person who has a current ration for furnishing heat or hot water to any premises may apply for an additional ration if he satisfies the conditions required by one or more of the next six sections.

(b) *How application for an additional ration is made.* Application for an additional ration must be made to the Board on OPA Form R–1104 (Revised) by the person who has the current ration but he may authorize someone to make the application for him. However, if that form is not available, the applicant must submit to the Board, in person or by mail, a statement, signed by him or by the person authorized to act for him, setting forth:

(1) His name and the address where the ration will be used:

(2) The special conditions which he claims cause him to need more fuel oil, and why his current ration is not enough for this purpose; and

(3) The amount of fuel oil he has on hand, and the total gallonage value of his unused coupons or unused ration credits, for the purpose of furnishing heat or hot water to the premises.

§ 1394.5342 *Additional rations when current ration insufficient for specified purposes*—(a) *Current ration insufficient for specified purposes.* An additional ration for heat or hot water may be allowed by the Board if it finds that the current ration is insufficient because the applicant has used, or requires, more fuel oil:

(1) *Sick and infirm persons.* For the care or treatment of a person who is sick or infirm, or for the examination or treatment of patients in a hospital or sanitorium or in other buildings used for those purposes by a duly licensed physician, surgeon, dentist, osteopath, chiropractor, or religious practitioner (other than a minister). However, in the case of premises other than a private dwelling, the additional ration may be allowed only for use in a space heater, unless the building is a hospital, sanitorium or other building primarily used for the care and treatment of the sick or of patients.

(2) *Schools, orphanages and homes for the aged.* For the care of children under four (4) years of age in a school or orphanage, or for the care of persons in a home for the aged.

(3) *Exhibits.* For the care or maintenance of exhibits in an aquarium, zoological or botanical garden, art gallery, museum, or similar public establishment, maintained by an educational, charitable or governmental institution.

(4) *Process, research and experiment.* For conducting an industrial, agricultural or extractive process, or a research or experimental operation, depending upon temperature control.

(5) *Public health, safety or war work.* For conducting, in non-residential premises, an activity or operation essential to the public health or safety or the war effort, which can be performed efficiently only at a higher temperature.

(b) *How the additional ration for these purposes is figured.* The additional ration shall be the amount of fuel oil, in addition to the current ration, required to furnish the additional heat or hot water needed.

§ 1394.5343 *Additional heat rations for children under 4 years old*—(a) *When allowed.* An additional ration for heating a private dwelling (other than a house trailer) or for heating other residential premises using a space heater may be allowed if the Board finds that one or more children less than 4 years of age regularly occupy the premises and the current heat ration does not include a children's allowance under § 1394.5317 (a) (2) or 1394.5319 (a) (2).

(b) *How the additional ration is figured*—(1) *Central heating equipment in private dwellings.* If the ration is for use in central heating equipment in a private dwelling, the additional ration will be the figure found by multiplying the amount specified in section 3 (b) of Appendix A for the zone in which the dwelling is located by the appropriate percentage figure determined from Table VIII (§ 1394.5851 (f)). The appropriate percentage figure is shown opposite the date the occupancy of the child or children began, listed under the weather station nearest the Board. If that date is not listed, the appropriate percentage figure is determined by the Board from the two dates between which that date of first occupancy falls.

(2) *Space heaters in any residential premises.* If the ration is for use in a space heater in residential premises, the additional ration shall be the amount determined by the Board to be needed because of the occupancy of the child or children under 4 years old, but not more than the amount which would be allowable for central heating equipment.

§ 1394.5344 *Additional heat rations in certain residential premises because of increase in space heated*—(a) *When allowed.* An additional ration for heating a private dwelling (other than a house trailer), or for heating other residential premises using a space heater, may be allowed if the Board finds that the floor area regularly used for necessary living and sleeping quarters and occupational purposes has increased over the amount included in figuring the current ration. However, the Board shall not consider any floor area in excess of the amount allowed in section 5 (a) of Appendix A.

(b) *How the additional ration is figured.* The Board may determine the additional amount needed because of the increase in floor area. However, the amount may not exceed the figure found by taking the difference between the midpoint of the range for the floor area included in figuring the current ration and the midpoint of the range for the increased floor area and by multiplying that difference by the appropriate percentage figure determined from Table VIII (§ 1394.5851 (f)). The appropriate percentage figure is shown opposite the date the increase in floor area occurred, listed under the weather station nearest the Board. If that date is not listed, the appropriate percentage figure is determined by the Board from the two dates between which that date of increase falls.

§ 1394.5345 *Additional hot water rations in private dwellings*—(a) *When allowed.* An additional ration for furnishing domestic hot water to a private dwelling by means of equipment other than an attachment to a space heater or to cooking equipment may be allowed if the Board finds that the number of persons regularly occupying the dwelling has increased over the number included in figuring the current ration.

(b) *How the additional ration is figured.* The additional ration shall be:

(1) In the case of central heating equipment, two-thirds (⅔) of the figure obtained by adding five (5) gallons for each additional person regularly occupying the dwelling, and multiplying that sum by the number of months for which the additional ration is needed.

(2) In the case of separate water heating equipment, the amount determined by the Board to be needed, but not more than the amount which would be allowable for central heating equipment.

§ 1394.5346 *Additional heat or hot water rations in premises other than a private dwelling, because of increase in normal requirements*—(a) *When allowed.* An additional ration for furnishing heat or hot water to any premises (other than residential premises using a space heater only or any private dwelling) may be allowed if the Board finds that the applicant's normal requirements for heat or hot water, or both, have substantially increased over the requirements which were the basis for figuring the current ration.

(b) *How the additional ration is figured.* The additional ration shall be two-thirds (⅔) of the amount of fuel oil the Board determines to be needed to meet the increase in the applicant's normal requirements.

§ 1394.5347 *Additional heat or hot water rations to avoid undue and immediate hardship*—(a) *When allowed.* An additional ration for furnishing heat or hot water to residential premises may be allowed if the Board finds that undue and immediate hardship will be suffered by the applicant because he does not have sufficient fuel oil on hand and unexpired ration evidences or ration credits to meet his current minimum requirements for heat or hot water, or both, and that he has taken all reasonable measures, within the limits of his financial ability, to reduce his consumption of fuel oil. However, an additional ration for this purpose may not be issued until the Regional Administrator has declared, upon receipt of such information from the Washington Office, that there is available in the area where the applicant is located an adequate supply of fuel oil for the purpose. The applicant must include in his statement, in addition to the matters mentioned in § 1394.5341 (b), an

explanation of all the efforts he has made to save fuel oil.

(b) *How the additional ration is figured.* The additional ration shall be the minimum amount of fuel oil the Board determines the applicant needs to avoid the undue hardship.

§ 1394.5348 *Issuance of additional rations.* (a) After the Board figures the amount of the additional ration, it will issue Class 3 coupon sheets for that amount. However, if the applicant is a depositor for the establishment, the additional ration will be issued in a fuel oil deposit certificate.

DOMESTIC COOKING AND LIGHTING RATIONS

§ 1394.5351 *Persons entitled to rations for domestic cooking and lighting.* (a) The person controlling the use of fuel oil burning equipment designed and used for domestic cooking or lighting may obtain a ration for such purpose.

§ 1394.5352 *Application for ration for domestic cooking and lighting.* (a) Application for a ration for the operation of equipment used for domestic cooking (including the cooking of food for canning or preserving) or domestic lighting may be made to a Board on Form OPA R–1103 or Form OPA R–1103A. The applicant shall supply the information required by the form. If the ration required for domestic cooking is entirely or partially for the cooking of food for canning or preserving, the applicant shall state, in addition, the number of hours the equipment will be used, and the amount of fuel oil needed, for such purpose.

(b) A separate application shall be made for each unit of fuel oil burning equipment, except that if two or more units of equipment serve a single family, a single application shall be made for all such units.

(c) Application may be made by the person controlling the use of the equipment, or by his agent. If two or more persons are entitled to apply for a ration for the same unit of equipment, application may be made by either of such persons or by all jointly.

§ 1394.5353 *Determination of allowable ration for domestic cooking.* (a) The allowable ration for all units of cooking equipment used for domestic cooking (including the cooking of food for canning or preserving) for a single family shall be the amount of fuel oil needed for such purpose during a period not to exceed one year from the date the ration is issued, as the Board shall determine. However, the amount shall not exceed the maximum specified in paragraph (b) or (c) of this section.

(b) The maximum allowable ration for domestic cooking (exclusive of the cooking of food for canning or preserving) shall be thirty (30) gallons per month if not more than seven (7) persons are regularly served by the equipment. If more than seven (7) persons are regularly served, the maximum shall be increased by one (1) gallon per month for each additional person.

(c) If the ration for domestic cooking is required for a space heater, the sum of the allowable ration for cooking and of the allowable ration for heating by means of the space heater, for the part of the 1943–44 heating year for which the rations are needed, shall not exceed whichever of the following is greatest:

(1) The applicant's allowable ration for cooking for the period from the date of application to September 30, 1944; or

(2) His allowable heating ration for the period from the date of application to September 30, 1944; or

(3) The amount his allowable heating ration for the balance of the 1943–44 heating year would be if it were figured at the midpoint of the range for 550 square feet, or at the midpoint of the range for the floor area actually heated if more than 550 square feet is actually heated.

§ 1394.5354 *Determination of allowable ration for domestic lighting.* (a) The allowable ration for all units of lighting equipment used for domestic lighting for a single family shall be the amount of fuel oil needed for such purpose during a period not to exceed one year from the date the ration is issued, as the Board shall determine. However, the amount shall not exceed the maximum specified in paragraph (b) of this section.

(b) The maximum allowable ration for domestic lighting shall be:

(1) For the months of October to March, inclusive: four (4) gallons per month per person for the first three (3) persons regularly using the equipment, and two (2) gallons per month for each additional person up to seven (7); if more than seven (7) persons regularly use the equipment the maximum shall be increased by one (1) gallon per month for each additional person over seven (7);

(2) For the months of April to September, inclusive: three (3) gallons per month per person for the first three (3) persons regularly using the equipment, and one (1) gallon per month for each additional person up to seven (7); if more than seven (7) persons regularly use the equipment, the maximum shall be increased by one-half (½) gallon per month for each additional person over seven (7).

§ 1394.5355 *Issuance of rations for domestic cooking or lighting.* (a) After determining the allowable ration for domestic cooking or lighting, the Board will issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such equipment.

RAILROAD CARS

§ 1394.5391 *Heat rations for railroad cars.* Notwithstanding any other provision of this order:

(a) The person controlling the use of fuel oil burning equipment used for heating railroad cars (other than those which are house trailers) may obtain a ration for such purpose. Such rations may be obtained for three (3) month periods.

(b) Application for such ration shall be made to a Board on Form OPA R–1102, by the person controlling the use of the equipment, or by his agent. The applicant shall supply the information required by the Form. A single application may be made for all the units of equipment for which a ration is required.

(c) The allowable ration shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required.

(d) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the purpose for which the ration is required.

(e) No ration issued pursuant to this section shall be used to heat railroad cars for human occupancy to a temperature in excess of 65 degrees F. except to the extent that:

(1) It is necessary to heat certain cars in a train in excess of 65 degrees F. in order to maintain a minimum temperature of 60 degrees F. in other cars in the train; or

(2) It is impossible, for mechanical reasons, to maintain the temperature below 65 degrees F.

COMMERCIAL MOTOR VEHICLES

§ 1394.5401 *Rations for commercial motor vehicles.* (a) The person controlling the use of a commercial motor vehicle (as defined in General Order No. 21 of the Office of Defense Transportation) may obtain a ration for the operation of such vehicle. Such rations may be obtained for three (3) month periods.

(b) Application for the operation of a commercial motor vehicle shall be made to a Board on Form OPA R–1102 (or, in the case of a farm vehicle, on Form OPA R–1103) by the person controlling the use of the vehicle or by his agent. The applicant shall supply the information required by the form. A single application may be made for all commercial motor vehicles for which the applicant requires a ration.

(c) The allowable ration for the operation of such vehicle shall be the number of gallons approved in the currently valid Certificate of War Necessity of the Office of Defense Transportation issued for such vehicle for the quarterly period during which the ration is to be used.

(d) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such vehicle.

MISCELLANEOUS USES

§ 1394.5402 *Rations for miscellaneous uses.* (a) The person controlling the use of any fuel oil burning equipment used for a necessary purpose not otherwise specified in this order (or any person requiring fuel oil for any necessary purpose other than the operation of oil burning equipment) may obtain a ration for such purpose.

(b) Application for a ration for a necessary purpose not otherwise specified in this order shall be made to a Board, as follows:

(1) If the ration is needed for any commercial, industrial or governmental purpose, application shall be made on Form OPA R–1102;

(2) If the ration is needed for any domestic, institutional or agricultural purpose, application shall be made on Form OPA R–1103.

(c) The allowable ration for a commercial, industrial or governmental purpose shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required.

(d) The allowable ration for a domestic, institutional or agricultural purpose shall be the amount of fuel oil needed for such purpose during the six (6) month period beginning with the date on which the ration is required.

(e) The allowable ration during the three (3) month period beginning with the date on which the ration is required for the non-occupational use of a boat or, elsewhere than in Areas A and B, for the occupational use of a boat for pleasure cruising, guiding or fishing parties, or sightseeing shall be not more than one hundred and twenty-five (125) gallons or the number of gallons equal to four (4) times the manufacturer's rated horsepower of the motor or motors propelling the boat, whichever is less.

(f) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the purpose for which the ration is required. However, no deduction shall be made for fuel oil on hand representing inventory reserve established pursuant to § 1394.5405. (§ 1394.5462 explains when fuel oil deposit certificates will be issued instead of coupon sheets.)

§ 1394.5405 *Inventory reserve*—(a) *Who may establish an inventory reserve.* Each consumer who has a ration for a commercial, industrial or governmental purpose provided by §1394.5402 may, upon obtaining approval of the District Director referred to in the next paragraph, establish an inventory reserve if the total capacity of his fuel oil storage facilities for the purpose exceeds one-third of such current ration.

(b) *How approval is obtained.* Application for approval of an inventory reserve shall be made to the OPA District Director serving the area in which the applicant's Board is located. The applicant shall mail or deliver his letter, in triplicate, setting forth the following:

(1) His name and address;

(2) The amount of his current quarterly ration under § 1394.5402 and the purpose for which it was issued;

(3) The location of the fuel oil storage facilities currently held for use by him for the purpose and the total capacity of such facilities on the date of application;

(4) The unfilled storage capacity of such facilities on that date;

(5) The amount of the largest quarterly ration ever issued to him for the same purpose under § 1394.5402; and

(6) The number and address of his Board.

(c) *When application may be granted.* If the District Director is satisfied that the applicant meets the requirements of paragraphs (a) and (b) of this section, and that an adequate supply of fuel oil for inventory reserve purposes is available in the area for the applicant, he may grant the application. If the application is granted, the applicant may establish as his inventory reserve the amount specified in paragraph (b) (4) or (b) (5) of this section, whichever is smaller. However, if the amount specified in paragraph (b) (5) is the smaller sum, the District Director may increase the amount of the inventory reserve up to the amount specified in paragraph (b) (4) but in no event to an amount in excess of twice the current ration.

(d) *Board to issue coupons.* The District Director will forward to the applicant's Board a copy of his determination of the amount of the inventory reserve and of the application. The Board will issue to the applicant coupon sheets or fuel oil deposit certificates equal in gallonage value to the amount of the inventory reserve so determined. Coupon sheets issued as inventory reserve shall expire on June 30, 1944.

(e) *Restricted use of reserve.* No use may be made by the applicant of any part of the inventory reserve which would result in the consumption of more fuel oil for the purpose referred to in paragraph (b) (2) than the amount of the ration issued to him for such purpose. The Board will report to the District Office the name of any applicant to whom an inventory reserve has been granted and who has failed to comply with this paragraph. The Board will not, without specific approval of the District Director, issue to such applicant coupons or fuel oil deposit certificates to replace any part of the inventory reserve so consumed.

(f) *Deduction from further rations.* Whenever, pursuant to § 1394.5551, a further ration for the same purpose as the current ration is granted to the applicant, the Board will deduct from the coupons or fuel oil deposit certificates to be issued the amount by which the gallonage value of the fuel oil on hand and ration credits (or, of his unused coupons, if the applicant is not a depositor) for the purpose exceeds the amount of his inventory reserve allowance.

(g) *Revocation of reserve.* Whenever the District Director deems it to be in the public interest to do so, he may revoke the whole or any part of the amount allowed for inventory reserve. The Board will, in case of revocation, require the surrender of any coupon sheet, or the issuance to it of a ration check, equal in gallonage value to the amount revoked, or deduct the amount from any further ration for the purpose issued to the applicant.

§ 1394.5406 *Hot water rations; special cases.* (a) The person controlling the use of fuel oil burning equipment designed for, and furnishing, hot water for a purpose directly related to the public health or safety, or as an integral part of a commercial, industrial, agricultural or extractive process (if such equipment is not used for furnishing heat or for furnishing hot water for any other purpose), may obtain a ration for such purpose by applying on form OPA R–1102. No such ration may be obtained for use during the period of validity of any ration issued for the operation of such equipment pursuant to an application made on Form OPA R–1100 (Revised) or Form OPA R–1101 (Revised). Such ration may be obtained for three (3) month periods.

(b) The allowable ration for the operation of such equipment shall be the amount of fuel oil needed for such purpose for the three (3) month period beginning with the date on which the ration is required.

(c) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such equipment.

§ 1394.5407 *Rations for vendors of heat and hot water.* (a) The person controlling the use of fuel oil burning equipment designed for and furnishing heat or hot water, or both (by means of live steam or otherwise), to a building or structure (other than the one in which such equipment is located) which is not controlled by him, may obtain a ration for the operation of such equipment for such purpose for the part of the 1943–44 heating year during which it is needed.

(b) Application for a ration for such purpose shall be made to a Board on Form OPA R–1102 by the person controlling the use of the equipment, or by his agent. The applicant shall supply the information required by the form.

(c) The allowable ration for the part of the 1943–44 heating year during which it is needed shall be two-thirds (⅔) of the amount of fuel oil consumed for the purpose (adjusted to normal according to paragraph 9 (c) of Appendix A during the corresponding or equivalent months of the base period. If fuel oil was not used for the purpose during at least those corresponding or equivalent months in the base period, or if for any reason (other than weather conditions) the fuel oil consumption during the corresponding or equivalent months in the base period is not representative of the normal fuel oil requirements for the part of the 1943–44 heating year for which the ration is needed, or if the consumption during such months cannot be determined, the ration shall be two-thirds (⅔) of the amount of fuel oil needed to meet the applicant's normal requirements for the purpose during the part of the 1943–44 heating year for which the ration is needed.

(d) After determining the allowable ration, the Board shall issue coupons or a fuel oil deposit certificate in the manner provided in § 1394.5325, subject to the deductions specified in § 1394.5324.

§ 1394.5408 *Heat or both heat and hot water emergency facilities.* (a) The person controlling the use of fuel oil burning equipment furnishing heat or hot water, or both, during emergency periods in premises where such heat or hot water, or both, is normally furnished by equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas, may obtain a ration for such purpose. An "emergency period" as used in this section is the time during which the equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas cannot be operated because of the temporary cessation of or reduction in the flow of such electric current or gas. Such rations may be obtained for three (3) month periods.

(b) Application for such ration shall be made to a Board on Form OPA R–1102, by the person controlling the use of the equipment, or by his agent.

(c) The allowable ration shall be the amount of fuel oil requested for such purpose during the three (3) month period beginning with the date on which the ration is required: *Provided*, That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year, or the amount needed for ten (10) days, whichever is greater, unless the applicant shows good cause for the excess requested.

(d) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand as of the date of the application for the purpose for which the ration is required.

(e) No ration issued pursuant to this section shall be used except during such emergency periods, and during any such period such ration shall not be used to heat such premises to a temperature in excess of sixty-five (65) degrees Fahrenheit except to the extent that it is impossible, for mechanical reasons, to maintain the temperature below sixty-five (65) degrees Fahrenheit.

GENERAL PROVISIONS WITH RESPECT TO ISSUANCE OF RATIONS

§ 1394.5452 *Notations on coupon sheets.* (a) At the time of issuing a coupon sheet, the Board shall enter thereon the name and address of the person to whom it is issued and the number and kind of coupons issued therewith. The Board shall also enter on such coupon sheet the date on which it becomes valid and the date on which it expires. Such dates shall be, respectively, the first and last day of the period for which the ration is issued. However, the Board need not enter any dates of issuance or expiration on the coupon sheets issued as a ration for domestic cooking or lighting. Where a coupon sheet is issued in exchange for coupons, coupon sheets or other evidences previously issued, the Board shall inscribe the word "Exchange" below the serial number on the coupon sheet so issued.

§ 1394.5454 *Acknowledgments of delivery.* (a) Acknowledgments of delivery, on Form OPA R–544 (Revised), to be used for the acquisition of fuel oil by or for the account of the Army, Navy, Marine Corps, War Shipping Administration, Coast Guard, and Maritime Commission, of the United States, or by the British Ministry of War Transport, or any official war transport or war shipping agency of any United Nation acquiring fuel oil for any official purpose, will be issued by the Washington Office to the Washington headquarters of such agencies. Any such form bearing the signature of an authorized officer, agent or employee of any of such agencies shall be valid as an authorization of transfer of fuel oil to or for the account of such agency by any person to whom it is presented, to the extent of the gallonage thereon stated. In the event that an acknowledgment form is not available, a receipt on an official letterhead of such agency, bearing such authorized signature, and supplying the information required by Form OPA R–544 (Revised), may be used in lieu of such acknowledgment form. Such form or receipt may be used as an evidence for purposes of replenishment.

(b) If any of the information required by Form OPA R–544 (Revised) is military or naval information of a secret character, such information may be omitted.

(c) A Board to which an Acknowledgment of Delivery, or a receipt on an official letterhead executed in accordance with paragraph (a) of this section, is delivered pursuant to § 1394.5723, shall cancel such acknowledgment or receipt and forward it to the agency, or in the case of the Army or Navy, to the activity, if any, named thereon.

(d) Notwithstanding any other provisions of this order, coupon sheets or other evidences may be issued by the Washington Office to the Washington headquarters of the agencies enumerated in paragraph (a) of this section, or to the law enforcement agencies of the United States, for the use of such agencies, or their officers, agents or employees, in the performance of official duties which depend upon secrecy. Application for such coupon sheets or other evidences may be made on the official letterhead of the applicant and shall set forth the class and number of the coupon sheets or other evidences required and the use for which they are intended.

§ 1394.5455 *Signature on coupon sheet.* (a) An applicant shall sign each coupon sheet issued to him, and no coupon shall be valid until the coupon sheet to which it is attached has been signed as required.

§ 1394.5456 *Lost, stolen, destroyed, mutilated or wrongfully withheld coupon sheets and fuel oil deposit certificates.* (a) If a consumer's coupon sheet is lost, stolen, destroyed, mutilated or wrongfully withheld, the person in whose name it was issued may apply for replacement thereof in the manner provided by Procedural Regulation No. 12.[1] However, where application is made to replace a lost or stolen coupon sheet, the Board, if it finds that extreme hardship will result if the applicant is deprived of the coupon sheet during the period the loss or theft is under investigation, may issue a coupon sheet containing enough coupons to enable the applicant to acquire fuel oil during the period of investigation (but not to exceed thirty (30) days from the date his application was filed).

(b) In the event of the loss, destruction or mutilation of a fuel oil deposit certificate, the person to whom such certificate was issued may apply to the issuing Board for replacement thereof. Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The date and place of issuance, and, if possible, the serial number of the certificate;

(3) A description of the premises, vehicle, boat, equipment or process for which the certificate was issued; and

(4) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the Board is satisfied that such fuel oil deposit certificate has been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it will issue a fuel oil deposit certificate limited to the same gallonage value as the unused certificate sought to be replaced. No person receiving a fuel oil deposit certificate under this paragraph shall use, attempt to use, or permit the use of the original fuel oil deposit certificate. A damaged or mutilated fuel oil deposit certificate shall be surrendered to the Board.

§ 1394.5457 *Disposition of found coupon sheets, other evidences or fuel oil deposit certificates.* (a) Any person who finds a coupon sheet, coupon or other evidence, delivery receipt, or fuel oil deposit certificate shall within five (5) days surrender it to any Board.

§ 1394.5458 *Exchange for currently valid coupons.* (a) A person to whom a Class 4, 5 or 6 coupon sheet has been issued, who, because of transportation difficulties, must acquire fuel oil in excess of the amount obtainable by the use of his currently valid coupons, may apply, in writing, to the issuing Board for currently valid coupons in exchange for coupons which have not yet become valid.

(b) If the Board finds that, due to transportation difficulties, it is necessary for the applicant to take delivery of fuel oil in excess of the amount obtainable by the use of his currently valid coupons, it may, in its discretion, issue a coupon sheet containing currently valid coupons to the extent required. It shall detach from the applicant's coupon sheet, coupons not yet valid, equal in number and unit value, to the currently valid coupons issued.

[1] 8 F.R. 3171, 6643, 11688, 14737, 15461.

§ 1394.5460 *Exchange of indefinite value for definite value coupons.* (a) Any consumer may exchange, at the issuing Board, currently valid unit value coupons for definite value coupons, on the basis of the current value of the unit value coupons exchanged.

(b) The Board shall issue a Class 3 coupon sheet containing coupons to the extent required.

(c) The Board shall enter as the expiration date of such coupon sheet, the last date, specified in § 1394.5327, on which the unit value coupons exchanged would be valid for the transfer of fuel oil to a consumer.

§ 1394.5462 *When fuel oil deposit certificates will be issued as rations other than for heat or hot water.* (a) The issuance of fuel oil deposit certificates to late applicants as rations for heat or hot water for the 1943–44 heating year is covered by § 1394.5325.

(b) If application for a ration is made on Form OPA R–1102 and the amount of fuel oil which the applicant may acquire during any 3 month period is between 5,000 gallons and 12,500 gallons, inclusive, a fuel oil deposit certificate will be issued, instead of coupons, if requested by the applicant. If the amount is more than 12,500 gallons, a fuel oil deposit certificate must be issued.

(c) If application for a ration is made on Form OPA R–1103 or OPA R–1103A and the amount of fuel oil which the applicant may acquire during any 6 month period is between 10,000 gallons and 25,000 gallons, inclusive, a fuel oil deposit certificate will be issued, instead of coupons, if requested by the applicant. If the amount is more than 25,000 gallons, a fuel oil deposit certificate must be issued.

(d) Coupons instead of fuel oil deposit certificates will be issued if an exemption is granted under § 1394.5682 (d).

§ 1394.5463 *A depositor may bank all rations for the same establishment.* (a) Any applicant for a ration who is already a depositor as to an establishment or to whom a fuel oil deposit certificate has already been issued for an establishment may receive fuel oil deposit certificates, instead of coupons, for any ration to be issued for the same establishment regardless of the amount of the ration to be issued.

EXPIRATION AND REVOCATION OF RATIONS

§ 1394.5501 *Expiration of rations and coupon sheets.* (a) All rations and coupon sheets shall expire at midnight on the last day of the period for which the ration or coupon sheet was issued.

§ 1394.5502 *Same: Cessation of use or change in ownership, control or use.* A ration shall expire:

(a) Upon cessation of use for the purpose for which it was issued; or

(b) Upon cessation of use of the fuel oil burning equipment for which it was issued, by the person to whom it was issued; or

(c) Upon change in control over such equipment. However, a ration issued for heat or hot water, or both, for use in any premises, shall not expire upon change in control over the equipment if a member of the family of the person to whom the ration was issued has acquired control over the equipment. In that case, the ration shall be deemed issued to that member of the family.

§ 1394.5503 *Surrender of expired coupon sheets—*(a) *General.* No ration may be used and no coupon sheet shall be valid for the transfer of fuel oil to a consumer after the expiration of the ration or the coupon sheet. However, if an application for any of the following rations has been made (pursuant to § 1394.5551), the applicant may continue to use his current ration until the further ration is issued, but not more than fifteen (15) days after the expiration date:

(1) Hot water rations for special cases, covered by § 1394.5406;

(2) Rations for vendors of heat and hot water, covered by § 1394.5407; or

(3) Rations other than for heat or hot water.

(b) *Rations for use in private dwellings.* (1) Coupon sheets issued as rations for heat or hot water, or both, for use in private dwellings, shall upon expiration of the ration be surrendered as follows:

(i) Where a ration issued to the owner of the premises expires because he ceases to use the equipment (and no other person has acquired control over the equipment), the coupon sheet shall be surrendered to the issuing Board within twenty (20) days after the expiration.

(ii) Where a ration issued to the owner of the premises expires because a new owner acquires control over the equipment, the former owner shall, at the time of the change in control, surrender the coupon sheet to the new owner. The new owner shall demand the coupon sheet from the former owner.

(iii) Where a ration issued to a person other than the owner of the premises expires because he ceases to use the equipment or because of a change in control over the equipment, the coupon sheet shall immediately be surrendered to the owner of the premises. The owner of the premises shall demand the coupon sheet from such person.

(2) If the person required to surrender a coupon sheet is unable to surrender it to the proper person, he shall surrender it to the issuing Board within twenty (20) days after the expiration. If the person required to demand the coupon sheet is unable to obtain it, he shall immediately notify the issuing Board.

(c) *Rations for other uses.* Coupon sheets issued to a person for any other ration shall be surrendered to the Board by him within twenty (20) days after the ration expires.

§ 1394.5504 *Application for continuation of ration on change of control.* (a) If a ration has expired because of a change in control over fuel oil burning equipment furnishing heat or hot water, or both, to any premises, but there is no change in the occupancy of the premises, the person acquiring control (or his agent) may apply to the issuing Board for a continuation of the ration. He may not obtain a ration (other than an additional ration) for the operation of the equipment during the balance of the period for which the expired ration was issued, except in the manner provided in this section.

(b) An application pursuant to paragraph (a) of this section shall be made in writing and shall set forth:

(1) The name and address of the applicant;

(2) The address of the premises served by the equipment;

(3) The date on which the applicant acquired control over the equipment;

(4) The name of the person from whom he acquired such control;

(5) A certification that such change in control did not involve a change in the occupancy of the premises; and

(6) A request that the expired ration be continued and issued to him.

§ 1394.5505 *Issuance of continuation of ration.* (a) Upon application for a continuation of a ration pursuant to § 1394.5504, the Board shall issue to the applicant coupon sheets containing the same number and kind of coupons as were contained on the expired coupon sheets at the time of expiration.

(b) After such issuance, the applicant may use any fuel oil in the fuel supply tank of such equipment, or in a storage tank or other container maintained for supplying such equipment, without any further surrender of coupons.

§ 1394.5506 *Issuance of new rations.* (a) Except as otherwise provided in this order, a transferee of any fuel oil burning equipment shall be required to make a new application for a ration therefor, on his own behalf, in the same manner as an original application. However, a transferee may not obtain a ration unless a transfer in good faith is involved.

§ 1394.5507 *Coupons and other evidences are property of Office of Price Administration; summary revocations.* (a) All coupon sheets, coupons, acknowledgments of delivery, inventory coupons, exchange certificates, export certificates, ration checks, fuel oil deposit certificates, and delivery receipts shall be and remain, when issued, the property of the Office of Price Administration. The Washington Office may, whenever it deems it to be in the public interest to do so, revoke, withhold the use of, or refuse to issue any ration, and may require the surrender and return of any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate, ration check, fuel oil deposit certificate, or delivery receipt.

(b) Upon certification by the Office of Defense Transportation, or any authorized representative thereof, that any person to whom a ration has been issued has been found by it to have violated an order of that office, and upon recommendation by such office that the ration, or any part thereof, issued to such person be revoked, the Washington Office, or the Regional Administrator, District Director,

or Board having jurisdiction, will revoke the ration or such part thereof.

(c) Upon recommendation by the Petroleum Administration for War, or any authorized representative thereof, that fuel oil be denied to any person for the operation of fuel oil burning equipment (other than equipment furnishing heat or hot water to any building or structure) for the reason that such equipment can be converted to the use of a fuel other than fuel oil, the Washington Office, or the Regional Administrator, District Director, or Board having jurisdiction, will revoke any ration issued, or withhold the issuance of any ration, to such person for such use.

(d) Any ration issued to a person not entitled thereto on the basis of the facts stated in the application, may be revoked by the issuing Board, and the Board may order that any coupon sheets or fuel oil deposit certificates issued therefor be surrendered. The Board will issue such ration as it finds him entitled to receive, pursuant to the provisions of this order, in place of the ration revoked.

(e) The ration of any person who willfully causes the destruction or impairment of the use of equipment, or any parts thereof, designed to use an alternate fuel, for the purpose of obtaining such ration, may at any time be revoked.

§ 1394.5508 *Authority of regional administrators and district directors to cancel and require the surrender of rations.* (a) The several Regional Administrators of the Office of Price Administration within their respective regions, and such District Director as may be designated by the Regional Administrators for that purpose, are, except where an administrative suspension order may be obtained in accordance with Procedural Regulation No. 4,[8] authorized to determine whether any ration holder was entitled to receive the ration issued to him.

(b) In any case where a District Director or Regional Administrator is authorized pursuant to paragraph (a) of this section to review or redetermine the right of any ration holder to receive or retain any ration, such officer shall receive and consider any evidence presented by the holder of the ration and may require him to appear for examination and to produce such witnesses or evidence as the officer may deem material. If the officer determines that the ration holder was not entitled to receive or is not entitled to retain the ration issued to him, the officer may order that any coupons or other evidences or delivery receipts be cancelled and surrendered. Within forty-eight (48) hours of receiving notice requiring the surrender of any coupons or other evidences or delivery receipts pursuant to such review or redetermination, the person holding the coupons or other evidences or delivery receipts shall surrender them pursuant to such notice. Any person may appeal from an adverse decision upon such review or redetermination pursuant to Procedural Regulation No. 9.[8]

[8] 8 F.R. 1744, 2035, 6424, 10085.

ISSUANCE OF FURTHER RATIONS

§ 1394.5551 *Further rations for use after expiration date of current rations.* (a) At any time within thirty (30) days prior to the expiration date of any ration, or at any time thereafter, application for a further ration may be made. This section does not apply to rations for heat or hot water, or both, except rations under §§ 1394.5406 and 1394.5407.

(b) An application for a further ration for use upon or after expiration of the current ration shall be made and passed upon in the same manner as an original application. (Paragraph (d) of this section gives separate rules for domestic cooking or lighting rations.)

(1) Where an application for a further ration is made prior to the expiration of a ration for a commercial, industrial or governmental purpose, or for the use of a boat, under § 1394.5402, or for hot water only under § 1394.5406, the further ration shall be determined for the three (3) month period beginning with the date of the application, and the coupon sheets shall be validated, or a fuel oil deposit certificate shall be issued, for the period beginning upon the expiration of the current ration and expiring three (3) months from the date of application.

(2) Where an application for a further ration is made prior to the expiration of a ration for a domestic, institutional or agricultural purpose under § 1394.5402, the further ration shall be determined for the six (6) month period beginning with the date of the application, and the coupon sheets shall be validated, or a fuel oil deposit certificate shall be issued, for the period beginning upon the expiration of the current ration and expiring six (6) months from the date of application.

(3) Where an application for a further ration is made prior to the expiration of a ration issued to a vendor of heat or hot water under § 1394.5407, the further ration shall be determined and the coupon sheets shall be validated, or a fuel oil deposit certificate shall be issued, for the part of the 1943–44 heating year for which it is needed, in the manner provided in § 1394.5407.

(c) Except as provided in § 1394.5552 and in paragraph (e) of this section, no further ration may be issued for use, or used, prior to the expiration of the current ration.

(d) Application for a further ration for the operation of equipment used for domestic cooking or lighting, for use upon or after the expiration of a current ration, may be made in any of the following methods:

(1) Application may be made to the Board on Form OPA R–1103 or OPA R–1103A. The form may be presented by the applicant in person or sent to the Board by mail. The applicant shall supply the information required by the form.

(2) If there have been no substantial changes since the date of the original application in the applicant's needs for such purpose, or in the equipment for use in which the original ration was issued, and if such original application accurately calculated the applicant's requirements for the original period, application may be made by executing a certification to the foregoing effect upon the application for the original ration.

(e) The person to whom a further ration has been issued pursuant to this section may use such ration during the period of fifteen (15) days prior to the date it becomes valid. However, a further ration for domestic cooking or lighting represented by coupon sheets bearing no dates of issuance may not be issued under this section earlier than fifteen (15) days before the end of the period of the current ration.

§ 1394.5552 *Further rations for use prior to expiration date of current rations.* (a) A further ration may be obtained for use prior to the original expiration date of the current ration:

(1) Where the current ration has expired pursuant to § 1394.5502; or

(2) Where a current ration for domestic cooking or lighting issued pursuant to § 1394.5355 is insufficient due to an increase in the number of persons served by or using the equipment for which such ration was issued; or

(3) Where, due to a change in circumstances or miscalculation of needs, a current ration issued pursuant to § 1394.5401, 1394.5402 or 1394.5406 fails to meet the applicant's requirements.

(b) Application for such further ration shall be made in the same manner as an application for an original ration. The applicant shall annex to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than thirty (30) days from the date of the application; and

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board finds that, for one of the reasons specified in paragraph (a) of this section, the current ration is insufficient to meet the applicant's requirements, it may grant a further ration for use prior to the expiration date of the current ration.

(d) All of the provisions of this order applicable to the determination and issuance of an original ration shall apply to the determination and issuance of a further ration pursuant to this section, except as provided in paragraph (e) of this section.

(e) No further ration shall be granted under this section which would permit the applicant to obtain fuel oil in excess of the maximum gallonage to which he would be entitled under §§ 1394.5353, 1394.5354 or § 1394.5402 (e).

(f) When granting a further ration for use prior to the original expiration date of an unexpired current ration, the Board shall redetermine the expiration date of such current ration. Such redetermination shall be based on the Board's estimate of the date on which such current ration will be exhausted. The Board shall thereupon note such redetermined expiration date on the application for such current ration and on the coupon sheet issued therefor. The redetermined date shall be deemed to be the expiration date of such current ration for all the purposes of this order. The further ration shall then become valid on the day following such redetermined expiration date.

[7] 7 F.R. 6796; 8 F.R. 856, 1838, 2080, 3395, 3941, 4380, 4929, 7981, 11606, 11480, 12482, 14211.

EMERGENCY ORDERS

§ 1394.5575 *Emergency orders by Regional Administrators.* (a) Any Regional Administrator for a region which includes, in whole or in part, any of the states enumerated in paragraph (c) of this section, who finds that within any locality or localities in such area an emergency in the transportation or distribution of fuel oil exists which endangers the public health or welfare or the war effort, may:

(1) Issue an emergency order, effective in such locality or localities, directing that transfers of fuel oil to consumers entitled to acquire fuel oil under any of the provisions of this order, shall be made in such order of priority or under such limitations as he may designate.

(2) Join with any other Regional Administrator in the issuance of any emergency order which may be issued under this section.

(b) When the terms of any emergency order issued pursuant to paragraph (a) of this section conflict with any of the other provisions of this order, the terms of the emergency order shall prevail.

(c) The states referred to in paragraph (a) of this section mean: Connecticut, Florida (east of the Apalachicola River), Georgia, Delaware, Maryland, Maine, Massachusetts, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

RESTRICTIONS ON USE OF RATIONS AND FUEL OIL

§ 1394.5601 *Restrictions as to purpose.* (a) No person shall use a ration, or permit the use of a ration issued to him, for any purpose other than that for which it was issued.

§ 1394.5602 *Rations not transferable.* (a) No ration shall be transferred or assigned and no person shall accept such transfer or assignment, except a transfer to a member of the family who retains control of the equipment.

§ 1394.5603 *Restrictions on consumption of fuel oil.* (a) No person shall consume or use fuel oil unless:

(1) The fuel oil was acquired by him or by his agent in exchange for valid coupons or other valid evidences issued to him;

(2) The fuel oil was included in his inventory with respect to which a deduction has been made from his allowable ration;

(3) The fuel oil was brought into the limitation area in the fuel supply tank of a boat, locomotive, tractor, or other self-propelled vehicle and is used for, or in connection with, the operation thereof;

(4) The fuel oil was acquired from a dealer or primary supplier in exchange for an equal quantity of fuel oil (in the manner provided in § 1394.5665);

(5) The fuel oil was acquired by legal process or operation of law, or was acquired in conjunction with a transfer of an establishment or premises, and, pursuant to § 1394.5659, he surrendered to a Board coupons or other evidences equal in gallonage value to the amount of fuel oil consumed or to be consumed;

(6) The fuel oil was acquired in exchange for valid coupons or other valid evidences issued for heat or hot water, or both, to the previous ration holder, and he became the holder of the ration pursuant to § 1394.5502 (c);

(7) The fuel oil was acquired in exchange for valid coupons or other valid evidences issued for heat or hot water, or both, to the previous ration holder, and he received from the Board a continuation of the ration, pursuant to §§ 1394.5504 and 1394.5505.

RESTRICTIONS ON TRANSFERS TO AND BY CONSUMERS

§ 1394.5651 *Restrictions on transfers to consumers.* (a) Notwithstanding the terms of any contract, agreement, or commitment, regardless when made, no person other than a dealer or primary supplier shall transfer fuel oil to a consumer and no consumer shall accept a transfer of fuel oil from any person other than a dealer or primary supplier. (However, the Army, Navy, Marine Corps and Coast Guard of the United States may transfer fuel oil to consumers, dealers or primary suppliers in the manner provided in § 1394.5664.)

§ 1394.5652 *Transfers to consumers.* (a) Notwithstanding the terms of any contract, agreement, or commitment, regardless when made, no dealer or primary supplier shall transfer fuel oil from within or without the limitation area to a consumer within the limitation area, or from within the limitation area to a consumer without the limitation area, and no consumer shall accept such transfer, except in exchange for valid coupons or other valid evidences, in the manner provided in this order.

(b) No consumer who is a primary supplier shall accept a transfer of fuel oil for his own use in excess of the amount for which a ration has been issued to him.

§ 1394.5653 *Transfers to consumers in exchange for coupons.* Fuel oil may be transferred to consumers (and consumers may accept such transfers) in exchange for coupons attached to Class 3, 4, 5 or 6 coupon sheets under the following conditions:

(a) Transfer may be made only to the person named on the coupon sheet, or to his agent.

(b) The transferor must require presentation of the coupon sheet at the time of the transfer and must, at such time, detach therefrom coupons equal in gallonage value to the amount of fuel oil transferred, except that if delivery is made in the absence of the transferee or his agent, or by common or contract carrier or pipeline, the transferee shall, within seventy-two (72) hours after such transfer, forward the coupon sheet to the transferor and the transferor shall detach therefrom coupons equal in gallonage value to the amount of fuel oil transferred. After detaching such coupons, the transferor shall return the coupon sheet to the transferee.

(1) No dealer or primary supplier shall transfer fuel oil to a consumer (other than an agency specified in § 1394.5454 (a)) except in exchange for coupons equal in gallonage value to the amount of the fuel oil transferred, surrendered at the time of the transfer, if at the time of the transfer the consumer has failed to surrender evidences (or delivery receipts) to the transferor for any previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required or if the dealer or primary supplier knows or has reasonable cause to believe that at the time of the transfer the consumer has failed to surrender evidences (or delivery receipts) to any other transferor for a previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

(2) No consumer (other than an agency specified in § 1394.5454 (a)) shall accept a transfer of fuel oil from any transferor except in exchange for coupons equal in gallonage value to the amount of the fuel oil transferred, surrendered at the time of the transfer, if at the time of the transfer the consumer has failed to surrender evidences (or delivery receipts) to any transferor for a previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

(c) Transfer may be made only during the period of validity noted on the coupon sheet (or in the case of Class 4, 5 and 6 coupon sheets, only during the valid period of the coupon in exchange for which the transfer is to be made) and only in exchange for coupons valid in the thermal zone in which the transfer is made.

(d) No transfer of fuel oil may be made in exchange for a coupon if such coupon was detached from the coupon sheet prior to the transfer.

§ 1394.5654 *Deposit of coupon sheets.* (a) A consumer may deposit his coupon sheet with the dealer or primary supplier from whom he intends to acquire fuel oil. Transfer against a coupon sheet so deposited may be made only in accordance with the provisions of § 1394.5653 (transfers to consumers in exchange for coupons).

(b) Within forty-eight (48) hours after the expiration of a coupon sheet so deposited (or within forty-eight (48) hours after all coupons on such sheet have been detached in accordance with the provisions of § 1394.5653), the dealer

or primary supplier with whom it was deposited shall return such coupon sheet to the consumer who deposited it with him.

(c) A dealer or primary supplier shall return a coupon sheet deposited with him, within forty-eight (48) hours after a request for such return made by the consumer who deposited it.

§ 1394.5655 *Transfers to consumers in exchange for acknowledgments of delivery.* (a) Transfer may be made to or for the account of any agency specified in § 1394.5454 (a), in exchange for an acknowledgment of delivery, on Form OPA R–544 (Revised), bearing the signature of an authorized officer, agent, or employee of such agency, or in exchange for a receipt issued in lieu of such acknowledgment in accordance with the provisions of § 1394.5454 (a). When fuel oil is transferred to the Army or to the Navy within the limitation area from without the limitation area, the agency receiving such fuel oil shall execute Form OPA R–544 (Revised) with respect to such transfer and shall forward such executed form to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., before the expiration of the calendar month in which such transfer is made or within ten (10) days after such transfer, whichever is shorter.

§ 1394.5657 *Transfers for export.* (a) Any person (other than a primary supplier) who desires to obtain fuel oil for export to any insular or territorial possession of the United States, or to any foreign country, may execute and submit Part A of an export certificate on Form OPA R–560 (Revised), in duplicate, to any Board. Such certificate shall state the amount of fuel oil required for export, the proposed date and port of exportation and the name and address of the person desiring to export the fuel oil. The Board shall retain the duplicate copy of the certificate and shall endorse and return the original copy to such person. The original copy, bearing the endorsement of the Board, shall constitute an evidence to authorize the transfer of the amount of fuel oil stated thereon: *Provided*, That such certificate bearing the endorsement of an authorized official of the Federal government or any agency thereof shall be valid without endorsement by a Board, as an evidence to authorize the transfer of fuel oil to such government or agency, for the purpose of export or for the purpose of retransfer by such government or agency for export. If any of the information required by Form OPA R–560 (Revised) is military or naval information of a secret character, it may be omitted.

(b) Within thirty (30) days after submission to, and endorsement of, an export certificate by a Board, the person who procured such endorsement and acquired fuel oil pursuant to such certificate shall submit to the Board which endorsed the certificate, a copy of a shipper's export declaration (Commerce Form 7525) bearing a notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of fuel oil thereon stated has been exported by such person.

(c) Any dealer who has, after September 30, 1942, exported fuel oil to an insular or territorial possession of the United States or to a foreign country, and who has not acquired such fuel oil pursuant to the provisions of paragraph (a) of this section, may obtain replenishment for the amount of fuel oil so exported by executing and presenting to a Board Part B of an export certificate on form OPA R–560 (Revised) and submitting therewith a copy of a shipper's export declaration (Commerce Form 7525) bearing the notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of fuel oil thereon stated was so exported by such dealer. The Board, if it is satisfied that fuel oil in the amount stated in such certificate was exported by such dealer, shall endorse such certificate and return it to him and shall retain a copy of the declaration for its files. Such certificate, bearing the endorsement of a Board, shall constitute an evidence to authorize a transfer of the amount of fuel oil stated thereon.

(d) No person acquiring fuel oil pursuant to the provisions of paragraph (a) of this section may use such fuel oil for any purpose other than for export to an insular or territorial possession of the United States or to a foreign country.

(e) Nothing in this section shall be construed to authorize the export of fuel oil other than in accordance with the laws of the United States and the rules and regulations of the Foreign Economic Administration or of any other department or agency of the United States.

§ 1394.5658 *Transfer of vehicle, boat or equipment.* (a) Nothing in this order shall be deemed to forbid the transfer of fuel oil actually in the fuel supply tank of a vehicle or boat, or of equipment used for purposes other than furnishing heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such vehicle, boat or equipment itself; or the consumption by the transferee, in such vehicle, boat or equipment, of fuel oil actually in the fuel supply tank thereof at the time of transfer.

§ 1394.5659 *Transfers without exchange of coupons.* (a) Subject to the provisions of paragraph (b) of this section, nothing in this order shall be deemed to forbid:

(1) Transfers of fuel oil by legal process or by operation of law; or

(2) Transfers of fuel oil in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, or in the fuel supply tank of equipment furnishing heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such enterprise, establishment or equipment.

(b) Any person to whom a transfer of the character described in paragraph (a) of this section is made, shall forthwith report such transfer and the amount of fuel oil transferred in connection therewith, to the Board having jurisdiction over the area in which such fuel oil is located. Such person, if a dealer or primary supplier, shall surrender to the Board, together with such report, coupons or other evidences (or his certified ration check, if he is a depositor), equal in gallonage value to the amount of fuel oil transferred. Such person, if not a dealer or primary supplier, may either:

(1) Transfer all or any part of such fuel oil in exchange for coupons or other evidences, or a certified ration check, equal in gallonage value to the amount of fuel oil so transferred, and shall immediately surrender such coupons or other evidences, or certified ration check, to the Board for cancellation; or

(2) Consume such fuel oil to the extent of any ration issued to him, for the purpose for which such ration was issued: *Provided*, That he shall, in such case, surrender to the Board for cancellation, coupons or other evidences (or his certified ration check, if he is a depositor) equal in gallonage value to the amount of fuel oil consumed or to be consumed: *And provided further*, That if, at the time of transfer, no ration had been issued to such transferee, he need not surrender such coupons, evidences, or certified ration checks to the Board but shall, before consuming such fuel oil, apply for a ration and, in such application, report to the Board as fuel oil on hand, the fuel oil so acquired.

§ 1394.5660 *Upstream transfers by consumers.* (a) Subject to the provisions of paragraph (b) of this section, nothing in this order shall be deemed to forbid transfers of fuel oil by consumers to dealers or primary suppliers. Any consumer who makes such a transfer shall forthwith report to the Board having jurisdiction over the area in which such fuel oil is located, the date of such transfer, the name and address of the transferor and transferee, and the amount of fuel oil so transferred.

(b) A dealer or primary supplier to whom a transfer of the character described in paragraph (a) of this section is made, shall forthwith report to such Board the date of such transfer, the name and address of the transferor and transferee, and the amount of fuel oil so transferred. He shall surrender to the Board, together with such report, coupons or other evidences (or his certified ration check, if he is a depositor), equal in gallonage value to the amount of fuel oil transferred.

§ 1394.5661 *Discrimination in transfers to consumers.* (a) No dealer or primary supplier shall discriminate, in the transfer of fuel oil, among consumers entitled to acquire fuel oil under this order. However, a dealer or primary supplier may conform to the provisions of Petroleum Administrative Order No. 1, as amended, of the Petroleum Administration for War.

§ 1394.5662 *Rights of parties to contracts for transfer of fuel oil.* (a) If the performance of any contract or agreement for the transfer of fuel oil is prevented by this order, no party thereto shall be liable for failure to perform such contract or agreement, except that any person who has received or has had the benefit of any deposit or other consideration on account of such contract shall be liable upon demand to return such deposit or other consideration, or to pay the fair value thereof, in the event that the consideration has been materially altered in condition or cannot be returned.

§ 1394.5663 *Transfers of fuel oil from the limitation area to persons outside the limitation area.* (a) Notwithstanding the terms of any contract, agreement or commitment, regardless when made, no person shall transfer fuel oil from within the limitation area to any point in the United States without the limitation area, and no person shall accept such transfer. However:

(1) A dealer or primary supplier may transfer fuel oil from within the limitation area to a consumer without the limitation area, in exchange for coupons or other evidences, valid in any thermal zone;

(2) A primary supplier may, upon written authorization of the Petroleum Administration for War, transfer fuel oil from within the limitation area to any person (other than a consumer) without the limitation area. No coupons or other evidences shall be exchanged for such transfers.

§ 1394.5664 *Transfers by Army, Navy, Marine Corps and Coast Guard.* (a) The Army, Navy, Marine Corps and Coast Guard of the United States may transfer fuel oil to consumers, dealers or primary suppliers. Such transfers must be in exchange for coupons or other evidences equal in gallonage value to the fuel oil transferred (except in the case of transfers to primary suppliers). The agency transferring the fuel oil shall report on its official letterhead to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office, on or before the 24th day of each month, the amount of fuel oil transferred during the preceding month to each primary supplier and the amount transferred, respectively, to dealers and consumers and shall (except in the case of transfers to primary suppliers) submit coupons or other evidences equal in gallonage value to the fuel oil so transferred.

(b) A transfer of fuel oil made pursuant to paragraph (a) of this section shall not constitute the Army, Navy, Marine Corps or Coast Guard a dealer or primary supplier.

§ 1394.5665 *Exchange of fuel oil.* (a) Nothing in this order shall be deemed to forbid a consumer from transferring fuel oil to a dealer or primary supplier in exchange for an equal quantity of fuel oil of the same grade, and from consuming the fuel oil so acquired: *Provided*, That the transfers by and to such consumer are made within twenty-four (24) hours of each other.

§ 1394.5667 *Unavoidable loss of fuel oil.* (a) A consumer who sustains an unavoidable loss, by theft, fire or accident, of fuel oil acquired in accordance with the provisions of this order may apply immediately after the loss occurs, in writing, to the Board which issued a ration to such consumer pursuant to which such fuel oil was acquired, for coupons or if he is a depositor, a fuel oil deposit certificate, for the amount of the fuel oil so lost. The applicant shall state:

(1) The time, manner and circumstances of such loss;

(2) The steps taken to prevent further loss; and

(3) The number of gallons of fuel oil so lost.

(b) If the Board is satisfied that the applicant has sustained an unavoidable loss of fuel oil, by theft, fire or accident, and that the applicant has taken all possible steps (within the limits of his financial ability) to prevent such further loss, it may issue to him Class 3 coupon sheets or, if he is a depositor, a fuel oil deposit certificate, for the amount of fuel oil so lost.

RATION BANKING

§ 1394.5680 *What a ration bank account is.* (a) A fuel oil ration bank account (for convenience called a "ration bank account") is similar to an ordinary dollar checking account. It is an account opened in a regular commercial bank and coupons, ration checks and other evidences and fuel oil deposit certificates are deposited in the account and ration checks are drawn against it. (General rules for the opening, closing and use of a ration bank account are given in Revised General Ration Order 3A.*)

§ 1394.5681 *The number of accounts in one bank or for one establishment is limited.* (a) Not more than one account may be opened for any one establishment. (The term "establishment" is explained in § 1394.5001 (a) (12)).

(b) Any primary supplier, dealer or consumer who wishes to open more than one ration bank account for any one establishment or an account for a related activity of an establishment or an account in a bank other than one in which he has a dollar checking account may forward an application to the Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., for authority to open such ration book accounts. He must state in his application all the facts he claims show his need for such ration bank accounts.

§ 1394.5682 *Who must open a ration bank account*—(a) *Primary suppliers.* Every registered primary supplier must, during the month of July 1943 (or if he applies for registration after July 31, 1943, within 10 days after the date of application), open at least one ration bank account for all the establishments included in each primary supplier registration. He may open a separate account for each establishment or for any group of them included in the same registration.

(b) *Dealers.* (1) Every registered dealer who during any consecutive 12 month period after June 1, 1942 has sold at least 250,000 gallons of fuel oil must, during the month of July 1943, open at least one ration bank account for all his dealer establishments. If he is not eligible during the month of July 1943, he must open the account within 30 days after he becomes eligible. If he has more than one establishment, he may open a separate account for each or for any group of them; however, no separate account may be opened for any single establishment, or for any group of them, at which less than 250,000 gallons of fuel oil was sold during any consecutive 12 month period after June 1, 1942.

(2) Any person who becomes a registered dealer after October 1, 1942, and who is not required to become a depositor under the preceding paragraph, may, on or after July 1, 1943, open a ration bank account for each one of his dealer establishments, or for any group of them, at which he has sold at least 35,000 gallons of fuel oil during any period of 30 consecutive days. If he opens an account, he must become a depositor as to all his dealer establishments.

(c) *Consumers.* Every consumer who receives a fuel oil deposit certificate from his Board must, on or after July 1, 1943, open a ration bank account for the establishment. If he receives fuel oil deposit certificates for more than one establishment, he may open a separate account for each establishment or for any group of them. However, no additional account may be opened for an establishment for which the consumer has a dealer or primary supplier account.

(d) *Exemptions.* If no bank is accessible to a person who is required to open a ration bank account, or if the use of ration banking would impose a hardship upon a dealer, he may obtain an exemption from the requirements of this section from the appropriate District Director.

§ 1394.5683 *Where primary suppliers and dealers must deposit evidences*—(a) *Primary suppliers.* Every evidence received by a primary supplier who is a depositor, in exchange for a transfer, or as a refund in connection with a transfer, of fuel oil must be deposited in the ration bank account carried for the establishment at or from which he made the transfer or in the account carried for any establishment included in the same registration.

(b) *Dealers.* Every evidence received by a dealer who is a depositor, in exchange for a transfer, or as a refund in connection with a transfer, of fuel oil, must be deposited in the ration bank account carried for the establishment at or from which he made the transfer.

§ 1394.5684 *When primary suppliers and dealers must deposit evidences.* (a) Unit value coupons of Class 4, 5 and 6 coupon sheets may be deposited at any time after the date they become valid, but not after the following dates:

* 8 F.R. 11669, 13738.

Coupons numbered:	*Last day for deposit*
1	February 2, 1944.
2	March 8, 1944.
3	April 12, 1944.
4	October 30, 1944.
5	October 30, 1944.

(b) Definite value coupons (except those from Class 1 or Class 2 coupon sheets) ration checks, exchange certificates, export certificates, and acknowledgments of delivery may be deposited at any time. Inventory coupons (OPA Forms 1111 and 1112) may be deposited on or before, but not after August 31, 1943. Definite value coupons from Class 1 or Class 2 coupon sheets (those printed in red, green, blue, or purple) may be deposited on or before, but not after, November 30, 1943.

(c) No delivery receipts (Form OPA R–1125) or unit value coupons of Class 1 or Class 2 coupon sheets may be deposited in any ration bank account.

(d) A coupon which has not been acquired in exchange for a transfer of fuel oil or which has not become valid may not be deposited in any ration bank account.

§ 1394.5685 *Where consumers deposit fuel oil deposit certificates.* (a) A consumer must endorse and deposit every fuel oil deposit certificate issued as a ration (and each ration check received as a refund) for a specified establishment in the ration bank account for that establishment.

(b) No coupons or other evidences or delivery receipts (Form OPA R–1125) may be deposited in a consumer's ration bank account.

§ 1394.5686 *To whom ration checks may be issued.* A depositor may not issue a ration check except to the following persons:

(a) To the person who transfers fuel oil to him, in exchange for the fuel oil transferred.

(b) To a person from whom he has received evidences to make any necessary adjustment between the amount of evidences received and the amount of fuel oil transferred to such person in exchange for such evidences. However, no ration check may be issued to make an adjustment to a consumer who is not a depositor.

(c) To the Office of Price Administration or to any Office or Board thereof.

§ 1394.5687 *Issuance of ration checks.* (a) Whenever a dealer or primary supplier issues a ration check to the Office of Price Administration or to any Office or Board thereof to accompany a report required by this order, or to any person in exchange for a transfer of fuel oil, the check must be drawn upon the account carried for the establishment included in the report or receiving the transfer, as the case may be, except that a primary supplier may draw his check upon the account carried for any establishment included in the same registration.

(b) A transfer of fuel oil may be made to a consumer who is a depositor in exchange for a ration check issued by the transferee in an amount equal to the fuel oil transferred. The check must be issued at the time of, or at the option of the transferor within seventy-two (72) hours after or within fifteen (15) days in advance of, the transfer, except that where a transfer of 2,000 gallons or more of fuel oil is made to a consumer in a single transportation facility generally used for such purpose, the transferor may, at his option, permit the consumer to issue his check for such fuel oil within a period not exceeding fifteen (15) days after the transfer.

(c) If a transfer is made to a consumer who is a depositor, in the absence of the consumer or his agent, or by common or contract carrier or pipeline, the consumer shall, within seventy-two (72) hours after, or at the option of the transferor within fifteen (15) days in advance of, the transfer, issue a ration check to the transferor for the fuel oil transferred. However, if the transfer is of 2,000 gallons or more in a single transportation facility, the transferor may, at his option, permit the consumer to issue his check for such fuel oil within a period not exceeding 15 days after the transfer.

(d) When a person issues a ration check, he must, in addition to making all other proper entries, indicate on his check stub, check register or similar record, the amount of fuel oil for which it is issued, the address where the fuel oil was delivered, and if he is a consumer the ration against which the check is issued. If the check is issued in advance of the transfer of the fuel oil, the consumer's record shall also show that it was issued in advance of the transfer. Immediately following the receipt of any transfer of fuel oil against that check, he shall note on the record the date and amount of each transfer so received. If the check is issued after the transfer of fuel oil, that record shall also show the date and amount of each transfer for which the check is issued.

(e) A transferor of fuel oil who receives a ration check in advance of the transfer of fuel oil shall not use the check (or if he is a depositor shall not issue a check against the check) so received until he has transferred the fuel oil to his transferee and only to the extent of the fuel oil transferred.

(f) If a transferor permits a consumer to issue a check for a transfer of at least 2000 gallons of fuel oil after the transfer (according to and up to the maximum period permitted by paragraph (b) or (c) of this section), the transferor may, at his option, permit the consumer to include in the check the gallonage value of any fuel oil transferred by the transferor to the consumer between the date on which the transfer of at least 2000 gallons was made and the date on which the issuance of the check for that transfer is required.

§ 1394.5688 *Acceptance of ration checks.* (a) When a ration check is received by a person who neither is nor is required to be a depositor, he may use it only to acquire fuel oil in the amount for which the check has been drawn. In such case, he must endorse the check and transfer it to the person from whom the fuel oil is acquired.

(b) A ration check may be accepted by a transferor of fuel oil either if it is made payable to him and is drawn by his transferee, or if the transferee is not a depositor, if it is endorsed both by his transferee and the person to whom the check is issued.

§ 1394.5689 *When a check must be issued by a consumer who has failed to surrender evidences for previous transfers.* (a) No dealer or primary supplier shall transfer fuel oil to a consumer who is a depositor, except in exchange for a ration check or other evidences (equal in gallonage value to the amount of fuel oil transferred), issued at the time of, or at the option of the transferor within fifteen (15) days in advance of, the transfer, if at the time of the transfer the consumer has failed to surrender a ration check or other evidences (or delivery receipts) to the transferor for any previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required or if the dealer or primary supplier knows or has reasonable cause to believe that at the time of the transfer the consumer has failed to surrender a ration check or other evidences (or delivery receipts) to any other transferor for a previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

(b) No consumer who is a depositor shall accept a transfer of fuel oil from any transferor except in exchange for a ration check or other evidences, (equal in gallonage value to the amount of fuel oil transferred) surrendered to the transferor at the time of, or at the option of the transferor within fifteen (15) days in advance of, the transfer, if at the time of the transfer the consumer has failed to surrender a ration check or other evidences (or delivery receipts) to any transferor for any previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

PROVISIONS RELATING TO PRIMARY SUPPLIERS AND DEALERS

§ 1394.5701 *Registration of primary suppliers and dealers*—(a) *Primary suppliers.* Primary suppliers shall apply for registration on Form OPA R–1116 (Revised), in duplicate, to any Board within the limitation area as follows: with respect to operations constituting him a primary supplier in any part of the limitation area other than Area A or Area B, on October 27 or 28, 1942; with respect to operations constituting him a primary supplier in Area A, on February 12, or 13, 1943; and with respect to operations constituting him a primary supplier in Area B, on March 15 or 16, 1943. A person who begins operations which constitute him a primary supplier in such areas after such dates shall apply for registration within five (5) days after becoming a primary supplier. If an establishment is already included in an earlier registration, application for registration of such establishment need not be made.

(1) The applicant shall furnish, together with such other information as may be required by such form:

(i) His name, firm name and business address.

(ii) His total fuel oil storage capacity (as defined in § 1394.5703) and his total inventory of fuel oil on hand (as defined in § 1394.5702) as of 12:01 a. m. on October 1, 1942; or in Area A as of 12:01 a. m. on February 1, 1943; or in Area B as of 12:01 a. m. on March 14, 1943; if he became a primary supplier since October 1, 1942, or in Area A since February 1, 1943, or in Area B since March 14, 1943, as of the time he became a primary supplier.

(iii) The location of, and the storage capacity and inventory on hand at, each establishment included in the proposed registration; or, if he does not maintain stationary storage facilities, the number of mobile and portable units included in the registration, and the capacity and vehicle license number of each mobile delivery unit. If more than one establishment or mobile unit is included in the registration, the applicant shall attach a schedule or schedules to Form OPA R–1116 (Revised), supplying the information required with respect to each such establishment or mobile unit.

(iv) A statement as to the facts which constitute him a primary supplier under the definition of primary supplier in § 1394.5001 (a) (22).

(v) If he applies for registration after the time fixed by paragraph (a), a signed statement, in duplicate, setting forth his reasons for not applying within the time fixed for the application.

(2) A primary supplier shall include in one application for his primary supplier registration all the establishments or mobile facilities at or from which he conducts operations constituting him a primary supplier and all stationary storage facilities in which he commingles fuel oil with that of other primary suppliers irrespective of the ownership of such facilities. However, facilities in which a primary supplier commingles fuel oil pursuant to Directive No. 59 of the Petroleum Administration for War shall be included in his application only if operation constituting him a primary supplier are conducted at or from such facilities. If he has other establishments within the limitation area, he may include some or all of them in his application if he chooses to do so.

(i) He shall apply for registration as a dealer as to each establishment at which he engages in the business of transferring fuel oil and which he does not choose to include in his primary supplier registration.

(ii) Where the operations of a primary supplier are divided by him among two or more accounting and financial districts, he may make a separate application for registration for each district of all the establishments or facilities as to which he is a primary supplier in such district.

(iii) A primary supplier may include in his application for registration as a primary supplier the fuel oil storage facilities of any person who receives fuel oil on consignment from him, title to the fuel oil remaining in the consignor until the time of transfer by the consignee. If such facilities are included in the application, the consignee shall for all purposes of this order be deemed to be an agent of the primary supplier with respect to such fuel oil. If the consignee's facilities are not included in the application; the consignee shall apply for registration as a dealer with respect to such facilities, and notwithstanding the retention of title by the consignor to the fuel oil consigned, the consignee shall surrender coupons or other evidences upon the transfer of such fuel oil to him and include the fuel oil in his inventory.

(3) Registration certificates shall be issued in accordance with § 1394.5704.

(b) *Dealers.* Every dealer transacting business within the limitation area (except those dealers who are required to apply for registration pursuant to paragraph (d) of this section) shall, on October 27 or 28, 1942 (and in Area A on February 12 or 13, 1943; or in Area B on March 15 or 16, 1943), apply for registration on Form OPA R–1116 (Revised), in duplicate, to a Board.

(1) The applicant shall furnish, together with such other information as may be required:

(i) His name, firm name, business address and type of business.

(ii) His total fuel oil storage capacity (as defined in § 1394.5703).

(iii) His total inventory of fuel oil on hand (as defined in § 1394.5702) as of 12:01 a. m. on October 1, 1942; and in Area A as of 12:01 a. m. on February 1, 1943; and in Area B as of 12:01 a. m. on March 14, 1943.

(iv) If he applies for registration after the time fixed by paragraph (b), a signed statement, in duplicate, setting forth his reasons for not applying within the time fixed for the application.

(v) If he applies on or after July 1, 1943, a schedule, to be attached, containing:

(*a*) The units constituting the fuel oil storage facilities (such as tanks, and where applicant has no stationary facilities, his mobile delivery units).

(*b*) The identifying numbers, letters or other insignia on each unit and in the case of mobile delivery units, the vehicle license number of each.

(*c*) The fuel oil capacity of, and the fuel oil on hand in, each unit.

(2) Separate application shall be made by each dealer for each place of business within the limitation area where he engages in the business of buying and selling fuel oil, and shall be made at each respective Board having jurisdiction over the area in which such place of business is located. If such dealer has no stationary storage facilities, he shall apply for registration of all his mobile delivery units, with the Board having jurisdiction over the area in which he has his main office. However, any person, any part of whose operations with respect to a given establishment falls within the definition of a primary supplier, shall apply for registration as a primary supplier with respect to such establishment pursuant to paragraph (a) of this section.

(3) Registration certificates shall be issued in accordance with § 1394.5704.

(c) *Secondary suppliers become dealers.* Each registration as a secondary supplier granted prior to July 1, 1943 shall be deemed, without further application, a registration as a dealer.

(d) *Dealers who commingle fuel oil.* Dealers who commingle fuel oil with that of other dealers in stationary storage facilities located within the limitation area shall apply for registration as to such facilities in accordance with the following provisions:

(1) Such dealers shall apply for registration of the facilities on Form OPA R–1116 (Revised), in duplicate, jointly and on the same application form, with the Board having jurisdiction of the area in which the facilities are located.

(2) Such dealers shall furnish, together with such other information as may be required by such form, their names and addresses, the total fuel oil capacity of the facilities, and their total combined inventory of fuel oil on hand in the facilities as of 12:01 a. m. on October 1, 1942 (and in Area A as of 12:01 a. m. on February 1, 1943; and in Area B as of 12:01 a. m. on March 14, 1943); if such commingling did not begin until after October 1, 1942 (or after February 1, 1943 in Area A, or after March 14, 1943 in Area B), the total fuel oil capacity of the facilities and their total combined fuel oil on hand in the facilities as of the time when such commingling began. If application is made on or after July 1, 1943, a schedule shall be attached containing the units constituting the facilities, the identifying numbers, letters or other insignia on each unit, the fuel oil capacity of, and the combined fuel oil on hand in, each unit.

(3) If the facilities have theretofore been registered under paragraph (b) of this section, the applicants shall furnish for cancellation the certificate of registration as to such facilities and coupons and other evidences (or delivery receipts), equal in gallonage value to the total unfilled storage capacity of the facilities before commingling commenced. If other facilities were registered with the facilities in which fuel oil is commingled, separate application for registration of such other facilities under paragraph (b) of this section shall be made on Form OPA R–1116 (Revised), in duplicate.

(4) Such dealers shall designate a person who may receive exchange certificates on their behalf. The Board shall, at the time of granting such application for registration, issue exchange certificates in the amount of the difference between the total registered fuel oil storage capacity and their total amount of fuel oil on hand in the facilities so registered.

(5) Each dealer shall (in addition to any other records required to be kept pursuant to this order) keep a record showing the date and amount of each delivery into the facilities to him, and each withdrawal therefrom by him.

(6) Where each dealer is entitled to use a fixed portion of the capacity of the facilities, and the sum of such portions does not exceed the total capacity of such facilities, he shall not apply pursuant to this paragraph but shall apply for registration of his portion as a separate place of business, in accordance with paragraph (b) of this section, and shall attach to his application his statement regarding such use of a fixed portion of the facilities.

(7) Upon receipt of an application for registration pursuant to this paragraph, the Board shall prepare and forward a copy of such application to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office. Registration certificates shall be issued in accordance with § 1394.5704 (a).

(8) Dealers who commingle fuel oil pursuant to Directive No. 59 of the Petroleum Administration for War shall not apply in accordance with this paragraph but in accordance with paragraph (b) of this section.

(e) *Military and Naval agencies not included.* The provisions of this section do not apply to the Army, Navy, Marine Corps and Coast Guard of the United States.

(f) *Dealers and primary suppliers may not commingle fuel oil.* Unless authorized by the Petroleum Administration for War, no primary supplier may commingle fuel oil in, or apply for registration of, stationary storage facilities registered or required to be registered by a dealer; and no dealer may commingle fuel oil in, or apply for registration of, stationary storage facilities registered or required to be registered by a primary supplier.

§ 1394.5702 *What constitutes fuel oil on hand.* Every applicant for registration shall include in his application all fuel oil on hand as of October 1, 1942 (February 1, 1943 in Area A and March 14, 1943 in Area B), for convenience referred to as "the ration commencement date." If the applicant was not operating as a dealer or primary supplier on the ration commencement date, his application shall show the fuel oil on hand as of the date he became a dealer or primary supplier. For the purposes of registration under § 1394.5701 and the monthly reports required in § 1394.5731, the term "fuel oil on hand" shall include fuel oil in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, and mobile or non-mobile containers (but not fuel oil in the fuel supply tank of oil burning equipment). Fuel oil in transit shall be included in the inventory of the person who has title to such fuel oil as at the inventory reporting date.

§ 1394.5703 *What constitutes storage capacity.* The applicant shall include, as of the ration commencement date (as defined in § 1394.5702), the total gallonage capacity of all stationary fuel oil storage facilities used regularly and solely by him as the owner or lessee under bona fide lease. If the applicant was not operating as a dealer or primary supplier on the ration commencement date, his application shall show the storage capacity as of the date he became a dealer or primary supplier. The capacity of tank trucks, tank wagons, drums or other mobile containers shall be included in the application only if the application does not include stationary storage facilities and if the tank trucks, tank wagons, drums or other mobile containers are used regularly and solely by him as the owner or lessee under bona fide lease.

§ 1394.5704 *Issuance of registration certificates*—(a) *How applications are granted.* Upon determining that the information submitted by the applicant on Form OPA R–1116 (Revised) is accurate, the Board, where application for registration is made within the time fixed therefor in § 1394.5701 (a), shall by authorized signature grant the application for registration. In the case of a dealer, the Board shall file the duplicate and return the original to the registrant. In the case of a primary supplier, the Board shall at once mail the original and duplicate to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office. The Control and Audit Section shall assign a registration number to the applicant and return the original to him and the duplicate to the issuing Board.

(b) *Late registrants.* Where a dealer or primary supplier applies for registration after the time fixed therefor by § 1394.5701, the Board shall forward the application, in duplicate, to the District Director having jurisdiction over the area in which the Board is located.

(1) If the District Director is satisfied that the applicant has shown good cause for omitting to apply for registration at the time fixed for such purpose, he shall:

(i) If the applicant is a dealer, approve the application and return it to the Board. The Board shall file the duplicate and forward the original to the dealer.

(ii) If the applicant is a primary supplier, forward the application and his written approval thereof to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office. The Control and Audit Section shall assign a registration number to the applicant and return the original to him and the duplicate to the Board where the application was submitted.

(2) If the District Director is not satisfied that the applicant has shown good cause for omitting to apply for registration at the time fixed for that purpose, he shall return to the applicant the original of the application with the rejection noted thereon. The duplicate shall be retained for the files of the District Office.

(c) *Registration certificate to be exhibited.* The original of the application for registration, bearing the registration number assigned by the Control and Audit Section in the case of a primary supplier or the authorized signature of the Board in the case of a dealer, shall be retained as a certificate of registration at the business address stated on the application. The certificate shall be presented at any time when requested by a Board or by an authorized representative of the Office of Price Administration.

§ 1394.5705 *Issuance of exchange certificates to dealers at time of registration.* (a) The Board shall, at the time of granting the application for registration of a dealer issue to him an exchange certificate in the amount of the difference between the total registered fuel oil storage capacity and the total amount of fuel oil on hand at the establishment or in the facilities registered.

§ 1394.5707 *Restriction on transfers.* (a) No primary supplier within or without the limitation area, and no dealer within the limitation area, shall transfer fuel oil to a dealer within the limitation area, and no dealer within the limitation area shall accept such transfer, except in exchange (made at, or at the option of the transferor within fifteen (15) days after or within fifteen (15) days in advance of, the time of the actual transfer of the fuel oil) for valid coupons, or for other evidences, equal in gallonage value to the amount of the fuel oil transferred, or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil transferred. However, no dealer or primary supplier shall knowingly transfer, and no dealer shall accept the transfer of, an amount of fuel oil in exchange for any exchange certificate in excess of the amount of fuel oil transferred for the coupons or exchange certificates for which such exchange certificate was issued.

(1) No exchange of coupons or other evidences shall accompany a transfer of fuel oil directly from without the limitation area to a primary supplier within the limitation area, or a transfer from one primary supplier to another primary supplier.

(2) A transferor of fuel oil who, pursuant to paragraph (a) of this section, receives coupons or other evidences in advance of the transfer shall not use (or if he is a depositor, shall not issue his check against) the coupons or other evidences so received until he has actually transferred the fuel oil to his transferee, and only to the extent of the fuel oil so transferred.

(3) On and after August 16, 1943, no fuel oil may be transferred in exchange for inventory coupons.

(4) No primary supplier within or without the limitation area and no dealer within the limitation area shall transfer fuel oil to a dealer within the limitation area except in exchange for evidences (equal in gallonage value to the amount of fuel oil transferred) surrendered at the time of, or at the option of the transferor within fifteen (15) days in advance of, the transfer, if at the time of the transfer the transferee has failed to surrender evidences to the transferor for any previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required or if the transferor knows or has reasonable cause to believe that at the time of the transfer the transferee has failed to surrender evidences to any other thansferor for a previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

(5) No dealer within the limitation area shall accept a transfer of fuel oil from any transferor except in exchange for evidences (equal in gallonage value to the amount of fuel oil transferred) surrendered at the time of, or at the option of the transferor within fifteen (15) days in advance of, the transfer, if at the time of the transfer the dealer has failed to surrender evidences to any transferor for any previous transfer of fuel oil and more than fifteen (15) days have elapsed since that surrender was required.

§ 1394.5709 *Upstream transfers by dealers.* (a) Any primary supplier who receives a transfer or return of fuel oil from a dealer who is within the limitation area, when the transfer or return is other than in connection with a transfer of the place of business or mobile facilities of such transferor, shall at the time of, or at the option of the transferor within fifteen (15) days after or within fifteen (15) days in advance of, the transfer, deliver to the dealer making the transfer or return, coupons or other evidences equal in gallonage value to the amount of fuel oil so transferred or returned.

(b) No primary supplier shall accept a transfer of fuel oil under this section except in exchange for evidences (equal in gallonage value to the amount of fuel oil transferred) surrendered at the time of, or at the option of the transferor within fifteen (15) days in advance of, the transfer, if at the time of the transfer the primary supplier has failed to surrender evidences for any previous transfer under this section, and more than fifteen (15) days have elapsed since that surrender was required.

§ 1394.5710 *Regulations of other agencies.* (a) Nothing in this order shall be construed to authorize any transfer of fuel oil which would be in contravention of any regulation or order of any department or agency of the United States.

§ 1394.5711 *Discrimination in transfers to dealers or primary suppliers.* (a) No dealer or primary supplier shall discriminate, in the transfer of fuel oil, among dealers or primary suppliers entitled to acquire fuel oil under this order. However, a dealer or primary supplier may conform to the provisions of Petroleum Administrative Order No. 1, as amended, of the Petroleum Administration for War.

SAME; USE OF COUPONS AND OTHER EVIDENCES

§ 1394.5721 *Affixing coupons.* (a) Each dealer and primary supplier shall, before delivering any coupons to a bank for deposit in a ration bank account, or to a Board, or if he is not a depositor, to his transferor in exchange for a transfer of fuel oil, attach the coupons to gummed sheets (Form OPA R–120), and shall write, stamp, or print upon each sheet his business or firm name as registered at his Board, his business address, the unit value of indefinite value coupons, the number of coupons attached, the total value of the coupons attached, and the date on which the sheet is delivered. Only coupons of the same class, validity period, gallonage value, and from the same zone may be attached to any single sheet. Prior to the delivery by him of a gummed sheet to which coupons have been attached, every dealer and primary supplier shall endorse his business or firm name on the back of the sheet.

§ 1394.5722 *Summary of coupons and other evidences.* (a) Each dealer and primary supplier shall, before delivering any coupons or other evidences to a Board (and, if he is not a depositor before delivering any coupons or other evidences to his transferor in exchange for a transfer of fuel oil) prepare in duplicate on Form OPA R–1117 (Revised) a summary of coupons and other evidences for each zone. The transferee of the fuel oil shall supply the information required by the summary and shall deliver the original of the summary with his coupons (attached as required by the preceding section) and other evidences. The transferor of the fuel oil shall retain the original summary at his place of business for a period of not less than two (2) years, and the copy shall be retained by the transferee at his place of business for a period of not less than two (2) years.

§ 1394.5723 *Exchange of coupons and other evidences by non-depositors.* (a) A dealer or primary supplier who is not a depositor may deliver to any Board in the limitation area coupons which have not become void, or other valid evidences, including exchange certificates, and obtain in return an exchange certificate or certificates (on Form OPA R–1118) equal to the gallonage value of the coupons or other evidences delivered. The dealer or primary supplier shall attach to the coupons or other evidences the summary required by § 1394.5722. Exchange certificates shall be signed by the dealer or primary supplier. No dealer or primary supplier shall knowingly accept, for exchange certificates delivered to the Board, another exchange certificate of a gallonage value in excess of the amount of fuel oil transferred for the coupons or other evidences for which such exchange certificates were issued. Each dealer or primary supplier shall, before delivering an exchange certificate, endorse his business or firm name on the back of the certificate.

§ 1394.5724 *Application to replace dealer's losses.* (a) Any dealer may apply to his Board, on OPA Form R–1120, and upon the conditions mentioned on the form, for evidences to replace his unavoidable and unrecoverable losses or shortages of fuel oil, evidences, or delivery receipts (Form OPA R–1125). The applicant shall supply the information required by that form.

Allowances may be made only for:

(1) Losses of fuel oil, evidences, or delivery receipts acquired by the applicant in accordance with this order.

(2) Other shortages of fuel oil, evidences, or delivery receipts acquired by the applicant in accordance with this order. If the fuel oil, evidences, or delivery receipts were transferred, they must also have been transferred by the applicant in accordance with this order.

(b) If the shortage or loss of evidences or delivery receipts occurred before November 1, 1943, the application must have been made before January 1, 1944, unless the applicant shows good cause for applying later. If a shortage or loss of evidences or delivery receipts occurs after November 1, 1943, or if a shortage or loss of fuel oil occurs at any time, application to replace the shortage or loss must be made within a reasonable time after it occurs. Except in the case of an extraordinary loss of fuel oil, evidences, or delivery receipts (for example, when caused by fire, theft, or accident), application may not be made more often than once a month.

(c) Unless the District Director is authorized by the Washington Office to do so, the Board may act on the application and may issue to the applicant evidences equal in gallonage value to the allowable loss or shortage described in paragraph (a) of this section.

(d) No allowance of loss or shortage made under this section shall operate as a waiver of any violations of this order.

§ 1394.5725 *Primary suppliers may explain losses or shortages.* (a) A primary supplier may submit with his OPA Form R–1119 an explanation for any unavoidable or unrecoverable losses or shortages of fuel oil, evidences or delivery receipts. The Washington Office may accept an explanation only for:

(1) Losses of fuel oil, evidences, or delivery receipts acquired by the applicant in accordance with this order.

(2) Other shortages of fuel oil, evidences, or delivery receipts acquired by the applicant in accordance with this order. If the fuel oil, evidences, or delivery receipts were transferred, they must also have been transferred by the applicant in accordance with this order.

(b) No acceptance by the Washington Office of an explanation of a loss or shortage shall operate as a waiver of any violations of this order.

§ 1394.5726 *Surrender of excess evidences.* (a) Any dealer who has acquired evidences or delivery receipts (Form OPA R–1125) of a gallonage value in excess of the amount he may properly receive under this order, or who has failed to deliver evidences as required by this order, must surrender to the person entitled to them under this order, or, if he is unknown, to the Board with which the dealer is registered (or to any employee of OPA authorized for that purpose) evidences equal in gallonage value to the excess or to the amount he failed to deliver. Unless the surrender is made to the person so entitled, the dealer must submit with the evidences a statement explaining the manner in which the excess or failure to deliver occurred.

(b) Any primary supplier who has acquired evidences or delivery receipts of a gallonage value in excess of the amount he may properly receive under this order,

or who has failed to deliver evidences as required by this order, must surrender to the person entitled to them under this order, or, if he is unknown, to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C. with his next monthly report on OPA Form R–1119, evidences equal in gallonage value to the excess or to the amount he failed to deliver. Unless the surrender is made to the person so entitled, the primary supplier must submit with the evidences a statement explaining the manner in which the excess or failure to deliver occurred.

(c) If a dealer who received evidences for a shortage or loss pursuant to § 1394.5724, or if a primary supplier whose explanation of a shortage or loss was accepted under § 1394.5725, subsequently recovers the fuel oil, evidences, or delivery receipts, for the shortage or loss of which the dealer received evidences, or the primary supplier's explanation was accepted, he shall immediately surrender evidences equal in gallonage value to the amount of such receipt or recovery to the Board if he is a dealer, or the Washington Office if he is a primary supplier.

SAME; RECORDS, AUDITS AND INSPECTIONS

§ 1394.5731 *Reports by primary suppliers.* (a) On or before the twenty-fifth day of each month, commencing with the twenty-fifth day of November 1942, and in Area A, commencing with the twenty-fifth day of March 1943, and in Area B commencing with the twenty-fifth day of May 1943, every primary supplier shall forward to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., a report, on Form OPA R–1119, showing, in addition to all other information required by the form, the matters set forth below, and every primary supplier shall forward, together with such statement, exchange certificates or certified ration checks as required below:

(1) If he is a primary supplier as defined in subdivision (i), (ii), or (iv) of § 1394.5001 (a) (22) and if he is not a consumer, he shall show the total amount of fuel oil transferred by him within the limitation area (and to persons without the limitation area, if he is within the limitation area) during the preceding month, and shall submit exchange certificates (or if he is a depositor, a certified ration check) equal in gallonage value to the total amount of such transfers, less the amount transferred to primary suppliers (and to dealers and primary suppliers without the limitation area, if he is within the limitation area).

(2) If he is a primary supplier as defined in subdivision (i), (ii), or (iv) of § 1394.5001 (a) (22) and if he is also a consumer, he shall comply with the requirements specified in subparagraph (1) of this section, and in addition shall show, and submit exchange certificates (or if he is a depositor, a certified ration check) equal in gallonage value to, the total amount of fuel oil transferred to him for his own use during the preceding month, less the amount of fuel oil transferred to him for his own use by dealers who are within the limitation area.

(3) If he is a primary supplier as defined in subdivision (ii) of § 1394.5001 (a) (22) solely by virtue of the fact that he is a consumer within the limitation area who takes deliveries of fuel oil on direct shipment from without the limitation area by pipeline, barge, tank ship or railroad tank car, he shall show the total amount of fuel oil transferred to him during the preceding month (less the amount of fuel oil transferred to him by dealers within the limitation area) and shall submit exchange certificates (or if he is a depositor, a certified ration check) equal in gallonage value to the amount of such transfers.

(4) If he is a primary supplier as defined only in subdivision (iii) of § 1394.5001 (a) (22), he shall show and shall submit exchange certificates (or if he is a depositor, a certified ration check) equal in gallonage value to, the total amount of fuel oil transferred by him to consumers within the limitation area. If he is a primary supplier as defined in subdivision (iii) and also as defined in any other subdivision of paragraph (a) (22) of § 1394.5001, he shall report only in the manner prescribed by subdivision (1) or (2) of paragraph (a) of this section, whichever is applicable.

(b) A separate report shall be made with respect to each registration certificate issued to such primary supplier, and such report shall cover all places of business included in the registration certificate.

(c) The provisions of this section shall not apply to the Army and the Navy.

(d) No primary supplier shall knowingly submit with his report to the Control and Audit Section an exchange certificate of gallonage value in excess of the amount of fuel oil transferred in exchange for the coupons or exchange certificates for which such exchange certificate was issued.

§ 1394.5732 *Records to be kept by dealers, primary suppliers and others—*(a) *Transfers within the trade*—(1) *All transfers.* Every person (other than as a consumer), whether within or without the limitation area, who makes a transfer of fuel oil to any dealer or primary supplier within the limitation area shall furnish to such dealer or primary supplier an invoice, delivery ticket, or other customary document of transfer showing the name and address of the transferor and transferee, the date and amount of the fuel oil transferred and the place where delivered. The transferor shall make, and keep at his place of business for a period of at least two (2) years from the date of transfer, a copy of the invoice, delivery ticket or other customary document so furnished by him. The transferee shall retain at his place of business for a period of at least two (2) years from the date of the transfer the invoice, delivery ticket or other document so furnished him. In addition, if evidences of a gallonage value equal to the amount of the fuel oil transferred are surrendered at the time of the transfer, the transferor and the transferee shall each note that fact on his copy of the invoice, delivery ticket or other record. If the surrender of evidences is required for the transfer and if evidences of a gallonage value equal to the amount of the fuel oil transferred are not surrendered at the time of the transfer, the transferor and transferee shall also comply with the record requirements of whichever of the following two subparagraphs is applicable.

(2) *Additional requirements when evidences are to be surrendered after the transfer.* Whenever a dealer or primary supplier does not at or before the time of the transfer surrender evidences of a gallonage value equal to the amount of the fuel oil transferred, the transferor and the transferee shall each, immediately following the transfer, make a record showing the name and address of the transferee and transferor, that evidences of a gallonage value equal to the amount of the fuel oil transferred were not surrendered at the time of transfer, the date and amount of the fuel oil transferred and the place where delivered. Immediately following the surrender of evidences for that transfer, the transferor and the transferee shall each note on the record the date when the evidences were surrendered and the aggregate gallonage value of those evidences. The records required by this subparagraph shall be retained at the place of business of the transferor and transferee for a period of at least two years from the date of the transfer of the fuel oil.

(3) *Additional requirements when evidences are surrendered in advance of delivery.* Whenever evidences are surrendered by a dealer or primary supplier to a transferor in advance of a transfer of fuel oil, the transferor and the transferee shall each, immediately following the surrender of the evidences, make a record showing the name and address of the transferee and transferor, the aggregate gallonage value of the evidences surrendered, the date of surrender and that they were surrendered in advance of the transfer of the fuel oil. Immediately following any transfer of fuel oil against those evidences, the transferor and the transferee shall each note on the record the date and amount of each transfer made or received against those evidences and the place where delivered. The records required by this subparagraph shall be retained at the place of business of the transferor and transferee for a period of at least two years from the date the evidences are surrendered.

(b) *Transfers to consumers.* Every dealer and primary supplier shall, immediately following the transfer, make and retain at his place of business for a period of at least two (2) years from the date of transfer, a record of each transfer to a consumer of an amount of fuel oil in excess of ten (10) gallons. Such record shall show the name and address of the

consumer, the date of the transfer, the amount of the fuel oil transferred and the place where delivered and whether or not evidences of a gallonage value equal to the amount of the fuel oil transferred are surrendered at the time of the transfer. If evidences of such gallonage value are not surrendered at the time of the transfer, the transferor shall immediately following the surrender of evidences for that transfer, note on the record the date when the evidences were surrendered and the aggregate gallonage value of the evidences surrendered. When a ration check is issued by a consumer in advance of a fuel oil transfer, the transferor's record shall also show the date the check was received, the gallonage value of the check, and that it was issued in advance of the transfer of the fuel oil. Immediately following any transfer of fuel oil against that check, the transferor shall note on the record the date and amount of each transfer made against that check.

(c) *Records and devices showing fuel oil on hand.* Every dealer and primary supplier shall retain at his place of business for a period of at least two (2) years from the date of his registration, all receipts, invoices, and other records showing the fuel oil on hand at the time of his registration. He shall also keep at his place of business at all times, all records and equipment including charts, tables, tank gauges, measuring tapes, rods and other devices regularly used by him to determine the amount of fuel oil on hand.

(d) *Records relating to consumer's past consumption.* Each dealer or primary supplier who furnished to a consumer the certification required by § 1394.5253 (a) showing the total amount of fuel oil purchased from such dealer or supplier shall retain at his place of business, for a period of at least two (2) years from the date of such certification, all records on the basis of which such certification was made.

(e) *Other records.* Further record-keeping requirements to be observed by dealers and primary suppliers are set forth in §§ 1394.5687 (d) (entries on check stubs), 1394.5701 (d) (5) (additional records to be kept by dealers who commingle fuel oil), 1394.5704 (c) (certificate of registration), 1394.5721 (use of gummed sheet), 1394.5722 (summary of coupons), and section 6.4 of Revised General Ration Order 3A (retention of checks, stubs, deposit slips and statements of account—ration banking).

§ 1394.5733 *Inspection of records and facilities.* (a) All records, reports, forms, accounts, or other documents required by this order to be prepared and kept by any person, and the fuel oil facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees, and by such other personnel as the Office of Price Administration may designate. Such inspection may be made at the establishment or office of any such person during regular business hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

§ 1394.5734 *Dealers' accounts must be in balance.* (a) Every dealer shall be accountable for all fuel oil, coupons and other evidences, ration credits, delivery receipts and, if he is also a consumer, fuel oil deposit certificates received by him. Coupons and other evidences and delivery receipts received at or for a dealer establishment shall, at all times when the dealer is open to transact business, be retained by him at the establishment for which they were received until such time as they are surrendered pursuant to this order, or, if he is a depositor, the coupons and other evidences and fuel oil deposit certificates may be on deposit in the appropriate ration bank account. No dealer shall have evidences, delivery receipts or ration credits the aggregate gallonage value of which is less than or in excess of the unfilled storage capacity of the storage facilities shown in his current registration certificate, except to the extent that he can account for such excesses or deficits by reason of conditions which are not due to his violations of other provisions of this order. However, in ascertaining whether a dealer's accounts are in balance, fuel oil delivered to him for which he has not yet surrendered evidences, evidences for which he has not yet transferred fuel oil, and the gallonage value of the unused portion of his fuel oil deposit certificates, must not be included.

SAME; NEW REGISTRATIONS

§ 1394.5741 *Registration of new or reopened business.* (a) Any person, other than a person who is registered as a primary supplier, who opens or reopens, as a dealer, a place of business which is required to be registered under the provisions of § 1394.5701, but which has not been so registered, shall, prior to making or receiving a transfer of fuel oil within the limitation area (or from within to a consumer without the limitation area) register, in the manner provided in §§ 1394.5701 to 1394.5703, inclusive, and shall, if such person is a dealer, receive exchange certificates in the manner provided in § 1394.5705.

(b) Any person who is registered as a primary supplier who opens or reopens, as a primary supplier, a place of business which is required to be registered under the provisions of § 1394.5701 (a), shall register such place of business by forwarding to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., together with the first monthly report (required by § 1394.5731) following the opening or reopening of the place of business, a statement, in duplicate, showing:

(1) The name, firm name and business address of the registrant, and the address of the opened or reopened place of business.

(2) The registration serial number assigned by the Control and Audit Section to the primary supplier registration Form OPA R–1116 or R–1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the opening or reopening of the place of business.

(4) The storage capacity of, and the inventory on hand at, the place of business at the time of opening or reopening.

(5) The facts which constitute the registrant a primary supplier at the opened or reopened place of business.

The registrant shall forward a triplicate copy of the statement to the Board at which he filed his original registration application. The signature of the Chief of the Fuel Oil Rationing Branch, at the Washington Office, on such statement shall constitute a registration of the place of business and shall constitute the statement a part of the original registration certificate (Form OPA R–1116 or R–1116 (Revised)). The original of the statement will be returned by the Control and Audit Section to the registrant and he shall attach it to his original registration certificate.

§ 1394.5742 *Dealer who becomes primary supplier.* (a) Any dealer within the limitation area who becomes a primary supplier as to any place of business shall forthwith deliver to the Board having jurisdiction over the area in which such place of business is located, his certificate of registration, and coupons and other evidences (and delivery receipts), or if he is a depositor, his certified ration check, equal in gallonage value to the total unfilled capacity of his fuel oil storage facilities, and shall thereupon apply for registration as a primary supplier in the manner provided by § 1394.5701 (a), or § 1394.5741 (b), as the case may be.

§ 1394.5743 *Transfer of entire business.* (a) If the entire place of business of any primary supplier is transferred, the transferee may acquire the fuel oil inventory of the transferor without the surrender of coupons or other evidences. The transferee shall obtain, and the transferor shall furnish, the certificate of registration in which such place of business is included, and the transferee shall then endorse such certificate at the office of the Board which issued it, specifying in such endorsement the place of business or facilities transferred and the fuel oil on hand at the time of such transfer. The endorsement shall constitute a certification by the endorser that he has acquired from the transferor the place of business and the amount of fuel oil specified in such endorsement. The Board shall forward such endorsed certificate to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office. The transferor shall submit to the Control and Audit Section, together with his monthly report to such Section for the period during which the transfer of the place of business was made, certified ration checks (or, if he is not a depositor, exchange certificates), representing all coupons and other evidences which he is required to submit with respect to such place of business, but has not yet submitted, pursuant to the provisions of § 1394.5731. The transferor shall, if he continues as a primary supplier with respect to any place of business included in the endorsed certificate of registration, re-register such place of business, with any Board, in the

manner provided in §§ 1394.5701 to 1394.5703, inclusive.

(b) If the entire place of business of any dealer is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without the surrender of coupons or other evidences. The transferee of such place of business shall obtain, and the transferor shall furnish, the certificate of registration of such place of business, and valid coupons or other evidences in an amount equal to the fuel oil storage capacity unfilled at the time of the transfer of such place of business. The transferee shall then endorse, at the office of the Board having jurisdiction over the area in which such place of business is located, the original certificate of registration and the duplicate on file at the Board, and the Board shall retain the original and the duplicate on file. Such endorsement shall constitute a certification by the endorser that he has acquired from the transferor the place of business registered in the certificate and fuel oil stocks, plus coupons or other evidences, together equal in gallonage value to the total fuel oil storage capacity of the place of business transferred. If the transferee registers as a primary supplier with respect to such place of business, he shall surrender to the Board all the coupons and other evidences received from the transferor.

(c) The transferee of a place of business shall, after complying with the requirements of paragraphs (a) and (b) of this section, register, on Form OPA R–1116 (Revised), in the manner required by § 1394.5701: *Provided*, That a transferee who registers as a primary supplier at the transferred place of business shall, if he is already registered as a primary supplier, register such place of business by forwarding to the Control and Audit Section, Fuel Oil Branch, Office of Price Administration, Washington 25, D. C., together with the first monthly report (required by § 1394.5731) following the transfer of the place of business to the registrant, a statement, in duplicate showing:

(1) The name, firm name and business address of the registrant, and the address of the place of business transferred.

(2) The registration serial number assigned by the Control and Audit Section to the primary supplier registration Form OPA R–1116 or R–1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the opening of business at the place of business transferred.

(4) The storage capacity of, and the inventory on hand at, the place of business at the time of its opening.

(5) The facts which constitute the registrant a primary supplier at the transferred place of business.

The registrant shall send a triplicate copy of the statement to the Board at which he filed his original registration application. The registration shall be effected in the manner provided in § 1394.5741 (b). No exchange certificates shall be issued to a transferee of a place of business unless the transferee registers as a dealer at a place of business transferred to him from a primary supplier.

§ 1394.5744 *Cessation of business as a dealer.* (a) Any dealer who disposes of his stocks of fuel oil and terminates his operations as to any place of business without transferring such business to another person for continued operation, shall, at the time of final closing, surrender the original certificate of registration, together with coupons or other evidences equal in gallonage value to the total capacity of the fuel oil storage facilities registered for such place of business, to the Board having jurisdiction over the area where it is located.

§ 1394.5745 *Cessation of business as a primary supplier.* (a) Any primary supplier who ceases to be a primary supplier at any place of business registered by him shall, immediately after such cessation, surrender to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., for cancellation, the registration certificate in which such place of business was included, and he shall notify the Board at which he filed his registration application of such surrender. If, however, he continues in business as a primary supplier at any other place of business as to which he is registered as a primary supplier, he shall request the cancellation of his registration of the place of business at which he has ceased to do business as a primary supplier by forwarding to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., together with his next monthly report after the termination of operations as a primary supplier at the place of business, a statement, in duplicate, showing:

(1) The name, firm name and business address of the registrant and the address of the place of business at which he has ceased to do business as a primary supplier.

(2) The registration serial number assigned by the Control and Audit Section to the primary supplier registration Form OPA R–1116 or R–1116 (Revised) to which the statement will constitute an amendment.

(3) The date and time of the cessation of business as a primary supplier at the place of business.

(4) The storage capacity of, and the inventory on hand at, the place of business at the time of cessation of business as a primary supplier.

The registrant shall forward a triplicate copy of such statement to the Board at which he filed his original registration application. The cancellation of registration shall be effected in the same manner as registration is effected in § 1394.5741 (b). If the primary supplier terminates operations as a primary supplier at all places of business included in his registration certificate, he shall submit to the Control and Audit Section, together with his monthly report to such Section for the period in which he terminated operations, a certified ration check (or, if he is not a depositor, an exchange certificate) representing all coupons and other evidences which he is required, pursuant to the provisions of § 1394.5731, to submit with respect to such place of business, but has not yet submitted.

(b) Any primary supplier who ceases to be a primary supplier as to any place of business registered by him, but who continues in the business of transferring fuel oil at such place of business, shall, in addition to complying with the requirements of paragraph (a) of this section, register as a dealer with respect to such place of business, pursuant to § 1394.5701 (b), and shall receive exchange certificates therefor pursuant to § 1394.5705.

§ 1394.5746 *Change of storage capacity.* (a) A dealer shall surrender his certificate of registration for cancellation to the Board which issued it and shall obtain a new certificate of registration in the manner provided by §§ 1394.5701 to 1394.5705, inclusive, if he:

(1) Converts his stationary fuel oil storage facilities or, if he has no stationary storage facilities, his mobile facilities to the storage of a product other than fuel oil;

(2) Leases such facilities or any portion thereof to any other person;

(3) Discontinues making regular withdrawals from such facilities or discontinues the use of the facilities entirely; or

(4) Alters, in any other manner, the fuel oil storage capacity of such facilities.

Appeals

§ 1394.5751 *Who may appeal.* (a) Except as provided in § 1394.5508, any person directly affected by the action of a Board, District Director, or Regional Administrator taken with reference to any application, petition, or other matter before such Board, District Director, or Regional Administrator under this order, may appeal from such action pursuant to the provisions of Procedural Regulation No. 9.

APPEARANCES BEFORE BOARDS AND INSPECTIONS

§ 1394.5774 *Boards may require appearances, witnesses and submission of evidence.* (a) The Board may require any applicant for a ration to appear before it for examination and produce such witnesses or evidence as it may deem material.

§ 1394.5775 *Inspections.* (a) The Office of Price Administration or any duly authorized employee, representative or agent thereof may at any reasonable time inspect or require the inspection of any premises or fuel oil burning equipment for which an application for a ration has been made, or of any fuel oil storage facilities.

VALUE OF UNIT; VALID PERIOD OF COUPONS

§ 1394.5781 *Value of unit.* The Washington Office will from time to time, by order, fix the value of a unit. Such order may vary the value of a unit with respect to the area in which or time when a coupon is used.

§ 1394.5782 *Valid period of coupons.* The Washington Office may from time to time, by order, change the valid period of coupons on Class 4, 5, and 6 coupon sheets.

PROHIBITIONS

§ 1394.5801 *Prohibitions.* (a) No person shall transfer, receive a transfer of, or possess or use, fuel oil except in accordance with the provisions of this order.

(b) No person shall transfer or assign, and no person shall receive a transfer or assignment of, any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt (whether or not such coupon sheet or delivery receipt was issued as a ration and whether or not such coupon was issued as a ration or as part of a coupon sheet) except in accordance with the provisions of this order.

(c) No person shall have in his possession any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt (whether or not such coupon sheet or delivery receipt was issued as a ration and whether or not such coupon was issued as a ration or as part of a coupon sheet) except the person, or the agent of the person, to whom such coupon, coupon sheet, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt was issued, or by whom it was acquired, in accordance with the provisions of this order.

(d) No person shall deface, mutilate, alter or destroy any coupon, coupon sheet, other evidence, or delivery receipt.

(e) No person shall counterfeit or forge a coupon, coupon sheet, other evidence, or delivery receipt.

(f) No person shall transfer, receive a transfer of, possess, or use any forged, altered, or counterfeited coupon, coupon sheet, other evidence, or delivery receipt.

(g) The provisions of paragraphs (a), (b), (c), (d), and (f) of this section shall not be applicable to public officials acting in the performance of their official duties.

(h) No person shall wilfully spoil or destroy fuel oil.

(i) No person shall offer, solicit, attempt or agree to do any act in violation of this order.

(j) No person shall, in any application, record, report, certificate or other document made pursuant to or required by the terms of this order, make any untrue statement of any fact, or omit to state any fact required to be stated therein or necessary to make the statements therein not misleading.

(k) No dealer or primary supplier shall transfer fuel oil to a person (other than an agency specified in § 1394.5454 (a)) who is required to surrender evidences for the transfer and no such person shall accept that transfer unless at the time of the transfer that person has on hand evidences or ration credits (excluding the gallonage value of any evidences not yet surrendered for previous transfers of fuel oil and excluding the amounts of ration checks issued which have not yet been cleared) equal in gallonage value to the fuel oil to be transferred.

ENFORCEMENT

§ 1394.5802 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application, or any other record, report, or certificate made pursuant to or required by the terms of this order or who otherwise knowingly furnishes false information to any Board or any other agent, employee, or officer of the Office of Price Administration, or falsifies, or who conceals or covers up a material fact, by any trick, scheme, or device, or who makes or causes to be made any false or fraudulent statements, or representations, in any matter within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than $10,000, or imprisoned for not more than ten years, or both, and shall be subject to such other penalties or action as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts or to violate any provision of this order may upon conviction be fined not more than $10,000, or imprisoned for not more than two years, or both, and shall be subject to such other penalties or action as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of this order may upon conviction be fined not more than $10,000, or imprisoned for not more than one year, or both, and shall be subject to such other penalties or action as may be prescribed by law.

§ 1394.5803 *Suspension orders.* (a) An administrative suspension order may be obtained in accordance with Procedural Regulation No. 4 against any person who violates this order.

SAVING CLAUSE

§ 1394.5825 *Saving clause.* (a) Any violations which occurred, or rights or liabilities which arose, before the effective date of this revised order shall be governed by the order and the amendments thereto in effect at the time the violations occurred or the rights or liabilities arose.

TABLES

§ 1394.5851 *Tables*—(a) *Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones.*

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
1	111	1.875	1.438	2.250	1.726
North Dakota: Bottineau, Cavalier, Renville, Rolette, and Towner.					
2	111	1.786	1.370	2.143	1.644
Minnesota: Beltrami, Clearwater, Cook, Itasca, Kittson, Koochiching, Lake, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau, and St. Louis. *North Dakota:* Benson, Burke, Divide, Eddy, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Walsh, Ward, and Wells.					
3	111	1.606	1.301	2.035	1.561
Maine: Aroostook. *Minnesota:* Aitkin, Becker, Carlton, Cass, Clay, Crew Wing, Hubbard, Otter Tail, Wadena, and Wilkin. *North Dakota:* Barnes, Cass, Foster, Griggs, Steele, Stutsman, and Traill. *Wisconsin:* Bayfield and Douglas.					
4	111	1.607	1.233	1.928	1.480
Maine: Piscataquis and Somerset. *Michigan:* Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft. *Minnesota:* Benton, Douglas, Grant, Kanabec, Mille Lacs, Morrison, Pine, Todd, and Traverse. *New Hampshire:* Coos. *North Dakota:* Billings, Burleigh, Dickey, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, La Moure, Logan, McIntosh, McKenzie, McLean, Mercer, Morton, Oliver, Ransom, Richland, Sargent, Sheridan, Slope, Stark, and Williams. *South Dakota:* Brown, Campbell, McPherson, Marshall, and Roberts. *Vermont:* Essex and Orleans. *Wisconsin:* Ashland, Burnett, Florence, Forest, Iron, Marinette, Oneida, Price, Sawyer, Vilas, and Washburn.					
5	111	1.518	1.164	1.822	1.397
Maine: Franklin, Oxford, Penobscot, and Washington. *Minnesota:* Big Stone, Chisago, Isanti, Pope, Sherburne, Stearns, and Stevens. *New Hampshire:* Carroll and Grafton. *New York:* Franklin and Hamilton. *North Dakota:* Adams, Bowman, and Sioux.					

***Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones*—Continued**

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
5—Continued.					
South Dakota: Corson, Day, Edmunds, Faulk, Grant, Harding, Perkins, Spink, and Walworth. *Vermont:* Caledonia, Lamoille, Orange, and Washington. *Wisconsin:* Barron, Langlade, Oconto, Polk, Rusk, Taylor, and Lincoln.					
6	110	1.420	1.096	1.718	1.315
Michigan: Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Iosco, Kalkaska, Lake, Missaukee, Montmorency, Ogemaw, Oscrola, Oscoda, Otsego, Presque Isle, Roscommon, and Wexford. *Minnesota:* Anoka, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Jackson, Kandiyohi, Lac Qui Parle, La Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, and Yellow Medicine. *New York:* Clinton, Essex, Herkimer, Lewis, and St. Lawrence. *South Dakota:* Beadle, Brookings, Clark, Codington, Deuel, Dewey, Hamlin, Hand, Hyde, Kingsbury, Lake, Miner, Moody, Potter, and Sanborn. *Wisconsin:* Brown, Buffalo, Chippewa, Clarke, Door, Dunn, Eau Claire, Jackson, Kewaunee, Marathon, Outagamie, Pepin, Pierce, Portage, St. Croix, Shawano, Trempealeau, Waupaca, and Wood.					
6A	108	1.429	1.096	1.718	1.318
Maine: Androscoggin, Hancock, Kennebec, and Waldo. *Vermont:* Chittenden, Franklin, and Grand Isle.					
7	111	1.399	1.027	1.607	1.232
Iowa: Allamakee, Cerro Gordo, Chickasaw, Clay, Dickinson, Emmet, Floyd, Hancock, Howard, Kossuth, Lyon, Mitchell, O'Brien, Osceola, Palo Alto, Sioux, Winnebago, Winneshiek, and Worth. *Michigan:* Bay, Benzie, Grand Traverse, Huron, Isabella, Leelanau, Manistee, Mason, Mecosta, Midland, Newaygo, and Tuscola. *Minnesota:* Houston. *New York:* Chenango, Delaware, Fulton, Jefferson, Madison, Montgomery, Oneida, Otsego, Saratoga, Schenectady, Schoharie, Sullivan, and Warren. *South Dakota:* Armstrong, Aurora, Brule, Buffalo, Butte, Clay, Davison, Douglas, Hanlon, Hanson, Hughes, Hutchinson, Jerauld, Lincoln, Lyman, McCook, Meade, Minnehaha, Stanley, Sully, Turner, Union, and Ziebach. *Wisconsin:* Adams, Calumet, Columbia, Crawford, Dane, Dodge, Fond Du Lac, Green Lake, Juneau, La Crosse, Manitowoc, Marquette, Monroe, Richland, Sauk, Sheboygan, Vernon, Waushara, and Winnebago.					
7A	108	1.399	1.027	1.607	1.232
Maine: Cumberland, Knox, Lincoln, Sagadahoc, and York. *New Hampshire:* Belknap, Merrimack, and Sullivan. *Vermont:* Addison, Rutland, and Windsor.					
8	107	1.280	.930	1.500	1.151
Illinois: Boone, Carroll, De Kalb, Jo Daviess, Kane, Lake, McHenry, Ogle, Stephenson, and Winnebago. *Massachusetts:* Berkshire, Franklin, and Hampshire. *Nebraska:* Antelope, Banner, Blaine, Box Butte, Boyd, Brown, Burt, Cedar, Cherry, Cheyenne, Cuming, Dakota, Dawes, Deul, Dixon, Garden, Garfield, Grant, Holt, Hooker, Keyapaha, Kimball, Knox, Loup, Madison, Morrill, Pierce, Rock, Scotts Bluff, Sheridan, Sioux, Stanton, Thomas, Thurston, Wayne, and Wheeler. *New Hampshire:* Cheshire, Hillsborough, Rockingham, and Strafford. *New York:* Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Columbia, Cortland, Erie, Genesee, Greene, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Rensselaer, Schuyler, Seneca, Steuben, Tioga, Tompkins, Ulster, Washington, Wayne, Wyoming, and Yates. *Pennsylvania:* Erie, McKean, Potter, Tioga, and Warren.					

Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones—Continued

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
8—Continued.					
South Dakota: Bennett, Bon Homme, Charles Mix, Custer, Fall River, Gregory, Jackson, Jones, Lawrence, Mellette, Pennington, Shannon, Todd, Tripp, Washabaugh, Washington, and Yankton. *Vermont:* Bennington and Windham.					
8A	112	1.250	0.959	1.500	1.151
Iowa: Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cherokee, Clayton, Crawford, Delaware, Dubuque, Fayette, Franklin, Greene, Grundy, Hamilton, Hardin, Humboldt, Ida, Jackson, Jones, Linn, Marshall, Monona, Plymouth, Pocahontas, Sac, Story, Tama, Webster, Woodbury, and Wright. *Michigan:* Allegan, Barry, Clinton, Eaton, Genesee, Gratiot, Ingham, Ionia, Kent, Lapeer, Livingston, Macomb, Montcalm, Muskegon, Oakland, Oceana, Ottawa, Saginaw, St. Clair, Sanilac, and Shiawassee. *Wisconsin:* Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, and Waukesha.					
9	110	1.161	.890	1.393	1.06
Illinois: Bureau, Cook, Du Page, Grundy, Henry, Kendall, Lasalle, Lee, Mercer, Putnam, Rock Island, Whiteside, and Will. *Indiana:* De Kalb, Elkhart, Lagrange, Lake, La Porte, Noble, Porter, St. Joseph, and Steuben. *Iowa:* Adair, Adams, Audubon, Cass, Cedar, Clarke, Clinton, Dallas, Guthrie, Harrison, Iowa, Jasper, Jefferson, Johnson, Keokuk, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Muscatine, Polk, Poweshiek, Pottawattamie, Scott, Shelby, Union, Wapello, Warren, and Washington. *Michigan:* Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Van Buren, Washtenaw, and Wayne. *New York:* Dutchess and Orange. *Ohio:* Ashtabula, Cuyahoga, Defiance, Erie, Fulton, Geauga, Henry, Lake, Lorain, Lucas, Ottawa, Portage, Sandusky, Seneca, Trumbull, Williams, and Wood. *Pennsylvania:* Bradford, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Forest, Jefferson, Pike, Susquehanna, Venango, and Wayne.					
9A	107	1.161	.890	1.393	1.068
Connecticut: Litchfield. *Massachusetts:* Essex, Hampden, Middlesex, and Worcester. *Nebraska:* Arthur, Boone, Butler, Cass, Colfax, Custer, Dawson, Dodge, Douglas, Greely, Howard, Keith, Lincoln, Logan, McPherson, Merrick, Nance, Perkins, Platte, Polk, Sarpy, Saunders, Sherman, Valley, and Washington.					
10	110	1.071	.822	1.285	.986
Illinois: Champaign, De Witt, Ford, Fulton, Hancock, Henderson, Iroquois, Kankakee, Knox, Livingston, Logan, McDonough, McLean, Marshall, Mason, Peoria, Piatt, Schuyler, Stark, Tazewell, Warren, and Woodford. *Indiana:* Adams, Allen, Benton, Blackford, Carroll, Cass, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Marshall, Miami, Newton, Pulaski, Starke, Tippecanoe, Wabash, Wells, White, and Whitley. *Iowa:* Appanoose, Davis, Decatur, Des Moines, Fremont, Henry, Lee, Page, Ringgold, Taylor, Van Buren, and Wayne. *Maryland:* Garrett. *Massachusetts:* Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth, and Suffolk. *Missouri:* Adair, Atchison, Clark, Gentry, Grundy, Harrison, Knox, Mercer, Nodaway, Putnam, Schuyler, Scotland, Sullivan, and Worth. *New Jersey:* Bergen, Essex, Morris, Passaic, Sussex, and Warren. *New York:* Putnam, Rockland, and Westchester. *Ohio:* Allen, Ashland, Auglaize, Carroll, Champaign, Columbiana, Coshocton, Crawford, Darke, Delaware, Hancock, Hardin, Harrison, Holmes, Huron, Jefferson, Knox, Logan, Mahoning, Marion, Medina, Mercer, Morrow, Paulding, Putnam, Richland, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Wayne, and Wyandot.					

Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones— Continued

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
10—Continued.					
Pennsylvania: Adams, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Carbon, Columbia, Cumberland, Franklin, Fulton, Huntingdon, Indiana, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, Mercer, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Somerset, Sullivan, Union, Westmoreland, and Wyoming. *West Virginia:* Grant and Mineral.					
10A	107	1.071	0.822	1.285	0.986
Connecticut: Fairfield, Hartford, Middlesex, New Haven, New London, Tolland, and Windham. *Nebraska:* Adams, Buffalo, Chase, Clay, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Jefferson, Johnson, Kearney, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Redwillow, Richardson, Saline, Seward, Thayer, Webster, and York. *Rhode Island:* Bristol, Kent Newport, Providence, and Washington.					
11	111	.982	.753	1.178	.904
Illinois: Adams, Brown, Cass, Christian, Coles, Douglas, Edgar, Macon, Menard Morgan, Moultrie, Pike, Sangamon, Scott, Shelby, and Vermilion. *Indiana:* Boone, Clinton, Delaware, Fayette, Fountain, Hamilton, Hancock, Hendricks, Henry, Madison, Marion, Montgomery, Parke, Putnam, Randolph, Rush, Tipton, Union, Vermillion, Warren, and Wayne. *Maryland:* Allegany and Washington. *Missouri:* Andrew, Buchanan, Caldwell, Chariton, Clinton, Daviess, De Kalb, Holt, Lewis, Linn, Livingston, Macon, Marion, Monroe, Pike, Ralls, Randolph, and Shelby. *New Jersey:* Hudson, Hunterdon, Mercer, Middlesex, Somerset, and Union. *New York:* Bronx, Kings, Manhattan, Nassau, Queens, Richmond, and Suffolk. *Ohio:* Belmont, Clark, Clinton, Fairfield, Fayette, Franklin, Greene, Guernsey, Hocking, Licking, Madison, Miami, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, and Preble. *Pennsylvania:* Allegheny, Berks, Bucks, Chester, Dauphin, Fayette, Greene, Lancaster, Lebanon, Lehigh, Washington, and York. *West Virginia:* Barbour, Berkeley, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Monongalia, Morgan, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur, and Webster.					
11A	105	.982	.753	1.178	.904
Kansas: Atchison, Brown, Cheyenne, Clay, Cloud, Decatur, Doniphan, Ellis, Gove, Graham, Greeley, Jackson, Jewell, Lane, Logan, Marshall, Mitchell, Nemaha, Norton, Osborne, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Scott, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Washington, and Wichita.					
12	110	.803	.605	1.072	.822
Illinois: Bond, Calhoun, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Greene, Jasper, Jefferson, Jersey, Lawrence, Macoupin, Madison, Marion, Montgomery, Richland, St. Clair, Wabash, Washington, and Wayne. *Indiana:* Bartholomew, Brown, Clay, Daviess, Dearborn, Decatur, Franklin, Gibson, Greene, Jackson, Jennings, Johnson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Pike, Ripley, Shelby, Sullivan, and Vigo. *Kansas:* Allen, Anderson, Barton, Butler, Chase, Coffey, Dickinson, Douglas, Edwards, Ellsworth, Finney, Ford, Franklin, Geary, Grant, Gray, Greenwood, Hamilton, Harvey, Haskell, Hodgeman, Jefferson, Johnson, Kearny, Kingman, Kiowa, Leavenworth, Lincoln, Lyon, McPherson, Marion, Miami, Morris, Ness, Osage, Ottawa, Pawnee, Pratt, Reno, Rice, Rush, Russell, Saline, Sedgwick, Stafford, Stanton, Wabaunsee, Woodson, and Wyandotte. *Missouri:* Andrain, Boone, Callaway, Carroll, Cass, Clay, Cole, Cooper, Franklin, Gasconade, Howard, Jackson, Johnson, Lafayette, Lincoln, Moniteau, Montgomery, Osage, Pettis, Platte, Ray, St. Charles, St. Louis, St. Louis City, Saline, and Warren.					

Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones— Continued

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
12—Continued.					
New Jersey: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Monmouth, Ocean, and Salem. *Ohio:* Adams, Athens, Brown, Butler, Clermont, Hamilton, Highland, Jackson, Meigs, Monroe, Pike, Ross, Vinton, Warren, and Washington. *Virginia:* Allegheny, Bath, Bland, Craig, Frederick, Giles, Highland, Montgomery, Prince William, Pulaski, Shenandoah, and Wythe. *West Virginia:* Braxton, Brooke, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Hancock, Marshall, Mercer, Monroe, Nicholas, Ohio, Pendleton, Pleasants, Raleigh, Ritchie, Roane, Summers, Tyler, Wetzel, Wirt, and Wood.					
12A	114	.901	.683	1.072	.822
Delaware: New Castle. *Maryland:* Carroll, Frederick, Howard, Montgomery, and Prince Georges. *Pennsylvania:* Delaware, Montgomery, and Philadelphia.					
13	116	.804	.616	.965	.739
District of Columbia: (No counties.) *Maryland:* Anne Arundel, Baltimore, Baltimore City, Calvert, Caroline, Cecil, Charles, Dorchester, Harford, Kent, Queen Annes, St. Marys, Somerset, Talbot, Wicomico, and Worcester. *Virginia:* Accomac, Arlington, Augusta, Botetourt, Buchanan, Carroll, Clarke, Culpeper, Dickenson, Fairfax, Fauquier, Floyd, Grayson, Greene, Lee, Loudon, Madison, Northumberland, Orange, Page, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Smyth, Spotsylvania, Stafford, Tazewell, Warren, Washington, and Wise.					
13A	112	.804	.616	.965	.739
Delaware: Kent and Sussex. *Illinois:* Franklin, Hamilton, Jackson, Monroe, Perry, Randolph, White, and Williamson. *Indiana:* Clark, Crawford, Dubois, Floyd, Harrison, Jefferson, Ohio, Orange, Perry, Posey, Scott, Spencer, Switzerland, Vanderburg, Warrick, and Washington. *Missouri:* Barton, Bates, Benton, Bollinger, Camden, Cape Girardeau, Cartor, Cedar, Christian, Crawford, Dade, Dallas, Dent, Douglas, Greene, Henry, Hickory, Howell, Iron, Jefferson, Laclede, Madison, Maries, Miller, Morgan, Oregon, Perry, Phelps, Polk, Pulaski, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Shannon, Texas, Vernon, Washington, Wayne, Webster, and Wright. *North Carolina:* Alleghany, Ashe, Avery, and Watauga.					
13B	107	.804	.616	.965	.739
Kansas: Barber, Bourbon, Chautauqua, Cherokee, Clark, Comanche, Cowley, Crawford, Elk, Harper, Labette, Linn, Meade, Montgomery, Norton, Neosho, Seward, Stevens, Sumner, and Wilson. *Kentucky:* Anderson, Bath, Boone, Bourbon, Boyd, Bracken, Bullitt, Campbell, Carroll, Carter, Clark, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Henry, Jefferson, Jessamine, Kenton, Lawrence, Lewis, Mason, Menifee, Mercer, Montgomery, Nicholas, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, and Woodford. *Ohio:* Gallia, Lawrence, and Scioto. *West Virginia:* Boone, Cabell, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mingo, Putnam, Wayne, and Wyoming.					
14	113	.714	.548	.857	.658
Virginia: Albemarle, Amherst, Appomattox, Bedford, Buckingham, Campbell, Caroline, Cumberland, Essex, Fluvanna, Franklin, Goochland, Hanover, Henrico, Henry, King and Queen, King George, King William, Lancaster, Louisa, Middlesex, Nelson, Northampton, Patrick, Powhatan, Richmond, and Westmoreland.					
14A	110	.714	.548	.857	.658
North Carolina: Buncombe, Caswell, Haywood, Henderson, Madison, Mitchell, Person, Rockingham, Stokes, Surry, Transylvania, and Yancey.					

Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones— Continued

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
14B	100	.714	.548	.857	.658
Illinois: Alexander, Gallatin, Hardin, Johnson, Massac, Pope, Pulaski, Saline, and Union. *Kentucky:* Adair, Barren, Bell, Boyle, Breathitt, Breckinridge, Butler, Caldwell, Casey, Clay, Crittenden, Daviess, Edmonson, Estill, Floyd, Garrard, Grayson, Green, Hancock, Hardin, Harlan, Hart, Henderson, Hopkins, Jackson, Johnson, Knott, Knox, Larue, Laurel, Lee, Leslie, Letcher, Lincoln, Livingston, Lyon, McLean, Madison, Magoffin, Marion, Martin, Meade, Metcalfe, Morgan, Muhlenberg, Nelson, Ohio, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Russell, Taylor, Union, Warren, Washington, Webster, Whitley, and Wolfe. *Missouri:* Barry, Butler, Jasper, Lawrence, McDonald, Newton, Ozark, Ripley, Scott, Stoddard, Stone, and Taney.					
15	110	.625	.479	.780	.575
North Carolina: Alamance, Alexander, Burke, Cabarrus, Caldwell, Camden, Catawba, Chatham, Cherokee, Chowan, Clay, Cleveland, Currituck, Davidson, Davie, Durham, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Guilford, Halifax, Hertford, Iredell, Jackson, Lincoln, McDowell, Macon, Mecklenburg, Montgomery, Northampton, Orange, Pasquotank, Perquimans, Polk, Randolph, Rowan, Rutherford, Stanley, Swain, Vance, Wake, Warren, Wilkes, and Yadkin. *South Carolina:* Cherokee, Greenville, Oconee, Pickens, and Spartanburg.					
15A	100	.625	.479	.780	.575
Georgia: Fannin, Gilmer, Habersham, Hall, Lumpkin, Murray, Rabun, Stephens, Towns, Union, and White. *Kentucky:* Allen, Ballard, Calloway, Carlisle, Christian, Clinton, Cumberland, Fulton, Graves, Hickman, Logan, McCracken, McCreary, Marshall, Monroe, Simpson, Todd, Trigg, and Wayne. *Missouri:* Dunklin, Mississippi, New Madrid, and Pemiscot. *Virginia:* Amelia, Brunswick, Charles City, Charlotte, Chesterfield, Dinwiddie, Elizabeth City, Gloucester, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mathews, Mecklenburg, Nansemond, New Kent, Norfolk, Nottoway, Pittsylvania, Prince Edward, Prince George, Princess Anne, Southampton, Surry, Sussex, Warwick, and York.					
16	107	.536	.411	.643	.493
Georgia: Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, and Whitfield. *North Carolina:*—Anson, Bertie, Bladen, Craven, Cumberland, Dare, Duplin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Union, Washington, Wilson and Wayne. *South Carolina:*—Abbeville, Anderson, Chester, Chesterfield, Greenwood, Kershaw, Lancaster, Laurens, Union, and York.					
17	107	.446	.343	.625	.410
Georgia: Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffie, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spaulding, Taliaferro, Troup, Upson, Warren, and Wilkes. *North Carolina:* Beaufort, Brunswick, Carteret, Columbus, Hyde, New Hanover, Onslow, Pamlico, and Pender. *South Carolina:* Aiken, Calhoun, Darlington, Dillon, Edgefield, Fairfield, Lee, Lexington, McCormick, Marlboro, Newberry, Richland, Sabuda, and Sumter.					

Table I—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by thermal sub-zones— Continued

Thermal subzone (by States and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
18	100	0.357	0.274	0.428	0.329
Georgia: Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emmanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Screven, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, and Wilkinson. *South Carolina:* Allendale, Bamberg, Barnwell, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Florence, Georgetown, Hampton, Horry, Marion, Orangeburg, and Williamsburg.					
19	100	.268	.205	.322	.246
Georgia: Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Bryan, Bulloch, Calhoun, Candler Chatham, Clay, Coffee, Colquitt, Cook, Decatur, Dougherty, Early, Effingham, Evans, Grady, Irwin, Jeff Davis, Lee, Liberty, Long, Miller, Mitchell, Montgomery, Pierce, Randolph, Seminole, Tattnall, Telfair, Terrell, Thomas, Tift, Toombs, Turner, Ware, Wayne, Wheeler, and Worth. *South Carolina:* Beaufort and Jasper.					
20	100	.179	.137	.215	.164
Florida: Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Putnam, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, and Wakulla. *Georgia:* Brooks, Camden, Charlton, Clinch, Echols, Glynn, Lanier, Lowndes, and McIntosh.					
21	100	.089	.068	.107	.082
Florida: Brevard, Broward, Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, and Seminole.					
22	100	.036	.027	.043	.032
Florida: Dade and Monroe.					

(b) *Table IA.—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by state and counties.*

State and county	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		Central heating equipment		Spaceheating equipment	
		Maximum	Minimum	Maximum	Minimum
OREGON					
Baker	97	1.250	.959	1.500	1.151
Benton	104	.893	.685	1.071	.822
Clackamas	104	.893	.685	1.071	.822
Clatsop	110	.893	.685	1.071	.822
Columbia	110	.893	.685	1.071	.822
Coos	104	.893	.685	1.071	.822
Crook	90	1.161	.890	1.393	1.068
Curry	104	.893	.685	1.071	.822
Deschutes	90	1.250	.959	1.500	1.151
Douglas	104	.893	.685	1.071	.822
Gilliam	100	1.161	.890	1.393	1.068
Grant	97	1.071	.822	1.286	.986
Harney	97	1.250	.959	1.500	1.151
Hood River	104	.982	.753	1.179	.904
Jackson	104	.893	.685	1.071	.822
Jefferson	95	1.161	.890	1.393	1.068
Josephine	104	.893	.685	1.071	.822
Klamath	97	1.161	.890	1.393	1.068
Lake	97	1.250	0.959	1.500	1.151
Lane	104	.893	.685	1.071	.822
Lincoln	104	.893	.685	1.071	.822
Linn	104	.893	.685	1.071	.822
Malheur	97	1.161	.890	1.393	1.068
Marion	104	.893	.685	1.071	.822
Morrow	90	1.071	.822	1.286	.986
Multnomah	104	.893	.685	1.071	.822
Polk	104	.893	.685	1.071	.822
Sherman	100	1.161	.890	1.393	1.068
Tillamook	104	.893	.685	1.071	.822
Umatilla	90	.982	.753	1.179	.904
Union	97	1.071	.822	1.286	.986
Wallowa	97	1.339	1.027	1.607	1.233
Wasco	104	.982	.753	1.179	.904
Washington	104	.893	.685	1.071	.822
Wheeler	90	1.161	.890	1.393	1.068
Yamhill	104	.893	.685	1.071	.822

Table IA—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by state and counties—Continued

State and county	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		Central heating equipment		Space heating equipment	
		Maximum	Minimum	Maximum	Minimum
WASHINGTON					
Adams	100	1.161	0.890	1.393	1.068
Asotin	96	1.739	1.027	1.607	1.253
Benton	100	.982	.753	1.179	.904
Chelan	100	1.161	.890	1.393	1.068
Clallam	110	1.071	.822	1.286	.986
Clark	104	.998	.765	1.071	.822
Columbia	96	.982	.753	1.179	.904
Cowlitz	110	.998	.765	1.071	.822
Douglas	100	1.289	1.027	1.607	1.253
Ferry	100	1.339	1.027	1.607	1.253
Franklin	100	.982	.753	1.179	.904
Garfield	96	.982	.753	1.179	.904
Grant	100	1.071	.822	1.286	.986
Grays Harbor	110	.982	.753	1.179	.904
Island	110	.982	.753	1.179	.904
Jefferson	110	.982	.753	1.179	.904
King	110	.998	.765	1.071	.822
Kittitas	100	1.161	.890	1.393	1.068
Kitsap	110	.998	.765	1.071	.822
Klickitat	100	1.161	.890	1.393	1.068
Lewis	110	.998	.765	1.071	.822
Lincoln	100	1.339	1.027	1.607	1.253
Mason	110	.982	.753	1.179	.904
Okanogan	100	1.161	.890	1.393	1.068
Pacific	110	.982	.753	1.179	.904
Pend Oreille	100	1.339	1.027	1.607	1.253
Pierce	110	.982	.753	1.179	.904
San Juan	110	1.071	.822	1.286	.986
Skagit	110	.982	.753	1.179	.904
Skamania	104	1.161	.890	1.393	1.068
Snohomish	110	.982	.753	1.179	.904
Spokane	96	1.161	.890	1.393	1.068
Stevens	100	1.339	1.027	1.607	1.253
Thurston	110	.982	.753	1.179	.904
Wahkiakum	110	.998	.765	1.071	.822
Walla Walla	96	.998	.765	1.071	.822
Whatcom	110	1.071	.822	1.286	.986
Whitman	100	1.161	.890	1.393	1.068
Yakima	100	.982	.753	1.179	.904

(c) Table IB.—Percentage adjustment to obtain normal consumption and maximum and minimum rations per square foot of heated floor area by state and counties.

State and county	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Maximum and minimum rations per square foot of heated floor area			
		Central heating equipment		Space heating equipment	
		Maximum	Minimum	Maximum	Minimum
Idaho					
Ada	90	.842	.753	1.170	.904
Adams	97	1.516	1.188	1.621	1.307
Benewah	100	1.161	.890	1.393	1.068
Bois	95	1.339	1.027	1.607	1.253
Bonner	100	1.339	1.027	1.607	1.253
Boundary	100	1.339	1.027	1.607	1.253
Canyon	97	1.071	.822	1.286	.986
Clearwater	97	1.071	.822	1.286	.986
Elmore	97	1.161	.890	1.393	1.068
Gem	90	.982	.753	1.179	.904
Idaho	97	1.250	.959	1.500	1.151
Kootenai	97	1.250	.959	1.500	1.151
Latah	100	1.250	.959	1.500	1.151
Lewis	97	1.339	1.027	1.607	1.253
Nez Perce	95	.903	.692	1.071	.822
Owyhee	97	1.071	.822	1.286	.986
Payette	95	1.071	.822	1.286	.986
Shoshone	100	1.339	1.027	1.607	1.253
Valley	97	1.607	1.233	1.929	1.479
Washington	100	1.250	.959	1.500	1.151

(d) Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones.

Subzones (By State and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 1	111	100 to 149	*Gallons* 383	*Gallons* 293	*Gallons* 383	*Gallons* 293
North Dakota.—Bottineau, Cavalier, Benville, Rolette, Towner.		150 to 199	530	406	530	406
		200 to 249	667	519	667	519
		250 to 299	824	632	824	632
		300 to 349	867	856	867	666
		350 to 399	911	699	911	699
		400 to 425	956	734	956	734
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
		426 to 449	956	734	2.250	1.726
		450 to 499	1.005	771	2.250	1.726
		500 to 549	1.068	818	2.250	1.726
		550 to 599	1.124	861	2.250	1.726
		600 and over	*Gal. per Sq. Ft.* 1.878	*Gal. per Sq. Ft.* 1.438	2.250	1.726
Subzone 2	111	100 to 149	*Gallons* 364	*Gallons* 280	*Gallons* 364	*Gallons* 280
Minnesota.—Beltrami, Clearwater, Cook, Itasca, Kittson, Koochiching Lake, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau, St. Louis.		150 to 199	504	387	504	387
		200 to 249	645	495	645	495
North Dakota.—Benson, Burke, Divide, Eddy, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Walsh, Ward, Wells.		250 to 299	785	603	785	603
		300 to 349	827	634	827	634
		350 to 399	870	667	870	667
		400 to 425	911	699	911	699
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
		426 to 449	911	699	2.143	1.644
		450 to 499	958	736	2.143	1.644
		500 to 549	1.018	779	2.143	1.644
		550 to 599	1.071	822	2.143	1.644
		600 and over	*Gal. per Sq. Ft.* 1.788	*Gal. per Sq. Ft.* 1.370	2.143	1.644
Subzone 3	111	100 to 149	*Gallons* 346	*Gallons* 266	*Gallons* 346	*Gallons* 266
Maine.—Aroostook.		150 to 199	480	368	480	368
Minnesota.—Aitkin, Becker, Carlton, Cass, Clay, Crow Wing, Hubbard, Otter Tail, Wadena, Wilkin.		200 to 249	613	470	613	470
North Dakota.—Barnes, Cass, Foster, Griggs, Steele, Stutsman, Traill.		250 to 299	743	572	745	572
Wisconsin.—Bayfield, Douglas.		300 to 349	785	604	785	604
		350 to 399	826	635	826	635
		400 to 425	865	664	865	664
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
		426 to 449	865	664	4.035	1.561
		450 to 499	911	700	4.035	1.561
		500 to 549	964	742	4.035	1.561
		550 to 599	1.017	781	4.035	1.561
		600 and over	*Gal. per Sq. Ft.* 1.696	*Gal. per Sq. Ft.* 1.301	4.035	1.561
Subzone 4	111	100 to 149	*Gallons* 327	*Gallons* 251	*Gallons* 327	*Gallons* 251
Maine.—Piscataquis, Somerset.		150 to 199	452	347	452	347
Michigan.—Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.		200 to 249	579	443	579	445
		250 to 299	705	541	705	541
Minnesota.—Benton, Douglas, Grant, Kanabec, Mille Lacs, Morrison, Pine, Todd, Traverse.		300 to 349	743	570	743	570
		350 to 399	781	599	781	599
		400 to 425	820	629	820	629
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
New Hampshire.—Coos.		426 to 449	820	629	1.928	1.480
North Dakota.—Billings, Burleigh, Dickey, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, La Moure, Logan, McIntosh, McKenzie, McLean, Mercer, Morton, Oliver, Ransom, Richland, Sargent, Sheridan, Sioux, Stark, Williams.		450 to 499	862	663	1.928	1.480
		500 to 549	913	702	1.928	1.480
		550 to 599	964	740	1.928	1.480
		600 and over	*Gal. per Sq. Ft.* 1.607	*Gal. per Sq. Ft.* 1.233	1.928	1.480
South Dakota.—Brown, Campbell, McPherson, Marshall, Roberts.						
Vermont.—Essex, Orleans.						
Wisconsin.—Ashland, Burnett, Florence, Forest, Iron, Marinette, Oneida, Price, Sawyer, Vilas, Washburn.						
Subzone 5	111	100 to 149	*Gallons* 308	*Gallons* 237	*Gallons* 308	*Gallons* 237
Maine.—Franklin, Oxford, Penobscot, Washington.		150 to 199	429	329	429	329
Minnesota.—Big Stone, Chisago, Isanti, Pope, Sherburne, Stearns, Stevens.		200 to 249	546	419	546	419
New Hampshire.—Carroll, Grafton.		250 to 299	664	511	666	511
New York.—Franklin, Hamilton.		300 to 349	702	540	702	540
North Dakota.—Adams, Bowman, Sioux.		350 to 399	738	568	738	568
South Dakota.—Corson, Day, Edmunds, Faulk, Grant, Harding, Perkins, Spink, Walworth.		400 to 425	774	594	774	594
Vermont.—Caledonia, Lamoille, Orange, Washington.					*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
Wisconsin.—Barron, Langlade, Lincoln, Oconto, Polk, Rusk, Taylor.		426 to 449	774	594	1.822	1.397
		450 to 499	815	627	1.822	1.397
		500 to 549	863	644	1.822	1.397
		550 to 599	911	699	1.822	1.397
		600 and over	*Gal. per Sq. Ft.* 1.518	*Gal. per Sq. Ft.* 1.164	1.822	1.397
Subzone 6	110	100 to 149	*Gallons* 291	*Gallons* 223	*Gallons* 291	*Gallons* 223
Michigan.—Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Iosco, Kalkaska, Lake, Missaukee, Montmorency, Ogemaw, Osceola, Oscoda, Otsego, Presque Isle, Roscommon, Wexford.		150 to 199	403	309	403	309
		200 to 249	515	395	515	395
		250 to 299	627	481	627	481
		300 to 349	662	508	662	508
		350 to 399	695	533	695	533
		400 to 425	729	559	729	559
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
Minnesota.—Anoka, Big Stone, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Jackson, Kandiyohi,		426 to 449	729	559	1.715	1.315
		450 to 499	766	589	1.715	1.315
		500 to 549	813	624	1.715	1.315
		550 to 599	856	658	1.715	1.315
		600 and over	*Gal. per Sq. Ft.* 1.429	*Gal. per Sq. Ft.* 1.096	1.715	1.315

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 6—Continued.			*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
Minnesota—Continued.						
Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, Yellow Medicine.		600 and over	1.429	1.096	1.715	1.315
New York.—Clinton, Essex, Herkimer, Lewis, St. Lawrence.					1.715	1.315
South Dakota.—Beadle, Brookings, Clark, Codington, Deuel, Dewey, Hamlin, Hand, Hyde, Kingsbury, Lake, Miner, Moody, Potter, Sanborn.						
Wisconsin.—Brown, Buffalo, Chippewa, Clarke, Door, Dunn, Au Claire, Jackson, Kewaunee, Marathon, Outagamie, Pepin, Pierce, Portage, St. Croix, Shawano, Trempealeau, Waupaca, Wood.						
Subzone 6A	108	100 to 149	*Gallons* 291	*Gallons* 223	*Gallons* 291	*Gallons* 223
Maine.—Androscoggin, Hancock, Kennebec, Waldo.		150 to 199	403	309	403	309
Vermont.—Chittenden, Franklin, Grand Isle.		200 to 249	515	395	515	395
		250 to 299	627	481	627	481
		300 to 349	662	508	662	508
		350 to 399	695	533	695	533
		400 to 425	729	559	729	559
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		426 to 449	729	559	1.715	1.315
		450 to 499	766	589	1.715	1.315
		500 to 549	813	624	1.715	1.315
		550 to 599	856	658	1.715	1.315
		600 and over	*Gal. per Sq. Ft.* 1.429	*Gal. per Sq. Ft.* 1.096	1.715	1.315
Subzone 7	111	100 to 149	*Gallons* 273	*Gallons* 209	*Gallons* 273	*Gallons* 209
Iowa.—Allamakee, Cerro Gordo, Chickasaw, Clay, Dickinson, Emmet, Floyd, Hancock, Howard, Kossuth, Lyon, Mitchell, O'Brien, Osceola, Palo Alto, Sioux, Winnebago, Winneshiek, Worth.		150 to 199	378	290	378	290
		200 to 249	483	371	483	371
Michigan.—Bay, Benzie, Grand Traverse, Huron, Isabella, Leelanau, Manistee, Mason, Mecosta, Midland, Newaygo, Tuscola.		250 to 299	588	452	588	452
Minnesota.—Houston.		300 to 349	619	477	619	477
New York.—Chenango, Delaware, Fulton, Jefferson, Madison, Montgomery, Oneida, Otsego, Saratoga, Schenectady, Schoharie, Sullivan, Warren.		350 to 399	651	501	651	501
		400 to 425	683	524	683	524
South Dakota.—Armstrong, Aurora, Brule, Buffalo, Butte, Clay, Davison, Douglas, Haakon, Hanson, Hughes, Hutchinson, Jerauld, Lincoln, Lyman, McCook, Meade, Minnehaha, Stanley, Sully, Turner, Union, Ziebach.		426 to 449	683	524	1.607	1.232
Wisconsin.—Adams, Calumet, Columbia, Crawford, Dane, Dodge, Fond du Lac, Green Lake, Juneau, La Crosse, Manitowoc, Marquette, Monroe, Richland, Sauk, Sheboygan, Vernon, Waushara, Winnebago.		450 to 499	719	553	1.607	1.232
		500 to 549	760	584	1.607	1.232
		550 to 599	804	616	1.607	1.232
		600 and over	*Gal. per Sq. Ft.* 1.399	*Gal. per Sq. Ft.* 1.027	1.607	1.232
Subzone 7A	106	100 to 149	*Gallons* 273	*Gallons* 209	*Gallons* 273	*Gallons* 209
Maine.—Cumberland, Knox, Lincoln, Sagadahoc, York.		150 to 199	378	290	378	290
New Hampshire.—Belknap, Merrimack, Sullivan.		200 to 249	483	371	483	371
Vermont.—Addison, Rutland, Windsor.		250 to 299	588	452	588	452
		300 to 349	619	477	619	477
		350 to 399	651	501	651	501
		400 to 425	683	524	683	524
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		426 to 449	683	524	1.607	1.232
		450 to 499	719	553	1.607	1.232
		500 to 549	760	585	1.607	1.232
		550 to 599	804	616	1.607	1.232
		600 and over	*Gal. per Sq. Ft.* 1.339	*Gal. per Sq. Ft.* 1.027	1.607	1.232
Subzone 8	107	100 to 149	*Gallons* 255	*Gallons* 195	*Gallons* 255	*Gallons* 195
Illinois.—Boone, Carroll, De Kalb, Jo Daviess, Kane, Lake, McHenry, Ogle, Stephenson, Winnebago.		150 to 199	353	271	353	271
Massachusetts.—Berkshire, Franklin, Hampshire.		200 to 249	450	346	450	346
Nebraska.—Antelope, Banner, Blaine, Box Butte, Boyd, Brown, Burt, Cedar, Cherry, Cheyenne, Cuming, Dakota, Dawes, Deuel, Dixon, Garden, Garfield, Grant, Holt, Hooker, Keyapaha, Kimball, Knox, Loup, Madison, Morrill, Pierce, Rock, Scotts Bluff, Sheridan, Sioux, Stanton, Thomas, Thurston, Wayne, Wheeler.		250 to 299	549	421	549	421
		300 to 349	580	445	580	445
		350 to 399	609	467	609	467
		400 to 425	638	489	638	489
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		426 to 449	638	489	1.500	1.151
		450 to 499	671	515	1.500	1.151
		500 to 549	713	547	1.500	1.151
		550 to 599	750	576	1.500	1.151

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 8—Continued.			*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
New Hampshire.—Cheshire, Hillsborough, Rockingham, Strafford.		600 and over	1.280	0.959	1.800	1.151
New York.—Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Columbia, Cortland, Erie, Genesee, Greene, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Rensselaer, Schuyler, Seneca, Steuben, Tioga, Tompkins, Ulster, Washington, Wayne, Wyoming, Yates.						
Pennsylvania.—Erie, McKean, Potter, Tioga, Warren.						
South Dakota.—Bennett, Bon Homme, Charles Mix, Custer, Fall River, Gregory, Jackson, Jones, Lawrence, Mellette, Pennington, Shannon, Todd, Tripp, Washabaugh, Washington, Yankton.						
Vermont.—Bennington, Windham.						
Subzone 8A	112	100 to 149	*Gallons* 255	*Gallons* 195	*Gallons* 255	*Gallons* 195
		150 to 199	353	271	353	271
		200 to 249	450	346	450	346
		250 to 299	549	421	549	421
		300 to 349	580	445	580	445
		350 to 399	609	467	609	467
		400 to 425	638	489	638	489
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		426 to 449	638	489	1.500	1.151
		450 to 499	671	515	1.500	1.151
		500 to 549	733	547	1.500	1.151
		550 to 599	750	576	1.500	1.151
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*		
		600 and over	1.250	0.959	1.800	1.151
Subzone 9	110	100 to 149	*Gallons* 247	*Gallons* 190	*Gallons* 247	*Gallons* 190
		150 to 199	342	262	342	262
		200 to 249	437	335	437	335
		250 to 299	531	407	531	407
		300 to 349	564	433	564	433
		350 to 399	598	459	598	459
		400 to 449	631	484	631	484
		450 to 475	662	508	662	508
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		476 to 499	662	508	1.393	1.068
		500 to 549	698	536	1.393	1.068
		550 to 599	732	562	1.393	1.068
		600 to 649	771	592	1.393	1.068
		650 to 699	812	623	1.393	1.068
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*		
		700 and over	1.161	0.890	1.393	1.068
Illinois.—Bureau, Cook, Du Page, Grundy, Henry, Kendall, La Salle, Lee, Mercer, Putnam, Rock Island, Whiteside, Will.						
Indiana.—De Kalb, Elkhart, Lagrange, Lake, La Porte, Noble, Porter, St. Joseph, Steuben.						
Iowa.—Adair, Adams, Audubon, Cass, Cedar, Clarke, Clinton, Dallas, Guthrie, Harrison, Iowa, Jasper, Jefferson, Johnson, Keokuk, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Muscatine, Polk, Pottawattamie, Poweshiek, Scott, Shelby, Union, Wapello, Warren, Washington.						
Michigan.—Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Van Buren, Washtenaw, Wayne.						
New York.—Dutchess, Orange.						
Ohio.—Ashtabula, Cuyahoga, Defiance, Erie, Fulton, Geauga, Henry, Lake, Lorain, Lucas, Ottawa, Portage, Sandusky, Seneca, Trumbull, Williams, Wood.						
Pennsylvania.—Bradford, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Forest, Jefferson, Pike, Susquehanna, Venango, Wayne.						
Subzone 9A	107	100 to 149	*Gallons* 247	*Gallons* 190	*Gallons* 247	*Gallons* 190
		150 to 199	342	262	342	262
		200 to 249	437	335	437	335
		250 to 299	531	407	531	407
		300 to 349	564	433	564	433
		350 to 399	598	459	598	459
		400 to 449	631	484	631	484
		450 to 475	662	508	662	508
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
		476 to 499	662	508	1.393	1.068
		500 to 549	698	536	1.393	1.068
		550 to 599	732	562	1.393	1.068
		600 to 649	771	592	1.393	1.068
		650 to 699	812	623	1.393	1.068
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*		
		700 and over	1.161	0.890	1.393	1.068
Connecticut.—Litchfield.						
Massachusetts.—Essex, Hampden, Middlesex, Worcester.						
Nebraska.—Arthur, Boone, Butler, Cass, Colfax, Custer, Dawson, Dodge, Douglas, Greeley, Howard, Keith, Lincoln, Logan, McPherson, Merrick, Nance, Perkins, Platte, Polk, Sarpy, Saunders, Sherman, Valley, Washington.						

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 10	110	100 to 149	*Gallons* 227	*Gallons* 175	*Gallons* 227	*Gallons* 175
Illinois.—Champaign, De Witt, Ford, Fulton, Hancock, Henderson, Iroquois, Kankakee, Knox, Livingston, Logan, McDonough, McLean, Marshall, Mason, Peoria, Piatt, Schuyler, Stark, Tazewell, Warren, Woodford.		150 to 199	314	241	314	241
		200 to 249	403	309	403	309
		250 to 299	490	376	490	376
		300 to 349	521	400	521	400
		350 to 399	552	424	552	424
		400 to 449	583	447	583	447
		450 to 475	611	469	611	469
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
Indiana.—Adams, Allen, Benton, Blackford, Carroll, Cass, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Marshall, Miami, Newton, Pulaski, Starke, Tippecanoe, Wabash, Wells, White, Whitley.		476 to 499	611	469	1.285	0.986
		500 to 549	645	495	1.285	.986
Iowa.—Appanoose, Davis, Decatur, Des Moines, Fremont, Henry, Lee, Page, Ringgold, Taylor, Van Buren, Wayne.		550 to 599	675	518	1.285	.986
		600 to 649	713	547	1.285	.986
		650 to 699	750	576	1.285	.986
Maryland.—Garrett.			*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*		
Massachusetts.—Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth, Suffolk.		700 and over	1.071	0.822	1.285	.986
Missouri.—Adair, Atchison, Clark, Gentry, Grundy, Harrison, Knox, Mercer, Nodaway, Putnam, Schuyler, Scotland, Sullivan, Worth.						
New Jersey.—Bergen, Essex, Morris, Passaic, Sussex, Warren.						
New York.—Putnam, Rockland, Westchester.						
Ohio.—Allen, Ashland, Auglaize, Carroll, Champaign, Columbiana, Coshocton, Crawford, Darke, Delaware, Hancock, Hardin, Harrison, Holmes, Huron, Jefferson, Knox, Logan, Mahoning, Marion, Medina, Mercer, Morrow, Paulding, Putnam, Richland, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Wayne, Wyandot.						
Pennsylvania.—Adams, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Carbon, Columbia, Cumberland, Franklin, Fulton, Huntingdon, Indiana, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, Mercer, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Somerset, Sullivan, Union, Westmoreland, Wyoming.						
West Virginia.—Grant, Mineral.						
Subzone 10A	107	100 to 149	*Gallons* 227	*Gallons* 175	*Gallons* 227	*Gallons* 175
Connecticut.—Fairfield, Hartford, Middlesex, New Haven, New London, Tolland, Windham.		150 to 199	314	241	314	241
		200 to 249	403	309	403	309
		250 to 299	490	376	490	376
		300 to 349	521	400	521	400
		350 to 399	552	424	552	424
		400 to 449	583	447	583	447
		450 to 475	611	469	611	469
					Gal. per Sq. Ft.	*Gal. per Sq. Ft.*
Nebraska.—Adams, Buffalo, Chase, Clay, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Jefferson, Johnson, Kearney, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Redwillow, Richardson, Saline, Seward, Thayer, Webster, York.		476 to 499	611	469	1.285	0.986
		500 to 549	645	495	1.285	.986
Rhode Island.—Bristol, Kent, Newport, Providence, Washington.		550 to 599	675	518	1.285	.986
		600 to 649	713	547	1.285	.986
		650 to 699	750	576	1.285	.986
			Gal. per Sq. Ft.	*Gal. per Sq. Ft.*		
		700 and over	1.071	0.822	1.285	.986
Subzone 11	111	100 to 149	*Gallons* 215	*Gallons* 165	*Gallons* 215	*Gallons* 165
Illinois.—Adams, Brown, Cass, Christian, Coles, Douglas, Edgar, Macon, Menard, Morgan, Moultrie, Pike, Sangamon, Scott, Shelby, Vermilion.		150 to 199	297	228	297	228
		200 to 249	380	292	380	292
		250 to 299	464	356	464	356
		300 to 349	494	379	494	379
Indiana.—Boone, Clinton, Delaware, Fayette, Fountain, Hamilton, Hancock, Hendricks, Henry, Madison, Marion, Montgomery, Parke, Putnam, Randolph, Rush, Tipton, Union, Vermillion, Warren, Wayne.		350 to 399	525	403	525	403
		400 to 449	556	427	556	427
		450 to 499	589	452	589	452
Maryland.—Allegany, Washington.					*Gal. per Sq. Ft.*	*Gal. per Sq. Ft.*
Missouri.—Andrew, Buchanan, Caldwell, Charlton, Clinton, Daviess, De Kalb, Holt, Lewis, Linn, Livingston, Macon, Marion, Monroe, Pike, Ralls, Randolph, Shelby.		500 to 549	618	474	1.178	0.904
		550 to 599	649	498	1.178	.904
		600 to 649	680	522	1.178	.904
		650 to 699	710	545	1.178	.904
New Jersey.—Hudson, Hunterdon, Mercer, Middlesex, Somerset, Union.		700 to 749	748	574	1.178	.904
		750 to 799	785	603	1.178	.904

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 11—Continued.						
New York.—Bronx, Kings, Manhattan, Nassau, Queens, Richmond, Suffolk.			*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*
Ohio.—Belmont, Clark, Clinton, Fairfield, Fayette, Franklin, Greene, Guernsey, Hocking, Licking, Madison, Miami, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Preble.		800 and over	0.982	0.753	1.178	.904
Pennsylvania.—Allegheny, Berks, Bucks, Chester, Dauphin, Fayette, Greene, Lancaster, Lebanon, Lehigh, Washington, York.						
West Virginia.—Barbour, Berkeley, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Monongalia, Morgan, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur, Webster.						
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 11A	108	100 to 149	215	165	215	165
Kansas.—Atchison, Brown, Cheyenne, Clay, Cloud, Decatur, Doniphan, Ellis, Gove, Graham, Greeley, Jackson, Jewell, Lane, Logan, Marshall, Mitchell, Nemaha, Norton, Osborne, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Scott, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Washington, Wichita		150 to 199	297	228	297	228
		200 to 249	380	292	380	292
		250 to 299	464	356	464	356
		300 to 349	494	379	494	379
		350 to 399	525	403	525	403
		400 to 449	556	427	556	427
		450 to 499	589	452	589	452
					Gal. per sq. ft.	*Gal. per sq. ft.*
		500 to 549	618	474	1.178	0.904
		550 to 599	649	498	1.178	.904
		600 to 649	680	522	1.178	.904
		650 to 699	710	545	1.178	.904
		700 to 749	740	574	1.178	.904
		750 to 799	770	602	1.178	.904
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		800 and over	0.982	0.753	1.178	.904
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 12	110	100 to 149	196	150	196	150
Illinois.—Bond, Calhoun, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Greene, Jasper, Jefferson, Jersey, Lawrence, Macoupin, Madison, Marion, Montgomery, Richland, St. Clair, Wabash, Washington, Wayne.		150 to 199	271	208	271	208
		200 to 249	346	266	346	266
		250 to 299	422	324	422	324
		300 to 349	450	346	450	346
		350 to 399	477	366	477	366
		400 to 449	506	388	506	388
Indiana.—Bartholomew, Brown, Clay, Daviess, Dearborn, Decatur, Franklin, Gibson, Greene, Jackson, Jennings, Johnson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Pike, Ripley, Shelby, Sullivan, Vigo		450 to 499	536	411	536	411
					Gal. per sq. ft.	*Gal. per sq. ft.*
		500 to 549	562	431	1.072	0.822
		550 to 599	590	453	1.072	.822
		600 to 649	618	474	1.072	.822
		650 to 699	646	496	1.072	.822
		700 to 749	680	522	1.072	.822
		750 to 799	714	548	1.072	.822
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		800 and over	0.893	0.685	1.072	.822
Kansas.—Allen, Anderson, Barton, Butler, Chase, Coffey, Dickinson, Douglas, Edwards, Ellsworth, Finney, Ford, Franklin, Geary, Grant, Gray, Greenwood, Hamilton, Harvey, Haskell, Hodgeman, Jefferson, Johnson, Kearny, Kingman, Kiowa, Leavenworth, Lincoln, Lyon, McPherson, Marion, Miami, Morris, Ness, Osage, Ottawa, Pawnee, Pratt, Reno, Rice, Rush, Russell, Saline, Sedgwick, Stafford, Stanton, Wabaunsee, Woodson, Wyandotte.							
Missouri.—Audrain, Boone, Callaway, Carroll, Cass, Clay, Cole, Cooper, Franklin, Gasconade, Howard, Jackson, Johnson, Lafayette, Lincoln, Montcau, Montgomery, Osage, Pettis, Platte, Ray, St. Charles, St. Louis, St. Louis City, Saline, Warren.						
New Jersey.—Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Monmouth, Ocean, Salem.						
Ohio.—Adams, Athens, Brown, Butler, Clermont, Hamilton, Highland, Jackson, Meigs, Monroe, Pike, Ross, Vinton, Warren, Washington.						
Virginia.—Allegheny, Bath, Bland, Craig, Frederick, Giles, Highland, Montgomery, Prince William, Pulaski, Shenandoah, Wythe.						
West Virginia.—Braxton, Brooke, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Hancock, Marshall, Mercer, Monroe, Nicholas, Ohio, Pendleton, Pleasants, Raleigh, Ritchie, Roane, Summers, Tyler, Wetzel, Wirt, Wood.						

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(3) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 12A	114	100 to 149	196	150	196	150
Delaware.—New Castle.		150 to 199	271	208	271	208
Maryland.—Carroll, Frederick, Howard, Montgomery, Prince Georges.		200 to 249	346	266	346	266
Pennsylvania.—Delaware, Montgomery, Philadelphia.		250 to 299	422	324	422	324
		300 to 349	450	346	450	346
		350 to 399	477	366	477	366
		400 to 449	506	388	506	388
		450 to 499	536	411	536	411
					Gal. per sq. ft.	*Gal. per sq. ft.*
		500 to 549	562	431	1.072	0.822
		550 to 599	590	453	1.072	.822
		600 to 649	618	474	1.072	.822
		650 to 699	646	496	1.072	.822
		700 to 749	680	522	1.072	.822
		750 to 799	714	548	1.072	.822
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		800 and over	0.893	0.685	1.072	.822
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 12B	116	100 to 149	181	139	181	139
District of Columbia.—(No Counties).		150 to 199	251	193	251	193
Maryland.—Anne Arundel, Baltimore, Baltimore City, Calvert, Caroline, Cecil, Charles, Dorchester, Harford, Kent, Queen Annes, St. Marys, Somerset, Talbot, Wicomico, Worcester.		200 to 249	320	246	320	246
		250 to 299	390	300	390	300
		300 to 349	416	319	416	319
		350 to 399	443	340	443	340
		400 to 449	471	361	471	361
Virginia.—Accomac, Arlington, Augusta, Botetourt, Buchanan, Carroll, Clarke, Culpeper, Dickenson, Fairfax, Fauquier, Floyd, Grayson, Greene, Lee, Loudoun, Madison, Northumberland, Orange, Page, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Smyth, Spotsylvania, Stafford, Tazewell, Warren, Washington, Wise.		450 to 499	498	382	498	382
		500 to 549	531	407	531	407
					Gal per sq. ft.	*Gal. per sq. ft.*
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	.965	.739
		650 to 699	604	464	.965	.739
		700 to 749	631	484	.965	.739
		750 to 799	658	505	.965	.739
		800 to 849	690	530	.965	.739
		850 to 899	723	555	.965	.739
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.904	0.615	0.965	0.739
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 13A	112	100 to 149	181	139	181	139
Delaware.—Kent, Sussex.		150 to 199	251	193	251	193
Illinois.—Franklin, Hamilton, Jackson, Monroe, Perry, Randolph, White, Williamson.		200 to 249	320	246	320	246
Indiana.—Clark, Crawford, Dubois, Floyd, Harrison, Jefferson, Ohio, Orange, Perry, Posey, Scott, Spencer, Switzerland, Vanderburg, Warrick, Washington.		250 to 299	390	300	390	300
		300 to 349	416	319	416	319
		350 to 399	443	340	443	340
		400 to 449	471	361	471	361
		450 to 499	498	382	498	382
Missouri.—Barton, Bates, Benton, Bollinger, Camden, Cape Girardeau, Carter, Cedar, Christian, Crawford, Dade, Dallas, Dent, Douglas, Greene, Henry, Hickory, Howell, Iron, Jefferson, Laclede, Madison, Maries, Miller, Morgan, Oregon, Perry, Phelps, Polk, Pulaski, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Shannon, Texas, Vernon, Washington, Wayne, Webster, Wright.		500 to 549	531	407	531	407
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	.965	.739
		650 to 699	604	464	.965	.739
		700 to 749	631	484	.965	.739
		750 to 799	658	505	.965	.739
		800 to 849	690	530	.965	.739
		850 to 899	723	555	.965	.739
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.904	0.615	.965	.739
North Carolina.—Alleghany, Ashe, Avery, Watauga.						
Subzone 13B	107	100 to 149	181	139	181	139
Kansas.—Barber, Bourbon, Chautauqua, Cherokee, Clark, Comanche, Cowley, Crawford, Elk, Harper, Labette, Linn, Meade, Montgomery, Norton, Neosho, Seward, Stevens, Sumner, Wilson.		150 to 199	251	193	251	193
		200 to 249	320	246	320	246
		250 to 299	390	300	390	300
		300 to 349	416	319	416	319
		350 to 399	443	340	443	340
Kentucky.—Anderson, Bath, Boone, Bourbon, Boyd, Bracken, Bullitt, Campbell, Carroll, Carter, Clark, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Henry, Jefferson, Jessamine, Kenton, Lawrence, Lewis, Mason, Menifee, Mercer, Montgomery, Nicholas, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, Woodford.		400 to 449	471	361	471	361
		450 to 499	498	382	498	382
		500 to 549	531	407	531	407
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	.965	.739
		650 to 699	604	464	.965	.739
		700 to 749	631	484	.965	.739
		750 to 799	658	505	.965	.739
Ohio.—Gallia, Lawrence, Scioto.		800 to 849	690	530	.965	.739
West Virginia.—Boone, Cabell, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mingo, Putnam, Wayne, Wyoming.		850 to 899	723	555	.965	.739
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.904	0.615	.965	.739

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 14	111		*Gallons*	*Gallons*	*Gallons*	*Gallons*
Virginia.—Albemarle, Amherst, Appomattox, Bedford, Buckingham, Campbell, Caroline, Cumberland, Essex, Fluvanna, Franklin, Goochland, Hanover, Henrico, Henry, King and Queen, King George, King William, Lancaster, Louisa, Middlesex, Nelson, Northampton, Patrick, Powhatan, Richmond, Westmoreland.		100 to 149	161	123	161	123
		150 to 199	223	170	223	170
		200 to 249	284	218	284	218
		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.714	0.548	.857	.658
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 14A	110	100 to 149	161	123	161	123
North Carolina.—Buncombe, Carwell, Haywood, Henderson, Madison, Mitchell, Person, Rockingham, Stokes, Surry, Transylvania, Yancey.		150 to 199	223	170	223	170
		200 to 249	284	218	284	218
		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.714	0.548	.857	.658
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 14B	106	100 to 149	161	123	161	123
Illinois.—Alexander, Gallatin, Hardin, Johnson, Massac, Pope, Pulaski, Saline, Union.		150 to 199	223	170	223	170
		200 to 249	284	218	284	218
Kentucky.—Adair, Barren, Bell, Boyle, Breathitt, Breckinridge, Butler, Caldwell, Casey, Clay, Crittenden, Daviess, Edmonson, Estill, Floyd, Garrard, Grayson, Green, Hancock, Hardin, Harlan, Hart, Henderson, Hopkins, Jackson, Johnson, Knott, Knox, Larue, Laurel, Lee, Leslie, Letcher, Lincoln, Livingston, Lyon, McLean, Madison, Magoffin, Marion, Martin, Meade, Metcalfe, Morgan, Muhlenberg, Nelson, Ohio, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Russell, Taylor, Union, Warren, Washington, Webster, Whitley, Wolfe.		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		900 and over	0.714	0.548	.857	.658
Missouri.—Barry, Butler, Jasper, Lawrence, McDonald, Newton, Ozark, Ripley, Scott, Stoddard, Stone, Taney.			*Gallons*	*Gallons*	*Gallons*	*Gallons*
Subzone 15	110	100 to 149	144	110	144	110
North Carolina.—Alamance, Alexander, Burke, Cabarrus, Caldwell, Camden, Catawba, Chatham, Cherokee, Chowan, Clay, Cleveland, Currituck, Davidson, Davie, Durham, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Guilford, Halifax, Hertford, Iredell, Jackson, Lincoln, McDowell, Macon, Mecklenburg, Montgomery, Northampton, Orange, Pasquotank, Perquimans, Polk, Randolph, Rowan, Rutherford, Stanley, Swain, Vance, Wake, Warren, Wilkes, Yadkin.		150 to 199	198	151	198	151
		200 to 249	252	194	253	194
		250 to 299	309	236	309	237
		300 to 349	331	254	331	254
		350 to 399	353	271	353	271
		400 to 449	374	287	374	287
		450 to 499	395	303	395	303
		500 to 549	413	316	413	316
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	438	336	0.750	0.575
		600 to 649	463	355	.750	.575
		650 to 699	484	372	.750	.575
		700 to 749	506	388	.750	.575
		750 to 799	528	405	.750	.575
		800 to 849	550	422	.750	.575
		850 to 899	571	438	.750	.575
		900 to 949	596	459	.750	.575
		950 to 999	625	479	.750	.575
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1,000 and over	0.625	0.479	.750	.575
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 16	107	100 to 149	123	95	123	95
Georgia.—Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, Whitfield.		150 to 199	171	131	171	131
		200 to 249	218	168	218	168
		250 to 299	266	204	266	204
		300 to 349	284	218	284	218
		350 to 399	303	233	303	233
		400 to 449	321	247	321	247
		450 to 499	338	259	338	259
North Carolina.—Anson, Bertie, Bladen, Craven, Cumberland, Dare, Dupdin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Union, Washington, Wilson, Wayne.		500 to 549	354	271	354	271
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	376	288	0.643	0.493
		600 to 649	396	304	.643	.493
		650 to 699	415	319	.643	.493
		700 to 749	434	333	.643	.493
South Carolina.—Abbeville, Anderson, Chester, Chesterfield, Greenwood, Kershaw, Lancaster, Laurens, Union, York.		750 to 799	452	347	.643	.493
		800 to 849	472	362	.643	.493
		850 to 899	490	376	.643	.493
		900 to 949	512	393	.643	.493
		950 to 999	536	411	.643	.493
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.536	0.411	.643	.493
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 17	107	100 to 149	103		103	
Georgia.—Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffie, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spaulding, Taliaferro, Troup, Upson, Warren, Wilkes.		150 to 199	142	109	142	109
		200 to 249	182	140	182	140
		250 to 299	222	170	222	170
		300 to 349	238	182	238	182
		350 to 399	252	194	252	194
		400 to 449	268	206	268	206
		450 to 499	282	216	282	216
		500 to 549	295	226	295	226
North Carolina.—Beaufort, Brunswick, Carteret, Columbus, Hyde, New Hanover, Onslow, Pamlico, Pender.		550 to 599	314	240		
					Gal. per sq. ft.	*Gal. per sq. ft.*
		600 to 649	330	253	0.535	0.410
South Carolina.—Aiken, Calhoun, Darlington, Dillon, Edgefield, Fairfield, Lee, Lexington, McCormick, Marlboro, Newberry, Richland, Saluda, Sumter.		650 to 699	346	266	.535	.410
		700 to 749	362	278	.535	.410
		750 to 799	377	289	.535	.410
		800 to 849	392	301	.535	.410
		850 to 899	408	313	.535	.410
		900 to 949	426	327	.535	.410
		950 to 999	446	342	.535	.410
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.446	0.342	.535	.410
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 18	100	100 to 149	79	61	79	61
Georgia.—Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Screven, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, Wilkinson.		150 to 199	109	83	109	83
		200 to 249	139	107	139	107
		250 to 299	170	130	170	130
		300 to 349	183	141	183	141
		350 to 399	196	150	196	150
		400 to 449	209	161	209	161
		450 to 499	222	170	222	170
		500 to 549	236	181	236	181
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	248	190	0.428	0.329
South Carolina.—Allendale, Bamberg, Barnwell, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Florence, Georgetown, Hampton, Horry, Marion, Orangeburg, Williamsburg.		600 to 649	261	201	.428	.329
		650 to 699	274	210	.428	.329
		700 to 749	287	221	.428	.329
		750 to 799	300	230	.428	.329
		800 to 849	313	240	.428	.329
		850 to 899	326	250	.428	.329
		900 to 949	342	262	.428	.329
		950 to 999	357	274	.428	.329
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.357	0.274	.428	.329

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 15A	106	100 to 149	*Gallons*	*Gallons*	*Gallons*	*Gallons*
Georgia.—Fannin, Gilmer, Habersham, Hall, Lumpkin, Murray, Rabun, Stephens, Towns, Union, White.		150 to 199	144	110	144	110
		200 to 249	198	152	198	152
Kentucky.—Allen, Ballard, Calloway, Carlisle, Christian, Clinton, Cumberland, Fulton, Graves, Hickman, Logan, McCracken, McCreary, Marshall, Monroe, Simpson, Todd, Trigg, Wayne.		250 to 299	253	194	253	194
		300 to 349	309	237	309	237
		350 to 399	331	254	331	254
		400 to 449	353	271	353	271
		450 to 499	374	287	374	287
		500 to 549	395	303	395	303
Missouri.—Dunklin, Mississippi, New Madrid, Pemiscot.			413	316	413	316
					Gal. per sq. ft.	*Gal. per sq. ft.*
Virginia.—Amelia, Brunswick, Charles City, Charlotte, Chesterfield, Dinwiddie, Elizabeth City, Gloucester, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mathews, Mecklenburg, Nansemond, New Kent, Norfolk, Nottoway, Pittsylvania, Prince Edward, Prince George, Princess Anne, Southampton, Surry, Sussex, Warwick, York.		550 to 599	438	349	0.750	0.575
		600 to 649	463	355	.750	.575
		650 to 699	484	372	.750	.575
		700 to 749	506	388	.750	.575
		750 to 799	528	405	.750	.575
		800 to 849	550	422	.750	.575
		850 to 899	571	438	.750	.575
		900 to 949	596	459	.750	.575
		950 to 999	625	479	.750	.575
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1,000 and over	0.625	0.479	.750	.575
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 16	107	100 to 149	123	95	123	95
Georgia.—Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, Whitfield.		150 to 199	171	131	171	131
		200 to 249	218	168	218	168
		250 to 299	266	204	266	204
		300 to 349	284	218	284	218
		350 to 399	303	233	303	233
		400 to 449	321	247	321	247
		450 to 499	338	259	338	259
North Carolina.—Anson, Bertie, Bladen, Craven, Cumberland, Dare, Dupdin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Union, Washington, Wilson, Wayne.		500 to 549	354	271	354	271
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	376	288	0.643	0.493
		600 to 649	396	304	.643	.493
		650 to 699	415	319	.643	.493
South Carolina.—Abbeville, Anderson, Chester, Chesterfield, Greenwood, Kershaw, Lancaster, Laurens, Union, York.		700 to 749	434	333	.643	.493
		750 to 799	452	347	.643	.493
		800 to 849	472	362	.643	.493
		850 to 899	490	376	.643	.493
		900 to 949	512	393	.643	.493
		950 to 999	536	411	.643	.493
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.536	0.411	.643	.493
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 17	107	100 to 149	103		103	
Georgia.—Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffie, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spaulding, Taliaferro, Troup, Upson, Warren, Wilkes.		150 to 199	142	109	142	109
		200 to 249	182	140	182	140
		250 to 299	222	170	222	170
		300 to 349	238	182	238	182
		350 to 399	252	194	252	194
		400 to 449	268	206	268	206
		450 to 499	282	216	282	216
		500 to 549	295	226	295	226
North Carolina.—Beaufort, Brunswick, Carteret, Columbus, Hyde, New Hanover, Onslow, Pamlico, Pender.		550 to 599	314	240		
					Gal. per sq. ft.	*Gal. per sq. ft.*
		600 to 649	330	253	0.535	0.410
South Carolina.—Aiken, Calhoun, Darlington, Dillon, Edgefield, Fairfield, Lee, Lexington, McCormick, Marlboro, Newberry, Richland, Saluda, Sumter.		650 to 699	346	266	.535	.410
		700 to 749	362	278	.535	.410
		750 to 799	377	289	.535	.410
		800 to 849	392	301	.535	.410
		850 to 899	408	313	.535	.410
		900 to 949	426	327	.535	.410
		950 to 999	446	342	.535	.410
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.446	0.342	.535	.410
			Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 18	100	100 to 149	79	61	79	61
Georgia.—Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Screven, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, Wilkinson.		150 to 199	109	83	109	83
		200 to 249	139	107	139	107
		250 to 299	170	130	170	130
		300 to 349	183	141	183	141
		350 to 399	196	150	196	150
		400 to 449	209	161	209	161
		450 to 499	222	170	222	170
		500 to 549	236	181	236	181
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	248	190	0.428	0.329
South Carolina.—Allendale, Bamberg, Barnwell, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Florence, Georgetown, Hampton, Horry, Marion, Orangeburg, Williamsburg.		600 to 649	261	201	.428	.329
		650 to 699	274	210	.428	.329
		700 to 749	287	221	.428	.329
		750 to 799	300	230	.428	.329
		800 to 849	313	240	.428	.329
		850 to 899	326	250	.428	.329
		900 to 949	342	262	.428	.329
		950 to 999	357	274	.428	.329
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.357	0.274	.428	.329

***Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones*—Continued**

Subzones (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maximum	(4) Minimum	(5) Maximum	(6) Minimum
Subzone 15A	106	100 to 149	*Gallons* 144	*Gallons* 110	*Gallons* 144	*Gallons* 110
Georgia.—Fannin, Gilmer, Habersham, Hall, Lumpkin, Murray, Rabun, Stephens, Towns, Union, White.		150 to 199	196	152	196	152
Kentucky.—Allen, Ballard, Calloway, Carlisle, Christian, Clinton, Cumberland, Fulton, Graves, Hickman, Logan, McCracken, McCreary, Marshall, Monroe, Simpson, Todd, Trigg, Wayne.		200 to 249	253	194	253	194
		250 to 299	309	237	309	237
		300 to 349	331	254	331	254
		350 to 399	353	271	353	271
		400 to 449	374	287	374	287
		450 to 499	395	303	395	303
		500 to 549	413	316	413	316
Missouri.—Dunklin, Mississippi, New Madrid, Pemiscot.					*Gal. per sq. ft.*	*Gal. per sq. ft.*
Virginia.—Amelia, Brunswick, Charles City, Charlotte, Chesterfield, Dinwiddie, Elizabeth City, Gloucester, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mathews, Mecklenburg, Nansemond, New Kent, Norfolk, Nottoway, Pittsylvania, Prince Edward, Prince George, Princess Anne, Southampton, Surry, Sussex, Warwick, York.		550 to 599	438	349	0.750	0.575
		600 to 649	463	355	.750	.575
		650 to 699	484	372	.750	.575
		700 to 749	506	388	.750	.575
		750 to 799	526	405	.750	.575
		800 to 849	550	422	.750	.575
		850 to 899	571	438	.750	.575
		900 to 949	598	459	.750	.575
		950 to 999	625	479	.750	.575
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1,000 and over	0.625	0.479	.750	.575
Subzone 16	107	100 to 149	*Gallons* 123	*Gallons* 95	*Gallons* 123	*Gallons* 95
Georgia.—Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, Whitfield.		150 to 199	171	131	171	131
		200 to 249	218	168	218	168
		250 to 299	266	204	266	204
		300 to 349	284	218	284	218
		350 to 399	303	233	303	233
		400 to 449	321	247	321	247
		450 to 499	338	259	338	259
North Carolina.—Anson, Bertie, Bladen, Craven, Cumberland, Dare, Duplin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Union, Washington, Wilson, Wayne.		500 to 549	354	271	354	271
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	376	288	0.643	0.493
		600 to 649	396	304	.643	.493
		650 to 699	415	319	.643	.493
		700 to 749	434	333	.643	.493
		750 to 799	452	347	.643	.493
		800 to 849	472	362	.643	.493
		850 to 899	490	376	.643	.493
		900 to 949	512	393	.643	.493
		950 to 999	536	411	.643	.493
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.536	0.411	.643	.493
South Carolina.—Abbeville, Anderson, Chester, Chesterfield, Greenwood, Kershaw, Lancaster, Laurens, Union, York.			*Gallons*	*Gallons*	*Gallons*	*Gallons*
Subzone 17	107	100 to 149	103	--------	103	--------
Georgia.—Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffie, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spaulding, Taliaferro, Troup, Upson, Warren, Wilkes.		150 to 199	142	109	142	109
		200 to 249	182	140	182	140
		250 to 299	222	170	222	170
		300 to 349	238	182	238	182
		350 to 399	252	194	252	194
		400 to 449	268	206	268	206
		450 to 499	282	216	282	216
		500 to 549	295	226	295	226
		550 to 599	314	240		
					Gal. per sq. ft.	*Gal. per sq. ft.*
		600 to 649	330	253	0.535	0.410
		650 to 699	346	266	.535	.410
		700 to 749	362	278	.535	.410
		750 to 799	377	289	.535	.410
		800 to 849	392	301	.535	.410
		850 to 899	408	313	.535	.410
		900 to 949	426	327	.535	.410
		950 to 999	446	342	.535	.410
		1000 and over			.535	.410
			Gal. per sq. ft.	*Gal. per sq. ft.*		
			0.446	0.342	.535	.410
North Carolina.—Alexander, Buncombe, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Madison, McDowell, Mecklenburg, Polk, Rowan, Rutherford, Stanly, Union, Yancey.			*Gallons*	*Gallons*	*Gallons*	*Gallons*
South Carolina.—Aiken, Calhoun, Darlington, Dillon, Edgefield, Fairfield, Lee, Lexington, McCormick, Marlboro, Newberry, Richland, Saluda, Sumter.						
Subzone 18	100	100 to 149	79	61	79	61
Georgia.—Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Screven, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, Wilkinson.		150 to 199	109	83	109	83
		200 to 249	139	107	139	107
		250 to 299	170	130	170	130
		300 to 349	183	141	183	141
		350 to 399	196	150	196	150
		400 to 449	209	161	209	161
		450 to 499	222	170	222	170
		500 to 549	236	181	236	181
					Gal. per sq. ft.	*Gal. per sq. ft.*
		550 to 599	248	190	0.428	0.329
		600 to 649	261	201	.428	.329
		650 to 699	274	210	.428	.329
		700 to 749	287	221	.428	.329
		750 to 799	300	230	.428	.329
		800 to 849	313	240	.428	.329
		850 to 899	326	250	.428	.329
		900 to 949	342	262	.428	.329
		950 to 999	357	274	.428	.329
			Gal. per sq. ft.	*Gal. per sq. ft.*		
		1000 and over	0.357	0.274	.428	.329

Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area by subzones—Continued

Subzones (By State and counties)	Percentage adjustment to normal	Floor area in square feet: Central heating plants	Floor area in square feet: Space heating equipment	Maximum and minimum rations: Central heating plants: Maximum	Central heating plants: Minimum	Space heating equipment: Maximum	Space heating equipment: Minimum
Subzone 19	100	100 to 149	100 to 149	73	56	73	56
Georgia.—Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Bryan, Bulloch, Calhoun, Candler, Chatman, Clay, Coffee, Colquitt, Cook, Decatur, Dougherty, Early, Effingham, Evans, Grady, Irwin, Jeff Davis, Lee, Liberty, Long, Miller, Mitchell, Montgomery, Pierce, Randolph, Seminole, Tattnall, Telfair, Terrell, Thomas, Tift, Toombs, Turner, Ware, Wayne, Wheeler, Worth.		150 to 199	150 to 199	102	78	102	78
South Carolina.—Beaufort, Jasper.		200 to 249	200 to 249	130	100	130	100
		250 to 299	250 to 299	158	121	158	121
		300 to 349	300 to 349	171	132	171	132
		350 to 399	350 to 399	185	143	185	143
		400 to 449	400 to 449	199	153	199	153
		450 to 499	450 to 499	213	164	213	164
		500 to 549	500 to 549	227	174	227	174
		550 to 599	550 to 577	241	185	241	185
		600 to 649	578 to 609	255	196	255	196
		650 to 699	610 to 641	268	206	268	206
		700 to 749	642 to 673	282	217	282	217
		750 to 799	674 to 705	296	227	296	227
		800 to 849	706 to 737	310	238	310	238
		850 to 899	738 to 769	324	249	324	249
		900 to 949	770 to 801	338	259	338	259
		950 to 999	802 to 832	351	269	351	269
				Gal. per sq. ft.	*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*
		1000 and over	833 and over	0.357	0.274	0.428	0.329
				Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 20	100	100 to 149	100 to 149	50	43	50	43
Florida.—Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Putnam, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla.		150 to 199	150 to 199	77	59	77	59
Georgia.—Brooks, Camden, Charlton, Clinch, Echols, Glynn, Lanier, Lowndes, McIntosh.		200 to 249	200 to 249	99	76	99	76
		250 to 299	250 to 299	120	92	120	92
		300 to 349	300 to 349	130	100	130	100
		350 to 399	350 to 399	140	108	140	108
		400 to 449	400 to 449	151	116	151	116
		450 to 499	450 to 499	161	124	161	124
		500 to 549	500 to 549	171	132	171	132
		550 to 599	550 to 577	181	140	181	140
		600 to 649	578 to 609	192	148	192	148
		650 to 699	610 to 641	203	156	202	155
		700 to 749	642 to 673	212	163	212	163
		750 to 799	674 to 705	223	171	223	171
		800 to 849	706 to 737	233	179	233	179
		850 to 899	738 to 769	243	187	243	187
		900 to 949	770 to 801	254	195	254	195
		950 to 999	802 to 832	264	203	264	203
				Gal. per sq. ft.	*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*
		1000 and over	833 and over	0.268	0.205	0.322	0.246
				Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 21	100	100 to 149	100 to 149	37	28	37	28
Florida.—Brevard, Broward, Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, Seminole.		150 to 199	150 to 199	51	39	51	39
		200 to 249	200 to 249	65	49	65	49
		250 to 299	250 to 299	79	60	79	60
		300 to 349	300 to 349	86	65	86	65
		350 to 399	350 to 399	92	70	92	70
		400 to 449	400 to 449	99	76	99	76
		450 to 499	450 to 499	106	81	106	81
		500 to 549	500 to 549	113	86	113	86
		550 to 599	550 to 577	120	91	120	91
		600 to 649	578 to 609	127	97	127	97
		650 to 699	610 to 641	134	102	134	102
		700 to 749	642 to 673	141	107	141	107
		750 to 799	674 to 705	148	113	148	113
		800 to 849	706 to 737	155	118	155	118
		850 to 899	738 to 769	161	123	161	123
		900 to 949	770 to 801	168	129	168	129
		950 to 999	802 to 832	175	134	175	134
				Gal. per sq. ft.	*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*
		1000 and over	833 and over	0.179	0.137	0.215	0.164
				Gallons	*Gallons*	*Gallons*	*Gallons*
Subzone 22	100	100 to 149	100 to 149	19	14	19	14
Florida.—Dade, Monroe.		150 to 199	150 to 199	26	20	26	20
		200 to 249	200 to 249	33	25	33	25
		250 to 299	250 to 299	40	30	40	30
		300 to 349	300 to 349	43	33	43	33
		350 to 399	350 to 399	46	35	46	35
		400 to 449	400 to 449	50	38	50	38
		450 to 499	450 to 499	53	41	53	41
		500 to 549	500 to 549	57	43	57	43
		550 to 599	550 to 577	60	45	60	45
		600 to 649	578 to 609	64	49	64	49
		650 to 699	610 to 641	67	51	67	51
		700 to 749	642 to 673	71	54	71	54
		750 to 799	674 to 705	74	57	74	57
		800 to 849	706 to 737	78	59	78	59
		850 to 899	738 to 769	81	62	81	62
		900 to 949	770 to 801	84	65	84	65
		950 to 999	802 to 832	86	67	86	67
				Gal. per sq. ft.	*Gal. per sq. ft.*	*Gal. per sq. ft.*	*Gal. per sq. ft.*
		1000 and over	833 and over	0.090	0.068	0.107	0.082

(c) Table ID—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area and by subzones, in Washington, Oregon, and Idaho.

Subzones (By state and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2)* Floor area (in sq. ft.)	(3) Maximum and minimum rations: Central heating equipment: Maximum	(4) Central heating equipment: Minimum	(5) Space heaters: Maximum	(6) Space heaters: Minimum	(7) House trailers: Maximum
23A *Washington:* Asotin	95	100–149	226	174	226	174	3.214
Idaho: Boise		150–199	317	243	317	243	3.214
23B *Oregon:* Wallowa	97	200–249	408	312	406	312	3.214
Idaho: Lewis		250–299	497	381	497	381	3.214
		300–349	575	441	575	441	3.214
23C *Washington:* Douglas, Ferry, Lincoln, Pend Oreille, Stevens	100	350–399	641	491	641	491	3.214
		400–449	719	551	719	551	3.214
Idaho Shoshone		450–499	804	616	804	616	3.214
23D *Idaho:* Bonner, Boundary	104	500–549	832	638	*Gal. per sq. ft.* 1.607	*Gal. per sq. ft.* 1.233	3.214
		550–599	864	662	1.607	1.233	3.214
		600–649	864	664	1.607	1.233	3.214
		650–699	952	730	1.607	1.233	3.214
		700–749	1,004	771	1.607	1.233	3.214
		750 and over	*Gal. per sq. ft.* 1.339	*Gal. per sq. ft.* 1.027	1.607	1.233	3.214
24A *Oregon:* Deshutes	90	100–149	*Gallons* 216	*Gallons* 166	*Gallons* 216	*Gallons* 166	3.000
24B *Oregon.* Baker, Harney, Lake	97	150–199	302	232	302	232	3.000
Idaho: Idaho, Kootens		200–249	389	299	389	299	3.000
		250–299	475	365	475	365	3.000
		300–349	550	422	550	422	3.000
24C *Idaho:* Latah Washington	100	350–399	612	470	612	470	3.000
		400–449	675	517	675	517	3.000
		450–499	737	565	737	565	3.000
		500–524	788	604	788	604	3.000
		525–549	788	604	*Gal. per sq. ft.* 1.500	*Gal. per sq. ft.* 1.151	3.000
		550–599	826	634	1.500	1.151	3.000
		600–649	865	663	1.500	1.151	3.000
		650–699	904	694	1.500	1.151	3.000
		700–749	951	729	1.500	1.151	3.000
		750–799	1,000	767	1.500	1.151	3.000
		800 and over	*Gal. per sq. ft.* 1.250	*Gal. per sq. ft.* .959	1.500	1.151	3.000
25A *Oregon:* Crook, Wheeler	90	100–149	*Gallons* 205	*Gallons* 157	*Gallons* 205	*Gallons* 157	2.786
25B *Washington:* Spokane	95	150–199	286	220	286	220	2.786
Oregon: Jefferson		200–249	369	283	369	283	2.786
		250–299	450	346	450	346	2.786
25C *Oregon:* Klamath, Malheur	97	300–349	521	399	521	399	2.786
Idaho: Elmore		350–399	581	445	581	445	2.786
		400–449	641	491	641	491	2.786
		450–499	712	546	712	546	2.786
25D *Washington:* Adams, Chelan, Kittitas, Klickitat, Okanogan Whitman	100	500–549	766	588	766	588	2.786
		550–599	764	662	*Gal. per sq. ft.* 1.393	*Gal. per sq. ft.* 1.068	2.786
Oregon: Gilliam, Sherman		600–649	821	629	1.393	1.068	2.786
Idaho: Benewah		650–699	856	658	1.393	1.068	2.786
		700–749	894	686	1.393	1.068	2.786
25E *Washington.* Skamania	104	750–799	938	720	1.393	1.068	2.786
		800–849	987	757	1.393	1.068	2.786
		850 and over	*Gal. per sq. ft.* 1.161	*Gal. per sq. ft.* .890	1.393	1.068	2.786
26A *Oregon.* Morrow	90	100–149	*Gallons* 194	*Gallons* 148	*Gallons* 194	*Gallons* 148	2.572
26B *Idaho:* Payette	95	150–199	271	207	271	207	2.572
		200–249	347	267	347	267	2.572
26C *Oregon:* Grant, Union	97	250–299	424	326	424	326	2.572
Idaho: Canyon, Clearwater, Owyhee		300–349	492	376	492	378	2.572
		350–399	548	420	548	420	2.572
26D *Washington.* Grant	100	400–449	603	463	603	463	2.572
		450–499	659	505	659	505	2.572
		500–549	704	540	704	540	2.572
		550–574	739	567	739	567	2.572
26E *Washington.* Clallam, San Juan, Whatcom	110	575–599	739	567	*Gal. per sq. ft.* 1.286	*Gal. per sq. ft.* .986	2.572
		600–649	774	594	1.286	.986	2.572
		650–699	808	620	1.286	.986	2.572
		700–749	843	647	1.286	.986	2.572
		750–799	877	623	1.286	.986	2.572
		800–849	919	705	1.286	.986	2.572
		850–899	934	740	1.286	.986	2.572
		900 and over	*Gal. per sq. ft.* 1.071	*Gal. per sq. ft.* .822	1.286	.986	2.572

Table ID—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area and by subzones, in Washington, Oregon, and Idaho—Continued

Subzone (By State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area (in sq. ft.)	(3) Maximum and minimum rations: Central heating equipment, Maximum	(4) Central heating equipment, Minimum	(5) Space heaters, Maximum	(6) Space heaters, Minimum	(7) House trailers, Maximum
			Gallons	*Gallons*	*Gallons*	*Gallons*	*Gal. per sq. ft.*
27A *Oregon:* Umatilla *Idaho:* Ada	90	100–149	181	139	181	139	2.358
		150–199	254	194	254	194	2.358
		200–249	325	249	325	249	2.358
27B *Washington:* Columbia, Garfield *Idaho:* Gem	95	250–299	397	305	397	305	2.358
		300–349	460	352	460	352	2.358
		350–399	512	392	512	392	2.358
27C *Washington:* Benton, Franklin, Yakima	100	400–499	565	433	565	433	2.358
		450–499	617	473	617	473	2.358
		500–549	665	511	665	511	2.358
27D *Oregon:* Hood River, Wasco	104	550–569	707	542	707	542	2.358
27E *Washington:* Grays Harbor, Island, Jefferson, Mason, Pacific, Skagit, Snohomish Thurston	110	600–649	730	560	*Gal. per sq. ft.* 1.179	*Gal. per sq. ft.* 0.904	2.358
		650–699	756	580	1.179	.904	2.358
		700–749	788	604	1.179	.904	2.358
		750–799	819	629	1.179	.904	2.358
		800–849	852	654	1.179	.904	2.358
		850–899	891	683	1.179	.904	2.358
		900–949	[illegible]	716	1.179	.904	2.358
		950 and over	*Gal. per sq. ft.* .982	*Gal. per sq. ft.* .753	1.179	.904	2.358
28A *Washington.* Walla Walla *Idaho:* Nez Perce	95	100–149	*Gallons* 173	*Gallons* 133	*Gallons* 173	*Gallons* 133	2.142
		150–199	243	187	243	187	2.142
		200–249	312	240	312	240	2.142
28B *Washington:* Clark *Oregon:* Benton, Clackamas, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill.	104	250–299	383	293	383	293	2.142
		300–349	441	339	441	339	2.142
		350–399	490	376	490	376	2.142
		400–449	539	413	539	413	2.142
		450–499	587	451	587	451	2.142
		500–549	626	480	626	480	2.142
		550–599	660	506	660	506	2.142
		600–649	696	[illegible]	696	534	2.142
28C *Washington.* Cowlitz, King, Kitsap, Lewis, Pierce, Wahkiakum *Oregon:* Clatsop, Columbia.	110	650–699	715	549	*Gal. per sq. ft.* 1.071	*Gal. per sq. ft.* .822	2.142
		700–749	738	566	1.071	.822	2.142
		750–799	766	588	1.071	.822	2.142
		800–849	795	609	1.071	.822	2.142
		850–899	823	631	1.071	.822	2.142
		900–949	857	657	1.071	.822	2.142
		950–999	893	685	1.071	.822	2.142
		1,000 and over	*Gal. per sq. ft.* .893	*Gal. per sq. ft.* .685	1.071	.822	2.142

Subzones (by State and counties)	(1) Percentage of 1941–42 consumption to obtain normal consumption	(2) Floor area (in sq. ft.) (gallons)	(3) Maximum and minimum rations: Central heating equipment, Maximum	(4) Central heating equipment, Minimum	(5) Space heaters, Maximum	(6) Space heaters, Minimum	(7) House trailers, Maximum
			Gallons	*Gallons*	*Gallons*	*Gallons*	*Gal. per sq. ft.*
29A Idaho: Adams	97	100–149	234	180	[illegible]	180	3.642
		150–199	328	252	328	252	3.642
		200–249	422	324	422	324	3.642
		250–299	516	396	516	396	3.642
		300–349	604	[illegible]	604	[illegible]	3.642
		350–399	689	529	689	529	[illegible]
		400–424	774	[illegible]	774	[illegible]	[illegible]
		425–449	774	[illegible]	*Gal. per sq. ft.* 1.821	*Gal. per sq. ft.* 1.397	[illegible]
		450–499	822	630	1.821	1.397	[illegible]
		500–549	869	667	1.821	1.397	[illegible]
		550–599	926	710	1.821	1.397	[illegible]
		600–649	987	757	[illegible]	1.397	[illegible]
		650 and over	*Gal. per sq. ft.* 1.518	*Gal. per sq. ft.* [illegible]	1.821	1.397	[illegible]
				1.164	1.821	[illegible]	[illegible]
30A Idaho: Valley	97	100–149	*Gallons* 241	*Gallons* 185	*Gallons* 241	*Gallons* 185	*Gal. per sq. ft.* [illegible]
		150–199	337	259	[illegible]	[illegible]	[illegible]
		200–249	435	333	[illegible]	[illegible]	[illegible]
		250–299	531	407	531	407	[illegible]
		300–349	646	[illegible]	646	[illegible]	[illegible]
		350–399	771	592	771	592	[illegible]
		400–449	906	618	*Gal. per sq. ft.* 1.929	*Gal. per sq. ft.* 1.479	[illegible]
		450–499	944	648	1.929	1.479	[illegible]
		500–549	992	692	1.929	1.479	[illegible]
		550–599	984	740	1.929	1.479	[illegible]
		600 and over	*Gal. per sq. ft.* 1.007	*Gal. per sq. ft.* [illegible]	1.929	1.479	[illegible]

(f) Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2)).

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone A-1				Percentage of allowable ration for entire heating year
Burlington, Vt.	Canton, N. Y., Concord, N. H.	Caribou, Me., Portland, Me.	Eastport, Me.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	[illegible]
Oct. 25	Oct. 27	Oct. 28	Oct. 27	[illegible]
Nov. 10	Nov. 11	Nov. 12	Nov. 13	[illegible]
Nov. 23	Nov. 25	Nov. 25	Nov. 27	[illegible]
Dec. 4	Dec. 5	Dec. 6	Dec. 8	[illegible]
Dec. 13	Dec. 14	Dec. 15	Dec. 18	[illegible]
Dec. 22	Dec. 23	Dec. 24	Dec. 27	[illegible]
Jan. 1	Jan. 1	Jan. 2	Jan. 5	[illegible]
Jan. 8	Jan. 8	Jan. 10	Jan. 14	[illegible]
Jan. 16	Jan. 16	Jan. 17	Jan. 22	[illegible]
Jan. 25	Jan. [illegible]	Jan. 25	Jan. 31	[illegible]
Feb. 2	Jan. 31	Feb. 2	Feb. 8	[illegible]
Feb. 10	Feb. 8	Feb. 10	Feb. 17	[illegible]
Feb. 18	Feb. 15	Feb. 18	Feb. 25	[illegible]
Feb. 26	Feb. 23	Feb. 26	Mar. 3	[illegible]
Mar. 8	Mar. [illegible]	Mar. 8	Mar. 19	[illegible]
Mar. 19	Mar. 14	Mar. 18	Mar. 30	[illegible]
Mar. 30	Mar. 24	Mar. 30	Apr. 14	[illegible]
Apr. 15	Apr. 7	Apr. 15	Apr. 30	[illegible]
May 7	Apr. [illegible]	May 6	May 27	[illegible]
May 25	May [illegible]	May [illegible]	June 17	[illegible]
Sept. 30	Sept. 30	Sept. [illegible]	Sept. 30	[illegible]

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone B-1				Percentage of allowable ration for entire heating year
Albany, N. Y., Binghamton, N. Y.	Atlantic City, N. J.	Block Island, R. I., Nantucket, Mass.	Boston, Mass., Erie, Pa.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 30	Nov. 7	Nov. 4	Nov. 3	95
Nov. 13	Nov. 21	Nov. 19	Nov. 16	90
Nov. 26	Dec. 3	Dec. 3	Nov. 30	85
Dec. 6	Dec. 11	Dec. 12	Dec. 8	80
Dec. 14	Dec. 19	Dec. 21	Dec. 17	75
Dec. 23	Dec. 27	Dec. 30	Dec. 25	70
Dec. 31	Jan. 4	Jan. 8	Jan. 3	65
Jan. 7	Jan. 11	Jan. 16	Jan. 10	60
Jan. 15	Jan. 19	Jan. 24	Jan. 18	55
Jan. 23	Jan. 26	Feb. 1	Jan. 25	50
Jan. 30	Feb. 2	Feb. 8	Feb. 2	45
Feb. 6	Feb. 9	Feb. 16	Feb. 9	40
Feb. 14	Feb. 16	Feb. 24	Feb. 16	35
Feb. 21	Feb. 24	Mar. 2	Feb. 23	30
Mar. 1	Mar. 4	Mar. 13	Mar. 4	25
Mar. 11	Mar. 13	Mar. 23	Mar. 14	20
Mar. 21	Mar. 23	Apr. 4	Mar. 23	15
Apr. 1	Apr. 2	Apr. 16	Apr. 5	10
Apr. 19	Apr. 19	May 1	Apr. 22	5
Apr. 27	Apr. 28	May 13	Apr. 28	3
Sept. 30	May 24	Sept. 30	Sept. 30	0

Zone B-1—Continued				Percentage of allowable ration for entire heating year
Buffalo, N. Y.	Harrisburg, Pa., Hartford, Conn., Pittsburgh, Pa., Scranton, Pa.	New Haven, Conn.	New York, N. Y., Philadelphia, Pa.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 1	Nov. 2	Nov. 2	Nov. 6	95
Nov. 15	Nov. 15	Nov. 16	Nov. 19	90
Nov. 28	Nov. 27	Nov. 29	Dec. 2	85
Dec. 8	Dec. 6	Dec. 7	Dec. 9	80
Dec. 17	Dec. 14	Dec. 16	Dec. 17	75
Dec. 26	Dec. 22	Dec. 24	Dec. 25	70
Jan. 3	Dec. 30	Jan. 1	Jan. 2	65
Jan. 11	Jan. 6	Jan. 8	Jan. 9	60
Jan. 19	Jan. 14	Jan. 16	Jan. 16	55
Jan. 27	Jan. 21	Jan. 23	Jan. 22	50
Feb. 4	Jan. 28	Jan. 31	Jan. 29	45
Feb. 12	Feb. 5	Feb. 7	Feb. 5	40
Feb. 19	Feb. 12	Feb. 14	Feb. 12	35
Feb. 27	Feb. 19	Feb. 21	Feb. 19	30
Mar. 8	Feb. 26	Mar. 1	Feb. 26	25
Mar. 18	Mar. 7	Mar. 11	Mar. 7	20
Mar. 28	Mar. 18	Mar. 21	Mar. 17	15
Apr. 11	Mar. 28	Mar. 31	Mar. 27	10
Apr. 27	Apr. 14	Apr. 18	Apr. 11	5
May 8	Apr. 23	Apr. 25	Apr. 20	3
Sept. 30	Sept. 30	Sept. 30	May 13	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone A-2				Percentage of allowable ration for entire heating year
Alpena, Mich.	Bismarck, N. Dak., Pembina N. Dak., Williston, N. Dak.	Charles City, Iowa	Chicago, Ill.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 26	Oct. 26	Oct. 30	Nov. 3	95
Nov. 11	Nov. 10	Nov. 12	Nov. 17	90
Nov. 25	Nov. 22	Nov. 24	Nov 30	85
Dec. 6	Dec. 3	Dec. 4	Dec. 8	80
Dec. 16	Dec. 12	Dec. 12	Dec. 16	75
Dec. 25	Dec. 20	Dec. 20	Dec. 24	70
Jan. 3	Dec. 29	Dec. 28	Jan. 1	65
Jan. 12	Jan. 5	Jan. 4	Jan. 8	60
Jan. 20	Jan. 13	Jan. 11	Jan 15	55
Jan. 28	Jan. 20	Jan. 18	Jan. 22	50
Feb. 5	Jan. 28	Jan. 25	Jan. 29	45
Feb. 13	Feb. 5	Feb. 1	Feb. 6	40
Feb. 21	Feb. 12	Feb. 9	Feb. 13	35
Mar. 1	Feb. 20	Feb. 16	Feb. 20	30
Mar. 12	Mar. 1	Feb. 24	Feb 28	25
Mar. 22	Mar. 12	Mar. 5	Mar. 10	20
Apr. 1	Mar. 23	Mar. 16	Mar. 21	15
Apr. 18	Apr. 5	Mar. 28	Apr. 1	10
May 8	Apr. 27	Apr. 17	Apr. 20	5
May 22	May 17	Apr. 26	Apr. 27	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Zone A-2 Continued				Percentage of allowable ration for entire heating year
Detroit, Mich., Grand Rapids, Mich., Green Bay, Wis.	Huron, S. Dak., La Crosse, Wis., Madison, Wis.	International Falls, Minn.	Marquette, Mich.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 31	Oct. 31	Oct. 24	Oct. 27	95
Nov. 13	Nov. 12	Nov. 9	Nov. 12	90
Nov. 26	Nov. 25	Nov. 21	Nov. 25	85
Dec. 6	Dec. 5	Dec. 3	Dec. 6	80
Dec. 14	Dec. 13	Dec. 11	Dec. 16	75
Dec. 23	Dec. 21	Dec. 20	Dec. 25	70
Jan. 1	Dec. 29	Dec. 29	Jan. 3	65
Jan. 8	Jan. 5	Jan. 5	Jan. 12	60
Jan. 15	Jan. 13	Jan. 13	Jan. 20	55
Jan. 23	Jan. 19	Jan. 21	Jan. 28	50
Jan. 30	Jan. 27	Jan. 28	Feb. 6	45
Feb. 7	Feb. 3	Feb. 5	Feb. 14	40
Feb. 14	Feb. 10	Feb. 14	Feb. 22	35
Feb. 21	Feb. 17	Feb. 22	Mar. 3	30
Mar. 1	Feb. 25	Mar. 3	Mar. 13	25
Mar. 12	Mar. 7	Mar. 15	Mar. 24	20
Mar. 22	Mar. 18	Mar. 26	Apr. 5	15
Apr. 2	Mar. 29	Apr. 11	Apr. 21	10
Apr. 21	Apr. 17	May 2	May 15	5
Apr. 30	Apr. 26	May 22	May 28	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone A-2—Continued				Percentage of allowable ration for entire heating year
Milwaukee, Wis.	Minneapolis, Minn., Moorehead, Minn.	Pierre, S. Dak.	Rapid City, S. Dak., Roseau, Minn.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 1	Oct. 29	Nov. 1	Oct. 26	95
Nov. 15	Nov. 11	Nov. 12	Nov. 10	90
Nov. 28	Nov. 24	Nov. 24	Nov. 23	85
Dec. 7	Dec. 4	Dec. 4	Dec. 3	80
Dec. 15	Dec. 13	Dec. 12	Dec. 12	75
Dec. 24	Dec. 21	Dec. 20	Dec 20	70
Jan. 1	Dec. 29	Dec 28	Dec. 29	65
Jan. 8	Jan. 5	Jan. 4	Jan. 6	60
Jan. 16	Jan. 12	Jan. 11	Jan. 14	55
Jan. 23	Jan. 19	Jan. 18	Jan. 21	50
Jan. 31	Jan. 27	Jan. 25	Jan. 29	45
Feb. 7	Feb. 3	Feb. 1	Feb. 6	40
Feb. 15	Feb 11	Feb. 8	Feb. 14	35
Feb. 23	Feb. 18	Feb. 16	Feb. 22	30
Mar. 3	Feb. 26	Feb. 23	Mar. 2	25
Mar. 14	Mar. 8	Mar. 4	Mar. 13	20
Mar. 25	Mar. 19	Mar. 15	Mar. 24	15
Apr. 8	Mar. 30	Mar. 26	Apr. 8	10
Apr. 25	Apr. 20	Apr. 14	Apr. 28	5
May 6	May 2	Apr. 24	May 17	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Zone A-2 Continued		Zone B-2		Percentage of allowable ration for entire heating year
Sault Sainte Marie, Mich.	Traverse City, Mich.	Cleveland, Ohio	Columbus, Ohio	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 25	Nov. 1	Nov. 2	Nov. 3	95
Nov. 11	Nov. 14	Nov. 16	Nov. 15	90
Nov. 25	Nov. 28	Nov. 29	Nov 27	85
Dec. 6	Dec. 8	Dec. 8	Dec. 6	80
Dec. 16	Dec 17	Dec. 16	Dec. 13	75
Dec. 25	Dec. 26	Dec. 25	Dec. 21	70
Jan. 4	Jan. 4	Jan. 2	Dec. 29	65
Jan. 12	Jan. 12	Jan. 9	Jan. 5	60
Jan. 20	Jan. 20	Jan. 17	Jan. 12	55
Jan. 28	Jan. 28	Jan. 24	Jan. 19	50
Feb. 6	Feb. 5	Feb 1	Jan. 26	45
Feb. 14	Feb. 13	Feb. 8	Feb. 2	40
Feb. 22	Feb. 20	Feb. 15	Feb. 9	35
Mar. 2	Feb. 28	Feb. 23	Feb. 16	30
Mar. 12	Mar. 10	Mar. 8	Feb. 24	25
Mar. 22	Mar. 19	Mar. 13	Mar. 4	20
Apr. 3	Mar. 29	Mar 23	Mar. 15	15
Apr. 20	Apr. 14	Apr. 3	Mar. 26	10
May 14	Apr. 30	Apr. 21	Apr. 12	5
May 28	May 15	Apr. 28	Apr. 20	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone B-2—Continued				Percentage of allowable ration for entire heating year
Concordia, Kans., Lincoln, Nebr., Omaha, Nebr.	Davenport, Iowa, Des Moines, Iowa, Indianapolis, Ind.	North Platte, Nebr., Valentine, Nebr.	Peoria, Ill., Sioux City, Iowa, Springfield, Ill.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 3	Nov. 3	Oct. 20	Nov. 3	95
Nov. 15	Nov. 15	Nov. 11	Nov. 15	90
Nov. 28	Nov. 27	Nov. 23	Nov. 26	85
Dec. 6	Dec. 6	Dec. 3	Dec. 6	80
Dec. 13	Dec. 14	Dec. 11	Dec. 13	75
Dec. 21	Dec. 21	Dec. 19	Dec. 21	70
Dec. 28	Dec. 29	Dec. 27	Dec. 28	65
Jan. 4	Jan. 5	Jan. 4	Jan. 4	60
Jan. 11	Jan. 11	Jan. 11	Jan. 11	55
Jan. 17	Jan. 18	Jan. 18	Jan. 18	50
Jan. 24	Jan. 25	Jan. 25	Jan. 25	45
Jan. 30	Feb. 1	Feb. 2	Feb. 1	40
Feb. 6	Feb. 8	Feb. 10	Feb. 8	35
Feb. 14	Feb. 15	Feb. 18	Feb. 14	30
Feb. 21	Feb. 22	Feb. 25	Feb. 21	25
Feb. 28	Mar. 2	Mar. 7	Mar. 2	20
Mar. 11	Mar. 13	Mar. 19	Mar. 12	15
Mar. 22	Mar. 24	Mar. 30	Mar. 24	10
Apr. 6	Apr. 10	Apr. 19	Apr. 7	5
Apr. 18	Apr. 19	Apr. 27	Apr. 16	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Zone C-2				Percentage of allowable ration for entire heating year
Carbondale, Ill.	Cincinnati, Ohio, Columbia, Mo., Dodge City, Kans.	Evansville, Ind., Kansas City, Mo., Louisville, Ky., St. Louis, Mo.	Springfield, Mo., Wichita, Kans.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 8	Nov. 4	Nov. 7	Nov. 6	95
Nov. 20	Nov. 16	Nov. 19	Nov. 19	90
Dec. 1	Nov. 28	Dec. 1	Dec. 2	85
Dec. 8	Dec. 6	Dec. 8	Dec. 7	80
Dec. 15	Dec. 18	Dec. 15	Dec. 14	75
Dec. 21	Dec. 20	Dec. 22	Dec. 21	70
Dec. 28	Dec. 27	Dec. 29	Dec. 28	65
Jan. 3	Jan. 3	Jan. 4	Jan. 4	60
Jan. 9	Jan. 10	Jan. 11	Jan. 10	55
Jan. 15	Jan. 17	Jan. 17	Jan. 16	50
Jan. 21	Jan. 23	Jan. 23	Jan. 23	45
Jan. 27	Jan. 30	Jan. 30	Jan. 29	40
Feb. 2	Feb. 6	Feb. 5	Feb. 4	35
Feb. 8	Feb. 13	Feb. 12	Feb. 11	30
Feb. 15	Feb. 20	Feb. 19	Feb. 18	25
Feb. 22	Feb. 27	Feb. 26	Feb. 25	20
Mar. 1	Mar. 10	Mar. 7	Mar. 6	15
Mar. 14	Mar. 31	Mar. 19	Mar. 18	10
Mar. 27	Apr. 5	Mar. 30	Mar. 30	5
Apr. 5	Apr. 16	Apr. 11	Apr. 10	3
Apr. 28	May 11	May 4	May 6	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone C-1				Percentage of allowable ration for entire heating year
Baltimore, Md.; Norfolk, Va.	Elkins, W. Va.	Lynchburg, Va.; Parkersburg, W. Va.	Richmond, Va.; Washington, D. C.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 10	Oct. 28	Nov. 4	Nov. 8	95
Nov. 23	Nov. 10	Nov. 16	Nov. 19	90
Dec. 4	Nov. 22	Nov. 28	Dec. 1	85
Dec. 11	Dec. 2	Dec. 6	Dec. 8	80
Dec. 18	Dec. 10	Dec. 13	Dec. 15	75
Dec. 26	Dec. 18	Dec. 21	Dec. 22	70
Jan. 1	Dec. 25	Dec. 28	Dec. 29	65
Jan. 8	Jan. 3	Jan. 4	Jan. 5	60
Jan. 14	Jan. 11	Jan. 11	Jan. 12	55
Jan. 21	Jan. 19	Jan. 17	Jan. 18	50
Jan. 27	Jan. 26	Jan. 24	Jan. 25	45
Feb. 3	Feb. 3	Jan. 31	Jan. 31	40
Feb. 9	Feb. 11	Feb. 7	Feb. 7	35
Feb. 16	Feb. 18	Feb. 14	Feb. 14	30
Feb. 22	Feb. 26	Feb. 21	Feb. 21	25
Mar. 1	Mar. 8	Feb. 28	Feb. 28	20
Mar. 11	Mar 13	Mar. 10	Mar. 10	15
Mar 22	Mar 30	Mar. 21	Mar 21	10
Apr. 3	Apr. 15	Apr. 4	Apr 4	5
Apr. 13	Apr. 25	Apr. 15	Apr. 14	3
May 2	Sept. 30	May 8	May 4	0

Zone A-3				Percentage of allowable ration for entire heating year
Baker, Oreg.	Boise, Idaho, Walla Walla, Wash.	Spokane, Wash.	Yakima, Wash.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 18	Oct. 30	Oct. 23	Oct. 26	95
Nov. 3	Nov. 11	Nov. 7	Nov. 8	90
Nov. 16	Nov. 22	Nov. 18	Nov. 18	85
Nov. 28	Dec. 1	Nov. 28	Nov. 28	80
Dec. 7	Dec. 9	Dec. 7	Dec. 6	75
Dec. 16	Dec. 16	Dec. 15	Dec. 12	70
Dec. 24	Dec. 24	Dec. 23	Dec. 21	65
Jan. 2	Dec. 31	Jan. 1	Dec. 29	60
Jan. 10	Jan. 7	Jan. 8	Jan. 4	55
Jan. 19	Jan. 14	Jan. 16	Jan. 11	50
Jan. 27	Jan. 21	Jan. 23	Jan. 17	45
Feb. 5	Jan. 28	Jan. 31	Jan. 24	40
Feb. 14	Feb. 4	Feb. 8	Jan. 31	35
Feb. 24	Feb. 13	Feb. 16	Feb. 8	30
Mar. 7	Feb. 21	Feb. 25	Feb. 16	25
Mar. 20	Mar. 2	Mar. 8	Feb. 26	20
Apr. 3	Mar. 14	Mar. 20	Mar 9	15
Apr. 22	Mar. 26	Apr. 2	Mar. 28	10
May 19	Apr. 15	Apr. 13	Apr. 12	5
June 7	Apr. 25	May 9	Apr. 23	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone B-3			Zone C-3	Percentage of allowable ration for entire heating year
Northhead, Wash.	Seattle, Wash., Tacoma, Wash.	Tatoosh, Wash.	Portland, Oreg., Roseburg, Oreg.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Oct. 27	Oct. 23	Oct. 23	Oct. 30	95
Nov. 14	Nov. 8	Nov. 11	Nov. 10	90
Nov. 29	Nov. 20	Nov. 26	Nov. 21	85
Dec. 11	Dec. 1	Dec. 10	Dec. 2	80
Dec. 22	Dec. 10	Dec. 22	Dec. 10	75
Jan. 2	Dec. 19	Jan. 3	Dec. 17	70
Jan. 12	Dec. 28	Jan. 14	Dec. 25	65
Jan. 22	Jan. 6	Jan. 25	Jan. 2	60
Feb. 2	Jan. 14	Feb. 5	Jan. 10	55
Feb. 13	Jan. 22	Feb. 17	Jan. 17	50
Feb. 24	Jan. 30	Mar. 2	Jan. 24	45
Mar. 7	Feb. 8	Mar. 19	Feb. 1	40
Mar. 19	Feb. 17	Mar. 26	Feb. 10	35
Apr. 1	Feb. 26	Apr. 9	Feb. 18	30
Apr. 16	Mar 10	Apr. 22	Feb. 26	25
May 1	Mar. 21	May 17	Mar. 11	20
May 21	Apr. 2	June 10	Mar. 23	15
June 17	Apr. 19	July 13	Apr. 6	10
July 3	May 11	Aug. 25	Apr. 25	5
Sept. 1	May 24	Sept. 9	May 5	3
Sept. 30	Sept. 30	Sept. 30	Sept. 30	0

Zone D				Percentage of allowable ration for entire heating year
Asheville, N. C.	Charlotte, N. C., Atlanta, Ga.	Augusta, Ga., Columbia, S. C.	Charleston, S. C., Jacksonville, Fla., Savannah, Ga., Tallahassee, Fla.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 2	Nov. 9	Nov. 11	Nov. 20	95
Nov. 13	Nov. 21	Nov. 24	Dec. 3	90
Nov. 24	Dec. 2	Dec. 3	Dec. 9	85
Dec. 3	Dec. 8	Dec. 9	Dec. 14	80
Dec. 10	Dec. 14	Dec. 15	Dec. 19	75
Dec. 18	Dec. 20	Dec. 21	Dec. 24	70
Dec. 25	Dec. 27	Dec. 26	Dec. 29	65
Jan. 1	Jan. 2	Jan. 1	Jan. 3	60
Jan. 8	Jan. 8	Jan. 7	Jan. 8	55
Jan. 15	Jan. 14	Jan. 12	Jan. 13	50
Jan. 22	Jan. 20	Jan. 18	Jan. 17	45
Jan. 29	Jan. 26	Jan. 24	Jan. 22	40
Feb. 6	Feb. 2	Jan. 29	Jan. 27	35
Feb. 13	Feb. 8	Feb. 4	Feb. 1	30
Feb 20	Feb. 14	Feb. 10	Feb. 6	25
Feb. 27	Feb. 21	Feb. 16	Feb. 12	20
Mar. 10	Feb. 27	Feb. 23	Feb. 18	15
Mar. 22	Mar. 11	Mar. 2	Feb. 25	10
Apr. 4	Mar. 24	Mar. 17	Mar. 5	5
Apr. 15	Mar. 29	Mar. 28	Mar. 11	3
Sept. 30	Apr. 13	Apr. 21	Mar. 21	0

Table VIII—Table of percentage of 1943–44 heating year's ration for late applicants (pursuant to §§ 1394.5317 (a) (3), 1394.5319 (a) (3) and 1394.5321 (a) (2))—Continued

DATES OF APPLICATION ARE LISTED UNDER INDIVIDUAL WEATHER STATION FOR EACH ZONE

Zone D—Continued				Percentage of allowable ration for entire heating year
Hatteras, N. C.	Macon, Ga.	Raleigh, N. C., Wilmington, N. C.	Tampa, Fla.	
Oct. 1	Oct. 1	Oct. 1	Oct. 1	100
Nov. 20	Nov. 11	Oct. 11	Dec. 4	95
Dec. 3	Nov. 28	Oct. 24	Dec. 8	90
Dec. 10	Dec. 2	Dec. 3	Dec. 12	85
Dec. 17	Dec. 8	Dec. 10	Dec. 16	80
Dec. 24	Dec. 14	Dec. 16	Dec. 20	75
Dec. 30	Dec. 19	Dec. 22	Dec. 24	70
Jan. 6	Dec. 25	Dec. 29	Dec. 28	65
Jan. 12	Dec. 31	Jan. 4	Jan. 1	60
Jan. 18	Jan. 6	Jan. 10	Jan. 5	55
Jan. 24	Jan. 11	Jan. 16	Jan. 9	50
Jan 30	Jan. 17	Jan. 22	Jan. 8	45
Feb. 5	Jan. 22	Jan. 28	Jan. 11	40
Feb. 10	Jan. 28	Feb. 3	Jan. 18	35
Feb. 16	Feb. 3	Feb. 9	Jan. 16	30
Feb. 21	Feb. 9	Feb. 15	Jan. 18	25
Feb. 27	Feb. 15	Feb. 22	Jan. 21	20
Mar. 8	Feb. 21	Mar. 1	Jan. 23	15
Mar. 18	Feb. 27	Mar. 12	Jan. 26	10
Mar. 28	Mar. 15	Mar. 25	Jan. 28	5
Apr. 3	Mar. 22	Mar. 30	Jan. 29	3
Apr. 24	Apr. 10	Apr. 22	Jan. 31	0

APPENDIX A—PROVISIONS OF RATION ORDER NO. 11 (BEFORE REVISION) WHICH WERE USED TO DETERMINE CERTAIN RATIONS FOR HEAT OR HOT WATER, OR BOTH, FOR THE 1942–43 AND 1943–44 HEATING YEARS.

1. *Application for rations for heat and hot water; establishment of consumption during base period* (Former § 1394.5253). (a) An applicant for a ration for heat or for heat and hot water in any premises, other than a house trailer, or for hot water in premises other than a private dwelling, shall establish fuel oil consumption in the premises for such purpose during the base period. He shall, except for good cause shown, obtain from each dealer or supplier from whom fuel oil was purchased for such use during the base period, a certification showing the total amount of fuel oil purchased from such dealer or supplier during the base period for the equipment for which the application is made, except that in "Area A" or in "Area B", if such dealer or supplier cannot, for good cause shown, furnish such certification for the base period, the applicant may obtain from such dealer or supplier a certification of purchases made during the nearest consecutive twelve (12) months period subsequent to the commencement date of the base period. A certification from each such dealer or supplier shall be annexed to and submitted with the application: *Provided*, That such certification shall not be required if the ration applied for is to be used in a portable space heater.

2. *Same; determination of fuel oil consumption for heat and hot water during base period* (Former § 1394.5254). (a) The amount of fuel oil (if any) actually consumed during the base period in furnishing heat or hot water, or both, to the premises for which the application is made, shall be determined by the Board. Such determination shall be made subject to the following requirements:

(1) The amount claimed by the applicant to have been consumed must be supported by or reconciled with the total purchases shown in the certifications furnished pursuant to section 1 of Appendix A.

(2) If the certifications so furnished cannot be reconciled with the amount claimed to have been consumed, consumption during the base period shall be deemed not to have exceeded (and may in any event be found to have been less than) the amount evidenced by such certifications plus the capacity of any storage tank or other container maintained for supplying the equipment for which the application is made.

(3) The applicant may establish that the amount stated in any such certification is incorrect. If the Board finds that the amount stated in any certification is incorrect, it shall, in determining consumption, take into account the amount actually purchased.

(b) If the applicant fails to obtain or to furnish the required certification from any dealer or supplier, but shows good cause for such failure, fuel oil consumption during the base period shall be deemed not to have been established. In such case the allowable ration shall be determined in accordance with the provisions of section 3 (a) (3) or (4) or section 3 (c) of Appendix A, whichever is applicable. If no good cause is shown for such failure, no ration may be issued.

3. *Determination of allowable ration for heating private dwellings* (Former § 1394.5256). (a) Except as provided in paragraph (c) of this section, the allowable ration for heating private dwelling premises other than a house trailer during the heating year shall be 66⅔% of the amount of fuel oil consumed (as adjusted for temperature variations from the norm, pursuant to section 4 of Appendix A) in heating such premises during the base period, except that:

(1) If 66⅔% of such adjusted consumption exceeds the maximum of range established pursuant to section 5 of Appendix A, the allowable ration shall be such maximum;

(2) If 66⅔% of such adjusted consumption is less than the minimum of such range, the allowable ration shall be either such minimum or 85% of such adjusted consumption, whichever is less;

(3) If the applicant fails to obtain or to furnish the required certification from any dealer or supplier, but shows good cause for such failure, and if consumption during the base period is representative of normal fuel oil requirements for heating the premises during the heating year, the allowable ration shall be midpoint of such range or 66⅔% of such consumption (as adjusted for temperature variations from the norm in accordance with section 4 (b) and (c) of Appendix A whichever is less: *Provided*, That if 66⅔% of such adjusted consumption is less than the minimum of such range, the allowable ration shall be such minimum or 85% of such adjusted consumption, whichever is less;

(4) If consumption during the base period cannot be determined, or if such consumption is, for any reason (other than weather conditions) not representative of normal fuel oil requirements for heating the premises during the heating year, the allowable ration shall be the midpoint of such range.

(b) If one or more children less than four (4) years of age regularly occupy private dwelling premises other than a house trailer, the allowable ration for the operation of the oil-burning equipment heating such premises shall be increased by:

(1) 125 gallons, in Thermal Zone A and in Zones A–1, A–2, and A–3.

(2) 100 gallons, in Thermal Zone B and in Zones B–1, B–2, and B–3.

(3) 75 gallons, in Thermal Zone C and in Zones C–1, C–2, and C–3.

(4) 50 gallons, in Thermal Zone D and in Zone D–1.

(c) Where application is made for a ration for furnishing heat and hot water to private dwelling premises other than a house trailer and the amount of fuel oil deducted for hot water pursuant to section 4 (b) of Appendix A exceeds the total amount of fuel oil consumed during the base period, such total amount of fuel oil shall be deemed to have been consumed for heating the premises and the allowable ration for heating the premises shall be determined in accordance with the provisions of paragraph (a) and (b) of this section. In such cases no ration for domestic hot water shall be issued.

(d) Where application is made for the operation of a space heater in a house trailer, the allowable ration for such purpose shall be the amount requested by the applicant for the space heater but shall not exceed twice the maximum of the range established in accordance with the provisions of section 3 of Appendix A for the area assigned to the Board to which application is made and which has jurisdiction over the issuance of such ration pursuant to any of the subparagraphs of paragraph (b) of § 1394.5101. No ration shall be issued for the operation of a space heater for supplying domestic hot water in a house trailer.

4. *Same; determination of adjusted fuel oil consumption during base period* (Former § 1394.5257). Fuel oil consumption in heating private dwelling premises during the base period shall be determined and adjusted, for the purposes of section 3 of Appendix A, in the following manner:

(a) The total amount of fuel oil used in the premises during the base period for heat or for both heat and hot water shall be determined pursuant to section 2 of Appendix A;

(b) The amount of fuel oil (if any) used for hot water shall be deducted from such total. If fuel oil was used, during all or part of the base period, for supplying domestic hot water, the amount so used shall, in the absence of proof to the contrary, be deemed to have been twenty (20) gallons per month for the first person, plus five (5) gallons per month for each additional person, regularly occupying the premises while fuel oil was used for such purpose: *Provided*, That where a space heater supplied such hot water, the amount so used shall, in the absence of proof to the contrary, be deemed to have been fifteen (15) gallons per month;

(c) The amount of fuel oil used during the base period for heating the premises shall be multiplied by the percentage specified in column 1 of Table I for the thermal sub-zone in which the premises are located; except that in "Area A", such amount of fuel oil shall be multiplied by the percentage specified in column 1 of Table IA, and in "Area B" by the percentage specified in column 1 of Table IB, for the county in which the premises are located. The product shall for the purposes of section 3 (a) of Appendix A, be deemed to be the amount of fuel oil consumed during the base period as adjusted for temperature variations from the norm.

5. *Same; determination of range* (Former § 1394.5258). (a) The maximum and minimum of the range within which the allowable ration for heating private dwelling premises shall be determined, for the purposes of section 3 (a) of Appendix A, shall be obtained by multiplying the floor area of the premises, computed pursuant to paragraph (b) of this section by:

(1) The maximum and minimum number of gallons per square foot of floor area as shown in subcolumn (a) of column (2) of Table I for the thermal sub-zone in which the premises are located (in "Area A" the appropriate subcolumn of column (2) of Table IA, and in "Area B" the appropriate subcolumn of column (2) of Table IB, for the county in which the premises are located), if the application is made for a ration for the operation of central heating equipment; or

(2) The maximum and minimum number of gallons per square foot of floor area, as shown in subcolumn (b) of column (2) of Table I for the thermal sub-zone in which the premises are located (in "Area A" the appropriate subcolumn of column (2) of

Table IA, and in "Area B" the appropriate subcolumn of column (2) of Table IB, for the county in which the premises are located), if the application is made for a ration for the operation of space heaters, except that if application is made both for space and central heating equipment used for heating the same premises at different times, the maximum and minimum for both types of equipment shall be determined pursuant to the subcolumn entitled "Central Heating Equipment".

(b) In computing the floor area of the premises for the purposes of paragraph (a) of this section, only necessary living and sleeping quarters and space used for occupational purposes shall be included: *Provided*, That in no event shall a total area in excess of 2,000 square feet for the first person, plus 600 square feet for the second person and 300 square feet for each additional person, regularly occupying the premises covered by the application, be included in determining the range: *Provided further*, That in no event shall a total area in excess of 550 square feet be included in determining the range where application is made for a ration for heating premises by a space heater unless:

(1) The applicant submits satisfactory proof that the space heater actually heats a floor area in excess of 550 square feet, or

(2) Consumption during the base period has been determined in accordance with section 2 (a) of Appendix A and is representative of normal fuel oil requirements for heating the premises during the heating year.

(c) *Changes for the 1943–44 heating year.* For the purpose of determining the maximum of the range for heating private dwelling premises (other than a house trailer) for the 1943–44 heating year:

(1) The Board shall use Table IC (instead of Table I) in § 1394.5851 (d), and in Areas A and B Table ID (instead of Tables IA and IB) in § 1394.5851 (e); and

(2) The total floor area which may be included shall not exceed 3,000 square feet (instead of 2,000) for the first person, plus 600 square feet for the second person and 300 square feet for each additional person regularly occupying the dwelling.

5. *Determination of ration for domestic hot water in private dwelling* (Former § 1394.5259). (a) Except as provided in section 3 (c) and (d) of Appendix A, the allowable ration for supplying domestic hot water to private dwelling premises shall be 66⅔% of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying such premises, and multiplying the sum by the number of months during the heating year in which a ration for hot water is required: *Provided*, That the allowable ration for the operation of a space heater for such purpose shall be the figure obtained by multiplying ten (10) gallons by the number of months during the heating year in which a ration for hot water is required.

(b) On or after June 1, 1943, in Thermal Zones A and B, and on or after May 15, 1943 in Thermal Zones C and D, a ration may be issued for equipment furnishing domestic hot water even though there is available for this purpose central heating equipment using an alternate fuel. In that event, the allowable ration, determined in accordance with paragraph (a) of this section, shall be for a period ending not later than August 31, 1943 in Thermal Zones A and B, or September 30, 1943 in Thermal Zones C and D.

7. *Application for ration for heat or hot water in premises other than private dwellings* (Former § 1394.5260). (a) Application for a ration for the operation of oil burning equipment designed for, and furnishing, heat or hot water, or both, to all or part of any premises other than a private dwelling shall, except as provided in paragraph (a) of § 1394.5406 be made on Form OPA R–1101 or Form OPA R–1101 (Revised). The applicant shall supply the information required by the form.

(b) In the cases specified in paragraph (c) of this section, the applicant shall annex to his application a certification by a qualified heating contractor, plumber, architect or heating engineer showing the amount of fuel oil needed during the heating year to meet the normal heating requirements or the normal hot water requirement (or both, as the case may be) of the premises for which the application is made. Such certification shall be based on an examination of the application and an inspection of the premises; the engineer, contractor, architect or plumber furnishing such certification shall take into consideration the construction of the premises, the purposes for which the premises are used and the weather conditions in the locality in which the premises are situated, and shall base his estimate on the standards established in and recommended by the Manual of the American Society of Heating and Ventilating Engineers (1942 ed.).

(c) The certification described in paragraph (b) of this section shall be required in the following cases:

(1) If fuel oil was not used during the base period for the purpose for which the application is made, or if consumption during the base period was, for any reason (other than weather conditions), not representative of normal fuel oil requirements during the heating year; or

(2) If the certifications required by section 1 of Appendix A cannot be obtained, or if such certifications cannot be reconciled with the amount of fuel oil claimed by the applicant to have been used during the base period for heat, or hot water, or both (as the case may be).

(d) In the case of all applications made in the States enumerated in section 8 (e) of Appendix A, the applicant shall certify upon the application the percentage of the floor area of the premises, which is used for residential purposes.

8. *Determination of allowable ration for heat or hot water in premises other than private dwellings* (Former § 1394.5261). (a) The allowable ration for heating premises other than private dwellings during the heating year shall be 66⅔% of the amount of fuel oil consumed (as adjusted for temperature variations from the norm, pursuant to section 9 of Appendix A) in heating such premises during the base period.

(b) The allowable ration for supplying hot water to premises other than private dwellings during the heating year shall be 66⅔% of the amount of fuel oil consumed in supplying hot water to the premises during the base period, subject to such adjustment as may result from the operation of section 9 (c) of Appendix A.

(c) If consumption during the base period cannot be determined or is deemed not to have been established (as provided in section 2 (b) of Appendix A), or if such consumption is, for any reason (other than weather conditions), not representative of normal fuel oil requirements during the heating year, the allowable ration for heat, or hot water, or both, shall be 66⅔% of the normal fuel oil requirements of the premises for such purpose or purposes, as determined by the Board.

(d) If application is made for a ration for the operation of space heaters in premises other than private dwellings and if the premises heated thereby are regularly occupied by one or more children under four (4) years of age, the allowable ration for the operation of such space heaters for heating such premises shall be increased by the amount specified in section 3 (b) of Appendix A, for the thermal zone in which the premises are located.

9. *Same; determination of adjusted fuel oil consumption during the base period.* (Former § 1394.5262). Fuel oil consumption during the base period in heating premises other than private dwellings (and, to the extent provided in paragraph (b) of this section, in supplying hot water to such premises) shall be determined and adjusted for the purposes of section 8 of Appendix A, in the following manner:

(a) The total amount of fuel oil used for heating the premises during the base period shall be determined pursuant to section 2 of Appendix A; or

(b) If fuel oil was consumed and a ration is required, both for heat and for hot water, the total amount used for both purposes shall be determined pursuant to section 2 of Appendix A. If fuel oil was consumed both for heat and for hot water, and a ration is required for heat only, the amount used for hot water during the base period shall be deducted from the total consumed.

(c) The amount of fuel oil used during the base period for heat, or for both heat and hot water (as determined in accordance with paragraph (a) or (b) of this section) shall be multiplied by the percentage specified in column 1 of Table I for the thermal sub-zone in which the premises are located (in "Area A" column 1 of Table IA, and in "Area B" column 1 of Table IB, for the county in which the premises are located). The product shall, for the purposes of section 8 (a) and (b) of Appendix A, be deemed to be the amount of fuel oil consumed during the base period, adjusted for temperature variations from the norm.

10. *Rations for space heaters in premises other than private dwellings; special cases* (Former § 1394.5270). Notwithstanding the provisions of paragraph 8 (c) of Appendix A:

(a) The allowable ration for heating residential premises other than a private dwelling by means of a space heater may, at the option of the applicant, be determined in accordance with section 3 (a) (3) or (4), whichever is applicable, and section 3 (b) and (c) of Appendix A, where the certifications required by section 1 of Appendix A cannot, for good cause, be obtained.

(b) The allowable ration for furnishing domestic hot water to such premises, by means of a space heater may, at the option of the applicant, be determined in accordance with provisions of section 6 of Appendix A, where the certifications required by section 1 of Appendix A cannot, for good cause, be obtained.

(c) Application for a ration pursuant to this section shall be made on Form OPA R–1100 or Form OPA R–1100 (Revised). The applicant shall supply the information required by that form, except that he need not supply the certifications required by section 7 (b) of Appendix A or paragraph (b) of § 1394.5255.

11. *Who may apply for a renewal* (Former § 1394.5280). An application to renew a ration for heat or hot water, or both, for the 1943–44 heating year (that is, from October 1, 1943, to September 30, 1944, inclusive) may be made by the person to whom the ration was issued, or by any member of the family, or by someone acting for either of them. The application must be made on Form OPA R–1167. However, a ration which has expired for any of the reasons specified in § 1394.5502 may not be renewed. Applications for rations for heat or hot water, or both, made after November 30, 1943, must be made according to § 1394.5315, Late applicants.

12. *How the renewed ration for a private dwelling is figured* (Former § 1394.5281). The renewed ration for heat or hot water, or both, for a private dwelling (other than a house trailer) shall be the amount of fuel oil which the applicant was entitled to use for such purpose (excluding auxiliary and supplemental rations) for the 1942–43 heating year, figured according to sections 3 (heat) and 6 of Appendix A (hot water), except that:

(a) The maximum and minimum of the range for heating the dwelling shall be figured according to Table IC (instead of Table I) in § 1394.5851 and in Areas A and B according to Table ID (instead of Tables IA and IB) in § 1394.5851; and

(b) The total floor area which may be included under section 5 of Appendix A (determination of range) for central heating equipment shall not exceed 3,000 square feet (instead of 2,000 square feet) for the first person, plus 600 square feet for the second person and 300 square feet for each additional person, regularly occupying the dwelling.

(c) This section is subject to the provisions of section 15 of Appendix A.

(d) If the renewed ration is required for a space heater which is also designed and used for domestic cooking, the renewed heating ration shall be subject to the maximum specified in § 1394.5383 (c).

13. *How the renewed ration for a house trailer is figured* (Former § 1394.5282). (a) The renewed ration for heating a house trailer by use of a space heater shall be the amount of fuel oil which the applicant was entitled to use for such purpose (including supplemental but excluding auxiliary rations) for the 1942–43 heating year, figured according to section 3 (d) of Appendix A. In no event shall the renewed ration be more than twice the maximum of the range. However, in determining the range by using the subcolumn (b) of column (2) of Table I, the figures for subzone 18 shall apply to subzone 19; those for subzone 19 to subzone 20; those for subzone 20 to subzone 21; and those for subzone 21 to subzone 22. In Areas A and B, the designated subcolumn of Table ID shall be used to determine the maximum renewed ration allowable.

(b) This section is subject to the provisions of section 15 of Appendix A.

14. *How the renewed ration for premises other than a private dwelling is figured* (Former § 1394.5283). (a) The renewed ration for heat or hot water, or both, for premises other than a private dwelling shall be the amount of fuel oil which the applicant was entitled to use for such purpose (excluding auxiliary and supplemental rations) for the 1942–43 heating year, figured according to section 8 (a) to (d), inclusive, of Appendix A.

(b) If heat or hot water, or both, is furnished by means of a space heater, and if, because the applicant showed good cause for not obtaining a certificate of past consumption, his ration was figured in the same way as though he used a space heater for the purpose in a private dwelling (that is, according to section 3 for heat or section 6 of Appendix A for hot water), the renewed ration shall be figured according to section 12 of Appendix A.

(c) This section is subject to the provisions of section 15 of Appendix A.

15. *How the renewed ration is figured when a smaller amount is requested* (Former § 1394.5284). If the applicant states on his application that he will accept, as his renewed ration, an amount less than he was entitled to use (excluding auxiliary rations in house trailers and excluding auxiliary and supplemental rations in all other cases) for the entire 1942–43 heating year, the renewed ration shall be the reduced amount indicated. However, if as a result of the correction of any errors which may have been made in figuring the ration for the 1942–43 heating year, that ration is less than the amount which the applicant states he will accept, the renewed ration shall be the lesser of the following:

(a) The reduced amount indicated by the applicant; or

(b) The amount the applicant would be entitled to receive under whichever of the last three sections is applicable.

16. *The renewed ration will be issued in coupon sheets or fuel oil deposit certificates* (Former § 1394.5285). (a) Class 2, 4, 5 and 6 coupon sheets (Forms OPA R–1107 to OPA R–1110, and OPA R–1137 to OPA R–1166, inclusive) or fuel oil deposit certificate (Form OPA R–1170) will be issued as renewed rations for heat or both heat and hot water. (The issuance of fuel oil deposit certificates is explained in § 1394.5288.[5])

(b) Class 3 coupon sheets or fuel oil deposit certificates will be issued as renewed rations for hot water only.

(c) Any ration for less than 300 gallons will be issued only in class 3 coupon sheets.

17. *Who is a new applicant* (Former § 1394.5292). A new applicant is a person who applies after September 12, 1943 (but on or before November 30, 1943) for a ration for heat or hot water, or both, for the 1943–44 heating year for use in a private dwelling or in premises other than a private dwelling where application for a renewal ration under section 11 of Appendix A may not be made. The new applicant must be the person controlling the use of the equipment, but he may authorize someone to make the application for him. Applications for rations for heat or hot water, or both, made after November 30, 1943 must be made according to § 1394.5315, Late applicants.

18. *How a new applicant applies for a ration* (Former § 1394.5293). (a) The new applicant who needs a ration for use in a private dwelling must apply to his Board on Form OPA R–1100 or Form OPA R–1100 (Revised).

(b) The new applicant who needs a ration for use in premises other than a private dwelling must apply to his Board on Form OPA R–1101 or Form OPA R–1101 (Revised), except that if he needs a ration for use in residential premises heated by a space heater, he must apply on Form OPA R–1100 or Form OPA R–1100 (Revised).

(c) The new applicant must, except for good cause shown, submit with his application the name of the person to whom a ration for heating the premises was issued for the 1942–43 heating year.

(d) The provisions of paragraphs (b) and (c) of § 1394.5252[6] shall apply with respect to the number of applications which may be made by new applicants.

19. *How the new applicant's heat or hot water ration for a private dwelling is figured* (Former § 1394.5294).—(a) *Heat.* The new applicant's ration for heating a private dwelling (other than a house trailer) for the 1943–44 heating year shall be the amount of fuel he needs to meet his minimum heating requirements. However, the ration shall not be more than the maximum of the range for heating the dwelling nor less than the smaller of the following: the minimum of the range or 85% of the fuel oil consumed for heating the dwelling during the base period adjusted to normal according to section 4 of Appendix A.

(1) The maximum and minimum of the range for heating the dwelling shall be figured according to Table IC (instead of Table I) in § 1394.5851, and in Areas A and B according to Table ID (instead of Tables IA and IB) in § 1394.5851;

(2) The total floor area which may be included under section 5 of Appendix A (determination of range) for central heating equipment shall not exceed 3,000 square feet (instead of 2,000 square feet) for the first person, plus 600 square feet for the second person and 300 square feet for each additional person regularly occupying the dwelling;

(3) If the dwelling is regularly occupied by any child under 4 years of age, the ration shall be increased by the amount specified in section 3 (b) of Appendix A for the zone in which the dwelling is located.

(b) *Hot water.* The new applicant's ration for domestic hot water in a private dwelling (other than a house trailer) for the 1943–44 heating year shall be figured according to section 6 of Appendix A.

20. *How the new applicant's ration for heating a house trailer is figured.* (Former § 1394.5295). The new applicant's ration for heating a house trailer by means of a space heater for the 1943–44 heating year shall be the amount of fuel oil the applicant needs for the purpose. However, the ration shall not exceed twice the maximum of the range for the house trailer, figured according to section 5 of Appendix A. In determining the range by using subcolumn (b) of column (2) of Table I, the figures for subzone 18 shall apply to subzone 19; those for subzone 19 to subzone 20; those for subzone 20 to subzone 21; and those for subzone 21 to subzone 22. In Areas A and B, Table ID shall be used to figure the maximum ration allowable for heating a house trailer.

21. *How the new applicant's ration for heat or hot water, or both, for premises other than a private dwelling is figured* (Former § 1394.5296). The new applicant's ration for furnishing heat or hot water, or both, to premises other than a private dwelling for the 1943–44 heating year shall be figured as follows:

(a) *Residential premises using central heating equipment and non-residential premises.* (1) If the ration is needed for residential premises using central heating equipment or for non-residential premises, the ration shall be figured according to section 8 (a) to (c) inclusive, of Appendix A.

(2) The new applicant need not establish consumption during the base period if such consumption was established for the purpose of figuring the ration for the 1942–43 heating year. In such case, the base period consumption shall be the amount thus established. However, if no ration was issued for the purpose for the 1942–43 heating year, the new applicant must establish fuel oil consumption, if any, during the base period, in the manner provided in section 1 of Appendix A, and the Board will determine such consumption in the manner provided in section 2 of Appendix A. In any case, if the circumstances specified in section 7 (c) of Appendix A are found to exist, the new applicant must furnish to the Board the certification described in paragraph (b) of that section. The term "the heating year" wherever appearing in sections 1, 2, 7, and 8 of Appendix A shall be deemed for the purpose of this section to mean the 1943–44 heating year.

(b) *Residential premises using space heater.* If the ration is needed in premises used for residential purposes heated by a space heater, the ration for heat shall be figured in the same way as though the new applicant used a space heater in a private dwelling, that is, according to section 19 of Appendix A, and the ration for hot water shall be figured according to section 6 of Appendix A.

22. *Issuance of rations for heat or hot water to new applicants* (Former § 1394.5297). (a) Heat and hot water rations for the 1943–44 heating year shall be issued to new applicants in the manner provided for the issuance of renewed rations in §§ 1394.5285 to 1394.5288,[5] inclusive.

(b) The coupons sheets or fuel oil deposit certificates issued to the new applicant shall be equal to the amount of the ration allowed less the amount of fuel oil he has on hand for the operation of the equipment for which the application is made.

(c) No ration issued to an applicant who was required to apply for a ration for the

[5] The provisions of former § 1394.5288 are now contained in § 1394.5825 (d).

[6] These provisions are now contained in § 1394.5516 (a).

[5] The provisions of former § 1394.5288 are now contained in § 1394.5825 (d).

operation of the equipment in the premises for the 1942–43 heating year and omitted to do so, shall be deemed a waiver of any violation by him of § 1394.5603.

23. *Advance heat and hot water rations for Areas A and B* (former § 1394.5311). (a) Any consumer who has a ration for heat or hot water, or both, which was issued in Area A or Area B, and who has fuel oil storage facilities for 150 gallons or more, may, prior to September 1, 1943, receive, without application, a portion of his ration for heat or hot water, or both, for the next heating year.

(b) The portion of the ration to be issued shall be an amount equal to the current allowable ration for hot water plus the following percentage of the allowable heating ration for the heating year:

(1) 42% in Zone A in Area A.
(2) 45% in Zone B in Area A.
(3) 43% in Zone C in Area A.
(4) 40% in Area B.

(c) The Board shall issue Class 3 coupon sheets, valid through September 30, 1944, containing coupons equal in gallonage value to the amount specified in paragraph (b) of this section.

24. Class 1 and Class 2 coupon sheets were issued as rations for the 1942–43 heating year (October 1, 1942 to September 30, 1943, inclusive). After September 30, 1943, all coupons (unit and definite value) on those sheets became void for transfers of fuel oil to consumers, and after October 30, 1943, all unit value coupons on those sheets became void for all purposes. On and after December 30, 1943 all definite value coupons on those coupon sheets become void for all purposes.

25. Thermal Zones A, B, C and D, referred to in sections dealing with heat and hot water rations for the 1942–43 heating year, were described in Ration Order No. 11, before revision. Thermal Zone A consisted of the area now included in Thermal Zones A–1, A–2, and A–3; Thermal Zone B consisted of the area now included in Thermal Zones B–1, B–2 and B–3; and Thermal Zone C consisted of the area now included in Thermal Zones C–1, C–2 and C–3. Former Thermal Zone D and present Thermal Zone D are identical.

Effective date. This Revised Ration Order 11 shall become effective February 28, 1944.

NOTE: All reporting and record keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2899; Filed, February 28, 1944; 5:00 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Supp. 1]

FUEL OIL

§ 1394.9208 *Designation of unit value in gallons of fuel oil.* (a) The units represented by coupons on Class 4, 5 and 6 coupon sheets shall have the following values for the transfer of fuel oil to a consumer and shall retain such values thereafter:

(1) The value of one unit represented by coupons numbered "1" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "1" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "1" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred and fifty (250) gallons of fuel oil, respectively.

(2) The value of one unit represented by coupons numbered "2" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "2" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "2" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred and fifty (250) gallons of fuel oil, respectively.

(3) In Zones D, A–2, B–2, and C–2 the value of one unit represented by coupons numbered "3" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "3" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "3" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred and fifty (250) gallons of fuel oil, respectively.

(4) In Zones A–1, A–3, B–1, B–3, C–1 and C–3 the value of one unit represented by coupons numbered "3" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "3" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "3" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

(5) In Zone D, the value of one unit represented by coupons numbered "4" and "5" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "4" and "5" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "4" and "5" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons and two hundred fifty (250) gallons of fuel oil, respectively.

(6) In Zones A–1, A–3, B–1, B–3, C–1 and C–3, the value of one unit represented by coupons numbered "4" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "4" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "4" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

(7) In Zones A–2, B–2, and C–2 the value of one unit represented by coupons numbered "4" and "5" on Class "4" coupon sheets, and the value of five units represented by coupons numbered "4" and "5" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "4" and "5" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons and two hundred fifty (250) gallons of fuel oil, respectively.

(b) *Effective dates.* This Supplement No. 1 shall become effective February 28, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2898; Filed, February 28, 1944; 4:59 p. m.]

[1] 8 F.R. 6708, 11005; 9 F.R. 237, 1282, 1466, 2987, 9061, 16062; 9 F.R. 92, 908, 1523.

PART 1499—COMMODITIES AND SERVICES

[Order 635 Under 3 (b)]

BIGHAM CO., ET AL.

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation, Order No. 635.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.2161 *Authorization of maximum prices for sales of "Bigham's Chili Mix Seasoning" by Bigham Company, 3912-18 N. Damen Avenue, Chicago, Illinois, and by wagon wholesalers.* (a) On and after February 26, 1944, the maximum prices for sales by Bigham Company, 3912–18 N. Damen Avenue, Chicago, Illinois, of "Bigham's Chili Mix Seasoning," packed in 8-ounce packages, one dozen packages to the shipping case, shall be as follows, subject in each case to a discount of 2% for cash, 30 days net:

For sales to wagon wholesalers	$3.46 per dozen 8-ounce packages, f. o. b. factory.
For sales to wholesalers and retail distributing warehouses	$3.64 per dozen 8-ounce packages, f. o. b. factory.
For sales to independent retailers	$4.37 per dozen 8-ounce packages, delivered to purchasers' receiving stations.

(b) Wagon wholesalers shall determine their maximum selling prices for "Bigham's Chili Mix Seasoning," manufactured by Bigham Company, by adding to their net delivered cost of the item a markup of 25% of that cost. Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent; and where the fraction is one-half cent or larger, the wagon wholesaler may increase his maximum price per dozen to the next higher cent.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial, or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such wholesaler is a wagon wholesaler only for sales made in this manner.

"Net delivered cost" means the amount the wagon wholesaler pays for the item delivered to his customary receiving point (but not in excess of Bigham Company's maximum price, f. o. b. factory, plus cost of transportation to the wagon wholesaler's customary receiving point), less all discounts allowed him except the discount for prompt payment. No expense of local hauling or trucking shall be included.

Wagon wholesalers shall apply to their maximum prices for "Bigham's Chili Mix Seasoning" the same discounts, allowances, and price differentials, including price differentials between different classes of purchasers, which they customarily applied to sales of comparable commodities, unless a change in these customary discounts, allowances, and price differentials results in a lower selling price.

(c) With the first delivery on or after February 26, 1944, Bigham Company shall supply each wagon wholesaler who purchases "Bigham's Chili Mix Seasoning" from it with written notice as set forth below:

(Insert date)

NOTICE TO WAGON WHOLESALERS

The OPA has authorized us to charge wagon wholesalers for our "Bigham's Chili Mix Seasoning" a maximum selling price f. o. b. factory, of $3.46 per dozen 8-ounce packages, one dozen packages to the shipping case, subject to a discount of 2% for cash, 30 days net. Wagon wholesalers are authorized by OPA to determine their maximum selling prices for "Bigham's Chili Mix Seasoning" by adding to their net delivered cost of the item a markup of 25% of that cost. By "net delivered cost" is meant the amount you pay for the item delivered to your customary receiving point (but not in excess of our maximum price, f. o. b. factory, plus cost of transportation to your customary receiving point), less all discounts allowed you except the discount for prompt payment. It does not include expense for local hauling or trucking.

Where a maximum price per dozen packages determined by a wagon wholesaler is a fractional cent price and the fraction of a cent is less than one-half cent, the maximum price per dozen shall be lowered to the next lower cent; and where the fraction is one-half cent or larger, the wagon wholesaler may increase his maximum price per dozen to the next higher cent. OPA requires that you keep this notice for examination.

(d) This Order No. 635 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 635 shall become effective February 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2787; Filed, February 26, 1944; 11:56 a. m.]

PART 1340—FUEL

[MPR 88,[1] Amdt. 1]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. The title of the regulation is amended to read as follows: "Fuel Oil, Gasoline and Liquefied Petroleum Gas."

2. The first paragraph of § 1340.151 is amended by deleting the words "naphthas and solvents" wherever such words appear.

3. Section 1.1 is amended by deleting the words "industrial naphthas and solvents derived from petroleum" and by inserting between the line reading "Diesel fuels" and the line commencing with the words "All grades of gasoline" the following:

Residual fuel oils and blends thereof with distillate fuel oils.

4. Section 1.15 (e) is revoked.

5. Section 2.11 (d) is amended to the extent that the cents per gallon price of 42–44 API gravity W. W. kerosene shall read 6.125.

6. Section 2.23 (c) is added to read as follows:

(c) *Kansas City, Missouri, area.* In that part of the State of Missouri which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Products	*Cents per gallon*
Kerosene and distillate fuel oils:	
42–44 API Grav. W. W. kerosene	5.125
41–43 API Grav. W. W. kerosene	5.00
Range or stove oil	4.625
No. 1 P. W. distillate (fuel oil)	4.50
No. 1 straw fuel oil	4.375
No. 2 fuel oil	4.25
No. 3 fuel oil	4.125

7. Section 2.28 (b) is amended as follows:

The API gravity range table contained in such section and the prices therein designated are amended to read as follows:

API gravity range:	*Cents per gallon*
12.9° and below	4.76
13.0–15.9°	5.05
16.0–19.9°	5.33
20.0–24.9°	5.62
25.0° and above	5.76

8. Section 4.23 (b) is added to read as follows:

(b) *Kansas City area.* In that part of the State of Missouri which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	*Cents per gallon*
80–82 Oct. ASTM and Ethyl grade	7.375
72–74 Oct. ASTM	6.625
63–66 Oct. ASTM	6.25
60–62 Oct. ASTM and below	5.875

9. Section 5.2 (e) is revoked.

10. Section 6.3 (a) (1) is amended as follows: The word "except" appearing in the parenthetical text after "Florida" is deleted.

11. Section 6.4 (a) (1) is amended as follows: To the list of States mentioned there shall be added, between North Carolina and Vermont, the following:

Pennsylvania, Rhode Island, South Carolina.

12. Section 6.7 is revoked.

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2896; Filed, February 28, 1944; 4:50 p. m.]

PART 1340—FUEL

[MPR 510, Amdt. 1]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 510 is amended in the following respects:

1. In section 1 (b) the list of commodities set forth in the first paragraph of the section is amended to read as follows:

Motor oils including aviation oils, stock oils (neutrals, bright stocks, steam refined and other stock oils), greases, industrial oils, petroleum sulfonates, petroleum coke (except when sold by resellers as fuel), industrial naphthas and solvents, mineral oil polymers, and any other fraction of crude petroleum which is sold as a source of any of the foregoing commodities, unless specifically excluded in the following paragraph.

2. Section 13 (a) (1) is amended to read as follows:

(1) The maximum price established prior to the effective date of this regulation, in accordance with the provisions of the General Maximum Price Regulation, for industrial oils, greases, petroleum sulfonates, mineral oil polymers and industrial naphthas and solvents derived from petroleum, may be continued as the maximum price provided a sale was made at such price or such price was evidenced by publication in the seller's published price list or other customary method of publication used by the seller.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718.

3. Section 17 is amended by designating the first paragraph as (a) and adding a new paragraph (b) to read as follows:

(b) At any particular delivery or shipping point in the Territory of Hawaii, the sum of 3.5¢ per gallon may be added to a maximum price for industrial naphthas and solvents when sold in packages.

4. Section 15 (a) is amended by adding Order Number 11 to the list of orders of adjustment enumerated therein.

This amendment shall become effective on February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2897; Filed, February 28, 1944; 4:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 112]

FARM BUTTER

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 22.9 is added to read as follows:

SEC. 22.9 *Area reduction in point value of farm butter.* (a) In some localized areas there may be cases where farm butter, although it is offered for sale at a price at least low enough to continue the customary differential between it and creamery butter, cannot be disposed of at the point value established for such farm butter. The Director of the Food Rationing Division may, in these cases, authorize a reduction in the point value of farm butter, but only to the extent necessary to prevent waste or spoilage.

(b) The Director shall exercise his authority through the regional offices which he designates. He may authorize the designated regional offices to act through appropriate district offices or boards.

(c) The reductions shall be allowed, and farm butter shall be sold or transferred at the reduced point value, only under the conditions and subject to the limitations fixed by the Director, and any further conditions fixed by the appropriate regional office, district office, or board.

This amendment shall become effective February 28, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2894; Filed, February 28, 1944; 5:01 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amdt. 23]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended by adding a new § 1429.52 (f) to read as follows:

(f) *Dried egg products manufactured for procurement agencies of the United States Army Quartermaster Corps under experimental specifications.* Sales to procurement agencies of the United States Army Quartermaster Corps of dried egg products which meet each requirement of the "Quartermaster Corps Tentative Specification" identified as "C. D. Q. No. 117A, 28 January 1944, Superseding C. D. Q. No. 117, 4 March 1943" or as such requirements may be amended are exempted from price control until further order of the Administrator.

This amendment shall become effective February 28, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2895; Filed, February 28, 1944; 5:01 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 1 to Supp. 3[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.216 (c) is amended to read as follows:

(c) *Allowance per person.* (1) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is less than forty percent (40%) in December 1942, apply the following allowances per person:

	Allowance per person
Sugar	0.03 pounds
Processed foods:	
1. If the user himself baked less than 80% of the pies served	.7 points
2. If he baked 80% or more of the pies served	.8 points
Foods covered by Ration Order 16	1.0 points

(2) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is forty percent (40%) or more in December 1942, apply the following allowances per person:

	Allowance per person
Sugar	0.04 pounds
Processed foods:	
1. If the user himself baked less than 80% of the pies served	.7 points
2. If he baked 80% or more of the pies served	.8 points
Foods covered by Ration Order 16	1.1 points

NOTE: For the purposes of determining the percentage of baked products baked by institutional users, Form R-1307 Supplement contains the question: "Of the total number of each of the following baked products that you served in December 1942 what percentage of each did you buy?" This question is intended for the purpose of determining the amount of baked goods which the institutional user himself baked on the assumption that all baked products served which he did not buy were products which he baked. For example, if an institutional user reported that he bought 35% of the baked products which he served, it is taken to indicate that he baked the remaining 65%.

In determining an institutional user's baking percentages, the percentage that he himself baked of the total number of the items that he served in each of the six (6) categories listed in the parentheses is to be found; those percentages are added; the sum is divided by six (6); the result is considered to be his baking percentage. (If he did not serve any item in a category, the percentage that he baked for that category is zero.)

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively, Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2932; Filed, February 29, 1944; 11:44 a. m.]

PART 1334—SUGAR, CONFECTIONERY, AND SOFT DRINKS

[RPS 16,[1] Amdt. 5]

RAW CANE SUGARS

A statement of the considerations involved in the issuance of this amendment

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13960, 14399, 14623, 14764, 14845, 15259, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695.

[1] 8 F.R. 2488, 3002, 3070, 3735, 5842, 5839, 6182, 6476, 6626, 7457, 9027, 9679, 11381, 12096, 12478, 12632, 14093, 14400, 14855, 15459, 16190, 16999, 17465.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12489, 12557, 12403, 12744, 17486, 14472, 15486; 9 F.R. 401, 455, 692.

[1] 7 F.R. 1239, 2133, 2132, 8948; 8 F.R. 6842, 16991; 9 F.R. 95.

has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1334.9 (a) (1) is amended to read as follows:

(1) United States Atlantic ports north of Cape Hatteras including New York and Boston, 3.74 cents; except as to ports north of New York, with respect to sales of raw sugar authorized for purchase under authority of the War Food Administrator prior to January 1, 1944, 3.76 cents.

This amendment shall become effective January 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2942; Filed, February 29, 1944; 11:45 a. m.]

PART 1340—FUEL

[MPR 120,[1] Corr. to Amdt. 84]

BITUMINOUS COAL DELIVERED FROM MINE TO PREPARATION PLANT

Amendment No. 84 to Maximum Price Regulation No. 120 is corrected in the following respects:

1. In § 1340.224 (b) (1), the table of prices is corrected by adding new exceptions to the list of exceptions therein and by adding prices for these mines as follow:

PRICES AND SIZE GROUP NUMBERS

	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups		Mine run and resultants over 3" size groups		Resultants and screenings 3" and under, size groups	
	Washed or raw	6, 9, 10 washed	7, 9, 11 raw	12, 14, 15, 16 washed	13, 19, 20, 21 raw	17, 18 washed	22, 23 raw
• • •	•	•	•	•	•	•	•
Exceptions:							
• • •	•	•	•	•	•	•	•
Mine Index 13	540	490	480	390	380	400	390
Mine Index 21	580	510	500	435	425	435	425
Mine Index 53	370	370	360	365	355	360	350
Mine Index 69	485	465	455	405	395	410	400
Mine Index 1492				405	395		
Mine Index 1733	560	510	500	460	450	425	415

2. In § 1340.224 (b) (2), the table of prices is corrected so that the Exceptions appearing after Mine Index No. 1543 read as follows:

PRICES AND SIZE GROUP NUMBERS

	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups		Mine run and resultants over 3" size groups		Resultants and screenings 3" and under, size groups	
	Washed or raw	6, 8, 10 washed	7, 9, 11 raw	12, 14, 15, 16 washed	13, 19, 20, 21 raw	17, 18 washed	22, 23 raw
•	•	•	•	•	•	•	•
Exceptions:							
•	•	•	•	•	•	•	•
Mine Index Nos. 22, 23, 1306, 1672	550	500	455	440	430	430	405
Mine Index No. 69	510	485	465	425	415	415	365

3. In § 1340.224 (b) (4), the table of prices is corrected by adding a new exception therein and by adding prices for this mine as follows:

PRICES AND SIZE GROUP NUMBERS

	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea, and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than ¾" but not exceeding 2"	13, 14 screenings ¾" and smaller
•	•	•	•	•	•
Exceptions:					
•	•	•	•	•	•
Mine Index No. 95	415	365	360	360	295

4. In § 1340.224 (b) (5) the table of prices is corrected by changing the price for Size Group Nos. 7, 8, 9 and for mines in truck price groups number 11 from 365 to 375.

This correction to Amendment No. 84 shall become effective as of February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2943; Filed, February 29, 1944; 11:45 a. m.]

PART 1340—FUEL

[MPR 323,[1] Amdt. 7]

ASPHALT AND ASPHALT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 323 is amended in the following respects:

1. Section 1340.353 (c) is amended by adding to Table I a new reference point for St. Paul and Minneapolis with prices for asphalt cement and liquid asphalt, and by setting forth prices for liquid asphalt at the Yazoo City, Mississippi, reference point as follows:

Reference points	Asphalt cement		Liquid asphalt		
	Pen. 40–100	Pen. 100–300	S. C. 1–5	M. C. 1–5	R. C. 1–5
St. Paul and Minneapolis, Minn	$17.00	$16.00	$0.0575	$0.0700	$0.0725
Yazoo City, Miss.			.0300	.0350	.0375

2. Section 1340.353 (c) is amended by changing Table II in the following respects:

Reference point	Asphalt cement penetration		Liquid asphalt	Roofing flux	Light saturants	Oxidized asphalt	
	10–40	41–300			105–120 M. P.	120–165 M. P.	165–220 M. P.
San Francisco, Calif.					$11.40	$12.40	$13.40
Bakersfield, Calif.					11.40	12.40	13.40
Los Angeles, Calif.					11.40	12.40	13.40
Santa Maria, Calif.[1]					11.40	12.40	13.40

3. Section 1340.360 (b) is amended by adding a definition of light saturants as follows:

(5) *Light saturants.* Any grade of asphalt the price for which is determined by Table II of § 1340.353 (c) which has a penetration of less than 160 (method ASTM D-5-25) and has been oxidized to a melting point of not less than 105° and not more than 120° and when sold to the roofing or floor covering industries to be used for saturating purposes.

4. Section 1340.360 (b) (1) is amended by adding the words "except light satu-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1454.

[1] 8 F.R. 11143.

rants as defined in subparagraph (5) below."

5. Section 1340.360 (b) (2) is amended by adding the words "except light saturants as defined in subparagraph (5) below."

6. Section 1340.357 (b) (1) is amended by changing the last sentence to read as follows:

If the asphalt sold from a warehouse other than his plant storage was produced by the roofing manufacturer or was purchased by him in bulk and packaged, then his maximum price shall be the sum of his maximum price for packaged asphalt f. o. b. his plant as determined hereafter and the cost of transportation to said warehouse.

7. Section 1340.357 (b) (3) is amended by deleting the title "*F. o. b. the roofing manufacturer's production plant*" and substituting therefor the title "*F. o. b. the roofing manufacturer's plant for asphalt he produces.*"

8. Section 1340.357 (b) is amended by adding a new subparagraph to read as follows:

(4) *F. o. b. the roofing manufacturer's plant for asphalt he purchases and packages.* If a roofing manufacturer purchases asphalt in bulk, packages it for sale and makes direct shipment to a buyer from his production plant or plant storage, his maximum price for such packaged asphalt f. o. b. his production plant or plant storage shall be the sum of the following amounts:

(i) The delivered cost of the asphalt at his plant.

(ii) A charge for the container or package computed in accordance with § 1340.356 (a) (2).

(iii) A packaging differential charge in accordance with § 1340.356 (a) (3).

(iv) $3.50 per ton on sales to jobbers and distributors and $4.50 per ton on sales to all other buyers.

9. Section 1340.357 (c) is amended by adding the following words to the second paragraph:

However, if such a reseller during the period August 1–November 1, 1941 or within a reasonable time prior thereto had a higher mark-up than $2.50 per ton to a particular buyer of asphalt, he may use the higher mark-up upon written approval of the Office of Price Administration provided he can demonstrate that he customarily maintained such higher mark-up on sales of asphalt to the particular purchaser.

10. Section 1340.365 is amended by adding the following grade to the conversion table for liquid asphalt:

	Gallons per ton at 60° F.
Grade: 6	239

11. Section 1340.365 is amended by adding the following to the conversion table for asphalt cements:

	Gallons per ton at 60° F.
Penetration: 10–40	233

12. Section 1340.357 (c) is amended by deleting the words "on or before May 31, 1943" which follow the words "Office of Price Administration at Washington, D. C."

13. Section 1340.360 (b) (2) is amended by deleting the phrase "(method ASTM D88–38)" and by substituting therefor the phrase "(method ASTM D5–25)."

14. Section 1340.360 (b) (3) is amended by deleting the number 40 and substituting therefor the number 10.

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2030; Filed, February 29, 1944; 11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 401, Amdt. 2]

CERTAIN CORN PRODUCTS FOR ANIMAL CONSUMPTION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The unnumbered paragraph following section 5 (c) (2) and preceding section 5 (d) is hereby revoked.

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2041; Filed, February 29, 1944; 11:46 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 25]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 5 (a) is added to read as follows:

(a) *Maximum prices for retail sales by producers and wholesalers.* This section applies to producers and wholesalers who sell fresh fish or seafood for the most part to persons other than ultimate consumers who are not commercial, industrial or institutional users. The maximum price at which any producer or wholesaler may sell fresh fish or seafood to ultimate consumers who are not commercial, industrial or institutional users shall be the Table B price plus the appropriate mark-up established for Group 3 and 4 stores in Maximum Price Regulation No. 507 (Ceiling Prices of Certain Fresh Fish and Seafood Sold at Retail).

2. Section 13 (a) is amended to read as follows:

(a) Every person making a sale subject to this regulation and every person in the course of trade or business making a purchase of fresh fish or seafood subject to this regulation, or otherwise dealing therein, after July 12, 1943, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of dressing of pack of fresh fish or seafood, and the container type and size, and indicating that the fish or seafood is fresh.

3. Section 13 (c) is amended by changing the first sentence to read as follows:

(c) Every person making a sale of any fresh fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is fresh; the quantity, sizes, grades, and styles of dressing of fresh fish and seafood, and the price charged therefor, including a separate statement of the container cost, if any, as provided in section 19, and transportation cost, if any, as provided in section 7.

4. In section 18 the definition of "Round fish" is revoked.

5. In section 18, after the definition of "Retail chain store warehouse" and before the definition of "Seine caught", the following definition is inserted:

"Round" fish or seafood means fish or seafood as it comes from the water.

6. The text of section 20 preceding paragraph (a) is amended to read as follows:

SEC. 20. *Tables of maximum prices for producers and wholesalers.* The tables in section 20 of this regulation list maximum prices by months for sales by producers and wholesalers of different species of fresh fish and seafood according to various sizes and styles of dressing. For any fresh fish listed in this section that is sold in a style of dressing not listed in the section, the maximum price shall be the price listed for the lowest priced style of dressing for the particu-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13162, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1532, 1675.

lar species. For any fresh seafood listed in this section that is sold in a style of dressing not listed in the section for the particular seafood, the maximum price shall be the price listed for the lowest priced style of dressing for any seafood. For any fresh fish or seafood listed in this section that is sold in a size not listed in the section, the maximum price shall be the price listed for the lowest priced size for the particular species. For the purposes of this section round is to be considered a style of dressing.

This amendment shall become effective March 6, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2940; Filed, February 29, 1944; 11:46 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 21]

FOOD PRODUCTS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 288 is amended in the following respects:

1. Subparagraphs (3), (4), and (5) of § 1418.355 (a) are deleted, and subparagraph (6) of said section is redesignated subparagraph (3).

2. The second sentence of § 1418.360 (a) is amended to read: Maximum prices for commodities not enumerated, and for commodities sold in localities not specified, in the tables set forth in § 1418.363 of this Maximum Price Regulation 288 shall continue to be governed by Maximum Price Regulation 194, The General Maximum Price Regulation, or such other price regulations as may be applicable in the Territory of Alaska.

3. New subparagraph (5) is added to § 1418.363 (c) Table III to read as follows:

(5) *Definitions.* (i) "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940.

(ii) "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January 1943 by the United States Department of Agriculture and effective February 1, 1943.

(iii) "Bulk" and "print" mean the form in which butter is sold and delivered.

4. In § 1418.363 (j) Table X the headnote is amended to read: Maximum retail prices for canned fruit, vegetable, and other juices.

5. In § 1418.363 (k) Table XI the headnote is amended to read: Maximum retail prices for canned soups.

6. In § 1418.363 (l) Table XII the headnote is amended to read: Maximum retail prices for canned fruits.

7. In § 1418.363 (o) Table XV the headnote is amended to read: Maximum retail prices for canned vegetables.

8. § 1418.363 (v) Table XXII is added to read as follows:

(v) *Table XXII: Maximum prices for packaged distilled spirits and wines*—(1) *Definitions.* The definitions of the commodities and terms descriptive thereof used in this table shall be those set forth in Regulation No. 4 Relating to the Labeling and Advertising of Wine, and to Regulation No. 5 Relating to the Labeling and Advertising of Distilled Spirits, issued under the provisions of the Federal Alcohol Administration Act, as amended.

(2) *Sales slips and receipts.* The sales slip or receipt given to the purchaser in accordance with § 1418.358 (c) of this regulation shall show, in addition, the brand name, container size, type and proof of each item sold.

(3) *Excise taxes.* The maximum prices established in this Table included Federal excise taxes at rates in effect on March 6, 1944. Any retailer may charge and collect, in addition to the maximum price for an item listed in this table, the applicable amount of any increase in the Federal excise tax imposed thereon effective after March 6, 1944: *Provided,* That the amount of any such increase in tax is paid by the retailer to the taxing authorities or to a prior seller.

(4) *Maximum prices.* The maximum retail prices for packaged distilled spirits and wines shall be:

Brand	Proof	Bottle size	Zone 1 [1]	Zone 2 [2]	Zone 3 [3]	Zone 4 [4]	Zone 5 [5]	Zone 6 [6]
			Prices per bottle					
Brandy (domestic)								
Don Mariano	84	Pt	$1.95	$2.00	$2.05	$2.05	$2.10	$2.10
Don Mariano	84	5th	3.20	3.25	3.30	3.30	3.30	3.40
Casa Lobo	84	Pt	2.60	2.60	2.70	2.65	2.65	2.75
Casa Lobo	84	5th	4.20	4.25	4.40	4.30	4.35	4.40
Coronet V. S. Q	84	Pt	2.55	2.60	2.65	2.65	2.65	2.70
Coronet V. S. Q	84	5th	4.10	4.20	4.25	4.20	4.25	4.30
Lyons—California	85	Pint	2.20	2.30	2.35	2.30	2.35	2.40
Lyons—California	85	Fifth	3.70	3.75	3.85	3.80	3.80	3.90
Old Mr. Boston—Grape	84	Fifth	3.90	3.95	4.05	4.00	4.00	4.10
Petri Grappe—Grape	90	Fifth	3.35	3.40	3.50	3.40	3.45	3.55
Roma J. B. Cella—Grape	86	Fifth	4.10	4.20	4.25	4.20	4.25	4.30
Brandy (fruit)								
DeKuyper:								
Apricot	70	Fifth	3.30	3.35	3.45	3.40	3.45	3.50
Blackberry	70	Fifth	3.30	3.35	3.45	3.40	3.45	3.50
Cherry	70	Fifth	3.30	3.35	3.45	3.40	3.45	3.50
Hildick's—Apple	84	Fifth	4.05	4.10	4.20	4.15	4.15	4.25
Lyons:								
Apricot	80	Fifth	3.80	3.85	3.95	3.90	3.90	4.00
Blackberry	80	Fifth	3.80	3.85	3.95	3.90	3.90	4.00
Cherry	80	Fifth	3.80	3.85	3.95	3.90	3.90	4.00
Old Mr. Boston:								
Apricot	70	Tenth	1.65	1.70	1.75	1.75	1.75	1.80
Blackberry	70	Tenth	1.65	1.70	1.75	1.75	1.75	1.80
Old Mr. Boston—Apricot	70	Fifth	3.30	3.30	3.45	3.40	3.40	3.50
Red Horse:								
Apricot	60	Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Blackberry	60	Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Cherry	60	Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Peach	60	Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Brandy (imported)								
Austin & Nichols—Portugal	84	Fifth	5.15	5.25	5.40	5.30	6.35	6.45
Barros—Portugal	84	Fifth	5.40	5.50	5.65	5.55	5.60	5.70
Kopke—Portugal	84	Fifth	6.00	6.10	6.25	6.05	6.05	6.15
Merito Old Reserve—25 years—Portugal	84	Fifth	5.40	5.50	5.60	5.50	5.55	5.60

See footnotes at end of table.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166, 14305, 16514, 16626, 16627, 16865, 16986, 16793; 9 F.R. 301, 849, 1715.

Brand	Proof	Bottle size	Zone 1 [1]	Zone 2 [2]	Zone 3 [3]	Zone 4 [4]	Zone 5 [5]	Zone 6 [6]
			Prices per bottle					
Brandy—Rum								
Lyons	85	Pint	$2.10	$2.10	$2.20	$2.15	$2.20	$2.20
Lyons	85	Fifth	3.38	3.40	3.50	3.50	3.50	3.60
Cocktail mixt								
Club Daiquiri	70	Fifth	3.80	3.90	4.00	3.90	3.95	4.05
Club Manhattan	63	Fifth	3.80	3.85	3.95	3.80	3.90	4.00
Club Dry Martini	71	Fifth	3.80	3.90	4.00	3.90	3.95	4.05
Club Old Fashioned	80	Fifth	3.90	3.95	4.05	4.00	4.00	4.10
Club Sidecar	60	Fifth	3.75	3.80	3.90	3.85	3.85	3.95
Lyons:								
Manhattan	60	Fifth	3.00	3.05	3.15	3.10	3.15	3.20
Martini	60	Pint	2.60	2.65	2.75	2.70	2.75	2.80
Martini	60	Fifth	3.00	3.05	3.15	3.10	3.15	3.20
Old Fashioned	70	Fifth	3.20	3.30	3.40	3.35	3.35	3.40
Sidecar	65	Fifth	3.20	3.25	3.35	3.30	3.30	3.40
Cordials, liqueurs, nectars, and vermouth								
Bardinet:								
Apricot Liqueur	60	Fifth	4.40	4.45	4.55	4.50	4.55	4.60
Cherry Liqueur	52	Fifth	4.30	4.40	4.50	4.45	4.45	4.55
Creme de Cacao	50	Fifth	4.20	4.30	4.40	4.35	4.35	4.45
Creme de Menthe, Green or White.	50	Fifth	3.75	3.85	3.95	3.90	3.90	4.00
Curacao (Jugs)	70	Fifth	5.30	5.40	5.55	5.45	5.45	5.55
Kummel—Dry	90	Fifth	5.25	5.35	5.45	5.40	5.40	5.50
Triple Sec	90	Fifth	4.45	4.55	4.65	4.60	4.60	4.70
DeKuyper:								
Anisette	56	Fifth	3.30	3.40	3.50	3.45	3.45	3.55
Apricot Cordial	74	Fifth	3.65	3.70	3.80	3.75	3.80	3.85
Cherry Cordial	50	Fifth	3.45	3.55	3.65	3.60	3.60	3.70
Creme de Cacao	60	Fifth	3.55	3.60	3.70	3.65	3.65	3.75
Creme de Menthe		Fifth	3.35	3.40	3.50	3.45	3.50	3.60
Orange Curacao	60	Fifth	3.55	3.60	3.70	3.65	3.70	3.75
Kummel	80	Fifth	3.80	3.85	3.95	3.90	3.90	4.05
Triple Sec	80	Fifth	3.85	3.90	4.00	3.95	4.00	4.10
Lyons:								
Apricot Cordial	60	Fifth	3.40	3.45	3.55	3.50	3.50	3.60
Blackberry Cordial	60	Fifth	3.40	3.45	3.55	3.50	3.50	3.60
Cherry Cordial	60	Fifth	3.40	3.45	3.55	3.50	3.50	3.60
Creme de Cacao	60	Fifth	3.40	3.45	3.55	3.50	3.50	3.60
Creme de Menthe, Green or White.	60	Fifth	3.30	3.40	3.50	3.45	3.45	3.55
Absen	100	Fifth	4.60	4.70	4.80	4.75	4.75	4.85
Martini Rossi—Vermouth (It. or Fr.) sweet or dry.		30-oz	2.10	2.15	2.25	2.20	2.30	2.45
Old Mr. Boston:								
Anisette	60	Fifth	3.75	3.80	3.90	3.85	3.90	4.00
Creme de Cacao	60	Fifth	3.75	3.80	3.90	3.85	3.90	4.00
Creme de Menthe, Green or White.	60	Fifth	3.75	3.80	3.90	3.85	3.90	4.00
Curacao	80	Fifth	3.75	3.80	3.90	3.85	3.90	4.00
Kummel	80	Quart	4.35	4.45	4.55	4.50	4.50	4.65
Nectar	70	Fifth	3.20	3.25	3.35	3.30	3.30	3.40
Triple Sec	80	Fifth	3.75	3.80	3.90	3.85	3.90	4.00
Red Horse:								
Creme de Menthe	60	Fifth	4.65	4.75	4.85	4.80	4.80	4.90
Kummel	60	Fifth	4.65	4.75	4.85	4.80	4.80	4.90
Santo Thomas: Vermouth (Mex.)		Quart	2.25	2.30	2.40	2.35	2.35	2.55
Gin, Cuban								
Graves	85	Pint	2.50	2.50	2.60	2.55	2.55	2.60
Graves	85	Fifth	4.05	4.10	4.20	4.20	4.20	4.30
Graves	90	Quart	4.90	5.00	5.10	5.05	5.05	5.50
Gin, distilled dry								
Fox Lake	85	Fifth	4.25	4.30	4.45	4.35	4.40	4.50
Gilbey's	90	Pint	2.00	2.05	2.10	2.10	2.10	2.15
Gilbey's (London)	90	Fifth	3.25	3.30	3.40	3.35	3.40	3.50
Gin, orange flavored								
Gordon's	80	Pint	1.95	2.00	2.05	2.00	2.05	2.10
Old Mr. Boston	70	Tenth	1.55	1.60	1.65	1.60	1.65	1.70
Old Mr. Boston	70	Fifth	3.10	3.15	3.25	3.20	3.25	3.40
Gin, sloe								
DeKuypers	60	Pint	1.70	1.75	1.80	1.80	1.80	1.85
DeKuypers	60	Fifth	2.75	2.80	2.90	2.90	2.90	3.00
Lyons	70	Fifth	3.20	3.25	3.35	3.30	3.30	3.40
Old Mr. Boston	70	Tenth	1.55	1.55	1.60	1.60	1.60	1.70
Old Mr. Boston	70	Fifth	3.00	3.10	3.20	3.10	3.15	3.25
Red Horse		Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Rum								
Alzola		Fifth	5.15	5.20	5.35	5.25	5.30	5.35
Bacardi:								
Gold Label (Cuban)	89	Fifth	5.45	5.50	5.65	5.60	5.60	5.70
Silver Label (Puerto Rico)	89	Fifth	4.10	4.20	4.30	4.25	4.25	4.35
White Label (Cuban)	89	Fifth	5.25	5.35	5.45	5.40	5.40	5.50
Caldwell's (Domestic)	100	Quart	4.80	4.90	4.95	4.95	4.95	5.05
Carioca (Puerto Rico)	86	Fifth	3.95	4.15	4.25	4.20	4.25	4.30
Carioca (Puerto Rico)	151	Fifth	6.15	6.25	6.40	6.30	6.35	6.50
Coruba (British) (Jamaica)	151	Fifth	7.25	7.35	7.50	7.40	7.45	7.55
Don L (Imported)		Fifth	3.90	4.00	4.20	4.15	4.15	4.25
Government House (Virgin Islands)	135	Tenth	2.38	2.40	2.45	2.45	2.45	2.50
Government House (Virgin Islands)	135	Fifth	4.70	4.75	4.85	4.80	4.80	4.90
Kelley's Jamaica Punch (Br. Jamaica).	97	Fifth	5.45	5.55	5.65	5.60	5.65	5.75
Kelley's Planters Dock (Br. Jamaica).	151	Fifth	7.65	7.75	7.90	7.80	7.85	8.00
Kelley's White Label (Br. Jamaica)	151	Fifth	5.20	5.30	5.45	5.35	5.40	5.75

See footnotes at end of table.

Brand	Proof	Bottle size	Zone 1 [1]	Zone 2 [1]	Zone 3 [1]	Zone 4 [1]	Zone 5 [1]	Zone 6 [1]
			Prices per bottle					
***Rum*—Continued**								
Lemon Hart & Sons (Br. Demerara)	114	Tenth	$3.10	$3.15	$3.25	$3.20	$3.25	$3.25
Lemon Hart & Sons (Br. Demerara)	114	Fifth	6.00	6.05	6.25	6.20	6.20	6.35
Lemon Hart & Sons (Br. Demerara)	151	Tenth	3.75	3.80	3.85	3.80	3.85	3.95
Lemon Hart & Sons (Br. Demerara)	151	Fifth	7.25	7.40	7.50	7.45	7.45	7.60
Pedros (Cuban)	85	Fifth	4.80	4.90	5.00	4.90	4.95	5.00
Pete Hagen: Gold Label (Cuba)	80	Fifth	4.30	4.30	4.45	4.25	4.40	4.45
Riondo: Gold Label (Domestic)	80	Fifth	4.00	4.15	4.30	4.25	4.25	4.35
Ron Merito: Gold Label, (Domestic)	86	Fifth	3.90	4.00	4.25	4.15	4.20	4.30
Ronrico: Gold Label (Import)	80	Fifth	4.20	4.25	4.40	4.30	4.35	4.45
Sevilla (Domestic)	80	Fifth	3.45	3.50	3.60	3.55	3.60	3.65
Rum (Rock and)								
Red Horse	60	Quart	4.70	4.80	4.90	4.85	4.85	4.95
Tequila								
Hermosa	90	Fifth	4.65	4.70	4.85	4.80	4.86	4.95
Vodka								
Kepresky (Domestic)		Pint	2.50	2.50	2.60	2.55	2.60	2.65
Kepresky (Domestic)		Fifth	3.90	3.95	4.05	4.00	4.05	4.10
Red Horse (Domestic)	100	Fifth	5.40	5.45	5.60	5.50	5.50	5.60
Whiskey—Bourbon—Straights and blends of straights								
Ancient Age	90	Fifth	3.65	3.65	3.75	3.70	3.70	3.80
Ancient Age	90	Pint	2.30	2.25	2.30	2.30	2.30	2.35
Black Gold	86	Pint	2.65	2.70	2.80	2.75	2.80	2.85
Black Gold	86	Fifth	3.05	3.10	3.20	3.10	3.20	3.25
Bond & Lillard	90.4	Pint	2.80	2.80	2.90	2.90	2.90	2.95
Bond & Lillard	90.4	Fifth	3.30	3.35	3.45	3.40	3.40	3.50
Bourbon De Luxe	86	Pint	2.65	2.70	2.80	2.75	2.80	2.85
Bourbon De Luxe	86	Fifth	3.05	3.10	3.20	3.10	3.20	3.25
Bourbon Supreme	90.4	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Golden Wedding	90	Pint	2.20	2.25	2.30	2.30	2.30	2.35
Golden Wedding	90	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Hill & Hill	90.4	Pint	2.80	2.80	2.90	2.90	2.90	2.95
Hill & Hill	90.4	Fifth	3.30	3.35	3.45	3.40	3.40	3.50
Old Charter	90	Pint	2.80	2.85	2.95	2.90	2.90	3.00
Old Charter	90	Fifth	4.55	4.65	4.75	4.70	4.70	4.80
Old Guckenheimer	86	Pint	2.15	2.15	2.20	2.20	2.20	2.25
Old Guckenheimer	86	Fifth	3.70	3.75	3.85	3.80	3.80	3.90
Old Guckenheimer	86	Quart	4.20	4.30	4.40	4.35	4.35	4.45
Old Hermitage	90.4	Pint	2.80	2.80	2.90	2.90	2.90	2.95
Old Hermitage	90.4	Fifth	3.30	3.35	3.45	3.40	3.40	3.50
Old Sunnybrook	90.4	Pint	2.00	2.05	2.10	2.10	2.10	2.15
Old Sunnybrook	90.4	Fifth	3.30	3.35	3.45	3.40	3.40	3.50
Paul Jones	90	Pint	2.20	2.20	2.20	2.25	2.25	2.30
Paul Jones	90	Fifth	3.45	3.50	3.60	3.50	3.60	3.70
Whiskey—Bourbon—bottled in bond								
I. W. Harper	100	Pint	2.55	2.65	2.65	2.65	2.65	2.70
I. W. Harper	100	Fifth	4.15	4.20	4.30	4.25	4.25	4.35
I. W. Harper	100	Quart	5.05	5.15	5.25	5.20	5.20	5.30
Old Art	100	Pint	2.80	2.80	2.90	2.85	2.90	2.95
Old Art	100	Quart	5.55	5.65	5.75	5.70	5.70	5.80
Old Crow	100	One-half pint	1.20	1.20	1.25	1.25	1.25	1.30
Old Crow	100	Pint	2.30	2.30	2.40	2.35	2.35	2.45
Old Crow	100	Fifth	3.85	3.90	4.00	3.95	4.00	4.05
Old Forester	100	Pint	3.05	3.10	3.15	3.10	3.15	3.20
Old Forester	100	Fifth	4.85	4.90	5.00	4.95	4.95	5.00
Old Forester	100	Quart	5.00	6.10	6.25	6.15	6.20	6.30
Old Grand-Dad	100	½ pint	1.50	1.50	1.55	1.55	1.55	1.60
Old Grand-Dad	100	Pint	2.95	3.00	3.10	3.10	3.10	3.15
Old Grand-Dad	100	Fifth	4.85	4.90	5.05	5.00	5.00	5.10
Old Schenley	100	½ pint	1.20	1.20	1.25	1.25	1.25	1.25
Old Schenley	100	Pint	2.90	2.20	2.35	2.35	2.35	2.40
Old Schenley	100	Fifth	3.80	3.85	3.90	3.90	3.90	4.00
Old Schenley	100	Quart	4.50	4.55	4.70	4.60	4.60	4.75
Old Taylor	100	½pint	1.50	1.50	1.55	1.55	1.55	1.60
Old Taylor	100	Pint	3.00	3.00	3.10	3.05	3.05	3.10
Old Taylor	100	Fifth	4.85	4.90	5.05	5.00	5.00	5.05
Whiskey—Canadian								
Seagrams V. O	86.8	½-pint	1.70	1.70	1.75	1.70	1.75	1.75
Seagrams V. O	86.8	Pint	3.30	3.40	3.45	3.45	3.45	3.50
Seagrams V. O	86.8	Fifth	5.30	5.40	5.50	5.45	5.45	5.55
UDL Original	85	Pint	2.75	2.80	2.85	2.85	2.85	2.90
UDL Original	85	Fifth	4.40	4.50	4.60	4.55	4.55	4.65
UDL 8-plus	85	Fifth	3.70	3.80	3.90	3.80	3.85	3.95
Whiskey—Cuban								
Blanchard	84	Fifth	5.70	5.80	5.90	5.85	5.85	5.90
Whiskey—Corn								
A. M. S. (Yellow)	85	Pint	2.30	2.35	2.45	2.40	2.45	2.50
Whiskey—Irish								
J. Jameson & Son	86	Tenth	2.95	3.00	3.10	3.10	3.10	3.15
J. Jameson & Son	90	Fifth	5.65	5.75	5.85	5.80	5.90	5.90
Old Bushmill	86	Fifth	5.40	5.50	5.60	5.60	5.55	5.65

See footnotes at end of table.

Brand	Proof	Bottle size	Zone 1 [1]	Zone 2 [2]	Zone 3 [3]	Zone 4 [4]	Zone 5 [5]	Zone 6 [6]
			Prices per bottle					
Wines—Burgundy								
Cresta Blanca		Fifth	$1.35	$1.40	$1.50	$1.45	$1.50	$1.55
Don Mariano		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
Roma (Sparkling)		Tenth	1.25	1.30	1.35	1.35	1.35	1.40
San Benito		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Simi Vineyard		Fifth	1.15	1.20	1.25	1.25	1.20	1.40
Wines—Champagne								
Charles Heidsieck		Fifth	9.20	9.30	9.50	9.40	9.45	9.60
Cook's		Fifth	3.95	4.05	4.15	4.10	4.10	4.15
Gotham		10 ounces	2.10	2.10	2.20	2.15	2.15	2.20
Gotham		Fifth	3.90	4.00	4.10	4.05	4.05	4.15
Mumms (Extra Dry)		Fifth	8.15	8.25	8.40	8.30	8.35	8.45
Mumms (1933)		Fifth	9.70	9.80	9.95	9.85	9.90	9.95
Paul Garret		Tenth	1.75	1.80	1.90	1.85	1.85	1.90
Paul Garret		Fifth	3.30	3.35	3.45	3.40	3.45	3.55
Roma—White Label		Tenth	1.25	1.30	1.35	1.30	1.30	1.40
Roma—White Label		Fifth	2.25	2.30	2.45	2.40	2.40	2.50
Roma—Gold Label		Fifth	3.20	3.25	3.35	3.30	3.30	3.45
Royar Burt (Mexican)		Fifth	4.80	4.85	5.05	5.00	5.00	5.20
Santo Thomas (Mexican)		Fifth	5.15	5.25	5.45	5.35	5.40	5.60
Wines—Chablis								
San Benito		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Simi Vineyard		Fifth	1.20	1.25	1.35	1.30	1.30	1.40
Wines—Chianti								
Santo Thomas (Mexican)		13 ounces	1.25	1.25	1.30	1.30	1.30	1.35
Wines—Claret								
Cresta Blanca		Fifth	1.25	1.30	1.40	1.35	1.35	1.50
Don Mariano		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
San Benito		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Santo Thomas (Mexican)		Fifth	1.80	1.85	1.95	1.90	1.95	2.05
Simi Vineyard (Lily)		Fifth	1.05	1.05	1.15	1.10	1.15	1.25
Vinters Select		Fifth	.85	.90	1.00	.96	.95	1.05
Wines—Loganberry								
Connoisseur		Quart	.95	1.00	1.10	1.05	1.10	1.20
Connoisseur		Gallon	3.25	3.35	3.65	3.60	3.65	3.80
Wines—Muscatel								
Garrett's		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
San Benito		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
Vinters Select		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Wines—Port								
Aldouro (Portugal)		Fifth	2.80	2.85	2.95	2.85	2.95	3.10
Cresta Blanca		Fifth	1.20	1.20	1.30	1.25	1.30	1.40
Cresta Blanca		Quart	1.60	1.65	1.75	1.70	1.75	2.05
Dubonnet		Quart	1.55	1.60	1.70	1.70	1.70	1.80
Garrett's (Tawny)		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Garrett's		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Kopke (Import)		Fifth	2.45	2.55	2.75	2.65	2.70	2.80
Merito (Ruby)		Fifth	2.30	2.30	2.40	2.35	2.40	2.50
San Benito		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
Souza		Fifth	2.30	2.35	2.45	2.40	2.45	2.55
Vinters Select (Red or White)		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Wines—red								
Belle Isle		Pint	0.55	0.60	0.65	0.65	0.65	0.70
Belle Isle		Quart	1.10	1.10	1.20	1.15	1.20	1.25
Belle Isle		Gallon	3.55	3.70	4.00	3.90	3.95	4.10
Garrett's—Virginia Dare		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Lyons Chateau		Fifth	1.55	1.55	1.65	1.60	1.65	1.70
Wines—Sauterne								
Cresta Blanca		Fifth	1.25	1.30	1.40	1.35	1.35	1.45
Don Mariano		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
Garrett's		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
San Benito		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Santo Thomas (Mexican)		Fifth	2.35	2.35	2.45	2.40	2.45	2.60
Vinters Select		Fifth	.85	.90	1.00	.95	.95	1.60
Wines—Sherry								
Bartola (Import)		Fifth	$2.45	$2.50	$2.55	$2.60	$2.60	$2.70
Cresta Blanca		Fifth	1.20	1.20	1.30	1.25	1.30	1.40
Cresta Blanca		Quart	1.60	1.65	1.75	1.70	1.75	2.05
Garrett's		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Hartley (Dry)		Fifth	1.55	1.60	1.70	1.70	1.70	1.80
Merito (Import)		Fifth	2.35	2.40	2.50	2.45	2.45	2.60
San Benito		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
W. & H. Pondo (Import)		Fifth	3.60	3.70	3.80	3.75	3.80	3.95
Wines—Tokay								
San Benito		Fifth	1.15	1.20	1.30	1.20	1.30	1.40
Vinters Select		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Wines—white								
Belle Isle		Pint	.55	.60	.65	.65	.65	.70
Belle Isle		Quart	1.10	1.10	1.20	1.15	1.20	1.25
Belle Isle		Gallon	3.55	3.70	4.00	3.90	3.95	4.10
Garrett's: Virginia Dare		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Lyons Chateau		Fifth	1.55	1.55	1.65	1.60	1.65	1.70
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
Wines—Zinfandel								
Simi Vineyard		Fifth	1.15	1.20	1.25	1.25	1.20	1.40

[1] Zone 1 includes the area lying within the boundaries of the 1st Judicial Division, more particularly designated as all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

[2] Zone 2 includes all points on the Gulf of Alaska west of Zone 1, and all points on the south coast of the Alaska Peninsula (including Cordova, Valdez, Seward, Seldovia, and Kodiak).

[3] Zone 3 includes all points on the northern coast of the Alaska Peninsula, on Bristol Bay, on Kuskokwim Bay, on the Kuskokwim River north to Akiak, on the Bering Sea, on Norton Sound, on Bering Strait and on Kotzebue Sound (including Egegik, Naknek, Dillingham, Togiak, Quinhagak, Bethel, Fort St. Michael, St. Michael, Nome, Shishmaref, Deering, and Kotzebue).

[4] Zone 4 includes all points on the Alaska Railroad north of Seward to and including Anchorage.

[5] Zone 5 includes all points on the Alaska Railroad north of Anchorage and south of Curry.

[6] Zone 6 includes Curry, Nenana, Fairbanks, and all points on the Alaska Railroad north of Curry.

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2933; Filed, February 29, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 49]

ANTHRAFILT

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

Section 2.9 (l) is added to read as follows:

(l) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafilt".

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2934; Filed, February 29, 1944; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 98]

LAMPS AND LAMP SHADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

d	Proof	Bottle size	Zone 1 [1]	Zone 2 [2]	Zone 3 [3]	Zone 4 [4]	Zone 5 [5]	Zone 6 [6]
			Prices per bottle					
rgundy								
		Fifth	$1.35	$1.40	$1.50	$1.45	$1.50	$1.55
		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
		Tenth	1.25	1.30	1.35	1.35	1.35	1.40
		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
		Fifth	1.15	1.20	1.25	1.25	1.20	1.40
mpagne								
		Fifth	3.20	3.20	3.50	3.40	3.45	3.60
		Fifth	3.95	4.05	4.15	4.10	4.10	4.15
		10 ounces	2.10	2.10	2.20	2.15	2.15	2.20
		Fifth	3.90	4.00	4.10	4.05	4.05	4.15
)		Fifth	8.15	8.25	8.40	8.30	8.35	8.45
		Fifth	9.70	9.80	9.95	9.85	9.90	9.95
		Tenth	1.75	1.80	1.90	1.85	1.85	1.90
		Fifth	3.30	3.35	3.45	3.40	3.45	3.55
		Tenth	1.25	1.30	1.35	1.30	1.30	1.40
		Fifth	2.25	2.30	2.45	2.40	2.40	2.50
		Fifth	3.20	3.25	3.35	3.30	3.30	3.45
n)		Fifth	4.80	4.85	5.05	5.00	5.00	5.20
lean)		Fifth	5.15	5.25	5.45	5.35	5.40	5.60
blis								
		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
		Fifth	1.20	1.25	1.35	1.30	1.30	1.40
anti								
ican)		13 ounces	1.25	1.25	1.30	1.30	1.30	1.35
Claret								
		Fifth	1.25	1.30	1.40	1.35	1.35	1.50
		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
ican)		Fifth	1.80	1.85	1.95	1.90	1.95	2.05
)		Fifth	1.05	1.05	1.15	1.10	1.15	1.25
		Fifth	.85	.90	1.00	.95	.95	1.05
mberry								
		Quart	.95	1.00	1.10	1.05	1.10	1.20
		Gallon	3.25	3.35	3.65	3.60	3.65	3.80
uscatel								
		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
ican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Port								
		Fifth	2.80	2.85	2.95	2.95	2.95	3.10
		Fifth	1.20	1.20	1.20	1.25	1.30	1.40
		Quart	1.60	1.65	1.75	1.70	1.75	2.05
		Quart	1.55	1.60	1.70	1.70	1.70	1.80
		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
		Fifth	2.45	2.55	2.75	2.65	2.70	2.80
		Fifth	2.30	2.30	2.40	2.35	2.40	2.50
		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
ican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
		Fifth	2.30	2.35	2.45	2.40	2.45	2.55
or White)		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
-red								
		Pint	0.55	0.60	0.65	0.65	0.65	0.70
		Quart	1.10	1.10	1.20	1.15	1.20	1.25
		Gallon	3.55	3.70	4.00	3.90	3.95	4.10
Dare		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
		Fifth	1.55	1.55	1.65	1.60	1.65	1.70
auterne								
		Fifth	1.25	1.30	1.40	1.35	1.35	1.45
		24 ounces	1.00	1.05	1.10	1.10	1.10	1.20
		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
ican)		Fifth	2.35	2.35	2.45	2.40	2.45	2.60
		Fifth	.85	.90	1.00	.95	.95	1.50

Brand	Proof	Bottle size	Zone 1 [1]	Zone 2 [2]	Zone 3 [3]	Zone 4 [4]	Zone 5 [5]	Zone 6 [6]
			Prices per bottle					
Wines—Sherry								
Bartels (Import)		Fifth	$2.45	$2.50	$2.55	$2.60	$2.60	$2.70
Cresta Blanca		Fifth	1.20	1.20	1.30	1.25	1.30	1.40
Cresta Blanca		Quart	1.60	1.65	1.75	1.70	1.75	2.05
Garrett's		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Hartley (Dry)		Fifth	1.55	1.60	1.70	1.70	1.70	1.80
Merito (Import)		Fifth	2.35	2.40	2.50	2.45	2.45	2.60
San Benito		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
W. & H. Pondo (Import)		Fifth	3.60	3.70	3.80	3.75	3.80	3.95
Wines—Tokay								
San Benito		Fifth	1.15	1.20	1.30	1.30	1.30	1.40
Vinters Select		Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Wines—white								
Belle Isle		Pint	.55	.60	.65	.65	.65	.70
Belle Isle		Quart	1.10	1.10	1.20	1.15	1.20	1.25
Belle Isle		Gallon	3.55	3.70	4.00	3.90	3.95	4.10
Garrett's: Virginia Dare		Fifth	1.10	1.10	1.20	1.15	1.20	1.30
Lyons Chateau		Fifth	1.55	1.55	1.65	1.60	1.65	1.70
Santo Thomas (Mexican)		Fifth	2.25	2.30	2.40	2.35	2.35	2.55
Wines—Zinfandel								
Simi Vineyard		Fifth	1.15	1.20	1.25	1.25	1.20	1.40

[1] Zone 1 includes the area lying within the boundaries of the 1st Judicial Division, more particularly designated as all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.
[2] Zone 2 includes all points on the Gulf of Alaska west of Zone 1, and all points on the south coast of the Alaska Peninsula (including Cordova, Valdez, Seward, Seldovia, and Kodiak).
[3] Zone 3 includes all points on the northern coast of the Alaska Peninsula, on Bristol Bay, on Kuskokwim Bay, on the Kuskokwim River north to Akiak, on the Bering Sea, on Norton Sound, on Bering Strait and on Kotzebue Sound (including Egegik, Naknek, Dillingham, Togiak, Quinkagak, Bethel, Fort St. Michael, St. Michael, Nome, Shishmaref, Deering, and Kotzebue).
[4] Zone 4 includes all points on the Alaska Railroad north of Seward to and including Anchorage.
[5] Zone 5 includes all points on the Alaska Railroad north of Anchorage and south of Curry.
[6] Zone 6 includes Curry, Nenana, Fairbanks, and all points on the Alaska Railroad north of Curry.

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2933; Filed, February 29, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 49]

ANTHRAFILT

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

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*Copies may be obtained from the Office of Price Administration.

Section 2.9 (l) is added to read as follows:

(l) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafilt".

This amendment shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2934; Filed, February 29, 1944; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 98]

LAMPS AND LAMP SHADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 6.42 is added to read as follows:

SEC. 6.42 *Maximum prices for sales at wholesale of lamps and lamp shades*—(a) *Scope of this section.* This section establishes maximum prices for sales and deliveries of lamps and lamp shades by all jobbers. For the purposes of this section, a jobber is a person who buys lamps or shades and sells them to other persons for resale. Manufacturers of lamps are not covered by this section with respect to lamps or shades of their own manufacture, nor are they covered by this section with respect to shades not manufactured by them which they sell together with lamp bases of their own manufacture as completed units. However, if a manufacturer buys separate shades to resell as such, or complete lamps for resale, that portion of his business is classed as jobbing and is covered by this section.

This section establishes several methods by which jobbers may establish their maximum prices, depending upon the type of sale the jobber is transacting. If you are a jobber of lamps or lamp shades, you should first determine which of the following descriptions covers the sale of the article for which you wish to establish a maximum price; then turn to the paragraph indicated for the procedure to be followed in establishing your maximum price.

(1) Sales of lamps or lamp shades purchased from manufacturers by jobbers who were in business during March 1942 (see paragraph (b)).

(2) Sales of lamps or lamp shades purchased from manufacturers by jobbers who were not in business during March 1942. This class of sales is divided as follows:

(i) Sales of lamps or shades purchased from a manufacturer located in the same zone as the jobber (see paragraph (c) (1)). "Zone" is defined in paragraph (e).

(ii) Sales of lamps or shades purchased from a manufacturer located in a different zone (see paragraph (c) (2)).

(iii) Sales of lamps or shades which are shipped directly by the manufacturer to the jobber's customer (see paragraph (c) (3)).

(3) Sales by jobbers who purchase lamps or shades from persons other than the manufacturer (see paragraph (d)).

(b) *Maximum prices for sales and deliveries of lamps or lamp shades bought directly from the manufacturer by jobbers who were in the business of jobbing lamps or lamp shades during March 1942.* If you are a jobber who was in the business of jobbing lamps or lamp shades during March 1942 and have purchased lamps or lamp shades directly from the manufacturer, you determine your maximum prices for sales of lamps and lamp shades to retailers in the following manner:

(1) If you are now selling the identical lamp or lamp shade sold by you during March 1942, your present maximum price is the highest price you charged for such lamp or lamp shade during March 1942.

(2) *Lamps and lamp shades not sold during March 1942.* (i) Select a lamp or lamp shade purchased by you from the manufacturer and sold by you in March 1942 which has a cost nearest to your cost of the lamp or lamp shade now being sold. If more than one lamp or lamp shade has the same costs, select the one on which you did the largest volume of business during March 1942.

(ii) Divide the highest price charged by you f. o. b. your warehouse during March 1942 for the lamp or lamp shade selected, by the March 1942 cost of such lamp or lamp shade to you.

(iii) Multiply the percentage so obtained by the manufacturer's selling price to you of the new lamp or lamp shade. The resulting figure is your maximum price f. o. b. your warehouse.

(c) *Maximum prices for sales and deliveries of lamps or lamp shades bought directly from the manufacturer by jobbers who were not in the business of jobbing lamps or lamp shades during March 1942.* (1) If you are a jobber who was not in business of jobbing lamps or lamp shades during March 1942 and have purchased lamps or lamp shades directly from the manufacturer whose principal place of business is in the same zone; i. e. Eastern or Western, as your principal place of business, you determine your maximum price to retailers for those lamps or lamp shades which are shipped by you from your own stock by multiplying the manufacturer's selling price to you, f. o. b. manufacturer's city, by 1.35.

(2) If you are a jobber who was not in the business of jobbing lamps or lamp shades during March 1942, and have purchased lamps or lamp shades directly from the manufacturer whose principal place of business is not in the same zone; i. e. Eastern or Western, as your principal place of business, you determine your maximum price to retailers for those lamps or lamp shades shipped by you from your own stock by multiplying the manufacturer's selling price to you, f. o. b. manufacturer's city, by 1.40.

(3) If you are a jobber who was not in the business of jobbing lamps or lamp shades during March 1942, and have purchased lamps or lamp shades directly from the manufacturer, you determine your maximum price to retailers for those lamps or lamp shades for which delivery was made by your supplier directly to your customer by multiplying the manufacturer's selling price to you by 1.25.

(d) *Jobbers' maximum prices for sales of lamps or lamp shades purchased from persons other than the manufacturer.* If you are a jobber and have purchased lamps or lamp shades from persons other than the manufacturer, or if you do not have your purchase invoices, you must submit to the nearest District or Regional Office of the Office of Price Administration, a report applying for a specific authorization of a maximum price for such lamps or lamp shades. The report shall contain (1) a description of the lamps or lamp shades for which a maximum price is sought, (2) a statement of whether or not you were in the business of jobbing lamps or lamp shades in March 1942, (3) the name and address of the supplier from whom the article was purchased and the purchase price, (4) the name of the manufacturer of the lamps or lamp shades, the style number of the article and the manufacturer's maximum price to a jobber, if available, (5) the mark-up customarily enjoyed by you on sales of similar lamps or lamp shades as determined by paragraph (b) of this section, if you were a jobber in the business of selling lamps during March 1942, and (6) any other fact which you may wish to submit. You must also submit such additional information as the Office of Price Administration may request. You may not sell such lamps or lamp shades until you have received authorization from such District or Regional Office and must sell in accordance with the terms of such authorization. The maximum price authorized by the Office of Price Administration will be in line with the level of maximum prices established by this section.

Any Regional Administrator or any District Director so authorized by written order from his Regional Administrator may establish maximum prices for sales of lamps or lamp shades by jobbers as provided by this paragraph.

(e) *Definition of zones.* The western zone includes the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, and Wyoming. The rest of the country is in the eastern zone.

(f) *Invoices.* If you are a jobber of lamps or lamp shades, regardless of any former practice, after March 5, 1944, you must furnish each purchaser of such lamps and lamp shades with an invoice or other similar written evidence of purchase, setting forth the date of the invoice, your name and address, a description and lot number of each lamp or lamp shade, the price charged by you, and the name and address of the buyer. You must keep a carbon copy of this invoice for inspection by the Office of Price Administration.

On and after March 6, 1944, you must also keep for inspection by the Office of Price Administration all your purchase invoices. Although you may have purchased lamps or lamp shades directly from the manufacturer, if you do not have your purchase invoices, you may not price those lamps or lamp shades pursuant to paragraphs (b), (c) (1), (2) or (3), but must make an application for a price as set forth in paragraph (d).

This amendment shall become effective on the 6th day of March 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2935; Filed, February 29, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[Gen. Order 29, Supp. 7]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF CERTAIN RATE CEILINGS

General Order 29 (8 F.R. 1597, 2605, 4525, 9230, 10910, 13514, 16298) (§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons*), as amended, is amended by striking out the word "March", and inserting in lieu thereof the word "June".

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

FEBRUARY 28, 1944.

[F. R. Doc. 44-2931; Filed, February 29, 1944; 11:36 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 63—RULES RELATING TO SECTION 214

EXTENSION OF LINES, CONSTRUCTION OF NEW LINES, ETC.

Correction

In the second line of paragraph (h) (3) of F.R. Doc. 44-2523 (9 F.R. 2094), "telegram" should read "telegraph".

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Permit ODT 17-25A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

RETAIL DELIVERIES OF CUT FLOWERS

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-25 (8 F.R. 8876) shall be superseded, and it is hereby authorized that:

§ 521.2901 *Retail deliveries of cut flowers.* Notwithstanding the provisions of paragraph (b) of § 501.75 (limiting the number of days of motor truck operations), and subparagraph (1) of paragraph (a) of § 501.76 and Appendix No. 2 (limiting the frequency of deliveries weekly) of General Order ODT 17, as amended, any motor carrier may operate a motor truck for the purpose of making retail deliveries of cut flowers between the same points of origin and destination once during any calendar week, or three times when the destination is a hospital: *Provided*, That the motor carrier shall file with the appropriate district office of the Division of Motor Transport of the Office of Defense Transportation a schedule designating the three days of a calendar week on which deliveries to hospitals are to be made.

General Permit ODT 17-25 is hereby revoked as of the effective date of this General Permit ODT 17-25A.

This General Permit ODT 17-25A shall become effective February 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 8278, 12750, 14582)

Issued at Washington, D. C., this 29th day of February 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-2914; Filed, February 29, 1944; 11:05 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Project 16]

NIAGARA FALLS POWER CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

FEBRUARY 28, 1944.

Notice is hereby given that The Niagara Falls Power Company has filed with the Federal Power Commission application for amendment of the license for Project No. 16, located on the Niagara River at Niagara Falls, New York.

Due to the urgent need for electric power to supply war industries, the Governments of the United States and Canada by exchange of notes agreed that during the present war emergency additional diversions may be made from the Niagara River on the United States side in amounts of 5,000 c. f. s. and 7,500 c. f. s. Pursuant to this agreement, the Federal Power Commission authorized The Niagara Falls Power Company to divert these additional amounts of water through the hydroelectric power plant which the Company maintains at Niagara Falls under license pursuant to the Federal Power Act as Project No. 16. The authorizations were incorporated in Amendments Nos. 4 and 5 of the license for that project, and the Company now seeks modification of such amendments.

As a condition to authorization for use of these emergency diversions, the amendments prescribed that the additional revenue obtained, over and above the additional costs associated with their utilization, should be credited to special account No. 259, Emergency Diversion Reserve, and that for the purpose of simplifying the accounting, the gross revenue from the additional energy thereby generated should be computed on the basis of 4 mills per kilowatt-hour which was in accord with the then existing rates approved by the New York Public Service Commission. Before computing the amount to be credited to the Emergency Diversion Reserve account, the Company was allowed a return of six percent per annum on the capital expenditures necessary for utilizing the emergency diversions, less the amortization applicable thereto. This arrangement was designed to carry out the principle, agreed to by the Company, that it should not make additional profits as a result of the use of additional diversions for defense purposes.

Subsequently, the Public Service Commission of the State of New York, by orders dated November 6, 1942, directed The Niagara Falls Power Company to file new rates, charges, and classifications for service applicable to customers then receiving power under allotment from the Federal Power Commission and the War Production Board where such power was generated from the additional 12,500 c. f. s. The State Commission's orders require a reduction in the rates charged these consumers for such special emergency power to an average of approximately 2.78 mills per kilowatt-hour.

The Company, by application dated November 17, 1942, by letter dated January 14, 1943, and by supplemental petition dated May 12, 1943, requested modification of the authorizations and amendments of the Federal Power Commission license referred to, so that the revenue received from the sale of power from the emergency diversions may be computed on the bases of the rates and charges prescribed by the Public Service Commission of the State of New York. The Company also requests that a change be made in the formula used in determining the quantity of energy generated from the emergency diversions.

Any person desiring to make representations with respect to the requested modifications of the Federal Power Commission authorizations and the amendments to the license for Project No. 16 should on or before March 14, 1944, file with the Federal Power Commission in Washington, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-2913; Filed, February 29, 1944; 10:48 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3151]

PETER ORTH

In re: Estate of Peter Orth, deceased; File D–28–4013; E. T. sec. 6860.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marcus W. Damisch, County Treasurer of Kane County, Court House, Geneva, Illinois, Depositary, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the county of Kane;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Josepha Jeeken, Germany.
Friedrich Orth, Germany.
Peter Johann Orth, Germany.
Bernard Orth, Germany.
Hubertina Anna Barb, Germany.
Johann Orth, Germany.
Margaretha Lichtenberg, Germany.
Anna Maria Hoff, Germany.
Katharina Juenkersfeld, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $15,739.99 which is in the possession and custody of Marcus W. Damisch, Treasurer of Kane County, Illinois, depositary, pursuant to order entered September 23, 1941, by the Probate Court of Kane County, Illinois, in the matter of the estate of Peter Orth, deceased; also all right, title, interest and claim of any nature whatsoever of Josepha Jeeken, Friedrich Orth, Peter Johann Orth, Bernard Orth, Hubertina Anna Barb, Johann Orth, Margaretha Lichtenberg, Anna Maria Hoff and Katharina Juenkersfeld, in and to the estate of Peter Orth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2823; Filed, February 28, 1944; 10:52 a. m.]

[Vesting Order 3152]

EVELYN M. PETERS

In re: Trust u/w of Evelyn M. Peters, deceased; File D–28–6667; E. T. sec. 5553.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fifth Avenue Bank of New York, Trustee, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lillian Schwarzmecker and issue, Germany.
Carl Otto Offelsmeyer and issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lillian Schwarzmecker and Carl Otto Offelsmeyer, and their issue whose names are unknown, and each of them, in and to the trusts established under the Will of Evelyn M. Peters, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2824; Filed, February 18, 1944; 10:52 a. m.]

[Vesting Order 3153]

MINNIE RAFALIK

In re: Estate of Minnie Rafalik, also known as Michalina Rafalik, deceased; File D–34–92; E.T. sec. 2270.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles A. Otto, Jr., depositary, acting under the judicial supervision of the Union County Orphans' Court, Elizabeth, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Alexander Took, also known as Alex Tuk, Rakoscsaba, Kossuth, Lajor, Ut. F. F., Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alexander Took, also known as Alex Tuk, in and to the estate of Minnie Rafalik, also known as Michalina Rafalik, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in

the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2825; Filed, February 28, 1944; 10:52 a. m.]

[Vesting Order 3154]

HELEN M. ROBINS

In re: Trust under the will of Helen M. Robins, deceased, for the benefit of Elizabeth Barber; File No. F–28–17744: E.T. sec. 4771.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Stamford Trust Company, Trustee, acting under the judicial supervision of the Court of Probate, District of Stamford, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Barber, Alsterparkstr 11, Bad.-Homburg v. d. H, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Barber in and to the trust created under paragraph 8 of the Will of Helen M. Robins, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2826; Filed, February 28, 1944; 10:52 a. m.]

[Vesting Order 3155]

WILHELMINA ROSACKER

In re: Estate of Wilhelmina Rosacker, deceased; File D–28–8148; E. T. sec. 9062.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles Schwink, 3712 N. Florissant Avenue, St. Louis, Missouri, Executor, acting under the judicial supervision of the Probate Court of the State of Missouri, in and for the City of St. Louis;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ferdinand Viereck, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $95.00 which is in the process of administration by Charles Schwink, Executor, under the will of Wilhelmina Rosacker, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination in the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof; or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2832; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3156]

LUDWIG SACKI

In re: Estate of Ludwig Sacki, deceased; File No. D–28–5274; E. T. sec. 6092.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sandra Weber, as executrix, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Lina Neu, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lina Neu,

in and to the estate of Ludwig Sackl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2838; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3157]

BABETTE SCHMID

In re: Estate of Babette Schmidt, deceased; File No. D–28–2046; E.T. sec. 2349.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Martin Poppelauer, as executor, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Caroline Busch, Germany.
Catherine Schiele, Germany.
Helene Eisemann, Germany.
Emma Eisemann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Caroline Busch, Catherine Schiele, Helene Eisemann and Emma Eisemann, and each of them, in and to the Estate of Babette Schmid, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2834; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3158]

WILLIAM SCHURR

In re: Estate of William Schurr, deceased; File D–28–3726; E. T. sec. 6268.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Wayne County, Detroit, Michigan, Depositary, acting under the judicial supervision of the Probate Court of Wayne County, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gotthilf Schurr, Germany.
Frederick Schurr, Germany.
Karl Schurr, Germany.
Louisa Boess, Germany.
Gottlob Schurr, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $1,646.47, which is in the possession and custody of the Treasurer of Wayne County, Michigan, Depositary, pursuant to orders of the Probate Court of Wayne County, Michigan, entered November 14, 1941, and December 1, 1941, in the matter of the estate of William Schurr, deceased; also all right, title, interest, and claim of any kind or character whatsoever of Gotthilf Schurr, Frederick Schurr, Karl Schurr, Louisa Boess, and Gottlob Schurr, and each of them, in and to the estate of William Schurr, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2851; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3159]

MAX SEASONGOOD

In re: Trust under the Will of Max Seasongood, deceased; File D–66–549; E. T. sec. 3612.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Provident Savings Bank and Trust Company, Seventh and Vine Streets, Cincinnati, Ohio, Trustee, acting under the judicial supervision of the Pro-

bate Court of the State of Ohio, in and for the County of Hamilton;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Nutzel, Germany.

Person or persons, names unknown, issue of Hans Nutzel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans Nutzel and person or persons, names unknown, issue of Hans Nutzel, and each of them, in and to the trust created under the Will of Max Seasongood, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2835; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3160]

KAY SHIDO

In re: Guardianship Estate of Kay Shido, also known as K. (Kay) Shido, minor; File D–39–17359; E.T. sec. 9264.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described in sub-paragraphs (a) and (b) are property which is in the process of administration by Harold Hershner, guardian, acting under the judicial supervision of the County Court of the State of Oregon for Hood River County;

(2) Such property and interests described in sub-paragraph (a) are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Kay Shido, also known as K. (Kay) Shido, Japan.

(3) The property and interests described in sub-paragraph (b) are property within the United States owned by a national of a designated enemy country, Japan, namely,

National and Last Known Address

Kay Shido, also known as K. (Kay) Shido, Japan.

And determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Kay Shido, also known as K. (Kay) Shido, in and to the Guardianship Estate of Kay Shido, also known as K. (Kay) Shido, Minor, in the possession of Harold Hershner, guardian.

(b) All that real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in Hood River County, State of Oregon, and particularly described as follows:

"The Southwest Quarter of the Southeast Quarter (SW¼ of SE¼) of Section Eleven (11), Township Two (2) North, Range Ten (10) East of the Willamette Meridian, excepting therefrom a tract of 12.2 acres heretofore conveyed to Walter McDougal and excepting a right-of-way for road purposes heretofore granted, 25 feet wide along the West line of said tract and also excepting an easement granted to the City of Hood River, Oregon, for a right-of-way for a municipal water pipe line, said tract containing 2'.8 acres, and also

The East Half (E½) of all that part of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Fourteen (14), Township Two (2) North, Range Ten (10) East of the Willamette Meridian, lying North of the Stream of Hood River, excepting that part thereof lying between the center line of the Stream of Hood River and a line drawn 100 feet North of and parallel with the high water mark on the North bank of the stream of Hood River flowing by or through the premises, including the riparian rights in said stream and all other rights in and to the water of said stream.

Also 10 inches of water in the Farmers Irrigating Company."

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2836; Filed, February 28, 1944; 10:53 a. m.]

[Vesting Order 3161]

MASAO SOGAWA

In re: Estate of Masao Sogawa, deceased; File: D–39–17372; E. T. sec. 9323. (H–119).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Masayo Sogawa, Administratrix, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Fumiki Sawada and other heirs, names unknown, of Masao Sogawa, deceased, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, afterward appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fumiki Sawada and other heirs, names unknown, of

Masao Sogawa, deceased, and each of them, in and to the Estate of Masao Sogawa, deceased,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2837; Filed, February 26, 1944; 10:54 a. m.]

[Vesting Order 3162]

ADALBERT SOLTESZ

In re: Estate of Adalbert Soltesz, deceased; File D–34–719; E.T. sec. 9255.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Union National Bank of Pittsburgh, Fourth Avenue and Wood Street, Pittsburgh, Pennsylvania, Custodian, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Elmer Soltesz, Hungary.
Micsi Soltesz, Hungary.
Margot Soltesz, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elmer Soltesz, Micsi Soltesz, and Margot Soltesz, and each of them, in and to the Estate of Adalbert Soltesz, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2838; Filed, February 28, 1944; 10:54 a. m.]

[Vesting Order 3163]

KARL STANGER

In re: Estate of Karl (or Carl) Stanger, deceased. File D–66–771; E. T. sec. 5286.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Surrogate's Court of Essex County, Depositary, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Christian Bauer, Germany.
Fritz Bauer, Germany.
Rosine Haist, Germany.
Mrs. Ernst Stanger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Christian Bauer, Fritz Bauer, Rosine Haist and Mrs. Ernst Stanger and each of them, in and to the estate of Karl Stanger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt within the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2839; Filed, February 28, 1944; 10:54 a. m.]

[Vesting Order 3164]

MOLLIE SZILAGYI

In re: Estate of Mollie Szilagyi, deceased; File D–34–582; E.T. sec. 6619.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rose Popely, 150 Morse Avenue, Painesville, Ohio, Executrix, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Lake;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Alex Szilagyi, Czechoslovakia.
Irme Szilagyi, Czechoslovakia.
Bertha Biro, Czechoslovakia.
Julia Paladi, Hungary.

And determining that—

(3) If Julia Paladi is a person not within a designated enemy country, the national interest of the United States requires that Julia Paladi be treated as a national of a designated enemy country, Hungary;

(4) Alex Szilagyi, Irme Szilagyi, and Bertha Biro, citizens or subjects of a designated enemy country, Hungary, and within an enemy-occupied country, Czechslovakia, are nationals of a designated enemy country, Hungary;

(5) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alex Szilagyi, Irme Szilagyi, Bertha Biro, and Julia Paladi, and each of them, in and to the estate of Mollie Szilagyi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2840; Filed, February 26, 1944; 10:54 a. m.]

[Vesting Order 3165]

EMELINE H. TIEDEMANN

In re: Estate of Emeline H. Tiedemann, deceased; File D–28–4418; E.T. sec. 1092.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry F. Tiedemann, Executor and Trustee, and Adele M. Dill, Executrix and Trustee, acting under the judicial supervision of the Court of Probate, District of Darien, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany namely,

Nationals and Last Known Address

Bertha E. Kauffmann, Wolfshugelstrasse 1, Dresden-Weisser Hirsch, Germany.
The issue of Bertha E. Kauffmann, whose names are unknown, Germany.
Otto Kauffmann, Jr., Niedersedlitz, near Dresden, Germany.
The issue of Otto Kauffmann, Jr., whose names are unknown, Germany.
Karin Kauffmann, Niedersedlitz, near Dresden, Germany.
Otto Kauffmann, Niedersedlitz, near Dresden, Germany.
"Jane Doe" Kauffmann (first name unknown), Niedersedlitz, near Dresden, Germany.
Gunther Kauffmann, Wolfshugelstrasse 1, Dresden-Weisser Hirsch, Germany.
The issue of Gunther Kauffmann, whose names are unknown, Germany.
Volkmar Kauffmann, France (Address unknown).
The issue of Volkmar Kauffmann, whose names are unknown, Germany.
Gisela Kauffmann, Wolfshugelstrasse 1, Dresden-Weisser Hirsch, Germany.
Volkmar Kauffmann, Wolfshugelstrasse 1, Dresden-Weisser Hirsch, Germany.
Thea Mansky, Schillerstrasse 4, Dresden-Loschwitz, Germany.
The issue of Thea Mansky, whose names are unknown, Germany.
Dieter Mansky, Schillerstrasse 4, Dresden-Loschwitz, Germany.
Barbara Mansky, Schillerstrasse 4, Dresden-Loschwitz, Germany.
Doris Mansky, Schillerstrasse 4, Dresden-Loschwitz, Germany.
Irma Rasehorn, Tristanstrasse 17 c, Wannensee, Berlin, Germany.
The issue of Irma Rasehorn, whose names are unknown, Germany.
Werner Rasehorn, Tristanstrasse 17 c, Wannensee, Berlin, Germany.
Volker Rasehorn, Tristanstrasse 17 c, Wannensee, Berlin, Germany.
Stefan Rasehorn, Tristanstrasse 17 c, Wannensee, Berlin, Germany.

And determining that—

(3) Volkmar Kauffmann, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, France, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha E. Kauffmann, the issue of Bertha E. Kauffmann, whose names are unknown, Otto Kauffmann, Jr., the issue of Otto Kauffmann, Jr., whose names are unknown, Karin Kauffmann, Otto Kauffman, "Jane Doe" Kauffmann (first name unknown), Gunther Kauffman, the issue of Gunther Kauffmann, whose names are unknown, Volkmar Kauffmann, the issue of Volkmar Kauffmann, whose names are unknown, Gisela Kauffmann, Volkmar Kauffmann, Thea Mansky, the issue of Thea Mansky, whose names are unknown, Dieter Mansky, Barbara Mansky, Doris Mansky, Irma Rasehorn, the issue of Irma Rasehorn, whose names are unknown, Werner Rasehorn, Volker Rasehorn and Stefan Rasehorn, and each of them, in and to the trust created under the Will of Emeline H. Tiedemann, late of the Town of Darien, County of Fairfield, State of Connecticut, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2841; Filed, February 26, 1944; 10:54 a. m.]

[Vesting Order 3166]

ALBERT VALENTIN, ET AL.

In re: Deposit with Clerk of the Court pursuant to final judgment of condemnation in the case of United States of America vs. Albert Valentin, et al., File D–28–4344; E.T. sec. 7439.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lowell Mundorff, Clerk, United States District Court, District of Oregon, acting under the judicial supervision of the District Court of the United States for the District of Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals

of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Mosberg, Shanghai, China.
Wife, name unknown, of Hans Mosberg, Shanghai, China.

And determining that—

(3) Hans Mosberg and wife, name unknown, of Hans Mosberg, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied area, Shanghai, China, are nationals of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans Mosberg and wife, name unknown, of Hans Mosberg, and each of them, in and to the Deposit with Clerk of the Court pursuant to final judgment of condemnation in the case of United States of America vs. Albert Valentin, et al., in the District Court of the United States for the District of Oregon,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3166; Filed, February 28, 1944; 10:50 a. m.]

[Vesting Order 3167]

CECILIE WEBER

In re: Estate of Cecilie Weber, also known as Cecilia Weber and Cecelia Weber, deceased; File D–28–7359; E. T. sec. 7493.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sarah Donley Steadman, Administratrix with the Will Annexed, acting under the judicial supervision of the District Court of Park County, Wyoming;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elias Duffner, Germany.
Adolph Duffner, Germany.
Rosa Duffner, Germany.
Caroline Duffner, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elias Duffner, Adolph Duffner, Rosa Duffner, and Caroline Duffner, and each of them, in and to the Estate of Cecilie Weber, also known as Cecilia Weber and Cecelia Weber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3226; Filed, February 28, 1944; 10:50 a. m.]

[Vesting Order 3168]

GEORGE WEBER

In re: Estate of George Weber, deceased; File D–28–4144; E.T. sec. 7166.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Reinhart, 4003 Taylor Avenue, Cincinnati, Ohio, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Hamilton;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Carolyn Hassur, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $5,912.50 which is in the process of administration by, and is in the possession and custody of William J. Reinhart, administrator of the estate of George Weber, deceased; also

All right, title, interest and claim of any kind or character whatsoever of Carolyn Hassur, in and to the estate of George Weber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2829; Filed, February 26, 1944; 10:50 a. m.]

[Vesting Order 3169]

ANTON WIENEKE

In re: Estate of Anton Wieneke, deceased; File D-28-3461; E. T. sec. 5517.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Gramke, Effingham, Illinois, Executor, acting under the judicial supervision of the Probate Court of Madison County, Edwardsville, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Francisca Wieneke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $200.00 which is in the process of administration by, and is in the possession and custody of John Gramke, Executor of the estate of Anton Wieneke, deceased; also all right, title, interest and claim of any kind or character whatsoever of Francisca Wieneke in and to the estate of Anton Wieneke, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2830; Filed, February 28, 1944; 10:50 a. m.]

[Vesting Order 3170]

PAUL H. WIESE

In re: Estate of Paul H. Wiese, sometimes known as Paul Heinrich Wiese or Paul H. W. Wiese, deceased; File D-28-2396; E.T. sec. 3220.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lewis L. Anderson, W-2681 First National Bank Building, St. Paul 1, Minnesota, Administrator de bonis non, acting under the judicial supervision of the Probate Court of the State of Minnesota, in and for the County of Ramsey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louisa Hruzik, Germany.
Clara Wiese, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louisa Hruzik and Clara Wiese, and each of them, in and to the estate of Paul H. Wiese, sometimes known as Paul Heinrich Wiese or Paul H. W. Wiese, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2831; Filed, February 28, 1944; 10:50 a. m.]

[Vesting Order 3181]

MORITZ FEIBUSCH

In re: Estate of Moritz Feibusch, deceased. File D-28-3041; E.T. sec. 6802.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Beatrice Marks and Emery Marks, Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hedwig Feibusch Meyer, Shanghai, China.

And determining that—

(3) Hedwig Feibusch Meyer, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Shanghai, China, is a national of a designated enemy country, Germany;

(4) To the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hedwig Feibusch Meyer, in and to the Estate of Moritz Feibusch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 16, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2842; Filed, February 28, 1944; 10:51 a. m.]

[Vesting Order 3182]

FRANZISKA RITZLER

In re: Trust under Deed of Franziska Ritzler; File D–28–8331; E. T. sec. 9635.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Girard Trust Company and James A. McQuail, Jr., Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Katie Becker, Germany.
Marianna Becker, Germany.
Franz Becker, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katie Becker, Marianna Becker and Franz Becker and each of them in and to a trust created by indenture dated October 2, 1934, between Franziska Ritzler, Grantor, and Girard Trust Company and James A. McQuail, Jr., Trustees,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 16, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2843; Filed, February 28, 1944; 10:51 a. m.]

[Vesting Order 3183]

ANNA G. MENKEN

In re: Estate of Anna G. Menken, deceased; File No. 017–8319.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl H. Lammers and Otto B. Candidus, as Executors, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Diedrich Monsees, Germany.
Katrina Schriefer, also known as Katherine Schriefer, Germany.
Meta Stelljes, Germany.
Adelheid Bottjer, Germany.
Hinrich Monsees, also known as Henry Monsees, Germany.
Meta Kueck, also known as Meta Kuck, Germany.
George Viohl, also known as Georg Viohl, Germany.
Hinrich Viohl, also known as Henry Viohl, Germany.
Gesine Bischof, Germany.
Metta Hoyer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katrina Schriefer, also known as Katherine Schriefer, Diedrich Monsees, Meta Stelljes, Adelheid Bottjer, Hinrich Monsees, also known as Henry Monsees, Meta Kueck, also known as Meta Kuck, George Viohl, also known as Georg Viohl, Hinrich Viohl, also known as Henry Viohl, Gesine Bischof and Metta Hoyer, and each of them, in and to the Estate of Anna G. Menken, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 17, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2844; Filed, February 28, 1944; 10:51 a. m.]

[Vesting Order 3184]

LEONHARD HOERDT

In re: Trust under the Will of Leonhard Hoerdt, deceased; File D–28–7360; E.T. sec. 7494.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by August Hoerdt, 2341 Melrose Street, Chicago, Illinois, Executor; August Hoerdt and Mary C. Hoerdt, 2341 Melrose Street, Chicago, Illinois, Trustees, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Sophie Brejcha, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie Brejcha in and to the trust estate created under the will of Leonhard Hoerdt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 17, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–2845; Filed, February 28, 1944; 10:51 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 179]

COMMON CARRIERS

ESTABLISHMENT OF HUNTINGTON, W. VA., REGISTRATION OFFICE

Registration office at Huntington, West Virginia, for household goods motor carriers.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the motor carriers named in Appendix 1 hereof, as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), and good cause appearing therefor, *It is hereby ordered*, That:

1. The carriers and each of them, named in Appendix 1 hereof (hereinafter collectively called "carriers"), respectively, in the transportation of shipments of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at Huntington, West Virginia, to facilitate the movement of such shipments, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 3, Revised, as amended;

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation; and

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto; and

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereto. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same maner and degree as the carriers named in Appendix 1 hereof.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with joint information offices and obtaining clearance certificates as provided in General Order ODT 13, as amended (7 F.R. 5066, 5678), or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised–179," and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This supplementary order shall become effective on March 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of February 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. C. D. Curtis, an individual, doing business as Curtis Transfer, 835 3d Ave., Huntington, W. Va.
2. J. M. Myers, an individual, doing business as Myers Transfer & Storage, 1201 7th Ave., Huntington, W. Va.
3. Drury Bros. Transfer & Storage Co. Inc., a corporation, 1303 16th St., Huntington, W. Va.
4. Try-Me Transfer & Storage Co., a corporation, 1018 2d Ave., Huntington, W. Va.
5. Herschel S. Porter, an individual, doing business as Herschel S. Porter Transfer, 632 20th St., Huntington, W. Va.
6. L. D. Gossett, an individual, doing business as L. D. Gossett Transfer & Storage Co., 1947 Virginia Ave., Huntington, W. Va.
7. Hugh S. Adkins, an individual, 2710 8th Ave., Huntington, W. Va.
8. William Rankin, an individual, doing business as Rankin Transfer Co., 917 16th St., Huntington, W. Va.

[F. R. Doc. 44-2915; Filed, February 29, 1944; 11:05 a. m.]

[Supp. Order ODT 3, Rev. 188]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN INDIANA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of February 1944.

G. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Inter-State Motor Freight System Inc. of Indiana (a corporation), 530 Kentucky Avenue, Indianapolis, Indiana.
2. Motor Freight Corporation (a corporation), 522 South Missouri Street, Indianapolis, Indiana.

[F. R. Doc. 44-2916; Filed, February 29, 1944; 11:05 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 478, Order 25]

COATED AND COMBINED FABRICS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 10 of Maximum Price Regulation 478, it is hereby ordered that:

(a) *Applicability of this order.* Notwithstanding any other provisions of Maximum Price Regulation 478, this order is applicable to sales by a manufacturer of any fabric or service covered by this regulation which differs from a fabric or service for which he has already established a maximum price under Maximum Price Regulation 478, because of the substitution of Buna-N or Hycar synthetic rubber for Neoprene GR-M synthetic rubber.

(b) *Maximum prices.* The manufacturer's maximum price for any fabric or service covered by this order, shall be calculated by adding to the maximum price of the fabric or service made with Neoprene GR-M an amount not exceeding the increase in materials cost resulting from the substitution of Buna-N or Hycar for Neoprene GR-M.

(c) *Computation of increase in materials cost.* The increase in materials cost referred to in paragraph (b), shall be calculated per unit of sale, as follows: The manufacturer shall multiply the quantity in pounds of Buna-N or Hycar required to produce the fabric or supply the service, by the per pound price of Buna-N or Hycar in effect to him on February 1, 1944. The result is the cost of the Buna-N or Hycar material. The manufacturer shall then multiply the quantity in pounds of Neoprene GR-M required to produce the same fabric or supply the same service, by the per pound price of Neoprene GR-M in effect to him on February 1, 1944. The result is the cost of the neoprene material. The difference between these costs of Buna-N or Hycar and Neoprene GR-M shall be the amount of the increase in materials cost resulting from the substitution of Buna-N or Hycar for Neoprene GR-M referred to in paragraph (b).

(d) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 28, 1944.

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2892; Filed, February 28, 1944; 5:00 p. m.]

Regional and District Office Orders.

[Region II Order G–26 Under RMPR 122, Amdt. 3]

CERTAIN ANTHRACITE COAL IN NEW YORK REGION

Amendment No. 3 to Order No. G–26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Silver Brook", and "Salem Hill" anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–26 is amended in the following respect:

(1) Paragraph (c) is amended by adding the following order to the list of orders there enumerated:

Order No. G–29 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 3 to Order No. G–26 shall become effective February 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–2901; Filed, February 28, 1944; 5:02 p. m.]

[Region II Order G–28 Under RMPR 122, Amdt. 1]

EMERGENCY SALES OF COKE IN NEW YORK CITY AREA

Amendment No. 1 to Revised Order No. G–28 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Emergency sales of coke.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) and Rule 4 under § 1340.254 of Revised Maximum Price Regulation No. 122, Revised Order No. G–28 is amended in the following respects:

1. Paragraph (a) (4) (i) is amended by having subparagraph "Third" thereof read as follows:

Third: For yard sales to other dealers for resale a margin not to exceed $1.25 per net ton; for delivered sales, a margin not to exceed $3.75 per net ton, or, in the alternative, the margin over delivered cost established by the dealer for other delivered sales of coke, taking into account class of purchaser, method of delivery and terms of delivery.

2. Paragraph (a) (4) (ii) is amended to read as follows:

(ii) Any dealer making a purchase of coke at the yard, subject to paragraph (a) (4) (i), shall determine his maximum price for such coke by adding to the seller's yard price a margin not to exceed $2.50 per net ton or, in the alternative, the margin over delivered cost on the dealer's similar sale of coke most nearly like the sale of coke for which a maximum price is being calculated hereunder, taking into account class of purchaser, method of delivery, and terms of delivery.

3. Paragraph (b) is amended to read as follows:

(b) Dealers making sales subject to this order shall not change their customary allowances, discounts, or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the customary allowances, discounts, or other price differentials), *Provided,* That dealers making deliveries in Manhattan or the Bronx in the City and State of New York, in units of two tons or more, may determine their maximum prices for such sales hereunder by employing the margins applicable to sales in units of one ton.

This Amendment No. 1 to Revised Order No. G–28 shall become effective February 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–2900; Filed, February 28, 1944; 5:01 p. m.]

[Region II Order G–30 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 1 to Order No. G–30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–30 is amended in the following respect:

(1) Paragraph (b) is amended by adding the following order to the list of orders there enumerated:

Order No. G–29 under Sections 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 1 to Order No. G–30 shall become effective February 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–2902; Filed, February 28, 1944; 5:02 p. m.]

WAR MANPOWER COMMISSION.

Regional Office Orders.

PORTLAND, MAINE, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Portland, Maine, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Portland, Maine, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Portland, Maine, Area shall include:

All of Cumberland County, Maine, except the towns of Brunswick and Harpswell; and

The towns of Brownfield, Denmark, Fryburg, Hiram, Lovell, Porter, Stoneham, Stow, Sweden and Waterford, all in Oxford County, Maine.

II. The effective date of this designation is May 1, 1943.

III. Not later than the effective date, each employer in the Portland, Maine, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose releases would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 27, 1943.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44–2903; Filed, February 29, 1944; 10:37 a. m.]

BOSTON, MASS., LABOR MARKET AREA

MINIMUM WARTIME WORKWEEK

Designation of the Boston, Massachusetts, Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower

Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Boston, Massachusetts, Labor Market Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Boston, Massachusetts, Labor Market Area shall include:

The cities of Cambridge, Everett, Malden, Medford, Melrose, Newton, Somerville, Waltham, Woburn and the towns of Acton, Arlington, Bedford, Belmont, Burlington, Carlisle, Concord, Lexington, Lincoln, North Reading, Reading, Stoneham, Wakefield, Watertown, Wayland, Weston, Wilmington and Winchester all in Middlesex County;

The city of Quincy and the towns of Braintree, Brookline, Cohasset, Milton, Needham, Wellesley and Weymouth all in Norfolk County;

The towns of Hingham, Hull, Norwell and Scituate all in Plymouth County; and

The cities of Boston, Chelsea, Revere and the town of Winthrop all in Suffolk County.

II. The effective date of this designation is March 6, 1944.

III. Not later than the effective date, each employer in the Boston, Massachusetts, Labor Market Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose releases would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 20, 1944.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-2904; Filed, February 29, 1944; 10:37 a. m.]

NEW BEDFORD, MASS., AREA

MINIMUM WARTIME WORKWEEK

Designation of the New Bedford, Massachusetts, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the New Bedford, Massachusetts, Area as subject to the provisions of Executive Order No. 9301.

I. For the purpose of this designation, the New Bedford, Massachusetts, Area shall include:

The town of Bourne in Barnstable County;

The towns of Acushnet, Dartmouth, Fairhaven and New Bedford in Bristol County; and

The towns of Lakeville, Marion, Mattapoisett, Rochester and Wareham in Plymouth County.

II. The effective date of this designation is December 1, 1943.

III. Not later than the effective date, each employer in the New Bedford, Massachusetts, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission.

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 28, 1943.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-2905; Filed, February 29, 1944; 10:37 a. m.]

BIDDEFORD-SANFORD, MAINE, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Biddeford-Sanford, Maine, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Biddeford-Sanford, Maine, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Biddeford-Sanford, Maine, Area shall include:

The towns of Acton, Alfred, Biddeford, Buxton, Cornish, Dayton, Hollis, Kennebunk, Kennebunkport, Lebanon, Limerick, Limington, Lyman, Newfield, North Kennebunkport, Old Orchard, Parsonfield, Saco, Sanford, Shapleigh, Waterboro and Wells all in York County, Maine.

II. The effective date of this designation is January 15, 1944.

III. Not later than the effective date, each employer in the Biddeford-Sanford, Maine, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose releases would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 2, 1943.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-2906; Filed, February 29, 1944; 10:37 a. m.]

MERIDEN, CONN., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Meriden, Connecticut, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Meriden, Connecticut, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Meriden, Connecticut, Area shall include:

The town of Southington in Hartford County; and

The city of Meriden and the town of Wallingford in New Haven County.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Meriden, Connecticut, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workwweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose releases would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 2, 1943.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-2907; Filed, February 29, 1944; 10:37 a. m.]

NEWPORT, R. I., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Newport, Rhode Island, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. 1 by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Newport, Rhode Island, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Newport, Rhode Island, Area shall include:

All of Newport County except New Shoreham Township (Block Island).

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Newport, Rhode Island, Area, shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements ,or would conflict with any Federal, State or local law or regulation limiting hours of work,

Date of issuance: November 24, 1943.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-2908; Filed, February 29, 1944; 10:37 a. m.]

PLAINFIELD, N. J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Plainfield, New Jersey, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Plainfield, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Plainfield, New Jersey, Area shall include:

Scotch Plains Township, Fanwood Borough, Mountainside Borough, Watching Borough, Warren Township, Green Brook Township, Middlesex Borough, South Plainfield Borough, North Plainfield Borough, Plainfield City, Piscataway Township, and Dunellen Borough.

II. The effective date of this designation is October 18, 1943.

III. Not later than the effective date, each employer in the Plainfield, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: September 20, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2909; Filed, February 29, 1944; 10:38 a. m.]

PERTH AMBOY, N. J., AND ALLENTOWN, PA., AREAS

MINIMUM WARTIME WORKWEEK

Designation of the Perth Amboy, New Jersey, and Allentown, Pennsylvania, Areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Perth Amboy, New Jersey, and Allentown, Pennsylvania, Areas as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the above areas shall include:

Perth Amboy, New Jersey, Area:
Middlesex County, except townships of Raritan and Piscataway, and boroughs of Middlesex, Dunellen, and South Plainfield.
Franklin Township and Rocky Hill borough in Somerset County.

Allentown, Pennsylvania Area:
All of Lehigh County, Pennsylvania.
All of Northampton County, Pennsylvania.
Townships of Bridgeton, Durham, East Rockhill, Haycock, Milford, Nockamixon, Richland, Springfield, Tinicum, and West Rockhill; boroughs of Perkasie, Quakertown, Richlandtown, Riegiesville, Sellersville, and Trumbauersville in Bucks County, Pennsylvania.
Townships of Franklin, Greenwick, Harmony, Hope, Independence, Knowlton, Liberty, Lopatcong, Mansfield, Oxford, Pohatcong, Washington, and White; towns of Belvidere, Hackettstown, and Phillipsburg; boroughs of Alpha and Washington in Warren County, New Jersey.
Townships of Alexandria, Bethlehem, Holland, and Union; boroughs of Bloomsburgh, Frenchtown, Highbridge, and Milford; town of Clinton in Hunterdon County, New Jersey.

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Perth Amboy, New Jersey; and Allentown, Pennsylvania, Areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum war-

time workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 6, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2910; Filed, February 29, 1944; 10:38 a. m.]

CHAMBERSBURG, PA., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Chambersburg, Pennsylvania, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Chambersburg, Pennsylvania, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Chambersburg, Pennsylvania, Area shall include:

All of Franklin County, Pennsylvania, and Shippensburg Borough and Shippensburg Township in Cumberland County, Pennsylvania.

II. The effective date of this designation is August 16, 1943.

III. Not later than the effective date, each employer in the Chambersburg, Pennsylvania, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 2, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2911; Filed, February 29, 1944; 10:38 a. m.]

NEWARK, N. J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Newark, New Jersey, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Newark, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Newark, New Jersey, Area shall include:

All of Essex County, New Jersey; Lyndhurst township and North Arlington borough in Bergen County, New Jersey; Bayonne city, East Newark borough, Harrison town, Hoboken city, Jersey City and Kearney town in Hudson County, New Jersey; and the following civil divisions in Union County, New Jersey: Clark township, Cranford township, Elizabeth city, Garwood borough, Hillside township, Kenilworth borough, Linden city, New Providence borough, New Providence township, Rahway city, Roselle borough, Roselle Park borough, Springfield township, Summit city, Union township, and Westfield town.

II. The effective date of this designation is August 23, 1943.

III. Not later than the effective date, each employer in the Newark, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 2, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2912; Filed, February 29, 1944; 10:39 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 44

Washington, Thursday, March 2, 1944

The President

EXECUTIVE ORDER 9428

AUTHORIZING CERTAIN FORMER EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE, TO ACQUIRE A COMPETITIVE CLASSIFIED STATUS

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404) and section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

Any person who was appointed to a position as Fingerprint Classifier in the Federal Bureau of Investigation, Department of Justice, between the dates of August 21, 1939, and June 3, 1941, and who was not eligible to acquire a competitive classified civil-service status because his selection from the certificate of eligibles issued by the Civil Service Commission was not in accordance with the provisions of Civil Service Rule VII, may now acquire a competitive classified status: *Provided*, (a) that immediately following the date of his entry on duty in the Fingerprint Classifier position such person had at least one year of continuous satisfactory service; (b) that he voluntarily left the service without prejudice; and (c) that he is a citizen of the United States and is not disqualified by any provision of section 3 of Civil Service Rule V or any other provision of the Civil Service Rules, other than Rule VII, or any provision of the Civil Service Act or of any statute or Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 29, 1944.

[F. R. Doc. 44-2961; Filed, March 1, 1944; 11:25 a. m.]

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 379—CERTIFICATES OF CITIZENSHIP ACQUIRED (1) BY NATURALIZATION OF PARENT, PARENTS, OR HUSBAND, OR (2) BY BIRTH ABROAD TO CITIZEN PARENT OR PARENTS

FEBRUARY 17, 1944.

Part 379, Title 8, Chapter I, Code of Federal Regulations is hereby amended to read as follows:

Sec.
379.1 Who may apply for certificate of citizenship.
379.2 Application for certificate; form; fee.
379.3 Attorneys.
379.4 Procedure upon receipt of application.
379.5 Proof.
379.6 Examination and evidence.
379.7 Record; recommendation; review.
379.8 Final disposition.

AUTHORITY: §§ 379.1 to 379.8, inclusive, issued under sec. 327, 54 Stat. 1160; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458; 8 CFR 90.1. Statutes interpreted or applied and statutes giving special authority are listed in parentheses at the end of specific sections.

§ 379.1 *Who may apply for certificate of citizenship.* Any person who claims to have derived United States citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband or any person who claims to be a citizen of the United States by virtue of the United States citizenship of his parent or parents at the time of his birth outside the United States, may apply to the Commissioner for a certificate of citizenship (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.2 *Application for certificate; form; fee.* Where the applicant claims to have derived United States citizenship through the naturalization of a parent or parents or through the naturalization

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FEDERAL REGISTER

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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or citizenship of a husband, application for a certificate of citizenship shall be made by the applicant on Form N–600. Where the applicant claims to be a citizen of the United States on the ground that his parent or parents were citizens of the United States at the time of his birth outside the United States, application for a certificate of citizenship shall be made by the applicant on Form N–600–A. The application shall be submitted either in person or by mail to the immigration and naturalization office located nearest the applicant's place of residence The application shall be signed by the applicant, or in the case of a child under the age of 18 years by his parent or guardian, when submitted, but shall not be subscribed and sworn to or affirmed until the applicant appears before an officer of the Immigration and Naturalization Service for examination upon the merits of his application. The application shall be accompanied by a United States postal money order in the sum of $5, payable to the "Commissioner of Immigration and Naturalization, Washington, D. C." Cash shall not be accepted. The application shall also be accompanied by the originals of such documentary evidence, or pertinent excerpts therefrom if the documents are lengthy or bulky, as the applicant may have or be able to obtain relating to the date and place of his birth, the date and place of the marriage of his parents, the date and place of marriage of applicant if the applicant be a woman, or any other documents tending to establish the claimed citizenship. The applicant shall not be required to furnish a translation of any such documents written in a foreign language. If the applicant desires any such documents returned to him after final action has been taken in his case, his application should also be accompanied by photostatic, photographic, or typewritten copies of such documents except that no copy of any sort may be made of any original or copy of a declaration of intention or certificate of naturalization or citizenship or any part thereof. The applicant must submit three photographs in accordance with the requirements of Part 364 of this chapter. (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.3 *Attorneys.* Attorneys and other persons qualified to practice before the Immigration and Naturalization Service, who represent applicants for certificates of citizenship under section 339 of the Nationality Act of 1940, as amended, shall be permitted, upon completion of the application and examination of the applicant and his witnesses, to review the record either before it is forwarded to the Central Office or thereafter, and prior to final decision. Such attorneys and other practitioners may submit briefs, and, upon sufficient notice, shall be given opportunity to present oral argument before the Central Office. When final decision is made in a case, the attorney or other person representing the applicant shall be entitled to notification of such action. (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.4 *Procedure upon receipt of application.* If the application is not properly prepared, or does not present a prima facie case, it shall be returned for correction or completion, and shall not be accepted until properly prepared. When an application is submitted, but the nature of the documentary evidence therewith is not reasonably adequate to support the application, the field office may defer acceptance thereof. In the latter event, the application, money order, photographs, and documentary evidence, and any copies of evidence shall be returned to the applicant with a request for submission of more substantial evidence. If the application is thereafter submitted accompanied by satisfactory evidence, or is so submitted with the statement that further evidence cannot be obtained, the field office shall accept it for further consideration. The applicant shall thereafter be informed when and where he and his witnesses will be examined upon the merits of his application. (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.5 *Proof.* The applicant shall establish to the satisfaction of the Commissioner that he is a citizen of the United States, that he derived such citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband, or that he acquired such citizenship through birth outside the United States

at a time when his parent or parents were citizens of the United States (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.6 *Examination and evidence.* The examining officer shall orally review the application with the applicant, or in the case of a child under the age of eighteen years, with the parent or guardian, before administering the oath. Any necessary changes in the application shall be consecutively numbered and acknowledged in writing by the applicant or the parent or guardian. The applicant and the person or persons through whom applicant claims to have derived or acquired citizenship then shall be questioned under oath by the examiner for the purpose of identification and to clarify any points in controversy on the basis of the information submitted in the application. If the sworn application form, supporting documentary evidence, records of the Service, the testimony of the person or persons through whom citizenship is claimed, and the testimony of the applicant, or the parent or guardian if applicant be a child under the age of eighteen years, establish applicant's claim to citizenship, no other witnesses shall be required. Otherwise, such number of credible witnesses, preferably citizens of the United States, as may be deemed necessary shall be questioned under oath by the examiner concerning the facts of applicant's alleged citizenship. If the person or persons through whom the applicant claims citizenship are deceased or otherwise not available, the testimony customarily required of such person or persons may be furnished by qualified witnesses. The testimony heard shall not be reduced to writing in verbatim form except in cases where neither primary nor secondary documentary evidence is available to establish such essential fact concerning applicant's citizenship and except in cases where it appears that criminal proceedings might be instituted as a result of perjured statements. Any facts deemed necessary to the examination relating to the birth, death, marriage, divorce, or identity of any person involved therein shall be established by official copies of public records or church records if such copies are available or can be obtained. If the examining officer is satisfied that the applicant has made a reasonable effort to procure such documentary evidence and that it is not available or cannot be procured without undue hardship to such applicant, the examining officer may receive and consider any other evidence which the applicant may present. The burden of proof to establish his citizenship shall at all times be upon the applicant. In presenting his proof, the applicant shall be entitled to the benefit of any records concerning him which are in the custody of the Service and copies of, or information from, any such records may be made available to the officer of the Service passing upon the application, without payment of fee by the applicant. When no longer required, the original documents submitted by applicant shall be returned to the applicant if photostatic or other copies thereof have been supplied by him for the record. If the examiner is satisfied as to the authenticity of the documents and is satisfied that such photostatic or other copies are true and correct, he shall return the original documents to the applicant at the conclusion of the examination and incorporate the copies into the record which is submitted to the Central Office. (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.7 *Record; recommendation; review.* Upon completion of the examination, the examining officer shall prepare a report of his findings on Form N–635 or Form N–635–A as to each of the essential facts to be established in the proceeding, together with his recommendation and any comment he deems necessary. Where any issue of law or fact is raised by the evidence, the examining officer shall summarize the evidence and prepare a report thereon to accompany the Form N–635 or Form N–635–A. If the original documents were returned to the applicant at the conclusion of the examination, the examiner shall place a notation on Form N–635 or Form N–635–A showing that the copies were compared with such original documents and were found satisfactory and that the original documents were returned to the applicant. If denial of the application is recommended, a statement shall be made of the supporting grounds, and reason therefor. When recommendation to grant the application is based principally on documentary evidence, that fact shall be stated; otherwise, a brief statement of the facts and circumstances in evidence considered sufficient to justify action recommended shall be made. The record, supporting documents, photographs, and the findings and recommendation of the examining officer shall then be forwarded to the district director. That officer or an officer designated by him for that purpose, shall thereupon review the record, both as to procedural requirements and the findings and recommendation, and shall himself, or through his designated substitute, make his recommendation on Form N–635 or Form N–635–A. If such review leads to a different recommendation from that of the examining officer, the reasons therefore shall be stated in writing. The entire record shall then be submitted to the Central Office. (Sec. 339, 54 Stat. 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 739)

§ 379.8 *Final disposition.* If the Commissioner is satisfied from the record and accompanying documents that the applicant is entitled to receive a certificate of citizenship, an order to that effect will be entered. If the applicant has assumed or is known by a name other than his true name but has not had his name changed in accordance with the law of the jurisdiction where he assumed the new name, and, therefore, is not legally entitled to use the assumed name, the certificate of citizenship shall be issued in the applicant's true name followed by the words "also known as" followed by the assumed name, but in such a case the applicant shall be required to sign only his true name on the certificate and on the photographs submitted with his application. The certificate shall be issued by the Commissioner or a Deputy Commissioner in duplicate and shall be forwarded to the field office in which the application originated for signature by the applicant, or in the case of a child under eighteen years of age by his parent or guardian. The applicant shall, unless he is too young to understand the meaning thereof, take and subscribe to, before a member of the Service, the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940. Thereafter personal delivery of the original of the certificate shall be made to the applicant, or in the case of a child under eighteen years of age to his parent or guardian, who shall sign a receipt therefor. The applicant shall be furnished with the certificate only if such individual is at the time within the United States (Secs. 335, 339, 54 Stat. 1157, 1160, as amended by sec. 3, Act of Jan. 20, 1944, Pub. Law 221, 78th Cong.; 8 U.S.C. 735, 739)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–2891; Filed, February 28, 1944; 5:05 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 70—ARMY NURSES, DIETICIANS, AND PHYSICAL THERAPY AIDES

ARMY NURSE CORPS

In § 70.3 (c), pertaining to original appointment in permanent establishment, subparagraph (5) is amended to read as follows:

§ 70.3 *Appointment and promotion.* * * *

(c) *Original appointment in permanent establishment.* * * *

(5) (i) A professional examination ordinarily will not be required, though it may be when deemed necessary by The Surgeon General. An applicant will not be eligible for appointment unless she is:

(*a*) A graduate of a school of nursing approved by The Surgeon General, or has a record of desirable postgraduate training or experience;

(*b*) A registered nurse, and

(*c*) A citizen of the United States.

(ii) The applicant's qualifications will be evaluated on her record as a student and on her performance as a nurse. (40 Stat. 879; 10 U.S.C. 161) [Par. 3*f*, AR 40–20, 5 April 1943, as amended by W. D. Cir. 84, 24 February 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–2972; Filed, March 1, 1944; 9:33 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 40]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF GREEN CIVIL AIRWAY NO. 4

FEBRUARY 12, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding in § 600.10003 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* after the words "the intersection of the center lines of the on course signals of the east leg of the Kingman, Ariz., radio range and the southeast leg of the Ashfork, Ariz., radio range;" the following: "the intersection of the center lines of the on course signals of the southeast leg of the Ashfork, Ariz., radio range and the west leg of the Winslow, Ariz., radio range;"

This amendment shall become effective 0001 e. w. t., February 29, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-2975; Filed, March 1, 1944; 9:33 a. m.]

[Amdt. 60]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MUNICIPAL AIRPORT, WINSLOW, ARIZ.

FEBRUARY 12, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and section 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City and Name of Airport

Winslow, Ariz., Municipal Airport.

This amendment shall become effective 0001 e. w. t., February 29, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-2976; Filed, March 1, 1944; 9:33 a. m.]

[Amdt. 62]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

FLORENCE ARMY AIR FIELD, FLORENCE, S. C.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City and Name of Airport

Florence, S. C., Florence Army Air Field.

This amendment shall become effective 0001 e. w. t., February 29, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-2977; Filed, March 1, 1944; 9:33 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5333]

PART 29—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

OVERPAYMENTS IN PAYMENT OF ESTIMATED TAX

Section 29.322-3 of Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Sup.], as amended by Treasury Decision 5325, approved January 8, 1944, is further amended by inserting immediately after the fifth sentence of the second paragraph thereof the following:

If the taxpayer elects to have the overpayment shown by his income tax return applied to his estimated tax for his succeeding taxable year, no interest shall be allowed on such overpayment, and the full amount of the overpayment shall be applied as a payment on account of the estimated tax for such year or the installments thereof.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), and sec. 4 of the Current Tax Payment Act of 1943 (Pub. Law 68, 78th Cong.), approved June 9, 1943)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: February 28, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-2985; Filed, March 1, 1944; 11:25 a. m.]

[T. D. 5334]

PART 29—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

GAIN OR LOSS UPON DISPOSITION OF INSTALLMENT OBLIGATIONS

Section 29.44-5 of Regulations 111 [Part 29, Code of Federal Regulations, Cum. Sup.] is amended by striking "24 months" from the third paragraph (commencing "If the taxpayer, * * *") and inserting in lieu thereof "six months".

(Sec. 62 of the Internal Revenue Code (53 Stat. 32))

[SEAL] HAROLD N. GRAVES,
Commissioner of Internal Revenue.

Approved: February 28, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-2986; Filed, March 1, 1944; 11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDER

[Suspension Order S-495]

HOPE WEBBING COMPANY, INC.

Hope Webbing Company, Inc., of Pawtucket, Rhode Island, is a manufacturer chiefly of cotton fabrics, in addition to which it has made jute fabrics for a single customer. This customer early in 1942 placed rated orders for 10,000 gross yards of jute tape, calling for deliveries at the rate of 500 gross yards weekly. Hope Webbing Company proceeded to make deliveries under these orders. On July 15, 1942, the customer notified Hope Webbing Company that its inventory exceeded that permitted by the War Production Board. It requested that further shipments be withheld until needed and notice be given, and from that time on it continually protested against the deliveries made by the Hope Webbing Company.

Between March 1942 and March 1943 (both inclusive) Hope Webbing Company delivered 69,788 pounds of jute tape, in no instance receiving from the customer the certificate required by Conservation Order M-70 certifying that receipt of the products would not bring the customer's stocks over a one month's inventory based on its current rate of operations. After July 15, 1942, the Hope Webbing Company was, in fact, informed to the contrary, and yet it insisted on making deliveries. It knew that such deliveries would bring about an excessive customer's inventory with respect to the deliveries which it made from August 1942 to March 1943 (both inclusive), and it was a violation of Priorities Regulation No. 1, knowingly to make deliveries under those circumstances. Thus, the acts of Hope Webbing Company, Inc., constituted knowing and wilful violations both of Conservation Order M-70 and Priorities Regulation No. 1, which have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.495 *Suspension Order No. S-495.* (a) Hope Webbing Company, Inc., its successors and assigns, shall not

put into process any cotton, rayon, jute or cotton, rayon or jute products except to fill orders rated AA–3 or higher.

(b) Nothing contained in this order shall be deemed to relieve Hope Webbing Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance, and shall expire on June 29th, 1944.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–2970; Filed, February 29, 1944; 4:48 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–240, as Amended Mar. 1, 1944]

NEWSPAPERS

§ 3133.6 *Limitation Order L–240*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports customarily filed by the publisher with the Audit Bureau of Circulations will be controlling, in the absence of special circumstances. Thus, if a publisher filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

(c) *Camp papers and free distribution publications:* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L–241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L–241, Schedule II.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A roll of print paper is considered "used" when it is first opened and placed in production.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit, and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location.

(i) *Transfer of quotas*—(1) *Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L–241 (commercial printing), L–244 (magazines) or L–245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L–241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the first quarter of 1944, and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k), plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 4% of the amount over 25 tons but not over 125 tons.
(ii) Deduct 8% of the amount over 125 tons but not over 250 tons.
(iii) Deduct 12% of the amount over 250 tons but not over 500 tons.
(iv) Deduct 20% of the amount over 500 tons but not over 1000 tons.
(v) Deduct 24% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota in any succeeding quarter.

(m) *Exceptions for small newspapers.* The restrictions on the consumption of print paper established by this order do not apply to:

(1) *Special types of newspapers.* Any newspaper containing eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. Sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies.

(2) *Newspapers using less than 25 tons per quarter.* Any newspaper which shall consume less than 25 tons of print paper in a calendar quarter, regardless of the tonnage of paper consumed previously. The publisher of any such newspaper is authorized, in addition, to increase his permitted usage by the tonnage of print paper consumed in printing copies of his newspaper furnished to the Armed Services of the United States, whether such copies are sold or are distributed free of charge.

Delivery Quota

(n) *Computation of delivery quota.* In January, 1944, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* To the publisher's consumption quota for the current calendar quarter add ex-quota paper, if any, which may have been granted on appeal for use in the current calendar quarter. Divide the sum by three.

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, at the end of the current calendar quarter, greater than: (i) 40 days' supply for publishers in the states named in List A, (ii) 65 days' supply for publishers in the states named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	New Mexico.
Arizona.	Nevada.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

In computing the maximum tonnage which a publisher may have in his inventory, he shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters.

(3) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the first six months of 1944.

(4) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload it may be increased to one full carload. If it is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(5) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(6) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 5 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Exceptions.* (1) The provisions of paragraphs (n) (1), (n) (2), and (n) (3) do not apply to a publisher who receives print paper by Great Lakes or coastal water-borne shipments. Such a publisher may not order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and the closed navigation season) in excess of his allowable consumption for that calendar year, and his inventory may not exceed 40 days' supply on May 1 of each calendar year.

NOTE: Following paragraph designated (2) Mar. 1, 1944.

(2) Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (n) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(p) *Certification.* On and after December 24, 1943, each order by a publisher for delivery of print paper shall contain substantially the following certification, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, and to receive the item(s) ordered for the purpose for which ordered.

No person may deliver print paper to a publisher except upon a delivery order which bears the above certification.

(q) *Copies of orders.* On and after March 1, 1944, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board copies of all orders for the delivery of print paper placed by him or

for his account. Such copies must be mailed within three days after the orders are placed. On or before March 15, 1944, every such publisher shall mail to the War Production Board copies of all orders for the delivery of print paper placed by him or for his account since January 1, 1944. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

NOTE: Paragraphs (r) through (w), formerly (p) through (v), redesignated Mar. 1, 1944.

(r) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(s) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(t) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(u) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(v) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(w) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 1st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.
INTERPRETATION 2: Revoked Dec. 24, 1943.
INTERPRETATION 3: Revoked Dec. 24, 1943.

[F. R. Doc. 44-2994; Filed, March 1, 1944; 11:38 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Interpretation 1, Revocation]

Interpretation No. 1 to General Scheduling Order M-293, issued October 1, 1943, is hereby revoked.

Issued this 1st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2993; Filed, March 1, 1944; 11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1358—TOBACCO

[MPR 517]

CONNECTICUT SHADE GROWN TOBACCO (TYPE NO. 61) OF THE 1943 CROP

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Specifications and standards used in this regulation were prior to such use in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

§ 1358.257 *Maximum prices for Connecticut Shade Grown tobacco (Type No. 61) of the 1943 crop.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 517 Connecticut Shade Grown Tobacco (Type No. 61) of the 1943 Crop, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.257 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 517—CONNECTICUT SHADE GROWN TOBACCO (TYPE NO. 61) OF THE 1943 CROP

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*Copies may be obtained from the Office of Price Administration.

SECTION 1. *Explanation of the regulation.* This regulation applies to you if you are a grower-packer, packer or jobber of Connecticut Shade Grown tobacco (Type No. 61) of the 1943 crop, or if you buy this tobacco from any grower-packer, packer or jobber. It fixes maximum prices for sales and purchases of the tobacco in the continental United States. The maximum prices and pricing methods may be found in section 10, and section 11.

The maximum prices fixed in this regulation apply, only to sales and purchases of the 1943 crop. Maximum prices for the 1942 crop were established by Maximum Price Regulation No. 308.[1]

"Connecticut Shade Grown tobacco (Type No. 61)" means United States Type No. 61 as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture.

SEC. 2. *What is prohibited under this regulation*—(a) *In general.* On and after the date this regulation becomes effective, regardless of any contract, lease or other obligation, you must not sell or deliver, and you must not buy or receive in the course of trade or business any Connecticut Shade Grown tobacco at a price higher than the maximum price for the particular sale of the grade and size of that tobacco as set forth in section 10 or section 11, and you may not agree, offer, solicit or attempt to do any of these acts.

However, you may charge, demand, pay or offer prices lower than those fixed by this regulation.

(b) *Evasion*—(1) *In General.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any grade and size of this tobacco for which maximum prices are established by this regulation, alone or in conjunction with any other commodity; or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

(2) *Specific practices which are evasions.* (i) You must not sell or buy this tobacco other than as a grade or in a condition for which maximum prices are fixed under section 10 or section 11.

(ii) If you sell this tobacco, you must not grade any of the tobacco in a manner that alters or deviates from your customary grading practices with respect to the 1941 crop.

(iii) If you sell this tobacco to a particular purchaser, you must not eliminate or reduce the discounts or initial credit terms allowed by you on sales of the 1941 crop to that purchaser or, if you made no sales of the 1941 crop to the particular purchaser, you must not eliminate or reduce the customary discounts or initial credit terms allowed by you on sales of the 1941 crop to purchasers of the same class.

[1] 8 F.R. 1136, 7260.

(iv) If you sell this tobacco, you must not eliminate or reduce any commissions, allowances, fees or other compensations customarily paid by you to a broker or agent on similar sales of prior crops.

NOTE: The above-enumerated practices are not intended to be exclusive of other practices which constitute evasions of the provisions of this regulation.

"Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by a seller and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* If you violate any provisions of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1 [2] licensing all persons who make sales under price control, apply to you if you are a seller subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3. *Records to be kept.* (a) If you sell this tobacco, you must keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all of your existing records relating to the prices which you charged for any of the 1941 and 1942 crops of this tobacco.

(b) If you sell or buy this tobacco, you must keep and make available for examination by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as you have customarily kept relating to the prices which you charged or paid for any of the 1943 crop of this tobacco.

(c) If you sell or buy this tobacco, you must within 10 days after the close of the 1943 marketing season file with the Office of Price Administration, Washington, D. C., a signed statement certifying that no sale or purchase of any grade and size of the tobacco was made by you at a price higher than the maximum price fixed by this regulation for that particular grade and size.

(d) If you sell or buy this tobacco, you must submit to the Office of Price Administration, Washington, D. C., any reports based on the records required by this section as may be later requested, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 4. *Export sales.* The maximum prices at which you may export this tobacco must be figured under the provisions of the Second Revised Maximum Export Price Regulation,[3] issued by the Office of Price Administration.

SEC. 5. *Geographical applicability.* The provisions of this regulation apply to the forty-eight states of the United States and the District of Columbia.

SEC. 6. *Petitions for amendment.* If you seek a general modification of any provision of this regulation, you may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

SEC. 7. *Applications for exemption of sales to and purchases from subsidiaries.* (1) If you are a corporation engaged in the business of manufacturing tobacco products and purchase this tobacco for your own use from one or more of your subsidiaries, you may, jointly with your subsidiary, apply to the Office of Price Administration, Washington, D. C., for permission to make those sales and purchases without regard to the maximum prices established by this regulation, if the following conditions are satisfied:

(i) Sales and purchases for which you seek that permission will be made in accordance with business practices established by you and your subsidiary during and prior to March 1942. These practices must include, but are not limited to purchases by you of all of this tobacco sold by your subsidiary (with the exception of insignificant portions or by-products of the tobacco); and

(ii) Compliance with the price limitations of this regulation requires or threatens to require substantial changes in the standard accounting practices used by you and your subsidiary during and since March 1942 as applied to your records of intercompany transactions; and

(iii) The tobacco to be sold and purchased (with the exception of insignificant portions or by-products) must be intended for use by you solely in the manufacture of tobacco products for which maximum prices are established by the General Maximum Price Regulation [5] or other regulations issued by the Office of Price Administration.

(2) *Form of application.* The application must be in writing, signed by you and your subsidiary and must set forth all information necessary to substantiate the existence of the conditions required by paragraph (1). After receipt of your application, the Office of Price Administration or any of its duly authorized officers, may by order grant the requested permission if in its judgment that action will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. This permission, if granted, may be revoked in the same manner at any time.

(3) Permission granted under this section may not be used as justification for any increase in maximum prices established for products manufactured from the tobacco involved.

"Subsidiary" means a corporation whose business operations during and since March 1942 are controlled through ownership of voting stock by a parent company engaged in the manufacture of tobacco products, and whose business activities are confined to producing, buying, curing or handling tobacco for its parent company.

SEC. 8. *Adjustable pricing.* You may agree to sell this tobacco at a price which can be increased up to the maximum price in effect at the time of delivery; but you may not, unless you are authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upwards in accordance with action taken by that Office after delivery. This authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

SEC. 9. *Additional definitions.* (a) Terms used in this regulation and not elsewhere defined have the following meanings:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or a legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Grade" means a subdivision of the type of tobacco according to group and quality, and according to color when color is of sufficient importance to be treated as a separate factor.

(3) "Priming" means a picking of tobacco.

(4) "1943 crop" means Connecticut Shade Grown tobacco (Type No. 61) grown during the 1943 growing season.

(5) "1942 crop" means Connecticut Shade Grown tobacco (Type No. 61) grown during the 1942 growing season.

(6) "1941 crop" means Connecticut Shade Grown tobacco (Type No. 61) grown during the 1941 growing season.

(7) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, purchaser, retailer, government agency, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, apply to other terms in this regulation.

SEC. 10. *Maximum prices for grower-packers and packers.*—(a) *Listed grades.* If you are a grower-packer or a packer, your maximum price for sized, sorted and packed Connecticut Shade Grown tobacco of the 1943 crop of a particular grade and size listed in Table 1 must be as follows:

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[2] 8 F.R. 13240.
[3] 8 F.R. 4132, 5987, 7062, 9998, 15193.
[4] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.
[5] 8 F.R. 3098, 3849, 4347, 4496, 4724, 4978, 4048, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

TABLE I—MAXIMUM PRICES FOR VARIOUS GRADES OF THE 1943 CROP OF CONNECTICUT SHADE GROWN TOBACCO (TYPE No. 61)

(Price per pound selling weight)

Grade	Leaf averaging 10 inches but less than 11 inches in length	Leaf averaging 11 inches but less than 12 inches in length	Leaf averaging 12 inches but less than 13 inches in length	Leaf averaging 13 inches but less than 14 inches in length	Leaf averaging more than 14 inches in length
L	$2.70	$6.00	[1] $7.20		
LL		5.10	[1] 6.00		
LC	1.80	4.20	[1] 5.40		
LV	1.80	4.20	[1] 5.40		
LC2	1.80	3.30	[1] 4.20		
LV2	1.80	3.30	[1] 4.20		
YL1	1.50	3.10	[1] 2.70		
YL2		1.50	2.10	[1] $2.40	
YL3			1.20	[1] 1.50	
V1	1.60	2.10	[1] 2.70		
V2		1.50	2.10	[1] 2.40	
V3		1.20	[1] 1.80		
KV		.90	.90	[1] 1.20	
AL1			.90	[1] 2.10	
AL2			.90	[1] 1.50	
VL1			.90	[1] 1.80	
VL2			.72	[1] 1.20	
ML1			.60	[1] .90	
ML2			.60	1.72	
St. 1		[1] 1.20			
St. 2		[1] .60			
XL1	.72	.90	1.50	1.80	[1] $2.40
XLY		.72	.90	1.20	[1] 1.50
XL2		.60	.72	.72	[1] 1.20
YL3		.42			

[1] The maximum price for larger leaves of the same grade should be the same as that established for leaves of the indicated length.

Broken back #1	$2.40
Broken back #2	1.20
Broken back Y	1.80
Broken back dark	.60
Unsorted wrapper, averaging 10 inches but less than 11 inches in length	1.50
Third primings (or top primings) unassorted and unsized	.90
Clean binder, averaging 8 inches but less than 9 inches in length	.60
Clean binder, averaging 9 inches but less than 10 inches in length	.90
Clean binder, averaging 10 inches but less than 11 inches in length	.90
Clean binder, averaging 11 inches but less than 12 inches in length	.90
XX (tied)	.24
XX (loose)	.17
St. XX	.14
Loose leaves	.08

(b) *Grades not listed.* If you are a grower-packer or a packer, your maximum price for sized, sorted and packed Connecticut Shade Grown tobacco of the 1943 crop of a particular grade not listed in Table 1 is:

(1) The highest price you charged a purchaser of the same class for the same grade of this tobacco of the 1941 crop, plus 20%; or

(2) If you cannot figure your price for any particular grade under (1), your maximum price is the highest price charged for the same grade of this tobacco of the 1941 crop, by a seller of the same class to a purchaser of the same class, plus 20%; or

(3) If you cannot figure your maximum price for any particular grade under (1) or (2), your maximum price is the highest price you charged a purchaser of the same class for the most comparable grade of this tobacco of the 1941 crop, plus 20%; or

(4) If you cannot figure your maximum price for any particular grade under (1), (2) or (3), your maximum price is the highest price a seller of the same class charged a purchaser of the same class for the most comparable grade of this tobacco of the 1941 crop, plus 20%.

"Seller of the same class" means a seller (1) performing the same function (for example, farming, manufacturing, distributing, retailing, processing, storing, reselling), (2) of similar type (for example, grower-packer, packer, jobber, manufacturer), (3) dealing in the same type of commodities, and (4) selling to the same class of purchaser.

(c) *Listed grades assorted and unsized or unassorted (whether sized or unsized).* If you are a grower-packer or a packer, your maximum price for any priming of this tobacco, assorted and unsized or unassorted (whether sized or unsized) is the weighted average of the maximum prices of the grades contained in the particular quantity sold, less 25 cents per pound. This weighted average price must be figured according to the grade prices listed in Table 1 and in accordance with the seller's customary sampling practices.

"Weighted average of the maximum prices" means the amount obtained by:

(1) Multiplying the total number of pounds of each grade and size in the quantity sold, by the maximum price for that grade and size as set forth in section 10 or section 11.

(2) Adding together the resulting figures obtained in (1); and

(3) Dividing the sum obtained in (2) by the total number of pounds of all grades and sizes in the quantity sold.

(d) *Discounts and allowances.* If you are a grower-packer or a packer, you must allow from your maximum prices established under this regulation for the 1943 crop, your customary discounts and allowances on sales of the 1941 crop to the particular purchaser. If you made no sales of the 1941 crop to the particular purchaser, you must allow from your maximum prices your customary discounts and allowances on sales of the 1941 crop to purchasers of the same class.

SEC. 11. *Maximum prices for jobbers.* If you are a jobber, your maximum price for any of the 1943 crop of Connecticut Shade Grown tobacco of a particular grade, sized, sorted and packed, or for this tobacco of any priming sold assorted and unsized, or unassorted (whether sized or unsized) must be figured as follows:

(a) You must determine the highest price you charged for this tobacco of the same grade, or of the same priming and in the same condition sold and delivered during the period from January 1, 1942 through December 31, 1942. You may then add to that amount 16⅔ percent of your purchase price for that particular tobacco of the 1943 crop. The result of the addition shall be your maximum price for the tobacco.

(b) If you cannot figure your maximum price for any particular tobacco under (a), you must ascertain the highest price charged by your most closely competitive jobber for tobacco of the same grade, or of the same priming and in the same condition sold and delivered during the period from January 1, 1942 through December 31, 1942. You may add to that amount 16⅔ percent of your purchase price for that particular tobacco of the 1943 crop. The result of the addition shall be your maximum price for the tobacco.

(c) If you cannot figure your maximum price for any particular tobacco under (a) or (b), you must ascertain the highest price charged by your most closely competitive jobber for the most comparable tobacco of the same grade, or of the same priming and in the same condition sold and delivered during the period from January 1, 1942 through December 31, 1942. You may then add to that amount 16⅔ percent of your purchase price for that particular tobacco of the 1943 crop. The result of the addition shall be your maximum price for the tobacco.

(d) *Discounts and allowances.* If you sell this tobacco as a jobber, you must allow from your maximum prices established under this regulation your customary discounts and allowances on sales of the 1941 crop to the particular purchaser. If you made no sales of the 1941 crop to the particular purchaser, you must allow from such maximum prices your customary discounts and allowances on sales by you of the 1941 crop to purchasers of the same class.

"Jobber" means any person who purchases tobacco and holds or offers such tobacco for resale.

"Most closely competitive jobber" means a seller of the same class who (1) sells the same or a similar commodity and (2) is closely competitive in the sale of that commodity and (3) is located nearest to the seller.

"Purchase price" when used with reference to the price paid by a jobber for any of this tobacco means the gross amount contracted to be paid by the purchaser to his supplier, before allowances for discounts and exclusive of transportation charges. The term does not include any amount in excess of the supplier's maximum price fixed under this regulation.

SEC. 12. *Additional pricing provision.* If you cannot figure your maximum price for any particular tobacco or any particular sale of this tobacco, you must apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price be fixed for the particular tobacco or sale. A statement should be furnished setting forth (a) the name and address of the buyer of any tobacco that cannot be priced; (b) a description of the tobacco by grade and size; and (c) the reasons you are unable to determine your maximum price under section 10 or section 11.

Upon receipt of the application, the Office of Price Administration will by order establish a maximum price, or prescribe a method of determining a maximum price for the applicant. Until a maximum price is established, or a method of determining a maximum price is prescribed, the applicant may deliver the tobacco but he may not receive payment for it.

This regulation shall become effective February 29, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of February 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: February 28, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-2962; Filed, February 29, 1944; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Corr. to Amdt. 98]

LAMPS AND LAMP SHADES

The effective date provision of Amendment No. 98 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is corrected to read as follows:

Amendment No. 98 shall become effective February 29, 1944.

This correction shall become effective February 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-2963; Filed, February 29, 1944; 4:44 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 392,[1] Amdt. 3]

PACKAGED DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The following new section 23 is added:

SEC. 23. *Adjustments.* Where, pursuant to a contract which has existed between them since prior to March 1, 1942 and which provides for periodic price adjustments, a manufacturer sells to a single purchaser substantially his entire output of packaged drugs other than those for export; and where such manufacturer and purchaser desire to readjust the maximum prices, established under this regulation, at which such products are to be thereafter sold by the manufacturer to the purchaser; they may make application to the Office of Price Administration, Washington, D. C. for permission to make such adjustments in said prices as they may from time to time agree on. Such permission may be granted: *Provided*, That it shall not authorize the making of any price adjustment which will result in the manufacturer receiving in any calendar year thereafter, a greater proportion of the aggregate net profits before taxes received by both manufacturer and purchaser during such year in connection with such products, than that which the manufacturer received on an average during the calendar years 1936–1941; *And provided*, The purchaser enters into an agreement, satisfactory to the Office of Price Administration, that:

(a) No such adjustment shall increase the prices at which such products are thereafter resold by him, and

(b) No such permission shall be used by such purchaser in any way, directly or indirectly, for the purpose of securing, or attempting to secure, an increase in the maximum prices at which he may from time to time be entitled to resell such products under the regulations of the Office of Price Administration. Any permission so granted may be thereafter terminated by the Office of Price Administration at any time.

This amendment shall become effective March 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2991; Filed, March 1, 1944; 11:39 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 392,[1] Amdt. 3]

PACKAGED COSMETICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The following new section 25 is added:

SEC. 25. *Adjustments.* Where, pursuant to a contract which has existed between them since prior to March 1, 1942, and which provides for periodic price adjustments, a manufacturer sells to a single purchaser substantially his entire output of packaged cosmetics other than those for export; and where such manufacturer and purchaser desire to readjust the maximum prices, established under this regulation, at which such products are to be thereafter sold by the manufacturer to the purchaser; they may make application to the Office of Price Administration, Washington, D. C., for permission to make such adjustments in said prices as they may from time to time agree on. Such permission may be granted: *Provided*, That it shall not authorize the making of any price adjustment which will result in the manufacturer receiving in any calendar year thereafter, a greater proportion of the aggregate net profits before taxes received by both manufacturer and purchaser during such year in connection with such products, than that which the manufacturer received on an average during the calendar years 1936–1941; *And provided*, The purchaser enters into an agreement, satisfactory to the Office of Price Administration, that:

(a) No such adjustment shall increase the prices at which such products are thereafter resold by him, and

(b) No such permission shall be used by such purchaser in any way, directly or indirectly, for the purpose of securing, or attempting to secure, an increase in the maximum prices at which he may from time to time be entitled to resell such products under the regulations of the Office of Price Administration.

Any permission so granted may be thereafter terminated by the Office of Price Administration at any time.

This amendment shall become effective March 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2990; Filed, March 1, 1944; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 13]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The first sentence of section 25.1 (d) is amended by substituting the number "50" for the number "48".

2. The second sentence of section 25.2 (c) is amended by substituting the number "50" for the number "48".

3. The last sentence of section 25.2 (c) is amended by substituting the number "18" for the number "20".

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2992; Filed, March 1, 1944; 11:39 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6262, 12477, 12660.

[1] 8 F.R. 6268, 12477, 12661.

[1] 9 F.R. 3, 104, 695, 574, 848, 765, 1393, 1727, 1817, 1908.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 1—AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE[1]

DESIGNATION OF FORT RALEIGH NATIONAL HISTORIC SITE, N. C.

Whereas the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas certain lands and historical remains on the northern end of Roanoke Island, Dare County, North Carolina, have been declared by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments to be of national significance as a portion of the colonial settlement or settlements established in America by Sir Walter Raleigh, 1585–1587; and

Whereas title to the above-mentioned lands and historical remains is vested in the United States, having been donated by the State of North Carolina; and

Whereas an agreement has been made between the Roanoke Island Historical Association and the United States for the annual presentation of Paul Green's celebrated pageant-drama, "The Lost Colony," in the open-air amphitheater on the above-mentioned property:

Now, therefore, I, Alvin J. Wirtz, Acting Secretary of the Interior, under and by virtue of the authority conferred upon the Secretary of the Interior by section 2 of the act of Congress approved August 21, 1935 (49 Stat. 666), do hereby designate the following-described lands, with the historical remains thereon, to be a national historic site having the name "Fort Raleigh National Historic Site":

All of that certain tract or parcel of land located on the northern end of Roanoke Island, Dare County, North Carolina, and bounded as follows, viz:

Beginning at a concrete monument in the Southwest Corner of the A. P. Meakin tract of land and in the North edge of the right of way of N. C. State Highway 34 on the North end of Roanoke Island; running thence North 09 deg. 30 min. West along said Highway 554.0 feet to a concrete monument in the Southeast line of the Dough heirs' tract; thence along the line of said Dough heirs' tract North 7 deg. 15 min. West 786.0 feet to a stake in the edge of Roanoke Sound; thence following the various courses of said Sound in an Easterly direction approximately 1090.0 feet plus or minus to a stake in the Northwest corner of the A. P. Meakin tract of land, said stake being 40.5 feet North of an iron pipe in the A. P. Meakin line; thence along said A. P. Meakin line South 29 deg. 00 min. West 951.0 feet to point of beginning. The above described tract being known as the Fort Tract.

The administration, protection, and development of this national historic site shall be exercised by the National Park Service in accordance with the provisions of the Act of August 21, 1935, *supra*.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, in the city of Washington, this 5th day of April, 1941.

[SEAL] A. J. WIRTZ,
Acting Secretary of the Interior.

[F. R. Doc. 44–2987; Filed, March 1, 1944; 11:13 a. m.]

[1] Affects tabulation in § 1.13g.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office
(Appendix)

[Public Land Order 208]

WYOMING

REVOCATION OF EXECUTIVE ORDER WITHDRAWING PUBLIC LANDS

By virtue of the authority contained in sec. 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U.S.C., title 43, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 6795 of July 26, 1934, withdrawing public lands in Wyoming, pending a resurvey, and heretofore partially revoked, is hereby revoked as to the remainder of the lands affected thereby.

This order shall become effective upon the date of the official filing of the plats of resurvey of the lands involved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 23, 1944.

[F. R. Doc. 44–2984; Filed, March 1, 1944; 11:13 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 115–C]

PART 95—CAR SERVICE

FRUIT AND VEGETABLE CARS NOT HELD FOR DIVERSION, RECONSIGNMENT OR ORDERS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of February, A. D. 1944.

Upon further consideration of the provisions of Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480; 8 F.R. 13262; 8 F.R. 14224), and good cause appearing therefor:

It is ordered, That: Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480; 8 F.R. 13262; 8 F.R. 14224) be, and it is hereby, vacated and set aside. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective at 12:01 a. m., March 5, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–2978; Filed, March 1, 1944; 10:28 a. m.]

[S. O. 182–A]

PART 95—CAR SERVICE

MOVEMENT OF POTATOES FROM FLORIDA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of February, A. D. 1944.

Upon further consideration of Service Order No. 182 (9 F.R. 1729) of February 9, 1944, and good cause appearing therefor:

It is ordered, That:

Service Order No. 182 (9 F.R. 1729) of February 9, 1944, 49 CFR § 95.332, prohibiting the movement of potatoes, other than sweet, from points in the State of Florida to points west of the Mississippi River, north of the Illinois-Wisconsin State line or west or north of Lake Michigan, be, and it is hereby, vacated and set aside. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–2979; Filed, March 1, 1944; 10:28 a. m.]

[S. O. 183, Amdt. 1]

PART 95—CAR SERVICE

REDUCTION IN FREE TIME BEFORE ASSESSMENT OF CHARGES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of February, A. D. 1944.

Upon further consideration of Service Order No. 183 (9 F.R. 2095) of February 18, 1944, and good cause appearing therefor:

It is ordered, That:

Service Order No. 183 (9 F.R. 2095) of February 18, 1944, 49 CFR § 95.503, be amended by inserting the phrase "or short of" before the word "ports" and after the word "at" in the fifth line of paragraph (e) of § 95.503, and by striking from the last ordering paragraph of said order the clause "That this order shall become effective at 7:00 a. m., March 1, 1944;" and inserting in lieu thereof the following clause: "That this order shall become effective April 6, 1944;". (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective at 7:00 a. m., March 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-2060; Filed, March 1, 1944; 10:28 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 12—ADMINISTRATION OF NATIONAL WILDLIFE REFUGES: GENERAL REGULATIONS

SALE OF SURPLUS ANIMALS AND PRODUCTS

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i); section 84 of the act of March 4, 1909, as amended April 15, 1924, 43 Stat. 98; 16 U.S.C. 145; and section 401 of the act of June 15, 1935, 49 Stat. 383; 16 U.S.C., Sup., 715s, the following is hereby ordered:

Section 12.17 *Sale of surplus animals and products*[1] is hereby amended by striking out paragraph (b) *Fur animals* and inserting in lieu thereof the following:

(b) *Fur animals.* Under the direction of the Director and subject to such conditions as may be prescribed by him surplus fur animals (1) may be taken by employees of the Service, (2) may be taken under permit issued by the Director or regional director upon such terms and at such rates of charge or at such division of the pelts and/or carcasses as may be determined by the Director to be commensurate with the value of the operation or privilege granted, having due regard to prevailing market values and trapping conditions, or (3) may be taken by public trapping under permit issued by the officer in charge, such trapping to be at such rates of charge, if any, as the Director may determine to be commensurate with the value of the privilege granted, having due regard to prevailing market values and trapping conditions.

The disposition or sale of fur animals and the pelts or carcasses thereof accruing to the United States may be made upon such terms and conditions as the Director shall determine to be for the best interests of the government or for the advancement of knowledge and the dissemination of information regarding wildlife, including but not limited to sale in the open market, exchange for animals of the same or other kinds, and gifts or loans to public or private institutions for exhibition or propagation, or they may be used by the Service for wildlife management and research purposes. The Fish and Wildlife Service, in accordance with regulations governing the employment of persons, may employ for the purpose of taking and disposing of fur animals on the refuges and may pay from refuge receipts, (1) trappers on a fee basis for the pelt of each fur animal trapped or on such other basis as the Director may consider to be equitable, and (2) such inspectors, assistant inspectors, fur handlers, and laborers as may be necessary in the discretion of the Director to supervise and inspect all trapping operations, and to skin, dry, stretch, pack, ship, and sell or otherwise dispose of all fur animal skins and carcasses. The amount of the fee to be paid trappers for each species and classification of fur animals shall be determined by the Director. The compensation of inspectors, assistant inspectors, fur handlers, and laborers may be fixed on an hourly, daily, monthly, or annual basis at such rates as are determined under the usual departmental procedure to be consistent with the duties and responsibilities of the respective positions.

(1) *Trapping permits.* Any person exercising the privilege of trapping within a refuge shall be in possession of a valid trapping permit of the Fish and Wildlife Service as may be required pursuant to this section. He shall carry such permit or evidence thereof on his person while trapping, and when requested to do so, shall exhibit the same to any officer or employee of the Department of the Interior authorized to enforce the game and fish laws of the United States.

(2) *Prohibited methods and acts.* The possession or use within the boundaries of the refuge of a spear or any other similar device by means of which fur animals may be taken, or of any trap or other device that does not comply with the requirements of these regulations or the conditions prescribed by the Director is not permitted, and any illegal traps or other devices found on the refuge may be seized by an authorized representative of the Fish and Wildlife Service. Unless specially authorized by permit, no person shall hunt fur animals with a gun or with the aid of a dog, or disturb or molest any muskrat house, beaver house, beaver dam, or fur-animal den, or set a trap within three feet of any muskrat house or feeding house or fur-animal den, or within one hundred feet of any beaver house or beaver dam. No person shall run a trap line or visit traps between sunset and one-half hour before sunrise.

(3) *Trapped birds and mammals.* Birds and mammals other than those authorized to be trapped that are found alive in the traps of the permittee shall be immediately liberated. Birds and mammals other than those authorized to be trapped that are found dead or mortally injured in the traps shall be immediately turned over to the officer in charge or his representative.

(4) *Forfeiture of privileges.* Failure of any person trapping on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section, or the violation by him of any provision of Federal laws or regulations applicable to wildlife, not only will render such person liable to prosecution under the law, but also will be sufficient cause for removing him from the refuge and for refusing him further trapping privileges on such refuge or any other use or privilege on any such refuge for which a permit may be required.

OSCAR L. CHAPMAN, *Assistant Secretary of the Interior.*

FEBRUARY 24, 1944.

[F. R. Doc. 44-2061; Filed, February 29, 1944; 4:31 p. m.]

[1] 5 F.R. 5286.

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-23]

LEA BROS. COAL MINING CO. AND STEEL TIPPLE COAL CO.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that no strikes or stoppages have occurred since October 25, 1943 or are threatened in the coal mines of Lea Bros. Coal Mining Co., Rural Route No. 2, Peoria, Illinois, or Steel Tipple Coal Co., Box 52, Eldorado, Illinois. Based on such advice, and after consideration of all the circumstances, I find that the possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the said mining companies, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Instruments of agreement and certification having heretofore been executed and filed with the Coal Mines Adminis-

tration by each of said companies, the appointments of the operating managers for their mines are terminated, as provided by section 25 (f), as amended of the regulations for the operation of coal mines under Government control.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 29, 1944.

[F. R. Doc. 44-2988; Filed, March 1, 1944; 11:30 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5882]

FORT PECK PROJECT, MONTANA

NOTICE OF APPLICATION FOR APPROVAL OF RATES AND CHARGES

FEBRUARY 29, 1944.

Notice is hereby given that pursuant to the provisions of the Fort Peck Act, approved May 18, 1938 (52 Stat. 403), the Commissioner of Reclamation has filed with the Federal Power Commission two proposed contracts for the sale of electric energy produced at the Fort Peck project on the Missouri River, Montana, for confirmation and approval of the rates and charges therein provided (Docket No. IT-5882).

The proposed contracts are with the Montana State Game Farm and School District No. 21. The maximum rate of delivery to the State Game Farm would be 60 kilowatts, and to the School District, 20 kilowatts; and each of these customers would pay two cents (2¢) per kilowatt-hour for all energy consumed. The contracts are proposed as an interim arrangement, pending the establishment of a permanent rate schedule.

Any person desiring to make representations with respect to the proposed contract should, on or before March 15, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-2974; Filed, March 1, 1944; 9:33 a. m.]

[Docket No. IT-5825]

MONTANA POWER COMPANY

ORDER DENYING APPLICATION IN PART AND REFERRING CERTAIN MATTERS TO THE PRESIDING OFFICERS

FEBRUARY 28, 1944.

Upon the application of The Montana Power Company filed February 18, 1944, as modified by telegram received February 23, 1944, for an order for completion of the cross-examination of deponents C. F. Kelley and W. D. Thornton in the East by deposition or before a Trial Examiner, and for an order postponing the commencement of the hearing in the above-entitled matter to April 10, 1944, in order to afford additional time for the completion of preparation of his testimony by one of The Montana Power Company's expert witnesses; and after consultation with the Public Service Commission of Montana;

It appearing to the Commission that:

(a) Sufficient cause has not been shown why the cross-examination of deponent C. F. Kelley should not be completed at the hearing in Butte, Montana, as heretofore ordered;

(b) The presiding officers can make appropriate arrangements at the hearing for the completion of cross-examination of deponent Thornton either at the hearing or at an adjournment thereof or by deposition;

(c) Our order of February 16, 1944, setting the hearing in the above-entitled proceeding contemplated that the presiding officers should leave a reasonable latitude in fixing the time and place of hearing and taking of testimony;

The Commission finds that:

The action hereinafter provided is reasonable and appropriate.

The Commission orders that:

(A) The application, insofar as it relates to the cross-examination of deponent C. F. Kelley, be and the same hereby is denied and The Montana Power Company is directed to have the said C. F. Kelley available for examination at the hearing hereinafter set to commence March 27, 1944, in Butte, Montana;

(B) The application, insofar as it relates to the postponement of the commencement of the hearing be and the same hereby is granted in part by postponing the commencement of the hearing to March 27, 1944, at the time and place heretofore fixed and the matter of affording The Montana Power Company any additional time required for the aforesaid expert witness to prepare to testify is referred to the presiding officers for consideration and appropriate action at the hearing;

(C) The matter of completion of the cross-examination of deponent Thornton, whether at the hearing in Butte or at an adjournment thereof, or on deposition, be and the same hereby is referred to the presiding officers for consideration and appropriate action at the hearing.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-2973; Filed, March 1, 1944; 9:33 a. m.]

OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS.

ACTING COORDINATOR OF INTER-AMERICAN AFFAIRS

DESIGNATION AND DELEGATION OF AUTHORITY

Order designating Acting Coordinator of Inter-American Affairs and delegating to such officer authority to perform duties and functions of the Coordinator.

By virtue of authority vested in the Coordinator of Inter-American Affairs by Executive Orders Nos. 8840 (6 F.R. 3857) and 9116 (7 F.R. 2527), Percy L. Douglas is hereby authorized in the absence of the Coordinator to perform and exercise as Acting Coordinator, all of the duties, powers and functions heretofore and hereafter authorized by law to be performed and exercised by the Coordinator, and in the absence of the Coordinator and the said Percy L. Douglas, George C. Dunham is authorized to perform and exercise as Acting Coordinator the aforesaid duties, powers and functions and in the absence of the Coordinator and the said Percy L. Douglas and George C. Dunham, Don Francisco is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator and the said Percy L. Douglas, George C. Dunham and Don Francisco, Francis A. Jamieson is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator, the said Percy L. Douglas, George C. Dunham, Don Francisco and Francis A. Jamieson, John C. McClintock is authorized to exercise and perform such duties, powers and functions as Acting Coordinator.

This authorization shall remain in effect until specifically revoked by the Coordinator and shall supersede the order designating the Acting Coordinator of Inter-American Affairs, dated August 5, 1942 (7 F.R. 6156).

Dated: February 26, 1944.

NELSON A. ROCKEFELLER,
Coordinator.

[F. R. Doc. 44-2953; Filed, February 29, 1944; 2:19 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-53]

COMMON CARRIERS

COORDINATED OPERATION BETWEEN ST. JOSEPH, BENTON HARBOR, AND KALAMAZOO, MICH.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Central Greyhound Lines, Inc., Cleveland, Ohio, and Enders Bus Lines, Inc., Benton Harbor, Michigan, pursuant to § 501.49 of General Order ODT No. 11, as amended (7 F.R. 4389, 11099; 8 F.R. 12028), and in order to assure maximum utilization of the facilities, services and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Central Greyhound Lines, Inc., Cleveland, Ohio, and Enders Bus Lines, Inc., Benton Harbor, Michigan (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between St. Joseph and Benton Harbor, Michigan, and Kalamazoo, Michigan, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Unless first authorized by the Director, Division of Local Transport, Office of Defense Transportation, through service between St. Joseph and Benton Harbor, Michigan, and Kalamazoo, Michigan, shall not exceed 2 round trips daily by each carrier.

3. Unless first authorized by the Director, Division of Local Transport, Office of Defense Transportation, the departure and arrival time on schedules established pursuant to this order shall not be changed or altered without the consent of all the carriers named herein.

4. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. The coordination of operations directed by this order shall be subject to the carriers' possessing the requisite operating authority.

5. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

6. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order O.D.T. No. B-53."

This order shall become effective March 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-2980; Filed, March 1, 1944; 11:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Administrative Notice 2]

ANNUAL AND INTERIM FINANCIAL REPORTS

APPROVAL OF FORMS

Action of Price Administrator approving Form A, Annual Financial Report, and Form B, Interim Financial Report.

Administrative Notice No. 2 is revised and amended to read as follows:

Whereas in order to assist the Administrator in prescribing maximum price regulations and orders under the Emergency Price Control Act of 1942 (Public, No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), and to assist him in the administration and enforcement of said act and the regulations, orders and price schedules issued thereunder, it is necessary and proper to obtain periodically certain financial information, with respect to representative companies engaged in manufacturing, construction, mining and quarrying, and wholesale and retail trades.

Now, therefore, by virtue of the authority conferred by sections 201 (d) and 202 of said act, it is hereby determined that such financial information be obtained periodically, and that Form A, Annual Financial Report, and Form B, Interim Financial Report,[1] attached hereto and made a part hereof, consisting of forms and instructions for filing annual and interim financial information with the Office of Price Administration, be and the same are hereby approved and prescribed as appropriate for obtaining such financial information; and the Office of Accounting Service of the Office of Price Administration is directed to mail the forms and receive the financial reports from the representative companies referred to above.

NOTE: The reporting forms of this notice have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 29th day of February 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-2964; Filed, February 29, 1944; 4:46 p. m.]

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[1] OPA Form A (Rev. 1-44), Annual Financial Report, Budget Bureau No. 08-R144, OPA Form B (Rev. 1-44), Interim Financial Report, Budget Bureau No. 08-R145 filed with the Division of the Federal Register as part of the original document. Copies may be obtained from the Office of Price Administration.

Regional and District Office Orders.

[Region I Order G-54 Under RMPR 122]

SOLID FUELS IN BURLINGTON, VT., AREA

Order No. G-54 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Burlington, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Burlington, Vermont, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-54 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-54. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-54 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Vermont, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Burlington, Vermont, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.25	$8.40	$4.45	$0.90
Pea	14.95	7.75	4.15	.85
Buckwheat	12.80	6.65	3.60	.75
Rice	11.75	6.15	3.25	.70
Yard screenings	8.00			
Jeddo Highland, Greenwood or Silver Brook: Egg, stove and chestnut	16.75	8.65	4.60	.95
Coke: Egg, stove and chestnut	16.00	8.25	4.40	.90

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in Burlington, South Burlington and Winooski.

(b) The following amounts may be added to the foregoing base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

Location	Per net ton	Per ½ ton	Per ¼ ton
Colchester, Essex, Shelburne, and Williston	$0.75	$0.40	$0.20
Charlotte, Hinesburg, and St. George	1.50	.75	.40

(3) *Quantity discount.* The foregoing per net ton prices shall be reduced by 50 cents per ton on sales to consumers whose annual purchases amount to 25 tons or more. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	*Cents* 50	*Cents* 25	*Cents* 15
For any carry up or down flights of stairs, per flight	50	25	15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Burlington, Vermont, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite				
Broken, egg, stove, and chestnut	$15.25	$7.90	$4.20	$0.85
Pea	13.95	7.25	3.90	.80
Buckwheat	11.90	6.15	3.35	.70
Rice	10.75	5.65	3.10	.65
Yard screenings	4.00	----	----	----
Jeddo Highland, Greenwood or Silver Brook: Egg, stove and chestnut	15.75	8.15	4.25	.90
Coke: Egg, stove and chestnut	15.00	7.75	4.15	.85

(2) The provisions of subparagraph (3) of paragraph (b) shall apply to yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale.* The following "cash discounts" for payment within the periods specified shall be granted from the maximum prices set forth in paragraphs (b) and (c), including those maximum prices as reduced by any discounts required by subparagraph (3) of paragraph (b) and subparagraph (2) of paragraph (c):

	Per net ton	Per ½ ton	Per ¼ ton
Payment at time of delivery or within 15 days thereafter	$1.00	$0.50	$0.25
Payment more than 15 days but within 30 days after delivery	.50	.25	.10

Provided, however, That no cash discount is required on any sales of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If, in those cases where a cash discount is required, payment is not made within 30 days after delivery, terms shall be net 60 days.

(e) *Temporary price increase; Pennsylvania anthracite.* The provisions of Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the prices for Pennsylvania anthracite contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(f) *Definitions.* When used in this Order G–54, the term:

(1) "Burlington, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: Burlington, Charlotte, Colchester, Essex, Hinesburg, Shelburne, South Burlington, St. George, Williston and Winooski.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal",

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(7) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order

for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the Area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this order or by a letter to the applicant.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–54 shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–2956; Filed, February 29, 1944; 12:56 p. m.]

[Region I Order G–47 Under RMPR 122, Correction]

SOLID FUELS IN NEW HAVEN, CONN., AREA

Correction of Order No. G–47 under Revised Maximum Price Regulation No. 122. Solid Fuels sold and delivered by dealers. Specified solid fuels; New Haven, Connecticut, area.

In paragraph (g) (1) of Region I Order No. G–47 under Revised Maximum Price Regulation No. 122, the words "Hartford, Connecticut, Area" are corrected to read "New Haven, Connecticut, Area."

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 9250, 7 F. R. 7871 and E. O. 9328, 8 F. R. 4681)

Issued this 24th day of February 1944.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–2955; Filed, February 29, 1944; 12:56 p. m.]

[Region VII 2d Rev. Order G–7 Under SR 15, Amdt. 2]

FLUID MILK IN CERTAIN COLORADO AREAS

2d Revised Order No. G–7 Under Supplementary Regulation 15 of the General Maximum Price Regulation, Amendment No. 2. Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and § 1499.75 (a) (9) (v) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (b) is amended by adding thereto a new area, designated Area 7, and specific maximum prices are established therefor as follows:

AREA 7

Size of glass or paper container	Wholesale delivered	Retail out of store
	Cents	*Cents*
Quart	12½	11½

2. Paragraph (c) (1) is amended by deleting therefrom the following: "the municipality of Rico in Dolores County, and a distance of five miles beyond the corporate limits thereof at all points."

3. Paragraph (c) is amended by designating the last subparagraph thereof (8), and by adding a new subparagraph designated (7) to follow immediately after subparagraph (6), and reading as follows:

(7) "Area 7" means all that area contained within the municipality of Rico in Dolores County, and a distance of five miles beyond the corporate limits thereof at all points.

4. *Effective date.* This Amendment No. 2 shall become effective on the 22d day of February 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of February 1944.

R. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–2957; Filed, February 29, 1944; 12:56 p. m.]

[Region VIII Order G–3 Under MPR 136, as Amended, Amdt. 1]

INSIDE CURING RIMS MANUFACTURED BY STEEL FORMING CORPORATION

Amendment No. 1 to Order No. G–3 under Maximum Price Regulation No. 136 as amended. Machines and parts

and machinery services. Adjusted maximum prices for inside curing rims manufactured by Steel Forming Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 390.25a of Maximum Price Regulation No. 136 as amended, *It is hereby ordered*, That subparagraphs 2 and 3 of paragraph (a) of Order No. G–3 under Maximum Price Regulation No. 136 as amended be amended to read as follows:

(2) For resales at wholesale by Balloon Tire Mould Company, Los Angeles, California, the adjusted maximum net price shall be $18.55 per rim.

(3) For resales at retail by any dealer whose place of business is located within the Eighth Region of the Office of Price Administration, the adjusted maximum price shall be $24.25 per rim.

This amendment shall become effective as of February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–2965; Filed, February 29, 1944; 4:45 p. m.]

[Region VIII Order G–4 Under § (c)]

READY-MADE SAILOR UNIFORMS IN CERTAIN WASHINGTON COUNTIES

Order No. G–4 under § 1499.3 (c) of the General Maximum Price Regulation. Order establishing maximum prices for sales of ready-made sailor uniforms by retailers located in certain counties in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price for sales at retail of ready-made sailor uniforms manufactured of serge, mill dyed gabardine, whipcord, or elastique material shall be $34.50 without alterations, rate emblems and hash marks and $37.00 with alterations, rate emblems and hash marks, for the following sellers:

Retailers located in the counties of Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima in the State of Washington who are unable to determine their maximum price for such ready-made sailor uniforms, pursuant to Section 1499.2 or 1499.3 (a) of the General Maximum Price Regulation.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective February 21, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44–2966; Filed, February 29, 1944; 4:45 p. m.]

[Region VIII Order G–4 Under MPR 376, as Amended, Amdt. 1]

FRESH TOMATOES IN SAN FRANCISCO REGION

Amendment No. 1 to Order No. G–4 under Maximum Price Regulation No. 376 as amended. Certain fresh fruits and vegetables (fresh tomatoes).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered:*

(a) Paragraph (b) is hereby redesignated paragraph (c), paragraph (c) is redesignated paragraph (d), paragraph (d) is redesignated paragraph (e), and paragraph (e) is redesignated paragraph (f).

(b) A new paragraph (b) is hereby added to read as follows: The maximum price for sales of fresh tomatoes f. o. b. any country shipping point located in Imperial County in the state of California shall be 15½¢ per pound and the maximum price for such sales f. o. b. any country shipping point located in Region VIII other than in Imperial County in the state of California shall be the maximum price for carlot or trucklot sales as specified in paragraph (a) (2) above at the wholesale receiving point of the purchaser, minus freight from the country shipping point to the particular wholesale receiving point.

(c) Paragraph (c) (2) is hereby amended to read as follows:

(2) *Repacked Mexican tomatoes.* For sales to any person, including a retailer: the price as specified in paragraph (a) above, reduced to a per pound basis by dividing the maximum delivered price per crate by thirty-two, where tomatoes are purchased on a per crate basis with a minimum net weight of thirty-two pounds, plus the following maximum mark-ups:

Area	*Maximum mark-up (Per pound)*
Los Angeles area	$0.03
San Diego area	.04
Northern California area	.04
Nevada and Arizona	.04
Oregon	.05
Washington and northern Idaho	.05

(d) Paragraph (e) (6) is hereby amended to read as follows: "Los Angeles Area" means the following counties in the state of California: San Luis Obispo, Santa Barbara, Kern, Ventura, Los Angeles, San Bernardino, Orange, and Riverside.

(e) Paragraph (e) is hereby amended by adding a new subparagraph (10) to read as follows:

(10) "San Diego Area" means the counties of San Diego and Imperial in the state of California.

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–2967; Filed, February 29, 1944; 4:44 p. m.]

[Region VIII Order G–4 Under MPR 165, as Amended, Amdt. 6]

PACKING AND CERTAIN OTHER SERVICES IN SAN FRANCISCO REGION

Amendment No. 6 to Order No. G–4 under Maximum Price Regulation No. 165, as amended. Adjusted maximum prices for packing and certain other services.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*, That Order No. G–4 under Maximum Price Regulation No. 165, as amended, be amended in the following particulars:

(1) The portion of paragraph (a) which precedes paragraph (1) thereof is amended to read as follows:

(a) The adjusted maximum price for the service of shelling corn, for the service of cleaning seed, for the service of cleaning and racking beans, for the service of crushing olives, and for the service or services of packing, drying, and dehydrating fruits (except citrus fruit and except apples and pears grown in Chelan, Okanogan, Douglas, and Grant Counties in the State of Washington), vegetables, or rice, and related services, and also canning for ultimate consumers, sold and supplied by any person located in Region VIII, shall be the sum of the following:

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–2968; Filed, February 29, 1944; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on January 25, 1944.

REGION I

Montpelier Order No. 9, Amendment No. 1, filed 3:14 p. m.

and machinery services. Adjusted maximum prices for inside curing rims manufactured by Steel Forming Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 390.25a of Maximum Price Regulation No. 136 as amended, *It is hereby ordered*, That subparagraphs 2 and 3 of paragraph (a) of Order No. G-3 under Maximum Price Regulation No. 136 as amended be amended to read as follows:

(2) For resales at wholesale by Balloon Tire Mould Company, Los Angeles, California, the adjusted maximum net price shall be $18.55 per rim.

(3) For resales at retail by any dealer whose place of business is located within the Eighth Region of the Office of Price Administration, the adjusted maximum price shall be $24.25 per rim.

This amendment shall become effective as of February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-2965; Filed, February 29, 1944; 4:45 p. m.]

[Region VIII Order G-4 Under 8 (c)]

READY-MADE SAILOR UNIFORMS IN CERTAIN WASHINGTON COUNTIES

Order No. G-4 under § 1499.3 (c) of the General Maximum Price Regulation. Order establishing maximum prices for sales of ready-made sailor uniforms by retailers located in certain counties in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price for sales at retail of ready-made sailor uniforms manufactured of serge, mill dyed gabardine, whipcord, or elastique material shall be $34.50 without alterations, rate emblems and hash marks and $37.00 with alterations, rate emblems and hash marks, for the following sellers:

Retailers located in the counties of Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima in the State of Washington who are unable to determine their maximum price for such ready-made sailor uniforms, pursuant to Section

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-2966; Filed, February 29, 1944; 4:45 p. m.]

[Region VIII Order G-4 Under MPR 376, as Amended, Amdt. 1]

FRESH TOMATOES IN SAN FRANCISCO REGION

Amendment No. 1 to Order No. G-4 under Maximum Price Regulation No. 376 as amended. Certain fresh fruits and vegetables (fresh tomatoes).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered:*

(a) Paragraph (b) is hereby redesignated paragraph (c), paragraph (c) is redesignated paragraph (d), paragraph (d) is redesignated paragraph (e), and paragraph (e) is redesignated paragraph (f).

(b) A new paragraph (b) is hereby added to read as follows: The maximum price for sales of fresh tomatoes f. o. b. any country shipping point located in Imperial County in the state of California shall be 15½¢ per pound and the maximum price for such sales f. o. b. any country shipping point located in Region VIII other than in Imperial County in the state of California shall be the maximum price for carlot or trucklot sales as specified in paragraph (a) (2) above at the wholesale receiving point of the purchaser, minus freight from the country shipping point to the particular wholesale receiving point.

(c) Paragraph (c) (2) is hereby amended to read as follows:

(2) *Repacked Mexican tomatoes.* For sales to any person, including a retailer: the price as specified in paragraph (a) above, reduced to a per pound basis by dividing the maximum delivered price per crate by thirty-two, where tomatoes are purchased on a per crate basis with a minimum net weight of thirty-two pounds, plus the following maximum mark-ups:

Area	*Maximum mark-up (Per pound)*
Los Angeles area	$0.03
San Diego area	.04
Northern California area	.04
Nevada and Arizona	.04
Oregon	.05
Washington and northern Idaho	.05

(d) Paragraph (e) (6) is hereby amended to read as follows: "Los Angeles Area" means the following counties in

(10) "San Diego Area" means the counties of San Diego and Imperial in the state of California.

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-2967; Filed, February 29, 1944; 4:44 p. m.]

[Region VIII Order G-4 Under MPR 165, as Amended, Amdt. 6]

PACKING AND CERTAIN OTHER SERVICES IN SAN FRANCISCO REGION

Amendment No. 6 to Order No. G-4 under Maximum Price Regulation No. 165, as amended. Adjusted maximum prices for packing and certain other services.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*, That Order No. G-4 under Maximum Price Regulation No. 165, as amended, be amended in the following particulars:

(1) The portion of paragraph (a) which precedes paragraph (1) thereof is amended to read as follows:

(a) The adjusted maximum price for the service of shelling corn, for the service of cleaning seed, for the service of cleaning and racking beans, for the service of crushing olives, and for the service or services of packing, drying, and dehydrating fruits (except citrus fruit and except apples and pears grown in Chelan, Okanogan, Douglas, and Grant Counties in the State of Washington), vegetables, or rice, and related services, and also canning for ultimate consumers, sold and supplied by any person located in Region VIII, shall be the sum of the following:

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of February 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-2968; Filed, February 29, 1944; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

Montpelier Order No. 10, Amendment No. 1, filed 3:15 p. m.

REGION II

Philadelphia Order No. P-1, Correction, filed 10:30 a. m.
Syracuse Order No. 17, Filed 3:14 p. m.

REGION III

Cleveland Order No. 1-P, filed 10:30 a. m.
Cleveland Order No. F-1, Amendment No. 14, filed 3:14 p. m.
Cleveland Order No. F-5, Amendment No. 6, filed 10:28 a. m.
Charleston Order No. 1-F, Amendment No. 11, filed 3:17 p. m.
Charleston Order No. 2-F, Amendment No. 7, filed 3:17 p. m.
Charleston Order No. 3-F, Amendment No. 8, filed 3:17 p. m.
Charleston Order No. 4-F, Amendment No. 5, filed 3:19 p. m.
Charleston Order No. 5-F, Amendment No. 4, filed 3:19 p. m.
Charleston Order No. 6-F, Amendment No. 2, filed 3:19 p. m.
Detroit Order No. 1-F, Amendment No. 3, filed 10:23 a. m.
Detroit Order No. 10, Amendment No. 2, filed 10:23 a. m.
Louisville Order No. 1-F, Amendment No. 10, filed 10:29 a. m.
Louisville Order No. 2-F, Amendment No. 12, filed 10:29 a. m.
Louisville Order No. 3-F, Amendment No. 5, filed 1:29 p. m.

REGION IV

Birmingham Order No. 14, filed 10:32 a. m.
Birmingham Order No. 15, filed 10:32 a. m.
Jacksonville Order No. 17, filed 10:28 a. m.
Jacksonville Order No. 19, filed 10:25 a. m.
Jacksonville Order No. 21, filed 10:25 a. m.
Memphis Order No. 14, filed 3:20 p. m.
Memphis Order No. 15, filed 3:21 p. m.

REGION V

Dallas Order No. 1-F, Amendment No. 5, filed 3:23 p. m.
Oklahoma City Order No. 2-F, Amendent No. 2, filed 10:26 a. m.
Oklahoma City Order No. 3-F, Amendment No. 5, filed 10:26 a. m.
Shreveport Order No. 11, filed 3:22 p. m.
Shreveport Order No. 12, filed 3:22 p. m.

REGION VI

Springfield Order No. 1-F, Amendment No. 1, filed 10:26 a. m.
Springfield Order No. 2-F, Amendment No. 1, filed 10:26 a. m.
Chicago Order No. 2-F, Amendment No. 2, filed 10:27 a. m.
Fargo-Moorhead Rev. Order No. 15, filed 10:31 a. m.
Fargo-Moorhead Rev. Order No. 16, filed 10:31 a. m.
Green Bay Order No. 1-F, Amendment No. 4, filed 3:16 p. m.
Green Bay Order No. 2-F, Amendment No. 4, filed 3:16 p. m.
Milwaukee Order No. 5-F, Amendment No. 1, filed 10:30 a. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 5, filed 10:27 a. m.
Sacramento Order No. 1-F, Amendment No. 4, filed 3:23 p. m.
Sacramento Order No. 3-F, Amendment No. 4, filed 10:22 a. m.
Sacramento Order No. 5-F, Amendment No. 4, filed 10:22 a. m.
Sacramento Order No. 6-F, Amendment No. 2, filed 10:22 a. m.
Sacramento Order No. 7-F, Amendment No. 2, filed 10:23 a. m.
San Francisco Order No. 1-F, Amendment No. 2, filed 10:22 a. m.
San Francisco Order No. 6, Amendment No. 2, filed 10:21 a. m.
San Francisco Order No. 6, Amendment No. 3, filed 10:20 a. m.
San Francisco Sec. Rev. Order No. 5, Amendment No. 3, filed 10:20 a. m.
San Francisco Sec. Rev. Order No. 3, Amendment No. 4, filed 10:20 a. m.
San Francisco Rev. Order 4, Amendment No. 3, filed 10:20 a. m.
San Francisco Rev. Order 4, Amendment No. 4, filed 10:21 a. m.
San Francisco Rev. Order 5, Amendment No. 3, filed 10:20 a. m.
San Francisco Rev. Order 5, Amendment No 4, filed 10:21 a. m.
Seattle Order No. 1-F, Amendment No. 4, filed 10:27 a. m.
Seattle Order No. 2-F, Amendment No. 3, filed 10:28 a. m.
Seattle Order No. 3-F, Amendment No. 4, filed 10:28 a. m.
Seattle Order No. 4-F, Amendment No. 4, filed 10:28 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-2936; Filed, February 29, 1944; 11:43 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on February 23, 1944.

REGION II

Albany Order No. 13, filed 10:07 a. m.
Binghamton Order No. P-1, filed 9:56 a. m.
Camden Order No. P-1, Amendment No. 1, filed 9:59 a. m.
Camden Order No. 11, filed 9:59 a. m.
Williamsport Order No. P-1, filed 9:55 a. m.

REGION III

Charleston Order No. 1-F, Amendment No. 10, filed 10:00 a. m.
Charleston Order No. 3-F, Amendment No. 7, filed 9:58 a. m.
Charleston Order No. 4-F, Amendment No. 4, filed 10:01 a. m.
Charleston Order No. 5-F, Amendment No. 3, filed 10:01 a. m.
Charleston Order No. 6-F, Amendment No. 1, filed 10:02 a. m.
Columbus Order No. 3-F, Amendment No. 6, filed 10:03 a. m.
Columbus Order No. 4-F, Amendment No. 1, filed 10:02 a. m.
Columbus Order No. 5-F, Amendment No. 2, filed 10:03 a. m.
Columbus Order No. 7-F, Amendment No. 5, filed 10:03 a. m.

REGION IV

Jacksonville Order No. 1-F, Amendment No. 11, filed 10:03 a. m.
Jacksonville Order No. 2-F, Amendment No. 10, filed 10:04 a. m.
Jacksonville Order No. 12, Revocation, filed 10:04 a. m.
Jacksonville Order No. 13, Revocation, filed 10:05 a. m.
Jacksonville Order No. 14, Revocation, filed 10:05 a. m.
Jacksonville Order No. 15, Revocation, filed 10:05 a. m.
Jacksonville Order No. 16, Revocation, filed 10:06 a. m.
Montgomery Order No. 5-F, Amendment No. 1, filed 10:00 a. m.
Montgomery Order No. 8-F, Amendment No. 1, filed 10:00 a. m.

REGION V

Arkansas Order No. 3-F, Amendment No. 2, filed 10:04 a. m.
Arkansas Order No. 10, Amendment No. 2, filed 10:07 a. m.
Lubbock Order No. 2-F, filed 10:06 a. m.

REGION VI

Peoria Order No. 3, Amendment No. 6, filed 9:58 a. m.
Peoria Order No. 6, Amendment No. 3, filed 9:58 a. m.
Springfield Order No. W-1, filed 9:56 a. m.
Springfield Order No. W-2, filed 9:57 a. m.
Springfield Order No. W-3, filed 9:57 a. m.
Springfield Order No. W-4, filed 9:52 a. m.
Springfield Order No. W-5, filed 9:58 a. m.
Springfield Order No. W-6, filed 9:52 a. m.

REGION VIII

Los Angeles Order No. F-1, filed 10:06 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-2937; Filed, February 29, 1944; 11:43 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-859]

THE NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of February 1944.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 of the General Rules and Regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock payable in the common stock of Pacific Gas and Electric Company having a par value of $25 per share, owned by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of Pacific Gas and Electric Company, cash will be paid at the rate of 31 cents for each 1/100th of a share of such stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of $31.00 per share as of February 9, 1944, the date the proposed dividend was declared.

Said declaration having been filed on the 10th day of February, 1944, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before February 28, 1944; and

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of

Schedule A

Date of issuance of revocation

Location of project

Name and address of builder

Serial No.

Preference rating order

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-2954; Filed, February 29, 1944; 2:19 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF AMENDMENTS TO ORDERS REVOKING PREFERENCE RATINGS FOR PROJECTS OR STOPPING CONSTRUCTION ON PROJECTS

The War Production Board has issued certain orders listed in Schedule A below which amended prior orders revoking preference ratings for projects or stopping construction on projects or both. For the effect of each such amending order upon preference ratings, the construction of the project and the delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 29, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Date of issuance of amendment
P-19-e	12,246	County of Allegheny Hwy., Pittsburgh, Pa.	Allegheny County, Pa.	2/5/44
P-19-e	407-E	Mississippi State Hwy. Dept., Georgetwon, Miss.	Georgetwon, Miss.	2/9/44
CMPL-224	106,619	Board of County Comm., Dade County, Fla., Miami, Fla.	Biscayne Bay, Miami, Fla.	2/19/44

[F. R. Doc. 44-2922; Filed, February 29, 1944; 11:08 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKED AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued February 29, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Date of issuance of revocation
P-19-h	98,097	Standard Oil Co. of La., Baton Rouge, La.	Baton Rouge, La.	1/26/44
CMPL-224	100,677	Monsanto Chemical Co., Monsanto, Tenn.	Monsanto, Tenn.	1/26/44
CMPL-224	110,924	Standard Oil Co. of La., Baton Rouge, La.	Baton Rouge, La.	1/26/44
CMPL-224	105,984	Ultra Penn Refining Co., Butler, Pa.	Bruin, Pa.	1/26/44
P-19-e	92,513	Virginia Dept. of Hwys., Richmond, Va.	West of Shawsville, Va.	2/1/44
P-19-e	95,005	Virginia Dept. of Hwys., Richmond, Va.	West of Pedlar River, Va.	2/1/44
CMPL-224	101,473	Virginia Dept. of Hwys., Richmond, Va.	Waynesboro, Va.	2/1/44
CMPL-224	107,229	Victor Chemical Co., Chicago, Ill.	Mt. Pleasant, Tenn.	2/1/44
P-19-h	26,458	Republic Steel Corp., individually or as agent of DPC, Plancor 1351, Cleveland, Ohio.	Canton, Ohio	2/2/44
CMPL-224	110,097	Republic Steel Corp., individually or as agent of DPC, Plancor 907, Cleveland, Ohio.	E. Hartford, Conn.	2/2/44
CMPL-224	113,649	Republic Steel Corp., individually or as agent of DPC, Cleveland, Ohio.	Massillon, Ohio	2/2/44
CMPL-224	115,938	Republic Steel Corp., individually or as agent of DPC, Canton, Ohio.	Canton, Ohio	2/2/44
CMPL-224	117,259	Dullen Steel Products, Inc., 4915 Airport Way, Seattle, Wash.	Seattle, Wash.	2/12/44
CMPL-224	117,260	Standard Oil Co. of La., Baton Rouge, La.	Baton Rouge, La.	2/8/44
CMPL-224	117,767	Standard Oil Co. of La., Baton Rouge, La.	Baton Rouge, La.	2/12/44
CMPL-224	121,540	Humble Pipe Line Co., Houston, Tex.	Wasson Field, near Wasson, Tex.	2/15/44
P-19-h	88,734	The Petrol Corp., Los Angeles, Calif.	Port Petrol Casmalia, Santa Barbara, Calif.	2/17/44
P-19-h	91,918	Sinclair Refining Co., New York, N. Y.	Sinclair, Wyo.	2/17/44
CMPL-224	114,648	Sohio Pipe Line Co., St. Louis, Mo.	Wayne County, Ill.	2/18/44

[F. R. Doc. 44-2923; Filed, February 29, 1944; 11:08 a. m.]

NOTICE TO BUILDER AND SUPPLIERS OF REVOCATION OF AUTHORIZATION TO BEGIN CONSTRUCTION

The War Production Board has issued an order partially revoking authorization to begin construction and stopping construction. For the effect of said order upon the construction of the project and delivery of materials therefor, the builder and his suppliers shall refer to the order issued to the builder.

Issued February 29, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Authorization	Serial No.	Name and address of builder	Location of project	Date of issuance of revocation
PD-443	L-41 26184	Central Pipe Line Co., Salem, Ill.	Hawkins, Tex.	2/2/44

[F. R. Doc. 44-2924; Filed, February 29, 1944; 11:08 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF CANCELLATION OF STOP CONSTRUCTION ORDERS

The War Production Board has issued certain orders listed in Schedule A below, which cancel prior orders stopping construction on projects. For the effect of each such order upon the construction of the project and the delivery of materials therefor, the builders and suppliers affected shall refer to the specific order issued to the builder.

Issued February 29, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Date of issuance of cancellation
----------	----------	Bureau of Reclamation, Dept. of Interior, Washington, D. C.	Mirage Flats Project, Hammond, Nebr.	2/14/44
P-19-h	[illegible]	Republic Steel Corp., Individually or as agent for DPC., Cleveland, Ohio.	Canton, Ohio, Plancor 1381..	2/12/44

[F. R. Doc. 44-2926; Filed, February 29, 1944; 11:08 a. m.]

SMITH BOTTLING WORKS, INCORPORATED

CONSENT ORDER

Smith Bottling Works, Incorporated, located at 127-129 River Street, Harlan, Kentucky, is engaged in the bottling and distribution of non-alcoholic beverages. The War Production Board in a letter dated January 6, 1944, charged the company with having used 6,954 gross of new closures made of restricted materials, for the period from June 1, 1942 to October 1, 1943, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. Smith Bottling Works, Incorporated, admits the excess use as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Smith Bottling Works, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Smith Bottling Works, Incorporated, its successors or assigns, shall during the calendar year of 1944 reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 6,954 gross, under the quota it would otherwise be entitled to use in such period, as provided by Limitation Order L-103-b, which on January 4, 1944, superseded Conservation Order M-104, controlling the use of such closures. Any exceptions to the aforementioned reductions in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Smith Bottling Works, Incorporated, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on December 31, 1944.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2971; Filed February 29, 1944; 4:48 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 45

Washington, Friday, March 3, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[American-Egyptian Cotton, Form 1]

PART 252—1943 AMERICAN-EGYPTIAN COTTON LOANS

LOAN INSTRUCTIONS

Commodity Credit Corporation will make loans available to eligible producers on American-Egyptian cotton, of the 1943 crop, stored in approved warehouses or approved farm structures. All such loans on American-Egyptian cotton shall be made in accordance with and shall be subject to the provisions of these instructions.

Sec.
252.1 1943 Cotton loan instructions.
252.2 Eligible producer.
252.3 Eligible cotton.
252.4 Certificate of indemnity.
252.5 Eligible paper.
252.6 Forms.
252.7 Amount.
252.8 Certification of producer.

AUTHORITY: §§ 252.1 to 252.8, inclusive, issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; U.S.C., 1940 ed., 1302), and sec. 4 of the Act approved July 1, 1941 (55 Stat. 498; 15 U.S.C. 1940 ed., Supp. II, 713a–8), as amended October 2, 1942 (56 Stat. 768).

§ 252.1 *1943 Cotton loan instructions.* Except as hereinafter modified, all of the provisions of the 1943 Cotton Loan Instructions (1943 C.C.C. Cotton Form 1), as amended and supplemented, shall be fully applicable to loans on American-Egyptian cotton. For the purpose of such loans wherever the word "cotton" appears in such instructions, or the amendments and supplements thereto, it shall be read as "American-Egyptian cotton."

§ 252.2 *Eligible producer.* All producers, as defined in § 239.1 (a) of the 1943 Cotton Loan Instructions, of eligible American-Egyptian cotton will be "eligible producers", and will be entitled to loans on such American-Egyptian cotton.

§ 252.3 *Eligible cotton.* Eligible cotton shall be American-Egyptian cotton produced in the United States in 1943 by or for an eligible producer: *Provided*, That the cotton meets the following requirements:

(a) Such cotton must be of a grade and staple specified in the attached table of Loan Rates, by States—1943 American-Egyptian Cotton Loan Program.

(b) In the case of warehouse-stored cotton, such cotton must be represented by warehouse receipts complying with the provisions of § 239.8 of the 1943 Cotton Loan Instructions. In the case of farm-stored cotton, the cotton must be covered by a Cotton Chattel Mortgage. (C.C.C. Cotton Form F) and a 1943 Cotton Mortgage Supplement (1943 C.C.C. Cotton Form FF) which will give the payee of the Cotton Producer's Note (C.C.C. Cotton Form E), secured by such mortgage, a first lien on such cotton.

(c) Such cotton must not be compressed to high density.

(d) Such cotton must be free and clear of all liens and encumbrances, except (in the case of warehouse-stored cotton) those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in 1943 C.C.C. Cotton Form A.

(e) Such cotton must be tendered for a loan by a person who has the legal right to pledge (or mortgage) it as security for a loan.

(f) The beneficial interest in the cotton must be, and must always have been, in the person tendering such cotton for a loan, or in such person and any share tenant or sharecropper having an interest in the cotton, or its proceeds in case such person is a landlord, cash tenant, or standing-rent tenant, and is placing under loan cotton in which both he and a share tenant or sharecropper have an interest.

(g) Such cotton must not have been received in payment of standing or fixed rent.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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Manchester, N. H — 2456
New England, eastern — 2454
Omaha-Council Bluffs, Nebr — 2454
Portland, Maine — 2455
San Diego, Calif — 2455
Springfield-Holyoke, Mass — 2455
Milk handling, New Orleans, La., marketing area — 2453
Oilseed, April 1944 requirements (3d Rev. FPO 9, Order 7) — 2453
Spices, restricted (FDO 19, Am. 2) — 2456
Quotas for (FDO 19-2, Am. 1) — 2458
Sugarcane, 1944 Virgin Islands wage rates — 2453
WAR PRODUCTION BOARD:
Closures and related items (L-68) — 2462
House trailers and expansible mobile houses (L-205) — 2461
Machinery, industrial (L-83) (3 documents) — 2459, 2461
Suspension order; Vardaman Shoe Co — 2459
Titanium dioxide, pure (M-353) — 2459

(h) All persons having an interest in the cotton must be entitled to loans on the cotton.

(i) Such cotton shall be of normal character. No cotton shall be accepted for loan which, in the process of classification, is reduced in grade or staple length on account of irregularities or defects.

§ 252.4 *Certificate of indemnity.* A Certificate of Indemnity (Form FCI-74) issued by Federal Crop Insurance Corporation for American-Egyptian cotton will not be eligible for a loan.

§ 252.5 *Eligible paper.* In addition to the requirements of § 239.1 (f) of the 1943 Cotton Loan Instructions, in the case of farm-stored cotton eligible paper means a Cotton Producer's Note (C.C.C. Cotton Form E), duly executed prior to May 1, 1944.

§ 252.6 *Forms.* The following documents must be delivered in connection with every loan:

(a) 1943 C.C.C. Cotton Form A or Cotton Producer's Note (C.C.C. Cotton Form E).

(b) Warehouse receipts complying with the provisions of § 239.8 of the 1943 Cotton Loan Instructions or Cotton Chattel Mortgage (C.C.C. Cotton Form F).

(c) Producer's Letter of Transmittal (C.C.C. Cotton Form B) or Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C).

Each Form A, B, E, F, and FF must have the sentence "Wherever the word cotton appears herein, it shall be read as American-Egyptian cotton" conspicuously stamped or typed at the top of the document. Properly identified forms may be obtained from county agricultural conservation committees.

§ 252.7 *Amount.* The loan rates by States applicable to cotton stored in approved warehouses and in approved farm structures are shown in the attached table. Loans will not be made on grades or staple lengths of cotton not shown in this table. All loans will be made on the net weight of the lint cotton.

§ 252.8 *Certification of producer.* In the case of warehouse-stored loans, as evidence that the producer is entitled to a loan on warehouse-stored cotton, Commodity Credit Corporation will accept the Clerk's Certificate or item (A) of the Certificate of the County Agricultural Conservation Committee in 1943 C.C.C. Cotton Form A. It will not be necessary for the county committee to list in its certification the serial numbers of the farms in the county on which cotton was produced in 1943 by or for the producer.

In the case of farm-stored loans, the county committee must execute the approval form at the bottom of the Cotton Producer's Note.

Dated: February 15, 1944.

J. B. HUTSON,
President.

LOAN RATES, BY STATES, 1943 AMERICAN-EGYPTIAN COTTON LOAN PROGRAM

[Rates in cents per pound, net weight]

Grade No.	Staple length (inches)							
	1⅜		1 7/16		1½		1 9/16 and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	39.25	39.60	40.70	40.95	42.65	43.10	44.45	44.70
1½	38.30	38.45	39.70	39.95	41.65	42.10	43.40	43.65
2	37.15	37.40	38.65	38.90	40.80	41.05	42.35	42.60
2½	36.10	36.35	37.60	37.85	39.70	39.95	41.35	41.60
3	34.05	34.30	35.60	35.75	37.60	37.85	39.15	39.40
3½	29.55	29.80	31.75	32.00	34.35	34.60	34.80	34.75
4	24.70	24.95	27.95	28.20	30.85	31.10	30.95	31.20
4½	20.10	20.35	23.40	23.65	26.70	26.95	26.70	26.95
5	17.65	17.90	20.60	20.85	23.60	23.85	23.60	23.85

[F. R. Doc. 44-2983; Filed, March 1, 1944; 11:13 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1944 WAGE RATES FOR SUGARCANE IN VIRGIN ISLANDS

Determination of fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of sugarcane in the Virgin Islands during the calendar year 1944.

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued.

§ 802.51b *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during 1944.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met in the Virgin Islands during the calendar year 1944 if all persons employed on the farm during that period in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *Time rates.* Per day of 8 hours, $1.36. For a working day longer or shorter than 8 hours the rate shall be the hourly equivalent of the day rate.

(b) *Piece rates.* Persons employed on a piece rate basis shall be paid at rates which will result in earnings of not less than the day or hourly rate as provided in paragraph (a).

(c) *General provisions.* (1) The producer shall furnish the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services.

(2) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(3) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under the said act who had not paid in full the amount agreed upon between the producer and the laborer.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 2d day of March, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3039; Filed, March 2, 1944; 11:32 a. m.]

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 942—MILK IN THE NEW ORLEANS, LOUISIANA, MARKETING AREA

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area, it is hereby determined that the provisions of such order which provide for a decrease in the prices for Class I and Class II milk during the months subsequent to March 31, 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., April 1, 1944, the following provisions of §942.5 (a) (1) and § 942.5 (a) (2) of the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area, are hereby suspended:

In § 942.5 (a) (1): "through March 1944, and $2.74 per hundredweight thereafter."

In § 942.5 (a) (2): "through March 1944, and $2.07 per hundredweight thereafter."

(E.O. 9322, 8 F.R. 3907; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 29th day of February 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-2982; Filed, March 1, 1944; 11:13 a. m.]

Chapter X—War Food Administration (Production Orders)

[3d Rev. FPO 9, Order 7]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR APRIL, 1944

Pursuant to the authority vested in me by Food Production Order No. 9, Revision No. 3 (8 F.R. 16960), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.9 *Set aside requirements for processors of oilseed for April 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during April 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop", and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

---------- is authorized to purchase and accept delivery of ---------- (tons-pounds) of oilseed meal from amounts set aside by ---------- of
(Name of Processor)
----------, pursuant to the order
(Address of Processor)
of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

FOOD PRODUCTION ADMINISTRATION.

---------- Agricultural Conservation Committee of ----------
(Address)

J. B. HUTSON, *Director.*

By ----------
(Chairman)

Expiration Date ----------

(2) Agricultural Conservation Committee may commence issuing Certificates of Designated Buyers pursuant to this order during March 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during March 1944. A processor shall be entitled to credit such deliveries made in March 1944 against the quantity of oilseed meal which he is required to set aside in April 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than twenty percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for March delivery for credit against April set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in March 1944 for credit against his set aside in April 1944, he must report to the Director in writing (or by telegraph) not later than March 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in March 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than May 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Food Production, War Food Administration, Washington 25, D. C., Ref: FPO 9–7.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 1st day of March 1944.

J. B. HUTSON,
Director of Food Production.

[F. R. Doc. 44–3040; Filed, March 2, 1944; 11:32 a. m.]

Chapter XI—War Food Administration

[FDO 79–8, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OMAHA-COUNCIL BLUFFS SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–8 (8 F.R. 13372), relative to the conservation and distribution of fluid milk in the Omaha-Council Bluffs milk sales area, issued by the Director of Food Distribution on September 30, 1943, is hereby amended by deleting therefrom the provisions in § 1401.35 (f) and inserting, in lieu thereof, the following:

(f) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79–8, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–8, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44–2945; Filed, February 29, 1944; 12:25 p. m.]

[FDO 79–18, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FT. WAYNE, INDIANA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–18 (8 F.R. 13429), relative to the conservation and distribution of fluid milk in the Ft. Wayne, Indiana, milk sales area, issued by the Director of Food Distribution on October 1, 1943, is hereby amended by deleting therefrom the provisions in § 1401.53 (h) and inserting, in lieu thereof, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79–18 rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–18, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44–2946; Filed, February 29, 1944; 12:25 p. m.]

[FDO 79–43 Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.74 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79–43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–43, as amended, shall be deemed to be in full

force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2947; Filed, February 29, 1944; 12:25 p. m.]

[FDO 79-44, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD-HOLYOKE, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-44 (8 F.R. 13968), relative to the conservation and distribution of fluid milk in the Springfield-Holyoke, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.78 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-44, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-44, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14793; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2948; Filed, February 29, 1944; 12:25 p. m.]

[FDO 79-47, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN INDIANAPOLIS, IND., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-47 (8 F.R. 14069), relative to the conservation and distribution of fluid milk in the Indianapolis, Indiana, milk sales area, issued by the Director of Food Distribution on October 14, 1943, is hereby amended by deleting therefrom the provisions of § 1401.79 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-47, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-47 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2949; Filed, February 29, 1944; 12:25 p. m.]

[FDO 79-73, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN DIEGO, CALIF., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-73 (8 F.R. 14367), relative to the conservation and distribution of fluid milk in the San Diego, California, milk sales area, issued by the Director of Food Distribution on October 22, 1943, as amended, is hereby further amended by deleting therefrom the description of the sales area in § 1401.85 (b) and inserting in lieu thereof, the following:

Beginning at the intersection of the shore line of the Pacific Ocean with the northern boundary in the city of Oceanside and running thence north easterly at right angles to said shore line, a distance of two (2) miles; thence south easterly parallel to and two (2) miles distant at right angles from the shore line of said Pacific Ocean to an intersection with the northern boundary of township 14 S. Range 3 W., S. B. B. M. (Del Mar); thence east along township lines to the northeast corner of township 14 S. Range 1 W. (Foster); thence south along township lines to an intersection with the boundary line between the United States and Mexico; thence westerly along said boundary to an intersection with the shore line of the Pacific Ocean; thence in a general northern direction following said shore line to the place of beginning. The following communities are included in the above area; Oceanside, Carlsbad, South Coast Park, Encinitas, Cardiff, Solana Beach, Del Mar, Lakeside, the city of San Diego and communities embraced therein, the city of La Mesa, the city of El Cajon, the city of National City, the city of Chula Vista, Imperial Beach, Palm City, Otay and San Ysidro, and the city of Coronado.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-73, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-73, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2950; Filed, February 29, 1944; 12:26 p. m.]

[FDO 79-83, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, MAINE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-83 (8 F.R. 14654), relative to the conservation and distribution of fluid milk in the Portland, Maine, milk sales area, issued by the Director of Food Distribution on October 28, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.116 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-83, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-83, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2951; Filed, February 29, 1944; 12:26 p. m.]

[FDO 79-97, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MANCHESTER, NEW HAMPSHIRE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-97 (8 F.R. 15481), relative to the conservation and distribution of fluid milk in the Manchester, New Hampshire, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.122 (a) (3) and inserting, in lieu thereof, the following:

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-97, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-97, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2952; Filed, February 29, 1944; 12:26 p. m.]

[FDO 79-140]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO CHIEF, DAIRY AND POULTRY BRANCH, OFFICE OF DISTRIBUTION, WITH RESPECT TO FLUID MILK AND CREAM

Pursuant to the authority vested in the Director by Food Distribution Order No. 79 (8 F.R. 12426), issued by the War Food Administrator on September 7, 1943, as amended, and in order to effectuate the purposes thereof, it is hereby ordered, as follows:

§ 1401.169 *Delegation of authority*—(a) *Definitions.* When used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "FDO 79" means Food Distribution Order No. 79, issued by the War Food Administrator on September 7, 1943, as amended.

(2) Each term defined in FDO 79 shall, when used herein, have the same meaning as set forth in said FDO 79.

(b) *Authority delegated.* The authority vested in the Director is hereby delegated to the Chief of the Dairy and Poultry Branch, Office of Distribution, to review, and after such review, to affirm, modify, or reverse:

(1) Rulings made by a market agent pursuant to Food Distribution Order No. 79-102 (8 F.R. 16313) issued by the Director on November 30, 1943, as amended; and

(2) Transfers and apportionment of quotas, or denials of such by the market agent, as provided in any order heretofore or hereafter issued by the Director allocating milk, cream, or milk byproducts pursuant to FDO 79.

(c) *Retention of authority by Director.* Nothing contained herein shall be construed to abrogate any power or authority vested in the Director by FDO 79.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., February 29, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2944; Filed, February 29, 1944; 12:25 p. m.]

[FDO 19, Amdt. 2]

PART 1455—SPICES

RESTRICTED SPICES

Food Distribution Order No. 19, issued by the Acting Secretary of Agriculture on February 8, 1943, as amended (8 F.R. 1827, 8916), is further amended to read as follows:

§ 1455.1 *Conservation and distribution of restricted spices*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not restricted to, the United States Army post exchanges; sales commissaries; United States Navy ships' service departments; and United States Marine Corps post exchanges); (ii) Office of Distribution, War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a food distribution regulation, is entitled to purchase any restricted spice subject to this order.

(4) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, or the Coast Guard of the United States.

(5) The term "restricted spice" means any spice designated by the Director which, during any quota period, is subject to a quota fixed for that period by the Director, and shall include such spice in ground, unground, distilled, mixed or other form. Such term shall also include the quantity of each such restricted spice which is contained in a spice blend.

(6) The term "spice blend" means the mixture of restricted spice with other restricted or unrestricted spice or some other material, which results in another spice product, such as, but not restricted to, pickling spice, curry powder, poultry seasoning, or imitation spice.

(7) The term "bulk dealer" means any person who deals in restricted spice exclusively in the original import package.

(8) The term "packer" means any person who grinds, distills, or packs restricted spice owned by him, or has such spice ground, distilled, or packed for his account by some other person, for resale.

(9) The term "receiver" means any person who accepts delivery of restricted spice for resale at wholesale or retail, or for use in operating a public, private, commercial, or institutional eating place, but such term shall include neither any bulk dealer nor any governmental agency.

(10) The term "industrial user" means any person who uses restricted spice in the manufacture or processing of any product, other than a spice blend, for resale.

(11) The term "weight equivalent" means the number of pounds of dry restricted spice (ground or unground) necessary to produce a given quantity of distilled or extracted spice.

(b) *Quota restrictions.* (1) Except as otherwise permitted by the provisions hereof, no packer shall deliver, no receiver shall accept, and no industrial user shall use more of any restricted spice during any quota period than his quota for such restricted spice for that period; such quota period and quota to be determined by the Director from time to time: *Provided,* That no receiver shall include, in computing his quota, or charge against his quota, any restricted spice or restricted spices contained in a spice blend accepted by him.

(2) The base period for any person who was not in business during any base period specified by the Director for computing a quota hereunder shall be the earliest period of equal length that such person was in business after the beginning of the base period so specified by the Director.

(3) All quotas hereunder shall be computed in terms of pounds and, if a dis-

tilled or extracted spice, the weight equivalent.

(c) *Unused quotas.* Any person who does not utilize, during any quota period, his quota of restricted spice for such quota period may utilize the unused portion of such quota only in the next succeeding quota period and then only if he has used his entire quota for such subsequent quota period.

(d) *Exemptions.* (1) Restricted spice delivered to a governmental agency or used in the manufacture of a product delivered to a governmental agency shall not be charged to the delivery, acceptance, or use quota of the person who so delivers or uses such restricted spice. Restricted spice obtained by any person for delivery to a governmental agency, use in the manufacture of a product delivered to a governmental agency, replacing restricted spice so delivered or used, or delivered to a third person for any such use shall not be charged to the delivery, acceptance, or use quota of either the person obtaining the restricted spice, or the person from whom such restricted spice is obtained, if the person who so obtains the restricted spice certifies in writing to the supplier thereof that the restricted spice so delivered is to be utilized for any of the foregoing purposes.

(2) No person shall, in computing his quota, include any quantity of restricted spice which was delivered to, or used in the manufacture of any product delivered to, a governmental agency in the base period.

(3) The restrictions of (b) (1) shall not apply to any deliveries of restricted spice in the original import package by a packer to another packer or to a bulk dealer. In determining a packer's volume of deliveries of restricted spice during the base period specified for computing a quota, no packer shall include any deliveries of restricted spice made in the original import package to other packers or to bulk dealers.

(e) *Distribution restrictions.* (1) No person shall accept restricted spice from any bulk dealer, packer, or receiver, and no person shall deliver restricted spice to any other person, with knowledge or reason to believe that such bulk dealer, packer, or receiver is not entitled to deliver such restricted spice or that such other person is not entitled to accept such restricted spice pursuant to the provisions of this order.

(2) Each bulk dealer, packer, and receiver shall sell restricted spice equitably to purchasers and shall not favor purchasers who buy other products from them or discriminate against purchasers who do not buy other products from them.

(f) *Inventory restrictions.* Except for the purpose of filling orders under (d) (1) hereof:

(1) No packer shall accept, during any quota period, delivery of a quantity of black or white pepper which will cause the total quantity of black pepper and white pepper owned by such person to be in excess of an amount equal to the sum of such packer's delivery quotas for black pepper and white pepper for the then current quota period and the next succeeding quota period.

(2) No receiver shall accept, during any quota period, delivery of any restricted spice which will cause the total quantity of such restricted spice owned by the respective receiver to exceed his quota for such restricted spice for such quota period: *Provided*, That this restriction shall not apply to the quantity of restricted spice contained in a spice blend accepted by any such receiver.

(3) No industrial user shall accept, during any quota period, delivery of a quantity of any restricted spice which will cause the total quantity of such restricted spice which is owned by him to exceed a practicable minimum working inventory, in view of the restrictions herein relating to his use of such spice.

(g) *Applicability of order.* (1) Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business exclusively within any Territory or Possession of the United States with respect to such business.

(2) In the case of any person who combines two or more of the businesses of a packer, a receiver, or an industrial user, the provisions hereof applicable to each such business shall apply separately to such of his operations as are part of such class of business. However, any packer who distributes his entire production of restricted spices through a wholesale subsidiary company may elect to consider the two companies as one and apply his quota to deliveries made by the subsidiary company.

(3) Any person who operates more than one unit (branch, division, store, subsidiary company, or other similar unit) in the same class of business may, at his election, consider any such units or groups of units as separate persons for purposes of applying the quota and inventory restrictions of this order.

(h) *Contracts.* The provisions of this order, or of any orders or regulations issued in pursuance hereof, shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of any person's books, records and other writings, premises or stocks of spice, and to make such investigations as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall maintain, for at least two years, or for such period of time as the Director may designate, an accurate record of his transactions in spices.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(m) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any material or facilities subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials or facilities subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD 19.

(o) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of Food Distribution Order No. 19, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 19, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3068; Filed, February 29, 1944; 3:44 p. m.]

[FDO 19-2, Amdt. 1]

PART 1455—SPICES

RESTRICTED SPICES QUOTAS

Director Food Distribution Order No. 19-2, § 1455.3 (8 F.R. 8913, 9177), issued by the Director of Food Distribution on June 28, 1943, is amended to read as follows:

§ 1455.3 *Quotas for restricted spices.* (a) When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in Food Distribution Order No. 19, as amended, shall have the same meaning as is set forth for such term in said Food Distribution Order No. 19, as amended.

(b) For the quarterly period of three months beginning on January 1, 1944, and for each subsequent quarterly period of three months, the quota of each restricted spice, as listed hereinafter, for each packer, receiver, and industrial user shall be the following percentage of the amount of such spice delivered by the respective packer, accepted by the respective receiver, or used by the respective industrial user during the corresponding quarterly period of 1941 or during such other base period as is provided for in § 1455.1 (b) (2) of Food Distribution Order No. 19, as amended:

Restricted spice:	*Quota percentage*
Black pepper and white pepper	40
Cassia (cinnamon)	35
Ginger	100
Mace	80
Nutmeg	70

(c) In lieu of a quota computed pursuant to (a) hereof, any packer, receiver, or industrial user may avail himself of a quota for any quota period of three months, as specified herein, of a total of 75 pounds of any restricted spice or any combination of restricted spices: *Provided*, That no more than 40 pounds of such 75 pounds alternative quota may consist of any restricted spice or any combination of restricted spices, exclusive of spice blends, having a quota percentage of 60 or less: *Provided, further*, That no person who avails himself of the provisions of § 1455.1 (g) (2) of Food Distribution Order No. 19, as amended, shall, in computing his quota pursuant to (b), hereof, include amounts of any restricted spice or any combination of restricted spices, exclusive of spice blends, delivered, accepted, or used in his business unit or units, for which he has availed himself of the alternative quota as permitted hereunder.

(d) Each bulk dealer and each packer shall correctly complete Form FDO 19-1 for each quota period and submit such completed form to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FD-19, on or before the 15th day of the month following the termination of each such quota period.

(e) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) This order supersedes in all respects Food Distribution Order No. 19-1, issued by the Director of Food Distribution on February 8, 1943, as amended, except that, as to violations of said order, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, or any violation of Food Distribution Order No. 19-2, rights accrued, or appeals taken under said Food Distribution Order No. 19-2, said Food Distribution Order No. 19-1, as amended, and Food Distribution Order No. 19-2 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(g) This order shall become effective as of 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 14783; FDO 19, 8 F.R. 1827, 8916)

Issued this 29th day of February 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-2959; Filed, February 29, 1944; 3:44 p. m.]

[FDO 59, Revocation]

PART 1460—FATS AND OILS

CRUDE FISH OIL

Pursuant to the authority vested in the War Food Administrator, it is ordered as follows:

That Food Distribution Order No. 59 (8 F.R. 9104), issued by the Acting War Food Administrator on July 30, 1943, be, and the same is hereby, revoked and terminated.

This order shall become effective on March 1, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order No. 59, or rights accrued, or liabilities incurred, prior to said date, said Food Distribution Order No. 59 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-2960; Filed, February 29, 1944; 3:44 p. m.]

TITLE 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

PART 304—PAYMENT OF DEPOSITS AND INTEREST THEREON BY INSURED NONMEMBER BANKS

DEMAND DEPOSITS

As a result of the adoption of the rule of December 6, 1943, as amended by the rule of February 29, 1944,[1] the following note is hereby added to § 304.2 (a):

[1] Filed with the Division of the Federal Register.

NOTE: The absorption of normal or customary exchange charges by an insured nonmember bank, in connection with the routine collection for its depositors of checks drawn on other banks, does not constitute the payment of interest within the provisions of this part.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44-3018; Filed, March 1, 1944; 11:48 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51014]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

REMISSION OF FINES, PENALTIES AND FORFEITURES

The first sentence of paragraph (c), § 23.23, Customs Regulations of 1943 (19 CFR 23.23 (c)), is hereby amended to read as follows:

Except as provided for in § 23.21 (b), if the person liable for any violation of the customs or navigation laws fails to petition for relief or pay the penalty within 60 days from the date of mailing of the notice of violation as provided for in paragraph (a) of this section, (1) the case shall be referred immediately to the United States attorney for appropriate action unless it appears that the person liable for the penalty is absent from the United States or during the said period was absent for more than 30 days, in which event the collector may withhold such action for a further reasonable time, or (2) if the person liable cannot be found, if deceased, is insolvent, is beyond the reach of legal process and likely to remain so, or if for any other reason the facts so warrant, the facts shall be reported to the Bureau with a request for authority to close the case without prejudice to further action.

(R.S. 161, secs. 618, 624, 46 Stat. 757, 759; 5 U.S.C. 22, 19 U.S.C. 1618, 1624; E.O. 9083, 7 F.R. 1609)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: February 29, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3054; Filed March 2, 1944; 11:46 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[G.O. 60-1B]

PART 701—PRIVATE AND PUBLIC WAR HOUSING

ELIGIBILITY FOR OCCUPANCY

NOTE: General Order 60-1B of the National Housing Agency (F.R. Doc. 44-2995) was filed with the Division of the Federal Register at 12:20 p. m. on Wednesday, March 1, 1944.

[G.O. 60-8]

PART 702—PRIVATE WAR HOUSING

COMPLIANCE WITH STANDARDS OF WAR WORKER ELIGIBILITY

NOTE: General Order 60-8 of the National Housing Agency (F.R. Doc. 44-2996) was filed with the Division of the Federal Register at 12:20 p. m. on Wednesday, March 1, 1944.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-490]

VARDAMAN SHOE COMPANY

Vardaman Shoe Company is a Missouri corporation with offices at 320 North 4th Street, St. Louis, Missouri, and a shoe factory at Owensville, Missouri. Its affairs are now being administered by a Trustee in Bankruptcy under the provisions of the Corporate Reorganization Act. Between April 1, 1943, and August 15, 1943, it manufactured and sold 15,428 pairs of boots, known as women's, and misses' "field boots", in violation of War Production Board Conservation Order M-217. The restrictions of the order were known to the company and the manufacture and sale of these "field boots", which were not permitted under the order, must be deemed to be in wilful violation of the order.

These violations of Conservation Order M-217 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.490 *Suspension Order No. S-490.* (a) During the six month period beginning March 1, 1944, and ending September 1, 1944, the maximum number of pairs of shoe that Vardaman Shoe Company may put into process, manufacture or complete, shall be 15,000 pairs less than its quota as determined by the provisions of Conservation Order M-217. Such deductions from its quota shall be made only in what is known as the women's and growing girls' line, at the rate of 2,500 pairs per month. This reduction in quota shall apply to the Trustee in Bankruptcy and all successors and assigns of the Trustee and the Company.

(b) Nothing contained in this order shall be deemed to relieve Vardaman Shoe Company, its Trustee, or the successors and assigns of the Trustee or the Company, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 1, 1944, and shall expire on September 1, 1944.

Issued this 17th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3016; Filed, March 1, 1944; 4:44 p. m.]

PART 3293—CHEMICALS

[Conservation Order M-353 as Amended Feb. 29, 1944] [1]

PURE TITANIUM DIOXIDE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of titanium dioxide for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.546 *Conservation Order M-353*—(a) *Definitions.* (1) "Titanium dioxide" means any pigment containing more than 12 per cent titanium dioxide whether alone or admixed with or precipitated on inerts, extenders, or opaque pigments.

(2) "Military order" means any purchase order for titanium dioxide which is to be used in the manufacture of products delivered or to be delivered to, or to be used on, or incorporated in, material or equipment delivered or to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission or the War Shipping Administration, or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act).

(b) *Inapplicability of certain preference ratings.* No person shall give any effect to any preference ratings below AA-2 on any purchase order for titanium dioxide, unless the person placing such purchase order furnishes a certificate in substantially the following form signed by a duly authorized official, either manually or as provided by Priorities Regulation No. 7:

The undersigned hereby certifies to the War Production Board and to _____ [insert name and address of supplier] that he is familiar with the provisions of Order No. M-353 and that his purchase order, dated _____, for titanium dioxide is a military order as defined in Order M-353.

_____
(Name of purchaser)

By _____
(Signature and title of duly authorized official)

Orders rated below AA-2, not accompanied by the certificate, may be filed as unrated orders to the extent permitted by Priorities Regulation No. 1. The certificate need not be filed with the War Production Board. Any person receiving it may rely upon it in filling orders unless he knows or has reason to believe that it is false. The standard certification described in Priorities Regulation No. 7 may not be used instead.

(c) *Special directives.* The War Production Board may at any time issue special directives to any person respecting the production or delivery of titanium dioxide, notwithstanding the other provisions of this order.

(d) [Deleted Feb. 29, 1944]

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-353.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3017; Filed, March 1, 1944; 4:44 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-83 as Amended March 2, 1944]

INDUSTRIAL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of industrial machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.82 *General Limitation Order L-83*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Critical industrial machinery" means new, used or reconditioned machinery, of the kinds listed, from time to time, in List A. The value of a critical industrial machine shall be the selling price, or in any case where the machine

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[1] This document is a restatement of Amendment 1 to M-353, as amended December 24, 1943, which appeared in the FEDERAL REGISTER of March 1, 1944, page 2836, and reflects the order in its completed form as of February 29, 1944.

is rented, the cost of production (as indicated by the company's regularly established cost accounting system), excise tax value, or insurance value, whichever is higher. The term "new critical industrial machinery" means any critical industrial machinery which has not been delivered to any person acquiring it for use, and does not include used or reconditioned machinery. The term "used critical industry machinery" means any critical industrial machinery which at any time has been delivered to any person acquiring it for use, but does not include rebuilt machinery. The term "reconditioned critical industrial machinery" means used machinery which has been rebuilt or otherwise conditioned for resale, or reuse.

(3) "Manufacturer" means any person producing critical industrial machinery.

(4) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned machinery for resale.

(5) "Order" means any commitment or other arrangement for the delivery of critical industrial machinery, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for critical industrial machinery, when accompanied by a PD–3A certificate, to be delivered to, or for the account of:

(*a*) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(*b*) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(ii) Any order placed by any agency of the United States Government for critical industrial machinery to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any order for critical industrial machinery bearing a preference rating of A–9 or higher assigned by a Preference Rating Certificate PD–3 or PD–3A countersigned prior to May 18, 1942, by a Preference Rating Order in the P–19 series issued prior to May 18, 1942, or by a Preference Rating Certificate PD–1 or PD–1A, a Preference Rating Certificate in the PD–25 or PD–408 Series, or Preference Rating Order P–19–h (PD–200 or 200A) issued at any time. After May 18, 1942, Preference Rating Certificate PD–3A shall be used only to assign preference ratings to approved orders to be delivered to or for the account of the agencies set forth in subdivision (i) hereof. Any preference rating certificate or order of any of the kinds enumerated above may be used to secure critical industrial machinery only by the person to whom it was originally issued and only when such machinery is expressly specified on the certificate or order (or its Form PD–200 or 200A). Any person placing an approved order for critical industrial machinery bearing a rating assigned by any such certificate or order who does not deliver such certificate or order but retains the same, as permitted by Priorities Regulation No. 3, as amended from time to time, or by the terms of the preference rating order shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, as amended from time to time, or such preference rating order certify to the person from whom the machinery is to be acquired that the certificate or order was originally issued to him and that the critical industrial machinery ordered was expressly specified on the certificate or order (or its Form PD–200 or 200A).

(iv) Any order which the War Production Board authorizes for production or delivery pursuant to paragraph (b) (2) hereof.

(b) *Restrictions on acceptance of orders for and delivery and acquisition of critical industrial machinery*—(1) *General prohibitions.* Except as provided in pafagraph (b) (4) hereof, no person shall accept any order for critical industrial machinery, or deliver any critical industrial machinery in fulfillment of any order, whether accepted or not; unless such order is an approved order. No person shall accept delivery of any critical industrial machinery except pursuant to an approved order.

(2) *Procedure for authorization of orders on books.* Manufacturers or distributors may apply for authorization to deliver orders which are not approved orders, on their books on May 18, 1942, as it affects classes of critical industrial machinery from time to time, by filing with the War Production Board in triplicate, plainly marked Ref: L–83, a list of all such orders together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, if any, the preference rating certificate number, if any (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order on May 18, 1942, as it affects any particular kind of machinery, and the expected use to which the machinery will be put. The War Production Board may thereupon, if it is deemed necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, or the assignment of preference ratings thereto.

(3) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used critical industrial machinery at auction, at sheriff's sale, at tax sales, in liquidations of all or part of a business, and in similar transactions must be approved orders unless such dispositions are made to distributors within the limits specified in paragraph (b) (4) (vii).

(4) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of critical industrial machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of critical industrial machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The transfer of critical industrial machinery, within a plant, or within a single corporate enterprise (including majority-owned subsidiaries), from one plant or branch to another: *Provided, however,* That nothing in this subdivision (iv) shall be construed to permit transfers from a portion of an enterprise manufacturing, building, or assembling new machinery to a portion using it.

(v) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(vi) Deliveries to, and acquisitions by distributors, of new critical industrial machinery in the following two instances only:

(*a*) To fill approved orders for new critical industrial machinery which orders are actually in the hands of such distributors; or

(*b*) To replace new critical industrial machinery delivered by such distributor to fill an approved order.

(vii) Deliveries to, and acquisitions by, distributors of used critical industrial machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(viii) Subject to the provisions of paragraph (c), the delivery of critical industrial machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed one month, pending the repair of the damaged machine.

(ix) The delivery and acquisition of critical industrial machinery to be scrapped for its material content.

(x) The unloading, from a vessel, of any imported critical industrial machinery.

(xi) The transfer of any interest in any written instrument evidencing an interest in critical industrial machinery

Provided, however, That nothing in this subdivision (xi) shall be construed to permit the physical delivery or use of critical industrial machinery.

(xii) The return of any leased critical industrial machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(c) *Non-applicability to repair or maintenance of existing equipment.* The prohibitions of paragraph (b) hereof shall not be construed to restrict any delivery (1) to fill any order or group of orders of less than $1,000 placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of this order, or (2) to fill any order of $1,000 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair or maintenance parts are not otherwise available.

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: L–83.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(h) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial machinery. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request. On or before 15 days after May 18, 1942, as to any kind of machinery, every manufacturer of critical industrial machinery shall file in triplicate with the War Production Board, plainly marked Ref.: L–83, a supplementary list of all orders for critical industrial machinery now on his books (in excess of the amounts listed in List A), not reported under paragraph (b) (2), together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, the preference rating certificate number, if any, (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order, and the expected use to which the machinery will be put. Manufacturers who have previously filed a list under the order need not refile.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

1. [Deleted March 2, 1944]
2. Pulp and paper making machinery, on orders for a single machine of a value in excess of $1,000.
3. Paper converting machinery, on orders for a single machine of a value in excess of $200.
4. [Deleted Sept. 6, 1943]
5. [Deleted June 16, 1943]
6. [Deleted June 16, 1943]
7. [Deleted June 16, 1943]
8. [Deleted June 16, 1943]
9. [Deleted June 16, 1943]
10. [Deleted June 16, 1943]
11. [Deleted Sept. 6, 1943]

[F. R. Doc. 44–3047; Filed, March 2, 1944; 11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–83, Interpretation 1 as Amended March 2, 1944]

The following interpretation was issued with respect to Limitation Order L–83:

Paragraph (a) (2) of General Limitation Order L–83 defines "Critical industrial machinery" as new, used, or reconditioned machinery of the kinds listed from time to time in List A of the order, and provides that the value of a critical industrial machine shall be the selling price with certain exceptions. List A specifies the machinery included in the order. In certain instances, the list contains dollar limitations on the value of machines so included. For instance, pulp and paper making machinery is covered by General Limitation Order L–83 only on an order for a single machine of a value in excess of $1000.

The selling price of a machine would normally establish its value for purposes of this order unless other facts indicated that such selling price was not the actual value placed upon the machinery by the buyer and seller. In any case where a used machine is sold with the understanding by buyer or seller that the machine must be repaired or reconditioned in connection with or in relation to the sale transaction, in order that the machine be an effective instrument, the value of the machine for purposes of this order is to be deemed the aggregate of the selling price of the inoperable machine plus the cost of repairing or reconditioning the machine to the point where it can operate effectively. In other words, the sale of a broken down machine, followed by repairing or reconditioning in order that the machine be in condition to operate, does not avoid the impact of the order merely because the original sale of the inoperable machine is fixed at a value below the limitations established in General Limitation Order L–83; the cost of the repairs necessary to render the machine an effective instrument must be added to such original selling price in order to determine the value for the purposes of the order. (Issued December 17, 1942.)

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3048; Filed, March 2, 1944; 11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–83, Interpretation 3, Revocation]

Interpretation 3 of Limitation Order L–83 is hereby revoked.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3049; Filed, March 2, 1944; 11:34 a. m.]

PART 3088—MOBILE HOUSING

[Limitation Order L–205, as Amended Mar. 2, 1944]

HOUSE TRAILERS AND EXPANSIBLE MOBILE HOUSES

Section 3088.1, Limitation Order L–205, is amended to read as follows:

§ 3088.1 *Limitation Order L–205*—(a) *What this order does.* This order tells what house trailers and expansible mobile houses may be made, what material may be used in making them, and how they may be sold.

(b) *Restrictions on production.* (1) Prior to June 30, 1944, the War Production Board will permit the manufacture of three thousand house trailers. Any person who produced house trailers between January 1, 1942 and September 30, 1942 may participate in the production, except that no person will be authorized to produce house trailers if such production would interfere with war production by himself or by others. Production will be authorized in such a way as to avoid increasing requirements for labor in labor shortage areas. If a person wants to produce trailers he must ask permission of the War Production Board within twenty days by filing Form CMP–

4B requesting controlled materials. Any arrangement by one manufacturer to have house trailers produced for him by another must first be submitted to the War Production Board for approval. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the production authorized to each individual manufacturer.

(2) No person shall manufacture any house trailer, except a house trailer produced within the quota which the War Production Board has specifically notified such person that he is authorized to produce, and except that production specifically authorized on appeals prior to the present amended version of this order may be completed without charge against any quotas. No person shall deliver or accept delivery of any house trailer knowing that it was produced in violation of this paragraph.

(3) No person shall manufacture an expansible mobile house except to fill a specific order which has been placed with him by the Army, Navy, Maritime Commission, War Shipping Administration or the National Housing Agency.

(c) *Restrictions on use of material in production.* No person may manufacture a house trailer containing more than 410 pounds of iron and steel, exclusive of running gear, heater, stove, icebox, water bucket, plumbing equipment and movable furniture. The copper and copper base alloy used shall be within the limitations established under Conservation Order M–9–c, but may not exceed four pounds per unit. The maximum interior body length may not exceed 23 feet. In the case of expansible mobile houses, the iron and steel used per house may not exceed 480 pounds, and the copper and copper base alloy, 5 pounds. The above limitations, however, shall not apply to iron or steel allotted under the Controlled Materials Plan for the specific purpose of providing for a larger use of iron or steel per unit than this paragraph permits.

(d) *Restrictions on delivery.* No person shall deliver a new or used house trailer manufactured after July 15, 1943,[1] except that delivery may be made to a dealer for resale, and delivery may be made as specifically authorized by the War Production Board on Form WPB–3538. Any person who wants to sell a house trailer may apply by filing an original and two copies of Form WPB–3538 with the War Production Board's nearest local office for his District. The application will be returned to the seller with approval or denial indicated on the Form. The approved Form will be authority for the seller to deliver.

(e) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications.* All reports required hereunder and all communications concerning this order (except appeals and applications on Form WPB–3538) shall be addressed to War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Reference L–205.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order must be made on Form WPB–1477 and must be filed with the Field Office of the War Production Board of the District in which the person appealing is located.

(i) *Definitions.* For the purposes of this order:

(1) "House trailer" means a portable shelter designed and constructed to be used as a human habitation and to be towed or transported without being dismantled or substantially changed in form, not including an expansible mobile house.

(2) "Expansible mobile house" means a portable shelter designed and constructed to be used as a human habitation, and so constructed that its length or breadth may be mechanically enlarged and reduced.

(3) "Running gear" means the undercarriage used for transporting a mobile house, including wheels, axle, and springs.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3050; Filed, March 2, 1944; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L–56, as Amended Mar. 2, 1944]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.201 *General Limitation Order L–56, as amended March 2, 1944.* To conserve zinc and zinc products for essential uses, and to limit the use of zinc and zinc products to the minimum essential for the production and maintenance of the war effort and the national health and safety, and to conserve stainless steel for essential uses, and to limit the use of stainless steel to the minimum essential for the production and maintenance of the war effort and the national health and safety, and to conserve critical materials for essential uses, and to limit the use of critical materials to the minimum essential for the production and maintenance of the war effort and the national health and safety

4B requesting controlled materials. Any arrangement by one manufacturer to have house trailers produced for him by another must first be submitted to the War Production Board for approval. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the production authorized to each individual manufacturer.

(2) No person shall manufacture any house trailer, except a house trailer produced within the quota which the War Production Board has specifically notified such person that he is authorized to produce, and except that production specifically authorized on appeals prior to the present amended version of this order may be completed without charge against any quotas. No person shall deliver or accept delivery of any house trailer knowing that it was produced in violation of this paragraph.

(3) No person shall manufacture an expansible mobile house except to fill a specific order which has been placed with him by the Army, Navy, Maritime Commission, War Shipping Administration or the National Housing Agency.

(c) *Restrictions on use of material in production.* No person may manufacture a house trailer containing more than 410 pounds of iron and steel, exclusive of running gear, heater, stove, icebox, water bucket, plumbing equipment and movable furniture. The copper and copper base alloy used shall be within the limitations established under Conservation Order M-9-c, but may not exceed four pounds per unit. The maximum interior body length may not exceed 23 feet. In the case of expansible mobile houses, the iron and steel used per house may not exceed 480 pounds, and the copper and copper base alloy, 5 pounds. The above limitations, however, shall not apply to iron or steel allotted under the Controlled Materials Plan for the specific purpose of providing for a larger use of iron or steel per unit than this paragraph permits.

(d) *Restrictions on delivery.* No person shall deliver a new or used house trailer manufactured after July 15, 1943,[1] except that delivery may be made to a dealer for resale, and delivery may be made as specifically authorized by the War Production Board on Form WPB-3538. Any person who wants to sell a house trailer may apply by filing an original and two copies of Form WPB-3538 with the War Production Board's nearest local office for his District. The application will be returned to the seller with approval or denial indicated on the Form. The approved Form will be authority for the seller to deliver.

(e) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications.* All reports required hereunder and all communications concerning this order (except appeals and applications on Form WPB-3538) shall be addressed to War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Reference L-205.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order must be made on Form WPB-1477 and must be filed with the Field Office of the War Production Board of the District in which the person appealing is located.

(i) *Definitions.* For the purposes of this order:

(1) "House trailer" means a portable shelter designed and constructed to be used as a human habitation and to be towed or transported without being dismantled or substantially changed in form, not including an expansible mobile house.

(2) "Expansible mobile house" means a portable shelter designed and constructed to be used as a human habitation, and so constructed that its length or breadth may be mechanically enlarged and reduced.

(3) "Running gear" means the undercarriage used for transporting a mobile house, including wheels, axle, and springs.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3050; Filed, March 2, 1944; 11:34 a. m.]

[1] For some time before July 15, 1943 trailers were authorized only for N. H. A. account. Beginning July 15, some trailers for private sale were authorized on appeal. If a dealer represents that a trailer was produced before July 15, the buyer should insist on evidence to show the date of production, and (if the date of production was after October 20, 1942) that production of the trailer was authorized.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-56, as Amended Mar. 2, 1944]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.301 *General Limitation Order L-56*—(a) *Definitions.* In this order:

(1) "Copper bearing material" means "copper," "copper base alloys," "copper products" and "copper base alloy products," as defined in Conservation Order M-9-c.

(2) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust, scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals. "Zinc" does not include such metal used as a protective coating applied to any of the items covered by this order.

(3) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings or dust.

(4) "Stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10% or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means to cut, punch, stamp, draw, mold, machine, cast, or in any manner to change the form of any metal or attach metal to tape.

(6) "Preferred order" means any purchase order, contract, or subcontract, in hand at the time of processing, from or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The exceptions in this order relating to preferred orders shall apply only for a material, and only to the extent, required by the applicable specifications.

Restrictions

(b) *General restrictions.* No person shall process any metal in the manufacture of any of the items (or parts thereof) listed on Schedule A attached to this order, except as specifically authorized in the said schedule and subject to the specific restrictions therein stated.

NOTE: Former paragraphs (c) through (g) deleted; former paragraphs (h) through (o) redesignated (c) through (j) Mar. 2, 1944.

(c) *Restrictions on delivery and use.* No manufacturer of an item covered by this order shall sell or deliver it and no person shall commercially buy, receive, or use any such item, knowing or having reason to believe that it was manufactured or that it is or will be sold, delivered or used contrary to the purposes and requirements specified in this order.

General Exceptions

(d) *General exceptions.* (1) The restructions of this order shall not apply to:

(i) The sale, delivery or use of parts, manufactured prior to April 1, 1942, for the repair or reconditioning of used slide fasteners.

(ii) Any item covered by this order, necessary for use in safety equipment as defined and permitted by Limitation Order L-114.

(iii) The use of zinc or zinc products as permitted by paragraph (c) ("General exceptions.") of Conservation Order M-11-b.

(2) Subject only to the applicable quantity restrictions of Schedule A, zinc or steel may be used to fill preferred orders for any item listed on Schedule A.

(3) Zinc or zinc products may be used without restriction for plating any item covered by this order.

Equitable Distribution

(e) *Equitable distribution.* It is the policy of the War Production Board that items covered by this order not required to fill rated orders shall be distributed equitably. In making such distribution, due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington (25), D. C. Ref. L-56.

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priorities control and may be deprived of priorities assistance.

(j) *Records.* Each manufacturer of an item covered by this order shall preserve for at least two years complete and accurate records of inventories and receipts of each metal and alloy used, and of the production, deliveries, and inventories of each such item, classified according to the metal or alloy from which each such item was manufactured. The record-keeping provisions of this paragraph have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A added Mar. 2, 1944.

This schedule specifies the metals that may be used to manufacture any item listed. The word "yes" in the appropriate columns means that the metal may be used for such item. The word "no" means the metal may not be used. Reference to a note appearing in any column means that metal may be used in accordance with restrictions contained in the respective note. In the manufacture of any item listed, copper may be used only as permitted by Conservation Order M-9-c and M-9-c-1, aluminum may be used only as permitted by Conservation Order M-1-i, nickel may be used only as permitted by Order M-6-b, and silver may be used only as permitted by Conservation Order M-199, by appeals or otherwise under said orders.

Item	Materials may be used as indicated		
	Zinc or zinc products	Steel	Other restrictions
1. Boning tips	Yes	Yes	See note 3.
2. Buckles	No	Yes	See note 3.
3. Buckle molds	No	See note 1.	
4. Button molds	No	See note 1.	
5. Button and button tacks for use on wearing apparel:			
(a) For use on overalls, overall suits and dungarees	No	Yes	See note 2.
(b) For use on coated fabric garments	See note 4	Yes	See note 4.
(c) For use on all other wearing apparel	No	No.	
6. Button shanks	Yes	Yes	See note 3.
7. Corset clasps and boning	No	Yes	See note 3.
8. Eyelets, grommets and grommet washers	Yes	Yes	See note 3.
9. Garter clasps and trim	No	Yes	See note 3.
10. Hooks and eyes and brassiere hooks	No	Yes	See note 3.
11. Hose supporters and trim	No	Yes	See note 3.
12. Loops, slides, slide loops and links:			
(a) For use on overalls, overall suits and dungarees	No	Yes	See note 5.
(b) For use on all other wearing apparel	No	Yes	See note 3.
13. Rivets and burrs:			
(a) For use on overalls, overall suits and dungarees	No	Yes	
(b) For all other uses	No	Yes	See note 3.
14. Slide fasteners	Yes	Yes	See note 6.
15. Snap fasteners	No	Yes	See note 3.
16. Suspender clasps and trim	No	Yes	See note 3.

NOTE 1: Only steel obtained under the requirements of Priorities Regulation 13 from idle or excessive inventories reported to the Steel Recovery Corporation or W. P. B., or steel obtained pursuant to Direction 44 of CMP Regulation 1, may be used.

NOTE 2: Such buttons shall be limited to open top buttons consisting of not more than two pieces exclusive of the tack or fastener and limited to 22 ligne fly buttons of plain design and 27 ligne buttons with wreath design for the remainder of the garment.

NOTE 3: In manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission, the quantity of material processed by any persons for such items in any calendar quarter shall not exceed the average quarterly poundage of all metals processed by such person for such purposes during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal.

NOTE 4: Such buttons shall be limited to open or closed top buttons consisting of not more than 4 pieces exclusive of the tack or fastener, and not exceeding 36 ligne in size. Zinc or zinc products may be used to manufacture backs and tack capping shells for such buttons.

NOTE 5: Loops, slides and slide loops for such men's garments shall be limited to one size not to exceed 1⅜" and for such boys' garments to one size not to exceed 1⅜".

NOTE 6: The quantity of all metals processed by any person for slide fasteners in any calendar quarter, exclusive of materials processed to fill preferred orders, shall not exceed 66⅔% of the average quarterly poundage of all metals used for such purpose by such person during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal. Stainless steel may be used only where required for anti-corrosive or non-magnetic properties to fill preferred orders.

[F. R. Doc. 44-3051; Filed, March 2, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 187,[1] Amdt. 4]

CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Revised Maximum Price Regulation No. 187 is amended in the following respects:

Footnote 2 to section 1 (c) (1) (iii) is revoked and section 1 (c) (1) (iii) is amended to read as follows:

(iii) Furthermore, in no event shall the raw material costs as computed in accordance with (c) (1) (i) and (ii) above, exceed the ceiling price in effect on March 31, 1943, as established by the Office of Price Administration, for such raw materials. Where the manufacturer acquires raw materials under (c) (1) (ii) above and where no ceiling price was in effect on March 31, 1943, for the transfers of such raw materials, the transfer price shall not exceed the highest amount at which such raw materials were transferred on or before March 31, 1943.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3008; Filed, March 1, 1944; 4:26 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SILK SYNTHETICS AND ADMIXTURES

[MPR 127,[1a] Incl. Amdt. 19]

FINISHED PIECE GOODS

Section 1400.82 (s) (1) is amended by Amendment 19, effective March 7, 1944, so that Maximum Price Regulation No. 127 shall read as follows:

In the judgment of the Price Administrator, the prices of finished piece goods have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of finished piece goods prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations[2] involved in the issuance of this regulation has been prepared, issued simultaneously herewith and has been filed with the Division of the Federal Register.

Such specifications and standards as are used in this regulation or schedule were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency.

[Preamble as amended by Supplementary Order No. 71, 8 F.R. 12556, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 127 is hereby issued.

Sec.

1400.71 Maximum prices for finished piece goods.
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1400.83 Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.
1400.84 Effective date.
1400.85 Effective dates of amendments.

AUTHORITY: §§ 1400.71 to 1400.85, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1400.71 *Maximum prices for finished piece goods.* On and after May 4, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver finished piece goods, and no person shall buy or receive finished piece goods in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1400.82; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of finished piece goods to a purchaser if prior to May 4, 1942 such finished piece goods had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, or if within the terms of the Worth Street Rules title to such finished piece goods had passed to the purchaser prior to May 4, 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 8176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1400.72 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1400.82) may be charged, demanded, paid or offered.

§ 1400.73 *Conditional agreements.* No seller of finished piece goods shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1400.82, in the event that this Maximum Price Regulation No. 127 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception under § 1400.82 (i) (3)) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1400.82 (i) (3)).

§ 1400.74 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 127 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to finished piece goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1400.75 *Records.* (a) On and after May 4, 1942, every person making a purchase, sale or delivery of finished piece goods in the course of trade or business, or otherwise dealing in finished piece goods shall keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of each such purchase, sale, or delivery, showing the date thereof, the terms of sale, the name and address of the buyer or seller, the price paid or received, and the quantity of each type, quality and finish of finished piece goods purchased or sold, and including (in the case of the seller) a record of all items necessary to verify the computation of the maximum price for the finished piece goods.

(b) Persons required to submit reports under § 1400.76 shall, in addition to the records required above, keep for inspection by the Office of Price Administration, for a period of not less than two years, complete and accurate records of all items necessary to verify such reports.

§ 1400.76 *Reports.* (a) Persons subject to this Maximum Price Regulation No. 127 shall submit such reports as the Office of Price Administration may from time to time require.

§ 1400.77 *Details required in contract of sale or invoice.* (a) Every seller of finished piece goods shall, with respect to each sale thereof, deliver to the purchaser and the purchaser shall retain as a part of his records, either a contract of sale or an invoice which shall contain, in addition to the terms thereof, a full description of each type, quality and finish of finished piece goods sold, or a style number or symbol sufficient to identify in the seller's records maintained pursuant to § 1400.75 hereof, the full details of the construction so delivered.

(b) If the seller is the converter of the fabric sold, the contract of sale or invoice shall contain a statement of the division factor (as specified in § 1400.82 (g)) used in determining the maximum price.

(c) If the seller is a wholesaler, jobber or converter-jobber selling jobbed goods, the contract of sale or invoice shall contain:

(1) If the purchaser is a person other than a wholesaler, jobber, converter-jobber or export merchant, a statement of the division factor used in computing the selling price or a statement that the net selling price does not exceed the maximum price permitted under Maximum Price Regulation No. 127;

(2) If the purchaser is a wholesaler, jobber, converter-jobber, or export merchant, a statement showing:

(i) The selling price; and

(ii) The exact maximum price which the seller would be entitled to charge Class I and Class II purchasers.

[§ 1400.77 as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

§ 1400.78 *Exempt sales.* The provisions of this Maximum Price Regulation No. 127 shall not apply to the following:

(a) Sales at retail.

(b) Sales of finished piece goods by decorative goods jobbers.

(c) Sales or purchases of:

(1) Any fabric covered by Revised Price Schedule No. 35[4]—Carded Grey and Colored Yarn Cotton Goods.

(2) Any fabric covered by Maximum Price Regulation No. 39[5]—Upholstery Furniture Fabrics.

[Subparagraph (2) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(3) Woven tickings heavier than 4.95 yards per lb. and not in weaves requiring Jacquard looms.

(4) Any fabric covered by Revised Price Schedule No. 89[6]—Bed Linens.

(5) Abrasive cloth.

(6) Adhesive hollands.

(7) Artificial leather or other pyroxylin coated fabrics.

(8) Awning cloths.

(9) Belting.

(10) Blue-print cloth.

(11) Bookbinding hollands.

(12) Bunting for blankets.

(13) Cheese cloth.

(14) Corduroy.

(15) Cotton pile fabrics.

(16) Embroidery.

(17) Filter cloths.

(18) Flag cloths (yarn dyed).

(19) Insulation cloth.

(20) Knit goods.

(21) Nottingham lace.

(22) Oil cloth.

(23) Outing flannels.

(24) Separator cloth.

(25) Surgical gauze.

(26) Tag (label) cloth.

(27) Towels and toweling, other than printed toweling.

[Subparagraph (27) as amended by Am. 17, 9 F.R. 1905, effective 2-23-44]

(28) Transparent cloth (envelope and tracing cloth).

(29) Waterproof ducks (tarpaulins, truck covers).

(30) Window shade hollands.

(31) Finished piece goods imported from a foreign country.

(32) Any fabric covered by Maximum Price Regulation No. 118[7]—Cotton Products.

[Subparagraph (32) as amended by Am. 3, 7 F.R. 4454, effective 6-15-42]

(33) Yarn-dyed fabrics predominantly used for upholstery, furniture and automobile slip covers, or draperies.

(34) Pound goods.

(35) Remnants less than 10 yards in length and individual dress length remnants less than 10 yards in length sold by the piece or by the bundle.

(36) Rubber coated fabrics.

[Subparagraphs (33) through (36) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(37) Fabrics coated with a cellulose ester, cellulose ether, synthetic resin or oxidizable oil, for waterproofing or other similar purpose.

[Subparagraph (37) added by Am. 2, 7 F.R. 4180, effective 6-3-42; and amended by Am. 7, 7 F.R. 5675, effective 7-23-42]

(38) Velvets woven on a velvet or plush loom.

[Subparagraph (38) added by Am. 2, 7 F.R. 4180]

(39) Ecclesiastical fabrics

(40) Metallic fabrics

[Subparagraphs (39) and (40) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(41) Loom finished fabrics: *Provided*, That any person before selling such fabrics shall, upless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C.

[Subparagraph (41) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 8, 7 F.R. 6653, effective 8-26-42; and Am. 10, 8 F.R. 3057, effective 3-16-43]

(42) Woven or printed decorative pattern fabrics composed in an amount of 75% or more by weight of synthetic yarn, and sold exclusively for use by necktie manufacturers: *Provided*, That any person before selling such fabrics shall, unless he has already done so, file his name and address with the Office of Price Administration, Washington, D. C., certifying that only such fabrics as are sold exclusively for use by necktie manufacturers will be sold hereunder.

[Subparagraph (42) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 8, 7 F.R. 6653, effective 8-26-42; Am. 9, 7 F.R. 9823, effective 12-1-42; and Am. 10, 8 F.R. 3057, effective 3-16-43]

(43) Typewriter ribbon cloth finished from imported plain woven goods, 36 to 44 inches in grey width, made of combed or super-combed Egyptian or Sea Island cotton yarn.

(44) Finished fabrics which:

(i) Are 54 inches or more in finished width;

(ii) Weigh in excess of 12½ oz. per linear yard of 56 inch width;

(iii) Contain 8 per cent or more wool by weight; and

(iv) Are finished on the woolen or worsted system.

[Subparagraphs (43) and (44) added by Am. 7, 7 F.R. 5675, effective 7-23-42]

(45) Fabrics coated or impregnated with paraffin wax or similar substance and used as a substitute for glass, when sold by wholesalers or jobbers.

[Subparagraph (45) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(46) Corset and brassiere fabrics sold by a corset accessories supplier to be used in the making of corsets, brassieres, surgical garments and similar articles, or in the repairing or alteration thereof.

[Subparagraph (46) added by Am. 11, 8 F.R. 4851, effective 4-19-43]

(d) Sales of finished piece goods by furrier suppliers: *Provided*, That any person exempted by this paragraph (d) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he falls within the definition of furrier supplier as set forth in § 1400.81 (a) (15) of this Maximum Price Regulation No. 127.

(e) Sales of finished piece goods to custom shirtmakers by a custom shirtmaker's supplier: *Provided*, That any person exempted by this paragraph (e) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(f) Sales of finished piece goods by a woman's shoe fabric supplier: *Provided*, That any person exempted by this paragraph (f) shall, on or before August 31,

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[1] Copies may be obtained from the Office of Price Administration.

[1a] 8 F.R. 14395, 17367; 9 F.R. 1320.

[1b] 8 F.R. 3057.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8061; 8 F.R. 3313, 3533, 6173, 11606.

[4] 8 F.R. 1963, 5306, 15906, 16744.

[5] 8 F.R. 7822, 17426; 9 F.R. 458.

[6] 7 F.R. 1375, 2107, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937; 8 F.R. 8067, 11245.

[7] 8 F.R. 12186, 12934; 9 F.R. 401.

1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is a woman's shoe fabric supplier as defined in § 1400.81 (a) (11) of this Maximum Price Regulation No. 127.

(g) Sales of finished piece goods by a milliners' supply house: *Provided*, That any person exempted by this paragraph (g) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(h) Sales of finished piece goods by a tailor trimming store: *Provided*, That any person exempted by this paragraph (h) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

(i) Sales of finished piece goods by a dressmakers' supply house: *Provided*, That any person exempted by this paragraph (i) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C.

[Paragraphs (d) through (i) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 8, 7 F.R. 6653, effective 8-26-42]

(j) Sales and deliveries of printed woven decorative fabrics as defined in Maximum Price Regulation No. 39 when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of 35 cents or more per yard: *Provided*, That any such person shall, on or before August 31, 1942 file his name and address with the Office of Price Administration, Washington, D. C.

(k) Sales of finished piece goods by an artificial flower manufacturers' supplier: *Provided*, That any person exempted by this paragraph (k) shall, on or before August 31, 1942, file his name and address with the Office of Price Administration, Washington, D. C., certifying that he is an artificial flower manufacturers' supplier as defined in § 1400.81 (a) (20) of this Maximum Price Regulation No. 127.

[Paragraphs (j) and (k) added by Am. 7, 7 F.R. 5675, effective 7-23-42; and amended by Am. 8, 7 F.R. 6653, effective 8-26-42]

(l) Sales of better rayon fabrics by converters who prior to February 17, 1944 had certified to the Office of Price Administration that they came within the terms of this paragraph (l) as it read between July 5, 1943 and February 22, 1944.

"Better rayon fabrics" are finished piece goods which

(1) Are composed of 75% or more of rayon, and

(2) Are (i) substantially similar in construction and finish to fabrics which during 1942 sold to dress manufacturers whose minimum price line for dresses then was $16.75 or (ii) plain dyed goods of a type which sold at a price of 85 cents or more per yard during 1942 or printed goods of a type which sold at a price of one dollar or more per yard during 1942.

[Paragraph (l) added by Am. 12, 8 F.R. 9023, effective 7-5-43; and amended by Am. 17, 9 F.R. 1906, effective 2-22-44]

§ 1400.78a *War procurement.* (a) Sales and deliveries to a war procurement agency of finished piece goods of the types and made to the specifications (in their present form or as hereafter amended) listed below shall be exempt from maximum prices, by whatsoever regulation or schedule established, until July 15, 1942. On and after July 15, 1942, but not prior thereto, such sales and deliveries shall be subject to Maximum Price Regulation No. 157.*

(1) P. Q. D. No. 33-A (8.2 combed uniform twill).

(2) 27 T 25 (bleached and shrunk twill).

(3) Marine Corps Specification November 22, 1937 (Shrunk khaki suiting).

(4) P. Q. D. No. 95 (6 oz. combed twill).

(5) P. Q. D. No. 1 (wind resistant cloth).

(6) 6-100B (lining twill).

(7) P. Q. D. No. 17-A (mosquito netting).

(8) 27 C 13 (INT) a (balloon cloth).

(9) 6-39-G (balloon cloth).

(10) AN-CCC-C-390 (airplane cloth).

(11) Marine Corps Specification April 18, 1934, Revised to March 10, 1942 (marine shirting).

(12) M 54 (rubberized fabric).

(13) 27 L 6 (black lining twill).

(14) Specifications described in invitation Neg. 336 (balloon cloth substitute).

[§ 1400.78a added by Am. 6, 7 F.R. 5364, effective 7-14-42]

§ 1400.79 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 127 are subject to the civil and criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 127 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1400.79a *Licensing.* The provisions of Licensing Order No. 1,* licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1400.79a added by Supplementary Order No. 73, 8 F.R. 13244, effective 10-1-43]

*7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424; 8 F.R. 3948, 7007, 15609, 16806, 17374.

*8 F.R. 18240.

§ 1400.80 *Petitions for amendment or adjustment.* (a) Any person seeking an amendment of any provisions of this Maximum Price Regulation No. 127 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Former text designated (a) by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

(b) [Revoked]

[Paragraph (b) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 11, 8 F.R. 4851, effective 4-19-43; and revoked by Am. 12, 8 F.R. 9023, effective 7-5-43]

(c) [Revoked]

[Paragraph (c) added by Am. 7, 7 F.R. 5675, effective 7-23-42; revoked by Am. 10, 8 F.R. 3057, effective 3-16-43]

[Note: Procedural Regulation No. 6 (7 F.R. 5057, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6178) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[Note: Supplementary Order No. 26 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1400.81 *Definitions.* (a) When used in this Maximum Price Regulation No. 127, the term:

(1) "Person" includes an individual corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Finished piece goods" means woven fabrics, more than 12 inches in width, bleached, dyed, printed, mercerized or otherwise finished or processed, composed—in the amount of seventy-five per cent or more by weight—of either cotton fibre or chemically produced yarn or fibre, or any mixtures thereof, regardless of what other material may be included in the fabric.

[Subparagraph (2) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 13, 8 F.R. 12935, effective 9-27-43]

(3) "Class I purchaser" includes an export merchant, foreign purchaser or agent of a foreign purchaser, any agency of the federal government, any agency of a state, county or municipal government, a cutter, manufacturer, converter-jobber, jobber or wholesaler (except as provided in subparagraph (4) of this paragraph), and any similar class of purchaser not specifically enumerated herein.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 5, 7 F.R. 4702, effective 6-25-42]

(4) "Class II purchaser" includes a retailer (whether independent retailer, chain store or mail order house), private hospital or other similar private institution, hotel, steamship company, canvasser, tailor supply store, tailor trimming store, decorative goods jobber, interior decorator, milliners' supply house, dressmakers' supply house, custom shirtmakers' supply house, and any similar class of purchaser not specifically enumerated herein.

[Subparagraph (4) amended by Am. 5, 7 F.R. 4762, effective 6-25-42; and Am. 6, 7 F.R. 5364, effective 7-14-42]

(5) "Converter" means a person who sells finished piece goods after having finished such goods or after causing them to be finished for his account.

(6) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no cutter, manufacturer, purchaser for resale, or other commercial user shall be deemed to be an ultimate consumer.

(7) "Export merchant" means a jobber of finished piece goods engaged in exporting finished piece goods (either exclusively or in addition to selling such goods in the domestic market) who (i) buys goods for his own account, (ii) takes title to the goods, (iii) sells them direct, or through customary trade channels, to foreign purchasers or agents of foreign purchasers, and (iv) assumes all risks of loss until title to the goods passes to the foreign buyer according to the terms of the sale.

(8) "Decorative goods jobber" means a person customarily engaged in the business of and whose principal business consists of selling upholstery fabrics, drapery fabrics, slip cover fabrics and other finished piece goods, in cut lengths of specified yardage, to interior decorators.

(9) "Converter-jobber" means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(10) "Atlantic seaboard States" means Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, District of Columbia, West Virginia, North Carolina, South Carolina, Georgia, Tennessee, Florida, Kentucky, Alabama and Mississippi.

[Subparagraphs (9) and (10) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(11) "Women's shoe fabric supplier" means a person engaged in the business of and whose principal business consists of supplying to shoe manufacturers and shoe ornament manufacturers fabrics destined for use as outer fabrics, heel coverings, linings and ornaments for women's novelty shoes (a substantial part of such business being done in outer fabrics), and who, by business custom, has customarily given to such manufacturer a warranty that the fabric is suitable as a shoe fabric.

(12) "Ecclesiastical fabrics" means finished piece goods woven, printed, dyed or embossed in colors, patterns or designs prescribed by religious law or tradition, and sold exclusively for use in the manufacture of religious accessories.

(13) "Metallic fabrics" means finished piece goods which contain woven metal in the amount of five percent or more by weight.

[Subparagraphs (11), (12) and (13) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(14) "Loom-finished fabrics" means yarn-dyed or warp-printed piece goods which (i) are woven on a non-automatic loom; (ii) are made from warps of 800 yards or less; (iii) are woven on the basis of 6 looms or less per weaver; (iv) are produced in quantities of 5000 yards or less per warp design per month; (v) require no finishing other than calendering or framing after leaving the loom; and (vi) constitute a type not commercially traded in as grey goods.

[Subparagraph (14) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 9, 7 F.R. 9823, effective 12-1-42]

(15) "Furrier supplier" means a person customarily engaged in the business of and whose principal business with respect to finished piece goods consists of supplying to manufacturers, repairers and alterers of fur garments, finished piece goods in cut lengths of specified yardage, and includes any person engaged exclusively in supplying to manufacturers, repairers and alterers of fur garments fabrics constructed and processed especially for fur linings.

[Subparagraph (15) added by Am. 6, 7 F.R. 5364, effective 7-14-42; and amended by Am. 7, 7 F.R. 5675, effective 7-23-42]

(16) (i) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing, and shall be deemed to include stores operated as Army Canteens, post exchanges or ship's service activities. The term "war procurement agency" shall also include "contractor" and "subcontractor" as defined in subdivision (ii) of this subparagraph.

(ii) "Contractor" and "subcontractor" means any person who contracts to sell finished piece goods or a commodity processed or made from such goods to, respectively, any war procurement agency or any person who physically incorporates such goods or a commodity processed or made from such goods in an article being processed or made for any war procurement agency. No such person shall, however, be deemed to be a contractor or subcontractor with respect to any contract for sale unless, at the date of the delivery of such goods or commodity pursuant thereto, there is an existing contract with a war procurement agency or a subcontract with a prime contractor who has an existing contract with a war procurement agency, and such delivery takes place with reference to the ultimate fulfillment of such existing contract or subcontract.

[Subparagraph (16) added by Am. 6, 7 F.R. 5364, effective 7-14-42; amended by Am. 10, 8 F.R. 3057, effective 3-16-43; and Am. 11, 8 F.R. 4851, effective 4-19-43]

(17) "Tailor trimming store" includes a tailor supply house, and means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to tailors engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(18) "Dressmakers' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to dressmakers engaged in the production of individually ordered items of apparel or in the repairing or alteration thereof.

(19) "Milliners' supply house" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to persons engaged in the producing, repairing or altering of millinery.

[Subparagraphs (17), (18) and (19) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(20) "Artificial flower manufacturers' supplier" means a person engaged in the business of and whose business with respect to finished piece goods consists exclusively of supplying specially finished piece goods for use in the manufacture of artificial flowers, to persons engaged in such manufacture.

[Subparagraph (20) added by Am. 7, 7 F.R. 5675, effective 7-23-42]

(21) "Producer" means the person in whose mill grey or colored-yarn goods are woven, and includes any agent of the producer and any person controlling, controlled by, or under common control with the producer.

[Subparagraph (21) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(22) "Corset accessories supplier" means a person engaged in the business of and whose principal business consists of supplying finished piece goods in cut lengths of specified yardage and other supplies to corsetieres, or producers engaged in the production of individually ordered corsets, brassieres, surgical garments and similar garments or in the repairing or alteration thereof.

[Subparagraph (22) added by Am. 11, 8 F.R. 4851, effective 4-19-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1400.82 *Appendix A: Maximum prices for finished piece goods—(a) Method of determining maximum prices.* Except as otherwise specifically provided in this section, the maximum net selling

price, f. o. b. point of shipment [10] for finished piece goods shall be the aggregate of the five items set forth below in this paragraph (subparagraphs (1) to (5), inclusive) divided by the appropriate division factor set forth in paragraph (g) of this section:

(1) Basic grey goods cost, determined in accordance with paragraph (b) of this section.

(2) The grey freight, determined in accordance with paragraph (c) of this section.

(3) Working allowance, determined in accordance with paragraph (d) of this section.

(4) Finishing cost, determined in accordance with paragraph (e) of this section.

(5) Put up charges, determined in accordance with paragraph (f) of this section.

[Paragraph (a) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (1) as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the basic grey goods cost to be used in computing the maximum price under paragraph (a) shall be determined as follows:

(i) For grey or partially finished goods acquired from an outside source other than a subsidiary or affiliate, the basic grey goods cost shall be computed in accordance with subparagraph (1) above.

(ii) For grey goods produced by such person or by a subsidiary or affiliate, for which maximum prices are established by Maximum Price Regulation No. 11,[11] Revised Price Schedule No. 36, or Revised Price Schedule No. 23, as Amended," the basic grey goods cost shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (ii) as amended by Am. 11, 8 F.R. 4861, effective 4-19-43]

(iii) For any other grey goods produced by such person or by a subsidiary or affiliate," the basic grey goods cost shall be no higher than the maximum price which would be applicable for a sale of such grey goods to a converter on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (2) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(3) For finished piece goods which are produced from grey goods manufactured in and imported from a foreign country, the basic grey goods cost shall be:

(i) Where such goods (a) are produced from grey goods imported by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, and (b) are delivered to the purchaser on or before January 19, 1944, no higher than the actual landed duty paid cost of the grey goods;

(ii) In all other cases (except as provided in paragraph (w) of this section) no higher than the lower of (a) the maximum price which would be applicable to the grey goods if manufactured in the United States and sold to the converter on the day the contract for the sale of the finished piece goods is made or on the day the goods enter into the finishing process, whichever is earlier, or (b) the landed duty paid cost of the grey goods.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42; and Am. 15, 8 F.R. 16797, effective 12-20-43]

(4) If for any reason the basic grey goods cost cannot be determined under subparagraphs (1) and (2) of this paragraph, then the basic grey goods cost shall be no higher than the established maximum price for such grey goods on July 14, 1942.

[Subparagraph (4) as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(5) [Revoked]

[Subparagraph (5) revoked by Am. 6, 7 F.R. 5364, effective 7-14-42]

(c) *Grey freight.* (1) Subject to the other provisions of this paragraph (c), the grey freight which may be included in computing the maximum price under paragraph (a) of this section shall be no higher than actual transportation charges paid by the seller of the finished piece goods (not absorbed by the finisher) incurred in transporting the basic grey goods to the finishing plant where the finishing process is begun.

(2) In the event the grey goods are transported in a conveyance owned or operated by the converter, or the finisher, or by a person controlling, controlled by, or under common control with the converter or the finisher, and the charges are not absorbed by the finisher, the freight charge shall not exceed the charge which would be applicable to an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(3) Where goods are shipped from the grey goods mill to a point other than the finishing plant where the finishing process is begun, only the actual freight (which is not absorbed by the finisher) incurred in the final shipment from such other point to the finishing plant where the finishing process is begun may be used in determining the maximum price under paragraph (a) of this section.

(4) Where goods are trans-shipped from one finishing plant to another (after the goods are partially or wholly finished), the freight charges on such trans-shipments shall not be included in computing the maximum price under paragraph (a) of this section: *Provided,* (i) That if partially finished goods are trans-shipped from one finishing plant to another for the purpose of screen printing, flock printing, lacquer printing, embossing, or moireing at the second plant, then the freight charges on such trans-shipment may be included in computing the maximum price under paragraph (a) of this section; (ii) That the foregoing limitation shall not apply to the extent that the contrary is expressly provided elsewhere in this regulation.

[Subparagraph (4) amended by Am. 13, 8 F.R. 12935, effective 9-27-43; and Am. 17, 9 F.R. 1906, effective 2-23-44]

(5) For the purpose of determining a grey freight charge in order to quote prices for and make sales of finished piece goods in advance of actual shipment of the grey goods a seller of finished piece goods may use the following allowance for grey freight:

(i) *Grey goods containing more than 50% cotton by weight.* For shipments from any point in Zone I [12] to any point in Zone II [13] or shipments from any point in Zone II to any point in Zone I, an allowance of 55¢ per hundred pounds less any inward freight allowance made by the finisher; for shipments from any point in Zone I to a point in Zone I or for shipments from any point in Zone II to a point in Zone II, an allowance of 20¢ per hundred pounds, less any inward freight allowance made by the finisher.

(ii) *Grey goods containing 50% cotton or less by weight.* For shipments from any point in Zone I to any point in Zone II or for shipments from any point in Zone II to any point in Zone I, an allowance of 85¢ per hundred pounds less any inward freight allowance made by the finisher; for shipments from any point in Zone I to a point in Zone I, or for shipments from any point in Zone II to a point in Zone II, an allowance of 25¢ per hundred pounds, less any inward freight allowance made by the finisher: *Provided,* That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of grey freight charges has been made.

[Paragraph (c) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(6) For the purpose of determining the grey freight which may be included in computing the maximum price for finished goods produced from imported grey goods the port of entry in the continental United States shall be deemed the point of shipment.

[Subparagraph (6) added by Am. 15, 8 F.R. 16797, effective 12-20-43]

[Note: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

(d) *Working allowance*—(1) *For finished piece goods containing 50% or more of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual figure specified by the finisher in his contract: *Provided,* That if the working allowance specified in the contract shall exceed the actual shrinkage of the fabric as determined by the increase of finished pick count over grey goods pick count plus not more than 2% tolerance for physical loss of goods occasioned by handling and processing the fabric, then such actual shrinkage plus such 2% tolerance shall constitute the maximum working allowance to be used in determining the maximum price for the finished piece goods.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the basic grey goods cost under paragraph (b) of this section.

(2) *For finished piece goods containing less than 50% of rayon by weight.* Except as provided in subparagraphs (3) and (4) of this paragraph, the working allowance which may be used in determining the maximum price under paragraph (a) of this section shall be the actual working allowance specified by the finisher in his contract.

In the event that there is a net yardage gain as a result of the finishing process, such gain must be deducted from the basic grey goods cost under paragraph (b) of this section.

(3) *For vertical organizations.* For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the working allowance used in determining the maximum price under paragraph (a) of this section shall not exceed the allowance which would be applicable had the finishing operation been performed by an independent finisher.

(4) *For any new construction or for any new finishing process.* The working allowance for any new construction or for any new finishing process may be determined in a preliminary manner from the actual yield of a carefully controlled lot of not less than 1,000 yards of the finished goods: *Provided,* That the working allowance to be used in determining the maximum price for the finished piece goods shall not exceed the shrinkage determined by the actual yield of the first 10,000 yards of finished fabric.

(e) *Finishing cost.* Subject to the following provisions, the finishing cost shall be the price specified in the finishing contract and actually paid by the seller of the finished goods and shall not include any finishing costs incurred by any person prior to the acquisition of the goods by such seller.

(1) If the price specified in the finishing contract is made on a "silk basis" or a "store door delivered basis", (i. e., including put up and delivery charges) then such price shall, for the purpose of determining the appropriate division factor, be reduced by ¼¢ per yard: *Provided,* That the total finishing cost may be included in the final computation of the maximum price for the finished piece goods.

(2) If the price specified in the finishing contract is made on a "cotton basis" (that is, f. o. b. finishing plant) such price, exclusive of charges for cases, papers and tubes, shall, for the purposes of determining the appropriate division factor, constitute the finishing cost.

(3) [Revoked]

[Subparagraph (3) revoked by Am. 10, 8 F.R. 3057, effective 3-16-43]

(4) (i) Where fabrics are printed both face and back, whether register-printed or not, the finishing cost which may be used in determining the appropriate division factor under paragraph (g) of this section shall be 75% of the price specified in the finishing contract and actually paid by the converter: *Provided,* That the full cost of such printing may be included in the final computation of the maximum price for the finished piece goods.

[Above text designated (i) and (ii) added by Am. 17, 9 F.R. 1906, effective 2-23-44]

(ii) Where fabrics are printed in such a manner that, if by cutting off the edge (or edges) of the fabric which has (or have) been printed, more than 80 percent of the original width of the finished fabric could be retained intact in unprinted form, the cost of such printing shall not be included in the finishing cost unless it can be demonstrated that the print design serves a bona fide decorative or functional purpose and prior certification to this effect has been obtained from the Office of Price Administration, Washington 25, D. C.

(5) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the finishing cost used in determining the appropriate division factor under paragraph (g) of this section shall not exceed the amount which such persons are entitled to charge under Maximum Price Regulation No. 128 [14] Processing Piece Goods: *Provided,* That if such persons have finishing operations performed by independent finishers, the finishing cost shall be determined in accordance with the foregoing provisions of this section.

(6) Extra charges actually made for special folding such as doubling and rolling and book fold, may be included in the finishing cost for the purpose of determining the division factor and the maximum price: *Provided,* That if such special folding is done by a person other than the person performing the finishing operations, the amount which may be included shall be no more than ¼¢ per yard.

[Subparagraph (6) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(7) For the purposes of subparagraph (8) below, the cost of each type of processing referred to therein shall be:

(i) In the case of goods finished by a person independent of the converter, the price of such processing as specified in the finishing contract or invoice;

(ii) In the case of goods finished by the converter or by a subsidiary or affiliate of the converter, the price which such person is entitled to charge for such processing under Maximum Price Regulation No. 128 (Processing Piece Goods).

(8) *Special limitations on use of entire finishing cost.* Certain finishing expenses are to be treated in a special manner as explained in subdivision (i) below. These expenses, which are called "excess finishing cost," are listed in subdivision (ii). What constitutes "excess finishing cost" will often depend on whether the goods fall within the converter's "specified finish quota." This quota is dealt with in subdivision (iii).

(i) *How to treat "excess finishing cost."* "Excess finishing cost" shall be disregarded in determining the appropriate division factor pursuant to paragraph (g) of this section and shall not be included in the sum to which (pursuant to paragraph (a) of this section) that division factor is applied, but it may be added to the resulting quotient before the terms factor is applied.

(ii) *What is "excess finishing cost."* "Excess finishing cost" means the following:

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[10] Where a converter or a subsidiary or affiliate of a converter, sells converted goods from a point of shipment which is located outside of the Atlantic Seaboard States, and the finishing operations with respect to such goods are performed in any of such Atlantic Seaboard States, the seller may add to the otherwise applicable maximum price the actual transportation charges incurred in bringing the finished piece goods to such point of shipment. If the goods are transported to such point of shipment in a conveyance other than a common carrier, the charge shall not exceed the charge which would be applicable in an identical shipment at the lowest available commercial transportation rate.

[11] 8 F.R. 361, 2206, 4628, 4725, 5477, 9065, 8615, 8937, 10900, 11434, 13974, 16129; 9 F.R. 393.

[12] 7 F.R. 2689, 2906, 2945, 3242, 3481, 6771.

[13] This includes, but is not limited to, grey goods which would, if sold, be subject to Maximum Price Regulation No. 116—Cotton Products.

[14] Zone I shall consist of the New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, Ohio, Indiana and Michigan, and the District of Columbia.

[15] Zone II shall consist of all other states.

[16] 7 F.R. 8117, 4659, 6615.

price, f. o. b. point of shipment[10] for finished piece goods shall be the aggregate of the five items set forth below in this paragraph (subparagraphs (1) to (5), inclusive) divided by the appropriate division factor set forth in paragraph (g) of this section:

(1) Basic grey goods cost, determined in accordance with paragraph (b) of this section.

(2) The grey freight, determined in accordance with paragraph (c) of this section.

(3) Working allowance, determined in accordance with paragraph (d) of this section.

(4) Finishing cost, determined in accordance with paragraph (e) of this section.

(5) Put up charges, determined in accordance with paragraph (f) of this section.

[Paragraph (a) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(b) *Basic grey goods cost.* (1) Except as otherwise specifically provided in this paragraph and in paragraph (d) of this section, the basic grey goods cost to be used in determining the maximum price for finished piece goods shall be no higher than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparargaph (1) as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the basic grey goods cost to be used in computing the maximum price under paragraph (a) shall be determined as

than the established maximum price therefor on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (ii) as amended by Am. 11, 8 F.R. 4881, effective 4-19-43]

(iii) For any other grey goods produced by such person or by a subsidiary or affiliate,[11] the basic grey goods cost shall be no higher than the maximum price which would be applicable for a sale of such grey goods to a converter on the day the contract for the sale of finished piece goods is made, or on the day the goods enter into the finishing process, whichever is earlier.

[Subparagraph (2) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(3) For finished piece goods which are produced from grey goods manufactured in and imported from a foreign country, the basic grey goods cost shall be:

(i) Where such goods (*a*) are produced from grey goods imported by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, and (*b*) are delivered to the purchaser on or before January 19, 1944, no higher than the actual landed duty paid cost of the grey goods;

(ii) In all other cases (except as provided in paragraph (w) of this section) no higher than the lower of (*a*) the maximum price which would be applicable to the grey goods if manufactured in the United States and sold to the converter on the day the contract for the sale of the finished piece goods is made or on the day the goods enter into the finishing process, whichever is earlier, or (*b*) the landed duty paid cost of the grey goods.

(2) In the event the grey goods are transported in a conveyance owned or operated by the converter, or the finisher, or by a person controlling, controlled by, or under common control with the converter or the finisher, and the charges are not absorbed by the finisher, the freight charge shall not exceed the charge which would be applicable to an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

(3) Where goods are shipped from the grey goods mill to a point other than the finishing plant where the finishing process is begun, only the actual freight (which is not absorbed by the finisher) incurred in the final shipment from such other point to the finishing plant where the finishing process is begun may be used in determining the maximum price under paragraph (a) of this section.

(4) Where goods are trans-shipped from one finishing plant to another (after the goods are partially or wholly finished), the freight charges on such trans-shipments shall not be included in computing the maximum price under paragraph (a) of this section: *Provided*, (i) That if partially finished goods are trans-shipped from one finishing plant to another for the purpose of screen printing, flock printing, lacquer printing, embossing, or moireing at the second plant, then the freight charges on such trans-shipment may be included in computing the maximum price under paragraph (a) of this section; (ii) That the foregoing limitation shall not apply to the extent that the contrary is expressly provided elsewhere in this regulation.

[Subparagraph (4) amended by Am. 13, 8 F.R. 12935, effective 9-27-43; and Am. 17, 9 F.R. 1906, effective 2-23-44]

(a) Where cotton goods, other than "better cotton wash fabrics," [17] have been roller-printed, any printing cost [18] in excess of the printing cost which would be applicable to a 15,000-yard run of the pattern.

(b) Where rayon goods [19] have been roller-printed, any printing cost [18] in excess of the printing cost which would be applicable to a 6,000-yard run of the pattern.

(c) The cost of screen printing any rayon goods which (1) are made of combination yarns or (2) have a ceiling price in the grey of less than 27½¢ per yard on the following width bases:

Type of fabric or weave:	*Width Basis*
Plain or dobby-loom except sheers	43½" grey
Box-loom, except sheers	45" reed
Jacquard-loom, except sheers	39" grey
Sheers	46" reed

(d) The cost of applying any of the "specified finishes" designated below to goods which do not fall within the converter's "specified finish quota," as defined in subparagraph (iii) below. The "specified finishes" are embossing, moireing, screen printing, block printing, chenille printing, flock printing, lacquer printing and any type of over-printing (such as pigment type or zinc printing) not expressly mentioned.

(e) The cost of flock printing, chenille printing, lacquer printing or otherwise over-printing goods which (regardless of the sequence in which the operations are performed) are also screen printed, block printed, embossed or moired.

(iii) *Specified finish quota.* (a) For each finish referred to in (ii) (d) above, each converter shall have a "specified finish quota."

(b) Except for a converter who was not in business throughout 1941, the "quota" for shipments made in a given finish during any calendar quarter shall be three-fourths of the yardage of woven goods ordered into process by the converter during the corresponding calendar quarter of 1941 in that finish. However, the quota applicable to the period from February 23, 1944 through March 31, 1944 shall be one-half of the quota computed for the first calendar quarter. Furthermore, a converter shall be permitted to augment his quota for any period by the amount of any unconsumed portion of his quota for the preceding quarter and likewise by borrowing from his quota for the following quarter. If a converter augments his quota for one period by borrowing from his quota for the next quarter, the latter quota shall be correspondingly reduced.

(c) Any converter who was not in business throughout 1941 may file with the Office of Price Administration, Washington 25, D. C., an application for the establishment of one or more "specified finish quotas". The application shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, issued by the Office of Price Administration, and shall contain a full statement of: (1) the types of processing performed by the converter, (2) current monthly yardage ordered into process and estimated yardage volume for the balance of the calendar year, (3) the type of goods converted, (4) the trades served, (5) the reasons why applicant needs to sell goods in any of the finishes referred to in (ii) (d) above, (6) the names of two or more close competitors; and (7) any other information relevant to whether a quota or quotas should be established and in what amount. No quota will be granted unless it affirmatively appears that the applicant needs the quota in order to serve the actual requirements of his customers. Where such a finding can be made the Administrator will be guided in determining the amount of the quota by the nature of the applicant's business and the "specified finish quotas" of applicant's competitors. A quota may be established in terms of yardage, dollar sales, or percentage of total business and shall be subject to such conditions as the Administrator finds appropriate. Upon the filing of an application and pending final action therein an applicant shall not include the cost of any finish referred to in (ii) (d) above in his finishing cost for the purpose of determining the appropriate division factor under subdivision (g) of this section, but may include the cost of such finish in the sum to which that division factor is applied.

(d) On or before March 23, 1944 every converter who was engaged in business throughout 1941 and who desires to avail himself at any time of one or more "specified finish quotas" shall report to the Office of Price Administration, Washington 25, D. C., his name and address, the amount of each of his "specified finish quotas", and his total dollar volume of finished piece goods sales during 1943. Any converter who fails to make such a report on or before the due date shall be deemed to have waived his right to make use of his quotas, unless he presents a reasonable justification for such failure.

(e) Each converter delivering goods subject to the limitations imposed by this subparagraph (8) shall keep a separate monthly record of all such deliveries. The record shall include the invoice number, yardage delivered, and type of finish.

(iv) *Existing contracts.* Notwithstanding any provision of this subparagraph (8), for goods delivered on or before March 23, 1944 against a firm contract entered into in conformity with this regulation prior to February 17, 1944, the contract price may be charged.

[Subparagraphs (7) and (8) added by Am. 17, 9 F.R. 1906, effective 2-23-44]

(f) *Put-up charges.* (1) Except as provided in subparagraph (3) of this paragraph, the put-up charges which may be used under paragraph (a) (5) of this section shall include only the charges for papers, boards, tubes and packing cases and, in the case of sales for export, the charges for export packing. In no event (except for export sales) shall charges for wooden shells be included in such computation.

(2) For persons, commonly called vertical organizations, customarily engaged in processing their own goods or goods owned by subsidiaries or affiliates, the put-up charges used under paragraph (a) (5) of this section in determining the maximum price for finished piece goods shall not exceed the charges which would be applicable had such services been performed and such material furnished by an independent finisher.

(3) Where the finishing cost is on a "cotton basis," a seller of finished piece goods may, for the purpose of determining a put-up charge as defined in subparagraph (1) of this paragraph, in order to quote prices for and make sales of finished piece goods in advance of actual production thereof, use a put-up charge of .0020 per yard: *Provided*, That in all cases where a forward sale is made upon the basis provided herein, the price may not be subsequently altered after an actual determination of the put-up charges has been made.

[Paragraph (f) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

[Note: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

(g) *Tables of division factors*—(1) *In general.* (i) Table I set forth below is to be used with respect to finished piece goods containing 75% or more of cotton by weight unless 4% or more of coverage of the warp or 4% or more of coverage of the filling in the finished goods is yarn dyed or stock dyed. In the latter case, reference must be made to Tables III and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section), the class of purchaser to whom the sale is made, and the type of finish that is applied.

(ii) Table II set forth below is to be used with respect to finished piece goods containing less than 75% cotton by weight unless 4% or more of coverage of the warp or 4% or more of the coverage in the filling in the finished goods is yarn dyed or stock dyed. In the latter case reference must be made to Tables III

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[17] As used here the term:

(1) "Cotton goods" means goods which, in the grey, are subject to Maximum Price Regulation No. 11—Fine Cotton Goods; Revised Price Schedule No. 35—Carded Grey and Colored-Yarn Cotton Goods; Revised Price Schedule No. 89—Bed Linens; or Maximum Price Regulation No. 118—Cotton Products;

(2) "Better cotton wash fabrics" means goods for which the division factor is to be determined by use of Table Ia of paragraph (g) or any other goods which are composed 100% of cotton; are sold to manufacturers of women's and children's dresses, suits, and sportswear and to retail outlets; and are of a type that, during the period from August 1 to September 30, 1941, inclusive, were sold at a price of 27½¢ or more per yard of 36" to 39" finished width, net after discount.

[18] The term "printing cost" shall include the cost of all processing preliminary to the roller printing.

[19] "Rayon goods" here means goods which, in the grey, are subject to Revised Price Schedule No. 28, as amended—Rayon Grey Goods.

and IV below. The division factor is determined by reference to the finishing cost (see paragraph (e) of this section), the class of purchaser to whom the sale is made, and the type of finish that is applied.

(iii) Table III set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which none of the filling is yarn dyed or stock dyed and with respect to finished piece goods of which 4% or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the percentage of coverage of the warp or filling that is yarn dyed or stock dyed and the class of purchaser to whom the sale is made.

(iv) Table IV set forth below is to be used with respect to finished piece goods of which 4% or more of coverage of the warp in the finished goods is yarn dyed or stock dyed, and of which some part of the filling is yarn dyed or stock dyed, regardless of the rayon or cotton content, and regardless of the finish that is applied thereto. The division factor is determined by reference to the percentage of coverage of colored yarn in both the warp and filling and the class of purchaser to whom the sale is made.

[Subparagraphs (i), (ii), (iii), and (iv) as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(v) A converter whose production of finished piece goods during the years 1939, 1940 and 1941 consisted predominantly of better cotton wash fabrics which (*a*) are composed 100% of cotton, (*b*) are sold to manufacturers of women's and children's dresses, suits and sportswear and to retail outlets, and (*c*) are of a type that, during the period from August 1, 1941, to September 30, 1941, inclusive, were sold at a price of 27½ cents or more per yard, net after discount, may use Table Ia set forth below with respect to such fabrics: *Provided*, That no converter shall use Table Ia unless, on or before December 15, 1942, he shall have filed his name and address with the Office of Price Administration, Washington, D. C., certifying that he meets the above qualifications, and shall have received written acknowledgment of that fact.

[Subparagraph (v) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(2) *Cotton finished piece goods*—(i) *General.* Except for yarn dyed fabrics covered by subparagraph (4), Tables III and IV, this Table I is to be used for all finished piece goods containing 75% or more cotton by weight.

TABLE I—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING 75% OR MORE OF COTTON BY WEIGHT

Finishing cost [1] (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 1.99	0.89	0.85	0.88	0.84
2.00–4.49	.88	.84	.87	.83
4.50–7.99	.87	.83	.855	.815
8.00–11.99	.86	.82	.835	.79
12.00–16.99	.84	.80	.815	.76
17.00–24.99	.84	.80	.79	.73
25.00 and up	.84	.80	.77	.70

[1] Determined in accordance with paragraph (e) of this section.

[Table I as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(ii) *Fine cotton wash fabrics.* This Table Ia is to be used by converters who meet the qualifications of subparagraph (1) (v) above.

TABLE Ia—DIVISION FACTORS FOR CERTAIN BETTER COTTON WASH FABRICS

White and plain dyed		Printed and yarn dyed	
Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
0.80	0.76	0.74	0.74

[Subparagraph (ii) added by Am. 9, 7 F.R. 9823, effective 12-1-42]

(3) *Rayon finished piece goods.* Except for yarn dyed fabrics covered by subparagraph (4), Tables III and IV, this Table II is to be used for all finished piece goods containing less than 75% cotton by weight.

TABLE II—DIVISION FACTORS FOR FINISHED PIECE GOODS CONTAINING LESS THAN 75% COTTON BY WEIGHT

Finishing cost [1] (cents per yard)	White and dyed (except jacquards)		Printed and jacquards	
	Sales to class I purchaser	Sales to class II purchaser	Sales to class I purchaser	Sales to class II purchaser
Up to 3.99	0.85	0.81	0.83	0.79
4.00–7.99	.84	.80	.82	.78
8.00–11.99	.82	.79	.81	.77
12.00–16.99	.81	.77	.79	.74
17.00–24.99	.80	.76	.77	.72
25.00 and up	.80	.75	.75	.70

[1] Determined in accordance with paragraph (e) of this section.

[Table II as amended by Am. 6, 7 F.R. 5364, effective 7-14-42]

(4) *Yarn dyed fabrics.*

TABLE III—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP ONLY, OR COLORED FILLING ONLY [1]

Percentage of coverage of colored yarn in warp or filling (all numbers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99	0.86	0.81
16 to 30.99	.85	.80
31 to 45.99	.84	.79
46 to 60.99	.83	.78
61 to 75.99	.82	.77
76 and over	.81	.76

[1] Table III shall be used for all finished piece goods (irrespective of the percentage of rayon or cotton content) of which 4 percent or more of coverage of the warp is yarn dyed or stock dyed and of which none of the filling is yarn dyed or stock dyed, and for finished piece goods of which 4 percent or more of coverage of the filling is yarn dyed or stock dyed and of which none of the warp is yarn dyed or stock dyed.

[Table III, as amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

TABLE IV—DIVISION FACTORS FOR YARN DYED OR STOCK DYED FINISHED PIECE GOODS, COLORED WARP AND COLORED FILLING [1]

Total percentage of coverage of colored yarn in both warp and filling (all numbers inclusive)	Sales to class I purchaser	Sales to class II purchaser
4 to 15.99	0.85	0.80
16 to 30.99	.835	.785
31 to 45.99	.82	.77
46 to 60.99	.805	.755
61 to 75.99	.79	.74
76 and over	.78	.73

[1] Table IV shall be used for all finished piece goods (irrespective of the percentage of cotton or rayon content) of which 4% or more of coverage of the warp is yarn dyed or stock dyed and of which any percentage of the filling is yarn dyed or stock dyed.

(h) *Credit terms.* (1) The maximum prices established by this Maximum Price Regulation No. 127 are net selling prices.

(2) If a seller desires to sell on a discount basis of 2% off ten days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .97: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 3%;

(ii) If payment is made within the next sixty days, a discount of 2% plus ½ of 1% per month for any portion of the sixty days which is anticipated.

(3) If a seller desires to sell on a discount basis of net 10 days, sixty days extra, he may compute the maximum price on such a sale by dividing the net price by .99: *Provided*, That if any such sale is made, the seller must allow the buyer the following discounts:

(i) If payment is made within 10 days after delivery, a discount of 1%.

(ii) If payment is made within the next 60 days, a discount of ½ of 1% per month for any portion of the sixty days which is anticipated.

(4) The maximum net prices may be increased by an appropriate division factor (in accordance with the formula set forth in subparagraphs (2) and (3) of this paragraph) in any case where the credit terms do not exceed a discount of 3 percent nor a time period in excess of 70 days from the date of the invoice but may not otherwise be increased for the purpose of granting other credit or discount terms.

[Subparagraph (4) as amended by Am. 7, 7 F.R. 5675, effective 7-23-42]

(j) *Wholesalers and jobbers*—(1) *General provisions.* Subject to the other provisions of this paragraph, the maximum price for finished piece goods sold in the performance of a recognized distributive function [30] by a wholesaler, jobber or converter-jobber selling jobbed goods, shall be computed by dividing the actual cost [30a] by .83 if the sale is to a Class II purchaser and by dividing the actual cost by .88 if the sale is to a Class I purchaser: *Provided*, That contracts entered into between May 4, 1942, and June 3, 1942, at prices in compliance with the provisions of this Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive), as then in force, may be carried out at the contract price.

[Subparagraph (1) amended by Am. 1, 7 F.R. 3242, effective 5-4-42 and Am. 5, 7 F.R. 4762, effective 6-25-42]

(2) *Restrictions on jobbers' and wholesalers' mark-up.* No part of the mark-up provided for in subparagraph (1) of this paragraph, may be charged:

[Subparagraph (2) as amended by Am. 10, 8 F.R. 3057, effective 3-16-43]

(i) [Revoked]

(ii) On a sale by a wholesaler or jobber to a converter or a converter-jobber;

(iii) [Revoked]

[Subparagraphs (i) and (iii) revoked and (ii) amended by Am. 2, 7 F.R. 4180, effective 6-3-42]

(iv) On an export sale by an export merchant;

(v) On a sale of jobbed goods to any person by a converter-jobber unless and until authorized under subparagraph (3) of this paragraph: [31] *Provided*, That a converter-jobber who has properly filed a petition for exception under subparagraph (3) of this paragraph, and has been notified by the Secretary of the Office of Price Administration that his petition has been docketed, may, until such time as the petition is acted upon by the Office of Price Administration, sell and deliver the goods which he purchases or has purchased as a jobber or wholesaler in accordance with other provisions of this paragraph (j): *Provided, however*, That on and after July 1, 1942, the percentage of such jobbing business shall be no greater in relation to his total sales of finished piece goods than the average percentage of such business during the years 1939, 1940, and 1941, or during such part thereof as he acted as a converter-jobber. The restrictions imposed by this subdivision (v) shall not be applicable to a jobber whose converting business consists solely of sales of finished piece goods to a war procurement agency.

[Subparagraph (v) amended by Am. 2, 7 F.R. 4180, effective 6-3-42 and Am. 10, 8 F.R. 3057, effective 3-16-43]

(vi) On a resale of finished piece goods by a cutter or manufacturer: *Provided*, That this restriction shall not apply (*a*) where such a resale is made in pursuance of an established trade practice by which the cutter or manufacturer is required, as a necessary part of making sales of his cut or manufactured articles, to furnish to his buyers an additional quantity of piece goods identical with or similar to the goods from which such articles are cut or manufactured; or, (*b*) where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations. Every cutter or manufacturer falling within the category defined in (*b*) above shall, on or before December 15, 1942, file his name and address with the Office of Price Administration, Washington, D. C. Notwithstanding any of the provisions of Maximum Price Regulation No. 204, the maximum price for finished piece goods sold by a cutter or manufacturer subject to the restrictions of this subdivision (vi), shall be the actual cost of such goods as defined in the footnote to subparagraph (1) of this paragraph.

[Subparagraph (vi) amended by Am. 9, 7 F.R. 9823, effective 12-1-42 and Am. 11, 8 F.R. 4851, effective 4-19-43]

(3) *Petitions for exception by a converter-jobber.* Any converter-jobber, as defined in § 1400.81 hereof, who desires to continue operating as such, may petition the Office of Price Administration for an exception from the provisions of § 1400.82 (j) (2) (v), and for permission so to do. The Price Administrator may grant such exception upon such terms and conditions as shall appear reasonable and necessary under all the circumstances: *Provided*, That no such petition will be considered unless it is filed with the Office of Price Administration in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1.

[Subparagraph (3) amended by Am. 2, 7 F.R. 4180, effective 6-3-42 and Am. 11, 8 F.R. 4851, effective 4-19-43]

(4) Where a sale is made by a converter-jobber, wholesaler or jobber to another converter-jobber, wholesaler or jobber or to an export merchant the maximum price which the purchaser may charge on a domestic resale shall be no higher than the price which the original wholesaler, jobber or converter-jobber would be entitled to charge.

[Subparagraph (4) added by Am. 2, 7 F.R. 4180, effective 6-3-42]

(5) *Charges for special folding by a wholesaler or jobber.* The actual cost, but not more than ½¢ per yard, may be added to the selling price of finished piece goods by a wholesaler, jobber or converter-jobber selling jobbed goods, for special folding such as doubling and rolling and book fold: *Provided*, That, (i) special folding has not been performed before the goods were purchased by the wholesaler, jobber or converter-jobber;

(ii) Special folding was performed by or for the account of the wholesaler, jobber or converter-jobber;

(iii) No part of the mark-up provided for in subparagraph (1) of this paragraph may be applied to the cost of such special folding; and

(iv) The portion of the total selling price attributable to special folding shall be itemized separately in an invoice or similar document which shall be delivered to the purchaser of the goods.

[Subparagraph (5) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(j) *Export sales.* The maximum price at which a person may sell or deliver finished piece goods for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation [32] issued by the Office of Price Administration on April 25, 1942.

(k) *Redyeing, reprinting, and overprinting.* Unless the contrary is expressly provided elsewhere in this regulation, no charges for reprinting, redyeing, or overprinting subsequent to the original finishing operation shall be or may be added to or included in the computation of the maximum prices established by this regulation.

[Paragraph (k) amended by Am. 13, 8 F.R. 12935, effective 9-27-43; and Am. 17, 9 F.R. 1906, effective 2-23-44]

(l) *Substandard goods.* The maximum prices above set forth shall be discounted for substandard goods as follows:

(1) Finishers' seconds and shorts (i. e. finished piece goods which are substandard as a result of finishing process):

Regular sized pieces discounted by 10%.

20 to 40 yard lengths discounted by 15%.

10 to 19.99 yard lengths discounted by 20%.

[Subparagraph (1) as amended by Am. 11, 8 F.R. 4851, effective 4-19-43]

(m) *Exceptions.* Boott Mills, Lowell, Massachusetts may deliver bleached and shrunk Type C twill, 29" wide, Specification 27 T 25, to the Department of the Navy of the United States, pursuant to Navy Contract NXS 5699, in a quantity not exceeding the amount called for by such contract, at a price not exceeding that specified in such contract.

[Paragraph (m) added by Am. 4, 7 F.R. 4587, effective 6-18-42]

(n) *Premiums*—(1) *Sales of cut lengths.* A premium not exceeding 10% of the otherwise applicable maximum net price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece to fill a specific order: *Provided*, That such premium may not be charged where the finished piece goods are produced in such cut lengths as a part of the original finishing operation: *Provided further*, That such premium may not be charged on a sale to a wholesaler or jobber.

[Paragraph (n) added by Am. 6, 7 F.R. 5364, effective 7-14-42]

(o) *Averaging of prices by converters.* Where a converter produces various colors of the same pattern or style, and where the maximum prices for such colors vary, or where a converter produces separate lots of the same pattern or style with a resulting variation in the maximum prices for such lots, he may after computing the maximum price separately for each color or each lot, determine and use as his maximum price for the entire pattern or style a weighted average of such varying prices.

[Paragraph (o) added by Am. 7, 7 F.R. 5675, effective 7-23-42]

(p) *Specific prices for shoe-lining fabrics.* (1) On and after August 26, 1942, notwithstanding any of the provisions of §§ 1400.77 and 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, and regardless of any contract, agreement, lease or other obligation the base maximum prices for the following fabrics when sold to shoe manufacturers for use as shoe linings shall be as set forth in Tables V, VI, and VIII hereof:

TABLE V—TWILLS AND DRILLS

Weight (yards per pound)	Finish	Maximum price (cents per yard)
1.80	Starch back twill	32.714
1.75	Starch back twill	29.164
2.00	Starch back twill	25.947
2.35	Starch back twill	23.765
1.80	Starch back napped twill	33.701
1.75	Starch back napped twill	30.152
2.35	Starch back drill	22.795
2.75	Starch back drill	20.370
2.95	Starch back drill	18.240

TABLE VI—FLANNELS

Weight (yds. per lb.)	Width (inches)	Maximum price (cents per yard)
6.00	40½	13.643
5.00	40½	14.903
4.00	40½	16.701
3.40	40½	18.551
3.00	40½	20.248
2.80	40½	23.401
2.00	40½	28.342
1.60	40½	34.107
3.80	37	17.945
Light (EW)*	47½	21.670
Medium (FNS)*	47½	22.441
3.00 (CD)*	37	20.248

*Trade name.

(2) In addition to the base maximum prices set forth in the foregoing tables, the following premiums may be charged for special services or extra finishing:

TABLE VIII

Services or finish	Premium (cents per yard)
For bleaching	1
For dyeing	2½
For double napping	½
For sales in quantities of less than 1,000 yds. per color and finish	½

(3) The maximum prices established by subparagraphs (1) and (2) hereof are subject to credit terms as set forth in paragraph (h) of this section.

(q) *Specific reductions in prices of work-clothing fabrics.* (1) Notwithstanding any of the provisions of § 1400.78 and any other provision of this § 1400.82 of this Maximum Price Regulation No. 127, the maximum prices computed hereunder for the following finished piece goods shall be reduced as set forth in Table IX hereof:

TABLE IX

Type of fabric	Weight	Width (inch basis)	Reduction (cents per yard)
Finished jeans	2.85 yds. per lb.	36	¼
Finished drills	2.50 yds. per lb.	28-30	⅜
Carded poplins	3.25 yds. per lb.	35-36	¼
Carded poplins	2.85 yds. per lb.	35-36	¼
Carded poplins	2.50 yds. per lb.	35-36	½

[Table IX as amended by Am. 10, 8 F.R. 3057, effective 3-16-43]

(2) The maximum prices established herein shall apply to contracts of sale entered into on or after August 26, 1942, and also to all deliveries made on or after that date against contracts entered into on or after May 4, 1942.

[Paragraphs (p) and (q) added by Am. 8, 7 F.R. 6653, effective 8-26-42]

(r) *Specific prices for private sales of certain Government-specification goods.* (1) Notwithstanding any of the provisions of §§ 1400.77 and 1400.78 and any other provisions of this § 1400.82 except paragraph (l), and regardless of any contract, agreement, lease or other obligation, the maximum prices for finished piece goods of the types and made with reference to the specifications (in their present form or as hereafter amended) listed below, when such goods are sold to any person other than a war procurement agency, shall be as set forth in Table X hereof. The maximum prices so set forth are based on the widths therein indicated, and shall be reduced or increased in proportion to any reduction or increase in such widths which may be authorized or required by such specifications.

TABLE X

Line No.	Description	Specification	Width (inch basis)	Maximum price (cents per yd.)
1.00	8.2 oz. combed uniform twill	(A) 6-201B		
1.01	Type I—Khaki		36	66
1.02	Type I—Slate grey		36	70
1.03	Type II—Khaki		36	63
1.04	Type II—Slate grey		36	67
1.05	Type III—Khaki		36	56
1.06	Type III—Slate grey		36	60
1.07	Type IV—Khaki		35	43.75
1.08	Type IV—Slate grey		35	47.75
1.09	Type V—Khaki		36	60.87
1.10	Type V—Slate grey		36	64.87
2.00	Bleached and shrunk twill [a]	27 T 25 (INT) a		
2.01	Type C, white, 29"		29	39.50
2.02	Type C, slate grey, 29"		29	48.00
2.03	Type D, white, 32"		32	41.89
2.04	Type D, slate grey, 32"		32	50.09
3.00	Sbrunk khaki suiting	Marine Corps specification—November 22, 1937.	40	86.90
4.00	6 oz. combed twill, khaki	(A) 6-311	36	43.75
5.00	Wind resistant cloth, Type II, poplin	P. Q. D. No. 1A	36	
5.01	Olive drab, shade No. 2			62.00
5.02	Olive drab, shade No. 7			66.75
6.00	Lining twill, olive drab, Albert twill	6-100C	32	31.60
7.00	Mosquito netting, olive drab	P. Q. D. No. 17A		
7.01	36" wide		35	14.37
7.02	47" wide		47	19.25
8.00	Balloon cloth	27 C 13 (INT) a		

[30] No sale is made "in the performance of a recognized distributive function" within the meaning of this Maximum Price Regulation No. 127 unless it advances the goods sold to the next stage of distribution.

[30a] The actual cost may include only (a) the invoice price of the finished piece goods less all discounts taken (which must not, for any purchases made on or after May 4, 1942, exceed the maximum price established by this Maximum Price Regulation No. 127) and (b) the actual transportation charges incurred by the wholesaler or jobber with respect to such finished piece goods. If the goods are transported in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate.

A wholesaler, jobber or converter-jobber, where he mingles in his inventory separate lots of the same pattern of printed goods or separate lots of the same bleached goods, or separate lots of the same dyed goods, which he acquired at varying prices, may take the weighted average cost of such mingled lot for the purpose of determining his actual cost thereof: *Provided*, That if any unsold portion of a lot on which an average cost has been determined is subsequently combined with another lot, the previously determined weighted average cost of such unsold portion shall be used for such unsold portion in computing the weighted average cost of the newly mingled lot.

[31] It is the intention of the Office of Price Administration that this subparagraph shall apply to converters who also act as jobbers and wholesalers and to wholesalers or jobbers who also do some converting.

[32] 2d Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1030.

TABLE X—Continued

Line No.	Description	Specification	Width (inch basis)	Maximum price (cents per yd.)
8.01	Type BB		(*)	(*)
8.02	Type HH		(*)	(*)
8.03	Type MM		(*)	(*)
8.04	Type RR		(*)	(*)
8.05	Type TT		(*)	(*)
9.00	Balloon cloth	6-39-G		
9.01	Type BB		(*)	(*)
9.02	Type HH		(*)	(*)
9.03	Type KK		(*)	(*)
9.04	Type MM		(*)	(*)
9.05	Type RR		(*)	(*)
9.06	Type SS		(*)	(*)
10.00	Airplane cloth	AN-CCC-C-300		
11.00	Marine shirting, olive drab, oxford	Marine Corps Specification April 18, 1934, revised to March 10, 1942.	36½	30
12.00	Rubberized fabric	M 54	(*)	(*)
13.00	Black lining twill	27 L 6	(*)	(*)
14.00	Balloon cloth substitute	Specifications described in invitation Neg. 398.	(*)	(*)
15.00	8¼ oz. carded herringbone twill, standard 72 x 40	6-261 and amendment No. 1 thereto.	36	
15.01	Olive drab, shade No. 8			39.50
15.02	Olive drab, shade No. 7			44.00
16.00	Nylon parachute cloth [4]	AN-CCC-C-486a		
16.01	Cuts of 30 yards or more:			
16.02	Firsts		[5] 36–37	60.00
16.03	Seconds		36–37	50.00
16.04	Cuts of less than 30 yards:			
16.05	Firsts		36–37	55.25
16.06	Seconds		36–37	54.375

*The maximum prices and width bases for goods so marked shall be the price and width specified in the last contract therefor awarded to the particular seller prior to August 26, 1942, by a war procurement agency, as defined in § 1400.81 (a) (16) (i) of this regulation. If the particular seller was not awarded any such contract prior to August 26, 1942, then his maximum prices and width bases shall be the price and width specified in the first contract therefor awarded to the particular seller on or subsequent to August 26, 1942, by a war procurement agency.

[1] Where used in this Table, "slate grey" denotes the shade so designated by the Navy as of September 1, 1943.

[2] Maximum prices for widths less than 29" shall be proportional to the maximum prices of the Type C 29" twill. Maximum prices for widths more than 29" shall be proportional to the maximum prices of the Type D 32" twill.

[3] If nylon parachute cloth has been printed or dyed pursuant to a war procurement agency contract the seller may charge in addition to the price appearing in this table the actual cost of such printing or dyeing. As used herein the actual cost of printing or dyeing means the difference between (a) the cost incurred in finishing the cloth in colors or prints (b) and the cost which would have been incurred if the cloth had been finished in white. The provisions of § 1400.82 (r) (2) shall not apply to nylon parachute cloth. If nylon parachute cloth is redyed, reprinted, overprinted, or otherwise refinished, the maximum price for any resulting finished piece goods shall be determined as follows: (a) the applicable maximum price set forth in Table X shall be adjusted, in accordance with § 1400.82 (d) (2) or (4), to reflect the working gain or loss; (b) to the result obtained pursuant to (a) the seller may add: (1) the actual cost of the original dyeing or printing (as defined above) if dyed or printed pursuant to a war procurement agency contract, (2) the actual cost of transporting the goods to the finishing plant or an amount determined in accordance with § 1400.82 (c) (5) (ii), and (3) the actual cost of the refinishing. The maximum price so determined may not be increased by the use of any divisional factor otherwise than pursuant to § 1400.82 (i).

[4] For widths less than 36", a width of 36" shall be used in determining a proportionate price; for widths over 37", a width of 37" shall be used in determining a proportionate price.

[Table X as amended by Am. 13, 8 F.R. 12935, effective 9–27–43. Footnote 3 as amended by Am. 14, 8 F.R. 13906, effective 11–27–43]

(2) Unless an exception is expressly provided, the above maximum prices shall be discounted as follows:

[Subparagraph (2) as amended by Am. 13, 8 F.R. 12935, effective 9–27–43]

(i) If the finished piece goods are rejects which are not finishers' seconds and are:

30 yards and up, discount by 5%.
20 to 30 yards, discount by 20%.
10 to 20 yards, discount by 30%.

[Subparagraph (i) as amended by Am. 11, 8 F.R. 4851, effective 4–19–43]

(ii) If the finished piece goods are finishers' seconds which are not rejects, they shall be discounted by the appropriate percentages set forth in § 1400.82 (l) (1);

(iii) If the finished piece goods are finishers' seconds of rejects, they shall first be discounted by the appropriate percentages set forth in subdivision (i) of this subparagraph and then by the appropriate percentages set forth in § 1400.82 (l) (1).

(3) When used in this subparagraph, "rejects" means finished piece goods which are rejected by a war procurement agency because they are made from defective grey goods, or are classified by the producer as grey goods which are below the standard required by the specification referred to in Table X.

(4) The maximum prices established by subparagraphs (1) and (2) of this paragraph are subject to credit terms as set forth in paragraph (h) of this section.

[Paragraph (r) added by Am. 8, 7 F.R. 6653, effective 8–26–42; amended by Am. 9, 7 F.R. 9823, effective 12–1–42; Am. 10, 8 F.R. 3057, effective 3–16–43; and as otherwise noted]

(s) *Restrictions on sales of finished piece goods by certain producers.* (1) The percentage of the total business of any producer during any calendar year which is represented by dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers, or war procurement agencies shall be no greater in relation to his total business than the average percentage of such dollar sales during the years 1939, 1940, and 1941: *Provided*, That without regard to the foregoing a producer may:

(i) Honor a preference rating for goods to be exported; and

(ii) Through April 15, 1943, sell finished piece goods to any wholesaler, jobber, or converter-jobber who has certified in writing to such producer that during any 3-month period between July 1, 1943 and December 31, 1943, 65 per cent or more of his sales of finished piece goods were made to retailers and/or purchasers outside the continental United States.

[Subparagraph (1) amended by Am. 15, 8 F.R. 16797, effective 12–20–43; Am. 16, 9 F.R. 172, effective 1–8–44; and Am. 19, effective 3–7–44]

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to a producer:

(i) Whose total dollar sales of finished piece goods during the years 1939, 1940 and 1941 were greater than 50% of his aggregate dollar sales of grey and finished piece goods; or

(ii) Whose sales of finished piece goods consist solely of sales to a war procurement agency and of sales of rejects of such finished piece goods.

(3) Every producer selling finished piece goods shall, on or before April 15, 1943, file with the Office of Price Administration, Washington, D. C., his name, address, and a statement of whether or not he comes within the restrictions of this paragraph. Every producer who comes within the restrictions of this paragraph, shall retain for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records for each year after 1942 and such records as he has for each of the years 1939, 1940 and 1941 of his aggregate dollar sales of all grey and finished piece goods; his total dollar sales of finished piece goods; and his total dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers or war procurement agencies.

[Paragraph (s) added by Am. 9, 7 F.R. 9823, effective 12–1–42 and amended by Am. 10, 8 F.R. 3057, effective 3–16–43; and as otherwise noted]

(t) *"Designer-converters" of certain yarn dyed or stock dyed cotton finished piece goods.* (1) Any person selling yarn dyed or stock dyed carded cotton finished piece goods shall be regarded as a "designer-converter" as to those fabrics if he

(i) Is not the producer of the goods; and

(ii) Creates the style and supplies the producer with the design, pattern, construction and other specifications and is the person for whom the fabrics so styled are exclusively produced (devising slight or immaterial differences in color, pattern, construction or the like, from existing current styles, shall not be deemed style creation); and

(iii) Purchases such fabrics as are of first quality from the producer in full warp sets only; and

(iv) Customarily receives delivery of such fabrics from the producer in installments according to a contract providing a predetermined schedule of delivery.

(2) Any producer who himself styles and sells yarn dyed or stock dyed cotton finished piece goods of the type customarily styled and sold by designer-converters, shall also be regarded as a designer-converter as to those fabrics.

(3) All designer-converters may use the division factors provided in Tables III and IV of paragraph (g) of this section in computing their maximum prices for fabrics of the above type. All wholesalers or jobbers other than designer-converters, who sell such fabrics shall be subject to the provisions of § 1400.82 (l).

(4) *Registration of designer-converters.* (i) No designer-converter shall sell or deliver any fabrics of the above type under the provisions of this paragraph unless he shall have filed, with the Office of Price Administration, Washington, D. C., his name, address, and the certification referred to in subdivision (ii) or (iii) of this paragraph, and have received written acknowledgment that the certification is proper.

(ii) If the registrant is not the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by the certifications of the producers from whom he purchases such fabrics. The certifications shall list each of the qualifications for designer-converters under the provisions of subparagraph (1) of this paragraph and the producers shall certify that the registrant meets each of those qualifications.

(iii) If the registrant is the producer of the fabrics as to which he is a designer-converter, his registration shall be accompanied by his certification to the effect that he meets the qualifications for designer-converters under the provisions of subparagraph (2) of this paragraph.

[Paragraph (t) added by Am. 10, 8 F.R. 3057, effective 3–16–43]

(u) *Specific prices for moleskins and suedes*—(1) *Specific prices for moleskins.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i), the maximum prices for the following fabrics when sold to clothing manufacturers for use as work clothing shall be as set forth in Tables XI and XII of this paragraph:

TABLE XI—PLAIN MOLESKINS

Producer or converter	Grey goods construction	Finished cloth description	Finished cloth style	Color and color style designation	Dye	Cents per yard
Cone Export & Commission Company	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Drab 430, forest green 415, standard.	Sulphur	41.25
	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Navy 428, seal brown 430; black 441, high colors.	Sulphur	42.75
	40", 1.62 yards, 60 x 98	36", 9½ to 10 ounces	Greyfall	Dark brown 440, high color	Sulphur	44.75
	40", 1.42 yards, 60 x 110	36", 10¾ to 11¼ ounces	Grassmere	Drab 430, forest green 415, standard.	Sulphur	43.90
	40", 1.42 yards, 60 x 116	36", 10¾ to 11¼ ounces	Grassmere	Navy 428, seal brown 430; black 441, high colors.	Sulphur	45.40
	40", 1.42 yards, 60 x 116	36", 10¾ to 11¼ ounces	Grassmere	Dark brown 440, high color	Sulphur	49.40
Wellington Sears Co	52", 1.32 yards, 66 x 64, sateen	50", 11½ to 12 ounces, warp sateen.	s/606	Drab, brush brown, stahdard	Sulphur	46.60
	52", 1.32 yards, 66 x 64, sateen	50", 11½ to 12 ounces, warp sateen.	s/606	Dark seal, special tan; black, standard.	Sulphur	47.60

TABLE XII—BLACK AND WHITE MOLESKINS

Producer or converter	Grey goods construction	Finished goods construction	Finished cloth style	Cents per yard regular finish	Cents per yard reinforced finish
Cone Export & Commission Company	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	30" Homeric	30.75	34.50
	30", 1.60 yards, 98 x 44, twill	28", 9 to 9¼ ounces	30" Homeric	37.20	
	40", 1.60 yards, 54 x 72, sateen	38", 9½ to 10 ounces	36" Hawthorne	41.27	
	40", 1.42 yards, 60 x 116, moleskin	36", 10¾ to 11 ounces	36" Hobart	48.00	
J. L. Stifel & Sons, Inc	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	965/201 Whirlwind	30.75	34.50
	30", 1.90 yards, 54 x 72, sateen	30", 8 to 8½ ounces	360/101 Infallable	55.00	
	34½", 1.65 yards, 64 x 112, moleskin	30", 8¾ to 9¼ ounces	370/402 Ironclad	40.00	
Turner Halsey Co., Inc	32", 2.00 yards, 98 x 44, twill	30", 7½ to 7¾ ounces	#400 Range	30.75	34.50
	34", 1.90 yards, 54 x 72, sateen	30", 8 to 8½ ounces	#900 Range	35.00	
	34½", 1.65 yards, 64 x 112, moleskin	30", 8¾ to 9¼ ounces	#700 Range	40.00	

(2) *Specific prices for suedes.* On and after March 16, 1943, notwithstanding any of the provisions of §§ 1400.77 and 1400.82 except paragraph (i), the maximum prices for the following fabrics when sold to clothing manufacturers for use as work clothing shall be as set forth in Table XIII of this paragraph:

TABLE XIII—SHIRTING SUEDES 36" FINISHED WIDTH

Producer or converter	Grey goods construction	Finished cloth style designation	Color and color style designation	Cents per yard
Cone Export & Commission Company	40", 3.00 yards, 42 x 44	Opossum suede	Grey # 456	28.00
			Leather # 422	33.00
Eagle & Phoenix Mills	40", 2.82 yards, 46 x 39	Star suede	Navy # 458	34.50
			Grey # 18	28.00
			Leather # 40	33.00
			Navy # 48	24.50
Pepperell Manufacturing Co	40½", 3.00 yards, 42 x 44	Forrester suede	Grey # 101	23.00
			Leather # 201	25.00
			Navy # 309	24.00

(3) The maximum prices established by subparagraphs (1) and (2) shall apply to all contracts of sale entered into on or after March 16, 1943.

(4) For any moleskins which are not specifically set forth in subparagraph (1) of this paragraph and for any suedes sold to clothing manufacturers for use as work clothing which are not specifically set forth in subparagraph (2) of this paragraph, the maximum price shall be a price in line with [11] the maximum price established in those subparagraphs for the most nearly related type, construction, finish, color and dye. The seller shall make no sale or delivery based upon such price until he has submitted to the Office of Price Administration, Washington, D. C., the proposed price, a complete description of the specifications as set forth in Tables XI, XII, or XIII, whichever is applicable, and the way in which the price was calculated, and until the proposed price has been approved.

[Subparagraph (4) as amended by Am. 11, 8 F.R. 4851, effective 4–19–43]

[11] As used herein, the term "in line with" means (1) based upon and having a justifiable relationship to, and (2) appropriately increased or decreased to take account of differences in construction, finish, dye, color and such other material factors as, in sound cost determination, are considered to have a direct bearing on the cost of production of the respective fabrics.

(5) The maximum prices for moleskins and suedes included in this paragraph shall be subject to terms of three percent 10 days, f. o. b. mill.

[Paragraph (u) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(v) *Restrictions on sales of finished piece goods by certain cutters or manufacturers.* (1) After March 15, 1943, notwithstanding any of the provisions of Maximum Price Regulation No. 204,[*] no cutter or manufacturer may sell more than 1000 yards of finished piece goods during any calendar month, except that this restriction shall not apply:

[Subparagraph (1) as amended by Am. 11, 8 F.R. 4351, effective 4-19-43]

(i) To sales of finished piece goods to another cutter or manufacturer or to a retailer; or

(ii) To finished piece goods which the cutter or manufacturer has had in his possession for more than six months; or

(iii) Where a cutter or manufacturer who, as a separate and substantial portion of his business has regularly been engaged in wholesaling or jobbing, resells finished piece goods purchased exclusively for the purpose of resale and not for use in connection with his cutting or manufacturing operations.

[Paragraph (v) added by Am. 10, 8 F.R. 3057, effective 3-16-43]

(w) *Maximum price for finished piece goods produced from certain imported grey goods.* (1) Regardless of any contract, agreement, or other obligation the maximum price for finished piece goods which are produced from grey goods manufactured in a foreign country and imported into the continental United States by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, shall be the aggregate of the actual landed duty paid cost of the grey goods and the four items set forth in subparagraphs (2), (3), (4) and (5) of paragraph (a) of this § 1400.82, which sum may be divided by 0.935 but by no other division factor except in accordance with paragraph (h) of this section.

[Subparagraph (1) as amended by Am. 18, 9 F.R. 2087, effective 2-21-44]

(2) Every contract of sale or invoice for finished piece goods the maximum price for which is determined under this paragraph (w) shall contain in addition to the information set forth in paragraph (a) of § 1400.77 a statement that the maximum price is determined under subparagraph (w) of § 1400.82 of Maximum Price Regulation No. 127, and that no mark-up whatsoever over that price is permitted on any resale of the fabric.

(3) Every converter pricing finished piece goods under subparagraph (b) (3) (i) and (w) of this § 1400.82 shall on or before January 3, 1944, file a report of all commitments entered into prior to November 10, 1943, for the purchase of the imported grey goods with the Consumer Goods Division, Office of Price Administration, Washington, D. C. Such reports shall contain:

(i) Name and address of the converter.
(ii) Name and address of the foreign seller or his agent.
(iii) Nature of commitment and date thereof.
(iv) The total yardage involved in each commitment.
(v) A description of the grey goods sufficient to identify them in the sellers records maintained pursuant to § 1400.75 hereof.

[Paragraph (w) added by Am. 15, 8 F.R. 16797, effective 12-30-43]

§ 1400.83 *Temporary Maximum Price Regulation No. 10—Finished Piece Goods Made of Cotton, Rayon and Mixtures Thereof.* On the effective date provided in § 1400.84, this Maximum Price Regulation No. 127 replaces and revokes Temporary Maximum Price Regulation No. 10[1]—Finished Piece Goods Made of Cotton, Rayon and Mixtures thereof, issued by the Price Administrator. Until such date Temporary Maximum Price Regulation No. 10 remains in full force and effect as set forth in § 1400.12 thereof.

§ 1400.84 *Effective date.* This Maximum Price Regulation No. 127 (§§ 1400.71 to 1400.84, inclusive) shall become effective May 4, 1942. [Issued April 27, 1942]

§ 1400.85 *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3009; Filed, March 1, 1944; 4:25 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 46]

FOOD RATIONING FOR INSTITUTIONAL USERS

Correction

In F.R. Doc. 44-2222 appearing on page 1810 of the issue for Wednesday, February 16, 1944, the first word in sections 7.4, 7.5, and 7.6 should read "Computation" instead of "Commutation".

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 50]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5.1 (a) is amended by adding the following sentence at the end thereof: "An institutional user who was required to file the supplement to his registration (on OPA Form-R-1307 Supplement) and failed to do so, is not entitled to any allotments until he furnishes the information called for by that form."

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3007; Filed, March 1, 1944; 4:27 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 70]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. The headnote of § 1315.508 is amended to read as follows: "*Eligibility of wholesalers for allotments of Grade I tires and passenger-type tubes.*"

2. Section 1315.508 (a) (3) is hereby revoked.

3. Section 1315.508 (b) (1) is amended to read as follows:

(1) 200 Grade I tires for each establishment where the applicant will sell tires and tubes.

4. Section 1315.602 (d) (2) is amended by deleting the word "or" at the end thereof and the semicolon preceding it, and substituting a period therefor.

5. Section 1315.602 (d) (3) is hereby revoked.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3012; Filed, March 1, 1944; 4:28 p. m.]

PART 1340—FUEL

[MPR 88]

FUEL OIL, GASOLINE, LIQUEFIED PETROLEUM GAS, NAPHTHAS AND SOLVENTS

Correction

In F. R. Doc. 44-2187 of the document appearing on page 1783 of the issue for Wednesday, February 16, 1944, the first number under the column headed "Cents per gallon" in the table of section 2.11 (d) should read "6.125" instead of "5.875".

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[*] Revised; 8 F.R. 11376, 12795.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2004.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12489, 12557, 12403, 12744, 14472, 15488, 17486; 9 F.R. 401, 485, 602, 2212.

PART 1340—FUEL

[RMPR 122, Amdt. 19]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respect:

In § 1340.255 (a) (5), a new sentence is added to read as follows:

The maximum prices set forth in Maximum Price Regulation No. 112 for February 1944 shall be deemed by the dealer to be the supplier's maximum price until March 5, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3014; Filed, March 1, 1944; 4:28 p. m.]

PART 1389—APPAREL

[MPR 438,[1] Amdt. 4]

MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read June 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read June 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read June 11, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read June 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read June 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read June 1, 1944. The date March 1, 1944, in the third sentence of this provision is amended to read June 1, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3013; Filed, March 1, 1944; 4:26 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10503, 12712, 14012, 9 F.R. 172.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 15 to Rev. Supp. 1]

SAUSAGE AND PORK PRODUCTS; USE OF SPARE STAMP 4

Section 1407.3027 (e) (5) is added to read as follows:

(5) "Spare" stamp numbered "4" in War Ration Book Four, is good for five points. It may be used by consumers from March 1, 1944 to 12:01 a. m., March 5, 1944, only to acquire all types of sausage, and 100 percent pork products, except lard. It may be used by persons other than consumers in the same way as a five point brown stamp.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3010; Filed, March 1, 1944; 4:25 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 515, Amdt. 1]

SOYBEANS OF THE 1943 CROP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of this regulation is amended to read as follows:

This regulation shall become effective March 1, 1944, except that prior to September 30, 1944, the provisions of this regulation shall not apply to deliveries of soybeans of the 1943 crop made pursuant to contracts entered into on or before February 24, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 1, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3011; Filed, March 1, 1944; 4:25 p. m.]

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[1] 8 F.R. 16834, 16839, 16893, 17276, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2091, 2007.

PART 1316—COTTON TEXTILES

[RPS 35, Corr. to Amdt. 16[1]]

CARDED GREY AND COLORED-YARN COTTON GOODS

In § 1316.61 (c) (5) the table after the first paragraph is corrected by inserting as a sub-head the parenthetical phrase "(cents per yard)" in the column headed "Premium allowable" immediately after the second item and immediately above the first item reading "½".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3041; Filed, March 2, 1944; 11:30 a. m.]

PART 1340—FUEL

[MPR 510,[2] Correction]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

In section 1 (b) of the list of commodities set forth is corrected to read as follows:

Motor oils including aviation oils, stock oils (neutrals, bright stocks, steam refined and other stock oils), greases, industrial oils, petroleum sulphonates, petroleum coke (except when sold by resellers as fuel), mineral oil polymers, and any other fraction of crude petroleum which is sold as a source of any of the foregoing commodities, unless specifically excluded in the following paragraph.

This correction shall be effective March 8, 1944.

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3042; Filed, March 2, 1944; 11:30 a. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111,[3] Amdt. 12]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 111 is amended in the following respects:

1. Section 1370.4 (a) (2) is amended by deleting therefrom the words "in accordance with § 1370.7 (b) (1)."

2. Section 1370.4 (b) is amended by deleting therefrom the words "on the

[1] 8 F.R. 1963, 5806, 15906, 16744.

[2] 9 F.R. 1722.

[3] 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229, 6049, 7839, 8937; 8 F.R. 3252, 5634, 8600, 8678, 15581.

basis of a report to it in accordance with § 1370.7 (b) (2)."

3. Section 1370.12 (a) is amended by deleting therefrom the heading "1941 Models" which appears above the schedule of retail prices.

4. Section 1370.12 (a) is amended by adding to The Hoover Company's price list, the following maximum prices for vacuum cleaners and attachments:

Model	Description	Retail price
27	Floor type—Motor driven brush.	$57.50
2700	10 piece attachment set	16.70

5. Section 1370.12 (d) (2) is amended by deleting therefrom the words "after the submission to it of a report in accordance with § 1370.7 (b) (2)."

This amendment shall become effective on the 8th day of March 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3043; Filed, March 2, 1944; 11:30 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 15]

CORN MEAL IN THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. The table in § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period	Weight value of stamp
#6 February 14 to February 20, 1944	Book No. 1 Stamp No. 6	1 pound of corn meal.
#7 February 21 to February 27, 1944	Book No. 1 Stamp No. 7	1 pound of corn meal.
#8 February 28 to March 5, 1944	Book No. 1 Stamp No. 8	1 pound of corn meal.
#9 March 6 to March 12, 1944	Book No. 1 Stamp No. 9	1 pound of corn meal.
#10 March 13 to March 19, 1944	Book No. 1 Stamp No. 10	1 pound of corn meal.
#11 March 20 to March 26, 1944	Book No. 1 Stamp No. 11	1 pound of corn meal.
#12 March 27 to April 2, 1944	Book No. 1 Stamp No. 12	1 pound of corn meal.

NOTE: In the Municipality of St. Croix only, the weight value of Stamps No. 6 to 12 inclusive, shall be two pounds of corn meal.

2. In § 1407.704 (a), the numeral "8" is changed to read "4", and the numeral "12" is changed to read "8".

This amendment shall become effective February 14, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; WPB Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 8th day of February 1944.

NELSON H. NICHOLS, Jr.,
Acting Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3044; Filed, March 2, 1944; 11:31 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Restaurant MPR 9-1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, TERRITORY OF HAWAII

In the judgment of the Territorial Director for the Territory of Hawaii, the prices of food and beverages sold for immediate consumption in the Island of Oahu, Territory of Hawaii, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

In the judgment of the Territorial Director for the Territory of Hawaii, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the Territorial Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, as amended, the Territorial Director for the Territory of Hawaii hereby issues this Restaurant Maximum Price Regulation No. 9-1 establishing, in general, as maximum prices for food and drink sold for immediate consumption in the Island of Oahu, Territory of Hawaii, the prices prevailing therefor during the 14 day period beginning January 3, 1943, and ending January 16, 1943.

§ 1418.157 *Maximum prices for food and drink sold for immediate consumption in the Island of Oahu, Territory of Hawaii.* Under the authority vested in the Territorial Director for the Territory of Hawaii by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 39 issued by the Price Administrator, and Region IX Delegation Order No. 1 issued by the Regional Administrator for Region IX, Restaurant Maximum Price Regulation No. 9-1 (Food and Drink Sold for Immediate Consumption in the Island of Oahu, Territory of Hawaii), which is annexed hereto and made a part hereof, is issued.

AUTHORITY: § 1418.157 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; General Order 39, 7 F.R. 10500; Region IX Delegation Order No. 1, 9 F.R. 710.

RESTAURANT MAXIMUM PRICE REGULATION NO. 9-1—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, TERRITORY OF HAWAII

CONTENTS

Sec.
1. Sales at higher than ceiling prices prohibited.
2. How you figure your ceiling prices for food items and meals if you operated during the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943.
3. How you figure ceiling prices if you were not in operation in the 14 day period but are in operation on the effective date of this regulation.
4. Rules for new proprietors.
5. How you figure your ceiling price if you operate a boarding house.
6. Substitution of food items in meals.
7. Classes of food items and meals.
8. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item, or meal of the same class, in the base period.
9. Prohibition against discontinuing meals at certain prices.
10. Evasion.
11. Records.
12. Posting.
13. Operation of several places.
14. Relation to other maximum price regulations.
15. Definitions and explanations.
16. Exempt sales.
17. Special orders.
18. Petitions for amendment or applications for adjustment.
19. Licensing.
20. Enforcement.
21. Geographical application.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, delicatessen, soda fountain, boarding house or any other eating or drinking place you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price fixed by the next five sections. (Sections 2, 3, 4, 5 and 6).

SEC. 2. *How you figure your ceiling prices for food items and meals if you operated during the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943—(a) How you figure ceiling prices for food items and meals you offered in the 14 day period.* (1) Your ceiling price for any food item or meal which you offered

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017.

in the 14 day period beginning January 3, 1943, and ending Saturday, January 15, 1943, is the highest price at which you offered the same food item or meal of the same class in that period.

(b) *How you figure ceiling prices for food items and meals you did not offer in the 14 day period.* You must figure your ceiling price for a food item or meal which you did not offer in the 14 day period as follows:

(1) Choose from the food items or meals for which a ceiling price has already been fixed the food item, or meal of the same class, which is most similar to the food item or meal you are pricing; and

(2) Figure a price "in line" with the ceiling price for the most similar item, or meal of the same class. The price is "in line" if the customer receives as much value for his money from the one item or meal as from the other, even though the two prices may be different. In comparing values, quality, size of portions, and the margin over food costs are the things that count.

(3) If no meals of the same class were offered during the 14 day period, then you are considered as not having been in operation with respect to such meal.

(c) *Reports of similar food items and meals priced under paragraph (b) above.* Any person fixing a ceiling price under paragraph (b), above, shall report the ceiling price as computed by him to the Office of Price Administration, Iolani Palace, Honolulu, T. H., within seven days after such food item or meal was first offered for sale. The report shall contain the name and address of the seller; a description and the ceiling price of the food item or meal offered for sale; and a description and the ceiling price for the food item or meal used for comparison purposes. The new price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

SEC. 3. *How you figure ceiling prices if you were not in operation in the 14 day period but are in operation on the effective date of this regulation.* (a) If you opened any type of eating or drinking place between January 17, 1943, and January 10, 1944, the effective date of this regulation, you fix your ceiling prices by applying section 2, above, except that you must substitute your first 14 days of operation as your base period instead of the base period listed in that section: *Provided, however,* That your ceiling prices established under this paragraph may not be higher than the general level of ceiling prices established under section 2. You must comply with the reporting provisions of that section.

SEC. 4. *Rules for new proprietors.* (a) If you acquire another's business and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor.

(b) If you open an eating or drinking place after January 10, 1944, the effective date of this regulation, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. Then, you must report these ceiling prices to the Office of Price Administration, Iolani Palace, Honolulu, T. H., at least seven days before the time you propose to commence operations. The report shall contain your name and address; a description of the food items or meals to be offered for sale, and the ceiling prices thereof; the name and address of the nearest eating or drinking place of the same type as yours; a description of the food items or meals used for comparison purposes, and the ceiling price thereof. These prices shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. You are subject to the record requirements of section 11 below (in so far as applicable) and the posting requirements of section 12 below, immediately upon the opening of your place of business.

SEC. 5. *How you figure your ceiling price if you operate a boarding house.* (a) If you operate a boarding house, your ceiling price for the meals which you serve is the highest price (on the same fixed plan basis) at which you offered the same or similar meals during November 1943. New boarding houses beginning operation after the effective date of this regulation establish their ceiling prices under section 4 above.

(b) If you operate a boarding house which is licensed under section 2475 of Revised Laws of Hawaii, 1935, you must comply with the record requirements of section 11, below. Unlicensed boarding houses need not comply with such record requirements. No boarding house need comply with the posting requirements of section 12, below.

(c) If you operate a hotel on the American Plan basis, you may make application to the Office of Price Administration, Iolani Palace, Honolulu, T. H., for permission to figure your ceiling prices on the basis of paragraph (a) above.

SEC. 6. *Substitution of food items in meals.* After you have determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces.

SEC. 7. *Classes of food items and meals.* (See definitions of "food item" and "meal" contained in paragraph 15, below.)

(a) *The classes of food items.*

BREAKFAST ITEMS

(1) Fruits, fruit juices and vegetable juices.
(2) Cereals.
(3) Entrees: egg and combination egg dishes served at breakfast.
(4) Entrees: meat and meat combination, and meat and egg combination dishes served at breakfast.
(5) Entrees: all other dishes served at breakfast.
(6) Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
(7) All other breakfast dishes including jams, jellies and preserves.

OTHER ITEMS

(8) Appetizers, including cocktails.
(9) Soups, including soups in jelly.
(10) Beef; steaks and roasts.
(11) Veal; steaks, chops and roasts.
(12) Pork; loin, chops, steaks, roasts.
(13) Lamb or mutton; chops, roasts.
(14) Poultry and fowl.
(15) Fish and shell-fish.
(16) Game.
(17) Miscellaneous and variety meats, including liver and kidneys.
(18) Prepared dishes such as stews, casseroles, ragouts, curries, etc.
(19) Egg and cheese dishes and combinations thereof.
(20) All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
(21) Vegetables, including potatoes.
(22) Salads (except when served as a main course or appetizer course in a meal).
(23) Desserts: cakes, cookies, pies, pastries and other baked goods.
(24) Desserts: ice cream, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
(25) Desserts: all others, including fruits, puddings and cheese.
(26) Cold sandwiches, including garnishings, salads and vegetables.
(27) Hot sandwiches, including garnishings, salads and vegetables.
(28) All other food items served in a meal including mints and preserves.
(29) Beverage foods, including coffee, cocoa, chocolate, tea and milk.
(30) Non-alcoholic beverages, including sparkling and mineral waters.

(b) *Classes of meals.* For purposes of this section there shall be 6 classes of meals, namely, breakfast, lunch and dinner during week days, and breakfast, lunch and dinner on Sundays.

SEC. 8. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item, or meal of the same class, in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal than your highest ceiling price for food items or meals of the same class, offered in the 14 day period beginning January 3, 1943, and ending January 16, 1943, (or in your applicable base period), except that any proprietor who has customarily in the regular course of his business charged higher prices for meals or food items, (including beverages), on any one or more of the following holidays: namely, New Year's Day, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas, and New Year's Eve, may continue to charge such higher prices on such holidays not, however, to exceed an increase of 30 percent above his regular Sunday price.

Example 1. If you figured an "in line" price for a new week-day dinner at $1.25, and your highest ceiling price in the week-day dinner class is $1.00, your ceiling price for the new dinner is $1.00.

Example 2. If your highest ceiling price for any soup offered by you during the base period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

SEC. 9. *Prohibition against discontinuing meals at certain prices.* You must not now discontinue offering meals at prices comparable to those charged by you in your base period, if by your doing so your

customers would actually have to pay more than they did in that period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during your base period, and unless

(b) You continue to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day that you select in your base period, as you did on that day.

Note that Sunday meals and week-day meals are meals of a different class.

Example. If you select Friday, January 8, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each of 90¢, $1.00, $1.10 and $1.15, you must continue to offer two week-day dinners at 85¢.

SEC. 10. *Evasion.* You must not evade the provisions of this regulation by any scheme or device, including:

(a) Deteriorating quality or reducing quantity without making appropriate reductions in price. However, you may make such changes in your customary practices with regard to the quality and quantity of food furnished, and types of meals served as may be necessitated by genuine emergencies, without reducing your ceiling prices. A situation may be regarded as a genuine emergency when you cannot reasonably be expected to have foreseen and prepared against its consequences;

(b) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(c) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in your base period;

(d) Refusing to sell a combination of food items as meals if such meals were offered in your base period, and the items making up the combination are being offered separately.

(e) You will not be considered evading the provisions of this regulation, however, if you limit your customers to one pat of butter per meal.

SEC. 11. *Records*—(a) *Filing of price list.* On or before January 17, 1944, any person (except operators of certain boarding houses—see section 5, above) subject to this regulation must file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a list showing a description of all food items (including beverages) and meals of the same class, which were offered for sale at his place of business during the applicable base period and the highest price charged during that period therefor. In addition, boarding houses required to fill their ceiling prices must also show their January 3–January 16, 1943, prices, if available, on the list they file. The list so filed shall be signed by the proprietor or one of his responsible officers or employees.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales, including a copy of each menu used by you during your base period. You must continue to maintain such records as you ordinarily used as well as those required under section 12 (b), below. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of base period.* You must make available for examination by any person during your ordinary business hours a copy of the price list filed by you with the Office of Price Administration under paragraph (a) above.

SEC. 12. *Posting.* (a) Beginning January 10, 1944, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed hereon are at or below our OPA ceiling prices.

(b) You must make available to customers menus showing your prices for all food items or meals which you offer for sale.

(c) A sign containing such prices and statement posted in a conspicuous place in your place of business and which is easily readable by your customers, will satisfy the requirements of paragraphs (a) and (b), above.

SEC. 13. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 14. *Relation to other maximum price regulations.* The provisions of this regulation shall not apply to any sale for which a maximum price is established by Maximum Price Regulation No. 373, the General Maximum Price Regulation for the Territory of Hawaii, or by any other regulation or order, now or hereafter issued, by the Office of Price Administration.

SEC. 15. *Definitions and explanations.* (a) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples for such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(b) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(c) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(d) "Eating or drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold except those places which are specifically exempted in paragraph 16, below.

(e) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation for Hawaii, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday School and other religious occasions.

(b) Eating and drinking places operated by the Office of Civilian Defense.

(c) Public and private hospitals.

(d) Eating and drinking places operated by a school, college, university or other educational institution.

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholders, or individual, and

(1) The net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization; or

(2) It sells food items and meals only served primarily on a non-profit basis to members of the Armed Forces.

(f) Eating cooperatives formed by officers in the Armed Forces (as for example, Officers' Mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(g) Bona fide private clubs which file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a mere nominal amount (the amount of dues paid by each class of members and the period covered by such dues should be indicated) and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club. Five days after filing such information or earlier if so notified by the Territorial Director, a private club may consider itself exempt unless and until it is otherwise notified by the Territorial Director. Any club which, subsequent to such filing, changes its operations with respect to any of the requirements stated above shall immediately notify the Office of Price Administration, Iolani Palace, Honolulu, T. H., accordingly. Any club which sells food items or meals to persons other than members and bona fide guests of members is subject to this regulation with respect to all sales.

SEC. 17. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the adjustment of the maximum price of any food item or items or meal or meals sold or offered for sale by any seller or sellers when, in the judgment of the Territorial Director, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

SEC. 18. *Petitions for amendment or applications for adjustment*—(a) *Petition for amendment.* You may petition for an amendment of any provision of this regulation by proceeding in accordance with Revised Procedural Regulation No. 1 [1] except that the petition shall be filed with and acted upon by the Territorial Director for the Territory of Hawaii.

(b) *Application for adjustment.* You may apply for an adjustment of the ceiling prices established by this regulation by proceeding in accordance with Procedural Regulation No. 7.[2]

SEC. 19. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Under Licensing Order No. 1, a license is automatically granted without application by the seller.

SEC. 20. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended, and to administrative suspension order proceedings under any applicable rationing orders and Procedural Regulation No. 4.[4]

SEC. 21. *Geographical application.* This regulation applies to the Island of Oahu, Territory of Hawaii.

This regulation shall become effective as of January 10, 1944.

NOTE: The reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 5681; General Order 39, 7 F.R. 10500; Region IX Delegation Order No. 1, 9 F.R. 710)

Issued this 28th day of December 1943.

MELVIN C. ROBBINS,
Territorial Director for the Territory of Hawaii.

[F. R. Doc. 44-3048; Filed, March 2, 1944; 11:31 a. m.]

[1] 7 F.R. 8961; 8 F.R. 3913, 3538, 6173, 11906; 9 F.R. 1594.
[2] 7 F.R. 4779; 8 F.R. 970, 5842, 6174.
[3] 8 F.R. 13240.
[4] 8 F.R. 1744, 2035, 6424, 10085; 9 F.R. 1594.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 99]

RAILWAY SIGNAL TRACK TORPEDOES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.22 is added to read as follows:

SEC. 4.22 *Railway signal track torpedoes.* The maximum price on sales of railway signal track torpedoes of the type hereinafter described shall be $4.00 per gross f. o. b. seller's shipping point or the seller's maximum price otherwise established under the General Maximum Price Regulation, whichever is higher.

This section applies to a railway signal track torpedo which meets the specifications of the Association of American Railroads and is narrow-shaped, one-piece, multifold-jacketed, aluminum or lead foil type containing a soft dry load packed in a waterproof and steamproof kraft paper cartridge case.

This amendment shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3046; Filed, March 2, 1944; 11:30 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

HEALTH REQUIREMENTS FOR REINSTATEMENT

§ 10.3423 *Health requirements.* National Service Life Insurance may be reinstated if application and tender of premiums are made:

(a) While the insured is in the active service, provided applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. If application and tender of premiums are made within six months after the date of separation from active service or on or before August 31, 1944, insurance may be reinstated subject to the conditions herein prescribed for reinstatement by persons in the active service: *Provided*, That when the insured makes inquiry prior to the expiration of the grace period disclosing a clear intent to continue insurance protection, such as a request for information concerning premium rates or conversion privileges, etc., an additional reasonable period not exceeding sixty days may be granted for payment of premiums due without the requirement of a comparative health statement; but the premiums in any such case must be paid during the lifetime of the insured: *Provided further*, That reinstatement under this subparagraph shall be restricted to applications submitted not more than six months after the termination of the present war.

(b) After expiration of the period mentioned in paragraph (a) hereof provided applicant is in good health on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans' Affairs. (February 26, 1944.) [54 Stat. 1012; 38 U.S.C. 808]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44-3059; Filed, March 2, 1944; 12:09 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 93, Amdt. 3]

PART 95—CAR SERVICE

GIANT TYPE REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of February, A. D. 1944.

Upon further consideration of Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended, (8 F.R. 13752; 8 F.R. 13925), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended, (8 F.R. 13752; 8 F.R. 13925), be, and it is hereby, further amended to read as follows:

§ 95.301 *Giant type refrigerator cars.* (a) On and after 12:01 a. m., March 2, 1944, and until further order of the Commission, common carriers by railroad subject to the Interstate Commerce Act serving points in Arizona and California, shall furnish without regard to ownership for loading with commodities, in carloads, suitable for transportation in refrigerator cars, and shall accept and transport such commodities in giant type refrigerator cars as defined in paragraph (b) hereof, at the freight rates applicable on the same commodities when loaded in standard refrigerator cars (cars with inside length between bulkheads—loading

customers would actually have to pay more than they did in that period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during your base period, and unless

(b) You continue to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day that you select in your base period, as you did on that day.

Note that Sunday meals and week-day meals are meals of a different class.

Example. If you select Friday, January 8, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each of 90¢, $1.00, $1.10 and $1.15, you must continue to offer two week-day dinners at 85¢.

SEC. 10. *Evasion.* You must not evade the provisions of this regulation by any scheme or device, including:

(a) Deteriorating quality or reducing quantity without making appropriate reductions in price. However, you may make such changes in your customary practices with regard to the quality and quantity of food furnished, and types of meals served as may be necessitated by genuine emergencies, without reducing your ceiling prices. A situation may be regarded as a genuine emergency when you cannot reasonably be expected to have foreseen and prepared against its consequences;

(b) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(c) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in your base period;

(d) Refusing to sell a combination of food items as meals if such meals were offered in your base period, and the items making up the combination are being offered separately.

(e) You will not be considered evading the provisions of this regulation, however, if you limit your customers to one pat of butter per meal.

SEC. 11. *Records*—(a) *Filing of price list.* On or before January 17, 1944, any person (except operators of certain boarding houses—see section 5, above) subject to this regulation must file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a list showing a description of all food items (including

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales, including a copy of each menu used by you during your base period. You must continue to maintain such records as you ordinarily used as well as those required under section 12 (b), below. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of base period.* You must make available for examination by any person during your ordinary business hours a copy of the price list filed by you with the Office of Price Administration under paragraph (a) above.

SEC. 12. *Posting.* (a) Beginning January 10, 1944, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed hereon are at or below our OPA ceiling prices.

(b) You must make available to customers menus showing your prices for all food items or meals which you offer for sale.

(c) A sign containing such prices and statement posted in a conspicuous place in your place of business and which is easily readable by your customers, will satisfy the requirements of paragraphs (a) and (b), above.

SEC. 13. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 14. *Relation to other maximum price regulations.* The provisions of this regulation shall not apply to any sale for which a maximum price is established by Maximum Price Regulation No. 373, the General Maximum Price Regulation for the Territory of Hawaii, or by any other regulation or order, now or hereafter issued, by the Office of Price Administration.

SEC. 15. *Definitions and explanations.* (a) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples for such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(b) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(c) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional prepa-

(e) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation for Hawaii, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday School and other religious occasions.

(b) Eating and drinking places operated by the Office of Civilian Defense.

(c) Public and private hospitals.

(d) Eating and drinking places operated by a school, college, university or other educational institution.

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholders, or individual, and

(1) The net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization; or

(2) It sells food items and meals only served primarily on a non-profit basis to members of the Armed Forces.

(f) Eating cooperatives formed by officers in the Armed Forces (as for example, Officers' Mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(g) Bona fide private clubs which file with the Office of Price Administration, Iolani Palace, Honolulu, T. H., a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a mere nominal amount (the amount of dues paid by each class of members and the period covered by such dues should be indicated) and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club.

space—of less than 37 feet 6 inches), *Provided*, That commodities loaded in the giant type of refrigerator cars shall be loaded at least 20 percent heavier than the tariff minimum carload weight on the same commodity in standard refrigerator cars.

(b) For the purpose of this order, the term "giant refrigerator cars" is defined as refrigerator cars (1) with inside measurement between bulkheads (loading space) of not less than 37 feet 6 inches, and (2) convertible refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37 feet 6 inches with bulkheads in place and in excess of 37 feet 6 inches with bulkheads collapsed. The provisions of this order shall not be construed to include the following cars: SFRD refrigerator cars in series numbers 5000 to 5069 inclusive; PFE refrigerator cars in series numbers 200001 to 200125 inclusive; BRE refrigerator cars in series numbers 300 to 329 inclusive; WPE refrigerator cars in series numbers 400 to 499 inclusive; FGE refrigerator cars in series numbers 600 to 609 inclusive; URT refrigerator cars in series numbers 3000 to 3399 inclusive and 89000 to 89049 inclusive.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of paragraphs (a) and (b) of this section is hereby suspended.

(d) *Announcement of suspension.* Each railroad or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9) (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions above set forth. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3019; Filed, March 2, 1944; 10:33 a. m.]

Subchapter C—Water Carriers

PART 302—LIST OF FORMS

APPLICATIONS TO CONTINUE CERTAIN FORMERLY EXEMPTED OPERATIONS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 2nd day of February, A. D. 1944.

The matter of applications for certificates by common carriers by water and permits by contract carriers by water made pursuant to the provisions of section 303 (1), Part III of the Interstate Commerce Act, by common and contract carriers by water, being under consideration:

It is ordered, That the following regulations be issued to continue in effect until the further order of the Commission:

§ 302.8 *Applications under section 303 (1) for authority to continue formerly exempted operations*—(a) *Form of application.* Applications under section 303 (1) of the Interstate Commerce Act for a certificate of public convenience and necessity or a permit authorizing operation as a common or contract carrier in interstate or foreign commerce subject to part III of the act shall be in the form (BWC 8) attached hereto and made a part hereof,[1] and shall contain the information called for in accordance with the instructions attached hereto and made a part hereof.

(b) *Filing of application.* The verified original application and five additional true copies thereof shall be filed with the Interstate Commerce Commission.

(c) *Service of application.* A true copy of the application shall be served, in person or by mail, upon the Governor of each State in which applicant is engaged as a common or contract carrier by water.

(d) *Notice of the filing of application.* Notice of the filing of the application shall be in the form attached hereto (Form BWC 5), and shall be delivered in person or sent by mail to each known water-line competitor in the same trade route or routes. (Secs. 303 (1) and 309, 54 Stat. 933, 941; 49 U. S. C. 903 (1), 909.)

By the Commission, Division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3020; Filed, March 2, 1944; 10:33 a. m.]

[1] Form filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-24]

BARR COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the mining companies listed in Appendix A have entered into wage agreements with their employees in conformity with a basic wage agreement between the Progressive Mine Workers of America and certain Illinois producers, heretofore approved by the National War Labor Board, and that there no longer exist any work stoppages or threats of work stoppages because of labor disputes at said mines. Based upon such advice, and after consideration of all the circumstances, I find that possession by the Government of the mines of such mining companies is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession as provided in section 40 of the regulations for the operation of Coal Mines under Government Control as amended (8 F. R. 6855, 10712, 11344, 17339), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 1, 1944.

APPENDIX A

Name of Mining Company and Address

1. Barr Coal Co., Athens, Ill.
2. Deer Creek Mine, Lincoln Theatre Bldg., Lincoln, Ill.
3. Smith Coal Co., Marissa, Ill.
4. Sugar Loaf Coal Corporation, R. R. No. 2, Collinsville, Ill.
5. Treasure Coal Co., Garfield Ave., Bartonville, Ill.

[F. R. Doc. 44-3021; Filed, March 2, 1944; 10:48 a. m.]

FEDERAL FARM MORTGAGE CORPORATION.

3¼ PERCENT BONDS OF 1944–64 AND 3 PERCENT BONDS OF 1944–49

NOTICE OF CALL FOR REDEMPTION

Public notice is hereby given that the Federal Farm Mortgage Corporation has called for redemption on March 15, 1944, all its outstanding 3¼ percent bonds of 1944–64. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after March 15, 1944.

Public notice is also hereby given that the Federal Farm Mortgage Corporation has called for redemption on May 15, 1944, all its outstanding 3 percent bonds of 1944–49. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after May 15, 1944.

The presentation and surrender of bonds of these two issues will be governed by the provisions of Treasury Department Circular No. 666, dated July 21, 1941.

An offering of interest bearing obligations of the United States will be made available to holders of bonds of these two issues, concerning which public announcement will be made by the Secretary of the Treasury.

FEDERAL FARM MORTGAGE CORPORATION,
By HARRIS E. WILLINGHAM,
Executive Vice President.

MARCH 2, 1944.

Attest:
GEORGE H. THOMAS,
Secretary.

Approved:
H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-3055; Filed, March 2, 1944; 11:45 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-523; G-529]

GODFREY L. CABOT, INC., AND CABOT GAS CORP.

ORDER POSTPONING DATE AND CHANGING PLACE OF HEARING

MARCH 1, 1944.

It appears to the Commission that:

(a) By orders dated February 2, 1944, and February 22, 1944, the Commission directed that a hearing in the above-entitled consolidated proceedings be held at Washington, D. C., commencing March 7, 1944.

(b) The New York Public Service Commission has heretofore scheduled hearings in its Cases 11410 and 11416 concerning proposed increased rates for the sale of natural gas by Cabot Gas Corporation to Pavilion Natural Gas Company.

(c) By a letter of February 19, 1944, and a telegram of February 21, 1944, counsel for the Cabot companies requested that the hearing in the above-docketed matters be postponed, that the place of hearing be changed to New York City, and that a concurrent hearing be held with the New York Public Service Commission.

(d) By a letter of February 23, 1944, the Chairman of this Commission invited the New York Public Service Commission to hold a joint or concurrent hearing in these matters. By telegrams of February 28 and 29, 1944, the New York Commission suggested that concurrent hearings be held commencing 2 p. m., March 20, 1944, at 233 Broadway, Room 876, New York City.

The Commission orders that:

(A) The hearing heretofore ordered to be held in these matters commencing March 7, 1944, at Washington, D. C., be and it is hereby postponed to commence at 2:00 p. m., March 20, 1944, and the place of hearing is hereby changed to 233 Broadway, Room 876, New York, New York.

(B) The representative designated by the Commission to preside at such hearing is authorized (1) to conduct the hearing in the above-docketed matters concurrently with the hearing of the New York Public Service Commission and to work out with the representative of that Commission the best method of procedure for the conduct of the concurrent hearings; and (2) to hold such other and further hearings, if such be necessary, to complete the record for the purposes of a final determination of the matters involved and the issues presented in these dockets.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3052; Filed, March 2, 1944; 11:48 a. m.]

HOME OWNERS' LOAN CORPORATION.

3 PERCENT BONDS, SERIES A

NOTICE OF CALL FOR REDEMPTION BEFORE MATURITY

To Holders of Home Owners' Loan Corporation 3 Percent Bonds, Series A, and Others Concerned:

Public notice is hereby given that all outstanding Home Owners' Loan Corporation 3 percent bonds of Series A, 1944–52, dated May 1, 1934, each and every number of all denominations, are hereby called for redemption on May 1, 1944, and will cease to bear interest on that date.

An offering of interest-bearing obligations of the United States will be made available to holders of the bonds now called for redemption, concerning which public announcement will be made by the Secretary of the Treasury.

Full information regarding the presentation and surrender of such Home Owners' Loan Corporation 3 percent bonds of Series A for redemption on May 1, 1944, is contained in United States Treasury Department Circular No. 666 relating to payment or redemption of securities.

(Sec. 4 (c) of the HOL Act of 1933, 48 Stat. 129, as amended by secs. 1 (a), 2, 3, 4, 13 of the Act of April 27, 1934, 48 Stat. 643, 644, 645, 647, secs. 506 (a), (b), 508 (b) of the Act of June 27, 1934, 48 Stat. 1263, 1264, sec. 11 of the Act of May 28, 1935, 49 Stat. 296; 12 U.S.C. 1463; E.O. 9070, 7 F.R. 1529.)

[SEAL] HOME OWNERS' LOAN CORPORATION.
JOHN H. FAHEY,
Federal Home Loan Bank Commissioner.

MARCH 2, 1944.

Approved:
H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-3053; Filed, March 2, 1944; 11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 161, Order 42]

BARRETT BROTHERS, ET AL.

OVERTIME ADDITIONS

Order No. 42 under § 1381.156 of Revised Maximum Price Regulation No. 161. West coast logs.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered:

(a) *New authorizations.* The following persons being on a 48 hour week, may add to the maximum prices of all logs produced and sold by them $1.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address and Effective Date

Barrett Brothers, Concrete, Wash., January 1, 1944.
Bridges Logging Company, Grayland, Wash., January 1, 1944.
Ebsen Logging Company, Jewell, Oreg., February 1, 1944.
Fisher Logging Company, Portland, Oreg., January 1, 1944.
Harriman Logging Company, Portland, Oreg., January 12, 1944.
Jacobson and Guss Log Co., Markham, Wash., January 1, 1944.
Andrew Lagler, Nehalem, Oreg., January 17, 1944.
Mountain Lumber Company, Tacoma, Wash., January 24, 1944.
St. Regis Paper Company, Tacoma, Wash., January 1, 1944.
Scott Lumber Company, Culp Creek, Oreg., February 1, 1944.
Soundview Pulp Company, Everett, Wash., January 15, 1944.
Troxel Logging Company, Springfield, Oreg., January 25, 1944.

(b) *Change of status.* The following persons who have been heretofore authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the dates indicated:

Name; Address; New Number, Hours and Additions; and Effective Date

Elmer E. Watters, Lebanon, Oreg.; .48 to $1.00; November 1, 1943.

(c) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated.

Name, Address and Effective Date

Cascadia Lumber Company, Inc., Portland, Oreg., December 31, 1943.
Clearwater Logging Company, Clearwater, Wash., December 31, 1943.
Tom Coston, Morton, Wash., December 30, 1943.
Cox and Haller, Pe Ell, Wash., December, 31, 1943.
John Carstensen, Grayland, Wash., December 31, 1943.
Drake Logging Company, Bellingham, Wash., December 31, 1943.
Charles F. DeGuire, Silverton, Oreg., December 31, 1943.
Ole Gulseth, Darrington, Wash., December 31, 1943.
H. B. Stafford and Sons, Springfield, Oreg., December 31, 1943.

Whitcomb and Strbets, Raymond, Wash., December 31, 1943.
L. E. Jensen, Raymond, Wash., December 31, 1943.
J. Jacobin Company, Hamilton, Wash., January 18, 1944.
Olympia Wood Preserving Co., Inc., Olympia, Wash., January 1, 1944.
West Fork Logging Company, Tacoma, Wash., December 31, 1943.
Robert Simpson, Castle Rock, Wash., December 20, 1943.
Frank R. Henry, Forks, Wash., December 31, 1943.
Ramsey and Wright, Fort Orchard, Wash., December 1, 1943.
Stone Logging & Contract Co., Inc., Tillamook, Oreg., December 31, 1943.

(d) Sundown Logging Company, Yelm, Washington, a contract logger, is permitted to add $1.00 per thousand feet log scale, to its contract logging maximum price, effective from October 20, 1943, until January 11, 1944.

Issued and effective this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3004; Filed, March 1, 1944; 4:26 p. m.]

[MPR 220, Order 1]

CERTAIN RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-2107 appearing on page 1733 of the issue for Tuesday, February 15, 1944, the eighth line of paragraph (a) should read: "Administration changing the applicable".

[MPR 381, Order 1]

WOOD EXTENSION WINDOW SCREENS

ADJUSTABLE PRICING

Order No. 1 under section 6 (d) of Maximum Price Regulation No. 381. Stock screen goods.

Petitions have been filed for the establishment of maximum prices for certain sizes of wood extension window screens made with 16 mesh galvanized wire and for certain sizes made of 16 mesh black wire for which no prices are established by any maximum price regulation. These petitions were filed because WPB Limitation Order L-303 prohibits the use of 12 and 14 mesh galvanized wire in wood extension window screens, which have previously been used for all sizes and allows the use of only 12 mesh black wire, 16 mesh black wire and 16 mesh galvanized wire, and because Table 7 of MPR 381 does not provide maximum prices for many of the sizes of wood extension window screens in which 16 mesh galvanized wire is now being used nor for any sizes made with 16 mesh black wire. Prices for the sizes of extension window screens listed below will be established by a forthcoming amendment to MPR 381, but it is necessary to allow shipment of these sizes prior to the issuance of that amendment, especially to the West Coast in order to meet rapidly approaching Spring requirements. Due to the extensive building on the West Coast of war housing projects, in which wood extension window screens are widely used, the requirement for these products today is four times greater than it was a year ago.

It has been shown that authorization to use open billing pending action on the petitions is necessary to provide production and distribution of wood extension window screens made with 16 mesh galvanized wire and with 16 mesh black wire, and that the granting of such authorization will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 6 (d) of MPR 381, Stock Screen Goods, *It is ordered:*

(a) Persons subject to MPR 381, Stock Screen Goods, may sell, deliver, buy, and receive wood extension window screens, made with 16 mesh galvanized wire or with 16 mesh black wire in the sizes listed below, at or below prices to be established after date of delivery by the Office of Price Administration and prior to May 1, 1944.

(1) This order covers the following sizes of wood extension window screens made with either 16 mesh galvanized wire or with 16 mesh black wire:

Number	Height of the screen	Widest width of the screen	Number	Height of the screen	Widest width of the screen
	Inches	*Inches*		*Inches*	*Inches*
933	8	33	1545	15	45
937	9	37	1837	18	37
1033	10	33	1845	18	45
1237	12	37	1860	18	60
1245	12	45	2233	22	33
1537	15	37	2445	24	45

(2) This order also covers the following sizes of wood extension window screens made with 16 mesh black screen wire *only*.

Number	Height of the screen	Widest width of the screen	Number	Height of the screen	Widest width of the screen
	Inches	*Inches*		*Inches*	*Inches*
1233	12	33	2837	28	37
1533	15	33	3037	30	37
1833	18	33	3045	30	45
2433	24	33	3637	36	37
2437	24	37			

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for the sizes listed above of wood extension window screens made with 16 mesh galvanized wire or with 16 mesh black wire. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 1, 1944.

Issued this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3006; Filed, March 1, 1944; 4:28 p. m.]

Regional and District Office Orders.

[Region I Order G-6 Under RMPR 122, Amdt. 4]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 4 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, Hartford, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (d) is amended to read as follows:

(d) *Specifications and applicability of maximum prices.* (1) The maximum prices set forth in the Table of Prices in paragraph (a) shall apply only to bituminous coal meeting the following minimum specifications and produced in Producing Districts 1 and 3:

(1) "Screened Lump"—bituminous coal which has been passed over screens with two (2) inch or larger openings, or which has been forked from a bin or storage pile with forks the tines of which are not less than two (2) inches apart, in the dealer's yard or storage facilities.

(2) "Run-of-mine" means the whole product of the mine from which no part of the coal which has passed over a screen, or which has been forked, has been removed.

(3) "Nut & slack" means all of the coal which, at the mine, has passed through a screen with a mesh not larger than two and one-half (2½) inches or smaller than three quarters (¾) of an inch.

(4) "Stoker pea" means coal which has been double-screened at the mine and which passes through a screen with one and one-quarter (1¼) inch mesh, and over a screen with a mesh at least three-eighths (⅜) of an inch.

Provided, however, That this Order G-6 shall not apply to coals produced by the Walker Coal Mining Company at its Big Sewell #2 Mine (Mine Index #1272).

(2) All other bituminous coal (that is, all bituminous coal produced in Producing Districts 1 and 3 which does not meet the minimum specifications set forth in the preceding subparagraph or which is specifically excluded from this Order G-6 by the preceding subparagraph, and all bituminous coal produced in producing districts other than 1 and 3) shall remain subject to Revised Maximum Price Regulation No. 122 and shall be priced under the appropriate pricing rule in § 1340.254 (b) thereof. The maximum prices for said coals shall be reported in accordance with § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

2. Paragraph (k) is added, to read as follows:

(k) *Producing districts.* All references to producing districts are to the geographical bituminous coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they may have been modified as of midnight, August 23, 1943.

NOTE: The reporting and record keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 4 shall be effective as of February 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3003; Filed, March 1, 1944; 12:36 p. m.]

[Region II Order G-1 Under MPR 476]

FURLOUGH BAGS SOLD BY STRAUSS BROS. & CO., NEW YORK, N. Y.

Order No. G-1 under section 11 (c) of Maximum Price Regulation No. 476. Luggage.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Regional Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9238 and section 11 (c) of Maximum Price Regulation No. 476, *It is ordered,* That:

(1) The maximum retail prices for all retailers for sales of the described furlough bags sold by Strauss Brothers & Company, 114-120 East 23d Street, New York, N. Y., are as follows:

Jobber's No.	Manufacturer's No.	Manufacturer's name and address	Description	Maximum retail price
1553	21/2	Hudson-Liberty Co., 38 W. 32d St., New York City.	Furlough bag made of tackle twill, 21½ inches long with 12-inch zipper. Leather trim.	*Per unit* $2.60
1554	----------	Rays Novelty Co., 38 W. 32d St., New York City.	Furlough bag made of army duck 18 inches long with 16-inch zipper. Leather trim.	2.60

(2) Retail ceiling prices established by this order include the Federal Excise Tax. Any other tax upon the sale of any item of luggage imposed by any statute or ordinance of any state or subdivision thereof may be collected in addition to the ceiling price, if it is separately stated.

(3) In all particulars not specifically covered by this order, all sellers shall be subject to the provisions of Maximum Price Regulation No. 476.

(4) This order may be revoked or amended by the regional administrator or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment, or supplement thereto.

This order shall become effective February 25, 1944.

Issued this 25th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3009; Filed, March 1, 1944; 12:35 p. m.]

[Region II Order G-1 Under MPR 165]

LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA

Order No. G-1 under § 1499.114 (d) of Maximum Price Regulation No. 165, as Amended. Services. Adjustment of laundry service prices in the New York Metropolitan Area.

Applications for permission to increase the maximum prices of laundry services as established by Maximum Price Regulation No. 165 as amended—"Services", have been heretofore granted by the District Director to the following laundries on the dates and in the amounts indicated:

Name	*Permitted increase (percent)*
Harvester Laundry Corporation, 95 13th St., Brooklyn, N. Y., Dec. 23, 1943	6
New Brightness Laundry Corporation, 2028 McDonald Ave., Brooklyn, N. Y., Dec. 23, 1943	8
Morrisanne Laundry Service Co., Inc., 877 East 180th St., New York, N. Y., Dec. 23, 1943	10
Fortway Laundry Co., Inc., 417 90th St., Brooklyn, N. Y., Dec. 24, 1943	6
Safe Laundry Corp., 100 Huntington St., Brooklyn, N. Y., Dec. 29, 1943	7

After due consideration of all the information on which these adjustments of maximum prices were based, it has been decided by the Office of Price Administration on its own motion to revoke the above mentioned orders and to adjust the maximum prices of these laundries to the extent indicated, for the reasons set forth in the opinion attached.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—"Services", *It is hereby ordered:*

(1) The individual orders granting increases in maximum prices for laundry services, above enumerated, be, and are hereby revoked.

(2) The applications of the following named laundries are granted to the extent that they are permitted to increase their present legal maximum prices for all their family laundry services, by the percentage amount set forth after their names, in the manner hereinafter in paragraph (4) of this order, provided

Name	*Permitted increase (percent)*
Harvester Laundry Corporation	6
New Brightness Laundry Corporation	8
Morrisanne Laundry Service Co., Inc.	10
Fortway Laundry Co., Inc.	6
Safe Laundry Corp.	7

(3) Any power laundry listed in paragraph (2) of this order is permitted to add to its present legal maximum price to agent-drivers supplied by it the percentage price increase granted to it in that paragraph. Agent-drivers, any of whose family laundry services are supplied by any such power-laundry, are permitted to add to their retail prices the same percentage increase herein granted to their supplier, in the manner provided by paragraph (4) of this order. The dollars and cents increase which thus accrues to any agent-driver in excess of the increased cost of the services to him may be divided between the supplier and the agent-driver in such proportions as shall be agreed upon between them. Agent-drivers shall compute the price increase permitted them by this paragraph upon the bills rendered by them to their customers in the manner provided in paragraph (4) of this order. They shall inscribe upon each bill presented to any customer the statement prescribed in paragraph (5) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(4) The percentage increases permitted to any laundry establishment by this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices so arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(5) Any power laundry establishment and any driver-agent of a power laundry which has been granted a price increase by this order shall give notification of such price increase as follows: (a) Furnish each customer within 15 days after the effective date of this order with a statement describing its services, and specifying its lawful ceiling prices, and the percentage increase permitted it by the order; (b) File a copy of the same statement with the New York District Office of the Office of Price Administration within 15 days after the effective date of this order, together with a statement signed by a responsible official of the laundry establishment certifying that the applicant has complied with section (a) above; (c) Inscribe on each bill rendered the statement: "OPA permitted increase of _____% to maintain supply: $_____"; or "OPA permitted increase to maintain supply: $_____"; and (d) give all new customers as acquired the same notification as hereinabove provided for existing customers.

(6) In addition, all power laundries to whom a price increase is permitted by this order shall immediately advise their agent-driver customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (4) of this order, and of the manner in

Whitcomb and Streets, Raymond, Wash., December 31, 1943.

L. E. Jensen, Raymond, Wash., December 31, 1943.

J. Jacobin Company, Hamilton, Wash., January 15, 1944.

Olympia Wood Preserving Co., Inc., Olympia, Wash., January 1, 1944.

West Fork Logging Company, Tacoma, Wash., December 31, 1943.

Robert Simpson, Castle Rock, Wash., December 20, 1943.

Frank R. Henry, Forks, Wash., December 31, 1943.

Ramsey and Wright, Port Orchard, Wash., December 1, 1943.

Stone Logging & Contract Co., Inc., Tillamook, Oreg., December 31, 1943.

(d) Sundown Logging Company, Yelm, Washington, a contract logger, is permitted to add $1.00 per thousand feet log scale, to its contract logging maximum price, effective from October 20, 1943, until January 11, 1944.

Issued and effective this 1st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8004; Filed, March 1, 1944; 4:26 p. m.]

[MPR 220, Order 1]

CERTAIN RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-2107 appearing on page 1733 of the issue for Tuesday, February 15, 1944, the eighth line of paragraph (a) should read: "Administration changing the applicable".

[MPR 381, Order 1]

WOOD EXTENSION WINDOW SCREENS

Spring requirements. Due to the extensive building on the West Coast of war housing projects, in which wood extension window screens are widely used, the requirement for these products today is four times greater than it was a year ago.

It has been shown that authorization to use open billing pending action on the petitions is necessary to provide production and distribution of wood extension window screens made with 16 mesh galvanized wire and with 16 mesh black wire, and that the granting of such authorization will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 6 (d) of MPR 381, Stock Screen Goods, *It is ordered:*

(a) Persons subject to MPR 381, Stock Screen Goods, may sell, deliver, buy, and receive wood extension window screens, made with 16 mesh galvanized wire or with 16 mesh black wire in the sizes listed below, at or below prices to be established after date of delivery by the Office of Price Administration and prior to May 1, 1944.

(1) This order covers the following sizes of wood extension window screens made with either 16 mesh galvanized wire or with 16 mesh black wire:

Number	Height of the screen	Widest width of the screen	Number	Height of the screen	Widest width of the screen
	Inches	*Inches*		*Inches*	*Inches*
933	9	33	1845	15	45
937	9	37	1837	18	37
1033	10	33	1845	18	45
1237	12	37	1860	18	60
1245	12	45	2233	22	33
1537	15	37	2445	24	45

(2) This order also covers the following sizes of wood extension window

Regional and District Office Orders.

[Region I Order G-6 Under RMPR 122, Amdt. 4]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 4 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, Hartford, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (d) is amended to read as follows:

(d) *Specifications and applicability of maximum prices.* (1) The maximum prices set forth in the Table of Prices in paragraph (a) shall apply only to bituminous coal meeting the following minimum specifications and produced in Producing Districts 1 and 3:

(1) "Screened Lump"—bituminous coal which has been passed over screens with two (2) inch or larger openings, or which has been forked from a bin or storage pile with forks the tines of which are not less than two (2) inches apart, in the dealer's yard or storage facilities.

(2) "Run-of-mine" means the whole product of the mine from which no part of the coal which has passed over a screen, or which has been forked, has been removed.

(3) "Nut & slack" means all of the coal which, at the mine, has passed through a screen with a mesh not larger than two and one-half (2½) inches or smaller than three quarters (¾) of an

which such permitted increase shall be computed.

(7) Customary allowances, discounts, or other price differentials may not be changed by any of the laundry service suppliers named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and all laundry service suppliers named or otherwise referred to herein shall maintain all of their legal current pricing and other business practices.

(8) All of the power laundry establishments named herein shall keep this order and attached opinion in their establishments, together with the statement required by § 1499.108, and make them available for inspection by any person during business hours.

(9) Except as expressly provided by this order, all of the laundry establishments named or otherwise referred to in this order shall remain in all respects subject to all of the provisions of Maximum Price Regulation No. 165, as amended—Services.

(10) This order ay be revoked or amended by the district director, the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(11) Any relief requested by any applicant not expressly granted herein is denied. To the extent that the application of any laundry establishment herein named has been denied in whole or in part, such applicant may, within fifteen (15) days after the date on which this order was issued, request the Regional Administrator of Region II to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued this 24th day of February 1944.

DANIEL P. WOOLLEY,
District Director.

[F. R. Doc. 44-3000; Filed, March 1, 1944; 12:35 p. m.]

[Region II Order G-15 Under MPR 165, as Amended, Amdt. 4]

LAUNDRY SERVICES IN PHILADELPHIA, PA., AREA

Amendment No. 4 to Order No. G-15 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services. Adjustment of laundry service prices in Philadelphia Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services, and by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That New York Regional Order No. G-15 under that section and regulation be amended as follows:

(1) The name "Victory Laundry", whose establishment is located at Jasper and Clearfield Streets, Philadelphia, Pa., is added to paragraph (b) of the order.

(2) The name "Ace Towel Service Company", whose establishment is located at 401 North Broad Street, Philadelphia, Pa., is added to paragraph (d) of the order.

(3) The name "Kennedy's Laundry", whose establishment is located at 2817 Helen Street, Philadelphia, Pa., is deleted from paragraph (c) of the order.

(4) The name "Passyunk Laundry, Inc.", whose establishment is located at 1925 Pt. Breeze Avenue, Philadelphia, Pa., is deleted from paragraph (d) of the order.

(5) The names "Bell Electric Laundry Company," "The Fairmount Laundry," and "Kennedy's Laundry," whose establishments respectively are located at Josephine and Pear Streets, at 247 South 37th Street, and at 2817 Helen Street, all in Philadelphia, Pa., are added to paragraph (e-1) of the order.

(6) The name "'B' Coat, Apron & Linen Service, Inc.," whose establishment is located at 6142 Osage Avenue, Philadelphia, Pa., is added to paragraph (e-2) of the order.

(7) The names "Sanitary Laundry," and "Passyunk Laundry, Inc.," whose establishments respectively are located at 3403 North Lee Street, and at 1925 Pt. Breeze Avenue, in Philadelphia, Pa., are added to paragraph (g) of the order.

(8) The name "Manchester Laundry Stores, Inc.," whose main establishment is located at 11th and Mifflin Streets, Philadelphia, Pa., is added to paragraph (h) of the order.

(9) The name "Overbrook Damp Wash Laundry," whose establishment is located at 3410 Brandywine Street, Philadelphia, Pa., is added to paragraph (j) of the order.

The purpose of this Amendment No. 4 to Order No. G-15 of the New York Regional Office under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, is as follows:

(a) To change the permitted price increase granted to Kennedy's Laundry by the order from 4% to 6%.

(b) To change the permitted price increase granted to Passyunk Laundry, Inc. by the order from 5% to 9%.

(c) To grant to the following power laundry establishments and linen supply houses the permitted percentage increases set forth after their names on all their laundry, linen supply, storage and related services, subject to the limitations set forth in paragraphs (k) and (n) of Order No. G-15:

	Percent
Ace Towel Service Co.	8
"B" Coat, Apron & Linen Service Co.	7
Bell Electric Laundry Co.	6
Manchester Laundry Stores, Inc.	10
Overbrook Damp Wash Laundry	12
Sanitary Laundry	9
The Fairmount Laundry	6
Victory Laundry	3

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This amendment shall become effective immediately.

Issued this 24th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3001; Filed, March 1, 1944; 12:36 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 6]

SOLID FUELS IN COLUMBUS, GA., AND PHENIX CITY, ALA.

Amendment No. 6 to Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in Columbus, Georgia and Phenix City, Alabama.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, *It is hereby ordered*, That paragraph (m) (5) (i) be amended to read as set forth below:

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 6

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump or block	$10.00	5.70	$2.98
Egg	9.85	5.18	2.71
Blue Gem Egg	10.20	5.35	2.80
Stoker	9.70	5.10	2.68
Slack	7.00	3.75	2.03
Blue gem lump	11.20	5.90	3.08
Red clover lump	11.30	5.90	3.08
Hi-Clover lump	11.30	5.90	3.08

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 13

Lump	$10.85	$5.68	$2.96
Piper lump	12.15	6.33	3.29
Montevallo	12.15	6.33	3.29
Stoker	9.10	4.80	2.53

This Amendment No. 6 to Order No. G-17 shall become effective February 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 21, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3003; Filed, March 1, 1944; 12:36 p. m.]

FEDERAL REGISTER

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Washington, Saturday, March 4, 1944

The President

EXECUTIVE ORDER 9429

[ISSUANCE OF NECESSITY CERTIFICATES]

AMENDING EXECUTIVE ORDER 9406 OF DECEMBER 17, 1943

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, and as President of the United States, sections 2 and 3 of Executive Order 9406 of December 17, 1943,[1] entitled "Transfer of Functions with Respect to Necessity Certificates from the Secretary of War and the Secretary of the Navy to the Chairman of the War Production Board", are hereby amended to read as follows:

2. (a) The Secretary of War and the Secretary of the Navy shall act upon

(1) all applications for Necessity Certificates filed before October 5, 1943,

(2) applications for Necessity Certificates filed between and including October 5, 1943 and December 17, 1943 describing facilities the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of which was prior to October 5, 1943, and

(3) applications for Necessity Certificates filed between and including October 5, 1943 and December 17, 1943 describing facilities for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943.

When the Secretary of War and the Secretary of the Navy have made final determination upon all applications specified in this subsection, their functions, powers and duties to issue Necessity Certificates shall cease.

(b) The Chairman of the War Production Board shall act upon

(1) applications for Necessity Certificates filed after December 17, 1943 describing facilities the beginning of the construction, reconstruction, erection, installation or the date of acquisition of which was prior to October 5, 1943. Such applications for Necessity Certificates filed after the effective date of this order shall be filed with the War Production Board,

(2) applications for Necessity Certificates filed on and after October 5, 1943 and pending December 17, 1943 with the Secretary of War and the Secretary of the Navy which describe facilities, the construction, reconstruction, erection or installation of which has not begun or which have not been acquired,

(3) applications for Necessity Certificates filed after December 17, 1943 which describe facilities the construction, reconstruction, erection, or installation of which has not begun or which have not been acquired, and

(4) applications for Necessity Certificates filed after December 17, 1943 describing facilities for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943, provided that such applications are filed prior to April 5, 1944.

(c) The issuance of a Necessity Certificate by either the Secretary of War, the Secretary of the Navy or the Chairman of the War Production Board shall be conclusive of his authority under this section.

3. (a) The regulations of the Secretary of War and the Secretary of the Navy in effect prior to October 5, 1943 shall govern the issuance of Necessity Certificates for all applications for Necessity Certificates describing facilities the beginning of the construction, reconstruction, erection, installation or the date of acquisition of which was prior to October 5, 1943, or for which the applicant had made contracts for the construction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943.

(b) In acting upon applications for Necessity Certificates filed on and after October 5, 1943 describing facilities the construction, reconstruction, erection, or installation of which was not begun or which were not acquired prior to October 5, 1943, or for which the applicant had not made contracts for the con-

(Continued on next page)

[1] 8 F.R. 16985.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.

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struction, reconstruction, erection, installation or acquisition thereof prior to October 5, 1943, Necessity Certificates shall not be issued unless the Chairman of the War Production Board has determined prior to the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of the facilities (1) that the facilities to be constructed or acquired are clearly necessary for the war effort, and (2) that it is to the advantage of the Government that such additional facilities be privately financed.

The Secretary of War and the Secretary of the Navy are hereby authorized to amend their regulations governing the issuance of Necessity Certificates to the extent necessary to carry out their functions under this order.

This order shall be effective as of December 17, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 2, 1944.

[F. R. Doc. 44-3131; Filed, March 3, 1944; 11:18 a. m.]

EXECUTIVE ORDER 9427

ESTABLISHMENT OF THE RETRAINING AND REEMPLOYMENT ADMINISTRATION

Correction

The first sentence of paragraph (b) of Executive Order 9427, appearing on page 2199 of the issue for Saturday, February 26, 1944, should read as follows:

(b) In consultation with the Government agencies concerned, to develop programs for the orderly absorption into other employment of persons discharged or released from the armed services or other war work, including adequate provisions for vocational training, for the finding of jobs for persons so discharged or released, for assisting those persons and their families pending their absorption into employment, and for dealing with the problems connected with the release of workers from industries not readily convertible to peacetime use.

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

[FDO 79-107, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-107 (9 F.R. 140) relative to the conservation and distribution of fluid milk in the Atlanta, Georgia, milk sales area, issued by the Director of Food Distribution on December 31, 1943, is hereby amended by deleting therefrom in § 1401.141 (b), *Milk sales area*, the words "and Cobb" and inserting the word "and" after the word "Fulton" and before the word "De Kalb." The Atlanta, Georgia, milk sales area will then be described as follows:

"The city of Atlanta and the counties of Fulton and De Kalb, all in the State of Georgia."

The handler exemptions specified in § 1401.141 (i) are amended by deleting the numeral "125" and substituting therefor the numeral "250."

Effective date. This amendment of Food Distribution Order No. 79-107 shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-107, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-107, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2997; Filed, March 1, 1944; 12:23 p. m.]

[FDO 44, Amdt. 2]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1944 PACK OF CANNED FISH

Food Distribution Order No. 44 issued by the Secretary of Agriculture on April 1, 1943, as amended (8 F.R. 4227, 8797), is further amended to read as follows:

§ 1465.20 *Allocation of 1944 pack of canned fish*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "canner" means any person who is the first owner of canned fish.

(2) The term "canned fish" means fish which have been packed in the Continental United States or in the Territory of Alaska for commercial purposes in hermetically sealed metal or glass containers and sterilized in the containers by the use of heat.

(3) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(4) The term "pack" means the total amount, by net weight, of canned fish of the respective class of fish designated in (b) (1) hereof, packed during the period from March 1, 1944, to February 28, 1945, inclusive.

(5) The term "Director" means the Director of Food Distribution, War Food Administration.

(6) The term "governmental agency" means the Office of Distribution, War Food Administration, or any other agency or instrumentality of the United States designated by the Director.

(7) The term "delivery to governmental agencies" means the transfer of title of the canned fish to any governmental agency; and such delivery may be evidenced by execution of bill of lading, receipt, or other document acceptable to the Director or the designated governmental agency.

(b) *Restrictions on canners.* (1) No canner may deliver any part of his pack of any class of the fish designated herein packed by the respective canner at any time during the period from March 1, 1944, to February 28, 1945, inclusive, except as permitted by the provisions of this order. The fish subject to the provisions of this order are, by classes, as follows:

Class 1. Salmon: Red, sockeye, or blueback (Oncorhynchus nerka).

Class 2. Salmon: Pink (Oncorhynchus gorbuscha).

Class 3. Salmon: Silver, silverside, medium red, or coho (Oncorhynchus kisutch).

Class 4. Salmon: King, chinook or spring (Oncorhynchus tschawytscha).

Class 5. Pilchard (Sardina caerulea) by whatever name known, including sardines.

Class 6. Atlantic sea herring (Clupea harengus) by whatever name known, including sardines.

Class 7. Atlantic mackerel (Scomber scombrus).

Class 8. Pacific mackerel (Pneumatorphorus japonicus diego) and Pacific horse mackerel (Trachurus symmetricus).

(2) Sixty percent of each canner's pack of canned fish of each class numbered 1 to 4, inclusive, designated in (b) (1) hereof, and 45 percent of each canner's pack of canned fish of each class numbered 5 to 8, inclusive, designated in (b) (1) hereof, is hereby established as each canner's quota for delivery to governmental agencies and no canner may deliver to governmental agencies a total quantity of his pack of any such class of canned fish which is in excess of a quantity equal to such percentage of his pack of the respective class of canned fish, plus 60,000 pounds of such class of canned fish.

(3) For each 60 pounds of canned fish of each class numbered 1 to 4, inclusive, designated in (b) (1) hereof, which a canner has delivered to governmental agencies or for which he has submitted to a governmental agency a written tender of delivery in compliance with a written contract between the canner and such governmental agency, such canner may deliver 40 pounds of the same class of canned fish to persons other than governmental agencies: *Provided*, That, prior to the time of each such tender, the canner has obtained, with respect to the canned fish so tendered, an inspection certificate, issued by an inspection service approved by the governmental agency to which the tender has been made, which indicates that the respective quantity of canned fish so tendered meets all the specifications set forth in the said canner's contract for the respective class of canned fish so tendered.

(4) For each 45 pounds of canned fish of each class numbered 5 to 8, inclusive, designated in (b) (1) hereof, which a canner has delivered to governmental agencies or for which he has submitted to a governmental agency a written tender of delivery in compliance with a written contract between the canner and such governmental agency, such canner may deliver 55 pounds of the same class of canned fish to persons other than governmental agencies: *Provided*, That, prior to the time of each such tender, the canner has obtained, with respect to the canned fish so tendered, an inspection certificate, issued by an inspection service approved by the governmental agency to which the tender has been made, which indicates that the respective quantity of canned fish so tendered meets all the specifications set forth in the said canner's contract for the respective class of canned fish so tendered.

(5) Notwithstanding the provisions of any food distribution regulation, the Office of Distribution, War Food Administration, is hereby allocated the quantities prescribed in (b) (2) of this order, and is authorized to purchase, for governmental agencies, those quantities, designated as each canner's quota, and such other and further quantities as may be allocated to it from time to time.

(6) The Director may issue specifications at any time relative to the packing of the canned fish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any governmental agency to issue such specifications. Each person subject to the provisions of this order shall comply with such specifications, issued by the Director or the governmental agency authorized by the Director to issue such specifications, applicable to the canned fish processed by such person.

(c) *Inspection and grading.* All canned fish subject to the provisions of this order shall be subject to inspection and grading at any time by the Director or any governmental agency authorized by the Director to make such inspection and grading.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or

appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in canned fish.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of canned fish of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(g) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using canned fish, or any other material subject to priority or allocation control by the War Food Administrator and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other government agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C. Ref. FD–44.

(j) *Effective date.* The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 44, as amended, prior to the effective time of this amendment, all provisions of said Food Distribution Order No. 44, as amended, in effect prior to the effective time of this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–2996; Filed, March 1, 1944; 12:23 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

ISSUANCE OF NECESSITY CERTIFICATES

Paragraph 3 (d) of the regulations governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code (7 F.R. 4233, 8 F.R. 13824), prescribed by the Secretary of War and the Secretary of the Navy, and approved by the President May 22, 1942, as amended (*supra*), is amended to read as follows:

(d) The construction, reconstruction, erection, installation, or acquisition of a facility shall not be deemed necessary unless (1) the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of such facility, was prior to October 5, 1943; or (2) a contract for the construction, reconstruction, erection, installation or acquisition of such facility was made prior to October 5, 1943; or (3) an application for a Necessity Certificate describing such facility was filed before October 5, 1943; or (4) the Secretary of War or the Secretary of the Navy, in exceptional cases, has determined prior to the beginning of such construction, reconstruction, erection, installation, or the date of such acquisition, that there is a shortage of facilities for a supply required for military or naval uses and that it is to the advantage of the Government that additional facilities for such supply be privately financed.

This amendment shall be effective as of October 5, 1943.

HENRY L. STIMSON,
Secretary of War.
ARTEMUS L. GATES,
Acting Secretary of the Navy.

Approved: March 2, 1944.
FRANKLIN D ROOSEVELT.

[F. R. Doc. 44–3132; Filed, March 3, 1944; 11:20 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5013]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL BISCUIT COMPANY

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* In connection with the offering for sale, sale, and distribution of bakery packaged food products in interstate commerce for use or resale (1) selling such commodities of like grade and quality to competing purchasers at uniform prices and thereafter granting varying discounts therefrom in the manner and under the circumstances found in paragraph four of the aforesaid findings as to the facts [i. e., as there in detail set forth, granting its so-called "headquarters discount" schedule, under which it grants additional discounts of, respectively, 1 percent, 2 percent, 3 percent, and 3½ percent, to customers whose monthly purchases, irrespective of the quantity or volume delivered to their respective branches or outlets, respectively, aggregate $750 to $5,000; $5,000 to $10,000; $10,000 to $150,000; and $150,000 or more; plus additional discounts of, respectively, ½ of 1 percent, 1 percent and 1½ percent in the first group for average monthly purchases of the individual retail grocery stores owned, controlled or affiliated with the particular purchaser ranging, respectively, from $15 to $25 a month, $25 to $35 a month, and $35 or more, respectively; ½ of 1 percent and 1 percent for such store purchases in the second group ranging from $25 a month to $35, and $35 or more, respectively; ½ of 1 percent, 1 percent and 1½ percent, for such store purchases in the third group, ranging from $35 to $40, $40 to $50, and $50 or over, respectively; and ½ of 1 percent and 1 percent for such monthly store purchases in the aforesaid fourth and last group ranging from $30 to $40, and $40 a month or more, respectively]; (2) continuing or resuming the discriminations in price referred to and described in paragraph four of the aforesaid findings as to the facts; and (3) otherwise discriminating in price between purchasers of bakery packaged food products of like grade and quality, in any manner or degree substantially similar to the manner and degree of the discriminations referred to in paragraph four of the aforesaid findings as to the facts; or in any other manner resulting in price discriminations substantially equal in amount to the aforesaid discriminations, except as permitted by section 2 of the Clayton Act as amended; prohibited. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C., sec. 13 (a)) [Cease and desist order, National Biscuit Company, Docket 5013, February 23, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of February, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission and the stipulation as to the facts entered into between the respondent herein and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that without the presentation of argument or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of subsection (a) of section 2 of an act of Congress approved October 15, 1914, entitled, "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," the Clayton Act, as amended by the Robinson-Patman Act:

It is ordered, That the respondent, National Biscuit Company, a corporation, and its officers, directors, representatives, agents, and employees, in connection with the offering for sale, sale, and distribution of bakery packaged food products in interstate commerce for use or resale, do forthwith cease and desist:

1. From selling such commodities of like grade and quality to competing purchasers at uniform prices and thereafter granting varying discounts therefrom in the manner and under the circumstances found in paragraph four of the aforesaid findings as to the facts.

2. From continuing or resuming the discriminations in price referred to and described in paragraph four of the aforesaid findings as to the facts.

3. From otherwise discriminating in price between purchasers of bakery packaged food products of like grade and quality, in any manner or degree substantially similar to the manner and degree of the discriminations referred to in paragraph four of the aforesaid findings as to the facts; or in any other manner resulting in price discriminations substantially equal in amount to the aforesaid discriminations, except as permitted by section 2 of the Clayton Act as amended.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3126; Filed, March 3, 1944; 11:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5335]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

EXTENSION OF TIME FOR ELECTING APPLICABLE INTERNAL REVENUE CODE SECTIONS

Regulations 109 [Part 30, Title 26, Code of Federal Regulations, 1941 Sup.] are amended as follows:

PARAGRAPH 1. Section 30.760-4, added by Treasury Decision 5303, approved October 23, 1943, is amended by inserting immediately after the second paragraph thereof the following new paragraph:

The Commissioner may grant a reasonable extension of time for the making of the election provided by this section upon a showing, prior to March 15, 1944, to his satisfaction (1) that unusual circumstances exist in the taxpayer's case and (2) that the granting of the extension will not jeopardize the interests of the Government.

PAR. 2. Section 30.761-9, added by Treasury Decision 5303, is amended by inserting immediately preceding the last paragraph thereof the following new paragraph:

The Commissioner may grant a reasonable extension of time for the making of the election provided by this section upon a showing, prior to March 15, 1944, to his satisfaction (1) that unusual circumstances exist in the taxpayer's case and (2) that the granting of the extension will not jeopardize the interests of the Government.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a)), and sec. 230 (a) and (d) of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 1, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3094; Filed, March 2, 1944; 4:20 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 16]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENTS OF BY-PRODUCT COAL

In order to effectuate the purposes of Executive Order No. 9332, and by virtue of the authority conferred by that order, the following regulation is issued by the Solid Fuels Administrator for War.

Sec.
602.280 Definitions.
602.281 Restrictions of shipments of by-product coal except on contracts made before March 10, 1944.
602.282 Information and reports to be filed.
602.283 Damages for breach of contract.
602.284 Action under other regulations.
602.285 Approval of Bureau of the Budget.
602.286 Violations.

AUTHORITY: §§ 602.280 to 602.286, inclusive, issued under E.O. 9322, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719.

§ 602.280 *Definitions.* For purposes of this regulation:

(a) "By-product coal" means that bituminous coal that is to be charged into by-product coke ovens for the production of coke for metallurgical uses, production of gas or by-products.

(b) "Person" means any person, partnership, association, business trust, corporation, government corporation or agency, or organized group of persons.

(c) "Producer" means any person to the extent that he is engaged in the business of mining coal at a mine producing 50 tons per day or more, or at a mine having rail or river shipping facilities regardless of tonnage produced, or any person who operates a central washery or preparation plant, or the sales agent of such persons.

(d) "Wholesaler" means any person to the extent that he purchases and resells coal in not less than cargo or railroad car lots and shall include, without limitation, distributors, jobbers and cooperatives.

§ 602.281 *Restrictions of shipments of by-product coal except on contracts made before March 10, 1944.* (a) Producers and wholesalers are prohibited from shipping any by-product coal to any person who requires by-product coal except in accordance with a contract for such coal made on or before March 10, 1944, or in accordance with instructions or directions issued by the Solid Fuels Administration for War.

(b) No person in the United States shall accept any by-product coal shipped except in accordance with a contract for such coal made on or before March 10, 1944, or in accordance with instructions or directions issued by the Solid Fuels Administration for War.

(c) Shipments may be made on any contract made on or before March 10, 1944, for the sale or delivery of by-product coal to any person, unless prohibited by directions or regulations hereafter issued by the Solid Fuels Administration for War.

§ 602.282 *Information and reports to be filed.* (a) Each person who requires by-product coal shall file on or before March 15, 1944, a report indicating, among other things, the tonnages of by-product coal contracted for shipment during the period April 1, 1944 to March 31, 1945, inclusive, and the names and locations of the persons with whom such contracts have been made.

(b) Each person who requires by-product coal shall also report on or before March 15, 1944, the tonnages of such coal by sizes and kinds which will be necessary, in addition to the amount of coal for which contracts have been made prior to March 10, 1944, to meet his minimum requirements for by-product coal during the period beginning April 1, 1944 and ending March 31, 1945.

(c) The reports required to be made pursuant to this section shall be filed with, and received on or before March 15, 1944, by, the Solid Fuels Administration for War, Washington 25, D. C., on forms to be prescribed by it and shall show any additional data indicated to be reported on such forms.

§ 602.283 *Damages for breach of contract.* No person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this regulation.

§ 602.284 *Action under other regulations.* (a) Nothing contained in this regulation shall be deemed to modify the

provisions of Solid Fuels Administration for War Regulation No. 15 in respect to the shipment of byproduct coal via the Great Lakes.

(b) Nothing contained in this regulation shall be deemed to preclude the Solid Fuels Administrator for War from taking appropriate action under Solid Fuels Administration for War Regulation No. 1 or under any other regulation.

§ 602.285 *Approval of Bureau of the Budget.* The reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 602.286 *Violations.* (a) Any person who wilfully violates any provision of this regulation or who, by any act or omission, falsifies records kept or information furnished in connection with this regulation, is guilty of a crime and upon conviction may be punished by fine or imprisonment.

(b) Any person who wilfully violates any provision of this regulation may be prohibited from delivering or receiving any material under priority control or such other action may be taken as is deemed appropriate.

This regulation shall become effective immediately.

Issued this 2d day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-3130; Filed, March 3, 1944; 11:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

ISSUANCE OF NECESSITY CERTIFICATES

The amended regulations (December 17, 1943) governing the issuance of Necessity Certificates under section 124 (f) of the Internal Revenue Code (8 F.R. 16964) prescribed by the Chairman of the War Production Board with the approval of the President (*supra*) are amended as follows:

Section 3 (c) (v) is amended to read as follows:

(v) *Applications for certification of certain facilities must be filed with request for priority assistance or specific authorization.* The issuance of a Necessity Certificate will not be considered for tax amortization of facilities acquired after the issuance of these regulations and for which an application for a Necessity Certificate is filed after the issuance of these Regulations, the acquisition of which can be made only with priority assistance or specific authorization of the War Production Board, unless the application for a certificate is filed together with the application for priority assistance or specific authorization.

Section 4 is amended to read as follows:

(4) *Application must be filed and determination made before construction is begun or date of acquisition.* The construction, reconstruction, erection, installation or acquisition of a facility will not be deemed necessary within the terms of these regulations unless a determination of necessity is made by the certifying authority prior to the beginning of the construction, reconstruction, erection, installation or date of acquisition.

Section 7 (a) is amended to read as follows:

(a) *Place and time of filing application:* After the effective date of this regulation, an application for a Necessity Certificate for facilities for which, within the meaning of prior regulations, the date of beginning of construction or acquisition was prior to October 5, 1943, or the making of contracts for the construction or acquisition was prior to October 5, 1943, shall be filed with the War Production Board in Washington, D. C., and shall be deemed to be filed when received at that office.

D. M. NELSON,
Chairman.

Approved: March 2, 1944.

FRANKLIN D ROOSEVELT.

[F. R. Doc. 44-3133; Filed, March 3, 1944; 11:20 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-493]

CHARLES S. MERRILL

Charles S. Merrill of 966 Military Drive, Salt Lake City, Utah, is a mortician and casket maker. On February 7, 1942, he made application to the War Production Board on Form PD-105 for authority to remodel a residential property owned by him and located at 28 East 7th Avenue South, Salt Lake City, Utah, into a 12-room apartment house. In that application he represented that each apartment would be rented by him for not more than $42.50 per month, including services. On February 26, 1942, the War Production Board approved the application and issued to him a Preference Rating Order P-55. He completed the remodeling about October 1, 1942. Immediately thereafter he rented and has continued to rent each of the apartments for $62.50 a month without authorization of the War Production Board or any other government agency or department. This was in violation of the representations contained in his application on Form PD-105.

In remodeling this property, Charles S. Merrill failed to keep accurate and complete records of his purchase orders and other expenditures made in procuring and using materials and supplies and for labor. These acts constituted a violation of Priorities Regulation No. 1.

In remodeling the property at 28 East 7th Avenue South in Salt Lake City, Charles S. Merrill purchased materials and supplies in excess of the amounts needed for that purpose and authorized by the P-55 Order and used a portion of them for construction work on premises known as the Villa and located at 3510 South 20th East, Salt Lake City, Utah. These acts constituted a violation of Preference Rating Order P-55 and Priorities Regulation No. 1.

These violations of Preference Rating Order P-55 and Priorities Regulation No. 1 by Charles S. Merrill were wilful in that they were the result of gross negligence and they have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.493 *Suspension Order No. S-493.* (a) Neither Charles S. Merrill, his successors or assigns, nor anyone acting on his or their behalf, shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material, construction plant or equipment in order to start or to continue or to complete construction on the premises known as the Villa, located at 3510 South 20th East, Salt Lake City, Utah, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles S. Merrill from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 2, 1944.

Issued this 24th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3095; Filed, March 2, 1944; 4:46 p. m.]

Chapter XI—Office of Price Administration

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376,[1] Amdt. 2]

SWEET POTATOES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 376 is amended in the following respects:

1. Section 1 (h) is added, to read as follows:

(h) Sweet potatoes, including all kinds of sweet potatoes grown in or imported into the United States, such as, for example, kiln-dried sweet potatoes, yams, Nancy Halls, Puerto Ricans, Jersey type, etc.

2. Section 2 is amended to read as follows:

SEC. 2. *Prohibition against buying and selling above maximum prices.* On and after March 2, 1944, with respect to sweet potatoes, and on and after April 24, 1943, with respect to the other listed commodities, regardless of any contract, agree-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5487, 7391.

ment or other obligation, no person shall sell or deliver a listed commodity and no person in the course of trade or business shall buy or receive a listed commodity at a price higher than the maximum price permitted by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, paid or offered.

3. Section 3 (a) is amended by adding the phrase "and during the period December 17, 1943 to December 21, 1943, inclusive (as to sweet potatoes)" immediately following the parenthetical phrase which reads "(as to lettuce and spinach)".

4. Section 5 (a) is amended by adding the phrase "and December 22, 1943 (as to sweet potatoes.)"

5. In section 5, paragraph (c) is amended and paragraph (d) is added to read as follows:

(c) Such sales of the listed commodities at retail as are now or may hereafter be covered by any other maximum price regulation.

(d) All sales of sweet potatoes to dehydrators for dehydration purposes.

6. Section 8 (a) is amended by adding the following sentence: "As to sweet potatoes, this statement shall be prepared on or before March 1, 1944."

7. In section 13 (a) (2) the first sentence is amended to read as follows: "Highest price charged" means the highest price which the seller charged for a listed commodity delivered by him during the applicable base period to a purchaser of the same class or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class.

This amendment shall become effective March 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: February 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3097; Filed, March 2, 1944; 4:52 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 21]

FRESH CITRUS FRUIT

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respect:

The effective date provision of Amendment 19 to Maximum Price Regulation 426 is amended to read as follows:

Amendment 19 shall become effective February 23, 1944, as to maximum prices, f. o. b. shipping point.

Amendment 19 shall become effective on March 3, 1944 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 2, 3, 6, 7, 8 and 10 of paragraph (c) of Appendix I.

Amendment 19 shall become effective on March 9, 1944 as to maximum prices other than maximum prices f. o. b. shipping point named in tables 1, 4, 5, 9 and 11 of paragraph (c) of Appendix I.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 3d day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: March 2, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3134; Filed, March 3, 1944; 11:42 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2003, 2023.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 20—SPECIAL REGULATIONS

GETTYSBURG NATIONAL MILITARY PARK

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), Part 20, Chapter I, Title 36, Code of Federal Regulations, is amended by adding a new § 20.42 reading as follows:

§ 20.42 *Gettysburg National Military Park; speed.* Speed of vehicles is limited to 25 miles per hour.

(39 Stat. 535, 16 U.S.C. 3)

Issued this 22d day of February 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-3123; Filed, March 3, 1944; 9:57 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 23, Supp. 1, Amdt. 1]

PART 310—MERCHANT MARINE TRAINING

APPOINTMENT OF OFFICERS

Section 310.45b is amended to read:

§ 310.45b *Qualifications.* (a) An Applicant for appointment in the deck or engine branch must be a licensed officer of the United States Merchant Marine, and must be serving on a vessel of not less than 1,000 gross tons, which vessel has been documented under the laws of the United States: *Provided, however,* That an applicant with outstanding qualifications may be specially appointed by the Director.

(b) The applicant must be employed in connection with the seafaring profession in a capacity connected with the operation or management of ships of the United States Merchant Marine, or in connection with the training of personnel for said Merchant Marine, or the applicant's services must be desired for special duty.

(c) An applicant in the staff branch must be serving under a license or certificate issued by appropriate authority and so qualifying him for the rating.

(d) An applicant, aboard ship, must have been employed in his present capacity for at least one year immediately preceding the filing of his application, unless considered otherwise qualified by the Director: *Provided, however,* That this requirement shall not apply to graduates of schools under the supervision of the Administrator of the War Shipping Administration.

(e) During wartime, the applicant must agree, if requested, to take such extension and correspondence courses under such rules and regulations and upon such terms as the Director may prescribe.

(f) *Table of maximum rank for appointment.*

Duties—Merchant Marine	Passenger vessels (A) 15,000 gross tons and over	Passenger vessels (A) 6,500 gross tons and over	Cargo vessels 5,000 gross tons and over and passenger vessels (A) 4,500 gross tons and over	Vessels under 5,000 gross tons
Deck and Engine Departments—				
First Ranking Officer.				
(Master and Chief Engr.)	Captain (B)	Captain	Commander (D)	Lieut. Comdr. (F)
Second Ranking Officer	Commander	Commander	Lieut. Comdr.	Lieutenant.
Third Ranking Officer	Lieut. Comdr.	Lieut. Comdr.	Lieutenant.	Lieutenant (J. G.)
Fourth Ranking Officer	Lieutenant	Lieutenant	Lieutenant (J. G.)	Ensign.
Fifth Ranking Officer	Lieutenant (J. G.)	Lieutenant (J. G.)	Ensign.	
Sixth Ranking Officer	Ensign	Ensign.		
Chief Electrician and Chief Refrigerating Engineer (C).	Lieutenant (J. G.)	Lieutenant (J. G.)	Ensign.	
Second Electrician and Second Refrigerating Engr. (C).	Ensign	Ensign.		
Third Electrician and Third Refrigerating Engr. (C).	Warrant Electrician.	Warrant Electrician.		
Staff and Steward Departments:				
Chief Purser and Chief Steward (E).	Lieut. Comdr.	Lieut. Comdr.	Lieutenant (I) (M)	Lieut. (J. G.) (K) (M).
Second Ranking Officer and Chef (E).	Lieutenant	Lieutenant	Lieutenant (J.G.) (J) (M).	
Third Ranking Officer and Sous Chef (E).	Lieutenant (J. G.)	Lieutenant (J. G.)		
Fourth Ranking Officer	Ensign	Ensign.		
Chief Storekeeper	Warr. Ships Clerk.			
Medical Department:				
Senior Medical Officer (L)	Commander	Lieut. Comdr.	Lieutenant (J).	
Junior Medical Officer (L)	Lieut. Comdr.	Lieutenant.		

Radio department	Holders of first class radiotelegraph license	Holders of second class radiotelegraph license (N)
Chief radio operator	Lieutenant (G)	Ensign (H).
Second ranking radio operator	Lieutenant (J. G.)	Ensign.
Third ranking radio operator	Ensign	Ensign.

Notes

(A) Ocean-Going Vessels Licensed to Carry 100 or More Passengers and Which Normally Engage in Passenger Carrying Trade.
(B) One Rank Higher for Masters After Ten Years Service as Master on This Class Vessel.
(C) Ocean Engineer License or Certificate of Service as Electrician or Refrigerating Engineer, Qualified Member Engine Department Required. Appointment Limited to Electricians Obtaining Required Service Aboard Turbo-Electric Drive or Motor Vessels, and to Refrigerating Engineers Obtaining Required Service Aboard Vessels With Refrigerated Cargo Holds.
(D) One Rank Higher for Masters and Chief Engineers After Ten Years Service as Master or Chief Engineers Vessels 2,500 Gross Tons or Over. In no Case Shall Chief Engineers Wear the Insignia of a Higher Rank Than That Worn by the Master.
(E) Chef and Sous Chef on Passenger Vessels 15,000 Gross Tons or Over Only.
(F) One Rank Higher After Ten Years Service as Master or Chief Engineer Vessels Over 2,500 Gross Tons. Two Ranks Higher After Fifteen Years Service as Master or Chief Engineer Vessels Over 2,500 Gross Tons. In No Case Shall Chief Engineers Wear the Insignia of a Higher Rank Than That Worn by the Master.
(G) Five Years Service as Chief or Sole Operator Required, To Be Obtained While Holding First Class License.
(H) After One Years Service on First Class Radio Telegraph License One Rank Higher.
(I) One Rank Lower Unless Three Years Service This Capacity Aboard This Class Vessel Is Obtained.
(J) Passenger Vessels Only.
(K) Off-Shore and Inter-Coastal Trades Only. One Rank Lower Unless Three Years Service This Capacity Aboard Vessels 2,500 Gross Tons or More Secured, or if Service This Capacity Is Secured Aboard Vessels Under 2,500 Gross Tons.
(L) License to Practice Medicine Issued by State or Territory of the United States Required.
(M) Service on Great Lakes and Inland Waterways Not Acceptable.
(N) Holders of Temporary Limited Licenses One Rank Lower.

(g) Lower age limits are placed on original appointment or promotion to ranks as indicated below:

Captain	34
Commander	30
Lieutenant Commander	27
Lieutenant	23
Lieutenant (jg)	20
Ensign or Warrant Officer	19

(h) Waivers may be granted by the Commandant to allow the issuance of provisional promotion to cover the proper ranking as prescribed by paragraph (f). Such provisional promotion shall be effective only during such time as the position held requires such rank.

(E.O. 9054, 7 F.R. 837; E.O. 9198, 7 F.R. 5383)

E. S. LAND,
Administrator.

FEBRUARY 29, 1944.

[F. R. Doc. 44-3015; Filed, March 1, 1944; 4:32 p. m.]

[Rev. Dir. 4, Amdt. 1]

PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF WATERBORNE FOREIGN COMMERCE OF U. S.

Section 321.4 *Directive 4: Forwarding and transportation of waterborne foreign commerce of the United States*, effective February 1, 1943, 8 F.R. 1321, is amended by striking out paragraphs (b) *Consignment of cargo*, (c) *Information required*, and (d) *Preparation of documents*, and inserting in lieu thereof:

(b) *Consignment of cargo.* All Lend-Lease cargo shall be consigned to the Administrator, as principal; all other cargo within the scope of this Directive shall be similarly consigned unless the Administrator's consent to the designation of some other consignee be previously obtained. After consignment, in the event that instructions for stoppage in transit or diversion to intermediate storage are given to the carrier or carriers, the issuer of such instruction shall immediately notify the Administrator or his agent and, where the consignee is a person other than the Administrator or his agent, such other person shall also be immediately notified.

(c) *Information required.* Except as otherwise provided herein, the following information with respect to all cargo within the scope of this Directive, together with such other information as the Administrator may require, shall be furnished to the Administrator or his agent as soon as it is available:

(1) The identifying serial number and date of issuance of the O. D. T. block permit and of the Q. M. R. or other release, if any, authorizing movement of the cargo;

(2) Confirmation of movement, origin, date of shipment, route, mode of carriage and identification of carrying unit or units to the port or point of export;

(3) Original and such copies of inland carrier's bill of lading and of shipping papers as the Administrator may direct.

The Administrator may waive, in whole or in part, the application of this paragraph (c) with respect to any cargo within the scope of this Directive other than Lend-Lease cargo.

(d) *Preparation of documents.* With respect to all cargo within the scope of this Directive which is consigned to the Administrator or his agent, the Administrator will prepare or cause to be prepared all dock receipts, ocean bills of lading, charter parties, contracts of affreightment, customs declarations and other appropriate ocean shipping documents.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MARCH 1, 1944.

[F. R. Doc. 44-3093; Filed, March 2, 1944; 3:32 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 9A-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

MOVEMENT OF COAL ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That:

All provisions of General Order ODT 9A (8 F.R. 6381), shall be and the same are hereby suspended until May 15, 1944.

(E.O. 3989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 3d day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3127; Filed, March 3, 1944; 11:07 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, Gen. Dir. 8]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to paragraph (n) of the order entitled "Coordinated Pilchard Production Plan" (8 F.R. 9233), being Order No. 1838 of the Secretary of the Interior, the pilchard order, because it is deemed necessary to accomplish the purposes of that order, the following General Direction No. 8 is hereby issued:

(a) General directions number 1 to 7 inclusive, all that have been issued up to this time, shall be suspended, for the several ports in Area II, for the period between sardine seasons as defined for those ports respectively in section 1065 of the California Fish and Game Code; that is, until the opening of the season in the fall of 1944, the General Directions shall not be applicable at the ports of San Francisco and Monterey after 12:01 a. m. February 17, 1944, nor at the port of San Pedro after 12:01 a. m. March 2, 1944. Any person may be held responsible after such suspension, however, for violation of any of the general directions occurring before such suspension.

(b) The suspension of all general directions is not to be misunderstood as affecting the necessity for securing fishing permits, as set out in paragraph (e) of the pilchard order, for operations after the end of the season. Every vessel requiring a permit during the season must also have a permit as explained in that paragraph for any fishing between seasons.

Dated February 15, 1944.

O. E. SETTE,
Area Coordinator, Area II.

[F. R. Doc. 44-3124; Filed, March 3, 1944; 9:57 a. m.]

[Order 1925]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Whereas by Executive Order No. 9280 of December 8, 1942, the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas by Food Directive No. 2 of February 8, 1943 (CFR Title 7, Chapter 11, Part 1400), the Secretary of Agriculture delegated to me, among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas by Food Directive No. 2, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942, as I may designate; and

Whereas it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Territory of Alaska with a minimum utilization of critical material, manpower and shipping facilities; and

Whereas representatives of practically the entire salmon canning industry in the Territory of Alaska have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities, and allocate available manpower on an equitable basis in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Territory of Alaska;

Now, therefore, it is hereby ordered:

§ 401.1 *Salmon canning industry in the Territory of Alaska—*(a) *Jurisdiction.* Complete control and authority over the salmon canning industry in the Territory of Alaska solely for the purpose herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (*Oncorhynchus nerka*); pink or humpback (*Oncorhynchus gorbuscha*); silver, medium red, or coho (*Oncorhynchus kisutch*); chum or keta (*Oncorhynchus keta*); king, chinook, or spring (*Oncorhynchus tschawytscha*); steelhead or steelhead trout (*Salmo gairdneri*).

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1944 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) *Salmon canning for commercial purposes prohibited in the Territory of Alaska except as herein provided.* No person shall engage in canning salmon for commercial purposes in the Territory of Alaska, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the effective date of this order and prior to January 1, 1945, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directives, orders, and regulations as he may from time to time prescribe. Prior to engaging in canning operations all persons, companies, and corporations authorized to operate under Schedule A of this order shall obtain from the Fishery Coordinator a salmon canning license which shall be posted in the office of the operating establishment throughout the canning season. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate, either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant nor employ more persons than authorized under War Manpower Commission labor ceilings stated in Schedule A opposite the name of the operator and in the terms of said operator's license. In those plants where half-pound lines are already established, such half-pound lines may be operated when desirable if labor used is confined to quota authorized for such plants under War Manpower Commission labor ceilings.

SCHEDULE A—SALMON CANNERY OPERATING SCHEDULE—1944

District and company	Plants		Number of lines	W. M. C. labor ceilings	
	Closed	Operating [1]		Non-residents	Residents
Ketchikan—Wrangell:					
Northern Packing Co	Ketchikan				
Wards Cove Packing Co		Wards Cove	2	105	30
Payne (of Balcom-Payne)	Ketchikan				
P. E. Harris & Co	Rose Inlet				
P. E. Harris & Co		Sunny Point	2	166	110
Beegle Packing Co	Ketchikan				
New England Fish Co		Ketchikan	2	109	65
Libby, McNeill & Libby	George Inlet				
Fidalgo Isl. Packing Co		Ketchikan	1	55	68
Nakat Packing Corp		Union Bay	1	104	30
Nakat Packing Corp		Hidden Inlet	2	156	36
Annette Island Canning Co		Metlakatla	3	33	180
Balcom Traps (of Balcom-Payne)					
Pacific American Fisheries, Inc		Kasaan	2	188	21
Whiz Packing Co	Ketchikan				
Ketchikan Packing Co		Ketchikan	1	49	57
Independent Salmon Canneries		Ketchikan	1	9	27
A. R. B. Packing Co	Wrangell				
Farwest Alaska Co		Wrangell	2	55	136
Burnett Inlet Salmon Co	Burnett Inlet				
West Coast:					
Hydaburg Canning Co		Hydaburg	1	28	51
Nakat Packing Corp		Waterfall	2	164	57
Peratrovich & Son Pkg. Co		Klawock	1	20	53
Craig Packing Co. (or successor operator, if any).	Craig				
Libby, McNeill & Libby		Craig	1	132	29
New England Fish Co		Noyes Island	1	24	12
Bellingham Canning Co		Klawock	1	24	53
Western:					
Pyramid Packing Co		Sitka	1	15	100
Todd Packing Co		Todd	1	60	60
New England Fish Co		Chatham	1	97	40
Hood Bay Canning Co		Hood Bay	1	39	35
Superior Packing Co		Tenakee	2	50	80
Salt Sea Fisheries	Tenakee				
P. E. Harris & Co		Hawk Inlet	3	175	60
Eastern:					
Libby, McNeill & Libby		Taku	1	132	12
P. E. Harris & Co		Kake	3	135	45
Douglas Fisheries, Inc		Douglas	1	17	40
Burnett Inlet Salmon Co		Saginaw Bay	1	30	25
Sebastian Stuart Fish Co		Tyee	1	89	41
Pacific American Fisheries, Inc		Petersburg	2	96	94
Dean C. Kayler		Scow Bay	1	11	52
Fidalgo Island Packing Co		Pillar Bay	2	30	24

[1] Operating plants are referred to in this order as the "nucleus plants."

SCHEDULE A—SALMON CANNERY OPERATING SCHEDULE—1944—Continued

District and company	Plants: Closed	Plants: Operating [1]	Number of lines	W. M. C. labor ceilings: Non-residents	W. M. C. labor ceilings: Residents
Icy Strait:					
Juneau Packing Co.		Idaho Inlet	1	5	6
Cape Cross Salmon Co.		Pelican City	1	19	12
Barnett Inlet Salmon Co.	Flin Cove				
Icy Straits Salmon Co.		Hoonah	1	21	83
Astoria & Puget Sound Canning Co.		Excursion Inl.	2	196	80
Pacific American Fisheries, Inc.		Same plant			
Haines Packing Co.		Letnikof Cove	1	6	42
Yakutat:					
Libby, McNeill & Libby		Yakutat	2	85	85
Prince William Sound:					
Copper River Cooperative Co.		Copper River & Eshamy Bay.	1	8	16
Crystal Falls Fish Co.		Mountain Slough	1	5	9
New England Fish Co.		Cordova	2	190	40
Shepard Point Packing Co.	Shepard Point				
Pioneer Sea Foods		Cordova	2	190	60
G. P. Halferty, Inc.		Cordova	1	51	155
W. R. Gilbert Co., Inc.	Whittshed				
Copper River Packing Co.		Port Nellie Juan	2	120	20
Ellamar Packing Co.		Ellamar	1	52	28
San Juan Fishing & Packing Co.		San Juan	2	124	15
Port Ashton Packing Co.		Port Ashton	1	78	10
Resurrection Bay:					
Eagen and Co.		Seward	1	2	3
Cook Inlet:					
Alfred Jones		Homer	1	0	2
Port Chatham Packing Co.		Portlock	1	0	8
Nakiska Bay Packing Co.		Boulder Point	1	0	3
Reilly & Wilmans Cannery		Cook Inlet	1	0	4
Libby, McNeill & Libby		Kenai	2	92	80
Emard Packing Co.		Anchorage	2	18	68
General Fish Co.		Anchorage	1	39	42
Kodiak Island Fish, Trading & Packing Co.		Seldovia	1	30	42
Cook Inlet Packing Co.		Seldovia	1	12	28
Fidalgo Island Packing Co.		Port Graham	1	35	69
Snug Harbor Packing Co.		Snug Harbor	1	70	41
Alaska Year Round Canneries		Seldovia	1	36	27
Kodiak-Afognak:					
Sandvik Hand Cannery		Uganik	1	0	3
Pacific American Fisheries, Inc., and Alaska Packers Assn.		Alitak	2	101	8
Far North Packing Co.		Moser Bay	1	59	1
San Juan Fishing & Packing Co. Alaska Packers Assn.	Larsen Bay	Uganik	3	149	10
Uganik Fisheries, Inc.		Uganik	1	71	22
Kadiak Fisheries Co.		Port Bailey	2	149	82
Pacific American Fisheries	(Traps)				
Kadiak Fisheries Co.		Shearwater	1	74	13
Frank McConaghy Co.		Kodiak	1	22	80
Washington Fish & Oyster Co.		Ft. Williams	1	65	20
Grimes Packing Co.		Ouzinkie	1	23	41
Alaska Red Salmon Packers	Carmel				
Parks Canning Co.		Uyak Bay	1	74	27
Chignik:					
Alaska Packers Assn.		Chignik	2	120	58
Chignik Packing Co.	Chignik				
Alaska Peninsula:					
Pacific American Fisheries, Inc.		Squaw Harbor	3	207	93
Alaska Pacific Salmon Co.	Sand Point				
Alaska Native Consolidated Canning Co.	Sand Point				
P. E. Harris & Co.		False Pass	1	127	44
Pacific American Fisheries, Inc.		King Cove	2	176	90
Port Moller:					
Peninsula Packing Co.		Port Moller	1	81	10
Pacific American Fisheries, Inc.	Port Moller				
Bristol Bay:					
Naknek-Kvichak:					
Pacific Amer. Fisheries, Inc.		Naknek	3	235	133
Pacific Amer. Fisheries, Inc.	Nornek				
Nakat Packing Corp.		Nakeen	3	229	137
Intercoastal Packing Co.	Kvichak				
Libby, McNeill & Libby		Koggiung	4	200	174
Libby, McNeill & Libby	Libbyville				
Alaska Packers Assn. (NN)		Naknek	4	253	132
Alaska Packers Assn. (M)	Naknek				
Alaska Packers Assn. (J)		Koggiung	4	275	161
Alaska Packers Assn. (X)	Coffee Creek				
Red Salmon Canning Co.		Naknek	4	305	160
Alaska Salmon Co. (2 canneries)	Peterson Point				
Columbia River Packers Assn.		Naknek	3	235	131
Libby, McNeil & Libby	Libbyville				
Nushagak:					
Pacific American Fisheries, Inc.		Snag Point	1	65	116
Libby, McNeil & Libby		Ekuk	3	178	150
Columbia River Packers Assn.	Combine Creek				
Alaska Packers Assn. (NC)		Clark Point	3	171	148
Alaska Salmon Co.	Wood River				
Ugashik:					
Wingard Packing Co.		Ugashik	1	86	57
Alaska Packers Assn.	Ugashik				
Egegik:					
Libby, McNeill & Libby	Egegik				
Alaska Packers Assn. (E)		Egegik	2	158	87
Yukon—Kuskokwim:					
Northern Commercial Co.		Kwiguk	1	0	45
Bering Trading Co.		Kwiguk	1	0	87

[1] Operating plants are referred to in this order as the "nucleus plants."

(d) *Restrictions applicable to specific persons named in Schedule A.* (1) Peninsula Packing Co., is authorized to operate its floating cannery independently in other areas after the close of operations at Port Moller.

(e) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule A providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule A are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe an agreement which will protect adequately the rights of the persons affected thereby.

(f) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreasonable burden without facilitating the production of canned salmon in the Territory of Alaska may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding subparagraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(g) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(h) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(i) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1944 (or for such other periods of time as the Fishery Coordinator may provide), and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws. In addition, employment of more persons than authorized by War Manpower Commission labor ceilings set forth in Schedule A may subject the violator to appropriate action under applicable law and regulations of the War Manpower Commission.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Office of Fishery Coordination, United States Department of the Interior, Washington 25, D. C.

(l) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the Department of the Interior.

(m) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be considered a violation of this order. For the purposes of this order the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(n) *Designated representative.* The Area Coordinator for Alaska is hereby designated as the representative of the Fishery Coordinator to perform any of the functions authorized in this order. In the performance of these functions, he may designate any members of his staff to carry out any specific functions that may be assigned. In any situation where, in the judgment of the Area Coordinator for Alaska, the circumstances do not permit the delay which would otherwise result, Schedule A and the salmon canning license may be amended or extended, or any item thereof altered or deleted by the Area Coordinator for Alaska, in such manner as he shall deem reasonable and advisable to secure maximum production with a minimum expenditure of critical materials and services: *Provided*, That any changes made in labor quotas contained in Schedule A and in the salmon canning license shall meet with the approval of the War Manpower Commission: *And provided further*, That any request for an increase in a non-resident labor quota shall be accompanied by satisfactory evidence that qualified resident labor is not available. Any person claiming to be adversely affected by such amendment may file with the Fishery Coordinator a petition for relief as set out in paragraph (f); pending action on such petition, the amendment by the Area Coordinator for Alaska shall become and remain effective according to its terms.

(o) *Previous order suspended.* The provision of this order shall supersede Order No. 1787 issued by the Secretary of the Interior on March 3, 1943 (8 F.R. 2892–2895), and all amendments thereof.

(p) *Effective date.* This order shall become effective immediately. Issued this 1st day of March 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44–3092; Filed, March 2, 1944; 3:03 p. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Cir. 734]

2½ PERCENT TREASURY BONDS OF 1965–70
ADDITIONAL ISSUE

MARCH 2, 1944.

I. *Exchange offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1965–70, in payment of which any of the following listed securities, singly or in combinations aggregating $500 or multiples thereof, may be tendered:

Treasury issues:
- 1% Treasury Notes of Series B–1944, maturing March 15, 1944
- 3¼% Treasury Bonds of 1944–46, called for redemption on April 15, 1944
- ⅞% Treasury Notes of Series A–1944, maturing June 15, 1944

Federal Farm Mortgage Corporation issues:
- 3¼% FFMC Bonds of 1944–64, called for redemption on March 15, 1944
- 3% FFMC Bonds of 1944–49, called for redemption on May 15, 1944

Reconstruction Finance Corporation issue:
- 1% RFC Notes of Series W, maturing April 15, 1944

Home Owners' Loan Corporation issue:
- 3% HOLC Bonds, Series A 1944–52, called for redemption on May 1, 1944

These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular, holders of any of the securities listed, other than commercial banks, are offered the privilege of exchanging all or any part of such securities for 2¼ percent Treasury Bonds of 1956–59, and all holders, including commercial banks, may exchange for 1½ percent Treasury Notes of Series A–1948, which offerings are set forth in Department Circulars Nos. 735 and 736, issued simultaneously with this circular.

II. *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 2½ percent Treasury Bonds of 1965–70 issued pursuant to Department Circular No. 729, dated January 18, 1944, will be freely interchangeable therewith, and are identical in all respects therewith. They are dated February 1, 1944, and bear interest from that date at the rate of 2½ percent per annum, payable on a semi-annual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1970, but may be redeemed at the option of the United States on and after March 15, 1965, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in section I of Department Circular No. 729, these bonds may not, before February 1, 1954, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the

bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before February 1, 1954, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,[1] provided:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at _____ for credit on Federal estate taxes due from estate of_____" Owing to the periodic closing of the transfer books and the impossiblity of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;[2] bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,[3] properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest from February 1, 1944, for bonds allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new bonds from February 1, 1944, will be charged, as shown in the table at the end of this circular. Where the table shows that an amount will be collected from the subscriber, the remittance should accompany the securities and subscription. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new bonds to be issued, will be adjusted as of various dates as follows:

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B–1944; March 15, 1944.
FFMC Bonds of 1944–64; March 15, 1944.
RFC Notes of Series W; March 15, 1944.
Treasury Bonds of 1944–46; April 15, 1944.
HOLC Bonds, Series A 1944–52; May 1, 1944.
FFMC Bonds of 1944–49; May 15, 1944.
Treasury Notes of Series A–1944; March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B–1944 and FFMC Bonds of 1944–64 will *detach* coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, *including the one next due*, must be *attached* to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. *Surrender of called bonds*—1. *Coupon bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in coupon form tendered in payment for bonds offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. *Registered bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, in one of the forms hereafter set forth, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the bonds surrendered, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965–70"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965–70 in the name of _____"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1965–70 in coupon form to be delivered to _____".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

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[1] An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

[2] The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

[3] Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

TABLE OF INTEREST ADJUSTMENTS PER $1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 2½% TREASURY BONDS OF 1965–70, DATED FEBRUARY 1, 1944, UNDER DEPARTMENT CIRCULAR NO. 734

Securities surrendered	Accrued interest to be credited on securities surrendered	Accrued interest to be charged on bonds issued	Net amount to be paid to subscriber	Net amount to be collected from subscriber
Exchange as of March 15, 1944:				
1% Treasury Notes, Series B–1944	----------	$2.9533	----------	$2.9533
3¼% FFMC Bonds of 1944–64 in coupon form	----------	2.9533	----------	2.9533
3¼% FFMC Bonds of 1944–64 in registered form	$16.25	2.9533	$13.2967	----------
1% RFC Notes, Series W	4.15301	2.9533	1.19971	----------
¾% Treasury Notes, Series A–1944	1.86475	2.9533	----------	1.08855
Exchange as of April 15, 1944: 3¼% Treasury Bonds of 1944–46	16.25	5.58927	11.10073	----------
Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944–52	15.00	6.14623	8.85377	----------
Exchange as of May 15, 1944: 3% FFMC Bonds of 1944–49	15.00	7.09732	7.90268	----------
Exchange as of June 15, 1944: ¾% Treasury Notes, Series A–1944	3.75	9.2033	----------	5.4533

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of Series A–1944.

[F. R. Doc. 44–3057; Filed, March 2, 1944; 11:45 a. m.]

[1944 Dept. Circ. 735]

2¼ PERCENT TREASURY BONDS OF 1956–59

ADDITIONAL ISSUE

MARCH 2, 1944.

I. *Exchange offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for bonds of the United States, designated 2¼ percent Treasury Bonds of 1956–59, in payment of which any of the following listed securities, singly or in combinations aggregating $500 or multiples thereof, may be tendered:

Treasury issues:
- 1% Treasury Notes of Series B–1944, maturing March 15, 1944
- 3¼% Treasury Bonds of 1944–46, called for redemption on April 15, 1944
- ¾% Treasury Notes of Series A–1944, maturing June 15, 1944

Federal Farm Mortgage Corporation issues:
- 3¼% FFMC Bonds of 1944–64, called for redemption on March 15, 1944
- 3% FFMC Bonds of 1944–49, called for redemption on May 15, 1944

Reconstruction Finance Corporation issue:
- 1% RFC Notes of Series W, maturing April 15, 1944

Home Owners' Loan Corporation issue:
- 3% HOLC Bonds, Series A 1944–52, called for redemption on May 1, 1944

These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular, holders of any of the securities listed, other than commercial banks, are offered the privilege of exchanging all or any part of such securities for 2½ percent Treasury Bonds of 1965–70, and all holders, including commercial banks, may exchange for 1½ percent Treasury Notes of Series A–1948, which offerings are set forth in Department Circulars Nos. 734 and 736, issued simultaneously with this circular.

II. *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 2¼ percent Treasury Bonds of 1956–59 issued pursuant to Department Circular No. 730, January 18, 1944, will be freely interchangeable therewith, and are identical in all respects therewith. They are dated February 1, 1944, and bear interest from that date at the rate of 2¼ percent per annum, payable on a semiannual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1959, but may be redeemed at the option of the United States on and after September 15, 1956, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in section I of Department Circular No. 730, these bonds may not, before September 15, 1946, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before September 15, 1946, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,[1] *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ---------- for credit on Federal estate taxes due from estate of ----------." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closing period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;[2] bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed

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[1] An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

[2] The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,* properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest from February 1, 1944, for bonds allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new bonds from February 1, 1944, will be charged, as shown in the table at the end of this circular. Where the table shows that an amount will be collected from the subscriber, the remittance should accompany the securities and subscription. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new bonds to be issued, will be adjusted as of various dates as follows:

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B–1944; March 15, 1944.
FFMC Bonds of 1944–64; March 15, 1944.
RFC Notes of Series W; March 15, 1944.
Treasury Bonds of 1944–46; April 15, 1944.
HOLC Bonds, Series A 1944–52; May 1, 1944.
FFMC Bonds of 1944–49; May 15, 1944.
Treasury Notes of Series A–1944; March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B–1944 and FFMC Bonds of 1944–64 will *detach* coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, *including the one next due*, must be *attached* to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. *Surrender of called bonds.*—1. *Coupon bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in coupon form tendered in payment for bonds offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. *Registered bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, in one of the forms hereafter set forth, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the bonds surrendered, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956–59"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956–59 in the name of_____"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for Treasury Bonds of 1956–59 in coupon form to be delivered to _____"

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

TABLE OF INTEREST ADJUSTMENTS PER $1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 2½% TREASURY BONDS OF 1956–59, DATED FEBRUARY 1, 1944, UNDER DEPARTMENT CIRCULAR NO. 735

Securities surrendered	Accrued interest to be credited on securities surrendered	Accrued interest to be charged on bonds issued	Net amount to be paid to subscriber	Net amount to be collected from subscriber
Exchange as of March 15, 1944:				
1% Treasury Notes, Series B–1944		$2.65797		$2.65797
3¼% FFMC Bonds of 1944–64 in coupon form		2.65797		2.65797
3¼% FFMC Bonds of 1944–64 in registered form	$16.25	2.65797	$13.59203	
1% RFC Notes, Series W	4.15301	2.65797	1.49504	
⅜% Treasury Notes, Series A–1944	1.86475	2.65797		.79322
Exchange as of April 15, 1944: 3½% Treasury Bonds of 1944–46	16.25	4.85335	11.[illegible]	
Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944–52	15.00	4.53161	9.[illegible]	
Exchange as of May 15, 1944: 3% FFMC Bonds of 1944–49	15.00	6.26759	8.61241	
Exchange as of June 15, 1944: ⅜% Treasury Notes, Series A–1944	8.75	3.25297		4.53297

*Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

NOTE: The [illegible] exchanged wi[illegible] est at the ra[illegible] their respect[illegible] dates, except[illegible] and, at the [illegible] notes of serie[illegible]

[F. R. Doc.

1½ PERCEN[illegible]

EXCHA[illegible]

I. *Exchan[illegible]* Secretary of[illegible] the authori[illegible] Bond Act, a[illegible] tions, at par[illegible] interest as s[illegible] of this circu[illegible] United Stat[illegible] States, desig[illegible] Notes of Se[illegible] which any o[illegible] ties, singly o[illegible] ing $1,000 o[illegible] tendered:

Treasury issue[illegible]
1% Treasur[illegible] turing Ma[illegible]
3¼% Trea[illegible] for redem[illegible]
⅜% Treasu[illegible] turing Ju[illegible]
Federal Farm[illegible]
3¼% FFMC[illegible] redemptio[illegible]
3% FFMC B[illegible] demption[illegible]
Reconstructio[illegible]
1% RFC N[illegible] April 15, [illegible]
Home Owners[illegible]
3% HOLC B[illegible] for redem[illegible]

The amount[illegible] circular will[illegible] the above-li[illegible] dered and a[illegible] offering und[illegible] any of the [illegible] commercial [illegible] this purpose[illegible] deposits, are[illegible] changing all[illegible] ties for 2½[illegible] 1965–70 or[illegible] Bonds of 195[illegible] forth in Dep[illegible] and 735, issu[illegible] circular.[1]

II. *Descri[illegible]* will be date[illegible] bear interest[illegible] of 1½ percen[illegible] annually on[illegible] thereafter o[illegible] 15 in each[illegible]

[1] *Supra.*

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of series A–1944.

[F. R. Doc. 44–3056; Filed, March 2, 1944; 11:45 a. m.]

[1944 Dept. Circ. 736]

1½ PERCENT TREASURY NOTES OF SERIES A–1948

EXCHANGE OFFERING OF NOTES

MARCH 2, 1944.

I. *Exchange offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par with adjustments of accrued interest as shown in the table at the end of this circular, from the people of the United States for notes of the United States, designated 1½ percent Treasury Notes of Series A–1948, in payment of which any of the following listed securities, singly or in combinations aggregating $1,000 or multiples thereof, may be tendered:

Treasury issues:
- 1% Treasury Notes of Series B–1944, maturing March 15, 1944.
- 3¼% Treasury Bonds of 1944–46, called for redemption on April 15, 1944.
- ¾% Treasury Notes of Series A–1944, maturing June 15, 1944.

Federal Farm Mortgage Corporation issues:
- 3¼% FFMC Bonds of 1944–64, called for redemption on March 15, 1944.
- 3% FFMC Bonds of 1944–49, called for redemption on May 15, 1944.

Reconstruction Finance Corporation issue:
- 1% RFC Notes of Series W, maturing April 15, 1944.

Home Owners' Loan Corporation issue:
- 3% HOLC Bonds, Series A 1944–52, called for redemption on May 1, 1944.

The amount of the offering under this circular will be limited to the amount of the above-listed bonds and notes tendered and accepted. In addition to the offering under this circular, holders of any of the securities listed, other than commercial banks, which are defined for this purpose as banks accepting demand deposits, are offered the privilege of exchanging all or any part of such securities for 2½ percent Treasury Bonds of 1965–70 or for 2¼ percent Treasury Bonds of 1956–59, which offerings are set forth in Department Circulars Nos. 734 and 735, issued simultaneously with this circular.[1]

II. *Description of notes.* 1. The notes will be dated March 15, 1944, and will bear interest from that date at the rate of 1½ percent per annum, payable semi-annually on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1948, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys.

5. Bearer notes with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before March 15, 1944, or on later allotment. Payment of the principal amount may be made only in the bonds or notes to be exchanged, which will be accepted at par, and should accompany the subscription. Accrued interest on the securities surrendered will be credited, and accrued interest on the new notes from March 15, 1944, will be charged, as shown in the table at the end of this circular. Where an amount is to be paid to the subscriber, it will be paid, in the case of coupon bonds and notes, following their acceptance, and in the case of registered bonds, following discharge of registration. Interest accrued on the securities to be exchanged, and on the new notes to be issued, will be adjusted as of various dates as follows:

Securities To Be Exchanged and Date of Adjustment

Treasury Notes of Series B–1944, March 15, 1944.
FFMC Bonds of 1944–64, March 15, 1944.
RFC Notes of Series W, March 15, 1944.
Treasury Bonds of 1944–46, April 15, 1944.
HOLC Bonds, Series A 1944–52, May 1, 1944.
FFMC Bonds of 1944–49, May 15, 1944.
Treasury Notes of Series A–1944, March 15 or June 15, 1944, as the holder may elect and specify in his subscription.

2. Holders of Treasury Notes of Series B–1944 and FFMC Bonds of 1944–64 will *detach* coupons dated March 15, 1944, and cash them when due. With respect to the other five issues, all unmatured coupons, *including the one next due*, must be *attached* to the securities to be exchanged when they are surrendered, and final interest on these securities, and on registered bonds in all cases, will be paid or credited in a net amount.

V. *Surrender of called bonds*—1. *Coupon bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in coupon form tendered in payment for notes offered hereunder should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasurer of the United States, Washington, D. C. Coupons dated April 15, 1944, May 1, 1944, May 15, 1944, and September 15, 1944, respectively, and all coupons bearing subsequent dates, should be attached to such bonds when surrendered, and if any such coupons are missing, the subscription must be accompanied by cash payment equal to the face amount of the missing coupons. The bonds must be delivered at the expense and risk of the holder. Facilities for transportation of bonds by registered mail insured may be arranged between incorporated banks and trust companies and the Federal Reserve Banks, and holders may take advantage of such arrangements when available, utilizing such incorporated banks and trust companies as their agents.

2. *Registered bonds.* Treasury Bonds of 1944–46, HOLC Bonds of Series A 1944–52, FFMC Bonds of 1944–49 and FFMC Bonds of 1944–64 in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for redemption, to "The Secretary of the Treasury for exchange for Treasury Notes of Series A–1948 to be delivered to _____", and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holder.

[1] *Supra.*

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

TABLE OF INTEREST ADJUSTMENTS PER $1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 1½% TREASURY NOTES OF SERIES A-1948, DATED MARCH 15, 1944, UNDER DEPARTMENT CIRCULAR NO. 736

Securities surrendered	Accrued interest to be credited on securities surrendered	Accrued interest to be charged on notes issued	Net amount to be paid to subscriber	Net amount to be collected from subscriber
Exchange as of March 15, 1944:				
1% Treasury Notes, Series B-1944				
3¼% FFMC Bonds of 1944-64 in coupon form				
3¼% FFMC Bonds of 1944-64 in registered form	$16.25		$16.25	
1% RFC Notes, Series W	4.15301		4.15301	
⅞% Treasury Notes, Series A-1944	1.86475		1.86475	
Exchange as of April 15, 1944: 3¼% Treasury Bonds of 1944-46	16.28	$1.26359	14.98641	
Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944-52	15.00	1.91576	13.08424	
Exchange as of May 15, 1944: 3% FFMC Bonds of 1944-49	15.00	2.48641	12.51359	
Exchange as of June 15, 1944: ⅞% Treasury Notes, Series A-1944	3.75	3.75		

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of series A-1944.

[F. R. Doc. 44-3058; Filed, March 2, 1944; 11:45 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

VALE PROJECT, OREG.

PARTIAL REVOCATION OF LAND WITHDRAWAL

DECEMBER 15, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Vale Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental orders of December 14, 1926, March 18, 1929, and April 2, 1930, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked; *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the land hereinafter listed.

VALE PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 19 S., R. 37 E.,
Sec. 1;
Sec. 2, N½;
Sec. 3, N½NE¼, SE¼NE¼;
Sec. 4, W½, W½SE¼;
Sec. 11, E½NE¼, SW¼NE¼, SE¼;
Sec. 14, E½;
Sec. 22;
Sec. 27, E½NE¼, NE¼NW¼, E½SW¼, NE¼SE¼;
Sec. 34, SE¼NE¼, W½W½, SE¼SE¼.
T. 20 S., R. 37 E.,
Sec. 2, SW¼NW¼;
Sec. 3, NE¼NE¼, NW¼NW¼, N½SE¼, SW¼SE¼;
Sec. 4, SW¼NE¼, W½SE¼;
Sec. 10, SE¼SW¼;
Sec. 15, NE¼NW¼, SE¼SW¼;
Sec. 22, W½NE¼, E½NW¼, NE¼SW¼.
T. 19 S., R. 41 E.,
Secs. 22, 23 and 24;
Sec. 26, W½E½, W½.
T. 20 S., R. 41 E.,
Sec. 1, W½NW¼;
Sec. 2, E½;
Sec. 23, W½NW¼, E½SE¼;
Sec. 24, S½NW¼;
Sec. 26, NE¼, E½SW¼, SW¼SW¼;
Sec. 27, N½NW¼, SW¼NW¼, SE¼SE¼;
Sec. 28, S½;
Sec. 31, NE¼;
Sec. 32, N½NW¼;
Sec. 33, E½SW¼, SW¼SW¼.
T. 21 S., R. 41 E.,
Sec. 5, E½NW¼, SW¼NW¼;
Sec. 6, W½NE¼, NW¼.
T. 19 S., R. 42 E.,
Sec. 13, W½NE¼, W½;
Sec. 22, N½S½;
Sec. 24, W½NW¼;
Sec. 34.
T. 16 S., R. 43 E.,
Sec. 4, E½NE¼.
T. 18 S., R. 43 E.,
Sec. 31, N½, SW¼;
Sec. 32, N½N½, SW¼NW¼.
T. 19 S., R. 43 E.,
Sec. 4, W½E½, W½;
Sec. 5, E½;
Sec. 6, W½;
Sec. 7, NW¼, N½SW¼;
Sec. 8;
Sec. 17, W½.
T. 18 S., R. 44 E.,
Sec. 6, SW¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 12, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisidiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 17, 1944.

[F. R. Doc. 44-3118; Filed, March 3, 1944; 9:56 a. m.]

HASSAYAMPA PROJECT, ARIZ.

PARTIAL REVOCATION OF LAND WITHDRAWAL

DECEMBER 31, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Hassayampa project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by departmental order of July 25, 1941, no longer appears necessary to the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

HASSAYAMPA PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 4 N., R. 4 W.,
Sec. 4, W½;
Sec. 7;
Sec. 8, NE¼, S½;
Secs. 9, 10 and 11;
Sec. 12, N½;
Secs. 15, 17 and 18.

T. 6 N., R. 4 W.,
Sec. 22;
Sec. 25, E½;
Sec. 27, W½E½, W½;
Sec. 34, N½, N½SW¼, SW¼SW¼, SE¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 16, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 22, 1944.

[F. R. Doc. 44-3121; Filed, March 3, 1944; 9:57 a. m.]

MINIDOKA PROJECT, IDAHO

PARTIAL REVOCATION OF LAND WITHDRAWAL

JANUARY 12, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Minidoka project, the withdrawal of the hereinafter described land, withdrawn in the second form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of November 17, 1902, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the land hereinafter listed.

MINIDOKA PROJECT

BOISE MERIDIAN, IDAHO

T. 10 S., R. 23 E.,
Sec. 17, lot 4.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 19, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 22, 1944.

[F. R. Doc. 44-3122; Filed, March 3, 1944; 9:57 a. m.]

SUN RIVER PROJECT, MONT.

FIRST FORM WITHDRAWAL

JANUARY 13, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SUN RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 22 N., R. 4 W.,
Sec. 25, SE¼SW¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 14, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 18, 1944.

[F. R. Doc. 44-3120; Filed, March 3, 1944; 9:56 a. m.]

SUN RIVER PROJECT, MONT.

FIRST FORM WITHDRAWAL

JANUARY 13, 1944.

The SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

SUN RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 21 N., R. 9 W.,
Sec. 8, NW¼NE¼, N½NW¼, unsurveyed.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 14, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 18, 1944.

[F. R. Doc. 44-3119; Filed, March 3, 1944; 9:56 a. m.]

Office of the Secretary.

[Order 1922]

DIRECTOR OF THE WAR RELOCATION AUTHORITY

DELEGATION OF AUTHORITY

FEBRUARY 16, 1944.

The Director of the War Relocation Authority is hereby authorized, under the supervision and direction of the Secretary of the Interior, to perform the functions transferred to the Secretary of the Interior by Executive Order No. 9423, of February 16, 1944 (9 F.R. 1903), until the further order of the Secretary.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-3125; Filed, March 3, 1944; 9:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 4]

ASANO & COMPANY OF NEW YORK, INC.

Whereas by Vesting Order No. 64, dated July 28, 1942 (7 Fed. Reg. 7045, September 5, 1942), the undersigned vested all of the issued and outstanding shares of the capital stock of Asano & Company of New York, Inc., a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas Asano & Company of New York, Inc., has been substantially liquidated under the supervision of the undersigned,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known creditors or liabilities of, or any tax claims, either State or Federal, against Asano & Company of New York, Inc. unpaid; and

2. Finding that Messrs. D. W. Pratt, E. W. Hardy and Martin S. Watts are the directors of Asano & Company of New York, Inc., and that the officers are: D. W. Pratt, President; E. W. Hardy, Secretary; Martin S. Watts, Treasurer; and

3. Determining that it is in the national interest of the United States to dissolve the

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

TABLE OF INTEREST ADJUSTMENTS PER $1,000 IN CONNECTION WITH EXCHANGE OF VARIOUS BONDS AND NOTES FOR 1½% TREASURY NOTES OF SERIES A-1948, DATED MARCH 15, 1944, UNDER DEPARTMENT CIRCULAR NO 736

Securities surrendered	Accrued interest to be credited on securities surrendered	Accrued interest to be charged on notes issued	Net amount to be paid to subscriber	Net amount to be collected from subscriber
Exchange as of March 15, 1944:				
1% Treasury Notes, Series B-1944				
3¼% FFMC Bonds of 1944-64 in coupon form				
3¼% FFMC Bonds of 1944-64 in registered form	$16.25		$16.25	
1% RFC Notes, Series W	4.15301		4.15301	
¾% Treasury Notes, Series A-1944	1.86475		1.86475	
Exchange as of April 15, 1944: 3¼% Treasury Bonds of 1944-46	16.25	$1.26359	14.98641	
Exchange as of May 1, 1944: 3% HOLC Bonds, Series A 1944-52	15.00	1.91576	13.08424	
Exchange as of May 15, 1944: 3% FFMC Bonds of 1944-49	15.00	2.48641	12.51359	
Exchange as of June 15, 1944: ¾% Treasury Notes, Series A-1944	3.75	3.75		

NOTE: The holder of the securities to be exchanged will be paid or credited with interest at the rate borne by those securities to their respective maturity or redemption dates, except in the case of the RFC notes and, at the holder's option, the Treasury notes of series A-1944.

[F. R. Doc. 44-3058; Filed, March 2, 1944; 11:45 a. m.]

T. 18 S., R. 44 E.,
Sec. 8, SW¼.

Respectfully.

H. W. BASHORE,
Commissioner.

I concur: February 12, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisidiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 17, 1944.

[F. R. Doc. 44-3118; Filed, March 3, 1944; 9:56 a. m.]

Sec. 4, W½, W½SE¼;
Sec. 11, E½NE¼, SW¼NE¼, SE¼;
Sec. 14, E½;
Sec. 22;
Sec. 27, E½NE¼, NE¼NW¼, E½SW¼, NE¼SE¼;
Sec. 34, SE¼NE¼, W½W½, SE¼SE¼.

T. 20 S., R. 37 E.,
Sec. 2, SW¼NW¼;
Sec. 3, NE¼NE¼, NW¼NW¼, N½SE¼, SW¼SE¼;

said corporation and to distribute the corporate assets, and a certificate of dissolution having been filed with the Secretary of State of the State of New York:

It is ordered, That the officers and directors of Asano & Company of New York, Inc. above-named continue the proceedings for the dissolution of Asano & Company of New York, Inc. in accordance with the statutes of the State of New York in such cases made and provided: *And it is further ordered*, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation, all other funds and property, if any, remaining in their hands after the payments as aforesaid;

And it is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation, *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York:

And it is ordered, That all actions taken and acts done by the officers and directors of Asano & Company of New York, Inc., above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3037; Filed, March 2, 1944; 11:07 a. m.]

[Dissolution Order 5]

HARA CORPORATION

Whereas by Vesting Order No. 53, dated July 22, 1942 (7 F.R. 5740, July 28, 1942) and as amended November 10, 1943 (8 F.R. 15615, November 15, 1943) and Vesting Order No. 714 dated January 18, 1943 (8 F.R. 2451, February 26, 1943), the undersigned vested all of the issued and outstanding shares of the capital stock of Hara Corporation, a New York Corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas Hara Corporation has been substantially liquidated under the supervision of the undersigned,

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known creditors or liabilities of, or any tax claims, either State or Federal, against Hara Corporation unpaid; and

2. Finding that Messrs. M. S. Watts, D. W. Pratt and Milton Yanowich are the directors of Hara Corporation and that its officers are: M. S. Watts, president and treasurer, E. W. Pratt, secretary; and

3. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute the corporate assets, and a certificate of dissolution having been filed with the Secretary of State of the State of New York;

It is ordered, That officers and directors of Hara Corporation above-named continue the proceedings for the dissolution of Hara Corporation in accordance with the statutes of the State of New York in such cases made and provided;

It is further ordered, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation, all other funds and property, if any, remaining in their hands after the payments as aforesaid;

And it is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholders as above set forth: *Provided, however*; That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York;

And it is ordered, That all actions taken and acts done by officers and directors of Hara Corporation, above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3038; Filed, March 2, 1944; 11:07 a. m.]

[Vesting Order 2080]

HUGO STINNES CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Hugo Stinnes Corporation, a corporation organized and doing business under the laws of the State of Maryland, and a business enterprise within the United States, consisting of 1,000,000 shares of common, having a par value of $5 each, 530,145 shares (53.01%) are registered in the names of the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

Name and Number of Shares	
Karl Fehrmann	25
Ferdinand Lincke	75
Gustav Pilster	150
Familie Spindler G. m. b. H.	105
Gewerkschaft Mathias Stinnes	6,350
Cläre Stinnes-Wagenknecht	1,050
Konrad von Jiberg	1,000
Franz Heinrich Witthoefft	2,890
N. V. Edmund Wagenknecht's Handelmaatschappij	45,400
Hugo Stinnes, Jr., P. H. Saunders and Stanley Clarke, as Voting Trustees	473,100
Total	530,145

2. That of the issued and outstanding voting trust certificates representing 495,007 shares of the common stock of Hugo Stinnes Corporation, voting trust certificates representing 473,100 shares are registered in the names of the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

	Shares
W. B. Barrett	6,100
Atlantic Assets Corporation	467,000
Total	473,100

the voting trust certificates registered in the name of W. B. Barrett and voting trust certificates representing 67,000 shares registered in the name of Atlantic Assets Corporation being beneficially owned by N. V. Edmund Wagenknecht's Handelmaatschappij;

3. That the following named persons, whose last known addresses are stated below, are nationals of a designated enemy country (Germany):

Name and Last Known Address

Karl Fehrmann, Charlottenstrasse 46, Berlin W. 8, Germany.

Ferdinand Lincke, Ness 9, Hamburg, Germany.

Gustav Pilster, Behrenstrasse 46-48, Berlin, Germany.

Familie Spindler G. m. b. H., Essen, Germany.

Gewerkschaft Mathias Stinnes, Essen-Ruhr, Germany.

Clärе Stinnes-Wagenknecht, c/o Hugo Stinnes, Schloesstrasse 10, Muelheim-Ruhr, Germany.

Konrad von Jiberg, Bendlerstrasse 9, Berlin W. 10, Germany.

Franz Heinrich Witthoefft, Alsterdamm 1-3, Hamburg, Germany.

4. That N. V. Edmund Wagenknecht's Handelmaatschappij, whose principal place of business is located at Heerengracht 256, Amsterdam, Holland, is a corporation organized under the laws of The Netherlands, and is controlled by and acting or purporting to act directly or indirectly for the benefit or on behalf of Mrs. Hugo Stinnes, Sr. (Clärе Stinnes-Wagenknecht);

5. That Atlantic Assets Corporation, whose principal place of business is located at 420 Lexington Avenue, New York, New York, is a Delaware corporation and is controlled by Mrs. Hugo Stinnes, Sr., or by Mrs. Hugo Stinnes, Sr., and Hugo Stinnes, Jr., Otto Stinnes, Ernst Stinnes, and Hilde Fiedler, children of Hugo Stinnes, Sr., all nationals of Germany;

and determining:

6. That N. V. Edmund Wagenknecht's Handelmaatschappij is controlled by or acting for or on behalf of Mrs. Hugo Stinnes, Sr., and is a national of a designated enemy country (Germany);

7. That Atlantic Assets Corporation is controlled by Mrs. Hugo Stinnes, Sr., or by Mrs. Hugo Stinnes, Sr., and Hugo Stinnes, Jr., Otto Stinnes, Ernst Stinnes, and Hilde Fiedler, and is a national of a designated enemy country (Germany);

8. That Hugo Stinnes Corporation is controlled by persons within a designated enemy country (Germany) and is a national thereof;

9. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 503,145 shares of $5 par value common capital stock of Hugo Stinnes Corporation and the 473,100 Voting Trust Certificates of Hugo Stinnes Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3022; Filed, March 2, 1944; 11:07 a. m.]

[Vesting Order 3189]

KATALIN CSEH

In re: Estate of Katalin Cseh, deceased; File D-34-637; E. T. sec. 7209.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Pecal, as Executor, acting under the judicial supervision of the Bergen County Orphans' Court, Bergen County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Josephine Fodor, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Josephine Fodor, in and to the estate of Katalin Cseh, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3023; Filed, March 2, 1944; 11:07 a. m.]

[Vesting Order 3190]

KURT GUTMANN

In re: In the matter of Kurt Gutmann, an incompetent; File F-28-1018; E. T. sec. 5586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bruno Gutmann, Ancillary Committee, acting under the judicial supervision of the Supreme Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Kurt Gutmann, Jued. Dauerheim, Berlin-Weissensee, 10 Woerthstr, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy county, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Kurt Gutmann of any nature whatsoever in the possession of Bruno Gutmann, as Ancillary Committee of the estate of Kurt Gutmann, an incompetent,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3024; Filed, March 2, 1944; 11:07 a. m.]

[Vesting Order 3101]

ROBERT GUTMANN

In re: In the matter of Robert Gutmann, an incompetent; File F–28–1018; E. T. sec. 5586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Bruno Gutmann, Ancillary Committee, acting under the judicial supervision of the Supreme Court, New York County, State of New York;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Robert Gutmann, Jued. Dauerheim, Berlin-Weissensee, 10 Woerthstr, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests,

All the property and Estate of Robert Gutmann of any nature whatsoever in the possession of Bruno Gutmann, as Ancillary Committee of the Estate of Robert Gutmann, an incompetent,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3025; Filed March 2, 1944; 11:07 a. m.]

[Vesting Order 3102]

JOHANNES MEYER

In re: Estate of Johannes Meyer, deceased; File D–66–606; E. T. sec. 4421.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Chemical Bank & Trust Company, 165 Broadway, New York City, and Margaret A. Weber, 621 Third Street, Brooklyn, New York, Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Meyer, Germany.
Johannes Franck, Germany.
Elizabeth Meyer, Germany.
Ottilie Meyer, Germany.
Anna Marie Franck, Germany.
Martin Franck, Germany.
Siegfried Franck, Germany.
Walter Franck, Germany.
Johanna Franck, Germany.
Helen Bruch, Germany.
Wilhelm Vogel, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Meyer, Johannes Franck, Elizabeth Meyer, Ottilie Meyer, Anna Marie Franck, Martin Franck, Siegfried Franck, Walter Franck, Johanna Franck, Helen Bruch and Wilhelm Vogel, and each of them, in and to the estate of Johannes Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3026; Filed, March 2, 1944; 11:08 a. m.]

[Vesting Order 3103]

FRIEDA KOEHLER

In re: Mortgage Participation Certificate No. N143105 of Series F–729 MC issued by Bond and Mortgage Guarantee Company under Guarantee No. 170,839 to Frieda Koehler, in the amount of $581.37; File D–28–2552; E. T. sec. 7085.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frieda Koehler, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frieda Koehler, in and to the Mortgage Participation Certificate No. N143105 of Series F–729MC in the amount of $581.37, issued by Bond and Mortgage Guarantee Company under Guarantee No. 170,839,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 44–3027; Filed, March 2, 1944; 11:08 a. m.]

[Vesting Order 3104]

JACOB J. NEWMAN

In re: Trust under deed of Jacob J. Newman, dated May 6, 1924; File No. F–28–12883; E. T. sec. 1283.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by The Union & New Haven Trust Company, 205 Church Street, New Haven, Connecticut, as Successor Trustee, under a Deed of Trust executed by Jacob J. Newman, dated May 6, 1924, acting under the judicial supervision of the Court of Probate of the State of Connecticut, in and for the District of New Haven; and
(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosie Hetsch Lund (referred to in Deed of trust as Rosie Hetsch), Germany.
The children of Rosie Hetsch Lund, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rosie Hetsch Lund (referred to in the Deed of Trust as Rosie Hetsch) and the children of Rosie Hetsch Lund, and each of them, in and to the trust created by a deed of trust of Jacob J. Newman, dated May 6, 1924,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicated that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3028; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3105]

FRANZ SCHUTZLE

In re: Estate of Franz Schutzle, also known as Franz Schützle and Franz Schuetzle, deceased; File D–28–3607; E. T. sec. 5847.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Walter, Germany.
Marie Kissling, Germany.
Robert Dauber, Germany.
Frederick Dauber, Germany.
Wilhelm Dauber, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karl Walter, Marie Kissling, Robert Dauber, Frederick Dauber, and Wilhelm Dauber, and each of them, in and to the Estate of Franz Schutzle, also known as Franz Schützle and Franz Schuetzle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3029; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3200]

ROSIE BERNHEIMER

In re: Trust under the Will of Rosie Bernheimer, deceased; File D–28–5207; E. T. sec. 1464.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Fifth Avenue Bank of New York, and Howard L. Goodhart, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gerta Metz, Belgium.
Peter Metz, Belgium.
Anna B. Reinach, Germany.
Ernst Bernheimer, Germany.
Lise Rheinstrom, Germany.
Karl Rheinstrom, also known as Inge Rheinstrom, Germany.
Karl Bernheimer, Germany.
And their issue, whose names are unknown, Germany.

And determining that—

(3) Gerta Metz and Peter Metz, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied area, Belgium, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated at nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gerta Metz, Peter Metz, Anna B. Reinach, Ernst Bernheimer, Lise Rheinstrom, Karl Rheinstrom, also known as Inge Rheinstrom, Karl Bernheimer, and their issue, whose names are unknown, and each of them, in and to the trust created under the will of Rosie Bernheimer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3030; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3201]

JOHN CHRISTOFF

In re: Estate of John Christoff, deceased; File D–11–16; E. T. sec. 2669.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Steve Slavoff, Administrator, acting under the judicial supervision of the Circuit Court of Multnomah County, Portland, Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Tanu Christoff Abazoff Abadjieff, Bulgaria.
Nanka Christova Abazova Taneva, Bulgaria.
Ganka Christova Abazova Kamberova, Bulgaria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tanu Christoff Abazoff Abadjieff, Nanka Christova Abazova Taneva and Ganka Christova Abazova Kamberova, and each of them, in and to the Estate of John Christoff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy county" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3031; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3202]

JULIUS FORSTMANN

In re: Trust under the will of Julius Forstmann, deceased, for the benefit of Elizabeth Rennau. File D–49–74; E. T. sec. 1905.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolfine Forstmann and Curt E. Forstmann, executors and trustees, acting under the judicial supervision of the Surrogate's Court, Ulster County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Rennau, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Rennau, under the Third Article of the Will of Julius Forstmann, including the right of the said Elizabeth Rennau to request and receive up to, but not in excess of $6,000 during any one year, as provided in the Third Article of the Will of the said Julius Forstmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3032; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3203]

SETSUKO FURUHAMA

In re: Guardianship estate of Setsuko Furuhama, Minor; File: D–39–17344; E. T. sec. 9231 (H–107).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Setsuko Furuhama, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Setsuko Furuhama in and to the Guardianship Estate of Setsuko Furuhama, Minor, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3033; Filed, March 2, 1944; 11:09 a. m.]

[Vesting Order 3204]

MARGARET GERSTACKER

In re: Estate of Margaret Gerstacker, deceased; File: D–28–8240; E. T. sec. 9355.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hans Gerstacker, Executor, acting under the judicial supervision of the District Court of the Third Judicial District of the State of Montana, in and for the County of Powell;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Rohrer, Germany.

Wife, name unknown, of Hans Rohrer, Germany.

Children, names unknown, of Hans Rohrer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans Rohrer, Wife, name unknown, of Hans Rohrer, and Children, names unknown, of Hans Rohrer, and each of them in and to the sum of Five Hundred Dollars ($500.00) bequeathed to Deer Lodge Bank & Trust Company of Deer Lodge, Montana, as Trustee, by and under the will of Margaret Gerstacker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3034; Filed, March 2, 1944; 11:10 a. m.]

[Vesting Order 3205]

KARIN HOUGKANSON

In re: Estate of Karin Hougkanson, deceased, File: (D–28–8380; E. T. sec. 9724).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by S. M. Cook, Executor, acting under the judicial supervision of the District Court of the Sixth Judicial District

of the State of Montana, in and for the County of Gallatin;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mathilda Bollmejer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mathilda Bollmejer in and to the Estate of Karin Hougkanson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3035; Filed, March 2, 1944; 11:10 a. m.]

[Vesting Order 3206]

ERNST M. JAFFE

In re: Trust under the Will of Ernst M. Jaffe, deceased; File D–28–7373; E. T. sec. 7545.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, Executor and Trustee, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Miss Elsbeth Fraenkel, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Miss Elsbeth Fraenkel, in and to the trust estate created under the Last Will and Testament of Ernst M. Jaffe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3036; Filed, March 2, 1944; 11:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 47 Under RMPR 122, Amdt. 5]

SOLID FUELS IN WASHINGTON AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 5 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the Washington Area and Alexandria, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Revised Order No. 47 be amended in the following respect:

1. The maximum prices set forth in Revised Order No. 47 for all sales of all sizes of Pennsylvania anthracite may be increased from and after February 1, 1944 by 45 cents per net ton or by 50 cents per gross ton.

This amendment shall become effective as of March 1, 1944 and shall become void March 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3098; Filed, March 2, 1944; 4:52 p. m.]

[Order 158 Under MPR 136, as Amended]

GENERAL MOTORS CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 158, under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chevrolet Motor Division, General Motors Corporation, Docket No. 3136–389.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is hereby ordered:*

(a) Chevrolet Motor Division, General Motors Corporation, General Motors Building, Detroit 2, Michigan, is authorized to sell to resellers, f. o. b. Chevrolet Motor Division, General Motors Corporation, Flint, Michigan, each of the following motor trucks, manufactured on and after August 12, 1943, at a price not to exceed its "Net wholesale price" in effect on March 31, 1942, to that class of purchaser, plus the following applicable allowance:

Model No.	Description	Allowance
4103	UCAB—134½" Utility chassis and cab	$140.00
4403	ULCAB—160" Utility chassis and cab	135.00
4409	ULSTK—160" Utility chassis, cab, and stake body	175.00

(b) Resellers of Chevrolet motor trucks may sell, f. o. b. place of business, each Chevrolet motor truck of a model described in paragraph (a) at a price not to exceed the total of the following:

(1) The manufacturer's suggested "Retail list price", f. o. b. Chevrolet

Motor Division, General Motors Corporation, Flint, Michigan, in effect on March 31, 1942, for the truck model, subject to the discounts in effect on that date to the applicable class of purchaser.

(2) The allowance stated below which is applicable to the truck model:

Model No.:	*Allowance*
4103	$140
4403	135
4409	175

(3) Prices not to exceed applicable maximum prices for all extra, special, and optional equipment.

(4) Actual freight-in expense.

(5) The reseller's actual expense for handling and delivery, not to exceed applicable maximum prices.

(6) The reseller's actual expense incurred in connection with federal, state, and local taxes on his purchase, and sale, or delivery, of the truck.

(c) All requests in the application not granted in this order are denied.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective March 2, 1944.

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3099; Filed, March 2, 1944; 4:53 p. m.]

[RPS 41, Amdt. 4 to Rev. Order 19]

LOCOMOTIVE CAB TURRET, FRAME END AND FRAME RAIL CASTINGS

AUTHORIZATION OF DELIVERY

Amendment No. 4 to Revised Order No. 19 under Revised Price Schedule No. 41. Steel castings and railroad specialties.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The first sentence of paragraph (a) of Revised Order No. 19 is amended to read as follows:

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41 producers of miscellaneous freight car castings may, on and after July 31, 1943, deliver, or agree to deliver miscellaneous freight car castings and may, on and after June 10, 1943, deliver, or agree to deliver locomotive cab turret, frame end and frame rail castings at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to January 16, 1944.

This amendment No. 4 become effective immediately and is retroactive to September 30, 1943.

(Pub. Laws 1421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3100; Filed, March 2, 1944; 4:53 p. m.]

Regional and District Office Orders.

[Region I Order G-11 Under RMPR 122, Amdt. 3]

SOLID FUELS IN LAWRENCE, MASS., AREA

Amendment No. 3 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lawrence, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "(except Red Ash Broken, Egg, Stove and Chestnut)", following the words "Pennsylvania anthracite", are deleted.

4. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (f) (5) is revoked, and a new paragraph (f) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 3 to Order No. G-11 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3067; Filed, March 2, 1944; 12:17 p. m.]

[Region I Order G-12 Under RMPR 122, Amdt. 3]

SOLID FUELS IN HAVERHILL, MASS.

Amendment No. 3 to Order No. G-12 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Haverhill, Mass.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order G-12 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted in all five places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at all five places where they appear, and the word "Franklin" is inserted in place thereof.

3. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykins Valley."

This Amendment No. 3 to Order No. G-12 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3066; Filed, March 2, 1944; 12:17 p. m.]

[Region I Order G-13 Under RMPR 122, Amdt. 2]

SOLID FUELS IN LYNN-SALEM AREA

Amendment No. 2 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lynn-Salem Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (6) is revoked, and a new paragraph (g) (6) is inserted to read as follows:

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G–13 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3072; Filed, March 2, 1944; 12:18 p. m.]

[Region I Order G–14 Under RMPR 122, Amdt. 4]

SOLID FUELS IN LOWELL, MASS., AREA

Amendment No. 4 to Order No. G–14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lowell, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G–9 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Franklin:				
Stove	$18.00	$9.25	$4.65	$5.00
Chestnut	17.55	9.05	4.55	.05

In Price Schedule II in paragraph (c) (1), that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Franklin:				
Stove	$17.00	$8.75	$4.40	$0.00
Chestnut	16.55	8.55	4.30	.00

3. In paragraph (g) (2), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

4. Paragraph (g) (5) is revoked, and a new paragraph (g) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 4 to Order No. G–14 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February, 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3070; Filed, March 2, 1944; 12:18 p. m.]

[Region I Order G–16 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BROCKTON, MASS., AREA

Amendment No. 2 to Order No. G–16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Brockton, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G–16 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G–16 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681).

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3071; Filed, March 2, 1944; 12:18 p. m.]

[Region I Order G–17 Under RMPR 122, Amdt. 2]

SOLID FUELS IN TAUNTON, MASS., AREA

Amendment No. 2 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Taunton, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G–17 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In paragraph (b) (2), the words "Red Ash" are deleted and the word "Franklin" is inserted in place thereof.

3. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

5. In paragraph (g) (2), the words "Red Ash" are deleted and the word "Franklin" is inserted in place thereof.

6. Paragraph (g) (5) is revoked, and a new paragraph (g) (5) is inserted, to read as follows:

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G–17 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN.
Regional Administrator.

[F. R. Doc. 44–3069; Filed, March 2, 1944; 12:18 p. m.]

[Region I Order G–19 Under RMPR 122, Amdt. 2]

SOLID FUELS IN CONCORD, N. H., AREA

Amendment No. 2 to Order No. G–19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Concord, N. H., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No.

122, Region I Order No. G–19 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted at both places where they appear, and the word "Franklin" is inserted in place thereof.

4. In paragraph (g) (2) the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (g) (4) is revoked, and a new paragraph (g) (4) is inserted, to read as follows:

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G–19 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3073; Filed, March 2, 1944; 12:19 p. m.]

[Region I Order G–23 Under RMPR 122, Amdt. 2]

SOLID FUELS IN STOUGHTON, MASS.

Amendment No. 2 to Order No. G–23 under Revised Maximum Price Regulation No. 122. Specified solid fuels, Stoughton, Mass.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G–23 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Franklin:				
Broken	$16.95	$8.50	$4.50	$1.00
Egg	17.20	8.60	4.55	1.00
Stove	17.45	8.75	4.65	1.00
Chestnut	16.70	8.35	4.45	1.00

2. In Price Schedule II in paragraph (c) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Franklin:				
Broken	$15.45	$7.75	$4.15	$0.95
Egg	15.70	7.85	4.20	.95
Stove	15.95	8.00	4.25	.95
Chestnut	15.20	7.60	4.05	.95

3. In Price Schedule III in paragraph (d) (1), the words "Red Ash" are deleted in the parentheses following the words "Pennsylvania anthracite" and the word "Franklin" is inserted in place thereof; and that portion of the price schedule which lists "Red Ash" and contains specific prices therefor is deleted and replaced with the following:

Kind and size	Per net ton	½ ton	¼ ton
Franklin:			
Broken	$14.45	$7.25	$3.90
Egg	14.70	7.35	3.95
Stove	14.95	7.50	4.00
Chestnut	14.20	7.10	3.80

4. In paragraph (f) (1), the words "Red Ash" are deleted, and the word "Franklin" is inserted in place thereof.

5. Paragraph (f) (3) is revoked, and a new paragraph (f) (3) is inserted, to read as follows:

(3) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

This Amendment No. 2 to Order No. G–23 shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

K. B. BACKMAN,
Acting Regional Administrator.

[F. R. Doc. 44–3068; Filed, March 2, 1944; 12:18 p. m.]

[Region I Order G–39 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PROVIDENCE, R. I., AREA

Amendment No. 1 to Order No. G–39 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Providence, R. I., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, Region I Order No. G–39 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In paragraph (d) (1), that portion of the table of prices in Price Schedule III which contains specific maximum prices for yard sales of coke to unequipped dealers is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton
Coke:			
Egg, stove and chestnut	$12.05	$6.00	$3.00
No. 2 chestnut	11.50	5.75	2.90

2. In paragraph (e) (1) that portion of the table of prices in Price Schedule IV which contains specific maximum prices for yard sales of coke to unequipped dealers is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton
Coke:			
Egg, stove and chestnut	$11.00	$5.50	$2.75
No. 2 chestnut	10.45	5.75	2.65

This Amendment No. 1 to Order No. G–39 shall become effective March 6, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3090; Filed, March 2, 1944; 12:33 p. m.]

[Region I Order G–24 Under 18 (c) and MPR 280, Amdt. 1]

FLUID MILK IN CERTAIN CONNECTICUT MARKETING AREAS

Amendment No. 1 to Order No. G–24 under § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280. Fluid milk in Connecticut Marketing Areas Numbers I and II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, and by § 1351.807 of Maximum Price Regulation No. 280, as amended, *It is hereby ordered*, That this order be redesignated as

Order No. G-24 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation and Section 1351.807 of Maximum Price Regulation No. 280, Fluid Milk in Connecticut Marketing Areas Numbers I and II and amended to read as follows:

(a) This order establishes maximum prices for certain sales and deliveries of fluid milk in Marketing Areas Numbers I and II in the State of Connecticut (as defined in Price Order Numbers I, II and III issued September 22, 1941 by the Milk Administrator of the State of Connecticut).

(b) Any seller subject to the provisions of this order or to the provisions of the General Maximum Price Regulation or Maximum Price Regulation No. 280 may reduce the butterfat content of fluid milk sold and delivered by him in Marketing Areas Numbers I and II so that it shall have a butterfat content of not more than 3/10 of 1% by weight less than the butterfat content of fluid milk sold by him during the base periods of the General Maximum Price Regulation or Maximum Price Regulation No. 280, respectively, without reducing the maximum prices established for sales by him of milk of a butterfat content the same as that sold by him during the respective base periods of the General Maximum Price Regulation and Maximum Price Regulation No. 280; *Provided, however,* That such reduction in butterfat content shall not result in fluid milk having a butterfat content of less than 3.6% by weight.

(c) The maximum prices for sales and deliveries of fluid milk in Marketing Areas Numbers I and II in the transactions listed below shall be the seller's applicable maximum price under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, as modified by paragraph (b) of this order, or the maximum prices set forth below, whichever are higher:

Grade B Milk	Wholesale to users	Wholesale to dealers
Quart bottles	$0.13	$0.115
Pint bottles	.075	.065
10 oz. bottles	.06	.045
8 oz. bottles	.04	.035
10 quart cans, per quart	.12	----------

(1) Grade B milk means cow's milk sold for consumption in fluid form as whole milk as prescribed by the applicable statutes of the State of Connecticut, or by the orders or regulations of the appropriate agency of the State of Connecticut for such grade of milk.

(2) Customary deposit charges and price differentials for special milk, including but not limited to Grade A milk, flavored milk, trade marked milk and milk of specially high butterfat content, or for milk distributed in special types of containers, which any seller had in effect during the base period may be added to the maximum prices for Grade B milk as fixed in this order. The base period to be used for computing all such differentials shall be:

(i) March 1942 for sales of fluid milk subject to the General Maximum Price Regulation.

(ii) The period September 28 to October 2, 1942, inclusive for sales of fluid milk subject to Maximum Price Regulation No. 280.

(3) The above "Wholesale to users" prices shall be the maximum prices for sales to restaurants, hotels, stores and similar business users and to institutions and Government agencies.

(4) The above "Wholesale to dealers" prices shall be the maximum prices for sales to milk dealers and subdealers.

(5) Where the total bill at the time of sale if sold for cash, or at the end of any billing period if sold on credit, comes out at the fraction of a cent, the seller may charge the next higher cent.

(6) Any seller who shall choose to use his maximum price established for sales by him under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, and who finds that some or all of such maximum prices are in excess of the dollar and cent prices set forth in paragraph (c) shall, within 30 days from the effective date of this order, file with the Connecticut State Office of the Office of Price Administration a statement indicating his intention to use such higher maximum prices and setting forth such higher maximum prices for each milk item (grade, container type, container size, etc.). Unless a seller shall file such a statement as required by this subparagraph (6), he shall be limited to the maximum prices otherwise established by paragraph (c) on all sales of fluid milk covered by this order.

(d) This order may be revoked or amended at any time.

(e) This order shall become effective at 12:01 a. m. on February 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-3065; Filed, March 2, 1944; 12:17 p. m.]

[Region I Order G-55 Under RMPR 122]

SOLID FUELS IN WILLIMANTIC, CONN., AREA

Order No. G-55 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Willimantic, Conn., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Price Regulation No. 122 for sales of specified kinds of solid fuels in the Willimantic, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-55 is explained in paragraph (g), and the terms used herein are defined in paragraph (e).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122, apply to all transactions which are the subject of this Order G-55. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-55 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a delivered basis to consumers at any point in the Willimantic, Connecticut, Area. No additional charge shall be made for any carry or wheel which may be necessary in order to effect delivery into the consumer's bin or storage space.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken egg, stove and chestnut	$16.25	[illegible]	$4.60	$1.00
Pea	14.05	[illegible]	4.25	.95
Buckwheat	11.55	[illegible]	3.40	.80
Rice	10.70	5.85	3.20	.75
Yard screenings	[illegible]	----------	----------	----------
Koppers coke:				
Egg, stove and chestnut	15.30	[illegible]	4.40	[illegible]

(2) *Quantity and other special discounts.* (a) The foregoing per net ton prices shall be reduced by fifty cents ($0.50) per ton on sales of railroad carload lots when the entire contents of a railroad car are sold to one purchaser at one time. On such sales the number of tons sold shall be considered to be the number of tons shown on the railroad's freight bill for the car, regardless of the actual number of tons that may be shown by reweighing or unloading.

(3) *Terms of sale.* (a) Terms of sale may be net cash on all sales of yard screenings of Pennsylvania anthracite, but no additional charge shall be made for the extension of credit terms of net 30 days or net ten days E. O. M.

(b) On sales of other sizes of Pennsylvania anthracite and Koppers coke,

the maximum prices set forth above (including the per net ton maximum prices as reduced by any discount required by sub-paragraph (2) of this paragraph (b)) shall be reduced by the following amounts if payment is made by the buyer within ten (10) days after receipt of the fuel,

	Per net ton	Per ½ ton	Per ¼ ton
Broken, egg, stove, chestnut and pea sizes of Pennsylvania anthracite, and Koppers Coke	$1.00	$0.50	$0.25
Buckwheat and rice sizes of Pennsylvania anthracite	.50	.25	.15

which reductions are "cash discounts".

No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a quarter ton. If payment is not required or made at the time of delivery or within ten days thereafter, terms shall be net thirty days.

(4) *Maximum authorized deposit charge.* If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Willimantic, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.75	$7.90	$3.95	$0.80
Pea	14.45	7.25	3.65	.75
Buckwheat	11.05	5.55	2.80	.60
Rice	10.20	5.10	2.55	.55
Yard screenings	2.00	------	------	------
Koppers coke:				
Egg, stove and chestnut	15.00	7.50	3.75	.75

(2) *Discounts and terms of sale.* The provisions of sub-paragraphs (2) and (3) of paragraph (b) of this order shall apply to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons, and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer will be 25 cents per bag.

(d) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided,* That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed.

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove & chestnut pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.30	.15	.05	None
Rice	.25	.15	.05	None

(e) *Definitions.* When used in this Order G-55, the term:

(1) "Willimantic, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Andover, Chaplin, Columbia, Coventry, Hebron, Lebanon, Mansfield, Scotland, Stafford, Tolland, Willimantic, Willington, and Windham.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and Koppers Coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" includes Jeddo Highland and Silver Brook.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal" or "Hazle Brook Coal".

(6) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(7) "Broken", "egg", "stove", "chestnut", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(8) "Koppers coke" means the by-product coke produced by the Koppers Coke Corporation at its plant in New Haven, Connecticut.

(9) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(f) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(g) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(h) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(i) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known); the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(l) This order may be revoked, amended or corrected at any time.

This Order No. G–55 shall become effective March 3, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3091; Filed, March 2, 1944; 12:23 p. m.]

[Region I Order G–56 Under RMPR 122]

SOLID FUELS IN MONTPELIER, VT., AREA

Order No. G–56 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Montpelier, Vt., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Montpelier, Vermont, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–56 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–56. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–56 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Vermont, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Montpelier, Vermont, Area.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$17.30	$9.00	$4.70	$0.95
Pea	15.75	8.20	4.30	.90
Buckwheat	13.50	7.15	3.75	.80
Rice	12.05	6.40	3.40	.70
Yard screenings	2.50			
Jeddo Highland or Silver Brook:				
Egg, stove, and chestnut	17.80	9.25	4.80	1.00
Pea	16.15	8.45	4.40	.90
Buckwheat	14.05	7.40	3.85	.80
Coke—Egg, stove and chestnut	17.10	8.90	4.65	.95
Ambricoal	15.50	8.15	4.25	.90

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places: Barre (both city and township), Berlin, East Montpelier, Montpelier, Northfield, Orange, Plainfield, Roxbury, Williamstown and Worcester.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

	Per net ton	Per ½ ton	Per ¼ ton
Brookfield, Calais, Marshfield and Washington	$0.80	$0.25	$0.15
Cabot	1.00	.50	.25

(3) *Quantity discount.* The foregoing per net ton prices shall be reduced by 50 cents per net ton when the purchaser orders 20 or more net tons for immediate delivery or for delivery at one specified time and the dealer may properly, under any orders of the Solid Fuels Administration for War which are then in effect, deliver at least 20 tons to the purchaser at the time specified by the purchaser.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	*Cents* 50	*Cents* 25	*Cents* 15
For any carry up or down flights of stairs, per flight	80	25	15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Montpelier, Vermont, Area to consumers.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.30	$8.15	$4.25	$0.85
Pea	14.65	7.35	3.95	.80
Buckwheat	12.55	6.30	3.40	.70
Rice	11.05	5.55	3.00	.60
Yard screenings	2.50			
Jeddo Highland or Silver Brook:				
Egg, stove and chestnut	16.80	8.40	4.45	.90
Pea	15.15	7.60	4.05	.80
Buckwheat	13.05	6.55	3.50	.70
Coke: Egg, stove and chestnut	16.10	8.05	4.30	.85
Ambricoal	14.55	7.30	3.90	.80

(2) *Quantity discount.* The provisions of subparagraph (3) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c), including those prices as reduced in accordance with subparagraphs (b) (3) and (c) (2), shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Montpelier, Vermont, Area to dealers in fuels who resell them.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$13.80	$7.90	$3.45
Pea	12.25	6.15	3.10
Buckwheat	10.60	5.30	2.65
Rice	9.30	4.65	2.35
Yard screenings	2.50		
Jeddo Highland or Silver Brook:			
Egg, stove and chestnut	14.30	7.15	3.60
Pea	12.75	6.40	3.20
Buckwheat	11.10	5.55	2.80
Coke: Egg, stove and chestnut	13.70	6.85	3.45
Ambricoal	12.05	6.05	3.05

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(3) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(f) *Definitions.* When used in this Order G–56, the term:

(1) "Montpelier, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: Barre, Berlin, Brookfield, Cabot, Calais, East Montpelier, Marshfield, Middlesex, Montpelier, Northfield, Orange, Plainfield, Roxbury, Waitsfield, Washington, Williamstown and Worcester.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(5) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal," and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(6) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite, refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known); the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(l) This order may be revoked, amended or corrected at any time.

This Order No. G–55 shall become effective March 3, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3091; Filed, March 2, 1944; 12:23 p. m.]

[Region I Order G–56 Under RMPR 122]

PART 1340—FUEL

[Order G–56]

SOLID FUELS IN MONTPELIER, VERMONT, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, it is hereby ordered:

§ 1340.1 *Maximum prices.* From and after March 3, 1944, regardless of contrary agreement, no person shall sell or deliver solid fuels in the Montpelier, Vermont, Area at prices higher than the maximum prices hereby established for such solid fuels, or use or demand or receive any part of such prices unless he has, prior to March 3, 1944, been charging higher prices for such solid fuels, in which case the maximum prices hereby established shall be reduced to the highest prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, to different purchasers of the same class, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, to purchasers of that class. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, to purchasers of the same class for the same kind, size and quantity of solid fuel, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, to purchasers of that class for that kind, size and quantity of solid fuel. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for the same kind, size and quantity of solid fuel delivered to the same purchaser, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for that kind, size and quantity of solid fuel delivered to that purchaser. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for the same kind, size and quantity of solid fuel delivered to the same purchaser for the same use, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for that kind, size and quantity of solid fuel delivered to that purchaser for that use. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for the same kind, size and quantity of solid fuel delivered to the same purchaser for the same use at the same time, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for that kind, size and quantity of solid fuel delivered to that purchaser for that use at that time. Where the seller has been charging different prices during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for the same kind, size and quantity of solid fuel delivered to the same purchaser for the same use at the same time and place, the maximum prices hereby established shall be reduced to the highest of such prices charged by him during December, 1941, or during the last delivery of such solid fuels prior to December, 1941, for that kind, size and quantity of solid fuel delivered to that purchaser for that use at that time and place

and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

This Order No. G–56 shall become effective March 6, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3075; Filed, March 2, 1944; 12:23 p. m.]

[Region IV Order G–5 Under RMPR 122, Amdt. 2]

SOLID FUELS IN CHARLOTTE, N. C.

Amendment No. 2 to Order No. G–5 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the city of Charlotte in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (g) of Order No. G–5 issued thereunder, *It is hereby ordered*, That the first unnumbered subdivision of paragraph (c) (1) captioned "Pennsylvania anthracite, briquettes and coke" be amended to read as set forth below:

(1) *Pennsylvania anthracite, briquettes and coke.*

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Pennsylvania anthracite nut	$19.20	$9.85	$5.11
Briquettes	11.50	6.00	3.15
Alabama coke	12.45	6.48	3.42

This amendment No. 2 to Order No. G–5 shall become effective December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued December 13, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44–3079; Filed, March 2, 1944; 12:25 p. m.]

[Region IV Order G–5 Under RMPR 122, Amdt. 3]

SOLID FUELS IN CHARLOTTE, N. C.

Amendment No. 3 to Order No. G–5 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Charlotte in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (g) of Order No. G–5 under § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (c) (1) be amended as follows:

The last line of the first unnumbered paragraph under paragraph (c) (1) reading "Alabama coke, $11.65, $6.08, $3.22" is hereby stricken so that coke shall no longer be covered by Order No. G–5 but will hereafter be priced under Revised Maximum Price Regulation No. 122.

This Amendment No. 3 to Order No. G–5 shall become effective February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued February 9, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–3080; Filed, March 2, 1944; 12:25 p. m.]

[Region IV Order G–10 Under RMPR 122, Amdt. 3]

SOLID FUELS IN CERTAIN MARYLAND AND VIRGINIA LOCALITIES

Amendment No. 3 to Order No. G–10 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the counties of Henrico and Chesterfield in the State of Virginia and the independent city of Richmond, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (f) of Order No. G–10 under § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (c) (1) be amended as follows:

The unnumbered paragraph under paragraph (c) (1) captioned Coke is stricken so that coke will no longer be covered by Order No. G–10 but will hereafter be priced under the provisions of Revised Maximum Price Regulation No. 122.

This Amendment No. 3 to Order No. G–10 shall become effective February 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued February 8, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44–3081; Filed, March 2, 1944; 12:25 p. m.]

[Region VI Order G–8 Under RMPR 122, Amdt. 1]

COAL AND COKE IN MADISON, WIS.

Amendment No. 1 to Order No. G–8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith: *It is ordered*, That section IV of the price schedule set forth in paragraph (b) (1) of Order No. G–8 be and it is hereby amended to read as follows:

Description	Less than 3 tons delivered		Three tons or more delivered	
	Gross	Net	Gross	Net
1	2	3	4	5
IV-a Pennsylvania anthracite, prior to June 1, 1944:				
1. Egg, stove and nut	$18.25	$17.40	$18.25	$17.40
2. Pea	16.45	15.70	16.45	15.70
3. Buckwheat	14.50	13.85	14.50	13.85
IV-b Pennsylvania anthracite, on and after June 1, 1944:				
1. Egg, stove and nut	17.98	17.10	17.98	17.10
2. Pea	16.15	15.40	16.15	15.40
3. Buckwheat	14.20	13.55	14.20	13.55

This Amendment No. 1 to Order No. G–8 shall become effective November 30, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 44–3076; Filed, March 2, 1944; 12:24 p. m.]

[Region VI Order G–8 Under RMPR 122, Amdt. 2]

COAL AND COKE IN MADISON, WIS.

Amendment No. 2 to Order No. G–8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *It is ordered*, That sections I, II and V of the price schedule set forth in paragraph (b) (1) of Order G–8 be and they are hereby amended to read as follows:

Delivered	Less than 3 tons delivered		Three tons or more delivered	
	Gross	Net	Gross	Net
1	2	3	4	5
I. Low volatile bituminous from District #7 (W. Va.): 1. Egg and stove (size groups #2 and #3)	$14.10	$13.45	$14.10	$13.45
II. Hi-volatile bituminous from District #8 (W. Va. & E. Ky.): 1. Domestic stocker 1¼" and smaller (size group #10)	12.00	11.45	11.50	11.00
V. By-product coke: 1. Egg, stove and nut	14.75	14.05	14.75	14.05

This Amendment No. 2 to Order No. G–8 shall become effective December 8, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R 4681)

Issued this 8th day of December 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 44–3078; Filed, March 2, 1944; 12:25 p. m.]

[Region VI Order G–8 Under RMPR 122, Amdt. 3]

COAL AND COKE IN MADISON, WIS.

Amendment No. 3 to Order No. G–8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wis.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of RMPR No. 122, and for reasons stated in the opinion issued herewith, it is ordered that section V of the price schedule set forth in paragraph (b) (1) of Order G–8 be and is hereby amended to read as follows:

	Less than 3 tons delivered		Three tons or more delivered	
	Gross	Net	Gross	Net
1	2	3	4	5
V. By-product coke: 1. Egg, stove and nut	$15.05	$14.35	$15.05	$14.35

This Amendment No. 3 to Order No. G–8 shall become effective as of December 20, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–3077; Filed, March 2, 1944; 12:24 p. m.]

[Region VI Order G–25 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN CERTAIN ILLINOIS CITIES

Order No. G–25 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum prices for specific food products, and under Maximum Price Regulation No. 329—Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for La Salle, Peru, Oglesby, and Spring Valley, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and by § 1351.408 of Maximum Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.70 per cwt. for milk having a butterfat content of 3.5% plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3/5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within the cities of La Salle, Peru, Oglesby and Spring Valley, Illinois, or who sell within such cities 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and at retail in the Illinois cities listed below shall be as follows:

(1) *Spring Valley, Illinois.*

	Standard milk		Chocolate milk		Buttermilk	
	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale
4 individual qt. bottles	$0.48					
Gallons in bulk		[illegible]				
Gallons	.46	.38				
Quarts	.13	.11	$0.16	$0.14	$0.13	$0.11
Pints	.07½	.06½	.08½	.07½		
½ pints	.05	.04	.05	.04		

(2) *La Salle, Peru and Oglesby, Illinois.*

	Standard milk		Chocolate milk		Buttermilk	
	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale
4 individual qt. bottles	$0.54					
Gallons in bulk		$0.40				
Gallons	.50	.40			$0.40	$0.40
Quarts	.14	.12	$0.15	$0.13	.12	.10
Pints		.07		.07		
½ Pints		.04		.04		.03

(3) Where the retail maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. The opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. Home delivery sales at retail shall be considered multiple unit sales unless separate collections are made by single units when delivered.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Illinois cities of La Salle, Peru, Oglesby and Spring Valley shall mean:

(1) All sales made within the city limits of said cities and all sales at or from an establishment located in said cities except that sales to Spring Valley, Illinois from establishments located in La Salle, Peru or Oglesby, Illinois shall not exceed the maximum price established by this order for sales and deliveries in Spring Valley.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of fluid milk for human consumption from a seller at wholesale located within the Illinois cities of La Salle, Peru, Oglesby and Spring Valley.

(e) *Definitions.* (1) Standard milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum butterfat content established by statute or municipal ordinance, distributed and sold in fluid form for human consumption as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(3) Unless the context otherwise requires, terms and phrases not herein defined shall be given the meaning subscribed to them in the General Maximum Price Regulation or the Emergency Price Control Act of 1942, as amended; and if not therein defined, their ordinary meanings.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1944.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-3080; Filed, March 2, 1944; 12:21 p. m.]

[Region VI Order G-26 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN MONROE, WIS.

Order No. G-26 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum prices for specific food products and under Maximum Price Regulation No. 329—Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Monroe, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administration of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this Order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Monroe, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this Order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Monroe, Wisconsin shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher.

Standard butterfat content fluid milk and chocolate milk	Wholesale	Retail
Gallons in bulk	$0.45	
Gallons	.45	$0.49
Quarts	.12	.13
Pints	.06½	.07
½ pints	.03½	.05

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Monroe, Wisconsin area shall mean:

1. All sales made within the city limits of Monroe, Wisconsin, and all sales at or from an establishment located in Monroe, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Monroe, Wisconsin.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 22, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3087; Filed, March 2, 1944; 12:21 p. m.]

[Region VI Order G-28 under SR 15 to GMPR and MPR 280]

MILK IN ELKHART, ILL.

Order No. G-28 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices in Elkhart, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Elkhart, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
STANDARD BUTTERFAT CONTENT FLUID MILK		
Gallons in bulk	$0.37	
Gallons	.37	$0.45
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Elkhart, Illinois, Area shall mean:

1. All sales made within the city limits of Elkhart, Illinois, and all sales at or from an establishment located in Elkhart, Illinois;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of

milk from a seller at wholesale located within Elkhart, Illinois.

(c) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3086; Filed, March 2, 1944; 12:20 p. m.]

[Region VI Order G-25 Under MPR 329, Amdt. 1]

PRODUCERS' MILK PRICES IN TOMAH, WIS.

Amendment No. 1 to Order No. G-25 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That paragraph (a) of Order No. G-25 be amended to read as follows:

(a) *Maximum producer prices.* The maximum price which distributors in Tomah, Wisconsin, may pay to producers for milk sold for human consumption in fluid form shall be whichever of the two provisions listed below is the higher:

1. $3.15 per cwt. for milk having a butterfat content of 4%, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

2. The maximum price which distributors to whom this order applies are permitted to pay to producers pursuant to the provisions of Maximum Price Regulation No. 329.

This Amendment No. 1 to Order No. G-25 shall be effective February 12, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3074; Filed, March 2, 1944; 12:19 p. m.]

[Region VI Order G-27 Under MPR 329]

PRODUCERS' MILK PRICES IN DANVILLE, ILL.

Order No. G-27 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.05 for 4% butterfat test milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* This order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Danville, Illinois, or who sell within that city 50% or more of the milk sold by them.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January of 1943.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective the 21st day of February, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3089; Filed, March 2, 1944; 12:21 p. m.]

[Denver Order G-4 Under 3 (c)]

NETTLES DISTRIBUTING CO., DENVER, COLO.

Order No. G-4 issued under § 1499.3 (c) of the General Maximum Price Regulation. Order establishing maximum prices for electric dry cell batteries sold by Nettles Distributing Company, Denver, Colorado. Docket No. 70-1.3 (c)-4-7, 2-18-'44.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director by General Order No. 32, as amended, and Region VII Delegation Order No. 4, under § 1499.3 (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Maximum prices for electric dry cell batteries.* The maximum prices on sales of electric dry cell batteries covered by this order, to be charged on sales in Colorado to jobbers and on sales in Colorado to retailers and on sales in Colorado at retail, shall be as follows:

Model No.	Type	Maximum price on sales to jobbers	Maximum price on sales to retailers	Maximum price on sales at retail
WENA 30	45-volt "B" battery	$0.80	$1.05	$1.50
WENF 4	1½-volt "A" battery	.30	.42	.60
WENF 3	4½-volt "A" battery	.27	.37	.50
WENF 4	6-volt "A" battery	.30	.42	.60

(b) *Information to be stated on batteries.* The following information shall appear upon the outside cover of each electric dry cell battery covered by this order at the time of any sale of such battery: The model number of such battery as it appears in subdivision (a) of this order; the type of such battery as it appears in subdivision (a) of this order; and the words "OPA Retail Ceiling Price," followed by the maximum price of such battery on sale at retail as such price appears in subdivision (a) of this order. By way of illustration, if the battery sold is a 45-volt "B" Battery, there shall be placed upon the outside cover the following: "WENA 30 45-volt 'B' Battery. OPA Retail Ceiling Price $1.50."

(c) *Notification of maximum prices.* Each person who shall sell any electric dry cell batteries which are covered by this order to any purchaser who buys them for resale shall, at the time of or prior to the delivery to such purchaser of such batteries, notify such purchaser of the provisions of this order by which are determined the maximum wholesale and retail prices of such batteries and of the provisions of this order relating to notification of maximum prices and relating to guarantee of the batteries.

(d) *Description of electric dry cell batteries covered by this order.* This order relates to the maximum prices of only those electric dry cell batteries which shall have been assembled by Nettles Distributing Company, the address of which is 5280 Federal Boulevard, Denver, Colorado, from component parts of Army Signal Corps Type BA-39 Electric Dry Cell Batteries originally manufactured in the month of January 1943 by the Burgess Battery Company of Freeport, Illinois, or the Ray-O-Vac Com-

pany of Madison, Wisconsin, and which Army Signal Corps Type BA-39 Electric Dry Cell Batteries were purchased as a part of a lot of 3,093 of such batteries prior to the date of this order by said Nettles Distributing Company from McGee Sales Company of Kansas City, Missouri. In order to be covered by this order, any electric dry cell battery otherwise falling within the coverage of this order must be guaranteed by said Nettles Distributing Company in the same manner as manufacturers of comparable electric dry cell batteries made for civilian use guaranteed their batteries on sale new during the month of March 1942. No battery containing any cells which were not manufactured by said Burgess Battery Company or said Ray-O-Vac Company shall be covered by this order.

(e) *Coverage by General Maximum Price Regulation.* In all particulars which are not specifically covered or which are excepted by this order, all sellers of electric dry cell batteries which are covered by this order shall be subject to the provisions of the General Maximum Price Regulation with respect to the sales of such batteries.

(f) *Modification and adjustment.* This order may be revoked, amended, or corrected at any time, and any maximum price determined under this order shall be subject to modification and adjustment by the Office of Price Administration and this order shall be superseded by any appropriate maximum price regulation or amendment to maximum price regulation which may hereafter be issued which fixes or establishes maximum prices for electric dry cell batteries.

(g) *Keeping of copy of order.* Said Nettles Distributing Company shall keep a copy of this order in its establishment at 5280 Federal Boulevard, Denver, Colorado.

(h) *Effective date.* This order becomes effective February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

GEO. M. BULL,
District Director.

[F. R. Doc. 44-3082; Filed, March 2, 1944; 12:26 p. m.]

[Region VI Order G-30 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN COLLINSVILLE, ILL.

Order No. G-30 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, Maximum prices for specific food products, and under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Collinsville, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.90 per cwt. for 3.5% milk, plus not more than 4½¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 4½¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Collinsville, Illinois, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Collinsville, Illinois shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

STANDARD BUTTERFAT CONTENT FLUID MILK	Wholesale	Retail
Gallons, in bulk	$0.40	
Gallons	.40	[illegible]
Half gallons	.22	.25
Quarts	.12	.14
Half pints	.03½	.05

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Collinsville, Illinois, area shall mean:

(1) All sales made within the city limits of Collinsville, Illinois, and all sales at or from an establishment located in Collinsville, Illinois;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Collinsville, Illinois.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by these regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9230, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3084; Filed, March 2, 1944; 12:20 p. m.]

[Region VI Order G-29 Under SR 15 and MPR 280]

FLUID MILK IN KIMBALL, NEBR.

Order No. G-29 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280, Maximum prices for specific food products. Adjustment of fluid milk prices in Kimball, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Kimball, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

STANDARD BUTTERFAT CONTENT FLUID MILK	Wholesale	Retail
Gallons in bulk	$0.37	
Gallons	.37	$0.45
Quarts	.10	.12
Pints	.05½	.06½
Half pints	.03	.05

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Kimball, Nebraska area shall mean:

(1) All sales made within the city limits of Kimball, Nebraska, and all sales at or from an establishment located in Kimball, Nebraska.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Kimball, Nebraska.

(c) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration Regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(e) *Revokability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3085; Filed, March 2, 1944; 12:20 p. m.]

[Region VI Order G-31 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN GRANITE CITY, ILL.

Order No. G-31 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, Maximum prices for specific food products and under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Granite City, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329; it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.90 per cwt. for 3.5% milk, plus not more than 4½¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 4½¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Granite City, Illinois, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Granite City, Illinois, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content fluid milk		
Gallon, in bulk	$0.44	
Gallon	.44	$0.52
Half gallon	.24	.28
Quart	.13	.15
Pint	.06½	.08
Half pint	.03½	.05
Homogenized and vitamin D milk		
Gallon, in bulk	.48	
Gallon	.48	.56
Half gallon	.26	.30
Quart	.14	.16
Pint	.08	.09
Half pint	.03½	.05½
Chocolate flavored drink		
Gallon, in bulk	.49	
Gallon	.49	.57
Quart	.13	.15
Pint	.07	.08
Half pint	.03½	.05
Cultured buttermilk		
Gallon, in bulk	.20	
Gallon	.22	.30
Half gallon	.12	.16
Quart	.08	.10
Pint	.04½	.05½
Bulgarian whole buttermilk		
Quart	.12	.15
Half pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher.

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Granite City, Illinois area shall mean:

(1) All sales made within the city limits of Granite City, Illinois, and all sales at or from an establishment located in Granite City, Illinois;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Granite City, Illinois.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Reports.* Each distributor subject to this order, which bottles milk in either glass or paper containers shall submit to the Regional Office of the Office of Price Administration a quarterly profit and loss statement on April 15, 1944, for the quarter year ending March 31, 1944, and a like quarterly statement on each succeeding 15th day of July, October, January and April for the quarter year period ending June 30th, September 30th, December 31st, and March 31st, respectively.

(i) *Revocability.* This order may be revoked amended or corrected at any time.

This order shall be effective February 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3089; Filed, March 2, 1944; 12:19 p. m.]

[Region VIII Order G-86 Under 18 (c)]

TRANSPORTATION OF HAY, GRAIN, AND SEED IN ARIZONA

Order No. G-86 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of hay, grain, and seed in Arizona by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting hay, grain in sacks, or seed in sacks, by motor truck in the State of Arizona, except those portions of Mohave, and Coconino Counties lying north of the Colorado River, for the distances and under the conditions hereinafter specified shall be the applicable rates specified in Appendix A attached hereto:

(1) For transportation from any point of origin to any point of destination in Maricopa County, or on or south of U. S. Highway 70, the maximum rates in Column I of Appendix A shall apply.

(2) For transportation from any point of origin to any point of destination north of U. S. Highway 70, except to any point within Maricopa County, the maximum rates in Column II of Appendix A shall apply.

(b) The maximum rates herein specified include all loading and delivery and unloading at rail car or warehouse door. If the carrier is required to open sacks and pour grain into hopper, an additional charge not to exceed one cent per sack may be made. If the carrier is required to carry into rail car and stack or carry into warehouse and stack, an additional charge may be made not to exceed 35¢ per ton for hay and not to exceed one cent per sack for grain or seed.

(c) The carrier may make a minimum trip charge not to exceed $5.00 without regard to tonnage or distance. This charge shall not be in addition to the applicable rates specified in Appendix A.

(d) This order may be amended, revoked, or corrected at any time. This order shall become effective February 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of February 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

APPENDIX A—MAXIMUM PRICES PER TON

FOR THE TRANSPORTATION OF HAY, GRAIN IN SACKS, SEED IN SACKS, IN ARIZONA BY MOTOR CARRIERS OTHER THAN COMMON CARRIERS

Miles		Column I	Column II
Over—	But not over—	In Maricopa County or on or South of U. S. Highway 70	North of U. S. 70 except Maricopa County
0	1	$1.30	$1.30
1	5	1.40	1.40
5	10	1.60	1.60
10	15	1.80	1.80
15	20	2.00	2.00
20	25	2.20	2.20
25	30	2.40	2.50
30	35	2.60	2.80
35	40	2.75	3.10
40	45	2.90	3.35
45	50	3.05	3.60
50	60	3.35	3.95
60	70	3.65	4.25
70	80	3.95	4.60
80	90	4.25	4.95
90	100	4.50	5.30
100	110	4.75	5.65
110	120	5.00	6.00
120	130	5.25	6.35
130	140	5.50	6.70
140	150	5.75	7.00
150	160	6.00	7.30
160	170	6.25	7.60
170	180	6.50	7.90
180	190	6.75	8.20
190	200	7.00	8.40

Miles in excess of 200: To the 200 mile rate add: In column I, $0.025 for each mile; in column II, $0.0325 for each mile.

[F. R. Doc. 44-2969; Filed, February 29, 1944; 4:45 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 29, 1944.

REGION II

Binghamton, Order No. 9, Filed 1:36 p. m.
Buffalo, Order No. 7, Filed 1:38 p. m.
Trenton, Order No. 11, Filed 1:41 p. m.

REGION III

Columbus, Order No. 3-F, Amendment No. 7, Filed 1:43 p. m.
Columbus, Order No. 7-F, Amendment No. 6, Filed 1:42 p. m.
Indianapolis, Order No. 1-P, Filed 1:35 p. m.
Lexington, Order No. 1-F, Amendment No. 18, Filed 1:44 p. m.
Lexington, Order No. 2-F, Amendment No. 11, Filed 1:44 p. m.
Lexington, Order No. 3-F, Amendment No. 9, Filed 1:44 p. m.
Louisville, Order No. 4-F, Filed 2:00 p. m.
Louisville, Order No. 5-F, Filed 2:04 p. m.
Louisville, Order No. 6-F, Filed 2:04 p. m.
Louisville, Order No. 7-F, Filed 2:05 p. m.

REGION IV

Atlanta, Order No. 1-W, Filed 1:46 p. m.
Atlanta, Order No. 12, Filed 1:48 p. m.
Jackson, Order No. 2-F, Amendment No. 1, Filed 2:06 p. m.
Jacksonville, Order No. 1-F, Amendment No. 12, Filed 2:06 p. m.
Jacksonville, Order No. 20, Filed 1:36 p. m.
Memphis, Order No. 4-F, Amendment No. 22, Filed 1:45 p. m.
Savannah, Order No. 1-F, Amendment No. 24, Filed 1:39 p. m.
Savannah, Order No. 2-F, Amendment No. 19, Filed 1:39 p. m.
Savannah, Order No. 3-F, Amendment No. 17, Filed 1:39 p. m.
Savannah, Order No. 4-F, Amendment No. 16, Filed 1:38 p. m.
South Carolina, Order No. 1-F, Amendment No. 14, Filed 1:43 p. m.
South Carolina, Order No. 2-F, Amendment No. 5, Filed 1:43 p. m.
South Carolina, Order No. 11, Filed 1:45 p. m.

REGION V

Dallas, Order No. 3-F, Amendment No. 4, Filed 1:41 p. m.
Fort Worth, Order No. 1-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 2-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 3-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 4-F, Amendment No. 4, Filed 1:51 p. m.
Fort Worth, Order No. 5-F, Amendment No. 4, Filed 1:53 p. m.
New Orleans, Order No. 2-F, Amendment No. 6, Filed 1:44 p. m.
New Orleans, Order No. G-14, Amendment No. 2, Filed 1:45 p. m.
Oklahoma City, Order No. 3-F, Amendment No. 6, Filed 1:42 p. m.

REGION VI

Des Moines, Order No. 1-F, Amendment No. 3, Filed 1:40 p. m.
Des Moines, Order No. 1-F, Amendment No. 4, Filed 1:39 p. m.
Duluth-Superior, Order No. 1-F, Amendment No. 5, Filed 1:42 p. m.
Milwaukee, Order No. 2-F, Amendment No. 3, Filed 1:35 p. m.
Milwaukee, Order No. 3-F, Amendment No. 3, Filed 1:34 p. m.
Milwaukee, Order No. 5-F, Amendment No. 2, Filed 1:34 p. m.
Moline, Order No. 20, Amendment No. 1, Filed 1:58 p. m.
Moline, Order No. 30, Filed 1:58 p. m.
Omaha, Nebr., Order No. 1-F, Amendment No. 5, Filed 1:56 p. m.
Omaha, Nebr., Order No. 1-F, Amendment No. 6, Filed 1:53 p. m.
Omaha, Nebr., Order No. 2-F, Amendment No. 3, Filed 1:56 p. m.
Omaha, Nebr., Order No. 2-F, Amendment No. 4, Filed 1:53 p. m.
Omaha, Nebr., Order No. 10, Amendment No. 1, Filed 1:54 p. m.
Omaha, Nebr., Order No. 11, Filed 1:46 p. m.
Omaha, Nebr., Order No. 12, Filed 1:54 p. m.
Peoria, Order No. 5, Amendment No. 5, Filed 1:55 p. m.
Sioux City, Order No. 2-F, Amendment No. 3, Filed 1:41 p. m.
Sioux Falls, Order No. 12, Filed 2:00 p. m.
Sioux Falls, Order No. 13, Filed 1:59 p. m.

REGION VIII

Phoenix, Order No. 3-F, Amendment No. 7, Filed 1:55 p. m.
Portland, Order No. 1-F, Amendment No. 4, Filed 1:40 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3005; Filed, March 1, 1944; 4:25 p. m.]

[Region I Order G-45 Under RMPR 122]

SOLID FUELS IN WHITE RIVER JUNCTION AREA

Correction

In F.R. Doc. 44-2067 appearing on page 1746 of the issue for Tuesday, February 15, 1944, the fourth line of the second paragraph should be deleted and the words "Administrator of Region I of the Office of" substituted therefor.

In the table in paragraph (c) (1) the price per ½ ton opposite "Jeddo Highland or Greenwood: Egg, stove and chestnut" should read "$8.75".

SECURITIES AND EXCHANGE COMMISSION.

NEW YORK CURB EXCHANGE

AMENDED PLAN DECLARED EFFECTIVE

Declaration of effectiveness of amended plan of the New York Curb Exchange pursuant to § 240.10B-2 (d) [Rule X-10B-2 (d)].

The Securities and Exchange Commission, having previously declared effective a plan for special offerings, and certain amendments thereto, filed pursuant to Rule X-10B-2 (d) by the New York Curb Exchange; and the New York Curb Exchange, on February 26 and 29, 1944, having filed further amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the New York Curb Exchange as amended and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plan of the New York Curb Exchange as filed on February 29, 1944, to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective March 3, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3111; Filed, March 3, 1944; 9:55 a. m.]

[File Nos. 54-68, 59-55, 70-806]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of March 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company and the Sudsidiary Companies thereof, Respondents, File No. 59-55; Alpha Association, File No. 70-806.

American Gas and Power Company having filed a plan pursuant to Section 11 (e) of the Public Utility Holding Company Act of 1935 regarding (1) the sale by American Gas and Power Company of its interests in American Utilities Associates, (2) the modification of a prior order of the Commission dated July 2, 1943, requiring liquidation and dissolution of American Utilities Associates, and (3) amendments to the Debenture Agreement between American Gas and Power Company and the New York Trust Company, Trustee; and

Alpha Association, a Massachusetts trust, having filed an application pursuant to sections 9 (a) (2) and 10 of the act, on behalf of itself and others to be associated with it, regarding the acquisition of the securities of American Utilities Associates which American Gas and Power Company proposes to sell; and

American Gas and Power Company having requested that appropriate findings and orders be made so that it may have the exemption afforded by section 1808 (f) of the United States Internal Revenue Code, as amended; and

A hearing having been held on such matters, after appropriate public notice in which all security holders of American Gas and Power Company and other interested persons were given opportunity to be heard, and the Commission having made and filed its findings and opinion herein;

It is ordered, That said plan be and hereby is approved, subject, however, to the conditions specified in Rule U-24 under said act.

It is further ordered, That the approval of said plan includes specific approval of the following transactions:

1. The sale by American Gas and Power Company to Alpha Association of all its interests in American Utilities Associates consisting of $5,910,000 principal amount of Notes (of which a Note in the principal amount of $4,950,000 is secured by pledge of 58,199 shares of the capital stock of Lowell Gas Light Company, owned by American Utilities Associates) with unpaid interest amounting to $3,866,475 at September 30, 1943; accounts payable of American Utilities Associates in the amount of $110,065 at that date; and the outstanding shares of beneficial interest of American Utilities Associates (20,000 shares, par value $1 per share) all for a base consideration of $900,000 pursuant to a contract dated September 28, 1943, and amendments thereto.

2. Modification of the Debenture Agreement between American Gas and Power Company and The New York Trust Company, successor trustee, dated May 1, 1928, and supplements thereto, as set forth in the findings and opinion issued herein.

It is further ordered, That said transaction and the above specified exchanges, transfers, conveyances and sales included therein, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the declaration pursuant to section 12 (d) of the act regarding such sales be permitted to become effective forthwith, and that the applications by Alpha Association and those to be associated with it pursuant to sections 9 (a) (2) and 10 of the act be granted forthwith, subject, however, to the following conditions: (1) Neither Alpha Association nor American Utilities Associates, notwithstanding any existing rules of exemption promulgated pursuant to the act, shall be exempt as holding companies or as a subsidiary thereof from such part of section 4 (a) (3) of the act as may be applicable to the public offering for sale or exchange of any securities of Alpha Association or of American Utilities Associates and (2) any available exemption of Alpha Association or American Utilities Associates as holding companies under the Public Utility Holding Company Act of 1935 shall immediately and automatically be revoked in their entirety if any such offering is made.

It is further ordered, That the prior order of this Commission dated July 2, 1943, insofar as such order requires that the existence of American Utilities Associates be terminated and that such company be liquidated and dissolved, be and it hereby is revoked and modified so that the existence of such company may continue subject, however, to the condition that this order of modification shall be revoked and of no effect if any public offering for sale or exchange of any securities of American Utilities Associates or of Alpha Association be made, in which event our prior Order dated July 2, 1943, requiring the liquidation of American Utilities Associates, shall immediately and automatically be in full force and effect.

It is further ordered, That jurisdiction be and it hereby is reserved to the Commission to entertain such further proceedings to make such supplemental findings and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof.

By the Commisison.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3112; Filed, March 3, 1944; 9:55 a. m.]

[File No. 54-89]

THE UNITED CORPORATION

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March 1944.

The Commission having previously designated March 7, 1944 as the date for hearing in the above proceeding involving the application of The United Corporation under section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a proposed plan of exchange of portfolio assets for outstanding shares of its Preference Stock, as more

fully set forth in the Commission's Notice of Filing and Order for Hearing dated February 2, 1944 (Holding Company Act Release No. 4870); and

The United Corporation having requested that the hearing in this matter be postponed until March 22, 1944, and the Commission deeming it appropriate that said request be granted;

It is ordered, That the hearing in this matter previously scheduled for March 7, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to March 22, 1944, at the same hour and place and before the same Trial Examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in the above proceeding shall file his request or application therefor with the Secretary of the Commission, as provided in Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to March 17, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3113; Filed, March 3, 1944; 9:55 a. m.]

[File No. 68-38]

AMERICAN GAS AND POWER COMPANY

ORDER AUTHORIZING SOLICITATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of March 1944.

American Gas and Power Company, a registered holding company, having filed a declaration pursuant to section 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder regarding the solicitation of consents of the holders of the Secured Debentures of American Gas and Power Company, 5% and 6% Series, to the release from the lien of the Debenture Agreement between American Gas and Power Company and The New York Trust Company, successor trustee, dated May 1, 1928 and Supplements thereto of the securities of and interest in American Utilities Associates and Lowell Gas Light Company pledged under said Debenture Agreement and Supplements thereto, upon deposit with said trustee of the cash consideration upon the sale thereof; and

The Commission this date, pursuant to section 11 (e) of said act, having issued its opinion and order approving a plan to effectuate the provisions of section 11 (b) of said act filed by American Gas and Power Company which plan, among other things, (1) provides for the sale of such securities of and interest in American Utilities Associates and Lowell Gas Light Company and (2) provides for an amendment of the release provisions of the aforesaid Debenture Agreement;

It appearing that it would not be detrimental to the public interest or the interest of investors or consumers to permit said declaration to become effective;

It is ordered, That said declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3114; Filed, March 3, 1944; 9:55 a. m.]

[File Nos. 59-20, 59-8, 54-75]

THE COMMONWEALTH AND SOUTHERN CORP., ET AL.

NOTICE OF FILING OF AMENDED PLAN AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 2nd day of March 1944.

In the matter of the Commonwealth & Southern Corporation (Delaware), Respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, Respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware), File No. 54-75.

The Commission having by order dated April 9, 1942, directed The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, to change its capitalization to one class of stock, namely, common stock; and

Commonwealth having on April 20, 1943 filed a plan pursuant to section 11 (e) of the act designed to reduce its capital structure to a single class of common stock and take other related action and a notice of filing and order for hearing on said plan having been issued on May 8, 1943 (Holding Company Act Release No. 4294); and hearings having been held from time to time on said plan;

Notice is hereby given that Commonwealth has filed an amended plan in substitution for the plan filed April 20, 1943. The amended plan has the same objective as the earlier plan of reducing the capitalization of Commonwealth to a single class of common stock. Its principal differences from the earlier plan are (1) the allocation of approximately 80% and 20% of the new common stock of Commonwealth and certain assets to be distributed as between the preferred and common stockholders of Commonwealth, respectively, proposed in the original plan is changed to approximately 85% and 15%, respectively; (2) the provision in the original plan for the distribution of the common stock of Consumers Power Company is modified so as to provide for the distribution of the common stock of the five northern subsidiaries of Commonwealth (Consumers Power Company, Central Illinois Light Company, Southern Indiana Gas and Electric Company, and Ohio Edison Company, which will hold the stock of Pennsylvania Power Company), and (3) a cash payment of $3.50 per share (subject to reduction to $2.75) will be made on the outstanding preferred stock of Commonwealth plus additional cash distributions, as set forth below;

All interested persons are referred to said amended plan, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed which may be summarized as follows:

Commonwealth will change its authorized capitalization to 10,000,000 shares of common stock, having a par value of $5 per share and will issue 8,979,234 shares of such new common stock to the preferred and common stockholders in the ratios of 85% and 15%, respectively.

Commonwealth proposes that the present outstanding number of shares of common stock of the northern subsidiaries be changed in order to minimize the fractions which will result from distributions, without, however, changing the aggregate amount of capital represented by such stocks.

Commonwealth will distribute to the holders of its outstanding preferred and common stock the following number of shares of common stock of the northern subsidiaries and of Commonwealth's new common stock:

(a) *Per Share of Commonwealth's Preferred Stock*

1 3/100 (1.03) shares of common stock of Consumers Power Company

1 3/100 (1.03) shares of common stock of Ohio Edison Company

206/1000 (.206) share of common stock of Central Illinois Light Company

206/1000 (.206) share of common stock of Southern Indiana Gas and Electric Company

5 15/100 (5.15) shares of Commonwealth's new common stock

$3.50 in cash, provided that this amount may be reduced to $2.75 per share if the Board of Directors, prior to the date the Amended Plan becomes effective, determine that the reduction is desirable to preserve adequate working capital.

An additional amount in cash equal to 1/[illegible]ths of 75% of the consolidated net income of Commonwealth and its subsidiary companies from January 1, 1944 to the first day of the calendar month in which the Amended Plan becomes effective, or equal to dividends at the rate of $6.00 per annum from January 1, 1944 to such date, whichever is less, from which shall be deducted the amount of any dividends declared on each preferred share from January 1, 1944 to the effective date of the Amended Plan.

(b) *Per Share of Commonwealth's Present Common Stock*

8/1000 (.008) share of common stock of Consumers Power Company

8/1000 (.008) share of common stock of Ohio Edison Company

16/10000 (.0016) share of common stock of Central Illinois Light Company

16/10000 (.0016) share of common stock of Southern Indiana Gas and Electric Company

4/100 (.04) share of Commonwealth's new common stock

No provision is made in the Amended Plan for the continuance of the rights of the holders of the outstanding Option Warrants, and from and after the effective date of the Amended Plan, such Option Warrants shall be null and void and of no effect.

Prior to the distribution of the common stock of Ohio Edison Company, Commonwealth will transfer, without cost, to Ohio Edison Company all of the outstanding shares of common stock of Pennsylvania Power Company as an addition to the common stock equity of Ohio Edison Company.

Commonwealth reserves the right at any time prior to the effective date of the Amended Plan, subject to any necessary approvals of the Commission or of any other regulatory body having jurisdiction, to dispose of the common stock of Southern Indiana Gas and Electric Company, and, subject as aforesaid, to utilize the proceeds for such purposes as shall be determined by the Board of Directors.

Commonwealth will make an appropriate change in its corporate name.

Upon approval of the Amended Plan by this Commission and the subsequent approval by a majority vote of the stockholders, Commonwealth has requested that this Commission apply to a proper United States District Court to enforce and carry out the terms and provisions of the Amended Plan and make them binding on all security holders.

Distributions of new securities will be made pursuant to the Amended Plan as soon as practicable after it has become effective. Such distributions will be made against surrender of certificates representing Commonwealth's outstanding preferred stock and common stock at the Transfer Agency of Commonwealth at 120 Wall Street, New York, N. Y., or at the office of any agent appointed pursuant to the Amended Plan for such purpose.

(a) As soon as practicable after the expiration of three years from the effective date of the Amended Plan, the exchange agent shall sell in the open market all the shares then represented by unexchanged certificates. For a period of two years thereafter, the exchange agent will hold the proceeds from such sales together with any dividends thereon for the equal and proportionate benefit of the then unexchanged shares of preferred and common stocks of Commonwealth, such proceeds to be payable upon surrender of the certificates.

(b) On the expiration of the fifth year after the effective date of the Amended Plan, the exchange agent will forthwith pay over to Commonwealth any funds then held, and the holders of outstanding certificates for preferred and common stock of Commonwealth, or of scrip certificates therefor, shall have no right to, or claim against, such funds.

No fractional shares will be issued, but in lieu thereof, scrip certificates will be issued if so requested in writing. If no request is made such fractional shares will be sold on the open market from time to time as there are accumulated a number of full shares which may be handled economically and the proportionate share of the net proceeds will be remitted to the person entitled thereto.

(a) Scrip certificates will be in bearer form, will be non-dividend bearing and non-voting. Scrip certificates aggregating one or more full shares may be exchanged for full shares at any time within three years from the effective date of the Amended Plan. A scrip agent will hold the shares of stock represented by outstanding scrip until three years from the effective date of the Amended Plan, and immediately thereafter will sell the shares then held in the open market.

(b) Thereafter, for a period of two years holders of scrip certificates will be entitled to receive from such scrip agent upon the surrender of scrip certificates their proportionate part of the net proceeds from the sale of the shares sold by such scrip agent and of any dividends theretofore paid thereon. Any funds unclaimed at the expiration of said 5-year period shall be forthwith payable to Commonwealth and the holders of scrip certificates will have no right to or claim against such funds.

The dates fixed by the foregoing provisions for sales of stocks held by the respective agents and for termination of the rights of the holders of outstanding certificates and holders of scrip may be extended or otherwise modified by Commonwealth as the Commission may approve or authorize but in no event shall the final termination date be later than January 1, 1951, except that such date may be so extended in certain instances as set forth in the Amended Plan.

Following distribution of their common stocks, the northern companies will cancel the existing contracts with The Commonwealth & Southern Corporation (New York), the mutual service company, and will surrender for cancellation and retirement the shares of capital stock of that company now owned by them, against the payment by it of the stated value thereof of $100 per share.

No person who is an officer or director of Commonwealth or of the mutual service company on the 31st day after the initial distribution of common stocks hereunder shall be at that time an officer or director of any of the northern group of companies or be eligible for election as a director or officer of any of such northern companies at the next annual stockholders' meeting thereof, and thereafter there shall not be any officers and directors common to both Commonwealth and its subsidiary companies, on the one hand, and such northern companies, on the other hand: *Provided, however,* That the foregoing restriction as to common officers shall not be effective to prevent specified persons who are officers or directors of the subsidiary companies of Commonwealth, including the mutual service company, from being officers or directors of the northern companies for such period or periods subsequent to the initial distribution of common stocks as may, on application, be approved by the Commission.

Upon the consummation of the Amended Plant, Commonwealth will restate and segregate on its books its investments in its retained subsidiary companies at such amounts as may be determined by the Board of Directors, which amounts shall not in any case be in excess of the underlying book value thereof as of the effective date of the Amended Plan. Any amount by which the carrying value of Commonwealth's assets as so determined, exceeds its liabilities, including the aggregate par value of its issued capital stock, shall be credited to capital surplus or to an appropriate reserve.

At or prior to consummation of the Amended Plan, Consumers Power Company will charge its surplus account with approximately $5,300,000 of unamortized debt discount, premium and expense on its previously refunded issues, thus reducing the current annual amortization charge against income by about $460,000.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find after notice and opportunity for hearing that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that notice be given and a hearing be held upon the amended plan to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing appropriate, in view of the Commission's order of April 9, 1942 and of the provisions of section 11 (d) with respect to court enforcement of such an order, to provide opportunity for hearing, as part of these consolidated proceedings as to whether the Commission should approve any plan of reorganization of Commonwealth that may be hereafter proposed by the Commission in the first instance or by any person having a bona fide interest in the reorganization;

It is ordered, That the hearing be reconvened at 10:00 a. m., e. w. t., on the 23d day of March, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the Hearing Room Clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of Practice, Rule XVII, on or before March 20th, 1944.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said amended plan or any other plan which may be filed by any duly qualified persons particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the amended plan as proposed or as modified is necessary to effectuate the provisions of section 11 (b) of the act, fair and equitable to the persons affected thereby, and in conformity with the requirements of the Commission's order of April 9, 1942;

(2) Whether the proposed allocations of Commonwealth's new common stock and the common stocks of Consumers Power Company, Central Illinois Light Company, Southern Indiana Gas and Electric Company and Ohio Edison Company, to the preferred and common stockholders of Commonwealth are appropriate, or whether such allocations should be modified so as to provide a larger or smaller allocation to the preferred stock;

(3) Whether the proposed distribution of the common stocks of Consumers Power Company, Central Illinois Light Company, Southern Indiana Gas and Electric Company and Ohio Edison Company, is in all other respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder;

(4) Whether the proposed donation of the common stock of Pennsylvania Power Company by Commonwealth to Ohio Edison Company tends toward the economical and efficient development of an integrated public utility system and otherwise meets the requirements of the act and the rules thereunder;

(5) Whether the accounting entries proposed to be recorded in connection with the amended plan are appropriate and in accordance with sound accounting principles and practice;

(6) Whether, in the event that the Commission shall approve such amended plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e) so as to permit the Commission on its own motion and irrespective of request therefor on the part of Commonwealth, to apply to a court for the enforcement of such plan pursuant to section 11 (d);

(7) Whether, in the event that the Commission shall not approve said amended plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the reorganization of Commonwealth;

(8) Whether the fees and expenses to be paid in connection with the proposed amended plan and all transactions incidental

thereto are for necessary services and are reasonable in amount;

(9) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing is given to The Commonwealth & Southern Corporation and to all other persons; such notice to be given to The Commonwealth & Southern Corporation by registered mail and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Holding Company Act, and by publication in the FEDERAL REGISTER; and

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said amended plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3115; Filed, March 3, 1944; 9:55 a. m.]

[File No. 811-393]

CENTRAL ASSOCIATED INVESTORS, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1944.

The Commission having reasonable cause to believe that Central Associated Investors, Inc., a registered investment company, has been dissolved and has ceased to do business;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing be held on March 13, 1944, at 10 a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said act, that Central Associated Investors, Inc., has ceased to be an investment company; and

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Central Associated Investors, Inc., and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3116; Filed, March 3, 1944; 9:55 a. m.]

[File No. 1-1275]

ADAMS OIL AND GAS COMPANY

ORDER SETTING HEARING ON APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1944.

The Adams Oil and Gas Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on The Chicago Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, March 10, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Chas. S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, momoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3117; Filed, March 3, 1944; 9:56 a. m.]

WAR PRODUCTION BOARD.

WARREN CONSTRUCTION COMPANY

CONSENT ORDER

Harry Bach, 2529 Euclid Heights Blvd., Cleveland Heights, Ohio, doing business individually and as the Warren Construction Company, is and has been engaged in the building and construction business. On or about December 31, 1943, he entered into a contract with the proprietor of a proposed cafe and restaurant for the remodeling and reconstruction of the premises known as 933 Chester Avenue, Cleveland, Ohio, which had been rented by the said proprietor for the purpose of operating a cafe and restaurant. On or about January 10, 1944, Harry Bach began construction of alterations and remodeling, using material and labor in violation of Conservation Order L-41. On January 27, 1944, when the work was stopped, approximately 90% of the project had been completed, the ultimate cost of which to the said proprietor would have approximated $7,000, which was greatly in excess of the amount permitted under Order L-41.

Wherefore, upon the agreement and consent of Harry Bach, individually and as the Warren Construction Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Harry Bach, individually, or doing business as the Warren Construction Company, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Harry Bach, individually, or doing business as the Warren Construction Company, or otherwise, his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Harry Bach individually, or the Warren Construction Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance, and shall expire on May 2, 1944.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3096; Filed, March 2, 1944; 4:46 p. m.]

[Certificate 197]

NORTHWEST LOG CHECKING BUREAU, INC.

APPROVAL OF JOINT ACTION PROGRAM

The ATTORNEY GENERAL:

I submit herewith a memorandum from the Administrator of the Office of Price Administration recommending a program for joint action by log scalers and log scaling bureaus, their members and directors, in the Pacific Northwest Coast Territory in the formation and activities of the Northwest Log Checking

Bureau, Inc., directed to the obtaining of uniform application of the grading and scaling rules prescribed in revised Maximum Price Regulation 161.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action program as described in the memorandum; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

FEBRUARY 28, 1944.

MEMORANDUM

FEBRUARY 19, 1944.

To: Mr. Donald M. Nelson, Chairman, War Production Board, Social Security Building.

Subject: Request for Approval, Pursuant to section 12 of Public Law 603, 77th Congress, of the proposed activities of Northwest Log Checking Bureau, Inc.

In order for the Office of Price Administration adequately to discharge its duties under the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is necessary that the Puget Sound Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and Columbia River Log Scaling and Grading Bureau, their members and directors, and the various independent log scalers and graders operating under the provisions of Revised Maximum Price Regulation No. 161 (West Coast Logs) (8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509, 16602, 16603, 17327) act together in the formation and activities of the Northwest Log Checking Bureau, Inc., a non-profit corporation organized under the laws of the State of Washington.

The program of joint action prescribes that any generally recognized scaling bureau located in the Pacific Northwest Coast Territory which scales a minimum of 150,000,000 feet of logs per year can become a member of the bureau. The bureaus known to meet these qualifications are the Puget Sound Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Columbia River Log Scaling and Grading Bureau. Any independent scaler or independent scaling bureau approved by the Office of Price Administration under the provisions of Revised Maximum Price Regulation No. 161 and located in that territory, however, may become an associate member under certain conditions. The board of directors is to consist of thirteen members. Three of these directors will be from each of the three principal log scaling bureaus—in each case one being a representative of mills or buyers, one a representative of the loggers or sellers, and the third, the manager of that bureau. The independents on the Board of Directors shall consist of one from each of the marketing districts specified in RMPR 161, and shall be selected by the independents certified by this Office under § 1381.158 (a) (3) of the Regulation.

The program of joint action contemplated by this request shall be to systematize, stabilize, and make uniform the classifications, grading, scaling, measuring, sorting and inspection of logs, spars, poles, piling, veneer blocks, shingle bolts, and all other primary forest products manufactured, produced, sold or shipped in and from the Northwest Pacific Coast Territory, including the Province of British Columbia, Canada, and including any other state, territory or locality in which the corporation shall be authorized to engage in business, and to improve, perfect, stabilize and make uniform modes, methods, customs and practices relating to grading and scaling. In addition the Northwest Log Checking Bureau, Inc., will serve and act as arbitrator of contracts, requirements and controversies as between sellers, buyers, manufacturers, producers, owners, shippers and common carriers as to scaling, measuring, weight, quantity, quality, inspection and condition of logs and all other of such timber products; to investigate, scale, re-scale and inspect and otherwise check the same; and to decide, report and certify thereon.

These activities are directed to the obtaining of uniform application of the grading and scaling rules prescribed in Revised Maximum Price Regulation 161 and any amendments or revisions thereof and to the providing of expert advice and assistance to Office of Price Administration in all matters pertaining to grading and scaling in the area involved.

All joint actions and discussions are to relate directly and are to be restricted to the proper performance of the functions of the Northwest Log Checking Bureau, Inc., as outlined above. If the actions or discussions in concert go beyond this limitation, the entire course of joint conduct shall be considered improper and subject to the restrictions of law which would apply in the absence of any certification by you pursuant to this recommendation.

It appears that some joint discussions and actions by the persons participating in the program of the Northwest Log Checking Bureau, Inc., is necessary to and will effectuate the purposes of Revised Maximum Price Regulation No. 161, and of our program of price control. I have approved the program set out herein and recommend that you find and certify pursuant to Section 12 of Public Law 603, 77th Congress (56 Stat. 357) that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with this recommendation pertaining to the said Northwest Log Checking Bureau, Inc., is requisite to the prosecution of the war.

It is understood that certification pursuant to Section 12, Public Law 603, 77th Congress, does not sanction any act or omission to act after the termination of the certificate, nor sanction the continuance of any act, thing, or organization after such termination. No sanction is given for the existence of the corporation after the termination of the certificate, nor for any effects of such incorporation beyond such period, nor beyond the scope of the certificate.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3129; Filed, March 3, 1944; 11:17 a. m.]

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Chapter XI—
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PART 14

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FEDERAL REGISTER

VOLUME 9 NUMBER 47

Washington, Tuesday, March 7, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-42, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FALL RIVER-NEW BEDFORD-TAUNTON, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-42 (8 F.R. 13966), relative to the conservation and distribution of fluid milk in the Fall River-New Bedford-Taunton, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, is hereby amended as follows:

1. By deleting therefrom the provisions in § 1401.73 (g) and inserting, in lieu thereof, the following:

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

2. By deleting therefrom the numeral "100" in § 1401.73 (h) wherever it appears, and inserting, in lieu thereof, the numeral "300."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-42, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-42 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3061; Filed, March 2, 1944; 12:44 p. m.]

[FDO 79-78, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EVANSVILLE, IND., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-78 (8 F.R. 14599), relative to the conservation and distribution of fluid milk in the Evansville, Indiana, milk sales area, issued by the Director of Food Distribution on October 26, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.117 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e.w.t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-78, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-78, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44–3063; Filed, March 2, 1944; 12:44 p. m.]

[FDO 79–43, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting from the description of the sales area in § 1401.74 (b) the following:

The towns of Attleboro, North Attleboro and Seekonk in Bristol County, Massachusetts; the towns of Blackstone and Millville in Worcester County, Massachusetts; all the towns and cities listed as being in the State of Rhode Island; and Norfolk County, Massachusetts, and inserting in lieu of Norfolk County, Massachusetts, the following towns and cities located within said Norfolk County:

Avon, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxborough, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, and Weymouth.

The complete description of the sales area is as follows:

In Bristol County, Massachusetts, the towns and cities of Easton and Mansfield.

In Middlesex County, Massachusetts, the towns and cities of:

Arlington, Ashland, Bedford, Belmont, Billerica, Burlington, Cambridge, Chelmsford, Concord, Dracut, Everett, Framingham, Holliston, Hopkinton, Hudson, Lexington, Lincoln, Lowell, Malden, Marlboro, Maynard, Medford, Melrose, Natick, Newton, N. Reading, Reading, Sherborn, Somerville, Stoneham, Sudbury, Tewksbury, Tyngsboro, Wakefield, Waltham, Watertown, Wayland, Weston, Wilmington, and Winchester.

In Plymouth County, Massachusetts, the towns and cities of:

Abington, Bridgewater, Brockton, E. Bridgewater, Hanover, Hanson, Hingham, Hull, Norwell, Rockland, Scituate, W. Bridgewater, and Whitman.

In Worcester County, Massachusetts, the towns and cities of:

Auburn, Berlin, Boylston, Clinton, Grafton, Holden, Hopedale, Leicester, Mendon, Milford, Millbury, Northboro, Northbridge, Paxton, Shrewsbury, Southboro, Spencer, Upton, Uxbridge, Westboro, W. Boylston, and Worcester.

In Norfolk County, Massachusetts, the towns and cities of:

Avon, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxborough, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, and Weymouth.

All the towns and cities in the counties of Essex and Suffolk, Massachusetts.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79–43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–43, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44–3062; Filed, March 2, 1944; 12:44 p. m.]

[FDO 79–141]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREATER PROVIDENCE, R. I., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.176 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Greater Providence, Rhode Island, sales area, and is referred to hereinafter as the "sales area":

The territory included within the boundaries of the following cities and towns in Rhode Island:

Barrington, Bristol, Central Falls, Coventry, Cranston, Cumberland, East Greenwich, East Providence, Jamestown, Johnston, Lincoln, Middletown, Newport, North Providence, North Smithfield, Pawtucket, Portsmouth, Providence, Smithfield, Warren, Warwick, West Warwick, and Woonsocket;

The following cities and towns in Massachusetts:

Attleboro, Bellingham, Blackstone, Franklin, Millville, North Attleboro, Plainville, Seekonk, and Wrentham.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota periods.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, are hereby designated as quota periods for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk, 100 percent; (ii) Butterfat in milk, -- percent; (iii) Cream, 75 percent; (iv) Butterfat in cream, 75 percent; (v) Milk byproducts other than cottage, pot, or bakers' cheese, 75 percent; and (vi) Cottage, pot, or bakers' cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or bakers' cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or bakers' cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall

agent for the purpose of obtaining in-

(2) The term "subhandler" means any

milk drink, or other beverage, contain-

agent to establish volumes of deliveries

(s) *Effective date.* This order shall

cific authorization by the Director shall

require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of $0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or bakers' cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., March 1, 1944.

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3060; Filed, March 2, 1944; 12:44 p. m.]

[FDO 79-142]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN CONNECTICUT SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.175 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "subhandler" means any handler, such as a peddler, vendor, subdealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The entire area of the State of Connecticut is hereby designated as the "milk sales area" to be known as the Connecticut sales area, and is referred to hereinafter as the "sales area."

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota periods.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, are hereby designated as quota periods for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: — percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, or milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage, containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers; (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream, from which no milk, milk byproducts, or cream is delivered in the sales area; (3) to nursery, elementary, junior high, and high schools; and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of $0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director, together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) *Certain previous orders terminated.* This order supersedes and terminates, except in the respects stated herein, the following orders issued by the Director pursuant to FDO 79: FDO 79-34 (8 F.R. 13835), establishing the Bridgeport-New Haven, Connecticut, milk sales area; FDO 79-36 (8 F.R. 13838), establishing the Waterbury, Connecticut, milk sales area; and FDO 79-37 (8 F.R. 13839), establishing the Hartford-New Britain, Connecticut, milk sales area. With respect to violations of any of said orders, superseded and terminated as aforesaid, rights accrued, or liabilities incurred, prior to the effective time of the provisions hereof, each of said orders, hereby superseded and terminated, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. The surplus, if any, in the assessment fund collected from the handlers by the market agent in each of the aforesaid milk sales areas shall, after payment of the expenses of administration incurred pursuant to each of said orders, be refunded pro rata to the contributing handlers.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3064; Filed, March 2, 1944; 12:44 p. m.]

[FDO 60, Amdt. 2]

PART 1460—FATS AND OILS

FISH OIL

Food Distribution Order 60, as amended (8 F. R. 14785), § 1460.16, is amended to read as follows:

§ 1460.16 *Use, consumption, and processing of fish oil restricted*—(a) *Definitions.* (1) "Fish oil" means oil, other than oil produced solely from the livers or viscera of fish or marine animals, produced by the reduction of the whole or any part of any fish or marine animal of the following species, commonly known as: California sardine or Pacific Coast pilchard (Sardina caerulea), menhaden (Brevoortia tyrannus), Pacific Coast herring (Clupea pallasii), West Coast mackerel (Scomber diego), Tuna and tuna-like fish, salmon (Genus: Oncorhynchus), rose fish (Sebastes marinus), and seal. The term shall include all such oil, whether crude, refined, pressed, sulphonated or otherwise processed; and all the by-products and derivatives of such oil, including, but not limited to, foots, stearine, and fatty acids, but excluding pitch.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Quota period" means the twelve-month period beginning on October 1, of any year and ending on September 30, of the following year. For the purposes of this order, the first quota period shall begin on October 1, 1943.

(4) "Calendar quarter" means the several three-month periods of the year beginning on January 1, April 1, July 1, and October 1. With respect to the restrictions of this order, the first calendar quarter shall begin on October 1, 1943.

(5) "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on use and consumption.* Except as provided for in paragraph (c) hereof, no person shall, in any manner, use or consume fish oil (other than in the production of fish oil as defined in paragraph (a) (1) hereof), or use or consume a product containing fish oil in a class of use listed in Schedules A or B of paragraph (c) hereof, unless and except as specifically authorized by the Director.

(c) *Exceptions.* Notwithstanding the provisions of paragraph (b) hereof, specific authorization by the Director shall not be required for:

(1) The use or consumption by any person, in any quota period, of fish oil, or any product containing fish oil, in any class of use listed in Schedule A below, in a quantity not in excess of a quota equal to the percentage specified in such Schedule A of the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by such person in such class of use during the calendar year of 1942.

SCHEDULE A

Class of use:	Permitted percentage
Manufacturer of shortening	60
Manufacture of water soluble soaps	60
Manufacture of linoleum, felt base floor covering, and oil cloth used for floor covering	60
Manufacture of oil cloth for all purposes other than floor coverings, and all coated fabrics	60

A quota established hereunder for one class of use may not be transferred to another class of use. For the purposes of this paragraph (c) (1), the term "fish oil" shall not include seal oil or Pacific Coast herring oil.

(2) The use or consumption by any person, in any calendar quarter, of fish oil, or any product containing fish oil, in any class of use listed in Schedule B below, in a quantity not in excess of a quota equal to the percentage specified in such Schedule B of the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by such person in such class of use during the corresponding calendar quarter of 1942.

SCHEDULE B

Class of use:	Permitted percentage
Manufacture of medicinals or pharmaceuticals for human or animal consumption	100
Manufacture of natural leather	100
Manufacture of terne plate, galvanized metal, and hot dipped tin	100
Manufacture of caulking compounds and putties	100
Manufacture of paints, varnishes, lacquers, and other protective coatings, except alkyd resins or paint reducing oils	60

A quota established hereunder for one class of use may not be transferred to another class of use. For the purposes of this paragraph (c) (2), the term "fish oil" shall not include seal oil or Pacific Coast herring oil.

(3) The use or consumption by any person of any fish oil, other than seal oil or Pacific Coast herring oil, in the manufacture of alkyd resins, or as a rubber compounding ingredient in the manufacture of natural or synthetic rubber products.

(4) The use or consumption by any person of seal oil or Pacific Coast herring oil in the manufacture of natural leather.

(5) The use or consumption by any person of any fish oil, other than seal oil, in the manufacture of water insoluble metallic soaps, lubricants, or metal working compounds, other than core oils.

(6) The use or consumption by any person of fish oil, other than seal oil or

require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of $0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or bakers' cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., March 1, 1944.

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3060; Filed, March 2, 1944; 12:44 p. m.]

(3) The term "subhandler" means any handler, such as a peddler, vendor, subdealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The entire area of the State of Connecticut is hereby designated as the "milk sales area" to be known as the Connecticut sales area, and is referred to hereinafter as the "sales area."

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota periods.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, are hereby designated as quota periods for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: — percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of milk drink, or other beverage, containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers; (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream, from which no milk, milk byproducts, or cream is delivered in the sales area; (3) to nursery, elementary, junior high, and high schools; and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition

Pacific Coast herring oil, in the manufacture of vitamin feeding oil to be used for feeding poultry, if such vitamin feeding oil is fortified, by such person, to contain not less than 400 A. O. A. C. units of Vitamin D per gram of oil without regard to the fish-oil content of such oil.

(7) The use or consumption by any person of salmon oil in the manufacture of canned salmon.

(8) The use or consumption of fish oil, other than seal oil, in any calendar quarter, by any person other than a feed manufacturer, who does not use or consume in excess of 1,000 pounds of fish oil during such calendar quarter.

(d) *Restrictions on processing.* Unless and except as specifically authorized by the Director, no person shall process seal oil, except in such a manner as to render it suitable for use or consumption in the manufacturing of natural leather; or Pacific Coast herring oil, except in such a manner as to render it suitable for use or consumption in the manufacture of natural leather, lubricants, water insoluble metallic soaps, or metal working compounds, other than core oil.

(e) *Applications for authorizations.* Every person requiring an authorization to use or consume fish oil in any calendar month shall file an application therefor on or before the fifteenth day of the calendar month preceding the calendar month in which the applicant desires to use or consume the fish oil covered by the application. The application shall be made on Form FDA–478, or such other form or forms as the Director may prescribe, and shall be forwarded to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO–60. The Director may prescribe in each authorization the period of time in which the authorization shall be effective. No person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(f) *FDO–42.* The restrictions of this order shall be construed as being supplemental to the restrictions of Food Distribution Order 42, as amended.

(g) *Records and reports.* (1) Every person who in any calendar quarter uses or consumes more than 6,000 pounds of fish oil shall:

(i) Fill out and file, for each month of such quarter, Bureau of the Census Form BM–1, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each month shall be filed on or before the fifteenth day of the succeeding month.

(ii) Fill out and file for such quarter, Bureau of the Census Form BM–2, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each quarter shall be filed on or before the fifteenth day of the second month of the succeeding quarter.

Nothing in this paragraph (g) (1) shall be construed as requiring any person to file more than one form BM–1 for any month, or more than one form BM–2 for any quarter. The provisions of Food Distribution Order 37, as amended, shall apply to the filling out of Form BM–1 with respect to sperm oil.

(2) Every person who used or consumed more than 4,000 pounds of fish oil, including the fish oil contained in any product, in the calendar year of 1942, in the classes of use set forth in Schedule A of paragraph (c) (1) hereof, shall on or before April 1, 1944, report to the Director, by letter, the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by him in each class of use set forth in said Schedule A, in the calendar year of 1942.

(3) Every person who used or consumed more than 4,000 pounds of fish oil, including the fish oil contained in any product, in the calendar year of 1942, in the classes of use set forth in Schedule B of paragraph (c) (2) hereof, shall on or before April 1, 1944, report to the Director, by letter, the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by him in each class of use set forth in said Schedule B, in each calendar quarter of the calendar year of 1942.

(4) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(5) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fish oil.

(6) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of fish oil of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 60. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(j) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using fish oil, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such persons be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 60.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate any or all of the authority vested in him by this order to any employee of the United States Department of Agriculture.

(m) *Territorial extent.* This order shall apply only in the forty-eight States of the United States, the District of Columbia, and the Territory of Alaska.

(n) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., on March 2, 1944. However, with respect to violations of Food Distribution Order 60, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 60, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–3101; Filed, March 2, 1944; 4:59 p. m.]

[FDO 44–1, Amdt. 2]

PART 1465—FISH AND SHELLFISH

FILING OF REPORTS; CANNED FISH

Food Distribution Order No. 44.1, issued by the Director of Food Distribution on May 4, 1943, as amended (8 F.R. 5825, 9488), is further amended to read as follows:

§ 1465.21 *Reports in connection with restricted canned fish*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 44, as amended (8 F.R. 4227, 8797), shall, when used herein,

have the same meaning as is set forth for such term in said Food Distribution Order No. 44, as amended.

(2) The term "packing season" means the period from the time when a canner first commences to pack fish on or after March 1, 1944, until the date that such canner ceases to pack fish, or February 28, 1945, whichever date is the earlier.

(b) *Weekly reports.* Each canner shall report on Form FDO–44–1 (Revised 3/1/44), entitled "Canned Fish: Weekly Pack Report," the quantity of each class of fish packed by him each calendar week of his packing season. Such report shall be submitted for each calendar week during the respective canner's packing season, and such reports shall be submitted even though no fish may be packed by such canner during a particular week. Reports for the calendar weeks or parts of calendar weeks subsequent to the effective date hereof shall be submitted as aforesaid within four days after the last day of each such calendar week.

(c) *Seasonal reports.* In addition to the weekly reports described in (b) hereof, each canner shall report on Form FDO–44–1 (Revised 3/1/44), the total quantity of each class of fish respectively, which were packed by him during his packing season, and submit such report within 15 days after the termination of such packing season.

(d) *Completion of reports.* All reports submitted pursuant to (b) and (c) hereof shall be completed pursuant to the instructions contained on Form FDO–44–1 (Revised 3/1/44). The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Filing of reports.* All reports required to be submitted pursuant to this order by canners in the Territory of Alaska and in the States of Washington, Oregon, and California shall be addressed to Regional Director of Food Distribution, War Food Administration, Ref. FD–44, 821 Market Street, San Francisco 3, California; reports by canners in other States shall be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FD–44.

(f) *Previous requirements continued in effect.* With respect to violations of Food Distribution Order No. 44–1, as heretofore amended, rights accrued or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 44–1, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(g) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 44, 8 F.R. 4227, 8797)

Issued this 3d day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–3160; Filed, March 4, 1944; 12:42 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 91—GENERAL TRANSPORT REGULATIONS

PAYMENT FOR SUBSISTENCE

Paragraph (f) (1) of § 91.25 is hereby amended to read as follows:

§ 91.25 *Transport messes.* • • •

(f) *Payment for subsistence required.*—(1) *General; rates.* All persons chargeable for subsistence will pay the ship transportation officer or transportation agent before the sailing of the transport, except as hereinafter provided, at rates to be determined and prescribed by the Chief of Transportation semiannually, effective 1 January and 1 July each year, except that commissioned personnel permanently assigned to duty aboard ship and not traveling pursuant to change of station will pay the approximate cost of subsistence of the saloon mess as determined each month by the ship transportation agent. (R.S. 161; 5 U.S.C. 22) [Par. 12*a*, AR 55–420, 1 September 1942, as amended by C 2, 24 February 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–3172; Filed, March 6, 1944; 10:23 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 4, Amdt.]

PART 803—GENERAL ORDERS

EXEMPTION OF CERTAIN EMPLOYERS FROM WAGE ADJUSTMENTS

§ 803.4 *General Order No. 4.*[1] • • •

(b) • • •

The National War Labor Board has, under this paragraph, approved the extension of the exemption provided for in paragraph (a) of this order to:

1. Employees of barber shops (May 19, 1943).
2. Employees of beauty shops and the like (May 28, 1943).

• • • • • •

(d) • • •

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

1. Tool and die industry (approved as General Order 4–A October 23, 1942).
2. Shoe repair industry in California (approved April 10, 1943).
3. Tool and die industry in Region I (approved May 31, 1943).
4. Logging, sawmill, and planing mill operations in California, Oregon, Washington, Idaho, or Western Montana (approved June 26, 1943).
5. Dental technicians, garage employees, and seed industry workers in Region XII (approved August 3, 1943).
6. Cotton-ginning employees in Region VIII (approved August 17, 1943).
7. Hotel and restaurant industry in Region X (approved October 2, 1943).
8. Retail coal distributors in Region IX (approved October 29, 1943).
9. Photo engravers (approved November 13, 1943).
10. Schiffli embroidery industry in Region II (approved November 13, 1943).
11. Grocery stores and meat markets in Region IX (approved November 13, 1943).
12. Operators in the lumber and pulp industry in Region I (approved January 6, 1944).
13. Retail lumber establishments in Regions VI, VII, VIII, IX, and XII (approved January 17, 1944).
14. Retail butcher shops in Louisville, Ky., area, whether exclusively or in conjunction with or as a part of some other retail business (approved February 5, 1944).
15. Employers engaged in the business of window cleaning in the Greater Cleveland Area (approved February 8, 1944).

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–3135; Filed, March 3, 1944; 1:23 a. m.]

[1] 8 F.R. 12967.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 152]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

EXPORTATION OF TEA TO EIRE

Section 805.3 *General license provisions* is hereby amended by adding thereto paragraph (d) as follows:

(d) Notwithstanding any other provision of this part, the exportation of tea to Eire pursuant to general licenses granted in this section is permitted: *Provided,* That not more than one-half pound is mailed per month from one exporter to one consignee.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E. O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: February 28, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–3161; Filed, March 4, 1944; 12:39 p.m.]

[Amdt. 153]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following commodities:

Commodity:	*Schedule B No.*
Paraffin wax, refined	5046.00
Paraffin wax, unrefined	5045.00

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effec-

tive date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

Subparagraph (8) of paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended in the following particulars:

(1) By adding to the list of commodities under the heading "Miscellaneous items" the commodity "single blankets", and

(2) By amending the commodity description "Seasoning materials (pepper and spices)" to read "Seasoning materials (except pepper)".

With respect to the amendments of § 802.10, this amendment shall become effective March 9, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 1, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-3162; Filed, March 4, 1944; 12:39 p. m.]

[Amdt. 154]

PART 801—GENERAL REGULATIONS

GLASS, GLASS PRODUCTS AND VEGETABLE PRODUCTS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.	*General License Group*
Glass and Glass products:	
Beverage bottles, including scda, beer, and alcoholic-beverage bottles, 5234.00	K
Vegetable products, miscellaneous:	
Vegetable paste, adhesive, gum powder, or vegetable glue products (*dry* or *liquid form*) containing less than 50% dextrine, 2999.98	K
Vegetable paste, adhesive, or vegetable glue products (*liquid form*) containing 50% or more dextrine (Report dry vegetable paste, white paste and dry vegetable glue containing 50% or more dextrine under B 6233.00), 2999.98	None

Shipments of the above commodities are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

With respect to "Vegetable products, miscellaneous" this amendment shall become effective March 9, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated March 3, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch Bureau of Supplies.

[F. R. Doc. 44-3163; Filed, March 4, 1944; 12:39 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 996—CHLORINATED HYDROCARBON SOLVENTS

[General Preference Order M-41, Revocation]

Section 996.1 *General Preference Order M-41* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under said order.

Issued this 3d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3136; Filed, March 3, 1944; 1:58 p. m.]

PART 3201—MINING

[Preference Rating Order P-56 as Amended Mar. 3, 1944]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P-56*—(a) *Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment. This order does not apply, however, to an operator of a nonessential mine as defined in Limitation Order L-208.

(b) *Definitions.* (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country, but does not include any enterprise defined as a "nonessential" mine in Order L-208 or any like enterprise located outside the United States, its territories or possessions: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity; (ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P-73, or is hereafter issued as provided in paragraph (c):

Antimony	Nickel
Cobalt	Platinum
Copper	Tin
Iridium	Tungsten
Lead	Vanadium
Mercury	Zinc
Molybdenum	

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P-58 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost $500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) *Priorities assistance for producers with serial numbers.* Producers holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance as follows:

(1) For maintenance, repair, and operating supplies, by filing the appropriate mine quota application form with the

Mining Division, War Production Board, Washington 25, D. C., as follows:

Metal mines	Form WPB–2937
Coal mines	Form WPB–2938
Non-metallic mines	Form WPB–2939
Smelters and refineries	Form WPB–2040
Core or churn drill operators	Form WPB–2937

For the first and second quarters of 1944, in order to purchase minor capital additions as defined in paragraph (b) (3), a producer must apply for a dollar value quota by letter filed with the Mining Division, War Production Board, Washington 25, D. C. A producer who has several plants or other operating units, even though they maintain separate records of maintenance, repair, and operating supplies, may apply in such letter for a single, aggregate quota covering all of such units, designating the several serial numbers involved. After the second quarter of 1944, application for a dollar value quota for the purchase of such minor capital additions may be made on the appropriate mine quota application form listed above.

(2) For other machinery, materials and equipment, by submitting to the Mining Division, War Production Board, Washington 25, D. C., an application on Form WPB–1319. In submitting applications under this subparagraph, Form WPB–1319 may be accompanied by a letter giving any unusual circumstances relevant to the application.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing Form WPB–2037 with the Mining Division, War Production Board, Washington 25, D. C. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

_____
Name of district

_____
Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB–1319, such application to be endorsed with the signed approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA–5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies, except minor capital additions as defined in paragraph (b) (3), placed by producers operating within the United States, its territories and possessions, and not holding serial numbers (other than operators of nonessential mines as defined in Limitation Order L–208). Such producers may apply for higher ratings for maintenance, repair, or operating supplies by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C. Such producers may apply for priorities assistance for machinery or equipment by filing Form WPB–1319 with the Mining Division of the War Production Board, Washington 25, D. C. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., and for machinery or equipment, including minor capital additions, by filing Form WPB–1319 with the Mining Division of the War Production Board, Washington 25, D. C.

(2) *Emergency procedure for non-serialized mines.* In case of actual or impending breakdown, producers not holding serial numbers may apply for priorities assistance on Form WPB–1436 or by telegraph either to the Washington Office or the nearest regional or district office of the War Production Board.

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C. Applications by all other foreign producers should also be filed with the Mining Division, War Production Board, Washington 25, D. C. In filing such application, the following forms shall be used:

Metal mines	Form WPB–1212
Coal mines	Form WPB–2784
Non-metallic mines	Form WPB–2758
Core or churn drill operators	Form WPB–2952

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P–58 and P–73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P–56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number _____
Preference rating _____
Order authorized under Preference Rating Order P–56, Serial No. _____

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation, subject to the criminal penalties for misrepresentation contained in section 35A of the Criminal Code (18 U. S. C. 80) that the material or equipment ordered will be used for the purpose for which priorities assistance was granted to acquire it. Preference ratings assigned for maintenance, repair, and operating supplies on Forms WPB–2910 (non-serialized producers only), 2937, 2938, 2939, and 2040 may not be used to obtain items on List A or List B of Priorities Regulation No. 8. Any items which are purchased without the use of preference ratings need not be charged against authorized dollar quotas.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the follow-

ing restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

(1) To a producer holding a serial number hereunder, or

(2) With the written approval of the War Production Board applied for by letter to the Mining Division, or

(3) With the written approval of a district if he is a non-serialized producer located within such district, or

(4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P–56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No producer, except as permitted by paragraph (e), shall acquire any maintenance, repair, or operating supplies through the use of any preference rating except after filing an application with the Mining Division of the War Production Board on the appropriate mine quota application form as specified in paragraphs (c) (1) and (d) (1). No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB–1319 in the manner above provided, which shall be accompanied by the special application form, if any, required by any other order, or except after filing a project application.

Miscellaneous Provisions

(k) *Records, audits, and reports.* Each producer and each distributor shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each distributor shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board may from time to time require.

(l) *Federal Reports Act of 1942.* The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Mining Division of the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3rd day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P–56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (i) (§ 3201.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P–56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P–56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA–2 is assigned to persons engaged in the manufacture of structural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA–5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 44–3137; Filed, March 3, 1944; 1:58 p. m.]

PART 3293—CHEMICALS

[General Preference Order M–154 as Amended Mar. 4, 1944]

NITRO-CELLULOSE

Section 3293.186 *General Preference Order M–154* is hereby amended to read as follows:

§ 3293.186 *General Preference Order M–154*—(a) *Definitions.* For the purpose of this order, "nitro-cellulose" means plasticized cellulose nitrate in the following forms:

(1) First grade rod (unfabricated);

(2) First grade tube (unfabricated);

(3) First grade cake sheet (unfabricated), not including pieces having an area of less than 2 square feet produced as a by-product of normal slicing, polishing, or fabricating operations; and

(4) First grade continuous sheeting (unfabricated), not including butt rolls having less than one inch of material on the core, and not including trim rolls less than 4 inches in width produced as a by-product of normal slitting or trimming operations.

(b) *Restrictions on use.* No person shall use in any month more than a total of 50 pounds of nitro-cellulose in the manufacture of all articles set forth in Exhibit A annexed, regardless of preference ratings.

(c) *War use exemption.* Nothing in paragraph (b) above shall apply to the use of nitro-cellulose by the U. S. Army, Navy, Coast Guard, Maritime Commission, or War Shipping Administration, or by any person pursuant to the terms of any contract or order for nitro-cellulose articles to be delivered to, or incorporated into products to be delivered to, those agencies.

(d) *Existing stocks exemption.* Nothing in paragraph (b) above shall apply to a person's use of nitro-cellulose which:

(1) Was owned by him and was not in the possession of his supplier on the effective date of the restriction on the article, or

(2) Was owned by him and was stored by his supplier to comply with fire-prevention regulations, on the effective date of the restriction on the article, or

(3) Was in the possession of his supplier, and on his order had been so processed prior to the effective date of the restriction on the article as to render impracticable the use of the nitro-cellulose in a manner not subject to restrictions under this order.

(e) *Notification to customers.* Producers of nitro-cellulose are requested to

EXHIBIT A—Continued

Item	Effective date of restriction
Handbag frames	Mar. 26, 1943
Hats and hat ornaments	Jan. 9, 1943
House address numbers	Mar. 26, 1943
Jewelry and ornaments, including hand fabricated jewelry	

notify each of their regular customers as soon as practicable of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

notify each of their regular customers as soon as practicable of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing in this order shall be construed to permit the manufacture of any article prohibited or curtailed by the terms of any other War Production Board order.

(3) *Reports.* Each person affected by this order shall file such reports as may from time to time be required by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which the appellant is located, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-154.

Issued this 4th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Item	*Effective date of restriction*
Advertising specialties and other items used for advertising purposes and miscellaneous novelties	Sept. 1, 1942
Amusement machines and parts	Sept. 1, 1942
Animal feeding dishes and cups	Mar. 26, 1943
Artificial flowers, flower pots, and florists' supplies, including plant markers	Sept. 1, 1942
Badges, emblems and campaign buttons, except the following: Personal identification required by governmental agencies, personnel and plant identification for industrial use, tags and badges required for tax purposes by state and municipal governments, public safety personnel of state and municipal governments	Jan. 9, 1943
Bill folds	Jan. 9, 1943
Book covers and book marks	Mar. 26, 1943
Book ends and book stands	Sept. 1, 1942
Buttons and buckles, decorative	Mar. 26, 1943
Calendars	Jan. 9, 1943
Caskets, decorative parts	Sept. 1, 1942
Closet accessories	Sept. 1, 1942
Clothes hangers.	
Hat boxes.	
Hat stands.	
Shoe horns.	
Shoe trees.	
Tie racks.	
Coin banks and other coin holders	Jan. 9, 1943
Crumb scrapers	Mar. 26, 1943
Curtain fixtures and window pulls	Mar. 26, 1943
Displays, including but not limited to: advertising printing, containers and packages, including all transparent boxes and food covers; fixtures; mannequins and hosiery forms; signs and advertising sign letters	Sept. 1, 1942
Furniture and furniture parts	Mar. 26, 1943
Greeting cards and components	Jan. 9, 1943
Handbags and components, except handbag cement and slide fasteners	Sept. 1, 1942

EXHIBIT A—Continued

Item	*Effective date of restriction*
Handbag frames	Mar. 26, 1943
Hats and hat ornaments	Jan. 9, 1943
House address numbers	Mar. 26, 1943
Jewelry and ornaments, including hand fabricated jewelry	Mar. 26, 1943
Jewelry cases and watch boxes	Sept. 1, 1942
Laminations and covers to photographs and pictures	Mar. 26, 1943
Laundry hampers	Sept. 1, 1942
Nameplates, but not including equipment, data and instruction plates	Sept. 1, 1942
Napkin rings	Sept. 1, 1942
Novelties, miscellaneous	Sept. 1, 1942
Pencils, novelty	Jan. 9, 1943
Picture and mirror frames	Sept. 1, 1942
Plaques and laminated plaques	Jan. 9, 1943
Poker chips	Jan. 9, 1943
Premium items	Sept. 1, 1942
Protective envelopes and laminations to paper for other than documents, permanent records, blueprints and industrial charts	Mar. 26, 1943
Ration book cases	Jan. 9, 1943
Sculptured pieces	Sept. 1, 1942
Seasonal ornaments and ornamental lighting fixtures	Sept. 1, 1942
Shoe horns	Sept. 1, 1942
Shoe trimmings	Jan. 9, 1943
Sleeve protectors	Mar. 26, 1943
Soda fountain and beverage dispensing accessories, beer scrapers, beverage stirrers, drinking straws	Sept. 1, 1942
Table mats, coasters and table ornaments	Sept. 1, 1942
Tableware cases and boxes	Sept. 1, 1942
Tie racks	Sept. 1, 1942
Vending machines and parts	Mar. 26, 1943
Wall shields	Mar. 26, 1943

[F. R. Doc. 44-3160; Filed, March 6, 1944; 11:27 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 3]

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

The following direction is issued pursuant to Conservation Order L-41.

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (12) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (1) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPB-617. The need for a blanket authorization must be firmly established. The application should be filed with the Field office of the War Production Board having jurisdiction if the total cost of the miscellaneous construction is less than $25,000; if it is $25,000 or more the application should be filed with the War Production Board, Washington 25, D. C.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol F-6 and

the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-43 (formerly PDL-362).

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3213; Filed, March 6, 1944; 11:14 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Supplementary General Limitation Order L-53-b, as Amended Mar. 6, 1944]

REPAIR PARTS FOR TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.7 *Supplementary General Limitation Order L-53-b*—(a) *Definitions.* For the purpose of this order:

(1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device; but does not include Ordnance models of tank-type construction such as models M-2, M-4 and M-5.

(2) "Repair part" means:

(i) Any part manufactured for use in the repair of track-laying tractors, but not parts sold to other manufacturers for manufacturing purposes; and

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors or attachments.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person engaged in the manufacture of both track-laying tractors and repair parts.

(5) "Domestic dealer or distributor" means any person located within the United States or Canada who, by agreement with a producer, has been granted a sales territory for the sale of repair parts within the United States or Canada.

(6) "Export dealer or distributor" means any dealer or distributor, who, by agreement with a producer, has been granted a sales territory for the sale of repair parts outside the United States and Canada.

(7) "Certificate of minimum requirements" means a declaration in writing by a purchaser pursuant to paragraph (c) (1) of this order.

(8) "War project" means:

(i) A construction project (and maintenance and operation thereof) undertaken by, or contracted for by or for the account of, the Army, the Navy, Maritime Commission or Defense Plant Corporation, or any other construction project granted a preference rating of AA-4 or higher under any order in the P-55 or P-19 series.

(ii) Any other project which shall be so designated by the War Production Board.

(9) "Essential civilian operation" means:

(i) The operation of any mine that holds a serial number under Preference Rating Order P-56;

(ii) Any operation directly incident to the production of logs of any species, including the delivery of logs to sawmills, pulp mills or other dealers in or users of logs;

(iii) Any operation directly incident to the planting, growing or harvesting of agricultural products (excluding flowers, shrubs and other plants grown for decorative purposes);

(iv) Any operation in the petroleum industry directly incident to production, natural gasoline production, transportation (by pipe line), refining, or marketing (other than retail marketing), as these terms are defined in Preference Rating Order P-98-b as amended;

(v) Any operation directly incident to the transportation (by pipe line) and marketing (other than retail marketing) of natural gas; or

(vi) Any other operation or project which shall be so designated by the War Production Board.

(10) "United States" means the forty-eight states of the United States and the District of Columbia.

(11) "Foreign base" means a construction project (and maintenance and operation thereof) located outside the United States and Canada, being built for or under the supervision of the War Department, Navy Department, or other United States Government agency by civilian contracting or engineering organizations which normally purchase repair parts from sources located within the United States.

(12) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration or any of the following persons when acting as the authorized procurement agents for the Navy:

(i) George A. Fuller Co. and Merritt-Chapman and Scott Corp.;

(ii) M. T. Reed Company;

(iii) Siems-Drake, Puget Sound;

(iv) Pacific Naval Air Bases.

(b) *Limitations on sales by producers.* (1) No producer shall sell or deliver repair parts except to:

(i) A military agency,

(ii) A domestic dealer or distributor located within the United States or Canada, or

(iii) Any person for export outside the territorial limits of the United States and Canada subject to paragraph (b) (2) hereof.

(2) No producer shall sell or deliver repair parts to any person (other than a domestic dealer or distributor for delivery to persons engaged on foreign bases, a military agency, or an export dealer or distributor) for export outside the territorial limits of the United States and Canada except upon receipt of Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval, a purchaser shall file Form WPB-1319 (or Form PD-556), in quadruplicate, with the War Production Board, Washington 25, D. C., Ref.: L-53-b. Nothing in this order shall be deemed to relieve any person from the necessity of obtaining an export license from the Board of Economic Warfare, where such license is required.

(3) [Deleted Mar. 6, 1944]

(4) Except as provided in paragraph (b) (5) of this order or unless specifically authorized in writing by the War Production Board, no producer shall during any calendar quarter sell or ship to any domestic dealer or distributor a quantity of repair parts of a value, at invoice price, in excess of either $500.00 or 60 percent of the value of such producer's shipments to such domestic dealer or distributor during the preceding six calendar months, whichever is the greater.

(5) Notwithstanding the provisions of paragraph (b) (4) of this order, a producer may sell or ship to any domestic dealer or distributor during any calendar quarter repair parts in an amount up to and including 25 percent in excess of the quota of such domestic dealer or distributor as computed in accordance with the terms of paragraph (b) (4) of this order, but any sales or shipments in excess of such quotas shall be charged against the quota of such domestic dealer or distributor for the next calendar quarter, and such excess shipments shall not be used in computing any base period quota thereafter.

(c) *Limitations on sales by domestic dealers and distributors.* (1) Except as provided in paragraphs (c) (3), (c) (4), and (c) (5) of this order, no domestic dealer or distributor of repair parts shall sell or deliver any repair parts to any person (except a producer or another domestic or export dealer or distributor) unless he has received from such person a certificate of minimum requirements for specific track-laying tractors for which repair parts are sought to be purchased. The purchaser shall furnish such certificate of minimum requirements in one of the following ways:

(i) In the case of a written purchase order, the purchaser shall endorse thereon or attach thereto a certification in substantially the form set forth below, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, and giving all of the information called for:

Pursuant to the terms of Limitation Order L-53-b of the War Production Board the undersigned certifies to the seller and to the War Production Board that the following statements are correct:

(I) _____

Make and model of track-laying tractor(s) for which repair parts are sought

(II) ----------
Factory serial number(s)
(III) ----------
Owner of track-laying tractor(s)
(IV) ----------
Type of work being performed by track-laying tractor(s) described above (describe the job specifically, e. g., mining, logging, agriculture, highway maintenance, airport construction, etc.)
(V) ----------
Contract number of war agency or P-19 or P-55 serial number and rating, if any

(VI) The purchaser hereby certifies that he has registered all construction equipment owned by him pursuant to the terms of Limitation Order L-196, unless exempt from the requirements of such order.[1]

(VII) The purchaser hereby certifies that the repair parts listed on the purchase order to which this certificate pertains are the minimum quantity of repair parts immediately necessary to put such track-laying tractor(s) in serviceable condition, and are not for stock.

(VIII) The purchaser hereby certifies that he does not have like parts on hand or on order to repair the above-described track-laying tractor(s).

---------- ----------
Date Name of purchaser

---------- ----------
Address of purchaser

[1] Item (VI) of the certificate of minimum requirements is not to be included in certificates used by persons in Canada.

(ii) In the case of a purchase order placed by telegraph, the purchaser shall include in the telegram: all information specified in items (I), (II), (III), (IV) and (V) of the certification prescribed in paragraph (c) (1) (i), the statement "Certified under L-53-b", and the name of the person sending the telegram, provided that such person shall be an official duly authorized to make such certification. The statement "Certified under L-53-b" shall constitute a certification to the seller and to the War Production Board of the correctness of all information included in the telegram and shall constitute a certification of all facts specified in items (VI), (VII) and (VIII) of the certificate prescribed in paragraph (c) (1) (i). In such case, a copy of the outgoing telegram shall be retained by the person placing the order and such copy shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7.

(iii) In the case of a purchase order placed by telephone, the purchaser shall state to the domestic dealer or distributor, at the time of placing the order, the substance of the certification set forth in paragraph (c) (1) (i), provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the domestic dealer or distributor within 15 days after placing the purchase order, written confirmation of such order, bearing a certification substantially in the form prescribed in paragraph (c) (1) (i). In case of failure to receive written certification within such 15 day period, the domestic dealer or distributor shall not accept any other order from, or deliver any additional repair parts to, the purchaser until such written certification is furnished.

(2) No domestic dealer or distributor of repair parts shall sell or deliver pursuant to paragraph (c) (1):

(i) A quantity of repair parts to any person in excess of such person's certified minimum requirements.

(ii) Any repair parts to any person whose certificate such domestic dealer or distributor knows or has reason to believe is false.

(3) Notwithstanding the provisions of paragraphs (c) (1) and (c) (2) of this order, a domestic dealer or distributor may sell and deliver repair parts to a purchaser for use on a foreign base under circumstances where the distances involved, the time element, or the lack of shipping facilities make it impracticable to furnish a certificate of minimum requirements, provided such domestic dealer or distributor receives from such purchaser Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval a purchaser shall file Form WPB-1319 (or Form PD-556), in quadruplicate, with the War Production Board, Washington 25, D. C., Ref.: L-53-b.

(4) Notwithstanding the provisions of paragraph (c) (2) of this order, a domestic dealer or distributor may sell or deliver fuel filters and oil filters in sufficient quantity to permit 500 hours operation if he has received from the purchaser a certificate in accordance with paragraph (c) (1) hereof even though subdivisions (VII) and (VIII) of such certificate are not completed.

(5) Notwithstanding the provisions of paragraphs (c) (1) and (c) (2) of this order, a domestic dealer or distributor may sell and deliver repair parts to a purchaser for reconditioning and salvaging worn or damaged parts or subassemblies which have been replaced on a particular tractor by other parts or subassemblies, provided such domestic dealer or distributor receives from such purchaser Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval, a purchaser shall file Form WPB-1319 (or Form PD-556) in quadruplicate with the regional or any district office of the War Production Board in the region in which such parts or subassemblies are to be reconditioned and salvaged.

(d) *Procedure for domestic dealer or distributor in placing orders for critical repair parts.* (1) A domestic dealer or distributor in placing a purchase order with a producer for repair parts for which he has received customers' orders that he is unable to fill out of stock may, if he wishes such purchase order to be entitled to the treatment by the producer required in paragraph (e) of this order, state on the purchase order that the repair parts are for one of the following purposes: (i) War projects as defined in paragraph (a) (8); (ii) foreign bases as defined in paragraph (a) (11); (iii) essential civilian operations (which include only certain mining, logging, agricultural, petroleum and natural gas operations) as defined in paragraph (a) (9); (iv) export; or (v) miscellaneous use. Such statement by the domestic dealer or distributor shall be based on the specific job description shown by item (IV) of the certificate of minimum requirements of customers for whom the repair parts are being ordered or by Form WPB-1319 (or Form PD-556) in the case of orders for customers who have obtained authorization to purchase on Form WPB-1319 (or Form PD-556). The term "miscellaneous use" as used in this paragraph (d) (1) shall be construed to identify any purchase order to be filled out of the category of sales described in subdivision (v) of paragraph (e) (1). A domestic dealer or distributor shall not include, in a single purchase order placed with a producer, orders for repair parts to be filled out of more than one of the categories of sales described in paragraph (e) (1). Repair parts received from a producer by such domestic dealer or distributor, pursuant to each such purchase order, shall be delivered to the customers for whom they were ordered in the sequence in which the customers' orders were received by such domestic dealer or distributor or as otherwise directed by the producer from whom the repair parts were received. Nothing in the foregoing shall be construed to permit a domestic dealer or distributor to place the statements specified above on any order for repair parts placed with a producer for the purpose of building inventory stock.

(e) *Procedure when inventory of producer is insufficient to fill orders.* (1) Whenever unfilled orders in the hands of a producer calling for immediate delivery of any repair part shall exceed his inventory of such repair part, he shall, so long as such condition exists, make no sale (except to military agencies and for export pursuant to paragraph (b) (2) of this order) on any purchase order not containing the statements referred to in paragraph (d) (1) of this order and shall apportion his sales of such repair part as follows:

(i) Sales directly to military agencies: Not more during any month than 40 percent of his total sales of such repair part during that month.

(ii) Sales to domestic dealers and distributors for delivery to persons engaged on war projects and on foreign bases (as indicated by the purchase order of the dealer or distributor) and sales to persons engaged on foreign bases: Not more during any month than 20 percent of his total sales of such repair part during that month.

(iii) Sales to domestic dealers and distributors for delivery to persons engaged in essential civilian operations (as indicated by the purchase order of the dealer or distributor): Not more during any month than 20 percent of his total sales of such repair part during that month.

(iv) Sales for export (except to military agencies and to, or for delivery to, persons operating on foreign bases): Not more during any month than 15 percent of his total sales of such repair part during that month.

(v) Sales to persons or for purposes other than those specified in subdivisions (i) through (iv) of this paragraph (e):

The remainder of his total sales during the month.

(2) (i) If at any time a producer has filled all orders that he has received in one or more of the categories of sales specified in subdivisions (ii), (iii), (iv) or (v) of paragraph (e) (1), he may fill, out of the sales quota allotted to such category or categories, purchase orders in any other of the categories of sales described in subdivisions (ii) (iii), (iv) and (v) of paragraph (e) (1).

(ii) If at any time a producer has filled all orders that he has received in all of the categories of sales specified in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1), he may fill, out of the sales quota allotted to any of those categories, purchase orders in the category of sales described in subdivision (i) of paragraph (e) (1).

(iii) If at any time a producer has filled all orders that he has received in the category of sales specified in subdivision (i) of paragraph (e) (1), he may fill, out of the sales quota allotted to that category, orders in any of the categories of sales described in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1).

(3) Each producer shall fill purchase orders within each of the categories of sales specified in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1) above in the order in which they were received by him.

(4) No producer shall fill any purchase order for a repair part which does not contain the statements specified in paragraph (d) (1) of this order so long as he has on hand unfilled orders for that repair part which do contain such statements.

(f) *Filling orders upon specific direction of the War Production Board.* Notwithstanding the provisions of paragraphs (d) and (e) of this order, a producer or a domestic dealer or distributor shall, upon the specific direction of the War Production Board make delivery of any repair part to fill any order specified in such direction, provided that nothing in this paragraph (f) shall authorize the War Production Board to reduce a producer's sales of any repair part to the military agencies, during any month, below 40 percent of such producer's total sales of such repair part during that month.

(g) *Applicability of priorities regulations.* (1) The provisions of § 944.2 through and including § 944.9 of Priorities Regulation No. 1, as amended, shall not be applicable to any purchase order for track-laying tractor repair parts placed with a producer or domestic or export dealer or distributor.

(2) Except as provided in paragraph (g) (1) hereof, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, purchase orders and certificates of minimum requirements pursuant to which they have sold repair parts.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* Any person affected by this order shall file with the War Production Board such reports and questionnaires as said Board shall from time to time require, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. (The uses of Form WPB–1319 or Form PD–556 and the certificate of minimum requirements in this order have been approved by the Bureau of the Budget.)

(k) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications.* All reports to be filed, appeals and other communications concerning this order shall be addressed to War Production Board, Construction Machinery Division, Washington 25, D. C., Ref.: L–53–b, except as otherwise specifically provided in paragraph (c) (5) of this order.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3210; Filed, March 6, 1944; 11:14 a. m.]

PART 1209—HAND TRUCKS AND OTHER HANDLING EQUIPMENT

[General Limitation Order L–111, Interpretation 1]

The following interpretation is issued with respect to General Limitation Order L–111.

Questions have arisen as to whether the term "hand truck", as defined in paragraph (a) (8), includes equipment of the following kinds:

So-called "carriers" of the types furnished for the use of customers in self-service grocery stores for carrying small quantities of groceries to the cashier's desk; equipment of similar design used in offices for moving light wire baskets of correspondence and the like about the office; and canvas covered baskets or hampers used for moving linens, trash, and other very light materials. Items of these kinds of equipment consist of a very light frame work mounted on small wheels or casters.

Equipment of these kinds is not included in the definition of "hand truck", and is not covered by Order L–111.

It is to be noted, however, that hand trucks of heavier construction, such as those used by the employees in retail stores for moving cases or boxes of merchandise about the store in restocking the shelves or for other purposes, are covered by the order along with other trucks of still heavier construction.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3214; Filed, March 6, 1944; 11:14 a. m.]

PART 3270—CONTAINERS [1]

[Conservation Order M–290, as Amended Mar. 6, 1944]

CONTAINERBOARD

Section 3270.1 [1] Conservation Order M–290 is amended to read as follows:

§ 3270.1 *Conservation Order M–290—*

(a) *Definitions.* For the purpose of this order:

(1) "Mill operator" means any person who operates a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(2) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB–514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product.

(3) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(4) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(5) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(6) "Sheet supplier" means any container-manufacturer who supplies corrugated or solid fibre sheets to sheet-plants, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Sheet plants and cleated box manufacturers who have been authorized to accept delivery of containerboard may place orders for corrugated or solid fibre sheets with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may obtain the amount of containerboard

[1] Formerly Part 3202, § 3202.1.

which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M–290. Date of authorization ----------, authorization number ----------.

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(e) *Authorizations.* (1) Authorizations for the purchase of containerboard in each calendar quarter will generally be issued by the War Production Board prior to the beginning of such quarter, but may be issued at any time. They will normally be issued on Form WPB 2492 which is to be filed by the prospective purchaser with the War Production Board as explained in paragraph (1) below. However, they may be issued by telegram or letter.

(2) Authorizations for the purchase of containerboard may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be shipped or delivered.

Exceptions for Small Deliveries

(f) *Purchasers.* A person who purchases less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may purchase containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(g) *Suppliers.* Any supplier of containerboard may sell it to a person purchasing in accordance with the preceding paragraph (f) regardless of the provisions of paragraph (d) of this order.

Directions

(h) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any mill operator's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M–93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any mill operator's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (h) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (h) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no mill operator or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(i) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e) or (h) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(j) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

Ratings

(k) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

Applications and Reports

(l) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB–2492 in the manner and at the time stated in the instructions on that Form.

(m) *Reports by manufacturers of V–boxes.* In addition to the report required by paragraph (l) above, each manufacturer of V–boxes shall, on or before the 10th of March, June, September and December in each year, report to the War Production Board on Form WPB–2492—Supplement No. 1, in accordance with the instructions on that Form.

(n) *Budget approval.* The reporting requirements set forth in paragraphs (l) and (m) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(p) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (h).

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(r) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(s) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3217; Filed, March 6, 1944; 11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99 as Amended Mar. 6, 1944]

COTTON TEXTILE PRODUCTION

§ 3290.46 *Limitation Order L-99*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Operations of spindles and looms producing cotton textiles.* Except as otherwise specifically directed in writing by the War Production Board, no person shall operate spindles or looms producing cotton textiles of any kind, except in accordance with the following requirements: (column references apply only within each of the number groups in Column I of the schedules of this order).

(1) The percentages, as stated in Column III, of the number of spindles or looms operated on or assigned to the cotton textiles listed in Column II, at the time or times specified in the heading of Column II, may produce only the cotton textiles specified in Column IV.

(2) The restrictions of paragraph (b) (1) shall be effective on the dates specified in Column V.

(c) *Exceptions.* (1) The restrictions of paragraph (b) shall not prohibit the manufacture of any construction in any group of lower pick than the lowest pick specified in Column IV as to such group, unless the War Production Board hereafter specifically so directs in writing. Any person affected by this paragraph (c) (1) shall immediately report such fact in writing to the War Production Board.

(2) [Deleted Dec. 24, 1943]

(d) *Further restrictions.* No producer or converter of cotton textiles shall produce, convert or deliver cotton textiles and no person shall accept delivery of cotton textiles from a producer or converter, contrary to any specific direction which may be issued from time to time by the War Production Board.

(e) [Deleted Dec. 24, 1943]

(f) *Reports and records.* All persons operating spindles or looms for the production of cotton textiles shall file with the War Production Board quarterly production reports on Form WPB 658-A, B, C, D and E. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref., L-99.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended Mar. 6, 1944.

Col. I Group	Column II Looms producing or assigned to produce the constructions listed below in the period from January 2, 1943, to March 6, 1943, inclusive, and which may produce only the constructions specified in column IV	Column III Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Column IV Constructions to be produced by looms specified in column II.	Column V Effective dates
1	Class A sheetings (constructions designated in lines 12 through 18 of Form WPB 658-B (12-31-42)).	100 percent	36" 48 x 44 2.85 yd 40" 48 x 44 2.85 yd 40" 48 x 44 2.50 yd Pro rata widths of like count and weight.	Apr. 20, 1943
2	Class B sheetings (constructions designated in lines 16 through 21 of Form WPB 658-B (12-31-42)).	100 percent	40" 48 x 40 3.25 yd 40" 48 x 40 3.75 yd 37" 48 x 44 4.00 yd 40" 44 x 40 4.25 yd 31" 48 x 44 5.00 yd Pro rata widths of like count and weight.	Apr. 20, 1943
3	Class C sheetings (constructions designated in lines 22 through 33 of Form WPB 658-B (12-31-42)).	100 percent	36" 64 x 64 3.50 yd 36" 60 x 52 or 56 x 56 4.00 yd 36" 48 x 40 or 44 x 40 5.50 yd 36" 44 x 40 or 40 x 40 6.05 to 6.15 yd 40" 64 x 64 3.15 yd 40" 60 x 52 or 56 x 56 3.60 yd 40" 44 x 40 5.50 yd 40" 56 x 48 4.30 yd 40" 36 x 40 5.55 yd Pro rata widths of like count and weight. Bandoleer and Navy Mattress Cover Sheeting in lowest package consistent with specifications.	Apr. 20, 1943
4a [1]	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12/31/42).	12½ per cent	39" 80 x 80 4.00 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4b [1]	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	12½ percent	39" 68 x 64 4.85 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4c	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of WPB 658-B (12-31-42)).	25 percent	38½" 64 x 56 5.50 yd Pro rata widths of like count and weight.	June 4, 1943
5	39" 68 x 72 4.75 yd. print cloth (constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB-658-B (12-31-42)).	100 percent	39" 68 x 64 4.85 yd Pro rata widths of like count and weight.	Apr. 20, 1943
6	38½" 64 x 60 5.35 yd. print cloth (constructions designated in line 77, and pro rata widths designated in lines 72, 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent	38½" 64 x 56 5.50 yd Pro rata widths of like count and weight.	Apr. 20, 1943
7	38½" 60 x 48 6.25 yd. print cloth (constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent	38½" 60 x 48 6.25 yd Pro rata widths of like count and weight.	May 1, 1943

[1] Added Mar. 6, 1944.
[2] Amended Mar. 6, 1944, by reducing the Column III percentage from 25 to 12½, and by changing date in column V to Apr. 2, 1944.

SCHEDULE B

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
8	Osnaburgs (constructions designated in lines 1 through 7 of Form WPB 658-B (3-25-43)).	100 percent	40" 38 or 40 sley, 24 to 28 pick, 2.11 yd 36" 38 or 40 sley, 24 to 28 pick, 2.35 yd 36" 32 x 28 2.95 yd 34" 24 to 26 sley, 16 to 20 pick, 3.30 yd 40" 28 or 32 sley, 24 to 28 pick, 3.65 yd 30" 38 or 40 sley, 28 pick, 2.35 yd. Pro rata widths of like count and weight.	Aug. 1, 1943
9	Window shade cloths (constructions designated in line 71 of Form WPB 658-B (3-25-43)).	100 percent	Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 40, 50 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
10	Pajama checks (constructions of which are designated in line 81 of Form WPB 658-B (3-25-43)).	100 percent	36½" 80 x 80 4.27 yd 39½" 80 x 80 4.00 yd Pro rata widths of like count and weight. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 12, 13, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
11				
12				
13	Carded broadcloths (constructions designated in lines 85 through 88 of Form WPB 658-B (3-25-43)).	100 percent	Any width broadcloth woven from print cloth yarns counting from 80 to 136 ends per inch and not in excess of 60 picks per inch. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
14	Carded poplins (constructions designated in line 89 of Form WPB 658-B (3-25-43)).	100 percent	Any width poplin woven with print cloth warp yarns in the following sley and pick per inch: 90 x 44, 100 x 44, 112 x 46. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
15	Gauze diaper cloth	100 percent	Gauze diaper cloth	May 1, 1943
16	All other fabrics woven from print cloth yarns not specified in column II of any other group in Schedule A, B or C (constructions designated in lines 73, 79, 80, 81 and 90 of Form WPB 658-B (3-25-43)).	100 percent	Any print cloth yarn fabric or fabrics specified in column II of this group (16), provided that the weighted average pick of the yardage in the constructions produced after the effective date specified in column V is reduced to 91 percent of the weighted average pick of the yardage in the constructions specified in column II produced during the quarterly period ending Apr. 3, 1943. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
17	Birdseye diaper cloth (constructions designated in line 70 of Form WPB 658-B (3-25-43)).	100 percent	Birdseye diaper cloth	May 1, 1943
18	Sheetings, 42" and wider, Classes A and B, except bed sheetings (constructions designated in lines 35 and 36 of Form WPB 658-B (3-25-43)).	100 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom. Any suitable construction not less than 72" wide nor of more than 54 picks per inch manufactured for laundry use.	Aug. 1, 1943

SCHEDULE B—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
19a	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	80 percent	44" 48 x 48 4.00 yd 52" 48 x 48 3.85 yd 54" 40 sley, 36 to 38 pick, 5.25 yd 60" 44 x 40 4.46 yd 42" 36 x 40 5.80 yd Any narrow Class C sheeting heretofore designated in this Column IV, Group 3. Pro rata widths of like count and weight.	Aug. 1, 1943
19b	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	80 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom.	Aug. 1, 1943
20	Twills, drills, jeans, sateens and gabardines (constructions designated in lines 45 through 69 of Form WPB 658-B (3-25-43)).	100 percent	*Drills:* 37" 64 x 56 1.50 yd 30" 72 sley, not over 48 pick, 2.35 yd to 2.55 yd 30" 76 sley, not over 54 pick, 2.35 yd to 2.55 yd Pro rata widths of like count and weight. Any drill, irrespective of width or weight, having not more than 68 sley and not more than 40 pick. *Jeans:* 38" 96 x 54 2.85 yd 32" 96 x 64 3.28 yd 31" 84 to 86 sley, 56 pick, 3.68 yd to 3.87 yd Pro rata widths of like count and weight. *Twills:* 29" 68 x 70 2.58 yd or 3.00 yd Silesia twill in lowest pickage consistent with U. S. Army Quartermaster Specification 618-C. 37" 84 to 88 sley, 50 pick, 1.75 yd to 2.85 yd 37" 76 to 88 sley, 36 to 46 pick, 1.45 yd to 2.15 yd 30" 88 sley, 50 to 52 pick, 1.90 yd to 2.45 yd 32" 98 x 64 2.00 yd 34½" 98 x 54 2.00 yd to meet U. S. Navy Specification 27-T-25A. 31" approx. 98 sley, 56 pick, 1.50 to 1.55 yd (manufactured to meet specifications of U. S. Army or Navy for tents). 8.2 oz. Type IV carded uniform twill in lowest pickage consistent with Federal specifications. 8.5 oz. herringbone in lowest pickage consistent with Federal specifications for U. S. Army or Navy. 9 oz. herringbone twill in lowest pickage consistent with specifications for U. S. Marine Corps. 54" 76 x 52 1.14 yd 54" 84 x 64 .99 yd Pro rata widths of like count and weight. *Sateens:* 30¼" 112 to 118 sley, 64 pick, 2.25 yd 34" 108 x 56 3.00 yd 52" 96 x 60 1.12 yd 52" 96 x 64 1.32 yd 54" 96 x 56 1.05 yd 54" 96 x 56 1.55 yd Pro rata widths of like count and weight. *Gabardines:* Not over 64 picks per inch.	June 15, 1943

SCHEDULE C

NOTE: Column V amended Mar. 6, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on July 3, 1943, and which may produce only the constructions specified in column IV	Percentages to be applied to the number of looms producing or assigned to produce the constructions specified in column II. Such percentage of looms shall produce constructions specified in column IV	Construction to be produced by looms specified in column II	Effective dates
21	Plain print cloth of 80 sley and higher (constructions designated in lines 77, 78, 82 and 83 of Form WPB-658B (9-17-43)).	100 percent	Plain print cloth of 80 sley and higher.	Dec. 24, 1943
22	38½" 44 x 36 8.60 yd bandage cloth and pro rata widths (constructions designated in line 87 of Form WPB-658B (9-17-43)).	100 percent	38½" 44 x 36 8.60 yd pro rata width of like count and weight.	July 3, 1943
23	Bandage cloth other than 38½" 44 x 36 8.60 yd (constructions designated in line 88 Form WPB-658B (9-17-43))	100 percent	38½" 44 x 36 8.60 yd 38½" 40 x 32 9.80 yd 38½" 48 x 44 7.46 yd Pro rata widths of like count and weight.	July 3, 1943
24	Tobacco and cheesecloth (constructions designated in lines 89 and 91 of Form WPB-658B (9-17-43)).	100 percent	Any width fabric woven from print cloth yarns, in the following sley and pick per inch: 8 x 8, 14 x 10, 17 x 14, 18 x 12, 18 x 14, 20 x 12, 20 x 16, 24 x 20, 28 x 24, 32 x 28, 40 x 28.	Dec. 24, 1943
25	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick (constructions designated in line 90 of Form WPB-658B (9-17-43)).	100 percent	Tobacco and cheesecloth, all widths, 17 to 18 sley. 12 to 14 pick.	Dec. 24, 1943

SCHEDULE D

NOTE: Column II heading and Column V amended Mar. 6, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV.	Descriptions and counts to be produced by spindles specified in column II	Effective dates
1	Carded single machine knitting yarn (items designated in lines 16 through 18 of Form WPB 658-E (9-17-43)).	100 percent	Carded single machine knitting yarn.	Dec. 24, 1943
2	Carded single yarn, other than machine knitting, 20's and coarser (items designated in lines 1 through 3, 22, 23, 27 and 28 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn other than machine knitting, 20's and coarser.	Dec. 24, 1943
3	Carded single yarn, other than machine knitting, finer than 20's (items designated in lines 4, 5, 27 and 29 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn, other than machine knitting, finer than 20's.	Dec. 24, 1943
4	Carded ply yarn of any description or count (items designated in lines 6 through 13, 19, 20, 25, 26 and 27 through 29 of Form WPB 658-E (9-17-43)).	100 percent	Carded ply yarns of any description or count.	Dec. 24, 1943
5	Combed single or ply machine knitting yarn, 70's and coarser (items designated in lines 51 through 56 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarn 70's and coarser.	Dec. 24, 1943
6	Combed single or ply machine knitting yarns, finer than 70's (items designated in lines 57 through 60 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarns, finer than 70's.	Dec. 24, 1943
7	Combed single yarn other than machine knitting, 40's and coarser (items designated in lines 30 through 32, and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
8	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's. (Items designated in lines 33 through 35 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943

SCHEDULE D—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 2, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV	Descriptions and counts to be produced by spindles specified in column II	Effective dates
9	Combed single yarn other than machine knitting, 71's and finer (items designated in lines 36 through 39 and 62 of Form WPB 658–E (9–17–43)).	100 percent	Combed single yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
10	Combed ply yarn other than machine knitting, 40's and coarser (items designated in lines 40 through 42, 50, 61 and 62 of Form WPB 658–E (9–17–43)).	100 percent	Combed ply yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
11	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's (items designated in lines 43 through 45, 50, 61 and 62 of Form WPB 658–E (9–17–43)).	100 percent	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943
12	Combed ply yarn other than machine knitting, 71's and finer (items designated in lines 46 through 50, 61 and 62 of Form WPB 658–E (9–17–43)).	100 percent	Combed ply yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
13	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.) items designated in lines 74 and 75 of Form WPB 658–E (9–17–43)).	100 percent	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).	Dec. 24, 1943
14	Twines other than those specified in Group 13 (items designated in lines 76 through 78 of WPB 658–E (9–17–43)).	100 percent	Twines other than those specified in Group 13.	Dec. 24, 1943

[F. R. Doc. 44–3211; Filed, March 6, 1944; 11:14 a. m.]

PART 3290—TEXTILE CLOTHING AND LEATHER

[Conservation Order M–51, as Amended Mar. 6, 1944]

PIGS' AND HOGS' BRISTLES

§ 3290.161 *Conservation Order M–51*—(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Dealer" means a person who purchases and sells bristles without changing their condition.

(3) "Dresser" means a person who grades, sorts, dresses, reclaims, or in any wise processes bristles.

Restrictions

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M–63, as amended from time to time.

(c) *Purchase and sale.* Unless otherwise authorized in writing by the War Production Board:

(1) *Undressed domestic bristles.* No person other than an approved dresser shall buy or accept undressed domestic bristles from a slaughter house. "Approved dresser" means a dresser so designated and authorized in writing by the War Production Board to process domestic bristles. This designation and authorization, which may be conditioned and limited by the War Production Board at any time, will be made when it approves of a dresser as capable of processing domestic bristles according to specifications fixed by the War Production Board. Applications may be made by a dresser at any time by submitting samples of his product, processed according to such specifications, accompanied by a letter describing his experience and equipment.

(2) *Dressed domestic bristles.* No person other than Defense Supplies Corporation shall buy or accept dressed domestic bristles.

(3) *Dressed imported bristles.* No person other than a dealer or dresser shall sell or deliver dressed imported bristles to a manufacturer of products containing bristles. No person other than a dealer or dresser or the United States agencies referred to in paragraph (b) above shall buy or accept dressed imported bristles, except

(i) *Purchase for permitted use.* To manufacture brushes as permitted in subparagraphs (1) and (2) of paragraph (d) below.

(ii) *Purchase for brush inventory.* As may be necessary to enable him to manufacture for inventory brushes as permitted by this order, but not more than the quantity of brushes manufactured by him according to this order in the calendar month preceding that in which the order for such bristles is placed.

(iii) *Bristle inventory limit.* However, his inventory of dressed imported bristles (as to both subdivisions (i) and (ii) above) may not to the best of his knowledge and belief exceed the greater of:

(*a*) A practicable minimum working inventory, or

(*b*) "One-quarter of the quantity, by weight, of dressed imported bristles consumed by him in 1943 in the manufacture of brushes according to this order as effective during 1943.

[NOTE: In 1943, this order, as issued November 30, 1942, July 7, 1943, and September 28, 1943, was in effect.]

(4) *Seller of bristles or bristle products.* No person shall sell or deliver bristles to a person prohibited by this paragraph (c) from buying or accepting them, or bristles or products containing bristles contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

(5) *Buyer of bristles or bristle products.* No person shall buy accept or use bristles or products containing bristles, contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

Permitted Use of Bristles

(d) (1) *Domestic and imported bristles.* Unless other uses[1] are specifically permitted in writing by the War Production Board, and regardless of the assignment of a preference rating, no person shall use domestic or imported bristles in the manufacture of any product, except as follows:

(i) *Dental plate brushes.* In 1944, 3 inch bristles may be used in the manufacture of dental plate brushes requiring not more than one pound of bristles for 120 brushes, in an amount not exceeding the manufacturer's use in 1942 of bristles, nylon or a combination of both for dental plate brushes.

(ii) *Shaving brushes.* In 1944, bristles 2 to 3⅛ inches long, inclusive, other than Chinese, may be used in the manufacture of shaving or lather brushes. The manufacturer may not use more than one-quarter of the quantity, by weight, of the bristles consumed by him in 1942 in the production of shaving or lather brushes.

(iii) *Military orders.* Upon specific orders for any product for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. Dental plate brushes and shaving or lather brushes manufactured upon such orders shall not

[1] Applications will be considered for permission to use India bristles shorter than 3¼" in the manufacture of miscellaneous brushes, and, in areas where labor shortages are known not to exist, to use additional quantities of bristles of other types in the manufacture of brushes.

be charged against the quantity restrictions in subdivisions (i) and (ii) above.

(iv) *Export orders.* For export of brushes from the 48 states, the District of Columbia or the Territory of Alaska, upon specific orders accompanied by individual export licenses or release certificates issued by the Foreign Economic Administration or upon specific orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) *Brushes for construction, maintenance, repair or operating supplies.* Bristles 2 to 3⅛ inches long, inclusive, may be used in the manufacture of brushes, upon specific orders.

No person shall order or accept such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor. However, reclaimed bristles of that length (such as comb stocks or paint stumps) may be used in the manufacture of spotting, cleaners', dyers', surgeons' hand or hair brushes.

(vi) *Special brushes for construction, maintenance, repair or operating supplies.* Bristles longer than 3⅛ inches may be used in the manufacture of painters' brushes (such as brushes for the application of paint, lacquer, varnish, shellac and other protective coatings), paper hangers' paste brushes and billboard brushes, upon specific orders.

No person shall order or accept such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor.

Bristles of that length may be used only in the manufacture of painters', paperhangers' paste and billboard brushes, even if manufactured upon orders under subdivisions (iv), (viii) or (ix) of this paragraph (1).

(vii) *Limitation on orders.* No person shall order any brushes, referred to in subdivisions (v) and (vi) of this subparagraph (1), for delivery or accept them, during any calendar quarter, in a quantity exceeding his requirements for such maintenance, repair and operating supplies during any such quarter.

(viii) *Distributors' orders.* For the manufacture of painters', paperhangers' paste and billboard brushes, whether or not made of bristles longer than 3⅛ inches and surgeons' hand brushes, for sale to persons authorized by the War Production Board to purchase them, upon specific orders endorsed with a certification substantially as follows:

The undersigned purchaser hereby represents to the brush manufacturer and to the War Production Board that he is authorized by the War Production Board to purchase the brushes shown on this purchase order, and that he is entitled to apply the preference ratings indicated opposite these brushes, and that such application is in accordance with Priorities Regulation 3, as amended, with the terms of which the undersigned is familiar.

Form WPB–547
Certificate No. ____

_____
(Name of wholesaler, distributor or retailer)

_____
(Address)

_____
(Signature and title of authorized official or representative)

_____
(Date)

Applications for that authorization may be made on Form WPB–547 (formerly PD–IX) by persons who propose to purchase them directly from the manufacturer and to resell them without changing their form. These brushes may be used for any purpose.

(ix) *Manufacturers as distributors of their own products.* For the manufacture of painters', paperhangers' paste and billboard brushes, whether or not made of bristles longer than 3⅛ inches and surgeons' hand brushes, for sale by the manufacturer directly to the consumer, as authorized by the War Production Board after application by the manufacturer on Form WPB–547 (formerly PD–IX). In granting such authorization, the War Production Board will give consideration to the extent to which the manufacturer customarily sold directly to consumers brushes manufactured by him. These brushes may be used for any purpose.

(2) *Manufacture exceeding specific orders and disposal of excess.* The requirements in the next preceding subparagraph (1) that products be manufactured only to fill specific orders, shall not prevent the manufacture of minimum commercially practicable quantities of products exceeding specific orders.

Any excess manufactured in filling orders under subdivision (iii) of subparagraph (1) shall be sold only upon orders of that kind, and any excess manufactured from bristles longer than 3⅛ inches shall be sold only upon orders of the kind referred to in subdivision (vi) of that subparagraph and any excess manufactured in filling orders under subdivision (iv) or (v) may be sold only for a use permitted in subparagraph (1).

(3) *Existing stocks of brushes.* The restrictions in this order shall not apply to the manufacturer, jobber or retailer, as the case may be, with respect to brushes in his possession prior to July 30, 1943.

Conservation

(e) *Conservation.* Unless otherwise authorized in writing by the War Production Board, no person shall use in the manufacture of any product a mixture of more than 55% of pigs' or hogs' bristles or a combination of both.

However this restriction shall not apply to:

(1) The manufacture of dental plate brushes as described in paragraph (d) (1) (i) above.

(2) The manufacture of any product containing bristles none of which are longer than 2⅜ inches.

(3) The manufacture of shaving or lather brushes for the United States Army, Navy, Maritime Commission or War Shipping Administration.

(4) The manufacture of spotting, cleaners', dyers', surgeons' hand and hair brushes out of reclaimed bristles as described in paragraph (d) (1) (v) above.

Equitable Distribution

(f) *Equitable distribution.* It is the policy of the War Production Board that bristles and products containing bristles, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy, every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution, unless necessary to meet war or essential needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(g) *Reports and communications—* (1) *Imported bristles.* Every owner of imported bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB–431 (formerly Form PD–217), showing his holdings and consumption of imported bristles during the preceding month.

(2) *Domestic bristles.* Every owner of more than ten pounds of domestic bristles shall file with the War Production Board not later than the 10th day of each month, a report on Form WPB–2287 (formerly Form PD–781), showing his holdings and shipments of domestic bristles during the preceding month.

(3) *Reporting.* All reports required to be filed and all communications concerning this order shall unless otherwise directed in writing be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C. Ref.: M–51. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made

by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Further restrictions.* No person shall sell, deliver, accept or use bristles or products containing bristles contrary to any specific direction which may be issued from time to time by the War Production Board.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A added February 14, 1944.

Ferro-alloys (including producers to whom serial numbers have been issued under Order P-68).

Iron Products (including pig iron, pipe, wire, wrought iron and foundry products and also producers to whom serial numbers have been issued under Order P-68). Steel rolling mill and foundry products (including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate, terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products, and also producers to whom serial numbers have been issued under Order P-68).

Chemicals and allied products for industrial and military use (including automobile body polish and top dressing: candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentifrices and depilatories).

Distillery machinery (including beverage).

Food and food processing machinery equipment (including food dehydration machinery).

Special industry machinery not elsewhere listed (including tobacco manufacturing machinery and equipment and cosmetics machinery).

Lamp bulbs and tubes (including aircraft).

Agricultural machinery, implements and equipment (including farm and garden hand tools).

Coke and coke oven by-products (including producers to whom a serial number has been issued under Order P-68).

Containers of all types (including fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates).

Glass products not elsewhere listed (including mirrors).

Heating equipment (including electric and also heating system controls and hot water equipment).

Photographic equipment apparatus and materials (including projection apparatus).

Tools (including edge tools, hand tools, mechanics' hand service tools, gauges and machinists' precision measuring tools, files and rasps; and also farm and garden edge and hand tools).

Industrial food manufacturing, processing, packaging, preservation and storage (including drink and alcoholic beverages, and chewing gum, and also restaurants, hotels, retail stores, and farms).

Public utilities: gas, light, power, water and central heating and sanitation (including producers as defined in Utilities Order U-1).

Petroleum and natural gas production, transportation, refining and marketing (including that covered by P-98-b).

Smelting and refining (including producers to whom a serial number has been issued under P-73).

Wire communications industries (including operators as defined in Utilities Orders U-3 and U-4).

[F. R. Doc. 44-3212; Filed, March 6, 1944; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 49]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 3.5 (b) is added to read as follows:

(b) An institutional user who has combined his establishments in a single registration, may re-register those establishments when he applies for his March-April 1944 allotments. He may file a separate registration form for each of them with the Board for the place where that establishment is located; or he may combine in one registration those establishments which qualify for the higher allowances of sugar and foods covered by Ration Order No. 16 for baking operations fixed in the supplement and may combine in another registration his other establishments. He shall file with the Board additional OPA Forms R-1307 and R-1307 Supplement giving the information called for by those forms separately for each establishment or combination of establishments separately registered. If he combines some establishments in a single registration, he must attach to the forms a list of those establishments, showing the name and address of each, and, for each establishment which qualifies for the higher baking allowances, the baking information called for by OPA Form R-1307 Supplement. (If the institutional user prepares the baked products at one place, such as a central kitchen, and serves those products at a combination of establishments, the baking information called for by that form may be given for the combination instead of separately for each.) Any remaining excess inventory of the originally combined establishments may be apportioned among the establishments as re-registered, in such proportion as he chooses.

2. Section 3.5 (c) is added to read as follows:

(c) Each combination of establishments in a single registration is to be treated separately for the purposes of this and any other food rationing order, just as if it were operated by a different person.

This amendment shall become effective March 9, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3156; Filed, March 4, 1944; 11:34 a. m.]

PART 1340—FUEL

[MPR 121, Amdt. 29]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 121 is amended in the following respects:

1. Section 1340.249 (d) (1) (iv) is amended to read as follows:

(iv) Each producer whose maximum price in effect on November 23, 1943 has been increased under the provisions of this paragraph (d) (1) or former paragraph (d) (4) of this section as in effect prior to January 11, 1944 must report his redetermined maximum price and his method of computation on OPA Form 653-432 set forth below. The completed forms must be filed in duplicate with the Office of Price Administration on or before February 29, 1944 or within 30 days after a producer has redetermined his maximum price, whichever period is longer. Such report must be filed each time a producer redetermines his maximum price pursuant to this paragraph. Copies of these forms may be obtained from the Office of Price Administration or any regional or district office thereof.

2. Section 1340.249 (d) (1) (v) is amended to read as follows:

(v) The maximum prices as redetermined under this paragraph (d) (1) or under former paragraph (d) (4) of this section may be charged and received by the producer immediately after redetermination unless notified to the contrary by the Office of Price Administration: *Provided*, That the maximum price of a producer who fails to report his deter-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11078, 11480, 11479, 12493, 12557, 12403, 12744, 14472, 15488, 17480; 9 F.R. 401, 455, 492.

mined maximum price in the manner and within the time specified in subparagraph (iv) above shall be the price he had in effect on November 23, 1943. A producer who fails to file such report but nevertheless charges higher prices than those he had in effect on November 23, 1943, shall be subject to the penalties set forth in § 1340.246 of this regulation.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3155; Filed, March 4, 1944; 11:34 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 387,[1] Amdt. 1]

PULPWOOD PRODUCED IN DESIGNATED SOUTHERN STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 387 is amended in the following respect:

In Appendix A (a) (1), the last paragraph entitled "Delivered mill by truck or similar vehicle" is amended to read as follows:

Delivered mill by truck or similar vehicle. When pulpwood is delivered to a consumer by truck or similar vehicle, the maximum price shall be the f. o. b. car price stated above plus or minus the same dollars and cents differential, if any, which the particular mill paid over or under its highest f. o. b. car price in the months of January and February, 1943, for the same type of delivery, except when pulpwood is delivered to a consumer's mill in Mobile, Alabama by truck or similar vehicle, in which case an amount not in excess of $2.00 per cord may be added to the maximum f. o. b. car price stated above.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3139; Filed, March 3, 1944; 4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[2] Amdt. 5 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 13) which is made a part hereof.*

This amendment shall become effective at 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3151; Filed, March 4, 1944; 11:32 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[4] Amdt. 16 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 12) (OPA Forms R-1313 and 1611) which are made a part hereof.*

This amendment shall become effective at 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3152; Filed, March 4, 1944; 11:33 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[4] Amdt. 17 to Rev. Supp. 1]

LARD

The point value of "lard" on the Official Tables of Consumer and Trade Point Values (No. 11) referred to in § 1407.3027 (a) is reduced to zero (0).

This amendment shall become effective 12:01 a. m., March 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3140; Filed, March 3, 1944; 4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[4] Amdt. 18 to Rev. Supp. 1]

LARD

The point value of "lard" on the Official Tables of Consumer and Trade Point Values (No. 12) referred to in § 1407.3027 (a) is reduced to zero (0).

This amendment shall become effective 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3141; Filed, March 3, 1944; 4:42 p. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,[5] Amdt. 2]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *Transactions and products covered*—(a) *Transactions covered.* This regulation covers all sales and purchases out of distribution yard stock of products covered by the regulation within the continental limits of the United States made by lumber distribution yards, whether wholesale or retail.

(b) *Products covered.* This regulation covers sales out of distribution yard stock of any lumber or lumber products for which "direct-mill" maximum prices are fixed in the following maximum price regulations, as well as any later revisions or amendments:

Southern Pine Lumber—Second RMPR 19.[6]
Douglas First and Other West Coast Lumber—RMPR 26.[7]
Western Pine and Associated Species of Lumber—MPR 94.[8]

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[1] 8 F.R. 14145.
[2] 9 F.R. 1162.
[3] 8 F.R. 7570, 9519, 11508, 12315, 12406, 16249.
[4] 7 F.R. 10948; 8 F.R. 859, 1138, 4118, 7352, 8009, 8756, 11040, 12136, 12296, 12878, 16199.

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*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 8507.
[2] 9 F.R. 173, 908, 1181, 2091.

*Filed as part of the original document.
[4] 8 F.R. 16834, 16839, 16898, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091.

Red Cedar Shingles—MPR 164.[8]
Northeastern Softwood Lumber—RMPR 219.[9]
Northern Softwood Lumber—Second RMPR 222.[7]
Redwood Lumber and Millwork—MPR 253.[8]
Sitka Spruce Lumber—MPR 290.[9]
Western Red Cedar Lumber—MPR 402.[10]
Tidewater Red Cypress Lumber—MPR 412.[11] Tables 2, 4, 6, 7, 8, 11, and 17.
Northern Hardwood Flooring—MPR 432.[12]
Oak, Pecan and Miscellaneous Hardwood Flooring—MPR 458.[13]
Pressure Preservative Treatment of Forest Products and Pressure Treated Forest Products—MPR 491.[14] (only as applicable to the species and items covered by the foregoing regulations).

This regulation does not cover sales or purchases of stock mouldings listed in the 1940—8000 Series List published by Shattock-McKay, Chicago, Illinois, plant stakes, car strips, pickets, battens and millwork. These products are subject to the General Maximum Price Regulation.[15]

Every yard affected by this regulation should get copies of the mill regulations covering the species it handles, since this regulation builds upon the prices and definitions in the above "direct-mill" regulations.

2. In section 4 the first paragraph is amended to read as follows:

SEC. 4. *Maximum prices for wholesale and CPA yards and "wholesale-type" sales by retail yards.* The maximum prices for all sales out of the stock of wholesale or CPA distribution yards or "wholesale-type" sales and sales of lower grades of lumber out of the stock of retail yards (except sales of pressure treated lumber) is the sum of the following: (See section 16 for definitions of "sales out of distribution yard stock", "wholesale-type sales" and "lower grades of lumber".)

3. Section 5 is deleted and section 6 is redesignated section 5 and paragraph (a) of the new section 5 is amended to read as follows:

(a) *General.* The maximum price on sales out of retail yard stock other than the "wholesale-type" sales, sales of lower grades of lumber and sales of pressure treated lumber is the sum of the following:

4. In the new section 5, the last unlettered paragraph is amended by adding the following sentence:

If the total quantity is 1,000 feet BM or less, the price may be quoted per board or lineal foot, in which event it must be evened out to the nearest quarter of a cent per foot.

5. A new section 6 is added to read as follows:

SEC. 6. *Sales of pressure treated lumber out of distribution yard stock.* The maximum price for all sales of pressure treated lumber out of distribution yard stock as defined in section 16 is the sum of the following:

(a) The f. o. b. mill price for the green untreated lumber in the mill regulation for the particular species at the time of delivery by the distribution yard; plus

(b) Inbound transportation charges to the distribution yard, figured under the rules in section 7, on the basis of green weight; plus

(c) $24.50 per MBM in the case of West Coast species, including Douglas Fir, West Coast Hemlock, all species of True Fir, Redwood, Sitka Spruce and Western Red Cedar; or $20.50 per MBM in the case of all other species; plus

(d) Cost of the preservative computed under the following table:

PRESERVATIVE ADDITIONS PER M'BM

NO. 1 DISTILLATE OIL BY PRESSURE PROCESS

Region	Retentions per cubic foot				
	6 pounds	8 pounds	10 pounds	12 pounds	14 pounds
I—All States East of the Hundredth Meridian	$9.50	$12.75	$15.75	$19.00	$22.25
II—All other States except Washington, Oregon, and California	11.50	15.50	19.50	23.25	27.25
III—Washington, Oregon, and California	12.50	16.75	20.75	25.00	29.25

NOTE: Special authorization for additions for distillate oil used in combination with coal tar or petroleum will be granted upon application to the Office of Price Administration, Washington, D. C.

SALT PRESERVATIVES BY PRESSURE PROCESS PER M'BM

	Zinc chloride				Wolman		
	Plain—retention per cubic foot		Chromated—retention per cubic foot		Retention per cubic foot		
	.75 pound	1.0 pound	.75 pound	1.0 pound	.50 pound	.55 pound	.40 pound
All regions	$5.50	$6.75	$4.50	$5.00	$6.25	$7.25	$8.50

(e) $5.00 per thousand board feet "handling charge".

(f) 10 percent of the sum of (a), (b), (c) and (d) above on sales by wholesale or CPA distribution yards or "wholesale-type" sales by retail yards; or the appropriate area mark-ups as shown in section 5 (c) on sales other than "wholesale-type" sales by retail yards.

6. In section 7, paragraph (a) (5) is amended to read as follows:

(5) *Northeastern softwoods; RMPR 219.* (i) Eastern spruce (domestic and Canadian), Jack pine, Norway pine, and White cedar shingles: use American prices and weights and Vanceboro, Maine or Cass, West Virginia (whichever takes the lower rate of freight to destination) as the basing point; except for Norway pine produced in Ottawa Valley use Canadian prices and weights and Niagara Falls, New York, Detroit, Michigan, or Chicago, Illinois (whichever takes the lowest rate of freight to destination) as the basing point.

(ii) White pine: use American prices and weights and Norway, Maine or Bristol, Tennessee-Virginia (whichever takes the lower rate of freight to destination) as the basing point; except for White pine produced in Ottawa Valley use Canadian prices and weights and Niagara Falls, New York, Detroit, Michigan, or Chicago, Illinois (whichever takes the lowest rate of freight to destination) as the basing point.

(iii) Eastern hemlock: use prices established for Pennsylvania and New York and Williamsport, Pennsylvania or Bristol, Tennessee-Virginia (whichever takes the lower rate of freight to destination) as the basing point; except in the New England states, use prices for hemlock produced in New England and Norway, Maine as the basing point.

7. In section 7, paragraph (a) (12), the heading is amended by deleting "10" from the list of tables.

8. In section 7, paragraphs (a) (13) and (14) are amended to read as follows:

(13) *Northern hardwood flooring; MPR 432:* Wells, Michigan.

(14) *Oak, pecan and miscellaneous hardwood flooring; MPR 458:* Johnson City, Tennessee.

9. Section 13 is amended to read as follows:

SEC. 13. *How to figure additions for working, kiln drying and pressure treatment*—(a) *Basic workings.* The following additions per MBM may be made to the maximum price of the most economical size from which the desired size may be obtained when a distribution yard is required to perform the workings and the end product is a non-standard size. The charges apply to the total quantity involved in one order when no change in the machine set-up is involved. The additions may be made to the maximum price of the most economical size from which the desired size may be obtained computed under this regulation only after the percentage mark-up has been added and may not be added if the end product is an item of boards or dimension in standard or near standard size shown in the applicable mill regulation, except as provided in paragraph (e) of this section.

[8] 7 F.R. 4541, 8384, 8948; 8 F.R. 2876, 2992, 4514, 12296, 14762, 15368.
[9] 8 F.R. 4948, 6620, 9779, 12445, 13498.
[7] 8 F.R. 14126.
[10] 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479.
[11] 8 F.R. 19, 2270, 6959.
[12] 8 F.R. 7662.
[13] 8 F.R. 8712, 12406.
[14] 8 F.R. 10079, 12180.
[15] 8 F.R. 15323.
[16] 8 F.R. 15594.
[17] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 11955.

MAXIMUM MILLING CHARGES

	4/4, 5/4, 6/4		2 inches		3 and 4 inches		5 x 5 inches to 8 x 8 inches		6 x 10 inches and larger		Permitted minimum charges
	On all sales where mark-up is $5 and 10%	All other sales	On all sales where mark-up is $5 and 10%	All other sales	On all sales where mark-up is $5 and 10%	All other sales	On all sales where mark-up is $5 and 10%	All other sales	On all sales where mark-up is $5 and 10%	All other sales	
S1S, S2S	$3.00	$5.25	$2.50	$4.50	$2.50	$4.50	$3.00	$5.25	$4.00	$7.00	$1.50
S3S, S4S	5.00	5.25	2.50	4.50	2.50	4.50	3.00	5.25	4.00	7.00	1.50
D & M, shiplap, grooved, beveled sleepers	3.50	5.25	3.00	5.25	3.00	5.25	6.00	10.50	6.00	10.50	1.75
Drop siding and ceiling	3.50	6.25	3.00	5.25							1.75
Outgauging and special patterns	7.50	13.25	7.50	13.25	7.50	13.25	7.50	13.25	7.50	13.25	3.75
Crosscutting	1.00	1.75	1.00	1.75	1.00	1.75	2.00	3.50	2.00	3.50	.50
Ripping	1.50	2.75	1.50	2.75	1.50	2.75					.75
Resawing	2.00	3.50	2.00	3.50	2.00	3.50	2.00	3.50	3.00	5.25	1.00

NOTES: (1) Where the total charge figured on an MBM basis is less than the minimum shown in the table, the minimum charge may be added.

(2) The cross-cutting addition may be made only as many times as are necessary to produce the desired length from the shortest standard multiple of that length in the size and grade required. The final cost, including cross-cutting and waste, may not exceed the most economical final cost of producing the required length.

(3) The ripping and resawing charges may be added only if the end product produced is a non-standard size or is larger than boards (under 2" in nominal thickness) or dimension (2" in nominal thickness, 12" or less in width or 24' or less in length).

(4) The total charge for ripping and resawing may not include additions for more than three rips, and/or resaws.

(b) *Kiln-drying.* For kiln-drying, done at the yard, an addition of double the addition permitted by the applicable direct-mill regulation may be made.

(c) *Custom milling or kiln-drying.* Where the required working or kiln-drying cannot be performed by the distribution yard making the sale because it does not have the necessary facilities, the yard may add to the maximum price of the original size the actual cost of having the working or drying performed at a custom establishment provided the end product produced is a non-standard size or an item larger than boards or dimension. If the distribution yard has the facilities to perform the required workings or drying the maximum charges in paragraphs (a) and (b) of this section apply. If the end product is a standard or near standard size of boards or dimension, no additions may be made and the maximum price must be computed on the basis of the item produced.

No addition may be made for transportation to or from the custom establishment.

(d) *Custom pressure treating.* Where pressure treating is required, and the distribution yard making the sale does not have the necessary facilities, the yard may add to its maximum selling price of the green untreated lumber its actual cost of having the lumber treated by a custom plant including delivery charges to the purchaser by way of the treating plant under section 12. These charges must be shown separately on the invoice.

(e) *Special exception for remanufacturing Douglas fir and other West Coast lumber.* If a distribution yard making a sale of Douglas fir or other West Coast lumber covered by Revised Maximum Price Regulation 26 remanufactures standard sizes of boards or dimension from larger sizes, the f. o. b. mill price and weight of the most economical size from which the desired size may be obtained may be used in computing the maximum price of the item produced and the milling charges shown in the table in paragraph (a) of this section may be added, subject to the following conditions:

(1) Any yard wishing to compute its maximum prices under this paragraph must make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for specific permission. The applicant must submit: (1) Satisfactory proof that he is unable to purchase standard sizes of boards and dimension from mills or concentration yards; (2) a statement of the total footage of softwood lumber delivered from his yard stock during each of the three months immediately preceding the date of the application; (3) a complete description of the remanufacturing facilities of his yard, including the number and capacity of resaws, planers, etc.

The remanufacturing provisions of this paragraph may be adopted by the yard as soon as application is filed. Permission may be granted by letter or telegram and may be withdrawn at any time for failure to comply with all of the provisions of this paragraph or if it appears that a yard is using it as a method of evading any other provision of this regulation.

(2) In no case will the permission granted under this paragraph be applicable in any one month to more than 30 percent of the average monthly footage of softwood lumber delivered by the yard during the 3 months immediately preceding, or to sales on which the distribution yard mark-up is greater than $5.00 and 10 percent.

(3) The total charge for ripping, resawing and/or dressing may not include an addition of more than two of these workings per piece. For example, there may be one rip and one resaw; or one resaw and one dressing charge; etc.

(4) Any yard which is granted permission to remanufacture under this paragraph must file with the Lumber Branch, Office of Price Administration, Washington, D. C., on or before the 10th day of each month a statement of the softwood footage shipped and remanufactured by it during the preceding month. Yards operating under this paragraph must keep records available to the Office of Price Administration at all times showing the amount of lumber remanufactured during any month, the nature of the remanufacturing, the size and condition of the lumber before and after remanufacturing and any additional information which the Office of Price Administration may deem necessary to prevent evasion of the regulation.

10. In section 15 the first clause of the next to the last sentence is amended to read as follows: "The invoice must also show whether working, dry-kilning or treating was done by a distribution yard or custom establishment;"

11. In section 16, the phrase "10,000 shingles" in the unlettered paragraph of paragraph (d) is deleted and the phrase "10 squares of shingles" inserted in its place.

12. A new paragraph (h) is added to section 16 to read as follows:

(h) *Lower grades of lumber.* Lower grades of lumber as used in this regulation mean the grades for the particular species shown below:

2d Rev. MPR 19—All items lower than No. 2 Box grade.

RMPR 26—All items and grades No. 4 Common and lower.

MPR 94—All items and grades No. 5 Common and lower (including No. 3 dimension).

RMPR 219—Northeastern White Pine—All items and grades No. 5 Common and lower.

Eastern Spruce—all items and grades below No. 3 Common.

Jack Pine—all items and grades below No. 3 Common.

Norway Pine—all items and grades below No. 3 Common.

Hemlock—all items and grades No. 5 Common and lower.

Ottawa Valley White Pine—all items and grades No. 6 Common and lower.

2d Rev. MPR 222—Hemlock—all items and grades No. 6 Common and lower.

Northern White Pine—all items and grades No. 6 Common and lower.

Norway Pine—all items and grades No. 6 Common and lower.

Jack Pine—all items and grades No. 6 Common and lower.

Aspen—all items and grades below No. 6 Common.

Canadian Western White Spruce—all items and grades below No. 5 Common.

MPR 253—All items and grades lower than No. 3 Common.

MPR 290—All items and grades lower than No. 3 Common.

MPR 402—All items and grades No. 4 Common and lower.

MPR 412—All items and grades poorer in quality than the lowest standard grade (SCMA Rules).

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3153; Filed, March 4, 1944; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 29]

WET MOPS, MOP HEADS AND MOPSTICKS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The following products are added to § 1499.167, Appendix B, to read as set forth below:

Wet mops, wet mop heads, and mopsticks.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3154; Filed, March 4, 1944; 11:33 a. m.]

PART 1306—IRON AND STEEL

[RPS 41, Amdt. 11]

STEEL CASTINGS AND RAILROAD SPECIALTIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 41 is amended in the following respects:

1. The first and second sentences of the first paragraph of Appendix A (§ 1306.112) are amended to read as follows:

Maximum prices for steel castings are set forth in the following paragraphs (a), (b) and (c). These three paragraphs are exclusive of each other. The maximum prices in these three paragraphs shall be computed on the basis of actual shipping weights and apply to castings which are subject to repair by the producer by welding or otherwise. Paragraph (d) provides an optional method for establishing the maximum prices for castings in paragraphs (a) and (c) bearing N. O. C. B. N. classifications.

2. Section 1306.112 (a) (3) is amended to read as follows:

(3) *Extras.* No extra charges may be added in computing maximum prices for armor castings. The only exception is where the inspection of every armor casting by X-ray, gamma ray or magnaflux is required and the castings are subject to rejection by the purchaser on the basis of such inspection. Where such is the case the applicable extra charges for X-ray, gamma ray, and magnaflux inspections in Table VII[1] may be added. In the case of navy, ordnance and ship and marine castings the only extra charges which may be added in computing maximum prices are those in Table VII.

3. A new subparagraph (4) is added to § 1306.112 (b) to read as follows:

(4) Irrespective of a producer's customary July 15, 1941, extra charges for castings subject to rejection by the purchaser on the basis of X-ray, gamma ray and magnaflux inspection, the only extra charges for such inspections which may be added in computing maximum prices for castings subject to rejection by the purchaser on the basis of such inspection are those in Table VII.

4. Section 1306.112 (c) (3) is amended to read as follows:

(3) *Extras.* The only extra charges which may be added in computing maximum prices are those in Table VII.

5. The schedule reference for Item 6712 of Table V of § 1306.112 is amended to read X-333R.

6. The price for castings weighing one to five pounds when sold in quantities of 100 to 249 pieces in Schedule X-322R of Table VI of §1306.112 is amended to read .276.

7. Table VII is added at the end of Appendix A (§ 1306.112) to read as follows:

TABLE VII—EXTRA CHARGES

The following charges may be added in computing maximum prices only where the extras are specified by the purchaser and furnished by the producer:

A. *Comprehensive report extras.* The extra charges listed on pages 64, 65 and 66 of the Comprehensive Report may be added in computing maximum prices for navy, ordnance, and ship and marine castings in paragraph (a) and also for castings for which maximum prices are established by paragraph (c).[2] *Exception.* No extra charge for tension specifications may be added where the purchaser's specifications call for both tensile strengths and yield points below those shown for Class A, Grade I steel in the Table of Tension Specifications on page 66 of the Comprehensive Report.

B. *Extras for X-ray, gamma ray and magnaflux.* Extra charges may be added for X-ray, gamma ray or magnaflux inspection of steel castings only where the castings are subject to rejection by the purchaser on the basis of such inspection. The applicable extra charges are as follows:

1. *Pilot castings.* The applicable maximum price for each pilot casting may be added in the case of X-ray, gamma or magnaflux inspection. This price shall be determined on the basis of the quantity differentials applicable to the total quantity of castings ordered from one pattern at one time.

2. *X-ray or gamma ray only*—(a) *Production cost extras.* Regardless of who makes the inspection, whichever of the following percentages of the base prices[3] for rough castings of the following types is applicable may be added where Navy Department Bureau of Ships Radiographic Standards for Steel Castings, or similar standards, are specified:

Class No. and description:	Percent
1. H. P. Valves and Fittings (wall thickness less than 1 inch); Super-heater Fittings; Boiler Stop Valves; Machinery Castings subject to fatigue or impact stresses (wall thickness less than ½")	30
2. H. P. Turbine Casings; Steam Chests; Turbine Throttle Valves; H. P. Valves and Fittings (wall thickness 1 inch or greater); L. P. Valves (wall thickness less than 1 inch); Machinery Castings (wall ½ inch or greater)	22½
3. L. P. Turbine Casings; H. P. Turbine Exhaust Casings; L. P. End of H. P. Turbine; L. P. Valves (wall thickness 1 inch or greater); Machinery Castings not subjected to steam pressure	17½
4. Hull castings less than 3 inches in thickness—subjected to high service stresses: Machinery castings not subjected to impact stresses or vibration	15
5. Hull castings 3 inches or more in thickness and subject to high service stresses	12½

Where a casting is not one of the types described above such casting shall be classified and the applicable charge determined by using the description and applying the standards above which most nearly fit such casting.

(b) *Inspection extras*—(1) *Inspection by the producer.* When inspection is made by the producer there may be added not only the applicable charge for the production cost extra but also a charge based on the "time required" to make the inspection computed on the basis of the following:

X-ray machine capacity:	Hourly rate
200,000 to 300,000 volt capacity machine	$17.00
300,000 to 500,000 volt capacity machine	21.00
1,000,000 and over volt capacity machine	25.00
Radium capacity:	
10 to 500 milligrams	8.00

In no case need such charge be less than a total of $10.00 on one order. "Time required" means the total time consumed in the transportation of castings to be inspected from the point of inspection, in the setting up of castings for inspection, in making the exposure, in dismantling the castings and in the actual operation of developing and interpreting the films.

(ii) *Subcontracted inspection.* When inspection is let out by the producer to an independent laboratory there may be added not only the applicable charge for the production cost extra but also the net charge of the independent laboratory plus 10% of such charge.

3. *Magnaflux only*—(a) *Production cost extras.* Regardless of who performs the inspection, whichever of the following percentages of the base price for the rough casting is applicable may be added:

When the purchaser specifies testing at amperage of:	Percent
Up to 600 amperes	15
600 to 1,000 amperes	22½
1,000 to 3,000 amperes	30

(b) *Inspection extras*—(1) *Inspection by the producer.* When inspection is made by the producer there may be added not only the charge for the production cost extra but also a charge based on the "time required" to make the inspection computed on the basis of the following:

Amperage of testing:	Hourly rate
Up to 1,000 amperes	$7.50
1,000 to 3,000 amperes	9.00

In no case need said charge be less than a total of $10.00 on one order. "Time required" means the total time consumed in the transportation of the castings to be inspected from the production line or repair point to point of inspection, the setting up of the castings for inspection, the exposure and dismantling of the castings, and the operation of interpreting the magnafluxing.

(ii) *Subcontracted inspection.* When inspection is let out by the producer to an independent laboratory there may be added not only the applicable charge for the production cost extra but also the net charge of the independent laboratory plus 10% of such charge.

4. *Castings subject to rejection by the purchaser on the basis of both radiographic and magnaflux inspection*—(a) *Production cost extras.* Regardless of who makes the inspection, whichever of the applicable charges for the production cost extras in 2 (a) or 3 (a) is higher may be added.

(b) *Inspection extras*—(1) *Inspection by the producer.* When either or both of the radiographic and magnaflux inspections are made by the producer there may be added not only the applicable charge for the production cost extra in (a) of this section 4 but also all of the charges for inspection extras in 2 (b) (1) and 3 (b) (1) which are applicable.

(2) *Subcontracted inspection.* When either or both of the radiographic and magnaflux inspection are let out by the producer to an independent laboratory, there may be added not only the applicable charge for the production cost extra in (a) of this section 4 but also the net charge of the independent laboratory plus 10% of such charge.

c. *Special extras.* Where at the request of the purchaser a producer furnishes services in connection with the sale of steel castings which services are beyond customary foundry practice in the third quarter of 1941 such producer may,[4] in computing his maximum prices, include a charge for such services only if such extra charge is established in the following manner: Such producer shall request the Iron and Steel Branch of the Office of Price Administration, Washington, D. C. in writing to establish an extra. Such request must include (1) a full description of the castings, (2) a statement of the end-use of the castings, (3) the service to be furnished, (4) the estimated cost of furnishing such service, (5) the circumstances under which the service will be furnished, (6) whether it has been furnished in the past and, if so, what charge has been made, (7) the amount of the extra charge requested, and (8) such other information as the producer may wish to submit. Said Iron and Steel Branch shall act on such request within a reasonable time and may take such action on the request as to it seems just and proper. Pending such action the producer may invoice the prices computed on the basis of requested extra charges subject, however, to adjustment in accordance with whatever extra charge is established by said Iron and Steel Branch pursuant to the request. Action taken by the Iron and Steel Branch pursuant to this paragraph shall be in writing.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3155; Filed, March 4, 1944; 3:55 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8043, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4981, 5759, 7107, 8751, 8784, 9836, 10438, 10908, 11037, 12406, 12479, 13186, 13668, 14622, 14786, 16298, 17415.

[1] Table VII appears at the end of Appendix A.

[2] The extra charge for pressure or oil tests on page 12 of the Comprehensive Report may be added where applicable in computing maximum prices under paragraph (c) for Electrical Machinery and Equipment Castings.

[3] "Base prices" wherever used means the maximum price for the rough castings before adjustment for extra charges, machining charges, pattern charges, and transportation charges or allowances.

[4] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9870, 11381, 12095, 12478, 12632, 14093 14400, 14855, 15459, 16199, 16999, 17485.

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amdt. 24]

FROZEN AND DRIED EGGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.70 (e) is amended to read as follows:

(e) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs in the Cities of New York, Seattle, Los Angeles, San Diego, Phoenix, Tucson, and Portland, Oregon.*

TABLE E

Month	1943		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	35.4	35.3	32.0	32.0	32.0	32.0	33.0	33.4	33.5	34.2	34.6	35.0
Frozen whites	27.4	27.3	24.0	24.0	24.0	24.0	25.0	25.4	25.5	26.2	26.6	27.0
45% yolks	48.9	48.8	45.5	45.5	45.5	45.5	46.5	46.9	47.3	47.7	48.1	48.5
Sugared and salted yolks (10% sugar or salt)	43.6	43.5	40.2	40.2	40.2	40.2	41.2	41.6	42.0	42.4	42.8	43.2

2. Section 1429.70 (g) is amended to read as follows:

(g) *Maximum base prices in cents per pound for frozen, whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in Kansas City, Missouri and for use in pricing in "Eastern Area" (but not to be used as a "basing point city" for calculating prices in "Area 2").*

TABLE F

Month	1943		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	34.0	33.9	30.6	30.6	30.6	30.6	31.6	32.0	32.4	32.8	33.2	33.6
Frozen whites	26.0	25.9	22.6	22.6	22.6	22.6	23.6	24.0	24.4	24.8	25.2	25.6
45% Yolks	47.5	47.4	44.1	44.1	44.1	44.1	45.1	45.5	45.9	46.3	46.7	47.1
Sugared and salted yolks (10% sugar or salt)	42.2	42.1	38.8	38.8	38.8	38.8	39.8	40.2	40.6	41.0	41.4	41.8

3. Section 1429.74 (d) is amended to read as follows:

(d) *Maximum prices in cents per pound for dried whole eggs, dried egg yolks, and flaked dried albumen and spray dried or powdered albumen in the Cities of New York and Seattle.*

TABLE H

Month	1943		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolks	1.19	1.12	1.05	1.05	1.05	1.05	1.07	1.09	1.11	1.13	1.15	1.17
Flaked, dried albumen	1.94	1.87	1.80	1.80	1.80	1.80	1.82	1.84	1.86	1.88	1.90	1.92
Spray dried or powdered albumen	1.99	1.92	1.83	1.85	1.83	1.85	1.87	1.89	1.91	1.93	1.95	1.97
Dried whole eggs	1.285	1.185	1.15	1.15	1.15	1.15	1.18	1.21	1.24	1.25	1.26	1.275

The above maximum prices for dried whole eggs are the maximum base prices for all sales and deliveries of such product in the cities named without regard to "percentage in solids" or "palatability score" except those sales and deliveries to the United States or any agency thereof under contract in which the lot sold or delivered has 96 percent or more in solids and a palatability score of 7 or more.

4. Section 1429.74 (d) (3) is hereby revoked.

5. Section 1429.74 (f) as provided by Amendment 3 is hereby revoked.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9870, 11381, 12095, 12478, 12632, 14093 14400, 14855, 15459, 16199, 16999, 17485.

This amendment shall become effective March 4, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-3167; Filed, March 4, 1944; 3:54 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 4]

ISSUANCE OF RATIONING SUSPENSION ORDERS

Procedural Regulation No. 4 is redesignated Revised Procedural Regulation No. 4 and is revised and amended to read as follows:

§ 1300.151 *Procedure for issuance of rationing suspension orders.* Pursuant to the authority conferred upon the Administrator by Executive Order 9125, War Production Board Directive No. 1, as supplemented, and the Food Directives of the Secretary of Agriculture and the War Food Administrator, this Revised Procedural Regulation No. 4, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1300.151 issued pursuant to Pub. Law. 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471.

REVISED PROCEDURAL REGULATION NO 4—ISSUANCE OF RATIONING SUSPENSION ORDERS

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ARTICLE I—SCOPE AND APPLICATION OF REVISED PROCEDURAL REGULATION NO. 4

SECTION 1.1 *Scope of regulation.* It is the purpose of this regulation to prescribe the procedure used by the Office of Price Administration in the issuance of rationing suspension orders. This regulation does not apply to suspension proceedings before War Price and Rationing Boards or Special Hearing Officers, but Article IV prescribes the procedure on appeal from orders issued in such proceedings.

ARTICLE II—INSTITUTION AND CONDUCT OF PROCEEDINGS

SEC. 2.1 *Institution of proceedings.* A proceeding for the issuance of a suspension order shall be instituted by the service of a notice of hearing upon the respondent not less than seven (7) days before such hearing.

SEC. 2.2 *Notice of hearing.* (a) A notice of any hearing to be held pursuant to this regulation shall be issued by the District Enforcement Attorney. It shall set forth the time and place of hearing, a clear statement of the charges against the respondent with a reference to the particular section of the regulation or order alleged to have been violated, and a statement of the purpose or purposes for which the hearing is to be held. The notice shall also state that a suspension order may be entered by default in case of failure to appear at the hearing.

(b) If the notice of hearing is served at least ten (10) days before the date set for the hearing, the notice may provide that such hearing will be held only if the respondent serves upon the District Enforcement Attorney a request for such hearing and a statement of the general nature of his defense to each of the charges. Such notice shall fix the time for serving the request and statement, which shall be not less than five (5) days after service of notice.

(c) A copy of Revised Procedural Regulation No. 4 shall be attached to the notice of hearing served upon any respondent.

SEC. 2.3 *Conduct of hearing.* (a) Any hearing held pursuant to this regulation shall be conducted by a Hearing Commissioner or by a Presiding Officer designated by the Chief Hearing Commissioner to conduct the hearing. The Hearing Commissioner or Presiding Officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

(b) The hearing shall be so conducted as to permit the presentation of evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(1) The respondent shall have the right to be represented by counsel of his own choosing.

(2) The Hearing Commissioner or Presiding Officer shall afford reasonable opportunity for cross-examination of witnesses.

(3) All hearings held pursuant to this regulation shall be public.

SEC. 2.4 *Rules of evidence.* The rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States shall govern all hearings: *Provided, however,* That such rules may be relaxed by the Hearing Commissioner or Presiding Officer where the ends of justice will be better served by so doing.

SEC. 2.5 *Appearances.* Any individual respondent may appear for himself; any partner may appear for a partnership if expressly or impliedly authorized to do so; any officer of a corporation or association may appear for such corporation or association. Any respondent may appear by an attorney. No other person may appear for a respondent unless specifically authorized in writing by such respondent. All appearances shall be noted on the record of the proceeding. Appearances of Office of Price Administration employees and former employees in a representative capacity shall be governed by the provisions of Procedural Regulation No. 14.

SEC. 2.6 *Continuance or adjournment of hearing.* The hearing shall be held at the time and place specified by the notice of hearing but the Hearing Commissioner or Presiding Officer may continue or adjourn the hearing to a later date or to a different place. Notice of such adjournment or continuance shall be given either prior to or at the hearing.

SEC. 2.7 *Defaults.* (a) If a respondent fails to appear at a hearing or if he fails to file a request for hearing when such a request is required pursuant to section 2.2 (b), the charges set forth in the notice of hearing may be deemed to be admitted by default, and a hearing need not be held. The District Enforcement Attorney shall, however, present evidence relevant to the determination of the effective period of any suspension order.

(b) At any time within ten (10) days after the service of an order issued after a default, the respondent may file with the Hearing Commissioner a petition for the reopening of the proceedings, setting forth the grounds on which he believes his default should be excused. A copy of such petition shall be served upon the District Enforcement Attorney at or prior to the time of filing. Within three (3) days after such service, the District Enforcement Attorney may file with the Hearing Commissioner affidavits and a brief in opposition, a copy of which shall

be served on the respondent at or prior to the time of filing. The Hearing Commissioner shall grant or deny the petition by order. If the Hearing Commissioner grants the petition, his order shall set aside the order to which the petition is directed and shall set forth the time and place for the hearing.

SEC. 2.8 *Subpoenas.* (a) Any Hearing Commissioner may, upon proper application, issue subpoenas compelling the attendance and testimony of witnesses and the production of evidence at a hearing conducted under this Regulation.

(b) An applicant for a subpoena shall specify the name and address of the witness and the nature of the facts to be proved by him, and, if calling for the production of evidence, shall specify the same with such particularity as will enable it to be identified for purposes of production.

(c) A subpoena may be served by any person, including a party, who is more than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee and mileage for one day's attendance. When the subpoena is issued on behalf of the Office of Price Administration, fees and mileage need not be tendered. The verified return of the person making the service shall be proof of service.

SEC. 2.9 *Payment of witness fees and mileage.* Witnesses summoned before a Hearing Commissioner or Presiding Officer at any hearing held pursuant to this regulation shall be paid the same fees and mileage as are paid witnesses in the District Courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witness appears.

SEC. 2.10 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing. The refusal of a witness to testify or to answer any question which has been ruled to be proper shall, in the discretion of the Hearing Commissioner or Presiding Officer, be grounds for the striking out of all testimony previously given by such witness on related matters.

SEC. 2.11 *Transcript of hearings.* (a) A stenographic report of all hearings shall be taken. The report shall be transcribed only if the transcription is requested by a party to the proceeding or the Hearing Commissioner, or if the case is heard by a Presiding Officer. Any party may obtain a copy of the transcript. The cost of a transcription requested by a respondent shall be borne by such respondent. If the report is transcribed at the request of the Hearing Commissioner or the District Enforcement Attorney, a copy shall be available for inspection by the respondent during business hours at the District Office or such other place as may be designated by the Hearing Commissioner. Argument of counsel shall not be included in the report except at the direction of the Hearing Commissioner or Presiding Officer.

(b) The parties may, by stipulation, agree upon corrections of inaccuracies in the transcript. The Hearing Commissioner or Presiding Officer, whichever presided at the hearing, shall by written findings, resolve any dispute of the parties as to the accuracy of the transcript.

SEC. 2.12 *Presiding Officer's advisory report: service.* (a) A Presiding Officer who has conducted a hearing shall prepare an advisory report, which shall contain findings of fact and conclusions of law, and may contain recommendations with respect to the disposition of the matter.

(b) The advisory report shall be filed with the Hearing Commissioner, and copies thereof shall be served on the respondent and the District Enforcement Attorney.

SEC. 2.13 *Briefs on Presiding Officer's advisory report.* (a) Any party may submit to the Hearing Commissioner a brief in opposition to or in support of the report of the Presiding Officer.

(b) Such briefs shall be filed within five (5) days after the service of the Presiding Officer's report. The brief shall be filed with the Hearing Commissioner and a copy thereof served upon the opposing party at or before the time of filing.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Hearing Commissioner.

SEC. 2.14 *Briefs after hearing before Hearing Commissioner.* The Hearing Commissioner may, upon request of any party to a proceeding conducted by him, permit the filing of briefs or written argument. Such briefs or written argument shall be filed within such time as the Hearing Commissioner may prescribe.

ARTICLE III—ORDERS OF HEARING COMMISSIONERS

SEC. 3.1 *Suspension order of Hearing Commissioner.* (a) If the Hearing Commissioner determines that a respondent has violated a rationing regulation or order he may issue a suspension order.

(b) Any suspension order hereunder, except a consent order issued under section 3.3, shall set forth the findings of fact and conclusions of law upon which it is based and shall contain a statement of the reasons why a suspension order should be issued, unless such findings of fact, conclusions of law and statement of reasons are set forth in an opinion accompanying the order.

(c) If the Hearing Commissioner determines that no suspension order should be issued, he shall issue an order dismissing the proceeding or an admonitory order. The findings of fact, conclusions of law and a statement of the reasons why an order of dismissal or an admonitory order should be issued shall be set forth in the order or in an opinion accompanying the same.

(d) A suspension order under this section may contain such provisions as may be deemed appropriate to make it effective.

SEC. 3.2 *Stay of operation of suspension order.* (a) A Hearing Commissioner may, for good cause, provide in a suspension order that the operation thereof shall be stayed in whole or in part for so long as the respondent shall comply with rationing orders or the conditions set forth in the suspension order.

(b) The District Enforcement Attorney may at any time file an application with the Hearing Commissioner or, in the Hearing Commissioner's absence, with the Chief Hearing Commissioner to have such a stay vacated. Such application shall be served upon the respondent, shall set forth a detailed statement of charges of further violations of a ration order by the respondent, and shall contain affidavits or other proofs of such violations. The application shall contain a statement fixing a time, which shall not be less than seven (7) days after service, within which the respondent may file with the Hearing Commissioner or Chief Hearing Commissioner, as the case may be, answering affidavits, proofs, and written arguments.

(c) The Hearing Commissioner or Chief Hearing Commissioner, as the case may be, may, either upon the written proofs submitted by the parties or upon further hearing ordered by him, enter an order vacating the stay in whole or in part. All proofs submitted and the record of any further hearing shall become part of the record of the original proceeding.

(d) Any Hearing Commissioner may, in an order issued in a suspension proceeding under this regulation, vacate a stay of the operation of a suspension order previously issued against the same respondent.

SEC. 3.3 *Consent order.* If the Hearing Commissioner approves an agreement entered into by the District Enforcement Attorney and a respondent with respect to the terms of a suspension order, he shall issue the order agreed upon, and such order shall have the same force and effect as an order issued under section 3.1 except that no appeal to the Office of the Hearing Administrator may be taken therefrom.

SEC. 3.4 *Application for modification, vacation or further hearing.* (a) The District Enforcement Attorney or a respondent may file with the Hearing Commissioner an application for modification, vacation or further hearing of an order issued by the Hearing Commissioner under section 3.1, from which no appeal is pending. Any application so filed shall be accompanied by proof of service upon the opposing party.

(b) The application may include affidavits or a brief in support thereof, shall state in detail the grounds upon which the order should be modified, vacated or set for re-hearing in accordance with section 3.5.

(c) The opposing party may, within three days of receipt of service of the application, or such longer period as the Hearing Commissioner may allow, file with the Hearing Commissioner a brief and affidavits in opposition to the application.

(d) At any time after the filing of such an application, the Hearing Commissioner may, in his discretion, stay the suspension order to which the application relates, pending determination of the application.

SEC. 3.5 *Order upon application.* (a) A Hearing Commissioner may by order, at any time, save when an appeal is pending or an order has been entered on appeal by the Hearing Administrator, modify or vacate an order issued by him to correct errors of fact or law disclosed by the record. No oral hearing will be held on such application.

(b) At any time after the issuance of a Hearing Commissioner's order or an order on appeal therefrom, except when an appeal is pending, the Hearing Commissioner may set the proceeding for a further hearing upon a showing to his satisfaction:

(1) That the applicant will produce additional material evidence which the applicant could not have produced at the original hearing by the exercise of reasonable diligence, or

(2) That material changes in conditions or circumstances cause the suspension order to be detrimental to the public interest.

(c) A Hearing Commissioner may, at any time, either upon his own motion or upon motion of either party, modify his order to correct a clerical error or omission, or to change the effective dates of the order.

(d) An order may not be modified, vacated, or set for further hearings by the Hearing Commissioner for reasons other than those stated in paragraphs (a), (b), and (c) of this section, unless its affirmatively appears to the Hearing Commissioner that refusal to take such action would be wholly inconsistent with the just and proper disposition of the proceeding.

ARTICLE IV—APPEALS FROM ORDERS OF WAR PRICE AND RATIONING BOARDS OR SPECIAL HEARING OFFICERS

SEC. 4.1 *Appeals from orders of Boards or Special Hearing Officers.* (a) Whenever a right to appeal to a Hearing Commissioner from an order of a War Price and Rationing Board or a Special Hearing Officer is granted by a rationing order or regulation, such appeal may be taken within the time and in the manner prescribed by the rationing order or regulation.

(b) The appeal shall be heard by the Hearing Commissioner or a Presiding Officer and determined by the Hearing Commissioner in the same manner as if it were an original proceeding instituted by a notice of hearing issued under section 2.1.

(c) The Hearing Commissioner may, for good cause shown upon application by the respondent, stay or suspend the operation of an order issued by a War Price and Rationing Board or a Special Hearing Officer pending the hearing and determination of the appeal.

(d) Any order issued by the Hearing Commissioner upon the determination of the appeal shall supersede the order from which the appeal was taken. No appeal may be taken to the Office of the Hearing Administrator from such an order issued by the Hearing Commissioner.

ARTICLE V—APPEALS TO, REVIEW AND HEARING BY HEARING ADMINISTRATOR

SEC. 5.1 *Hearing and order by the Hearing Administrator.* (a) At any time after the service of the notice of hearing and before the service of the order of the Hearing Commissioner, the Hearing Administrator may direct that the proceedings be brought before him.

(b) Notice that the proceedings are to be brought before the Hearing Administrator shall be served upon the District Enforcement Attorney, the respondent and the Hearing Commissioner.

(c) Proceedings brought before the Hearing Administrator shall be conducted in the same manner as if brought before a Hearing Commissioner.

SEC. 5.2 *Petition for reconsideration of order of Hearing Administrator under section 5.1.* (a) Any party may file with the Hearing Administrator a petition for reconsideration of an order issued by the Hearing Administrator under section 5.1.

(b) The petition for reconsideration shall be served and filed in the same manner as a notice of appeal under section 5.4, and such petition shall conform to the requirements for notices of appeal prescribed in section 5.4 (b). The procedures on such petition shall be the same as on an appeal.

SEC. 5.3 *Appeals from orders of Hearing Commissioners.* A respondent or the District Enforcement Attorney may appeal to the office of the Hearing Administrator from any order issued under section 3.1 or section 3.2 (c) other than an order entered by default. A respondent may appeal to the Office of the Hearing Administrator from an order issued under section 2.7, denying a petition to reopen a defaulted proceeding.

SEC. 5.4 *Notice of appeal.* (a) An appeal may be taken by serving a notice of appeal on the Hearing Commissioner and the other party or parties to the proceeding within ten (10) days (or in the case of orders issued in the Territories and Possessions, within thirty (30) days) after service of the order appealed from. A copy of the notice of appeal with proof of such service shall be filed at the Office of the Hearing Administrator, Washington, D. C., within five (5) days after the taking of the appeal. The Hearing Administrator, for good cause shown, may extend the time within which an appeal may be taken.

(b) The notice of appeal shall contain (1) a reference to the findings of fact and conclusions of law, if any, to which exception is taken, (2) a brief statement of the grounds for such exceptions, (3) the modifications proposed with respect to the order appealed from, and (4) a brief statement of the reasons supporting such proposed modifications. The Hearing Administrator may dismiss any appeal if the notice of appeal is deficient in such respects.

(c) The appealing party shall, within ten days after taking the appeal, or such longer period as the Chief Hearing Commissioner shall allow, file in the Office of the Chief Hearing Commissioner the transcript of the stenographic report of the hearing unless the preparation of the transcript was requested by the Hearing Commissioner or the case was heard by a Presiding Officer.

SEC. 5.5 *Stay pending appeal.* The taking of an appeal shall not automatically stay the operation of the order appealed from. A Hearing Commissioner may, however, for good cause shown, upon application of any party, stay or suspend the operation of an order pending the determination of the appeal. A copy of such application shall be served upon the opposing party at or before the time it is filed with the Hearing Commissioner. If the Hearing Commissioner does not act upon such application within three days after filing, or denies such application, the requesting party may apply for a stay to the Office of the Hearing Administrator, Washington, D. C.

SEC. 5.6 *Record on appeal.* The Chief Hearing Commissioner shall, within three (3) days after the receipt of the notice of appeal or the stenographic transcript, whichever is later, send to the Office of the Hearing Administrator the complete record in the case which shall include:

(a) The notice of hearing and proof of service thereof;

(b) The request for hearing, if any, and proof of service thereof;

(c) The transcript of testimony and all exhibits;

(d) The Presiding Officer's report and briefs in support and opposition thereto, if any;

(e) The order of the Hearing Commissioner with proof of service thereof and the accompanying opinion, if any;

(f) The stay order, if any; and

(g) All petitions, applications, or motions filed and orders issued in the proceeding.

SEC. 5.7 *Briefs.* (a) Any party to the appeal may submit to the Office of the Hearing Administrator a brief in support of or in opposition to the order of the Hearing Commissioner.

(b) Two copies of briefs submitted on behalf of an appealing party, together with proof of service of a copy thereof upon the opposing party, shall be filed with the Office of the Hearing Administrator, Washington, D. C., within ten (10) days after the taking of the appeal. Within five (5) days after receipt of a copy of the appealing party's brief, the opposing party shall file two copies of his brief, together with proof of service of a copy thereof, in the Office of the Hearing Administrator. In the case of an appeal from an order issued in a Territory or Possession twenty (20) days shall be added to the times specified for the filing of briefs. Reply briefs will not be allowed except with the permission of the Office of the Hearing Administrator.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Office of the Hearing Administrator.

SEC. 5.8 *Oral argument.* The Hearing Administrator may, upon application or upon his own motion, order that oral agreement be heard before him, the Deputy Hearing Administrator, or any Assistant Hearing Administrator.

SEC. 5.9 *Order on appeal.* (a) The Hearing Administrator may affirm, reverse, or modify the order of the Hearing Commissioner, or remand the proceeding with directions.

(b) Copies of the order on appeal shall be served on the respondent and the District Enforcement Attorney.

(c) The provisions of this section applicable to the Hearing Administrator shall apply to the Deputy Hearing Administrator or any Assistant Hearing Administrator, when either is acting in lieu of the Hearing Administrator pursuant to paragraph (b) of General Order No. 46, as amended.

SEC. 5.10 *Review on initiative of Hearing Administrator.* (a) In neither the District Enforcement Attorney nor the respondent appeals within the time prescribed in section 5.4, the Hearing Administrator may review the case on his own motion. The Hearing Administrator may review, on his own motion, any order issued by a Hearing Commissioner from which an appeal does not lie.

(b) The Hearing Administrator shall initiate a review under paragraph (a) of this section by serving a notice of intention to review on the District Enforcement Attorney and the respondent.

(c) A review proceeding under this section shall be conducted in the same manner as an appeal except that the time of filing briefs shall be computed from the time of service of the notice of intention to review.

ARTICLE VI—MISCELLANEOUS

SEC. 6.1 *Service of papers.* Notices, orders, and other process and papers may be served personally, or by leaving a copy thereof at the residence or during usual business hours at the principal office or place of business of the person to be served, or by registered mail or by telegraph. Service by registered mail or by telegraph is complete upon mailing or upon delivery of the text of the telegram to a telegraph office. The verified return of the person making the service, or where service is by registered mail or telegraph the verified return of the person making the service and the return post office or telegraph receipt shall be proof of service.

SEC. 6.2 *Office hours of Office of Hearing Commissioners and Hearing Administrator: filing.* The Offices of the Hearing Administrator and the Hearing Commissioners shall be open daily from 9 a. m. until 5 p. m. Any person desiring to file papers at any time other than the regular hours stated, may file a written application with the appropriate Hearing Commissioner or the Hearing Administrator, if such papers are to be filed with him, requesting permission therefor. Whenever service is required of papers submitted for filing, proof of such service must accompany the papers.

SEC. 6.3 *Definitions.* As used in this regulation, unless the context otherwise requires, the term:

(a) "Hearing Administrator" means the Hearing Administrator of the Office of Price Administration or any duly designated person temporarily so acting.

(b) "Office of the Hearing Administrator" includes the Hearing Administrator, the Deputy Hearing Administrator, and any Assistant Hearing Administrator of the Office of Price Administration, located at Washington, D. C.

(c) "Hearing Commissioner" means the Chief Hearing Commissioner of the Office of Price Administration for the region in which the proceeding is instituted, or such Hearing Commissioner as may be authorized to determine a proceeding held pursuant to this procedural regulation.

(d) "District Enforcement Attorney" means the Enforcement Attorney of the Office of Price Administration for the District in which the proceeding is instituted or an attorney authorized to act for the District Enforcement Attorney in any proceeding conducted pursuant to this regulation.

(e) "Suspension order" means an order of allocation which regulates or suspends for a period the acquisition, sale, transfer, delivery, or other disposition or use of rationed commodities or facilities, issued against a person who has acted in violation of a ration order or regulation.

(f) "Rationing order or regulation" means any order or regulation of the Office of Price Administration issued pursuant to War Production Board Directive No. 1, as supplemented or amended, or any Directive of the War Food Administrator or the Secretary of Agriculture, or any other delegation of authority conferred by section 2 (a) of the Second War Powers Act.

SEC. 6.4 *Effective date.* This Revised Procedural Regulation No. 4 shall become effective at 12:01 a. m. on April 1, 1944. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all future proceedings in cases then pending: *Provided, however,* That the procedure prescribed by Temporary Procedural Regulation No. 4 shall govern review of orders issued prior to March 1, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3232; Filed, March 6, 1944; 11:52 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 39]

CORDWOOD FOR MANUFACTURE OF FELT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix K, Table 3.

TABLE 3

Area.—Part or all of the States of Maryland, West Virginia, Kentucky and Ohio by zones as described below.

Zone 1: The entire State of Maryland and the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson in West Virginia.

Zone 2: includes West Virginia north of (but not including) the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier, Except the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson.

Zone 3: includes in West Virginia all counties south of and including the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier.

Zone 4: The entire State of Ohio.

In the State of Kentucky all counties north of and including the counties of Jefferson, Spencer, Anderson, Woodford, Jessamine, Fayette, Clark, Powell, Wolfe, Breathitt, Knott, Floyd and Martin.

Zone 5: The entire State of Indiana. The entire State of Illinois.

The entire State of Missouri.

In the State of Kentucky, all counties south of and including the counties of Bullitt, Nelson, Washington, Mercer, Garrard, Madison, Estill, Lee, Owsley, Perry, Letcher and Pike.

Species. All species of pine and hardwoods suitable for the manufacture of roofing felt and other felt products.

Scaling and grading rules. The basis for measurement shall be the standard cord containing 128 cubic feet. (For units of other sizes, see conversion table at beginning of Appendix K.)

Logs shall be cut into four or five-foot lengths as specified by the buyer and must be 4 inches and over in diameter. The maximum prices set forth below are for sound wood of standard quality. All trade practices and customs with respect to allowances for culls, for firekills, or for defective wood of any kind must be observed.

"Dealer's" definition. A "dealer" means any person who sells to consumers pine or hardwood cordwood suitable for the manufacture of roofing felt or other felt products which wood is not cut or prepared by the dealer but purchased by him in the condition in which it is to be delivered to the consumer.

"Banked wood" definition. "Banked wood" means wood which has been stored temporarily at a shipping point at the request of the buyer.

Maximum prices—Zone 1: $9.00 per cord f. o. b. rail cars or banked at a barge landing. When loaded on barges by or at the expense of the seller, add $1.00 per cord. When delivered to the consuming mill by truck, add $2.40 per cord to the f. o. b. rail cars price.

Zone 2: $8.80 per cord f. o. b. rail cars. When delivered to the consuming mill by truck add $2.40 per cord to f. o. b. rail cars price.

Zone 3: $8.00 per cord f. o. b. rail cars or delivered to mill by truck.

Zone 4: $7.60 per cord f. o. b. cars. When delivered to the consuming mill by truck, add $2.00 per cord to f. o. b. cars price.

Zone 5:	*Per cord f. o. b. cars*
Rough pine	$6.80
Peeled pine	9.50
Rough hardwood	7.30
Peeled hardwood	10.00

If wood is banked at a rail siding at the buyer's request and is later loaded on the railway car at the seller's expense, an amount not in excess of 80 cents per cord may be added to the maximum price.

If wood is delivered to the mill by truck, the buyer and seller shall determine the total distance that wood has been hauled as well as the distance from the wood cutting operations to the nearest rail shipping point. The buyer may then add 5 cents per cord of 128 cubic feet for each load mile that the wood is hauled in excess of the distance to the nearest rail shipping point. (Thus if wood is hauled 30 miles to a mill from a zone

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16115, 16198, 16204, 16297, 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 973, 1317, 1571, 1572, 1717, 2088, 2135.

of operations which is 10 miles from a rail siding, the buyer may pay a trucking addition for the distance in excess of the distance to the rail siding or for 20 miles).

Deduction for non-delivery at points specified, all zones. When not delivered to the delivery points specified above, deduct from the f. o. b. rail cars price actual cost incurred by buyer in transporting and loading on rail cars or deduct from the delivered to mill prices the actual cost incurred by the buyer in delivering to the mill.

Dealer's Commission. When sold to a consumer by a dealer as defined above, add as follows:

Zone 1: 80 cents per cord.
Zone 2: 80 cents per cord.
Zone 3: 80 cents per cord.
Zone 4: 80 cents per cord.
Zone 5: In the States of Missouri, Illinois and Indiana, $1.00 per cord, in Kentucky $0.50 per cord.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3231; Filed, March 6, 1944; 11:53 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 7]

WHOLESALE FOODS; MARINE PROVISIONERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 421 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What wholesalers are covered.* Your business is classified under this regulation if, prior to the effective date of the regulation you were and still are a wholesaler, the larger part of whose food sales are of food products which you purchase for resale and distribute from your warehouse without materially changing their form, to independent retail stores, or to commercial, industrial or institutional users. This regulation does not apply, however, to "wagon wholesalers" or "flour jobbers."

2. Section 2 (b) (4) is amended to read as follows:

(4) *Class 4; institutional wholesaler.* You are an institutional wholesaler if you are not in Class 1 and the larger part of your food sales were, prior to the effective date of this regulation, and still are made to commercial, industrial or institutional users. For the purposes of this regulation "marine provisioners" shall be considered institutional wholesalers. (If you do business in more than one of the ways outlined above, see sections 17, 18, 19, and 20.)

3. Section 13 (c) is added to read as follows:

(c) On and after March 13, 1944, "marine provisioners" are made subject to this regulation. If you are a "marine provisioner", you must, by the opening of business on March 13, 1944, have figured your ceiling price in accordance with sections 3 and 4 for items which you have in stock at that time. For items which you do not have in stock at that time, you must figure your ceiling price in accordance with section 5. However, in doing so, you must substitute the date March 13, 1944, for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

4. Section 30 (f) is amended to read as follows:

(f) *"Marine provisioners".* A "marine provisioner" is a person, the larger part of whose food sales are of food products which he purchases for resale and distributes from a warehouse, without materially changing their form, to boat and steamship companies and ship operators for the provisioning of boats and ships, with delivery from shore locations by the use of truck or launch facilities.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3228; Filed, March 6, 1944; 11:52 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 291,[1] Amdt. 3]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 291 is amended in the following respect.

1. Section 2 (g) is added to read as follows:

(g) Customary differentials for sales of larger or smaller quantities than those for which maximum prices are specified in this regulation or for classes of purchasers other than those specified shall be continued.

2. Section 7 (c) (1) is amended to read as follows:

(1) Packers' maximum prices for country cane syrup delivered to the customary receiving point of the buyer in the southern zone shall be as follows:

$5.16 per case of 6 No. 10 cans.
$5.41 per case of 12 No. 5 cans.
$5.06 per case of 24 No. 2½ cans.
$6.13 per case of 48 No. 1½ cans.
$4.16 per case of 24 No. 2 cans.
$3.11 per case of 24 No. 1½ cans.

The "southern zone" includes the states of Georgia, Alabama, Florida, North Carolina and South Carolina. "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the syrup. The prices named include all transportation to that point. In each case the amount paid by the buyer for transportation plus the amount paid by the buyer to the seller shall not exceed the applicable maximum price for delivery at that point. In cases where the seller is dealing with the buyer for the first time after the effective date of this regulation, "delivered to the customary receiving point" means delivery to the buyers' place of business.

3. Section 7 (c) (2) is amended by deleting the word "'commercial" which follows the word "carload" and precedes the word "lots".

4. The introductory text of section 9 (a) is amended to read as follows:

(a) *Procedure for calculating maximum prices.* A person shall calculate his maximum price for an item of syrup or molasses, prices for which are specified as packed in tin cans in this regulation when packed in containers other than tin cans in the following manner:

5. Section 19 is amended by deleting the word "before" which follows the word "or" and precedes the word "the" and inserting in its place the word "after".

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3219; Filed, March 6, 1944; 11:56 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85,[1] Amdt. 14]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1360.59 of Revised Price Schedule 85 is amended as follows:

1. Paragraph (b) is amended to read as follows:

(b) "Retail dealer" means any person who sells automobiles other than a manufacturer, distributor or user.

2. Paragraph (d) is amended to read as follows:

(d) "Distributor" means any person who under a contract with an automobile manufacturer sells the manufacturer's automobiles to the manufacturer's enfranchised retail dealers at wholesale.

3. Paragraph (m) is added to read as follows:

(m) "Sale at retail" is a sale defined in paragraph (1) which is made by a user

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9368, 10560, 10987, 13293, 15250, 15607, 17368, 17367.

[1] 8 F.R. 16509.

[1] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3213.

or a retail dealer to any class of purchaser or which is made by a distributor to the public.

4. Paragraph (n) is added to read as follows:

(n) "Sale at wholesale" is a sale defined in paragraph (1) which is made by a manufacturer or distributor to a retail dealer or to another manufacturer or distributor.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3220; Filed, March 6, 1944; 11:53 a. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 516]

USED PHOTOGRAPHIC EQUIPMENT

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1366.3 *Maximum prices for used photographic equipment.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 516 (Used Photographic Equipment) which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1366.3 issued under 56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 516—USED PHOTOGRAPHIC EQUIPMENT

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. What to look for in this regulation.
2. Relation to the General Maximum Price Regulation.
3. Sales of used photographic equipment at higher than ceiling prices prohibited.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Dollar and cents ceiling prices for certain specified used photographic equipment.
5. How to determine your ceiling price for items of used photographic equipment not listed in section 4.
6. How to find the price of the new item of used photographic equipment.
7. How to find the ceiling price for each class.
8. Guarantee.
9. Credit charges.

*Copies may be obtained from the Office of Price Administration.

Sec.

10. Tagging.
11. Area adjustments.

ARTICLE III—MISCELLANEOUS

12. Taxes.
13. Sales slips or receipts and records.
14. Evasion and enforcement.
15. Licensing.
16. Petitions for amendment.
17. Geographical coverage of this regulation.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *What to look for in this regulation.* This regulation fixes retail ceiling prices for sales of all used photographic equipment. For the purpose of this regulation, used photographic equipment is divided into two classes, Class I and Class II. An item of used photographic equipment is a Class I item if (a) no part is missing which is necessary to make it fully useful and (b) it is in good working condition and can be used by the consumer for the purpose intended without further repairs. An item of used photographic equipment is a Class II item if it is not in Class I.

This regulation covers only used photographic equipment. It does not cover goods which have been sold new and which have been returned to the original seller who has refunded to the buyer the full purchase price. Sales at wholesale are still covered by the General Maximum Price Regulation.[1]

This regulation covers all sales to consumers of used photographic equipment by any person to any other person including sales by consumers who are selling their own photographic equipment to other consumers, as well as sales at auction. Photographic equipment among other things, includes lenses, still cameras, movie cameras, movie projectors, enlargers, exposure meters, still film projectors, movie titlers and editors, photographic lighting equipment (floodlights, spotlights, etc., stands and reflectors), developing and printing equipment, projection screens, and accessories designed for use with any of the foregoing.

SEC. 2. *Relation to the General Maximum Price Regulation.* This regulation, after its effective date, takes the place of the General Maximum Price Regulation for sales and deliveries of articles covered by this regulation.

SEC. 3. *Sales of used photographic equipment at higher than ceiling prices prohibited.* On and after April 6, 1944, regardless of any contract or other obligation, no person may sell or deliver to consumers any item of used photographic equipment at prices higher than the ceiling prices fixed by this regulation; nor may any person other than a consumer selling his own photographic equipment sell or deliver such photographic equipment unless the tag required by section 10 of this regulation is attached thereto. No person may offer, solicit, attempt, or agree to do any of the foregoing.

Prices lower than the ceiling prices may be charged, demanded, paid or offered.

[1] 8 F.R. 3849, 4347, 4406, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 4. *Dollars-and-cents ceiling prices for certain specified used photographic equipment.* The following specified models of used photographic equipment have the dollars-and-cents ceiling prices established by this section. If any item of used photographic equipment is not listed in this section, your ceiling price for it must be determined by section 5 of this regulation.

CAMERAS

	Ceiling price to consumers	
	Class I	Class II
Agfa Memo:		
Miniature, 35 mm. Memar F:4.5, 1/200th	$30.00	$22.00
Memar F:3.5	27.75	18.25
Argus—Model C2—Rangefinder:		
Miniature, 35 mm.: Cintar F:3.5	20.75	12.25
Argus—Model C3—Rangefinder, synchronized flash unit:		
Miniature, 35 mm.: Cintar F:3.5	33.75	15.00
Argoflex—Model E:		
Twin lens reflex, 2¼ x 2¼": Varex F:4.5, Wollensak	33.50	15.00
Argus Colorcamera—Built-in Electric Exposure Meter:		
Miniature, 35 mm.: Argus F:4	20.75	12.00
Autoflex:		
Twin lens reflex, 2¼ x 2¼": Meyer Tripoplan F:2.9, Compur	44.75	20.00
Balda Baldax Square:		
Folding rollfilm, 2¼ x 2¼":		
Meyer Tripoplan F:2.9, Compur	42.00	18.75
Meyer Trioplan F:2.9, Compur Rapid	48.00	21.25
Balda Baldaxette, Model II Rangefinder:		
Folding rollfilm, 2¼ x 2¼":		
Meyer Trioplan F:2.9, Compur Rapid	74.25	33.00
Zeiss Tessar F:2.8, Compur	82.50	36.75
Zeiss Tessar F:2.8, Compur Rapid	88.25	39.25
Balda Super Baldina—Rangefinder—Chrome:		
Miniature, 35mm.:		
Meyer Trioplan F:2.9, Compur	57.25	25.50
Meyer Trioplan F:2.9, Compur Rapid	63.00	28.00
Zeiss Tessar F:2.8, Compur Rapid	78.80	35.00
Schneider Xenon F:2, Compur Rapid	80.50	35.75
Balda Jubilette:		
Miniature, 35mm. Meyer Trioplan F:2.9, Compur	29.00	13.00
Balda Ricona:		
Folding rollfilm, 1⅜ x 1⅜", Schneider Radionar F:2.9, Prontor II	24.75	11.00
Bee Bee:		
Model A, plate—filmpack, 6.5 x 9 cm., Double Extension:		
Schneider Radionar F:4.5, Compur	45.50	19.75
Zeiss Tessar F:4.5, Compur	53.75	24.00
Meyer Trioplan F:3, Compur	53.75	24.00
Schneider Xenar F:3.5, Compur Rapid	50.75	22.50
Meyer Trioplan F:2.9, Compur	56.00	25.00
Zeiss Tessar F:3.5, Compur	66.00	29.25
Zeiss Tessar F:3.5, Compur Rapid	70.25	31.25
Model B, plate—filmpack, 9 x 12 cm., Double Extension:		
Schneider Radionar F:4.5, Compur	59.00	66.75
Schneider Xenar F:4.5, Compur	62.00	27.50
Zeiss Tessar F:4.5, Compur	63.50	28.25
Schneider Xenar F:3.5, Compur	91.50	40.75
Ciro-Flex:		
Twin lens reflex 2¼ x 2¼" Velostigmat F:3.5, Alphax	35.00	15.50
Dollina "O"		
Miniature, 35 mm.:		
Certar F:4.5, Vario	20.00	9.00
Certar F:2.9, Compur	23.75	10.25
Dollina II—Rangefinder:		
Miniature, 35 mm.:		
Schneider Radionar F:2.9, Compur Rapid	41.25	18.25
Schneider Xenar F:2.8, Compur Rapid	47.25	21.00
Zeiss Tessar F:2.8, Compur Rapid	51.75	23.00
Schneider Xenon F:2, Compur Rapid	60.00	26.75
Super Dollina—Rangefinder:		
Miniature, 35 mm.:		
Schneider Xenar F:2.8, Compur Rapid	65.00	29.25
Zeiss Tessar F:2.8, Compur Rapid	72.00	32.00
Schneider Xenon F:2, Compur Rapid	75.50	35.00

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Vest Pocket Dolly:		
Folding rollfilm, 1⅛ x 2¼" or 1¼ x 1¾ Friedrich Corygon F:3.5, Compur	$19.50	$8.75
Super Sport Dolly—Standard:		
Folding rollfilm, 2¼ x 2¼" or 1⅛ x 2¼":		
Meyer Trioplan F:2.9 Compur	45.25	19.25
Schneider Xenar F:2.8, Compur	51.00	2.75?
Zeiss Tessar F: 2.8, Compur	45.50	22.05
Super Sport Dolly—Rangefinder:		
Folding rollfilm, 2¼ x 2¼" or 1⅛ x 2¼":		
Schneider Xenar F:2.8, Compur	49.50	22.00
Schneider Xenar F:2.8, Compur Rapid	53.75	24.00
Zeiss Tessar F:2.8, Compur	57.75	25.75
Zeiss Tessar F:2.8, Compur	62.00	27.50
Foth Derby—Model I:		
Rollfilm, 1¼ x 1⅝", Focal Plane ⅓₅oth		
Foth F:3.5	16.00	7.25
Foth F:2.5	20.25	9.00
Foth Derby—Model II, Rangefinder:		
Rollfilm, 1¼ x 1⅝", Focal Plane ⅓₅oth		
Foth F:3.5	25.00	11.25
Foth F:2.5	29.75	13.25
Auto Graflex—Revolving back:		
Reflex, plate—filmpack, 2¼ x 4¼":		
Kodak Anastigmat F:4.5	141.25	62.75
Bausch & Lomb Tessar F:4.5	142.00	63.00
Graflex—Series B—Stationary back:		
Reflex, plate—filmpack, 5 x 7" Kodak Anastigmat F:4.5	153.75	67.00
Graflex—Series B—Revolving back:		
2¼ x 3¼" Kodak Anastigmat F:4.5	93.00	33.50
3¼ x 4¼" Kodak Anastigmat F:4.5	95.00	42.75
4 x 5" Kodak Anastigmat F:4.5	110.00	49.00
Graflex—Series D—Revolving back:		
Reflex, plate—filmpack 3¼ x 4¼":		
Kodak Anastigmat F:4.5	120.00	53.50
Bausch & Lomb Tessar F:4.5	120.75	53.75
Reflex, plate—filmpack, 4 x 5":		
Kodak Anastigmat F:4.5	133.50	59.25
Bausch & Lomb Tessar F:4.5	134.50	59.75
National Graflex:		
Single lens reflex, rollfilm, 2¼ x 2¼" Bausch & Lomb Tessar F:3.5, ⅓₅oth	73.25	32.50
Miniature Speed Graphic:		
Plate—filmpack, 2¼ x 3¼":		
Kodak Ektar F:4.5	95.75	42.50
Kodak Ektar F:3.7	108.75	48.25
Speed Graphic—Anniversary Models:		
Plate—filmpack, 3¼ x 4¼":		
Kodak Anastigmat F:4.5, barrel	97.25	43.25
Kodak Ektar F:4.7, supermatic	103.00	45.25
Plate—filmpack, 4 x 5":		
Kodak Anastigmat F:4.5, barrel	104.00	46.25
Kodak Ektar F:4.7, supermatic	102.00	45.25
Bausch & Lomb Tessar F:4.5, barrel	104.75	46.50
Speed Graphic:		
Plate—filmpack, 5 x 7":		
Kodak Anastigmat F:4.5, barrel	128.75	57.25
Bausch & Lomb Tessar F:4.5, barrel	129.75	57.75
Ihagee Vest Pocket Exakta Junior:		
Single lens reflex, 1⅛ x 2½", focal plane 1/500th:		
Ihagee F:4.5	49.50	22.00
Ihagee F:3.5	57.75	25.75
Ihagee Exakta Model B:		
Single lens reflex, 1⅛ x 2½", focal plane 1/1000th:		
Ihagee Exaktar F:3.5	82.50	36.75
Meyer Primotar F:3.5	99.00	44.00
Zeiss Tessar F:3.5	107.25	47.75
Zeiss Tessar F:2.8	123.75	55.00
Meyer Primoplan F:1.9	173.25	77.00
Schneider Xenon F:2	173.25	77.00
Zeiss Biotar F:2	239.25	106.25
Ihagee Kine Exakta:		
Single lens reflex, 35 mm.:		
Ihagee Exaktar F:3.5	107.25	47.75
Meyer Primotar F:3.5	120.00	53.25
Zeiss Tessar F:3.5	128.25	57.00
Zeiss Tessar F:2.8	144.75	64.25
Kodak Bantam:		
Folding rollfilm, 1⅛ x 1½" Kodak Anastigmat F:4.5, Kodamatic (Special)	18.75	8.25
Kodak Bantam Special—Rangefinder:		
Folding rollfilm, 1⅛ x 1½" Kodak Ektar F:2, Supermatic, with case	87.00	38.75
Kodak Vigilant:		
Folding rollfilm, 2¼ x 3¼":		
Kodak Anastigmat F:4.5, Kodamatic	20.00	8.00
Kodak Anastigmat Special F:4.5, Supermatic	30.00	13.25

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Kodak Vigilant—Continued.		
Folding rollfilm, 2¼ x 4¼":		
Kodak Anastigmat F:4.5, Kodamatic	$28.25	$10.25
Kodak Anastigmat Special, F:4.5, Supermatic	34.25	15.25
Kodak "35":		
Miniature, 35 mm.:		
Kodak Anastigmat F:4.5, Diomatic	10.50	4.75
Kodak Anastigmat F:3.5, Kodamatic	25.75	12.00
Kodak "35"—Rangefinder:		
Miniature, 35 mm. Kodak Anastigmat Special F:3.5, Kodamatic	38.00	17.00
Kodak Ektar 24 x 36 mm.:		
Kodak Ektar:		
F:1.9 50 mm	265.25	124.50
F:3.5 50 mm	228.00	101.25
F:3.3 35 mm	234.50	104.25
F:3.5 90 mm	248.00	110.25
F:3.8 135 mm	264.00	126.25
F:4.5 158 mm	300.00	133.25
Kodak Medalist:		
2¼ x 3¼" Ektar F:3.5	192.00	88.50
Kodak Monitor 620 2¼ x 3¼":		
Kodak Anastigmat F:4.5	24.00	10.75
Kodak Anastigmat Special F:4.5	34.25	15.25
Kodak Monitor 616 2½ x 4¼":		
Kodak Anastigmat F:4.5	26.50	11.50
Kodak Anastigmat Special F:4.5	39.75	17.25
Super Kodak 620 2¼ x 3¼": Kodak Anastigmat Special F:3.5	185.00	83.00
Leica Standard Model:		
Miniature, 35 mm.:		
Elmar F:3.5, black	95.00	42.75
chrome	100.75	44.75
Leica Model II:		
Miniature, 35 mm., focal plane ⅓₅oth-⅓₀oth:		
Elmar F:3.5, black	147.50	65.50
chrome	152.50	67.75
Leica Model III:		
Miniature, 35 mm.		
Summar F:2, black	211.25	94.00
chrome	216.00	96.00
Leica Model IIIb:		
Miniature, 35 mm.:		
Summar F:2	225.50	100.25
Hektor F:2.5	187.25	83.25
Xenon F:1.5	308.50	137.50
Elmar F:3.5	192.50	91.00
Linhof Standard—Revolving Back:		
6.5 x 9 cm. (no lens)	99.00	44.00
Schneider Xenar F:4.5, Compur	120.00	53.25
Zeiss Tessar F:4.5, Compur	128.25	57.00
Schneider Xenar F:3.5, Compur	132.00	58.75
9 x 12 cm. (no lens)	176.25	78.25
Schneider Xenar F:3.5, Compur	243.75	108.25
10 x 15 cm. (no lens)	213.75	95.00
Schneider Xenar F:4.5, Compur	281.25	125.00
Zeiss Tessar F:4.5, Compur	300.00	133.25
Schneider Xenar F:3.5, Compound	300.00	133.25
8 x 7" (no lens)	255.00	113.25
Schneider Xenar F:4.5, Compound	337.50	150.00
Zeiss Tessar F:4.5, Compound	360.00	160.00
Schneider Xenar F:3.5, Compound	385.25	171.75
Linhof Technika—Four Way Swing Back:		
6.5 x 9 cm. (no lens)	140.25	62.25
Schneider Xenar F:4.5, Compur	161.25	71.75
Zeiss Tessar F:4.5, Compur	169.50	75.25
Schneider Xenar F:3.5, Compur	173.25	77.00
9 x 12 cm. (no lens)	169.50	75.25
Zeiss Tessar F:4.5, Compur	219.00	97.25
Schneider Xenar F:3.5, Compur	219.00	97.25
10 x 15 cm. (no lens)	198.00	88.00
Schneider Xenar F:4.5, Compur	247.50	110.00
Zeiss Tessar F:4.5, Compur	266.25	118.75
Schneider Xenar F:3.5, Compound	260.25	115.75
8 x 7", Swing lens board (no lens)	227.25	101.00
Schneider Xenar F:4.5, Compound	288.75	128.25
Zeiss Tessar F:4.5, Compound	305.25	135.75
Schneider Xenar F:3.5, Compound	321.75	143.00
Minox:		
Miniature, 9 mm., 5/16 x 3/16": Minostigmat F:3.5, ⅓₅oth	112.50	50.00
Perfex "22":		
Miniature, 35 mm., Focal plane 1/500th: Graf Scienar F:2.5	33.50	15.00
Perfex "88":		
Miniature, 35 mm.:		
Graf Scienar F:3.5	36.75	16.25
Wollensak F:3.5	43.25	19.25
Graf Scienar F:2.8	44.25	19.75
Wollensak F:2.8	52.25	23.25

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Pilot Super:		
Single lens reflex, 2¼ x 2¼" or 1⅛ x 2¼", Focal plane ⅓₅oth:		
K. W. F:3.5	$28.75	$17.25
K. W. F:2.9	47.75	21.25
Plaubel Makina II S—Standard outfit—Chrome—Rangefinder—Interchangeable lenses, in speed change mount:		
Folding rollfilm and plate, 2¼ x 3¼" or 1⅝ x 2¼" Plaubel Anticomar F:2.9 and two supplementary lenses, Compur	227.25	101.00
Plaubel Makina II S—Deluxe Outfit—Rangefinder—Interchangeable lenses:		
As above with wide angle Plaubel: F:6.8, Plaubel Tele-Makinar F:4.8 and Accessories	453.75	201.75
Robot I:		
Miniature, 35 mm., 1 x 1":		
Meyer Primotar F:3.5	88.50	39.00
Zeiss Tessar F:2.8	115.50	51.25
Robot II—View Finder Within Body:		
Miniature, 35 mm., 1 x 1":		
Meyer Primotar F:3.5	96.75	43.00
Zeiss Tessar F:3.5	115.50	51.25
Zeiss Tessar F:2.8	126.75	56.25
Zeiss Triotar F:2	164.25	73.00
Rolleicord—Model Ia:		
Twin lens reflex, 2¼ x 2¼": Zeiss Triotar F:4.5, Compur	87.75	25.75
Rolleicord—Model II:		
Twin lens reflex, 2¼ x 2¼": Zeiss Triotar F:3.5, Compur	76.50	34.00
Rolleiflex 3 x 4 cm.:		
Twin lens reflex, 1⅝ x 1⅝": Zeiss Tessar F: 2.8, Compur Rapid	105.00	46.75
Rolleiflex Standard:		
Twin lens reflex, 2¼ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	117.75	52.25
Rolleiflex Automatic:		
Twin lens reflex, 2¼ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	135.00	60.25
Univex Mercury—1/1000th:		
Miniature, ¾ x 12, Focal plane 1/1000th: Tricor F:3.5	222.25	98.50
Voigtlander Baby Bessa:		
Folding rollfilm, 2¼ x 2¼": Voigtlander Voigtar F:4.5, Prontor II D. A	101.75	9.25
Voigtlander Bessa:		
Voigtlander Skopar F:4.5, Compur Rapid D. A	34.00	15.25
Voigtlander Voigtar F:3.5, Compur Rapid D. A	40.50	18.00
Voigtlander Voigtar F:4.5, Compur Rapid	30.50	13.50
Voigtlander Brilliant V-6:		
Voigtar F:4.5 Prontor	16.25	7.25
S. Kopar F:4.5 Compur Regular	20.75	9.25
Voigtar F:3.5 Compur Rapid	26.25	11.75
Zeiss Contax II:		
Miniature, 35mm., focal plane ⅓₅oth:		
Zeiss Tessar F:3.5	157.50	70.00
Zeiss Tessar F:2.8	168.75	75.00
Zeiss Sonnar F:2	200.25	89.00
Zeiss Sonnar F:1.5	267.75	119.00
Zeiss Contax III:		
Miniature, 35 mm.:		
Zeiss Tessar F:3.5	189.00	84.00
Zeiss Tessar F:2.8	200.25	89.00
Zeiss Sonnar F:2	231.75	103.00
Zeiss Sonnar F:1.5	299.25	133.00
Zeiss Contaflex:		
Twin lens reflex, 35 mm., 1 x 1½":		
Zeiss Tessar F:2.8	200.25	89.00
Zeiss Sonnar F:2	231.75	103.00
Zeiss Sonnar F:1.5	299.25	133.00
Zeiss Ideal B:		
Plate—filmpack, 9 x 12 cm.: Zeiss Tessar F:4.5, Compur	90.00	40.00
Zeiss Ikoflex I:		
Twin lens reflex, 2¼ x 2¼": Novar F:3.5, Compur	54.00	24.00
Zeiss Ikoflex II—New style:		
Twin lens reflex, 2¼ x 2¼":		
Zeiss Triotar F:3.5	74.25	33.00
Zeiss Tessar F:3.5, Compur Rapid	94.50	42.00
Zeiss Ikoflex III:		
Twin lens reflex, 2¼ x 2¼": Zeiss Tessar F:2.8, Compur Rapid	164.25	73.00
Zeiss Ikonta A Special:		
Folding rollfilm, 1⅝ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	58.50	26.00
Zeiss Super Ikonta a Special:		
Folding rollfilm, 1⅝ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	98.75	43.00
Zeiss Ikonta B:		
Folding rollfilm, 2¼ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	54.00	24.00

price of the new article, depending upon the

Example for Class II. The selling price of

Cameras—Continued

	Ceiling price to consumers	
	Class I	Class II
Zeiss Super Ikonta B: Folding rollfilm, 2¼ x 2¼": Zeiss Tessar F:2.8, Compur Rapid	$132.00	$58.75
Zeiss Super BX: Folding rollfilm, 2¼ x 2¼": Zeiss Tessar F:2.8, Compur Rapid	104.25	73.00
Zeiss Ikonta C Special: Folding rollfilms, 2¼ x 3¼" or 1⅝ x 2¼": Zeiss Tessar F:3.5 Compur Rapid	49.50	22.00
Zeiss Super Ikonta C Special: Folding rollfilm, 2¼ x 3¼" or 1⅝ x 2¼": Zeiss Tessar F:3.5, Compur Rapid	114.75	51.00
Zeiss Nettar A: Folding rollfilm, 1⅝ x 2½": Nettar F:4.5, Klio	22.50	10.00
Zeiss Tenax I: Miniature, 35 mm., 1 x 1" Novar F:3.5, Compur	45.00	20.00
Zeiss Tenax II: Miniature, 35 mm., 1 x 1": Zeiss Tessar F:2.8, Compur Rapid	126.25	57.00
Zeiss Sonnar F:2, Compur Rapid	155.25	69.00

Movie Cameras

Bell & Howell Filmo Companion: 8 mm., 4 speeds, Bell & Howell F:3.5	$39.50	$17.50
Bell & Howell Filmo Sportster: 8 mm., 4 speeds, Taylor-Hobson F:2.5	55.50	24.75
Bell & Howell Filmo Aristocrat—Turret head: 8 mm., 4 speeds, Taylor-Hobson, F:2.5	87.50	39.00
Bell & Howell Filmo Model 70-DA—Turret head: 16 mm., 7 speeds: Taylor-Hobson F:1.5	193.75	86.25
Taylor-Hobson F:2.7, focusing	163.25	72.50
Bell & Howell Filmo Model 70-E: 16 mm., 4 speeds, Taylor-Hobson F:2.7, fixed focus	80.00	36.25
Bell & Howell Filmo Model 153 Auto Load—Magazine Loading: 16 mm., Model 153-A, 4 speeds, Taylor-Hobson F:2.7, fixed focus	98.50	43.75
16 mm., Model 153-B, Speedster, 5 speeds: Bell & Howell Lumax F:1.9, focusing	110.50	49.00
Taylor-Hobson F:1.5, focusing	143.25	63.75
Bell & Howell Filmo Auto Master Turrett—Magazine Loading: 16 mm., 5 speeds, Taylor-Hobson F:2.7, fixed focus	162.50	72.25
Keystone Model K-8: 8 mm., 3 speeds: Wollensak F:3.5, fixed focus	23.75	10.50
Wollensak F:2.7, fixed focus	31.25	14.00
Wollensak F:1.9, focusing	45.75	21.75
Keystone, Model A: A-3, 16 mm., 3 speeds: Wollensak F:3.5, fixed focus	32.00	14.25
Wollensak F:1.5, focusing	56.00	25.00
A-7, 16 mm., 7 speeds: Wollensak F:2.7, fixed focus	39.50	17.50
Wollensak F:1.5, focusing	59.00	26.25
Cine Kodak: Model 20, 8 mm., Kodak Anastigmat F:3.5, fixed focus	23.00	10.25
Model 25, 8 mm., Kodak Anastigmat F:2.7, fixed focus	32.75	14.50
Model 60, 8 mm., speeds 8-16, Kodak Anastigmat F:1.9, focusing	53.50	23.75
Cine Kodak Magazine Loading 8 mm.: Model 90, Kodak Anastigmat, F:19, focusing	76.25	34.00
Cine Kodak, 16 mm. Model K: Kodak Anastigmat F:1.9, focusing	61.25	27.25
Magazine Cine Kodak: 16 mm., 3 speeds: Kodak Anastigmat F:1.9, focusing	90.00	40.00
Cine Kodak Special: 16 mm., 2 speeds, Kodak Anastigmat F:1.9, focusing	334.25	148.50
Revere Double Eight, Model 88: 8 mm., 5 speeds: Wollensak F:3.5, fixed focus	29.00	13.00
Wollensak F:2.5	39.50	17.50
Wollensak F:1.9	54.50	24.25
Revere Double Eight Turret Model 99: 8 mm., 5 speeds 8-32: Wollensak F:2.5, fixed focus	59.25	26.00
Wollensak F:1.9	74.75	33.25
Revere Single Eight, Model C8: 8 mm., 5 speeds, Wollensak F:3.5, fixed focus	18.00	80.00

Movie Cameras—Continued

	Ceiling price to consumers	
	Class I	Class II
Victor, 16 mm.: Model 4, turret head, 5 speeds, Wollensak F:1.5, focusing	$76.25	$34.00
Model 5, turret head, 5 speeds, Wollensak F:1.5, focusing	118.25	52.50
Zeiss Ikon Movikon: 16 mm., 4 speeds, Zeiss Sonnar F:1.4	288.75	128.25

Movie Projectors

Ampro Projector, Model A-8: 8 mm., 500 Watt, Simpson F:1.65	$86.25	$38.25
Ampro Projector, Model KD: 16 mm., 750 Watt, Simpson F:1.65	120.00	53.25
Ampro Projector, Model UC—Convertible to sound; 16 mm., 750 Watt, Simpson F:1.65	142.50	63.25
Ampro Projector, Model YC—Convertible to sound; 16 mm., 1,000 Watt, Simpson F:1.65	157.50	70.00
Bell & Howell Filmo Master Projector; 16 mm., 750 Watt, Bell & Howell F:1.6	127.25	56.50
Bell & Howell Filmo Diplomat Projector; 16 mm., 750 Watt, Bell & Howell, F:1.6	158.50	70.50
Bell & Howell Filmo Auditorium Projector, Model 130; 16 mm., 1,200 Watt, Bell & Howell F:1.65 with case	330.00	146.75
Bolex Projector, Model G-8; 8 mm., 500 Watt or 750 Watt, Meyer Kinon Superior F:1.5 or SOM Berthiot F:1.5	208.25	92.50
Bolex Projector, Model G-16: 16 mm., 750 Watt, Meyer Kinon Superior F:1.5 or SOM, Berthiot F:1.5	208.25	92.50
Bolex Projector, Model G-816: 8 mm., and 16 mm., 750 Watt, Meyer Kinon Superior F:1.5 or SOM, Berthiot F:1.5	236.00	105.00
Keystone Projector, Model C-8: 8 mm., 200 Watt	22.25	10.00
Keystone Projector, Model CC-8: 8 mm., 300 Watt, F:1.85	27.50	12.25
Keystone Projector Model R-8: 8 mm., 500 Watt, F:1.85	47.00	21.00
Keystone Projector, Model CC-16: 16 mm., 300 Watt, F:2.5	27.50	12.25
Keystone Projector, Model A-75: 16 mm., 500 Watt, F:2.5	48.50	21.50
Keystone Projector, Model A-82: 16 mm., 750 Watt, Wollensak Auditorium, F:1.6	63.50	28.25
Kodascope Projector, Model 70 without case: 8 mm., 500 watt F:1.6	46.25	20.50
Kodascope Projector, Model 70-A without case: 8 mm., 500 Watt, F:1.6	53.75	24.00
Revere Projector, Model 80, Series B: 8 mm., 500 Watt, F:1.6	56.25	25.00
Victor Projector, Silent 16 Model 16 mm., 750 Watt, F:1.65	101.25	45.00

Enlargers

All Quality DeLuxe: F 6.3 lens, easel-and-paper-box combination, and focusing negative	$22.25	$10.00
All Quality Universal: F 6.3 lens, easel-and-paper-box combination, and focusing negative	12.75	5.50
Bee Bee Model IV: Parastigmat lens.	70.25	31.25
Bee Bee Model III: Vertical: 35 mm. to 6.5 x 9cm.: 4¼ Parastigmat F 4.5 lens	49.50	22.00
Bee Bee Universal Rajak "O": 60mm. Parastigmat: F 4.5 lens	28.75	12.00
Dejur Versatile I: 35mm. to 2¼ x 4¼": Velastigmat 2", F 4.5 lens	71.00	31.50
Dejur Versatile II: Up to 3¼ x 4¼"	50.75	22.50
Eclipse Model 125: Vertical: 35mm. to 2¼ x 3¼", F 6.3, 3½" lens, 4 stops	20.25	9.00
Eclipse Model 100: Vertical: 35 mm. to 2¼ x 3¼", Itex Anastigmat F 6.3	13.50	6.00
Elwood 8 x 10 Autofocus: F 6.3 B & L Tessar lens 8 to 10" film	400.00	177.75
Elwood 5 x 7 Autofocus: 6¼" B & L Tessar F 6.3 lens, Foot switch & paper holder	180.00	80.00
Elwood Special 8P-2: Vertical-35 mm., to 5 x 7", 200 Watt Opal Bulb, without lens	62.50	27.75
Elwood Studio 8-2: Vertical-35 mm., to 5 x 7", 100 Watt Opal Bulb, without lens	38.50	17.00

Enlargers—Continued

	Ceiling price to consumers	
	Class I	Class II
Elwood Miniature—Model BM: 35 mm. to 1⅞ x 2½"—Vertical: 100 Watt Opal Bulb; 32, without lens	$14.50	$6.50
Elwood Miniature—Model AM: 35 mm. to 2¼ x 3¼"—Vertical: 100 Watt Opal Bulb, without lens	28.00	12.50
Kodak Advance Model 2: Vertical: 35 mm. to 3¼ x 5½" and 4 x 5 F:11 lens	25.00	11.00
Kodak Auto-Focus-Model C: Vertical-takes up to 4 x 6", 130 mm. Kodak Anastigmat F:11 lens	38.75	17.25
Kodak Home Enlarger: Horizontal: Sizes ½ V. P. to 9 x 12 CM, 98 mm. Kodak lens	13.25	6.00
Kodak portable miniature: Enlarger: Vertical; 35 mm. and bantam sizes: F:4.5 Projection Ektar, case	48.00	21.25
F:4.5 Projection Anastigmat, case	40.00	17.75
F:6.3 Projection Anastigmat, case	34.00	15.25
Without lens or case	22.00	9.75
Kodak Precision: "a" Assembly: 35 mm. to 2¼ x 3¼, without lens	54.00	24.00
"b" Assembly: 4 x 5½" without lens	71.50	31.75
Kodak transparency enlarger: 35 mm. and bantam film	14.75	6.50
16 mm. Model—similar to above	12.00	5.25
Leitz Focomat I: Vertical: 18 x 24 mm. to 4 x 4 cm., without lens	67.25	30.00
Leitz Focomat 110: Similar to Foco. I: 6.5 x 9 cm. film sizes Elmar F:4 lens	240.00	106.75
Leitz Valoy: Vertical; 18 x 24 mm. to 4 x 4 cm.: without lens	39.50	17.50
Leitz Vokom: Combined enlarger, projector, reading stand 100 watt bulb, without lens or easel	79.25	35.25
Leitz Vasex I: Vertical; 18 x 24 mm. to 6.5 x 9 cm; 95 mm. F:4 Elmar lens	140.50	62.50
Marvel Junior: Vertical 1" x 1½" to 2¼ x 3¼": 75 Watt enlarging bulb, Wollensak Velastigmat F:4.5 lens	18.75	8.25
Min larger for use with cameras: Vertical; use with 6 x 9 cm. camera	16.75	7.50
9 x 12 camera use	25.50	11.25
Omega: Model A for 35 mm., without lens	41.00	18.25
Model B, without lens	47.75	21.25
Super Omega B, without lens	71.00	31.50
Super Omega C, without lens	107.00	47.50
Omega C II, without lens	66.25	29.50
Omega D II, without lens	107.00	47.50
Solar: Model 35, F:4.5 lens	37.25	16.50
Model 35, without lens	29.75	13.25
Model 66, F:4.5 lens	42.50	18.75
Model 66, without lens	35.00	15.50
Model 120, F:4.5 lens	44.00	19.50
Model 120, without lens	36.50	16.25
Model 45, without lens	44.75	20.00
Model 45C, condenser type, without lens	56.25	25.75
Model 57, without lens	47.75	21.25
Universal Micrographic	24.00	10.75
Zeiss Magniphot, without lens	37.25	16.50

Exposure Meters

Amato: Photoelectric type for still cameras: F:1 to F:4.8: 1/1000 sec. to 1 min. with case; full stops	$11.25	$5.00
DeJur Critic—Model 40: Photoelectric for still and motion: ¼ stops from F:1 to F:32 1 min. to 1/1000	10.25	4.50
Super Electrophot: Still and motion: From F:1 to F:32 stops and ½ stop; 1 min. to 1/1000 sec	14.50	6.50
General Electric: Model DW-48: Photoelectric type: F:1 to F:44; speeds ½sec to 100 sec	16.75	7.50
G-M Standard Models: still and motion photoelectric type; F:1.4 to F:32 by ½ stops	8.25	3.75
Lutrix Photoelectric: photoelectric type; F:1 to F:64—½ stops including cowhide case	11.25	5.00
Phaostron D	12.50	5.50
Photrix "88": Photoelectric type meter for still and movie, F:1 to F:36—½ stops, 60 sec. to ½000 sec. speed	15.00	6.75
Photrix Cine: Photoelectric for motion, 6 to 128 frames sec. speed	17.00	7.50
R. H. S. Meter: Still or motion, with case	10.75	4.75

consumer selling his own used photo-

amended, if you violate any provision of

Revised Ration Order 13 is amended in

EXPOSURE METERS—Continued

	Ceiling price to consumers	
	Class I	Class II
Sears Marvel Deluxe: Photoelectric type, speed 2 min. to 1/1250 sec.	$14.25	$6.25
Wards Supreme: Photoelectric type for still and motion, F:1 to F:32 by full stops	8.25	3.75
Weston 715 Master: Photoelectric for still and motion speed 100 sec. to 1/1250 sec.	19.25	8.50
Weston Model 720: Photoelectric type—movie use F:1 to F:22 reading	19.25	8.50

STILL PROJECTORS

Argus Projector: 2 x 2" slides, 35mm. film strips; F:4 projection lens	$17.00	$7.50
Argus Home Viewer Unit: 7 x 7" groundglass screen; six 16 mm. spools	33.00	14.75
Bausch & Lomb: 2" x 2" slides	25.25	11.25
Balopticon Overhead Model BOH: 2¼ x 4" slides, 5½" F:3 lens; 500 watt bulb, with case	56.25	25.00
Balopticon Model ERM: 14"-18" lenses; 500 watt prefocused bulb	74.00	33.25
Balopticon Model LRM: 3¼ x 4" and 2 x 2" slides, 7" and 14" lenses; 500 watt prefocused bulb	105.00	46.75
Filmo Slide Master Projector: 2 x 2" slides: Choice of 3½" F: 4.5, 5" F: 4.5, 7½" F:4.8 lens, 750 watt lamp and case	200.00	89.00
Golde Manumatic: 2 x 2" slides; 5" F: 3.5 lens; without lamp	34.25	15.25
Golde Super-Slide: 3¼ x 4" slides; 500 w projection lamp; 5" to 22" lenses	20.75	9.25
Keystone S-25: 2 x 2" slides; 5" F: 4.5 lens	22.50	10.00
Kodaslide:		
Model 2, 2 x 2" slides; 5" lens; 100 w base bulb	25.25	11.25
Model 2A, 2 x 2" slides; 5½" F: 3.5 lens; 150 watt lamp	27.50	12.25
Leitz: Model VIII-S-300, 2 x 2" slides; 35mm. film; without lens	61.75	28.00
Leitz-VIII-S-750; 750 watt bulb; without lens	94.50	42.00
Novex: Combination viewer and projector, 2 x 2" slides; 6 x 6" viewing lens	33.50	15.00
S. O. S. Combination: 2¼" x 3" slides; natural draft ventilation; without lens	25.25	11.25
S. O. S. Stereopticon: 3¼ x 4" slides; 300 watt bulb; draft and fin ventilation; 6" focal length lens	15.00	6.75
Spencer Auditorium Delineascope: Model GK: 2 x 2" and 3¼" x 4" slides	126.00	56.00
Spencer—NK 100; 2 x 2" slides: 35 mm. film strips; 5" F:3.6 lens; metal slide carrier	18.75	8.25
S. V. E.—Model AK:2 x 2" slides: 5" Anastigmat F:3.6 lens; 300 watt lamp; with case	41.25	18.25
S. V. E.—Model SA: 2 x 4¼" slides; 35 mm. film, two 5" F:3.6 Anastigmats, with case	112.50	50.00
S. V. E. Tri-Purpose: Model AAA: 2 x 2" slides and 35 mm. film strips, 5" Anastigmat F:3.6 lens; with case	48.75	21.75
Vokar Model C: 2 x 2" slides: 4" F:3.5 color-corrected lens: 100 watt lamp	14.00	6.25

SEC. 5. *How to determine your ceiling price for items of used photographic equipment not listed in section 4.* The ceiling price for all items of used photographic equipment except those listed in section 4 shall be determined in the following manner:

(a) First, you must find the price of a new article (which is the same as or similar to, the used article which you are pricing) according to the rules in section 6.

(b) Second, you must find the class in which the used photographic equipment belongs. (Class I or Class II, see section 1.)

(c) You then find your ceiling price which is either three-quarters or one-third of the price of the new article, depending upon the class in which the used item of photographic equipment you are pricing belongs.

SEC. 6. *How to find the price of the new item.* If you are a dealer in used photographic equipment, you find the price of the new item of photographic equipment by using these rules in the order in which they appear. If you are a consumer selling your own equipment to a consumer, you may not use rules 1, 2 or 3 but may only use rules 4, 5 and 6.

(a) *Rule 1.* Find the retail selling price in March 1942 for the same article, new, for sale in your own stock.

(b) *Rule 2.* If you did not have the same item of photographic equipment, new in your stock, find the manufacturer's retail list price in effect in March 1942 for the same item new.

(c) *Rule 3.* If you did not have the same item of photographic equipment new in your stock, and if there is no manufacturer's retail list price for the item, find the retail ceiling price of a similar item, new in your own stock. A used item of photographic equipment is similar to a new item if the used item when new would give fairly equivalent service and would have sold at approximately the same price as the similar article now sells for.

(d) *Rule 4.* If you do not have a similar article new in your own stock or if you are a consumer selling your own equipment, find the retail selling price in March 1942 for the same item new in the same shopping area. (Shopping area is the area in which persons in your community shop for new goods of the kind that you are pricing.)

(e) *Rule 5.* If the same article new was not for sale in the same shopping area, find the retail selling price in March 1942 of a similar item new for sale in the same shopping area. The used item of photographic equipment is similar to the new item if the used item when new would give fairly equivalent service and would have sold for approximately the same price as the similar new item now sells for.

(f) *Rule 6.* If you cannot find the retail selling price under any of these rules above, apply to your nearest District Office of the Office of Price Administration regarding the determination of your price.

Remember that if you can find the price of a new item in Rule 1, you cannot use Rules 2, 3, 4, 5, and 6. If you can use Rule 2, you cannot use Rules 3, 4, 5, and 6. If you can use 3, you cannot use 4, 5, or 6. If you can use Rule 4, you cannot use 5 or 6.

Any Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate regional office, may establish retail ceiling prices for used photographic equipment pursuant to Rule 6 of this section.

SEC. 7. *How to find the ceiling price for each class.* The ceiling price for any item of used photographic equipment except those listed in section 4 of this regulation shall be no more than:

Class I—¾ (75%) of new
Class II—⅓ (33⅓%) of new

Example for Class I. If the selling price of a new item of photographic equipment is $40, you determine the ceiling price of the used item by multiplying $40 by 3 and dividing the result by 4; 3 times $40 is $120; $120 divided by 4 is $30; $30 is the ceiling price for the Class I used item of photographic equipment.

Example for Class II. The selling price of the new item of photographic equipment is $30. To determine the ceiling price of the used item, you divide the $30 by 3; $30 divided by 3 is $10. This is the ceiling price for the Class II used item of photographic equipment.

SEC. 8. *Guarantee.* If you are selling to a consumer any used item of photographic equipment which is sold as a Class I item, you shall furnish the buyer with a written guarantee. This requirement applies, whether you are a dealer or a consumer. The guarantee shall provide that for at least 30 days from the date of purchase, any part or workmanship which proves defective will be replaced or corrected without charge for labor or material.

You may not sell any item of used photographic equipment as a Class I item unless you also furnish the buyer with the above guarantee. If the above guarantee is not furnished the ceiling price of the item of used photographic equipment is the Class II price.

SEC. 9. *Credit charges.* Credit charges for the extension of credit may be added to the retail ceiling prices established by this regulation only to the extent permitted by this section.

(a) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of used photographic equipment or similar types of articles, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge may collect a charge for the extension of credit only on installment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (2) eight weeks or more in the case of other than weekly installments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this section, shall for the purposes of this regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 10. *Tagging.* If you are a dealer in photographic equipment, you may not sell any item of used photographic equipment for which a maximum price of $5.00 or more is established by this regulation, unless the appropriate tag or label described below is attached. A

consumer selling his own used photographic equipment need not tag such items. The tag or label must not be removed before delivery to the purchaser. The tag shall be a durable one and contain in easily readable lettering a statement in the following form, with the blanks properly filled in:

Name of article_____
Lens_____
OPA retail ceiling price_____
Selling price_____
Do not detach

SEC. 11. *Area adjustments.* Any Regional Office of the Office of Price Administration or such other office as may be authorized by the proper regional office, may by order adjust the ceiling prices for sales of used photographic equipment in any trading area or community within its jurisdiction if it is found that:

(a) The level of ceiling prices established by this regulation is substantially below the level of prices for used photographic equipment charged in the same community or trading area during March 1942.

(b) Such an adjustment will not create or tend to create a shortage of used photographic equipment in another community or trading area.

Until the ceiling prices are adjusted by order, the ceiling prices are the prices fixed by this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 12. *Taxes.* Any tax upon or incident to the sale of any item of used photographic equipment imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof may be added to the ceiling prices established by this regulation, if the tax is quoted and billed separately.

SEC. 13. (a) *Sales slips or receipts and records.* If you have customarily given a customer a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request, regardless of previous custom, you shall give a receipt showing the date, your name and address, a list of the articles sold and the prices paid, kind and amount of any additional charges, and the name and address of the customer.

(b) *Records.* If you sell an item of used photographic equipment in the course of trade or business, you shall keep, and make available for examination by the Office of Price Administration, your customary records of the transaction.

SEC. 14. *Evasion and enforcement*—(a) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device or by any practice which has the effect of getting a higher-than-ceiling price. This applies to devices making use of exchanges, "trade-ins", commissions, transportation agreements, tying agreements, trade understandings and similar practices.

(b) *Enforcement.* On and after April 6, 1944, you are subject to the criminal penalties, civil enforcement actions license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, if you violate any provision of this regulation.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Petitions for amendment.* You may seek a change in this Maximum Price Regulation No. 516 by filing a petition for amendment in accordance with the rules outlined in Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 17. *Geographical coverage of this regulation.* The provisions of this regulation apply to the forty-eight states and the District of Columbia.

This regulation shall become effective April 6, 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3221; Filed, March 6, 1944; 11:55 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Corr. to Amdt. 101]

MILEAGE RATIONING: GASOLINE REGULATIONS

In § 1394.8102 (h) (4) in Amendment No. 101 to Ration Order No. 5C, the first word "we" in the third sentence is changed to read "he".

This amendment shall become effective March 10, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3220; Filed, March 6, 1944; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[3] Amdt. 14]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 4.10 (a) is amended to read as follows:

(a) Whenever an item is added to the list of processed foods at the beginning of a reporting period, a wholesaler's maximum allowable inventory for the next four reporting periods (beginning with the period in which the item was added) is adjusted by adding to his maximum allowable inventory of processed foods the figure determined in the following way:

(1) The amount of that item which he sold or transferred during the reporting period preceding the period in which the item was added (less returns of that item during such period) is multiplied by the point value assigned to that item when it was added;

(2) The resulting figure is multiplied by the wholesale factor fixed for the reporting period in which the adjustment is made.

2. The first sentence of section 4.10 (b) is deleted and the following two sentences are substituted therefor:

(b) Whenever a wholesaler adjusts his maximum allowable inventory as described in paragraph (a) of this section, he must attach to each report in which the adjustment is made, a statement that the adjustment is made because of the addition of the item to the list of processed foods. Moreover, he must attach to his report for the period in which the item was added a statement showing:

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3222; Filed, March 6, 1944; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[3] Amdt. 15]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of paragraph (b) of section 10.8 is redesignated subparagraph (2) by inserting (2) before the words "The person acquiring "; the present subparagraphs (1), (2) and (3) are redesignated (2) (i), (ii) and (iii) respectively; and

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1826.
[2] 8 F.R. 13240.
[3] 9 F.R. 3, 104, 695, 574, 848, 765, 1393, 1727, 1817, 1908.

(1) The person transferring the processed foods, point-free, must within five days after transferring them, report to the district office for the place where his principal business office is located:

(i) A description of the kinds and amounts of processed foods transferred. (If the condition of the foods makes it impossible for the transferor to describe them accurately, he may give an approximate description and state that the description is an approximation);

(ii) The name and address of the person to whom they were transferred; and

(iii) The date of transfer.

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3223; Filed, March 6, 1944; 11:53 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 111]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of paragraph (b) of section 11.10 is redesignated subparagraph (2) by inserting (2) before the words "The person acquiring"; the present subparagraphs (1), (2) and (3) are redesignated (2) (i), (ii) and (iii) respectively; and a new subparagraph (1) is added to read as follows:

(1) The person transferring the foods, point-free, must within five days after transferring them, report to the district office for the place where his principal business office is located:

(i) A description of the kinds and amounts of foods transferred. (If the condition of the foods makes it impossible for the transferor to describe them accurately, he may give an approximate description and state that the description is an approximation.);

(ii) The name and address of the person to whom they were transferred; and

(iii) The date of transfer.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 1, 8 F.R. 627; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3230; Filed, March 6, 1944; 11:53 a. m.]

PART 1427—MAGNESIUM

[MPR 314,[1] Amdt. 8]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1427.51a is added to Maximum Price Regulation No. 314 to read as follows:

§ 1427.51a *Maximum prices for magnesium powder, magnesium dust and similar materials*—(a) *Commodities covered.* This section establishes maximum prices for magnesium powder, magnesium dust, and similar forms of magnesium whether sold as such or combined or mixed with oil, asphalt or other materials.

(b) *Maximum prices.* (1) A seller's maximum price for any commodity covered by this section shall be the highest net price charged by him for the same commodity on a delivery made during March 1942 to a purchaser of the same class.

(2) If no such delivery was made by the seller during March 1942 the seller's maximum price shall be his highest net offering price for delivery of the same commodity during March 1942, to a purchaser of the same class.

(3) Whenever any seller is unable to determine his maximum price under subparagraphs (1) and (2) above for any commodity covered by this section, his maximum price shall be determined as follows:

(i) If his maximum price for that commodity was determined prior to March 11, 1944 in accordance with the provisions of the General Maximum Price Regulation or if a maximum price for that commodity has been approved by the Office of Price Administration, that price shall be the seller's maximum price for that commodity.

[1] 8 F.R. 1367, 2040, 2184, 7106, 10067, 17296.

In so far as possible, the price submitted for approval shall be a price in line with other maximum prices established under this regulation.

Pending action by the Office of Price Administration on prices submitted for approval under this paragraph (b) (3) (ii), any such seller may sell or deliver and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. If, however, the price submitted is disapproved the selling price shall be revised downward to the maximum price which shall be approved and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order establishing such revised price: *Provided*, That the price submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved price within fifteen days from the date on which the price submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

(c) *Relation of this § 1427.51a to other sections in Maximum Price Regulation No. 314.* (1) Section 1427.51 shall not apply to the commodities covered by this § 1427.51a.

(2) All other sections in Maximum Price Regulation No. 314 shall apply to the commodities covered by this § 1427.51a and any reference in those sections to magnesium and magnesium alloy ingot shall be deemed to refer also to the commodities covered by this § 1427.51a.

This amendment shall become effective March 11, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3224; Filed, March 6, 1944; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RSR 15 to GMPR, Amdt. 21]

PLUG CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) is amended by adding a subparagraph to read as follows:

(13) *Plug chewing tobacco.* Any manufacturer of plug chewing tobacco may apply for adjustment of his maximum prices if it can be shown that such maximum prices subject him to substantial hardship in that:

(i) His over-all net profits for 1943 before all taxes on income are less than his average over-all net profits before such taxes during the period 1936–1939, inclusive; and

(ii) His maximum prices are less than the total of his costs of manufacturing and selling the plug chewing tobacco during the last 6-month period in 1943; and

(iii) There is no adequate alternative to the requested price adjustment, such as a reduction of his other operating costs.

Applications for adjustment under this subparagraph (13) shall contain the following information:

(*a*) Present and requested maximum prices.

(*b*) Description of applicant's business, including a list by major groups of all commodities manufactured.

(*c*) For 1943 a statement showing separately for plug chewing tobacco and the total of all other commodities manufactured, the net dollar sales volume before and after deduction of excise taxes.

(*d*) Total dollar manufacturing and selling costs of applicant's plug chewing tobacco operations during each 6-month period of 1942 and 1943, number of pounds of plug chewing tobacco produced and number of pounds of such tobacco sold during each such period, and a brief explanation of all expenses and cost increases during each such period.

(*e*) Annual profit and loss statements prepared according to the applicant's usual system of accounts, for 1936 to 1939, inclusive, and for 1943, unless such data have already been made available to the Office of Price Administration.

Any adjustment made may establish as the maximum price for the plug chewing tobacco a price approximating an adjustment, the Office of Price Administration may also adjust the maximum prices of purchasers for resale.

The Office of Price Administration may authorize or deny by order the maximum prices requested. The authorization so granted may be revoked at any time by the Price Administrator.

This amendment shall become effective March 11, 1944.

*Copies may be obtained from the Office of Price Administration.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3225; Filed, March 6, 1944; 11:56 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

AVIATOR DESIGNATIONS

The regulations, United States Coast Guard Reserve, 1941 (33 CFR, 1941 Supp., Ch. 1, Part 8) as amended (8 F.R. 14857), are hereby further amended to read as follows:

§ 8.1612 *Coast Guard aviator designations.* Aviation designations of reservists shall be made by the Commandant. A commissioned, chief warrant, or warrant officer who has satisfactorily qualified may be designated a student Coast Guard aviator, a Coast Guard aviator, a student Coast Guard aviation observer, or a Coast Guard aviation observer. An enlisted person may be designated a student Coast Guard aviation pilot or a Coast Guard aviation pilot. The Commandant will issue the reservists concerned a certificate of designation. (39 Stat. 601; 14 U.S.C. 29, 55 Stat. 9, 14 U.S.C. Sup., Chapter 9; secs. 1, 2, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841a, 841g)

§ 8.1612a *Coast Guard student aviation pilots.* A regular enlisted member of the Coast Guard Reserve may be designated as a Coast Guard student aviation pilot only if he has made application for flight training leading to designation as aviation pilot and if the Commandant finds that he is physically and psychologically qualified for flight training, that he has been recommended for such flight training by his commanding officer, and that he has complied with such other supplementary requirements as the Chief Personnel Officer may make for the good

To be designated as a Coast Guard aviation pilot, a Coast Guard student aviation pilot must successfully complete the prescribed flight training for student aviation pilots. (Sec. 2, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841b, 841g)

§ 8.1612c *Confirmation of previous designations.* Any designation as Coast Guard student aviation pilot or as Coast Guard aviation pilot issued by the Commandant to an enlisted reservist on or after 5 November, 1941, is hereby confirmed and all such designations are adopted under these Regulations for all purposes and shall be effective as of the date specified thereon. (Secs. 1, 7, 55 Stat. 759, 760; 34 U.S.C., Sup. 841a, 841g).

§ 8.1612d *Free Government life insurance.* The Commandant shall take such steps as may be necessary to arrange for the issuance of insurance and payment therefore, in accordance with section 6 of the act of 5 November, 1941, Ch. 468, 55 Stat. 760, to the enlisted personnel of the Coast Guard Reserve designated as Coast Guard student aviation pilots or as Coast Guard aviation pilots under these regulations, as amended, including those confirmed in such designations by § 8.1612c hereof. (Secs. 1, 6, 7, 55 Stat. 759, 760; 34 U. S. C., Sup., 841a, 841f, 841g)

R. R. WAESCHE,
Vice Admiral, Commandant.

Approved: March 2, 1944.

FRANK KNOX.

[F. R. Doc. 44-3178; Filed, March 6, 1944; 10:35 a. m.]

Chapter II—Corps of Engineers, War Department

PART 206—FISHING AND HUNTING REGULATIONS

APPROVED FISHING AREAS, HUDSON RIVER, NEW YORK AND NEW JERSEY

The areas in Hudson River, New York and New Jersey, approved by the Secretary of War on February 23, 1940 (5 F.R. 989), amended June 6, 1940 (5 F.R. 2429), and May 28, 1943 (8 F.R. 7601), as areas within which shad nets, poles, and other fishing structures may be permitted pursuant to regulations approved therefor by the Secretary of War, are further amended as described below:

§ 206.45 *Hudson River, N. Y. and N. J., south of Stony Point, Stony Point, N. Y.; fishing.* * * *

(c) The areas in Hudson River, New York and New Jersey, described below, are recommended by the Chief of Engineers and approved by the Secretary of War as areas within which shad nets, poles, and other fishing structures may be permitted, pursuant to regulations approved therefor by the Secretary of War.

* * * * * *

(9) *Area No. 8.* An area along the westerly side of the river between Rockland Lake Landing, New York, and Bowline Point, New York, shoreward of straight lines joining the following points:

Point No.	Latitude	Longitude
49	41°08'36"	73°54'28.5".
49a	41°09'53"	73°55'06".
50	41°11'12"	73°56'45".
51b	41°12'14.2"	73°57'19.2".
51	41°12'16"	73°57'29".

(Sec. 10, River and Harbor Act, 3 March 1899, 30 Stat. 1511, 33 U.S.C. 403) [Regs. 23 Feb. 1940 (E:D. 7221 (Hudson R.) 13/14 and 13/16 as amended 24 February 1944, CE 800.217 (Hudson River, N. J., N. Y.)–SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-3158; Filed, March 3, 1944; 5:08 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 63—RULES RELATING TO SECTION 214 EXTENSION OF LINES, CONSTRUCTION OF NEW LINES, ETC.

Attention is directed to the following error in the document which appeared in the Wednesday, February 23, 1944 issue of the FEDERAL REGISTER on page 2095:

The second sentence of § 63.06 *Authority for supplementing facilities under approved annual program plan* should read: "After approval * * * in lieu of filing separate applications for individual projects pursuant to §§ 63.01 and 63.03."

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3165; Filed, March 4, 1944; 3:46 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 72, 73, 75—TRANSPORTATION OF EXPLOSIVES [1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of February, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending list, section 4, order Aug. 16, 1940, as follows:

By changing and adding, respectively:

Hydrofluoric acid, anhydrous	Cor. L	No exemption, 264	White	110 pounds.
Insecticide, liquefied gas	Noninf. G	302, 303	Green	300 pounds.

Part 3—Regulations Applying to Shippers (CFR 75)

Superseding and amending paragraph (f) (1), section 113, order Oct. 28, 1942, to read as follows (packing paints, etc.—exemptions):

(f) (1) Because of the present emergency and until further order of the Commission, paint, varnish and lacquer may be shipped under the conditions prescribed in section 113 (f) in containers not exceeding 1 gallon capacity with fiberboard bodies and metal tops and bottoms made leakproof in lieu of glass, earthenware, or metal containers as specified.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending note following paragraph 19 (c), spec. 3A, order Mar. 31, 1941, to read as follows:

NOTE: Lot numbers, not over 500 cylinders in each lot, authorized for cylinders not over 2 inches outside diameter or having a volumetric capacity not to exceed 40 cubic inches.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after February 24, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3126; Filed, March 3, 1944; 11:10 a. m.]

[1] Parts 2 and 3 in this order appear in CFR as Parts 72, 73, and 75.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 18, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Allen Manufacturing Company, 317 W. Adams Street, Chicago, Illinois; ladies' sportswear; 5 learners (T); effective March 2, 1944, expiring March 1, 1945.

Johnson & Company, 100 S. Minnesota Avenue, St. Peter, Minnesota; men's and boys' overalls, coveralls, lined coats, shop coats; 10 learners (T); effective March 2, 1944, expiring March 1, 1945.

Kings Dresses, 8 West Union Street, Kingston, New York; rayon dresses and cotton rayon dresses; 10 percent (T); effective March 3, 1944, expiring March 2, 1945.

Little Tots Dress Company, Inc., 123 Pike Street, Port Jervis, New York; infants' dresses and creepers; 5 learners (T); effective March 2, 1944, expiring March 1, 1945.

Outdoor Frocks, Inc., Philmont, New York; cotton dresses; 10 percent (T); effective February 29, 1944, expiring February 28, 1945.

Philley Manufacturing Company, 5 Lafayette Street, Valparaiso, Indiana; women's cotton household aprons; 10 learners (T); effective March 6, 1944, expiring March 5, 1945.

Seaford Garment Company, Phillips Street, Seaford, Delaware; men's sport service shirts; 10 percent (T); effective March 2, 1944, expiring March 1, 1945.

Shenandoah Manufacturing Company, Washington and Bower Streets, Shenandoah, Pennsylvania; ladies' dresses and blouses; 10 percent (T); effective February 29, 1944, expiring February 28, 1945.

GLOVE INDUSTRY

Richmond Glove Corporation, 306 Salem Avenue, West Roanoke, Virginia; work gloves; 10 learners (AT); effective February 28, 1944, expiring August 27, 1944.

HOSIERY INDUSTRY

Clarke Hosiery Mill, Collinsville, Alabama; full-fashioned hosiery; 30 learners (E); effective February 29, 1944, expiring August 28, 1944.

Gold Seal Hosiery Company, Inc. 1003 Spain Street, New Orleans, Louisiana; seamless hosiery; 4 learners (T); effective March 5, 1944, expiring March 4, 1945.

B. C. & C. W. Mayo, Tarboro, North Carolina; seamless hosiery; 5 percent (T); effective February 28, 1944, expiring February 27, 1945.

MILLINERY INDUSTRY

Schubach Millinary Company, Inc., 1837 Dayton Avenue, St. Paul, Minnesota; ladies' hats (popular priced); 1 learner (T); effective February 28, 1944, expiring August 27, 1944.

TEXTILE INDUSTRY

Dwight Manufacturing Company, Alabama City, Alabama; cotton; 8 percent (T); effective March 9, 1944, expiring March 8, 1945.

Plaza Mills, Beavertown, Pennsylvania; rayon dress goods; 3 percent (T); effective March 2, 1944, expiring March 1, 1945.

Signed at New York, N. Y., this 4th day of March 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3208; Filed, March 6, 1944; 11:15 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Huse Publishing Company, 116 North 4th Street, Norfork, Nebraska; Printing and Publishing; 7 learners (T); Linotype Operator, Hand Compositor, Makeup Man, Proof Reader, Pressman, Photo Engraver and Bindery Worker for a learning period of 480 hours; Linotype Operator, Hand Compositor, Makeup Man, Proof Reader, Pressman, Photo Engraver at 30 cents per hour; Bindery Worker at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective February 29, 1944, expiring August 29, 1944.

Kansas Bank Note Company, 5th and Jefferson Streets, Fredonia, Kansas; Printing & Publishing; 4 learners (T); bindery girl, platen press feeder for a learning period of 480 hours at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective February 28, 1944, expiring August 28, 1944.

Nord-Buffum Pearl Button Company, 101 So. Carolina Street, Louisiana, Missouri; fresh water pearl buttons; 3 learners (T); cutter, finished button sorter for a learning period of 480 hours and automatic machine operator for a learning period of 160 hours; cutter and finished button sorter at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; automatic machine operator at 30 cents per hour; effective March 2, 1944, expiring September 2, 1944.

Signed at New York, N. Y., this 4th day of March 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3209; Filed, March 6, 1944; 11:15 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 13-401-B-1, 418, 527, 597, 598, 658, 697, 881, 882, 908, 909, 371 and 375]

NORTHEAST AIRLINES, INC., ET AL.

NOTICE OF ORAL ARGUMENT

Northeast Airlines, Inc.; Transcontinental & Western Air, Inc.; Colonial Airlines, Inc.; American Airlines, Inc.; Seaboard Airways, Inc.; Eastern Air Lines, Inc.; United Air Lines, Inc.

In the matter of applications for certificates and for amendments of certificates of public convenience and necessity proposing new air transportation services between New York and Boston and Boston and Cleveland and Pittsburgh.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of the Act, in the above-entitled proceeding that oral argument is assigned for March 27, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., March 3, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3218; Filed, March 6, 1944; 11:28 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437 and G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MARCH 2, 1944.

Upon consideration of the following applications which were filed by Panhandle Eastern Pipe Line Company ("Applicant") for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed December 10, 1942 (Docket No. G–437) for authority to construct and operate a 2-inch natural-gas transmission pipe line approximately 1¼ miles in length, extending from a point on Applicant's Michigan West Line in Calhoun County, Michigan, in a northerly direction to the city limits of Albion, Michigan, and appurtenant facilities necessary for the operation of the line, and for the transportation and sale of natural gas to The Albion Gas Light Company for distribution and resale in the city of Albion; and

(b) Application filed January 28, 1944 (Docket No. G–521) for authority to construct and operate a 3½ inch natural-gas transmission pipe line, approximately 2.7 miles in length, extending in a northeasterly direction from a point on Applicant's Michigan West Line in Calhoun County, Michigan, to a point near the city limits of Albion, Michigan, and appurtenant facilities necessary for the operation of the line, in order to transport and deliver natural gas to the Albion Malleable Iron Company in the city of Albion, Michigan; and

It appearing to the Commission that:

(1) The Commission, by its order adopted March 27, 1943, in the Matter of Panhandle Eastern Pipe Line Company, Docket No. G–437, issued a temporary certificate of public convenience and necessity to Applicant authorizing the construction and operation of the facilities described in paragraph (a) above;

(2) On February 18, 1944, The Albion Gas Light Company filed a petition in opposition to the proposed construction and operation referred to in paragraph (b) above, requesting that it be permitted to intervene in Docket No. G–521;

(3) The Commission, by its order adopted this day has permitted The Albion Gas Light Company to intervene in these proceedings;

(4) The above-entitled proceedings may involve substantially similar issues and facts;

(5) Good cause exists for consolidating the above proceedings for purposes of hearing;

The Commission orders that:

(A) The above-entitled proceedings be and they are hereby consolidated for purposes of hearing;

(B) A public hearing be held, commencing on March 24, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C., respecting the matters involved and the issues presented in these proceedings;

(C) Interested State Commissions may participate in this hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–3144; Filed, March 4, 1944; 9:46 a. m.]

[Docket No. G–622]

MEMPHIS NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

MARCH 4, 1944.

Upon consideration of the application filed on January 31, 1944, by the Memphis Natural Gas Company, a Delaware corporation having its principal place of business at 931 Sterick Building, Memphis, Tennessee, for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of an 18-inch loop line approximately 61 miles long, paralleling its existing natural-gas transmission pipe-line system in Chicot County, Arkansas, and Bolivar, Coahoma and Tunica Counties, Mississippi, including tie-ins and appurtenant facilities;

The Commission orders that:

(A) A public hearing be held commencing on March 15, 1944, at 9:45 a. m., in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44–3160; Filed, March 6, 1944; 10:23 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 164, 3d Amended Gen. Permit 9]

REFRIGERATION OF CITRUS FRUITS IN DESIGNATED CITIES AND STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at any point in the States of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, or Missouri or at East St. Louis, Illinois, Council Bluffs, Iowa, Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with citrus fruits originating in Arizona, California and Texas. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 6 Under Service Order No. 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., March 8, 1944, and shall expire at 12:01 a. m., April 1, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44–3170; Filed, March 6, 1944; 10:35 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 180]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MIDLAND AND SAGINAW, MICH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier or alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

APPENDIX I

David C. Doyle, doing business as Doyle Freight Lines, 142 Davenport Street, Saginaw, Mich.

Blair Transit Company, a corporation, 142 Davenport Street, Saginaw, Mich.

Northern Motor Express Inc., 303 West Genesee Avenue, Saginaw, Mich.

[F. R. Doc. 44–3145; Filed, March 4, 1944; 11:19 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 182]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

APPENDIX 1

1. Urban J. Haas and Cyril H. Wissel, a partnership, doing business as H & W Motor Express Company, 3000 Jackson Street, Dubuque, Iowa.

2. The Rock Island Motor Transit Company, a corporation, Chicago, Ill.

[F. R. Doc. 44–3146; Filed, March 4, 1944; 11:18 a. m.]

[Supp. Order ODT 3, Rev. 184]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND POINTS IN KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

[1] Filed as part of the original document.

cessful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Rolland H. Kinney (an individual), doing business as Mohawk Freight Lines, 939 West Eighth Street, Kansas City, Mo.

The Santa Fe Trail Transportation Company (a corporation), 419 West Second Street, Wichita, Kans.

[F. R. Doc. 44-3147; Filed, March 4, 1944; 11:18 a. m.]

[Supp. Order ODT 3, Rev. 185]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MASSACHUSETTS AND RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

[1] Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Henry Jenkins Transportation Co., Inc. (a corporation), 32 Regis Road, Mattapan, Mass.

2. Roy E. Moulton (an individual), doing business as Moulton and Holmes, 1033 Massachusetts Avenue, Boston, Mass.

3. R. S. Brine Transportation Co. (a corporation), 194 West First Street, Boston, Mass.

[F. R. Doc. 44-3148; Filed, March 4, 1944; 11:18 a. m.]

[Supp. Order ODT 3, Rev. 189]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Yellow Cab Transit Co., a corporation, doing business as Yellow Transit Company, 311 South Western Avenue, Oklahoma City, Okla.

2. Decatur Cartage Co., a corporation, 20th and Wenworth Streets, Chicago, Ill.

[F. R. Doc. 44-3149; Filed, March 1, 1944; 11:19 a. m.]

[Supp. Order ODT 20A-75]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE TULSA, OKLA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tulsa, Oklahoma, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 4, paragraphs (e) and (l) which are disapproved. The operators are directed to place the plan, to the extent it is approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and such supervisor, checker or other person shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

[1] Filed as part of the original document.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–75" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma.

8. This order shall become effective March 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

A & A Investment Company d/b/a Peoples Cab Company, 724 South Main Street, Tulsa, Okla.

Acme Cab Company, 10½ East First Street, Tulsa, Okla.

Clover Leaf Cab Company, 321 South Cincinnati, Tulsa, Okla.

Yellow Cab Company, 16 North Boston, Tulsa, Okla.

[F. R. Doc. 44–3206; Filed, March 6, 1944; 10:55 a. m.]

[Supp. Order ODT 20A–76]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE TULSA, OKLA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tulsa, Oklahoma, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 4, paragraphs (e) and (l) which are disapproved. The operators are directed to place the plan, to the extent it is approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and such supervisor, checker or other person shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–76" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma.

8. This order shall become effective March 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Alphonso Williams d/b/a Your Cab Company, 517 East Brady, Tulsa, Okla.

A. R. Reddick d/b/a Sunset Cab Company, 118 North Greenwood, Tulsa, Okla.

[F. R. Doc. 44–3207; Filed, March 6, 1944; 10:55 a. m.]

[Special Order ODT B–31, Amdt. 1]

BUS LINES

COORDINATED OPERATION BETWEEN AMARILLO, TEX., AND ALBUQUERQUE, N. MEX.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and an amendment thereto, filed with the Office of Defense Transportation by New Mexico Transportation Company, Inc., Roswell, New Mexico, and Southwestern Greyhound Lines, Inc., Fort Worth, Texas, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F. R. 4389, 11099; 8 F.R. 12028), *It is hereby ordered*, That:

Paragraph 2 of Special Order ODT B–31 (7 F.R. 9367) be and it is hereby amended to read as follows:

Unless first authorized by the Director Division of Local Transport, Office of Defense Transportation, through service on the routes served by the carriers between Amarillo, Texas, and Albuquerque, New Mexico, shall not exceed three round trips daily by New Mexico Transportation Company, Inc., and two round trips daily by Southwestern Greyhound Lines, Inc.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44–3204; Filed, March 6, 1944; 10:54 a. m.]

[Supp. Order ODT 3, Rev. 186]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DETROIT, MICH., AND AKRON, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bdies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Caldwell Motor Freight, Inc., 800 23d Street, Detroit, Mich.
2. Hollywood Cartage Company, Inc., 5858 Plumer Street, Detroit, Mich.

[F. R. Doc. 44-3203; Filed, March 6, 1944; 10:54 a. m.]

[Supp. Order ODT 3, Rev. 187]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DETROIT AND FLINT, MICH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Inter-City Trucking Service, Inc., 1800 Abbott Street, Detroit, Mich.

Philip Bertram Genger, doing business as John Wahl Cartage, 1800 Abbott Street, Detroit, Mich.

[F. R. Doc. 44-3204; Filed, March 6, 1944; 10:54 a. m.]

[Supp. Order ODT 3, Rev. 188]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WASHINGTON

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

C. A. Jones and Ralph K. Birum, a partnership, doing business as Jones and Birum Motor Freight, 315 Main Street, Puyallup, Wash.

John M. Carlson, an individual, doing business as Tacoma-Fort Lewis Auto Freight, 808 Puyallup Ave., Tacoma, Wash.

Frank Douglas and Edith Douglas, a copartnership, doing business as Tacoma-Rainer Auto Freight, 808 Puyallup Ave., Tacoma, Wash.

Interurban Auto Freight Company, Inc., a corporation, 323 Puyallup Ave., Tacoma, Wash.

Inter-City Auto Freight, a corporation, 301 Puyallup Ave., Tacoma, Wash.

Mountain Road Auto Freight Co., Inc., a corporation, 533 Puyallup Ave., Tacoma, Wash.

Otto Therkelsen, an individual, doing business as Therkelsen Auto Freight, 523 Puyallup Ave., Tacoma, Wash.

[F. R. Doc. 44-3205; Filed, March 6, 1944; 10:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Exception Order 20 Under RO 17]

REPATRIATES RETURNING TO THE UNITED STATES

APPLICATION FOR SPECIAL SHOE STAMP

The petitioners in this case are repatriates who are returning to the United States. Many of them returning to the United States on the S. S. Gripsholm and similar ships have no wearable shoes. The currently valid shoe ration stamp contained in War Ration Book Three, which will be issued to such persons on their arrival in the United States, will not be sufficient to satisfy their needs for shoes until the next war ration shoe stamp becomes valid. Under Ration Order 17 a person that has need for shoes and who does not have a war ration shoe stamp may apply to his local board for a special shoe stamp. As most of the repatriates returning to the United States have been living abroad for the past several years, they are not familiar with the rationing system in the United States. In order to enable such persons to obtain the needed ration currency more quickly and save them much inconvenience, it is requested that the District Office nearest the port of entry be authorized to issue special shoe stamps to the repatriates who do not have sufficient war ration shoe stamps to obtain the shoes they need.

The relief requested in this case can be granted without defeating or impairing the effectiveness of the policy of Ration Order 17.

It is hereby ordered, That the district office nearest the port that the repatriates returning to the United States enter is authorized to issue special shoe stamps to such persons in an amount that will enable them to have on hand two pairs of wearable or repairable shoes of the type they need. The District Office in determining the need requirements of each person shall comply with section 1.5 of Ration Order 17.

Issued and effective this 4th day of March 1944.

COLONEL BRYAN HOUSTON,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 44-3166; Filed, March 4, 1944; 3:55 p. m.]

[MPR 188, Order 1326]

BELTONE HEARING AID CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1326 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of hearing aids manufactured by Beltone Hearing Aid Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Beltone Hearing Aid Company, a copartnership, 847 West Jackson Boulevard, Chicago, Illinois, is authorized to sell and deliver the hearing aids of its manufacture at net prices no higher than those set forth below:

Model:	*Maximum price to dealers and distributors without promotional assistance*
H	$40.00 f. o. b. factory.
HI	$40.00 f. o. b. factory.
HS	$42.50 f. o. b. factory.

Model:	*Maximum price to dealers and distributors with promotional assistance*
H	$55.00 f. o. b. factory.
HI	$55.00 f. o. b. factory.
HS	$57.50 f. o. b. factory.

Model:	*Maximum prices to consumers*
H	$95.00 delivered.
HI	$95.00 delivered.
HS	$100.00 delivered.

To the maximum prices established for sales to consumers there may be added a charge of $10.00 for a fitted earmold including impression fee.

(b) Any person, other than the Beltone Hearing Aid Company, may sell and deliver the hearing aids manufactured by the Beltone Hearing Aid Company at net prices no higher than those set forth below:

Model:	*Maximum prices to dealers*
H	$55.00 f. o. b. factory.
HI	$55.00 f. o. b. factory.
HS	$57.50 f. o. b. factory.

Model:	*Maximum prices to consumers*
H	$95.00 delivered.
HI	$95.00 delivered.
HS	$100.00 delivered.

To the maximum prices established for sales to consumers there may be added a charge of $10.00 for a fitted earmold including impression fee.

(c) The maximum price established by this order for sales to consumers shall include a written guarantee by the manufacturer in substantially the following form:

GUARANTEE CERTIFICATE

Beltone Hearing Aid Company guarantees each of its Hearing Aids, including tubes, to be free from all defects of workmanship and materials for a period of one year from date of purchase, and agrees to make all necessary repairs and replacements with promptness and without charge to the Registered purchaser, during the guarantee period.

This guarantee shall not apply if the failure of the hearing aid is due to abuse, exposure to excessive heat, or if there shall be any attempt to repair, or to open, or to take apart the Hearing aid, excepting only the removing of cords and batteries. This guarantee shall not apply to cords and batteries.

In order to obtain repairs and replacements under the terms of this guarantee, the Purchaser shall pay the costs of shipping the Hearing Aid to and from the Beltone Hearing Aid Company at Chicago, Illinois.

Purchaser _____
Address _____
Date of purchase _____ 19__
Purchased from _____
Model No. _____

BELTONE HEARING AID COMPANY,
847 West Jackson Blvd.,
Chicago, Illinois.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1326 for resales by the purchaser. This notice may be given in any convenient form.

(e) This Order No. 1326 may be revoked or amended by the Price Administrator any time.

(f) This Order No. 1326 shall become effective on the 7th day of March 1944.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3227; Filed, March 6, 1944; 11:55 a. m.]

Regional and District Office Orders.

[Region II Rev. Order G–15 under RMPR 122]

Solid Fuels in Designated Areas in Maryland

Revised Order No. G–15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and "Virginia anthracite," and for certain sizes, quantities and types of bituminous coal and coke delivered to or at any point in State of Maryland, Coal Area 1. That area consists of Baltimore City and the following 1935 election districts in Baltimore County and Anne Arundel County, as shown on the Maryland Geological Survey Map, prepared in 1935 by the Maryland State Geologist:

In Baltimore County: 1935 Election District Nos. 1, 2, 3, 9, 12, 13, 14 and 15. In Anne Arundel County: 1935 Election District No. 5.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Coal Area 1 are set forth in Schedules I and II hereafter.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area 1 whether or not you are located in Coal Area 1.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer to pay less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure given in the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 75¢ per ton, you shall not add more than 56¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Coal Area 1. Prices in the following table are credit prices—applicable to payment made after 30 days from the date of delivery—and are subject to the discounts enumerated below.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lb. (for sales of 100 lb. or more but less than ½ ton)
Pennsylvania anthracite:			
Broken, egg, stove, nut	$14.25	$7.65	$0.85
Pea	12.70	6.85	.75
Buckwheat	11.30	6.15	.70
Rice	10.55	5.80	.65
Barley	9.35		
Screenings	3.50		
Virginia anthracite:			
Egg, stove, nut	10.90	5.95	.65
Pea	9.25	5.15	.55
Bituminous coal, District I (low volatile):			
Run-of-mine	9.45	5.25	
Stoker pea	10.20	5.60	.60
Nut and slack	9.50	5.25	.55
Egg and lump	10.35	5.65	.60
Dealer rescreened egg	11.15	6.10	.60
District I (high volatile):			
Run-of-mine	8.80	4.90	
Districts II, III and VI (high volatile):			
Run of mine	9.00	5.00	
Stoker (special) Sewell seam classification "A"	9.45	5.25	.55
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	8.75	4.90	.55
Egg and lump—Sewell seam classification "A"	10.30	5.60	.60
Egg and lump—except Sewell seam, classification "A"	9.25	5.15	.50
District VII (low volatile):			
Domestic run of mine	10.95	6.00	.60
Stoker and pea	10.20	5.60	.60
Stove	11.75	6.40	.65
Egg and lump	12.05	6.60	.70
District VIII (high volatile):			
Egg	9.50	5.25	.55
Briquets (anthracite)	12.30	6.65	.75

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. If payment is made after ten days and within thirty days from the date of delivery, you shall deduct a discount of 50¢ per net ton and 25¢ per net ½ ton on all sizes except screenings. Nothing herein shall be construed as requiring that you sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

	Cents per net ton
Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than ½ ton)	75

(e) *Schedule II: "Yard sales".* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of solid fuel sold at the dealer's "yard", (1) to consumers, and (2) to other dealers for resale. Prices to consumers in table (1) are credit prices—applicable to payment made after 30 days from the date of delivery—and are subject to the discounts enumerated thereunder. Prices in table (2) are maximum prices not subject to discount.

(1) *Sales at dealer's yard to consumers.*

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Pennsylvania anthracite:		
Broken, egg, stove and nut	$13.25	$0.80
Pea	11.70	.70
Buckwheat	10.30	.65
Rice	9.55	.60
Barley	8.35	
Screenings	2.50	
Virginia anthracite:		
Egg, stove and nut	9.90	.60
Pea	8.25	.50
Bituminous coal district I (low volatile):		
Run-of-mine	8.45	
Stoker pea	9.20	.55
Nut and slack	8.50	.50
Egg and lump	9.25	.55
Dealer rescreened egg	10.15	.60
District I (high volatile):		
Run-of-mine	7.90	
Districts II, III, and VI (high volatile):		
Run-of-mine	8.00	
Stoker (special) Sewell seam, classification "A"	8.45	.50
Stoker (double screened) bottom size over ¾" and nut and slack, top size over 2"	7.75	.50
Egg and lump—Sewell seam, classification "A"	9.20	.55
Egg and lump—except Sewell seam, classification "A"	8.25	.50
District VII (low volatile):		
Domestic run-of-mine	9.95	.60
Stoker and pea	9.20	.55
Stove	10.75	.60
Egg and lump	11.00	.65
District VIII (high volatile):		
Egg	8.50	.55
Briquets (anthracite)	11.30	.70

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. If payment is made after ten days and within thirty days from the date of delivery, you shall deduct a discount of 50¢ per net ton and 25¢ per net ½ ton on all sizes except screenings. Nothing herein shall be construed as requiring that you sell on other than a cash basis.

(2) *Sales at dealer's yard to other dealers for resale.*

Kind and size of coal	Maximum price per net ton
Pennsylvania anthracite:	
Broken, egg, stove, nut	$11.50
Pea	9.90
Buckwheat	7.60
Rice	6.80
Barley	5.70
Bituminous coal:	
Run-of-mine (District 1, low volatile)	6.50
Egg (District 2, high volatile)	6.45
Egg (District 3, high volatile)	6.55
Nut (District 3, high volatile)	6.45
District 7, low volatile:	
Egg	8.85
Stove	9.00
Pea	7.40
Briquets (anthracite)	8.70

(f) *Commingling.* If one size or kind of coal is sold commingled with another size or kind of coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "delivered sale" or "yard sale", except in the following situation: Where a purchaser requests that two or more sizes or kinds of fuels be commingled in one delivery, then, and in that event, if these sizes and kinds are separately weighed at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(g) *Ex Parte 148; freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required for all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provded for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Maryland District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G–15, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

Regional and District Office Orders.

[Region II Rev. Order G-15 under RMPR 122]

Solid Fuels in Designated Areas in Maryland

Revised Order No. G–15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and "Virginia anthracite," and for certain sizes, quantities and types of bituminous coal and coke delivered to or at any point in State of Maryland, Coal Area 1. That area consists of Baltimore City and the following 1935 election districts in Baltimore County and Anne Arundel County, as shown on the Maryland Geological Survey Map, prepared in 1935 by the Maryland State Geologist:

In Baltimore County: 1935 Election District Nos. 1, 2, 3, 9, 12, 13, 14 and 15. In Anne Arundel County: 1935 Election District No. 5.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Coal Area 1 are set forth in Schedules I and II hereafter.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area 1 whether or not you are located in Coal

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure given in the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lb. (for sales of 100 lb. or more but less than ½ ton)
Pennsylvania anthracite:			
Broken, egg, stove, nut	$14.25	$7.65	$0.85
Pea	12.70	6.85	.75
Buckwheat	11.30	6.15	.70
Rice	10.35	5.80	.65
Barley	9.35	.....	.....
Screenings	5.80	.....	.....
Virginia anthracite:			
Egg, stove, nut	10.90	5.95	.65
Pea	9.25	5.15	.55
Bituminous coal, District I (low volatile):			
Run-of-mine	9.45	5.25	.....
Stoker pea	10.20	5.60	.60
Nut and slack	9.50	5.23	.55
Egg and lump	10.35	5.65	.60
Dealer rescreened egg	11.15	6.10	.65
District I (high volatile):			
Run-of-mine	5.80	4.00	.....
Districts II, III and VI (high volatile):			
Run of mine	9.00	5.00	
Stoker (special) Sewall seam classification "A"	9.45	5.25	.55
Stoker (double screened) bottom size over¾" and nut and slack, top size over 2"	5.75	4.95	.55
Egg and lump—Sewall seam classification "A"	10.20	5.60	.60
Egg and lump—except Sewall seam, classification "A"	9.25	5.15	.55
District VII (low volatile):			
Domestic run of mine	10.95	6.00	.65
Stoker and pea	10.20	5.60	.60
Stove	11.75	6.40	.65
Egg and lump	12.05	6.50	.70
District VIII (high volatile):			
Egg	5.50	5.25	.55
Briquets (anthracite)	12.20	6.65	.75

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. If payment is made after ten days and within thirty days from the date of delivery, you shall deduct a discount of 50¢ per net ton and 25¢ per net ½ ton on all sizes except screenings. Nothing herein shall be construed as requiring that you sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

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(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(8) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of Maryland, Coal Area 1, with such designation during December 1941.

(9) "Virginia anthracite" means nonbituminous coal produced in the State of Virginia.

(10) "Egg, stove, nut and pea" sizes of Virginia anthracite refer to the sizes of such coal as prepared by the producer during the period December 15–31, 1941.

(11) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(12) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(13) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(14) All designations in this order of sizes, classifications, seams, etc., applicable to bituminous coal, refer to the sizes, classifications, seams, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of Interior, as in effect midnight, August 23, 1943.

(15) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.265 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G–15 as originally issued and on Order No. G–23.* Order No. G–15 under Revised Maximum Price Regulation No. 122, as issued on December 4, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23, issued under that Regulation on November 24, 1943 to the extent that Order No. G–23 was applicable to Order No. G–15.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G–15 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3110; Filed, March 2, 1944; 4:56 p. m.]

[Region II Rev. Order G–15 Under RMPR 122, Corr.]

SOLID FUELS IN DESIGNATED AREAS IN MARYLAND

Correction to Revised Order No. G–15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area 1.

1. Paragraph (n) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

2. There shall be added to the definition contained in paragraph (q) (14) the following sentence:

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in State of Maryland, Coal Area 1, during December, 1941.

This correction shall become effective as of December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3105; Filed, March 2, 1944; 4:56 p. m.]

[Region II Rev. Order G–18 Under RMPR 122]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Revised Order No. G–18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and for certain sizes, quantities and kinds of bituminous coal delivered to or at any point in the State of New York, Coal Area IV. That area consists of the following portions of Monroe County in the State of New York:

The City of Rochester.

The towns of Irondequoit, Brighton, Chili, Gates and Greece.

The following portions of the Towns of Pittsford, Perinton and Henrietta; bounded on the north by Penfield Road to and including the hamlet of Penfield; on the east by the Five-Mile Line Road, the easterly village line of the village of East Rochester, the Lincoln Marsh Road to and including the hamlet of Bushnell's Basin; on the south by Ballantyne Bridge - Pittsford - Jefferson Avenue and the South Pittsford-Victor Road, to the point where the Bridgeton-Henrietta town line runs into the Genesee River on the west.

This area shall include the abutting property on each side of all boundary highways.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Coal Area IV are set forth in Schedules I and II hereafter. Schedule I relates to sales of Pennsylvania anthracite (hereinafter called simply "anthracite"). Schedule II relates to sales of bituminous coal.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area IV whether or not you are located in Coal Area IV.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "direct-delivery" sales, "yard sales" and "bagged coal" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II contains a table of prices for "direct-delivery" sales and "yard sales" of bituminous coal. You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule does not provide a discount on the basis of the tonnage sold, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 75¢ per ton for cash payment, you shall deduct 56¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-quarter ton, and the applicable schedule does not provide a service charge on the basis of the tonnage sold, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area IV. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lb. for sales of 100 lb. or more but less than ½ ton
Broken, egg, stove, nut	$14.85	$7.75	$0.85
Pea	12.80	6.70	.75
Buckwheat	10.25	5.45	.65
Rice	8.90	4.75	----------
Barley	8.20	4.40	----------
Screenings	4.10	2.05	----------

Required discounts. You shall deduct from the prices set forth in Table (1) of this Schedule, on sales and deliveries of broken, egg, stove, nut and pea sizes, a discount of 75¢ per net ton and 40¢ per net ½ ton, where payment is made within ten days after delivery. For sales of buckwheat, rice, and barley sizes, you shall deduct a discount of 25¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "Wheel" (except for sales amounting to less than ¼ ton).	50 cents per net ton. 30 cents per net ½ ton. 20 cents per net ¼ ton.
"Carrying upstairs or downstairs," for each floor above the ground floor (except for sales amounting to less than ¼ ton). The charge shall be in addition to any charge for "carry" or "wheel".	50 cents per net ton. 30 cents per net ½ ton. 20 cents per net ¼ ton.

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton, for sales of ½ ton or more		Per 100 pounds for sales of 100 pounds or more but less than ½ ton
	To dealers for resale	To consumers	
Broken, egg, stove, and nut	$11.70	$13.25	$0.75
Pea	9.70	11.20	.65
Buck	8.00	9.10	.55
Rice	7.00	8.10	----------
Barley	6.00	----------	----------
Screenings	2.10	----------	----------

Required discounts. You shall deduct from the prices set forth in Table (2) of this schedule, on sales and deliveries to dealers, on quantities of ½ ton or more, the amount of the discounts set forth below. Those discounts are required, if payment is made by the 22d day of the month on purchases made from the 1st to the 15th day of that month, and if payment is made by the 7th day of the following month on purchases made from the 16th to the 31st day of the previous month. Nothing herein requires you to sell on other than a cash basis.

Size:	*Discount (Per net ton)*
Broken, egg, stove, nut	$0.15
Pea and buckwheat	.10
Rice and barley	.05

(3) *"Sales of bagged coal" (maximum prices per bag).*

MAXIMUM PRICES PER 50-POUND PAPER BAGS

Size	Delivered at dealers' yard	Delivered to retail stores	Sales to ultimate consumers
Nut	$0.47	$0.52	$0.57
Pea	.42	.47	.52

MAXIMUM PRICES PER 17-POUND PAPER BAGS

Size	Delivered at dealers' yards		Delivered to retail stores	Sales to ultimate consumers
	To dealers	To consumers		
Nut	$0.15	$0.18	$0.18	$0.20

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED

Kind and size of bituminous coal	*Per net ton*
High volatile bituminous coal from districts Nos. 1, 2, 3 or 4:	
Lump, egg, nut, and stoker	$7.15
Nut and slack	7.05
Slack	6.85

Sales on a "direct-delivery" basis—Con.

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED—Con.

Kind and size of bituminous coal—Continued	*Per net ton*
Low volatile bituminous coal from district No. 1—Pennsylvania. All lump, all double screened coal with top sizes over 2" and coal customarily sold as Run-of-Mine:	
1—Coal in price classification "A"...	$8.55
2—Coal in price classifications "B" through "E" inclusive.....	7.75

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 50¢ per net ton.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of purchasers	*Cents per net ton*
"Carry" or "wheel" (except for sales amounting to less than ½ ton).....	50
"Carrying upstairs, for each floor above the ground floor" (except for sales amounting to less than ½ ton). The charge shall be in addition to any charge for "carry" or "wheel".....	50

(2) *Yard sales.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous coal sold	Sales to dealers, per net ton, for sales of ½ ton or more	Sales to consumers, per net ton, for sales of ½ ton or more
High volatile bituminous coal from Districts Nos. 1, 2, 3, or 4:		
Lump, egg, nut, or stoker.....	$6.15	$6.45
Nut and slack.....	6.05	6.35
Slack.....	5.85	6.15
Low volatile bituminous coal from District No. 1—Pennsylvania. All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:		
1—Coal in price classification "A".....	7.55	7.85
2—Coal in price classifications "B" through "E" inclusive....	6.75	7.05

(f) *Commingling.* If you sell one size or kind of coal, commingled with another size or kind of coal, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "direct-delivery" sale, "yard sale," or "sale of bagged coal," except in the following situation. Where a purchaser requests that two or more sizes or kinds of coal be commingled in one delivery, then, in that event, if those sizes and kinds are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes and kinds in the truck or other vehicle, or in the bags, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(g) *Ex parte 148; freight rate increase.* Since the ex parte freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your suppliers' maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the coal has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provisions thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Buffalo District Office of the Office of Price Administration; or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G–18, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making

sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct-delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(8) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York, Coal Area IV, with such designation during December, 1941.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to bagged coal, means sales by dealers, other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(12) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(13) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(14) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(15) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of the Interior, as in effect midnight, August 23, 1943. Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in State of New York, Coal Area IV, during December, 1941.

(16) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G–18 as originally issued and on Order No. G–23.* Order No. G–18 under Revised Maximum Price Regulation No. 122, as issued on October 22, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23, issued under that regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Order No. G–18.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G–18 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3104; Filed, March 2, 1944; 4:57 p. m.]

[Region II Rev. Order G–18 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Amendment No. 1 to Revised Order No. G–18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–18 is amended in the following respect:

1. A new paragraph, designated (t), is added immediately following paragraph (s), to read as follows:

(t) *Effect of Order No. G–21; emergency sales of prepared bituminous coal to domestic consumers.* The maximum prices for sales of bituminous coal under Schedule II, paragraph (e) of this Revised Order shall not apply to emergency sales of "prepared bituminous coal" when sold as a substitute fuel in place of anthracite, within the coverage of Order No. G–21 under Revised Maximum Price Regulation No. 122 as long as said Order No. G–21 shall remain in effect. During that period, such emergency sales of prepared bituminous coal shall be priced in accordance with the provisions of Order No. G–21.

This Amendment No. 1 to Revised Order No. G–18 shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3102; Filed, March 2, 1944; 4:56 p. m.]

[Region II Rev. Order G–18 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Amendment No. 2 to Revised Order No. G–18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–18 is amended in the following respects:

(1) Paragraph (e) is amended to read as follows:

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED

Kind and size of bituminous coal	*Per net ton*
High volatile bituminous coal from District No. 2:	
Lump, egg, nut and stoker	$7.30
Nut and slack	7.20
Slack	7.00
High volatile bituminous coal from Districts Nos. 1, 3 or 4:	
Lump, egg, nut and stoker	7.15
Nut and slack	7.05
Slack	6.85
Low volatile bituminous coal from District No. 1—Pennsylvania: All lump, all double screened coal with top sizes over 2" and coal customarily sold as Run-of-Mine:	
1—Coal in Price Classification "A"	8.55
2—Coal in Price Classification "B" through "E" inclusive	7.75

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 50¢ per net ton.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at request of purchasers	*Cents per net ton*
"Carry" or "wheel" (except for sales amounting to less than ½ ton)	50
"Carrying upstairs, for each floor above the ground floor" (except for sales amounting to less than ½ ton). The charge shall be in addition to any charge for "Carry" or "Wheel"	50

(2) *Yard sales.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous coal sold	Sales to dealers, (per net ton, for sales of ½ ton or more)	Sales to consumers, (per net ton, for sales of ½ ton or more)
High volatile bituminous coal from District No. 2:		
Lump, egg, nut and stoker	$6.30	$6.90
Nut and slack	6.20	6.50
Slack	6.00	6.30
High volatile bituminous coal from Districts Nos. 1, 3 or 4:		
Lump, egg, nut or stoker	6.15	6.45
Nut and slack	6.05	6.35
Slack	5.85	6.15
Low volatile bituminous coal from District No. 1—Pennsylvania: All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine.		
1—Coal in price classification "A"	7.85	7.85
2—Coal in price classifications "B" through "E" inclusive	6.75	7.05

This Amendment No. 2 to Revised Order No. G–18 shall be effective as of February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3103; Filed, March 2, 1944; 4:56 p. m.]

[Region II Rev. Order G–18 Under RMPR 122, Corr.]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Correction to Revised Order No. G–18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

Paragraph (n) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

This correction shall become effective as of December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3106; Filed, March 2, 1944; 4:56 p. m.]

[Region II Rev. Order G–19 Under RMPR 122]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Revised Order No. G–19 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices: Area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and for certain sizes, quantities and kinds of bituminous coal and for coke delivered to or at any point in the State of New Jersey, Coal Area IX. That area comprises all of Atlantic County in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of solid fuels delivered within Coal Area IX are set forth in Schedule 1 hereafter.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices and discounts, and by all other provisions of this order for all deliveries within Coal Area IX whether or not you are located in Coal Area IX.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of solid fuels subject to this order.

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Refer to Schedule 1 which contains a separate table of prices for "direct-delivery" sales and "yard sales" of anthracite, bituminous coal, and coke. You will find Schedule 1 in paragraph (d).

(2) Take the dollars-and-cents figure given in the applicable table of the schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. When a discount is required, you must state it separately on your invoice.

(4) You shall not impose any charge with respect to such sales.

(d) *Schedule 1.* Schedule 1 establishes specific maximum prices for certain kinds, sizes, and quantities of solid fuel, delivered to or at any point within Coal Area IX. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton
Anthracite:			
Broken, egg, stove, nut	$14.20	$7.40	$3.85
Pea	12.70	6.60	3.45
Buckwheat	10.10	5.30	2.80
Rice	9.25	4.90	2.60
Barley	8.25	4.40	2.35
Screenings	3.50		
Coke	13.00	6.75	3.50
Briquettes	12.05	6.30	3.25
Bituminous:			
Low volatile from District 1: Run of mine	9.90	5.05	2.65
High volatile from Districts 2, 3, and 7: Stoker	9.50	5.00	2.65

Required discounts. You shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 100 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 100 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 100 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the one hundredth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(2) *"Yard sales".*

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton	Bagged coal: Per net 100 lbs.	Bagged coal: Per net 50 lbs.
Anthracite:					
Broken, egg, stove, nut	$13.30	$6.90	$3.60	$0.90	$0.47
Pea	11.70	6.10	3.20	.80	.43
Buckwheat	9.10	4.80	2.55	----------	----------
Rice	8.33	4.40	2.35	----------	----------
Barley	7.25	3.90	2.10	----------	----------
Screenings	2.50	----------	----------	----------	----------
Coke	12.00	6.25	3.25	----------	----------
Briquettes	11.05	5.80	3.00	----------	----------
Bituminous:					
Low volatile from District 1: Run of mine	8.60	4.55	2.40	----------	----------
High volatile from Districts 2, 3, and 7: Stoker	8.50	4.50	2.40	----------	----------

(e) *Commingling.* If you sell one size or kind of fuel, commingled with another size or kind of fuel, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or the least expensive kind of fuel so commingled, whichever is lower, whether the sale be a "direct-delivery" sale or "yard sale," except in the following situation. Where a purchaser requests that two or more sizes or kinds of fuel be commingled in one delivery, then, in that event, if those sizes and kinds are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes and kinds in the truck or other vehicle, or in the bags, in which the delivery is made. The price of fuel so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(f) *Ex Parte 148; freight rate increase.* Since the ex parte freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December, 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your suppliers' maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the fuel has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provisions thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices: Sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of fuel sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if during December 1941, you customarily gave purchasers such sales slips or receipts.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Camden District Office of the Office of Price Administration, or with the price panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order No. G–19, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) 'Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct-delivery" means delivery to the buyer's bin or storage space.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(6) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(7) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screen-

ings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area IX, with such designation during December, 1941.

(8) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(9) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(10) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(11) All designations in this order of sizes, etc., applicable to bituminous coal, refer to the sizes, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of the Interior, as in effect midnight, August 23, 1943. Where the minimum price schedules do not make specific mention of any size designated in this order, such size designation shall refer to the sizes of bituminous coal sold as such in State of New Jersey, Coal Area IX, during December, 1941.

(12) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(q) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(r) *Effect of order on Order No. G–19 as originally issued and on Order No. G–23.* Order No. G–19 under Revised Maximum Price Regulation No. 122, as issued on October 29, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23, issued under that regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Order No. G–19.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G–19 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3109; Filed, March 2, 1944; 4:57 p. m.]

[Region II Rev. Order G–19 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Amendment No. 1 to Revised Order No. G–19 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Adminstrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G–19 is amended in the following respects:

1. The "direct-delivery" prices for coke in Schedule I, paragraph (d) (1), are revised to read as follows:

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton
Byproduct coke.....	$15.50	$7.90	$4.05

2. The "yard-sales" prices for coke in Schedule I, paragraph (d) (2), are revised to read as follows:

Kind and size of fuel	Per net ton	Per net ½ ton	Per net ¼ ton
Byproduct coke.....	$12.50	$6.50	$3.40

This Amendment No. 1 to Revised Order No. G–19 shall become effective February 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3108; Filed, March 2, 1944; 4:55 p. m.]

[Region II Rev. Order G–19 Under RMPR 122, Corr.]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Correction to Revised Order No. G–19 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

Paragraph (m) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

This correction shall become effective as of December 6, 1943.

Issued this 20th day of December, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3107; Filed, March 2, 1944; 4:58 p. m.]

[Region II Order G–1 Under RMPR 269]

POULTRY EXCEPT DUCKS IN NEW YORK REGION

Order No. G–1 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of poultry except ducks in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269 and, insofar as required, with the written approval of the War Food Administrator, this order is hereby issued.

SECTION 1. *What this order does.* Revised maximum Price Regulation No. 269 requires the determination of maximum selling prices of poultry items by reference to maximum base prices. This order divides Region 2 into four zones, and in each zone one specific dollar and cent maximum base price is established for each poultry item covered by Revised Maximum Price Regulation No. 269, except duck items, and except kosher-killed poultry items in the New York City metropolitan area. (Maximum base prices for kosher-killed poultry items in New York City metropolitan area, are established by Order No. G–2 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued simultaneously herewith.) This order supersedes that regulation insofar as it establishes such maximum base prices in Region 2. The base prices established by this order are to be used in determining maximum selling prices instead of the base prices established by Revised Maximum Price Regulation No. 269. All other provisions of that regulation continue in effect.

SEC. 2. *Where this order applies.* This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia, except that it does not apply to sales of kosher-killed poultry delivered to the purchaser's customary receiving point in the City of New York and the Counties of Nassau, Suffolk and Westchester in the State of New York, and the Counties of Essex, Hudson and Union in the State of New Jersey.

SEC. 3. *Maximum base prices for poultry items in region 2*—(a) *Base prices for Grade "A" poultry items in Zone 1*—(1) *Description of Zone 1.* Zone 1 shall include:

a. The entire state of Delaware.

b. The following counties of Maryland: Caroline, Cecil, Dorchester, Hartford, Kent, Queen Annes, St. Marys, Somerset, Wicomico, Worcester, and Talbot.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 1.*

Food products	Weight	Maximum base prices for Grade "A" poultry items, except ducks, in Zone 2. Zone 2

c. The entire state of New Jersey.

d. The following counties of New York: Bronx, Clinton, Columbia, Dutchess, Essex, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Warren, Washington, and Westchester.

e. The following counties of Pennsylvania: Bucks, Delaware, Montgomery, Northampton, and Philadelphia.

c. The entire state of New Jersey.

d. The following counties of New York: Bronx, Clinton, Columbia, Dutchess, Essex, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Warren, Washington, and Westchester.

e. The following counties of Pennsylvania: Bucks, Delaware, Montgomery, Northampton, and Philadelphia.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 1.*

Type	Food products: Weight: Live weight	Kosher-killed, kosher-dressed, and dressed weight	Frozen-eviscerated, and drawn weight	Maximum base prices: Zone 1: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen-eviscerated
Broilers and fryers	Under 4	Under 3½	Under 2½	28.5	36.0	[1] 35.0	36.5	46.5	53.5
Roasters	4 and over	3½ and over	2½ and over	28.5	36.0	35.0	36.5	44.5	50.5
Capons, light	Under 6	Under 5½	Under 4½	28.5	36.0	35.0	36.5	44.5	50.5
Capons, heavy	6 and over	5½ and over	4½ and over	32.0	39.0	38.0	39.5	47.0	52.0
Fowl	All	All	All	25.0	32.0	31.0	32.5	40.0	45.0
Stags and old roosters	All	All	All	21.0	27.5	26.5	28.0	34.0	39.0
Geese	All	All	All	26.0	30.0	30.0	31.5	43.5	46.5
Young turkeys:									
Light	Under 18	Under 16	Under 13	36.0	44.0	43.0	44.5	52.5	55.5
Medium	18 to 22	16 to 20	13 to 16½	34.5	42.0	41.0	42.5	49.0	52.0
Heavy	22 and over	20 and over	16½ and over	33.5	40.5	39.5	41.0	47.0	50.0
Old turkeys:									
Light	Under 18	Under 16	Under 13	34.0	42.0	41.0	42.5	50.0	53.0
Medium	18 to 22	16 to 20	13 to 16½	32.5	40.0	39.0	40.5	47.0	50.0
Heavy	22 and over	20 and over	16½ and over	31.5	38.5	[1] 37.5	39.0	44.5	47.5

[1] Maximum base prices for kosher-killed poultry items fixed by this section do not apply in the City of New York and the Counties of Nassau, Suffolk and Westchester in the State of New York, and the Counties of Essex, Hudson and Union in the State of New Jersey. Base prices of kosher-killed poultry in that area are established by Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued simultaneously herewith.

(b) *Base prices for Grade "A" poultry items in Zone 2*—(1) *Description of Zone 2.* Zone 2 shall include:

a. The District of Columbia.

b. The following counties of Maryland: Anne Arundel, Baltimore, Calvert, Carroll, Charles, Frederick, Howard, Montgomery, Prince Georges, and Washington; and Baltimore, City, Maryland.

c. The following counties of New York: Albany, Broome, Chenango, Delaware, Franklin, Fulton, Jefferson, Lewis, Hamilton, Herkimer, Madison, Montgomery, Oneida, Otsego, Rensalaer, St. Lawrence, Saratoga, Schenectady, Schoharie, and Sullivan.

d. The following counties of Pennsylvania: Adams, Berks, Carbon, Chester, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Perry, Pike, Schuylkill, Susquehanna, Wayne, Wyoming, and York.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 2.*

Type	Food products: Weight: Live weight	Kosher-killed, kosher-dressed, and dressed weight	Frozen-eviscerated, and drawn weight	Maximum base prices: Zone 2: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen-eviscerated
Broilers and fryers	Under 4	Under 3½	Under 2½	28.4	35.9	34.9	36.4	46.4	53.4
Roasters	4 and over	3½ and over	2½ and over	28.4	35.9	34.9	36.4	44.4	50.4
Capons, light	Under 6	Under 5½	Under 4½	28.4	35.9	34.9	36.4	44.4	50.4
Capons, heavy	6 and over	5½ and over	4½ and over	31.9	38.9	37.9	39.4	46.9	51.9
Fowl	All	All	All	24.9	31.9	30.9	32.4	39.9	44.9
Stags and old roosters	All	All	All	20.9	27.4	26.4	27.9	33.9	38.9
Geese	All	All	All	25.9	29.9	29.9	31.4	43.4	46.4
Young turkeys:									
Light	Under 18	Under 16	Under 13	35.9	43.9	42.9	44.4	52.4	55.4
Medium	18 to 22	16 to 20	13 to 16½	34.4	41.9	40.9	42.4	48.9	51.9
Heavy	22 and over	20 and over	16½ and over	33.4	40.4	39.4	40.9	46.9	49.9
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.9	41.9	40.9	42.4	49.9	52.9
Medium	18 to 22	16 to 20	13 to 16½	32.4	39.9	38.9	40.4	46.9	49.9
Heavy	22 and over	20 and over	16½ and over	31.4	38.4	37.4	38.9	44.4	47.4

(c) *Base prices for Grade "A" poultry items in Zone 3*—(1) *Description of Zone 3.* Zone 3 shall include:

a. The following counties of Maryland: Allegany and Garrett.

b. The following counties of New York: Allegany, Cayuga, Chemung, Cortland, Genesee, Livingston, Monroe, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates.

c. The following counties of Pennsylvania: Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Fulton, Huntingdon, Indiana, Jefferson, Lycoming, McKean, Mifflin, Montour, Northumberland, Potter, Snyder, Somerset, Sullivan, Tioga, and Union.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 3.*

Type	Food products: Weight: Live weight	Kosher-killed, kosher-dressed, and dressed weight	Frozen-eviscerated, and drawn weight	Maximum base prices: Zone 3: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen-eviscerated
Broilers and fryers	Under 4	Under 3½	Under 2½	28.3	35.8	34.8	36.3	46.3	53.3
Roasters	4 and over	3½ and over	2½ and over	28.3	35.8	34.8	36.3	44.3	50.3
Capons, light	Under 6	Under 5½	Under 4½	28.3	35.8	34.8	36.3	44.3	50.3
Capons, heavy	6 and over	5½ and over	4½ and over	31.8	38.8	37.8	39.3	46.8	51.8
Fowl	All	All	All	24.8	31.8	30.8	32.3	39.8	44.8
Stags and old roosters	All	All	All	20.8	27.3	26.3	27.8	33.8	38.8
Geese	All	All	All	25.8	29.8	29.8	31.3	43.3	46.3
Young turkeys:									
Light	Under 18	Under 16	Under 13	35.8	43.8	42.8	44.3	52.3	55.3
Medium	18 to 22	16 to 20	13 to 16½	34.3	41.8	40.8	42.3	48.8	51.8
Heavy	22 and over	20 and over	16½ and over	33.3	40.3	39.3	40.8	46.8	49.8
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.8	41.8	40.8	42.3	49.8	52.8
Medium	18 to 22	16 to 20	13 to 16½	32.3	39.8	38.8	40.3	46.8	49.8
Heavy	22 and over	20 and over	16½ and over	31.3	38.3	37.3	38.8	44.3	47.3

(d) *Base prices for Grade "A" poultry items in Zone 4*—(1) *Description of Zone 4.* Zone 4 shall include:

a. The following counties of New York: Cattaraugus, Chautauqua, Erie, and Niagara.

b. The following counties of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington, and Westmoreland.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 4.*

Type	Weight			Maximum base prices, Zone 4					
	Live weight	Kosher-killed, kosher-dressed, and dressed weight	Frozen, eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen, eviscerated
Broilers and fryers	Under 4	Under 3½	Under 2¾	28.2	35.7	34.7	36.2	40.2	38.2
Roasters	4 and over	3½ and over	2¾ and over	28.2	35.7	34.7	36.2	44.2	50.2
Capons, light	Under 6	Under 5½	Under 4½	28.2	35.7	34.7	36.2	44.2	50.2
Capons, heavy	6 and over	5½ and over	4½ and over	31.7	38.7	37.7	39.2	46.7	51.7
Fowl	All	All	All	24.7	31.7	30.7	32.2	39.7	44.7
Stags and old roosters	All	All	All	20.7	27.2	26.2	27.7	33.7	38.7
Geese	All	All	All	25.7	28.7	29.7	31.2	42.2	46.2
Young turkeys:									
Light	Under 18	Under 16	Under 13	33.7	43.7	42.7	44.2	52.2	55.2
Medium	18 to 22	16 to 20	13 to 16½	34.2	41.7	40.7	42.2	48.7	51.7
Heavy	22 and over	20 and over	16½ and over	33.2	40.2	39.2	40.7	46.7	49.7
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.7	41.7	40.7	42.2	49.7	52.7
Medium	18 to 22	16 to 20	13 to 16½	32.2	39.7	38.7	40.2	46.7	49.7
Heavy	22 and over	20 and over	16½ and over	31.2	38.2	37.2	38.7	44.7	47.2

(e) *Base prices of grades other than Grade A.* The maximum base prices established by this section are for Grade "A" poultry items. The maximum base prices for lower grades, and for poultry items which would otherwise be eligible for Grade "A" base prices except for the provisions of Revised Maximum Price Regulation No. 269, shall be determined by deductions from the base prices established by this order as required in § 1429.19 of Revised Maximum Price Regulation No. 269.

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 7th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3142; Filed, March 3, 1944; 4:42 p. m.]

[Region II Order G-30 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-30 is amended in the following respect:

(1) Paragraph (c) is amended to read as follows:

(c) This order which may be revoked, amended, or corrected at any time, shall, unless earlier revoked or replaced, expire at midnight March 4, 1944.

This Amendment No. 2 to Order No. G-30 shall become effective February 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3157; Filed, March 4, 1944; 4:43 p. m.]

[Region VI Order G-27 under SR 15]

FLUID MILK IN WEST LIBERTY, IOWA

Order No. G-27 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in West Liberty, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in West Liberty, Iowa, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content fluid milk:		
Gallon	$0.37	$0.45
Half gallon	.19	.23
Quart	.10	.12
Pint	.05½	.07
Half pint	.03	.04

Where the maximum price set forth is expressed in terms of ½¢, opportunity must be given to the buyer to purchase multiple units for which the maximum price will be the single unit price times the number of units purchased.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the West Liberty, Iowa, area shall mean:

1. All sales made within the city limits of West Liberty, Iowa, and all sales at or from an establishment located in West Liberty, Iowa;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within West Liberty, Iowa.

(c) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base period established by that regulation.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3138; Filed, March 3, 1944; 3:35 p. m.]

[Evansville Temporary Order G-1 Under MPR 154]

ICE IN EVANSVILLE, IND.

Order extending the expiration date of Temporary Order No. G-1 under § 1393.8 (e) of Maximum Price Regulation No. 154, adjusting maximum prices for ice sold at retail at Evansville, Indiana.

SECTION 1. The above temporary order was issued on May 29, 1943, pursuant to authority vested in the Office of Price

Administration of Indianapolis District Office under § 1393.8 (e) of Maximum Price Regulation 154 and by Delegation Order dated April 6, 1943 issued by the Regional Administrator of Region III. The order was duly made and entered in the above matter, making adjustments authorizing certain increases in the maximum price of ice sold at retail in Evansville, Indiana. By express terms of said order, it terminates on February 7, 1944, unless revoked or modified by an order of the Price Administrator.

SEC. 2. Said temporary order was made after an exhaustive study, research, and analysis of the conditions existing in Evansville at that time with respect to the economic situation and the manufacture, production, and storage of ice in that locality as well as requirements for domestic and commercial use at that time, and for the immediate future, a study and survey was also made as to whether the shortage then existing and anticipated could be relieved without injuriously affecting other areas from which an adequate ice supply could be obtained.

SEC. 3. Such investigation disclosed:

(a) That an acute shortage of ice did exist in the Evansville area and probably will continue to exist throughout the year.

(b) That such local shortage would be substantially reduced or eliminated by the granting of a price adjustment which would enable distributors to bring in ice from other areas.

(c) That the granting of a price adjustment in the locality in question would not tend to create or bring about a shortage or a need for an increase in prices in any other locality and would effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and that granting such price increase would not violate the spirit of the "hold the line" order issued by the President (Executive Order 9328). The temporary order was accordingly issued. The emergency then existing and the method of relief granted clearly appear in detail in the order and in the opinion accompanying it.

SEC. 4. The order requiring the filing of certain interim reports by the dealers showing quantities of ice purchased, firm from which it was purchased, and the net cost of the purchased ice. It required the filing of additional reports showing the earnings of the dealers during the year of 1943. The larger companies have furnished such report. The smaller ones have not.

It is now claimed that the order should be continued in force for the present year because of a continued threatened ice shortage, but due to the death of the public accountant who audited the books of the larger companies, they are unable, at this time, to furnish definite material upon which their request will be based. They have requested an extension of the present order for a 60-day period so that they may have time to have their accounts audited by other accountants and the necessary information secured upon which to base their requests for a continuation of the order for the summer season.

SEC. 5. The staff of the Indianapolis Office of Price Administration have made a study of the summary reports furnished by the applicants and have recommended that there is probably merit in the request for such continuation. It also appears that this is the slack season of the year in the ice business and that ice will not be sold in quantities until after April 1, 1944. So it is highly important to have definite and reliable data in determining whether such request should be granted.

We hold it is advisable to grant an extension of such order until April 1, 1944.

SEC. 6. *It is, therefore, ordered,* That Order G–1 under § 1393.8 (e) Maximum Price Regulation No. 154, issued by the Office of Price Administration, Indianapolis District, Region III, bearing date of May 29, 1943, making adjustments of maximum prices of ice in the Evansville area, and by its terms expiring February 7, 1944, be and the same is hereby extended and continued in force until April 1, 1944. The retail prices of ice fixed in said order shall not be applicable after said date, unless prior to that time it is extended and continued in force by order of the Office of Price Administration.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 5th day of February 1944.

JAMES D. STRICKLAND,
District Director.

[F. R. Doc. 44–3157; Filed, March 4, 1944; 11:32 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 3, 1944.

REGION II

Camden Order No. 12, filed 10:38 a. m.
Harrisburg Order No. 14, filed 10:34 a. m.
Harrisburg Order No. 15, filed 10:32 a. m.
Harrisburg Order No. 16, filed 10:31 a. m.
Philadelphia Order No. 10, filed 10:35 a. m.
Scranton Order No. 10, filed 10:37 a. m.

REGION III

Indianapolis Order No. 4–F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 5–F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 6–F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 8–F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 9–F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 10–F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 11–F, Amendment No. 4, filed 10:41 a. m.

REGION IV

Jacksonville Order No. 1–W, filed 10:34 a. m.
Jacksonville Order No. 1–F, Amendment No. 13, filed 10:31 a. m.
Roanoke, Order No. 1–F, Amendment No. 6, filed 10:25 a. m.
South Carolina Order No. 1–F, Amendment No. 13, filed 10:29 a. m.
South Carolina Order No. 1–F, Amendment No. 15, filed 10:29 a. m.
South Carolina Order No. 2–F, Amendment No. 4, filed 10:29 a. m.

REGION V

Fort Worth Order No. 1–F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 2–F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 3–F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 4–F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 5–F, Amendment No. 6, filed 10:26 a. m.
Kansas City Order No. 2–F, Amendment No. 2, filed 10:25 a. m.

REGION VI

Chicago Order No. 2–F, Amendment No. 3, filed 10:28 a. m.
La Crosse Order No. 1–F, Amendment No. 1, filed 10:11 a. m.
La Crosse Order No. 1–F, filed 10:11 a. m.
La Crosse Order No. 1–F, Amendment No. 2, filed 10:12 a. m.
La Crosse Order No. 1–F, Amendment No. 3, filed 10:12 a. m.
La Crosse Order No. 1–F, Amendment No. 4, filed 10:13 a. m.
La Crosse Order No. 1–F, Amendment No. 5, filed 10:13 a. m.
La Crosse Order No. 3–F, Amendment No. 1, filed 10:17 a. m.
La Crosse Order No. 4–F, Amendment No. 1, filed 10:24 a. m.
La Crosse Order No. 5–F, Amendment No. 1, filed 10:24 a. m.
Moline Order No. 2–F, Amendment No. 3, filed 10:28 a. m.
North Platte Order No. 11, filed 10:14 a. m.
Sioux Falls Order No. 14, filed 10:15 a. m.
Twin Cities Order No. 1–F, Amendment No. 4, filed 10:17 a. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 6, filed 10:11 a. m.
Nevada Order No. 1–W, filed 10:38 a. m.
Nevada Order No. 8, filed 10:39 a. m.
Nevada Order No. 9, filed 10:42 a. m.
Nevada Order No. 12, filed 10:42 a. m.
Phoenix Order No. 3–F, Amendment No. 8, filed 10:39 a. m.
Los Angeles Order No. 1–F, Amendment No. 1, filed 10:30 a. m.
San Diego Order No. 1–P, filed 10:14 a. m.
San Diego Order No. 1–F, Amendment No. 23, filed 10:30 a. m.
Seattle Order No. 1–F, Amendment No. 5, filed 10:17 a. m.
Seattle Order No. 2–F, Amendment No. 4, filed 10:31 a. m.
Seattle Order No. 3–F, Amendment No. 5, filed 10:16 a. m.
Seattle Order No. 4–F, Amendment No. 5, filed 10:15 a. m.
Seattle Order No. 5–F, Amendment No. 4, filed 10:30 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–3158; Filed, March 4, 1944; 11:32 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-866, 70-865]

INLAND POWER & LIGHT CO. AND WESTERN LIGHT & TELEPHONE CO.

NOTICE OF FILING AND ORDER FOR CONSOLIDATION AND HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1944.

In the matter of Inland Power & Light Corporation, File No. 70-866; Western Light & Telephone Company, File No. 70-865.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (act) by John E. Dwyer, Trustee of Inland Power & Light Corporation (Inland), a registered holding company, and Western Light & Telephone Company (Western). All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Inland proposes to sell and Western proposes to purchase all of the outstanding 160,000 shares of common stock of The Kansas Power Company (Kansas), an electric utility subsidiary of Inland for $1,360,000 in cash. It is further proposed that (a) Inland is to receive all net earnings applicable to said shares of common stock from November 30, 1943, to the date of closing said sale, less $20,000, and (b) Inland is to receive any balance remaining in a fund presently being accrued ($278,000 at November 30, 1943) after satisfaction out of said fund of any outstanding Federal Income Tax liability of Kansas and (c) Western is to pay any excess of Federal Income Tax liability of Kansas if such liability is determined to be greater than the amount accrued in such fund and (d) Western is to pay any interest which may be payable upon any of such income tax liability.

Western proposes, in connection with such purchase, to issue serial notes in the aggregate amount of $500,000, all of said notes to mature within 24 months from the date of issue.

The applications and declarations further recite that Western proposes to register as a holding company under the act if the transactions are consummated and that sections 10, 11 (e) and 12 (d) of the act and Rule U-44 thereunder are applicable to the proposed transactions.

Inland requests that this Commission approve such proposed sale as a step which is necessary or appropriate to effectuate the provisions of section 11 (b) of the act in conformity with the provisions of sections 371 and 1808, as amended, of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It appearing to the Commission that the matters are related and involve common questions of law and fact; that evidence offered in respect to each of said matters may have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that evidence adduced in each matter may stand as evidence in the other for all purposes:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on March 17, 1944, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations shall become effective and why such applications shall be granted. Notice is hereby given of said hearing to the above-named declarants and applicants and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before March 14, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That the hearings on said matters be, and they hereby are, consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record in the other matters; and

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisition by Western will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

2. Whether the proposed acquisition by Western is detrimental to the carrying out of the provisions of the section 11 of said act.

3. Whether the proposed acquisition by Western will unduly complicate its capital structure or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding company system.

4. Whether the proposed accounting entries on the books of Western and Kansas conform to the requirements of said act.

5. Whether the consideration to be paid by Western and to be received by Inland is reasonable and bears a fair relationship to the sums invested and to the earning capacity of the utility assets underlying the securities which are the subject matter of the proposed transactions.

6. Whether competitive conditions have been maintained in the negotiations of the proposed transactions.

7. Whether such sale is a necessary step to effectuate the provisions of section 11 (b).

8. Whether and to what extent it is necessary or appropriate in the public interest to impose terms or conditions in regard to the proposed transactions, especially with respect to any required disposition by Western of utility or nonutility properties which are found to be not retainable under the provisions of said act.

9. Whether the proposed transactions are in the public interest or in the interest of investors and consumers and whether in all respects the proposed transactions comply with all the applicable provisions and requirements of said act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3171; Filed, March 6, 1944; 10:23 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 48

Washington, Wednesday, March 8, 1944

The President

PROCLAMATION 2607

"I AM AN AMERICAN DAY", 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Public Resolution 67, approved May 3, 1940 (54 Stat. 178), provides in part:

"That the third Sunday in May each year be, and hereby is, set aside as Citizenship Day and that the President of the United States is hereby authorized and requested to issue annually a proclamation setting aside that day as a public occasion for the recognition of all who, by coming of age or naturalization, have attained the status of citizenship, and the day shall be designated as 'I Am An American Day'.

"That the civil and educational authorities of States, counties, cities, and towns be, and they are hereby, urged to make plans for the proper observance of this day and for the full instruction of future citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside."

WHEREAS our nation has been enriched, both spiritually and materially, by the naturalization of many thousands of foreign-born men and women, and by the coming of age of great numbers of our youth, who have thereby achieved the full stature of citizenship; and

WHEREAS these citizens have strengthened our country by their services at home and on the battlefield:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the aforesaid public resolution, do hereby designate Sunday, May 21, 1944, as "I Am An American Day", and do set that day aside as a public occasion for the honoring of American citizenship by giving special recognition to all of our citizens who have attained their majority or have been naturalized during the past year; and I call upon Federal, State, and local officials, and patriotic, civic, and educational organizations to plan and hold, on or about May 21, exercises designed to assist our citizens, both native-born and naturalized, to understand more fully the great privileges and responsibilities of citizenship in our democracy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 6th day of March, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.,
Acting Secretary of State.

[F. R. Doc. 44-3264; Filed, March 7, 1944; 11:53 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[FPO 5, Rev. 2, Amdt. 2]

PART 1206—FERTILIZER

DELIVERY AND USE OF FERTILIZER

Schedule I attached to Food Production Order No. 5, Revision No. 2 (8 F.R. 14649; 9 F.R. 632), is hereby amended as follows:

To the list of approved grades of fertilizer for Idaho, grade 10-10-5 is added.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; EO. 9392, 8 F.R. 14783)

Issued this 6th day of March 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3256; Filed, March 7, 1944; 11:27 a. m.]

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SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-866, 70-865]

INLAND POWER & LIGHT CO. AND WESTERN LIGHT & TELEPHONE CO.

NOTICE OF FILING AND ORDER FOR CONSOLIDATION AND HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1944.

In the matter of Inland Power & Light Corporation, File No. 70-866; Western Light & Telephone Company, File No. 70-865.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (act) by John E. Dwyer, Trustee of Inland Power & Light Corporation (Inland), a registered holding company, and Western Light & Telephone Company (Western). All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Inland proposes to sell and Western proposes to purchase all of the outstanding 160,000 shares of common stock of The Kansas Power Company (Kansas), an electric utility subsidiary of Inland for $1,360,000 in cash. It is further proposed that (a) Inland is to receive all net earnings applicable to said shares of common stock from November 30, 1943, to the date of closing said sale, less $20,000, and (b) Inland is to receive any balance remaining in a fund presently being accrued ($278,000 at November 30, 1943) after satisfaction out of said fund of any outstanding Federal Income Tax liability of Kansas and (c) Western is to pay any excess of Federal Income Tax liability of Kansas if such liability is determined to be greater than the amount accrued in such fund and (d) Western is to pay any interest which may be payable upon any of such income tax liability.

Western proposes, in connection with such purchase, to issue serial notes in the aggregate amount of $500,000, all of said notes to mature within 24 months from the date of issue.

The applications and declarations further recite that Western proposes to register as a holding company under the act if the transactions are consummated and that sections 10, 11 (e) and 12 (d) of the act and Rule U-44 thereunder are applicable to the proposed transactions.

Inland requests that this Commission approve such proposed sale as a step which is necessary or appropriate to effectuate the provisions of section 11 (b) of the act in conformity with the provisions of sections 371 and 1808, as amended, of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It appearing to the Commission that the matters are related and involve common questions of law and fact; that evidence offered in respect to each of said matters may have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that evidence adduced in each matter may stand as evidence in the other for all purposes:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on March 17, 1944, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations shall become effective and why such applications shall be granted. Notice is hereby given of said hearing to the above-named declarants and applicants and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before March 14, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That the hearings on said matters be, and they hereby are, consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record in the other matters; and

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisition by Western will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

2. Whether the proposed acquisition by Western is detrimental to the carrying out of the provisions of the section 11 of said act.

3. Whether the proposed acquisition by Western will unduly complicate its capital structure or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding company system.

4. Whether the proposed accounting entries on the books of Western and Kansas conform to the requirements of said act.

5. Whether the consideration to be paid by Western and to be received by Inland is reasonable and bears a fair relationship to the sums invested and to the earning capacity of the utility assets underlying the securities which are the subject matter of the proposed transactions.

6. Whether competitive conditions have been maintained in the negotiations of the proposed transactions.

7. Whether such sale is a necessary step to effectuate the provisions of section 11 (b).

8. Whether and to what extent it is necessary or appropriate in the public interest to impose terms or conditions in regard to the proposed transactions, especially with respect to any required disposition by Western of utility or nonutility properties which are found to be not retainable under the provisions of said act.

9. Whether the proposed transactions are in the public interest or in the interest of investors and consumers and whether in all respects the proposed transactions comply with all the applicable provisions and requirements of said act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3171; Filed, March 6, 1944; 10:23 a. m.]

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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Chapter X—War Food Administration (Production Orders)

[3d Rev. F.P.O. 9, Order 2]

PART 1220—FEED

DELIVERIES OF PROTEIN MEAL BY COUNTY AGRICULTURAL CONSERVATION COMMITTEES

Effective March 15, 1944, in the State of Oklahoma and April 1, 1944, in the States of Texas and New Mexico, Order 2 (9 F.R. 561), issued December 18, 1943, pursuant to the authority contained in Food Production Order No. 9, Revision 3 (8 F.R. 16960), is hereby revoked: *Provided, however,* That said order shall be deemed to be in full force and effect for the purpose of sustaining any suit, action or other proceeding with respect to any violation thereof, or right accrued or liability incurred thereunder.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 6th day of March 1944.

D. A. FITZGERALD,
Acting Director of Food Production.

[F. R. Doc. 44–3257; Filed, March 7, 1944; 11:27 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 17, Amdt. 4]

PART 1407—DRIED FRUIT

RAISIN VARIETY GRAPES, ZANTE CURRANT GRAPES, RAISINS, AND ZANTE CURRANTS

Food Distribution Order No. 17, issued by the Secretary of Agriculture on January 30, 1943, as amended (8 F.R. 1706, 5793, 8795, and 12042), is further amended to read as follows:

§ 1407.2 *Restrictions relative to raisin variety grapes, Zante Currant grapes, raisins, and Zante Currants*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "raisin variety grapes" means Thompson Seedless, Muscat, and Sultana grapes, grown in Fresno, Kern, Kings, Madera, Merced, Stanislaus, San Joaquin, or Tulare Counties in the State of California, in the fresh or partially dried form.

(4) The term "Zante Currant grapes" means grapes of the Zante variety, grown in Fresno, Kern, Kings, Madera, Merced, Stanislaus, San Joaquin, or Tulare Counties in the State of California, in the fresh or partially dried form.

(5) The term "raisins" means raisin variety grapes preserved by the removal of a part of the natural moisture, and includes such fruit in the processed or unprocessed condition.

(6) The term "Zante Currants" means Zante Currant grapes preserved by the removal of a part of the natural moisture, and includes such fruit in the processed or unprocessed condition.

(7) The term "processing" means grading, sizing, stemming, seeding, or treating raisins or Zante Currants by the use of water, steam, chemicals, or compressed or hot air.

(8) The term "producer" means any person engaged in the production of raisin variety grapes or Zante Currant grapes; and such term includes, but is not limited to, any owner of such grapes at the time of the harvesting or picking of such grapes.

(9) The term "packer" means any person engaged in the business of processing and packaging raisins or Zante Currants.

(10) The term "dehydrator" means any person engaged in the business of drying raisin variety grapes or Zante

Currant grapes by the use of artificial heat or by sun drying.

(b) *Restrictions.* (1) No producer may sell or deliver any raisin variety grapes or any Zante Currant grapes, produced in 1943, except to (i) the Office of Distribution (including, but not being limited to, the Federal Surplus Commodities Corporation, or the Commodity Credit Corporation), or (ii) any person designated by the Director, or (iii) any dehydrator for the purpose of converting such grapes into raisins or Zante Currants. No producer may, unless specifically authorized by the Director, use more than 100 pounds of raisin variety grapes or Zante Currant grapes for any purpose other than for conversion into raisins or Zante Currants.

(2) No person may, unless specifically authorized by the Director, purchase or accept delivery of any raisin variety grapes or any Zante Currant grapes, produced in 1943, for any purpose other than for conversion into raisins or Zante Currants.

(3) No person may, unless specifically authorized by the Director, purchase, accept delivery of, or use any raisins or any Zante Currants, produced in 1943, for conversion into alcohol, brandy, wine, any other beverage (whether alcoholic or not), any concentrate, any syrup, or any other product or by-product.

(4) No person may sell any raisins or any Zante Currants, produced in 1943, for conversion into alcohol, brandy, wine, any other beverage (whether alcoholic or not), any concentrate, any syrup, or any other product or by-product except to (i) the Office of Distribution (including, but not being limited to, the Federal Surplus Commodities Corporation, or the Commodity Credit Corporation), or (ii) any person designated by the Director.

(5) Each person, other than a packer, shall, without regard to existing contracts, set aside on March 1, 1944, for delivery to the Office of Distribution, or any person designated by the Director, all of the unprocessed raisins produced in 1943, owned by him on March 1, 1944, or under contract to him on March 1, 1944, and hold such unprocessed raisins so set aside for a period of one year thereafter unless, during such period, said unprocessed raisins are acquired by the Office of Distribution or a person designated by the Director.

(6) No person may sell or deliver any raisin variety grapes, any Zante Currant grapes, any raisins, or any Zante Currants with knowledge or reason to believe that such quantity, or any portion thereof, thus sold or delivered is to be used in violation of this order.

(7) No dehydrator shall convert any raisin variety grapes into raisins by any method other than sun drying, unless specifically authorized by the Director.

(c) *Records and reports.* (1) The Director shall be entitled to obtain such information and require such reports and the keeping of such records by any person, as may be necessary or appropriate in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in raisin variety grapes, Zante Currant grapes, raisins, and Zante Currants.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of raisin variety grapes, Zante Currant grapes, raisins, and Zante Currants of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may file a petition for relief with the Regional Director, Office of Distribution, War Food Administration, 821 Market Street, San Francisco 3, California. Petitions for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on the petition by the Regional Director, he may, by requesting the Regional Director therefor, secure a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, and such action shall be final.

(f) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using raisin variety grapes, or Zante Currant grapes, or raisins, or Zante Currants, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Regional Director, Office of Distribution, War Food Administration, 821 Market Street, San Francisco 3, California, Ref: FDO 17.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Effective date.* This order shall become effective at 12:01 a. m., p. w. t., on the 4th day of March 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 17, as amended, prior to the effective time of this amendment said Food Distribution Order No. 17, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3164; Filed, March 4, 1944; 3:47 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 244]

COOPERATIVE SCHOOL REPORT

ORDER PRESCRIBING FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 213, entitled "Cooperative School Report," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Form 213 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 6, 1944.

[F. R. Doc. 44-3239; Filed, March 6, 1944; 4:23 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, Amdt. 1]

PRIORITIES ACTION BY FOREIGN ECONOMIC ADMINISTRATION

In § 903.39 *Directive 27* paragraph (c) is hereby amended by striking therefrom the second sentence, reading as follows: "Where a rating is assigned under paragraph (b), the legend shall also contain the following: 'This material is to be charged to the period from ---------- to ----------'".

[1] Form filed as part of the original document.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 6th day of March 1944.

J. A. KRUG,
Program Vice Chairman.

[F. R. Doc. 44-3241; Filed, March 6, 1944; 4:34 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-494, Stay of Execution]

LOUIS M. HERMAN COMPANY

Louis M. Herman, doing business as The Louis M. Herman Company, of Boston, Massachusetts, has appealed from the provisions of Suspension Order No. S-494, issued February 21, 1944, and has requested a stay on the ground that irreparable harm would be done his business if the suspension order were not stayed pending final determination of his appeal. In view of the foregoing, it is hereby ordered, that the provisions of Suspension Order No. S-494, issued February 21, 1944, are hereby stayed. This stay shall take effect upon date of issuance.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3242; Filed, March 6, 1944; 4:34 p. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT [1]

[Preference Rating Order P-43, as Amended Mar. 6, 1944]

LABORATORIES

Section 3296.106 [1] *Preference Rating Order P-43* is hereby amended to read as follows:

For the purpose of assisting laboratories in getting materials and to promote the national defense, preference ratings and an allotment symbol are hereby assigned to deliveries of such materials under the terms and within the limitations set forth in this order:

§ 3296.106 *Preference Rating Order P-43*—(a) *Definitions.* The meaning of various terms used in this order is set forth below:

(1) "Laboratory". Any person located in the United States, its territories or possesions, who carries on scientific or technological investigation, testing, development or experimentation as his regular business or in the course of his business and who buys any materials especially for that purpose is considered a "laboratory" under this order in making such purchases, even though he does not have a separate department or organization in his company or institution for these activities. The term "laboratory" includes research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale or public distribution, even though the place in which the products are manufactured may be called a laboratory. "Serial-numbered laboratory" means a laboratory which has been assigned a serial number under this order. (Paragraph (g) explains how to apply for a serial number.)

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind. The term includes, but is not limited to, maintenance, repair and operating supplies for laboratories, equipment and instruments designed for use in laboratories, and other materials needed to carry on scientific or technological investigation, testing, development or experimentation. The term also includes such items as hand tools and safety equipment purchased by a laboratory for sale to its employees for use only in the laboratory activities. The term does not include chemicals prepared and packed for reagent use, which may be obtained in the manner provided in Order P-135.

(b) *How a laboratory gets controlled materials.* A laboratory may get controlled materials (as defined in CMP Regulation 1) needed for carrying on scientific or technological investigation, testing, development or experimentation by placing on its order the allotment symbol V-9, and the certification set forth in Priorities Regulation 7, or the following certification:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required to carry on scientific or technological investigation, testing, development or experimentation, and that this order is placed in compliance with Preference Rating Order P-43.

Such an order is an authorized controlled material order for the purpose of all CMP Regulations.

(c) *How a laboratory gets Class A products.* A laboratory may get Class A products needed for carrying on scientific or technological investigation, testing, development or experimentation by placing on its order the preference rating AA-2 (or AA-1 in the case of serial-numbered laboratories or laboratories operated by the Army or Navy of the United States) and the certification set forth in Priorities Regulation 7 (or the certification set forth in paragraph (b) above) plus the following statement:

You are authorized to use the allotment symbol V-9 to order controlled materials and Class A products needed to fill this order or contract.

Serial-numbered laboratories must include their serial number in the certification. It is not necessary to show the weight of controlled material on such an order. The manufacturer of a Class A product who receives an order so endorsed may place an authorized controlled material order for controlled materials required to manufacture the product by using the symbol V-9 and the certification set forth in Priorities Regulation 7. If he requires an A component for the A product, he may use the same procedure as the laboratory uses in ordering A products; that is, he may place on his order the preference rating received from the laboratory, using the Priorities Regulation 7 certification plus the statement set forth above in this paragraph (c). The manufacturer of the A product may buy the other materials and products he needs to make the A product by placing the preference rating he received from the laboratory and the allotment symbol V-9 on his order with the certification set forth in Priorities Regulation 7.

(d) *How a laboratory gets other materials and products.* A laboratory may get the other materials and products needed for carrying on scientific or technological investigation, testing, development or experimentation by placing on its order the preference rating AA-2 (or AA-1 in the case of serial-numbered laboratories or laboratories operated by the Army or Navy of the United States) and symbol V-9, and the certification of Priorities Regulation 7 (or the certification set forth in paragraph (b) above). Serial-numbered laboratories must include their serial number in the certification.

(e) *Use of priorities assistance for construction.* (1) The priorities assistance provided by this order may be used to get materials for maintenance and repair of buildings or structures without getting permission under Order L-41 (Construction). The term "maintenance and repair", as used in this paragraph, means the work necessary to keep a building or structure in sound working condition or to fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like.

(2) The priorities assistance provided by this order may also be used to get materials for construction jobs (other than maintenance and repair) needed to carry on scientific or technological investigation, testing, development or experimentation where the cost of the job does not exceed $500. (In determining the cost of a construction job, the laboratory's cost of labor and the cost of any equipment which is being installed to carry on scientific or technological investigation, testing, development or experimentation, may be excluded. No construction job shall be subdivided for the purpose of coming within the $500 limit.) Under Order L-41 any such construction job may be carried on without getting permission to begin construction under Order L-41. All other construction may be carried on only to the extent permitted under the provisions of Order L-41. The

[1] Formerly Part 3277, § 3277.1.

term "construction", as used in this paragraph, means putting up or altering any sort of a building and the installing of equipment or fixtures.

(f) *Restrictions on use of this order and materials obtained under it.* (1) The priorities assistance provided to laboratories by this order may not be used to get materials for developmental or experimental activities in connection with products or materials designed primarily for future civilian markets unless such activities will be carried on without diverting any manpower, technical skill, or facilities from activities connected with the war effort. No serial-numbered laboratory shall use the AA–1 preference rating assigned by this order to get materials for carrying on developmental or experimental activities in connection with products or materials designed primarily for future civilian markets.

(2) Materials obtained under this order may be used to make experimental models or test runs of material, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items; nor shall such items, if designed primarily for future civilian markets, be exhibited to the public.

(3) So far as practicable, no serial-numbered laboratory shall use the AA–1 preference rating assigned by this order to get materials for use in activities other than research and production control. For example, no educational institution which has been assigned a serial number shall use the AA–1 rating to purchase materials which are to be used only for instructional laboratory purposes, and no hospital which has been assigned a serial number shall use the AA–1 rating to purchase materials which are to be used only for clinical laboratory purposes. However, the AA–2 rating which is assigned to non-serial-numbered laboratories may be used for such instructional or clinical purposes.

(4) The priorities assistance provided by this order shall not be used to get materials for the production of any facility which is intended to be used to produce products or materials on a commercial scale, even though such facility may involve new features or developments. However, the priorities assistance may be used to get materials for the production of experimental models which are intended to be used only in developmental or experimental activities.

(5) The preference ratings assigned by this order shall not be applied to the delivery of any item appearing on List A or B of Priorities Regulation 3, except as specifically permitted in List B with respect to laboratory instruments and equipment.

(6) Material obtained under this order shall not be used for any purpose except scientific or technological investigation, testing, development or experimentation, within the limits stated above in this paragraph (f). Physical segregation of inventories is not required, but adequate records should be kept to show, quantitatively, that material obtained under this order is not used for other purposes.

(g) *Assignment of serial numbers.* Any laboratory desiring a serial number under this order may apply to the War Production Board on Form WPB–167 (formerly Form PD–107), in triplicate, for the assignment of a serial number. Serial numbers will be assigned only to laboratories which are engaged in research or production control activities and then only in cases where the War Production Board, in its discretion, determines (1) that the activities of the laboratory are highly essential in the prosecution of the war, and (2) that the assignment of a serial number is necessary in furtherance of the war effort.

(h) *Reports by serial-numbered laboratories.* Whenever the War Production Board shall so direct, each serial-numbered laboratory shall file with the War Production Board a report on Form WPB–3456 setting forth the principal activities of the laboratory and all other information required by the form. Failure of any serial-numbered laboratory to file the required report when directed to do so by the War Production Board shall be sufficient cause for revocation of the serial number. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Effect on other orders.* (1) Except as otherwise provided herein, nothing in this order shall be construed to relieve any laboratory from complying with any applicable regulation or order of the War Production Board (including orders in the "E", "L" and "M" series) or with any order of any competent authority. Specifically, the assignment of preference ratings and an allotment symbol by this order does not relieve any laboratory from complying with the provisions of Limitation Order L–144 with respect to laboratory equipment.

(2) The quantity restrictions set forth in paragraph (f) of CMP Regulations 5 and 5A shall not be applicable to any laboratory obtaining material under this order.

(j) *Inventory restrictions.* No laboratory shall at any time accept delivery of any material (whether or not such material is obtained pursuant to this order) if the laboratory already has a practicable minimum working inventory thereof or if the acceptance of the material will cause such laboratory to have an inventory of the material in excess of a practicable working minimum, as provided in § 944.14 of Priorities Regulation 1. Furthermore, no laboratory shall accept delivery of any controlled material if acceptance of the controlled material would cause it to violate the inventory limitations of CMP Regulation 2.

(k) *Use of other ratings or allotment numbers or symbols.* Nothing contained in this order shall prevent any laboratory from using any ratings or allotment numbers or symbols which it may be entitled to use by reason of any preference rating certificate or any other order or regulation of the War Production Board; but the ratings assigned by this order shall be effective, notwithstanding the provisions of paragraph (k) (1) of CMP Regulation 5 and paragraph (l) (1) of CMP Regulation 5A.

(l) *Penalties for misrepresentation or other violations.* (1) The placing of any order bearing a certification or symbol as provided by this order shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U.S.C. 80), that the person placing the order is entitled, under the terms of this order, to use of the symbol or preference rating indicated thereon.

(2) Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Records.* Each laboratory acquiring materials pursuant to this order shall keep and preserve, for a period of not less than two years, accurate and complete records of all materials so acquired. Such records shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(n) *Communications to War Production Board.* All communications concerning this order and all applications and reports shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: P–43.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3216; Filed, March 6, 1944; 11:15 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[Preference Rating Order P–43, Interpretation 1, Revocation]

LABORATORIES

Interpretation 1 of this order, issued January 23, 1942, is superseded by Order P–43, as amended March 6, 1944.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3240; Filed, March 6, 1944; 11:15 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[Preference Rating Order P–43, Direction 1, Revocation]

LABORATORIES

Direction 1 to this order, issued December 24, 1943, is superseded by para-

graph (h) of Order P-43, as amended March 6, 1944.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3215; Filed, March 6, 1944; 11:14 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41 as Amended Mar. 7, 1944]

§ 1075.1 *Conservation Order L-41*—(a) *What this order does.* This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection will be required (electricity, gas, water, steam or telephone), it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained *before* beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) $200 for a house, including the entire residential property.

(2) $1,000 for a farm, including the farm house; a farm means a place used for raising crops, livestock, dairy products, poultry, etc., primarily for the market.

(3) $1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) $200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is $1,000 for a unit containing more than five establishments of this kind.

(5) $1,000 for a church, hospital, school, college, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) $1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal or for a railroad or street railway building or group of buildings.

(7) $1,000 for an irrigation or drainage system serving more than one farm.

(8) $1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes.

(9) $1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) $1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) $1,000 for a building or group of buildings which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1, and which will be owned by a utility producer as defined in that paragraph, or which will be used directly in furnishing communication services and which will be owned by an operator as defined in paragraph (a) (1) of Order U-2, or in paragraph (a) (1) of Order U-6, or which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) $5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is $200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) $200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating buildings with materials such as storm windows and doors, pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation, and weather stripping.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe.

(10) Various kinds of construction connected with farms, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities and laboratories, as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and

to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not know about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, except that the cost of used material or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them, their value must be included as part of the cost.

(3) The cost of processing machinery or equipment need not be included but the cost of installing it and the cost of plumbing, heating, and air conditioning equipment and of all other equipment not used directly in the processing of materials must be included.

(4) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included but architects' and engineers' fees need not be.

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is $200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, razors, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, barroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order L-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction on structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order issued by the Petroleum Administrator for War. (Construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order.)

3. Construction of telephone and telegraph facilities or equipment, other than buildings, if authorized or permitted under the terms of Order U-2 (§ 4501.1) or Order U-6 (§ 4501.21).

4. Laying railroad tracks, together with the construction of necessary operating facilities, but not including buildings, tunnels, overpasses, underpasses, or bridges.

5. Construction of facilities (other than buildings) which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1 and which will be owned by a utility "producer" as defined in that paragraph.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P-141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certification.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations; also the construction of timber access roads financed wholly or in part by defense highway appropriations.

10. Construction which is given priorities assistance under Order P-89 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities assistance under Order P-68 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities and equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted under P-133 for such work.

13. Construction which is given priorities assistance under Order P-43 (relating to laboratories).

SCHEDULE C

NOTE: Schedule C amended Mar. 7, 1944.

Application forms to be used in obtaining permission to begin construction under L–41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Type of construction	Application form	Where filed
Farm construction, including farm dwellings	WPB–617 (formerly PD–200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing for 8 families or less per building; and hotels and apartment houses for 6 or more families providing additional living quarters for war workers.	WPB–2896 (formerly PD–105).	FHA Field Office having jurisdiction over the site.
Hotels, and apartment houses for 6 or more families not providing additional living quarters for war workers:		
Total cost less than $25,000	WPB–617 (formerly PD–200).	WPB District Office having jurisdiction over the site.
Total cost $25,000 or more	WPB–617 (formerly PD–200).	WPB, Washington, D. C.
Public roads	PR 1 PA	State Highway Department having jurisdiction over the site.
Water, gas, steam, electricity or telephone facilities for use by public.	WPB–2774	WPB, Washington, D. C.
Factories, plants and other industrial units; and all other kinds of construction not listed above:		
Total cost less than $25,000	WPB–617 (formerly PD–200).	WPB District Office having jurisdiction.
Total cost $25,000 or more	WPB–617 (formerly PD–200).	WPB—Washington, D. C.

In cases where Tax Amortization privileges are requested, the application to begin construction, together with the application for Certificate of Necessity should be filed with the War Production Board, Washington, D. C. rather than as designated above.

"Total cost" as used in Schedule C includes the cost or value of used materials and fixtures, processing machinery and equipment and architects' and engineers' fees, although these are not included in "cost" for the purpose of determining how much construction may be done under paragraphs (c) and (d) of L–41 without getting permission under that order.

NOTE: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE D

NOTE: Schedule D amended Mar. 7, 1944.

The following preference rating orders or certificates are referred to in paragraph (g). If you have received one of these orders or certificates for your construction, the construction is permitted by the WPB:

P–19–h, CMPL–224, GA–1456	Relating to projects important to the war effort or essential civilian needs.
P–55–b, WPB–2896	Housing.
WPB–2774	Relating to utility facilities.
WPB–542, PD–3A	Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
P–14–a, P–14–b, P–19, P–19–a, P–19–d, P–19–e, P–19–g, P–19–i, P–41, P–55–b, P–55–amended, P–110, PD–3, CMPL–127	These orders and certificates are no longer used, but jobs which were authorized by them may go on.

INTERPRETATION 1

[Superseded by L–41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

INTERPRETATION 2

Conservation Order L–41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 13, 1943)

INTERPRETATION 3

EARTH-MOVING OPERATIONS

Under the provisions of paragraph (d) § 1075.1 *Conservation Order L–41* it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion. (Issued Nov. 23, 1943)

[F. R. Doc. 44–3246; Filed, March 7, 1944; 11:17 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–192 as Amended Mar. 7, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export, of rubber and other materials used in the production of construction machinery and equipment and repair parts; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 *Limitation Order L–192.*

(a) [Revoked Jan. 10, 1944]

(b) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time.

(c) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of equipment.

(3) "Equipment" means that construction machinery and equipment listed in Schedules A, B, and D attached hereto, but shall not include any equipment on rubber tired chassis or running gear built for or usable for the transportation of commodities or persons.

(4) "New", when applied to equipment, means any equipment which has never been received or accepted by any person acquiring it for use.

(5) "Repair part" means any part manufactured for use in the repair and maintenance of equipment; but does not include components or attachments which change the functional operations of the equipment as originally shipped.

(6) "War agency" means the Army, Navy, Maritime Commission, War Shipping Administration and the military forces of any foreign country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend–Lease Act).

(7) "United States" means the United States of America and its territories and possessions.

(8) "Supplier" means any producer, dealer, distributor or other person engaged in the business of selling equipment or repair parts.

(9) "Dealer or distributor" means any person who is engaged in the business of purchasing equipment or repair parts for the purpose of resale.

(d) *Procedure for placing and receiving equipment orders*—(1) *For Schedule A equipment.* No person shall place or accept any order for new equipment listed in Schedule A, except according to the following procedure:

(i) Every person, except a war agency, desiring to place such an order shall file an application for authorization to purchase on Form WPB–1319 in quintuplicate with the War Production Board regional office in the region in which such person desires to use such equipment. Such application when approved by the War Production Board shall establish all conditions under which such order may be placed with the supplier including the assignment of preference ratings if not previously granted.

(ii) Every person, except a war agency who applies for such equipment by filing Form WPB–1319 thereby makes representation that he has complied with all the terms of Limitation Order L–196 as amended.

(iii) A war agency shall furnish the Construction Machinery Division, War Production Board, Washington 25, D. C. with Form WPB–1319 made out in duplicate at the time that any order for such equipment is placed with a producer.

(iv) No person shall accept an order for such equipment from any person except a war agency, unless such order is accompanied by such authorization on Form WPB–1319.

(2) *For Schedule B equipment.* Nothing in this order shall prevent any person from placing or accepting an order for new equipment listed in Schedule B, subject to all applicable regulations of the War Production Board.

(3) [Revoked Jan. 10, 1944]

(4) Except as provided in paragraph (e) (2), nothing in this order shall prevent any person from placing or accepting an order for new equipment listed in Schedule D, subject to all applicable regulations of the War Production Board.

(e) *Restrictions on production of equipment.* (1) No producer shall use or put into process any materials for the production or assembly of

(i) Any new equipment except in accordance with such production schedules as may be approved by the War Production Board as provided in paragraph (f) hereof;

(ii) [Revoked Jan. 10, 1944]

(iii) Any parts to be physically incorporated into new equipment in excess of those required by approved production schedules: *Provided,* That this subparagraph (e) (1) (iii) shall not apply to the production of repair parts or components or attachments;

(iv) [Revoked Jan. 10, 1944]

(2) In addition to such limitations and prohibitions as may be imposed by Order L–217 and all schedules thereto, no producers shall use or put into process any materials for the production or assembly of any equipment listed in Schedule D.

(f) *Production schedules.* (1) On or before the 15th day of each calendar month, every producer shall file in quadruplicate on Form WPB–1689 a statement of his production for the previous month and his proposed production schedule of all new equipment projected for all additional monthly periods for which production may be planned. Approval or modification of such production schedule of all new equipment for the three calendar months succeeding such filing, or for such shorter time as production may be planned, will be indicated on an approved copy of said Form WPB–1689 returned to such producer prior to the first day of the calendar month succeeding such filing. Except as provided in paragraph (f) (2) hereof, no producer shall change his production schedules as approved or changed by the War Production Board without specific authorization of the War Production Board.

(2) Any producer of new equipment listed in Schedule B may produce all or any one or more items of such equipment appearing on his approved production schedules on Form WPB–1689 at any time during the months for which the schedules were approved, and need not therefore in that regard produce in strict accordance or sequence with the individual monthly production schedules approved: *Provided,* That the total quantity of each item produced during such period shall not exceed that authorized on such approved schedules.

(3) In scheduling production of equipment for delivery to persons other than war agencies, it will be the general policy of the War Production Board to allow each producer a quarterly production quota based on the ratio of his production in the period 1937–1941, inclusive, to the total production of all producers during that period. For example, if a producer's production of a particular type of equipment during the period 1937–1941, inclusive, was 10% by dollar value of the total production of that type by all producers during that period, it will be the general policy to allow him in each calendar quarter a quota of 10% of the total approved production of that type of equipment for delivery to persons other than war agencies.

(g) *Inventory reports.* On or before the 15th day of each calendar month, every producer shall file in quadruplicate on Form WPB–1689, a statement of finished unsold inventory, as of the last day of the preceding calendar month, of new equipment including that in the possession of his dealers and distributors. Every dealer and distributor, on the fifth day of the month, shall report his inventory of new equipment as of the last day of the preceding calendar month to the producer from whom such equipment was purchased, or, if not purchased, to the producer for whom the distributor or dealer is acting as agent.

(h) *Prohibiting transfer and use of new equipment.* No producer shall use for other than experimental or demonstration purposes, or sell, lease, trade, lend, deliver, ship or transfer any new equipment unless

(1) [Deleted Jan. 10, 1944]

(2) Such use, sale, lease, trade, loan, delivery, shipment or transfer has been specifically approved by the War Production Board as follows:

(i) On or before November 25, 1942, and on or before the 15th day of each succeeding calendar month, every producer shall file in quadruplicate on Form WPB–1689 a statement showing his proposed delivery schedule of all unfilled orders of new equipment, his shipments made during the calendar month previous to filing, and also his shipments during the current month to the date of filing. Approval of a delivery schedule of all new equipment for the calendar month succeeding such filing, whether or not such equipment is actually shipped during that month, will be indicated on an approved copy of said form returned to such producer prior to the first day of that month.

(ii) [Deleted Jan. 10, 1944]

(iii) The War Production Board may at any time revoke any delivery authorization provided for in subparagraph (h) (2) (i) above as to any or all new equipment included therein, direct or change the schedule for deliveries of any new equipment, allocate any order for any new equipment listed on a producer's Form WPB–1689 to any other producer, or direct the delivery of any new equipment to any other person, at regularly established prices and terms.

(iv) Except as provided in subparagraph (h) (2) (v) hereof, and notwithstanding any preference rating heretofore or hereafter granted, no producer shall change his schedule of deliveries of any new equipment as approved or changed by the War Production Board, without specific authorization of the War Production Board.

(v) Any producer may deliver any item of new equipment listed in Schedule B to the amount permitted by approved production schedules regardless of his schedule of deliveries of such equipment as listed on his current Form WPB–1689. Such deliveries shall be subject to all applicable Regulations of the War Production Board.

(i) *Restrictions on resale, rental and use.* (1) Every person, except a war agency, to whom delivery of any new equipment listed in Schedule A has been authorized pursuant to this order, must use such equipment on the project described in the authorization to purchase and will be subject to the provisions of paragraphs (i) (2) and (i) (3) hereof.

(2) Every person except a war agency, thirty days prior to the sale, lease or use on any other project of such equipment, shall complete, sign and return Form WPB 1333 to the Used Construction Machinery Regional Specialist in the War Production Board Regional office in the region in which the WPB–1319 was originally approved for such equipment.

(3) The War Production Board at any time on two weeks' written notice, may require any such person who owns such equipment to sell, lease, or use such equipment as directed.

(4) Nothing in this order shall be deemed to affect the applicability of Limitation Order L–196.

(j) *Restrictions on sale and delivery of repair parts.* A supplier must not sell or deliver repair parts to any person unless the sale or delivery is permitted by one of the following subparagraphs:

(1) *Repairs for current use.* A supplier may sell or deliver repair parts to any person for current use if the purchaser certifies that he will need the parts to replace worn out parts within 30 days after receiving them. The certification must be in substantially the following form: "Authorized under Order L–192—current use". This certification shall constitute a representation to the War Production Board that the repair parts ordered are required to replace worn out parts within 30 days after receipt of the parts ordered and are not for stock; that the purchaser does not have other parts on hand or on order with any other supplier for this purpose; and that the purchaser has complied with the provisions of Limitation Order L–196 (if the equipment for which the repair parts are sought is subject to the provisions of Limitation Order L–196). The purpose of this subparagraph (1) is to release by certification repair parts

which will be put immediately (or within 30 days after receipt) into construction machinery in order that such machinery may be kept operating or put into condition to operate. This subparagraph (1) is not intended to permit the purchase of repair parts for stock. Paragraph (j) (4) tells how an equipment owner can get authorization on Form WPB–1319 from the War Production Board to purchase a stock of repair parts.

Exception. The above certification for current use must not be used for parts orders over $1000 if such parts are to be used for crawler, walker or truck type shovels, cranes or draglines, with a rated capacity of less than 2½ cubic yards. Parts orders over $1000 for current use for such machines must be approved on Form WPB–1319, in accordance with subparagraph (4) below, before the sale or delivery can be made. Repair parts purchase or delivery orders must not be subdivided for the purpose of coming within this $1000 limitation.

(2) *War agencies and persons repairing war agency equipment.* (i) This paragraph (j) does not restrict the sale or delivery of repair parts to war agencies for direct use by them.

(ii) A supplier may sell or deliver repair parts to any person who has contracted to repair equipment owned by a war agency if the purchaser certifies that the parts will be used only to repair equipment owned by the war agency. The certification must be given in substantially the following form: "Authorized under Order L–192—war agency contract". This certification shall constitute a representation to the War Production Board that the buyer has contracted to repair equipment owned by a war agency and that the parts ordered will be used only for the repair of that equipment.

(3) *Exports.* A supplier may sell or deliver repair parts for export on any purchase order for $50 or less if the purchaser certifies that the parts are for export. The certification must be given in substantially the following form: "Authorized under Order L–192—for export". This certification shall constitute a representation to the War Production Board that the parts ordered are for export. If the purchase order is for more than $50, it must be approved on Form WPB–1319, as explained in the next subparagraph. However, nothing in this order shall be deemed to relieve any person from the necessity of getting an export license from the Foreign Economic Administration where such license is required.

(4) *Specific authorization to buy repair parts.* A supplier may sell or deliver repair parts for stock or any other purpose not provided for above if the purchase or delivery of the repair parts has been specifically authorized by the War Production Board. Application for this authorization and for a preference rating, if none has been previously assigned, may be made by filing Form WPB–1319, in quadruplicate, with the Washington office of the War Production Board. When a person receives authorization on Form WPB–1319, to purchase repair parts, he may give his supplier the authorization along with his purchase order or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L–192—on Form WPB–1319". This certification shall constitute a representation to the War Production Board that the purchase or delivery of the repair parts ordered has been specifically authorized by the War Production Board on Form WPB–1319.

(5) *Sales to producers.* This paragraph (j) does not restrict the sale or delivery of repair parts to producers.

(6) *Sales to dealers and distributors.* Unless otherwise specifically directed by the War Production Board, this paragraph (j) shall not restrict the sale or delivery of repair parts to dealers or distributors located in the United States or Canada.[1] However, a dealer or distributor located in the United States must not purchase repair parts under this exemption to repair construction equipment owned by him. If he wants to use repair parts for that purpose, he may do so by following the procedure of paragraph (j) (1) above. For example, if he is getting repair parts from another supplier for the repair of his own equipment, he must give the certification of paragraph (j) (1) or the WPB–1319 authorization to the other supplier; if he wants to repair his equipment with parts which he originally acquired for resale, he may do so and, in that case, the certification or the WPB–1319 authorization must be placed in his file.

(7) *Orders received before March 20, 1944.* Suppliers may make delivery of repair parts on any order received before March 20, 1944, if the order has been placed in accordance with paragraph (j) of Order L–192, as amended January 10, 1944.

(k) *Certification.* Each L–192 certification provided for in paragraph (j) must be signed manually or as provided in Priorities Regulation 7. If the person signing an L–192 certification is using a preference rating on his order, he may add the L–192 certification to any certification used to apply the preference rating instead of giving two separate certifications. The standard certification of Priorities Regulation 7 must not be used instead of the L–192 certification, although the standard certification may be used along with it in applying a preference rating. A supplier may rely on any such L–192 certification unless he knows or has reason to believe it to be false.

(l) *Spares.* Orders for repair parts intended to be used as spares for new equipment listed in Schedule A must be placed with the producer at the same time as the order for such new equipment and must be listed on the Form WPB–1319, on which the new equipment is listed.

(m) *Allocation of repair parts production.* No producer shall deliver to war agencies in any one month any repair part whatsoever in excess of 75% of his sales of that repair part during the month, if the delivery would prevent deliveries of such repair part to fill orders properly placed by other persons. Similarly, no producer shall deliver to other persons in any month more than 25% of his sales of any repair part if the delivery would prevent the filling of orders for delivery of such repair part to war agencies. "Other persons", as used in this paragraph, shall not include dealers or distributors who have ordered repair parts for their stock or inventory. A dealer or distributor, in placing a purchase order with a producer for repair parts for which he has received a customer's order that he is unable to fill out of his stock, may state on his purchase order to the producer whether the repair part is being ordered for a war agency or not. If the repair part is being ordered for a war agency, delivery by the producer on such order shall be considered a delivery to a war agency for the purpose of this paragraph. If the repair part is being ordered for a person other than a war agency, delivery by the producer on the order shall be considered a delivery to "other persons" for the purposes of this paragraph.

(n) *Filling repair parts orders upon specific direction of the War Production Board.* A producer shall, upon the specific direction of the War Production Board on Form WPB–1319, make delivery of any repair part to fill any order specified in such direction. When application has not previously been filed, the person authorized to receive such repair part shall return to the War Production Board a signed copy of Form WPB–1319 as confirmation of the application. However, confirmation copies need not be filed by War agencies.

(o) *Substitution and conservation of critical materials.* In the manufacture of any item of equipment or repairs parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin,

[1] If a dealer or distributor located in the United States wants a preference rating to increase the size of his stock of repair parts, or to establish a new stock of repair parts for resale, he may apply for a preference rating on Form WPB–547 (formerly PD–1X) for repair parts to be obtained from a manufacturer. Such a dealer or distributor may, of course, extend any preference ratings received from his customers.

cadmium, or fabricated rubber products where the use of other less critical materials will not impair the efficiency of operation of such item.

(p) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, purchases, production and sale.

(q) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(r) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(s) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(t) *Communications.* All communications concerning this order, except where specific reference is made therein to the contrary, shall be addressed to Construction Machinery Division, War Production Board, Washington 25, D. C., Ref: L–192.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Angledozers and modifications thereof
Batchers, construction material
Batching plants, construction type
Bins, construction material, portable
Bins, construction material stationary
Brooms, contractors rotary
Buggies and carts, concrete, hand operated
Buggies and carts, concrete, power propelled
Bulldozers and modifications thereof
Chutes, concrete handling
Concrete surfacing machines, highway type
Conveyors, construction material, portable belt type and for portable plants
Cranes, crawler mounted power
Cranes, tractor mounted power and modifications thereof
Cranes, rubber tired mounted power except freight handling lift trucks
Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those intermediate sizes as indicated in Schedule D (Ref: L–217), and except those sizes of a type designed exclusively for mining and smelting
Crushers, roll, construction aggregates, portable type, except those sizes and types as indicated in Schedule D (Ref. L–217)
Crushing plants, portable type
Derricks, guy, contractors and material handling, stationary type
Derricks, stiff leg, contractors and material handling, stationary type
Discs, road, harrow type for construction work
Discs, road, wheel mounted type
Distributors, bituminous
Distributors, water (street sprinklers and flushers)
Ditchers, blade
Ditchers, ladder
Ditchers, wheel
Draglines (see cranes)
Draglines, slack line
Draglines, walking
Dredges and dredge equipment, except mining
Drilling machines, blast hole drills, churn drill type
Drilling machines, portable water well, churn drill type
Drilling machines, rock portable mounted
Dryers, construction aggregate
Earth boring machines, vertical auger type (except post hole diggers)
Excavators (see power shovels)
Finegraders and subgraders, self-propelled type
Finishers, concrete paving
Finishers, bituminous paving
Finishers and rodding machines for wet concrete
Forms, concrete road
Graders, blade or pull type earth moving
Graders, elevating earth moving
Graders, self-propelled earth moving
Graders, under truck type
Grapples
Hammers, pile
Heaters, and circulators, tank car
Hoists, contractor and material handling exceeding 6,000 pounds line pull at 250 FPM line speed or exceeding 1,300,000 foot pounds effort based on second wrap of cable
Hoppers, portable concrete
Jacks, mud
Loaders, portable bucket (other than drag, flight or scraper type coal conveyors)
Loaders, portable snow
Logging arches, tractor drawn
Maintainers, road
Maintainers, shoulder
Mixers, aggregate pulverizer
Mixers, agitator concrete truck type, except those sizes and types as indicated in Schedule D (Ref. L–217)
Mixers, concrete truck mounted with elevating towers
Mixers, concrete construction, above 7 cubic feet except those sizes and types as indicated in Schedule D (Ref. L–217)
Pavers, concrete
Plants, stabilizing
Plants, asphalt, including travel mix type
Plants, bituminous patch, hot or cold mixer type (more than 10 ton per hour capacity)
Plows, cable laying
Plows, snow (rotary and blower types)
Plows, snow (V and blade types—truck, tractor, grader or railroad mounted, including wings)
Power control units for tractors (both cable and hydraulic)
Pumps, concrete, except for well cementing
Pumps, portable engine or electric-motor-driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, except those sizes and types as indicated in Schedule D (Ref. L–217)
Rippers, road
Rollers, road pneumatic tired
Rollers, road portable
Rollers, tamping and sheepsfoot
Rollers, road tandem
Rollers, road three wheeled
Scarifiers—complete machines not attachments
Scrapers, carrying and hauling, both drawn and self-propelled, except sizes listed in Schedule D
Screening plants, portable type
Shovels, crawler mounted power
Shovels, rubber tired mounted power
Shovels, tractor mounted power
Sprayers, (maintenance units) bituminous material (over 300 gallon capacity)
Spreaders, concrete paving
Sweepers, street
Sweepers, street motor pick-up
Towers, concrete placing
Towers, material elevating
Wagons, crawler trailer (contractors', logging cane, etc.)
Wagons, logging (wheel type)
Washing and screening plants, portable type
Wheels, crawler trailer (complete assemblies)
Winches, tractor mounted

SCHEDULE B

Backfill tampers
Breakers, paving
Buckets, clamshell [1]
Buckets, concrete [1]
Buckets, dragline [1]
Buckets, orange peel [1]
Buckets, scraper (bottomless) for dragline operation [1]
Clay diggers
Concrete surfacing machines, hand carried type
Derricks, small stiff leg, guy, pole, tripod, and setter types with hand power hoists or winches of not over 4 ton maximum capacity
Drills, jack hammer
Drills, rock, except portable mounted
Form tamping and pulling machines
Heaters, asphalt surface
Heaters, concrete mixer
Hoists, contractors and material handling, hand type and power driven having specifications not exceeding 6,000 pounds line pull at 200 FPM line speed or not exceeding 1,300,000 foot pounds effort based on second wrap of cable
Joint and crack filling machines
Kettles, bituminous heating
Mixers, concrete construction, 7 cubic feet and smaller; except those sizes and types as indicated in Schedule D (Ref. L–217)
Mixers, plaster and mortar
Paving breakers
Plants, bituminous patch, hot or cold mixer type (10 ton per hour capacity and under)
Post hole diggers, vertical auger type (power driven)
Pumps, portable engine or electric motor driven pumping units, mounted on skids, with or without handles, or trailer mounted 90,000 gallons per hour and smaller self-priming centrifugal pumps, plunger pumps, or diaphragm pumps ordinarily used for contractors purposes or by contractors for dewatering and supply, excluding farm type, industrial type and underwriters approved fire fighting pumps; except those sizes and types as indicated in Schedule D (Ref. L–217)
Screen, rotary, vibrator and gravity types, other than coal, mining, industrial or those for screening mud on well drilling, used as a component part of or replacement for a portable crushing, screening or washing plant.
Sprayers, (maintenance units) bituminous material (300 gallon capacity and smaller)
Spreaders, construction material
Vibrators, concrete
Winches, contractor (see hoists)

SCHEDULE C

[Revoked Jan. 10, 1944, and items transferred to Schedule A]

[1] This item may be purchased as a repair part if it is being purchased to replace a similar item that is worn out.

SCHEDULE D

The manufacture of items of equipment appearing in Schedule D will be discontinued in accordance with paragraph (e) (2).

Any item to the extent prohibited by any schedule to Limitation Order L–217
Finegraders and subgraders, drawn type
Joint levellers
Scrapers, carrying and hauling, over 15 cu. yd. struck capacity
Scrapers, drag, fresno and rotary over 27 cubic feet (or one cubic yard) capacity except those under jurisdiction of Limitation Order 257

INTERPRETATION 1: Revoked Jan. 10, 1944.

[F. R. Doc. 44–3247; Filed, March 7, 1944; 11:16 a. m.]

PART 3118—CONSUMERS' GOODS INVENTORIES

[Limitation Order L–219, Interpretation 3, as Amended Mar. 7, 1944]

The following interpretation is issued with respect to Limitation Order L–219.

(a) *Mercantile inventory.* A merchant may acquire such control over consumers' goods for the purpose of sale that he is required to include them in his mercantile inventory under Order L–219 even though he neither has legal title to the goods nor holds them on consignment or on memorandum for sale. The following are examples (not intended to be exhaustive) of situations in which a merchant has such control over consumers' goods that he is required to include them in his mercantile inventory:

Examples. (1) *A clothing retailer states:* A manufacturer has shipped apparel to him in advance of the shipping date specified by the retailer. It is difficult for him to return the goods. If he accepts the shipment, his receipts will become restricted under paragraph (d) (1) of the order.

He inquires: Whether, with the manufacturer's approval, the goods may be stored in a local warehouse in the manufacturer's name and excluded from the retailer's mercantile inventory until he is ready to accept delivery.

The answer is: The facts outlined suggest that, despite the use of the manufacturer's name for storage purposes, it is understood by the manufacturer and the retailer that the goods while so stored will remain subject to the retailer's control and disposition in all material respects and that essentially the storage is for the retailer's account. If that inference is correct, the goods must be considered as part of the retailer's mercantile inventory when they are so stored.

(2) *A retailer states:* He has arranged for a jobber to purchase from a manufacturer certain diamonds selected by the retailer. The jobber is to sell the diamonds so purchased to the retailer. The terms of the sale from the jobber to the retailer include postponement of delivery and payment. The retailer undertakes to specify the time for delivery within a period agreed upon and to make payment upon delivery. The transaction is subject to the condition that if the retailer is unable, by reason of Order L–219, to take delivery within the time agreed upon, the transaction will not be considered at an end, but the delivery date will be extended until such time as the retailer can take delivery without violating the order.

The retailer inquires: Whether he may exclude the diamonds from his mercantile inventory until he accepts delivery from the jobber.

The answer is: The facts indicate that in making the purchase from the manufacturer the jobber is merely acting as an agent for the retailer. Further, under the agreement described, prior to delivery to the retailer, the jobber would in effect be storing the goods for the retailer's account until such time as the retailer requested delivery. It follows that the retailer's control over the goods is such that he must include them in his mercantile inventory at the time the jobber acquires them from the manufacturer.

(3) *A controlled merchant states:* He operates a department store. He proposes to make a loan to a wholesale perfumer and to take as security boxes of perfume which are to remain in the possession of the wholesaler. He has agreed with the wholesaler that the loan will be paid before Christmas by transfer of the security from the wholesaler to the retailer.

The merchant inquires: Whether he must include these boxes of perfume in his mercantile inventory under Order L–219, prior to the time they have been transferred to him in payment of the loan he has made to the wholesaler.

The answer is: If the transaction is a genuine loan, the retailer is not required to include the perfume in his mercantile inventory until the perfume is transferred to him. Whether the transaction is a genuine loan depends not merely on the form of the transaction but on the intent and effect of the parties' agreement. For example: If in a falling perfume market the retailer could insist upon the payment of the loan in cash and refuse to accept the perfume in extinguishment of the debt, or if in a rising market the wholesaler could insist on paying the loan in money, then the transaction has the characteristics of a genuine loan. The form of a loan may, however, disguise a present sale with delivery postponed. In that event if, considering the situation of the parties and the business involved, it appears that as a practical matter the true effect of the transaction is to transfer immediately to the retailer unqualified control over the perfume, then it must be included in the retailer's mercantile inventory at the time the agreement is made.

(4) *A controlled merchant states:* That his inventory on May 1 included certain consumers' goods which he held on consignment for sale. On July 30 he shipped the consigned goods back to the owner. On August 2, the owner returned the goods to him.

The merchant inquires: Whether he may exclude the merchandise involved from his mercantile inventory on August 1, and thereby avoid having his receipts restricted under paragraph (d) (1) of the order.

The answer is: While the merchant went through the form of returning the goods, the facts outlined indicate that he did so pursuant to an understanding with the owner that the return was not to be an abandonment of the consignment and that the owner would ship the goods back to the merchant after the first of the month. If that inference is correct, then there was no genuine return but rather the use of a purported return as a device to evade the order, while the actual relations of the parties with respect to the goods remained essentially unchanged. The merchant retained control over the merchandise in all essential respects. Under such circumstances the merchant is required under Order L–219 to treat such goods as part of his mercantile inventory on August 1.

(b) *Factory inventory.* The meaning of the words "immediate vicinity" as used in paragraph (a) (2) (i) of Order L–219 is governed by the purpose of the transfer of goods to storage, as well as the distance of the storage place from the factory. If goods are transferred from the factory to a warehouse in the same general area for storage and ultimate distribution without regard to geographical location of customers, then such goods would be considered "factory inventory." If the transfer of goods from factory to warehouse is made because of convenience to channels of distribution, then such goods would be considered "mercantile inventory." Movement of goods within the same wholesale center does not usually constitute a change in classification from factory to mercantile inventory. However, each case must be examined individually in the light of the facts peculiar to the specific operation.

(c) *Piece goods and other consumers' goods manufactured from piece goods.* Piece goods such as silks, velvets, rayons and synthetics, woolens, cottons, linens, mixtures, wash goods and linings, are consumers' goods under the order. (See List B of the order.)

Piece goods become part of a merchant's mercantile inventory under the order, under the following conditions:

(1) In the hands of the manufacturer of the piece goods the determination of when they must be treated as mercantile inventory rather than factory inventory is governed by paragraphs (a). (2) and (a) (12) of the order.

(2) Piece goods held for sale as piece goods by a merchant who did not manufacture such goods are part of his mercantile inventory. This rule applies even though the merchant is a wholesaler who sells bolts of piece goods only to apparel manufacturers. Since sales of piece goods to individual ultimate consumers for personal or household use are customarily made from piece goods which retailers buy in bolts, the fact that a wholesaler does not sell his piece goods to individual ultimate consumers does not change the nature of the piece goods while he holds them for sale. (See paragraph (h) of Interpretation No. 1 to Order L–219, issued May 8, 1943.) Hence, the wholesaler is required to treat the piece goods he holds for sale as part of his mercantile inventory under the order.

(3) When a merchant holds piece goods which he intends to manufacture or to have manufactured into other consumers' goods which he will hold for sale, the following rules apply to the piece goods and to the other consumers' goods:

(i) If he does not customarily sell such other consumers' goods to other merchants and his practice is confined to selling such other consumers' goods to individual ultimate consumers through stores which he owns or controls, then his piece goods are part of his mercantile inventory under the order. Likewise the other consumers' goods made from such piece goods are part of his mercantile inventory regardless of their physical location.

(ii) If the merchant customarily sells the other consumers' goods which he manufactures or causes to be manufactured from his piece goods to other merchants in addition to selling such other consumers' goods to individual ultimate consumers through his own store or stores which he controls, then his piece goods are not part of his mercantile inventory under the order. However, if he is the manufacturer of such other consumers' goods (manufactured from his piece goods) then he must include them in his mercantile inventory when they are transferred from his factory inventory to a stock-carrying branch warehouse or to stores which he owns or controls (paragraph (a) (12) of the order). If he is not the manufacturer of the other consumers' goods but is, for example, a contract-employer such as a dress jobber, the method of determining when such other consumers' goods are mercantile inventory and when they are factory inventory is explained in paragraph (i) of Interpretation No. 1, issued May 8, 1943.

(d) *Converters.* A merchant inquires whether Order L–219 applies to the convert-

ing trade. The answer is that if the converter merely converts unfinished goods which he does not own into finished consumers' goods for the account of the owner and returns the goods to the owner, then the converter is not subject to Order L-219. A converter who operates in that fashion does not hold consumers' goods for sale and, hence, he has no mercantile inventory under paragraph (a) (2) of the order. However, if the converter is also engaged, or is solely engaged in finishing his own goods and in marketing such goods, then his operations are governed by paragraphs (a) (2) (i) and (a) (12) of the order. These paragraphs define the circumstances under which goods manufactured by a merchant become part of his mercantile inventory and subject to control if the merchant meets the requirements of paragraph (a) (4) of the order.

(e) *"Goods in transit" and "business day" (paragraph (a) (2) (iii) of Order L-219).* If it has been a merchant's regular practice to include in inventory goods in transit, he must continue to do so under Order L-219. If it has been the merchant's practice to exclude goods in transit from his inventory, he must, nevertheless, include in his inventory at the beginning of a quarter goods which he received up to 12:01 a. m. of the last day of the month preceding the beginning of the quarter. This rule is not changed by the fact that the last day of the month may be a Saturday and that the merchant's premises may be closed on Saturdays. The provision of paragraph (a) (2) (iii) of the order that goods shall cease to be considered in transit "not later than one business day after they are delivered to a merchant on his premises," etc. was not included for the purpose of allowing a merchant an extra day of sales to set off against his receipts. Rather, it was provided as a convenient cut-off period for accounting purposes, since in many cases receipts of merchandise are not checked by receiving-room personnel for days after such goods have been delivered.

(f) *"In transit" (paragraph (a) (2) (iii) of Order L-219).* If a controlled merchant who has bought consumers' goods stops their carriage for the purpose of storing the goods with the carrier and receiving the shipment in inventory at a later time, the goods will cease to be considered in transit not later than one business day after the merchant has stopped the shipment.

(g) *Repossessed, replevined, abandoned merchandise and "trade-ins".* In dealing with these goods under the order, a controlled merchant must be guided by the requirements of paragraph (j) of the order. This provision requires the merchant in his current computations and for all other purposes of the order, to treat the goods in a manner which follows and is consistent with his base period practice. Thus, with respect to repossessed, replevined or abandoned merchandise: If it was the merchant's practice during his base period to cancel the sales when the goods were retaken, then the goods need not be included in the computation of his receipts of consumers' goods under the order, although they become part of his mercantile inventory. If it was not his practice to cancel the sale of goods so retaken, then they must be included in the computation of his receipts under the order. With respect to "trade-in" merchandise: If in his base period practice the merchant deducted the value of "trade-ins" from his net sales, then the "trade-ins" need not be included in the computation of his receipts, but do become part of his mercantile inventory. On the other hand, if he did not deduct the value of "trade-ins" from his net sales under his base period practice, then the "trade-ins" must be included in the computation of his receipts under the order.

(h) *Goods "held for sale".* A merchant holds goods for sale within the meaning of paragraph (a) (2) (iv) of the order even though he has transferred possession to another person if: Such other person is not to use the goods or to sell them to a third party but is to deliver them either back to the merchant for sale or to the merchant's customers.

(i) *Services. Question:* Paragraph (a) (1) of Order L-219 states that goods used in rendering personal services, such as shoe repairing, are not included in the term "consumers' goods" for the purposes of the order. What other services illustrate this provision?

Answer: Radio maintenance and repair, appliance maintenance and repair, hemstitching, monogramming, fur repair, fur storage, hosiery repair, jewelry repair, shoe shining, beauty parlor and barber shop services, magazine subscription service, photofinishing and portrait photography, typewriter repair, optical service and prescription grinding, and compounding of prescription medicines.

(j) *Segregation* (paragraph (i) (1) of Order L-219). *Question:* If a merchant finds it is impracticable to segregate consumers' goods from materials used in rendering services in keeping his records, making his computations and in other matters under the Order, how should he treat them?

Answer: He must include them in his mercantile inventory. In that case, the price charged for the service for which they are used is a part of the selling price, the amount of which is likewise to be included in net sales. The treatment of such matters in compiling the current figures must be consistent with their base period treatment.

(k) *Consumers' goods.* The following goods are considered as consumers' goods even though the inventories are held in and the sales are made through service departments, or the operations involved have some features resembling services:

(1) Cosmetics, other than those used in rendering beauty parlor services.

(2) Cameras, picture frames, roll films and other photographic supplies.

(3) Radio receivers, loudspeakers, tubes, batteries, aerials, and other electrical products; also repair parts suitable for sale to consumers for making repairs at home, even though at times used also in rendering repair services.

(4) Men's custom clothes.

(5) Fresh flowers.

(6) Draperies.

(7) Carpets and linoleum.

(8) Medicines suitable for sale to consumers without further compounding, even though at times used also in prescription work.

(9) Stationery and related items stocked in a form suitable for sale to consumers without further processing, even though at times used in printing to the customer's order.

(10) Industrial uniforms sold on a drop shipment basis (see paragraph (a) (5) of the Order).

(11) Binoculars, sun glasses and spectacle frames.

(12) Apparel, even though altered to fit.

(13) Custom-made fur coats.

(14) Typewriter ribbons.

(15) Leather straps, metal bands, bracelets and similar attachments, used to hold a watch on the wrist.

(16) Wallpaper.

(l) *Fur skins and trimmings.* Fur skins which have not been made up into finished articles of apparel are not consumers' goods. Fur trimmings are consumers' goods.

(m) *Watch movements and cases.* Uncased watch movements and empty watch cases are not consumers' goods.

(n) *Mountings and unset stones.* Loose precious stones and mountings in which stones have not yet been set are consumers' goods.

(o) *Diamonds sold in "papers" (List A).* Wholesale diamond merchants may consider a "paper" of diamonds as one unit in determining whether they qualify for exemption under paragraph (b) (1) of the order, on the ground that more than 50 per cent of their business is done in jewelry selling at $200 or more per piece: *Provided,* That

(1) The wholesaler's sale of diamonds in such "papers" is consistent with his customary practice, and

(2) That the "paper" of diamonds is offered to the retailer as a "paper" and the retailer is not permitted to select and purchase some diamonds from the "paper" and reject the balance.

(p) *Gas (List A).* Gas, whether natural, manufactured, or mixed, is considered a miscellaneous heat or power fuel for purposes of List A of Order L-219. Any merchant more than fifty per cent of whose aggregate net sales of all kinds of goods during his most recently completed inventory year were sales of gas is exempt under paragraph (b) (1) of Order L-219. Thus, under paragraph (f) (1), a gas utility would compute the percentage of its sales of gas and any other items on List A to total sales for all stores, branches, divisions and sections of its enterprise under common control or ownership. If more than fifty per cent of its total sales in its most recently completed inventory year were of gas or of other items on List A, this utility would be exempt and would not be required to limit inventories in the appliance division of its business.

(q) *Tolerance (paragraph (c) (1) of Order L-219). Question:* If a controlled merchant maintains mercantile inventories in both the East and the West, how should the "tolerance" factor be applied?

Answer: If inventory records are available by geographic areas and inventories are valued at cost:

(1) Take the percentage of the total inventory at the beginning of the quarterly period in the Mountain and Pacific Time Zones, and in the Central and Eastern Time Zones. *Example:* Total inventory at the beginning of the fourth quarterly period $250,000. Inventories held in the Mountain and Pacific Zones, $100,000 or 40 per cent of total; in the Eastern and Central Time Zones, $150,000 or 60 per cent.

(2) Apply the percentages calculated, according to the instructions above, to the computed "normal inventory". *Example:* Computed "normal inventory" at the beginning of the fourth quarterly period, $200,000. "Normal inventory" apportioned to the Mountain and Pacific Time Zones $80,000 (40% of $200,000) and to the Eastern and Central Time Zones $120,000 (60% of $200,000).

(3) Apply the 15% tolerance to that portion of the normal inventory allotted to the West (15% of $80,000) and 10% tolerance to the portion allotted to the East (10% of $120,000).

(4) Add the figures thus obtained ($12,000 and $12,000) to the normal inventory ($200,000) to secure the inventory limit for the business ($224,000). If the inventories are at retail value instead of at cost, apply tolerances of 13% and 8% respectively instead of 15% and 10% (paragraph (1) (1) of the order). If no inventory records are available by geographic areas, write to the War Production Board for instructions, describing the records which are available on a geographic basis.

(r) *Carry-overs of "allowable receipts".* A merchant may "carry-over" from one month of a quarterly period to the next month of that quarterly period any unused portion of his allowable receipts allocated to that month.

Example: Merchant A had allowable receipts for July (of his July-August-Septem-

ber quarterly period) amounting to $110,500. His actual receipts during July were $109,200. His unused allowable receipts are therefore $1,300. The portion of his allowable receipts allocated to August was likewise $110,500. However, he may "carry-over" or add to the $110,500 allowable receipts originally allocated to August, the unused portion of his July allocation. Thus, his allowable receipts for August will, under these conditions, equal $111,800 ($110,500 plus $1,300). A merchant may in no event, however, receive more than one-third of his allowable receipts during the first month of the quarterly period and he may not receive more than two-thirds of his allowable receipts during the first two months of such quarterly period (paragraph (d) (2) of Order L–219).

(s) *"Allowable receipts" must not be exceeded.* After a merchant whose receipts are restricted under paragraphs (d) (1) and (d) (2) has exhausted his allowable receipts for a month, he must not receive any more goods into stock during the remainder of that month. At such times, he must refuse all delivery of consumers' goods.

Question: May a merchant exceed his "allowable receipts" if his current sales trend indicates that his actual sales will be greater than his "projected sales"?

Answer: Under no conditions may a merchant exceed his "allowable receipts" without violating the provisions of Order L–219.

(t) *Wholesaler-sponsored voluntary chains.* Each independent merchant in a wholesaler-sponsored voluntary chain must treat his business as an independent enterprise for all purposes of Order L–219.

(u) *Leased departments.* An independent operator of a leased department must segregate his sales, inventories and receipts of merchandise from those of the lessor (department store, etc.) for all purposes of the order. If he operates a chain of leased departments he must consolidate his records for the entire chain for all purposes of the order (paragraph (f) (1) of the order).

(v) *Three-way exchange (paragraph (n) (1) of Order L–219).* Subject to paragraph (n) (1) of Order L–219, a controlled merchant whose receipts are restricted may make exchanges of consumers' goods with other persons. Such exchanges may be effected between three as well as between two merchants, for example: Merchant A transfers blankets to Merchant B, Merchant B transfers rugs to Merchant C and Merchant C transfers toys to Merchant A. This transaction involves three exchanges, viz: Merchant A has exchanged blankets for toys, Merchant B has exchanged rugs for blankets, Merchant C has exchanged toys for rugs.

(w) *Special sales effected outside a merchant's ordinary method of doing business (paragraph (n) (2) of Order L–219). Question:* What is meant in paragraph (n) (2) of the order by a special sale effected outside a merchant's ordinary method of doing business?

Answer: In each case it depends upon the fields of business operation of the merchant and the purchaser and upon those features of the transaction which differentiate it from sales of the type customarily made by the merchant. Generally speaking, the sale must meet the following requirements:

(1) It must be made "cross stream" or "up stream." That is, it must be made to a person on the same or a higher distributive level, such as a sale by: A retailer to another retailer; a retailer to a wholesaler or manufacturer; a wholesaler to another wholesaler or to a manufacturer. And

(2) It must be made to a purchaser who is not in the same field of business operation as the customers to whom the seller makes sales in the regular course of business. For example, a sale by a hosiery wholesaler to another hosiery wholesaler would not be a special sale if the seller is regularly engaged in selling to the wholesale as well as to the retail trade.

In all cases, the sale must be absolute, that is, there must be no understanding or agreement providing for return of the goods to the vendor or for retention by the vendor of any control over the goods.

(x) *Special sales for cash plus merchandise.* Under paragraph (n) (2) of the order a merchant who sells part of his mercantile inventory by sales effected outside of his ordinary method of doing business for a consideration consisting of cash and other merchandise may apply for an increase of his allowable receipts to the extent of the cash consideration.

(y) *Increase of allowable receipts under paragraph (n) (2) is discretionary. Question:* Does paragraph (n) (2) of the order give the merchant an absolute right to an increase of his allowable receipts to the extent of sales which he has made under the conditions outlined in that paragraph?

Answer: No. The War Production Board may, in its discretion, grant or refuse an increase of allowable receipts requested under paragraph (n) (2).

(z) *Receipts of goods.* Under paragraph (a) (12) of the order a merchant may deduct from the cost value of his receipts of consumers' goods the cost value of goods which he returns in good faith to his vendors because the goods are defective or are otherwise not in accordance with the specifications of his order. However, a merchant who exceeds his allowable receipts is not excused from such violation of the order by returning goods after he has accepted delivery. A merchant may not accept delivery of merchandise if his actual receipts will thereby exceed his allowable receipts.

However, a merchant whose receipts are restricted may, under paragraph (n) (2) of the order, make a "cross stream" or "up stream" sale. This includes a sale by the merchant back to his vendor. While the merchant does not have the right to deduct the consideration for such a sale to his vendor when reporting his receipts under the order, or the right to increase his allowable receipts to the extent of the consideration received for such sale, he may, as provided in paragraph (n) (2) of the order apply to the War Production Board for such an increase of his allowable receipts. (See paragraphs (w), (x) and (y) of this Interpretation.)

(aa) *Effect under Order L–219 of acquisition of a new store by a controlled merchant. (1) When he intends to continue the store purchased as a going business:*

If the purchaser's receipts are not restricted under the order during the quarter in which the purchase occurs, the order places no restrictions on the receipts of the two stores during the remainder of the quarter. However, beginning with the next quarter, the merchant is required, under paragraph (f) (1) of the order to consolidate the current and base period data of the store he acquired with the records of his original store in all of his computations and other matters under the order.

If the receipts of the purchaser are restricted under the order to his allowable receipts during the quarter in which the purchase is made, he must adopt one of the following two courses:

(i) He may treat the stock of consumers' goods in the store he has purchased as receipts, and report them as such when reporting his receipts of consumers' goods for the quarter. However, he may not follow this method if the addition of the cost value of the stock of the new store will cause his receipts to exceed his allowable receipts for the quarter.

(ii) He may in his computations and in all other matters under the order treat the two stores as separate enterprises until the beginning of the next quarter. If at the time of the purchase the receipts of the enterprise he purchased were restricted under the order he must also confine the receipts of that enterprise to its allowable receipts for that quarter. If he adopts this method (treating each store separately) he may, subject to paragraph (n) (1) of the order exchange stock between the two stores. However, he must include in his computation of the receipts of each store the excess, if any, of the cost value of the goods it receives over the cost value of the goods it transfers. Goods so transferred may not be included in the net sales of either store. Regardless of which of these two courses he follows during the quarter in which the purchase occurs, he must, beginning with the next quarter consolidate the records of the two stores as provided in paragraph (f) (1) of the order.

(2) When the purchaser intends to discontinue the operation of the store he purchases:

The merchant's sole purpose in making the purchase may be to remove the stock of the store purchased and add such stock to his own. If those are the only facts involved, then the purchase of the consumers' goods in the stock of the store acquired must be treated under the order in the same manner as any other consumers' goods purchased by the merchant. If the purchaser's receipts are not restricted under the order, there is no restriction upon his acquiring the new stock. On the other hand, if the purchaser is restricted to his allowable receipts for the quarter, he may not acquire merchandise in such amount that his receipts will exceed his allowable receipts. However, the purchase of a store which the merchant intends to discontinue as a going business may involve the purchase of the name, the good will, the accounts, etc., of the store acquired. It may also involve the continuance in some measure of the identity of the business acquired by the merchant who makes the purchase. This may be true, even though the store acquired is discontinued as a going business at its former location. In the situation described, the order does not give the merchant the right to compute on a consolidated basis his inventory-sales ratios, his sales ratios, or his projected sales. Accordingly, if facts of the type outlined should be involved, the merchant should appeal under paragraph (q) (3) of the order for permission to make appropriate adjustments of his computations based upon the necessities of his new situation.

(bb) *Common ownership or control under paragraph (f) (1).* Paragraph (f) (1) of the order requires consolidation of the reports and records of enterprises "under common ownership or control without regard to corporate or other distinctions between such enterprises." Under this provision, enterprises, whether conducted by partnerships, corporations, or otherwise, must consolidate their records under the order where there is common ownership or control, even though the ownership or the control of the enterprises involved is not identical. Each case is to be determined on the basis of the facts involved.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3248; Filed, March 7, 1944; 11:16 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–79, Direction 1]

PLUMBING, HEATING AND COOKING EQUIPMENT

The following direction is issued pursuant to Limitation Order L–79.

This direction serves to assist holders of AA–3 ratings, such as the National Housing Agency, in obtaining plumbing, heating and cooking equipment under orders rated AA–3 and placed before January 15, 1944.

As amended January 15, 1944, Limitation Order L–79 provides for the up-rating to AA–3 of certain rated orders placed before that date. All orders bearing a preference rating of AA–3 which were placed prior to January 15, 1944 shall, however, maintain their priority over orders so uprated under Limitation Order L–79. The provisions contained in Priorities Regulation 12 relative to the effective date of rerating are modified to the extent necessary to give effect to this direction.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3249; Filed, March 7, 1944; 11:16 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT [1]

[General Limitation Order L–107, as amended Mar. 7, 1944]

EXTENDED SURFACE HEATING EQUIPMENT

§ 3288.36 [1] *General Limitation Order No. L–107*—(a) *Definitions.* For the purpose of this order:

(1) "Extended surface heating equipment" means a heat transfer element or any apparatus employing a heat transfer element, designed and constructed for space heating or for industrial heating or drying, and includes, but is not limited to unit heaters, unit ventilators, convectors, blast heating coils and special heating coils. Extended surface heating equipment shall not include heaters for automotive vehicles or aircraft, jacket water coolers for internal combustion engines or critical heat exchangers as defined in Limitation Order L–172 or General Scheduling Order M–293 Table 6 or any device using electricity or any fluid (liquid, gas or vapor) other than steam or hot water as the heating medium, nor any machinery or equipment described in paragraph (e) of this order.

(2) "Heat transfer element" means any device made of metal, of fin-tube construction, designed and constructed for the purpose of transferring heat from steam or water to air. Heat transfer element shall not include any cast iron radiation device designed and constructed for the purpose of transferring heat from steam or water to air, or any device of similar construction designed and constructed for decreasing the temperature of air. Heat transfer element shall include, but is not limited to a heat transfer element designed and constructed as a component part of any machinery or any equipment described in paragraph (e) of this order.

(3) "Repair order" means any order for any part or accessory used to replace any similar part or accessory of extended surface heating equipment required by actual or imminent breakdown of such equipment.

(4) "Producer" means any person who manufactures, fabricates or assembles extended surface heating equipment or heat transfer elements.

(5) "Approved order" means:

(i) Any order which bears a preference rating of AA–5 or better, and a date for delivery specified by the person who has placed the order; or

(ii) Any repair order as defined in paragraph (a) (3) of this order; or

(iii) Any order which has been accepted by a producer prior to August 7, 1943.

(b) *Restrictions on delivery.* On and after the 7th day of August, 1943 no person shall make physical delivery of any extended surface heating equipment except pursuant to an approved order.

(c) [Deleted Mar. 7, 1944]

(d) *Simplification schedules.* The War Production Board may, from time to time, issue schedules establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any extended surface heating equipment. From and after the effective date of any such schedule, no such equipment shall be manufactured, fabricated or assembled or delivered by or accepted from any manufacturer except in conformity with the issued schedule, and except as specifically permitted by such schedule.

(e) *Excepted machinery or equipment.* Machinery or equipment, listed in this paragraph, is not subject to the restrictions of this order, except for the heat transfer elements of such machinery or equipment.

(1) Any refrigeration and air conditioning equipment as defined in Limitation Order L–38; or

(2) Any commercial laundry machinery as defined in Limitation Order L–91; or

(3) Any industrial machinery or equipment now specifically restricted or limited as to production or delivery by any order issued by the War Production Board, except that any heat transfer element designed and constructed as a component part of such machinery or equipment shall be subject to the restrictions of this order.

(f) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The letter shall refer to the particular provision appealed from and state fully the grounds of the appeal.

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–107.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as otherwise provided herein.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3250; Filed, March 7, 1944; 11:16 a. m.]

[1] Formerly Part 1202, § 1202.1.

PART 3288—PLUMBING AND HEATING EQUIPMENT [1]

[Limitation Order L–107, Schedule I, as Amended, Mar. 7, 1944]

EXTENDED SURFACE HEATING EQUIPMENT

§ 3288.37 [1] *Schedule I to Limitation Order L–107*—(a) *Definitions.* For the purpose of this schedule:

(1) "Unit heater" means any extended surface heating equipment which is a factory made assembly and which consists of a heating element and a motor driven fan or blower (or fans or blowers) enclosed in a casing having an air inlet and an air outlet, designed to be placed within or adjacent to a space to be heated and to heat such space by circulating air within it.

(2) "Unit ventilator" means any extended surface heating equipment which is a factory made assembly and which consists of a standard (single tube) heating element with by-pass and temperature regulation dampers, or a distributing tube heating element without by-pass and temperature regulating dampers, a motor driven fan or blower (or fans or blowers) and fresh air regulation damper (or dampers) enclosed in a casing having a fresh air inlet and an air outlet and designed to be placed within or adjacent to a space to be heated, and to heat and ventilate such space by circulating air through it.

[1] Formerly Part 1202, § 1202.2.

(3) "Convector" means any extended surface heating equipment which consists of a heat transfer element enclosed in a cabinet or casing which has an air inlet and an air outlet, and which cabinet or casing serves as a stack to accelerate the circulation of air through the heating element.

(4) "Blast heating coil" means any heat transfer element designed for installation in duct work, for space heating or for drying purposes.

(5) "Special heating coil" means any extended surface heating equipment or any heat transfer element which is not a unit heater, unit ventilator, convector, or blast heating coil as defined in paragraph (a) (1), (2), (3) and (4) of this schedule, and includes, but is not limited to, a convector-radiator or finned-pipe, or any heat transfer element specifically designed for incorporation by a person other than the producer, into extended surface heating equipment or into any other equipment or machinery.

(6) "Standard size unit heater" means a unit heater having certain overall physical dimensions, as specific heating element and a specific fan (or fans), which will develop a specific BTU output per hour heating capacity with free air delivery, when supplied with steam at two (2) pounds pressure per square inch and air at 60 degrees Fahrenheit, and when equipped with a specific single-phase, 60 cycle A. C. electric motor arranged to drive the fan (or fans) at a specific speed.

A standard size unit heater shall not be deemed to be changed;

(i) When the BTU capacity is altered by use of any attachments or appurtenances or by use of an electric motor driven by current other than single-phase 60 cycle A. C.: *Provided*, That when another current is used the speed of the motor shall approximate the speed attained with a single-phase 60 cycle A. C. motor; or

(ii) In the case of any large housed blower unit by the substitution of a tube-within-a-tube heat transfer element of no greater heating capacity than that replaced.

(7) "Modified size unit heater" means a standard size unit heater which has been altered by substituting for its heat transfer element one having less surface, for the purpose of lowering the temperature of the discharged air, when the unit heater is to be operated with steam at a pressure of 30 or more pounds per square inch.

(b) *Simplified practices.* Pursuant to Limitation Order L-107 the following simplified practices are established for the manufacture, fabrication or assembly of extended surface heating equipment:

(1) *Unit heaters.* (i) Manufacture, fabrication or assembly by any producer, is limited to horizontal propeller fan type, vertical propeller fan type, large housed blower type, and small cabinet blower type;

(ii) Heat transfer elements known as double-tube or tube-within-a-tube coils are permitted only in standard size large housed blower type unit heaters, and then only if all temperature regulation dampers are omitted;

(iii) Manufacture, fabrication or assembly by any producer is limited to not more than 48 sizes, of which not more than 24 shall be standard size unit heaters, and not more than 24 shall be modified size unit heaters; *Provided*, That no more than 10 standard size unit heaters and 10 modified size unit heaters may be made in any one of the following three types; horizontal propeller fan type, vertical propeller fan type, and large housed blower type; *And provided, further*, That not more than two standard size unit heaters may be made in the small cabinet blower type;

(iv) Not more than one model of any one size may be made, but a model will not be deemed to be changed by the inclusion or omission of attachments or accessories such as dampers or filters, or in case of a large housed blower type unit by the substitution of a double-tube or a tube-within-a-tube for a single tube heat transfer element;

(v) No horizontal propeller fan type unit heater shall be made smaller than 24,000 BTU per hour output capacity;

(vi) No vertical propeller fan type unit heaters shall be made smaller than 144,000 BTU per hour output capacity;

(vii) No large housed blower type unit heater shall be made smaller than 216,000 BTU per hour output capacity;

(viii) No small cabinet blower type unit heater shall be made larger than 150,000 BTU per hour output capacity.

(2) *Unit ventilators.* (i) Manufacture, fabrication or assembly, by any producer, is limited to six sizes based upon rated c. f. m. free air delivery capacity (A. S. H. V. L. standard anemometer test), not more than four of which shall be other than the so-called cabinet schoolroom type. Not more than two different sizes of heating elements shall be used in any given size of unit ventilator;

(ii) So-called cabinet type, schoolroom unit ventilators shall be made only with free-standing cabinets without special provisions for recessing in wall construction.

(3) *Convectors.* (i) Manufacture, fabrication or assembly by any producer is limited to not more than 20 sizes of heat transfer elements. Nominal depths shall not be other than 6, 8 or 12 inches;

(ii) Not more than two styles of and headers shall be used for all sizes of convectors, regardless of the type or size of pipe connections;

(iii) Cabinets for any use except in hospitals for mentally disturbed patients shall be limited to three heights and shall be either free standing or wall hung models without special provisions for installation in wall recesses. Only one style of damper, and one style of grille is permitted, and only one grille may be provided for any convector cabinet. Convector cabinets used in hospitals for mentally disturbed patients may be produced to conform with the specified needs of such installations.

(4) *Blast heating coils.* (i) Manufacture, fabrication or assembly by any producer of any single tube blast heating coil is limited to not more than five widths (or heights), of which at least two shall be small "booster" coils;

(ii) Manufacture, fabrication or assembly by any producer of any double-tube or tube-within-a-tube blast heating coil is limited to not more than three widths or heights;

(iii) Tubes for such coils shall not be of any but the following nominal lengths:

INCHES

12	30	72
15	42	84
18	48	96
21	54	108
24	60	120
30	66	132
		144;

(iv) Such coils shall be only of types with one or two rows of tubes;

(v) Such coils shall be made in not more than two different numbers of fins per inch of length.

(5) *Special heating coils.* Manufacture, fabrication or assembly by any producer is limited to those sizes, types and designs produced by him on or before the 28th day of July 1943.

(6) Alloys used for coating heat transfer elements or parts thereof shall not contain more than seven percent of tin by weight.

(7) Casings, enclosures and parts thereof shall not contain any metal other than iron and steel and, except for small fittings, shall not be coated with any metal other than lead, or metal which may be a part of a paint mixture, provided such use of such metal is not prohibited by any order of the War Production Board.

(8) Electric motors shall be single speed types only. Direct current motors used with belt driven equipment shall have a rated speed of 1800 R. P. M.; alternating current motors so used shall have not more than four poles.

(9) The use of copper, copper base alloy or aluminum in extended surface heating equipment is prohibited except when used in accordance with Conservation Order No. M-9-c or any Order in the M-1 series.

(c) *General exceptions.* The provisions of this Schedule shall not apply to any extended surface heating equipment manufactured, fabricated or assembled on a contract, sub-contract or purchase order for delivery to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships, including floating drydocks.

(d) *Selection and report of models and sizes.* Each producer of extended surface heating equipment shall determine the models and sizes of the various kinds of extended surface heating equipment which he proposes to manufacture, fabricate, or assemble under this Schedule, and shall report to the War Production Board on Form WPB 1902 (PD-754), on or before the 27th day of August, 1943, a complete description of each model and size to be manufactured, fabricated or assembled. Each producer shall thereafter produce only those models and sizes so reported, unless written permission is received from the War Production Board to produce any other models or sizes than those reported. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Repair parts.* Nothing in this schedule shall restrict the manufacture or shipment of repair parts for any extended surface heating equipment.

(f) *Effective date of simplified practices; exceptions; report.* (1) On and after the 26th day of September, 1943, no extended surface heating equipment (except repair parts), which does not conform to the simplified practices established in this schedule, shall be produced or delivered by any producer or accepted by any person from any producer: *Provided, however*, That except as noted in (2) below, the foregoing shall not prohibit the delivery by any producer or acceptance by any person of such extended surface heating equipment not in conformity with these simplified practices, in his stock in finished form on the 26th day of September, 1943, or which can be assembled into completed equipment from cast, machined or otherwise processed materials in the producer's inventory on said date.

(2) No extended surface heating equipment, the heat transfer elements of which are made of copper or copper base alloy, shall be delivered by any producer or accepted by any person from any producer, except in accordance with the provisions of Conservation Order M-9-c as amended from time to time.

(3) Each producer shall report in a letter on or before the 27th day of August, 1943, the number and size of each type of extended surface heating equipment defined in this schedule not in conformity with the provisions of this schedule and which he has produced or will produce and offer for sale on and after the 26th day of September, 1943. The War Production Board may thereupon take such action, with respect to such extended surface heating equipment, as it deems advisable. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3251; Filed, March 7, 1944; 11:16 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Conservation Order M-216 as Amended Mar. 7, 1944]

CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

§ 3292.96 *Conservation Order M-216*—(a) *Findings of fact with respect to reserve vehicles.* Approximately 393,000 new passenger automobiles and 130,000 new commercial motor vehicles are in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States. These vehicles, hereinafter referred to as "reserve vehicles," are now held for ultimate use in the prosecution of the war through rationing procedures, established as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942. In view of the discontinuance of production, the stock of reserve vehicles herein referred to constitutes the total available supply of such vehicles in the United States. They are urgently needed for war purposes and for the maintenance of the industrial economy of the nation. The maintenance of these vehicles in prime mechanical condition is indispensable to their full utilization for the war purposes for which they are being reserved. These reserve vehicles can be maintained in prime mechanical condition provided conservation operations are performed upon them as set out in the Standards for Maintenance of New Automotive Vehicles, incorporated herein as Schedule 1.

(b) *Statement of policy with respect to requisitioning reserve vehicles.* The standards for maintenance of new automotive vehicles set out as Schedule 1 to this order and made part thereof, are hereby adopted for the maintenance of reserve vehicles in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies. It is declared to be the policy of the War Production Board to require that all reserve vehicles be maintained in accordance with the said standards for maintenance. In order to effectuate this policy and to render all reserve vehicles available for war purposes and for the maintenance of the essential industrial economy, it is further declared to be the policy of the War Production Board to exercise its powers of requisition under existing law, and to seize reserve vehicles in the possession of producers, distributors, dealers, sales agencies and finance agencies, whenever it is found by the War Production Board or any federal agency acting in its behalf, that the mechanical condition of such vehicles has been impaired, or is threatened with impairment, due to failure on the part of the person in possession or control to comply with the Standards for Maintenance.

(c) *Reports required on reserve vehicles.* Every person in possession of reserve vehicles shall file with the nearest Regional Office, War Production Board, Reference Order M-216, a report of the condition of such vehicles on Form WPB-1565 (PD-641). The initial report shall be as of November 1, 1942, and shall be filed not later than November 10, 1942. Subsequent reports shall be filed thereafter at intervals of six months.

(d) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following vehicles which are held subject to the rationing procedures of the War Production Board or the Office of Price Administration referred to in paragraph (a) above, and which are in the possession of, or under the control of, producers, distributors, dealers, sales agencies or finance agencies throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures, or has in the past manufactured, any reserve vehicles and now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans, on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who on August 29, 1942, or thereafter has any lien or any claim against any such reserve vehicle as security for a loan or other financing arrangement.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(e) *Records.* All records required to be kept and reports required to be made under this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required by this order and all communications concerning this order shall be addressed to the nearest Regional Office, War Production Board, Reference Order M-216.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—STANDARDS FOR MAINTENANCE OF RESERVE VEHICLES

The following standards for maintenance are established for the preservation and care of reserve vehicles, while in the possession of, or under the control of, producers, distributors, dealers, sales agencies or finance agencies.

Vehicles to Which Standards Are Applicable

The reserve vehicles to which these standards for maintenance apply are those held subject to rationing under orders of the War Production Board and the Office of Price Administration, while in the possession of, or under the control of, producers, distributors, dealers, sales agencies or finance agencies. These orders are, namely, as to passenger automobiles, General Conservation Order M-130, effective June 8, 1942, and Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A effective March 2, 1942; and as to new commercial motor vehicles, General Conservation Order M-100, effective March 9, 1942.

1. *Any 1942 model passenger automobile,* built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station-wagons.

2. *Any new commercial motor vehicle,* including any light, medium or heavy motor truck, truck tractor, or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types:

Trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

Standards for Maintenance: New Passenger Automobiles and Commercial Motor Vehicles

(These standards for maintenance correspond with those of the Revised Price Schedule #85 issued by the Office of Price Administration.)

General Instructions

1. *Indoor storage.* All reserve vehicles, other than full-trailers and semi-trailers, must be stored indoors. Select a clean, dry building suitable for the storage of new passenger automobiles and commercial vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

2. *Spacing of vehicles.* Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

3. *Initial and repeat operations.* The operations specified under the heading "Maintenance operations" are of two categories: "Initial" operations, which if not already performed, are to be performed as soon as the vehicle is placed in storage, and "Repeat" operations, which must be performed at intervals of six months, or more often, if necessary, as indicated below.

4. *Exemption for vehicles produced subsequently to August 12, 1943.* Reserve vehicles produced subsequently to August 12, 1943, are exempt from the following items of "Maintenance operations" for a period not to exceed 90 days from the date the vehicle is produced: Items 4, 6, 8, 9, 10, 13, 15 and 17. Note: Item 13 must be performed before the end of the 90 day period if there is any danger of freezing temperatures.

5. *Demonstrator vehicles.* Reserve vehicles which have been properly authorized and cleared (in accordance with the terms of regulations issued by the War Production Board and the Office of Price Administration) and are actually in use as demonstrators or company owned executive cars, are not subject to "Maintenance operations" until such time as they are placed in storage. Such vehicles must be in condition for retail delivery with the exception of a few minor details.

6. *Vehicles for export.* Vehicles produced subsequently to August 12, 1943, which are conditioned and crated for overseas shipment are exempt from the "Maintenance operations" under Schedule 1 of this order.

7. *Production date sticker.* Subparagraph 4 above exempts vehicles produced after August 12, 1943, from certain maintenance operations for a period of 90 days from date of production of the vehicle. It is, therefore, necessary that such vehicles be marked clearly with the date of production. Producers shall provide a production date sticker to be attached to the instrument panel of each vehicle produced on or after August 12, 1943, filling in the date on which the vehicle was produced. Only those vehicles which carry such production date stickers will be exempt from the performance of the maintenance operations named in Subparagraph 4 above. The production date sticker shall be in substantially the following form:

This vehicle (Serial number) was produced by (Name of producer) on (Date of production) and all maintenance operations called for by War Production Board Conservation Order M-216 must be completed not later than (Specify date 90 days after production).

NOTE: Item 10 amended by deleting the note in "Maintenance Operations" column Mar. 7, 1944.

No.	When to be done	Item	Maintenance operations
§*1	Initial and whenever necessary.	Vehicle	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust.
*2	Initial	Windshield wiper	Remove blades; store in glove compartment.
*3	Initial and every six months.	Upholstery and floor coverings.	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets.
	Initial		(b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and windshields with paper, using masking tape. (3) Cover the car with paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial		(c) Place floor mats in their normal position on floor, not rolled up.
§*4	Initial and whenever necessary.	Chrome plated surfaces	Thoroughly wash and clean all chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the chrome.
§	Initial	Convertible tops	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
*6	Initial	Engine	(a) Drain engine oil and refill crank case with at least ½ charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1,000 R. P. M. Leave this oil in engine.
	Repeat (c) every six months.		(c) At six month intervals turn over the engine with a battery or by turning the rear wheels, with the transmission in gear, to insure that the oil in the engine and lubricants in the transmission and rear axle assembly are properly distributed

NOTE: (1) All maintenance operations and storage requirements are applicable to new passenger automobiles. (2) Symbol (*) indicates maintenance operations applicable to new commercial motor vehicles except trailers, third axles and dollies. (3) Symbol (#) indicates maintenance operations applicable to trailers, third axles and dollies.

No.	When to be done	Item	Maintenance operations
*7	Initial	Fuel system and carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
*8	Initial Repeat every six months.	Spark plugs	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
*9	Initial	Valve compartment (overhead valve engines).	Remove cover. Spray rust-preventive compound or S. A. E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
*10	Initial	Seal engine	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crank case breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine.
*11	Initial	Battery removal	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease. (b) If dealer has portable battery charging equipment, he may elect to leave battery in car. In either case battery must be maintained as per Item 12 below.
*12	Initial and as specified under Maintenance operations.	Battery maintenance	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.220 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
*13	Initial	Cooling system	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry. NOTE: If coolant contains anti-freeze and rust-inhibiting solution it may be left in the cooling system.
§*14	Initial	Brakes	Leave all brakes in released position.
*15	Initial	Clutch	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
§*16	Initial and as specified under maintenance operations.	Tires	(a) *Indoor storage.* Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between ½ and ¾ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure. (b) *Outdoor storage in the case of trailers.* Jack up vehicles in storage space. Remove tires from wheels. Leave wheels mounted on axle spindles. Lower weight of trailer to rest upon wheels. Store tires in a dark cool place protected from direct sunlight, in a horizontal position, with separators.
§*17	Initial and, if necessary, every six months where applicable.	Latches, hinges, brake connections, vertical supporting mechanisms, and fifth wheels.	Lubricate with light oil all latches, hinges, brake connections, vertical supporting mechanisms, and fifth wheels.
§*18	Initial where applicable.	Doors, windows, and vents.	(a) Close all doors, windows, and vents tightly. (b) Close all venti-panes. (c) Leave cowl ventilator open (if screened).

NOTE: In the performance of Items 6 and 8 (Maintenance Operations 6 (a) and 6 (b) and Item 8) the rust inhibiting oil must fully comply with specifications identified as "CRC Designation L-7-443" and published by the Cooperative Research Council, 30 Rockefeller Plaza, New York, N. Y., April, 1943; or the U. S. Army Ordnance Specification #AXS-674 or #AXS-934. Reserve vehicles which are not processed with a product meeting these specifications must be reprocessed with a product which fully complies with these specifications.

[F. R. Doc. 44-3252; Filed, March 7, 1944; 11:17 a. m.]

PART 3293—CHEMICALS

[Limitation Order L-51 as Amended Mar. 7, 1944]

ANTI-FREEZE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alcohols as hereinafter defined for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.11 *General Limitation Order L-51—(a) Definitions.* For the purposes of this order:

(1) "Anti-freeze" means any mixture that is designed and intended for use, without further processing, to depress the freezing point of coolant water in internal combustion engines.

(2) "Alcohols" means ethyl alcohol, methyl alcohol, isopropyl alcohol, diacetone alcohol, and/or ethylene glycol.

(3) "Producer" means any person engaged in the manufacture of anti-freeze from alcohols.

(b) *Restrictions on manufacture of anti-freeze.* (1) No producer shall manufacture anti-freeze from alcohols in greater quantities than specifically authorized from time to time hereafter by the War Production Board.

(2) The restrictions on the manufacture of anti-freeze from alcohols set forth in paragraph (b) (1) of this section shall not apply to the manufacture of anti-freeze to be delivered to fill a specific contract or subcontract for:

(i) The Army or Navy of the United States, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development,

(ii) The government of any of the following countries: The United Kingdom, Canada and other Dominions; Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, The Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia, and

(iii) The government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Quantities of anti-freeze permitted to be manufactured under this subparagraph shall be in addition to quantities permitted under quotas authorized pursuant to paragraph (b) (1) of this section.

(3) Producers may apply to the War Production Board for an authorized anti-freeze quota on Form WPB-1069 (formerly PD-476) addressed to the Chemicals Bureau, War Production Board, Washington 25, D. C.

(c) *Special directives.* The War Production Board may from time to time issue special directives concerning the distribution or delivery of anti-freeze produced under authorized War Production Board quotas. It will be the policy of the War Production Board to obtain an equitable distribution of the available supply of anti-freeze. In issuing these special directives, the War Production Board will take into account vehicle registrations and weather conditions throughout the United States.

NOTE: Former paragraphs (d), (f), (g) and (j) deleted; former paragraphs (e), (h) and (i) redesignated (d), (e) and (f) Mar. 7, 1944.

(d) *Effect on other orders.* The terms and provisions of this order or of any specific authorization issued hereunder by the War Production Board, establishing an anti-freeze quota, shall control and supersede the terms and provisions of any other order heretofore issued by the War Production Board affecting the manufacture of anti-freeze from any of the alcohols.

(e) *Reports.* All persons affected by this order shall execute and file with the Chemicals Bureau, War Production Board, such reports and questionnaires as said Division shall from time to time prescribe.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is

(e) *Records.* All records required to be kept and reports required to be made under this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required by this order and all communications concerning this order shall be addressed to the nearest Regional Office, War Production Board, Reference Order M-216.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—STANDARDS FOR MAINTENANCE OF RESERVE VEHICLES

The following standards for maintenance are established for the preservation and care of reserve vehicles, while in the possession of, or under the control of, producers, distributors, dealers, sales agencies or finance agencies.

Vehicles to Which Standards Are Applicable

The reserve vehicles to which these standards for maintenance apply are those held subject to rationing under orders of the War Production Board and the Office of Price Administration, while in the possession of, or under the control of, producers, distributors, dealers, sales agencies or finance agencies. These orders are, namely, as to passenger automobiles, General Conservation Order M-130, effective June 8, 1942, and Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A effective March 2, 1942; and as to new commercial motor vehicles, General Conservation Order M-100, effective March 9, 1942.

1. *Any 1942 model passenger automobile,* built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of earlier model which has been driven less than 1,000 miles, including taxis, but not

Trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

Standards for Maintenance: New Passenger Automobiles and Commercial Motor Vehicles

(These standards for maintenance correspond with those of the Revised Price Schedule #85 issued by the Office of Price Administration.)

General Instructions

1. *Indoor storage.* All reserve vehicles, other than full-trailers and semi-trailers, must be stored indoors. Select a clean, dry building suitable for the storage of new passenger automobiles and commercial vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

2. *Spacing of vehicles.* Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

3. *Initial and repeat operations.* The operations specified under the heading "Maintenance operations" are of two categories: "Initial" operations, which if not already performed, are to be performed as soon as the vehicle is placed in storage, and "Repeat" operations, which must be performed at intervals of six months, or more often, if necessary, as indicated below.

4. *Exemption for vehicles produced subsequently to August 12, 1943.* Reserve vehicles produced subsequently to August 12, 1943, are exempt from the following items of "Maintenance operations" for a period not to exceed 90 days from the date the vehicle is produced: Items 4, 6, 8, 9, 10, 13, 15 and 17. Note: Item 13 must be performed before the end of the 90 day period if there is any danger of freezing temperatures.

5. *Demonstrator vehicles.* Reserve vehicles which have been properly authorized and cleared (in accordance with the terms of regulations issued by the War Production Board and the Office of Price Administration) and are actually in use as demonstrators or company owned executive cars, are not subject to "Maintenance operations" until such time as they are placed in storage. Such vehicles must be in condition for retail delivery with the exception of a few minor details.

6. *Vehicles for export.* Vehicles produced subsequently to August 12, 1943, which are conditioned and crated for overseas shipment are exempt from the "Maintenance operations" under Schedule I of this order.

7. *Production date sticker.* Subparagraph 4 above exempts vehicles produced after August 12, 1943, from certain maintenance operations for a period of 90 days from date of production of the vehicle. It is, therefore, necessary that such vehicles be marked clearly with the date of production. Producers shall provide a production date sticker to be attached to the instrument panel of each vehicle produced on or after August 12, 1943, filling in the date on which the vehicle was produced. Only those vehicles which carry such production date stickers will be exempt from the performance of the maintenance operations named in Subparagraph 4 above. The production date sticker shall be in substantially the following form:

This vehicle (Serial number) was produced by (Name of producer) on (Date of production) and all maintenance operations called for by War Production Board Conservation Order M-216 must be completed not later than (Specify date 90 days after production).

NOTE: Item 10 amended by deleting the note in "Maintenance Operations" column Mar. 7, 1944.

No.	When to be done	Item	Maintenance operations
*1	Initial and whenever necessary.	Vehicle	(a) Thoroughly wash vehicle; remove al. foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust.
*2	Initial	Windshield wiper	Remove blades; store in glove compartment.
*3	Initial and every six months.	Upholstery and floor coverings.	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets. (b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and windshields with paper, using masking tape. (3) Cover the car with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape. (c) Place floor mats in their normal position on floor, not rolled up.
	Initial		
	Initial		
*4	Initial and whenever necessary.	Chrome plated surfaces	Thoroughly wash and clean all chrome plated sur-

No.	When to be done
*7	Initial...
*8	Initial... Repeat e
*9	Initial...
*10	Initial...
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guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Approval of Bureau of the Budget.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3253; Filed, March 7, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amdt. 25]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. The first sentence of § 1429.65 (s) (1) is amended to read as follows:

(1) The grades, sizes, weight classes, and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs" or from March 6, 1944, to May 27, 1944, inclusive, the standards and grades promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weights for Wholesale Grades for Shell Eggs" shall be the respective grades, sizes, weight classes and standards for all shell eggs sold to any purchaser other than the United States or agency thereof.

2. The fourth sentence of § 1429.65 (s) (1) is amended to read as follows:

The grades and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Procurement Grades", or the grades, sizes, weight classes, and standards promulgated by the Department of Agricuture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs", or from March 6, 1944, to May 27, 1944, inclusive, the grades and standards promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weights for Wholesale Grades for Shell Eggs" shall be used as the grades, sizes, weight classes and standards for all shell eggs sold to the United States or any agency thereof.

3. The headnote of § 1429.67a is amended to read as follows:

§ 1429.67a *Maximum prices for wholesale grades of shell eggs and "current receipt eggs" sold to a "first receiver" or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, or user, or an ultimate consumer from March 6, 1944, to May 27, 1944 inclusive.* ("First receivers" and prior purchasers.)

4. Section 1429.67a (a) is amended to read as follows:

(a) *Maximum prices in basing point cities and Chicago, Illinois.* The maximum prices for shell eggs of wholesale grades and current receipt eggs sold and delivered from March 6, 1944, to May 27, 1944, inclusive, to a "first receiver" or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, a commercial, industrial, institutional or non-federal government user, or an ultimate consumer in a basing point city named in the headnote immediately preceding Table I of this section for each week shall be the price per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs set forth in such Table I of this section and for the week in which delivered. Such maximum prices in Chicago, Illinois, shall be the maximum prices per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs set forth in Table II of this section and for the week of delivery set forth in Table II of this section.

5. Section 1429.67a (b) is amended to read as follows:

(b) *Maximum prices in "Area 1" except for New York City.* In all places other than New York City within "Area 1" the maximum prices for shell eggs of wholesale grades and for current receipt eggs sold and delivered from March 6, 1944, to May 27, 1944, inclusive, to a first receiver or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, a commercial, industrial, institutional, or non-federal governmental user or an ultimate consumer for the week in which delivered shall be the maximum price per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs set forth in Table II of this section for Chicago, Illinois, plus the "transportation factor".

6. Section 1429.67a (b) (2) is amended to read as follows:

(2) The "multiplier" to be used for calculating the transportation factor for all wholesale grades of shell eggs and for current receipt eggs shall be 1.9 for all weeks from March 6, 1944 through May 27, 1944.

7. Section 1429.67a (c) is amended to read as follows:

(c) *Maximum prices for wholesale grades and current receipt eggs in "Area 2" except Chicago and basing point cities.* In "Area 2", except Chicago and basing point cities, the maximum prices for shell eggs of wholesale grades and for current receipt eggs sold and delivered from March 6, 1944, to May 27, 1944, inclusive, to a first receiver or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, a retail route seller, a commercial, industrial, institutional, or non-federal government user, or an ultimate consumer at any place shall be determined as follows:

8. Section 1429.67a (e) is amended to read as follows:

(e) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix and Tucson.*

TABLE I.—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH MAY 27, 1944

All weeks from—	Extras No. 1 and 2	Standards No. 1 and 2	Current Receipt
Mar. 6 to May 27, inclusive	38.5	36.7	34.8

9. Section 1429.67a (f) is amended to read as follows:

(f) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in Chicago, Illinois.*

TABLE II.—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH MAY 27, 1944

All weeks from—	Extras No. 1 and 2	Standards No. 1 and 2	Current receipt
Mar. 6 to May 27, inclusive	36.9	35.1	33.3

10. A new § 1429.67a (g) (3) is added to read as follows:

(3) The maximum prices for wholesale grades of "Specials" 1 and 2 in basing point cities are 2¢ more than the maximum prices for "Extras" 1 and 2 in such cities.

The maximum prices for wholesale grades of "Specials" 1 and 2 in Chicago, Illinois, are 2¢ more than the maximum prices for "Extras" 1 and 2 in such city.

The maximum prices for wholesale grades of "Specials" 3 and 4 in basing point cities are 1¢ more than the maximum prices for "Extras" 1 and 2 in such cities.

The maximum prices for wholesale grades of "Specials" 3 and 4 in Chicago, Illinois, are 1¢ more than the maximum prices for "Extras" 1 and 2 in such city.

11. A new § 1429.67a (g) (4) is added to read as follows:

(4) The maximum prices for wholesale grades of "Extras" 3 and 4 in basing point cities shall be the same as the maximum prices for wholesale grades of "Standards" 1 and 2 in such cities.

The maximum prices for wholesale grades of "Extras" 3 and 4 in Chicago, Illinois, shall be the same as the maximum prices for wholesale grades of "Standards" 1 and 2 in such city.

12. A new § 1429.67a (g) (5) is added to read as follows:

(5) The maximum prices for wholesale grades of "Standards" 3 and 4 in basing point cities shall be the same as the maximum prices for current receipt eggs in such cities.

The maximum prices for wholesale grades of "Standards" 3 and 4 in Chicago, Illinois, shall be the same as the maximum prices for current receipt eggs in such city.

This amendment shall become effective March 6, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 4, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3237; Filed, March 6, 1944; 3:53 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376, Amdt. 2]

SWEET POTATOES

Correction

In F.R. Doc. 44-3097, appearing at page 2492 of the issue for Saturday, March 4, 1944, the date in the sentence added to section 8 (a) by paragraph 6 should read "May 1, 1944."

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 184]

PART 95—CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING FOR CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1944.

It appearing, that freight cars are being loaded by shippers of fresh, frozen, or salted meats, packing house products or by-products and held pending furnishing to carrier's agent shipping orders, bills of lading, or billing instructions, thus impeding the use, control, supply, movement, distribution, exchange, interchange, and return of cars; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of equipment and congestion of traffic, it is ordered, that:

§ 95.333 (a) *Definitions.* (1) The terms "freight car" or "freight cars" as used in this order mean all freight cars and refrigerator cars (but not tank cars) whether privately owned, leased or controlled or railroad owned, leased or controlled.

(2) The term "track" as used in this order means both public and other-than-public delivery tracks.

(3) The terms "shipper" or "shippers" as used in this order mean only shippers or consignors of fresh, frozen or salted meat, packing house products or by-products in carloads and in either straight or mixed shipments.

(4) The term "bill of lading" as used in this order shall include any bill of lading, shipping order or billing instructions required by common carrier by railroad to waybill a freight shipment.

(5) The 48-hour period contemplated by this order is to be computed without excluding Sundays and Holidays.

(b) (1) *Bill of lading must be surrendered to, or written assurance given to, carrier before freight car may be set for loading.* No common carrier by railroad subject to the Interstate Commerce Act shall furnish or supply a freight car from any track to any shipper for loading unless and until:

(i) A bill of lading covering the particular car to be loaded has been furnished to the originating carrier's agent, at the original billing point, or

(ii) A written assurance signed by a shipper has been given to the originating carrier's agent, at the original billing point that a bill of lading, covering the particular car to be loaded, will be furnished by such shipper to the originating carrier's agent, at the original billing point within forty-eight (48) hours after the first 7:00 a. m. after such freight car is placed for loading: *Provided, however,* That if the bill of lading is not furnished within the prescribed time no further freight cars shall be furnished or supplied to such shipper until a bill of lading is supplied pursuant to the written assurance.

(b) (2) Should a shipper confiscate or appropriate a freight car for loading without complying with the requirements set forth in paragraph (b) (1) of this section, no further freight cars shall be furnished or supplied to such shipper until the requirements of paragraph (b) (1) subdivision (i) have been complied with with respect to the confiscated or appropriated car.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent, on or before the effective date of this order and upon not less than one day's notice to the Commission and to the public, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth herein.

(e) *Application.* The provisions of this order shall apply to intrastate and foreign commerce as well as interstate commerce.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., March 16, 1944; that copies of this order and direction shall be served upon each State railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3262; Filed, March 7, 1944; 11:51 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 20]

PART 503—ADMINISTRATION

INTERFERENCE WITH ADMINISTRATION OF ODT ORDERS IN PUERTO RICO

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to provide for the execution of the authority and the performance of the functions in Puerto Rico of the Office of Defense Transportation without improper interference, it is hereby ordered, that:

§ 503.405 *Interference with administration of orders of the Office of Defense Transportation.* No person shall, in Puerto Rico, by force, violence, threats, intimidation, or any other means, hinder, impede, or interfere, or attempt to hinder, impede, or interfere, with any person administering or enforcing, or assisting in administering or enforcing, any order of the Office of Defense Transportation pertaining to the allocation of transportation equipment, or the allocation of the use of transportation equipment.

Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required by, any provision of any rule, regulation or order issued under the Act of May 31, 1941, as amended by the Second War Powers Act, is guilty of a misdemeanor, and subject

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2468, 3002, 3070, 3735, 5342, 5639, 6182, 6476, 6626, 7457, 9227, 9300, 9879, 11381, 12095, 12478, 12632, 14093, 14400, 14855, 15459, 16199, 16999, 17485.

to a fine of not more than $10,000 or imprisonment for not more than one year, or both.

This order shall become effective on March 7, 1944.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U.S.C. secs. 631 through 645a; E. O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F. R. 3349; E.O. 9214, 7 F.R. 8097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 7th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3244; Filed, March 7, 1944; 10:05 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF LOCALITIES FOR LOANS

Canceling the designation of localities for the making of loans pursuant to Title I of the Bankhead-Jones Farm Tenant Act in the County of Isabella, State of Michigan.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued November 3, 1943, the locality designation appearing below, approved by the Administrator of the Farm Security Administration on October 23, 1942, is hereby canceled:

REGION II—MICHIGAN

ISABELLA COUNTY

Locality I: Consisting of the townships of Gilmore, Coldwater, Sherman, and Broomfield, $3,185.

Locality II: Consisting of the townships of Rolland, Nottawa, Deerfield, Freemont, Vernon, Isabella, Union, Lincoln, Wise, Denver, Chippewa, and Coe, and the City of Mount Pleasant, $5,372.

Hereafter, loans under Title I of the Bankhead-Jones Farm Tenant Act shall not be made in said county for the purchase of farms of greater value than the average farm unit of thirty acres and more in said county, determined in accordance with the statistics of the farm census of 1940.

Approved March 2, 1944.

FRANK HANCOCK,
Farm Security Administrator.

[F. R. Doc. 44-3255; Filed, March 7, 1944; 11:27 a. m.]

Rural Electrification Administration.

[A. O. 800]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 19, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arkansas 4-3009D1 Craighead	$205,000
Arkansas 4-3022C1 Clay	100,000
Louisiana 4-3013D1 East Baton Rouge	80,000
Oklahoma 4-3006F1 Caddo	50,000
Oklahoma 4-3015F1 Tillman	70,000
Oklahoma 4-3021C1 Washita	50,000
Oklahoma 4-3026D1 Harmon	50,000
Pennsylvania 4-3025E1 Adams	425,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-3258; Filed, March 7, 1944; 11:27 a. m.]

[A. O. 807]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 19, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Illinois 4-3007D4 Henry	$40,000
Illinois 4-3012B5 Bureau	50,000
Illinois 4-3021H3 Menard	100,000
Illinois 4-3037B3 Saline	40,000
Illinois 4-3046B2 Madison	50,000
Iowa 4-3002B2 Sioux	75,000
Iowa 4-3019B2 Adams	70,000
Iowa 4-3023C2 Crawford	50,000
Iowa 4-3040C4 Marion	60,000
Iowa 4-3053C3 Linn	80,000
Iowa 4-3071B3 Buchanan	50,000
Iowa 4-3075A3 Montgomery	75,000
Iowa 4-3077A3 Davis	50,000
Kentucky 4-3046D3 Harrison	26,000
Kentucky 4-3055E2 Henderson-Union	25,000
Louisiana 4-3010C4 Washington	50,000
Louisiana 4-3011B2 Bossier	50,000
Louisiana 4-3012C5 Franklin	50,000
Mississippi 4-3041C2 Pike	50,000
Nevada 4-3003A2 Alamo District Public	5,000
North Carolina 4-2010C2 Haywood	48,000
Pennsylvania 4-3017D1 Armstrong	50,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-3259; Filed, March 7, 1944; 11:27 a. m.]

[A. O. 808]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 19, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Virginia 4-1011K1 Rockingham	$32,000
Kansas 4-3034C1 Barton	120,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-3260; Filed, March 7, 1944; 11:27 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING DATE OF HEARING

MARCH 6, 1944.

It appearing to the Commission that:

The hearing heretofore set by Commission's order of January 31, 1944, in the above entitled matter for March 16, 1944, may conflict with the hearing now being held by the Department of Public Utilities of the State of Arkansas and it is appropriate that the hearing be postponed;

The Commission orders that:

The public hearing heretofore ordered to commence on March 16, 1944, at 9:45 a. m. (c. w. t.) in Little Rock, Arkansas, for the purpose of determining the issues raised by the order of June 15, 1943, in this case and the above company's response thereto, be and the same hereby is postponed to commence at the same time on April 17, 1944, in the hearing room of the State of Arkansas Department of Public Utilities, Little Rock, Arkansas.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-3245; Filed, March 7, 1944; 10:40 a. m.]

FOREIGN ECONOMIC ADMINISTRATION.

[Case No. 20]

A. JOHN BITTSON ENGINEERING CO. AND WORLD DISTRIBUTORS CORPORATION

ORDER FOR THE DENIAL OF LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations, adopted under section 6 of the act of July 2, 1940, as amended, the Trade Intelligence Division of the Office of Exports, Office of Economic Warfare (now Trade Intelligence Section of the Operations Division of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration) charged the respondents herein with the violation of section 6 of the act of July 2, 1940, as amended, and the regulations adopted pursuant thereto. After due notice the respondent requested an oral hearing in accordance with § 807.7 of said regulations. The matter came on for oral hearing before Kelly Kash, Compliance Commissioner for the Administration. Respondents were represented by counsel.

The Compliance Commissioner received the evidence presented and after due consideration of the record on the 18th day of February 1944 filed his findings of fact and recommendations in this matter. Said findings show that on or about July 14, 1942, license application number 852754 for the export of 221,000 lbs. of black steel sheets was filed in the name of World Distributors Corporation by A. John Bittson naming Canha & Formigal Lda., Lisbon, Portugal, as consignee, ultimate consignee and purchaser and showing applicant's reference number as 4477; that said application stated there was no arrangement whereby the licensee, seller, consignor or supplier received consideration in excess of the amount stated in answer to Question No. 15; that on or about January 26, 1943, World Distributors Corporation by A. John Bittson, President, submitted invoice setting forth sale of 220,880 lbs. black steel sheets to Messrs. Larangeira Lda., Lisbon, Portugal, sold through Messrs. Canha & Formigal at a price of $25,401.20 plus certain charges making a total price of $29,768.31; that said invoice refers to license 852754, Control No. P-4437 and respondent's order No. 4477 and states over the signature of A. John Bittson that the amount stated in the invoice represents the true selling price; that the sale and shipment of the merchandise by respondent to Larangeira Lda. was a violation of the export control laws and regulations in that there was no export license authorizing the shipment to said corporation, the amount at which the sale was made to said Larangeira Lda. was in excess of the amount stated in the license, and that the price paid by Larangeira Lda. was in excess of the price at which the commodity could be sold under the Maximum Export Price Regulation, as amended, of the Office of Price Administration; that Anthony John Bittson, trading under the name of A. John Bittson Engineering Company, and World Distributors Corporation, 11 Broadway, New York, New York, have violated section 6 of the act of July 2, as amended, 50 U.S.C. (1940 ed.) 701 and the proclamations, Executive orders and regulations promulgated pursuant thereto; and that said violations were willfully committed. The Commissioner has recommended that licensing privileges of respondents be suspended to and including June 30, 1944.

The undersigned having considered the findings and recommendations of the Compliance Commissioner has determined that the Findings of Fact are supported by the record and adopts the conclusions and recommendation of the Compliance Commissioner.

Now, therefore, it is determined and ordered, That the respondents, Anthony John Bittson, A. John Bittson Engineering Company and World Distributors Corporation and any person, association or organization acting in behalf or for the account of them be and each of them is hereby denied the privilege of obtaining individual, or any other type of export license, or release certificate and is denied the use of any general or other type of export license authorizing any exportation whatsoever from the United States until and including June 30, 1944, and that all presently outstanding export licenses issued to the said respondents or any of them be and the same are hereby revoked.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 2, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements & Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-3261; Filed, March 7, 1944; 11:46 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 173, Special Permit 2]

ROUTING OF CARLOAD FREIGHT FROM MONROE OR WEST MONROE, LA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph (§ 97.10, 9 F.R. 222) of Service Order No. 173 of January 4, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept shippers' or carriers' routing and to route in accordance therewith any shipment of transit or non-transit carload freight from Monroe or West Monroe, Louisiana, to destinations east of the Mississippi River by way of any route on or east of the Tremont & Gulf Railway Company from West Monroe, Louisiana, to Wood Junction, Louisiana, thence on or east of the line of said carrier from Wood Junction to Winnfield, Louisiana, thence via connections east or north thereof.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3263; Filed, March 7, 1944; 11:51 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1335, as Amended, Amdt.]

HENRY POELKER

In re: Two mortgages and a claim owned by Henry Poelker.

Vesting Order Number 1335, dated April 27, 1943, as amended, is hereby further amended as follows, and not otherwise:

By deleting subparagraph 3-b of said Vesting Order and substituting therefor a new subparagraph, to be known as subparagraph 3-b, as follows:

A certain mortgage recorded in the Office of the Register of Kings County, State of New York, in Liber 4781 of Mortgages, Page 314, and assigned to Henry Poelker by assignment recorded in the Office of the said Register in Liber 7889 of Mortgages, Page 67, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any or all such obligations and the right to enforce and collect such obligations, and the right to the possession of all bonds, notes or other instruments evidencing such obligations, and

All other provisions of said Vesting Order Number 1335, as amended, and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3189; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2698]

HIBISCUS CAFE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation,

Finding—

1. That Hibiscus Cafe, whose principal place of business is Honolulu, T. H., is a sole proprietorship owned by Ushi Teruya and is a business enterprise within the United States;

2. That Ushi Teruya, whose last known address is Okinawa Ken, Japan, is a national of a designated enemy country (Japan);

and determining—

3. That Hibiscus Cafe, a sole proprietorship, is controlled by Ushi Teruya and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Ushi Teruya in and to Hibiscus Cafe, a sole proprietorship, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to or held on behalf of or on account of or owing to said Hibiscus Cafe, herein described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby

undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3180; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2827]

FORTUNA-WERKE A. G.

In re: Fortuna-Werke Splitting Machine and 14 Spare Parts owned by Fortuna-Werke A. G., of Stuttgart, Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding—

1. That Fortuna-Werke A. G., is a corporation organized under the laws of Germany, having its principal place of business at Stuttgart-Bad Cannstatt Postfach 140, Germany, and is a national of a designated enemy country (Germany);

2. That Fortuna-Werke A. G. is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows: 1 SAS Fine Splitting Machine No. 48, with band measure 300 mm. width and electric motor, with spare parts, as follows: 3 parts 620–210–1, 6 parts 214, 2 parts 158, 1 part 155–1, 1 part 219, 1 part 209, now in the possession of Rapid Shoe Machine Mfg. Co., 682 Sixth Avenue, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3181; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2864]

WALTER EITELBACH & CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding—

1. That of the outstanding capital stock of Walter Eitelbach & Co., Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 1,500 shares of voting preferred and 1,000 shares of voting common, both of a par value of $100 a share, 1,453 shares of preferred (58.12% of the capital stock) are owned by and registered in the name of The Nissen Stiftung, Husum, Schleswig-Holstein, Germany, and are evidence of control of said business enterprise;

2. That all the outstanding 5% Sinking Fund Gold Notes, dated April 1, 1928, in the face amount of $397,000, of Walter Eitelbach & Co., Inc., plus accrued and unpaid interest thereon, are owned by The Nissen Stiftung, Husum, Schleswig-Holstein, Germany, and are evidence of control of said business enterprise;

3. That The Nissen Stiftung, whose principal place of business is Husum, Schleswig-Holstein, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

and determining:

4. That Walter Eitelbach & Co., Inc., is controlled by The Nissen Stiftung, and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 1,453 shares of the preferred stock of Walter Eitelbach & Co., Inc., represented by stock certificates registered in the name of The Nissen Stiftung, Husum, Schleswig - Holstein, Germany, and $397,000 face value 5% Sinking Fund Gold Notes, dated April 1, 1928, and all accrued and unpaid interest thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 31, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3182; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2904]

METRAWATT A. G.

In re: Exposure meters, amplifiers, leather cases, and claim owned by Metrawatt A. G. of Nuernberg, Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding

1. That Metrawatt A. G. is a corporation organized under the laws of Germany, having its principal place of business at Nuernberg, Schoppershofstrasse 52–54, Germany, and is a national of a designated enemy country (Germany);

2. That Metrawatt A. G. is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. Exposure meters, amplifiers and leather cases consisting of: 859 Eos with cases, 124 Tempiphots with cases, 27 Tempiphot amplifiers with cases, 17 Horvex with cases, 29 Horvex amplifiers with cases,

now in the possession of American Bolex Company, Incorporated, 155 East 44th Street, New York, New York, and

b. All right, title, interest and claim of any name or nature whatsoever of Metrawatt A. G. in and to any and all obligations, contingent or otherwise and whether or not matured, owing to said Metrawatt A. G. by American Bolex Company Incorporated, 155 East 44th Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3183; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2906]

KICHIJIRO TANAKA

In re: Japanese paintings and miscellaneous articles owned by Kichijiro Tanaka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kichijiro Tanaka is Osaka, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Kichijiro Tanaka is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows: One folio containing 18 Japanese paintings on silk, one Sheffield silver bowl, one birch-bark basket and one glass jar, now in the possession of Yamanaka & Co., Inc., in liquidation under the supervision of the Alien Property Custodian, 680 Fifth Avenue, New York City, is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3184; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2949]

FEDERATION OF THE ITALIAN WORLD WAR VETERANS IN THE UNITED STATES OF AMERICA, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Federation of the Italian World War Veterans in the United States of America, Inc., a membership corporation organized and doing business under the laws of the State of New York, is a business enterprise within the United States and is a part of and is controlled by the Associazione Nazionale Combattenti Italiani;

2. That the Associazione Nazionale Combattenti Italiani, located in Italy and composed of nationals of Italy, is an official agency of the Italian Government and is a part of Partito Nazionale Fascista (National Fascist Party) and is a national of a designated enemy country (Italy);

3. That the Partito Nazionale Fascista, located in Italy, is composed of nationals of Italy and is controlled by the Italian Under-Secretary of State for Foreign Affairs;

and determining:

4. That the Federation of the Italian World War Veterans in the United States of America, Inc., is controlled by and/or acts for or on behalf of the Partito Nazionale Fascista and of a designated enemy country (Italy) and is a national of said designated enemy country;

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Federation of the Italian World War Veterans in the United States of America, Inc., and the interests therein of any and all of the members of Federation of the Italian World War Veterans in the United States of America, Inc., to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3185; Filed, March 6, 1944; 10:51 a. m.]

[Vesting Order 2951]

G. E. REINHARDT

In re: Machines and spare parts owned by G. E. Reinhardt of Leipzig, Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That G. E. Reinhardt is a business enterprise having its principal place of business at Leipzig, Germany, and is a national of a designated enemy country (Germany);

2. That G. E. Reinhardt is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

(a) 1 Hi-speed Perforating Machine "Prefix" #294 (Polka) for sheets up to 90 cm wide, for continuous and stop perforation, for drive from single pulley, all scales in inches, complete with six perforating units. Extra: 6 perforating units, 12 ditto for gummed paper, 1,750 Perforating needles, 24 Matrices for Perforator, 1 Set of vibration absorbers.

(b) 1 "Small Reinhardt" Ruling Machine #184, Model C/ Aklok, 72 cm circumference of cylinder, with 2 ink fountains, for sheets up to 70 cm in width, name plate and plate "made in Germany" are attached to machine, complete with 1 special attachment, 1 cutting head, 2 perforating heads #7066, 1 creasing head #7091, now in the possession of Karl Krause U. S. Corporation, 55 Vandam Street, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3186; Filed, March 6, 1944; 10:52 a. m.]

[Vesting Order 2972]

AKUMULATORENFABRIK HOPPECKE

In re: A negotiable delivery receipt for 89,600 pounds of pig lead owned by Akumulatorenfabrik Hoppecke.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Akumulatorenfabrik Hoppecke, sometimes referred to as Akkumulatorenfabrik Hoppecke, is a business enterprise, with its principal place of business at Praterucca 86, Budapest, Hungary, and is a national of a designated enemy country (Hungary);

2. That Akumulatorenfabrik Hoppecke, sometimes referred to as Akkumulatorenfabrik Hoppecke, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Certificate number 616 issued by American Smelting and Refining Company to Mineralia, Metal and Ore Corporation, or order, dated June 4, 1940, entitling the holder to the delivery of 89,600 pounds of pig lead in bond on or after June 4, 1940, upon the surrender of this certificate, F. A. S. Galveston, Texas,

is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3187; Filed, March 6, 1944; 10:52 a. m.]

[Vesting Order 2973]

THE CHERRY CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of The Cherry Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 416 shares of capital stock having a par value of $50 a share, 293 shares (70.43%) are owned by the following persons in the number appearing opposite each name and are evidence of control of said business enterprise:

Name and Number of Shares	
Shiro Sayegusa	213
Tani Sayegusa	80
Total	293

2. That Shiro Sayegusa and Tani Sayegusa, whose last known addresses are 529–3 Chome Shimo-Meguro, Meguro Ku, Tokyo, Japan,

are nationals of a designated enemy country (Japan);

and determining:

3. That The Cherry Company, Limited, is controlled by Shiro Sayegusa and Tani Sayegusa and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 293 shares of the capital stock of The Cherry Company, Limited, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3188; Filed, March 6, 1944; 10:52 a. m.]

[Vesting Order 3207]

KATE LOHNES

In re: Estate of Kate Lohnes, deceased; File D–28–3491; E. T. sec. 5576.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Mabes, administrator with will annexed, Paola, Kansas, acting under the judicial supervision of the Probate Court of the State of Kansas, in and for the County of Miami;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Jacob Lohnes, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Jacob Lohnes in and to the estate of Kate Lohnes, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3174; Filed, March 6, 1944; 10:50 a. m.]

[Vesting Order 3208]

SUSANNE LUDWIG

In re: Estate of Susanne Ludwig, deceased, File No. D–28–3657; E. T. sec. 5947.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Paula Startek, Germany.
Kasimir Startek, Germany.
Gertrude Zwanziger, Germany.
Marianne Startek, Germany.
Hertha Startek, Germany.
Kurt Startek, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Paula Startek, Kasimir Startek, Gertrude Zwanziger, Marianne Startek, Hertha Startek, and Kurt Startek, and each of them, in and to the estate of Susanne Ludwig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3175; Filed, March 6, 1944; 10:50 a. m.]

[Vesting Order 3209]

PHILIP REICHARDT

In re: Estate of Philip (Philipp) Reichardt, deceased; File D–28–1533; E. T. sec. 204.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Wheeler Kelly Hagny Trust Company, Administrator, 120 South Market Street, Wichita, Kansas, acting under the judicial supervision of the Probate Court of Cowley County, State of Kansas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John (Johannes) Reichardt, Germany.

Matrina Hoffman (also known as Maria Kathrina Hoffman, Maria Katharine Hoffman, Maria Katherine Hoffman, Marie Kathrina Hoffman, Marie Katharina Hoffman and Katharina Hoffman), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John (Johannes) Reichardt and Matrina Hoffman (also known as Maria Kathrina Hoffman, Maria Katharine Hoffman, Maria Katherine Hoffman, Marie Kathrina Hoffman, Marie Katharina Hoffman and Katharina Hoffman), and each of them, in and to the estate of Philip (Philipp) Reichardt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3176; Filed, March 6, 1944; 10:50 a. m.]

[Vesting Order 3210]

GUSTAV F. STEIN

In re: Estate of Gustav F. Stein, deceased; File D–28–8153; E. T. sec. 9069.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Kenneth Stein and Charles E. Lenon, as Executors, acting under the judicial supervision of the Circuit Court of the State of Oregon for the County of Clackamas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mathilda Strube, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mathilda Strube, in and to the Estate of Gustav F. Stein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc, 44–3177; Filed, March 6, 1944; 10:50 a. m.]

[Vesting Order 3211]

CHARLES TRUEG

In re: Estate of Charles Trueg, deceased; File D–28–7922; T. E. sec. 8743.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peoples-Pittsburgh Trust Company, Custodian, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albert Trueg, Germany.
Emil Trueg, Germany.
Personal representative of Louise Rechkemmer, deceased, Germany.
Anna Stump, Germany.
Helmut Voss, Germany.
Gertrude Voss, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Albert Trueg, Emil Trueg, Personal Representative of Louise Rechkemmer, deceased, Anna Stump, Helmut Voss and Gertrude Voss, and each of them, in and to the estate of Charles Trueg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return

should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3178; Filed, March 6, 1944; 10:50 a. m.]

[Vesting Order 3219]

SAMUEL H. HUDSON

In re: Estate of Samuel H. Hudson, deceased; File D-28-8188; E. T. sec. 9157.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl H. Baesler, Esq., as Executor, acting under the judicial supervision of the Probate Court, County of Suffolk, Commonwealth of Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katharina Corcilius, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katharina Corcilius in and to the estate of Samuel H. Hudson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3179; Filed, March 6, 1944; 10:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 3, 1944.

REGION II

Buffalo Order No. 6, filed 4:50 p. m.
Maryland Order No. 13, filed 4:14 p. m.
Maryland Order No. 14, filed 4:14 p. m.
Maryland Order No. 15, filed 4:14 p. m.
Maryland Order No. 16, filed 4:15 p. m.
Maryland Order No. 17, filed 4:16 p. m.
Newark Order No. 8, filed 3:55 p. m.
New York Order No. 12, filed 4:13 p. m.
New York Order No. 13, filed 4:13 p. m.
New York Order No. 14, filed 4:13 p. m.
Syracuse Order No. P-1, Amendment No. 2, filed 3:47 p. m.
Trenton Order No. 11 (Rev.), filed 3:50 p. m.
Williamsport Order No. 11, filed 3:51 p. m.
Williamsport Order No. 13, filed 3:51 p. m.

REGION III

Cleveland Order No. F-1, Amendment No. 15, filed 4:18 p. m.
Cleveland Order No. F-3, Amendment No. 11, filed 4:18 p. m.
Cleveland Order No. F-4, Amendment No. 10, filed 4:18 p. m.
Cleveland Order No. F-5, Amendment No. 7, filed 4:18 p. m.
Cincinnati Order No. 1-F, Amendment No. 18, filed 4:18 p. m.
Detroit Order No. 1-F, Amendment No. 4, filed 3:48 p. m.

REGION IV

Charlotte Order No. 12, Amendment No. 1, filed 3:48 p. m.
Jacksonville Order No. 2-W, filed 3:57 p. m.
Jacksonville Order No. 18, filed 4:21 p. m.

REGION V

Fort Worth Order No. 1-F, Amendment No. 3, filed 4:19 p. m.
Fort Worth Order No. 2-F, Amendment No. 3, filed 4:16 p. m.
Fort Worth Order No. 3-F, Amendment No. 3, filed 4:16 p. m.
Fort Worth Order No. 4-F, Amendment No. 3, filed 4:17 p. m.
Fort Worth Order No. 5-F, Amendment No. 3, filed 4:17 p. m.
Fort Worth Order No. 9, Amendment No. 1, filed 4:17 p. m.
Fort Worth Order No. 10, Amendment No. 1, filed 4:17 p. m.
Tulsa Order No. G-8, filed 3:55 p. m.
Tulsa Order No. G-9, filed 3:55 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 5, filed 3:49 p. m.
Fargo-Moorhead Rev. Order No. 17, filed 3:52 p. m.
Fargo-Moorhead Rev. Order No. 18, filed 3:51 p. m.
Fargo-Moorhead Rev. Order No. 19, filed 3:53 p. m.
Fargo-Moorhead Rev. Order No. 20, filed 3:52 p. m.
Peoria Order No. 3, Amendment No. 7, filed 3:47 p. m.
Peoria Order No. 8 Amendment No. 8, filed 3:52 p. m.

REGION VII

Utah Order No. F-1, Amendment No. 3, filed 3:54 p. m.
Utah Order No. F-2, Amendment No. 2, filed 3:54 p. m.
Utah Order No. F-3, Amendment No. 1, filed 3:53 p. m.
Utah Order No. F-4, Amendment No. 1, filed 3:54 p. m.
Utah Order No. F-5, Amendment No. 1, filed 3:55 p. m.
Utah Order No. F-6, Amendment No. 1, filed 3:53 p. m.

REGION VIII

Nevada Order No. 10, filed 4:20 p. m.
Nevada Order No. 11, filed 4:21 p. m.
Nevada, Order No. 13, filed 4:20 p. m.
Phoenix Order No. 1-P, Amendment No. 3, filed 3:48 p. m.
Portland Order No. 1-F, Amendment No. 5, filed 3:54 p. m.
Sacramento Order No. 1-F, Amendment No. 5, filed 3:49 p. m.
Sacramento Order No. 3-F, Amendment No. 5, filed 3:49 p. m.
Sacramento Order No. 5-F, Amendment No. 5, filed 3:49 p. m.
Sacramento Order No. 7-F, Amendment No. 3, filed 3:47 p. m.
San Diego Order No. 1-F, Amendment No. 24, filed 3:56 p. m.
San Francisco Order No. 1-P, filed 3:56 p. m.
San Francisco Order No. 1-F, Amendment No. 3, filed 4:16 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3226; Filed, March 6, 1944; 11:52 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 172-RO 1]

SUBURBAN CHICAGO, ILLINOIS, MARKETING AREA

NOTICE OF REOPENING OF HEARING ON HANDLING OF MILK

Proposed marketing agreement and order regulating the handling of milk in the suburban Chicago, Illinois, marketing area.

Notice is hereby given that the hearing which was held in Chicago, Illinois, on September 30 and October 1, 1943, with respect to a proposed marketing agreement and order regulating the handling of milk in the Suburban Chicago, Illinois, marketing area, will be reopened in the Bismark Hotel, Chicago, Illinois, at 10:00 a. m., c. w. t., March 24, 1944.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed.

601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2813).

This public hearing is for the purpose of receiving further evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth. The proposed marketing agreement and order have not received the approval of the War Food Administrator, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. *Definitions.* The following terms as used herein shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers or to perform the duties of the War Food Administrator of the United States hereunder.

(c) "Suburban Chicago, Illinois, Marketing Area", hereinafter called "marketing area", means all of the territory geographically included within the city of Barrington in Lake County, the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora in Kane County, Cook, Du Page, and Will Counties, Illinois, and all of the territory geographically included within the townships of North, Calumet, and Hobart in Lake County, Indiana, excepting territory included in the marketing area defined in Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, issued under the act. "Segment 1" of the marketing area shall mean all of the territory geographically included within the city of Barrington in Lake County, within Cook and Du Page Counties, Illinois, and within the townships of North, Calumet, and Hobart in Lake County, Indiana, excepting territory included within the marketing area defined in Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. "Segment 2" of the marketing area shall mean all of the territory geographically included within the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora in Kane County, and within Will County, Illinois, excepting territory included within the marketing area defined in Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

(d) "Person" means individual, partnership, corporation, association, or other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk which is received at a plant from which milk is used as Class I in the marketing area during the delivery period, excepting any person who is a producer under Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area: *Provided*, That, as determined by the market administrator, more than 10 percent of the total receipts of milk at such plant is used as Class I milk in the marketing area, and such plant handles milk which is used as Class I milk in the marketing area for more than 10 days during the delivery period.

(f) "Handler" means any person who engages in handling milk, all, or any portion, of which is used as Class I milk in the marketing area, and who engages in such handling of milk as is in the current of interstate commerce, or which directly burdens, obstructs, or affects interstate commerce in milk or its products. This definition shall not be deemed to include any person who is subject to the definition of handler under Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

(g) "Market administrator" means the agency which is described in section 2 for the administration hereof.

(h) "Delivery period" means the period from the effective date hereof until the end of the calendar month in which such effective date occurs. Thereafter, "delivery period" shall mean the current calendar month.

(i) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

SEC. 2. *Market administrator* — (a) *Selection, removal, and bond.* The agency for the administration hereof shall be a market administrator who shall be a person selected and subject to removal by the War Food Administrator. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the War Food Administrator.

(c) *Powers.* The market administrator shall have the power: (1) to administer the terms and provisions hereof, and (2) report to the War Food Administrator complaints of violations hereof.

(d) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein;

(2) Submit his books and records to examination by the War Food Administrator at any and all times;

(3) Furnish such information and such verified reports as the War Food Administrator may request;

(4) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose, after reasonable notice, the name of any person who has not made reports, pursuant to section 3, or made payments required by section 8;

(6) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation hereof as does not reveal confidential information;

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof; and

(8) Pay, out of the funds received pursuant to section 9, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties, except those expenses incurred and provided for under section 10 hereof.

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 5th day after the end of each delivery period, the prices for all classes of milk pursuant to section 5 (a) and the differential pursuant to section 5 (c).

(2) Not later than the 14th day after the end of each delivery period, the uniform price for each handler computed pursuant to section 7 (b).

SEC. 3. *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 7th day after the end of each delivery period, each handler who purchases or receives milk during such delivery period from associations of producers and other handlers, with respect to all milk purchased or received from such sources, shall submit to the market administrator and to the association of producers or handlers from whom the milk was purchased or received, a record of the utilization of such milk, classified pursuant to section 4.

(2) On or before the 9th day after the end of each delivery period, the quantity, butterfat test, and butterfat pounds of (i) the receipts of milk at each plant from producers, (ii) the receipts of milk and cream at each plant from other handlers, (iii) the receipts of milk or cream from sources other than producers and handlers, (iv) the receipts at each plant of the milk produced by him, and (v) the utilization of all receipts of milk and cream from the delivery period.

(3) On or before the 9th day after the end of each delivery period, the information requested with respect to producer additions, producer withdrawals, and changes in the names of farm operators.

(4) On or before the 25th day after the end of each delivery period, his producer pay roll, which shall show for each producer (i) the total delivery of milk with the average butterfat test thereof, (ii) the net amount of payment to such producer made pursuant to section 8, (iii) any deductions and changes made by the handler, and (iv) such other information with respect thereto as the market administrator may request.

(b) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section, and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

SEC. 4. *Classification of milk*—(a) *Basis of classification.* All milk received by a handler from producers, associations of producers, and other handlers, including milk produced by him, and including milk or cream purchased or received from sources other than producers or handlers, shall be reported by the handler in the classes set forth in (b) of this section, subject to the following conditions: (1) Milk or skim milk delivered by a handler to another handler shall be classified as Class I milk, and cream so delivered shall be classified as Class II milk: *Provided,* That if a different classification is agreed upon in written reports to the market administrator then the milk, skim milk, and cream shall be classified according to such agreement: *Provided further,* That in no event shall the amount so reported in any class be greater than the amount used in that class by the receiving handler; (2) Any milk or skim milk moving from the plant of a handler to the plant of a nonhandler shall be classified as Class I milk and any cream moved to such nonhandler shall be classified as Class II milk, excepting milk and cream in excess of the amount of Class I or Class II milk, distributed by such nonhandler: *Provided,* That if notification of a different classification is given by seller and purchaser in written reports to the market administrator then the milk, skim milk, or cream shall be classified according to such notification, subject to verification by the market administrator; (3) Milk that has moved from a plant, which has been determined by the market administrator as not regularly furnishing milk for Class I use and as not receiving milk from producers, to a handler's plant at which milk is received from producers, shall be classified in the lowest class for which such handler has milk: *Provided,* That, upon satisfactory evidence to the market administrator, that such milk was needed and used in a higher classification, then such milk may be prorated on the basis of such handler's utilization of all milk; and (4) Milk received by a handler in the form of cream from a nonhandler shall be prorated to and on the basis of such handler's Class II, Class III, and Class IV milk.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of fluid milk, excluding bulk disposed of to bakeries, soup companies, and candy manufacturing establishments, which do not distribute fluid milk but including bulk milk disposed of to hotels, restaurants, and other retail food establishments, and all milk not accounted for as Class II milk, Class III milk, or Class IV milk.

(2) Class II milk shall be all milk, except skim milk, disposed of in the form of flavored milk and flavored milk drinks, and all milk the butterfat from which is disposed of in the form of sweet or sour cream, cottage cheese, and buttermilk.

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV, and all bulk milk disposed of to bakeries, soup companies, and candy manufacturing establishments which do not distribute fluid milk.

(4) Class IV milk shall be all milk the butterfat from which is used to produce butter and cheese, except cottage cheese, and all milk accounted for as actual plant shrinkage: *Provided,* That such plant shrinkage shall not exceed 2 percent of the total receipts of milk from producers and from the handler's own production. Any handler whose report claimed the original classification of milk in this class shall be liable for the difference between the Class IV and Class III prices for the delivery period in which the Class IV classification was claimed on any such milk, if the butterfat used in the production of butter is subsequently used in the production of ice cream or ice cream mix.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in (b) of this section, the responsibilities of handlers shall be as follows:

(1) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(2) With respect to milk, or skimmed milk, disposed of to another handler, the burden rests upon the handler who received the milk from producers to account for the milk, or skimmed milk, and to prove to the market administrator that such milk, or skimmed milk, should not be classified as Class I milk: *Provided,* That if verification by the market administrator discloses a higher utilization than that reported pursuant to section 3 (a) (1) for milk purchased by a handler from a producer or from a cooperative association, the market administrator shall notify the purchasing handler and such handler shall, within 5 days after notification by the market administrator, make adjustment on the basis of such higher utilization as verified by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class, as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk (i) received from producers, (ii) produced by him, (iii) received from other handlers, (iv) received from other sources, and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test, (ii) multiply the weight of the milk produced by him by its average butterfat test, (iii) multiply the weight of the milk received from other handlers by its average butterfat test, (iv) multiply the weight of the milk received from other sources by its average butterfat test, and (v) add together the resulting amount.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to quarts the quantity of milk disposed of in the form of milk, and multiply by 2.15, (ii) multiply the result by the average butterfat test, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II, Class III, and Class IV milk computed pursuant to (4) (ii), (5) (ii), and (6) (ii), of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(6) Determine the total pounds of milk in Class IV as follows: (i) multiply the actual weight of each of the several products of Class IV milk by its average butter fat test, (ii) add together the resulting amounts, (iii) subtract the total pounds of butterfat in Class I milk, Class

II milk, and Class III milk, computed pursuant to (3) (ii), (4) (ii), and (5) (ii) of this paragraph, and the total pounds of butter fat computed pursuant to (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purpose of this paragraph (but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of butterfat from producers by the handler) and shall be added to the result obtained in (ii) of this subparagraph, and (iv) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(7) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class, as provided for in section 4 (a); and

(ii) Subtract from the total pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class, as provided for in section 4 (a).

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in several classes as computed pursuant to (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to section 6 (c), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

SEC. 5. *Minimum prices*—(a) *Class prices.* Subject to the provisions of (c), (d), and (e) of this section, each handler shall pay, at the time and in the manner set forth in section 8, for milk purchased or received by such handler from producers at a plant, distributing station, or depot located in the marketing area from which milk is disposed of at wholesale or retail, not less than the prices set forth in this section.

(1) *Class I milk.* The prices per hundredweight to be paid for Class II milk during each delivery period shall be as follows:

(i) By handlers in segment 1 of the marketing area: In the case of milk produced under dairy farm permits or ratings, issued by the proper health authorities, indicating compliance with the production requirements established for milk of Grade A quality, the Class I price shall be the price determined pursuant to (b) of this section, plus 70 cents. In the case of milk of producers who do not hold such permits or ratings, the Class I price shall be the price determined pursuant to (b) of this section, plus 60 cents.

(ii) By handlers in segment 2 of the marketing area: The price for Class I milk shall be the price determined pursuant to (b) of this section, plus 70 cents.

(2) *Class II milk.* The prices per hundredweight to be paid for Class II milk during each delivery period shall be as follows:

(i) By handlers in segment 1 of the marketing area: In the case of milk produced under dairy farm permits or ratings, issued by the proper health authorities, indicating compliance with the production requirements established for milk of Grade A quality, the Class II price shall be the price determined pursuant to (b) of this section, plus 32 cents. In the case of milk of producers who do not hold such permits or ratings, the Class II price shall be the price determined pursuant to (b) of this section, plus 22 cents.

(ii) By handlers in segment 2 of the marketing area: The price for Class II milk shall be the price determined pursuant to (b) of this section, plus 32 cents.

(3) *Class III milk.* The price per hundredweight for milk containing 3.5 percent butterfat during each delivery period shall be the average computed by the market administrator, of prices reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) paid during such delivery period to farmers at each of the places or evaporated milk plants where milk is received from producers, as hereinafter listed, and for which prices are reported, but in no event shall such price be less than the price computed pursuant to the formula set forth in (b) of this section.

Concern and Location.

Borden Company, Battle Creek, Michigan.
Borden Company, Greenville, Wisconsin.
Borden Company, Mount Pleasant, Michigan.
Borden Company, New London, Wisconsin.
Borden Company, Orfordville, Wisconsin.
Carnation Company, Berlin, Wisconsin.
Carnation Company, Jefferson, Wisconsin.
Carnation Company, Chilton, Wisconsin.
Carnation Company, Oconomowoc, Wisconsin.
Carnation Company, Richland Center, Wisconsin.
Carnation Company, Sparta, Wisconsin.
Pet Milk Company, Belleville, Wisconsin.
Pet Milk Company, Coopersville, Michigan.
Pet Milk Company, Hudson, Michigan.
Pet Milk Company, New Glarus, Wisconsin.
Pet Milk Company, Wayland, Michigan.
White House Milk Company, Manitowoc, Wisconsin.
White House Milk Company, West Bend, Wisconsin.

(4) *Class IV milk:* Multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the Class IV price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the prices per hundredweight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to (a) (3) of this section, the price for Class IV milk determined pursuant to (a) (4) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined, being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in (4) of this paragraph by 3.5.

(c) *Butterfat differential to handlers.* If any handler has purchased or received milk from producers containing more or less than 3.5 percent butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as computed under (a) (4) of this section, add 20 percent and divide the result by 10.

(d) *Location adjustments to handlers.* (1) With respect to milk purchased or received from producers at a plant located more than 70 miles by rail or highway, whichever is the shorter, from the City Hall of Chicago, Illinois, which is classified as Class I milk or Class II milk, there shall be deducted 10 cents per hundredweight, plus 2 cents per hundredweight and one-fourth cent per hundredweight on each class, respectively, for each additional 15 miles or part thereof that such plant is located in excess of 70 miles from City Hall in Chicago, Illinois: *Provided*, That no such deduction shall apply to unaccounted for milk classified as Class I milk pursuant to section 4 (d) (3) and such milk shall be considered to have been received at the most distant plant at which the handler received milk from producers: *Provided further*, That if any handler can prove to the market administrator that the l. c. l. freight rate, approved by the Interstate Commerce Commission, or the State authorities having power to fix intrastate rail rates, for the movement of cream in 40-quart cans from the shipping point for the plant where such milk is received from producers to the marketing area is greater than one-fourth cent per hundredweight of milk, such actual freight rate shall be allowed such handler on Class II milk, but in no case shall such rate exceed one-half cent per hundredweight of milk. There shall be no location adjustment to handlers with respect to Class III milk or Class IV milk.

(2) For purposes of this paragraph and of section 4, Class I milk shall be considered to be that milk purchased or received from producers at plants located in or nearest to the marketing area at which milk is received from producers: *Provided*, That when actual shipments of milk by any handler from two or more plants located in different zones are shown to be in excess of such handler's Class I milk, the location adjustments on Class I milk, as provided in this section shall be applied to such milk, up to and including 110 percent of such handler's Class I milk. Class II milk shall be considered to be that milk purchased or received from producers at plants located nearest to the marketing area after accounting for Class I milk, from which whole milk or cream is shipped to the marketing area: *Provided further*, That upon proof satisfactory to the market administrator that Class II milk was received from producers at a more distant plant, location adjustment shall be allowed from the plant at which such Class II milk was received from producers.

(e) *Adjustment of class prices by War Food Administrator.* Whenever the War Food Administrator finds and announces that the Class I or Class II price determined pursuant to this section is not in accordance with the public interest, the applicable price for the delivery period shall be the same as the price for the same class for the delivery period immediately preceding.

SEC. 6. *Application of provisions*—(a) *Handlers who are also producers.* (1) No provision hereof shall apply to a handler whose sole sources of supply are receipts of milk from his own production and from other handlers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(2) In computing the value of milk for any handler pursuant hereto, the market administrator shall consider any milk or cream received in bulk by such handler from a handler who is also a producer as described in this section as a receipt from a producer.

(b) *Payment for milk received from sources determined as other than producers or other handlers or from plants not covered by the proviso of section 1 (e).* If any handler has received milk from sources determined by the market administrator to be other than producers or handlers, or from a plant not covered by the proviso of section 1 (e), the difference between the value of such milk according to its use as Class I or Class II milk, as computed pursuant to section 7 (a), and its value at the Class III price shall be paid to producers: *Provided*, That if such handler proves to the satisfaction of the market administrator that he paid more than the Class III price for such milk, the market administrator may use the price paid instead of the Class III price in making this computation. If such milk is used as Class III or Class IV milk, no price adjustment shall be made.

(c) *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts from other handlers, and receipts from sources determined as other than producers or other handlers, had disposed of milk or butterfat in excess of the milk or butterfat which has been credited to his producers as having been delivered by them, the value of such milk or milk equivalent of such butterfat in accordance with its utilization shall be added to such handler's obligations to producers pursuant to section 7 in the computation of the uniform price for the delivery period next following discovery thereof.

(d) *Separate treatment of Grade A milk.* If any plant receives both types of milk as described in section 5 (a) (1) (i), all sections hereof shall be applied to each type of milk separately.

SEC. 7. *Determination of minimum prices to be paid to producers*—(a) *Computation of value of milk for each handler.* For each delivery period the market administrator shall compute the value of all milk received by each handler from producers by (1) multiplying the total quantity of such milk in each class as determined pursuant to section 4 by the class price with the appropriate differential applicable to section 5 (c), (2) adding together the resulting values of each class, and (3) adding any amount computed to be paid pursuant to section 6.

(b) *Computation of uniform price for each handler.* The market administrator shall compute for each handler the uniform price per hundredweight of milk received at such handler's plant, as follows:

(1) To the value computed pursuant to (a) of this section:

(i) Add to the value computed pursuant to (a) of this section the total amount of the location adjustments applicable pursuant to section 8 (c).

(ii) Deduct, if the average butterfat content of all milk received from producers is in excess of 3.5 percent, or add, if the average butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to section 8 (b).

(iii) Add or subtract the moneys resulting from the fractional cents used in adjusting previous month's price to the nearest cent.

(iv) Divide by the hundredweight of milk received from producers.

(v) Adjust the resulting price to the nearest cent.

SEC. 8. *Payment for milk*—(a) *Time and method of payment.* On or before the 18th day after the end of each delivery period each handler shall pay each producer, for milk purchased or received during the delivery period, an amount of money representing not less than the total value of such milk, at the uniform price per hundredweight, computed pursuant to section 7 (b) subject to the location adjustments and butterfat differential set forth under (b) of this section.

(b) *Butterfat differential to producers.* For each one-tenth of 1 percent of average butterfat content above or below 3.5 percent in milk received from any producer during the delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: to the average wholesale price per pound of 92-score butter in the Chicago market, as computed under section 5 (a) (4), add 20 percent, and divide the result by 10.

(c) *Location adjustments to producers.* In making payments to producers pursuant to paragraph (a) of this section, handlers shall deduct with respect to all milk purchased or received from producers at a plant located more than 70 miles by rail or highway, whichever is the shorter, from the City Hall in Chicago, Illinois, the amount specified as follows:

	Cents per hundredweight
Within 71 to 85 miles	12
Within 85.1 to 100 miles	14
Within 100.1 to 115 miles	16
Within 115.1 to 130 miles	18
Within 130.1 to 145 miles	20
Within 145.1 to 160 miles	22
Within 160.1 to 175 miles	24

For each 15 miles or part thereof beyond 175 miles from the City Hall in Chicago, Illinois, an additional one-half cent per hundredweight.

SEC. 9. *Expense of administration.* As his prorata share of expense of the administration hereof each handler, except handlers described under section 6 (a) (1) and handlers whose plants are not covered by the proviso of section 1 (e), shall pay to the market administrator, on or before the 18th day after the end of each delivery period, an amount not exceeding 4 cents per hundredweight with respect to all milk purchased or received by him during such delivery period from producers, including own production, and from sources other than producers or other handlers, the exact sum to be determined by the market administrator, subject to review by the War Food Administrator.

SEC. 10. *Marketing services*—(a) *Marketing service deduction.* In making payments to producers pursuant to section 8, each handler, with respect to all milk received from each producer during each delivery period, at a plant not operated by a cooperative association of which such producer is a member, shall, except as set forth in (b) of this section, deduct 3 cents per hundredweight (or such lesser amount as the market administrator shall determine to be sufficient, such determination to be subject to review by the War Food Administrator), and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to, the milk received from such producers.

(b) *Marketing service deductions with respect to members of a producers' cooperative association.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members and for whom a cooperative association is actually performing the services set forth in (a) of this section, each handler shall, in lieu of the deductions specified in (a) of this section, make such deductions from payments made pursuant to section 8 as may be authorized by such producers, and pay over, on or before the 18th day after the end of each delivery period, such deductions to the association rendering such service of which such producers are members.

SEC. 11. *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to (b) of this section.

(b) *Suspension or termination.* Any or all of the provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator may give and, in any event, shall terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until removed, (ii) from time to time account for all receipts and disbursements and when so directed by the War Food Administrator deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator, execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such other person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 13. *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

The following provisions apply to the proposed marketing agreement only.

SEC. 14. *Liability of handlers.* The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 15. *Counterparts and additional parties*—(a) *Counterparts of marketing agreement.* This marketing agreement may be executed in multiple counterparts and when one counterpart is signed by the War Food Administrator all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement.* After this agreement first takes effect, any handler may become a party thereto if a counterpart of such agreement is executed by him and delivered to the War Food Administrator. This agreement shall take effect to such new contracting party at the time such counterpart is delivered to the War Food Administrator, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

SEC. 16. *Record of milk handled and authorization to correct typographical errors.* (a) The undersigned certifies that he handled during the month of _____ 194__, _____ pounds of milk covered by this agreement and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the Chief or Acting Chief, Dairy and Poultry Branch, Office of Distribution, War Food Administration, to correct any typographical errors which may have been made in this marketing agreement.

In witness whereof, the contracting handlers acting under the provisions of the act for the purpose and subject to the limitations herein contained, and not otherwise, have hereunto set their respective hands and seals.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 6, 1944.

ASHLEY SELLERS.
Assistant War Food Administrator.

[F. R. Doc. 44-3254; Filed, March 7, 1944; 11:27 a. m.]

WAR MANPOWER COMMISSION.

BLOOMINGTON-CHAMPAIGN-KANKAKEE, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Bloomington-Champaign-Kankakee War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Bloomington-Champaign-Kankakee Area Labor-Management War Manpower Committees.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Bloomington-Champaign-Kankakee Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Champaign, Douglas, Ford, Iroquois, Kankakee, Livingston, and McLean.

The boundaries of the Bloomington-Champaign-Kankakee Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421.)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Bloomington - Champaign - Kankakee Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Bloomington-Champaign-Kankakee Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of Workers.* All hiring and solicitation of workers in, or for work in, the Bloomington-Champaign-Kankakee Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of avail-

ability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) Encouragement of local initiative and use of existing hiring channels. To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work less than seven days' duration:

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination or the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC;

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions;

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship;

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representatives freely chosen by him, at any step in the operation of the plan;

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Bloomington-Champaign-Kankakee Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Bloomington-Champagn-Kankakee Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Bloomington-Champaign-Kankakee Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Bloomington-Champaign-Kankakee Area stabilization plan, effective June 9, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of 12:01 a. m., October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

WILLIAM G. FUZAK,
Area Director, Bloomington-Champaign-Kankakee Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3198; Filed, March 6, 1944; 10:45 a. m.]

LA SALLE-STERLING, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the La Salle-Sterling War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the La Salle-Sterling Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The La Salle-Sterling Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Bureau, Carroll, La Salle, Lee, Ogle, Putnam, and Whiteside.

The boundaries of the La Salle-Sterling Area may be changed upon recommendation of the Area Director and ap-

proval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing of commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421.)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "La Salle-Sterling Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the La Salle-Sterling Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission", herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the La Salle-Sterling Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture, and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employments as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the La Salle-Sterling Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the La Salle-Sterling Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the La Salle-Sterling Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The La Salle-Sterling Area stabilization plan, effective May 7, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

JOSEPH C. BROOKS,
Area Director,
La Salle-Sterling Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3190; Filed, March 6, 1944; 10:41 a. m.]

ILLINOIS TRI-CITY WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Illinois Tri-City War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
- I. Objectives.
- II. Geographic content of the area.
- III. Definitions of terms used in this plan.
- IV. Control of hiring and solicitation of workers.
- V. Provisions governing the orderly transfer of workers.
- VI. Authority and responsibility of the Illinois Tri-City Area Labor-Management War Manpower Committee.
- VII. Posting pertinent provisions of this plan.
- VIII. Revocation of existing stabilization plans.
- IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Illinois Tri-City Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties in Illinois:

Henry, Mercer, and Rock Island.

The boundaries of the Illinois Tri-City Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning processing, transportation or marketing or articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Illinois Tri-City Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Illinois Tri-City Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission", herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the Chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, and Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Illinois Tri-City Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statement of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and governmental agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job and shall be made without descrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Illinois Tri-City Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Illinois Tri-City Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting of pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other

(k) The "Regional Director" is the Chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, and Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Illinois Tri-City Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statement of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer when he leaves his employment, unless the employer has reason to believe that the individual is not entitled to receive such a statement under the provisions of this plan. Any employer who has reason to believe that an individual is not entitled to receive a statement of availability shall refer the individual to the USES for a statement of availability.

3. *Refusal to issue statement of availability.* Any employer who refuses to issue a statement of availability to an individual who is entitled to receive such a statement under the provisions of this plan shall, upon request of the individual, refer the matter to the USES. If the USES finds that the individual is entitled to receive a statement of availability, the USES shall issue such statement to the individual. If the USES finds that the individual is not entitled to receive a statement of availability, the USES shall refer the matter to the WMC. If the WMC finds, after notice, hearing and final decision, that the individual is not entitled to receive a statement of availability, the WMC shall so notify the USES and the individual. If the WMC finds, after notice, hearing and final decision, that the employer has refused to issue a statement of availability to an individual who is entitled to receive such a statement under the provisions of this plan, the WMC shall so notify the USES and the employer, and for so long as such employer continues his refusal after such finding, the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) Any employer who has reason to believe that a new employee is not entitled to be hired except upon referral by the USES shall refer the individual to the USES for a statement of availability.

(c) Any employer who hires a new employee in violation of this paragraph 5 shall, upon request of the USES, refer the matter to the WMC. If the WMC finds, after notice, hearing and final decision, that the employer has hired a new employee in violation of this paragraph 5, the WMC shall so notify the USES and the employer, and for so long as such employer continues his violation after such finding, the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) The employer shall comply with the provisions of this paragraph 5 to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or

appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Illinois Tri-City Area of the WMC, Region VI.

VIII. *Revocation of existing stabilisation plans.* The Illinois Tri-City Area Stabilization Plan, effective May 19, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

JOHN WISLEY,
Acting Area Director,
Illinois Tri-City Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3195; Filed, March 6, 1944; 10:42 a. m.]

PEORIA-QUINCY-GALESBURG, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Peoria-Quincy-Galesburg War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F. R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Peoria-Quincy-Galesburg Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turn-over in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Peoria-Quincy-Galesburg Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Adams, Brown, Cass, Fulton, Hancock, Henderson, Knox, Marshall, Mason, Morgan, McDonough, Peoria, Pike, Scott, Schuyler, Stark, Tazewell, Warren, and Woodford.

The boundaries of the Peoria-Quincy-Galesburg Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations;

(b) "State" includes Alaska, Hawaii, and the District of Columbia;

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded;

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (8 F.R. 11421).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (See Appendix IV of this program.)

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment;

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred as WMC;

(i) The "Peoria - Quincy - Galesburg Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Peoria-Quincy-Galesburg Area Labor-Management War Manpower Committee;

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service;

(k) The "Regional Director" is the Chief administrative officer of the War Manpower Commission for Region VI which consists of the following states: Illinois, Indiana, Wisconsin;

(l) The "State Director" is the chief Administrative officer of the War Manpower Commission for the State of Illinois.

(a) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the State Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in the Peoria-Quincy-Galesburg Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60 day period was engaged is an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of

availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing, and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, County or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Peoria-Quincy-Galesburg Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Peoria-Quincy-Galesburg Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Peoria-Quincy-Galesburg Area of the WMC.

VIII. *Effective date.* This plan shall become effective at 12:01 a. m. on October 15, 1943.

Signed: October 5, 1943.

JOSEPH H. BRAUNAGEL,
Area Director,
Peoria-Quincy-Galesburg Area.

Approved: October 12, 1943.

W. H. SPENCER,
Regional Director, Region VI.

APPENDIX IV—LIST OF LOCALLY NEEDED ACTIVITIES

Peoria-Quincy-Galesburg: Retail solid fuels distribution.
Galesburg: Wholesale grocers.

[F. R. Doc. 44-3194; Filed, March 6, 1944; 10:42 a. m.]

DANVILLE, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Danville Illinois War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Danville Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Danville Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties in the State of Illinois;

Vermilion, Edgar, Clark, and Crawford.

The boundaries of the Danville Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Danville Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Danville Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Danville Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60 day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be defined to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statement of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks, without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal

government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statement of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Danville Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Danville Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Danville Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Danville Area stabilization plan, effective May 3, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m., on October 14, 1943.

Signed: September 13, 1943.

FRANK P. ABBOTT,
Area Director,
Danville, Illinois, Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3193; Filed, March 6, 1944; 10:42 a. m.]

EVANSVILLE, IND.-KY., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Evansville, Indiana War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Evansville Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Evansville Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Vanderburgh (Ind.), Posey (Ind.), Gibson (Ind.), Warrick (Ind.), Dubois (Ind.), Spencer (Ind.), Perry (Ind.), and Henderson (Ky.).

The boundaries of the Evansville Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations;

(b) "State" includes Alaska, Hawaii, and the District of Columbia;

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded;

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission (See War Manpower List of Critical Occupations, 8 F.R. 11420);

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (8 F.R. 11421);

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity;

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment;

(h) "The War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC;

(i) The "Evansville Area Labor-Management War Manpower," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Evansville Area Labor-Management War Manpower Committee;

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service;

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin;

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Man-

power Area as defined in section II of this plan;

(m) "An additional controlled occupation" is an occupation in which the local demand for workers exceeds the local supply and has been so designated by the Area Director and approved by the Regional Director of the WMC. (See Appendix V of this program.)

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Evansville Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, then USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual;

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicated that his last employment was in a critical occupation;

(2) The new employee is to be hired for work in an occupation listed in Appendix No. V of this program, "Additional Controlled Occupations," or his statement of availability indicates that this last employment was in such an occupation;

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska, and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC;

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions;

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representatives freely chosen by him, at any step in the operation of the plan;

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with the approved policies and instructions of the WMC;

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or any employer under a collective bargaining agreement.

(b) *Miscellaneous provisions*—1. *Mail applications.* Employers who receive mail applications from workers outside the Evansville Area shall refer such applications to their local USES office.

2. *Leave of absence with retention of seniority and other accrued rights.* When an essential worker is not utilizing his highest skill or is not employed full time at his highest skill and the war program can best be served by the worker's transfer for a limited period to another employer in the Evansville Area where his highest skill can be utilized full time, the

current essential employer shall grant an essential worker a leave of absence with full retention of seniority and other accrued rights until such time as the current employer is able to provide work which will utilize the worker's highest skill. Such leave of absence shall be granted only with the provision that the worker will return to his original employer on one week's notice when the original employer is able to provide full-time work using the worker's highest skill.

3. *Re-transfer.* Any employer shall, upon request of the USES, release from employment any worker hired contrary to the provisions of this plan or through misrepresentation. Re-transfer of such a worker shall occur in accordance with the best interest of the war effort and in such manner as to do justice to the worker and the employer. Appeals from such decisions may be had in the same manner as in the case of original transfers.

VI. *Authority and responsibility of the Evansville Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Evansville Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Evansville Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Evansville Area stabilization plan, effective December 12, 1942, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of 12:01 a. m. October 14, 1943.

IX. *Effective date.* This plan shall become effective 12:01 a. m. on October 14, 1943.

Signed: September 14, 1943.

WALTER J. FOLEY,
Area Director, Evansville Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

APPENDIX V—LIST OF ADDITIONAL CONTROLLED OCCUPATIONS

1. Welder, Arc	4-65.020
2. Riveter, Aircraft	6-95.080

[F. R. Doc. 44-3102; Filed, March 6, 1944; 10:41 a. m.]

NORTHEASTERN ILLINOIS WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Northeastern Illinois War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F. R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Northeastern Illinois Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the War program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Northeastern Illinois Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties;

Cook, Du Page, Kendall, Grundy, Will, Kane, and De Kalb.

The Northeastern Illinois Area is divided into three Administrative Divisions, each with a full-functioning Labor-Management War Manpower Committee as follows:

(1) *Metropolitan Chicago Division.* Du Page County and Cook County except for that portion within the Chicago Heights-Harvey Division as described below and the city of Elgin;

(2) *Chicago Heights-Harvey Division.* That portion of Cook County from 123d Street and Chicago City limits (Ashland Avenue) west on 123d Street to east line of Lemont Township, excluding towns of Alsip, Palos Park and Palos Heights; south on the Lemont Township line to the Will County line; south and east on Will County line to the Indiana State line; north on the Indiana State line to the intersection with the Grand Trunk R. R.; north and west on the Grand Trunk to the intersection with alternate U. S. Highway 30; north on alternate U. S. Highway 30 to the Pa. R. R., excluding the city of Lansing; north and west on the Pa. R. R. to the intersection with the I. C. R. R. to the intersection with the Calumet River; north and west on the Chicago city limits to the point of beginning at 123d Street.

(3) *Fox Valley-Joliet Division.* Kendall, Grundy, Will, Kane, (including the entire city of Elgin) and De Kalb Counties. The boundaries of the Northeastern Illinois Area or of the respective divisions within the Area, may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421.)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Northeastern Illinois Area Labor-Management Committees" referred to herein as the Area Committee, are those three bodies composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Northeastern Illinois Area Labor-Management War Manpower Committee for their respective divisions.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Man-

power Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Northeastern Illinois Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agriculture work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Northeastern Illinois Area Labor-Management War Manpower Committees.* The area Labor-Management War Manpower Committees for the Northeastern Illinois Area are authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Northeastern Illinois Area of the War Manpower Commission, Region VI.

VIII. *Revocation of existing stabilization plans.* The Fox-Valley-Joliet Stabilization Plan, The Chicago Heights-Harvey Division Employment Stabilization Plan, The Temporary Regulation

Facilitating Administration War Manpower Commission Regulation 4 effective July 16, 1943, The Calumet (Illinois) Area Stabilization Plan, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 1, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 1, 1943.

Signed: September 28, 1943.

LESTER BROWN,
Area Director,
Northeastern Illinois Area.

Approved: October 1, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3191; Filed, March 6, 1944; 10:41 a. m.]

COLUMBUS-BLOOMINGTON-VINCENNES, IND., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Columbus-Bloomington-Vincennes War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Columbus - Bloomington - Vincennes Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war;

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Columbus-Bloomington-Vincennes Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Knox, Greene, Orange, Bartholomew, Ripley, Davies, Owen, Jackson, Decatur, Ohio, Pike, Monroe, Brown, Scott, Switzerland, Martin, Lawrence, Jennings, Jefferson, and Dearborn.

The boundaries of the Columbus-Bloomington-Vincennes Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421.)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Columbus-Bloomington-Vincennes Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Columbus-Bloomington-Vincennes Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. Control of hiring and solicitation of workers in, or for work in, the Columbus-Bloomington-Vincennes Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Columbus-Bloomington-Vincennes Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Columbus-Bloomington-Vincennes Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Columbus-Bloomington-Vincennes Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Columbus-Bloomington-Vincennes Area stabilization plan, effective May 17, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. October 14, 1943.

Signed: September 28, 1943.

GEORGE VYVERBERG,
Area Director, Columbus-Bloomington-Vincennes Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3201; Filed, March 6, 1944; 10:46 a. m.]

LITTLE EGYPT WAR MANPOWER COMMISSION AREA, ILL.

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Little Egypt War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Little Egypt Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Little Egypt Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Alexander, Clay, Clinton, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Marion, Massac, Perry, Pope, Pulaski, Randolph, Richland, Saline, Union, Wabash, Washington, Wayne, White, and Williamson.

The boundaries of the Little Egypt Area may be changed upon recommendation of the Area Director and approval by

the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops or the raising, feeding or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Little Egypt Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Little Egypt Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana and Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Little Egypt Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven nated by his employer, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availabiilty shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangement with the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(3) The new employee's last regular employment was in agriculture and he is to be hired for nonagricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county or municipal government or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign State, county or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any,

the name and address of the issuing employer, or WMC officer, and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of any employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Little Egypt Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Little Egypt Area is authorized to consider questions of policy, standards and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Little Egypt Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Little Egypt Area Stabilization Plan, effective July 27, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

EVERETTE LEWIS,
Area Director,
The Little Egypt Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3199; Filed, March 6, 1944; 10:45 a. m.]

ROCKFORD, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Rockford, Illinois, War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Rockford Area Labor-Management War Manpower Committees.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Rockford Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties in Illinois:

Lake, Jo Daviess, Stephenson, Winnebago with the exception of Rockton, Roscoe, Laona, and Shirland Townships, Boone, and McHenry.

The boundaries of the Rockford Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421.)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Rockford Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Rockford Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Rockford Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose

last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilizatioin plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Rockford Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Rockford Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Rockford Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Rockford Area Stabilization Plan, effective April 8, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 30, 1943.

JOSEPH D. CRONIN,
Acting Area Director,
Rockford Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3196; Filed, March 6, 1944; 10:42 a. m.]

SOUTHWESTERN ILLINOIS WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Southwestern Illinois War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.

Sec.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Southwestern Illinois Area Labor Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Southwestern Illinois Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Calhoun, Greene, Jersey, Madison, Monroe, and St. Clair.

The boundaries of the Southwestern Illinois Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Southwestern Illinois Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Southwestern Illinois Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in Section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Southwestern Illinois Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such an individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement of availability, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work; *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the Maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall

be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and governmental agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment.

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the re-hiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, of WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Southwestern Illinois Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Southwestern Illinois Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Southwestern Illinois Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Southwestern Illinois Area stabilization plan, effective July 27, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

GLEN FILLEY,
Area Director,
Southwestern Illinois Area.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3197; Filed, March 6, 1944; 10:44 a. m.]

SPRINGFIELD-DECATUR, ILL., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Springfield-Decatur War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definition of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Springfield-Decatur Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Springfield-Decatur Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Sangamon, Logan, Menard, Christian, Macon, Moultrie, Piatt, DeWitt, Coles, Shelby, Cumberland, Macoupin, Montgomery, and Bond.

The boundaries of the Springfield-Decatur Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) New employee means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower list of critical occupations, 8 F.R. 11420.)

(e) "An additional controlled occupation" is an occupation in which the local demand for workers exceeds the local supply and has been so designated by the Area Director and approved by the Regional Director of the WMC. (See Appendix V of this program.)

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421)

(g) Locally needed activity means any activity approved by the Regional Manpower Director as a locally needed activity. (See Appendix IV of this program.)

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(i) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(j) The "Springfield-Decatur Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Springfield-Decatur Area Labor-Management War Manpower Committee.

(k) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(l) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(m) The "State Director" is the chief administrative officer of the War Manpower Commission for the State of Illinois.

(n) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the State Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Springfield-Decatur Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if;

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee is to be hired for work in an occupation listed in Appendix V of this program, "Additional Controlled Occupations" or his statement of availability indicates that his last employment was in such an occupation;

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Springfield-Decatur Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Springfield-Decatur Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Springfield-Decatur Area of the WMC, Region VI.

VIII. *Revocation of existing stabilization plans.* The Springfield-Decatur Area stabilization plan, effective April 18, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of 12:01 a. m. October 15, 1943.

IX. *Effective date.* This plan shall become effective at 12:01 a. m. on October 15, 1943.

Signed: October 8, 1943.

SAMUEL R. WANNAMAUGHER,
Area Director,
Springfield-Decatur Area.

Approved: October 12, 1943.

W. H. SPENCER,
Regional Director, Region VI.

APPENDIX IV—LIST OF LOCALLY NEEDED ACTIVITIES

Decatur Retail Coal Industry.
Mattoon Retail Coal Industry.

APPENDIX V—LIST OF ADDITIONAL CONTROLLED OCCUPATIONS

Sec.
1. Tool and die maker, apprentice—after completion of first year of training.
2. Machinist apprentice—after completion of first year of training.
3. Machinist helper—after completion of first year of training.
4. Turret lathe operator.
5. Engine lathe operator.
6. Milling machine operator.
7. Automatic screw machine operator.
8. Planer operator (machine shop).
9. Shaper operator (machine shop).
10. Surface grinder operator.
11. Internal grinder operator.
12. External grinder operator.
13. Tool grinder.
14. Auto mechanic.
15. Truck mechanic.
16. Tractor mechanic.
17. Auto body repairman.
18. Foundry laborer.

[F. R. Doc. 44-3200; Filed, March 6, 1944; 10:46 a. m.]

WAR PRODUCTION BOARD.

STANDARD OIL CO. OF CALIFORNIA

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency Rating Number, 42; Builder's Serial Number, 51635; Company, The Std. Oil Co. of Calif.; Address, San Francisco, California; Location of Project, El Segundo, Calif.

Issued this 17th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3235; Filed, February 17, 1944; 11:19 a. m.]

LAGE OIL & TRANSPORT CO. AND STANDARD OIL CO. OF NEW JERSEY

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with high octane gasoline facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency Rating Number, 49; Builder's Serial Number, 5166; Lage Oil & Transport Co.; Aruba-Curacao, N. W. I. (Aruba Netherlands, West Indies); also Std. Oil Co. of N. J., New York City.

Issued this 17th day of February, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary

[F. R. Doc. 44-3236; Filed, February 17, 1944; 11:19 a. m.]

DR. PEPPER BOTTLING COMPANY, INCORPORATED

CONSENT ORDER

Dr. Pepper Bottling Company, Incorporated, of Corbin, Kentucky, is engaged in the bottling and distribution of non-alcoholic beverages, and was found in an investigation by the War Production Board on December 14, 1943, to have used 5,196 gross of new closures made of restricted materials for the period from June 1, 1942, to October 1, 1943, for the bottling of non-alcoholic beverages, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. Dr. Pepper Bottling Company, Incorporated, admits the excess use as charged by the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Dr. Pepper Bottling Company, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered,* That:

(a) Dr. Pepper Bottling Company, Incorporated, its successors and assigns, shall, during the calendar year of 1944, reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 5,196 gross, under the quota it would otherwise be entitled to use in such a period, as defined by Limitation Order L-103-b, which on January 4, 1944, superseded Conservation Order M-104, controlling the use of such closures. Any exceptions to this reduction in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Dr. Pepper Bottling Company, Incorporated, its successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on December 31, 1944.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3243; Filed, March 6, 1944; 4:34 p. m.]

WAR SHIPPING ADMINISTRATION.

"WAMSUTTA"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Pub. law 17, 78th Cong.)

Whereas on May 11, 1943, title to the vessel *Wamsutta* (228865), (including all spare parts, appurtenances and equipment) was requisitioned pursuant

to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND,
Administrator.

[F. R. Doc. 44-3234; Filed, March 6, 1944; 3:19 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 49

Washington, Thursday, March 9, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 930—MILK IN TOLEDO, OHIO, MARKETING AREA

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, it is hereby found and determined that the provisions of such order which provide a seasonal minimum price for Class III milk during the months of April, May, and June 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., April 1, 1944, and continuing during the months of April, May, and June 1944, the following provisions of § 930.5 (a) (3) of the order, as amended,[1] regulating the handling of milk in the Toledo, Ohio, marketing area, are hereby suspended: "except during the months of April, May, and June when the Class III price shall be the price determined pursuant to subparagraph (4) of this paragraph, less 10 cents."

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 7th day of March 1944.

THOMAS J. FLAVIN,
War Food Administrator.

[F. R. Doc. 44-3314; Filed, March 8, 1944; 11:14 a. m.]

[1] 7 F.R. 4023; 8 F.R. 1257, 4145.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-455, Reinstatement]

GEORGE F. HASTINGS COMPANY

On December 1, 1943, Suspension Order No. S-455 was issued in the case of George F. Hastings, doing business as George F. Hastings Company at 1421 Seventeenth Street, Denver, Colorado. George F. Hastings appealed to the Chief Compliance Commissioner for a stay of the suspension order provisions, which was granted on December 17, 1943. George F. Hastings also filed an appeal from the suspension order itself, together with a brief on appeal. The Deputy Chief Compliance Commissioner, after reviewing the case, has decided that there were wilful violations of Limitation Order L-83 and that the suspension order was properly issued and would not cause irreparable damage to the business of George F. Hastings. The Deputy Chief Compliance Commissioner has directed that the appeal be dismissed, the stay terminated, and the suspension order reinstated for the balance of the original period of time. In view of the foregoing,

It is hereby ordered, That: Suspension Order No. S-455, issued December 1, 1943, be and hereby is reinstated and paragraph (c) is amended to read as follows:

(c) This order shall again become effective March 7, 1944, and shall expire on May 26, 1944.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3303; Filed, March 7, 1943; 4:42 p. m.]

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.

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PART 1010—SUSPENSION ORDERS

[Suspension Order S–496]

COOPER & COOPER, INC.

Harold A. Cooper is receiver of Cooper & Cooper, Inc., of Pittsfield, Massachusetts, manufacturers of coal stokers. Between May 31, 1942, and March 31, 1943, the receiver manufactured approximately 334 Class B stokers which were not composed of fabricated parts in his possession on May 31, 1942. Many of these Class B stokers were manufactured after September 30, 1942. This action was a violation of General Limitation Order L–75.

On June 25, 1942, the receiver placed three orders with his supplier for various materials, certifying that they were for emergency repairs of plumbing and heating equipment and therefore entitled to an A–10 rating under Preference Rating Order P–94. These materials were in fact not for emergency repairs but, as the receiver knew, were to be incorporated into new Class B stokers which he intended to manufacture in violation of General Limitation Order L–75. On August 31, 1942, he similarly applied an A–10 rating to the delivery of a balance of 250 gear boxes which he had ordered September 3, 1941, which were similarly intended for incorporation into new Class B stokers. These acts were in violation of Preference Rating Order P–94.

Having thus obtained critical materials with the A–10 preference rating, the receiver used them in the manufacture and assembly of new stokers, which was not the purpose for which the priority assistance was given. This misuse of critical materials was a violation of Priorities Regulation No. 1.

From April 15, 1942, to the date of the compliance hearing, December 22, 1943, the receiver kept a record of sales of stokers, but kept no records of production and no inventory records other than an annual stock-taking. This failure to keep adequate records was a violation of General Limitation Order L–75. The receiver either was aware of General Limitation Order L–75 and Preference Rating Order P–94, or from his business experience should have been aware of them. These actions constituted wilful violations of the orders and they have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.496 *Suspension Order No. S–496.* (a) Deliveries of materials to Harold A. Cooper, as its receiver, and to Cooper & Cooper, Inc., his and its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Harold A. Cooper, as its receiver, or to Cooper & Cooper, Inc., his and its successors and assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this suspension order shall not prevent Harold A. Cooper, as its receiver, or Cooper & Cooper, Inc., his and its successors and assigns, from using priority or allocation assistance to obtain material to the minimum extent necessary to enable the receiver and the Corporation to replace those parts of stokers heretofore produced by him or it and now in use which are worn out or damaged beyond repair. The exceptions provided for in this paragraph shall be subject to approval being obtained from the Regional Director of the Boston, Massachusetts, Regional Office of the War Production Board, and specific authority to act on applications for such exceptions is hereby delegated to the Regional Director of the Boston, Massachusetts, Regional Office.

(d) Nothing in this order shall be deemed to relieve Harold A. Cooper, as its receiver, or Cooper & Cooper, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on March 7, 1944, and shall expire on July 7, 1944.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3304; Filed, March 7, 1944; 4:42 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–497]

LOUIS MAZOR & SON

Louis Mazor & Son is engaged in the furniture business in Baltimore, Maryland. It is a partnership composed of Samuel Fivel, Blanche Fivel, Nelson F. Jacobson, Bessie M. Jacobson and Mary M. Goodman, and is a controlled merchant, as defined in Limitation Order L–219. During the period from April 1,

1943, to June 30, 1943, their allowable receipts of consumers' goods, as permitted under the provisions of Limitation Order L–219, were in the sum of $15,190; however, during this period they actually received goods of the value of $53,633. This excessive receipt of consumers' goods in the amount of $38,443 constituted a violation of Limitation Order L–219. During the period from July 1, 1943, to September 30, 1943, their allowable receipts of consumers' goods, as permitted under the provisions of Limitation Order L–219 were in the sum of $29,658; however, during this period they actually received goods of the value of $42,755. This excessive receipt of consumers' goods in the amount of $13,097 during the period, constituted a violation of Limitation Order L–219. All of the partners were aware of the provisions of Limitation Order L–219, and these acts constituted wilful violations of Limitation Order L–219.

These violations of Limitation Order L–219 have interferred with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, That:

§ 1010.497 *Suspension Order No. S–497.* (a) Samuel Fivel, Blanche Fivel, Nelson F. Jacobson, Bessie M. Jacobson and Mary M. Goodman, individually or doing business as Louis Mazor & Son, or otherwise, their or its successors and assigns, shall not receive physical delivery of any consumers' goods, either at their stores or warehouse, or at any other place of storage, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Samuel Fivel, Blanche Fivel, Nelson F. Jacobson, Bessie M. Jacobson and Mary M. Goodman, individually or doing business as Louis Mazor & Son, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 7, 1944, and shall expire on May 1, 1944.

Issued this 29th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3305; Filed, March 7, 1944; 4:42 p. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 239,[1] Amdt. 11]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. The title of Revised Maximum Price Regulation No. 239 is amended to read as set forth above.

2. The headnote following "Subpart A" is amended to read as follows: *"Subpart A—General Provisions"*

3. Section 1364.151 is amended to read as follows:

§ 1364.151 *Prohibition against selling lamb and mutton carcasses, lamb and mutton wholesale cuts and hotel supply cuts (fabricated meat cuts) at prices above the maximum.* On and after December 23, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut), and no person in the course of trade or business shall buy or receive any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut) at prices higher than the maximum prices established pursuant to this Revised Maximum Price Regulation No. 239, and no person shall agree, offer, solicit, or attempt to do any of the foregoing: *Provided,* That on and after June 14, 1943, a war procurement agency, in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provision of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by the Defense Supplies Corporation on account of the production of such meat.

4. The first paragraph of § 1364.153 is amended to read as follows:

§ 1364.153 *Exempt sales.* The provisions of this Revised Maximum Price Regulation No. 239 shall not apply to sales at retail as defined in § 1364.160 (a) (3) of this regulation or the following sales or deliveries:

5. Section 1364.154 is amended to read as follows:

§ 1364.154 *Export sales.* The maximum price at which a person may export any lamb and mutton carcass or lamb and mutton wholesale cut shall be determined in accordance with the provisions of the Revised Export Price Regulation issued by the Office of Price Administration.

6. Section 1364.159 (b) is added to read as follows:

(b) (1) Every separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect customary records including a complete and accurate record of each such sale and/or delivery showing the date of sale, the name and address of the buyer, the weight and grade of each hotel supply cut (fabricated meat cut) sold to a purveyor of meals, the price charged and the total cost thereof. All sales of kosher meats are to be shown separately.

(2) On or before March 28, 1944, each separate selling establishment, making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file a statement in duplicate with the appropriate Regional Office of the Office of Price Administration showing:

(i) The total volume by weight of all meats, (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage and similar products thereof) and variety meats and edible byproducts (defined in § 1364.174 (a) (13) hereof) sold and/or delivered by such establishment from September 15, 1942, through December 15, 1942, other than to war procurement agencies;

(ii) The total volume by weight of all meats (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage, and similar products thereof) and variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof) sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies;

(iii) The total volume by weight of all beef, veal, lamb and mutton, not including canned meats, variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof), sausage and similar products thereof, sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies.

(3) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file with the appropriate Regional Office of the Office of Price Administration, a statement showing for such three months quota period, the total volume by weight of fabricated meat cuts sold or delivered by such selling establishment to purveyors of meals, other than the War Shipping Administration and/or contract schools.

(4) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each hotel supply house making sales and/or deliveries to purveyors of meals pursuant to paragraph (c) of §§ 1364.176 to 1364.183 in addition to sales of retail meat cuts and/or variety meats and edible by-products and/or processed meat products to ultimate consumers, pursuant to § 1364.-168a, shall file with the appropriate Regional Office of the Office of Price Administration a statement showing for such three months quota period (i) the total volume by weight of all meats (fabricated, fresh, frozen, cured and/or

[1] 7 F.R. 10068; 8 F.R. 3589, 4786, 7670, 8677, 9080.

*Copies may be obtained from the Office of Price Administration.

corned, cooked, dried, canned or otherwise processed, including sausage and similar products thereof) and/or variety meats and edible by-products sold by such establishment other than to contract schools and/or the War Shipping Administration; (ii) the total volume by weight of all retail meat cuts and/or variety meats and edible by-products and/or processed meat products sold by such establishment to ultimate consumers: *Provided, however,* That no such report need be filed under this paragraph (b) if the similar report required by § 1364.407 (e) of Revised Maximum Price Regulation No. 169 (Beef and Veal Carcasses and Wholesale Cuts) is filed in lieu thereof.

7. Section 1364.160 (a) (5) is amended to read as follows:

(5) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of lamb and mutton carcasses and/or wholesale cuts, variety meats and edible by-products, and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products, and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.168a of this regulation; and which during the period of September 15, 1942, through December 15, 1942, sold and/or delivered to purveyors of meals, other than war procurement agencies, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products, and/or sausage and similar products thereof, sold by it.

8. Section 1364.160 (a) (9) is hereby revoked.

9. Section 1364.160 (a) (10) and (11) is redesignated (a) (9) and (10) respectively.

10. Subpart B (§§ 1364.161 through 1364.165) is revoked.

11. Subpart C (§§ 1364.166 through 1364.185) is redesignated Subpart B, and the title of Subpart B is amended to read as follows: *"Subpart B—Provisions relating to sales of mutton and lamb at wholesale."*

12. Section 1364.166 is amended to read as follows:

§ 1364.166 *Maximum prices for lamb and mutton carcasses, lamb and mutton wholesale cuts, and hotel supply cuts (fabricated meat cuts).* Subject to the maximum price instructions contained in § 1364.169, the seller's maximum prices for each grade of each lamb and mutton carcass and wholesale cut and/or hotel supply cut (fabricated meat cut) shall be the applicable zone price established for the applicable zone, as set forth in Appendix A hereof, inclusive, incorporated herein as §§ 1364.176 to 1364.183, plus the permitted additions, if any, specified in § 1364.170, minus the required deductions, if any, specified in § 1364.171. The applicable zone is to be determined in accordance with the provisions of paragraph (b) of § 1364.169.

13. The first paragraph of § 1364.167 is amended to read as follows:

§ 1364.167 *Duty to maintain grades and to determine maximum prices and to invoice accordingly.* No person shall sell, offer to sell, solicit, ship, deliver or break and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut unless it has been graded in accordance with the provisions of this section; and no person shall sell, offer for sale, or deliver and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut at a price higher than that established for the grade in which such carcass or wholesale cut has been classified.

14. Section 1364.168 is amended to read as follows:

§ 1364.168 *Limitations on volume of sales to purveyors of meals.* (a) Notwithstanding the terms of any contract, agreement or other obligation, no hotel supply house, packing or slaughtering plant, packer's branch house, wholesaler's or other seller's establishment shall sell and/or deliver to purveyors of meals other than the War Shipping Administration and/or contract schools, during any three months quota period beginning June 1, September 1, December 1 or March 1, a total volume by weight of hotel supply cuts (fabricated meat cuts) in excess of 90 percent of the total volume by weight of beef, veal, lamb and mutton, not including canned meats of any kind, variety meats and edible by-products of any kind, and/or sausage and similar products thereof, sold or delivered by such selling establishment from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies, except that any selling establishment which was not engaged in sales of beef, veal, lamb and mutton to purveyors of meals from September 15, 1942, through December 15, 1942, for the reason that the selling unit and all facilities thereof, were under the control of an agency of the United States Govenment, may determine its quota by reference to the three months quota period of 1942 immediately prior to such assumption of control: *Provided, however,* That any selling establishment may file an application in duplicate with the appropriate Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate Regional Office, and request authorization to sell and/or deliver fabricated meat cuts to purveyors of meals. Such selling establishment shall allege and prove that the granting of such authorization will alleviate a critical shortage in supplies of such meat items available in the market area for purveyors of meals, which shortage has occurred because of (1) the issuance of a judicial or administrative suspension order against any person in the market area prohibiting the sale and/or delivery by any person of any meat item subject to a quota restriction under the provisions of this regulation, or (2) the voluntary or involuntary cessation or suspension of business by a person, lawfully authorized to make sales pursuant to paragraph (c) of §§ 1364.176 through 1364.183.

Upon proof of the foregoing, the Regional Administrator for the area or such office as may be designated by the Regional Administrator, may by order, authorize a quota for such period and subject to such terms and conditions as are deemed necessary, not in excess, however, of such portion of ascertainable quota or quotas which remain unused in the market area and which cause the critical shortage. Following the issuance to any selling establishment of such authorization the Regional Administrator for the area shall forward a copy of the application together with a copy of the authorization and such other data as were used in the determination to the Administrator at Washington, D. C., for review. After review, the Regional Administrator shall change, modify or revoke the order in such manner as the Administrator deems appropriate. However, the provisions of the Regional Administrator's order or the order of such office as may be authorized by the Regional Administrator, shall remain in full force and effect until such time as it is changed, modified or revoked.

(b) The appropriate Regional Office of the Office of Price Administration may by order, adjust the quota established by any selling establishment pursuant to paragraph (a) of this § 1364.168 in any case where it is shown that the quota so established is below an amount which represents normal seasonal demand during any three months quota period and is substantially below the quota which such selling establishment would have arrived at if determined by reference to the corresponding three months quota period of 1942. Upon proof of the foregoing, the Regional Administrator for the area may authorize such separate selling establishment by order, subject to such conditions as may be deemed appropriate, to sell or deliver a specified volume by weight of fabricated meat cuts to purveyors of meals during such three months quota period for which adjustment is sought: *Provided,* That the adjusted quota shall not be in excess of a quota determined pursuant to paragraph (a) of this § 1364.168 through application of sales made during the corresponding three months quota period of 1942.

(c) Any person who violates any provision of this section may, in addition to any other penalty provided by law, be prohibited by administrative suspension order from receiving, selling, using or otherwise disposing of any fabricated meat cuts. Such suspension order shall be issued for such period as in the judgment of the Administrator or such person as he may designate for that purpose, is necessary and appropriate in the public interest or to promote the national security.

(d) This § 1364.168 and § 1364.168a are issued under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 3, 1942; Directive No. 1 and Supplemen-

tary Directive No. 1-M of the War Production Board, issued on January 24, 1942, and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directives Nos. 1, 3, 5, 6 and 7 issued by the Secretary of Agriculture.

15. Section 1364.168a is added to read as follows:

§ 1364.168a *Limitation on volume of sales to ultimate consumers by hotel supply houses.* (a) Any hotel supply house may sell and/or deliver to ultimate consumers during any three months quota period beginning June 1, September 1, December 1 or March 1, a volume by weight of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established in Maximum Price Regulation No. 355, "Retail Ceiling Prices for Beef, Veal, Lamb and Mutton and All Variety Meats and Edible By-Products"; Maximum Price Regulation No. 336, "Retail Ceiling Prices for Pork Cuts and Processed Meat Products," and Maximum Price Regulation No. 394, "Retail Ceiling Prices for Kosher Beef, Veal, Lamb and Mutton Cuts," not in excess of 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period. Such sales at retail must be made at prices not higher than those established for class 3 and 4 stores: *Provided*, That no hotel supply house shall make sales to ultimate consumers pursuant to this paragraph (a) until (1) such hotel supply house shall have filed with the appropriate Regional Office of the Office of Price Administration a statement in affidavit form showing that from September 15, 1942, through December 15, 1942, such establishment regularly and generally made sales of retail meat items to ultimate consumers from the same selling establishment in conjunction with its sales to purveyors of meals and (2) such hotel supply house has received written authorization from the appropriate Regional Office, approving such affidavit and authorizing the sale and/or delivery of fabricated meat cuts to purveyors of meals at maximum prices specified in paragraph (c) (1) (i) of §§ 1364.176 through 1364.183, inclusive, in addition to the sale to ultimate consumers of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established by Maximum Price Regulations Nos. 355, 336 and 394 for class 3 and 4 stores. Nothing contained in this paragraph (a) shall be construed so as to permit the sales and/or deliveries of fabricated lamb cuts and/or fabricated mutton cuts to purchasers other than purveyors of meals.

(b) Any hotel supply house whose sales or deliveries to ultimate consumers, during any three months quota period, exceed 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period, shall thereafter be required to use the maximum prices specified in paragraph (c) (1) (ii) of §§ 1364.176 through 1364.183, inclusive, on sales of fabricated lamb cuts and/or fabricated mutton cuts to purveyors of meals.

16. The headnote and the first subparagraph of § 1364.169 (b) are amended to read as follows:

(b) *Determination of applicable zone prices.* The applicable zone prices for all sales of lamb and mutton shall be determined as follows:

(1) Except on sales to a war procurement agency, the applicable zone price shall be the price specified in §§ 1364.176 to 1364.183 (Appendices A to H) for the zone in which is located the seller's distribution point. The schedule for each price zone contains a statement setting forth the states or counties in each state which are included within the price zone covered by that schedule. The distribution point is the packing or slaughtering plant, branch house, hotel supply house, warehouse, or car route unloading point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which delivery by the seller, otherwise than by rail, to the buyer's place of business begins; or

(iii) From which the meat, consigned to the buyer, (*a*) is delivered to a common carrier, other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (*b*) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.

(iv) In the case of a less than carload rail shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail terminal point nearest to the buyer's place of business.

(v) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which lamb or mutton consigned to the buyer is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(2) On sales to a war procurement agency the applicable zone price shall be at the option of the buyer the prices specified in §§ 1364.176 to 1364.183 (Appendices A to H) for, either

(i) The zone in which is located the seller's distribution point, plus all transportation charges to the point of delivery, or

(ii) The zone in which is located the point at which the buyer takes delivery.

17. Paragraphs (c) and (d) (1) of § 1364.169 are amended to read as follows:

(c) *Applicable zone price of miscuts.* (1) For any lamb or mutton wholesale cut which has been miscut or for any piece or portion of lamb or mutton which has been cut in a manner not authorized by this Revised Maximum Price Regulation No. 239, the applicable zone price, except on sales to purveyor of meals by a hotel supply house, shall be the applicable zone price of the lowest priced wholesale cut. The zone price for a bracelet or chuck as defined in § 1364.174, except for a kosher bracelet or chuck when sold or offered for sale to a kosher dealer or purveyor of kosher meals, shall be the applicable zone price of the lowest priced wholesale cut.

(2) For any lamb or mutton sold to a purveyor of meals by a hotel supply house, other than a wholesale cut or a hotel supply cut as defined in § 1364.174, the zone price shall be the applicable zone price of the lowest priced hotel supply cut.

(d) *Sales of kosher meat limited to kosher dealers and purveyors of meals.* (1) Lamb or mutton carcasses or wholesale cuts shall not be sold, offered for sale or delivered as kosher and shall not be purchased or received in the course of trade or business as kosher by any purchaser other than a kosher dealer or a purveyor of kosher meals.

18. The headnote and paragraph (a) of § 1364.170 are amended to read as follows:

§ 1364.170 *Amount which may be added to applicable zone prices for lamb and mutton listed in Appendices A to H—(a) Wholesaler's selling addition.* On sales of any lamb and/or mutton carcasses and cuts and/or any other meat item subject to this regulation, excluding therefrom sales made pursuant to paragraph (c) of §§ 1364.176 through 1364.183, a person who at the time of the sale is a wholesaler may add 75 cents per hundredweight to the applicable zone price: *Provided, however*, That no person shall charge the addition permitted by this § 1364.170 (a) unless such person shall have filed with the appropriate Regional Office of the Office of Price Administration a certified statement that the person (1) is engaged in the business of buying lamb and mutton carcasses and/or lamb and mutton wholesale cuts for resale other than at retail; (2) does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities; and (3) is not a hotel supply house or peddler truck seller within the meaning of this Revised Maximum Price Regulation No. 239. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation.

19. Section 1364.170 (c) (3) is amended to read as follows:

(3) For packing lamb or mutton wholesale cuts in closed or sealed boxes or barrels delivered to the buyer's place of business and to be retained by the buyer on sales to a seller at retail, purveyor of meals, commercial user (not wholesaler, branch house or hotel supply house), or government agency other than a war procurement agency, there may be added $0.25 per cwt.: *Provided*, That this charge for packaging or box-

ing may not be made in addition to the charge for wrapping permitted by paragraphs (b) (1) and (b) (2) of this section.

20. Section 1364.170 (i) (3) is amended to read as follows:

(3) *For delivery by a wholesaler, hotel supply house or other intermediate distributor.* If the seller is a wholesaler or hotel supply house who has paid a charge under paragraph (i) of this section for delivery and/or transportation, he may upon the resale of the meat upon which the charge has been made add the amount of such charge up to $.25 upon sales made from a distribution point located in price Zones 1 and 5 to 10, inclusive, and up to $.50, in price zones 2, 3 and 4.

21. The headnote of § 1364.171 (b) is amended to read as follows:

(b) *For lamb and mutton carcasses and wholesale cuts not graded by an official grader.*

22. Section 1364.173 is hereby revoked.

23. Section 1364.174 (a) (2) and (3) is amended to read as follows:

(2) "Three months quota period" means and is limited to the following quarterly periods: June 1 to August 31, inclusive, September 1 to November 30, inclusive, December 1 to February 28 or 29, inclusive, and/or March 1 to May 31, inclusive.

(3) A "wholesaler" means a wholesaler who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

24. Section 1364.174 (a) (13) is added to read as follows:

(13) "Variety meats and edible by-products" include and are limited to those items only which are defined and for which maximum selling prices are established in Maximum Price Regulation No. 398, "Variety Meats and Edible By-Products at Wholesale" and/or Maximum Price Regulation No. 355, "Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts and All Variety Meats and Edible By-Products".

25. Section 1364.174 (a) (14) is added to read as follows:

(14) "Fabricated meat cuts" as used in this regulation means and is limited to those hotel supply cuts which are described and for which maximum prices are established in this regulation and those fabricated beef and fabricated veal cuts which are described and for which maximum prices are established in Revised Maximum Price Regulation No. 169, "Beef and Veal Carcasses and Wholesale Cuts".

This amendment shall become effective as of March 1, 1944.

NOTE: The recording and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3266; Filed, March 7, 1944; 12 m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 469,[1] Amdt. 5]

LIVE HOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Item 19 (c) of Schedule III of section 13 is amended by deleting "Tama", "Poweshiek" and "Mahaska" appearing therein.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: February 28, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3265; Filed, March 7, 1944; 12:01 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 107]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 5C is amended in the following respects:

1. A center headnote preceding § 1394.8354 is added to read as follows:

"Non-Highway Rations and Delivery Records in the Pennsylvania Test Area."

2. Sections 1394.8354 through 1394.8361 are added to read as follows:

§ 1394.8354 *General.* The following sections under this heading provide for the issuance of delivery records (OPA Form R-585) to persons who receive or have been issued non-highway rations and for the computation of such rations. These sections apply only to the Pennsylvania Test Area. This area consists of the area served by War Price and Rationing Board No. 2636.1, located at Lancaster, Pennsylvania. The provisions contained in these sections providing for the issuance and presentation of delivery records are not applicable to any person who maintains a ration bank account.

§ 1394.8355 *Non-highway rations.* Application for a non-highway ration and the issuance and determination of such rations and the issuance of renewals and further rations for non-highway purposes as presently provided in §§ 1394.7901 through 1394.7904 and §§ 1394.8051 through 1394.8054 remain in full force and effect in the Pennsylvania Test Area, except for the limitations contained in the following sections.

§ 1394.8356 *Issuance of delivery records.* (a) Upon the issuance or renewal of any non-highway ration, or the issuance of a further ration for non-highway purposes, or the issuance of a second installment of a non-highway ration for use in connection with farming, the Board shall issue to the applicant for use with such ration a delivery record (OPA Form R-585) or any number of such records which are required. At the time of issuance the Board shall note on such record the name and address of the applicant, the designation of the issuing Board, the signature of the issuing officer and the amount of non-highway rations to be accounted for by the person receiving such record.

(b) The Board may issue a delivery record to any person who holds a currently valid non-highway ration when a delivery record has not been issued for use with such rations.

§ 1394.8357 *Issuance of non-highway ration; computation of the total ration to be accounted for—(a) When a delivery record has not been issued.* (1) Upon the issuance of a non-highway ration, or the renewal of a non-highway ration or the issuance of a further ration for non-highway purposes when a delivery record has not previously been issued for use with such ration, the gallonage value of the ration issued is the total ration to be accounted for.

(2) When application is made for the issuance of the second installment of a non-highway ration issued for use in connection with farming and a delivery record has not previously been issued for use with such ration, the Board shall redetermine the applicant's needs for the remainder of the ration period. The Board shall deduct from such amount the gallonage value of the ration which it determines is outstanding. The number of gallons obtained by making such deduction is the amount to be issued the applicant for the ration period and such amount, together with the gallonage value of the outstanding ration, is the total ration to be accounted for.

(3) When a delivery record is issued for use with a currently valid ration, the value in gallons of the outstanding ration is the total ration to be accounted for.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12562, 13741, 13847; 9 F.R. 694, 1522.

[2] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1326, 1397, 1712, 2033, 2087, 2259.

(b) *When a delivery record has been issued.* (1) When a non-highway ration has been issued in installments for use in connection with farming, the applicant, when requesting the issuance of the second installment of the ration, shall present to the Board the delivery record issued for use with such ration and any delivery tickets which he has received in accordance with § 1394.8358 (b). The Board shall redetermine the applicant's needs for the remainder of the six-month period and shall deduct from such amount the gallonage value of the outstanding ration. The Board shall compute the gallonage value of the outstanding ration from the number of Class E and R coupons surrendered by the applicant in exchange for bulk deliveries of gasoline as shown by the delivery record, the delivery tickets accompanying such record, deliveries established pursuant to § 1394.8359 and any additional information available to the Board. The number of gallons obtained by deducting the outstanding ration from the amount needed for the remainder of the ration period is the amount to be issued to the applicant for such period, and such amount, together with the gallonage value of the outstanding ration, is the total ration to be accounted for.

(2) When application is made for the renewal of the non-highway ration or the issuance of a further ration for non-highway purposes, the applicant shall present to the Board the delivery record issued for use with such ration and any delivery tickets which he has received in accordance with § 1394.8358 (b). The Board shall determine the applicant's needs for the ration period and shall deduct from such amount the gallonage value of the outstanding ration. The Board shall compute the gallonage value of the outstanding ration from the number of Class E and R coupons surrendered by the applicant in exchange for bulk deliveries of gasoline as shown by the delivery record, the delivery tickets accompanying such record, deliveries established pursuant to § 1394.8359 and any additional information available to the Board. The number of gallons obtained by deducting the outstanding ration from the amount needed for the remainder of the ration period is the amount to be issued to the applicant for such period, and such amount, together with the gallonage value of the outstanding ration, is the total ration to be accounted for. Such renewal or further ration shall be computed from the date of application, and shall be issued as of such date.

(c) When the gallonage value of an outstanding nonhighway ration has been deducted in computing the amount to be issued as a further ration, such outstanding ration shall not be surrendered upon the issuance of the further ration, but shall be retained for use during the valid period of such further ration. When the gallonage value of an outstanding non-highway ration has been deducted in computing the amount to be issued in renewal of a ration, the outstanding ration shall not expire on the date the renewal of such ration is issued, but may be retained for use during the valid period of such ration. The extension of the valid period of the outstanding ration is an exception to that part of § 1394.8102 (a) which provides that a non-highway ration shall expire on the date when a renewal of such ration becomes valid.

§ 1394.8358 *Use of delivery records—(a) Information to be noted on the delivery record.* At the time Class E and R coupons are surrendered by a consumer in exchange for a bulk transfer of gasoline, the transferee shall present to the transferor the delivery record issued for use with the ration surrendered. The transferor shall note upon the delivery record the following information:

1. The date of delivery.
2. The total number of gallons delivered.
3. The total gallonage value of Class E and R coupons surrendered.
4. The name and address of the transferor.
5. The signature of the person delivering the gasoline.

(b) *When the delivery record is not available.* If a delivery of gasoline is made at a time when the delivery record is not available, the transferor shall furnish the transferee with a delivery ticket containing the information set out in paragraph (a) of this section. These delivery tickets must accompany the delivery record when such record is surrendered to a Board.

(c) Any applicant who submits to a Board a delivery record for the purpose of making a computation shall certify as to the number of bulk deliveries he has received and the gallonage value of Class E and R coupons surrendered therefor. He shall also certify as to the number of Class E and R coupons that are contained in any outstanding non-highway ration in his possession.

§ 1394.8359 *Failure to make notation on delivery record.* The gallonage value of any Class E and R coupons surrendered in exchange for a bulk delivery of gasoline which is not entered on the delivery record or represented by delivery tickets shall not be considered by the Board in determining the amount of rations outstanding unless the Board finds by evidence offered by the person presenting the delivery record that such deliveries were made.

§ 1394.8360 *Lost, stolen, destroyed, mutilated or wrongfully withheld delivery records.* In the event of loss, theft, destruction, or mutilation of a delivery record, the person entitled to the possession thereof may make application to the issuing Board for the replacement of such record. If the Board determines that the applicant is acting in good faith it shall issue a replacement. When issuing a replacement, the Board shall note on the delivery record the actual gallonage value of the non-highway ration remaining in the hands of the applicant. The Board may, in order to reconcile the total amount of bulk deliveries with the amount of the non-highway ration still unused require the applicant to establish all deliveries which he has received in exchange for Class E and R coupons since the lost delivery record was issued.

§ 1394.8361 *Exceptions by District Director or Director of Automotive Supply Rationing Division.* The Director of the Automotive Supply Rationing Division, Washington, D. C., or the Harrisburg District Director may modify any of the provisions contained in §§ 1394.8355 through 1394.8361 (or grant exceptions thereto) covering the issuance or use of non-highway rations in connection with delivery records. (Action taken under this section shall not include modification of any other provision of this order).

This amendment shall become effective March 10, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3268; Filed, March 7, 1944; 12 m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 109]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8004 (e) the text preceding subparagraph (1) is amended to read as follows: "Immediately upon receipt of any ration coupons each person to whom such coupons are issued shall write, stamp or print on the face of the coupons issued to him the following information:"

2. Section 1394.8004 (e) (3) is amended to read as follows:

(3) In the case of Class E and R coupons no notations need be made upon receipt of the ration, but prior to a transfer of gasoline in exchange therefor, the ration holder shall write, stamp or print his name and address on the face of each coupon presented separately. However, when gasoline is obtained in exchange for Class E or R coupons in a strip or block such notations may be written on the strip or block of coupons. If a dealer or distributor, after receiving such strip or block of coupons, detaches any coupons from the strip or block, he must write the ration holder's name and address on each detached part which does not bear such notation.

This amendment shall become effective March 15, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bu-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937, 16250, 16420, 9 F.R. 104, 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1326, 1397, 1712, 2033, 2087, 2239.

(b) *When a delivery record has been issued.* (1) When a non-highway ration has been issued in installments for use in connection with farming, the applicant, when requesting the issuance of the second installment of the ration, shall present to the Board the delivery record issued for use with such ration and any delivery tickets which he has received in accordance with § 1394.8358 (b). The Board shall redetermine the applicant's needs for the remainder of the six-month period and shall deduct from such amount the gallonage value of the outstanding ration. The Board shall compute the gallonage value of the outstanding ration from the number of Class E and R coupons surrendered by the applicant in exchange for bulk deliveries of gasoline as shown by the delivery record, the delivery tickets accompanying such record, deliveries established pursuant to § 1394.8359 and any additional information available to the Board. The number of gallons obtained by deducting the outstanding ration from the amount needed for the remainder of the ration period is the amount to be issued to the applicant for such period, and such amount, together with the gallonage value of the outstanding ration, is the total ration to be accounted for.

(2) When application is made for the renewal of the non-highway ration or the issuance of a further ration for non-highway purposes, the applicant shall present to the Board the delivery record issued for use with such ration and any delivery tickets which he has received in accordance with § 1394.8358 (b). The Board shall determine the applicant's needs for the ration period and shall deduct from such amount the gallonage value of the outstanding ration. The Board shall compute the gallonage value of the outstanding ration from the number of Class E and R coupons surrendered by the applicant in exchange for bulk deliveries of gasoline as shown by the delivery record, the delivery tickets accompanying such record, deliveries established pursuant to § 1394.8359 and any additional information available to the Board. The number of gallons obtained by deducting the outstanding ration from the amount needed for the remainder of the ration period is the amount to be issued to the applicant for such period, and such amount, together with the gallonage value of the outstanding ration, is the total ration to be accounted for. Such renewal or further ration shall be computed from the date of application, and shall be issued as of such date.

(c) When the gallonage value of an outstanding nonhighway ration has been deducted in computing the amount to be issued as a further ration, such outstanding ration shall not be surrendered to a Board during the valid period of such ration. The extension of the valid period of the outstanding ration is an exception to that part of § 1394.8102 (a) which provides that a non-highway ration shall expire on the date when a renewal of such ration becomes valid.

§ 1394.8358 *Use of delivery records*—(a) *Information to be noted on the delivery record.* At the time Class E and R coupons are surrendered by a consumer in exchange for a bulk transfer of gasoline, the transferee shall present to the transferor the delivery record issued for use with the ration surrendered. The transferor shall note upon the delivery record the following information:

1. The date of delivery.
2. The total number of gallons delivered.
3. The total gallonage value of Class E and R coupons surrendered.
4. The name and address of the transferor.
5. The signature of the person delivering the gasoline.

(b) *When the delivery record is not available.* If a delivery of gasoline is made at a time when the delivery record is not available, the transferor shall furnish the transferee with a delivery ticket containing the information set out in paragraph (a) of this section. These delivery tickets must accompany the delivery record when such record is surrendered to a Board.

(c) Any applicant who submits to a Board a delivery record for the purpose of making a computation shall certify as to the number of bulk deliveries he has received and the gallonage value of Class E and R coupons surrendered therefor. He shall also certify as to the number of Class E and R coupons that are contained in any outstanding non-highway ration in his possession.

§ 1394.8359 *Failure to make notation on delivery record.* The gallonage value of any Class E and R coupons surrendered in exchange for a bulk delivery of gasoline which is not entered on the delivery record or represented by delivery tickets shall not be considered by the Board in determining the amount of rations outstanding unless the Board finds by evidence offered by the person presenting the delivery record that such deliveries were made.

§ 1394.8360 *Lost, stolen, destroyed, mutilated or wrongfully withheld delivery records.* In the event of loss, theft, destruction, or mutilation of a delivery record, the person entitled to the possession thereof may make application to the issuing Board for the replacement of such record. If the Board determines that the applicant is acting in good faith it shall issue a replacement. When issuing a replacement, the Board shall note on the delivery record the actual gallonage value of the coupons surrendered by the applicant and the gallonage value of the outstanding ration.

§ 1394.8361 *Exceptions by District Director or Director of Automotive Supply Rationing Division.* The Director of the Automotive Supply Rationing Division, Washington, D. C., or the Harrisburg District Director may modify any of the provisions contained in §§ 1394.8355 through 1394.8361 (or grant exceptions thereto) covering the issuance or use of non-highway rations in connection with delivery records. (Action taken under this section shall not include modification of any other provision of this order).

This amendment shall become effective March 10, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3268; Filed, March 7, 1944; 12 m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 109]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8004 (e) the text preceding subparagraph (1) is amended to read as follows: "Immediately upon receipt of any ration coupons each person to whom such coupons are issued shall write, stamp or print on the face of the coupons issued to him the following information:"

2. Section 1394.8004 (e) (3) is amended to read as follows:

(3) In the case of Class E and R coupons no notations need be made upon receipt of the ration, but prior to a transfer of gasoline in exchange therefor, the ration holder shall write, stamp or print his name and address on the face of each coupon presented separately. However, when gasoline is obtained in exchange for Class E or R coupons in a strip or block such notations may be written on the strip or block of coupons. If a dealer or distributor, after receiving such strip or block of coupons, detaches any coupons from the strip or block, he must write the ration holder's name and address on each detached part which does not bear such notation.

reau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3267; Filed, March 7, 1944; 12:01 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 83]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.14 (b) is amended to read as follows:

(b) Any member of the armed services of the United States who wants shoes that he cannot get from his branch of the armed services and who does not have a war ration shoe stamp may get certificates for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of his branch of the armed services. Any member of the armed services of other United Nations residing within the United States, who does not have a war ration shoe stamp may get certificates for the shoes he needs from any authorized issuing officer of the armed services of the United States, or from an authorized issuing officer designated by the armed service of which he is a member and approved by a branch of the armed services of the United States. Supplies of certificates for this purpose may be furnished to an armed service of another nation by the branch of the armed service of the United States approving the appointment of the issuing officer.

2. Section 2.13 is amended by changing the headnote to read as follows: "Establishments must keep records; accountability."

3. Section 2.13 (d) is added to read as follows:

(d) Every establishment shall be accountable for all ration currency received by it. The amount of ration currency an establishment has on hand or on deposit at a bank or which it has forwarded to a supplier plus the number of pairs of shoes it has in inventory shall at all times be equal to but not in excess of its inventory responsibility as established by OPA Form R-1701 or R-1701 (Revised), as adjusted by the records showing increases or decreases in inventory responsibility required by paragraph (b) above, except to the extent it can account for such excesses or deficits by reason of conditions which are not due to its violation of other provisions of this Order.

4. The definition of "Safety Shoes" in Section 3.13 is amended by adding at the end of the paragraph the following: "(Women's safety shoes made with a plastic or fibre box toe will not be considered safety shoes after May 1, 1944.)"

This amendment shall become effective March 11, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3269; Filed, March 7, 1944; 12:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 16]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register*

Ration Order 10 is amended in the following respects:

1. The note following the table under § 1407.687 is deleted.

2. In § 1407.704 (a), the comma following the words "corn meal" is changed to a period, and the clause following the words "corn meal" is deleted.

This amendment shall become effective February 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; WPB Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 21st day of February 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3270; Filed, March 7, 1944; 12 m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 518]

ROUGH RICE

In the judgment of the Price Administrator, the prices of rough rice have risen and are threatening to rise further to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and are thereby causing undue increases in prices.

The maximum prices established by this Maximum Price Regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In fixing the maximum prices established by this regulation, the Price Administrator has given adequate weighting to farm labor. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1439.13 *Maximum prices for sales of rough rice.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and Executive Order 9328, this Maximum Price Regulation 518 (Rough Rice) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.13 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 518—ROUGH RICE

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2. Effect of maximum prices.
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4. Maximum prices for the sale or delivery of rough rice grown in any state except California.
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6. Imported rough rice.
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11. Maximum prices for export sales.
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13. Sales of rough rice for use only as seed for planting.
14. Enforcement.
15. Protests and petitions.
16. Licensing.

SECTION 1. *Applicability.* (a) Except as provided in paragraphs (b) and (c) of this section, this regulation shall apply to all sales of domestic and imported rough rice whether for immediate or future delivery within the 48 states and the District of Columbia of the United States.

(b) This regulation shall have no application to any rough rice purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15834, 16605, 16996; 9 F.R. 92, 573, 764, 2233.

[1] 7 F.R. 6887, 9523, 9607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 8208, 7017.

purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

(c) Except as provided in section 13 hereof, this regulation shall have no application to sales of rough rice for use or resale only as seed for planting.

SEC. 2. *Effect of maximum prices.* (a) While this regulation is in effect, regardless of any contract or other commitment, no person shall in the course of trade or business sell, deliver, buy or receive rough rice at prices above the maximum prices established by this regulation; nor shall any person offer, solicit, agree or attempt to do any of the foregoing.

(b) However, prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* (a) As used herein the following terms shall have the following meanings:

(1) "Barrel" as a unit of measurement means 162 pounds of rough rice.

(2) "Bushel" as a unit of measurement means 45 pounds of rough rice.

(3) "Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing; and includes the United States or any government or any political subdivision or agency of either.

(4) "Point of production" means the farm or field where the rough rice in question was grown or harvested.

(5) "Rough rice" includes all varieties of rough rice (sometimes known as paddy) as defined in the United States Standards for Rough Rice.

(6) "Mixed rough rice" includes all mixtures of rough rice as defined in Class XI of the United States Standards for Rough Rice.

(7) "Country shipping point" is a place having facilities such as a warehouse or grain elevator equipped with suitable scales or railroad facilities customarily used for the storage, marketing and loading for shipment of rough rice. If a farm or point of production has such facilities located thereon, such farm shall be deemed a country shipping point as to rice grown on such farm.

(8) "Transportation charges" shall be the reasonable value of the haul in question, not to exceed the lowest common carrier rate, if any (including any applicable transportation tax), for the billing or shipment in question.

(9) "Base quality" as applied to rough rice grown in California means rough rice which is appraised on sample by a customarily neutral facility to yield upon milling 48 pounds of whole kernels (with a tolerance of 4 percent broken kernels) and 70 pounds total milled rice (all classes) for each 100 pounds of rough rice.

(b) This regulation in speaking of sales or purchases at a given point (such as point of production, country shipping point or other point) means that the purchaser shall receive actual delivery of the rough rice in question at said point.

SEC. 4. *Maximum prices for the sale or delivery of rough rice grown in any state except California.* (a) The maximum prices for the sale and delivery of rough rice not grown in the State of California, bulk, containing not more than 17 percent moisture, at the country shipping point nearest (by the most usually traveled route) to the point of production shall be as follows:

Varieties (or class)	Maximum price	
	Per barrel	Per bushel
Rexoro	$7.05	$1.958
Nira	6.65	1.847
Fortuna	6.15	1.708
Edith	6.10	1.694
Blue Rose	6.15	1.708
Southern Pearl	6.15	1.708
Lady Wright	6.00	1.667
Zenith	6.15	1.708
Early Prolific	5.30	1.472
Prelude	6.10	1.694
Ark-Rose	6.15	1.708
All other varieties	5.30	1.472
Mixed rough rice	(1)	(1)

[1] Multiply the percentage of each variety contained in the mixture by its respective maximum price as above set forth and total the results.

(b) The foregoing maximum prices shall be decreased 20 cents per barrel (or 5.5 cents per bushel) for each one percent or fraction thereof of moisture content in the lot over 17 percent.

(c) The maximum prices specified in paragraphs (a) and (b) of this section shall be decreased by 16 cents per barrel (or 4.4 cents per bushel) for a like sale and delivery of rough rice at the point of production.

(d) The maximum prices specified in paragraphs (a) and (b) of this section shall be increased for a like sale at any point other than:

(1) At the country shipping point nearest to the point of production covered by paragraph (a) of this section, or

(2) At the point of production covered by paragraph (c) of this section, by the amount of transportation charges from that country shipping point nearest to the point of production to the buyer's actual receiving point by a usual route and method of transportation.

SEC. 5. *Maximum price for the sale or delivery of rough rice grown in the State of California.* (a) The maximum price for the sale and delivery of rough rice grown in California, per one hundred pounds, base quality, bulk, containing not over 15 percent moisture, shall be as follows:

(1) At the basing points of San Francisco, California, or Imperial, California.

Varieties:	*Maximum price for base quality per 100 pounds*
California Pearl	$3.57
Calady	3.64
Blue Rose	3.57
All other varieties	3.57
Mixed rough rice	(1)

[1] Multiply the percentage of each variety contained in the mixture by its respective maximum price as set forth and total the results.

(2) At any country shipping point: the maximum price at the basing points less transportation charges from the country shipping point in question to Imperial or San Francisco, whichever is lower.

(3) At any point of production: the maximum price at the country shipping point nearest thereto (by the most usually traveled route) less transportation charges from said point of production to said country shipping point by a usual route and method of transportation.

(b) The foregoing maximum prices specified in paragraph (a) of this section shall be decreased by 5 cents per 100 pounds for each 1 percent (or fraction thereof) of moisture content in the lot over 15 percent and not over 17 percent, and by 15 cents per 100 pounds for each 1 percent (or fraction thereof) of moisture content in the lot over 17 percent.

(c) The foregoing maximum prices specified in paragraphs (a) and (b) of this section shall be altered as follows:

(1) Increased 1.62 cents per hundred pounds for each 1 pound of whole kernels and 3.1 cents per 100 pounds for each 1 pound of total milled rice (all classes) which any lot is appraised to yield above the base quality.

(2) Decreased 1.62 cents per 100 pounds for each 1 pound of whole kernels and 3.1 cents per 100 pounds for each 1 pound total milled rice (all classes) which any lot is appraised to yield less than base quality.

SEC. 6. *Imported rough rice.* The maximum price for the sale and delivery of any imported rough rice shall be calculated as if the port of entry were the country shipping point.

SEC. 7. *Increases for sacks.* When any person sells any rough rice, sacked and has furnished the sacks, the maximum price per bushel, barrel or 100 pounds (excluding the weight of the sacks) shall be the maximum price for a like sale of rough rice, bulk, plus the reasonable value (not exceeding any maximum price established thereon) of the sacks actually furnished by the seller.

SEC. 8. *Actual weight at time of delivery governs.* The actual net weight of the lot of rough rice at the time of the delivery thereof to each purchaser shall govern in determining the appropriate maximum price for each sale under section 4 or 5 hereof.

SEC. 9. *Decreases for charges or services.* (a) Whenever the purchaser of any lot of rough rice assumes or agrees to pay for storage, warehousing or other services or whenever any person has actually furnished any such services with or without making a specific charge for the same or whenever any purchaser has performed or will perform any such services in connection with the lot of rough rice in question, the maximum price for the sale as established in section 4 or 5 hereof shall be reduced by the amount assumed or paid or by the reasonable value of such services as the case may be.

(b) Whenever the purchaser of any lot of rough rice has performed or will be forced to perform any services in connection with the growing or harvesting thereof or in connection with the loading thereof onto transportation facilities for ready shipment from the point of deliv-

ery to him the maximum price for the sale as established in sections 4 or 5 hereof shall be reduced by the reasonable value of all such services.

SEC. 10. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rough rice alone or in conjunction with any other commodity or by way of commission, service, transportation, storage, or other charge or discount, premium or other privilege or by tying agreement or other trade understanding or by any other means.

SEC. 11. *Maximum prices for export sales.* The maximum prices for export sales of rough rice shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[1]

SEC. 12. *Records and reports.* Every person shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect a complete record of each sale or purchase subject thereto showing the date thereof, the names and addresses of the buyer and seller, the contract price, the price paid or received, the quantity and variety of the rough rice sold or purchased, and the county or parish where grown.[2]

Such sellers and purchasers shall submit such records to the Office of Price Administration and keep such other records in addition thereto as the Office of Price Administration may from time to time direct.[2]

SEC. 13. *Sales of rough rice for use only as seed for planting.* (a) Within 10 days after each sale to or by a rice mill or agent thereof of any lot of rough rice for use or resale only as seed for planting, the seller shall deliver to the nearest district or state office of the Office of Price Administration a copy of the invoice of sale showing the quantity sold, the price paid, the name and address of the seller and the buyer, the county or parish where grown, and the place of sale. Said invoice shall also contain a statement signed by the buyer and reading as follows:

As required by MPR 518, I have agreed to buy and you have agreed to sell ___ pounds of rough rice for use or resale only as seed for planting and not for human consumption or any other purpose.

(b) Any rice mill or agent thereof who has purchased a lot of rough rice for use or resale only as seed for planting may file a written application with the Rice and Seeds Unit of the Office of Price Administration at Washington, D. C., after July 1st next following such purchase for the permission to mill the same for use for human consumption. Good cause appearing, such application may be granted by order, letter or telegram: *Provided*, That any sale of finished rice or of rice milling by-products produced from such rough rice shall be sold only under and subject to the provisions of Revised Maximum Price Regulation 150, as amended, governing such sales.

SEC. 14. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Protests and petitions.* Any person desiring to file a protest against, or seeking an amendment of any provision of this regulation may do so in accordance with Revised Procedural Regulation No. 1.

SEC. 16. *Licensing.* The provisions of licensing Order No. 1[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This regulation shall become effective April 15, 1944.

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: February 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3271; Filed, March 7, 1944; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 100]

SUBSTITUTE SOLE LEATHER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation 14 is amended in the following respects:

1. Section 3.8 (a) (1) (i) is amended by inserting after the words "maximum price of the original shoe" the words "to the seller's most favored class of purchasers."

2. Section 3.8 (a) (1) (ii) is amended by deleting the word "appropriate" in the first sentence thereof and adding to such sentence the words "for the district in which his main office is located."

3. Section 3.8 (a) (2) (i) (b) is amended by inserting after the words "maximum selling price" the words "to the seller's most favored class of purchasers."

4. Section 3.8 (a) (2) (ii) is amended by deleting the word "appropriate" in the first sentence thereof, inserting after the words "Office of Price Administration" the words "for the district in which his main office is located" and by correcting the number "655-502" to "665-502."

5. Section 3.8 (a) (3) (i) is amended by deleting the last sentence thereof.

6. Section 3.8 (a) (3) (ii) is amended by correcting the number "655-502" to "665-502" and by amending the last paragraph to read as follows:

Footwear for which a maximum price is proposed under this paragraph (a) (3) may not be sold (except as provided in § 1499.20 (r) of the General Maximum Price Regulation) until that price has been approved by the Regional Administrator or District Director so authorized by his Regional Administrator, but the proposed price shall be deemed to be approved 20 days after mailing the application (or all additional information which may have been requested) unless, within that time the seller is notified that his proposed price has been disapproved.

7. Section 3.8(a) (4) is amended to read as follows:

(4) The Price Administrator or any Regional Administrator, or any District Director so authorized by his Regional Administrator, may at any time approve, disapprove or revise the maximum prices reported, proposed or established under this section 3.8 so as to bring them in line with the level of maximum prices otherwise established by this section 3.8. If a reported or proposed price is disapproved the seller may not sell, offer for sale or deliver the footwear until a maximum price has been established under this section 3.8.

8. Section 3.8(d) (8) is amended by inserting in the second sentence thereof after the words "direct labor cost" the words "shall not include make up or overtime pay and".

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3273; Filed, March 7, 1944; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 101]

AMERICAN SPECIALTY CO.

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 6.43 is added to read as follows:

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[1] 8 F.R. 4132.

[2] The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[3] Subject to the aproval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 13240.

SEC. 6.43 *Maximum prices for resale of an insecticide sprayer manufactured by the American Specialty Company of Amherst, Ohio*—(a) *Scope of this section.* This section fixes maximum prices for resale by Gulf Oil Corporation, its jobbers and retailers of a new insecticide sprayer designated as "Gulf Sprayer" and manufactured by the American Specialty Company, Amherst, Ohio. It covers only the sprayer described in an application filed September 13, 1943, and filed by the American Specialty Company pursuant to Maximum Price Regulation No. 188.

(b) *Maximum prices.* (1) For sales by the Gulf Oil Corporation, Gulf Building, Pittsburgh, Pennsylvania, the maximum prices for sales of the insecticide sprayer are those set forth below:

	Per unit
For sales at retail	$0.55
	Per doz.
For sales to retailers in less than ½ gross lots	$4.58
For sales to retailers in lots of ½ gross to 1 gross	4.34
For sales to retailers in lots over 1 gross and less than 2 gross	4.10
For sales to retailers in lots of 2 gross and over	3.86
For sales to jobbers, minimum sale of 1 gross	3.86

(2) For sales of the "Gulf Sprayer" by jobbers to retailers, the maximum price is $4.82 per dozen.

(3) For sales of the "Gulf Sprayer" at retail, the maximum price is $0.55 per unit.

(c) *Tagging.* To every insecticide sprayer shipped to a purchaser for resale, Gulf Oil Corporation shall attach a tag or label which plainly states the retail ceiling price.

(d) *Notification.* At the time of the first invoice on and after March 13, 1944, Gulf Oil Corporation shall notify in writing each jobber and retailer and each jobber shall notify in writing each retailer who purchases from them of the maximum prices established by this amendment for resales of the sprayer by the purchaser. This written notice may be given in any convenient form.

This amendment shall become effective on the 13th day of March 1944.

(56 Stat. 23, 765, Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3272; Filed, March 7, 1944; 12 m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 41]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The prices contained in the table following section 39 (a) (1) for 1/16" to ⅛" natural, 2-tone and bleached Lauhala purses in sizes 16" or 17"; 14" or 15"; and 12" or 13", are amended to read as follows:

Weave	Sizes		
	16" or 17"	14" or 15"	12" or 13"
1/16"-⅛" Natural	$2.75	$2.62	$2.49
1/16"-⅛" 2-tone	3.54	3.38	3.18
1/16"-⅛" Bleached	3.89	3.61	3.41

2. The table following section 39 (a) (2) (ii) is amended by adding a new item to read as follows:

	Sizes		
	16" or 17"	14" or 15"	12" or 13"
Lauhala lining and zipper	$1.25	$1.25	$1.15

3. The table following section 39 (e) (1) is amended by adding a new item and a new definition to read as follows:

White, bleached, wide, extra long, 6¢ each. "Extra long" means a leaf 42" or more in length.

4. Section 41a Table A is amended to read as follows:

TABLE A—SPECIFIC MARKUPS FOR CERTAIN GROCERY ITEMS

Item	Wholesale unit	Maximum wholesale markup over landed cost per unit	Notification prices per case	
			Upper	Lower
Evaporated milk [1]	48/1 cans	$0.25		
Flour,[1] family	98-100 lbs	.30		
Flour,[1] family	49-50 lbs	.15		
Flour,[1] family	1 lb	.003		
Rice,[1] FSCC	100 lbs	.25		
Rice,[1] FSCC	1 lb	.0025		
Soups				
Campbell's Old Style Soups:				
Chicken	48/1 cans	.51	$6.05	$5.57
Bouillon	48/1 cans	.51	6.05	5.57
Consomme	48/1 cans	.51	6.05	5.57
Vegetable	48/1 cans	.45	5.43	4.99
Pea	48/1 cans	.44	5.22	4.80
Cream of Potato	48/1 cans	.44	5.22	4.80
Vegetable-Beef	48/1 cans	.44	5.22	4.80
Beef	48/1 cans	.44	5.22	4.80
Black bean	48/1 cans	.44	5.22	4.80
Assorted	48/1 cans	.44	5.22	4.80
Chicken-noodle	48/1 cans	.44	5.22	4.80
Asparagus	48/1 cans	.44	5.22	4.80
Celery	48/1 cans	.44	5.22	4.80
Clam Chowder	48/1 cans	.44	5.22	4.80
Mock Turtle	48/1 cans	.44	5.22	4.80
Oxtail	48/1 cans	.44	5.22	4.80
Pepper pot	48/1 cans	.44	5.22	4.80
Tomato	48/1 cans	.34	4.17	3.84
Campbell's New Formula Condensed Soups:				
Chicken	48/1 cans	.68	8.14	7.49
Vegetable-Beef	48/1 cans	.62	7.51	6.91
Beef	48/1 cans	.62	7.51	6.91
Bouillon	48/1 cans	.62	7.51	6.91
Consomme	48/1 cans	.62	7.51	6.91
Chicken Gumbo	48/1 cans	.62	7.51	6.91
Chicken Noodle	48/1 cans	.61	7.30	6.72
Clam Chowder	48/1 cans	.50	6.03	5.57
Mock Turtle	48/1 cans	.50	6.05	5.57
Oxtail	48/1 cans	.50	6.05	5.57
Pepper Pot	48/1 cans	.50	6.05	5.57
Scotch Broth	48/1 cans	.50	6.05	5.57
Vegetarian-Vegetable	48/1 cans	.50	6.05	5.57
Consomme Madrilene	48/1 cans	.50	6.05	5.57
Vegetable	48/1 cans	.50	6.05	5.57
Tomato	48/1 cans	.38	4.59	4.22
Van Camp's Soups:				
Vegetable	24/300 tall cans	.26	3.03	2.78
Tomato	24/300 tall cans	.22	2.71	2.50
Asparagus	48/1 cans	.32	3.76	3.46
Sugar, locally [1] produced granulated	100 lbs	.20		
Sugar locally [1] produced granulated	1 lb	.002		

[1] Items applicable to sales to retail grocery stores only.

NOTE: This Table A applies only to wholesalers located on the Island of Oahu. These wholesalers must use these markups if the item being priced is contained herein. If not, they must then use the division factor in Table B.

The wholesaler shall notify the Office of Price Administration whenever a sale to a retailer is made at a price above or below the "notification prices per case" set forth below upon Form OPA-G-1.

5. Section 41a, Table B, Item No. 4, is amended to read as follows:

	Division factor
4. Canned juices:	
Tomato juice, FSCC, all sizes (when sold to retail grocery stores only)	0.91
All other canned juices	.87

6. Section 49 is amended to read as follows:

SEC. 49. *Maximum prices for taro and poi*—(a) *What this section covers.*

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8650, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16907, 17201; 9 F.R. 173, 393.

*Copies may be obtained from the Office of Price Administration.

This section fixes ceiling prices for all sales of wetland taro, poi and ready-mixed poi.

(b) *Ceiling prices for sales of wetland taro.* (1) The ceiling prices for sales of wetland taro which has been pulled, sacked in sacks furnished by the buyer, and delivered at roadside, shall be:

	Oahu	Other Islands
	Cents	*Cents*
Grade A Taro, per pound	3.6	3.35
Marketable Quality Taro, per pound	2.4	2.15

(2) The ceiling prices for all other sales of wetland taro shall be established by order of the Office of Price Administration upon written application of the seller to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

(c) *Ceiling prices for sales of poi by producer-wholesalers and retailers.* (1) The ceiling prices for sales of poi by producer-wholesalers and retailers shall be:

	Wholesalers		Retailers	
	Oahu	Other Islands	Oahu	Other Islands
	Cents	*Cents*	*Cents*	*Cents*
Per pound	11	8	13	10

Wholesalers may add 1¼% to the ceiling prices listed above on sales to buyers who do not have a gross income license.

(2) The ceiling prices for all other sales of poi shall be established by order of the Office of Price Administration upon written application of the seller to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

(d) *Ceiling prices for sales of ready-mixed poi.* (1) The ceiling prices for sales of ready-mixed poi shall be:

	Oahu	Other Islands
	Cents	*Cents*
Per pound	9	6

(e) *Definitions.* When used in this section, the terms:

(1) "Grade A taro" means taro suitable for poi manufacture which meets the specifications set forth under the title, "Suggested Hawaiian Grades on Taro for Poi Manufacture" in Agricultural Circular #156 Revised November 15, 1943, prepared by Agricultural Economics Division, Agricultural Extension Service, University of Hawaii.

(2) "Marketable quality taro" means any taro suitable for poi manufacture that does not meet the specifications of Grade A Taro.

(3) "Poi" means the unadulterated product of the edible taro root made into a paste, which shall contain not less than 30 per cent of total solids.

(4) "Ready-mixed poi" means strained poi mixed with water and containing not less than 18 per cent of total solids.

(f) *Records and invoices.* In addition to the records required by the provisions of section 10 of this Maximum Price Regulation No. 373, sellers making sales covered by this section other than at retail shall at the time of delivery furnish the buyer with an invoice or sales memorandum showing the name and address of the seller and buyer, the kind, quantity and grade of the commodity sold and the price charged or received therefor.

7. Section 56 (a) and (b) are amended to read as follows:

(a) *What products are covered.* This section covers sales out of distribution yard stock of any lumber or shingles for which "direct mill" maximum prices are fixed in the following maximum price regulations as amended or revised:

Douglas Fir and other West Coast Lumber—Rev. MPR 26
Western Pine and Associated Species of Lumber—MPR 94
Red Cedar Shingles—MPR 164
Redwood Lumber—MPR 253
Sitka Spruce—MPR 290
Western Red Cedar—MPR 402.

This section sets maximum prices which are based upon the price definitions contained in the above "direct mill" regulations. Every dealer affected by this section should, therefore, secure copies of the above regulations for use in connection with this section. Any amendments or revisions subsequently issued to the above regulations shall become effective in the Territory of Hawaii sixty days after the effective date set forth in any such amendment or revision.

(b) *What a distribution yard is.* (1) A "distribution yard" is a wholesale or retail yard which gets lumber from mills or other yards; unloads, sorts, stores and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which is equipped to make quick deliveries of different items of lumber and which has been located at its particular site in order to be near a lumber consuming area.

(2) Any wholesale or retail distributor, of softwood covered by this section, who does not maintain a "yard" but who performs any of the operations outlined in subparagraph (1) above, or who sells to his customers on a drop shipment basis, shall be considered to be operating a "distribution yard" for the purposes of this section.

This amendment shall become effective as follows:

(a) As to section 39, as of January 17, 1944.

(b) As to section 41a, as of December 6, 1943.

(c) As to section 49, as of January 27, 1944.

(d) As to section 56, as of January 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3274; Filed, March 7, 1944; 12:02 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 42]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by changing the prices of "Carrots", "Onions", "Celery"; by deleting the items "Potatoes: U. S. #1" and "Potatoes: Rivers"; and by adding "Cauliflower" and a new type "Potatoes" to read as follows:

	Wholesale maximum price	Retail maximum price
		Per lb.
Carrots	$3.35 per 50 lb. crate	$0.10
	$6.70 per 100 lb. crate	.10
Onions, dry all colors	$3.65 per 50 lb. bag	.10
Celery	$7.15 per crate	.15
Cauliflower	$10.40 per crate	.20
Potatoes: Gems, U. S. #1	$4.85 per 100 lb. bag	.07

2. The table following section 21 (d) (1) is amended by deleting the column headed "Special institutional maximum prices"; by changing the wholesale maximum price of Grapefruit, all sizes, from "$4.60 per box" to "$4.65 per box"; by deleting the item "Pears: Comice"; by deleting the item "Cranberries"; and by changing the prices of "Oranges" and certain types of "Apples" to read as follows:

	Wholesale maximum price	Retail maximum price
Oranges:	*Per box*	*Per doz.*
100's	$5.95	$0.[illegible]
126's	5.95	.73
150's	5.95	.[illegible]
176's	5.85	.[illegible]
200's	5.75	.[illegible]
220's	5.45	.[illegible]
252's	5.20	.[illegible]
288's	5.10	.[illegible]
344's	5.10	.[illegible]
392's	5.10	.21
Apples:		
California Newton Pippin	5.20	.[illegible]
Northwest Newton Pippin	5.20	.[illegible]
Winesaps	5.20	.[illegible]
Arkansas Black	5.20	.[illegible]

3. Section 42 (b) (1) is amended by changing the prices of "Brandies" to read as follows:

	Maximum price per drink
Brandies:	
Imported	$0.40
Domestic	0.30

4. Section 42 (c) is amended by changing the price of one item to read as follows:

	Maximum price per drink
Mixed drinks containing not less than one ounce imported brandy	$0.40

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8081, 8550, 10270, 10686, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16686, 16997, 17201; 9 F.R. 173, 393.

8. Section 63 is added to read as follows:

Sec. 63. *Maximum prices for bamboo rakes.* (a) The maximum prices for bamboo rakes manufactured in the Territory of Hawaii shall be:

Manufacturer's maximum price	Maximum wholesale price	Maximum retail price
Bamboo rakes:		
Island of Oahu only, $0.75	$0.65	$0.95
All other Islands, $0.70	.75	.85

This amendment shall become effective as follows:

(a) As to section 21, as of February 1, 1944.

(b) As to section 42, as of December 13, 1943.

(c) As to section 63, as of January 31, 1944.

(58 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3275; Filed, March 7, 1944; 12:02 p. m.]

PART 1316—COTTON TEXTILES

[MPR 11,[1] Incl. Amdt. 14]

FINE COTTON GOODS

Section 1316.4 (d) Table I, "Dotted Swiss," is amended by Amendment 14, effective March 13, 1944, so that Maximum Price Regulation 11 shall read as follows:

So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are, and will be, generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purpose of said Act.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 11 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation or schedule were, prior to such use, in general use in the trade or industry affected.

[Preamble as amended by Supplementary Order No. 71, 8 F.R. 12556, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration, Maximum Price Regulation No. 11 is hereby issued.

Sec.

1316.1 Prohibition against dealing in fine cotton goods at prices above the maximum.
1316.2 Less than maximum prices.
1316.3 To what transactions, fabrics and persons this Regulation applies, and the relation to other Regulations.
1316.4 Maximum prices.
1316.5 What the contracts of sale and invoices must contain.
1316.6 Prohibited practices.
1316.7 Applications for adjustment or petitions for amendment.
1316.8 Records and reports.
1316.9 Enforcement.
1316.9a Licensing.
1316.10 Effective date.

AUTHORITY: §§ 1316.1 to 1316.10, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1316.1 *Prohibition against dealing in fine cotton goods at prices above the maximum.* Except as provided in § 1316.3 (a) no person shall sell or deliver and no person in the course of trade or business shall buy or receive any fabrics covered by this regulation at prices higher than the maximum prices fixed herein, and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1316.2 *Less than maximum prices.* Prices lower than the maximum prices set by this regulation may be charged, demanded, paid or offered.

§ 1316.3 *To what transactions, fabrics and persons this regulation applies, and the relation to other regulations—* (a) *What transactions are covered and the relation to other regulations.* (1) This regulation covers all sales and deliveries of fabrics listed in paragraph (b) below other than (i) any sale or delivery which is covered by the Revised Maximum Export Price Regulation;[4] and (ii) sales or deliveries made by a wholesaler, jobber or retailer in the performance of a recognized distributive function. A sale or delivery performs a "recognized distributive function" only if it advances the goods sold to the next stage of distribution. It follows that sales by any person to a converter or finisher, by one jobber to a competitive jobber, and by one manufacturer of commodities from cloth to another are covered by the regulation.

(2) Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation[5] or to Maximum Price Regulation No. 157.[6]

(b) *What fabrics are covered.* This regulation covers:

(1) Any grey and colored-yarn fabric, (i) made wholly of combed cotton yarns; (ii) made of combed and carded cotton yarns and so constructed that either the warp or the filling consists wholly of combed yarn and/or 50 per cent or more of its total weight content is composed of combed cotton yarns; or (iii) made of rayon[7] and cotton and so constructed that the fabric contains some combed cotton yarn, except:

[Subparagraph (1) as amended Am. 7, 8 F.R. 8937, effective 7-3-43]

(*a*) Fabrics covered by Revised Price Schedule No. 23 as amended;[8]

(*b*) Checked fabrics (other than marquisettes) made on a box loom and containing colored yarn elsewhere than in the selvage.

[Subparagraph (*b*) as amended by Am. 7, 8 F.R. 8937, effective 7-3-43]

(*c*) Cross-bordered handkerchief cloth;

(*d*) Twills;

(*e*) [Revoked]

[Subparagraph (*e*) revoked by Am. 7]

(*f*) Balloon cloth;

(*g*) [Revoked]

[Subparagraph (*g*) revoked by Am. 7]

(*h*) Fabrics made on a jacquard loom containing colored yarn elsewhere than in the selvage.

[Subparagraph (*h*) added by Am. 7]

(2) Grey sateens made in whole or in part of combed cotton yarn; and

(3) Unfinished box-loom clip-spot marquisettes and beat-up marquisettes made of combed or carded cotton yarn or any combination thereof.

[Paragraph (b) amended by Am. 1, 8 F.R. 2206, effective 2-24-43 and as otherwise noted]

(c) *What persons are covered.* This regulation covers all persons, including individuals, corporations, partnerships, associations and any other organized groups; their agents or legal successors; the United States, any government and any agencies or political subdivisions thereof.

§ 1316.4 *Maximum prices.* (a) The maximum prices established herein are prices f. o. b. the seller's point of shipment, net ten days.

(b) For seconds, short lengths and remnants of any fabric subject to the maximum prices set in this regulation, the maximum prices shall be discounted as follows:

	Discount (Percent)
Seconds, shorts and remnants:	
20 to 40 yards	10
10 to 20 yards	25
1 to 10 yards	50
Seconds:	
40 yards and over	5

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[1] 8 F.R. 361.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 8961; 8 F.R. 3813, 3533, 6173, 11806.

[4] 2d Revision: 8 F.R. 4132, 5987, 7062, 9998, 15193; 9 F.R. 1036.

[5] 9 F.R. 1385.

[6] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424; 8 F.R. 3948, 7507, 15600, 16605, 17374.

[7] "Rayon" means fibers chemically produced from cellulose or with a cellulose base by the viscose, acetate or cuprammonium process.

[8] The following fabrics are covered by Revised Price Schedule No. 23 (7 F.R. 2899, 2966, 2945, 3242, 3481, 6771, 8948): Any fabric so constructed that 80% or more of its ends by count in the warp shall consist of rayon; any fabric so constructed that 80% or more of its picks by count in the filling shall consist of rayon; any fabric constructed with a plied yarn in the warp and the filling where one of the threads in the ply used in the warp and the filling is rayon yarn, even though the total weight content of the rayon is less than 50% of the total weight of the fabric: and any fabric so constructed that 50% or more of its total weight content is composed of rayon except for fabrics containing 25% or more of wool that are woven on a woolen loom.

(c) In addition to the maximum prices set forth in Table I, the following premiums for special manufacturing processes may be charged. None of the premiums allowable hereunder is applicable, however, to any fabric which, in its basic construction, is normally manufactured by means of the process on which such premium is predicated.

Name of manufacturing process	*Premium (cents per yd.)*
Weaves requiring dobby loom: [1]	
Weaves requiring 16 harnesses or less	1¼
Weaves requiring more than 16 harnesses	1½
Fancy draw: [1]	
For ply cords, bunched ends, skip dents, double draw (2 ends or more weaving as one), reverse-twist, wrap stripes, or any other novelty draw, or for any combination of the above	⅓
Each extra beam	⅓
Hard twist:	
Wrap yarn where turns per inch equal 5¼ or more times the square root of yarn size	½
Filling yarn where turns per inch equal 4¾ or more times the square root of yarn size	⅓
Clipping	1

[1] If a premium is charged for dobby weave, no premium may be charged for fancy draw.

(d) The maximum prices are as follows:

TABLE I [1]—TYPE AND CONSTRUCTION OF CLOTH

Ref. No.		*Cents per yd.*
	Combed broadcloth	
AA 1	37" 128 x 64 4.00 (slub filled)	19.50
AA 2	37" 128 x 68 4.20	19.34
AA 3	37" [2] 136 x 60 4.00	19.10
AA 4	37" 136 x 72 3.25 (White dobby)	24.16
AA 5	37" 144 x 72 2.98 (Windbreaker)	27.30
AA 6	37" 144 x 76 4.20	20.74
AA 7	37" 144 x 76 3.74 (Windbreaker)	23.11
AA 8	36" 144 x 76 3.90 (Foreign Pima)	44.92
AA 9	36" 144 x 76 3.90 (American Pima)	48.31
AA 10	53" 144 x 76 2.86 (Foreign Pima)	63.61
AA 11	53" 144 x 76 2.85 (American Pima)	68.20
AA 12	37" 144 x 80 2.85 (Windbreaker)	28.94
AA 13	37" 152 x 80 4.20	22.11
AA 14	37" 164 x 84 3.90	22.75
AA 15	37" 120 x 60 3.90 (ply yarn)	33.44
	Lawns	
AB 1	39" 68 x 56 11.00	9.83
AB 2	39" 68 x 72 10.00	11.10
AB 3	36" 72 x 56 10.00	9.91
AB 4	40" 72 x 68 9.50	11.66
AB 5	40" 74 x 72 7.11 (Roving Cord Stripe)	15.30
AB 6	36" 76 x 72 10.00	11.15
AB 7	36" 76 x 72 7.75	12.06
AB 8	40" 76 x 72 9.65	12.36
AB 9	40" 76 x 72 9.00	12.18
AB 10	45" 76 x 72 8.00	14.26
AB 11	40" 80 x 80 5.40	16.25
AB 12	42" 80 x 80 3.20 (Gas Mask)	22.75
AB 13	39" 80 x 88 5.00	17.51
AB 14	39" 80 x 88 4.06	18.50
AB 15	40" 80 x 92 3.80 (Gas Mask)	21.85
AB 16	42" 80 x 92 3.50 (Gas Mask)	23.61
AB 17	36" 88 x 80 9.50	12.62
AB 18	40" 88 x 80 11.30	17.77
AB 19	40" 88 x 80 8.50	13.84

[1] Fabrics shall be subject to the yardage prices set forth in Tables I and II, rather than to the poundage prices set forth in Table III, unless they are over 4 per cent lighter or over 6 per cent heavier than the weights specified, *Except* that for marquisettes and beat-up marquisettes the appropriate yardage price shall apply to all weights of each construction specified.

The maximum prices set forth in Table I shall apply only to fabrics made wholly of combed cotton yarn unless otherwise specified.

For a fabric the same as one of those listed in Table I except for a difference in width not exceeding two inches and a consequent proportionate difference in weight, the maximum price shall be the price shown in Table I adjusted in the ratio which the width of one fabric bears to the other.

[2] The maximum price for 37" 136 x 60, 4.00 to 4.20 combed broadcloth on subcontracts entered into prior to January 13, 1943 under Army Invitation No. 669-43, Negotiated 161, dated November 28, 1942 is 19.00 cents per yard.

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		*Cents per yd.*
	Lawns—Continued	
AB 20	40" 88 x 80 6.90	14.66
AB 21	40" 88 x 80 6.00	15.35
AB 22	44" 88 x 80 7.15	15.98
AB 23	45" 88 x 80 7.50	16.18
AB 24	40½" 94 x 90 3.85	20.45
AB 25	37" 96 x 72 3.25 (Shadow)	13.54
AB 26	37½" 96 x 92 5.80	16.53
AB 27	40" 96 x 92 7.50	16.51
AB 28	36" 96 x 100 7.05	16.21
AB 29	36" 96 x 100 4.00	20.69
AB 30	39" 96 x 100 5.90	18.09
AB 31	39" 96 x 100 5.00	19.20
AB 32	39" 96 x 100 4.10	21.40
AB 33	40" 96 x 100 9.00 (Pima)	21.22
AB 34	40" 96 x 100 9.00 (Foreign Pima)	19.62
AB 35	40" 96 x 100 6.75	18.01
AB 36	40" 96 x 100 3.97	22.05
AB 37	44" 96 x 100 4.40	21.96
AB 38	39" 96 x 108 6.00	19.25
AB 39	40" 108 x 112 6.40	19.01
AB 40	39" 108 x 124 5.24	24.30
AB 41	39" 110 x 128 6.40 (Pima Warp)	23.71
AB 42	39" 116 x 144 6.21 (Pima Warp)	21.22
	Dimities	
AC 1	36" 96/64 x 68 9.00	12.06
AC 2	36½" 116/76 x 76 8.00	14.16
AC 3	36½" 114/76 x 84 7.60	13.87
AC 4	40½" 90/64 x 72 7.55	13.34
AC 5	39" 94/64 x 68 6.80	13.34
AC 6	45" 94 x 68 6.87 (Stripe)	14.32
	Dimity Checks	
AD 1	37½" 84 x 44 10.40	8.57
AD 2	39" 70 x 72 8.30	11.87
AD 3	39" 78 x 64 9.40	11.15
AD 4	39" 90 x 80 8.10	13.57
AD 5	36½" 88 x 92 7.95	14.02
	Pique	
AE 1	38" 150/176 x 100 3.50	28.90
AE 2	38" 72/108 x 124 2.63 (Birdseye-Box Loom)	42.50
AE 3	39" 108 x 136 2.67 (Birdseye)	47.50
AE 4	39" 108 x 52 6.05 (Voile)	14.65
AE 5	40" 116 x 56 5.52 (Voile)	16.08
	Ponges	
AF 1	38" 72 x 100 6.25	16.52
AF 2	34" 68 x 92 7.15	13.98
	Voiles	
AG 1	37½" 60 x 44 13.50 (Drop check)	8.04
AG 2	37½" 56 x 42 11.15 (Check voile)	8.45
AG 3	40" 74 x 56 10.00 (Drop check)	10.64
AG 4	39" 60 x 52 9.00 (Slack Twist)	10.23
AG 5	39" 60 x 48 9.10 (Slack Twist)	9.79
AG 6	38" 60 x 48 9.80	9.15
AG 7	40" 68 x 76 9.20 (Foreign Pima)	16.30
AG 8	40" 68 x 76 9.20 (American Pima)	17.83
	Marquisettes	
AH 1	40" 26 x 14 6.50 (Ply Yarn)	13.71
AH 2	50" 26 x 14 5.20 (Ply Yarn)	17.27
AH 3	40" 42 x 20 4.50	13.62
AH 4	50" 42 x 20 3.96	16.84
AH 5	38½" 44 x 18 12.15	8.73
AH 6	39" 44 x 22 11.15	7.37
AH 7	39½" 46 x 20 10.75	7.49
AH 8	39½" 48 x 22 10.00	7.93
AH 9	39½" 48 x 24 9.75	8.31
AH10	39½" 48 x 28 9.60	8.66
AH11	39½" 48 x 32 9.40	9.26
AH12	49" 48 x 28 8.00	10.76
AH13	49" 48 x 32 7.60	11.47
AH14	39½" 52 x 30 11.15	9.22
AH15	48" 52 x 30 9.00	10.68
AH16	48" 54 x 30 9.15	10.87
AH17	39½" 60 x 34 9.65	10.62
AH18	40" 60 x 34 8.40	11.77
AH19	40" 52 x 32 9.60 (Ply Filling)	16.32
AH20	50" 52 x 32 7.60 (Ply Filling)	19.85
AH21	34½" 44 x 28/26.10 11.75 Figured (Rayon filling)	8.27
	Nevins	
AI 1	40" 38/80 x 36 5.41	22.10
AI 2	50" 38/80 x 36 4.34	27.38
	Fine Combed Plains	
AJ 1	30" 22 x 20 20.70	4.95
AJ 2	52" 28 x 24 20.00	5.87
AJ 3	52" 28 x 24 14.65	6.34
AJ 4	36" 60 x 48 10.00	8.80
AJ 5	84" 96 x 96 3.97 (for industrial use)	36.28
	Organdie	
AK 1	40" 84 x 80 11.00 (Peeler)	17.00
AK 2	40" 84 x 80 10.75 (Foreign Pima)	17.25
AK 3	40" 84 x 80 10.75 (Pima)	18.25

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		*Cents per yd.*
	Organdie—Continued	
AK 4	45" 84 x 68 10.50 (Peeler)	18.00
AK 5	45" 84 x 68 10.25 (Foreign Pima)	18.25
AK 6	45" 84 x 68 10.25 (Pima)	19.25
AK 7	45" 84 x 80 9.75 (Peeler)	19.75
AK 8	45" 84 x 80 9.50 (Foreign Pima)	20.00
AK 9	45" 84 x 80 9.50 (Pima)	21.00
AK10	40" 88 x 80 10.90 (Mule Spun Fill)	20.30
AK11	40" 80 x 84 9.12 (Foreign Pima)	18.96
AK12	40" 84 x 84 9.12 (Pima)	20.12
	Typewriter Cloth	
AL 1	40" 134 x 108 5.98	51.02
AL 2	40" 144 x 180–188 5.27 (Pima)	50.61
AL 3	36" 130 x 142 4.99 (Pima Warp)	33.42
AL 4	40" 124 x 128 5.10 (Pima Warp)	32.01
	Umbrella Cloth	
AM 1	36" 84 x 108 6.82	20.06
AM 2	36" 104 x 108 6.40	20.38
AM 3	36" 72 x 84 5.55	18.41
	Collar Cloth	
AN 1	40½" 102/206 x 64 2.08	42.11
AN 2	40" 56 x 112 3.06	30.89
AN 3	38½" 100 x 64 3.63	22.82
AN 4	39" 120 x 80 3.26	26.47
AN 5	40" 200 x 112 1.26 (Semi-soft)	100.44
	Poplins	
AO 1	37" 88 x 80 3.00 (Ply Warp)	26.22
AO 2	37½" [3] 102 x 48 3.15 (Ply Warp)	28.52
AO 3	37" 136 x 60 2.72 (Windbreaker)	26.57
AO 4	38" [4] 102 x 56 2.15 (Ply Warp)	25.78
AO 5	44" [4] 102 x 56 1.85 (Ply Warp)	29.80
AO 6	37½" 102 x 64 2.81 (Ply Warp)	32.62
AO 7	38" 112 x 64 3.85	19.75
AO 8	37" 116 x 52 3.50	19.51
AO 9	37" 116 x 56 3.25	21.61
AO10	37" 136 x 48 3.02 (Windbreaker)	23.67
AO11	37" 136 x 60 3.00	23.84
AO12	40½" 136 x 68 2.50	28.53
AO13	37" 136 x 72 3.40	22.01
AO14	37½ 112 x 72 2.46 (Ply Warp)	37.53
	Beat-ups (Marquisettes)	
AP 1	39½" 36 x 16 5.33 (Extra-Carded Filling)	7.13
AP 2	39½" 48 x 22 16.50 (Extra Combed)	11.25
AP 3	39½" 48 x 22 16.50 (Extra-Carded Fill)	10.11
AP 4	39½" 44 x 18 7.50 (Extra-Combed)	5.76
	Sateens	
AQ 1	38½" 84 x 136 4.90 (Combed)	17.90
AQ 2	38½" 84 x 136 4.25 (Carded Warp—Combed Filling)	18.91
AQ 3	38½" 84 x 136 4.25 (Combed)	20.14
AQ 4	43" 136 x 96 3.50 (Combed Warp—Carded Filling)	22.05
AQ 5	39½" 96 x 100 3.35 (Combed)	23.57
AQ 6	36" 96 x 94 2.26 (Merc. Ply Yarn)	66.30
	Tracing Cloth	
AR 1	35" 80 x 76 6.90	13.35
AR 2	41" 80 x 76 5.85	15.41
AR 3	47" 80 x 76 5.41	17.10
AR 4	48" 80 x 76 5.00	18.49
AR 5	63" 80 x 76 3.93	23.96
AR 6	36" 84 x 90 5.00	18.36
AR 7	42" 84 x 90 6.70	20.86
AR 8	48" 84 x 90 5.80	24.09
AR 9	48" 84 x 90 5.86	24.09
AR 10	30" 85 x 88 5.61	23.25
AR 11	36" 88 x 92 7.10	15.97
AR 12	48" 88 x 92 5.70	24.73
AR 13	48" 88 x 92 5.27	26.66
AR 14	36" 88 x 96 7.00	16.41
AR 15	43½" 88 x 96 6.12	19.45
AR 16	42" 96 x 100 6.62	24.11
	Aeroplane Ply Yarns	
AS 1	36½" 80 x 86 4.00 (American Pima)	43.80
AS 2	39" 80 x 84 3.61 (American Pima)	44.87
AS 3	36½" 80 x 86 3.35 (American Pima)	41.90
AS 4	42¾" 80 x 86 2.77 (American Pima)	49.00
AS 5	39½" 81 x 86 3.44 (Peeler)	34.40
AS6	39½" 80 x 86 3.55 (American Pima)	42.50

[3] The maximum price for 37" 102 x 48 3.15 poplin on subcontracts entered into prior to July 3, 1943 under any prime contract with a war procurement agency is the maximum price in effect for the fabric on July 2, 1943.

[4] The maximum prices for 38" 102 x 56, 2.15 and 44" 102 x 56, 1.85 poplins on subcontracts entered into prior to July 3, 1943 under any prime contract with a war procurement agency or on any subcontracts entered into before or after July 3, 1943 under Army Invitation No. 669-43-NEG-176 are the maximum prices in effect for the respective fabrics on July 2, 1943.

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yd.
	Aeroplane Mere Ply Yarns	
AT 1	36½" 80 x 84 4.00 (American Pima)	45.90
AT 2	42" 80 x 84 3.48 (American Pima)	52.85
AT 3	61" 80 x 86 2.20 (American Pima)	75.37
	Aeroplane (Single Yarn)	
AU 1	40" 104 x 100 4.35 (American Pima)	84.00
AU 2	40½" 80 x 86 3.85 (American Pima)	80.00
	Dotted Swiss	
AV 1	39" 72 x 54/56 6.98 unclipped weight (box loom)	18.26
AV 2	39" 70 x 50/58 7.43 unclipped weight (single shuttle)	20.82
AV 3	39" 60 x 46/78 9.13 unclipped weight (single shuttle)	17.84
AV 4	39" 66 x 46/96 7.50 unclipped weight (single shuttle)	21.36

[Table on Dotted Swiss as amended by Am. 14, effective 3–13–44]

	Broadcloth (Jacquard)	
AW 1	37" 144 x 76 4.15	81.02
AW 2	37" 144 x 72 3.63	82.07
	Decating Apron Cloth	
AX 1	79" 62 x 180 .80 (Ply Carded Warp)	177.25
AX 2	84" 62 x 180 1.20 (Ply Carded Warp)	152.25
AX 3	77" 78 x 120 .82 (Ply Warp)	180.56
AX 4	74" 80 x 172 .92 (Ply Warp)	168.86
AX 5	79" 152 x 116 1.84 (Ply Warp)	151.06
AX 6	78" 226 x 152 .68 (Ply Warp)	268.09
AX 7	77" 78 x 172 .92 (Ply Warp)	171.51
	Decating Cloth	
AY 1	79" 62 x 168 .70 (Ply Carded Warp)	175.00
AY 2	79" 75 x 66 .50 (Ply Warp)	147.50
AY 3	79" 80 x 180 .90 (Ply Warp)	170.50
AY 4	79" 100 x 76 .70 (Merc. Warp)	144.00
AY 5	78" 100 x 110 1.40 (Ply Warp)	139.00
AY 6	76" 218 x 165 .89 (Ply Warp)	212.00
	Decating Blanket	
AZ 1	84" 70 x 216 1.24 (Combed-Ply Warp-Carded Fill)	96.20
	Aeroplane Deicer Cloth	
BA 1	66" 64 x 88 1.88 (Ply Warp)	48.97
	Jacket Cloth for Rubber Trade	
BB 1	36" 88 x 86 5.71	21.81
BB 2	37" 88 x 88 3.22	34.94
BB 3	36" 88 x 88 2.70	41.31

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yd.
	Carriers Apron for Rubber Thread	
BC 1	50" 96 x 98 2.95	47.69
BC 2	60" 96 x 98 2.46	54.82
BC 3	76" 96 x 98 1.96	72.33
BC 4	80" 96 x 98 1.86	74.63
BC 5	82" 96 x 98 1.81	76.82
BC6	38" 96 x 98 3.88	36.08
BC7	46" 96 x 98 3.19	43.89
	Printer's Blanket Fabric	
BD 1	68" 46/92 x 60 1.52 (Ply Warp)	83.34
BD 2	80" 46/92 x 60 1.19 (Ply Warp)	104.82
BD 3	48" 46/92 x 60 2.14 (Ply Warp)	57.39
BD 4	56" 46/92 x 60 1.84 (Ply Warp)	69.20
BD 5	42" 52 x 44 1.87 (Ply Yarn)	49.09
BD 6	46" 52 x 44 1.70 (Ply Yarn)	56.53
BD 7	52" 60 x 60 1.70 (Ply Yarn)	61.20
BD 8	42" 54 x 60 2.02 (Ply Yarn)	56.48
BD 9	64" 46/92 x 60 1.61 (Ply Pima Warp)	80.38
BD 10	46" 46/92 x 60 2.21 (Ply Pima Warp)	54.45
BD 11	62" 46/92 x 60 1.66 (Ply Warp)	76.50
	Tablecloth	
BE 1	49" 64 x 44 1.93 (Combed Cotton and Spun Rayon Ply Warp)	87.19
BE 2	57" 64 x 64 1.66 (Combed Cotton and Spun Rayon Ply Warp)	42.21
	Linen Warp Card Clothing Cloth	
BF 1	64" 92 x 56 .92	268.46
	Lapping Cloth	
BG 1	86" 40 x 35 2.20 (Ply Warp—Carded Fill)	54.00
	Special Combed Duck	
BH 1	87½" 86 x 46 1.75 (Merc. Ply Yarn)	57.00
BH 2	87½" 91 x 48 1.64 (Merc. Ply Warp)	61.39
BH 3	81" 114 x 84 1.89 (20/1 Warp-20/4 Fill)	44.05
	Life Vest (Air Corps, Spec.)	
BI 1	44½" 100 x 100 1.70 (Merc. Ply Yarn)	88.22
	Insulating Fabric	
BJ 1	80" 44 x 34 17.20	6.80
	Acid Resistant Glove Cloth	
BK 1	40" 52 x 260 .70 (Carded Warp—Ply Yarn)	141.00
	Bedford Cord	
BL 1	38¼" 124 x 112 3.68	31.50
	Shade Cloth	
BM 1	120" 64 x 64 .90	84.50
BM 2	156" 64 x 64 .78	101.26

TABLE I—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yd.
	Jersey	
BN 1	40" 88 x 92 6.26	15.83
	Skip Dent Shirting	
BO 1	38" 116 x 52 4.70	17.30
	Filter Cloth	
BP 1	28" 112 x 112 7.17	21.17
BP 2	48½" 19 x 19 1.50	44.25
	Mechanical Boat Cloth Ply Yarns	
BQ 1	50" 52 x 46 1.60	91.00
	Insect Netting	
BR 1	39"–40" 50 x 52 8.00[1]	14.57
BR 2	45½" 50 x 52 6.85[1]	16.94
BR 3	49½" 50 x 52 6.28[1]	17.75
	Oxford Shirting	
BS 1	39" 97 x 66 3.71 (Plain)	22.62
BS 2	38" 88 x 52 4.10 (Plain)	19.50
BS 3	39" 90 x 50 3.50 (Plain)	21.25
BS 4	39" 96 x 44 3.21 (Plain)	22.00
BS 5	39" 120 x 60 3.10 (Plain)	25.35
	Madras (Dobby Weave)	
BT 1	39" 92 x 88 4.62	24.50
BT 2	39" 128 x 112 4.94	30.49
	Shoe Lining	
BU1	40" 104 x 50 2.17 (Ply Warp)	35.00
	Brassiere Fabric	
BV 1	37" 136 x 64 2.90	27.50
BV 2	40½" 136 x 64 2.65	30.10
BV 3	37" 154 x 76 3.23	27.06
BV 4	40½" 154 x 76 2.95	29.65
BV 5	37" 144 x 84 2.85	28.35
BV 6	40½" 144 x 84 2.60	31.05
BV 7	37" 186 x 92 3.28	28.15
BV 8	40½" 186 x 92 3.00	30.75
BV 9	37" 126 x 68 2.80	30.55
BV 10	40½" 126 x 68 2.56	33.40
BV 11	37" 136 x 72 3.73	28.25
BV 12	40½" 136 x 72 3.45	25.00
BV 13	37" 154 x 72 4.05	23.10
BV 14	40½" 154 x 72 3.75	24.95
	Mechanical Boat Cloth	
BW 1	48" 86 x 86 2.12 (Single yarn)	67.90

[1] The maximum prices for the above insect nettings on contracts entered into prior to July 3, 1943, with a war procurement agency or on subcontracts entered into prior to July 3, 1943, under any prime contract with a war procurement agency are the maximum prices in effect for the respective fabrics on July 2, 1943.

COLORED SHIRTING AND SEERSUCKERS[1]

Reference No.	Cents per yard								
	50% color			75% color			100% color		
	Pastel	Medium	Dark	Pastel	Medium	Dark	Pastel	Medium	Dark
Madras.									
KA 1 36" 72 x 64, 5.03 Plain	20.41	21.26	22.17	21.11	22.41	23.76	21.81	23.54	25.33
KA 2 36½" 72 x 64, 5.17 Plain	20.28	21.10	22.01	20.94	22.23	23.60	21.63	23.37	25.20
KA 3 36" 80 x 72, 5.22 Plain	21.31	22.27	23.28	22.10	23.54	25.03	22.85	24.79	26.79
KA 4 36" 84 x 76, 4.84 Plain	23.22	24.26	25.33	24.08	25.62	27.24	24.92	26.98	29.13
KA 5 36" 92 x 80, 5.06 Plain	23.35	24.44	25.60	24.26	25.89	27.62	25.16	27.36	29.60
KA 6 36" 96 x 84, 4.85 Plain	24.40	25.54	26.73	25.30	27.01	28.81	26.25	28.53	30.93
KA 7 36" 88 x 76, 5.42 Plain	21.61	22.45	23.33	22.34	23.60	24.93	23.06	24.78	26.84
KA 8 36" 94 x 92, 5.28 Plain	24.77	25.71	26.67	25.57	26.95	28.40	26.38	28.23	30.19
KA 9 36" 96 x 92, 5.28 Plain	24.06	25.01	26.07	25.76	27.13	28.59	26.57	28.43	30.36
KA 10 36" 96 x 92, 5.60 Plain	24.54	25.48	26.44	25.32	26.71	28.16	26.14	27.99	29.92
KA 11 36" 96 x 100, 5.49 Plain	26.04	26.98	27.93	26.81	28.19	29.64	27.62	29.48	31.41
KA 12 36" 120 x 108, 5.61 Pattern	30.10	31.04	32.07	31.12	32.54	34.07	31.93	33.83	35.87
KA 13 36" 120 x 112, 5.52 Pattern	30.74	31.69	32.71	31.76	33.18	34.71	32.58	34.47	36.50
KA 14 36" 120 x 116, 5.44 Pattern	31.42	32.37	33.38	32.44	33.86	35.39	33.27	35.16	37.20
Seersucker									
KB 1 36" 80 x 80, 3.35 Pattern	30.49	31.40	32.44						
KB 2 36" 80 x 80, 4.00 Pattern				26.17	26.61	31.13			
KB 3 36" 88 x 84, 3.99 Pattern	29.61	30.64	31.83						
KB 4 36" 88 x 84 4.73 Pattern				27.56	28.82	30.13			
KB 5 36" 76 x 88, 3.87 Pattern	31.27	32.20	33.19						
KB 6 36" 76 x 88, 3.99 Pattern				29.52	30.78	32.22			
KB 7 36" 112 x 108, 3.96 Pattern	37.00	38.48	40.41						
KB 8 36" 112 x 108, 4.72 Pattern				34.91	36.22	37.62			

See footnote at end of table.

COLORED SHIRTING AND SEERSUCKERS *—Continued

Reference No.	Cents per yard								
	50% color			75% color			100% color		
	Pastel	Medium	Dark	Pastel	Medium	Dark	Pastel	Medium	Dark
Broadcloth									
KC 1 37" 96 x 60, 4.66 Pattern	22.13	23.24	24.42	23.02	24.70	26.44	23.92	26.16	28.30
KC 2 37" 96 x 60, 4.96 Pattern	21.61	22.64	23.82	22.44	24.10	25.86	23.33	25.58	27.61
KC 3 37" 96 x 60, 5.22 Pattern	21.07	22.14	23.31	21.90	23.50	25.35	22.83	25.06	27.41
KC 4 37" 104 x 60, 4.95 Pattern	22.11	23.23	24.60	23.10	24.84	26.85	24.06	26.84	29.09
KC 5 37" 108 x 60, 4.76 Pattern	22.94	24.19	25.52	23.97	25.87	27.94	25.01	27.55	29.78
KC 6 37" 112 x 60, 4.61 Pattern	23.33	24.68	25.90	24.44	26.39	28.54	25.54	28.15	30.56
KC 7 37" 116 x 60, 4.47 Pattern	23.85	25.22	26.64	24.95	27.00	29.13	26.13	28.85	31.70
KC 8 37" 120 x 60, 4.37 Pattern	24.36	25.79	27.26	25.50	27.67	29.88	26.73	29.56	32.51
KC 9 37" 122 x 60, 4.31 Pattern	24.62	25.94	27.46	25.73	27.87	30.12	26.96	29.83	32.82
KC 10 37" 122 x 64, 4.23 Pattern	25.11	26.55	28.05	26.32	28.46	30.72	27.55	30.41	33.41
KC 11 37" 124 x 60, 4.26 Pattern	24.75	26.21	27.73	26.03	28.22	30.53	27.25	30.20	33.26
KC 12 37" 124 x 64, 4.18 Pattern	25.33	26.79	28.31	26.59	28.77	31.08	27.83	30.75	33.81
KC 13 37" 128 x 68, 4.01 Pattern	26.68	28.37	29.94	28.16	30.41	32.75	29.44	32.43	35.36
KC 14 37" 132 x 60, 4.09 Pattern	26.00	27.59	29.20	27.38	29.68	32.09	28.68	31.74	34.65
KC 15 37" 136 x 60, 4.00 Pattern	26.36	28.15	29.81	27.90	30.29	32.77	29.27	32.44	35.76
KC 16 37" 136 x 68, 4.42 Pattern	26.23	27.60	29.02	27.88	29.43	31.57	28.80	31.29	34.16
KC 17 37" 136 x 72, 4.33 Pattern	26.01	28.38	29.70	28.04	30.08	32.22	29.22	31.93	34.82
KC 18 37" 144 x 76, 4.40 Pattern	26.32	29.77	31.31	29.67	31.76	34.05	30.79	33.70	36.77
KC 19 37" 144 x 76, 4.40 Pattern							34.73		
			500 ends dark color replacing 500 ground			1,000 ends dark color replacing 1,000 ground			
KC20 37" 108 x 60, 4.76 Pattern			21.44			22.54			
KC21 37" 116 x 60, 4.47 Pattern			22.27			23.48			
KC22 37" 124 x 60, 4.26 Pattern			23.03			24.24			
KC23 37" 128 x 60, 4.10 Pattern			23.54			24.76			
KC24 37" 132 x 80, 4.15 Pattern			23.18			24.41			
Oxford	50% pastel	50% pastel		75% pastel			100% pastel		
KD 1 39" 88 x 42, 4.00 Plain	20.99	21.84		22.67			23.52		
KD 2 39" 90 x 42, 3.57 Plain							24.41		
KD 3 39" 84 x 42, 3.75 Plain							23.67		
KD 4 39" 97 x 66, 3.71 Plain	24.94								

*The maximum prices listed above for colored shirting and seersuckers are for plain weave single beam patterns with plain draw-in of not more than one color and greige in the warp, or pattern draw-in, of not more than two colors and greige in the warp, whichever is indicated, and in warp lengths of not less than 50 pieces.

For patterns or constructions of colored shirting and seersuckers varying from those for which maximum prices are established above, the maximum price shall be the maximum price for the nearest related pattern or construction listed in Table I adjusted in accordance with the premiums provided in paragraph (c) of this section and the following:

(A) Color or yarn changes:

For a substitution in the warp of a color, shade or greige for another color, shade or greige, or a substitution of one yarn size for another yarn size (the total change not to involve more than 12½% of the total count of warp ends); or for the addition of extra warp ends (colored and/or greige) for the purpose of producing pattern effects, (the total change not to exceed 5% of the total count of warp ends):

(1) Deduct from the maximum price of the listed construction the entire cost of its warp as calculated from the following table and to the result add the new warp cost calculated in accordance with the same table.

	40/1	50/1	60/1	40/2	40/3	40/4	50/2	60/2
Greige per 100 ends	.00210	.00195	.00173	.0042	.0060	.0084	.0039	.00346
Pastel 27¢ color per 100 ends	.00302	.00268	.00254					
Medium 42¢ color per 100 ends	.00367	.00320	.00277					
Dark 66¢ color per 100 ends	.00435	.00374	.00323					

To determine the cost of each 100 ends of 40s, 50s or 60s colored ply yarns, use single yarn table for 40s, 50s and 60s respectively times the ply.

For any substitution involving a color of a cost other than the above listed costs, the warp cost shall be obtained by interpolation between or extrapolation from the costs listed above.

(B) Draw-in changes:

Where a listed pattern draw-in construction is converted to a plain draw-in construction deduct ½¢ per yard.

Where a listed plain draw-in construction is converted to a fancy draw-in construction, in addition to the premium provided in paragraph (c) of this section for fancy draw, add ⅛ of a cent per yard for each additional color, shade or equivalent in excess of two colors and greige. For the purposes of determining this premium tapes, ply cords, bunched ends, skip dents, double draw (2 ends or more weaving as 1), reverse twist warp stripes, or any other novelty draw, shall each be considered the equivalent of a color or shade.

(C) Pickage changes:

For each pick (not exceeding 4 picks per inch) added to or omitted from a listed construction for the purpose of producing pattern effects add or subtract 0.15 cent per pick for greige filling yarns number 30 to 60, and 0.25 cent per pick for greige filling yarn number 60 and above.

(D) Short warps:

For short warps of any construction of colored shirting or seersucker subject to the maximum prices set in this regulation the following premiums may be added:

32 to 49 pieces to a warp, add 1¢ per yard
20 to 31 pieces to a warp, add 1¾¢ per yard
12 to 19 pieces to a warp, add 3¾¢ per yard

Where any one sale of a given pattern is for various size warps of different colors or shades with a resulting variation in the maximum prices for such warps the seller may, after computing the maximum price separately for each warp, determine and use as his maximum price for that sale a weighted average of such varying prices: *Provided*, That (1) The contract of sale or invoice shall contain the data from which the weighted average price is obtained; (2) Each delivery shall be accompanied by an invoice or similar document which shall either contain the information required by (1) above or make reference to the contract in which such information is set forth.

[Table I amended by Am. 1, 8 F.R. 2206, effective 2-24-43; Am. 5, 8 F.R. 4725, effective 4-8-43; Am. 7, 8 F.R. 8937, effective 7-3-43; Am. 8, 8 F.R. 10900, effective 8-9-43; Am. 9, 8 F.R. 11434, effective 8-21-43; Am. 10, 8 F.R. 13974, effective 10-16-43; Am. 11, 8 F.R. 16129, effective 12-2-43; Am. 12, 9 F.R. 306, effective 1-14-44; and Am. 13, 9 F.R. 1522, effective 2-11-44]

TABLE II

• The following provisions shall apply to unfinished box-loom clip-spot marquisettes.

As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 37 to 48 sley and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½" 40 x 18, 40s or 50s combed warp, 40s or 50s, combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 8⅞ cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

A. *Width differentials.*

35", deduct	$0.0059
46", add	.0084
48", add	.0224

B. *Warp differentials—ground*

	35"	39½"	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch	$0.0013	$0.0015	$0.0017	$0.0018
Pastel colors, add per end per inch	.00041	.00047	.00054	.00057
Empire colors, add per end per inch	.00054	.00062	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch	.00012	.00014	.00016	.00017

C. *Filling differentials*

	35"	39½"	46"	48"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch	$0.0033	$0.0035	$0.0037	$0.0047
Pastel colors, add per pick per inch	.00046	.00052	.00060	.00063
Empire colors, add per pick per inch	.00059	.00067	.00078	.00082
40s or 50s carded, subtract from combed for one pick per inch	.000053	.000060	.000070	.000072
2. Roving, subtract $0.009 and add per pick per inch:				
Grey:				
4 hank	.0053	.0058	.0067	.0074
6 hank	.0041	.0045	.0051	.0057
8 hank	.0033	.0036	.0041	.0046
10 hank	.0028	.0031	.0035	.0040
12 hank	.0027	.0029	.0032	.0038
Pastel:				
4 hank	.0091	.0101	.0116	.0126
6 hank	.0066	.0073	.0084	.0092
8 hank	.0052	.0057	.0066	.0072
10 hank	.0044	.0048	.0054	.0061
12 hank	.0039	.0043	.0049	.0055
Empire:				
4 hank	.0101	.0113	.0130	.0140
6 hank	.0073	.0081	.0094	.0101
8 hank	.0057	.0063	.0072	.0079
10 hank	.0048	.0053	.0060	.0067
12 hank	.0043	.0047	.0054	.0060

D. *Pattern differentials*

	35"	39½"	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles	$0.000114	$0.000114	$0.000140	$0.000140
Per yard per pick 3 and 4 shuttles	.000140	.000140	.000175	.000175

20/2 Carded cords (other than selvage): Add per end:

Grey	$0.000055
Pastel colors	.000095
Empire colors	.000110

E. *Loop cutting.*

All widths	.0033

F. *Production differential.*

After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks	.0003

TABLE III

(1) This table establishes maximum prices for every fabric covered by this regulation for which a specified price is not set forth in or ascertainable from Tables I and II.

(2) Except as provided below the maximum price for fabrics subject to Table III shall be as follows:

Cloths:	Price (cents per pound)
Lawn	75
Broadcloths	60
Voiles	75
Dimities	65
Marquisettes	75
Other fabrics	50

(3) For any fabric subject to the poundage maximum prices set forth in (2) above a seller may request the Office of Price Administration to determine a special maximum price in lieu of such poundage price. The request shall contain a complete description of the cloth including:

(i) Fabric name
(ii) Width:
  (a) In the reed
  (b) Of woven cloth
(iii) Weight of grey cloth (yds. per lb.)
(iv) Cloth count of woven cloth
(v) Yarn details—for each warp and filling yarn:
  (a) Count
  (b) Ply
  (c) Twist
  (d) Percentage to weight of cloth
(vi) Cuts:
  (a) Yards per cut for sizing
  (b) Yards woven per cut
(vii) Percentage of sizing in cloth
(viii) Loom:
  (a) Type
  (b) Model
  (c) Speed
  (d) Percentage of weaving efficiency
(ix) Weave and harnesses required
(x) Number of looms per weaver

Even if such a request has been made the seller may not contract for, demand or receive a price higher than the applicable poundage price appearing in (2) above except under the conditions hereinafter set forth.

(4) For any fabric subject to Table III which is sold or delivered pursuant to a government contract (as defined in § 1316.7):

(i) If the delivery is made prior to July 10, 1943, the maximum price shall be the maximum price in effect on January 6, 1943;

(ii) If the delivery is made (or to be made) on or after July 10, 1943, the seller may charge a price not in excess of the maximum price in effect on January 6, 1943 subject to the following conditions: first that prior to March 24, 1943 (or within one week of any initial contract of sale made thereafter for such fabric) the seller shall have filed with the Office of Price Administration in accordance with (3) above a request for a special maximum price; and, second, that upon the establishment of a special maximum price the seller shall promptly refund to the purchaser the amount by which the price received exceeds the special maximum price.

[Subparagraphs (i) and (ii) amended by Am. 2, 8 F.R. 4628, effective 1–13–42; Am. 4, 8 F.R. 5477, effective 4–23–43; Am. 5, 8 F.R. 8065, effective 5–24–43; and Am. 6, 8 F.R. 8615, effective 6–24–43]

(5) For any fabric subject to Table III of a construction sold or delivered by the seller between July 1, 1942 and January 6, 1943, which is sold or delivered pursuant to a contract other than a government contract where the seller in accordance with (3) above has requested the Office of Price Administration to determine a special maximum price for such fabric:

(i) If the delivery is made prior to July 10, 1943, the maximum price shall be the maximum price in effect on January 6, 1943;

(ii) If the delivery is made on or after July 10, 1943, the seller may charge a price not in excess of the applicable

poundage maximum price set forth in (2) above and may reserve the right to charge the purchaser an amount equal to the difference between the applicable poundage maximum price and the special maximum price thereafter established pursuant to the seller's request.

[Subparagraph (5) amended by Am. 2, 8 F.R. 4628, effective 1-13-43; Am. 4, 8 F.R. 5477, effective 4-23-43; Am. 5, 8 F.R. 6065, effective 5-24-43; and Am. 6, 8 F.R. 6615, effective 6-24-43]

[Table III amended by Am. 1, 8 F.R. 2206, effective 2-24-43 and as otherwise noted]

(e) When an amendment to Maximum Price Regulation No. 11 effects a reduction in any seller's previous ceiling price for any fabric (other than a fabric previously subject to Table III), it shall be permissible for such seller for a period of 30 days from the effective date of the amendment to make deliveries of such fabric against existing contracts at a price not exceeding the maximum price in effect on the day immediately preceding the effective date of the amendment.

[Paragraph (e) added by Am. 7, 8 F.R. 8937, effective 7-3-43]

§ 1316.5 *What the contracts of sale and invoices must contain.* (a) Every seller shall deliver to the purchaser at the time the contract is made a written contract of sale which shall contain:

(1) The date on which the sale or contract of sale was made;

(2) A full description of the materials sold including:

(i) The width;

(ii) The cloth count;

(iii) The number of yards per pound;

(iv) Any feature of the cloth for which a premium is allowed or discount required;

(3) The quantity sold;

(4) The terms of sale; and

(5) The prices.

(b) With each delivery the seller shall transmit to the purchaser an invoice or similar document which shall either contain the information required by paragraph (a) above or make reference to the contract in which such information is set forth.

§ 1316.6 *Prohibited practices.* Any practice which is a device to increase the consideration obtained above the maximum price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, premiums, special privileges, tying agreements, trade understandings and the like.

§ 1316.7 *Applications for adjustment or petitions for amendment—(a) Government contracts.* (1) The term "government contract" is here used to mean any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1, 1941, entitled "An Act to promote the defense of the United States", or any subcontract under contracts with such persons.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established by this Regulation is impeding or threatens to impede production of material which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6* issued by the Office of Price Administration.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to appropriate refund if the requested adjustment is denied in whole or in part. The seller must notify the buyer in writing that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. In appropriate situations where a petition for amendment requires extended consideration the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

However, the filing of a petition shall not be construed as authorizing transactions at a price above the maximum price.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[NOTE: Revised Supplementary Order No. 24 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses on sales to procurement agencies of the United States.

§ 1316.8 *Records and reports—(a) Records.* Every person making purchases or sales subject to the regulation shall keep for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records which will show a complete description of the items sold; the name and address of the buyer or seller; the date of the sale and the price paid or received.

(b) *Reports.* Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1316.9 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest district or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. The term "war procurement agencies" means the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

§ 1316.9a *Licensing.* The provisions of Licensing Order No 1** licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1316.9a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1316.10 *Effective date.* Maximum Price Regulation No. 11 (§§ 1316.1 to 1316.10 inclusive) shall become effective January 13, 1943: *Provided*, That up to and including February 12, 1943 deliveries against contracts entered into prior to January 7, 1943 at an agreed firm price may be made at prices in conformity with the regulation or price schedule applicable to such contracts at the time they were made. [Originally issued January 7, 1943]

[NOTE: Effective dates of amendments are shown in rates following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3279; Filed, March 7, 1944; 3:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 102]

INDIAN MOTOCYCLE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation 14 is amended by the addition to Article VI of a new section to read as follows:

SEC. 6.44. *Motorcycles manufactured for and sold to the United States by the Indian Motocycle Company under War Contract No. W-478-ORD-Indian Motocycle Company*—(a) *In general.* This section establishes a basis for pricing sales of approximately 4700 motorcycles specially built for and sold to the United States Government by the Indian Motocycle Company, Springfield, Massachusetts, under War Contract No. W-478-ORD. This pricing basis is established in the following paragraphs by dollars and cents prices for sales of the vehicles to retail dealers and to purchasers at retail, and by exempting any remaining sales from the General Maximum Price Regulation.

(b) *Maximum prices for a sale to a retail dealer.* The price for a sale to a retail dealer of a motorcycle described in paragraph (a) shall not exceed $300., f. o. b. place of sale, plus the amount of the seller's actual expense, if any, for the transportation of the motorcycle to the place of sale.

(c) *Maximum prices for a sale at retail.* The price for a sale at retail of a motorcycle described in paragraph (a) shall not exceed $400., f. o. b. place of sale, plus the amount of the seller's actual expense, if any, for the transportation of the motorcycle to the place of sale.

(d) *Exception of remaining sales from the General Maximum Price Regulation.* Any sales of a motorcycle described in paragraph (a) other than sales covered by paragraphs (b) and (c), are hereby excepted from the General Maximum Price Regulation.

(e) *Notifying purchasers of maximum prices.* Any person who sells a motorcycle described in paragraph (a) to a retail dealer shall notify such a purchaser on the invoice of sale of the latter's maximum reselling price under paragraph (c).

(f) *Definitions.* (1) "Retail dealer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Sale at retail" means a sale by a person to a purchaser for use.

(3) "Person" includes: an individual, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

This amendment shall become effective March 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3276; Filed, March 7, 1944; 12:03 p. m.]

PART 1358—TOBACCO

[RPS 62,[1] Amdt. 3]

CIGARETTES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 62 is amended in the following respects:

1. Section 1358.1 (a) is amended by adding a sentence to read as follows:

The maximum prices which are fixed in this section are, in the case of a "private brand of cigarette" manufactured for the owner of such private brand, subject to adjustment under paragraph (d).

2. Section 1358.1 is amended by adding a paragraph to read as follows:

(d) *Adjustments of manufacturers' maximum prices for private brands of cigarettes*—(1) *Who may apply.* Any manufacturer of a private brand of cigarettes may apply for adjustment of his maximum price for such private brand if:

(i) His over-all net profits, before income taxes, during his last fiscal year, are not greater than his average over-all net profits, before income taxes, during the period 1936–1939, inclusive; or

(ii) His over-all net profits, before income taxes, during his last fiscal year are greater than his average over-all net profits, before income taxes, during the period 1936–1939, inclusive, and the total cost to him of the private brand of cigarettes exceeds his maximum net selling price therefor; and

(iii) His continued production of the private brand of cigarettes is threatened or its manufacture has been curtailed or discontinued.

"Private brand of cigarettes" means a brand of cigarettes bearing a brand name owned privately and duly registered by a person selling and distributing the product on his own behalf, and which is manufactured for him according to his specifications and requirements.

(2) *Form of application.* A manufacturer of a private brand of cigarettes who desires an adjustment in his maximum price for such private brand shall send to the Office of Price Administration, Washington, D. C., an application containing the following information:

(i) His present and requested maximum net selling prices per thousand cigarettes.

(ii) The date and the complete terms of the agreement between him and the private brand owner pursuant to which the cigarettes are manufactured.

(iii) A statement in detail showing why he finds it necessary to request an increase in his maximum price in order to continue producing the particular brand of cigarettes for the private brand owner.

(iv) His present detailed costs, prepared in accordance with his usual system of accounts, of the private brand of cigarettes.

(v) His present detailed costs, prepared in accordance with his usual system of accounts, of his own most comparable brand of cigarettes, and his present maximum net selling price per thousand cigarettes of such brand.

(vi) His profit and loss statements for the period 1936–1939, inclusive, and for his last fiscal year, prepared in accordance with his usual system of accounts, unless such data have been previously made available to the Office of Price Administration.

(vii) His current volume of sales of the private brand of cigarettes or, if the production of such cigarettes has been discontinued, the volume of sales which may be reasonably expected if his present maximum price is adjusted upward.

(viii) A statement signed by the private brand owner that he will absorb and will not pass on to any purchaser the requested increase or any part thereof, and that such increase will not be made the basis of any future request for adjustment of his maximum price for such cigarettes.

(3) *Disposition of application.* Any adjustment granted under this paragraph shall be limited as follows:

If the manufacturer's over-all net profits, before income taxes, for his last fiscal year are not greater than his average over-all net profits during the period 1936–1939, inclusive, the adjustment shall not exceed the total cost to him of the private brand of cigarettes plus a reasonable profit. In determining what is a reasonable profit, the Office of Price Administration will consider the net profit per thousand cigarettes realized on sales of his own most comparable brand of cigarettes. No adjustment made in such instance may result in over-all net profits greater than his average over-all net profits during the period 1936–1939, inclusive.

If the manufacturer's over-all net profits, before income taxes, for his last fiscal year are greater than his average over-all net profits during the period 1936–1939, inclusive, the adjustment shall not exceed the total cost to him of the private brand of cigarettes.

The Office of Price Administration shall authorize or deny by order the adjustment requested. The authorization so granted may be revoked at any time by the Price Administrator.

This amendment shall become effective March 14, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3316; Filed, March 8, 1944; 11:15 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 128,[1] Amdt. 4]

PROCESSING PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 128 is amended in the following respects:

Section 1400.25 is amended to read as follows:

§ 1400.25 *Itemizing charges for certain finishing processes.* Where the processing of piece goods by any job processor includes any embossing, moireing, screen printing, block printing, chenille print-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1322, 2132, 2242, 6948, 12315.

*Copies may be obtained from the Office of Price Administration.

*7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 13024.

**8 F.R. 13240.

[1] 7 F.R. 3117, 4659, 6615, 8948.

ing, flock printing, lacquer printing, or any type of over-printing (such as pigment type or zinc printing) not expressly named, such job processor shall ascertain the portion of the total price (not to exceed his maximum price) attributable thereto and shall deliver to the customer a contract invoice or similar document stating that portion separately.

This amendment shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3315; Filed, March 8, 1944; 11:15 a. m.]

PART 1412—SOLVENTS

[MPR 28,[1] Amdt. 5]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1412.263 (h) (1) of Maximum Price Regulation No. 28 is amended by adding the following paragraphs at the end thereof:

Rental payments. These cost items include rental payments to Defense Supplies Corporation. They also include rental payments to other lessors, but with a maximum limitation. This maximum limitation is the figure equal to those costs which the lessee could charge in if he owned the property and which he has not otherwise charged in as a cost of producing ethyl alcohol. Typical costs which the lessee could charge in if he owned the property include depreciation, property taxes, insurance, reasonable maintenance and repair and the like.

Depreciation and amortization of property on leased premises. Producers who install machinery and equipment or make improvements on leased premises may take depreciation or amortization on their capital investment. However, depreciation or amortization will not be allowed a lessee in this situation at a rate greater than the rate which the lessor would have been entitled to use had he been the ethyl alcohol producer.

This amendment shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3318; Filed, March 8, 1944; 11:16 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2339, 4256, 4852, 8016, 12879.

PART 1412—SOLVENTS

[MPR 295,[1] Amdt. 6]

WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1412.165 (g) (1) of Maximum Price Regulation 295 is amended by adding the following paragraphs at the end thereof:

Rental payments. These cost items include rental payments to Defense Supplies Corporation. They also include rental payments to other lessors, but with a maximum limitation. This maximum limitation is the figure equal to those costs which the lessee could charge in if he owned the property and which he has not otherwise charged in as a cost of producing ethyl alcohol. Typical costs which the lessee could charge in if he owned the property include depreciation, property taxes, insurance, reasonable maintenance and repair and the like.

Depreciation and amortization of property on leased premises. Producers who install machinery and equipment or make improvements on leased premises may take depreciation or amortization on their capital investment. However, depreciation or amortization will not be allowed a lessee in this situation at a rate greater than the rate which the lessor would have been entitled to use had he been the high wines producer.

This amendment shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3319; Filed, March 8, 1944; 11:16 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 108 to GMPR, Amdt. 3]

PRODUCERS OF HIGH WINES

For the reasons set forth in an opinion issued simultaneously herewith, § 1499.-972 (a) is amended by adding the following paragraphs at the end thereof:

Rental payments. These cost items include rental payments to Defense Supplies Corporation. They also include rental payments to other lessors, but with a maximum limitation. This maximum limitation is the figure equal to those costs which the lessee could charge in if he owned the property and which he has not otherwise charged in as a cost of producing high wines. Typical costs which the lessee could charge in if he owned the property include depreciation, property taxes, insurance, reasonable maintenance and repair and the like.

[1] 7 F.R. 11115; 8 F.R. 129, 2599, 4930, 15431.

Depreciation and amortization of property on leased premises. Producers who install machinery and equipment or make improvements on leased premises may take depreciation or amortization on their capital investment. However, depreciation or amortization will not be allowed a lessee in this situation at a rate greater than the rate which the lessor would have been entitled to use had he been the high wines producer.

This amendment shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3317; Filed, March 8, 1944; 11:15 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter F—Marine Engineering

PART 55—PIPING SYSTEMS

AMENDMENTS TO REGULATIONS, APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4429, 4433, 4488, 4491, as amended, 49 Stat. 1544 (46 U. S. C. 375, 391a, 404, 407, 411, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations, approval and withdrawal of approval of equipment are prescribed:

Section 55.19-11 *Class II piping*[1] is amended by deleting paragraph (c) (2) therein.

Section 55.19-6 is amended by adding a new paragraph (g) reading as follows:

§ 55.19-6 *Class I piping.* * * *

(g) Seamless or welded fittings fabricated from plate or seamless steel pipe conforming with the appropriate section of Part 51 may be used if welded in accordance with the requirements of Part 56.

ITEMS OF EQUIPMENT APPROVED

FIRST-AID KITS

First-aid kit, Model G-11, submitted by Mine Safety Appliances Company, Braddock, Thomas and Meade Sts., Pittsburgh, Pa.

First-aid kit, Model IW24, submitted by Industrial Drug Supplies, Inc., 108 Greenwich St., New York, N. Y.

First-aid kit, Type H-24, submitted by A. E. Halperin Co., Inc., 75-87 Northampton St., Boston, Mass.

First-aid kit, Model LB-753, submitted by Burroughs Wellcome & Co., Inc., 9-11 East 41st St., New York, N. Y.

LIFE RAFT

20-person, improved type metal life raft (Dwg. No. 50, Sheets 1, 2 and 3), submitted by Kearns Bros., Redwood City, California.

ITEMS OF EQUIPMENT; APPROVAL WITHDRAWN

LINE-THROWING GUNS

Line-throwing gun manufactured by The Hilyard Company, Norristown, Pa. (Originally approved in 1919)

[1] 7 F.R. 2036; 8 F.R. 10767.

Line-throwing gun manufactured by the James Walker Co., 123 Light St., Baltimore, Md. (Originally approved in 1919)

Line-throwing gun manufactured by The Landley Co., Inc., 15 Park Row, New York, N. Y. (Originally approved in 1919)

(Notwithstanding the withdrawal of approvals, any of the foregoing line-throwing guns now on board merchant vessels may be continued in service, provided such line-throwing guns are in good and serviceable condition.)

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MARCH 7, 1944.

[F. R. Doc. 44-3306; Filed, March 8, 1944; 10:34 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 228]

MUNICIPALITY OF SAINT THOMAS AND SAINT JOHN, VIRGIN ISLANDS

APPOINTMENT OF SPECIAL INDUSTRY COMMITTEE

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, William R. McComb, Acting Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene a special industry committee for the municipality of Saint Thomas and Saint John, Virgin Islands, composed of the following representatives:

For the public: John A. Lapp, Chairman, Chicago, Illinois; George H. T. Dudley, St. Thomas, Virgin Islands.

For the employees: Valdemar A. Hill, St. Thomas, Virgin Islands; Reginald Davis, St. Thomas, Virgin Islands.

For the employers: D. Victor Bornn, St. Thomas, Virgin Islands; Isidore Palewonsky, St. Thomas, Virgin Islands.

2. The special industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act, as amended, and rules and regulations promulgated thereunder, shall meet beginning on April 4, 1944, at the Municipal Council Hall in Charlotte Amalie, Saint Thomas, Virgin Islands, and shall proceed to investigate conditions in the industries in the municipality of Saint Thomas and Saint John, Virgin Islands, in such order as the committee may elect, and recommend to the Administrator minimum wage rates for all employees in the limits of that municipality who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce" excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at Washington, D. C., this 4th day of March 1944.

WILLIAM R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-3297; Filed, March 7, 1944; 4:24 p. m.]

[A. O. 229]

MUNICIPALITY OF SAINT CROIX, VIRGIN ISLANDS

APPOINTMENT OF SPECIAL INDUSTRY COMMITTEE

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, William R. McComb, Acting Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene a special industry committee for the municipality of Saint Croix, Virgin Islands, composed of the following representatives:

For the public: John A. Lapp, Chairman, Chicago, Illinois; B. R. Larsen, St. Croix, Virgin Islands.

For the employees: Isaac Boynes, St. Croix, Virgin Islands; Alfred Francis, St. Croix, Virgin Islands.

For the employers: Miles Merwin, St. Croix, Virgin Islands; Joseph Alexander, St. Croix, Virgin Islands.

2. The special industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act, as amended, and rules and regulations promulgated thereunder, shall meet beginning on April 12, 1944 in the District Court Room, Christiansted, Saint Croix, Virgin Islands, and shall proceed to investigate conditions in the industries in the municipality of Saint Croix, Virgin Islands, in such order as the committee may elect, and recommend to the Administrator minimum wage rates for all employees in the limits of that municipality who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce" excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at Washington, D. C., this 4th day of March 1944.

WILLIAM R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-3298; Filed, March 7, 1944; 4:24 p. m.]

EMPLOYMENT OF HOME WORKERS IN EMBROIDERY INDUSTRY

POSTPONEMENT OF EFFECTIVE DATE OF REGULATIONS

In the matter of the postponement of the effective date of the regulations applicable to the employment of home workers in the embroideries industry, Title 29, Chapter V, Code of Federal Regulations, part 633 and § 633.100.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Part 633, Chapter V, Title 29, Code of Federal Regulations, issued a wage order for the Embroideries Industry establishing for such Industry a minimum wage rate of 40 cents an hour effective September 20, 1943, and prescribing terms and conditions applicable to industrial home work employment, effective November 15, 1943; and

Whereas, the Administrator, by §§ 633.100-112, Title 29, Chapter V, Code of Federal Regulations, issued regulations applicable to industrial home work employment in the Embroideries Industry, pursuant to the aforesaid wage order for the Embroideries Industry and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, effective November 15, 1943, the effective date of which regulations was postponed to March 31, 1944, by order of the Administrator dated November 6, 1943, published in the FEDERAL REGISTER November 8, 1943; and

Whereas, application has been filed pursuant to § 633.112 of the aforementioned regulations with the Acting Administrator by interested parties, requesting a further postponement of the effective date of the Regulations Applicable to the Employment of Home Workers in the Embroideries Industry; and

Whereas, it has been determined by the Acting Administrator that cause has been shown for such further postponement.

The effective date of the industrial home work provisions in the Wage Order for and Regulations Applicable to the Employment of Home Workers in the Embroideries Industry is hereby changed to May 15, 1944.

This order shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 4th day of March 1944.

WILLIAM R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-3296; Filed, March 7, 1944; 4:24 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 924]

AMERICAN AIRLINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the application of American Airlines, Inc., for amendment of temporary certificate of public convenience and necessity so as to include San Antonio, Texas, as an intermediate point on its Fort Worth-Dallas-Mexico City, Mexico route.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that oral argument is assigned for March 17, 1944, 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., March 6, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3312; Filed, March 8, 1944; 10:44 a. m.]

[Docket No. 1182]

HUGHES TOOL COMPANY

NOTICE OF HEARING

In the matter of the application of Hughes Tool Company for approval, if

such approval is necessary, of control of Transcontinental & Western Air, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said act, in the above-entitled proceeding, that hearing is assigned for March 17, 1944, at 10 a. m. (eastern war time) in Room 3237 Post Office Building, 12th Street and Pennsylvania Avenue, N.W., Washington, D. C., before Examiner Frank A. Law.

Dated Washington, D. C., March 6, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-3311; Filed, March 8, 1944; 10:44 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5123]

BANNER MANUFACTURING CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of March, A. D. 1944.

In the matter of Banner Manufacturing Company, Inc., a corporation, trading as Gold Seal Manufacturing Company and National Laboratories Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, that J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 21, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-3310; Filed, March 8, 1944; 10:46 a. m.]

OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS.

ACTING COORDINATOR OF INTER-AMERICAN AFFAIRS

DESIGNATION AND DELEGATION OF AUTHORITY

Amendment of the order designating Acting Coordinator of Inter-American Affairs and delegating to such officer authority to perform duties and functions of the Coordinator.

The order designating Acting Coordinator of Inter-American Affairs and delegating to such Officer authority to perform duties and functions of the Coordinator, dated February 26, 1944 (9 F.R. 2443), is amended by inserting a comma in lieu of the period at the end of the first paragraph and adding the following:

and in the absence of the Coordinator, the said Percy L. Douglas, George C. Dunham, Don Francisco, Francis A. Jamieson, and John C. McClintock, John E. Lockwood is authorized to exercise and perform such duties, powers and functions as Acting Coordinator.

Dated: March 7, 1944.

NELSON A. ROCKEFELLER, *Coordinator.*

[F. R. Doc. 44-3306; Filed, March 8, 1944; 9:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 122, Amdt. 6 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA AND ALEXANDRIA, VA.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 6 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 be amended in the following respect:

New paragraph (f2) is added to read as follows:

(f2) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Penn anthracite" by no more than 50 cents per net ton or 55 cents per gross ton in the egg, stove, nut and pea sizes; by 35 cents per net ton or 40 cents per gross ton for buckwheat No. 1; and by 25 cents per net ton or by 30 cents per gross ton for the rice size; if:

(1) The dealer keeps Penn anthracite separate in storage and delivery, from any other kind of solid fuel; and

(2) The dealer keeps complete and accurate records of Penn anthracite for such time as this paragraph (f2) is in effect. The records shall show: the date he received the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer, and

(3) The Penn anthracite is produced by Penn Collieries Company, Scranton, Pennsylvania and is sold as Penn or "Black Stork" anthracite by the dealer.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment to Revised Order No. 47 shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 44-3277; Filed, March 7, 1944; 12:02 p. m.]

[RO 17, Administrative Exception Order 21]

SALE OF GOVERNMENT ISSUE TYPE SHOES TO CERTAIN CIVILIANS

The petitioner is the Quartermaster General of the United States Army. Petitioner desires to sell government issue type shoes to certain civilians such as war correspondents, who are under the supervision of the United States Army while on duty overseas. These individuals are sent, under official government travel orders, to overseas destinations where they are required to wear regulation Army uniforms, which includes government issue type shoes. The Quartermaster has been considered an integral part of the United States Army. Heretofore, Quartermaster sales have been made only to authorized military personnel, without the surrender of ration currency. Under Ration Order 17, before the petitioner can sell shoes to civilians, it would be required to first register as an establishment and then collect ration currency for all shoes sold to civilians. Petitioner requests that it be permitted to sell shoes to civilians having official government overseas travel orders, in order to complete regulation Army uniform requirements; such sales to be made without the petitioner registering as an establishment. However, ration currency is to be collected by it when it transfers shoes to such civilians.

The relief requested in this case may be granted without defeating or impairing the effectiveness of the policy of Ration Order 17.

It is hereby ordered, That the Quartermaster General of the United States Army be permitted to sell government issue army shoes for ration currency without registering as an establishment, to persons with a civilian status engaged in work supervised by the Army, who are given overseas assignments and who have official government travel orders. All ration currency that is received for shoes sold to such persons must be sent to the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C., within 30 days after it is received by the petitioner.

Issued and effective this 8th day of March 1944.

BRYAN HOUSTON, *Deputy Administrator in Charge of Rationing.*

[F. R. Doc. 44-3320; Filed, March 8, 1944; 11:15 a. m.]

[MPR 176, Order 5]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

ORDER AUTHORIZING ADJUSTMENT OF PRICES

Petitions have been filed by producers subject to MPR 176 for an increase in the maximum prices for hardwood box veneer now established by the regulation. This veneer currently is used almost exclusively for the manufacture of wirebound boxes, which are the subject of a particularly acute and urgent need by the Government for the shipment of vital war goods such as ammunition, air and motor transport replacement parts, food packages, and medical supplies.

Various measures have been taken in the recent past aimed at assuring an adequate supply of these containers; WPB Conservation Order M-343 had this purpose, as did Amendment 6 to this regulation. This Office has been conducting a field cost study on box grade veneer under MPR 176 for several weeks past. Preliminary findings based on the data so far developed tend to confirm petitioners' contentions that, under the present ceilings, they are unable to produce box grade veneer in volume to satisfy the current tremendous demands of the military establishment. Further confirmation is lent by the representations of Government procurement authorities to the effect that, despite the measures already taken, supplies of this material continue to be precariously low.

It is true that the regulation provides certain procedures whereby producers individually may obtain adjustment of their prices. It is equally true that active consideration is being given the question of industry-wide adjustment of the ceilings. Actions of either type however, necessarily are time-consuming, and the exigencies of the present situation are such that it would be extremely dangerous from the procurement standpoint, as well as unfair to producers, to require that current shipments be maintained rigidly at the present ceiling prices.

It has been shown that authorization to use adjustable pricing, pending final action on the petitions, is necessary to promote the production of rotary cut southern hardwood box veneer and that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and in accordance with § 1384.3 of Maximum Price Regulation No. 176, *It is hereby ordered*, That:

(a) Producers may sell and deliver, and any person may buy and receive, rotary cut southern hardwood box veneer subject to Maximum Price Regulation No. 176, at prices not over the prevailing ceiling at time of delivery but by agreement subject to being adjusted upward in accordance with action, if any, taken by the Office of Price Administration after delivery.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for hardwood box veneer under MPR 176 higher than the maximum prices therefor now prevailing, or upon denial of the petitions. It may be revoked or amended by the Price Administrator at any time.

(c) This order shall be effective February 17, 1944.

Issued this 17th day of February 1944.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 44-3313; Filed, February 18, 1944; 11:18 a. m.]

Regional and District Office Orders.

[Region I Supp. Order 6 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Supplementary Order No. 6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Revocation of "quality standard" provisions for Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That the following paragraphs of the following Region I orders under Revised Maximum Price Regulation No. 122 be and they hereby are revoked:

Order and Area	*Paragraph Revoked*
G-35, Hampton-Seabrook Area	(g)
G-36, Dover-Exeter Area	(g)
G-37, Stamford-Norwalk Area	(h)
G-38, Milford and Hopedale, Massachusetts	(f)
G-39, Providence, Rhode Island, Area	(j)
G-40, Rutland, Vermont, Area	(h)
G-41, Adams, Massachusetts, Area	(f)
G-42, Bennington, Vermont, Area	(f)
G-43, Manchester, Vermont, Area	(e)
G-44, Danbury, Connecticut, Area	(i)
G-45, White River Junction Area	(j)
G-46, Hartford, Connecticut, Area	(i)
G-47, New Haven, Connecticut, Area	(j)
G-48, Brattleboro-Keene Area	(j)
G-49, Middletown, Connecticut, Area	(j)
G-50, St. Albans, Vermont, Area	(j)
G-51, Waterbury, Connecticut, Area	(i)
G-52, Putnam, Connecticut, Area	(j)
G-53, Bellows Falls Area	(j)
G-54, Burlington, Vermont, Area	(i)

This Supplementary Order No. 6 shall become effective March 8, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

ELDON C. SHOUP, *Regional Administrator.*

[F. R. Doc. 44-3238; Filed, March 6, 1944; 3:53 p. m.]

[Region III Order G-8 Under RMPR 122]

SOLID FUELS IN LOUISVILLE, KY., AREA

Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified-solid fuels in the Louisville, Kentucky, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the City of Louisville, Kentucky, and all territory within four miles of the corporate limits thereof. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-8 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order.

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for

which prices are established; Column II shows maximum prices for credit sales on a "direct delivery" basis; Column III shows maximum prices for cash sales on a "direct delivery" basis; Column IV shows maximum prices for "commercial sales" on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	Column II	Column III	Column IV
I. High Volatile Bituminous coals from Producing District No. 8 (Eastern Kentucky and Southwestern W. Virginia).			
A. Lump, Size Groups Nos. 1 and 2 (bottom size larger than 3"):			
1. Mine Price Classifications E and F	[illegible]	[illegible]	[illegible]
2. Mine Price Classifications G and H (excluding the Back Creek No. 2 Mine, Index 27 of the Fruden Coal and Coke Co.)	8.05	7.80	7.55
3. Mine price classifications J and K	7.93	7.70	7.45
4. Mine price classifications L through O	7.80	7.55	7.30
B. Egg:			
1. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 3" but not exceeding 3½"; top size larger than 6" x bottom size 2" and smaller), Mine price classifications G through K	7.75	7.50	7.25
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):			
a. Mine price classifications E and F	8.00	7.75	7.50
b. Mine Price Classifications G through N:			
(1) The Fourseam Mine, Index 207, of the Fourseam Coal Corporation	7.75	7.50	7.25
(2) All mines excepting the above	7.65	7.40	7.15
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller), Mine Price Classifications B through M	7.55	7.30	7.05
C. Stoker, Size Group No. 10 (top size 1¼" and smaller x bottom size smaller than 1¼"):			
1. Mine price classification A:			
a. Treated	8.30	8.05	7.80
b. Untreated	8.20	7.95	7.70
2. Mine price classifications B through E:			
a. Treated	7.90	7.65	7.40
b. Untreated	7.80	7.55	7.30
D. Screenings, Size Group No. 20 (larger than ¼" x 0 but not exceeding 2" x 0), mine price classifications D through L			5.95
II. High volatile bituminous coals from Producing District No. 9 (western Kentucky):			
A. Lump and Egg from the 9th and 11th seams:			
1. Size Group Nos. 1 through 6 (all single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2")	6.40	6.15	5.90
III. Low volatile bituminous coals from Producing District No. 7 (southeastern West Virginia and northwestern Virginia):			
A. Lump and Egg:			
1. Size Group Nos. 1 and 2 (lump—bottom size larger than screened run of mine; egg—top size larger than 3" x bottom size no limit); mine price classification A	9.60	9.35	9.10
B. Stoker, Size Group No. 5 (pea or dedusted screenings—top size not exceeding ¾" x bottom size smaller than ¾"), mine price classification A	8.00	7.75	7.50
IV. Coke (excluding reject or reclaimed coke), egg, stove, and nut	10.65	10.60	10.35
V. Briquettes (low volatile)	9.70	9.45	9.20

(2) *Discounts.* All prices quoted in Column III shall be subject to a discount of $0.50 per ton on all "yard sales".

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–8 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming in the bin	$0.25
Carry-in or wheel-in from curb	.75
Carrying up one flight of stairs	1.00

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political sub-division thereof.

(g) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occuring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or resind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Louisville District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant, operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Commercial sales" shall mean sales in quantities totaling 40 tons or more in one year to one buyer and delivered to one place, to schools, churches, apartment buildings, hotels, and to commercial and industrial consumers.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–8 under Revised Maximum Price Regulation No. 122 shall become effective March 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 25, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–3233; Filed, March 6, 1944; 3:05 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–861]

THE CINCINNATI, NEWPORT AND COVINGTON RAILWAY COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 4th day of March 1944.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Cincinnati, Newport and Covington Railway Company (Railway), a subsidiary of Columbia Gas & Electric Corporation (Columbia), a registered holding company.

Notice is further given that any interested person may, not later than March 16, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Railway proposes to declare and pay from the unrestricted portion of its special capital surplus a cash dividend of $30.00 per share on its 10,000 shares of outstanding common stock, aggregating $300,800. Columbia owns 9,734$^{34}/_{47}$ shares of the common stock and $1,304,596.68, principal amount of 6% income Demand Notes of Railway, being all the outstanding securities of Railway except 265$^{45}/_{47}$ shares of common stock held by other holders. The payment of this dividend is contingent upon the prior or simultaneous disposition and sale by Columbia of all its investments in Railway to Bayou Interests, Inc., stated to be a non-affiliate. The amount of the purchase price to be paid to Columbia is tentatively fixed at $1,520,000, which together with interest and dividends to be received by Columbia will aggregate approximately $1,900,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–3299; Filed, March 7, 1944; 4:22 p. m.]

[File No. 70–869]

SOUTHWESTERN PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of March, A. D. 1944.

Notice is hereby given that a declaration has been filed pursuant to the Public Utility Holding Company Act of 1935 by Southwestern Public Service Company, a registered holding company.

All interested persons are referred to said declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Southwestern Public Service Company proposes to sell to G. C. Hyde, an individual of Dallas, Texas, all of the outstanding securities of its subsidiary, Gulf Public Service Company, consisting of $2,800,000 principal amount of 5% Unsecured Notes, due October 1, 1966, and 3,000 shares of Common Stock, par value $100 per share, for a basic consideration of $4,660,000 cash, subject to adjustments for net current assets and certain tax adjustments.

The aforesaid securities of Gulf Public Service Company are now pledged as collateral under Southwestern Public Service Company's First Mortgage and Collateral Trust Bonds. Pursuant to the provisions of the indenture securing said Bonds, the proceeds of the aforesaid sale will be deposited with the Trustee under said indenture, and thereafter Southwestern Public Service Company intends to apply the amount so deposited for one or more of the several purposes specified in said indenture.

Southwestern Public Service Company requests an exemption from the competitive bidding requirements of Rule U-50 in respect of the aforesaid proposed sale.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to such declaration and that said declaration shall not become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said act and rules of the Commission thereunder be held on March 16, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether compliance with the requirement of competitive bidding under Rule U-50 is necessary or appropriate in the public interest or for the protection of investors or consumers to assure the maintenance of competitive conditions, the receipt of adequate consideration, or the reasonableness of any fees or commissions to be paid with respect to the said proposed sale.

2. Whether the proposed consideration to be received for the Gulf Public Service Company securities is reasonable.

3. Whether the accounting entries to be made in connection with the proposed sale and the adjustment of accounts incident thereto are in accordance with sound and accepted principles of accounting.

4. The identity of the purchaser and his interest in any other public utility company or holding company.

5. Whether it is necessary or appropriate to impose any terms and conditions with respect to the proposed transactions in the public interest, for the protection of investors and consumers, or in order to insure compliance with the standards of the Act.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Southwestern Public Service Company, to the Public Service Commission of New Mexico, and to the Public Service Commission of Louisiana; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Com-

mission, on or before March 12, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3300; Filed, March 7, 1944; 4:22 p. m.]

[File Nos. 54-45 and 59-48]

SOUTHERN UNION GAS CO., ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of March 1944.

The Commission having entered its order herein on September 19, 1942, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing that Southern Union Gas Company (formerly named Texas Southwestern Gas Company) divest itself of all its interest in, and of all ownership and control of certain designated companies and certain designated properties; and

The Commission having by order dated October 29, 1943 granted to Southern Union Gas Company an additional period of six months from September 19, 1943, within which to comply with the provisions of the said order of September 19, 1942, without prejudice, however, to the respondent to apply for an additional extension if the circumstances warrant;

Notice is hereby given that on February 29, 1944, Southern Union Gas Company filed an application requesting the entry of an order by this Commission under section 11 (c) of the act extending for six months the time within which to comply with the order of September 19, 1942, above described.

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 17th day of March, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before March 14, 1944.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether Southern Union Gas Company has exercised due diligence in its efforts to comply with the Commission's order of September 19, 1942, and (2) whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Southern Union Gas Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3301; Filed, March 7, 1944; 4:22 p. m.]

[File Nos. 70-314, 70-315, 59-21, 4-33, 54-91, 70-868]

UNITED GAS CORP., ET AL.

NOTICE OF FILING OF PLAN AND APPLICATION OR DECLARATION (OR BOTH), ORDER OF CONSOLIDATION, AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of March, A. D. 1944.

In the matter of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; in the matter of Electric Bond and Share Company, File No. 70-315; in the matter of Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21; in the matter of investigation of organization and financing of United Gas Corporation, etc., File No. 4-33; in the matter of United Gas Corporation, Electric Power & Light Corporation, Electric Bond and Share Company, File No. 54-91; in the matter of Electric Bond and Share Company, File No. 70-868.

United Gas Corporation ("United") a subsidiary of Electric Power & Light Corporation ("Electric"), a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, and certain of the subsidiary companies of United having heretofore filed a joint declaration for approval of a series of transactions incident to the refinancing of United (File No. 70-314); and

Bond and Share having filed a declaration for permission to use the funds which it was to receive as a result of the transactions contemplated in the joint filing for the acquisition and retirement of a portion of its preferred stocks (File No. 70-315); and

The Commission having by notice and order dated May 31, 1941 (Holding Company Act Release No. 2790) instituted proceedings (File Nos. 4-33 and 59-21) with respect to United, Electric and Bond and Share as well as certain of the subsidiaries of United under sections 11 (b) (2), 12 (b), 12 (c), 12 (f) and 18 of the Public Utility Holding Company Act of 1935 (the "act") in which issues were raised concerning, among other things, the fairness and equitableness of the present distribution of voting power among the security holders of United, the action which might be necessary or appropriate to cure an unfair and inequitable distribution of such voting power, if found to exist, or to cure any undue or unnecessary complexities in the structure of United; and the general validity and status of the indebtedness of United to Bond and Share in the capital structure of United in view of the responsibility of Bond and Share for, and its actions in connection with, the organization, financing and subsequent management of United; and

The Commission having heretofore consolidated the proceedings with respect to the above-mentioned matters, hearings having been held thereon at various dates, and the record having been closed on September 21, 1943, with respect to certain of the issues therein, including all of the issues specifically set forth above;

Notice is hereby given that United, Electric, and Bond and Share have filed a joint application with the Commission pursuant to section 11 (e) of the act for approval of a plan, the stated purposes of which are to effectuate compliance with section 11 (b) (2) of the act through the conversion of United's present capital structure into a capital structure consisting only of par value common stock and mortgage debt; the simplification of the capital structure of United and the consequent simplification of the holding company system of Electric; the fair and equitable distribution of voting power among the security holders of United; and the compromise, settlement and discharge of the various claims, defenses and counter claims among Bond and Share, United, Electric and their respective security holders.

Notice is further given that an application or declaration (or both) has been filed by Bond and Share under section 12 (c) of the act and Rule U-42 thereunder for permission to use the $44,000,000 which it is proposed to receive under the Plan for the acquisition and retirement of so much of its preferred stocks as may be so acquired and retired.

All interested persons are referred to the said Plan and the said application or declaration (or both) which are on file in the office of the Commission for a full statement of the transactions therein proposed which are more particularly described below:

United, a Delaware corporation, is engaged in the purchase and distribution of natural gas at retail and its four principal subsidiaries are engaged in the

production, purchase, transportation and sale of natural gas and crude oil. The security structure of United as of December 31, 1943, including the obligations of United to Bond and Share, is as follows: (as shown per books)

	Principal amount or shares outstanding	Principal amount, par or stated value
Debt:		
6% Debentures, United Gas Public Service Company, due 1953	$25,000,000	$25,000,000
5% Collateral Trust Gold Bonds, Houston Gas Securities Company, due 1952[1]	3,900,000	3,900,000
6% Demand note	25,925,000	25,925,000
6% Open account	2,000,000	2,000,000
Total debt		56,825,000
Preferred Stocks:		
$7 Preferred Stock (Value in liquidation)[2]	449,822 shs.	44,982,200
$7 Second Preferred Stock (Value in liquidation)[3]	884,680 shs.	88,468,000
Total Preferred Stock		133,450,200
Common Stock $1 Par Value	7,818,950 shs.	7,818,950
Option Warrants to Purchase Common Stock at $33⅓ per share	4,864,967 w'ts.	

[1] Secured by a pledge of $3,850,000 principal amount of 6% debentures United Gas Public Service Company, due 1953, and $4,585,000 principal amount United Gas Public Service Company debentures due 1952 under an indenture of trust with the Chase National Bank of the City of New York.

[2] Undeclared Cumulative Dividends on the $7 preferred stock at Dec. 31, 1943 amounted to $5,491,577 or $12.21 per share.

[3] Undeclared Cumulative Dividends on the $7 Second Preferred Stock at Dec. 31, 1943 amounted to $73,280,993 or $82.83 per share.

The public holds $3,460,000 principal amount of the Houston Gas Securities 5% Bonds, 432,512 shares (96.15%) of the $7 Preferred Stock, 3,271,207 shares (41.83%) of the common stock and 1,113,922 warrants (22.90%). Electric owns all of the $7 second preferred stock, 3,795,086 (48.54%) of the common stock and 3,600,040 warrants (74.00%). Bond and Share owns $440,000 of the Houston Gas securities 5% Bonds, the $25,000,000 United Gas Public Service 6% debentures, the 6% demand note of $25,925,000, the $2,000,000 open account indebtedness, 17,310 (3.85%) shares of $7 preferred stock, 752,666 shares (9.63%) of common stock and 151,005 warrants (3.10%).

The net over-all results of the action contemplated in and proposed by the Plan will be the elimination from the security structure of United of its entire existing debt, preferred stock, second preferred stock and accumulated dividend arrearages on the preferred and second preferred stocks and the issuance as the sole senior security in the structure of $100,000,000 of first mortgage debt; the elimination of the presently outstanding common stock of United having a par value of $1 and the issuance of 10,653,302.2 shares of common stock having a par value of $10 per share; and the cancellation of the outstanding option warrants.

Bond and Share will be divested of all of its claims against and interest in United including its debt claims and holdings of preferred stock with accumulated dividend arrearages thereon, common stock and option warrants and will receive cash in the amount of $44,000,000. Electric will be divested of all of the $7 second preferred stock of United, the entire issue of which is owned by it, plus accumulated dividend arrearages thereon as well as its present common stock holdings and option warrants and will receive 10,108,101 shares (94.9%) of the new $10 par value common stock. The public holders of common stock in lieu of their 3,271,207 shares (41.83%) of present common stock of an aggregate par value of $3,271,207 will receive 545,201.2 shares (5.1%) of new common stock of an aggregate par value of $5,452,012. The publicly held $7 preferred stock will be redeemed at the redemption price of $110 per share plus accumulated and unpaid dividends and the option warrants will be cancelled without compensation to the holders thereof.

The particular steps contemplated in and proposed by the Plan by which the foregoing changes in the security structure of United are to be achieved may be summarized as follows:

(1) United will file an amendment to its previously described filing herein (File No. 70-314) in which amendment it will seek approval of the issuance and sale of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds.

(2) Electric will acquire from Bond and Share for a cash purchase price of $44,000,000 the following claims in and against United held by Bond and Share:

$25,000,000 principal amount of 6% debentures, due 1953, of United Gas Public Service Company assumed by United; United's 6% demand note in the principal amount of $25,925,000; 6% open account indebtedness from United to Bond and Share of $2,000,000; 17,310 shares of $7 preferred stock, 752,666 shares of common stock, 151,005 option warrants for the purchase of common stock, of United, $440,000 principal amount of 5% Collateral Trust Gold Bonds of Houston Gas Securities Company assumed by United.

(3) Electric will surrender to United as a capital contribution the 17,310 shares of $7 preferred stock of United acquired by it from Bond and Share in the transaction described in paragraph (2) above and United will cancel the said shares.

(4) United will redeem and cancel the 432,512 shares of $7 preferred stock held by the public at their redemption price of $110 per share plus accumulated dividends thereon to the redemption date, employing for such purpose so much of the proceeds of the sale of its First Mortgage and Collateral Trust Bonds as may be necessary therefor (approximately $53,000,000).

(5) United will declare and pay a dividend on its $7 second preferred stock, all of which is held by Electric, of 12,385,520 shares of its $1 par value common stock, and Electric will accept such stock dividend in payment of $12,385,520 of the accumulated and unpaid dividends on such stock.

(6) Electric will surrender to United for cancellation 444,680 shares of United's $7 second preferred stock together with all rights to accumulated undeclared dividends thereon and will receive in exchange therefor 44,468,000 shares of the $1 par value common stock of United.

(7) United will purchase from Electric for $44,000,000 in cash, its remaining 440,000 shares of second preferred stock having a stated value of $44,000,000, and Electric will also transfer to United the right of Electric to accumulated and unpaid dividends on such stock. United will derive the $44,000,000 in cash from the proceeds of its sale of First Mortgage and Collateral Trust Bonds and Electric will use the $44,000,000 received by it to discharge its obligation arising in connection with its acquisition of securities of United from Bond and Share as described in paragraph (2) above.

(8) Electric will surrender to United as a capital contribution the securities and open account indebtedness of United acquired by Electric from Bond and Share as described in paragraph (2) above (exclusive of the 17,310 shares of United's $7 preferred stock previously surrendered as described in paragraph (3) above) together with option warrants for the purchase of 3,751,045 shares of the common stock of United.

(9) United will pass a resolution entitling its common stockholders to two-thirds of a share of common stock for each share of such stock then held and, in connection therewith, will cause to be transferred from Capital Surplus to Stated Capital the sum of $42,613,209 to cover the capital liability to be represented by the additional shares of stock so to be issued and to render such shares fully paid and nonassessable.

(10) United will use the remaining proceeds of the sale of its First Mortgage and Collateral Trust Bonds together with such additional cash in its treasury as may be necessary to redeem and cancel $3,460,000 principal amount of publicly held 5% Collateral Trust Gold Bonds of Houston Gas Securities Company, due March 1, 1952, assumed by United.

(11) United will amend its certificate of incorporation so as to eliminate the authorization of the $7 preferred stock and the $7 second preferred stock and to reclassify the 106,533,022 shares of then outstanding $1 par value common stock into 10,653,302.2 shares of $10 par value common stock and will exchange the new shares of common stock for the outstanding common stock on the basis of 1 share of new stock for 10 shares of

old stock. No certificates for fractional shares will be issued but scrip will be issued in lieu thereof, which will not be entitled to any stockholders' rights, except that when combined in lots aggregating one or more full shares it may be exchanged for such shares within a period of one year after the effective date of the plan. All shares of common stock reserved for issuance in exchange for scrip and not issued in connection therewith within the one-year period will be sold by United in the open market within 60 days after the expiration of such one-year period and the sole right of the holders of scrip certificates thereafter shall be to their pro rata shares of the proceeds of such sale without interest thereon.

(12) As previously stated the outstanding option warrants for the purchase of common stock of United will be revoked, abrogated and cancelled and will be accorded no participation in the Plan.

The parties state that in the event the Commission approves the Plan they will request the Commission to apply to the appropriate District Court of the United States for its enforcement and that the effective date of the Plan will be the date of the entry of the order of the District Court of the United States enforcing the Plan. The Plan provides that the approval of the Plan by the Commission and its confirmation by the Court and its consummation by the parties shall have the effect of a complete compromise, settlement and discharge of all claims or counter-claims of any of the parties thereto or their various security holders as such against any of the other parties thereto in any way related to, arising out of, or involving the debt or security holdings of Bond and Share or Electric in United and its subsidiaries and predecessors, or the conduct or management of United or its subsidiaries or predecessors to the effective date of the Plan. The Commission is petitioned, if it approves the Plan and the compromise embodied therein, to fix and determine the amounts of the payments, if any, to be made by United or Electric to the plaintiffs or their attorneys in certain legal proceedings, specifically enumerated in the Plan, involving claims of the kind sought to be compromised, settled and discharged by the Plan, by way of reimbursement for disbursements or allowances for legal services.

The Plan also states that its consummation is subject to the receipt by the parties from the United States Treasury Department of a closing agreement or closing agreements as to the tax consequences of the transactions necessary to carry out the Plan which will be satisfactory to the management of the respective corporations affected and requests that any order of the Commission approving the Plan recite that the relevant transactions of the Plan are necessary or appropriate to the integration or simplification of the holding company system of which United is a member and are necessary or appropriate to effectuate the provisions of subsection (b) of section 11 of the act, all in accordance with the meaning and requirements of the Internal Revenue Code as amended, including Section 1808f and Supplement R thereof.

The Plan is stated to be subject to the further condition that the filing by Bond and Share for the use of part or all of the $44,000,000 in cash to be received by it for the acquisition and retirement of its preferred stocks be approved by the Commission. The said filing by Bond and Share proposes to use said cash for the purchase in the open market of Bond and Share's $5 and $6 preferred stocks, with the right to use all or any part of the unexpended portion of such cash in connection with any other plan for the reduction of its outstanding preferred stock which may hereafter be submitted by Bond and Share to the Commission and approved by it. The period for said purchases is to be limited to twelve months from the date of receipt of such cash by Bond and Share subject to such extension or extensions as may, upon application therefor, be granted.

The Commission being required by the provisions of section 11 (e) of the act before approving any Plan thereunder to find, after notice and opportunity for hearing, that such Plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such Plan, and it appearing appropriate to the Commission in the public interest and in the interest of investors and consumers that notice be given and a hearing to be held upon said Plan and upon the application or declaration (or both) filed by Bond and Share to afford all interested persons an opportunity to be heard with respect thereto and that the application with respect to said Plan and the application or declaration (or both) filed by Bond and Share shall not become effective nor be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the proceedings with respect to the proposed Plan and the said application or declaration (or both) are related to and involve common questions of law and fact with the above-described proceedings under sections 6, 7, 9 (a), 10, 11 (b) (2), 12 and 18 of the act (File Nos. 70-314, 70-315, 59-21, 4-33) and should be consolidated for consideration by the Commission together therewith;

It is ordered, That the proceedings with respect to said Plan filed pursuant to section 11 (e) of the act and the said application or declaration (or both) filed by Bond and Share and the pending consolidated proceedings under sections 6, 7, 9 (a), 10, 11 (b) (2), 12 and 18 of the act (File Nos. 70-314, 70-315, 59-21, 4-33) be, and they hereby are, consolidated to the extent of consideration by the Commission of the issues involved and the record in the pending consolidated proceedings be, and the same hereby is, incorporated in the consolidated proceedings herein.

It is further ordered, That a hearing in the consolidated proceedings be held at 10:30 a. m., e. w. t., on the 4th day of April 1944, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the Hearing Room Clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by its Rules of Practice, Rule XVII, on or before April 1, 1944.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceedings particular attention will be directed at the hearings to the following matters and questions in addition to those stated in the order of this Commission referred to above, dated May 31, 1941:

1. Whether the Plan as submitted or as hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act.

2. Whether the proposed Plan as submitted or as hereafter modified is fair and equitable to the persons affected thereby.

3. Whether the proposed acquisition of shares of its preferred stocks by Bond and Share, and the method proposed therefor, is appropriate and in the public interest and in the interest of investors, and in conformity with the standards of section 12 (c) of the act.

4. Whether, if the transactions proposed are authorized by the Commission, it is appropriate in the public interest and in the interest of investors and consumers that any terms and conditions be imposed in connection with such authorization and, if so, what such terms and conditions should be.

5. Whether the fees and expenses proposed to be paid in connection with the consummation of the Plan and all transactions incidental thereto are for necessary services and are reasonable in amount.

6. Whether the Commission shall, in accordance with the petition of the parties to the Plan, take and exercise jurisdiction to fix and determine the amounts of the payments, if any, to be made by United or Electric to the plaintiffs or their attorneys in the legal proceedings specifically enumerated in the plan, by way of reimbursement for disbursements or allowances for legal services and, if so, what action it should take in the exercise of such jurisdiction.

7. Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the Act and the Rules promulgated thereunder.

8. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent

with all applicable requirements of the Act and Rules thereunder.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved; and

It is further ordered, That notice of this hearing be given to United, Bond and Share and Electric and to all other persons, said notice to be given by registered mail to United, Bond and Share and Electric, to all persons previously granted intervention or participation in any of the proceedings consolidated herein, and to the attorneys of record, in the legal proceedings specifically enumerated in the plan, involving claims of the kind sought to be compromised, settled and discharged by the Plan, and to all other persons by publication in the FEDERAL REGISTER; and

It is further ordered, That United, Electric and Bond and Share shall give notice of this hearing to all their security holders (insofar as the identity of such security holders is known or available to them) by mailing to each of said persons a copy of this notice and order for hearing at his last known address at least 20 days prior to the date of this hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3302; Filed, March 7, 1944; 4:22 p. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 27]

BOARD OF APPEALS AREA, N. Y.

ESTABLISHMENT

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with recommendation of Brigadier General Ames T. Brown, State Director of Selective Service for the State of New York, I hereby order and direct:

That the State Director of Selective Service for the State of New York is hereby authorized to disestablish the board of appeal areas for Boards of Appeal Nos. 23 and 24, State of New York, and to establish one board of appeal area coextensive with the counties of Cattaraugus, Chautauqua, Genesee, Niagara, Orleans, Wyoming, and Erie, State of New York.

LEWIS B. HERSHEY,
Director.

MARCH 7, 1944.

[F. R. Doc. 44-3278; Filed, March 7, 1944; 3:23 p. m.]

UNITED STATES COAST GUARD.

ITEMS OF EQUIPMENT APPROVED

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following items of equipment for the better security of life at sea are approved:

EMBARKATION-DEBARKATION LADDER

Embarkation - debarkation double wood rung chain ladder (Dwg. No. D-2230-O, dated 16 February, 1944), submitted by Brisbane and Company, 8653 Atlantic Street, South Gate, Calif.

DAVIT

Schat gravity davit, type GR. 19.B. (Arrangement Dwg. No. A. A. 113, dated 12 January, 1942) (Maximum working load of 9,500 pounds per arm), submitted by the Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

HAND-DISTRESS SIGNAL

Hand distress signal, type VK M-2, submitted by the Van Karner Chemical Arms Corp., 202 E. 44th St., New York, N. Y.

LIFEBOAT

27.8' x 8.5' x 3.8' clinker built oar propelled wooden lifeboat (538 Cu. Ft. capacity) (Construction details Dwg. No. D. P. L. B. 61, Type A, Sheet 2, dated 28 October, 1943), manufactured by the Fox River Boat Works, De Pere, Wis.

LIFE FLOATS

25-person, rectangular balsa wood life float (Dwg. No. 3491-25, dated 3 January, 1944) submitted by the Bell Lumber Company, 3491 Gage Ave., Bell, Calif.

10-, 15-, 20-, 25-, 40-, and 60-person, elliptical balsa wood life floats (Dwg. No. G-331, revised 13 December, 1943), submitted by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

10-person, elliptical balsa wood life float (Dwg. No. L. F. 10-1, dated 7 February, 1944), submitted by Paul, Rice & Levy, Inc., 2933 Dauphine Street, New Orleans, La.

LIFE RAFT

20-person, all steel well deck life raft, type No. 2 (Dwg. Nos. 1, 2, and 3 of 3 sheets), designed by Jones-Gillis Manufacturing Company, McComb, Miss.

SEA ANCHOR

Sea anchor, type AR-13 (U. S. Coast Guard Dwg. No. MMI-562 and specification, dated 1 November, 1943), submitted by Aero Materiel Corporation, 2480 Sixteenth St., N.W., Washington, D. C.

WINCHES FOR LIFEBOATS

Welin Maclachen winch with quick return mechanism, type "CWB" N single drum (General Arrangement Dwg. No. 2676-6, dated 19 August, 1943) (Maximum working load of 6,970 pounds at the drum), submitted by Welin Davit & Boat Corp., Perth Amboy, N. J.

Welin type "CWB" 6-N gravity winch with quick return mechanism (General Arrangement Dwg. No. 2676-2, dated 11 August, 1943) (Maximum working load of 13,500 pounds at the drums), submitted by Welin Davit & Boat Corp., Perth Amboy, N. J.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MARCH 7, 1944.

[F. R. Doc. 44-3309; Filed, March 8, 1944; 10:34 a. m.]

WAR MANPOWER COMMISSION.

INDIANAPOLIS, IND., WAR MANPOWER COMMISSION AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Indianapolis War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

I. Objectives.
II. Geographic content of the area.
III. Definitions of terms used in this plan.
IV. Control of hiring and solicitation of workers.
V. Provisions governing the orderly transfer of workers.
VI. Authority and responsibility of the Indianapolis Area Labor-Management War Manpower Committee.
VII. Posting pertinent provisions of this plan.
VIII. Revocation of existing stabilization plans.
IX. Effective date.

I. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

II. *Geographic content of the area.* The Indianapolis Area has been designated by the Regional Director of the War Manpower Commission to consist of, the following counties in Indiana:

Marion, Hamilton, Boone, Hendricks, Johnson, Shelby, Hancock, Putnam, and Morgan.

The boundaries of the Indianapolis Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

III. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For

the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (See 8 F.R. 11421.)

(f) *Locally needed activity* means any activity approved by the Regional Manpower Director as a locally needed activity. (See Appendix IV).

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Indianapolis Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of management and labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Indianapolis Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that service.

(k) The "Regional Director," is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following states: Illinois, Indiana, Wisconsin.

(l) The "State Director" is the chief administrative officer of the War Manpower Commission for the State of Indiana.

(m) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the State Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section II of this plan.

IV. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Indianapolis Area shall be conducted in accordance with this plan.

V. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* 1. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

2. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

3. *Issuance of statements of availability by the USES.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

4. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

5. *Workers who may be hired only upon referral by the USES.* (a) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the USES when:

(1) The new employee is to be hired for work in a critical occupation or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee has not lived or worked in the locality or the new employment throughout the preceding 30-day period;

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(b) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

6. *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

7. *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

8. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new

employment as may be authorized or required by the WMC.

9. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

10. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

11. *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

12. *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

13. *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

VI. *Authority and responsibility of the Indianapolis Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Indianapolis Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

VII. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Indianapolis Area of the War Manpower Commission, Region VI.

VIII. *Revocation of existing stabilization plans.* The Indianapolis Area stabilization plan, effective February 24, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 15, 1943.

IX. *Effective date.* This plan shall become effective 12:01 a. m. on October 15, 1943.

Signed: October 1, 1943.

WILFRED BRADSHAW,
Area Director,
The Indianapolis Area.

Approved: October 8, 1943.

W. H. SPENCER,
Regional Director, Region VI.

APPENDIX IV—LOCALLY NEEDED ACTIVITIES

In addition to the national list of essential activities the following listed industries have been declared "locally needed" by the Indianapolis War Manpower Committee. In the Indianapolis War Manpower Commission Area such industries are considered essential activities and are to be treated exactly as other essential activities under the terms of the Indianapolis Area Employment Stabilization Plan. Industries:

Commercial laundries.
Commercial dry cleaners.
Ice manufacturers and distributors.
Coal merchants.
Retail groceries: following occupations only: (1) Meat managers, (2) fresh fruit and vegetable managers, (3) store managers.
Wholesale groceries.
Hotels, certain occupations only.

[F. R. Doc. 44-3307; Filed, March 6, 1944; 10:00 a. m.]

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[1] 7 F.R. 8729.

FEDERAL REGISTER

VOLUME 9 NUMBER 50

Washington, Friday, March 10, 1944

The President

EXECUTIVE ORDER 9430

INSPECTION BY THE OFFICE OF PRICE ADMINISTRATION OF CORPORATION STATISTICAL TRANSCRIPT CARDS PREPARED FROM INCOME AND DECLARED VALUE EXCESS-PROFITS TAX RETURNS

By virtue of the authority vested in me by sections 55 (a) and 603 of the Internal Revenue Code (53 Stat. 29, 111), it is hereby ordered that corporation statistical transcript cards prepared by the Bureau of Internal Revenue from corporation income and declared value excess-profits tax returns made under the Internal Revenue Code, as amended, for any taxable year ending after June 30, 1942, and before July 1, 1943, shall be open to inspection by the Office of Price Administration; such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 5173, approved October 26, 1942,[1] which relates to the inspection of similar cards for taxable years ending after June 1, 1941, and before July 1, 1942.

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 7, 1944.

[F. R. Doc. 44-3383; Filed, March 8, 1943; 2:53 p. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 7—MANUFACTURE OF DECORATIONS

MANUFACTURE, SALE, POSSESSION, AND WEARING OF DECORATIONS, MEDALS, LAPEL BUTTONS, BARS, BADGES, SERVICE RIBBONS, AND INSIGNIA

Sections 7.1 to 7.6 (8 F.R. 9440, 16008) are rescinded and the following §§ 7.1 to 7.12 are substituted therefor. The regulations in these sections are also contained in Army Regulations No. 600-90, dated February 24, 1944, the particular paragraphs being shown in brackets at end of sections.

Sec.
- 7.1 General.
- 7.2 Decorations.
- 7.3 Medals, etc.
- 7.4 Application required.
- 7.5 Certificate of authority.
- 7.6 Use of designs or likenesses of insignia in manufacture of articles for public sale.
- 7.7 Sales, to whom authorized.
- 7.8 Violations; revocation of authority; penalties.
- 7.9 Government contracts and agreements not affected.
- 7.10 Sale by War Department for exhibition purposes.
- 7.11 Use and possession of articles and devices prescribed by War Department.
- 7.12 Photographing, printing, etc., of decorations, medals, badges, insignia, and identification cards.

AUTHORITY: 42 Stat. 1236, as amended by 45 Stat. 437; 10 U.S.C. 1425 and 47 Stat. 342, as amended by 53 Stat. 752; 18 U.S.C. 76a 76b.

§ 7.1 *General.* The Adjutant General, under regulations herein prescribed, may grant certificates of authority for the sale or the manufacture of the articles enumerated in § 7.3. [Par. 2]

§ 7.2 *Decorations.* Except as provided in §§ 7.3 (a) (10) and 7.9, no authority will be granted to sell or to manufacture any decoration awarded by the War Department. [Par. 3]

§ 7.3 *Medals, etc.* (a) Authority may be granted to sell or manufacture:

(1) Service medals.

(2) Service ribbons or extra ribbons pertaining to the service medals and to the several War Department decorations.

(3) Authorized miniature replicas of the War Department decorations, miniature bronze and silver oak-leaf clusters, bronze and silver service stars, miniature service medals, and suspension ribbons of miniature decorations and miniature service medals.

(4) Lapel buttons pertaining to the several decorations and service medals.

(Continued on next page)

[1] 7 F.R. 8723.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-8 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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(5) Lapel buttons to be worn as evidence of military service.

(6) Clasps pertinent to the Victory Medal.

(7) Badges and bars awarded by the War Department for marksmanship, gunnery, bombing, etc.

(8) Aviation badges and parachutists' badges.

(9) War Department General Staff identification.

(10) Fourragere.

(11) Rosette for Medal of Honor.

(12) Heroic size decorations or service medals for grave markers only, no smaller than twice the size of the full-size devices.

(13) All insignia prescribed or authorized by the War Department.

(b) Variation from any of the prescribed or authorized specifications, forms, and sizes of the articles enumerated in (a) above intended for the use of military personnel is not permitted. To secure uniformity of design the manufacturer must obtain from the Commanding General, Philadelphia Quartermaster Depot, the approved specifications of each article to be manufactured. [Par. 4]

§ 7.4 *Application required.* Applicants desiring to enter into the sale or manufacture of articles covered by these regulations should address The Adjutant General, Washington 25, D. C., and state whether authority for sale only or for manufacture and sale is desired. [Par. 5]

§ 7.5 *Certificate of authority.* A certificate of authority to sell or to manufacture articles enumerated in § 7.3 (a) will be granted only upon agreement in writing by the applicant to abide by the following provisions:

(a) The certificate will be valid for 1 year from date of issue. Applications for renewal should be filed 60 days prior to expiration of certificate.

(b) A certificate is valid only for the individual, firm, or corporation, and address stated thereon. Any change which occurs should be immediately reported so that a new certificate may be issued.

(c) No certificate of authority is required for the sale of cloth insignia such as chevrons, shoulder sleeve, and other patch type insignia. [Par. 6]

§ 7.6 *Use of designs or likenesses of insignia in manufacture of articles for public sale.* Designs or likenesses of War Department insignia, as distinguished from decorations, medals, and badges, may be incorporated in the manufacture of articles for public sale only after the designs of the articles to be manufactured have been approved, in writing, by the Secretary of War. [Par. 7]

§ 7.7 *Sales, to whom authorized—*(a) *General.* Sale of any of the articles listed in §§ 7.3 and 7.5 (c) will be made only to:

(1) Officers and warrant officers upon their own application and exhibiting their Officers Identification Card.

(2) Enlisted personnel upon exhibition of identification tags at time of purchase and exhibition of an official letter of authorization signed by an officer of the War Department, or a letter signed by the individual's immediate commanding officer.

(3) Former personnel of the Army upon presentation of honorable discharge certificate or certificate in lieu thereof, or photostat copy of either, or an official document signed by an officer of the Army, indicating the purchaser's right to wear the article sought.

(4) Members of State Guard. Insignia of grade, arm or service may be purchased by members of the State Guard who present official identification of such membership issued by a State adjutant general. The sale of buttons, cap devices, and other insignia authorized for use on uniforms of Federal forces to members of the State Guard is prohibited.

(5) Other individuals on behalf of Army personnel provided the seller mails the article directly to the organization in which the officer or enlisted personnel is serving.

(b) *Sales to other dealers.* Dealers authorized to sell to individuals may also sell to other dealers who exhibit proper certificates of authority to make sales. All purchases must be made from authorized manufacturers or dealers.

(c) *Responsibility for and record of sale.* The purpose of these regulations is to prevent the unauthorized wearing by Army personnel and others of authorized decorations, service ribbons, insignia, and badges. Holders of certificates of authority to manufacture and/or sell will be held responsible for compliance with these regulations. Record will be kept by authorized retailers of each sale made and will include date of sale, name, grade, and Army serial number of purchaser, and name of article sold. [Par. 8]

§ 7.8 *Violations; revocation of authority; penalties.* A certificate of authority may be refused, revoked, or renewal thereof denied, upon proof of intentional violation of either of the acts cited in § 7.1 or of the regulations in these §§ 7.1–7.12. Such violations are subject also to the penalties prescribed by the pertinent act. A repetition or continuation of a violation after official notice thereof will be deemed prima facie evidence of intentional violation. In the event of revocation or nonrenewal of a certificate of authority, permission may be granted, upon application, for disposal within a reasonable period of any articles not in conflict with the acts. [Par. 9]

§ 7.9 *Government contracts and agreements not affected.* The provisions in the foregoing sections of this part do not apply to contracts which have been or may be made for the manufacturing for and selling to the Government any of the decorations, service medals, badges, buttons, etc., awarded by the War Department. [Par. 10]

§ 7.10 *Sale by War Department for exhibition purposes—*(a) *Decorations.* See § 78.8 of this title.

(b) *Service medals.* See § 78.30 of this title. [Par. 11]

§ 7.11 *Use and possession of articles and devices prescribed by War Department.* (a) The wearing of any decoration, medal, badge, or insignia prescribed or authorized by the War Department, by any person for whom such decoration, medal, badge, or insignia is not authorized or prescribed, or their use to misrepresent the identification or status of the person by whom worn, is prohibited. Any person who offends against this provision is subject to punishment by a fine not exceeding $250, or by imprisonment not exceeding 6 months, or both.

(b) Except as prohibited in paragraph (a) of this section, the possession by any person of any of the articles prescribed by the War Department, specified by the acts cited in § 7.1, is authorized, unless such possession is used to defraud or misrepresent the identification or status of the individual concerned.

(c) The articles specified by the acts cited in § 7.1, or any distinctive parts or colorable imitation thereof, will not be used by an organization, society, or other group of persons without prior approval of the Secretary of War. [Par. 12]

§ 7.12 *Photographing, printing, etc., of decorations, medals, badges, insignia, and identification cards.* (a) Unless such reproduction brings discredit upon the military service or is used to defraud or to misrepresent the identification or status of an individual, organization, society, or other group of persons, the photographing, printing, or in any other manner making or executing any engraving, photograph, print, or impression in the likeness of any decoration, medal, badge, insignia, or similar article, or of any colorable imitation thereof, of the design prescribed by the Secretary of War for use by any officer or subordinate of the War Department, is authorized.

(b) The reproduction of the likeness of any identification card prescribed by the War Department is not authorized without prior approval of the Secretary of War.

(c) Except when used to illustrate the particular article offered for sale, the use for advertising purposes of any engraving, photograph, print, or impression in the likeness of any War Department decoration, medal, badge, insignia, or similar article is not authorized without the prior approval of the Secretary of War. [Par. 13]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3360; Filed, March 8, 1944; 4:37 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4024]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EXHIBIT SALES CO.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of respondent's radios and other articles of merchandise, (1) supplying, etc., others with punch boards or other devices which are to be used or may be used in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to wholesale dealers, jobbers, or retail dealers, punch boards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Exhibit Sales Company, Docket 4024, February 23, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of February, A. D. 1944.

In the Matter of Samuel Mickelberg, Individually, and Trading as Exhibit Sales Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of

the respondent, testimony, and other evidence taken before trial examiners of the Commission theretofore duly designated by it in support of the allegations of the said complaint and in opposition thereto, report of Trial Examiners Andrew B. Duvall and John W. Addison upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent, Samuel Mickelberg, an individual trading as Exhibit Sales Company, has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Samuel Mickelberg, an individual trading as Exhibit Sales Company or trading under any other name or names, his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of radios and other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying or placing in the hands of others, punchboards or other devices which are to be used or may be used in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing, or transporting to wholesale dealers, jobbers, or retail dealers, punchboards or other devices which are to be used or may be used in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3385; Filed, March 9, 1944; 10:55 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5336]

PART 458—INSPECTION OF RETURNS

INSPECTION OF CORPORATION STATISTICAL TRANSCRIPT CARDS BY OFFICE OF PRICE ADMINISTRATION

Treasury Decision 5173, approved October 26, 1942 (7 F.R. 8728), is hereby amended by striking out "for any taxable year ending after June 30, 1941, and before July 1, 1942" in the first sentence and inserting in lieu thereof "for any taxable year ending after June 30, 1941, and before July 1, 1943".

(E.O. 9430, March 7, 1944, and secs. 55 (a) and 603, 53 Stat. 29, 111; 26 U.S.C. 1940 ed., 55 (a) 603)

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

Approved: March 7, 1944.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44-3354; Filed, March 8, 1944; 2:53 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Mar. 6, 1944 [1]]

PRIORITIES ACTION BY THE FOREIGN ECONOMIC ADMINISTRATION

§ 903.39 *Directive 27*—(a) *Rating of orders of less than $500.* The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of any item of material having a value of less than $500 except:

(1) Any material as to which there is in effect, at the time of assignment, a Program Determination of the Requirements Committee or approved Decision of a Division Requirements Committee of the War Production Board of the kind referred to in paragraph (b);

(2) Any material as to which an applicable regulation or order of the War Production Board provides that ratings assigned on Form WPB-541 (formerly PD-1A) are not effective;

(3) Accessories, spare parts, or complementary or other related equipment for any principal item being exported if the principal item has a value of $500 or more;

(4) A quantity of any item of material which appears to the Foreign Economic Administration to have been subdivided for the purpose of coming within this paragraph; or

(5) Any material which the Program Vice Chairman may except from this paragraph in order to prevent inconsistency with domestic rating patterns.

In assigning preference ratings under this paragraph, the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time.

(b) *Rating of programmed material.* In addition, the Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(c) *Form of assignment of rating.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of the following legend: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of _____. Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) *Effective date.* This directive shall take effect January 1, 1944.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 6th day of March 1944.

J. A. KRUG,
Program Vice Chairman.

INTERPRETATION 1

EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M-148 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. Section 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

[F. R. Doc. 44-3359; Filed, March 8, 1944; 4:37 p. m.]

[1] This document is a restatement of Amendment 1 to Directive 27, which appeared in the FEDERAL REGISTER of March 8, 1944, page 2595, and reflects the order in its completed form as of March 6, 1944.

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 937—ZINC

[Conservation Order M-11-b, as Amended Mar. 9, 1944]

§ 937.3 *Conservation Order M-11-b*—(a) *Prohibition on use of zinc or zinc products in articles appearing on List A.* (1) No person shall use any zinc or zinc products to make any item on List A. Additional items may, from time to time, be added to List A by amendment and the restrictions of this order made applicable to such items after a specified date. In each such case the effective date for the particular item will be indicated in parenthesis after the item.

(2) No person shall use any metal which has a protective coating or plating (other than paint) of zinc to make any item on List A, and no person shall apply a protective coating or plating (other than paint) of zinc to any item on List A unless the item on List A has a notation to the contrary.

(b) *Limitation of use of zinc or zinc products to make items not on List A.* In addition to the prohibitions of paragraph (a) above no person shall, during any calendar quarter, use more:

(1) Zinc products in the manufacture of any item, or

(2) Zinc in the production of any zinc product not requiring further processing, assembling, or finishing, or

(3) Zinc or zinc products for the purpose of applying a protective coating or plating (other than paint),

than 15% of the amount by weight of zinc or zinc products, respectively, used by him for such purpose during the entire calendar year 1941.

(c) *General exceptions.* The prohibitions and restrictions in paragraphs (a) and (b) shall not apply to the use of zinc or zinc products for the manufacture of any of the items or for any of the purposes following:

(1) Under a specific contract or subcontract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration to the extent required by specifications, including performance specifications, applicable to the contract, sub-contract or purchase orders.

(2) For use to comply with safety regulations issued under government authority which require the use of zinc to the extent employed, or in safety equipment as permitted by General Limitation Order L-114, where and to the extent the use of any less scarce material is impractical.

(3) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical.

(4) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(5) For health supplies of the following types only:

(i) Dental instruments, apparatus and equipment;
(ii) Dental supplies and appliances;
(iii) Lamps, health electric;
(iv) Medicinal chemicals (limited to medical uses only);
(v) Ophthalmic products and instruments;
(vi) Physiotherapy products, electrical;
(vii) Surgical and medical instruments, equipment and supplies;
(viii) Orthopedic appliances;
(ix) X-Ray apparatus and tubes;
(x) Class I and II garments, as defined by General Limitation Order L-90;
(xi) Waterproof sheeting for hospital beds and hospital hampers and infants' crib sheets;
(xii) Hearing aids.

(6) For precision measuring, recording and control instruments, systems or equipment for use in industrial processes.

(7) For stamping and forming dies.

(8) For use as zinc dust in the following:

(i) Metal refining and recovery;
(ii) Smoke mixtures;
(iii) Rubber processing;
(iv) Chemicals for medicinal products;
(v) Sodium hydrosulfite and sulfoxylate and zinc hydrosulfite;
(vi) Dyestuffs, intermediates and dyes;
(vii) Electroplating.

(9) For adjustable stencils for marking shipments and products.

(10) For applying a protective coating or plating (other than paint) of zinc to any item for which the processor has used cadmium for the same purpose after September 1, 1943.

(11) For protective coatings on coins made by the Bureau of the Mint or on fare tokens.

(12) For dry cell batteries and portable electric lights. (See, however, General Limitation Order L-71.)

(13) For printing plates to the extent that the manufacture of such plates is permitted by General Limitation Order M-339.

(14) For the manufacture of zinc oxide.

(15) For eyelets and grommets.

(16) For applying a protective coating or plating of zinc on plumbing fixture fittings and trim.

(17) For universal portable electric tools as defined in Schedule I to Limitation Order L-216.

(18) For portable pneumatic tools which, in the course of normal use, are lifted, held, and operated by not more than two persons.

(19) For light power driven tools as defined in General Limitation Order L-237.

(20) For data, instruction and identification plates.

(21) For air compressors (functional parts).

(22) For airline, water, and oil separators.

(23) For air regulators, as part of spraying equipment.

(24) For closures for glass containers as permitted by Conservation Order M-104 or General Limitation Order L-103-b.

(25) For repair parts to replace similar parts of zinc.

(26) For motors, electric.

(27) For pulleys for power transmission.

(28) For flexible couplings.

(29) For coal stokers. (See, however, General Limitation Order L-75.)

(30) For domestic electric ranges. (See, however, Limitation Order L-23-b.)

(31) For electric fans. (See, however, General Limitation Order L-176.)

(32) For mechanical pencils. (See, however, General Limitation Order L-227.)

(33) For motorized fire apparatus. (See, however, General Limitation Order L-43.)

(34) For applying a protective coating or plating of zinc on loose leaf metal parts and units. (See, however, General Limitation Order L-188.)

(d) *Prohibitions against sales or deliveries of zinc or zinc products.* No person shall sell or deliver any zinc or zinc products to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Miscellaneous provisions.*—(1) *Appeals.* Any appeal from the provisions of this order must be by letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal, filed with the field office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall contain, in addition, the following: (i) Zinc consumed in the year 1941 for the purpose for which the appeal is made; (ii) whether the quantity appealed for is to establish or exceed quota; (iii) the reason why zinc must be used if it was not consumed during the base period. The reporting requirements of paragraph (e) (1) of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Definitions.* (i) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc scrap and zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(ii) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings, or dust.

(iii) "Use" means to process, assemble, or finish zinc products or to consume zinc.

(iv) "Item" means any article or component part thereof.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended Mar. 9, 1944.

The use of zinc in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing Conservation Order M-11-b. Where sublistings appear under a general heading on this list, the prohibition against the use of zinc and zinc products applies only to the sublisted items.

Art craft and furnishings:
- Andirons.
- Bookends.
- Candlesticks.
- Coat hooks.
- Door chimes.
- Fireplace fittings.
- Mirror frames.
- Picture frames.
- Statues

Automotive (except mechanical or functional items and except motorized fire apparatus):
- Diesel engines.
- Locking devices for wheels, tires or gasoline tanks.
- Passenger cars.
- Trailers.
- Tractors.
- Trucks.
- Truck tractors.

Banks, personal, toy, miniature.

Beauty shop and barber shop equipment and supplies (whether for home or business uses):
- Hair curlers.
- Hair dryers.
- Lotion dispensers.
- Permanent waving machines.

Bicycles and Tricycles:
- Bicycles (except for protective coatings on wire for spokes).
- Tricycles.

Binoculars.

Builders' finishing hardware (except as permitted by General Limitation Order L-236, Schedule I, whether specifically or by reference to this order)

Builders' supplies (except protective coatings):
- Down spouts.
- Drainage fittings.
- Flashing.
- Gutters.
- Mouldings.
- Roofing
- Trim

Bulletin and menu boards, directories and similar items, and letters for same

Burial equipment:
- Caskets
- Casket hardware
- Markers
- Vaults

Coin operated devices:
- Automatic phonographs
- Gaming machines
- Vending machines (except sanitary napkin machines as permitted by General Limitation Order L-27)

Clock & watch cases

Closures and associated items (except as permitted by General Limitation Order L-63)

Cosmetics:
- Cosmetic containers, compacts and lipstick holders
- Lotion dispensers
- Perfume dispensers

Costume jewelry

Drill holder stands

Electrical household appliances

Gas-fired stoves and ranges

Grilles

Hand tools (except for gears and protective coatings)

Handbag fittings

Health supplies (except as permitted by paragraph (c) (5) of this order)

Insignia

Insulation

Key blanks (except protective coatings)

Kitchen, household, restaurant & soda fountain items:
- Butter chippers
- Can openers
- Coffee grinders
- Coffee urns
- Dishwashing machines (except protective coatings)
- Drink mixers and shakers
- Egg slicers
- Food mixers
- Fruit juicers
- Grilles
- Ice cream cabinets
- Ice crushers
- Meat slicers
- Patent medicine dispensing machines
- Potato slicers & mashers
- Sterilizers
- Toasters

Lamps (except protective coatings)

Laundry tags and other clothing markers (except protective coatings)

Lawn mowers and lawn sprinklers

Lighting equipment, interior (except protective coating)

Luggage:
- Fittings
- Hardware

Metal furniture

Metal plastering bases (See also Order L-50-b)

Musical instruments

Novelties:
- Advertising novelties
- Jewelry cases
- Letter openers
- Novelty jewelry
- Souvenirs

Office supplies:
- Box openers
- Calendar bases & holders
- Envelope openers
- Envelope sealing machines
- List finders
- Paper weights
- Pen bases
- Pencil sharpeners
- Stapling machines

Ornamental and decorative uses (whether or not the item is included in List A)

Outboard motors

Paper and paper product dispensing machines and devices (except protective coatings)

Paper coatings

Parking meters

Photographic equipment, accessories, and parts (except as permitted by General Limitation Order L-267)

Portable and standing lamps (except protective coatings)

Portable gasoline and Diesel engines (except mechanical or functional items)

Radios and non-coin operated phonographs

Refrigerators, mechanical, electric or gas (except for essential food storage, food transportation and industrial uses)

Sewing machines

Signs:
- Advertising specialities
- Billboards
- Merchandise displays of all kinds
- Name plates

Smokers' supplies:
- Ash trays
- Cigar and cigarette lighters
- Smokers' accessories

Soap dispensers

Slugs and tokens of all kinds (except as permitted by paragraph (c) (11) of this order)

Soot removers (except as produced from scrap)

Spittoons

Stair treads and thresholds

Stationary gasoline and Diesel engines (except mechanical and functional items)

Stenciling devices (except as permitted by paragraph (c) (9) of this order)

Terrazzo strips (except for grids in hospital operating and operating service rooms)

Ticket vending machines

Toys and games

Vacuum cleaners and sweepers

Venetian blind slats and hardware

Washing machines

[F. R. Doc. 44-3403; Filed, March 8, 1944; 11:43 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-217, as Amended Mar. 9, 1944]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running at a predomi-

nantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944]

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser controlled by the manufacturer, the applicable price range shall be the retail price range.

(iii) Up to a net wholesale price of $1.75 a pair misses' and children's footwear (not including slippers) may be deemed one line, and youths' and boys' footwear (not including slippers) one line, but no production in new price ranges is authorized unless specifically approved under paragraph (i) (3) (vi), below.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) "Rubber soles" do not include tire carcass soles, when used on misses' and children's footwear (excluding all sizes over size 3), or soles made wholly from friction scrap.

(19) "Plastic soles" mean soles containing more than 25% by weight vinyl polymer as defined in General Preference Order M-10.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ⅛ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except on:

Prewelts in all sizes,
Stitchdowns in all sizes,
Children's shoes up to and including size 8, and
Safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(*a*) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(*b*) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(*c*) Design stitching solely to permit direct non-stop stitching between cut-outs.

(*d*) Design functional stitching on utility work cowboy boots.

(xix) Any strippings, braidings, pintuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅝ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2⅛ inches in height, using size 4B as the standard.
(xxvii) Metal spikes, on golf shoes.
(xxviii) Storm welting (except laminated split leather storm welting on work shoes) or caulk welting.
(xxix) Rawhide or other leather laces, except on work shoes.
(xxx) Leather or part leather loops performing the function of eyelets.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge... .045 minimum, 50 carbon steel.
21 gauge... .032 minimum, 50 carbon steel.
19 gauge... .040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however*, That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (c) (5) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942.

(iii) Shearling collars.

(iv) An additional color on tips or tongues of safety shoes as above defined.

(v) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings).

(5) Except as otherwise authorized in writing by the War Production Board on application by letter, no person shall put into process for the manufacture of any footwear any material for uppers (excluding linings) except material finished or dyed in the following colors:

Black
White (in other than cattlehide leather)
Army russet and Town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of United States, Inc.
Natural color

No person shall use any natural colored leather for the manufacture of any footwear except work shoes or safety shoes.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf), including upper leather splits, gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide leather (including splits) for uppers or any cattlehide grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less), for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam moccasin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1⅛ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(11) No person shall manufacture any leather or part leather bows for use on footwear.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e–e) below. This provision does not apply to repair.

(13) No person shall utilize any upper leather or lining leather set aside by tanners pursuant to Conservation Order M–310 or directions issued thereunder, for the following types of footwear:

(i) Infants';

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3);

(iii) Footwear for the physically maimed and deformed manufactured on a custom-made basis and not for stock; except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942, except that:

(i) In the case of footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other non-skid or soundproofing features covering not more than 25% of the area of the bottom of the sole) designs and constructions utilized between September 1, 1940 and October 18, 1943 may be used:

(ii) Nothing in this paragraph shall prevent the correction of patterns to the extent necessary to remove features prohibited by this order, the use of one new last in one heel height during each six months' period beginning March 1 or September 1 in any year for each type of footwear as described in paragraph (b) (10), or the use of new patterns to fit such new lasts provided no changes are made in the design of the footwear.

(iii) The War Production Board may make exceptions in this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's evening slippers, except those using gold or silver upper leather finished prior to March 16, 1943 with split, head, belly, shin or shank outsoles of 5 iron or less.

(3) No person shall use special processes or materials at any stage of manufacturing footwear for the purpose of rendering such footwear more adaptable to retail display.

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather and without rubber or plastic soles where no two-tone effect is created. This exemption shall extend only to paragraph (c). However, shoes of multi-colored fabric (a single fabric containing more than one color) are permitted and may have bindings or other trimmings (not including tips, foxings, eye stays, platforms or heels) in one of the colors of the material.

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4.

(6) Footwear made wholly of shearlings, including soles.

(e-e) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply in respect to types, patterns, materials, method of construction, labelling and all other details with the American War Standards Specifications for Protective Occupational Footwear, published by the American Standards Association. These specifications are listed below and may be obtained from the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., or from the American Standards Association, 29 West 39th Street, New York, N. Y.

Men's Safety-Toe Shoes—Z41.1–1943 (2nd edition)—September 24, 1943
Men's Conductive Shoes—Z41.3–1943 (3rd edition)—September 24, 1943
Men's Explosives-Operations (Non-Sparking) Shoes—Z41.4–1943 (2nd edition)—September 24, 1943
Men's Electrical-Hazards Shoes—Z41.5–1943 (3rd edition)—September 24, 1943
Men's Foundry (Molders) Shoes—Z41.6–1943 (3rd edition)—September 24, 1943
Women's Safety-Toe (Oxford) Shoes—Z41.2–1943 (3rd edition)—September 24, 1943
Women's Safety-Toe (High) Shoes—Z41.7–1943 (2nd edition)—September 24, 1943
Women's Explosives-Operations (Non-Sparking) Shoes—Z41.8–1943—(2nd edition)—September 24, 1943
Women's Conductive Shoes—Z41.9–1943 (2nd edition)—September 24, 1943

Upon letter application the War Production Board may authorize deviations from the above mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) *Restriction on dyeing.* No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (c) (5) above.

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(5) No manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners pursuant to Conservation Order M-310, or directions issued thereunder, for the manufacture of the following types of footwear:

(i) Infants';

(ii) Misses' and children's;

(iii) Footwear for the physically maimed and deformed manufactured on the custom-made basis and not for stock;

if his supply of leather suitable for such shoes and obtained on certificate pursuant to such directions shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within the following lines than the percentage of his civilian line quota for such line shown in the following schedule:

	Percent of each price range
Youths' and boys'	125
Infants'	125
Men's safety shoes	125
Men's work	115
Men's dress	100
Women's and growing girls'	100
House slippers	100
Athletic	100
Women's safety shoes	100

With respect to misses' and children's footwear, no manufacturer may exceed 125% of his aggregate quotas for all his lines of misses' and children's footwear, but his production may be distributed among his established lines of misses' and children's footwear in any manner desired: *Provided, however,* That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs (i) (1) and (i) (2).* (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	*Percentage of unused quota permitted to be added*
Men's work	115
Youths' and boys'	125
Misses' and children's	125
Infants'	125

Provided, however, That in no event shall any unused quota be added to a higher priced line, *And provided further,* That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vi) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to manufacturers affiliated, as a subsidiary or otherwise, with another.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear made for the physically maimed or deformed on a custom-made basis and not for stock.

(vi) The War Production Board may authorize transfers of quotas from one type of footwear to another, and may authorize new or additional production in: (*a*) lines of which there is a critical civilian shortage, or (*b*) lines of reasonably durable footwear utilizing non-critical materials. However, it will be the general policy of the War Production Board not to authorize new or additional production in a plant located in a Group I or Group II labor area unless the manufacturer shows that he will not require additional labor otherwise available for war production.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that

will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Permission will not be granted to manufacture new lines unless the footwear to be made has been specifically priced by the Office of Price Administration and the certificate number of such action is furnished with the application.

(vii) [Deleted Mar. 9, 1944]

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Effective date.* This order as amended shall become effective March 9, 1944 with the exception of paragraph (c) (2) which shall become effective on March 15, 1944, and paragraphs (c) (5), (c) (1), (c) (6) and (f), which shall become effective on April 15, 1944.

Conservation Order M-217 as presently in force shall remain in force until superseded by this amended order.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F., when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191. (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably, the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly, a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3

[Interpretation 3 issued Dec. 17, 1943. A question and answer interpretation.]

INTERPRETATION 4

DEFINITIONS

The definition of "price range" in paragraph (b) (11) of Conservation Order M-217 states that price range shall have the usual trade significance so long as the highest list price in the range does not exceed the lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (iii) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of $1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the $1.75 and consider all misses' and children's and youths' and boys' footwear up to $2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than $1.75. (Issued Feb. 28, 1944.)

[F. R. Doc. 44-3402; Filed, March 9, 1944; 11:43 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-374]

BEVERAGE CANE SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial alcohol and of sugar, molasses, and grain, and facilities for the production of industrial alcohol, for defense, for private account and for export. The use of such raw materials as sugar, molasses and grain is necessary to the production of industrial alcohol for the manufacture of synthetic rubber and munitions. It is therefore deemed necessary and appropriate in the public interest and to promote the national defense, to allocate facilities for the production of beverage cane spirits (as defined in this order), and to control the importation of beverage can spirits so as to prevent further uncontrolled diversion of sugar and molasses to the production of these spirits:

§ 3293.616 *Conservation Order M-374* — (a) *Definitions.* (1) "Beverage cane spirits" means ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, and produced for beverage purposes or tax paid for beverage purposes. The term includes any solution, compound or mixture containing ethyl alcohol of 50 proof or higher, such as, for example, rum, cordials or gin.

(2) "Producer" means any person engaged in the production of beverage cane spirits.

(3) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States. It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(4) Beverage cane spirits shall be deemed "in transit" if it is afloat, if an on-board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(b) *Restrictions on production of beverage cane spirits.* On and after March 15, 1944, no person shall produce beverage cane spirits except as specifically authorized by the War Production Board. The provisions of this paragraph shall be applicable to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(c) *Restrictions on imports of beverage cane spirits.* On and after March 15, 1944, no person shall import, attempt to import, purchase for import, or make any contract or other arrangement for the importing of any beverage cane spirits without first having obtained authorization to do so from the War Production Board. This paragraph does not apply to beverage cane spirits produced in Puerto Rico, the Virgin Islands of the United States, or in the territories of Hawaii and Alaska for the reason that the production of beverage cane spirits in these localities is controlled by paragraph (b) of this order. This paragraph applies to the importation of beverage cane spirits regardless of the existence on March 15, 1944, or thereafter, of any contract or other arrangement for importation.

(d) *Applications for authorization to produce or import.* Any person requiring authorization to produce or import beverage cane spirits may apply by letter, in triplicate, to the War Production Board, stating the amount, by calendar quarter, of beverage cane spirits applicant desires to produce or import. Applicant must also state the amount of beverage cane spirits he has produced or imported, by calendar quarters, during the years 1940, 1941, 1942, 1943 and 1944. All quantities should be expressed in terms of proof gallons. It will be the policy of the War Production Board to permit production or importation of beverage cane spirits to the extent consistent with the fulfillment of requirements of sugar, molasses and industrial alcohol for the defense of the United States.

(e) *Exceptions.* Paragraphs (c) and (d) of this order do not apply:

(1) To beverage cane spirits which, on or before March 15, 1944, were in transit to a point within the continental United States; or

(2) To beverage cane spirits consigned as gifts or as samples, or for use as samples, or imported for personal use, where the quantity of each consignment or shipment is not more than two proof gallons. No person shall split up a single order of beverage cane spirits into smaller orders for the purpose of coming within this exception.

(f) *Special directives.* The War Production Board may from time to time issue special directives to producers concerning the kind of raw materials which may be used for the production of beverage cane spirits. This paragraph applies only to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(g) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Reports.* No beverage cane spirits, which are imported after March 15, 1944, shall be entered through the United States Bureau of Customs for any purpose (other than pursuant to paragraph (e) (2) of this order) whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry a certificate in duplicate, stating the following information: (1) Name of importer; (2) Date of bill of lading (this is only necessary if the beverage cane spirits were in transit on or before March 15, 1944); (3) Date and number of importer's WPB authorization; (4) Quantity of beverage cane spirits covered by the entry; (5) Port of entry; (6) Port of origin of shipment. The certificate shall be signed manually by a duly authorized official of the importer or as provided by Priorities Regulation No. 7. The standard form of certification provided in Priorities Regulation No. 7 may not be used instead of the certificate described above. The filing of such certificate a second time shall not be required upon any subsequent entry of the same shipment of beverage cane spirits through the United States Bureau of Customs for any purpose; nor shall the filing of such certificate be required upon the withdrawal of any beverage cane spirits from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of the certificate shall be promptly transmitted by the Collector of Customs to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

(i) *Bureau of the Budget Approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3404; Filed, March 9, 1944; 11:44 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, as Amended January 21, 1944, Amdt. 1]

MOLASSES

Section 3293.91 *Conservation Order M-54*, is hereby amended in the following respects:

1. A new subparagraph (7) should be added to paragraph (d), reading as follows:

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

2. Paragraph (f) should be stricken and the following substituted:

(f) *Restrictions on molasses for beverage spirits and industrial alcohol.* No. person shall use of accept delivery of molasses for the manufacture of beverage spirits or industrial alcohol except to the extent authorized by the War Production Board.

3. Paragraph (n) should be stricken and the following substituted:

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States, except that paragraph (c) (1) (vii) relating to Class 7 purchasers, and paragraph (f) relating to restrictions with reference to beverage cane spirits and industrial alcohol, shall be applicable to Puerto Rico and the Virgin Islands of the United States.

4. Throughout the order, references to Forms PD-456, PD-457 and PD-458 should be changed to WPB-891, WPB-892 and WPB-890 respectively.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3401; Filed, March 9, 1944; 11:43 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 26]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 14 is amended to read as follows:

SEC. 14. *Evasion.* (a) The price limitations set forth in this Regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to fresh fish or seafood separately or in combination with any other commodity or service, or by way of any commission, service, transportation, container, packaging or other charge, or discount premium or other privilege, or by tying agreement or other trade understanding, or by changing the style of dressing of fresh fish or seafood, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly invoicing fresh fish and seafood.

(2) Offering, selling or delivering fresh fish or seafood on condition that the purchaser is required to purchase some other commodity or service.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10096, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16121, 16293, 16296, 9 F.R. 90, 1325, 1532, 1575, 2133, 2406.

will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Permission will not be granted to manufacture new lines unless the footwear to be made has been specifically priced by the Office of Price Administration and the certificate number of such action is furnished with the application.

(vii) [Deleted Mar. 9, 1944]

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is

machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F., when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191. (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 desig-

as one line. This does not, however, permit manufacturers to add 25¢ to the $1.75 and consider all misses' and children's and youths' and boys' footwear up to $2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than $1.75. (Issued Feb. 28, 1944.)

[F. R. Doc. 44-3402; Filed, March 9, 1944; 11:43 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-374]

BEVERAGE CANE SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial alcohol and of sugar, molasses, and grain, and facilities for the production of industrial alcohol, for defense, for private account and for export. The use of such raw materials as sugar, molasses and grain is necessary to the production of industrial alcohol for the manufacture of synthetic rubber and munitions. It is therefore deemed necessary and appropriate in the public interest and to promote the national defense, to allocate facilities for the production of beverage cane spirits (as defined in this order), and to control the importation of beverage can spirits so as to prevent further uncontrolled diversion of sugar and molasses to the production of these spirits:

§ 3293.616 *Conservation Order M-374* — (a) *Definitions.* (1) "Beverage cane spirits" means ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, and produced for beverage purposes or

(3) Offering to sell or purchase, selling or purchasing, delivering or receiving at a price higher than the current market price, not to exceed 5 cents per pound, any fresh fish or seafood not priced by this Maximum Price Regulation No. 418 when sold by or purchased from a producer in combination with a sale or purchase of fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418; *Provided*, That this subparagraph (3) shall not apply if fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418, constitutes less than 25 percent of the weight of the fresh fish or seafood involved in the total sale or purchase.

(4) Offering to sell or purchase, selling or purchasing, delivering or receiving at a price higher than the current market price any fresh fish or seafood not priced by this Maximum Price Regulation No. 418 when sold by or purchased from a wholesaler in combination with a sale or purchase of fresh fish or seafood, the price of which is controlled by Maximum Price Regulation No. 418.

(5) Charging, paying, billing or receiving any consideration for or in connection with any service for which a specific allowance has not been provided in this Maximum Price Regulation No. 418.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3280; Filed, March 7, 1944; 3:50 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 19]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

In Table 9 of F. R. Doc. 44-2369 appearing at page 2088 of the issue for Tuesday, February 22, 1944, the figure in column 5 opposite item 7 should read $5.08. In Note 3 to Table 11 the heading "Allowances for refrigeration and accessorial charges (all year)" should appear immediately above the column of charges.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1[1] to GMPR, Amdt. 50]

CLAY PIGEONS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 1 is amended in the following respect:

Section 4.2 (f) is amended to read as follows:

(f) Clay pigeons, but this exemption shall expire on July 1, 1944.

This amendment shall become effective on the 8th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3356; Filed, March 8, 1944; 3:45 p. m.]

PART 1340—FUEL

[MPR 189, Amdt. 20]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 189 is amended in the following respect:

1. Section 1340.313 (c) (1) (i) (*d*) is amended to read as follows:

(*d*) *District*

District 13: From mines in the following Price Group numbers and from specified mines:

Price Group Numbers:	*Cents*
1, 2, 3, 6	50
4, 5, 9, Mine Index No. 11	75
7, 8, Mine Index No. 56	100

2. In § 1340.313 (c) (2) (i) (*a*), the numeral 50 is changed to 80.

3. Section 1340.313 (c) (3) is amended to read as follows:

(3) The maximum prices provided by the above paragraphs (1) and (2) of § 1340.313 (c) will be terminated; appropriate notice of a termination date will be given and appropriate substitute provision will be made.

This amendment shall become effective as of February 3, 1944, except that the amendment of § 1340.313 (c) (2) (i) (*a*) shall become effective March 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3396; Filed, March 9, 1944; 11:08 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,[1] Amdt. 2]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7 (c) (1) (v) is added to read as follows:

(v) (*a*) The actual cost in excess of $100 of installing the used vessels being sold at the present location, where (1) the vessel is installed underground at the time of sale, and (2) the vessel is purchased for use in its present location. This actual cost of installation shall be depreciated at the rate of 5% per year on the straightline method. The period of time from the date from which the present installation was made to the date of sale shall be used to determine the amount of depreciation. In measuring that period of time, a fractional period of a month, consisting of 16 days or more, shall be regarded as a full month and a fractional period of a month consisting of 15 days or less shall be disregarded.

(*b*) When the seller makes the addition permitted by this subdivision, he shall file a report with the Office of Price Administration within 10 days after he sells the used vessel. This report shall state:

(*1*) The date the vessel was installed in the present setting and the location of the present setting.

(2) The cost of installing the vessel in the present setting together with evidence of this cost.

(3) A calculation showing that the amount added to the maximum price for installation was computed in accordance with this subdivision (v).

This amendment shall become effective March 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3397; Filed, March 9, 1944; 11:08 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 2 to 10th Rev. Zoning Order 1]

SUGAR; ORDER ESTABLISHING ZONES

The Tenth Revised Zoning Order No. 1 is amended in the following respects:

1. Section 1407.281 (a) Zone 2 is amended to read as follows:

Zone 2 shall include the State of New York; Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union Counties in the State of New Jersey.

2. Section 1407.281 (a) Zone 2A is revoked.

3. Section 1407.281 (a) Zone 3A is amended to read as follows:

Zone 3A shall include that part of the State of Indiana which is not located in Zone 8; and Adams, Athens, Brown, Butler, Clark, Clermont, Clinton, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Lawrence, Licking, Madison, Meigs, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway,

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[1] 8 F.R. 4978, 6055, 6369, 6547, 6615, 6852, 6964, 7261, 7270, 7349, 7592, 7600, 7668, 8710, 8754, 9016, 9025, 9218, 9219, 10002, 10304, 10759, 11572, 11574, 11738, 11814, 11951, 12406, 12798, 13171, 13513, 14473, 14819, 15381, 15432, 15527, 16603, 16664, 16797, 17485; 9 F.R. 215, 88, 184, 730, 797, 755, 1531, 2138.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12625.

[1] 9 F.R. 1433, 1534, 2233.

Pike, Preble, Ross, Scioto, Vinton, Warren, and Washington Counties in the State of Ohio.

4. Section 1407.281 (a) Zone 10 is amended to read as follows:

Zone 10 shall include the lower peninsula of the State of Michigan; that part of the State of Ohio which is not located in Zone 8A; and Brooke, Hancock, Ohio, and Marshall Counties in the State of West Virginia.

5. Section 1407.281 (c) is amended to read as follows:

(c) Sugar may be delivered, shipped or transferred as follows:

(1) From Zone 1 to any point in Zone 1A.
(2) From Zone 2 to any point in Zones 1A or 10.
(3) From Zone 3 to any point in Zone 10.
(4) From Zone 6 to any point in Zone 8A or to any point in the City of Bristol located in the State of Virginia.
(5) From Zone 8 to any point in Zones 3A, 8A, 9, 10, or 11, or to any point in the City of Bristol located in the State of Virginia.
(6) From Zone 9 to any point in Zone 9A.
(7) From Zone 12 to any point in Zone 9A or 11.

6. Section 1407.281 (e) (4) is added to read as follows:

(4) Until April 15, 1944, granulated sugar in two and five pound packages which are clearly labeled to show that the sugar therein may be used during the Passover Holiday by members of the Jewish Faith observing the Orthodox Jewish dietary regulations for that holiday, may be delivered, shipped, or transferred from any zone to any point in any other zone.

7. Section 1407.281 (g) is added to read as follows:

(g) Any carrier who has, prior to the effective date of Amendment No. 2 to this Tenth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment, or transfer after the effective date of Amendment No. 2 to this Tenth Revised Zoning Order No. 1.

This Amendment No. 2 to the Tenth Revised Zoning Order No. 1 shall become effective March 9, 1944.

(Pub. Law 421, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093; § 1407.168 of Revised Ration Order 3)

Issued this 9th day of March 1944.

WALTER F. STRAUB,
Director, Food Rationing Division.

[F. R. Doc. 44-3398; Filed, March 9, 1944; 11:08 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 103]

GUM ROSIN CURRENT MARKET PRICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The second sentence in the first paragraph of section 4.17 (c) is amended to read as follows:

"Current market price" means the price so quoted on the day the Exchange is open for business next preceding the day on which the manufacturer accepts the order for the rosin size being priced.

This amendment shall become effective March 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3399; Filed, March 9, 1944; 11:08 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

ORTHOPEDIC AND PROSTHETIC APPLIANCES

§ 25.6115 *Conditions governing the furnishing of.* * * *

(c) Artificial limbs and other prosthetic or orthopedic appliances of a permanent type may be purchased, made or repaired for, and special clothing made necessary by wear of such appliances may be furnished to:

* * * * * *

(3) Domiciled members, when medically held needed for (i) a service-connected condition; (ii) a disease or injury not service-connected, but held to be aggravating disability from a service-connected condition (adjunct treatment); (iii) appliances, except artificial limbs and hearing devices, not considered for furnishing under (a) or (b), may nevertheless be procured or repaired for domiciled members, when medically determined necessary as an incident of domiciliary care. In individual cases when, in medical judgment, an artificial limb or hearing device is held necessary as an incident of domiciliary care, and is not furnishable under (a) or (b) hereof, a recommendation for such service, with a sufficient explanation of the circumstances may be submitted to the medical director, whose approval or disapproval will decide whether such article is to be applied. Repairs to artificial limbs or hearing devices that have been so supplied upon authority of the medical director, may be made, without his prior approval, when the expense of any item of such repairs does not exceed $25.

(4) [Canceled].

(March 18, 1944) [48 Stat. 9, 57 Stat. 554-560; 38 U.S.C. 706]

FRANK T. HINES,
Administrator.

[F. R. Doc. 44-3408; Filed, March 9, 1944; 11:46 a. m.]

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*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 19]

PART 503—ADMINISTRATION

TRANSPORTATION OF DAIRY PRODUCTS BY COMMERCIAL MOTOR VEHICLES

General outline. This order requests and authorizes producers, motor carriers, dealers, and processors of dairy products within any given area to elect an Area Dairy Industry Transportation Advisory Committee. Committees representative of such persons, which have heretofore been recognized and approved, are authorized to function as Area Dairy Industry Transportation Advisory Committees in accordance with this order. The order sets forth specific methods by which such committees are requested to assist the Office of Defense Transportation in attaining the purposes of General Order ODT 21, as amended, in relation to transportation of dairy products by commercial motor vehicles from producing areas to plants of dealers and processors, and between such plants. Where, for any reason, information which a committee is authorized to gather has not been furnished to a district manager by a committee, he may proceed to acquire it on his own initiative.

The order authorizes each district manager to direct the operation of commercial motor vehicles in the transportation of dairy products from producing areas to the plants of processors and dealers, and between such plants, within any area which the Director, Division of Motor Transport, may designate. This authority is to be exercised subject to certain limitations expressed in the order, and to any instructions or directions issued from time to time by the Director of the Office of Defense Transportation, and subject to the general control and supervision of the Director or of the Director, Division of Motor Transport. Provision is made for appeals by any producer, motor carrier, dealer, or processor from any direction issued pursuant to this order.

This general outline shall not be construed to alter the meaning of any provision contained in the order. The text of Administrative Order ODT 19 follows:

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Order 8989, as amended, Executive Order 9156, and War Production Board Directive 21, and in order to regulate the operation of commercial motor vehicles utilized in the transportation of dairy products from producing areas to the plants of dealers and processors, or between such plants, pursuant to § 501.101 of General Order ODT 21, as amended (7 F.R. 7100; 8 F.R. 2510) *It is hereby ordered*, That:

Sec.
503.385 Area Dairy Industry Transportation Advisory Committee; elected by producers, motor carriers, dealers, and processors.
503.386 Committees heretofore formed and approved.

Sec.
503.387 Committee shall not act until approved.
503.388 Functions of Area Dairy Industry Transportation Advisory Committee.
503.389 Administration of § 501.101 of General Order ODT 21, as amended.
503.390 Directions issued by district manager; service.
503.391 Limitations upon district manager.
503.392 Complaints; decision by district manager.
503.393 Appeals to regional director.
503.394 Appeals to Director of the Office of Defense Transportation.
503.395 Stay of directions; modification to conform with final decision.
503.396 Supervision and reservations.
503.397 Definitions.
503.398 Communications.

AUTHORITY: §§ 503.385 through 503.398 issued under the act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code secs. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5034.

§ 503.385 *Area Dairy Industry Transportation Advisory Committee; elected by producers, motor carriers, dealers, and processors.* Producers, motor carriers, dealers, and processors of dairy products within any given area are hereby requested and authorized to elect (unless they have already formed a committee described in § 503.386 of this order) an Area Dairy Industry Transportation Advisory Committee which shall be representative of such producers, motor carriers, dealers, and processors. When the committee is elected, the members thereof shall elect a chairman, vice-chairman, secretary, and such other officers as may be deemed advisable, and the chairman, or other officer authorized by the committee, shall sign and file with the Director, Division of Motor Transport, Washington, D. C., a statement containing the following information:

(a) The name and address of each person participating in the election of the committee;

(1) Whether such person is a producer, motor carrier, dealer or processor, or a combination thereof;

(2) The kind of dairy products which such person produces, transports, deals in or processes, as the case may be;

(b) The name and address of each member of the committee;

(c) The class or group which each member of the committee represents;

(d) The method utilized in electing the committee; and

(e) A description of the area within which the committee proposes to act.

§ 503.386 *Committees heretofore formed and approved.* Without further approval, any Industry Transportation Committee or Industry Advisory Committee representative of producers, motor carriers, dealers and processors of dairy products, which heretofore has been approved by the Office of Defense Transportation, is hereby authorized to function as an Area Dairy Industry Transportation Advisory Committee in accordance with the provisions of this order.

§ 503.387 *Committees shall not act until approved.* Except as provided in §§ 503.385 and 503.386 of this order, no Area Dairy Industry Transportation Advisory Committee shall perform any act until the Director, Division of Motor Transport, in a writing directed to the chairman of the committee, has approved the election of such committee, and the members and officers thereof, and has approved the designation of the area within which the committee proposes to act. Such approval may be withdrawn in whole or in part at any time.

§ 503.388 *Functions of Area Dairy Industry Transportation Advisory Committee.* Each approved Area Dairy Industry Transportation Advisory Committee, including any approved committee formed prior to the effective date of this order, is requested and authorized:

(a) To acquire and keep record of the name and address of each producer of dairy products within the designated area of the committee, the approximate quantity, kind and quality of dairy products to be transported by commercial motor vehicle by or for each producer, and the points between which, and the times at which, such products are to be so transported.

(b) To acquire and keep record of the name and address of each motor carrier engaged in the transportation of dairy products (including a description of each vehicle so operated by such carrier) to or from points within such area, and the name and address of each producer, dealer and processor served by such carrier.

(c) To study, develop, formulate, and make recommendations and reports to the district manager concerning policies, procedures, rules, programs, formulas, or plans pertaining to the transportation of dairy products by commercial motor vehicle to and from points within such area.

(d) To make recommendations to the district manager concerning the issuance, review, reconsideration, suspension, recall, cancellation or revocation of Certificates of War Necessity pertaining to commercial motor vehicles utilized, or to be utilized, in the transportation of dairy products to and from points within such area.

§ 503.389 *Administration of § 501.101 of General Order ODT 21, as amended.* (a) Each district manager is hereby authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended (7 F.R. 7100; 8 F.R. 2510) in respect of the transportation of dairy products by commercial motor vehicle to and from points within any area designated by the Director, Division of Motor Transport, to assure that such operations shall be confined to those which are necessary to the war effort or to the maintenance of essential civilian economy, shall be so conducted as to assure maximum utilization in such service of the commercial motor vehicles so operated, and shall conserve and providently utilize rubber or rubber substitutes and other critical materials used in the manufacture, maintenance, and operation of such vehicles.

(b) For the purpose of exercising the foregoing authority, each district manager is hereby authorized to acquire the information described in paragraphs (a) and (b) of § 503.388 of this order, unless such information may be obtained from an approved Area Dairy Industry Transportation Advisory Committee which has acquired and kept record thereof.

§ 503.390 *Directions issued by the district manager; service.* (a) The district manager shall consider any recommendation made by an approved Area Dairy Industry Transportation Advisory Committee for the area within which he is authorized to act pursuant to this order. Directions issued by the district manager pursuant this order shall be in writing signed by the district manager. A true copy shall be served upon each person having possession or control of a commercial motor vehicle whose operation will be governed by such directions, and upon each producer, dealer or processor whose service will be changed by those directions. The service shall be made in person or by mail, not less than 10 days prior to the effective date of any such directions: *Provided*, That, in lieu of such service, producers, dealers and processors, at the option of the district manager, may be served by publication of such directions, not less than 10 days prior to the effective date thereof, in a newspaper having a general circulation within the area in which the directions will be effective.

(b) At the time of the issuance of any such directions, a true copy thereof shall be furnished to the chairman of any approved Area Dairy Industry Transportation Advisory Committee within whose area the directions will be effective.

§ 503.391 *Limitations upon district manager.* No directions shall be issued by a district manager pursuant to this order that will:

(a) Deprive any person, without his consent, of transportation of his dairy products by commercial motor vehicle if the use of other available transportation will require that person to accept a lesser basic price for his dairy products.

(b) Deprive any person, without his consent, of the transportation of dairy products by commercial motor vehicle to the dealer or processor then receiving such products unless the issuance of such directions is approved by the Director, Division of Motor Transport.

(c) Deprive any person, without his consent, of transportation by the motor carrier then performing such transportation unless:

(1) The performance of such transportation by another motor carrier is available or

(2) The issuance of such directions is approved by the Director, Division of Motor Transport.

(d) Prevent any dealer or processor, without his consent, from procuring by commercial motor vehicle approximately the same quantity, kind and quality of dairy products as such dealer or processor received by commercial motor vehicle at the time of the issuance of the direc-

tions unless the issuance of such directions is approved by the Director, Division of Motor Transport.

§ 503.392 *Complaints; decision by district manager.* (a) Any producer, motor carrier, dealer, or processor may file a complaint with the district manager concerning any direction issued by him pursuant to this order. Such a complaint may be filed at any time before or after the effective date of the directions, but the stay of directions provided for in § 503.395 of this order shall be applicable only in respect of complaints filed on or before the effective date of the directions. The complaint shall be in writing setting forth the facts pertaining thereto, and shall be signed by and show the address of the person filing the complaint. Signed statements, which support or contradict the facts set forth in the complaint or in any statement filed in the matter, may be filed by any person having an interest in the subject matter of the complaint at any time prior to a decision thereof by the district manager. The complaint shall be decided by the district manager within 10 days after receipt of the complaint. The decision shall be in writing stating the reasons therefor, and shall either overrule the complaint or sustain it in whole or in part. A copy of the decision shall be served on the complainant in person, or by mail directed to the address shown in the complaint: *Provided*, That the provisions of §§ 503.392, 503.393, 503.394 and 503.395 of this order shall not apply to any complaint made by a motor carrier concerning the issuance, review, reconsideration, suspension, recall, cancellation, or revocation of a Certificate of War Necessity, and any such complaint, and any proceedings in respect thereof, shall be exclusively governed by the provisions of any applicable order issued by the Office of Defense Transportation.

(b) At the time of the issuance of any such decision, a true copy thereof shall be furnished to the chairman of any Area Dairy Industry Transportation Advisory Committee within whose area the directions, which are the subject of the complaint, are or will be effective.

§ 503.393 *Appeals to regional director.* (a) Any complainant, with 5 days after service of the district manager's decision on the complaint, may file an appeal therefrom to the regional director. Such appeal shall be in writing filed with the district manager and shall state the reasons why the decision should be reversed or modified. Upon the filing of an appeal, the district manager forthwith shall forward the entire file in respect thereof to his regional director who within 10 days after receipt of the file shall decide the complaint upon the record so transmitted. The decision on the appeal shall be in writing stating the reasons therefor, and shall overrule the complaint, or sustain it, in whole or in part. A copy of the decision shall be served on the complainant in person, or by mail directed to the address shown in the complaint.

(b) At the time of the issuance of any such decision, a true copy thereof shall be furnished to the district manager and the chairman of any Area Dairy Industry Transportation Advisory Committee within whose area the directions, which are the subject of the complaint, are or will be effective.

§ 503.394 *Appeals to Director of the Office of Defense Transportation.* (a) Any complainant, within 5 days after service of the regional director's decision, may file an appeal therefrom to the Director of the Office of Defense Transportation. Such appeal shall be in writing, filed with the regional director, and shall state the reasons why the decision should be reversed or modified. Upon the filing of the appeal, the regional director shall forward the entire file to the Director of the Office of Defense Transportation, Washington, D. C., who will decide the appeal on the record so transmitted, and will overrule the appeal, or sustain it, in whole or in part. The decision of such appeal shall be final. A copy of the decision will be served on the complainant in person, or by mail directed to the address shown in the complaint.

(b) At the time of the issuance of any such decision, a true copy thereof will be furnished to the district manager, the regional director and the chairman of any Area Dairy Industry Transportation Advisory Committee within whose area the directions, which are the subject of the complaint, are or will be effective.

§ 503.395 *Stay of directions; modification to conform with final decision.* Pending a decision in respect of any complaint filed on or before the effective date of the directions, or pending decision of any appeal filed, in accordance with the order, in respect of such complaint, the directions, to the extent complained of, shall be suspended to the degree required to provide the complainant with the transportation service he was performing or receiving at the time of issuance of such directions. Any directions in respect of which any complaint is filed shall be modified by the district manager to the extent required to conform with any final decision on the complaint or on any appeal taken in respect thereof. Any decisions on a complaint or on an appeal to a regional director shall become final upon expiration of the time prescribed for appealing therefrom, if no appeal is filed within that time; any decision on an appeal to the Director of the Office of Defense Transportation shall be final when issued unless otherwise ordered by the Director.

§ 503.396 *Supervision and reservations.* The authority hereby delegated shall be exercised subject to any instructions or directions issued from time to time by the Director of the Office of Defense Transportation, and to general control and supervision, and modification or revocation in any specific case, by such Director, or by the Director, Division of Motor Transport. Notwithstanding any of the provisions of this order, the Director of the Office of Defense Transportation may, in his discretion, exercise from time to time the authority or perform any of the functions or duties delegated by this order. This order shall not be construed as revoking or otherwise affecting any prior delegation of authority contained in any order or other document heretofore issued by the Director of the Office of Defense Transportation or the Director, Division of Motor Transport.

§ 503.397 *Definitions.* (a) As used in this order the term:

(1) "District" and "region" mean, respectively, a district and region of the Division of Motor Transport of the Office of Defense Transportation as described in Administrative Order ODT 6 (8 F.R. 13194).

(2) "District manager" means the manager of a district.

(3) "Regional director" means the director of a region.

(4) "Director, Division of Motor Transport" means the Director of the Division of Motor Transport, Office of Defense Transportation.

(5) "Dairy products" means whole milk, or any liquid or semiliquid product or by-product thereof.

(6) "Producer" means any person by whom or under whose supervision or control dairy products are produced.

(7) "Processor or dealer" means any person who: (i) except at retail, acquires dairy products from a producer; (ii) acquires dairy products from a processor or dealer, as defined in subdivision (i) of this subparagraph, for processing or sale; or, (iii) except at retail, markets dairy products for a producer.

(8) "Motor carrier" means any person who controls or operates a commercial motor vehicle in the transportation of dairy products except when operated in retail distribution.

(b) As used in this order, any term that is defined in General Order ODT 21, as amended, shall have the meaning specified therefor in § 501.90 (definitions) of General Order ODT 21 (7 F.R. 7100).

§ 503.398 *Communications.* Communications concerning this order should refer to "Administrative Order ODT 19" and unless otherwise directed should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This Administrative Order ODT 19 shall become effective the 15th day of March 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 9th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3384; Filed, March 9, 1944; 10:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

GREEN RIVER PROJECT, UTAH

REVOCATION OF FIRST FORM WITHDRAWAL

JANUARY 1, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Green River project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of April 30, 1921, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

GREEN RIVER PROJECT
SALT LAKE MERIDIAN, UTAH

T. 21 S., R. 14 E.,
Sec. 12, N½, NE¼SE¼.
T. 21 S., R. 15 E.,
Sec. 7;
Sec. 8, SW¼NW¼, S½;
Sec. 13, E½NE¼, SW¼NE¼, S½NW¼, NW¼NW¼, E½SW¼, SW¼SW¼, SE¼;
Sec. 14, S½N½, S½;
Sec. 15, S½NE¼, N½NW¼, S½;
Sec. 17, NE¼, E½NW¼, NW¼NW¼, E½SE¼;
Sec. 18, N½NE¼;
Sec. 23, N½;
Sec. 24, S½NE¼, W½, SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 17, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 21, 1944.

[F. R. Doc. 44-3382; Filed, March 9, 1944; 10:53 a. m.]

General Land Office.

[Public Land Order 209]

IDAHO

WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for a prisoner of war camp, sewage treatment plant, pressure sewer, water line, and access road:

BOISE MERIDIAN

T. 9 S., R. 22 E.,
Sec. 29, SE¼;
Sec. 32, NE¼;
Sec. 33.
T. 10 S., R. 22 E.,
Sec. 4.

The areas described aggregate 1,600 acres.

This order shall take precedence over but not modify (1) the orders of November 17, 1902, and March 24, 1908, of the Secretary of the Interior, withdrawing lands for reclamation purposes, and (2) the order of December 4, 1940, establishing Idaho Grazing District No. 5, so far as such orders affect the above-described lands.

This order is subject to the condition that the War Department shall remove the improvements and restore the lands to their present condition when the use of the lands is terminated.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 24, 1944.

[F. R. Doc. 44-3389; Filed, March 9, 1944; 10:53 a. m.]

[Public Land Order 210]

ALASKA

EXCLUDING CERTAIN TRACTS OF LAND FROM CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM TO ENTRY

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as home sites, and identified by surveys, plats and field notes of which are on file in the General Land Office, Washington, D. C., are hereby excluded from the Chugach and Tongass National Forests as hereinafter indicated, and restored to entry under the applicable public-land laws:

CHUGACH NATIONAL FOREST

On the South shore of Boswell Bay, 4.97 acres; latitude 60°23'49" N., longitude 146° 06'48" W. (Homesite No. 50);

U. S. Survey No. 2532, lot "D", 4.14 acres; latitude 60°21'30" N., longitude 149°21'20" W. (Homesite No. 54, Lakeview Group);

TONGASS NATIONAL FOREST

U. S. Survey No. 2321, lot "H", 3.68 acres; latitude 56°27'10" N., longitude 132°23'00" W. (Homesite No. 230, Wrangell Group);

U. S. Survey No. 2321, lot "X", 4.73 acres; latitude 56°27'10" N., longitude 132°23'00" W. (Homesite No. 693, Wrangell Group);

U. S. Survey No. 2475, lot "J", 4.90 acres; latitude 58°21'35" N., longitude 134°33'00" W. (Homesite No. 103, Mile 7 Group);

U. S. Survey No. 2517, lot "C", 1.92 acres; latitude 58°28'30" N., longitude 134°47'00" W. (Homesite No. 709, Pearl Harbor Group);

U. S. Survey No. 2554, lot "K", 3.84 acres; latitude 55°28'30" N., longitude 131°48'00" W. (Homesite No. 567, Clover Pass Group);

U. S. Survey No. 2604, lot 23, 3.29 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 645, Point Higgins Group, Group "B");

U. S. Survey No. 2604, lot 33, 2.69 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 665, Point Higgins Group);

U. S. Survey No. 2616, lot 14, 1.42 acres; latitude 55°57'45" N., longitude 133°47'05" W. (Homesite No. 723, Fisherman's Harbor Group);

On the West shore of South Inian Pass, Inian Island, 4.89 acres; latitude 58°15'00" N., longitude 136°20'30" W. (Homesite No. 820);

On the North shore of Inian Cove, Inian Island, 4.51 acres; latitude 58°16'00" N., longitude 136°19'00" W. (Homesite No. 821).

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 28, 1944.

[F. R. Doc. 44-3390; Filed, March 9, 1944; 10:53 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V—GEORGIA

NEWTON COUNTY

Locality I: Consisting of districts 420, 461, 462, 477, 547, 1261, 1522, 1525, and 1618, $2,682.
Locality II: Consisting of districts 464, 546, 567, and 1513, $2,014
Locality III: Consisting of districts 463, 1249, and 1717, $1,630.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved March 7, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-3352; Filed, March 8, 1944; 3:16 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

CONTRACTS FOR EVAPORATED AND POWDERED SKIM MILK

NOTICE OF HEARING

Notice of hearing in the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk.

On November 4, 1942, I issued an exception upon the request of the Secretary of War pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) permitting the award of Government contracts for evaporated milk and powdered skimmed milk during the period from this date to December 31, 1943, without the inclusion in such contracts of the representations and stipulations of section 1 of the act. On February 22, 1944, the Acting Secretary of War requested an extension of this exception to December 31, 1944. In view of objections to this request which have been filed with me, it appears advisable to hold a hearing at which all interested parties may present their views on the question whether the exception shall be extended in accordance with the request of the Acting Secretary of War.

Notice is, therefore, given that a public hearing will be held before L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Divisions, or a representative designated to preside in his place, at 10 a. m., March 21, 1944, in Room 7129, Department of Labor Building, 14th and Constitution, Washington, D. C., for the purpose of receiving evidence and hearing argument on the question whether the exception of November 31, 1942, permitting the award of Government contracts for evaporated milk and powdered skimmed milk without the inclusion in such contracts of the representations and stipulations of section 1 of the act shall be extended to December 31, 1944, in accordance with the provisions of section 6 of the act. Interested parties may be heard in person or by authorized representatives. Briefs (original and four copies) and telegraphic communications will be considered if filed prior to the hearing date. Any persons intending to appear at this hearing shall file with the Administrator at Washington, D. C., a notice of his intention to appear which shall contain the following information:

1. Name and address of person appearing;
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing;
3. Whether such person proposes to appear in support of or in opposition to the requested extension of the exception.

Dated: March 6, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-3388; Filed, March 9, 1944; 10:54 a. m.]

Wage and Hour Division.

MUNICIPALITY OF ST. THOMAS AND ST. JOHN, VIRGIN ISLANDS

NOTICE OF PUBLIC HEARING BEFORE SPECIAL INDUSTRY COMMITTEE

Notice of public hearing before the Special Industry Committee for the Municipality of Saint Thomas and Saint John, Virgin Islands, for the purpose of receiving evidence to be considered in recommending minimum wage rates for employees in said municipality.

In conformity with the Fair Labor Standards Act of 1938, as amended, and with § 511.11 of part 511 of the rules and regulations issued pursuant thereto, notice is hereby given to all interested persons that a public hearing will be held beginning on April 4, 1944 at 10:00 a. m., at the Municipal Council Hall in Charlotte Amalie, Saint Thomas, Virgin Islands, for the purpose of receiving evidence to be considered by the Special Industry Committee for the municipality of Saint Thomas and Saint John, Virgin Islands, in determining the highest minimum wage rates for all employees in said municipality who within the meaning of the said act are "engaged in commerce or in the production of goods for commerce," which, having due regard to economic and competitive conditions, will not substantially curtail employment and will not give any industry in the Virgin Islands a competitive advantage over any industry in the United States outside of the Virgin Islands.

The Special Industry Committee for the municipality of Saint Thomas and Saint John, Virgin Islands, was created by Administrative Order No. 228 published in the FEDERAL REGISTER on March 9, 1944. It is charged, in accordance with the provisions of the Fair Labor Standards Act of 1938, as amended, and rules and regulations promulgated thereunder with the duty of investigating conditions in the industries of the municipality of Saint Thomas and Saint John and of recommending to the Administrator minimum wage rates which may be lower than 30 cents but not higher than 40 cents per hour for all employees in the municipality of Saint Thomas and Saint John who within the meaning of said act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by the provisions of section 13 (a) and employees coming under the provisions of section 14. Before any minimum wage rates recommended by the Committee are made effective, a public hearing will be held pursuant to section 8 of the act, at a time and place to be announced by the Administrator and at which all interested persons will have an opportunity to be heard.

Administrative Order No. 228 directed the Special Industry Committee for the municipality of Saint Thomas and Saint John, Virgin Islands, to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for all employees in the industries in such municipality and in such order as the Committee may elect.

Any person who, in the opinion of the Committee or its duly authorized subcommittee, has a substantial interest in the proceeding and is prepared to present material pertinent to the question under consideration, may appear on his own behalf or on behalf of any other person. Persons wishing to appear are requested to file with Russell Sturgis, Territorial Representative of the Wage and Hour Division, 606 Banco Popular Building, Tetuan and San Justo Streets, San Juan, Puerto Rico, not later than April 1, 1944, notice of intention to appear, a copy of which is to be sent to the Administrator of the Wage and Hour Division, 165 West 46th Street, New York 19, New York. The notice of intention to appear should contain the following information:

1. The name and address of the person appearing.
2. If he is appearing in a representative capacity, the name and address of the person or persons whom, or the organization which, he is representing.
3. A brief summary of the material intended to be presented.
4. The approximate length of time which his presentation will consume.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations as the Special Industry Committee for the municipality of Saint Thomas and Saint John may make.

Written statements of persons who cannot appear personally will be considered by the Committee provided that twenty copies thereof are received not later than April 1, 1944, at the Wage and Hour Division of the United States Department of Labor, 606 Banco Popular Building, Tetuan and San Justo Streets, San Juan, Puerto Rico. Any person appearing at the hearing who offers written material must submit twenty copies thereof.

Signed at Chicago, Illinois, this 4th day of March 1944.

[SEAL] JOHN A. LAPP,
Chairman, Special Industry Committee for the Municipality of Saint Thomas and Saint John, Virgin Islands.

[F. R. Doc. 44-3386; Filed, March 9, 1944; 10:54 a. m.]

MUNICIPALITY OF ST. CROIX, VIRGIN ISLANDS

NOTICE OF PUBLIC HEARING BEFORE SPECIAL INDUSTRY COMMITTEE

Notice of public hearing before the Special Industry Committee for the municipality of Saint Croix, Virgin Islands, for the purpose of receiving evidence to be considered in recommending minimum wage rates for employees in said municipality.

In conformity with the Fair Labor Standards Act of 1938, as amended, and with § 511.11 of part 511 of the rules and regulations issued pursuant thereto, notice is hereby given to all interested persons that a public hearing will be held beginning on April 12, 1944 at 10 a. m. in the District Court Room, Christiansted, Saint Croix, Virgin Islands, for the purpose of receiving evidence to be considered by the Special Industry Committee for the municipality of Saint Croix, Virgin Islands, in determining the highest minimum wage rates for all employees in said municipality who within the meaning of the said act are "engaged in commerce or in the production of goods for commerce," which, having due regard to economic and competitive conditions, will not substantially curtail employment and will not give any industry in the Virgin Islands a competitive advantage over any industry in the United States outside of the Virgin Islands.

The Special Industry Committee for the municipality of Saint Croix, Virgin Islands, was created by Administrative Order No. 229 published in the FEDERAL REGISTER on March 9, 1944. It is charged, in accordance with the provisions of the Fair Labor Standards Act of 1938, as amended, and rules and regulations promulgated thereunder, with the duty of investigating conditions in the industries of the municipality of Saint Croix and of recommending to the Administrator minimum wage rates which may be lower than 30 cents but not higher than 40 cents per hour for all employees in the municipality of Saint Croix who within the meaning of said act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by the provisions of section 13 (a) and employees coming under the provisions of section 14. Before any minimum wage rates recommended by the Committee are made effective, a public hearing will be held pursuant to section 8 of the act, at a time and place to be announced by the Administrator and at which all interested persons will have an opportunity to be heard.

Administrative Order No. 229 directed the Special Industry Committee for the municipality of Saint Croix, Virgin Islands, to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for all employees in the industries in such municipality and in such order as the Committee may elect.

Any person who, in the opinion of the Committee or its duly authorized subcommittee, has a substantial interest in the proceeding and is prepared to present material pertinent to the question under consideration, may appear on his own behalf or on behalf of any other person. Persons wishing to appear are requested to file with Russell Sturgis, Territorial Representative of the Wage and Hour Division, 606 Banco Popular Building, Tetuaan and San Justo Streets, San Juan, Puerto Rico, not later than April 8, 1944, notice of intention to appear, a copy of which is to be sent to the Administrator of the Wage and Hour Division, 165 West 46th Street, New York 19, New York. The notice of intention to appear should contain the following information:

1. The name and address of the person appearing.
2. If he is appearing in a representative capacity, the name and address of the person or persons whom, or the organization which, he is representing.
3. A brief summary of the material intended to be presented.
4. The approximate length of time which his presentation will consume.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations as the Special Industry Committee for the municipality of Saint Croix may make.

Written statements of persons who cannot appear personally will be considered by the Committee provided that twenty copies thereof are received not later than April 8, 1944, at the Wage and Hour Division of the United States Department of Labor, 606 Banco Popular Building, Tetuan and San Justo Streets, San Juan, Puerto Rico. Any person appearing at the hearing who offers written material must submit twenty copies thereof.

Signed at Chicago, Illinois, this 4th day of March 1944.

[SEAL] JOHN A. LAPP,
Chairman, Special Industry Committee for the Municipality of Saint Croix, Virgin Islands.

[F. R. Doc. 44-3387; Filed, March 9, 1944; 10:54 a. m.]

CIVIL AERONAUTICS BOARD.

MAXIMUM OPERATING WEIGHTS OF SCHEDULED AIR CARRIER AIRCRAFT

NOTICE OF POSTPONEMENT OF HEARING

Civil Air Regulations, §§ 04.71 and 61.713.

The Civil Aeronautics Board announced today that the public hearing which had been previously scheduled for March 15, 1944, at 10:00 a. m. in Room 5042, Commerce Building, Washington, D. C., on proposed amendments to the Civil Air Regulations governing maximum operating weights of scheduled air carrier aircraft has been postponed to 1:00 p. m., March 20, 1944, at the same place.

Dated at Washington, D. C., March 7, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3400; Filed, March 9, 1944; 11:36 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6421]

VOICE OF THE ORANGE EMPIRE, INC., LTD. (KVOE)

ORDER DENYING PETITION; DESIGNATING APPLICATION FOR HEARING UPON SPECIFIED ISSUES

In re application of The Voice of the Orange Empire, Inc., Ltd. (KVOE), Santa Ana, California, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of February, 1944:

The Commission having under consideration a petition filed February 8, 1944, by The Voice of the Orange Empire, Inc., Ltd. (KVOE), Santa Ana, California, for reconsideration and grant of its application for construction permit (B-194, Docket No. 6421, File No. B5-P-3482) and being fully informed in the premises;

It is ordered, That the petition be, and the same is hereby, denied; and

It is further ordered, That the application be, and the same is hereby, designated for further hearing upon the following issues:

1. To determine the extent of the electrical interference which would result to Station KIEM, Eureka, California from Station KVOE, operating as proposed.
2. To determine the areas and populations, if any, which may be expected to lose primary service, with particular reference to Station KIEM, as a result of the operation of Station KVOE, operating as proposed, and what other broadcast service is available to these areas and populations.
3. To determine whether the proposed operation of Station KVOE would result in an impairment to the effectiveness of the operations performed at the Commission's monitoring station located near Santa Ana, California.
4. To determine the extent of the electrical interference which would result to Station CFCT, Victoria, British Columbia, from Station KVOE, operating as proposed.
5. To determine the areas and populations, if any, which may be expected to gain primary service from Station KVOE, operating as proposed, and what other broadcast service is available to these areas and populations.
6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy of January 26, 1944.

7. To determine whether, in view of the facts adduced under the foregoing issues the granting of this application would serve public interest, convenience and necessity.

Dated at Washington, D. C., March 6, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-3383; Filed, March 9, 1944; 10:50 a. m.]

[Docket No. 6578]

MATHESON RADIO CO., INC. (WHDH)

NOTICE OF HEARING

In re application of Matheson Radio Company, Inc. (WHDH), date filed October 8, 1943, for modification of license to operate with directional antenna after sunset at Gainesville, Florida; class of service, broadcast; class of station, broadcast; location, Boston, Mass; operating assignment specified: Frequency, 850 kc.; power, 5 kw.; hours of operation, unlimited (DA—Night).

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the extent of any interference which would result from the simultaneous operation of Station WHDH as proposed and station WJW.

2. To determine the areas and populations, which may be expected to lose primary service particularly from Station WJW should Station WHDH operate as proposed and what other broadcast service is available to these areas and populations.

3. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Matheson Radio Company, Inc., Radio Station WHDH, Hotel Touraine, 62 Boylston Street, Boston 16, Massachusetts.

Dated at Washington, D. C., March 6, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-3382; Filed, March 9, 1944; 10:50 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-528]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

MARCH 6, 1944.

Notice is hereby given that on February 17, 1944, the Consolidated Gas Utilities Corporation, a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

Applicant proposes to construct and operate an 8⅝-inch natural-gas transmission pipe line, beginning at a connection with Applicant's previously installed 6-inch natural-gas pipe line at the southeast corner of Section 32, Township 6 North, Range 9 West, Caddo County, Oklahoma, and extending in a westerly direction approximately two and three-fourths miles to the southwest corner of the Southeast quarter of the Southwest quarter of Section 36, Township 6 North, Range 10 West, Caddo County, Oklahoma, and thence in a northwesterly direction approximately three-fourths of a mile to a point approximately 800 feet West of the northeast corner of the Southeast quarter of Section 35, Township 6 North, Range 10 West, Caddo County, Oklahoma, to a point of connection with the 8-inch pipe line of Ray Stephens, Inc.

Applicant estimates that the maximum amount of gas which will be delivered through the facilities described above on the peak day of any year will be 15,000 Mcf; that the minimum quantity of natural gas which will be delivered through such facilities on any one day will be approximately 10,000 Mcf; and that the maximum capacity of such facilities will be approximately 20,000 Mcf. The application states that no customers will be served from the proposed pipe line, and that it will be used exclusively to deliver gas to Cities Service Gas Company at the aforementioned connection with the pipe line of Ray Stephens, Inc.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 22d day of March, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-3355; Filed, March 8, 1944; 2:55 p. m.]

[Docket No. G-525]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

MARCH 7, 1944.

Upon consideration of the application filed on February 10, 1944, by the Kansas-Nebraska Natural Gas Company, Inc., a Kansas corporation having its principal places of business at Phillipsburg, Kansas, and Hastings, Nebraska, for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of an 18-inch natural gas pipe line 44 miles in length in Kearny and Scott Counties, Kansas; a 12¾-inch natural gas pipe line approximately 115 miles in length from its Scott City compressor station in Scott County to its compressor station west of Stockton in Rooks County, Kansas; an 8⅝-inch loop line approximately 15 miles in length, extending in a northerly direction from the Stockton compressor station, paralleling for this distance its existing 6⅝-inch natural gas pipe line, and the installation of four additional 500 horsepower compressor units in Applicant's present compressor stations, together with appurtenant facilities;

The Commission orders that:

(A) A public hearing be held, commencing on April 4, 1944, at 9:45 a.m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-3391; Filed, March 9, 1944; 11:04 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 173, Corrected Special Permit 2]

ROUTING OF CARLOAD FREIGHT FROM MONROE OR WEST MONROE, LA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph (§ 97.10, 9 F.R. 222) of Service Order No. 173 of January 4, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept shippers' or carriers' routing and to route in accordance therewith any shipment of transit or nontransit carload freight from Monroe or West Monroe, Louisiana, to destinations east of the Mississippi River by way of any route on or east of the Tremont & Gulf Railway Company from West Monroe, Louisiana, to Wood Junction, Louisiana, thence on or east of the line of said carrier from Wood Junction to Winnfield, Louisiana, thence via connections east thereof.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of March 1944.

HOMER C. KING,
Director.

[F. R. Doc. 44-3409; Filed, March 9, 1944; 11:54 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

H. C. BIERING (E. A. M. BIERING)

ORDER FOR AND NOTICE OF HEARING

Order for and notice of hearing before vested Property Claims Committee In the matter of H. C. Biering (E. A. M. Biering): Estate of Richard Theodore Ringling; whereas, by Vesting Order No. 2392 of October 11, 1943 (8 F.R. 14637), the Alien Property Custodian, finding, among other things, that E. A. M. Biering is a national of a designated enemy country (Rumania), vested all right, title and interest and claim of any kind or character whatsoever of E. A. M. Biering in and to a judgment claim against Aubrey Barlow Ringling, Executrix, and the Estate of Richard Theodore Ringling, deceased; and whereas, H. C. Biering has filed Notice of Claim No. 1377, which appears to assert that the claimant is attorney in fact for the said E. A. M. Biering; that the claimant is not a national of a designated enemy country; and that the above described property was vested by mistake;

Now therefore, *It is ordered*, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claim be held before Vested Property Claims Committee on Wednesday, March 22, 1944, at 10:00 a. m. eastern war time, in Room 633 National Press Building, 14th and F Streets NW., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notice of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before March 18, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KREEKY,
NUGENT DODDS.

MARCH 8, 1944.

[F. R. Doc. 44-3321; Filed, March 8, 1944; 11:31 a. m.]

[Special Order 10]

JOHAN ERNST NYROP, ET AL.

In re: Assignment from Johan Ernst Nyrop to Paul F. Marxov and Arthur Bloch.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to Alien Property Custodian General Order No. 11 and the Regulations issued thereunder and pursuant to law, the undersigned:

1. Finding that on February 22, 1943 there was recorded in the assignment records of the United States Patent Office an instrument of assignment, purporting to assign the property described below from Johan Ernst Nyrop to Paul F. Marxov and Arthur Bloch, such instrument being identified as follows, and being accompanied by a copy of Form APC-15 and by a report on Form APC-14P:

Date of Execution, Recording Data, Liber and Page, and Property Affected

7-9-41: C-195; 617; Patent Application S. N. 386,189, filed March 31, 1941 and two patents.

2. Finding that Johan Ernst Nyrop is a resident of Denmark and is a national of a foreign country (Denmark);

3. Finding that such instrument affects title to or grants an interest in patents and an application therefor in which a designated foreign country (Denmark) or a national thereof has on or since the effective date of Executive Order No. 8389, as amended, had an interest;

4. Finding that one of the parties to such instrument is a national of a designated foreign country (Denmark);

5. Determining that the recordation of such instrument was subject to the provisions of the Alien Property Custodian General Order No. 11 and of the Regulations issued thereunder and in particular of paragraph (a) (3) of Regulation No. 2, as amended, under said General Order;

6. Finding that such instrument was not intended to transfer and did not have the effect of transferring the beneficial interest in the patents and application thereby affected to Paul F. Marxov and Arthur Bloch, and was executed without any license or permission from the Treasury Department or from the Alien Property Custodian;

7. Determining that the action hereinafter ordered is in the interest of and for the benefit of the United States;

hereby orders that the aforesaid instrument shall be, and it hereby is, set aside.

Each of the terms "designated foreign country" and "national" as used herein shall have the meaning prescribed in Regulation No. 2, as amended, under General Order No. 11.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3334; Filed, March 9, 1944; 11:35 a. m.]

[Vesting Order 2088]

CHINOIN CHEMICAL & PHARMACEUTICAL WORKS CO., LTD.

In re: Interest of Chinoin Chemical & Pharmaceutical Works Co. Ltd. in an agreement with The Treemond Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Chinoin Chemical & Pharmaceutical Works Co. Ltd. is a corporation organized under the laws of Hungary and is a national of a foreign country (Hungary);

2. That the property described in subparagraph 3 hereof is property of Chinoin Chemical & Pharmaceutical Works Co. Ltd.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chinoin Chemical & Pharmaceutical Works Co. Ltd. by virtue of an agreement dated September 11, 1939 (including all modifications thereof and supplements thereto, if any) by and between Chinoin Chemical & Pharmaceutical Works Co. Ltd. and The Treemond Corporation, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,167,132,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3350; Filed, March 8, 1944, 11:33 a. m.]

[Vesting Order 3038]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with E. I. du Pont de Nemours & Company executed on August 21, 1933 and September 22, 1933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, executed by I. G. Farbenindustries Aktiengesellschaft on August 21, 1933 and by E. I. du Pont de Nemours & Company on September 22, 1933, which agreement relates, among other things, to Patent No. 1,963,999,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3336; Filed, March 8, 1944; 11:33 a. m.]

[Vesting Order 3039]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated June 28, 1935 with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated June 28, 1935 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 2,061,620,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3337; Filed, March 8, 1944; 11:33 a. m.]

[Vesting Order 3040]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with E. I. du Pont de Nemours & Company, executed on October 19, 1933 and November 13, 1933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, executed by E. I. du Pont de Nemours & Company on October 19, 1933 and by I. G. Farbenindustrie Aktiengesellschaft on November 13, 1933 (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to Patent No. 2,008,680,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3338; Filed, March 8, 1944; 11:34 a. m.]

[Vesting Order 3041]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated December 5, 1935 with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated December 5, 1935 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 2,048,043,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3339; Filed, March 8, 1944; 11:34 a. m.]

[Vesting Order 3042]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated July 1, 1937 with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated July 1, 1937 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 2,101,507,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3340; Filed, March 8, 1044; 11:34 a. m.]

[Vesting Order 3043]

L'AIR LIQUIDE, ET AL.

In re: Patents and interests of l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe Chimique de la Grande Paroisse, Azote et Produits Chimiques in agreements with Lazote Inc., E. I. Dupont de Nemours & Company and Hercules Powder Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe de la Grande Paroisse, Azote et Produits Chimiques are corporations organized under the laws of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe

de la Grande Paroisse, Azote et Produits Chimiques;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe Chimique de la Grande Paroisse, Azote et Produits Chimiques, and each of them, by virtue of an agreement dated May 25, 1929 (including all modifications thereof and supplements thereto, if any) by and between E. I. Dupont de Nemours & Company, Lazote, Inc., l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe Chimique de la Grande Paroisse, Azote et Produits Chimiques, which agreement relates, among other things, to United States Letters Patent,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude and Societe Chimique de la Grande Paroisse, Azote et Produits Chimiques, and each of them, by virtue of an option agreement dated December 12 and 13, 1938 (including all modifications thereof and supplements thereto, if any) by and between l'Air Liquide, Societe Anonyme pour l'Etude et l'Exploitation des Procedes Georges Claude, Societe Chimique de la Grande Paroisse, Azote et Produits Chimiques and Hercules Powder Company, which agreement relates, among other things, to United States Letters Patent,

(c) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States; *Provided, however*, That the property herein vested shall not include any right, title or interest of said Hercules Powder Company in and to the aforesaid agreement, nor shall such vesting disturb in any way the right of said Hercules Powder Company to exercise such option or affect adversely in any way any right, title, interest or privilege it might have as a result of having exercised such option.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 2, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor, and Title

1,717,761, 6-18-29; Georges Claude; Purification of coke-oven gases and the like.

1,724,000; 8-13-29; Georges Claude; Separation by liquefaction of complex gaseous mixtures.

1,730,805; 10-8-29; Georges Claude; Extraction of hydrogen from gaseous mixtures.

1,782,287; 11-18-30; Georges Claude; Gas-separation process.

1,790,303; 1-27-31; Albert Gosselin; Regeneration of carbonated ammoniacal solutions.

1,801,903; 4-21-31; Georges Claude; Purification of illuminating or coke-oven gases and the like.

1,840,833; 1-12-32; Georges Claude & Jean Le Rouge; Separation of gaseous mixtures.

1,870,096; 8-2-32; Georges Claude; Manufacture of hydrogen by the partial liquefaction of gaseous mixtures containing the same.

1,870,334; 8-9-32; Henri Lantz; Extraction of ethylene from gaseous mixtures.

1,878,123; 9-20-32; Alfred Etienne; Process for the separation of the constituents of gaseous mixtures of liquefaction.

1,919,842; 7-25-33; Marcel Charles Jean & Pascal Matile; Process for the treatment of gaseous mixture containing hydrogen.

1,935,505; 11-14-33; Marcel Charles Jean & Pascal Matile; Liquefaction and separation of gaseous mixtures at low temperatures.

1,984,463; 12-18-34; Georges Claude & Jean Le Rouge; Separation of gaseous mixtures.

[F. R. Doc. 44–3341; Filed, March 8, 1944; 11:34 a. m.]

[Vesting Order 3056]

NATIONALS OF SWITZERLAND

In re: United States Letters Patent of nationals of Switzerland appearing on The Proclaimed List of Certain Blocked Nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a citizen and resident of, or, if a business organization, is organized under the laws of and has its principal place of business in Switzerland and is a national of a foreign country (Switzerland);

2. That the patents and other property related thereto identified in subparagraph 4 hereof are property of the persons whose names appear in the column headed "Owner" opposite the respective numbers thereof in said Exhibit A;

3. That the persons whose names appear in the column headed "Owner" in said Exhibit A appear on The Proclaimed List of Certain Blocked Nationals;

4. That the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of a foreign country (Switzerland);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

United States Letters Patent which are identified as follows:

Patent Number, Date, Owner, Inventor, and Title

2,112,679; 3-29-38; Reishauer-Werkzeuge, A. G.; Alfred Rickenmann, & E. Kreis; Machine for grinding grooves in workpieces.

2,145,202; 1-24-39; Reishauer Tool Works, Ltd.; Alfred Rickenmann; Method and device for relieving spirally grooved screw groove milling tools.

2,177,563; 10-24-39; Reishauer-Werkzeuge, A. G.; Alfred Rickenmann; Turning device for abrasive worms.

2,226,669; 12-31-40; Georges Perrenoud; Georges Perrenoud; Time fuse.

2,260,760; 7-29-41; Albiswerk Zurich, A. G.; Max Kieser; Signalling circuits.

2,279,523; 4-12-42; Reishauer Tool Works, Ltd.; Alfred Rickenmann; Means for dressing grinding discs.

2,305,390; 12-15-42; Reishauer-Werkzeuge, A. G.; Alfred Rickenmann; Grinding machines.

[F. R. Doc. 44-3335; Filed, March 8, 1944; 11:33 a. m.]

[Vesting Order 3086]

HIRSCH, KUPFER & MESSINGWERKE, A. G.

In re: Interest of Hirsch, Kupfer & Messingwerke, A. G. in an agreement with The Ajax Metal Company and Ajax Electrothermic Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hirsch, Kupfer & Messingwerke, A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Hirsch, Kupfer & Messingwerke, A. G;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hirsch, Kupfer & Messingwerke, A. G. by virtue of an agreement dated July 27, 1927 (including all modifications thereof and supplements thereto, if any) by and between Hirsch, Kupfer & Messingwerke, A. G., The Ajax Metal Company and Ajax Electrothermic Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,915,700,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3336; Filed, March 8, 1944; 11:35 a. m.]

[Vesting Order 3087]

VON ASTEN & CIE., S. E. C. AND EDUARD VON ASTEN

In re: Interests of Von Asten & Cie., S. e. C. and Eduard von Asten in an Agreement with Asten-Hill Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Eduard von Asten is a citizen and resident of Belgium and is a national of a foreign country (Belgium);

2. That Von Asten & Cie., S. e. C. is a business organization organized under the laws of and having its principal place of business in Belgium and is a national of a foreign country (Belgium);

3. That the property described in subparagraph 4 hereof is property of Eduard von Asten and Von Asten & Cie., S. e. C;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Eduard von Asten and Von Asten & Cie., S. e. C., and each of them, by virtue of an agreement dated June 6, 1935 (including all modifications thereof and supplements thereto, if any) by and between Eduard von Asten and Asten-Hill Manufacturing Company, which agreement relates, among other things, to United States Letters Patent No. 1,753,945,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held herein by nationals of a foreign country (Belgium);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt wtih in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3339; Filed, March 8, 1944; 11:35 a. m.]

[Vesting Order 3088]

PRESS-UND WALZWERK A. G.

In re: Interest of Press-und Walzwerk A. G. in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Press-und Walzwerk A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Press-und Walzwerk A. G.;

3. That the property described as follows:

An undivided one-half interest remaining in Press-und Walzwerk A. G. after a transfer by it to Wellman Seaver Rolling Mill Co., Ltd., of an undivided one-half interest, by an assignment dated August 1, 1933 and August 5, 1933 and recorded in the assignment records of the United States Patent Office on August 14, 1933 at Liber G-157, page 1, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,992,062; 2-19-35; W. Martin; Drawing bench.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an

appropriate account or accounts, pending futher determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3330; Filed, March 6, 1944; 11:35 a. m.]

[Vesting Order 3089]

JONNI ZETSCHE

In re: Interest of Jonni Zetsche in patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Jonni Zetsche is a resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Jonni Zetsche;

3. That the property described as follows:

An undivided one-half interest which stands of record in the assignment records of the United States Patent Office in the name of Jonni Zetsche in and to the following patents:

Patent Number, Date, Inventor, and Title

1,845,386; 2-16-32; Jonni Zetsche, N. Petersen & J. Sinclair-Ross; Electric motor.

1,873,171; 8-23-32; Jonni Zetsche, N. Petersen & J. Sinclair-Ross; Electric motor.

together with all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the wonder of such interest is entitled,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3331; Filed, March 8, 1944, 11:35 a. m.]

[Vesting Order 3090]

MAX BUCHHOLZ

In re: Patents and interest of Max Buchholz in an agreement with General Electric Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Max Buchholz is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Max Buchholz;

3. That the property described as follows:

Property described in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor and Title

1,642,398; 9-13-27; Max Buchholz; Controlling electric apparatus.

1,642,399; 9-13-27; Max Buchholz; Controlling liquid insulated electric apparatus.

1,642,400; 9-13-27; Max Buchholz; Control of electric apparatus.

1,642,401; 9-13-27; Max Buchholz; Control of liquid insulated electric apparatus.

1,642,402; 9-13-27; Max Buchholz; Protection of electric apparatus.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Max Buchholz by virtue of an agreement dated November 26, 1937 and executed by Max Buchholz on November 9, 1937 and by General Electric Company on November 26, 1937 (including all modifications thereof and supplements thereto, if any) by and between Max Buchholz and General Electric Company, relating, among other things, to certain United States Letters Patent, including Patent No. 1,936,707.

[F. R. Doc. 44–3332; Filed, March 8, 1944; 11:35 a. m.]

[Vesting Order 3091]

FRIED. KRUPP GRUSONWERK A. G.

In re: Interest of Fried. Krupp Grusonwerk Aktiengesellschaft in an agreement with Nordberg Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fried. Krupp Grusonwerk Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Fried. Krupp Grusonwerk Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fried. Krupp Grusonwerk Aktiengesellschaft by virtue of an agreement dated June 3, 1938 (including all modifications thereof and supplements thereto, if any) by and between Fried. Krupp Grusonwerk Aktiengesellschaft and Nordberg Manufacturing Company, which agreement relates, among other things, to United States Letters Patent No. 2,129,017 and 2,180,673,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3323; Filed, March 8, 1944; 11:35 a. m.]

[Vesting Order 3092]

DET NORSKE AKTIESELSKAB

In re: Patent Application of Det Norske Aktieselskab for Electrokemisk Industri.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Det Norske Aktieselskab for Elektrokemisk Industri is a corporation organized under the laws of and having its principal place of business in Norway and is a national of a foreign country (Norway);

2. That the property identified in subparagraph 3 hereof is property of Det Norske Aktieselskab for Elektrokemisk Industri;

3. That the property identified as follows: Patent application identified as follows:

Serial Number, Filing Date, Inventor and Title

483,475; 4–17–43; G. Hagerup-Larsen; Suspension of self-baking electrodes.

is property of a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3322; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3093]

WILHELM DRESE, ET AL.

In re: United States Patent of Wilhelm Drese, Gunther Meyer-Jagenberg and/or Jagenberg-Werke Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Wilhelm Drese and Gunther Meyer-Jagenberg are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That Jagenberg-Werke Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is property of Wilhelm Drese, Gunther Meyer-Jagenberg and/or Jagenberg-Werke Aktiengesellschaft;

4. That the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor and Title

2,060,047; 8–3–37; W. Drese; Machine for punching or likewise forming of articles of paper, cardboard, etc.

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3323; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3094]

ARGUS MOTORENGESELLSCHAFT M. B. H.

In re: Patent of Argus Motorengesellschaft m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Argus Motorengesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Argus Motorengesellschaft m. b. H.;

3. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,017,035; 10–15–35; William Leicester Avery; Operating means for brakes and the like.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or rigth to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3324; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3095]

HENRY SCHANTZ

In re: United States Patents owned by Henry Schantz.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Henry Schantz is a resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Henry Schantz;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

1,826,577; 10–6–31; Henry Schantz; Molding machines.

1,902,047; 3–21–33; Henry Schantz; Molding tool for molding machines.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereof. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3325; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3096]

OSCAR NEESEN, ET AL.

In re: Interests of Oscar Neesen, Friedrich A. Siess and Land-und Forstwirtschaftliche Betriebsgesellschaft m. b. H. in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oscar Neesen and Friederich A. Siess are residents of Germany and are nationals of a foreign country (Germany);

2. That Land-und Forstwirthschaftliche Betriebsgesellschaft m. b. H. is a corporation having its principal place of business in Germany and is a national of a foreign country (Germany);

3. That the property identified in subparagraph 5a hereof is property of Oscar Neesen and Friedrich A. Siess;

4. That the property identified in subparagraph 5b hereof is property of Land-und Forstwirtschaftliche Betriebsgesellschaft m. b. H;

5. That the property described as follows:

(a) An undivided one-third interest remaining in Oscar Neesen and Friedrich A. Siess after a transfer by them to each of Jack Herly and Land-und Forstwirtschaftliche Betriebsgesellschaft m. b. H. of an undivided one-third interest, by an assignment dated February 6, 1936 and recorded in the assignment records of the United States Patent Office on October 8, 1936 at Liber H–168, page 584, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,157,622; 5–9–39; Oscar Neesen & Friedrich A. Siess; Method of making building panels.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) An undivided one-third interest transferred to Land-und Forstwirtschaftliche Betriebsgesellschaft m. b. H. by an assignment dated February 6, 1936 and recorded in the assignment records in the United States Patent Office on October 8, 1936 at Liber H–168, page 584, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,157,622; 5–9–39; Oscar Neesen & Friedrich A. Siess; Method of making building panels.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of nationals of a foreign country (Germany),

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien

Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3326; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3097]

JOHANN BACSA AND STEPHAN MITTLER

In re: Interests of Johann Bacsa and Stephan Mittler in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johann Bacsa and Stephan Mittler are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 4a hereof is property of Johann Bacsa;

3. That the property identified in subparagraph 4b hereof is property of Stephan Mittler;

4. That the property described as follows:

(a) An undivided three-fifths interest, remaining in Johann Bacsa after a transfer by him to each of Alfred Oberle and Stephan Mittler of an undivided one-fifth interest, by an assignment dated November 7, 1930 and recorded in the assignment records of the United States Patent Office on December 15, 1930 at Liber Q–146, page 399, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,007,170; 7–9–35; Johann Bacsa; Oxide electrode for alkaline accumulators.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) An undivided one-fifth interest transferred to Stephan Mittler by an assignment dated November 7, 1930 and recorded in the assignment records of the United States Patent Office on December 15, 1930 at Liber Q–146, page 399, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,007,170; 7–9–35; Johann Bacsa; Oxide electrode for alkaline accumulators.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3327; Filed, March 8, 1944; 11:31 a. m.]

[Vesting Order 3152]

EVELYN M. PETERS

Correction

Vesting Order 3152 (F.R. Doc. 44–2824, appearing on page 2416 of the issue for Wednesday, March 1, 1944) was filed with the Division of the Federal Register on February 28, not February 18, 1944.

[Vesting Order 3174]

KAISER-WILHELM INSTITUTE

In re: The rights of Kaiser-Wilhelm Institute under United States Patent No. 1,997,988.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Kaiser-Wilhelm Institute is a business organization organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Kaiser-Wilhelm Institute;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) owned by Kaiser-Wilhelm Institute under Patent No. 1,997,988 or created in Kaiser-Wilhelm Institute by virtue of an assignment-agreement dated July 29, 1932 (including all modifications thereof and supplements thereto, if any) by and between Franz Wever and Ajax Electrothermic Corporation, which assignment-agreement relates, among other things, to United States Letters Patent No. 1,997,988,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3342; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3175]

RICHARD E. MULLER AND KUPPERS METALLWERKE GESELLSCHAFT M. B. H.

In re: Interests of Richard E. Muller and Kuppers Metallwerke Gesellschaft m. b. H. in an agreement with The Grasselli Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Richard E. Muller is a resident of Germany and is a national of a foreign country (Germany);

2. That Kuppers Metallwerke Gesellschaft m. b. H. is a company organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is property of Richard E. Muller and Kuppers Metallwerke Gesellschaft m. b. H.;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Richard E. Muller and Kuppers Metallwerke Gesellschaft m. b. H., and each of them, by virtue of an agreement dated December 8, 1933 (including all modifications thereof and supplements thereto, if any) by and between Richard E. Muller, Kuppers Metallwerke Gesellschaft m. b. H. and The Grasselli Chemical Company, which agreement relates, among other things, to Patent No. 1,949,916,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3343; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3176]

SIEMENS-SCHUCKERTWERKE A. G.

In re: Interest of Siemens-Schuckertwerke Aktiengesellschaft in an agreement dated February 10, 1941 with General Electric Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Siemens-Schuckertwerke Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens-Schuckertwerke Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke Aktiengesellschaft by virtue of an agreement dated February 10, 1941 (including all modifications thereof and supplements thereto, if any) by and between General Electric Company and Siemens-Schuckertwerke Aktiengesellschaft, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,276,784,

is propery payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held herein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3344; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3177]

SOCIETE FRANCAISE DE FILETAGE INDESSERRABLE D. D. G., ET AL.

In re: Interests of Societe Francaise de Filetage Indesserrable D. D. G., Hugues Louis Dardelet, Marcel Levy, Hyacinthe Cagninacci and Charles Giafferi in an agreement between Societe Francaise de Filetage Indesserrable D. D. G. and Dardelet Threadlock Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe Francaise de Filetage Indesserrable D. D. G. is a business organization organized under the laws of France and is a national of a foreign country (France);

2. That Hugues Louis Dardelet, Marcel Levy, Hyacinthe Cagninacci and Charles Giafferi are residents of France and are nationals of a foreign country (France);

3. That the property described in subparagraph 4 hereof is property of Societe Francaise de Filetage Indesserrable D. D. G., Hugues Louis Dardelet, Marcel Levy, Hyacinthe Cagninacci and Charles Giafferi;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor), created in Societe Francaise de Filetage Indesserrable D. D. G., Hugues Louis Dardelet, Marcel Levy, Hyacinthe Cagninacci and Charles Giafferi, and each of them, by virtue of an agreement dated June 26, 1928 by and between Societe Francaise de Filetage Indesserrable D. D. G. and Dardelet Threadlock Corporation (including all modifications of and supplements to such agreement, including, but without limitation, seven memoranda dated October 23, 1928 from Dardelet Threadlock Corporation to Societe Francaise de Filetage Indesserrable D. D. G. and accepted by the latter company, and two supplemental agreements executed by Dardelet Threadlock Corporation and Societe Francaise de Filetage Indesserrable D. D. G. dated December 6, 1935 and October 3, 1939, respectively) which agreement, as modified and supplemented, relates, among other things, to certain United States Letters Patent, including Patent No. 1,657,244,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3345; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3190]

HERMANN FOTTINGER, ET AL.

In re: Patents of Hermann Fottinger, Franz Kruckenberg, Curt Stedefeld and Flugbahn-Gesellschaft m. b. H. and interests of Allgemeine Elektricitats-Gesellschaft, Hermann Fottinger and Flugbahn-Gesellschaft m. b. H. in agreements among themselves and with General Electric Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Allgemeine Elektricitats-Gesellschaft and Flugbahn-Gesellschaft m. b. H. are corporations organized under the laws of Germany and are nationals of a foreign country (Germany);

2. That Hermann Fottinger, Franz Kruckenberg and Curt Stedefeld are residents of Germany and are nationals of a foreign country (Germany);

3. That the property identified in subparagraph 8a hereof is property of Hermann Fottinger;

4. That the property identified in subparagraph 8b hereof is property of Curt Stedefeld and/or Franz Kruckenberg and/or Flugbahn-Gesellschaft m. b. H.

5. That the property identified in subparagraphs 8c and 8d hereof is property of Allgemeine Elektricitats-Gesellschaft and Hermann Fottinger;

6. That the property identified in subparagraph 8e hereof is property of Allgemeine Elektricitats-Gesellschaft and Flugbahn-Gesellschaft m. b. H;

7. That the property identified in subparagraph 8f hereof is property of Allgemeine Elektricitats-Gesellschaft;

8. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent,

Patent Number, Date of Issue, Inventor, and Title

1,984,958; 12-18-34; Ulrich Barske; Individual two or multistage axle drive for rail vehicles with Fottinger gears.

2,099,901; 2-4-36; Willy Black; Transmission gear.

2,063,145; 12-8-36; Ulrich Barske; Hydraulic transmission gear for land vehicles in particular railway vehicles.

2,063,471; 12-8-36; Curt Stedefeld; Multistage hydraulic coupling.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Allgemeine Elektricitats-Gesellschaft and Hermann Fottinger, and each of them, by virtue of an agreement dated September 1, 1939 (including all modifications thereof and supplements thereto, if any) by and between Allgemeine Elektricitats-Gesellschaft, Hermann Fottinger and General Electric Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,975,505,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Allgemeine Elektricitats-Gesellschaft and Hermann Fottinger, and each of them, by virtue of an agreement dated February 1 and 6, 1934 (including all modifications thereof and supplements thereto, if any) by and between Allgemeine Elektricitats-Gesellschaft and Hermann Fottinger, which agreement relates, among other things, to United States Letters Patent, including Patent No. 1,975,505,

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Allgemeine Elektricitats-Gesellschaft and Flugbahn-Gesellschaft m. b. H., and each of them, by virtue of an agreement dated September 30 and October 3, 1936 (including all modifications thereof and supplements thereto, if any) by and between Allgemeine Elektricitats-Gesellschaft and Flugbahn-Gesellschaft m. b. H., which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,063,471,

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Allgemeine Elektricitats-Gesellschaft by virtue of an agreement dated June 20, 1939 (including all modifications thereof and supplements thereto, if any) by and between Allgemeine Elektricitats-Gesellschaft and General Electric Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,147,528,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 16, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor, and Title

Re. 21,035; 3–28–39; Hermann Fottinger; Hydraulic transmission gear.

1,975,505; 10–2–34; Hermann Fottinger; Filling device for hydraulic gears.

2,093,042; 9–14–37; Hermann Fottinger; Gear system with flywheels.

2,004,279; 6–11–35; Hermann Fottinger; Fluid driven and driving apparatus.

2,093,127; 9–14–37; Hermann Fottinger; Hydraulic gear.

2,114,179; 4–12–38; Hermann Fottinger; Power transmission devise.

2,124,914; 7–26–38; Hermann Fottinger; Rotating bowl pump.

2,126,547; 8–9–38; Hermann Fottinger; Turbomechanical transmission gear.

2,130,717; 9–20–38; Hermann Fottinger; Turbotorque transformer.

2,135,282; 11–1–38; Hermann Fottinger; Power transmission device.

2,147,528; 2–14–39; Hermann Fottinger; Turbomechanical transmission gear.

2,159,143; 5–23–39; Hermann Fottinger; Hydraulic transmission gear.

2,173,713; 9–19–39; Hermann Fottinger; Hydraulic gear.

2,226,760; 12–31–40; Hermann Fottinger; Power transmission device.

[F. R. Doc. 44–3346; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3215]

HATTIE P. DANIELSON

In re: Estate of Hattie P. Danielson, deceased; File: D–28–7681; E. T. sec. 8221.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur G. Stangland, Executor, acting under the judicial supervision of the County Court of the State of Oregon for the County of Clatsop;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Hattie Ludwig-Paul, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Hattie Ludwig-Paul in and to the Estate of Hattie P. Danielson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3347; Filed, March 8, 1944; 11:32 a. m.]

[Vesting Order 3216]

ALMA M. GANTZER

In re: Estate of Alma M. Gantzer, deceased; File F–28–6007; E. T. sec. 7122.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter H. Eden, 64–25 85th Road, Woodhaven, New York, Executor, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eva Klischat, Berlin, Germany.

Max Ahlers, his wife Maria Ahlers and their issue, Hamburg, Germany.

Emma Schmidt and her issue, Hamburg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eva Klischat, Max Ahlers, his wife Maria Ahlers and their issue and Emma Schmidt and her issue, and each of them, in and to the estate of Alma M. Gantzer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3348; Filed, March 8, 1944; 11:33 a. m.]

[Vesting Order 3217]

MIKE GEORGEFF

In re: Estate of Mike Georgeff, deceased; File: D–17–359; E. T. sec. 7967.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Julia L. Armont, Administratrix, acting under the judicial supervision of the District Court of the County of Judith Basin, Montana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Heirs, devisees, legatees or personal representatives, names unknown, of Mike Georgeff, deceased, Bulgaria.

And determined that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of heirs, devisees, legatees or personal representatives, names unknown, of Mike Georgeff, deceased, and each of them, in and to the Estate of Mike Georgeff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3349; Filed, March 8, 1944; 11:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I Order G–57 Under RMPR 122]

SOLID FUELS IN NORWICH, CONN., AREA

Order No. G–57 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Norwich, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1349.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Norwich, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–57 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–57. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–57 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sale of specified kinds, sizes and quantities of solid fuels on a "Direct delivery" basis at any point in the Norwich, Connecticut, Area:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.75	$8.90	$4.70	$0.95
Pea	14.20	8.10	4.30	.90
Buckwheat	12.55	6.80	3.65	.75
Rice	11.70	6.35	3.45	.70
Yard screenings	8.50	----	----	----
Koppers coke: Egg, stove and chestnut	15.30	8.25	4.40	.90
Ambricoal	16.05	8.55	4.55	.90

Provided, however, That for deliveries to consumers whose bins or storage facilities are located in Marlboro, the sum of 50 cents per ton, or 25 cents per half-ton, or 15 cents per quarter-ton, may be added to the foregoing prices.

(2) *Quantity discount.* The foregoing per net ton prices shall be reduced by 50 cents per ton on sales to consumers whose annual purchases amount to 50 tons, or more. A consumer's annual purchases determine his classification whether or not he purchased all of his requirements from a single dealer.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up flights of stairs	$0.70	$0.35	$0.15
For any carry up flights of stairs, per flight	.30	.15	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Norwich, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.75	$7.90	$3.95	$0.85
Pea	14.20	7.10	3.55	.80
Buckwheat	11.55	5.80	2.90	.65
Rice	10.70	5.35	2.70	.60
Yard screenings	7.50	----	----	----
Koppers coke: Egg, stove, chestnut	14.30	7.30	3.65	.80
Ambricoal	15.05	7.55	3.80	.80

(2) *Quantity discount.* The provisions of subparagraph (2) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half ton	25
Per quarter ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c), including those prices as reduced in accordance with paragraphs (b) (2) and (c) (2), shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net thirty days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Norwich, Connecticut, Area to dealers in fuels who resell them.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$15.75	$8.90	$4.45
Pea	12.20	6.10	3.05
Buckwheat	9.55	4.80	2.40
Rice	8.70	4.35	2.20
Yard screenings	2.80	----	----
Koppers coke: Egg, stove, chestnut	12.30	6.25	3.15
Ambricoal	13.05	6.55	3.30

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half ton	25
Per quarter ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Definitions.* When used in this Order G–57, the term:

(1) "Norwich, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Bozrah, Colchester, Griswold, Franklin, Lisbon, Marlboro, Norwich, Preston, Salem, Sprague, and Voluntown.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, Koppers coke and ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(5) "Koppers coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(6) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(7) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(8) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(9) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid, or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so if a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–57 shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3292; Filed, March 7, 1944; 3:51 p. m.]

[Region I Order G–56 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MONTPELIER, VT., AREA

Amendment No. 1 to order No. G–56 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Montpelier, Vermont, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order G–56 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Subparagraph (2) of paragraph (b) is amended to read as follows:

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places: Barre (both city and township), Berlin, East Montpelier, Montpelier, Northfield, Orange, Plainfield, Roxbury and Williamstown.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

	Per net ton	Per ½ ton	Per ¼ ton
Brookfield, Calais, Marshfield, Middlesex, Washington and Worcester	$0.50	$0.25	$0.15
Cabot	1.00	.50	.25

2. Subparagraph (1) of paragraph (f) is amended by deleting the word "Waitsfield".

This Amendment No. 1 to Order No. G–56 shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3286; Filed, March 7, 1944; 3:54 p. m.]

[Region II Order G–1 Under MPR 280 as Amended]

Fluid Milk in New York Region

Order No. G–1 under § 1351.817 (a) of Maximum Price Regulation No. 280, as amended. Maximum Prices for specific food products. Maximum prices for inter-handler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended, it is hereby ordered:

(a) On and after February 16, 1944, regardless of any contract, agreement or other obligation, no handler (as hereinafter defined in section (i)) shall sell or deliver fluid milk in other than glass or paper containers, and no handler or dealer in the course of trade or business shall buy fluid milk in other than glass or paper containers at a price higher than the maximum price permitted by this Order No. G–1; and no handler or dealer (as hereinafter defined in section (i)) shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The maximum price at which a primary handler (as hereinafter defined in section (i)) may sell or deliver fluid milk at wholesale, in other than glass or paper containers, to any purchaser, other than a store, hotel, restaurant or institution, and the maximum price at which any purchaser other than a store, hotel, restaurant or institution, in the course of trade or business, may purchase or receive such fluid milk from a primary handler at a receiving or processing plant within the States of New York, New Jersey, Pennsylvania, Delaware, Maryland and the District of Columbia comprising Region II of the Office of Price Administration, shall be the applicable maximum price specified below:

(1) Where such entire annual output is sold or delivered to a single purchaser pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 25¢ per cwt., f. o. b., primary handler's receiving or processing plant.

(2) Where a stated quantity but less than such entire annual output is sold or delivered to a purchaser for 6 or more consecutive days pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 30¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(3) Where fluid milk is sold or delivered to a purchaser for 5 or less consecutive days pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 40¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(c) A primary handler is permitted to add to the applicable maximum price specified in section (b) hereof, (1) a charge not to exceed 3¢ per cwt. for the sale or delivery of such milk in 40 to 47 quart cans, and (2) an additional charge not to exceed 5¢ per can when such cans are supplied by such primary handler: *Provided*, That such additional charges in all cases must be separately shown and separately stated on the invoice: *And provided, further*, That such additional charges may be made only in those cases where the purchaser voluntarily requests the delivery of fluid milk in cans. The primary handler may not, as a condition for the sale or delivery of fluid milk, require the purchaser to request or to take delivery in cans.

(d) For pasteurizing fluid milk a primary handler may add to the applicable maximum price specified in section (b) hereof, a charge not to exceed 15¢ per can when such milk is sold or delivered in 40 quart cans, or 17¢ per cwt. when such milk is sold in 47 quart cans or by the hundredweight, *Provided*, That such additional charge for pasteurization must be separately shown and separately stated on the invoice.

(e) In the event that a primary handler delivers such fluid milk to a place designated by the purchaser, there may be added to the applicable maximum price established in section (b) hereof, transportation charges not to exceed the lowest of any of the following:

(1) The lowest available common carrier rate, or

(2) The lowest available contract carrier rate, or

(3) When transportation is provided in trucks owned or controlled by the seller, the reasonable value of such transportation.

(f) The maximum price at which an intermediate handler (as hereinafter defined in section (i)) may sell and deliver fluid milk at wholesale in other than glass or paper containers to any purchaser other than a store, hotel, restaurant or institution, and the maximum price at which any purchaser other than a store, hotel, restaurant or institution, in the course of trade or business, may purchase or receive such fluid milk from an intermediate handler within the States of New York, New Jersey, Pennsylvania, Delaware, Maryland and the District of Columbia comprising Region II of the Office of Price Administration, shall be the price at which such fluid milk was purchased from a primary handler in accordance with section (b) hereof, plus can, transportation and pasteurization costs, if any, in accordance with sections (c), (d) and (e) hereof plus a markup no greater than the difference, if any, between the markup the primary handler was entitled to take under section (b) hereof and the markup the intermediate handler would be entitled to take on the sale by him if such sale had been made by him as a primary handler. For example, if an intermediate handler purchases the entire annual output of fluid milk from a primary handler's plant and paid for such milk in accordance with section (b) (1) hereof, and if such interhandler resells such fluid milk in accordance with section (b) (2) hereof, he shall be entitled to the difference between the 25¢ markup prescribed in section (b) (1) and the 30¢ markup prescribed in section (b) (2). If an intermediate handler purchases fluid milk from a first interhandler, in accordance with section (b) (2) hereof and resells such milk in accordance with section (b) (3) hereof, such second intermediate handler shall be entitled to the difference between the markup prescribed in section (b) (2) and the markup prescribed in section (b) (3). It is the purpose of this section to prevent successive intermediate handlers from adding successive markups at the full amount permitted by sections (b) (1), (2) or (3) to the end that the aggregate markups taken by all handlers shall not exceed 40¢ per cwt.

(g) Every broker taking part in a sale of fluid milk by a primary handler or intermediate handler shall be considered the agent of the seller and the amount paid such broker for such sale plus the amount paid the seller for such sale, shall not exceed the maximum price as established herein.

(h) *Geographical applicability.* The provisions of this order shall apply to all sales by primary and intermediate handlers of fluid milk which is first physically received from producers at receiving or processing plants within Region II.

(i) *Definitions.* (1) "Fluid milk" means liquid cow's milk resold for human consumption in fluid form.

(2) "Handler" means any person who, on his own behalf or on behalf of another, purchases fluid milk from producers, associations of producers, or other handlers, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(i) A "producer" is also a handler with respect to that fluid milk purchased by him from other producers, associations of producers, or other handlers, which fluid milk is sold by him at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(ii) A "farmers' cooperative" is also a handler with respect to that fluid milk processed for it by operators of milk receiving or processing plants, and with respect to that fluid milk handled in physical facilities for receiving, processing, or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(3) "Primary handler" means a handler who purchases fluid milk from producers and resells such fluid milk in bulk to other handlers and dealers.

(4) "Intermediate handler" is a handler who purchases fluid milk from primary handlers or other intermediate handlers and resells such fluid milk in bulk to other handlers or dealers.

(5) "A dealer" means any person who sells fluid milk at retail, or at wholesale in glass or paper containers, or at wholesale in other than glass or paper containers to stores, hotels, restaurants, and institutions.

(6) "Contract price" means the price agreed upon between a handler and a purchaser.

(7) "The primary handler's fluid milk cost" means the price paid for fluid milk by a primary handler to a producer but not exceeding the maximum price established therefor under Maximum Price Regulation No. 329, as amended, or any applicable order issued under said regulation. If a primary handler purchases or receives fluid milk from a producer under the provisions of any order, agreement or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, "the primary handler's fluid milk cost" shall mean the price paid by such primary handler to such producer under such order, agreement or license.

(8) "F. o. b. the primary handler's receiving or processing plant" means delivered at the seller's receiving or processing plant.

(9) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(j) This order may be amended, revoked or corrected at any time.

(k) This order shall become effective February 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3293; Filed, March 7, 1944; 3:50 p. m.]

[Region III Order G–1 Under RMPR 271, Amdt. 1]

Wholesale Prices of Dry Onions in Cleveland Region

Amendment No. 1 to Order No. G–1 under Revised Maximum Price Regulation No. 271. Order adjusting maximum wholesale prices of dry onions sold in Region III.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1001, Article II, section 11 (c) (7) (iii) of Revised Maximum Price Regulation No. 271, it is hereby ordered that section (b) of Order No. G–1 under Revised Maximum Price Regulation No. 271 be amended to read as set forth below.

(b) *Maximum prices for intermediate sellers.* (1) On the effective date of this order and on Wednesday of each week thereafter, the seller shall calculate his maximum prices for each grade of onion by determining his base price as provided in Article II, section 11 of Revised Maximum Price Regulation No. 271. The seller shall next determine whether he is a first or second intermediate seller as defined in this order. He shall then add to his base price for each grade and variety of dry onions the appropriate mark-up as specified in Schedule A of this order for the particular distributive function which he performs on each individual sale.

(2) Any first intermediate seller of dry onions may file in duplicate with the appropriate District Office of the Office of Price Administration, a statement in affidavit form showing that from October 1, 1943, through December 31, 1943, at least 65% of its dollar volume of all fresh fruit and vegetable sales were made to retailers or to purveyors of meals. The appropriate District Office of the Office of Price Administration upon approving such affidavit may issue written authorization permitting such first intermediate sellers of dry onions to make sales to retailers, hotels, restaurants, or institutional users at the prices set forth in Schedule A (2) for second intermediate sellers. Nothing in such authorization shall be construed to permit any change in the maximum price for sales to other intermediate sellers.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–3288; Filed, March 7, 1944; 3:54 p. m.]

[Saginaw Order G–1 Under MPR 429]

Rebuilt Upholstered Furniture in Saginaw District, Mich.

Order No. G–1 under Maximum Price Regulation No. 429, adjusting maximum prices of certain articles of rebuilt upholstered furniture.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Saginaw District Office of the Office of Price Administration by sections 9 and 10 of Maximum Price Regulation No. 429 and by Amendment No. 4 to Delegation Order No. 1–A, issued by the Regional Administrator of Region III, it is hereby ordered:

Section 1. *What this order does.* Pursuant to section 9 of Maximum Price Regulation No. 429, this order grants permission to sellers at retail to sell certain articles or rebuilt upholstered furniture at prices higher than the maximum prices prescribed by said regulation in instances where such rebuilding entails expenditures for labor and material so substantial in amount that sellers cannot reasonably be expected to rebuild properly such articles for resale at maximum prices fixed by the regulation.

Sec. 2. *What articles are covered by this order.* "Article," when used in this order, refers to one unit of rebuilt upholstered living room furniture (spring type), either an upholstered chair or upholstered davenport, such article having been thoroughly rebuilt in accordance with standards set forth in section 3 of this order. Each such article must incorporate the following general distinctive features:

(a) A coil spring foundation platform and a coil spring back which in each instance is supported by and sewed to upholsterer's webbing (or an all-steel unit (spring type) of the kind termed "construction" in the furniture trade).

(b) Separate seat cushions having spring units incorporating multiple numbers of coil springs.

(c) All such spring units (foundation platform, back assembly, and cushion) being properly tied, padded and covered with materials as specified and required by this order.

(d) Covered over all with a cloth covering (upholsterer's fabric) of a grade suitable for pricing in accordance with the pricing chart (Appendix A) of this order.

In appearance, workmanship, and styling, the rebuilt article must be comparable to, and offer a service value approximately equal to, a new article of similar character, construction, and quality.

Sec. 3. *Thorough rebuilding required.* No articles covered by this order shall be sold at the higher prices fixed by this order unless they have, prior to their being offered for sale, been thoroughly rebuilt. Thorough rebuilding shall include the following operations:

(a) The used article must be stripped to the bare frame.

(b) All old materials, padding, webbing, twine, covers, etc., with the exception of the frame and the springs, must be disposed of and not used in any manner in rebuilding the article.

(c) The frame and spring parts, which are to be incorporated in the rebuilt article, are to be sanitized by fumigation or by spraying.

(d) Where the frame is loose or broken, it is to be repaired by retightening, realigning, and regluing, paying special attention to the corner blocks, so that the frame is sturdy and comparable in utility value to a new frame. Any section of the frame which is split must be replaced.

(e) *Platform springs.* No misshaped, broken, or rusty springs shall be used in the rebuilt article. All springs not having suitable resilience to render good service shall be replaced with new (within War Production Board limitations) or used springs of comparable quality.

(f) "Rope-tied" spring assemblies shall be completely retied with new upholsterer's standard 6-ply 60 or better spring twine in a manner and pattern to provide serviceability, using not less than the number of ties to each spring indicated for each group in the pricing chart of Appendix A. The springs shall be securely sewed to and supported by upholsterer's webbing (Note 1), and shall in all instances be tied top and bottom and to the front frame member. Description of the different ties to be used are as follows:

(i) "Four-tie" shall mean that each spring coil in the (platform and back) spring constructions is tied twice in a twine run front to back and tied twice in a twine run from side to side (four ties in all to each spring).

(ii) A "six-tie" incorporates the "four-tie" and in addition has one twine run across each spring in a diagonal manner, tying twice on each spring (six ties in all to each spring.)

(iii) An "eight-tie" incorporates the "four-tie" and in addition has two diagonal twine runs (at right angles to each other) across the bed, tying twice on each spring (eight ties in all to each spring.)

(g) "Construction type" all steel spring assemblies, where used, shall be required with replacement springs where out of shape, broken, or rusty, and shall be retied with wire, duplicating as near as possible the original construction, or (alternatively) retied with twine, using the eight-tie construction outlined in paragraph (f) (iii).

(h) The platform spring assembly of each davenport priced under this order must have a minimum of 27 coil springs; each chair a minimum of 9 coil springs.

(i) *Back spring assembly.* The spring assembly in the back of each davenport and chair shall be sewed to the back webbing and twine tied with the number of ties (or more) required for the price class of the article.

(j) Before placing any filling over the platform and back spring assemblies, the assemblies shall be covered with a durable heavy fabric (Note 2).

(k) New moss (Note 3) filling must be used as a filler over the platform and back spring assemblies and in the arms. In Classes A and B, this may consist of 50 per cent clean moss and 50 per cent clean tow; in all other classes, 100 per cent clean moss only can be used. Over the filler, at least one layer of cotton felt padding is required. A roll edge (1½") shall be placed over the front edge of the springs in the platform assembly. The deck covering over the filler in the platform assembly shall be of a good durable grade of denim, or other suitable cloth generally used by upholsterers.

(l) *Arms and back.* In keeping with the style of the article the arm and back frame members shall be well padded, using materials allowed in sub-paragraph (k) above, particular attention being given that edges are sufficiently covered to prevent cutting of covering fabric.

(m) *Covering fabric.* Each article shall be covered with a covering fabric using upholsterer's fabric of a grade with the price class of the article as determined by the pricing chart (Appendix A) of this order. With the exception of the legs and the bottom and top (deck) of the foundation platform, the article shall be completely covered with the same grade of fabric. On the front edge of the deck, a suitable overlapping must be made so that deck covering is not exposed to view when the seat cushions are in place.

(n) *Seat cushions.* The article shall have separate seat cushions incorporating coil spring assemblies of the "Marshall type," (each coil being in its own individual cloth pocket). Each seat cushion must be covered top, bottom, and sides with the same grade upholstering fabric used on the back and arms of the article. No broken, crooked, or rusty spring coils shall be used in the cushion units, and the spring assembly shall have good resilience. If a one-piece exposed unit type spring coil construction is used in the seat cushions instead of the "Marshall-type" spring assembly, as mentioned above, 50 cents must be deducted for each cushion in the article or suite.

(o) *Wood parts.* All exposed wooden parts shall be refinished or replaced with new parts so that they present an unblemished appearance. Articles priced in Groups C, D, E, and F must have new feet of appropriate design.

NOTES

NOTE 1. *Webbing.* In all instances, the webbing used in any rebuilt upholstered article covered by this Order shall be new. In the platform (bottom) spring construction a grade weighing not less than 7½ pounds to the 72 yard roll must be used. In the back spring construction a grade weighing 5½ pounds or more to the 72 yard roll must be used.

In Groups A and B, wood slats of seasoned hardwood may be used in lieu of webbing, these to be securely placed in the frame so as to render service comparable to webbing; or, also as an alternative, heavy canvas of the type used by upholsterers for spring suspension may be used.

NOTE 2. *Spring covering fabric.* Upholsterer's deck or burlap or, if unobtainable, "Canaberg" or other material of comparable quality must be used.

NOTE 3. *Moss.* New moss or a clean material of comparable quality and serviceability may be used. (Excelsior or similar materials are not permissible.)

SEC. 4. *Identification of merchandise and warranty required by sellers, etc.* (a) *Tagging.* Each article of rebuilt upholstered furniture priced pursuant to this order must be plainly identified by the seller's identification number for the article. This shall be accomplished by securely fixing to each article a tag on which such number is legibly printed and there shall also be included a statement to the effect that the article has been priced in accordance with Order No. 1, under section 9 of Maximum Price Regulation No. 429, issued by the Saginaw District Office of the Office of Price Administration, and that the article has been thoroughly rebuilt as required by each order and is warranted by the seller to give a service closely comparable to that of a new article of similar price. This tag must accompany the article when delivered to the purchaser and must not be removed by the seller.

(b) *Records, invoices, etc.* Complete records of price determination, cost data, and sales shall oe kept during the effective period of this order and shall be open to inspection by officials of the Office of Price Administration at any time. A sales slip or invoice must in each instance be rendered to the purchaser and shall set forth the identification number of the article and the amount paid, and shall also include a detailed statement as to any other permissible charges, such as allowed by section 11 of Maximum Price Regulation No. 429.

SEC. 5. *Maximum prices permitted by this order.* Articles of rebuilt upholstered furniture, where all the requirements of this order have been met, are to be priced in accordance with Appendix A, which is hereby incorporated in and made a part of this order.

In establishing a price for a rebuilt suite or article under this order, the retail seller determines the price class and maximum retail price by:

(a) Determining the group (A–B–C–D–E or F) in which the article(s) meets all the minimum requirements of styling, inside arm to arm dimensions of the davenport, spring and tying construction of the platform assembly and/or the back, and other specific requirements, and then,

(b) Determining the price group of upholsterer's cloth fabric used in covering the article(s), such being established in accordance with the pricing chart of Appendix A using the jobber's (OPA)[1] prices for cut rolls of fabrics from jobber's warehouse.

In the above determinations, it is considered that the retail seller is also the rebuilder (retail-rebuilder) of the article(s) and that the covering has been purchased through a jobber source of supply.

If the fabric has been purchased by a retail-rebuilder from a source other than a jobber, he shall take the cut-roll price for the same or similar (cloth grade) fabric sold by the jobber usually supplying him, or, lacking a jobber source of supply, the cut-roll price of the mill's branch warehouse (in his locality) selling same.

If the retail seller is not the rebuilder of the article(s), he shall secure from the rebuilder a statement indicating the price class of the fabric used to cover the article, said rebuilder using the provisions of the preceding paragraph and of paragraph (b) above, as if he were a retail rebuilder.

The price class and the maximum retail price is then determined, being indicated in the Pricing Chart (Appendix A) by the crossing of the group standard's (horizontal) column and the fabric price column (vertical). Examples: A "Group" B suite with a No. 3 "Fabric" price ($1.51 to $2.50) becomes a "Class B3" suite with a maximum price at retail of $160.00."

Prices indicated in the Pricing Chart are for a suite comprising a davenport and a companion chair. If the davenport is sold separately, the price may not exceed 68 per cent of the established maximum price for the suites; likewise, if the chair is sold separately, the price may not exceed 32 per cent of the established maximum price for the suite. Odd pieces may be priced in a similar manner.

SEC. 6. *Order permissive, not mandatory.* It is entirely optional with each seller whether or not he desires to avail himself of this order. Such option may be exercised or not at the seller's election with respect to each separate and individual article of the kind and type covered by this order. With respect to any individual articles, which the seller elects to price in accordance with this order, all requirements of this order must be fully performed.

[1] Jobber's prices used in this order must not exceed the jobber's maximum prices as established by the governing Office of Price Administration regulation. It is the jobber's cut-roll price, f. o. b. warehouse, and transportation charges are not to be added in determining price group.

SEC. 7. *Jurisdiction, etc.* (a) This order has application to all territory within the jurisdiction of the Saginaw District Office, Region III, of the Office of Price Administration.

(b) *Effect on Maximum Price Regulation No. 429.* Except to the extent that a departure from the provisions of Maximum Price Regulation No. 429 is expressly permitted or required by this order, sellers shall comply with all of the terms and provisions of Maximum Price Regulation No. 429 as the same now exists or may at any time hereafter be amended.

(c) *Revocation.* This order may be revoked, amended or corrected at any time. It may be revoked as to any individual seller who has elected to avail himself of the benefits hereof and who is unable to establish to the satisfaction of the District Director after reasonable notice and opportunity to be heard that he has complied with the terms and conditions imposed in consideration of which the charging of prices higher than those fixed by Maximum Price Regulation No. 429 is permitted by this order.

This order shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of February 1944.

JOHN F. KESSEL,
District Director.

APPENDIX A—PRICING CHART FOR COMPLETE SUITES

[For separate davenports, use 68% for chairs, 32%]

Group determination	Fabric price classification [2]			
	1	2	3	4
	Up to $1.00	$1.01 to $1.50	$1.51 to $2.50	$2.51 to $3.50
A. Plain lines, small in size, usually not restyled. Inside arm to arm dimension of davenport, not less than 56 inches. Minimum Four-tie spring construction in platform and back. Wood slats or canvas allowed as a substitute for webbing.	Class A–1, $99.50.	Class A–2, $120.00.	Class A–3, $135.00.	
B. Styles, such as English Lounge, Lawson, Charles of London, and similar, not requiring restyling; inside arm to arm dimension of davenport, not less than 56 inches. Minimum four-tie spring construction in platform and back. Wood slats or canvas allowed as a substitute for webbing.	Class B–1, $120.00.[1]	Class B–2, $140.00.[1]	Class B–3, $160.00.[1]	
C. Larger size suites of the conventional type, restyled by squaring off and rebuilding arms and back. Modernized (type) feet and arm panels. Inside arm to arm dimensions of davenport, not less than 60 inches. Spring construction—minimum four-tie in platform and back. No substitutes for webbing acceptable.	Class C–1, $150.00.[1]	Class C–2, $165.00.[1]	Class C–3, $190.00.[1]	Class C–4, $215.00.[1]
D. Same as Group C above, excepting that platform springs have minimum of 8-ties and back springs minimum of 4-ties.	Class D–1, $160.00.	Class D–2, $175.00.	Class D–3, $200.00.	Class D–4, $225.00.

Group determination	Fabric price classification [2]				
	2	3	4	5	6
	$1.01 to $1.50	$1.51 to $2.50	$2.51 to $3.50	$3.51 to $5.00	$5.01 to $7.50
E. Better class type suites, restyled with modern wide arm construction. Inside arm to arm dimension of davenport, not less than 60 inches. Requires *8-tie* (or better) spring construction in platform and in back. Deck of platform covered with suede cloth. Modern type legs required and suite is to be finished in finer detail, using panel construction on arms. No substitutes for webbing allowed and where frames are reinforced with metal, screws, not nails, shall be used.	Class E–2, $190.00.	Class E–3, $210.00.	Class E–4, $235.00.	Class E–5, $260.00.	
F. Includes all of the larger and finest type suites having doweled frames and an inside arm to arm dimension of the davenport of not less than 66 inches, and arms not less than 9 inches at the narrowest point. Requires *eight-tie* (or better) spring construction in platform and in back with platform covered with suede cloth. No substitutes for webbing allowed and where frames are reinforced with metal, screws, not nails, shall be used. Cushions of these suites may be of the balloon type, that is, no seams across the front edge of the cushion.	Class F–2, $225.00.	Class F–3, $250.00.	Class F–4, $275.00.	Class F–5, $300.00.	Class F–6, $325.00.

[1] For six-tie of front platform springs, $3.00 may be added.

[2] OPA—Jobber's prices used in this chart must not exceed the seller's maximum ceiling price as established by the governing OPA regulation. It is their cut-roll price, f. o. b. their nearest warehouse. Transportation charges are not to be added to selling (or cost) price.

[F. R. Doc. 44–3294; Filed, March 7, 1944; 3:51 p. m.]

[Detroit Order G–2 Under MPR 426]

CITRUS FRUITS IN WAYNE COUNTY, MICH.

Order No. G–2 under Maximum Price Regulation No. 426. Order adjusting maximum wholesale prices of citrus fruits sold in Wayne County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Office and Administrator of Region III by Article III, section 15, Appendix I, paragraphs (g) (1) and (g) (2) of Maximum Price Regulation No. 426 and by the Regional Administrator delegated to the Detroit District Office or District Director thereof, it is hereby ordered:

(a) *Carlot receivers selling ex-car, truck, dock, terminal sales platform.* For sales ex-car, ex-truck, ex-dock or ex-terminal sales platform at a terminal market or any wholesale receiving point by carlot or truckiot receivers in less-than-carlots or less-than-trucklots, the maximum price shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (c) of Appendix I), plus the mark-up named in Column 9a of the table in Exhibit A of this order.

(b) *Secondary jobbers buying through the terminal auction and selling ex-car, ex-truck, ex-terminal sales platform.* The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight): *Provided*, That the maximum price in each case for sales by secondary jobbers on a non-delivered basis when purchased through a terminal auction and then sold ex-car, ex-truck or ex-terminal sales platform is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) of Appendix I, plus the mark-up named in Column 11a of the table in Exhibit A of this order.

(c) *Definitions.* The terms used in this order shall have the same meaning that they have when used in the Appendix I.

(d) To the extent applicable, the provisions of this order supersede Maximum Price Regulation No. 426.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective March 9, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

W. E. FITZGERALD,
District Director.

EXHIBIT A—TABLE OF MAXIMUM MARK-UPS FOR DISTRIBUTIVE SERVICES TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (C) OF APPENDIX I

Two columns, 9a and 11a, are added to the table of maximum mark-ups applicable to all citrus fruits contained in the table in paragraph (d) of Appendix I. These columns contain prices to be used in determining the maximum prices of carlot receivers and secondary jobbers as adjusted by this order. All other columns of the table in paragraph (d) remain unchanged. Columns 9 and 11 of the table in paragraph (d) continue to have a limited application and are reproduced here for convenience.

Column 1	2	3	9	9a	11	11a
			Sales by carlot receivers in less-than-carlots or less-than-truckloads		Sales by secondary jobbers in any quantity	
Item No.	Commodity	Unit	Through a terminal auction	Ex-car, truck, dock, terminal sales platform	Delivered to the premises of purchaser	On a non-delivered basis—ex-car, ex-truck, ex-terminal sales platform when purchased through a terminal auction
		Standard container	$0.20	$0.35	$0.75	$0.35
		California standard container loose pack	.16	.25	.55	.25
2	Oranges	Other containers or bulk:				
		California, per pound	3/10 cent	5/10 cent	1 cent	5/10 cent
		All other, per pound	3/10 cent	5/10 cent	9/10 cent	5/10 cent
		Standard container	.18	.30	.65	.30
		California standard container loose pack	.15	.25	.55	.25
3	Grapefruit	Other containers or bulk:				
		California, per pound	3/10 cent	5/10 cent	1 cent	5/10 cent
		All other, per pound	3/10 cent	5/10 cent	9/10 cent	5/10 cent
		Standard container	.13	.40	.90	.40
		California standard container loose pack	.20	.35	.72	.35
5	Lemons	Other containers or bulk: All, per pound	3/10 cent	5/10 cent	1 1/10 cents	5/10 cent
4	Tangerines, Temples, Kinkanges, Lemontines, Tangelos, Satsumas	Standard container	.25	.40	.90	.40
		Other containers or bulk				
		California, per pound	3/10 cent	5/10 cent	1 3/10 cents	5/10 cent
		All other, per pound	3/10 cent	5/10 cent	1 cent	5/10 cent

[F. R. Doc. 44-3283; Filed, March 7, 1944; 3:53 p. m.]

[Region III Order G-12 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PADUCAH, KY.

Amendment No. 1 to Order No. G-12 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Paducah in the State of Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (c) of Order No. G-12 under Revised Maximum Price Regulation No. 122, be amended to read as follows:

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash sales on a "direct delivery" basis; Column III shows maximum prices for "yard sales" to dealers reselling coal and from "yard sales" to consumers. All prices are for cash sales on a net ton basis.

Column I	Column II	Column III
High Volatile Bituminous Coals from Producing District No. 9 (Western Kentucky), excepting coals shipped by truck or wagon.		
A. Lump and egg—Size Group Nos. 1 through 6 (all single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals' top size larger than 2").		
1. From the 6th Seam Mines:		
a. From the Dawson Daylight 16 Mine, Index No. 19, of the Dawson Daylight Coal Co.	$5.15	$5.15
b. All other mines	5.05	5.43
2. From the 9th and 11th Seam Mines		
a. From the Pacific Mine, Index No. 64, of the Pacific Coal Company	5.35	4.85
b. All other mines	5.25	4.75
B. Stove, nut and pea:		
1. Raw Size Group Nos. 8 through 12 (all double screened raw or washed stove coals, top size larger than 1 1/4" but not exceeding 2" and bottom size larger than 3/4". All raw double-screened nut, stoker, and pea top size not exceeding 2" and bottom size larger than 10 mesh or 3/32").		
a. From the 6th Seam Mines:		
(1) From the Dawson Daylight #6 Mine, Index #19, of the Dawson Daylight Coal Company:		
(a) Treated	5.85	5.35
(b) Untreated	5.70	5.20
(2) All other mines:		
(a) Treated	5.60	5.10
(b) Untreated	5.50	5.00
b. From the 14th Seam Mines	4.75	4.25
B. Stove, nut and pea—Continued.		
2. Washed or air-cleaned, Size Group Nos. 17 through 22 (all washed or air-cleaned, double screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings bottom size larger than 1 millimeter and top size not exceeding 2"):		
a. From the 9th and 11th Seam Mines	$4.85	$4.35
b. From the 14th Seam Mines	4.75	4.25

All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-3295; Filed, March 7, 1944; 3:52 p. m.]

[Region III Order G-13 Under RMPR 122, Amdt. 3]

SOLID FUELS IN TOLEDO, OHIO, AREA

Amendment No. 3 to Order No. G-13, as amended, under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (c), Part IV of Order No. G-13, as amended, under Revised Maximum Price Regulation No. 122, be amended to read as follows:

(c) *Schedule for sales of coal.* • • •

Column I	Column II	Column III
IV. Pennsylvania anthracite (excluding broken anthracite) egg, stove or chestnut	$15.00	$14.25

For all sales of said anthracite coal for the period from February 7, 1944, to and including March 5, 1944, the sum of 45¢ per ton may be added to the prices listed above.

This amendment to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective February 29, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 4-3289; Filed, March 7, 1944; 3:51 p. m.]

[Region III Order G-14 Under RMPR 122, Amdt. 4]

SOLID FUELS IN DESIGNATED LOCALITIES IN MICHIGAN

Amendment No. 4 to Order No. G-14, as amended, under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the cities of Saginaw, Carrollton and Zilwaukee and the townships of Kochville, Buena Vista and Saginaw, all in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (c) Part IV of Order No. G-14, as amended, under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(c) *Schedule for sales of coal.* • • •

Column I	Column II	Column III
IV. Anthracite—Pennsylvania:		
A. Rice	$10.25	$9.50
B. Egg, stove, chestnut	15.00	14.25

For all sales of said anthracite coal for the period from February 7, 1944, to and including March 5th, 1944, the sum of 45¢ per ton may be added to the prices listed above.

This amendment to Order No. G-14 under Revised Maximum Price Regulation No. 122 shall become effective February 29, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O 9328, 8 F.R. 4681)

Issued February 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-3290; Filed, March 7, 1944; 3:52 p. m.]

[Region III Order G-21 under MPR 329]

FLUID MILK IN KNOX CO., OHIO

Order No. G-21 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk in Knox County, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in Knox County in the State of Ohio may pay producers an amount not in excess of $3.40 per cwt. for "milk" of 4% butterfat content, plus 5¢ for each 1/10 of 1% butterfat variation over 4% and minus 5¢ for each 1/10 of 1% butterfat variation under 4%: *Provided, however*, That such milk distributor shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk, in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall be effective as of February 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-3287; Filed, March 7, 1944; 3:54 p. m.]

[Region V Order G-1 Under RMPR 122, Amdt. 4]

SOLID FUELS IN ST. LOUIS, MO., AREA

Amendment No. 4 to Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered*, That section (c) price schedule, paragraph (IV) of Order No. G-1, issued under Revised Maximum Price Regulation No. 122, shall be amended as follows:

(a) The prices for the solid fuels listed in section (c) price schedule, paragraph (IV) Pennsylvania anthracite, sold and delivered to purchasers during the period from February 8, 1944, through March 4, 1944, are established to be as follows:

IV. Pennsylvania anthracite:	Price
1. Egg, stove, and nut	$15.95
2. Pea	14.40
3. Buckwheat	13.10

(b) Prices set forth in paragraph (a) above shall not be applicable to sales made during the period from February 8, 1944, through March 4, 1944, if delivery is not made to the purchaser, or if the coal is sold to the purchaser but stored by the dealer and is removed from storage by the purchaser or delivered to the purchaser on or after March 5, 1944. On such sales prices set forth in paragraph (c) below shall be applicable.

(c) The prices for the solid fuels listed in section (c) price schedule, paragraph (IV) Pennsylvania anthracite, sold and/or delivered on or after March 5, 1944, are established to be as follows:

IV. Pennsylvania anthracite:	Price
1. Egg, stove, and nut	$15.50
2. Pea	13.95
3. Buckwheat	12.65

(56 Stat. 23, 765, Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 6 F.R. 4631)

Issued and effective at Dallas, Texas, this the 29th day of February 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-3282; Filed, March 7, 1944; 3:53 p. m.]

[Region VIII Order G-3 Under MPR 329, Amdt. 5]

FLUID MILK IN DESIGNATED COUNTIES IN CALIFORNIA

Amendment No. 5 to Order No. G-3 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, as amended, Order No. G-3 under Maximum Price Regulation No. 329 is hereby amended by adding a new paragraph (j) to read as follows:

(j) Notwithstanding any of the foregoing provisions of this order, any purchaser may pay to any producers whose dairy is located in the Counties of Tulare, Kings, Fresno, Merced and Madera, a permitted addition to the maximum prices specified in paragraphs (a) and

(b) of this order, provided the following conditions are met:

(1) The permitted addition must be paid before April 1, 1944.

(2) The amount of the permitted addition, when added to any other sum paid by the purchaser to the producer between January 1, 1944, and April 1, 1944, with respect to milk delivered in 1943, shall not exceed $0.01 for each pound of milk fat purchased from that producer in 1943.

This amendment shall become effective March 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

L. F. GENTNER,
Regional Administrator.

Approved: BUELL MARSH,
Regional Director, Office of Distribution, War Food Administration, Pacific Region.

[F. R. Doc. 44-3285; Filed, March 7, 1944; 9:54 p. m.]

[Region VIII Order G-3 Under MPR 188]

BRICK IN LOS ANGELES COUNTY, CALIF.

Order No. G-3 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales of common brick in Los Angeles County, California.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The adjusted maximum price at which any manufacturer located in Los Angeles County, California, may sell and deliver common brick shall be the manufacturer's existing maximum price, plus $2.00 per thousand.

(b) All allowances, discounts or other price differentials in effect during March 1942 shall be maintained.

(c) Before making any deliveries of common brick at the adjusted maximum prices allowed by this order, each manufacturer affected by this order shall file with the Los Angeles District Office of the Office of Price Administration, in duplicate, a statement showing his existing maximum price and adjusted maximum price for common brick.

(d) This order may be amended, revoked or corrected at any time.

(e) This order shall become effective March 6, 1944, and shall expire August 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-3291; Filed, March 7, 1944; 9:52 p. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 40]

FLUID MILK IN WASHINGTON

Amendment No. 40 to Order No. G-3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) (i) (a) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator, *It is hereby ordered*, That Order No. G-3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by striking out the schedule of prices under the heading "The Towns of Endicott and St. John" and substituting therefore the following:

Quantity	Not less than 3.8% milk fat		
	Wholesale price f. o. b. seller's business location	Wholesale price f. o. b. purchaser's business location	Retail price
Gallon container		$0.44	$0.49
Half-gallon container		.23	.24
Quart container	$0.11	.12	.14

(b) Section (1) is hereby further amended by adding at the end thereof the following:

THE TOWN OF REPUBLIC

Quantity	Wholesale price	Retail price
Quart container	$0.12	$0.13

This amendment shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-3281; Filed, March 7, 1944; 9:53 p. m.]

[Region IV Order G-4 Under SR 15]

FLUID MILK IN BARTOW AND GORDON COUNTIES, GA.

Order No. G-4 under § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Bartow and Gordon Counties, Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and pursuant further to prior written approval of the Price Administrator dated January 31, 1944, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Bartow and Gordon Counties, Georgia.* On and after February 3, 1944, the maximum prices for approved fluid milk sold and delivered to any person within Bartow and Gordon Counties, Georgia at wholesale or retail in glass containers of one quart or less shall be:

	Quarts	Pints	Half-pints
	Cents	*Cents*	*Cents*
Wholesale	14	8	4
Retail out-of-store	16	9	5
Retail home-delivered	16	9	5

One-third quart container sizes. The seller shall adjust his maximum wholesale price for one-third quart container sizes, as determined under § 1499.2 *General provisions of the General Maximum Price Regulation*, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) Out-of-store, (B) Home-deliveries, (C) Retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments of consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(b) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may hereafter be issued. Specifically, but by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (x) (Supplementary Regulation No. 14A to the General Maximum Price Regulation, as amended) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) Atlanta Regional Price Order No. 18 (c)-3, as amended, presently designated as Order No. G-3 under §1499.18 (c) of the General Maximum Price Regulation, effective December 14, 1942, adjusting maximum prices for Grade A Raw and Pasteurized milk within the boundaries of Bartow and Gordon Counties, Georgia, is hereby revoked.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective February 3, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3284; Filed, March 7, 1944; 3:53 p. m.]

[Region IV Orders G-13, G-15, G-16 Under RMPR 122, Amdt. 1 to Supp. Order 1]

SOLID FUELS IN WILMINGTON AND WINSTON-SALEM, N. C., AND LYNCHBURG, VA.

Amendment No. 1 to Supplementary Order No. 1 to Orders No. G-13, G-15, and G-16 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers applying respectively in or about the following areas: Wilmington, North Carolina; Winston-Salem, North Carolina, and Lynchburg, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Supplementary Order No. 1 be amended to read as set forth below:

To the maximum prices for Pennsylvania anthracite coal established by the above orders may be added the sum of 45¢ per ton, 23¢ per ½ ton, and 12¢ per ¼ ton during the period February 1, 1944, to March 5, 1944, inclusive. The increases provided in this supplementary order, as amended, apply only during said period. On and after March 6, 1944, the maximum prices for Anthracite shall be as provided in the orders prior to February 1, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 1, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3351; Filed, March 8, 1944; 12:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORP.

NOTICE AND ORDER GIVING OPPORTUNITY FOR HEARING ON PROPOSED FINDINGS AND OPINION RECOMMENDED BY PUBLIC UTILITIES DIVISION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March 1944.

In the matter of American Utilities Service Corporation, File No. 54-57, and American Utilities Service Corporation and its subsidiary companies, Respondents, File No. 59-57.

American Utilities Service Corporation, a registered holding company, having filed an application pursuant to section 11 (c) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization, which plan is also described in the Commission's order of October 8, 1942 (see Holding Company Act Release No. 3840) which in substance provided as follows:

(1) American proposed to amend its articles of incorporation so that its authorized capital stock would be changed to 150,000 shares of new common stock, $20 par value; or a new corporation would be formed with authorized capital stock sufficient to meet the requirements of the plan.

(2) American proposed to reclassify its existing 105,000 shares of 6% cumulative preferred stock, $25 par value, into 105,000 shares of new common stock, $20 par value, so that the holders of the preferred stock would receive the new common stock on a share for share basis.

(3) The plan provided no participation by the presently outstanding common stock in the new common stock to be issued.

(4) American reserved the right to request the Commission to apply to a Court in accordance with the provisions of subsection (f) of section 18 of the act to enforce and carry out the provisions of the plan.

The Commission having thereafter issued its notice of filing and order for hearing pursuant to section 11 (e); and

The Commission having also by said notice and order for hearing instituted proceedings under sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 against American Utilities Service Corporation and its subsidiary companies to determine the status of the holding company system under said sections, and having consolidated the proceedings pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) and the proceeding pursuant to section 11 (e); and

A public hearing having been held on said matters after appropriate notice and the Public Utilities Division of the Commission having submitted to the Commission a draft of proposed findings and opinion and having recommended that the Commission adopt the same as the Commission's findings and opinion, which proposed findings and opinion so recommended by the Public Utilities Division may be summarized as follows:

(1) That the plan of recapitalization heretofore filed by American Utilities Service Corporation should be found to be unfair and inequitable to the persons affected thereby and that the same should be disapproved unless within 30 days said American Utilities Service Corporation files an amended plan allocating approximately 15% of the new common stock, to be issued in lieu of the outstanding preferred and common stock, to the holders of the presently outstanding common stock.

(2) That the Commission should require by order, pursuant to section 11 (b) (2) of said act, that said American Utilities Service Corporation should change its present capitalization to one class of stock, namely, common stock, in lieu of its preferred and common stock presently outstanding, in an appropriate manner, not in contravention of the applicable provisions of said act or the rules, regulations and order promulgated thereunder.

(3) That the Commission should require by order, pursuant to section 11 (b) (1) of said act, that American Utilities Service Corporation shall sever its relationship with the companies named hereinafter by disposing in an appropriate manner, not in contravention of the applicable provisions of said act or the rules, regulations and orders promulgated thereunder, of its ownership, control and holding of securities issued by and interests in the following companies: Minnesota Utilities Company, Northwestern Illinois Utilities and Wisconsin Southern Gas Company.

Said proposed findings and opinion have been made public this day.

The Commission considering that opportunity for hearing should be given to American Utilities Service Corporation, to its subsidiary companies and to its security holders (including the holders of voting trust certificates representing the beneficial interest in its shares of common stock) on the issue of whether or not the Commission should adopt the proposed findings and opinion recommended by its Public Utilities Division, in whole or in part:

It is ordered, That any person desiring to file a brief or to have oral argument or to introduce additional evidence on said issue shall make written request of the Commission not later than March 28, 1944. Such written request shall state the interest of the person making the request, a summary statement of his objections and a statement as to what participation he desires in the proceeding, viz., whether he desires to file a

brief, to have oral argument or to introduce additional evidence on said issue. If no such requests are received on or before the date last above mentioned, the Commission may, at any time after said date, adopt the proposed findings and opinion recommended by its Public Utilities Division, in whole or in part.

It is further ordered, That the Secretary of the Commission shall serve notice of said opportunity for hearing by mailing a copy of this order together with a copy of said draft of proposed findings and opinion recommended by the Public Utilities Division by registered mail to American Utilities Service Corporation and to its subsidiary companies, and that notice of said hearing is hereby given to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That American Utilities Service Corporation mail copies of this order to all of its stockholders of record and to all record holders of voting trust certificates representing the beneficial interest in its shares of common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3364; Filed, March 8, 1944; 2:55 p. m.]

[File Nos. 54-68, 59-55, 70-806]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER FOR ADOPTION OF REPORT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of March 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55, respondents; and Alpha Association, File No. 70-806.

American Gas and Power Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 regarding the solicitation of the holders of its secured debentures, 5% and 6% series, for consent to the release from the pledge under such debentures of certain securities of American Utilities Associates and Lowell Gas Light Company, subsidiaries of American Gas and Power Company; and

The Commission, having issued its findings, opinion and order approving a plan proposing, among other things, the sale of such securities and having issued an order permitting the declaration with respect to the solicitation of the debenture holders of American Gas and Power Company as described above:

It is ordered, That the report this day issued by the Commission with respect to such proposed solicitation be adopted as the report by the Commission pursuant to the provisions of section 11 (g) of the act, and that a copy of such report be delivered to each holder of the secured debentures, 5% and 6% series, of American Gas and Power Company solicited to sign the above described consent.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3365; Filed, March 8, 1944; 2:55 p. m.]

[File No. 70-853]

CONSOLIDATED ELECTRIC AND GAS CO. AND HAGERSTOWN GAS CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March 1944.

Consolidated Electric and Gas Company ("Copsolidated"), a registered holding company, and its subsidiary, Hagerstown Gas Company ("Hagerstown"), having filed joint declarations pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 12 (d), 12 (c), and 12 (f) thereof and the rules promulgated thereunder, whereby said companies seek authorization for (a) the sale by Hagerstown of all of its assets (with certain stated exceptions) to Harrison & Co., a partnership organized under the laws of the State of Pennsylvania, or the nominee of Harrison & Co., for a consideration of $140,000 in cash and the assumption by the purchaser of all obligations of Hagerstown (with certain stated exceptions) including the first mortgage bonds of Hagerstown outstanding in the principal amount of $266,000, and, concurrently with such sale, the sale by Consolidated to Harrison & Co. for $30,000 of $30,000 principal amount of the bonds of Hagerstown owned by Consolidated, (b) the transfer and delivery by Hagerstown to Consolidated, as the owner of all the outstanding stock of Hagerstown, after consummation of the sale above mentioned, of the proceeds of such sale and all remaining assets of Hagerstown as a liquidating dividend, or dividends, and the concurrent surrender by Consolidated to Hagerstown of the stock of Hagerstown for cancellation, and (c) the application by Consolidated of the moneys to be received by it from the liquidation of Hagerstown, together with the sum of $30,000 to be received by Consolidated in connection with the sale by Consolidated of the $30,000 principal amount of the outstanding bonds of Hagerstown, in the retirement of Consolidated's Collateral Trust Bonds, due August 1, 1957, and August 1, 1962, by the purchase of such bonds in the open market and the surrender of the bonds so purchased to the trustee under the indenture securing the same for cancellation;

A public hearing having been held upon said declarations, after appropriate notice, and the Commission having considered the record and made and filed its findings herein;

It is hereby ordered, That said declarations be, and the same are hereby, permitted to become effective forthwith;

Provided, That the said declarations are permitted to become effective subject to the terms and conditions set forth in Rule U-24, and, in respect to the acquisition and retirement by Consolidated of its own bonds as proposed and hereinabove mentioned, subject to the following additional terms and conditions:

(1) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any bonds to the company;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(3) That Consolidated shall furnish to the Commission, promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3362; Filed, March 8, 1944; 2:55 p. m.]

[File No. 70-862]

OGDEN CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March, A. D. 1944.

Ogden Corporation, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 of the General Rules and Regulations promulgated thereunder, with respect to the payment out of surplus of December 31, 1943, of a dividend on its common stock at the rate of 50¢ per share, payable on March 15, 1944, to holders of record at the close of business on March 8, 1944; said proposed dividend payment aggregating $1,701,846.94 and being out of earned surplus to the extent of such surplus and the remainder out of capital surplus, the earned surplus and capital surplus of Ogden Corporation as of December 31, 1943 aggregating $292,558.12 and $2,696,674.06, respectively; the dividend checks to be accompanied by a statement of the source of the dividend payment;

Said declaration having been filed February 15, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified by said notice or otherwise and not having ordered a hearing thereon; and

Said declarant having requested that the effective date of said declaration be advanced; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration pursuant to section 12 (c) and Rule U-46 promulgated thereunder to become effective;

The Commission being satisfied that the effective date of said declaration should be advanced;

It is hereby ordered, Pursuant to Rule U-23 that the said declaration be and it hereby is permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3363; Filed, March 8, 1944; 2:55 p. m.]

[File No. 70-849]

INDIANA & MICHIGAN ELECTRIC CO.

MEMORANDUM FINDINGS OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 7th day of March, A. D., 1944.

Indiana & Michigan Electric Company ("Indiana Michigan"), an electric utility subsidiary of American Gas and Electric Company, a registered holding company, has filed a declaration and amendment thereto proposing a reduction in the company's common capital stock liability by $2,000,000 (without change in the number of shares outstanding) and the creation of a capital surplus account of like amount.

A public hearing was held on said declaration as amended, and the Commission having considered the record therein makes the following findings:

Indiana Michigan was organized under the laws of the State of Indiana. It is engaged in the electric utility business in the States of Michigan and Indiana and is subject to the jurisdiction of the Public Service Commission of those states as well as that of the Federal Power Commission. American Gas and Electric Company owns all of the outstanding 870,976 shares of common stock of Indiana Michigan, representing 100% of the voting power.

The staffs of the regulatory bodies referred to above have made an original cost determination of the properties of Indiana Michigan and have found its plant accounts include inflationary items amounting to $8,723,747.92. The company is in substantial agreement with this finding except as to an item, included therein, of $1,300,000 (estimated maximum amount) representing alleged profits paid to American Gas and Electric Company for engineering and supervision services prior to 1923.

The present proposal of the company is stated to be for the purpose of putting it in a position to comply with the order or orders with respect to the above items which it expects to be entered by the above named regulatory bodies.

The balance sheet of Indiana Michigan per books as of November 30, 1943, and pro forma to reflect the disposition of the inflationary items in the manner anticipated by the company is as follows [filed as part of the original document].

It should be noted in connection with the above adjustments that the amount being charged to common capital stock liability to less than the amount by which that account was increased to offset a corresponding increase in plant accounts arising out or a revaluation of the properties at organization.

The Commission finding that the proposed transaction requires no adverse findings under section 7 (e) of the Public Utility Holding Company Act of 1935 and is in conformity with the standards of the said act and the rules, regulations and orders promulgated thereunder:

It is ordered, That said declaration, as amended, be permitted to become effective subject to the terms and conditions prescribed in Rule U-24 promulgated pursuant to the Public Utility Holding Company Act of 1935.

Nothing herein should be taken or construed as affecting the action or jurisdiction of the Public Service Commissions of the States of Indiana and Michigan or of the Federal Power Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3361; Filed, March 8, 1944; 2:55 p. m.]

[File No. 70-637]

OHIO-MIDLAND LIGHT AND POWER CO. AND ASSOCIATED ELECTRIC CO.

ORDER DENYING EXEMPTION FROM COMPETITIVE BIDDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of March, A. D. 1944.

Application having been filed by Associated Electric Company, a registered holding company, seeking exemption, under subdivision (a) (5) of Rule U-50 of the general rules and regulations under the Public Utility Holding Company Act of 1935, from the competitive bidding requirements of that rule with respect to a proposed sale by it of its entire interest in Ohio-Midland Light and Power Company, its wholly-owned subsidiary.

A hearing having been held after appropriate notice, argument having been heard, the Commission having considered the evidence, and having this day issued and filed its findings and opinion herein; on the basis of said findings and opinion;

It is ordered, That the application for exemption be and it hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3393; Filed, March 9, 1944; 11:04 a. m.]

[File No. 70-858]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of March, A. D. 1944.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees), a registered holding company, has filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, in which it proposes to pay out of capital or unearned surplus a quarterly dividend of $1.25 on its $5 Prior Preferred Stock. The presently proposed dividend is applicable to the quarterly period ended March 15, 1943.

The entire issue outstanding is 60,000 shares, of which 27,839.1 shares are held by the Trustees, who have, by a letter dated February 23, 1944, waived their right to collect such quarterly dividends, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in scrip, and such scrip will not receive a dividend), so that $40,127.50 will be required to make the dividend payment.

After appropriate notice, a public hearing was held. No one appeared at the hearing to oppose the proposed payment of the dividend. Having considered the record therein, the Commission makes the following findings:

As at November 30, 1943, the assets of Gengas, per books, available for security holders totalled $29,955,155. The only securities of, or claims against, Gengas which, according to its books, are senior to the $5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate $2,941,300.

The books of Gengas, as of November 30, 1943, reflect an earned surplus deficit of $2,509,930; the capital surplus is shown as $13,446,098.

Net income of Gengas for the twelve months ended November 30, 1943, amounted to $410,677. As at November 30, 1943, Gengas had cash on hand in the amount of $1,158,705.

A cash forecast for the twelve months ending December 31, 1944, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance will be $1,596,081.

This is the ninth time that Gengas has filed a declaration to pay a quarterly dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the Act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and

hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3396; Filed, March 9, 1944; 11:04 a. m.]

[File No. 70-867]

ENGINEERS PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March, 1944.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Engineers Public Service Company ("Engineers"), a registered holding company.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized as follows:

Engineers proposes to expend $4,000,000 of treasury cash for the purchase of shares of its $5 (Cumulative) Dividend Convertible Preferred Stock, $5.50 Cumulative Dividend Preferred Stock and $6 Cumulative Dividend Preferred Stock. Reacquired shares will be cancelled and retired. Purchases are proposed to be made first pursuant to invitations for tenders submitted to holders of the preferred stocks of Engineers to be opened on a specified date, and in the event Engineers does not acquire, pursuant to such invitation for tenders, an amount of its preferred stock sufficient to absorb the cash available for the acquisition of such preferred stock, Engineers further proposes to acquire by purchase, during the six-month period next following an order of this Commission permitting its declaration to become effective, either on the New York Stock Exchange or at private sale, additional shares of its preferred stock to an amount which, together with the shares of such preferred stock acquired pursuant to the invitation for tenders, shall absorb the $4,000,000 of cash available for the acquisition of such preferred stock. The purchase price for any of the preferred stock in any manner acquired will not exceed $100 per share and accrued dividends. No commissions or fees, except the usual brokerage commissions where shares are acquired by purchase on the New York Stock Exchange, are proposed to be paid by Engineers.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on this matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. w. t., on the 22nd day of March, 1944 in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such declaration shall be permitted to become effective.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before March 20, 1944.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 16 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing copies thereof by registered mail to Engineers Public Service Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed reacquisition by Engineers of shares of its outstanding preferred stock is fair and equitable to the persons affected.

2. Whether the proposed reacquisition will impair the financial integrity or working capital of Engineers, or the holding company system, or be detrimental to the carrying out of the provisions of section 11 of the act or tend to circumvent any provisions of the act, or any rules, regulations or orders of the Commission thereunder.

3. Whether the method proposed by Engineers for the reacquisition of the shares is appropriate and consistent with the applicable statutory standards.

4. Whether it is necessary or appropriate to impose any terms or conditions in the public interest or for the protection of investors or consumers and, if so, what those terms and conditions should be.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3394; Filed, March 9, 1944; 11:04 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF CANCELLATION OF STOP CONSTRUCTION ORDER

The War Production Board has issued a certain order listed in Schedule A below, which cancels the prior order stopping construction on projects. For the effect of said order upon the construction of the project and the delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 9, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference Rating Order, Serial No., Name and Address of Builder, Location of Project, and Date of Issuance of Cancellation.

P-19-h; 555-E; Wisconsin State Highway Commission, Madison, Wis.; Village of Merrillan, Wis.; 2/26/44.

[F. R. Doc. 44-3403; Filed, March 9, 1944; 11:43 a. m.]

NOTICE OF ISSUANCE OF AMENDMENT TO PRIOR ORDERS REGARDING CONSTRUCTION

The War Production Board has issued a certain order listed in Schedule A below which amends prior orders revoking preference ratings for the project of stopping construction on the project or both. For the effect of said amending order upon preference ratings, the construction of the project and the delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 9, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference Rating Order, Serial No., Name and Address of Builder, Location of Project and Date of Issuance of Amendment

P-19; 10; Iron Mines of Venezuela, Bethlehem, Pa.; San Felix, Venezuela; 2/28/44.

[F. R. Doc. 44-3406; Filed, March 9, 1944; 11:43 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference ratings orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference rating and construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 9, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference Rating Order, Serial No., Name and Address of Builder, Location of Project, and Date of Revocation.

CMPL-224; 119,768; Shell Pipe Line Corporation, Washington, D. C.; Okfuskee County, Okla.; 2/25/44.

CMPL-224; 104,603; Yale Oil Co., Billings, Mont.; Billings, Mont.; 2/29/44.

CMPL-224; 120,151; Phillips Petroleum Co., Washington, D. C.; Oklahoma City, Okla. 3/1/44.

CMPL-224; 119,160; Socony-Vacuum Oil Co., Washington, D. C.; Buffalo, N. Y.; 3/1/44.

CMPL-224; 119,816; Standard Oil Co. (Indiana) Chicago, Illinois; Wood River, Ill.; 3/1/44.

CMPL-224; 116,899; Utah Oil Refining Co., Salt Lake City, Utah; Salt Lake City, Utah; 3/1/44.

P-19-h; 89,221; Republic Steel Corp., Individually or as agent for the Defense Plant Corp., Cleveland, Ohio; Warren, Ohio, Plancor 1691; 2/28/44.

[F. R. Doc. 44-3407; Filed, March 9, 1944; 11:43 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 51

Washington, Saturday, March 11, 1944

Regulations

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bull. 264]

PART 406—LEGAL DEPARTMENT

ASSOCIATES, ASSISTANTS AND ATTORNEYS

The second sentence of § 406.00d *Associates, assistants and attorneys* is amended by striking out the words "Associate Counsel" and inserting in lieu thereof the words "Assistant General Counsel."

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective March 8, 1944.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 44-3410; Filed, March 9, 1944; 3:51 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter I—Irrigation Projects, Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

FEBRUARY 7, 1944.

Section 130.32 of part 130 of title 25, CFR, Indians, as amended by the Assistant Secretary of the Interior on March 15, 1941 (6 F.R., 1651), is hereby further amended to read as follows:

§ 130.32 *Basic and other water charges.* Pursuant to the provisions of the acts of March 1, 1907 (34 Stat. 1024–25) and March 7, 1928 (45 Stat. 210, 25 U.S.C., 387), the annual basic water charge of $1.50 per acre or fraction thereof is hereby fixed, for the calendar year 1944 and until further order, against the lands in non-Indian ownership to which water can be delivered for irrigation under the Fort Hall Indian Irrigation Project, Idaho.

In addition to the foregoing charge, there shall be collected annually a charge of $3.00 on the lands covered by each separate bill. No bill shall be rendered for less than $4.50.

Indian lands leased, as discussed in the letter from the Commissioner of Indian Affairs of December 1, 1938, and approved by the Assistant Secretary of the Interior on December 17, 1938, are subject to the payment of the foregoing charges as therein provided.

(34 Stat. 1024–25, 45 Stat. 210; 25 U.S.C., 387)

OSCAR L. CHAPMAN, *Assistant Secretary.*

[F. R. Doc. 44-3412; Filed, March 9, 1944; 11:11 a. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

UINTAH INDIAN IRRIGATION PROJECT, UTAH

FEBRUARY 7, 1944.

Sections 130.77 (8 F.R. 4377) and 130.77a of part 130, title 25 CFR, Indians, as amended by the Assistant Secretary of the Interior on March 1, 1943, are hereby further amended to read as follows:

§ 130.77 *Basic and other water charges.* Pursuant to the provisions of the acts of June 21, 1906 (34 Stat. 375), and March 7, 1928 (45 Stat. 210, 25 U.S.C. 387), the reimbursable costs expended in the operation and maintenance of the Uintah Indian Irrigation Project, Utah, are apportioned on a per-acre basis against the irrigable lands of all units of the project and for the calendar year 1944, and each succeeding year until further order, there shall be collected from each acre of irrigable land to which water can be delivered through the constructed works of the project, a uniform basic annual charge of $1.00 per acre or fraction thereof, where not otherwise established by contract.

In addition to the foregoing charge, there shall be collected annually a charge of $3.00 on the lands covered by each separate bill. No bill shall be rendered for less than $4.00.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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Section 130.77a *Charges for small tracts* (6 F.R. 1784) is hereby repealed, effective on this date.

(34 Stat. 375, 45 Stat. 210, 25 U.S.C. 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44–3411; Filed, March 9, 1944; 11:11 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5337]

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

SUBPART I—FLOOR STOCKS TAXES ON DISTILLED SPIRITS, FERMENTED MALT LIQUORS, AND WINES

Sections 301 and 308 of the Revenue Act of 1943, passed February 25, 1944 (Pub. Law 235, 78th Cong.), read as follows:

SEC. 301. EFFECTIVE DATE OF THIS TITLE.

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

* * * * *

SEC. 308. FLOOR STOCKS TAXES.

(a) *Distilled spirits.* Section 2800 is amended by inserting at the end thereof the following new subsection:

(k) *1944 floor stocks tax*—(1) *Tax.* Upon all distilled spirits upon which the internal-revenue tax imposed by law has been paid, and which on the effective date of Title III of the Revenue Act of 1943, are held and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied, assessed, collected, and paid a floor stocks tax of $3 on each proof-gallon, and a proportionate tax at a like rate on all fractional parts of such proof-gallon.

(2) *Returns.* Under such regulations as the Commissioner with the approval of the Secretary shall prescribe, every person required by paragraph (1) to pay any floor stocks tax shall, on or before the end of the thirtieth day following the effective date of Title III of the Revenue Act of 1943 make a return and shall, on or before the first day of the third month following such effective date, pay such tax. Payment of the tax shown to be due may be extended to a date not later than the first day of the tenth month following the effective date of Title III of the Revenue Act of 1943, upon the filing of a bond for payment thereof in such form and amount and with such surety or sureties as the Commissioner, with the approval of the Secretary, may prescribe.

(3) *Laws applicable.* All provisions of law, including penalties, applicable in respect of internal-revenue taxes on distilled spirits shall, insofar as applicable and not inconsistent with this subsection, be applicable in respect of the floor stocks tax imposed hereunder. For the purposes of this subsection the term "distilled spirits" shall include products produced in such manner that the person producing them is a rectifier within the meaning of section 3254 (g).

(b) *Fermented malt liquors.* Section 3150 is amended by inserting at the end thereof the following new subsection:

(f) *1944 floor stocks tax*—(1) *Tax.* Upon all fermented malt liquors upon which the internal-revenue tax imposed by law has been paid, and which on the effective date of Title III of the Revenue Act of 1943 are held by any person and intended for sale there shall be levied, assessed, collected and paid a floor stocks tax at a rate of $1 per barrel of 31 gallons.

(2) *Returns.* Under such regulations as the Commissioner with the approval of the Secretary shall prescribe, every person required by paragraph (1) to pay any floor stocks tax shall, on or before the end of the thirtieth day following the effective date of Title III of the Revenue Act of 1943 make a return and shall, on or before the first day of the third month following such effective date, pay such tax. Payment of the tax shown to be due may be extended to a date not later than the first day of the tenth month following the effective date of Title III of the Revenue Act of 1943, upon the filing of a bond for payment thereof in such form and amount and with such surety or sureties as the Commissioner, with the approval of the Secretary, may prescribe.

(3) *Laws applicable.* All provisions of law, including penalties, applicable in respect of the taxes imposed by subsection (a) shall, insofar as applicable and not inconsistent with this subsection, be applicable with respect to the floor stocks tax imposed by this subsection.

(c) *Wines.* Subchapter F of Chapter 26 is amended by inserting at the end thereof the following new section:

SEC. 3194. 1944 FLOOR STOCKS TAX ON WINES.

(a) *Floor stocks tax.* Upon all wines upon which the internal-revenue tax imposed by law has been paid, and which on the effective date of Title III of the Revenue Act of 1943 are held and intended for sale or for use in the manufacture or production of an article intended for sale, there shall be levied, assessed, collected, and paid a floor stocks tax at rates equal to the increases in rates of tax made applicable to such articles by section 302 (a) of the Revenue Act of 1943.

(b) *Returns.* Under such regulations as the Commissioner with the approval of the Secretary shall prescribe, every person required by subsection (a) to pay any floor stocks tax shall, on or before the end of the thirtieth day following the effective date of Title III of the Revenue Act of 1943 make a return and shall, on or before the first day of the third month following such effective date, pay such tax. Payment of the tax shown to be due may be extended to a date not later than the first day of the tenth month following the effective date of Title III of the Revenue Act of 1943, upon the filing of a bond for payment thereof in such form and amount and with such surety or sureties as the Commissioner, with the approval of the Secretary, may prescribe.

(c) *Laws applicable.* All provisions of law, including penalties, applicable in respect of the taxes imposed by section 3030 (a) shall, insofar as applicable and not inconsistent with this subsection, be applicable with respect to the floor stocks tax imposed by subsection (a).

Pursuant to the above sections of law, the following regulations are prescribed:

Distilled Spirits

§ 171.115 *Spirits subject to tax.* The following kinds of distilled spirits, domestic or imported, among others, are subject to the floor stocks tax of $3 a proof gallon if taxpaid prior to April 1, 1944, and which on that date are held and intended for sale or for use in the manufacture or production of any article intended for sale:

(a) Ethyl alcohol.
(b) Spirits-grain, spirits-cane, and spirits-fruit.
(c) Spirits-grain processed, spirits-cane processed, and spirits-fruit processed.
(d) Whiskey, gin, rum, and brandy.
(e) Vermouth containing distilled spirits.
(f) Cocktails containing distilled spirits.
(g) Liqueurs, cordials, and similar compounds containing distilled spirits.
(h) Tequila, okolehao, et cetera.
(i) Distilled Spirits of any description held by any person for use in the manufacture of any article intended for sale, regardless of whether the article to be produced is in itself unfit for beverage purposes.

§ 171.116 *Inventory of distilled spirits required.* Each distiller, fruit distiller, proprietor of an industrial alcohol plant, internal revenue bonded warehouse, alcohol bonded warehouse, taxpaid bottling house, and each rectifier, wholesale dealer in liquors, retail dealer in liquors, manufacturer, or any other person, corporation, partnership, or association holding on April 1, 1944, taxpaid distilled spirits, including alcohol, intended for sale or for use in the manufacture or production of any article intended for sale shall, before beginning business on April 1, 1944, prepare an inventory of such taxpaid distilled spirits.

§ 171.117 *Preparation of inventory of distilled spirits*—(a) *Division into three sections.* The inventory of distilled spirits will consist of three sections as follows:

SECTION 1. Distilled spirits on the premises of the taxpayer.

SECTION 2. Distilled spirits owned by the taxpayer and stored elsewhere.

SECTION 3. Distilled spirits owned by and in transit to or from the taxpayer.

Section 1 will be divided into two subsections: the first subsection to cover bottled distilled spirits in unopened cases; and the second subsection to cover bottled distilled spirits which are not in unopened cases.

The first subsection (covering bottled distilled spirits in unopened cases) will be divided into nine vertical columns designated as follows:

(a) Kind of spirits.
(b) Brand name.
(c) Number of cases.
(d) Serial numbers of cases.
(e) Number of bottles in each case.
(f) Size of bottles in case.
(g) Total wine gallons.
(h) Proof of spirits.
(i) Total proof gallons.

The second subsection (covering bottled distilled spirits not in unopened cases) will be divided into seven vertical columns as follows:

(a) Kind of spirits.
(b) Brand name.
(c) Number of bottles.
(d) Size of bottles.
(e) Total wine gallons.
(f) Proof of spirits.
(g) Total proof gallons.

The distilled spirits shall be listed separately by kinds, that is, there will be a separate listing of alcohol, whiskey, brandy, gin, rum, cordials, liqueurs, cocktails, et cetera. Each kind of spirits will be further segregated according to proof and brand name. Partially filled bottles will be measured and the total contents of all such bottles reported as one item in subsection 2, and designated "Miscellaneous Open Bottles."

(b) *Spirits stored elsewhere or in transit.* Section 2, covering spirits owned by the taxpayer and stored elsewhere on April 1, 1944, and section 3, covering spirits in transit to or from the taxpayer on April 1, 1944, will contain the same columns as section 1, except that any column not applicable may be omitted. The address of each place of storage for spirits recorded in section 2 should be shown, as well as the serial numbers of all full cases. The means of transportation, name and address of the consignor or consignee, and serial numbers of all full cases should be shown in section 3.

(c) *Spirits in bulk.* Distillers, rectifiers, manufacturers, and other persons holding taxpaid distilled spirits in packages (barrels or drums), tank cars, or in tanks will list such spirits in a separate section showing the kind of spirits, wine gallons, proof, and proof gallons, the serial number of, and kind of, each container, and the name of the distiller.

(d) *Spirits in process of rectification or bottling.* Rectifiers holding taxpaid spirits in process of rectification or in bottling or storage tanks will measure and proof the spirits, and show in a separate section of the inventory the number and kind of receptacles containing the spirits, the kind of spirits, wine gallons, proof, and proof gallons.

§ 171.118 *Computation.* In computing proof gallons all decimals after three places shall be dropped. In computing tax, whole proof only must be used. Where the proof of spirits is shown on the label in a fractional part of proof, the fraction will be disregarded unless it amounts to 5/10ths or more, in which case it shall be considered a whole degree of proof. For example, 86.1, 86.2, 86.3, 86.4 proof must be called 86 proof; 86.5, 86.6, 86.7, 86.8, and 86.9 proof must be called 87 proof, and the taxable proof gallons computed accordingly. However, the actual proof of the spirits as shown on the label or markings on the cases must be shown on the inventory.

Beer and Other Fermented Malt Liquors

§ 171.119 *Beer and other malt liquors subject to tax.* The term "fermented malt liquors" shall include, among others, the following, which are subject to the floor stocks tax of $1 a barrel (31 gallons) if taxpaid prior to April 1, 1944, and which on that date are held and intended for sale:

(a) Beer.
(b) Ale.
(c) Porter.
(d) Stout.
(e) Lager beer.
(f) Sake.

§ 171.120 *Inventory of beer and other fermented malt liquors required.* Each brewer, wholesale dealer in liquors, wholesale dealer in wines and malt liquors, wholesale dealer in malt liquors, retail dealer in liquors, retail dealer in wines and malt liquors, retail dealer in malt liquors and any other person, corporation, partnership or association holding on April 1, 1944, taxpaid fermented malt liquors intended for sale shall before beginning business on that date prepare an inventory of all such taxpaid fermented malt liquors.

§ 171.121 *Preparation of inventory of malt liquors*—(a) *Division into three sections.* The inventory of fermented malt liquors will consist of three sections as follows:

SECTION 1. Malt liquors on the premises of the taxpayer.
SECTION 2. Malt liquors owned by the taxpayer and stored elsewhere.
SECTION 3. Malt liquors owned by and in transit to or from the taxpayer.

Section 1 will be divided into two subsections, one to cover packaged or barreled beer or other malt liquors, and the other to cover beer and other malt liquors in cans or bottles. The first subsection will show separately the number of ⅛ barrels, ⅙ barrels, ¼ barrels, ⅓ barrels, ½ barrels, and barrels. The total number of such containers will be shown on the basis of barrels of 31 gallons each.

The second subsection will cover malt liquors in cans or bottles and will be divided into six vertical columns as follows:

(a) Size of bottles or cans.
(b) Number of cases.
(c) Number of bottles or cans in case.
(d) All other bottles.
(e) Total gallons.
(f) Equivalent in barrels of 31 gallons.

(b) *Malt liquors stored elsewhere or in transit.* Section 2, covering malt liquors owned by the taxpayer and stored elsewhere on April 1, 1944, and section 3, covering malt liquors in transit to or from the taxpayer on April 1, 1944, will contain the same columns as section 1. The address of each place of storage for malt liquors recorded in section 2 should be shown; and the means of transportation, name and address of the consignor or consignee of malt liquors in transit should be shown in section 3.

(c) *Malt liquors held by brewers.* Brewers holding taxpaid malt liquors in tanks in the bottling house will measure such liquors and show in a separate section the number and kind of receptacle containing the malt liquors, and report the contents in terms of barrels.

Wines

§ 171.122 *Wines subject to tax.* The term "wines" includes, among others, the following which are subject to the floor stocks tax indicated if taxpaid prior to April 1, 1944, and which on that date are held and intended for sale or for use in the manufacture or production of any article intended for sale:

Kind	*Floor Stocks Tax*
(a) Still wines, including vermouth, and all artificial or imitation wines, or compounds sold as still wine, containing:	
(1) Not more than 14% of alcohol by volume	5 cents a gallon.
(2) More than 14% and not exceeding 21% of alcohol by volume.	20 cents a gallon.
(3) More than 21% and not exceeding 24% of alcohol by volume.	$1.00 a gallon.
(b) Champagne and sparkling wines, that is, effervescent wine charged with carbon dioxide resulting from fermentation of the wine in bulk or in the bottle.	5 cents per each one-half pint or fraction thereof.
(c) Artificially carbonated wine, that is, effervescent wine artificially charged with carbon dioxide.	5 cents per each one-half pint or fraction thereof.

§ 171.123 *Inventory of wines required.* Each proprietor of a bonded winery, bonded storeroom or taxpaid bottling house, and each rectifier, wholesale or retail dealer in liquors (including wholesale or retail dealer in wines and wholesale or retail dealer in wines and malt liquors), manufacturer, or any other person, corporation, partnership or association holding on April 1, 1944, taxpaid wines intended for sale or for use in the manufacture or production of any article intended for sale shall also before beginning business on that date prepare an inventory of all such taxpaid wines.

§ 171.124 *Preparation of inventory of wines*—(a) *Division into parts and sections.* The inventory of wines will be divided into five parts for the separate listing of the five different tax classes as follows:

PART 1. Wines containing not more than 14 per cent of alcohol.
PART 2. Wines containing more than 14 per cent but not exceeding 21 per cent of alcohol.
PART 3. Wines containing more than 21 per cent but not exceeding 24 per cent of alcohol.
PART 4. Champagne and other sparkling wines.
PART 5. Artificially carbonated wines.

Each part will consist of three sections as follows:

SECTION 1. Wines on the premises of the taxpayer.
SECTION 2. Wines owned by the taxpayer and stored elsewhere.
SECTION 3. Wines owned by and in transit to or from the taxpayer.

Section 1 will be divided into eight vertical columns which will be designated as follows:

(a) Kind of wine.
(b) Number of packages.
(c) Number of cases.
(d) Number of bottles in case.
(e) Size of bottles in case.
(f) Number of bottles not in cases.
(g) Size of bottles not in cases.
(h) Total gallons.

(b) *Wines stored elsewhere or in transit.* Section 2, covering wines owned by the taxpayer and stored elsewhere on April 1, 1944, and section 3, covering wines in transit to or from the taxpayer on April 1, 1944, will contain the same columns as section 1, except that columns (f) and (g), if not applicable, may be omitted. The address of each place of storage for wines recorded in section 2 should be shown. The means of transportation, name and address of the consignor or consignee should be shown in section 3.

(c) *Wines in bulk.* Rectifiers, wholesale dealers in liquors, manufacturers, and other persons holding taxpaid wines in packages (barrels or drums), tank cars, or in tanks will measure and proof the wines, and show in a separate section of the inventory the number and kind of receptacle containing the wine, the kind of wine, the wine gallons, and the per cent of alcohol by volume.

Inventories

§ 171.125 *Identification of inventory.* The inventories of distilled spirits, fermented malt liquors, and wines shall be prepared in duplicate on sheets of paper not larger than 10½ by 16 inches to be furnished by the taxpayer. Each page of the inventory will be consecutively numbered and identified by showing clearly at the head thereof the name of the individual, firm, or corporation holding the distilled spirits, fermented malt liquors, and wines, the address, the nature of the business, and the kind and serial number of the Federal special tax stamp (if any) held at such address.

§ 171.126 *Retention of copy of inventory, etc.* The duplicate copy of the inventory, and all preliminary work sheets, drafts of inventories, etc., will be retained by the taxpayer at the location covered by the inventory, and shall be available for inspection during business hours by internal revenue officers.

Filing of Return and Inventory and Payment of Tax

§ 171.127 *Filing of inventory and return.* Each taxpayer designated in §§ 171.116, 171.120, and 171.123 shall make a return on Form 758 (Revised 1943), in triplicate, for each place where distilled spirits, fermented malt liquors, or wines are held. However, one return may be filed covering a number of separate places of business, provided such places are in the same collection district, and a separate inventory is prepared for each place. The original and duplicate copies of the return, together with the original of the inventory of distilled spirits, fermented malt liquors, and wines, must be filed not later than May 1, 1944, with the Collector of Internal Revenue of the district in which the distilled spirts, fermented malt liquors, or wines are held. The triplicate copy of the return shall be retained by the taxpayer, together with the documents mentioned in § 171.126, at the location covered by the return. The filing of a blanket return with one Collector to cover a number of places in different collection districts will not be acceptable.

§ 171.128 *Payment of floor stocks tax.* The floor stocks tax shown by the return to be due may be paid to the Collector of Internal Revenue at the time the return is filed, but, if not paid at that time, such tax must be paid not later than July 1, 1944. However, the date of payment of the tax may be extended to a date not later than February 1, 1945, upon the filing of a bond on Form 723–A (Revised 1943), in duplicate, in accordance with the instructions thereon, in a penal sum in the amount of the tax (including the delinquency penalty, if any), plus an amount equivalent to and not more than 10 per cent of the tax (including the delinquency penalty, if any).

(Secs. 301 and 308, Revenue Act of 1943, Pub. Law 235, 78th Cong.)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner.

Approved: March 8, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3433; Filed, March 10, 1944; 10:57 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 511—INDUSTRY COMMITTEE REGULATIONS

PER DIEM ALLOWANCE IN PUERTO RICO AND THE VIRGIN ISLANDS

The following amendment to regulations, part 511, (Regulations Applicable to Industry Committees Issued Pursuant to section 5 of the Fair Labor Standards Act) is hereby issued. This amendment amends § 511.8 of said regulations by changing the allowable per diem of $15 to $20 for each day actually spent in the work of the committee by a member of an industry committee for Puerto Rico or the Virgin Islands. This amendment shall become effective upon my signing the original and upon the publication thereof in the FEDERAL REGISTER.

§ 511.8 *Per diem and expense allowance for committee members.* Each member of the industry committee will be allowed a per diem of $15 for each day actually spent in the work of the committee, except that for a member of an industry committee for Puerto Rico or the Virgin Islands the allowable per diem shall be $20 for each such day, and will in addition be reimbursed for necessary transportation and other expenses incident to traveling, in accordance with Standardized Government Traveling Regulations, as amended, dated January 30, 1934, and December 10, 1935. All travel expenses will be paid on travel vouchers certified by the chairman of the committee or by the Administrator or the Administrator's authorized representative. Any other necessary expenses which are incidental to the work of the committee may be incurred by the committee upon approval by the Administrator or the Administrator's authorized representative. Such expenses will be paid upon the certification of the Administrator or his authorized representative.

(Sec. 5, 52 Stat. 1062; 29 U.S.C. 205)

Signed at Washington, D. C., this 9th day of March 1944.

WILLIAM R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-3427; Filed, March 10, 1944; 9:40 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey

PART 231—OPERATING AND SAFETY REGULATIONS GOVERNING THE MINING OF POTASH; OIL SHALE; SODIUM, AND PHOSPHATE; SULPHUR; AND GOLD, SILVER, AND QUICKSILVER

PURPOSE OF REGULATIONS

Section 231.1 of part 231 is hereby amended to read as follows:

§ 231.1 *Purpose of regulations.* The regulations in this part govern the methods of mining and the safety and welfare of employees on leased lands on the public domain where operations are carried on or are to be conducted for the discovery or mining or treating of deposits of potash, oil shale, sodium, phosphate, sulphur, gold, silver, or quicksilver. These regulations shall also apply to deposits of silica sand and other non-metallic minerals within lands withdrawn by Executive Order No. 5105 of May 3, 1929. The administration of the regulations in this part shall be under the direction of the Geological Survey. (56 Stat. 273)

CROSS REFERENCE: Leases of silica sands and other non-metallic minerals in certain areas in Nevada: See Public Lands: Interior, 43 CFR, part 199.

W. E. WRATHER,
Director.

Approved: March 2, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-3426; Filed, March 10, 1944; 10:39 a. m.]

Chapter VI—Solid Fuels Administration for War

[Order 13]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL IN SOUTHEASTERN STATES

Since the critical shortage of bituminous coal which existed in certain southeastern states has been alleviated, Solid Fuels Administration for War Regulation No. 13, as amended (9 F.R. 1005, 1483, 1847) is no longer necessary. Accordingly, pursuant to Executive Order No. 9332 (8 F.R. 5355), the following order is issued:

Revocation of Solid Fuels Administration for War Regulation No. 13, as amended. Solid Fuels Administration for War Regulation No. 13, as amended, is revoked. This revocation does not affect liabilities accrued under the regulation. The bituminous coal affected by the regulation remains subject to all other applicable regulations, orders and directions of the Solid Fuels Administration for War.

This order shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 10th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-3462; Filed, March 10, 1944; 10:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–446, Amdt. 1]

ROSS PLUMBING SUPPLIES CO.

Benjamin Ross of Pittsburgh, Pennsylvania, doing business under the trade name of Ross Plumbing Supplies Company, has appealed to the Chief Compliance Commissioner from the provisions of Suspension Order S–446, which became effective December 27, 1943. On January 1, 1944, the suspension order was stayed pending determination of the appeal.

The case has been reviewed by the Chief Compliance Commissioner who has found that the appeal should be allowed as to the wholesale business of the respondent, and has directed that the suspension order be amended to confine the operation of the order to the retail business of the respondent, that the stay of execution be of no force or effect after March 4, 1944, and that the order expire on May 29, 1944, instead of March 27, 1944.

In view of the foregoing, it is hereby ordered, that:

Section 1010.446 *Suspension Order S–446,* issued December 20, 1943, be, and hereby is, amended by the substitution of the following paragraphs (a) and (c) for the present paragraphs (a) and (c):

(a) Deliveries of "plumbing equipment" and "heating equipment" as defined in General Limitation Order L–79, as amended September 13, 1943,

to the retail business of Benjamin Ross, known as Ross Plumbing Supplies Company, or to the successors or assigns of the retail business of Benjamin Ross, known as Ross Plumbing Supplies Company, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) This order shall take effect on December 27, 1943, and shall expire on May 29, 1944.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3417; Filed, March 9, 1944; 4:46 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-498]

ASHWORTH SPECIALTY COMPANY

Jordan F. Ashworth, doing business as Ashworth Specialty Company, at 255-7 Union Avenue, Memphis, Tennessee, is engaged in the business of tire repairing, recapping and retreading, and is also a distributor of such equipment. Between February 16, 1943, and June 22, 1943, in about fifty instances, he filled unrated orders for such equipment in preference to orders bearing preference ratings, and he filled, without regard to chronological sequence, orders bearing preference ratings of equal rank. He further failed to preserve and maintain accurate and complete records of these transactions. These acts were violations of Priorities Regulation No. 1. He was familiar with the provisions of this regulation and other War Production Board orders governing his operations, and his conduct must be deemed to constitute wilful violations of Priorities Regulation No. 1. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.498 *Suspension Order No. S-498.* (a) Deliveries of material to Jordan F. Ashworth, doing business as Ashworth Specialty Company, or under any other name, his or its successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Jordan F. Ashworth, doing business as Ashworth Specialty Company, or under any other name, his or its successors or assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Jordan F. Ashworth, doing business as Ashworth Specialty Company, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 9, 1944, and shall expire on June 9, 1944.

Issued this 2d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3418; Filed, March 9, 1944; 4:46 p. m.]

PART 933—COPPER

[Conservation Order M-9-c, as Amended Jan. 22, 1944, Amdt. 2]

Section 933.4 *Conservation Order M-9-c* is hereby amended by changing the lines on the "Military Exemption List" which now read:

Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots; (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs for use on jungle clothing and equipment, and for use on leather, canvas, webbing, duck, coated fabrics and special fabrics for field clothing and equipment being produced on a rating of AA-3 or higher; and (iii) springs for snap fasteners for any use.

to be and read as follows:

(i) Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots; and (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA-3 or higher.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3440; Filed, March 10, 1944; 11:30 a. m.]

PART 1029—FARM MACHINERY

[Supplementary Limitation Order L-170-a, Revocation]

Section 1029.11 *Supplementary Limitation Order L-170-a* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of farm tractors and engine power units remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3441; Filed, March 10, 1944; 11:30 a. m.]

PART 1071—INDUSTRIAL COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Schedule II, Revocation]

Section 1071.4 *Schedule II to Limitation Order L-126* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of refrigeration condensing units remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3442; Filed, March 10, 1944; 11:29 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule I, as Amended Mar. 10, 1944]

SHOVELS, SPADES, SCOOPS AND TELEGRAPH SPOONS

§ 1293.2 *Schedule I to Limitation Order L-157*—(a) *Definition.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates hand shovels, spades, scoops or telegraph spoons.

(b) *Simplified practices.* Pursuant to Limitation Order L-157 the sizes, types, grades, finishes, lifts, gauges and handles set forth in Appendix A hereto are hereby established for the manufacture of hand shovels, spades, scoops or telegraph spoons.

(c) *Effective date of simplified practices.* (1) On and after September 1, 1942, no hand shovels, spades, scoops or telegraph spoons which do not conform to the sizes and standards established by paragraph (b) hereof (and set forth in the Appendix hereto) shall be produced or delivered by any producer or accepted by any person from any such producer except:

(i) Hand shovels, spades, scoops and telegraph spoons, not so conforming may be produced by a producer from any material in the hands of such producer on August 10, 1942, and delivery of any such shovels, spades, scoops and telegraph spoons may be accepted; or

(ii) With the express permission of the War Production Board.

(2) On and after August 10, 1942, no material for the manufacturing of hand shovels, spades, scoops or telegraph spoons shall be accepted by any producer which does not conform to the sizes and standards set forth in Appendix A attached hereto.

(d) *Records covering materials, work in process, etc.* Each producer shall retain in his files records showing his inventory of raw materials, work in process and finished hand shovels, spades, scoops and telegraph spoons (by types and sizes), as of August 10, 1942, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

TABLE II—SPADES

Kind	Grades	Gage	Blade: Multiple size[1]: Length or size number	Blade: Multiple size[1]: Hollow back and closed back	Blade: Multiple size[1]: Plain back and solid shank[2]	Steps
11. Ditch or post	Alloy, A, B	14	14-in.	*Inches* 7½ x 23	*Inches* 7½ x 14	One type.
			16-in.	7½ x 25	7½ x 16	One type.
			18-in.	7½ x 27	7½ x 18	One type.
14. Drain-round point	Alloy, A, B	14	14-in.	7½ x 23	7½ x 14	One type.
			16-in.	7½ x 25	7½ x 16	One type.
			18-in.	7½ x 27	7½ x 18	One type.
15. Garden	O	12	No. 2	8½ x 23½	7½ x 13½	One type.
16. Nursery	Alloy, A	12	No. 2	8½ x 23½	7½ x 13½	One type.

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle spades of a given size.
[2] The trimmed blank for a solid shank spade is to be the same size as the blank for a similar type and size of plain back spade.
[3] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[4] If step is made as an integral part of the blade, add ¾ inch to the length of the multiple.

TABLE III—SCOOPS AND TELEGRAPH SPOONS

Kind	Grades	Gage	No.	Blade: Multiple size[1]: Hollow back	Blade: Multiple size[1]: Plain back and solid shank[2]	Steps
				Inches	*Inches*	
17. Ash pit (low lift)	O	16	4	12 x 26½		Turned.
18. Break-down, diamond point	Alloy, A, B	15	5	14 x 30½		
19. Coal yard (western pattern, flat point)	Alloy, A, B	16	8	13½ x 30		
20. Eastern pattern or locomotive[3]	Alloy, A, B, O	16	2	13½ x 23½		
			4	13½ x 24½		
			6	13½ x 25½		
21. Grain corrugated (western pattern)	O	17	8	14½ x 26		
			10	14½ x 27		
22. Gravel, round point	Alloy, A, B, O	16	12	14½ x 28		
			2	12½ x 23½		Turned.
TELEGRAPH SPOONS						
23. Eastern pattern	Alloy A	15		10 x 12¾	10 x 12¾	
24. Western pattern	Alloy A	13		10 x 12¾	10 x 12¾	

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle scoops of a given size number.
[2] The trimmed blank for a solid shank scoop is to be the same size as the blank for a similar type and size of plain back spoon.
[3] To be furnished in lifts of 21 and 13 inches.
[4] May be made from smaller multiples, if desired.

ing; the blade shall not be pickled before being wire brushed. Full polished finish is obtained by pickling the blade, finishing on roughing and finishing polishing wheels, and dipping it in lacquer, lacquer with an asphaltum base, or other suitable protective coating. No hand shovels, spades, scoops, or telegraph spoons shall be finished in other than black or natural finish, except moulders'

APPENDIX A TO SCHEDULE I—LIMITATION ORDER L-157

Explanations and limitations—(1) *Grades.* Alloy A, B, and C designate qualities of complete hand shovels, spades, scoops, or telegraph spoons; alloy and A designating the best quality. Alloy and A-grade tools are equipped with grade XX or SA handles; B-grade tools are equipped with grade X or SB handles. C-grade tools are equipped with No. 1 or SC handles. SA, SB, and SC grades are approximately equivalent to XX, X, and No. 1, respectively, which are the handle-grade designations commonly employed by the shovel industry. Grades SA, SB, and SC are defined in Simplified Practice Recommendation R76, Ash Handles issued by the United States Department of Commerce, National Bureau of Standards.

Nothing in this provision shall be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as posible to the respective grades of ash for which they are substituted; *Provided*, That the buyer consents, and all handles other than ash be marked with the name of the species of wood of which they were made.

(2) [Deleted March 10, 1944]

(3) *Blade finishes.* Black or natural finish is obtained by dipping the blade in its natural state, except that it may be wire brushed to remove scale or rust, in lacquer, or lacquer with an asphaltum base, or other suitable protective coat-

TABLE I—SHOVELS

End	Grades	Gage	No.	Blade: Multiple size[1]: Hollow back	Blade: Multiple size[1]: Closed back	Blade: Multiple size[1]: Plain back and solid shank or solid socket[2]	Steps
				Inches	*Inches*	*Inches*	
1. Barn or general purpose	O	16	2	12 x 21			
			4	14 x 23			
			6	14 x 24			
2. Coal, corrugated[3]	(Alloy, A, B, O or C	16	4	10 x 21		9¾ x 11½	(4)
		17	2	10 x 21½		10 x 11½	(4)
			4	10 x 22½		10 x 12¾	(4)
3. Coal dust, or bag dust	Alloy, A, B, O	16	2	11 x 22½		11 x 13½	(4)
			4	12 x 23½		12 x 14¾	(4)
4. Round Point	Alloy, A, B	14	4	10 x 21½		10 x 12¾	(4)
			2	10 x 21½		10 x 12¾	(4)
	C	15	4	10 x 21½		10 x 12¾	(4)
			2	10 x 22½		10 x 13½	(4)
	Alloy, A, B, O	16	4	11 x 22½		11 x 13½	(4)
			2	11 x 22½		11 x 13½	(4)
5. Square Point	Alloy, A, B	14	6	11 x 22½		11 x 13½	(4)
			4	12 x 23½		12 x 14¾	(4)
		15	2	12 x 23½		12 x 14¾	(4)
	C	15	2	10 x 21½		10 x 12¾	(4)
		14	2	10 x 21½		10 x 12¾	(4)
6. Irrigating	B	15	2	10 x 21½		10 x 12¾	(4)
7. Mining—stiff point and spring point	Alloy, A, B, O	15	2	10 x 21½	10 x 21½	10 x 12¾	
8. Moulders'	B	15	4	11 x 21½			
9. Ore	Alloy, A	13	2			10 x 12¾	
10. Telegraph	Alloy, A	13	2			10 x 12¾	
11. Track	Alloy, A	13	2	[5] 10 x 21½		10 x 12¾	(6)
12. Intermediate shovel[7]							

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handled shovels of a given number (size).
[2] The trimmed blank for a solid shank shovel is to be the same size as the blank for a similar type and size of plain back shovel.
[3] To be made in lifts of 21, 17, 14, and 11 inches.
[4] With or without steps; one type only.
[5] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[6] If step is made as an integral part of blade, add ¾ inch to the length of the multiple.
[7] To be in accordance with U. S. Army Specification No. 17-172.

NOTE: "Alloy" added in "Grades" Column Mar. 10, 1944.

shovels and grain scoops, which may be full polished on the face only, and except shovels delivered to the Army or Navy of the United States, which shovels shall be finished in accordance with the procurement specifications of the War Department or Navy Department as the case may be.

(4) *Gauges.* The gauges referred to are the steel manufacturers' standard gauges, and are subject to the manufacturers' standard tolerances. The gauge of blades is to be determined by averaging five measurements taken as specified in Federal Specification GGG–S–326.

(5) *Handle finish.* Neither long handles, nor the stems of D handles, shall be painted or otherwise finished than by sanding and waxing, except all shovels delivered to the Army or Navy of the United States, which shovels shall be painted in accordance with specifications of the War Department or the Navy Department as the case may be. Any metal used in the construction of D handles may be given a protective coating, or the entire D may be so coated, but only so far along the stem as is necessary to cover any metal used in the construction of the D.

(6) *Handle lifts.* Each kind and size of hand shovel, spade, scoop, and telegraph spoon shall be manufactured with only one lift, which shall be in accordance with the individual manufacturer's present standard practice, except corrugated coal shovels, which may be made with lifts of 21, 17, 14, and 11 inches, and eastern pattern scoops, which may be made with lifts of 21 and 13 inches.

Issued this 10th day of March, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3443; Filed, March 10, 1944; 11:20 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L–157, Schedule II as Amended Mar. 10, 1944]

FORGED AXES, HATCHETS, BROAD AXES, ADZES, AND LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L–157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in this weight).

(3) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(4) "Lend-Lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act).

(b) *Simplified practices.* (1) Pursuant to Limitation Order No. L–157, the kinds, styles, sizes, weights and provisions set forth in Appendices A, B and C hereto, are hereby established as specifications for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers. Notwithstanding such limitation a producer may manufacture or otherwise fabricate forged axes not conforming to the specifications set forth in Appendix A hereto, for export under a license issued by the Foreign Economic Administration or to fill an order of a Lend-Lease Government.

(2) Forged axes, forged hatchets, forged broad axes, forged adzes or forged light hammers may be supplied with or without handles. Handles shall be limited to not more than three grades, as selected by the producer, for any one pattern (irrespective of size) of axe, hatchet, broad axe, adze, or light hammer manufactured, forged, or otherwise fabricated in accordance with this paragraph (b). On or before May 15, 1943, each producer shall file on Form PD–754, with the War Production Board, Building Materials Division, Washington 25, D. C., a list of the three grades of handles selected by him for each pattern.

(c) *Effective date of simplified practices.* The provisions of this Schedule II, as amended, shall take effect on the 15th day of April, 1943. On and after the 15th day of April, 1943, no producer shall put into process any ferrous metal in the manufacture of a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, which fails to conform to the specifications established by paragraph (b) of this Schedule II and as set forth in Appendices A, B, and C hereto. Notwithstanding the provisions of paragraph (b) of this Schedule II, a producer may at any time sell or deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer manufactured prior to the 15th day of April, 1943.

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L–157. The War Production Board may thereupon take such action it it deems appropriate.

(e) *Records covering material, types and sizes, work in process, etc.* On or before May 15, 1943, each producer of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers shall file on Form PD–754 with the War Production Board, Building Materials Division, Washington 25, D. C., a list of all items manufactured by him in conformance with this amended schedule.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—FORGED AXES

1. Patterns, bit styles and sizes shall be as specified in the following tables 1, 2 and 3, and patterns shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943. Not more than one type of any one pattern as listed shall be manufactured.

2. A "plain" bit style means a forged axe having a bit in which the transverse surface is continuous.

3. The finish on all forged axes shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit or bits. The striking face and bit or bits shall be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit or bits shall be ground and polished for a distance not to exceed 2½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. In cases where a substitute name is shown in the listing of pattern names, the name listed first shall be the name of the pattern, but a producer or distributor may use one of the substituted names for the pattern, providing such listing does not indicate it as a different pattern. Substitute names may not be used for patterns other than as listed.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed, but any pattern may only be cataloged and listed in the sizes as shown in the tables.

6. [Deleted Mar. 10, 1944]

TABLE 1—SINGLE-BIT AXES

Pattern	Bit style	Size (weight of head in lbs.)
Dayton (also known as Yankee or Maine).	Plain	3, 3½, 4
Michigan	Plain	3, 3½, 4
Jersey (also known as Baltimore-Jersey, Caroline-Jersey)	Plain	3, 3½, 4
Connecticut	Plain	3, 3½, 4
Kentucky (also known as Southern-Kentucky).	Plain	3, 3½, 4
Dock axes (Patterns listed above with hardened head).	Plain	3, 3½, 4

TABLE 2—DOUBLE-BIT AXES

Michigan (also known as Crown) 2½# (also known as Cedar and Cruiser)	Plain	2½, 3, 3½, 4
Western (also known as Pennsylvania).	Plain	3, 3½, 4
Reversible (also known as Half-Peeling).	Plain	3½, 4
Felling	Plain	4, 4½
Swamping	Plain	4, 4½

TABLE 3—MISCELLANEOUS AXES

Light weight axe (varying handle lengths).	Plain	1½, 2¼
Firemen's	Plain	2½, 3
Pulaski (Forestry)	Plain	3¼
Intrenching and belt axe	(To be made in accordance with Army specifications to fill Government Orders only.)	

APPENDIX B—FORGED HATCHETS, BROAD AXES AND ADZES

1. Patterns, sizes, widths of cutting edge and weight of head shall be as specified in the following tables 1, 2 and 3.

2. Patterns as specified shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943, but not more than one type of any one pattern of hatchet, broad axe or adze as listed shall be manufactured.

(i) When "width of cutting edge in inches" for forged hatchets, forged broad axes, and forged adzes is specified in tables 1, 2 and 3 of this appendix, a tolerance of ⅛ inch plus or minus shall be permitted.

(ii) When "approximate weight of head in pounds" for forged broad axes is specified in table 2 of this appendix, a tolerance of 8 ounces plus or minus shall be permitted.

4. [Deleted Mar. 10, 1944]

5. The finish on all forged hatchets, forged broad axes and forged adzes, shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit. The bit shall be, and striking face may be, ground and polished but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit shall be ground and polished for a distance not to exceed 1½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

TABLE 1—FORGED HATCHETS

Pattern	Size	Width of cutting edge in inches
Standard patterns:		
Half	2	3½
Claw	2	3½
Broad	2	4½
Broad	4	5½
Special patterns:		
Half—(Octagon, square or round head) thin blade*	2	3½
Underhill lath, milled head 9 or 12 rows*	1	2¼
Underhill fruit box, milled head, 12 rows Coast pattern	1	2¼
Underhill shingler—with gauge		
Produce, 12 ounces		
Packers or barrelling 12 or 14 ounces*		
Car or rig builders, plain or milled head	2	3½

*Choice of only one style or size.

TABLE 2—FORGED BROAD AXES

Pattern	Width of cutting edge in inches	Weight of head in pounds
Canada	12	7
Pennsylvania	11	6½
Pennsylvania	12	7

TABLE 3—FORGED ADZES

Pattern:	Width of cutting edges in inches
Half head	4
Full head	4
Full head (railroad)	5
Ship carpenters, plain	4
Ship carpenters, plain	4½
Ship carpenters, lipped	4½
Ship carpenters, lipped	5
Mine track, #3 eye	3
Railroad, A. R. E. A. design (9" Blade)	4

APPENDIX C—FORGED LIGHT HAMMERS

1. Kinds, patterns and weights of forged light hammers shall be as specified in the following tables 1 and 2.

2. Octagon or hexagon patterns indicate a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. The finish on all forged light hammers shall be a forge finish as follows: All flash and scale to be removed with a hard wheel. Only striking faces and peins to be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. Where weights are specified in tables 1 and 2, such weights are for heads only, and a tolerance of 2 ounces plus or minus shall be permitted.

5. [Deleted Mar. 10, 1944]

6. Milled faces on nail and ripping hammers will be permitted on 16 ounce and 20 ounce sizes only.

TABLE 1—FORGED LIGHT HAMMERS

Kind	Pattern	Ounces	Pounds
Nail	Octagon or hexagon	13, 16, 20	
	Bell face	7, 13, 16, 20	
	Plain	16, 20, 24 or 28	
Ripping	Bell ace	16, 20	(4)
Engineers and blacksmiths[1]	Cross pein		1¼, 2, 2½, 3.
Bricklayers[1]	Plain or adze eye		1½.
Coopers	Regular		3, 4.
Engineers	Double face		2½, 3.
	Octagon poll, driving	7, 10	
	Rd. poll, curved claw, driving	7, 10	
	Rd. poll, straight claw, driving	12	
Farriers	Turning		2¼.
	Fitting		2¼.
	Sharpening		2¼.
Machinists	Ball pein	2, 4, 8, 12	1, 1¼, 1½, 9, 2¼.
	Straight or Cross Pein		1½.
Riveting	Plain eye	4, 9, 12	
Tinners	Riveting	8, 12	
	Paneing or setting	12	
	Raising	28	
Body workers[1]			

[1] In 24 and 28 ounce weights, one weight only to be manufactured.
[2] One style only.
[3] May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

TABLE 2—SPECIAL PURPOSE HAMMERS

Kind	Weight	
	Ounces	Pounds
Boiler inspectors	9	
Hand drilling or stone cutters 4" head (#2 or #4 eye)		3
Pattern makers	5	
Prospecting pick	16, 24	
Saw setters	8	
		1½
Scaling hammers		1
Electricians	20	
Tack (magnetic or non-magnetic)	4, 7	
Bill posters (magnetic)	5, 8	
Tile setters	3	
Boilermakers, double face (*)		2, 3
Riveting (*)	18	
Tinners raising (*)	12	
Trimmers drop forged, with claw tool (*)	7	
Welders chipping, with wire brush (*)		1
Blacksmiths hand (set hammer with handle) 1¼" face (*)		3
Tinners riveting (*)	16	

*May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

[F. R. Doc. 44–3444; Filed, March 10, 1944; 11:29 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L–157, Schedule IV, as Amended Mar. 10, 1944]

HEAVY FORGED HAND TOOLS

§ 1293.5 *Schedule IV to Limitation Order L–157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates heavy forged hand tools.

(2) "Heavy forged hand tools" means such (i) bars, (ii) blacksmiths' anvil tools, (iii) mauls and hammers or sledges weighing 4 pounds or over, (iv) hoes weighing 3½ pounds or over, (v) mattocks, (vi) picks, (vii) railway track tools, (viii) tongs, (ix) wedges, (x) mine blasting hand tools, mine breast drills and miscellaneous forged hand tools, as are listed in Table 1 through Table 10 of Appendix A of this schedule, and all other tools as are listed in said tables.

(b) *Limitations.* Parts manufactured for repair and maintenance of any heavy forged hand tools are not subject to the limitations of this schedule.

(c) *Simplified practices.* Pursuant to Limitation Order L–157 the sizes, types, grades, weights and finishes set forth in Appendix A and Tables 1 through 10 of this schedule are established for the manufacture of heavy forged hand tools.

(d) *Effective date of simplified practices.* On and after the 3d day of November, 1942, no heavy forged hand tool which does not conform to the size, type, grade, finish, weight and standard established by paragraph (c) of this schedule (and set forth in Appendix A and tables hereto) shall be produced by any producer except upon approval of the War Production Board.

(e) *Records covering materials, work in progress, etc.* Each producer of heavy forged hand tools shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

EXPLANATIONS AND LIMITATIONS

(1) *Finishes.* Faces, bits, points, and other commonly ground parts of a heavy forged hand tool shall not have a finish finer than

the finish resulting from the use of a 60-grit emery wheel, dry, when good commercial technique is employed, except that sample tools selected from a lot for inspection may be polished to as fine a degree as may be necessary for such inspection. All other surfaces of heavy forged hand tools shall not be finished other than by applying a coating of paint, enamel, or lacquer over the natural forged surface, free from scale.

(2) *Sizes.* Weights given herein are exclusive of wooden handles. Dimensions and weights are subject to commercial tolerances.

(3) *Eyes.* The shapes of eyes specified by number herein and the dimensions of eyes, except those for which dimensions are given herein, shall conform with the diagrams and data on eye shapes and sizes shown pp. 10 to 18, inclusive, of Simplified Practice Recommendation R17-35, Forged Tools, issued by the National Bureau of Standards.

(4) [Revoked Mar. 10, 1944]

(5) No producer shall manufacture the tools listed herein in more than one grade, finish, or kind of steel.

(6) Reference herein to "the forged hammers schedule" and to "the forged hatchets schedule" refer to Schedule II of Limitation Order L-157.

TABLE 1—BARS

Chisel point:

Diameter of octagon or hexagon, inch	⅝	¾	⅞	1
Length, inches	18	24	30	36

Claw, carpenters' and wrecking:

Carpenters, gooseneck (the nail-pulling claw end bent around to form an angle of approximately 30 degrees with shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):

Size of Hexagon or octagon, inches	½	¾	¾	¾
Length, do	12	24	30	36

Carpenters', gooseneck (the nail-pulling claw end bent by a double bend to an angle of from 90 to 120 degrees with the shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):

Size of octagon or hexagon, inch	¾	¾	¾
Over all length, inches	24	30	36

Wrecking or straight (both ends offset at an angle of approximately 30 degrees, in opposite directions, one end wedge-shaped and the other provided with a claw):

Diameter of octagon or hexagon, inch	¾	¾	¾
Length, inches	24	30	36

Claw, railroad:

A. R. E. A. design No. 1:* 5 feet long, approximately 28 pounds.

A. R. E. A. design No. 2: 5 feet long, approximately 28 pounds.

Double end (for railroad and boat spikes): 30-pound.

Flextoe.

Light, with railroad standard heel: 4-foot, 20-pound, for ½-inch spike.

Small, without heel:

3-foot, 8-pound, for ⅜ and ½-inch spikes.

2½ foot, 6-pound, for ⅜ and ½-inch spikes.

Other railroad claw-bars: None.

Coal or slate (one end tapered to a point, the other wedge-shaped and offset): 4½-foot, 1-inch octagon or hexagon, 11½-pound.

Crow, pinch-point; 3-pound, ¾-inch, 2-foot; and 6-pound, ⅞-inch, 3-foot.

Crow, pinch-and wedge-point:

Weight each, pounds	12	18	22		26
Size, inches	1⅛	1¼	1⅜ or 1½		1½
Length, do	54	60	63		66

* See Specifications and Plans for Track Tools, published by the American Railway Engineering Association, Construction and Maintenance Section, Association of American Railroads, 1942, annual edition.

TABLE 1—BARS—continued

Crow, pinch, locomotive (with toothed heel): None.

Crow, pinch, with heel: 20-pound, 66-inch.

Crow, pinch or jimmy (or miners, or Dillonvale. Has offset wedge-shaped point): None.

Digging, post-hole:

With tamper: 5½ to 6 feet long, 1 inch in diameter; blade 8 inches wide, tamper 2¼ inches in diameter, one model only.

With loop end: None.

With point end: 8 feet long 1⅛-inch octagon or hexagon.

Flagging or paving: None.

Lining, diamond-shaped point:

Weight each, pounds	18	26
Size, inches	1⅛	1½
Length, inches	60	66

Lining, round point: None.

Pinch or jimmy bar (one end wedge-shaped and offset, other end straight, round, and tapered):

Size of octagon or hexagon, inch	¾	⅞	1
Length, inches	26	30	36

Shackle: None.

Tamping, chisel end: A. R. E. A. plan No. 14; approximately 13 pounds.

Tamping, diamond tamp, spear end: None.

Tamping, end (offset loop handle): None.

Tamping, plain end: None.

Tamping, spade end: None.

Tamping, spear end: 15-pound, 68-inch, 4-inch tamper, 4¾-inch spear.

Tamping, telegraph (wide tamp): None. (See Digging.)

Tamping, with wooden handle: None.

Timber (both ends offset at an angle of approximately 30 degrees, diamond-shaped point on one end, and chisel point on the other): 17-pound, 1⅛-inch stock, 5-foot.

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Chisels, cold:

Sizes of stock at eye, inches	1¼	1½	1¾
Length, do	6	7	8
Bit, do	1¼	1½	1¾
Weight, pounds	2	3	5

Chisels, hot:

Sizes of stock at eye, inches	1¼	1½	1¾
Length, do	7⅞	8¼	9¾
Bit, do	1½	2	2¼
Weight, pounds	2	3	5

Flatters:

Sizes of face, inches	2	2½	3	4

Fullers, top:

Sizes of groove, inches, ¼, ⅜, ½, ¾, 1, 1¼, 1½, 1¾, 2.

Fullers, bottom (shank 2⅜ inches long for all sizes); Sizes of groove, inches, ¼, ⅜, ½, ¾, 1, 1¼, 1½, 1¾, 2.

Hardies (shank 2⅜ inches long for all sizes):
Sizes of square shank, inches, ½, ⅝, ¾, ⅞, 1, 1⅛, 1¼.
Bit, inches, 1⅝, 1¾, 1⅞, 2, 2⅛, 2¼, 2⅜.

Heading tools:

Diameter of hole (inches)	Length (inches)	Size of head (inches)
¼	15	1¾ x 2¼
⅜	15	1¾ x 2¼
½	15	1¾ x 2¼
⅝	15	1¾ x 2¼
¾	16	1⅞ x 2½
⅞	16	1⅞ x 2½
1	16	1⅞ x 2½

Punches, round end:

Sizes of round punch, inches	¼	⅜	½	⅝	¾	⅞	1
Stock at eye, do	1⅛	1⅛	1¼	1⅜	1⅜	1½	1½
Length, do	7	7¼	7½	7¾	8	8¼	8½

Punches, square end:

Sizes of square punch, inches	¼	⅜	½	⅝	¾	⅞	1
Stock at eye, do	1⅛	1⅛	1¼	1⅜	1⅜	1½	1½
Length, do	7	7¼	7½	7¾	8	8¼	8½

Set hammers:

Square sizes of stock at face, inches	1¼	1½	1¾
Weight, pounds	1½	2	2¾

Swages, top: Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1 1¼, 1½, 1¾, 2, 2½, and 3.

Swages, bottom; Sizes of peen, inches, ¼, ⅜, ½, ⅝, ¾, ⅞, 1, 1¼, 1½, 1¾, 2, 2½, and 3.

TABLE 3—HAMMERS, MAULS, AND SLEDGES

Hammers:

Blacksmiths', double-face (See sledges).

Blacksmiths', hand, cross peen. (For smaller sizes see forged hammers schedule.)

Weight, pounds	4
Length, inches	5½
Eye size No.	2
Eye size, inches	¾ by 1

TABLE 3—HAMMERS, MAULS, AND SLEDGES—continued

Mauls—Continued.

Woodchoppers'—Continued.

Oregon pattern, double-bit-axe eye:

Weight, pounds	6	8
Length, inches	8½	9½

TABLE 3—HAMMERS, MAULS, AND SLEDGES

Hammers:

Blacksmiths', double-face (See sledges).

Blacksmiths', hand, cross peen. (For smaller sizes see forged hammers schedule.)

Weight	4 pounds
Length	5½ inches
Eye size No.	2
Eye size	¾ by 1 inches

Bush: 6-pound.

Caulking: None.

Drilling, hand: (See forged hammers schedule.)

Engineers', hand, cross peen: (See also sledges, blacksmiths'): 4-pound. (For smaller sizes see forged hammers schedule.)

Engineers', double face: 4-pound.[1] (For smaller sizes see forged hammers schedule.)

Macadam: None.

Masons': None.

Masons', with teeth: None.

Napping: 4-pound, 6¼-inch; No. 2, ¾ by 1 inch eye, and 6-pound, 6¾-inch, No. 2, 1 by 1¼ eye.

Paving: None.

Riveting: None. (For machinists' riveting hammers see forged hammers schedule.)

Slashing: None.

Spalling, single face:

Weight (pounds)	4	6	8	16	20
Length (inches)	6	6½	7¾	9½	10½
Eye No.	2	2	2	2	2
Eye sizes (inches)	¾ by 1	1 by 1¼	1 by 1⅜	1 by 1⅜	1¼ by 1⅜

Spalling, double face:

Weight (pounds)	8	12	16	
Length (inches)	6½	7	8	
Eye No.	2	2	2	
Eye size (inches)	1 by 1¼	1 by 1⅜	1 by 1⅜	

Striking, Missouri pattern: None.

Striking, short or Oregon pattern: None.

Striking, long or Nevada pattern:

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	8¾	2	¾ by 1
6	6½	2	1 by 1¼
8	7¾	2	1 by 1¼
10	7¾	2	1 by 1⅜
12	8	2	1 by 1⅜
16	8½	2	1 by 1⅜

Mauls:

Coal: None.

Ship or top: 5-pound, 8¾-inch; Eye No. 2, 1 by 1¼ inch.

Spike, railroad:

Standard pattern (any two of the following):

Weight	4 pounds	8	10
Length	9 inches	12	12¾
Eye No.	2	2	2
Eye size	¾ by 1 inches	1 by 1⅜	1 by 1⅜

Pittsburgh or bell pattern:

A. R. E. A. design No. 1: 14-inch, approximately 10-pound.

A. R. E. A. design No. 2: 15-inch, approximately 10-pound.

Woodchoppers':

Straight bit, oval eye: None.

Oregon pattern, single-bit-axe eye: None.

[1] Same as 4-pound blacksmiths' double face sledge.

TABLE 3—HAMMERS, MAULS, AND SLEDGES—continued

Mauls—Continued.

Woodchoppers'—Continued.

Oregon pattern, double-bit-axe eye:

Weight	6 pounds	8	
Length	8½ inches	9⅛	
Eye No.	5	5	
Eye size	⅞ by 2⅛ inches	⅞ by 2⅛	

Oregon pattern, oval eye:

Weight	6 pounds	8	
Length	8½ inches	9⅛	
Eye No.	2	2	
Eye size	1 by 1¼ inches	1 by 1¼	

Sledges:

Blacksmiths', cross peen:

Weight	6 pounds	8	10	12	16
Length	6⅛ inches	7	7½	8	9
Eye No.	2	2	2	2	2
Eye size	1 by 1¼ inches	1 by 1¼	1 by 1⅜	1 by 1⅜	1 by 1⅜

Blacksmiths', straight peen:

Weight	8 pounds	12	24
Length	7 inches	8	8½
Eye No.	3	2	2
Eye size	1 by 1¼ inches	1 by 1⅜	1 by 1⅜

Blacksmiths', double face:

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	5¼	2	¾ by 1
6	6	2	1 by 1¼
8	6½	2	1 by 1¼
10	7	2	1 by 1⅜
12	7¼	2	1 by 1⅜
20	8¾	2	1¼ by 1½

Moulders: None.

New England pattern, cross peen: None.

Ore: None.

Stone, flat face: None.

Stone, oval face:

Weight	8 pounds	12	16	20
Length	7¼ inches	8¼	9¼	9¾
Eye No.	2	2	2	2
Eye size	1 by 1¼ inches	1 by 1⅜	1 by 1⅜	1¼ by 1½

TABLE 4—HOES

Accomac: 5-pound (nominal), blade 5⅞ to 6¾ inches, length 11 to 11¾ inches.

Clay: None.

Grub: 3½-pound, 3¾-inch bit, 10¾ inches long, No. 6 eye.

Grub, Baltimore pattern: None.

Hazel: None.

Palmetto (Accomac type, but with heavier blade): None.

Vineyard: None.

TABLE 5—MATTOCKS

Asphalt, double eye: 10-pound, 3-inch bits, 20 inches long.

Asphalt, single eye: None.

Brush: None.

Cutter:

5-pound, 13 inches over all, eye No. 7.

5-pound, 15¾ inches over all, eye No. 6.

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TABLE 7—RAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED—Continued

Puller, spike: A. R. E. A. design, 4-ball, 2½-pound.
Punch, tie plug: A. R. E. A. design, 4-pound.
Punch, track, round point: A R. E. A. design, 5½-pound.
Tongs, girder rail: Maximum weight 18 pounds.
Tongs, rail: A. R. E. A. design, 22-pound.
Tongs, tie: A. R. E. A. design, 10-pound. (May be furnished with lugs.)
Tongs, timber: Old or new A. R. E. A design.
Wrenches, track, single and double end: A. R. E. A. design, jaw openings as desired.
Wrenches, track, mine:
Double end, S pattern:
For ½- and ⅝-inch bolts, 10½ inches long over all, maximum weight 1½ pounds, jaw opening as desired.
Single end, other end tapered for lining up holes:
For ½-inch bolts, 11½ inches long over all, maximum weight 1½ pounds, jaw opening as desired.

TABLE 8—PICKS

Bit, with oblong boxed face:								
Curved pattern: 3½-pound.								
Straight pattern: None.								
Blacksmiths' bolt, curved lip, fluted jaw:								
Diameter of bolt—inches—	¼	⅜	½	⅝	¾	⅞	1	1½
Length—do—	18	18	20	22	24	24	24	26
Gad, flat jaw: 24-inch.								
Horseshoers': 16-inch.								
Pick: 24-inch								
Pick-up, double: 24-inch.								
Pick-up, single: 24-inch								
Rivet: 24-inch								
Rivet heaters: 30-inch and 42-inch.								
Sticker, straight or curved: 20-inch.								
Straight fluted lip: 18-, and 24-inch.								

TABLE 9—WEDGES

Bushing, Pacific coast: 6-pound.
Coal: 2- 2½- 3- and 3½-pound (one pattern only, to be proportioned as desired between the present short and long patterns.)
Coal, anthracite pattern. 2-, 2½, 3-, and 3½-pound.
Falling, broad pattern with ear. None.
Falling, Pacific coast: 5- and 6-pound.
Falling, Lake Superior pattern (sometimes called a splitting wedge): None.
Falling, narrow pattern. None.
Falling, Oregon pattern. None.
Falling, Puget Sound pattern. None.
Falling, Tolmsend pattern. None.
Frost. 16-pound.
Hanging (any wedges with holes in center of head): None.
Rock. None.
Saw, heavy pattern, with ear. None.
Saw, improved: ½-, 1-, 2-, and 3-pound.
Splitting, cedar. None.
Splitting, Oregon. 6-pound.
Standard or square head: 3-, 4-, 5-, and 6-pound.
Stone: 3- and 4-pound.
Stone: 2- and 4-pound.
Tie: None.
Trackee, or round head: 4-, 5-, and 6-pound.
Trackee, flared bit: None.
Wood, prouty: None.

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TABLE 1—FORKS

Kind	Grades [a]	Tines				Spread of points (approx.)	Space between tines	Handle lengths [b]	Weight per dozen (approx.) [c]
		No.	Length	Shape	Finish				
LIGHT FORKS									
			In.			*In.*	*In.*		*Lbs.*
Barley, with or without bails and braces	A, B	4	18	Oval	Polished	14½		{4–5½ ft. {34 in. DT.	4.50 .57
Hay, regular 3-tine	A, B	3	12	do	do	7¼		3½–6 ft.	4.35
	C	3	12	do	Black	7¼		4–6 ft.	4.33
Header, round shouldered	A, B	4	18	do	Polished	10½		4–5½ ft.	4.44
Manure, regular pattern:									
4-tine	A, B	4	12–12½	do	do	9¾		{4 & 4½ ft. {32 in. DT.	4.43 .42
	C	4	12–12½	do	Black	8¾		{4 & 4½ ft. {32 in. DT.	4.40 .38
5-tine	A, B	5	12–12½	do	Polished	9½		{4 & 4½ ft. {32 in. DT.	4.44 .43
	C	5	12–12½	do	Black	9½		{4 & 4½ ft. {32 in. DT.	4.43 .41
Spading:									
Light pattern	A, B	4	11	Angular back	Polished face, tumbled back. [f]			{4 ft. {30 in. DT.	.57–.56 .55–.56
Heavy pattern	A, B	4	11	do	do			{4 ft. {30 in. DT.	.62 .60
HEAVY FORKS									
Beet, scoop shaped, with ball pointed tines	A	7	16½	Round	Black	13½–14½	2–2½	32 in. DT.	.80
Coal, scoop shaped	A	10	15 or 16	do	do	13½–14	1¾	30 in. DT.	.86
	A	12	16	do	do	15–16	1	30 in. DT.	.98
	A	14	15 or 16	do	do	14	⅞	30 in. DT.	.92
Coke fork	A	10	17	Diamond	Black	14½–15	1¾	30 in. DT.	.96
	A	12	17	do	do	17½–18	1¾	30 in. DT.	1.07
Cotton seed, scoop shaped	A	10	16–17	do	do	14	1¾	30 in. DT.	.84
Ensilage, barn, or kaffir corn, regular pattern, outside tines turned up	A	8	15	Oval	do	12¾–13	1¾–1½	30 in. DT.	.72
	A	10	16	do	do	15	1½	30 in. DT.	.78
Mill, manure, street, or pulp	A	4	13	do	Half-polished	10⅜ to 11	2½–2¾	30 in. DT.	.85
Stone, ballast, or gravel	A	8	13½	Square	Black	10½	1½	30 in. DT.	.83
	A	10	13½	do	do	8½	⅝	30 in. DT.	.80
	A	10	13½	do	do	9½–9¾	¾	30 in. DT.	.80
	A	14	13½	do	do	12–12½	⅝	30 in. DT.	.92
Vegetable, scoop shaped, with flattened points	A	10	15½–16	Oval	do	14–14½	1¾	30 in. DT.	.84

[a] Grade A forks shall have grade A handles; grade B forks, grade B handles; and grade C forks, grade C handles.

[b] All handles shall be of the bent type, except those of hay forks, which may be either straight or bent type. Those identified by the initials DT shall be D-top handles. The longest handle length listed is the maximum for the fork to which it applies. Where a range is given it indicates the commercial practice of furnishing long handles in 6-inch increments, including the shortest and longest listed, e. g., 4–5½ ft. means 4-, 4½-, 5-, and 5½-foot handles. Handles are not required to conform to the listed sizes, but shall not exceed the maximum length listed.

[c] The approximate weight per dozen is given for the highest grade listed. It is intended only to fix within reasonable limits the weight of the fork proper.

[d] With 4½-foot handles.

[e] Including bails and braces.

[f] Grade B spading forks to have tines half polished on face, tumbled back.

TABLE 2—HOOKS

Kind	Grades [a]	Tines				Width at points	Maximum handle lengths	Approx. weight per dozen [b]
		No.	Length	Shape	Finish			
			In.			*In.*	*Ft.*	*Pounds*
Manure, garbage, or refuse	A, B	4	8¾–9	Oval	Half-polished	8½	5	40
Phosphate	A	4	11	Flat	Tumbled	8¾–9	6	58
Potato:								
Gooseneck pattern	A, B	5	7	Round	do	6¾–6½	4½	20
Southern or broad oval:								
Light pattern	A, B	4	6¾–6¾	Broad oval	do	5¾–6¼	4½	28
Heavy pattern	A, B	4	7½	do	do	7–7½	4½	48
Stone	A	4	9–9¾	Diamond back	Black	7¾–8	5	54½

[a] Grade A hooks shall have grade A handles; grade B hooks shall have grade B handles.

[b] Weight is for best grade listed, with handle of length listed.

TABLE 3—RAKES

[All rakes shall be made only in natural finish]

Kind	Grade [a]	Number of teeth	Head			Maximum length of handle	Weight per dozen (approx.) [b]
			Width	Thickness	Depth		
			In.	*In.*	*In.*	*Ft.*	*Pounds*
Level head, general purpose; straight and curved teeth	A	14	14¾	¼	3¼	5½	35
	B	14	14¾	¼	3¼	5½	35
	C	14	14	¼	2¾	5	30
Road, straight teeth	A, B	14	15½–15¾	5/16	3¾–4	5½	31
Asphalt or tar, straight teeth, with square drop shank 18 in. long	A	14	16½–17	1⅛	4½	5	75
Combination fire rake and hoe	A	6	9¾	-------	9	6	71
Eye hoe type fire rake, triangular teeth riveted to head, 1¾-inch round eye	A	4	12	-------	3½	4½–5	[c] 45

[a] A grade rakes shall have A grade handles; B grade rakes, B grade handles; and C grade rakes, C grade handles.
[b] Weight is for highest grade listed, with handle of length listed.
[c] With 4½-foot handle.

TABLE 4—HOES

Kind	Grades [a]	Construction		Blade size		Maximum length of handle	Weight per dozen (approx.) [a]
		Socket type [b]	Shank type [b]	Width	Depth (greatest)		
				In.	*In.*	*In.*	*Pounds*
Cotton:							
Chopper, straight shank	A, C	None	½	5	4	60	27½
Regular gooseneck	A, C	None	½	6	5	60	35
				7	5	60	36
Field and garden, regular [d]	A, B, C	7/16	7/16	6½	4¾	52	[e] 26
				6½	4¾	18	[e] 17
Field and garden, riveted [d]	C	[f] 7/16	[f] 7/16	6½	4–4¾	52	23–24
Mattock hoe "Dig Ezy" pattern, two blades in the same plane.	A	None	None	1½ & 3	12⅝	54	34
Mortar, perforated and plain blade	A	None	⅝	9	6	66	[g] 48½
				10	6	66	[g] 49½
Scuffle, heavy duty or railroad	A	None	X	6–8½	4–6	60	40
Southern meadow or blackland	A, C	7/16	7/16	7	4	60	[e] 31
				8	4	60	[e] 32
Square top:							
Regular or sugar beet pattern	A, B, C	X	None	7	3½	52	27
	A	X	None	7	3½	18	18
Renewable blade sugar beet or onion pattern.	A	7/16	None	7	1¾	54	28
Regular onion	A	7/16	7/16	6½	1¾	52	21

[a] Grade A hoes shall have grade A handles; grade B, grade B handles; and grade C, grade C handles. The blades of grade A and grade B hoes shall be polished front and back; the blades of grade C hoes shall be polished front and back for the first third of their height. Scuffle and mattock hoes shall be made only in natural finish.
[b] The dimensions given are the diameters of the shanks in inches. "X" means no dimension is specified. "None" means no hoe to be made in such construction type.
[c] Weight per dozen is that for highest grade listed, with handle of length listed.
[d] Blade may be attached to shank by riveting or any other satisfactory method.
[e] Weight of socket type.
[f] Maximum.
[g] Plain blade; perforated blade approximately one pound lighter per dozen.

TABLE 5—EYE HOES

[To be made in natural finish except for lower ⅛ which shall be polished]

Kind [a]	Width of cut	Depth of blade	Maximum length of handle	Approx. weight per dozen
ROUND EYE HOES	*In.*	*In.*	*In.*	*Pounds*
Planter's:				
American pattern, unhandled	6	6	-------	15
	7	6½	-------	18
	8	7	-------	21
Scovil field pattern, straight and curved blade, unhandled	6½	5⅞–6	-------	14 to 17
	7	6–6¼	-------	16 to 19
	7½	6⅛–6¾	-------	18 to 21
	8	6½–6¾	-------	20 to 23
Grub, handled and unhandled	4	7–7½	54	[b] 18 to 22
	5 to 5¼	8–8½	54	[b] 21 to 31
Giant planter's: Cane pattern, unhandled	4½	8	-------	17
SQUARE EYE HOES				
Garden or field pattern, handled	4	6	54	25
	5	6	54	28
	7½	6¾	54	35

[a] Eye hoes are described handled or unhandled according to the condition in which they are generally sold by the producers. They may be distributed in either condition or both.
[b] Without handles.

TABLE 6—HAND CULTIVATORS

Kind	Grade[a]	Number of points	Maximum spread	Maximum length of handle	Approx. weight per dozen
			In.	*In.*	*Pounds*
Four-tine regular pattern, forged, curved oval tines	A	4	5	52	23
Four-tine wire spring type	A, B	4	5	46	20-30
Three-tine regular pattern, or equipped with U-Shaped cultivating blade.[b]	A	3	4½	54	20-22
Flat-wire type	A	5	7	48	25
Five-tine adjustable pattern; tines flattened and points at ends.[c]	A, B	5	6½-7½	60	30-37
		Depth In.	*Width In.*		
U-shaped cultivators, with straplike blades approximately 1¾" wide, having sharpened edges and equipped with one or two shares:					
One share pattern	A	4½	5	60	30
Two share pattern	A	4½	8¼	60	35

[a] Grade A cultivators shall have grade A handles; grade B cultivators shall have grade B handles.
[b] The three-tine pattern shall not be made by any producer who elects to make a four-tine pattern cultivator.
[c] Prongs shall not exceed ¼-inch square in size, or its equivalent.

[F. R. Doc. 44-3446; Filed, March 10, 1944; 11:30 a. m.]

PART 3157—HAULAGE CONSERVATION

[General Haulage Conservation Order T-1, Schedule I, as Amended Jan. 12, 1944, Suspension]

PORTLAND CEMENT

Schedule I to General Haulage Conservation Order T-1 is hereby suspended until further notice. This suspension does not affect any liability incurred under Schedule I prior to March 10, 1944.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3447; Filed, March 10, 1944; 11:31 a. m.]

PART 3230—BROOM MATERIALS AND BROOMS

[General Conservation Order L-283, Revocation]

Section 3230.1 *General Conservation Order L-283* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under General Conservation Order L-283.

Effect of other orders. The revocation of this order does not affect other orders or regulations which, by control of materials used in brooms or otherwise, place restrictions upon the manufacture of brooms.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3448; Filed, March 10, 1944; 11:30 a. m.]

PART 3262—POWER BOILERS

[Limitation Order L-290, as Amended Mar. 10, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3262.1 *Limitation Order L-299*—(a) *Definition.* For the purposes of this order "power boiler" means any vessel or pressure part thereof, constructed of steel for a design pressure exceeding 15 pounds per square inch, in which steam is generated by the application of heat resulting from the combustion of fuel, except boilers for locomotives or marine service, or miniature boilers as defined in Section V "Miniature Boiler" of the American Society of Mechanical Engineers Boiler Construction Code.

(b) *Restrictions on specifications.* No person shall produce, fabricate, or deliver any power boiler except as permitted by paragraph (d) hereof, having a greater metal thickness or quantity of steel than needed to meet the minimum thickness requirements of Section I (Edition 1943) of the American Society of Mechanical Engineers Boiler Construction Code, Addenda thereto and Interpretations thereof (including Case No. 968) issued prior to January 15, 1944.

(c) *Acceptance of delivery.* No person shall accept delivery of any power boiler which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraph (b) of this order.

(d) *Exceptions.* (1) The provisions of paragraph (b) shall not apply to any power boiler:

(i) Which has been produced or fabricated before July 1, 1943, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable, or

(ii) To the extent that any of the materials have been procured, or approved by the War Production Board for entry on a mill schedule, prior to July 1, 1943.

(2) The provisions of paragraph (b) shall not apply to any power boiler to the extent:

(i) That, to promote plate thickness simplification, the ordered thickness of any plate may be greater than the thickness established by paragraph (b), but in no case to exceed 1/32 inch greater, or

(ii) That the thickness of any plate having a hole into which a tube is rolled may be increased to the thickness necessary to secure satisfactory seating of the tubes, or

(iii) That the wall thickness of any tube may be increased to the thickness needed to meet the service conditions or the construction requirements.

(e) *Records.* Each person fabricating a power boiler shall retain records including detail of exceptions as provided in paragraph (d). Such records shall be available for inspection by duly authorized representatives of the War Production Board.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Power Division, Washington 25, D. C., Ref.: L-299.

(i) *Regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3449; Filed, March 10, 1944; 11:30 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-316 as Amended Mar. 10, 1944]

VITRIFIED CLAY SEWER PIPE

The fulfillment of requirements for the defense of the United States has created or will create a shortage of facilities used in the production of vitrified clay pipe for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.101 *Limitation Order L-316*—(a) *Definitions.* (1) "Vitrified clay sewer pipe" means a pipe manufactured from surface clay, fire clay, shale, or a mixture of these materials burned to a glass-like substance and used primarily to convey sewage.

(2) "Producer" means any person who manufactures vitrified clay sewer pipe.

(3) "Zone 1" means all territory within the continental United States (comprising the several States and the District of Columbia) not included in Zone 2 and Zone 3.

(4) "Zone 2" means all territory in the State of California south of the 36th parallel.

(5) "Zone 3" means the State of Washington and all territory in the State of California north of the 36th parallel.

(b) *Simplified practices.* (1) No producer shall manufacture vitrified clay sewer pipe except in accordance with the strength, dimensions, sizes, variations, diameters, depths, and thicknesses set up in

(i) Tables I and II of Schedule A, when such pipe is manufactured within Zone 1,

(ii) Tables I and II of Schedule B, when such pipe is manufactured within Zone 2,

(iii) Table I of Schedule B, and Table II of Schedule A, when such pipe is manufactured within Zone 3.

(2) Any producer who had in his possession on October 25, 1943, any vitrified clay sewer pipe of any strength, dimension, size, variation, diameter, depth or thickness other than those permitted by paragraph (b) (1) and who wishes to make up additional pipe in order to be able to dispose of such inventories, may request specific authorization of the War Production Board to do so. Such authorizations will be granted only to fill specific purchase orders. Any person requesting such authorization shall send a letter in duplicate to the War Production Board, Washington 25, D. C., specifying the particular purchase order, the quantity of pipe which is now in his inventory and the additional quantity needed to fill the particular purchase order. (This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(c) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(d) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Reference L-316.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

TABLE I—STRENGTH AND DIMENSIONS OF STANDARD STRENGTH CLAY SEWER PIPE

NOTE: Table I amended March 10, 1944.

Size (inch)	Minimum average strength (pounds per linear foot)	Laying length: Nominal (feet)	Laying length: Limit of minus variation[1] (inch per ft. of length)	Maximum difference in length of 2 opposite sides (inch)	Outside diameter of barrel (inches): Minimum	Outside diameter of barrel (inches): Maximum	Inside diameter of socket at ½ inch above base (inches): Minimum	Inside diameter of socket at ½ inch above base (inches): Maximum	Depth of socket (inches): Nominal	Depth of socket (inches): Minimum	Thickness of barrel (inches): Nominal	Thickness of barrel (inches): Minimum	Thickness of socket at ½ inch from outer end (inches): Nominal	Thickness of socket at ½ inch from outer end (inches): Minimum
4	1,000	2, 2½, 3	3/4	5/16	4 7/16	5 1/16	5 3/4	6 1/16	1 3/4	1 1/2	1/2	7/16	7/16	5/16
6	1,000	2, 2½, 3	3/4	5/16	7 1/16	7 7/16	8 1/16	8 3/8	2 1/4	2	5/8	9/16	1/2	7/16
8	1,000	2, 2½, 3	3/4	7/16	9 1/16	9 3/8	10 1/2	11	2 1/2	2 1/4	3/4	11/16	9/16	1/2
10	1,100	2, 2½, 3	3/4	7/16	11 1/16	12	12 3/4	13 1/4	2 3/4	2 3/8	7/8	13/16	5/8	9/16
12	1,200	2, 2½, 3	3/4	7/16	13 3/4	14 5/16	15 1/8	15 3/4	2 3/4	2 1/2	1	15/16	3/4	11/16
15	1,400	3, 4	3/4	1/2	17 3/16	17 13/16	18 5/8	19 1/4	2 3/4	2 3/8	1 1/4	1 1/8	15/16	7/8
18	1,700	3, 4	3/4	1/2	20 5/8	21 7/16	22 1/4	23	II	2 3/4	1 1/2	1 3/8	1 1/8	1 1/16
21	2,000	3, 4	3/4	9/16	24 1/8	25	25 7/8	26 3/4	3 1/4	3	1 3/4	1 5/8	1 5/16	1 1/16
24	2,400	3, 4	3/4	9/16	27 1/2	28 1/2	29 3/8	30 3/8	3 3/8	3 1/16	2	1 7/8	1 1/2	1 3/8
27	2,750	3, 4	3/4	9/16	31	32 1/8	33	34 1/8	3 1/2	3 1/4	2 1/4	2 1/8	1 11/16	1 9/16
30	3,200	3, 4	3/4	5/8	34 3/4	35 7/8	36 1/2	37 3/4	3 5/8	3 3/8	2 1/2	2 3/8	1 7/8	1 3/4
33	3,500	3, 4	3/4	5/8	37 7/8	38 15/16	39 7/8	41 1/4	3 3/4	3 1/2	2 5/8	2 1/2	2	1 13/16
36	3,900	3, 4	3/4	11/16	40 3/8	42 1/4	43 1/4	44 3/4	II	3 5/8	2 3/4	2 5/8	2 1/16	1 7/8

[1] There is no limit for plus variation.

FITTINGS

WHOLE WYES AND TEES

NOTE: List amended Mar. 10, 1944.

Diameter		Length	Diameter		Length*
Barrel	Spur		Barrel	Spur	
Inch	*Inch*	*Feet*	*Inch*	*Inch*	*Feet*
4	4	1	21	8	3
6	4	1¼	21	12	3
6	6	1½	21	15	3
8	4	2	21	21	3
8	6	2	24	6	3
8	8	2	24	8	3
10	4	2	24	12	3
10	6	2	24	15	3
10	8	2	24	15	3
10	10	2	24	24	4
12	4	2	27	6	3
12	6	2	27	12	3
12	8	2	27	18	3
12	10	2	27	24	4
12	12	2	30	6	3
15	4	2	30	12	3
15	6	2	30	18	3
15	8	2	30	24	4
15	12	2	33	6	3
15	15	2	33	12	3
18	6	2	33	18	3
18	8	2	33	24	4
18	12	2	36	6	3
18	15	2	36	12	3
18	18	2	36	18	3
21	6	2	36	24	4

*Branches with 24 inch inlets may be manufactured in whatever length is required by the manufacturing process.

DOUBLE WYES AND TEES

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	1	8	8	3
6	4	1¼	10	6	3
6	6	1½	10	8	3
8	4	2	12	6	3
8	6	2	12	8	3

All Wye branches, both single and double, shall be made with branch at 60° angle to the barrel of the pipe.

SLANTS

Slants shall have their spigot ends cut at an angle of 60° with the longitudinal axis of the pipe. Slants may be furnished in 4", 6", 8", and 10" and 12" diameters only.

CURVES

Short molded or pressed curves may be made in 4" and 6" diameters 12" long only, with either 30° or 45° angles.

Short molded or pressed curves may be made in 8", 10" and 12" diameters only, in 30° angles only.

Medium molded or pressed curves may be made in 4", 6", 8", 10", 12" diameters only, in 30° angles only. Long curves may be made in 4" or 6" diameters only, in 30° angles only. Cut or mitered curves may be made in 8", 10", 12", 15", 18", 21", 24", 27", 30", 33", 36" diameters only, with either 30° or 45° angles.

ELBOWS

Short molded or pressed elbows may be manufactured in sizes 4", 6", 8", 10" and 12" only, with 90° angles only. Medium elbows, molded or pressed, may be manufactured in sizes, 4", 6", and 8" only, with 90° angles only. Long ells, molded or pressed, may be made in sizes 4" or 6" only, with 90° angles only. Cut ells may be manufactured in sizes 8", 10", 12" and 15" only, with 90° angles only.

CHANNEL PIPE

Channel pipe and fittings may be manufactured only in the same sizes and lengths permitted by this order for whole pipe and fittings.

TRAPS

P. traps and running traps may be furnished in sizes 4", 6", and 8" only. HH. traps may be manufactured in the following sizes only:

4 x 4 inch
6 x 4 inch
6 x 6 inch
8 x 6 inch

INCREASERS

3 x 4 inch	10 x 12 inch
4 x 6 inch	10 x 15 inch
4 x 8 inch	12 x 15 inch
5 x 6 inch	12 x 18 inch
6 x 8 inch	15 x 18 inch
6 x 10 inch	15 x 21 inch
6 x 12 inch	18 x 21 inch
8 x 10 inch	18 x 24 inch
8 x 12 inch	21 x 24 inch

REDUCERS

6 x 4 inch
5 x 4 inch

SADDLES

4 inch
6 inch
8 inch

STOPPERS AND STRAINERS

4 to 12 inch inclusive

GREASE TRAPS (WITH OR WITHOUT COVERS)

10 x 4 inch	15 x 6 inch
12 x 4 inch	18 x 6 inch

SLOP BOWLS AND HOPPERS (WITH OR WITHOUT STRAINERS)

12 x 4 inch 15 x 6 inch

Tolerances on the dimensions of fittings shall be the same as for straight pipe.

TABLE II—STRENGTH AND DIMENSIONS OF EXTRA STRENGTH CLAY SEWER PIPE

Size (inches)	Minimum average strength (pounds per linear foot)	Laying length		Maximum difference in length of 2 opposite sides (inch)	Outside diameter of barrel (inches)		Inside diameter of socket at ½ inch above base (inches)		Depth of socket (inches)		Thickness of barrel (inches)		Thickness of socket at ½ inch from outer end (inches)	
		Nominal (feet)	Limit of minus variation[1] (inch per foot of length)		Minimum	Maximum	Minimum	Maximum	Nominal	Minimum	Nominal	Minimum	Nominal	Minimum
4	2,000	2, 2½, 3	1/16	1/4	4 7/16	4 5/8	3 5/8	3 13/16	1 5/8	1 1/8	3/4	9/16	7/16	5/16
6	2,000	2, 2½, 3	1/16	3/8	6 7/16	6 5/8	5 5/8	5 13/16	2 1/8	2	13/16	11/16	1/2	7/16
8	2,000	3	1/16	1/2	8 1/4	8 3/4	7 5/8	8	2 1/2	2 1/8	7/8	3/4	9/16	1/2
10	2,000	3	1/16	5/8	10 1/2	11	9 3/4	10 1/4	2 7/8	2 1/2	1	7/8	5/8	9/16
12	2,250	3	1/16	3/4	12 3/4	13	11 3/4	12 1/4	3 1/8	2 3/4	1 1/16	1	11/16	5/8
15	2,750	3, 4	1/16	7/8	15 1/16	15 5/16	14 1/16	14 5/16	3 3/8	3	1 1/8	1 1/16	3/4	11/16
18	3,300	3, 4	1/16	1	17 5/16	17 9/16	16 1/16	16 5/16	3 5/8	3 1/4	1 3/16	1 1/8	13/16	3/4
21	3,850	3, 4	1/16	1 1/16	20 1/16	20 5/16	18 1/16	18 5/16	3 7/8	3 1/2	1 1/4	1 3/16	7/8	13/16
24	4,400	3, 4	1/16	1 1/8	23 1/16	23 5/16	21 1/16	21 5/16	4 1/8	3 3/4	1 5/16	1 1/4	15/16	7/8
27	4,700	3, 4	1/16	1 1/16	26 1/16	26 5/16	24 1/16	24 5/16	4 3/8	4	1 3/8	1 5/16	1	15/16
30	5,000	3, 4	1/16	1 1/16	29 1/16	29 5/16	27 1/16	27 5/16	4 5/8	4 1/4	1 7/16	1 3/8	1 1/16	1
36	5,000	3, 4	1/16	1 1/16	35 1/16	35 5/16	33 1/16	33 5/16	5 1/8	4 3/4	1 5/8	1 9/16	1 3/16	1 1/8

[1] There is no limit for plus variation.

FITTINGS

SINGLE WYE & TEE BRANCHES

NOTE: List amended Mar. 10, 1944.

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	1	15	6	3
6	4	1½	15	8	3
6	6	1½	15	12	3
8	4	3	15	15	3
8	6	3	18	12	3
8	8	3	18	18	3
10	4	3	21	12	3
10	6	3	21	21	3
10	8	3	24	12	3
10	10	3	24	24	4
12	4	3	27	12	3
12	6	3	27	24	4
12	8	3	30	12	3
12	10	3	30	24	4
12	12	3	36	12	3
15	4	3	36	24	4

DOUBLE WYES AND TEES

Diameter		Length
Barrel	Spur	
Inches	*Inches*	*Feet*
4	4	1
6	4	1½
6	6	1½
8	8	3
12	6	3

All wye branches, both single and double, shall be made with branch at 60° angle to the barrel of the pipe.

CURVES

Extra strength curves may be made in 4" and 6" sizes, in medium length—pressed or molded. They may be made in sizes 8" to 36" mitered or cut. No other sizes may be made. All curves shall be made with a 30° angle.

ELBOWS

Elbows may be furnished in sizes 4" and 6", molded or pressed, medium length, and sizes 8" to 15" cut or mitered. No other sizes may be made. All elbows shall be made with a 90° angle.

TRAPS

P. traps and running traps may be furnished in sizes 4", 6" and 8" only. HH. traps may be manufactured in the following sizes only:

4 x 4 inch
6 x 4 inch
6 x 6 inch
8 x 8 inch

INCREASERS

4 x 6 inch	10 x 15 inch
4 x 8 inch	12 x 15 inch
6 x 8 inch	12 x 18 inch
6 x 10 inch	15 x 18 inch
6 x 12 inch	15 x 21 inch
8 x 10 inch	18 x 21 inch
8 x 12 inch	18 x 24 inch
10 x 12 inch	21 x 24 inch

REDUCERS

6 x 4 inch

Tolerances on the dimensions of fittings shall be the same as for straight pipe.

SCHEDULE B

TABLE I—STRENGTH AND DIMENSIONS OF STANDARD STRENGTH PIPE

Size Nominal (inches)	Minimum average crushing strength—3-edge (lbs. per ft.)	Laying length		Maximum difference in length of 2 opposite sides (inches)	Inside diameter of barrel (inches)		Annular space at ½" above base of socket (inches) Minimum	Depth of socket (inches)		Thickness of barrel (inches)		Thickness of socket ½" from end (inches)	
		Nominal (feet)	Limit of minus variation (inches per foot)		Minimum	Maximum		Nominal	Minimum	Nominal	Minimum	Nominal	Minimum
4	1,000	2, 3	1/16	5/16	3 7/8	4 3/8	5/16	1 3/4	1 1/2	1/2	7/16	7/16	3/8
6	1,000	2, 3	1/8	3/8	5 13/16	6 3/16	3/8	2 1/4	2	5/8	9/16	1/2	7/16
8	1,000	2½, 3	1/4	7/16	7 3/4	8 1/4	3/8	2 1/2	2 1/4	3/4	1 1/16	9/16	1/2
10	1,100	2½, 3, 4	1/4	7/16	9 3/4	10 1/4	3/8	2 5/8	2 3/8	7/8	13/16	5/8	9/16
12	1,200	2½, 3, 4	1/4	7/16	11 11/16	12 5/16	13/32	2 3/4	2 1/2	1	15/16	3/4	11/16
15	1,400	3, 4	1/4	1/2	14 11/16	15 5/16	13/32	2 7/8	2 5/8	1 1/4	1 1/8	15/16	7/8
18	1,700	3, 4	1/4	5/8	17 5/8	18 3/8	13/32	3	2 3/4	1 1/2	1 3/8	1 1/8	1 1/16
21	2,000	3, 4	1/4	9/16	20 9/16	21 7/16	7/16	3 1/4	3	1 3/4	1 5/8	1 5/16	1 3/16
24	2,400	3, 4	3/8	9/16	23 1/2	24 1/2	7/16	3 3/8	3 1/4	2	1 7/8	1 1/2	1 3/8
27	2,750	3, 4	3/8	9/16	26 3/8	27 5/8	7/16	3 1/2	3 1/4	2 1/4	2 1/8	1 11/16	1 9/16
30	3,200	3, 4	3/8	5/8	29 3/8	30 5/8	7/16	3 5/8	3 3/8	2 1/2	2 3/8	1 7/8	1 3/4
33	3,500	3, 4	3/8	5/8	32 1/4	33 3/4	15/32	3 3/4	3 1/2	2 5/8	2 1/2	2	1 13/16
36	3,900	3, 4	3/8	11/16	35 1/4	36 3/4	1/2	4	3 3/4	2 3/4	2 5/8	2 1/16	1 7/8

FITTINGS

WYE AND TEE BRANCHES

SINGLE WYES AND TEES

NOTE: List amended Mar. 10, 1944.

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	2	21	15	3
6	4	2	21	21	3
6	6	2	24	6	3
8	4	2½ and 3	24	8	3
8	6	2½ and 3	24	12	3
8	8	2½ and 3	24	15	3
10	6	2½ and 3	24	18	3
10	8	2½ and 3	24	24	4
10	10	2½ and 3	27	6	3
12	6	2½ and 3	27	12	3
12	8	2½ and 3	27	18	3
12	10	2½ and 3	27	24	4
12	12	2½ and 3	30	6	3
15	6	3	30	12	3
15	8	3	30	18	3
15	12	3	30	24	4
15	15	3	33	6	3
18	6	3	33	12	3
18	8	3	33	18	3
18	12	3	33	24	4
18	15	3	36	6	3
18	18	3	36	12	3
21	6	3	36	18	3
21	8	3	36	24	4
21	12	3			

DOUBLE WYES AND TEES

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	1	8	8	3
6	4	1½	10	6	3
6	6	1½	10	8	3
8	4	3	12	6	3
8	6	3	12	8	3

All Wye branches, shall be made with branch at 45° angle to the barrel of the pipe.

SLANTS

Slants shall have their spigot ends cut at an angle of 45° with the longitudinal axis of the pipe. Slants may be furnished in 4", 6", 8", and 10" and 12" diameters only.

CURVES

Short molded or pressed curves may be made in 4", 6", 8", 10", 12" diameters only, in 45° angles only.

Long curves may be made in 4", 6" or 8" diameters only, in 45° angles only. Cut or mitered curves may be made in 8", 10", 12", 15", 18", 21", 24", 27", 30", 33", 36" diameters only, with either 30° or 45° angles.

ELBOWS

Short molded or pressed elbows may be manufactured in sizes 4", 6", 8", 10" and 12" only, with 90° angles only. Long Ells, molded or pressed, may be made in 4", 6" or 8" sizes only, with 90° angles only. Cut Ells may be manufactured in sizes 8", 10", 12" and 15" only, with 90° angles only.

CHANNEL PIPE

Channel pipe and fittings may be manufactured only in the same sizes and lengths permitted by this order for whole pipe and fittings.

TRAPS

P. Traps and running traps may be furnished in sizes 4", 6", and 8" only.

HH. Traps may be manufactured in the following sizes only:

4 x 4 inch	6 x 6 inch
6 x 4 "	8 x 8 "

INCREASERS

3 x 4 inch	10 x 12 inch
4 x 6 "	10 x 15 "
5 x 6 "	12 x 15 "
4 x 8 "	12 x 18 "
6 x 8 "	15 x 18 "
6 x 10 "	15 x 21 "
6 x 12 "	18 x 21 "
8 x 10 "	18 x 24 "
8 x 12 "	21 x 24 "

REDUCERS

6 x 4 inch

SADDLES

4 inch 6 inch 8 inch

STOPPERS AND STRAINERS

4 to 12 inch inclusive

GREASE TRAPS (WITH OR WITHOUT COVERS)

10 x 4 inch 15 x 6 inch
12 x 4 " 18 x 6 "

SLOP BOWLS AND HOPPERS (WITH OR WITHOUT STRAINERS)

12 x 4 inch 15 x 6 inch

STUBS (1 FT. LENGTHS OF PIPE)

4" to 24" inclusive.

Tolerances on the dimensions of fittings shall be the same as for straight pipe.

TABLE II—STRENGTH AND DIMENSIONS OF EXTRA STRENGTH SEWER PIPE

Size Nominal (inches)	Minimum average crushing strength—3-edge (lbs. per ft.)	Laying length		Maximum difference in length of 2 opposite sides (inches)	Inside diameter of barrel (inches)		Annular space at ½" above base of socket (inches) Minimum	Depth of socket (inches)		Thickness of barrel (inches)		Thickness of socket ½" from end (inches)	
		Nominal (feet)	Limit of minus variation (inches per foot)		Minimum	Maximum		Nominal	Minimum	Nominal	Minimum	Nominal	Minimum
4	1,000	5	¼	5/16	3 7/16	4 1/16	5/16	1 3/4	1 1/4	9/16	1/2	7/16	5/16
6	1,000	3	¼	5/16	5 13/16	6 5/16	5/16	2 1/4	2	4 9/16	5/8	1 3/16	1/4
8	1,000	3	¼	5/16	7 3/4	8 1/4	5/16	2 3/4	2 1/4	1	15/16	1 3/16	5/16
10	1,050	3	¼	5/16	9 3/4	10 1/4	5/16	2 3/4	2 1/4	1 1/16	1 1/16	1 3/16	5/16
12	1,340	3	¼	5/16	11 13/16	12 5/16	13/32	2 3/4	2 1/4	1 1/4	1 1/16	1 3/16	5/16
15	2,790	4	½	½	14 13/16	15 5/16	13/32	2 3/4	2 1/4	1 3/8	1 1/8	1 1/4	1
18	3,300	4	½	½	17 3/4	18 1/4	13/32	2 3/4	2 1/4	2	1 1/8	1 1/4	1 1/4
21	3,850	4	½	9/16	20 11/16	21 3/16	7/16	3 1/4	2 3/4	2 1/16	1 1/4	1 1/4	1 1/4
24	4,400	4	½	9/16	23 5/8	24 1/8	7/16	3 1/4	2 3/4	2 1/8	1 3/8	1 3/8	1 3/8
27	4,570	4	½	9/16	26 5/8	27 1/8	7/16	3 1/4	2 3/4	2 1/4	1 1/2	1 3/8	1 3/8
30	5,000	4	½	⅝	29 5/8	30 1/8	7/16	3 1/4	2 3/4	2 3/8	1 5/8	1 7/16	1 7/16
33	5,440	4	½	⅝	32 1/4	33 1/4	15/32	4	3 1/4	2 7/16	1 3/4	1 7/16	1 7/16
36	5,900	4	½	⅝	35 1/4	36 1/4	½	4	3 1/4	2 1/2	1 7/8	1 7/16	1 7/16
39[1]	5,600	5	¼	¾	38 1/4	39 1/4	1	4	3 1/4	2 9/16	1 7/8	1 7/16	1 7/16
42[1]	6,250	5	¼	¾	41 1/4	42 1/4	1	4	3 1/4	2 5/8	1 7/8	1 7/16	1 7/16

[1] Reinforced concrete or clay collars.

FITTINGS

SINGLES WYES AND TEES

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	1	21	15	3
6	4	1½	21	21	3
6	6	1½	24	6	3
8	4	2½ and 3	24	8	3
8	6	2½ and 3	24	12	3
8	8	2½ and 3	24	15	3
10	6	2½ and 3	24	18	3
10	8	2½ and 3	24	24	4
10	10	2½ and 3	27	6	3
12	6	2½ and 3	27	12	3
12	8	2½ and 3	27	18	3
12	10	2½ and 3	27	24	4
12	12	2½ and 3	30	6	3
15	6	3	30	12	3
15	8	3	30	18	3
15	12	3	30	24	4
15	15	3	33	6	3
18	6	3	33	12	3
18	8	3	33	18	3
18	12	3	33	24	4
18	15	3	36	6	3
18	18	3	36	12	3
21	6	3	36	18	3
21	8	3	36	24	4
21	12	3			

DOUBLE WYES AND TEES

Diameter		Length	Diameter		Length
Barrel	Spur		Barrel	Spur	
Inches	*Inches*	*Feet*	*Inches*	*Inches*	*Feet*
4	4	1	8	8	3
6	4	1½	10	6	3
6	6	1½	10	8	3
8	4	3	12	6	3
8	6	3	12	8	3

All wye branches, both single and double, shall be made with branch at 45° angle to the barrel of the pipe.

SLANTS

Slants shall have their spigot ends cut at an angle of 45° with the longitudinal axis of the pipe. Slants may be furnished in 4", 6", 8", 10" and 12" diameters only.

CURVES

Short molded or pressed curves may be made in 4", 6", 8", 10", 12" diameters only, in 45° angles only.

Long curves may be made in 4", 6" or 8" diameters only, in 45° angles only. Cut or mitered curves may be made in 8", 10", 12", 15", 18", 21", 24", 27", 30", 33", 36" only, with either 30° or 45° angles.

ELBOWS

Short molded or pressed elbows may be manufactured in sizes 4", 6", 8", 10" and 12" only, with 90° angles only. Long Ells, Molded or Pressed, may be made in 4", 6", or 8" sizes only, with 90° angles only. Cut Ells may be manufactured in sizes 8", 10", 12" and 15" only with 90° angles only.

INCREASERS

4 x 6 inch	10 x 15 inch
4 x 8 "	12 x 15 "
6 x 8 "	12 x 18 "
6 x 10 "	15 x 18 "
6 x 12 "	15 x 21 "
8 x 10 "	18 x 21 "
8 x 12 "	18 x 24 "
10 x 12 "	21 x 24 "

REDUCERS

6 x 4 inch

SADDLES

4 inch
6 inch
8 inch

STUBS (1 FT. LENGTHS OF PIPE)

4" to 24" inclusive

Tolerances on the dimensions of fittings shall be in the same as for straight pipe.

[F. R. Doc. 44-3450; Filed, March 10, 1944; 11:30 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Preference Order M-89 as Amended Mar. 10, 1944]

CORUNDUM

Whereas, national defense requirements have created a shortage of corundum (as hereafter defined) for the combined needs of defense and private account, and the supply of corundum now is and will be insufficient for defense and essential civilian requirements, unless the supply of corundum is conserved and its use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution and use thereof. Now, therefore, it is hereby ordered that:

§ 3286.15 *General Preference Order M-89*—(a) *Definitions.* For the purposes of this order:

(1) "Corundum" means naturally occurring crystalline anhydrous aluminum oxide suitable for abrasive use and unbonded. "Corundum" includes ores of corundum, the abrasive grains made therefrom, and corundum superfine flours, ordinarily spoken of as optical emery. Natural emery, sapphire, and ruby are not included. Also, the type of corundum material known in the trade as "Boulder Corundum DC Fines" is not included.

(2) "Supplier" means any person who imports corundum, who produces corundum grain or superfine flours, or who offers corundum for sale.

(3) "Consumer" means any person who uses or consumes corundum by incorporating it physically into a product or who uses or consumes corundum in the form of grain, powder, or flour in any grinding, polishing, or fabricating process other than grinding of spectacle lenses (ophthalmic).

(b) *Restrictions on delivery and use.* No supplier shall make delivery of corundum except as authorized by the War Production Board. The Board will from time to time allocate the supply of corundum and specifically direct the manner and quantities in which deliveries to or by particular persons or for particu-

lar uses shall be made or withheld. The War Production Board may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of corundum in the hands of consumers. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the War Production Board without regard to any preference ratings assigned to particular contracts or purchase orders. The War Production Board may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill defense orders and essential civilian requirements.

(c) *Reports.* On or before the 5th day of each calendar month, each supplier of corundum ore or grain shall file with the War Production Board, in quadruplicate, Form WPB–2921 (formerly PD–293). On or before the 28th day of each calendar month, each supplier of corundum superfine flours shall file with the War Production Board, in quadruplicate, Form WPB 2922 (formerly PD–293A). On or before the 5th day of each calendar month, each consumer of corundum grain shall file with the War Production Board, in duplicate, Form WPB–2933 (formerly PD–294); provided, that any consumer of corundum grain who has neither received nor used any corundum grain for a period of three or more consecutive months, according to reports filed by such consumer with the War Production Board on Form WPB–2923, may discontinue filing such reports. However, if at any later time he uses or delivers from stock any corundum grain, he shall file with the War Production Board Form WPB–2923, in duplicate, on or before the 5th day of the month following the month in which the use or delivery occurred; and if he desires to obtain delivery of any corundum grain, he shall file application therefor with the War Production Board on Form WPB–2923, in duplicate. Each consumer desiring a delivery of corundum superfine flours shall file application therefor with the War Production Board, in duplicate, upon Form WPB–2924 (formerly PD–294A). The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Small order exemption.* Beginning April 1, 1944, a supplier, without receiving specific authorization from the War Production Board, may deliver not more than 25 pounds of corundum superfine flours of all sizes to any one consumer in any one calendar month, and a consumer without filing any application for allocation may accept delivery of not more than 25 pounds of corundum superfine flours of all sizes from all sources in any one calendar month. This exemption shall not apply, however, to delivery to, or acceptance of delivery by, a consumer to whom a supplier has been specifically authorized to deliver corundum superfine flours during the month in question pursuant to application on Form WPB–2924 or a consumer whose inventory of corundum superfine flours of the sizes to be delivered in a given month exceeds the amount of these sizes customarily consumed by him during a period of 60 days.

NOTE: Paragraph (e), formerly (d), redesignated Mar. 10, 1944.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington 25, D. C. Ref: M–89.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3451; Filed, March 10, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Supplementary Limitation Order L–71–a as Amended Mar. 10, 1944]

HEARING AID BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hearing aid batteries, and critical materials used in the production of such batteries for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.130[1] *Supplementary General Limitation Order L–71–a*—(a) *Definitions.* For the purposes of this order:

(1) "Hearing aid battery" means any dry cell battery designed and produced primarily for use in any hearing aid device for personal use.

(2) "Manufacturer" means any person engaged in the business of manufacturing or assembling hearing aid batteries.

(3) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries".

[1] Formerly Part 1142, § 1142.2.

(b) *General restrictions.* On and after April 1, 1943, no manufacturer shall produce any hearing aid batteries which do not conform to the following limitations:

(1) Each hearing aid battery for carbon type hearing aid device shall contain either two or three cells none of which shall be smaller than the cell designated "CD" in Table 1 of Circular C435, with the modifications permitted in Section 2.2 of that Circular, except that four or six cells designated as "C" in such Table may be used in a battery containing a dual circuit.

(2) No "A" or "B" hearing aid battery shall contain as an integral part of such battery a wire connector designed to be attached to its complementary "B" or "A" battery, respectively.

(3) Each "A" hearing aid battery shall contain as terminals either:

(i) Plug-in sockets having the terminal arrangement shown in IV in Figure 1 in Circular C435; or

(ii) Flashlight cell type terminals as described in Section 11.4 of Circular C435.

(4) Each "B" hearing aid battery shall conform to one of the following four specifications:

Volts	Cells	Terminal arrangement in Circular C435
22½	15	III in Figure 1.
33	22	III in Figure 1.
45	30	III in Figure 1.
30	20	XI in Figure 2.

(5) Each "A" or "B" hearing aid battery which contains a label bearing the name or trade mark of any manufacturer of hearing aid devices shall also indicate on such label the voltage of the battery and contain the following language: "This battery is produced in accordance with War Production Board orders and is designed to be suitable for use with any make of hearing aid device which requires for its operation a battery of this voltage and which is equipped with suitable connectors."

(c) *Applicability of other orders.* Insofar as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations, the Director General for Operations or the War Production Board, including Limitation Order L–71, limits the use of any material in the production of hearing aid batteries to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining

further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington 25, D. C.; Ref.: L-71-a.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3452; Filed, March 10, 1944; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 8,[1] Amdt. 6]

ILLEGAL TRANSFER OF RATION TOKENS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The last sentence of section 2.6 of General Ration Order No. 8 is amended to read as follows: "No person shall use or transfer a token or other ration document except in a way and for a purpose permitted by a ration order."

This amendment shall become effective March 15, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3453; Filed, March 10, 1944; 11:30 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1125.

PART 1340—FUEL

[MPR 120, Amdt. 91]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.213, new paragraph (c) is added to read as follows:

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

2. In § 1340.220, new paragraph (c) is added to read as follows:

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to January 28, 1944 shall be void as of January 28, 1944.

3. In § 1340.224, new paragraph (c) is added to read as follows:

(c) Adjustments computed on Form OPA 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9326, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3456; Filed, March 10, 1944; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 5]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respects:

1. In section 2.1, the definition of "Commercial motor vehicle" is amended by inserting the words "or passenger car which is registered as a truck and" immediately following the words "station wagon."

2. The first sentence in section 11.6 (c) (1) is amended to read as follows:

(1) Upon receiving the surrender, pursuant to section 11.6 (a), of all of the unused coupons and coupon books which represent a ration for use with a motor vehicle transferred to a new owner, and upon receipt of OPA Form THP-3 (in the event a used passenger vehicle is transferred) or OPA Form 694-457 (in the event a used commercial motor vehicle is transferred), properly executed by the transferor and the new owner, the Board shall issue a Receipt (OPA Form R-569) in duplicate: *Provided*, That OPA Form 694-457 shall not be required where a used commercial motor vehicle is transferred to a motor vehicle dealer.

3. Section 11.8 (a) (1) is amended to read as follows:

(1) Whenever a person violates any provision of Ration Order 1E or Ration Order 5F, or whenever any other person using a motor vehicle on his behalf or at his direction, or with his consent, violates any provision of Ration Order No. 1E or Ration Order 5F, the Board after hearing may, in its discretion, revoke and suspend his ration or rations, in whole or in part, for such period as it may deem appropriate in the public interest. The Board may designate one or more of its members to perform the function described in this paragraph.

This amendment shall become effective March 10, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 10th day of March 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3454; Filed, March 10, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 17]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is deleted.
2. Section 1407.687 is deleted.
3. Section 1407.704 is deleted.

This amendment shall become effective as of March 6, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; WPB Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 10th day of March 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3455; Filed, March 10, 1944; 11:38 a. m.]

[2] 8 F.R. 10742, 10757, 13135, 14155, 15966.

[1] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3643, 4190, 4892, 8260, 7017; 9 F.R. 2233.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201,[1] Amdt. 8]

TRANSFERS OF BUSINESS OR STOCK IN TRADE IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 201 is amended in the following respects:

1. In § 1418.102 (a) (2) the proviso is amended to read as follows:

Provided, That the price determined in accordance with this section, if such price is not in line with the maximum prices of other similar sellers, or if it reflects wholesale purchases at retail price levels or includes markups or transportation costs not essential to the efficient marketing of the commodity, may be adjusted by the Territorial Director for the Virgin Islands, subject to review as provided in Procedural Regulation No. 7.[2]

2. Section 1418.107a is added to read as follows:

§ 1418.107a *Transfers of business or stock in trade*—(a) *Stock in trade.* Where the business, assets or stock in trade involved in liquidation, located in the Virgin Islands of the United States and belonging to any person, are or have been sold or otherwise transferred on or after August 17, 1942, the transferee shall be bound by the maximum prices to which the transferor would have been subject for such stock in trade sold in the Virgin Islands of the United States, and the transferee may not sell such stock in trade at prices in excess of those to which the transferor would have been subject. The transferor shall preserve and make available to the transferee the records required under paragraph (a) and paragraph (c) (2) of § 1418.106, as well as every price authorization or adjustment received by him from the Office of Price Administration. The transferor shall indicate his maximum prices for different classes of purchasers and for similar units of stock received at different costs.

(b) *Adjustment for inter-island transfers of stock in trade.* Where stock in trade subject to paragraph (a) above is sold or offered for sale at premises located in a different municipality or island from that of the transferor's establishment, the transferee may apply to the Territorial Director for the Virgin Islands for an adjustment of his maximum prices for sales of such stock in trade from the new premises. The Territorial Director may at his discretion adjust the maximum prices of such stock in trade by an amount not to exceed such part of the costs of moving which, in his judgment, are reasonable. Unless the transferee makes such an application, and unless the Territorial Director issues an order adjusting his maximum prices, the transferee may not sell such stock in trade at prices in excess of the prices established in paragraph (a) above.

(c) *Continuation of the business.* Where the transferee of stock in trade involved in liquidation subject to paragraph (a) above carries on the business of the transferor or continues to deal in the same type of commodities as those transferred in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which the transferor would have been subject if no such transfer had taken place. The transferor shall preserve and make available to the transferee the records, price authorizations, price adjustments and information specified in paragraph (a) above. If, however, the transferee carries on the business or continues to deal in the same type of commodities in an establishment previously owned or operated by him, the maximum prices of the transferee for all commodities other than those transferred and subject to paragraph (a) above shall be unaffected by the transfer.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3456; Filed, March 10, 1944; 11:39 a. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445,[1] Amdt. 13]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 445 is amended in the following respects:

1. Section 1.7 (b) is amended to read as follows:

(b) *Importer's maximum prices for certain commodities imported in bulk.* An importer's maximum price for any commodity listed below, imported in bulk and sold either in bulk or in packages, shall be determined according to its base figure and type of sale indicated below, except that if the commodity he imports in bulk and bottles domestically is of the same type designation and is sold in the same container size at the same proof under the same brand name as an item which the importer imported in packages and sold or offered for sale during March 1942, his maximum price to a class of purchaser for the commodity imported in bulk and bottled domestically shall be the maximum price to the same class of purchaser which he could compute under section 1.4 for the item which he imported in packages and sold or offered for sale during March 1942.

(1) *Base figures for certain imported commodities.*

Commodity	Base figure
Cuban distilled gin (as defined in section 7.12)	$1.75
Cuban rum (as defined in section 7.12)	[1] 2.75
Cuban whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Mexican distilled gin (as defined in section 7.12)	1.90
Mexican tequilla (as defined in section 7.12)	2.10
Mexican whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Distilled spirits (produced in or imported from Cuba) made from cane products and flavored with aromatics	1.23
Distilled spirits (produced in or imported from Mexico) made from cane products and flavored with aromatics	1.36

[1] Or the importer's "direct cost", f. o. b. port of arrival, plus 15¢ per proof gallon, whichever figure is the lower. "Direct cost" means the price paid the foreign vendor, not in excess of the foreign vendor's selling price in effect on April 30, 1943 (less all discounts and allowances except the discount given for prompt payment) plus charges for cooperage, Cuban export tax, freight to port of arrival, loading, war risk insurance and marine insurance, wharfage, consular fees, customs broker fees, customs entry fees, and loss of merchandise and customs duty due to leakage and evaporation in shipment to the United States.

(2) *When imported and sold in bulk by the importer.*

NOTE: Maximum prices for sales of any such commodity in bulk by persons other than the importer must be established under other applicable regulations of the Office of Price Administration or under Article II (when applicable) of this regulation.

An importer's maximum price for sales of any such commodity imported and sold by him in bulk shall be as follows:

(i) *Sales in bond.* Its base figure per original proof gallon f. o. b. port of entry, plus inland freight (if paid by the importer) to transport the particular quantity from port or point of arrival in continental United States to the bonded

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984.

[2] 8 F.R. 5842, 6174.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11161, 11851, 13496, 13500, 13845, 14016, 14400, 15912.

warehouse where it is at date of sale. "Original proof gallon" shall be determined according to first customs gauge in the United States. Freight shall be figured at the carload rate in effect at the date of shipment from port or point of arrival and shall not include hauling, drayage or handling in the metropolitan area of port or point of arrival or port of entry.

(ii) *Tax paid sales f. o. b. port of entry.* The maximum price provided under (i) above for a sale of the same quantity, in bond, plus United States customs duties and United States excise taxes paid thereon by the importer at rates in effect on November 2, 1942. The amount of excise taxes shall be determined on the number of proof gallons according to the regauge on which they are paid. The amount of customs duties shall be determined on original proof gallons according to the first customs gauge in the United States: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(3) *When imported in bulk, bottled domestically and sold in packages.*

NOTE: Persons other than the importer, bottling such commodity domestically or having it bottled for their account must establish their maximum prices for the packaged item by using the method herein provided for determination of the importer's maximum prices.

An importer's maximum price per case for sales of any such commodity imported in bulk, bottled domestically and sold in packages shall be as follows:

(i) *Sales to wholesalers.* The total of the following amounts paid by or for the account of the importer and applicable to the quantity in the case:

(*a*) The commodity's base figure per proof gallon bottled.

(*b*) United States customs duties and United States excise taxes at rates in effect on November 2, 1942: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of United States customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(*c*) Inland freight from port or point of arrival in continental United States to port of entry nearest the plant where bottling or rectifying is done, and inland freight from port of entry to that plant at the carload rates in effect on the respective dates of shipment. Charges for hauling, drayage, or handling within the metropolitan area of such ports or point, or within the metropolitan area about such plant shall not be included.

(*d*) Two percent of the total of (*a*), (*b*), and (*c*) above.

(*e*) A charge for bottling and casing as follows:

$1.50 per case of quarts or fifths.
2.10 per case of pints.
2.85 per case of half pints.

(*f*) Rectification tax, if any, at the rate paid: *Provided*, That rectification tax paid for re-processing, reconditioning or otherwise treating the imported commodity because of any defect or substandard quality of such imported commodity may not be added.

(*g*) $1.70 per proof gallon bottled.

(*h*) State and local excise taxes and one cent for each strip stamp affixed to individual containers. All taxes shall be figured at rates in effect on November 2, 1942 and shall be included only if imposed upon and applicable to the sale of the item for which a maximum price is being figured. No amount shall be added for license, income, franchise, receipts, sales, use or other similar federal, state, or local taxes.

(ii) *Sales to monopoly states.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers, plus the amount paid by the importer to purchase and affix monopoly state seals or stamps to individual containers in the case being priced. If the seals or stamps are affixed by the monopoly state, the amount added shall not exceed the highest amount charged for the corresponding seals or stamps and service during March 1942, and if the importer affixed the seals or stamps before delivery of the item, shall not exceed fifty cents per case.

(iii) *Sales to primary distributing agents.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers subject to any discount, allowance or price differential agreed upon by the particular importer and primary distributing agent.

(iv) *Sales to retailers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sale of the same item by wholesalers to retailers.

Where the importer makes the sale to a retailer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(v) *Sales to consumers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sales of the same item by retailers to consumers.

Where the importer makes the sale to a consumer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(vi) *For individual container.* An importer's maximum price for individual containers of such item shall be his maximum price per case for the item to a customer of the same class divided by the number of containers customarily packed in the case.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3457; Filed, March 10, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 104]

STORAGE AND HANDLING OF TURPENTINE AND ROSIN

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (e) is added to section 8.2 to read as follows:

(e) *Storage and handling of turpentine and rosin for the Commodity Credit Corporation.* The maximum prices that may be charged to the Commodity Credit Corporation for the storage of turpentine and rosin, and services incidental thereto, shall not exceed 3 cents per eligible wood barrel or metal drum of rosin per month, and 7 cents per 50 gallon unit of turpentine per month.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3450; Filed, March 10, 1944; 11:39 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 930—MILK IN TOLEDO, OHIO, MARKETING AREA

Correction

The signature to F.R. Doc. 44-3314, appearing on page 2640 of the issue for Thursday, March 9, 1944, should read as follows: "Thomas J. Flavin, Assistant to the War Food Administrator."

*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 20A, Amdt. 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

TAXICABS AND TAXI SERVICE

Pursuant to Executive Orders 8989, as amended, 9156, 9214, and 9294, § 501.88 of General Order ODT 20A (8 F.R. 9231) is hereby amended to read as follows:

§ 501.88 *Applicability.* The provisions of this order shall be applicable only within the continental United States and Alaska.

This amendment shall become effective on March 10, 1944.

(E.O. 8989, 9156, 9214, 9294; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349, 8097, 8 F.R. 221)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3429; Filed, March 10, 1944; 10:25 a. m.]

[General Order ODT 26A, Amdt. 1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

RENTAL CARS

Pursuant to Executive Orders 8989, as amended, 9156, and 9214, § 501.138 of General Order ODT 26A (8 F.R. 4934) is hereby amended to read as follows:

§ 501.138 *Applicability.* The provisions of this order shall be applicable only within the continental United States and Alaska.

This amendment shall become effective on March 10, 1944.

(E.O. 8989, 9156, 9214; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349, 6097)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3428; Filed, March 10, 1944; 10:25 a. m.]

[General Order ODT 16A]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN U. S., AND TO OR THROUGH CANADA

General outline. This order supersedes General Order ODT 16, as amended, General Order ODT 38A, and outstanding orders issued in connection therewith. Generally speaking the revised order establishes permit requirements with respect to the transportation of (1) carload and truckload shipments of "overseas" freight to or within named port areas in the continental United States for delivery to ocean carriers, or for storage, (2) certain carload and truckload shipments of "export" freight from points in the United States to or through the Dominion of Canada, and (3) carload and truckload shipments of "domestic" or "import" freight to or within named port areas in the United States for storage in a public warehouse for account of a government agency.

In so far as carload and truckload shipments of "overseas" or "export" freight are concerned, the order is directed to both carriers and shippers and prohibits the offering for transportation, accepting for transportation, or transportation of such shipments except under an "ODT unit permit" issued by the Director, Division of Traffic Movement, Office of Defense Transportation, or his authorized permit agent. The use of the term "ODT block permit" as identifying a permit covering a shipment of government "overseas" or "export" freight is discontinued. The term "ODT unit permit" is used to identify a permit covering either government or commercial "overseas" or "export" freight.

Section 502.202, paragraph (c) of the order establishes controls over the delivery of certain shipments of "overseas" freight to ocean carriers at named port areas when the aggregate weight of any such shipment is 10,000 pounds or more. This provision of the order is directed to persons other than carriers and has no application with respect to carload and truckload shipments of "overseas" freight which are subject to the permit requirements contained in § 502.202, paragraph (a) of the order.

The revised order continues in effect the controls established by Amendment 1 to General Order ODT 16 over carload and truckload shipments of "domestic" or "import" freight intended for storage for account of a government agency in a public warehouse located within any named port area. The order provides that such shipments shall not be offered for transportation to or within any such port area except as authorized by an "ODT port storage forwarding permit" issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent.

Provision is made in the revised order for the issuance of administrative orders by the Director, Division of Traffic Movement, Office of Defense Transportation, for the purpose of implementing this order, including the establishment of procedures to be followed in the application for and the issuance of both "ODT unit permits" and "ODT port storage forwarding permits". Administrative Order ODT 17 is being issued concurrently with this order. Nothing in this general outline of the order should be construed as affecting its specific provisions.

Pursuant to Executive Orders 8989, as amended, and 9156, in order to make available railway cars and other transportation facilities for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to assure the orderly and expeditious movement of materials and supplies of war; to coordinate domestic traffic movements with ocean shipping in order to avoid terminal congestion at port areas in the United States, and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 16, as amended (§ § 502.40 to 502.50), and General Order ODT 38A (§ § 502.135 to 502.143) shall be superseded, and, it is hereby ordered, that:

Sec.

502.200 Definitions.
502.201 Applicability.
502.202 Transportation and delivery of shipments of overseas freight to or within specified port areas.
502.203 Transportation of certain carload and truckload shipments by rail or motor truck to or through the Dominion of Canada.
502.204 Transportation of carload and truckload shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.
502.205 Transportation of carload and truckload shipments of export or overseas freight to specific interior storage areas.
502.206 Reconsignment restrictions.
502.207 Exemptions.
502.208 Reports.
502.209 Issuance of special and general permits.
502.210 Procedures; delegations of authority.
502.211 Communications.

AUTHORITY: § § 502.200 to 502.211, inclusive, issued under E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; and E.O. 9156, 7 F.R. 3349.

§ 502.200 *Definitions.* As used in this order (§§ 502.200 to 502.211) or in any order, permit, or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Carrier" means any person who transports property by rail, motor truck, or water;

(c) "Export freight" means any property which is intended for transportation from a point in the continental United States to a destination outside the continental United States;

(d) "Overseas freight" means any property which is intended for movement offshore by water from a port or place in the continental United States to a port or place outside the continental United States;

(e) "Commercial freight" means any export or overseas freight not shipped by or to a Government agency or on a United States Government bill of lading;

(f) "Import freight" means (1) any property which has moved by water from a port or place outside the continental United States to a port area within the

continental United States and which has not been subsequently transported beyond such port area, or (2) any property which is transported by rail, on through billing, from a place outside the continental United States to a port area within the continental United States and is not intended for reshipment to a place outside the continental United States;

(g) "Domestic freight" means any property other than import freight which is transported to or within a port area in the continental United States and is not intended for movement to a destination outside the continenal United States;

(h) "Government agency" means any agency or department of the United States, including any corporation organized and controlled by the United States, and the Dairy Products Marketing Association;

(i) "ODT block release" means an authorization by the Director, Division of Traffic Movement, Office of Defense Transportation, to his authorized permit agents, covering the issuance of ODT unit permits for the movement of a specified quantity of freight;

(j) "ODT unit permit" means a permit issued by the Director, Division of Traffic Movement, Office of Defense Transportation, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release;

(k) "ODT port storage forwarding permit" means a permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, authorizing the transportation of carload or truckload shipments of domestic or import freight to or within a port area in the continental United States for storage in a public warehouse for account of a government agency;

(l) "Public warehouse" means a warehouse or other place of storage the operator of which is engaged as a warehouseman in the business of storing goods therein for compensation;

(m) "Carload shipment" means a shipment of property moving by rail or water (1) in a quantity the weight of which is 20,000 pounds or more, or (2) in a quantity less than 20,000 pounds if exclusively occupying a railway car when forwarded from point of origin;

(n) "Less - than - carload shipment" means a shipment of property moving by rail or water in a quantity the weight of which is less than 20,000 pounds and which does not exclusively occupy a railway car when forwarded from point of origin;

(o) "Truckload shipment" means a shipment of property which is transported in or on a motor truck (1) in a quantity the weight of which is 10,000 pounds or more, or (2) which property is a part of a single consignment of property the aggregate weight of which is 10,000 pounds or more;

(p) "Less - than - truckload shipment" means a shipment of property which is transported in or on a motor truck in a quantity the weight of which is less than 10,000 pounds and which is not a part of a single consignment of property the aggregate weight of which is 10,000 pounds or more;

(q) "Motor truck" means (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, or, (5) any other rubber-tired vehicle propelled by mechanical power, when used in the transportation of property;

(r) "Property" means anything, except passengers, capable of being transported by rail, motor truck, or water;

(s) "Port area" means any locality in the continental United States within which facilities are maintained for the interchange of property between ocean vessels and other transportation instrumentalities. A port area shall include both the switching and lighterage limits of the ports or places shown in Appendix A and Appendix B of Administrative Order ODT 17, or as such order may be amended, revised or reissued;

(t) "Interior storage area" means any storage area supplementary to a port area or range of port areas within the continental United States, as such interior storage areas may be defined from time to time in any administrative order issued by the Director, Division of Traffic Movement, Office of Defense Transportation, pursuant to the provisions of § 502.210 of this order;

(u) "W. S. A. forwarding authorization" means an authorization issued by the War Shipping Administrator or his duly authorized agent covering cargo subject to Directive 4, Revised (8 F. R. 1321), or as such directive may be further revised, amended, or reissued, as evidence that the shipment covered thereby is wanted at the port named by the date indicated therein, and that ocean cargo space therefor has been definitely allocated or committed;

(v) "Impedimenta" means baggage, supplies, and equipment of a military or naval organization or of the personnel thereof;

(w) "Continental United States" means the 48 states and the District of Columbia.

§ 502.201 *Applicability.* The provisions of this order shall be applicable to shipments of property to or within port or storage areas within the continental United States, and to or through the Dominion of Canada, but only in so far as the transportation takes place within the continental United States and is specifically made subject to the provisions of this order.

§ 502.202 *Transportation and delivery of shipments of overseas freight to or within specified port areas.* (a) No person shall offer for transportation, and no carrier shall accept for transportation, or transport, any carload or truckload shipment of overseas freight to or within any port area named in Appendix A of Administrative Order ODT 17, or as such order may be amended, revised or reissued, for storage within such port area or for delivery to an ocean carrier at such port area, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment, and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment;

(b) No person shall offer for transportation, and no carrier shall accept for transportation, or transport, any less-than-carload or less-than-truckload shipment of overseas freight to or within a port area named in Appendix A of Administrative Order ODT 17, or as such order may be amended, revised or reissued, for storage within such port area or for delivery to an ocean carrier at such port area, unless such shipment (1) is consigned to an officer of the United States Army or Navy at a specified service installation or warehouse; or (2) is consigned to the War Shipping Administrator, and his forwarding authorization serial identification is shown on the shipping documents covering the inland transportation of such shipment; or (3) is consigned to a specific warehouse facility; or (4) is covered by a bona fide firm booking with the ocean carrier for the transportation of such shipment and the shipper so indicates on the shipping documents covering the inland transportation of such shipment;

(c) No person who is not a carrier shall deliver any shipment of overseas freight of an aggregate weight of 10,000 pounds or more to an ocean carrier at any port area named in Appendix A of Administrative Order ODT 17, or as such order may be amended, revised or reissued, unless there is outstanding an effective ODT unit permit authorizing the delivery of such shipment to such ocean carrier at such port area.

§ 502.203 *Transportation of certain carload and truckload shipments by rail or motor truck to or through the Dominion of Canada.* No person shall offer to a rail or motor carrier for transportation, and no rail or motor carrier shall accept for transportation, or transport, from any point in the continental United States, any carload or truckload shipment (a) which is consigned to a government agency and is destined to any point within the Dominion of Canada, (b) which is consigned by a government agency to, or is consigned to a government agency at, any port in the Dominion of Canada for export therefrom, or (c) which is consigned by a government agency or transported on a United States Government bill of lading to Churchill, Manitoba; Edmonton, Alberta; or any point on the line of the Northern Alberta Railways Company, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.204 *Transportation of carload and truckload shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.* No person shall offer any carload or truckload shipment of domestic or import freight for transportation to or within any port area named in Appendix B of Administrative Order ODT 17, or as such order may be amended, revised, or reissued, when such shipment is intended for storage for account of a government agency in a public warehouse located within any such port area, unless the transportation of such shipment to such public warehouse within such port area has been authorized by an ODT port storage forwarding permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, and the number of such permit is endorsed upon the shipping order or other appropriate shipping document covering such shipment. As used in this § 502.204 the term "truckload shipment" of domestic or import freight shall include any shipment of domestic or import freight of an aggregate weight of 10,000 pounds or more which is delivered to a public warehouse at a named port area in any wheeled vehicle other than a railway car.

§ 502.205 *Transportation of carload and truckload shipments of export or overseas freight to specific interior storage areas.* The Director, Division of Traffic Movement, Office of Defense Transportation, is hereby authorized to name and define in any administrative order issued pursuant to the provisions of § 502.210 of this order, specific interior storage areas in the continental United States to which carload and truckload shipments of export or overseas freight may not be transported for storage, unless the transportation of any such shipment to any such interior storage area has been authorized by the issuance of an ODT unit permit. No person shall offer for transportation, and no carrier shall accept for transportation, or transport, to any such interior storage area which may be hereafter named and defined in any such administrative order, any carload or truckload shipment intended for reshipment from such interior storage area to a destination outside the continental United States, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment to such interior storage area, and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.206 *Reconsignment restrictions.* (a) Any shipment which is subject to the permit requirements of this order at the time it is offered for transportation, and which when reconsigned continues to be subject to such permit requirements, shall not be reconsigned to a point other than the original billed destination unless there is outstanding an effective ODT permit authorizing the transportation of such shipment to such new destination;

(b) Any shipment which is not subject to the permit requirements of this order at the time it is offered for transportation, but which, when reconsigned to a new destination becomes subject to such permit requirements, shall not be so reconsigned unless there is outstanding an effective ODT permit authorizing the transportation of such shipment to such new destination.

§ 502.207 *Exemptions.* This order shall not apply to any traffic which is exempted from its provisions by the provisions of any administrative order issued pursuant to § 502.210 of this order.

§ 502.208 *Reports.* Rail carriers accepting carload shipments moving under ODT unit permits (not port storage forwarding permits) issued pursuant to this order, shall make the following reports:

(a) Within 24 hours of acceptance for movement, report by collect telegram to Chief, Traffic Control Division, Transportation Corps, War Department, Pentagon Building, Washington 25, D. C. (as agent of the Office of Defense Transportation), movement of each permitted car originating on its line to the extent required by ODT P–2 reporting system;

(b) Daily reports to the Division of Traffic Movement, Office of Defense Transportation, Washington 25, D. C. as required by ODT P–5 reporting system;

(c) Monthly reports to the Division of Traffic Movement, Office of Defense Transportation, Washington 25, D. C., as required by ODT P–6 reporting system.

§ 502.209 *Issuance of special and general permits.* The provisions of this order shall be subject to any special permit issued by the Director, Division of Traffic Movement, Office of Defense Transportation, and to any general permit issued by the Office of Defense Transportation, to meet specific needs or exceptional circumstances, or to prevent undue hardships.

§ 502.210 *Procedures; delegations of authority.* (a) The Director, Division of Traffic Movement, Office of Defense Transportation, is hereby authorized and directed to issue such administrative orders as may be necessary to implement this order, including the establishment of procedures to be followed with respect to applications for and the issuance of ODT unit permits and ODT port storage forwarding permits. Said Director may issue ODT unit permits, and the Director, Division of Storage, Office of Defense Transportation, may issue ODT port storage forwarding permits, through such permit agents as have been delegated such authority in any such administrative order;

(b) In the issuance of ODT unit permits, the Director, Division of Traffic Movement, Office of Defense Transportation, and his authorized permit agents, subject to his general supervision, are hereby authorized to designate in any such permit the route or routes, within the continental United States, over which the shipment or shipments covered by any such permit shall be transported. Failure of a shipper to observe the routing specified in any such permit will render such permit invalid.

§ 502.211 *Communications.* Communications concerning this order should refer to "General Order ODT 16A" and except as otherwise provided herein, or in any administrative order issued pursuant to the provisions of § 502.210 of this order, should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 16A shall become effective March 15, 1944.

General Order ODT 16, as amended (7 F.R. 5194, 8 F.R. 16220, 17001), Exception Order ODT 16–1, as amended (7 F.R. 5889, 10724), Exception Order ODT 16–2 (7 F.R. 7258), Exception Order ODT 16–3 (7 F.R. 7998), General Permit ODT 16–1 (7 F.R. 11027), and General Permit ODT 16–2 (8 F.R. 11542), are hereby revoked as of the effective date of this General Order ODT 16A. (General Order ODT 38A (8 F.R. 9067), Administrative Order ODT 2A (8 F.R. 9068), and Administrative Order ODT 11 (8 F.R. 17515), will be revoked by the issuance of separate revocation orders).

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44–3431; Filed, March 10, 1944; 10:25 a. m.]

[Administrative Order ODT 17]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATIONS OF AUTHORITY WITH RESPECT TO PORT STORAGE FORWARDING PERMITS

Pursuant to § 502.210 of General Order ODT 16A, it is hereby ordered, that:

Sec.

503.360 General provisions.
503.361 Delegation of authority to issue ODT unit permits.
503.362 Types of ODT unit permits; conditions.
503.363 Application for ODT unit permits.

Sec.
503.364 Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.
503.365 Application for and issuance of ODT port storage forwarding permits covering shipments of government import freight; delegation of authority.
503.366 Exemptions.
503.367 Embargoes.

AUTHORITY: §§ 503.360 to 503.367, inclusive, issued under General Order ODT 16A, this issue.

§ 503.360 *General provisions.* General Order ODT 16A establishes permit requirements with respect to the transportation of (a) carload and truckload shipments of overseas freight to or within designated port areas in the continental United States whether for storage or for delivery to an ocean carrier; (b) certain carload and truckload shipments from points in the continental United States to or through the Dominion of Canada; and (c) carload and truckload shipments of domestic or import freight to or within designated port areas for storage in a public warehouse for account of a government agency. The port areas are named in Appendix A and Appendix B of this administrative order. Permit requirements are also established with respect to the delivery of certain shipments of overseas freight to an ocean carrier by any person other than a carrier. Provision is made in § 502.205 of General Order ODT 16A for the establishment of permit requirements in connection with the transportation of carload and truckload shipments of export or overseas freight to interior storage areas in the continental United States as such interior storage areas may be named and defined in any administrative order issued pursuant to the provisions of such order. No such interior storage areas are named in this administrative order as now issued.

It is provided that shipments of export or overseas freight which are covered by the order shall be subject to "ODT unit permits". An ODT unit permit is defined in the order as "a permit issued by the Director, Division of Traffic Movement, Office of Defense Transportation, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release." The issuance of ODT block releases by the Director, Division of Traffic Movement, Office of Defense Transportation, to his authorized permit agents will be based on applications received from the ocean cargo control agencies, viz., War Shipping Administration, as to (1) commercial overseas freight, and (2) overseas freight within the scope of the War Shipping Administrator's Directive 4, Revised (8 F.R. 1321), or as such Directive may be further revised, amended or reissued; War Department, as to overseas freight for its own account; and Navy Department, as to overseas freight for its own account; setting forth the amount of cargo space which will be available from time to time for the transportation of overseas freight from port areas in the continental United States.

General Order ODT 16A provides that shipments of government domestic or import freight subject to its provisions are to move on "ODT port storage forwarding permits" to be issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agents. Procedures governing the application for and the issuance of ODT port storage forwarding permits are outlined in §§ 503.364 and 503.365 of this Administrative Order ODT 17.

§ 503.361 *Delegation of authority to issue ODT unit permits.* (a) Subject to such restrictions, directions, and reporting requirements as are now or may be hereafter established by the Director, Division of Traffic Movement, Office of Defense Transportation, the following are hereby authorized to issue ODT unit permits:

(1) Transportation Division, Bureau of Supplies and Accounts, Navy Department, Washington, D. C., may issue requisite ODT unit permits covering the transportation of property originating at a point in the continental United States and consigned to the Navy Department or for its account at navy yards or supply depots controlled or operated by the Navy Department;

(2) Division of Cargo Clearance, War Shipping Administration, New York, New York, may issue requisite ODT unit permits covering consignments of commercial freight originating at a point in the continental United States or in Mexico and shipped to, moving within, or delivered at a port area in the continental United States;

(3) The Transport Controller, Dominion of Canada, Montreal, Quebec, may issue all requisite ODT unit permits covering shipments of overseas freight originating at any point in the Dominion of Canada and moving on through billing to a port area in the continental United States, subject to such restrictions as may be imposed by the Traffic Control Division, Transportation Corps, Army Service Forces, covering the transportation of such shipments within the continental United States, including the designating of routing within continental United States, and also subject to clearance with the Division of Cargo Clearance, War Shipping Administration, with respect to shipments of commercial freight subject to ODT unit permit requirements;

(4) The Traffic Control Division, Transportation Corps, Army Service Forces, Washington, D. C. may issue all other requisite ODT unit permits covering shipments of export or overseas freight which are subject to the provisions of General Order ODT 16A, or as such order may be amended, revised, or reissued;

(b) No ODT unit permit shall be issued covering shipments of overseas freight unless (1) the property covered by such permit is within the aggregate authorization of a specified effective ODT block release issued by the Director, Division of Traffic Movement, Office of Defense Transportation, and (2) a "W. S. A. forwarding authorization" has been issued if the shipment is subject to such requirement pursuant to the provisions of the War Shipping Administrator's Directive 4, Revised, or as such Directive may be further revised, amended, or reissued. No ODT unit permits shall be issued covering the transportation of shipments of overseas freight to a named port area for storage therein unless arrangements have been made in advance of shipment for the storage of any such shipment immediately on its arrival at such port area. No ODT unit permit shall be issued covering shipments of export freight intended for shipment to or through the Dominion of Canada except on assurances from the Transport Controller, Dominion of Canada, that the transportation of any such shipment will not cause or contribute to traffic congestion or car detention within the Dominion of Canada.

§ 503.362 *Types of ODT unit permits; conditions.* All ODT unit permits issued shall carry identification comprised of two letters followed by six digits and one letter; for example, WB–2713–12–W. Construction of ODT unit permit numbers shall be governed by code requirements issued from time to time by the Director, Division of Traffic Movement, Office of Defense Transportation. Such permits shall be valid for such period of time as specified individually therein, shall cover only the kind and quantity of goods specified therein, and shall be sub-

ject to conditions stated therein, including routes named. ODT unit permits issued will be of the following types and will be subject to the additional conditions outlined below which conditions shall be binding on any person offering for transportation, accepting for transportation, transporting or delivering to an ocean carrier, a shipment covered by such permit:

(a) ODT unit permits authorizing the transportation of shipments of overseas freight from a point outside a port area to a named port area for delivery to an ocean carrier;

(b) ODT unit permits authorizing the transportation or delivery of shipments of overseas freight originating in or currently within a named port area to an ocean carrier within such port area;

(c) ODT unit permits authorizing the transportation of shipments of overseas freight to or within a named port area for storage. Such permits do not authorize delivery to an ocean carrier. They will be valid only under the following conditions:

(1) That specified carrier or non-carrier storage space in such port area has been prearranged;

(2) That notwithstanding free time provisions of carrier's tariff shipper agrees on behalf of himself and the consignee that the carrier will receive instructions to deliver the property to such prearranged storage within 48 hours of receipt of carrier arrival notice by consignee, unless an ODT unit permit (as per (b) above) to deliver the property to an ocean carrier has previously been issued and is valid and effective;

(d) ODT unit permits covering the transportation of property to points within the Dominion of Canada. Such permits are valid only within the continental United States and property so transported when within the Dominion of Canada is subject to all requirements of the Transport Controller of the Dominion of Canada.

§ 503.363 *Application for ODT unit permits.* Application for the issuance of an ODT unit permit shall be made to the appropriate permit agent authorized to issue such permit pursuant to the provisions of § 503.361 hereof and shall contain such information as may be required from time to time by such permit agent, subject to the approval of the Bureau of the Budget, where such approval is required pursuant to the provisions of the Federal Reports Act of 1942.

§ 503.364 *Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.* Application for the issuance of an ODT port storage forwarding permit authorizing the offering of carload or truckload shipments of domestic freight for transportation to or within a port area for storage in a public warehouse for account of a government agency, shall be made by the interested government agency to the Director, Division of Storage, Office of Defense Transportation, Washington 25, D. C. Such application shall be submitted on joint application and permit form ODT S–137 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix C hereof.[1] When approved the document will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

§ 503.365 *Application for and issuance of ODT port storage forwarding permits covering shipments of government import freight; delegation of authority.* (a) Application for the issuance of an ODT port storage forwarding permit authorizing the offering of carload or truckload shipments of import freight for transportation to or within a port area for storage in a public warehouse for account of a government agency shall be made by the interested government agency to the appropriate port storage officer named in Appendix D hereof, on joint application and permit form ODT S–138 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix E hereof. When such application has been approved by an appropriate port storage officer it will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

(b) Subject to the general supervision of the Director, Division of Storage, Office of Defense Transportation, each port storage officer named in Appendix D hereof is hereby authorized to issue, in his discretion, ODT port storage forwarding permits authorizing the offering of carload or truckload shipments of government import freight for transportation to or within any port area shown opposite his name in Appendix D hereof to public warehouses located within such port area, or for transportation from such port area to public warehouses located in any other port shown in Appendix D hereof.

§ 503.366 *Exemptions.* The provisions of General Order ODT 16A shall not apply to:

(a) Grain in bulk, soybeans, flaxseed and malt moving to an elevator located at any port named in Appendix A or Appendix B hereof when the carrier has made prior inquiry and ascertained that adequate storage or handling facilities not subject to prior commitment are available at such elevator; or moving from such elevators direct to ocean vessels by gravity, barge or floating elevator;

(b) Impedimenta moving in conjunction with military or naval forces to a point of embarkation;

(c) Petroleum or petroleum products in bulk, in tank cars, tank barges, or tank trucks.

§ 503.367 *Embargoes.* Wherever practicable carriers shall issue such embargoes as may be necessary to insure compliance with the provisions of General Order ODT 16A and any administrative order issued pursuant thereto.

This Administrative Order ODT 17 shall become effective on March 15, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 10th day of March 1944.

HENRY F. MCCARTHY,
Director, Division of Traffic Movement, Office of Defense Transportation.

APPENDIX A—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF "OVERSEAS FREIGHT" ARE SUBJECT TO ODT UNIT PERMIT REQUIREMENTS

Alabama: Mobile (including Theodore).

California: Los Angeles and Los Angeles Harbor (including Long Beach, San Pedro, Terminal Island, Wilmington), Port Hueneme, San Diego, San Francisco and San Francisco Bay Area (including Alameda, Benicia, Berkeley, Mare Island, Oakland, Port Chicago, Redwood City, Richmond), and Stockton.

Connecticut: New Haven, and New London.

Delaware: Wilmington.

Florida: Jacksonville, Miami, Palm Beach, Pensacola, Port Everglades, Port Tampa, and Tampa.

Georgia: Savannah.

Louisiana: Lake Charles, and New Orleans.

Maine: Portland.

Maryland: Baltimore.

Massachusetts: Boston.

Mississippi: Gulfport.

New Jersey: Camden, and New York Harbor.

New York: New York Harbor, and Poughkeepsie.

North Carolina: Wilmington.

Oregon: Astoria, Lacoda, and Portland.

Pennsylvania: Philadelphia (including Artificial Island and Hog Island).

Rhode Island: Davisville-Quonset Point, Portsmouth, and Providence.

South Carolina: Charleston.

Texas: Beaumont, Corpus Christi, Galveston, Houston, Port Arthur, and Texas City.

Virginia: Hampton Roads (including Norfolk, Newport News, Portsmouth).

Washington: Aberdeen, Anacortes, Bellingham, Everett, Kalama, Linnton, Longview, Mukilteo, Olympia, Seattle, Tacoma, Tulalip, and Vancouver.

[1] Filed as part of the original document.

APPENDIX B—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF GOVERNMENT DOMESTIC OR IMPORT FREIGHT INTENDED FOR STORAGE IN PUBLIC WAREHOUSES ARE SUBJECT TO ODT PORT STORAGE-FORWARDING PERMIT REQUIREMENTS

Baltimore, Maryland; Bellingham, Washington; Boston, Massachusetts; Camden, New Jersey; Charleston, South Carolina; Everett, Washington; Galveston, Texas; Houston, Texas; Jacksonville, Florida; Los Angeles, California; Mobile, Alabama; New Orleans, Louisiana; Newport News, Virginia; New York Harbor, New York-New Jersey; Norfolk, Virginia; Oakland, California; Olympia, Washington; Pensacola, Florida; Philadelphia, Pennsylvania; Portland, Oregon; Portsmouth, Virginia; Richmond, California; San Francisco, California; Savannah, Georgia; Seattle, Washington; Tacoma, Washington; Tampa, Florida; Vancouver, Washington; Wilmington, Delaware, and Wilmington, North Carolina.

APPENDIX D—PORT STORAGE OFFICERS AUTHORIZED TO ISSUE ODT PORT STORAGE FORWARDING PERMITS COVERING GOVERNMENT IMPORT FREIGHT, AND PORTS OVER WHICH EACH DESIGNATED PORT STORAGE OFFICER WILL HAVE JURISDICTION IN THE MATTER OF ISSUANCE OF SUCH PERMITS

Port of arrival	Port Storage Officer authorized to issue Port Storage Forwarding Permits	Address
Boston, Mass.	William F. Barwell	Room 827, Boston Chamber of Commerce Building, Boston 10, Mass.
New York Harbor, New York-New Jersey.	Joseph E. Bishop	Room 2106, 19 Rector Street, New York 6, N. Y.
Philadelphia, Pa. Camden, N. J. Wilmington, Del.	Donald Jenks	Room 1200, Suburban Station Building, Philadelphia 3, Pa.
Baltimore, Md.	James B. Sweeny	Room 723, Munsey Building, Baltimore 2, Md.
Norfolk, Va. Newport News, Va. Portsmouth, Va.	George Schamberger	Room 310, Flat Iron Building, Norfolk 10, Va.
Wilmington, N. C. Charleston, S. C.	James A. Von Dohlen	Room 504, Peoples Office Building, Charleston 3, S. C.
Savannah, Ga. Jacksonville, Fla.	John P. Imley	Room 505, Barnett National Bank Building, Jacksonville 2, Fla.
Tampa, Fla.	Earl L. Coons	Room 712, Wallace S. Building, Tampa 2, Fla.
Pensacola, Fla. Mobile, Ala.	Edwin R. Brown	Room 503, Federal Building, Mobile 7, Ala.
New Orleans, La.	John M. Fush	Room 1822, Canal Bank Building, New Orleans 12, La.
Galveston, Tex. Houston, Tex.	Lilbern S. Bourne	Room 707, Electric Building, Houston, Tex.
Los Angeles, Calif.	Morgan Huntoon	Room 423, 1031 South Broadway, Los Angeles 15, Calif.
San Francisco, Calif. Oakland, Calif. Richmond, Calif.	William C. Juergens	Room 453, 1355 Market Street, San Francisco 3, Calif.
Portland, Oreg. Vancouver, Wash.	Daniel J. McGerity	Room 1202, American Bank Building, Portland 5, Oreg.
Seattle, Wash. Bellingham, Wash. Everett, Wash. Olympia, Wash. Tacoma, Wash.	Carl R. Elander	Room 4529, White-Henry-Stuart Building, Seattle 1, Wash.

[F. R. Doc. 44-3432; Filed, March 10, 1944; 10:25 a. m.]

[General Permit ODT 16A-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS AND PERMITS

TRANSPORTATION OF TIN PLATE AND IN CANS TO OR WITHIN SPECIFIED PORT AREAS

Pursuant to the provisions of § 502.209 of General Order ODT 16A, it is hereby authorized that:

§ 522.655 *Transportation of tin plate and tin cans to or within specified port areas.* Any person may offer for transportation, and any carrier may accept for transportation, and transport, without observing the permit requirements of General Order ODT 16A:

(a) Carload or truckload shipments of overseas freight consisting of tin plate billed to or within a port area named in Appendix A of Administrative Order ODT 17, or as such order may be amended, revised, or reissued, when such freight is not to be reshipped by water from such port area to a port or place outside the continental United States in the form it is shipped to or within such port area, and the bill of lading or other shipping document covering the transportation of such freight to or within such port area contains a shipper's certification as follows: "Material not to be exported in present form."

(b) Carload or truckload shipments of overseas freight consisting of tin cans to be loaded aboard a floating cannery at a port area named in Appendix A of Administrative Order ODT 17, or as such order may be amended, revised, or reissued, when the bill of lading or other shipping document covering the transportation of such freight to or within such port area contains a shipper's certification as follows: "For loading aboard a floating cannery."

This General Permit ODT 16A-1 shall become effective March 15, 1944.

(E.O. 8989 as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; Gen. Order ODT 16A, *supra*)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3430; Filed, March 10, 1944; 10:25 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-26]

PONFEIGH SMOKELESS COAL CO.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the coal mines of the Ponfeigh Smokeless Coal Co., Garrett, Pennsylvania, have a daily production of less than fifty tons. Based on such advice, and after consideration of all the circumstances, I find that possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of mines of this company, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and they are hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Instruments of agreement and certification having heretofore been executed and filed with the Coal Mines Administration by this company, the appointment of the operating manager for its mines is terminated, as provided by section 25 (f), as amended, of the regulations for the operation of coal mines under Government control.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 9, 1944.

[F. R. Doc. 44-3434; Filed, March 10, 1944; 10:52 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-488]

CITIES SERVICE TRANSPORTATION AND CHEMICAL CO., AND CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

MARCH 8, 1944.

It appears to the Commission that:

(a) On September 30, 1943, the Commission entered an order in this proceeding issuing a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing Cities Service Transportation and Chemical Company to construct and operate a 26-inch natural gas main transmission line approximately 231 miles in length, extending in an easterly direction from a point near Guymon, Texas County, Oklahoma, in the Hugoton gas field to the Cities Service Gas Company's Blackwell compressor station in Kay County, Oklahoma, together with appurtenant facilities.

(b) The Commission's order of September 30, 1943, required Cities Service Transportation and Chemical Company to file for the Commission's prior consideration and approval proposed plans for the permanent financing and for the operation of the aforesaid facilities.

(c) On February 4, 1944, Cities Service Transportation and Chemical Company filed with the Commission for its prior consideration and approval a proposed plan for the permanent financing and for the operation of such facilities under a proposed lease between it and Cities Service Gas Company.

(d) On February 4, 1944, Cities Service Gas Company filed with the Commission an application in this proceeding for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, seeking authorization to operate the facilities referred to in paragraph (a), above, under such proposed lease agreement.

(e) Cities Service Transportation and Chemical Company joined in such application for a certificate of public convenience and necessity to the extent that it may be necessary to modify the Commission's order of September 30, 1943, to permit Cities Service Gas Company to operate the facilities.

The Commission orders that:

(A) A public hearing be held commencing on March 29th, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in these proceedings.

(B) Interested State commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3419; Filed, March 10, 1944; 9:13 a. m.]

[Docket Nos. G-526, G-527]

CITIES SERVICE GAS CO., ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MARCH 8, 1944.

In the matters of Cities Service Gas Company, Docket No. G-526; and Cities Service Transportation and Chemical Company, and Cities Service Gas Company, Docket No. G-527.

Upon consideration of the application in Docket No. G-526, filed by Cities Service Gas Company on February 15, 1944, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize its construction and operation of the following facilities:

(a) A cooling tower and miscellaneous equipment at its Blackwell compressor station near Blackwell, Kay County, Oklahoma, and

(b) Thirty-five miles of 16-inch loop line from the Blackwell compressor station to Burbank, Osage County, Oklahoma; and

Upon consideration of the joint application in Docket No. G-527, filed by Cities Service Transportation and Chemical Company and Cities Service Gas Company for certificates of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize Cities Service Transportation and Chemical Company to construct, and Cities Service Gas Company to operate seven additional 1,000 horsepower compressor units at the Guymon, Oklahoma, compressor station together with additional related facilities in the compressor station and in the dehydration plant operated in conjunction therewith; and

It appearing to the Commission that:

The matters concerned in the aforesaid applications may involve substantially similar issues.

The Commission orders that:

(A) The matters involved in the above-docketed applications be and they are hereby consolidated for the purposes of hearing.

(B) A public hearing be held commencing on March 30, 1944, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N.W., Washington, D. C., concerning the matters involved and the issues presented in these proceedings.

(C) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3420; Filed, March 10, 1944; 9:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 164, 4th Amended Gen. Permit 9]

REFRIGERATION OF ARIZONA, CALIFORNIA AND TEXAS CITRUS FRUITS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at any point in the States of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, or Missouri or at Omaha, Nebraska, East St. Louis, Illinois, Council Bluffs, Iowa, Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with citrus fruits originating in Arizona, California and Texas. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 Under Service Order No. 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., March 9, 1944, and shall expire at 12:01 a. m., April 1, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3438; Filed, March 10, 1944; 11:26 a. m.]

[S. O. 164, 2d Amended Gen. Permit 10]

REFRIGERATION OF FLORIDA CITRUS FRUITS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at a regular icing station enroute but not beyond Florence, South Carolina, Aberdeen, North Carolina, Spencer, North Carolina, Augusta, Georgia, Atlanta, Georgia, Pensacola, Florida, Montgomery, Alabama, or Birmingham, Alabama, after the first or initial icing at an icing station in the State of Florida, any refrigerator car or cars originating at points in the State of Florida containing straight carloads of grapefruit or straight carloads of oranges commonly known as "mid-season oranges," or mixed carloads of "mid-season oranges" and other citrus fruit providing the "mid-season oranges" in the car comprise at least fifty percent (50%) of the lading.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., March 8, 1944, and shall expire at 12:01 a. m., April 1, 1944.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3439; Filed, March 10, 1944; 11:26 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3218]

ROSINA HENNING

In re: Estate of Rosina Henning, also known as Rose Henning, Rosina Hening, Rose Hening, deceased; File D-57-85; E. T. sec. 5976.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Victor Godfrie, 826 Society for Savings Building, Cleveland, Ohio, Administrator and Trustee, acting under the judicial supervision of the Probate Court of Cuyahoga County, Cleveland, Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Martin Henning, Roumania.
George Henning, Roumania.
Katherina Molinar, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martin Henning, George Henning and Katherina Molinar, and each of them, in and to the estate of Rosina Henning, also known as Rose Henning, Rosina Hening, Rose Hening, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3367; Filed, March 9, 1944; 10:39 a. m.]

[Vesting Order 3220]

STEFAN RASCHKOFF KEOROVSKY

In re: Estate of Stefan Raschkoff Keorovsky, a/k Stefan Rashkoff, a/k Steve Rashcoff, a/k Steff Rashkow, deceased; File No. D-66-462; E. T. sec. 2917.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Thos. R. Madden, 722 Chestnut Street, St. Louis, Missouri, Administrator, acting under the judicial supervision of the Probate Court of the City of St. Louis, State of Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Iana Stefanova Raschkova, Bulgaria.
Raschko Stefanoff Keorovsky, Bulgaria.
Kina Nenova Tomeva, Bulgaria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Iana Stefanova Raschkova, Raschko Stefanoff Keorovsky and Kina Nenova Tomeva, and each of them, in and to the estate of Stefan Raschkoff Keorovsky, a/k Stefan Rashkoff, a/k Steve Rashcoff, a/k Steff Rashkow, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3368; Filed, March 9, 1944; 10:39 a. m.]

[Vesting Order 3221]

PAULINA LUDEMANN

In re: Estate of Paulina Ludemann, deceased; File No. D-28-7386; E. T. sec. 7596.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Ludemann, executor, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herman Dahgenkolb, Muhltroff, Saxony, Germany.
Oscar Dahgenkolb, 33 Schule Street, Zwickau, Saxony, Germany.
August Dahgenkolb, % Schonhousen, Mittelstrasse, Elbe, Saxony, Germany.
Anna Metzner, 45 Stockigter Strasse, Plauen, Saxony, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herman Dahgenkolb, Oscar Dahgenkolb, August Dahgenkolb and Anna Metzner, and each of them, in and to the estate of Paulina Ludemann, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3369; Filed, March 9, 1944; 10:39 a. m.]

[Vesting Order 3222]

RAYMOND LUFT

In re: Estate of Raymond Luft, deceased; File No. D-28-3763; E. T. sec. 6361.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the German Society of the City of New York, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Rosa Decker whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rosa Decker, in and to the estate of Raymond Luft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3370; Filed, March 9, 1944; 10:39 a. m.]

[Vesting Order 3223]

KATHARINE MILLER

In re: Estate and Trust under the Will of Katharine Miller, deceased; File D-28-8282; E. T. sec. 9485.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frederick J. Buchmann, 7813 Fillmore Street, Fox Chase, Philadelphia, Pennsylvania, Executor and Trustee, acting under the judicial supervision of the Orphans' Court of Montgomery County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida Vogelman, Germany.
Anna Stiefel, Germany.
Christian Stiefel, Germany.
Wilhelm Stiefel, Germany.
Person or persons, names unknown, the issue of Ida Vogelman, Anna Stiefel, Christian Stiefel and Wilhelm Stiefel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Vogelman, Anna Stiefel, Christian Stiefel, Wilhelm Stiefel, person or persons, names unknown, the issue of Ida Vogelman, Anna Stiefel, Christian Stiefel, and Wilhelm Stiefel, and each of them, in and to the estate of Katharine Miller, deceased, and in and to the trust estate created under the Will of Katharine Miller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3371; Filed, March 9, 1944; 10:39 a. m.]

[Vesting Order 3224]

ALFRED MORCH

In re: Estate of Alfred Morch, a. k. a. Alfred J. Morch, deceased; File D-28-7677; E. T. sec. 8290.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by M. E. Baker, Administrator, 1010-56th Street, Kenosha, Wisconsin, acting under the judicial supervision of the County Court of Kenosha County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Paul Morch, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following described interests and property:

All right, title, interest and claim of any kind or character whatsoever of Paul Morch, in and to the estate of Alfred Morch, a. k. a. Alfred J. Morch, deceased; also,

An undivided one-third interest in and to the real property described as: Part of the East Half of the Northwest Quarter of Section Six (6), in Township One (1) North, of Range Twenty-three (23) East and particularly described as follows: Commence at the point in the south line of 63rd Street (formerly Elizabeth Street) Two Hundred Eighteen (218) feet east of the east line of 14th Avenue (formerly Fremont Avenue) and at the Northwest corner of a parcel of land formerly owned by one Henry B. Blomanhouse and now owned by the Chicago and Northwestern Railway Company; thence south on the west line of said Blomanhouse's land Two Hundred Forty-one (241) feet or thereabouts to the southwest corner of said Blomanhouse's land and to the north line of land formerly owned by one John Mangan; thence west on the north line of said Mangan's land Forty-one (41) feet; thence north parallel with the West line of said Blomanhouse's land to the south line of said 63rd Street; thence east on the south line of said 63rd Street Forty-one (41) feet to the place of beginning, and lying and being in the City of Kenosha, in the County of Kenosha and State of Wisconsin, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property; subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3372; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3225]

JACOB ROMAN

In re: Estate of Jacob Roman, deceased; File D–57–283; E. T. sec. 7408.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Vasile Pop, Executor, 3212 Roulo Street, Dearborn, Michigan, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and last known address

Emilia Puscas, nee Roman, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emilia Puscas, nee Roman, in and to the estate of Jacob Roman, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination by the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3373; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3226]

FRITZ R. TEUTER

In re: Mortgage Participation Certificate No. 150,623 of Series No. 171,057 issued by Bond and Mortgage Guarantee Company to Fritz R. Teuter; File D–28–3931; E. T. sec. 6805.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Brooklyn Trust Company, 215 Montague Street, Brooklyn, New York, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz R. Teuter, Weitze Bei Celle, Hanover, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz R. Teuter, in and to the Mortgage Participation Certificate No. 150,623 of Series No. 171,057 for $859.80, issued by Bond and Mortgage Guarantee Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3374; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3241]

CLARA ACHENBACH FENDLEY

In re: Estate of Clara Achenbach Fendley, deceased; File D–28–7747; E. T. sec. 8350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by W. P. Hambien, Independent Executor, and which is in partition, libel, condemnation or other similar proceedings;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John Achenbach, Germany.
Sister of John Achenbach, name unknown, Germany.
Descendants of John Achenbach or his sister, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John Achenbach, Sister of John Achenbach, name unknown, Descendants of John Achenbach or his sister, names unknown, and each of them, in and to the Estate of Clara Achenbach Fendley, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3375; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3242]

NAOE KITAYAMA, ET AL.

In re: Guardianship Estate of Naoe Kitayama, Shuichi Kitayama, Chikao Kitayama and Tomoko Kitayama, Minors; File: D–66–1457; E. T. sec. 9325 (H–113).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Masami Kitayama, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Naoe Kitayamm, Hiroshima, Japan.
Shuichi Kitayama, Hiroshima, Japan.
Chikao Kitayama, Hiroshima, Japan.
Tomoko Kitayama, Hiroshima, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Naoe Kitayama, Shuichi Kitayama, Chikao Kitayama and Tomoko Kitayama, and each of them, in and to the Guardianship Estate of Naoe Kitayama, Shuichi Kitayama, Chikao Kitayama and Tomoko Kitayama, Minors, in the possession of Masami Kitayama, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3376; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3243]

CHARLES KRAUSE

In re: Estate of Charles Krause, deceased; File D–28–2257; E. T. sec. 2975.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Henzel, Independent Executor, and which is in "partition, libel, condemnation or other similar proceedings,"

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johana Krause Hersog, Germany.
Auguste Krause Hrull, Germany.
Ernest Krause, Germany.
Heirs, names unknown, of John Krause, Germany.
Karl A. Krause, Germany.
Jennie Elisabeth Krause Trepite, Germany.
Anna Marie Krause Walthers, Germany.
Karl August Krause, Germany.
Heirs, names unknown, of August Krause, Germany.

And determining that—

(3 If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johana Krause Hersog, Auguste Krause Hrull, Ernst Krause, Heirs, names unknown, of John Krause, Karl A. Krause, Jennie Elisabeth Krause Trepite, Anna Marie Krause Walthers,

property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3377; Filed, March 9, 1944; 10:40 a. m.]

Karl August Krause and Heirs, names unknown, of August Krause, and each of them, in and to the estate of Charles Krause, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3377; Filed, March 9, 1944; 10:40 a. m.]

[Vesting Order 3244]

DELIMA B. WOODWARD

In re: Trust under the will of Delima B. Woodward, deceased; File F–28–14640; E. T. sec. 1299.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie de la N. Hansen, Germany.
Reginald M. A. Hansen, Germany.
Mary G. A. Hansen, Germany.
Hans H. J. Hansen, Germany.
Erwin G. Hansen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie de la N. Hansen, Reginald M. A. Hansen, Mary G. A. Hansen, Hans H. J. Hansen and Erwin G. Hansen, and each of them, in and to the trust estate created under the will of Delima B. Woodward, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3378; Filed, March 9, 1944; 10:41 a. m.]

[Vesting Order 3245]

MARY L. MOTZ

In re: Trusts under will of Mary L. Motz, deceased; File D–28–6688; E. T. sec. 4147.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Brooklyn Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ella M. Bohmer, formerly Ella M. Motz, Germany.

The descendants of Ella M. Bohmer, formerly Ella M. Motz, whose names are unknown, Germany.

Herbert C. Motz, Germany.

The descendants of Herbert C. Motz, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ella M. Bohmer, formerly Ella M. Motz; the descendants of Ella M. Bohmer, formerly Ella M. Motz, whose names are unknown; Herbert C. Motz, and the descendants of Herbert C. Motz, whose names are unknown, and each of them, in and to the trusts created under the will of Mary L. Motz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3379; Filed March 9, 1944; 10:41 a. m.]

[Vesting Order 3246]

FRANK RIETH

In re: Estate of Frank Rieth, deceased; File D–28–4150; E. T. sec. 7147.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the United States Trust Company of Paterson, Paterson, New Jersey, and Mrs. Anna R. Danielson, Hawthorne, New Jersey, Co-Executors, acting under the judicial supervision of The Prerogative Court of New Jersey, Trenton, New Jersey,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elizabeth Muller, nee Rieth, Germany.
Mrs. Anna Fechner, nee Rieth, Germany.
Mrs. Sophie Alles, nee Rieth, Germany.
Mrs. Elizabeth Hohn, nee Arnold, Germany.
Mrs. Josephine Almeroth, nee Arnold, Germany.
Mrs. Margareth Scharman, nee Arnold, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Muller, nee Rieth, Mrs. Anna Fechner, nee Rieth, Mrs. Sophie Alles, nee Rieth, Mrs. Elizabeth Hohn, nee Arnold, Mrs. Josephine Almeroth, nee Arnold and Mrs. Margareth Scharman, nee Arnold, and each of them in and to the estate of Frank Rieth, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3380; Filed, March 9, 1944; 10:41 a. m.]

[Vesting Order 3247]

ERNEST SCHAFER

In re: Estate of Ernest Schafer, deceased; File D–28–8219; E. T. sec. 9262.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Julius Schafer, Administrator, acting under the judicial supervision of the Middlesex County Orphans' Court, County of Middlesex, New Brunswick, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Berthold Schafer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Berthold Schafer in and to the estate of Ernest Schafer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3381; Filed, March 9, 1944; 10:41 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 161, Order 43]

WEST COAST LOGS

OVERTIME ADDITIONS

Order No. 43 under § 1381.156 of Revised Maximum Price Regulation No. 161.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered:

(a) *New authorizations.* The following persons being on a 48-hour week may add to the maximum prices of all logs produced and sold by them $1.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address and Effective Date

A. H. Brix, Ellsworth Slough, Wash., January 1, 1944.
Buchanan and Weedin, Sedro Woolley, Wash., February 14, 1944.
Everson Logging Co., Bellingham, Wash., February 1, 1944.
Clinton Fisch, Morton, Wash., January 1, 1944.
Foster Mills, Inc., Willamina, Oreg., February 8, 1944.
Graham Log Co., Maple Falls, Wash., January 1, 1944.
Nettleton Timber Co., Seattle, Wash., February 15, 1944.
Skelton and Weicks, Toledo, Oreg., February 11, 1944.
Elias Stormo, Sultan, Wash., February 18, 1944.
Studebaker Pole Co., Tacoma, Wash., December 1, 1943.
West Brothers, Darrington, Wash., February 7, 1944.

(b) *Change of status.* The following persons who have been heretofore authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the date indicated:

Name, Address, New Number of Hours, Addition, Effective Date

Beaver Logging Co., Portland, Oreg., 54; $1.50; Jan. 20, 1944.

(c) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated.

Name, Address and Effective Date

Cascade Timber Co., Seattle, Wash., January 1, 1944.
Clark and Logsdon, Mehama, Oreg., February 1, 1944.
Elmer Hitchman, Garibaldi, Oreg., December 31, 1943.
L. O. G. Logging Co., Knappton, Wash., December 31, 1943.
Lloyd Logging Co., Longview, Wash., December 31, 1943.
M & M Wood Working Co., Portland, Oreg., February 1, 1944.
McDowell Creek Logging Co., Portland, Oreg., February 1, 1944.
Mitchell Lumber Co., Idanha, Oreg., December 31, 1943.
Murphy Logging Co., Portland, Oreg., December 31, 1943.
Ray Stowe, Hoquiam, Wash., January 31, 1944.

(d) *Corrections.* Authorization of Merrill and Ring Lumber Company is changed to Merrill and Ring (a partnership).

Fall River Lumber Company's authorization in Overtime Order No. 39 is corrected to read Fall Creek Lumber Company.

Issued and effective this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3461; Filed, March 10, 1944; 12:02 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 8, 1944.

REGION II

Syracuse Order No. 19, filed 12:22 p. m.

REGION III

Columbus Order No. 3-F, Amendment No. 8, filed 12:22 p. m.
Columbus Order No. 7-F, Amendment No. 7, filed 12:22 p. m.
Louisville Order No. 1-F, Amendment No. 19, filed 12:20 p. m.
Louisville Order No. 1-F, Amendment No. 20, filed 12:20 p. m.
Louisville Order No. 2-F, Amendment No. 13, filed 12:21 p. m.
Louisville Order No. 2-F, Amendment No. 14, filed 12:20 p. m.
Louisville Order No. 3-F, Amendment No. 6, filed 12:20 p. m.
Louisville Order No. 3-F, Amendment No. 7, filed 12:20 p. m.

REGION IV

Jackson Order No. 2-F, Amendment No. 2, filed 12:22 p. m.
Jacksonville Order No. 3-F, filed 12:25 p. m.
Nashville Order No. 5-F, Amendment No. 5, filed 12:22 p. m.
Nashville Order No. 5-F, Amendment No. 7, filed 12:23 p. m.
Nashville Order No. 8-F, filed 12:25 p. m.
Nashville Order No. 9-F, filed 12:23 p. m.

REGION V

Dallas, Order No. 1-F, Amendment No. 6, filed 12:23 p. m.
Fort Worth Order No. 2-F, Amendment No. 5, filed 12:19 p. m.
Fort Worth Order No. 3-F, Amendment No. 8, filed 12:19 p. m.
Fort Worth Order No. 4-F, Amendment No. 5, filed 12:19 p. m.
Fort Worth Order No. 5-F, Amendment No. 5, filed 12:19 p. m.
Oklahoma City Order No. 3-F, Amendment No. 7, filed 12:21 p. m.
Oklahoma City Order No. G-9, filed 12:24 p. m.
Oklahoma City Order No. G-10, filed 12:24 p. m.

REGION VIII

Phoenix Order No. 3-F, Amendment No. 9, filed 12:21 p. m.
Phoenix Order No. 4-F, Amendment No. 6, filed 12:21 p. m.
San Francisco Order No. 1-F, Amendment No. 4, filed 12:21 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3413; Filed, March 9, 1944; 4:36 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 9, 1944.

REGION II

Altoona Order No. 10, filed 10:30 a. m.
Albany Order No. 14, filed 10:31 a. m.
District of Columbia Order No. P-1, Amendment No. 2, filed 10:30 a. m.
Philadelphia Order No. 11, filed 10:31 a. m.
Philadelphia Order No. 12, filed 10:32 a. m.
Trenton Order No. P-1, amendment No. 2, filed 10:26 a. m.
Trenton Order No. 12, filed 10:32 a. m.

REGION III

Columbus Order No. 4-F, Amendment No. 2, filed 10:28 a. m.
Columbus Order No. 5-F, Amendment No. 3, filed 10:28 a. m.
Indianapolis Order No. 4-F, Amendment No. 5, filed 10:26 a. m.
Indianapolis Order No. 5-F, Amendment No. 5, filed 10:26 a. m.
Indianapolis Order No. 6-F, Amendment No. 5, filed 10:26 a. m.
Indianapolis Order No. 8-F, Amendment No. 5, filed 10:26 a. m.
Indianapolis Order No. 9-F, Amendment No. 5, filed 10:27 a. m.
Indianapolis Order No. 10-F, Amendment No. 8, filed 10:27 a. m.
Indianapolis Order No. 11-F, Amendment No. 5, filed 10:26 a. m.
Lexington Order No. 4-F, Amendment No. 1, filed 10:26 a. m.
Saginaw Order No. 19, filed 10:31 a. m.

REGION IV

Jacksonville Order No. 1-F, Amendment No. 14, filed 10:25 a. m.
Nashville Order No. 5-F, Amendment No. 6, filed 10:25 a. m.
Nashville Order No. 6-F, Amendment No. 4, filed 10:26 a. m.
Nashville Order No. 7-F, Amendment No. 4, filed 10:25 a. m.
Nashville Order No. 12, Amendment No. 2, filed 10:25 a. m.

REGION V

Fort Worth Order No. 1-F, Amendment No. 5, filed 10:30 a. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 6, filed 10:30 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3460; Filed, March 10, 1944; 11:38 a. m.]

[Region I Supp. Order 1 Under RMPR 122, Revocation]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Order revoking Supplementary Order No. 1 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Quality standards, Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That Region I Supplementary Order No. 1 under Revised Maximum Price Regulation No. 122 (Quality Standards—Pennsylvania Anthracite) be and it hereby is revoked.

This order shall become effective March 8, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3366; Filed, March 9, 1944; 10:28 a. m.]

[Region III Order G-13 Under MPR 329]

FLUID MILK IN DESIGNATED COUNTIES IN MICHIGAN

Order No. G-13 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.406 (c) of Maximum Price Regulation No. 329; *It is hereby ordered:*

(a) Any milk distributor in the Counties of Bay, Kent and Saginaw in the State of Michigan, may pay producers an amount not in excess of $3.30 per cwt. f. o. b. plant, for "milk" of 3.5% butterfat content, plus or minus 5¢ for each 1/10 of 1% butterfat variation over or under 3.5%.

(b) Any milk distributor in the Counties of Berrien, Cass and Van Buren in the State of Michigan, may pay producers an amount not in excess of $3.30 per cwt. f. o. b. plant, for "milk" of 4% butterfat content, plus or minus 5¢ for each 1/10 of 1% butterfat variation over or under 4%.

(c) Any milk distributor in the Counties of Branch and St. Joseph in the State of Michigan, may pay producers an amount not in excess of $3.40 per cwt. f. o. b. plant, for "milk" of 4% butterfat content, plus or minus 5¢ for each 1/10 of 1% butterfat variation over or under 4%.

(d) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(e) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(f) This order supersedes and replaces the provisions of Order No. G-3 under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Said Order No. G-3 is therefore revoked as to fluid milk distributors located in the Counties of Bay, Kent, Saginaw, Berrien, Cass, Van Buren, Branch and St. Joseph in the State of Michigan.

(g) This order may be modified, amended or revoked at any time.

This order shall be effective December 22, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued December 22, 1943.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-3358; Filed, March 8, 1944; 3:45 p. m.]

[Region III Order G-25 Under 18 (c), Amdt. 5]

FLUID MILK IN OHIO

Amendment No. 5 to Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation. General order adjusting the maximum prices of approved fluid milk and special milk in the state of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 (a) of Maximum Price Regulation No. 280, Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended in the following respects:

(a) Paragraph I of Schedule A is amended to read as follows:

I. Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Butler, Columbiana, Cuyahoga, Hamilton, Lucas, Mahoning, Montgomery, Portage, Stark and Summit, and in the Townships of Colerain, Meade, Pease, Pultney, Richland and York in the County of Belmont; the Townships of Bainbridge, Chardon, Chester, Munson and Russell in the County of Geauga; the Townships of Cross Creek, Island Creek, Knox, Saline, Steubenville, Warren and Wells in the County of Jefferson; the Townships of Concord, Kirtland, Mentor, Painsville and Willoughby in the County of Lake; the Townships of Avon, Avon Lake, Black River, Carlisle, Columbia, Eaton, Elyria, Grafton, LaGrange, Ridgeville and Sheffield in the County of Lorain; the Townships of Brunswick, Granger, Hinckley, Liverpool, Sharon and Wadsworth in the County of Medina; the Townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Vienna, Warren and Wethersfield in the County of Trumbull; the Townships of Franklin, Clear Creek, Hamilton, Deerfield and Turtle Creek in the County of Warren; and the Townships of Lake, Perrysburg, and Ross in the County of Wood, all in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51 cents per gallon.
Retail	Glass or paper	One-half gallon	28 cents per one-half gallon.
Retail	Glass or paper	One quart	15 cents per quart.
Retail	Glass or paper	One pint	9 cents per pint.
Retail	Glass or paper	One-half pint	7 cents per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	48 cents per gallon.
Wholesale	Glass or paper	One-half gallon	25 cents per one-half gallon.
Wholesale	Glass or paper	One quart	13 cents per quart.
Wholesale	Glass or paper	One pint	8 cents per pint.
Wholesale	Glass or paper	One-half pint	4 cents per one-half pint.

(b) Paragraph II of Schedule A is amended to read as follows:

II. Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Ashtabula, Clark, Logan, Miami and Scioto; and in the Township of Miami in the County of Green; the Townships of Auburn, Burton, Claridon, Hambdon, Huntsburg, Middlefield, Montville, Newbury, Parkman, Thompson and Troy in the County of Geauga; the Townships of Leroy, Perry and Madison in the County of Lake; the Townships of Bloomfield, Bristol, Farmington, Greene, Gustavus, Johnston, Kinsman, Mecca, Mesopotamia and Vernon in the County of Trumbull, all in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	50 cents per gallon.
Retail	Glass or paper	One-half gallon	30 cents per one-half gallon.
Retail	Glass or paper	One quart	14½ cents per quart.
Retail	Glass or paper	One pint	8½ cents per pint.
Retail	Glass or paper	One-half pint	7 cents per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	45 cents per gallon.
Wholesale	Glass or paper	One-half gallon	27 cents per one-half gallon.
Wholesale	Glass or paper	One quart	12½ cents per quart.
Wholesale	Glass or paper	One pint	7½ cents per pint.
Wholesale	Glass or paper	One-half pint	3¾ cents per one-half pint.

(c) Paragraph III of Schedule A is amended to read as follows:

III. Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Adams, Allen, Ashland, Athens, Auglaize, Brown, Carroll, Champaign, Clermont, Clinton, Coshocton, Crawford, Delaware, Erie, Fairfield, Fayette, Franklin, Green County (except Miami Township), Guernsey, Hardin, Harrison, Hancock, Highland, Hocking, Holmes, Huron, Jackson, Knox, Licking, Madison, Marion, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Ottawa, Perry, Pickaway, Pike, Preble, Richland, Ross, Sandusky, Seneca, Shelby, Tuscarawas, Union, Vinton, Warren (except the Townships of Franklin, Clear Creek, Hamilton, Deerfield and Turtle Creek), Washington, Wayne, and Wyandot; and in the Townships of Flushing, Goshen, Kirkwood, Somerset, Smith, Union, Warren, Washington, Wayne and Wheeling in the County of Belmont; the Townships of Green, Greenfield, Harrison, Huntington, Morgan, Perry, Raccoon, Springfield and Walnut in the County of Gallia; the Townships of Brush Creek, Springfield, Ross, Salem, Wayne, Smithfield and Mt. Pleasant in the County of Jefferson; the Townships of Aid, Decatur, Elizabeth, Lawrence, Mason, Symmes, Washington and Windsor in the County of Lawrence; the Townships of Amherst, Brighton, Brownhelm, Camden, Henrietta, Huntington, Penfield, Pittsfield, Rochester, Russia and Wellington in the County of Lorain; the Townships of Chatham, Guilford, Harrisville, Homer, LaFayette, Litchfield, Medina, Montville, Spencer, Westfield and York in the County of Medina; the Townships of Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middletown, Milton, Montgomery, Perry, Plain, Portage, Troy, Washington, Webster and Weston in the County of Wood, all in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	48 cents per gallon.
Retail	Glass or paper	One-half gallon	26 cents per one-half gallon.
Retail	Glass or paper	One quart	14 cents per quart.
Retail	Glass or paper	One pint	8 cents per pint.
Retail	Glass or paper	One-half pint	6 cents per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	45 cents per gallon.
Wholesale	Glass or paper	One-half gallon	23 cents per one-half gallon.
Wholesale	Glass or paper	One quart	12 cents per quart.
Wholesale	Glass or paper	One pint	6½ cents per pint.
Wholesale	Glass or paper	One-half pint	3¾ cents per one-half pint

(d) Any person who changes his price or prices for the sale of approved fluid milk at retail or wholesale by virtue of the provisions of this amendment shall give notice and report of such change of price in the manner provided in Order No. G–25 under § 1499.18 (c) of the General Maximum Price Regulation as originally issued.

(e) This Amendment No. 5 to Order No. G–25 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued January 10, 1944.

BERKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–3357; Filed, March 8, 1944; 9:45 a. m.]

[Region II Order G–33 Under RMPR 122]

COKE IN DESIGNATED PENNSYLVANIA AREAS

Order No. G–33 under § 1340.259(a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjustment in maximum prices for coke delivered in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania—Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259(a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring midnight April 30, 1944, *It is ordered:*

(a) Any dealer making sales of coke, delivered to or at any point in the area subject to this order, as specified in paragraph (e) hereof, may, to the extent that he does not determine his maximum prices under Revised Order No. G–28, "emergency sales of coke", or any subsequent revision thereof, and to the extent that he calculates his maximum prices under Revised Maximum Price Regulation No. 122, increase the maximum prices so calculated as follows:

1. For "direct-delivery" sales of coke, dealers may add 35¢ per net ton.

2. For "yard sales" of coke, dealers may add 10¢ per net ton.

(b) The increases authorized herein shall not apply to any sales of coke for which maximum prices are determined under the emergency pricing rules contained in Revised Order No. G–28, "emergency sales of coke", or any subsequent revisions thereof, provided that, if a maximum price is determined pursuant to a pricing rule embodied in § 1340.254 of Revised Maximum Price Regulation No. 122, specifically incorporated by reference in said Revised Order No. G–28, dealers may add the increases set forth in paragraph (a) hereof to such maximum prices.

(c) Dealers making sales subject to this order shall not change their customary allowances, discounts, or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the customary allowances, discounts, or other price differentials).

(d) *Reports.* Every dealer making sales subject to this order shall, within ten days after he determines or redetermines his maximum prices hereunder, report to the Philadelphia District Office of the Office of Price Administration the maximum prices so determined.

(e) *Area covered.* Commonwealth of Pennsylvania—Coal Area I, includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southampton, Northampton, Warminster, Warwick, and the Borough of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpain, Whitemarsh, Springfield, Lower Merion, and the Boroughs of Bryn Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

(f) *Definitions.* When used in this Order No. G–33 the term:

1. "Direct delivery" means delivery to the buyer's bin or storage space.

2. "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

3. Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(g) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on midnight April 30, 1944.

The record-keeping and reporting requirements of this Order No. G–33 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–33 shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3414; Filed, March 9, 1944; 4:35 p. m.]

[Region II Order G–17 Under MPR 165, as Amended]

LAUNDRY MINIMUM BUNDLE SIZES IN PHILADELPHIA, PA., AREA

Order No. G–17 under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended. Services. Adjustment of laundry minimum bundle sizes in the Philadelphia Area.

For the reasons set forth in the opinion issued simultaneously herewith, the New York Regional Office of the Office of Price Administration has decided that certain permitted bundle sizes should be established for power laundry establishments, agent-drivers, agent-stores, and hand laundries whose plants or places of business are located in the city or county of Philadelphia, Pennsylvania.

Accordingly, pursuant to the Emergency Price Control Act of 1942 as amended, and § 1499.114 (d) of Maximum Price Regulation No. 165 as amended—Services, and the authority granted it by the National Office, *It is hereby ordered:*

(1) Power laundry establishments whose plants are located in the city or county of Philadelphia are hereby permitted, but not required:

(a) To institute in place of their present minimum bundle sizes the following bundle sizes on family laundry services rendered by them:

Bundle	Permitted minimum
Damp wash or wetwash	15 pounds.
Thrifty or wet and flat	15 pounds.
Rough dry or fluffed dry	15 pounds.
Press finish	12 pounds.
Piece bundle	16 pieces.

(b) To institute the following minimum prices as to their List Price services unless the list price work is presented by the customer accompanied by a bundle of poundwork or a piece bundle:

Cash and carry	$0.50
Pickup and delivery	1.00

(2) Agent-drivers, agent-stores and chain stores, any of whose family laundry services are supplied to them by power laundry establishments located in the city or county of Philadelphia may adopt the minimum bundle sizes permitted in paragraph (1) (a) and the minimum prices permitted in paragraph (1) (b), above, if such permitted minimum bundle sizes and minimum prices are adopted by their suppliers.

(3) Hand laundry establishments, any of whose damp wash or wet wash, thrifty or wet and flat, and rough dry or fluffed dry services are supplied to them by power laundry establishments located in the city or county of Philadelphia which have adopted the minimum bundle sizes set forth in paragraph (1) (a), may themselves adopt those minimum bundle sizes. Hand laundry establishments may not adopt the minimum bundle sizes listed for press finish or piece bundle services, nor may they adopt the minimum prices set forth in paragraph (1) (b) on their list price services.

(4) Any laundry service supplier referred to in this order which is qualified to use the minimum bundle sizes hereby permitted, and which wishes to adopt and use them instead of its existing legal minimum bundle sizes, must adopt all of them (except as to the press finish service), or else may adopt none of them, except such as may now constitute its existing legal minimum bundle sizes.

(5) Any power laundry establishment whose plant is located in the city or county of Philadelphia and which desires to institute the permitted minimum bundle sizes and/or the minimum prices for list price services described in paragraph (1) is required to:

(a) Furnish each of its customers and each customer of its agent drivers, at the time of the acceptance of the first laundry work received from any such customer after the effective date of this order, with a statement describing its services and specifying its new permitted minimums and its lawful ceiling prices therefor, and also setting forth any percentage increases heretofore granted it by any order of the Office of Price Administration.

(b) File a copy of the same statement with the Philadelphia District Office of the Office of Price Administration within fifteen days after it has adopted such minimums, together with a statement signed by a responsible official of the laundry establishment certifying that it has given the foregoing notification to each of its customers and that it will give the same notification to all new customers thereafter acquired by it or by its agent-drivers.

(6) Any agent-store, chain store, or hand laundry which decides to take advantage of the privileges permitted it by this order shall post, in a conspicuous place in its establishment in a manner clearly visible to customers, a placard or sign setting forth its permitted minimums and its lawful ceiling prices therefor, within fifteen days after it institutes the use of such minimums.

(7) The computation of the legal maximum prices for new permitted minimum bundle sizes must be made in such a manner as not to increase the existing actual price per pound for those bundles attaining the minimum weights. For those bundles below the minimum weight, the minimum weight price may be charged. The additional pounds between an existing minimum and a permitted minimum shall be charged at the present overage rate per pound, and not at the basic rate per pound. For example, if the present minimum and price for damp wash is 10 pounds for 60 cents and 4 cents for each additional pound, the increased minimum price will be 15 pounds for 80 cents and 4 cents for each additional pound, and not 15 pounds for 90 cents and 4 cents for each additional pound.

(8) This order is applicable to all services supplied anywhere in Region II of the Office of Price Administration by any of the laundry service suppliers described herein:

(9) *Definitions.* (a) An "agent-store" is defined for the purposes of this order as a single store or a store in a group of three or fewer which generally does not itself finish any wearing apparel.

(b) A "chain store" is defined for the purposes of this order as a store in a group of four or more which generally does not itself finish any wearing apparel.

(c) A "hand laundry" is defined for the purposes of this order as a retail hand laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if or fewer employees.

(10) Except as expressly provided by this order, all of the laundry service suppliers named or otherwise referred to any, delivery service, and employing eight

herein shall remain in all respects subject to all of the provisions of Maximum Price Regulation No. 165, as amended, and of any supplementary regulation or order issued thereunder.

(11) Those provisions contained in paragraphs (h) and (i) of, and in Appendix A to, Order No. G–6 of the New York Regional Office under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended—Services, which relate to permitted minimum bundle increases and to minimum prices for list price services are hereby revoked, effective as of the effective date of this order: *Provided, however,* That any power laundry establishment which heretofore has adopted the minimums permitted by that order may at its option retain such minimums or adopt the minimums permitted by this order.

(12) This order may be revoked or amended by the Regional Administrator or Price Administrator through the issuance at any time hereafter of any order or regulation, or amendment or supplement hereto.

(56 Stat. 23, 675; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued this 6th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–3416; Filed, March 9, 1944; 4:35 p. m.]

[Region VI Order G–28 Under MPR 329]

FLUID MILK IN FARIBAULT, MINN.

Order No. G–28 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Faribault, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.80 per cwt. for 3.5% milk, plus not more than 6¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 6¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Faribault, Minnesota, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall become effective February 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–3415; Filed, March 9, 1944; 4:35 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–818]

SOUTHWESTERN PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of March, A. D. 1944.

Southwestern Public Service Company ("Southwestern"), a registered holding company, having filed an application, and amendments thereto, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 relating to the proposed acquisition of the electric utility and water properties located in Morton County, Kansas, owned by Kansas City Power and Light Company, a non-affiliated company, together with current and other assets appertaining to such properties; and

Public hearings having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application, as amended, be, and the same is hereby, granted, subject to the terms and conditions contained in Rule U–24, jurisdiction being reserved to determine the retainability of the said water properties.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–3435; Filed, March 10, 1944; 11:00 a. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH AND SOUTHERN CORP. (DELAWARE)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 6th day of March 1944.

In the matter of the Commonwealth & Southern Corporation (Delaware), File No. 54-75; The Commonwealth & Southern Corporation (Delaware), File No. 70-726.

The Commonwealth & Southern Corporation (Commonwealth), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder regarding the proposed payment of a dividend of $1.25 per share (payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day thereafter) on its 1,462,000 shares of preferred stock outstanding, the aggregate amount of such dividend payment being $1,852,000; and

Said declaration having been filed on February 21, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission regarding the proposed payment as similar in principle to those proposed by Commonwealth and permitted by the Commission's orders of June 24, September 13 and November 26, 1943 (Holding Company Act Release Nos. 4383, 4560 and 4709), and, as in the case of said prior dividend payments, as being made out of capital; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective; and

Commonwealth having requested that the effective date of the declaration be accelerated to facilitate the prompt payment of the proposed dividends to the preferred stockholders and the Commission deeming it appropriate that such request for acceleration be granted,

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, subject to the condition that Commonwealth accompany the dividend checks with a statement indicating that the dividend is being paid out of capital.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3436; Filed, March 10, 1944; 11:00 a. m.]

[File No. 811-311]

GENERAL RESERVES TRUST FUND SERIES "A"

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of March, A. D. 1944.

The Commission having reasonable cause to believe that General Reserves Trust Fund, Series "A", a registered investment company, has ceased to do business, liquidated its assets, and distributed or set aside the proceeds for distribution to its certificate holders;

It is ordered, Pursuant to section 40(a) of said act, that a hearing be held on March 20, 1944, at 10:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8(f) of said act, that General Reserves Trust Fund, Series "A" has ceased to be an investment company; and

It is further ordered, That Charles S. Lobinger, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall exercise all powers granted to the Commission under sections 41 and 42(b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to General Reserves Trust Fund, Series "A", and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3457; Filed, March 10, 1944; 11:00 a. m.]

WAR MANPOWER COMMISSION.

ELIZABETH CITY AND SPRUCE PINE, N. C., AND PETERSBURG, VA., AREAS

MINIMUM WARTIME WORKWEEK

Designation of the Elizabeth City, North Carolina, Petersburg, Virginia, and Spruce Pine, North Carolina, Areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Elizabeth City, North Carolina.
Petersburg, Virginia.
Spruce Pine, North Carolina.

I. For the purposes of this designation, the above areas shall include:

1. Elizabeth City, North Carolina, Area: Camden, Chowan, Currituck, Dare, Gates, Perquimans and Pasquotank Counties.

2. Petersburg, Virginia, Area: Petersburg and Hopewell Cities, Counties of Dinwiddie, Prince George, Surry, Sussex and Matoaca District of Chesterfield.

3. Spruce Pine, North Carolina, Area: Avery, Mitchell and Yancey Counties.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the above-named areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 18, 1943.

HENRY TREIDE, *Regional Director, Region IV.*

[F. R. Doc. 44-3422; Filed, March 10, 1944; 10:12 a. m.]

BURLINGTON, CHARLOTTE, WILMINGTON, N. C., AND RICHMOND, VA., AREAS

MINIMUM WARTIME WORKWEEK

Designation of the Burlington, North Carolina; Charlotte, North Carolina; Richmond, Virginia; and Wilmington, North Carolina, Areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Burlington, North Carolina.
Charlotte, North Carolina.
Richmond, Virginia.
Wilmington, North Carolina.

I. For the purposes of this designation, the above areas shall include:

1. Burlington, North Carolina, Area: Alamance County.

2. Charlotte, North Carolina, Area: Cabarrus, Gaston, Lincoln, Mecklenberg and Union Counties.

3. Richmond, Virginia, Area: Henrico, Hanover, Charles City, Goochland Counties; Black Creek District in New Kent County; Mongohick and Acquinton Districts in King William County; Chesterfield City (except Mataoca District); Richmond City.

4. Wilmington, North Carolina, Area: Brunswick, Columbus, Pender, New Hanover Counties; Stump Sound township in Onslow County; Cypress Creek, Island Creek, Rockfish and Rose Hill townships in Dupling County.

II. The effective date of this designation is February 1, 1944.

III. Not later than the effective date, each employer in the above-named areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 22, 1943.

HENRY TREIDE, *Regional Director, Region IV.*

[F. R. Doc. 44-3423; Filed, March 10, 1944; 10:12 a. m.]

CLINTON, IOWA AREA

MINIMUM WARTIME WORKWEEK

Designation of the Clinton, Iowa, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VIII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Clinton, Iowa, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Clinton, Iowa, Area shall include:

Townships in Clinton County, Iowa, Viz: Waterford, Washington, Eden, Deep Creek, Center, Comanche, Elk River, Hampshire, Spring Valley, Lincoln, and Clinton.

II. The effective date of this designation is January 3, 1944.

III. Each employer in the Clinton, Iowa, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend, not later than the effective date, to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit on or after January 18, 1944, to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File, not later than the effective date, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 13, 1943.

F. M. RARIG, JR., *Regional Director, Region VIII.*

[F. R. Doc. 44-3424; Filed, March 10, 1944; 10:12 a. m.]

NEWTON, IOWA, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Newton, Iowa, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VIII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Newton, Iowa, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Newton, Iowa, Area shall include:

County of Jasper, Iowa.

II. The effective date of this designation is December 1, 1943.

III. Each employer in the Newton, Iowa, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend, not later than the effective date, to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit on or after December 15, 1943, to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 27, 1944.

F. M. RARIG, JR., *Regional Director, Region VIII.*

[F. R. Doc. 44-3421; Filed, March 10, 1944; 10:12 a. m.]

DAVENPORT, IOWA, LABOR MARKET AREA

MINIMUM WARTIME WORKWEEK

Designation of the Davenport Labor Market Area in the State of Iowa as subject to the Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VIII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Davenport Labor Market Area in the State of Iowa as subject to the provisions of Executive Order No. 9301.

I. For the purpose of this designation, the Davenport Labor Market Area in the State of Iowa shall include:

County of Scott.

II. The effective date of this designation is March 1, 1944.

III. Not later than March 1, 1944, each employer in the Davenport Labor Market Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 25, 1943.

F. M. RARIG, JR., *Regional Director, Region VIII.*

[F. R. Doc. 44-3425; Filed, March 10, 1944; 10:12 a. m.]

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Washington, Tuesday, March 14, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 19—FEES AND CHARGES ON LAND BANK AND COMMISSIONER LOANS

ADDITIONAL AND REFUNDING LOAN FEES

Part 19 of chapter I, title 6, Code of Federal Regulations is hereby amended by amending § 19.329 and by adding § 19.329–50 to read as follows:

§ 19.329 *Association fees; increased loans.* When an applicant for a loan offers as security therefor property which is mortgaged, in whole or in part, to a bank, the Corporation, or both, and the amount applied for is in excess of the total unmatured principal, as of the date of the application, of such outstanding mortgage loan or loans, the provisions of § 19.320 and the last sentence of § 19.324 shall apply in determining the amount of the application fee which may be collected and retained by the association through which such application is submitted, except that the maximum association application fee which may be collected in accordance with § 19.320 shall be based upon the amount of such excess. Where, upon the basis of such application, a bank loan is closed through an association which endorsed the outstanding bank loan, the association may, whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding loan, collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount of the new note or notes which represents other than principal of the outstanding bank loan unmatured as of the date of the application. Where, upon the basis of such application, a bank loan is closed through a different association than that which endorsed the outstanding bank loan, or through any association if only a loan held by the Corporation was outstanding, the association may collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount for which it endorses the bank loan.

§ 19.329–50 *Association fees; decreased loans.* If the amount applied for is equal to or less than the total unmatured principal, as of the date of the application, of any bank and/or Commissioner loans on the property offered as security, the association through which the application is submitted may collect an application fee, but not a closed loan fee. In such cases the amount of the application fee which may be collected and retained by the association shall be determined in accordance with the provisions of § 19.320 and the last sentence of § 19.324.

(Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 761 "Third", 831 (d))

[SEAL] W. E. REA,
Land Bank Commissioner.

[F. R. Doc. 44–3479; Filed, March 11, 1944; 11:18 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1944 SUGARCANE WAGE RATES IN LOUISIANA

Determination of fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1944.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.24n *Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in*

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.

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Louisiana during the calendar year 1944. The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production and cultivation of sugarcane in Louisiana during the period from January 1, 1944 to December 31, 1944 if all persons employed on the farm during that period in the production and cultivation of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *On a time basis.* (1) For all work except as specified under (2), (3) and (4) below per 9-hour day:

Adult males	$2.05
Adult females	1.70
(2) Tractor drivers, per 9-hour day	2.55
(3) Teamsters, per 9-hour day	2.05
(4) Children between 14 and 16 years, per 8-hour day	1.55

For a working day longer or shorter than 9 hours for adult workers, (or 8 hours for children between 14 and 16 years) the rate shall be the hourly equivalent of the per day rate. Maximum employment per day for children 14 to 16 years is 8 hours.

(b) *On a piece rate basis.* For all classes of work performed on a piece rate basis the earnings per hour or per day shall be not less than the applicable rates per hour or per day specified under (a) above.

(c) *General provisions.* (1) If the producer and the laborer agree upon a wage rate for any class of work higher than prescribed herein, payment in full of the amount agreed upon must be made to qualify the producer for payment.

(2) The producer shall furnish to the laborer, without charge, the customary perquisites, such as a habitable house, a suitable garden plot with facilities for its cultivation, pasturage for livestock, medical attention, and similar incidentals.

(3) The producer shall not, through any subterfuge or device whatsoever reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U. S. C. 1940 ed. 1131; 8 F.R. 3807; 8 F.R. 5423)

Done at Washington, D. C., this 10th day of March, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3501; Filed, March 11, 1944; 8:43 p. m.]

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

SUSPENSION OF CERTAIN TIME PERIODS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices for Class I milk during the months of April, May, and June, 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That the following provisions of § 927.4 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, are hereby suspended for the period from the date hereof to June 30, 1944:

1. Designation of the periods "April through June" and "July through March," and

2. The prices established for the period "April through June."

Done at Washington, D. C., this 10th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3468; Filed, March 10, 1944; 8:50 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 76, Amdt. 1]

PART 1460—FATS AND OILS

CONSERVATION AND DISTRIBUTION OF WOOL FAT

Food Distribution Order No. 76 (8 F.R. 11465), § 1460.28, is amended as follows:

By inserting at the end of paragraph (a) thereof and as a part of said paragraph the following:

(9) "Cosmetics" means all products intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics.

This amendment shall become effective on March 10, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 76, or rights accrued or liabilities incurred thereunder, prior to said date, said Food Distribution Order 76 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3467; Filed, March 10, 1944; 4:01 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[G. O. 80]

PART 503—GENERAL ORDERS

VALUATION OR RATE OF EXCHANGE OF MONETARY UNITS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, having vested claims and rights of foreign countries and nationals thereof against citizens and residents of the United States, which claims and rights are, by contract or agreement made or entered into by the parties prior to such vesting, dischargeable by payment in monetary units of enemy countries; and

Finding that there does not now exist a free and open market or other reasonable means for ascertaining the true value, equivalent, or rate of exchange of such monetary units of enemy countries, and after considering rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York and other relevant factors; and

Determining that it is in the interest of and for the benefit of the United States to fix and prescribe a basis of computation in the premises, hereby issues the following regulation:

§ 503.30 *General Order No. 30.* (a) That for the purpose and solely for the purpose of discharging claims and rights of foreign countries and nationals thereof against citizens and residents of the United States which by contract or agreement made or entered into by the parties prior to vesting are dischargeable by payment in monetary units of certain enemy countries and which have heretofore been or shall hereafter be vested by the undersigned, the equivalent of the monetary units of such enemy countries shall be computed as follows:

(1) German Reichsmarks at forty (40) cents, United States currency, each.

(2) Japanese Yen at twenty three and four-tenths (23.4) cents, United States currency, each.

(3) Hungarian Pengo at nineteen and six-tenths (19.6) cents, United States currency, each.

(4) Bulgarian Lev at one and two-tenths (1.2) cent, United States currency, each.

(5) Rumanian Leu at seven tenths of one cent (0.7), United States currency, each.

(b) All persons now indebted or who shall hereafter be indebted to the undersigned on any claims as aforesaid are hereby ordered and directed to pay such debts, as they become due and payable, in United States currency, computed as above set forth.

(c) Any payment made and computed pursuant to this regulation shall be and constitute a full acquittance and discharge for all purposes of the person making the same for the obligation paid thereby.

(d) Nothing herein shall be deemed in any way to affect or alter any provisions of any contract or agreement made or

entered into by the parties prior to vesting by the undersigned whereby there is established a method of computing such equivalents.

(e) The undersigned reserve the right to vary or modify the foregoing basis of computation from time to time by General Order or by amendment hereto, or in specific cases upon a finding by the undersigned that application of this regulation would be inequitable.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on March 9, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3521; Filed, March 13, 1944; 11:12 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 04-1]

PART 04—AIRPLANE AIRWORTHINESS

INSTALLATION OF FLASHING RED AND WHITE TAIL LIGHTS IN NON-AIR CARRIER AIRCRAFT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of March 1944.

Effective March 8, 1944, the last two sentences of § 04.5827 of the Civil Air Regulations are amended to read as follows:

Such light shall emit (a) in the case of a non-air carrier airplane, either a continuous white light as specified in § 15.2014 or alternate red and white flashes as specified in § 15.2015, and (b) in the case of an air carrier airplane, alternate red and white flashes as specified in § 15.2015. In lieu of such a single flashing rear position light, an airplane may carry two rear position lights, one red and one white, spaced as closely as possible to each other with one unit above the other and in combination emitting the red and white flashes specified in § 15.2015.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3517; Filed, March 13, 1944; 11:08 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VI, Cumulative Supp. 6]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 6 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VI of October 7, 1943 (8 F. R. 13883), is hereby promulgated.[1]

By direction of the President.

CORDELL HULL,
Secretary of State,
RANDOLPH PAUL,
Acting Secretary of the Treasury,
FRANCIS BIDDLE,
Attorney General,
JESSE H. JONES,
Secretary of Commerce,
LEO T. CROWLEY,
Administrator,
Foreign Economic Administration.
JOHN E. LOCKWOOD,
Acting Coordinator of Inter-American Affairs.

MARCH 10, 1944.

[F. R. Doc. 44-3500; Filed, March 11, 1944; 3:39 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5339]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

NONRESIDENT ALIEN INDIVIDUALS AND NONRESIDENT FOREIGN CORPORATIONS

Amending §§ 29.217-1, 29.218-1, 29.235-1 and 29.236-1 of Regulations 111, relating to time for filing returns and payment of tax of nonresident alien individuals and nonresident foreign corporations for taxable periods of less than 12 months.

Regulations 111 (Part 29, Title 26, Code of Federal Regulations, 1943 Sup.) are amended as follows:

PARAGRAPH 1. Section 29.217-1, as amended by Treasury Decision 5305, approved November 12, 1943, is further amended as follows:

(A) By striking out the first sentence and inserting in lieu thereof the following:

The return in the case of a nonresident alien individual (but, as to taxable years beginning after December 31, 1942, only such individuals who do not have wages subject to withholding at the source under section 1622) must be made on or before the 15th day of the sixth full calendar month following the close of the taxable year, except that the return for a fractional part of a year ending prior to January 1, 1944, must be filed on or before June 15, 1944. In the case of any return for a fractional part of a year the Commissioner may, upon a showing by the taxpayer of unusual circumstances, prescribe a later time for the filing of the return, but such time shall not be later than the 15th day of the 18th full calendar month ending after the beginning of the fractional part of the year.

(B) By striking out the following words from the first sentence of the second paragraph:

on or before the 15th day of the sixth month following the close of the fiscal year or on or before the 15th day of June, if the taxpayer is on the basis of the calendar year,

PAR. 2. Section 29.218-1, as amended by Treasury Decision 5305, is further amended by striking out the first sentence and inserting in lieu thereof the following:

In the case of a nonresident alien individual (but, as to taxable years beginning after December 31, 1942, only such individuals who do not have wages subject to withholding under section 1622) the tax shall be paid on or before the date prescribed by the Internal Revenue Code and the regulations thereunder for filing of the return, without regard to any extension of time granted for the filing of the return under authority of section 53. See § 29.217-1.

PAR. 3. Section 29.235-1 (a) is amended by striking out the first sentence and inserting in lieu thereof the following:

The return in the case of a nonresident foreign corporation shall be made on or before the 15th day of the sixth full calendar month following the close of the taxable year, except that the return for a fractional part of a year ending prior to January 1, 1944, shall be made on or before June 15, 1944. In the case of any return for a fractional part of a year the Commissioner may, upon a showing by the taxpayer of unusual circumstances, prescribe a later time for the filing of the return, but such time shall not be later than the 15th day of the 18th full calendar month ending after the beginning of the fractional part of the year.

PAR. 4. Section 29.236-1 (a) is amended by striking out the first sentence and inserting in lieu thereof the following:

In the case of a nonresident foreign corporation the total amount of tax imposed by Chapter 1 shall be paid on or before the date prescribed by the Internal Revenue Code and the regulations thereunder for filing of the return, without regard to any extension of time granted for the filing of the return under authority of section 53. See § 29.235-1.

(Secs. 62, 217, 218, 235 and 236 of the Internal Revenue Code (53 Stat. 32, 77, and 79; 26 U.S.C., 1940 ed., 62, 217, 218, 235 and 236))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: March 9, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3506; Filed, March 11, 1944; 4:06 p. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5338]

PART 197—DRAWBACK OF TAX ON DISTILLED SPIRITS USED IN THE MANUFACTURE OF NONBEVERAGE PRODUCTS

MISCELLANEOUS AMENDMENTS

1. Sections 301, 309 (b), 309 (c), 309 (d), and 309 (e) of the Revenue Act of 1943, passed February 25, 1944 (Public Law 235—78th Congress), read as follows:

SEC. 301 EFFECTIVE DATE OF THIS TITLE.

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

SEC. 309 DRAWBACK ON DISTILLED SPIRITS.

* * * * * *

(b) *Distilled spirits used in manufacture of certain nonbeverage products.* In lieu of the rate of drawback specified in section 3250 (1) (5) of the Internal Revenue Code, the rate applicable with respect to the period beginning with the effective date of Title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war, shall be $6.00.

(c) *Distilled spirits with respect to which applicable.* Subsection (b) shall be applicable only with respect to distilled spirits on which the internal revenue tax was paid at the war tax rate, or at a rate equivalent to the war tax rate, specified in section 1650 of the Internal Revenue Code.

(d) *Time of eligibility for drawback with respect to distilled spirits used in manufacture of certain nonbeverage products.* Section 3250 (1) (1) relating to eligibility for drawback with respect to distilled spirits used in manufacture of certain nonbeverage products) is amended to read as follows:

(1) *In general.* Any person using distilled spirits produced in a domestic registered distillery or industrial alcohol plant and fully tax-paid in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, upon payment of a special tax per annum, shall be eligible for drawback at the time when such distilled spirits are used in the manufacture of such products and as hereinafter provided for.

(e) *Time for filing claim for drawback with respect to distilled spirits used prior to effective date of title III of act.* Distilled spirits used prior to the effective date of this title in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, and which are not covered by any claim filed in conformity with law prior to such effective date, shall be regarded as so used during the quarter in which such effective date occurs, and the claim filed by any person for such quarter shall include the drawback claimed with respect to such distilled spirits: *Provided*, That no claim shall be allowed which was barred by any provision of any prior law.

2. Pursuant to the above provisions of law and sections 3250 (1) (3) and 4041 (a), Internal Revenue Code, Regulations 29 (26 CFR, part 197) are hereby amended in these respects:

3. Section 197.27 is revoked.

4. Sections 197.1, 197.2, 197.3, 197.5, 197.6, 197.8, 197.20, 197.21, 197.22, 197.23, 197.24, and 197.25 are amended to read as follows:

§ 197.1 *Scope.* These regulations govern the allowance of drawback of internal revenue tax on fully taxpaid domestic distilled spirits used in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, and the payment of special tax per annum in order to be eligible to claim drawback. (Sec. 3250 (1) (I.R.C.)

§ 197.2 *Definition of term "domestic distilled spirits."* Domestic distilled spirits are spirits produced in registered distilleries, including fruit distilleries, and industrial alcohol plants established and operated under internal revenue laws and regulations. (Sec. 3250 (1), I.R.C.)

§ 197.3 *Terms used in the statute—*

(a) *"Fully taxpaid."* Distilled spirits shall be deemed to have been "fully taxpaid" when the internal revenue tax imposed and levied in respect thereto has been paid at the rates provided by law.

(b) *"Used."* Distilled spirits shall be deemed to have been "used" in the manufacture of a product designated in section 3250 (1), Internal Revenue Code, when such spirits are either consumed in such manufacture or are incorporated in the product: *Provided*, That spirits lost by causes such as spillage, leakage, breakage or theft, prior to or during the process of manufacture, shall not be deemed to be consumed in such manufacture.

(c) *"Time."* The "time" at which distilled spirits shall be deemed to have been used is when the product contains the ingredients called for by an approved formula, or formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, as the case may be. (Sec. 3250 (1), I.R.C.)

§ 197.5 *Payment of special tax required.* Each person, partnership, or corporation that uses distilled spirits in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, in order to be eligible to claim the drawback on the distilled spirits so used, must pay special tax at the rate of $25 per annum for total annual withdrawals not exceeding 25 proof gallons of distilled spirits; $50 per annum for total annual withdrawals not exceeding 50 proof gallons; or $100 per annum for total annual withdrawals of more than 50 proof gallons. The year means the period from July 1 of each year to June 30 following. The manufacturer is not required to pay the special tax if he does not claim drawback on the distilled spirits used by him. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.6 *Special tax for each place.* A separate special tax must be paid for each place at which distilled spirits are used in the manufacture or production of nonbeverage products if a claim is filed for drawback of tax on distilled spirits so used at each such place. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.8 *Rates of special tax.* The rates of special tax per annum (July 1 of each year to June 30 following) are (a) $25 for total annual withdrawals not exceeding 25 proof gallons of distilled spirits; (b) $50 for total annual withdrawals not exceeding 50 proof gallons; and (c) $100 for total annual withdrawals of more than 50 proof gallons. The term "total annual withdrawals" means the total quantity of distilled spirits in proof gallons removed from the stocks of the manufacturer for use in the manufacture or production of nonbeverage products during the fiscal year for which the special tax is paid. Special tax, based upon estimated withdrawals, may be paid in advance of actual withdrawals. Where a claim is presented in any fiscal year other than the fiscal year in which the spirits were withdrawn, and special tax has not been paid for the fiscal year in which the claim is filed, it must be paid in at least the minimum amount at the time of filing the claim. Adjustments of the special tax where improperly paid will be made in accordance with § 197.17. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.20 *Drawback.* Drawback at the rate specified by law on each proof gallon of distilled spirits used in the manufacture of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, will be allowed to any person who has become eligible for such drawback, and upon the filing of a claim therefor as hereinafter provided. (Sec. 3250 (1), I.R.C.)

§ 197.21 *Claims.* The claim shall be filed on Form 843, "Claim," in triplicate, with the Collector of Internal Revenue for the district in which the place of manufacture is located, and shall pertain only to distilled spirits used in the manufacture or production of nonbeverage products during any one quarter of the fiscal year, and only one claim may be filed for each quarter. (Sec. 3250 (1), I.R.C.)

§ 197.22 *Date of filing claim.* The claim must be filed with the Collector of Internal Revenue within the three months next succeeding the quarter in which the distilled spirits covered by the claim were used in the manufacture of nonbeverage products. No claim will be allowed unless received by the Collector within the time so stated. Sec. 3250 (1), I.R.C.)

§ 197.23 *Information to be shown by the claim.* The claim must set forth, under oath, the following:

(a) That the special tax has been paid.

(b) That the distilled spirits on which drawback is claimed were fully taxpaid and were produced in a domestic registered distillery or an industrial alcohol plant.

(c) That the distilled spirits on which the drawback is claimed were used in the

manufacture or production of nonbeverage products.

(d) That the nonbeverage products were manufactured in compliance with (1) quantitative formulas filed with the claim, or (2) quantitative formulas on file with the Commissioner, or (3) formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or (4), if a flavoring extract, the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency.

(e) That the data submitted in support of the claim are correct. (Sec. 3250 (l) I.R.C.)

§ 197.24 *Supporting data.* Each claim will be accompanied by the following data. The statements of supporting data shall be prepared in duplicate and one copy attached to the original and duplicate copies of the claim.

(a) Data with respect to payment of special tax: A statement showing (1) serial number of special tax stamp, (2) denomination, (3) fiscal year for which issued, (4) date of issuance, and (5) collection district where issued.

(b) Data with respect to tax payment and receipt of the distilled spirits on which the draw-back is claimed:

(1) If the distilled spirits were received in tank cars, a statement showing date of receipt, the name and address of the vendor, the serial number of the certificate of tax payment (Form 1595), the date of issuance of the certificate, and the name of the producer, kind, quantity, and proof of the spirits.

(2) If the distilled spirits were received in containers, such as barrels, drums, cans, or cases, bearing taxpaid stamps, a statement showing the date of receipt, the name and address of the vendor, the serial number of the taxpaid stamp affixed to the container, the date of taxpayment appearing on the stamp, the serial number, if any, of the container, and the name of the producer, kind, quantity, and proof of the spirits. (When the package is emptied, the stamp shall be scalped and attached to the next claim filed for drawback on the spirits which were in such package. The scalped stamp will be retained by the District Supervisor with the claims record of the claimant.)

(3) If the distilled spirits were received in bottles, a statement showing the date of receipt, the name and address of the vendor, the serial number of the strip stamp affixed over the mouth and neck of the bottle, and the name of the bottler, kind, quantity, and proof of the spirits.

(c) Data with respect to use of distilled spirits upon which drawback is claimed in the manufacture of nonbeverage products:

(1) A statement showing the name, description, and formula number, if any, of each nonbeverage product in the manufacture of which distilled spirits were used, the alcoholic content by volume of each such product, the number of proof gallons and kind of distilled spirits used in manufacture thereof, and the quantity produced.

(2) If the claim is the first one filed with respect to any one product involved in the claim, the quantitative formula for each such product, serially numbered, beginning with number 1, shall be attached to the claim; except that such quantitative formula need not be given if the product is a medicinal preparation, tincture, or fluid extract produced under formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or is a flavoring extract manufactured in accordance with the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, and such products are identified in the statement by the letters "U. S. P.," "N. F.," "A. I. H.," or "U. S. F. D. A.," as the case may be. Subsequent claims for drawback covering a product for which a formula has been filed need not be accompanied by the quantitative formula, unless there has been a modification or revision thereof. Where there has been no change, the claimant will refer to the serial number given the formula. The serial numbers of formulas appearing in subsequent claims will follow former serial numbers in sequence. In the case of food products, such as preserved fruits, cakes, buns, soups, etc., it will be sufficient to show the quantity of proof gallons of distilled spirits used in the production of a given quantity of finished product.

(d) Summary of distilled spirits:

A statement showing the total quantity of all distilled spirits and recovered spirits on hand at the beginning of the quarter, quantity in process beginning of the quarter, quantity received during the quarter, quantity withdrawn for use during the quarter in the manufacture of nonbeverage products subject to drawback, quantity otherwise withdrawn not subject to drawback, quantity in process at the end of the quarter, and the quantity remaining on hand at the end of the quarter. Distilled spirits in process will include spirits represented in unfinished nonbeverage products, intermediates, mixtures, menstruums, etc., or any other spirits which have been withdrawn for use but have not been used as provided in § 197.3 (c). Any discrepancy between the amount of distilled spirits on hand at the end of the quarter and the amount which should be on hand must be reported in the summary with an explanation of the cause thereof.

(e) Any other data, which the Commissioner may, at his discretion, require when such data is deemed necessary for use in connection with the proper consideration of the claim for drawback. (Sec. 3250 (l), I.R.C.)

§ 197.25 *Handling of claims.* The Collector will date-stamp each copy of the claim, Form 843, and after recording, will forward the original and duplicate copies thereof, and the original and duplicate copies of the supporting data, to the District Supervisor, Alcohol Tax Unit, and retain for his files the triplicate copy of Form 843 only. The District Supervisor will examine the claim for the purpose of determining whether it is properly executed and that all supporting data have been submitted. (Sec. 4041 (a), I.R.C.)

5. The following sections are added:

Miscellaneous Provisions

§ 197.33 *Drawback on distilled spirits taxpaid at the rate of $6.00 per proof gallon.*—(a) *Distilled spirits used in manufacture of products on hand April 1, 1944.* Nonbeverage products manufactured prior to April 1, 1944, from distilled spirits taxpaid at the rate of $6.00 per proof gallon, and which are not covered by any claim for drawback filed in conformity with law prior to such date, shall be subject to drawback of tax at the rate of $3.75 on the distilled spirits used in the manufacture thereof, without regard to sale or transfer of the products, and such drawback must be included in the claim filed by the manufacturer for the quarter April 1, 1944 to June 30, 1944, *Provided*, That no claim for drawback barred by the statute shall be allowed.

(b) *Distilled spirits in process on April 1, 1944.* Distilled spirits taxpaid at the rate of $6.00 per proof gallon which, on April 1, 1944, are in the process of manufacture, and which have lost their identity as distilled spirits, and therefore, are not subject to the floor stocks tax, shall be eligible for drawback of tax at the rate of $3.75 per proof gallon when the product manufactured therefrom contains the ingredients called for by an approved formula, or formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, as the case may be. Claim for drawback of the tax in such case must be filed in the quarter next succeeding the quarter in which such manufacture is completed as provided in § 197.3 (c). (Sec. 3250 (l), I.R.C.)

§ 197.34 *Inventory as of April 1, 1944.* Each manufacturer intending to claim drawback shall prepare in triplicate an inventory showing separately all distilled spirits, finished products, recovered distilled spirits, unfinished products, intermediates, and mixtures, containing distilled spirits to be made subject of drawbacks, which are in his possession or held by him on April 1, 1944. The original and duplicate copies of the inventory will be forwarded immediately to the District Supervisor, Alcohol Tax Unit, for the district in which the place of manufacture is located, and the triplicate copy shall be retained by the manufacturer at his premises available for examination by Government officers. The District Supervisor will forward one copy of the inventory to the Commissioner with the drawback claim filed by the claimant for the quarterly period.

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner.

Approved: March 9, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3505; Filed, March 11, 1944; 4:06 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amendment 155]

PART 802—GENERAL LICENSES

GENERAL LICENSE FOR MEXICAN BORDER ZONE

Part 802, General Licenses, is hereby amended by adding thereto § 802.26 *General license "G–MB"* as follows:

§ 802.26 *General license "G–MB".*—(a) *Definitions.* When used in this section:

(1) "Mexican Border Zone" shall mean that area in Mexico within fifty miles south of and along the entire United States border.

(2) "United States Border Zone" shall mean that area in the United States within twenty miles of and along the entire Mexican border.

(3) "United States Consular Certificate" shall mean a document signed by a United States Consul in the Mexican Border Zone certifying the eligibility of the applicant to use this general license and to be valid for a period of ten days from date of issuance.

(4) "Replacement parts" shall mean any part or parts for the repair or maintenance of the following classifications of machinery and equipment which are obtainable without a preference rating issued or authorized by the War Production Board:

Classification	*Schedule B numbers*
Electrical machinery and apparatus:	
Generators; armatures, accessories, welding sets, lighting sets	7000.05 thru 7012.00
Capacitators; ½ kilovolt ampere and larger	7019.00
Transforming or converting apparatus	7021.00 thru 7028.00
Transmission and distribution apparatus	7030.00 thru 7039.00
Motors, starters and controllers	7040.00 thru 7055.98
Portable electric tools	7056.00 thru 7056.98
Electric refrigerators and parts	7057.00 thru 7059.00
Electrical appliances (except X-ray tubes 7075.10)	7060.00 thru 7075.90
Telegraph apparatus and parts	7082.00
Telephone apparatus	7083.00 thru 7087.00
Commutators	7099.90
Measuring machines	7099.93
Parts of electric power-driven portable tools for metal-working machinery	7099.94
Parts of electric welding sets	7099.95
Electric hair-waving machines (all kinds containing mica)	7099.96
Other electric apparatus and parts	7099.98
Machinery, industrial:	
Power generating except electric and automotive; (except boiler gauge glass tubes containing mica 7139.05)	7111.00 thru 7163.00
Construction and conveying	7201.00 thru 7291.00
Mining, well, and pumping	7305.00 thru 7369.98
Metal-working (except diamond dies 7455.03)	7400.00 thru 7458.98
Textile sewing, and shoe	7500.00 thru 7575.00
Industrial (except ball and roller bearings 7691.00 through 7693.00)	7580.00 thru 7750.98
Office appliances:	
All	7752.00 thru 7779.00
Printing and bookbinding machinery:	
All	7790.00 thru 7795.00
Agricultural machinery and implements:	
All	7800.00 thru 7899.98
Watercraft:	
All, other than naval and merchant vessels	7956.91 thru 7956.95
Engine, marine, internal combustion	7957.00 thru 7959.00
Propellers and blades; boat (brass or bronze)	7999.93
Wagons and drays	7975.00

(5) "Value" shall mean the actual invoice or purchase price (exclusive of shipping charges) paid or payable by the applicant for such replacement parts in the United States Border Zone.

(b) A general license designated "G–MB" is hereby granted to persons having residence or a place or business in the Mexican Border Zone authorizing the exportation to the Mexican Border Zone of replacement parts as defined in paragraph (a) (4) of this section, purchased in the United States Border Zone, *Provided*, That

(1) A valid United States Consular Certificate and a Shipper's Export Declaration are presented to the Collector of Customs at the port or place of exit prior to or at the time of exportation.

(2) Such replacement parts are: (i) Not for resale; (ii) to be used only within the Mexican Border Zone for necessary repair or maintenance of applicant's existing equipment in order to enable the continuance of usual business operations of the applicant, and not for assembly into additional equipment; and (iii) the total value of shipments under each United States Consular Certificate issued pursuant to this general license shall not exceed $100 United States currency.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 10, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-3515; Filed, March 13, 1944; 11:05 a. m.]

[Amendment 156]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars: In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.	*General License Group*
Grains and Preparations:	
Biscuits & crackers, 1078.00	None
Cereal foods, n. e. s., 1095.00	None
Corn (bu. 56 lbs.), 1081.00	None
Wheat cereal foods, ready to eat (include wheat germ), 1080.00	None
Wheat cereal foods, to be cooked, 1081.00	None
Wheat flour, wholly of U. S. wheat, 1073.00	None
Wheat flour, other, 1074.00	None
Wheat Semolina, 1090.00	None
Other grains and preparations, 1099.00	None
Petroleum Products:	
Naphtha, mineral spirits, blending agents, solvents, petroleum ether, and other light products, 5019.00	—
Aliphatic naphthas, 5019.00	None
Other naphthas, mineral spirits, solvents, and other light products, including petroleum ether (exclude aliphatic naphthas), 5019.00	None
Synthetic Textiles:	
Braids, fringes, narrow trimmings, rayon, 3858.55	K
Braids, fringes narrow trimmings, of other synthetic textiles, 3958.58	K
Ribbons (include woven labels), 3858.10	K
Vegetable Fibers:	
Manufactures of other vegetable fibers, straw or grass manufactures, 3499.98	—
Manila yarn, 3499.98	None
Other vegetable fiber, straw, or grass manufactures, n. e. s. (excluding manila yarn), 3499.98	K

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. With respect to those commodities listed under the headings "Grains and Preparations" and "Petroleum Products" this amendment shall become effective April 1, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 13, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-3516; Filed, March 13, 1944; 11:05 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–292, as Amended Mar. 11, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L–292*—(a) *Definitions.* For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equipment as defined in Limitation Order L–38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L–190, (iv) conveying machinery as defined in Limitation Order L–193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food processing machinery.

(5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA–5 or higher assigned on any WPB Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.

(b) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair."

(2) The restrictions of subparagraph (1) above shall not apply to: (i) deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in inventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, or (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB–617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order L–41.

(ii) Form WPB–748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB–576 with the War Food Administration for all other canning machinery or equipment.

(iv) Form WPB–3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB–541 with the War Production Board for any other food processing machinery.

(2) All persons, other than processors, seeking any food processing machinery for delivery within the United States or Canada should file Form WPB–541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB–541 with the War Production Board.

(d) *Restrictions on manufacture.* No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery for dairy, egg, poultry, or canning purposes, except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference to "quota provisions of paragraph (g) (2) (ii) of Order L–292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L–292.

(g) *Miscellaneous provisions*—(1) *Reports.* On or before the 20th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-292.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products (including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order L-182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L-332.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectioner machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L-257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment, including wrapping machinery.

15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (f).

1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. [Deleted Mar. 11, 1944]
7. [Deleted Mar. 11, 1944]
8. [Deleted Mar. 11, 1944]
9. [Deleted Mar. 11, 1944]
10. [Deleted Mar. 11, 1944]
11. [Deleted Mar. 11, 1944]
12. [Deleted Mar. 11, 1944]
13. [Deleted Mar. 11, 1944]
14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

[F. R. Doc. 44-3480; Filed, March 11, 1944; 11:25 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule I, as Amended Mar. 11, 1944]

PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.78 *Production quotas for dairy machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of dairy processing machinery and equipment for the year beginning October 1, 1943, and ending September 30, 1944. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definition.* "Base production" means the annual average number of units of any item of dairy machinery or equipment produced by a manufacturer during the years 1939, 1940 and 1941.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall fabricate or assemble more units of any type of new dairy machinery or equipment listed below than the quota percentage of his base production of each type.

PRODUCTION QUOTAS

The first column assigns a code number to each type of machinery and equipment.

The second column describes the types of machinery and equipment covered by this schedule.

The third column shows the quota percentage that each manufacturer is allowed. Where an asterisk appears instead of a quota percentage, a manufacturer may build the item opposite the asterisk only upon receipt of an approved order as defined in paragraph (a) (5) of Limitation Order L-292.

Machine Code No.	Type of machine	Quota per-cent
203.001	Agitators, cheese vat	105
203.002 A-D	Babcock testers	100
203.003	Batch measures and weighers	*
203.004-005	Butter cutters, hand or power driven.	75
203.006	Butter wrappers	85
203.026A	Cappers for dairy products (not installed on filler) single head.	100
203.008B	Hooders for milk bottles	*
203.009	Case washers (milk bottles)	*
203.010	Cheese grinders or curd mills	110
203.011 A-F	Cheese hoops	115
203.012 A	Cheese pasteurizers, tubular	280
203.012 B-E	Cheese pasteurizers, plate	950
203.013 A-C	Cheese presses	105
203.014 A-E	Cheese vats	100
203.015 A-C	Clarifiers	75
203.016 A-F	Internal tube and surface type coolers.	150
203.116 A-D	Cabinet surface type	100
203.116 E-H	Plate type	205
203.017 A-B	Churns	100
203.018 A	Dehydrators, spray type	900
203.018 B-D	Dehydrators, roll type	550
203.019 A-L	Fillers	100
203.020	Filters for milk and eggs	125
203.021	Flavor tanks for ice cream mix	25
203.022	Forewarmers, coil	150
203.023 A-D	Freezers, ice cream	25
203.024	Fruit feeders, ice cream	25
203.025	Fittings, sanitary	100
203.026 A-E	Homogenizers	85
203.027	Hot wells	315
203.028	Ice cream cup fillers	*
203.029	Ice cream package fillers	*
203.030	Ice cream coating and dipping machines.	*
203.031	Ice cream brick cutters	*
203.032	Ice cream novelty machines	*
203.033	Ice crushers	*
203.034	Milk irradiators	*
203.035	Paper bottle filling machines	*
203.036 A-B	Paraffining equipment	100
203.037 A-D	Pasteurizers, coil	130
203.037 E-H	Pasteurizers, plate	200
203.137 A-G	Pasteurizers, vat and starter can.	85
203.038	Pulverizers for powdered milk	*
203.039 A-E	Pumps, sanitary	125
203.040	Samplers, vacuum milk	*
203.041 A-G	Separators	195
203.042	Soft curd machines	*
203.044 A-E	Storage tanks	210
203.044 F-H	Storage tanks, uninsulated	150
203.144 A-E	Refrigerated storage tanks	*
203.046 A	Washers, hand milk bottle	120
203.046 B	Washers, 1, 2 and 3 compartment sinks.	150
203.046 C	Washers, san. pipe wash outfit with tank.	120
203.046 D	Washers, separator parts wash outfit with tank.	300
203.047 A&B	Washers, milk bottle (in the case type) or (hydraulic).	100
203.047 C-G	Washers, soaker type	120
203.147 A	Washers, sterilizer, milk can, pedestal type.	*
203.147 B-F	Washers, rotary and straight-away.	150
203.048 A-E	Weigh cans and weighing units.	100
203.049	Vacuum pans	140
	All others	80

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3481; Filed, March 11, 1944; 11:24 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule VIII]

PRODUCTION QUOTAS FOR BREWING, WINERY AND BEVERAGE MACHINERY AND EQUIPMENT

§ 1226.81d *Production quotas for brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment)*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for brewing, winery and beverage machinery and equipment (except refrigeration machinery and equipment) for the year beginning October 1, 1943, and ending September 30, 1944, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall use more controlled materials to fabricate or assemble brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column asigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

Class of machinery	Type of machine	Machine code No.	Quota percent
Brewhouse machinery.	Beer barrel racker	478. 001	10
	Beer kettles	478. 002	
	Beer mash tubs	478. 003	
	Carbonators (beer)	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (brewery)	478. 015	
	Filter, beer	478. 017	
	Hop strainers	478. 022	
	Tanks (brewery)	478. 026	
	Reducers	478. 026	
	Cookers	478. 027	
	Beer and wort coolers.	478. 028	
	Keg washers	478. 029	
	Hoop drivers	478. 030	
	Pitch machines	478. 031	
	Yeast dryers	478. 032	
	Yeast separators	478. 033	
	Malt manufacturing equipment.	478. 034	
	Malt mills	478. 035	
	All others		
Bottling line equipment.	Bottle mixers	478. 004	15
	Bottle accumulating tables.	478. 005	
	Bottle casers	478. 006	
	Bottle fillers	478. 007	
	Bottle inspection units.	478. 008	
	Bottle labeling machines.	748. 009	
	Bottle rinsers	478. 010	
	Decasters and syncuremeters.	478. 011	
	Bottle washers	478. 012	
	Carbonators	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (water)	478. 015	
	Crowners	478. 016	
	Pasteurizers	478. 020	
	Special bottle conveyor.	478. 021	
	All others		
Syrup - mixing and handling equipment.			10
	Filter, syrup	478. 018	
	Syrup mixers	478. 023	
	Tanks	478. 024	
	Syrup pumps	478. 036	
	All others		

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment) to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292, as amended from time to time.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3482; Filed, March 11, 1944; 11:24 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 11 as Amended Mar. 11, 1944]

STEEL PRESSURE PIPE

§ 3102.12 *Schedule 11 to Limitation Order L-211*—(a) *Purpose and scope.* This schedule prescribes certain standards for the manufacture of steel pressure pipe, as herein defined. The schedule does not relate to use; steel pressure pipe made in accordance with this schedule may be used for any purpose, subject to any restrictions contained in other War Production Board orders.

(b) *Definitions.* For the purpose of this schedule:

(1) "Steel pressure pipe" means carbon and alloy steel pipe applicable for conveying fluids at normal or elevated temperatures or pressures. The term does not include steel pressure tubes or steel pipe as defined in Schedules 12 and 13 to Limitation Order L-211, or alloy steel pipe containing more than 10 percent chromium or recoil tubing.

(2) "Government order" means an order placed:

(i) By the government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(c) *Restrictions on sizes and dimensions*—(1) *Government orders.* No person shall produce, fabricate or deliver any steel pressure pipe except in the sizes and dimensions set forth in the respective specifications of List 2 or Table 1 of this schedule.

(2) *Other orders.* No person shall produce, fabricate or deliver on any order not a government order any steel pressure pipe except in the sizes and dimensions set forth in Table I of this schedule.

(d) *Restrictions on specifications*—(1) *Government orders.* No person shall produce, fabricate, or deliver on a government order, any steel pressure pipe except to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, fabricate or deliver on any order not a government order, any steel pressure pipe except to a specification set forth in List 1 of this schedule.

(e) *Acceptance of delivery.* No person shall accept delivery of steel pressure pipe which he knows or has reason to believe was produced, fabricated, or delivered in violation of the provisions of paragraphs (c) and (d).

(f) *Exceptions.* The provisions of this schedule shall not prevent:

(1) Production, fabrication, delivery, or acceptance of steel pressure pipe for which an order was entered prior to August 30, 1943, provided shipment of the entire order is made on or before October 30, 1943.

(2) Delivery or acceptance of steel pressure pipe which because of errors in manufacture does not conform to the requirements of this schedule, provided such requirements are waived by the purchaser or procuring agency.

(3) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of any specification.

(4) Production, fabrication, delivery, or acceptance of steel pressure pipe in other diameters or wall thicknesses for use in the manufacture of steel pipe fittings, fuel oil heaters, boiler water walls, wafer screens, economizers, headers, or manifolds.

(5) Production, fabrication, delivery, or acceptance of steel pressure pipe not conforming to the requirements of paragraph (d) when certified by the United States Army or Navy to the producer, fabricator, or supplier and to the Steel Division, War Production Board, as being necessary to insure the military characteristics of the item for which the steel pressure pipe is required. Such certification shall specify the contract involved and the justification for the exception.

(6) Production, fabrication, delivery, or acceptance of steel pressure pipe specifically permitted in writing by the War Production Board. In the case of alloy steel pressure pipe, such permission may be granted with respect to chemical composition by the approval of a melting, production, or delivery schedule.

(g) *Records.* Each person owning or possessing steel pressure pipe excepted by the provisions of paragraph (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board. In addition, each person accepting an order for steel pressure pipe excepted by the provisions of paragraph (f) (5) shall furnish details of such order to the Steel Division, War Production Board, within ten days after such acceptance. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1—PERMISSIBLE SPECIFICATIONS FOR GENERAL USE, STEEL PRESSURE PIPE

NOTE: List 1 amended Mar. 11, 1944.

Tensile strength psi and process	Composition	Specification designation and grade
Lap-welded:		
45,000 minimum	Carbon steel (Open-Hearth)	ASTM-A106-43T, Welded.
Seamless:		
60,000 minimum	Carbon steel (killed)	ASTM-A106-43T, Grade A.
60,000 minimum	Carbon steel (Silicon killed)	ASTM-A106-43T, Grade B.
55,000 minimum	Carbon-molybdenum (.40-.55Mo)	ASTM-A209-42T, Grade P1.
55,000 minimum	Carbon-molybdenum (.40-.55Mo)	ASME-S-15-1940, Grade P1.
60,000 minimum	Chromium-molybdenum (4.00-6.00Cr, .40-.90Mo)	ASTM-A155-42T, Grade P5a.
60,000 minimum	Chromium-molybdenum Stabilized (4.00-5.50 Cr, .40-.55Mo).	ASTM-A155-42T, Grade P5c.
60,000 minimum	Chromium-silicon-molybdenum (1.00-1.50Cr, .40-.55Mo).	ASTM-A155-42T, Grade P11.
60,000 minimum	Chromium (.50-1.00Si, 6.00-7.50Cr, .40-.55 Mo).	ASTM-A155-42T, Grade EP16.
60,000 minimum	Chromium (.50-1.00Si, 8.00-9.50Cr, .90-1.10Mo).	ASTM-A155-42T, Grade EP17.
60,000 minimum	Chromium-molybdenum (4.00-5.50Cr, .40-.55Mo).	ASME-S-24-1940, Grade P5a.
60,000 minimum	Chromium-molybdenum stabilized (4.00-5.50 Cr, .40-.55Mo).	ASME-S-24-1940, Grade P5c.
60,000 minimum	Chromium-silicon-molybdenum (1.00-1.50Cr, .40-.55Mo).	ASME-S-24-1940, Grade P11.
60,000 minimum	Chromium (.50-1.00Si, 6.00-7.50Cr, .40-.55 Mo).	ASME-S-24-1940, Grade EP16.
60,000 minimum	Chromium (.50-1.00Si, 8.00-9.50Cr, .90-.95 Mo).	ASME-S-24-1940, Grade EP17.

American Society of Mechanical Engineers Boiler Construction Code, Material Specifications and Addenda thereto, and interpretations thereof issued prior to March 11, 1944.

ASME-S-24-1940—Seamless Alloy-Steel Pipe For Service At Temperatures From 750 to 1100 F.

ASME-S-45-1940—Seamless Carbon-Molybdenum Alloy-Steel Pipe For Service At Temperatures From 750 to 1000 F.

NOTE 1: The U. S. Coast Guard Specifications set forth in List 2 are applicable to List 1, for use on vessels subject to inspection under the Coast Guard Inspection and Navigation Regulations.

LIST 2—PERMISSIBLE SPECIFICATIONS FOR GOVERNMENT USE ONLY, STEEL PRESSURE PIPE

NOTE: List 2 amended Mar. 11, 1944.

Tensile strength psi and process	Composition	Specification designation and grade
Lap-Welded:		
45,000 Minimum	Carbon steel (Open-Hearth)	CG-MIN-51.11, Welded.
45,000 Minimum	Carbon steel	Navy 66P1, Classes 2H300 & 3H400.
45,000 Minimum	Copper-molybdenum (.40Cu Min., .05Mo Min.).	Navy 66P1, Classes 2H300 & 3H400.
	Carbon steel	Navy 44T4.
Seamless:		
60,000 Minimum	Carbon steel (killed)	CG-MIN-51.11, Grade A.
60,000 Minimum	Carbon steel (killed)	CG-MIN-51.11, Grade B.
55,000 Minimum	Carbon-molybdenum (.40-.55Mo)	CG-MIN-51.11, Grade P1.
48,000 Minimum	Carbon steel	Navy 44T13, Type A, B, C, & D.
60,000 Minimum	Carbon steel	Navy 44T33, Type A. B, & C.
60,000 Minimum	Carbon-molybdenum (.40-.55Mo)	Navy 44T33, Type J. B, & C.
Electric Resistance Welded:		
45,000 Minimum	Carbon steel	Navy 66P1, Classes 5H300, 6H400, 7H500, 8H600, 9H1000, A500.
		Navy 44T43, Grade I.
48,000 Minimum	Low carbon steel	Navy 44T43, Grade II.
60,000 Minimum	Medium carbon steel	Navy 44T41, Types A, B, C, & D.
48,000 Minimum	Carbon steel (killed)	Navy 66P1, Classes 5H300, 6H400, 7H500, 8H600, 9H1000, A500.
48,000 Minimum	Copper-molybdenum (.40 Cu. Min., .05Mo Min.)	
Metallic arc or oxyacetylene gas welded:		Navy 44T49, Grade I.
48,000 Minimum	Low carbon steel	Navy 44T49, Grade II.
60,000 Minimum	Medium carbon steel	

CG-MIN—U. S. Coast Guard, Marine Inspection and Navigation

NOTE: List 2, Titles of permissible specifications are as follows:

Coast Guard Specification MIN 51.11—Steel Pipe.

Navy Department, Bureau of Ships, Ad Interim Specification 44T13—Tubing, Steel, Seamless, For Oil, Steam Or Water.

Navy Department, Bureau of Ships, Ad Interim Specification 44T33—Tubing, Steel, Alloy, Molybdenum, Seamless.

Navy Department, Bureau of Ships, Ad Interim Specification 44T43—Tubing, Steel, Welded (Including Resistance Welded), For Oil, Steam, Or Water.

Navy Department Specification 44T41—Tubing, Steel, Resistance-Welded, For Oil, Steam, Or Water.

Navy Department, Bureau of Yards and Docks Tentative Specification 66P1—Power-Plant, Heating, And Ventilating Apparatus And Piping (Shore Use).

Navy Department Specification 44T4—Tubing, Steel, Seamless or Welded.

NOTE 1: The applicable issue of any of the specifications in List 2 above shall be the issue in effect on the date of the invitation to bid, or on the date of the purchase order or contract, or such subsequent issue acceptable to the producer as the procuring agency may substitute in the contract.

TABLE 1—STEEL PRESSURE PIPE SIZES PERMISSIBLE FOR GENERAL USE

Nominal pipe size, in.	Outside diameter, in.	Nominal wall thicknesses, in.									
		Schedule No.									
		10	20	30	40	60	80	100	120	140	160
⅛	0.405				0.068		0.095				
¼	0.540				0.088		0.119				
⅜	0.675				0.091		0.126				
½	0.840				0.109		0.147				0.187
¾	1.050				0.113		0.154				0.218
1	1.315				0.133		0.179				0.250
1¼	1.660				0.140		0.191				0.250
1½	1.900				0.145		0.200				0.281
2	2.375				0.154		0.218				0.343
2½	2.875				0.203		0.276				0.375
3	3.5				0.216		0.300				0.437
3½	4.0				0.226		0.318				
4	4.5				0.237		0.337		0.437		0.531
5	5.563				0.258		0.375		0.500		0.625
6	6.625				0.280		0.432		0.562		0.718
8	8.625		0.250	0.277	0.322	0.406	0.500	0.593	0.718	0.812	0.906
10	10.75		0.250	0.307	0.365	0.500	0.593	0.718	0.843	1.000	1.125
12	12.75		0.250	0.330	0.406	0.562	0.687	0.843	1.000	1.125	1.312
14 O. D.	14.0	0.250	0.312	0.375	0.437	0.593	0.750	0.937	1.062	1.250	1.406
16 O. D.	16.0	0.250	0.312	0.375	0.500	0.656	0.843	1.031	1.218	1.437	1.593
18 O. D.	18.0	0.250	0.312	0.437	0.562	0.718	0.937	1.156	1.343	1.562	1.750
20 O. D.	20.0	0.250	0.374	0.500	0.593	0.812	1.031	1.250	1.500	1.750	
24 O. D.	24.0	0.250	0.373	0.562	0.687	0.937	1.218	1.500	1.750		

NOTE 1: The decimal thicknesses listed for the respective pipe sizes represent their nominal or average wall dimensions

[F. R. Doc. 44-3483; Filed, March 11, 1944; 11:24 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-145-a, as Amended Mar. 11, 1944]

ANTI-FRICTION BEARINGS

The fulfilment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.67 *Limitation Order L-145-a*—(a) *Limitation on production of anti-friction bearings.* No person engaged in the production of anti-friction bearings shall hereafter make bearings of any of the sizes specified on Schedule A attached to this order unless he is designated as an "authorized producer" of such size.

A person who is not designated as an "authorized producer" of a particular size listed in Schedule A may refer persons seeking to place orders with him to those who are designated as "authorized producers"; or if he wishes to continue selling this size he may accept orders for such bearings and arrange to have them made by an "authorized producer."

(b) *Maintenance of equipment by persons other than "authorized producers".* Any person who produced any of the sizes specified on Schedule A in 1943 but who is not designated as an "authorized producer" of such size is prohibited from disposing of tools and equipment used by him to make such size and he shall keep these tools and equipment in such condition that whenever the War Production Board deems it necessary to name him an "authorized producer" he can resume production of bearings of such size one month after notice by the War Production Board.

(c) *Exceptions.* The provisions of this order do not apply to:

(1) The production of any bearings listed on Schedule A for which purchase orders have been placed prior to February 19, 1944, even though the person holding such orders is not designated as an "authorized producer";

(2) To any person whose monthly shipments in November 1943 of all anti-friction bearings did not exceed $80,000.

(d) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C., *Ref*: L-145-a.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—BALL BEARINGS

SAE No.	*Authorized Producers*
Light Series—Single Row—Radial:	
224	Marlin-Rockwell Corp., SKF Industries, Inc., Fafnir Bearing Co.
232	Marlin-Rockwell Corp.
234	Torrington Co. (Bantam Div.)
236	
238	
240	
Medium Series—Single Row—Radial:	
326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
332	Marlin-Rockwell Corp.
334	Torrington Co. (Bantam Div.)
336	
338	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
340	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)
344	
348	Torrington Co. (Bantam Div.)
352	
Light Series—Single Row—Angular Contact:	
7224	Marlin-Rockwell Corp.
7228	SKF Industries, Inc.
7230	Marlin-Rockwell Corp., SKF Industries, Inc.,
7232	Torrington Co. (Bantam Div.)
7236	Marlin-Rockwell Corp.
7238	Torrington Co. (Bantam Div.)
7240	
Medium Series—Single Row—Angular Contact:	
7324	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
7328	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7332	
7334	
7336	Marlin-Rockwell Corp.
7338	Torrington Co. (Bantam Div.)
7340	
7342	

NOTE: The following items added Mar. 11, 1944.

Heavy Series—Single Row:	
403	Marlin-Rockwell Corp., SKF Industries, Inc.
404	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
410	Fafnir Bearing Co., New Departure Div. of G. M. C., Hoover Ball & Bearing Co., Marlin-Rockwell Corp.
415	
416	Fafnir Bearing Co., Marlin-Rockwell
417	Corp., Norma-Hoffman Bearings
418	Corp.
419	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
430	Marlin-Rockwell Corp., SKF Industries, Inc.
421	Marlin-Rockwell Corp.
422	
Heavy Series—Double Row:	
5403	Marlin-Rockwell Corp.
5404	
5405	Marlin-Rockwell Corp., SKF Industries, Inc.
5406	
5407	Marlin-Rockwell Corp., McGill Mfg. Co., New Departure Div. of G. M. C., SKF Industries, Inc.

SCHEDULE A—Continued

SAE No.	*Authorized Producers—Con.*
Heavy Series—Double Row—Con.	
5408	Marlin-Rockwell Corp., SKF Industries, Inc.
5409	Marlin-Rockwell Corp., Bearings Co. of America
5410	Marlin-Rockwell Corp., Fafnir Bearing Co., SKF Industries, Inc.
5411	Fafnir Bearing Co., Marlin-Rockwell Corp.
5412	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
5413	Fafnir Bearing Co., Marlin-Rockwell Corp.
5414	
5415	Marlin-Rockwell Corp., McGill Mfg. Co.
5416	Fafnir Bearing Co., Marlin-Rockwell Corp.
5417	Marlin-Rockwell Corp.
5418	Fafnir Bearing Co., McGill Mfg. Co., Marlin-Rockwell Corp.
Heavy Series—Angular Contact:	
7403	Marlin-Rockwell Corp.
7404	Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7406	McGill Mfg. Co., Marlin-Rockwell
7406	Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7407	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7408	Ahlberg Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7409	
7412	Fafnir Bearing Co., Marlin-Rockwell
7413	Corp., New Departure Div. of
7414	G. M. C., SKF Industries, Inc.
7415	
7416	Fafnir Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7417	Marlin-Rockwell Corp., SKF Industries, Inc.
7418	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
7419	Marlin-Rockwell Corp., SKF Industries, Inc.
7420	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.

[F. R. Doc. 44-3484; Filed, March 11, 1944; 11:25 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, as Amended Mar. 9, 1944][1]

MOLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.91 *Conservation Order M-54*—(a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses as defined in Food Distribution Order No. 51. Blackstrap molasses is any final molasses produced in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His clasification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).
(ii) Lactic acid.
(iii) Graphite paste.
(iv) Printing rollers.
(v) Dye stuffs.
(vi) Ink.
(vii) Ephedrine.
(viii) Sugar for human consumption (produced from beet molasses).
(ix) Denatured rum for flavoring.
(x) Biological and pharmaceutical products for human and veterinary uses.

and any person who requires molasses for any one or more of the following purposes.

(xi) Dust extraction.
(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.
(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).
(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

[1] This document is a restatement of Amendment 1 to M-54, as Amended January 21, 1944, which appeared in the FEDERAL REGISTER of March 10, page 2691, and reflects the order in its completed form as of March 9, 1944.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, 40% of a calendar quarterly supply if molasses is required for the manufacture of sugar for human consumption (produced from beet molasses); 100% of a calendar quarterly supply if molasses is required by such Class 1 purchaser for the manufacture of any other product.

(ii) Class 2 purchaser—during any calendar quarter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 130% of a yearly supply.

(iv) Class 4 purchaser—during any calendar quarter, 130 per cent of a calendar quarterly supply, if molasses is required for the manufacture of vinegar; 110 per cent of a calendar quarterly supply, if molasses is required for foundry purposes.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____, of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

_____
(Name of purchaser)

By _____
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

_____
(Name of purchaser)

By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) *Restrictions on beet molasses.* No Class 2 purchaser shall use beet molasses for the manufacture of mixed feeds.

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 130% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions on molasses for beverage spirits and industrial alcohol.* No person shall use or accept delivery of molasses for the manufacture of beverage spirits or industrial alcohol except to the extent authorized by the War Production Board.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form WPB-891.

Manufacturers (using molasses) of Alcohol—Form WPB-892.

Producers, importers and primary distributors of molasses—Form WPB-890.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priority assistance.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States, except that paragraph (c) (1) (vii) relating to Class 7 purchasers, and paragraph (f) relating to restrictions with reference to beverage cane spirits and industrial alcohol, shall be applicable to Puerto Rico and the Virgin Islands of the United States.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3485; Filed, March 11, 1944; 11:25 a. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-501]

FLUORESCENT FIXTURE & SUPPLY COMPANY

Sidney Eisenberg, doing business under the trade name of Fluorescent Fixture & Supply Company, at 6714 Carnegie Avenue, Cleveland, Ohio, is a retail dealer in fluorescent lighting fixtures. Between June 13 and October 30, 1942, he made sales of new fluorescent lighting fixtures, having a rated wattage capacity in excess of 30 watts, without preference ratings, in violation of Limitation Order L-78. During the same period Mr. Eisenberg made other sales, suggesting certifications and ratings, in some instances a rating of A-2 under an alleged "Preference Rating Order PD-46". None of the customers had an A-2 rating nor a right to use higher than an A-10 rating. As for "PD-46" this had been a symbol of a report form for use of the Aircraft Industry, but which became obsolete not later than May 25, 1942, and never had been a preference rating order. The method of extending ratings employed by Mr. Eisenberg was to deliver his customers' orders to his supplier, rather than to keep them at his place of business and execute certificates to his supplier that he was entitled to extend the ratings. This practice was a violation of Priorities Regulation No. 3. Mr. Eisenberg was familiar with Limitation Order L-78, and, except for two transactions, his violations of that order were wilful. His violations of Priorities Regulation No. 3 were due to a grossly negligent disregard of War Production Board orders and regulations.

These violations of Limitation Order L-78 and of Priorities Regulation No. 3 have hampered and impeded the war effort of the United States by diverting critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.501 *Suspension Order No. S-501.* (a) Deliveries of fluorescent lighting fixtures as defined in Limitation Order L-78, requiring the use of tubes exceeding 30-watt capacity, to Sidney Eisenberg, doing business as Fluorescent Fixture & Supply Company or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Sidney Eisenberg, doing business as Fluorescent Fixture & Supply Company, or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 11, 1944, and shall expire June 11, 1944.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3507; Filed, March 11, 1944; 4:39 p. m.]

[Suspension Order S-462, Reinstatement]

SHATTERPROOF GLASS CO.

On December 14, 1943, Suspension Order No. S-462 was issued in the case of Shatterproof Glass Company, a Delaware corporation, with principal offices at 4815 Cabot Avenue, Detroit, Michigan. Shatterproof Glass Company appealed to the Chief Compliance Commissioner from the Suspension Order and applied for a stay of the suspension order provisions, and filed an affidavit in support of its application for a stay. A personal appearance and oral argument by counsel for the company took place. A stay was granted on February 3, 1944. The Chief Compliance Commissioner, after reviewing the case, has decided that there were wilful violations of General Preference Order M-10, and that the suspension order was properly issued. He has further determined that under present conditions there is no surplus of vinyl over military requirements. The Chief Compliance Commissioner has directed that the appeal be dismissed, the stay terminated, and the suspension order reinstated for the balance of the original period of time. In view of the foregoing, it is hereby ordered, that:

Section 1010.462. *Suspension Order No. S-462*, issued December 14, 1943, be, and hereby is, reinstated, and paragraph (c) is amended to read as follows:

(c) This order shall again become effective March 11, 1944, and shall expire on April 27, 1944.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3506; Filed, March 11, 1944; 4:39 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 1 to Direction 2]

PAPER CUPS AND PAPER FOOD CONTAINERS

The following interpretation is issued with respect to Priorities Regulation 3, Direction 2:

Paragraph (j) calls attention to the fact that persons buying paper cups and paper food containers for use in packaging food or other products may not use blanket MRO ratings for that purpose.

Persons engaged in in-plant feeding operations, whether they be conducted by the plant management or by a caterer or concessionnaire, also may not use their blanket MRO ratings to buy paper cups and paper food containers which are to be sent to a food packer to be filled and returned to the plant for in-plant feeding.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3532; Filed, March 13, 1944; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 2 to Direction 2]

The following interpretation is issued with respect to Priorities Regulation 3, Direction 2.

In-plant feeding includes the serving of food, drink and refreshments between meals as well as at meal time. For instance, the use of paper cups for drinking water is included within the meaning of the term.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3533; Filed, March 13, 1944; 11:34 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, Direction 3]

NEWSPAPERS; INVENTORY ADJUSTMENT FOR CALIFORNIA, ARIZONA AND NEVADA

The following direction is issued pursuant to Limitation Order L-240.

Notwithstanding the provisions of paragraphs (n) (1) and (n) (2) of L-240, publishers of newspapers in California, Arizona and Nevada who customarily receive print paper from mills in Oregon, Washington and British Columbia, via the Southern Pacific Railroad, may order and accept delivery of

sufficient print paper to give them 65 days' supply actually on hand and available for use, exclusive of paper in transit. In the above computation print paper need not be included until it actually reaches the place where it is to be used.

In building their inventories to this level, such publishers must obtain any print paper in excess of their "monthly base", as defined in paragraph (n) (1), from mills in Oregon, Washington or British Columbia which customarily serve this territory. Mills may deliver such additional print paper only after they have supplied the authorized needs of their regular customers for print paper ordered in accordance with paragraphs (n) (1) and (n) (2) of L-240.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3531; Filed, March 13, 1944; 11:34 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT[1]

[Limitation Order L-182, as Amended Mar. 13, 1944]

COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46[1] *General Limitation Order L-182—(a) Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means:

(i) Equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It includes, but is not limited to, such items as bakers, broilers, fryers, griddles, grills, hot plates, ovens (except built-in types), ranges, roasters, steamers, toasters, urns and warmers, but does not include cooking appliances for household use.

(ii) Steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(3) "New commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has never been used by an ultimate consumer.

(4) "Used commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has been used by an ultimate consumer.

(b) *Restrictions on manufacture.* (1) From and after October 1, 1942, no manufacturer of commercial cooking and food and plate warming equipment shall put into process in the manufacture of such equipment, including finished units and parts thereof, during any calendar quarter, any iron and steel in excess of 6¼% of the iron and steel put into process in the manufacture of finished units of such equipment by him during the calendar year, 1941, *except* that in addition to the quotas set forth in this paragraph, any manufacturer may put any iron or steel into the process of manufacture of any such equipment for delivery to or for the account of the Army, Navy, the Maritime Commission, the War Shipping Administration of the United States or the Defense Plant Corporation.

(2) No iron or steel may be used in the manufacture of any equipment listed on Schedule I, except in the manufacture of repair and replacement parts thereof as limited in paragraph (b) (1).

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial cooking and food and plate warming equipment, except that:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation.

(2) Any person may make or accept physical delivery of any such equipment pursuant to specific authorization of the War Production Board on Form WPB-1319. Applications under this order and Order L-248 may be made on a single Form WPB-1319.

(3) Any manufacturer may make physical delivery of any such equipment to any dealer or distributor of such equipment, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L-182 and/or L-248; and, further, that authorization was received by me on the following Form(s) WPB-1319:

(List number or numbers)

Firm name

Signature and title of officer

Such certification shall constitute a representation to the War Production Board, as well as to the manufacturer, of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(4) Any ultimate consumer may make physical delivery of any such equipment to any manufacturer, dealer or distributor of such equipment, and such manufacturer, dealer, or distributor may accept such delivery; and

(5) Any such equipment actually in transit on September 30, 1942, may be delivered to its immediate destination.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial cooking and food and plate warming equipment.

(e) *Reports.* Every manufacturer, dealer and distributor of any commercial cooking and food and plate warming equipment shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509 (formerly PD-638). This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other order issued, or to be issued after September 30, 1942, limits the production or delivery of commercial cooking and food and plate warming equipment to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein. After September 30, 1942, General Limitation Orders No. L-79 and No. L-83 shall not apply to commercial cooking and food and plate warming equipment.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-182.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using materials under priority control and may be deprived of priorities assistance.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue machine).
Sausage warmers.
Waffle irons.
Warming ovens.

INTERPRETATION 1

Paragraph (c) (1) of General Limitation Order L-182 (Commercial Cooking and Food and Plate Warming Equipment) reads as follows:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form WPB-1319 for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form WPB-1319 for authorization. (Issued May 8, 1943.)

[F. R. Doc. 44-3534; Filed, March 13, 1944; 11:34 a. m.]

[1] Formerly Part 3036, § 3036.1.

PART 3288—PLUMBING AND HEATING EQUIPMENT[1]

[Limitation Order L-248 as Amended Mar. 13, 1944]

COMMERCIAL DISHWASHERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.61[1] *General Limitation Order L-248—(a) Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any mechanical device designed for washing dishes, cutlery, glassware or kitchen utensils in establishments where food is prepared for consumption or sale on the premises. The term does not include dishwashers designed for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) "New commercial dishwasher" means any commercial dishwasher which has never been used by an ultimate consumer.

(4) "Used commercial dishwasher" means any commercial dishwasher which has been used by an ultimate consumer.

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on manufacture.* No manufacturer of commercial dishwashers shall put into process in the manufacture of such dishwashers, including finished units and parts thereof, during any calendar quarter, a weight of metal in excess of six and one quarter percent (6¼%) of the weight of metal put into process in the manufacture of finished commercial dishwashers by him during the calendar year 1941 except that in addition to the quotas set forth in this paragraph any manufacturer may put any weight of metal into process in the manufacture of any such dishwashers for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States.

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial dishwashers except that:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

(2) Any person may make or accept physical delivery of any such dishwasher pursuant to specific authorization of the War Production Board on Form WPB-1319. Applications under this order and Order L-182 may be made on a single Form WPB-1319;

(3) Any manufacturer may make physical delivery of any such dishwasher to any dealer or distributor of such dishwashers, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L-182 and/or L-248; and, further, that authorization was received by me on the following Form(s) WPB-1319:

(List number or numbers)

Firm Name

Signature & Title of Officer

Such certification shall constitute a representation to the War Production Board, as well as to the manufacturer of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue;

(4) Any ultimate consumer may make physical delivery of any such dishwasher to any manufacturer, dealer or distributor of such dishwashers; and such manufacturer, dealer, or distributor may accept such delivery;

(5) Any such dishwasher actually in transit on March 2, 1943, may be delivered to its immediate destination; and

(6) Any such dishwasher manufactured in accordance with an appeal granted prior to March 2, 1943, may be physically delivered to the person specified in the appeal, and such person may accept delivery of such dishwasher.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher designed for washing cutlery, glassware or kitchen utensils exclusively. No person shall manufacture, fabricate or assemble any other type of commercial dishwasher except in accordance with the specifica-

[1] Formerly Part 3171, § 3171.1.

tions and practices given below in this paragraph. However, this paragraph does not revoke or modify the terms of any appeal granted under this order.

(1)

Minimum capacity (dishes per hour)	Maximum content exclusive of motor, switches and wiring (pounds)		Maximum motor size (h. p.)
	Iron and steel	Copper base alloy	
1,500	700	70	¾
3,500	900	95	2
6,000	1,150	95	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel or copper base alloy shall be used, except zinc for coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer, dealer and distributor of any commercial dishwasher shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form WPB–1509 (formerly PD–638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and order L–182 may be made on a single Form WPB–1509 (formerly PD–638). This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington (25), D. C., Ref: L–248.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (c) (1) of General Limitation Order L–248 (Commercial Cooking and Food and Plate Warming Equipment) reads as follows:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form WPB–1319 for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form WPB–1319 for authorization. (Issued April 24, 1943.)

[F. R. Doc. 44–3535; Filed, March 13, 1944; 11:34 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT[1]

[Conservation Order M–216–b, as Amended Mar. 6, 1943, Amdt. 1]

CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

Section 3292.106, *Conservation Order M–216–b*, is hereby amended in the following particulars:

[1] Formerly Part 3092, § 3062.9.

1. Paragraph (b) entitled *Definitions*, subparagraph (1), is amended to read as follows:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered to a consumer under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons, throughout the continental United States, the territories, and insular possessions of the United States.

2. Paragraph (d) entitled, *Restrictions on removing equipment from reserve new commercial motor vehicles* is amended to read as follows:

(d) *Removal of equipment from reserve new commercial motor vehicles prohibited except upon authorization from the War Production Board.* (1) Except upon specific authorization from the War Production Board: (i) No person shall remove from any reserve new commercial motor vehicle any standard equipment, or remove or exchange any other part or accessory, the removal or exchange of which will impair the operating efficiency (pulling ability, carrying ability, or safety), of the vehicle. (ii) After April 15, 1944, no person shall remove equipment from, add equipment to, lengthen or shorten the chassis of a reserve new commercial motor vehicle, of a gross vehicle weight rating of 9,000 pounds or over, but of less than 16,000 pounds (medium truck or truck tractor) for the purpose of converting it into a bus; or make any such changes in a bus chassis to convert it into a truck.

(2) *Authorization to remove or exchange equipment.* Requests for authorization under this paragraph (d) may be made by submitting a letter in triplicate to the Automotive Division, War Production Board, Washington 25, D. C., stating the make, model, gross vehicle weight, serial number and engine number of each vehicle for which the authorization is requested and describing in detail the alterations for which the request is made and the reasons for them. Such authorizations will only be issued when the type of vehicle required as shown on an outstanding Certificate of Transfer (Form WPB 717) or Governmen Exemption Permit (Form WPB 718) cannot be obtained from inventory, or production, for a specific delivery date.

3. Paragraph (h) entitled *Appeals* is amended to read as follows:

(h) *Appeals.* An appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provisions appealed from and stating fully the grounds for appeal.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3536; Filed, March 13, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1372—SEASONAL COMMODITIES

[MPR 298,[1] Amdt. 5]

ROTENONE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 298 is amended in the following respects:

1. Section 1372.169 is amended to read as follows:

§ 1372.169 *Appendix C: Manufacturer's maximum prices for dry, finished rotenone insecticides not made from dust bases.* The maximum price shall be (i) the lower of the prices established under alternatives 1 and 2 below or (ii) the price specified under alternative 3 below whichever is higher.

1. The highest price charged to a purchaser of the same class in March, 1942, or

2. A price computed by adding items (a), (b), (c) and (d), below:

(a) The price most frequently charged to a purchaser of the same class in June, 1941, or on the latest date prior to June, 1941, on which the product was sold.

(b) The increase in the cost of pure rotenone guaranteed in the product, between the first half of 1941 and December 31, 1942, calculated according to the following provisions:

(i) Manufacturers who do not process root:

The increase in the cost of rotenone shall be calculated by determining the average delivered cost of rotenone purchased in the period January–June, 1941, inclusive (or, if no such purchase was made in such period, the delivered cost of rotenone purchased on the latest date prior to January 1, 1941), and by subtracting such delivered cost from the maximum delivered cost of rotenone contained in the same type and quality of rotenone-bearing material on December 31, 1942; but such increase in cost of pure rotenone shall not exceed $3.40 per pound of pure rotenone contained in the finished product.

(ii) Manufacturers who process imported root:

The increase in the cost of rotenone shall be calculated by multiplying the pounds of pure rotenone guaranteed in the finished product by $3.10.

(c) The difference between the delivered cost of packages and raw materials other than rotenone on the latest dates prior to July 1, 1941, on which purchases of such commodities were made, and the maximum delivered cost of the same items on December 31, 1942.

(d) Forty cents per hundred pounds, or $0.004 per pound, of the finished product.

3. (a) For finished rotenone insecticides in which rotenone is the only active insecticidal ingredient, for sales to wholesalers or dealers whose places of business are located within the territories specified, basis delivered to the dealer's place of business or nearest rail station in containers of ten pounds or more capacity, subject to customary wholesalers' discounts, prices as follows:

(i) In the states of Arizona, California, and Nevada and in that part of the states of Oregon and Washington lying west of the Cascade Mountains:

Guaranteed rotenone content (percent):	Price per pound
0.5	$0.08
.75	.1025
1.0	.125

(ii) In the states of Colorado, Idaho, Montana, New Mexico, Utah, and that part of the states of Oregon and Washington lying east of the Cascade Mountains:

Guaranteed rotenone content (percent):	Price per pound
0.5	$0.0825
.75	.105
1.0	.1275

(b) If the insecticide contains active insecticidal ingredients in addition to rotenone, the prices in (a) above may be increased by the amount of the delivered cost to the manufacturer of such additional active ingredients guaranteed in the finished insecticide. If the manufacturer of the finished rotenone insecticide is also the manufacturer of the additional active ingredients he may use his maximum price for a sale to another insecticide manufacturer as his own delivered cost of such additional ingredients.

2. Section 1372.173 (b) is amended to read as follows:

(b) If the maximum price which may be charged by the manufacturer from whom the wholesaler buys the commodity is reduced by this regulation or is raised by amendment of or by subsequent order issued under this regulation, the wholesaler's maximum selling price shall be reduced or increased, as the case may be, by a like amount in dollars and cents.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3469; Filed, March 10, 1944; 4:54 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Amdt. 25]

PUERTO RICO; MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 44–2354, appearing at page 1942 of the issue for Saturday, February 19, 1944, the price quoted in paragraph 8 for sales at retail of bulk hydrogenated shortening should read $0.26.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 113]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The third sentence of section 13.1 (c) is deleted and the following is substituted therefor:

However, he must show the point value of his sales or "transfers" from that establishment during his first full week of operations. (In the case of a wholesaler, those sales or transfers must be shown according to the classes of foods covered by this order, set forth in a supplement to this order.) A retailer's allowable inventory is computed by multiplying the point value of those sales or transfers by three. A wholesaler's allowable inventory is computed by multiplying the point value of those sales or transfers of each class of foods by the factor fixed for that class in § 1407.3027 (f) of Revised Supplement 1 to this order. The numbers which result are added, and the total is his allowable inventory.

2. Section 15.4 is amended to read as follows:

SEC. 15.4 *Wholesalers may apply for allowable inventory adjustments—(a) How to apply.* A wholesaler who finds that his allowable inventory is inadequate (other than because of seasonal variations) may apply for an increase. He must apply on OPA Form R–315 to the board with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The net point gain or loss in his point inventory caused by the addition of items to or removal of items from the foods covered by this order;

(3) The sum of items (1) and (2), or the difference if item (2) represents a point loss;

(4) The reasons why he claims his allowable inventory is inadequate; and

(5) The amount of the increase which he needs.

(b) *Temporary increase based on application.* The board may not act upon the application but must send it, and any other information received, to the district office for action. The board may attach its recommendation as to the amount of the temporary increase to be granted. The district office may grant the wholesaler a temporary increase for the amount which it finds he needs to get adequate stocks for the next six calendar weeks. After determining the amount of the temporary increase to be granted, the district office shall return the file to the board. If the wholesaler

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 365, 5589, 6440, 16297; 9 F.R. 807.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16606, 16161, 16260, 16263, 16424, 16527, 16006, 16695.

does not have any excess inventory, the board shall issue to him a certificate for the amount of the increase granted. If he has an excess inventory which is less than the increase, the board shall cancel the excess inventory and issue a certificate for the difference. If his excess inventory is equal to or greater than the increase, the board shall reduce the excess inventory by the amount of the increase.

(c) *Final action.* A wholesaler who is given a temporary increase under paragraph (b) must keep a record of the point value of his sales and transfers of each of the classes of foods set forth in paragraph (d) (other than exchanges, and transfers to another of his wholesale establishments) during the six calendar weeks after he received the increase. Within one week after the end of this period he must report the point value of his transfers during this period to the board. The board shall multiply the point value of his sales and transfers of each class by the factor fixed for that class, as set forth in paragraph (d). If the sum of the products thus computed is more than the figure stated in item (3) in paragraph (a), the difference (or the amount requested by the wholesaler, whichever is less) is to be granted as a permanent increase in the wholesaler's allowable inventory. If the amount of the increase is more than the sum of any certificate issued and excess inventory cancelled under paragraph (b), the board shall issue a certificate for the difference. If the amount of the increase is less than that sum, the difference is excess inventory, and the wholesaler must give up points to the Office of Price Administration in the way required by section 5.6 (e).

(d) *Classes of foods and factors.* The classes of foods and the factors for each class, referred to in paragraph (c), are as follows:

(1) Shortening, lard, cooking and salad oils, canned meat, canned fish and canned milk	1.0
(2) Meat (other than canned meat)	0.3
(3) Butter, cheese and margarine	0.8

This amendment shall become effective March 16, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3493; Filed, March 11, 1944; 11:51 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 269, Amdt. 25][1]

POULTRY

Correction

In F.R. Doc. 44–2245, appearing on page 1941 of the issue for Tuesday, February 19, 1944, that portion of Temporary Table A–1 regarding poultry fats should read as follows:

TEMPORARY TABLE A–1

(Prices in cents per pound)

Raw or rendered poultry fat	Eastern Zone basing-point city	Western Zone basing-point cities	
	Chicago	New York	Pacific Coast—Los Angeles, San Francisco, Seattle and Portland
Raw poultry fat	53.0	54.0	54.5
Government inspected raw poultry fat	68.0	69.0	69.5
Rendered poultry fat	72.5	73.5	74.0
Government inspected rendered poultry fat	77.5	78.5	79.0

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 14 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (f) is added to read as follows:

(f) The wholesale allowable inventory factors and the classes of foods (referred to in section 13.1 (c) of Ration Order 16) are as follows:

Class of foods:	*Factors*
(1) Shortening, lard, cooking and salad oils, canned meat, canned fish, and canned milk	6.0
(2) Meat (other than canned meat)	1.8
(3) Butter, cheese, and margarine	3.0

This amendment shall become effective March 16, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–N, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3496; Filed, March 11, 1944; 2:28 p. m.]

[1] 8 F.R. 16834, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1161, 1819, 2091, 2007.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 410,[1] Amdt. 1]

PULPWOOD PRODUCED IN THE STATES OF ARKANSAS, TEXAS, AND THAT PORTION OF LOUISIANA WEST OF THE MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 410 is amended in the following respect:

The table of prices in Appendix A (a) (1) is amended to read as follows:

F. o. b. freight cars or barges:

Pine	$8.35
Southern hardwood	8.80

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3490; Filed, March 11, 1944; 11:51 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 387,[1] Amdt. 2]

PULPWOOD PRODUCED IN THE STATES OF SOUTH CAROLINA, GEORGIA, FLORIDA, TENNESSEE, MISSISSIPPI, ALABAMA, LOUISIANA EAST OF THE MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 387 is amended in the following respects:

1. The table of prices in Appendix A (a) (1) is amended to read as follows:

F. o. b. freight cars:

Pine	$7.60
Southern hardwood (rough)	8.10
Southern hardwood (peeled)	10.80
F. o. b. barges:	
Pine	$8.60

2. In Appendix A (c), subparagraph (1) is amended to read as follows:

(1) In the event that a consumer of pulpwood shall purchase pulpwood through a dealer as defined in Section 8 (a) (10) hereof, such a consumer may pay such dealer not more than the maximum price herein plus a dealer's allowance not in excess of 75¢ per cord provided, however, that no commission may be paid in addition to the appropriate maximum price with respect to wood shipped by barge.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3491; Filed, March 11, 1944; 11:51 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8508.

[1] 8 F.R. 9507.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 439,[1] Amdt. 2]

PULPWOOD PRODUCED IN NORTH CAROLINA AND THAT PORTION OF VIRGINIA WEST OF THE COUNTIES OF CRAIG, MONTGOMERY, FLOYD AND PATRICK

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 433 is amended in the following respects:

1. In section 8 (a), subparagraphs (14) and (15) are revoked.

2. In Appendix A (a), subparagraph (1) is amended to read as follows:

(1) The maximum price per cord for pulpwood cut from the stump in the States of North Carolina and that portion of Virginia west of the Counties of Craig, Montgomery, Floyd, and Patrick shall not exceed the following, delivered f. o. b. cars at the seller's expense:

Rough pine	$7.60
Rough southern hardwood	8.10

3. In Appendix A (a), subparagraph (2) is revoked and subparagraphs (3), (4), (5), (6), and (7) are redesignated as (2), (3), (4), (5), and (6), respectively, and new subparagraphs (2) and (3) are amended to read as follows:

(2) *Peeling differentials.* An amount not in excess of $2.70 per cord may be added to the prices set forth in subparagraph (1) of this Appendix A for either peeled pine or peeled hardwood.

(3) *Barge wood.* An amount not in excess of $1.00 per cord may be added to the maximum prices set forth in subparagraphs (1) and (2) of this Appendix A for wood sold, f. o. b. barge at the seller's expense: *Provided, however,* That no dealer's or trader's commissions may be added to the maximum price for barge wood.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3492; Filed, March 11, 1944; 11:51 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9687, 15703.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 21 To Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Tables of Consumer and Trade Point Values (No. 12) referred to in paragraph (a) of § 1407.3027 are amended in the following respects:

1. All "dry sausage" and "semidry sausage" items, except dry or semidry sausage in tin or glass containers, are reduced two points per pound below the current point value assigned to such items.

2. All other sausage products, except sausage products in tin or glass containers, are reduced one point per pound below the current point value assigned to such products. However, no reduction in point value is made in any sausage product currently having a point value of one point or less per pound.

This amendment shall become effective 12:01 a. m., March 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3497; Filed, March 11, 1944; 2:28 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 51]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. The title of Article XXIII is amended to read as follows: *"Article XXIII—Post exchanges, ships' service departments ashore, and certain military and naval clubs."*

2. Section 23.1 is amended to read as follows:

SEC. 23.1 *How post exchanges, ships' service departments ashore, and certain military and naval clubs obtain rationed foods for institutional use.* (a) Army, Navy, Marine Corps, and Coast Guard post exchanges and ships' service departments ashore, which make an institutional use of rationed foods, are not required to register with a board under this order. An Army, Navy, Marine Corps, or Coast Guard service club, enlisted men's club, non-commissioned officers' club or officers' club, which makes an institutional use of rationed foods, is also not required to register with a board under this order if:

(1) It is located on a military or naval post, station or installation; and

(2) It is established pursuant to regulations of the Army, Navy, Marine Corps or Coast Guard; and

(3) It is operated by Army, Navy, Marine Corps or Coast Guard personnel or their civilian employees.

(b) Allotments of rationed foods for use in establishments described in this section will be given to the Army, Navy, Marine Corps or Coast Guard or any of their appropriate branches on application therefor in accordance with arrangements made with the Washington office of the Office of Price Administration. The Washington office will issue one certificate for each rationed food on each such application. The amount for which the certificate is issued may be distributed through the use of ration checks to those various establishments.

(c) Ration bank accounts may be opened for the establishments described in this section, in the manner and with the effect described in General Ration Order 3A.

(d) An establishment described in this section which receives allotments of rationed foods from the Army, Navy, Marine Corps or Coast Guard shall, if it has registered under this order, forthwith notify the Board of that fact, and the Board shall thereupon cancel its registration. The establishment shall not receive any further allotments from the Board. An establishment which has already received allotments from the Board for any allotment period may not accept any ration check for that period from the Army, Navy, Marine Corps, or Coast Guard unless it surrenders to the Board certificates or ration checks representing the allotments granted by the Board, reduced by an amount corresponding to the number of persons served meals during that part of the allotment period which has elapsed when the ration check is received, as compared to the number of persons served meals upon which the allotments for the full period were computed.

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1 Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3545; Filed, March 13, 1944; 11:59 a. m.]

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1161, 1819, 2007, 2091.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12408, 12744, 14472, 15488, 17486, 9 F.R. 401, 455, 692, 2212, 2287.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 71]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.505 (b) (1) is amended by inserting a comma after the tire size "7.50–20" and immediately thereafter, the phrase "for an obsolete size Grade I tire when it is to replace another tire of an obsolete size as listed in § 1315.503 (b) (2)".

2. Section 1315.506 (a) (1) (ii) is amended by adding the words "front wheel" immediately before the phrase "farm tractor".

3. Section 1315.515 (b) is amended by inserting the phrase "an obsolete size Grade I tire when it is to replace another tire of an obsolete size as listed in § 1315.503 (b) (2)," before the phrase "a Grade III tire".

4. Section 1315.804 (c) (6) is amended by adding the phrase "or dealer" immediately after the word "manufacturer".

5. Section 1315.804 (c) (9) (i) is amended by deleting the word "sales" wherever it appears therein and inserting in lieu thereof the word "transfers".

6. The headnote of § 1315.805 is amended to read as follows: "§ 1315.805 *Acquisition required by law or for salvage.*"

7. The text of § 1315.805 (a) is amended to read as follows:

(a) *Persons who may acquire.* Tires or new tubes may be acquired, without certificate, in the following cases:

8. Section 1315.805 (c) is amended to read as follows:

(c) A person acquiring full title to tires or tubes under this Section shall, within thirty days, apply for an authorization to transfer such tires or tubes under §1315.804 (e) or § 1315.804 (k) and shall, within ten days after receiving the authorization, transfer the tires or tubes to the authorized transferee. The provisions of this paragraph shall not apply to a dealer, manufacturer, government or government agency or subdivision.

9. Section 1315.806 (a) (1) is amended by adding the following sentence at the end thereof:

These corporations or their representatives may not acquire tires or tubes for their use under this subparagraph.

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3544; Filed, March 13, 1944; 11:59 a. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 18]

DENIMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 (Carded Grey and Colored-Yarn Cotton Goods), is amended in the following respects:

1. Section 1316.58b is added to read as follows:

§ 1316.58b *Maximum price of Defense Supplies Corporation for certain denims.* The maximum price of Defense Supplies Corporation, for sales and deliveries of denims purchased from a manufacturer to whom an adjustment has been granted under § 1316.58a, shall be the actual price paid the manufacturer.

2. In § 1316.51 the words "set forth in § 1316.61, Appendix A" are amended to read: "provided for in this Revised Price Schedule".

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3547; Filed, March 13, 1944; 12 m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 509,[2] Amdt. 1]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 2.1 (c) (1) is amended to read as follows:

(1) Processors' maximum prices for sales to government procurement agencies shall be the maximum prices named in paragraph (a) for such sales, less the amount of the applicable monthly area grapefruit juice cost reduction for the month in which such grapefruit juice was packed: *Provided*, That the monthly area grapefruit juice cost reduction for the months of October and November 1943 (not segregated according to separate months) shall be applicable to sales of grapefruit juice packed during the period from October 1, 1943, through November 30, 1943. The monthly area grapefruit juice cost reduction for the month of May 1944 shall be applicable to sales of grapefruit juice packed during the period from May 1, 1944, through September 30, 1944.

This amendment shall become effective March 13, 1944.

(56 Stat. 34, 765 Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3541; Filed, March 13, 1944; 11:58 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296,[1] Amdt. 2]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 296 is amended in the following respects:

1. Section (c) (i) of VII of Appendix A is amended to read as follows:

(c) *Maximum prices for enriched and self-rising flours from wheat and for enriched farina, except enriched family farina in packages containing five pounds or less, delivered at specified destinations.* (i) The maximum prices for flour from wheat enriched in accordance with the specifications for enriched flour as provided in subparagraph (a) of § 15.010 of the definition and standard of identity, as now or hereafter promulgated by the Federal Security Administrator, delivered at specified destinations, shall be the applicable maximum price as set forth in this Appendix A, plus an increase at the rate of 12 cents per hundred weight.

2. Section (c) (ii) of VII of Appendix A is amended to read as follows:

(ii) The maximum prices for flour from wheat enriched in accordance with paragraphs (a), (b), (c), and (d) of § 15.010 of the definition and standard of identity, as now or hereafter promulgated by the Federal Security Administrator, delivered at specified destinations, shall be the applicable maximum prices as set forth in this Appendix A, plus an increase at the rate of 22 cents per hundred weight.

This amendment shall become effective March 18, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

[1] 8 F.R. 1963, 8308, 15906, 16744; 9 F.R. 2020, 2477, 2237.

[2] 9 F.R. 1812, 2133.

[1] 8 F.R. 16282, 17374.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3548; Filed, March 13, 1944; 12 m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 110]

METAL STAMPINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In Appendix B the following item is added in alphabetical order:

Stampings, metal (except forgings, brass mill products, steel mill products or any product for which the manufacturer has issued a catalog or price list). The term "metal stampings" means stamped or pressed metal products which are mechanically proceed by the use of dies and upon which further processing or finishing operations may or may not have been performed, when sold unassembled. A metal stamping may consist of two or more pieces which have been permanently joined by brazing, welding, soldering or riveting.

This amendment shall become effective March 18, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3543; Filed, March 13, 1944; 11:58 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 111]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (e) is amended to read as follows:

(e) Any consumer who holds valid Class R coupons, issued to him as a non-highway ration, and who desires to acquire gasoline for non-highway purposes at facilities where Class R coupons may not be accepted, may present such coupons to the issuing Board, or for good cause shown, to any Board for exchange. If the Board finds that such consumer requires non-highway ration evidences to be used for purchases of gasoline which he will make at facilities where the acceptance of Class R coupons is prohibited by the terms of § 1394.8153 (b) (4), it shall issue to the applicant in exchange Class E coupons in the quantity required for such purchases and equal in gallonage value to the gallonage value of Class R coupons surrendered.

2. Section 1394.8153 (b) (4) is amended to read as follows:

(4) On and after April 1, 1944, no transfer of gasoline in exchange for Class R coupons may be made by any dealer or by any licensed distributor from his retail facility unless:

(i) The transferor transports such gasoline from such facility to some place of delivery selected by the transferee by means of delivery facilities such as a tank truck, tank wagon or portable drums which he maintains and regularly uses for the purpose of transporting gasoline in quantities of twenty-five gallons or more, from such facility to places of delivery selected by the transferees,

(ii) The transfers are made directly into fuel tanks of motorboats at such facility, or

(iii) If the transferor has been authorized in writing by the District Director pursuant to subdivision (*a*) of this subdivision to make bulk transfers of gasoline at such facility in exchange for Class R coupons.

(*a*) The dealer or licensed distributor operating such a retail facility may make application to the local Board having jurisdiction over the area in which such facility is located for authorization by the District Director to make transfers of gasoline in exchange for Class R coupons at such facility. The application shall show what portion of the entire business of such facility is represented by bulk transfers. The Board will transmit such application with its recommendation to the District Director. If the District Director is satisfied that more than 50% of the gasoline regularly sold at such facility is delivered by bulk transfers, he shall authorize the applicant in writing to make bulk transfers in exchange for Class R coupons at such facility. The applicant shall keep the authorization issued by the District Director at such facility so long as transfers are made pursuant to such authorization.

3. Section 1394.8215 (g) is added to read as follows:

(g) (1) Before making any transfer of gasoline on or after April 1, 1944, each dealer who has in his possession or control Class R coupons and who is prohibited from making transfers of gasoline in exchange for Class R coupons at his retail facility under the provisions of § 1394.8153 (b) (4) shall attach such coupons to separate gummed sheets (Form OPA R–120). He shall summarize such coupons on a summary form (Form OPA R–541) on which no other coupons are listed. On or before April 10, 1944, each such dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the coupons so surrendered.

(2) Each licensed distributor shall, on or before April 10, 1944, deposit in his ration bank account all Class R coupons which are in his possession or control on April 1, 1944, at or for any retail facility at which he is prohibited from making transfers of gasoline in exchange for Class R coupons under the provisions of § 1394.8153 (b) (4).

This amendment shall become effective March 13, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3542; Filed, March 13, 1944; 11:58 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 16]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 9.2 (b) is amended by deleting the fifth sentence and substituting therefor the following:

If the application is granted, the processed foods must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer processed foods. However, an industrial user who has been charged with excess inventory pursuant to section 6.6 (f) because he produced processed foods before October 5, 1943 for his own industrial use, and who is also registered as a processor, may transfer to his processor establishment processed foods which he produced before October 5, 1943 and which are still included in his industrial user inventory, at the point value at which those foods were charged against him as industrial user excess inventory, instead of at their current point value. Within five days after the sale or transfer, the transferor must give up to the board all points which he received for the processed foods sold or transferred.

2. Section 9.5 (b) is amended by inserting before the period at the end

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132, 9 F.R. 1523, 2032, 2138.

[2] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 1645, 16846, 17484, 17297,; 9 F.R. 1181, 1180, 972, 1326, 1397, 2033, 2087, 2233.

[1] 9 F.R. 3, 104, 693, 874, 848; 765, 1293, 1727, 1817, 1908, 2233, 2234, 2240.

thereof the words ", except as provided in section 9.2 (b)".

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3546; Filed, March 13, 1944; 11:59 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE

DISCHARGE OF ENLISTED MEN

1. Change all entries "B. N. P." forms to "NavPers" where appearing in Part 6.

2. Section 6.6206 (g) (8 F.R. 9692) is amended to read as follows:

§ 6.6206 *Discharge of enlisted men.* • • •

(g) Inaptitude discharges shall be given to those men in their first enlistment whose general qualifications are such as not to warrant further retention in the Naval Reserve and only when they have already demonstrated inaptitude therefor. In this classification are those who give insufficient evidence of being able to adapt themselves to the requirements of the Naval Reserve. Inaptitude discharges shall normally bear the notation "Awarded under honorable conditions." [Manual Circular Letter No. 17-44, Feb. 24, 1944]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739, Pub. Law 183, 78th Cong.; 34 U.S.C. 853, 854*e*, Supp. 855*f*, 855*o*, 857–857*g*, 853*c*, 853*e*, 855*d*)

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-3537; Filed, March 13, 1944; 11:41 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 211]

ARIZONA

PARTIAL REVOCATION OF LAND WITHDRAWAL

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U. S. C., title 43, sec. 416), it is ordered as follows:

Public Land Order 97 of March 16, 1943, withdrawing public lands in Arizona for the use of the War Department as an aerial gunnery and bombing range, is hereby revoked as to the following-described tract of land:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 20 W., sec. 9, N½NE¼SW¼NW¼, 5 acres.

HAROLD L. ICKES,
Secretary of the Interior.

MARCH 3, 1944.

[F. R. Doc. 44-3514; Filed, March 13, 1944; 10:11 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 15, Supp. 1]

PART 306—GENERAL AGENTS AND AGENTS

TERMINAL OPERATIONS

General Order 15 is amended as follows:

1. Effective March 1, 1944, § 306.31 *Compensation of General Agents or Agents* (designated paragraph 5 in the original General Order 15; as § 303.3, 7 F.R. 5142 at 5143; and as § 306.31, 7 F.R. 6587) is revoked.

2. Effective as of January 1, 1944, § 306.32 *Basis of compensation to General Agents and Agents* (designated paragraph 6 in the original General Order 15; as § 304.4, 7 F.R. 5142 at 5143; and as § 306.32, 7 F.R. 6587) is amended to read:

§ 306.32 *Recapture and renegotiation.* As approved or required by the Administrator, the net profit or loss from the terminal operations of General Agents or Agents, pursuant to the provisions of this order and such other orders, regulations or instructions applicable hereto, as have been or hereafter may be issued, shall be taken into account for the purpose of applying the provisions of §§ 306.96 and 306.97 of General Order 34 and any other orders, regulations or instructions applicable hereto, which hereafter may be issued.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

FEBRUARY 29, 1944.

[F. R. Doc. 44-3506; Filed, March 11, 1944; 4:00 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

MISCELLANEOUS CREDITS TO SURPLUS AND UNCOLLECTIBLE OPERATING REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, made the following changes in part 31:

Section 31.402 *Miscellaneous credits to surplus* was amended by the deletion of "Unclaimed customers' deposits" from the item list.

Section 31.530 *Uncollectible operating revenues—Dr.* was amended by the addition of the following paragraph:

(d) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 160, "Customers' deposits", and 164, "Advance billing and payments", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220 (a), 48 Stat. 1078; 47 U.S.C. 220 (a))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3474; Filed, March 11, 1944; 10:50 a. m.]

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

UNCOLLECTIBLE OPERATING REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, amended § 33.3090 *Uncollectible operating revenues—Dr.* by addition of a new paragraph:

(d) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 2340, "Customers' deposits", and 2360, "Advance billings and payments", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3475; Filed, March 11, 1944; 10:50 a. m.]

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

UNCOLLECTIBLE REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, amended § 34.4935 *Uncollectible revenues* by the addition of the following paragraph:

(c) This account shall include, in a seperate subdivision thereof, credits arising from charges to accounts 2115, "Customers' deposits", and 2155, "Advance billings", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3476; Filed, March 11, 1944; 10:50 a. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

CURRENT LIABILITIES AND UNCOLLECTIBLE REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, made the following changes in part 35:

Section 35.10–5 *Current liabilities* was amended by addition, at the beginning of paragraph (c), of a clause which reads:

Excepting amounts includible in account 2115, "Customers' deposits", or in account 2155, "Advance billings" (for which provision is made in section 4935, "Uncollectible revenues");

and § 35.4935 *Uncollectible revenues* was amended by the addition of a new paragraph:

(c) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 2115, "Customers' deposits", and 2155, "Advance billings", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3477; Filed, March 11, 1944; 10:50 a. m.]

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS ETC.)

CONTRACTS AND CONCESSIONS

The Commission on March 7, 1944, effective immediately, deleted § 43.51 *Contracts relating to traffic*, and adopted the following new section in its place:

§ 43.51 *Contracts and concessions.* (a) Each carrier subject to the Act, unless it has already done so, shall, on or before April 7, 1944, file with the Commission, in duplicate, verified under oath (or affirmed according to law), complete copies of every contract, agreement, concession, license, authorization, and other arrangement to which such carrier or any person[1] directly or indirectly controlled by such carrier is a party or beneficiary, affecting communications by wire or radio and relating to the following:

(1) The exchange of services between such carrier and any common carrier not subject to the Act;

(2) The establishment or operation of land lines or cable or radio circuits or the interchange of communications traffic by such carrier or person with any other person between points in the United States, between points in the United States and points outside thereof, and between points outside the United States, or relating to the routing of traffic, rates, division of tolls, and settlement of traffic balances for and in connection with traffic handled over such lines or circuits or interchanged with any person;

(3) Rights granted to such carrier or person by any foreign government for the landing, connection, installation, or operation of cables or land lines, the construction or operation of radio stations, the opening and operation of offices, or engaging in wire or radio communications operations or functions of any kind.

(b) All persons directly or indirectly controlling any carrier subject to the Act shall, on or before April 7, 1944, file with the Commission, in duplicate, verified under oath (or affirmed according to law) complete copies of every contract, agreement, concession, license, authorization, and other arrangement to which such person or any other person[1] directly or indirectly controlled by it is a party or beneficiary, affecting communications by wire or radio and relating to the matters set forth in subparagraphs (2) and (3) of paragraph (a) of this section; *Provided, however,* That paragraph (b) of this section shall not apply to contracts, agreements, and arrangements relating solely to intrastate communications traffic within the United States. Compliance with this paragraph may be effected, on behalf of the persons required to make the filing, by carriers affiliated with such persons.

(c) Any new contract, agreement, concession, license, authorization, or other arrangement of the nature described in paragraphs (a) and (b) and any modification, amendment, or cancellation of the same or of any of the instruments described in paragraphs (a) and (b) shall be filed within 30 days after execution.

(d) If any contract, agreement, concession, license, authorization, or other arrangement, or any modification, amendment, or cancellation of the same required to be filed under this section be made other than in writing, duplicate written verified statements of the complete terms thereof shall be filed on or before April 7, 1944, or within 30 days after the making thereof.

(e) Upon the filing of any contract, agreement, concession, license, authorization, or other arrangement by one of two or more persons required hereunder to make such filing, the filing in duplicate of a statement in writing, duly sworn to (or affirmed according to law), by the other person or persons required to make such filing, identifying such document and adopting the filing thereof, shall be regarded as compliance with the requirements of this section by such other person or persons.

The Commission also deleted § 43.52 *Exclusive contracts*, and the last two paragraphs of § 43.53 *Foreign telegraph communication.*

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 211 (b), 48 Stat. 1073; 47 U.S.C. 211 (b))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3478; Filed, March 11, 1944; 10:50 a. m.]

[1] Except a carrier subject to the act.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Order ODT 3, Rev., Amdt. 5]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, subparagraphs (1) and (2) of paragraph (a) of § 501.6 and paragraph (b) of § 501.10 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), are hereby amended to read as follows:

§ 501.6 *Loading and operating requirements.* (a) No common carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) Prior to the departure of an empty or partially loaded truck from any point, the carrier shall endeavor in good faith to obtain sufficient freight for loading the truck to capacity at such point, or to lease the truck, if empty, to another common carrier or to a contract carrier, consistent with any prior commitments involving the use of the truck, in the following manner:

(i) If the point of departure is not at or near a district office of the Division of Motor Transport, the carrier shall make appropriate inquiry of shippers, contract carriers, and common carriers, at their offices or terminals at such point, and shall lease the truck to another common carrier or to a contract carrier or utilize it to its load capacity, for the transportation of freight found by such inquiry to be available for transportation to or toward the destination point of the truck; or,

(ii) If the point of departure is at or near a district office of the Division of Motor Transport, the carrier shall register the truck with such district office, and shall lease the truck, or utilize it to its load capacity, for the transportation of freight registered with the district office for transportation to, toward, or beyond the destination point of the truck. The truck shall not leave such point of departure with less than a capacity load unless there is in force with respect thereto clearance authority issued by the Office of Defense Transportation in accordance with the provisions of Administrative Order ODT 10 (this issue). For the purpose of subdivisions (i) and (ii) of this subparagraph (1) a point shall be deemed to be at or near a district office when the point is within a municipality or urban community in which a district office is located, or within 25 air miles from the boundary thereof, or within any municipality or urban community contiguous thereto.

(iii) In leasing the truck, the lessee shall utilize the services of the driver regularly employed by the lessor in connection with its operation. The services of the driver, or any helper, shall be utilized without transfer of either to the lessee's payroll and, in so utilizing the truck, the lessee shall assume direction

and control thereof, and full responsibility to the public, shippers, and consignees for its operation, and shall display prominently on both sides of the vehicle the lessee's name and address, preceded by the words "operated by," and the number of any operating certificate or permit held by the lessee.

(2) In order to facilitate the loading or leasing of trucks through district offices, any common carrier who anticipates that, within 60 days thereafter, his truck will leave any point empty or partially loaded 5 or more times, shall promptly give written notice thereof to the district office nearest to such point.

* * * * *

§ 501.10 *Interchange of traffic; holding shipments; billing and rates applicable.* * * *

(b) (1) Whenever freight offered to a common carrier by a shipper at a point which is at or near a district office of the Division of Motor Transport for transportation in over-the-road service to a given city, town, or other single point of destination, aggregates or exceeds 10,000 pounds or 500 cubic feet, and whenever freight offered to a common carrier by a shipper at a point which is not at or near such a district office for transportation in over-the-road service to a given city, town, or other single point of destination aggregates or exceeds 20,000 pounds or 1,000 cubic feet, the carrier shall make collection thereof within 24 hours (exclusive of Sunday or legal holiday) after such freight is available for loading; or, if the carrier is unable to collect such freight within the time specified herein, the carrier or his agent shall promptly register the freight in accordance with the provisions of Administrative Order ODT 10 (this issue) with the district office nearest the point at which the freight is available.

(2) No common carrier shall hold, carry over, store, or warehouse any freight at any one station for longer than 36 hours, except when there is no other common carrier by rail, motor, water, or otherwise, capable of transporting the freight consistent with the provisions of this subpart. Whenever any common carrier is unable to transport, divert, or otherwise arrange for the movement of freight within the time specified herein, the carrier or his agent shall promptly register the freight in accordance with the provisions of Administrative Order ODT 10 with the district office nearest the point at which the freight is available.

(3) The provisions of the foregoing subparagraphs (1) and (2) of this paragraph (b) shall not be applicable to any common carrier who regularly operates a semiweekly or weekly service: *Provided*, That such common carrier may register freight in accordance with the provisions of Administrative Order ODT 10 (this issue) with the district office nearest the point at which the freight is available.

This Amendment 5 to General Order ODT 3, Revised, shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3463; Filed, March 10, 1944; 3:48 p. m.]

[General Order ODT 6A, Amdt. 3]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LOCAL CARRIERS OF PROPERTY COLLECTION AND DELIVERY; LOCAL CARTAGE SERVICE

Pursuant to Executive Orders 8989, as amended, and 9156, § 501.25 of General Order ODT 6A, as amended (8 F.R. 8757, 14582), is hereby amended to read as follows:

§ 501.25 *Submission of plans for joint action.* (a) Any two or more local carriers, in order to accomplish any of the purposes of this order, may formulate and submit to the Office of Defense Transportation for consideration, a plan or plans for joint action designed to accomplish such purposes by one or more of the methods described below:

(1) Alternate, stagger, or coordinate schedules or services between two or more points or within any area;

(2) Suspend schedules or service between two or more points or within any area, provided one or more of the participating carriers provides service between those points or within that area;

(3) Reciprocally exchange shipments of property for transportation between two or more points or within any area;

(4) Pool traffic, revenues, or both, between two or more points or within any area;

(5) Jointly load for transportation or operate a motor truck or trucks between two or more points or within any area;

(6) Divert traffic or establish arrangements with other carriers for the interchange of equipment;

(7) Operate joint terminals;

(8) Appoint one of their own number or any other person or carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for and distribute gross or net revenues therefrom;

(9) Pool or interchange manpower when by so doing the collection or delivery of property is facilitated;

(10) Jointly establish or operate a dispatching office or offices, the function of which shall be to obtain and receive information as to the availability of equipment and traffic and to route traffic and dispatch equipment when so doing will accomplish any of the purposes of General Order ODT 6A, as amended;

(11) Adopt operating rules or practices by which:

(i) A time will be established earlier than 3:00 p. m. during any calendar day after which no collection or delivery, the order for which is received after that time, will be made during such day;

(ii) A time will be established during any calendar day before or after which, during such day, property will not be accepted, collected or delivered;

(iii) The collection or delivery of property, which is once afforded and refused after advance notice, will be restricted;

(iv) Before attempting collection or delivery, definite arrangements will be made to assure the prompt completion thereof upon arrival of a motor truck for that purpose;

(v) Limitations on the frequency of collections or deliveries will be established;

(vi) Limitations will be established in respect of the marking, tagging, packing or unpacking, consolidation, separation, stacking or checking by the carriers of property which is the subject of collection or delivery;

(vii) Zones will be established for the purpose of utilizing any one or more of such operating rules or practices: *Provided, however*, That each such rule or practice adopted shall be administered fairly and without discrimination.

Provided, That General Order ODT 6A, as amended, shall not be construed to authorize any local carrier or carriers to utilize any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or other authorized regulatory body.

(b) Any person having property for collection or delivery is requested and authorized to participate with local carriers in the formulation and submission of plans for joint action which are designed to accomplish the purposes of this order by one or more of the methods described in paragraph (a) of this § 501.25.

(c) Whenever two or more local carriers are directed in writing so to do by the Director, Division of Motor Transport, Office of Defense Transportation, such carriers shall meet, or cause their representatives to meet, for the purpose of formulating a plan or plans for joint action designed to accomplish any of the purposes of this order by one or more of the methods described in paragraph (a) of this § 501.25; and, when so directed, those carriers, within such time as may be fixed by that Director, shall submit to the Office of Defense Transportation any plan for joint action so formulated, or a statement setting forth the reasons why no plan for joint action has been formulated and submitted by them.

(d) Each plan for joint action submitted in accordance with the provisions of this § 501.25 shall be in writing, signed by each participant, and should state: (1) the full legal name, address and operating authority, if any, of each participant; (2) the territory or routes involved; (3) the specific method or methods of joint action to be used; (4) the practical application of these methods to the particular operations of the participants; (5) an estimate and explanation of the conservation to be accomplished; (6) the effect, if any, of the proposed joint action on the maintenance of adequate transportation service; and (7) the name and address of a person to whom communications in respect of the plan may be sent.

(e) The provisions of any order of the Office of Defense Transportation, heretofore issued and in effect or hereafter issued, directing the effectuation of a plan for joint action submitted pursuant to this § 501.25 shall be binding upon any successor in interest to any carrier named in the order. Upon a transfer of any operation involved in any such order, the successor in interest and the other carriers named in the order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer, and, unless and until otherwise ordered, the successor in interest shall perform the functions of its predecessor in accordance with the provisions of the order.

This Amendment 2 to General Order ODT 6A shall become effective on March 13, 1944.

NOTE: The recording and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 8989, as amended, 9156; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349)

Issued at Washington, D. C., this 13th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3510; Filed, March 13, 1944; 10:05 a. m.]

[General Order ODT 13, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

ESTABLISHMENT OF JOINT INFORMATION OFFICES

Pursuant to Executive Orders 8989, as amended, and 9156, *It is hereby ordered*, That General Order ODT 13, as amended (7 F.R. 5066, 5678), be, and it hereby is, revoked.

This revocation shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3465; Filed, March 10, 1944; 3:48 p. m.]

[Gen. Order ODT 17, Amdt. 7]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, paragraph (a) of § 501.69 of General Order ODT 17, as amended (7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750, 14582), is hereby amended by adding a new subparagraph designated (2a); subparagraph (5) of paragraph (a) of said § 501.69 is hereby revoked and subparagraphs (1) and (2) of paragraph (a) of said § 501.69 are hereby amended to read as follows:

§ 501.69 *Loading and operating requirements.* (a) No motor carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) A motor truck may be operated empty or partially laden on a portion of any route, if the truck is loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and if the carrier complies with the requirements of subparagraph (2) next following.

(2) Prior to the departure of an empty truck from any point, the carrier shall endeavor in good faith to lease the truck to another carrier or to a motor common carrier, consistent with any prior commitments involving the use of the truck, in the following manner:

(i) If the point of departure is not at or near a district office of the Division of Motor Transport, the carrier shall make appropriate inquiry of other carriers and motor common carriers, at their offices or terminals at such point, and shall lease the truck to any such carrier who will utilize it to transport freight to or toward the destination point of the truck;

(ii) If the point of departure is at or near a district office of the Division of Motor Transport, the carrier shall register the truck with such district office, and shall lease the truck to any carrier or motor common carrier for the transportation of freight registered with the district office for transportation to, toward, or beyond the destination point of the truck. The truck shall not leave such point of departure empty unless there is in force with respect thereto clearance authority issued by the Office of Defense Transportation in accordance with the provisions of Administrative Order ODT 10. For the purpose of subdivisions (i) and (ii) of this subparagraph (2) a point shall be deemed to be at or near a district office when the point is within a municipality or urban community in which a district office is located, or within 25 air miles from the boundary thereof, or within any municipality or urban community contiguous thereto.

(iii) In leasing the truck, the lessee shall utilize the services of the driver regularly employed by the lessor in connection with its operation. The services of such driver, or any helper, shall be utilized without transfer of either to the lessee's payroll and, in so utilizing the truck, the lessee shall assume direction and control thereof, and full responsibility to the public, shippers, and consignees for its operation, and shall display prominently on both sides of the vehicle the lessee's name and address, preceded by the words "Operated by," and the number of any operating certificate or permit held by the lessee; and if the lessee is a private carrier, the truck shall be so utilized for the transportation of property only to a point to which, or in an area within which, the lessee ordinarily operates motor trucks, and only when, except for such utilization, the lessee would have used his own truck for that transportation.

(iv) In order to facilitat the leasing of trucks through district offices, any motor carrier who anticipates that, within 60 days thereafter, his truck will leave any point empty 5 or more times, shall promptly give written notice thereof to the district office nearest to such point.

(2a) The exceptions and provisions contained in subparagraphs (1) and (2) of this paragraph (a) of § 501.69 shall not be applicable to any person who is engaged in the business of furnishing, under lease or other arrangement, a motor truck or motor trucks together with a driver or drivers to others for operation by the lessee in common, contract, or private carrier over-the-road service, but such motor truck or motor trucks, when not being utilized by a common, contract, or private carrier, shall not be operated in over-the-road service. The operation of any such truck or trucks, while under lease or other arrangement, by a common, contract, or private carrier shall be deemed to be the operation of the lessee and, as such, subject to all orders of the Office of Defense Transportation pertaining to the operations of the lessee.

Subparagraph (5) of paragraph (a) of § 501.69 shall be revoked, and this Amendment 7 to General Order ODT 17 shall become effective, on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3466; Filed, March 10, 1944; 3:48 p. m.]

[Administrative Order ODT 10]

PART 503—ADMINISTRATION

REGISTRATION OF FREIGHT AND EMPTY AND PARTIALLY LOADED VEHICLES

General outline. Under circumstances specified in General Order ODT 3, Revised, as amended, common carriers are required to register with a district office empty or partially loaded trucks, and freight which cannot be moved within a limited time. Under circumstances specified in General Order ODT 17, as amended, private and contract carriers are required to register empty trucks with a district office. Copies of the relevant provisions of those general orders are attached to this order for ready reference.

This administrative order prescribes procedure for such registration, and specifies the information to be submitted. It also permits contract carriers to register freight.

To the extent necessary to avoid operation of empty or partially loaded trucks in over-the-road service, the district manager is authorized to direct that a registered truck shall be used for a specific movement of freight, or that an empty truck shall be leased to a carrier for the transportation of freight, or, if such arrangements are not feasible, to issue clearance authority, permitting departure of the empty or partially loaded truck from the point of registration.

This authority, for single or repeated departures, will be issued under circumstances specified in the order.

A common carrier registering an empty or partially loaded truck may be required to accept and transport registered freight, or, if the registered truck is empty, may be required to lease it to a contract carrier or to another common carrier.

Private and contract carriers are not required to register, or to obtain clearance authority for, partially loaded trucks. Such carriers must register empty trucks only, and may be required to lease such trucks to other carriers.

The district manager is authorized to direct, without discrimination, preference, or partiality, that registered freight be transported by a specified common carrier or that the carrier registering the freight shall lease an empty registered truck and use it for transportation of the registered freight.

Whenever, for the purpose of complying with orders of the Office of Defense Transportation, the truck is leased together with the services of the driver or helper regularly employed thereon, without transfer of either to the lessee's payroll, a prescribed standard form of lease must be used, and the terms and conditions under which the truck is leased will be governed by the provisions of the prescribed standard form. The carriers may agree on the amount of compensation to be paid for such leasing. Except as otherwise agreed, the compensation shall be computed in accordance with schedules prescribed by the Office of Defense Transportation. If either carrier believes that the compensation computed in accordance with the prescribed schedules is inequitable, both carriers nevertheless shall promptly comply with the district manager's direction, but either carrier may apply to any duly authorized tribunal for the determination of compensation or may appeal to the Office of Defense Transportation for such determination. Pending such determination, provisional settlement, on the basis of the prescribed schedule, is required.

This general outline shall not be construed to alter the meaning of any provision of this order.

The text of Administrative Order ODT 10 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to regulate registration of empty and partially loaded trucks and of freight available for transportation, pursuant to the provisions of General Order ODT 3, Revised, as amended, and General Order ODT 17, as amended, and in order to reduce operation of empty or partially loaded trucks in over-the-road service, it is hereby ordered, that:

Sec.

503.270 Registration of truck; information required.
503.271 Registration of freight; information required.
503.272 Registration of freight by contract carrier.
503.273 Withdrawal of registration.
503.274 Use of information registered.
503.275 Authority of district manager.
503.276 Issuance of clearance authority.
503.277 Issuance of general clearance authority.
503.278 Lease of vehicle; form; compensation.
503.279 Compliance by carriers.
503.280 Determination of compensation; appeals.
503.281 Applicability.
503.282 Definitions.
503.283 Communications.

AUTHORITY: §§ 503.270 through 503.283, issued under Act of May 31, 1941, as amended by Second War Powers Act, 1942, 56 Stat. L. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 9214, 9294, 7 F.R. 3349, 9097, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834; Gen. Ord. ODT 3, Rev., as amended, 7 F.R. 5445, 6689, 7694, 8 F.R. 4690, 14582, 9 F.R. 947, and this issue; Gen. Ord. ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 8278, 12750, 14582, and this issue.

§ 503.270 *Registration of truck; information required.* Every carrier, in registering an empty or partially loaded truck in compliance with General Order ODT 3, Revised, as amended, or General Order ODT 17, as amended, shall submit to the district office by telephone, telegraph, or in person, the following information:

(a) The place at which the person submitting the information may be reached;

(b) The name and address of the owner, lessee, or operator of the truck;

(c) The kind of carrier operating the truck, specifying whether common, contract, or private;

(d) The type of equipment, type of body, and the payload capacity thereof by weight and volume;

(e) The weight or volume and the nature of freight and dunnage, if any, loaded on the truck;

(f) The point and time at which the truck will be available for loading;

(g) The destination of the truck; and

(h) The Certificate of War Necessity number, license plate number, and the State in which the truck is registered.

§ 503.271 *Registration of freight; information required.* Every common carrier, in registering freight in compliance with General Order ODT 3, Revised, as amended, shall submit to the district office by telephone, telegraph, or in person, the following information:

(a) The name and address of the carrier submitting the information;

(b) The name of the shipper, the location of the freight, and the time when the freight will be ready for loading;

(c) The commodity or the nature of the freight to be transported;

(d) The weight or volume of the freight; and

(e) The destination of the freight.

§ 503.272 *Registration of freight by contract carrier.* Any contract carrier may register with a district office, in the manner provided in § 503.271 of this order, any freight available for transportation in over-the-road service which is controlled by or in the possession of or on order to such carrier.

§ 503.273 *Withdrawal of registration.* If, after registration, any truck or freight becomes unavailable for the purpose for which it was registered, the registering carrier forthwith shall notify the district office thereof and of the reasons therefor, and thereupon the registration shall be cancelled.

§ 503.274 *Use of information registered.* Information registered pursuant to this order shall be used by the district manager, as provided in §§ 503.275 and 503.276 of this order, without discrimination, preference, or partiality.

§ 503.275 *Authority of district manager.* (a) Upon registration of a truck or freight by a carrier pursuant to this order, the district manager, to the extent necessary to avoid operation of empty or partially loaded trucks in over-the-road service, may:

(1) In respect of an empty or partially loaded truck registered by a common carrier, direct that the truck be used in a specific movement for the transportation of designated freight;

(2) In respect of an empty truck registered by any type of carrier, direct that the truck be leased to a common or contract carrier for the transportation of registered freight;

(3) In respect of registered freight, (i) direct that it be transported by a specified common carrier which has registered a truck, or (ii) direct that the carrier registering the freight shall lease from a carrier a designated registered truck and use the truck for the transportation of such freight; or

(4) Issue clearance authority as provided in § 503.276 of this order.

(b) The district manager shall not direct a carrier to transport in any truck more than a capacity load or direct the transportation of freight in any truck unsuitable or inadequate for such transportation.

(c) The district manager shall not direct a common carrier to perform any transportation service which it is not authorized to perform.

(d) The district manager shall not direct a common carrier to transport freight, or direct any carrier to lease a truck for transportation of freight, beyond the registered destination of the truck, or to any point off the route that the truck otherwise would have traveled, unless:

(1) The distance travelled by reason of complying with such direction will not exceed by more than 25% the distance the truck otherwise would have travelled to reach its registered destination, and

(2) The truck will be laden with 50% or more of a capacity load for 75% or more of the distance travelled.

(e) The district manager shall give to any private carrier who inquires therefor information as to empty trucks registered by private or contract carriers.

§ 503.276 *Issuance of clearance authority.* (a) Subject to the provisions of § 503.275 of this order, clearance authority shall be issued by the district manager, in respect of a registered truck:

(1) To a common carrier (i) when the carrier has accepted for transportation all freight that the district manager has directed the carrier to transport, or (ii) when there is no registered freight which the district manager is authorized to direct the carrier to transport, and, if the truck is moving empty, there is no registered carrier to which the district manager is authorized to direct that the truck be leased.

(2) To a private or contract carrier, if there is no registered carrier to which the district manager is authorized to direct that the truck be leased.

(b) The issuance of clearance authority shall be evidenced by a clearance number, which shall be assigned by the district manager in respect of the registered truck at the time of issuance thereof, and shall authorize the movement of the truck to a specified point without further inquiry or registration. The clearance number may be given to the carrier, or to the carrier's representative, in person or by telephone or telegraph.

§ 503.277 *Issuance of general clearance authority.* Whenever it appears to a district manager that a truck will repeatedly depart from any point under circumstances that will warrant issuance of separate clearance authorities under the provisions of § 503.276 of this order, the district manager may issue written general clearance authority, in lieu of such separate clearance authorities, and may limit the period of effectiveness of, or at any time revoke, such general clearance authority.

§ 503.278 *Lease of vehicle; form; compensation.* (a) Whenever, for the purpose of complying with any order of the Office of Defense Transportation, a truck is leased, together with the services of a driver or helper, without transfer of either to the lessee's payroll, a written lease shall be executed by the carriers in the form hereby prescribed therefor, as reproduced in Appendix 1 hereof: *Provided*, That, where the circumstances permit and the carriers agree, a multiple trip lease substantially in the form herein prescribed, may be executed by the carriers. The leasing of the truck shall be subject to all of the terms and conditions specified in such form of lease. Upon agreement of both carriers, additional terms and conditions, not in conflict with the prescribed terms and conditions, may be included in the lease.

(b) One copy of the lease shall be carried in the truck throughout the period of utilization, and one copy shall be mailed by the lessee, postage prepaid, to the district office in the district in which the transportation begins, within 24 hours after its execution.

(c) Except as may be otherwise provided in the lease agreement between the carriers, the amount of compensation to be paid to the lessor of a truck by the lessee, when the leasing is effected under the circumstances set forth in paragraph (a) of this § 503.278, shall be computed in accordance with schedules governing such compensation hereby prescribed therefor, as reproduced in Appendix 2 hereof, and in effect in the district in which the transportation begins. Such schedules, in so far as they relate to transportation beginning in each district, shall be on file and available for public inspection in each district office.

§ 503.279 *Compliance by carriers.* Whenever either carrier believes that the amount of compensation computed in accordance with the prescribed schedules is inequitable, both carriers nevertheless shall comply promptly with any direction issued by the district manager in accordance with this order, and the lessee shall pay to the lessor, upon termination of the lease, or at such other time as may have been agreed upon, the amount computed by the lessee to be payable under the applicable prescribed schedules. Such payment may be made and received without prejudice to a determination of the amount of compensation by any duly authorized tribunal, or by the Office of Defense Transportation upon appeal of either carrier for such determination in accordance with § 503.280 of this order.

§ 503.280 *Determination of compensation; appeals.* (a) Any appeal for determination of compensation filed pursuant to § 503.279 of this order shall be in writing, shall be filed, within 10 days after expiration of the lease, with the district manager of the district in which transportation under the lease began, and shall state the reasons why the compensation paid or received is claimed to be inequitable. The carrier filing the appeal shall serve a copy thereof forthwith upon the other carrier by registered mail, at the latter's address shown in the lease. Upon receipt of the appeal the district manager shall forward the appeal, and all papers in his possession relating thereto, to the regional director of the region in which such district is located. Within a time limited by the regional director, the carriers may submit any written evidence, briefs, or arguments deemed relevant to the appeal. The regional director shall render a decision in writing, determining the amount of compensation payable, as the facts may warrant, and shall serve a copy of his decision upon the carriers by registered mail at their addresses shown in the lease.

(b) Within 10 days after the mailing of a copy of the regional director's decision, either carrier may file with the regional director a written appeal to the Director of the Office of Defense Transportation, Washington 25, D. C., which shall state the reasons why the decision should be changed. Upon receipt of the appeal, the regional director shall forward the appeal, and all papers in his possession relating to the matter to be reviewed, to the Director of the Office of Defense Transportation, who will affirm, increase or reduce the amount of compensation determined by the regional director, as the facts appearing in the record may warrant, and will notify the carriers thereof.

§ 503.281 *Applicability.* The provisions of this order shall be applicable only in the continental United States.

§ 503.282 *Definitions.* As used in this order, the term: (a) "Truck" means either (1) a straight truck, (2) a combination truck-tractor and semitrailer, (3) a full trailer, (4) or any combination thereof, (5) or any other rubber-tired vehicle propelled or drawn by mechanical power when used in the transportation of property, other than a vehicle engaged primarily in the transportation of persons.

(b) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political governmental or legal entity.

(c) "Common carrier" means any person which holds itself out to engage in the transportation of property for the general public in over-the-road service by truck for compensation, regardless of the designation of such person under any federal or state statute.

(d) "Contract carrier" means any person other than a common carrier which engages in the transportation of property by truck in over-the-road service for compensation, regardless of the designation of such person under any federal or state statute.

(e) "Private carrier" means any person, other than a common carrier or a contract carrier, which engages in the transportation of property by truck in over-the-road service, regardless of the designation of such person under any federal or state statute.

(f) "Carrier," unless otherwise indicated by the context, includes common carriers, contract carriers and private carriers.

(g) "Over-the-road service" means all operations of a truck except (1) those within an area which includes any municipality or urban community and a zone extending 25 air miles from the boundaries thereof; (2) those within and between contiguous municipalities or urban communities; and (3) those not more than 25 miles in length.

(h) "Capacity load" has the meaning specified for that term in § 501.4 (g) of General Order ODT 3, Revised, as amended, and in § 501.65 (h) of General Order ODT 17, as amended.

(i) "District" and "region" mean, respectively, a district and region of the Division of Motor Transport of the Office of Defense Transportation as described in Administrative Order ODT 6 (8 F.R. 13194).

(j) "District Office" shall include any branch thereof.

(k) "District Manager" means the manager of a district.

(l) "Regional Director" means a director of a region.

(m) "Continental United States" means the 48 states and the District of Columbia.

§ 503.283 *Communications.* Communications concerning this order should refer to "Administrative Order ODT 10," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective on March 27, 1944.

NOTE: The reporting and recording requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

TRIP LEASE OF TRUCK

1. This trip lease is executed in compliance with orders of the Office of Defense Transportation pertaining to the leasing of empty trucks.

2. The lessor, _____ (name)

_____ (business address)

represents that in the course of normal operation lessor intends to operate the truck described below from _____ (city and state) to _____ (city and state) on _____ (date)

as a _____ (common, contract, or private) carrier, and that, except for this lease, the truck described below would move empty from _____ (city and state) to _____ (city and state)

3. The lessee, _____ (name)

_____ (business address)

represents that lessee is a _____ (common, contract, or private) carrier.

4. The term of this lease shall be the duration of one single trip from _____ (city and state) to _____ (city and state) via highway _____

5. The following is a description of the truck covered by this lease:

(a) Truck or tractor No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____

(b) Semi-trailer No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____

(c) Full trailer No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____

6. During the term of this lease the leased truck shall be operated only by the driver named _____. Such driver, and any helper furnished by the lessor, shall remain on lessor's payroll.

7. Unless otherwise agreed herein, the leased truck shall not be operated for the purpose of making more than one collection and one delivery of freight transported in line-haul operation of the truck.

8. The compensation to be paid to the lessor by the lessee for the leasing of the truck and for the services of the driver named in paragraph 6 shall be paid upon termination of this lease, unless otherwise agreed herein, and shall be computed as follows:

(a) [*Here insert details of compensation, including time of payment, if and as agreed upon between the carriers, or, if not agreed upon, specify the method or means to be used in computing or determining compensation.*]

(b) If no agreed amount, or means or method of computing or determining the amount, of compensation is specified in subparagraph (a) next preceding, the compensation under this lease shall be computed in accordance with the schedule of compensation prescribed by the Office of Defense Transportation and in effect in the district of the Division of Motor Transport in which transportation under this lease begins, or shall be as finally determined by the Office of Defense Transportation upon application by either carrier, in accordance with Administrative Order ODT 10.

(c) In computing compensation for excess time, if any, during which the leased truck is held at destination for unloading, the hours between _____ o'clock ... M. on _____ (date) and _____ o'clock ... M. on _____ (date) shall not be included.

9. This lease is executed in triplicate.

10. The lessor and lessee hereby agree to all of the terms, conditions, and representations set forth in this lease, including those appearing on the reverse side hereof.

_____ Lessor

By _____ Agent

_____ Lessee

By _____ Agent

Date _____ Time _____

ADDITIONAL TERMS, CONDITIONS AND REPRESENTATIONS

(To be reproduced on reverse side of lease)

A. The lessee, upon completion of the loading of the vehicle, shall furnish lessor with documentary evidence of the weight or volume of the freight loaded thereon.

B. The lessee shall assume direction and control of the leased vehicle and full responsibility to the public, shippers, and consignees, for its operation. The lessee shall also display prominently on both sides of the leased vehicle (on tractor only, where tractor-trailer is involved) the name of the lessee preceded by the words "Operated by," and the number of any operating certificate or permit held by the lessee.

C. The lessee shall pay only such tolls, ferry charges, state fees, and fines as are directly attributable to the transportation of lessee's freight in the leased vehicle.

D. The lessee, if a private carrier, represents that the leased vehicle is to be utilized for the transportation of property only to a point to which, or in an area within which, the lessee ordinarily operates motor trucks, and that, except for such utilization, the lessee would have used his own truck for the transportation to be performed hereunder in the leased vehicle.

E. The lessor, during the term of this lease, shall be responsible for the maintenance, service, and repair of the leased vehicle, and shall provide motor fuel, oil, tires, and other equipment necessary to operate the vehicle.

F. The lessor, during the term of this lease, shall be responsible for the deduction and payment of all payroll deductions, tax withholdings, taxes, assessments, premiums, and other payments, due by reason of the payment of wages or other earnings to the driver or any helper utilized in the operation of the leased vehicle without transfer to the lessee's payroll.

G. The lessor's copy of this lease shall be carried in the leased vehicle throughout the period of utilization, one copy shall be retained by the lessee, and one copy shall be mailed by the lessee, postage prepaid, within 24 hours after its execution, to the district office in the district of the Division of Motor Transport, Office of Defense Transportation, in which transportation under the lease is to begin.

H. Other terms, conditions, and representations, not inconsistent with the foregoing:

APPENDIX 2

SCHEDULES AND RULES AND REGULATIONS GOVERNING COMPENSATION FOR TRIP LEASES OF TRUCKS

Rule 1. *General application.* Schedules 1 to 9, inclusive, are to be used in determining the compensation for the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when and if the lessor and lessee are unable to agree as to the amount of compensation to be paid the lessor by the lessee for the use of the truck.

Rule 2. *Territorial application.* Schedule 1 applies to the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Region 1 of the Division of Motor Transport, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6.

Schedules 2, 3, 4, 5, 6, 7, 8, and 9 apply in like manner to the use of a truck leased under the circumstances set forth in paragraph (a) of §503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Regions 2, 3, 4, 5, 6, 7, 8, and 9, respectively, of the Division of Motor Transport, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6, subject to the following exceptions:

(a) When the use of such leased truck begins at any point within Region 7 and terminates, under the provisions of the trip lease, at a point located in Region 8, Schedule 8 shall apply, and when such termination point is located in Region 9, Schedule 9 shall apply;

(b) When the use of such leased truck begins at a point within the Denver, Colorado; Pueblo, Colorado; Billings, Montana; Casper, Wyoming; or Cheyenne, Wyoming, districts of Region 8 of the Division of Motor Transport, as described in Appendix 8 to Administrative Order ODT 6, and terminates, under the provisions of the trip lease, at a point located in Region 8, Schedule 8 shall apply, and when such termination point is located in Region 6, Schedule 6 shall apply.

Rule 3. *Monetary application of schedules.* Schedules 1 to 9, inclusive, specify compensation per mile for indicated weights and distances.

Rule 4. *Loading and unloading time.* Schedules 1 to 9, inclusive, include compensation for a period not to exceed two hours for waiting and loading at point of origin, and not to exceed two hours for waiting and unloading at point of destination.

Rule 5. *Excess time.* All time in excess of two hours at either origin or destination point, whether consumed in waiting, loading or unloading, shall be considered as excess time. The lessor shall receive compensation from the lessee for such excess time at the hourly rate prevailing for the driver in line-haul operation.

If the lessee specifies a time and point for loading, and if, at the specified time, lessor's truck is at the designated point and ready to load, excess time shall start two hours after the time specified; if, at the specified time, lessor's truck is not at the designated point and ready to load, excess time shall start two hours after lessor's truck arrives at the designated point and is ready to load. If the lessee does not specify a time, then the excess time shall start two hours after the lessor's truck arrives at the designated point and is ready for loading.

Excess time at point of destination shall start two hours after the time the leased truck arrives at the point of destination, unless otherwise specified in the lease.

Rule 6. *Excess mileage.* When a leased truck is operated for the purpose of effecting collection or delivery of freight transported or to be transported in the leased truck in line-haul operation, the lessor shall be compensated for any excess mileage so operated at the same compensation per mile applicable to the distance the leased truck travels in line-haul operation.

Rule 7. *Method of determining weight.* Weight shall be determined in nearest tons, a fraction of one-half or greater shall be treated as one ton; a fraction of less than one-half shall be disregarded. Volume shipments shall be converted to tons. For the purpose of that conversion, a cubic foot of space occupied by the freight shall be deemed to equal 20 pounds of freight by weight.

Rule 8. *Method of determining distance.* The distance to be used in computing the compensation under Rule 10 for line-haul operation shall be the distance shown in the current edition of the Rand-McNally Atlas of the United States, Canada and Mexico between the points, and via the routes, specified in the lease.

Rule 9. *Definitions.* As used in this Appendix 2 the term:

(a) "Ton" means two thousand pounds.

(b) "Line-haul operation" means the use of a truck while leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, and operated between the points and via the routes specified in the lease.

(c) "Volume shipment" means freight weighing less than 20 pounds per cubic foot of space occupied.

Rule 10. *Method of determining line-haul compensation.*

First: Determine the applicable weight in accordance with Rule 7.

Example: The freight to be transported weighs nine thousand pounds. By Rule 7, nine thousand pounds will be regarded as 5 tons.

Second: Determine the applicable distance in accordance with Rule 8.

Example: The leased truck is operated by the lessee from point A to point B. The map distance between those points, via the routes specified in the lease, is 140 miles. The distance actually traveled in line-haul operation is 143 miles. The line-haul distance for which compensation is payable is 140 miles.

Third: If the distance found by applying Rule 8 appears in the "Line Haul Miles Traveled" column of the Schedule, the compensation is determined by multiplying the distance by the *compensation per mile* specified in the applicable "Ton Load" column of the Schedule.

Example: The line-haul distance found under Rule 8 is 140 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for the line-haul operation is 140×$0.151, or $21.14.

Fourth: If the distance found by applying Rule 8 does not appear in the "Line Haul Miles Traveled" column of the Schedule, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for the next lower distance appearing in the "Line Haul Miles Traveled" column: *Provided,* That the compensation payable shall in no event exceed the compensation payable for the same weight at the next higher distance appearing in the "Line Haul Miles Traveled" column.

Example: The line-haul distance found under Rule 8 is 146 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for the line-haul operation is 146×$0.151, or $22.05.

Using the same weight, but increasing the map distance to 152 miles, the computed compensation for 152 line-haul miles at $0.151 would be $22.95. Because that sum exceeds the compensation payable for 160 line-haul miles which is the next higher distance shown in Schedule 1 (160×$0.139, or $22.24) the compensation payable under Schedule 1 for 152 line-haul miles is $22.24.

Fifth: If the distance found by applying Rule 8 is less than 50 miles, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for a line haul of 50 miles.

Example: The line-haul distance found under Rule 8 is 40 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for line-haul operation is 40×$0.286, or $11.44.

Sixth: If, *under Schedule 1,* the distance found by applying Rule 8 is more than four hundred miles, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for a line-haul of four hundred miles.

Example: The line-haul distance found under Rule 8 is 439 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for line-haul operation is 439 x $.063 or $36.44.

SCHEDULE NO. 1—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 1

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50	.....	.....	0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60	.....	.....	.203	.228	.253	.279	.304	.329	.355	.380
70	.....	.....	.184	.207	.230	.253	.276	.299	.322	.345
80	.....	.....	.170	.191	.213	.234	.255	.276	.298	.319
90	.....	.....	.159	.179	.199	.219	.239	.259	.279	.299
100	.....	.....	.151	.170	.189	.208	.227	.246	.264	.283
120	.....	.....	.133	.150	.167	.183	.200	.217	.233	.250
140	.....	.....	.121	.136	.151	.166	.181	.196	.211	.226
160	.....	.....	.111	.125	.139	.153	.166	.180	.194	.208
180	.....	.....	.103	.116	.129	.142	.155	.168	.181	.194
200	.....	.....	.098	.110	.122	.134	.146	.159	.171	.183
220	.....	.....	.092	.104	.115	.127	.138	.150	.162	.173
240	.....	.....	.087	.098	.109	.120	.131	.142	.153	.164
260	.....	.....	.084	.094	.105	.115	.126	.136	.146	.157
280	.....	.....	.081	.091	.101	.111	.121	.131	.141	.151
300	.....	.....	.078	.088	.097	.107	.117	.127	.136	.146
320	.....	.....	.075	.085	.094	.103	.113	.122	.132	.141
340	.....	.....	.073	.082	.091	.100	.109	.118	.127	.136
360	.....	.....	.070	.079	.088	.097	.106	.114	.123	.132
380	.....	.....	.068	.077	.085	.094	.102	.111	.119	.128
400 and over	.....	.....	.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 2—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 2

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50	.....	.....	0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60	.....	.....	.203	.228	.253	.279	.304	.329	.355	.380
70	.....	.....	.184	.207	.230	.253	.276	.299	.322	.345
80	.....	.....	.170	.191	.213	.234	.255	.276	.298	.319
90	.....	.....	.159	.179	.199	.219	.239	.259	.279	.299
100	.....	.....	.151	.170	.189	.208	.227	.246	.264	.283
120	.....	.....	.133	.150	.167	.183	.200	.217	.233	.250
140	.....	.....	.121	.136	.151	.166	.181	.196	.211	.226
160	.....	.....	.111	.125	.139	.153	.166	.180	.194	.208
180	.....	.....	.103	.116	.129	.142	.155	.168	.181	.194
200	.....	.....	.098	.110	.122	.134	.146	.159	.171	.183
220	.....	.....	.092	.104	.115	.127	.138	.150	.162	.173
240	.....	.....	.087	.098	.109	.120	.131	.142	.153	.164
260	.....	.....	.084	.094	.105	.115	.126	.136	.146	.157
280	.....	.....	.081	.091	.101	.111	.121	.131	.141	.151
300	.....	.....	.078	.088	.097	.107	.117	.127	.136	.146
320	.....	.....	.075	.085	.094	.103	.113	.122	.132	.141
340	.....	.....	.073	.082	.091	.100	.109	.118	.127	.136
360	.....	.....	.070	.079	.088	.097	.106	.114	.123	.132
380	.....	.....	.068	.077	.085	.094	.102	.111	.119	.128
400 and over	.....	.....	.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

(date)

any point within Region 1 of the Division

fied in the lease.

SCHEDULE No. 3—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 3

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.203	.228	.253	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.213	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.109	.120	.131	.142	.153	.164	.175
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.406	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.332	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE No. 4—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 4

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.207	0.233	0.259	0.285	0.311	0.336	0.362	0.388
60			.183	.206	.229	.252	.275	.298	.321	.344
70			.166	.187	.208	.229	.249	.270	.291	.312
80			.154	.174	.193	.212	.231	.251	.270	.289
90			.144	.162	.180	.198	.216	.234	.252	.270
100			.136	.153	.171	.188	.205	.222	.239	.256
120			.120	.135	.151	.166	.181	.196	.211	.226
140			.109	.123	.136	.150	.163	.177	.190	.204
160			.100	.113	.125	.138	.150	.163	.175	.188
180			.093	.105	.117	.128	.140	.152	.163	.175
200			.088	.099	.110	.121	.132	.143	.154	.165
220			.083	.094	.104	.114	.125	.135	.146	.156
240			.080	.089	.099	.109	.119	.129	.139	.149
260			.076	.085	.094	.104	.114	.123	.133	.142
280			.073	.082	.091	.100	.110	.119	.128	.137
300			.070	.079	.088	.097	.106	.114	.123	.132
320			.068	.076	.085	.093	.102	.110	.119	.127
340			.066	.074	.082	.090	.098	.107	.115	.123
360			.063	.071	.079	.087	.095	.103	.111	.119
380			.062	.070	.077	.085	.093	.101	.108	.116
400 and over			.060	.068	.075	.083	.090	.098	.105	.113

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.414	0.440	0.465	0.491	0.517	0.543	0.568	0.594	0.620	0.646
60	.367	.390	.413	.436	.459	.482	.505	.528	.551	.574
70	.332	.354	.375	.395	.416	.437	.458	.479	.500	.521
80	.306	.328	.347	.366	.385	.405	.424	.443	.462	.482
90	.288	.306	.324	.342	.360	.378	.396	.414	.432	.450
100	.273	.290	.307	.324	.342	.359	.376	.393	.410	.427
120	.241	.256	.271	.286	.301	.316	.332	.347	.362	.377
140	.218	.231	.245	.258	.272	.285	.299	.313	.326	.340
160	.201	.213	.226	.238	.251	.263	.276	.289	.301	.314
180	.187	.198	.210	.222	.233	.245	.257	.268	.280	.292
200	.176	.187	.198	.209	.220	.231	.242	.253	.264	.275
220	.166	.177	.187	.198	.208	.218	.229	.239	.250	.260
240	.159	.169	.179	.189	.199	.209	.220	.230	.241	.251
260	.151	.161	.170	.180	.189	.199	.209	.218	.228	.237
280	.146	.155	.164	.174	.183	.192	.201	.211	.220	.229
300	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
320	.135	.144	.152	.161	.169	.178	.186	.195	.203	.212
340	.131	.139	.148	.156	.164	.172	.180	.189	.197	.205
360	.127	.135	.143	.151	.159	.167	.175	.183	.191	.198
380	.124	.131	.139	.147	.155	.162	.170	.178	.186	.193
400 and over	.121	.128	.136	.143	.151	.158	.166	.173	.181	.188

SCHEDULE No. 5—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 5

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.207	0.233	0.259	0.285	0.311	0.336	0.362	0.388
60			.183	.206	.229	.252	.275	.298	.321	.344
70			.166	.187	.208	.229	.249	.270	.291	.312
80			.154	.174	.193	.212	.231	.251	.270	.289
90			.144	.162	.180	.198	.216	.234	.252	.270
100			.136	.153	.171	.188	.205	.222	.239	.256
120			.120	.135	.151	.166	.181	.196	.211	.226
140			.109	.123	.136	.150	.163	.177	.190	.204
160			.100	.113	.125	.138	.150	.163	.175	.188
180			.093	.105	.117	.128	.140	.152	.163	.175
200			.088	.099	.110	.121	.132	.143	.154	.165
220			.083	.094	.104	.114	.125	.135	.146	.156
240			.080	.089	.099	.109	.119	.129	.139	.149
260			.076	.085	.094	.104	.114	.123	.133	.142
280			.073	.082	.091	.100	.110	.119	.128	.137
300			.070	.079	.088	.097	.106	.114	.123	.132
320			.068	.076	.085	.093	.102	.110	.119	.127
340			.066	.074	.082	.090	.098	.107	.115	.123
360			.063	.071	.079	.087	.095	.103	.111	.119
380			.062	.070	.077	.085	.093	.101	.108	.116
400 and over			.060	.068	.075	.083	.090	.098	.105	.113

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.414	0.440	0.465	0.491	0.517	0.543	0.569	0.649	0.620	0.646
60	.367	.390	.413	.436	.459	.482	.505	.528	.551	.574
70	.332	.354	.375	.395	.416	.437	.458	.479	.500	.521
80	.306	.328	.347	.366	.385	.405	.424	.443	.462	.482
90	.288	.306	.324	.342	.360	.378	.396	.414	.432	.450
100	.273	.290	.307	.324	.342	.359	.376	.393	.410	.427
120	.241	.256	.271	.286	.301	.316	.332	.347	.362	.377
140	.218	.231	.245	.258	.272	.285	.299	.313	.326	.340
160	.201	.213	.226	.238	.251	.263	.276	.289	.301	.314
180	.187	.198	.210	.222	.233	.245	.257	.268	.280	.292
200	.176	.187	.198	.209	.220	.231	.242	.253	.264	.275
220	.166	.177	.187	.198	.208	.218	.229	.239	.250	.260
240	.159	.169	.179	.189	.199	.209	.220	.230	.241	.251
260	.151	.161	.170	.180	.189	.199	.209	.218	.228	.237
280	.146	.155	.164	.174	.183	.192	.201	.211	.220	.229
300	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
320	.135	.144	.152	.161	.169	.178	.186	.195	.203	.212
340	.131	.139	.148	.156	.164	.172	.180	.189	.197	.205
360	.127	.135	.143	.151	.159	.167	.175	.183	.191	.198
380	.124	.131	.139	.147	.155	.162	.170	.178	.186	.193
400 and over	.121	.128	.136	.143	.151	.158	.166	.173	.181	.188

SCHEDULE No. 6—COMPENSATION PER MILE AT VERTING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 6

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.203	.228	.253	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.213	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.110	.122	.134	.146	.159	.171	.183
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE No. 7—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 7

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.208	.228	.254	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.211	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.110	.122	.134	.146	.159	.171	.183
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.196	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.133	.141	.149	.157	.165	.174	.183	.190	.198	.207

SCHEDULE No. 8—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 8

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.227	0.256	0.284	0.312	0.341	0.369	0.398	0.426
60			.210	.236	.262	.288	.314	.341	.367	.393
70			.197	.222	.246	.271	.296	.321	.345	.370
80			.188	.211	.235	.258	.282	.305	.329	.352
90			.181	.204	.226	.249	.271	.294	.316	.339
100			.175	.197	.219	.240	.262	.284	.306	.328
120			.158	.178	.198	.218	.237	.257	.277	.297
140			.146	.165	.183	.202	.220	.238	.257	.275
160			.138	.156	.173	.190	.207	.225	.242	.259
180			.131	.148	.164	.180	.197	.213	.230	.246
200			.126	.142	.157	.173	.189	.205	.220	.236
220			.120	.135	.151	.166	.181	.196	.211	.226
240			.116	.131	.145	.160	.174	.189	.203	.218
260			.112	.127	.141	.155	.169	.183	.197	.211
280			.109	.123	.137	.150	.164	.178	.191	.205
300			.107	.120	.133	.147	.160	.173	.187	.200
320			.105	.118	.131	.144	.157	.170	.183	.196
340			.102	.115	.127	.140	.153	.166	.178	.191
360			.100	.113	.125	.138	.150	.163	.175	.188
380			.099	.111	.123	.136	.148	.160	.173	.185
400 and over			.097	.109	.121	.134	.146	.158	.170	.182

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.454	0.483	0.511	0.540	0.568	0.596	0.625	0.653	0.682	0.710
60	.419	.445	.471	.498	.524	.550	.576	.602	.628	.655
70	.395	.419	.444	.469	.494	.518	.543	.568	.592	.617
80	.376	.399	.423	.446	.470	.493	.517	.540	.564	.587
90	.362	.384	.407	.429	.452	.474	.497	.519	.542	.565
100	.350	.372	.394	.416	.438	.459	.481	.503	.525	.547
120	.317	.337	.356	.376	.396	.416	.436	.456	.475	.495
140	.293	.312	.330	.348	.367	.385	.403	.422	.440	.459
160	.276	.294	.311	.328	.345	.363	.380	.397	.414	.432
180	.262	.279	.295	.312	.328	.344	.361	.377	.393	.410
200	.252	.268	.283	.299	.315	.331	.346	.362	.378	.394
220	.241	.256	.271	.286	.301	.317	.332	.347	.362	.377
240	.233	.247	.262	.276	.291	.305	.320	.334	.349	.363
260	.225	.239	.253	.267	.281	.295	.310	.324	.338	.352
280	.219	.232	.246	.260	.273	.287	.301	.314	.328	.342
300	.213	.227	.240	.253	.267	.280	.293	.307	.320	.333
320	.209	.222	.235	.248	.261	.274	.287	.301	.314	.327
340	.204	.216	.229	.242	.255	.267	.280	.293	.306	.318
360	.201	.213	.226	.238	.251	.263	.276	.288	.301	.313
380	.197	.210	.222	.234	.247	.259	.271	.284	.296	.308
400 and over	.194	.206	.218	.231	.243	.255	.267	.279	.291	.303

SCHEDULE No. 9—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 9

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.227	0.256	0.284	0.312	0.341	0.369	0.398	0.426
60			.210	.236	.262	.288	.314	.341	.367	.393
70			.197	.222	.246	.271	.296	.321	.345	.370
80			.188	.211	.235	.258	.282	.305	.329	.352
90			.181	.204	.226	.249	.271	.294	.316	.339
100			.175	.197	.219	.240	.262	.284	.306	.328
120			.158	.178	.198	.218	.237	.257	.277	.297
140			.146	.165	.183	.202	.220	.238	.257	.275
160			.138	.156	.173	.190	.207	.225	.242	.259
180			.131	.148	.164	.180	.197	.213	.230	.246
200			.126	.142	.157	.173	.189	.205	.220	.236
220			.120	.136	.151	.166	.181	.196	.211	.226
240			.116	.131	.145	.160	.174	.189	.203	.218
260			.112	.127	.141	.155	.169	.183	.197	.211
280			.109	.123	.137	.150	.164	.178	.191	.205
300			.107	.120	.133	.147	.160	.173	.187	.200
320			.105	.118	.131	.144	.157	.170	.183	.196
340			.102	.115	.127	.140	.153	.166	.178	.191
360			.100	.113	.125	.138	.150	.163	.175	.188
380			.099	.111	.123	.136	.148	.160	.173	.185
400 and over			.097	.109	.121	.134	.146	.158	.170	.182

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.454	0.483	0.511	0.540	0.568	0.596	0.625	0.653	0.682	0.710
60	.419	.445	.471	.498	.524	.550	.576	.602	.628	.655
70	.395	.419	.444	.469	.494	.518	.543	.568	.592	.617
80	.376	.399	.423	.446	.470	.493	.517	.540	.564	.587
90	.362	.384	.407	.429	.452	.474	.497	.519	.542	.565
100	.350	.372	.394	.416	.438	.459	.481	.503	.525	.547
120	.317	.337	.356	.376	.396	.416	.436	.456	.475	.495
140	.293	.312	.330	.348	.367	.385	.403	.422	.440	.459
160	.276	.294	.311	.328	.345	.363	.380	.397	.414	.432
180	.262	.279	.295	.312	.328	.344	.361	.377	.393	.410
200	.252	.268	.283	.299	.315	.331	.346	.362	.378	.394
220	.241	.256	.271	.286	.301	.317	.332	.347	.362	.377
240	.233	.247	.262	.276	.291	.305	.320	.334	.349	.363
260	.225	.239	.253	.267	.281	.295	.310	.324	.338	.352
280	.219	.232	.246	.260	.273	.287	.301	.314	.328	.342
300	.213	.227	.240	.253	.267	.280	.293	.307	.320	.333
320	.209	.222	.235	.248	.261	.274	.287	.301	.314	.327
340	.204	.216	.229	.242	.255	.267	.280	.293	.306	.318
360	.201	.213	.226	.238	.251	.263	.276	.288	.301	.313
380	.197	.210	.222	.234	.247	.259	.271	.284	.296	.308
400 and over	.194	.206	.218	.231	.243	.255	.267	.279	.291	.303

[F. R. Doc. 44-3464; Filed, March 10, 1944; 3:48 p. m.]

Notices

NAVY DEPARTMENT.

LEGAL ASSISTANCE FOR NAVAL PERSONNEL

LOCAL SUPERVISION AND COORDINATION

Paragraph 4 of the instructions relative to the establishment of legal assistance offices in the naval service appearing in the July 14, 1943 issue of the FEDERAL REGISTER (8 F.R. 9631) is amended to read as follows:

4. *Local supervision and coordination.* The district legal officer of each naval district shall, under the direction of the Commandant, exercise general supervision and coordination of all legal assistance offices within the district at activities under the general jurisdiction of the Commandant. Close liaison will also be maintained between the district legal officer and all legal assistance offices at other activities located within the district, for the purpose of coordinating all legal assistance offices. [N. D. Bul. 44-209, Feb. 26, 1944]

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-3538; Filed, March 13, 1944; 11:41 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLORADO-BIG THOMPSON PROJECT, COLO.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JANUARY 10, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Colorado-Big Thompson project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of September 14, 1937, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

COLORADO-BIG THOMPSON PROJECT
SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 79 W.,
Sec. 17, NE¼SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 24, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Colorado-Big Thompson project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 29, 1944.

[F. R. Doc. 44-3512; Filed, March 13, 1944; 10:11 a. m.]

SALT RIVER PROJECT, ARIZ.

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWALS

FEBRUARY 10, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Salt River project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental orders of July 2 and August 26, 1902, December 4, 1908, August 21, 1909, November 7, 1918, October 7, 1920 and November 16, 1921, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

SALT RIVER PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 1 N., R. 1 E.,
Secs. 1 to 15, inclusive;
Secs. 17 and 18;
Sec. 19, N½N½, S½SE¼;
Sec. 20, N½NE¼, W½, S½SE¼;
Secs. 21, 22;
Sec. 23, N½, SW¼;
Sec. 24, NW¼.
T. 2 N., R. 1 E.,
Secs. 1, 2, 3;
Sec. 4, SE¼;
Sec. 9, E½;
Secs. 10 to 15, inclusive;
Sec. 17, SE¼;
Secs. 20 to 29, inclusive;
Sec. 30, E½E½;
Sec. 31, E½;
Secs. 32 to 35, inclusive.

T. 3 N., R. 1 E.,
Sec. 1, W½SW¼, SE¼SW¼;
Sec. 11, E½;
Secs. 12, 13, 14;
Sec. 23, E½;
Secs. 26 to 27, inclusive;
Secs. 34 and 35.
T. 1 N., R. 2 E.,
Secs. 1 to 12, inclusive;
Sec. 14, N½N½;
Sec. 15, N½;
Secs. 17 and 18;
Sec. 19, N½NE¼, NW¼;
Sec. 34, E½NE¼, S½;
Sec. 35.
T. 2 N., R. 2 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.
T. 3 N., R. 2 E.,
Sec. 7, SW¼, W½SE¼, SE¼SE¼;
Sec. 17, SW¼NW¼, SW¼, SW¼SE¼;
Secs. 18, 19, 20;
Sec. 21, SW¼NE¼, W½, SE¼;
Sec. 25, S½;
Sec. 26, SW¼, S½SE¼;
Sec. 27, W½NW¼, SE¼NW¼, S½;
Secs. 28 to 35, inclusive.
T. 1 N., R. 3 E.,
Secs. 1 to 11, inclusive;
Sec. 12, NW¼;
Sec. 25, S½;
Sec. 26, S½;
Sec. 27, S½;
Sec. 28, S½;
Sec. 29, S½;
Sec. 30, S½SE¼;
Secs. 31 to 35, inclusive;
Sec. 36, E½SE¼, SW¼SE¼.
T. 2 N., R. 3 E.,
Sec. 4, S½NW¼SW¼NE¼NW¼, SW¼SW¼NE¼NW¼, NW¼NW¼, S½NW¼, W½NE¼SW¼, W½SW¼, SE¼SW¼, W½SE¼, SE¼SE¼;
Secs. 5 to 9, inclusive;
Sec. 10, W½, W½SE¼;
Sec. 13, SW¼, W½SE¼, SE¼SE¼;
Sec. 14, E½, NE¼NE¼NW¼, W½NE¼NW¼, W½NW¼SE¼NE¼NW¼, SW¼SE¼NE¼NW¼, SE¼SE¼NE¼NW¼, W½NW¼, SE¼NW¼, SW¼;
Sec. 15;
Secs. 17 to 35, inclusive.
T. 3 N., R. 3 E.,
Sec. 30, S½S½;
Secs. 31, 32;
Sec. 33, W½SW¼.
T. 1 N., R. 4 E.,
Sec. 1, N½, N½SW¼, N½SE¼;
Sec. 2;
Sec. 3, E½;
Sec. 4;
Sec. 5, N½;
Sec. 6, N½, N½SW¼;
Sec. 19, S½S½;
Sec. 20, S½;
Sec. 21, S½;
Sec. 22, S½;
Sec. 23, S½;
Sec. 24, S½N½, S½;
Secs. 25 to 30, inclusive;
Sec. 31, N½, N½S½, S½SE¼;
Secs. 32 to 35, inclusive;
Sec. 36, W½, SE¼.
T. 2 N., R. 4 E.,
Sec. 11, E½;
Secs. 12, 13;
Sec. 14, E½, SW¼;
Sec. 18, SW¼SW¼;
Sec. 19, W½, SE¼;
Sec. 22, E½SE¼, SW¼SE¼;
Sec. 23, E½, E½W½, SW¼NW¼, W½SW¼;
Secs. 24 to 31 inclusive;
Sec. 32, N½, SW¼;
Sec. 33, S½N½, SE¼;
Sec. 34, E½;
Secs. 35, 36.

T. 1 N., R. 5 E.,
Sec. 1, E½, NW¼, N½SW¼, SE¼SW¼;
Sec. 2, E½NE¼, SE¼;
Sec. 10, S½;
Secs. 11 to 15, inclusive;
Sec. 19, S½N½, S½;
Secs. 20 to 35, inclusive.
T. 2 N., R. 5 E.,
Secs. 1 to 21, inclusive;
Sec. 22, N½, SE¼;
Sec. 23, N½NE¼, NW¼;
Sec. 27, W½NW¼;
Sec. 28, N½, SW¼;
Secs. 29, 30, 31;
Sec. 32, N½, SW¼.
T. 1 N., R. 6 E.,
Sec. 6, SW¼;
Sec. 7;
Sec. 8, W½SW¼;
Sec. 17, W½NW¼, N½SW¼, NW¼SE¼;
Sec. 18, N½, N½S½;
Sec. 19, S½;
Sec. 20, S½;
Sec. 21, SW¼;
Sec. 28, W½NE¼, SE¼NE¼, NW¼, S½;
Secs. 29 to 33, inclusive.
T. 2 N., R. 6 E.,
Secs. 1 to 10, inclusive;
Sec. 11, N½, N½S½;
Sec. 12, N½;
Sec. 15, NW¼;
Secs. 16, 17, 18;
Sec. 19, N½N½;
Sec. 20, N½N½;
Sec. 21, N½NW¼;
Sec. 31, S½S½;
Sec. 32, N½SW¼SW¼, NE¼SE¼.
T. 3 N., R. 7 E.,
Sec. 30, SE¼;
Secs. 31 to 37, inclusive;
Sec. 38, E½;
Secs. 34, 35, 36.
T. 3 N., R. 7 E.,
Secs. 1, 2, 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23, 24;
Sec. 25, N½, N½SW¼;
Sec. 26, N½;
Sec. 27, N½.
T. 1 N., R. 8 E.,
Sec. 16;
Sec. 17, N½;
Sec. 18, N½.
T. 1 S., R. 3 E.,
Sec. 1, N½, SW¼;
Secs. 2, 3, 4;
Sec. 5, E½, SW¼;
Sec. 6, S½;
Sec. 7, lots 1, 2, 6, 7, 8, 9, 10, NE¼, E½NW¼, N½SE¼, SE¼SE¼;
Secs. 8, 9;
Sec. 10, N½, N½SW¼;
Sec. 11, NW¼NE¼, N½NW¼;
Sec. 12, NW¼;
Secs. 17 to 20, inclusive;
Sec. 21, lots 4, 5;
Sec. 28, lots 6, 7, 8, 9, NW¼NW¼, S½NW¼, SW¼, W½SE¼;
Secs. 29 to 33, inclusive;
Sec. 34, lots 7, 8, 9, 10, 11, SW¼NW¼, SW¼, SW¼SE¼.
T. 1 S., R. 3 E.,
Sec. 1, N½N½, SW¼NW¼;
Sec. 2, N½;
Sec. 3, N½, SW¼;
Sec. 4, N½;
Sec. 5, N½NE¼, SE¼NE¼, E½NW¼, SW¼NW¼, NW¼SW¼;
Sec. 6, W½, SE¼;
Sec. 7, NE¼, N½NW¼.
T. 1 S., R. 4 E.,
Secs. 1 to 4, inclusive;

T. 1 S., R. 4 E.—(Continued).
Sec. 5, N½N½;
Sec. 6, N½NE¼;
Sec. 9, N½, E½SW¼, SE¼;
Secs. 10 to 15, inclusive;
Sec. 16, S½;
Sec. 17, E½SE¼;
Sec. 20, E½E½, W½SE¼;
Secs. 21 to 29, inclusive;
Sec. 30, SE¼;
Secs. 31 to 35, inclusive;
Sec. 36, S½NE¼, N½NW¼, SW¼NW¼, S½.
T. 1 S., R. 5 E.,
Secs. 1 to 15, inclusive;
Sec. 16, E½SW¼SW¼, N½NW¼SW¼SW¼, N½NE¼SE¼SW¼, W½SE¼SW¼, NW¼SE¼;
Secs. 17 to 36, inclusive.
T. 2 S., R. 5 E.,
Secs. 1 to 10, inclusive;
Sec. 11, NW¼, N½SW¼, SW¼SW¼;
Sec. 15;
Secs. 17 to 21, inclusive;
Sec. 22, W½E½, W½;
Sec. 27, W½E½, W½;
Secs. 28 to 33, inclusive;
Sec. 34, NW¼, W½SW¼, W½E½SW¼.
T. 1 S., R. 6 E.,
Sec. 3, W½;
Secs. 4 to 9, inclusive;
Sec. 10, W½;
Sec. 15, W½;
Secs. 17 to 20, inclusive;
Sec. 21, N½, N½SW¼, N½SW¼SW¼, SE¼SW¼;
Sec. 29, N½, SW¼, NW¼SE¼;
Secs. 30, 31.
T. 2 S., R. 6 E.,
Sec. 6, N½, SW¼.

Respectfully,

H. W. Bashore,
Commissioner.

I concur: February 28, 1944.

Fred W. Johnson,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

Michael W. Straus,
First Assistant Secretary.

March 1, 1944.

[F. R. Doc. 44-3511; Filed, March 15, 1944; 10:11 a. m.]

DEPARTMENT OF AGRICULTURE.

War Food Administration.

[P. & S. Docket No. 1556]

Mississippi Valley Stock Yards Co.

ORDERS OF INQUIRY AND SUSPENSION, AND NOTICE OF HEARING

In the matter of Carroll P. Poland, doing business as the Mississippi Valley Stock Yards Company, respondent.

The order of inquiry, order of suspension, and notice of hearing, dated June 8, 1943, issued for the purpose of investigating the reasonableness of the respondent's rates and charges and of any rules, regulations, and practices affecting such rates and charges, and to determine whether any stockyard service is rendered without making a lawful charge therefor, is herewith amended by adding the following allegation:

The respondent at divers times has failed to keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business including, but not limited to, the following: (1) Failure to set up purchases of feed in the feed account for 1942 and 1943; (2) Failure to retain bills covering water consumption for the period from January 1, 1938 to June 30, 1943; (3) Entering in the repairs and maintenance account items having no relation to such account for the period from 1938 to 1943; (4) Over-stating salaries and wages by failing to credit properly the account for wages paid through the Stock Yard's pay roll for affiliated organizations; (5) Failure to issue vouchers representing petty cash expenditures for part of 1940 and 1942 and the full year 1941; (6) Failure to maintain insurance accounts properly in 1942 and 1943; (7) Failure to set up in the accounts receivable account items reflecting sales of feed to Art Schroeder in 1939; (8) Understating liability with respect to notes payable.

Notice to the respondent is herewith given that a hearing concerning the allegations made in the order of inquiry and this amendment shall be held before an examiner at a time and place of which the respondent will have at least ten days' notice. At such hearing the respondent and all other iterested persons will have the right and opportunity to present such evidence with respect to the matters and things alleged as may be relevant and material.

A copy of this order shall be served upon the respondent by registered mail.

This order shall be published in the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 11th day of March 1944.

Thomas J. Flavin,
Assistant to the War Food Administrator.

[F. R. Doc. 44-3502; Filed, March 11, 1944; 3:43 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

EVAPORATED AND POWDERED SKIMMED MILK

EXTENSION OF CONTRACTS

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk.

Whereas upon request of the Secretary of War an exception was granted by me on November 4, 1942, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35), permitting the award of contracts for evaporated milk and powdered skimmed milk during the period from this date to December 31, 1943, without the inclusion in such contracts of the representations and stipulations of section 1 of the act; and

Whereas the Acting Secretary of War on February 22, 1944, has requested an extension of this exception to December 31, 1944, and has made written findings that the inclusion in proposals issued or contracts let on or before this date of the representations and stipulations required by section 1 of the act will seriously impair the conduct of Government business; and

Whereas objections have been filed to the grant of the requested extension; and

Whereas it appears that justice and the public interest will be served by granting such exception on a temporary basis pending a full hearing and final determination of the action to be taken on the request of the Acting Secretary of War,

Now, therefore, I do hereby extend the exception of November 4, 1942, permitting the award of contracts for evaporated milk and powdered skimmed milk to May 31, 1944, without the inclusion in such contracts of the representations and stipulations of section 1 of the act, unless otherwise ordered.

Dated: March 10, 1944.

Frances Perkins,
Secretary of Labor.

[F. R. Doc. 44-3489; Filed, March 11, 1944; 11:53 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 413 and 1300]

Transcontinental & Western Air, Inc., and American Airlines, Inc.

NOTICE OF HEARING

In the matter of the applications of Transcontinental & Western Air, Inc., and American Airlines, Inc., for amendment of existing certificates of public convenience and necessity so as to include Joplin, Mo., Tulsa, Okla., and Oklahoma City, Okla., as intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that hearing is assigned for April 12, 1944, at 10 a. m. (eastern war time) in Room 1851 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Lawrence J. Kosters.

Dated Washington, D. C., March 9, 1944.

By the Civil Aeronautics Board.

[SEAL] Fred A. Toombs,
Secretary.

[F. R. Doc. 44-3520; Filed, March 13, 1944; 11:08 a. m.]

[Docket Nos. 651, 659, 1100, 1134, 1135, 536]

Mid-Continent Airlines, Inc., et al.

NOTICE OF HEARING

In the matter of the applications of Mid-Continent Airlines, Inc., Kansas City Southern Transport Co., Delta Air Corporation, and National Airlines, Inc., for certificates of public convenience and necessity or amendment of certificates of public convenience and necessity so as to authorize air transportation service between New Orleans, La., and Kansas City, Mo., via various intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that hearing is assigned for April 3, 1944, at 10 a. m. (eastern war time) in the Foyer of the Auditorium, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner Frank A. Law, Jr.

Dated: Washington, D. C., March 9, 1944.

By the Civil Aeronautics Board.

[SEAL] Fred A. Toombs,
Secretary.

[F. R. Doc. 44-3519; Filed, March 13, 1944; 11:08 a. m.]

[Docket No. 857]

Investigation of Local, Feeder, Pickup Air Services

NOTICE OF ORAL ARGUMENT

In the matter of the investigation of local, feeder, and pickup air services.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 1002 of said act, that oral argument in the above-entitled proceeding is assigned to be held on April 5, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., March 10, 1944.

By the Civil Aeronautics Board.

[SEAL] Fred A. Toombs,
Secretary.

[F. R. Doc. 44-3518; Filed, March 13, 1944; 11:08 a. m.]

[Docket No. SA-94]

INVESTIGATION OF ACCIDENT NEAR CENTERVILLE, TENN.

NOTICE OF FURTHER HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 16008 which occurred near Centerville, Tennessee, on October 15, 1943.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that further hearing is hereby assigned to be held on the 18th day of March, 1944, at 10:00 a. m. (e. w. t.) in Room 209, TWA Hangar 6, LaGuardia Field, New York.

Dated at Washington, D. C., March 13, 1944.

ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 44-3530; Filed, March 13, 1944; 11:59 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 103, Special Permit 5]

SHIPMENT OF CANADIAN MALTING BARLEY FROM MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 25,500 bushels of Canadian malting barley shipped by the Checkerboard Elevator Company from Minneapolis, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3580; Filed, March 13, 1944; 11:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 53, as Amended, Amdt.]

HARA AND CO.

Whereas, by Vesting Order No. 53, dated July 22, 1942, as amended, the undersigned vested, "All property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, the branch office of Hara and Company, New York, New York;"

Now, therefore, under the authority of the Trading with the Enemy Act, as amended, and the authority vested by the President in the undersigned, and pursuant to law, the undersigned, after investigation, has found and determined that the property so vested included the complete and unqualified title to the property hereinafter described in subparagraphs 4 and 5 hereof.

To the extent, if any, that any part of the property listed in subparagraphs 4 and 5 and the complete and unqualified title therein and thereto was not vested in the Alien Property Custodian on July 22, 1942, by Vesting Order No. 53, the undersigned, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, and after investigation:

Finding:

1. That Hara and Company, whose principal place of business is in Yokohama, Japan is a partnership organized under the laws of Japan, composed of Ryosabura Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, and as a national of a designated enemy country (Japan);

2. That Ryosabura Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, whose last known addresses are Yokohama, Japan, are nationals of a designated enemy country (Japan);

3. That Hara and Company has an established agency or branch office at New York, New York, which is engaged in the conduct of business within the United States and is a business enterprise within the United States;

4. That the 336 bales and 12 books of silk referred to in subparagraph 5 hereof were owned by Hara and Company at the time of their requisitioning by the War Production Board on February 10, 1942, pursuant to Requisition WPB No. 2B-WPB-47-55/41;

5. That the property described as follows: The claim of Hara and Company for fair and just compensation arising out of the requisitioning by the War Production Board of 336 bales and 12 books of silk,

is property within the United States owned by nationals of a designated enemy country (Japan); and

Determining:

6. That the branch office of Hara and Company New York, New York, is owned and controlled by Hara and Company of Yokohama, Japan, and is a national of a designated enemy country (Japan);

7. That to the extent that any of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to Hara and Company and its branch office at New York, New York, including particularly but not limited to the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of the branch office of Hara and Company, New York, New York to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive order.

This amendment is supplemental to and in no way diminishes, restricts or limits the force and effect of said Vesting Order No. 53; and nothing herein contained shall diminish, restrict or limit any rights, titles or interests vested in the undersigned, as the Alien Property Custodian, pursuant to said Vesting Order No. 53.

Executed at Washington, D. C., on March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3526; Filed, March 13, 1944; 11:12 a. m.]

[Vesting Order 1017, Amdt.]

LOUISE AND ELIZA BREDENWISCHER

Whereas pursuant to Vesting Order Number 1017 of March 4, 1943, the undersigned purported to vest all right, title, interest and claim of any kind or character whatsoever of "Louise Bredenwischer" and "Eliza Bredenwischer" in and to the Estate of Henry H. Schmidt, deceased; and

Whereas through clerical error the names "Louise Bredenwischer" and "Eliza Bredenwischer" appear in such Vesting Order as "Louise Bradenwischer" and "Eliza Brendenwischer";

Now, therefore, Vesting Order Number 1017 is hereby amended by substituting the name "Louise Bredenwischer" for "Louise Bradenwischer" and "Eliza Bredenwischer" for "Eliza Brendenwischer" in such vesting order.

All other provisions of said Vesting Order Number 1017 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3529; Filed, March 13, 1944; 11:12 a. m.]

[Supplemental Vesting Order 3185]

AMERICAN VOITH CONTACT CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 114, dated August 25, 1942, that American Voith Contact Company, Inc. is a national of a designated enemy country (Germany);

2. Finding that of the outstanding stock of American Voith Contact Company, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 2,000 shares of common having a par value of $100 a share, two shares (0.1%) are registered in the name of Otto J. Goeppinger and are beneficially owned by Hermann Voith and are evidence of an interest in said business enterprise;

3. Finding that the following persons have claims against American Voith Contact Company, Inc. in the amounts appearing opposite each name, which claims aggregated $16,000 as of August, 1939 and are represented on the books and records of said company as loans payable to Christian F. Benz, under style of C. F. Benz, No. 1 Account, subject, however, to any accruals or deductions subsequent thereto, and represents interests in said business enterprise:

Name and Amount	
Hermann Voith	$5,000.00
Hanns Voith	5,000.00
Walther Voith	6,000.00
Total	16,000.00

4. Finding that Hermann Voith, Hanns Voith and Walther Voith, whose last known addresses are Heidenheim, Germany, are nationals of a designated enemy country (Germany);

And determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian two shares of the common capital stock of American Voith Contact Company, Inc., registered in the name of Otto Goeppinger, and the claims against American Voith Contact Company, Inc., represented on its books and records as C. F. Benz, No. 1 Account, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3522; Filed, March 13, 1944; 11:11 a. m.]

[Supplemental Vesting Order 3186]

ARUSHEE COMPANY

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 56, dated July 23, 1942, that Arushee Company is a national of a designated enemy country (Germany);

2. Having found in the aforesaid order, that the persons listed below are nationals of a designated enemy country (Germany):

Wilhelm Heraeus, Bertha Heraeus, Annemarie Noll, Clara Andre, Paula Emge, Emma Kraemer, Werner Canthal, Hertha Jeep, Wilhelm H. Heraeus, Reinhard Heraeus, W. C. Heraeus, G. m. b. H., Mrs. W. Canthal, Carl Heraeus, Mrs. Platzhoff, Mrs. Corning, F. Kuech, Mrs. Auguste Heraeus, Mrs. Else Heraeus, Mrs. Gertraud Heraeus, and Rudolph Noll;

3. Finding that the nationals described in subparagraph 2 have claims against Arushee Company in the amounts listed below, which claims aggregated $6,924.60 as of July 27, 1942, and are described on the books of said company as "Dividends Payable Account," subject, however, to any accruals or deductions subsequent thereto, and represent an interest in said business enterprise:

Name	*Amount of Claim*
Wilhelm Heraeus	$2,093.85
Bertha Heraeus	1,129.50
Annemarie Noll	440.10
Clara Andre	441.00
Paula Emge	150.30
Emma Kraemer	13.50
Werner Canthal	90.00
Hertha Jeep	307.80
Wilhelm H. Heraeus	342.00
Reinhard Heraeus	562.50
W. C. Heraeus, G. m. b. H.	202.50
Mrs. W. Canthal	285.75
Carl Heraeus	200.25
Mrs. Platzhoff	184.50
Mrs. Corning	209.25
F. Kuech	48.15
Mrs. Auguste Heraeus	173.25
Mrs. Else Heraeus	37.35
Mrs. Gertraud Heraeus	3.15
Rudolph Noll	9.90
Total	6,924.60;

4. Finding that the nationals listed in subparagraphs 2 and 3 have an additional claim against Arushee Company, which claim as of July 17, 1942, amounted to $423.21, subject, however, to any accruals or deductions subsequent thereto and represents an interest in said business enterprise;

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Wilhelm Heraeus, Bertha Heraeus, Annemarie Noll, Clara Andre, Paula Emge, Emma Kraemer, Werner Canthal, Hertha Jeep, Wilhelm H. Heraeus, Reinhard Heraeus, W. C. Heraeus, G. m. b. H., Mrs. W. Canthal, Carl Heraeus, Mrs. Platzhoff, Mrs. Corning, F. Kuech, Mrs. Auguste Heraeus, Mrs. Else Heraeus, Mrs. Gertraud Heraeus and Rudolph Noll in Arushee Company, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing

thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3523; Filed, March 13, 1944; 11:11 a. m.]

[Supplemental Vesting Order 3187]

GODO MATCH CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 187, dated September 28, 1942, that Godo Match Company, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that of the issued and outstanding capital stock of Godo Match Company, Inc., consisting of 300 shares of preferred stock having a par value of $100 a share and 300 shares of common stock having no par value, 30 shares (10%) of the preferred stock and 30 shares (10%) of the common stock are registered in the names of the persons listed below and are beneficially owned by the persons whose names are set out thereafter, which shares, together with the 270 shares (90%) of the preferred stock and 270 shares (90%) of the common stock previously vested, are evidence of ownership and control of said business enterprise:

Numbers of Shares, Preferred, Common; and Beneficial Owner

Sakae Iwasaki, 5, 5, Mitsubishi Shoji Kaisha, Ltd.
Kyusaburo Juba, 20, 20, Kyusaburo Juba.
Takehiko Imai, 5, 5, Takehiko Imai.
Total 30 shares, 30 shares.

3. Finding that Mitsubishi Shoji Kaisha, Ltd., is a Japanese corporation located at Tokyo, Japan, and is a national of a designated enemy country (Japan);

4. Finding that Kyusaburo Juba and Takehiko Imai, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 30 shares of preferred stock and the 30 shares of common stock of Godo Match Company, Inc., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3524; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3248]

CARL SPIESMACHER

In re: Estate of Carl Spiesmacher, deceased; File D–28–3742; E.T. sec. 6309.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Spiesmacher, Germany.
Johann Spiesmacher, Germany.
Sophie Spiesmacher, Germany.
Laura Kleinhans nee Spiesmacher, Germany.
Maria Biederman nee Spiesmacher, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Max Spiesmacher, Johann Spiesmacher, Sophie Spiesmacher, Laura Kleinhans nee Spiesmacher and Maria Biederman nee Spiesmacher, and each of them, in and to the Estate of Carl Spiesmacher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3525; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3249]

MARY S. L. THORMANN

In re: Trust created under the last will and testament of Mary S. L. Thormann, deceased; File D–28–6575; E. T. sec. 4515.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, 161 Montague Street, Brooklyn, New York, Trustee, and George A. Thormann, % E. I. Cullen, 40 Wall Street, New York, New York, Cotrustee, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elisabeth Thormann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Thermann in and to a trust created under the Last Will and Testament of Mary S. L. Thormann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3526; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3250]

JOE OR JOSEPH VON VALESCO

In re: Estate of Joe or Joseph Von Valesco, deceased; File D–28–3634; E. T. sec. 5918.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George H. Tegtmeyer, Sr., Executor, acting under the judicial supervision of the Orphans' Court of Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilma (Vilma) Von Valesco, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilma (Vilma) Von Valesco, in and to the Estate of Joe or Joseph Von Valesco, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3527; Filed, March 13, 1944; 11:12 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.–181]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY, NEW YORK AND PENNSYLVANIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all

[1] Filed as part of the original document.

reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effecuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Burgmeyer Bros., Inc., a corporation, 339 Raymond Boulevard, Newark, N. J.
Central Transfer Co., Inc., a corporation, 14 Waydall Street, Newark, N. J.
Frank A. Lueddeke, an individual, 34 Foundry Street, Newark, N. J.
Joseph Shallcross, Sr., an individual, doing business as Shallcross Express, 115 Gotthardt Street, Newark, N. J.

[F. R. Doc. 44-3473; Filed, March 11, 1944; 10:91 a. m.]

[Supp. Order ODT 3, Rev. 182]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND PERU, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 17, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Inter-State Motor Freight System, Inc., of Indiana, 530 Kentucky Avenue, Indianapolis, Ind.
Clemans Truck Line, Inc., 1008 Lincolnway East, South Bend, Ind.
Paul R. Tyner, doing business as Becraft Motor Express, 905 North Union Street, Kokomo, Ind.

[F. R. Doc. 44-3509; Filed, March 13, 1944; 10:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 478, Rev. Order 25]

SYNTHETIC RUBBER COATED FABRICS

CALCULATION OF MAXIMUM PRICES

Revised Order No. 25 under Maximum Price Regulation 478. Coated and combined fabrics.

Order No. 25 under Maximum Price Regulation 478 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 10 of Maximum Price Regulation 478, it is ordered:

(a) *Applicability of this order.* Notwithstanding any other provisions of Maximum Price Regulation 478, this order is applicable to sales by a manufacturer of any fabric or service covered by this regulation which differs from a fabric or service for which he has already established a maximum price under Maximum Price Regulation 478, because of the substitution of Buna-N type synthetic rubber for Neoprene GR-M or GN synthetic rubber.

(b) *Maximum prices.* The manufacturer's maximum price for any fabric or service covered by this order, shall be calculated by adding to the maximum price of the fabric or service made with Neoprene GR-M or GN an amount not exceeding the increase in materials cost resulting from the substitution of a Buna-N type synthetic rubber for Neoprene GR-M or GN.

(c) *Computation of increase in materials cost.* The increase in materials cost referred to in paragraph (b) shall be calculated per unit of sale, as follows: The manufacturer shall multiply the quantity in pounds of the Buna-N type used and required to produce the fabric or supply the service, by the per pound price of that Buna-N type in effect to him on February 1, 1944. The result is the cost of that Buna-N type material. The manufacturer shall then multiply the quantity in pounds of Neoprene GR-M or GN required to produce the same fabric or supply the same service, by the per pound price of Neoprene GR-M or GN in effect to him on February 1, 1944. The result is the cost of the Neoprene material. The difference is the increase in materials cost resulting from the substitution of Buna-N type for Neoprene GR-M or GN referred to in paragraph (b).

(d) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 14, 1944.

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3540; Filed, March 13, 1944; 12 m.]

Regional and District Office Orders.

[Region I Order G-3 Under MPR 251]

PAINTING SERVICES IN LOWELL, MASS., AREA

Order No. G-3 under Maximum Price Regulation 251. Residential painting services in Lowell, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1397.68 (b) of Maximum Price Regulation No. 251, *It is ordered:*

(a) Any seller making sales of residential painting services which are subject to Maximum Price Regulation No. 251 may increase his maximum price under the regulation for such sales by an amount not in excess of the difference between his labor cost computed on the basis of hourly rates in effect on July 1, 1942, and labor cost computed on the basis of the hourly rate of $1.125 established for residential and commercial painters by the National War Labor Board in WLB Case No. 1-6315, when the following conditions have been met:

(1) The seller performs the work, described above, within the Lowell, Massachusetts, area;

(2) The seller employs members of the union granted a wage djustment in WLB Case No. 1-6315; and

(3) The seller actually pays the hourly rate specified above.

(b) Any person determining maximum prices subject to this order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. G-3 may be revoked or amended at any time.

(d) This Order No. G-3 shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3470; Filed, March 10, 1944; 4:54 p. m.]

[Region I Order G-11 Under RMPR 122, Amdt. 3, Corr.]

SOLID FUELS IN LAWRENCE, MASS., AREA

Correction of Amendment No. 3 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lawrence, Mass., area.

Item #5 in Amendment No. 3 to Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is corrected by changing "(f) (5)" to "(g) (5)" at both places where it appears.

This correction shall become effective as of March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3471; Filed, March 10, 1944; 4:54 p. m.]

[Region VI Order G-14 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MILWAUKEE, WIS.

Amendment No. 2 to Order No. G-14 under Revised Maximum Price Regulation No. 122, solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That paragraph V of the schedule set forth in paragraph (c) (1) be amended, and that a section (4) be added to paragraph (c), to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of more than 1 ton. Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery", "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

AREA PRICES FOR MILWAUKEE, WISCONSIN

1 Description	2 Domestic, ½ ton	3 Domestic, 1 ton or more	4 Domestic, at yard	5 Commercial	6 Dealer, at yard
V. Pennsylvania anthracite:					
1. Egg, stove, nut	$8.25	$15.50	$14.25	----------	$13.15
2. Pea	7.50	14.00	13.25	----------	11.60
3. Buckwheat	6.65	12.30	11.55	----------	9.90
4. Rice	5.55	10.10	9.35	----------	7.70

(4) Anything herein to the contrary notwithstanding, this order shall not apply to sales by any producer of coke or briquettes.

This Amendment No. 2 to Order No. G-14 shall be effective March 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3472; Filed, March 10, 1944; 4:54 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 10, 1944.

REGION II

Williamsport Order No. 12, filed 10:05 a. m.

REGION III

Cleveland Order No. P-1, amendment No. 16, filed 10:06 a. m.
Lexington Order No. 1-F, amendment No. 19, filed 10:05 a. m.
Lexington Order No. 2-F, amendment No. 12, filed 10:05 a. m.
Lexington Order No. 3-F, amendment No. 10, filed 10:05 a. m.

REGION IV

Atlanta Order No. 3-F, amendment No. 5, filed 10:04 a. m.
Atlanta Order No. 3-F, amendment No. 6, filed 10:04 a. m.
Atlanta Order No. 4-F, amendment No. 1, filed 10:04 a. m.
Savannah Order No. 1-F, amendment No. 25; filed 10:06 a. m.
Savannah Order No. 3-F, amendment No. 18, filed 10:06 a. m.
Savannah Order No. 4-F, amendment No. 17, filed 10:06 a. m.

REGION V

Houston Order No. 1-F, amendment No. 3, filed 10:05 a. m.

REGION VI

Chicago Order No. 2-F, amendment No. 4, filed 10:01 a. m.
Chicago Order No. 7, filed 10:02 a. m.
Des Moines Order No. 6, amendment No. 3, filed 10:03 a. m.
Des Moines Order No. 7, amendment No. 3, filed 10:03 a. m.
Des Moines Order No. 8, amendment No. 3, filed 10:03 a. m.
Des Moines Order No. 9, amendment No. 3, filed 10:02 a. m.
Duluth-Superior Order No. 10, filed 10:01 a. m.
Duluth-Superior Order No. 11, filed 10:01 a. m.

North Platte Order No. 12, filed 10:03 a. m.
Sioux City Order No. 2-F, amendment No. 4, filed 10:07 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3404; Filed, March 11, 1944; 11:52 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 9, 1944.

REGION I

Augusta Order No. 11, Amendment No. 2, filed 2:13 p. m.
Augusta Order No. 12, Amendment No. 2, filed 2:13 p. m.
Augusta Order No. 13, Amendment No. 2, filed 2:15 p. m.
Augusta Order No. 14, Amendment No. 2, filed 2:15 p. m.
Augusta Order No. 15, Amendment No. 2, filed 2:15 p. m.

REGION II

Buffalo, Order No. P-1, Amendment No. 2, filed 2:13 p. m.
Buffalo Order No. P-2, Amendment No. 1, filed 2:13 p. m.
Maryland Order No. P-1, Amendment No. 2, filed 2:14 p. m.
Syracuse Order No. 16, Amendment No. 1, filed 2:14 p. m.
Syracuse Order No. 17, Amendment No. 17, filed 2:14 p. m.
Syracuse Order No. 18, filed 2:14 p. m.

REGION III

Cincinnati Order No. 1-F, Amendment No. 19, filed 2:08 p. m.
Cincinnati Order No. 3-F, Amendment No. 2, filed 2:15 p. m.
Cleveland Order No. F-5, Amendment No. 8, filed 2:08 p. m.
Lexington Order No. 12, Amendment No. 8, filed 2:12 p. m.

REGION IV

Memphis Order No. 4-F, Amendment No. 23, filed 2:13 p. m.
Richmond Order No. 3-F, Amendment No. 3, filed 2:13 p. m.
Richmond Order No. 14, filed 2:17 p. m.
Richmond Order No. 14, Amendment No. 1, filed 2:17 p. m.
Richmond Order No. 14, Amendment No. 2, filed 2:17 p. m.

REGION V

Fort Worth Order No. 1-F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 3-F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 3-F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 4-F, Amendment No. 7, filed 2:12 p. m.
Fort Worth Order No. 5-F, Amendment No. 7, filed 2:17 p. m.

REGION VI

Des Moines Order No. 3A, Amendment No. 3, filed 2:10 p. m.
Des Moines Order No. 4-A, Amendment No. 3, filed 2:10 p. m.
Des Moines Order No. 5A, Amendment No. 3, filed 2:10 p. m.
Duluth-Superior Order No. 2-F, Amendment No. 1, filed 2:08 p. m.
Duluth-Superior Order No. 8 (Rev.), Amendment No. 1, filed 2:17 p. m.
La Crosse Order No. 1-F, Amendment No. 6, filed 2:08 p. m.
La Crosse Order No. 2-F, Amendment No. 2, filed 2:07 p. m.
La Crosse Order No. 3-F, Amendment No. 2, filed 2:07 p. m.
La Crosse Order No. 4-F, Amendment No. 3, filed 2:08 p. m.
La Crosse Order No. 5-F, Amendment No. 2, filed 2:07 p. m.
North Platte Order No. 2-F, filed 2:16 p. m.
Sioux City Order No. 2-F, Amendment No. 3, filed 2:13 p. m.
Springfield Order No. 1-F, Amendment No. 2, filed 2:07 p. m.
Springfield Order No. 2-F, Amendment No. 2, filed 2:07 p. m.
Twin Cities Order No. 1-F, Amendment No. 5, filed 2:06 p. m.

REGION VIII

Phoenix Order No. 12, filed 2:09 p. m.
Sacramento Rev. Order No. 3, Amendment No. 2, filed 2:06 p. m.
Sacramento Rev. Order No. 6, Amendment No. 3, filed 2:06 p. m.
Seattle Order No. 1-F, Amendment No. 1, filed 2:17 p. m.
Seattle Order No. 1-F, Amendment No. 6, filed 2:10 p. m.
Seattle Order No. 2-F, Amendment No. 5, filed 2:11 p. m.
Seattle Order No. 3-F, Amendment No. 6, filed 2:10 p. m.
Seattle Order No. 4-F, Amendment No. 6, filed 2:12 p. m.
Seattle Order No. 5-F, Amendment No. 5, filed 2:10 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3405; Filed, March 11, 1944; 11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-869, 70-872]

SOUTHWESTERN PUBLIC SERVICE CO. AND GLENN C. HYDE

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER CONSOLIDATING HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of March, A. D. 1944.

Notice is hereby given that on March 8, 1944, Glenn C. Hyde, as an individual, filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 9 (a) (2) and 10 thereof. All interested persons are referred to said document which is on file in the office of this Commission for a complete statement of the transactions therein proposed, which may be summarized as follows:

Glenn C. Hyde proposes to purchase from Southwestern Public Service Company, a registered holding company, all the outstanding securities of Gulf Public Service Company, an electric and gas utility company and a subsidiary company of Southwestern Public Service Company, for a base consideration of $4,660,000 cash, subject to adjustments for net current assets and certain tax adjustments. Said securities consist of $2,800,000 principal amount of 5% Unsecured Notes, due October 1, 1966, and 3,000 shares of Common Stock, par value $100 per share.

Glenn C. Hyde is an affiliate of Louisiana Public Utilities Co., Inc., a public utility company, being the president and a director thereof and owning 13½% of its outstanding voting securities.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that on March 1, 1944 the said Southwestern Public Service Company filed a declaration with this Commission, under section 12 (d) of the act and Rule U-44 of the rules and regulations thereunder, proposing to sell to the said Glenn C. Hyde all the outstanding securities of the said Gulf Public Service Company, consisting of the securities hereinabove described, for a base consideration of $4,660,000 cash, subject to adjustments for net current assets and certain tax adjustments; and

It further appearing to the Commission that under date of March 4, 1944, the Commission gave notice of the filing of said declaration of said Southwestern Public Service Company, and ordered that a hearing be held thereon on March 16, 1944 at 10 o'clock a. m., e. w. t., in the offices of the Securities and Exchange Commission at Philadelphia, Pennsylvania; and

It further appearing to the Commission that the proceedings upon the said application of said Glenn C. Hyde and the said declarations of said Southwestern Public Service Company involve common questions of law and fact; that evidence offered in respect to each of said matters will have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that the evidence adduced in each matter may stand as evidence in the other for all purposes;

It is ordered, That the proceedings upon the said application of Glenn C. Hyde and the said declaration of Southwestern Public Service Company be and they are hereby consolidated for the purpose of hearing and that the said consolidated hearing be held on March 16, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On the day hereinabove indicated for such consolidated hearing, the hearing room clerk in Room 318 will advise where such hearing will be held.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That at said hearing without limiting the scope of the issues presented by said application and said declaration, particular attention shall be directed to the issues specified in the notice of filing and order for hearing under date of March 4, 1944 in regard to the declaration of Southwestern Public Service Company, and to the following additional matters and questions:

1. Whether the proposed consideration to be paid by the purchaser, Glenn C. Hyde, and to be received by Southwestern Public Service Company for the aforesaid Gulf Public Service Company securities is fair and reasonable.

2. Whether or not the acquisition of the said Gulf Public Service Company securities by the purchaser will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and whether such acquisition will tend toward interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors and consumers.

4. Generally, whether the proposed transactions meet the standards of the appropriate provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Glenn C. Hyde, to Southwestern Public Service Company, to the Public Service Commission of New Mexico, and to the Public Service Commission of Louisiana; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before March 16, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3409; Filed, March 11, 1944; 2:42 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

APPLICATION-DECLARATION GRANTED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 9th day of March, 1944.

Acquisition of securities by registered holding company or subsidiary. Elimination of inactive subsidiary through acquisition of subsidiary's assets by registered holding company. Application-declaration filed pursuant to sections 9 (a), 10, 12 (b), 12 (c), and 12 (f) of Holding Company Act by registered holding company and subsidiary which has sold its properties, concerning acquisition of remaining assets, subject to existing liabilities, of subsidiary, in consideration for surrender for cancellation of all outstanding securities of subsidiary, granted and permitted to become effective, the Commission observing no basis for adverse findings.

Appearances: William T. Martin, for applicants-declarants. David I. Bursten, for the Public Utilities Division of the Commission.

Associated Electric Company (hereafter referred to as Aelec), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company (hereafter referred to as Utilities), have filed an application-declaration concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, Utilities. Among the assets to be delivered by Utilities are 940 shares of common capital stock, of the par value of $1 per share, of Atlantic Utility Service Corporation (hereafter referred to as Auscorp), which formerly rendered accounting, financial, and engineering services to various companies in the Associated Gas and Electric Corporation system.

After appropriate notice, a public hearing was held. No member of the public has objected to the proposal. Upon a consideration of the record, the Commission makes the following findings:

Utilities, an Indiana corporation, was formerly engaged in the distribution of manufactured gas in and around the cities of Terre Haute, Richmond, Brazil, and Clinton, in the State of Indiana. During March and April, 1941, Utilities sold all its properties for a net consideration of approximately $1,685,000. Those sales were approved by this Commission, as to the Richmond Division on January 13, 1941 (8 S. E. C. 469), and as to the Terre Haute Division on March 18, 1941 (8 S. E. C. 829). A supplemental order approving and confirming the consummation of the sale of the Terre Haute Division was also issued by us on November 16, 1943 (Holding Company Act Release No. 4693). At present, the corporation is inactive.

Of the proceeds of the sales of Utilities' properties, $855,750 was used on July 1, 1941, to call and retire the company's entire outstanding bonded indebtedness (of the principal amount of $815,000), at the call price of 102½. The sum of $802,575 was then passed up to Aelec in partial payment of open account indebtedness.

The balance sheet of Utilities, as at September 30, 1943, was as follows:

Assets and other debits	
Investments:	
Atlantic Utility Service Corporation—at cost	$12,455.00
Other	1.00
Cash	31,040.01
Total assets and other debits	43,496.01
Liabilities and other credits	
Capital stock—Authorized and issued, 40,000 shares common stock, no par value	$1,668,658.50
Indebtedness to parent—Associated Electric Company	1,191,353.13
Reserve for proportionate share of Federal income taxes asserted against Atlantic Utility Service Corporation	3,724.43
Earned surplus (deficit)	(2,820,240.05)
Total liabilities and other credits	43,496.01

( ) Denotes red figure.

In addition to the liabilities shown on its books, Utilities has certain contingent liabilities, minor in character, all of which are to be assumed by Aelec if not satisfied prior to the merger.

Aelec proposes to record the above assets on its books at the same amounts as carried on the books of Utilities. The reserve for the contingent liability in connection with the federal income tax claim asserted by the Treasury Department against Auscorp and predecessor companies is also to be taken over by Aelec.

As at September 30, 1943, Aelec carried its investment in Utilities as follows:

Common stock	$1.00
Open Account	39,770.58
Total	39,771.58

Sections 9 (a) and 10 of the Public Utility Holding Company Act are applicable to the acquisition by Aelec of the Auscorp stock. These shares are to be transferred to Aelec at their carrying value, which represents their cost to Utilities. At some future time, problems in connection with the distribution of Auscorp's assets may present themselves; we are not now required to pass upon the participation of Aelec in the liquidation of Auscorp by virtue of its present holdings or by virtue of its acquisition of the Auscorp stock of Utilities. At this time we observe no basis for adverse findings under sections 10 (b) or 10 (c) (1).

Sections 12 (b), 12 (c) and 12 (f) of the Act, together with the appropriate rules promulgated thereunder, are also applicable to other phases of the proposed transactions. Accordingly, we have examined the conditions of the proposal in the light of the standards and requirements of those sections and rules, and we observe no basis for adverse findings.

It is ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the aforesaid application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the

terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3496; Filed, March 11, 1944; 2:42 p. m.]

WAR SHIPPING ADMINISTRATION.

"FORTY FATHOM NO. 1"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.).

Whereas on July 20, 1942, title to the vessel "Forty Fathom No. 1" (240963), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND, *Administrator.*

[F. R. Doc. 44-3486; Filed, March 11, 1944; 11:46 a. m.]

"FORTY FATHOM NO. 3"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.)

Whereas on July 20, 1942, title to the vessel "Forty Fathom No. 3" (240965) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND, *Administrator.*

[F. R. Doc. 44-3488; Filed, March 11, 1944; 11:46 a. m.]

"LOCKS"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Pub. Law 17, 78th Cong.).

Whereas on December 5, 1942, title to the vessel "Locks," (214731), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND, *Administrator.*

[F. R. Doc. 44-3487; Filed, March 11, 1944; 11:46 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 53

Washington, Wednesday, March 15, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

FARMING PRACTICES FOR 1944 SUGARCANE CROP IN MAINLAND CANE SUGAR AREA

Determination of farming practices to be carried out in connection with the production of the 1944 crop of sugarcane in the mainland cane sugar area.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943 the following determination is hereby issued:

§ 802.231 *Farming practices in connection with the production of the 1944 crop of sugarcane in the mainland cane sugar area—*(a) *Conservation requirements.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to any sugarcane farm in the mainland cane sugar area if there is carried out in 1944, on land on the farm which is adapted to the production of sugarcane for sugar, an acreage of approved conservation practices equal to not less than 15 per cent of the acreage of sugarcane for sugar growing on the farm for harvest in 1944.

(b) *Approved practices.* (1) Each acre of the following shall be counted as one acre of conservation practices:

(i) Seeding winter legumes in the fall of 1944.

(ii) Turning under a satisfactory growth of summer legumes grown alone.

(iii) Turning under in 1944 a satisfactory growth of winter legumes seeded in the fall of 1943.

(2) Each two acres of the following shall be counted as one acre of conservation practices:

(i) Turning under a good stand and good growth of summer legumes (excluding peanuts, lespedeza, and summer legumes used as truck crops) interplanted or grown in combination with row crops, such as corn: *Provided,* The summer legumes occupy at least one-third of the land.

(3) Each of the following practices in the amounts specified shall be counted as one acre of conservation practices:

(i) Application of 48 pounds of available phosphoric acid (P_2O_5) to, or in connection with, a full seeding of winter legumes.

(ii) Application of 500 pounds of basic slag (rock phosphate or Colloidal Phosphate in Florida) to, or in connection with, a full seeding of winter legumes.

(iii) Removing 25 cubic yards of earth in the construction, enlargement, or cleaning out of lateral ditches and lead canals. (Applicable in Louisiana only.)

(4) Each one and one-half acres of land the top soil of which is combustible (determined as such by the State AAA Committee) and from which no crop classified as soil-depleting in ACP-1941, 1941 Agricultural Conservation Program Bulletin, as amended, is harvested in 1944 and on which adequate facilities (ditches, pumps, and necessary equipment) have been maintained (whether constructed in 1944 or earlier) for flooding the land during the 1944 fire hazard season as a protection against the destruction of such top soil by fire and on which there are carried out the practices specified in paragraphs B, C, D, and E of Amendment 3 to Southern Region Bulletin 101, issued June 11, 1937, for protecting the soil against fire, assuring adequate drainage and preventing soil oxidaton and subsidence, shall be counted as one acre of conservation practices: *Provided, however,* That there shall be carried out on such land on the farm such other practices as are recommended for the farm by the County AAA Committee, and approved by the State AAA Committee, for protecting the soil against fire, assuring adequate drainage, preventing soil oxidation and subsidence, and otherwise preserving and improving the fertility of the soil and preventing soil erosion, such practices to be consistent with reasonable standards of the farming community in which the land is located. (Applicable in Florida only.)

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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(c) *Standards of performance.* The conservation practices shall be carried out in accordance with farming methods commonly used in the community in which the farm is located and in accordance with specifications approved by the Director of the Southern Division of the Agricultural Adjustment Agency.

(Sec. 301, 50 Stat. 910; 7 U.S.C., 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 13th day of March 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3550; Filed, March 13, 1944; 3:16 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO-29, as Amended, Partial Suspension, Amdt. 2]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

The order, as amended (8 F.R. 12255, 16353), partially suspending Food Distribution Order 29, as amended, is amended to read as follows:

Unless otherwise ordered by the Director of Food Distribution, War Food Administration, the restrictions of paragraph (b) of Food Distribution Order No. 29, as amended (8 F.R. 5619, 8623, 10970, 15551; 9 F.R. 651), § 1460.13 (b), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, when such delivery or acceptance of delivery occurs during the period beginning on October 1, 1943, and ending on June 30, 1944. The term "refiner," as used herein, means any person who is a refiner as defined in said Food Distribution Order 29, as amended.

This amendment shall become effective at 12:01 a. m., e. w. t., March 11, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3563; Filed, March 11, 1944; 3:49 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51019]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICING REQUIREMENTS FOR WOOL PRODUCTS LABELING

Amendment of notice of additional information on invoices covering merchandise subject to the Wool Products Labeling Act of 1939.

T. D. 50388 is amended by changing the period after the word "product" in item 3 of the additional invoice requirements to a comma and adding the following words: "except when such product consists of mixed wastes, residues, and similar merchandise obtained from several suppliers or unknown sources."

Section 8.13 (j), Customs Regulations of 1943, is amended by changing the period following the figures "1941" in the reference to T. D. 50388 to a semicolon and adding the number and date of this decision.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: March 10, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3566; Filed, March 14, 1944; 10:19 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-2C]

PART 702—PRIVATE WAR HOUSING

OCCUPANCY AND DISPOSITION

Supersedes NHA General Order No. 60-2B (9 F.R. 245).

The National Housing Agency is responsible for the proper occupancy of housing programmed for war workers and for the adoption of regulations assuring that war housing will be held available for eligible war workers for the duration of the national emergency declared by the President on September 8, 1939 (4 F.R. 3851). The purpose of this regulation is to set forth the private housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, the conditions under which such housing may be transferred or sold, and the conditions under which occupancy standards applicable to such housing may be modified or removed.

Sec.
702.1 Private war housing to which occupancy standards apply.
702.2 Persons who are eligible war workers.
702.3 Length of time private war housing must be reserved for occupancy by eligible war workers.
702.4 Disposition of private war housing.

AUTHORITY: §§ 702.1 to 702.4, inclusive, issued under E.O. 9070, 7 F.R. 1529.

§ 702.1 *Private war housing to which occupancy standards apply.* (a) Private war housing to which occupancy standards apply are the following:

(1) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives priority assistance or authority to begin construction as follows:

(i) Applications for priority assistance was submitted prior to February 10, 1943, on Form PD-105 and received or receives priority assistance through Preference Rating Order No. P-55, or

(ii) Application for priority assistance or authority to begin construction is submitted on or after February 10, 1943, on Form PD-105 (Revised 2-10-43) if section B thereof is executed;

(2) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives either priority assistance or authority to begin construction, as a result of submitting an application for such assistance or authority on Form PD-200, if such application was accompanied by the form Applicant's Supplemental Certification and if such housing was not to be occupied by the owner;

(3) The additional housing accommodations created by remodeling or rehabilitation financed under Class 1 (b) of Title I of the National Housing Act;

(4) Housing financed under Class 3 of Title I of the National Housing Act for which an application was or is submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, a War Housing Statement Form, or

(ii) On or after February 10, 1943, and the applicant also executes section B of Form PD-105 (revised 2-10-43) in connection with such housing;

(5) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 603 of title VI of the National Housing Act for which an application was submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, FHA Form 2004 (e), or

(ii) On or after February 10, 1943;

(6) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 608 of title VI of the National Housing Act; and

(7) The additional housing accommodations created by remodeling or rehabilitation in projects designated as "defense housing", by either the Division of Defense Housing Coordination or the National Housing Agency, in order to exempt such housing from Federal Reserve Board Regulation W.

(b) For the purposes of this regulation, private war housing is "begun" on the date of submitting to the Federal Housing Administration a properly executed application for priority assistance or authority to begin construction in connection with such housing; or, if remodeling or rehabilitation of any private war housing did not receive priority assistance or authority to begin construction, such housing was "begun" either on the date a properly executed application was filed under title I, Class 1 (b), of the National Housing Act in connection with such housing, or on the date a properly executed application for exemption from Federal Reserve Board Regulation W was submitted to a registrant in connection with such housing.

(c) For the purposes of this regulation, the date of "completion" of any private war housing shall be the date upon which such housing is offered for initial rental or sale, or the date upon which such housing is first ready for immediate occupancy, whichever is later.

(d) The phase "held for rental" includes only an ordinary landlord-tenant relationship or such a tenancy coupled with an option to purchase containing the following provisions:

(1) The tenant shall not be obligated to purchase and the option shall run only in behalf of the tenant;

(2) No payment shall be required in any one month in addition to the listed monthly payment while a tenant, which monthly payment shall not exceed the fair rental for the dwelling unit under an ordinary landlord-tenant relationship not coupled with an option to purchase;

(3) The monthly payment while a tenant shall not be in excess of rental for comparable accommodations;

(4) The total purchase price shall be a fair market price, or $6,000, whichever is lower;

(5) The option may not be exercised prior to the expiration of two months' occupancy;

(6) The option shall continue in effect for at least 30 months unless sooner exercised; and

(7) The occupancy and disposition provisions shall continue to apply to such housing after the option is exercised, or terminated, for the duration of the national emergency declared by the President on September 8, 1939.

§ 702.2 *Persons who are eligible war workers.* (a) For private war housing begun on or after February 10, 1943, an eligible war worker shall be only a person who qualifies under the provisions of NHA General Order No. 60-1B.

(b) For private war housing begun prior to February 10, 1943, an eligible war worker shall be only a person who qualifies under the provision of the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption for Federal Reserve Board Regulation W submitted in connection with such housing; or, at the option of the owner of such housing, a person who qualifies under the provisions of NHA General Order No. 60-1B. Private war housing for which applications for priority assistance were filed with the Federal Housing Administration before February 10, 1943, but for which quotas did not become available until on or after that date, shall not be approved after July 15, 1943, except subject to the rules applicable to private war housing so "begun" on or after February 10, 1943.

(c) The Joint Army-Navy-NHA Directive of July 16, 1942, is incorporated by reference in NHA General Order No. 60-1B, which defines indispensable inmigrant civilian war workers, who are eligible for private war housing begun on or after February 10, 1943. For private war housing begun prior to February 10, 1943, eligible war workers as defined in the standard application for such housing include "members of the armed forces". Hence members of the armed forces, including convalescents as well as those on active duty, are eligible for such housing, as well as for reference (by War Housing Centers or other appropriate placement agency) to existing private structures programmed for war workers.

(d) The establishment of criteria of eligibility for occupancy of private war housing projects is not intended to exclude from such projects any persons currently occupying any Federally-owned or leased war housing projects under the jurisdiction or control of the National Housing Agency, or any FPHA-aided public war housing units reserved for various types of war workers as to occupancy or re-occupancy. Any persons, regardless of their occupation or their status as in-migrants, occupying the foregoing types of public war housing space are eligible for occupancy of any type of private war housing. Occupancy by such persons is subject to the same requirements as to rental, sale, disposition, transfer, etc., as occupancy by other eligibles, for the types of private war housing involved.

§ 702.3 *Length of time private war housing must be reserved for occupancy by eligible war workers.* (a) Private war housing begun on or after February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, only by eligible war workers: *Provided, however,* That at any time subsequent to 60 days after completion of such housing, the owner of such housing may petition the National Housing Agency to permit initial occupancy, or re-occupancy, as the case may be, by a person other than an eligible war worker, in accordance with NHA General Order No. 60-3C.

(b) Private war housing begun prior to February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, by eligible war workers for at least the period of time after completion specified in the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from Federal Reserve Board Regu-

lation W submitted in connection with such housing. Whenever any such application (or other instruments related thereto) provided for an exclusive preference to eligible war workers for a specified time, such exclusive preference shall be so given for at least such specified time; and whenever any such application (or other instruments related thereto) provided for merely a general preference to eligible war workers, at least such general preference shall be so given for at least such specified time.

§ 702.4 *Disposition of private war housing.* (a) Private war housing begun on or after February 10, 1943, shall be held for rental only to eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, and, except for involuntary transfers, shall be disposed of only as follows:

(1) (i) An occupant, after two months' occupancy, may purchase the private war housing unit occupied by him subject to NHA General Order No. 60–3C.

(ii) Without conforming to (i) which precludes selling except at the option of the eligible war worker exercised after at least two months' rental occupancy, a dwelling unit in a private war housing project may be held for sale or sold to an eligible war worker as provided in NHA General Order No. 60–3C; *Provided*, That any sale so made shall take place not later than 15 days after the Federal Housing Administration makes its final Priority Compliance Inspection Report ("Completion Report") with respect to the unit (after which time the unit if not sold shall be held for rental as indicated in (i)): *And provided further*, That no owner shall sell more than one-third of the units in all projects (begun on or after February 10, 1943) which he has placed under actual construction in any war housing area except such sales as are made in conformity with the requirement of holding for rental as indicated in (i): *And provided further*, That any sale made pursuant to (ii) shall be within a price range for the general types of units intended to be sold which is acceptable to the National Housing Agency. The proposed price range shall be submitted to the Federal Housing Administration in advance of sale by letter or other appropriate method, and in the case of all PD–105 applications filed on or after August 1, 1943, shall be submitted with the application.

(2) A person who will not himself occupy such housing may purchase or otherwise acquire such housing at any time, in accordance with NHA General Order No. 60–3C, provided the occupancy and disposition limitations applicable to such housing prior to such purchase or acquisition shall continue to be applicable to such housing after such purchase or acquisition.

(3) An eligible war worker under NHA General Order No. 60–1B may himself build, own and occupy a private war housing unit suitable to his needs, without complying with the rental requirements, as provided in and subject to the provisions of § 702.11 (a) of NHA General Order No. 60–3C. Or,

(4) At any time subsequent to 60 days after completion of any such housing, the owner of such housing may petition the National Housing Agency, in accordance with NHA General Order No. 60–3C, to permit such housing to be disposed of otherwise than as provided above in this § 702.4 (a).

(b) Private war housing begun prior to February 10, 1943, shall be rented, sold, or transferred only in accordance with the provisions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing, except that whenever any such application for priority assistance or authority to begin construction provided that such housing could be disposed of, with the prior approval of the War Production Board, otherwise than as stated in such application, a prior approval by the National Housing Agency (instead of by the War Production Board) shall be required in order to dispose of such housing otherwise than as stated in such application. NHA General Order No. 60–3C sets forth the provisions regarding the disposition of such housing.

This regulation shall become effective January 27, 1944.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44–3563; Filed, March 14, 1944; 10:02 a. m.]

[NHA Reg. 60–5C]

PART 703—PUBLIC WAR HOUSING

OCCUPANCY

Supersedes NHA General Order No. 60–5B (9 F.R. 249).

Sec.
703.1 General policy.
703.2 Exclusive reservation.
703.3 Limited reservation.
703.4 Modification of occupancy provisions.
703.5 Suspended housing.
703.6 Stand-by housing.
703.7 Terminated housing.

AUTHORITY: §§ 703.1 to 703.7, inclusive, issued under E.O. 9070, 7 F.R. 1529.

§ 703.1 *General policy.* (a) The purpose of this regulation is to set forth the public war housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, and the conditions under which such housing may be made available for other purposes.

§ 703.2 *Exclusive reservation.* (a) On or after February 10, 1943, initial occupancy and re-occupancy of every dwelling accommodation in all Federally-owned or leased public war housing projects under the jurisdiction or control of NHA, or any of its constituent units,[1] shall be reserved exclusively for eligible war workers, as defined in NHA General Order No. 60–1B, except (a) with respect to 4 Lanham Act mutual ownership projects under the jurisdiction of FPHA (which are substantially completed and occupied), resident as well as in-migrant civilian war workers may be admitted to occupancy, and (b) with respect to off reservation or off post projects programmed for military or naval personnel prior to July 16, 1942 (the date of the joint directive of the War Department, Navy Department and National Housing Agency), eligible military or naval personnel, as certified by the local commandant,[2] may be admitted to occupancy: *Provided*, That preference (without a specified reservation period) has first been given to indispensable in-migrant civilian war workers.

(b) On or after February 10, 1943, initial occupancy or re-occupancy of every dwelling accommodation in all FPHA-aided public war projects[3] for which applications for priority assistance are submitted to WPB after February 10, 1943 shall be reserved exclusively for such eligible war workers, as defined in NHA General Order No. 60–1B, as are eligible for occupancy thereof under applicable state or Federal laws.[4]

(c) On or after February 10, 1943, re-occupancy of every dwelling accommodation in such Federally owned public non-war housing projects[5] under the jurisdiction of FPHA, as the National Housing Administrator determines are suitable to provide war housing, shall be reserved exclusively for eligible war workers as defined in NHA General Order No. 60–1B.[6]

§ 703.3 *Limited reservation.* (a) Reasonable preference for occupancy by war workers (as required by the conditions under which priority assistance was granted[7]) shall be observed with respect to all FPHA-aided public war housing projects for which applications for priority assistance were submitted to WPB prior to February 10, 1943.[8] The local housing authorities that own and manage these projects shall be requested to conform, to the extent practicable, their management programs by reserving initial occupancy or re-occupancy in these projects to such eligible war workers (as defined in NHA General Order No. 60–1B) as are eligible under applicable state or Federal laws in the same manner as is required with respect to the projects described in § 703.2 (b) above.

§ 703.4 *Modification of occupancy provisions.* (a) Each National Housing Agency regional representative is hereby authorized on his own initiative (or on the basis of recommendations which the NHA constituent unit having control of the public war housing involved may initiate) to relax the exclusive reservation requirements for any public war housing, where such action is deemed appropriate in the interests of the war housing program. When so acting, the regional representative may act without reference to whether the housing has been completed or to how long it has been held available after completion. The regional representative shall give prompt notification of any such relaxation to the NHA constituent unit having control of the public war housing involved, in order that such unit may put the proposed relaxation into effect or discuss it further with the regional representative.

(b) The NHA constituent unit having control of any public war housing may relax the exclusive reservation requirement applicable to such housing, where such action is deemed appropriate in the interests of the war housing program: *Provided*, That the NHA constituent unit shall advise the National Housing Agency regional representative not less than 10 days prior to taking such action in order that the regional representative may have adequate opportunity if he so desires to require a further holding period for the housing involved. Such relaxations may be made without reference to whether the housing has been completed or to how long it has been held available after completion.

(c) Relaxation of the exclusive reservation requirements applicable to public war housing shall rest primarily upon the need to make prompt and effective use of public war housing units even when not needed for the precise types of war workers eligible under existing occupancy rules, because of inexact forecasting in earlier programming or because of changes in contract and employment schedules after the programs were written. After the exclusive reservation requirements have been relaxed, the NHA constituent unit having control of the public war housing involved shall permit such housing to be occupied in the following order of preference: (1) Eligible war workers under the existing rules; (2) eligible in-migrant military personnel, viz, enlisted men in the naval or military services of the United States or officers of the Army or Marine Corps not above the rank of Captain, and officers of the Navy and Coast Guard, not above the grade of Lieutenant, Senior Grade, assigned to duty at military or naval reservations, posts or bases, or to duty at defense industries; (3) other civilian war workers, (as defined in NHA General Order No. 60–1B) or eligible military personnel; or (4) (in the event there is no present or anticipated demand for occupancy by such other civilian war workers or military personnel) others eligible for occupancy as determined and prescribed by the NHA constituent unit having control of the public housing involved.

(d) When relaxation of exclusive reservation requirements is contemplated for an entire locality or for a very substantial volume of public war housing, as distinguished from individual cases or relatively small volumes of housing, the regional representative shall feel free if he deems it necessary to consult with the Office of the Administrator prior to taking action. What constitutes a "very substantial volume" of public war housing varies with local conditions, but a volume amounting to more than 25 percent of the total number of public war housing units in the locality would certainly be so considered. Whether the relaxation be individual, small or substantial, the regional representative shall notify the Office of the Administrator of action taken as promptly as feasible, in order that such office may keep abreast of current developments.

§ 703.5 *Suspended housing.* (a) Each National Housing Agency regional representative is hereby authorized to recommend suspension of any Federally owned public war housing projects or parts thereof, in accord with the detailed conditions and procedures set forth in NHA Operating Instructions No. 11–18. Pending decision as to whether suspended projects or parts thereof shall be made active, limited, stand-by, or terminated, no additional commitments shall be made for the furtherance of development, but existing commitments shall be carried forward and work shall continue where contracts have been awarded and proceed orders issued.

§ 703.6 *Stand-by housing.* (a) Each National Housing Agency regional representative is hereby authorized to recommend revision of the locality program so as to hold for stand-by purposes any Federally-owned public war housing projects or parts thereof, which shall result in the closing and holding of such projects or parts thereof (or the temporary cessation of development, and holding thereof, if not completed) for anticipated occupancy at some later date by in-migrant war workers. The circumstances under which such stand-by action may be taken, and the procedures in connection therewith, are set forth in detail in NHA Operating Instructions No. 11–18.

(b) The NHA constituent unit having control of any Federally-owned public war housing held for stand-by purposes shall have full responsibility and authority for taking as promptly as possible all necessary action resulting from the revised program, unless the Administrator directs that specific action be taken.

(c) Whenever changed circumstances or additional facts justify, the regional representatives may recommend restoration to active status, either with or without occupancy restrictions, or may recommend termination.

§ 703.7 *Terminated housing.* (a) Federally owned public war housing projects or parts thereof (except permanent, unmovable projects which are substantially completed) which are no longer needed for residential purposes in the locality during the war or during the period of orderly demobilization may be programmed as terminated, with consequent provisions for the removal, transfer to other Federal agencies, sale or lease of such housing, all in accord with the relevant statutory provisions. The policies and procedures relating to such termination and disposition during the war are treated in NHA Regulation No. 60–11.

This regulation shall become effective January 27, 1944.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44–3564; Filed, March 14, 1944; 10:02 a. m.]

[NHA Reg. 60–11]

PART 703—PUBLIC WAR HOUSING

TERMINATION DURING THE WAR OF OTHER THAN PERMANENT, UNMOVABLE HOUSING

Sec.
703.11 General policy.
703.12 Termination of public war housing.
703.13 Treatment of terminated housing.

AUTHORITY: §§ 703.11 to 703.13, inclusive, issued under E.O. 9070, 7 F.R. 1529.

§ 703.11 *General policy.* (a) The purpose of this regulation is (1) to enable the termination during the war of public war housing projects or parts thereof, other than permanent, unmovable housing, in instances where such housing seems clearly to be no longer needed for residential purposes in the locality during the war or during the period of orderly demobilization of the war effort, and (2) to state general policies in conformity with which the constituent units shall act during the war in order to assure that any terminated projects shall be used to the best advantage in connection with the war effort or its orderly

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[1] All public war housing projects undertaken pursuant to (a) the Lanham Act (Public No. 849, 76th Congress) as amended (including conversion projects undertaken under the supervision of NHA Homes Use Service), (b) Public Acts Nos. 9, 73, 353, 77th Congress, and (c) Public Act No. 781, 76th Congress; all projects of Defense Homes Corporation; and all Federally-owned projects undertaken pursuant to Public Act No. 671, 76th Congress.

[2] In such projects, tenants are selected by the local commandant.

[3] Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects.

[4] Tenant selection, in projects included in this section 2.02 which are located in States that have not enacted appropriate defense or war housing legislation, is subject to low income limitations of applicable state housing legislation; and with respect to those projects which are not converted to Public Act No. 671, tenant selection is subject also to the low income limitations of the United States Housing Act and of applicable state housing legislation.

[5] FPHA-operated PWA Housing Division projects, local authority-leased PWA Housing Division projects, and non-farm housing projects transferred to FPHA from FSA pursuant to the provisions of paragraph 1 (g) of Executive Order 9070 (7 F.R. 1529).

[6] On all projects described in this section 2.03 where there are outstanding lease or sale agreements, compliance with the provisions of this order is subject to appropriate modification of such outstanding lease or sale agreements to conform them to the provisions of this order. On all PWA Housing Division projects, compliance with the provisions of this order is subject to the obtaining of appropriate Presidential findings and conversion to Public Act No. 671.

[7] The conditions under which priority assistance for these projects were granted defined reasonable preference as meaning that each dwelling unit shall be reserved for occupancy by in-migrant or resident war workers for 30 days after the entire project is available for occupancy or 90 days from starting to take tenant applications, whichever period is longer.

[8] Includes Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects, but excludes normal low rent housing projects under Public Act No. 412 which merely obtained civilian priority assistance without a requirement of reasonable preference for war workers.

demobilization, or (where such use is not feasible) dispose of in the public interest and the best financial interest of the Government.

(b) This regulation applies to public war housing under the jurisdiction of the NHA and developed under the provisions of Public Laws 849 and 781 (76th Congress) and Public Laws 9, 73, and 353 (77th Congress). This regulation does not provide for the termination during the war of permanent, unmovable public war housing which has been substantially completed, since such housing has been programmed only in places where there was strong indication of long-term housing need and its disposition in accord with the Lanham Act will be primarily a postwar problem. Policies and procedures with respect to the termination of such housing will subsequently be issued. Incomplete permanent housing, of which there is relatively little, may be terminated under this regulation.

(c) The policies and procedures set forth in this regulation are in accord with the letter and intent of the relevant provisions of the Lanham Act. Section 313 of the Lanham Act, relating to temporary public war housing reads as follows:

> The Administrator shall, as promptly as may be practicable and in the public interest, remove all housing under his jurisdiction which is of a temporary character, as determined by him, and constructed under the provisions of this Act, Public Law 781, Seventy-sixth Congress, and Public Laws 9, 73, and 353, Seventy-seventh Congress. Such removal shall, in any event, be accomplished not later than two years after the President declares that the emergency declared by him on September 8, 1939, has ceased to exist, with the exception only of such housing as the Administrator, after consultation with local communities finds is still needed in the interest of the orderly demobilization of the war effort: *Provided*, That all such exceptions shall be reexamined annually by the Administrator and that all such exceptions and reexaminations shall be reported to the Congress.

Section 4 of the Lanham Act, relating to public war housing other than temporary, reads in part as follows:

> It is hereby declared to be the policy . . . that such housing may be sold and disposed of as expeditiously as possible: *Provided*, That in disposing of said housing consideration shall be given to its full market value and said housing or any part thereof shall not, unless specifically authorized by Congress, be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income.

§ 703.12 *Termination of public war housing.* (a) Each National Housing Agency regional representative is hereby authorized to recommend termination of any Federally-owned public war housing projects or parts thereof, which this regulation affects. The conditions under which housing may be terminated, and the procedures to be followed, are set forth in detail in NHA Operating Instructions No. 11-18. Termination of such housing shall constitute an authorization to the FPHA to take all necessary action toward removal, transfer to other uses, or disposition.

(b) In view of the finality of action which terminates public war housing, extreme care should be exercised by the regional representatives in order that projects or parts thereof shall be recommended for termination only when (1) the best available information has shown that there is no anticipated in-migrant war worker need which would justify reprogramming the housing involved for stand-by purposes in accordance with NHA Regulation No. 60-5C; and (2) it is clear from rental experience and the best available information that the housing involved is not needed in its present location to meet residential needs which would be served by relaxation of the occupancy requirements in accordance with NHA Regulation No. 60-5C; and (3) that through a combination of (1) and (2) it is clear that the housing involved is no longer needed for residence purposes in the locality during the war or during the period of orderly demobilization.

§ 703.13 *Treatment of terminated housing.* (a) When a project assigned to FPHA is programmed in whole or in part as "terminated" the FPHA (unless the Commissioner thereof in any specific case be otherwise directed by the Administrator) shall have full authority and responsibility for taking, as promptly as possible, all necessary action resulting from the termination and shall act within the limits of the following policies:

(1) Trailers and portable units should be moved to fill public war housing programs for such units in other localities or to carry out other assignments of the Administrator. Pending such moving they may be kept on their present site. Because of their utility in the public war housing program, they should not be transferred, or sold or leased for any other use; except that sales may be made of trailers in such a state of disrepair that their further use is impracticable;

(2) Structures which it is practicable to move should, when possible, be used in carrying out public war housing programs in other localities;

(3) Structures which it is practicable to move but which are not used as above should be sold, if possible, for use in meeting private priority quotas under the war housing program in other localities, except that residential structures of a temporary character may not be sold for such use;

(4) Any structures not used in any of the ways described above should, in the public interest, be transferred to another Federal agency or sold or leased to a public or quasi-public agency when needed for non-residential or institutional uses connected with the war or its orderly demobilization, except that residential structures of a temporary character may not be permanently transferred or sold for such use on their present sites. If such non-residential need is by the Federal Government on the present site, it may take precedence over (2) and (3) above when this will be in the public interest and best serve the war effort or its orderly demobilization;

(5) Any structures not used in any of the ways described above may be reserved by the FPHA for future non-residential or institutional use on the present site by any Federal agency which represents that the structures may be needed by it in connection with the war or its orderly demobilization;

(6) Any structures not used, or reserved for use, in any of the ways described above, may, for any appropriate non-residential or institutional use on the present project site, be transferred to another Federal agency or sold or leased to private individuals or corporations or to public or quasi-public agencies, whichever is in the best financial interest of the Government, except that residential structures of a temporary character may not be transferred permanently to another Federal agency or sold for such use (except for transfers to the Army or Navy pursuant to section 4 of the Lanham Act).

(7) Any structures or materials not used in any of the ways described above should be treated as follows:

(i) Any residential structures of a temporary character which it is not practicable to move should be demolished as promptly as possible and these and other materials re-used in whatever manner will best promote the war effort and be in the public interest. Demolition for re-use of materials in the public war housing program may take precedence over non-residential uses under (5) and (6) when this will be in the public interest and best serve the war effort;

(ii) Any structures which it is practicable to move should be regarded as a reserve for possible future use elsewhere in the public war housing program, and may be kept standing on their present sites when this is the most feasible method of handling them pending their removal for use elsewhere;

(8) Any materials which cannot be advantageously re-used in the public war housing program shall be transferred to other Federal agencies or sold to others in a manner which will be to the best financial interest of the Government and in the best public interest, with preference being given to transfers or sales for use of the materials in connection with the war or its orderly demobilization.

(9) Any land which is no longer needed and is owned should be transferred to another Federal agency or sold in accordance with the policy stated in (10) below, and any leases or temporary uses of land should be terminated;

(10) All sales of properties referred to above should be undertaken as promptly as may be advantageous under the circumstances from the viewpoint of the public interest and the best financial interest of the Government. In the sale of such property, consideration should be given to its full market value.

This regulation shall become effective January 27, 1944.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-3565; Filed, March 14, 1944; 10:02 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

[Reg. 16, Amdt. 1]

DAMAGES FOR BREACH OF CONTRACT

Some persons have misconstrued § 602.283 of Solid Fuels Administration for War Regulation No. 16 (9 F.R. 2491-2492) to mean that they would be relieved from contractual liability by virtue of the provisions of that section. That section is of very limited applicability and it concerns primarily situations in which persons have agreed to enter into contracts on a date subsequent to March 10, 1944, for the delivery or receipt of by-product coal. In order that there may be no further misunderstanding, the regulation is clarified and revised herein. Accordingly, pursuant to the powers conferred by Executive Order No. 9332, Solid Fuels Administration for War Regulation No. 16 is hereby amended as follows:

Section 602.283 is hereby amended to read as follows:

§ 602.283 *Damages for breach of contract.* No person shall be held liable under an agreement or contract for damages which result directly from compliance with § 602.281 (a) and (b) of this regulation. Nothing in this section shall be construed to relieve any person from liability for any other damages or penalties in accordance with the provisions of any contract for by-product coal entered into before or after the effective date of this regulation.

This amendment shall be effective as of March 2, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 13th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-3570; Filed, March 14, 1944; 11:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1346—BUILDING MATERIALS

[MPR 466,* Amdt. 2]

ASBESTOS-CEMENT BUILDING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 466 is amended in the following respects:

1. Footnote 14 to paragraph (a) of section 8.3 is amended to read as follows:

> [14] Not required of Carey, Ruberoid, or "K & M".

2. Paragraph (a) of section 8.3 is amended to insert the footnote reference number "15" immediately following Millington, New Jersey, and a footnote to such paragraph is added to read as follows:

> [15] Keasbey and Mattison is required to equalize freight to this point only for asbestos-cement siding.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3552; Filed, March 13, 1944; 3:34 p. m.]

PART 1349—ELECTRICAL GENERATION, TRANSMISSION, CONVERSION AND DISTRIBUTION APPARATUS

[RPS 82,[1] Amdt. 6]

WIRE, CABLE AND CABLE ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1349.1 (c) of Revised Price Schedule 82 is amended to read as follows:

(c) (1) On and after January 29, 1942, regardless of the terms of any contract or other commitment, no person shall sell or supply, and no person shall buy or receive any operation or service performed in connection with the rolling of bars into rods or drawing wire therefrom at a price in excess of the net price which the supplier had in effect for similar operation on October 15, 1941, or on the latest date prior thereto on which such operation or service was performed.

(2) On and after March 18, 1944, regardless of the terms of any contract or other commitment, no person shall sell or supply, and no person shall buy or receive any operation or service performed in connection with the fabrication of wire, cable or cable accessories, whether or not any of the components thereof are supplied by the person performing the operation or service, at a net price which is in excess of the net price which the supplier had in effect for a similar operation or service on October 15, 1941, or on the latest date within six months prior thereto on which such operation or service was performed. Where no similar operation or service was performed on October 15, 1941 or within six months prior thereto, the maximum price therefor shall be determined under the provisions of § 1349.19 (Appendix C) so far as they may be applied.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3555; Filed, March 13, 1944; 3:34 p. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 320]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

Maximum Price Regulation 320 is redesignated Revised Maximum Price Regulation 320 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Standards and grade specifications used in this regulation have been accepted and were in general use within the industry prior to the issuance of this regulation. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1377.201 *Maximum prices for Eastern and Central wooden agricultural containers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 320 (Eastern and Central Wooden Agricultural Containers), which is annexed hereto and made a part hereof, is hereby issued:

AUTHORITY: § 1377.201 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

REVISED MAXIMUM PRICE REGULATION 320—EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Sales of Eastern and Central wooden agricultural containers at higher than maximum prices prohibited.
2. Products covered by the regulation.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12612; 9 F.R. 964.

[1] 7 F.R. 1358, 2139, 7034, 8048; 8 F.R. 5810, 10656, 17296.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec.

3. Basic maximum prices.
4. Additions to basic maximum prices.
5. Maximum prices; sales by dealers.
6. Maximum prices; warehouse sales.
7. Containers covered by the regulation but not specifically priced.
8. Additions for delivery.
9. What the invoice must contain.
10. Prohibited practices.

ARTICLE III—MISCELLANEOUS

11. Adjustable pricing.
12. Applications for adjustment and petitions for amendment.
13. Records and reports.
14. Licenses.
15. Registration.
16. Enforcement.
17. Relation to other regulations.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Sales of Eastern and Central wooden agricultural containers at higher than maximum prices prohibited.* (a) On and after the effective date of this regulation regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern and Central wooden agricultural containers at prices higher than the maximum prices fixed by this Revised Maximum Price Regulation 320, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

SEC. 2. *Products covered by the regulation.* This regulation, under the term "Eastern and Central Wooden Agricultural Containers", covers wooden agricultural containers made entirely of wood or a combination of wood and solid fiber or corrugated board, which are manufactured in any of the following states:

Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

The term "agricultural container" means any assembled or unassembled box, crate, tray, lug, cup, hamper, basket, carrier, or similar container customarily used for picking, handling, storing or shipping fresh fruits and vegetables. This regulation also covers riser sticks and any constituent wooden part (partial shook) of the containers covered herein, if it is ready to be assembled into the container.

Expressly excluded from the provisions of this regulation are coopered products, veneer and plywood drums, and used containers.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Basic maximum prices.* The basic maximum prices, f. o. b. producing factory or loaded on conveyance, which a manufacturer may charge for Eastern and Central agricultural containers when sold in minimum truckload quantities are shown in the following tables:

TABLE I—EXPORT TUBS; CONTINUOUS STAVE BASKETS; COVERS

Container description	Units	Minimum truckload	Price	Container description	Units	Minimum truckload	Price
1 bu. export tubs—solid bottom	Dozen	125	$3.45	1 bu. full or Georgia crown covers	Dozen		$0.87
1 bu. export tubs—stitched in bottom	Dozen	125	3.00	1 bu. star crown covers	Dozen		.81
1 bu. continuous stave—bent bottom—3 hoops	Dozen	120	2.79	1 bu. star flat covers	Dozen		.75
1 bu. continuous stave—improved—3 hoops	Dozen	125	2.70	1 bu. octagon covers—without loops	Dozen		.69
1 bu. continuous stave—round bottom—2 hoops	Dozen	125	2.64	1 bu. rimless covers—with 4 loops	Dozen		.81
½ bu. export tubs—solid bottom	Dozen	175	2.61	1 bu. Moon covers	Dozen		.69
½ bu. export tubs—stitched in bottom	Dozen	175	2.34	½ bu. full or Georgia crown covers	Dozen		.83
½ bu. continuous stave—bent bottom—3 hoops	Dozen	175	2.22	½ bu. star crown covers	Dozen		.87
½ bu. continuous stave—improved—3 hoops	Dozen	175	2.16	½ bu. star flat covers	Dozen		.81
½ bu. continuous stave—round bottom—2 hoops	Dozen	175	2.07				

NOTES

1. All baskets and tubs are priced with full or Georgia crown covers, 2 handles and 2 loop fasteners, unless otherwise specified.
2. All covers are priced with 2 loop fasteners, unless otherwise specified. For covers without loop fasteners deduct 3¢ per dozen.
3. For baskets without covers deduct full or Georgia crown cover price.
4. For all customer printing add ¼¢ per impression; die charge extra for customer's account.
5. For baskets without side loop fasteners deduct 6¢ per dozen.
6. For baskets without handles deduct 6¢ per dozen.
7. For 2 extra side loop fasteners add 6¢ per dozen.
8. For 2 extra handles add 6¢ per dozen.
9. For covers other than full or Georgia crown covers, deduct the following from basket prices listed:
   a. Star crown covers—deduct 6¢ per dozen.
   b. Star flat covers—deduct 12¢ per dozen.
   c. Octagon covers, without loops—deduct 18¢ per dozen.
   d. Moon covers—deduct 21¢ per dozen.

TABLE II—HAMPERS; COVERS

Container description	Units	Minimum truckload	Price	Container description	Units	Minimum truckload	Price
1 bu. (32 qt.) bean hampers—wire or loop fasteners—11 staves ½" x 4½" x 19¾".	Hundred	2,000	$23.00	½ bu. (20 qt.) hampers—hand made—cross brace Veneer hoops—No covers.	Hundred	3,000	$15.25
1 bu. (32 qt.) hampers—wire or loop fasteners—10 staves ⅜" x 4⅝₁₆" x 19¾".	Hundred	2,000	22.00	½ bu. (20 qt.) hampers—hand made—cross brace Keg hoops—No covers.	Hundred	3,000	16.75
1 bu. (32 qt.) hampers—tin fasteners	Hundred	2,000	21.50	½ bu. (16 qt.) hampers—No covers	Hundred	3,500	11.75
1 bu. (32 qt.) hampers—handmade—cross brace	Hundred	2,000	20.50	1 bu. regular flat solid hamper covers	Hundred		6.75
½ bu. (20 qt.) hampers—machine made—veneer hoops—No covers.	Hundred	3,000	13.75	1 bu. regular flat ventilated hamper covers	Hundred		5.00
½ bu. (20 qt.) hampers—machine made—keg hoops—No covers.	Hundred	3,000	15.25				

NOTES

1. For hampers without covers, deduct listed price for 1 bu. hamper covers (solid).
2. For 1 bu. hampers with crown covers add $1.50 per hundred to listed price for these hampers with regular flat solid hamper covers.
3. For all customer printing add ¼¢ per impression; die charge extra for customer's account.

TABLE III—CLIMAX BASKETS; BERRY CUPS; TILL BASKETS

Container description	Units	Minimum truckload	Price	Container description	Units	Minimum truckload	Price
4 qt. Climax baskets—veneer covers—wire handles.	Thousand	8,000	$66.00	12 qt. Climax baskets—no handles or covers	Thousand		$21.00
4 qt. Climax baskets—veneer covers—wood handles.	Thousand	8,000	67.00	12 qt. Climax slatted covers only	Thousand		22.50
4 qt. Climax baskets—wire handles—no covers	Thousand		56.00	12 qt. Climax raised slatted covers only	Thousand		27.50
4 qt. Climax baskets—no handles—no covers	Thousand		53.00	12 qt. Climax wire handles only	Thousand		6.00
4 qt. Climax veneer covers only	Thousand		10.00	12 qt. Climax wood handles only	Thousand		7.50
4 qt. Climax wire handles only	Thousand		4.00	1 qt. American berry cups—pre-dried	Thousand	60,000	8.00
4 qt. Climax wood handles only	Thousand		5.00	1 qt. American berry cups—wet	Thousand	60,000	8.75
12 qt. Climax baskets—flat slatted covers—wire handles.	Thousand	4,000	116.00	1 qt. American berry cups—tight corners	Thousand	60,000	10.00
12 qt. Climax baskets—raised slatted covers—wire handles.	Thousand		121.00	1 qt. hallock berry cups	Thousand	60,000	10.00
12 qt. Climax baskets—raised slatted covers—wood handles.	Thousand		117.50	1 pt. American berry cups—pre-dried	Thousand	70,000	8.00
12 qt. Climax baskets—raised slatted covers—wood handles.	Thousand		122.50	1 pt. American berry cups—wet	Thousand	70,000	7.75
12 qt. Climax baskets—wire handles—no covers	Thousand		95.00	1 pt. oblong berry cups	Thousand	60,000	8.00
12 qt. Climax baskets—wood handles—no covers	Thousand		90.50	1 pt. hallock berry cups	Thousand	70,000	9.00
				½ pt. American berry cups	Thousand	80,000	8.00
				½ pt. oblong berry cups	Thousand	80,000	8.00
				1 qt. till baskets	Thousand	40,000	18.50
				2 qt. till baskets	Thousand	30,000	20.50
				3 qt. till baskets	Thousand	25,000	21.50
				4 qt. till baskets	Thousand	20,000	22.50

NOTES

1. For climax baskets with 2 loops, add $2.00 per thousand.
2. All berry cups are priced packed in cartons.

TABLE IV—MARKET BASKETS; COVERS

Container description	Units	Minimum truck load	Price	Container description	Units	Minimum truck load	Price
8 qt. square braid splint baskets	Dozen	300	$0.80	32 qt. slab baskets	Dozen	100	$1.30
12 qt. square braid splint baskets	Dozen	250	.90	8 qt. veneer covers	Hundred		.60
16 qt. square braid splint baskets	Dozen	200	.95	12 qt. veneer covers	Hundred		.70
24 qt. square braid splint baskets	Dozen	150	1.05	16 qt. veneer covers	Hundred		.70
32 qt. square braid splint baskets	Dozen	100	1.35	24 qt. veneer covers	Hundred		.80
24 qt. square braid lettuce baskets with cover	Dozen	250	1.40	8 qt. slatted raised covers	Dozen		.40
8 qt. slab baskets	Dozen	300	.75	12 qt. slatted raised covers	Dozen		.43
12 qt. slab baskets	Dozen	250	.85	16 qt. slatted raised covers	Dozen		.45
16 qt. slab baskets	Dozen	200	.90	24 qt. slatted raised covers	Dozen		.53
24 qt. slab baskets	Dozen	150	1.00				

NOTES

1. All market baskets are priced without covers, unless otherwise specified.

TABLE V—CRATES, PARTS, MISCELLANEOUS

Freight container Bureau No.	Container description (freight container bureau specifications except as noted)	Units	Minimum truckload	Price	Freight container Bureau No.	Container description (freight container bureau specifications except as noted)	Units	Minimum truckload	Price
	Unlitized: Veneer parts, Lumber and/or Veneer cleats—Stitched and/or Nailed:					Unlitized: Veneer parts, Lumber and/or Veneer cleats—Continued.			
25-28	1⅛ bu. apple box 11" x 18" x 17"—without covers.	Hundred	1,250	$24.50	485	Celery crates 20" x 11" x 20⅜"	Hundred	1,000	$30.25
34	1 bu. apple box 11" x 12½" x 16"—without covers.	Hundred	1,250	22.00	480	Celery crates 16" x 10" x 22"	Hundred	1,000	28.00
30	1 bu. apple box 10½" x 11¼" x 18"—without covers.	Hundred	1,250	23.00	3610	Celery crates Ransbottom type 20" x 11" x 20⅜".	Hundred	1,000	31.25
	1 bu. Dozier Fruit box 11" x 12½" x 16"—¼" Veneer ½" Rails.	Hundred	1,250	25.00	923-925	Wirebound celery crates 16" x 10" x 22"	Hundred	1,000	29.25
252	24 pt. American berry crates 9" or 9⅛" x 9" x 18".	Hundred	1,250	40.00	3800	Lettuce and vegetable crates 7½" x 15" or 15¼" x 18¾".	Hundred	1,250	21.00
260	24 pt. Berry crates—Oblong cups	Hundred	1,250	41.50		Wirebound lettuce and vegetable crates 7½" x 15" or 15¼" x 18¾".	Hundred	1,250	24.25
4615	24 pt. Wired American berry crates	Hundred	1,250	41.00	926-929	Lettuce and vegetable crates 12" x 17½" x 21¾" to 22".	Hundred	1,000	38.00
	16 qt. American berry crates	Hundred	1,000	37.00	950-952	Lettuce and vegetable crates 9" x 13" x 21¾" to 22".	Hundred	1,250	24.25
	16 qt. Hallock berry crates	Hundred	1,000	36.50	5501	Folding vegetable crates 13" x 17½" x 21¾" x 22".	Hundred	1,000	44.50
	16 qt. Huckleberry crates	Hundred	1,000	42.50	1417	Pepper crates 13¾" x 11" x 22"	Hundred	1,250	20.25
295	36 pt. berry crates—Oblong cups 9" x 11" x 22".	Hundred	1,000	56.25	1235-1236	1 bu. potato crates 12" x 12" x 18"	Hundred	1,250	21.50
253	24 qt. American berry crates 11" x 11" x 21¾" to 22".	Hundred	1,000	51.00	1654	1 bu. sweet potato crates 12" x 12" x 16¾"	Hundred	1,250	21.50
4616	24 qt. Wired American berry crates	Hundred	1,000	52.50	5576	1 bu. folding sweet potato crates	Hundred	1,250	31.50
4501	24 qt. Jarrell type Folding berry crate	Hundred	1,000	59.00	1700	1 bu. vegetable crates 8" x 12" x 22"	Hundred	1,250	23.25
5720	24 qt. Hinged-cover berry crates—made up.	Hundred	200	70.60	1550	Radish crates 7½" x 15" x 18¾"	Hundred	1,250	23.25
	Berry crate dividers	Hundred		2.10	1601	6 Basket crate skeleton 10" x 11" x 22"	Hundred	1,250	20.25
710	½ bu. nailed citrus crates—6" x 12" x 12".	Hundred	2,000	13.00	5040	Wirebound vegetable crate 12" x 12" x 16¾".	Hundred	1,250	37.50
690	½ bu. nailed citrus crates—half strap—6" x 12" x 24".	Hundred	1,250	23.25	4564	James sweet potato crate 12⅞" x 12¼" x 12" top 12¼" x 10" bottom.	Hundred	1,250	26.50
679	½ bu. nailed citrus crates 9½" x 9¼" x 19".	Hundred	1,250	21.50		Veneer slats: Solid Lumber or Assembled Ends:			
5677	½ bu. wirebound citrus crates 9¼" x 9½" x 19".	Hundred	1,250	23.75	161	Asparagus crates 10½" x 9" or 9½" top 11" bottom x 17⅞₁₆" or 18". 5/32" ends, 7/16" slats.	Hundred	1,250	27.50
675	1¾ bu. nailed citrus crates 12" x 12" x 24".	Hundred	1,000	34.00	187	Asparagus crates 11" x 9¼" top 12" bottom x 16¾". 5/32" ends, ¼" slats.	Hundred	1,250	29.00
705	1½ bu. nailed citrus crates—No center head.	Hundred	1,000	27.00	188	Asparagus crates 12⅞" x 9½" top 10½" bottom x 17¾", 5/32" ends, ¼" slats.	Hundred	1,250	30.00
680	1¾ bu. nailed citrus crates 11⅛" center head.	Hundred	1,000	32.50	1450	Pineapple crates 10½" x 12" x 23" ¾" x 4" slats.	Hundred		34.50
5004	1¾ bu. wirebound citrus crates	Hundred	1,000	31.00		Pineapple crates 10½" x 12" x 23" ¾" x 4½" slats.	Hundred		36.75
401	Cauliflower crates 8½" x 18" x 21¾" to 22".	Hundred	1,000	30.50					

TABLE V—CRATES, PARTS, MISCELLANEOUS—Continued

Freight container Bureau No.	Container description (freight container bureau specifications except as noted)	Units	Minimum truckload	Price
	Sawn Slats: Assembled ends:			
1150	Pony cataloupe crate 11" x 11" x 22"...	Hundred...	1,000	$27.75
1151	Standard cantaloupe crate 12" x 12" x 22".	Hundred...	1,000	29.00
1152	Jumbo cantaloupe crate 13" x 13" x 22".	Hundred...	1,000	30.00
	Unitized: Veneer sides, top and bottoms, lumber ends:			
[illegible]	Avocado boxes 4¼" x 13½" x 16"—¼" Veneer, 1¼6" ends.	Hundred...	1,000	15.50
1026	Tomato lugs 6⅞" x 13½" x 16": End cleats attached	Hundred...	1,000	18.00
	End cleats not attached	Hundred...	1,000	18.00
1050	Tomato lugs 6⅞" x 13½" x 16": ¼" Veneer: End cleats attached	Hundred...	1,000	22.50
	End cleats not attached	Hundred...	1,500	22.50
	Made up	Hundred...	500	25.50
[illegible]	Tomato lugs 4¼" x 13½" x 16": End cleats attached	Hundred...	1,500	14.75
	End cleats not attached	Hundred...	1,500	13.75
	Miscellaneous special containers: ⅛ barrel cranberry box, 9¼" x 30½" x 15" or 9½" x 11" x 13151/16".	Hundred...	1,250	21.50
	1 bu. market box, 17½" x 17½" x 7¾6", without tops, ends ⅛". sides and bottom ⅛".	Hundred...	1,250	20.00
	½ bu. market box, 12¾" x 12¾" x 7¾6", without tops, ends ½". sides and bottoms ¼".	Hundred...	1,500	13.00
	Field crates:			
	Citrus field crates: Cypress 12" x 12" x 33"	Hundred...	1,000	108.00
	Gum 12" x 12" x 33"	Hundred...	1,000	76.00
	Pine 12" x 12" x 33"	Hundred...	1,000	67.00
	Tomato field crates: Cypress 11" x 11" x 24"	Hundred...	1,000	57.50
	Gum 11" x 11" x 24"	Hundred...	1,000	47.50
	Pine 11" x 11" x 24"	Hundred...	1,000	42.00
	Tomatoe field crates: Cypress 11" x 12" x 24"	Hundred...	1,000	66.50
	Gum 11" x 12" x 24"	Hundred...	1,000	49.00
	Pine 11" x 12" x 24"	Hundred...	1,000	41.50
	Field crates, 11" x 14" x 17" (¼" ends, ¾" sides and bottom, 1¼" x 1¼" cleats).	Hundred...	1,000	31.50
	Field crates, 11" x 14" x 17" (¾" ends, ½" sides and bottom, 1¼" x 1¼" cleats).	Hundred...	1,000	40.00
	Crate parts:			
	Citrus riser sticks—straight—Tangerine	Hundred...	.....	.65
	Citrus riser sticks—straight—Orange	Hundred...	.....	.95
	Citrus riser sticks—straight—Grapefruit	Hundred...	.....	1.25
	Citrus riser sticks—beveled—Tangerine	Hundred...	.....	.90
	Citrus riser sticks—beveled—Orange	Hundred...	.....	1.20
	Citrus riser sticks—beveled—Grapefruit	Hundred...	.....	1.45
25-34-20	1 bu. and 1⅛ bu. apple box covers—Unitized, 4 slats ⅛" x 3"	Hundred...	.....	4.00
	Apple box top slats ¼" x 2¼" or 5/16" x 1⅛"	Thousand...	.....	7.50
253	24 pt. American berry crate parts: Ends	Hundred...	.....	3.85
	Sides	Hundred...	.....	3.20
	Tops	Hundred...	.....	2.11
	Bottoms	Hundred...	.....	1.74
283	24 qt. American berry crate parts: Ends	Hundred...	.....	5.46
	Sides	Hundred...	.....	3.68
	Tops	Hundred...	.....	3.52
	Bottoms	Hundred...	.....	2.66
401	Cauliflower crate parts—8⅛" x 18" x 22": Ends	Hundred...	.....	7.15
	Sides	Hundred...	.....	7.85
	Tops	Hundred...	.....	5.00
	Bottoms	Hundred...	.....	5.50
480	Celery crate parts—10" x 10" x 22": Ends	Hundred...	.....	5.83
	Sides	Hundred...	.....	4.67
	Tops or bottoms	Hundred...	.....	3.50
485	Celery crate parts—20" x 11" x 20⅛": Ends	Hundred...	.....	7.80
	Sides	Hundred...	.....	5.30
	Tops	Hundred...	.....	1.70
	Bottoms	Hundred...	.....	3.15
675-705	1⅛ bu. nailed citrus crate parts: Ends	Hundred...	.....	2.36
	Centers	Hundred...	.....	2.50
	Sides	Hundred...	.....	4.35
	Tops	Hundred...	.....	4.30
	Bottoms	Hundred...	.....	3.09
870	½ bu. nailed citrus crate parts: Ends	Hundred...	.....	3.45
	Centers	Hundred...	.....	4.05
	Sides	Hundred...	.....	2.70
	Tops	Hundred...	.....	2.70
	Bottoms	Hundred...	.....	2.45
925-975	Lettuce and vegetable crate parts—7½" x 13" or 13½" x 18¾": Ends	Hundred...	.....	4.83
	Sides	Hundred...	.....	2.41
	Tops	Hundred...	.....	3.27
	Bottoms	Hundred...	.....	3.27
926-939	Lettuce and vegetable crate parts 13" x 17½" x 21¾" to 22": Ends	Hundred...	.....	8.70
	Sides	Hundred...	.....	4.05
	Tops	Hundred...	.....	5.00
	Bottoms	Hundred...	.....	5.50
940-952	Lettuce and vegetable crate parts 9" x 12" x 21¾" to 22": Ends	Hundred...	.....	6.00
	Sides	Hundred...	.....	2.30
	Tops	Hundred...	.....	3.50
	Bottoms	Hundred...	.....	3.75
1255-1256	1 bu. potato crate parts 12" x 12" x 15": Ends	Hundred...	.....	3.83
	Sides	Hundred...	.....	2.96
	Tops	Hundred...	.....	2.96
	Bottoms	Hundred...	.....	2.96
1417	Pepper crate parts 13¾" x 11" x 22": Ends	Hundred...	.....	7.55
	Sides	Hundred...	.....	4.43
	Tops	Hundred...	.....	3.15
	Bottoms	Hundred...	.....	2.15
1550	Radish crate parts 7½" x 15" x 15¾": Ends	Hundred...	.....	4.83
	Sides	Hundred...	.....	2.73
	Tops	Hundred...	.....	4.07
	Bottoms	Hundred...	.....	4.07
1654	1 bu. sweet potato crate parts 12" x 12" x 16¾": Ends	Hundred...	.....	4.83
	Sides	Hundred...	.....	2.96
	Tops	Hundred...	.....	2.96
	Bottoms	Hundred...	.....	2.96
1700	1 bu. vegetable crate parts 8" x 12" x 22": Ends	Hundred...	.....	5.50
	Sides	Hundred...	.....	2.50
	Tops	Hundred...	.....	3.50
	Bottoms	Hundred...	.....	3.75
1450	Pineapple crate parts 10½" x 12" x 33": Ends	Hundred...	.....	5.15
	Centers	Hundred...	.....	6.35
	¼" x 4" slats	Hundred...	.....	2.23
	¼" x 4½" slats	Hundred...	.....	2.51
1025	Tomato lug parts 6⅞" x 13½" x 16": Ends—cleats attached	Hundred...	.....	5.45
	Ends—cleats not attached	Hundred...	.....	4.95
	Sides	Hundred...	.....	1.10
	Tops	Hundred...	.....	2.80
	Bottoms	Hundred...	.....	2.30
1040	Tomato lug parts 6⅞" x 13½" x 16": Ends—cleats attached	Hundred...	.....	5.70
	Ends—cleats not attached	Hundred...	.....	4.70
	¼" sides	Hundred...	.....	1.60
	¼" tops	Hundred...	.....	4.30
	¼" bottoms	Hundred...	.....	3.95
25-28	1¼" bu. apple box parts: Ends	Hundred...	.....	5.82
	Sides	Hundred...	.....	3.67
	Bottom	Hundred...	.....	5.52
	Cleats (per M' BM Net Lower measure)	.....	.....	66.00

NOTES

1. All crates are priced unitized but knocked down, unless otherwise specified.
2. All dimensions on crates are inside, unless otherwise specified.
3. For all stock and customers printing add 1/4¢ per impression; die charge extra for customer's account.
4. All berry crates are priced complete with cups and dividers.
5. All berry crates sold without cups or dividers, deduct 4¢ per crate and ceiling price of cups.
6. For dyed cleats add ½¢ per crate.
7. For curved sides on 1⅑ bushel nail type citrus crates, add 1½¢ per crate.
8. For curved sides on ⅘ bushel nail type citrus crates, and lugs, add 1¢ per crate.
9. For all nail type celery crates with 22" x 10" head frames, add 2¢ per crate.
10. For making up crates (except those priced made up) add 3¢ per crate.
11. All parts are complete or unitized, not sets.
12. In 1¼ bu. wirebound citrus boxes when 4 solid fiber slats are substituted for 4 veneer slats in the blank only an addition of $3.50 per hundred may be made to the basic maximum price.
13. In 1⅛ bu. wirebound citrus boxes when 4 solid fiber slats in the blank and 1 in each end panel are substituted for veneer slats, an addition of $4.50 per hundred may be made to the basic maximum price.
14. In 1¼ bu. wirebound citrus boxes when 4 corrugated slats are substituted for 4 veneer slats in the blank only an addition of $2.00 per hundred may be made to the basic maximum price.
15. In 1¼ bu. wirebound citrus boxes when 4 corrugated slats in the blank and 1 in each end panel are substituted for veneer slats an addition of $2.50 per hundred may be made to the basic maximum price.

TABLE VI—MAXIMUM PRICES FOR SMALL QUANTITY SALES

Container description	Per 100, lots of 1 to 499	Per 100, lots of 500 to 999	Per 100, lots of 1 to 999
1 qt. American berry cups, predried	$1.35	$1.05	.....
1 qt. American berry cups, wet	1.30	1.00	.....
1 qt. American berry cups, tight corners	1.45	1.15	.....
1 qt. Hallock berry cups	1.45	1.15	.....
1 pt. American berry cups, predried	1.25	.95	.....
1 pt. American berry cups, wet	1.20	.90	.....
1 pt. Oblong berry cups	1.30	1.00	.....
½ pt. American berry cups	1.30	1.00	.....
½ pt. Oblong berry cups	1.30	1.00	.....
1 qt. Till baskets	.....	.....	$2.25
2 qt. Till baskets	.....	.....	2.45
3 qt. Till baskets	.....	.....	2.65
4 qt. Till baskets	.....	.....	2.80

SEC. 4. *Additions to basic maximum prices*—(a) *Less than minimum truckload shipments.* In truck shipments of less than minimum truckload amounts as shown in the price tables, including all types and sizes of containers in the particular shipment, the following additions may be made to the basic maximum f. o. b. factory prices:

(1) If the total sale or shipment to one location involves 25 percent or less of a minimum truckload amount, 10% of the basic maximum f. o. b. factory price may be added.

(2) If the total sale or shipment to one location involves more than 25 percent of a minimum truckload amount but less than a minimum truckload amount, 5% of the basic maximum f. o. b. factory price may be added.

(b) *Overtime operations.* Any manufacturer whose operations during any one week exceed 40 hours may reflect the increased cost of such operations on deliveries during the succeeding week by adding to the basic maximum f. o. b. factory price the following amounts:

(1) 2% of the basic maximum f. o. b. factory price for the first full 4 hour period of overtime operations.

(2) 1% of the basic maximum f. o. b. factory price for each full 2 hour period of overtime operations in excess of 44 hours per week.

Any manufacturer who makes additions for overtime operations must file reports as required in paragraph (b) of section 13.

SEC. 5. *Maximum prices; sales by dealers.* The maximum prices which a dealer may charge for Eastern and Central agricultural containers shall be the sum of the following:

(a) The basic maximum f. o. b. factory price;

(b) The seller's average percentage mark-up over the f. o. b. factory price on sales of these items during 1941;

(c) Any overtime addition actually paid by the seller to the manufacturer.

For the purpose of this regulation a dealer is a person, other than the producing factory, who buys, takes title to, and resells agricultural containers for delivery directly from the producing factory to the consumer.

SEC. 6. *Maximum prices; warehouse sales.* The maximum prices for warehouse sales of Eastern and Central agricultural containers shall be the sum of the following:

(a) The basic maximum f. o. b. factory price;

(b) The average inbound freight on the particular size and type of container. Average inbound freight is to be figured at least once every two weeks on the basis of the weighted quantity of containers received from the different factories.

(c) The seller's average percentage mark-up over his delivered cost on each particular class of sales of these items during 1941. Classes of sales are:

(1) Minimum truckload;

(2) 25 percent or less of minimum truckload;

(3) More than 25 percent but less than a minimum truckload.

(d) Any overtime addition actually paid by the seller to the manufacturer.

For the purpose of this regulation a warehouse sale is a sale in which shipment to the purchaser is made from the stock of a warehouse located and operated independently of the producing factory. A shipment is considered made from the stock of a warehouse only if the containers were actually in the warehouse at the time of sale. A factory may make warehouse sales of containers manufactured by other producers provided the containers are clearly marked with the name and address of the producing factory.

SEC. 7. *Containers covered by the regulation but not specifically priced.* A manufacturer desiring to price a container not specifically priced in the tables must write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the item to be priced, all available production costs data, his requested selling price, and any facts in support of the requested price. Approval of a price will be by letter or telegram, and any price not disapproved within 20 days from receipt of the application shall be considered approved until amended or revoked by this office. After filing application for a price and pending action by the Office of Price Administration a seller may use his requested price, subject to adjustment to the price approved by this office.

Any seller for whom a special price has been approved prior to the issuance of this regulation must obtain a new approval under this section.

Once a maximum price for a container has been approved or established by the Office of Price Administration under this section, the manufacturer must inform each warehouse operator, dealer or broker who sells the container which he manufactures of the price so established.

SEC. 8. *Additions for delivery*—(a) *Common or contract carrier.* If delivery is by common or contract carrier the seller may add to his maximum prices the actual charges paid or incurred by him in making delivery to the purchaser, or a charge based on the actual freight rate from the seller's shipping point to the purchaser.

(b) *Private truck.* If delivery is by truck owned or controlled by the seller, the seller may add to his maximum prices his actual cost of delivery; if actual cost cannot be determined, an amount not in excess of 80 percent of the common carrier truck charge for a similar shipment may be added. In no case may the addition exceed the latter amount.

SEC. 9. *What the invoice must contain.* All invoices must show the quantity of the sale, a sufficiently complete description of the containers or parts or any extras which affect the maximum price to show whether or not the price is proper. The invoice must also show any addition for delivery or overtime operations and whether the sale is a dealer or warehouse sale; except in the case of warehouse sales the addition for overtime operations need not be shown.

SEC. 10. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

ARTICLE III—MISCELLANEOUS

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant the authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 12. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6 [2] for adjustments on certain government contracts and sub-contracts.

(b) *Production under War Production Board order.* Any person who is subject to a War Production Board order to produce any specific container or containers may file an application for adjustment of his maximum prices of the containers if compliance with such order causes or threatens to cause him to sustain a loss. Such applications must be filed in accordance with Procedural Regulation No. 1 [3] and must include the following data:

(1) Over-all profit and loss statements for the years 1940, 1941, and the

[2] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[3] 7 F.R. 8961; 8 F.R 3313, 3533.

most recent nine months' accounting period preceding the effective date of the applicable War Production Board order.

(2) Detailed unit production costs of the container or containers involved in the order for the previous and current selling seasons, disclosing separately the major categories of cost in accordance with the system of cost accounting normally used; if current unit costs for the specific container or containers are not available, the unit costs for the previous selling season, and the unit costs of the most similar container for the previous and current selling seasons.

(3) The requested selling price.

(4) The total number of each specific container which must be produced under the War Production Board order and the number produced during the previous selling season.

When such application has been filed, the producer may sell and deliver at the requested prices. He may not, however, collect any amount in excess of the present ceiling prices. The difference between the present ceiling prices and the prices requested in the application may be placed in escrow pending action by the Office of Price Administration.

No adjustments will be granted on applications filed more than 30 days after the effective date of the applicable War Production Board order.

SEC. 13. *Records and reports.*—(a) *Records.* All persons making sales covered by this regulation must keep records which will show a complete description of the containers sold, the name and address of the buyer, the date of sale, the price, and any additions or extras affecting the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought at least $200 worth of Eastern and Central wooden agricultural containers. They must be kept for two years for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* On or before the 10th day of each month any manufacturer who makes additions for overtime operations as provided in paragraph (b) of section 4 must file a report with the Lumber Branch, Office of Price Administration, Washington, D. C., showing the number of hours of overtime operations, the number of packages produced and sold and the overtime additions for each week of the preceding month.

SEC. 14. *Licenses.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Registration.* Persons desiring to sell as dealers or warehousemen, any of the products covered by this regulation must register with the Lumber Branch, Office of Price Administration, Washington, D. C., within 30 days from the issuance of this regulation or within 5 days after becoming subject to the regulation. The registration shall be accomplished by filing with the Office of Price Administration a statement showing the types of packages handled by the applicant, his method of doing business, and, in the case of persons making warehouse sales, a description of their warehouse space. Every person owning, operating or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by dealer or warehouseman such dealer or warehouseman shall within 5 days after establishing or acquiring it, file registration statement with respect to such new, additional or different place of business.

The Office of Price Administration will issue to each dealer or warehouseman, registering in accordance with this section a registration certificate which shall be posted at all times in a conspicuous place in the registrant's place of business.

SEC. 16. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 17. *Relation to other regulations.*—(a) *General Maximum Price Regulation.*[2] Any sale or delivery covered by this Maximum Price Regulation is not subject to the General Maximum Price Regulation.

(b) *Second Revised Maximum Export Price Regulation.*[3] The maximum prices for export sales of products covered by this regulation are governed by the Second Revised Maximum Export Price Regulation.

This regulation shall become effective March 18, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3559; Filed, March 13, 1944; 3:36 p. m.]

[1] 8 F.R. 13240.

[2] 9 F.R. 2357.

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15193.

PART 1394—RATIONING FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 1 to Supp. 1]

FUEL OIL

A new subparagraph (8) is added to § 1394.9208 (a) as follows:

(8) In Zones A–1, A–3, B–1, B–3, C–1 and C–3 the value of one unit represented by coupons numbered "5" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "5" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "5" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

This amendment shall become effective on March 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3557; Filed, March 13, 1944; 3:35 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 3]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.86a (a) is amended by deleting the word "county" wherever it appears therein and inserting in place thereof the word "area" and by deleting the word "counties" and substituting the word "areas".

2. Section 1407.86a (b) is amended by deleting the word "county" whenever it appears therein and inserting in place thereof the word "area".

3. Section 1407.86a (c) (3) is amended by deleting the word "county" and inserting in place thereof the words "listed area".

4. Section 1407.86a (g) is added to read as follows:

(g) An industrial user may use an increase provided by this section only in products to be delivered by him within the listed area for which he received the increase. As a further condition of using the increase, he must, in addition to his delivery of these products, continue to deliver within such area during the allotment period for which the increase is granted, at least the same proportion of his products, in sugar content (counting only sugar used by him), as he delivered within such area during 1941. An industrial user who receives an increase under this section for more than one listed area shall make the deliveries required by this paragraph in each such area.

5. Section 1407.244 is amended to read as follows:

§ 1407.244 *Schedule D: Areas which have had a substantial increase in population and the percentage for each such area.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1834, 2233.

State	County	Percentage: For the period commencing Jan. 1, 1944	Percentage: For periods commencing on or after Apr. 1, 1944
Alabama	Baldwin	20	15
	Calhoun	30	30
	Colbert	10	None
	Dale	70	20
	Etowah	20	15
	Houston	None	15
	Jefferson	10	None
	Madison	10	None
	Mobile	70	60
	Montgomery	10	10
	Russell	15	10
	Talladega	20	20
Arizona	Cochise	40	20
	Gila	20	None
	Greenlee	80	60
	Maricopa	20	20
	Mohave	15	20
	Navajo	10	15
	Pima	30	30
	Pinal	80	40
	Yuma	60	70
Arkansas	Baxter	10	None
	Desha	10	None
	Jefferson	15	15
	Lonoke	15	None
	Pulaski	20	10
	Sebastian	15	10
California	Alameda	20	20
	Contra Costa	60	120
	Fresno	None	15
	Inyo	80	50
	Kern	10	10
	Lassen	None	15
	Los Angeles	10	15
	Madera	None	10
	Marin	20	15
	Modoc	None	20
	Monterey	20	20
	Napa	15	20
	Orange	20	20
	Riverside	50	60
	Sacramento	10	15
	San Bernardino	20	20
	San Diego	40	50
	San Francisco	10	15
	San Joaquin	10	10
	San Luis Obispo	40	50
	San Mateo	20	20
	Santa Barbara	20	15
	Santa Clara	None	10
	Santa Cruz	None	10
	Solano	100	100
	Stanislaus	None	10
	Sutter	10	None
	Ventura	10	10
	Yuba	40	30
Colorado	Arapahoe	10	15
	Denver	10	10
	Eagle	40	60
	El Paso	30	20
	Jefferson	10	10
	Lake	None	15
	Otero	10	10
	Prowers	15	10
	Pueblo	10	10
District of Columbia		20	20
Florida	Bay	90	150
	Bradford	120	100
	Brevard	20	10
	Broward	30	10
	Clay	30	20
	Dade	20	20
	De Soto	None	10
	Duval	30	30
	Escambia	20	30
	Franklin	140	100
	Gulf	10	60
	Highlands	90	100
	Hillsborough	30	20
	Indian River	15	None
	Lee	40	40
	Leon	15	20
	Martin	40	50
	Monroe	60	80
	Okaloosa	50	30
	Orange	20	20
	Palm Beach	15	10
	Pinellas	20	10
	St. Lucie	20	20
	Sarasota	30	20
	Bibb	40	40
	Camden	10	10
	Catoosa	30	None
	Chatham	20	40
	Chattahoochee	10	None
	Clarke	15	None
	Cobb	None	15
	Columbia	15	None
	Decatur	10	None
	Dougherty	15	15
Georgia—Con.	Fulton	20	10
	Glynn	50	100
	Houston	10	40
	Liberty	100	60
	Lowndes	10	None
	McIntosh	10	10
	Muscogee	50	70
	Newton	10	None
	Richmond	20	20
	Stephens	20	10
	Thomas	None	15
	Whitfield	10	None
Idaho	Bannock	15	None
	Elmore	60	60
	Jerome	20	20
	Kootenai	20	10
	Valley	None	10
Illinois	Champaign	10	None
	Du Page	10	10
	Fulton	None	20
	Lake	10	10
	Madison	10	10
	St. Clair	10	10
	Winnebago	10	10
Indiana	Bartholomew	40	15
	Clark	30	20
	Floyd	15	10
	Johnson	10	None
	Lake	10	None
	Marion	20	10
	Porter	10	None
	St. Joseph	None	10
	Scott	10	10
	Starke	20	15
	Tippecanoe	10	None
	Vanderburgh	10	15
Iowa	Clayton	15	None
	Des Moines	20	10
Kansas	Douglas	30	10
	Finney	20	20
	Ford	None	10
	Geary	20	20
	Johnson	30	20
	Riley	10	15
	Saline	50	40
	Sedgwick	30	40
	Seward	20	40
	Wyandotte	10	None
Kentucky	Christian	20	20
	Hardin	30	60
	Henderson	None	10
	Jefferson	15	15
	Madison	10	None
	Union	40	80
Louisiana	Allen	20	15
	Beauregard	40	40
	Calcasieu	30	30
	East Baton Rouge	30	20
	Grant	70	20
	Jefferson	20	20
	La Salle	15	10
	Nachitoches	30	20
	Orleans	15	15
	Ouachita	10	None
	Rapides	60	80
	Sabine	20	20
	St. Mary	10	None
	Vernon	100	100
Maine	Cumberland	15	None
	Sagadahoe	None	10
	York	10	10
Maryland	Anne Arundel	10	15
	Baltimore	20	30
	Baltimore City	15	10
	Calvert	15	20
	Cecil	15	20
	Charles	20	15
	Harford	30	30
	Howard	10	10
	Montgomery	30	20
	Prince Georges	20	30
	St. Marys	20	20
Massachusetts	Barnstable	30	30
	Nantucket	30	None
Michigan	Calhoun	15	15
	Chippewa	15	None
	Macomb	30	30
	Muskegon	10	15
	Oakland	None	30
	Washtenaw	20	20
	Wayne	10	10
Mississippi	Amite	20	None
	Forrest	70	80
	Grenada	60	80
	Harrison	50	60
	Hinds	10	10
	Jackson	60	90
	Wilkinson	40	60
Missouri	Clay	10	10
	Jackson	10	None
Missouri—Con.	Newton	30	20
	Phelps	20	70
	Pulaski	50	20
	St. Louis	15	15
	St. Louis City	10	None
Montana	Stillwater	20	None
Nebraska	Adams	15	None
	Box Butte	30	40
	Hall	10	10
	Hooker	10	None
	Lincoln	10	None
	Sarpy	None	15
	Clark	100	140
	Mineral	200	160
	Nye	40	60
	Washoe	10	15
N. Hampshire	Rockingham	10	None
New Jersey	Burlington	10	None
	Monmouth	10	10
	Sussex	None	10
New Mexico	Bernalillo	30	20
	Chaves	20	20
	Curry	30	20
	De Baca	20	30
	Eddy	15	30
	Grant	10	None
	Luna	30	50
	McKinley	30	None
	Otero	20	30
New York	Nassau	10	None
	Seneca	20	None
	Tompkins	15	None
North Carolina	Cabarrus	10	None
	Craven	15	20
	Cumberland	40	90
	Durham	10	15
	Graham	70	90
	Guilford	None	10
	Hoke	10	None
	Moore	15	None
	New Hanover	60	90
	Onslow	100	70
	Pasquotank	20	15
	Richmond	15	20
	Robeson	15	None
	Wayne	None	10
Ohio	Allen	None	10
	Clinton	None	10
	Franklin	10	10
	Greene	20	30
	Hamilton	10	None
	Lake	10	10
	Montgomery	15	15
	Ottawa	10	None
	Portage	10	10
	Summit	10	10
	Trumbull	10	None
	Wood	30	None
Oklahoma	Cleveland	20	10
	Comanche	70	50
	Mayes	60	None
	Muskogee	100	None
	Oklahoma	15	10
	Pittsburg	20	None
	Tulsa	50	15
Oregon	Benton	40	40
	Clackamas	None	10
	Clatsop	30	None
	Deschutes	10	30
	Jackson	80	30
	Jefferson	None	30
	Linn	20	20
	Multnomah	40	30
	Tillamook	15	None
	Umatilla	15	15
	Washington	None	15
Pennsylvania	Delaware	10	10
	Lebanon	10	None
	Mercer	20	10
	Kent	15	10
Rhode Island	Newport	40	20
	Washington	30	15
South Carolina	Aiken	15	None
	Beaufort	10	None
	Charleston	40	40
	Dorchester	15	None
	Greenville	10	10
	Kershaw	None	10
	Richland	30	30
	Spartanburg	10	None
South Dakota	Fall River	10	30
	Minnehaha	10	10
	Pennington	None	10
Tennessee	Bedford	None	10
	Blount	15	10
	Cannon	10	None
	Coffee	40	110
	Davidson	15	10
	Franklin	15	10
	Henry	15	None
	Johnson	10	None

State	County	Percentage: For the period commencing Jan. 1, 1944	Percentage: For periods commencing on or after Apr. 1, 1944
Tennessee—Continued.	Knox	None	10
	Loudon	10	15
	Montgomery	30	30
	Polk	30	None
	Roane	None	15
	Rutherford	20	15
	Shelby	10	10
	Sullivan	20	15
	Trousdale	10	None
	Wilson	10	10
Texas	Bailey	None	15
	Bastrop	70	60
	Bell	60	50
	Bexar	30	15
	Bowie	30	20
	Brazoria	60	60
	Brazos	20	10
	Brewster	20	15
	Brown	60	70
	Callahan	10	None
	Childress	20	30
	Cochran	30	40
	Comal	10	None
	Cooke	70	40
	Coryell	30	30
	Cottle	None	10
	Crosby	None	20
	Dallam	30	60
	Dallas	15	15
	Dawson	None	40
	Denton	15	None
	Dickens	None	10
	Dimmit	15	None
	Ector	None	15
	El Paso	20	15
	Galveston	30	20
	Garza	None	10
	Gregg	10	None
	Hale	None	10
	Harris	15	15
	Hays	15	10
	Hidalgo	10	None
	Hockley	10	70
	Howard	40	20
	Hutchinson	20	10
	Jefferson	30	20
	King	None	10
	Kinney	60	70
	Kleberg	20	20
	Lamar	15	10
	Lamb	None	20
	Lampasas	10	None
	Lubbock	30	30
	Lynn	None	80
	McLennan	15	None
	Martin	None	20
	Matagorda	60	30
	Maverick	20	15
	Medina	20	20
	Midland	40	20
	Moore	100	120
	Nolan	50	None
	Nueces	30	30
	Oldham	10	15
	Orange	120	170
	Palo Pinto	60	40
	Pecos	None	10
	Potter	20	20
	Randall	10	None
	Reeves	30	10
	Tarrant	20	30
	Taylor	60	40
	Terry	None	20
	Tom Green	20	10
	Val Verde	20	15
	Victoria	30	30
	Ward	10	15
	Webb	15	None
	Wichita	10	15
Utah	Carbon	10	15
	Davis	50	50
	Millard	20	15
	Salt Lake	20	15
	Tooele	70	60
	Utah	10	20
	Weber	30	30
Virginia	Arlington	40	50
	Dinwiddie	40	30
	Elizabeth City	50	50
	Fairfax	40	30
	Giles	10	None
	Henry	10	None
	James City	15	None
	King George	20	15
	Montgomery	50	30
	Norfolk	100	100
	Nottoway	60	80
	Prince William	30	None
	Princess Anne	50	30
	Pulaski	20	None
	Warwick	150	190
	York	50	30
	Independent cities:		
	Alexandria	50	60
	Bristol	50	50
	Buena Vista	30	20
	Charlottesville	10	None
	Danville	80	30
	Fredericksburg	30	20
	Hampton	20	30
	Hopewell	50	70
	Martinsville	10	None
	Newport News	80	80
	Norfolk	40	50
	Petersburg	10	10
	Portsmouth	20	20
	Radford	40	15
	Richmond	20	30
	South Norfolk	20	20
	Suffolk	50	15
	Williamsburg	70	130
Washington	Clark	70	80
	Franklin	20	60
	King	20	20
	Kitsap	100	110
	Mason	10	None
	Pierce	20	20
	Spokane	15	10
	Thurston	15	10
West Virginia	Clay	15	None
	Kanawha	10	20
Wisconsin	Dane	10	10
	Door	10	20
	Monroe	40	15
	Sauk	10	None
Wyoming	Laramie	20	20
	Park	20	20
Territory of Alaska		None	15
Territory of Hawaii		None	80
Panama Canal Zone		None	60

This amendment shall become effective March 15, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3558; Filed, March 13, 1944; 3:35 p. m.]

2. Item No. 16 is amended and a new item is added to § 1407.243 to read as follows:

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
No. 16 (Jan. 16, 1944, to date to be announced by the Office of Price Administration).	Book Four, Sugar Stamp 30.	5 pounds.
No. 17 (April 1, 1944, to date to be announced by the Office of Price Administration).	Book Four, Sugar Stamp 31.	5 pounds.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1594, 2233.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 4]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.242 is amended to read as follows:

§ 1407.242 *Schedule B: Allotment percentages for industrial users.*

	Percentage of sugar base: For the period commencing on January 1, 1944	Percentage of sugar base: For periods commencing on or after April 1, 1944
1. Bread and other bakery products	80	80
2. Baking mixes, including batters	80	80
3. Breakfast cereals; and cereal paste products such as spaghetti and macaroni	80	80
4. Ice cream; ices; sherbets; frozen custards; and mixes used for these purposes	80	70
5. Condensed milk in containers of one gallon or less; cheese; other dairy products not included in other items; frozen eggs, and sugared egg yolks	60	70
6. Bottled beverages (nonalcoholic and non-alcoholic); flavoring and coloring extracts; fountain syrups; drink mixes; brandied fruits; maraschino cherries; fountain fruits; pickled fruits and vegetables; relishes	80	80
7. Mayonnaise and salad dressing	80	80
8. Products fried in fat (except bakery products) such as nuts, potato chips	80	70
9. Candy; chocolate; cocoa; chewing gum	80	70
10. Sandwiches	80	80
11. Dehydrated and dried soup and soup mixes	80	70
12. Canned and bottled foods (not included in other items); table syrup	80	70
13. Experimental, educational demonstration, and testing purposes	80	70
14. Pharmaceuticals (internal); allergy foods; vitamin oils; cough drops	100	100
15. Pharmaceuticals (external)	100	100
16. All other classes: Food	80	70
17. All other classes: Non-food	80	70

This amendment shall become effective March 15, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3556; Filed, March 13, 1944; 3:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 105]

LINSEED REPLACEMENT OIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.12 (c) is amended to read as follows:

(c) No extra charge may be made for containers. A reasonable deposit may be required to insure the return of drums and containers of 5 gallons or more.

On sales at retail a deposit of $0.25 may be required to insure the return of containers under 5 gallons but not under one gallon owned by the retailer, but only when the retailer fills such containers on his own premises.

The permitted deposit on drums and containers must be refunded to the buyer upon their return in good condition within a reasonable time. Transportation costs with respect to the return of such empty drums and containers to the seller shall in all cases be borne by the seller.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3554; Filed, March 13, 1944; 3:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 106]

USED AIRPLANES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. Section 6.34 (b) (1) (v) is added to read as follows:

(v) (*a*) Except as limited by (*b*) below, in the case of an airplane which is more than six years old and which has had extensive reconditioning to the air frame structure within the three year period immediately preceding the date of sale, the depreciated cost of such reconditioning may be added. The amount for depreciation that must be deducted from this cost of reconditioning shall be determined by multiplying 10% of the cost of reconditioning by the number of years since the air frame structure was reconditioned. In measuring that period of time, the number of years is to be calculated to the nearest quarter of a year and the reconditioning shall be deemed to have been done at least one year before the date of sale.

(*b*) The amount that may be added under this subdivision (v) plus the depreciated base price (determined under subdivisions (i) and (ii) above) shall not exceed 52% of the base price (determined under subdivision (i) above).

2. Section 6.34 (e) is added to read as follows:

(e) *Sales between affiliated corporations.* This paragraph is applicable to the sale of any used airplane covered by this section which (1) is sold by one corporation to another corporation, both of which are members of an affiliated group as defined in section 141 of the Internal Revenue Code, and (2) is acquired by the purchasing corporation for use and not for resale in the same or in an altered form. The maximum price for the sale of any used airplane covered by this section shall be the selling corporation's book value of the airplane, less depreciation computed at the rate and in the manner used by the selling corporation in the preparation of its Federal income tax return.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3553; Filed, March 13, 1944; 3:34 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 110]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 5C is amended in the following respects:

1. Section 1394.7851 (b) (2) (iv) is amended to read as follows:

(iv) For the travel required to tow a house trailer for any of the following purposes:

(*a*) In connection with a bona fide change in residence of the person entitled to the use of such trailer.

(*b*) To a site where such trailer is to be used as necessary housing for a person in connection with his occupation.

(*c*) From the place of manufacture to a dealer outlet.

2. Section 1394.8339 is revoked.

This amendment shall become effective March 18, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3572; Filed, March 14, 1944; 11:38 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 56]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.8 (a) is amended by adding the following: "Distributors who do not have a ration bank account are not required to surrender ration currency to their suppliers in the manner prescribed in General Ration Order 7."

2. Section 2.9 (c) is added to read as follows:

(c) *Manner of deposit.* All ration currency shall be deposited in the manner prescribed in General Ration Order 7.

3. Section 2.15 (a) is amended by adding the following:

In the case of an application for currency to replace shoes which have been exported, there shall be attached to the application, a shipper's export declaration certified by the Collector of Customs, or if the shoes were mailed, a certificate of mailing certified by a postal employee, covering the shoes which were exported.

4. Section 3.5 (a) (2) is amended by deleting the words "Office of Economic Warfare" and substituting the words "Foreign Economic Administration."

5. Section 3.6 (b) (11) is revoked.

6. The definition of "distributing establishment" in section 3.13 is amended to read as follows:

[1] 8 F.R. 13834, 16005, 16996; 9 F.R. 92, 573, 764, 2238.

"Distributing establishment" means a business, other than a manufacturing establishment or public warehouse, conducted at a certain location from which rationed shoes are sold or at which rationed shoes are stored or the business of any person accepting a transfer or making a transfer of shoes in connection with the exporting of shoes for commercial purposes. Where a person does not sell or store shoes at any fixed location, his operations as a whole are regarded as a single establishment. (This may be true, for example, in the case of some exporters or auctioneers.) In such cases, his principal place of business, or, if he has no place of business, then, his home, is considered as the location of the establishment.

7. The definition of "Transfer" in section 3.13 is amended by adding the following: "Shoes are also transferred to a commercial exporter at the time they are shipped or sent by the supplier on the exporter's order."

This amendment shall become effective March 18, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3573; Filed, March 14, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 7 to 2d Rev. Supp 1]

PROCESSED FOODS

Section 1407.1102 (b) (2) is added to read as follows:

(2) For the allotment period from April 1, 1944 to June 30, 1944, inclusive:

Processed foods	Class of product or use (on Schedule I of OPA Form R-1200)	Factor
(i) Fruits:		
(a) Canned and bottled	All	11
(b) Frozen	All	6
(c) Dried and dehydrated	All	9
(ii) Vegetables:		
(a) Canned and bottled	All	7
(b) Frozen	All	0
(iii) Miscellaneous:		
(a) Dry beans	All	2
(b) Jellies, jams, marmalades, preserves, fruit butters	All	4

This amendment shall become effective March 16, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3574; Filed, March 14, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 20 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Revised Supplement 1 to Ration Order 16 is amended in the following respects:

1. Section 1407.3027 (c) (1) is revoked.

2. Section 1407.3027 (c) (2) is redesignated (1).

3. A new § 1407.3027 (c) (2) is added to read as follows:

(2) For the allotment period from April 1, 1944 to June 30, 1944, inclusive:

Class of foods	Classes of product or use (on schedule I of OPA Form R–1200)	Factor
(i) Meats:		
(a) Bone in and separated suet	All	3.9
(b) Boned and boneless (and canned meat and canned fish)	All	5.1
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus)	All	2.0
(ii) Cheeses and canned milk:		
(a) Group I, Cheese	All	5.5
(b) Group II, Cheese	All	7.5
(c) Group III, Cheese	All	9.0
(d) Canned milk	All	0.0
(iii) Fats and oils:		
(a) Butter	All	8.0
(b) Margarine	All	5.0
(c) Lard	All	0.0
(d) Shortening	14, 15	4.8
	All others	4.0
(e) Cooking and salad oils	14, 15	4.8
	All others	4.0

4. Section 1407.3027 (d) is amended to read as follows:

(d) The following are the foods covered by Ration Order 16, products, and factors (referred to in section 7.13) for provisional allowances:

Food	Product	Factor
(1) Pork fatbacks	Prepared dry bean products	0.01
(2) Pork plates	Prepared dry bean products	.01
(3) Pork jowls	Prepared dry bean products	.01
(4) Rationed fats or oils	Vitamin A or D oils	.01
(5) Rationed fats or oils	Antisyphilis preparations	.01

This amendment shall become effective March 16, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3575; Filed, March 14, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amdt. 119]

FATS AND OILS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.13 (a) (3) is added to read as follows:

(3) An industrial user may get a provisional allowance to enable him to acquire rationed fats or oils to manufacture injectable mercury or bismuth compounds, soluble in fixed oil, intended for the treatment of syphilis, and conforming to the requirements of the Food, Drug, and Cosmetic Act.

2. Section 7.13 (b) (3) is added to read as follows:

(3) An industrial user's application for a provisional allowance for rationed fats or oils, for use in manufacturing antisyphilis preparations must contain the following information:

(i) The product made by him for which the provisional allowance is requested, and a statement that the product he manufactures conforms to the requirements of the Food, Drug, and Cosmetic Act;

(ii) The number of pounds of the product which he expects to make during the period for which application is made;

(iii) The average number of pounds of each type of rationed fats or oils (stated separately for each type) he used during 1941 or 1942, or from January 1 to March 28, 1943, inclusive (whichever period he chooses), for each 100 pounds of the product;

(iv) A report of his use of his last provisional allowance showing the number of pounds of rationed fats or oils (stated

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16824, 16839, 16869, 17278, 17306, 17372; 9 F.R. 105, 184, 721, 1181, 1619, 2007, 2091.

[2] 8 F.R. 12128, 12394, 12980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16200, 16263, 16424, 16827, 16906, 16995, 16739, 16797, 16955, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1581, 1633, 1728, 1818, 1909, 2235, 2240.

[1] 9 F.R. 173, 900, 1181, 2091, 2290.

separately for each type), and the number of pounds of the product made;

(v) The number, if any, of unused points remaining from his last provisional allowance (or supplemental allotment, if any) for rationed fats or oils for that product.

If he makes more than one product for which he is entitled to receive a provisional allowance, he may include them all in a single application. However, he must give all the required information separately for each of the products.

3. Section 7.13 (c) (3) is added to read as follows:

(3) The amount of the provisional allowance for rationed fats or oils for use in manufacturing antisyphilis preparations shall be computed in the following way:

(i) The number of pounds of the product which the applicant expects to make during the quarter is multiplied by the number of pounds of each type of rationed fats or oils which he used for each 100 pounds of that product during the period chosen by him under paragraph (b) (3) (iii);

(ii) The result, in each case, is multiplied by the factor fixed (in the supplement to this order) for provisional allowances for rationed fats or oils for antisyphilis preparations;

(iii) The resulting figures are multiplied by the point value established on the Official Table of Trade Point Values for the rationed fats or oils used by the applicant;

(iv) These figures are added together and the result is his provisional allowance for the period.

The board shall issue to him a certificate for the amount of his provisional allowance less the point value of any unused balance of his last provisional allowance, or supplemental allotment, for rationed fats or oils to make that product.

4. Section 7.13 (f) is added to read as follows:

(f) *Amendment of registration when products are added to those for which industrial user may receive provisional allowance.* Any industrial user who, after January 5, 1944, becomes entitled to receive a provisional allowance must amend his registration, on OPA Form R–1200, by April 5, 1944, or within 20 days after he becomes entitled to receive the provisional allowance, whichever is later. He must reduce his base-period use of foods covered by this order, shown on Schedule II of OPA Form R–1200, by the amount used by him during the base period to make the product or use for which he is entitled to receive the provisional allowance. He must also amend Schedule I of OPA Form R–1200 to show the products or uses made by him for which he is entitled to receive the provisional allowance. In addition, he must, at the same time, report to his board the unused portion of that part of his current allotment which was based on his use of foods covered by this order to make that product or use. That amount shall be deducted from the certificate issued to him for his first provisional allowance for that product or use. If that amount exceeds his first provisional allowance, the excess shall be deducted from subsequent provisional allowance certificates issued to him for that product or use, and no provisional allowance certificate shall be issued to him for that product or use until that amount has been deducted in this way.

5. Section 17.7 (b) (37) is added to read as follows:

(37) Persons who transfer foods point-free to insurers or for salvage, must report such transfers. (Section 11.10)

6. Section 17.7 (b) (38) is added to read as follows:

(38) Provisional allowance users must report the amount of foods used, the amount of product made, and other information. (Section 7.13 (e), (f))

This amendment shall become effective March 16, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3576; Filed, March 14, 1944; 11:39 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 188,[1] Amdt. 27]

GROCERY ITEMS, LIQUORS, ETC. IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 188 is amended in the following respects:

1. Section 20, Table 3 is amended by adding new items, to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)	Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Royal Ann sweet cherries:					Fruit cocktail:				
S&W	Case of 24/#2½ can	$9.00	$10.75	$0.56	Exquisite	Case of 24/#2½ can	$7.10	$7.90	$0.41
Del Monte	Case of 12/#2½ glass	5.00	5.75	.60	S&W	Case of 24/#2½ can	9.00	9.85	.52
Del Monte	Case of 12/#303 glass	3.30	3.80	.40	Peaches, yellow cling, halves:				
Libby	Case of 12/#2½ glass	4.60	5.25	.55	Del Monte	Case of 24/#2½ can	6.00	6.80	.37
Black Beauty, dark sweet cherries:					Del Monte	Case of 12/#2½ glass	3.35	3.75	.40
Del Monte	Case of 12/#303 glass	3.35	3.85	.40	Libby	Case of 12/#2½ glass	3.60	4.10	.44
Del Monte	Case of 12/#2½ glass	5.20	5.90	.62	Yellow cling sliced, peaches:				
Dark sweet cherries:					Libby	Case of 12/#2½ glass	3.60	4.10	.44
Libby	Case of 12/#2½ glass	5.25	5.90	.62	Del Monte	Case of 12/#303 glass	2.45	2.75	.29
Figs, Delphis:					S&W	Case of 24/#2½ can	7.90	8.80	.47
S&W	Case of 24/#2 can	5.70	6.50	.50	Peaches, for pie:				
Libby	Case of 24/#2½ can	6.75	7.45	.40	Soquel	Case of 24/#2½ can	4.45	5.00	.27
Whole ripe, figs:					Pluma de luxe:				
Del Monte	Case of 12/#303 glass	2.60	2.95	.21	Libby	Case of 24/#2½ can	4.05	4.65	.25
Del Monte	Case of 12/#2½ glass	3.80	4.25	.42	Del Monte	Case of 24/#2½ can	4.65	5.30	.28
					Del Monte	Case of 12/#303 glass	2.15	2.40	.25
					Del Monte	Case of 12/#2½ glass	2.80	3.15	.32

2. Section 21 Table 4 is amended by adding new items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)	Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Apple juice, liquid: S&W	Case of 24/12 oz. bot	$4.40	$5.00	$0.27	Apricot Glorietta	Case of 24/12 oz. glass	$3.90	$4.50	$0.24

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

9. Section 29 Table 15 is amended by adding new items to read as follows:

3. Section 22 Table 6a is amended by adding new items as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Star potted meat:				
Armour	Ctn. 48/3¼ oz. tin	$2.75	$3.00	$0.08
Armour	Ctn. 24/5½ oz. tin	2.15	2.35	.12
Assorted spreads:				
Armour	Ctn. 24/3 oz. tin	2.25	2.45	.13
Chopped pressed ham:				
Armour	Ctn. 24/12 oz. tin	8.00	8.75	.49
Ham spread:				
Armour	Ctn. 24/3 oz. tin	2.50	2.80	.15
Liver spread:				
Armour	Ctn. 24/3 oz. tin	2.15	2.35	.12
Tongue spread:				
Armour	Ctn. 24/3 oz. tin	2.25	2.45	.13
Veal and pork loaf:				
Armour	Ctn. 24/5 oz. tin	5.10	5.55	.29
Star franks:				
Armour	Ctn. 24/6 oz. glass	$6.00	$6.55	$0.34
Sliced dried beef:				
Armour	Ctn. 24/3½ oz. tin	5.70	6.05	.21
Armour	Ctn. 24/8 oz. tin	6.60	7.20	.37
Treet:				
Armour	Ctn. 24/12 oz. tin	7.90	8.60	.45
Star tamales:				
Armour	Ctn. 12/10½ oz. tin	1.80	1.95	.21
Pork sausage:				
Peacock	Cases 24/2# tins...per pound	.70	.84	.68
Pork tongue:				
Peacock	Cases 2/5# tins...per pound	.70	.84	.68
Hams boiled, in viskings:				
Peacock	Cases 8/10#...per pound	.665	.61	.77
Savortite ham	...per pound	.....	.65	.82

4. Section 23 Table 7 is amended by adding new items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Heinz:				
Asparagus	Case of 36/11 oz. cans	$5.05	$5.50	$0.19
Bean soup	Case of 36/11 oz. cans	5.00	5.50	.19
Chicken noodle	Case of 36/11 oz. cans	5.25	5.75	.19
Gumbo creole	Case of 36/11 oz. cans	4.70	5.20	.18
Pea	Case of 36/11 oz. cans	4.85	5.30	.18
Heinz—Continued.				
Tomato	Case of 36/11 oz. cans	$3.90	$4.40	$0.1[illegible]
Scotch broth	Case of 36/11 oz. cans	4.35	4.80	.1[illegible]
Vegetarian soup	Case of 36/11 oz. cans	4.70	5.20	.1[illegible]
Vegetable	Case of 36/11 oz. cans	4.85	5.30	.1[illegible]

5. Section 23 Table 7a is amended by adding a new brand to read as follows:

Brand	Container, size and unit	To wholesaler	At wholesale	At retail per unit
Betty Crocker (all varieties)	Cartons 36/2¾ oz.	$3.10	$3.40	$0.12

6. Section 24 Table 8 is amended by changing the prices of one item and adding another item to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato ketchup:				
Heinz	Carton 24/14 oz. bottles	$4.05	$4.80	$0.22
Tomato ketchup—Con.				
S&W	Ctns. 24/14 oz. bottles	$5.10	$5.65	$0.32

7. Section 24 Table 9 is amended by adding a new item and by changing the prices of items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato juice:				
S&W	Ctns. 24/#2 tin	$3.10	$3.55	$0.13
Punch	Ctns. 24/#2 tin	2.80	3.00	.16
Tomato Juice—Continued.				
CHB	Carton 48/12 oz. tin	$3.60	$4.05	$0.11

8. Section 25 Table 10 is amended by adding new items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Lima beans, baby green:				
S&W	Ctn. 24/#2 tin	$5.75	$7.50	$0.36
Pimientos, whole pod:				
Georgia	Ctn. 24/7 oz. cans	3.75	4.30	.23
Dromedary	Ctn. 24/7 oz. jars	3.75	4.30	.23
Seville	Ctn. 48/4 oz. cans	4.25	4.85	.13
Pimientos, sliced:				
Ossage	Ctn. 24/7 oz. glass	3.75	4.30	.23
String beans cut, sieve #2:				
S&W	Ctn. 24/#2 tin	5.35	5.05	.23
Spinach:				
Palmdale	Ctn. 24/#2½ tin	$4.95	$5.60	$0.29
Corn, golden bantam whole kernel:				
Del Monte	Carton 12/#303 glass	2.30	2.65	.27
Pimientos, whole pod:				
Sunshine	Carton 24/7 oz. glass	3.75	4.30	.23
Miss Georgia	Carton 48/4 oz. can	4.25	4.85	.13
Alimcon	Carton 48/4 oz. can	4.95	4.85	.13

9. Section 29 Table 15 is amended by adding new items to read as follows:

Items and brand names	Container, type and size	To whlse. (per doz. containers)	At whlse. (per doz. containers)	At retail (per container)
Megowen-Educator Food Co.:				
Crax	Ctn. of 24/1½ pkg	$2.70	$3.00	$0.31
Crax	Ctn. of 24/8 oz. pkg	1.50	1.65	.17
National Biscuit Co.:				
Ritz	Ctn. 36/1# pkg	2.85	3.15	.33
Ritz	Ctn. 72/ 1/2# pkg	1.75	1.85	.19
Social tea	Ctn. 120/5 oz. pkg	1.25	1.35	.14
Fig newton	Ctn. 9 doz. pkgs. 7¾ oz.	1.65	1.80	.19
Vories:				
Superb assorted	Ctn. 42/1# pkg	3.75	4.00	.31
Vories—Continued.				
Tea ginger	Ctn. 48/7 oz. pkg	$1.10	$1.25	$0.13
Gems	Ctn. 8/4½# pkg	8.45	9.20	.96
Rice combination	Ctn. 8/4# pkg	8.60	9.60	1.00
Vanilla sandwiches	Ctn. 8/160's pkgs	11.95	13.15	1.36
Sandwich assorted	Ctn. 8/160's pkgs	11.95	13.15	1.36
Cheese squares	Ctn. 24/1# tins	2.40	2.75	.30
Animal crackers	Ctn. 48/7 oz. pkgs	.60	.75	.08
Tea wafer	Ctn. 6/5# pkgs	9.60	10.55	1.10
Imperial lunch	Ctn. 8/5# pkgs	10.45	11.50	1.19
Puritan sodas	Ctn. 6/4# pkgs	10.45	11.50	1.19

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Lay Trading Co.:				
Walnut cookies	Carton 3 doz. pkg. 8 oz	$1.35	$1.50	$0.16
Oatmeal cookies	Carton 3 doz. pkg. 8 oz	1.35	1.50	.16
Lay Trading Co.—Con.				
Hexagon crackers	Carton 3 doz. pkg. 8 oz	$1.50	$1.65	$0.17
Royal Flush crackers	Carton 3 doz. pkg. 8 oz	1.50	1.65	.17

10. Section 32 Table 18a is amended by adding new items to read as follows:

Brand	Container, size and unit	To wholesaler	At wholesale	At retail per unit
Olive oils:				
Reumberto	Case of 24/12 oz. bottles	$16.80	$18.30	$0.95
Vegetable oils:				
Argo	Case of 12/1 qt. bottles	$7.75	$8.55	$0.89
Argo	Case of 24/1 pt. bottles	3.30	3.15	.47

11. Section 33a Table 19a is amended by adding new items to read as follows:

Brand	Container, size and unit	To wholesaler	At wholesale	At retail per unit
Salmon:				
Red Alaska sockeye	Ctn. 48/1# tall cans	$16.00	$17.60	$0.46
Chinook	Ctn. 48/1# tall cans	14.20	15.20	.41
Pink	Ctn. 48/1# tall cans	9.50	10.45	.27
Chum	Ctn. 48/1# tall cans	9.00	9.80	.26
Squid in ink:				
Cordova	Carton 48/1 tall	$6.85	$7.55	$0.20

12. Section 36 Table 23 is amended by changing the prices of one item and adding one item to read as follows:

Brand	Container, size and unit	To wholesaler	At wholesale	At retail per unit
Quaker:				
Oats	Ctns. 36/20 oz. tins	$6.55	$7.25	$0.25
Flour:				
Swans down cake flour	Ctn. 12/2¼# pkg	$3.20	$3.60	$0.30

13. Section 40 Table 31a is added to read as follows:

TABLE 31A—MAXIMUM PRICES FOR CERTAIN PREPARED POWDERED MILK

Brand	To wholesaler	At retail per unit
Lactogen, in cartons of 24 1 lb. tins:		
One to 4 dozen tins	$19.75	$1.00
5 dozen tins and over	19.25	
Lactogen, in cartons or 12/2½ lb. tins	23.40	2.80

14. Section 42 Table 33c is amended by adding a new brand to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Cider: Majestic	Cartons of 4/1 gal. jugs	$1.65	$1.80	$0.58

15. Section 42 Table 33d is amended by adding a new brand to read as follows:

Brand	Container, size and unit	To wholesaler	At wholesale	At retail per unit
Table salt: Myles Rock	Cartons 36/1½ lb.	$1.45	$1.65	$0.06

16. Section 42 Table 33e is added to read as follows:

TABLE 33E—MAXIMUM PRICES FOR SYRUPS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)	Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Log cabin syrup	Ctn. 24/16 oz. bottles	$3.89	$6.35	$9.34					

17. Section 45 Table 37 is amended by deleting the item "Pork loins, frozen, bone in, all sizes" and by adding two new items to read as follows:

	Sales to wholesaler (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Pork loins, frozen regular	$0.245	$0.28	$0.36
Pork loins, frozen semi-boneless	.305	.345	.44

18. Section 47 Table 39 is amended by adding new brands to the categories "Toilet soap" and "Cleanser" to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per unit	Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Toilet soap: Maxine	Ctn. 144/3¾ oz. bar	$8.10	$8.90	$0.08	Cleanser: Alumglow	Ctn. 12/16 oz. glass	$2.75	$3.00	$0.31

19. Section 51 is amended by changing the title to read as follows:

SEC. 51. *Maximum prices for Puerto Rican and Cuban corn brooms sold or delivered in the territory of Puerto Rico.*

20. Section 56 Table 46 is amended by adding new items to read as follows:

Item and brand names	Size	Importer wholesaler	Retail—per unit retail	Item and brand names	Size	Importer wholesaler	Retail—per unit retail
Scotch whiskies:				Bourbon:			
Martins V. V. O	Cs. 12/⅘ qts	$42.00	$4.75	Old Schenley	Cs. 12/⅘ qts	$27.50	$3.20
Martins DeLuxe (12 yrs.)	Cs. 12/⅘ qts	60.00	5.75	Old Schenley	Cs. 24 Pints	33.00	2.00
Martins Deluxe (20 yrs.)	Cs. 12/⅘ qts	70.00	7.75	Rye:			
American whiskies: Blended whiskey:				Old Schenley	Cs. 12/⅘ qts	27.50	3.20
Schenley Red Label	Cs. 12/⅘ qts	23.00	2.70	Old Schenley	Cs. 24 pints	33.00	2.00
Schenley Red Label	Cs. 24/pints	28.50	1.65	Brandies:			
Schenley Red Label	Cs. 48/½ pints	30.00	.90	Domecq 3 vines	Cs 24/½ pints	42.00	2.45
Schenley Black Label	Cs. 12/⅘ qts	28.00	3.25	Vermouth—foreign:			
Schenley Black Label	Cs. 24/ pints	34.50	2.00	Cinzano	Cs. 24/ 15 oz	17.75	1.00
Schenley Black Label	Cs. 48/½ pints	30.00	1.65	Cider—foreign:			
Reserve blend	Cs. 12/⅘ qts	24.75	3.75	Zarracina	Cs 12/23¼ oz	12.50	1.50
				Princesa de Asturias	Cs. 12/27 oz	16.50	2.00

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3577; Filed, March 14, 1944; 11:40 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 7—UNITED STATES MARINE CORPS

PAY AND ALLOWANCES

Section 7.13–150 (b) (8 F.R. 16447) is amended to read as follows:

§ 7.13–150 *Inactive duty and retired pay and allowances.* * * *

(b) *Rate of pay.* The following table shows the rate of pay for each drill or period of equivalent instruction or duty, and appropriate duty:

COMMISSIONED AND WARRANT

Rank:	Amount
Major general	$10.00
Brigadier general	10.00
COMMISSIONED AND WARRANT—Continued	
Rank—Continued.	Amount
Colonel	$10.00
Lieutenant colonel	9.72
Major	8.33
Captain	6.67
First lieutenant	5.56
Second lieutenant	5.00
Chief warrant officer	5.83
Warrant officer	5.00
ENLISTED MEN	
First pay grade	4.60
Second pay grade	3.80
Third pay grade	3.20
Fourth pay grade	2.60
Fifth pay grade	2.20
Sixth pay grade	1.80
Seventh pay grade	1.67

NOTE: See article 1–21,[1] for the relative rank of enlisted men in the various pay grades.

* * * * *

(R.S. 1621, 41 Stat. 787, 56 Stat. 10, 52 Stat. 1175, 55 Stat. 3, 56 Stat. 266, 739, 359; 34 U.S.C. 715, 622, 853–856, 37 U.S.C. 101 et seq.)

LIEUT. GEN. A. A. VANDEGRIFT,
Commandant of the U. S. Marine Corps.

Approved:

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-3561; Filed, March 14, 1944; 11:41 a. m.]

Notices

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 51021]

COAL, COKE, AND BRIQUETS

TAXABLE STATUS OF IMPORTATIONS FROM CERTAIN COUNTRIES

MARCH 11, 1944.

Coal, coke made from coal, and coal or coke briquets imported from the following country and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1944, inclusive, will not be subject to the tax of 10 cents per hundred pounds prescribed in the Internal Revenue Code, section 3423:

Canada.

Coal, coke made from coal, and coal or coke briquets produced in the following countries, imported into the United States directly or indirectly therefrom and entered for consumption or withdrawn from warehouse for consumption during the calendar year 1944 will be exempt from the tax by virtue of the Internal Revenue Code, section 3420:

Brazil, United Kingdom, Mexico, and Union of Soviet Socialist Republics.

The above list does not include countries from which there have been no importations of coal or allied fuels since January 1, 1942. Further information concerning the taxable status of such fuels imported during the calendar year 1944 will be furnished upon application therefor to the Bureau.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

[F. R. Doc. 44-3567; Filed, March 14, 1944; 10:19 a. m.]

[1] Article 1–21, Marine Corps Manual, is available at Headquarters, Marine Corps, Washington, D. C.

FEDERAL TRADE COMMISSION.

[Docket No. 4697]

NEW STANDARD PUBLISHING CO., INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of March, A. D. 1944.

In the matter of New Standard Publishing Company, Inc., a corporation, trading under its corporate name and also doing business as Publishers Guild, Foundation Press, Geological Publishing Company, Commercial Finance, National Research Bureau, Standard Research Bureau, Geological Society, and Modern Health Institute; Julius B. Lewis, also known as Jack Lewis, an individual; and Doubleday-Doran & Company, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 20, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 337, Post Office Building, Richmond, Virginia.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3570; Filed, March 14, 1944; 10:55 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 166]

UNLOADING OF COAL AT VAN NEST, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of March, A. D. 1944.

It appearing, that forty-six (46) cars more or less containing bituminous coal for the Castle Coal Company, Van Nest, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees), and forty-seven (47) cars more or less containing bituminous coal for the Foreston Coal Company at Juniata Scales and South Amboy, New Jersey, on The Pennsylvania Railroad Company, and forty-six (46) cars more or less containing bituminous coal for Louis Gullotta, Port Reading, New Jersey, on the Reading Company, also three (3) cars containing bituminous coal for Flatbush Coal Company, Brooklyn, New York, on the South Brooklyn Railway Company shipped by Cassler Coal Sales Company, Clearfield, Pennsylvania, have been on hand a considerable time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered*, That:

Coal, at Van Nest, New York, for Castle Coal Company, at Juniata Scales and South Amboy, New Jersey, for Foreston Coal Company, at Port Reading, New Jersey, for Louis Gullotta, and at Brooklyn, New York, for the Flatbush Coal Company to be unloaded, The New York, New Haven, and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees), The Pennsylvania Railroad Company, the Reading Company, and the South Brooklyn Railway Company, common carriers by railroad subject to the Interstate Commerce Act, and their agents or employees, shall unload forthwith forty-six (46) cars, more or less, containing bituminous coal for the Castle Coal Company, Van Nest, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees), and forty-seven (47) cars, more or less, containing bituminous coal for the Foreston Coal Company at Juniata Scales and South Amboy, New Jersey, on The Pennsylvania Railroad Company, and forty-six (46) cars, more or less, containing bituminous coal for Louis Gullotta, Port Reading, New Jersey, on the Reading Company, also three (3) cars containing bituminous coal for Flatbush Coal Company, Brooklyn, New York, on the South Brooklyn Railway Company shipped by Cassler Coal Sales Company, Clearfield, Pennsylvania. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17).)

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis, and Henry B. Sawyer, Trustees), The Pennsylvania Railroad Company, the Reading Company, and the South Brooklyn Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3571; Filed, March 14, 1944; 11:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 509, Order 1]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 2.1 (c) of Maximum Price Regulation No. 509, *It is ordered:*

(a) For grapefruit juice packed during the respective periods set forth in paragraph (b) below, processors shall reduce the named maximum prices for government sales as listed in section 2.1 (a) of Maximum Price Regulation No. 509 by the amounts set forth below respectively for each period of pack, state or area and container size. The resulting figures shall be the processors' maximum prices for grapefruit juice packed during the respective periods for sales to government procurement agencies. For the purpose of applying the monthly area grapefruit juice cost reduction the states of Florida and Texas shall be treated as two separate areas.

Example: The maximum price for government sales of grapefruit juice named in section 2.1 (a) of MPR 509 for No. 2 size cans of natural, fancy grade grapefruit juice is $1.36 for Florida and Texas. The monthly area grapefruit juice cost reduction for October and November 1943, for grapefruit juice packed from grapefruit produced in Texas is $.105 for the same container size. The processor, therefore, subtracts $.105 from $1.36 ($1.36 minus $.105 equals $1.255) and the resulting figure is his maximum price for sales of grapefruit juice packed during the months of October and November 1943, for sales to government procurement agencies.

(b) Reduction per dozen containers:

State or area	Style of pack	Grade	Period of pack	Reduced maximum prices named in section 2.1 (a) for Government sales per dozen containers by amounts set forth below		
				No. 8 Can	No. 9 Cyl. Can	No. 10 Can
Florida	All	All	October and November 1943	[illegible] 1250	[illegible] 3125	[illegible] 4625
			December 1943	.0900	.2250	.4770
			January 1944	.0900	.2250	.4770
Texas	All	All	October and November 1943	.1050	.2625	.5565
			December 1943	.1050	.2625	.5565
			January 1944	.0900	.2250	.4770
California and Arizona	All	All	October and November 1943	.1200	.3000	.6360
			December 1943	.0900	.2250	.4770
			January 1944	.1430	.3575	.7585

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3551; Filed, March 13, 1944; 3:36 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-863]

SOUTHWESTERN DEVELOPMENT CO. AND WEST TEXAS GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of March 1944.

Notice is hereby given that a joint declaration or application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Southwestern Development Company (Southwestern) a registered holding company, and one of its subsidiaries, West Texas Gas Company (West Texas).

Notice is further given that any interested person may, not later than March 18, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below.

(a) Southwestern proposes to modify, pursuant to a letter agreement, dated February 15, 1944, with Guaranty Trust Company of New York, the maturities, instalment payments and interest rates of four secured promissory notes, aggregating $2,511,493.12 representing the unpaid principal balance of such notes previously issued to and presently held by Guaranty Trust Company of New York, as is indicated below:

EXISTING MATURITY AND INTEREST RATES

Date of issue	Present maturity date	Principal amount	Interest rates (percent)
1/2/44	July 1, 1946	$[illegible]	[illegible]
1/2/40	July 1, 1946	[illegible]	[illegible]
	July 1, 1947	[illegible]	[illegible]
10/28/40	July 1, 1947	[illegible]	[illegible]
12/30/40	July 1, 1947	[illegible]	[illegible]

PROPOSED MODIFIED MATURITY AND INTEREST RATES

Date of issue	Modified maturity date	Principal amount	Interest rates (percent)
1/2/44	July 1, 1945	$46,625.35	2½
1/2/40	July 1, 1945	364,378.65	2½
	July 1, 1946	188,992.20	
	July 1, 1946	85,617.80	2½
10/28/40	July 1, 1947	823,000.00	2½
12/30/40	July 1, 1948	155,323.70	2½
	July 1, 1946	842,999.42	2½

The proposed changes are to be effectuated by stamping or endorsing the four existing notes with a legend referring to the modifications as set forth in the aforesaid letter agreement.

(b) West Texas proposes to issue as of February 18, 1944, its unsecured instalment promissory note for $1,650,000 to Guaranty Trust Company of New York with maturities, interest rates, and instalments as follows:

PROPOSED INSTALLMENT NOTE

Date of installment	Amount of installment	Interest rates (percent)
Jan. 2, 1945	$330,000	2½
Jan. 2, 1946	330,000	2½
Jan. 2, 1947	330,000	2½
Jan. 2, 1948	330,000	2½
Jan. 2, 1949	330,000	2½
	1,650,000	

This note is being issued for the purpose of modifying the instalment payments and interest rates of the unpaid balance ($1,650,000) of a secured note previously issued to and presently held by Guaranty Trust Company of New York in the principal amount of $3,150,000, retiring this presently outstanding secured note and effectuating the release and cancellation of $1,650,000 of mortgage bonds and a $2,000,000 mortgage promissory note presently pledged as collateral security therefor.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3513; Filed, March 13, 1944; 10:11 a. m.]

[File No. 70-871]

ASSOCIATED ELECTRIC CO. AND PENNSYLVANIA ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 13th day of March 1944.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and by its subsidiary, Pennsylvania Electric Company. All interested persons are referred to said joint application-declaration, which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Associated Electric Company proposes to sell all its interest in its wholly-owned subsidiary, Penelec Water Company, to Pennsylvania Electric Company. This interest consists of 5 shares of the $100 par value common stock of Penelec Water Company and an open account receivable, as at December 31, 1943, of $355,000 bearing interest at the rate of 6% per annum, when, as, and if earned in any calendar year. In consideration of the above, Pennsylvania Electric Company proposes to issue and sell such number of shares of its $20 par value common stock to Associated Electric Company as will equal the net book value of the investment of Associated Electric Company in Penelec Water Company shown by the latter's books as of the date of settlement. (As of December 31, 1943, the number of shares to be so issued would have been 17,482.)

The applicants-declarants consider sections 6 (a), 6 (b), 9 (a) (1), and 12 (f) of the act and Rule U-43 of the general rules and regulations as being applicable to the proposed transactions. Applicants-declarants state the Pennsylvania Public Utility Commission has approved the issuance by Pennsylvania Electric Company of its common stock, and has also approved the acquisition by Pennsylvania Electric Company of the common stock and open account indebtedness of Penelec Water Company.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to the said joint application-declaration and that said joint application-declaration should not be granted or become effective, except pursuant to further order of the Commission, and that at said hearing there will be considered, among other things, the various matters herein set forth.

It is hereby ordered, That a hearing be held upon said matter on March 24, 1944, at 10:00 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application may be granted, and declaration become effective. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission, on or before March 22, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That without limiting the scope of the issues presented by said joint application-declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed issue and sale of common stock by Pennsylvania Electric Company is solely for the purpose of financing its business, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms and conditions in connection therewith.

2. Whether the considerations to be paid and received in connection with the proposed transactions, including all fees, commissions and other remuneration, are reasonable.

3. Whether the acquisition by Pennsylvania Electric Company of the securities of Penelec Water Company is detrimental to the carrying out of the provisions of section 11 of the Public Utility Holding Company Act of 1935.

4. The propriety of the proposed accounting treatment of the several transactions on the books of the respective applicants and declarants.

5. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations or orders promulgated thereunder.

6. Generally, whether the proposed transactions comply with the provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder, and are not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3568; Filed, March 14, 1944; 10:57 a. m.]

[File No. 70-870]

CAPITAL TRANSIT COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of March 1944.

Notice is hereby given that an application has been filed with this Commission by Capital Transit Company, a nonutility subsidiary of The Washington Railway and Electric Company and The North American Company, both registered holding companies, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations of this Commission promulgated thereunder. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Capital Transit Company contemplates the issuance and sale of approximately $16,000,000 principal amount of twenty-year 4% First Mortgage Bonds, the proceeds of which would be applied to the refunding of all or a part of its existing funded debt. The Company states that the exact nature and extent of the proposed refunding program has not yet been determined, and may depend to some extent upon whether the Company is required to sell the new bonds through competitive bidding. The Company requests that it be granted an exemption, pursuant to Rule U-50 (a) (5) (B), from the competitive bidding requirements of Rule U-50 (b) and (c) in respect of the negotiation and sale of the new bonds.

It appearing to the Commission that it is appropriate in the public interest that a hearing be held with respect to said matter and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provisions of the said act and the rules promulgated thereunder be held on March 29, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application shall be granted. Notice is hereby given of said hearing to the above named applicant and to all interested parties, said notice to be given to said applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the rules of practice of the Commission.

It is further ordered, That any person desiring to be heard at said hearing or proposing to intervene therein shall file with the Secretary of the Commission on or before March 25, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by the said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether compliance with paragraphs (b) and (c) of Rule U-50 with respect to the issuance and sale of the proposed securities is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance or sale from the provisions of section 6 (a) of the act or to aid the Commission (in carrying out the provisions of section 6 (b) of the act) to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of the act;

(2) Whether, in the event an exemption should be granted, it is necessary or appropriate to impose terms or conditions in connection therewith in the public interest or in the interest of investors or consumers and if so, what those terms and conditions should be.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3569; Filed, March 14, 1944; 10:57 a. m.]

SMALLER WAR PLANTS CORPORATION.

THOMAS M. MARSHALL CO. & ASSOCIATES

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

Thomas M. Marshall Co. & Associates, Gloucester City, New Jersey, is a War Production Association comprising seven companies, having structural steel, sheet metal, welding, assembling, general machine shop, and complete woodworking facilities, as listed in Appendix I. The purpose of this Association is to combine the facilities and skills of the member companies for the manufacture of articles, equipment, supplies, and materials for war and essential civilian requirements, and more particularly for the manufacture, assembly, and installation of wooden items with metal components and sheet metal fabrications. The activities of the Association will relate solely to war and essential civilian work and will terminate within six months after the end of the war.

In my opinion, the formation and operation of the Thomas M. Marshall Co. & Associates is appropriate to the fulfillment of the purposes of Public Law 603—77th Congress, approved June 11, 1942 (56 Stat. 351) and Executive Order No. 6891 of September 4, 1941. I have therefore approved the Plan of Organization, Procedure, and Objectives of the Thomas M. Marshall Co. & Associates, and recommend that the Chairman of the War Production Board find and certify under Section 12 of Public Law 603—77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said Plan is requisite to the prosecution of the war (See Certificate 199, *infra*).

Issued at Washington, D. C., this 3d day of March 1944.

MAURY MAVERICK,
Chairman and General Manager.

APPENDIX I

Name, Address and Regular Commercial Business

Advance Specialty Co., 1021-27 Ridge Ave., Philadelphia, Pa., Stamping, welding, wire forming, and plating.

Berko Brothers Co., 239 N. Randolph St., Philadelphia, Pa., Structural iron, welding, and wire products.

Friel-Bernheim Co., East Ontario Ave., Philadelphia, Pa., Cabinets, lockers, ship furniture, tables, and cases.

Leoben Ornamental Metal Works, 1817-21 N. 6th St., Philadelphia, Pa., Structural iron, stamping, and welding.

Thomas M. Marshall Co., 716-36 Jersey Ave., Gloucester, N. J., Bins, lockers, containers, wood fixtures, cabinets, cases.

Robert Tarlo & Son, 4757 Worth St., Philadelphia, Pa., Fixtures, lockers, benches, and cabinet work.

A. Wilt & Sons Co., 711-37 N. Fynt St., Philadelphia, Pa., General woodwork, cabinets, benches, crates, boxes.

[F. R. Doc. 44-3563; Filed, March 14, 1944; 11:58 a. m.]

G. & S. CONTRACTING ASSOCIATION

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

G. & S. Contracting Association, Bridgeport, Connecticut, is a War Production Association comprising 14 companies, having light and medium machine shop facilities for precision work, as listed in Appendix I. The purpose of this Association is to combine the facilities and skills of the member companies for the manufacture of articles, equipment, supplies, and materials for war and essential civilian requirements, and more particularly for the design and production of jigs, tools, and fixtures; and for the quantity production of such items as light and medium bombs, gear reduction units, aircraft gun mounts, and other Ordnance items. The activities of the Association will relate solely to war and essential civilian work and will terminate within six months after the end of the war.

In my opinion the formation and operation of the G. & S. Contracting Association is appropriate to the fulfillment of the purposes of Public Law 603—77th Congress, approved June 11, 1942 (56 Stat. 351) and Executive Order No. 6891 of September 4, 1941. I have therefore approved the Plan of Organization, Procedure, and Objectives of the G. & S. Contracting Association, and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law 603—77th Congress (56th Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said Plan is requisite to the prosecution of the war (See Certificate 198, *infra*).

Issued at Washington, D. C., this 3d day of March 1944.

MAURY MAVERICK,
Chairman and General Manager.

APPENDIX I

Name, Address and Regular Commercial Business

Andrews Industries, Stamford, Conn., Precision tools, gages, and fixtures.

Audio-Tone Oscillator Co., Bridgeport, Conn., Photo-Electric Controls.

Bethel Machine Co., Bethel, Conn., Screw machine products.

Bridgeport Mechanical Laboratories, Bridgeport, Conn., Screw machine products.

Bridgeport Worm & Gear Co., Bridgeport, Conn., Manufacture of worms, gears, and screw machine products.

Conlon Mfg. Co., Bridgeport, Conn., Shoe machinery.

Garrick-Woods Corp., Fairfield, Conn., Parts on automatic screw machines.

Geo. L. Harvey Co., Shelton, Conn., Machines and tools.

G. & S. Contracting Company, Inc., Bridgeport, Conn., Production engineering and tool designing.

L. W. Holmes, Stratford, Conn., Defense tools.

Lee & Foley, Danbury, Conn., General machine work.

Marshall Mfg. Co., Bridgeport, Conn., General machine shop work.

Scully Machine Co., Bridgeport, Conn., Disc Recording machines.

Stuart Engineering Co., Norwalk, Conn., Aircraft parts.

[F. R. Doc. 44-3562; Filed, March 14, 1944; 11:55 a. m.]

WAR MANPOWER COMMISSION.

CERTAIN AREAS IN ILLINOIS

MINIMUM WARTIME WORKWEEK

Designation of certain areas in the State of Illinois as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Boone County and the townships of Burritt, Cherry Valley, Durand, Harlem, Harrison, Owen, Pecatonica, Rockford, Seward, and Winnebago in Winnebago County.

I. The effective date of this designation is April 15, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 6, 1944.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-3563; Filed, March 14, 1944; 9:30 a. m.]

WAR PRODUCTION BOARD.

[Certificate 198]

G. & S. CONTRACTING ASSOCIATION

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

The ATTORNEY GENERAL:

I submit herewith a Recommendation of the Chairman of the Smaller War Plants Corporation concerning the plan of organization, procedure, and objectives of the G. & S. Contracting Association, Bridgeport, Connecticut, organized for the purpose of manufacturing articles, equipment, supplies, and materials for war and essential civilian requirements.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the plan referred to in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 10, 1944.

[F. R. Doc. 44-3560; Filed, March 14, 1944; 11:55 a. m.]

[Certificate 199]

THOMAS M. MARSHALL CO. & ASSOCIATES

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

The ATTORNEY GENERAL:

I submit herewith a Recommendation of the Chairman of the Smaller War Plants Corporation concerning the plan of organization, procedure, and objectives of the Thomas M. Marshall Co. & Associates, Gloucester City, N. J., organized for the purpose of manufacturing articles, equipment, supplies, and materials for war and essential civilian requirements.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the plan referred to in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 10, 1944.

[F. R. Doc. 44-3561; Filed, March 14, 1944; 11:55 a. m.]

[1] See Smaller War Plants Corporation, *supra*.

FEDERAL REGISTER

VOLUME 9 NUMBER 54

Washington, Thursday, March 16, 1944

The President

PROCLAMATION 2608

COPYRIGHT EXTENSION: UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (INCLUDING CERTAIN BRITISH TERRITORIES) AND PALESTINE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS by the act of Congress approved September 25, 1941, c. 421, 55 Stat. 732, the President is authorized, on the conditions prescribed in that act, to grant an extension of time for the fulfilment of the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside of the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, including works subject to *ad interim* copyright, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS His Britannic Majesty has issued an Order in Council, effective from this day, by the terms of which treatment substantially equal to that authorized by the aforesaid act of September 25, 1941, is accorded, within the British dominions, colonies, protectorates, and mandated territories to which that order applies, to literary and artistic works first produced or published in the United States of America; and

WHEREAS the aforesaid Order in Council applies to the United Kingdom of Great Britain and Northern Ireland, British India, British Burma, Southern Rhodesia, Aden Colony, Bahamas, Barbados, Basutoland, Bechuanaland Protectorate, Bermuda, British Guiana, British Honduras, British Solomon Islands Protectorate, Ceylon, Cyprus, Falkland Islands and Dependencies, Fiji, Gambia (Colony and Protectorate), Gibraltar, Gilbert and Ellice Islands Colony, Gold Coast ((a) Colony, (b) Ashanti, (c) Northern Territories), Hong Kong, Jamaica (including Turks and Caicos Islands and the Cayman Islands), Kenya (Colony and Protectorate), Leeward Islands (Antigua, Montserrat, St. Christopher and Nevis, Virgin Islands), Malta, Mauritius, Nigeria ((a) Colony, (b) Protectorate), Northern Rhodesia, Nyasaland Protectorate, Palestine (excluding Trans-Jordan), St. Helena and Ascension, Seychelles, Sierra Leone (Colony and Protectorate), Somaliland Protectorate, Straits Settlements, Swaziland, Trans-Jordan, Trinidad and Tobago, Uganda Protectorate, and Windward Islands (Dominica, St. Vincent, Grenada, St. Lucia); and

WHEREAS the aforesaid Order in Council is annexed to and is part of an agreement embodied in notes exchanged this day between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated April 9, 1910 (36 Stat. 2685), subjects of Great Britain and her possessions are, and since July 1, 1909, have been, entitled to the benefits of the act of Congress approved March 4, 1909, 35 Stat. 1075, relating to copyright, other than the benefits of section 1 (e) of that act; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated January 1, 1915 (38 Stat. 2044), the subjects of Great Britain and the British dominions, colonies, and possessions, with the exception of Canada, Australia, New Zealand, South Africa, and Newfoundland, are, and since January 1, 1915, have been, entitled to all the benefits of section 1 (e) of the aforesaid act of March 4, 1909; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated September 29, 1933 (48 Stat. 1713), citizens of Palestine (excluding Trans-Jordan) are, and since October 1, 1933, have been, entitled to all the benefits of the aforesaid act of March 4, 1909:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the

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THE PRESIDENT

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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aforesaid act of September 25, 1941, do declare and proclaim:

That with respect to (1) works subject to copyright under the laws of the United States of America, including works eligible to *ad interim* copyright, which were first produced or published outside of the United States of America on or after September 3, 1939, by British nationals of the United Kingdom of Great Britain and Northern Ireland and of the British territories to which the aforesaid Order in Council applies, or by citizens of Palestine (excluding Trans-Jordan); and (2) works of the same authors or copyright proprietors which were entitled to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there existed and continues to exist such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid act of September 25, 1941; and that accordingly the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works until the day on which the President of the United States of America shall, in accordance with that act, terminate or suspend the present declaration and proclamation.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid act of September 25, 1941, no liability shall attach under the Copyright Act for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this tenth day of March, in the year of our Lord one thousand nine hundred forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-3586; Filed, March 14, 1944; 3:01 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

Subchapter A—Administration

[Administrator's Memorandum 37]

PART 300—GENERAL

DELEGATION OF AUTHORITY

§ 300.11 *Delegation of authority to Frank Hancock, as Administrator of the Farm Security Administration, to approve sales of real and personal property and to carry out the expeditious liquidation of projects.* By virtue of the authority vested in me by Executive Order No. 7027, dated April 30, 1935, as amended by Executive Order No. 7200, dated September 26, 1935, Executive Order No. 7028, dated April 30, 1935, Executive Order No. 7041, dated May 15, 1935, Executive Order No. 7530, dated December 31, 1936, as amended by Executive Order No. 7557, dated February 19, 1937, Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and by R.S. 161 (5 U.S.C., 1940 ed., 22), Frank Hancock, as Administrator of the Farm Security Administration, is authorized to sell and dispose of, in accordance with the applicable provisions of law, all real and personal property under the jurisdiction of the Farm Security Administration, and is further authorized and directed to do all things necessary in accordance with the applicable provisions of law, to carry out the expeditious liquidation of all resettlement projects, rural rehabilitation projects for resettlement purposes, cooperative land-leasing and land-purchasing associations and all other cooperative farming enterprises now under the jurisdiction of the Farm Security Administration, including the real and personal property comprising such enterprises, which come within the Congressional mandate to liquidate.

The authority hereby delegated includes, but is not limited to, the following:

(a) The approval of sales and conveyances of real property or interests therein held by the United States of America and under the jurisdiction of the Farm Security Administration, including real property held in trust for any State rural rehabilitation corporation, and to execute, on behalf of the United States of America, all deeds or other instruments necessary in connection therewith: *Provided, however,* That in selling such property, the Administrator shall be guided by the following principles:

(1) Wherever practicable, sales of economic farm units shall be made to persons eligible under Title I of the Bankhead-Jones Farm Tenant Act at prices based on the earning capacity of the farms. The purchase price for each such farm shall be payable over a period not in excess of 40 years, and the unpaid portion of the purchase price shall bear interest at the rate of three per cent per annum.

(2) Sales of subsistence units shall be for the reasonable fair value thereof. The purchase price shall be payable over a period not in excess of 40 years and the balance of the purchase price shall bear interest at the rate of three per cent per annum, payable annually.

(3) All the interests in oil, gas, and other mineral rights which are vested in or owned by the United States, either legally or equitably, at the time of the sale of lands in accordance with this authorization, shall be reserved when the properties to be conveyed are situated in areas where such mineral rights have substantial market value or where, based on the opinion of qualified geologists, such rights are prospectively of substantial market value. At least 75% of all of the oil, gas and other mineral rights vested in or owned by the United States either legally or equitably at the time of conveyance will be reserved when such lands are situated within areas where such rights have no known market value or the market value thereof is nominal and where, based on the opinion of qualified geologists, such rights are not prospectively of substantial market value. Where mineral rights are to be transferred, including instances where the lands to be conveyed are held at the time of conveyance under purchase contracts reserving to the United States all minerals, the market value of the mineral rights to be conveyed will be taken into consideration in establishing the purchase price of such lands.

(b) The transfer, by sale or grant in accordance with the applicable provisions of law, of the school and other community facilities including, but not limited to, water systems, irrigation systems, sewage disposal systems and other public utilities serving such projects, to eligible purchasers authorized by law to acquire, operate and maintain such facilities. All dedications pursuant to section 4 of the Bankhead-Black Act (40 U.S.C. 434) must be approved by me.

(c) The application in accordance with the applicable provisions of law, in those instances where property of the Government has been improved by land-leasing associations, of the reasonable fair value of such improvements against the outstanding obligations of such associations owing to the United States.

(d) In connection with the sale and disposition of such property or interests therein: (1) To exercise for and on behalf of the United States of America, all rights, privileges and powers of the United States of America under the terms of any agreement or instrument heretofore or hereafter entered into in connection with the sale of such lands or property, or taken as security for the purchase price in connection with such sales; (2) to execute and perform all notices, consents and other acts to be given or done by the United States of America under the aforesaid agreements or security instruments; (3) to do and perform all things necessary for servicing, renewing and collecting the outstanding indebtedness in favor of the United States of America and to accept, record, release and satisfy instruments of security of all kinds, and (4) upon default in any payment or obligation, to enforce payment by realizing upon the security.

In the absence of the Administrator of the Farm Security Administration, or his inability to carry out the powers and functions hereby delegated, the authority conferred by this delegation may be exercised by the Acting Administrator of the Farm Security Administration.

This authority shall supersede the Secretary's memorandum dated March 15, 1943 (8 F.R. 3221), designated "Authorization of Administrator to approve sales of real property and execute deeds," and shall supersede Administration Order 246 (Rev. 1), dated July 20, 1939 (4 F.R. 3389), designated "Authority to approve the sale of State Rural Rehabilitation Corporation surplus real property."

All other delegations of authority not in conflict herewith shall remain unchanged and in full force and effect. In his discretion, the Administrator may delegate such of the powers as are hereby conferred upon him.

Issued this 13th day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3606; Filed, March 15, 1944; 11:24 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 95]

PART 1401—DAIRY PRODUCTS

MILK SUGAR

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of milk sugar for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1401.170 *Restrictions relative to milk sugar.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "milk sugar" means any milk product containing 80 percent or more of lactose monohydrate, dry weight basis.

(2) The term "refined milk sugar" means U. S. P. grade lactose (U. S. P. XII (1942) page 253).

(3) The term "technical milk sugar" means technical milk sugar, as defined by the Office of Price Administration. Whenever a new definition of "technical milk sugar" is issued by the Office of Price Administration, the term "technical milk sugar," as used herein, shall mean technical milk sugar as defined in said new definition.

(4) The term "crude milk sugar" means all milk sugar other than refined milk sugar and technical milk sugar.

(5) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(6) The term "inventory" means all quantities of milk sugar, including refined, technical, and crude milk sugar, owned by or in the possession or control of any person.

(7) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* (1) No person shall deliver, accept delivery of, use, produce, refine, or otherwise process milk sugar except in accordance with an authorization issued by the Director. Any such authorization shall be issued by the Director only if he determines that such authorization, including the conditions, if any, set forth therein by the Director, is necessary or appropriate in the public interest and to promote the national defense.

(2) Any person desiring to deliver, accept delivery of, use, produce, refine, or otherwise process milk sugar may submit an application to the Director for authorization pursuant to the provisions of this order. An authorization, as aforesaid, shall, so far as reasonably feasible, be issued by the Director prior to the beginning of the calendar month during which the applicant is to deliver, accept delivery of, use, produce, refine, or otherwise process the milk sugar.

(3) Each producer, refiner, or commercial user of milk sugar shall, as soon as reasonably possible after the issuance of this order, notify his regular customers of the requirements of this order; however, the failure to receive such notice from a producer, refiner, or commercial user, as aforesaid, shall not excuse any person from complying with the provisions of this order.

(c) *Exemptions.* (1) The provisions of (b) hereof shall not apply to deliveries of refined milk sugar in retail packages for household or pharmaceutical use if the purchaser is (i) a person who is purchasing the refined milk sugar in a retail package, for household use, from

a retail store; (ii) the operator of one or more retail stores; or (iii) a distributor of refined milk sugar for resale by retail stores.

(2) The provisions of (b) hereof shall not apply to purchases by or sales to hospitals or institutions that use refined milk sugar under doctors' orders or prescriptions.

(d) *Records and reports.* (1) Each producer of crude milk sugar, technical milk sugar, or refined milk sugar shall complete Form FD 95–1, and shall mail such completed form on or before the 5th day of each calendar month in accordance with (j) hereof.

(2) Each person who desires an authorization pursuant to (b) hereof may file with the Director an application therefor on Form FD 95–2 and mail such completed form on or before the 10th day of each calendar month in accordance with (j) hereof. Any person requesting an authorization to accept delivery of milk sugar for increasing his inventory shall indicate, in the aforesaid application, "inventory" as a product end-use. Any person desiring to use crude milk sugar or technical milk sugar for further refining shall indicate, in the aforesaid application, "refining" as a product end-use.

(3) The Director shall be entitled to obtain such additional information from, and require such additional reports and records by, any person as may be necessary or appropriate, in the discretion of the Director, to the enforcement or administration of the provisions of this order.

(4) Each person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in technical milk sugar, crude milk sugar, and refined milk sugar.

(5) The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping and reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Existing contracts.* The restrictions of this order shall be observed without regard to the rights of creditors, existing contracts, or payments made. This order shall not, however, be construed as reducing the amount of milk sugar which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any governmental agency.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writing, premises or stocks of milk sugar of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the administrator of this order. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 95, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (g) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(h) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using milk sugar, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Order Administrator, FDO 95, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C., Ref: FD 95.

(k) *Territorial extent.* This order applies to all persons in the United States, its Territories and Possessions, and the District of Columbia.

(l) *Effective date.* This order shall be effective on April 1, 1944, at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9392, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3560; Filed, March 13, 1944; 8:59 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4974]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BEN KALISH

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.96 (a) *Using misleading name—Goods—Composition:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with offer, etc., in commerce, of furs and fur garments, (1) using the word "Caracul" or any simulation thereof, either alone or in conjunction with any other word or words, to designate or describe furs or fur garments made from kidskin or from the peltries of any animals other than lambs or sheep of the Karakul breed; (2) designating or describing the peltries of which furs or fur garments are made in any way other than by the use of the correct name of the peltries as the last word of the description; subject to the provision that where a fur or fur garment is made of peltries which have been dyed, the correct name of the peltries shall be immediately preceded, in letters of at least equal conspicuousness, by the word "dyed"; and that in the case of peltries which have been dyed to simulate other peltries, the word "dyed" may be compounded with the name of the peltries simulated, as, for example, "Seal-Dyed Rabbit" or "Beaver-Dyed Rabbit"; and (3) misrepresenting in any manner or by any means the peltries of which furs or fur garments are made; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Ben Kalish, Docket 4974, March 2, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of March, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in the complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Ben Kalish, an individual, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of furs and fur garments in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Caracul" or any simulation thereof, either alone or in conjunction with any other word or words, to designate or describe furs or fur garments made from kidskin or from the peltries of any animals other than lambs or sheep of the Karakul breed.

2. Designating or describing the peltries of which furs or fur garments are made in any way other than by the use of the correct name of the peltries as the last word of the description; and where a fur or fur garment is made of peltries which have been dyed, the correct name of the peltries shall be immediately preceded, in letters of at least equal conspicuousness, by the word "dyed"; and in the case of peltries which have been dyed to simulate other peltries, the word "dyed" may be compounded with the name of the peltries simulated, as, for example, "seal-dyed rabbit" or "beaver-dyed rabbit."

3. Misrepresenting in any manner or by any means the peltries of which furs or fur garments are made.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3597; Filed, March 15, 1944; 11:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5340]

CONSOLIDATED INCOME AND EXCESS PROFITS TAX RETURNS

Effective for taxable years for which the return is due to be filed on or after the date of the approval of this Treasury decision, Regulations 104 [Part 23, Title 26, Code of Federal Regulations, 1940 Sup.] and Regulations 110 [Part 33, Title 26, Code of Federal Regulations, 1941 Sup.] are amended as follows:

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN AMERICAN TRADE CORPORATIONS

PARAGRAPH 1. Section 23.31 (d) (1), as amended by Treasury Decision 5244, approved March 13, 1943, is further amended by striking from subdivision (iv) the word "and"; by striking the period at the end of subdivision (v) and inserting in lieu thereof a comma and the word "and"; and by inserting therein the following new subdivision:

(vi) In the computation of the net income of a corporation for the taxable year in which it became the common parent corporation of the affiliated group filing a consolidated return, the aggregate deductions of such corporation for such year otherwise allowable in excess of the gross income of such corporation for such year shall be excluded to the extent that such excess is attributable to that portion of such year preceding the date upon which such corporation became the common parent corporation of the group. Any amount excluded under this subdivision shall, to the extent that it constitutes a net operating loss within the provisions of section 122 or a net capital loss within the provisions of section 117, be considered as a net operating loss or a net capital loss, as the case may be, separately sustained by such corporation and subject to the provisions of paragraph (b) (2) (iii) (c) and (d) or paragraph (b) (2) (ix) (b) of this section.

PART 33—CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (B) OF THE EXCESS PROFITS TAX ACT OF 1940

PAR. 2. Section 33.31 (c), as amended by Treasury Decision 5327, approved January 14, 1944, is further amended as follows:

(A) By striking from subaragraph (1) (iv) the word "and"; by striking the period at the end of subparagraph (1) (v) and inserting in lieu thereof a comma and the word "and"; and by inserting in subparagraph (1) the following new subdivision:

(vi) In the computation of the net income of a corporation for the taxable year in which it became the common parent corporation of the affiliated group filing a consolidated return, the aggregate deductions of such corporation for such year otherwise allowable in excess of the gross income of such corporation for such year shall be excluded to the extent that such excess is attributable to that portion of such year preceding the date upon which such corporation became the common parent corporation of the group. Any amount excluded under this subdivision shall, to the extent that it constitutes a net operating loss within the provisions of section 122 or a net capital loss within the provisions of section 117, be considered as a net operating loss or a net capital loss, as the case may be, separately sustained by such corporation and subject to the provisions of paragraph (b) (2) (iii) (c) and (d) or paragraph (b) (2) (ix) (b) of this section.

(B) By inserting therein the following new subparagraph:

(14) In the case of an affiliated group formed at any time subsequent to March 14, 1941, or having among its members one or more subsidiaries which became members of the group subsequent to March 14, 1941, the consolidated excess profits credit for the taxable year shall be determined subject to the following qualifications:

(i) The portion of the consolidated excess profits credit otherwise allowable with respect to the common parent corporation shall not exceed:

(*a*) The portion of the consolidated excess profits net income for the taxable year attributable to such common parent corporation, in the case of a group formed subsequent to March 14, 1941, or

(*b*) In the case of a group formed prior to March 15, 1941, but having among its members in the taxable year one or more subsidiaries which became members of the group subsequent to March 14, 1941, the aggregate of the portion of the consolidated excess profits net income for the taxable year attributable to the common parent corporation and to the several subsidiary corporations which were members of the group on March 14, 1941, reduced by that portion of the consolidated excess profits credit attributable to such subsidiaries;

(ii) The portion of the consolidated excess profits credit otherwise allowable with respect to a subsidiary corporation which became a member of the group subsequent to March 14, 1941, shall not exceed:

(*a*) The portion of the consolidated excess profits net income for the taxable year attributable to such subsidiary corporation in the case in which such subsidiary corporation was not on March 14, 1941, a member of an affiliated group within the meaning of section 141, or

(*b*) If such subsidiary corporation was a member of an affiliated group on March 14, 1941, an amount which, together with that portion of the consolidated excess profits credit computed subject to the provisions of these regulations and attributable to other members of the group during the taxable year which were affiliated with such subsidiary corporation on March 14, 1941, within the meaning of section 141, does not exceed the aggregate of the portion of the consolidated excess profits net income for the taxable year attributable to such subsidiary corporation and to such other members of the group;

(iii) The portion of the consolidated excess profits credit otherwise allowable for the taxable year which is disallowed pursuant to the provisions of (i) and (ii) shall be considered as an unused excess profits credit in respect of those members of the group by reference to which the amount of the credit disallowed under (i) and (ii) was determined, originating, for the purpose of the unused excess profits credit carry-back provisions, in a taxable year subsequent to the last taxable year in respect of which their income was included in a consolidated return, and, for the purpose of the unused excess profits credit carry-over provisions, in a taxable year prior to the first taxable year in respect of which their income was included in a consolidated return;

(iv) The provisions of subdivisions (i) and (ii) shall not apply with respect to the common parent corporation of an affiliated group formed subsequent to March 14, 1941, or to the common parent corporation of a group in existence on March 14, 1941, acquiring new members subsequent to March 14, 1941, or with respect to subsidiaries becoming members of the group subsequent to March 14, 1941:

(*a*) If the group consists solely of the common parent corporation and one or more subsidiaries created, directly or indirectly, by the common parent corporation or by other members of the group;

(*b*) If, immediately after the corporation involved became a member of the group, common parent corporation or subsidiary, as the case may be, stock possessing at least 95 percent of the voting power of all classes of its stock then outstanding and at least 95 percent of each class of its nonvoting stock then outstanding is owned, directly or indirectly, by substantially the same interests by

which such stock was owned on March 14, 1941;

(c) If the affiliated group involved was formed, or the new subsidiary became a member of the group, as an incident to an involuntary conversion or to a transfer made pursuant to an order of the Securities and Exchange Commission, the Federal Communications Commission, the Interstate Commerce Commission, or a similar regulatory body of State or Federal Governent; or

(d) To the extent to which, upon consideration of the facts or circumstances presented by the particular case, the Commissioner determines that a consolidated excess profits credit computed with respect to the affiliated group but without regard to those subdivisions will not serve to distort the excess profits tax liability of the group or of any of its members.

(Sec. 141 of the Internal Revenue Code (53 Stat. 58), as amended by sec. 150 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3597; Filed, March 14, 1944; 4:03 p. m.]

[T. D. 5341]

CONSOLIDATED INCOME AND EXCESS PROFITS TAX RETURNS

Effective for taxable years for which the return is due to be filed on or after the date of the approval of this Treasury decision, Regulations 104 (Part 23, Title 26, Code of Federal Regulations, 1940 Supp.) and Regulations 110 (Part 33, Title 26, Code of Federal Regulations, 1941 Supp.) are amended as follows:

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN AMERICAN TRADE CORPORATIONS

PARAGRAPH 1. Section 23.31 (d), as amended, is further amended as follows:

(A) By striking from subparagraph (1) (v) the word "and"; by striking the period at the end of subparagraph (1) (vi) and inserting in lieu thereof a comma and the word "and"; and by inserting in subparagraph (1) the following new subdivision:

(vii) In the case of a corporation which became a member of the affiliated group subsequent to March 14, 1941, common parent corporation or subsidiary, as the case may be, allowable deductions shall be determined subject to the qualifications prescribed in subparagraph (11) of this paragraph.

(B) By striking from subparagraph (2) (iii) (b) the word "and"; by striking the semicolon at the end of subparagraph (2) (iii) (c) and inserting in lieu thereof a comma and the word "and"; and by inserting in subparagraph (2) (iii) the following new inferior subdivision:

(d) In the case of a corporation which became a member of the affiliated group subsequent to March 14, 1941, common parent corporation or subsidiary, as the case may be, capital losses to the extent disallowed pursuant to the provisions of subparagraph (11) of this paragraph;

(C) By striking from subparagraph (2) (vii) the word "and"; by striking the period at the end of subparagraph (2) (viii) and inserting in lieu thereof a semicolon and the word "and"; and by inserting in subparagraph (2) the following new subdivision:

(ix) In the case of a corporation which became a member of the affiliated group subsequent to March 14, 1941, common parent corporation or subsidiary, as the case may be, gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j) shall be determined subject to the qualifications prescribed in subparagraph (11) of this paragraph.

(D) By inserting therein the following new subparagraphs:

(10) In no case shall there be included in the computation of the consolidated net capital gain for the taxable year as a consolidated net capital loss carry-over under (b) (2) (ix) (b) of this section (relating to net capital losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return) an amount exceeding in the aggregate the net capital gains of such corporation (determined without regard to any net capital loss carry-over) included in the computation of the consolidated net capital gain for the taxable year.

(11) In the case of an affiliated group formed at any time subsequent to March 14, 1941, or having among its members in the taxable year one or more subsidiaries which became members of the group subsequent to March 14, 1941, the consolidated net income for the taxable year, and for prior and subsequent taxable years to the extent affected by carrybacks and carry-overs from the taxable year, shall be determined subject to the following qualifications:

(i) There shall be excluded in the case of the common parent corporation and in the case of any subsidiaries which were members of the group on March 14, 1941, those deductions from gross income otherwise allowable with respect to:

(a) Sales or exchanges of capital assets,

(b) Involuntary conversions and sales or exchanges of property subject to the provisions of section 117 (j),

(c) Securities subject to the provisions of section 23 (g) (4) or sections 23 (k) (5), or

(d) Debts subject to the provisions of section 23 (k) (1),

to the extent that such deductions otherwise allowable exceed in the aggregate:

(1) In the case of capital losses, the excess of the aggregate capital gains over the aggregate capital losses of such corporations for the taxable year, or

(2) In the case of ordinary losses, the aggregate of the ordinary net income of such corporations for the taxable year, increased in an amount equal to any excess of aggregate capital gains over aggregate capital losses of such corporations,

such capital gains and losses and such ordinary net income being determined pursuant to the provisions of these regulations but without regard to the provisions (d) (1) (iv) and (d) (2) (iii) (b) of this section and without regard to the losses in question;

(ii) There shall be excluded in the case of a subsidiary corporation which became a member of the affiliated group subsequent to March 14, 1941, those deductions from gross income otherwise allowable with respect to:

(a) Sales or exchanges of capital assets,

(b) Involuntary conversions and sales or exchanges of property subject to the provisions of section 117 (j),

(c) Securities subject to the provisions of section 23 (g) (4) or section 23 (k) (5), or

(d) Debts subject to the provisions of section 23 (k) (1), to the extent that such deductions otherwise allowable are attributable to events preceding the date upon which such corporation became a member of the group, and

(1) Being capital losses, exceed:

(i) The capital gains reduced by all other capital losses of such corporation for the taxable year, in the case in which such corporation was not, on March 14, 1941, a member of an affiliated group within the meaning of section 141, or

(ii) In case such corporation was a member of an affiliated group on March 14, 1941, an amount which, together with like losses computed subject to the provisions of these regulations in the case of other members of the group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, is equal to the aggregate capital gains reduced by the aggregate of all other capital losses of such corporation and of such other members of the group, or

(2) Being ordinary losses, exceed:

(i) The ordinary net income of such corporation for the taxable year increased in an amount equal to any excess of capital gains over capital losses for the taxable year, in the case in which such corporation was not, on March 14, 1941, a member of an affiliated group within the meaning of section 141, or

(ii) In case such corporation was a member of an affiliated group on March 14, 1941, an amount which, together with like losses computed subject to the provisions of these regulations in the case of other members of the group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, is equal to the ordinary net income of such corporation for the taxable year increased by the aggregate of the ordinary net income and decreased by the aggregate of the ordinary net losses of other members of the affiliated group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, and increased further in an amount equal to any excess of aggregate capital gains over aggregate capital losses of such corporations,

such capital gains and losses, and ordinary net income and net losses, as the case may be, being determined pursuant to the provisions of these regulations but without regard to the provisions of paragraphs (d) (1) (iv) and (d) (2) (iii) (b) of this section and without regard to the losses in question;

(iii) The portion of any loss otherwise allowable as a deduction for the taxable year which is disallowed pursuant to the provisions of (i) and (ii) shall, to the extent that it constitutes a net capital loss within the provisions of section 117 or a net operating loss within the provisions of section 122, be considered as a net capital loss or a net operating loss, as the case may be, in respect of those members of the group by reference to which the amount of the deduction disallowed under (i) and (ii) was determined, originating, for the purpose of the carry-back provisions, in a taxable year subsequent to the last taxable year in respect of which their income was included in a consolidated return, and, for the purpose of the carry-over provisions, in a taxable year prior to the first taxable year in respect of which their income was included in a consolidated return;

(iv) The provisions of subdivisions (i) and (ii) shall not apply with respect to the common parent corporation of an affiliated group formed subsequent to March 14, 1941, or to the common parent corporation of a group in existence on March 14, 1941, acquiring new members subsequent to March 14, 1941, or with respect to subsidiaries becoming members of the group subsequent to March 14, 1941:

(a) If the group consists solely of the common parent corporation and one or more subsidiaries created, directly or indirectly, by the common parent corporation or by other members of the group;

(b) If, immediately after the corporation involved became a member of the group, common parent corporation or subsidiary, as the case may be, stock possessing at least 95 percent of the voting power of all classes of its stock then outstanding and at least 95 percent of each class of its nonvoting stock then outstanding is owned, directly or indirectly, by substantially the same interests by which such stock was owned on March 14, 1941;

(c) If the affiliated group involved was formed, or the new subsidiary became a member of the group, as an incident to an involuntary conversion or to a transfer made pursuant to an order of the Securities and Exchange Commission, the Federal Communications Commission, the Interstate Commerce Commission, or a similar regulatory body of State or Federal Government; or

(d) To the extent to which, upon consideration of the facts or circumstances presented by the particular case, the Commissioner determines that a consolidated net income computed with respect to the affiliated group but without regard to those subdivisions will not serve to distort the income tax liability of the group or of any of its members.

PART 33—CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (b) OF THE EXCESS PROFITS TAX ACT OF 1940

PAR. 2. Section 33.31 (c), as amended, is further amended as follows:

(A) By striking from subparagraph (1) (v) the word "and"; by striking the period at the end of subparagraph (1) (vi) and inserting in lieu thereof a comma and the word "and"; and by inserting in subparagraph (1) the following new subdivision:

(vii) In the case of a corporation which became a member of the affiliated group subsequent to March 14, 1941, common parent corporation or subsidiary, as the case may be, allowable deductions shall be determined subject to the qualifications prescribed in subparagraph (16) of this paragraph.

(B) By changing subparagraph (2) (ii) to read as follows:

(ii) In the computation of capital gains and losses, short-term capital gains and losses, and long-term capital gains and losses, as defined in section 117 (a), the gains and losses from involuntary conversions and from sales or exchanges of property subject to the provisions of section 117 (j), and the additional capital loss deductions authorized by section 204 (c) (5),

(a) There shall be eliminated all gains or losses arising in intercompany transactions; and

(b) In the case of a corporation which became a member of the affiliated group subsequent to March 14, 1941, common parent corporation or subsidiary, as the case may be, capital gains and losses and gains and losses from involuntary conversions and from sales or exchange of property subject to the provisions of section 117 (j) shall be determined subject to the qualifications prescribed in subparagraph (16) of this paragraph;

(C) By inserting therein the following new subparagraphs:

(15) In no case shall there be included in the computation of the consolidated net capital gain for the taxable year as a consolidated net capital loss carry-over under (b) (9) (ii) of this section (relating to net capital losses sustained by a corporation in years prior to the first taxable year in respect of which its income is included in the consolidated return) an amount exceeding in the aggregate the net capital gains of such corporation (determined without regard to any net capital loss carry-over) included in the computation of the consolidated net capital gain for the taxable year.

(16) In the case of an affiliated group formed at any time subsequent to March 14, 1941, or having among its members in the taxable year one or more subsidiaries which became members of the group subsequent to March 14, 1941, the consolidated net income for the taxable year, and for prior and subsequent taxable years to the extent affected by carrybacks and carry-overs from the taxable year, shall be determined subject to the following qualifications:

(i) There shall be excluded in the case of the common parent corporation and in the case of any subsidiaries which were members of the group on March 14, 1941, those deductions from gross income otherwise allowable with respect to:

(a) Sales or exchanges of capital assets,

(b) Involuntary conversions and sales or exchanges of property subject to the provisions of section 117 (j),

(c) Securities subject to the provisions of section 23 (g) (4) or section 23 (k) (5), or

(d) Debts subject to the provisions of section 23 (k) (1),

to the extent that such deductions otherwise allowable exceed in the aggregate:

(1) In the case of capital losses, the excess of the aggregate capital gains over the aggregate capital losses of such corporations for the taxable year, or

(2) In the case of ordinary losses, the aggregate of the ordinary net income of such corporations for the taxable year, increased in an amount equal to any excess of aggregate capital gains over aggregate capital losses of such corporations,

such capital gains and losses and such ordinary net income being determined pursuant to the provisions of these regulations but without regard to the provisions of paragraph (c) (1) (iv) of this section and without regard to the losses in question;

(ii) There shall be excluded in the case of a subsidiary corporation which became a member of the affiliated group subsequent to March 14, 1941, those deductions from gross income otherwise allowable with respect to:

(a) Sales or exchanges of capital assets,

(b) Involuntary conversions and sales or exchanges of property subject to the provisions of section 117 (j),

(c) Securities subject to the provisions of section 23 (g) (4) or section 23 (k) (5), or

(d) Debts subject to the provisions of section 23 (k) (1),

to the extent that such deductions otherwise allowable are attributable to events preceding the date upon which such corporation became a member of the group, and

(1) Being capital losses, exceed:

(i) The capital gains reduced by all other capital losses of such corporation for the taxable year, in the case in which such corporation was not, on March 14, 1941, a member of an affiliated group within the meaning of section 141, or

(ii) In case such corporation was a member of an affiliated group on March 14, 1941, an amount which, together with like losses computed subject to the provisions of these regulations in the case of other members of the group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, is

equal to the aggregate capital gains reduced by the aggregate of all other capital losses of such corporation and of such other members of the group, or

(2) Being ordinary losses, exceed:

(i) The ordinary net income of such corporation for the taxable year increased in an amont equal to any excess of capital gains over capital losses for the taxable year, in the case in which such corporation was not, on March 14, 1941, a member of an affiliated group within the meaning of section 141, or

(ii) In case such corporation was a member of an affiliated group on March 14, 1941, an amount which, together with like losses computed subject to the provisions of these regulations in the case of other members of the group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, is equal to the ordinary net income of such corporation for the taxable year increased by the aggregate of the ordinary net income and decreased by the aggregate of the ordinary net losses of other members of the affiliated group during the taxable year which were affiliated with such corporation on March 14, 1941, within the meaning of section 141, and increased further in an amount equal to any excess of aggregate capital gains over aggregate capital losses of such corporations,

such capital gains and losses, and ordinary net income and net losses, as the case may be, being determined pursuant to the provisions of these regulations but without regard to the provisions of paragraph (c) (1) (iv) of this section and without regard to the losses in question;

(iii) The portion of any loss otherwise allowable as a deduction of the taxable year which is disallowed pursuant to the provisions of (i) and (ii) shall, to the extent that it constitutes a net capital loss within the provisions of section 117 or a net operating loss within the provisions of section 122, be considered as a net capital loss or a net operating loss, as the case may be, in respect of those members of the group by reference to which the amount of the deduction disallowed under (i) and (ii) was determined, originating, for the purpose of the carry-back provisions, in a taxable year subsequent to the last taxable year in respect of which their income was included in a consolidated return, and, for the purpose of the carry-over provisions, in a taxable year prior to the first taxable year in respect of which their income was included in a consolidated return;

(iv) The provisions of subdivisions (i) and (ii) shall not apply with respect to the common parent corporation of an affiliated group formed subsequent to March 14, 1941, or to the common parent corporation of a group in existence on March 14, 1941, acquiring new members subsequent to March 14, 1941, or with respect to subsidiaries becoming members of the group subsequent to March 14, 1941.

(a) If the group consists solely of the common parent corporation and one or more subsidiaries created, directly or indirectly, by the common parent corporation or by other members of the group;

(b) If, immediately after the corporation involved became a member of the group, common parent corporation or subsidiary, as the case may be, stock possessing at least 95 percent of the voting power of all classes of its stock then outstanding and at least 95 percent of each class of its nonvoting stock then outstanding is owned, directly or indirectly, by substantially the same interests by which such stock was owned on March 14, 1941;

(c) If the affiliated group involved was formed, or the new subsidiary became a member of the group, as an incident to an involuntary conversion or to a transfer made pursuant to an order of the Securities and Exchange Commission, the Federal Communications Commission, the Interstate Commerce Commission, or a similar regulatory body of State or Federal Government; or

(d) To the extent to which, upon consideration of the facts or circumstances presented by the particular case, the Commissioner determines that a consolidated net income computed with respect to the affiliated group but without regard to those subdivisions will not serve to distort the excess profits tax liability of the group or of any of its members.

(Sec. 141 of the Internal Revenue Code (53 Stat. 58), as amended by sec. 159 of the Revenue Act of 1942 (Public Law 753, 77th Cong.))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3588; Filed, March 14, 1944; 4:03 p. m.]

[T. D. 5342]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EMPLOYERS' PENSION TRUST

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, 1943 Sup.] to section 3 of Public Law 201 (78th Congress), approved December 17, 1943, relating to extension of time for satisfying requirements of section 165 (a) (3), (4), (5), and (6), of the Internal Revenue Code, with respect to trusts forming part of an employers' stock bonus, pension, or profit-sharing plan, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.23 (p)–1 the following:

PUBLIC LAW 201 (78th Congress, 1st Session), approved December 17, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 3. (a) Section 162 (d) (1) (B) of the Revenue Act of 1942 is amended to read as follows:

(B) Such a plan shall be considered as satisfying the requirements of section 165 (a), (3), (4), and (5) and (6) for the period beginning with the beginning of the first taxable year following December 31, 1942, and ending December 31, 1944, if the provisions thereof satisfy such requirements by December 31, 1944, and if by that time such provisions are made effective for all purposes as of a date not later than January 1, 1944.

(b) Section 162 (d) (2) of the Revenue Act of 1942 is amended to read as follows:

(2) In the case of a stock bonus, pension, profit sharing or annuity plan put into effect after September 1, 1942, such a plan shall be considered as satisfying the requirements of section 165 (a) (3), (4), (5), and (6) for the period beginning with the date such plan is put into effect and ending December 31, 1944, if the provisions thereof satisfy such requirements by December 31, 1944, and if by that time such provisions are made effective for all purposes as of a date not later than the effective date of such plan or January 1, 1944, whichever is the later.

PAR. 2. Section 29.23 (p)–9 is amended by changing the parenthetical matter immediately after the fifth sentence to read as follows:

(See section 162 (d) of the Revenue Act of 1942, as amended by Public Law 201 (78th Congress, 1st Session), approved December 17, 1943.)

PAR. 3. There is inserted immediately preceding § 29.165–1 the following:

PUBLIC LAW 201 (78th Congress, 1st Session), approved December 17, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 3. (a) Section 162 (d) (1) (B) of the Revenue Act of 1942 is amended to read as follows:

(B) Such a plan shall be considered as satisfying the requirements of section 165 (a), (3), (4), and (5) and (6) for the period beginning with the beginning of the first taxable year following December 31, 1942, and ending December 31, 1944, if the provisions thereof satisfy such requirements by December 31, 1944, and if by that time such provisions are made effective for all purposes as of a date not later than January 1, 1944.

(b) Section 162 (d) (2) of the Revenue Act of 1942 is amended to read as follows:

(2) In the case of a stock bonus, pension, profit sharing or annuity plan put into effect after September 1, 1942, such a plan shall be considered as satisfying the requirements of section 165 (a) (3), (4), (5), and (6) for the period beginning with the date such plan is put into effect and ending December 31, 1944, if the provisions thereof satisfy such requirements by December 31, 1944, and if by that time such provisions are made effective for all purposes as of a date not later than the effective date of such plan or January 1, 1944, whichever is the later.

PAR. 4. Section 29.165–5 is amended by changing the second and third paragraphs to read as follows:

In the case of a plan in effect on or before September 1, 1942, the plan will be considered as satisfying the requirements of section 165 (a) (3), (4), (5), and (6) for the period beginning with the beginning of the first taxable year following December 31, 1942, and ending December 31, 1944, if the provisions of the plan satisfy such requirements by December 31, 1944, and if by that time such provisions are made effective for all purposes as of a date not later than January 1, 1944. Thus, if an employer having such a plan in effect makes a return on the basis of the calendar year, he will have until December 31, 1944, to amend his plan so as to make it satisfy the requirements of section 165 (a) (3), (4), (5), and (6) for the calendar years 1943 and 1944: *Provided*, That by December 31, 1944, the provisions of such plan so amended are made effective for all purposes as of a date not later than January 1, 1944. Also, if he is on a fiscal year basis he will have until December 31, 1944, to amend his plan with respect to a taxable year beginning after December 31, 1942, provided such plan so amended is made effective for all purposes as of a date not later than January 1, 1944.

In the case of plans not in effect on or before September 1, 1942, section 165 is applicable to all taxable years beginning after December 31, 1941. However, if such a plan satisfies the requirements of section 165 (a) (3), (4), (5), and (6) by December 31, 1944, and if by that time the provisions of such plan are made effective for all purposes as of a date not later than the effective date of such plan or January 1, 1944, whichever is the later, such plan shall be considered as satisfying such requirements for the period beginning with the date such plan is put into effect and ending December 31, 1944.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and sec. 3 of Pub. Law 201 (78th Cong.), approved December 17, 1943)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3621; Filed, March 15, 1944; 11:50 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5346]

PART 302—TAX ON PISTOLS AND REVOLVERS

EXEMPT SALES

In order to conform Regulations 47 [Part 302, Title 26, Code of Federal Regulations], relating to the excise taxes on sales by the manufacturer of pistols and revolvers under the Internal Revenue Code, to section 307 (a) (2) and (b) (2) and (6) of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, Note, Title 26, Code of Federal Regulations, 1939 Supp., p. 1599], are amended as follows:

PARAGRAPH 1. Immediately preceding article 1 (§ 302.1), there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.) (a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * *

(2) Section 2700 (b) (1) (relating to exemptions from tax on pistols and revolvers) is amended to read as follows:

(1) *Sales for use of states, etc.* Pistols and revolvers sold for the use of any State, Territory of the United States, or political subdvision thereof, or the District of Columbia, shall be exempt from the tax imposed by subsection (a).

* * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

* * * * *

(2) The amendments of sections 2700 (b) (1), * * * of the Internal Revenue Code, shall be applicable to sales made on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * *

(6) For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

* * * * *

PAR. 2. Section 302.9 (Article 9) is amended to read as follows:

§ 302.9 *Exempt sales.* Under the provisions of section 2700 (b) (1) prior to the amendment thereof by section 307 (a) (2) of the Revenue Act of 1943, no tax attaches to pistols and revolvers sold by the manufacturer for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, or the District of Columbia. Any manufacturer claiming exemption from the tax must maintain records and be prepared to produce such evidence as will clearly establish the right to exemption.

By virtue of the amendment by section 307 (a) (2) of the Revenue Act of 1943 of section 2700 (b) (1), and the application of section 307 (b) (2) to such amendment, the exemption with respect to sales of pistols and revolvers by the manufacturer for the use of the United States, or possession of the United States is inapplicable on and after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

To be exempt from the tax the articles must be sold for the use of a Government or governmental agency. Pistols and revolvers sold to government officers in their private capacity or for their private use are not exempt from the tax.

(Sec. 307 (a) (2) and (b) (2) and (6) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), and sec. 3791 of the Internal Revenue Code (53 Stat., 467; 26 U.S.C., 1940 ed., 3791))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3625; Filed, March 15, 1944; 11:50 a. m.]

[T. D. 5343]

PART 314—TAXES ON GASOLINE, LUBRICATING OIL, AND MATCHES

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 44 [Part 314, Title 26, Code of Federal Regulations, 1939 Supp.], relating to taxes on gasoline, lubricating oil, and matches under the Internal Revenue Code, to section 307 (a) (5) and (6) and (b) (1) and (3) of the Revenue Act of 1943 (Public Law 235, 78th Congress), such regulations are amended as follows:

PARAGRAPH 1. Immediately preceding § 314.24, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.) (a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * *

(5) Section 3442 (3) (relating to tax-free sales under Chapter 29) is amended to read as follows:

(3) for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia.

* * * * *

(b) *Period with respect to which applicable.* Despite the provisions of section 301, the amendments made by this section shall apply as follows:

(1) The amendments of sections * * * 3442 (3) * * * of the Internal Revenue Code shall be applicable to sales made on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any articles sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * *

PAR. 2. Section 314.24 is amended as follows:

(A) The first paragraph is amended to read as follows:

Under section 3442 (3) prior to the amendment thereof by section 307 (a) (5) of the Revenue Act of 1943, no tax attaches to articles sold by the manufacturer direct to the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use, provided the exempt character of the sale is established as required by these regulations. By virtue of the amendment of section 3442 (3), sales of articles by the manufacturer to

the United States on or after June 1, 1944, are not exempt from tax, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

(B) The last sentence of the second paragraph is amended to read as follows:

However, where any dealer resells a tax-paid article to any of the Governmental units named above, for its exclusive use, the manufacturer who paid the tax to the United States on his sale of the article may in certain cases secure a refund or credit as provided in § 314.64.

PAR 3. Immediately preceding § 314.64, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.) (a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * * *

(6) Section 3443 (a) (3) (A) (i) (relating to credits and refunds of excise taxes imposed by Chapter 29) is amended to read as follows:

(i) Resold for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia;

* * * * * *

(b) *Period with respect to which applicable.* Despite the provisions of section 301, the amendments made by this section shall apply as follows:

* * * * * *

(3) The amendment of section 3443 (a) (3) (A) (i) of the Internal Revenue Code shall not apply to deny the allowance of a credit or refund, otherwise allowable, with respect to the sale of any article by any person to the United States (A) prior to the date on which sales of such article to the United States become taxable, or (B) pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * * *

PAR. 4. Section 314.64 is amended by inserting immediately preceding the last paragraph a new paragraph as follows:

No credit or refund is allowable for tax paid with respect to the sale of any article on or after June 1, 1944, to the United States, except in those cases where tax has been paid on sales made pursuant to a contract entered into prior to June 1, 1944, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

(Sec. 307 (a) (5) and (6) and (b) (1) and (3) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), and sections 3450 and 3791 of the Internal Revenue Code (53 Stat., 419, 467; 26 U.S.C., 1940 ed., 3450, 3791))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3622; Filed, March 15, 1944; 11:50 a. m.]

[T. D. 5344]

PART 323—SPECIAL TAXES WITH RESPECT TO COIN-OPERATED AMUSEMENTS AND GAMBLING DEVICES, BOWLING ALLEYS, BILLIARD TABLES AND POOL TABLES

BOWLING ALLEYS, BILLIARD AND POOL TABLES

In order to conform Regulations 59 (1941 edition) [Part 323, Title 26, Code of Federal Regulations, 1941 Sup.], to sections 302 and 305 of the Revenue Act of 1943 (Public Law 235, 78th Congress), such regulations are hereby amended as follows:

PARAGRAPH 1. Immediately preceding § 323.10, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III.) (a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * * *

SEC. 1655. DEFINITION. For the purposes of this chapter the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

PAR. 2. Immediately preceding § 323.30, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III.) (a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES. In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following tables, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rate set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
*	*	*	*
3268	Billiard and pool tables; and Bowling alleys.	$10 per year per table; $10 per year per alley.	$20 per year per table; $20 per year per alley.
*	*	*	*

* * * * * *

(b) *Effective date or period of certain increases.* * * *

(2) *Billiard and pool tables and bowling alleys.* The increase made by subsection (a) of this section in the tax imposed by section 3268 of the Internal Revenue Code shall be effective with respect to the period beginning July 1, 1944, and continuing through June 30 next following the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war (as defined in Chapter 9A of the Internal Revenue Code).

* * * * * *

SEC. 305. EXEMPTION OF BILLIARD AND POOL TABLES IN HOSPITALS FROM TAX. (Revenue Act of 1943, Title III.) (a) *In general.* Section 3268 (a) (relating to the tax on bowling alleys and billiard and pool tables) is amended by inserting at the end thereof the following: "No tax shall be imposed under this section with respect to a billiard table or pool table in a hospital if no charge is made for the use of such table."

(b) *Effective date.* The amendment made by this section shall be effective beginning July 1, 1944.

PAR. 3. Section 323.31 is amended by striking out "of $10 per year" in the first sentence, and by adding the following new sentence at the end thereof:

No tax is incurred with respect to a billiard or pool table in a hospital if no charge is made for the use of such table.

PAR. 4. Section 323.32 is amended by striking out the first sentence of the first paragraph and inserting in lieu thereof the following:

For the period October 1, 1941 through June 30, 1944, the rate of tax is $10 per year for each bowling alley, billiard table, or pool table operated by the taxpayer. For the period July 1, 1944 through June 30 next following the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war, the rate of tax is $20 per year for each bowling alley, billard table, or pool table.

(Secs. 302 and 305 of the Revenue Act of 1943)

(Pub. Law 235, 78th Cong., and section 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C., 1940 ed., 3791))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3623; Filed, March 15, 1944; 11:50 a. m.]

Subchapter D—Social Security and Carriers Taxes

[T. D. 5345]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

EMPLOYMENT TAXES

In order to conform Regulations 106 [Part 402, Title 26, Code of Federal Regulations, Cum. Supp.], relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code), to section 3 of the Joint Resolution approved December 22, 1943 (Public Law 211, 78th Congress), and to section 901 of the Revenue Act of 1943, enacted February 25, 1944 (Public Law 235, 78th Congress), such regulations are amended as follows:

PARAGRAPH 1. Immediately preceding section 402.301, relating to measure of employees' tax, the following is inserted:

SECTION 3 (a) OF THE JOINT RESOLUTION APPROVED DECEMBER 22, 1943 (PUBLIC LAW 211, 78TH CONGRESS)

Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400) are amended to read as follows:

(1) With respect to wages received during the calendar years 1939, 1940, 1941, 1942, 1943, and the first two calendar months of the calendar year 1944, the rate shall be 1 per centum.

(2) With respect to wages received during the last ten calendar months of the calendar year 1944 and during the calendar year 1945, the rate shall be 2 per centum.

SECTION 901 (a) OF THE REVENUE ACT OF 1943

Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400) are amended to read as follows:

(1) With respect to wages received during the calendar years 1939, 1940, 1941, 1942, 1943, and 1944, the rate shall be 1 per centum.

(2) With respect to wages received during the calendar year 1945, the rate shall be 2 per centum.

PAR. 2. Section 402.302, as amended by Treasury Decision 5185, approved November 27, 1942, relating to rates and computation of employees' tax, is further amended to read as follows:

§ 402.302 *Rates and computation of employees' tax.* The rates of employees' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940, 1941, 1942, 1943, and 1944	1
For the calendar year 1945	2
For the calendar years 1946, 1947, and 1948	2½
For the calendar year 1949 and subsequent calendar years	3

The employees' tax is computed by applying to the wages received by the employee the rate in effect at the time such wages are received.

Example. During 1944 A is an employee of B and is engaged in the performance of services which constitute employment (see § 402.203). In the following year, 1945, A receives from B $1,000 as remuneration for services performed by A in the preceding year. The tax is payable at the 2 percent rate in effect for the calendar year 1945 (the year in which the wages are received), and not at the 1 percent rate which is in effect for the calendar year 1944 (the year in which the services were performed).

PAR. 3. Immediately preceding § 402.401, relating to measure of employers' tax, the following is inserted:

SECTION 3 (b) OF THE JOINT RESOLUTION APPROVED DECEMBER 22, 1943 (PUBLIC LAW 211, 78TH CONGRESS)

Clauses (1) and (2) of section 1410 of such Act [Federal Insurance Contributions Act] (Internal Revenue Code, sec. 1410) are amended to read as follows:

(1) With respect to wages paid during the calendar years 1939, 1940, 1941, 1942, 1943, and the first two calendar months of the calendar year 1944, the rate shall be 1 per centum.

(2) With respect to wages paid during the last ten calendar months of the calendar year 1944 and during the calendar year 1945, the rate shall be 2 per centum.

SECTION 901 (b) OF THE REVENUE ACT OF 1943

Clauses (1) and (2) of section 1410 of such Act [Federal Insurance Contributions Act] (Internal Revenue Code, sec. 1410) are amended to read as follows:

(1) With respect to wages paid during the calendar years 1939, 1940, 1941, 1942, 1943, and 1944, the rate shall be 1 per centum.

(2) With respect to wages paid during the calendar year 1945, the rate shall be 2 per centum.

PAR. 4. Section 402.402, as amended by Treasury Decision 5185, relating to rates and computation of employers' tax, is further amended to read as follows:

§ 402.402 *Rates and computation of employers' tax.* The rates of employers' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940, 1941, 1942, 1943, and 1944	1
For the calendar year 1945	2
For the calendar years 1946, 1947, and 1948	2½
For the calendar year 1949 and subsequent calendar years	3

The employers' tax is computed by applying to the wages paid by the employer the rate in effect at the time such wages are paid.

PAR. 5. The last paragraph of § 402.705, as amended by Treasury Decision 5185, relating to special refunds of employees' tax on wages over $3,000, is amended by striking out "1943" and "1944" wherever they now appear therein, and by inserting in lieu thereof "1944" and "1945", respectively.

(Sec. 1429 of the Internal Revenue Code (53 Stat. 178; 26 U.S.C., 1940 ed., 1429), sec. 3 of the Joint Resolution approved December 22, 1943 (Pub. Law 211, 78th Cong.), and sec. 901 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 14, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3624; Filed, March 15, 1944; 11:50 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[General License 58, Amdt.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

COMMISSION FOR THE CONTROL OF FOREIGN EXCHANGE ASSETS, CHUNGKING, CHINA

MARCH 15, 1944.

Under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Section 131.58 *General License No. 58* as amended, is hereby amended in the following respects:

(1) By deleting the words "Stabilization Board of China" in paragraphs (a) (2) (i), (a) (3) (i), (a) (3) (ii), and (b) (1) thereof and substituting therefor the words "Commission for the Control of Foreign Exchange Assets, Chungking, China"; and

(2) By deleting the word "Board" in paragraph (b) (1) thereof and substituting therefor the word "Commission".

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3595; Filed, March 15, 1944; 10:46 a. m.]

[General License 75, Amdt.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

COMMISSION FOR THE CONTROL OF FOREIGN EXCHANGE ASSETS, CHUNGKING, CHINA

MARCH 15, 1944.

Amendment of General License No. 75 under Executive Order No. 8389, as amended, Executive Order No. 9193, Section 5 (d) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Section 131.75 *General License No. 75,* as amended, is hereby amended in the following respects:

(1) By deleting the words "Stabilization Board of China" in pargaraph (d) thereof and substituting therefor the words "Commission for the Control of Foreign Exchange Assets, Chungking, China,"; and

(2) By deleting the word "Board" in paragraph (d) thereof and substituting therefor the word "Commission".

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3596; Filed, March 15, 1944; 10:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9126, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-485]

THE VERKAMP CORPORATION

The Verkamp Corporation has its main office in Cincinnati, Ohio, and is engaged principally in the sale of liquefied petroleum gas, and in connection therewith the installation of liquefied petroleum gas equipment. During the months of July and September of 1942, and January and August of 1943, The Verkamp Corporation executed orders bearing improper ratings and false certifications for and thereafter received delivery of substantial quantities of liquefied petroleum gas equipment without authority of the War Production Board and in violation of Priorities Regulation No. 1 and Priorities Regulation No. 3. At the time of these violations, the responsible officers of The Verkamp Corporation were aware of Priorities Regulation No. 1 and Priorities Regulation No. 3. The violations in July and September, 1942, were deliberate and wilful, and the violations in January and August, 1943, were the result of gross negligence.

These violations have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.485 *Suspension Order No. S-485.* (a) Delivery of liquefied petroleum gas equipment, as defined in Limitation Order L-86, to The Verkamp Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, and no person, firm or corporation shall deliver liquefied petroleum gas equipment to The Verkamp Corporation, its successors and assigns, nor shall such equipment be acquired by it or them, unless hereafter specifically authorized in writing by the War Production Board. However, this paragraph shall not affect the exceptions permitted by Limitation Order L-86, subparagraphs (1) through (4) of paragraph (d).

(b) Nothing contained in this order shall be deemed to relieve The Verkamp Corporation, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 14, 1944, and shall expire on June 14, 1944.

Issued this 7th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3584; Filed, March 14, 1944; 2:48 p. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L-42, Schedule IV, as Amended Mar. 15, 1944]

CAST IRON SOIL PIPE AND FITTINGS

§ 1076.5 *Schedule IV to Limitation Order L-42*—(a) *Definition.* For the purposes of this schedule "producer" means any person who manufactures, processes, fabricates or assembles cast iron soil pipe and fittings.

(b) *Simplified practices.* Pursuant to Limitation Order L-42 the following simplified practices are hereby established for cast iron soil pipe and fittings:

(1) Cast iron soil pipe shall be produced only in the following weights with a variation not exceeding 5 per cent (over or under) on individual lengths:

VICTORY WEIGHT

Size (inches)	Per single hub length	Per double hub length
	Pounds	*Pounds*
2	20	21
3	30	31
4	40	42
5	53	57
6	63	68
8	100	105
10	145	150
12	190	200
15	255	270

EXTRA HEAVY WEIGHT

Size (inches)	Per single hub length	Per double hub length
	Pounds	*Pounds*
2	25	26
3	45	47
4	60	63
5	75	78
6	95	100
8	150	157
10	214	225
12	270	285
15	375	395

(2) Cast iron soil pipe fittings shall be produced only in weights heretofore known commercially as "standard", and "medium", and "extra heavy", but brass pipe plugs and brass trap screws shall be discontinued on cleanouts, ferrules, traps, test tees and other soil pipe fittings.

(c) [Deleted Mar. 15, 1944]

(d) [Deleted Mar. 15, 1944]

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3601; Filed, March 15, 1944; 11:16 a. m.]

PART 1109—MICA SPLITTINGS

[Conservation Order M-101-a]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of No. 5 or larger bookform muscovite mica splittings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1109.2 *Conservation Order M-101-a*—(a) *Definitions.* (1) "Built-up mica insulation" means a product containing various combinations of mica splittings and binder, but having no backing or reenforcing material attached to or combined with it.

(2) "Composite mica insulation" means a product containing various combinations of mica splittings with such material as: fish paper, fibrous glass, fabrica, acetate sheets, paper, etc., held together in laminated form by a binder.

(b) *Restrictions on use of mica splittings.* No person shall use No. 5 or larger bookform muscovite mica splittings except in the manufacture of composite or built-up mica insulations where the mica content is an average thickness of not more than .003" including the binder. The average (also known as "nominal") thickness is based upon ten individual measurements per square yard.

(c) *Reports.* All consumers of mica splittings (both phlogopite and muscovite) in the manufacture of built-up or composite mica insulation shall, on or before the 15th day of each month, file Form WPB-3297 with the Mica-Graphite Division, War Production Board, Washington 25, D. C., and such other reports as the War Production Board may from time to time direct. The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Ref: M-101-a.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3600; Filed, March 15, 1944; 11:16 a. m.]

PART 3284—BUILDING MATERIALS[1]

[General Limitation Order L-212, as Amended Mar. 15, 1944]

INCANDESCENT LIGHTING FIXTURES

Section 3284.51[1] *General Limitation Order L-212* is hereby amended to read as follows:

§ 3284.51 *General Limitation Order L-212*—(a) *Purposes of the order.* This order places certain limitations on the manufacture and assembly of incandescent lighting fixtures and parts. It also restricts the sale and delivery of new fixtures and parts.

(b) *Exceptions.* The restrictions and limitations contained in this order do not apply to the manufacture and assembly or the sale and delivery of copper wire, sockets, switches, or accessories (such as threaded fittings, supporting straps, mounting straps, screws, locknuts, running thread nipples, or hickeys) used in attaching incandescent lighting fixtures to an electrical outlet.

Restrictions on Manufacture and Assembly

(c) *Residential incandescent lighting fixtures.* No person may manufacture or assemble a residential incandescent lighting fixture containing more than 12 ounces of metal, exclusive of the chain or stem of a suspended type fixture for which not more than 8 additional ounces of metal may be used. These weight limits are maximum and no overweight tolerances are permitted. In calculating the weight of the metals allowed, the weight of the items listed in paragraph (b) shall not be included.

(d) *Utility incandescent lighting fixtures.* Except upon specific authorization in writing by the War Production Board (application may be made by letter as indicated in paragraph (j)), no person may put into process in the manufacture of a utility incandescent lighting fixture any:

(1) Metal sheet of a gauge heavier than 22 U. S. Standard except for an outlet box cover;

(2) Metal for a louver, shield, baffle, reflector or surface mounted metal box except for:

(i) Illuminated exit signs;

(ii) Hospital bedside examining lights;

(iii) Silver and copper for plating glass reflectors; or

(iv) Stage lighting equipment;

(3) Metal for recessed lighting equipment such as a cove, troffer, coffer, or built-in types.

(e) *Restrictions in other orders.* In addition to the restrictions set forth in paragraphs (c) and (d), all provisions appearing in other orders of the War Production Board (such as Orders M-1-i (Aluminum), M-9-c (Copper), M-11-b (Zinc) and M-126 (Iron and Steel)) which restrict the use of materials in incandescent lighting fixtures and parts must also be complied with.

Restrictions on Sale and Delivery of Incandescent Lighting Fixtures

(f) *Preference ratings.* (1) No person may sell or deliver any new industrial or utility incandescent lighting fixture or part except to fill an order or contract bearing a preference rating of AA-5 or higher, or bearing any preference rating which was assigned prior to March 15, 1944.

(2) No person may sell or deliver any new incandescent lighting fixture to fill an order bearing a blanket MRO rating lower than AA-2. The term "blanket MRO rating" is defined in Priorities Regulation 3.

(g) *Exceptions to paragraph (f).* There are five exceptions to the rules stated in paragraph (f). No preference rating is necessary for:

(1) The delivery of a fixture or part to an established testing laboratory for testing purposes only;

(2) The delivery of a fixture or part to a potential customer for demonstration but not for stock;

(3) The sale and delivery of a part to be used solely for maintenance or repair of an existing fixture;

(4) The sale and delivery of a fixture or part to a manuacturer or wholesaler on a special sale under Priorities Regulation 13; or

(5) The delivery of a fixture or part from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

Definitions

(h) *Meaning of terms used in this order.* (1) The term "incandescent lighting fixture" means any equipment designed or constructed for the purpose of illumination which employs or is used in connection with (a) an incandescent electric light source, or (b) a mercury vapor tube, lamp or bulb rated 250 or 400 watts. The term "incandescent lighting fixture" does not include:

(i) Lamps or bulbs covered by Order L-28;

(ii) Fluorescent lighting fixtures, as defined in Order L-78;

(iii) Any portable or attachable lamp or fixture designed to be plugged into an electric outlet, other than "portable" or "attachable" industrial incandescent lighting fixtures as defined in this order;

(iv) Aircraft lighting equipment, as defined in Order L-327;

(v) Aviation ground lighting equipment covered by Order L-235;

(vi) Blackout and dimout lighting fixtures, as defined in Order L-168;

(vii) Floodlights, searchlights, traffic signals, street or highway luminaries, or automotive lights;

(viii) Flashlights or any portable battery-operated lighting device covered by Order L-71;

(ix) Lighting fixtures specifically designed for use:

(*a*) On shipboard;

(*b*) In connection with aerial or marine navigation;

(*c*) As dental or surgical operating room fixtures; or

(*d*) In hospital psychiatric wards;

(x) Photographic lighting equipment and accessories covered by Order L-267.

(2) A "new" incandescent lighting fixture or part is one which has never been used by an ultimate consumer.

(3) An "industrial incandescent lighting fixture" is one which is designed and constructed to provide general or localized illumination for an area of manufacturing, processing, storage or transportation, including such areas as a machine shop, warehouse, power plant, yard, platform, dock, pier, or arsenal.

(4) A "portable industrial incandescent lighting fixture" is one which is designed for use in the operation of some piece of factory equipment (such as an industrial machine or tool) or in the assembly, inspection or servicing of a product, but which is not permanently attached to the equipment or the product. Such fixtures are designed to be plugged into an electric outlet and are usually equipped with either a handle, a hook, or a base fitted with free rolling casters.

(5) An "attachable industrial incandescent lighting fixture" is one which is designed to be used with some piece of factory equipment (such as an industrial machine, tool, or assembly bench) and is so constructed that it may be permanently affixed by screws to the equipment or to an adjoining wall. Such fixtures are designed to be plugged into an electric outlet. Lighting fixtures for business machines are excluded.

(6) A "residential incandescent lighting fixture" is one which is designed and constructed to provide illumination in a human habitation.

(7) A "utility incandescent lighting fixture" is any incandescent lighting fixture other than an industrial or residential type. The term includes theater and stage lighting fixtures and equipment, recessed lighting fixtures, illuminated exit signs of the type commonly installed in public buildings under the fire laws and bearing no advertising matter, and office, hospital and store lighting fixtures.

(8) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

Miscellaneous Provisions

(i) *Appeals.* Any appeal from the provisions of this order may be filed

[1] Formerly Part 3103, § 3103.1.

either on Form WPB–1477 (formerly PD–500) or by letter in triplicate referring to the particular provision appealed from and fully stating the grounds for the appeal. Such appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Authorizations.* Requests for specific authorization under paragraph (d) may be made by letter in duplicate stating fully the grounds for requesting the authorization. The letter should state the name and address of the project where the lighting fixtures will be used, the contract number assigned to the project, the preference rating, the name and address of the customer, and a full description of the fixtures.[2] The letter should be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: Administrator, L–212.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Routing of correspondence.* Communications concerning this order (except appeals) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L–212.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3602; Filed, March 15, 1944; 11:16 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT[3]

[Conservation Order M–216–b, as Amended Mar. 13, 1944][4]

CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of new passenger automobiles and commercial motor vehicles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.106[3] *Conservation Order M–216–b*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered to a consumer under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons, throughout the continental United States, the territories, and insular possessions of the United States:

(i) *Reserve new passenger automobiles.* Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, including taxis, but not including ambulances, hearses and station wagons.

(ii) *Reserve new commercial motor vehicle.* Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, (or any chassis on which a bus body is to be mounted), and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Standard equipment" means equipment stated to be standard equipment by the manufacturer as of October 15, 1941.

(3) "Producer" means any person who manufactures or has in the past manufactured any reserve vehicles, including body builders, and who now or hereafter has any such reserve vehicles in his possession or under his control.

(4) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(5) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(6) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(7) "Finance agency" means any person regularly engaged in the business of financing or making loans on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or claim against any such reserve vehicle as security for a loan or other financing arrangement.

(8) "Consumer" means a person who accepts delivery of a reserve vehicle to be put into operation.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(c) *Restrictions on rebuilding reserve new passenger automobiles and removing of equipment.* (1) No person shall convert any reserve new passenger automobile to any other model or type of conveyance except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(2) No person shall remove from any reserve new passenger automobile any standard equipment, or shall remove any other part or accessory the removal of which will impair the operating efficiency of such vehicle, except pursuant to the terms of section 2.10 of Ration Order No. 2B or any subsequent similar order of the Office of Price Administration.

(d) *Removal of equipment from reserve new commercial motor vehicles prohibited except upon authorization from the War Production Board.* (1) Except upon specific authorization from the War Production Board: (i) No person shall remove from any reserve new commercial motor vehicle any standard equipment, or remove or exchange any other part or accessory, the removal or exchange of which will impair the operating efficiency, (pulling ability, carrying ability, or safety) of the vehicle. (ii) After April 15, 1944, no person shall remove equipment from, add equipment to, lengthen or shorten the chassis of a reserve new commercial motor vehicle, of a gross vehicle weight rating of 9,000 pounds or over, but of less than 16,000 pounds (medium truck or truck tractor) for the purpose of converting it into a bus; or make any such changes in a bus chassis to convert it into a truck.

(2) *Authorization to remove or exchange equipment.* Requests for authorization under this Paragraph (d) may be made by submitting a letter in triplicate to the Automotive Division, War Production Board, Washington 25, D. C., stating the make, model, gross vehicle weight, serial number and engine number of each vehicle for which the authorization is requested and describing in detail the alterations for which the request is made and the reasons for them. Such authorizations will only be issued when the type of vehicle required as shown on an outstanding Certificate of Transfer (Form WPB 717) or Government Exemption Permit (Form WPB 718) cannot be obtained from inventory, or production, for a specific delivery date.

(e) *Exceptions as to removal of batteries and tires.* The provisions of paragraphs (c) and (d) above shall not be taken to prohibit the removal from any reserve vehicle of:

(1) An electric storage battery: *Provided, however,* That when the vehicle from which the battery has been removed is delivered to a consumer, the same battery or a new battery of at least equal quality and capacity and in first class condition shall be installed by the person making delivery of the vehicle

(i) Any battery so removed need not be considered as part of the battery inventory of the sales agency as the same is defined in Limitation Order L–180, as amended.

(2) Rubber tires, casings or tubes: *Provided, however,* That the removal is made for storage or in exchange for rubber tires, casings or tubes upon authorization pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration. When the vehicle from which tires, casings and tubes have been removed is delivered to a consumer tires, casings and tubes shall be replaced on the vehicle by the person making delivery unless such person has been authorized pursuant to Ration Order 1A or any subsequent similar order of the Office of Price Administration to mount other tires, casings and tubes on such vehicle.

(f) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(h) *Appeals.* An appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C. Reference: Order M–216–b.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3603; Filed, March 15, 1944; 11:16 a. m.]

[2] The provisions of this order calling for application by letter in duplicate (paragraphs (d) and (j)) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[3] Formerly Part 3062, § 3062.3.

[4] This document is a restatement of Amendment 1 to M–216–b as Amended March 6, 1943, as it appears in the FEDERAL REGISTER of March 14, 1944, page 2786, and which reflects the order in its completed form as of March 13, 1944.

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 7]

BENZALDEHYDE

§ 3293.1007 *Schedule 7 to General Allocation Order M–300*—(a) *Definition.* "Benzaldehyde" means benzaldehyde in crude or refined form.

(b) *General provisions.* Benzaldehyde is subject to the provisions of General Allocation Order M–300 as an Appendix A material. The initial allocation date is April 1, 1944. The allocation period is the calendar month, and the small order exemption is 50 lbs. per month.

(c) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 20th of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–7. The unit of measure is pounds. Specify grade as "Technical", "NF", "FFC". An aggregate quantity may be requested, without specifying individual customers' names, for delivery on small orders of 50 lbs. or less per customer per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB–2945.* Each person seeking authorization to use or to accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 15th of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–7, one copy (reverse side blank) to the supplier and retain one copy. File separate sets of forms for each different supplier. The unit of measure is the pound. In column 3 specify each primary product, or specify "Resale", "Export" or "Inventory", if the benzaldehyde is to be resold, exported or held in inventory as such. Fill in the other columns of Table I and fill in Tables II, III and IV as indicated.

In Table V specify "Frozen Inventory on first of ------" (name first day of requested allocation month), in the heading of Column 23, and in the column enter the estimated quantity of benzaldehyde which at the beginning of the requested allocation month will be in inventory subject to further authorization before it can be used. Leave Columns 24 and 25 blank.

(e) *Approval of reporting requirements.* Forms WPB–2945 and 2946 and the instructions in this schedule and in Appendix A of Order M–300 for applications for benzaldehyde have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(f) *Communications to War Production Board.* All reports and communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–7.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3604; Filed, March 15, 1944; 11:16 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U–3 as Amended Mar. 15, 1944]

PREFERENCE RATING ORDER (MRO) FOR TELEPHONE INDUSTRY

§ 4501.6 *Utilities Order U–3*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative, or other division or agency thereof, to the extent engaged in rendering telephone communication service to the public (and such telegraph and teletypewriter service as may also be conducted by him) within, to, or from the United States, its territories, or possessions. Public law enforcement agencies and public fire protection agencies are excluded from this definition for the purposes of this order.

"Operator" also includes any persons operating a rural cooperative or mutually-owned telephone system. It further includes persons owning either a telephone or a telephone system which is connected to a telephone system rendering service to the public, so long as they do not generally use an MRO order other than Order U–3. Those who generally use another MRO order for their business operations, as for example railroads using Order P–142 or a manufacturer using CMP Reg. 5 are excluded from this definition.

"Operator" also includes any persons to the extent engaged in the operation of a private telephone communications system, provided that a specific direction from the War Production Board entitles such persons to use the preference rating and allotment number authorized by this order. Application for such a specific direction should be made by letter

to the War Production Board, Washington 25, D. C., Ref.: U–3.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.

(4) "Operating supplies" means any material essential to the operator's business and used for purposes other than maintenance and repair. "Operating supplies" purchased with the rating or allotment number authorized by this order can not be used in any single case in an amount exceeding the dollar limits of paragraph (c).

(5) Without regard to accounting practices, "operator's inventory" means the aggregate of material currently owned by an operator and not incorporated into plant or in the process of being consumed, exclusive of:

(i) Material listed for sale on Form WPB–2567 (UF–6), and filed with the Communications Division, Office of War Utilities. Records of withdrawals from and additions to material listed for sale shall be maintained and preserved for a period of not less than two years under the authority of paragraph (i) and shall be reported to the Communications Division upon the request of the War Production Board.

(ii) Material for use on a project approved by the War Production Board.

(iii) [Revoked Oct. 30, 1943]

(iv) Material set aside to restore plant damaged by enemy action or sabotage provided the operator has received War Production Board approval on Form WPB–2774 or other appropriate form. Withdrawals must be reported to the War Production Board.

(v) Lead covered cable or bare line wire maintained by an operator for the repair of major breakdowns due to storms, floods, etc., reported as prescribed on Form WPB–1127 (UF–5), unless disapproved by the War Production Board.

(vi) Poles, crossarms, insulators and non-metallic conduit, furniture and fixtures; office machinery; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(b) *Rating and CMP allotment number.* (1) An operator is authorized to use the allotment number U–9 and preference rating of AA–1 for deliveries of material for maintenance, repair and operating supplies.

(2) An operator may apply and a supplier may extend the rating or allotment number in the manner provided in Priorities Regulation 3 and CMP Regulation 3, by placing on his delivery order substantially the certification set forth below in paragraph (b) (3).

(3) Utilities maintenance, repair and operating supplies certification.

Allotment number U–9, preference rating AA–1. The undersigned operator certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, and under all provisions of Utilities Orders U–2, U–3, and U–6, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any preference rating or allotment number which the undersigned has placed on this order.

(c) *Restrictions on use of material.* (1) Material obtained under this order may be used by an operator only within the limitations of Orders U–2 and U–6.

(2) Material obtained under this order may be used for operating supplies only in the following cases:

(i) An amount costing not more than fifty dollars may be used on any project specifically approved by the War Production Board on Form WPB–2774 or any alternative form.

(ii) [Revoked Jan. 20, 1944]

(iii) It may be used for telegraph and teletypewriter facilities in any single case in which the total material cost does not exceed $2,500.

(iv) An amount costing not more than $2,500 may be used for other purposes in any single case in which the total cost of all material used does not exceed $5,000.

(v) It may be used on any construction project approved by the War Production Board on Form WPB–2774 or any alternative form. However, material so used may only be replaced in inventory by use of the preference rating or allotment number authorized on the WPB–2774 or alternative form.

(3) An operator, who does not furnish telephone service to the public, whose "operator's inventory" at the end of 1942 or whose use of material during 1942 did not exceed $10,000 may not, in any single case, use material obtained under this order costing more than $500 for operating supplies.

(4) No operator shall subdivide a single order job, or project to qualify it under the dollar limitations of this paragraph.

(5) Material obtained under this order may be used for maintenance and repair without regard to dollar limitations on the use of material for operating supplies.

(6) The dollar limits of this paragraph (c) shall not prevent the use of material on hand to meet temporary traffic or emergency requirements, but where the dollar limits are exceeded the material must be returned to inventory or to its original location in plant within thirty days, unless application has been made to the War Production Board for authority to continue the use of material.

(7) No material may be used for building construction except as permitted by Order L–41. However, an operator may effect maintenance and repair of buildings which are essential to the conduct of the operator's business.

(8) A. P. B. X. switchboard obtained under this order may be installed initially only for Schedule A service as set forth in Order U–2, or for essential public pay station service.

(d) *Authority to begin construction.* For any addition or expansion of telephone, telegraph or teletypewriter facilities involving a total material cost which exceeds the dollar limitations of paragraph (c) (2) or (c) (3) above, or which involves a total cost in material in excess of $5,000, an operator must obtain authority to begin construction and necessary priority assistance on Form WPB–2774.

(e) *Restrictions on inventory.* (1) No operator shall accept deliveries of material unless after the delivery his operator's inventory will not exceed a practical working minimum. A practical working minimum shall in no case be greater than 27½% of the dollar value of material used during the calendar year 1940 for all purposes exclusive of the items in paragraph (a) (5) (vi) and materials which were used for building construction. The items in (a) (5) (vi) may be accepted by an operator even if his operator's inventory exceeds 27½% of his 1940 usage of material.

(2) No operator shall accept delivery of a size, type, gauge and length of cable, wire or strand, if the operator's inventory of that size, type, gauge and length is in excess of requirements for the next sixty days. However, if an operator needs some wire, cable or strand, this provision does not forbid purchase of the minimum standard reel-length, even though the operator does not expect to use the whole reel in the next sixty days.

(3) No operator shall replace in inventory by use of the preference rating or allotment number of Order U–3 any material withdrawn pursuant to paragraph (g) (4) of Order U–2.

(f) *Restrictions on purchases.* (1) No operator shall use the allotment number or preference rating assigned by this order to obtain material during any calendar quarter in an aggregate dollar amount exceeding one-fourth of his aggregate dollar usage in 1942 for maintenance, repair and operating supplies.

(2) But, so long as the 1942 base as set forth in paragraph (f) (1) is not exceeded during a calendar year, an operator may in any quarter obtain the dollar quantity used in the corresponding quarter of 1942.

(g) *Exemptions.* (1) Any operator whose operator's inventory did not exceed $10,000 at the end of 1942 is exempt from the inventory restriction of paragraph (e) (1).

(2) Any operator whose use of material during the year 1942 did not exceed $10,000 shall be exempt from the provisions of paragraph (f) (1) above.

(h) *Sales of material.* Material which is listed for sale under (a) (5) (i) or is reserved for emergencies under (a) (5) (iv) and (a) (5) (v), must when sold between operators be sold without a preference rating or allotment number. However, the material in (a) (5) (iv) and (a) (5) (v) so sold must be used for the purposes for which it was originally reserved.

(i) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Communications Division, Office of War Utilities, as may from time to time be required by the War Production Board.

(j) *Applicability of regulations.* (1) This order and all transactions affected by it, except as expressly provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or 5A shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of these regulations.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(l) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C. Ref.: U–3.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3605; Filed, March 15, 1944; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 14]

LIVESTOCK AND MEATS IN THE VIRGIN ISLANDS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15866, 17062, 16298, 16793; 9 F.R. 1398.

Maximum Price Regulation No. 395 is amended in the following respects:

1. Section 32 is added to read as follows:

SEC. 32. *Maximum prices for cattle sold in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 32 the term:

(1) "Cattle" means all members of the domesticated bovine species.

(2) "Young cattle" means those cattle commonly accepted by the trade as young.

(3) "Old cattle" means those cattle commonly accepted by the trade as old.

(b) *Maximum prices.* The maximum prices for cattle sold in the Virgin Islands of the United States for slaughter shall be the applicable price given in Table XVIII below.

TABLE XVIII—MAXIMUM PRICES FOR CATTLE SOLD FOR SLAUGHTER

Description	Unit	Deliveries in the municipality of St. Croix	Deliveries in the municipality of St. Thomas and St. John
Young cattle	One pound	$0.085	$0.10
Old cattle	One pound	.08	.095

NOTE: Weights shall be established in accordance with the custom of the trade.

(c) *Evasion.* The maximum prices established in paragraph (b) of this section shall not be evaded, whether by direct or indirect methods, in connection with any change in the customary methods of weighing, or of delivery of cattle, or by any offer, solicitation, agreement, bid, or by way of any dividend, commission, service, transportation, or other charges or discount, premium or other privilege, or by tying-agreement, or other trade understanding, or by changing the customary methods or standards of grading or selection of such cattle, or in any other way. Any cooperative association engaged in the purchase of cattle from persons not members of the association may not grant "dividends", gratuities or other compensation to such non-members in order to achieve a higher than maximum price if the total payments thereby exceed the applicable prices established in Table XVIII; nor may non-members accept payment in such amount.

2. Section 33 is added to read as follows:

SEC. 33. *Maximum prices for locally produced beef and veal not inspected by the Federal (U. S.) Government.* (a) Maximum prices for locally produced beef and veal not inspected by the Federal (U. S.) Government during the production process and sold in the Virgin Islands of the United States shall be the applicable prices set forth below:

(1) *Sales in the municipality of St. Croix.*

TABLE XIX—MAXIMUM RETAIL PRICES FOR LOCALLY PRODUCED BEEF AND VEAL, NOT U. S. INSPECTED

Description	Unit	Maximum retail price
Soup, stew, boil meat	One pound	$0.22
Clear meat	One pound	.28
Roast meat (except standing ribs)	One pound	.27
Standing ribs	One pound	.24
Steaks:		
T-Bone, choice, sirloin, round steak	One pound	.27
Shoulder steak	One pound	.24
Filet	One pound	.60
Soup bones	One pound	.12
Liver, lungs and heart	One pound	.27
Tongue	One pound	.24
Kidneys, large	Each	.10
Kidneys, small	Each	.05

NOTE: Wholesale prices are subject to agreement between buyer and seller but may in no event exceed the maximum retail prices established in this table.

(2) *Sales in the municipality of St. Thomas and St. John.* (i) The maximum prices shall be the applicable price established in Table XIX except as provided in subdivision (ii) below.

TABLE XX—MAXIMUM RETAIL PRICES FOR LOCALLY PRODUCED BEEF AND VEAL, NOT U. S. INSPECTED

Description	Unit	Maximum retail price
Brain	Pair (two sections comprising one whole brain)	$0.12
Soup bones	One pound	.15
Filet	One pound	.60
All other cuts and classes of beef and veal, including edible byproducts	One pound	.28

NOTE: Prices at wholesale are subject to agreement between buyer and seller but may in no event exceed the applicable price established in this table.

(ii) The Virgin Islands Tourist Co., Inc., may add $0.10 per pound to the retail prices listed in Table XX above in computing its maximum retail prices at the Caneel Bay Plantation Resort, St. John, V. I.

3. Section 34 is added to read as follows:

SEC. 34 *Maximum prices for sheep and goats sold in the Virgin Islands of the United States*—(a) *Maximum prices.* The maximum prices for sheep and goats sold in the Virgin Islands of the United States for slaughter shall be the applicable price given in Table XXI, below.

TABLE XXI—MAXIMUM PRICES FOR SHEEP AND GOATS SOLD FOR SLAUGHTER

Description	Unit	Deliveries in the municipality of St. Croix	Deliveries in the municipality of St. Thomas and St. John
Sheep	One pound	$0.10	$0.10
Goats	One pound	.07	.055

NOTE: Weights shall be established in accordance with the custom of the trade.

(b) *Evasion.* The maximum prices established in paragraph (a) of this section shall not be evaded, whether by direct or indirect methods, in connection with any change in the customary methods of weighing, or of delivery of sheep and goats, or by any offer, solicitation, agreement, bid or by way of dividend, commission, service, transportation, or other charges or discount, premium or privilege, or by tying-agreement, or other trade understanding, or in any other way. Any cooperative association engaged in the purchase of sheep and goats from persons not members of the association may not grant "dividends", gratuities or other compensation to such non-members in order to achieve a higher than maximum price if the total payments thereby exceed the applicable prices established in Table XXI; nor may non-members accept payment in such amount.

4. Section 35 is added to read as follows:

SEC. 35 *Maximum prices for locally produced sheep and goat mutton not inspected by the Federal (U. S.) Government.* (a) Maximum prices for locally produced sheep and goat mutton not inspected by the Federal (U. S.) Government during the production process and sold in the Virgin Islands of the United States shall be the applicable price set forth below:

(1) *Sales in the municipality of St. Croix.*

TABLE XXII—MAXIMUM RETAIL PRICES FOR LOCALLY PRODUCED SHEEP AND GOAT MUTTON, NOT U. S. INSPECTED

Description	Unit	Maximum retail price
Sheep mutton and lamb:		
Leg cuts	One pound	$0.52
Loin (roast)	One pound	.32
Chops	One pound	.32
Shoulder cuts	One pound	.32
Soup meat	One pound	.30
Stew meat	One pound	.30
Liver, heart and lungs	One pound	.32
Goat mutton, all cuts and classes of meat	One pound	.26

NOTE: Wholesale prices are subject to agreement between buyer and seller but may in no event exceed the maximum retail prices established in this table.

(2) *Sales in the municipality of St. Thomas and St. John.* (i) The maximum prices shall be the applicable price established in Table XXIII, except as provided in subdivision (ii) below.

TABLE XXIII—MAXIMUM RETAIL PRICES FOR LOCALLY PRODUCED SHEEP AND GOAT MUTTON, NOT U. S. INSPECTED

Description	Unit	Maximum retail price
Sheep mutton, all cuts and classes of meat	One pound	$0.30
Goat mutton, all cuts and classes of meat	One pound	.30

NOTE: Wholesale prices are subject to agreement between buyer and seller but in no event may exceed the maximum retail prices established in this table.

(ii) The Virgin Islands Tourist Company, Incorporated, may add $0.10 per pound to the retail prices listed in Table XXIII above in computing its maximum retail prices at the Caneel Bay Plantation Resort, St. John, V. I.

This amendment shall become effective as of March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3576; Filed, March 14, 1944; 11:40 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 184,[1] Amdt. 4]

MAINE SARDINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1364.112 (a) is amended to read as follows:

(a) The prices set forth below are maximum prices per case for Maine sardines, f. o. b. the railroad shipping point nearest the cannery. The maximum prices are gross prices before the deduction of any discounts.

Description		Maximum price per case
Container size and type	Style of pack	
Keyless ¼'s standard pack.	Cottonseed oil, soybean oil, mustard.	$4.43
Keyless ¼'s standard pack.	Tomato sauce	4.46
¼'s decorated tops with keys, standard pack.	Cottonseed oil, soybean oil, mustard.	5.18
¼'s decorated tops with keys, standard pack.	Tomato sauce	5.21
¼'s wrapped or in cartons with keys, standard pack.	Cottonseed oil, soybean oil, mustard.	5.43
¼'s wrapped or in cartons with keys, standard pack.	Tomato sauce	5.46
Keyless ¼'s standard pack.	Mustard	4.43
Keyless ¼'s standard pack.	Tomato	4.46

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3592; Filed, March 14, 1944; 3:04 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5715, 8948, 9956; 8 F.R. 14009, 15703.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 40]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix D, Table 3, as follows:

TABLE 3—MINNESOTA

Area. Minnesota: Counties of Aitkin, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clearwater, Cook, Crow Wing, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Marshall, Morrison, Mille Lacs, Mahnomen, Otter Tail, Pine, Polk, Pennington, Red Lake, Roseau, St. Louis, Todd, Wadena.

Species. White Pine (Pinus strobus), Norway Pine (Pinus resinosa), Jack Pine (Pinus Banksiana), Balsam Fir (Abies balsamea), Northern White Cedar (Thuja occidentalis), White Spruce (Picea glauca), Black Spruce (Picea mariana), Tamarack (Larix laricina), Hard Maple (Acer saccharum), Soft Maple (Acer rubrum and Acer saccharinum), Yellow Birch (Betula lutea), White Birch (Betula populifolia), Red Oak (Quercus borealis), White Oak (Quercus alba) and the commercial species of the genera Basswood (Tilia), Elm (Ulmus), Ash (Fraxinus), and (Populus) including Balm of Gilead, Cottonwood, Aspen and Popple.

Grading and scaling rules. A. Box bolts shall be measured by the double cord, a compact rick or stack of wood eight and one-third feet by eight feet by four feet being considered a double cord. Box bolts must be straight and cut from sound, live timber; to be 100" long with a minimum diameter of 6" at the small end inside bark and limbs to be closely trimmed. 6" bolts must be perfectly straight and sound. Bolts 7" and up will admit sweep and crook not to exceed ½ diameter at small end. Rot and excessive sweep or crook shall be deducted on a cordage basis. Box bolts may be purchased as all diameters above 6" in which case the producer must include all of the larger diameter bolts which are cut from the stand, or on the basis of diameter classes, namely box bolts from 6" through 8" in diameter, and box bolts 9" and over in diameter.

B. Sawlogs shall be scaled with the Scribner Decimal C log rule.

The diameter shall be measured at the small end of the log, inside the bark, at the average diameter.

Fractions of an inch ½ and below shall be counted as of the next lower figure; fractions of an inch greater than ½ may be raised to the next higher figure.

Logs shall be cut into standard even lengths with the minimum length of 8 feet. All logs must be cut at least 3" over length to allow for trim. Those logs not cut at least 3" over length shall be reduced in scale to the next lower standard length.

All unsound and unusable wood must be deducted from the scale when measuring the log. The defects for which full deduction shall be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, and crooks. The extent of rot or other defects is to be determined by the scaler, but the manner or method of deduction shall be no less rigid or exacting than those prescribed in the National Forest Scaling Handbook, Revised May, 1940.[2]

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 973, 1317, 1571, 1572, 1717, 2088, 2136.

[2] For sale by the Superintendent of Documents, Washington, D. C., 60¢.

Sawlogs shall be sold on a Woods Run Grade. This grade shall consist of logs 8" and up in diameter as produced from the forest that are better than culls. Logs may be purchased on a log scale basis below 8" but a proper adjustment in price shall be made as required by the following tables.

C. Veneer short logs are to be cut in 50" and 100" lengths for Aspen and Basswood, and 45" and 90" lengths for White Birch. The minimum diameter is 8". A single cord means an amount of timber, which when properly stacked, contains 120 cubic feet for 45" and 90" bolts and 133 cubic feet for 50" and 100" bolts; logs must be sound, green timber, free from decay, seams or numerous knots. Bolts must be at least 75% surface clear in one continuous lineal section.

D. Short bolts shall be measured by the single cord of 128 cubic feet. They shall be cut to a minimum diameter of 12 inches. All bolts are to be sound, straight grained free of knots, catfaces, and large worm holes, except that two small knots 1" or less in diameter will be permitted if in strict alignment; and are to be cut to lengths specified by the buyer.

Maximum prices—A. *Box bolts; per double cord* (266 cubic ft.).

Species	All bolts 6" and up in diameter	Box bolts 6", 7", and 8" in diameter	Box bolts 9" and up in diameter
Aspen (Popple)	$19.00	$18.00	$22.00
Basswood	21.00	20.00	24.00
Jack Pine	24.00	23.00	27.00
Norway (Red) Pine	24.00	23.00	26.00
White Pine	24.00	23.00	26.00
Balsam Fir	27.00	25.00	29.00
Spruce	31.00	30.00	34.00
Cottonwood	18.00	17.00	22.00
Elm	18.00	17.00	22.00
Soft Maple	18.00	17.00	22.00
Balm of Gilead	16.00	15.00	20.00

B. *Sawlogs (woodsrun); per M feet log scale.*

Species	6" and 7" in diameter	8" and up (including nothing under 8" in diameter)
Aspen (Popple)	$22.00	$24.00
Basswood	23.00	25.00
Jack Pine	26.00	28.00
Norway (Red) Pine	27.00	29.00
White Pine	27.00	29.00
Balsam Fir	27.00	29.00
Spruce	28.00	30.00
Cottonwood	20.00	22.00
Elm	20.00	22.00
Soft Maple	20.00	22.00
Balm of Gilead	18.00	20.00
Oak	24.00	26.00

C. *Veneer short logs; per single cord.*

Species	50" and 100" lengths (133 cu. ft.)	45" and 90" lengths (120 cu. ft.)
Aspen (Popple)	$14.00	----------
Basswood	14.00	----------
White Birch	----------	$18.00

D. *Short bolts; per cord of 128 cubic feet.*

Species:
White and Red Oak ---------- $11.00

General provisions. All prices are f. o. b. railroad cars at a rail siding, or delivered to the mill by truck.

If delivery is taken at any place other than f. o. b. cars at rail siding or at the mill, the buyer must deduct from the ceiling price either:

(a) The cost of bringing the logs or bolts to the rail siding and loading on cars if delivery to the mill is by rail car; or

(b) The cost of trucking logs or bolts to the mill if delivery to mill is by truck.

Dealer's and trader's commission—Definitions. "Dealer" means any person who sells to consumers cordwood (pulpwood, veneer short logs, excelsior bolts, box bolts and insulation short logs) not cut or prepared by such person, but purchased by such persons in the condition in which it is to be delivered to the consumer and who sold and delivered not less than 8,000 cords of cordwood to consumers in the 1942-1943 operating season, or who shall sell and deliver not less than 8,000 cords of cordwood to consumers in any subsequent operating season. "Operating season" means the period between the first day of May in one year and the last of April in the next succeeding year. "Trader" means any person who has not or cannot qualify as a dealer, but who purchases and sells wood not cut or prepared by such person, and who purchases wood in the same condition in which the wood is to be delivered to a consumer, and includes a dealer when the dealer sells to a person other than a consumer.

Commission. (a) If a consumer of cordwood buys box bolts or veneer short logs through a dealer as defined above, such consumer may pay such dealer, in addition to the maximum price set forth above, a commission not to exceed $1.00 per cord of 133 cubic feet. If any person buys box bolts or veneer short logs through a trader, as defined above, such person may pay such trader, in addition to the maximum price provided, a commission not to exceed 50 cents per cord of 133 cubic feet: *Provided*, That in no case shall the aggregate amount of commissions, on any cord of box bolts or veneer short logs exceed $1.00 per cord of 133 cubic feet.

(b) In no event shall a person receive a dealer's or trader's commission, or the proceeds of any such commission on box bolts or veneer short logs cut by him or by his own operations. In no event shall a person receive a dealer's or trader's commission on the cut of another person pursuant to any contract, agreement, or understanding of any sort whatsoever between the two, whereby each is to sell, and charge a commission on the wood cut by the other. In no event shall the dealer's or trader's commission be split or divided with any other person, except that a dealer may pay a trader a trader's commission out of the dealer's commission. In addition to the price paid by the consumer a dealer may receive a dealer's commission only from a consumer and only if the dealer fulfills all of the following requirements (i) through (vii) inclusive pertinent to him with respect to the transaction.

In addition to the price paid by his vendee, a trader may receive a trader's commission only if the trader fulfills all of the following requirements pertinent to him (which means all the requirements pertinent to traders, and accordingly does not include (ii) with respect to the transactions):

(i) Copies are kept of all contracts or settlement sheets in which a dealer's or trader's commission is charged;

(ii) The sale is made by the dealer to the consumer;

(iii) The box bolts or veneer short logs sold by the dealer to the consumer or sold by the trader to his vendee have been completely prepared for delivery by a person other than the dealer or trader;

(iv) The dealer or trader guarantees the merchantable quality of the box bolts or veneer short logs and that they are free from all liens and incumbrances;

(v) The dealer's or trader's commission in such transactions is shown as a separate item on the settlement sheet. This settlement sheet must contain a statement that the dealer or trader has had no part in the preparation of the box bolts or veneer short logs, and that the charges are not in excess of Maximum Price Regulation No. 348.

(vii) All pertinent provisions in this Maximum Price Regulation No. 348 are strictly complied with.

(c) Any person not meeting the requirements set forth in the definition of a dealer given above, but who intends to do so, may make application for such status to the Lumber Branch, Office of Price Administration, Washington, D. C., which Branch may grant the application either absolutely or conditionally, or deny it, by letter or telegram.

This amendment shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3615; Filed, March 15, 1944; 11:43 a. m.]

PART 1335—CHEMICALS

[RPS 76,[1] Amdt. 6]

HIDE GLUE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 76 is amended in the following respects:

1. Subparagraph (3) of paragraph (g) of § 1335.709 is amended to read as follows:

(3) *Sales of hide glue adhesives.* Where a producer or jobber has increased his price on a sale of hide glue to a manufacturer of hide glue adhesives under paragraph (g) (1) or (g) (2) above of this section, the buyer may increase his maximum price on sales by him of adhesives made from said hide glue by an amount equal to the actual increase under paragraph (g) (1) or (g) (2) in his buying price of such hide glue.

2. The following new subparagraph (4) is added to paragraph (g) of § 1335.709.

(4) *Notification.* Every seller who increases his maximum price on a hide glue or hide glue adhesive under the provisions of this paragraph (g) shall, with or prior to the first delivery at the increased price, furnish his purchaser with a written notice, or state on the invoice or bill to the purchaser, that the glue is produced from imported raw material, or contains glue so produced, and that the seller has fully complied with the regulation.

This amendment shall become effective March 21, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1351, 2132, 2241, 2816, 4381, 8948; 8 F.R. 1365; 9 F.R. 1116.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3618; Filed, March 15, 1944; 11:44 a. m.]

PART 1349—ELECTRICAL GENERATION, TRANSMISSION, CONVERSION AND DISTRIBUTION APPARATUS

[RPS 82,† Amdt. 7]

WIRE, CABLE AND CABLE ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1349.20 Appendix D, paragraph (c) of Revised Price Schedule 82 is amended by adding the following:

In any case and on and after March 31, 1944, the maximum prices for wire, cable and cable accessories priced under this paragraph shall be not more than 120% of the manufacturer's net prices to wholesalers in the same quantities. In the case of any line of wire, cable and cable accessories where the manufacturer's prices vary with the quantities when sold to users but do not vary with quantities when sold to wholesalers, the maximum price shall be either (a) the price determined according to the preceding sentence, or (b) the manufacturer's price to users in the same quantities, whichever is higher.

This amendment shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3617; Filed, March 15, 1944; 11:44 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389,[1] Incl. Amdt.[2] 1-12]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

Section 12 (c) (1) (iii) is amended by Amendment 12**, effective March 20, 1944, so that Maximum Price Regulation No. 389 shall read as follows:

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 389 has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and will effectuate the purposes of said Act and Executive orders.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above paragraph added by Supplementary Order 63, 8 F.R. 12553, effective 9-11-43]

§ 1364.14 *Maximum prices for certain sausage items.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Maximum Price Regulation No. 389 (Ceiling Prices for Certain Sausage Items at Wholesale) which is annexed hereto, and made a part hereof is hereby issued.

AUTHORITY: § 1364.14 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 389—CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

ARTICLE I—PURPOSE AND SCOPE OF REGULATION

Sec.
1. What this regulation does.
2. How maximum prices are fixed.
3. Relation to other laws and regulations.
4. Types of sausage and descriptive labelling requirements.
5. Where this regulation applies.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

6. Records and reports.
7. Indirect price increases.
8. Licensing.
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ARTICLE III—MISCELLANEOUS PROVISIONS

10. Petitions for amendment.
11. Adjustable pricing.

ARTICLE IV—SCORES, PRICES AND DEFINITIONS

12. Maximum prices.
13. Definitions.
14. Description of scores.

ARTICLE I—PURPOSE AND SCOPE OF REGULATION

SECTION 1. *What this regulation does*—(a) *In general.* This regulation fixes dollar-and-cents ceiling prices on certain sausage and sausage products. On and after June 1, 1943, the date this regulation takes effect, no person may sell or deliver, except at retail, and except to a canner for the manufacture of canned sausage for a war procurement agency, and no person in the course of trade or business except such a canner may buy or receive sausage or sausage products at prices higher than the prices permitted by this regulation. But lower prices may be charged or paid.

(b) *Sausage products not covered by this regulation.* The provisions of this regulation do not apply to the following sausage products:

(1) The customary types of dry and semi-dry sausage other than those included in the kinds of sausage defined in section 13 of this regulation; cooked or smoked thuringer; cooked or smoked cervelet; cooked salami; scrapple; sulze or souse; pork roll made from skeletal pork only, which has a yield not in excess of 95 percent and a fat content not in excess of 20 percent; ham roll made from boneless ham only, which has a yield not in excess of 95 percent and a fat content not in excess of 20 percent; lunch roll made from skeletal pork only, which has a yield not in excess of 100 percent and a fat content not in excess of 20 percent; pork pudding containing less than 30 percent livers; head cheese; blood sausage; blood and tongue sausage; tongue roll; tongue loaf; tongue salad; fresh thuringer containing pork, beef or veal; fresh bockwurst containing pork, beef or veal; fresh Italian sausage made of skeletal pork, with no more than 30 percent fat; smoked brattwurst; chili-con-carne; roast beef loaf; corned beef loaf; jellied corned beef; goose liver style sausage containing tongues, sweetbreads and pistachio nuts; and imitation or mock chicken loaf.

(2) Canned sausage; sausage and sausage products subject to Revised Maximum Price Regulation No. 148[5] or Maximum Price Regulation No. 156[6] or Maximum Price Regulation No. 286[7] when sold to a war procurement agency.

[Section 1 amended by Am. 1, 8 F.R. 6958, effective 5-24-43; Am. 2, 8 F.R. 6945, effective 5-22-43; Am. 7, 8 F.R. 11956, effective 8-27-43; and Am. 10, 8 F.R. 16507, effective 12-14-43]

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 2. *How maximum prices are fixed*—(a) *General instructions.* (1) The ceiling price for any sale is found by looking at paragraph (a) of section 12, which lists the base price per hundredweight in dollars for each type of sausage. To this price should be added, first, the amount specified in paragraph (b) of that section for the zone in which the point of delivery is located and, then, whatever other additions are made permissible by paragraph (c) of that section. The base price, plus the zone differential, plus the permitted additions is the ceiling price. An exception to the above rule for determining the ceiling price applying only to intermediate distributors of kosher sausage, all beef sausage and Type 1 special pork sausage is stated in the following paragraph.

(2) The ceiling price for a sale of kosher sausage, all beef sausage or Type 1 special pork sausage by an intermediate distributor shall be computed in accordance with the provisions of the preceding paragraph with the following exception: If the addition for transportation charges provided for in section 12 (c) (4) is added to the base price, the zone differential specified in section 12 (b) for the zone in which the sausage was manufactured shall be added to the base price in place of the zone differential specified in section 12 (b) for the zone in which the point of delivery is located.

[Paragraph (a) as amended by Am. 11, 9 F.R. 2239, effective 2-25-44]

(b) *Determining the zone in which the point of delivery is located*—(1) *Point of delivery.* The point of delivery is the point at which the product is delivered to the buyer. If local delivery is made, the seller may at his option, treat the point at which local delivery begins as the point of delivery.

(i) Local delivery means delivery by any vehicle, other than a rail carrier, made by the seller from the seller's place of business to the buyer's store door.

(ii) If the seller does not treat the point at which local delivery begins as the point of delivery, the point at which the product is delivered to the buyer is the point where actual physical possession is taken by the buyer or where the product, consigned to the buyer:

(*a*) Is received by a rail carrier for shipment at the railroad carload rate; or

(*b*) Is received by a common or contract carrier, other than a railroad or an express company; or

(*c*) Is received by an express company for shipment by express to a purveyor of meals; or

(*d*) In the case of kosher sausage, all beef sausage, and special pork sausage type 1, only, is received by a common or contract carrier.

Provided, That the charges of such carrier in all four instances are paid directly to such carrier by the buyer.

[Paragraph (b) amended by Am. 7, 8 F.R. 11956, effective 8-27-43. Subparagraph (1) (i) amended by Am. 11, 9 F.R. 2239, effective 2-25-44]

SEC. 3. *Relation to other laws and regulations*—(a) *Relation to other regulations.* (1) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation,[8] and Revised Maximum Price Regulation No. 169[9] with respect to sales other than at retail of all kosher sausage and of all other sausage except that which is expressly excluded from this regulation by section 1.

(2) The maximum price at which a person may export sausage shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[9] issued by the Office of Price Administration.

[Paragraph (a) amended by Am. 3, 8 F.R. 8185; and Am. 7, 8 F.R. 11956, effective 8-27-43. Am. 3 became effective (1) as to sales or deliveries by other than sausage manufacturers, who do not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who are not controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities, wholesalers, hotel supply houses and peddler truck sellers, on June 21, 1943; and (2) as to sales or deliveries by all other sausage manufacturers and by wholesalers, hotel supply houses and peddler truck sellers on June 26, 1943. (As amended by Am. 4, 8 F.R. 8677)]

(b) *Relation to other laws and to rules and regulations of other governmental agencies.* The provisions of this regulation do not relieve any person from compliance with all rules, regulations and laws of any state, county or municipality or other federal agency.

SEC. 4. *Types of sausage and descriptive labelling requirements*—(a) *What sausage may be sold.* After this regulation takes effect, no sausage, other than those kinds of sausage the sale of which is excluded from this regulation by section 1, may be manufactured for sale, offered for sale, or sold, or bought in the course of trade or business, unless such sausage meets the requirements for one of the kinds and types of sausage for which prices are established by this regulation.

(b) *Descriptive labelling requirements*—(1) *All sausage must be labelled.* No sausage or sausage product subject to this regulation may be manufactured for sale, held for sale, offered for sale, or sold, or bought in the course of trade or business, unless it bears a descriptive label in accordance with the provisions of this section.

(2) *Where the label must be placed.* A label satisfying the requirements of this section shall appear on each one and one-half pounds of frankfurters and pork or breakfast sausage stuffed in sheep or hog casings, and once on each piece of other sausage or sausage product stuffed in casings or packed in wrappers, including but not limited to pork or breakfast sausage (other than that stuffed in sheep or hog casings), bologna, loaves, all beef sausage, kosher sausage, New England, Berliner or Berlin, liver sausage and Polish sausage. The label may be a band or tag securely affixed to the sausage or sausage product or printed or stamped upon the outside of the casing or wrapper. A similar label also shall be stamped or printed upon the outside of the carton or other immediate container in which the sausage is placed.

(3) *What must appear on the label.* Each label shall contain prominently and in easily legible form: (i) The name of the kind of sausage or sausage product as used in this regulation and, in addition if the seller desires, a trade name, provided it does not include the name of some other kind of sausage or sausage product priced under this regulation.

(ii) The word "ingredients" followed by a list of the ingredients when the product is fabricated from two or more ingredients, not counting curing materials, condiments, spices, and water. If there is only one ingredient, not counting curing materials, condiments, spices, and water, and if the name of the kind of sausage includes the name of the ingredient, the ingredient need not be separately stated. The list of ingredients shall state the common or usual names of the ingredients in the order of their predominance by weight, except that curing materials, spices, condiments, and water need not be shown, unless required by some other federal, state, or local regulation. The name of the ingredient shall be a specific name, not a general name, such as, but not limited to, "pork", "beef", "pork head meat", "beef cheek meat", "hearts", "livers", "tripe", "cereal", "dried skimmed milk", etc. The word "pork", "beef", "veal", "mutton", "goat" shall be used in connection with all skeletal meat ingredients. If more than 3½% of extender is used the label shall so state.

(iii) Whatever of the following letters or words are appropriate to show the kind of casing used: H. C. for hog casing; S. C. for sheep casing; B. C. for beef casing; A. C. for artificial casing; except that no such designation is required for an artificial casing on which is printed the casing manufacturer's name or trademark; skinless, where artificial casings have been removed by the manufacturer. Where the same price applies to the sausage or sausage product in each kind of natural casing, the letters N. C., indicating natural casing, may be used. The label need not contain a designation of the kind of casing used where the same price applies to the sausage or sausage product no matter what kind of casing, carton or wrapper is used.

(4) *Temporary non-use of labels on certain sausage items.* (i) A seller may apply to a nearby District Office of the Office of Price Administration for authorization to sell specific sausage items other than the sausage items defined in section 13 (f), (g) or (h) of this regulation, without having to label such sausage items. The application shall be a sworn statement setting forth the efforts made by the seller to obtain labels and the reasons why such labels were not obtained prior to November 1, 1943. The seller shall attach to the sworn statement copies of all correspondence with label suppliers regarding his efforts to secure labels. The District Director may, in writing, authorize a seller whose application shows that he has made diligent and reasonable efforts to secure labels and was unable to secure the same prior to November 1, 1943, to sell specific sausage items without having to label the same until the receipt of labels for these

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†7 F.R. 1353, 2133, 7034, 8943; 8 F.R. 5810, 10656, 17296.

*Copies may be obtained from the Office of Price Administration.

**The text which is amended by Am. 12 is underscored.

[1] 8 F.R. 5903.

[2] 9 F.R. 1996.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 7 F.R. 4230, 5780, 10379; 8 F.R. 121, 4136, 15462.

[5] 7 F.R. 10554; 8 F.R. 2157, 2950, 4640, 7691, 10079, 11039, 12874.

[6] 9 F.R. 1385.

[7] 9 F.R. 1121.

[8] 8 F.R. 4132, 5087, 7662, 9998, 15193; 9 F.R. 1036.

[9] 8 F.R. 5903.

items. In no event shall an authorization under this paragraph extend beyond December 31, 1943.

(ii) Prior to February 21, 1944, the seller shall not be required to use labels satisfying the requirements of this section on the sausage or sausage products defined in section 13 (f), (g) or (h) of this regulation.

(5) *Description on invoice.* The name and type of sausage and the kind of casing, cup, carton or wrapper in which the sausage is sold, must be shown on the seller's invoice, except that the kind of casing, cup, carton or wrapper need not be shown where the same price applies to the sausage no matter what kind of casing, cup, carton or wrapper is used. Also the kind and size of container must be shown on the invoice if the price of the sausage includes an addition for the container pursuant to section 12 (c) (2). Kosher sausage and all beef sausage shall be designated as such on the invoice in addition to other information required by this paragraph.

[Sec. 4 amended by Am. 1, 8 F.R. 6958, effective 5-24-43; Am. 3, 8 F.R. 8185; Am. 7, 8 F.R. 11956, effective 8-27-43; Am. 9, 8 F.R. 15192, effective 11-8-43; and Am. 10, 8 F.R. 16597, effective 12-14-43, except that sec. 4 (b) (4) (i) shall become effective as of 11-1-43. For effective dates of Am. 3, see note following sec. 3 (a).]

SEC. 5. *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and to the District of Columbia.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

SEC. 6. *Records and reports.* (a) After this regulation takes effect every person making a sale, other than at retail, and every person making a purchase in the course of trade or business of sausage subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete record of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price charged and the price received, a description of the product including the kind, the type, the kind of casing, or other wrapping employed, and the quantity sold. Kosher sausage shall be shown separately.

[Paragraph (a) amended by Am. 2, 8 F.R. 6948, effective 5-22-43, and Am. 7, 8 F.R. 11956, effective 8-27-43]

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to, or in place of the records, required in paragraph (a) of this section, as the Office of Price Administration may from time to time require.

SEC. 7. *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for sausage subject to this regulation a price higher than the maximum prices permitted by this regulation. No person shall as a condition of selling any such sausage require a purchaser to buy any other meat or any other product. However, a payment by a buyer to a seller for icing services performed by the seller after June 1, 1943, and before delivery of sausage to a railroad whose charges are paid directly to such railroad by the buyer, if the charge for such icing services is no higher than the costs actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad, shall not be construed as an evasion.

[Sec. 7 amended by Am. 6, 8 F.R. 10907, effective 8-3-43; and Am. 7, 8 F.R. 11956, effective 8-27-43]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3703) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to procurement agencies of the United States.]

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,* licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 8 as amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 9. *Enforcement.* (a) On and after June 1, 1943, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

[Sec. 9, as amended by Am. 2, 8 F.R. 6948, effective 5-22-43]

[NOTE: Supplementary Order No. 7 (7 F.R. 8176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1** issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 9087, 9665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Sec. 11 as amended by Am. 1, 8 F.R. 6958, effective 5-24-43]

ARTICLE IV—ZONES, PRICES AND DEFINITIONS

SEC. 12. *Maximum prices*—(a) *Table of base prices.* All prices are on a dollar per hundredweight basis and include packaging or boxing costs, except where such costs are specifically provided for in paragraph (c) (3). Type 1 pork sausage is in one pound cartons only.

*8 F.R. 13240.

**7 F.R. 8661; 8 F.R. 3313, 3533, 6173, 11806.

Item Kind of sausage and kind of casing	Type 1 Special pork	Type 2 Skeletal pork	Type 3 Meat; byproducts; cereal to 3½%	Type 4 Meat byproducts; cereal over 3½%
(1) Pork or breakfast sausage:				
(i) Fresh:				
Sheep casings (S. C.)	$33.25	$31.00	$25.50	$20.50
Hog casings (H. C.)		28.00	22.50	17.50
Artificial casings, (A. C.) or sealed heavy cardboard waxed cups, 1 lb. each or less		26.50	21.00	16.00
Cardboard cartons or sealed packages of moisture resistant paper, 1 lb. each or less		25.50	20.00	13.00
Bulk	26.75	24.50	19.00	12.00
(ii) Smoked:				
Hog casings (H. C.) or skinless		31.75	27.50	21.00
Artificial casings (A. C.)		31.25	27.00	20.50
Beef rounds (B. C.)			25.00	18.50
	Skeletal meat	Meat; 3½% cereal added		
(2) Frankfurters:				
Sheep casings (S. C.)	26.75	26.25	23.75	20.50
Hog casings (H. C.) or artificial casings removed by manufacturer (skinless)	23.75	23.25	20.75	17.50
Printed artificial casings (A. C.)	23.25	22.75	20.25	17.00
(3) Bologna:				
Natural casings (N. C.)	21.75	21.25	18.75	15.50
Artificial casings (A. C.)	21.00	20.50	18.00	14.75

(4) Kosher sausage:
- (i) Salami $29.50
- (ii) Bologna and knackwurst:
  - Natural casings (N. C.) 24.25
  - Artificial casings (A. C.) 23.50
- (iii) Frankfurters:
  - Sheep casings (S. C.) 29.25
  - Artificial casings removed by manufacturer (skinless) 26.25
  - Printed artificial casings (A. C.) 25.75

(5) All beef sausage:
- (i) Frankfurters:
  - Sheep casings (S. C.) 28.25
  - Hog casings (H. C.) or skinless 25.25
  - Artificial casings (A. C.) 24.75
- (ii) Bologna and knackwurst:
  - Natural casings (N. C.) 23.25
  - Artificial casings (A. C.) 22.50
- (iii) Salami:
  - Artificial casings (A. C.) 26.25
- (iv) Lebanon bologna:
  - Natural casings (N. C.) 27.25
  - Artificial casings (A. C.) 26.50

(6) Loaves in artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:
- Type 1 ..... 37.50
- Type 2 ..... 28.00
- Type 3 ..... 19.00
- Type 4 ..... 15.50

(7) Liver products:
- (i) Braunschweiger:
  - Sewed hog bungs (H. C.) 24.75
  - Other hog casings (H. C.) 23.25
  - Artificial casings (A. C.) 20.50
- (ii) Liver sausage, smoked:
  - Sewed hog bungs (H. C.) 22.75
  - Other hog bungs (H. C.) 21.25
  - Artificial casings (A. C.) 19.25
- (iii) Liver sausage, fresh:
  - Hog bungs (H. C.) 20.75
  - Beef casings (B. C.) 19.25
  - Artificial casings (A. C.) 18.75
- (iv) Liver cheese:
  - Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper 24.25
- (v) Liver loaf:
  - Artificial casings (A. C.), natural casings (N. C.), cardboard cartons or sealed packages of moisture resistant paper 18.50
- (vi) Liver pudding:
  - Beef casings (B. C.) 16.00
  - Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper 15.50

(8) Miscellaneous sausage:
- (i) New England:
  - Natural casings (N. C.) $36.25
  - Artificial casings (A. C.) 35.75
- (ii) Minced luncheon:
  - Natural casings (N. C.) 23.25
  - Artificial casings (A. C.) 22.75
- (iii) Berliner or Berlin:
  - Natural casings (N. C.) 21.75
  - Artificial casings (A. C.) 21.25
- (iv) Polish sausage in hog casings, or skinless:
  - Type 1 ..... 33.75
  - Type 2 ..... 26.75
  - Type 3 ..... 20.25

[Paragraph (a) amended by Am. 1, 8 F.R. 6958, effective 5-24-43; Am. 3, 8 F.R. 8185; Am. 6, 8 F.R. 10907, effective 8-3-43; Am. 7, 8 F.R. 11956, effective 8-27-43; Am. 9, 8 F.R. 15192, effective 11-8-43; Am. 10, 8 F.R. 16597, effective 12-14-43; and Am. 11, 9 F.R. 2239, effective 2-25-44. For effective dates of Am. 3 see note following sec. 3 (a).]

(b) *Table of zone differentials.* Depending upon the location of the point of delivery, the seller may add to the base price per hundredweight the applicable one of the following zone differentials:

Zone	Kosher sausage	All beef sausage	Sausage containing meat and meat byproducts from swine only	All other sausage
1	$1.75	$1.75	$2.50	$2.00
2	1.00	1.00	1.50	1.00
3			1.25	0.75
4			0.75	0.50
4a				
5	0.50	0.50	0.25	0.50
6	0.75	0.75	0.50	0.75
7	1.00	1.00	0.75	1.00
8	1.25	1.25	1.00	1.25
9 north of Potomac River	3.00	1.50	1.25	1.50
9 south of Potomac River	1.50	1.50	1.25	1.50
10	1.75	1.75	1.50	1.75

[Paragraph (b) amended by Am. 7, effective 8-27-43; Am. 8, 8 F.R. 13340, effective 10-5-43; and Am. 10, effective 12-14-43]

(c) *Permitted additions to base prices*—(1) *Selling costs.* One of the following amounts may be added to cover the cost of selling:

Per cwt.
- (i) On sales to wholesalers, peddler truck sellers and hotel supply houses $0.50
- (ii) On sales to retailers and purveyors of meals made by other than hotel supply houses 1.50
- (iii) On peddler truck sales by a person described in subparagraph (i) of the definition of "peddler truck sale" in section 13 (a) to retailers and purveyors of meals located in Zone 9 North of the Potomac River 3.00
- (iv) Except as provided in the preceding paragraph (iii), on peddler truck sales to retailers and purveyors of meals 2.50
- (v) On sales to purveyors of meals by hotel supply houses 2.75

(2) *Local delivery.* Where the seller makes local delivery to the buyer's store door, otherwise than by peddler delivery, and treats the point at which local delivery begins as the point of delivery for determining the zone differential to be added to the base price, he may add $0.25 per hundredweight if such delivery is completed within 25 miles of the point from which such local delivery starts, or $0.50 per hundredweight if such delivery is completed over 25 miles from such starting point. A store means a restaurant, hotel, or retail store, or a wholesaler's or hotel supply house's warehouse.

(3) *Boxing and packaging.* The following amounts may be added for boxing and/or packaging:

Container	Net weight (pounds)	Permitted addition per hundredweight: Kosher and all beef sausage	Permitted addition per hundredweight: Other sausage
Keg, brine on	25 or less	$2.50	$1.75
Keg, brine on	25 to 50	2.00	1.25
Keg, brine on	50 to 100	1.75	1.00
Barrel, brine on	100 to 200	1.50	.75
Tierce, brine on	Over 200	1.00	.25
Wood box	All weights	.50	
Fibre box	All weights	.25	

Per cwt.
For Type 2 pork sausage in sheep casings packaged in one pound paper cartons $1.00

(4) *Intermediate distributors.* If a hotel supply house, wholesaler, or peddler truck seller has paid any charge under subparagraphs (c) (1) and/or (c) (2) of this section, and/or any transportation charges to a common carrier under section 2 (b) (1) (ii) (d), he may, upon resale, add such charge or charges to the base price in addition to any other amounts permitted to be added by section 12 (c): *Provided*, That no buyer is charged more than $0.50 per hundredweight for local delivery under subparagraphs (c) (2) and (c) (4) of section 12.

[Paragraph (c) amended by Am. 1, 8 F.R. 6958, effective 5-24-43; Am. 3, 8 F.R. 8185; Am. 5, 8 F.R. 10906, effective 8-9-43; Am. 7, 8 F.R. 11956, effective 8-27-43; Am. 8, 8 F.R. 13340, effective 10-5-43; Am. 10, 8 F.R. 16597, effective 12-14-43; Am. 11, 9 F.R. 2239, effective 2-25-44; and Am. 12, effective 3-20-44. For effective dates of Am. 3 see note following sec. 3 (a).]

or have printed on them the words, "Be-

hog or artificial casings, or packed in a

"Type 4 smoked sausage

SEC. 13. *Definitions.* (a) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other distributive establishment; which is engaged in the fabrication of meat cuts and in the sale of fabricated meat cuts, variety meats and other meat products to purveyors of meals; and which, during the base period of September 15 to, and including, December 15, 1942, sold to purveyors of meals, other than war procurement agencies, 70 per cent of the total weight volume of meat, variety meats, and other meat products sold by it.

"Peddler-truck sale" means a sale of sausage from a truck in quantities of not more than 50 pounds of sausage and not more than 150 pounds of meats, edible meat by-products and sausage in any one day, where the first record of the transaction is made by the salesman concurrently with the delivery of the products sold, (1) By a person who purchases meat, meat by-products or sausage at or below the ceiling price from a seller with whom he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in sausage in any manner other than sales out of stock carried in a truck owned and driven by him; or (2) By a person who makes all his sales of sausage out of stock carried in a truck driven by him but owned by a person who used such truck exclusively for this type of sale during the month of March, 1942. The term "peddler-truck sale" does not include deliveries made pursuant to prior orders.

"Purveyors of meals" means: (1) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration; (2) The War Shipping Administration of the United States; (3) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel; (4) Any hospital, asylum, orphanage, prison or other similar institution, which is operated by any federal, state or local government or agency thereof; (5) Contract school meaning any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned officer or other authorized representative of the armed services of the United States.

[Above 3 definitions as amended by Am. 7, 8 F.R. 11956, effective 8-27-43]

"Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user. Sales to purveyors of meals will be considered sales at retail if made by anyone who made 80 percent of his total sales of meat, meat by-products or sausage during the previous calendar month to ultimate consumers, that is people who bought such products to be eaten by themselves or their families.

"Wholesaler" means a person other than a hotel supply house or peddler-truck seller, who buys sausage for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

(b) "Artificial casing" means only a cellulose or fibrous casing, or a heavy cloth bag.

"Beef" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass, head off, of cattle in good health at the time of slaughter. It does not include the fat which has been detached from the striated muscle.

"Beef fat" means the detached fat from the carcass of beef.

"Cheek meat" means the lean muscle on the inside and outside of the lower jaw, trimmed free of the salivary glands, with no more than 20% of trimmable fat when taken from cattle and hogs.

"Condiments" means pepper, pimientos, pickles, onions, nuts, macaroni, cheese, olives, peanut butter, tomatoes, puree, eggs, etc.

"Cooked" means a sausage which (1) has been heated to an internal temperature of at least 145° F., for sufficient time to assume the characteristics of a cooked product and (2) is ready to serve without further heating.

"Extender" means any cereal, vegetable starch, vegetable flour, dried or dry skimmed milk, or any other similar substance, either singly or in any combination.

"Fat content" means the fat content of the finished product by chemical analysis.

"Federal inspection" means inspection under the provisions of the Act of March 4, 1907 (34 Stat. 1260) as amended; 21 U. S. C. 1940 ed. 71, and as extended by Public Law 602, 77th Cong., 2d Sess., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

"Finished weight" means the weight of the product when shipped or when ready for shipment.

"Goat" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass, head off, of goats in good health at the time of slaughter. It does not include the fat which has been detached from the striated muscle.

"Head meat" means the lean meat, exclusive of cheek meat, trimmed from the heads of cattle, calves, sheep, and hogs.

"Kosher sausage" means sausage which is made from skeletal meat, and detached beef fat derived from animals slaughtered, approved and stamped as kosher under rabbinical supervision and which is marked as kosher and sold under rabbinical supervision to a person who maintains a selling establishment, at or through which he regularly and generally sells kosher meat as such, or to a person who is a purveyor of kosher meats.

"Major ingredient" means an ingredient which predominates in weight over any single minor ingredient.

"Meat, skeletal" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass of cattle, swine, sheep, and calves, in good health at the time of slaughter, including head and cheek meat from cattle or swine.

"Meat by-products" means dressed edible parts other than skeletal meat derived from cattle, calves, sheep or swine in good health at the time of slaughter. It includes by-products from goats where expressly so provided.

"Mutton" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass, head off, of lambs or sheep in good health at the time of slaughter. It does not include the fat which has been detached from the striated muscle.

"Pork" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass, head off, of swine in good health at the time of slaughter. It includes skinned jowls but does not include clear plates, fat backs, or any other fat which has been detached from the striated muscle.

"Pork fat" means the detached fat from the carcass of pork, including clear plates and fat backs.

"Sausage" means chopped, ground, or comminuted skeletal meat, or meat by-products, or any combination thereof, seasoned with spices and/or condiments, and to which salt, sugar, sodium nitrate, sodium nitrite, and extender may or may not be added.

"Smoked" means a sausage which has been subjected to the smoke of burning wood, sawdust or similar substance in such manner as to impart a smoked flavor.

"Veal" means that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass, head off, of veal or calves in good health at the time of slaughter. It does not include the fat which has been detached from the striated muscle.

"Yield" means the finished weight divided by the original weight of the meat, meat by-products and extender used and expressed as a percentage.

[Paragraph (b) amended by Am. 3, 8 F.R. 8185; Am. 7, 8 F.R. 11956, effective 8-27-43; Am. 8, 8 F.R. 13340, effective 10-5-43; Am. 9, 8 F.R. 15192, effective 11-6-43; and Am. 10, 8 F.R. 16597, effective 12-14-43]

(c) *Bologna and frankfurters.* "Bologna" means a sausage stuffed in beef casings, including bungs, bladders, rounds, weasands, middles, and sewed middles, or any artificial casings of a similar size, which has been smoked and cooked. It does not include Lebanon bologna.

"Frankfurters" means a sausage stuffed in sheep casings, hog casings, or in artificial casings of a similar size, which has been smoked and cooked. It includes all products commonly known as wieners, red hots, and other similar names. If artificial casings are used they must be either removed before sale or have printed on them the words, "Before Heating or Eating Remove Artificial Casings," repeated so as to appear at least once on each link or piece.

"Type 1 frankfurters or bologna" means sausage which has as major ingredients, other than spices, condiments, and water, any two or more of the following: Beef, pork, veal, pork cheek meat, pork head meat, mutton; which may have pork fat as a minor ingredient; which has a fat content not in excess of 35%; which contains no more than 10% added moisture or water; and which contains no extender.

"Type 2 frankfurters or bologna" means sausage that is the same as type 1 except that it may contain extender not exceeding 3½% of the finished weight.

"Type 3 frankfurters or bologna" means sausage (i) which contains one or more of the following as major ingredients: Beef, pork, veal, pork cheek meat, pork head meat, beef cheek meat, beef head meat, mutton and goat meat, and not more than one other meat, or meat by-product, as a minor ingredient; or which contains two or more of the listed items as major ingredients and not more than three other meats or meat by-products as minor ingredients; or which contains three or more of the listed items as major ingredients and not more than five other meats or meat by-products as minor ingredients, (ii) which has a fat content not in excess of 35 percent, (iii) which may contain extender not exceeding 3½ percent, and (iv) which contains no more than 10 percent of added moisture or water. Meat by-products from goats may be used as minor ingredients, but in no case may the quantity of any minor ingredient used be greater than the quantity of any one of the required major ingredients.

"Type 4 frankfurters or bologna" means sausage containing any proportions of meat and meat by-products, including that derived from goats, and which may contain extender not exceeding 15% of the finished weight.

"All beef frankfurters, bologna, and knackwurst" means smoked sausage containing no meat other than beef and beef fat; and containing no meat by-products; which has a fat content not in excess of 25% which contains no more than 10% added moisture or water; which contains no extender; and which has been made under federal inspection;

"All beef salami" means smoked sausage stuffed in artificial casings containing no meat other than beef and beef fat; and containing no meat by-products; which has the texture, form and flavor customary for salami made in accordance with good commercial practice; which has a fat content not in excess of 15%; which has a final yield not in excess of 85%; which contains no extender; and which has been made under federal inspection.

[Paragraph (c) amended by Am. 1, 8 F.R. 6958, effective 5-24-43; Am. 3, 8 F.R. 8185; Am. 7, 8 F.R. 11956, effective 8-27-43; Am. 8, 8 F.R. 13340, effective 10-5-43; and Am. 9, 8 F.R. 15192, effective 11-6-43]

(d) "Pork or breakfast sausage" means sausage sold in bulk, or stuffed in sheep, hog or artificial casings, or packed in a sealed, printed heavy cardboard waxed cup, sealed printed cardboard carton, or sealed printed wrapper made from cellophane, parchment or other moisture resistant paper, with such cup, carton or wrapper having the sausage manufacturer's brand name or trade-mark printed thereon. Such sausage includes all sausage of the kinds commonly known as pure pork sausage, breakfast sausage or country sausage. If artificial casings other than cloth bags are used on smoked pork or smoked breakfast sausage, they must either be removed before sale or have printed on them the words, "Before Heating or Eating, Remove Artificial Casing", repeated so as to appear at least once on each link or piece. Fresh pork or breakfast sausage shall be considered bulk sausage if it is enclosed in an unprinted cup, carton or wrapper, or if more than one pound of such sausage is enclosed in an artificial casing, printed cup, carton or wrapper.

"Type 1 special pork sausage" means sausage made from pork which contains at least 45% of boneless hams, shoulders and loins, stuffed into sheep or lamb casings, or sold as bulk sausage meat; which is packed in one-pound cartons, on which shall be a printed statement that the sausage contains at least 45% of boneless hams, shoulders and loins; which contains no extender; to which water or ice not exceeding 3% may be added to facilitate chopping; and which has been made under federal inspection.

"Type 2 fresh pork sausage" means sausage made from pork which has a fat content not in excess of 50 percent, which contains no extender and which has yield not in excess of 100 percent.

"Type 3 fresh breakfast sausage" means a sausage which is made from skeletal meat of swine as a major ingredient and no more than two other meats and meat by-products as minor ingredients, except that detached beef fat may not be used, which has a fat content not in excess of 30 percent, which has a yield not in excess of 100 percent and which may contain no more than 3½ percent of extender. The quantity of each minor ingredient shall be less than the quantity of the major ingredient.

"Type 4 fresh breakfast sausage" means sausage made from any proportions of fresh meat and meat by-products, including that derived from goats, and which may contain extender not in excess of 15% of the finished weight. Water or ice may be added.

"Type 2 smoked pork sausage" means sausage made from pork, cured before or during processing, stuffed in hog casings or artificial casings, with a fat content not in excess of 45%, and with a final yield not in excess of 88%. It shall not contain extender.

"Type 3 smoked sausage" means sausage made from the same meat and meat by-product ingredients as permitted in Type 3 fresh breakfast sausage, but cured before or during processing, stuffed in hog casings, beef rounds or artificial casings. It shall have a fat content not in excess of 45%, and a yield not in excess of 90%, and it may contain extender not exceeding 3½% of the finished weight.

"Type 4 smoked sausage" means sausage made from any proportions of meat and meat by-products, including that derived from goats, cured before or during processing, and stuffed in hog casings, beef rounds or artificial casings. It may contain extender not exceeding 15% of the finished weight. Water or ice may be added.

[Paragraph (d) amended by Am. 1, effective 5-24-43; Am. 3; Am. 7, effective 8-27-43, Am. 9, effective 11-6-43; and Am. 11, 9 F.R. 2239, effective 2-25-44]

(e) "Kosher frankfurters, bologna and knackwurst" means kosher sausage which has been smoked and cooked in the smokehouse; which is stuffed in casings; which has a fat content not in excess of 25%; which contains no more than 10% added moisture or water; and which contains no extender.

"Kosher salami" means kosher sausage which has been smoked and cooked in the smoke-house; which has the texture, form and flavor customary for salami made in accordance with good commercial practice, stuffed in artificial casings; which has a fat content not in excess of 15%; which has a final yield not in excess of 85%; and which contains no extender.

[Paragraph (e) added by Am. 7, 8 F.R. 11956, effective 8-27-43]

(f) *Loaf.* "Loaf" means a product made of chopped, ground or comminuted meat or meat by-products or any combination thereof; seasoned; prepared in loaf form; with condiments added if desired; cooked; which has sufficient stability to withstand handling; and which is stuffed in artificial casings or packed in sealed printed cardboard cartons, or sealed printed wrappers made from cellophane, parchment or other moisture resistant paper, with such cartons or wrappers having the loaf manufacturer's brand name or trademark printed thereon. The use of caul fat as a covering does not make caul fat an ingredient within the meaning of this regulation.

"Type 1 loaf" means a loaf which is made of pork; which has a fat content not in excess of 10 percent; which has a yield not in excess of 100 percent; and which contains no extender.

"Type 2 loaf" means a loaf which has at least 80 percent pork as the major ingredient and any combination of one or more of beef, veal, pork cheek meat, pork head meat and mutton as minor ingredients; which has a fat content not in excess of 15 percent; which contains no more than 5 percent of added moisture or water; and which contains no more than 15 percent of extender.

"Type 3 loaf" means a loaf which is made of any combination of pork, beef, veal, pork cheek meat, pork head meat; and mutton; which has a fat content not in excess of 30 percent; which contains no more than 20 percent of added moisture or water; and which contains no more than 15 percent of extender.

"Type 4 loaf" means a loaf which is made of any combination of meat and meat by-products, including those derived from goats; which contains no more than 15 percent of extender; and

which contains no more than 20 percent of added moisture or water.

(g) *Liver products.* "Braunschweiger" means a sausage which is made of at least 30 percent livers; which may include any combination of one or more of pork, beef, veal, pork fat or beef fat; which is stuffed in hog bungs measuring one and 14/16 inches or more in diameter at a point 20 inches from the crown, or in sewed hog bungs, or in hog middles not over 12 inches long, or in artificial casings; which is smoked and cooked; which has a fat content not in excess of 40 percent; which has a yield not in excess of 102 percent in hog casings and not in excess of 95 percent in artificial casings; and which contains no extender.

"Smoked liver sausage" means a sausage which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which is stuffed in hog bungs measuring not less than one and 11/16 inches in diameter at a point 20 inches from the crown, or in sewed hog bungs, or in artificial casings; which is smoked and cooked; which has a yield not in excess of 100 percent in hog bungs and not in excess of 93 percent in artificial casings; and which contains no more than 3½ percent of extender.

"Fresh liver sausage" means a sausage which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which is stuffed in hog bungs, beef casings or artificial casings; which is cooked; which has a yield not in excess of 102 percent in hog bungs or 95 percent in beef casings or artificial casings; and which contains no more than 3½ percent of extender.

"Liver cheese" means a loaf which is made of at least 30 percent livers; which may include any combination of one or more of pork, beef, veal, pork fat or beef fat; which has a fat content not in excess of 40 percent; which has a yield not in excess of 88 percent; and which contains no extender.

"Liver loaf" means a loaf which is made of at least 30 percent livers; which may include any combination of meat and meat by-products; which has a yield not in excess of 95 percent; and which contains no more than 3½ percent of extender.

"Liver pudding" means a product which is made of at least 30 percent livers; which may include any combination of meats and meat by-products; which is cooked; which is stuffed in beef casings or artificial casings; or packed in sealed printed cardboard cartons, or sealed printed wrappers made from cellophane, parchment or other moisture resistant paper, with such cartons or wrappers having the liver pudding manufacturer's brand name or trademark printed thereon; which has a yield not in excess of 100 percent; and which contains no more than 15 percent of extender.

(h) *Miscellaneous sausage items.* "Lebanon bologna" means an all beef sausage containing no meat other than beef and beef fat; which is stuffed in beef casings or artificial casings; which is smoked not less than 144 hours; which has a fat content not in excess of 12 percent; which has a yield not in excess of 88 percent; which contains no extender; and which has been made under Federal inspection.

"New England" means a sausage which is made of at least 85 percent pork as the major ingredient and one of the following as the minor ingredient: beef, pork cheek meat or pork head meat; which is stuffed in beef casings or artificial casings; which is smoked and cooked; which has a fat content not in excess of 10 percent; which has a yield not in excess of 98 percent; and which contains no extender.

"Minced luncheon" means a sausage which contains pork as the major ingredient and a combination of one or more of beef, veal, pork head meat, pork cheek meat and mutton as minor ingredients; which is stuffed in beef casings or artificial casings; which is smoked and cooked; which has a fat content not in excess of 35 percent; which contains no more than 3 percent of added moisture or water; and which contains no extender.

"Berliner" or "Berlin" means a sausage which is made of one or more of pork, beef, veal, pork cheek meat, pork head meat and mutton in any combination, or of any three of these meats as major ingredients and one of hearts, beef head meat or beef cheek meat as a minor ingredient; which is stuffed in beef casings or artificial casings; which has a fat content not in excess of 25 percent; which contains no more than 5 percent of added moisture or water; and which contains no more than 3½ percent of extender.

"Polish" means a sausage which is made primarily from lean skeletal meat, including pork cheek meat and pork head meat, and which is stuffed in hog casings, or artificial casings of a similar size which are removed before sale.

"Type 1 Polish" means a sausage which is made of at least 80 percent pork as the major ingredient and one of beef, veal, pork cheek meat or pork head meat as a minor ingredient; which is smoked and cooked; which has a fat content not in excess of 25 percent; which has a yield not in excess of 95 percent; and which contains no extender.

"Type 2 Polish" means a sausage which has skeletal pork as the major ingredient; which may include any combination of one or more of beef, veal and mutton as minor ingredients; which is smoked and cooked; which has a fat content not in excess of 30 percent; which has a yield not in excess of 95 percent; and which contains no extender.

"Type 3 Polish" means a sausage which is made of any two or more of beef, veal, mutton, pork, pork cheek meat and pork head meat as major ingredients, with any combination of meats and meat by-products as minor ingredients; or any one of the listed items as the major ingredient, with no more than four other meats and meat by-products as minor ingredients; which is smoked and cooked; which has a fat content not in excess of 35 percent; which contains no added moisture or water; and which contains no more than 3½ percent of extender.

[Paragraphs (f), (g), and (h) added by Am. 10, 8 F.R. 16597, effective 12-14-43]

SEC. 14 *Description of zones.*

Zone 1: Washington, Oregon, California and Nevada.

Zone 2: Idaho, Montana, Wyoming, Utah and Arizona.

Zone 3: Colorado and New Mexico.

Zone 4: North Dakota, Oklahoma and Texas.

All that portion of Wisconsin north and west of and including the counties of Iron, Price, Taylor, Rusk, Barron and Polk.

All that portion of Minnesota north of and including the counties of Chisago, Anoka, Sherburne, Stearns, Meeker, Kandiyohi, Swift and Big Stone.

All that portion of South Dakota north and west of and including the counties of Roberts, Grant, Day, Brown, Edmunds, Walworth, Potter, Hyde, Buffalo, Brule, Lyman and Gregory.

All that portion of Nebraska west of and including the counties of Keyapaha, Rock, Loup, Custer, Dawson, Phelps and Harlan.

All that portion of Kansas west and south of and including the counties of Phillips, Rocks, Ellis, Rush, Barton, Ellsworth, Saline, Dickinson, Norris, Lyon, Osage, Franklin and Miami.

All that portion of Missouri south and west of and including the counties of Cass, Johnson, Pettis, Cooper, Moniteau, Cole, Callaway, Montgomery, Warren, Franklin, Washington, St. Francois, Madison, Wayne and Butler.

Zone 4-A: All that portion of Wisconsin south and west of and including the counties of St. Croix, Dunn, Chippewa, Clark, Jackson, Monroe, Vernon and Crawford.

All that portion of Minnesota south of and including the counties of Washington, Ramsey, Hennepin, Wright, McLeod, Renville, Chippewa and Lac qui Parle.

All that portion of South Dakota south and east of and including the counties of Deuel, Codington, Clark, Spink, Faulk, Hand, Jerauld, Aurora and Charles Mix.

All that portion of Nebraska east of and including the counties of Boyd, Holt, Garfield, Valley, Sherman, Buffalo, Kearney and Franklin.

All that portion of Kansas east and north of and including the counties of Smith, Osborne, Russell, Lincoln, Ottawa, Clay, Geary, Wabaunsee, Shawnee, Douglas and Johnson.

All that portion of Missouri west and north of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Boone, Howard, Saline, Lafayette and Jackson.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

Zone 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

All that portion of Illinois north and west of an including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis and Jefferson.

The following counties in Indiana: Lake, Newton, Benton and Warren.

Zone 6: The following countfes of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana except the counties of Lake, Newton, Benton and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton Washington and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg and Todd.

The following counties of Tennessee: Lake Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

The State of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of Point Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia.

Zone 7: The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Fayette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler and Logan.

All the portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette and Lamar.

[Above paragraph added by Am. 1, 8 F.R. 6958, effective 5-24-43]

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo and Issaquena.

Zone 8: All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango and Broome; but excluding the counties of Niagara, Erie, Cattaraugus and Chautauqua.

The following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford and Fulton.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming and McDowell; but excluding the counties of Berkeley and Jefferson.

The following counties of Maryland: Garrett and Allegany.

All that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd and Carroll.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

All that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda and Edgefield.

All that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt and Thomas.

All that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Point Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida west of and including the counties of Leon and Wakulla.

Zone 9: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

All that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings and Richmond.

All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry and Franklin.

New Jersey and Delaware.

All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles and Saint Marys.

The District of Columbia.

The following counties in West Virginia: Berkeley and Jefferson.

All that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin and Patrick.

All that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln and Gaston.

All that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper and Beaufort.

All that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook and Brooks.

The following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando and Pasco.

Zone 10: All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This regulation shall become effective June 1, 1943.

[Effective date as amended by Am. 2, 8 F.R. 6945, effective 5-22-43]

[MPR 389 originally issued May 5, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3611; Filed, March 15, 1944; 11:42 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 358, Amdt. 1]

INSULATION CAMBRIC AND SEPARATOR CLOTH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 358 is amended in the following respects:

1. Paragraph (a) (2) (ii) of Article III, Appendix A, is amended to read as follows:

(ii) The established maximum price for seamless bias-cut tubing cut to a width of 37 to 39 inches shall be the established maximum price of the uncut tubing divided by the following factors:

Angle of cut	Where uncut tubing is 7 yards or less per pound	Where uncut tubing is over 7 yards per pound
45°	1.4	1.25
30°	2.0	1.79

2. Table I of Article III, Appendix A, is amended to read as follows:

TABLE I.—FINISHED INSULATION CAMBRIC

Type of cloth	Margins in cents per linear yard		
	Regular finish	Soft finish	Bleached finish
Print cloth, carded, 60"x 48" to 80" x 80", inclusive	1.90	2.05	3.00
Sheetings, carded, 2.50 yards to 5.00 yards inclusive	2.90	2.05	3.00
Lawns, carded and combed	3.25	2.50	3.45
Seamless tubing cut at either a 30° or 45° angle to a width of 37" to 39":			
(1) 7 yards or less	5.50		
(2) Over 7 yards	8.45		

This amendment No. 1 shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3616; Filed, March 15, 1944; 11:43 a. m.]

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 519]

THERMOSETTING PLASTIC LAMINATES

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1436.52 *Maximum prices for thermosetting plastic laminates.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price

*Copies may be obtained from the Office of Price Administration.

Regulation No. 519 (Thermosetting Plastic Laminates), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1436.52 issued under 56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 519—THERMOSETTING PLASTIC LAMINATES

Sec.
1. Prohibition against sales above maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Relationship of this to other maximum price regulations.
5. Geographical applicability.
6. Maximum prices.
7. Maximum prices for "new" thermosetting plastic laminates.
8. Exclusion of "experimental" thermosetting plastic laminates.
9. Records and reports.
10. Evasion.
11. Licensing and enforcement.
12. Definitions.
13. Petitions for amendment.

Appendix A—Maximum list prices for thermosetting plastic laminates.

SECTION 1. *Prohibition against sales above maximum prices.* (a) On or after March 21, 1944, regardless of any contract or other obligation:

(1) No manufacturer shall sell or deliver thermosetting plastic laminates at prices higher than the maximum prices established by this regulation.

(2) No person shall buy or receive, in the course of trade or business, thermosetting plastic laminates at prices higher than the maximum prices established by the regulation.

(3) No person shall ask, offer, solicit, or attempt to do any of the foregoing.

(b) The buyer shall be deemed to have complied with this section if, prior to payment, he obtains from the seller a written statement that to the best of the seller's knowledge the price does not exceed the maximum price established by this regulation and that the seller has fully complied with this regulation, and if the buyer has no reason to doubt the truth of the statement.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Relationship of this to other maximum price regulations*—(a) *Maximum Price Regulation No. 406.*[1] The provisions of this regulation supersede the provisions of Maximum Price Regulation No. 406 with respect to sales and deliveries for which maximum prices are established by this regulation, except as otherwise specifically provided in this regulation.

(b) *General Maximum Price Regulation.*[2] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation (including Order No. 229 under § 1499.3 (b) issued thereunder) with respect to sales and deliveries for which maximum prices are established by this regulation, except as otherwise specifically provided in this regulation.

(c) *Sales to United States agencies (Revised Supplementary Regulation No. 1 applicable).* The exceptions to the General Maximum Price Regulation set forth in Article IV of Revised Supplementary Regulation No. 1, for certain sales and deliveries to the United States or any of its agencies and to certain foreign governments and their agencies, shall also constitute exceptions to this regulation insofar as the commodities and transactions there excepted would otherwise have been subject to this regulation.

(d) *Imports (Maximum Import Price Regulation[3] applicable).* The provisions of this regulation shall not apply and the Maximum Import Price Regulation shall apply to the purchases, sales or deliveries of thermosetting plastic laminates, if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.

(e) *Exports (Second Revised Maximum Export Price Regulation[4] applicable).* The maximum prices at which a person may export thermosetting plastic laminates shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 5. *Geographical applicability.* This regulation applies in the 48 states of the United States and the District of Columbia.

SEC. 6. *Maximum prices*—(a) *In general.* The maximum prices for thermosetting plastic laminates sold or delivered by a manufacturer after March 20, 1944, shall be the prices established in Appendix A of this regulation plus or minus the discounts, premiums, or other items provided for in the discount lists, and subject to the practices as to payment of transportation costs, provisions for containers, trade practices and terms of sale in effect on January 1, 1941, for that manufacturer.

(b) *Reports.* Each manufacturer of thermosetting plastic laminates subject to the provisions of this regulation shall file with the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., a statement showing all discounts, premiums, or other items provided for in the discount lists, practices as to payment of transportation costs, provisions for containers, trade practices and terms of sale applicable on January 1, 1941, to the list prices of thermosetting plastic laminates offered for sale by said manufacturer. The statement required by this section shall be filed on or before April 21, 1944, and may be in the form of published statements if such published statements are complete.

(c) *Incomplete discount lists.* If such provisions for computing net prices to purchasers were incomplete on January 1, 1941, the manufacturer shall establish complete provisions. Before such provisions may be used in computing a price, and before any sale or delivery at such a price, the provisions must be submitted to and approved in writing by the Office of Price Administration. No newly established provisions will be approved that are not representative of the general practice in the industry on January 1, 1941.

SEC. 7. *Maximum prices for "new" thermosetting plastic laminates*—(a) *Definition.* A "new" thermosetting plastic laminate is one made up of a combination of materials not used by the manufacturer for making a thermosetting plastic laminate offered for sale prior to March 21, 1944.

(b) *Maximum prices.* The maximum price for "new" thermosetting plastic laminates shall be determined pursuant to the price-determining method in use in the manufacturer's plant on January 1, 1941, or, if he had no such method on that date, that which he proposes to use, and must be in line with the maximum prices established by this regulation.

(c) *Reports.* Before any manufacturer may offer, sell, or deliver any "new" thermosetting plastic laminate, he shall submit to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., a written statement containing a detailed description of the method used or proposed to determine prices for such products. The statement shall include a complete list of established and proposed prices, discounts, premiums, practices as to payment of transportation costs, provisions for containers, trade practices, and other items affecting the net price paid by the purchaser for the new laminates.

After mailing the statement, the manufacturer may make deliveries at prices not in excess of those reported. If, at the expiration of 20 days from the date of mailing the report, the manufacturer has not received from the Office of Price Administration a written disapproval of the reported proposed maximum prices, such prices shall be considered as authorized. If not approved, the Office of Price Administration may require refunds to be made.

The Price Administrator may by letter or otherwise adjust any such reported prices which he finds are not in conformity with the regulation or which he determines to be excessively high or not in line with the prices established by the regulation but, unless a written disapproval has been mailed to the manufacturer within said twenty-day period, not until after giving the manufacturer notice and a reasonable opportunity to present additional evidence. Such ad-

[1] 8 F.R. 8972, 10628, 12879.

[2] 8 F.R. 3090, 3849, 4347, 4486, 4724, 4978, 4948, 6047, 6962, 8511, 9025, 9991, 11956.

[3] 8 F.R. 11681, 12237.

[4] 7 F.R. 10532; 8 F.R. 4132, 5987, 7662, 9909, 15193.

justed price shall not be retroactive unless written disapproval has been mailed to the manufacturer within said twenty-day period. No retroactive adjustment shall be made as to deliveries made between the end of said twenty-day period and the date the disapproval is received by the manufacturer.

SEC. 8. *Exclusion of "experimental" thermosetting plastic laminates*—(a) *Definition.* An "experimental" thermosetting plastic laminate is one made up of a combination of materials not used by the manufacturer for making a thermosetting plastic laminate offered for sale prior to March 21, 1944, and which has been made for test or experimental purposes. Such a laminate shall cease to be "experimental" as soon as the producer thereof has sold in excess of 1,000 pounds of laminates made from that combination of materials, in any one month.

(b) *Exclusion from maximum price regulation.* An "experimental" thermosetting plastic laminate shall not be subject to this or any other regulation issued by the Office of Price Administration in effect on March 21, 1944.

SEC. 9. *Records and reports*—(a) *Records.* Every person making sales or purchases of thermosetting plastic laminates in lots of 50 pounds or more for which maximum prices are established by this regulation, after March 20, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase, showing the date, the name and address of the buyer and the seller, the price contracted for or received, and the quantity of each type and grade of thermosetting plastic laminates purchased or sold. This requirement may be met by preservation of invoices containing the listed information for the required period of time.

In addition, manufacturers shall keep records for the same period of time showing the computation pursuant to which maximum prices were established under this regulation.

(b) *Additional reports and records.* The persons subject to paragraph (a) shall submit such reports to the Office of Price Administration, and keep such other records in addition to, or in place of, the records required by that paragraph as the Office of Price Administration may from time to time require.

SEC. 10. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to thermosetting plastic laminates, alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

SEC. 11. *Licensing and enforcement*—(a) *Licensing.* The provisions of Licensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Definitions.* (a) When used in this regulation the term:

(1) "Manufacturer" means any person engaged in the manufacture or production of thermosetting plastic laminates, and includes any person affiliated with, subject to the control of, acting as agent for, or selling on the behalf of such manufacturer.

(2) "Thermosetting plastic laminates" means the sheets, rods and tubes with the specifications set forth in the Appendix of this regulation and which are made by impregnating paper, fabric or a like material with a thermosetting phenolic, cresylic, urea or melamine type resin and subjecting to heat with or without pressure.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation shall apply to other terms and used herein.

SEC. 13. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[6]

APPENDIX A—MAXIMUM LIST PRICES FOR THERMOSETTING PLASTIC LAMINATES

(a) *Sheets, maximum list prices per pound.*

Thickness of sheets	N. E. M. A. standard limits	Close limits or sanded surfaces
0.010" and under	$5.00	$5.00
Over 0.010" to 0.015" inc.	3.50	4.40
Over .015" to .025" inc.	3.00	3.65
Over .025" to .035" inc.	2.35	2.75
Over .035" to .050" inc.	2.20	2.55
Over .050"	2.00	2.20

These prices apply to all colors and grades in standard sheets or half sheets only.

(b) *Rods, maximum list prices per foot*—(1) *Round rods.*

Diameter of rod in inches	Price per foot	Diameter of rod in inches	Price per foot
1/4 and under	$0.39	1 1/2	$4.33
5/16	.44	1 5/8	4.96
3/8	.52	1 3/4	6.19
7/16	.64	1 7/8	7.32
1/2	.77	2	8.63
9/16	.91	2 1/4	10.94
5/8	1.08	2 1/2	13.50
11/16	1.22	2 3/4	16.34
3/4	1.41	3	19.44
7/8	1.77	3 1/4	22.82
1	2.16	3 1/2	26.46
1 1/8	2.62	3 3/4	30.38
1 1/4	3.08	4	34.56
1 3/8	3.69		

These prices apply to all colors and grades in standard lengths. Intermediate diameters take the price of the next larger listed size.

(2) *Other rods.* Maximum prices for rods of special section (e. g. square, rectangular, triangular, oval, etc.) shall be 110 per cent of the maximum prices above for round rods of the same periphery.

(c) *Tubes, maximum list prices per foot*—(1) *Round tubes.*

Inside diameter (inches)	Thickness of wall (inches)																			
	1/32	1/16	3/32	1/8	5/32	3/16	7/32	1/4	9/32	5/16	7/16	1/2	9/16	5/8	11/16	3/4	7/8	1	1 1/8	1 1/2
3/16	$0.34	$0.35	$0.40	$0.46	$0.53	$0.62	$0.71	$0.80	$1.05	$1.32	$1.65	$2.02	$2.39	$2.83	$3.30	$3.80	$4.92	$6.21	$9.44	$12.90
1/4	.35	.37	.43	.50	.58	.68	.78	.89	1.15	1.44	1.78	2.17	2.57	3.02	3.51	4.03	5.19	6.52	9.82	13.37
5/16	.36	.39	.46	.54	.63	.74	.85	.97	1.25	1.55	1.92	2.32	2.75	3.22	3.72	4.26	5.45	6.83	10.21	13.84
3/8	.38	.41	.49	.58	.68	.80	.92	1.06	1.35	1.67	2.06	2.47	2.92	3.41	3.93	4.49	5.74	7.14	10.60	14.31
7/16	.39	.43	.52	.63	.74	.86	.99	1.14	1.44	1.79	2.19	2.63	3.09	3.60	4.14	4.72	6.01	7.45	10.98	14.78
1/2	.40	.45	.55	.67	.79	.92	1.06	1.21	1.54	1.90	2.33	2.78	3.27	3.80	4.36	4.95	6.28	7.76	11.37	15.25
9/16	.41	.47	.58	.71	.84	.98	1.13	1.29	1.63	2.02	2.47	2.94	3.45	3.99	4.57	5.18	6.55	8.07	11.75	15.72
5/8	.42	.49	.61	.75	.89	1.04	1.20	1.37	1.73	2.14	2.60	3.10	3.62	4.19	4.79	5.42	6.83	8.38	12.14	16.19
11/16	.43	.52	.64	.79	.94	1.10	1.27	1.46	1.83	2.26	2.74	3.25	3.80	4.38	5.01	5.66	7.10	8.69	12.53	16.66
3/4	.45	.54	.67	.83	.99	1.16	1.34	1.54	1.93	2.37	2.87	3.41	3.97	4.58	5.22	5.89	7.37	9.00	12.91	17.13
13/16	.47	.56	.71	.87	1.04	1.22	1.41	1.61	2.02	2.48	3.00	3.56	4.14	4.77	5.43	6.12	7.64	9.31	13.30	17.59
7/8	.48	.58	.74	.91	1.09	1.28	1.48	1.70	2.12	2.60	3.14	3.72	4.32	4.97	5.64	6.36	7.91	9.62	13.69	18.06
15/16	.49	.61	.77	.95	1.14	1.34	1.55	1.77	2.22	2.72	3.28	3.87	4.49	5.16	5.85	6.59	8.18	9.93	14.08	18.53
1	.50	.63	.80	.99	1.19	1.40	1.62	1.85	2.32	2.84	3.42	4.03	4.67	5.35	6.07	6.83	8.46	10.24	14.46	18.99
1 1/16	.51	.65	.84	1.03	1.24	1.47	1.69	1.93	2.41	2.96	3.55	4.18	4.84	5.54	6.26	7.06	8.73	10.55	14.85	19.46
1 1/8	.53	.67	.87	1.08	1.30	1.53	1.76	2.02	2.51	3.07	3.69	4.33	5.02	5.74	6.49	7.29	9.00	10.86	15.24	19.93
1 3/16	.55	.69	.90	1.13	1.35	1.59	1.83	2.10	2.61	3.19	3.83	4.49	5.20	5.93	6.71	7.52	9.27	11.17	15.63	20.40
1 1/4	.56	.71	.94	1.17	1.40	1.66	1.90	2.18	2.70	3.31	3.96	4.65	5.37	6.12	6.92	7.75	9.54	11.48	16.02	20.87
1 5/16	.57	.73	.97	1.22	1.45	1.72	1.97	2.26	2.80	3.43	4.10	4.80	5.54	6.31	7.14	7.98	9.81	11.80	16.40	21.34
1 3/8	.59	.75	1.00	1.26	1.50	1.78	2.04	2.34	2.90	3.55	4.23	4.96	5.72	6.51	7.35	8.21	10.08	12.11	16.79	21.81
1 7/16	.60	.77	1.03	1.29	1.55	1.84	2.12	2.42	3.00	3.66	4.36	5.11	5.90	6.71	7.56	8.44	10.35	12.41	17.18	22.28
1 1/2	.62	.79	1.06	1.33	1.60	1.90	2.19	2.50	3.10	3.77	4.50	5.27	6.07	6.91	7.77	8.67	10.62	12.72	17.57	23.75
1 9/16	.63	.81	1.09	1.37	1.65	1.96	2.26	2.58	3.19	3.89	4.64	5.43	6.24	7.11	7.98	8.91	10.89	13.03	17.96	23.22
1 5/8	.64	.84	1.12	1.41	1.70	2.02	2.33	2.66	3.29	4.01	4.78	5.59	6.42	7.30	8.19	9.14	11.16	13.34	18.35	23.69
1 11/16	.65	.86	1.15	1.46	1.75	2.08	2.40	2.74	3.39	4.13	4.92	5.74	6.59	7.49	8.40	9.37	11.43	13.65	18.74	24.15
1 3/4	.67	.88	1.18	1.50	1.81	2.14	2.47	2.82	3.49	4.24	5.05	5.90	6.76	7.68	8.62	9.60	11.70	13.96	19.14	24.61

[5] 8 F.R. 13240. [6] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

Inside diameter (inches)	Thickness of wall (inches)																			
	1/32	1/16	3/32	1/8	5/32	3/16	7/32	1/4	5/16	3/8	7/16	1/2	9/16	5/8	11/16	3/4	7/8	1	1 1/4	1 1/2
1 13/16	$0.69	$0.90	$1.21	$1.54	$1.86	$2.20	$2.54	$2.90	$3.58	$4.36	$5.19	$6.06	$6.93	$7.87	$8.84	$9.84	$11.97	$14.27	$19.54	$25.08
1 7/8	.70	.92	1.24	1.58	1.91	2.26	2.61	2.98	3.67	4.48	5.32	6.21	7.11	8.07	9.06	10.07	12.25	14.60	19.92	25.55
1 15/16	.71	.94	1.28	1.62	1.96	2.32	2.68	3.06	3.77	4.60	5.46	6.38	7.29	8.27	9.27	10.31	12.53	14.91	20.39	26.03
2	.73	.97	1.31	1.66	2.02	2.38	2.75	3.14	3.87	4.72	5.60	6.55	7.47	8.47	9.48	10.55	12.81	15.22	20.88	26.51
2 1/8		1.01	1.37	1.74	2.12	2.50	2.88	3.30	4.06	4.95	5.86	6.86	7.81	8.85	9.91	11.02	13.35	15.84	21.44	27.44
2 1/4		1.05	1.44	1.82	2.22	2.62	3.02	3.47	4.26	5.18	6.13	7.18	8.16	9.24	10.34	11.48	13.90	16.46	22.20	28.37
2 3/8		1.09	1.50	1.91	2.32	2.74	3.16	3.63	4.45	5.41	6.40	7.48	8.50	9.63	10.77	11.95	14.44	17.09	22.97	29.31
2 1/2		1.14	1.56	1.98	2.42	2.86	3.31	3.79	4.65	5.64	6.67	7.78	8.85	10.01	11.20	12.41	14.99	17.72	23.73	30.25
2 5/8		1.18	1.62	2.07	2.52	2.99	3.45	3.95	4.84	5.87	6.94	8.08	9.20	10.40	11.63	12.88	15.53	18.34	24.50	31.18
2 3/4		1.23	1.68	2.15	2.62	3.11	3.59	4.11	5.04	6.10	7.21	8.38	9.55	10.79	12.06	13.34	16.08	18.96	25.26	32.12
2 7/8		1.27	1.75	2.23	2.72	3.23	3.73	4.27	5.23	6.33	7.48	8.69	9.90	11.18	12.49	13.81	16.62	19.59	26.02	33.06
2 15/16		1.31	1.81	2.31	2.83	3.35	3.87	4.43	5.42	6.56	7.75	9.00	10.25	11.57	12.92	14.27	17.17	20.22	26.79	33.99
3		1.35	1.87	2.40	2.93	3.47	4.01	4.59	5.62	6.79	8.02	9.31	10.60	11.96	13.35	14.74	17.71	20.84	27.56	34.92
3 1/4		1.40	1.93	2.48	3.03	3.59	4.15	4.75	5.81	7.02	8.29	9.62	10.96	12.35	13.69	15.20	18.26	21.47	28.32	35.85
3 1/2		1.44	1.99	2.57	3.13	3.71	4.29	4.91	6.01	7.25	8.56	9.93	11.30	12.74	14.13	15.67	18.80	22.10	29.08	36.78
3 3/4		1.49	2.05	2.65	3.23	3.83	4.43	5.07	6.20	7.48	8.83	10.24	11.65	13.13	14.57	16.13	19.35	22.72	29.85	37.71
3 7/8		1.53	2.12	2.73	3.33	3.95	4.57	5.23	6.40	7.72	9.12	10.55	12.00	13.52	15.01	16.60	19.89	23.34	30.61	38.64
4		1.57	2.18	2.81	3.43	4.08	4.71	5.39	6.59	7.96	9.39	10.86	12.36	13.90	15.45	17.06	20.44	23.97	31.38	39.57
4 1/8		1.61	2.24	2.89	3.55	4.20	4.85	5.55	6.79	8.20	9.67	11.17	12.71	14.28	15.89	17.53	20.98	24.60	32.15	40.50
4 1/4		1.66	2.31	2.98	3.67	4.32	4.99	5.72	6.99	8.44	9.94	11.49	13.06	14.66	16.33	18.00	21.52	25.22	32.91	41.43
4 3/8		1.70	2.37	3.06	3.76	4.44	5.13	5.88	7.18	8.67	10.21	11.80	13.41	15.05	16.77	18.49	22.09	25.89	33.79	42.54
4 1/2		1.75	2.44	3.15	3.84	4.56	5.27	6.03	7.38	8.91	10.48	12.12	13.80	15.49	17.19	18.94	22.62	26.47	34.44	43.24
4 5/8		1.79	2.50	3.24	3.94	4.68	5.41	6.18	7.57	9.14	10.75	12.43	14.15	15.91	17.62	19.42	23.16	27.14	35.32	44.36
4 3/4		1.83	2.56	3.32	4.04	4.80	5.56	6.34	7.77	9.38	11.02	12.74	14.49	16.24	18.05	19.88	23.71	27.73	35.97	45.14
4 7/8		1.88	2.62	3.40	4.14	4.92	5.70	6.49	7.96	9.61	11.29	13.05	14.83	16.66	18.48	20.35	24.25	28.32	36.85	46.27
5		1.92	2.68	3.48	4.24	5.04	5.84	6.65	8.16	9.85	11.56	13.36	15.19	17.03	18.91	20.82	24.81	28.98	37.50	46.99
5 1/8		1.96	2.74	3.56	4.34	5.16	5.98	6.81	8.35	10.08	11.83	13.67	15.54	17.44	19.34	21.29	25.37	29.64	38.38	48.13
5 1/4		2.01	2.81	3.65	4.45	5.28	6.12	6.98	8.55	10.32	12.10	13.98	15.89	17.82	19.77	21.77	25.90	30.23	39.03	48.85
5 3/8		2.05	2.87	3.73	4.55	5.40	6.26	7.14	8.74	10.55	12.37	14.29	16.24	18.21	20.20	22.24	26.42	30.81	39.68	49.70
5 1/2		2.10	2.93	3.81	4.65	5.52	6.40	7.29	8.94	10.79	12.64	14.60	16.59	18.61	20.63	22.72	26.99	31.48	40.56	50.70
5 5/8		2.14	2.99	3.90	4.75	5.64	6.54	7.45	9.13	11.02	12.91	14.91	16.94	19.00	21.09	23.19	27.56	32.14	41.44	51.71
5 3/4		2.18	3.05	3.98	4.86	5.77	6.68	7.61	9.33	11.26	13.19	15.22	17.29	19.40	21.49	23.66	28.10	32.74	42.09	52.56
5 7/8		2.23	3.11	4.06	4.96	5.89	6.82	7.77	9.52	11.49	13.47	15.53	17.64	19.79	21.94	24.13	28.67	33.40	43.01	53.69
6		2.27	3.17	4.15	5.06	6.02	6.96	7.93	9.72	11.73	13.74	15.84	17.99	20.20	22.34	24.59	29.19	33.99	43.61	54.42
		2.35	3.30	4.31	5.27	6.26	7.24	8.25	10.11	12.20	14.29	16.45	18.69	21.00	23.20	25.53	30.26	35.24	45.14	56.26

These prices apply to all colors and grades in standard lengths.

(2) *Other tubes.* The maximum list prices for tubes of special section (e. g. square, rectangular, triangular, oval, etc.) shall be 110 percent of the price for the round tube of same wall thickness and inside periphery.

Effective date. This regulation shall become effective March 21, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3612; Filed, March 15, 1944; 11:42 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 5-8,[1] Amdt. 4]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN MISSOURI

The statement of the considerations involved in the issuance of this Amendment No. 4 to Restaurant Maximum Price Regulation No. 5-8 has been issued simultaneously herewith, and filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation No. 5-8 is amended in the following respects:

1. Section 19 is amended to read as follows:

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operations.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation; and

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to the St. Louis District Office of the Office of Price Administration a statement in duplicate setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[2] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the St. Louis District Office.

Applications for adjustment under this section will be acted upon by the St. Louis District Office of the Office of Price Administration.

This amendment shall become effective January 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 31st day of January 1944.

WILLIAM H. BRYAN,
District Director.

[F. R. Doc. 44-3614; Filed, March 15, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 8 Under 3 (c) to GMPR]

LYON METAL PRODUCTS, INC.

Order No. 8 under § 1499.3 (c) of the General Maximum Price Regulation is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is hereby ordered:

§ 1499.808 *Establishment of maximum prices for wooden lockers, cabinets, shoprobes, and shelving sold by Lyon Metal Products, Inc.* (a) Lyon Metal Products, Inc. of Aurora, Illinois, may sell, offer to sell, or deliver the wooden lockers, cabinets, shoprobes, and shelving manufactured by Kroehler Manufacturing Company, Naperville, Illinois, or McCray Refrigerator Company, Kendalville, Indiana, for which a maximum price has been approved by the Office of Price Administration for sales to Lyon Metal Products, Inc., at prices no higher than those set forth below:

(1) For sales of the following articles, manufactured by McCray Refrigerator Company, to the United States Government or its agencies, or upon priority ratings of AA-5 or better, to war plants

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15370, 15432, 15743, 16294.

[2] In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

needing these items for the performance of a Government contract or subcontract, the maximum prices are those set forth opposite each article as follows:

Article No. and description:	Price
65 and 68, 12" shelf and shelf bearers	$1.46
66 and 69, 18" shelf and shelf bearers	2.08
67 and 70, 24" shelf and shelf bearers	2.66
71, 12" top	1.55
72, 18" top	2.09
73, 24" top	2.60

(2) For all other sales of articles manufactured by Kroehler Manufacturing Company, or McCray Refrigerator Company, the maximum prices shall be those determined by applying a 40% mark-up to the sum of the following items of direct cost:

(i) Kroehler Manufacturing Company's or McCray Refrigerator Company's maximum price in effect prior to the issuance of Order No. 46 Under Revised Supplementary Order No. 9, for wood parts purchased by the applicant;

(ii) Cost of fittings purchased by the applicant;

(iii) Direct labor and material costs of fittings manufactured by the applicant.

(3) The maximum prices established by this Revised Order do not include installation charges.

(b) This Revised Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Revised Order No. 8 (§ 1499.808) shall become effective on the 16th day of March 1944.

(56 Stat. 23, 765, Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3613; Filed, March 15, 1944; 11:42 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE AT GROSSE TETE, LA.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.241 are hereby extended to include The Texas and Pacific Railway Company bridge across Grosse Tete Bayou, at Grosse Tete, Louisiana, paragraph (f) being amended as follows:

§ 203.241 *Navigable waterways of the United States discharging their waters into the Atlantic Ocean south of and including Chesapeake Bay and the Gulf of Mexico, excepting the Mississippi River and its tributaries; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

• • • • •

Grosse Tete Bayou, La.; The Texas and Pacific Railway Company bridge at Grosse Tete, La. (At least twenty-four hours' advance notice required.) (Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. November 8, 1943, CE 800.211 SPEKH, as amended March 6, 1944, CE 823 (Grosse Tete Bayou, Grosse Tete, La.) (Mile 14.7)—SPEWR].

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[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3589; Filed, March 14, 1944; 4:32 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Solid Fuels Administration for War.

[Order 14]

REGIONAL REPRESENTATIVES IN NEW YORK AND NEW JERSEY AREAS

AUTHORIZATION TO ISSUE DIRECTIONS

It is necessary to provide for certain emergency shipments of coal to consumers performing work for the United States Navy in Regions Nos. 1 and 3 (as described in Appendix A of Solid Fuels Administration for War Revised Regulation No. 2). Because of their particular knowledge of conditions and needs in this respect in their regions, it is desirable that the regional representatives for these regions be empowered to issue certain directions. Accordingly, in order to effectuate the purposes of Executive Order No. 9382 and by virtue of the authority conferred by that order, the following order is issued:

Authorization to certain regional representatives to issue directions. Walter J. Dockerill, regional representative for Region No. 1, and Daniel F. Gallagher, regional representative for Region No. 3, are hereby authorized to issue, in their own names, to retail coal dealers within their respective regions such directions pursuant to Solid Fuels Administration for War Regulation No. 1 (8 F.R. 5832) as are necessary and proper to secure emergency shipments of bituminous coal, in less than carload lots, to industrial consumers in their respective regions engaged in performing work for the United States Navy upon certification of the need for such coal by the Inspector of Naval Material, Fuel and Power Unit, New York Ordnance District Office. This authorization is to continue until further notice.

This order shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 10th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-3594; Filed, March 15, 1944; 10:16 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 330]

SPECIAL INDUSTRY COMMITTEE NO. 3 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION, AND APPOINTMENT OF REPRESENTATIVES

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, William R. McComb, Acting Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Rafael Carrion from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. P. J. Rosaly of San Juan, Puerto Rico.

Signed at Washington, D. C., this 10th day of March, 1944.

WILLIAM R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-3591; Filed, March 14, 1944; 4:38 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, BOBBS AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Anthracite Shirt Company, 1 South Franklin Street, Shamokin, Pennsylvania; work shirts, dress shirts; 10 percent (T); effective March 9, 1944, expiring March 8, 1945.

The Berkley Company, N. E. Corner 11th & Washington Avenue, Philadelphia, Pennsylvania; neckwear, sport shirts; 10 percent (T); effective March 9, 1944, expiring March 8, 1945.

Cumberland Manufacturing Company, Inc., Cadiz & Nichols Street, Princeton, Kentucky; shirts, work shirts, children's play suits; 10 percent (T); effective March 10, 1944, expiring March 9, 1945.

Merit Shirt Corporation, Herbert & Smith Streets, Perth Amboy, New Jersey; sport shirts and regular shirts; 5 learners (T); effective March 12, 1944, expiring March 11, 1945.

Parkesburg Dress Company, First Avenue at Gay Street, Parkesburg, Pennsylvania; ladies' cotton dresses; 10 learners (T); effective March 9, 1944, expiring March 8, 1945.

Practical Frocks, Inc., 1004 Elizabeth Avenue, Elizabeth, New Jersey; cotton housecoats, women's work clothes; 2 learners (T); effective March 9, 1944, expiring March 8, 1945.

HOSIERY INDUSTRY

Commonwealth Hosiery Mills, Sandleman, North Carolina; seamless hosiery; 10 percent (AT); effective March 9, 1944, expiring September 8, 1944.

KNITTED WEAR INDUSTRY

Leininger Knitting Mills, Orwigsburg, Pennsylvania; gov't knitted shirts, men's, women's and boys' knitted underwear; 5 learners (T); effective March 9, 1944, expiring March 8, 1945.

Signed at New York, N. Y., this 11th day of March 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3590; Filed, March 14, 1944; 4:38 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 131]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 10 or 11, 1944, by Gus Relias of car PFE 45093, tomatoes, now on the Chicago Produce Terminal, to Louisville, Kentucky.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3620; Filed, March 15, 1944; 11:53 a. m.]

[S. O. 178, Special Permit 68]

SHIPMENT OF OLIVE OIL AT LINDSAY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with olive oil, in glass containers, by the Malaga Trading Company, Incorporated, at Lindsay, California, and the movement of refrigerator cars so loaded from that point to destinations in the United States and Canada.

This permit shall become effective at 12:01 a. m., March 12, 1944, and shall expire at 12:01 a. m., April 5, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3619; Filed, March 15, 1944; 11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 20 Under § 1499.19a of GMPR]

CORN SYRUP UNMIXED AND CRUDE CORN SUGAR

ADJUSTMENT OF MAXIMUM PRICES

Petitions have been filed requesting increases in the prices which the General Maximum Price Regulation establishes for "bulk" corn syrup unmixed and "bulk" crude corn sugar having a dextrose content of 80 percent or less. It is the contention of the petitioners that increases in the price of the corn ingredient have made the manufacture of these products unprofitable to such an extent that their continued manufacture and distribution are threatened.

It is the opinion of the Administrator that these petitions require further consideration; that authority to use adjustable pricing for sales of these products, pending final action on the requests for increases in the maximum prices, is necessary to retain their production and distribution; and that the granting of such authorization will not interfere with purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Therefore, in accordance with § 1499.19a of the General Maximum Price Regulation, *It is ordered*, That:

(a) Pending final action of the Office of Price Administration respecting requests for increasing the prices of "bulk" corn syrup unmixed and "bulk" crude corn sugar having a dextrose content of 80 percent or less, sellers subject to the General Maximum Price Regulation may sell and deliver such products at prices to be adjustable to those resulting from final action of the Office of Price Administration. Denial of the requests now pending before this Office, or issuance of a regulation or amendment increasing the maximum prices of those products constitutes final action for purposes of this order. Prior to such final action, no price shall be paid in excess of the price prevailing on the date of delivery.

(b) As used in this order, the term:

(1) "Corn syrup unmixed" means corn syrup unmixed in all its commercial forms in bulk.

(2) "Crude corn sugar" means crude corn sugar in all its commercial forms in bulk commercially known as 70 and 80 sugars with maximum moisture content of 17½% and 12%, respectively, not including refined corn sugar.

(3) "Bulk" or "in bulk" means in tank cars, tank wagons, barrels, half-barrels, steel drums, in bags, in bulk in cars, or in other containers of more than ten pounds net weight.

(c) This order shall be automatically revoked upon the effective date of a price regulation or amendment issued by the Office of Price Administration increasing maximum prices for bulk sales of the commodities to which this order applies. It may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective March 14, 1944.

Issued this 14th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3593; Filed, March 14, 1944; 5:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-864]

K-T ELECTRIC AND WATER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of March 1944.

K-T Electric and Water Company, a subsidiary of Associated Electric Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, regarding the payment by K-T Electric and Water Company, out of its capital surplus, of a partial liquidating dividend in the amount of $200,000 on its 1,000 shares of capital stock, $1 par value per share, all of which is owned by Associated Electric Company; and

Said declaration having been filed on February 18, 1944, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said act, and the Commission not having receive a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission observing no basis for adverse findings under section 12 (c) or any other applicable section of the act;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3598; Filed, March 15, 1944; 11:08 a. m.]

[File No. 70-27]

COLUMBIA GAS AND ELECTRIC CORP., ET AL.

ORDER PERMITTING WITHDRAWAL OF APPLICATIONS AND DECLARATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of March 1944.

In the matter of Columbia Gas & Electric Corporation, Columbia Corporation, The Union Light, Heat and Power Company,

Columbia Gas & Electric Corporation, a registered holding company, and its subsidiaries, Columbia Corporation and The Union Light, Heat and Power Company; having requested the withdrawal of their pending joint applications and declarations, and amendments thereto, involving, among other things, the issuance of common stock and notes by The Union Light, Heat and Power Company, the reduction of debt of said company, and the acquisition of certain of the securities by Columbia Gas & Electric Corporation and Columbia Corporations; and

It appearing to the Commission that such request for withdrawal of said applications and declarations should be granted;

It is ordered, That the request of Columbia Gas & Electric Corporation, Columbia Corporation and The Union Light, Heat and Power Company be, and the same hereby is, granted, and said applications and declarations, as amended, are hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3599; Filed, March 15, 1944; 11:08 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

AMERICAN CHEDDAR CHEESE

OFFER IN CONNECTION WITH PURCHASE AND SALE IN U. S.

The "Offer of Commodity Credit Corporation in Connection with the Purchase and Sale of American Cheddar Cheese in the United States", dated February 10, 1944 (9 F.R. 1685), is hereby made applicable to cheese produced during the period March 1–June 30, 1944, both dates inclusive.

Dated: March 14, 1944.

[SEAL] J. B. HUTSON,
President.

Attest:

BETTY S. MORROW,
Assistant Secretary.

[F. R. Doc. 44-3586; Filed, March 14, 1944; 3:43 p. m.]

DAIRY FEED PAYMENTS

OFFER FOR FEBRUARY 1944

For the purpose of carrying out its commitment heretofore made, the Commodity Credit Corporation will, subject to all the terms and conditions contained in Dairy Feed Form 1, as amended (8 F.R. 14999; 8 F.R. 15001; 9 F.R. 867), which are not hereby specifically altered, make dairy feed payments to eligible producers for the month of February 1944.

Application for such payments shall be filed not later than April 30, 1944, with the county AAA committee for the county in which the eligible dairy products were produced. Payments shall be made as soon as practicable after the filing of such applications.

The rates of payment shall be identical with the rates of payment specified in Dairy Feed Form 1, Amendment 2 (9 F.R. 867), except that the rates of payment to producers participating in the New York Metropolitan Marketing Area Pool shall not be reduced by reason of such participation.

The final date for the acceptance of applications for dairy feed payments for the months of October, November, and December 1943 is hereby extended through February 29, 1944. The final date for the acceptance of applications for payments for the month of January is hereby extended through March 31, 1944.

Dated: March 14, 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
J. B. HUTSON,
President.

Attest:

BETTY S. MORROW,
Assistant Secretary.

[F. R. Doc. 44-3608; Filed, March 15, 1944; 11:24 a. m.]

DAIRY FEED PAYMENTS

FOR MARCH AND APRIL 1944

For the purposes of carrying out its commitment heretofore made, the Commodity Credit Corporation will, subject to all the terms and conditions contained in Dairy Feed Form 1, as amended, which are not hereby specifically altered, make dairy feed payments to eligible producers for the months of March and April 1944.

Application for such payments shall be filed not later than June 30, 1944, with the county AAA committee for the county in which the eligible dairy products were produced. Payments shall be made as soon as practicable after the filing of such applications.

The rates of payment with respect to whole milk shall be those shown on the attached Schedule C, which by this reference is made a part hereof. The rate of payment with repect to butterfat shall be 8 cents per pound.

Dated: March 14, 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
J. B. HUTSON,
President.

Attest:

BETTY S. MORROW,
Assistant Secretary.

SCHEDULE C

Rates of Payment in the various States and counties to which this offer is applicable during the months of March and April are as follows:

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3629).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, BOBBS AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Anthracite Shirt Company, 1 South Franklin Street, Shamokin, Pennsylvania; work shirts, dress shirts; 10 percent (T); effective March 9, 1944, expiring March 8, 1945.

The Berkley Company, N. E. Corner 11th & Washington Avenue, Philadelphia, Pennsylvania; neckwear, sport shirts; 10 percent (T); effective March 9, 1944, expiring March 8, 1945.

Cumberland Manufacturing Company, Inc., Cadiz & Nichols Street, Princeton, Kentucky; shirts, work shirts, children's play suits; 10 percent (T); effective March 10, 1944, expiring March 9, 1945.

Merit Shirt Corporation, Herbert & Smith Streets, Perth Amboy, New Jersey; sport shirts and regular shirts; 5 learners (T); effective March 12, 1944, expiring March 11, 1945.

Parkesburg Dress Company, First Avenue at Gay Street, Parkesburg, Pennsylvania; ladies' cotton dresses; 10 learners (T); effective March 9, 1944, expiring March 8, 1945.

Practical Frocks, Inc., 1004 Elizabeth Avenue, Elizabeth, New Jersey; cotton housecoats, women's work clothes; 2 learners (T); effective March 9, 1944, expiring March 8, 1945.

HOSIERY INDUSTRY

Commonwealth Hosiery Mills, Mandleman, North Carolina; seamless hosiery; 10 percent (AT); effective March 9, 1944, expiring September 8, 1944.

KNITTED WEAR INDUSTRY

Leininger Knitting Mills, Orwigsburg, Pennsylvania; gov't knitted shirts, men's, women's and boys' knitted underwear; 5 learners (T); effective March 9, 1944, expiring March 8, 1945.

Signed at New York, N. Y., this 11th day of March 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3590; Filed, March 14, 1944; 4:38 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 131]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 10 or 11, 1944, by Gus Relias of car PFE 45093, tomatoes, now on the Chicago Produce Terminal, to Louisville, Kentucky.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3620; Filed, March 15, 1944; 11:53 a. m.]

[S. O. 178, Special Permit 68]

SHIPMENT OF OLIVE OIL AT LINDSAY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with olive oil, in glass containers, by the Malaga Trading Company, Incorporated, at Lindsay, California, and the movement of refrigerator cars so loaded from that point to destinations in the United States and Canada.

This permit shall become effective at 12:01 a. m., March 12, 1944, and shall expire at 12:01 a. m., April 5, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3619; Filed, March 15, 1944; 11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 20 Under § 1499.19a of GMPR]

CORN SYRUP UNMIXED AND CRUDE CORN SUGAR

ADJUSTMENT OF MAXIMUM PRICES

Petitions have been filed requesting increases in the prices which the General Maximum Price Regulation establishes for "bulk" corn syrup unmixed and "bulk" crude corn sugar having a dextrose content of 80 percent or less. It is the contention of the petitioners that increases in the price of the corn ingredient have made the manufacture of these products unprofitable to such an extent that their continued manufacture and distribution are threatened.

It is the opinion of the Administrator that these petitions require further consideration; that authority to use adjustable pricing for sales of these products, pending final action on the requests for increases in the maximum prices, is necessary to retain their production and distribution; and that the granting of such authorization will not interfere with purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Therefore, in accordance with § 1499.19a of the General Maximum Price Regulation, *It is ordered*, That:

(a) Pending final action of the Office of Price Administration respecting requests for increasing the prices of "bulk" corn syrup unmixed and "bulk" crude corn sugar having a dextrose content of 80 percent or less, sellers subject to the General Maximum Price Regulation may sell and deliver such products at prices to be adjustable to those resulting from final action of the Office of Price Administration. Denial of the requests now pending before this Office, or issuance of a regulation or amendment increasing the maximum prices of those products constitutes final action for purposes of this order. Prior to such final action, no price shall be paid in excess of the price prevailing on the date of delivery.

(b) As used in this order, the term:

(1) "Corn syrup unmixed" means corn syrup unmixed in all its commercial forms in bulk.

Rate per Cwt. of Milk Delivered

State and counties:	Cents
Alabama:	
Baldwin, Mobile	80
All other counties	60
Arizona: All counties	60
Arkansas: All counties	60
California: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Ventura	70
All other counties	60
Colorado: All counties	60
Connecticut: All counties	70
Delaware: All counties	60
Florida: All counties	80
Georgia: All counties	80
Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone	60
All other counties	50
Illinois: All counties	50
Indiana: All counties	50
Iowa: All counties	50
Kansas: All counties	50
Kentucky: All counties	50
Louisiana: All counties	60
Maine: All counties	60
Maryland: All counties	60
Massachusetts: All counties	70
Michigan: All counties	50
Minnesota: All counties	50
Mississippi: All counties	60
Missouri: All counties	50
Montana: All counties	50
Nebraska: All counties	50
Nevada: All counties	60
New Hampshire: All counties	60
New Jersey: All counties	70
New Mexico: All counties	60
New York: All counties	60
North Carolina: All counties	80
North Dakota: All counties	50
Ohio: All counties	50
Oklahoma: All counties	60
Oregon: All counties	60
Pennsylvania: All counties	70
Rhode Island: All counties	80
South Carolina: All counties	80
South Dakota: All counties	50
Tennessee:	
Fayette, Shelby	60
All other counties	50
Texas: All counties	60
Utah: All counties	60
Vermont: All counties	60
Virginia: All counties	60
Washington: All counties	60
West Virginia: All counties	60
Wisconsin: All counties	50
Wyoming: All counties	50

[F. R. Doc. 44-3609; Filed, March 15, 1944; 11:24 a. m.]

Office of Distribution.

MILK IN FALL RIVER, MASS., MARKETING AREA

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed amendment to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Pursuant to § 900.12 (a) of the rules of practice and procedure (7 CFR, Cum. Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), Food Distribution Administration, War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director, Office of Distribution, with respect to a marketing agreement and to an amendment to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Food Distribution Administration (now Office of Distribution) as a result of a petition by the Fall River Milk Producers Association for a public hearing to receive evidence on a proposal to amend the order in several respects. The hearing notice also included a proposed increase in the Class I price made by the New England Milk Producers Association, two amendments suggested by the handler, H. P. Hood and Sons, and several amendments suggested by the Dairy and Poultry Branch, Office of Distribution. It was concluded from a consideration of the various proposals that a hearing should be held and a hearing was held at Westport, Massachusetts, on September 27 following issuance of notice on September 18, 1943.

The issues developed at the hearing concerned: (1) an increase in Class I price; (2) selective classification to limit the amount of milk from other markets that may be shipped into Fall River and classified as Class I; (3) proration of shrinkage among various sources of milk; (4) differentials to reflect cost of receiving milk at and transporting milk from country plants; (5) an increase in skim value of the Class II price; (6) revision of the assessment for cost of administration to broaden the basis of such assessment; (7) a ceiling for the butterfat differential; and (8) adoption of minor changes of an administrative nature.

With respect to these issues it is concluded that the following changes should be made:

1. Milk received at city plants from producers should be allocated to Class I up to but not in excess of 95 percent of the milk from producers in cases where the handler had sufficient milk from other sources to absorb additional Class II milk. It has been permissible under this order for a handler to import milk from plants subject to the Boston order and exclude all of such milk from the pool computations at Class I whether it was all needed to meet the handler's Class I requirements or not. Certain handlers have imported much more milk than they needed for Class I uses at a time when the usual sources of supply for this market were insufficient to meet total Class I needs. The recommended change will relieve the market of this burden and will give local producers a priority on Class I milk only up to 95 percent of such milk in recognition of the natural requirements of the fluid milk market for a small reserve supply to take care of day to day fluctuations in demand. It is considered that the burden of carrying a minimum reserve at the Class II price should be borne by producers who are the principal participants in the Class I market.

2. The order should be revised to prorate the actual plant shrinkage allowed as Class II among the various sources of milk received from producers. Some handlers have milk in their plants from three types of producers. In addition to regular Fall River producers they have producers listed for other markets (§ 947.6 (c) and (d)) which are allowed to be exempt from the net pool computations. The order has not been sufficiently clear with respect to accounting for shrinkage to indicate that the milk of various types of producers should bear the allowable Class II shrinkage on a pro rata basis, with the result that in some instances handlers have been able to successfully allocate Class II shrinkage to the Fall River pool which is definitely associated with the handling of milk of producers maintained for other markets.

3. The order should provide differentials to reflect the cost of receiving milk at and transporting milk from country plants. This order has never provided differentials of this type, with the result that handlers are unable to develop supplies beyond the limits within which it is practical to truck milk directly from farms to city processing plants, except to obtain milk from plants subject to the Boston order under which handling and transportation differentials are allowed. Up to 18 months ago this situation did not seem to offer a problem, as the volume of direct trucked milk was ample to meet demands for Class I milk. Since that time nearby sources of supply have declined slightly and demand for Class I milk has increased substantially, with the result that milk is now shipped to the market from beyond the practical trucking distance during almost every month of the year. Handlers contend that in such a situation lack of transportation and handling differentials prevents some potential sources of supply from being able to compete in this market at a time when such additional milk is needed. It is further contended that the regulations are unduly restrictive when their effect is to force the channeling of supplemental milk through handlers who are regulated by the Boston order. These contentions seem reasonable and offer sufficient basis for providing differentials which will enable milk from other areas of supply to compete on even terms with nearby milk in this market.

4. The skim value in the Class II price formula should be increased by the elimination of price quotations for casein from the computation. Such quotations are now a part of the formula during April, May, and June only. The result will be to base the formula on skim milk powder prices throughout the year.

For several years the Class II price in this market has been kept closely related to Class II values in the Boston market. The latter market handles a large proportion of all Class II milk in the New England States, and has demonstrated an ability to manufacture the Class II skim milk into such concentrated products as cottage cheese, skim milk powder, casein, and condensed skim milk, and return values to producers based on prices reported in the New York market for casein and skim milk powder. Although the small markets secondary to Boston, such as Fall River, seem to have never had a sufficient volume of Class II skim milk to warrant the relatively large investment of powder-making equipment, other outlets for fluid skim milk are present in or nearby city milk markets in the form of ice-cream and cheese plants, candy manufacturers, bakeries, and other food-processing establishments, and such uses successfully compete with the skim milk powder market for supplies of fluid skim milk.

With respect to casein, however, there is no evidence of it over having been made or of prospects for making it in this market. Casein prices are now low relative to skim milk powder prices. Therefore, removal of casein prices from the formula will eliminate an unnecessary depression of the Class II price during April, May, and June.

5. The assessment for cost of administration should be broadened to apply to all milk handled in plants subject to the order, with a discount allowed on any of such milk also assessed under the Boston order to prevent any duplication of assessments. The order now applies the assessment of 5¢ per hundredweight (or such lesser amount as the market administrator may determine to be sufficient) to milk of producers included in net pool computations and milk of producers under contract for other markets which may be temporarily transferred to Fall River.

This arrangement excludes 30–46 percent of the milk handled in the plants subject to the order. This is due to the fact that the order allows handlers who sell milk in several markets adjacent to Fall River from the same plant from which they supply the Fall River market to maintain separate lists of producers for the adjacent markets, and have such milk excluded from both the net pool computations and the assessment. Experience has shown that for handlers who operate in several markets and have milk of various sources, part of which is exempt from pooling, the task of verifying the limited amount of milk to be included in the pool from such plant is as great as would be the case if all the milk were pooled. Inasmuch as the exemption features are options which handlers exercise for their own convenience rather than a mandatory feature of the order, it appears inequitable to exclude the non-pool milk from the assessment. If the options were not exercised much of the non-pool milk would automatically be assessed.

6. A few minor changes considered at the hearing on which no substantial issue developed are recommended. They include a revision of the definition of "handler" to discontinue the practice of allowing a person distributing his own milk to be considered a producer-handler while receiving milk directly from producers' farms for the account of a cooperative association; addition of a provision for an "emergency milk committee" of handlers, of which the market administrator may be a member and act as chairman, to facilitate the procurement of emergency supplies of milk and disposition of milk in excess of Class II requirements through a single agency when needed; deletion of an obsolete feature of the Class I price; and deletion of provisions (§ 947.9 (h) and (i)) requiring handlers to make payments to the equalization fund on milk from other markets which is sold to Fall River handlers. The need for these payments is eliminated by the amendment providing for selective classification.

The following conclusions are with respect to issues, concerning which no changes are proposed:

1. No increase is proposed for the Class I price as changes in production costs are now reflected, within the framework of the "hold the line" program announced in March, 1943, by the Director of Economic Stabilization, by the dairy feed payment program. Revision of Class I prices named in the order must await resolution by appropriate authorities of the method to be used to reflect returns to producers which will be adequate to encourage them to maintain the desired level of milk production during 1944.

2. A ceiling on the butterfat differential would be inconsistent with the principle upon which it is based, in this order, which is the competitive value of butterfat in cream on the open market. Under this system, the differential has at times been relatively low, and at other times, as at present, relatively high. Both extremes are necessary to reflect full value to producers in the long run. Adoption of the requested ceiling of 5 cents per point at butterfat would therefore be incomplete without adoption of a floor also. This would result in a complete change in the basis of the differential, and no such complete change was requested.

Other changes considered at the hearing consisted of the proposal to provide for control of farm-to-plant trucking of milk, revision of the cream conversion factor in the Class II price formula from 33.48 to 33.0; and an optional reporting feature which would automatically allow a handler 2 percent of his milk in Class II without an audit of utilization being made. Insufficient evidence on which to recommend a change with respect to these points was received.

The following operating provisions of a proposed order amending the order, as amended, are recommended as the detailed means by which these conclusions may be carried out. A proposed marketing agreement is not included in this report because the proposed amendments applicable to it would be the same as those set forth below with respect to the amendment to the order, as amended. (In the provisions below, points numbered 4, 5, 7, 11, and 12 relate to handling and transportation allowances; points numbered 2, 9, and 10 relate to selective classification; point No. 3 and the first part of point No. 10 relate to shrinkage; and points numbered 8 and 13 relate to the administration assessment.)

Proposed amendment to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Provisions

1. In the last sentence of § 947.1 (a) (7) add after the clause "which it causes to be delivered to the plant of a handler," the words "but not a producer-handler,."

2. In § 947.3 (b) (2) change the period to a semicolon and add a second proviso as follows:

Provided further, That of any milk received from the type of handler described in § 947.6 (e), not less than the quantity of such milk allocated pursuant to § 947.7 (b) (3) (iii) shall be Class II milk.

3. In § 947.3 (d) revise subparagraphs (2) and (3) to read as follows:

(2) The difference between the amount determined pursuant to (1) of this paragraph and the total quantity of Class II milk allocated to source (3) milk pursuant to § 947.7 (b) (3) shall be such Class I milk.

(3) The total quantity of Class II milk referred to in (2) of this paragraph shall be such Class II milk.

4. Add a proviso to § 947.4 (a) as follows:

Provided, That for milk delivered to a handler from producers' farms at a receiving plant located more than 100 miles from the City Hall in Fall River, there shall be deducted the sum of 13 cents plus an amount per hundredweight equal to the lowest rail tariff, for the transportation, in carlots, of milk in 40-quart cans, as published in the New England Joint Tariff M4 (including revisions and supplements thereof), for the distance from the railroad shipping point for such receiving plant to the handler's railroad delivery point for the marketing area.

5. Revise § 947.4 (b) to read as follows:

(b) (1) Except as provided in (2) of this paragraph, each handler shall pay producers or associations of producers for their milk in the manner set forth in § 947.9, not less than that price per hundredweight, for milk containing 3.7 percent butterfat, calculated for each delivery period by the market administrator, as follows: divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture for the delivery period during which such milk is delivered, or the last such price reported for a delivery period if no such price is reported for the delivery period during which such milk is delivered, multiply the result by 3.7 and subtract 15 cents: *Provided,* That any plus amount for skim value shall be added which results from the following computation: compute the average for all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags" (using mid-point of any range as one quotation), published during such delivery period, by United States Department of Agriculture, for New York City, subtract 4.0 cents and multiply by 7.5.

(2) For milk delivered to a handler from producers' farms at a receiving plant located more than 100 miles from the City Hall in Fall River, the price shall be the amount computed pusuant to (1) of this paragraph minus 14 cents.

6. Delete § 947.4 (d) (1) and renumber subparagraph (2) of the same paragraph to subparagraph (1).

7. Add a new paragraph to § 947.4 as follows:

(e) *Computation of transportation allowances.* For the purpose of this section, the milk which was disposed of during each delivery period by each handler as Class I milk from a receiving plant located within 100 miles of the City Hall in Fall River shall be presumed to have been, first, that milk which was received directly from producers' farms at such plant, and then that milk which was shipped from the nearest receiving plant located more than 100 miles from the City Hall in Fall River.

8. In § 947.6 delete from paragraph (d) the words "except that such handler shall make payments as specified in § 947.9 (i)" and change the comma to a period; in pargaraph (e) delete the words "§ 947.9 (h), and § 947.11"; and in § 947.6 (g) (1) and (2) delete the word "and" preceding the word "§ 947.5" and add directly following it the words "and § 947.11".

9. Renumber paragraphs (a) and (b), of § 947.7, and all references thereto, to (b) and (c), respectively, and add a new paragraph (a) as follows:

(a) *Itemization of milk by sources.* For each delivery period, the market administrator shall determine for each handler, for purposes of reference in making the computations in (b) and (c) of this section, the quantity of milk received from the following sources:

(1) Producers and/or associations of producers on each of any lists maintained pursuant to § 947.6 (c).

(2) Producers pursuant to § 947.6 (d):

(i) With respect to the Greater Boston market; and

(ii) With respect to markets outside of the marketing area, other than Greater Boston.

(3) Producers, except milk listed in (1) and (2) of this paragraph.

(4) Handlers of the type described in § 947.6 (e).

(5) Other handlers, except milk listed in (4) of this paragraph.

(6) Plants, pursuant to § 947.6 (d):

(i) With respect to the Greater Boston market; and

(ii) With respect to markets outside of the marketing area, other than Greater Boston.

10. Revise § 947.7 (b) (3) to read as follows:

(3) For the purpose of this section, milk as referred to by sources described and listed in paragraph (a) of this section, shall be allocated among classes in the order of the subparts of this subparagraph, as follows:

(i) Actual plant shrinkage classified as Class II milk shall be allocated pro rata among sources (1), (2) (ii), and (3).

(ii) Remaining Class II milk shall be first allocated to source (2) (ii).

(iii) Except as provided in (iv), in case a handler has milk from sources (1), (2), (4) and/or (6) and also has Class II milk remaining (inclusive of any plant shrinkage in Class II allocated to milk of source (3)) equal to 5 percent or more of the total quantity of milk from source (3), such Class II milk shall be first allocated to milk from source (3) up to and including, but not in excess of, 5 percent of the source (3) milk (inclusive of shrinkage allocated to source (3) milk), then remaining Class II milk shall be allocated to the milk from sources (1), (2), (4) and (6) pro rata, and any Class II milk remaining unallocated shall be considered to be from source (3) milk.

(iv) Milk from source (6) (i) received completely processed and packaged for distribution to consumers which is disposed of as Class I shall be allocated to Class I.

11. In § 947.6 (c) (1) and § 947.7 (b) (1) (vi) and (2) (vii), change the reference to "§ 947.9 (g)" to "§ 947.9 (h)"; in § 947.9 (a) (1) and (2), change the references "paragraph (g)" and "paragraph (f)" to "paragraph (h)" and "paragraph (g)", respectively; and in § 947.7 (c) (1) and (2) delete the present subpart (ii) and substitute therefor a new subpart (ii) as follows:

(ii) Add the amount of the differential applicable pursuant to § 947.9 (f).

12. In § 947.9 delete paragraphs (h) and (i), renumber paragraphs (f) and (g) to (g) and (h), respectively, and add a new paragraph (f) as follows:

(f) *Country receiving plant and freight differentials.* The payments to be made by handlers to producers pursuant to (a) of this section shall be subject to a differential as follows: (i) With respect to milk delivered by a producer to a handler at a receiving plant located more than 100 miles from the City Hall in Fall River, there shall be deducted a sum of 13 cents plus an amount per hundredweight equal to the lowest railroad tariff for transportation in carlots of milk in 40-quart cans, as published in the New England Joint Tariff M4 (including revisions and supplements thereto), for the distance from the railroad shipping point of such receiving plant to the handler's delivery plant for the marketing area.

13. Revise § 947.11 (a) to read as follows:

(a) *Payments by handlers.* As his pro rata share of the expense of administration hereof, each handler, except as set forth in § 947.6 (f), shall, on or before the 15th day after the end of each delivery period, pay to the market administrator 5 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, with respect to all milk produced and delivered by producers and milk received pursuant to § 947.6 (d) or from handlers subject to § 947.6 (e), and by such handler if he is also a producer during such delivery periods: *Provided*, That such handler, which is an association of producers, shall pay such pro rata share of expense of administration on such milk which it causes to be delivered by member producers to a handler's plant for the marketing area and for which milk such association of producers collects payment: *And provided further*, That any amounts paid on any of the milk specified herein by any handler for cost of administration of another Federal milk marketing agreement or order may be deducted from the amount due hereunder.

14. Add a new section as follows:

§ 947.15 *Emergency milk committee.* Handlers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk or assembly and disposition as Class II, milk in excess of Class I needs for all handlers desiring to perform these functions through a single agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the War Food Administrator and such person or persons as the War Food Administrator may designate shall be permitted to attend and take part in such meetings.

This report filed at Washington, D. C. this 15th day of March 1944.

C. W. KITCHEN,
Acting Director,
Office of Distribution.

[F. R. Doc. 44-3607; Filed, March 15, 1944; 11:24 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 55

Washington, Friday, March 17, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 54, Amdt. 1]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

Food Distribution Order No. 54, § 1401.25 (8 F.R. 7210), issued by the War Food Administrator on May 29, 1943, is amended as follows:

1. By deleting the provisions of (a) (2) and inserting in lieu thereof, the following:

(2) The term "dried skim milk" means all products containing 1½ percent or less, by weight, of butterfat, which are made by drying cows' milk, from which all or part of the milk fat has been separated and to which no other substance or ingredient has been added, and which are sold for human consumption or used in the manufacture of any other product which is sold for human consumption.

2. By deleting the provisions of (a) (11) and inserting in lieu thereof, the following:

(11) The term "designated agencies" means any of the following agencies: (i) the Armed Services of the United States (excluding, for the purpose of this order, the United States Army post exchanges, United States Navy Ships' Service Departments, and United States Marine Corps post exchanges); (ii) the Office of Distribution, War Food Administration, (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans Administration; and (v) any other instrumentality or agency designated by the Director.

3. By adding to (a) the following:

(13) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, or Coast Guard of the United States.

4. By deleting the words "Food Distribution Administration" wherever said words appear in said order and inserting, in lieu thereof, the words "Office of Distribution."

This amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of Food Distribution Order No. 54, rights accrued, or liabilities incurred prior to the effective time of the provisions hereof, said Food Distribution Order No. 54 shall be deemed to be in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3549; Filed, March 13, 1944; 12:20 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[G. O. 27]

PART 503—GENERAL ORDERS

INVESTIGATION OF PROPERTY OWNED BY PERSONS TO BE REPATRIATED

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, in order to provide for the investigation of property owned by persons who are to be repatriated to an enemy country, preparatory to taking such other authorized action with respect to such property, including its vesting or protective supervision, as is necessary in the national interest, hereby issues the following regulation:

§ 503.27 *General Order No. 27.* (a) Any person proposed for repatriation to an enemy country shall, upon demand by

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

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a duly authorized representative of the Alien Property Custodian, prepare (or assist the representative of the Alien Property Custodian in preparing), sign and certify a report on Form APC-48 (which is hereby adopted and made a part of this regulation) of all property of any nature whatsoever within the United States, its territories and possessions, which is owned or controlled by, payable or deliverable to, held on behalf or for the account of such person or in which such person has any interest of any nature whatsoever.

(b) Such duly authorized representatives of the Alien Property Custodian are hereby authorized to accept any books of account, records, contracts, letters, documents, memoranda, or other papers held in the custody of any person proposed for repatriation, which are useful in establishing the ownership or control of any such property.

(c) For the purposes of this order:

(1) "Person proposed for repatriation" shall mean any person who has been designated by the Department of State of the United States as one who may be repatriated to a designated enemy country;

(2) "Designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary, and Rumania) and any other country with which the United States is at war in the future.

(3) "A duly authorized representative of the Alien Property Custodian" shall include any person who possesses an identification card (bearing his signature and photograph) certifying that he is employed as an investigator, attorney, examiner, business analyst, or in any other responsible position in the Office of Alien Property Custodian.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on August 23, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3678; Filed, March 16, 1944; 11:26 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Board, Federal Security Agency

[Regs. 3,[1] Amdt.]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

PROCEDURE BEFORE APPEALS COUNCIL

Sections 403.709 (g) and 403.710 (a) and (c) of Regulations No. 3, as amended (Part 403, Title 20, Code of Federal Regulations 1940 Supp.), are amended as follows:

[1] 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (20 CFR 403.1, Cum. Supp.)

1. The last undesignated paragraph of paragraph (g) of § 403.709 is amended to read:

(g) *Conduct of hearing and evidence.* * * *

A complete stenographic record of the proceedings at the hearing shall be made. When directed by the Appeals Council or the referee, the record shall be transcribed where the case is certified to or reviewed by the Appeals Council (see paragraph (k) of this section and § 403.710 (a) and (b)).

2. Paragraph (a) of § 403.710 is amended to read:

(a) *Procedure before Appeals Council on certification by the referee.* The Appeals Council of the Social Security Board shall, when a case has been certified to it by a referee without decision (see § 403.709 (k)), mail notice of such action to the parties at their last known addresses. A copy of the transcript of evidence adduced at the hearing or a condensed statement thereof or, where the hearing before the referee has been waived (see § 403.709 (i)), copies or a statement of the contents of the documents which are evidence in the case, shall be made available to any party upon request.

When a case has been certified to the Appeals Council for decision, the parties shall be given, upon their request, a reasonable opportunity to appear before the Appeals Council for the purpose of presenting oral argument. The parties shall also be given, upon their request, a reasonable opportunity to file briefs or other written statements of contentions. Where there is more than one party, copies of such a brief or written statement shall be filed in a sufficient number that they may be made available to any party requesting a copy or any other party designated by the Appeals Council.

Evidence in addition to the evidence introduced at the hearing before the referee, or the documents before the referee where the hearing is waived, may not be presented except where it appears to the Appeals Council that additional material evidence is available which may affect its decision. If it appears that such additional evidence is available, the Appeals Council shall receive such evidence or designate a referee or member of the Council before whom the evidence shall be introduced. Before additional evidence may be presented, as above provided, notice shall be mailed to the parties, unless such notice is waived, at their last known addresses, that evidence will be received with respect to certain matters, and the parties shall be given a reasonable opportunity to present evidence which is relevant and material to such matters. When the additional evidence is introduced before a referee or a member of the Appeals Council, a transcript or a condensed statement of such evidence shall be made available to any party upon request.

The decision of the Appeals Council, when a case has been certified to it by a referee, shall be made in accordance with the provisions of paragraph (d) of this section.

3. Paragraph (c) of § 403.710 is amended to read:

(c) *Procedure before Appeals Council on review of referee's decision or Bureau's revised determination.* Whenever the Appeals Council determines to review a referee's decision or the revised determination of the Bureau, the Council shall make available to any party upon request a copy of the transcript of evidence adduced at the hearing or a condensed statement thereof or, where the hearing before the referee was waived (see § 403.709 (i)), copies or a statement of the contents of the documents upon which the referee's decision was based. The parties shall be given, upon their request, a reasonable opportunity to file briefs or other written statements of contentions. Copies of such brief or other written statement, where there is more than one party, shall be filed in a sufficient number that they may be made available to any party requesting a copy and to any other party designated by the Appeals Council.

Evidence in addition to the evidence introduced at the hearing before the referee, or the documents before the referee where the hearing is waived, may not be presented except where it appears to the Appeals Council that additional material evidence is available which may affect its decision. If it appears that such additional evidence is available, the Appeals Council shall receive such evidence or designate a referee or member of the Council before whom the evidence shall be introduced. Before additional evidence may be presented, as above provided, notice shall be mailed to the parties, unless such notice is waived, at their last known addresses, that evidence will be received with respect to certain matters, and the parties shall be given a reasonable opportunity to present evidence which is relevant and material to such matters. When the additional evidence is introduced before a referee or a member of the Appeals Council, a transcript or a condensed statement of such evidence shall be made available to any party upon request.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U. S. C. sec. 405 (a), 1302)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 10th day of March 1944.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMEYER,
Chairman.

Approved: March 14, 1944.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-3660; Filed, March 16, 1944; 10:37 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 265]

PART 403—PROPERTY MANAGEMENT DIVISION

PURCHASES BY OFFICERS OR EMPLOYEES

Section 403.10 *Plans and terms of sale* is amended as follows:

The paragraph of § 403.10 identified as paragraph (c) shall be revoked.

Section 403.02 (i) is amended to read as follows:

§ 403.02 *Property Committee.* * * *

(i) To review all cases:

(1) Where the regional manager recommends the approval of the purchase by any officer or employee of the Corporation from a home owner of property on which the Corporation holds a mortgage or other security instrument;

(2) Where the regional manager recommends the sale of a property owned by the Corporation, directly or indirectly, to:

(i) Any officer or employee of the Corporation or to any individual approved by the Corporation to perform services on a fee basis, or to the spouse or close relative of any such person,

(ii) Any contract sales broker, contract management broker, or approved sales broker, or to the partner, officer or employee of any such broker,

(iii) The spouse or close relative of any such broker operating as an individual or of the partner of any such broker, and to submit all such cases with its recommendations to the General Manager or Deputy General Manager in Charge for final action. Where any purchaser from the Corporation referred to in this section is also a former borrower as defined in § 403.10 the sales price requirements of said § 403.10 shall apply.

Effective March 14, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U. S. C. 1463 (a), (k), E. O. 9070, 7 F. R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-3626; Filed, March 15, 1944; 3:25 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amendment 157]

PART 802—GENERAL LICENSES

GENERAL LICENSE FOR MEXICAN BORDER ZONE

Correction in Amendment No. 155.

The numbering of the section set forth in Amendment No. 155, published March 14, 1944, 9 F.R. 2775, is hereby changed from § 802.26 to § 802.27.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O.

9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 15, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-3649; Filed, March 16, 1944; 9:23 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M-126, Amdt. 4]

FENCES

Section 1176.1 *Conservation Order M-126* is hereby amended by changing the item in List A which now reads:

Fences of all kinds, including chain link, except as may be permitted under Limitation Order L-211, Schedule III.

to read as follows:

Fences of all kinds, except:

(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire flooring.

(2) Chain link fence, weighing not more than two pounds per lineal foot and not more than 0.33 pounds per square foot, for industrial plant protection only.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3664; Filed, March 16, 1944; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-112 as Amended Mar. 16, 1944]

INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements of the defense of the United States has created a shortage in the supply of certain critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.117 *General Limitation Order L-112*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. The term shall not include automotive tractors, trucks, or wheeltype industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures, fabricates or assembles new industrial power trucks, and includes any sales and distribution outlets of a manufacturer.

(4) "Parts producer" means any person, other than a manufacturer, who manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on July 10, 1942.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in paragraph (d) (2).

(7) "New", when applied to any industrial power truck, means any truck which has never been sold to a person acquiring the same for use. "Used" means any such truck which has been sold to a person acquiring the same for use, whether or not such truck has subsequently been reconditioned or rebuilt.

(8) "Dealer" means any person, other than a manufacturer, engaged in the business of selling or distributing new or used industrial power trucks, whether at wholesale, retail, or otherwise.

(9) "Owner" means any person (including a manufacturer or dealer) who owns any industrial power truck, regardless of whether such truck was acquired for resale or for use by such person.

(b) *Restrictions on orders and deliveries*—(1) *New trucks.* (i) No manufacturer shall accept any order for a new industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) No manufacturer shall hereafter deliver any new industrial power truck, except in fulfillment of an order (*a*) accepted before October 15, 1942, and rated A-9 or better on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A or on a form in the WPB-837 (formerly PD-408), or (*b*) accepted on or after October 15, 1942, and accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(2) *Used trucks.* (i) On and after July 20, 1943 no manufacturer, dealer or owner shall accept any order for a used industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) On and after July 20, 1943, no manufacturer, dealer or owner shall deliver any used industrial power truck, except in fulfillment of an order accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(iii) Any manufacturer, dealer or owner specified as a supplier in the authorization for a used truck shall accept any order placed with him for such truck (if the order is accompanied by the authorization), as if such order bore a preference rating, unless he is permitted to, and does, reject the same under the provisions of Priorities Regulation No. 1, § 944.2. However, nothing herein shall require the sale of any used industrial power truck by any person who acquired and holds such truck for his own use and not for resale.

(iv) The restrictions contained in (i), (ii), and (iii) of this paragraph (b) (2) shall not apply to deliveries of used industrial power trucks made by one branch, division, or section of a single enterprise to another branch, division, or section of the same enterprise under common ownership where no transfer of title or ownership of such trucks is involved, or to deliveries of any used industrial power trucks owned by the Army, Navy, Maritime Commission or War Shipping Administration, from one department to another within any such agency, or from any of such agencies to any other of such agencies.

(3) *Authorizations.* Application for authorization of the War Production Board required by paragraph (b) (1) and (2) shall be made by the purchaser on Form WPB-1319 prepared in accordance with the instructions for such form. The War Production Board may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with a supplier named by the War Production Board, or that the order shall only cover such model, type or size of truck as may be designated by such Board.

(c) [Deleted Mar. 16, 1944]

(d) *Standardization of models.* (1) No manufacturer shall after July 10, 1942 begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of paragraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before the 15th day of October and of each succeeding calendar month, every manufacturer shall file with the War Production Board a report on Form WPB-1262 (formerly PD-385), which shall include (i) such manufacturer's proposed production schedules so far as then planned, but in any event, for not less than the three calendar months following the filing of the report; and (ii) his proposed delivery schedules so far as then planned, but in any event for not less than the one calendar month following such filing. The production schedules for the three calendar months, and the delivery schedules for the one calendar month following the filing of the report shall be deemed to be approved by the War Production Board upon the receipt of the report by the War Production Board, unless the War Production Board shall otherwise direct. The War Production Board may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any industrial power truck so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any industrial power truck except in accordance with schedules approved or prescribed by the War Production Board, as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(e) [Deleted Mar. 16, 1944]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and as amended from time to time.

(2) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after July 10, 1942. No person shall be held liable for damages or penalties for default, under any contract or order, which shall result directly or indirectly from his compliance with the terms of this order.

(3) [Revoked July 10, 1943.]

(4) [Revoked July 10, 1943.]

(5) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(6) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plan or branch of the appellant to which the appeal relates.

(7) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C.; Ref.: L-112.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

No lift, high platform	1,000 lbs. to 20,000 lbs.
No lift, low platform	1,000 lbs. to 20,000 lbs.
Low lift, high platform	2,000 lbs. to 20,000 lbs.
Low lift, low platform	2,000 lbs. to 20,000 lbs.
High lift, low platform	2,000 lbs. to 10,000 lbs.
Fork or ram	2,000 lbs. to 60,000 lbs.
Crane	2,000 lbs. to 20,000 lbs.
Tractor	[1] 1,500 lbs. to 6,000 lbs.
Motorized low lift	2,000 lbs. to 6,000 lbs.
Straddle trucks	10,000 lbs. to 30,000 lbs

[1] Max. D.B.P

[F. R. Doc. 44-3663; Filed, March 16, 1944; 11:16 a. m.]

PART 1293—BUILDING MATERIALS

[Limitation Order L-157, Schedule III, as Amended Mar. 16, 1944]

MANUALLY-OPERATED WOOD AND SPECIAL PURPOSE SAWS

§ 1293.4 *Schedule III to Limitation Order L-157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps or otherwise fabricates manually-operated wood and special purpose saws.

(2) "Manually-operated wood and special purpose saws" means the following saws:

(i) Handsaws, crosscut and rip.
(ii) Mitre, cabinet, and back saws.
(iii) Compass and keyhole saws and nests of saws.
(iv) Special purpose handsaws of the kinds listed in Table 4.
(v) Pruning saws.
(vi) Butcher saws.
(vii) Buck, cordwood and pulpwood saws.
(viii) Crosscut saws, two-man.
(ix) Crosscut saws, one-man.
(x) Ice saws.

(3) "Lend Lease government" means the government of any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act).

(b) *Simplified practices.* Pursuant to Limitation Order L-157, the production and distribution of manually operated wood and special purpose saws shall be limited to the types, grades, sizes and number of models set forth in Appendix A of this schedule, except that in any calendar year a producer may manufacture saws, which saws shall not be subject to the limitations of types, grades, sizes and number of models of this schedule and Appendix A thereto for export and shipment to Canada, or for export under a license issued by the Foreign Economic Administration or to fill an order of a Lend Lease government, in a combined dollar sales volume not to exceed the amount of his total dollar sales export production of manually operated wood and special purpose saws for the calendar year 1941, or in a combined dollar sales volume not to exceed 6% of his total production of manually operated wood and special purpose saws during the calendar year 1941, whichever dollar sales value is the greater.

The provisions of this schedule shall not restrict in any way the manufacture of saws to fill orders for export received by a producer on or before the 31st day of December 1942.

(c) No producer shall produce during any calendar year any saws listed in:

(i) Table 2 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 2 during the twelve months period ending December 31, 1941;

(ii) Table 3 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 3 during the twelve months period ending December 31, 1941;

(iii) Table 4 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 4 during the twelve months period ending December 31, 1941; or

(iv) Table 5 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 5 during the twelve months period ending December 31, 1941.

The percentage limitations on the total annual production as established in subparagraph (c) of this schedul shall not include saws produced for delivery for the account of the Army, Navy, Maritime Commission or War Shipping Administration of the United States.

(d) *Effective date of simplified practices.* On and after October 19, 1942, no producer shall put in process any steel for the purpose of manufacturing a manually-operated wood or special purpose saw other than a manually-operated wood or special purpose saw conforming to the sizes, specifications and standards as established by paragraph (b) and Appendix A of this schedule. On and after December 18, 1942, no producer shall manufacture, assemble or fabricate any manually-operated wood or special purpose saw not conforming to the sizes, specifications and standards established

in paragraph (b) and Appendix A of the schedule, except with the express permission of the War Production Board. All saws fabricated prior to December 18, 1942, may be shipped without special permission.

(e) *Records covering material, work in process, etc.* Each producer of manually-operated wood and special purpose saws shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXPLANATIONS AND LIMITATIONS

(1) "*Model*" as used in the following Tables 1, 2, 3, 4, 5, 6, 7, 9, and 10 shall designate one combination of saw details. Such details as are not specified may be selected by the manufacturer, provided that the different combinations of details for a given kind and grade of saw do not exceed the number of models to which such saw is limited.

(2) "*Gages*" as referred to in the following Tables are Birmingham or Stubs' wire gages, and are subject to commercial tolerances.

(3) "*Length & Width of Blades*" as referred to in the following Tables 1, 2, 3, 4, 5, 6, 7a, 8, 9, and 10 are subject to commercial tolerances, except where minima and maxima are specified.

(4) [Revoked Mar. 10, 1944]

GRADES OF HANDSAWS

A-Grade. Blades shall be of best quality selected saw steel, free from harmful dirt, segregation, and inclusions. The steel shall be either alloy steel or carbon steel, but both kinds may not be used. If carbon steel is selected, the steel shall be cross rolled and show a fine fracture grain; and the carbon content shall be not less than 0.80, or more than 0.95 per cent, phosphorus and sulphur not more than 0.035 per cent, and silicon not less than 0.15 per cent.

The blade shall be tempered to a Rockwell hardness of not less than 48 or more than 52 on the C scale.

The blade shall be true and full taper ground, i. e., uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 4 gages. The thickness of the cutting edge shall be not less than 0.032 in. or more than 0.042 in., and the thickness of the back at the handle not less than the cutting edge.

The teeth of cross cut saws shall be bevel filed, and the teeth of rip saws filed straight through. The teeth shall be set, but the set shall not extend more than one-half the depth of the tooth.

Handles shall be of suitable hardwood, properly seasoned, and free from cracks, checks, and other defects, and shall be given a protective coating to aid in preventing warping, swelling, or shrinkage. Handles shall be fastened to blades with not more than 5 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

B-Grade. Blades shall be of standard quality steel free from harmful dirt and inclusions, and shall show a fine fracture grain. The carbon content shall be not less than 0.70, or more than 0.95 percent, phosphorus and sulphur not more than 0.040 percent, and silicon not less than 0.15 percent. The blade shall be tempered to a Rockwell hardness of not less than 46, or more than 48 on the C scale.

The blade shall be taper ground, uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 2 or more than 3 gages. The back at the handle shall not be thinner than the cutting edge.

The teeth of both cross cut and rip saws to be filed and set, but the set shall not extend more than one-half the depth of the tooth.

The handle shall be of seasoned hardwood, free from cracks, checks, or other defects, shall be given a protective coating to aid in preventing warping, swelling, and shrinkage, and shall be fastened to the blade with not more than 4 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

C-Grade. No C-Grade handsaws shall be manufactured on and after the 28th day of December 1942 except to fill orders received by the manufacturers on or before the 21st day of December 1942, but no such C-Grade handsaws shall be manufactured on or after the 5th day of February 1943.

Private brands. The blades of all handsaws manufactured for distribution under private brands shall have the qualities specified above, and shall be permanently branded to permit their identification. The handles of such saws may vary in design from the manufacturers' standard: *Provided*, That no manufacturer shall make, for any saw distributed under private brands, more than 3 different designs of handles in addition to his standard handles.

TABLE 1—HANDSAWS

Grade and kind	Length	Blade dimensions: Width: Point: Min.	Point: Max.	Butt: Min.	Butt: Max.	Number of points per inch: Cross-cut saws	Rip saws
	In.	*In.*	*In.*	*In.*	*In.*		
A Grade:[2]	28	1¾	1⅞	.5	.58⅓	10	.....
	22	1⅝	1⅞	.55⅓	.51⅓	8, 10	.....
Regular style, skew back: One model in each length	24	1⅝	2	6	6¼	8, 10	.....
	26	2	2⅛	6	7	7, 8, 10, 11	5½
Narrow or ship-point style, skew or straight back:							
Three 26-in.-models	26	1½	1⅝	6	6½	7, 8, 10, 11	5½
One 24-in.-model	24	1¼	1½	⋮	5½	8, 10	.....
B Grade:							
Narrow or ship-point style, skew or straight back:							
Two 26-in.-models	26	1½	1⅝	6¼	6½	8, 10	5½
One 20-in.-model	20	1¼	1½	5	5¾	10	.....

[1] Plus or minus ½ inch.
[2] For the purposes of this schedule grades are defined as shown in the section immediately above entitled grades of handsaws.

TABLE 2—MITRE, CABINET, AND BACK SAWS

Kind	Blade dimensions: Length [1]	Thickness: Min.	Thickness: Max.	Width [1]: Min.	Width [1]: Max.	Points per inch
MITRE BOX SAW						
	In.	*In.*	*In.*	*In.*	*In.*	
Flat-ground blade, hardwood handle attached by not more than 2 steel screws:	26	0.040	0.042	4	4	11
One grade, one model	28	.040	.043	5	5	11
	30	.040	.043	6	6	11
CABINET SAW						
Flat-ground blade, one edge toothed for ripping, the other for cross cutting, hardwood handle attached with not more than 2 steel screws:						
One grade, one model	12	.....	.....	3¼ [2]	3½	Optional
BACK SAWS						
Grade 1.—Heavy back, flat-ground blade, hardwood handle attached with not more than 3 steel screws:	12	Gage	III	27½	3	14
One model	16		21	31½	37⅛	14
	12		23	28¼	27⅛	14
Grade 2.—Flat-ground blade, hardwood handle, one model	10			2	2⅛	14

[1] Distance from underside of back to cutting edge.
[2] Plus or minus ⅛ inch.

TABLE 5—PRUNING SAWS

Description [1]	Blade size: Length	Blade size: Width: Point [2]	Blade size: Width: Butt [2]
	In.	*In.*	*In.*
1. Curved, tapered blade with hardwood lacquered handle, 7 or 8 points per in., to cut on draw stroke, one model in each of two teeth types	14	⅝	13/32
2. Curved, tapered blade with long lacquered hardwood handle, 6½ points per in. to cut on draw stroke	14	⅝	25/64
3. Folding pattern, with curved, tapered blade and lacquered hardwood folding handle, 6 or 6½ points per in., to cut on draw stroke	12	5/8	11/16
Folding pattern, with curved, tapered blade and lacquered folding hardwood handle, 7 or 8 points per in., to cut on draw stroke	12	⅝	13/32
5. Slightly curved and tapered blade with large hardwood lacquered handle; 5 points per in. on convex edge, 6 on concave edge, faster to cut on draw stroke	15	1¼	31/32
6. Straight, tapered, high tempered blade with large hardwood handle; 8 points per in. on one edge, lightning type teeth on the other, teeth filed and set	18	¾	23/32
7. Same as No. 6, but with large tubular handle	18	¾	23/32
8. Standard type, tapered skew back blade, with hardwood handle, having a large hole for plowed hand, 7 points per in	20	1⅛	5
9. Same as No. 8, but with 6 points per in., bevel filed and set	26	1⅛	6
10. Same as No. 8, but with large tubular handle	20	1⅛	5
11. Flat, different frame tapered to a narrow point, and arranged to hold blade taut by a tightening device, with hardwood handle	14	⅝	⅝
12. Saw and shear combination, with malleable iron socket and hook, socket 1 to 1¼ in. in diameter, shear to cut up to ¾ in. in diameter, blade 8 points per in.	10½	(3)	(3)
13. Curved, tapered blade, with malleable iron socket for pole, arranged for adjustment of angle of saw blade with bolt and wing nut, 6 points per in. to cut on draw stroke	15	⅝	9/16
14. Curved, tapered walnut-pruning blade, with teeth in butt to hold adjustment in sprocket of pruning saw socket, heavy stamped socket with hook and wing nut and bolt, 6 points per in.	20	1⅛	9/16

[1] Each number to be made in one grade and one model only, except No. 1, which may be made in two styles of teeth.
[2] Tolerance: Plus or minus 1/64 inch.
[3] Tolerance: Plus or minus ⅛ inch.
[4] Optional.
[5] Plus or minus 1 inch.
[6] One or the other, not both.

TABLE 6—BUTCHER SAWS

Kind	Frame: Size	Frame: Depth from tang to tooth edge	Blade [1]: Nominal length [2]	Blade [1]: Width	Points per inch
BUTCHER SAWS	*In.*	*In.*	*In.*	*In.*	
Type 1: Hot rolled, flat steel frame, with winged nut or trigger for tightening the blade, one winged-nut model and one trigger model in each length, one grade only	13/16 or 1 1/16	8	24	7/8 or 15/16	11
Type 2: Cold rolled, flat steel frame with square or oblong cutout, one winged-nut model and one trigger model in each length, one grade only	1 3/16 or 1 5/16	8	26	7/8 or 15/16	11
Type 3: Cold rolled, flat steel frame with square or oblong cutout, one winged-nut model and one trigger model in each length, one grade only	¾ x 1¼	4¼ or 5	18	⅞ or 15/16	11
	¾ x 1¼	4¼ or 5	22	⅞ or 15/16	11
	¾ x 1¼	4¼ or 5	24	⅞ or 15/16	11
Same, with unguarded handle, one model, one grade	¾ x 1¼	4¼ or 5	14	7/8 or 15/16	11
DEEP SPLITTER SAW					
Flat steel frame, with square edges, eye-type fastener at front end and tension bolt on rear, hardwood handle secured with not more than 4 steel screws, one model	1½ x 3/16 [3]	9¾	20	1 9/16 [4]	8 or 9

[1] Blades similar to the above, but of different lengths needed to fit saw frames already in use may also be made.
[2] From point of handle to center of holes or pins; tolerance plus or minus ¼ inch.
[3] Approximately.
[4] Plus or minus 1/64 inch.

TABLE 3—COMPASS, KEYHOLE, AND NESTS OF SAWS

Kind	Blade: Length [1]	Blade: Kind	Points per inch
	In.		
COMPASS SAWS			
Grade 1:			
Standard model: Full polished blade, teeth filed and set, hardwood handle with either open- or pistol-style grip (one only), carving optional	12	Taper ground	8
Adjustable model: Full polished blade, teeth filed and set, blade position adjustable, suitable hardwood handle	12	do	8
Plumber's model: Heavy blade, reversible hardwood handle:			
For wood cutting, teeth filed and set	12	do	9
For metal cutting	12	do	12
Grade 2:			
Standard model: Hardwood handle with either open- or pistol-type grip (one only)	12	Flat ground	8
KEYHOLE SAWS			
Grade 1:			
Standard model: Blade tapered to sharp point, teeth filed and set, hardwood handle with either open- or pistol-type grip (one only), carving optional	10	Taper ground	10
Grade 2:			
Standard model: Blade tapered, hardwood handle	10	Flat ground	10
NESTS OF SAWS			
Standard combination (one grade only):			
One hardwood handle and 3 blades to fit as follows:			
One keyhole blade	10	do	10
One compass blade	12	do	8
One pruning blade (one grade only)	16	do	8
Nail-cutting blade: Same as standard combination, but with nail-cutting blade substituted for pruning blade, as follows:			
One nail cutting blade (one only)	16 or 18	do	12 or 15

[1] Plus or minus ¼ inch.

TABLE 4—SPECIAL PURPOSE SAWS

NOTE: "Coping saws, Grade 1" amended Mar. 16, 1944.

Kind	Blade specification: Length	Blade specification: Width	Blade specification: Points per inch
	In.	*In.*	
Coping saws:			
Grade 1.—Steel frame 3/16" x 3/16" with hardwood handle, and threaded blade stretcher adjustable by turning handle (one only)	6¾	(1) 1/16	18
Grade 2.—Wire rod frame ¼" diameter for loop-end blade, hardwood handle with plug to prevent turning (one model)	6	(1) 1/16	18
Cable saw	(2)	(3)	(3)
Compass saw, with wood handle only			
Flooring or fireman's saw			
Pattern maker's saw			
Stair builder's saw			
Pruning saw			
Plasterer's saw			
Toolbox saw			
Bead saw			
Veneer saw			
Kitchen saw			
Fork packer's saw	14	1/16	14
Web saw, reflex	14	1/16	14
Mine saw, with wood handle only	(2)	(4)	(3)
	8	1/16	15½
Dovetail saw (1 model in each length)	10	1/16	15½

[1] Approximately.
[2] One model, one size only.
[3] Two models, each in two lengths and one tooth style.

TABLE 6—TWO-MAN CROSS-CUT SAWS

Class	Kind	Length	Maximum width	Gage at cutting edge	Number of different saws to be made in each length of each class [1]
		Feet	*Inches*		
	HOLLOW BACK	4½	4½	14 or 15	
		5	5	do	
		5½	5½	do	
1	Eastern, narrow	6	6	do	
		4½	4½	do	
		5	5	do	
		5½	5½	do	
2	Eastern, medium	6	6	do	
		6½	6½	do	
		7	7	do	
		7½	7½	do	
3	Western, talling	8	8	do	
		9	9	do	
		10	10	do	
		5½	5½	14 or 15	
4	Wide gullet lance tooth	6	6	do	
		6½	6½	do	
		5½	5½	do	
5	Parallel pattern	6	6	do	
		6½	6½	do	
		6	6	do	
		6½	6½	do	
6	Eastern, medium	7	7	do	
		7½	7½	do	
		6	6	13 or 14	
7	Eastern, wide	6½	6½	do	
		7	7	do	
		7½	7½	do	
8	Western bucking	8	8	do	
		9	9	do	

[1] The figures in this column designate the maximum different combinations of characteristics in which a given class and length of saw may be made by a single manufacturer, subject to the limitations given below. The characteristics referred to are (1) grade, (2) type of teeth, (3) amount of taper (including flat ground as zero taper), (4) gage or width at cutting edge, and (5) length.

(a) Saws of classes 1, 2, and 3 are permitted to be made in any one of the above characteristics as between two saws of the same class and length would make them different saws. They might, of course, differ in all those characteristics.

(b) Saws of classes 4, 5, and 7 are permitted to be made in two types of teeth, but not more than two different saws in each length in the same class and length and type of tooth, but of different grade or gage, may vary slightly in width. If a manufacturer elects to make them in only one type of teeth, he may make more than two different grades.

(c) Saws of class 6 are permitted to be made in not more than two different grades, but not more than two different saws in each length in the same class and length and type of tooth, but of different grade or gage, may vary slightly in width.

(d) Saws of class 8 are permitted to be made in only one type of teeth, but not more than two different saws in each length in the same class and length and type of tooth, but of different grade or gage, may vary slightly in width.

Note: Items 1–4 and 7 amended Mar. 16, 1944.

TABLE 9—ONE-MAN CROSS-CUT SAWS

Grade and kind	Length	Gage at cutting edge	Number of gages taper	Maximum blade dimensions: Point	Maximum blade dimensions: Butt
	Ft.			*In.*	*In.*
Grade 1: Tapered straight- or skew-back blade, with hardwood handle attached with not more than 3 steel screws, and supplementary handle; one model in each of 2 tooth designs in each length.	3	16	2 to 3	2½	7¾
	3½	15 or 16	2 to 3		
	4	15 or 16	2 to 3		
	4½	15 or 16	2 to 3		
Grade 2: Same as grade 1, but of lower grade steel and flat ground blade, one model in each of 2 tooth designs in each length.	3	16		2½	7¾
	3½	16			
	4	16			
	4½	16			

TABLE 7—WOOD (BUCK) SAWS, AND PULPWOOD SAWS

Kind	Frame: Size	Frame: Bracing	Frame: Rod	Blade [1]
	In.			
WOOD (BUCK) SAWS				
Grade 1: Special selected hardwood frame, with lacquered finish; one model.	30	Double brace, single or double riveted, hardwood.	22 in.	1 to 6
Grade 2: Standard selected hardwood frame, with sanded finish; one model.	30	Single straight or double brace.	22 in.	1 to 6
PULPWOOD SAW				
Tubular steel frame tempered for strength, with suitable blade fastening and lacquered finish:				
One non-adjustable model	30			7 and 8
One adjustable model	39			9 to 14

[1] See table 7A.

TABLE 7A—BLADES FOR WOOD (BUCK) SAWS AND PULPWOOD SAWS

Note: Items 1–4 and 7 amended Mar. 16, 1944.

No.	Grade	Style	Length	Width	Teeth
			In.	*In.*	
1	Either alloy or high carbon steel (but not both), thin back, bright finish.	Straight	30	1¼	Tuttle or champion. 4½ or 5 plain teeth per in.—filed and set.
2		do	36	1½	
3		Breasted	30	1¼	Tuttle or champion. 4½ or 5 plain teeth per in.—filed and set.
4		do	36	1½	
5	Carbon steel, flat-ground, bright finish.	Straight	30	1¼	Tuttle or champion. 4½ or 5 plain teeth per in.—filed and set.
6		do	36	1½	
7	Either alloy or high carbon steel (but not both), taper ground.	do	30	1 or 1¼	Skip tooth pattern. 4 cutting and 1 raker.
8	do	do	36	1 or 1¼	Skip tooth pattern. 4 cutting and 1 raker.
9	do	do	30	1 or 1½	Skip tooth pattern. 4 cutting and 1 raker.
10	do	do	36	1 or 1½	Skip tooth pattern. 4 cutting and 1 raker.
11	do	do	42	1 or 1½	Skip tooth pattern. 4 cutting and 1 raker.
12	do	do	48	1 or 1½	Skip tooth pattern. 4 cutting and 1 raker.
13	do	do	54	1 or 1½	
14	do	do	60	1 or 1½	

TABLE 10—ICE SAWS

Kind	Length	Width	Gage
HAND ICE SAW			
Straight-back, flat-ground blade, with hardwood handle, plain teeth, one grade, one model	*In.* 26	*In.* 5¼	14
POND ICE SAW			
Straight back, flat-ground blade, with hole in butt for tiller handle, teeth optional, one grade, one model.	60	6 at point, 7 at butt	11

[F. R. Doc. 44-3666; Filed, March 16, 1944; 11:17 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 3, Revocation]

BARBED WIRE, WIRE FENCE, WIRE NETTING AND WIRE FLOORING

Section 3102.4 *Schedule 3 to Limitation Order L-211* is hereby revoked. This revocation does not affect any liabilities incurred under the schedule. The production and delivery of barbed wire, wire fence, wire netting and wire flooring remain subject to all other applicable regulations and orders of the War Production Board.

Note: Specific restrictions on ornamental fence and chain link fence are contained in Conservation Order M-126.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3667; Filed, March 16, 1944; 11:18 a. m.]

PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-188 as Amended Mar. 16, 1944]

LOOSE LEAF METAL PARTS AND UNITS

§ 3133.45 *General Limitation Order L-188*—(a) *Definition.* For the purpose of this order:

(1) "Binder" means a blank book, loose leaf book or cover.

(2) "Unit" means a complete device designed to hold together loose leaves, covers, paper products or other materials in a binder.

(3) "Part" means a component used in the construction of a unit.

(4) "To fabricate" means to change the shape or form of metal in any manner.

(5) "To assemble" means to combine parts into completed units. It does not mean to attach completed units to binders.

(b) *Allotments.* In any calendar quarter, it is the intention of the War Production Board to allot iron or steel to a fabractor of loose leaf metal parts and units in an amount equal to 18¾ percent by weight of metal fabricated by him into metal parts and units in the calendar year 1941.

(c) *Order M-126.* Conservation Order M-126 does not apply to binders.

(d) *Restrictions on materials.* No metal other than iron, steel, or zinc may be used in fabricating metal parts or units for binders. Zinc may be used only for the purpose of applying a protective coating or plating.

(e) [Deleted Mar. 16, 1944]

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (PD-500), referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-188.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3673; Filed, March 16, 1944; 11:18 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 13, as Amended Mar. 16, 1944]

CORK, ASBESTOS AND FIBROUS GLASS DIVISION

§ 3208.14 *Table for cork, asbestos and fibrous glass division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation [1]	Applicable forms columns: 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar month frozen
Fibrous glass textiles, including cloth, tape, cord, sleeving, thread, yarn, sliver, M. Q. webbing and other products fabricated wholly from textile type glass fibers.	Undesignated	M24	M01	----------	Three.

(b) Table 13 as amended March 16, 1944, shall take effect beginning April 1, 1944. The provisions of table 13 as issued September 17, 1943, remain in effect until March 31, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3668; Filed, March 16, 1944; 11:16 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-64, as Amended March 16, 1944]

CASKETS, SHIPPING CASES AND BURIAL VAULTS

§ 3291.245 *General Limitation Order L-64*—(a) *Definitions.* For the purposes of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include burial boxes.

(3) "Shipping case" means a container in which it is intended to place a casket containing a human corpse for shipment and to which handles have been been attached in accordance with railroad shipping regulations.

(4) "Manufacturer" means any person engaged in the production, upholstering, finishing or lining of caskets, shipping cases, burial vaults or parts made specifically for incorporation into those products.

(5) "Metal liner" means a metal container which is inserted into a wooden casket or burial box in order to provide hermetical sealing.

(6) "Metal" means metal or metallic substances in any form except metallic substances contained in powders, sprays, paints and pastes (see Conservation Orders M-1-g and M-9-c-3).

(7) [Deleted Mar. 16, 1944]

(8) "Handle hardware" means hardware attached to the outside of a casket or shipping case for carrying purposes.

(9) "Design" means the construction essentials of a casket which distinguish that casket from another casket. For the purposes of this order, two or more caskets identical in every respect other than species of wood, size, handle hardware, interior linings, upholstery, textile coverings or color of wood finishes shall be considered one design. Two or more caskets identical in every respect but containing different contours of moldings, pilasters or corners shall be considered two or more designs.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production of caskets.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of caskets, or process, fabricate, work on

or assemble any caskets containing any metal, except

(i) Handle hardware for caskets consisting of

(a) Assemblies of bars, ears, arms or tips containing antimony, lead, aluminum or zinc which were completely fabricated and assembled prior to March 28, 1942; and

(b) Handle arms containing antimonial lead and steel fabricated on or after provisions of M–38–c as amended or any appeal granted under that order provided that not more than three pounds of antimonial lead, and 14 ounces of steel shall be used per casket.

(ii) Nameplates manufactured from secondary antimonial lead weighing not more than 14 ounces; and

(iii) Any metal parts which have been manufactured under an appeal from this order or any other order granted after June 30, 1942.

(iv) Not more than 10 pounds of iron and steel per casket of which not more than 7 pounds may be contained in handle hardware.

(2) On and after May 1, 1943, no manufacturer shall

(i) Cut a portion out of the body of the casket so as to make a dropside style;

(ii) Cut the ogee top so as to make a full couch style;

(iii) Cut panels on basic and half couch caskets except at center of panel or two inches or less off center of panel in length;

(iv) Use backing strips or filler strips on base moldings;

(v) [Deleted Mar. 16, 1944]

(vi) Use any interior fitting except what is known as basic or regular, half couch or hinged top fittings; or

(vii) Process or fabricate parts for elliptic end caskets.

(3) On and after May 1, 1943, no manufacturer shall process, fabricate, work on, assemble, finish or upholster any caskets, or parts for caskets, which do not conform to the specifications contained in Schedule A attached to this order, except that

(i) Plastic caskets produced from molds or forms completed prior to March 3, 1943 need not conform to the specifications on size of caskets contained in Schedule A but shall conform to all other specifications contained in Schedule A, and

(ii) [Deleted Mar. 16, 1944]

(4) No manufacturer shall process, fabricate, work on or assemble more designs of caskets than the following:

(i) Twelve designs of adult caskets (five feet six inches or more in inside bottom length);

(ii) One design of children's caskets (less than five feet six inches in inside bottom length);

(iii) One additional institution or hospital design (including both children and adults' sizes);

(iv) One design of still born containers; and

(v) Any other designs specifically authorized by the War Production Board pursuant to an application for permission to manufacture, fabricate or assemble substitute designs in place of designs produced on or after May 1, 1943.

(c) *Restrictions on production of metal liners.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of metal liners or produce any metal liners containing any metal, except

(i) [Deleted Mar. 16, 1944]

(ii) Lead to be used for soldering purposes, provided that such lead shall not contain more than 21% of tin by weight;

(iii) Any iron or steel the manufacture or assembly of which has been specifically authorized by the granting of an appeal prior to March 3, 1943;

(iv) Not more than fifty pounds per metal liner of iron and steel or galvanized steel not exceeding 26 standard gauge in thickness, provided that any manufacturer who possessed in his inventory prior to March 28, 1942, iron and steel, galvanized steel, terne sheet, or copper bearing steel exceeding 26 standard gauge in thickness may use more than fifty pounds of such steel per metal liner.

(2) No person shall use a metal liner except when hermetical sealing is required

(i) To comply with federal, state or local government laws and regulations for the transportation or interment of a human corpse; or

(ii) In fulfillment of preferred orders.

(3) No manufacturer or jobber shall sell or otherwise dispose of a metal liner to any person unless such person furnishes the manufacturer or jobber with a certificate in substantially the following form, manually signed by that person or his authorized agent:

CERTIFICATION

The undersigned purchaser hereby certifies to ----------
(Name of seller)
----------, and
(Address)
to the War Production Board that the metal liners received by reason of this sale will be used by the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or to comply with federal, state or local government laws and regulations which require hermetic sealing for the transportation or interment of a human corpse.

(Name of Purchaser)

(Address)
By ----------
(Signature of Purchaser or duly authorized agent)

(Date)

(d) *Restriction on the production of shipping cases.* (1) Except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any metal for use in the production of shipping cases, or process, fabricate, work on or assemble any shipping cases containing any metal except not more than 7 pounds of iron and steel per shipping case of which not more than 5 pounds may be contained in handle hardware.

(i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any shipping case, or parts for shipping cases, which do not conform to the specifications contained in Schedule A, attached to this order.

(e) *Restrictions on production of burial vaults.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of burial vaults, or process, fabricate, work on or assemble any burial vaults containing any metal, except not more than two pounds of iron and steel per burial vault and not more than 15 pounds of iron and steel for reinforcing purposes for a concrete vault.

(i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) No manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults except wire mesh of 10 gauge or heavier wire with openings of 16 square inches or larger, produced from iron or steel in the form of rerolled rail stock, "top cuts" or discarded steel. Such wire mesh shall not be procured or acquired in a greater amount than is necessary for 60 days' production of concrete vaults.

(4) [Deleted Mar. 16, 1944]

(5) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any burial vaults or parts for burial vaults which do not conform to the specifications contained in Schedule A attached to this order.

(f) *Restrictions on use and transfer of caskets which exceed the dimensions specified in Schedule A.* On and after June 1, 1943, no manufacturer or jobber shall sell, deliver or otherwise dispose of a casket which exceeds the dimensions specified in Schedule A attached to this order to any person unless such person furnishes the manufacturer or jobber with a certification in substantially the following form, manually signed by that person or his authorized agent.

(1) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

CERTIFICATION

The undersigned purchaser hereby certifies to ---------- ----------
Name of seller Address
and to the War Production Board that:

(1) He is familiar with the specifications for caskets contained in Schedule A of L–64, and

(2) This casket will be used for a body of such size that no casket produced in conformance with the dimensions specified in Schedule A of L–64 will be adequate.

Name of Purchaser

Address
By ----------
(Signature of purchaser or duly authorized agent)

A manufacturer or jobber may rely upon such certification unless he knows or has reason to believe it to be false.

(g) [Deleted Mar. 16, 1944]

(h) [Deleted Mar. 16, 1944]

(i) [Deleted Mar. 16, 1944]

(j) *Reports.* (1) Each manufacturer of caskets shall file with the War Production Board a catalogue illustration, photograph, snap shot (post card size) or sketch of each design which he proposes to produce under paragraph (b) (4) showing the casket closed and no lining, except that head lid lining may be shown. Each design shall be identified by the factory catalogue number or other distinguishing identification which may be placed on the reverse side of each illustration submitted, together with the manufacturer's name and address.

(2) Each manufacturer who makes any metal liners for caskets shall file on or before the tenth of the month following the month in which he made them, Form WPB-1600 according to the instructions accompanying that form.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB–1477 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, 25, D. C., Ref.: L–64.

(n) *Applicability of regulations and other orders.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of caskets, metal liners, shipping cases or burial vaults to a greater extent than does this order, the other order shall govern unless it states otherwise.

(o) [Deleted Mar. 16, 1944]

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Restrictions on size	Maximum dimension (shown in inches)					Maximum inside dimensions of wood burial vaults and shipping cases used with caskets specified (shown in inches)			Net amount of lumber which may be contained in finished product (shown in board feet)		
	Length		Width		Height						
	Inside bottom edge	Overall outside length	Inside top edge	Overall outside width	Overall outside height	Length	Width	Depth	Casket specified	Burial box	Shipping case
Institution caskets	75	81	22	24¾	16	84	26½	17	46	66	69
Octagon and flaring square caskets without base and rail moldings	75	81	22	24¾	20	84	26½	21	55	71	75
Octagon and flaring square caskets with base and rail moldings	75	81	22	26½	20	84	28½	21	60	73	77
Vertical square caskets	75	81	22	26½	20	84	28¼	21	67	73	77

Burial boxes and shipping cases exceeding these dimensions may be produced for plastic or extra size caskets provided that such caskets are not produced in violation of any rule, regulation or order of the War Production Board. No manufacturer shall produce or accumulate extra size caskets in excess of the minimum amount necessary to satisfy demands made pursuant to paragraph (i) of this order. Extra size caskets, burial vaults and shipping cases may contain an additional net amount of lumber of 2½ board feet for each three inches of additional length and three board feet for each two inches of additional width.

Extra size caskets may be made in only three designs in addition to an institution or hospital casket design and shall be produced in multiples of three inches additional length and two inches in additional width.

A tolerance of one-half inch in length and one-fourth inch in width is permitted from the specifications of caskets and burial boxes contained in this schedule.

	Caskets	Burial vaults and shipping cases
Restrictions on lumber, laminated lumber and plywood.	Not more than 1" thick before milling operations, except: (1) 1½" before milling operations for ogee molding provided no backing strip is used on ogee. (2) 2" before milling operations for combined side and base or rail molding.	Not more than 1" thick before milling operations. Not more than 1 thickness of wood on any part, except: (1) top battens not exceeding 3" in width and 1" in thickness. (2) corner cleats not exceeding 2½" in width and 1" in thickness, and (3) 2 skids not exceeding 1" in width and thickness respectively.
Finishing restrictions	Not more than: One coat of stain. One coat of wood filler, and One coat of sealing primer. Not more than: Two coats of varnish or similar coating material for transparent finishes or Two coats of varnish or similar coating material for artificial grain finishes or Two coats of enamel for opaque finishes. Not more than: Two different colors of transparent finishes for each species of wood used, and Two different colors of opaque finishes for each design. Two colors of artificial grain finishes may be used in place of transparent finishes, if desired.	Not more than 1 coat of varnish, paint or similar coating material. No nitro-cellulose lacquers.
Restrictions on linings, covering materials, pillows and foot rolls.	No materials in counter linings (upholstery) except cotton fabric. Maximum quantities of rayon lining materials per casket: 9 yards with hinged top fitting, 7 yards with half couch fitting and 5¼ yards with basic fitting. A manufacturer may increase the amount of yards used in the above fittings by 10% when used in extra size caskets (for the purpose of this schedule each yard contains 1296 square inches). No rayon lining material in the foot half of basic or half couch caskets. No rayon materials as a bed covering in any casket. No aprons on basic caskets. No plus effects on lids (panels) or ogees on any casket. No foot rolls in any casket nor more than 1 pillow in any casket.	Not applicable.

[F. R. Doc. 44–3671; Filed, March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–267, as Amended Mar. 16, 1944]

PHOTOGRAPHIC AND PROJECTION EQUIPMENT, ACCESSORIES, AND PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.145 *General Limitation Order L–267*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted photographic equipment" includes any of the following, when containing any critical materials except in joining hardware: Still cameras (except aerial), motion picture cameras (except aerial gun sight aiming point), motion picture projectors (except 35 mm. motion picture projectors), still projectors and enlargers. It does not include: (i) any equipment covered by Limitation Order L–54–c (office machinery); (ii) Any equipment covered by Limitation Order L–206 (X-ray equipment); (iii) X-ray tanks, X-ray hangers, X-ray illuminators, X-ray driers and X-ray cabinets; (iv) Any equipment covered by Limitation Order L–226 (printing and publishing machinery, parts and supplies); (v) Any equipment covered by Limitation Order L–190 (scales, balances and weights).

(2) "Restricted photographic accessories" includes any of the following, when containing any critical materials except in joining hardware or fasteners: Camera accessories, 16 mm and 8 mm projection accessories, 35 mm reels and cans, darkroom and studio accessories, photographic lenses in mounts, photographic shutters for still cameras other than built-in shutters, and photographic carrying cases.

(3) "Critical materials" means iron, carbon steel, alloy steel, aluminum, zinc, copper and copper base alloy.

(4) "To put into process" means the first change by a manufacturer in the form of material (whether raw, semi or fully fabricated material) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form, when the change or assembly takes place in the production of restricted photographic equipment, restricted photographic accessories or parts for those products.

(5) "Preferred order" means any purchase order or contract for the Account of the Army, Aircraft Resources Control Office (ARCO), Navy, Coast Guard, Marine Corps, Maritime Commission, Office of Strategic Services, or armed forces of foreign governments allied to the United States, or any order stating on its face that the products ordered are for eventual delivery to one of those organizations.

(b) *Production of certain cameras and projectors prohibited.* No manufacturer shall make or assemble portable hand cameras of the amateur box or fixed focus type, amateur 8 mm cameras, 8 mm projectors or parts for such products.

(c) *Restrictions on production and delivery for preferred orders.* (1) No manufacturer shall produce or deliver any restricted photographic equipment, restricted photographic accessories, or parts for such equipment or accessories to fill preferred orders, except in accordance with quotas specifically approved by the War Production Board on Form WPB–3038.

(2) Each manufacturer must file Form WPB–3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for preferred orders.

(3) In passing on these forms it will be the general policy of the War Production Board to distribute preferred orders for restricted photographic equipment, restricted photographic accessories, and parts for such equipment and accessories throughout the industry, taking into consideration the productive capacities of the various plants, the needs of the preferred claimants, the adaptability of various plants to the production of the specific items ordered, and the nature of the labor market. The War Production Board will give notice to all manufacturers of the total estimated dollar value of preferred order shipments and the individual percentage of such total tentatively allocated to each manufacturer.

(d) *Restrictions on production for other than preferred orders.* (1) No manufacturer shall put into process in any calendar quarter to fill other than preferred orders more critical material than 12% of the average quarterly amount (by weight) of critical materials put into process by him in 1941.

(2) The restrictions on the use of critical materials in paragraph (d) (1) do not apply to critical materials put into process in the production of the following items to fill other than preferred orders: photographic lenses in mounts, photographic shutters, other than built-in shutters, film reels and cans, photo copy equipment, identification equipment, micro filming equipment. However, these items shall not be manufactured except according to a quota approved under paragraph (d) (3).

(3) No manufacturer shall produce any restricted photographic equipment, restricted photographic accessories or parts for such equipment or accessories for other than preferred orders, except according to quotas specifically approved by the War Production Board on Form WPB–3038.

(4) Each manufacturer must file Form WPB–3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for other than preferred orders.

(e) *Restrictions on delivery for other than preferred orders.* No manufacturer shall deliver any new restricted photographic equipment or new photographic accessories or new parts for those products for other than preferred orders except:

(1) To fill an order bearing a rating of AA–5 or higher.

(2) As authorized by the War Production Board on Form WPB–1319 in response to an application on that form filed with the nearest field office of the War Production Board.

(3) Any restricted photographic accessory or restricted photographic equipment which has a manufacturer's list price, including federal excise tax, of ten (10) dollars or less.

(4) Any part for restricted photographic accessories or restricted photographic equipment delivered to a manufacturer for use in the production of those products as permitted by this order.

(5) Any part for use as a repair or replacement part.

(f) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted photographic equipment, restricted photographic accessories, or parts for such equipment and accessories to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L–267, referring to the particular provision appealed from and stating the grounds of the appeal.

NOTE: The application forms and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–267.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3670; Filed, March 16, 1944; 11:18 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300 as Amended Mar. 16, 1944]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.1000 *General Allocation Order M–300*—(a) *Purpose and effect.* The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products. Materials subject to this order are listed in Appendices A, B and C attached.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB–2945 (formerly PD–600) and suppliers' Form WPB–2946 (formerly PD–601). Appendix B materials are allocated on suppliers' Form WPB–2947 (formerly PD–602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB–2947 (formerly PD–602), on the basis of applications on customers' Form WPB–2945 (formerly PD–600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety from time to time, with all changes to date. New or amended schedules will be issued at the same time, or may be issued during the intervening period, in which case Appendices A, B and C will be amended and reprinted separately with all changes to date. Schedules remain in effect until individually amended and will not be reissued each time the general order is reissued or amended.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product listed in Appendix A, B or C, as defined in the schedule governing that material.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

Appendix A Materials—General Requirements

(c) *Delivery, acceptance of delivery, and use.* On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order.

Appendix B Materials—General Requirements

(d) *Delivery and use by suppliers.* On and after the initial allocation date, no supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(e) *Certified purchase orders.* With respect to material ordered for delivery on and after the initial allocation date:

(1) Each person ordering an Appendix B material from a supplier shall furnish a certified statement of end use with his purchase order in accordance with Appendix D.

(2) Each person shall use material delivered on a certified purchase order only as certified, unless advised by his supplier that a particular specified use has been denied or limited by the War Production Board or unless otherwise specifically authorized in writing by the War Production Board. However, any person not a supplier may redeliver material to a supplier without restriction.

(3) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

Appendix C Materials—General Requirements

(f) *Delivery.* On and after the initial allocation date, no supplier of an Appendix C material shall deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(g) *Acceptance of delivery.* On and after the initial allocation date, no person shall accept delivery during any allocation period from all suppliers of an aggregate quantity of an Appendix C material in excess of the quantity specified in Column 3 of Appendix C, except as specifically authorized in writing by the War Production Board upon application under this order.

(h) *Use.* On and after the initial allocation date, no person shall use an Appendix C material except as follows:

(1) As specifically authorized in writing by the War Production Board upon application on Form WPB–2945 (formerly PD–600); or

(2) For the purpose and in the quantity stated in the use certificate furnished with the purchase order against which the material was delivered, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(i) *Certified purchase orders.* (1) Each person ordering an aggregate quantity of an Appendix C material within the limits specified in Column 4 of Appendix C from all suppliers for delivery during any allocation period, shall furnish each supplier with a use certificate in accordance with Appendix D.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole or in part by the War Production Board of any item or items on their certified purchase orders.

Additional Reports and Certificates—Special Requirements

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB–3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

Existing Stocks on Initial Allocation Date

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplied on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A).

Small Order Exemption

(o) *Small order deliveries by suppliers.* A supplier may fill small orders

without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:

(1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity;

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C);

(4) Acceptance is subject to the filing of a special small order cerificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C).

Territorial and Import-Export Provisions

(q) *Territorial limitations.* This order shall apply only to acts occurring within the forty-eight States and the District of Columbia, unless otherwise provided in the applicable schedule.

(r) *Imports.* Application and authorization under this order shall not be required for importation of an Appendix A, B and C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M-63.

(s) *Exports.* (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

Duration of Authorizations

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Authorization for use on Form WPB-2945 (formerly PD-600) shall be valid during the allocation period for which the authorization was issued and the following month. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production Board.

Action by War Production Board

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) *Miscellaneous provisions.*—(1) *Toll arrangements.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P-135-a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The person accepting overshipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Allocated inventory.* Material which is allocated for inventory shall not be used or disposed of for any purpose, except as specifically directed by the War Production Board. Material which has not been used for the purpose for which it was allocated shall revert to inventory as if originally allocated for inventory. Pending receipt of material allocated for a particular purpose, stocks on hand may be used for that purpose. The quantity withdrawn from allocated inventory must be replaced upon receipt of the allocated material.

(6) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) *Approval of reporting requirements.* Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(8) *Violations.* Any person who wilfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C.; Ref: M-300—(specify applicable schedule number).

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMERLY PD-600 AND 601)

NOTE: "Benzaldehyde" added Mar. 16, 1944.

Material	Schedule	Customers' filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption per allocation period ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule).	Report on Form WPB-3442	Initial allocation date and allocation period ("indicates user's stocks frozen)
1	2	3	4	5	6	7
Nicotinic acid	1	15th	20th	1 kilogram	None	5-4-43 Month
Anhydrous hydrofluoric acid	4	15th	20th	500 lbs	None	3-1-44 Month
Benzaldehyde	7	15th	20th	50 lbs	None	4-1-44 Month

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 (FORMERLY PD-602) WITH CUSTOMERS' USE CERTIFICATES

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required ("u" indicates use restriction in schedule)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6
Riboflavin	2	20th	100 grams	None	4-1-43 Month
Peroxygen chemicals: Hydrogen peroxide	5	20th	600 lbs	Yes	4-1-44 Month
Sodium peroxide			75 lbs		
Sodium perborate			25 lbs		

APPENDIX C—ALLOCATION USING FORM WPB-2947 (FORMERLY PD-602) FOR SUPPLIERS, AND CUSTOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

Material	Schedule	Customer's applications: On Form WPB-2945 filing date and quantities per allocation period from all suppliers	Customer's applications: Use certificate quantities per allocation period from all suppliers	Small order exemption per allocation period ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6	7	8
Thiamine hydrochloride	3	15th—more than 2,000 grams. 1st—15,000 lbs. or more	Between 100—2,000 grams. Between 440-15,000 lbs.	100 grams	20th	None	5-4-43 Month 7-1-43 Quarterly
Citric acid	8			440 lbs. per quarter.	10th	On Form WPB 2772 instead.	

APPENDIX D—USE CERTIFICATE GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.)

USE CERTIFIED—REF. M-300

Name of purchaser

By: _____
(Signature and title of duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB-2945 (formerly PD-600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

APPENDIX E—FORMS WPB-2945, 2946 AND 2947—GENERAL INSTRUCTIONS

CUSTOMERS' FORMS

Customers' Form WPB-2945 (formerly PD-600). Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB-2945 in the manner prescribed therein, subject to the following general instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Application for specific authorization is required for use or acceptance of delivery during any allocation period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 3 of Appendix A or C.

(5) *Number of copies and where to file.* Prepare five copies, retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-_____ (specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory".

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-_____" (specify Schedule number).

(8) *Table I.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11) *Column 4.* Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Opposite "inventory" in Column 3, write into Column 4, "subject to further authorization".

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB-2946 and 2947 (formerly PD-601 and 602). Each supplier requiring specific authorization to make delivery shall file application on Form WPB-2946 for an Appendix A material and on Form WPB-2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application to deliver is required.* Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB-2945 (formerly PD-600) when so required.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Prepare five copies, retain one, and send four copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300 ——— (specify schedule number).

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No. "M-300 ———". (specify schedule number).

(22) *Table I.* Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Column 10 and 13 report stocks on physical inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[F. R. Doc. 44-3672; Filed, March 16, 1944; 11:16 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-1, as Amended Mar. 16, 1944]

GENERAL STEEL PRODUCT DISTRIBUTORS

Section 3294.81 *General Preference Order M-21-b-1* is amended to read as follows, effective April 1, 1944. Up to that date, General Preference Order M-21-b-1 as amended January 13, 1944, will govern.

§ 3294.81 *General Preference Order M-21-b-1*—(a) *Purpose and scope.* This order tells how a distributor obtains deliveries of general steel products for his own stock or for direct delivery to his customers. The rules governing his purchases of merchant trade products are contained in General Preference Order M-21-b-2, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I to CMP Regulation No. 1.

(2) "Alloy steel" means alloy steel as defined in Order M-21-a.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A of this order.

(5) "Product group" means any of the 17 numbered groups of general steel products listed in Schedule A of this order.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base tonnage" of a distributor for any product group and type at any location means the tonnage of that product group and type certified to that distributor for that location by the War Production Board on form GA-996. In general, the base tonnage of any product group and type will be the tonnage delivered by that distributor from stock at that location during the first three months of 1941. In no event will a base tonnage be established for a distributor at any location except for product groups and types which he was regularly receiving into stock from producers on or before August 9, 1941.

(8) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who receives physical delivery of steel into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding. A person who, in connection with any sale, bends, punches or fabricates steel for final use or assembly shall not be considered a distributor with respect to that sale.

(9) "Delivery" includes deliveries received on consignment.

(c) *Purchases for stock*—(1) *From a producer; only replacement orders permitted.* A distributor may not order general steel products for his stock from a producer except to replace general steel products delivered from his stock at one or more locations during the previous 90 days to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, plus scrap accumulated in the course of warehouse operations and actually sold to a scrap dealer or melter and reported to the War Production Board on Form WPB-2888, and which he has not previously replaced or ordered for replacement. Within these limits, a distributor may order any general steel product for his stock from any producer.

(2) *From a producer; quantity limits on product groups.* No distributor may order steel plates (product group No. 3), mechanical tubing (product group No. 8), pressure tubing (product group No. 9), or sheets and strip, hot rolled (product group No. 11) from producers for delivery to his stock, unless he has a base tonnage for the product group and type ordered. No distributor may order any of these product groups and types from producers for delivery to his stock during any calendar quarter in excess of 150% of his base tonnage for such product group and type.

(3) *From nother distributor; replacement orders.* A distributor may order general steel products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(4) *From another distributor; salvaged and excess steel.* In addition, a distributor may order for his stock from another distributor any general steel product items which the latter has purchased from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order, or has salvaged from material purchased as scrap. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(5) *From a holder of idle or excess inventories.* In addition, a distributor may order any general steel products for his stock from a holder of idle or excess inventories on a "special sale" as provided in Priorities Regulation No. 13. Such material does not have to be ordered on a replacement basis, and previous deliveries from his stock are not needed to support such an order.

(6) *How to place orders.* Each order for general steel products for shipment to a distributor's stock must bear the words "For distributor's stock." On orders placed with producers for product groups for which the distributor has a base tonnage for the location where the material will be received into stock, he should also place the serial number assigned him on his GA-996 certificate; but this serial number must not be used on any other sort of order. In addition, an order placed under paragraph (c) (4) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(7) *Status of orders for delivery to stock.* An order placed with a producer in acordance with this paragraph (c) and bearing the distributor's serial number, or an order placed with a holder of idle or excess inventories, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) *Purchases for direct delivery to a customer*—(1) *Placing of orders.* A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) *Status of orders.* An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) *Warehouse load directives.* A distributor may replace orders in accordance with paragraph (c) for any general steel product with any producer. However, when necessary to secure an equitable distribution of any scarce general steel product, the War Production Board may direct producers to reserve each month a part of their production of such product to fill authorized controlled material orders bearing distributors' serial numbers. In order to take advantage of the tonnage reserved for any month, a distributor must submit his orders in accordance with paragraph (c) to a producer not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that month received after the expiration date but may not reserve any space for them. A producer may not, until after the expiration date, schedule distributors' orders which do not bear a serial number.

(f) *Earmarked warehouse stocks.* The War Production Board may establish earmarked stocks of general steel products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) *Establishing an initial stock.* This paragraph covers three groups: persons who have not previously been authorized to act as distributors of general steel products, distributors wishing to purchase for stock a product group which they have not previously handled, and distributors who have not previously purchased general steel products from producers but who now wish to do so.

(1) *New distributors.* A person who has not previously been a distributor of any general steel products from stock may purchase an initial inventory of general steel products from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order.

(2) *New product lines or sources of supply.* A distributor wishing to add a new general steel product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) *General provisions*—(1) *Reports.* Each distributor must file a quarterly report on form WPB-2888 for each location at which his total base tonnage of general steel products, or his receipts of general steel products into stock from producers during the quarter, exceeds 150 tons. In addition, if his base tonnage of tool steel (product group No. 7) for any location, or his receipts of tool steel into stock at any location from producers during the quarter, exceed 25 tons, he must file this report. Each report must be filed in duplicate with the Bureau of the Census, Washington 25, D. C., on or before the 15th day of January, April, July and October. Each distributor, even though he is not required to file this report, must maintain for at least two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of each calendar quarter. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., References: M-21-b-1.

(4) *Violations.* Any distributor or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

NOTE: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—GENERAL STEEL PRODUCTS

	Types of steel included		
	Carbon	Stainless	Other alloy
1. Ingots, blooms, billets, slabs, tube rounds, die blocks, sheet and tin bars	X	X	X
2. Structural shapes and piling	X		X
3. Plates (universal and sheared including skelp)	X	X	X
4. Rails and track accessories	X		X
5. Hot rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars	X	X	X
6. Cold finished bars	X	X	X
7. Tool steel, including drill rod	X		X
8. Mechanical tubing	X	X	X
9. Pressure tubing	X	X	X
10. Wire rods (for wire drawing only)	X	X	X
11. Sheets and strip, hot rolled	X	X	X
12. Sheets and strip, cold reduced	X	X	X
13. Tin mill black plate	X		
14. Sheets and strip, all other (except tin plate, short ternes, and galvanized)	X		
15. Wheels and axles (including steel tires and rims)	X		X
16. Castings (rough castings only)	X	X	X
17. Concrete reinforcing bars (unfabricated)	X		

[F. R. Doc. 44-3661; Filed, March 16, 1944; 11:16 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-2, as Amended Mar. 16, 1944]

MERCHANT TRADE PRODUCTS DISTRIBUTORS

Section 3294.86 *General Preference Order M-21-b-2* is amended to read as follows, effective April 1, 1944. Up to that date, General Preference Order M-21-b-2, as amended November 4, 1943, will govern.

§ 3294.86 *General Preference Order M-21-b-2*—(a) *Purpose and scope.* This order tells how a distributor obtains deliveries of merchant trade products for his own stock or for direct delivery to his customers. The rules governing his purchases of general steel products are contained in Order M-21-b-1, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) *Definitions.* (1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule 1 to CMP Regulation No. 1.

(2) "Merchant trade products" means any of the steel products listed in Schedule I of this order.

(3) "Product group" means any of the 12 numbered groups of merchant trade products listed in Schedule I of this order.

(4) "Base period" means

(i) For merchant trade products in product groups 20–23, inclusive, the calendar year 1940.

(ii) For merchant trade products in product groups 24–31, inclusive, the 12 months ending June 30, 1941.

(5) "Base tonnage" of a distributor for any product group at any location means the tonnage of that product group delivered by producers to his stock at that location during the base period, or such other tonnage as may be specifically established by the War Production Board. By the use of Form WPB-2889 a distributor can shift his base tonnage for any product group from one producer to another.

(6) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who receives physical delivery of steel into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding. A person who, in connection with any sale, bends, punches or fabricates steel for final use or assembly shall not be considered a distributor with respect to that sale.

(7) "Delivery" includes deliveries received on consignment.

(8) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(c) *Purchases for stock*—(1) *From a producer; only replacement orders permitted.* A distributor may not order merchant trade products for his stock from a producer except to replace merchant trade products which he delivered from his stock at one or more locations during the previous 12 months to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, and which he has not previously replaced or ordered for replacement. Within these limits, a distributor may order any merchant trade product for his stock from any producer. When placing orders with producers a distributor should, so far as possible, specify deliveries in not less than minimum carload quantities in order to save transportation.

(2) *From another distributor; replacement orders.* A distributor may order merchant trade products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(3) *From another distributor; salvaged and excess steel.* In addition, a distributor may order for his stock from another distributor any merchant trade product items which the latter has purchased from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order, or has salvaged from material purchased as scrap. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(4) *From a holder of idle or excess inventories.* In addition, a distributor may order any merchant trade products for his stock from a holder of idle or excess inventories on a "special sale" as provided in Priorities Regulation No. 13. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(5) *How to place orders.* Each order for merchant trade products for shipment to a distributor's stock must bear the words "For distributor's stock." In addition, an order placed under paragraph (c) (3) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(6) *Status of orders for delivery to stock.* An order placed with a producer in accordance with this paragraph (c) for delivery of a merchant trade product to stock at a location where the distributor has a base tonnage for that product group with that producer, or an order placed with a holder of idle or excess inventories, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) *Purchases for direct delivery to a customer*—(1) *Placing of orders.* A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) *Status of orders.* An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) *Warehouse load directives.* A distributor may place orders in accordance with paragraph (c) for any merchant trade product group with any producer. However, when necessary to secure an equitable distribution of any scarce merchant trade product, the War Production Board may direct producers to reserve each calendar quarter a part of their production of such product to fill authorized controlled material orders from distributors for whom they have a base tonnage covering a specific location or locations. In order to take advantage of any such reserved tonnage, a distributor must submit his orders in accordance with paragraph (c) to the producer then holding his base tonnage, not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that quarter received after the expiration date, but may not reserve any space for them. A producer must consider the first orders for any product group received from any distributor for delivery in a particular calendar quarter as applicable to the tonnage of such product group reserved for that distributor during that quarter. In addition to the tonnage of any product group which a distributor may order against the amount reserved for him by a warehouse load directive, he may place other properly supported orders for that product group with the same or any other producer in accordance with paragraph (c). However, a producer may not schedule such orders for delivery until after his obligations under the warehouse load directive have been filled, or unless when the order is received he knows that he will have material for shipment to distributors over and above the tonnage required to satisfy his warehouse load directive.

(f) *Earmarked warehouse stocks.* The War Production Board may establish earmarked stocks of merchant trade products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) *Establishing an initial stock.* This paragraph covers three groups: persons who have not previously been authorized to act as distributors of merchant trade products, distributors wishing to purchase for stock a product group which they did not handle during the base period, and distributors who did not purchase merchant trade products from producers during the base period but who now wish to do so.

(1) *New distributors.* A person who has not previously been a distributor of any merchant trade products from stock may purchase an initial inventory of merchant trade products from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order.

(2) *New product lines or sources of supply.* A distributor wishing to add a new merchant trade product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) *General provisions*—(1) Reports. Each distributor who has a base tonnage for any of the following groups of merchant trade products at any one location in excess of that shown below must file with the Bureau of the Census, Washington, D. C., a quarterly report for such location in duplicate on Form WPB-2892.

	Net tons
Pipe (product groups 20–21)	240
Tin and terne plate (product group 22)	240
Galvanized, lead coated, or painted sheets and strip, including roofing and siding, valley, ridge roll, and flashing (product group 23)	240
Wire products (product groups 24–31)	240

This report must also be filed by a distributor for any of his warehouses which during the quarter receives into stock from producers over 100 tons of merchant trade products. Each distributor, whether or not he is required to file this report, must maintain for a period of not less than two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of his fiscal year. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., Reference: M-21-b-2.

(4) *Violations.* Any distributor or other person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

NOTE: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—MERCHANT TRADE PRODUCTS

Product group number	Description
20.	Standard and line pipe, water well tubular products, and couplings (includes steel and wrought iron pipe).
21	Oil country casing, tubing, and drill pipe, and couplings.
22	Tin plate and terne plate (short ternes).
28	[1] Galvanized, lead coated, or painted sheets and strip (including galvanized flat sheets purchased for the manufacture of roofing and siding), formed roofing and siding (painted, black, galvanized, or lead coated), valley, ridge roll, and flashing.
24	Wire rope and strand.
25	Nails (cut and wire), fence and netting staples.
26	Wire, drawn.
27	Wire bale ties.
28	Wire (barbed and twisted), and wire fence (woven or welded).
29	Wire netting.
30	Fence posts.
31	Welded wire concrete reinforcing fabric.

[1] With the approval of the producer receiving such an order, substitution of black sheets (21 gauge and lighter) may be made for galvanized flat sheets of the same gauge.

[F. R. Doc. 44-3662; Filed, March 16, 1944; 11:16 a. m.]

PART 3301—CORK, ASBESTOS AND FIBROUS GLASS

[Conservation Order M-282, Revocation]

FIBROUS GLASS TEXTILES

Section 3301.21 *Conservation Order M-282* is hereby revoked, effective April 1, 1944. This revocation does not affect any liabilities incurred under the order.

Beginning April 1, 1944, fibrous glass textiles will be subject to the control of General Scheduling Order M-293, under Table 13 issued simultaneously with this revocation.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3665; Filed, March 16, 1944; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Ration Order 1E,[1] Amdt. 6]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

1. In section 2.1, the definition of "camelback" is amended by deleting the second sentence.

2. In section 2.1, the definition of "Commercial motor vehicle" is amended by inserting the words "or passenger car which is registered as a truck and" immediately following the words "station wagon".

3. In section 2.1, the definitions of "Passenger-type Camelback", "Recapping service", and "Truck-type Camelback" are deleted.

4. The definition of "Recapping" in section 2.1 is amended by deleting the phrase, "passenger or truck-type".

5. The definitions of "Certificate" and "Evidence" in section 2.1, and sections 1.2 (c), 3.3 (b) and (c), 4.4 (a) (14), 5.1 (a) and (c), 5.5, 5.6 (c), 5.8, 6.1 (a) and (b), 6.4 (a) and (b), 6.5 (a), (b) and (c), 6.6 (a) and (b), 6.7 (a), (b, (h) and (i), 6.8 (a) and (c), 7.2 (a), and 7.3 (a) and (b) are amended by deleting the phrases

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12434, 13920.

"tire, tube or camelback", "tires, tubes or camelback", "tires, tubes or tube" wherever they appear and inserting in lieu thereof "tire or tube".

PART 1364—FRESH, CURED, AND CANNED

effective price control with respect to the

SUBPART A—GENERAL PROVISIONS

(c) Deliveries made to any political

such other tonnage as may be specifi-

ment to a distributor's stock must bear

later than the expiration date stated in

"tire, tube or camelback", "tires, tubes or camelback", "tires, tubes, recapping service, or camelback", "tires, tubes, recapping services or camelback" and "tires, tubes or recapping service" whenever they appear and inserting in lieu thereof, in each instance, the phrase "tires or tubes".

6. Sections 4.1 (a) (4), 4.5 (a) (1) (ii), 6.4 (d) (2) (3) and (4), 6.4 (f), 7.3 (a) (3) and 7.4 (c) are hereby deleted.

7. A new section 3.2 (d) is added to read as follows:

(d) No Board may issue a certificate authorizing the recapping of any tire.

8. Section 3.3 (a) is amended by deleting the words "and the maximum amount of recapping services."

9. The last sentence of section 3.3 (d) is deleted.

10. The text of sections 4.1, 4.1 (a), 4.3 and 4.5 (a) is amended by deleting the phrase, "tire, tube, or recapping service" wherever it appears and inserting in lieu thereof, in each instance, the phrase "tire or tube".

11. In section 4.1 (a) (3), the semicolon is changed to a period, and the word "or" following therein is deleted.

12. In section 4.1 (b) the words, "or recap" at the end of the first sentence are hereby deleted.

13. The table in section 4.2 (c) is amended by deleting the words "limited service."

14. The text of section 4.2 (d) preceding subparagraph (1) is amended by deleting the words, "or the type of camelback."

15. The text of section 4.4 (a) is amended by deleting the phrase, "or for recapping service" and the comma preceding it.

16. Section 4.4 (b) is amended to read as follows:

(b) *List B.* A certificate for a new tube may be granted for a commercial motor vehicle which meets the applicable requirements of sections 4.1 and 4.3 and is used for any important purpose not included in paragraph (a) of this section, subject to the following conditions:

(1) Certificates may be granted under this paragraph (b) only to equip commercial motor vehicles performing functions which the Board may find to be essential to the community and which are not provided for in List A of section 4.4 (a).

(2) No certificate shall be granted under this paragraph (b) if its issuance would exceed the quota applicable to new tubes or if there is pending an application for a new tube for a commercial motor vehicle eligible under section 4.4 (a) which has not been satisfied.

17. Section 5.2 (a) is amended by deleting the phrases, "or for recapping services with truck-type camelback" and "or recapped".

18. Section 5.7 is amended to read as follows:

SEC. 5.7 *Action by suppliers.* (a) If the applicant is required to turn in a tire or tube, a dealer shall not transfer any tire or tube pursuant to the certificate until he has acquired physical possession of the tire or tube being replaced.

(b) No dealer shall transfer tires or tubes until both he and the applicant have properly signed and executed the certificate in accordance with the instructions thereon.

(c) When the foregoing requirements have been fulfilled, the dealer to whom the certificate was surrendered shall deliver to the person indicated thereon, or to his agent, the exact number, type, grade and class of tires or tubes authorized by the certificate.

19. Section 6.3 (a) (2) is amended to read as follows:

(2) No dealer may transfer to a consumer a tire that requires recapping or permanent repairs until such recapping or permanent repairs have been made. "Limited Service" tires may be transferred to consumers who hold a basic gasoline ration only, without certificate.

20. In the second sentence of section 6.4 (a), the words "recapping tires or" are deleted.

21. The last sentence of section 6.4 (b) is deleted.

22. In section 6.4 (d) (1), the text preceding subdivision (i), and subdivisions (i), (ii), and (iii), are deleted

23. In sections 6.5 (a) (1) and (2), the phrase "or recapper" is deleted.

24. The first sentence of section 6.5 (b) is amended by deleting the phrase, "or the amount and type (based on the tables in section 6.4 (d)) of camelback" and the comma preceding it.

25. Section 6.7 (g) is amended to read as follows:

(g) *Transfers for recapping.* A person may, without certificate, transfer a tire to a dealer or recapper to have it recapped and may reacquire the recapped tire.

26. Section 6.9 (a) is amended to read as follows:

(a) No person shall, without lawful authority, abuse, alter, damage or neglect any tire or tube in his possession or control. Failure to have a tire recapped and failure to make timely application for replacements shall constitute forms of abuse within the meaning of this paragraph.

27. In section 7.2 (b), the words "and recappers" are deleted.

This amendment shall become effective March 15, 1944.

(Pub. Law 671, 76th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 15th day of March 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3632; Filed, March 15, 1944; 4:53 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[RMPR 239,[1] Incl. Amdt. 1-12]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS*

Section 1364.177 (c) (3), (4), (5) and (6) are added by Amendment 12,† effective March 21, 1944, so that Revised Maximum Price Regulation No. 239 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President on October 3, 1942, to establish prices for mutton and to maintain as the maximum prices for lamb carcasses and cuts the general level of prices prevailing with respect thereto during the period July 27, 1942, to July 31, 1942, inclusive. Prices determined for lamb as provided for in this Revised Maximum Price Regulation reflect the prices prevailing during such period. The Price Administrator has ascertained and given due consideration to the prices of lamb and mutton prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this revised regulation.

In the judgment of the Price Administrator, the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of said Act and Executive Order. A statement of the considerations involved in the issuance of this revised regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which lamb and mutton carcasses and cuts are produced a price for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by the Executive Order of October 3, 1942.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government Agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing

*Title amended by Amdt. 11.

†The text, which is underscored, and the tables in § 1364.177 (c) (4) are added by Am. 12.

[1] 7 F.R. 10688.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Wire products (product groups 24–31)	240	for galvanized flat sheets of the same gauge.	[1] 8 F.R. 12434, 13920.

effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 63, 8 F.R. 12553, effective 9–11–43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 239 is hereby issued.

SUBPART A—GENERAL PROVISIONS

Sec.

1364.151 Prohibition against selling lamb and mutton carcasses, lamb and mutton wholesale cuts and hotel supply cuts (fabricated meat cuts) at prices above the maximum.
1364.152 Less than maximum prices.
1364.153 Exempt sales.
1364.154 Export sales.
1364.155 Adjustable pricing and transportation adjustments.
1364.156 Enforcement.
1364.157 Licensing.
1364.158 Petitions for amendment.
1364.159 Records and reports.
1364.160 Definitions.

SUBPART B—PROVISIONS RELATING TO SALES OF MUTTON AND LAMB AT WHOLESALE

1364.166 Maximum prices for lamb and mutton carcasses, lamb and mutton wholesale cuts, and hotel supply cuts (fabricated meat cuts).
1364.167 Duty to maintain grades and to determine maximum prices and to invoice accordingly.
1364.168 Limitations on volume of sales to purveyors of meals.
1364.168a Limitation on volume of sales to ultimate consumers by hotel supply houses.
1364.169 Maximum price instructions.
1364.170 Amounts which may be added to zone lamb and mutton prices listed in Appendices A to H: §§ 1364.176 to 1364.183.
1364.171 Amounts which must be deducted from the zone lamb and mutton prices listed in Appendices A to H: §§ 1364.176 to 1364.183.
1364.172 Evasion.
1364.173 Revoked.
1364.174 Definitions.
1364.175 Effective date.
1364.176 Appendix A: Zone 1 and applicable zone wholesale prices.
1364.177 Appendix B: Zones 2, 3, 4, and applicable zone wholesale prices.
1364.178 Appendix C: Zone 5 and applicable zone wholesale prices.
1364.179 Appendix D: Zone 6 and applicable zone wholesale prices.
1364.180 Appendix E: Zone 7 and applicable zone wholesale prices.
1364.181 Appendix F: Zone 8 and applicable zone wholesale prices.
1364.182 Appendix G: Zone 9 and applicable zone wholesale prices.
1364.183 Appendix H: Zone 10 and applicable zone wholesale prices.
1364.184 Appendix I: Formula for meat marking fluid.
1364.185 Appendix J: Specifications for official United States standards for grades of lamb carcasses, yearling mutton, and mutton carcasses.

AUTHORITY: §§ 1364.151 to 1364.185, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

SUBPART A—GENERAL PROVISIONS

§ 1364.151 *Prohibition against selling lamb and mutton carcasses, lamb and mutton wholesale cuts and hotel supply cuts (fabricated meat cuts) at prices above the maximum.* On and after December 23, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut), and no person in the course of trade or business shall buy or receive any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut) at prices higher than the maximum prices established pursuant to this Revised Maximum Price Regulation No. 239, and no person shall agree, offer, solicit, or attempt to do any of the foregoing: *Provided*, That on and after June 14, 1943, a war procurement agency, in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provision of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by the Defense Supplies Corporation on account of the production of such meat.

[§ 1364.151 amended by Am. 4, 8 F. R. 7679, effective (1) as to sales or deliveries of all products other than pickled mutton, by other than wholesalers, hotel supply houses and peddler truck sellers, on June 14, 1943; (2) as to sales or deliveries of all products other than pickled mutton, by wholesalers, hotel supply houses and peddler truck sellers, on June 19, 1943; (3) as to sales or deliveries of pickled mutton by other than wholesalers, hotel supply houses and peddler truck sellers, on June 28, 1943; and (4) as to sales or deliveries of pickled mutton, by wholesalers, hotel supply houses and peddler truck sellers, on July 5, 1943. (Effective date provisions as amended by Am. 5, 8 F. R. 8677, effective 6–14–43). Amended by Am. 11, 9 F.R. 2651, effective 3–1–44.

§ 1364.152 *Less than maximum prices.* Lower prices than those established in this Revised Maximum Price Regulation No. 239 may be charged, demanded, paid, or offered.

§ 1364.153 *Exempt sales.* The provisions of this Revised Maximum Price Regulation No. 239 shall not apply to sales at retail as defined in § 1364.160 (a) (3) of this regulation or the following sales or deliveries:

[Above sentence as amended by Am. 11, 9 F.R. 2651, effective 3–1–44]

(a) By a farmer of lamb or mutton from livestock bred or raised on his farm. However, this Revised Maximum Price Regulation shall apply to a sale or delivery by a farmers' cooperative and to a sale or delivery directly by a farmer of lamb or mutton if during the preceding calendar month the farmer's sales of all food products produced on his farm exceeded $75.

(b) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals or servings of food portions, customarily served separately or as part of a meal.

[Paragraph (b) as amended by Am. 3, 8 F.R. 4786, effective 4–14–43]

(c) Deliveries made to any political subdivision or agency of any state or of the United States under contracts entered into prior to December 23, 1942: *Provided*, That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts.

(d) Sales in which delivery is made outside of the forty-eight states of the United States and the District of Columbia.

§ 1364.154 *Export sales.* The maximum price at which a person may export any lamb and mutton carcass or lamb and mutton wholesale cut shall be determined in accordance with the provisions of the Revised Export Price Regulation [4] issued by the Office of Price Administration.

[§ 1364.154 as amended by Am. 11, 9 F.R. 2651, effective 3–1–44]

§ 1364.155 *Adjustable pricing and transportation adjustments*—(a) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area, or any District Manager designated by him, may in writing authorize named sellers to charge and receive for lamb and mutton carcasses and wholesale and hotel supply cuts sold to buyers in that area the added cost of transportation in addition to the applicable maximum price.

[§ 1364.155 amended by Am. 2, 8 F.R. 4786, effective 4–10–43, and Am. 7, 8 F.R. 10444, effective 7–29–43]

[4] 2d revision; 8 F.R. 4132, 5967, 7662, 9998, 15193.

§ 1364.156 *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 239 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 239 or any price schedule, regulation, or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1364.157 *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1364.157 as amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1364.158 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 239 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1364.159 *Records and reports.* The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every person subject to this revised regulation shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in §§ 1364.165 and 1364.173 of this revised regulation as the Office of Price Administration may from time to time require.

[§ 1364.159 as amended by Am. 3, 8 F.R. 4786, effective 4-14-43]

(b) (1) Every separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect customary records including a complete and accurate record of each such sale and/or delivery showing the date of sale, the name and address of the buyer, the weight and grade of each hotel supply cut (fabricated meat cut) sold to a purveyor of meals, the price charged and the total cost thereof. All sales of kosher meats are to be shown separately.

(2) On or before March 28, 1944, each separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file a statement in duplicate with the appropriate Regional Office of the Office of Price Administration showing:

(i) The total volume by weight of all meats, (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage and similar products thereof) and variety meats and edible byproducts (defined in § 1364.174 (a) (13) hereof) sold and/or delivered by such establishment from September 15, 1942, through December 15, 1942, other than to war procurement agencies;

(ii) The total volume by weight of all meats (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage, and similar products thereof) and variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof) sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies;

(iii) The total volume by weight of all beef, veal, lamb and mutton, not including canned meats, variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof), sausage and similar products thereof, sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies.

(3) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file with the appropriate Regional Office of the Office of Price Administration, a statement showing for such three months quota period, the total volume by weight of fabricated meat cuts sold or delivered by such selling establishment to purveyors of meals, other than the War Shipping Administration and/or contract schools.

(4) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each hotel supply house making sales and/or deliveries to purveyors of meals pursuant to paragraph (c) of §§ 1364.176 to 1364.183 in addition to sales of retail meat cuts and/or variety meats and edible by-products and/or processed meat products to ultimate consumers, pursuant to § 1364.168a, shall file with the appropriate Regional Office of the Office of Price Administration a statement showing for such three months quota period (i) the total volume by weight of all meats (fabricated, fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage and similar products thereof) and/or variety meats and edible by-products sold by such establishment other than to contract schools and/or the War Shipping Administration; (ii) the total volume by weight of all retail meat cuts and/or variety meats and edible by-products and/or processed meat products sold by such establishment to ultimate consumers: *Provided, however,* That no such report need be filed under this paragraph (b) if the similar report required by § 1364.407 (e) of Revised Maximum Price Regulation No. 169[9] (Beef and Veal Carcasses and Wholesale Cuts) is filed in lieu thereof.

[Paragraph (b) added by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.160 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 239, the terms

(1) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency therof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided,* That no punishment provided by this revised regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers, or delivers, or contracts or offers to do any of the foregoing, including but not limited to a car route or packer's branch house. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller. Each distribution point from which a car route or car routes originate shall be deemed a separate seller.

(3) "Sales at retail" means sales to the ultimate consumer: *Provided,* That no wholesaler, processor, packer, slaughterer, branch house, hotel supply house, purchaser for resale, car route, commercial user, purveyor of meals, or government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals on usual retail terms by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

(4) "Retailer" means a seller regularly and generally engaged in making sales at retail.

(5) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of lamb and mutton carcasses and/or wholesale cuts, variety meats and edible by-products,

[8] 8 F.R. 13240.

[9] 9 F.R. 1121, 2023, 2135.

and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products, and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.168a of this regulation; and which during the period of September 15, 1942, through December 15, 1942, sold and/or delivered to purveyors of meals, other than war procurement agencies, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products, and/or sausage and similar products thereof, sold by it.

[Subparagraph (5) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; Am. 7, 8 F.R. 10444, effective 7-29-43; Am. 8, 8 F.R. 11082, effective 8-7-43 and Am. 11, 9 F.R. 2651, effective 3-1-44]

(6) "Kosher dealer" means a person who maintains a kosher selling establishment at or through which he regularly sells kosher meat as such.

(7) "Lamb" means the whole or any portion of the carcass of the young animal of the genus Ovis, approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration. For the purposes of this revised regulation, the term "lamb" includes, except as otherwise provided, the whole or any portion of a yearling carcass which is a carcass from an animal of the ovine species that has passed the lamb age and lost to an appreciable extent the flesh characteristics which are peculiar to lamb, but has not reached, at time of slaughter, that state of maturity which characterizes mutton and which is in no event older than 24 months.

(8) "Mutton" means the whole or any portion of the carcass from a mature animal of the genus Ovis, approximately 20 to 24 months old or more, which has passed the lamb stage as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration.

[Former subparagraph (9) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; revoked by Am. 11, 9 F.R. 2651, effective 3-1-44. Former (10) and (11) redesignated (9) and (10) by Am. 11]

(9) "Kosher cuts" mean cuts derived from lamb or sheep slaughtered, approved and stamped under rabbinical supervision and sold under rabbinical supervision.

(10) "Purveyor of meals" means:

(i) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration;

(ii) The War Shipping Administration of the United States;

(iii) Any person operating an ocean going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or inter-coastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel;

(iv) Any hospital, asylum, orphanage, prison or other similar institution, which is operated by any federal, state, or local government agency thereof.

(v) "Contract school" means and includes any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or non-commissioned officer or other authorized representative of the armed services of the United States.

[Subparagraph (11) added by Am. 7, 8 F.R. 10444, effective 7-29-43; (v) added by Am. 8, 8 F.R. 11082, effective 8-7-43]

[Former subpart B (§ 1364.161 through § 1364.165) revoked by Am. 11, 9 F.R. 2651, effective 3-1-44. Former Subpart C redesignated as B and title amended by Am. 11]

SUBPART B—PROVISIONS RELATING TO SALES OF MUTTON AND LAMB AT WHOLESALE

§ 1364.166 *Maximum prices for lamb and mutton carcasses, lamb and mutton wholesale cuts, and hotel supply cuts (fabricated meat cuts).* Subject to the maximum price instructions contained in § 1364.169, the seller's maximum prices for each grade of each lamb and mutton carcass and wholesale cut and/or hotel supply cut (fabricated meat cut) shall be the applicable zone price established for the applicable zone, as set forth in Appendix A hereof, inclusive, incorporated herein as §§ 1364.176 to 1364.183, plus the permitted additions, if any, specified in § 1364.170, minus the required deductions, if any, specified in § 1364.171. The applicable zone is to be determined in accordance with the provisions of paragraph (b) of § 1364.169.

[§ 1364.166 as amended by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.167 *Duty to maintain grades and to determine maximum prices and to invoice accordingly.* No person shall sell, offer to sell, ship, deliver or break and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut unless it has been graded in accordance with the provisions of this section; and no person shall sell, offer for sale, or deliver and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut at a price higher than that established for the grade in which such carcass or wholesale cut has been classified.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, including yearlings, and all sheep slaughtered by or for him, or sold by him, classified by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", as modified to the extent set forth in Appendix B of § 1364.527 of Revised Maximum Price Regulation No. 169, and as required by § 4002.3 of OES Regulation 1,[7] Each carcass and each wholesale cut derived therefrom shall be classified into one of the grades set out below.

Lamb:
- Choice or better or AA
- Good or A
- Commercial or B
- Utility or C
- Cull or C

Yearling:
- Choice or better or A
- Good or B
- Commercial or C
- Utility or C
- Cull or C

Mutton:
- Choice or better or S
- Good or S
- Commercial or M
- Utility or R
- Cull or R

The "Specifications for Official U. S. Standards for Grades of Lamb Carcasses, Yearling Mutton Carcasses" set forth in Appendix J hereof, and incorporated herein as § 1364.185, determine the proper classifications of each carcass, except that no mutton buck may be graded higher than commercial.

(b) In any instance where any person is unable to procure the services of an official grader within 24 hours after he has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) incorporated by reference, as modified, in paragraph (a) hereof, such person shall not be required to have the lamb or sheep slaughtered by, or for him, or sold by him, graded by an official grader of the U. S. Dept. of Agriculture for so long a period as the U. S. Dept. of Agriculture certifies in writing that it is unable to provide him with the services of an official grader. During such period, such lamb or mutton carcasses shall be graded by such person in accordance with the requirements of paragraph (a) of this section.

(c) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering sheep or lamb as a service for others, he shall not be required to have the lamb or sheep slaughtered by him graded by an official grader of the U. S. Dept. of Agriculture. Such lamb or mutton as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraph (a) of this section.

(d) Whenever any person having a financial interest in any lamb or mutton carcass which has been graded by an official grader pursuant to paragraph (a) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading by making an application for appeal in the manner provided in Reg. No. 5 (Appeal grading) incorporated by reference, as modified, in paragraph (a) hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(e) Each invoice, sales slip or other memorandum of sale covering sales of lamb or mutton carcasses, wholesale cuts

[7] 8 F.R. 10989.

or hotel supply cuts, shall show the grade and age classification of each lamb or mutton carcass or cut sold.

[§ 1364.167 amended by Am. 1, 8 F.R. 3589, effective 3–27–43, Am. 3, 8 F.R. 4786, 5407, effective 4–14–43, Am. 9, 8 F.R. 11296, effective 7–16–43, and Am. 11, 9 F.R. 2651, effective 3–1–44]

§ 1364.168 *Limitations on volume of sales to purveyors of meals.* (a) Notwithstanding the terms of any contract, agreement or other obligation, no hotel supply house, packing or slaughtering plant, packer's branch house, wholesaler's or other seller's establishment shall sell and/or deliver to purveyors of meals other than the War Shipping Administration and/or contract schools, during any three months quota period beginning June 1, September 1, December 1 or March 1, a total volume by weight of hotel supply cuts (fabricated meat cuts) in excess of 90 percent of the total volume by weight of beef, veal, lamb and mutton, not including canned meats of any kind, variety meats and edible by-products of any kind, and/or sausage and similar products thereof, sold or delivered by such selling establishment from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies, except that any selling establishment which was not engaged in sales of beef, veal, lamb and mutton to purveyors of meals from September 15, 1942, through December 15, 1942, for the reason that the selling unit and all facilities thereof, were under the control of an agency of the United States Government, may determine its quota by reference to the three months quota period of 1942 immediately prior to such assumption of control: *Provided, however,* That any selling establishment may file an application in duplicate with the appropriate Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate Regional Office, and request authorization to sell and/or deliver fabricated meat cuts to purveyors of meals. Such selling establishment shall allege and prove that the granting of such authorization will alleviate a critical shortage in supplies of such meat items available in the market area for purveyors of meals, which shortage has occurred because of (1) the issuance of a judicial or administrative suspension order against any person in the market area prohibiting the sale and/or delivery by any person of any meat item subject to a quota restriction under the provisions of this regulation, or (2) the voluntary or involuntary cessation or suspension of business by a person, lawfully authorized to make sales pursuant to paragraph (c) of §§ 1364.176 through 1364.183.

Upon proof of the foregoing, the Regional Administrator for the area or such office as may be designated by the Regional Administrator, may by order, authorize a quota for such period and subject to such terms and conditions as are deemed necessary, not in excess, however, of such portion of ascertainable quota or quotas which remain unused in the market area and which cause the critical shortage. Following the issuance to any selling establishment of such authorization the Regional Administrator for the area shall forward a copy of the application together with a copy of the authorization and such other data as were used in the determination to the Administrator at Washington, D. C., for review. After review, the Regional Administrator shall change, modify or revoke the order in such manner as the Administrator deems appropriate. However, the provisions of the Regional Administrator's order or the order of such office as may be authorized by the Regional Administrator, shall remain in full force and effect until such time as it is changed, modified or revoked.

(b) The appropriate Regional Office of the Office of Price Administration may by order, adjust the quota established by any selling establishment pursuant to paragraph (a) of this § 1364.168 in any case where it is shown that the quota so established is below an amount which represents normal seasonal demand during any three months quota period and is substantially below the quota which such selling establishment would have arrived at if determined by reference to the corresponding three months quota period of 1942. Upon proof of the foregoing, the Regional Administrator for the area may authorize such separate selling establishment by order, subject to such conditions as may be deemed appropriate, to sell or deliver a specified volume by weight of fabricated meat cuts to purveyors of meals during such three months quota period for which adjustment is sought: *Provided,* That the adjusted quota shall not be in excess of a quota determined pursuant to paragraph (a) of this § 1364.168 through application of sales made during the corresponding three months quota period of 1942.

(c) Any person who violates any provision of this section may, in addition to any other penalty provided by law, be prohibited by administrative suspension order from receiving, selling, using or otherwise disposing of any fabricated meat cuts. Such suspension order shall be issued for such period as in the judgment of the Administrator or such person as he may designate for that purpose, is necessary and appropriate in the public interest or to promote the national security.

(d) This § 1364.168 and § 1364.168a are issued under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 3, 1942; Directive No. 1 and Supplementary Directive No. 1–M of the War Production Board, issued on January 24, 1942, and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directives Nos. 1, 3, 5, 6 and 7 issued by the Secretary of Agriculture.

[§ 1364.168 amended by Am. 7, 8 F.R. 10444, effective 7–29–43, Am. 8, 8 F.R. 11082, effective 8–7–43, and Am. 11, 9 F.R. 2651, effective 3–1–44]

§ 1364.168a *Limitation on volume of sales to ultimate consumers by hotel supply houses.* (a) Any hotel supply house may sell and/or deliver to ultimate consumers during any three months quota period beginning June 1, September 1, December 1 or March 1, a volume by weight of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established in Maximum Price Regulation No. 355,[9] "Retail Ceiling Prices for Beef, Veal, Lamb and Mutton and All Variety Meats and Edible By-Products"; Maximum Price Regulation No. 336,[9] "Retail Ceiling Prices for Pork Cuts and Processed Meat Products," and Maximum Price Regulation No. 394," "Retail Ceiling Prices for Kosher Beef, Veal, Lamb and Mutton Cuts," not in excess of 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period. Such sales at retail must be made at prices not higher than those established for class 3 and 4 stores: *Provided,* That no hotel supply house shall make sales to ultimate consumers pursuant to this paragraph (a) until (1) such hotel supply house shall have filed with the appropriate Regional Office of the Office of Price Administration a statement in affidavit form showing that from September 15, 1942, through December 15, 1942, such establishment regularly and generally made sales of retail meat items to ultimate consumers from the same selling establishment in conjunction with its sales to purveyors of meals and (2) such hotel supply house has received written authorization from the appropriate Regional Office, approving such affidavit and authorizing the sale and/or delivery of fabricated meat cuts to purveyors of meals at maximum prices specified in paragraph (c) (1) (i) of §§ 1364.176 through 1364.183, inclusive, in addition to the sale to ultimate consumers of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established by Maximum Price Regulations Nos. 355, 336 and 394 for class 3 and 4 stores. Nothing contained in this paragraph (a) shall be construed so as to permit the sales and/or deliveries of fabricated lamb cuts and/or fabricated mutton cuts to purchasers other than purveyors of meals.

(b) Any hotel supply house whose sales or deliveries to ultimate consumers, during any three months quota period, exceed 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period, shall thereafter be required to use the maximum prices specified in paragraph (c) (1) (ii) of §§ 1364.176 through 1364.183, inclusive, on sales of fabricated lamb cuts and/or fabricated mutton cuts to purveyors of meals.

[§ 1364.168a added by Am. 11, 9 F.R. 2651, effective 3–1–44]

[9] 8 F.R. 4423, 4922, 6214, 6428, 7199, 7827, 8185, 8945, 9366, 11207, 12237, 12811, 14738; 9 F.R. 1157.

[9] 8 F.R. 2859, 4253, 5317, 5634, 6212, 7682, 8944, 9366, 12480, 13181, 15670; 9 F.R. 167, 2212.

[10] 8 F.R. 6364, 6548, 6618, 7200, 7692, 11297, 12621, 15609.

§ 1364.169 *Maximum price instructions.* The following maximum price instructions are applicable to the maximum prices set forth in §§ 1364.176 to 1364.183, inclusive, (Appendices A to H inclusive).

(a) *Determination of prices for sales involving fractions of a hundredweight.* All prices, charges, additions and deductions are stated, except where otherwise indicated, on a per hundredweight basis. If a quantity smaller than a hundred pounds or not a multiple of one hundred pounds is sold, the charge must be adjusted accordingly. (For example, the seller is allowed to charge cost up to $0.50 per hundredweight for freezing. If only ten pounds is sold the maximum charge which may be made for freezing is $0.05; if 110 pounds, $0.55.)

(b) *Determination of applicable zone prices.* The applicable zone prices for all sales of lamb and mutton shall be determined as follows:

(1) Except on sales to a war procurement agency, the applicable zone price shall be the price specified in §§ 1364.176 to 1364.183 (Appendices A to H) for the zone in which is located the seller's distribution point. The schedule for each price zone contains a statement setting forth the states or counties in each state which are included within the price zone covered by that schedule. The distribution point is the packing or slaughtering plant, branch house, hotel supply house, warehouse, or car route unloading point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which delivery by the seller, otherwise than by rail, to the buyer's place of business begins; or

(iii) From which the meat, consigned to the buyer, (a) is delivered to a common carrier, other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (b) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.

(iv) In the case of a less than carload rail shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail terminal point nearest to the buyer's place of business.

(v) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which lamb or mutton consigned to the buyer is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(2) On sales to a war procurement agency the applicable zone price shall be at the option of the buyer the prices specified in §§ 1364.176 to 1364.183 (Appendices A to H) for, either

(i) The zone in which is located the seller's distribution point, plus all transportation charges to the point of delivery, or

(ii) The zone in which is located the point at which the buyer takes delivery.

(c) *Applicable zone price of miscuts.* (1) For any lamb or mutton wholesale cut which has been miscut or for any piece or portion of lamb or mutton which has been cut in a manner not authorized by this Revised Maximum Price Regulation No. 239, the applicable zone price, except on sales to a purveyor of meals by a hotel supply house, shall be the applicable zone price of the lowest priced wholesale cut. The zone price for a bracelet or chuck as defined in § 1364.174, except for a kosher bracelet or chuck when sold or offered for sale to a kosher dealer or purveyor of kosher meals, shall be the applicable zone price of the lowest priced wholesale cut.

(2) For any lamb or mutton sold to a purveyor of meals by a hotel supply house, other than a wholesale cut or a hotel supply cut as defined in § 1364.174, the zone price shall be the applicable zone price of the lowest price hotel supply cut.

(d) *Sales of kosher meat limited to kosher dealers and purveyors of meals.* (1) Lamb or mutton carcasses or wholesale cuts shall not be sold, offered for sale, or delivered as kosher and shall not be purchased or received in the course of trade or business as kosher by any purchaser other than a kosher dealer or a purveyor of kosher meals.

(2) If meat derived from lamb or sheep slaughtered and stamped under rabbinical supervision is sold or delivered to a purchaser other than a kosher dealer or a purveyor of kosher meals, no more can be charged or received for it than if such meat had not been derived from animals so slaughtered and stamped, and the stamp showing the meat to have been so derived must be removed from the meat prior to delivery, and such meat may not be received, offered for resale, or resold until such stamp has been removed.

[§ 1364.169 amended by Am. 1, 8 F.R. 3589, effective 3–27–43 and Am. 11, 9 F.R. 2651, effective 3–1–44]

§ 1364.170 *Amount which may be added to applicable zone prices for lamb and mutton listed in Appendices A to H*—(a) *Wholesaler's selling addition.* On sales of any lamb and/or mutton carcasses and cuts and/or any other meat item subject to this regulation, excluding therefrom sales made pursuant to paragraph (c) of §§ 1364.176 through 1364.183, a person who at the time of the sale is a wholesaler may add 75 cents per hundredweight to the applicable zone price: *Provided, however,* That no person shall charge the addition permitted by this § 1364.170 (a) unless such person shall have filed with the appropriate Regional Office of the Office of Price Administration a certified statement that the person (1) is engaged in the business of buying lamb and mutton carcasses and/or lamb and mutton wholesale cuts for resale other than at retail; (2) does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities; and (3) is not a hotel supply house or peddler truck seller within the meaning of this Revised Maximum Price Regulation No. 239. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation.

[Paragraph (a) amended by Am. 1, 8 F.R. 3589, effective 3–27–43; Am. 4, 8 F.R. 7679; Am. 8, 8 F.R. 11082, effective 8–7–43; and Am. 11, 9 F.R. 2651, effective 3–1–44. For effective dates of Am. 4, see note following § 1364.151]

(b) *Wrapping and dressing.* (1) For wrapping lamb or mutton carcasses or wholesale cuts in one stockinette there may be added $0.10 per cwt.

[Subparagraph (1) as amended by Am. 3, 8 F.R. 4786, effective 4–14–43]

(2) For wrapping lamb or mutton carcasses or wholesale cuts in (i) an inner covering of 45-lb. or heavier natural kraft, crinkled paper, waxed, or a stockinette of a construction of yarn, 8/1; number of plies, 1; wales per inch 15; courses per inch, 14; and (ii) in an outer covering of unsized muslin, 40 inch, 48 to 44 construction, 3¾ yards to pound weight, securely sewed, as stipulated by Army or Navy specifications for export shipment, there may be added actual cost for direct material and labor not to exceed $1.00 per hudredweight.

[Subparagraph (2) amended by Am. 3, 8 F.R. 4786, effective 4–14–43, and Am. 7, 8 F.R. 10444, effective 7–19–43]

(3) For dressing or wrapping lamb or mutton carcasses in two stockinettes, or in kraft paper or in other special wrapping not covered elsewhere in this regulation, involving an additional cost in excess of ten cents on sales to the war procurement agencies, or to persons operating ocean going vessels engaged in the transportation of cargo and passengers, as ship stores for consumption aboard such vessel, there may be added actual cost for direct material and labor not to exceed $0.25 per hundredweight.

[Subparagraph (3) added by Am. 7, 8 F.R. 10444, effective 7–19–43]

(c) *Packaging and boxing.* (1) For boxing boneless lamb and boneless mutton for domestic shipment in hundred pound wood, fiber or corrugated boxes or barrels, $0.25 per cwt.

(2) For boxing for export shipment in kraft-paper-lined, weather-proof, telescoped style, solid fiber boxes bound with wire or iron bands in accordance with the specifications of the Federal Surplus Commodities Corporation, $0.50 per hundredweight.

[Subparagraph (2) as amended by Am. 10, 8 F.R. 13117, effective 9–30–43]

(3) For packing lamb or mutton wholesale cuts in closed or sealed boxes or barrels delivered to the buyer's place of business and to be retained by the buyer on sales to a seller at retail, purveyor of meals, commercial user (not wholesaler, branch house or hotel supply

house), or government agency other than a war procurement agency, there may be added $0.25 per cwt.: *Provided*, That this charge for packaging or boxing may not be made in addition to the charge for wrapping permitted by paragraphs (b) (1) and (b) (2) of this section.

[Subparagraph (3) amended by Am. 3, 8 F.R. 4786, effective 4-14-43, and Am. 11, 9 F.R. 2651, effective 3-1-44]

(d) *Freezing.* (1) For freezing and storage by the seller, cost at published commercial rate for nearest commercial freezer not to exceed $0.50 per cwt.

(2) For freezing and storage by commercial freezer, cost at commercial rate for such freezing, plus transportation charges calculated at the lowest common carrier rate for a similar haul—both not to exceed $0.50 per cwt.

(3) If the seller is a wholesaler or hotel supply house who has paid a charge for freezing and storage under subparagraphs (1) and (2), he may upon the resale of the meat upon which the charge has been made add the amount of such charge if the meat is still in its frozen form.

[Paragraph (d) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(e) *Telescoped lamb and mutton.* For all supplies and all operations, other than freezing, performed in trimming, preparing and wrapping telescoped style lamb and mutton, the following additions per hundredweight of the finished weight may be added to the applicable maximum prices for round-dressed carcass, pluck out, and for hindsaddle and foresaddle, respectively:

Grade	Carcass	Addition per hundredweight	
		Hindsaddle	Foresaddle
AA Lamb	$0.80	$0.35	$0.45
A Lamb	.80	.95	.45
B Lamb	.80	.95	.45
C Lamb	.80	.95	.45
S Mutton	.75	1.25	.30
M Mutton	.70	1.10	.30
R Mutton	.65	.95	.30

[Paragraph (e) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; Am. 4, 8 F.R. 7679; Am. 7, 8 F.R. 10444, effective 7-29-43; and Am. 10, 8 F.R. 13117, effective 9-30-43. For effective dates of Am. 4, see note following § 1364.151]

(f) *Lamb or mutton kidneys.* (1) For removing the outer protective membrane and cleaning of all particles and preparing lamb and mutton kidneys, $6.00 per cwt.

[Subparagraph (1) as amended by Am. 4, 8 F.R. 7679]

(2) For packing lamb and mutton kidneys in one pound cartons and in shipping containers, $3.25 per cwt.

(g) *Pickled mutton.* For preparing pickled mutton and packaging in hardwood barrels the following addition based upon the finished weight may be added to the applicable maximum prices for round-dressed carcasses, plucks out, or cuts, $3.25 per cwt.

[Paragraph (g) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(h) *Melts.* For removing the melts on sales to war procurement agencies:

	Per cwt.
Lamb or mutton carcasses	$0.07
Lamb or mutton hindsaddles	.15

[Paragraph (h) added by Am. 8, 8 F.R. 11082, effective 8-7-43 and amended by Am. 10, 8 F.R. 13117, effective 9-30-43. Former (h) and (i) redesignated (i) and (j) by Am. 8]

(i) *Transportation and delivery.* Subject to the limitations in paragraph (i) (4) of this section the following may be added to the applicable zone prices for transporting lamb or mutton from the point of slaughter to the distribution point and for delivering from the distribution point to the buyer's place of business.

(1) *For transportation from the point at which the meat was slaughtered to the seller's distribution point.* (i) If the distribution point from which the sale is made is not the slaughter plant where the meat was slaughtered or a slaughter or packing plant controlled by the slaughterer, and if both it and the point of slaughter are located in Price Zones 2, 3 or 4, the seller may make a charge equal to the cost of transporting the meat from the point of slaughter to the distribution point but not to exceed 75 cents per hundredweight.

[Subparagraph (i) amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(ii) If the distribution point from which the sale is made is not the slaughter plant where the meat was slaughtered or a slaughter or packing plant controlled by the slaughterer, and if the distribution point is located in Price Zones 1 or 5 to 10, inclusive, and the point of slaughter is located in the same price zone as the distribution point, the seller may make a charge equal to the cost of transporting the meat from the point of slaughter to the distribution point but not to exceed, $0.25 per cwt.

(2) *For delivery from the distribution point to the buyer's place of business.* (i) If meat is delivered by the seller to the place of business of a retailer, independent wholesaler, independent hotel supply house, purveyor of meals, or commercial user, or to the designated delivery point of a war procurement agency or other government agency, located within a radius of 25 miles from the distribution point the seller may charge, $0.25 per cwt.

[Subparagraph (1) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(ii) If meat is delivered by the seller to the place of business of a retailer, independent wholesaler, independent hotel supply house or commercial user, or to the designated delivery point of a war procurement agency or other government agency located more than 25 miles from the point of distribution, the seller may add the actual cost of transportation but not to exceed $0.50 per cwt. from a distribution point in Price Zones 1, 5 to 10, inclusive, and $0.75 from a distribution point in Price Zones 2, 3, or 4.

(iii) Where the distribution point and the buyer's place of business coincide as in the case of truck routes the seller may, at his option, treat the point of origin of the truck route as the distribution point.

(3) *For delivery by a wholesaler, hotel supply house or other intermediate distributor.* If the seller is a wholesaler or hotel supply house who has paid a charge under paragraph (i) of this section for delivery and/or transportation, he may upon the resale of the meat upon which the charge has been made add the amount of such charge up to $0.25 upon sales made from a distribution point located in Price Zones 1 and 5 to 10, inclusive, and up to $0.50, in Price Zones 2, 3 and 4.

[Subparagraph (3) as amended by Am. 11, 9 F.R. 2651, effective 3-1-44]

(4) *Limitation on total charge for transportation and delivery.* Notwithstanding any of the provisions of paragraphs (i) (1) to (i) (3), inclusive, of this section, nothing therein contained shall be construed to permit a total charge for transportation and for delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than $0.50 per hundredweight in Price Zones 1, 5, 6, 7, 8, 9, or 10; or $1.00 per hundredweight in Price Zones 2, 3, and 4. The additions specified in this paragraph (i) for transportation and for local delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged.

[Subparagraph (4) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and Am. 10, 8 F.R. 13117, effective 9-30-43]

(5) *How to compute cost.* The cost of transportation or delivery is to be computed on the basis of the lowest common carrier rate for the method of transportation employed.

(6) *Railway express shipments.* Where lamb or mutton is shipped by express to a purveyor of meals by a hotel supply house no charge may be made by the seller for transportation or delivery. The buyer pays the shipping charges directly to the carrier.

(j) *Peddler-truck selling addition.* Where the seller makes a peddler-truck sale involving delivery of not more than 50 pounds of lamb and/or mutton in a total delivery of not more than 150 pounds of meat and meat products in any one day from such peddler-truck to any buyer's store door, he may add $1.25 per cwt. in lieu of the additions permitted under paragraph (i) of this section for delivery and/or transportation.

[Paragraph (j), formerly (l), added by Am. 3, 8 F.R. 4786, effective 4-14-43]

§ 1364.171 *Amounts which must be deducted from the zone lamb and mutton prices listed in Appendices A to H.* The following shall be deducted from the applicable zone prices:

(a) For all lamb and/or mutton carcasses and/or lamb or mutton wholesale cuts and/or other meat items subject to this § 1364.171 delivered in a straight or mixed carload shipment or sold as a part of a straight or mixed carload sale, the seller shall deduct $0.25 per hundredweight from the applicable maximum price.

[Paragraph (a) amended by Am. 4, 8 F.R. 7679; Am. 6, 8 F.R. 9066, effective 6-30-43; and Am. 8, 8 F.R. 11082, effective 8-7-43]

(b) *For lamb and mutton carcasses and wholesale cuts not graded by an official grader.* For all lamb or mutton carcasses or wholesale cuts sold bone-in which do not bear the grade mark and identification of an official grader of the United States Department of Agriculture at the time of sale, the seller shall deduct 12½ cents per cwt.

[Paragraph (b), formerly (c), added by Am. 3, 8 F.R. 4786, effective 4-14-43. Heading amended by Am. 11, effective 3-1-44. Former paragraph (b) revoked and former (c) redesignated (b) by Am. 4, 8 F.R. 7679]
[Paragraph (c) added by Am. 6, 8 F.R. 9066, effective 6-30-43; revoked by Am. 8]

§ 1364.172 *Evasion.* (a) The price limitations set forth in this Revised Maximum Price Regulation 239 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to lamb or mutton or in conjunction with any other commodity or services, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege or by tying agreement, combination sale or other trade understanding: *Provided*, That a payment by a buyer to a seller for any services performed by a buyer to a seller for icing services performed by a seller after April 14, 1943, and before delivery of lamb or mutton to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.

[Paragraph (a) as amended by Am. 3, 8 F.R. 4786, effective 4-14-43]

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lamb or mutton through any distribution point in order to obtain a higher zone price or for the purpose of making a higher delivery charge.

(2) Making or receiving a charge for delivery on the basis of a route different from that actually followed and in excess of that permitted for the route by which the lamb or mutton is actually delivered.

(3) Falsely or wrongly grading or invoicing lamb or mutton.

(4) Selling or invoicing lamb or mutton at kosher prices to other than kosher dealers or kosher purveyors of meals.

(5) Selling or invoicing lamb or mutton by hotel supply houses to persons other than purveyors of meals at the prices allowed on sales to purveyors of meals.

(6) Requiring as a condition of selling one or more commodities included within this Maximum Price Regulation that any purchaser or prospective purchaser purchase or agree to purchase any other commodity or commodities whether or not such other commodity or commodities are included within this or any maximum price regulation.

§ 1364.173 [Revoked]

[§ 1364.173 amended by Am. 3, 8 F.R. 4786, effective 4-14-43; revoked by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.174 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 239, the terms:

(1) "Price Zone Numbers 1 to 10, inclusive" means the geographical districts defined in §§ 1364.176 to 1364.183 (Appendices A to H).

(2) "Three months quota period" means and is limited to the following quarterly periods: June 1 to August 31, inclusive, September 1 to November 30, inclusive, December 1 to February 28 or 29, inclusive, and/or March 1 to May 31, inclusive.

[Subparagraph (2) amended by Am. 3, 8 F.R. 4786, effective 4-14-43 and Am. 11, 9 F.R. 2651, effective 3-1-44]

(3) A "wholesaler" means a wholesaler who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

[Subparagraph (3) as amended by Am. 11, 9 F.R. 2651, effective 3-1-44]
[Former subparagraph (4) revoked, and former (5) through (13) redesignated (4) through (12) by Am. 8, 8 F.R. 11082, effective 8-7-43]

(4) "Lower price zone" means a price zone having a lower zone price. "Higher price zone" means a zone having a higher zone price.

(5) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration, or any agency of the foregoing.

(6) "Carload" means:

(i) A shipment by rail of fresh or frozen meat to a single delivery point, of at least the minimum weight upon which the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of carriers, is based: *Provided*, That where the transportation charge for shipment of a lesser weight at the railroad carload rate will be lower than the transportation charge for such a shipment at the railroad less-than-carload rate, such lesser weight shall be considered a carload.

(ii) A shipment by motor truck or trucks, to a single delivery point of 15,000 pounds or more of fresh and/or frozen meat, as a single transaction; and

(iii) Any single transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more of fresh and/or frozen meat.

(7) "Pluck" means the lungs, liver and heart.

(8) "Round dressing" means the type of dressing in which the pelt, head, front and hind trotters, and all internal organs except kidneys and melts are removed. The pluck may be left in or out.

(9) "Wholesale cut" means, and is limited to, the following cuts meeting the following minimum specifications, derived from the carcass of the lamb or mutton, excluding the offal and other items covered by the General Maximum Price Regulation:

(i) "Hindsaddle" and "hindquarter" means the double and single hindquarters, respectively, including the 13th rib. The hindsaddle is made by cutting between the 12th and 13th ribs following the curvature of the ribs close to the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to make the hindquarter.

(ii) "Foresaddle" and "forequarter" means the double and single forequarters, respectively, and includes 12 ribs. It is the anterior portion of the carcass remaining after the removal of the hindsaddle. The foresaddle is made by cutting between the 12th and 13th ribs following the curvature of the ribs close to the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to make the forequarter.

(iii) "Legs" and "leg" mean a pair of legs and one leg, respectively. The legs are separated from the loin by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone and leaving all of the hip bone in the leg. The cut shall be made in a straight line which is perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may then be split through the center to make the single leg.

(iv) "Loin" and "half loin" means the double and single loin, respectively, and is the part of the hindsaddle which remains after the legs have been removed. The loin is separated from the hindsaddle by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone, leaving none of the hip bone in the loin.

The cut shall be made in a straight line which is perpendicular to the outside or skin surface of the hindsaddle. The loin includes the 13th rib and is not trimmed, i. e., it includes the flank, kidney and fat. The half loin is made by splitting the loin in half through the center of the chine bone.

(v) "Hotel rack" may be either the double or single rib sections from the 5th to the 12th ribs, inclusive, minus the breast. It is made by cutting the foresaddle or forequarter, starting at a point on the 12th rib not more than four inches down from the point of the eye, cutting in a straight line to a point on the 5th rib which is not more than four inches from the hollow of the chine bone on the inside, in the lamb carcass, and not more than four and one-half inches from the hollow of the chine bone on the inside in the mutton carcass. It is then separated from the yoke by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib. It may be split through the center of the chine bone to make two single rib sections.

(vi) "Yoke" means the foresaddle minus the hotel rack. It consists of the neck, brisket, breast, shanks, and shoulders. The half yoke is made by splitting the yoke in half through the chine bone and neck bone.

(vii) "Bracelet" means a subdivision of the foresaddle consisting of the ribs and breast from the 5th to the 12th ribs, inclusive. The bracelet is made by cutting the foresaddle or forequarter between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib until this rib turns to join the breast bone at which point the cut is completed by following a line through the breast at a right angle to the chine bone. It may be split through the center of the chine bone.

(viii) "Chuck" means the subdivision of the foresaddle left after cutting a bracelet and consists of the neck, shoulders, shank, and brisket. It includes the 1st to the 4th ribs. It is separated from the foresaddle or forequarter by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib until this rib turns to join the breast bone at which point the cut is completed by following a line through the breast at a right angle to the chine bone. It may be split through the center of the chine bone.

[Subparagraph (viii) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(ix) "4-rib shoulder" means a cut made from the yoke or chuck by cutting in a straight line starting at a point on the 4th rib not more than four inches from the hollow of the chine bone on the inside in the lamb carcass passing through a point at the forward end of the first segment of the sternum or breast bone. This cut will separate the shoulder from the brisket and shank. When the shoulder has been separated from the brisket and shank the only bone to show on the side of the shoulder other than the ribs is the arm bone. It may be split through the center of the chine bone. This cut may be made as a wholesale cut only for the purpose of preparing a boneless lamb roll.

[Subparagraph (ix) as amended by Am. 1]

(x) "Breast or shank" means either the part which remains after the 4-rib shoulder has been removed from the yoke, in which case it includes the breast, brisket and shank, or the part which remains after the 4-rib shoulder has been removed from the chuck, in which case it includes the brisket and shank.

[Subparagraph (x) as amended by Am. 1]

(xi) "Boneless lamb roll" means the boneless meat derived from a 4-rib shoulder with the neck on. This meat is entirely boned, rolled into a cylindrical shape, trimmed of loose or irregular portions at the ends, and tied, and may be wrapped in lamb or beef caul fat. This caul fat shall not exceed ½ inch in thickness at any point and shall not exceed 12 percent in weight of the finished roll.

(xii) "Lean boneless lamb or mutton" means boneless lamb or mutton meat respectively from any part of the carcass. In preparing this meat, the pluck and all cords, sinews, neck straps, kidneys, and melts are to be removed. No trimmable fat in excess of 8 percent in weight is to be left on the meat.

(xiii) "Regular boneless mutton" means boneless mutton meat from all, or any part of the carcass. In preparing this meat, the pluck and all cords, sinews, neck straps, kidneys, and melts are to be removed. No trimmable fat in excess of 30 percent in weight is to be left on the meat.

(xiv) "Kidneys, bulk" means lamb or sheep kidneys with the kidney fat removed.

(xv) "Telescoped style lamb" or "telescoped style mutton" means a lamb or mutton carcass prepared in accordance with the specifications set forth in Schedule FSCC-10, Revised February 8, 1943, Meat Products Purchase Specifications, of the Federal Surplus Commodities Corporation of the United States Department of Agriculture; or lamb or mutton hindsaddles, or foresaddles, prepared in accordance with the specifications set forth in Amendment 9 to that schedule.

[Subparagraph (xv) as amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(xvi) "Pickled mutton" is mutton prepared in the following manner: The kidney, melts and excessive internal fat is removed; the meat is then cut into pieces weighing two to four pounds each, from which all surface fat in excess of ¾ inch in thickness is removed, and which are free of blood clots; these pieces of meat are cured from 20 to 25 days in 100 degree pickle containing approximately one ounce of nitrate of soda per gallon, and are overhauled at five and ten days of age. After curing, the mutton is packed in hardwood barrels, 200 pound cured net weight to the barrel. The meat is topped off with 60 pounds of fine salt per barrel and sufficient new pickle of the same kind and strength as used in curing is added to fill the barrel.

(xvii) "Neckbones" means the neck (cervical) vertebrae with some meat left between the projections on the vertebrae, but generally well trimmed in accordance with practical operations.

[Subparagraph (xvii) added by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(10) "Hotel supply cuts" means the following cuts derived from the permitted wholesale cuts:

(i) "Leg, oven-prepared" means the leg cut as described in paragraph 9 (iii) of this section with all bones except the leg bone (femur) removed and tied. The leg bone means the bone between the stifle joint and the rump bone.

(ii) "Leg, boned, rolled, and tied" means the leg cut as described in paragraph (9) (iii) of this section prepared in the following manner: All bones are removed, the fell is pulled off the shank meat up to the stifle joint, the shank meat is either cut off and placed lengthwise in the pocket left by the aitch and leg bones, or folded back, and the meat is then rolled into a cylindrical shape and tied with at least four loops.

(iii) "Loin, flank on, kidneys and suet out" means the loin cut as described in paragraph (9) (iv) of this section with the kidney and all surrounding suet and the melt removed. The fat in the loin shall be trimmed smooth and trimming by a knife shall be apparent.

(iv) "Loin, flank off, kidney and suet out" means the loin prepared as described in the preceding paragraph with the flank removed. The flank shall be removed by starting at a point on the 13th rib not more than four inches down from the point of the eye and then cutting in a straight line to a point at the other end not more than four-and-a-half inches from the chine bone.

(v) "Loin chops" means chops cut from the loin, prepared as described in the preceding paragraph with the flank off and the kidney and suet out, from which the 13th rib has been removed. To make chops, the fell is removed and the loin is then split into two parts along the center of the chine bone. Each half is further separated by making cuts straight down on lines at right angles to the chine bone. Each half loin must be cut in this manner into at least four individual chops which may be of any desired size or weight.

(vi) "Loin, boned, rolled, and tied" means the loin prepared flank on, kidney and suet out, as described in paragraph (10) (iii) of this section, from which is removed one inch of the flank containing the gristle and sinews. The 13th rib and the entire chine bone are also removed. The loin meat is then rolled into a cylindrical shape and tied with at least four loops.

(vii) "Rib chops, regular" mean chops cut from the hotel rack in the following manner: The fell is removed together with all excess fat and the rack is then divided in the center of the chine bone. The single hotel rack is then divided into rib chops by splitting between the ribs into at least four rib sections which may be of any desired size or weight.

(viii) "Rib chops, 5th to 7th rib inclusive" mean chops made from the forward end of the hotel rack as described in the preceding paragraph, which include the 5th, 6th, and 7th ribs and which contain segments of shoulder-blade bone or cartilage.

(ix) "Rib chops, 8th to 12th rib, inclusive" mean chops made from the back end of the hotel rack as described in paragraph (10) (vii) of this section which include the 8th to 12th ribs and which do not contain any segments of shoulder-blade bone or cartilage.

(x) "Yoke boned, rolled and tied" means the yoke cut from a mutton carcass as described in paragraph (9) (vi) of this section with all bones removed, rolled into a cylindrical shape and tied with at least four loops.

(xi) "Yoke, boneless stew" means small cubes of boneless meat derived from the yoke, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xii) "Shoulder, boneless stew" means small cubes of boneless meat derived from the shoulder, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xiii) "Shoulder, boned, rolled, and tied" means the 4-rib shoulder cut as described in paragraph (9) (ix) of this section with all bones removed, rolled into a cylindrical shape and tied with at least four loops.

(xiv) "Shoulder, regular stew, bone in" means small cubes of meat derived from the 4-rib shoulder none of which is larger than two cubic inches in size.

(xv) "Breast and shank, regular stew, bone in" means small cubes of meat derived from the breast and shank cut as described in paragraph (9) (x) none of which is larger than two cubic inches in size.

(xvi) "Shank, braising" means a shank separated from the breast and shank cut as described in paragraph (9) (x) in the following manner: The shank is separated from the breast at the shank knuckle bones. The cut should start at the same point as that which separates the breast and shank from the shoulder. The lower fore shank bone is cut off at the knee joint.

(xvii) "Shank, regular stew, bone in" means small cubes of meat derived from the shank cut as described in the preceding paragraph none of which is larger than two cubic inches in size.

(xviii) "Breast, regular stew, bone in" means small cubes of meat derived from the breast none of which is larger than two cubic inches in size. The breast is the part of the breast and shank which is left after the shank is severed as described in paragraph (10) (xvi) of this section. It includes the brisket.

(xix) "Hotel rack, chine removed, blade bone out" means the single hotel rack as described in paragraph (9) (v) of this section with the chine bone (backbone), including the feather bones, and the shoulder blade and shoulder blade cartilage completely removed. The chine bone is removed by cutting along the line where the ribs join the backbone.

[Subparagraph (10), formerly (11), amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(11) "Peddler-truck sale" means a sale of lamb and/or mutton from a truck by a person who purchases meat at or below the ceiling price from a seller with whom he has no other financial affiliations or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck, owned and driven by him: *Provided*, That the first record of the transaction is made by the salesman concurrently with the delivery of the product sold.

(12) "Farm slaughterer" means a person chiefly engaged in producing agricultural products as the resident operator of a farm who did not deliver meat in 1941 from the slaughter of livestock with a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27 [11] or any superseding order.

[Subparagraphs (11) and (12), formerly (12) and (13), added by Am. 3, 8 F.R. 4786, effective 4-14-43]

(13) "Variety meats and edible by-products" include and are limited to those items only which are defined and for which maximum selling prices are established in Maximum Price Regulation No. 398, "Variety Meats and Edible By-Products at Wholesale" and/or Maximum Price Regulation No. 355, "Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts and All Variety Meats and Edible By-Products".

(14) "Fabricated meats cuts" as used in this regulation means and is limited to those hotel supply cuts which are described and for which maximum prices are established in this regulation and those fabricated beef and fabricated veal cuts which are described and for which maximum prices are established in Revised Maximum Price Regulation No. 169, "Beef and Veal Carcasses and Wholesale Cuts".

[Subparagraphs (13) and (14) added by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.175 *Effective date.* This revised Maximum Price Regulation No. 239 (§§ 1364.151 to 1364.185, inclusive) shall become effective December 23, 1942. [Revised MPR 239 originally issued Dec. 18, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1364.176 *Appendix A: Zone 1 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 1, which are defined as follows:

Zone 1: Washington, Oregon, California and Nevada. All the portion of Idaho north of and including the counties of Idaho, Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce and Lewis.

[Above paragraph as amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 1 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b) plus $1.50 per cwt.

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 1 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus $1.50 per cwt. subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 1 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.177 *Appendix B: Zones 2, 3 and 4 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zones 2, 3 and 4 which are defined as follows:

Zone 2: Montana, Wyoming, Utah, Arizona and all that portion of Idaho south of, but not including, Idaho County.

Zone 3: Colorado and New Mexico.

Zone 4: North Dakota, South Dakota, Minnesota, Nebraska, Kansas, Oklahoma and Texas.

All that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

All that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne and Butler.

[Above paragraphs as amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

[11] 8 F.R. 2785.

(ii) **The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a packing or slaughtering plant, packing branch house, wholesaler or other selling establishment to purveyors of meals are as follows:**

Item	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade B	Grade M
Leg—oven prepared	$36.25	$35.00	$33.00	$30.50	$20.50	$19.25
Leg—boned, rolled and tied	39.50	37.75	35.75	33.00	22.00	21.25
Loin—flank on, kidney and suet out	36.50	35.25	34.00	31.50	21.25	20.25
Loin—flank off, kidney and suet out	40.75	39.50	38.00	35.00	23.75	22.75
Loin chops	47.00	45.50	43.00	40.00	26.25	25.00
Loin—boned, rolled and tied	41.00	39.50	37.50	35.00	23.50	22.50
Hotel rack—chine removed, regular	37.25	35.75	33.75	31.50	21.00	20.25
Hotel rack—rib chops, 5th to 12th ribs, inclusive	38.00	36.75	34.75	32.25	21.75	20.75
Hotel rack—rib chops, 5th to 7th ribs, inclusive	39.50	38.25	36.25	33.75	22.75	21.75
Hotel rack—chine removed, blade bone out	(1)	(1)	(1)	(1)	(1)	(1)
Yoke—boned, rolled and tied	25.25	24.50	23.75	23.00	15.75	15.00
Oak leaf—boned, rolled and tied	31.50	30.50	29.75	28.75	19.00	18.00
Shoulder—regular stew, bone in	24.75	24.00	23.50	23.00	14.50	13.75
Shoulder—boneless stew	33.00	32.00	31.00	30.00	19.50	18.50
Breast and shank—regular stew, bone in	11.50	11.50	11.50	11.50	7.00	7.00
Breast—regular stew, bone in	11.50	11.50	11.50	11.50	7.00	7.00
Shanks for braising or regular stew, bone in	12.50	12.50	12.50	11.25	7.00	7.00

[1] Not permitted to be sold and/or delivered in this grade.

[Subparagraph (ii) added by Am. 7, 8 F.R. 10444, effective 7-29-43]

(2) *Special price instruction.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 2, 3 and 4 prices.

(3) The applicable zone prices in Zones 1 and 5 through 10 for fabricated lamb or mutton carcasses (War Shipping Administration Specifications) shall be the prices specified in subparagraph (4) hereof, (the applicable Zone 2, 3 and 4 price) plus the following:

Zone 1	$1.50
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

(4) Subject to the additions and deduction hereafter provided in Column IV, the following table prices shall be the applicable Zone 2, 3 and 4 prices on sales of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) made:

Column I By	Column II To	Column III Which sales require deliveries	Column IV Additions and deduction
(i) Any person, licensed or non-licensed ship supplier (other than slaughterers, packers or packers' branch houses).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency.	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any person, licensed or non-licensed ship supplier (other than slaughterers, packers or packers' branch houses).	A licensed ship supplier	To the buyer's place of business.	None.
(iii) A slaughterer, packer or packers' branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(iv) Any licensed ship supplier (other than a slaughterer, packer or packers' branch house; which purchased fabricated lamb or mutton carcass (War Shipping Administration specifications) from the War Shipping Administration or a person authorized by the War Shipping Administration to make purchases and sales under its direction.	A ship operator	To ship side	Add $1.50 per cwt. to table prices.
(v) Any licensed ship supplier (other than a slaughterer, packer, or packers' branch house).	A ship operator	To ship side	Add $1.25 per cwt. to table prices.
(vi) Any slaughterer, packer or packers' branch house (licensed or unlicensed).	A licensed ship supplier	To the buyer's place of business.	Deduct 50¢ per cwt. from table prices.

[All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration Specifications. The additions and deduction specified in §§ 1364.170 and 1364.171 of this regulation are not applicable.]

	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade B	Grade M
Fabricated carcass	27.75	26.25	24.00	21.75	14.50	13.25

All sales under this subparagraph are made subject to the provisions of § 1364.169 (c) and for the purposes of this subparagraph (4) the term "fabricated lamb or mutton carcass (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.169 (c).

For purposes of this subparagraph (4), a sale of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) to any person authorized to make such purchase subject to the direction and control of the War Shipping Administration or to a licensed ship supplier for resale as ship stores, shall be deemed a sale to a purveyor of meals.

(5) "Fabricated lamb or mutton carcasses (War Shipping Administration Specifications)" means carcasses satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated lamb or mutton carcasses (War Shipping Administration Specifications), shall be graded in accordance with § 1364.167 of this regulation, and no fabricated lamb or mutton carcass (War Shipping Administration Specifications) so graded shall be packed for sale and/or delivery to the War Shipping Administration or to any person authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of official United States inspectors designated by the Food Distribution Administration, or other United States government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(6) For purposes of subparagraphs (4) and (5) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943), to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3, who conducts "the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

[Subparagraphs (3), (4), (5) and (6) added by Am. 12, effective 3-21-44]

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, Am. 4, 8 F.R. 7679, and as otherwise noted]

§ 1364.178 *Appendix C: Zone 5 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 5, which is defined as follows:

Zone 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis, and Jefferson.

The following counties in Indiana: Lake, Newton, Benton and Warren.

[Above paragraph as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 5 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $0.50 per hundredweight.

[Paragraph (b) amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 5 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus $0.50 per hundredweight, subject to the

(b) **The Zone 2, 3 and 4 prices for carcasses and wholesale cuts are as follows:**

Item	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade B	Grade M
Carcass:						
Round dressed, pluck out	$24.50	$23.00	$21.00	$18.75	$11.75	$10.50
Round dressed, pluck in	23.50	22.00	20.00	17.75	10.75	9.50
Hindsaddle or bindquarter	28.25	26.75	24.75	21.50	14.00	12.75
Foresaddle or forequarter	21.50	20.25	18.50	16.50	9.00	7.75
Legs or leg	28.50	27.25	25.50	23.00	16.00	14.75
Loins, single or double	28.75	26.50	24.50	18.00	13.00	11.50
Hotel racks—single or double	31.75	29.25	26.25	20.75	14.00	12.50
Yoke—whole or half	18.00	17.00	15.50	13.50	9.50	8.25
Breast or shank	10.50	10.00	9.50	9.00	6.25	6.00
Kosher foresaddle or forequarter	23.50	22.25	20.75	18.75	12.25	10.75
Kosher brisket, whole or half	21.25	20.00	18.75	17.00	8.75	7.75
Kosher chuck, whole or half	26.00	24.50	22.75	20.50	13.00	11.75
Boneless lamb shoulder roll	$26.50	$25.00	$23.00	$20.50	$13.00	$11.75
Lean boneless lamb	29.00	27.50	25.50	23.00	14.50	13.25
Lean boneless mutton	16.50	15.75	14.75	13.75	9.75	8.50
Regular boneless mutton	13.50	13.00	12.50	12.00	8.50	7.50
Lamb or mutton kidneys, bulk	6.50	6.00	5.50	5.00	4.00	3.75
Lamb or mutton neckbone	4.00	3.75	3.50	3.25	2.50	2.25

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) (i) The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a hotel supply house to purveyors of meals are as follows:

Item	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade B	Grade M
Leg—oven prepared	$39.00	$37.75	$35.50	$32.75	$22.00	$20.75
Leg—boned, rolled and tied	42.50	40.75	38.50	35.75	23.75	22.50
Loin—flank on—kidney and suet out	38.75	37.50	35.75	33.25	22.50	21.50
Loin—flank off, kidney and suet out	43.50	42.00	40.00	37.75	25.00	23.75
Loin chops	50.00	48.50	45.50	42.50	27.75	26.50
Loin—boned, rolled and tied	44.00	42.50	40.25	37.50	25.00	23.75
Hotel rack—rib chops, 5th to 12th ribs, inclusive	41.00	39.75	37.75	35.00	24.00	23.00
Hotel rack—rib chops, 5th to 7th ribs, inclusive	42.50	41.25	39.25	36.75	25.00	23.75
Hotel rack—chine removed, blade bone out	(1)	(1)	(1)	(1)	(1)	(1)
Yoke—boned, rolled and tied	27.25	26.50	25.50	24.50	16.50	15.75
Oak leaf—boned, rolled and tied	33.75	33.00	32.00	31.00	20.00	19.00
Shoulder—regular stew, bone in	26.50	25.75	24.75	24.00	15.00	14.25
Shoulder—boneless stew	35.50	34.50	33.50	32.50	20.50	19.50
Breast and shank—regular stew, bone in	12.25	12.25	12.25	12.25	7.50	7.50
Breast—regular stew, bone in	12.25	12.25	12.25	12.25	7.50	7.50
Shanks for braising or regular stew, bone in	13.25	13.25	13.25	12.00	7.50	7.50

[1] Not permitted to be sold and/or delivered in this grade.

[Subparagraph (1) redesignated (i) and amended by Am. 7, 8 F.R. 10444, effective 7-29-43]

to any person authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of official United States inspectors designated by the Food Distribution Administration, or other United States government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(6) For purposes of subparagraphs (4) and (5) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943), to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3, who conducts "the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

[Subparagraphs (3), (4), (5) and (6) added by Am. 12, effective 3-21-44]

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, Am. 4, 8 F.R. 7679, and as otherwise noted]

§ 1364.178 *Appendix C: Zone 5 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 5, which is defined as follows:

Zone 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis, and Jefferson.

The following counties in Indiana: Lake, Newton, Benton and Warren.

[Above paragraph as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 5 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $0.50 per hundredweight.

[Paragraph (b) amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 5 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus $0.50 per hundredweight, subject to the

special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 5 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.179 *Appendix D: Zone 6 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 6, which is defined as follows:

Zone 6: The following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana except the counties of Lake, Newton, Benton and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg and Todd.

The following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston

The state of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia.

(a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 6 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b) plus $0.75 per hundredweight.

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 6 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus $0.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 6 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.180 *Appendix E: Zone 7 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 7, which is defined as follows:

Zone 7: The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Fayette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler and Logan.

All that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette and Lamar

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo and Issaquena.

(a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) (1) The Zone 7 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered within 75 miles of the point of slaughter, $0.50 per hundredweight may be added to the Zone 7 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered to kosher dealers within 75 miles of the point of slaughter, $0.50 per hundredweight may be added to the Zone 7 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 7 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus $1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, $1.50 per hundredweight may be added to the Zone 7 maximum prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 7 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and by Am. 4, 8 F.R. 7679]

§ 1364.181 *Appendix F: Zone 8 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 8, which is defined as follows:

Zone 8: All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus and Chautauqua.

The following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford and Fulton.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

The following counties of Maryland: Garrett and Allegheny.

All that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd and Carroll.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke and Cleveland.

All that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda and Edgefield.

All that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt and Thomas.

All that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Point Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida west of and including the counties of Leon and Wakulla.

(a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) (1) The Zone 8 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered within 75 miles of the point of slaughter, $0.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered to kosher dealers within 75 miles of the point of slaughter, $0.50 per hundredweight may be added to the Zone 8 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 8 prices for hotel supply cuts specified in § 1364.177 (c) (1), plus $1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in those portions of New York or Pennsylvania included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, $1.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 8 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.182 *Appendix G: Zone 9 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 9, which is defined as follows:

Zone 9: Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

All that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings and Richmond.

All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry and Franklin.

New Jersey and Delaware.

All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles and Saint Marys.

The District of Columbia.

The following counties in West Virginia: Berkeley and Jefferson.

All that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin and Patrick.

All that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln and Gaston.

All that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper and Beaufort.

All that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook and Brooks.

The following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando and Pasco.

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1346.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) (1) The Zone 9 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $1.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered within 75 miles of the point of slaughter, $1.00 per hundredweight may be added to the Zone 9 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered to kosher dealers within 75 miles of the point of slaughter, $0.50 per hundredweight may be added to the Zone 9 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 9 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus $1.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, $1.50 per hundredweight may be added to the Zone 9 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 9 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.183 *Appendix H: Zone 10 and applicable zone wholesale prices.* Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 10, which is defined as follows:

Zone 10. All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

(a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 10 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus $1.75 per hundredweight.

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 10 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the maximum prices established in § 1364.177 (c) (1) plus $1.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instruction.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, $0.75 per hundredweight may be added to the Zone 10 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.184 *Appendix I: Formula for meat marking fluid.* The following formula has been approved by the United States Department of Agriculture, Bureau of Animal Industry, Meat Inspection Laboratory, to be used for marking meats under the provisions of meat inspection law:

Water	gallons	45
Pure grain alcohol, 95 per cent	gallons	38
Granulated cane sugar	pounds	100
Methyl violet	pounds	10

The methyl violet is dissolved in the alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.

It is not necessary that the above-mentioned formula be adhered to in every detail, but the proportions indicated should not be subjected to any considerable variation; otherwise the marking qualities of the fluid may be impaired. Instead of the pure grain alcohol specified in the formula, there may be employed pure grain alcohol, denatured according to Formula 33 of the United States Bureau of Internal Revenue. When such denatured alcohol is used, it should be employed in the proportion indicated above. No additional methyl violet should be added. Instead of granulated cane sugar, pure granulated glucose may be added in the same proportion, or heavy corn sirup, if of suitable purity, may be used: *Provided*, Due allowance is made for the water introduced in that way. All the ingredients used in preparing the marking fluid must be free from poisonous and harmful substances.

§ 1364.185 *Appendix J: Specifications for Official United States Standards for Grades of Lamb Carcasses, Yearling Mutton, and Mutton Carcasses*—(a) *Lamb carcasses.* (1) Choice or No. 1 grade lamb carcasses have excellent conformation, finish, and quality, but are usually slightly deficient in one or more respects as compared with Prime grade carcasses.

Choice grade carcasses are relatively short and compact, have short plump legs, broad thick backs, thick full loins, ribs, and chucks, short plump necks, and well-proportioned flanks and breasts. The general outlines resemble closely those of Prime grade carcasses. All fats are of good quality, white or slightly creamy. The outer covering of fat is smooth and usually well distributed, but may be deficient in this respect as compared with that on Prime grade carcasses. Loins and ribs are well covered with fat, which recedes to a moderately thin covering over hind legs and shoulders. The fat covering is interspersed with thin strips of pink flesh over the sides and a more even distribution over the lower limits of the breast and flanks. Interior fats are plentiful in the crotch and over the kidneys but not excessive. The flesh is fine-grained, firm, and has a light pink color. Bones are relatively small, soft, and tinged with blood. The break joint of the forelegs shows four smooth, moist, well-defined red ridges.

(2) *Good or No. 2.* Good or No. 2 grade lamb carcasses have good conformation, finish, and quality, but are deficient in one or more respects as compared with Choice grade carcasses.

Carcasses of this grade are well proportioned and reasonably plump but may be slightly deficient in breadth or depth across the hips, backs, or shoulders. Legs, although short and moderately plump, are more tapering than in carcasses of the higher grades. Loins, ribs, and chucks are thick and full, and necks are short and plump. There may be slight indications of paunchiness or a slight tendency toward the rangy type which is indicated by long tapering shanks and somewhat longer body. Bones are soft and tinged with red, both indicating a young animal. The break joints of the forelegs show four well-defined relatively soft red ridges.

The outer covering of fat is smooth and even over the back and hips, diminishing sharply toward the shanks and flanks. The fat covering is interspersed with thin strips of lean flesh under the fell, but these are not usually so pronounced as in Choice and Prime grade carcasses. Interior fats are plentiful, but they are unevenly distributed, being in greatest quantity in the regions of kidneys and crotch. All fats are of good quality and white or slightly creamy in color. The flesh is moderately firm, fine-grained, and light pink in color.

(3) *Commercial or No. 3.* Commercial or No. 3 lamb carcasses have fair conformation, finish, and quality.

Carcasses of this grade are usually somewhat angular or rangy in conformation, with moderately long, thin necks and shanks and relatively narrow hips, back, and shoulders. They have moderately long, tapering legs, and they lack the plumpness of the better grades. Ribs and loins are lacking somewhat in depth of flesh. The break joints of the forelegs show four well-defined soft ridges, but these lack redness to a marked degree.

Carcasses of this grade usually have a moderately thin outer covering of fat, but it is not evenly distributed. There are also some carcasses in this grade that have excessive quantities of fat which disqualify them for a higher grade. Interior fats are relatively scarce, the kidneys being only partially covered. Small quantities are also found in the crotch. The thin strips of lean under the fell are not nearly so prominent as in the better grades. Heavier carcasses of this grade or those approaching the yearling mutton stage have proportionately greater quantities of fat than have lighter carcasses. The flesh is usually inclined to be soft, spongy, and moderately fine-grained, or may be firm in carcasses from heavier and older animals. Its color varies from light to dark pink.

(4) *Utility or No. 4.* Utility or No. 4 grade lamb carcasses are angular and have poor conformation, finish, and quality.

All bones are prominent. Such carcasses are disproportionately long and narrow. The contour of the backbone is plainly visible from neck to tail. Sides are thin, and flanks are thin and flabby. There is little or no exterior or interior fat, slight traces being sometimes found around the kidneys and in the crotch. The heavier and older carcasses frequently have small patches of fat in the regions of the kidneys. This fat usually has a bluish tinge. Bones are usually soft, but they lack the redness of those in better grade carcasses. The break joints of the forelegs have knuckle ends removed and show four well-defined relatively soft ridges. Because of lack of finish the flesh is soft, spongy, and inclined to be watery. It appears coarse and fibrous. Its color may be dark pink or it may have a brownish tinge.

(5) *Cull or No. 5.* Cull or No. 5 grade lamb carcasses are not offered regularly for retail trade and are found in the markets only occasionally. Such carcasses are almost entirely devoid of visible fat and are of the most inferior conformation and quality. Proportion of bone to meat is very high. The flesh is dark, soft, coarse-grained, and owing to lack of nourishment or other causes, appears fibrous to a marked degree.

(b) *Yearling mutton carcasses*—(1) *Choice or No. 1.* Choice or No. 1 grade yearling mutton carcasses have excellent conformation, finish, and quality. They have relatively short and plump legs, thick loins and ribs, full-fleshed shoulders, thick breasts, and a length of body commensurate with depth and breadth of carcass. Choice grade carcasses have good breadth in proportion to length, but are relatively heavier in the fore quarters than lamb carcasses of the same grade. They resemble Choice grade lamb carcasses in many respects, but have proportionately longer bodies, legs, and necks, larger abdominal cavities, and more distended ribs. Compared with lamb, the bones are harder and whiter. Where the foot is removed from the foreleg the end of the bone shows a rough, dry, and comparatively hard surface.

The outer covering of fat is smooth and well distributed over loins, ribs, and shoulders. The fat covering is interspersed with thin strips of dark-pink flesh under the fell extending over the sides and has a more even distribution over the lower limits of the breasts and flanks. Interior fats are plentiful in the crotch, and the kidneys are well and evenly covered. All fats are of good quality, white or creamy, and inclined to be brittle. The flesh is moderately fine-grained, firm, and medium to dark pink in color.

(2) *Good or No. 2.* Good or No. 2 grade yearling mutton carcasses have good conformation, finish, and quality. Such carcasses, although reasonably plump, may be slightly deficient in breadth across the hips, back, and shoulders. Yearling mutton carcasses of this grade resemble Good grade lamb carcasses in many respects, but have proportionately longer bodies and legs, larger abdominal cavities, more distended ribs, and harder bones. The break joints of the forelegs are rough and dry and show little redness.

The outer covering of fat may be fairly even over the back, loin, and rumps, or it may be slightly rough. Interior fats are plentiful in the crotch, and the kidneys are usually well covered. The flesh is firm, moderately fine-grained, and has a deep pink to light red color.

(3) *Commercial or No. 3.* Commercial or No. 3 grade yearling mutton carcasses have fair conformation, finish, and quality. To some extent they lack the fullness or plumpness in legs, loins, and ribs found in Good grade carcasses. Shoulders are usually thinly fleshed and inclined to be rough, necks are long, and legs long and tapering. There is usually a thin covering of fat over the shoulders, a moderate quantity on the loins, ribs, and breasts, and practically none elsewhere on the exterior surface. Except for small quantities around the kidneys and in the crotch, interior fats are scant. Although the flesh is moderately fine-grained, it usually has a relatively high percentage of moisture and varies in color from deep pink to light red.

(c) *Mutton carcasses*—(1) *Good or No. 2.* Good or No. 2 grade mutton carcasses have good conformation, finish, and quality. Good grade carcasses, although well-proportioned and moderately plump, may be slightly deficient in breadth or depth across the hips, backs, and shoulders as compared with Choice carcasses. Legs are relatively short and thickly fleshed. Good grade carcasses generally have wider barrels and more distended ribs than Choice carcasses. The grade admits a higher percentage of ewes, and the bones may be slightly harder and more flinty.

The outer covering of fat, although fairly even, varies to some extent and may be slightly excessive on the rumps or deficient on the shoulders, breasts, and flanks. Interior fats are plentiful, but may be slightly deficient or excessive as compared with Choice grade carcasses, although not to a marked degree. The strips of lean under the fell on the sides are less prominent than on Choice grade carcasses, but these are well defined. The flesh is firm, slightly coarse-grained, and light to medium red in color.

(2) *Commercial or No. 3.* Commercial or No. 3 grade mutton carcasses have fair conformation, finish, and quality.

Carcasses of this grade lack the fullness or plumpness in legs, loins, and ribs found in carcasses of the better grades. Shoulders are only moderately well fleshed. Carcasses of this grade are relatively narrow through the hips and across the back, and the bones of the spinal column are prominent. Because of these deficiencies such carcasses appear somewhat longer and angular. The abdominal cavity is relatively wide, and the curvature of the ribs is very marked, especially in ewe mutton carcasses.

The thin strips of flesh under the fell, which are so prominent on well-finished carcasses, are only slightly in evidence on Commercial grade carcasses. There is usually a thin covering of fat over the back, loins, and rumps, but practically none on the legs. The flanks are inclined to be thin. There are moderate quantities of interior fats around the kidneys but not sufficient to cover them, and there are only traces elsewhere. The flesh is moderately firm, but somewhat coarse-grained and medium to dark red in color.

(3) *Utility or No. 4.* Utility or No. 4 grade mutton carcasses are the lowest grade offered regularly for retail purposes. They are angular in conformation, thinly fleshed, and lacking in finish. Such carcasses are narrow across the hips, loins, back, and shoulders. The contour of the backbone is plainly visible from end to end, and other bones are prominent. The grade consists principally of carcasses from old, thin-fleshed ewes. The bones are therefore usually hard, white, and flinty. Small and uneven patches of exterior fat are occasionally found on loins, back, or shoulders. There are usually traces of fat around the kidneys, but practically no other interior fats. That which is found is of poor quality. The flesh is coarse-grained, inclined to be soft and flabby, and dark red in color.

[Subparagraph (3) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

NOTE: The recording and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3833; Filed, March 15, 1944; 4:53 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 113]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (58) is amended to read as follows:

(58) "Area A" means the States of Arizona, California, Nevada, Oregon, and Washington.

2. Section 1394.7551 (a) (59) is amended to read as follows:

(59) "Area B" means the States of Alabama, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Ohio, Oklahoma, Nebraska, New Mexico, North Dakota, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming, the portion of the State of Florida which lies west of the counties of Gadsden, Liberty and Franklin, the portion of the State of West Virginia, which lies west of the counties of Grant and Pendleton, the portions of the State of Georgia which lie within the corporate limits of the Cities of Rossville and West Point, the portions of the State of Pennsylvania which lie within the corporate limits of the Cities of Farrell, Sharon, Sharpsville and Wheatland, and the portions of the State of Virginia which lie within the corporate limits of the Cities of Bluefield and Bristol.

3. In § 1394.7652 the portion of the table of valid periods relating to Class A coupons numbered 11 and 12 is amended to read as follows:

11	March 22, 1944, to June 21, 1944, inclusive, outside the gasoline shortage area, and from August 9, 1944, to November 8, 1944, inclusive, in the gasoline shortage area.
12	June 22, 1944, to September 21, 1944, inclusive, outside the gasoline shortage area.

4. Section 1394.7653 (d) is amended to read as follows:

(d) Pursuant to such application, the Board shall issue a Basic ration. Before issuing a Class A or Basic Class B ration book the Board shall remove coupons from the book according to the following formula:

(1) From a Class A book: All expired coupons and one currently valid coupon for each full twelve days which have elapsed in the "valid period" during which such book is issued.

(2) From a Basic Class D book issued after March 16, 1944, twenty-four coupons and, in addition, one coupon for each full ten days which have elapsed between March 16, 1944, and the date of issuance.

5. In the text of § 1394.7653 (f) the table of periods appearing at the end of the third sentence is amended to read as follows:

Class A rations outside the gasoline shortage area	July 22, 1943 to September 21, 1944, inclusive.
Class A rations within the gasoline shortage area	November 9, 1943, to December 30, 1944, inclusive.
Basic Class D rations	July 22, 1943, to November 11, 1944, inclusive.

6. Section 1394.7701 (c) is amended by substituting for the first two sentences the following sentence:

An applicant for a supplemental ration for use with a motorcycle is deemed to have available sixty miles per month of occupational driving by using the basic ration issued for use with the motorcycle.

7. In § 1394.7704 (b) the proviso at the end of the third sentence is amended to read as follows:

Provided, That except in accordance with the provisions of § 1394.7707, no Board in Area A may allow an average of more than 400 miles per month, no Board in Area B may allow an average of more than 475 miles per month, and no Board in the gasoline shortage area may allow an average of more than 325 miles per month, for any occupational mileage other than preferred mileage as defined in § 1394.7706. The Board may allow an average mileage in excess of such maximum only if the excess consists of such preferred mileage or additional mileage allowed pursuant to § 1394.7707.

8. Section 1394.7704 (d) is revoked.

9. Section 1394.7705 (a) (1) (i) is amended by substituting the figures "400" for the figures "460".

10. Section 1394.7705 (a) (1) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 400 miles per month: Class C coupons in the number specified in Table II for the mileage allowed.

11. Section 1394.7705 (a) (3) is amended to read as follows:

(3) In the case of a passenger automobile for which application for a supple-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15985, 16252.

mental ration is made in Area B, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 475 miles per month or less: Class B coupons in the number specified in Table IB for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 475 miles per month: Class C coupons in the number specified in Table IIB for the mileage allowed.

12. In § 1394.7705 (a) (4) "Table I" is amended to read as follows:

TABLE I—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN AREA A

For passenger automobiles with an allowed mileage of 400 miles per month or less.

(For motorcycles, use Table IC)

Miles per month:	*"B" coupons for 3 months*
1–25	1
26–50	2
51–75	3
76–100	4
101–125	5
126–150	6
151–175	7
176–200	8
201–225	9
226–250	10
251–275	11
276–300	12
301–325	13
326–350	14
351–375	15
376–400	16

13. In § 1394.7705 (a) (4) "Table II" is amended to read as follows:

TABLE II—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN AREA A

For passenger automobiles with an allowed mileage of more than 400 miles per month

(For motorcycles, use Table IC)

Miles per month:	*"C" coupons for 3 months*
401–426	17
426–450	18
451–475	19
476–500	20
501–525	21
526–550	22
551–575	23
576–600	24
601–625	25
626–650	26
651–675	27
676–700	28
701–725	29
726–750	30
751–775	31
776–800	32
801–825	33
826–850	34
851–875	35
876–900	36
901–925	37
926–950	38
951–975	39
976–1000	40
1001–1025	41
1026–1050	42
1051–1075	43
1076–1100	44
1101–1125	45
1126–1150	46
1151–1175	47
1176–1200	48

NOTE: In the event the allowed mileage exceeds 1,200 miles, one additional coupon shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1,200 miles.

14. In § 1394.7705 (a) (4) Table IB and Table IIB are added as set forth below:

TABLE IB—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN IN AREA B

For passenger automobiles with an allowed mileage of 475 miles per month or less.

(For motorcycles, use Table IC)

Miles per month	*"B" coupons for 3 months*
1–25	1
26–50	2
51–75	3
76–100	4
101–125	5
126–150	6
151–175	7
176–200	8
201–225	9
226–250	10
251–275	11
276–300	12
301–325	13
326–350	14
351–375	15
376–400	16
401–425	17
426–450	18
451–475	19

TABLE IIB—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN AREA B

For passenger automobiles with an allowed mileage of more than 475 miles per month.

(For motorcycles, use Table IC)

Miles per month	*"C" coupons for 3 months*
476–500	20
501–525	21
526–550	22
551–575	23
576–600	24
601–625	25
626–650	26
651–675	27
676–700	28
701–725	29
726–750	30
751–775	31
776–800	32
801–825	33
826–850	34
851–875	35
876–900	36
901–925	37
926–950	38
951–975	39
976–1000	40
1001–1025	41
1026–1050	42
1051–1075	43
1076–1100	44
1101–1125	45
1126–1150	46
1151–1175	47
1176–1200	48

NOTE: In the event the allowed mileage exceeds 1200 miles, one additional coupon shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1200 miles.

15. Section 1394.7706 (x) (8) (ii) is amended to read as follows:

(ii) No mileage in excess of the general limitation of an average of 400 miles per month in Area A for non-preferred occupational mileage (475 miles per month in Area B and 325 miles per month in the gasoline shortage area) shall be allowed under this subparagraph (8) unless such excess mileage is for travel on which the applicant is exclusively engaged in the performance of his duties as such member, and such excess mileage for such purpose shall not exceed an average of 360 miles per month for any one vehicle or for any such member.

16. Section 1394.7707 (a) (1) is amended by deleting the words "or in Area B" and by substituting the figures "400" for the figures "460."

17. Section 1394.7707 (a) (3) is added to read as follows:

(3) Where application is made in Area B and such person requires more than 475 miles per month for driving between home and a fixed place or places of work, or between fixed places of work, in connection with his principal occupation.

18. Section 1394.7754 (b) (1) is amended to read as follows:

(1) If the Board is in Area A the maximum average mileage is 400 miles per month.

19. Section 1394.7754 (b) (3) is added to read as follows:

(3) If the Board is in Area B the maximum average mileage is 475 miles per month.

20. Section 1394.7755 (a) (1) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 400 miles per month or less: Class B coupons in the number specified in Table I in § 1394.7705 (a) (4) for the mileage allowed.

21. Section 1394.7755 (a) (1) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 400 miles per month: Class C coupons in the number specified in Table II in § 1394.7705 (a) (4) for the mileage allowed.

22. Section 1394.7755 (a) (3) (i) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 475 miles or less: Class B coupons in the number specified in Table IB in § 1394.7705 (a) (4) for the mileage allowed.

23. Section 1394.7755 (a) (3) (ii) is amended to read as follows:

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 475 miles per month: Class C coupons in the number specified in Table IIB in § 1394.7705 (a) (4) for the mileage allowed.

24. In § 1394.7755 (a) (4) Table III and Table IV are revoked.

25. Section 1394.7856 (b) (1) is revoked.

26. Section 1394.8051 (c) is amended to read as follows:

(c) Notwithstanding any other provisions of this section, no Board shall allow mileage in respect to any renewal of a supplemental, fleet or official ration, or any ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 which will in any way compensate for any loss in mileage caused by any reduction in the unit value of Class A, B or C coupons or by any extension of the valid period of the Class A coupon made on or after October 1, 1943, unless such restoration is made pursuant to the provisions of § 1394.8052.

27. Section 1394.8053 (b) is amended to read as follows:

(b) Such application shall be made in the same manner as the application for the current ration. It may be granted only if such current ration is a supplemental ration based on an allowed mileage in excess of 400 miles per month in Area A, 475 miles per month in Area B, or 325 miles per month in the gasoline shortage area.

This amendment shall become effective at 12:01 a. m., March 22, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3635; Filed, March 15, 1944; 4:52 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 2 to Rev. Supp. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

Revised Supplement No. 1 to Ration Order No. 5C is amended in the following respects:

1. Section 1394.8401 (a) (1) is amended to read as follows:

(1) Three (3) gallons of gasoline with respect to Class A coupons.

Five (5) gallons of gasoline with respect to Class B and C coupons which bear the numeral "2" or a higher numeral on the face of the coupon.

Three (3) gallons of gasoline with respect to Class B and C coupons, which do not bear the numeral "2" or a higher numeral on the face of the coupon, in Area A and in the States of Colorado, Idaho, Montana, Utah and Wyoming.

Two (2) gallons of gasoline with respect to Class B and C coupons, which do not bear the numeral "2" or a higher numeral on the face of the coupon, in Area B except the States of Colorado, Idaho, Montana, Utah and Wyoming.

2. In § 1394.8401 (b) the definition of Area A is amended to read as follows:

"Area A" means the States of Arizona, California, Nevada, Oregon and Washington.

3. In § 1394.8401 (b) the definition of Area B is amended to read as follows:

"Area B" means the States of Alabama, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming, the portion of the State of Florida which lies west of the counties of Gadsden, Liberty and Franklin, the portion of the State of West Virginia which lies outside of and west of the counties of Mineral, Grant and Pendleton, the portions of the State of Georgia which lie within the corporate limits of the Cities of Rossville and West Point, the portions of the State of Pennsylvania which lie within the corporate limits of the Cities of Farrell, Sharon, Sharpsville and Wheatland, and the portions of the State of Virginia which lie within the corporate limits of the Cities of Bluefield and Bristol.

This amendment shall become effective at 12:01 a. m. on March 22, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3634; Filed, March 15, 1944; 4:52 p. m.]

[1] 8 F.R. 15985, 16252.

[MPR 521]

PITTED AND MACERATED DOMESTIC DATES AND DOMESTIC DATE PRODUCTS (1943 CROP AND AFTER)

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of the regulation has been issued and filed with the Division of the Federal Register.*

§ 1351.372 *Maximum prices for processors and certain other sellers of pitted and macerated domestic dates and domestic date products (1943 crop and after).* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 Maximum Price Regulation No. 521 (Pitted and Macerated Domestic Dates and Domestic Date Products, 1943 Crop and After) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.372 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 521—PITTED AND MACERATED DOMESTIC DATES AND DOMESTIC DATE PRODUCTS, 1943 CROP AND AFTER

ARTICLE I—EXPLANATION OF THE REGULATION AND GENERAL DEFINITIONS

Sec.
1. Explanation of the regulation.
2. General definitions.

ARTICLE II—PROCESSORS' MAXIMUM PRICES

Sec.
3. Maximum prices of processors for pitted domestic dates, macerated domestic dates and domestic date products.
4. Maximum Prices for government sales.

ARTICLE III—MAXIMUM PRICES FOR DISTRIBUTORS

5. Maximum prices for distributors other than wholesalers and retailers.

ARTICLE IV—MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

6. Units of sale and fractions of a cent.
7. Maintenance of customary discounts and allowances.
8. Export and import sales.
9. Payment of brokers.
10. Notification of new maximum prices.
11. Records which must be kept.
12. Sales slips and receipts.
13. Transfer of business or stock in trade.
14. Adjustable pricing.
15. Compliance with this regulation.
16. Petitions for amendment.

ARTICLE I—EXPLANATION OF THE REGULATION AND GENERAL DEFINITIONS

SECTION 1. *Explanation of the regulation.* (a) The purpose of this regulation is to establish maximum prices for pitted and macerated domestic dates and domestic date products of the 1943 crop and after, in sales by persons other than wholesalers and retailers. The products covered by this regulation and processors' maximum prices for sales of each product are set forth in Article II.

(b) This regulation supersedes Maximum Price Regulation No. 243[1] with respect to sales and deliveries of pitted domestic dates, macerated domestic dates, and domestic date products of the 1943 crop and after.

(c) Maximum prices for sales by wholesalers and retailers are governed by Maximum Price Regulation Nos. 421,[2] 422[3] and 423.[4] "Wholesaler" and "retailer" means the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

(d) This regulation applies only to the forty-eight states of the United States and to the District of Columbia.

(e) Prices established by this regulation are in effect from March 18, 1944.

SEC. 2. *General Definitions.* (a) When used in this regulation the term:

(1) "Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions, and their agencies.

(2) "Processor" means a person who pits, macerates or grinds domestic dates.

(3) "Pitted domestic dates" means domestic dates from which the pits have been removed, but which otherwise remain whole.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8478, 8948, 10530.

[2] 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607, 17368, 17367.

[3] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370.

[4] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371.

(4) "Macerated domestic dates" means domestic dates from which the pits have been removed and which have been cut into two or more pieces or have been chopped, sliced or ground. The addition of other ingredients and further processing does not change the classification of macerated domestic dates unless such additional ingredients and further processing result in a complete confection ready for sale to ultimate consumers without further processing in such form as to come within the definition of "domestic date products".

(5) "Domestic date products" means any completed confection containing ninety per cent or more by weight of macerated domestic dates combined with other ingredients, prepared for sale to ultimate consumers without further processing.

(6) "Net delivered cost" means the amount the purchaser pays for the item (in a purchase which is customary, for him, in quantity, type of supplier, receiving point and means of transportation), less all discounts allowed him, except the discount for prompt payment. However, the expense of local trucking or unloading is not included.

(7) "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the goods. In cases where the seller is dealing with the buyer for the first time after the effective date of this regulation, "delivered to the customary receiving point" means delivered to the buyer's place of business.

(8) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, apply to other terms used in this regulation.

ARTICLE II—PROCESSORS' MAXIMUM PRICES

SEC. 3. *Maximum prices of processors for pitted domestic dates, macerated domestic dates and domestic date products.* (a) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of pitted domestic dates in bulk or in packages containing more than one pound shall be 28 cents per pound. The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of pitted domestic dates packaged in containers of one pound or less shall be 28 cents per pound, plus 7 cents per package (packaging allowance).

(b) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of macerated domestic dates shall be 21 cents per pound.

(c) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of domestic date products shall be 35½ cents per pound when sold in bulk or in packages containing more than one pound and 38 cents per pound when sold in packages containing one pound or less.

SEC. 4. *Maximum prices for government sales.* The processor's maximum prices, f. o. b. factory, for sales of pitted domestic dates, macerated dates and domestic date products to government procurement agencies shall be 96 percent of his maximum prices, f. o. b. factory, for sales to other than government procurement agencies.

SEC. 5. *Maximum prices for distributors other than wholesalers and retailers.* "Distributor" means a person, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of the product being priced and resells it without processing or packing any part of it.

(a) *Pricing method No. 1.* A distributor may use the pricing method of this paragraph (a) only (1) if he sold pitted domestic dates, macerated domestic dates or domestic date products prior to April 28, 1942, (2) when he is selling those products which he actually refrigerates and warehouses in a warehouse or other receiving station not owned or controlled by any of his customers, and (3) when he is selling to wholesalers, or to institutional or commercial users.

The maximum price of a distributor who meets the requirement of pricing method No. 1 shall be his net delivered cost, plus 7% of such cost.

(b) *Pricing method No. 2.* The maximum price of a distributor, who does not meet the requirements of paragraph (a) of this section shall be the maximum price of his supplier, f. o. b. factory, plus incoming freight paid by him.

ARTICLE IV—MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

SEC. 6. *Units of sale and fractions of a cent.* (a) Maximum prices shall be stated in terms of the same general units (like pounds, dozens, etc.) in which the seller has customarily quoted prices for the product.

(b) Amounts computed in the process of figuring a maximum price (other than the maximum price itself) shall be carried to four decimal places (hundredths of a cent). On sales to government procurement agencies, the maximum price itself shall be carried to four decimal places. If any figured maximum price (other than on sales to government procurement agencies) include a fraction of a cent, the seller shall adjust the price to the nearest fractional unit of a cent (like 1¢, ½¢, etc.) in which he has customarily quoted prices for the product.

SEC. 7. *Maintenance of customary discounts and allowances.* For sales to purchasers other than government procurement agencies, no person shall change any customary allowance, discount or other prices differential to a purchaser or class of purchasers, if the change results in a higher net price to that purchaser or class.

SEC. 8. *Export and import sales.* The maximum price at which a person may export any item covered by this regulation shall be determined in accordance with the Second Revised Maximum Export Price Regulation,[8] and amendments. Sales of products which have been processed or packed outside of the geographical area to which this regulation applies are not covered by the regulation except in cases where the goods being priced are located within the area at the time of sale.

SEC. 9. *Payment of brokers.* In accordance with existing trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price plus allowable transportation actually paid by the seller or by the broker. The term "broker" includes a "finder."

SEC. 10. *Notification of new maximum price.* With the first delivery of an item after the effective date of this regulation, or any amendment to it in any case where the seller's new maximum price is different from the maximum price he previously had for the same item, he shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (*describe item by kind, variety, grade, brand, style of pack and container type and size*) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 and 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (*insert effective date of this regulation or amendment authorizing or directing change in maximum price*). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 and 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(b) Notify each purchaser of the item who is a distributor other than a wholesaler and retailer of the establishment of the new maximum price by written notice attached to, or stated on, the invoice issued in connection with the first transaction with such purchaser after the effective date of this regulation or amendment, as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (*describe item by kind, variety, grade, brand, style of pack and container type and size*) has been changed from $____ to $____ under the provisions of Maximum Price Regulation No. 521. You are required to notify all wholesalers and retailers from whom you are the customary type of supplier, purchasing the item from you after (*insert effective date of this regulation or amendment authorizing or directing change in maximum price*), of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 10 of Maximum Price Regulation No. 521.

SEC. 11. *Records which must be kept.* Every person who makes sales covered by this regulation shall:

(a) Make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged in those sales; and

(b) Preserve for examination by the Office of Price Administration, for the same period, all his existing records which were the basis of figuring his maximum prices in the manner directed by this regulation, showing the method used in figuring the maximum prices.

SEC. 12. *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, shall continue to do so. Upon request, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each item sold, and the price received for it.

SEC. 13. *Transfers of business or stock in trade.* If the business, assets or stock in trade of a seller subject to this regulation are sold or otherwise transferred on and after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of food product, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 14. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order.

SEC. 15. *Compliance with this regulation*—(a) *No selling or buying above maximum prices.* Regardless of any contract or obligation no person shall sell or deliver, or buy or receive in the course of trade, any item at a price higher than the maximum price established for the sale by this regulation. However, prices lower than the maximum price may be charged and paid.

However, the prohibition of this paragraph does not apply to (1) any war procurement agency of the United States, or its contracting or paying finance officers, or (2) the government (or its agencies) of any country the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States". No such purchaser or person shall be subject to the libabilities otherwise imposed by this section or by the Emergency Price Control Act of 1942. "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation; the Defense Plant Corporation, the Rubber Reserve Corporation, the Metals Reserve Corporation and the Defense Supplies Corporation, or any of their agencies. (This exception is derived from, and for the purpose of this regulation supersedes, Supplementary Order No. 7,[7] issued by the Office of Price Administration).

(b) *Evasion.* Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation; or other charge, or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling, or packaging, or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provision, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to the regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[9] issued by the Office of Price Administration.

Effective date. This regulation shall become effective March 18, 1944.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3716; Filed, March 16, 1944; 11:55 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 520]

WEST COAST COOPERAGE

In the judgment of the Price Administrator, the Maximum Prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Standards and grade specifications used in this regulation have been accepted and were in general use within the industry prior to the issuance of this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1377.305 *Maximum prices for West Coast cooperage.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 520 (West Coast Cooperage) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1377.305, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 520—WEST COAST COOPERAGE

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Prohibition against dealing in West Coast cooperage and cooperage stock at prices above the maximum.
2. Transactions and products covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Maximum prices.
4. Items not specifically priced.

[8] 8 F.R. 4132, 5987, 7662, 9998, 15193.

[7] 7 F. R. 5176.

[8] 8 F.R. 13240.

*Copies may be obtained from the Office of Price Administration.

[9] 8 F.R. 3313, 3533, 6173, 11806.

Sec.
5. Delivered prices.
6. Prohibited prices.

ARTICLE III—MISCELLANEOUS

7. Adjustable pricing.
8. Applications for adjustment and petitions for amendment.
9. Records.
10. Licenses.
11. Enforcement.
12. Relation to other regulations.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in West Coast cooperage and cooperage stock at price above the maximum.* On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive West Coast cooperage and cooperage stock covered by this regulation at prices higher than the maximum prices established herein, and no person shall agree, offer or attempt to do any of these things.

Prices lower than the maximum prices herein established may, of course, be charged and paid.

SEC. 2. *Transactions and products covered—(a) Transactions covered.* This regulation covers all sales and purchases, within the continental limits of the United States, of the products covered by this regulation, no matter who the seller is.

(b) *Products covered—(1) West Coast cooperage stock—(i) staves.* As used in this regulation, the term "West Coast Staves" means all staves produced in the States of Washington, Oregon or California from West Coast softwood logs by sawing on a parallel sided drum saw, and jointed for use in a bilge barrel or keg.

(ii) *Headings.* Under the term heading, this regulation covers all heading and heading blanks to circle 12 inches or more in diameter produced in the states of Washington, Oregon or California from West Coast softwood logs.

(2) *West Coast cooperage.* The term cooperage as used in this regulation includes all barrels and kegs produced either entirely of stock covered by this regulation or having a single bung stave covered by any other regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum prices—(a) West Coast cooperage stocks.* The maximum prices, f. o. b. producing mill or railhead, for West Coast cooperage stock are those contained in the following tables:

TABLE I—TIGHT STAVES, DRUM SAWN, KILN DRIED, PLANED ONE SIDE, JOINTED, BUNDLED

[Per bilge inch—f. o. b. stave mill]

Length	31" through 35"	26" to 31"	22" to 26"	18" to 22"	14" to 18"	Under 14"
Thickness:						
1"	$.02125					
7/8"	.01965					
3/4"	.01800					
11/16"	.01725					
5/8"	.01645	$.01440	$.01120			
9/16"		.01370	.01095			
1/2"			.01020	$.00920	$.00708	
7/16"			.00950			
3/8"						

TABLE II—TIGHT HEADING KILN DRIED, PLANED ONE SIDE, JOINTED, DOWELLED AND FLAGGED, CIRCLED

[Per set f. o. b. heading mill]

Diameter	19" through 21"	16" to 19"	13" to 16"	11" to 13"	8" to 11"
Thickness:					
13/16"	$0.648				
7/8"	.629	$0.414			
15/16"	.611	.401			
1"		.389			
11/16"		.375	$0.259		
5/8"			.231	$0.201	$0.159
9/16"		.349			
1/2"					.154

TABLE III—SLACK STAVE DRUM SAWN KILN DRIED JOINTED, BUNDLED

[Per bilge inch—f. o. b. stave mill]

Number 1		Length	Number 2	
7/16"	3/4"		7/16"	3/8"
$0.01245		32" through 34"	$0.00910	
.01170	$0.00855	29" to 32"	.00804	$0.00781

TABLE IV—SLACK HEADING, KILN DRIED, JOINTED, PLANED ONE SIDE, GLUED OR TONGUE AND GROOVED CIRCLED, BUNDLED

[Per set—f. o. b. heading mill]

Size	20" through 21"	19" to 20"	18" to 19"	17" to 18"
5/8"	$0.415			
9/16"		$0.380		$0.354
1/2"	.375	.360		
7/16"		.340	$0.305	

Tight Cooperage

40 to 55 gal.	$1.30
20 to 40 gal.	.98
13 to 20 gal.	.71
8 to 13 gal.	.68
Under 8 gal.	.51

Slack Cooperage

Staves 30" through 34" with heads 17" through 21" $0.65.

(2) Maximum prices for extra materials and services in coopering are as follows:

TABLE V—EXTRA CHARGES ON COOPERAGE

Hoops	Over 20 gal. through 50 gal., per hoop	20 gal. and under, per hoop
Tight cooperage:		
16 gauge	$0.08	$0.04
17 gauge and less	.07	.035
Galvanized, add	.04	.02

	Head size		
	17" through 21"	13" to 17"	Under 13"
Slack cooperage:			
19 gauge and heavier (beaded and flat)	$0.05	$0.04	$0.03
20 gauge and lighter (beaded and flat)	.04	.03	.02
Wood hoops	.03	.03	.02

	Over 20 gallon		20 gallon and under	
	First coat	Second coat (including hoop driving)	First coat	Second coat (including hoop driving)
Lining:				
Silicate of soda	$0.05	$0.15	$0.02½	$0.07½
Paraffin or asphalt	.15	.10	.07½	.05
Glue	.15	.25	.07½	.12½

	Over 20 gallon	20 gallon and under
Miscellaneous:		
Varnishing barrels	$0.10	$0.05
Painting barrels, one color	.15	.07½
Painting barrels, two colors	.20	.10

All size barrels

Varnishing hoops—per hoop	$0.00½
Vent holes—per barrel	.01½
Boring any holes other than one bung and vents:	
2" and less—per hole	.02
Over 2" through 3"—per hole	.03
Over 3" through 4"—per hole	.06
Over 4"—per hole	.07½
Hoop fasteners (3 to each hoop) per barrel	.05
Branding (hot)—per barrel	.05
Bung strap—each	.01

(b) *West Coast cooperage.* (1) The maximum prices, f. o. b. producing mill or railhead, for West Coast cooperage produced in the states of Washington, Oregon and California shall be the sum of the following:

(i) Maximum f. o. b. mill price of staves and heads; and

(ii) Maximum prices for hoops and extra materials or services priced under this regulation; (see table below)

(iii) Mark-ups as follow:

SEC. 4. *Items not specifically priced.* Any person desiring to sell on the domestic market any item covered but not specifically priced by the regulation and for which he cannot determine a price under the regulation, shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the item to be priced, the applicant's March 1942 selling price of the item if he sold such item at that time, his requested selling price and his method of arriving at this price. The requested selling price may be used pending approval of a price by this office subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application are approved until specifically revoked.

SEC. 5. *Delivered prices.* If delivery is by common carrier the actual transportation costs paid or incurred by the seller may be added to the maximum f. o. b. mill prices. If shipment is by truck, owned or controlled by the seller, actual transportation costs may be added to the basic maximum prices. Such transportation cost may not exceed 80% of the common carrier charge for the same shipment.

SEC. 6. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in discount practices, devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, changes in discount practices and the like.

ARTICLE III—MISCELLANEOUS

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Applications for adjustment and petitions for amendment—(a) Government contracts.* See Procedural Regulation No. 6 [1] for adjustments on certain government contracts and sub-contracts.

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

(b) *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 9. *Records.* All persons making sales covered by this regulation must keep records for each sale amounting to $15.00 or more which will show a complete description of the products sold, the name and address of the buyer, the date of the transaction, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for two years for inspection by the Office of Price Administration.

SEC. 10. *Licenses.* The provisions of Licensing Order No. 1 [3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more Maximum Price Regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Relation to other regulations—(a) General Maximum Price Regulation.*[4] Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.

(b) *Second Revised Maximum Export Price Regulation.*[5] The maximum prices for export sales products covered by this regulation are governed by the Second Revised Maximum Export Price Regulation.

This regulation shall become effective March 22, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3707; Filed, March 16, 1944; 11:53 a. m.]

[2] 9 F.R. 1162, 2026.
[3] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.
[4] 8 F.R. 13240.
[5] 9 F.R. 1385.
[6] 8 F.R. 4132, 5087, 7662, 9998, 15193.

PART 1381—SOFTWOOD LUMBER

[2d RMPR 19,[1] Amdt. 2]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In section 2, at the end of paragraph (a), the following sentences are added:

Moreover, sales of shortleaf Southern pine boards, dimension, and timbers up to 8 x 8 inches, sold by sawmills which do not have planing mills or which customarily sell their lumber in rough green form, and which cut 4,000,000 feet or less of Southern pine lumber in 1943, are not subject to this regulation, but are subject to Maximum Price Regulation 19A, Log-Run Southern Pine Lumber. Any sawmill subject to this Second Revised Maximum Price Regulation 19 may on special application to the Lumber Branch, Office of Price Administration, Washington, D. C., be granted permission to price all his sales of Southern pine lumber under the log-run prices in Maximum Price Regulation 19A.

1A. Section 5, paragraph (a), is amended by the addition of the following sentence:

"F. o. b. mill" means loaded on cars if any part of delivery is by rail, or loaded on trucks if delivery is entirely by truck.

2. Section 5 (c) is amended to read as follows:

(c) *Shortleaf Southern pine lumber produced in Virginia.* For shortleaf Southern pine lumber produced in the State of Virginia add $2.50 per M'BM to the f. o. b. mill prices set forth in Article 4, except that no addition may be made to the prices in Tables 3A, 9, 9A, 9B, 10, 11, 12 and 13. This addition shall not be made, however, for the purpose of computing maximum prices under Second Revised Maximum Price Regulation 215, Distribution Yard Sales of Softwood, except by yards located in Virginia.

3. Section 5 (d) is amended to read as follows:

(d) *Combination grades.* (1) Lumber sold in a combination of grades may not be sold above the maximum price for the lowest priced grade actually named in the combination except as noted below in subparagraph (2) for the grade "No. 2 Common and better." For example, the maximum price for lumber sold as No. 1 Common and better is the maximum price fixed for No. 1 Common lumber. But it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise made easily identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for

*Copies may be obtained from the Office of Price Administration.

the quantity of each grade shipped may be charged.

(2) Any mill may sell dressed dry Southern pine lumber on a combination grade of No. 2 Common and better containing up to 15% of No. 3 Common at not more than the prices established in Tables 1 and 2 for No. 2 Common. This combination grade must contain all of the upper grades which are the product of the log and no mill electing to sell on this combination grade may sell any lumber at prices in excess of the No. 2 Common prices specified in Tables 1 and 2 during the period for which it is authorized to sell on the combination grade. It may, however, during this period sell grades lower than No. 2 Common at the grade prices specified in the Tables 1 and 2.

Any mill electing to sell on the combination grade No. 2 Common and better must apply for authorization to the Lumber Branch, Office of Price Administration, Washington, D. C. before May 1, 1944 to obtain an authorization number which must thereafter appear on all of its invoices for all its sales of Southern pine lumber. Any mill granted authorization to sell on this combination grade of No. 2 Common and better must give notice of at least ninety days to the Lumber Branch, Office of Price Administration, before it may return to the practice of selling on the regular grades.

The Lumber Branch shall deny the privilege of returning to the practice of selling upon the regular grades unless evidence is presented (1) that the mill has inspectors who are qualified to grade, (2) that the operation is so set up that a good grading job can be done, and (3) that the return to the practice of selling on grade is not for the purpose of selling an accumulation of upper grades withheld from combination grade sales in the past.

4. Section 5 (e) is amended to read as follows:

(e) *Inspection certificates required on sales of certain grades.* Any shipment of Southern pine lumber priced in Tables 1, 2, 3A, 7, 14, 15, 16A and 21 which does not bear the grade mark of a qualified inspection agency as provided in Federal Specification MM–L–751c (May 20, 1942), must either be accompanied by a certificate of inspection by inspection agency, which has been accepted as satisfactory by any Federal purchasing organization, or be inspected by an inspector from the Federal organization making the purchase, if the shipment contains either (1) 30% No. 1 common and higher grades, or (2) 15% C and higher grades, or (3) 10% B and better. The certificate of inspection must cover all lumber in the shipment. In the absence of such a certificate, where the lumber is not grade marked as specified above, lumber invoiced as No. 1 Common and higher grades in any such shipment may not be sold at prices higher than the prices provided in such tables for No. 2 Common.

Federal Standard Stock Catalog, section IV, (Part 5) "Federal Specification For Lumber and Timber; Softwood", MM–L–751c, reads in part as follows:

E. *Detail requirements.*

E–1. Softwood lumber shall conform to the grading rules of the various lumber associations in effect at the date of invitation for bids where such grading rules are approved by the Central Committee on Lumber Standards as in conformance with "American Lumber Standards" * * *

F. *Method of inspection.*

F–1. A Federal organization buying softwood lumber shall either require the firm or individual furnishing the lumber to meet the provisions of one of the following three methods of inspection procedure or may leave to the firm or individual furnishing the lumber the choice of any one of the three methods:

(1) The order may specify that each piece of lumber in the shipment must be grade-marked and also marked with the registered trade-mark of either the association or bureau of the association under whose rules it is graded or of another inspection agency satisfactory to the Federal organization making the purchase.

(2) The order may specify that the shipment must be accompanied by a certificate of inspection issued either by the association or bureau of the association under whose rules it is graded or by another inspection agency satisfactory to the Federal organization making the purchase.

(3) The order may specify that inspection will be made by an inspector from the Federal organization making the purchase.

5. Section 6 is amended by the insertion of the following parenthetical paragraph immediately after the heading *"Distributors' direct-mill sales,"* and immediately before the heading "(a) *Prices*":

(From March 16 to June 30, 1944, the mark-ups in section 6 are limited to the two following classes of sales:

(1) As to lumber produced by producers subject to Conservation Order M–361, the mark-ups apply to all sales complying with that order.

(2) As to lumber produced by producers not subject to Conservation Order M–361, the mark-ups apply only on direct allocations from the Central Procuring Agency, or direct sales to the U. S. Army, U. S. Navy, Maritime Commission, War Shipping Administration, Defense Plant Corporation, Coast and Geodetic Survey, Treasury Procurement for Lend-Lease, and Veterans' Administration.)

5A. In section 6, paragraph (a), the last sentence in subparagraphs (1), (2) and (3) is amended to read as follows: "This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water."

6. Section 6 (e) is amended to read as follows:

(e) *Registration.* Any person qualifying as a "direct-mill distributor" under subparagraphs (b) (i) and (ii) of this section 6 must file a letter with the Lumber Branch, Office of Price Administration, Washington 25, D. C., before March 1, 1944, stating that he meets such requirements. On and after April 1, 1944, no person may make the additions permitted in this section 6 unless he has received a registration number from the Office of Price Administration. This registration number must, after April 1, 1944, be shown on all invoices covering distributors' direct-mill sales carrying the direct-mill distributors' addition.

7. In section 7 (b), a subparagraph (4) is added to read as follows:

(4) Where the addition of $3.50 per M'BM is applied on sales under this paragraph the additions for direct-mill distributor's sales provided for in section 6 are not applicable.

8. In section 9, the caption is changed to read *"Grade Marking and Anti-stain"*, and the following is substituted in place of paragraph (a):

(a) *Additions for grade marking.* An addition of $1.00 per M'BM may be charged for lumber that bears the grade mark of an inspection agency qualified in accordance with "Federal Specification For Lumber And Timber; Softwood", MM–L–751c (May 20, 1942), except lumber priced in Tables 10 and 23 (Standard Plastering Lath and Fence Lath); Table 11 (Byrkit Lath); Tables 12 and 24 (Bed Slats); and Tables 13 and 25 (O. G. Batts).

9. In section 14 (b), subparagraph (3) is deleted.

10. Section 22 (c) is amended to read as follows:

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.212, paragraphs (f), (g) and (h) of Maximum Price Regulation 19, or section 20 of Revised Maximum Price Regulation 19, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect. However, within ninety days after the issuance of this regulation, the Lumber Branch will assign authorization numbers for each special price previously approved and thereafter such authorization numbers must appear on all invoices covering shipments at such special prices. In all cases where a special price authorization has already been assigned a number by the Lumber Branch, no new number will be issued. Special prices are subject to cancellation by letter or telegram at any time.

11. In Article IV, Appendix A, Tables 1 and 2 are amended to read as follows:

ARTICLE IV—APPENDIX A: SHORTLEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow Pine lumber, in straight or mixed carloads f. o. b. mill, per one thousand feet board measure, shall be as follows:

TABLE NO. 1—BOARDS AND STRIPS

[S1S, S2S, S3S, S4S, S2S and Matched, or Shiplap, Standard or ¾"; Air Dried]

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 1—							
4/4 Edge [1]	$37.25	$39.75	$40.75	$40.75	$40.75	$42.25	$42.75
1 x 2 and 1 x 3"	41.00	43.00	44.00	44.00	44.00	45.50	46.00
1 x 4"	37.00	41.00	42.00	42.00	42.00	43.50	44.00
1 x 5"	39.50	44.00	45.00	45.00	45.00	46.50	47.00
1 x 6"	39.00	41.00	42.00	42.00	42.00	43.50	44.00
1 x 7"	39.00	41.00	42.00	42.00	42.00	43.50	44.00
1 x 8"	39.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 9"	39.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 10"	39.50	44.00	45.00	45.00	45.00	46.50	47.00
1 x 11"	42.50	47.00	48.00	48.00	48.00	49.50	50.00
1 x 12"	44.00	52.00	53.00	53.00	53.00	54.50	55.00
Restricted random widths [2]	38.75	42.00	43.00	43.00	43.00	44.50	45.00
	4'	6' and 8'					
No. 2—							
4/4 Edge [1]	34.25	36.25	37.50	38.00	38.50	39.00	40.75
1 x 2 and 1 x 3"	37.00	39.00	40.50	41.00	41.00	41.50	43.00
1 x 4"	34.00	36.00	37.50	38.00	38.00	38.50	40.00
1 x 5"	36.50	38.50	41.50	41.50	42.00	42.50	44.50
1 x 6"	36.00	38.00	39.50	40.00	40.50	41.00	43.00
1 x 7"	36.00	38.00	39.50	40.00	40.50	41.00	43.00
1 x 8"	36.00	38.00	39.50	40.00	40.50	41.00	43.00
1 x 9"	36.00	38.00	39.50	40.00	40.50	41.00	43.00
1 x 10"	36.50	38.50	41.50	41.50	42.00	42.50	44.50
1 x 11"	39.50	41.50	44.50	44.50	45.00	45.50	47.50
1 x 12"	41.00	43.00	46.00	46.50	47.00	47.50	50.50
Restricted random widths [2]	35.75	37.75	39.50	40.00	40.50	41.00	42.75
	4' and 6'	8'					
No. 3—							
4/4 Edge [1]	27.75	29.50	31.00	31.50	32.00	32.50	34.25
1 x 2 and 1 x 3"	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 4"	28.00	30.00	31.50	32.00	32.00	32.50	34.00
1 x 5"	29.50	31.50	34.50	34.50	35.00	35.50	37.50
1 x 6"	29.00	31.00	32.50	33.00	33.50	34.00	36.00

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 3—Continued:							
1 x 7"	$29.00	$31.00	$32.50	$33.00	$33.50	$34.00	$36.00
1 x 8"	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 9"	29.00	31.00	32.50	33.00	33.50	34.00	36.00
1 x 10"	29.50	31.50	34.50	34.50	34.50	35.00	37.50
1 x 11"	29.50	31.50	34.50	34.50	34.50	35.00	37.50
1 x 12"	30.00	32.00	35.00	35.50	36.00	36.50	39.50
Restricted random widths [2]	29.00	31.00	32.75	33.25	33.50	34.00	36.00
Dunnage—							
4/4 Edge [1]	20.00	21.75	23.25	23.75	24.25	24.75	26.50
1 x 3"	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 4"	20.00	22.00	23.50	24.00	24.00	24.50	26.00
1 x 5"	21.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 6"	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 7"	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 8"	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 9"	21.00	23.00	24.50	25.00	25.50	26.00	28.00
1 x 10"	21.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 11"	21.50	23.50	26.50	26.50	27.00	27.50	29.50
1 x 12"	22.00	24.00	27.00	27.50	28.00	28.50	31.50
Restricted random widths [2]	21.00	23.00	24.75	25.25	25.50	26.00	28.00
	4'	6' and 8'					
No. 4—							
4/4 Edge [1]	19.00	20.75	22.25	22.75	23.25	23.75	25.50
1x3"	20.00	22.00	23.50	24.00	24.50	25.00	27.00
1x4"	19.00	21.00	22.50	23.00	23.00	23.50	25.00
1x5"	20.50	22.50	25.50	25.50	26.00	26.50	28.50
1x6"	20.00	22.00	23.50	24.00	24.50	25.00	27.00
1x7"	20.00	22.00	23.50	24.00	24.50	25.00	27.00
1x8"	20.00	22.00	23.50	24.00	24.50	25.00	27.00
1x9"	20.00	22.00	23.50	24.00	24.50	25.00	27.00
1x10"	20.50	22.50	25.50	25.50	26.00	26.50	28.50
1x11"	20.50	22.50	25.50	25.50	26.00	26.50	28.50
1x12"	21.00	23.00	26.00	26.50	27.00	27.50	30.50
Restricted random widths [2]	20.00	22.00	23.75	24.25	24.50	25.00	27.00

[1] Edge widths are random widths including odd, even or fractioned widths. Measurement shall be according to Paragraph 136, S. P. I. B. Rules.

[2] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4" widths, and not less than 20% of 10' and wider.

Additions and deductions per 1,000 feet board measure: [*See section 14 (b) (10)*].

For working:

1. Rough, deduct $4.50.
2. End-matching, add $2.00.
3. For any other matcher dressing not otherwise provided for (Except V-Joint, ECB1S or ECB2S), add $2.00. Patterns requiring moulder work, add $6.50.
4. Ripping, add $1.00 for each cut; resawing, add $2.00 for each cut, both applicable only where machine run product is shipped.

For grade:

5. No. 1 Common 85 or 90% Heart Facial Area, add $8.00; 85% Heart Cubical Content, add $6.00.
6. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.
7. For Combination Grade No. 2 Common and Better as defined in section 5 (d), use No. 2 Common prices.

For condition:

8. Kiln dried, add $1.00.
9. Green, deduct $3.50.

For length:

10. Random lengths must average at least 12' (with a tolerance of 3"), and must take the 12' price.

For length—Continued.

11. Restricted random lengths, 10' to 16', or longer, all grades, and 8' to 16', or longer, No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
12. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
13. For precision cutting to a specified exact length, with tolerance of not more than ⅛" allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
15. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in foot note 13 may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:

16. Stock thinner than ¾", deduct $1.00 from the ¾" price for each 1/32" thinner than ¾", except when dressed both sides use ¾" price. However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price, plus the resawing addition permitted.
17. 13" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.
18. 5/4 and 6/4 No. 1 and No. 2 Common, add $3.00.
19. 5/4 and 6/4 No. 3 Common, add $2.00.
20. 5/4 and 6/4 No. 4 Common and Dunnage, add $1.00.
21. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean, or will permit slight skip as defined in paragraph 40, 1939 Standard Specifications for Southern Pine lumber.
22. For any average width, charge the price which would have been charged had the buyer ordered the various widths which were shipped.
23. Random widths (other than restricted random widths), each width shall be priced at the specified width price.

TABLE 2—DIMENSION

[S1S, S2S, S3S, or S4S; Air Dried]

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 1—											
2 x 2"	$31.00	$31.00	$33.00	$39.00	$36.00	$38.00	$39.00	$40.00	$41.50	$42.50	$46.00
2 x 3"	30.00	30.00	37.00	36.00	37.00	37.00	38.00	39.00	40.50	41.50	47.00
2 x 4"	32.00	32.00	39.00	40.00	39.00	39.00	40.00	41.00	42.50	43.50	49.00
2 x 5"	32.50	32.50	39.50	42.50	41.00	41.00	41.00	42.00	43.50	47.50	52.00
2 x 6"	32.00	30.00	37.00	38.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 x 8"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 x 10"	32.50	32.50	39.50	42.00	41.00	41.00	41.00	42.00	43.50	47.50	52.00
2 x 12"	34.50	34.50	41.50	44.00	43.00	43.00	43.00	44.00	47.50	49.50	54.00
No. 2—											
2 x 2"	29.00	29.00	35.00	36.00	35.00	35.00	36.00	37.00	38.50	39.50	45.00
2 x 3"	28.00	28.00	34.00	34.00	35.00	34.00	34.00	35.00	36.00	37.50	44.00
2 x 4"	31.00	31.00	37.00	38.00	37.00	37.00	38.00	39.00	40.50	41.50	47.00
2 x 5"	27.50	27.50	33.50	37.50	36.50	36.50	36.50	38.00	41.00	46.50	51.00
No.2—Con.											
2 x 6"	$29.00	$29.00	$35.00	$36.00	$35.00	$35.00	$36.00	$36.50	$38.50	$39.50	$45.00
2 x 8"	28.00	28.00	34.00	35.00	34.00	34.00	35.00	35.50	37.50	38.50	44.00
2 x 10"	28.00	28.00	34.00	38.00	37.00	36.00	36.00	36.00	39.50	41.50	47.00
2 x 12"	31.00	31.00	37.00	39.00	38.00	38.00	38.00	39.00	42.00	43.50	49.00
No. 3—											
2 x 2"	22.00	23.00	27.00	28.00	27.00	27.00	28.00	29.00	30.50	31.50	33.50
2 x 3"	21.00	24.00	26.00	27.00	28.00	26.00	27.00	28.00	29.50	30.50	32.50
2 x 4"	24.00	27.00	29.00	30.00	29.00	29.00	30.00	31.00	32.50	33.50	35.50
2 x 5"	20.50	23.50	25.50	29.50	28.50	27.50	27.50	27.50	31.00	33.00	35.00
2 x 6"	22.00	25.00	27.00	28.00	27.00	27.00	28.00	28.50	30.50	31.50	33.50
2 x 8"	21.00	24.00	26.00	27.00	26.00	26.00	27.00	27.00	29.50	30.50	32.50
2 x 10"	21.00	24.00	26.00	30.00	29.00	28.00	28.00	28.00	31.50	33.50	36.50
2 x 12"	24.00	27.00	29.00	31.00	30.00	30.00	30.00	31.00	34.50	36.50	38.50

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:

1. Rough, deduct $4.50.
2. Shiplap, Center Matched, Dressed and Matched, Grooved, or any other matched dressing, not otherwise provided for, add $1.00. Patterns requiring Moulder work, add $6.50.
3. Ripping or resawing, add $1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center-matched, add $4.00.

For grade:

5. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.
6. For Combination Grade No. 2 Common and better as defined in section 5 (d), use No. 2 Common prices.
7. No. 1 Common 85% Heart Facial Area, Add $12.00; No. 1 Common 85% Heart Cubical Content, add $8.00.

For condition:

8. Kiln dried, add $1.00.
9. Green, deduct $3.50.

For Size:

10. Extra Standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
11. Odd or fractional widths not listed, add $3.00 to nearest greater listed width and compute footage on nominal size.

For Length:

12. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.
13. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. When a 9' average is required charge the 8' price.
14. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
15. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
16. For any length shorter than 4', cut to a specified exact length, charge the price for the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM. for each necessary cross cut, but the addition permitted in footnote 14 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.
17. Lengths longer than 24', add to 24' price as follows (for all grades):

	2 x 10 and smaller	2 x 11 and larger
Length:		
26'	$1	$1
28'	2	2
30'	3	5
32'	5	7
34'	7	9
36'	9	12
38'	12	15
40'	15	20

12. In article IV, appendix A, table 3, footnote 1 is amended to read as follows:

1. S1S, S2S, S3S, S4S, Shiplap or T & G, add $3.00.

13. In articles IV and V, appendices A & B, the following footnote is added under certain tables as indicated:

For grade marking in accordance with § 9A add $1.00 per M'BM.

[Inserted as footnote 14a under Table 3

3a	4
4	5
2a	6
10	7
2	8
6a	9
7a	9A
8a	9B
16a	16
3a	17
4	18
3a	19
2	20
10	21
4a	22
8a	22A
10a	22B]

14. In article IV, appendix A, table 3A is added, and tables 4, 5, and 6 (exclusive of footnotes) are amended to read as follows:

TABLE 3-A—2" PLANK AND JOISTS, DENSE STRUCTURAL SQUARE EDGE AND SOUND (1600 F)

[Rough—green]

Size	Dense structural square edge and sound (1600 F)		
	8' to 16' lengths	8' to 20' lengths	18' and 20' lengths
2 x 4"	$43	----------	$47
2 x 5"	43	----------	47
2 x 6"	41	----------	45
2 x 8"	43	----------	47
2 x 10"	----------	$48	----------
2 x 12"	----------	53	----------

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:

1. S1S, S2S, S3S, S4S, Shiplap, T & G, or Grooved two edges, add $4.50.
2. Ripping or Resawing, add $1.00 for each cut.
3. Beveling and/or outgauging, add $4.00.

	2 x 4 to 2 x 8	2 x 10	2 x 12
For grade:			
4. Dense Structural, add	$2	$2	$2
5. Dense Select Structural, add	4	4	4
6. 85% Heart Facial Area, add to grade specified	10	12	13
7. 90% Heart Facial Area, add to grade specified	13	15	18
7A. For grade marking in accordance with the provisions of section 9(a), add $1.00 per M'BM.			

	2 x 4 to 2 x 10	2 x 12
For length:		
8. Over 20', add to 18' and 20' prices, for all grades:		
22' and 24'	$5	$5
26'	6	6
28'	7	7
30'	8	10
32'	10	12
34'	12	14
36'	14	17
38'	17	20
40'	20	25

9. Odd or fractional lengths, over 8', shall be counted and priced as next longer even length.
10. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
11. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.

For condition:

12. Kiln dried, add $4.50.
13. Air Dried, add $3.50.

For size:

14. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.
15. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

TABLE 4—FLOORING, PLAIN END

[Kiln dried—Standard lengths [1]]

(HEART FACE SPECIFICATIONS)

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$80.00	$66.00	$56.00	$52.00	----------
1 x 4"	78.00	64.00	54.00	50.00	----------
5/4 x 3"	95.00	80.00	67.00	64.00	----------
5/4 x 4"	93.00	78.00	65.00	62.00	----------
Near edge grain—					
1 x 3"	73.00	59.00	51.00	48.00	----------
1 x 4"	71.00	57.00	49.00	46.00	----------
5/4 x 3"	88.00	73.00	62.00	59.00	----------
5/4 x 4"	86.00	71.00	60.00	57.00	----------
Flat grain—					
1 x 3"	65.50	56.50	49.50	46.50	----------
1 x 4"	63.50	54.50	47.50	44.50	----------
5/4 x 3"	80.00	71.00	64.00	56.00	----------
5/4 x 4"	78.00	69.00	62.00	54.00	----------

NO HEART SPECIFICATION

Edge grain—					
1 x 3"	$68.00	$60.00	$47.00	$46.00	----------
1 x 4"	66.00	58.00	47.00	42.00	----------
5/4 x 3"	80.00	71.00	55.00	52.00	----------
5/4 x 4"	78.00	69.00	53.00	50.00	----------
Near edge grain—					
1 x 3"	61.00	53.00	42.00	41.00	----------
1 x 4"	59.00	51.00	42.00	40.00	----------
5/4 x 3"	73.00	64.00	50.00	47.00	----------
5/4 x 4"	71.00	62.00	48.00	45.00	----------
Flat grain—					
1 x 3"	57.00	52.50	40.00	29.00	$33.00
1 x 4"	55.70	51.00	40.00	39.00	32.00
5/4 x 3"	66.00	62.00	49.00	43.00	36.00
5/4 x 4"	64.00	60.00	47.00	42.00	34.00

TABLE 5.—FLOORING, END-MATCHED

KILN DRIED

HEART FACE SPECIFICATION

19" to 96" Nested and Bundled for Grades B and Better and C, 12" to 96" Nested and Bundled for Grade D

Size	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$72.00	$59.00	$52.00	----------	----------
1 x 4"	70.00	57.00	50.00	----------	----------
Near edge grain—					
1 x 3"	67.00	56.00	49.00	----------	----------
1 x 4"	65.00	55.00	48.00	----------	----------
Flat grain—					
1 x 3"	57.80	48.50	42.50	----------	----------
1 x 4"	55.50	46.50	40.50	----------	----------

NO HEART SPECIFICATION

19" to 96" Nested and Bundled for Grades B and Better and C

12" to 96" Nested and Bundled for Grade D

9" to 96" Nested and Bundled for Grades No. 2 and No. 3

Edge grain—					
1 x 3"	$60.00	$53.00	$43.00	----------	----------
1 x 4"	58.00	51.00	41.00	----------	----------
Near edge grain—					
1 x 3"	55.00	50.00	40.00	----------	----------
1 x 4"	54.00	49.00	39.00	----------	----------
Flat grain—					
1 x 3"	45.00	42.00	37.00	$35.00	$28.00
1 x 4"	44.00	41.00	36.00	34.00	27.00

15" TO 18" LINEAL AVERAGE, NESTED AND BUNDLED

Flat grain—					
1 x 3"	$38.00	$35.00	$30.00	$28.00	$21.00
1 x 4"	37.00	34.00	29.00	27.00	20.00

12" TO 96" NESTED AND BUNDLED

Flat grain—					
1/16 or 5/16 x 3"	$41.50	$38.50	$35.00	$33.00	$26.00
1/16 or 5/16 x 4"	38.50	35.50	34.00	32.00	25.00

TABLE 6.—SIDING, CEILING, PARTITION

[Kiln Dried—Standard Lengths [1]]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Drop Siding:					
1 x 6" Patterns 115, 117, 118, 119	$46	$45	$44	$42.00	$35.00
1 x 6" All other patterns (except 116)	57	54	45	42.00	35.00
1 x 8" All Patterns (except 116)	57	54	45	42.00	35.00
1 x 10" All Patterns (except 116)	65	58	48	43.50	36.50
Bevel Siding:					
½" x 4", 5", 6" and 8"	45	42	37	33.50	25.50
½" x 4", 5", 6" and 8"	39	36	32	29.50	22.50
Square Edge Siding:					
½" x 4", 6" and 8", S1S, S2S, S3S, S4S	44	41	38	33.50	21.50
Ceiling—Standard Bead or V, S1S or S2S:					
5/16 and 7/16x3" and 4"	39	36	32	29.50	22.50
5/16 and 7/16x6"	41	38	34	31.50	24.50
9/16x3" and 4"	40	38	34	31.50	22.50
9/16x3" and 6"	42	40	36	33.50	24.50
11/16 to 2 5/32x3" and 4"	49	46	39	36.00	29.00
11/16 to 2 5/32x5" and 6"	50	47	40	37.00	30.00

TABLE 6.—SIDING, CEILING, PARTITION—Con.

[Kiln Dried—Standard Lengths]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Partition—Standard Bead or V:					
1 1/16x4"	$49	$46	$40	$36.00	$23.00
1 1/16x6"	51	48	41	38.00	25.00
5/16x4"	54	51	41	37.00	25.00
5/16x6"	56	53	43	39.00	27.00

15. In Article IV, Appendix A, Table 7, footnote 10 is deleted, and footnote 14 is amended to read as follows:

"Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

16. In Article IV, Appendix A, Table 8 is amended to read as follows:

TABLE 8—END-MATCHED AND CENTER-MATCHED BOARDS AND STRIPS

[Air Dried]

12" TO 96" NESTED AND BUNDLED

Size	Grade B and better	Grade C	Grade No. 1	Grade No. 2	Grade No. 3	Grade No. 4
1 x 4"	----------	----------	$37.50	$34.50	$29.50	$22.50
1 x 5"	$61.50	$56.50	40.50	35.50	30.50	23.50
1 x 6"	57.50	51.50	37.50	36.50	31.50	24.50
1 x 8"	57.50	51.50	38.50	36.50	31.50	24.50

15" TO 18" LINEAL AVERAGE, NESTED AND BUNDLED

1 x 4"	----------	----------	$27.50	$24.50	$19.50	$12.50
1 x 5"	$51.50	$46.50	30.50	25.50	20.50	13.50
1 x 6"	47.50	41.50	27.50	26.50	21.50	14.50
1 x 8"	47.50	41.50	28.50	26.50	21.50	14.50

17. In Article V, Appendix B, Tables 14 and 15 are amended to read as follows:

ARTICLE V—APPENDIX B: LONGLEAF YELLOW PINE LUMBER

The maximum prices for Longleaf Yellow Pine lumber, straight or mixed carlots, f. o. b. mill, per 1,000 feet board measure, shall be as follows:

TABLE 14—BOARDS AND STRIPS

[S1S, S2S, S3S, S4S, S2S and Matched, or Shiplap, Standard or 34"; Air Dried]

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 1—							
1 x 2"	$40.00	$45.00	$46.00	$46.00	$46.00	$47.50	$48.00
1 x 3"	41.00	46.00	47.00	47.00	47.00	48.50	49.00
1 x 4"	37.00	42.00	43.00	43.00	43.00	44.50	45.00
1 x 5"	42.00	47.00	48.00	48.00	48.00	49.50	50.00
1 x 6"	40.00	45.00	46.00	46.00	46.00	47.50	48.00
1 x 7"	41.00	46.00	47.00	47.00	47.00	48.50	49.00
1 x 8"	41.00	46.00	47.00	47.00	47.00	48.50	49.00
1 x 9"	42.00	47.00	48.00	48.00	48.00	49.50	50.00
1 x 10"	42.00	47.00	48.00	48.00	48.00	49.50	50.00
1 x 11"	49.00	54.00	55.00	55.00	55.00	56.50	57.00
1 x 12"	53.00	58.00	59.00	59.00	59.00	60.50	61.00
Restricted random widths[1]	40.25	45.25	46.25	46.25	46.25	47.75	48.25
	4'	6' and 8'					
No. 2—							
1 x 2"	$36.00	$38.00	39.50	40.00	40.00	40.50	42.00
1 x 3"	37.00	39.00	40.50	41.00	41.00	41.50	43.00
1 x 4"	35.00	37.00	38.50	39.00	39.00	39.50	41.00
1 x 5"	38.00	40.00	41.50	42.00	42.50	43.00	45.00
1 x 6"	38.00	40.00	41.50	42.00	42.50	43.00	45.00
1 x 7"	36.00	38.00	39.50	40.00	40.50	41.00	43.00
1 x 8"	38.00	40.00	41.50	42.00	42.50	43.00	45.00
1 x 9"	38.00	40.00	43.00	43.50	44.00	44.50	46.50
1 x 10"	38.00	40.00	43.00	43.50	44.00	44.50	46.50
1 x 11"	41.00	43.00	46.00	46.50	47.00	47.50	50.50
1 x 12"	45.00	47.00	50.00	50.50	51.00	51.50	54.50
Restricted random widths[1]	35.00	38.00	39.75	40.25	40.75	41.25	43.00

Grade	4' and 6' lengths	8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 3—							
1 x 2"	$28.00	$30.00	$31.50	$32.00	$32.00	$32.00	$34.00
1 x 3"	30.00	32.00	33.50	34.00	34.00	34.50	36.00
1 x 4"	30.00	32.00	33.50	34.00	34.00	34.50	36.00
1 x 5"	33.00	35.00	34.50	35.00	35.00	35.50	36.00
1 x 6"	29.00	31.00	32.50	33.00	33.00	34.00	36.00
1 x 7"	31.00	33.00	34.50	35.00	35.00	36.00	38.00
1 x 8"	30.00	32.00	33.00	33.00	33.00	33.50	36.00
1 x 9"	30.00	32.00	35.00	35.00	35.00	35.50	36.00
1 x 10"	30.50	32.50	35.50	36.00	36.00	36.50	37.00
1 x 11"	31.00	33.00	36.00	36.50	36.50	37.00	37.50
1 x 12"	29.00	31.00	32.75	33.25	33.75	34.25	36.00

Grade	4' lengths	6' and 8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 4 and dunnage—	$26.00	$28.00	$29.00	$30.00	$30.00	$30.50	$32.00
1 x 3"	19.00	21.00	22.50	23.00	23.00	23.50	25.00
1 x 4"	26.00	28.00	29.50	30.00	30.00	31.00	33.00
1 x 5"	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 6"	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 7"	25.00	27.00	28.50	29.00	29.50	30.00	32.00
1 x 8"							

Grade	4' lengths	6' and 8' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths
No. 4 and dunnage—Continued							
1 x 9"	$26.00	$28.00	31.00	$31.00	$31.50	$32.00	$34.00
1 x 10"	26.00	28.00	31.00	31.00	31.50	32.00	34.00
1 x 11"	26.50	28.50	31.50	32.00	32.50	33.00	35.00
1 x 12"	27.00	29.00	32.00	32.50	33.00	33.50	36.50
Restricted random widths[1]	24.25	26.25	28.90	29.50	29.00	29.50	31.25

[1] Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4", and not less than 20% of 10" and wider.

Additions and deductions per 1,000 feet board measure. [See section 14 (b) (10)]:

For working:

1. Rough, deduct $4.50.
2. End-Matching, add $2.00.
3. For any other matcher dressing not otherwise provided for (except V-Joint, ECB1S, ECB2S), add $2.00. Patterns requiring moulder work, add $6.50.
4. Ripping, add $1.00 for each cut; resawing, add $2.00 for each cut, both applicable only when machine run product is shipped.

For grade:

5. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.
6. No. 1 Common 85 or 90% Heart Facial Area, add $20.00.
7. No. 2 Common 85 or 90% Heart Facial Area, add $12.00.

For condition:

8. Kiln dried, add $1.00.
9. Green, deduct $3.50.

For length:

10. Random lengths must average at least 12' (with a tolerance of 3") and must take the 12' price.

For length—Continued.

11. Restricted Random lengths, 10' to 16' or longer all grades, and 8' to 16', or longer, No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
12. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
13. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
14. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
15. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM. for each necessary cross cut, but the addition for precision cutting permitted in footnote 13 may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:

16. Stock thinner than ¾", deduct $1.00 from the ¾" price for each 1/32" thinner than ¾", except when dressed both sides use ¾" price. However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price, plus the resawing addition permitted.
17. 13" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.
18. 5/4 and 6/4 No. 1 and No. 2 Common, add $3.00.
19. 5/4 and 6/4 No. 3 Common, add $2.00.
20. 5/4 and 6/4 No. 4 Common and Dunnage, add $1.00.
21. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in Paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
22. For an average width, charge the price that would have been charged had the buyer ordered the various widths which were shipped.
23. Random widths (other than restricted random widths), each width shall be priced at the specified width price.

TABLE 15—DIMENSION

[S1S, S2S, S3S, S4S, air dried]

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 1—											
2 x 2"	$36	$36	$43	$44	$42	$42	$42	$44	$44	$45	$50
2 x 3"	34	34	41	44	41	41	41	42	44	44	49
2 x 4"	38	38	44	45	43	43	43	45	47	47	50
2 x 5"	41	41	48	54	50	51	52	54	56	56	60
2 x 6"	35	35	42	45	42	42	42	43	45	45	50
2 x 8"	35	35	42	45	43	43	43	44	46	46	51
2 x 10"	41	41	48	54	50	51	52	54	56	56	60
2 x 12"	47	47	54	61	57	57	58	61	63	63	67
No. 2—											
2 x 2"	33	33	39	40	38	38	38	40	42	42	45
2 x 3"	32	32	38	39	38	38	39	41	41	42	45
2 x 4"	37	37	43	44	42	42	42	44	46	46	49
2 x 5"	39	39	45	48	47	47	47	48	50	50	54

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 2—Con.											
2 x 6"	$24	$24	$30	$41	$41	$40	$40	$41	$43	$43	$47
2 x 8"	33	33	39	41	40	40	40	41	43	43	46
2 x 10"	39	39	45	48	47	47	47	48	50	50	54
2 x 12"	39	39	45	50	48	48	49	50	52	52	57
No. 3—											
2 x 2"	23	26	28	29	28	28	28	29	29	29	31
2 x 3"	23	26	28	29	28	28	28	29	29	29	31
2 x 4"	27	30	32	33	32	32	32	33	33	33	35
2 x 5"	26	29	31	32	31	31	31	32	32	32	35
2 x 6"	25	28	30	31	30	30	30	31	31	31	33
2 x 8"	24	27	29	30	29	29	29	30	30	30	32
2 x 10"	26	29	31	32	31	31	31	32	32	32	35
2 x 12"	26	29	31	32	31	31	31	32	32	32	35

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)].

For working:

1. Rough, deduct $4.50.
2. Shiplap, center matched, dressed and matched, grooved, or any other matcher dressing not otherwise provided for, add $1.00. Patterns requiring moulder work, add $6.50.
3. Ripping or resawing, add $1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center matched, add $1.00.

For grade:

5. No. 2, 1050 F, Par. 333, add $2.50 to No. 2 Common prices.
6. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 2 to 2 x 8, add $15.00.
7. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 10 and 2 x 12, add $20.00.
8. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.

For condition:

9. Kiln dried, add $1.00.
10. Green, deduct $3.50.

For size:

11. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean, or will permit slight skips as defined in Par. 48 of 1939 Standard Specifications for Southern Pine Lumber.
12. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on nominal size.

For length:

13. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.
14. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. Where a 9' average is required charge the 8' price.
15. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
16. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.

For length—Continued.

17. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M' BM. for each necessary cross cut, but the addition permitted in footnote 15 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M' BM. If length breaks on even one-half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
18. Lengths longer than 24', add to 24' price as follows (for all grades):

Length:	
26'	$2.00
28'	4.00
30'	6.00
32'	10.00
34'	14.00
36'	18.00
38'	24.00
40'	30.00

18. In Article V, Appendix B, Table 16, footnote 1 is amended to read:

1. S1S, S2S, S3S, S4S, Shiplap or T & G, add $3.00.

19. In Article V, Appendix B, Table 16A is added, and Tables 17, 18, 19, and 20 (exclusive of footnotes) are amended, to read as follows:

Table 16-A—2" PLANK AND JOISTS, No. 1 STRUCTURAL AND '05 MERCHANTABLE

[Rough—green]

Size	No. 1 structural and '05 merchantable		
	8' to 14' lengths	16', 18' and 20' lengths	22' and 24' lengths
2 x 4"	$47	$49	$52
2 x 5"	47	49	52
2 x 6"	48	48	51
2 x 8"	48	48	51
2 x 10"	67	69	62
2 x 12"	67	69	72

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)].

For working:

1. S1S, S2S, S3S, S4S, Shiplap, T & G, or Grooved two edges, add $4.50.
2. Ripping or Resawing, add $1.00 for each cut.
3. Beveling and/or outgauging, add $4.00.

For grade:

4. Structural Square edge and sound, add $3.00.
5. Merchantable Structural, add $5.00.
6. '05 Prime, 8" and over, add $8.00.
7. '05 Prime, under 8", add $10.00.
8. Prime Structural, add as follows:

24' and under	$13.00
25' to 30'	17.00
31' to 40'	23.00

9. Select Structural, add as follows:

24' and under	$30.00
25' to 30'	35.00
31' to 40'	40.00

10. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.

For length:

11. 25' to 30', add $1.00 per lineal foot to 24' price.
12. 31' to 36', add $2.00 per lineal foot to 30' price.
13. 37' to 42', add $3.00 per lineal foot to 36' price.
14. Odd or fractional lengths over 8' shall be counted and priced at next longer even length.
15. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
16. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.

For condition:

17. Kiln dried, add $4.50.
18. Air dried, add $3.50.

For size:

19. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on actual size.
20. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean, or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

TABLE 17.—FLOORING, PLAIN END

[Kiln dried—Standard lengths [1]]

HEART FACE SPECIFICATION

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$86.00	$80.00	$63	$60	----
1 x 4"	93.00	78.00	61	58	----
5/4 x 3"	117.00	100.00	78	76	----
5/4 x 4"	113.00	98.00	76	74	----
Near edge grain—					
1 x 3"	88.00	73.00	58	56	----
1 x 4"	86.00	71.00	56	54	----
5/4 x 3"	110.00	93.00	73	71	----
5/4 x 4"	108.00	91.00	71	69	----
Flat grain—					
1 x 3"	73.00	65.00	53	48	----
1 x 4"	71.00	63.00	51	48	----
5/4 x 3"	93.00	83.00	58	51	----
5/4 x 4"	86.00	83.00	58	51	----

NO HEART SPECIFICATION

Edge grain—					
1 x 3"	$75.00	$67.00	$56	$51	----
1 x 4"	73.00	65.00	53	51	----
5/4 x 3"	100.00	85.00	63	61	----
5/4 x 4"	98.00	83.00	61	59	----
Near edge grain—					
1 x 3"	68.00	60.00	50	46	----
1 x 4"	66.00	58.00	48	46	----
5/4 x 3"	93.00	78.00	58	56	----
5/4 x 4"	91.00	76.00	56	54	----
Flat grain—					
1 x 3"	58.00	55.00	43	42	$35
1 x 4"	56.50	53.50	43	40	33
5/4 x 3"	73.00	67.00	50	45	37
5/4 x 4"	72.00	66.00	48	43	35
9/16 x 4"	45.00	43.00	38	36	30

TABLE 18—FLOORING, END-MATCHED

[Kiln dried]

HEART FACE SPECIFICATION

10" to 96" nested and bundled for grades B and better and C, 12" to 96" nested and bundled for grade D, 9" to 96" nested and bundled for grade No. 2.

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$85	$71	$54	----	----
1 x 4"	83	69	52	----	----
Near edge grain—					
1 x 3"	80	68	51	----	----
1 x 4"	79	67	50	----	----
Flat grain—					
1 x 3"	64	55	52	$47	----
1 x 4"	61	52	49	46	----

NO HEART SPECIFICATION

10" to 96" Nested and Bundled for Grades B and Better and C, 12" to 96" Nested and Bundled for Grade D, 9" to 96" Nested and Bundled for Grades No. 2 and No. 3.

Edge grain—					
1 x 3"	$65	$58	$46	----	----
1 x 4"	63	56	44	----	----
Near edge grain—					
1 x 3"	60	55	43	----	----
1 x 4"	59	54	42	----	----
Flat grain—					
1 x 3"	47	44	42	$37	$27
1 x 4"	46	43	41	36	26

TABLE 19.—SIDING, CEILING, PARTITION

[Kiln dried—Standard lengths]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Drop siding:					
1 x 6" patterns 115, 117, 118, 119	$48	$45	$44	$42	$34
1 x 6" all other patterns (except 116)	57	54	50	44	35
1 x 8" all patterns (except 116)	57	54	50	44	35
Bevel siding:					
½ x 4", 6", 6" and 8"	43	42	36	33	25
½ x 4", 6", 6" and 8"	39	36	31	29	22
Square edge siding:					
½ x 4", 6" and 8", S1S, S2S, S3S, S4S	44	41	37	33	21
Ceiling—Standard bead or V:					
5/16 and 7/16 x 3" and 4" S1S	37	35	31	29	21
5/16 and 7/16 x 6" S1S	39	37	32	31	23
5/16 and 7/16 x 3" and 4" S2S	40	38	32	32	21
5/16 and 7/16 x 6" S2S	43	40	33	32	24
9/16 x 3" and 4" S2S	41	39	34	33	25
1 1/16 to 2 5/32 x 3" and 4"	55	52	42	40	24
1 1/16 to 2 5/32 x 6"	56	53	43	41	30
Partition—Standard bead or V:					
1 1/16 to 2 5/32" x 3" and 4"	55	52	42	40	24
1 1/16 to 2 5/32 x 6"	56	53	43	41	30

TABLE 20—CEILING, END-MATCHED

[Kiln dried—12" to 96"]

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
5/8 x 4"—18" to 96"	$53	$32	----	----	----
5/8 x 4"—12" to 96"	----	----	----	$30	$20

20. In Article V, Appendix B, Table 21, footnote 10 is deleted, and footnote 14 is amended to read as follows:

14. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3717; Filed, March 16, 1944; 11:57 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 19A]

LOG-RUN SOUTHERN PINE LUMBER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1381.104 *Maximum prices for log-run Southern pine lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 19A (Log-run Southern Pine Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.104, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 19A—LOG-RUN SOUTHERN PINE LUMBER

CONTENTS

Sec.
1. Maximum prices.
2. What are "small mills."
3. What lumber is covered.
4. Delivery.
5. Special permission to price on grade.
6. Special permission for other mills to sell log-run.
7. Prohibitions and enforcement.
8. Records.
9. Prohibited practices.

SECTION 1. *Maximum prices.* The maximum price for rough shortleaf Southern pine lumber sold by "small mills" is $32 per M'BM for boards, $29 for dimension, and $28 for small timbers. This includes delivery for 30 miles or less.

SEC. 2. *What are "small mills."* By "small mills" is meant sawmills which have no planing mills or which usually sell their lumber rough, and which cut 4,000,000 feet or less of Southern pine lumber in 1943.

SEC. 3. *What lumber is covered.* These prices are for log-run lumber, green or dry. Log-run must include the full range of grades, widths and lengths (of the log-run sizes) as they come from the log, with culls out. If you take out any of the better grades or larger sizes, the maximum price is $20 per M'BM.

"Boards" means lumber cut to dry 4/4, 5/4 and 6/4.

"Dimensions" means lumber cut to dry 7/4 and 8/4, including structural.

"Small timbers" means lumber cut to dry over 2 inches in thickness, and up to 8 x 8".

SEC. 4. *Delivery.* If you make delivery over 30 miles, you can add 10 cents per M for each mile over 30 and up to 100 miles, with no addition for the return trip. For example, if you deliver 50 miles, you can add $2.00 per M. If you make delivery over 100 miles, you can add only the carload rail freight for the whole distance from the nearest rail loading-out point to destination.

If the buyer makes the pick-up at the sawmill, the regular log-run price must be reduced $2.50 per M.

SEC. 5. *Special permission to price on grade.* If you want to price on grade (under Second RMPR 19), you may apply to the Lumber Branch, O. P. A., Washington, D. C., for special permission; but you must show that you have priced on standard grades in the past, that you have inspectors of your own who are qualified to grade, that your operation is so set up that you have the time and the equipment to do a good grading job on a piece-by-piece basis, and that it is necessary for you to sell graded lumber to meet your buyers' requirements.

If you get permission to price on grade, however, you must sell all your lumber on grade.

SEC. 6. *Special permission for other mills to sell log-run.* Mills not under this Log-Run Regulation can get special permission to price on the log-run basis by writing to the Lumber Branch, O. P. A., Washington, D. C. Thereafter they may not price any lumber in the log-run sizes on graded lumber prices.

SEC. 7. *Prohibitions and enforcement.* It is unlawful to sell, deliver, buy or receive lumber at prices above the maximum, or to offer to do any of these things. Of course, prices under the ceiling may be charged and paid.

Violators are subject to criminal penalties, civil enforcement actions, suits for treble damages, and suspension of licenses. For example, if you take out some higher grades from a log-run assortment, you would be subject to treble damages of $24 per M' or more.

SEC. 8. *Records.* You must keep either invoices or tally and settlement sheets, for two years.

SEC. 9. *Prohibited practices.* Any practice which is a way of getting more than ceiling without actually raising the price is as much a violation as an over-ceiling price.

This regulation shall become effective March 16, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3718; Filed, March 16, 1944; 11:56 a. m.]

Chapter XIX—Defense Supplies Corporation

[Rev. Reg. 1, Amdt. 4]

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS

COMPENSABLE PRODUCTS AT ACTUAL ORIGIN

Revised Regulation Number 1 of Petroleum Compensatory Adjustments,

No. 55——7

issued by Defense Supplies Corporation on March 20, 1943, is amended as follows:

In section 7001.5 *Extra transportation and compensable product costs*, paragraph (b) (1) *Value at the actual origin*, is amended by changing the proviso clause thereof to read as set forth below:

Provided, That the value of compensable products at the actual origin, excepting compensable products transported through the War Emergency Pipeline System and purchased from Defense Supplies Corporation, shall not exceed the lower of the prices determined as follows:

a. If the actual origin is in District Three, the value of similar compensable products at the normal origin as determined under the provisions of paragraph (b) (ii) of this section.

b. The applicable ceiling price for such compensation products in effect on date of shipment.

c. The prevailing market price. Upon the request of Defense Supplies Corporation the applicant shall obtain and submit to Defense Supplies Corporation such evidence as may be requested in support of the prevailing market price.

This amendment No. 4 to this Revised Regulation Number 1 shall become effective as of February 1, 1944.

Issued this 24th day of February, 1944.

DEFENSE SUPPLIES CORPORATION,
GEORGE H. HILL, Jr.,
Executive Vice President and General Counsel.

[F. R. Doc. 44-3651; Filed, March 16, 1944; 10:13 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1569]

PART 160—GRAZING LEASES

LANDS REQUIRED BY AGENCIES OF FEDERAL GOVERNMENT

The regulations authorizing the issuance of grazing leases contained in Part 160 are amended as follows:

(a) Section 160.22 is amended by adding the following sentence at the end thereof: "Any agency of the Federal Government which needs lands embraced in a grazing lease for governmental use other than one described in paragraph (c) (2) of the lease (§ 160.30) and requests a permit, withdrawal, reservation, lease or patent shall be considered an applicant within the meaning of this section."

(b) The attached form of grazing lease, 4–722a, is approved and substituted for the form contained in § 160.30.

FRED W. JOHNSON,
Commissioner.

Approved: March 8, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

4–722 a — To be executed in quadruplicate

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

LEASE OF LANDS FOR GRAZING LIVESTOCK

Serial_____

This indenture of lease, entered into as of _____ by and between the United States of America, hereinafter called the lessor, by the Commissioner of the General Land Office, and_____ of
(Name of Applicant)
_____, hereinafter called the
(Post-office Address)
lessee, pursuant and subject to the terms and provisions of section 15 of the act of Congress approved June 28, 1934 (48 Stat. 1269, 1275), as amended June 26, 1936 (49 Stat. 1976, 1978, 43 U. S. C. sec. 315m).

Witnesseth:

That the lessor, in consideration of the rents to be paid and the covenants to be observed, does hereby grant and lease to the lessee the exclusive right and privilege of using for grazing purposes the following-described land_____

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

containing approximately _____ acres, for a period of _____ years.

Section 1. In consideration of the foregoing, the lessee hereby agrees to:

(a) Pay the lessor as annual rental the sum of $_____. The rental may be adjusted at the end of the third year of the lease and at three-year intervals thereafter. If at the date of any adjustment of the rental, the lease will expire within less than three years, such adjustment shall be effective for the unexpired term of the lease. When the annual rental amounts to $10 or more, the lessee may elect to make payment in two equal installments. One-half of the first year's rental must be paid prior to the execution of the lease and the remaining one-half must be paid within six months after the date of execution. For the second and each succeeding year of the lease one-half of the rental must be paid on or before each anniversary of the lease and the unpaid balance must be paid within six months from said anniversary. When the annual rental is less than $10, the first year's rental must be paid in full prior to the execution of the lease and annually thereafter on or before each anniversary of the lease.

(b) Use the lands in a manner that will not cause overgrazing or soil erosion, or be detrimental to the lands or the livestock industry.

(c) Observe the laws and regulations for the protection of game animals, game birds, and non-game birds, and not unnecessarily disturb such animals or birds.

(d) Comply with the provisions of the laws of the State in which the leased lands are situated with respect to the cost and maintenance of partition fences.

(e) Allow authorized representatives of the Department of the Interior at any time to enter the leased premises for the purpose of inspection, and allow Federal agents, including game wardens, at all times to enter the leased area on official business.

*Copies may be obtained from the Office of Price Administration.

(f) Take all reasonable precaution to prevent and suppress forest, brush, and grass fires.

(g) Comply with all Federal and local laws regarding sanitation and take such other sanitary measures as may be necessary.

(h) Use no part of the leased premises for any purpose foreign to grazing.

(i) Retain ownership or control of any lands that have been recognized as the basis for a preference right.

Section 2. The lessor expressly reserves the right to:

(a) Permit prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources, the disposition of such resources under any laws applicable thereto, and permit the use and disposition of timber on the lands embraced in this lease, under existing laws and regulations.

(b) Close portions of the leased area to grazing whenever, because of drought, epidemic or disease, incorrect handling of the stock, overgrazing, fire, or other cause, such action is deemed necessary to restore the range to its normal condition. However, such temporary closing of any area shall not operate to exclude such area from the boundaries of the lease.

(c) Reduce the leased area if it is excessive for the number of stock owned by the lessee, or if it is determined that such area is required for the protection of camping places, sources of water supply to communities, stock driveways, roads and trails, town sites, mining claims, and for feeding grounds near villages for the use of draft animals or near the slaughtering or shipping points for use of stock to be marketed. However, a proportionate reduction will be made in the annual rental charges.

(d) Classify and permit entry, selection, or location under the provisions of section 7 of the act of June 28, 1934 (48 Stat. 1269, 1272) as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315f), of any part or all of the leased lands, provided that before the allowances of any application therefor the applicant shall agree, subject to the approval of the Commissioner of the General Land Office, to compensate the lessee in accordance with the regulations, 43 CFR 160.22. Any agency of the Federal Government which needs any part or all of the leased lands for a governmental use other than one described in subsection 2 (c) and requests a permit, withdrawal, reservation, lease or patent shall be considered an applicant within the meaning of this subsection.

Section 3. It is further understood and agreed that:

(a) This lease is granted subject to valid existing rights and to all present and future rules and regulations of the Secretary of the Interior. Nothing herein contained shall restrict the acquisition, granting, or use of permits or rights-of-way under existing law.

(b) The lessee shall not sell or remove for use elsewhere any timber growing on the leased land but may take such timber thereon as may be necessary for the erection and maintenance of improvements required in the operation of this lease. Before taking timber, the lessee must obtain a permit in accordance with the regulations, 43 CFR 284.41.

(c) The lessee may construct, or maintain and utilize any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of this lease, but any such fence shall be so constructed as to permit ingress and egress for miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

(d) Upon cancellation of this lease for any reason or upon termination thereof, the Commissioner of the General Land Office may, in his discretion and upon a written petition filed by the lessee within 30 days from date of the cancellation or termination, require a subsequent lessee, prior to the execution of a new lease, to reimburse the former lessee a reasonable amount for any grazing improvements of a permanent nature that may have been placed upon the leased lands during the period of the lease. The decision of the Commissioner will be subject to the right of appeal to the Secretary of the Interior. As to any improvements not disposed of in the manner set forth above, the lessee will be allowed three months from the date of cancellation or termination of the lease within which to remove such improvements, but, if not removed or other disposition made within the said period, such improvements shall become the property of the United States.

(e) If the lessee shall default in the performance or observance of any of the terms, covenants, and stipulations hereof or of the general regulations now or hereafter in force, and such default shall continue 60 days after service of written notice thereof by the lessor, then the lessor may terminate and cancel this lease.

(f) The lessee shall not assign this lease or any interest therein, nor sublet any portion of the leased premises without the written consent of the Commissioner of the General Land Office.

(g) The leased lands shall be subject to entry for hunting and fishing by any person under applicable State or Federal hunting and fishing laws and regulations, but in any event the Commissioner may prohibit or restrict or he may authorize the lessee to prohibit or restrict hunting or fishing on such parts of the leasehold and for such periods as he may determine to be necessary in order to prevent any substantial interference with the purpose for which the lands are leased, that is, grazing.

(h) The lessee may, on consent of the Commissioner of the General Land Office first had and obtained, surrender and terminate this lease or any legal subdivision of the area included within the lease provided all rental payments due have been made.

(i) No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent or employee of the Department of the Interior, other than members of the district advisory boards, appointed in accordance with section 18 of the Taylor Grazing Act, which was added by the act of July 14, 1939 (53 Stat. 1002, 43 U.S.C. sec. 315,-1) shall be admitted to any share or part in this lease, or derive any benefit that may arise therefrom, and that the provisions of section 3741 of the Revised Statutes and sections 114, 115, and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109, 18 U.S.C. sec. 204), relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

It is further covenanted and agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, and assigns of the respective parties hereto.

In witness whereof:

THE UNITED STATES OF AMERICA.

By _____
Commissioner of the General Land Office.

_____
_____
Lessee

Witnesses to signature of lessee:

_____
_____

[F. R. Doc. 44-3650; Filed, March 16, 1944; 10:13 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S.O. 184, Amdt. 1]

PART 95—CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of March, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, and good cause appearing therefor:

It is ordered, That:

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, be amended by striking from the last ordering paragraph the clause "That this order shall become effective at 7:00 a. m., March 16, 1944;" and inserting in lieu thereof the following clause: "That this order shall become effective at 7:00 a. m., April 3, 1944;". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective at 7:00 a. m., March 16, 1944; that copies of this order and direction shall be served upon each State railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

(SEAL) W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-3652; Filed, March 16, 1944; 11:01 a. m.]

Chapter II—Office of Defense Transportation

[G. O. ODT 38A, Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

CARLOAD AND TRUCKLOAD SHIPMENTS TO OR THROUGH DOMINION OF CANADA

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 38A (8 F.R. 9067) is hereby revoked, effective March 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG, *Deputy Director, Office of Defense Transportation.*

[F. R. Doc. 44-3644; Filed, March 16, 1944; 10:05 a. m.]

[A. O. ODT 2A, Revocation]

PART 503—ADMINISTRATION

PROCEDURES FOR APPLICATION FOR AND ISSUANCE OF ODT SHIPPING PERMITS

Pursuant to General Order ODT 38A, Administrative Order ODT 2A (8 F.R. 9068) is hereby revoked, effective March 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; Gen. Order ODT 38A, 8 F.R. 9067)

Issued at Washington, D. C., this 14th day of March 1944.

HENRY F. MCCARTHY, *Director, Division of Traffic Movement, Office of Defense Transportation.*

[F. R. Doc. 44-3645; Filed, March 16, 1944; 10:05 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

CARL R. BULLOCK

DESIGNATION AS PERSON TO HOLD HEARINGS, ETC.

The name of Carl R. Bullock is hereby added to the list of persons appearing in paragraph (A) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592); and the said Carl R. Bullock is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 15th day of March 1944.

ASHLEY SELLERS, *Assistant War Food Administrator.*

CLAUDE R. WICKARD, *Secretary of Agriculture.*

[F. R. Doc. 44-3675; Filed, March 16, 1944; 11:32 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A Special Permit 132]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 13, 1944, by Christ Hansen Company of car PGE 19159, potatoes, now on the Wood Street Terminal, to Madison, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44-3657; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 70-A, Special Permit 133]

RECONSIGNMENT OF COLLARDS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 13, 1944, by W. W. Adams, La Mantia Brothers Arrigo, of car NRC 4438, collards, now on the Wabash Railroad, to St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44-3658; Filed, March 16, 1944; 11:01 a. m.]

[S.O. 70-A, Special Permit 134]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by pargaraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, March 13 or 14, 1944, by A. M. Macheca and Company of car FGE 46208, potatoes, now on the Wabash Railroad to West Frankfort, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44-3659; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 176, Special Permit 69]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one refrigerator car so loaded from that point March 14, 1944, to Loose-Wiles Biscuit Company, Long Island City, New York. (IC)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44-3653; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 70]

LOADING OF PACKAGED CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading

of two refrigerator cars with cheese and spread in packages and jars by the Kraft Cheese Company at Freeport, Illinois, and the movement of the two refrigerator cars so loaded from that point March 14, 1944, to Pittsburgh, Pennsylvania, and to Charleston, West Virginia. (CMStP&P)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3654; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 71]

LOADING OF LARD AT OTTUMWA, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F. R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard by Morrell Packing Company at Ottumwa, Iowa, and the movement of the one refrigerator car so loaded from that point not later than March 18, 1944, to New Orleans, Louisiana, for export to Cuba. (CB&Q-GM&O)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3655; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 72]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 73495 with shortening by Durkee's Famous Foods at Berkeley, California, and the movement of that car so loaded from that point not later than March 16, 1944, to Portland, Oregon. (SP)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3656; Filed, March 16, 1944; 11:01 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-13A]

COMMON CARRIER BY BUS

AKRON, OHIO

Pursuant to Executive Orders 8989, as amended, 9156 and 9294, and the act of May 31, 1941, as amended by Title III of the Second War Powers Act, 1942 (56 Stat. 176), and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war, and after being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of rubber-borne transportation equipment and facilities for defense and for private account, *It is hereby ordered*, That:

1. Akron Transportation Company, Akron, Ohio (hereinafter called "carrier"), in the transportation of passengers as a common carrier by bus in the city and suburbs of Akron, Ohio, shall not operate buses over:

(a) Those sections of its bus route described in the appendix hereto[1] and designated as route 4 "York-Tallmadge" from the intersection of Howard Street and Main Street, over Main Street to York Street, over York Street to Dayton Street, and over Dayton Street to Glenwood Avenue, from the intersection of Fouse Avenue and Damon Street, over Damon Street to Evans Avenue, over Evans Avenue to Nevin Street, and over Nevin Street to Glenwood Avenue, and from the intersection of Patterson Avenue and Tallmadge Avenue, over Tallmadge Avenue to Main Street, and over Main Street to York Street;

(b) That section of its bus route described in the appendix hereto and designated as route 6 "Goodyear Heights" from the intersection of Malasia Road and Sumatra Avenue, over Sumatra Avenue to Hampton Road, over Hampton Road to Brittain Road, and over Brittain Road to Malasia Road;

(c) Those sections of its bus route described in the appendix hereto[1] and designated as route 11 "Inman" from the intersection of South Main Street and Mill Street, over Mill Street to Broadway, over Broadway to Center Street, over Center Street to Buchtel Avenue, over Buchtel Avenue to Spicer Street, over Spicer Street to Carroll Street, over Carroll Street to Brown Street, over Brown Street to Exchange Street, and from the intersection of Lovers Lane and Merton Avenue, over Lovers Lane to Talbot Street;

(d) Those sections of its bus route described in the appendix hereto and designated as route 12 "Brown" from the intersection of Buchtel Avenue and Ellwood Street, over Buchtel Avenue to Spicer Street, over Spicer Street to Carroll Street and over Carroll Street to Ellwood Street, and from the intersection of Greenlawn Avenue and Catawba Street, over Catawba Street to South Firestone Boulevard, over South Firestone Boulevard between Dresden Avenue and Aster Avenue, over Aster Avenue to Reed Street, and over Reed Street to Brown Street;

(e) Those sections of its bus route described in the appendix hereto and designated as route 14 "Waterloo" from the intersection of Firestone Parkway and Emerling Avenue, over Emerling Avenue to Main Street, over Main Street to Cole Avenue, and from the intersection of Miller Avenue and Main Street, over Main Street to Buchtel Avenue, over Buchtel Avenue to High Street, over High Street to Center Street, and over Center Street to Main Street;

(f) That section of its bus route described in the appendix hereto and designated as route 16 "Wooster-East" from the intersection of Battles Avenue and East Avenue, over East Avenue to California Avenue;

(g) Its bus route described in the appendix hereto and designated as route 17 "Long";

(h) That section of its bus route described in the appendix hereto and designated as route 18 "Thornton" from the intersection of Manchester Road and Clearview Avenue, over Manchester Road to Rothrock Avenue;

(i) That section of its bus route described in the appendix hereto and designated as route 19 "Euclid" from the intersection of Diagonal Road and Courtland Avenue, over Diagonal Road to Wooster Avenue, and over Wooster Avenue to a terminal east of Diana Avenue; and

(j) That section of its bus route described in the appendix hereto and designated as route 24 "Cuyahoga" from the intersection of Howard Street and North Street, over North Street to Stuber Street, over Stuber Street to Elizabeth Park Boulevard, over Elizabeth Park Boulevard to Lods Street, over Lods Street to Turner Street, over Turner Street to Charles Street, over Charles Street to Howard Street, over Howard Street to Lods Street, and over Lods Street to Cuyahoga Street.

2. The carrier shall:

(a) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 4 "York-Tallmadge" by operating buses from the intersection of Howard Street and Main Street, over Howard Street to Glenwood Avenue and over Glenwood Avenue to Dayton Street, from the intersection of Fouse Avenue and Damon Street, over Fouse Avenue to Iredell Street, over Iredell Street to Glenwood Avenue and over Glenwood Avenue to Tallmadge Avenue, and over Patterson Avenue between Glenwood Avenue and Tallmadge Avenue;

(b) Operate not more than 25 per cent of the buses in service on its bus route described in the appendix hereto and designated as route 6 "Goodyear Heights" from the intersection of Malasia Road and Goodyear Boulevard, over Goodyear Boulevard to Tonawanda Avenue, over Tonawanda Avenue to Sumatra Avenue, over Sumatra Avenue to Malasia Road and over Malasia Road to Goodyear Boulevard, and terminate the trips of not less than 75 per cent of such buses at a point on Goodyear Boulevard no further north than Newton Street and operate them therefrom over Newton Street to Sumatra Avenue, over Sumatra Avenue to Malasia Road and over Malasia Road to Goodyear Boulevard;

(c) Operate buses in service on its bus route described in the appendix hereto and designated as route 11 "Inman" from the intersection of South Main Street and Mill Street, over South Main Street to Exchange Street, over Exchange Street to Brown Street, over Brown Street to South Street, over South Street to Johnston Street, over Johnston Street to Inman Street, over Inman Street to Lovers Lane, over Lovers Lane to Merton Street, and consolidate the operation of such buses with buses operated over its bus route described in the appendix hereto and designated as route 12 "Brown";

(d) Consolidate the remaining sections of its route described in the appendix hereto and designated as route 12 "Brown" by operating buses from the intersection of Buchtel Avenue and Ellwood Street, over Ellwood Street to Carroll Street, and operate buses in service on such route from the intersection of Catawba Street and Greenlawn Avenue, over Greenlawn Avenue to Mission Drive, and over Mission Drive to Brown Street, and consolidate the operation of such buses with buses operated over its bus route described in the appendix hereto and designated route 11 "Inman";

(e) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 14 "Waterloo" by operating buses from the intersection of Firestone Parkway and Emerling Avenue, over Firestone Parkway to Cole Street and over Cole Street to Main Street and operate buses in service on such route from the intersection of Main Street, Miller Avenue and High Street, over High Street to Long Street, over Long Street to Princeton Street, over Princeton Street to Thornton Street, over Thornton Street to Bowery Street, over Bowery Street to Rhodes Avenue, over Rhodes Avenue to Thornton Street and over Thornton Street to Bowery Street;

(f) Operate not more than 55 percent of the buses in service on its bus route described in the appendix hereto and designated as route 16 "Wooster-East" from the intersection of East Avenue and Clearview Avenue, over Clearview Avenue to 13th Street, over 13th Street to Polk Avenue, over Polk Avenue to 16th Street, over 16th Street to Battles Avenue, and over Battles Avenue to East Avenue, and terminate the trips of not less than 45 percent of such buses at a point no further south than Sheridan Avenue operating them from the intersection of East Avenue and Sheridan Avenue over Sheridan Avenue to Sunrise Drive, over Sunrise Drive to Longview Avenue, and over Longview Avenue to East Avenue; and

(g) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 24 "Cuyahoga" by operating buses and from the intersection of Howard Street and North Street over Howard Street to Cuyahoga Street, and over Cuyahoga Street to Lods Street.

3. As used herein the term "bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers.

4. The carrier forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs and supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

5. The provisions of this order shall be subject to any special permit issued by the Director, Division of Local Transport, Office of Defense Transportation, to meet specific needs or exceptional circumstances.

6. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Cleveland, Ohio, and should refer to "Special Order ODT LB-13A."

This order shall become effective April 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Special Order ODT LB-13, as amended, (8 F.R. 10454 and 11000) is hereby revoked as of the effective date of this Special Order ODT LB-13A.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3629; Filed, March 15, 1944; 4:22 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev.-20, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI

Byers Transportation Company, Inc., Churchill Truck Lines, Incorporated.

Upon consideration of a application for revocation of Supplementary Order ODT 3, Revised-20 (8 F.R. 5321), filed with the Office of Defense Transportation by Churchill Truck Lines, Incorporated, Chillicothe, Missouri, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-20 be, and it is hereby, revoked, effective March 14, 1944.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3636; Filed, March 16, 1944; 10:05 a. m.]

[Supp. Order ODT 3, Rev.-61, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN DELAWARE AND MARYLAND

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-61 (8 F.R. 12368), filed with the Office of Defense Transportation by Elliott Brothers Trucking Company, Inc., Easton, Maryland, and Masten Trucking Company, Inc., Milford, Delaware, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-61, be, and it is hereby, revoked, effective March 14, 1944.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3637; Filed, March 16, 1944; 10:05 a. m.]

[Supp. Order ODT 3, Rev.-72, Corr.]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS

The Vincent Truck Lines and Yellow Transit Co.

Supplementary Order ODT 3, Revised-72 (8 F.R. 13410) is hereby corrected by inserting the following: "Edwin L. Vincent, doing business as"—in the

preamble thereof immediately preceding "The Vincent Truck Lines, Wichita, Kansas."

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3638; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 3, Rev. 197]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN PENNSYLVANIA AND NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have aplied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Daley's Blue Line Transfer Company, Wilkes-Barre, Pennsylvania.
2. Hilton S. Fowler, doing business as Fowler & Williams, Scranton, Pennsylvania.
3. Friedman's Express, Inc., Wilkes-Barre, Pennsylvania.
4. Karn's Transfer, Inc., Hazleton, Pennsylvania.
5. Roy Ovens, doing business as Ovens Transfer, Scranton, Pennsylvania.
6. John Richards, doing business as Richards Motor Freight Lines, Scranton, Pennsylvania.
7. Rodgers Motor Lines, Inc., Scranton, Pennsylvania.

[F. R. Doc. 44-3639; Filed, March 16, 1944; 10:06 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 199]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1/hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. W. G. Ray and Son (a partnership), Burlington, North Carolina.
2. A. C. Simpson (an individual), Burlington, North Carolina.
3. S. J. Thomas (an individual), Burlington, North Carolina.

[F. R. Doc. 44-3640; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 3, Rev. 200]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEWPORT AND PROVIDENCE, R. I.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Adley Express Company (a corporation), 216 Crown Street, New Haven, Connecticut.
2. John W. Deery, an individual doing business as C. & D. Transportation Co., 54 Bridge Street, Newport, Rhode Island.

[F. R. Doc. 44-3641; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 20A-77]

TAXICABS

COORDINATED OPERATIONS IN JOHNSON CITY, TENN., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Johnson City, Tennessee, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator

named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Knoxville, Tennessee, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A77" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Knoxville, Tennessee.

8. This order shall become effective March 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Deluxe Cab Co., Johnson City, Tenn.
Diamond Cab Co., Johnson City, Tenn.
Plymouth Cab Co., Johnson City, Tenn.
Yellow Cab Co., Johnson City, Tenn.
City Taxi Co., Johnson City, Tenn.

[F. R. Doc. 44-3642; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 20A-81]

TAXICABS

COORDINATED OPERATIONS IN JOPLIN, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Joplin, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and each such person shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. Section 4 (d) (9) of the plan of joint action is approved only in so far as it is administered in accordance with § 501.85 (d) of General Order ODT 20A.

4. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

5. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

6. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

[1] Filed as part of the original document.

7. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

8. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

9. Communications concerning this order should refer to "Supplementary Order ODT 20A-81" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield, Missouri.

10. This order shall become effective March 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Guy E. Sealer, d/b/a 406 Cab Co., 1530 Virginia Ave., Joplin, Mo.
C. H. Grant, d/b/a Yellow Cab Co., 313 Joplin, Joplin, Mo.

[F. R. Doc. 44-3643; Filed, March 16, 1944; 10:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 626]

MILTON COAL CO. AND HELEN COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 626 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 3. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

MILTON COAL CO. (ALONZO M. MILLER), BUCKHANNON, UPSHER COUNTY, W. VA. (SMITH NO. 1 MINE; DEEP MINE), PITTSBURGH SEAM

MINE INDEX NO. 742—RAILROAD FUEL PRICE GROUP NO. 1

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	F	F	F	F	F	F	F	F	F	F
Rail shipments	275	275	275	275	275	265	245	245	235	235
Truck shipments	298	293	293	268	268	253	243			
Railroad fuel	270	270	270	270	255	240	240	240	240	240

HELEN COAL CO., SAND FORE, GILMER COUNTY, W. VA. (WEST MINE), PITTSBURGH SEAM

MINE INDEX NO. 3027—RAILROAD FUEL PRICE GROUP NO. 1

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	F	F	F	F	F	F	F	F	F	F
Rail shipments	275	275	275	275	275	265	245	245	235	235
Truck shipments	298	293	293	268	268	253	243			
Railroad fuel	270	270	270	270	270	255	240	240	240	240

This order shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3610; Filed, March 15, 1944; 11:47 a. m.]

[MPR 188, Amdt. 2 to Order 630]

PIERCE-PHELPS, INC., AND TENN. VALLEY ASSOC.

APPROVAL OF MAXIMUM PRICES

Amendment No. 3 to Order No. 630 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of mechanical domestic food dehydrators by manufacturers, by jobbers, and by retailers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 630 under § 1499.158 of Maximum Price Regulation No. 188 is amended in the following respects:

1. The list of ceiling prices contained in paragraph (a) of Order No. 630 is amended by adding thereto the new items and ceiling prices set forth below:

Manufacturer	Model designation	Mfg'rs ceiling price	Wholesale ceiling price	Retail price to consumers
Pierce-Phelps, Inc., Philadelphia, Pa.	PD-24 Dehydrator Kit	$12.45	$15.53	$24.85
Pierce-Phelps, Inc., Philadelphia, Pa.	PD-24 Dehydrator Cabinet	19.08	23.81	38.10
Tenn. Valley Assoc., Nashville, Tenn.	Top Line Dehydrator Kit	13.80	17.25	27.60
Tenn. Valley Assoc., Nashville, Tenn.	Top Line Dehydrator Cabinet	16.17	20.22	32.35

This Amendment No. 3 to Order No. 630 shall become effective on the 16th day of March 1944.

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3630; Filed, March 15, 1944; 4:54 p. m.]

[MPR 188, Amdt. 20 to Order A-1]

SEWERTITE JOINT CEMENT

MODIFICATION OF MAXIMUM PRICES

Amendment No. 29 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (25) is added to read as follows:

(25) *Modification of maximum prices for sewertite joint cement.* (i) The maximum prices for sales by the manufacturer of sewertite joint cement, f. o. b. plant, shall be:

(*a*)

Product number	Containing capacity in lbs.	Product	List price
04321-A	W. B.-450	Cold Mastic Asphalt Medium	$0.045 per lb.
04321-B	W. B.-270	Cold Mastic Asphalt Medium	$0.049 per lb.
04322-A	W. B.-450	Cold Mastic Asphalt Heavy	$0.050 per lb.
04322-B	W. B.-270	Cold Mastic Asphalt Heavy	$0.054 per lb.
04345-A	W. B.-450	Cold Mastic Asphalt Extra Heavy	$0.052 per lb.
04345-B	W. B.-270	Cold Mastic Asphalt Extra Heavy	$0.056 per lb.
04341-A	W. B.-450	Cold Mastic Tar Medium	$0.050 per lb.
04341-B	W. B.-270	Cold Mastic Tar Medium	$0.054 per lb.
04342-A	W. B.-450	Cold Mastic Tar Heavy	$0.052 per lb.
04342-B	W. B.-270	Cold Mastic Tar Heavy	$0.056 per lb.
04343-A	P. C.-100	Jobsite Hot Four Asphalt	$33.50 per ton.
04343-FF		Die Cast Joint Compound	$40.00 per ton.

(*b*) On sales to the classes of purchasers and in the quantities listed below, the maximum prices established by subdivision (*a*) above must be reduced by the following discounts:

Buyer classification	Table of discounts	
	L. C. L.	C. L.
Consumers	List	List—10%.
Sewer contractors, railroads, large industrials, and Government agencies.	List—10%	List—10-10%.
Resellers, such as dealers and pipe manufacturers.	List—10-10%.	List—10-10-10%.
Jobbers	List—10-10-10%.	List—10-10-10-10%.

(*c*) Cold mastic compounds shall carry a minimum freight allowance of $.50 per cwt. in carload and less than carload shipments.

(ii) This subparagraph (25) may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3631; Filed, March 15, 1944; 4:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-53, 54-88]

CITIES SERVICE CO., ET AL.

ORDER DIRECTING SIMPLIFICATION OF CORPORATE STRUCTURE AND APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of March, 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents, File No. 59-53; Cities Service Power & Light Company, File No. 54-88.

The Commission having instituted proceedings pursuant to section 11(b)(2) and other sections of the Public Utility Holding Company Act of 1935 with respect to Cities Service Company, a registered holding company, Cities Service Power & Light Company, a registered holding company and a subsidiary of Cities Service Company, and certain subsidiary companies of Cities Service Company and Cities Service Power & Light Company, by its notice of and order for hearing dated August 29, 1942, to determine, among other things, whether the corporate structure of Cities Service Power & Light Company unduly or unnecessarily complicates the structure of

the holding company system of Cities Service Company and/or Cities Service Power & Light Company, and if so, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto; and

Cities Service Power & Light Company having filed with the Commission, pursuant to section 11 (e), a plan and amendments thereto which, among other things, proposes to eliminate all the debentures and preferred stock of Cities Service Power & Light Company from its corporate structure, and Cities Service Company having filed its joinder in said Plan in relation to all transactions between it and Cities Service Power & Light Company provided in said plan as amended; and

The Commission having issued its notice of and order for hearing on said plan and having issued its notice and order reconvening the hearings in said proceeding under section 11 (b) (2) and other sections of the act and consolidating said proceeding with the proceeding on said plan; and

Notice having been duly given to all interested persons, all such persons having been given an opportunity to be heard with respect to all matters pertaining to said proceedings, hearings having been held and the Commission having this day issued and filed its findings and opinion herein; now therefore,

I. *It is hereby ordered*, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, and in accordance with said findings and opinion, that Cities Service Power & Light Company shall change its present capital structure, consisting of debentures, preferred stock and common stock, into a capital structure consisting of one class of stock, namely common stock.

II. *It is further ordered*, That the plan dated and filed herein on December 20, 1943, by Cities Service Power & Light Company for the simplification of its corporate structure, as amended, be and it is hereby in all respects approved as necessary and appropriate to carry out and effectuate the provisions of subdivision I of this order, as necessary to effectuate the provisions of section 11 (b) of the act, and as fair and equitable to the persons affected thereby, and that Cities Service Power & Light Company be and it is hereby directed to carry out and consummate said plan in accordance with its terms.

III. *It is further ordered*, Without prejudice to the generality of the foregoing provisions of this order,

(a) That the applications and declarations of Cities Service Power & Light Company and Cities Service Company with respect to the following transactions, to wit:

(1) The sale and transfer by Cities Service Power & Light Company, and the acquisition by Cities Service Company, of $4,700,000 principal amount of 6% Demand Notes of The Gas Service Company, $838,220 par value of Cumulative First Preferred Stock and $12,832 par value of non-Cumulative Second Preferred Stock of Kansas City Gas Company, and $200,000 par value of Cumulative First Preferred Stock of The Wyandotte County Gas Company in exchange for the sale and transfer by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of $1,914,000 principal amount of 5½% Debentures due 1949 and $2,289,000 principal amount of 5½% Debentures due 1952 of Cities Service Power & Light Company and 9,242 shares of $7 Dividend Cumulative Preferred Stock of Cities Service Power & Light Company, and for the sale and transfer by Cities Service Company and the acquisition by Cities Service Power & Light Company of $150,000 par value of the Common Stock and $874,921 principal amount 6% Demand Note of Ozark Utilities Company,

(2) The sale and transfer by Cities Service Power & Light Company, and the acquisition by Cities Service Company, of the following securities of The Community Traction Company, to wit: $4,724,000 aggregate principal amount of First Mortgage 6% Bonds due 1946, with all matured and unmatured coupons appertaining thereto, $406,125.04 principal amount 6% Note due serially to March 1, 1951, $327,230 principal amount of 6% Demand Notes, and $1,458,950 par value of 8% Cumulative Preferred Stock, in exchange for the sale and transfer by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of 40,000 shares of the $5 Dividend Cumulative Preferred Stock of Cities Service Power & Light Company,

(3) The donation by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of 9,352 shares of the $5 Dividend Cumulative Preferred Stock, 38,791 shares of the $6 Dividend Cumulative Preferred Stock and 24,469 shares of $7 Dividend Cumulative Preferred Stock of Cities Service Power & Light Company.

(4) The acquisition and retirement by Cities Service Power & Light Company of $12,922,000 principal amount of its debentures due 1949, $28,647,000 principal amount of its debentures due 1952, 648 shares of its $5 Dividend Cumulative Preferred Stock, 31,657 shares of its $6 Dividend Cumulative Preferred Stock, and 21,679 shares of its $7 Dividend Cumulative Preferred Stock, for cash, as set forth hereinafter, and

(5) The issuance and sale by Cities Service Power & Light Company of $20,000,000 principal amount of notes to a group of banks, as provided in the Loan Agreement dated January 5, 1944, between Cities Service Power & Light Company and said banks filed herein, and the pledge as security for said notes of assets of Cities Service Power & Light Company as specified in said Loan Agreement under a Custodian Agreement with The Chase National Bank of the City of New York, in the form or substantially the form attached as Exhibit C to said Loan Agreement.

All as provided by said plan as amended, be and they are hereby granted and permitted to become effective respectively, subject, however, to the following terms and conditions:

(i) That the application of Cities Service Power & Light Company for approval of its acquisition of securities of Ozark Utilities Company is granted subject to the condition that Cities Service Power & Light Company shall, within one year from the date hereof, dispose of its interests in Ozark Utilities Company so to be acquired.

(ii) That jurisdiction be and it is hereby reserved with respect to the retainability by Cities Service Company of the interests to be acquired by it from Cities Service Power & Light Company, and

(iii) That Cities Service Company and Cities Service Power & Light Company shall make appropriate provision to ensure that the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company, and which had been acquired since February 24, 1938, shall be surrendered by such officers and directors under the plan as amended, that the cash paid in respect of such debentures and shares of preferred stock shall be held in a special fund by Cities Service Power & Light Company, that such cash may be invested in United States Government securities, and that such cash, such investments and any increment thereto shall be subject to such disposition as may be determined by the Commission to be appropriate.

(b) That all outstanding debentures of Cities Service Power & Light Company due respectively 1949 and 1952 referred to in subdivision III (a) (4) of this order shall become due and payable at the office of Central Hanover Bank and Trust Company on April 15, 1944, at their principal amount plus accrued interest thereon to April 15, 1944, that Cities Service Power & Light Company shall apply the net proceeds of $20,453,125 heretofore received by it from the sale of its holdings in Public Service Company of Colorado and such portion of the net proceeds of sale of said notes as is required, to the payment of said debentures and of all outstanding matured interest coupons by deposit with Central Hanover Bank and Trust Company on March 15, 1944, or as soon thereafter as possible and in any event prior to April 15, 1944, of cash in an amount equal to the principal amount of said debentures then outstanding plus accrued interest to April 15, 1944, and that in the event of such deposit all interest on said debentures shall cease to accrue on and after April 15, 1944, and all rights of the holders of said debentures except the right to receive out of said cash so deposited the principal amount of their debentures plus interest thereon to April 15, 1944, shall forthwith cease and determine, and Cities Service Power & Light Company shall be released and fully discharged from all liability with respect to said debentures and the coupons appertaining thereto, whether for principal or interest or otherwise, and with respect to the indentures under which said debentures were issued, all as provided by said plan as amended;

(c) That Cities Service Power & Light Company shall, out of the remaining proceeds of sale of said notes, together with any available cash, on March 15, 1944, or as soon thereafter as possible and in any event prior to April 15, 1944, deposit with Central Hanover Bank and Trust Company cash in an amount equivalent to the involuntary liquidating value ($100 per share) of all the outstanding preferred stock of Cities Service Power & Light Company referred to in subdivision III (a) (4) of this order plus accumulated and unpaid dividends thereon to April 15, 1944, that in the event of such deposit, the respective holders of shares of said preferred stock of the Company shall, on and after the date of such deposit, cease to be entitled to any dividends except accumulated and unpaid dividends to April 15, 1944, and shall cease to be stockholders of, or to have any right or interest in, Cities Service Power & Light Company or its assets, or any rights or interest whatsoever, except to receive payment for their shares of said stock all as provided by said plan as amended; and

(d) That Cities Service Power & Light Company shall publish and mail an appropriate notice, as provided by said plan as amended, of said deposits and of the rights of its debenture holders and preferred stockholders to receive payment against surrender of their debentures and preferred stock as aforesaid.

IV. *It is further ordered*, That jurisdiction be and it is hereby reserved with respect to the following matters:

(a) All issues involved in *Cities Service Company et al.* (File No. 59-53), except those disposed of herein,

(b) The accounting entries to be made by Cities Service Power & Light Company and by Cities Service Company in recording the transactions to be consummated hereunder, and

(c) The disposition of cash to be paid upon the surrender by officers and directors of Cities Service Power & Light Company and Cities Service Company of debentures and shares of preferred stock held directly or indirectly by or for any of them on March 13, 1944, and acquired since February 24, 1938, and the disposition of any securities in which such cash may have been invested and of any increment thereto; and

Cities Service Power & Light Company having requested that the Commission include appropriate recitals herein pursuant to the provisions of sections 371 and 1808 of the Internal Revenue Code,

V. *It is hereby further ordered*, And recited that the use and expenditure by Cities Service Power & Light Company of the net proceeds received by it upon the sale of its holdings in Public Service Company of Colorado in the retirement of its outstanding debentures, the issuance and delivery by Cities Service Power & Light Company of notes in the aggregate principal amount of $20,000,000, the exchange of securities between Cities Service Company and Cities Service Power & Light Company, and the donation by Cities Service Company to Cities Service Power & Light Company of 72,612 shares of preferred stock, all as hereinbefore in this order provided and directed, is necessary or appropriate to the integration and simplification of the holding company system of which Cities Service Power & Light Company is a member, and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3676; Filed, March 16, 1944; 11:21 a. m.]

[File No. 70-605]

ILLINOIS POWER CO.

MEMORANDUM OPINION AND SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of March, 1944.

On January 5, 1944 we entered an order[1] in the above proceeding permitting an amended declaration of Illinois Power Company (the Company) to become effective under the Public Utility Holding Company Act of 1935 regarding (a) the issue and sale to institutional investors[2] of $65,000,000 principal amount of First Mortgage and Collateral Trust Bonds, —% Series due November 1, 1973, and (b) the issue and sale to commercial banks of 2¾% Serial Notes in the principal amount of not less than $4,000,000 and not more than $5,000,000, maturing serially in not more than five years from date. The order provided that the issue and sale of the proposed bonds and notes should not be consummated until we had been advised as to the price and terms of the new bonds and had entered a further order in these proceedings. We also directed the Company to furnish a revised estimate of the fees and expenses to be incurred in connection with the proposed refunding and reserved jurisdiction with respect to the payment thereof.

On February 28, 1944 the Company filed an amendment in compliance with our previous order. A public hearing was held and the Commission, having considered the record, makes the following findings:

The Company has entered into contracts with institutional investors for the sale to them of an aggregate of $63,000,000 principal amount of First Mortgage and Collateral Trust Bonds, 4% Series due November 1, 1973, dated November 1, 1943, at a price of 101% of the principal amount thereof plus accrued interest to the date of delivery. The bonds are redeemable, otherwise than for sinking fund purposes, in whole or in part at the option of the Company upon payment of the principal amount plus accrued interest and a premium amounting to 5% of the principal amount thereof to and including November 1, 1944; thereafter, the premium decreases 1/29 of 5% each year to and including November 1, 1972. The Company has also entered into contracts with three commercial banks for the sale to them of 2¾% Serial Notes in the aggregate amount of $5,000,000 maturing serially in not more than five years from date. The record indicates that the reduction from $65,000,000 to $63,000,000 in the principal amount of new bonds is occasioned by the sale of the maximum amount of notes and by the use of cash available as a result of recent improvement in the cash position of the Company.

The amendment discloses that the Mortgage and Deed of Trust and Supplemental Indenture securing the new bonds contain provisions differing somewhat from those contemplated in the original filing and summarized on pages 16 and 17 of our findings and opinion in this matter.[1] The only substantial changes, however, relate to the sinking and property additions funds. The sinking fund has been increased so as to retire a minimum of $28,600,000 principal amount of the new bonds, instead of $26,000,000 thereof, prior to maturity. This is effected by an annual increase of $200,000 beginning in 1960, in the sinking fund payments. The property additions fund has been increased from $1,800,000 to $2,000,000 annually so as to require the application of a minimum of $58,000,000 during the period 1944 to 1972, inclusive, for the construction or acquisition of property additions, as compared with $52,200,000 as originally proposed. As initially drawn, the mortgage provided that the Company could not obtain the release of part, as distinguished from all, of the pledged securities of its subsidiary, Illinois Terminal Railroad Company. This restriction has been broadened to include Central Terminal Company, the Company's only other active subsidiary. The Supplemental Indenture also provides that upon maturity or default the interest rate shall be increased to 5% per annum; the Supplemental Indenture originally provided that in such event the interest would continue at the same rate at which the bonds were sold.

The Purchase Agreement provides that concurrently with the delivery of the new bonds, the proceeds from the sale thereof shall be deposited with the trustee under the indenture securing the outstanding bonds. The Series C, 5% First and Refunding Mortgage Bonds, due December 1, 1956, in the principal amount of $39,175,100 will be called for redemption on June 1, 1944, and the Series A, 6% First and Refunding Mortgage Bonds, due April 1, 1953, in the principal amount of $30,681,500 will be called for redemption on October 1, 1944.

The purchasers represent that they are purchasing the new bonds for their respective accounts for investment and with no present intention of reselling or distributing them.

The issue and sale of the new bonds at the price and on the terms set forth in

[1] *Illinois Power Company*, — S.E.C. —, Holding Company Act Release No. 4815.

[2] The order granted the Company an exemption from the competitive bidding requirements of Rule U-50.

[1] Illinois Power Company, *supra*.

the amendment has been authorized by an order of the Illinois Commerce Commission dated March 7, 1944.

The sale of the new 4% bonds at a price of 101 represents a net cost of money to the Company of 3.945% and will result in an annual interest savings before taxes of $1,142,000. The record discloses that the price and terms of the new bonds were determined after extensive negotiations at arm's-length. We see no necessity for adverse findings with respect thereto.

The total revised estimate of the fees and expenses to be incurred in connection with the refunding program is $372,950.[1] We will reserve jurisdiction over all legal fees and expenses and over the fees payable to The First Boston Corporation as the record is not complete with respect thereto. The other fees and expenses do not appear to be unreasonable and jurisdiction over their payment will be released.

It is therefore ordered, That the declaration of Illinois Power Company, as amended on February 28, 1944, be and the same is hereby permitted to become effective, subject to the terms and conditions prescribed by Rule U-24, and subject to the further condition that jurisdiction is hereby reserved over the payment of all legal fees and expenses and the fees of The First Boston Corporation incident to these proceedings and for the entrance of further orders with respect thereto.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3677; Filed, March 16, 1944; 11:21 a. m.]

[1] Securities and Exchange Commission Registration Fee $7,150
Federal Issue Tax 69,300
Printing Registration Statement, Memorandum, Exhibits, Applications to Regulatory Commissions and Other Incidental Printing *25,000
Preparation of engraving securities *500
Trustee's fee and authentication charges *21,000
Legal fees and expenses *90,000
The first Boston Corporation, fee as financial advisor (not to exceed) 35,000
Fee as agent in private placement 75,000
Auditors' fees and expenses *25,000
Fees for recording Mortgage and Supplemental Indenture *10,000
Miscellaneous *15,000
Total *372,950
*Estimated.

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391a, 404, 481, 489, 367, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

ITEMS OF EQUIPMENT APPROVED

DAVITS

Schat low type davit, type S.S.L 5-10.5 (Arrangement Dwg. No. B.A. 343, dated 31 January, 1944) (Maximum working load of 2,500 pounds per arm), submitted by Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, New York.

Sheath Screw davit, size 5-S-6-O (General Assembly Dwg. No. 445-D, dated 12 November, 1943, revised 21 February, 1944) (Maximum working load of 4,500 pounds per arm), submitted by The Landley Company, Inc., 15 Park Row, New York, N. Y.

FIRE EXTINGUISHER

C-D/Fog Model 4A Seat Type, 4 pound carbon dioxide fire extinguisher, (Assembly Dwg. No. CO-237D, and Parts List Dwgs. Nos. CO-173A, CO-174A, CO-175A, dated 12 November, 1942, and CO-236A, revised 2 April, 1943) (For use on all motorboats except those of over 15 gross tons carrying passengers or freight for hire), manufactured by The General Detroit Corp., Detroit, Michigan.

FIRE-RESISTIVE SUBSTANCE

Tolex, 304DC, smooth grain, fire-resistive finish for use in the treatment of cotton drill covers of life preservers, submitted by Textileather Corp., Toledo, Ohio.

FIRST-AID KIT

First-aid kit, 24-unit, Type MM, submitted by the E. D. Bullard Company, 275 Eighth Street, San Francisco, Calif.

LIFEBOAT

18' x 6' x 2.6' metallic oar-propelled lifeboat (199 Cu. Ft. S. R. capacity) (General arrangement and construction Dwg. No. 1815, dated 8 February, 1944), submitted by the Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

CORRECTION

Adult kapok life preserver (Dwg. No. 2, dated 19 November, 1943) (For general use only and not for use with lifesaving suits), Approval No. B-204, manufactured by the Merit Manufacturing Corp., 225-27 Powell Street, Brooklyn, N. Y. (Originally approved 8 F.R. 17235, 22 December, 1943)

ITEMS OF EQUIPMENT; APPROVAL WITHDRAWN

LINE-THROWING GUNS

Line-throwing guns, Hall breech loading, Model A (fixed mount) and Hall breech loading, Model B (swivel mount), manufactured by the Naval Company, 3419 Richmond Street, Philadelphia, Pa. (Originally approved 13 March, 1919.) (Any on board ship in good condition may remain in service.)

Line-throwing gun, manufactured by the New York Gun Co., 31 South Street, New York, N. Y. (Originally approved by the Executive Committee in 1938.) (Any on board ship in good condition may remain in service.)

R. R. WAESCHE, *Commandant.*

MARCH 14, 1944.

[F. R. Doc. 44-3628; Filed, March 15, 1944; 3:40 p. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

SNOHOMISH COUNTY, WASH.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION XI—WASHINGTON

SNOHOMISH COUNTY

Locality I: Consisting of Everett City; precincts of Armstrong, Cathcart, East Everett, East Stanwood, Ebey, Edgecomb, Everett, Florence, Fortson, Getchell, Glenwood, Hazel, Jim Creek, Lake Cassidy, Lakewood, Lane, Lincoln, Ludwig, Marion, Marsh, Marysville, Monroe, Norman, Oso, Pacific, Park Place, Pearson, Pinehurst, Riverview, Shorts, Shoultes, Silvana, Snohomish, South Snohomish, Standby, Stanwood, Sunnyside, Trafton, Trail, Tualco, Union, Welangdon, and Wellesly Hills, $11,030.

Locality II: Consisting of the precincts of Boulder, Bryant, Cedarhome, Cliff, and Village, $4,539.

Locality III: Consisting of the precincts of Darrington, Fir, Gold Bar, Granite Falls, Gregory, Hartford, Highland, Lake, Lake Stevens, Lakeview, Lochsloy, Machias, Milton, Newburg, Norden, Olney, Outlook, Robe, Roosevelt, Sexton, Silverton, Skykomish, South Lake Stevens, Sultan, Sultan River, Three Lakes, Vernon, Wallace, and Winter Lake, $5,054.

Locality IV: Consisting of the precincts of Kruse, Port Susan, Quilceda, Tulalip, and Whaleback, $6,134.

Locality V: Consisting of the precincts of Alderwood, Bear Creek, Beverly Park, Broadway, Cedar Valley, Clearview, Currie, Darlington, Emander, Fernwood, Hiway, Intercity, Lake Ballinger, Maltby, Manor Lake, Meadowdale, Mukilteo, Nelson, North Creek, Richmond, Seattle Heights, Silverlake, Swamp Creek, $8,758.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: March 14, 1944.

FRANK HANCOCK, *Administrator.*

[F. R. Doc. 44-3674; Filed, March 16, 1944; 11:32 a. m.]

Office of the Administrator.

CARL R. BULLOCK

DESIGNATION AS PERSON TO HOLD HEARINGS, ETC.

NOTE: F.R. Doc. 44-3675, issued jointly by the Department of Agriculture and the War Food Administration, appears under the captions "Department of Agriculture" "Office of the Secretary", *supra.*

Office of Distribution.

ADMINISTRATOR OR ALTERNATE ADMINISTRATOR OF FOOD DISTRIBUTION ORDER 75-2

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order No. 75 (8 F.R. 11119), and to effectuate the purposes thereof and of Food Distribution Order No. 75-2, as amended (9 F.R. 2200), the Administrator or Alternate Administrator of Food Distribution Order No. 75-2 is hereby authorized:

(a) To grant exemptions, in whole or part, from the provisions of said order, upon a showing that compliance therewith would work an exceptional and unreasonable hardship. In granting exemptions, the Order Administrator or Alternate Order Administrator shall be guided by:

(1) Findings or determinations of the interested procurement agency with respect to transportation or delivery, or with respect to current needs for particular types, grades or quantities; or

(2) Abnormal civilian requirements in defense areas in combination with a seasonal shortage of livestock in such areas; or

(3) Lack of facilities within the trade area in which the petitioner is located, together with any unreasonable hardship which would result from a requirement that such facilities be obtained; or

(4) Other factors involving facilities, transportation, delivery, economy of operation, population, civilian requirements, or fluctuations in the supply of livestock, which would operate in such a manner as to bring about an exceptional and unreasonable hardship.

(b) To allocate set aside meat to or among governmental agencies, authorized purchasers, or persons entitled to purchase set aside meat under a Food Distribution regulation.

(c) Upon written application, to revise any conversion weight factor upon a showing that such factor will result in undue hardship in the preparation of certain products.

Any exemption, allocation, revision, or exception hereunder shall be by written notice to the individual slaughterer concerned. All authority herein conferred shall be exercised subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Distribution, War Food Administration, and in accordance with such general instructions concerning policy and procedure as may from time to time be issued by the Director of Food Distribution.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director of Food Distribution.

This delegation supersedes the delegation of authority of August 25, 1943 (8 F.R. 11864).

Issued this 15th day of March 1944.

LEE MARSHALL, *Director of Food Distribution.*

[F. R. Doc. 44-3627; Filed, March 15, 1944; 3:40 p. m.]

WAR MANPOWER COMMISSION.

NORTH CAROLINA, VIRGINIA AND WEST VIRGINIA

APPROVAL OF INTERMEDIATE STATE APPEALS COMMITTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region IV, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of North Carolina, Virginia, and West Virginia; and

Having found that each of the above named states constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of North Carolina, Virginia, and West Virginia, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. MCNUTT, *Chairman.*

MARCH 14, 1944.

[F. R. Doc. 44-3646; Filed, March 16, 1944; 10:25 a. m.]

NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA, MINNESOTA AND IOWA

APPROVAL OF INTERMEDIATE STATE APPEALS COMMITTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region VIII, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of North Dakota, South Dakota, Nebraska, Minnesota, and Iowa; and

Having found that each of the above-named states constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of North Dakota, South Dakota, Nebraska, Minnesota, and Iowa, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. MCNUTT, *Chairman.*

MARCH 14, 1944.

[F. R. Doc. 44-3647; Filed, March 16, 1944; 10:25 a. m.]

WASHINGTON, OREGON, NEVADA, ARIZONA, AND CALIFORNIA

APPROVAL OF INTERMEDIATE STATE APPEALS COMMITTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region XII, comprising the states of Washington, Oregon, Nevada, California, and Arizona, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of Washington, Oregon, Nevada, and Arizona, and for the Northern California War Manpower Commission Area and the Southern California War Manpower Commission Area; and

Having found that each of the above named states and areas constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state and area, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states and areas;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of Washington, Oregon, Nevada, and Arizona, and for the Northern California War Manpower Commission Area and the Southern California War Manpower Commission Area, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. MCNUTT, *Chairman.*

MARCH 14, 1944.

[F. R. Doc. 44-3648; Filed, March 16, 1944; 10:25 a. m.]

FEDERAL REGISTER

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Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA Order 400]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

OFFICERS OF THE REVOLVING FUND

Sections 3.60 and 3.61, Title 6, Code of Federal Regulations, are amended to read as follows:

§ 3.60 *Functions and duties of Director of the Revolving Fund.* The Director of the Revolving Fund is authorized and empowered: (a) To accept or reject applications for loans from the Revolving Fund authorized by the Agricultural Marketing Act (46 Stat. 11; 12 U.S.C. 1141–1141j; and Sup.), in whole or in part, and to make commitments therefor; to designate such officers of the Revolving Fund Section as he may deem necessary and to prescribe their authority and duties; to execute, either in person or through such officer as he may authorize, instruments for the release, modification, renewal, or revival of real and chattel mortgages, pledges, and other lien instruments, and such other documents as may be necessary to carry out the functions of his office, and all such documents and instruments heretofore executed are ratified and confirmed; and to perform any and all functions and duties, in accordance with law, which the Governor of the Farm Credit Administration is authorized to perform with respect to the administration of the Revolving Fund Section and of the Agricultural Marketing Act, as amended, except the signing of vouchers for the disbursement of money from the Revolving Fund; and (b) to perform any and all functions and duties, in accordance with law, which the Governor of Farm Credit Administration is authorized to perform with respect to the administration of the act of March 3, 1932 (47 Stat. 60; 12 U.S.C. 1401–1404), relating to loans to individuals for the purpose of assisting in forming or increasing the capital stock of agricultural credit corporations, livestock loan companies, or like organizations. (E. O. 6084, Mar. 27, 1933, 6 CFR 1.1; Memorandum No. 846 of the Secretary of Agriculture, dated January 6, 1940; Memorandum No. 1086, of the Secretary of Agriculture, dated April 26, 1943)

§ 3.61 *Official acts of Treasurer and Assistant Treasurer of the Revolving Fund ratified.* The office of "Treasurer and Disbursing Officer for the Revolving Fund of the Federal Farm Board," created by a resolution of the Federal Farm Board, adopted November 12, 1929, and the office of "Assistant Treasurer and Deputy Disbursing Officer for the Revolving Fund of the Federal Farm Board", created by a resolution of the Federal Farm Board, adopted March 17, 1930, are hereby discontinued. All official acts of said officers (also entitled Treasurer and Assistant Treasurer of the Agricultural Marketing Revolving Fund and Treasurer and Assistant Treasurer of the Revolving Fund) and in particular all instruments executed by the persons occupying said offices, for the release, modification, renewal, or revival of real or chattel mortgages, pledges, or other lien instruments, are hereby ratified and confirmed. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1; Memorandum No. 846 of the Secretary of Agriculture, dated January 6, 1940; Memorandum No. 1086 of the Secretary of Agriculture, dated April 26, 1943)

[SEAL] A. G. BLACK,
Governor.

[F. R. Doc. 44-3760; Filed, March 17, 1944; 11:19 a. m.]

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.

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TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

WAGE RATES FOR 1944 CROP OF SUGAR BEETS

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets.

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.14j *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production, cultivation, or harvesting of the 1944 crop of sugar beets if all persons employed on a farm, or part of a farm covered by a separate labor agreement, in the production, cultivation, or harvesting of the 1944 crop of sugar beets shall have been paid in full for all such work and shall have been paid wages at rates not less than the following:

(a) The wage rates agreed upon, but no less than the wage rates specified in paragraph (a) of the "Determination of Fair and Reasonable Wage Rates for Persons Employed in the Production, Cultivation, or Harvesting of the 1943 Crop of Sugar Beets", of April 7, 1943.

(b) The provisions of paragraph (b) of the aforementioned determination of April 7, 1943, shall apply to the 1944 crop, except that subparagraph (3) shall read as follows:

(3) That in an instance where the planting of segmented seed reduces the amount of labor required in thinning as compared with whole seed the piece rate for blocking and thinning shall be the rate agreed upon between the laborer and the producer but not less than 75 percent of the piece rate for blocking and thinning prescribed under paragraph (a) of this determination.

(c) For purposes of this determination, a farm, or part of a farm covered by a separate labor agreement, shall be deemed to be located in the wage district in which the factory where the beets are contracted to be delivered is located.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 16th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3747; Filed, March 17, 1944; 11:19 a. m.]

PART 802—SUGAR DETERMINATIONS

PRICES FOR 1944 CROP OF VIRGIN ISLANDS SUGARCANE

Determination of fair and reasonable prices for the 1944 crop of Virgin Islands sugarcane.

Pursuant to the provisions of subsection (d) of section 301 of the Sugar Act of 1937, as amended, and Executive Order 9322, issued March 26, 1943, as amended by Executive Order 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.53b *Fair and reasonable prices for the 1944 crop of Virgin Islands sugarcane.* Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags and bagging, storage in company warehouses, war risk insurance, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government or any agency thereof) shall be deemed as the f. o. b. mill value of such sugar.

(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1944 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 16th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3748; Filed, March 17, 1944; 11:19 a. m.]

Chapter X—War Food Administration (Production Orders)

[2d Rev. FPO 12, Amdt. 1]

PART 1206—FERTILIZER

ORGANIC NITROGENOUS MATERIAL

Paragraph (a) of § 1206.602 of Food Production Order No. 12, Revision No. 2 (8 F.R. 15419), is hereby amended to read as follows:

§ 1206.602 *Acquisition and use by fertilizer manufacturers.* (a) Subject to the restrictions of paragraphs (b) and (c) of this section, relative to edible oilseed meal and inedible oilseed meal of edible type, each fertilizer manufacturer is authorized to acquire during the period July 1, 1943, to June 30, 1944, organic nitrogenous materials, for use either in the manufacture of mixed fertilizers or for sale and use as unmixed fertilizer material, but the quantity of such material, including any edible oilseed meal or inedible oilseed meal of edible type, either acquired or used for such purposes, shall not exceed, at each fertilizer mixing plant operated by such manufacturer, 80 percent of the quantity, on a nitrogen unit basis, used at such plant for such purposes during the period July 1, 1941, to June 30, 1942. The quantity of such material on hand on June 30, 1943, in both mixed fertilizer and as unmixed fertilizer material, shall be counted as a part of the quantity of organic nitrogenous material a manufacturer is authorized to acquire.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of March 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-3751; Filed, March 17, 1944; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 75, Amdt. 12]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14508, 15684, 15772, 16353, 16587, 16675, 16887, 17290, 9 F.R. 51, 937, 1499), § 1410.15, issued under the authority of the War Food Administrator on August 9, 1943, is further amended by amending (b) (2) to read as follows:

(2) Any farmer may, without a license or a permit, slaughter swine owned by him and deliver the meat derived therefrom.

This order shall become effective at 12:01 a. m., e. w. t., March 17, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3723; Filed, March 16, 1944; 1:23 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry (Including Meat Inspection Regulations of the War Food Administration)

[Rev. B. A. I. Order 211, Amdt. 19]

PART 18—REINSPECTION AND PREPARATION OF MEAT AND PRODUCTS

MANNER OF MARKING DOG, CAT, AND FOX FOODS

Pursuant to the authority conferred upon the War Food Administrator by Executive Order No. 9280, of December 5, 1942 (7 F.R. 10179), and Executive Order No. 9322, of March 26, 1943 (8 F.R. 3807), as amended by Executive Order No. 9334, of April 19, 1943 (8 F.R. 5423), and pursuant to the provisions of the Act of Congress approved March 4, 1907 (21 U.S.C. 71–91, 96; 21 U.S.C. Sup. II, 71), § 18.28, Subchapter A, Chapter I, Title 9, Code of Federal Regulations [Section 16, Regulation 18, B. A. I. Order 211, Re-

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vised) as amended, is hereby revoked, effective immediately.

Done at Washington, D. C., this 16th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3725; Filed, March 16, 1944; 3:44 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79b—WOMEN'S ARMY CORPS

DISCHARGE OF UNDER AGE ENLISTED PERSONNEL

Paragraph (c) (1) of § 79b.3 (8 F.R. 15656) is hereby amended to read as follows:

§ 79b.3 *Enlisted personnel.* • • •

(c) *Discharge*—(1) *Minority.* The discharge of any enlisted women of the Women's Army Corps who is found to be under the age of 20 is mandatory. Discharge will be effected under the provisions of AR 615-360[1] except that the written request of the parent, guardian, or next of kin for the discharge of the enlisted woman will not be required. The parents, guardian, or next of kin of the enlisted women will be notified of the discharge and the reason therefor. (Act of 1 July 1943, Public Law 110, 78th Congress) [Par. 21*a*, W.D. Cir. 289, 1943, as amended by W.D. Cir. 96, 7 March 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3734; Filed, March 17, 1944; 10:40 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 10, Amdt. 3]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL

Solid Fuels Administration for War Regulation No. 10 was issued in November 1943 in order to assure that consumers with relatively large stockpiles would during the winter months draw substantially upon such stockpiles so that (1) consumers with relatively small stockpiles, including particularly those consumers whose facilities had prevented them from building protective stockpiles, would be permitted to obtain sufficient currently produced bituminous coal to meet their immediate consumption requirements and to maintain stockpiles adequate to meet emergencies, and (2) a reasonable supply of bituminous coal would be available to retail dealers and household consumers who were dependent upon them for their fuel supply.

In planning the bituminous coal distribution program for the year April 1, 1944 to April 1, 1945, it appears necessary after careful survey of the estimated coal supply and requirements, and after full consultation with representatives of producers, wholesalers, retailers and consumers of bituminous coal to revise Regulation No. 10.

Unless it is arranged so that bituminous coal mines throughout the Nation enjoy full running time during the entire year, a reliable statistical forecast of the supply of and requirements for bituminous coal, as well as the opinions of representatives of producers and industrial consumers, indicates that serious shortages will result. Maximum coal production is imperative and such production cannot be obtained unless industrial consumers, retail dealers and household consumers build up reasonable stocks during the spring and summer months. The failure to do this may result in hardship or suffering next winter.

Because maldistribution would be the result, it is not practicable to suspend entirely the provisions of Regulation No. 10. Variations in the supply of and requirements for bituminous coal produced in different districts necessitate a variance in the revision of Regulation No. 10 for different groups of producing districts.

The amendment makes no change in the Stock Limitation Table applicable to bituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8 and 13. There is pending for crystallization during the month of March a Solid Fuels Administration for War distribution program involving the allocation of coals produced in these districts for by-product use or for movement to those receiving coal shipped via the Great Lakes. The definite formulation of this program is dependent upon statistics which are in the process of being analyzed. Until the by-product and lake program has progressed further, it does not appear appropriate to modify the existing Stock Limitation Table for these districts. However, in the formulation of the lake and by-product program there will be taken into account the necessity of permitting and encouraging to the maximum extent practicable industrial consumers to build up during the spring and summer reasonable and protective stockpiles of coals from these districts. Indeed, it is anticipated that during the month of April bituminous coal will be available in some of these districts (1, 3, 4, 6 and 13) beyond that which may be normally shipped under the Stock Limitation Table. It is expected that every industrial consumer who can do so will place orders for such additional available coal in accordance with this amendment and § 602.178 of the regulation. It is expected that effective as of May 1, Regulation No. 10 will again be revised so as to relax the Stock Limitation Table applicable to some or all of these districts.

The amendment virtually suspends the Stock Limitation Table in respect to bituminous coal produced in Districts 9, 10 and 11. These districts will shortly experience losses in running time as a result of insufficient orders upon which to ship potential production unless industrial consumers promptly proceed to build up stockpiles of coal produced in these districts. In order to prevent maldistribution, the amendment prohibits the building up of stockpiles of coals from these districts in excess of 120 days, except upon written permission from the Solid Fuels Administration for War. To the extent that stockpiles are built up beyond 90 days, the amendment gives no assurance that the excess stockpile above 90 days' supply will not have to be drawn upon later in the year at a very rapid rate. The amendment does give assurance, however, that so long as the industrial consumer's stockpile of coals from these districts remains within the range of 40 days' supply to 90 days' supply, the same monthly rate of draw down will apply when it becomes necessary to reinstate a specific Stock Limitation Table. The amendment makes it clear that the industrial consumer who fails to utilize his facilities and opportunities to build up a reasonable stockpile of these coals may experience considerable difficulty in obtaining an adequate fuel supply later in the year.

In respect to Districts 5, 12, 14, 15, 16, 17, 18, 19, 20, 22 and 23, the Stock Limitation Table of the regulation has heretofore not been applicable. The amendment makes no change in this regard.

In respect to special purpose coal, the Stock Limitation Table of the regulation has heretofore not been applicable. The amendment makes no change in this regard.

It is to be expected that industrial consumers who purchase bituminous coal in any district will be ready and willing to receive such coal wherever and whenever that becomes necessary in order to avoid the curtailment of production. It is imperative that industrial consumers cooperate with producers in this respect if the prosecution of the war is not to be hampered by a curtailment of production and the failure of industrial consumers to order and receive every ton of bituminous coal that can be produced over and above what is permitted to be shipped under the Stock Limitation Table of Regulation No. 10.

Accordingly, pursuant to the powers conferred by Executive Order No. 9332 (8 F.R. 5355), Solid Fuels Administration for War Regulation No. 10 (8 F.R. 15773; 8 F.R. 16718; 9 F.R. 720) is amended as follows:

(1) That portion of paragraph (a) of § 602.172 *Limitations based on bituminous coal stocks of industrial consumers* preceding the Stock Limitation Table and applicable footnotes is amended to read as follows:

Except as provided by paragraphs (b), (c) and (d) of this section and by §§ 602.178 and 602.182 of this regulation, no industrial consumer shall place an order for delivery, or receive, during any calendar month, bituminous coal produced in Districts 1 to 4, inclusive, 6, 7, 8 and 13, in amounts exceeding the maximum percentage (to the nearest carload or barge lot) of his monthly consumption requirements as specified in the following Stock Limitation Table:

STOCK LIMITATION TABLE

Maximum percentage of monthly consumption requirements that may be ordered (subject to provisions of §§ 602.172, 602.178 and 602.182) from Districts 1 to 4, inclusive, 6, 7, 8 and 13 for delivery and received during any calendar month by an industrial consumer, from all sources combined, for a plant (or railroad system) based upon the days' supply of coal at such plant (or railroad system):

Paragraph (b) of § 602.172 is amended to read as follows:

(b) No restrictions upon the basis of days' supply are imposed by this regulation upon orders for bituminous coal for vessel fuel or bunker fuel, or upon orders for special purpose coals, or upon orders for bituminous coals produced in Districts Nos. 5, 12, 14 to 20, inclusive, 22 and 23.

Paragraphs (c) and (d) of § 602.172 are redesignated paragraphs (d) and (e) respectively and a new paragraph (c) is added to § 602.172, reading as follows:

(c) (i) The Stock Limitation Table provided in paragraph (a) of this section is not applicable to orders of coal produced in Districts Nos. 9, 10 and 11. No industrial consumer having 120 days' supply or more of bituminous coal shall order or receive from Districts Nos. 9, 10 and 11 more than 100% of his monthly consumption requirements unless he first obtains written permission so to do from the Solid Fuels Administration for War.

(ii) In order to encourage the building of stockpiles of Districts Nos. 9, 10 and 11 coals up to 90 days' supply, assurance is given that when it becomes necessary to reinstate a specific Stock Limitation Table for these coals so long as any industrial consumer has a stockpile containing not less than 40 nor more than 90 days' supply he will not be required to draw down at a greater rate than any other industrial consumer having a stockpile containing 40-90 days' supply; and that any industrial consumer who has less than 40 days' supply, or who has reduced his stockpile to less than 40 days' supply, may be required to draw down his stockpile at a different rate than those who continue to have in excess of a 40 days' supply.

When the specific Stock Limitation Table is reinstated, the rate of draw down on industrial consumers' stocks above 90 days may be and is likely to be considerably greater than the rate of draw down on stocks within the range of 40 to 90 days' supply.

Those industrial consumers who fail to utilize to the full existing facilities and opportunities to stock coal from these districts are likely to experience difficulty in obtaining an adequate fuel supply after the Stock Limitation Tables are reinstated.

(2) Section 602.173 *Voluntary efforts to level industrial consumers' stocks; information concerning noncooperative consumers* is hereby suspended until further action by the Solid Fuels Administration for War.

(3) Paragraph (c) of § 602.174 *Restrictions on shipments to industrial consumers unless orders comply with § 602.172 and are submitted on time and contain certain information* is amended to read as follows:

(c) Notwithstanding the provisions of this section or of § 602.172, industrial consumers should make every reasonable effort to make known to producers and wholesalers that they are ready, willing and able to accept coal in addition to the amount ordered to the extent that such coal is available and offered in accordance with the provisions of § 602.178.

(4) Section 602.178 *Production in no event to be curtailed* is amended to read as follows:

§ 602.178 *Joint responsibility of industrial consumer and producer to assure that production is in no event curtailed.* Notwithstanding any other provision of this regulation, no producer is required to curtail his production by reason of this regulation. In the event a producer does not have adequate orders on which shipments may be made consistent with this regulation during any calendar week, he shall arrange to the extent necessary in order to permit operation of the mine without curtailment, for the distribution of surplus coal during that calendar week; and it is the joint responsibility of industrial consumers and producers to take all steps necessary to assure that the operation of no mine is curtailed for the lack of adequate orders. If a producer expects to have surplus coal which he cannot dispose of under voluntary arrangements with purchasers in accordance with this section, he shall forthwith notify the Area Distribution Manager for his district concerning the situation.

(5) Paragraph (b) of § 602.185 *Revocation of Solid Fuels Administration for War Order No. 5, and partial revocation of Solid Fuels Administration for War Regulation No. 4, as amended,* is amended to read as follows:

(b) Solid Fuels Administration for War Regulation No. 4, as amended (§§ 602.41 to 602.58, inclusive), is hereby revoked as of December 1, 1943. Section 602.42 of that regulation is hereby revoked as of April 1, 1944.

(6) This amendment becomes effective forthwith.

Issued this 15th day of March 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F.R. Doc. 44-3729; Filed, March 17, 1944; 9:06 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-49, as Amended March 16, 1944]

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel, wood and textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Section 3291.70 *Limitation Order L-49* is hereby amended to read as follows:

§ 3291.70 *Limitation Order L-49*—(a) *What this order does.* This order regulates the production of bedding products. It assigns maximum manufacturing quotas for such products regardless of the materials from which they are made. It also limits the amount of iron and steel which may be incorporated in any item.

(b) *Definitions.* For the purposes of this order:

(1) The term "bedding products" includes metal beds; metal bed frames; metal cots, metal bunks and metal roll-away cots (including springs). It also includes the following products whether or not containing metal: innerspring mattresses, pads, pillows; coil, flat or fabric bedsprings; box springs; mattress foundations; crib springs; and dual sleeping equipment (studio couches, sofa beds, lounges, and chair beds designed for dual seating and sleeping purposes).

(2) "Manufacturer" means any person who manufacturers or assembles bedding products, but does not include a person who repairs or reassembles a bedding product.

(3) "Base period" means the twelve month period ending June 30, 1941.

(4) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, Aircraft Resources Control Office, or Federal Public Housing Authority, or for delivery outside the United States, its territories and possessions.

(c) *Restrictions on production for other than preferred orders.* (1) During each calendar quarter beginning January 1, 1944, no manufacturer shall produce more bedding products, for other than preferred orders, than the percentage as shown in Schedule A of his unit production of such products during the base period. If in any calendar quarter a manufacturer produces less than his permitted production, he may produce the unused portion of his quota in the following quarter.

(2) No manufacturer shall produce any bedding product containing more iron and steel for other than preferred orders than the amount shown for that product in Schedule A.

(d) *Manufacturers of bed springs may not increase production in critical labor plants without special authorization*—(1) *What a "critical labor plant" is.* A "critical labor plant" is a plant in a Group I or Group II labor area, as classi-

[1] Administrative regulations of the War Department pertaining to discharge of enlisted men.

filed by the War Manpower Commission, in which a manufacturer was authorized to produce during the fourth quarter of 1943 more than 1,000 box springs or more than 5,000 coil, flat or fabric bed springs.

(2) *Rules governing critical labor plants.* No manufacturer shall produce during any quarter in any plant which was a critical labor plant on the first day of that quarter, more box springs or more coil, flat or fabric bed springs, including preferred orders, than he produced in that plant during the fourth quarter of 1943, unless he obtains specific authorization from the War Production Board. Authorization for additional production will not be given if such production would interfere with war production in that plant or elsewhere. Additional production will be authorized in such a way as to avoid increasing requirements for labor in labor shortage areas. Any manufacturer seeking specific authorization under this paragraph should file a written statement in triplicate with the Field Office of the War Production Board for the district in which the plant is located. This statement should include the following:

(i) The number of production workers in the plant for the last pay roll period for which data are available.

(ii) A full explanation of how labor requirements for the requested production will be met.

(iii) Any other facts pertinent to a decision on whether or not the proposed increased production will interfere with war work.

(e) *Reports.* Each manufacturer producing bedding products must file with the War Production Board quarterly reports on Form WPB–1600 (formerly PD–655) on or before the 15th day of April, July, October and January, according to the instructions for filing that form.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from this order must be made on Form WPB–1477 (formerly PD–500) and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates.

(h) *Applicability of regulations and other orders.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of bedding products to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–49.

NOTE: The applications and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Metal beds (except hospital type) and metal bed frames	No production.
Metal beds, hospital type (including fabric spring or adjustable type spring).	Unlimited.
Metal cots, metal bunks, and metal rollaway cots (including springs)	12½%.
Cots and rollaway cots—maximum weight	42 lbs.
Bunks—maximum weight	101 lbs.
Innerspring mattresses, pads and pillows	No production.
Hospital innerspring mattresses only on specific order of or contract with hospitals or sanitariums.	Unlimited.
Coil, flat or fabric bedsprings (except hospital adjustable type spring)	12½%.
Double deck coil spring (not more than 30% of production)—maximum weight	68 lbs.
Single deck coil spring—maximum weight	87 lbs.
Flat or fabric spring—maximum weight	43 lbs.
Crib springs	28%.
—maximum weight	16 lbs.
Box springs	12½%.
—maximum weight	25 lbs.
Dual sleeping equipment (studio couches, sofa beds, lounges and chair beds designed for dual seating and sleeping purposes).	9%.
Studio couches—maximum weight	60 lbs.
Sofa beds, lounges and chair beds—maximum weight	35 lbs.

Exceptions. (1) Any manufacturer whose permitted production of any bedding product is restricted by this schedule to less than 250 units in any calendar quarter, may nevertheless, produce during any calendar quarter 25% of his base period production of such product, or 250 units, whichever is the smaller.

(2) Innerspring mattresses may be produced using innerspring constructions contained in inventory prior to September 1, 1942, upon specific authorization of the War Production Board. To secure such authorization, a manufacturer should address a letter to the War Production Board, Washington 25, D. C., Ref: L–49, stating the number of innerspring constructions he has in inventory, the number of innerspring mattresses he wishes to produce and the person to whom they will be sold.

[F. R. Doc. 44–3669; Filed, March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–49, Interpretations 1 and 2, Revocation]

BEDS, BED SPRINGS, MATTRESSES, AND DUAL SLEEPING EQUIPMENT

Interpretations 1 and 2 of Order L–49 are superseded by subparagraph (b) (2) of the order as amended March 16, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3727; Filed, March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–49, Interpretation 3]

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

The following official interpretation is hereby issued by the War Production Board with respect to § 3291.70 General Limitation Order L–49:

This interpretation is to explain the effect of L–49 upon the repairing or reassembling of bedding products. Paragraph (b) (2) of L–49 defines a manufacturer as "any person who manufactures or assembles bedding products, but does not include a person who repairs or reassembles a bedding product." Certain examples may help to clarify this definition.

A person who buys a number of used or second-hand coil, flat and fabric bedsprings, tears them down and reassembles the usable parts into bed springs is not a manufacturer any more than is a person who adds a piece to a single bed spring to put it into usable condition. However, a person who buys used automobile seat springs and assembles them into a bedding product is engaged in manufacture and not in making repairs or reassembling, as the material with which he works was never a bedding product.

A person who acquires a new innerspring construction and assembles it into an innerspring mattress is obviously a manufacturer of that mattress. Conversely, a person who acquires a used innerspring mattress, or an innerspring construction which has previously been incorporated into an innerspring mattress, and remakes these items is not engaged in manufacture, but in repair or reassembly.

The essential thing to bear in mind in construing paragraph (b) (2) is that for an operation to be classified as repairing or reassembling, the article or articles with which a person is working must have at one time been a bedding product or part of a bedding product.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3728; Filed, March 16, 1944; 11:17 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule VI, as Amended Mar. 17, 1944]

TRUCK MIXER-AGITATORS

§ 1157.26[1] *Schedule VI to Limitation Order L–217*—(a) *Definitions.* For the purposes of this Schedule VI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of truck mixer-agitators.

(3) "Truck mixer-agitator" means any mixer body suitable for truck mounting ordinarily used for mixing or agitating concrete in transit, where the batched materials are or may be loaded by gravity into the mixer drum.

(4) "Repair part" means any part manufactured for use in the repair of truck mixer-agitators.

(b) *Limitation on production.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of truck mixer-agitators which do not conform to the sizes and types established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types.* Producers are limited to the following sizes of truck mixer-agitators, and no more than one type (either the inclined axis rotating drum or open body type) is permitted for each such size:

(1) 2 cubic yard mixer (3 cubic yard agitator).

(2) 4 cubic yard mixer (6 cubic yard agitator).

(d) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on truck mixer-agitators, nor, except for sign lettering, use more than one color finish coat paint on any one truck mixer-agitator and its repair parts if painted. Nothing in this paragraph (d) shall be deemed to require the repainting of any truck mixer-agitators or repair parts in any such producer's inventory on March 15, 1943.

(e) [Deleted Mar. 17, 1944]

(f) *Restrictions on producers.* No person, unless actively engaged in the current production of truck mixer-agitators (as indicated by his January, 1943, filing of production and shipment schedules on Form PD–697, pursuant to Limitation Order L–192) shall thereafter enter into the production thereof.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3752; Filed, March 17, 1944; 11:33 a. m.]

[1] Formerly Part 3115, § 3115.7.

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Limitation Order L–217, Schedule I, Revocation]

SCRAPERS

Section 3115.2 *Schedule I to Limitation Order L–217* is hereby revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of scrapers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3753; Filed, March 17, 1944; 11:33 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Limitation Order L–217, Schedule III, Revocation]

ANGLEDOZERS OR TRAILBUILDERS

Section 3115.4 *Schedule III to Limitation Order L–217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of angledozers and trailbuilders remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3754; Filed, March 17, 1944; 11:33 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Limitation Order L–217, Schedule IV, Revocation]

BULLDOZERS

Section 3115.5 *Schedule IV to Limitation Order L–217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bulldozers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3755; Filed, March 17, 1944; 11:33 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 18]

HOW TO APPLY FOR AN INCREASE OF QUOTA

The following direction is issued pursuant to CMP Regulation 5:

(a) A person applying for an increase in his quota under paragraph (f) (8) of CMP Regulation No. 5 should show in his letter of application the following information:

(1) Name of product(s) manufactured or description of services rendered;

(2) Show what quarterly quota you were authorized under paragraph (f) in 1943. (If operating on a seasonal basis, show for each quarter of 1943). If you received a special authorization for any quarter, show that for each such quarter in addition to the "base" quota;

(3) Statement of total dollar value of deliveries of your product in 1942, and first and subsequent quarters of 1943, by quarters. Show deliveries for each quarter by principal Claimant Agencies;

(4) Statement of total amount of MRO requested to be authorized per quarter. This should include the base quota already permitted by paragraph (f) (1), (2), or (3) plus the increase requested;

(5) Statement of total amount expended during 1943 for minor capital additions under paragraph (b) (3) of the regulation;

(6) Statement of deliveries of your product scheduled for quarters for which MRO increase is requested;

(7) Any additional information which may be pertinent to proper evaluation of the application.

(b) If any of these questions do not apply to your operations, substitute equivalent information describing the circumstances.

(c) The application should be filed with the War Production Board, Washington 25, D. C., Reference: CMP Regulation No. 5.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3756; Filed, March 17, 1944; 11:33 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L–272, Schedule VII, as Amended Mar. 17, 1944]

INDUSTRIAL THERMOMETERS

Schedule VII to Limitation Order L–272 is amended to read as follows:

§ 3207.8 *Schedule VII to Limitation Order L–272*—(a) *Definition.* This schedule applies only to "industrial thermometers," which are those generally known as such by the trade. Such thermometers as the 5-inch scale Navy type are included. An industrial thermometer has a case with glass front; a mercury or liquid filled glass tube; fixed thread, flanged, union, separable socket or long stem connection; and a separate scale graduated in degrees. This schedule does not apply to general purpose thermometers or to such special types as cup-case, japanned tin case, etched in armor, or shiphold thermometers; nor does it apply to dairy thermometers manufactured to conform to Federal, State or Municipal regulations applying to the handling of milk.

(b) *Specifications.* (1) Protective finishes, for case or front, if supplied, shall be paint, lacquer or enamel only.

(2) Industrial thermometer cases shall be made only in the 5-inch, 7-inch

and 9-inch sizes; and only one type of case (the manufacturer's standard type) shall be furnished in each size; but the omission of glass or front from the case shall not constitute a difference in type. The provisions of this paragraph (b) (2) do not apply to fume-tight cases; nor to ring or handle-topped thermometers not designed for rigid attachment to apparatus.

(3) Thermometers shall be manufactured in 90, 135, 180 and 225 degree angles only. The angle is that measured between the center line of the stem and the center line of the case, and is measured either in a plane normal to the face backwards from the face, or in a plane parallel to the face either to the right or left of the face. Offset angles are in no way restricted by this provision.

(4) Thermometer scales shall not have any special markings or legends, such as service markings, special markings, or colorings or graduations, operating zones, or trade names, or trade marks other than those of the producer. If special markings or legends are necessary they should be placed on tags made of noncritical materials.

(5) Separable sockets shall not be supplied with caps and chains except when they are required by Navy specifications on orders for the Navy.

(6) Cases and case fronts may be made of copper base alloy only if the copper content is not greater than seventy-four (74%) percent and the tin content not greater than one and one-half (1½%) percent.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3757; Filed, March 17, 1944; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-166 as Amended Mar. 17, 1944]

FLAGS

§ 3290.84 *General Preference Order M-166*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided herein.

(b) *Definitions.* For the purpose of this order:

(1) "Flag" means a piece of cloth used as an emblem, whether it be in the form of a banner, bunting, burgee, color, guidon, valance, half-fan, net banner, pennant, pull-down, rosette (or full-fan), standard, or in any other form.

(2) "Flag manufacturer" means any person manufacturing flags on a commercial scale, whether or not he also manufactures some other product or products.

(3) "Converter" means any person who purchases greige goods for conversion into fabrics meeting the requirements of any flag manufacturer.

(4) "Military order" means an order placed by the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Veterans Administration or the American Red Cross.

(c) *Restrictions on manufacture.* (1) After October 1, 1943, no flag manufacturer shall put into process any woven fabric for the manufacture of any flag (as defined above) except the following:

(i) *Official flags.* Flags of any country, flags of any department or agency of the Federal Government (including the military services and all subdivisions) or flags the use of which is authorized by any of them, flags of any State or municipal government, and flags to be delivered under a military order, as defined above.

(ii) *Religious flags.* The officially adopted flag of any religious denomination or sect.

(iii) *Signal flags.* Code flags, semaphore flags, or flags indicating danger or distress.

(iv) *Service flags.* Flags showing that a person or persons are serving in the armed forces of the United States.

(2) After October 1, 1943, no flag manufacturer shall put into process any material for the manufacture of any flag having an area of more than 150 square feet, except as required by a military order or as permitted under paragraph (g) below.

(d) *Assignment of preference rating.* (1) A preference rating of AA-6 is hereby assigned to purchase orders by flag manufacturers for the following materials (either gray, bleached, dyed or printed) to be incorporated into the types of flags permitted under paragraph (c) (1) above:

(i) Cotton mercerized bunting manufactured in accordance with the then current issue of Federal Specification CCC-B-791 type A and B;

(ii) Class A sheeting, Class B sheeting;

(iii) Print cloth of less than 80 sley;

(iv) Single filling flat duck;

(v) Broadcloth 36" 80 x 60 single ply;

(vi) Rayon fabric: 39" wide. 110 x 60 construction plain weave made with 150 denier viscose or acetate bright rayon yarn in the warp and filling.

(vii) Rayon fabric: 40" wide. 120 x 68 construction plain weave made with 120 denier warp and 150 denier filling acetate bright rayon yarn.

(viii) Rayon fabric: 48" in the reed. 100 ends in the reed, 72 picks, plain weave. 75 denier viscose or cuprammonium rayon warp crepe with 55/57 turns warped 2 ends S twist, 2 ends Z twist. 75 denier viscose or cuprammonium rayon filling with natural twist.

(ix) Rayon fabric: 52" wide. 225 x 76 or 80 construction plain weave made with 2 thread 40 denier cuprammonium 14/16 turns warp. 100 denier cuprammonium 12 turns filling.

(x) Rayon fabric: 39" wide. 140 x 64 construction satin standard finish made with 100 denier bright viscose warp. 150 denier bright viscose filling.

(xi) Pro rata widths to the above-mentioned weights and constructions.

(xii) Cotton sewing thread.

(2) Such preference rating shall be applied and extended in accordance with Priorities Regulation 3 and General Conservation Order M-328, except that converters may extend ratings only to obtain material which is required to fill a specific order on their books and may not extend ratings to replace inventories.

(3) The preference rating heretofore assigned to converters by this order is hereby revoked. Any materials obtained by converters through the use of such rating may be sold only on orders carrying an AA-5 or higher rating placed by flag manufacturers.

(e) *Quantity restrictions.* No flag manufacturer shall in any 12 months' period beginning July 1 of any year use in the manufacture of flags a greater quantity of fabrics than he used during the period July 1, 1942 to July 1, 1943.

(f) *Inventory restrictions.* No flag manufacturer or converter shall accept delivery of any materials for flag production, or cause any materials to be accepted on his behalf, if his inventory of raw materials and materials in process will then exceed the quantity to be used by him within 60 days. For this purpose greige goods delivered to flag manufacturers who do their own converting may be considered separately from finished goods, and greige goods may be accepted by such flag manufacturers if they will be converted into finished goods within 60 days.

This inventory restriction is in addition to that contained in § 944.14 of Priorities Regulation 1.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M-166.

(i) *Reports.* Each flag manufacturer shall file one copy of Form WPB-3171 as specified in said form.

All reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3758; Filed, March 17, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[General Limitation Order L-264 as Amended Mar. 17, 1944]

RECTIFIER TUBES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rectifier tubes and of materials used in the manufacture of such tubes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.140[1] *General Limitation Order L-264*—(a) *Definitions.* For the purposes of this order:

(1) "Rectifier tube" means any argon-filled, hermetically sealed bulb using a hot cathode, and designed to transform alternating into direct current, but limited to tungar, rectigon and similar types.

(2) "Manufacturer" means any person engaged in the business of producing or assembling any rectifier tube or part therefor.

(3) "Military exemption order" means a purchase order, contract or subcontract for rectifier tubes, or parts for such tubes (whether or not physically incorporated into rectifier tubes) to be purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Armed Forces of any country eligible for Lend-Lease assistance pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *General restrictions.*

(1) [Deleted Mar. 17, 1944]

(2) On or before the 15th day of June, 1943, and on or before the 15th day of each third succeeding calendar month thereafter, each manufacturer shall file with the War Production Board, Form PD-880 which shall include:

(i) Such manufacturer's proposed production schedules for rectifier tubes so far as then planned, but in any event for not less than the three calendar months following the filing of the report; and

(ii) His proposed delivery schedules of rectifier tubes so far as then planned, but in any event for not less than the three calendar months following such filing. The War Production Board shall notify manufacturers of their approval or disapproval of the production and delivery schedules for the calendar quarter or more covered in the report. The War Production Board may, at any time, change any schedules, direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any rectifier tubes so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any rectifier tubes except in accordance with schedules approved or prescribed by the War Production Board as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(iii) If the schedule for production or deliveries approved under the provisions of this order do not correspond to the authorized production schedule approved for the same quarter under the Controlled Materials Plan (on Form CMP-4B, or any other designated form) then the schedule approved under this order shall constitute the authorized production schedule of the manufacturer.

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of rectifier tubes to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of rectifier tubes or parts therefor, including inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(f) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All reports required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., *Ref*: L-264.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3759; Filed, March 17, 1944; 11:33 a. m.]

[1] Formerly Part 3194, § 3194.1.

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Amdt. 92]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respect.

Section 1340.221 (b) (6) is amended to read as follows:

(6) The maximum prices for shipments of coals in Size Group Nos. 1 through 6, and 8 for other than locomotive fuel use shall in no case be less than the maximum prices for shipments from the same mine of 6" x 1¼" egg, modified mine run or mine run, whichever price is the highest.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3708; Filed, March 16, 1944; 11:53 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14560, 15256, 15455, 15456, 16281, 16419, 16738, 16998, 17184; 9 F.R. 396, 573, 693, 794, 973, 1181, 1395, 1454, 1721, 1905, 2008, 2127, 2237, 2407.

PART 1340—FUEL

[MPR 436,[1] Amdt. 10]

CRUDE PETROLEUM AND PETROLEUM AND NATURAL GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 8 (a) (4) is added to read as follows:

(4) *Urbana Field.* Effective January 12, 1944, the maximum price at the receiving tank for heavy Urbana crude oil produced in the Urbana Field, Union County, Arkansas, shall be 88¢ per barrel.

2. Section 8 (b) (4) is amended to read as follows:

(4) *Other fields than listed in (2) above.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, section 8 (b) (2) and other than those fields determining maximum prices under Article II section 8 (b) (3) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

A. P. I. gravity:	Increase per barrel
Below 15	$0.25
15–15.9	.25
16–16.9	.22
17–17.9	.19
18–18.9	.16
19–19.9	.13
20–20.9	.10
21–21.9	.07
22–22.9	.04
23–23.9	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

3. Section 8 (e) (7) is added to read as follows:

(7) *South Elton Field.* The maximum price at the receiving tank for crude petroleum and crude distillate produced in the South Elton Field, Jefferson Davis Parish, Louisiana, shall be as follows:

A. P. I. gravity:	Dollars per 42-gallon barrel
Below 21	0.90
21–21.9	.92
22–22.9	.94
23–23.9	.96
24–24.9	.98
25–25.9	1.00
26–26.9	1.02
27–27.9	1.04
28–28.9	1.06
29–29.9	1.08
30–30.9	1.10
31–31.9	1.12
32–32.9	1.14
33–33.9	1.16
34–34.9	1.18
35–35.9	1.20
36–36.9	1.22
37–37.9	1.24
38–38.9	1.26
39–39.9	1.28
40 and above	1.30

4. Section 8 (e) (8) is added to read as follows:

(8) *Tullos-Urania Field.* The maximum price at the receiving tank for crude petroleum produced in the Tullos-Urania Field, LaSalle Parish, Louisiana, shall be a flat price of $1.25 per barrel.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3715; Filed, March 16, 1944; 11:56 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11369, 12177, 12314, 17327; 9 F.R. 347, 945, 1532.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 359,[1] Amdt. 4]

CERTAIN CONVERTED PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 359 is amended in the following respects:

Section 1347.557 is amended to read as follows:

§ 1347.557 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) Under the following conditions a manufacturer of any of the commodities covered by this Maximum Price Regulation No. 359 may apply for adjustment of his maximum prices where the maximum price causes him substantial hardship and where the War Production Board certifies by letter to the Office of Price Administration that the commodity involved is necessary, in the quantity actually to be supplied by the applicant, to meet a military or essential civilian need. The amount of adjustment which may be granted will be determined by the Office of Price Administration and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the commodity in question, in the light of the applicant's costs of production and his over-all financial condition.

(1) *Form of application for adjustment.* Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, with the Office of Price Administration, Washington, D. C. In addition the applicant shall set forth the following data:

(i) Statement of the applicant's maximum price, the section of Maximum Price Regulation No. 359 under which such price is determined, the proposed adjusted maximum price, and the complete specifications of the commodity.

(ii) Statement as to the length of time the applicant has been producing the commodity, and the actual production in cases per month for the last six months, preceding the date of filing of the application.

(iii) A record of the applicant's actual costs involved in the manufacture and sale of the commodity for the last two accounting periods is to be given in full detail.

(iv) Statement of the seller's over-all financial condition, including the information required by OPA Form A (Annual Financial Report) for the fiscal year next preceding the filing of the application, and the information required by OPA Form B (Interim Financial Report) for each quarterly period subsequent to the period covered by the A report: *Provided,* That for cause shown this latter requirement may be waived in whole or in part at the discretion of the Administrator.

(v) A complete statement of the reasons why the applicant believes that he will be unable to maintain his production of the commodity at his established maximum price.

This Amendment No. 4 to Maximum Price Regulation No. 359 shall become effective March 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3710; Filed, March 16, 1944; 11:54 a. m.]

[1] 8 F.R. 4685, 4727, 6736, 7257, 10431.

PART 1377—WOODEN CONTAINERS

[MPR 481,[1] Amdt. 2]

KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

[1] 8 F.R. 14312, 16790.

Maximum Price Regulation 481 is amended in the following respects:

1. The title of the regulation is amended to read "Slack Staves, Heading and Cooperage".

2. In § 1377.303 the word "knife-cut" is deleted from the heading and text.

3. The word "knife-cut" is deleted from the heading and items 1 and 4 of the table of contents.

4. In section 1 the word "knife-cut" is deleted from the heading and text.

5. In section 3 the first subparagraph of paragraph (b) is amended to read as follows:

(b) *Products covered.* The term "slack staves" as used in this regulation includes all hardwood knife-cut and jointed staves and all pine and hardwood staves sawed on a parallel sided drum saw and produced in any of the following states: Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia.

6. In section 4 the heading and first sentence of paragraph (a) are amended to read as follows:

SEC. 4. *Maximum prices for slack staves and heading*—(a) *Factory or mill sales.* In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for slack staves and slack heading are those contained in Tables I, II and III below:

7. In section 4 Table II is redesignated Table III and a new Table II is added to read as follows:

TABLE II—SLACK STAVES, SAWED ON PARALLEL SIDED DRUM SAW, AIR DRIED, JOINTED, NOT CROZED, PER M 4" AVERAGE BILGE WIDTH, ¾" THICK

[F. O. B. mill or railhead]

Length of staves	Pine	Hardwood
28½"	$16.00	$17.00
Over 28½" through 30"	17.00	18.00
Over 30" through 32"	18.00	19.00

8. In section 4 the word "knife-cut" is deleted from the first sub-paragraphs of paragraphs (b) and (c).

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3709; Filed, March 16, 1944; 11:53 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 19A, Amdt. 1]

LOG-RUN SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 19A—Log-Run Southern Pine Lumber, is amended in the following respect:

Section 1 is amended by the addition of the following sentence at the end of the section:

The maximum price for lumber produced by sawmills in Virginia is $2.00 per M'BM higher than the prices above.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3719; Filed, March 16, 1944; 11:57 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2233.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 54]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

Section 2.11 (i) is added to read as follows:

(i) *Children's shoe release.* Any establishment may mark and transfer as non-rationed, children's shoes in the following sizes, which were manufactured in the United States before March 16, 1944, or imported before March 16, 1944, and which will not sell for ration currency, in accordance with the following provisions:

(1) *Retailers.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers ration-free, children's shoes of sizes 8½ to 12, inclusive, little boys' shoes of sizes 12½ to 3, inclusive, and misses' shoes of sizes 12½ to 3, inclusive, if the price charged to the consumer does not exceed $1.60 a pair. Shoes so transferred shall be marked with the date of the transfer and the word "Released". The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil after the sale to the consumer but before they are removed from the establishment.

(2) *Mail order houses.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers are made principally on mail orders may transfer to consumers ration-free, children's shoes in the sizes specified in subparagraph (1) above, if the price charged for them does not exceed $1.60 a pair. Such shoes may be transferred ration-free to other establishments during the period from March 20 to April 29, 1944, inclusive, if the price charged for them does not exceed $1.10 a pair. One shoe of each pair transferred to consumers shall be marked or stamped with the date of transfer and the word "Released". The mark shall be made with ink, indelible stamp or indelible pencil, after the sale to the consumer but before they are removed from the establishment. If the shoes are being transferred to other establishments, they shall not be marked.

(3) *Wholesalers and manufacturers.* During the period from March 20 to April 29, 1944, inclusive, any other eligible establishment may transfer ration-free to other establishments, children's shoes in the sizes specified in subparagraph (1) above, if the price charged for them does not exceed $1.10 a pair.

(4) *Advertisement.* When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release—Children's low priced shoes. Ration-free from May 1 through May 20, 1944."

(5) *"Price charged" explained.* For the purpose of this section "price charged to an establishment" means the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(6) *Records to be kept.* Each establishment shall keep a record, in the manner required by section 2.13 (b) (9), showing the number of pairs of shoes transferred ration-free under this paragraph; and the number of pairs of shoes acquired by the establishment ration-free under this paragraph.

This amendment shall become effective March 20, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3711; Filed, March 16, 1944; 11:54 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 6 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (2) (ii) is added to read as follows:

(ii) F8, G8, H8, J8, and K8 may be used from April 1, to June 20, 1944, inclusive.

This amendment shall become effective March 21, 1944.

[1] 9 F.R. 173, 908, 1181, 209, 2290.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3713; Filed, March 16, 1944; 11:54 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 19 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (2) (iii) is added to read as follows:

(iii) G8, H8, and J8 may be used from March 26, 1944, to June 18, 1944, inclusive.

This amendment shall become effective March 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-N, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3714; Filed, March 16, 1944; 11:55 a. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,[1] Amdt. 3]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation No. 215 is amended in the following respects:

1. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices for wholesale and CPA yards and "wholesale-type" sales by retail yards.* (a) The maximum prices for all sales out of the stock of wholesale or CPA distribution yards or "wholesale-type" sales and sales of lower grades of lumber out of the stock of retail yards, except as provided in paragraphs (b) and (c) of this section and section 6, are the sum of the following: (See section 16 for definitions of "sales out of distribution yard stock", "wholesale-type sales" and "lower grades of lumber".)

(1) F. o. b. mill maximum price at the time of delivery by the distribution yard in the mill regulation for the particular species, plus

(2) Inbound transportation charges to the distribution yard, figured under the rules in section 7; plus

(3) $5.00 per thousand board feet "handling charge" (or 30 cents per square for shingles, and 60 cents per M pieces for lath); plus

(4) 10 percent of the total of (1), (2) and (3).

In computing the maximum price under this paragraph, the f. o. b. mill maximum price may be increased by 4 percent (maximum $2.00 per MBM) in those cases in which the applicable mill regulation permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

In computing the maximum price each of the above items must be adjusted to the nearest quarter of a dollar per thousand board feet of lumber or the nearest five cents per unit of sale on other items.

(b) The maximum prices for truck shipments or less than carload shipments by rail of lower bracket items of southern pine lumber by yards located in Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee or Virginia which during the last six months of 1943, processed by ripping, resawing, edging, planing or other comparable operations, 25 percent or more of their total volume of lower bracket items of southern pine or which, during any succeeding three months' period, process 25 percent or more of their lower bracket items of southern pine, are the sum of:

(1) F. o. b. mill maximum price at the time of delivery by the distribution yard in Second Revised Maximum Price Regulation No. 19,[2] Southern Pine Lumber plus

(2) $5.00 per thousand board feet; plus

(3) 5 percent of the total of (1) and (2).

In computing the maximum price under this paragraph, the f. o. b. mill maximum price may be increased by 4 percent (maximum $2.00 per MBM) in those cases in which the applicable mill regulation permits an addition to the f. o. b. mill price by a wholesaler or commission merchant.

In computing the maximum price each of the above items must be adjusted to the nearest quarter of a dollar per thousand board feet of lumber or the nearest five cents per unit of sale on other items.

(c) All sales of southern pine, both upper and lower bracket items, by yards described in paragraph (b) for carload rail shipment are subject to Second Revised Maximum Price Regulation 19, Southern Pine Lumber.

2. Paragraph (a) in section 5 is amended to read as follows:

(a) *General.* The maximum prices on sales out of retail yard stock other than "wholesale-type" sales, sales of lower grades of lumber, sales of pressure-treated lumber and sales of southern pine as provided in paragraph (e) of this section, are the sum of the following:

3. Section 5 is amended by adding a new paragraph (e) to read as follows:

(e) All sales of southern pine, both upper and lower bracket items, by yards described in section 4 (b) for carload rail shipment are subject to the direct-mill prices in Second Revised Maximum Price Regulation 19, Southern Pine Lumber, with no mark-up or basing point.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3712; Filed, March 16, 1944; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 107]

SALES OF CALCIUM CARBIDE BY RUBBER RESERVE COMPANY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.16 is amended by inserting the words "or Rubber Reserve Company" immediately following the words "Defense Supplies Corporation" wherever the latter words appear in said section.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3721; Filed, March 16, 1944; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 1 to Supp. Service Reg. 20[2]]

WHOLESALE LAUNDRIES AND HAND LAUNDRIES IN THE NEW YORK CITY AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first sentence of § 1499.672 (a) (8) is amended to read as follows:

(8) *Provision for adjustments.* Any hand laundry located in the New York City area may apply to the New York City District Office on or before April 1, 1944, for permission to charge the maximum prices established by Maximum Price Regulation No. 165 as amended, if such maximum prices for the laundry items of greatest frequency were substantially greater than the maximum prices established herein.

This amendment shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3720; Filed, March 16, 1944; 11:57 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16834, 16893, 17278, 17306, 17372; 9 F.R. 103, 184, 731, 1181, 1819, 2091, 2007.

[2] 8 F.R. 14145; 9 F.R. 221.

[1] 9 F.R. 1162.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

[2] 8 F.R. 16294.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 20—SPECIAL REGULATIONS

GREAT SMOKY MOUNTAINS NATIONAL PARK

Pursuant to the authority contained in the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), § 20.14 (a) of Title 36, Chapter I, Code of Federal Regulations, is amended to read as follows:

§ 20.14 *Great Smoky Mountains National Park*—(a) *Fishing; open and closed waters.* The following park streams in the States of North Carolina and Tennessee are open to fishing. All other streams are closed. Main streams only of waters listed are open; all tributaries thereof are closed:

(1) *North Carolina section of the park.*

Big Creek below Gunter Fork:
Mt. Guyot Creek below Rocky Branch.
Swallow Fork below McGinty Creek.
Cataloochee Creek below Rough Fork:
Palmer Creek below Lost Bottom Creek.
Caldwell Fork below McKee Branch.
Oconaluftee River below Kephart Prong:
Beech Flats Prong below Wild Cherry Branch.
Bradley Fork below Chasteen Creek.
Raven Fork below Cherokee Reservation.
Straight Fork below Ledge Creek.
Deep Creek below Bumgarner Branch:
Indian Creek below Georges Branch.
Noland Creek below Bald Branch.
Forney Creek below Huggins Creek:
Bear Creek below end of road at Poplar Flats.
Hazel Creek below Anthony Branch:
Proctor Creek below Boomer Branch.

(2) *Tennessee section of the park.*

Greenbrier Creek below Gabes Creek.
Dunns Creek below Pinnacle Lead trail crossing.
Middle Prong of Little Pigeon below Ramsey Prong. Eagle Rocks Branch below Chapman Prong.
Roaring Forks below Enloe Hollow Branch.
LeConte Creek below trail crossing at Cherokee Orchard.
West Prong of Little Pigeon below Highway No. 71 bridge at Chimneys Camp Ground.
Little River below Fish Camp Prong:
Fish Camp Prong below Goshen Prong.
Jakes Creek below Blanket Mountain trail crossing.
Middle Prong of Little River below Thunderhead Prong. West Prong of Little River below Walker Valley trail bridge.
Abrams Creek below Anthony Creek.
Panther Creek below Bear Den Branch.

Issued this 6th day of March 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-3731; Filed, March 17, 1944; 10:39 a. m.]

TITLE 37—PATENTS AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE

PART 5—TRADE-MARKS

PRACTICE TO BE FOLLOWED IN CERTAIN CASES

March 17, 1944.

The last sentence of § 1.153 (a) is amended to read as follows:

In contested cases the practice on points to which the rules are not applicable shall conform as nearly as practicable to the Rules of Civil Procedure for the District Courts of the United States.

Section 5.60 is amended to read as follows:

§ 5.60 *Practice followed in opposition; cancellation proceedings.* The proceedings, on oppositions, and on applications for cancellation, shall follow, as nearly as practicable, the practice in interferences between applications for patents. Pleadings and procedure with respect thereto shall be governed by the Rules of Civil Procedure for the District Courts of the United States except as otherwise provided.

(Sec. 483 R.S.: U.S.C. title 35, sec. 6)

[SEAL] CONWAY P. COE,
Commissioner.

Approved: To take effect May 1, 1944.

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 44-3767; Filed, March 17, 1944; 11:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 212]

PARTIAL REVOCATION OF LAND WITHDRAWAL

CALIFORNIA

Revoking in part Executive Order No. 5827 of March 28, 1932, as amended by Public Land Order No. 65 of November 30, 1942, withdrawing public lands for use of the War Department for military purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5827 of March 28, 1932, as amended by Public Land Order No. 65 of November 30, 1942, withdrawing public lands for use of the War Department for military purposes, is hereby revoked so far as it affects the public lands within the following-described areas:

MOUNT DIABLO MERIDIAN

T. 27 N., R. 14 E.,
Secs. 1 to 6, inclusive;
Sec. 7, NE¼;
Secs. 8 to 17, inclusive;
Secs. 21 to 27, inclusive;
Sec. 35, E½;
Sec. 36.
Tps. 28 to 32 N., R. 14 E.
Tps. 27 to 32 N., R. 15 E.
T. 27 N., R. 16 E.,
Sec. 7;
Sec. 8, lots 4, 5, 6, 7, and S½SW¼;
Sec. 16, lots 3, 4, 5, and 6;
Sec. 17;
Secs. 19, 20, and 21;
Secs. 28 to 33, inclusive.
T. 28 N., R. 16 E.,
Secs. 1 to 11, inclusive;
Sec. 12, N½, SE¼;
Secs. 13 to 17, inclusive.
Tps. 29 to 32 N., R. 16 E.

The jurisdiction over and use of such lands granted to the War Department by Executive Order No. 5827 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 6, 1944.

[F. R. Doc. 44-3732; Filed, March 17, 1944; 10:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 187]

TRANSPORTATION OF CERTAIN POTATOES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of March, A. D. 1944.

It appearing, that the War Food Administration has advised this Commission that due to its program to divert to the manufacture of feed, starch, alcohol, or other processed products, potatoes, other than sweet, (1) below U.

*Copies may be obtained from the Office of Price Administration.

S. Commercial or below eighty percent (80%) U. S. No. 1 quality or (2) below U. S. No. 2 grade 1⅞" minimum it is unnecessary to transport such potatoes in refrigerator cars; that transporting traffic not needing protection from heat or cold diminishes the use and supply of refrigerator cars for commodities requiring such protection; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, That:

§ 95.335 (a) *Use of refrigerator cars prohibited for transporting potatoes, other than sweet, below prescribed grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality from any point in the States of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont, or Wisconsin, nor shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, grading below U. S. No. 2 grade 1⅞" minimum, from any point in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming.

(b) *Use of refrigerator cars for transporting potatoes, other than sweet, of the prescribed minimum grade or above the prescribed minimum grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section unless or until the shipper or consignor thereof surrenders with the bill of lading to the carrier's agent a Federal State Inspection Certificate or, in the event a Federal State Shipping Point Inspection Certificate is not procurable, a written assurance that such shipment of potatoes is of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section.

(c) *Exemption.* The provisions of this order shall not be construed to prohibit the acceptance for transportation or movement of any refrigerator car loaded with potatoes, other than sweet, of any grade for seed purposes: *Provided*, The sacks containing the potatoes, are tagged with the respective state certified or war approved seed tags, *And provided further*, That the state certified seed certificate or war approved seed certificate is surrendered with the bill of lading to the carrier's agent.

(d) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) The provisions of this order shall not apply to refrigerator cars completely loaded, or accepted for transportation or moving prior to the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective at 7:00 a. m., March 20, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–3760; Filed, March 17, 1944; 11:47 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SHOSHONE PROJECT, WYO.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JANUARY 1, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Shoshone project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental order of April 20, 1928, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

SHOSHONE PROJECT

SIXTH PRINCIPAL MERIDIAN WYOMING

T. 57 N., R. 99 W.,
Sec. 34, S½NE¼.

Respectfully.

H. W. BASHORE, *Commissioner.*

I concur: March 2, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Shoshone project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS, *First Assistant Secretary.*

MARCH 7, 1944.

[F. R. Doc. 44–3735; Filed, March 17, 1944; 10:39 a. m.]

Office of Indian Affairs.

CROW INDIAN IRRIGATION PROJECT, MONT.

CONSTRUCTION CHARGES ON WILLOW CREEK STORAGE WORKS

Temporary public notice fixing construction charges on the Willow Creek Storage Works, Crow Indian Irrigation Project, Montana.

Section 8 of the act of June 4, 1920 (41 Stat. 763–764), as amended by the act of May 26, 1926 (44 Stat. 658), among other things provides:

The expenditures for irrigation work on the Crow Reservation, Montana, heretofore or hereafter made, as hereinbefore provided, are hereby declared to be reimbursable under such rules and regulations as the Secretary of the Interior may prescribe and shall constitute a lien against the land benefited, regardless of ownership, including all lands which have heretofore been sold or patented.

The act of March 7, 1928 (45 Stat. 210) as supplemented requires that

The cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary as required by such law,

Appropriations for the construction of the Willow Creek Dam as authorized by the act of May 10, 1939 (53 Stat. 702–703) and subsequent appropriation acts for this project made the funds so expended reimbursable.

The cost tentatively of the Willow Creek Storage Works, subject to subsequent adjustment, is fixed at $850,000.00. This sum is tentatively prorated against all project irrigable acreage under Lodge Grass No. 1, Lodge Grass No. 2, Reno, and Agency Ditches of the Crow Indian Irrigation Project, and against such other irrigable acreages as may hereafter be designated thereunder by supplemental order or contract.

Until such time as the final irrigable acreage benefited has been fixed definitely and per acre assessment determined definitely, a partial assessment is hereby levied for the calendar year of 1944, and for each year thereafter until further order, of $1.00 per acre against all irrigable lands under the ditches heretofore named for which water for irrigation purposes can be delivered. This annual partial assessment shall be due and payable on or before November 15, 1944, and on the same date each year thereafter. All payments made by the landowner under this order for Willow Creek Storage benefits shall be credited on his proportionate per acre share of the total costs of the storage works when finally determined.

The operation of the Willow Creek Storage Works shall in no way affect the pro rata distribution of normal flow waters of the Crow Indian Irrigation project delivered to irrigable lands of the project within the watershed by the Court Water Commissioner, acting under the direction of the United States District Court for the District of Montana in the case of *United States v. Powers, et al.*, Civil No. 75.

Crow Indian Irrigation Project water users under Upper Little Horn No. 2, Bozeman Trail, and Forty Mile Ditches, and all so-called private water users in the Little Big Horn watershed may participate in Willow Creek Storage benefits, either by direct flow or by use of substituted waters from the Little Big Horn River, to the extent the Crow Indian Irrigation Project Engineer determines there is a surplus of Willow Creek storage water available over and above that required by project lands under Lodge Grass No. 1, Lodge Grass No. 2, Reno, and Agency Ditches. Participation shall be made by filing an application therefor and upon payment of the per acre charge herein fixed or as may be hereafter determined and fixed.

No storage, operation and maintenance charges shall be assessed during the 1944 calendar year for the operation of the Willow Creek Storage Works.

OSCAR L. CHAPMAN, *Assistant Secretary.*

MARCH 1, 1944.

[F. R. Doc. 44–3733; Filed, March 17, 1944; 10:39 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 135]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, March 13 or 14, 1944, by W. J. Engel Company of car PGE. 50168, seed potatoes, now on the Wabash Railroad, to McClure, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C. and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R Doc. 44–3763; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 70–A, Special Permit 136]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, March 14 or 15, 1944, by M. Lapidus and Sons of car PFE 92031, carrots, now on the Wabash Railroad, to Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44–3764; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 70–A, Special Permit 137]

RECONSIGNMENT OF POTATOES AT OTTAWA AND CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment March 15 or 16, 1944, by National Produce Company of car MDT 3600, potatoes, now on the Burlington Lines at Ottowa, Illinois, to Seymour, Indiana, and of car MDT 17958, potatoes, now on the Wood Street Terminal, Chicago, Illinois, to Duluth, Minnesota, for dehydration.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44–3765; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 70–A, Special Permit 138]

RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, March 15 or 16, 1944, by Yeckes-Eichenbaum Company of car PFE 45431, peas, now on the Chicago Produce Terminal to New York, New York. (B. & O.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING, *Director, Bureau of Service.*

[F. R. Doc. 44–3766; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 178, Special Permit 73]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one car with lard by the Agar Packing Company at Chicago, Illinois, and the movement of the one refrigerator car so loaded from that point not later than March 20, 1944, to Mexico City, Mexico. (I. C.—M. P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3761; Filed, March 17, 1944; 11:47 a. m.]

[S. O. 178, Special Permit 74]

LOADING OF LARD AT RICHMOND, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car NX 2491 with lard by Kingan and Company at Richmond, Virginia, and the movement of that car so loaded from that point March 15, 1944, to Washington, D. C. (B. F. & P.—B. & O. Delivery)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3762; Filed, March 17, 1944; 11:48 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3251]

LUDWIG B. BERMANN

In re: Estate of Ludwig B. Bermann, deceased; File D-28-1873; E. T. sec. 1497.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert J. Fulton, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Paula Bermann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paula Bermann, in and to the Estate of Ludwig B. Bermann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3679; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3252]

OTTO BOCK

In re: Estate of Otto Bock, deceased; File D-28-2058; E. T. sec. 2322.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Major H. R. Tremaine, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Willy Otto or surviving heirs, Germany.
Erma Bahr or surviving heirs, Germany.
Artur Otto or surviving heirs, Germany.
Erich Otto or surviving heirs, Germany.
Frida Kardel or surviving heirs, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Willy Otto or surviving heirs, Erma Bahr or surviving heirs, Artur Otto or surviving heirs, Erich Otto or surviving heirs, Frida Kardel or surviving heirs, and each of them, in and to the Estate of Otto Bock, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3680; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3253]

OSCAR A. CHRISTIE

In re: Estate of Oscar A. Christie, deceased: File D-28-4240; E. T. sec. 7259.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman F. Christie, Administrator, 5402 Horger Avenue, Dearborn, Michigan, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely

National and Last Known Address

Gerda Christopherson, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $2,945.04, which is in the process of administration by and is in the possession and custody of Herman F. Christie, administrator of the estate of Oscar A. Christie, deceased; also all right, title, interest and claim of any kind or character whatsoever of Gerda Christopherson in and to the estate of Oscar A. Christie, deceased,

to be held, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R Doc. 44-3681; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3254]

HANS F. CLAUSEN

In re: Estate of Hans F. Clausen, deceased; File D-28-4003; E. T. sec. 6933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Minnie Clausen and Matilde Ronne, also known as Mathilda Ronne, Co-Executrices, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Louise Arneman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Louise Arneman, in and to the Estate of Hans F. Clausen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3682; Filed, March 16, 1944; 11:21 a. m.]

[Vesting Order 3255]

MINNA DETERT

In re: Estate of Minna Detert, deceased; File: F-28-3715; E. T. sec. 6884.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Richard Detert, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martha Gerber, Germany.
Hugo Detert, Germany.
Henny Schmidt, Germany.
Gertrude Schaller, Germany.
Helma Fleck, Germany.
Theodor Fleck, Germany.
Heirs, devisees, legatees, or personal representatives, names unknown, of Ilse Fleck, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha

Gerber, Hugo Detert, Henny Schmidt, Gertrude Schaller, Helma Fleck, Theodor Fleck, and heirs, devisees, legatees or personal representatives, names unknown, of Ilse Fleck, deceased, and each of them, in and to the Estate of Minna Detert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3683; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3256]

MARIA HOBITZ

In re: Estate of Maria Hobitz, deceased; File D–28–2225; E. T. sec. 2933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Placer;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Katrina Klink, also known as Katharine Klenk, or her surviving issue, Germany.

Christina Strauber, also known as Christine Strobel, or her surviving issue, Germany.

Mrs. Wilhelm Hary, also known as Frieda-Wilhlem Harz, or her surviving issue, Germany.

Mrs. Marie Jwinner, also known as Marie Gwinner, or her surviving issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katrina Klink, also known as Katharine Klenk, or her surviving issue, Christina Strauber, also known as Christine Strobel, or her surviving issue, Mrs. Wilhelm Hary, also known as Frieda-Wilhlem Harz, or her surviving issue, and Mrs. Marie Jwinner, also known as Marie Gwinner, or her surviving issue, and each of them, in and to the Estate of Maria Hobitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3684; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3257]

HISAHIKO KOKUBO

In re: Estate of Hisahiko Kokubo, deceased; File: D–39–17386; E.T. sec. 9473 (H–137).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Masaki Tanaka, Administrator, acting under the judicial supervision of the Circuit Court of the Fifth Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Misato Nishiyama, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Misato Nishiyama in and to the Estate of Hisahiko Kokubo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3685; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3258]

ELLA MCINERNY

In re: Estate of Ella McInerny, deceased; File: D–39–17377; E. T. sec. 9472 (H–124).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bishop Trust Company, Limited, Executor, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tamie Watanabe, Japan.
Kazunosuke Kifune, Japan.
Shima Kifune, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tamie Watanabe, Kazunosuke Kifune and Shima Kifune, and each of them, in and to the Estate of Ella McInerny, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3686; Filed, March 16, 1944; 11:22 a. m.]

[Vesting Order 3259]

GUSTAVE NEUMANN

In re: Estate of Gustave Neumann, also known as Gustave Newmann, deceased; File D–6–994; E. T. sec. 7489.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany; namely,

Nationals and Last Known Address

Mrs. Mary Korosszegi, (Austria) Germany.
Children, names unknown, of Mrs. Mary Korosszegi, (Austria) Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Mary Korosszegi, and children, names unknown, of Mrs. Mary Korosszegi, and each of them, in and to the Estate of Gustave Neumann, also known as Gustave Newmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3687; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3260]

GRACE ROKUMOTO

In re: Guardianship estate of Grace Rokumoto, a minor; File: F–39–2264; E. T. sec. 3855.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Japan; namely,

National and Last Known Address

Grace Rokumoto, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Grace Rokumoto, in and to the Guardianship Estate of Grace Rokumoto, a minor, in the possession of the Bank of America National Trust and Savings Association, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3689; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3261]

SARAH SCHNEE

In re: Estate of Sarah Schnee, deceased; File D-34-706; E.T. sec. 9019.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, and Alvin Snow, Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary; namely,

Nationals and Last Known Address

Anna Schnee, Budapest, Hungary.
Charlotte Schnee, Budapest, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Schnee and Charlotte Schnee, and each of them, in and to the Estate of Sarah Schnee, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3689; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3262]

ROSE STRASSER

In re: Estate of Rose Strasser, deceased. File No. D-17-322; E. T. sec. 7488.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Irving Schneider and Alexander S. Rosenberg, executors, acting under the judicial supervision of the Surrogate's Court, Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary; namely,

Nationals and Last Known Address

Ester Weiser, Hungary.
Teris Zolden, Hungary.
Willi Neuman, Hungary.
Leris Neuman, Hungary.

And determining that—

3. If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ester Weiser, Teris Zolden, Willi Neuman and Leris Neuman, and each of them, in and to the estate of Rose Strasser, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3690; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3263]

MARY A. STRUCK

In re: Estate of Mary A. Struck, deceased; File D-28-4195; E.T. sec. 7212.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ferdinand Struck, Germany.
Maria E. Struck, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ferdinand Struck and Maria E. Struck, and each of them, in and to the estate of Mary A. Struck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3691; Filed, March 16, 1944; 11:23 a. m.]

[Vesting Order 3264]

HELEN VAN DEVENTER

In re: Estate of Helen Van Deventer, deceased, and trust created under the will of Helen Van Deventer; File D-28-2609; E. T. sec. 4203.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Security-First National Bank of Los Angeles, Executor and Trustee under Will, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Ventura;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Menge, Germany.
Ulsale Busse, Germany.
Emma Muncker, Germany.
Sophie Lehne, Germany.
Heinrich Busse, Jr., Germany.
Vermer Lehne, Germany.
Anna Menge, Germany
Heinrich Busse, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William Menge, Ulsale Busse, Emma Muncker, Sophie Lehne, Heinrich Busse, Jr., Vermer Lehne, Anna Menge and Heinrich Busse, and each of them, in and to the estate of Helen Van Deventer, deceased, and in and to the trust created under the will of Helen Van Deventer,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3692; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3265]

J. F. O. WALTER

In re: Estate of J. F. O. Walter, also known as Joseph Francis Oscar Walter, deceased; File D-6-193; E. T. sec. 6014.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Francis Horsley, Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country Germany, namely,

Nationals and Last Known Address

Fanny Walter (Austria) Germany.
Toni Klein (Austria) Germany.
Miss Mary Lindner (Austria) Germany.
Children of Rudolph Merkle (names unknown) (Austria) Germany.
Children of Johann Kaufman (names unknown) (Austria) Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fanny Walter, Toni Klein, Miss Mary Lindner, children of Rudolph Merkle (names unknown) and children of Johann Kaufman (names unknown), and each of them, in and to the estate of J. F. O. Walter, also known as Joseph Francis Oscar Walter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3693; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3276]

LUCRETIA A. BRYDON

In re: Trust under will of Lucretia A. Brydon, deceased; File No. D-27-1081; E. T. sec. 1392.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York and Ira L. Anderson, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Reginald Arthur Villiers Forbes, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest and claim of any kind or character whatsoever of Reginald Arthur Villiers Forbes in and to the trust created under the will of Lucretia A. Brydon, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3694; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3277]

LAWRENCE ETTEN VS. NICHOLAS ETTEN, ET AL.

In re: Partition Proceedings, Lawrence Etten vs. Nicholas Etten, et al.; File D–28–2022; E. T. sec. 2098–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John F. O'Toole, 7 South Dearborn Street, Chicago, Illinois, Master in Chancery, acting under the judicial supervision of the Superior Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Catharine Hens (nee Etten), also known as Catherine, Katharina or Katharine Hens, Germany.

Helena Borbach (nee Etten), also known as Helene Burbach, Germany.

Johann Etten, Germany.

Gertrude Klinkhammer (nee Leyendecker), Germany.

Anna Leyendecker, Germany.

Elisabeth Andressen (nee Leydendecker), also known as Elisabeth Andressen, Germany.

Joseph Shilli, also known as Josef Schilli, Germany.

Gertrud Theresia Wirtz (nee Shilli) (Schilli), Germany.

Katharina Sophie Kaiser, also known as Catherine Sofie Kaiser (nee Shilli) (Schilli), Germany.

Johann Shilli (Schilli), Germany.

Nikolaus Shilli (Schilli), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Catharine Hens (nee Etten), also known as Catherine, Katharina or Katharine Hens, Helena Borbach (nee Etten), also known as Helene Burbach, Johann Etten, Gertrude Klinkhammer (nee Leyendecker), Anna Leyendecker, Elizabeth Andressen (nee Leyendecker), also known as Elisabeth Andressen, Joseph Shilli, also known as Josef Schilli, Gertrud Theresia Wirtz (nee Shilli) (Schilli), Katharina Sophie Kaiser (nee Shilli) (Schilli), also known as Catherine Sofie Kaiser, Johann Shilli (Schilli) and Nikolaus Shilli (Schilli), and each of them, in and to the proceeds derived from the sale (and rents) of real estate, by a decree of the Superior Court of Cook County, in the partition proceedings entitled Lawrence Etten vs. Nicholas Etten, et al., File 43–S–4070.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3695; Filed, March 16, 1944; 11:24 a. m.]

[Vesting Order 3278]

SARA M. FRANK

In re: Estate of Sara M. Frank, deceased; File D–28–1500; E. T. sec. 239.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alfred Rathheim, as Administrator c. t. a. and Successor Trustee, and Edgar A. Samuel, as Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henrich Monheimer, and his issue, Germany.

Elsa Monheimer Ronsheimer, and her issue, Germany.

Frieda Monheimer Bels, and her issue, Germany.

Franziska Neubronner, and her issue, Germany.

Dr. Gustav Friedrich Neubronner, Germany.

Henny Monheimer Sternberg, and her issue, France.

Lilo Sternberg, France.

Johanna Wertheimer, Germany.

Bertha Wertheimer, Germany.

Thekla Wertheimer, Germany.

Elise Wertheimer, Germany.

Asta Ortenberger, Germany.

Adolph Rivert, Germany.

And determining that—

(3) Henny Monheimer Sternberg, and her issue and Lilo Sternberg, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied country, France, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Monheimer, and his issue, Elsa Monheimer Ronsheimer, and her issue, Frieda Monheimer Bels, and her issue, Franziska Neubronner, and her issue, Dr. Gustav Friedrich Neubronner, Henny Monheimer Sternberg, and her issue, and Lilo Sternberg, and each of them, in and to the trust created under paragraph Ninth of the will of Sara M. Frank, deceased; and

All right, title, interest and claim of any kind or character whatsoever of Johanna Wertheimer, Bertha Wertheimer, Thekla Wertheimer, Elise Wertheimer, Asta Ortenberger and Adolph Rivert, and each of them, in and to the estate of Sara M. Frank, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3696; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3279]

MINNA GODWIN GODDARD

In re: Trust under the last will and testament of Minna Godwin Goddard, deceased; File D–28–1547; E. T. sec. 202.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Cornelius Von E. Mitchell, 21 East 53rd Street, New York City, and William Mitchell Van Winkle, Apawamis Avenue, Rye, New York, Trustees, acting under the judicial supervision of the Surrogate's Court, Nassau County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Personal representatives, heirs, next of kin and distributees, whose names are unknown, of Lucy Gardiner, deceased. Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the personal representatives, heirs, next-of-kin and distributees, whose names are unknown, of Lucy Gardiner, deceased, in and to the trust created under the Last Will and Testament of Minna Godwin Goddard, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3697; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3280]

ABRAHAM L. JACOBS

In re: Estate of Abraham L. Jacobs, deceased; File No. D–66–620; E.T. sec. 5136.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the New York Trust Company, as successor executor, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Pauline Cecil Gottscho, formerly known as Pauline Cecil Jacobs, whose last known address is Germany (Austria);

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Pauline Cecil Gottscho, formerly known as Pauline Cecil Jacobs, in and to the estate of Abraham L. Jacobs, deceased, including the right to receive the annual sum of Fifteen Hundred Dollars ($1500.00) in accordance with the terms and provisions of a certain separation agreement, dated March 1, 1907, between Abraham L. Jacobs, Pauline Cecil Jacobs and The Colonial Trust Company of the City of New York, as modified by an agreement dated June 16, 1909, and as ratified by Paragraph Fifth of the will of Abraham L. Jacobs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3698; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3281]

ANTON KOLLEGGER

In re: Estate of Anton Kollegger, deceased; File D–28–8270; E.T. sec. 9433.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anton Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3699; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3282]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8271; E.T. sec. 9434.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3700; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3283]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8272; E.T. sec. 9435.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3701; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3284]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8273; E.T. sec. 9436.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3702; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3285]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8274; E.T. sec. 9437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3703; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3286]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8275; E.T. sec. 9438.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3704; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3287]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8276; E.T. sec. 9439.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3705; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3288]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8277; E.T. sec. 9440.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3706; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3289]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8278; E.T. sec. 9441.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3707; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3290]

ANNA KOLLEGGER

In re: Estate of Anna Kollegger, deceased; File D–28–8279; E.T. sec. 9442.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Anna Kollegger, Germany.

Elisabeth Kollegger, Germany.

Johann Kollegger, Germany.

Josef Kollegger, Germany.

Maria Kollegger, Germany.

Rosa Kollegger, Germany.

Theresia Kollegger, Germany.

Wilhelm Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kollegger, Elisabeth Kollegger, Johann Kollegger, Josef Kollegger, Maria Kollegger, Rosa Kollegger, Theresia Kollegger and Wilhelm Kollegger, and each of them, in and to the estate of Anna Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of

Nationals and Last Known Address

Marie Kroepfl, Germany.
Julia Siegel, Germany.
Louisa Bauer, Germany.
Johanna Hassenburger, Germany.
Joham Kollegger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Kroepfl, Julia Siegel, Louisa Bauer, Johanna Hassenburger and Joham Kollegger, and each of them, in and to the Estate of Anton Kollegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3281; Filed, March 16, 1944; 11:25 a. m.]

[Vesting Order 3282]

SALLY PERRY PECK

In re: Estate of Sally Perry Peck, deceased; File D–39–2056; E.T. sec. 7939.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alvertus J. Morse, Esq., as Executor, acting under the judicial supervision of the Probate Court, County of Hampshire, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Mrs Maki Fugita Sonobe, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Maki Fugita Sonobe in and to the Estate of Sally Perry Peck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3700; Filed March 16, 1944, 11:26 a. m.]

[Vesting Order 3283]

PAUL SCHAEFER

In re: Estate of Paul Schaefer, deceased; File No. D–28–8260; E. T. sec. 9477.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chase National Bank of New York, Executor, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Mary Schunemann, and her children, whose names are unknown, Germany.
Paul Schaefer, and his children, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mary Schunemann, and her children, whose names are unknown and Paul Schaefer, and his children, whose names are unknown, and each of them, in and to the estate of Paul Schaefer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3701; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3284]

THEODORE SIEPEN

In re: Estate of Theodore Siepen, deceased; File D–28–3921; E. T. sec. 6779.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ernest F. Ellwanger, Executor, acting under the judicial supervision of the County Court of Kiowa County, Oklahoma;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fritz Wieken, Germany.
William Aust, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Wieken and William Aust, and each of them, in and to the estate of Theodore Siepen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3702; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3285]

ANNIE UBL

In re: Estate of Annie Ubl, deceased; File D–28–7847; E. T. sec. 8471.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Ubl, as administrator, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

John Ubl, Sr., Czechoslovakia.

And determining that—

(3) John Ubl, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czechoslovakia, is a national of a designated enemy country, Germany;

(4) To the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John Ubl, Sr. in and to the estate of Annie Ubl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3703; Filed, March 16, 1944; 11:26 a. m.]

[Vesting Order 3286]

EDWARD WENDLAND

In re: Estate of Edward Wendland, deceased; File D–28–2624; E.T. sec. 4079.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by E. M. Moore, Sr., 1113 Main Street, Higginsville, Missouri, Administrator, acting under the judicial supervision of the Probate Court of the State of Missouri, in and for the County of Lafayette;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Wendland, Germany.
August Wendland, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Wendland and August Wendland, and each of them, in and to the estate of Edward Wendland, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3704; Filed, March 16, 1944; 11:26 a. m.]

[Supplemental Vesting Order 3300]

E. LEITZ, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 107, dated August 24, 1942, that E. Leitz, Inc., organized on April 22, 1916 and hereinafter referred to as the 1916 corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);

2. Having found in Vesting Order Number 108, dated August 24, 1942, that E. Leitz, Inc., organized on March 29, 1941 and hereinafter referred to as the 1941 corporation, is a business enterprise within the United States which is a national of a designated enemy country (Germany);

3. Having found in the said vesting orders Number 107 and Number 108 that E. Leitz, G. m. b. H., is a national of a designated enemy country (Germany);

4. Finding that E. Leitz, G. m. b. H., has a claim against E. Leitz, Inc., 1916 corporation, or E. Leitz, Inc., 1941 corporation, in an amount which aggregated $31,868.85 as of November 11, 1943 and is represented on the books and records of said companies as an account payable, subject, however, to any accruals or deductions subsequent thereto, and represents an interest in said business enterprise;

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of E. Leitz, G. m. b. H., in E. Leitz, Inc., 1916 corporation and/or E. Leitz, Inc., 1941 corporation, represented on the books and records of said companies as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3705; Filed, March 16, 1944; 11:23 a. m.]

[Supplemental Vesting Order 3301]

NORTH AMERICAN MERCANTILE CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 175, dated September 28, 1942, that North American Mercantile Company is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that the following persons have claims against North American Mercantile Company in the amounts appearing opposite each name, which claims, as of September 28, 1942, aggregated $3,501.60, subject, however, to any accruals or deductions subsequent thereto, and represent interests in North American Mercantile Company:

Name:	*Amount*
Takaji Domoto	$208.01
I. Goto	2,247.57
Katotoku Shoten	440.02
Suzuki Shoten	606.00
Total	$3,501.60

3. Finding that Takaji Domoto and I. Goto, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

4. Finding that Katotoku Shoten, whose principal place of business is located at Osaka, Japan, and Suzuki Shoten, whose principal place of business is located at Tokyo, Japan, are nationals of a designated enemy country (Japan);

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of Takaji Domoto, I. Goto, Katotoku Shoten and Suzuki Shoten in North American Mercantile Company aggregating $3,501.60 and represented on the books and records of North American Mercantile Company as accounts payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3706; Filed March 16, 1944; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 190]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

[1] Filed as part of the original document.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Consolidated Freight Co. (a corporation), 100 Carroll Street, Saginaw, Mich.
2. David C. Doyle, doing business as Doyle Freight Lines, 142 Davenport Street, Saginaw, Mich.
3. Blair Transit Company (a corporation), 142 Davenport Street, Saginaw, Mich.
4. Douglas Trucking Lines, Inc., Owosso, Mich.

[F. R. Doc. 44-3736; Filed, March 17, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 196]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND MANHATTAN, KANS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for point action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

[1] Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. P. F. Felton and B. J. LeBenne, doing business as Kansas Transport Freight Lines, a partnership, 522 North 9th Street, Salina, Kans.
2. Boyd Truck Lines, Inc., 500 West 4th Street, Kansas City, Mo.
3. Adams Transfer & Storage Co. (a Missouri Corporation), 226 West 4th Street, Kansas City, Mo.
4. J. W. Healzer, doing business as Healzer Cartage Company, 1125 East 3rd Street, Hutchinson, Kans.
5. Ship-By-Truck Company, doing business as Graham Ship-By-Truck Co., 1321 West 8th Street, Kansas City, Mo.
6. E. J. Diffley, doing business as E. J. Diffley Truck Line, 615 Jewell, Topeka, Kans.
7. Russel A. Hall, doing business as Hall Bros. Truck Line, 1245 Connecticut Street, Lawrence, Kans.

[F. R. Doc. 44-3743; Filed, March 17, 1944; 10:24 a. m.]

[Supp. Order ODT 3, Rev. 106]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BIRMINGHAM AND MOBILE, ALA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Avery Freight Lines, Inc., 106 State Street, Mobile, Ala.
2. Mercury Express, Inc., 2721 Eighth Avenue, Birmingham, Ala.

[F. R. Doc. 44-3744; Filed, March 17, 1944; 10:25 a. m.]

[Supp. Order ODT 20A-78]

TAXICABS

COORDINATED OPERATIONS IN CINCINNATI, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Cincinnati, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Cincinnati, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-78" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Cincinnati, Ohio.

8. This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Elmer Schambach, D. B. A. DeLuxe Yellow Cabs, 7 W. Eighth St., Covington, Ky.
Lawrence Vols, D. B. A. Arrow Cabs, 6 E. Mitchell Ave., St. Bernard, Ohio.
Edward H. Dames, D. B. A. Cheviot Cabs, 3733½ Glenmore Ave., Cheviot, Ohio.
Edward S. Siebert & H. W. Hindersman, D. B. A. Shamrock-Melrose Cab Co., 4923 Montgomery Rd., Norwood, Ohio.
Lula Norma Ryan, D. B. A. Norwood Yellow Cabs, 2096 Sherman Ave., Norwood, Ohio.
Lewis Lipp, D. B. A. St. Bernard Anchor Cabs, 4926 Vine St., St. Bernard, Ohio.
Frank Westendorf, D. B. A. Latman Taxi Service, 211 E. Wyoming Ave., Lockland, Ohio.
John L. Russell, D. B. A. Turf Cabs, 5900 Vine St., Elmwood Place, Ohio.
Ernest Glass, D. B. A. Elmwood Taxi, 5618½ Vine St., Elmwood Place, Ohio.
J. and A. C. Mattingly, D. B. A. Bellevue & Dayton Cab Co., 633 Sixth Ave., Dayton, Ky.
Wayne Kendle, D. B. A. Newport Ace Cab Co., 109 East Eighth St., Newport, Ky.
William Turner, Sr., D. B. A. West Side Cab Co., 436 West Eleventh St., Newport, Ky.
Elmo Baber, D. B. A. Baber Cab Co., 612 York St., Newport, Ky.
Radley & Enzweiler, D. B. A. Dot-Knight Co., 5 E. Third St., Newport, Ky.
Clarence J. Craig, D. B. A. Craig Cabs, 333 York St., Newport, Ky.
Arthur Wehmeyer, D. B. A. Hiland Cab Co., 11 River Road, Fort Thomas, Ky.
John J. Brady, D. B. A. Brady Cabs, 606 Sycamore St., Cincinnati, Ohio.
Checker Cab Co., 1119 Race St., Cincinnati, Ohio.
Allen Cabs Inc., 278 Ludlow Avenue, Cincinnati, Ohio.
Leslie Aitchison, D. B. A. Reading Cabs, 918 Reading Rd., Reading, Ohio.
Lawrence E. Hanselman, D. B. A. Silverton Taxi Co., 7134 Montgomery Rd., Silverton, Ohio.
Fred G. Boss, D. B. A. Boss Cab Co., 731 Patterson St., Newport, Ky.
Harold Roland, D. B. A. Roland Cab Co., 107 E. Fifth St., Covington, Ky.
Remer Johnson, D. B. A. Johnson Cabs, 612 Wyoming Ave., Lockland, Ohio.
James Mosley, D. B. A. Mosley Cabs, 226 Grove Rd., Woodlawn, Ohio.
Walter R. Meyer, 1132 Seton Avenue, Cincinnati, Ohio.
Edward J. Bethel, D. B. A. Queen City Cab, Rx. 357, R. R. #4, Price Hill, Cincinnati, Ohio.
Edward Sullivan, D. B. A. Royal Taxi Cab, 6131 Graveland Avenue, Cincinnati, Ohio.

[F. R. Doc. 44-3736; Filed, March 17, 1944; 10:22 a. m.]

[Supp. Order ODT 20A-80]

TAXICABS

COORDINATED OPERATIONS IN SACRAMENTO, CALIF. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Sacramento, California, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Sacramento, California, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-80" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Sacramento, California.

8. This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director, Office of Defense Transportation.

APPENDIX 1

Mrs. William B. Beall, DBA Beall Taxi, 231 Kay Street, Sacramento, Calif.
John Treantos, DBA City Taxi, 1017 6th Street, Sacramento, Calif.
Carl F. Morlath or Toney Corey, DBA Greyhound or H & C Taxi, 215 Kay Street, Sacramento, Calif.
Teddy Pappas, DBA Teddy's Taxi, 717 Capitol Avenue, Sacramento, Calif.
Mrs. Marie Littlefield, DBA Union & Club Taxi, 1127 7th Street, Sacramento, Calif.
Mr. C. Christophel, DBA Black & White Taxi, 1015½ 10th Street, Sacramento, Calif.

[F. R. Doc. 44-3737; Filed, March 17, 1944; 10:22 a. m.]

LOCAL CARRIERS OF PROPERTY

RECOMMENDATION FOR JOINT ACTION PLANS

In order to conserve and providently utilize vital transportation equipment, materials and supplies, assure maximum utilization of such equipment, materials and supplies, and provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, the Office of Defense Transportation, by General Order ODT

[1] Filed as part of the original document.

[1] Filed as part of the original document.

6A, as amended (8 F.R. 8757, 14582, 9 F. R. 2794), authorizes any two or more local carriers of property by commercial motor vehicle to formulate and submit for consideration plans for joint action and requests and authorizes persons having property for collection or delivery to participate with those carriers in the formulation and submission of such plans, which are designed to accomplish any of the above-stated purposes by one or more of the following methods:

(1) Alternate, stagger, or coordinate schedules or services between two or more points or within any area;

(2) Suspend schedules or service between two or more points or within any area, provided one or more of the participating carriers provides service between those points or within that area;

(3) Reciprocally exchange shipments of property for transportation between two or more points or within any area;

(4) Pool traffic, revenues, or both, between two or more points or within any area;

(5) Jointly load for transportation or operate a motor truck or trucks between two or more points or within any area;

(6) Divert traffic or establish arrangements with other carriers for the interchange of equipment;

(7) Operate joint terminals;

(8) Appoint one of their own number or any other person or carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom;

(9) Pool or exchange manpower when by so doing the collection or delivery of property is facilitated;

(10) Jointly establish or operate a dispatching office or offices, the function of which shall be to obtain and receive information as to the availability of equipment and traffic and to route traffic and dispatch equipment when so doing will accomplish any of the purposes of General Order ODT 6A, as amended;

(11) Adopt operating rules or practices by which:

(i) A time will be established earlier than 3:00 p. m. during any calendar day after which no collection or delivery, the order for which is received after that time, will be made during such day;

(ii) A time will be established during any calendar day before or after which, during such day, property will not be accepted, collected or delivered;

(iii) The collection or delivery of property, which is once afforded and refused after advance notice, will be restricted;

(iv) Before attempting collection or delivery, definite arangements will be made to assure the prompt completion thereof upon arrival of a motor truck for that purpose;

(v) Limitations on the frequency of collections or deliveries will be established;

(vi) Limitations will be established in respect of the marking, tagging, packing or unpacking, consolidation, separation, stacking or checking by the carriers of property which is the subject of collection or delivery;

(vii) Zones will be established for the purpose of utilizing any one or more of such operating rules or practices: *Provided, however,* That each such rule or practice adopted shall be administered fairly and without discrimination.

Provided, That General Order ODT 6A, as amended, shall not be construed to authorize any local carrier or carriers to utilize any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or other authorized regulatory body.

No provision in this recommendation shall be construed to approve or imply approval of any program, agreement, act or discussion relating (but not limited) to: (1) The fixing of prices or of the terms and conditions for the payment of compensation for the performance of any transportation service, except for the adjustment of accounts between the participants in respect of the permissible action under this recommendation; (2) the use of any coercion, direct or indirect, by any local carrier or shipper to secure participation of any individual, company or group in the permissible action under this recommendation; or (3) boycott by two or more persons of any local carrier or person.

Each joint action plan shall be in writing, signed by each participant, and should state: (1) the full legal name, address and operating authority, if any, of each participant; (2) the territory or routes involved; (3) the specific method or methods of joint action to be used; (4) the practical application of these methods to the particular operation of the participants; (5) an estimate and explanation of the conservation to be accomplished; (6) the effect, if any, of the proposed joint action on the maintenance of adequate transportation service; and (7) the name and address of a person to whom communications in respect of the plan may be sent.

If the Office of Defense Transportation determines that any such plan will contribute substantially to the accomplishment of the purposes above-stated, the local carriers submitting the plan will be ordered by the Director of the Office of Defense Transportation to place that plan into operation.

The order will be confined to one or more of the specific methods above enumerated, and will expressly provide that all contractual arrangements made by the carriers to effectuate the joint action plan shall not extend beyond the effective period of the order.

It is recommended that the Chairman of the War Production Board find and certify under section 12, Public Law No. 603, 77th Congress (56 Stat. L. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with any such order is requisite to the prosecution of the war.[1]

NOTE: The recording and reporting requirements of this recommendation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3745; Filed, March 17, 1944; 10:57 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

MAXIMUM PRICES FOR MALT BEVERAGES SOLD FOR IMMEDIATE CONSUMPTION

[Order 1 to Restaurant MPR 5-3, Amdt. 1]

Food and drink sold for immediate consumption. Maximum prices for malt beverages sold for immediate consumption.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 22 of Restaurant Maximum Price Regulation 5-3, Order No. 1 under Restaurant Maximum Price Regulation 5-3 is hereby amended in the following respects:

1. Section 2 (a) is amended by adding thereto the malt beverages set forth below, and the maximum prices thereof shall be as set out below:

Brand or trade name	Maximum price per bottle		
	12-oz.	24-oz.	32-oz.
Domestic beer:	*Cents*	*Cents*	*Cents*
Commander Pilsener	18	.....	.....
Gold Label	18	.....	.....
Jung Pilsener	18	.....	.....
Storck	18	.....	.....
Eulberg	18	.....	.....
Imported beer:			
Nortena	18	.....	.....

2. Section 2 (a) is further amended as follows:

The price of 13¢ per 12-ounce bottle for Embassy Club Beer is corrected to 18¢ per 12-ounce bottle; and

The brand name "Carona", listed under Imported Beer, is corrected to read "Corona".

This amendment to Order No. 1 becomes effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808; Rest. MPR 5-3, 8 F.R. 12800; and Special Order No. 1 under Rest. MPR 5-3)

Issued at San Antonio, Texas, this 4th day of March 1944.

FRANK M. COVERT, JR.,
District Director.

[F. R. Doc. 44-3722; Filed, March 16, 1944; 11:55 a. m.]

[1] See War Production Board Certificate 200, *infra.*

SELECTIVE SERVICE SYSTEM.

[Operations Order 28]

NEW YORK CITY

TRANSMITTAL OF FILES FROM LOCAL BOARDS TO BOARDS OF APPEAL

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the procedure provided for in § 627.13 (c) (3), Selective Service Regulations, for the transmittal of files from the local board to the board of appeal shall, for local boards situated in the City of New York, be ineffective as of March 18, 1944.

2. That on and after March 18, 1944, if the address of the principal place of employment of the registrant, as recorded on the Individual Appeal Record (Form 66), is outside the City of New York, the local boards situated in the City of New York shall transmit files on appeal to the State Director of Selective Service for the State in which is located the principal place of employment of the registrant for transmittal to the board of appeal whose area includes such place of employment.

LEWIS B. HERSHEY,
Director.

MARCH 16, 1944.

[F. R. Doc. 44-3724; Filed, March 16, 1944; 2:46 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 160-A 2-RO 1]

PHILADELPHIA, PA., MARKETING AREA

NOTICE OF REOPENING OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Notice is hereby given that the hearing which was held in Philadelphia, Pennsylvania, on September 23 and 24 and October 5, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, will be reopened at 10 a. m., e. w. t., March 29, 1944, in the Washington Room, Benjamin Franklin Hotel, 19th and Chestnut Streets, Philadelphia, Pennsylvania. The reopened hearing will be held jointly with the Pennsylvania Milk Control Commission.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR, 1941 Supp. 900.1-900.17; 7 F.R. 3350, 8 F.R. 2813).

This public hearing is for the purpose of receiving evidence, in addition to that given in the hearings held January 21 to 23, September 23 and 24, and October 5, 1943, with respect to the economic and marketing conditions and current supply and demand conditions which relate to the amendments hereinafter set forth. The amendments under consideration are set forth below.

PROPOSED BY THE INTERSTATE MILK PRODUCERS' ASSOCIATION, INC.

1. Adjust upward the Class II formula to bring price in line with cream and manufacturing milk values.

2. Adjust upward the Class I price which, combined with the Class II price, will return farmers in this area their full cost of production.

3. Eliminate the 3-cent additional deduction now permitted at receiving stations.

4. Change producers' butterfat differential from 4 cents to 5 cents.

5. Add a provision to encourage the transfer and use in the marketing area of direct shipped milk.

PROPOSED BY THE WAWA DAIRY FARMS, INC.

1. Reconsider § 961.4 (c), § 961.8 (d), and § 961.8 (e).

PROPOSED BY THE DAIRY AND POULTRY BRANCH, OFFICE OF DISTRIBUTION

1. Change § 961.0 to § 961.1, renumber each following section in consecutive order, and make corresponding changes in the references to each section number.

2. Delete § 961.1 (a) (2) and substitute therefor the following:

(2) The term "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

3. Substitute the term "War Food Administrator" for the term "Secretary" wherever appearing in the order.

4. In § 961.1 (a) (5) substitute the word "was" for the word "is" in line 5, and insert the words "during August 1943" immediately after the word "handler" in line 6.

5. In § 961.1 (a) (5), 3rd and 4th lines from the end of the first paragraph, delete the words "during any one of the months of October, November, December, and January" and substitute therefor the words "during any month, except April, May, and June."

6. At the end of § 961.1 (a) (6) add the words "or who receive milk from producers regardless of where disposed."

7. Reconsider § 961.3 (c) (5).

8. Delete § 961.3 (c) (1), (2), and (3) and substitute therefor the following:

§ 961.3 (c) *Transfers of milk.* (1) Milk or skim milk received at a plant from another plant shall be allocated to Class I: *Provided,* That such milk may be allocated to Class II up to the total amount of Class II milk used by the receiving handler in all of his plants at which milk is received from producers if the receiving handler and the selling handler submit to the market administrator a written statement requesting such an allocation, after deduction of any milk pursuant to subparagraph (2) of this paragraph.

(2) Milk or skim milk received at a plant at which milk is received from producers from a plant at which no milk is received from producers shall be allocated to each class in proportion to the class utilization of all milk received from producers and from plants at which no milk is received from producers by the respective handler at all of his plants at which milk is received from producers during the month: *Provided,* That the receiving handler may allocate more than a prorata share of such milk received to Class II.

9. In § 961.3 (c) (4) change the figure "400 miles" to "125 miles."

10. In lieu of the provisions in § 961.4 (c) (1), suspended on June 15, 1943, insert the following:

For purposes of this subparagraph the Class I milk disposed of from any plant located less than 31 miles from the City Hall in Philadelphia shall be considered to have been first, that milk received direct from producers' farms; second, that milk received from plants within 31 miles of the City Hall in Philadelphia; and then that milk which was shipped from the nearest plant 31 miles and farther from the City Hall in Philadelphia: *And provided,* That Class I milk moved directly from a plant at which milk is received from producers to a plant at which no milk is received from producers, both of which are outside the marketing area, and Class I milk distributed for fluid consumption from a plant at which milk is received from producers shall be allocated to the plant at which it is received from producers.

11. Delete § 961.4 (d).

12. Delete § 961.8 (f).

13. Add the following new sections:

§ 961.14 *Emergency milk committee.* Handlers and producers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the War Food Administrator and such representative or representatives as the War Food Administrator may designate shall be permitted to attend and take part in such meetings.

§ 961.15 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 961.16 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handlers.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the

Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: March 17, 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-3749; Filed, March 17, 1944; 11:19 a. m.]

WAR PRODUCTION BOARD.

CHICAGO NOVELTY COMPANY, INC.

CONSENT ORDER

The Chicago Novelty Company, Inc., is engaged in the mail order business at 1314 Newport Avenue, Chicago, Illinois. Among other things, it sells tubes and repair parts for radios and coin operated amusement machines, and also repairs and rebuilds coin operated amusement devices. During August and September of 1943, it sold considerable quantities of radio tubes, and in about one-half of these cases the sales were not to fill preferred orders, nor orders bearing a preference rating, neither did it receive suppliers' certificates or worn out tubes. The sales were therefore in violation of General Limitation Order L-265. The Chicago Novelty Company, Inc., admits these violations and that it was aware of the fact that there were restrictions on the purchase and sale of electronic equipment, and it does not elect to interpose any defense to the violations. It has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Chicago Novelty Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That:

(a) Chicago Novelty Company, Inc., its successors and assigns, shall not sell, assign, transfer or deliver, during any calendar month, more than one-sixth the electronic tubes sold by it during the entire fourth calendar quarter of 1943.

(b) Nothing contained in this order shall be deemed to relieve the Chicago Novelty Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of March 16, 1944, and shall expire on May 31, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3726; Filed, March 16, 1944; 4:43 p. m.]

[Certificate 200]

LOCAL CARRIERS OF PROPERTY

APPROVAL OF RECOMMENDATION FOR JOINT ACTION PLANS

THE ATTORNEY GENERAL:

I submit a recommendation of the Director of the Office of Defense Transportation concerning the formulation of certain joint action plans by local carriers of property by commercial motor vehicle.[1]

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation or any order or direction issued by the Office of Defense Transportation pursuant thereto requiring any of the joint actions specified therein is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MARCH 14, 1944.

[F. R. Doc. 44-3746; Filed, March 17, 1944; 10:57 a. m.]

[1] *Supra.*

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 57

Washington, Tuesday, March 21, 1944

The President

PROCLAMATION 2609

CHILD HEALTH DAY—1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in recognition of the importance to every child and young person of a healthy body and a sturdy spirit, do hereby designate the first day of May of this year as Child Health Day.

And I invite our boys and girls to use this occasion as a time to gather with parents, teachers, and other citizens, or by themselves, in schools, churches, and community centers, and to consider how we can make our home and community life contribute in full measure to the building of bouyant health and valiant spirit in all our boys and girls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of March, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-3928; Filed, March 20, 1944; 11:17 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 22-5, Amdt. 2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED CITRUS FRUIT AND CANNED CITRUS FRUIT JUICES

Food Distribution Order No. 22-5, issued by the Director of Food Distribution on November 26, 1943, as amended (8 F.R. 16097, 9 F.R. 2322), is further amended as follows:

1. By deleting from § 1425.7 (b) (3) the provisions thereof and inserting, in lieu thereof, the following:

(3) In lieu of setting aside a quantity of canned grapefruit juice equal to 41 percent of the total of grapefruit juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned grapefruit juice if he sets aside all grapefruit juice packed by him and which is in his possession on March 17, 1944, and all grapefruit juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 32 percent of the total quantity of grapefruit juice packed by such person during the base period.

2. By adding to § 1425.7 (b), at the end thereof, the following:

(4) In lieu of setting aside a quantity of canned orange juice equal to 48 percent of the total of orange juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned orange juice if he sets aside all orange juice packed by him and which is in his possession on March 17, 1944, and all orange juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 42 percent of the total quantity of orange juice packed by such person during the base period.

(Continued on p. 2971)

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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3. By deleting from Column B of Table 1 the figures "38" and "42" and inserting, in lieu thereof, the figures "41" and "48," respectively.

This amendment shall become effective at 12:01 a. m., e. w. t., March 17, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said Food Distribution Order No. 22–5 prior to the effective time of this amendment, all of the provisions of the said Food Distribution Order No. 22–5 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 22, 8 F.R. 2243, 6397)

Issued this 16th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–3769; Filed, March 17, 1944; 12:43 p. m.]

[FDO 42, Amdt. 4]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

Food Distribution Order No. 42, as amended (8 F.R. 13970, 9 F.R. 1687), § 1460.1, is amended to read as follows:

§ 1460.1 *Use of fats and oils*—(a) *Definitions.* (1) "Fats and oils" means all the raw, crude, refined, and pressed fats and oils, whether vegetable, animal, fish, or other marine animal, their by-products and derivatives, including foots, grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, lard and rendered pork fat, and the fat and oil content of any other product, but not including cocoa butter, butter, wool (grease) fat, essential oils, tall oil, mineral oils, and vitamin bearing oils derived from fish or other marine animal livers or viscera.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(3) "Manufacturer" means any person who uses any fats or oils in the manufacture of any "finished product", and shall include all other persons directly controlling or controlled by such person and all persons under direct or indirect common control with such person. The term shall also include a "soap converter", but shall not include any crusher, renderer, refiner, or other processor except as and to the extent that his operations result in the production of a finished product, or any person who uses fats and oils in the home in the preparation of food for household consumption. A person who merely blends fats and oils shall not be deemed a manufacturer.

(4) "Soap converter" means any person who uses soap made by others as a raw material, and by the addition of other materials, including, but not limited to, silicates, phosphates, abrasives, borax, corn meal, and soda ash, makes a finished product which is sold for detergent uses. The term shall not include those persons who merely add small amounts of color or perfume to the original soap, or persons who merely dissolve paste or other soaps in water to make liquid soaps without adding other non-soap detergent materials.

(5) "Finished product" means any product produced by a manufacturer for sale as his finished product and carried on his books as his finished product; or any product listed under Schedule A hereof produced by a manufacturer for his own consumption, except an intermediate product used by him in the manufacture of another product listed under said Schedule A. However, the term shall not include:

(i) Lard or rendered pork fat;

(ii) Any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product listed under Schedule A hereof (excepting an edible product of which fats and oils are not the principal ingredient);

(iii) Any edible product of which fats and oils are not the principal ingredient;

(iv) Any edible product produced by any hotel or restaurant for consumption on the premises;

(v) Any medicinal preparation, other than medicinal soap, or any product used in the manufacture of such a medicinal preparation;

(vi) Any vitamin preparation or any product used in the manufacture of a vitamin preparation;

(vii) Olive oil;

(viii) Poultry fat; or

(ix) Soap intended for sale to soap converters for further processing.

(6) "Crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut, or corn or other oil-bearing materials.

(7) "Principal ingredient" means the largest single ingredient by weight, subject to the qualification that mayonnaise and salad dressing are to be considered products of which fats and oils are not the principal ingredient regardless of the composition thereof.

(8) "Soap" means the water soluble product formed by the saponification or neutralization of fats, oils, rosins, or their fatty acids with organic, sodium or potassium bases; or any detergent composition containing such products, including all types of shaving soap and shaving cream. The term does not include, however, soap used for non-detergent purposes or for the processing of textiles.

(9) "Non-detergent purposes" means uses in which the function of the soap is not to clean, wash, scour, or remove dirt, grit, grease, or any other foreign material from any surface, material, assembly, part or product.

(10) "Package and bar soap" means all bar soap, and all other soap, except abrasive hand soaps, originally packed in unit packages containing less than 25 pounds net.

(11) "Bulk package soap" means any soap except bar soap, and abrasive hand soaps, which is originally packaged in unit packages containing 25 pounds net, or more.

(12) "Abrasive hand soap" means paste and powdered soap products sold regularly for the removal of soil from the human skin and which contain, by weight, on a moisture free basis, not less than 10% or more than 40% anhydrous soap, and not less than 25% abrasive material of an organic or inorganic nature, to facilitate soil removal.

(13) "Foots" means the by-product residue obtained in the refining of any fat or oil, except linseed oil, where such refining is accomplished by treatment of such fat or oil with any alkaline material.

(14) "Washed, recovered linseed oil" means the by-product residue obtained in the refining of linseed oil where such refining is accomplished by treatment of linseed oil with any alkaline material.

(15) "Can" means a can as defined in Conservation Order M–81, as amended (9 F.R. 82).

(16) "Base period" means the calendar years 1940 and 1941.

(17) "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on manufacture.* (1) No manufacturer, except as hereinafter provided, shall, in any calendar quarter, use or consume fats and oils in any class of use listed in Schedule A below, in a quantity in excess of a quota equal to the percentage specified for such calendar quarter in said Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding calendar quarters of the base period: *Provided, however,* That any person who manufactured paste water paint, dry casein paint, or dry protein paint, as such in the base period, may, in any calendar quarter, for the sole purpose of manufacturing paint containing not more than one pound of fats and oils per gallon of paint, use a quantity of fats and oils equal to the percentage specified for such calendar quarter in said Schedule A of an amount of fats and oils computed on the basis of one pound of fats and oils for each gallon of his average quarterly production of paste water paint during the corresponding calendar quarters of the base period, and one pound of fats and oils for each eight pounds of his average quarterly production of dry casein or dry protein paint during the corresponding calendar quarters of the base period.

SCHEDULE A

Class of use:	Permitted percentage
Manufacture of margarine in any calendar quarter	167
Manufacture of other edible finished products, including shortening, in any calendar quarter	88
Manufacture of package and bar soap in any calendar quarter	90
Manufacture of bulk package soap in any calendar quarter	110
Manufacture of abrasive hand soap in any calendar quarter	150
Manufacture of paints, varnishes, lacquers, and other protective coatings in any calendar quarter except the calendar quarter beginning on January 1, 1944	60
Manufacture of paints, varnishes, lacquers, and other protective coatings in the calendar quarter beginning on January 1, 1944	70
Manufacture of linoleum, oilcloth (for floor coverings), and felt base floor coverings in any calendar quarter except the calendar quarter beginning on January 1, 1944	60
Manufacture of linoleum, oilcloth (for floor coverings), and felt base floor coverings in the calendar quarter beginning on January 1, 1944	70
Manufacture of oilcloth (for all purposes other than floor coverings) and all other coated fabrics in any calendar quarter except the calendar quarter beginning on January 1, 1944	60
Manufacture of oilcloth (for all purposes other than floor coverings) and all other coated fabrics in the calendar quarter beginning on January 1, 1944	70
Manufacture of paint containing not more than one pound of fats and oils per gallon of paint (by a manufacturer of paste water paint, dry casein paint, or dry protein paint, as such, in the base period), in any calendar quarter except the calendar quarter beginning on January 1, 1944	80
Manufacture of paint containing not more than one pound of fats and oils per gallon of paint (by a manufacturer of paste water paint, dry casein paint, or dry protein paint, as such, in the base period), in the calendar quarter beginning on January 1, 1944	70

(2) If any manufacturer does not, in any calendar quarter, use or consume the quantity of fats and oils permitted by paragraph (b) (1) hereof when computed in accordance with the provisions of this order, the unused part of his quota for such quarter (beginning with the second quarter of 1943) may, for the purposes of paragraph (b) (1), be carried forward and used only in the succeeding calendar quarter and then only after the regular quota for such quarter has been used.

(3) For the purpose of determining the quantity of raw "foots" or "washed, recovered linseed oil" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(4) The restrictions on the use or consumption of fats and oils imposed hereby are imposed with respect to the use or consumption of fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the use or consumption of the same fat or oil used or consumed by him in the base period.

(5) Nothing in paragraph (b) (1) hereof shall restrict:

(i) The use or consumption of fats and oils, in any calendar quarter, by any manufacturer, who was using fats or oils prior to July 1, 1943, and whose total use or consumption of fats and oils in such calendar quarter in classes of use listed under Schedule A hereof is not more than 10,000 pounds, exclusive of fats and oils used or consumed pursuant to the provisions of paragraphs (b) (5) (ii), (iii), (iv), or (v) hereof; or the use or consumption of fats and oils in any calendar quarter by any manufacturer, whose use of fats and oils did not commence until on or after July 1, 1943, and whose total use or consumption of fats and oils in such calendar quarter in classes of use listed under Schedule A hereof is not more than 1000 pounds, exclusive of fats and oils used or consumed pursuant to paragraphs (b) (5) (ii), (iii), (iv), or (v) hereof.

(ii) The use or consumption of fats and oils in the manufacture of the following products, delivered, or contracted for delivery, to the persons, or agencies, and for the specific purposes, if any, listed below:

(a) Any edible product or soap to the Army, Navy, Marine Corps, or Coast Guard of the United States; the Office of Distribution, War Food Administration (including, but not restricted to the Federal Surplus Commodities Corporation); the War Shipping Administration; or the Veterans' Administration;

(b) Any edible product or soap to a contract school in accordance with the provisions of Food Distribution Regulation 2, as amended (8 F.R. 13879), or a ship supplier in accordance with the provisions of Food Distribution Regulation 3 (8 F.R. 13880);

(c) Any soap to any person for the purpose of using such soap in laundering under contract with the Army, Navy, Marine Corps, or Coast Guard of the United States, the War Shipping Administration, the United States Maritime Commission, a ship operator as defined in said Food Distribution Regulation 3, or a contract school as defined in said Food Distribution Regulation 2, as amended; or,

(d) Any finished product to any person for use in the manufacture of any edible product delivered or to be delivered to any of the agencies or persons named in (a) or (b) of this paragraph (b) (5) (ii):

Provided, however, That although delivery of a product pursuant to this paragraph (b) (5) (ii) may be made to the persons or agencies heretofore named in this paragraph through intermediate distributors, any delivery so made through intermediate distributors; or any delivery, direct or otherwise, made to the persons named in (c) or (d) of this paragraph (b) (5) (ii), will not cause the use or consumption of fats and oils in the manufacture of the product so delivered, to be exempt from the provisions of paragraph (b) (1) hereof, unless and until a certificate, or certified copy thereof, is issued, endorsed, and delivered to the person claiming such exemption, in connection with such delivery, as follows: The certificate shall state the name of the person making delivery, or to make delivery, of the final product, the name of the manufacturer of the final product, the amount and kind of final product delivered, or to be delivered, and that the person or agency to which delivery has been, or is to be, made has either received the amount of final product covered by the certificate, or has contracted for such delivery. If delivery has been made, or is to be made, to a person pursuant to (c) of this paragraph (b) (5) (ii), the certificate shall also state the purpose for which the final product covered thereby is to be used. The foregoing certificate shall be signed by an authorized officer, or official, of the agency receiving, or to receive, the final product, or if the final product has been received, or is to be received, by a private person, the certificate shall be signed by such person or his authorized agent. The certificate shall be delivered to the person who made, or is to make, delivery, and such person, if he did not, or will not, manufacture the product covered by the certificate, shall deliver it promptly by mail, or otherwise, to the manufacturer of the final product named thereon. Promptly upon receipt of the certificate the manufacturer of the final product named thereon shall execute and sign an endorsement thereon showing the amount of fats and oils used, or to be used, in the manufacture of the amount of final product covered by the certificate. In addition thereto, if such person used, or is to use, any finished product delivered, or to be delivered, to him pursuant to (d) of this paragraph (b) (5) (ii), in the manufacture of the final product covered by the certificate, he shall set forth in the endorsement the name of the person so supplying, or to supply, him with such finished product and the amount and kind of the finished product delivered, or to be delivered, by such supplier for such purpose. The manufacturer of the final product shall then make a copy of the certificate and endorsement thereon, certified by him to be true and correct, and deliver such copy promptly, by mail, or otherwise, to such supplier. However, the manufacturer of the final product may, in making the copy for any particular supplier, delete the data concerning suppliers other than the supplier to whom the copy is to be delivered, and insert in lieu thereof the following: "Data concerning other suppliers has been deleted." *It is further provided,* That the use or consumption of fats and oils in the manufacture of a finished product to be delivered directly to any agency or person named in (a) or (b), of this paragraph (b) (5) (ii), shall not be exempt from the provisions of (b) (1) hereof, unless and until the person claiming such exemption shall have entered into a contract with such agency or person to deliver such finished product.

(iii) The use or consumption of fats and oils in the manufacture of all protective coatings, coated fabrics, linoleum, oilcloth, and felt base floor coverings, delivered or to be delivered to, or used on or incorporated in material and equipment delivered or to be delivered to, the Army, Navy, Marine Corps, or Coast Guard of the United States, the United States Maritime Commission, or to the War Shipping Administration, or delivered, or to be delivered, pursuant to the Act of March 11, 1941 (Lend-Lease Act), or to be used on a vessel operating under a warrant issued by the United States Maritime Commission or the War Shipping Administration, pursuant to the Act of July 14, 1941 (55 Stat. 591): *Provided, however,* That no fats or oils used or consumed pursuant to the terms of this paragraph (b) (5) (iii) by any manufacturer shall be exempt from such manufacturer's quota under the terms of this order unless, on or before the 15th day of the month succeeding the month in which the fats and oils were so used, he shall mail to the Director a report of such use on Form PDA–523, as amended, or such other forms as the Director may prescribe.

(iv) The use or consumption of fats and oils in the manufacture of edible finished products and soaps to be exported to the Dominion of Canada where such Dominion has granted a license for the importation of such products, or to any other country pursuant to an export license issued by the Foreign Economic Administration.

(v) The use or consumption of fats and oils in the manufacture of protective coatings which are:

(a) Applied to any item of new farm machinery or equipment which is listed in Schedule A of Limitation Order L–257, as amended (8 F.R. 15568), if such protective coatings are applied by the manufacturer of such machinery or equipment, or,

(b) Used as, or in the manufacture of, cans, container closures, closure liners, or linings and liners for cans, if such cans, container closures, closure liners, or linings and liners for cans are used only for the packaging of food, drugs, pharmaceuticals and beverages.

(6) A manufacturer's use or consumption of fats and oils in accordance with the provisions of paragraphs (b) (5) (ii), (iii), (iv), or (v), hereof, shall not be charged against his quota under paragraph (b) (1) hereof, and any fats or oils used or consumed by a manufacturer in the base period for any purpose set forth in paragraphs (b) (5) (ii), (iii), or (v) hereof, or, in the manufacture of edible finished products or soap for exportation to a foreign country shall be excluded in determining his quota under paragraph (b) (1) hereof.

(7) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however,* That he shall within 30 days following such acquisition inform the Director of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(8) Fats and oils owned by one person, which are processed by another person, shall be charged against the quota of the owner and not the processor: *Provided, however,* That the title to the product resulting from the processing shall remain in the owner of the fats and oils and such owner shall market the product and shall invoice and collect for such product through his own organization, and the processor shall not buy directly or indirectly any product so produced. Otherwise, such fats and oils shall be chargeable against the quota of the processor.

(9) Notwithstanding the other provisions of this order, any manufacturer may, for the purpose of determining his permissible use of fats and oils in the manufacture, during any calendar quarter, of a particular class of soap set forth in Schedule A hereof, divert a quantity of fats and oils from the average quarterly amount of fats and oils used by him in the corresponding calendar quarters of the base period in the manufacture of another class of soap listed in said Schedule A, to the average quarterly amount of fats and oils used by him in the corresponding quarters of the base period in the manufacture of the class of soap with respect to which the determination is being made: *Provided,* That the total amount so diverted from all classes of soap to other classes of soap, for the purpose of determining the quotas applicable to a particular calendar quarter, shall not exceed 250,000 pounds, and his total permitted use of fats and oils for all classes of soap manufacture in any calendar quarter computed after such diversion or diversions shall not exceed (but may be less than) his total permitted use of fats and oils in the manufacture of soap of all classes when

computed prior to such diversion or diversions.

(10) Notwithstanding the other provisions of this order, only 50% of the washed, recovered linseed oil used or consumed by a manufacturer in any calendar quarter in a class of use listed in Schedule A hereof, shall be charged against his quota hereunder for such class of use in such quarter, and only 50% of the washed, recovered linseed oil used or consumed by a manufacturer, in any calendar quarter, in classes of use listed in Schedule A hereof, shall be counted in determining whether the provisions of paragraph (b) (5) (i) hereof, are applicable to such manufacturer in such quarter.

(c) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(d) *Records and reports.* (1) Each manufacturer, other than a soap converter, who, in any calendar quarter, uses or consumes more than a total of 6000 pounds of fats and oils, shall properly fill out and file with the Bureau of the Census, Washington 25, D. C., each of the following reports at the time set forth below:

(i) Bureau of the Census Form BM–1, or such other form or forms as may be prescribed by the Director, for each month of such calendar quarter, on or before the fifteenth day of the month succeeding such month; and

(ii) Bureau of the Census Form BM–2 or such other form or forms as may be prescribed by the Director, for such calendar quarter, on or before the fifteenth day of the second month of the succeeding calendar quarter.

In filling out the foregoing forms the specific instructions contained in any other Food Distribution Order with respect to a particular fat and oil shall be followed. Nothing in this paragraph (d) (1) shall be construed as requiring any person to file more than one form BM–1 for any month, or more than one form BM–2 for any calendar quarter.

(2) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(3) Every person subject to this order, shall for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fats and oils and keep all certificates and endorsements or copies thereof required by this order to support any claim for quota exemption made by him, including all certificates received by him pursuant to the provisions of said Food Distribution Regulation 2, as amended, and said Food Distribution Regulation 3. All statements contained in such certificates or endorsements shall be deemed representations to an agency of the United States.

(4) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspection.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fats and oils of any person, and to make such investigations, as may be necessary or appropriate, in his discretion to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 42. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(g) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using fats and oils, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 42.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate any or all of the authority vested in him by this order to any employee of the United States Department of Agriculture.

(j) *Territorial extent.* This order shall apply only in the forty-eight States of the United States and the District of Columbia.

(k) *Effect of other orders.* Insofar as any other order of the Secretary of Agriculture, the War Food Administrator, or the Director, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition, or disposition of any fat or oil, the limitations of such other order shall control.

(l) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., March 17, 1944. However, with respect to violations of Food Distribution Order No. 42, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order No. 42, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3821; Filed, March 17, 1944; 4:27 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

GOOD CONDUCT MEDAL

Section 78.37 (8 FR 6398), pertaining to supply and manufacture of the Good Conduct Medal, is hereby rescinded.

§ 78.37 *Supply.* [Rescinded] (Executive Order 8809, as amended by Executive Order 9323) [Par. 7, AR 600–68, 4 May 1943, as amended by Sec. III, W. D. Cir. 103, 11 March 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3827; Filed, March 18, 1944; 10:37 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, and 16]

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments and additions to the regulations contained in Parts 81, 83, and 88 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 31, 8 March 1944,[1] the particular regulations amended being Nos. 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, and 16.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Section 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

[Procurement Reg. 2]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL PURCHASE POLICIES

In § 81.232 paragraph (e) is amended to set forth procedure and policy in converting existing cost-plus-a-fixed-fee contracts to a fixed-price basis.

§ 81.232 *Cost-plus-a-fixed-fee contracts.* * * *

(e) *Existing contracts.* (1) Whenever feasible, existing cost-plus-a-fixed-fee contracts will be amended to convert them or provide for converting them to a fixed price basis as soon as practicable. Special effort to obtain such conversions will be made because the change offers an opportunity to obtain more efficient production or appears otherwise to be of special advantage to the Government. Ordinarily, such conversion will take place by supplemental agreement substituting for the cost-plus-a-fixed-fee contract a fixed price contract covering the whole performance of the contract, effective retroactively to the beginning of the performance. Such a retroactive conversion will assist in avoiding complicated and time consuming allocations of costs, inventory and preparatory expense. However, in appropriate cases conversions may be made effective from some stated point in the performance of the cost-plus-a-fixed-fee contract.

(2) One purpose of the War Department in converting cost-plus-a-fixed-fee contracts to a fixed price basis is to develop lower prices and costs and greater efficiency in the utilization of manpower and capacity, not only under the contract which is being converted but also under future contracts for similar products. The policy of pressing for conversions is based upon the premise that a fixed price contract gives the contractor maximum incentive to achieve more efficient operations during the balance of the contract. Consequently, such conversions will be made only where a substantial portion of the contract remains to be performed, unless the prior approval of the Director, Purchases Division, Headquarters, Army Service Forces, has been obtained in the particular case.

(3) The circumstances of such conversions will obviously vary and accordingly the considerations to be taken into account in determining a fixed price at which the contract is to be performed cannot be prescribed in specific terms applicable to each case. Essentially, however, the problem of converting the cost-plus-a-fixed-fee contract to a fixed price basis is no different from the original fixing of price and terms under any fixed price contract and Government representatives, in determining a fixed price, will be expected to give weight to the general factors relating to pricing ordinarily employed in connection with a fixed price contract as discussed in Army Service Forces Manual M–601, "Pricing in War Contracts."

(4) Although the probability is that a fixed price, properly determined, will result in lower expenditure by the Government than on the cost-plus-a-fixed-fee basis, in some instances it may be to the interest of the Government, to press for the conversion of cost-plus-a-fixed-fee contracts for various reasons other than expected monetary saving. Indeed, in view of the present shortages of manpower and of some materials, in some cases the amount of the proposed fixed price may not be the principal factor to be taken into account.

(5) Among the considerations that obviously must be given weight in determining the fixed price arrangement in connection with a conversion are the following:

(i) In cases where the supplemental agreement provides one fixed price for all the deliveries under the contract, retroactive to the beginning of the contract, the analysis of the fixed price, should include a consideration (together with all other relevant factors) of the estimated average costs over the life of the contract, giving due weight to past costs and to estimated future costs. In determining estimated average costs full weight will be given to the decline in costs normally to be expected as production experience is gained (see subdivision (vi) of this subparagraph).

(ii) In cases where the supplemental agreement provides a schedule of different prices for various sections or periods of deliveries, the objective should be to include in the price set for any past period an amount not in excess of a reasonable estimate of the allowable costs and fee properly to be allocated to the units completed or services rendered in that past period. It is recognized that a precise allocation of costs and fee in this connection may not be practicable without an unreasonable amount of accounting auditing which is not necessary in view of the conversion to a fixed price basis. Accordingly, the objective above mentioned must be attained in many cases on the basis of reasonable approximations and estimates and no physical inventory or audit need be made for the purpose of achieving a precise allocation.

(iii) Any schedule contained in the supplemental agreement providing for different fixed prices for various sections or periods of deliveries should give due consideration to the variations in cost which are expected to take place during the life of the contract. Such schedules should also reflect the decline in costs normally to be anticipated as experience in production is gained. If, in fixing such a schedule of prices, starting and learning costs are allocated to the earlier periods of the contract, such costs obviously should not be taken into account in fixing the prices which the schedule provides will be paid for later periods of production.

(iv) The prices set under any supplemental agreement for converting to a fixed price basis should be fair and reasonable in the light of all the circumstances. It must be borne in mind that prior to the conversion the contractor's costs in substance have been guaranteed by the Government and that under the fixed price contract the contractor assumes additional risks which may properly be given consideration in fixing the price under the converted contract. Any weight giver to such additional risks should not be greater than is warranted by the additional risks in fact assumed by the contractor. Also, full recognition should be given to the probability that operations on a fixed price basis will be conducted on a more efficient basis, with consequent lower costs to the contractor. For example, most manufacturers recognize that their labor may become more efficient under a fixed price contract than when operating under a cost-plus-a-fixed-fee contract.

(v) Various contract provisions, frequently included in fixed price contracts, tend to reduce the additional risks assumed by the contractor upon converting to a fixed price basis as, for example, where a periodic pricing article or other

[1] For previous changes see 7 F.R. 9268, 10184, 10906; 8 F.R. 3339, 3486, 5210, 6576, 7526, 8629, 8918, 9908, 11609, 12043, 13083, 13791, 14512, 16009, 16100, 17464; 9 F.R. 1344.

price adjustment provision is used. In determining the fixed price, due consideration will be given to the effect of any such contract provisions, if included in the converted contract, as well as to the various pricing factors mentioned at page 7 of Army Service Forces Manual 601, "Pricing in War Contracts."

(vi) Assistance should be obtained from such evidence as may be available as to the historical costs on the cost-plus-a-fixed-fee contract prior to the date of the proposed conversion. However, such costs are frequently misleading (a) because of distortion by high starting and learning expenses and, in any event, are difficult to translate into unit costs without careful analysis, and (b) in view of the general tendency of costs to decline sharply with the greater efficiency obtained in the later stages of a contract. On this account greater weight should be given to the historical cost experience, most recent at the time of the conversion, than to the costs for earlier periods of the contract. In any instance, historical costs should be regarded only as a starting point in predicting the future costs under the contract and in the problem of price analysis.

(vii) In all cases where such data can be obtained, consideration should be given to prices paid to the same contractor and to others for comparable supplies under other fixed price contracts. Such data frequently provide a safer basis for price analysis than the historical costs of the particular contractor.

(viii) Where conversions are to be effective only with respect to deliveries after a stated date, care should be taken to fix the price on deliveries after that date on a basis which will not tend to duplicate payments for work in process the cost of which has been or will be reimbursed on the cost-plus-a-fixed-fee basis. Attention is directed to the fact that this type of conversion will ordinarily require fixing of a price upon materials on hand at the time of the conversion for transfer to the contractor.

(6) To ensure adequate analysis of such conversions the procedure set out in § 81.306 (e) will be followed.

(7) Where a conversion takes place by an agreement fixing a price retroactive to the beginning of the performance, action taken by the contractor in conformity with the cost-plus-a-fixed-fee contract as in force prior to the conversion (and proper when taken) need not be revised in the supplemental agreement to make it consistent with the fixed price basis; as, for example, purchases and dispositions of property for Government account, shipments of property on Government bill of lading, etc. All such actions, however, will be given consideration in determining the appropriate fixed prices to be set.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

In § 81.304 paragraph (a) is amended by the addition of a contract form for Office of Chief Signal Officer.

§ 81.304 *Definitions*—(a) *Standard forms of contract.* • • •

Office of the Chief Signal Officer: • • •
Contract for Maintenance in Connection with Army-Owned Teletypewriter Equipment

• • • • •

In § 81.306 paragraph (c) is amended and paragraph (e) is added as follows:

§ 81.306 *Making and approval of contracts, supplemental agreements and change orders.* • • •

(c) *Authority of technical services to make supplemental agreements and change orders.* Except as provided in paragraph (e) of this section and in §§ 81.308a and 81.308g a supplemental agreement to change order modifying a contract (other than an Architect-Engineer, Management or similar contract) may be made or issued by the technical services concerned without approval of higher authority (provided that approval of the award has been obtained if such approval is required under the provisions of § 81.305 (b) and the supplemental agreement, or change order substantially embodies the award as approved), if:

(1) The technical service had authority to make the original contract pursuant to paragraph (a) of this section, or the technical service did not have such authority but obtained approval pursuant to paragraph (d) of this section; and

(2) The provisions and features of the supplemental agreement or change order are themselves such that the technical service would have authority to include them in an original contract pursuant to paragraph (a) of this section.

Changes in Architect-Engineer, Management or similar contracts may also be made by the technical service concerned: *Provided*, That the requirements of subparagraphs (1) and (2) above are satisfied: *And provided*, That the change being currently made in the construction contract to which the Architect-Engineer, Management or similar contract relates does not necessitate approval. Supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis will be governed by the provisions of paragraph (e) of this section.

• • • • • •

(e) *Supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis.* (1) In all cases, supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis will be made subject to the approval of the Director, Purchases Division, Headquarters, Army Service Forces. In the negotiation of all such supplemental agreements the general policies discussed in § 81.232 (e) should be considered so far as relevant. In submitting such supplemental agreements for the approval of the Director, Purchases Division, Headquarters, Army Service Forces, in addition to any information required by § 81.305 (b) or other instructions as to contract clearance, a written statement should be presented (i) analyzing the price data and other similar information, if any, submitted by the contractor, (ii) describing the investigations of these data and other relevant facts which have been made by the War Department representatives, and (iii) setting forth the principal considerations relevant to the conversion of the particular contract to a fixed price basis on the terms recommended. In the case of a partial conversion (not retroactive to the beginning of performance), the statement will indicate what steps have been taken to exclude from the proposed fixed price starting load costs for which the contractor has already been reimbursed under the cost-plus-a-fixed-fee contract. The records of the cost analyses and other investigations made in connection with the conversion will be preserved in the procurement office charged with the conversion negotiations or in the office of the chief of the technical service concerned.

(2) Each supplemental agreement providing for such a conversion will be made only after the contracting officer has satisfied himself that the facts warrant substantially the following recitals which will be included with appropriate modifications to meet the needs of each particular case in each supplemental agreement:

Whereas it is the policy of the War Department to convert cost-plus-a-fixed-fee contracts to a fixed price basis to the greatest extent feasible, and

Whereas the conversion of this contract from a cost-plus-a-fixed-fee contract to a fixed price basis is designed to develop greater efficiency in the use of manpower, materials and capacity by providing the contractor with an incentive to improve its operations, and

Whereas such improvements in operating efficiency tend to develop lower prices and costs, and

Whereas such conversion will tend to reduce the expense and manpower necessary for administrative work, both for the Government and for the contractor, and

Whereas after consideration of all factors deemed relevant and after a reasonable price analysis the fixed price herein provided has been found to be reasonable under all the circumstances, and

Whereas it has been determined administratively that it is to the advantage of the Government and that it will facilitate the prosecution of the war to convert this contract to a fixed price basis by this supplemental agreement entered into pursuant to the First War Powers Act, 1941, and Executive Order No. 9001.

(3) The supplemental agreement covering the conversion will be distributed as provided in §§ 81.303 (e) and 81.315 et seq. The statements and other data referred to in subparagraph (1) of this paragraph need not be submitted with the supplemental agreement to the General Accounting Office or to the finance officer, but will be retained as provided in subparagraph (1) available for inspection.

(4) It has been determined that the execution of supplemental agreements effecting such conversions of cost-plus-a-fixed-fee contracts to a fixed price basis will facilitate the prosecution of the war, when the contracting officer has satisfied himself as provided in subparagraph (2) of this paragraph and when the supplemental agreement has been approved as provided in subparagraph (1) of this paragraph.

In § 81.308b (a) subparagraphs (2) and (3) are redesignated (3) and (4) and a new subparagraph (2) is added as follows:

§ 81.308b *Correction of mistakes.* (a) • • •

(2) At any time prior to the making of final payment under a termination settlement agreement, the chief of the technical service concerned may correct mistakes, errors and ambiguities in such termination settlement agreement when such correction will result in benefit to the Government *or* when the change involved does not result in an adjustment in excess of $50,000. The authority conferred by this subparagraph (2) is not subject to any of the limitations created by subparagraph (1) of this paragraph or by § 81.308f.

(3) In any other case where the chief of a technical service determines that it will facilitate the prosecution of the war to execute a supplemental agreement to correct a mistake, he will first obtain approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(4) Approval of the Director, Purchases Division, will not be required in the case of any supplemental agreement correcting a mistake, under which the Government receives adequate new legal consideration, regardless of whether the supplemental agreement involves an adjustment amounting to $50,000 or more, and regardless of the time of execution of such supplemental agreement.

• • • • •

Section 81.308f is amended as follows:

§ 81.308f *Amendment of contracts after final administrative determination of amount due.* The authority granted to the chiefs of the technical services pursuant to §§ 81.308b (a) (1), 81.308e (a), 81.379 and 81.380 will not be exercised after the contracting officer has administratively determined the final amount due under the contract by communicating his determination to the contractor or by the approval of a final voucher therefor, except that if the contracting officer's determination is, by the terms of the contract, subject to review by the Secretary of War, or his duly authorized representative, such authority may be exercised at any time prior to final action on such review if the contractor perfects his right to such review. Attention is directed to the provisions of § 81.308g.

In § 81.318b (e) subparagraph (1) (ii) is amended to include a symbol for Army Specialized Training Branch.

§ 81.318b *Contract procedure.* • • •
(e) *Numbering of service command contracts.*
(1) • • •
(ii) • • •

AST—Army Specialized Training Branch.

• • • • •

In § 81.324 paragraph (f) is deleted.

§ 81.324 *Termination for convenience of the Government.* • • •
(f) [Deleted]

Section 81.325 is amended as follows:

§ 81.325 *Anti-discrimination clause.* (a) Every contract, regardless of subject matter or amount, will contain (except as may be otherwise specifically permitted in Interpretations of Executive Order No. 9346, hereinafter referred to) the following clause without deviation:

Anti-discrimination. (a) The Contractor, in performing the work required by this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

(b) The Contractor agrees that the provision of paragraph (a) above will also be inserted in all of its subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the contractor with any individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work to be performed in connection with the supplies or services furnished under this contract; *Provided, however*, That a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a contract.

(b) The contract clause set fourth in paragraph (a) above is required under the provision of Executive Order No. 9346 issued under date of 27 May 1943. Such Executive Order is set forth in § 81.994. Interpretations of Executive Order No. 9346 are found in § 81.994a.

(c) The contract clause set forth in paragraph (a) above is required, under the provisions of Executive Order No. 9346, to be included "in all contracts hereafter negotiated or renegotiated • • •". The inclusion of the word "renegotiated" has been interpreted as imposing the requirements set forth in paragraphs (d) and (e) of this section.

(d) Whenever the terms of a contract or contracts are to be modified by the execution of a supplemental agreement, and the contract or contracts to be modified do not contain a clause identical in wording with that set forth in paragraph (a) of this section, such supplemental agreement will provide that the contract or contracts are modified to include such a clause.

(e) Normally the provisions of paragraph (c) above will not be applicable to renegotiation agreements executed pursuant to the Renegotiation Act referred to in Procurement Regulation No. 12. If, however, the renegotiation agreement expressly purports to modify the terms of specified existing contracts with respect to future deliveries, the provisions of paragraph (c) will be applicable. Likewise, if the renegotiation agreement is to be followed by a supplemental agreement or agreements, modifying, with respect to future deliveries, the terms of existing contracts, such supplemental agreement or agreements will provide for the inclusion, in the contracts modified thereby, of the clause set forth in paragraph (a) of this section.

(f) When a prime contract is amended in accordance with paragraphs (c) or (d) above, it is not necessary that the existing subcontracts be correspondingly modified. However, if the subcontracts are subsequently amended for any other reason the anti-discrimination clause contained therein should be amended to conform to the wording of paragraph (a) of the clause set forth in paragraph (a) of this section. To make this clear, there may be inserted in the supplemental agreement which amends the prime contract a statement substantially as follows:

The amendment made by this section ——, shall be effective as of the date of approval of this supplemental agreement and shall not be deemed to require amendment of the anti-discrimination provisions contained in any subcontract theretofore entered into unless such subcontract is subsequently modified in some other respect.

Section 81.332 is amended as follows:

§ 81.332 *Government-owned facilities clause.* The following article is prescribed for inclusion in fixed or unit price contracts under which the contractor is to acquire or manufacture facilities for the account of the Government, or the Government is to furnish facilities to the contractor, for use in connection with the contractor's work under the contract:

Government-owned facilities. (A) In connection with its work under this contract, the contractor shall, within the shortest practicable time, acquire or manufacture for the Government's account the facilities listed in Schedule "A" attached hereto, the estimated costs of which are therein stated. (With the prior written approval of the contracting officer as to their character and estimated costs, the contractor may substitute facilities similar to those listed in Schedule "A", in which event said Schedule will be modified accordingly.) Such facilities shall be installed by the contractor in its plant or plants, or, if approved in writing by the contracting officer, in the plants of subcontractors. The contractor shall insert provisions in all subcontracts under which such facilities are furnished to the subcontractors whereby there will be made applicable to the Government and the subcontractors substantially the same rights and obligations in respect to such facilities as are made applicable to the Government and the contractor under this Article.

(B) Upon inspection and acceptance of the facilities by the contracting officer, and upon the contractor's furnishing satisfactory evidence that it has made payment or incurred the costs as the case may be, the Government shall reimburse the contractor for the actual costs of Schedule "A" facilities, approved by the contracting officer. The term "actual costs", as used in this Article, means the following:

(1) For facilities procured by the contractor from sources other than its own manufacture:

(a) The net invoice price to it of the facilities;

(b) The costs of transportation, *Provided*, That no costs of transportation shall be separately reimbursed when the invoice price reimbursed under (1) (a) hereof includes the costs of transportation;

(2) For facilities manufactured by the contractor:

(a) The net invoice price to it of all direct materials required in manufacture;

(b) The costs of transportation, *Provided*, That no costs of transportation shall be separately reimbursed when the invoice price reimbursed under (2) (a) hereof includes the costs of transportation;

(c) The costs to it of all direct labor required in manufacture;

(d) An amount equal to ____[1] per cent of item (2) (c) hereof as an allowance for all overhead and administrative expenses. The contractor represents, based on experience,

[1] Insert a number or the word "no".

that this amount does not include any element of profit, and represents no more than actual costs allocable to manufacture. The contractor shall install all Schedule "A" facilities at no expense to the Government in addition to the contract price.[3]

(C) In the event the contracting officer shall determine, at time prior to installation of any item of Schedule "A" facilities, that such item is not reasonably necessary for the performance of this contract, or any other contract for the performance of which the use of that item has been authorized pursuant to paragraph (E) (2), within the time allowed for such performance, he may by written order exercise one of the following options with respect to that item:

(1) If the contractor has made no binding commitment and incurred no expense therefor of a kind reimbursable hereunder as an actual cost: The contracting officer may eliminate the item from Schedule "A" and the Government shall be relieved of any liability therefor.

(2) If the contractor has made a binding commitment or incurred expense therefor of a kind reimbursable hereunder as an actual cost: The contracting officer may direct the contractor to stop all further work and the making of all further commitments thereon and eliminate the item for Schedule "A". In that event the contractor and the contracting officer will attempt to agree on an amount which will reasonably compensate the contractor for the actual cost incurred by him with regard to such eliminated item. If no such agreement is reached within thirty (30) days after the date of elimination (or within such longer period as may at any time be mutually agreed upon), the contractor will be paid an amount, if any, which together with all sums previously paid by the Government on account of the item, shall be sufficient to reimburse the contractor for expenses paid and the settlement of any obligation incurred by the contractor thereon. In lieu of reimbursing the contractor for the settlement of obligations, the Government, in the discretion of the contracting officer, may assume such obligations or any of them. In no event shall the aggregate of reimbursement on account of the item (and of all payments previously made) together with the amount of any obligations assumed, exceed the actual costs, as herein defined, expended or incurred thereon up to the time of such elimination. The contracting officer may permit the contractor to sell or retain at prices or on terms agreed to by the Government any materials, supplies, or work in process, and the proceeds of such sale, or such agreed prices, shall be paid or credited to the Government in such manner as the contracting officer may direct. Upon payment to the contractor pursuant to this subparagraph (2), title to all materials, supplies, work in process and other things for which payment is made (except such property as may be sold or retained as above provided) will vest in the Government (if title thereto has not already vested in the Government). The Government will also become entitled to any rights under any commitment which it may assume, or for the settlement of which it shall have reimbursed the contractor.

(3) The contracting officer may direct the diversion of the item, when it shall have been acquired or its manufacture shall have been completed, to the Government or to any person designated by the contracting officer. In that event the Government shall reimburse the contractor for the actual costs of the item in accordance with the provisions of paragraph (B) hereof, with appropriate adjustment in the amount of reimbursable transportation costs. Upon diversion, the item will be eliminated from Schedule "A". The determination of the contracting officer that an item of Schedule "A" facilities is not reasonably necessary for the performance of this contract, or any other contract for the performance of which the use of that item has been authorized pursuant to paragraph (E) (2), within the time authorized for such performance, is subject to written appeal by the contractor within ten (10) days to ---------- or his duly

(Chief of the Technical Service)

authorized representative, whose decision thereon shall be final and conclusive upon the parties hereto. Pending this decision, the contracting officer shall not exercise any of the above options.

(D) Except with the prior written approval of the contracting officer for each such purchase, the contractor will not purchase any Schedule "A" facilities in which it had any property interest at any time after the commencement of negotiations for this contract.

(E) (1) Title to each item of Schedule "A" facilities shall vest in the Government immediately upon inspection and acceptance thereof by the contracting officer, or at such earlier time as the contracting officer may designate in writing. Such facilities shall be deemed personal property although they may be affixed to realty.

(2) The Government hereby grants to the contractor the right to use Schedule "A" facilities, without the payment of rental therefor, in connection with its work under this contract, and, subject to the written approval of the contracting officer and upon such terms as he may prescribe, in connection with any other work for which the Government and the contractor may herstofore have contracted, or may hereafter contract. (Where the Government, pursuant to this paragraph (B) (2), has granted to the contractor the right to use Schedule "A" facilities in connection with its work on any contract other than the contract of which this Article is a part, the contractor shall at any time, upon the request of the contracting officer, enter into suitable amendments of this Article or suitable separate agreements of lease of the facilities evidencing the terms upon which the facilities are then held.)

(F) (1) The contractor shall not be liable for loss or destruction of or damage to Schedule "A" facilities title to which has vested in the Government (a) caused by any peril while the facilities are in transit off the contractor's premises, or (b) caused by any of the following perils while the facilities are on the contractor's or subcontractor's or other premises or by removal therefrom because of any of the following perils:

Fire; lightning; windstorm, cyclone, tornado, hail; explosion, riot, riot attending a strike, civil commotion; vandalism and malicious mischief; aircraft or objects falling therefrom; vehicles running on land or tracks, excluding vehicles owned or operated by the contractor or any agent or employee of the contractor; smoke; sprinkler leakage; earthquake or volcanic eruption; flood, meaning thereby rising of rivers or streams; enemy attack or any action taken by the military, naval or air forces of the United States in resisting enemy attack.

The perils as set forth in (a) and (b) above are hereinafter called "excepted perils".

(2) The contractor represents that it is not maintaining and agrees that it will not hereafter maintain insurance (including self-insurance funds or reserves) covering loss or destruction of or damage to Schedule "A" facilities caused by any excepted peril, and represents that it is not including and agrees that it will not hereafter include in any price to the Government any charge or reserve for such insurance.

(3) Upon the happening of loss or destruction of or damage to Schedule "A" facilities caused by an excepted peril, the contractor shall communicate with the contracting officer and with the Loss and Salvage Organization now or hereafter designated by the contracting officer and, with the assistance of that organization employed by the contractor to perform services in accordance with instructions or regulations of the Government (unless the contracting officer directs that no such organization be employed), shall take all reasonable steps to protect the facilities from further damage, separate the damaged and undamaged facilities, put all the facilities in the best possible order, and furnish to the contracting officer a statement of: (a) the lost, destroyed and damaged facilities, (b) the time and origin of the loss, destruction or damage, (c) all known interests in commingled property of which the facilities are a part, and (d) the insurance, if any, covering any part of an interest in such commingled property. *If and as directed by the contracting officer, the contractor shall make repairs and renovations of the damaged facilities.*[4] The contractor shall be reimbursed the expenditures made by it in performing its obligations under this subparagraph (3) (including charges made to the contractor by the Loss and Salvage Organization, except any of such charges the payment of which the Government has, at its option, assumed direct), as approved by the contracting officer and set forth in a Supplemental Agreement.

(4) With the approval of the contracting officer after loss or destruction of or damage to Schedule "A" facilities, and subject to such conditions and limitations as may be imposed by the contracting officer, the contractor may, in order to minimize the loss to the Government or in order to permit resumption of business or the like, sell for the account of the Government any item of facilities which has been damaged beyond practicable repair, or which is so commingled or combined with property of others, including the contractor, that separation is impracticable.

(5) Except to the extent of any loss or destruction of or damage to Schedule "A" facilities for which the contractor is relieved of liability under the foregoing provisions of this paragraph (F), and except for reasonable wear and tear or depreciation, the facilities (other than facilities permitted to be sold) shall be returned by the contractor to the Government, or delivered by the contractor to any designee of the Government (at the time elsewhere in this Article provided) in as good condition as when received by the contractor in connection with this contract. In aid of its obligation so to return the facilities, the contractor shall, at its own expense, maintain a program for the proper use, care and maintenance of the facilities, as well as a property control and accounting system consistent with good business practice, and make repairs and replacements.

(6) In the event the contractor is indemnified, reinbursed or compensated for any loss or destruction of or damage to Schedule "A" facilities caused by an excepted peril, it shall equitably reimburse the Government. The contractor shall do nothing to prejudice the Government's rights to recover against third parties for any such loss, destruction or damage and, upon the request of the contracting officer, shall at the Government's expense, furnish to the Government all reasonable assistance and cooperation (including the prosecution of suit and the execution of instruments of assignment in favor of the Government) in obtaining recovery.

(7) Whenever any item of Schedule "A" facilities has become unserviceable (whether under circumstances which do or which do not render the contractor liable hereunder), the contractor shall notify the contracting officer, and it may then be required by the contracting officer to dismantle and prepare the item for shipment at no expense to the Government in addition to the contract price, whereupon the item shall be removed promptly by the Government at the Government's expense.

(G) Each item of Schedule "A" facilities shall be suitably marked with an identifying mark or symbol, indicating that such item is the property of the Government. Upon completion of the installation of such facilities, the contractor shall submit to the contracting officer a detailed inventory list including a description of the identifying mark or symbol on each item.

(H) The Government shall not be responsible for damages to property of the contractor or for personal injuries to the contractor's officers, agents, servants or employees, or other persons on the premises as invitees or licensees of the contractor, arising from or incident to the use of Schedule "A" facilities, and the contractor shall save the Government harmless from any and all such claims: *Provided*, That nothing in this paragraph shall be deemed to affect any liability of the Government to its own employees.

(I) The Government shall at all times have access to the premises wherein any Schedule "A" facilities are located.

(J) Except as otherwise in this Article specifically provided, the contractor shall not remove or otherwise part with the possession of any Schedule "A" facilities. The contractor shall not pledge or assign, or transfer or purport to transfer title to any of such facilities in any manner to any third person, either directly or indirectly, nor do or suffer anything to be done whereby any of such facilities shall or may be seized, taken in execution, attached, destroyed or injured. Any violation of the provisions of this paragraph or of paragraph (F) hereof shall entitle the Government forthwith to enter upon the premises wherein such facilities are found and remove the same.

(K) In the event the contracting officer shall determine, at any time after installation of any item of Schedule "A" facilities, that the item is not reasonably necessary for the performance of this contract or any other contract for the performance of which the use of such facilities has been authorized, he may serve on the contractor a written notice of his intention to remove such item. This determination is subject to written appeal by the contractor within ten (10) days to ---------- or his

(Chief of the Technical Service)

duly authorized representative, whose decision shall be final and conclusive upon the parties hereto. Pending this decision, the facilities shall remain in the contractor's plant available for use. At any time within one year after completion or termination in whole or in part of such contracts, the contracting officer may serve on the contractor a written notice of his intention to remove all the Schedule "A" facilities or any portion thereof. Within the shortest practicable time after service of a notice under this paragraph (K), and in no event later than fifteen days thereafter (unless a longer time is allowed by the contracting officer), the contractor, at no expense to the Government in addition to the contract price, will have dismantled and prepared for shipment the items affected. Upon notification from the contractor that the items are ready for shipment, the Government shall remove them at the Government's expense.

(L) If, upon the completion or termination of this contract or any other contract entered into between the Government and the contractor for the performance of which the use of Schedule "A" facilities has been authorized, no notice pursuant to paragraph (K) of intention to remove an item has been received, the contractor shall, at no expense to the Government in addition to the contract price, place the item in stand-by condition, and thereafter maintain it in such condition in its own plant for a period of ninety (90) days from the date of such completion or termination (unless a notice pursuant to paragraph (K) is received in the meantime). In lieu of placing the item in stand-by condition and maintaining it in its own plant, the contractor may store the same elsewhere at its own expense provided that the item can be quickly and readily reinstalled in the production line and production resumed within a reasonable time if necessary in the interest of the Government.

(M) Unless a notice pursuant to paragraph (K) is sooner received, the contractor shall, for a period of nine (9) months after completion of the stand-by period, store the items affected as follows:

(1) In the plant where the items are then located, or in the contractor's other plants in the same locality, if space is available thereat and storage will not materially impair the use of the plant or plants for the contractor's Government or commercial work; or

(2) If space is not available at such plant or plants or storage thereat will materially impair their use by the contractor, then at any other place or places in the vicinity selected by the contractor which are considered satisfactory by the contracting officer. However, the contractor's obligation to store under this subparagraph (2) shall cease if such other place or places cannot be obtained by the contractor, unless the Government shall itself find and designate a place or places of storage.

At the time the items are placed in storage, whether in the contractor's plant or elsewhere, the parties shall attempt to negotiate a Supplemental Agreement to this contract providing for payment to the contractor of a sum or sums agreed upon as representing the reasonable expenses of placing and maintaining the items in storage. In the absence of such agreement, the contractor shall be entitled to receive payment, under this contract, of such reasonable expenses. The contractor's obligation in respect to storage shall be contingent upon the availability of appropriated funds for payment of such reasonable expenses, and if appropriated funds are not available, the contractor shall be under no such obligation. The items affected shall have been dismantled and prepared for shipment, at no expense to the Government in addition to the contract price, within fifteen days after the expiration of the storage period, or, if no storage obligation arises, then within fifteen days after the expiration of the stand-by period (unless a longer time is allowed by the contracting officer). Upon notification from the contractor that the items are ready for shipment, the Government shall remove them at the Government's expense.

(N) The ninety (90) day stand-by period, and the nine (9) month storage period, may be eliminated, shortened or lengthened by agreement of the parties on mutually agreeable terms.

'(O) The Government reserves the right to furnish to the contractor f. o. b. the contractor's plant any or all the items of Schedule "A" facilities upon written notice by the contracting officer to the contractor at any time prior to the installation of such items. In such event the contracting officer shall exercise the option described in paragraph (C) (1) or (C) (2) with respect to the item, eliminate it from Schedule "A", and place it on the list of Schedule "B" facilities hereinafter provided for.

'(P) The Government shall furnish to the contractor f. o. b. the contractor's plant, the Government-owned facilities listed in Schedule "B" attached hereto, not later than the dates shown thereon. Subject to the right of the contractor to inspect and reject Schedule "B" facilities for good and sufficient reason prior to shipment, the contractor shall receive the same in their then condition, without warranty express or implied on the part of the Government as to serviceability or fitness for use. The contractor shall bear the costs of installation of such facilities.[5] Schedule "B" facilities shall be held by the contractor and considered and treated in the same manner as Schedule "A" facilities under and pursuant to[6] paragraphs (E) (2) and (F) to (N) inclusive of this article.

'(Q) The contractor has in its possession, installed and ready for use under this contract, the facilities listed in Schedule "C", title to which is in the Government. Such facilities shall be held by the contractor and considered and treated in the same manner as Schedule "A" facilities under and pursuant to paragraphs (E) (2) and (F) to (N) inclusive of this article. Any previous agreement to the contrary is hereby modified accordingly.

NOTE 1: Cross-references: See §§ 81.365a, 81.451 (a), 81.498, 83.723 and Procurement Regulation No. 10 (§ 81.1001 et seq.).

NOTE 2: Where it is determined that a rental should be charged (see § 81.1002) paragraph (E) (2) of the article should be appropriately modified.

NOTE 3: Attention is invited to the fact that Government bills of lading (or commercial bills of lading to be converted into Government bills of lading at destination) may be availed of to secure the benefits of land grant freight rates where title to the facilities or parts thereof is in the Government at point of origin (see paragraph (E) (1) and (B)).

NOTE 4: In cases where facilities are hereafter to be acquired or manufactured by, or furnished by the Government to, a contractor, a clause may be included granting an option to the contractor to purchase the facilities, provided the chief of the technical service finds that such action will be in the interest of the Government. (The power to make this finding is not subject to delegation by the chief of the technical service, unless the Director, Purchases Division, Headquarters, Army Service Forces, specifically authorizes a delegation.) In such cases, unless otherwise authorized by the Director, Pur-

[3] If costs of installation are to be reimbursed to the contractor, delete this sentence and substitute the following:

(3) For the installation of facilities acquired or manufactured hereunder, when effected by the servants, agents or employees of the contractor:

(a) The net invoice price to it of all direct materials required for installation;

(b) The costs of transportation, *Provided*, That no costs of transportation shall be separately reimbursed when the invoice price reimbursed under (3) (a) hereof includes the costs of transportation;

(c) The costs to it of all direct labor required for installation;

(d) An amount equal to ---- [insert a number or the word "no"] per cent of item (3) (c) hereof as an allowance for overhead and administrative expenses. The contractor represents, based on experiance, that this amount does not include any element of profit, and represents no more than actual costs allocable to installation.

(4) For the installation of facilities acquired or manufactured hereunder, when effected by persons other than the servants, agents or employees of the contractor:

(a) The net invoice price to it of the installation.

[4] Italicized language may be omitted in appropriate cases.

[5] Delete if inapplicable.

[6] If such costs are to be reimbursed to the contractor, make appropriate changes (see paragraphs (B) (3) (a) (c) (d) and (B) (4) (a) above).

[7] Insert "subparagraphs (1) and (3) of paragraph (C) and" if contractor is to be reimbursed the costs of installation of Schedule "B" facilities.

chasee Division, Headquarters, Army Service Forces, the option will contain the following features:

(i) The option will come into effect only upon the date of expiration of the standby-plus-storage period, and will cover all, but not part of, the facilities as to which a standby obligation arose and as to which no notice under paragraph (K) of intention to remove has been served upon the contractor during the standby-plus-storage standby period.

(ii) The option period will extend for not more than fifteen days after the date specified in Note 4 (i).

(iii) The option price will be the full cost of the facilities to the Government (including transportation and installation charges) less specified rates of depreciation, plus storage charges incurred under paragraph (M).

NOTE 5: Amendments may be made of existing contracts, substituting the article above set forth (or pertinent portions thereof) for provisions regarding Government-owned facilities now appearing in such contracts, subject to the following:

(i) Uniformity of treatment is considered essential. Accordingly, authority to make these amendments will not be exercised until the technical service concerned apprises all its contractors holding Government-owned facilities of the promulgation of the article above set forth and specifically informs them that they may negotiate with the Government for amendment of their contracts.

(ii) Government negotiators must recognize that contractors will typically derive substantial benefits from these amendments. For example, under the article above set forth the standby period is ninety days and storage is at Government expense, while under the article previously authorized the standby period was one year, and storage expenses were not chargeable to the Government. In general, the article above set forth facilitates the conversion of plants. Accordingly, amendments of existing contracts will be permitted only where the Government receives material and adequate consideration, measured by any difference in value to the contractor between the superseded article and the article inserted by amendment.

(iii) Except with the approval of the chief of the technical service concerned, no amendment will be permitted of an existing Government-owned facilities article which includes a purchase option, unless, as part of the amendment, the purchase option is modified to include the features mentioned in Note 4 (i), (ii) and (iii) above. (The power to give such approval is not subject to delegation by the chief of the technical service, unless the Director, Purchases Division, Headquarters, Army Service Forces, specifically authorizes a delegation.) The approval of the Director, Purchases Division, Headquarters, Army Service Forces, will be obtained before any existing Government-owned facilities article which does not include a purchase option, is amended to grant such option.

(iv) The technical services will maintain close supervision of all amendments under this Note 5 will require adequate records to be prepared and preserved of the negotiations leading to the amendments.

NOTE 6: In the event that the facilities are located in an area outside the United States, where the services of the Loss and Salvage Organizations are not available, the following clause will be used in lieu of paragraph (F) (3) above:

Upon the happening of loss or destruction of or damage to Schedule "A" facilities ofused by an excepted peril, the contractor shall communicate with the contracting officer, shall take all reasonable steps to protect the facilities from further damage, separate the damaged and undamaged facilities, put all the facilities in the best possible order, and furnish to the contracting officer a statement of: (a) the lost, destroyed and damaged facilities, (b) the time and origin of the loss, destruction or damage, (c) all known interests in commingled property of which the facilities are a part, and (d) the insurance, if any, covering any part of or interest in such commingled property. *If and as directed by the contracting officer, the contractor shall make repairs and renovations of the damaged facilities.* [Italicised words may be omitted in appropriate cases.] The contractor shall be reimbursed the expenditures made by it in performing its obligations under this subparagraph (3) as approved by the contracting officer and set forth in a Supplemental Agreement.

Section 81.362 is amended as follows:

§ 81.362 *Accident prevention.* Every lump sum construction contract, regardless of subject matter or amount, except contracts for the construction and/or repair of vessels and other floating equipment, will contain a clause substantially as follows:

Accident prevention. In order to protect the life and health of employees in the performance of this contract, the contractor will comply with all pertinent provisions of the "Safety Requirements for Excavation—Building—Construction" approved by the Chief of Engineers, December 16, 1941, as revised 15 March 1943 (a copy of which is on file in the office of the contracting officer) and as may be amended, and will take or cause to be taken such additional measures as the contracting officer may determine to be reasonably necessary for this purpose. The contractor will maintain an accurate record of and will report to the contracting officer in the manner and on the forms prescribed by the contracting officer, all cases of death, occupational disease and traumatic injury arising out of or in the course of employment on work under this contract. The contracting officer will notify the contractor of any non-compliance with the foregoing provisions and the action to be taken. The contractor shall, after receipt of such notice, immediately correct the conditions to which attention has been directed. Such notice, when served on the contractor or his representative at the site of the work, shall be deemed sufficient for the purpose aforesaid. If the contractor fails or refuses to comply promptly, the contracting officer may issue an order stopping all or any part of the work. When satisfactory corrective action is taken, a start order will be issued. No part of the time lost due to any such stop order shall be made the subject of claim for extension of time or for excess costs or damages by the contractor.

Every fixed-fee construction contract, regardless of subject matter or amount, will contain a clause substantially similar to the foregoing except that the last sentence will be omitted.

Section 81.363 is amended as follows:

§ 81.363 *Disposition of Government-owned property by contractors*—(a) *Articles.* (1) An article substantially as follows may be inserted in cost-plus-a-fixed-fee contracts when authorized by the provisions of § 83.727:

It is recognized that property (including without limitation machine tool and processing equipment, manufacturing aids, raw, manufactured, scrap and waste materials), title to which is or may hereafter become vested in the Government, will be used by or will be in the care, custody or possession of the Contractor in connection with the performance of this contract. With the approval in writing of the Contracting Officer (whether such approval is given prior to or after the giving of a notice of the termination of this contract for the convenience of the Government), the Contractor may transfer or otherwise dispose of such Government-owned property to such parties and upon such terms and conditions as the Contracting Officer may approve or ratify, or, with like approval by the Contracting Officer, the Contractor may itself acquire title to such property or any of it at a price mutually agreeable. The proceeds of any such transfer or disposition of the agreed price of any property, title to which is so acquired by the Contractor, shall be applied in reduction of any payments to be made by the Government to the Contractor under this contract, or shall otherwise be paid in such manner as the Contracting Officer may direct.

(2) If desired, the article authorized in subparagraph (1) may be designated as subparagraph (a) and there may be added thereto provisions substantially as follows:

(b) The Contractor is authorized to insert in any subcontract made by the Contractor on a cost-plus-a-fixed-fee basis under this contract substantially the following provision:

Article ____.—Sale of Government Property.—It is recognized that property (including without limitation machine tools and processing equipment, manufacturing aids, raw, manufactured, scrap and waste materials, title to which is or may hereafter become vested in the Government, will be used by or will be in the care, custody or possession of _____ (Subcontractor) in connection with the performance of this subcontract. With the approval in writing of the Contracting Officer for the plant of _____ (Subcontractor) (whether such approval is given prior to or after the giving of a notice of the termination of this subcontract), _____ (Subcontractor) may transfer or otherwise dispose of such Government-owned property to such parties and upon such terms and conditions as such Contracting Officer may approve or ratify, or, with like approval by, and at a price agreeable to, such Contracting Officer, _____ (Subcontractor) may itself acquire title to such property or any of it. The proceeds of any such transfer or disposal or the agreed price of any property, title to which is so acquired by _____ (Subcontractor) shall, at the direction of such Contracting Officer, be applied by _____ (Subcontractor) in reduction of any payments to be made by _____ (Prime Contractor) under this subcontract, or shall be paid to the Treasurer of the United States, or to _____ (Prime Contractor) for the account of the United States, in such manner as such Contracting Officer may direct.

(c) Upon approval of any transfer or other disposition of Government-owned property as provided in paragraph (b) above, which transfer or disposition is made to a transferee other than the Contractor, the Contractor shall be and hereby is released and discharged from liability for such property, if any, except that the Contractor shall be obligated to account to the Government for the proceeds of any such transfer or disposal of such property paid or credited to the Contractor pursuant to the direction of the Contracting Officer for the plant of any such subcontractor.

(3) Any existing cost-plus-a-fixed-fee contract may be amended to include an article substantially similar to that authorized by subparagraph (1) above or that authorized by subparagraphs (1) and (2) above.

(4) If a cost-plus-a-fixed-fee contract contains an article authorized by subparagraph (1) above and it is desired, without amending such contract, to confer upon subcontractors authority to dispose of Government-owned property, the subcontracts may be amended to insert therein the article contemplated by clause (b) contained in subparagraph (2) above.

In § 81.365 paragraph (a) is amended, paragraph (d) is redesignated (e) and amended, paragraphs (b), (c), (e), (f), (g), (h), and (i) are redesignated (c), (d), (f), (g), (h), (i) and (j), respectively, and a new paragraph (b) is added as follows:

§ 81.365 *Contract clauses in connection with bonds and insurance.* (a) In compliance with the policy expressed in § 81.434, the following article is prescribed for inclusion in cost-plus-a-fixed-fee contract (see Note 2 below).

Liability for Government-owned property. (a) Except as otherwise specifically provided, the contractor shall not be liable for loss or destruction of or damage to property of the Government in the possession or control of the contractor in connection with this contract (hereinafter called "Government property") unless such loss, destruction or damage results from wilful misconduct or failure to exercise good faith on the part of the contractor's corporate officers or other representatives having supervision or direction of the operation of the whole of the contractor's business or of the whole of any plant operated by the contractor in the performance of this contract.

(b) The contractor represents that it is not maintaining and agrees that it will not hereafter maintain insurance (including self-insurance funds or reserves) covering loss or destruction of or damage to Government property, and represents that it is not including and agrees that it will not hereafter include in any price to the Government any charge or reserve for such insurance.

(c) Upon the happening of loss or destruction of or damage to Government property caused by:

Fire; lightning; windstorm, cyclone, tornado, hail; explosion; riot, riot attending a strike, civil commotion; vandalism and malicious mischief; aircraft or objects falling therefrom; vehicles running on land or tracks, excluding vehicles owned or operated by the contractor or any agent or employee of the contractor; smoke; sprinkler leakage; earthquake, or volcanic eruption; flood, meaning thereby rising of rivers or streams; enemy attack or any action taken by the military, naval or air forces of the United States in resisting enemy attack,

the contractor shall communicate with the contracting officer and with the Loss and Salvage Organization now or hereafter designated by the contracting officer and, with the assistance of that organization employed by the contractor to perform services in accordance with instructions or regulations of the Government (unless the contracting officer directs that no such organization be employed), shall take all reasonable steps to protect the Government property from further damage, separate the damaged and undamaged Government property, put all the Government property in the best possible order, and furnish to the contracting officer a statement of: (1), the lost, destroyed and damaged Government property, (2) the time and origin of the loss, destruction or damage, (3) all known interests in commingled property of which the Government property is a part, and (4) the insurance, if any, covering any part of or interest in such commingled property. *If and as directed by the contracting officer, the contractor shall make repairs and renovations of the damaged Government property.*[1] The contractor shall be reimbursed the expenditures made by it and approved by the contracting officer in performing its obligations under this paragraph (c) (including charges made to the contractor by the Loss and Salvage Organization, except any of such charges, the payment of which the Government has, at its option, assumed direct).

(d) In the event the contractor is indemnified, reimbursed or compensated for any loss or destruction of or damage to Government property, it shall equitably reimburse the Government. The contractor shall do nothing to prejudice the Government's rights to recover against third parties for any such loss, destruction or damage and, upon the request of the contracting officer, shall, at the Government's expense, furnish to the Government all reasonable assistance and cooperation (including the prosecution of suit and the execution of instruments of assignment in favor of the Government) in obtaining recovery.

(e) The Government shall at all times have access to the premises wherein any Government property is located.

(f) The contractor shall insert in all cost-plus-a-fixed-fee subcontracts under this contract provisions which will make applicable to the Government and the subcontractors substantially the same rights and obligations in respect to the Government property as are made applicable to the Government and the contractor under this Article.

NOTE 1: Where facilities, such as machinery, are furnished by the Government or acquired for Government account under cost-plus-a-fixed-fee contracts, appropriate additional provisions, dealing with such subjects as standby, storage and removal, may be included.

NOTE 2: (a) The Article set forth above will be included in all cost-plus-a-fixed-fee contracts executed on or after 15 March 1944.

(b) Whenever the terms of a cost-plus-a-fixed-fee contract are to be modified by the execution, on or after 15 March 1944, of a supplemental agreement, and the contract to be modified does not contain an Article identical in wording with that set forth above, the supplemental agreement will provide that the contract is modified to include the Article.

(c) In order that the services of the Loss and Salvage Organizations may be made available, widely and promptly, it is desired, in addition, that existing contracts be amended whenever practicable to incorporate the Article even when occasion does not arise to write a supplemental agreement for other reasons.

NOTE 3: See §§ 81.434 (a) and 81.498 in regard to Loss and Salvage Organizations.

NOTE 4: In the event that the Government property is located in an area outside of the United States, where the services of the Loss and Salvage Organizations are not available, the following clause will be used in lieu of paragraph (c) of the clause prescribed above:

Upon the happening of loss or destruction of or damage to Government property, the contractor shall communicate with the contracting officer, shall take all reasonable steps to protect the Government property from further damage, separate the damaged and undamaged Government property, put all the Government property in the best possible order, and furnish to the contracting officer a statement of: (1) the lost, destroyed and damaged Government property, (2) the time and origin of the loss, destruction or damage, (3) all known interests in commingled property of which the Government property is a part, and (4) the insurance, if any, covering any part of or interest in such commingled property. *If and as directed by the contracting officer, the contractor shall make repairs and renovations of the damaged Government property.*[1] The contractor shall be reimbursed the expenditures made by it and approved by the contracting officer in performing its obligations under this paragraph (c).

(b) Except in the special cases discussed in § 81.451, the following article is prescribed for inclusion in fixed or unit price contracts under which Government-owned property is furnished to the contractor. (See Note 1 below.) When deemed desirable by a technical service, because of the amount of Government property involved or for other reasons in the best interests of the United States, the substance of the following article may also be approved for inclusion in fixed or unit price subcontracts under either cost-plus-a-fixed-fee or fixed or unit price prime contracts. This article is *not* intended to cover Government-owned facilities furnished under fixed or unit price contracts or subcontracts, as to which see § 81.332.

Liability for Government-owned property. (a) Except as otherwise specifically provided, the contractor shall not be liable for loss or destruction of or damage to property of the Government in the possession or control of the contractor in connection with this contract (hereinafter called "Government property") (1) caused by any peril while the property is in transit off the contractor's premises, or (2) caused by any of the following perils while the property is on the contractor's or subcontractor's or other premises or by removal therefrom because of any of the following perils:

Fire; lightning; windstorm, cyclone, tornado, hail; explosion; riot, riot attending a strike, civil commotion; vandalism and malicious mischief; aircraft or objects falling therefrom; vehicles running on land or tracks, excluding vehicles owned or operated by the contractor or any agent or employee of the contractor; smoke; sprinkler leakage; earthquake or volcanic eruption; flood, meaning thereby rising of rivers or streams; enemy attack or any action taken by the military, naval or air forces of the United States in resisting enemy attack.

The perils as set forth in (1) and (2) above are hereinafter called "excepted perils."

(b) The contractor represents that it is not maintaining and agrees that it will not hereafter maintain insurance (including self-insurance funds or reserves) covering loss or destruction of or damage to Government property caused by any excepted peril, and represents that it is not including and agrees that it will not hereafter include in any price to the Government any charge or reserve for such insurance.

(c) Upon the happening of loss or destruction of or damage to Government property caused by an excepted peril, the contractor shall communicate with the contracting officer and with the Loss and Salvage Organization now or hereafter designated by the con-

[1] Italicised language may be omitted in appropriate cases.

tracting officer and, with the assistance of that organization employed by the contractor to perform services in accordance with instructions or regulations of the Government (unless the contracting officer directs that no such organization be employed), shall take all reasonable steps to protect the Government property from further damage, separate the damaged and undamaged Government property, put all the Government property in the best possible order, and furnish to the contracting officer a statement of: (1) the lost, destroyed and damaged Government property, (2) the time and origin of the loss, destruction or damage, (3) all known interests in commingled property of which the Government property is a part, and (4) the insurance, if any, covering any part of or interest in such commingled property. *If and as directed by the contracting officer the contractor shall make repairs and renovations of the damaged Government property.*[1] The contractor shall be reimbursed the expenditures made by it in performing its obligations under this paragraph (c) (including charges made to the contractor by the Loss and Salvage Organization, except any of such charges the payment of which the Government has, at its option, assumed direct), as approved by the contracting officer and set forth in a Supplemental Agreement.

(d) With the approval of the contracting officer after loss or destruction of or damage to Government property, and subject to such conditions and limitations as may be imposed by the contracting officer, the contractor may, in order to minimize the loss to the Government or in order to permit resumption of business or the like, sell for the account of the Government any item of Government property which has been damaged beyond practicable repair, or which is so commingled or combined with property of others, including the contractor, that separation is impracticable.

(e) Except to the extent of any loss or destruction of or damage to Government property for which the contractor is relieved of liability under the foregoing provisions of this Article, and except for reasonable wear and tear or depreciation, or the utilization of the Government property in accordance with the provisions of this contract, the Government property (other than property permitted to be sold) shall be returned to the Government in as good condition as when received by the contractor in connection with this contract. In aid of its obligation so to return the Government property, the contractor shall maintain a property control, accounting and maintenance system consistent with good business practice.

(f) In the event the contractor is indemnified, reimbursed or compensated for any loss or destruction of or damage to Government property, caused by an excepted peril, it shall equitably reimburse the Government. The contractor shall do nothing to prejudice the Government's rights to recover against third parties for any such loss, destruction or damage and, upon the request of the contracting officer, shall at the Government's expense, furnish to the Government all reasonable assistance and cooperation (including the prosecution of suit and the execution of instruments of assignment in favor of the Government) in obtaining recovery.

(g) The Government shall at all times have access to the premises wherein any Government property is located.

NOTE 1: (a) The article set forth above will be included in all fixed or unit price contracts under which Government-owned property is furnished to the contractor, executed on or after 15 March 1944.

(b) Whenever the terms of such a fixed or unit price contract are to be modified by the execution, on or after 15 March 1944, of a supplemental agreement, and the contract to be modified does not contain an article identical in wording with that set forth above, the supplemental agreement will provide that the contract is modified to include the article.

(c) In order that the services of the Loss and Salvage Organizations may be made available, widely and promptly, it is desired, in addition, that such existing contracts be amended whenever practicable to incorporate the article even when occasion does not arise to write a supplemental agreement for other reasons.

NOTE 2: See §§ 81.451 (a) and 81.498 in regard to Loss and Salvage Organizations.

NOTE 3: In the event that the Government property is located in an area outside of the United States, where the services of the Loss and Salvage Organizations are not available, the following clause will be used in lieu of paragraph (c) of the clause prescribed in paragraph (b) of this section.

Upon the happening of loss or destruction of or damage to Government property caused by an excepted peril, the contractor shall communicate with the contracting officer, shall take all reasonable steps to protect the Government property from further damage, separate the damaged and undamaged Government property, put all the Government property in the best possible order, and furnish to the contracting officer a statement of: (1) the lost, destroyed and damaged Government property, (2) the time and origin of the loss, destruction or damage, (3) all known interests in commingled property of which the Government property is a part, and (4) the insurance, if any, covering any part of or interests in such commingled property. *If and as directed by the contracting officer, the contractor shall make repairs and renovations of the damaged Government property.*[1] The contractor shall be reimbursed the expenditures made by it in performing its obligations under this paragraph (c) as approved by the contracting officer and set forth in a Supplemental Agreement.

(c) Every cost-plus-a-fixed-fee contract will contain the following clause without deviation:

* * * * *

(d) Every cost-plus-a-fixed-fee contract will contain the following clause without deviation:

* * * * *

(e) Every cost-plus-a-fixed-fee contract, the terms of which do not require the incorporation by reference in cost-plus-a-fixed-fee subcontracts, of all of the terms and conditions of the prime contract in regard to insurance and liability, will contain the following clause without deviation:

(1) The Contractor will, if so requested by the Contracting Officer, include in any particular cost-plus-a-fixed-fee subcontract, a provision as follows:

The Subcontractor shall procure and thereafter maintain the following insurance: ---------- (here shall be inserted the types, amounts and limits of insurance, as specified in writing by the Contracting Officer). The cost of such insurance and losses or expenses (including settlements made with the written consent of the Contracting Officer who executed the principal contract or his duly authorized successor or representative) not compensated by insurance or otherwise and found and certified by the Contractor and said Contracting Officer or his duly authorized successor or representative to be just and reasonable, actually sustained by the Subcontractor in the defense and/or discharged of such claims of others on account of death or bodily injury of persons or loss or destruction of or damage to property as may arise out of or in connection with the performance of the work under this subcontract shall be allowable items of cost hereunder: *Provided*, That such reimbursement shall not include any amount for which the Subcontractor would have been indemnified or compensated except for the failure of the Subcontractor to procure or maintain insurance in accordance with the requirements of this subcontract. The Subcontractor shall give the Contractor immediate notice in writing of any suit or action filed against the Subcontractor, arising out of the performance of this subcontract and of any claims against the Subcontractor, the cost and expense of which is reimbursable under the provisions of this subcontract pertinent to allowable items of cost, and the risk of which is then uninsured or in which the amount claimed exceeds the amount of insurance coverage. The Subcontractor shall furnish immediately to the Contractor copies of all pertinent papers received by the Subcontractor. Insofar as the following shall not conflict with any policy or contract, the Subcontractor shall do any and all things to effect an assignment and subrogation in favor of the Contractor or its nominee of all Subcontractor's rights and claims, except rights and claims of the Subcontractor against the Contractor or such nominee, arising from or growing out of such asserted claim, and, if required by the Contractor, shall authorize representatives of the Contractor or of its nominee to settle and/or defend any such claim and to represent the Subcontractor in or take charge of any such litigation. Every policy for the insurance referred to in this paragraph shall contain an indorsement or other recital excluding by appropriate language any claim on the part of the insurer or obligor to be subrogated on payment of a loss or otherwise to any claim against the Contractor or the Government.

(2) Whenever a provision as set forth in paragraph (1) of this article is inserted in any subcontract, then the contractor will forthwith transmit to the Contracting Officer all notices and copies of papers received by it from the subcontractor, will make the Government its nominee for all assignments and subrogations received by it from the subcontractor thereunder and, if required by the Contracting Officer, will do everything in its power to have representatives of the Government authorized to settle and/or defend the claims therein referred to and to represent the subcontractor in or to take charge of the litigation therein referred to.

(f) In accordance with the instructions contained in paragraph (g) to (j), inclusive, there will be inserted without deviation in Architect-Engineer-Construction-Management Service Contracts and all contracts (except supply contracts), executed under or in connection with such contracts, the appropriate clause or clauses set forth in said paragraphs.

(g) In the Architect-Engineer-Construction-Management-Service-contract the following clause:

* * * * *

(h) In cost-plus-a-fixed-fee subcontracts, executed under Architect-Engineer-Construction-Management Service Contracts, there will be inserted without deviation the following clause:

All necessary insurance protection required under the terms of this contract will be provided by the policies maintained by the Architect-Engineer-Manager Contractor.

(i) In lump-sum subcontracts, executed under Architect-Engineer-Construction-Management Service Contracts, there will be inserted without deviation the following clause:

* * * * *

(j) In prime lump sum or unit price contracts, collateral to Architect-Engineer-Construction-Management Service Contracts, there will be inserted without deviation the following clause:

* * * * *

[1] Italicised language may be omitted in appropriate cases.

[Procurement Reg. 4]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

BONDS AND INSURANCE

Section 81.407 is amended by the addition of two undesignated paragraphs at the end of paragraph (b) (5).

§ 81.407 *Filing and examination of bonds and consents of surety.* * * *

(b) * * *

(5) * * *

There are a variety of discounts which may be applied to blanket fidelity insurance under certain circumstances. A 30% class discount may be applicable to the class A employee premium charge, depending on the nature of the assured's contracts on hand when the bond is written or renewed. A 10% general discount may be applicable to the combined class A and class B employee premium charge for a Primary Commercial Blanket Bond, depending on the number of employees involved and the amount of the bond. An experience discount ranging as high as 25% may be applicable to the final premium, depending on the size of the premium and the amount of claims or losses incurred. Therefore, when blanket fidelity insurance is purchased, carriers should be cautioned to apply all appropriate discounts.

When, pursuant to § 81.409 (c) hereof, a duplicate of the fidelity bond or policy is forwarded to the Contract Insurance Branch, Special Financial Services Division, Headquarters, Army Service Forces, it will be accompanied by (i) a statement showing what percentage of the named assured's total volume of contracts for all departments and agencies of the Government is cost-plus-a-fixed-fee, (ii) a classification of the employees showing the number placed in A, B, and C classes, and (iii) if available a complete computation of the premium charge or proposed premium charge. Upon receipt of this data the Contract Insurance Branch will advise the service concerned if the premium has not been correctly computed.

In § 81.408 paragraph (b) is added as follows:

§ 81.408 *General policy as to rates.* * * *

(b) *Bond premium computation on terminated contracts.* (1) Premium on the bonds described in § 81.406 (b) and (c) (except in certain instances mentioned in such paragraphs where the rate is applied to the penalty of the bond or bonds) is determined by multiplying the appropriate rate of premium by the final contract price, that is, the total remuneration received by the contractor after final settlement. The rule followed by the surety industry generally is as follows:

> The "contract price" on which premium is computed means the whole sum of money or other reimbursement which has passed from the owner to the contractor when final settlement between the two has been made, excluding any bonus for "time". If this sum is different from the original estimate, premium must be adjusted accordingly, either by a refund of part of the original premium by the surety if the original estimate was larger than the actual contract price, or by payment of additional premium by the contractor if the original estimate was smaller than the actual contract price. (Towner Rating Bureau bond manual, page 47.)

Accordingly, when a contract is terminated short of original estimate, the decrease in contract price requires that an adjustment in bond premium be taken into account when final settlement is made. Such adjustment (or return premium) on a contract decrease is ascertained by subtracting from the original premium the amount of premium developed in multiplying the appropriate rate by the terminated contract price. By "appropriate" rate is meant the rate that would have been used for a contract in the amount of the terminated contract price at the time the original contract was awarded. Care should be observed in connection with construction contracts in excess of $2,500,000 in amount for the reason that prior to 28 August 1942 such contracts were accorded special rates of a graduated nature, depending on the size of the contract and the performance time involved. Subsequent to 28 August 1942 special rates have been promulgated for construction contracts where performance time required more than twelve months. In any case where doubt exists or special circumstances are believed involved, full details together with the recommendation of the chief of the technical service will be forwarded to the Contract Insurance Branch, Special Financial Services Division, Headquarters, Army Service Forces for review and advices.

(2) Premium on bonds required in support of War Department contracts other than those described in § 81.406 (b) and (c) is determined by various methods, depending on the nature of the bond or contract involved. As a general rule, adjustment of bond premium is in order where a contract is terminated short of completion. Especially is this true where the bond premium is included in the contract price as an item of cost. In any case where doubt exists or special circumstances are believed involved, full details together with the recommendation of the chief of the technical service will be forwarded to the Contract Insurance Branch, Special Financial Services Division, Headquarters, Army Service Forces, for review and advices.

(3) Premium on fidelity and forgery bonds furnished in connection with cost-plus-a-fixed-fee contracts is paid for a certain period of time, which is generally one year. There is attached to each such bond a rider providing for pro rata refund of premium on a calendar day basis when the bond is canceled upon contract termination.

Paragraph (a) of § 81.410 is amended to read as follows:

§ 81.410 *Bonds executed by receivers, trustees, administrators, guardians, or executors as principal obligors.* (a) Receivers, trustees, administrators, guardians or executors are officers of the court which appointed them. Their powers are limited to those specified in the court order appointing them. Accordingly, when a bond is executed by such an officer of a court, a duly authenticated copy of the court order showing his authority to execute the bond should be obtained.

Section 81.434 is amended as follows:

§ 81.434 *Insurance on Government-owned property*—(a) *Approval required.* (1) No insurance covering loss or destruction of or damage to property, legal title to which is in the United States and which is to be used in connection with a cost-plus-a-fixed-fee contract, will be required or authorized without the prior approval of the Contract Insurance Branch, Special Financial Services Division, Headquarters, Army Service Forces. To implement this policy of self-insurance on government-owned property, there shall be included in the contract, the clause set forth in § 81.365 (a). The policy of self-insurance rests to a large degree upon savings to the Government obtained by eliminating the cost of insurance which otherwise would be added to the contract price.

(2) Where it is considered advisable to impose specific standards of care such as an obligation to keep the facilities in good operating condition and repair and to make all necessary repairs and replacements, a clause to this effect may be included in the contract.

(b) *Procedure to be followed in the event of loss or destruction of or damage to property of the Government in the possession or control of contractors (or subcontractors).* (1) In the event of loss or destruction of or damage to property of the Government in the possession or control of contractors (or subcontractors), it is of the utmost importance that immediate action be taken so that the property will be conserved and production will suffer the least interruption. Contractors are generally not in a position to handle losses with maximum efficiency and War Department personnel may not be available or equipped to give all the required attention to such a problem.

(2) Accordingly, upon the happening of loss or destruction of or damage to Government property, the prescribed contract article (§ 81.365 (a)) requires the contractor (or subcontractor) to give notice to and employ the services of a Loss and Salvage Organization designated by the contracting officer (unless the contracting officer directs that no such organization be employed).

(3) The Loss and Salvage Organizations referred to are the Fire Companies Adjustment Bureau, Inc., The Western Inspection and Adjustment Company, or the Underwriters Adjustment Company

(hereinafter or elsewhere designated as Loss and Salvage Organization). A list of the offices of these organizations with telephone numbers, is set forth in § 81.498. Their services will be rendered to contractors (or subcontractors) under a schedule of rates filed with the War Department and intended to cover costs without allowance for profit.

(4) Each office has been instructed to respond immediately to requests of contractors in connection with loss or destruction of or damage to Government property while at fixed locations or in courses of transit, and thereafter investigate the damage or loss, prevent the accrual of further damage or deterioration, eliminate hazards to life or other property, clear debris, locate and remove property to appropriate places of storage or erect suitable shelter therefor and otherwise conserve and protect all possible salvage. In the event of catastrophic loss, the Loss and Salvage Organizations may procure the services of others and temporarily augment their own staffs so that the loss may be handled with the utmost dispatch and efficiency. The organization so employed will report as may be appropriate to the contracting officer or to the contractor, and generally will operate under the regulations and the specific instructions of the contracting officer.

(5) The prevention of further and progressive loss to damaged property, its repair or disposal, are steps which are related and which are, in commercial practice, generally combined into one series of operations performed or directed by one organization. Where, under the prescribed contract article (§ 81.365 (a)), the contractor (or subcontractor) has undertaken, if and as directed by the contracting officer, to make repairs and renovations, it may be to the advantage of the Government to request the contractor to employ the Loss and Salvage Organization to assist in repair and renovation. Similarly, under the contract clause set forth in § 81.363, assistance may be sought from the Loss and Salvage Organization in respect to disposal of damaged Government property.

(6) In the event that the Government property is located in an area outside of the United States, where none of the above organizations has resident representatives reasonably accessible, there will be included in the contract the clause set forth in Note 4, § 81.365 (a) and in the event of loss, the contracting officer will supervise and enforce the discharge of the contractor's obligations.

Section 81.451 is amended to read as follows:

§ 81.451 *Insurance on Government-owned property.* The same general policy exists with respect to Government-owned property in the possession, care, custody or control of the lump sum contractor as exists with respect to property in the possession, care, custody or control of cost-plus-a-fixed-fee contractors (see § 81.434). To implement this policy of self-insurance on Government-owned property, there shall be inserted in the contract the article set forth in § 81.365 (b), or in the case of facilities the article set forth in § 81.332. The policy to a large degree rests upon the savings to the Government obtained by elimination of insurance which savings are reflected in the contract price. Where, by reason of special circumstances, such savings are not practicable, are trivial in amount, are difficult of ascertainment or there is a commingling of values and interests, the chief of the technical service may in his discretion permit insurance. (This will ordinarily be done in the case of service contracts of the type of laundry and shoe repair contracts, and contracts with motor carriers for the transportation of Government-owned property.) In such cases there will be omitted from the contract the article set forth in § 81.365 (b) or § 81.332.

(a) *Procedure to be followed in the event of loss or destruction of or damage to property of the Government in the possession or control of contractors (or subcontractors).* (1) Except when insurance is permitted, upon the happening of loss or destruction of or damage to property in the possession or control of contractors (or subcontractors) caused by an "excepted peril" (see §§ 81.365 (b) and 81.332) the procedure to be followed is the same as that described in § 81.434 (b).

(2) In connection with the disposal of damaged Government property, attention is invited to paragraph (d) of contract articles in § 81.365 (b) and paragraph (F) (4) of contract article in § 81.332, which are comparable with § 81.363.

Section 81.498 is added:

§ 81.498 *List of offices of Loss and Salvage Organizations* (see § 81.434 (b)).

ABBREVIATIONS

FCAB—Erie Companies Adjustment Bureau, Inc.

WAIC—Western Adjustment and Inspection Company.

UAC—Underwriters Adjusting Company.

City and State, Organizations, Office Location, and Telephone Number

ALABAMA

Birmingham, FCAB; 213 North 21st Street; 7–1121.
Dothan; FCAB; 103½ North Foster Street; 695.
Huntsville; FCAB; 104 West Clinton Street; 504.
Mobile; FCAB; First Nat'l Annex, St. Francis St.; 3–6771.
Montgomery; FCAB; Shepherd Building; 5271.

ARIZONA

Phoenix; FCAB; Luhrs Tower Building; 3–3187.
Tucson; FCAB; 301 East Congress Street; 4656.

ARKANSAS

El Dorado; FCAB; Marks Building; 1404.
Fort Smith; FCAB; Kennedy Building; 5161.
Jonesboro; FCAB; 112½ West Washington Street; 589.
Little Rock; FCAB; Hall Building; 7125.
Texarkana; FCAB; Texarkana National Bank Building; 1–346.
West Memphis; FCAB; 229 Broadway; 83.

CALIFORNIA

Bakersfield; FCAB; Professional Building; 5–5763.
Chico; FCAB; Morehead Building; 917.
El Centro; FCAB; Bank of America Building; 173.
Fresno; FCAB; Brix Building; 3–2191.
Long Beach; FCAB; Ocean Center Building; 602–39.
Los Angeles; FCAB; Fidelity Building; Madison 1341.
Oakland; FCAB; Bank of America Building; Higate 2063.
Riverside; FCAB; Bonnett Building; 6234.
Sacramento; FCAB; Farmers & Mechanics Building; 2–5881.
Salinas; FCAB; Bank of America Building; 5588.
San Bernardino; FCAB; Citizens National Bank Building; 2157.
San Diego; FCAB; First National Bank Building; Franklin 3168.
San Francisco; FCAB; 300 Montgomery Street; Garfield 6332.
San Jose; FCAB; Bank of America Building; Ballard 6082.
San Luis Obispo; FCAB; Security First Nat'l Bank Building; 1968.
Stockton; FCAB; California Building; 5–5776.
Vallejo; FCAB; 710 Florida Street, 3–7639.

COLORADO

Colorado Springs; FCAB; Burns Building; Main 6121.
Denver; FCAB; Gas & Electric Building; Cherry 5481.
Durango; FCAB; 575 Fourth Avenue; 168.
Grand Junction; FCAB; 246 Grand Avenue; 1339.
Pueblo; FCAB; Thatcher Building; 2070.
Trinidad; FCAB; First National Bank Building; 388M.

CONNECTICUT

Hartford; FCAB; 410 Asylum Street; 7–7118.
New Haven; FCAB; 205 Church Street; 7–3130.

DELAWARE

Wilmington, FCAB; Equitable Building; 4–2421.

DISTRICT OF COLUMBIA

Washington; FCAB; 1511 "K" Street NW.; National 0870.

FLORIDA

Ft. Myers; FCAB; 1309 Crawford Street; 787.
Gainesville; FCAB; Professional Building; 254.
Jacksonville; FCAB; 112 West Adams Street; 5–3387.
Miami; FCAB; 117 N. E. First Avenue; 3–0701.
Orlando; FCAB; 307 South Orange Avenue; 7126.
Pensacola; FCAB; American National Bank Building; 6179.
Tampa; FCAB; Wallace S. Building; M–6337.
West Palm Beach; FCAB; Citizens Building; 6478.

GEORGIA

Albany; FCAB; Albany Theatre Building; 1507.
Atlanta; FCAB; Trust Co. of Georgia Building; Walnut 3624.
Augusta; FCAB; Herald Building; 2–5586.
Columbus; FCAB; Hill Building; 3–6381.
Macon; FCAB; 516 Mulberry Street; 3336.
Savannah; FCAB; 36 Bull Street; 2–3179.
Waycross; FCAB; Bunn Building; 20.

IDAHO

Boise; FCAB; First National Bank Building; 159.
Pocatello; FCAB; Carlson Building; 40.

ILLINOIS

Aurora; WAIC; Terminal Building; 9168–9169.
Bloomington; WAIC; 114½ No. Main Street; 6008–5.
Carbondale; WAIC; Carbondale National Bank Bldg.; Main 600.
Centralia; WAIC; Smith Building; 2485.
Champaign; WAIC; Lincoln Building; 2400.
Chicago; WAIC; 175 West Jackson Boulevard; Wabash 6400.

Danville; UAC; Temple Building; Main 2287.
Decatur; WAIC; Citizens Building; 5383.
East St. Louis; WAIC; Goldman Building; Hemlock 300.
Galesburg; WAIC; Bondi Building; 1611 Main.
Joliet; UAC; Morris Building; 5466.
Kankakee; WAIC; City National Bank Building; Main 339.
La Salle; WAIC; La Salle State Bank Building; LaSalle 680.
Marion; UAC; 304 Market Street; 433.
Peoria; UAC; Alliance Life Building; 8139.
Quincy; WAIC; W. C. U. Building; 285.
Rockford; UAC; Rockford Trust Building; Main 4090.
Springfield; WAIC; Myers Building; 4654.
Waukegan; WAIC; 108 S. Genesee Street; Majestic 1410.

INDIANA

Anderson; WAIC; Anderson Bank Building; 8084.
Bloomington; WAIC; Citizens Trust Building; 2341.
Evansville; WAIC; Hulman Building; 5241–2–3.
Fort Wayne; WAIC; Old First Bank Building; Anthony 1472.
Gary; UAC; Gary Trust Building; 5297.
Greensburg; WAIC; Decatur County Nat'l Bank Bldg.; 4341.
Hammond; WAIC; Lloyd Building; 6030–6031.
Indianapolis; UAC; Fletcher Trust Building; Market 1491.
Kokomo; WAIC; Armstrong-Landon Building; 7612.
Lafayette; WAIC; Lafayette Loan & Trust Building; 2277.
Muncie; WAIC; Johnson Block; 5527.
New Albany; WAIC; Elsby Building; 772.
Richmond; WAIC; Second National Bank Building; 4858.
South Bend; UAC; Sherland Building; 3–3126.
Terre Haute; UAC; 641 Ohio Street; Crawford 2317.
Vincennes; WAIC; LaPlante Building; 740.

IOWA

Burlington; WAIC; Tama Building; 113.
Cedar Rapids; UAC; Merchants National Bank Bldg.; 8352.
Council Bluffs; WAIC; City National Bank Building; 2589.
Davenport; WAIC; Kahl Building; 2–5371.
Des Moines; WAIC; Liberty Building; 3–8144.
Dubuque; WAIC; Dubuque Building; 990 and 978.
Fort Dodge; UAC; State Bank Building; Walnut 3381.
Mason City; UAC; Forresters Building; 548.
Ottumwa; WAIC; Phoenix Trust Building; 3630.
Sioux City; UAC; Badgerow Building; 3–3720.
Waterloo; UAC; Marsh Place Building; 3337.

KANSAS

Dodge City; WAIC; First National Bank Building; 1767.
Great Bend; WAIC; Cox Building; 280.
Hutchinson; WAIC; Wolcott Building; 375.
Kansas City; WAIC; Occidental Life Building; Drexel 0660.
Leavenworth; WAIC; Axa Building; 807.
Norton; WAIC; 611 North Grant Street; 740.
Parsons; WAIC; 115½ S. Eighteenth Street; 917.
Salina; WAIC; National Bank of America Building; 475.
Topeka; WAIC; Insurance Building; 5684–5685.
Wichita; UAC; Petroleum Building; 4–7333.

KENTUCKY

Ashland; WAIC; Second National Bank Building; Main 931.
Bowling Green; WAIC; The Armory; 787.
Covington; WAIC; First National Bank Building; Hemlock 3313.
Lexington; UAC; First National Bank Building; 809.
Louisville; WAIC; Starks Building; Jackson 5211.
Madisonville; WAIC; 108 North Main Street; 151.
Middlesboro; WAIC; Peoples Building; 73.
Paducah; WAIC; Citizens Savings Bank Building; 3618.

LOUISIANA

Alexandria; FCAB; Guaranty Bank Building; 7752.
Baton Rouge; FCAB; Louisiana National Bank Building; 3–1784.
Lake Charles; FCAB; Weber Building; 5786.
Monroe; FCAB; Bernhardt Building; 5600.
New Orleans; FCAB; Maritime Building; MA 6881.
Shreveport; FCAB; City Bank Building; 2–7151.

MAINE

Bangor; FCAB; 84 Harlow Street; 7348.
Portland; FCAB; Masonic Temple Building; 3–5695.

MARYLAND

Baltimore; FCAB; Garrett Building; Plaza 6224.
Cumberland; FCAB; Liberty Trust Building; 1475.
Hagerstown; FCAB; 74 West Washington Street; 725.
Salisbury; FCAB; Colonial Building; 2220.

MASSACHUSETTS

Boston; FCAB; 141 Milk Street; Hancock 6050.
Lawrence; FCAB; Bay State Building; 6050.
New Bedford; FCAB; First National Building; 6–8559.
Springfield; FCAB; 1387 Main Street; 6–1836.
Worcester; FCAB; 340 Main Street; 3–8127.

MICHIGAN

Ann Arbor; WAIC; First National Building; 2–5663, 5664.
Battle Creek; WAIC; Michigan National Bank Building; 2–5557.
Bay City; WAIC; Bay City Bank Building; 4524.
Benton Harbor; WAIC; 139 Pipestone Street; 6112.
Dearborn; WAIC; Calvin Theatre Building; Dearborn 4400.
Detroit; WAIC; National Bank Building; Cadillac 2932.
Flint; WAIC; Union Industrial Building; 2–3145, 3146.
Grand Rapids; UAC; Assn. of Comm. Building; 93108.
Ishpeming; WAIC; Bell Building; 467.
Jackson; UAC; Jackson City Bank Building; 5057.
Kalamazoo; WAIC; American National Bank Building; 6163–4.
Lansing; UAC; Hollister Building; 5–7283.
Muskegon; WAIC; Hackley Union National Bank Building; 23–184.
Petoskey; WAIC; Achenback Building; 3581.
Pontiac; UAC; Community Bank Building; 2–5110.
Port Huron; WAIC; Michigan National Bank Building; 8141.
Saginaw; WAIC; Second National Bank Building; 2–2136, 2137.
Traverse City; WAIC; State Bank Building; 412.

MINNESOTA

Brainerd; WAIC; Citizens State Bank Building; 846.
Duluth; WAIC; Lonsdale Building; Melrose 863, 864.
Hibbing; UAC; Merchants & Miners Bank Building; 2068.
Mankato; WAIC; Medical Block Building; 4022.
Minneapolis; UAC; Northwestern Bank Building; Atlantic 0494.
St. Paul; WAIC; Pioneer Building; Garfield 7405.
Virginia; WAIC; First National Bank Building; 500.

MISSISSIPPI

Clarksdale; FCAB; McWilliams Building; 436.
Greenville; FCAB; Leyser Building; 321.
Gulfport; FCAB; Bank of Gulfport Building; 346.
Hattiesburg; FCAB; Ross Building; 583.
Jackson; FCAB; Standard Life Building; 3–2446.
Meridian; FCAB; Threefoot Building; 1840.
Tupelo; FCAB; Bank of Tupelo Building; 1071.

MISSOURI

Cape Girardeau; WAIC; 110 Themis Street; 1488.
Chillicothe; WAIC; 601 Locust Street; 150.
Independence; WAIC; First National Bank Building; Clifton 1777.
Jefferson City; WAIC; Central Trust Building; 2098.
Joplin; UAC; Joplin National Bank Building; 4124.
Kansas City; UAC; Chambers Building; Harrison 3860.
Springfield; WAIC; Landers Building; 1401.
St. Joseph; UAC; Corby Building; 4–1151.
St. Louis; WAIC; Pierce Building; Chestnut 9510.

MONTANA

Billings; FCAB; Treasure State Building; 3101.
Butte; FCAB; Rialto Building; 3281.
Great Falls; FCAB; Ford Building; 4329.
Missoula; FCAB; Montana Building; 5844.

NEBRASKA

Grand Island; UAC; Masonic Building; 578.
Hastings; WAIC; Madgett Building; 1113.
Lincoln; UAC; Stuart Building; 2–3367.
Norfolk; WAIC; Bishop Block; 506.
North Platte; WAIC; Dickey Building; 1568.
Omaha; WAIC; Brandeis Theatre Building; Atlantic 6485.
Scottsbluff; WAIC; Burr Building; 323.

NEVADA

Reno; FCAB; 25 East First Street; 5124.
Las Vegas; FCAB; 19 Boggs Building; 1515.

NEW HAMPSHIRE

Manchester; FCAB; 1008 Elm Street; 5950.

NEW JERSEY

Asbury Park; FCAB; 601 Bangs Avenue, 8440.
Jersey City; FCAB; 26 Journal Square; Journal Sq. 2–3604.
Newark; FCAB; 31 Clinton Street; Market 2–0322.
Paterson; FCAB; 5 Colt Street; Sherwood 2–7234.

NEW MEXICO

Albuquerque; FCAB; Sunshine Building; 8838.
Roswell; FCAB; J. P. White Building; 238.
Clovis; FCAB; 708 Axtell Avenue; 328–J.

NEW YORK

Albany; FCAB; 90 State Street; 4–7181.
Binghamton; FCAB; 19 Chenango Street; 2–4244.
Buffalo; FCAB; Chamber of Commerce Building; Washington 0726.
Elmira; FCAB; Hulett Building; 6171.
Jamaica; FCAB; 161–19 Jamaica Avenue; 6–6202.
Jamestown; FCAB; Wellman Building; 7185.
Malone; FCAB; 36 West Main Street; 357.
New York; FCAB; 116 John Street; Cortland 7–4074.
Niagara Falls; FCAB; United Office Building; 3986.
Poughkeepsie; FCAB; 25 Market Street; 2926.
Rochester; FCAB; Lincoln Alliance Bank Building; Stone 817.

Syracuse; FCAB; O. C. S. B. Building; 2-2117.
Utica; FCAB; First National Bank Building; 2-5151.
White Plains; FCAB; 31 Mamaroneck Avenue; 9560.

NORTH CAROLINA

Asheville; FCAB; Flat Iron Building; 2368.
Charlotte; FCAB; Commercial Bank Building; 3-3761.
Goldsboro; FCAB; Bank of Wayne Building; 232.
Greensboro; FCAB; Dixie Building; 2-0177.
Raleigh; FCAB; Capital Club Building; 2-2041.
Wilmington; FCAB; Murchison Building; 4110.
Winston-Salem; FCAB; Reynolds Building; 3-3316.

NORTH DAKOTA

Bismarck; WAIC; First National Bank Building; 466.
Fargo; WAIC; First National Bank Building; 2-2509.
Grand Forks; WAIC; Widlund Block; 1360.
Minot; WAIC; First National Bank Building; 851.

OHIO

Akron; WAIC; Akron Savings & Loan Building; Franklin 4147-48.
Ashtabula; WAIC; 4635 Main Avenue; 6565.
Cambridge; WAIC; Central National Bank Building; 2205.
Canton; WAIC; Renkert Building; 6961-62.
Cincinnati; UAC; Schmidt Building; Main 4830.
Cleveland; UAC; Swetland Building; Cherry 5671.
Columbus; WAIC; Huntington National Bank Building; Adams 3285.
Dayton; UAC; Mutual Home Building; Fulton 5153.
Defiance; WAIC; Savings & Loan Building; 364.
Findlay; WAIC; First National Bank Building; 307.
Hamilton; WAIC; First National Bank Building; 1716.
Lorain; WAIC; Broadway Building; 6921-22.
Mansfield; WAIC; Richland Trust Co. Building; 2467-8.
Marion; UAC; 118 S. State Street; 2249.
Portsmouth; WAIC; Masonic Temple; 1696.
Sandusky; WAIC; Felck Building; 1407.
Springfield; WAIC; Tecumseh Building; 3727.
Steubenville; WAIC; National Exchange Bank Building; 21265.
Toledo; UAC; Richardson Building; Main 6245.
Youngstown; WAIC; Mahoning Bank Building; 4-2151-52.

OKLAHOMA

Ada; FCAB; Cummings Building; 1420.
Ardmore; FCAB; Gilbert Building; 499.
Clinton; FCAB; First National Bank Building; 630.
Lawton; FCAB; Koehler Building; 3374.
McAlester; FCAB; Arnote Building; 1276.
Muskogee; FCAB; Barnes Building; 2420.
Oklahoma City; FCAB; Mercantile Building; 3-1406.
Ponca City; FCAB; First National Bank Building; 511.
Tulsa; FCAB; Hunt Building; 4-4176.

OREGON

Eugene; FCAB; Miner Building; 2167.
Klamath Falls; FCAB; First National Bank Building; 4144.
Portland; FCAB; Yeon Building; Broadway 3545.

PENNSYLVANIA

Allentown; FCAB; Dime Building; 9586.
Altoona; FCAB; Central Trust Building; 9411.
Du Bois; FCAB; Deposit National Bank Building; 304.
Erie; FCAB; Marine National Bank Building; 26-797.
Harrisburg; FCAB; 240 North Third Street; 8277.
Hazleton; FCAB; Markle Bank Building; 4094.
Philadelphia; FCAB; The Insurance Exchange; Lombard 0653.
Pittsburgh; FCAB; Arrott Building; Court 3980.
Reading; FCAB; Ganster Building; 4-5171.
Scranton; FCAB; 125 Adams Avenue; 7247.
Wilkes-Barre; FCAB; Miners National Bank Building; 2-5161.
Williamsport; FCAB; First National Bank Building; 4035.

RHODE ISLAND

Providence; FCAB; Turks Head Building; Gaspee 9721.

SOUTH CAROLINA

Charleston; FCAB; Southern Home Building; 7776.
Columbia; FCAB; Liberty Life Building; 6945.
Florence; FCAB; Florence Trust Company Building; 1775.
Greenville; FCAB; Woodside Building; 4670.

SOUTH DAKOTA

Aberdeen; UAC; Capital Building; 3405.
Huron; WAIC; Farmers & Merchants Bank Building; 3434.
Rapid City; WAIC; Rapid City National Bank Building; 346.
Sioux City; WAIC; National Bank of South Dakota Building; 311.
Watertown; WAIC; Woolworth Building; 524.

TENNESSEE

Chattanooga; FCAB; Provident Life Building; 6-6434.
Jackson; FCAB; Commercial Building; 3940.
Knoxville; FCAB; Hamilton Bank Building; 3-0441.
Memphis; FCAB; Sterick Building; 5-2761.
Nashville; FCAB; Nashville Trust Building; 5-2706.

TEXAS

Abilene; FCAB; Mims Building; 6251.
Amarillo; FCAB; Oliver-Eakle Building; 2-3234.
Austin; FCAB; Norwood Building; 8-6468.
Beaumont; FCAB; Goodhue Building; 4065.
Bryan; FCAB; First State Bank Building; 2-8765.
Corpus Christi; FCAB; Jones Building; 7737.
Dallas; FCAB; Liberty Bank Building; 7-9901.
El Paso; FCAB; Bassett Tower Building; Main 1172.
Fort Worth; FCAB; Petroleum Building; 2-3295.
Harlingen; FCAB; Rio Grande Building; 553.
Houston; FCAB; Experson Building; Charter 4-5633.
Lubbock; FCAB; 1312½ Avenue "J"; 7463.
Midland; FCAB; Thomas Building; 1658.
Paris; FCAB; First National Bank Building; 1720.
Port Arthur; FCAB; Adams Building; 2-4231.
San Angelo; FCAB; 2213 Houston Street; 4671.
San Antonio; FCAB; Gibbs Building; CA-6351.
Texarkana; FCAB; Texarkana National Bank Building; 1346.
Tyler; FCAB; Citizens National Bank Building; 4726.
Waco; FCAB; Professional Building; 4456.
Wichita Falls; FCAB; Waggoner Building; 4107.

UTAH

Ogden; FCAB; Eccles Building; 7769.
Salt Lake City; FCAB; Walker Bank Building; 3-3926.

VERMONT

Rutland; FCAB; 126 Merchants Row; 2025.

VIRGINIA

Bristol; FCAB; 112 Piedmont Avenue; 1047.
Danville; FCAB; Masonic Building; 2947.
Harrisonburg; FCAB; The National Bank Building; 784.
Lynchburg; FCAB; Allied Arts Building; 4949.
Newport News; FCAB; Chapin Building; 6-1626.
Norfolk; FCAB; Citizens Building; 4-8331.
Richmond; FCAB; American Building; 5-3571.
Roanoke; FCAB; Boxley Building; 5589.

WASHINGTON

Seattle; FCAB; Colman Building; Main 4244.
Spokane; FCAB; Mohawk Building; Main 3136.
Tacoma; FCAB; Washington Building; Broadway 2226.
Yakima; FCAB; Larson Building; 6109.

WEST VIRGINIA

Beckley; FCAB; Raleigh County Bank Building; 3941.
Bluefield; FCAB; Bradmann Building; 1896.
Charleston; FCAB; Peoples Exchange Building; Capital 30-161.
Clarksburg; FCAB; Union Bank Building; 805.
Huntington; FCAB; West Virginia Building; 28366.
Wheeling; FCAB; Riley Law Building; 1856.

WISCONSIN

Appleton; WAIC; Gloudemans Building; 7900.
Eau Claire; WAIC; Market Square Building; 21653.
Fond du Lac; UAC; National Exchange Bank Building; 5006.
Green Bay; WAIC; Columbus Building; Adams 241.
La Crosse; WAIC; Exchange Building; 2270.
Madison; WAIC; Insurance Building; Badger 978.
Milwaukee; UAC; 611 North Broadway; Daly 0672.
Racine; WAIC; 423 Main Street; Prospect 2444.
Rhinelander; WAIC; Merchants State Bank Building; 1122.
Wausau; WAIC; First American State Bank Building; 7474.

WYOMING

Casper; FCAB; 101 West First Street; 45.
Cheyenne; FCAB; Boyd Building; 4011.
Rock Springs; FCAB; Rock Springs National Bank Building; 32.
Thermopolis; FCAB; Mountain States Power Building; 271.

[Procurement Reg. 5]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FOREIGN PURCHASES

In § 81.509 paragraph (b) is amended as follows:

§ 81.509 *Purchases from Canadian suppliers.* * * *

(b) *War Supplies Limited.* War Supplies Limited is a corporation wholly owned and controlled by the Government of Canada and created under the laws of the Dominion of Canada with its principal office in the city of Ottawa, Province of Ontario. A Washington Office is maintained at 1205 Fifteenth Street N. W., (Marshall Building), telephone Executive 2020, Extensions 120, 121, 196 and 556. The representatives of the Corporation in Washington are Mr. F. G. Rounthwaite, President and acting General Manager, and Mr. D. C. Cullen, Treasurer and Assistant Secretary.

* * * * *

January 1944 in War Department supply bulletins, referred to in the tabulation of supply bulletins. If contract bulletins are not available at an Adjutant General Depot, they may be obtained by communicating with the General Administrative Services Division, Office of the Quartermaster General, Washington 25, D. C.

in the bulletins referred to in the tabulation. Some of these bulletins are Office of the Quartermaster General Contract Bulletins, referred to in the tabulations as Contract Bulletins. The last contract bulletin published was No. 2, dated 11 January 1944. Instructions and information theretofore published in contract bulletins have been published since 11

ED BY OFFICE OF QUARTERMASTER GENERAL

Bulletin number	Date	Commodity	Contract period	Contract symbol number	Contractor	Applicability
Contract Bulletin No. 81.	1 July 1943.	Books	Fiscal year 1944.	See Contract Bulletin No. 81.		General utilization by the War Department except the Medical Corps. All branches of the War Department.
Contract Bulletin No. 90.	26 July 1943.	Compressed yeast.	Fiscal year 1944.	W 199 qm-33843.	Standard Brands Incorporated, 595 Madison Ave., N. Y., N. Y.	
				W 199 qm-33845.	National Grain Yeast Corp., Mill St., Belleville, N. J.	
				W 199 qm-33846.	Red Star Yeast & Products Co., 821 E. Buffalo St. Milwaukee, Wis.	
				W 199 qm-33844.	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	
Contract Bulletin No. 133.	25 Oct. 1943.	Paper rolls, for cash registers.	Fiscal year 1944.	W 1913 qm-16081	Bradner Smith & Co., 33 South Desplaines St., Chicago, Ill.	All War Department activities in the United States for domestic consumption, exclusive of maneuvers ordered by Army Ground Force Headquarters.
				W 1913 qm-16082.	The National Cash Register Co., Dayton, Ohio.	
Contract Bulletin No. 142.	1 Jan. 1944	Oil, engine, lubricating, all purposes**.	1 Jan. 1944 to 30 June 1944.	40-001-qm-274	The Texas Company	All branches of the War Department.
Contract Bulletin No. 143	23 Dec. 1943	Malt *	1 Jan. 1944 to 31 Mar. 1944.	W 40-001 qm-276	Standard Oil Co., of California	Same tax clause under Contract Bulletin Number 85
				W 40-001 qm-277	Shell Oil Co., Inc.	
				W 40-001 qm-275	Standard Oil Co. (Indiana)	
				W 40-001 qm-278	Standard Oil Company of Nebraska.	
				11-009 qm-12147	Malt-Diastase Company Wyckoff Ave. and Decatur St., Brooklyn, N. Y.	1st, 2nd and 3rd Service Commands; Military District of Washington.
				11-009 qm-12145	Anheuser-Busch, Inc. 721 Pestalozzi St., St. Louis, Mo.	4th Service Command.
				11-009 qm-12146.	Pabst Sales Company, 221 North La Salle St., Chicago, Ill.	8th Service Command.
				11-009 qm-12148.	Blatz Brewing Company, Webster & Wayne Avenues, Chicago, Ill.	6th Service Command.
				11-009 qm-12149.	Standard Brands Incorporated, 595 Madison Ave., N. Y., N. Y.	7th, 8th and 9th Service Commands.

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

Section 81.605d is amended as follows:

§ 81.605d *Indefinite quantity contracts executed by the Office of the Quartermaster General.* The tabulation set forth below contains certain information with respect to all indefinite quantity contracts executed by the Office of the Quartermaster General, which are applicable to purchases made by activities outside the jurisdiction of the Quartermaster General. More complete information as to these contracts is contained

*W 11-009 qm-12147 (Ashford General Hospital, West Virginia).
**Attention is invited to contract Bulletin No. 1, 1 January 1944, for the period 1 January 1944 to 31 December 1944, listing contracts executed by Treasury Department, Procurement Division, for War Department requirements of greases and gear lubricants under Class 14 of Federal Standard Stock Catalogue.

In § 81.606 *Purchases under contracts of Procurement Division, Treasury Department*, the list of schedules in paragraph (g) *Mandatory schedules* is amended as follows:

The following items are deleted:

Description of Item	*Schedule of Supplies*
Greases and gear lubricants	14, Supplement No. 1 [Deleted]
Victory chairs	26, Part I, Supp. No. 1 [Deleted]
Common spline-seat chair	26, Part I, Supp. No. 2 [Deleted]

The following items are amended:

Description of item and schedule of supplies:	*Period*
Telephones and parts—17, Supp. No. 6	Sept. 1, 1941, to Aug. 31, 1942 (portion extended to Aug. 31, 1944).
• • • • •	• • •
Wood furniture—26, Part I	Jan. 1 to Dec. 31, 1942 (portion extended to Dec. 31, 1944).
Wood furniture—26, Part I	Jan. 1 to Dec. 31, 1944.
• • • • •	• • •
Steel insulated filing cabinets—26, Part II, Supp. No. 1	July 1, 1943 to Dec. 31, 1943 (extended to Dec. 31, 1944).
• • • • •	• • •
Machine tools—40	Mar. 1 to Aug. 31, 1944.
• • • • •	• • •
Portable drinking fountains—63, Supp. No. 1	Mar. 1, 1944 to Feb. 28, 1945.
• • • • •	• • •
Household and quarters furniture (Part 1)	Jan. 1 to July 31, 1944.
Household and quarters furniture (Part 2)	Jan. 1 to July 31, 1944.
Household and quarters furniture (Part 3)	Jan. 1 to July 31, 1944.

NOTE: (1) Some of the schedules listed above are mandatory only upon some of the activities of the War Department. In case of doubt as to whether it is mandatory that a particular item be procured under a schedule, the schedule itself should be consulted and provisions of the schedule should be regarded as controlling.

(2) Attention is called to the provisions of § 81.1107. Items, the purchase of which is restricted by that paragraph, shall not be purchased except in accordance with the provisions of that paragraph even though they may be listed on the General Schedule of Supplies.

• • • • •

In § 81.608 (c) subparagraph (4) is added as follows:

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice.* • • •

(c) *General clearance.* • • •

(4) *Amendment dated 19 January 1944.* Under date of 19 January 1944 Clearance No. C-23445 was amended so as to make the item of brushes in the list of available items read as follows:

Brushes: Floor sweeps only.

• • • • •

In § 81.609 the list of envelopes in paragraph (b) is amended by the addition of two items at the end thereof.

§ 81.609 *Purchases under contracts of Post Office Department.* • • •

(b) *Envelopes authorized for supply to the military service.* (1) • • •

Item No.:	*Description*
•	•
514	4⅛ by 9½ inches, White, Air Mail, red and blue border, lightweight with opaquing design inside.
(*)	4⅝ by 8⅛ inches, Kraft, open side, window (for War Bonds).

*There has been no Item No. assigned to this envelope.

• • • • •

[Procurement Reg. 8]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FEDERAL, STATE AND LOCAL TAXES

In § 81.810 the list of applicable tax directives is amended by corrections for Illinois and Indiana.

§ 81.810 *Applicable tax directives.* • • •

Illinois	Jan. 11, 1944 (A. S. F. Cir. 13, 1944) June 26, 1942 (all manufacturing transactions).
Indiana	Apr. 28, 1943 (all transactions).

• • • • • • •

In § 81.917 paragraphs (a) and (b) are amended as follows and paragraph (c) is deleted.

§ 81.917 *Applicability.* (a) Generally, the law is applicable to all contracts for the purchase of supplies when the amount thereof exceeds $10,000. The publication of the Department of Labor entitled "Rulings and Interpretations, September 29, 1939, Walsh-Healey Public Contracts Act," as supplemented by Supplement published 24 January 1944 (Cir. Let. No. 1-44, 4 February 1944, Dept. of Labor), and paragraph (b) of this section, contain detailed information as to the contracts which are subject to and those which are exempt from the Act.

(b) The following changes and additions to the regulations referred to in paragraph (a) of this section have been published:

(1) [Deleted]

• • • • •

(7) Contracts awarded for preserved or processed butter during the period from February 3, 1943, to the termination of the present war and three months thereafter are excepted from the representations and stipulations of section 1 of the act (8 F.R. 1652).

(8) Contracts awarded during the present war for the production of training films are excepted from the representations and stipulations required by section 1 of the act.

(9) Contracts awarded for certain canned and dehydrated fruits and vegetables are excepted from the representations and stipulations of section 1 of the act until 31 December 1944 (7 F.R. 10794; 9 id. 405).

(10) Contracts awarded for orange marmalade are excepted from the representations and stipulations of section 1 of the act until 31 December 1944 (8 F.R. 14353; 9 id. 405).

(11) Contracts awarded for dehydrated rutabagas are excepted from the representations and stipulations of section 1 of the act until 31 December 1944 (8 F.R. 14353; 9 id. 405).

(12) [Deleted]

• • • • •

(15) [Deleted]

(16) [Deleted]

• • • • •

(c) *Contracts entered into between the War Department and other Government agencies.* [Rescinded]

In § 81.918 paragraph (a) is amended and paragraph (e) is rescinded.

§ 81.918 *General instructions.* (a) The regulations and instructions contained in "Rulings and Interpretations, September 29, 1939, Walsh-Healey Public Contracts Act", as supplemented by Supplement published 24 January 1944 (see § 81.917 (a)), and amendments thereto, and § 81.917 (b), will be complied with by all contracting officers. Chiefs of technical services are responsible for furnishing this publication and a supply of the forms referred to therein to each of their contracting officers. It is no longer necessary to obtain Form PC-1 from the Department of Labor (see § 81.292 (f)).

• • • • •

(e) [Rescinded]

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR

Section 81.916 is amended as follows:

§ 81.916 *Basic law; Walsh-Healey Public Contracts Act.* Act of 30 June 1936 (49 Stat. 2036), as amended by the act of 13 May 1942 (56 Stat. 277); 41 U.S.C. 35-45; M. L., 1939, sec 747. The act of 30 June 1936 is quoted in "Rulings and Interpretations, September 29, 1939, Walsh-Healey Public Contracts Act," and the effect of the amendment of 13 May 1942 is explained in the Supplement to that publication (see §§ 81.917 (a) and 81.918 (a)).

Section 81.922 is amended as follows:

§ 81.922 *Men's hat and cap industry.* Manufacture or supply of men's hats and caps, including men's white sailor and other stitched cloth hats, men's furfelt hats, men's uniform caps, and women's hats, men's uniform caps, and women's hats and caps of similar design and construction.

Date effective: 2 March 1944.

Wage: 67.5 cents an hour or $27.00 per week of 40 hours, arrived at either upon a time or piece-work basis.

(a) *Variation from minimum wage determination.* A tolerance of not more than 20 percent of the employee in any one factory, whose activities at any given time are subject to the provisions of the Walsh-Healey Public Contracts Act is granted for auxiliary workers in the Men's Hat and Cap Industry except that there shall be no limitation on the number or proportion of auxiliary workers employed in the uniform cap and stitched hat branches of the Industry, provided that any auxiliary workers in the Industry shall be paid not less than 40 cents an hour or $16 per week of 40 hours, arrived at either upon a time or piecework basis.

(b) *Definition of "auxiliary workers".* The term "auxiliary workers" as applied to the employees in the uniform cap and stitched hat branches of the Industry shall include only those employees engaged in auxiliary occupations enumerated and defined as follows:

(1) *Hand clipping.* The operation of separating component parts of the article after they have been sewn.

(2) *Hand cleaning.* The operation of removing excess threads from the article or removing stains or dust.

(3) *Size stamping.* The operating of stamping the head size mark on the article.

(4) *Floor boys (girls).* One who carries items of work to and from the various departments.

(5) *Examining.* The operation of inspecting the article for imperfections during any stage of manufacture.

(6) *Sweat band, braid, and strap cutter and measuring.* The operation of measuring and cutting bands, straps and ribbons.

(7) *Turning.* The operation of turning the article inside out or outside in.

(8) *Packing.* The operation of packing the finished caps into shipping containers, spraying larvex or moth flakes; if necessary, inserting tissue paper in caps and inserting a cardboard ring stiffener to support crown of cap.

(9) *Shipping and receiving.* The operation of unloading and checking stock and preparing containers for shipment.

(10) *Waste material sorting.* The operation of separating paper from the rags whether performed in the cutting room or elsewhere.

(11) *Hand stapling.* The operation by hand pressure of a wire stapling machine to join together parts of the article, to attach labels, bowls or cloth to the article or part of the article, or to join ends of a cardboard strip to foum a packing ring.

(12) *Drawstring pulling.* The operation of slipping a cord or drawstring through part of a cap, hood or helmet.

(13) *Basting pulling.* The operation of pulling out basting threads.

(14) *Porter.* The operation of cleaning floors or carrying boxes.

(15) *Band and braid fitting.* The operation of placing by hand but not sewing on a cap, a prepared band or braid.

(16) *Wire stiffener inserting.* The operation of slipping a wire ring into the cap.

(17) *Hand buckling.* The operation of slipping a buckle on a strap.

(18) *Visor inserting.* The operation of inserting a canvas stiffener into a cloth pocket before the visor is attached.

(19) *Pasting.* The operation of attaching a label or ticket to a part of hat with paste or glue.

(20) *Hand button inserting.* The operation of inserting, by hand, into a prepared hole a button and bending overclips to hold the button in place, or inserting a button with a threaded neck, and screwing a nut on neck to hold button firm.

(21) *Hand hole punching.* The operation of punching a hole into material by use of an ice pick or similar pointed hand instrument.

(22) *Wire cutting and ring forming.* The operation of cutting a wire to length and joining the ends to form a stiffener ring.

(23) *Hand eyeletting.* The operation by hand pressure of a machine to attach an eyelet to the article.

(24) *Hand snap fastening.* The operation by hand pressure of a machine to attach a snap fastener to the article.

Section 81.961b is added as follows:

§ 81.961b *Fair Labor Standards Act of 1938*—(a) *Basic law.* (1) The act establishes minimum wages and maximum hours for employees engaged in commerce or in the production of goods for commerce, and restricts the use of child labor. Only those provisions of the act relating to minimum wages and maximum hours as they effect cost-plus-a-fixed-fee contractors are dealt with in this procurement regulation.

(2) Section 6 (a) requires every employer to pay to each of his employees (except home-workers in Puerto Rico and the Virgin Islands) "who is engaged in commerce or in the production of goods for commerce" not less than 30 cents per hour or, if the Administrator of the Wage and Hour Division of the Department of Labor in accordance with the act shall have prescribed some other rate, not less than the rate (not in excess of 40 cents per hour) so prescribed by the Administrator.

(3) Section 7 (a) prohibits every employer from employing any of his employees "who is engaged in commerce or in the production of goods for commerce" for a workweek longer than 40 hours, unless such employee receives compensation for his employment in excess of such 40-hour workweek at a rate not less than one and one-half times the regular rate at which he is employed. Employment pursuant to bona fide collective bargaining agreements providing for employment for not more than 1000 hours during any period of 26 consecutive weeks or for not more than 2080 hours during any period of 52 consecutive weeks, and employment for a period or periods of not more than 14 workweeks in the aggregate in any calendar year in an industry found by the Administrator to be of a seasonal nature will not constitute a violation of section 7 (a), if employees receive compensation for employment in excess of 12 hours in any workday or in excess of 56 hours in any workweek at a rate not less than one and one-half times the regular rate at which they are employed. Neither does section 7 (a) apply, under stated circumstances, to employees engaged in processing certain perishable products. (Act of June 25, 1938, 52 Stat. 1060, 29 U.S.C., sec. 201-219 (Supp. 1939); as amended by 53 Stat. 1266; 54 Stat. 615; and Act of October 29, 1941 (77th Cong. 1st sess.).)

(b) *Exceptions.* The provisions of sections 6 and 7 do not apply with respect to:

(1) Any employee employed in a bona fide executive, administrative, professional, or local retailing capacity, or in the capacity of outside salesman (as such terms are defined and delimited by regulations of the Administrator); or

(2) Any employee engaged in any retail or service establishment the greater part of whose selling or servicing is in intrastate commerce; or

(3) Any employee employed as a seaman; or

(4) Any employee of a carrier by air subject to the provisions of title II of the Railway Labor Act; or

(5) Any employee employed in the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life, including the going to and returning from work and including employment in the loading, unloading, or packing of such products for shipment or in propagating, processing, marketing, freezing, canning, curing, storing, or distributing the above products or by-products thereof; or

(6) Any employee employed in agriculture; or

(7) Any employee to the extent that such employee is exempted by regulations or orders of the Administrator issued under section 14 (which permits the issue of regulations and certificates allowing learners, apprentices, messengers and individuals whose earning capacity is impaired by age, physical or mental deficiency, or injury to be employed for lower wages than those prescribed by section 6); or

(8) Any employee employed in connection with the publication of any weekly or semiweekly newspaper with a circulation of less than three thousand the major part of which circulation is within the county where printed and published; or

(9) Any employee of a street, suburban, or interurban electric railway, or local trolley or motor bus carrier; or

(10) To any individual employed within the area of production (as de-

in the wages or salaries of their em-

employment in industries engaged in war

investigations and hearings as may be neces-

fined by the Administrator), engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products; or

(11) Any switchboard operator employed in a public telephone exchange which has less than five hundred stations.

(c) *Regulations of the Administrator.* The act provides that the Administrator shall by regulation define certain terms used in the act and may grant certain exemptions from its provisions. Regulations issued by the Administrator, as revised from time to time, should be consulted in these respects.

(d) *Liability of employer.* Any employer who violates the provisions of section 6 or 7 of the act is liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, and in an additional equal amount as liquidated damages; and, in the event the employee institutes suit therefor, the costs of the action and a reasonable attorney's fee as allowed by the court. Violations also may be restrained by injunction and may subject the employer to criminal penalties.

(e) *Reimbursement of cost-plus-a-fixed-fee contractors for payments in accordance with the act.* Minimum wages and overtime payments paid currently in accordance with the act are reimbursable to cost-plus-a-fixed-fee contractors as labor costs. Cost-plus-a-fixed-fee contractors also may be reimbursed, in proper cases, amounts paid in settlement of claims for overtime subsequently asserted by his employees. (See paragraph (g) of this section for the administrative procedure to be followed in respect of such of said subsequently asserted claims as are made the subject of an investigation by the Administrator and § 81.1120 (c) of this chapter for the administrative procedure to be followed to determine the position of the Government in suits for such claimed overtime brought against cost-plus-a-fixed-fee contractors.) Attention is called to the Comptroller General's opinion to the Secretary of War of 15 December 1943 (B–38642) to the effect that amounts paid in settlement of such claims may be reimbursed even though the settlements necessitated a compromise of disputed questions of law or fact, *Provided*, That such settlements are in amounts less than the total amounts (including liquidated damages, court costs and attorneys fees) which would be required to be paid in the event the employee sued and obtained judgment and that it is administratively determined that the settlement in each instance was fully warranted as being in the best interest of the Government. Vouchers covering such payments should be supported by evidence setting forth the basis for such administrative determination and any questions of law with respect to the application of the act should be determined by the contracting officer only after thorough consideration has been given the matter by competent Government attorneys or by private attorneys engaged to represent the contractors if the former are not available, and a showing to that effect should also be made a part of the evidence submitted with the vouchers.

(f) *Investigations and inspections of records by the Administrator.* Employers subject to the act or any order issued thereunder must make and preserve such records of the persons employed by him and of the wages, hours and other conditions and practices of employment maintained by him, and make such reports therefrom, as the Administrator shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of the act or his regulations or orders thereunder. The act provides that the Administrator or his designated representatives may investigate and gather data regarding the wages, hours and other conditions and practices of employment in any industry subject to the act and may enter and inspect such places and such records, question such employees and investigate such facts, conditions, practices or matters as he may deem necessary or appropriate to determine whether any person has violated any provision of the act, or which may aid in the enforcement of the provisions of the act.

(g) *Investigations of cost-plus-a-fixed-fee contractors.* (1) The Under Secretary of War, by memorandum dated 15 December 1943 to the Commanding Generals of the Army Air Forces and the Army Service Forces, has directed, with respect to investigations of cost-plus-a-fixed-fee contractors of the War Department, that: To the extent consistent with the security and other regulations governing admission of visitors to plants and projects, representatives of the Administrator should be accorded access to the facilities and records of War Department contractors for the purpose of making investigations to determine applicability of a compliance with the act. Investigations will be conducted at such time and in such manner as to interrupt or interfere least with operations. They should be confined wherever possible to the inspection of records in the office of the contractor. Inspections of the areas in the facility where construction or production is in progress will be held to a minimum. Necessary interviewing of employees should, wherever possible, be conducted outside work hours or at such other times as will interfere least with construction or production operations.

(2) The Administrator has stated that his investigators will advise cost-plus-a-fixed-fee contractors approximately one week before they plan to arrive at the project to make an investigation under the act. The War Department representative at the plant will see that the investigation is conducted in accordance with such directive of the Under Secretary of War.

(3) If the Administrator is of the opinion that any such investigation discloses violation of sections 6 or 7 of the act, he will transmit a report of the investigation to the Director, Industrial Personnel Division, Headquarters, Army Service Forces, who will transmit it to the appropriate technical service. The technical service will cause the matter to be examined into and, if such examination confirms such violation, will advise the contractor to take appropriate steps to comply with the law. The technical service promptly will report to the Director, Industrial Personnel Division, Headquarters, Army Service Forces, as to its examination into the matter and as to the action taken. If the question as to whether a violation exists depends upon a construction of a provision of the act which has not been construed by the courts or under the procedure provided in the agreement referred to in paragraph (c) of § 81.1120 of these procurement regulations, the Judge Advocate General will be consulted as to the construction to be followed.

In § 81.979 (a) (1) Regions VI and VII are amended as follows:

§ 81.979 *Jurisdiction and procedure of Regional War Labor Boards.* * * *

(a) *Constitution of regions and regional War Labor Boards.* (1) A regional war labor board has been established in each of the following regions:

* * * * * *

Region VI: Illinois, Indiana, Wisconsin, Minnesota, North Dakota, South Dakota, 222 W. Adams Street, Room 533, Chicago, Ill.

Region VII: Missouri, Arkansas, Kansas, Iowa, Nebraska, 11th Floor, Fidelity Building, 911 Walnut Street, Kansas City, Mo.

* * * * * *

The regulations formerly contained in paragraph (b) of § 81.980p are now contained in § 81.980bb. A new paragraph (b) is added as follows:

§ 81.980p *General Order No. 16.* * * *

(b) *Interpretation No. 1 to General Order No. 16.* Wage adjustments required by State statutes which prohibit wage discrimination between the sexes are "adjustments which equalize the wage or salary rates paid to females with the rates paid to males for comparable quality and quantity of work on the same or similar operations" within the meaning of General Order No. 16, and may be made without approval of the National War Labor Board.

* * * * * *

Section 81.980z is amended as follows:

§ 81.980z *General Order No. 26.* (a) Organizations established as nonprofit community chest funds, foundations or cemetery companies, and organizations operated without profit and exclusively for religious, charitable, scientific, literary or educational purposes, which have been exempted from the payment of incomes and social security taxes (including nonprofit organizations which maintain and operate hospitals), shall be exempt from the necessity of filing applications for approval of wage and salary adjustments of their employees within the jurisdiction of the National War Labor Board.

(b) Such organizations will, nevertheless, be expected to observe and abide by the national wage and salary stabilization policy in making any adjustments in the wages or salaries of their employees.

(c) The Regional War Labor Boards may recommend to the National War Labor Board such exceptions to the provisions of this order as are necessary to effectuate the wage and salary stabilization policies of the National War Labor Board, which exceptions, if approved by the National War Labor Board, shall, unless otherwise specified, apply only within the territorial jurisdiction of the Regional Board making the recommendation.

Section 81.980bb is redesignated § 81.980cc and a new § 81.980bb is added. (This was formerly § 81.980p (b)).

§ 81.980bb *General Order No. 30.* In accordance with the provisions of section 4 of Title II of Executive Order 9250, increases in wage or salary rates which do not bring such rates above 40¢ per hour may be made without the approval of the National War Labor Board.

§ 81.980cc *General Order No. 31.* * * *

In § 81.990 paragraph (b) is redesignated (c) and a new paragraph (b) is added:

§ 81.990 *Joint statement on employment of aliens.* * * *

(b) *Anti-discrimination contract clause.* The anti-discrimination clause (see paragraph 325) required in contracts under the provisions of Executive Order No. 9346 issued under date of 27 May 1943 (see this Procurement Regulation No. 9, § 81.990) prohibits discrimination against any employee or applicant for employment because of "national origin". This is construed as prohibiting discrimination based on noncitizenship as well as discrimination based on country of origin.

(c) *Procedure.* * * *

FAIR EMPLOYMENT PRACTICE

Sections 81.994 and 81.994a are added as follows:

§ 81.994 *Executive Order No. 9346.* The following is the full text of Executive Order No. 9346, issued under date of 27 May 1943:

EXECUTIVE ORDER FURTHER AMENDING EXECUTIVE ORDER NO. 8802 BY ESTABLISHING A NEW COMMITTEE ON FAIR EMPLOYMENT PRACTICE AND DEFINING ITS POWERS AND DUTIES

In order to establish a new Committee on Fair Employment Practice, to promote the fullest utilization of all available manpower, and to eliminate discriminatory employment practices, Executive Order No. 8802 of June 25, 1941, as amended by Executive Order No. 8823, of July 18, 1941, is hereby further amended to read as follows:

WHEREAS the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin; and

WHEREAS it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the nation can be defended successfully only with the help and support of all groups within its borders; and

WHEREAS there is evidence that available and needed workers have been barred from employment in industries engaged in war production solely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers' morale, and national unity:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this Order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

It is hereby ordered as follows:

1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts. [See § 81.325.]

2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin.

3. There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a Chairman and not more than six other members to be appointed by the President. The Chairman shall receive such salary as shall be fixed by the President not exceeding $10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding twenty-five dollars per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this Order.

4. The Committee shall formulate policies to achieve the purposes of this Order and shall make recommendations to the Order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this Order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

5. The Committee shall receive and investigate complaints of discrimination forbidden by this Order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

6. Upon the appointment of the Committee and the designation of its Chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 of June 25, 1941, hereinafter referred to as the old Committee, shall cease to exist. All records and property of the old Committee and such unexpended balances of allocations or other funds available for its use as the Director of the Bureau of the Budget shall determine shall be transferred to the Committee. The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under this Order.

7. Within the limits of the funds which may be made available for that purpose, the Chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this Order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed. The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this Order through such officials and agencies and in such manner as it may determine.

8. The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this Order.

9. The provisions of any other pertinent Executive order inconsistent with this Order are hereby superseded.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 27, 1943.

§ 81.994a *Interpretations of Executive Order 9346.* Pursuant to the authority vested in it by Executive Order No. 9346, the Committee on Fair Employment Practice, in order to effectuate the purposes of the order, has issued certain interpretations under the order. Such interpretations are set forth in succeeding paragraphs.

(a) *Contracts.* (1) The words "all contracts hereafter negotiated or renegotiated" include all contracts made, amended or modified.

(2) A non-discrimination provision is required in leases, grants or easements, right of way, etc., to the same extent that it is required in other contracts.

(3) The obligation to include the non-discrimination clause exists even though the contract involves non-war activity.

(4) The obligation to include the non-discrimination clause exists even though the contract is required to be awarded to the lowest bidder.

(5) The obligation to include the non-discrimination clause exists even though the contract is between a Federal Government agency and a state agency or subdivision of a state.

(6) The obligation to include the non-discrimination clause does not depend on the amount of money or other consideration involved in the performance of the contract.

(7) The non-discrimination provision required does not refer to, extend to or cover the activities or business of the contractor which are not related to or involved in the performance of the contract entered into.

(8) Inclusion of a non-discrimination provision is not required in contracts the performance of which does not involve the employment of persons.

(9) Inclusion of a non-discrimination provision is not required in contracts with foreign contractors for work to be performed outside the continental or territorial limits of the United States where no recruitment of workers within the said limits of the United States is involved.

(b) *Employment of aliens.* See § 81.990 of this Procurement Regulation No. 9, relating to employment of aliens, particularly paragraph (b).

[Procurement Reg. 11]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS PURCHASE INSTRUCTIONS

Paragraph (c) is added to § 81.1120, as follows:

§ 81.1120 *Procedure for handling litigation involving cost-plus-a-fixed-fee contractors.* * * *

(c) *Procedure to determine legal position to be taken in suits based upon Fair Labor Standards Act of 1938.* (1) In order that any differences of opinion between the War or Navy Departments and the Department of Labor as to the legal position which should be taken by the Government in suits against cost-plus-a-fixed-fee contractors based upon the Fair Labor Standards Act may, be resolved, the War Department, the Navy Department, the Department of Labor and the Department of Justice have entered into the following agreement as to the administrative procedures to be followed to determine the position to be taken by the Government in such suits:

MEMORANDUM OF AGREEMENT ON UNIFORM ADMINISTRATIVE PROCEDURES

1. *Purposes:* The procedures herein outlined are provided in order to:

(a) Secure in the disposition of litigated claims settled and uniform application of the Fair Labor Standards Act to the types of work performed by cost-plus-a-fixed-fee contractors.

(b) Obtain either an effective and economical defense by the Department of Justice against claims under the Fair Labor Standards Act, or the quick payment of such claims, depending upon whether such claims are determined pursuant to these procedures to be valid or invalid; and

(c) Establish a method for handling claims which is fair and equitable in protection of the claimant, the United States, and the cost-plus-a-fixed-fee contractor.

2. *Definitions:* For purposes of this agreement, the term—

(a) "Contracting Agency" means the War Department, or the Navy Department, as the case may be.

(b) "Cost - Plus-a-Fixed - Fee Contractor" means a contractor who has entered into a contract with a contracting agency, acting in its own behalf, or in behalf of the United States, pursuant to which the contracting agency, or the United States, is obligated to pay the labor costs of the work performed under the contract.

(c) "Claim" means a suit based upon the Fair Labor Standards Act for additional payments for work performed for a cost-plus-a-fixed-fee contractor; and the term "claimant" means a person by whom or on whose behalf such suit is instituted.

3. *Prompt Investigation, Determination, and Payment of a Valid Claim:* Claims will be immediately investigated by the contracting agency. If in the judgment of the contracting agency the claim should be paid, the United States Attorney will be promptly notified and he will effect settlement of the claim and disposition of the suit. If such is not the judgment of the contracting agency, the claim, together with the contracting agency's recommendation and report of the investigation, will be referred to the appropriate regional office of the Wage and Hour Division for such further and prompt investigation as may be necessary, and for determination. Contemporary or joint investigations will be held by both agencies when found feasible.

4. *Review of Determination of the Regional Office of the Wage and Hour Division:* Within ten days after notice of the determination of the regional office of the Wage and Hour Division, the contracting agency may, if dissatisfied with, and unwilling to settle on the basis of the determination of the regional Office of the Wage and Hour Division, appeal to the Wage and Hour Administrator for his final determination of the claim. If part or the whole of the claim is found valid by the Administrator, the United States Attorney will effect settlement of the claim and disposition of the suit accordingly, except that if the contracting agency should conclude that the determination of the Administrator is in its view so clearly unsound as to render assent thereto improper, such agency may elect not to be bound by such determination and to proceed as provided in Paragraph 5.

5. *Participation of the Department of Justice in Discussions:* At the instance of either contracting agency or of the Administrator, the Department of Justice will, if the case appears sufficiently important and the legal issues sufficiently doubtful, join in any discussion among the parties preceding the determination of the Administrator and will informally accord to the parties the benefits of its views on the legal issues. It is understood that the Department of Justice is not intended to act as an appellate tribunal and that requests for its participation in discussions will be limited to the few important and doubtful cases. Each case in which a contracting agency has elected, pursuant to Paragraph 4, not to be bound by a determination of the Administrator shall be made the subject of discussion with the Department of Justice. Whenever any such case is the subject of discussion with the Department of Justice that Department may determine the Government's litigation position. If the Department of Justice makes such determination the action of all parties hereto with respect to the disposition of the particular case shall be in accord with the determination of the issues so made. In the event the Department of Justice declines in such cases to make such determination of the issues, the Department may decide not to provide further legal representation in any litigation of such case, in which event the cost-plus-a-fixed-fee contractor shall be represented by private counsel and neither the Administrator nor the contracting agency nor any of their representatives shall appear or participate in the litigation.

6. *Suits on Claims Against Cost-Plus-a-Fixed-Fee Contractors To Be Handled by the Department of Justice:* The Department of Justice will have its United States Attorneys appear for cost-plus-a-fixed-fee contractors in all suits on claims filed against them, and will seek extensions of time sufficient to permit the foregoing procedures to operate. Subject to the Attorney General's usual discretion to avoid untenable positions in court, the conduct of such litigation will be in conformity with the administrative determinations made pursuant to such procedures.

7. *Duration:* The procedures provided in this agreement are recognized as experimental in nature, and any signatory hereto shall be free to withdraw from this agreement. In the absence of such withdrawal, the procedures shall endure until the purposes set forth in Paragraph 1 are accomplished.

(2) The Under Secretary of War by memorandum dated 15 December 1943, to the Commanding Generals of the Army Air Forces and the Army Service Forces, with reference to the above agreement, directed that:

To carry out the purposes of the agreement the procedure set forth below will be followed:

(a) The Judge Advocate General will be notified, as provided in AR 410–5 and other applicable regulations, promptly upon receipt of notice that suit based upon the Fair Labor Standards Act has been filed against a War Department cost-plus-a-fixed-fee contractor. He will request the Attorney General to direct the United States District Attorney to appear in the suit on behalf of the contractor and to obtain the extension of time contemplated by Paragraph 5 of the agreement.

(b) The Judge Advocate General will determine the position of the War Department in respect of such suits, to the same extent as in other cases referred to him under AR 410–5, and will further determine which cases should be appealed by the War Department to the Wage & Hour Administrator or the Attorney General, pursuant to the provisions of the attached agreement. He will also represent the War Department in all such appeals.

(3) In conformity with the above agreement and directive, upon notification of the institution of a suit based upon the Fair Labor Standards Act against a cost-plus-a-fixed-fee contractor as provided in paragraph (b) of this section, the Judge Advocate General will request the Attorney General to direct the United States District Attorney to appear in the suit on behalf of the contractor and to obtain the extension of time contemplated by paragraph 5 of the agreement. The technical service promptly will make or cause to be made such investigation as may be necessary to ascertain the precise nature of the work performed by the complaining employee during the period for which he seeks additional compensation, and promptly will report such information and such other information as the Judge Advocate General may request to the Judge Advocate General with the technical service's recommendation as to the position to be taken by the War Department in respect of the suit. Such investigation as to the nature of the employee's employment during the period may be made in collaboration with an investigator of the Wage and Hour Division of the Department of Labor in any case in which the technical service deems this appropriate.

(4) The Judge Advocate General will determine which claims in litigation shall be referred to the Department of Labor for the further investigation and for determination as permitted by paragraphs 3 and 4 of the agreement and which claims shall be referred by the War Department to the Department of Justice as permitted by paragraph 5 of the agreement, and will represent the War Department in connection therewith.

(5) In those cases in which the Department of Justice determines the legal position to be taken by the Government and decides that the claim should be litigated, it will conduct the litigation in accordance with the course of action determined upon as provided in the agreement. Should the Department of Justice refuse to determine the legal position to be taken by the Government and should the Judge Advocate General decide that the claim should be litigated, he will so advise the technical service in order that private counsel may be engaged to represent the contractor. Attention is called to 22 Comp. Gen. 993 to the effect that cost-plus-a-fixed-fee contractors in proper cases may be reimbursed the reasonable and necessary costs, including attorneys' fees, incurred in the defense of such suits. (See also the Comptroller General's opinion to the Secretary of War of 15 December 1943 (B–38642) affirming such position.)

(6) The Judge Advocate General will advise the technical services as to claims which it has been determined should be compromised rather than litigated. Attention is called to the Comptroller General's opinion to the Secretary of War of 15 December 1943 (B–38642) to the effect that the War Department properly may, upon proper administrative determination as therein indicated that the settlement in each instance was fully warranted as being in the best interest of the Government, reimburse contractors for payments to employees in settlement of claims for overtime asserted in section 7 of the Fair Labor Standards Act, in amounts less than the total amounts which would be required to be paid in the event adverse judgments were obtained, even if the consummation of the settlement necessitated adjustment of disputed questions as to the amounts of overtime involved as well as questions pertaining to the application of the act.

In § 81.1187 the final paragraph is amended to read as follows:

§ 81.1187 *Restrictions on purchases of selected items for the duration of the war.* * * *

The purchase of the items referred to in the circular set forth in this section, is prohibited for the duration of the war except for essential war needs. No such item will be purchased without the prior approval of the Director, Purchases Division, Headquarters, Army Service Forces. Requests for such approval will be forwarded through channels and must be accompanied by a complete statement of facts showing that the proposed purchase is for an essential war need.

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT

NOTE: The Revenue Act of 1943, enacted 25 February 1944, completely revises the statutory provisions governing renegotiation (see Revenue Act of 1943, Title VII). This enactment will require substantial changes in the related procurement regulations: §§ 81.342, 81.1201 to 81.1214, and 81.1290 to 81.1292, inclusive. Amended regulations will be issued at an early date.

In § 81.1243 paragraph (h) is amended as follows:

§ 81.1243 *Use of articles.* * * *

(h) Form I or Form II will be used only with the permission of the Director, Purchases Division, Headquarters, Army Service Forces. Each request for such permission (1) will show that the principles set forth in the foregoing paragraphs of this § 81.1243 were applied by the contracting officer, (2) will be sufficiently full and detailed to enable the Director to determine whether the proposed use of the article conforms to these principles, and (3) will show specifically, the effect of the proposed use of the article on the prices and profits of the contractor under the contract.

[Procurement Reg. 13]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FORMS OF CONTRACTS

In § 81.1316 Article III–E of the contract form is amended to read as follows:

§ 81.1316 *W. D. Contract Form No. 16.* * * *

ART. III–E. *Changes.* 1. The Contracting Officer may at any time, by a written order, and without notice to the sureties, make any changes in this contract which may either increase or decrease the services hereunder. If such changes cause an increase or decrease in the services required under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly. Any claim for adjustment under this article must be asserted within 10 days from the date the change is ordered: *Provided, however,* That the Contracting Officer, if he determines that the facts justify such action, may receive and consider, and with the approval of the Secretary of War or his duly authorized representative, adjust any such claim asserted at any time prior to the date of final settlement of the contract. If the parties fail to agree upon the adjustment to be made, the dispute shall be determined as provided in Article III–D, but nothing provided in this article shall excuse the Architect-Engineer from proceeding with the prosecution of the work so changed.

[Procurement Reg. 16]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

PRIORITIES

In § 81.1641 paragraph (b) is amended to read as follows:

§ 81.1641 *Other construction.* * * *

(b) Construction other than that included in the above, may be assigned preference ratings only by the War Production Board. Applications for preference ratings should be submitted on Form WPB–617. If the application covers a project of less than $25,000 it may be rated by a War Production Board field office.

* * * * *

Section 81.1648 is amended, the headnote being changed, as follows:

§ 81.1648 *MRO procurement by the Army.* (a) Maintenance, repair, and operating supply items, referred to as MRO, including capital additions not exceeding $500 in value, may be assigned preference ratings by following a simplified procedure which is based on CMP Regulations 5 and 7. A preference rating may be assigned by placing on the purchase order or contract for maintenance, repair, and operating supply items, the preference rating, identification symbol, and certification statement, as follows:

AA–1–W–MRO. The use of the preference rating or symbol on this order by the undersigned as a procuring Claimant Agency is authorized under applicable CMP Regulations.

This method of rating purchases may not be used in connection with regularly programmed MRO items which are those included in the Army Supply Program and which are rated by the PD–3A procedure.

(b) The quantity limitations of paragraph f of CMP Regulation 5 are not applicable to purchases of MRO by the Army.

(c) Priorities Regulation No. 3 of the War Production Board includes a list of items to which preference ratings may not be assigned by use of the certification statement of CMP Regulation No. 5 shown above. If it is necessary to assign a rating to an item on List B of Priorities Regulation No. 3, a PD–3A certificate and an AA–1 rating as specified in the ANMB Priorities Directive may be used.

Section 81.1650 is rescinded.

§ 81.1650 *MRO procurement of services.* [Rescinded]

[Procurement Reg. 7]

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

DISPOSITION OF PROPERTY

In § 83.706 the final clause is amended by deleting the words "through channels", so as to read as follows:

§ 83.706 *Written contracts of sale, numbering and distribution thereof.* * * * ; and (b) the original signed number of each unnumbered contract of sale will be forwarded to the General Accounting Office instead of being sent to the disbursing officer, as in the case of unnumbered contracts of purchase.

[Procurement Reg. 15]

PART 88—TERMINATION OF CONTRACTS

TERMINATION FOR CONVENIENCE OF THE GOVERNMENT

Section 88.15–310 is amended as follows:

§ 88.15–310 *Amendments to insert provisions for negotiated settlement.* (a) Whenever it is proposed or contemplated that a lump sum supply contract which contains a termination article be wholly or partially terminated, the contract will be scrutinized by the contracting officer to determine whether it contains the uniform termination article for use in lump sum supply contracts (§ 81.324) which provides for a negotiated settlement of the amount due with respect to the termination and certain other important provisions not in some earlier forms of the termination article (see § 88.15–901a and note to that section).

(b) Where the termination article does not conform to the uniform article set out in § 81.324 the contracting officer, prior to serving the notice of termination,

will attempt to amend such contract to include the uniform article by supplemental agreement. The assent of all sureties and guarantors, if any, to each such supplemental agreement should be obtained. The consent of any assigned should also be obtained if possible. A form of appropriate supplemental agreement is set out in § 88.15–926. Such amendments are permitted at the times and under the conditions set forth in § 88.15–107. However, emphasis is placed upon the fact that such amendments wherever reasonably possible should be completed prior to the giving of a formal notice of termination.

(c) If such an amendment can be effected, termination will take place pursuant to the uniform termination article (§ 81.324).

(d) If no such amendment can be effected, settlement will be made pursuant to the termination article in fact in the contract.

(e) If at any stage of the settlement procedure, the contracting officer and the contractor reach an agreement as to a negotiated settlement of the amount payable on account of a contract which does not then contain a uniform termination article, an amendment may then be made to embody the uniform termination article in the contract by supplemental agreement. Thereafter and by separate supplemental agreement the settlement which has been reached may be concluded.

Section 88.15–322 is amended as follows:

§ 88.15–322 *Commencement of negotiations; initial conference with the contractor at the time of the service of the termination notice.*[1] (a) In the case of each termination of a substantial contract, at the time of service of the termination notice, or as promptly as possible thereafter, a conference should be held with the contractor to negotiate the general outlines to be followed in making settlement and to develop a definite program to be followed by all parties participating in the work of settlement. Negotiations should be carried out at this conference sufficiently completely so that the basic terms on which settlement is to be effected are at least tentatively determined and so that there is a clear understanding as to what information is to be furnished by the contractor, what methods are to be pursued in disposing of property, what the general principles of settlements are to be and what accounting or other investigation is to be undertaken.

[1] The furnishing of advice (in the ordinary routine of operations) on the procedures and methods to be employed by the contractor and subcontractors in connection with the termination and its settlement and in determining and presenting statements of termination charges is a part of the official duty of Government personnel performing functions in connection with termination settlements and is not regarded as in any way in conflict with Criminal Code, sec. 109; 18 U.S.C. 198.

(b) The importance of this initial conference is emphasized by the memorandum of the Under Secretary of War dated 10 February 1944 reprinted at § 88.15–422. Special attention is directed to paragraph 2 of that memorandum. This conference should be regarded as an important step in the negotiation of a settlement and every effort should be made at that time to dispose of as many questions as possible by agreement.

(c) It is important that all interested groups in the office of the contracting officer should be represented at the initial conference. This will normally include the principal representative of the contracting officer, hereinafter mentioned, and also appropriate negotiating, technical, engineering, legal and accounting personnel. At or before the initial conference some one person will be designated by the contracting officer as his principal representative in connection with the particular termination, but it should be made wholly clear to the contractor that such representative is not authorized to agree finally upon a supplemental agreement making settlement of the amount, if any, due by reason of the termination. The contracting officer's representative should be given authority, either general or limited,

(1) To approve dispositions of property,

(2) To approve settlements with subcontractors up to some stated amount,

(3) To pass upon the miscellaneous minor questions which inevitably arise in connection with a termination settlement,

(4) To negotiate a settlement subject to any required approval.

(d) It is good practice, although not always necessary, to have a statement of the scope of the authority of the contracting officer's principal representative reduced to writing. In appropriate cases, to avoid misunderstandings, a copy should be furnished to the contractor.

(e) At this conference, if no conference prior to termination has been held, the various matters mentioned in § 88.15–312 should be covered thoroughly. In addition the contracting officer's representative should be certain that the contractor understands fully his obligations as outlined in § 88.15–321.[1] Particular emphasis should be placed on the following matters:

(1) Termination of subcontracts and purchase orders.

(2) Settlement of claims of subcontractor and the methods of review thereof to be employed by the prime contractor.

(3) A program for the disposition of property acquired for the terminated contract:

(i) By the contractor.

(ii) By or for his subcontractors.

(4) The responsibilities to the War Manpower Commission and to employees mentioned in § 88.15–324.

(f) In some cases, the contracting officer may wish to examine the physical inventory at once and to check it against book inventory.

In § 88.15–350 paragraphs (a) and (d) are amended as follows:

§ 88.15–350 *Sale of property.*—(a) *Contract provision.* The uniform termination article for use in lump sum supply contracts (§§ 81.324; 88.15–901) provides in part as follows:

(b) After receipt of a Notice of Termination and except as otherwise directed by the contracting officer the contractor shall * * *: (6) transfer title and deliver to the Government in the manner, to the extent and at the times directed by the contracting officer (i) the fabricated or unfabricated parts, work in process, completed work, supplies and other material produced as a part of, or acquired in respect of the performance of, the work terminated in the Notice of Termination, and (ii) the plans, drawings, information and other property which, if the contract had been completed, would be required to be furnished to the Government; (7) use his best efforts to sell in the manner, to the extent, at the time, and at the price or prices directed or authorized by the contracting officer, any property of the types referred to in subdivision (6) of this paragraph, *Provided, however,* That the contractor (i) shall not be required to extend credit to any purchaser and (ii) may retain any such property at a price or prices approved by the contracting officer;

Attention is invited also to the last two sentences of paragraph (a) of the standard termination article formerly authorized for use in lump sum supply contracts which is reprinted for the convenience of Government personnel in § 88.15–901a.

* * * * * *

(d) *Protection of rights of assignee.* (1) If the amounts payable under the contract have been assigned by the contractor, the contracting officer should take appropriate steps in each case to see that the proceeds of any sale or retention of property are dealt with in a manner to protect the proper interests of the assignee. If the amounts of property to be sold are to be substantial, or if a series of sales is likely, normally the written consent of the assignee should be obtained to the method of disposition proposed.

(2) The assignee of a contract which contains, prior to the assignment, the uniform termination article (§ 81.324) or the standard article formerly authorized for use (see § 88.15–901a) takes his assignment subject to the provisions of such article (quoted or referred to in paragraph (a) of this section) but even in such cases the contracting officer should make reasonable efforts to protect the proper interests of the assignee.

(3) Where the Government has made advance payments or participated in guaranteed loans related to a contract in process of termination, the interest of the Government in the proceeds of property which is to be sold or retained by the contractor should be protected by proper coordination, in advance, with the officers or branch charged with the administration of the advance payment or loans.

Section 88.15–400 is amended as follows:

§ 88.15–400 *Summary of action to be taken with respect to presentation of contractor's statements and proposals for settlement.* The following principal steps will be taken to bring about the settlement and payment of amounts, if any, due to the contractor and his subcontractors and suppliers in connection with the termination settlement:

(a) An initial conference will be held with the contractor at or about the time that the termination notice is sent (see § 88.15–322). At this conference the general outlines to be followed in making the settlement will be negotiated and a definite program for its completion will be worked out in detail.

(b) The contractor will file (see § 88.15–402) a statement relating to the amount due to the contractor in connection with the termination. This will be prepared in accordance with instructions given at the initial conference and with applicable regulations and shall constitute a proposal for a negotiated settlement of the amount due in connection with the termination.

(c) The various subcontractors will file with the prime contractor similar proposals for settlement. In any instance where the settlement of the subcontract is likely to be complicated, the preparation of these proposals should usually be the subject of a conference between the prime contractor and the subcontractor.

(d) The contractor will review, through his own personnel, the statements presented by his subcontractors and negotiate settlements with them respectively, subject, however, to the approval of the contracting officer (see § 88.15–430). He will present the subcontractors' statements and proposals for settlement, either separately or as a group, to the contracting officer for approval in connection with his own settlement, with his recommendation and certificate (see § 88.15–440).

(e) The contracting officer will utilize the services of the Government accounting personnel in connection with the settlement to the extent that he deems desirable in the particular case. In this connection special attention is invited to the fourth paragraph of the memorandum of the Under Secretary of War dated 10 February 1944 set forth in § 88.15–422.

(f) Any report requested of Government accounting personnel (see §88.15–424), and the comments and recommendations therein contained, will be regarded as advisory only and will not bind or control the discretion of the contracting officer.

§ 88.15–401 *Negotiated settlement compared with a formula settlement.* The preparation of accounting data and proposal for settlement are designed to facilitate the negotiation of a settlement of the amount due in connection with the termination. Such a negotiated settlement is authorized by paragraph (c) of the new uniform termination article §§ 81.324 and 88.15–901 and of the old standard termination article formerly authorized for use in lump sum supply contracts (§ 88.15–901a). If such a settlement cannot be negotiated between the contracting officer and the contractor, then, under the termination article, settlement will be made in accordance with the formula contained in paragraph (d) of the applicable article. A negotiated settlement can be made more expeditiously than a formula settlement and results in more prompt payment of the amounts owing to contractors and subcontractors. The method of settlement by negotiation, therefore, is to be regarded as the primary and more satisfactory method of settlement. Settlement by formula will be a secondary method and will be resorted to only where a negotiated settlement proves to be impossible. If a settlement by negotiation is not made, the contractor's accounting statement will serve as a basis for determining what further investigation is necessary to permit of settlement by formula.

In § 88.15–421 a cross reference is added to paragraph (c), as follows:

§ 88.15–421 *The Termination Accounting Manual.* * * *

(c) *Examination of subcontractors' claims.* The Termination Accounting Manual (see T. A. M., par. 1114) is prescribed as a guide in making an accounting examination of claims of subcontractors when such examinations are to be made by Government accounting personnel (see § 88.15–437). It is also suitable for use by contractors in the examination by them of subcontractors' charges.

* * * * * *

Section 88.15–422 is amended as follows:

§ 88.15–422 *Function of the contracting officer in reviewing statements and proposals of contractors.* The contracting officer has the responsibility for passing upon the contractor's proposal and arriving at an agreement with the contractor. In carrying out these functions, the contracting officer must decide the extent to which he requires independent review and verification of the contractor's statement by personnel qualified to deal with accounting matters (see T. A. M. 1104). In this connection, the accounting personnel operate to assist the contracting officer in an advisory capacity when such technical assistance is requested by him. Contracting officers will pursue a policy of reducing auditing to a minimum consistent with protecting the interests of the Government. Whenever possible, reliance should be placed on intelligent reviews of contractors' data rather than on detailed audits. In those cases where audits do appear to be necessary, it is also expected that they will be carried out in accordance with the principles of selective auditing (see T. A. M. 1106).

Attention is invited to the following memorandum of the Under Secretary of War which indicates the nature of the responsibility of the contracting officer to expedite negotiations and the proper method of utilizing the services of accounting personnel:

MEMORANDUM FOR THE COMMANDING GENERAL, ARMY SERVICE FORCES, THE COMMANDING GENERAL, ARMY AIR FORCES

10 FEBRUARY 1944.

Subject: Approval of Contractors' Statements of Charges in Contract Termination Settlements.

1. Termination procedures established in the contracting offices of the Army Service Forces and the Army Air Forces have not produced expected results. The reluctance of Contracting Officers to execute courageously their responsibilities as outlined in Procurement Regulation 15 continues to delay unnecessarily contract termination settlements. This reluctance is evidenced by the number of settlements awaiting Contracting Officers approval as to disposition of contractor-owned property or as to contractors' statements of charges. My position regarding disposition of contractor-owned property was discussed in memoranda dated 30 June and 30 December, 1943. It is important that the principles stated in those memoranda be applied.

2. Statistics available indicate that contractors' statements of charges are often substantially in excess of amounts included in negotiated settlement agreements. This condition arises in most cases because contractors are not completely familiar with the proper method of presenting a statement of charges. It is a primary duty of Contracting Officers to instruct contractors in the general principles stated in Procurement Regulation 15 and the Termination Accounting Manual in order that they may be able to prepare statements of charges which can be included properly in the negotiated settlement agreements. At the time of the first conference with the contractor, the Contracting Officer should develop the general outlines on which settlement will be made. The problems of the particular case should be analyzed and wherever possible an agreement should be reached as to the general basis for the preparation of the contractor's statement. If properly done, this will reduce the amount of accounting review necessary and result in fewer differences between contractors' settlement proposals and the sum finally agreed upon.

3. It is the policy of the War Department, definitely stated in Procurement Regulation 15, that the contractor receive fair and reasonable compensation for the work performed and for the supplies and articles furnished under the terminated contract. In this respect the work of Contracting Officers will be evaluated not by the extent to which they succeed in reducing the settlements proposed by contractors, but by the extent to which prompt settlements, which are fair both to the contractor and to the Government, are made.

4. The delay in approving contractors' statements of charges results not only from improper preparation of statements but also from the unreasonable utilization of detailed auditing. Reluctance to make use of the office review procedure and an insistence on field audits have delayed settlements for extended periods. It is important that office reviews of the scope outlined in Procurement Regulation 15 be utilized to the fullest extent and that field audits be the exception rather than the rule. Contracting Officers should bear in mind that in submitting statements to the Government the contractor represents that the facts stated are true and he is subject to penalty for any false certificate. (See 18 U.S.C. 80). Both Procurement Regulation 15 and the Termination Accounting Manual place responsibility on the Contracting Officer for deciding the extent to which he requires verification of the contractor's statement. While the Contracting Officer should have adequate accounting information available in making his decisions, it is his responsibility to make prompt and final decisions after having obtained the reports prepared by accounting personnel.

5. It is suggested that Contracting Officers be instructed in accordance with the foregoing.

[S] ROBERT P. PATTERSON,
Under Secretary of War.

Section 88.15–487 is added:

§ 88.15–487 *Bond premium computation.* See § 81.408 (b) for bond premium computation on terminated contracts.

In § 88.15–501 (d) subparagraph (3) is added as follows:

§ 88.15–501 *Partial payments to prime contractors.* * * *

(d) *Conditions which may be imposed in connection with partial payments.* * * *

(3) To accomplish partial payments, an agreement supplemental to the prime contract in substantially the form set forth in § 88.15–922 will be entered into between Government and the prime contractor.

In § 88.15–651 paragraphs (c), (d) and (e) are amended as follows:

§ 88.15–651 *Steps in the termination of cost-plus-a-fixed-fee contracts.* * * *

(c) *Settlement of fixed price (lump sum) subcontracts, purchase orders and obligations.* (1) Numerous cost-plus-a-fixed-fee contracts now in effect contain a provision for termination for the convenience of the Government substantially in the form set forth in § 81.350 of this chapter. In terminating such contracts, effort will be made to obtain the full cooperation of the prime contractor in connection with the termination and settlement of his obligations and commitments. The contractor clearly remains liable upon his subcontracts and commitments. He is also plainly under obligation to obtain from his subcontractors, vendors and suppliers their statements of amounts due on account of the termination or cancellation of their subcontracts, purchase orders and other commitments and to lend all reasonable assistance in their settlement.

(2) Reimbursement will be made to a prime contractor (whose cost-plus-a-fixed-fee contract is in process of termination) of any amount paid by the prime contractor to a subcontractor or other obligee under a fixed price (lump sum) subcontract, purchase order or obligation pursuant to a termination settlement agreement with the subcontractor.

(i) If the prime contractor negotiates such settlement in good faith with the subcontractor or other obligee for the purpose of agreeing upon an amount which the subcontractor or other obligee will accept in satisfaction of his claim;

(ii) If the amount thus agreed upon is embodied in a settlment agreement between the prime contractor and subcontractor or other obligee releasing the prime contractor and Government from any further liability; and

(iii) If the settlement in question is approved by the contracting officer as being a reasonable and proper settlement and in the best interest of the Government.

The foregoing principles are applicable regardless of whether or not the subcontract, purchase order or other obligation includes a termination article and, if it includes a termination article, regardless of whether such article includes a settlement formula or provides expressly that upon termination, settlement of the subcontract, purchase order or other obligation may be made by negotiation.

(3) In determining the fair amount of the adjustment to be made in the fixed fee of a contractor, whose cost-plus-a-fixed-fee contract has been the subject of a notice of termination for the convenience of the Government pursuant to an article like that set out in § 81.350 of this chapter (see especially subparagraph 3 (e)) or in § 88.15–905 (see especially subparagraph (2) (d) of such article), the extent of the work and cooperation of the contractor in effecting settlement of the prime contract and of subcontracts may be given consideration. Ordinarily, assignments to the Government of subcontract rights will not be made by the contractor unless the contracting officer is of the opinion that some pecuniary or administrative advantage to the Government will result from such assignment and specifically directs that it be made.

(4) In some cost-plus-a-fixed-fee contracts[1] there has been included a termination article (hitherto principally used by the Ordnance Department) providing expressly that it is the duty of the prime contractor to settle the amount due to subcontractors, vendors and suppliers on account of termination. Under contracts containing an article of this type, subcontract settlements will be made by the prime contractor in accordance with the procedure set forth in subparagraph (2) above. It is expected that shortly an approved uniform termination article for use in cost-plus-a-fixed-fee supply contracts will be prescribed which in general will be of the type described in this subparagraph.

(5) It is the general policy of the War Department to encourage, to the greatest extent possible, the settlement by the prime contractor of all obligations arising out of the termination of subcontracts, purchase orders or other commitments as the result of the termination of a cost-plus-a-fixed-fee contract, as such settlement tends to expedite payments to subcontractors.

(d) *Settlement of cost-plus-a-fixed-fee subcontracts, purchase orders and other obligations of the prime contractor.* Ordinarily, it will be feasible to settle cost-plus-a-fixed-fee subcontracts, purchase orders and other commitments of a prime contractor under a cost-plus-a-fixed-fee prime contract in accordance with the terms of the instrument containing such cost-plus-a-fixed-fee obligation. If this is done, audit and payment of the unreimbursed costs of such obligation will be made in a manner consistent with the applicable instructions set forth in the appropriate War Department Manual for Administrative Audits of cost-plus-a-fixed-fee contracts.[2] However, in the interest of expeditious settlement of such claims, the prime contractor and the subcontractor may settle by negotiation in the manner set forth in paragraph (c) (2) of this section, all amounts due with respect to the subcontract, the amount of any adjustment of any fixed fee payable under the subcontract, and the costs and expenses incurred by the subcontractor in connection with the termination and settlement of such cost-plus-a-fixed-fee subcontract; and the amount of any such settlement, when approved by the contracting officer as made in good faith and with protection of the interests of the Government, shall be reimbursable to the prime contractor.

(e) *Authorization of direct payment of subcontractors in certain cases.* (1) The procedure set forth in this paragraph (e) is authorized in connection with the termination of any prime contract containing (i) a termination article in substantially the form set forth in §§ 81.350, 88.15–903 or 88.15–905 under which it is provided the Government "shall assume and become liable for" certain obligations of the contractor, or (ii) a provision (which may be inserted by amendment) permitting the direct payment by the Government of obligations of the prime contractor related to the prime contract and the release of the Government, by virtue of such direct payment, of all liability with respect to such obligations so paid.

(2) By any supplemental agreement between the prime contractor under a contract of the type mentioned in subparagraph (1) and a subcontractor, entered into pursuant to paragraph (c) or (d) of this section, fixing the amount owed by the prime contractor to the subcontractor, the parties thereto may agree (i) that payment of such amount when approved by the contracting officer, will be made by the Government directly to the subcontractor and (ii) that, upon the making of such direct payment the Government will thereby be discharged of all liability to the prime contractor and to the subcontractor with respect to the obligation settled by such supplemental agreement. Direct payment to the subcontractor of the amount agreed upon in such supplemental agreement may be made by the Government upon the approval of the supplemental agreement by the contracting officer.

(3) Such direct payments under prime contracts of the type referred to in subparagraph (1) will frequently expedite termination settlement of such prime contracts and will facilitate the prosecution of the war. Accordingly, the chief of each technical service may authorize the amendment of any such prime contract pursuant to the First War Powers Act and Executive Order No. 9001, either before or after the giving of a notice of

[1] The nature of this article is such that it has not been regarded as appropriate for use in connection with cost-plus-a-fixed-fee construction contracts.

[2] (a) *Cost-plus-a-fixed-fee supply contracts.* See "Manual for Administrative Audit of Cost-Plus-A-Fixed-Fee Supply Contracts," 14 August 1942.

(b) *Cost-plus-a-fixed-fee construction contracts.* See "War Department Corps of Engineers—Manual for Administrative Audit of Cost-Plus-A-Fixed-Fee Construction Contracts," 29 August 1942.

termination of such prime contract, to provide for such direct payment.

(4) In determining whether the procedure under this paragraph (e), permitting direct payments to subcontractors will be approved, the contracting officer should proceed only after adequate consideration of any possible legal problems in any case where the prime contractor or any intermediate subcontractor is believed to be in financial difficulties. This procedure should not be used in any case.

(i) Where the written consent of the prime contractor and any intermediate subcontractors has not been obtained, or

(ii) Where the amount of the payment may impair any right of set-off possessed by the Government or the ability of the Government to enforce any claim against the prime contractor.

In any case where the prime contractor, the subcontractor, or any intermediate subcontractor is in receivership, reorganization or bankruptcy, the advice of the Director, Readjustment Division, Headquarters, Army Service Forces, should be sought before utilizing this procedure.

* * * * *

Section 88.15–901a is added as follows:

§ 88.15–901a *Old standard article formerly used in lump sum supply contracts.* The following article was prescribed for use in lump sum supply contracts from December 1942 until 20 February 1944.[1] It is no longer authorized for use but is here reprinted merely for the convenience of Government personnel because of its inclusion in so many outstanding contracts:

Article * * * *Termination for the convenience of the Government.* (a) The Government may, at any time, terminate this contract in whole or in part by a notice in writing from the Contracting Officer to the Contractor that the contract is terminated under this Article. Such termination shall be effective in the manner and upon the date specified in said notice and shall be without prejudice to any claims which the Government may have against the Contractor, or any claims which the Contractor may have against the Government. Upon receipt of such notice the Contractor shall, except as the Contracting Officer directs otherwise, (1) discontinue all work and the placing of all orders for materials and facilities in connection with performance of this contract, cancel all existing orders chargeable to this contract, and terminate all subcontracts chargeable to this contract; (2) transfer to the Government, by delivery f. o. b. _____ or by such other means as the Contracting Officer may direct, title to all completed supplies (including spare parts, drawings, information and other things) called for herein, not previously delivered, and partially completed supplies, work in process, materials, fabricated parts, plans, drawings, and information acquired or produced by the Contractor for the performance of this contract; and (3) take such action as may be necessary to secure to the Government the benefits of any rights remaining in the Contractor under orders or subcontracts wholly or partially chargeable to this contract to the extent that such orders or subcontracts are so chargeable. If and as the Contracting Officer so directs or authorizes, the Contractor shall sell at a price approved by the Contracting Officer, or retain at a price mutually agreeable, any such supplies, partially completed supplies, work in process, materials, fabricated parts or other things. The proceeds of such sale or the agreed price shall be paid or credited to the Government in such manner as the Contracting Officer may direct so as to reduce the amount payable by the Government under this Article.

(b) The Government shall, upon such termination of this contract, pay to the Contractor the contract price of all supplies (including spare parts, drawings, information and other things) called for herein which have been completed in accordance with the provisions of this contract and to which title has been received by the Government under the provisions of Paragraph (a) (2) of this Article and for which payment has not previously been made.

(c) In addition to, and without duplication of, the payments provided for in paragraph (b), or of payments made prior to the termination of this contract, the Government shall pay to the Contractor such sum as the Contracting Officer and the Contractor may agree by Supplemental Agreement is reasonably necessary to compensate the Contractor for his costs, expenditures, liabilities, commitments, and work in respect to the uncompleted portion of the contract so far as terminated by the notice referred to in paragraph (a). The Contracting Officer shall include in such sum such allowance for anticipated profit with respect to such uncompleted portion of the contract as is reasonable under all the circumstances.

(d) If the Contracting Officer and the Contractor, within 90 days from the effective date of the notice of termination referred to in paragraph (a) or within such extended period as may be agreed upon between them, cannot agree upon the sum payable under the provisions of paragraph (c), the Government, without duplication of any payment made pursuant to paragraph (b) or prior to the termination of this contract, shall in the above events compensate the Contractor for the uncompleted portion of the contract as follows:

(1) By reimbursing the Contractor for all actual expenditures and costs certified by the Contracting Officer as having been made or incurred with respect to the uncompleted portion of the contract;

(2) By reimbursing, or providing for the payment or reimbursement of, the Contractor for all expenditures made and costs incurred with the prior written approval of the Contracting Officer in settling or discharging that portion of the outstanding obligations or commitments of the Contractor which had been incurred or entered into with respect to the uncompleted portion of the contract; and

(3) By paying the Contractor, as a profit on the uncompleted portion of the contract insofar as a profit is realized hereunder, a sum to be computed by the Contracting Officer in the following manner:

(A) The Contracting Officer shall estimate the profit which would have been realized on the uncompleted portion of the contract if the contract had been completed and labor and material costs prevailing at the date of termination had remained in effect.

(B) Estimate, from a consideration of all relevant factors, the percentage of completion of the uncompleted portion of the contract.

(C) Multiply the anticipated profit determined under (A) by the percentage determined under (B). The result is the amount to be paid to the Contractor as a proportionate share of profit, if any, as above provided.

Notwithstanding the above provisions, no compensation shall be paid under this Paragraph (d) by way of reimbursement for expenditure, including expenditures made in settling or discharging obligations or commitments, or by way of profit on account of supplies and other things which are undeliverable because of destruction or damage, whether or not because of the fault of the contractor.

(e) The Government shall pay to the Contractor such sum as the Contracting Officer and the Contractor may agree upon for expenditures made and costs incurred with the approval of the Contracting Officer (a) after the date of termination for the protection of Government property, and (b) for such other expenditures and costs as may be necessary in connection with the settlement of this contract, and in the absence of such agreement as to the amount of such expenditures and costs shall reimburse the Contractor for the same.

(f) The obligation of the Government to make any of the payments required by this Article shall be subject to any unsettled claim for labor or material and to any claim which the Government may have against the Contractor under or in connection with this contract, and payments under this Article shall be subject to reasonable deductions by the Contracting Officer on account of defects in the materials or workmanship of completed or partially completed supplies delivered hereunder.

(g) The sum of all amounts payable under this Article, plus the sum of all amounts previously paid under this contract, shall not exceed the total contract price, adjusted in the event that this contract contains an article providing for price adjustment, on the basis of the estimate of the Contracting Officer, to the extent which would have been required by such article if this contract had been completed and labor and materials costs prevailing at the date of termination had remained in effect.

(h) Should the above provisions of this Article not result in payment to the Contractor of at least $100, then that amount shall be paid to the Contractor in lieu of

[1] This contract article, as from time to time revised, originally appeared as Article 14 of Supply Contract Form No. 1 (approved Sept. 1941). From 1 July 1942 until 21 January 1944 it appeared at all times in paragraph 324 of Procurement Regulations. On 21 January 1944 it was supplanted by the uniform termination article prescribed by the Office of War Mobilization (§ 81.324). The contract article set forth above is in the form appearing after revisions made late in 1942. Such revisions were principally as follows:

(1) A provision explicitly permitting a *negotiated* settlement of the amount due with respect to the *uncompleted* portion of the contract by reason of the termination was inserted (see par. (c) of the termination article).

(2) Sales of property, title to which the Government might require to be transferred to it upon the termination, were expressly permitted. This involved the addition of the last two sentences of paragraph (a) of the termination article as presently printed above.

(3) A negotiated settlement of the amount due (a) for protecting Government property after the date of the termination and (b) for other settlement expenses was expressly permitted by an amendment of paragraph (c) of the termination article.

(4) Partial payments on account of amounts due under the termination article were permitted by the addition of paragraph (i).

(5) Termination under the provisions of the termination article (rather than for default) was made mandatory in the case of certain terminations at the end of hostilities. This provision is found in paragraph (1) of the article.

At the same time similar changes were made in the standard termination article for lum sum construction contracts (§ 81.324 (b)).

any and all payments hereinbefore provided for in this Article.

(i) The Government shall promptly make partial payments to the Contractor.

(1) on account of the amounts due under paragraphs (b), (c), and (d) of this Article to the extent that, in the judgment of the Contracting Officer, such payments are clearly within the amounts due under such paragraphs, and

(2) of such amounts as the Contracting Officer may direct, on account of proposed settlements of outstanding obligations or commitments, to be made by the Contractor pursuant to paragraph (d) (2) of this Article, if such settlements shall have been approved by the Contracting Officer and subject to such provisions for escrow or direct payment to the persons entitled to receive such settlement payments as the Contracting Officer may require.

(j) Any disputes arising out of termination under this Article shall be decided in accordance with the procedure prescribed in Article 12 of this contract.

(k) Upon the making of the payments called for by this Article, all obligations of the Government to make further payments or to carry out other undertakings hereunder shall cease forthwith and forever, except that all rights and obligations of the respective parties under the Articles, if any, of this contract applicable to patent infringements and reproduction rights shall remain in full force and effect.

(l) The Government shall terminate this contract only in accordance with this Article, except as otherwise provided by law or by Article _____ (Delays-Damages). Notwithstanding Article _____ (Delays-Damages) and any defaults of the Contractor, the Government shall terminate this contract only in accordance with this Article if such termination is simultaneous with or part of or in connection with a general termination of war contracts at, about the time of, or following the cessation of the present hostilities or the end of the present war, unless the Contracting Officer finds that the defaults of the Contractor (1) have been gross or willful and (2) have caused substantial damage to the Government.

Section 88.15-922 is added as follows:

§ 88.15-922 *Form of supplemental agreement for partial payments pending final determination of amount payable by Government in connection with termination.*

(1) Supplemental agreement entered into this _____ day of _____, 194.., by the United States of America, hereinafter called "the Government," represented by the contracting officer executing this agreement, and _____, hereinafter called "the Contractor,"

Witnesseth that: Whereas, on _____ day of _____, 194.., the parties hereto entered into Contract No. ____, and

Whereas, notice of termination of said contract has been given pursuant to Article ____ thereof, and

Whereas, said Article provides that the Government shall make partial payments of the amounts to which the contractor shall be entitled thereunder, as may be determined by agreement or otherwise, whenever in the opinion of the contracting officer the aggregate of such payments shall be within the amount to which the contractor will be entitled by reason of such termination, and [1]

Whereas, the contractor hereby represents to the Government that at least the sum of $_____ is clearly due the contractor by reason of the termination of said contract and the Government desires to make a payment to the contractor pending the final determinator of the amount payable of such termination, and [1]

Whereas, this agreement is entered into pursuant to the First War Powers Act, 1941, and Executive Order No. 9001 and it has been determined that the execution of this agreement will facilitate the prosecution of the war:

ARTICLE I. Upon the execution of this supplemental agreement by the parties hereto, and upon the contractor's submission of a proper voucher therefor, the Government will pay to the contractor the sum of $_____

ART. II. Said sum shall be applied against the amount finally determined to be payable by the Government to the contractor in connection with such termination. If such payments exceed the amount finally determined to be payable to the contractor in connection with such termination, the contractor agrees to repay the excess to the Government on demand together with interest thereon at the rate of 6% per annum from the date of receipt of such excess payment by the contractor to the date of the repayment of such excess.

ART. III The payment provided for herein, together with any prior payments received by the contractor in connection with such termination, shall be without prejudice to the right to receive any additional amounts to which the contractor may be entitled as a result of such termination.

In witness whereof, the parties hereto have executed this agreement as of the day and year first above written.

The United States of America

By _____
Title

_____
Contractor

By _____
Title

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3730; Filed, March 17, 1944; 10:40 a. m.]

[1] This "Whereas" clause will be used only in making supplements to contracts containing, or which have been amended to contain, the new uniform termination article (§§ 81.324; 80.15-901).

The following paragraph will be used in place of this "Whereas" clause where a partial payment supplement is being executed to a contract containing (or heretofore amended to contain) the old standard termination article formerly found in § 81.324 (see § 80.15-901a).

Whereas, said Article provides that the Government shall promptly make partial payments to the contractor to the extent that in the judgment of the contracting officer such amounts are clearly due by reason of termination under said Article, and,

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TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 5102.]

PART 22—DRAWBACK

DRAWBACK ENTRY AND CERTIFICATE OF MANUFACTURE

MARCH 16, 1944.

Section 22.16 (a), Customs Regulations of 1943 (CFR 22.16 (a)), is hereby amended to read as follows:

(a) A drawback entry and certificate of manufacture shall be filed in duplicate within 2 years after the date the articles are exported. Such entry and certificate shall be filed on customs Form 7575 except in cases covered by paragraph (c) or (e) of this section. One entry may cover several shipments. All documents necessary to the liquidation of the entry, including those issued by one customs officer to another, shall be filed or applied for, as the case may require, within the 2-year period prescribed above, except that any required landing certificate shall be filed within the time prescribed in § 22.21 (c). The Commissioner of Customs may specifically authorize an extension of the 2-year period for compliance with any of the foregoing requirements.

(Sec. 313, 46 Stat. 693, secs. 402, 403, 49 Stat. 1960, sec. 624, 46 Stat. 759; 19 U.S.C. 1313, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: March 16, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3828; Filed, March 18, 1944; 10:35 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5349]

PART 101—TAXES ON ADMISSIONS, CABARETS, DUES, AND INITIATION FEES

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 43 (1941 edition) [Part 101, Title 26, Code of Federal Regulations, 1941 Sup.], relating to taxes on admissions, dues, and initiation fees under Chapter 10 of the Internal Revenue Code, as amended, to sections 301 and 302 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are hereby amended as follows:

PARAGRAPH 1. The words following "Part 101" in the heading immediately preceding "Subpart A—Introductory", as amended by Treasury Decision 5192, approved December 3, 1942, are further amended to read as follows:

Regulations Relating to the Taxes on Admissions, Cabarets, Dues, and Initiation Fees (Chapter 10 of the Internal Revenue Code as Amended by the Revenue Acts of 1941 and 1942; and Chapter 9A of the Internal Revenue Code as Amended by the Revenue Act of 1943)

PAR. 2. The first sentence of the first paragraph of § 101.0, as amended by Treasury Decision 5192, is further amended to read as follows:

§ 101.0 *Scope of regulations.* These regulations deal with the excise taxes imposed on admissions, cabarets, dues, and initiation fees by Chapter 10 of the Internal Revenue Code, as amended by section 521, Part II, and sections 541, 542, 543, and 550, Part IV, of Title V, of the Revenue Act of 1941, and section 622, Title VI, of the Revenue Act of 1942, and as modified by Chapter 9A of the Internal Revenue Code, as amended by section 302, Title III, of the Revenue Act of 1943.

PAR. 3. Immediately following the quotation of section 3797 under "Definitions" in "Subpart B—General Provisions" there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * * * *

SEC. 1655. DEFINITION.

For the purposes of this chapter the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

PAR. 4. Immediately preceding § 101.1 there is inserted the following:

SEC. 301. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1943, enacted February 25, 1944, Title III)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III.)

* * * * * * *

(b) *Effective date or period of Certain Increases.* Notwithstanding section 301 of this Act:

(1) *Cabaret tax.* The increase made by subsection (a) of this section in the tax imposed by section 1700 (e) of the Internal Revenue Code shall be applicable only with respect to the period beginning at 10:00 a. m. on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

* * * * * * *

PAR. 5. Section 101.1, as amended by Treasury Decision 5192, is further amended to read as follows:

§ 101.1 *Effective period.* The taxes on admissions, cabarets, dues, and initiation fees were effective under Title V of the Revenue Act of 1926, as amended. The applicable provisions of the Revenue Act of 1926, as amended, were superseded, effective March 1, 1939, by provisions of the Internal Revenue Code.

The Revenue Act of 1940 made amendments of the Code, effective during a limited period only, with respect to the taxes covered by these regulations. These amendments were superseded by amendments made by the Revenue Act of 1941, effective October 1, 1941. The amendments made by the Revenue Act of 1941, and all subsequent amendments relative to these taxes, prior to the amendments made by the Revenue Act of 1943, apply indefinitely except as affected by the provisions of the Revenue Act of 1943.

The effective date of the amendments made by the Revenue Act of 1943, and of the amendments of these regulations pursuant to the Revenue Act of 1943, is April 1, 1944, and such amendments remain in effect until the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war. In the case of the cabaret tax, the amendments become effective at 10 a. m. on April 1, 1944.

PAR. 6. Immediately preceding § 101.2 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III)

(a) *In general.* Chapter 9A is amended to read as follows:

Section	Description of tax	Old rate	War tax rate
1700 (a)	Admissions	1 cent for each 10 cents or fraction thereof.	1 cent for each 5 cents or major fraction thereof.

* * * * * * *

PAR. 7. Section 101.4 is amended as follows:

(A) By changing "1 cent for each 10 cents or fraction thereof" in the first sentence of the first paragraph to "1 cent for each 5 cents or major fraction thereof".

(B) By changing the fourth and fifth sentences of the fourth paragraph to read as follows:

Thus, if a combination ticket is issued entitling the holder to admission and to the use of a reserved seat for $1.50, the tax is 30 cents, and the same amount of tax would be due if separate tickets of admission and for a reserved seat were sold for 75 cents each. In the latter case the tax on the first admission charge of 75 cents is 15 cents and the tax on the additional charge of 75 cents for a reserved seat is 15 cents.

(C) By inserting at the end thereof the following paragraph:

The following table sets forth the amounts of taxes applicable to certain admission charges:

Admission charges (inclusive)	Tax
$0.01 to $0.02	$0.00
$0.03 to $0.07	.01
$0.08 to $0.12	.02
$0.13 to $0.17	.03
$0.18 to $0.22	$0.04
$0.23 to $0.27	.05
$0.28 to $0.32	.06
$0.33 to $0.37	.07
$0.38 to $0.42	.08
$0.43 to $0.47	.09
$0.48 to $0.52	.10

The tax on all other admission charges is likewise to be computed at the rate of 1 cent for each 5 cents or major fraction thereof.

PAR. 8. Section 101.6 is stricken out.

PAR. 9. Immediately preceding § 101.7 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943. Title III.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
1700 (b)	Permanent use or lease of boxes or seats	11 per centum	20 per centum.

* * * * * * *

PAR. 10. Section 101.8 is amended as follows:

(A) By changing "11 per cent" wherever appearing therein to "20 per cent".

(B) By changing "1 cent for each 10 cents or fraction thereof," in the fifth sentence of the first paragraph to "1 cent for each 5 cents or major fraction thereof,".

(C) By changing "$77" in the fourth sentence of example (1) to "$140", "$3.85" in the third sentence of example (2) to "$7", and "$660" in the fifth sentence of example (3) to "$1,200".

PAR. 11. Immediately preceding § 101.9 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
1700 (c)	Sales of tickets outside box office	11 per centum	20 per centum.

PAR. 12. Section 101.11 is amended as follows:

(A) By changing "11 per cent" in the second sentence of the first paragraph to "20 per cent".

(B) By changing the second, third and fourth sentences of the second paragraph to read as follows:

The remainder represents the excess charge, and the 20 per cent tax applies to that amount. Thus, by way of illustration, if a ticket broker sells for $4.50 a ticket or card of admission the regular or established price of which is $3.50, plus 70 cents tax, the excess charge is not $1, but 30 cents. This is determined in the following manner:

Established price	$3.50
Admission tax thereon	.70
Total	4.20
Sale price	4.50
Difference, representing taxable excess charge	.30
Tax due at 20 per cent	.06

(C) By changing the second sentence of example (1) to read as follows:

The taxes to be collected and paid by the theater and broker in this case are as follows:

Theater		Disposition	
Receives from broker:		which it retains.	
Established price	$3.50	which it must pay to collector	$0.70
Admission tax	.70		
Total	4.20	Total	.70

Broker		Disposition	
Receives from customer:		which he retains.	
Established price	$3.50	which he retains as reimbursement of admission tax paid to theater.	
Additional charge	.70		
Excess charge	.80	on which he must pay as tax to collector	$0.16
Total	5.00	Total	.16

(D) By changing "1⅑ cents" in the third sentence of example (2) to "2 cents".

PAR. 13. Section 101.12, paragraph 3, *"Example"* is amended by changing "20 cents" to "40 cents", "5½ cents" to "10 cents", and "11 per cent" to "20 per cent".

PAR. 14. Immediately preceding § 101.13 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
1700 (c)	Cabarets, roof gardens, etc	5 per centum	30 per centum.

PAR. 15. The first paragraph of § 101.13, as amended by Treasury Decision 5192, is further amended to read as follows:

§ 101.13 *Basis, rate, and computation of tax.* The tax imposed by section 1700 (c), as amended, applies to all amounts paid for admission, refreshment, service, and merchandise, at any roof garden, cabaret, or other similar place furnishing a public performance for profit, by or for any patron or guest who is entitled to be present during any portion of such performance. The tax is at the rate of 30 per cent of the total amounts so paid.

PAR. 16. Section 101.14, as amended by Treasury Decision 5192, is further amended by changing "25 cents" in the third sentence of example (3) to "$1.50".

PAR. 17. Section 101.18, as amended by Treasury Decision 5170, approved September 25, 1942, is further amended as follows:

(A) By changing the period at the end of the first sentence of subparagraph (2) to a comma and adding thereafter the following:

but only one place of admission shall be named on a ticket and such ticket shall be used only for the purpose of admission at the place so named.

(B) By changing ".10" to "0.20" and "1.10" to "1.20" in the second sentence of the first paragraph of example (1), ".10" to "0.20" and "1.60" to "1.70" in the second sentence of the second paragraph of example (1), and ".10" to "0.20" and "2.10" to "2.20" in the second sentence of example (2).

PAR. 18. Section 101.21 is amended by changing the example to read as follows:

Example. The following is an example of such a sign:

	Admission	*Tax*	*Total*
Box Seats	$4.00	$0.80	$4.80
Orchestra	3.50	.70	4.20
Mezzanine	2.50	.50	3.00
Balcony	2.00	.40	2.40
Gallery	1.00	.20	1.20

In the case of free or reduced rate admissions which are subject to tax based on the established prices (see § 101.5) a sign similar to the following should be used:

Admission	Tax	Total	Free or reduced rate admissions valued at—	Tax to be collected
$4.00	$0.80	$4.80	$4.00	$0.80
3.50	.70	4.20	3.50	.70
2.50	.50	3.00	2.50	.50
2.00	.40	2.40	2.00	.40
1.00	.20	1.20	1.00	.20

PAR. 19. Immediately preceding § 101.22 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
1710 (a) (1) 1710 (a) (2)	Dues or membership fees Initiation fees	11 per centum 11 per centum	20 per centum. 20 per centum.

PAR. 20. Section 101.23 is amended by changing "11 per cent" in the first paragraph to "20 per cent".

PAR. 21. Section 101.28 is amended by changing "11 per cent" in the first paragraph to "20 per cent".

PAR. 22. Section 101.32 is amended as follows:

(A) By striking out the second sentence of the first paragraph and inserting in lieu thereof the following:

The daily record must identify each series of tickets by showing with respect to each class of admissions (1) the established price, (2) the number of tickets sold at the established price, (3) the prices, other than the established prices, for which tickets are sold, (4) the number of tickets sold at each such price, (5) the number of taxable free admissions, (6) the number of nontaxable free admissions, (7) the tax due, and (8) the opening and closing serial numbers of each numerical sequence.

(B) By striking out "The daily record must be substantially in the form outlined below:" in the second sentence of the fourth paragraph and inserting in lieu thereof the following:

With respect to admissions, the daily record must be substantially in the form outlined below:

Name of theater or place ..... Date .....
Location .....

Admission classifications	Prices	Serial numbers		Total number of admissions	Total tax due	Customer's name
		Opening	Closing			
Admission at established price	Est. price $					
	Est. price $					
	Est. price $					
Reduced rate admissions, taxable on basis of est. price.	Est. price $					
	Est. price $					
Reduced rate admissions for armed services, and children under 12.	Sale price $					
	Sale price $					
Free admissions taxable on basis of established price.	Est. price $					
	Est. price $					
Nontaxable free admissions.	Free					
Tickets sold for amounts in excess of established price.	Est. price $					
	Excess chg. $					
	Est. price $					
	Excess chg. $					
Tickets sold to broker or other person for resale.	Est. price $					
	Est. price $					
	Est. price $					

With respect to sales of tickets at places other than the box office, the daily record must be substantially in the form outlined below.

PAR. 23. Section 101.37 is amended by changing "11 per cent" in the first sentence of the first paragraph to "20 per cent".

(Secs. 301 and 302 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), and sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U.S.C., 3791))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved March 17, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3843; Filed, March 18, 1944; 11:32 a. m.]

For the purposes of this chapter the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

PAR. 3. Section 130.1 is amended by adding at the end thereof the following:

(c) *War period.* The term "war period", when applied in respect of any tax, covered by these regulations, the rate of which is increased by section 1650 as amended by section 302 of the Revenue Act of 1943, means the period beginning with the day on which the increased rate becomes effective and running to the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is earlier.

PAR. 4. Immediately preceding § 130.30 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
3465 (a) (1) (A) 3465 (a) (1) (B) (in so far as it relates to domestic telegraph, cable, and radio dispatches)	Telephone, long distance Domestic telegraph, cable, or radio dispatches	20 per centum 15 per centum	25 per centum. 25 per centum.

(b) *Effective date or period of certain increases.* [Reserved]

(3) *Telegraph, telephone, radio, and cable facilities.* The increases made by subsection (a) of this section in the taxes imposed by section 3465 (a) (1) of the Internal Revenue Code shall apply only to amounts paid for services rendered on or after the effective date of this title.

PAR. 5. Section 130.30, as amended by Treasury Decision 5190, is further

amended by inserting at the end thereof the following paragraph:

The increases in rates made by section 1650 of the Internal Revenue Code, as amended by section 302 of the Revenue Act of 1943, are effective as of April 1, 1944, and apply to amounts paid on and after that date for services specified in section 3465 (a) (1) (A) and (B) which were rendered on and after that date. The increased rates will remain in effect during the war period.

PAR. 6. Section 130.33, as amended by Treasury Decision 5190, is further amended as follows:

(A) By inserting at the end of the first paragraph of paragraph (a) the following:

For the war period the rate of tax is 25 per cent of the amount paid.

(B) By inserting at the end of the first paragraph of paragraph (b) the following:

For the war period the rate of tax on each domestic telegraph, cable, or radio dispatch or message is 25 per cent of the amount paid.

PAR. 7. Immediately preceding § 130.36 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
• • •	• • •	• • •	•
3465 (a) (2) (A)	Leased wires, etc.	15 per centum	25 per centum.
3465 (a) (2) (B)	Wire and equipment service	5 per centum	8 per centum.
• • •	• • •	• • •	•

(b) *Effective date or period of certain increases.* • • •

(3) *Telegraph, telephone, radio, and cable facilities.* • • • The increases made by subsection (a) in the taxes imposed by section 3465 (a) (2) • • • of the Internal Revenue Code shall apply only to amounts paid pursuant to bills rendered on or after the first day of the first month beginning after the effective date of this title for services for which no previous bill was rendered. Where bills rendered on or after such first day include charges for services previously rendered, such increased rates shall not apply to such services as were rendered more than two months before such first day, and the provisions of section 3465 in effect at the time such prior services were rendered shall be applicable to the amounts paid for such services.

PAR. 8. Section 130.36 as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following paragraph:

The increases in rates made by section 1650 of the Internal Revenue Code, as amended by section 302 of the Revenue Act of 1943, apply to amounts paid pursuant to bills rendered on or after May 1, 1944, for services furnished on or after March 1, 1944, for which no previous bill was rendered. The increased rates will remain in effect during the war period.

PAR. 9. Section 130.38, as amended by Treasury Decision 5190, is further amended as follows:

(A) By inserting at the end of the first paragraph of paragraph (a) the following:

For the war period the rate of tax is 25 per cent of the amount paid.

(B) By inserting at the end of the first paragraph of paragraph (b) the following:

For the war period the rate of tax is 8 per cent of the amount paid.

PAR. 10. Immediately preceding § 130.39 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
• • •	• • •	• • •	•
3465 (a) (3)	Local Telephone Service	10 per centum	15 per centum.
• • •	• • •	• • •	•

(b) *Effective date or period of certain increases.* • • •

(3) *Telegraph, telephone, radio, and cable facilities.* • • • The increases made by subsection (a) in the taxes imposed by section 3465 (a) • • • (3) of the Internal Revenue Code shall apply only to amounts paid pursuant to bills rendered on or after the first day of the first month beginning after the effective date of this title for services for which no previous bill was rendered. Where bills rendered on or after such first day include charges for services previously rendered, such increased rates shall not apply to such services as were rendered more than two months before such first day, and the provisions of section 3465 in effect at the time such prior services were rendered shall be applicable to the amounts paid for such services.

PAR. 11. Section 130.39, as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following paragraph:

The increase in the rate made by section 1650 of the Internal Revenue Code, as amended by section 302 of the Revenue Act of 1943, applies to amounts paid pursuant to bills rendered on and after May 1, 1944, for services furnished on or after March 1, 1944, for which no previous bill was rendered. The increased rate will remain in effect during the war period.

PAR. 12. The first paragraph of § 130.41, as amended by Treasury Decision 5190, is further amended to read as follows:

§ 130.41 *Rate and application of tax.* The tax is imposed at the rate of 10 per cent of the amount paid by any subscriber for local telephone service or any other telephone service which is not subject to the provisions of section 3465 (a) (1) or (2) of the Code, as amended. (See §§ 130.30 to 130.38.) In the case of service taxable under section 3465 (a) (3) prior to amendment by section 606 of the Revenue Act of 1942, the tax was at the rate of 6 per cent of the amount paid. For the war period the rate of tax is 15 per cent of the amount paid.

PAR. 13. Immediately preceding § 130.44 there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

• • • • • •

(7) Section 3466 (a) (relating to exemption from tax on telegraph, telephone, radio, and cable facilities) is amended to read as follows:

(a) No tax shall be imposed under section 3465 upon any payment received for services or facilities furnished to any State, Territory of the United States, or political subdivision thereof, or the District of Columbia, or any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864.

• • • • • •

(b) *Period with respect to which applicable.* • • • the amendments made by this section shall apply as follows:

• • • • • •

(4) The amendment of section 3466 of the Internal Revenue Code, insofar as it relates to the taxes imposed by section 3465 (a) (1), shall be applicable only with respect to messages and dispatches originating on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Insofar as such amendment relates to the taxes imposed under section 3465 (a) (2) and (3) of the Internal Revenue Code, it shall be applicable only to amounts paid pursuant to bills rendered on or after the first day of the first month which begins three months or more after the date of the enactment of this Act for service for which no previous bill was rendered.

• • • • • •

PAR. 14. Section 130.44 is amended as follows:

(A) By substituting the following new paragraphs for the first paragraph thereof:

§ 130.44 *Services furnished to the United States, States, or political subdivisions thereof.* Under the provisions of section 3466 (a), as amended, prior to the amendment thereof by section 307 (a) (7) of the Revenue Act of 1943, amounts paid for services or facilities furnished to officers or employees of the United States or any State or Territory or political subdivision thereof, or the District of Columbia are exempt from tax under section 3465, as amended, if such amounts are paid from government funds.

By virtue of the amendment made by section 307 (a) (7) of the Revenue Act of 1943 to section 3466 (a), as amended, and the application of section 307 (b) (4) of the Revenue Act of 1943 to such amendment, amounts paid by the United States for messages, etc., within the scope of section 3465 (a) (1) originating on or after June 1, 1944, are subject to the taxes thereby imposed. Amounts paid by the United States pursuant to bills rendered on or after June 1, 1944, for services specified in section 3465 (a) (2) and (3) for which no previous bill was rendered are subject to the taxes thereby imposed.

The taxes imposed by section 3465, as amended, do not apply to amounts paid for services or facilities furnished to any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864 (The American National Red Cross), irrespective of when such amounts are paid or the services or facilities are furnished.

(B) By changing the first sentence of the second paragraph to read as follows:

No exemption certificate is required where the payment for the services or facilities furnished is made by an agency of the government of a State, a Territory of the United States, or political subdivision thereof, the District of Columbia, or The American National Red Cross, direct to the person furnishing the services or facilities.

(C) By striking out the word "Federal" wherever appearing in the exemption certificate.

PAR. 15. Immediately preceding § 130.50 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
• • •	• • •	• • •	•
3469 (a)	Transportation of persons	10 per centum	15 per centum.
• • •	• • •	• • •	•

SEC. 301. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 16. Section 130.50, as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following:

The tax rate was further increased by the amendment of section 1650 of the Internal Revenue Code by section 302 of the Revenue Act of 1943. Under this amendment the increased tax rate is effective April 1, 1944, and will remain in effect during the war period.

PAR. 17. The first paragraph of § 130.52, as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following:

Section	Description of tax	Old rate	War tax rate
• • •	• • •	• • •	•
3469 (e)	Seats, berths, etc.	10 per centum	15 per centum.

SEC. 301. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 19. Section 130.55, as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following:

The tax rate was further increased by the amendment of section 1650 of the Internal Revenue Code by section 302 of the Revenue Act of 1943. Under this amendment the increased tax rate is effective April 1, 1944, and will remain in effect during the war period.

PAR. 20. The first paragraph of § 130.57, as amended by Treasury Decision 5190, is further amended by inserting at the end thereof the following:

For the war period the rate of tax is 15 per cent of the amount of the taxable payment for the seating or sleeping accommodations.

PAR. 21. Immediately preceding § 130.61 there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

• • • • • •

(8) Section 3469 (f) (1) (relating to governmental exemption from tax with respect to transportation of persons) is amended to read as follows:

(1) *Governmental exemption.* The tax imposed by this section shall not apply to the payment for transportation or facilities furnished to any State, Territory of the United States, or political subdivision thereof, or the District of Columbia, or any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864.

• • • • • •

(b) *Period with respect to which applicable.* • • • the amendments made by this section shall apply as follows:

• • • • • •

(5) The amendments of sections 3469 (f) (1) • • • of the Internal Revenue Code shall be applicable only with respect to amounts paid on or after the first day of the first month which begins three months or more after the date of the enactment of this Act • • •.

• • • • • •

PAR. 22. Section 130.61 is amended as follows:

(A) By substituting the following new paragraphs for the first paragraph thereof:

§ 130.61 *Transportation and facilities furnished to the United States, to States, or political subdivisions thereof.* Under the provisions of section 3469 (f) (1) prior to the amendment thereof by section 307 (a) (8) of the Revenue Act of 1943, amounts paid by the United States, a State or Territory, or political subdivision thereof, or the District of Columbia, for the transportation of persons or accommodations furnished in connection therewith, are exempt from tax under section 3469, as amended.

By virtue of the amendment made by section 307 (a) (8) of the Revenue Act of 1943, to section 3469 (f) (1), and the application of section 307 (b) (5) to such amendment, amounts paid by the United

States on or after June 1, 1944, for the transportation of persons or accommodations furnished in connection therewith are subject to tax under section 3469, as amended.

The taxes imposed by section 3469, as amended, do not apply to amounts paid for transportation or facilities furnished to any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864 (The American National Red Cross), irrespective of when such amounts are paid or the transportation or facilities are furnished.

(B) By changing "a Government agency" and "the Government agency" in the second paragraph to "an exempt agency".

PAR. 23. Section 130.62 is amended by changing "a Government agency" in the third and fourth sentences to "an exempt agency".

PAR. 24. Section 130.72 is amended by striking out the third paragraph of paragraph (c).

(Secs. 301, 302 and 307 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.) and 3472 and 3791 of the Internal Revenue Code (53 Stat. 423 and 467; 26 U.S.C., 3472 and 3791))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 15, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3817; Filed, March 17, 1944; 9:42 p. m.]

[T. D. 5348]

PART 316—EXCISE TAXES ON SALES BY THE MANUFACTURER

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 46 [Part 316, Title 26, Code of Federal Regulations, 1940 Supp.], relating to the excise taxes on sales by the manufacturer under the Internal Revenue Code, to sections 301, 302, 304, 306, 307, and 311 of the Revenue Act of 1943 (Public Law 235, 78th Cong.), enacted February 25, 1944; such regulations are amended as follows:

PARAGRAPH 1. Immediately preceding § 316.2, there is inserted the following:

SEC. 301. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1943, Title III, effective April 1, 1944).

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 2. Section 316.2 as amended by Treasury Decision 5189, approved November 30, 1942, is further amended by adding at the end thereof the following paragraph:

The provision of section 302 of the Revenue Act of 1943, relating to the increase in the rate of tax on electric light bulbs and tubes; the provision of section 302 of the Revenue Act of 1943, affecting section 3441 (c) which relates to leases, conditional sales, existing contracts, etc.; the amendment by section 304 of the Revenue Act of 1943 of section 3406 (a) (2) suspending the manufacturers' excise tax on luggage; the amendment by section 306 of the Revenue Act of 1943 of section 3400 defining the term "rubber"; and the amendment by section 311 of the Revenue Act of 1943 of section 3406 (a) (3) repealing the tax on household type electric vacuum cleaners, become effective in each case on April 1, 1944. The amendments made by section 307 of the Revenue Act of 1943 relating to the termination of the tax exemption with respect to articles sold for the exclusive use of the United States, become effective as to certain articles on June 1, 1944, and as to other articles on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

PAR. 3. Immediately preceding § 316.3, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * * *

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

* * * * * *

(c) *Existing contracts*—(1) *Tax payable by vendee.* If (A) any person has, prior to the effective date of Title III of the Revenue Act of 1943, made a bona fide contract for the sale on or after such date, of any article with respect to the sale of which a tax is imposed by that Act or an existing rate of tax is increased by that Act, and (B) such contract does not permit the adding to the amount to be paid under such contract of the whole of such tax or increased rate of tax, then (unless the contract prohibits such addition) the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price.

(2) *Tax paid to vendor.* Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected and paid to the United States by the vendor in the same manner as provided in section 3467. In case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner who shall cause collection of such taxes to be made from the vendee.

* * * * * *

PAR. 4. Section 316.3, as amended by Treasury Decision 5099, approved November 28, 1941, is further amended by adding at the end thereof the following paragraph:

Under section 1652 (c), added by section 302 of the Revenue Act of 1943, the increase in the existing rate of tax with respect to electric light bulbs and tubes, may, under certain conditions be shifted from the manufacturer to the vendee. The conditions outlined above with respect to the increase in rates which became effective October 1, 1941, are applicable to the increased rate of tax on electric light bulbs and tubes effective April 1, 1944.

PAR. 5. Immediately preceding § 316.8, there is inserted the following:

SEC. 303. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * * *

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

(a) *Cases where rate of tax increased.* In the application of section * * * 3441 (c) to the articles with respect to which the rate of tax is increased by this chapter, where the lease, contract of sale, conditional sale, or chattel mortgage was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943, the total tax referred to in such section shall be the tax at the rate in force on the day before such effective date.

(b) *Cases where new tax imposed.* In the case of (1) a lease, (2) a contract for the sale of an article wherein it is provided that the price shall be paid by installments and title to the article sold does not pass until a future date notwithstanding partial payment by installments, (3) a conditional sale, or (4) a chattel mortgage arrangement wherein it is provided that the sales price shall be paid in installments, no tax shall be imposed under section 1651 on the sale of any article if with respect to such article the lease, contract for sale, conditional sale, or chattel mortgage arrangement was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943.

* * * * * *

PAR. 6. Section 316.9, as amended by Treasury Decision 5189, is further amended by adding at the end thereof the following paragraph:

In the case of electric light bulbs and tubes with respect to which the rate of tax is increased by the Revenue Act of 1943, if the lease, contract of sale, conditional sale, or chattel mortgage was made, delivery thereunder was made, and a part of the consideration was paid, before April 1, 1944, the total tax is payable at the rate in force on March 31, 1944.

PAR. 7. Immediately preceding § 316.24, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * * *

(5) Section 3442 (3) (relating to tax-free sales under Chapter 29) is amended to read as follows:

(3) for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia.

* * * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

(1) The amendments of sections * * *, and 3442 (3) (except as such section relates to the articles enumerated in section 3404) of the Internal Revenue Code shall be applicable to sales made on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

(2) The amendments of sections * * *, and 3442 (3) (in so far as such section relates to the articles enumerated in section 3404) of the Internal Revenue Code, shall be applicable to sales made on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

(6) For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

* * * * * *

PAR. 8. Section 316.24 is amended as follows:

(A) The first paragraph is eliminated and the following new paragraphs substituted in lieu thereof:

Under the provisions of section 3442 (3) prior to the amendment thereof by section 307 (a) (5) of the Revenue Act of 1943, no tax attaches to articles sold by the manufacturer direct to the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use, provided the exempt character of the sale is established as required by these regulations.

By virtue of the provisions of section 307 (a) (5) and (b) (1) of the Revenue Act of 1943 as they affect section 3442 (3), all taxable articles (except firearms, shells, and cartridges, with respect to which see § 316.81 and except articles subject to the tax imposed under section 3404), sold on or after June 1, 1944, by the manufacturer to the United States for its exclusive use are subject to tax except articles sold pursuant to a contract entered into prior to June 1, 1944, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

By virtue of the provisions of section 307 (a) (5) and (b) (2) of the Revenue Act of 1943 as they affect section 3442 (3), the exemption with respect to sales of articles subject to the tax imposed under section 3404, to the United States for its exclusive use, is inapplicable on and after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

(B) The last sentence of the second paragraph is amended to read as follows:

However, where any dealer resells a tax-paid article to any of the governmental units named above, for its exclusive use, the manufacturer who paid the tax to the United States on his sale of the article may in certain cases secure a refund or credit as provided in § 316.204.

PAR. 9. Immediately preceding § 316.30, there is inserted the following:

SEC. 306. TECHNICAL AMENDMENT OF MANUFACTURERS' EXCISE TAX ON TIRES AND INNER TUBES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 3400 (relating to the tax on tires and inner tubes) is amended by inserting at the end thereof the following:

(c) *Definition.* For the purposes of this chapter, the term "rubber" includes synthetic and substitute rubber.

PAR. 10. The first paragraph of § 316.30 is amended by adding at the end thereof the following sentence:

The term "rubber" includes synthetic and substitute rubber.

PAR. 11. Immediately preceding § 316.60, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * * *

(3) The second sentence of the first paragraph of section 3407 (relating to exemption from tax on firearms, shells, and cartridges) is amended to read as follows: "The tax imposed by this section shall not apply (1) to articles sold for the use of any State, Territory of the United States, or political subdivision thereof, or the District of Columbia, or (2) to pistols and revolvers."

* * * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

* * * * * *

(2) The amendments of sections * * * 3407, * * * of the Internal Revenue Code, shall be applicable to sales made on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * * *

(6) For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

* * * * * *

PAR. 12. The first paragraph of § 316.81 is eliminated and the following new paragraphs substituted in lieu thereof:

Under the provisions of section 3407, prior to the amendment thereof by section 307 (a) (3) of the Revenue Act of 1943, no tax attaches to firearms, shells, and cartridges sold by the manufacturer for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, or the District of Columbia; *Provided*, That exempt character of the sale is established as required by these regulations.

By virtue of the amendment made by section 307 (a) (3) of the Revenue Act of 1943 of section 3407, and the application of section 307 (b) (2) to such amendment, the exemption with respect to sales of firearms, shells, and cartridges by the manufacturer for the use of the United States, or possession of the United States is inapplicable on and after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

To be exempt from the tax the articles must be sold for the use of a Government or governmental agency. Firearms, shells, and cartridges sold to officers of a State or municipality in their private capacity or for their private use are not exempt from the tax.

PAR. 13. Immediately preceding § 316.100, as added by Treasury Decision 5099, there is inserted the following:

SEC. 304. SUSPENSION OF MANUFACTURERS' EXCISE TAX ON LUGGAGE. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 3406 (a) (2) (relating to the tax on luggage) is amended by inserting at the end thereof the following: "The tax imposed by this paragraph shall not be applicable with respect to any period for which a tax is imposed under section 1651."

PAR. 14. Immediately following § 316.102, as added by Treasury Decision 5099, there is inserted the following new section:

§ 316.103 *Suspension of tax.* Effective April 1, 1944, and for the period during which the retailers' excise tax imposed on luggage, etc., by section 1651 as added by section 302 of the Revenue Act of 1943 is in effect, no tax is imposed on the sale of such luggage, etc., by the manufacturer.

PAR. 15. Immediately preceeding § 316.110, as added by Treasury Decision 5099, there is inserted the following:

SEC. 311. REPEAL OF MANUFACTURERS' EXCISE TAX ON VACUUM CLEANERS. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 3406 (a) (3) (relating to the tax with respect to electric, gas, and oil appliances) is amended (a) by inserting "and" before "electric mixers, whippers, and juicers" and (b) by striking out "and household type electric vacuum cleaners".

PAR. 16. Section 316.110, as added by Treasury Decision 5099, is amended by adding a new paragraph at the end thereof, as follows:

The tax does not apply to household type electric vacuum cleaners sold on and after April 1, 1944.

PAR. 17. Immediately preceding § 316.180, as added by Treasury Decision 5099, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of Tax	Old Rate	War Tax Rate
3406(a) (10)	Electric Light Bulbs and Tubes	5 per centum	20 per centum.

PAR. 18. Section 316.181, as added by Treasury Decision 5099, is amended by adding thereto a sentence as follows:

For the period beginning with April 1, 1944, and continuing until the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war the rate is 20 per cent of the sale price.

PAR. 19. Immediately preceding § 316.193, as added by Treasury Decision 5099, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * *

(4) The first sentence of section 3411 (c) (relating to exemption from tax on electrical energy) is amended to read as follows: "No tax shall be imposed under this section upon electrical energy sold to any State, Territory of the United States, or political subdivision thereof, or the District of Columbia."

* * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

(1) The amendments of sections * * * 3411 (c) * * * of the Internal Revenue Code shall be applicable to sales made on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * *

PAR. 20. The first paragraph of § 316.193, as added by Treasury Decision 5099, is amended to read as follows:

Under the provision of section 3411 (c) prior to the amendment thereof by section 307 (a) (4) of the Revenue Act of 1943, no tax attaches to electrical energy sold direct to the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use, provided the exempt character of the sale is established as required by these regulations. By virtue of the provisions of section 307 (a) (4) and (b) (1) of the Revenue Act of 1943, sales of electrical energy to the United States on or after June 1, 1944, are not exempt from tax, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

PAR. 21. Immediately preceding § 316.204 (as renumbered by Treasury Decision 5099), there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * *

(6) Section 3443 (a) (3) (A) (i) (relating to credits and refunds of excise taxes imposed by Chapter 29) is amended to read as follows:

(i) resold for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia;

* * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

* * * * *

(3) The amendment of section 3443 (a) (3) (A) (i) of the Internal Revenue Code shall not apply to deny the allowance of a credit or refund, otherwise allowable, with respect to the sale of any article by any person to the United States (A) prior to the date on which sales of such articles to the United States become taxable, or (B) pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * *

PAR. 22. Section 316.204 is amended by adding at the end thereof the following paragraph:

No credit or refund is allowable for tax paid with respect to the sale of any article on or after June 1, 1944, to the United States, except in those cases where tax has been paid on sales made pursuant to a contract entered into prior to June 1, 1944, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

(Secs. 301, 302, 304, 308, 307, and 311 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.) and secs. 3450 and 3791 of the Internal Revenue Code (53 Stat. 418, 467; 26 U.S.C., 3450, 3791))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 15, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3818; Filed, March 17, 1944; 3:43 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

STORAGE OF EXPLOSIVES

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), as amended, the regulations under the Federal Explosives Act heretofore promulgated [1] are hereby amended as follows:

The last two sentences of § 301.14 (c) and all of § 301.17, being superseded by the following sections numbered 301.24 to 301.30, inclusive, are hereby revoked, without affecting any liabilities incurred or proceedings instituted for violation of the superseded regulations committed prior to the effective date of these amendments.

Sections 301.24 to 301.30, inclusive, are hereby added to the regulations as follows:

Sec.
301.24 General requirements for storage and handling.
301.25 Storage of high explosives.
301.26 Storage of low explosives.
301.27 Storage of detonators.
301.28 Storage of fuse.
301.29 Storage of explosives ingredients.
301.30 Modification of storage and handling requirements.

§ 301.24 *General requirements for storage and handling*—(a) *Applicability of regulations.* Sections 301.24 to 301.30, inclusive, are applicable only to those explosives specifically enumerated in § 301.2 (b), beginning with "Amatol" and ending with "Trinitroxylene", and to those ingredients of explosives specifically enumerated in § 301.2 (c) beginning with "Chlorates" and ending with "Phosphorus."

For convenience in setting forth applicable storage requirements in §§ 301.25–301.29, the explosives enumerated in § 301.2 (b) are here classified into (1) high explosives, including dynamites, permissible explosives and nitroglycerin, (2) low explosives, including blasting powder (black and pellet powder) and gunpowder, (3) detonators, including blasting, detonating and percussion caps and electric blasting caps, and (4) fuse of all varieties. Standards are also prescribed for the storage of explosives ingredients and blasting device heaters containing explosives ingredients.

(b) *Protection required.* All explosives and ingredients of explosives must at all times be safely stored and handled and adequately protected against theft. The standards set forth in §§ 301.24–301.29, inclusive, are minimum requirements only. Compliance with these standards does not relieve persons storing or handling explosives or ingredients of explosives, whether on the surface or underground, from the duty to take such additional measures as a reasonable man, acting with ordinary prudence, would take in the same or similar circumstances to safeguard and protect such explosives or ingredients, or from the duty to comply with other Federal, State or local laws or regulations.

(c) *Storage.* All explosives and ingredients of explosives must be kept in appropriate storage facilities unless:

(1) They are in the process of manufacture; or

(2) They are being physically transferred from one person to another or are being otherwise physically handled on the operating premises of a licensee; or

(3) They are being transported; or

(4) They are in an amount not in excess of a daily supply and are being used in the operations of a licensee.

Whether storage facilities are appropriate depends upon such factors as the type and amount of the explosives or ingredients stored and the location of the storage facilities.

All storage magazines must be properly constructed, safely located and securely locked. Magazines shall be kept locked at all times except when explosives or ingredients are being deposited, removed or inspected by an authorized person. Except when weather conditions prohibit, magazines in which explosives are stored shall be opened and inspected at intervals not greater than three days to determine if the explosives are intact or whether there is evidence of improper or unauthorized entry or attempted entry into the magazine, or removal of the magazine or its contents.

(d) *Handling, use and transportation*—(1) *General requirements.* Whenever explosives or ingredients of explosives are in the process of manufacture, or whenever explosives or ingredients of explosives in use in the operations of a licensee, not in excess of a daily supply, are not stored in accordance with the requirements for storage in these regulations, or whenever explosives or ingredients of explosives are being physically transferred from one person to another or are being otherwise physically handled on the operating premises of a licensee, they must be continuously and effectively guarded to protect them against theft. Any person guarding explosives or ingredients of explosives shall be a licensee or an employee of a licensee to whom the explosives or ingredients have been distributed by a licensed foreman. This paragraph is applicable to the transportation of explosives and ingredients of explosives by vehicle on private premises or along private roads and to underground transportation, but is not applicable to transportation of explosives or ingredients within the jurisdiction of the Interstate Commerce Commission.

(2) *Provision for emergency storage.* Every person who holds a manufacturer's, vendor's or purchaser's license and who engages in an occupation in which explosives are regularly handled or used (even though the licensee does not contemplate that the amount of explosives in his possession on any one day will exceed his requirements for that day) shall, in order to guard against emergencies requiring the immediate or overnight storage of explosives, provide or have readily available at or near the place where such operations are carried on, a magazine complying with the standards set forth in these regulations.

(e) *Access to magazines*—(1) *General requirements.* Except as hereinafter provided:

(i) No person, as employee, agent, independent contractor or otherwise, shall enter a permanent magazine or open a box-type magazine in which explosives are stored unless such person is individually licensed under the act or is accompanied by a person so licensed;

(ii) No licensee shall permit any person, whether as employee, agent, independent contractor or otherwise, to enter a permanent magazine or open a box-type magazine in which the licensee's explosives are stored unless such person is individually licensed under the act or is accompanied by a person so licensed;

(iii) No person, as employee, agent, independent contractor or otherwise, shall have in his possession a key or a copy of the combination to a lock on a magazine in which explosives are stored unless such person is individually licensed under the act;

(iv) No licensee shall permit any person, whether as employee, agent, independent contractor or otherwise, to have a key or knowledge of the combination to a lock on a magazine in which explosives are stored unless such person is individually licensed under the act.

(2) *Exceptions.* The provisions of this paragraph shall not apply:

(i) To containers which hold only the daily supply of explosives issued by a properly licensed person,

(ii) To magazines located at explosives manufacturing plants where the premises on which the magazines are located are fenced or otherwise effectively guarded, or

(iii) To Explosives Investigators and other designated officers of the Bureau of Mines or Federal, State or local law enforcement officers or investigators, who are authorized to inspect places where explosives or explosives ingredients are stored.

§ 301.25 *Storage of high explosives*—(a) *High explosives in amounts exceeding 125 pounds.* All high explosives in amounts exceeding 125 pounds shall be stored in permanent magazines which are theft-resistant, fire-resistant and bullet-resistant.

(1) *Construction of permanent magazines.* Permanent magazines shall be of a building type, an igloo or army type, a portable type, or a tunnel or dugout type, whether located on or exposed to the surface or underground. Walls of building-type magazines shall be substantially constructed of theft- and bullet-resistant materials. Walls shall meet the following standards or be constructed of other materials in a manner which will make them at least equally theft- and bullet-resistant:

(i) Solid construction, not less than 6 inches in thickness of materials such as concrete, masonry, medium soft brick or wood; or

(ii) Filled construction, such as concrete blocks with the cells filled with screened sand, weak concrete, cement mortar or other effective bullet-resistant filler; or exterior and interior wooden walls not less than 6 inches apart with the space between filled with screened sand, weak concrete, cement mortar or other effective bullet-resistant filler, and the exterior walls covered with sheet iron not lighter than No. 26 gauge, or other fire-resistant material; or

(iii) Lined construction, such as steel plate not lighter than No. 14 gauge, lined with weak concrete, cement mortar, brick, or screened sand not less than 6 inches in thickness, or with hard wood not less than 2 inches in thickness, or with soft wood not less than 3 inches in thickness.

The same standards shall govern the construction of any artificial enclosing wall for tunnel- or dugout-type magazines on or exposed to the surface of the ground. Any artificial enclosing wall for permanent underground magazines shall be substantially constructed of wood not less than 2 inches in thickness or of other material of equivalent or greater strength.

Foundations of building-type magazines shall be substantially constructed, and any space between the floor and the ground shall be enclosed in such a manner as to prevent the entrance of persons, animals, sparks and firebrands.

Roofs of building-type magazines shall be fire-resistant and substantially constructed to resist theft, as for example, by ¾-inch sheathing covered with sheet iron or slate. Roofs not constructed of fireproof material shall be covered with sheet iron not lighter than No. 26 gauge or other fire-resistant material. The roofs of magazines so located that it is possible to fire bullets directly through the roof into the explosives shall be made bullet-resistant by material of construction, or by a ceiling that forms a tray containing not less than a 4-inch thickness of sand or other equally effective bullet-resistant filler erected in the interior of the magazine, or by other methods.

Doors of magazines on or exposed to the surface of the ground shall be constructed of ⅜-inch steel plate lined with a 2-inch thickness of wood; or of a thinner steel plate with a greater thickness of wood, at the rate of one additional inch of wood for each ⅛-inch decrease in the thickness of the steel plate; or of wooden walls at least 4 inches apart and filled with screened sand or other effective bullet-resistant filler, the exterior being covered with sheet iron not lighter than No. 26 gauge, or other fire-resistant material; or of wood not less than 6 inches in thickness; or of reinforced concrete not less than 4 inches in thickness. Doors of magazines located underground shall be substantially constructed of wood not less than 2 inches in thickness or of other material of equivalent or greater strength.

Doors of all permanent magazines shall be equipped with two mortise locks; or with two padlocks fastened in separate hasps and staples; or with a combination of a mortise lock and a padlock; or with a mortise lock that requires two keys to open; or with a 3-point lock. Pad-

[1] 7 F.R. 305, 1103, 1976, 3676, 4758, 5001, 6175, 9606; 8 F.R. 1343, 3080, 4141, 15313; 9 F.R. 1502.

locks and mortise locks shall be the equivalent of 5-tumbler jarproof locks. Doors shall be provided with strong hinges, hasps and staples attached by welds, rivets, or by bolts fitted with lockwashers and nuts on the inside of the magazine and installed in such a manner that the fastening cannot be removed when the magazine is locked.

Magazines shall have no openings except for entrance and ventilation. Foundation vents shall be of an offset type construction, and all vents shall be effectively protected with metal screening or otherwise constructed to prevent the entrance of persons, animals, sparks, firebrands or the direct penetration of bullets which can detonate the explosives.

(2) *Marking of premises.* The premises on which a permanent magazine is located shall be conspicuously marked by signs containing the words "Explosives—Keep Off." Such signs shall adequately warn any person approaching the magazine of the presence of explosives but the signs shall not be so placed as to direct general public attention to the location of the magazine. No signs shall be placed on surface magazines or barricades or be so located that a bullet passing directly through the face of a sign will strike the magazine.

(b) *High explosives in amounts not exceeding 125 pounds.* High explosives in amounts of 125 pounds or less may be stored in permanent magazines complying with the standards set forth in § 301.25 (a), including subparagraphs (1) and (2). If not so stored, such high explosives shall be stored in box-type magazines which are theft-resistant.

(1) *Construction of box-type magazines.* Box-type magazines shall be strongly constructed of 2-inch hard wood or of 3-inch soft wood or other equally theft-resistant material. Any metal magazine shall be lined with a non-sparking material. Doors or lids shall be provided with strong hinges, hasps and staples attached by welds, rivets, or by bolts fitted with lockwashers and nuts on the interior of the magazine and installed in such a manner that the fastening cannot be removed when the magazine is locked. Box-type magazines shall be equipped with at least one lock equivalent to a 5-tumbler jarproof lock.

(2) *Location of box-type magazines.* Box-type magazines, when located outside a building, shall be securely anchored. No magazine shall be placed in a building containing oil, grease, gasoline, waste paper or other highly inflammable materials nor shall a magazine be placed less than 20 feet from a stove or furnace or open fire or flame, or less than 5 feet from other sources of external heat.

(3) *Marking of magazines.* Box-type magazines shall be painted red or another distinctive color and clearly and conspicuously marked "Explosives."

§ 301.26 *Storage of low explosives—(a) Low explosives in amounts exceeding 125 pounds.* All low explosives in amounts exceeding 125 pounds shall be stored in permanent magazines complying with all of the standards set forth in § 301.25 (a) including subparagraphs (1) and (2), except that permanent magazines for the storage of low explosives need not be bullet-resistant. Any metal magazine shall be lined with a non-sparking material.

(b) *Low explosives in amounts not exceeding 125 pounds.* All low explosives in amounts of 125 pounds or less may be stored in permanent magazines complying with the standards set forth in § 301.25 (a) or § 301.26 (a). If not so stored, such low explosives shall be stored in box-type magazines complying with all of the standards set forth in § 301.25 (b) including subparagraphs (1), (2) and (3).

§ 301.27 *Storage of detonators—(a) Deonators in numbers of 1,000,000 or more.* All detonators in numbers of 1,000,000 or more shall be stored in permanent magazines complying with all of the standards set forth in § 301.25 (a), including subparagraphs (1) and (2).

(b) *Detonators in numbers of more than 5,000 and less than 1,000,000.* All detonators in numbers of more than 5,000 but less than 1,000,000 shall be stored in permanent magazines complying with all of the standards set forth in § 301.25 (a), including subparagraphs (1) and (2), except that permanent magazines for the storage of detonators need not be bullet-resistant. Any metal magazine shall be lined with a non-sparking material.

(c) *Detonators in numbers of 5,000 or less.* All detonators in numbers of 5,000 or less may be stored in permanent magazines as above indicated. If not so stored, such detonators shall be stored in box-type magazines complying with all of the standards set forth in § 301.25 (b), including subparagraphs (1), (2) and (3).

(d) *Storage with other explosives.* No detonator shall be stored in any magazine containing high or low explosives or blasting device heaters.

§ 301.28 *Storage of fuse.* Fuse may be stored in permanent magazines or in box-type magazines together with high or low explosives or detonators. If not so stored, fuse shall be stored in locked containers, locked rooms, or otherwise adequately protected against theft.

§ 302.29 *Storage of explosives ingredients—(a) Explosives ingredients generally.* Except as provided in paragraph (b), explosives ingredients shall be stored in permanent magazines, box-type magazines, locked containers, locked rooms, or locked buildings, or shall be otherwise adequately protected against theft.

(b) *Blasting device heaters—(1) Blasting device heaters in total weights exceeding 125 pounds.* All blasting device heaters containing ingredients of explosives, when the total weight of such heaters exceeds 125 pounds, shall be stored in permanent magazines complying with all of the standards set forth in § 301.25 (a), including subparagraphs (1) and (2), except that permanent magazines for the storage of blasting device heaters need not be bullet-resistent. Any metal magazine shall be lined with a non-sparking material.

(2) *Blasting device heaters in total weights not exceeding 125 pounds.* All blasting device heaters containing ingredients of explosives, when the total weight of such heaters is 125 pounds or less, may be stored in permanent magazines, as above indicated. When not so stored, such blasting device heaters shall be stored in box-type magazines complying with all of the standards set forth in § 301.25 (b), including subparagraphs (1), (2), and (3).

(3) *Storage with explosives.* No blasting device heaters shall be stored in any magazine containing high or low explosives or detonators.

§ 301.30 *Modification of storage and handling requirements—(a) Grounds for modification.* In unusual circumstances when compliance with any requirement of §§ 301.24–301.29 is physically impractical, prohibitively expensive or for any reason not feasible, the requirement may be suspended or modified by the procedure set forth in paragraph (b):

(1) When the method of storing or handling explosives or explosives ingredients affords a measure of safety and protection to explosives or explosives ingredients equivalent to that provided by the standards described in these regulations; or

(2) When the method of storing or handling explosives or explosives ingredients, in the particular circumstances, affords the greatest feasible measure of safety and protection to such explosives or explosives ingredients; or

(3) When, in the judgment of the Director, other good and sufficient reasons justify relaxation of any requirement and the safety or security of persons or of buildings, railroads, highways, underground workings, or other property is not thereby unduly threatened or impaired.

(b) *Procedure for modification.* Any licensee may request suspension or modification of any requirement of §§ 301.24–301.29. Such request should be made in writing, and should clearly indicate, in the light of the provisions of paragraph (a) of this section, the nature of the request and the reasons therefor. The request should be addressed to the Explosives Control Division, Bureau of Mines, Washington 25, D. C. The licensee will be notified in writing if the request is granted in whole or in part. If any licensee, after having possession of a copy of §§ 301.24–301.29 or notice of their provisions, fails to request suspension or modification of any requirement of such regulations, or fails to make such a request within five days after being informed by a representative of the Bureau of Mines of his noncompliance with any requirement of §§ 301.24–301.29, he shall be subject to all of the penalties for the violation of these regulations.

(55 Stat. 863; 50 U.S.C. App., Sup., 121 et seq.)

R. R. SAYERS,
Director.

Approved: March 16, 1944.

MICHAEL W. STRAUS,
First Assistant Secretary,
Department of the Interior.

[F. R. Doc. 44–3856; Filed, March 18, 1944; 11:38 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–499]

BERORN COMPANY

Louis Berman and Samuel M. Ornsteen, co-partners doing business as Berorn Company, at 341 Middlesex Street, Lowell, Massachusetts, have been engaged in the manufacture of jungle hammocks, coveralls and other products. On or about March 16, 1943, Berorn Company received delivery of certain textile processing machinery for which it paid the City of Lowell $1025. No application was made to the War Production Board for authorization to accept delivery of such machinery, as was required by General Limitation Order L–215, before delivery thereof was actually received, although both Louis Berman and Samuel M. Ornsteen knew about General Limitation Order L–215 and were aware that authorization was required. Subsequent to an investigation by the War Production Board, Berorn Company filed on or about April 21, 1943, an application on Form PD–744 signed by Samuel M. Ornsteen, for retroactive authorization to accept delivery of such machinery. The application contained several material, wilful, false and misleading statements, among which was the representation that all twelve of said machines were required in the performance of a Government contract, whereas the partners knew that only three machines were suitable for such work. These misrepresentations constituted violations of Priorities Regulation No. 1.

These actions constituted wilful violations of General Limitation Order L–215 and Priorities Regulation No. 1, and have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.499 *Suspension Order No. S–499.* (a) Deliveries of material and products, directly or indirectly, to Louis Berman and Samuel M. Ornsteen, individually or as partners doing business as Berorn Company or otherwise, their or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Louis Berman and Samuel M. Ornsteen, individually or as partners doing business as Berorn Company or otherwise, their or its successors or assigns, directly or indirectly, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Louis Berman or Samuel M. Ornsteen, individually or as partners doing business as Berorn Company or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 17, 1944, and shall expire on July 17, 1944.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F.R. Doc. 44–3819; Filed, March 17, 1944; 4:27 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–500]

LOWELL SHOE COMPANY, INC.

Lowell Shoe Company, Inc., 341 Middlesex Street, Lowell, Massachusetts, is a manufacturer of women's shoes. It manufactured 34,162 more pairs of women's shoes during the period between March 1, 1943, and August 31, 1943, within certain of its higher priced lines than was permitted by Conservation Order M–217. The responsible officers of Lowell Shoe Company, Inc., had knowledge of Conservation Order M–217 and the violation was therefore wilful. On March 15, 1943, it placed a bid with the City of Lowell for certain textile processing machinery at a price of $1025. This order was accepted and the machinery was later delivered to and paid for by the Berorn Company, one of whose partners was an officer and principal stockholder of the Lowell Shoe Company, Inc. No application was made to the War Production Board for authorization to order such machinery, as was required by General Limitation Order L–215, although the responsible officials of Lowell Shoe Company, Inc., had knowledge of the Limitation Order prior to the date it placed such order. Lowell Shoe Company, Inc., wilfully violated General Limitation Order L–215 by ordering such machinery without authorization of the War Production Board.

These wilful violations of Conservation Order M–217 and General Limitation Order L–215 have diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.500 *Suspension Order No. S–500.* (a) Lowell Shoe Company, Inc., its successors or assigns, shall not complete the manufacture of more than thirty-five thousand (35,000) pairs of civilian footwear during the effective period of this order. Such footwear shall be limited to Lowell Shoe Company's existing price lines, but may be divided among such lines as the company may determine under paragraph (i) (iv) of Conservation Order M–217 as amended January 12, 1944.

(b) Nothing contained in this order shall be deemed to relieve Lowell Shoe Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 17, 1944, and shall expire on July 17, 1944.

Issued this 10th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F.R. Doc. 44–3820; Filed, March 17, 1944; 4:27 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, as Amended Mar. 18, 1944]

§ 944.1 *Purpose and scope of this regulation; definitions.* This regulation states the basic rules of the War Production Board which apply to all business transactions unless they are covered by more specific regulations or orders of the War Production Board which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the War Production Board, unless otherwise indicated.

(a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) "Defense order" means:

(1) Any contract or purchase order for material or equipment to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(For status of Panama Canal and Coast Guard in general see Interpretation 1 c.)

(2) Any contract or purchase order placed by any agency of the United States Government for material or equipment to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the De-

fense of the United States" (Lend-Lease Act).

(c) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

§ 944.1a *Certain defense orders rated AA–5.* Every defense order placed after March 18, 1944, for any material which has not been specifically assigned a higher preference rating is hereby assigned a rating of AA–5.

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such case against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and knows that he will not do so if he receives it.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchasers see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years. If he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the person placing the order, promptly give his reasons in writing for his failure or refusal.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to use of facilities of controlled materials producers see Interpretation 4.)

(g) Some orders of the War Production Board provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the War Production Board. In addition, the War Production Board may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 *Report to War Production Board of improperly rejected orders.* When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 *Assignment of preference ratings.* Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the War Production Board assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the War Production Board, to their own purchase orders or contracts. In some cases the War Production Board will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named individual is revoked, he must immediately, in the case of each order to which he has applied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the War Production Board which assigns a rating to a class or group of persons without naming them individually is revoked after March 18, 1944, they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to orders placed by him. The War Production Board may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 8.)

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, AA–1, AA–2, AA–2X, AA–3, etc.; A–1–a, A–1–b, etc.; A–2, A–3, etc.; B–1, B–2, etc. The letter "X" after a numeral indicates that such rating is inferior to the rating of the same numeral and superior to the rating of the next numeral. (For example, AA–2X is inferior to AA–2 and superior to AA–3.) The War Production Board, after March 18, 1944, will not assign ratings below AA–5 but any such ratings which were assigned before that date may be applied or extended.

§ 944.6 *Doubtful cases.* Whenever there is doubt as to the preference rating applicable to any order, or as to whether a particular order is a defense order, the matter is to be referred to the War Production Board for determination, with a statement of all pertinent facts.

§ 944.7 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rater order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the same date, precedence must be given to the order which has the earlier required delivery or performance date.

(See Interpretation 1 c.)

§ 944.8 *Delivery or performance dates.* (a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are four exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders for maintenance, repair or operating supplies as identified by the symbol MRO or otherwise; (2) orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (3) orders for not more than $100; (4) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order.

§ 944.9 *Report to War Production Board of improper delay.* When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the War Production Board for delivery of material or the use of facilities must be complied with regardless of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the War Production Board apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Defense orders or other rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.11 *Material to be used for purposes for which priorities assistance granted.* (a) Any person who obtains material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product. The foregoing restriction does not apply to scrap normally generated in the fabrication of material, but the use and disposition of certain forms of scrap are restricted by certain other regulations and orders of the War Production Board.

(b) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled), its use or disposition shall be restricted as follows:

(1) If the holder does not regularly sell similar materials or products in the course of his business, he may sell or transfer it only as provided in Priorities Regulation 13 (§ 944.34). Also, he may use it for any purpose for which he has the necessary preference rating and if he satisfies any other conditions which would be necessary in order to buy it for use by him from someone else under that regulation;

(2) The holder may use or dispose of the material or product to fill, in accordance with this regulation, a contract or purchase order bearing a preference rating of AA–5 or higher (or a rating as high as that with which the material was obtained, if it was obtained with a rating lower than AA–5), unless either the filling of the contract or purchase order or the fabrication of the material or product to fill that type of contract or purchase order is prohibited by an order or regulation of the War Production Board.

(3) The holder may use it to fill his own needs (such as meeting his requirements for maintenance, repair or operating supplies) if he has been authorized to obtain similar materials or products for that purpose by applying or extending a preference rating of AA–5 or higher (or a rating as high as that with which the material was obtained if he obtained it with a rating lower than AA–5), *Provided*, That use of the same for that purpose is not prohibited by an order or regulation of the War Production Board;

(4) It may be redelivered to the person from whom it was obtained, if he is willing to accept redelivery; or it may be delivered to the manufacturer, if he is willing to accept it;

(5) It may be used or disposed of as scrap, unless the use or disposition is prohibited by other regulations or orders of the War Production Board; or

(6) It may be used or disposed of in any other manner specifically authorized in writing by the War Production Board. Field offices of the Board will advise persons making inquiry of the method of obtaining authorization.

(c) In any event, if a material or product is a controlled material or a Class A product obtained pursuant to an allotment under CMP Regulation 1, the holder may use it in accordance with paragraph (u) of that regulation.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the War Production Board prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the War Production Board (including directions, directives and other instructions) apply to all subsequent transactions even

though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. However, military and naval establishments located outside the 48 states and the District of Columbia are not subject to any rule, regulation or order of the War Production Board unless it specifically states that they are.

(For application of WPB regulations and orders to liquidation sales see Interpretation 1d.)

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the War Production Board, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restriction.* Unless specifically authorized by the War Production Board, no person shall knowingly make delivery of any material whatever, and no person shall accept delivery thereof if the inventory of such material of the person accepting delivery, in the same or other forms, is, or will by virtue of such acceptance become, in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation. Unless specifically authorized by the War Production Board, no person shall process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of such material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will by virtue of such operation become, in excess of a practicable minimum working inventory thereof. The term "practicable minimum working inventory" is to be strictly construed. The mere fact that the rate of turnover has increased or that materials are difficult to obtain does not justify maintaining inventories above the minimum with which operations can be continued. In the calculation of the practicable minimum working inventory of any person who imports material, either directly or through an agent, deliveries of such imported material to such person may be excluded.

(For application of this section to seasonal industries see Interpretation 1a, and to minimum sale quantities and production runs see Interpretation 7.)

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the War Production Board applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories of the material to which such rule, regulation or order relates and of the details of all transactions in such materials. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders and all other rated orders either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must make a written record of the base period operations and preserve it, together with any figures and worksheets showing his calculations, for inspection by WPB officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 *Audit and inspection.* All records required to be kept by this regulation or by any rule, regulation or order of the War Production Board shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 *Reports.* Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 944.18 *Violations.* Any person who violates any provision of this regulation or any other rule, regulation or order of the War Production Board, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the War Production Board, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the War Production Board from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. Sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 *Appeals for relief in exceptional cases.* Any person who considers that compliance with a rule or regulation or order of the War Production Board would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 *Notification of customers.* Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the War Production Board shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

Examples. (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated AA–1 under CMP Regulation No. 5. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a AA–1 rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The War Production Board assigns a rating on a PD–1A certificate to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the War Production Board only for the purpose of filling a specific need shown by the first textile producer. (Issued July 24, 1943.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the War Production Board may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 7

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Section 944.14 of Priorities Regulation No. 1 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (b) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum required amounts".

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation No. 1 or his "minimum required amounts" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells, as explained in Interpretation 3 of Priorities Regulation No. 1. This means that if he regularly sells not less than a certain minimum production run, he does not have to accept orders which either total less than the run or which call for individual deliveries of less than the run.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the Redistribution Division of the War Production Board for permission, stating the facts and why it is not practicable to satisfy the conditions of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials or Class A products under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in CMP Regulation No. 2, and those for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating. (Issued Nov. 3, 1943.)

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in WPB orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the War Production Board provides an exemption for small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable War Production Board order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944)

[F. R. Doc. 44–3637; Filed, March 18, 1944; 11:22 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1a]

INVENTORIES IN SEASONAL INDUSTRIES

The following interpretation is issued with respect to § 944.14 of Priorities Regulation 1:

The question has been raised, in connection with various seasonal industries, whether a company which is engaged in such an industry and which normally stocks up inventory in advance of the season, is forbidden by the foregoing regulation from doing so.

The prohibition against accepting delivery of inventory "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation," does not prevent the acceptance of delivery by such person of his requirements of the inventory in question provided, (a) that such person is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1b]

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

The following interpretation is issued with respect to Priorities Regulation 1:

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1c]

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The following interpretation is issued with respect to Priorities Regulation 1:

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer

in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1d]

APPLICATION OF ORDERS AND REGULATIONS TO SALES BY AUCTIONEERS, RECEIVERS, TRUSTEES, ETC.

The following interpretation is issued with respect to § 944.18 of Priorities Regulation 1:

The impression has arisen that orders and regulations of the War Production Board which restrict the sale, transfer or delivery of materials, products or equipment, need not be observed in the case of sales made by auctioneers, receivers, trustees in bankruptcy, and other cases where the assets of a business are being liquidated. This impression is erroneous.

All orders and regulations of the War Production Board which control the sale, transfer or delivery of any material, product or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, except as otherwise provided in Priorities Regulation No. 13 with respect to "special sales" or as otherwise provided in any other applicable regulation or order. Any sale made in violation of any order or regulation or any delivery accepted in violation of any order or regulation, subjects parties to all penalties provided by law, including liability for prosecution under Title III of the Second War Powers Act, which specifies penalties up to $10,000 or imprisonment for one year or both.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 1e]

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

The following interpretation is issued with respect to Priorities Regulation 1:

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 2]

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

The following interpretation is issued with respect to Priorities Regulation 1:

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 3]

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

The following interpretation is issued with respect to Priorities Regulation 1:

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers". This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 4]

ACCEPTANCE OF RATED ORDERS FOR USE OF FACILITIES BY CONTROLLED MATERIALS PRODUCERS

The following interpretation is issued with respect to Priorities Regulation 1:

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 9, Revocation]

APPLICABILITY OF REGULATIONS AND ORDERS TO TERRITORIES AND INSULAR POSSESSIONS

Intepretation 9, issued with respect to Priorities Regulation 1 is hereby revoked, having been superseded by § 944.13, as amended.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3838; Filed, March 18, 1944; 11:21 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b, as Amended Mar. 18, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1041.2 *Preference Rating Order P-98-b*—(a) *Purpose.* This order tells how persons engaged in the petroleum industry may obtain priorities assistance to secure material for their operations.

This order will not be used by foreign operators who will continue to use Priorities Regulation No. 9 and forms provided for in that regulation. Nor will the order be used to secure material to be used in the Territory of Hawaii. Such material may be obtained through the procedure established by the War Production Board Regional Office for Region X rather than through this order. Furthermore, this order will not be used by Canadian operators. All other operators must use the procedures of this order.

In general, this order provides priorities assistance to obtain material for three different purposes, and a separate procedure will be followed for each. They are as follows:

(1) Material for maintenance and repair purposes, operating supplies and laboratory equipment is secured under the MRO procedure, set out in the second major portion of this order (paragraphs (d), (e) and (f)). Preference ratings and an allotment symbol for controlled material are indicated and may be used in accordance with the procedure specified in that section.

(2) Material for most production activities, which include exploratory work and well drilling, is secured through the procedure described in the third major portion of this order headed, "Material for Use in Production" (paragraphs (g), (h), (i) and (j)). The preference rating and allotment symbol for controlled material are indicated in paragraph (h) and may be used only in accordance with the specified delivery order filing procedure, similar to that of the MRO provisions.

(3) A fourth major portion of this order (paragraphs (k), (l), (m) and (n)), describes how materials are secured for use in certain special production operations, natural gasoline recovery, transportation, refining and marketing. Here, application must be made for both a preference rating covering specific materials and an allotment of controlled materials. Any rating and allotment number assigned pursuant to such an application may be used without submitting delivery orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

The materials which are obtained under this order may be used only in accordance with the provisions of applicable Petroleum Administrative orders. A general description of the scope of these orders is given in the appropriate sections of this order.

(b) *Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry.

(2) "Petroleum" means crude oil, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Petroleum industry" includes any of the following activities and any operation directly incident to these activities:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline recovery);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

and shall include for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into more effective methods of conducting, petroleum industry operations by means of research, technical or control laboratories.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Maintenance and repair shall not include (*a*) the drilling, redrilling, deepening, plugging back, or multiple completion of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (*b*) the extension or the initial construction or installation of a field gas gathering line, or (*c*) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes, or (*d*) the installation or replacement in marketing of any "equipment" defined as such in Petroleum Administrative Order No. 12.

(5) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in the petroleum industry and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense, including among other items, chemicals, additives and blending agents.

(6) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, petroleum industry operations by means of research, technical or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(7) "Controlled material," "Class A product" and "Class B product" shall have the same meanings, respectively, as in CMP Regulation No. 1 of the War Production Board.

(8) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given before delivery is made.

(9) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in this order or which is specifically designated to be such by any regulation or order of the Petroleum Administration for War or the War Production Board.

(c) *Priorities assistance for services and particular materials.* (1) An MRO rating assigned by this order may be used to secure services to the extent consistent with Priorities Regulation 3.

(2) No operator may apply a preference rating to obtain any material listed on Schedule A of this order.

(3) No operator may apply a preference rating to obtain any material listed on Schedule B except in accordance with the procedure described in that schedule.

(4) Priorities assistance for the materials covered by Schedule C of this order may also be obtained under this order but only by filing the forms specified on that schedule in accordance with the instructions contained in that schedule. Schedule C includes all items on List B of Priorities Regulation 3 with the exception of those listed in Schedule B of this order.

(5) Priorities assistance may not be obtained under this order for material or equipment to be used by consumer ac-

counts for or in the storage or dispensing of petroleum, including liquefied petroleum gas. Maintenance and repair for this type of equipment is covered under Preference Rating Order P–98–e.

(6) Priorities assistance may not be obtained under this order for tank trucks and trailers, railroad rolling stock, marine equipment or parts for any of these, unless the priorities assistance is used to secure the following:

(i) Material to be actually attached to a tank truck or trailer and necessary for containing, dispensing, measuring the movement of, or distributing petroleum;

(ii) Parts for railroad rolling stock, which rolling stock is owned or leased by the operator, is used on his premises and in the petroleum industry, and is not under the jurisdiction of the Interstate Commerce Commission;

(iii) Parts for marine equipment, which marine equipment is used or chartered by the operator, is used on or in the vicinity of his premises and in the petroleum industry, and for which no other method of securing priorities assistance exists.

Special methods for securing priorities assistance for the above equipment or equipment parts which may not be obtained under this order have been established by the Office of Defense Transportation, the Maritime Commision, and the War Production Board.

(7) Priorities assistance may not be obtained under this order for "residential construction" or "multiple residential construction", as defined in Order L–41 where the construction is in connection with natural gasoline recovery, transportation, refining or marketing. Priorities assistance may, on the other hand, be obtained under this order for material to be used as "lease equipment", as that term is defined in Petroleum Administrative Order No. 11.

MRO Material—Maintenance and Repair, Operating Supplies, and Laboratory Equipment

(d) *Allotment symbol and preference ratings.* To secure material fof maintenance and repair, operating supplies or laboratory equipment (all known as MRO material) for use in any branch of the petroleum industry other than retail marketing an operator may use allotment symbol MRO–P–3 and preference rating AA–1. To secure MRO material for use in retail marketing an operator may use allotment symbol MRO–P–3 and preference rating AA–5.

(e) *How to use allotment symbol and preference rating.* To use the MRO allotment symbol and ratings, an operator must:

(1) Place the allotment symbol on delivery orders for controlled materials and the allotment symbol and preference rating on delivery orders for other MRO materials, certifying each delivery order in accordance with paragraph (r).

(2) Endorse on each delivery order of more than $100 (or accompany it by) a statement telling the specific use to which the material is to be put, the branch of the petroleum industry and the PAW District in which it is to be used, the approximate price, quantity and description of the material (including weight if it is a controlled material) and the month in which delivery of the material is required.

(3) Prior to placing each delivery order with a supplier, submit copies of the order to the District Office of the Petroleum Administration for War for the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located), Ref: Materials Division, as follows:

(i) If the delivery order is for $100 or less, no copy need be submitted.

(ii) If the delivery order is for controlled materials (other than aluminum) and has a total cost of more than $100 but not more than $2,500 and has no item of more than $500, one copy must be submitted for information purposes.

(iii) If the delivery order is for controlled materials (other than aluminum) and has a total cost of more than $2,500, or has any item of more than $500, the original and two copies must be submitted for approval, and an operator may not place such an order with a supplier until approval of the order has been returned to him.

(iv) If the delivery order is for other than controlled materials or for aluminum, and has a total cost of more than $100, one copy must be submitted for information purposes.

In the case of delivery orders for the special materials listed on Schedule B, the filing instructions set out in that schedule apply.

(4) An operator requiring aluminum as a controlled material need only comply with the previous subparagraphs of this paragraph (e) to obtain 500 pounds or less from all sources during a calendar quarter. If the quantity required is more than 500 pounds, he must apply by letter for permission to purchase the excess amount (furnishing the applicable information called for by paragraph (d) of Supplementary Order M–1–i) to the Aluminum and Magnesium Division, War Production Board, Ref: M–1–i. If approved the operator must then place his delivery orders in accordance with the previous subparagraphs of this paragraph (e).

(5) To use a preference rating obtained for MRO material pursuant to a Form WPB–541 (PD–1A) application, an operator must place on the delivery order the rating and allotment symbol P–3.

(f) *Emergency MRO materials.* Where there has been an actual breakdown or suspension of operations, and where the methods specified above will not get the material on the date and in the quantity required, an operator may request authority to secure emergency MRO material by letter, telegram or telephone to the District Office (in the case of production), or to the Washington Office (in all other cases), Ref: P–98–b, supplying the following information:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected.

(2) Description of equipment to be repaired and its function in maintaining continuous operation.

(3) Quantity, approximate price and detailed description of necessary material (including weight if a controlled material) and number and date of delivery order(s) thereof.

If information is supplied by telephone, it must be confirmed within three days by letter or telegram. No delivery order for emergency MRO material need be submitted to the Petroleum Administration for War but an operator shall not place a delivery order with a supplier for the emergency MRO material until approval has been received and the delivery order has been certified in accordance with paragraph (r).

Material for Use in Production

(g) *Scope of paragraphs (g), (h), (i), (j).* The following paragraphs under this general heading of "Material for Use in Production" set forth the methods to be used by a production operator in securing and using priorities assistance to get the material he will need for most of his operations. However, these paragraphs do not cover methods for obtaining priorities assistance for MRO material or material for use in the following special production operations:

Gas cycling operations for condensate recovery (including gathering and injection lines in connection therewith),
Gas desulphurization operations,
Gas dehydration operations,
Pressure maintenance operations, or
A gas lift compression plant or a field gas booster plant where the material to be installed or added increases the rated capacity of the plant more than 500 h. p.

Methods for securing MRO material have been set forth in paragraphs (d), (e) and (f) above, while methods for securing material for special production operations are set forth in paragraphs (k), (l) and (m) which follow.

References made in paragraphs (h), (i) and (j) immediately below, to production allotment symbols and ratings or to materials for use in production, apply only to the acquisition and use of material for the production operations covered by these paragraphs. Such references do not apply to MRO material or to material for use in the special production operations listed above.

(h) *Allotment symbol and preference rating.* To secure material for use in production, an operator may use allotment symbol P–1 and preference rating AA–2X.

(i) *How to use allotment symbol and preference rating.* To use his allotment symbol and preference rating, a production operator must:

(1) Indicate on each delivery order for controlled materials the allotment symbol; and indicate on each delivery order for other materials the preference rating and allotment symbol; certifying each delivery order in accordance with paragraph (r).

(2) Endorse on each delivery order of more than $100 (or accompany it by) a statement telling the specific use to which the material is to be put, the branch of the petroleum industry and the PAW District in which it is to be used, and the approximate price, quantity and description of the material (including weight, if it is a controlled material), and the month in which delivery of the material is required.

(3) Prior to placing each delivery order with a supplier, submit copies of the order to the District Office of the Petroleum Administration for War for the District in which the material is to be used, Ref: Materials Division, as follows:

(i) If the delivery order is for $100 or less, no copy need be submitted.

(ii) If the delivery order is for controlled materials, and has a total cost of more than $100 but not more than $2,500, and has no item of more than $500, one copy must be submitted for information purposes.

(iii) If the delivery order is for controlled materials, and has a total cost of more than $2,500, or has any item of more than $500, the original and two copies must be submitted for approval, and an operator may not place such an order with a supplier until approval of the order has been returned to him.

(iv) If the delivery order is for other than controlled materials, and has a total cost of more than $100, one copy must be submitted for information purposes.

In the case of delivery orders for the special materials listed on Schedule B, the filing instructions set out in that schedule apply.

(j) *How to obtain authority to use materials.* Use of material in production is controlled by Petroleum Administrative Order No. 11, as amended and supplemented from time to time. Unless authority is granted by PAO–11 or an amendment or supplement to that order, to use material in the particular production operation, the operator must obtain an exception under PAO–11.

Material for Use in Special Production Operations, Natural Gasoline Recovery, Transportation, Refining and Marketing

(k) *Scope of paragraphs (k), (l), (m), (n).* The following paragraphs under this general heading of "Material for Use in Special Production Operations, Natural Gasoline Recovery, Transportation, Refining and Marketing" set forth the methods to be used by an operator engaged in any one of those industry branches or operations in securing and using priorities assistance to get the material he will need for his operations. The special production operations for which priorities assistance is made available by this major section are:

Gas cycling operations for condensate recovery (including gathering and injection lines in connection therewith),
Gas desulphurization operations,
Gas dehydration operations,
Pressure maintenance operations, or
A gas lift compression plant or a field gas booster plant where the material to be installed or added increases the rated capacity of the plant more than 500 h. p.

Methods for securing MRO material have been set forth in paragraphs (d), (e) and (f) above. References made in paragraphs (l), (m) and (n) immediately below to allotment numbers and ratings and to the use of material, apply only to the acquisition and use of material for the operations covered by these paragraphs. Such references do not apply to MRO material.

(l) *Allotment number and preference rating.* To secure equipment or material requiring an allotment number or preference rating for use in any special production operations, natural gasoline recovery, transportation, refining or marketing, an operator must file PAW Form 30 in accordance with the instructions set out on that form.

Form WPB–541 (PD–1A) may be used instead of PAW Form 30 to request a preference rating for machinery or equipment, if the machinery or equipment will be installed with the use of no more than $500 worth of material obtained through the MRO procedure of this order and if the machinery or equipment will be installed as part of a complete operation having a total material cost of no more than $5,000.

Form WPB–541 (PD–1A) may also be used instead of PAW Form 30 to request a preference rating for any material, regardless of cost, which will not be incorporated into a plant or other facility (for example, an item of construction machinery or equipment), unless a War Production Board order requires the use of some other form.

Form WPB–541 applications will be filed with the nearest War Production Board Field Office.

(m) *How to use allotment number or symbol and preference rating.* To use the allotment number and preference rating granted through a PAW Form 30 application an operator must place the allotment number on delivery orders for controlled materials and the allotment number and preference rating on delivery orders for other materials. On each delivery order for material rated after a Form WPB–541 application an operator must place the rating and either allotment symbol F–5 (in refining) or P–1 (in any other branch of the industry). Each delivery order must bear the standard certification of paragraph (r).

An operator may place authorized controlled materials orders only for the controlled materials specified for use in the operations designated on the PAW Form 30 application and may apply or extend the preference rating only to secure material requiring a rating and approved in connection with the PAW Form 30 or Form WPB–541 application.

Any rating or allotment number assigned pursuant to an application on either of such forms may be used without submitting delivery orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

(n) *How to obtain authority to use material.* (1) Use of material in transportation or refining, is governed by Petroleum Administrative Order No. 15 as amended and supplemented from time to time. Use of material in special production operations described above and in natural gasoline recovery is governed by Petroleum Administrative Order No. 11 as amended and supplemented from time to time. Since PAW Form 30 when filed as an application to secure material for use in connection with special production operations, natural gasoline recovery, transportation or refining, is also considered an application to use materials in connection with such operations, the authorization obtained by an operator by this form shall be considered authority to use the materials specified on the form in accordance with the provisions of such orders.

(2) Use of material (other than liquefied petroleum gas equipment) in marketing is governed by Petroleum Administrative Order No. 12 as amended and supplemented from time to time. If use of the material (other than liquefied petroleum gas equipment) is not authorized by PAO–12 or an amendment or supplement to that order, the operator must secure an exception under that order.

(3) Installation of liquefied petroleum gas equipment is governed by Order L–86 as amended and supplemented from time to time. If the material to be used in marketing is liquefied petroleum gas equipment and installation of such is not permitted by Order L–86 or an amendment or supplement to that order, the operator must secure an exception under that order.

(4) Exceptions under PAO–12 or L–86 do not afford priorities assistance to secure material. Such priorities assistance should be applied for under paragraph (1). MRO material will, of course, be obtained through the MRO procedures of this order, or, where applicable, through Preference Rating Order P–98–e.

General Provisions

(o) *Allotments by operators.* An operator who has obtained an allotment of controlled materials may require the manufacture and installation of certain Class A products or may undertake the operation through a construction contractor. In either case it may be necessary for the operator to allot a portion of his allotment to the Class A product manufacturer or to the contractor (each of whom then becomes a "secondary consumer" under CMP Regulations) for reallotment or the placement of authorized controlled material orders. Any operator making such an allotment must follow the procedures in CMP Regulation No. 1, except as modified by this order.

(p) *Placement of delivery orders.* (1) In preparing or placing a delivery order

an operator shall not alter the customary designation of any item or items for the purpose of making it appear that an item costs $500 or less or that the total cost of all items on the delivery order is $100 or less or $2,500 or less as the case may be.

(2) Any delivery order for controlled materials placed pursuant to this order and bearing the certification provided for in this order is an authorized controlled material order if the delivery order is in sufficient detail to permit entry on mill schedules and is received by the controlled materials producer at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same. Attention is called to paragraph (t) of CMP Regulation No. 1 relating to rejection of orders by a controlled materials producer, including instances where less than minimum mill quantities, as specified in Schedule IV of the regulation, are requested by an operator.

(3) Where an allotment of controlled materials has been made and an allotment number authorized in connection with it, the allotment number endorsed upon any delivery order bearing the certification provided for in this order shall be an abbreviated allotment number consisting of a major program identification and the quarterly identification. In the event that no allotment number has been authorized, the appropriate allotment symbol stated in this order should be used. The allotment symbol MRO–P–3, authorized in connection with MRO material and allotment symbol P–1, in connection with production, shall constitute allotment symbols, for the purpose of all CMP regulations. In using these symbols no reference to a program or quarterly identification need be made.

(q) *Use, cancellation and reduction of allotment.* (1) [Revoked Mar. 18, 1944]

(2) An operator who receives an allotment of controlled materials pursuant to application on PAW Form 30 must use it only for the purpose for which it was authorized. If such an allotment is not used in placing authorized controlled material orders or in making reallotments, the operator must promptly notify the Washington Office of such facts.

(3) An operator who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. Where an allotment received by an operator is cancelled, he must cancel all allotments which he has placed on the basis of the allotment. Where an allotment received by an operator is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceeds his allotment as reduced. In the event this course of action is impracticable, the operator shall immediately request instructions of the District Office (in the case of production) or of the Washington Office (in all other cases).

(r) *Certification.* An operator may use an allotment number or symbol or preference rating authorized pursuant to this order by endorsing upon his delivery order a certification in substantially the following form:

> The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

This certification may be used as provided in Priorities Regulation No. 7. It may also be used instead of any other certification required by any regulation or order of the War Production Board, to the extent permitted by Priorities Regulation No. 7. The certification must be signed manually or by the use of a facsimile signature as provided in that regulation.

(s) *Restoration of inventories.* An operator may use an allotment number or symbol or preference rating authorized under this order to restore his inventory to a practicable working minimum. However, an operator may not secure replacements which would result in surplus material as defined in Preference Rating Order P–98–c as amended.

(t) *Restrictions.* An operator may not use the allotment number or symbol or the preference ratings authorized under this order to obtain material:

(1) For any purpose other than a purpose authorized under this order or in greater amounts or on earlier dates than required for any authorized purpose.

(2) Which can be secured without the use of an allotment number or symbol or preference rating.

(3) The use of which could be eliminated without serious loss of efficiency by substitution of less scarce material, or by change of design.

(4) In such amounts or on such dates that receipt of such amounts on the requested dates would result in surplus material as defined in Preference Rating Order P–98–c, as amended.

(5) Unless such operator is a participant in the PAW Materials Redistribution Program No. 2, if participation by the operator in this program is required.

(u) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation Nos. 2, 5, or 6 (or the limitations incorporated in any CMP Regulation which otherwise would subject an operator to the provisions of CMP Regulation Nos. 2, 5, or 6) shall apply to an operator and no operator shall obtain any material under or be limited by the provisions of such regulations or limitations. The provisions of paragraphs (i), (s), (s–1) and (u) of CMP Regulation No. 1 shall not apply to an operator who secures material in accordance with the provisions of this order. Other than as set forth in paragraph (c) (7) hereof, the provisions of Limitation Order L–41, as amended from time to time, shall not apply to an operator as such operator is limited by the provisions of that order.

(3) Any preference rating, other than a rating for MRO material, assigned pursuant to the provisions of this order is assigned in lieu of a preference rating under an order in the P–19 series. Any reference in any order of the War Production Board to an order in the P–19 series shall constitute a reference to a preference rating assigned pursuant to this order.

(4) Privileges granted by other orders and regulations of the War Production Board to persons on Schedule I of CMP Regulation 5 shall be considered as applicable to petroleum operators, other than operators to the extent that they are engaged in retail marketing, operating under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedule I or II of CMP Regulation 5 as an "approved user". With the stated exception, an operator covered by P–98–b is in identically the same position, *Provided*, That certification clauses in and all other provisions of such other orders are complied with.

(5) Where a preference rating or allotment symbol, or both, is permitted or is required to be used by any other "E", "L", "M", "P", or "U" order or any regulation of the War Production Board to obtain a specific item of material, it will not also be necessary to follow any procedure of this order to obtain that item of material.

(v) *Further limitations on use of priorities assistance.* The Petroleum Administration for War may issue in its own name further restrictions or limitations on the use of priorities assistance by operators in the petroleum industry.

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order should, unless other directions are given, be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P–98–b.

The addresses of the Petroleum Administration for War District Offices are set forth in Schedule D.

(x) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The items listed on this schedule may be delivered to operators without regard to preference ratings. No operator shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale.

Items on List A of Priorities Regulation 3:
Rock bits and core bits (rotary bits).
Tool joints.

SCHEDULE B

The procedure established by this schedule must be followed in order to request a rating for any item listed on it. Certain of these items are on List B of Priorities Regulation 3, and any rating secured under this procedure for such an item is not a blanket MRO rating and may be used to secure such item.

In order to request a rating under this procedure two copies of each delivery order (regardless of amount) must be submitted to the District Office of the PAW of the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the operator's purchasing office is located). For each such delivery order, in addition to the statement which must regularly accompany an MRO delivery order submitted to PAW concerning the specific use to which the material will be put, the operator should include a detailed explanation of why he requires the particular item requested. An operator may not place a delivery order with a supplier covering these items until approval of such order has been returned to him. For convenience this will be referred to as the "special MRO procedure."

The following materials are covered by this schedule:

(a) Those items currently identified on (and more completely described in) List B of Priorities Regulation 3 as follows, and any equivalent items replacing them on revisions of that List B, when required as MRO material:

DESCRIPTION

Civilian defense devices.
Filing cabinets, wooden.
Fire protective equipment.
Furniture for use in offices, factories, industrial establishments and institutions, except furniture specifically designed for schools.
Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment.)
Medical, surgical and dental instruments.
Slide rules, precision engineering, having a list price of $7.50 or more.
Venetian blinds.

(b) Construction machinery and equipment (on Schedule B of Order L–192) costing in excess of $500, when required as MRO material or as material for use in production.

SCHEDULE C

The special MRO procedure of Schedule B may be used to request a rating for only those items on List B of Priorities Regulation 3 as MRO material which are listed on that schedule. Many of the other items on List B of Priorities Regulation 3 may be secured without a preference rating and every attempt should be made to do so. If a rating is required for any of these remaining items or for any other item which cannot be secured with a blanket MRO rating, it should be applied for on Form WPB–541 (PD–1A), filed with the nearest WPB Field Office.

There are two general exceptions to this rule. In the first place, laboratory instruments and equipment may be obtained under the regular MRO procedure of this order. And secondly, the forms indicated below will be used for the items there listed.

Item	Preference rating form	Release or scheduling form	Filing instructions
(a) Cellophane	WPB–541		File with nearest WPB Field Office.
(b) Gas cylinders (as defined in M–293).	WPB–541		File with nearest WPB Field Office.
(c) Liquefied petroleum gas storage tanks.	WPB–541		File with nearest WPB Field Office.
(d) Steel shipping drums (as defined in L–197).	WPB–3233	WPB–3233	File with PAW, Washington, Ref: P–98–b.
(e) Wooden shipping containers (as defined in L–222, P–140).	WPB–2408		File WPB–2408 with PAW, Washington, Ref: P–98–b. File this form only if the preference ratings of P–140 are not sufficiently high to obtain delivery at the time the material is needed.
(f) Machine tools (as defined in E–1–b).	WPB–541		File with nearest WPB Field Office.

SCHEDULE D—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia). Direct communications to Petroleum Administration for War, 1104 Chanin Building, 122 East 42nd Street, New York 17, New York. Ref: P–98–b.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota). Direct communications to Petroleum Administration for War, 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois (or) 410 Beacon Building, 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: P–98–b.

District 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico). Direct communications to Petroleum Administration for War, 245 Mellie Esperson Building, Houston 1, Texas. Ref: P–98–b.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho). Direct communications to Petroleum Administration for War, 320 First National Bank Building, Denver 2, Colorado. Ref: P–98–b.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territory of Alaska). Direct communications to Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California. Ref: P–98–b.

[F. R. Doc. 44–3839; Filed, March 18, 1944; 11:21 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANIC'S HAND SERVICE TOOLS, FILES, HACK AND BAND-SAWS, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L–216, Schedule VI as Amended Mar. 18, 1944]

VISES

§ 3114.7 *Schedule VI of Limitation Order L–216*—(a) *Definitions.* For the purpose of this schedule and the table attached hereto:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) Names of various types of vises shall have the same meaning as in Federal Specifications GGG–V–436–a, and the illustrations in such specifications shall be deemed the graphic descriptions of the vises referred to; provided, however, that none of the other provisions of such specifications shall be controlling.

(3) "Jaw cap" means the cap designed to be placed across the face of the jaw of a vise to cover the surface of the jaws.

(b) *Manufacture of jaw caps.* No person shall perform any manufacturing operation upon or sell any jaw caps made of any metal other than lead or lead base alloy.

(c) *Limitation on manufacture of vises.* (1) No person shall use in the manufacture of vises any metals other than carbon or alloy steel or cast or malleable iron.

(2) No person shall manufacture any vise of any of the types listed in Table 1, except in the jaw sizes there specified.

(d) *Exceptions.* Nothing contained in paragraphs (b) and (c) of this schedule shall be deemed to prohibit the sale of jaw caps or vises which on January 4, 1944, were completely fabricated, nor to prohibit the manufacture and sale of jaw caps or vises which on January 4, 1944, had been so fabricated that completion in compliance with the provisions of this schedule would be impracticable. Each person who shall manufacture or sell any jaw cap or vise under the terms of this exception, shall keep and maintain, subject to inspection by the War Production Board, accurate records with respect to each such transaction.

(e) *Manufacture of repair parts.* Nothing contained in paragraph (c) of this schedule shall be deemed to prevent the manufacture of repair parts for vises, notwithstanding the fact that the vises for which such parts are made do not conform to the limitations set forth in this schedule. No person shall assemble repair parts so produced into a complete vise, but shall use them only for the purpose of replacing parts of vises which are broken or so badly worn that they are no longer serviceable.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—TYPES OF VISES WHICH MAY BE MANUFACTURED ONLY IN THE JAW SIZES SPECIFIED

Types of vise:	*Jaw size, inches*
Combination, bench and pipe, swivel base	4½
	6
Machinists' bench, stationary base and jaw	3
	3½
	4
	4½
	5
	6
	8
Machinists' bench, swivel base, stationary jaw	2
	3
	3½
	4
	4½
	5
	6
	8
Machinists' bench, swivel base and jaw	3½
	4½
	6

[F. R. Doc. 44-3840; Filed, March 18, 1944; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Interpretation 2]

PROMPT CANCELLATION AND SPECIAL ITEMS

The following interpretation is issued with respect to CMP Regulation 2:

(a) CMP Regulation No. 2 requires a user of controlled material to promptly cancel, postpone, or reduce delivery when his requirements of controlled materials are reduced. Such cancellations must be made as rapidly after he discovers that his requirements are reduced as is practicable.

(b) Paragraph (c) (4) of the regulation permits the receipt of a special item of controlled material in greater amounts than presently needed under the following circumstances: (1) if the user has promptly instructed the producer to reduce or postpone the delivery of the item and (2) if the user has received from the producer a statement that the item is a special item on which production has been begun and that the producer must complete a minimum amount in order to prevent undue loss in production. This exception applies only to special items the user will need and does not permit acceptance of items which will not be needed at all.

(c) Before a producer may deliver such special items he must notify his customer in writing that the item is a special item stating the amount which is the minimum amount he must complete without undue loss of production. The customer is entitled to rely on this notice and need make no further inquiries. A special item, as the term is used in the regulation, means one that the producer does not usually make, stock or sell, and which he cannot readily dispose of in the course of his business. An item which is a special item to one producer may not be a special item to another producer.

(d) The producer, on receipt of a notice from his customer to reduce or postpone delivery, must be diligent in taking the special item out of his schedule or in stopping production if it has already been started.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F .R. Doc. 44-3886; Filed, March 20, 1944; 11:02 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 5, as Amended Mar. 20, 1944]

The following direction is issued pursuant to CMP Regulation 3:

(a) Since "automotive replacement parts" (as defined under Code 105 CMP Products List appearing in "Products and Priorities") are classified as B products, they are subject to the general rule that no person may make an allotment to a producer for their production, as explained in paragraph (g) (3) of CMP Regulation No. 1. However, as an exception to this rule, they may be treated as A products if each of the following conditions is satisfied: (1) The manufacturer of the part specifically asks his customer to treat it as an A product instead of a B product; (2) the product is of a type which is not used exclusively or primarily as an automotive part; and (3) the product is not separately listed as a B product in the official CMP Product List, but is only included under the general heading of "automotive replacement parts". For example, a nut may not be treated as Class A, because "nuts" are separately listed in the CMP Products List. A spark plug may not be treated as Class A, because it is used principally in the automotive industry. On the other hand, a spring may be treated as Class A, since springs are used for many other purposes, even if the particular spring is designed for use only in automotive vehicles.

(b) Paragraph (b) (1) of CMP Regulation 3 permits preference ratings for production materials to be used within certain limits to get items which are purchased to round out a line. This does not apply to any automotive replacement parts except those which are treated as A products as permitted by paragraph (a) above.

(c) The same product may be a Class A product or an automotive replacement part depending on whether it is sold for use in production or as a repair part. This direction has no application to automotive parts which are sold for use in making new vehicles or new subassemblies of vehicles.

(d) Interpretation 7 of CMP Regulation No. 1, regarding Class A repair parts, does not apply to automotive replacement parts.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 11]

PURCHASER'S COST OF LABOR FOR MINOR CAPITAL ADDITIONS

The following interpretation is issued with respect to CMP Regulation 5:

Paragraph (b) (3) permits the use of the MRO symbol and rating to get minor capital additions which cost not more than $500 "excluding the purchaser's cost of labor". The labor costs which may be disregarded in this connection are the services of the purchaser's own regular employees, additional employees hired for installing new equipment or doing construction, and fees paid to independent contractors who install equipment or do construction where, under normal business practices, the fee is paid primarily for services as distinct from materials. For example, if a purchaser of a piece of machinery costing $500 pays the seller an additional installation fee of $50 which is normally a separate charge, if he hires an independent contractor to install the machinery for $50, the $50 payment may be disregarded even though the seller or independent contractor furnishes a few minor material additions such as wiring or pipe connections, bracing, etc. On the other hand, if the purchaser hires a building contractor to construct an addition to his plant, under circumstances where the contractor would normally charge a single fee including building materials, labor and the contractor's profit, the total fee must be included in the cost and the contractor's labor may not be deducted, since the contractor is paid primarily for the completed addition rather than for the labor of installing property separately purchased. Likewise, if the seller normally makes a single charge including installation, this cost of installation must be included.

Direction 15 explains the rules for buying $500 worth of materials needed for installation or relocation of equipment which is not bought by use of the MRO rating or symbol. In that case, the same principles apply in determining what labor costs are to be included.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3890; Filed, March 20, 1944; 11:03 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, Schedule C, as Amended Mar. 20, 1944]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

§ 3270.49 *Schedule C to Limitation Order L-103—*(a) *Definition.* For the purposes of this schedule:

"Standard glass container" means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L-103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(Note that in accordance with the footnotes to Drawings 7, 8, 9 and 13 glass containers conforming to the specifications of the following exhibits constitute "standard glass containers" for the purposes of this schedule only if they are manufactured before December 20, 1943—16-80, 16-81, 17-09, 17-11, 17-22, 17-76, 18-08, 18-14, 51-87, 51-89, 51-93, 51-95, 51-97, 51-99.)

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE

I. Product	*II. Minimum overflow capacity in fluid ounces*
1. Fruit butter	12
2. Preserves	12
3. Jelly	[1] 9
4. Salad dressings (including products using salad dressing as a base)	[2] 8
5. Olive oil	2
6. Edible oils (other than olive oil)	16
7. Shortenings	20
8. Maple syrup	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	16
10. Chocolate syrup	[3] 8
11. Tomato catsup	[3] 12
12. Chili sauce and cocktail sauce	10
13. Tomato paste Not less than 25% by weight dry tomato solids	[4] 6
14. Tomato pulp and puree Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids	12
15. Vinegar	16
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	16
17. Honey	[4] 6
18. Pickles and relishes	[4] 8
19. Peanut butter	[4] 8
20. Fruit and vegetable juices and mixtures thereof	12
21. Olives, green	[5] 5
22. Maraschino cherries	[5] 7
23. Cranberries and cranberry sauce	[4] 6
24. Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard	[6] 6

[1] Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9¾ fl. oz.

[2] Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7⅞ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

[3] Standard glass containers having a capacity equal to or greater than 8 oz. (and less than 5 oz.) may be used for olives, and standard glass containers having a capacity equal to or greater than 4 oz. (and less than 7 oz.) my be used for maraschino cherries, provided these containers were completely manufactured on or before December 20, 1943.

[4] Nothing in this schedule shall prevent the use for the packing of mustard of any glass container which was completely manufactured before June 20, 1944.

[F. R. Doc. 44-3896; Filed, March 20, 1944; 11:02 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-294, as Amended Mar. 20, 1944]

WASTE MANILA ROPE AND MANILA FIBRE OF THE T-2, T-3, O, Y AND EQUIVALENT GRADES

§ 3281.71 *General Conservation Order M-294—*(a) *Definitions.* For the purpose of this order:

(1) "Waste manila rope" means used manila rope, which is acquired for any purpose whatsoever excepting only that which is acquired for reuse as rope. The material resulting from any shredding, parting or other type of separation of the strands or fibres of used manila rope shall be deemed to be "waste manila rope".

(2) "Manila fibre" means fibre grades of T-2, T-3, O, Y or equivalent as established by the Insular Government of the Philippine Islands.

(3) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

(4) "No. 1 large waste manila rope" means solid, clean, dry, sound manila rope not less than ¾" in diameter, free from any inferior or objectionable materials, such as tarred and transmission ropes; dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than manila and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

(5) "No. 1 small waste manila rope" means the same rope as defined in paragraph (a) (3), except that the rope may be less than ¾" in diameter.

(6) "Uncut manila fenders" means uncut manila fenders obtained from boats and docks, packed separately and free of mats, iron, grease, rubber, tender and other foreign materials.

(b) *Limitations on sale or use of waste manila rope and manila fibre.* (1) No person shall use waste manila rope or manila fibre as a raw material in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(2) No person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(3) No person shall sell waste manila rope or manila fibre if he knows or has reason to believe such raw material will be used in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(4) No person shall sell waste manila rope if he knows or has reason to believe such materials will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List A.

(5) No person shall use manila fibre in the manufacture of any grade or type of paper other than the grades and types of paper shown on List B.

(6) No person shall sell manila fibre if he knows or has reason to believe such material will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List B.

(c) *Limitation on use of grades and types of paper shown on List A or List B.* No person who accepts delivery of any grade or type of paper shown on List A or List B in which waste manila rope or manila fibre is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A

or List B, except that this restriction shall not apply to any grade or type of paper containing waste manila rope, manufactured prior to March 19, 1943.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 45% of the total fibre content of such paper; *Provided, however,* That the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 45% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use No. 1 large waste manila rope (as defined in paragraph (a) (4)) or No. 1 small waste manila rope (as defined in paragraph (a) (5)) or uncut manila fenders (as defined in paragraph (a) (6) of this order), to an extent in excess of 35% of the total fibre content of such paper; *Provided, however,* That the amount of No. 1 large waste manila rope, No. 1 small waste manila rope or uncut manila fenders used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(3) [Deleted Mar. 20, 1944]

(e) *Limitation on use of waste manila rope in the manufacture of abrasive paper.* (1) No person shall use waste manila rope in the manufacture of abrasive paper to an extent in excess of 25% of the total fibre content of such paper, and none of the waste manila rope so used shall be of the grades known as No. 1 large old manila rope or No. 1 small old manila rope or uncut manila fenders.

NOTE: Former subparagraph (1) deleted; former subparagraph (2) redesignated (1) Mar. 20, 1944.

(f) *Obligation to examine and refuse certain orders.* (1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose or use other than a permitted use.

(2) No person using manila fibre in the manufacture of grades and types of paper shown on List B shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose other than a permitted use.

(g) *Exceptions.* Specific authorization may be granted by the War Production Board for use of waste manila rope in the manufacture of any product or products for delivery to the Armed Forces or for use in the manufacture of any material or equipment for delivery to the Armed Forces when such product or products, material or equipment cannot be satisfactorily produced from other available fibres. Applications for such authorization shall be made by filing a letter with the War Production Board, Pulp Allocation Office, *Ref:* M-294, stating fully the reasons for requesting such authorization.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(j) *Communication.* All reports required to be filed hereunder, or communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Pulp Allocation Office, Washington 25, D. C., Ref. M-294.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Grade or type of paper:	*Permitted use*
Insulating papers	In the manufacture of insulation for communication wiring and cables, for electrical wiring and cables, and other types of electrical insulation.
Gasket base papers	In the manufacture of gaskets.
Artificial leather base papers	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour and cereal products sack papers	For use in the manufacture of sacks for packaging flour or other cereal products, in quantities of 25 pounds or more.
Tag papers	In the manufacture of casualty tags, shipping tags and identification tags for delivery to the Armed Forces.
Abrasive paper	In the manufacture of industrial abrasive papers and belts.

LIST A—Continued

Grade or type of paper—Continued.	*Permitted use*
Stencil base paper	In the manufacture of stencil base papers for mimeograph stencils.

LIST B

NOTE: List B added Mar. 20, 1944.

Grade or type of paper:	*Permitted use*
Electrolytic condenser paper (but not less than 24 x 36—18#).	In the manufacture of electrical condensers or capacitors where electrolytic paper is required.
Stencil base paper	In the manufacture of stencil base papers for mimeograph stencils.

[F. R. Doc. 44-3891; Filed, March 20, 1944; 11:02 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [1]

[Limitation Order L-290, as Amended Mar. 20, 1944]

DELIVERIES OF WESTERN LUMBER FROM SAWMILL STOCK

Section 3285.16 [1] *Limitation Order L-290* is amended to read as follows:

§ 3285.16 [1] *Limitation Order L-290*—(a) *What this order does.* This order regulates the transfer or delivery of certain kinds of western lumber from sawmill stock by lumber producers. It confines deliveries to those made for certain classes of essential uses and for uses which may be expressly authorized by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Restricted western lumber" means any sawed lumber of any size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines of the following species produced in Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, or South Dakota: Ponderosa pine, Idaho white pine, sugar pine, lodgepole pine, white fir (except white fir produced west of the crest of the Cascade mountain range in the States of Oregon and Washington), Western white spruce, and Engelmann spruce. However, the term does not include:

(i) Shingles, lath, slabs, railroad cross ties or switch ties, mine ties;

(ii) Edgings, trims and off-fall less than three inches wide or less than four feet long unless produced for the purposes of evading this order; and

(iii) Used lumber.

(2) "Producer" means:

(i) Any sawmill which produces currently over 10,000 feet, board measure, of any one or more species of lumber (whether lumber restricted by this order or not) per average day of eight hours of continuous operation, or which produced an average of over 10,000 feet of such lumber per day during the days when it was in operation from June 3, 1943, to December 3, 1943. A sawmill producing a smaller amount of lumber per day may at its election also be classed as a "producer".

(ii) "Producer" does not include any establishment known in the trade as a distribution yard engaged either in the retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(3) "Sawmill stock" means any restricted western lumber in the possession of a "producer". Restricted western lumber which the producer has delivered to others or transferred to his own use is no longer part of "sawmill stock" if the delivery or transfer is permitted by the WPB under this order or otherwise.

(4) "War agency" means the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, Veterans Administration, and any agency of the United States Government placing orders for material or equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *General restrictions.* No person shall sell, ship, deliver, or dispose of, and no person shall accept delivery of, any restricted western lumber out of the "sawmill stock" of a "producer" unless authorized or permitted in one of the ways stated below. This restriction applies to any transfer from a person's "sawmill stock" to his own or affiliated distribution yard, retail sales department, cut-up plant, box factory, or other plant where fabricated products made from lumber, rather than lumber products, are produced.

(1) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any person for whom the Central Procuring Agency, Procurement Division, of the United States Corps of Engineers, has issued a notification on a purchase inquiry known as a "purchase allocation". The delivery may be made on the basis of such a "purchase allocation" or on the basis of a certificate as prescribed in paragraph (d) (1) indicating that the person certifying has received a purchase allocation.

(2) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any War Agency as defined in paragraph (b) (4), or to, or for the account of any contractor or sub-contractor for a War Agency, if the lumber is required to fill an outstanding contract or purchase order of a War Agency for direct delivery to the War Agency, or for construction of a building, wharf, or other structure for a War Agency, or for incorporation into any material already ordered by or for a War Agency, or for packing, boxing, crating, or storing of any material already ordered by or for a War Agency. However, the delivery may not be made unless there is endorsed on the purchase order or contract a certificate as explained in paragraph (d) (2).

(3) Western lumber actually in transit on March 27, 1944, which was unrestricted before March 27, 1944, may be delivered to its ultimate destination.

(4) Delivery of "sawmill stock" between "producers" may be made freely.

(5) Delivery may be made as authorized on Form WPB 2720. See paragraph (e) for instructions as to the use of this form.

(6) Delivery may be made as authorized or directed by the War Production Board in a specific directive or in a direction, as explained in paragraph (h).

(d) *Certificates that may be used to get restricted western lumber.* Unless a directive or direction issued by the War Production Board says that it must be done in some other way, one of the following forms of certificate must be endorsed on or attached to the purchase order whenever, under this order, a certificate is required. The certificate prescribed in Priorities Regulations 3 and 7 may not be used instead.

(1) *Certificates to be used by purchaser who has received a "purchase allocation."*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for Purchase Allocation Number ____ issued by the Central Procuring Agency, in compliance with paragraph (c) (1) of Limitation Order L-290, with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date ____ By ____
Duly authorized official

(2) *Certificate for requirements of War agency.*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for prime contract (or purchase order) Number ____ entered into by ____
War Agency

for use by ____
War Agency, Contractor or Sub-contractor

in compliance with paragraph (c) (2) of Limitation Order L-290 with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date ____ By ____
Duly authorized official

Certificates must be retained in the seller's files for inspection by government representatives, and are legally made to the War Production Board as well as to the seller. Any false statement is punishable by fine and imprisonment. No person, who gets lumber delivered from a producer on a certificate, may use the lumber for any purpose except the purpose indicated on the certificate.

If for any reason a purchaser is unable to use lumber for the purposes stated in the certificate, he must apply on Form WPB 2720 for permission to use the lumber for other purposes. A seller may rely on the statements made to him in a certificate only if he does not know or have reason to believe that they are false. The above provisions apply also to any form of certificate which may be prescribed in a directive or direction under this order.

(e) *Use of Form WPB 2720 for permission to get delivery.* (1) Persons, including distributors, not entitled to use one of the certificates provided for in this order or in a direction issued pursuant to this order who wish to have permission from the War Production Board to get lumber either directly or indirectly from a "producer" may apply for such permission on Form WPB 2720. Before applying to the War Production Board the person should first place a purchase order with a "producer."

(2) As soon as the "producer" has indicated that he can or will deliver the lumber, the person wishing to get it should then file Form WPB 2720 with the War Production Board. The name and address of the "producer" should be indicated in the space provided for "producer" and all information called for on the form should be fully supplied. If the War Production Board approves the application, it will be noted on the form and copies will be returned to the applicant and the "producer."

(3) Whenever a person wishes to dispose of restricted western lumber out of his own "sawmill stock" at retail or transfer any such lumber to his own or affiliated distribution yard, retail sales department, cut-up plant, mill work plant, box factory or other plant where fabricated products rather than lumber are made, permission must first be obtained from the War Production Board by applying on Form WPB 2720. The form should be filled out as if the person were a receiver, and "Special Instructions for Producers" on the top of the reverse side of the form should be disregarded. Persons having "sawmill stocks" may apply on Form WPB 2720 quarterly or at more frequent intervals for permission to sell lumber at retail or transfer it to their distribution yards or other plants. After permission has been granted the person may dispose of or transfer only the quantities permitted on the approved form. Except in cases of emergency, producers should not apply on Form WPB 2720 for any other purpose.

(4) In approving any application on Form WPB 2720, the War Production Board may write on the form conditions restricting the delivery, resale, or use of the lumber, and such restrictions shall be binding not only on the applicant but also on all persons who know or have reason to believe that the restrictions exist.

(f) *Limitation on purchase for construction.* In addition to the above restrictions, no person shall purchase from a producer any of the following grades of restricted western lumber for use in

[1] Formerly Part 3238, § 3238.11.

the erection, construction, reconstruction, restoration or remodeling of any building, structure or project (including lumber for additions or extensions and maintenance or repair, and including lumber for production of fabricated articles used in construction such as doors, windows, sashes and the like, except as may be specifically authorized under paragraph (c) (5) of this order, or upon the direction of the War Production Board pursuant to paragraph (h), of this order; No. 1, No. 2, No. 3, No. 4, No. 5 common; inch shop, 5/4 and thicker No. 2 shop and 5/4 and thicker No. 3 shop; No. 1 box, No. 2 box; No. 1 dimension, No. 2 dimension.

(g) *Inventory restrictions.* No person may accept delivery of restricted western lumber if his inventory is, or by reason of such acceptance, would become in excess of a 90-day supply, except that a 90-day supply may be exceeded to the extent necessary to receive delivery under existing minimum carloading regulations, and he may accept any amount he is authorized to accept on Form WPB 2720, or any other applicable form, or under the provisions of any directive or direction under this order.

(h) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific firm or individual on the delivery or use of western lumber. The term "direction" means published instructions to a group or class. The War Production Board may issue directions or directives allocating specific quantities or percentages of production or shipments to specified persons or classes or for specified uses. It may also direct how and in what quantity delivery to specified persons or classes or uses may be made. It may direct distribution to particular areas and may direct or prohibit the production by any persons of particular items of restricted western lumber. Directions and directives may supersede any preference ratings assigned to particular purchase orders or contractors. Directions and directives will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L–290.

This order shall take effect on March 27, 1944.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3892; Filed, March 20, 1944; 11:03 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, as Amended Mar. 20, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER FROM SAWMILL STOCK

Section 3285.101 *Conservation Order M–361* is amended to read as follows:

§ 3285.101 *Conservation Order M–361*—(a) *What this order does.* This order regulates the transfer or delivery of certain kinds of southern yellow pine lumber from sawmill stock by lumber producers and by wholesalers who get lumber from producers under this order. It confines deliveries to those made for certain classes of essential uses and for uses which may be expressly authorized by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Restricted southern yellow pine lumber" means any sawed southern yellow pine lumber of any size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. However, the term does not include:

(i) Shingles, lath, slabs, railroad cross ties or switch ties, mine ties;

(ii) Edgings, trims and off-fall less than three inches wide or less than four feet long unless produced for the purposes of evading this order; and

(iii) Used lumber.

(2) "Producer" means:

(i) Any sawmill which produces currently over five thousand feet, board measure, of any one or more species of lumber (whether lumber restricted by this order or not) per average day of eight hours of continuous operation, or which produced an average of over five thousand feet of such lumber per day during the days when it was in operation from June 3, 1943, to December 3, 1943. A sawmill producing a smaller amount of lumber per day may at its election also be classed as a "producer."

(ii) "Producer" also includes any concentration yard or plant other than a sawmill, however large or small its output may be, if it is located in an area where restricted southern yellow pine lumber is produced, and processes by drying, sawing, edging, planing, or other comparable method 25 percent or more of the total volume of logs and lumber received by it, and if it sells or otherwise disposes of the product of such processing as lumber.

(iii) "Producer" does not include any establishment known in the trade as a distribution yard engaged either in the retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(3) "Sawmill stock" means any restricted southern yellow pine lumber in the possession of a "producer". Restricted southern yellow pine lumber which the producer has delivered to others or transferred to his own use is no longer part of "sawmill stock" if the delivery or transfer is permitted by the War Production Board under this order or otherwise.

(4) "War agency" means the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, Veterans Administration, and any agency of the United States Government placing orders for material or equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(c) *General restrictions.* No person shall sell, ship, deliver, or dispose of, and no person shall accept delivery of, any restricted southern yellow pine lumber out of the "sawmill stock" of a "producer" unless authorized or permitted in one of the ways stated below. This restriction applies to any transfer from a person's "sawmill stock" to his own or affiliated distribution yard, retail sales department, cut-up plant, box factory, or other plant where fabricated products made from lumber, rather than lumber products, are produced for his own use or for resale.

(1) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any person for whom the Central Procuring Agency, Procurement Division of the United States Corps of Engineers, has issued a notification on a purchase inquiry known as a "purchase allocation." The delivery may be made on the basis of such a "purchase allocation" or on the basis of a certificate as prescribed in paragraph (d) (1) indicating that the person certifying has received a purchase allocation.

(2) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any War agency as defined in paragraph (b) (4), or to, or for the account of any contractor or sub-contractor for a War agency, if the lumber is required to fill an outstanding contract or purchase order of a War agency for direct delivery to the War agency, or for construction of a building, wharf, or other structure for a War agency, or for incorporation into any material already ordered by or for a War agency, or for packing, boxing, crating, or stowing of any material already ordered by or for a War agency. However, the delivery may not be made unless there is endorsed on the purchase order or contract a certificate as explained in paragraph (d) (2).

(3) Southern yellow pine lumber actually in transit on March 27, 1944, which was unrestricted before March 27, 1944, may be delivered to its ultimate destination.

(4) Delivery of "sawmill stock" between "producers" may be made freely.

(5) Delivery may be made as authorized on Form WPB 2720. See paragraph (e) for instructions as to the use of this form.

(6) Delivery may be made as authorized or directed by the War Production Board in a specific directive or in a direction, as explained in paragraph (g).

(d) *Certificates that may be used to get restricted Southern yellow pine.* Unless a directive or direction issued by the War Production Board says that it must be done in some other way, one of the following forms of certificate must be endorsed on or attached to the purchase order whenever, under this order, a certificate is required. The certificate prescribed in Priorities Regulations 3 and 7 may not be used instead.

(1) *Certificates to be used by purchaser who has received a "purchase allocation."*

The purchaser of this lumber certifies to the seller and to the War Production Board that t is lumber is required for Purchase Allocation Number ____ issued by the Central Procuring Agency, in compliance with paragraph (c) (1) of Conservation Order M-361, with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date _____ By _____
Duly authorized official

(2) *Certificate for requirements of War agency.*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for prime contract (or purchase order) Number ____ entered into by

---
War Agency

for use by _____
War Agency, Contractor or Sub-contractor

in compliance with paragraph (c) (2) of Conservation Order M–361 with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date _____ By _____
Duly authorized official

(3) *Certificate for wholesalers or agent for authorizations issued to them on Form WPB 2720 (see paragraph (e) (3)).*

This lumber is required for a delivery authorized on Form WPB 2720, WPB Case Number ____, and delivery may be made under paragraph (c) (5) of M–361, with which I am familiar and the use of any rating shown on this purchase order is authorized.

Wholesaler

Date_____ By_____
Duly authorized official

Certificates must be retained in the sellers files for inspection by government representatives, and are legally made to the War Production Board as well as to the seller. Any false statement is punishable by fine and imprisonment. No person, whether or not he was the person who purchased the lumber, may use the lumber for any purpose except the purpose indicated on the certificate. If for any reason a purchaser is unable to use lumber for the purposes stated in the certificate, he must apply on Form WPB 2720 for permission to use the lumber for other purposes. A seller may rely on the statements made to him in a certificate only if he does not know or have reason to believe that they are false. The above provisions apply also to any form of certificate which may be prescribed in a directive or direction under this order.

(e) *Use of Form WPB 2720 for permission to get delivery.* (1) Persons including distributors, not entitled to use one of the certificates provided for in this order or in a direction issued pursuant to this order who wish to have permission from the War Production Board to get lumber either directly or indirectly from a "producer" may apply for such permission on Form WPB 2720. Before applying to the War Production Board the person should first place a purchase order with the supplier who may be either a "producer" or a wholesaler, or agent.

(2) As soon as the supplier has indicated that he can or will deliver the lumber, the person wishing to get it should then file Form WPB 2720 with the War Production Board. The name and address of the supplier should be indicated in the space provided for "producer" and all information called for on the form should be fully supplied. If the War Production Board approves the application, it will be noted on the form and copies will be returned to the applicant and the supplier.

(3) If a wholesaler or agent wants to get restricted southern yellow pine lumber from a "producer" for delivery to a specific customer, as distinct from putting it in his own inventory, he must get his customer to make an application to the War Production Board on Form 2720. The application should be made out the same way as explained in paragraph (e) (2). The War Production Board, if it grants the authorization, will send it both to the customer and to the wholesaler or agent, and he may get lumber from any producer, using the form of certification prescribed in paragraph (d) (3). This provision takes the place of Direction 2 to this order.

(4) Whenever a person wishes to dispose of restricted southern yellow pine lumber out of his own "sawmill stock" at retail or transfer any such lumber to his own or affiliated distribution yard, retail sales department, cut-up plant, mill work plant, box factory or other plant where fabricated products rather than lumber are made, permission must first be obtained from the War Production Board by applying on Form WPB 2720. The form should be filled out as if the person were a receiver, and "Special Instructions for Producers" on the top of the reverse side of the form should be disregarded. Persons having "sawmill stocks" may apply on Form WPB 2720 quarterly or at more frequent intervals for permission to sell lumber at retail or transfer it to their distribution yards or other plants. After permission has been granted the person may dispose of or transfer only the quantities permitted on the approved form. Except in cases of emergency, producers should not apply on Form WPB 2720 for any other purpose.

(5) In approving any application on Form WPB 2720, the War Production Board may write on the form conditions restricting the delivery, resale, or use of the lumber, and such restrictions shall be binding not only on the applicant but also on all persons who know or have reason to believe that the restrictions exist.

(f) *Inventory restrictions.* No person may accept delivery of restricted southern yellow pine lumber if his inventory is, or by reason of such acceptance, would become in excess of a 90-day supply, except that a 90-day supply may be exceeded to the extent necessary to receive delivery under existing minimum carloading regulations, and he may accept any amount he is authorized to accept on Form WPB 2720, or any other applicable form, or under the provisions of any directive or direction under this order.

(g) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific firm or individual on the delivery or use of southern yellow pine lumber. The term "direction" means published instructions to a group or class; for example, Direction 1 to this order applying to all farm machinery manufacturers. The War Production Board may issue directions or directives allocating specific quantities or percentages of production or shipments to specified persons or classes or for specified uses. It may also direct how and in what quantity delivery to specified persons or classes or uses may be made. It may direct distribution to particular areas and may direct or prohibit the production by any persons of particular items of restricted southern yellow pine lumber. Directions and directives may supersede any preference ratings assigned to particular purchase orders or contractors. Directions and directives will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L–290.

This order shall take effect on March 27, 1944.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3893; Filed, March 20, 1944; 11:03 a. m.]

PART 3288—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, as Amended Mar. 20, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER FROM SAWMILL STOCK

Section 3288.101 *Conservation Order M–364* is amended to read as follows:

§ 3288.101 *Conservation Order M–364*—(a) *What this order does.* This order regulates the transfer or delivery of certain kinds of southern yellow pine lumber from sawmill stock by lumber producers and by wholesalers who get lumber from producers under this order. It confines deliveries to those made for certain classes of essential uses and for uses which may be expressly authorized by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Restricted southern yellow pine lumber" means any sawed southern yellow pine lumber of any size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. However, the term does not include:

(i) Shingles, lath, slabs, railroad cross ties or switch ties, mine ties;

(ii) Edgings, trims and off-fall less than three inches wide or less than four feet long unless produced for the purposes of evading this order; and

(iii) Used lumber.

(2) "Producer" means:

(i) Any sawmill which produces currently over five thousand feet, board measure, of any one or more species of lumber (whether lumber restricted by this order or not) per average day of eight hours of continuous operation, or which produced an average of over five thousand feet of such lumber per day during the days when it was in operation from June 3, 1943, to December 3, 1943. A sawmill producing a smaller amount of lumber per day may at its election also be classed as a "producer."

(ii) "Producer" also includes any concentration yard or plant other than a sawmill, however large or small its output may be, if it is located in an area where restricted southern yellow pine lumber is produced, and processes by drying, sawing, edging, planing, or other comparable method 25 percent or more of the total volume of logs and lumber received by it, and if it sells or otherwise disposes of the product of such processing as lumber.

(iii) "Producer" does not include any establishment known in the trade as a distribution yard engaged either in the retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(3) "Sawmill stock" means any restricted southern yellow pine lumber in the possession of a "producer". Restricted southern yellow pine lumber which the producer has delivered to others or transferred to his own use is no longer part of "sawmill stock" if the delivery or transfer is permitted by the War Production Board under this order or otherwise.

(4) "War agency" means the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, Veterans Administration, and any agency of the United States Government placing orders for material or equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(c) *General restrictions.* No person shall sell, ship, deliver, or dispose of, and no person shall accept delivery of, any restricted southern yellow pine lumber out of the "sawmill stock" of a "producer" unless authorized or permitted in one of the ways stated below. This restriction applies to any transfer from a person's "sawmill stock" to his own or affiliated distribution yard, retail sales department, cut-up plant, box factory, or other plant where fabricated products made from lumber, rather than lumber products, are produced for his own use or for resale.

(1) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any person for whom the Central Procuring Agency, Procurement Division of the United States Corps of Engineers, has issued a notification on a purchase inquiry known as a "purchase allocation." The delivery may be made on the basis of such a "purchase allocation" or on the basis of a certificate as prescribed in paragraph (d) (1) indicating that the person certifying has received a purchase allocation.

(2) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any War agency as defined in paragraph (b) (4), or to, or for the account of any contractor or sub-contractor for a War agency, if the lumber is required to fill an outstanding contract or purchase order of a War agency for direct delivery to the War agency, or for construction of a building, wharf, or other structure for a War agency, or for incorporation into any material already ordered by or for a War agency, or for packing, boxing, crating, or stowing of any material already ordered by or for a War agency. However, the delivery may not be made unless there is endorsed on the purchase order or contract a certificate as explained in paragraph (d) (2).

(3) Southern yellow pine lumber actually in transit on March 27, 1944, which was unrestricted before March 27, 1944, may be delivered to its ultimate destination.

(4) Delivery of "sawmill stock" between "producers" may be made freely.

(5) Delivery may be made as authorized on Form WPB 2720. See paragraph (e) for instructions as to the use of this form.

(6) Delivery may be made as authorized or directed by the War Production Board in a specific directive or in a direction, as explained in paragraph (g).

(d) *Certificates that may be used to get restricted Southern yellow pine.* Unless a directive or direction issued by the War Production Board says that it must be done in some other way, one of the following forms of certificate must be endorsed on or attached to the purchase order whenever, under this order, a certificate is required. The certificate prescribed in Priorities Regulations 3 and 7 may not be used instead.

(1) *Certificates to be used by purchaser who has received a "purchase allocation."*

The purchaser of this lumber certifies to the seller and to the War Production Board that t is lumber is required for Purchase Allocation Number ____ issued by the Central Procuring Agency, in compliance with paragraph (c) (1) of Conservation Order M-364, with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date _____ By _____
Duly authorized official

(2) *Certificate for requirements of War agency.*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for prime contract (or purchase order) Number ____ entered into by

---
War Agency

for use by _____
War Agency, Contractor or Sub-contractor

in compliance with paragraph (c) (2) of Conservation Order M–364 with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date _____ By _____
Duly authorized official

(3) *Certificate for wholesalers or agent for authorizations issued to them on Form WPB 2720 (see paragraph (e) (3)).*

This lumber is required for a delivery authorized on Form WPB 2720, WPB Case Number ____, and delivery may be made under paragraph (c) (5) of M–364, with which I am familiar and the use of any rating shown on this purchase order is authorized.

Wholesaler

Date_____ By_____
Duly authorized official

Certificates must be retained in the sellers files for inspection by government representatives, and are legally made to the War Production Board as well as to the seller. Any false statement is punishable by fine and imprisonment. No person, whether or not he was the person who purchased the lumber, may use the lumber for any purpose except the purpose indicated on the certificate. If for any reason a purchaser is unable to use lumber for the purposes stated in the certificate, he must apply on Form WPB 2720 for permission to use the lumber for other purposes. A seller may rely on the statements made to him in a certificate only if he does not know or have reason to believe that they are false. The above provisions apply also to any form of certificate which may be prescribed in a directive or direction under this order.

(e) *Use of Form WPB 2720 for permission to get delivery.* (1) Persons including distributors, not entitled to use one of the certificates provided for in this order or in a direction issued pursuant to this order who wish to have permission from the War Production Board to get lumber either directly or indirectly from a "producer" may apply for such permission on Form WPB 2720. Before applying to the War Production Board the person should first place a purchase order with the supplier who may be either a "producer" or a wholesaler, or agent.

(2) As soon as the supplier has indicated that he can or will deliver the lumber, the person wishing to get it should then file Form WPB 2720 with the War Production Board. The name and address of the supplier should be indicated in the space provided for "producer" and all information called for on the form should be fully supplied. If the War Production Board approves the application, it will be noted on the form and copies will be returned to the applicant and the supplier.

(3) If a wholesaler or agent wants to get restricted southern yellow pine lumber from a "producer" for delivery to a specific customer, as distinct from putting it in his own inventory, he must get his customer to make an application to the War Production Board on Form 2720. The application should be made out the same way as explained in paragraph (e) (2). The War Production Board, if it grants the authorization, will send it both to the customer and to the wholesaler or agent, and he may get lumber from any producer, using the form of certification prescribed in paragraph (d) (3). This provision takes the place of Direction 2 to this order.

(4) Whenever a person wishes to dispose of restricted southern yellow pine lumber out of his own "sawmill stock" at retail or transfer any such lumber to his own or affiliated distribution yard, retail sales department, cut-up plant, mill work plant, box factory or other plant where fabricated products rather than lumber are made, permission must first be obtained from the War Production Board by applying on Form WPB 2720. The form should be filled out as if the person were a receiver, and "Special Instructions for Producers" on the top of the reverse side of the form should be disregarded. Persons having "sawmill stocks" may apply on Form WPB 2720 quarterly or at more frequent intervals for permission to sell lumber at retail or transfer it to their distribution yards or other plants. After permission has been granted the person may dispose of or transfer only the quantities permitted on the approved form. Except in cases of emergency, producers should not apply on Form WPB 2720 for any other purpose.

(5) In approving any application on Form WPB 2720, the War Production Board may write on the form conditions restricting the delivery, resale, or use of the lumber, and such restrictions shall be binding not only on the applicant but also on all persons who know or have reason to believe that the restrictions exist.

(f) *Inventory restrictions.* No person may accept delivery of restricted southern yellow pine lumber if his inventory is, or by reason of such acceptance, would become in excess of a 90-day supply, except that a 90-day supply may be exceeded to the extent necessary to receive delivery under existing minimum carloading regulations, and he may accept any amount he is authorized to accept on Form WPB 2720, or any other applicable form, or under the provisions of any directive or direction under this order.

(g) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific firm or individual on the delivery or use of southern yellow pine lumber. The term "direction" means published instructions to a group or class; for example, Direction 1 to this order applying to all farm machinery manufacturers. The War Production Board may issue directions or directives allocating specific quantities or percentages of production or shipments to specified persons or classes or for specified uses. It may also direct how and in what quantity delivery to specified persons or classes or uses may be made. It may direct distribution to particular areas and may direct or prohibit the production by any persons of particular items of restricted southern yellow pine lumber. Directions and directives may supersede any preference ratings assigned to particular purchase orders or contractors. Directions and directives will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C. Ref: M-361.

This order shall take effect on March 27, 1944.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3893; Filed, March 20, 1944; 11:02 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, as Amended Mar. 20, 1944]

DELIVERIES OF HARDWOOD LUMBER FROM SAWMILL STOCK

Section 3285.106 *Conservation Order M-364* is amended to read as follows:

§ 3285.106 *Conservation Order M-364*—(a) *What this order does.* This order regulates the transfer or delivery of certain kinds of hardwood lumber from sawmill stock by lumber producers and by wholesalers who get lumber from producers under this order. It confines deliveries to those made for certain classes of essential uses and for uses which may be expressly authorized by the War Production Board.

(b) *Definitions.* For the purposes of this order:

(1) "Restricted hardwood lumber" means any sawed hardwood lumber of any size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of the following species: oak, ash, hickory and pecan, birch (except white birch produced in New England), hard maple, rock elm, and beech. However, the term does not include:

(i) Shingles, lath, slabs, railroad cross ties or switch ties, mine ties;

(ii) Edgings, trims and off-fall less than three inches wide or less than four feet long unless produced for the purposes of evading this order; and

(iii) Used lumber.

(2) "Producer" means:

(i) Any sawmill which produces currently over five thousand feet, board measure, of any one or more species of lumber (whether lumber restricted by this order or not) per average day of eight hours of continuous operation, or which produced an average of over five thousand feet of such lumber per day during the days when it was in operation from June 3, 1943, to December 3, 1943. A sawmill producing a smaller amount of lumber per day may at its election also be classed as a "producer."

(ii) "Producer" also includes any concentration yard or plant other than a sawmill, however large or small its output may be, if it is located in an area where restricted hardwood lumber is produced, and processes by drying, sawing, edging, planing, or other comparable method 25 percent or more of the total volume of logs and lumber received by it, and if it sells or otherwise disposes of the product of such processing as lumber.

(iii) "Producer" does not include any establishment known in the trade as a distribution yard engaged either in the retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(3) "Sawmill stock" means any restricted hardwood lumber in the possession of a "producer". Restricted hardwood lumber which the producer has delivered to others or transferred to his own use is no longer part of "sawmill stock" if the delivery or transfer is permitted by the War Production Board under this order or otherwise.

(4) "War agency" means the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, Veterans Administration, and any agency of the United States Government placing orders for material or equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *General restrictions.* No person shall sell, ship, deliver, or dispose of, and no person shall accept delivery of, any restricted hardwood lumber out of the "sawmill stock" of a "producer" unless authorized or permitted in one of the ways stated below. This restriction applies to any transfer from a person's "sawmill stock" to his own or affiliated distribution yard, retail sales department, cut-up plant, box factory, or other plant where fabricated products made from lumber, rather than lumber products, are produced for his own use or for resale.

(1) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any person for whom the Central Procuring Agency, Procurement Division of the United States Corps of Engineers, has issued a notification on a purchase inquiry known as a "purchase allocation." The delivery may be made on the basis of such a "purchase allocation" or on the basis of a certificate as prescribed in paragraph (d) (1) indicating that the person certifying has received a purchase allocation.

(2) Delivery may be made (either directly or through one or more intervening persons) to or for the account of any War agency as defined in paragraph (b) (4), or to, or for the account of any contractor or sub-contractor for a War agency, if the lumber is required to fill an outstanding contract or purchase order of a War agency for direct delivery to the War agency, or for construction of a building, wharf, or other structure for a War agency, or for incorporation into any material already ordered by or for a War agency, or for packing, boxing, crating, or stowing of any material already ordered by or for a War agency. However, the delivery may not be made unless there is endorsed on the purchase order or contract a certificate as explained in paragraph (d) (2).

(3) Hardwood lumber actually in transit on March 27, 1944, which was unrestricted before March 27, 1944 may be delivered to its ultimate destination.

(4) Delivery of "sawmill stock" between "producers" may be made freely.

(5) Delivery may be made as authorized on Form WPB 2720. See paragraph (e) for instructions as to the use of this form.

(6) Delivery may be made as authorized or directed by the War Production Board in a specific directive or in a direction, as explained in paragraph (g).

(d) *Certificates that may be used to get restricted hardwood lumber.* Unless a directive or direction issued by the War Production Board says that it must be done in some other way, one of the following forms of certificate must be endorsed on or attached to the purchase order whenever, under this order, a certificate is required. The certificate prescribed in Priorities Regulations 3 and 7 may not be used instead.

(1) *Certificates to be used by purchaser who has received a "purchase allocation."*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for Purchase Allocation Number ____ issued by the Central Procuring Agency, in compliance with paragraph (c) (1) of Conservation Order M-364, with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date_____ By_____
Duly authorized official

(2) *Certificate for requirements of War agency.*

The purchaser of this lumber certifies to the seller and to the War Production Board that this lumber is required for prime contract (or purchase order) Number ____ entered into by

War Agency

for use by _____
War Agency, Contractor or Sub-Contractor

in compliance with paragraph (c) (2) of Conservation Order M-364 with which I am familiar and that the use of any rating shown on this purchase order is authorized.

Purchaser

Date_____ By_____
Duly authorized official

(3) *Certificate for wholesalers or agent for authorizations issued to them on Form WPB 2720 (see paragraph (e) (3)).*

This lumber is required for a delivery authorized on Form WPB 2720, WPB Case Number ____, and delivery may be made under paragraph (c) (5) of M-364, with which I am familiar and the use of any rating shown on this purchase order is authorized.

Wholesaler

Date_____ By_____
Duly authorized official

Certificates must be retained in the seller's files for inspection by government representatives, and are legally made to the War Production Board as well as to the seller. Any false statement is punishable by fine and imprisonment. No person, whether or not he was the person who purchased the lumber, may use the lumber for any purpose except the purpose indicated on the certificate. If for any reason a purchaser is unable to use lumber for the purposes stated in the certificate, he must apply on Form WPB 2720 for permission to use the lumber for other purposes. A seller may rely on the statements made to him in a certificate only if he does not know or have reason to believe that they are false. The above provisions apply also to any form of certificate which may be prescribed in a directive or direction under this order.

(e) *Use of Form WPB 2720 for permission to get delivery.* (1) Persons, including distributors, not entitled to use one of the certificates provided for in this order or in a direction issued pursuant to this order who wish to have permission from the War Production Board to get lumber either directly or indirectly from a "producer" may apply for such permission on Form WPB 2720. Before applying to the War Production Board the person should first place a purchase order with the supplier who may be either a "producer" or a wholesaler, or agent.

(2) As soon as the supplier has indicated that he can or will deliver the lumber, the person wishing to get it should then file Form WPB 2720 with the War Production Board. The name and address of the supplier should be indicated in the space provided for "producer" and all information called for on the form should be fully supplied. If the War Production Board approves the application, it will be noted on the form and copies will be returned to the applicant and the supplier.

(3) If a wholesaler or agent wants to get restricted hardwood lumber from a "producer" for delivery to a specific customer, as distinct from putting it in his own inventory, he must get his customer to make an application to the War Production Board on Form 2720. The application should be made out the same way as explained in paragraph (e) (2). The War Production Board, if it grants the authorization, will send it both to the customer and to the wholesaler or agent, and he may get lumber from any producer, using the form of certification prescribed in paragraph (d) (3). This provision takes the place of Direction 2 to this order.

(4) Whenever a person wishes to dispose of restricted hardwood lumber out of his own "sawmill stock" at retail or transfer any such lumber to his own or affiliated distribution yard, retail sales department, cut-up plant, mill work plant, box factory or other plant where fabricated products rather than lumber are made, permission must first be obtained from the War Production Board by applying on Form WPB 2720. The form should be filled out as if the person were a receiver, and "Special Instructions for Producers" on the top of the reverse side of the form should be disregarded. Persons having "sawmill stocks" may apply on Form WPB 2720 quarterly or at more frequent intervals for permission to sell lumber at retail or transfer it to their distribution yards or other plants. After permission has been granted the person may dispose of or transfer only the quantities permitted on the approved form. Except in cases of emergency, producers should not apply on Form WPB 2720 for any other purpose.

(5) In approving any application on Form WPB 2720, the War Production Board may write on the form conditions restricting the delivery, resale, or use of the lumber, and such restrictions shall be binding not only on the applicant but also on all persons who know or have reason to believe that the restrictions exist.

(f) *Inventory restrictions.* No person may accept delivery of restricted hardwood lumber if his inventory is, or by reason of such acceptance, would become in excess of a 90-day supply, except that a 90-day supply may be exceeded to the extent necessary to receive delivery under existing minimum carloading regulations, and he may accept any amount he is authorized to accept on Form WPB 2720, or any other applicable form, or under the provisions of any directive or direction under this order.

(g) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific firm or individual on the delivery or use of hardwood lumber. The term "direction" means published instructions to a group or class; for example, Direction 1 to this order applying to all farm machinery manufacturers. The War Production Board may issue directions or directives allocating specific quantities or percentages of production or shipments to specified persons or classes or for specified uses. It may also direct how and in what quantity delivery to specified persons or classes or uses may be made. It may direct distribution to particular areas and may direct or prohibit the production by any persons of particular items of restricted hardwood lumber. Directions and directives may supersede any preference ratings assigned to particular purchase orders or contractors. Directions and directives will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C. Ref.: M-364.

(l) *Effective date.* This order shall take effect on March 27, 1944.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3894; Filed, March 20, 1944; 11:03 a. m.]

PART 3286 [1]—MISCELLANEOUS MINERALS

[General Conservation Order M-146, as Amended Mar. 20, 1944]

QUARTZ CRYSTALS

§ 3286.36 *Conservation Order M-146*—(a) *Definitions.* For the purpose of this order:

(1) "Quartz crystals" means naturally occurring crystalline quartz having a transparent interior, each single crystal of which weighs not less than 50 grams. The term includes any piece cut from quartz crystals except blanks, fabricated forms, and scrap. The term also does not include the following types of quartz:

Amethyst quartz.
Rose quartz.
Yellow quartz (sometimes known as false topaz or citrene).
Milky quartz.
Siderite or sapphire quartz.

[1] Formerly Part 1218, § 1218.1.

Sagenitic quartz (enclosing crystals of rutile, tourmaline, stibnite, asbestos, hornblende, epidote, etc.).
Cat's-eye or tiger's-eye quartz.
Aventurine quartz (spangled with scales of mica, hematite, or other minerals).
Chalcedony quartz.
Carnelian quartz.
Chrysoprase quartz.
Prase quartz.
Agate quartz.
Onyx quartz.
Sardonyx quartz.
Agate-jasper quartz.
Flint quartz.
Hornstone quartz.
Basanite, lydian stone, or touchstone.
Jasper quartz.

(2) "Blank" means any semi-fabricated piece of quartz crystal which is of such size, shape, and physical characteristics as to be suitable for the fabrication of radio oscillators or filters or other products for use in implements of war, of telephone resonators, or of optical parts. The term includes wafers, bars, sections, and other semi-fabricated forms. The term does not include scrap.

(3) "Scrap" means that part of any quartz crystal, other than a blank or a semi-fabricated or fabricated form, remaining after a piece or pieces have been cut therefrom, if such remnant, because of size, shape, or physical characteristics, is not suitable for the fabrication of radio oscillators or filters or other products for use in implements of war, of telephone resonators, or of optical or electrical parts.

(4) "Supplier" means any person who imports or produces from domestic sources quartz crystals for the purpose either of his own fabrication or of sale to others, or who sells quartz crystals to others.

(5) "Fabricator" means any person who fabricates blanks or other semi-fabricated or fabricated forms from quartz crystals.

(6) "Put into fabrication" means the first change by the fabricator in the form of quartz crystals from that form in which such crystals were received by him.

(7) "Fabricate" means cut, saw, file, grind, polish, or otherwise change the form, shape, or characteristics. The term includes mounting or installing in holders.

(8) "Implements of war" means:

(i) Combat end products complete for tactical operations, including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles;

(ii) Parts, assemblies, and materials to be physically incorporated in any of the foregoing items;

(iii) Facilities or equipment used to manufacture any of the foregoing items, produced for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Restrictions on fabrications.* (1) On and after March 20, 1944, no person shall fabricate quartz crystals or blanks except in the manufacture of:

(i) Radio oscillators and filters or other products for use in implements of war, or in Governmental activities directly connected with defense, public health, welfare, or security.

(ii) Radio oscillators and filters for use in radio systems to be owned, used, and operated by Federal agencies, by commercial broadcasting stations, or by commercial air lines, or for use in commercial communication systems.

(iii) Telephone resonators,

(iv) Optical or electrical parts for use in implements of war, or for use in research or production instruments manufactured to fill orders bearing a preference rating of AA-2X or higher.

(v) Radio oscillators and filters and optical parts to be used in the replacement of parts which are defective, cracked, or broken, provided the equipment or instruments requiring such parts are implements of war or are needed solely in activities directly connected with defense, public health, welfare, or security, or

(vi) Radio oscillators and filters to be exported to any foreign country for use in radio systems owned, used, and operated by a governmental department or agency of such foreign country or for use by a commercial airline operating in such foreign country.

(2) On and after March 8, 1943 no person shall fabricate radio oscillators, radio filters, or optical parts from scrap except as specifically authorized in writing by the War Production Board. Application for such authorization shall be made by letter in triplicate.

(c) *Restrictions on purchase, receipt, and use.* On and after March 8, 1943, no person shall purchase or receive (unless for the purpose of selling or delivering to others), and no person shall use

(1) Quartz crystals or blanks, except for fabrication as permitted under the provisions of paragraph (b), or

(2) Fabricated forms of quartz crystals, except for purposes for which fabrication of quartz crystals is permitted under the provisions of paragraph (b): *Provided, however,* That the restrictions of this paragraph (c) (2) shall not apply to fabricated forms of quartz crystals which were already mounted or installed in holders on May 18, 1942, or to fabricated forms of quartz crystals, the purchase, receipt, or use of which has been specifically authorized by the War Production Board.

(d) *Special directions.* The War Production Board at its discretion may at any time issue special directions to any person with respect to the use, fabrication to final product, delivery, acceptance of delivery, or placing of orders by such person of or for quartz crystals, blanks, or semi-fabricated or fabricated forms thereof, or special directions to any fabricator with respect to the types and sizes of semi-fabricated and fabricated forms of quartz crystals which he may or must fabricate, and the grades and types of quartz crystals which he may or must use in the fabrication of such blanks or fabricated forms of quartz crystals.

(e) *Reports*—(1) *Stocks and inventories.* Every person who, on the 18th day of May, 1942, or on the last day of any calendar month thereafter has title to or is in possession or control of twenty-five (25) pounds or more of quartz crystals, or more than ten (10) pieces in the form of blanks or in other semi-fabricated or fabricated forms thereof, which have not been mounted or installed in holders, shall, on or before the close of business on the 5th day of the succeeding month, report to the War Production Board, in duplicate, on Form PD-484.

(2) *Fabrication.* Every person who fabricates quartz crystals or blanks during any calendar month shall report to the War Production Board in duplicate on Form PD-484 on or before the 5th day of the succeeding calendar month.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the War Production Board.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref: M-146.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3695; Filed, March 20, 1944; 11:02 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-a, Direction 2]

SUPPLEMENTARY QUOTAS FOR SECOND QUARTER OF 1944

The following direction is issued pursuant to Limitation Order L-30-a:

This direction gives each manufacturer under Order L-30-a a supplementary quota of iron and steel for the second quarter of 1944 for use in making the following restricted articles: pails and buckets, wash tubs, wash boilers, funnels, fire shovels and storage cans for petroleum products. In addition to his quota under paragraph (d) (3), (d) (4), (e) (2), (f) (2) or (f) (3) of Order L-30-a, he may put into process in that quarter in the production of each of the articles listed above not more than three times 42½ % of the average monthly amount of iron and steel put into process by him during the base period in the production of that restricted article. All articles made under this direction must be produced in accordance with all provisions of Order L-30-a other than the quota provisions mentioned above.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3697; Filed, March 20, 1944; 11:02 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340, Direction 1]

METHYL BROMIDE FOR FUMIGATION

The following direction is issued pursuant to Allocation Order M-340:

(a) Authorization for deliveries by producers of methyl bromide for fumigation will be issued by allocating a lump sum each month for this purpose, and producers need not list the names of their customers on Form WPB-2947 where the end use is fumigation.

(b) A distributor who purchases methyl bromide upon certification that it will be resold for fumigation purposes may resell and deliver it for that purpose without specific authorization upon application on Form WPB-2947.

(c) For the purpose of this direction fumigation means the fumigation of articles to meet the requirements of federal or state quarantine, and fumigation to control pests in households and storage or to meet regulations for control of these pests.

Issued this 20th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3698; Filed, March 20, 1944; 11:03 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U-8]

ORDER LIMITING THE MANUFACTURE OF TELEPHONES

Order L-204[1] is given a new title U-8, and is amended to read as follows:

[1] Formerly Subchapter B, Part 1095, §1095.-20.

The purpose of this order is to conserve materials and manufacturing capacity required for the prosecution of the war by restricting the manufacture of telephones. However, because of the prime necessity for maintaining telephone service, this order is not intended to prevent the maintenance, repair or conversion of telephone sets, nor is it intended to prevent the manufacture of parts to maintain, repair or convert telephone sets.

§ 4501.26[1] *Utilities Order U-8*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not.

(2) "Standard telephone set" means any telephone instrument except those on List B attached. It does not include any of the apparatus or wiring set forth on List A attached.

(3) "Wire intercommunicating telephone set" means any telephone set for use in a wire intercommunicating system which is not owned by a public telephone system and does not involve the use of substantial amounts of outside plant. Thus, it includes any telephone set for use in connection with a system contained within a building or within a group of buildings located nearby one another. It does not include a telephone set for use in a system employing large amounts of outside plant such as are required by the telephone lines of railroad or pipe line companies. Nor does it include a wire intercommunicating set which employs electronic tubes as an essential part of such set.

(b) *Restrictions.* (1) No person shall produce any standard telephone sets except:

(i) To fill orders of the kind shown on List C, or

(ii) To maintain an inventory specifically permitted by the War Production Board.

However, any person may maintain, repair or convert existing standard telephone sets.

(2) No person shall produce parts of standard telephone sets, except:

(i) For the maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) For another person who regularly produces or assembles telephones for sale.

Any person producing telephone parts may produce any part in a minimum production run whenever his inventory contains less than a 60 days supply.

(3) No person shall sell parts of standard telephone sets manufactured after November 15, 1942 unless the buyer certifies in writing to the seller and the War Production Board that the parts are to be used:

(i) For maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) To assemble telephone sets permitted by Order U-8, or

(iv) To assemble standard telephone sets permitted by a specific grant of relief from the restrictions of Order U-8 by the War Production Board.

However, parts manufactured and sold under a specific WPB permission to produce or assemble a complete telephone(s), may be resold without a certification as to use.

The requirement of this paragraph (b) (3) will be satisfied for all future purchase orders for telephone parts if the buyer makes a single written certification to his supplier and the War Production Board that all telephone parts ordered by him will be used only in ways described in this paragraph.

(4) No person shall produce or assemble any wire intercommunicating telephone sets except:

(i) To fill an order bearing a preference rating of AA-5 or higher for a maintenance replacement of an existing set or for additional stations within the designed capacity of an existing system.

(ii) To fill an order bearing a preference rating specifically assigned by the War Production Board on Form WPB-2774, for telephones in connection with a new wire intercommunicating system or with an addition beyond the designed capacity of an existing wire intercommunicating system.

(iii) To fill orders of the kinds shown on List C.

(iv) To maintain an inventory specifically permitted by the War Production Board.

(c) *Records.* All persons who produce or assemble telephone sets or parts shall keep and preserve for not less than two years accurate and complete records concerning production and sale of telephone sets and parts.

(d) *Reports.* All persons who produce or assemble telephone sets or parts shall make such reports as shall be required from time to time by the War Production Board; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, material under priority control, and may be deprived of priorities assistance.

(f) *Appeals.* Any person affected by this order may apply for relief by letter, specifying the particular provision involved and stating all the facts on which he relies.

(g) *Communications.* All reports required and all communications concerning this order shall be addressed to the Communications Division, Office of War Utilities, War Production Board, Washington (25), D. C., Reference: U-8.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ITEMS NOT AFFECTED BY THIS ORDER

1. Jacks and plugs.
2. Switching keys.
3. Extension bells.
4. Loud-ringing bells.
5. Connecting blocks.
6. Protectors.
7. Station, drop and line wiring and cabling.
8. Battery boxes.
9. Dials or equivalent calling devices.

LIST B—TELEPHONES WHICH MAY BE MANUFACTURED

1. Head and chest telephone sets.
2. Telephone test sets for use in connection with the construction and maintenance of wire communication plant.
3. Any telephone set assembled in connection with a coin collecting device for use as a public pay station.
4. Outdoor and mine type telephone sets which are so designed as to employ a minimum of critical materials consistent with the essential service requirements.
5. Explosion proof sets for use in mines, and in locations in munitions plants and other essential industries where the use of a standard telephone set would give rise to danger of explosion.
6. Telephone sets, of special design, required for use on shipboard or in connection with underwater and flying operations and for gas masks.
7. Portable telephone sets (outdoor type) and sound powered telephone sets for use by railroads, pipe line companies, the Coast and Geodetic Survey, the Forest Service and the Alaska Highway.
8. Telephone sets for railroad train dispatching service or for railroad traffic control service, or for service with Railway Electric switch locks, ordered by, or for the account of, or for resale to railroad companies.
9. Push-to-talk handsets, that is, handsets having a selector device which permits the use of either the transmitter or the receiver or both, for use by the armed services.

LIST C—PERSONS FOR WHOM TELEPHONES MAY BE MANUFACTURED

1. Any telephone set or part ordered by, or for the account of, or for resale to, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, and the Civil Aeronautics Administration.
2. Any telephone set or part for use in combat or for combat equipment, ordered by, or for the account of, or for resale to, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its dominions, crown colonies and protectorates, and Yugoslavia, or any other country, including those of the Western Hemisphere, now or hereafter designated, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

[F. R. Doc. 44-3841; Filed, March 18, 1944; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 461,[1] Amdt. 2]

BOOK PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 461 is amended in the following respect:

Section 14 (a) (9) is amended to read as follows:

(9) "Grade", when used in paragraph (a) of Appendix A, refers to any group of brands of book paper which prior to the issuance of the regulation were recognized and accepted in the trade under the designation of the particular grade name. While each "grade" in this sense embraces book paper considered in the trade as having various common characteristics or as being of equivalent value, this regulation does not attempt to determine whether a particular brand of book paper has been properly grouped by the trade on the basis of such characteristics or value, but merely whether or not the brand involved was in fact treated by buyers and sellers of bookpaper as falling within the group denoted by the particular grade name. When used without reference to any group of brands, the term "grade" means one particular quality within a kind of book paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper and/or coating shall not be considered as resulting in a different grade. Where there are such differences, the differentials and charges provided for in Appendices A and B of this regulation may, of course, be applied in appropriate cases.

This amendment shall become effective March 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3823; Filed, March 17, 1944; 4:33 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 52]

FOOD RATIONING FOR EMPLOYEES ON BOARD SHIPS, TUGS AND BARGES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new section 7.9 is added to read as follows:

SEC. 7.9 *Allotments for Group IV users who feed employees on board ships, boats, tugs and barges.* (a) Beginning with the March-April 1944 allotment period, Group IV establishments on board ships, boats, tugs and barges will be granted allotments of rationed food for those establishments on the basis of the number of persons to be fed there and the number of days the vessel will be in operation during the allotment period.

(b) A Group IV institutional user who operates more than one establishment must reregister separately each establishment or combination of establishments which qualifies under this section (so that the allotment can be used only for feeding the persons for whose benefit it is granted). Upon reregistration, any remaining excess inventory may be apportioned among those establishments, as he chooses.

(c) Such users are not required to furnish the information called for by OPA Form R-1307 Supplement. Application for allotments for those establishments shall be made to the Board on OPA Form R-315 (instead of on OPA Form R-1309 (Revised)). The application must state:

(1) The name and address of the applicant and the name of the vessel where the persons covered by the application will be fed;

(2) The number of days he expects to operate the establishment during the allotment period (partial days of operation shall not be counted as full days, but one-quarter of a day shall be counted for each six hours or fraction thereof of operation);

(3) The number of persons he expects to feed on each day of operation, counting each person fed only once per day; and

(4) The percentage (by number) of bread, rolls, doughnuts and crullers, pies, cakes and pastries to be served during the period that the applicant himself will bake;

(5) On his application for allotments for the May–June 1944 Allotment period and subsequent periods, the application must also state the number of days he operated the establishment and the number of persons he fed each day during the preceding allotment period.

NOTE: A Group IV institutional user who qualifies for allotments under this section, may, if he also qualifies under the isolation provisions of section 27.1 or 27.2, apply for special allotments under those sections. He is not required to file a separate application but may include the information required for those special allotments when applying for allotments under this section, on OPA Form R-315.

(d) The allotment of each rationed food shall be computed in the following way:

(1) Take the total number of meals to be served during the allotment period (that number is to be figured on the basis of four meals per person for each day he is fed; for partial days of operation, one meal is to be figured for each six hours or fraction thereof of operation);

(2) Multiply that total by the allowance per person for that food as fixed in the supplement (using the regular or the baking allowance, depending on the applicant's baking percentage);

(3) The result is the allotment for the period.

(e) If the applicant finds that he has to feed more persons, during the period, than he estimated in his original application, he may apply to the Board for permission to correct his estimate, and for an additional allotment computed on the basis of his corrected estimate, for the balance of the period. (Therefore he may not get supplemental allotments under Article XI.)

(f) When he next applies for allotments the Board shall determine the allotment he would have been entitled to receive for the preceding period, based on his actual figures. If the allotment he would have received is less than the allotment he actually received for that period, the difference shall be deducted from his next allotment.

2. Section 18.2 (e) is added to read as follows:

(e) A Group IV user operating an establishment on board a ship, boat, tug or barge is not required to keep, for that establishment, the records described in paragraph (c) of this section.

This amendment shall become effective March 23, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3843; Filed, March 18, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12468, 12567, 12603, 12744, 14472, 15498, 17486; 9 F.R. 401, 485, 492.

[1] 8 F.R. 11839, 9 F.R. 1532.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,[1] Amdt. 7]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respect:

1. A new subdivision (ii) is added to section 4.2 (c) (1) to read as follows:

(ii) Each month the Director shall submit a list to the Boards specifying thereon the size of Grade III tires that are unavailable in the Territory as revealed by the latest monthly inventory. The Director may authorize the Boards to issue a certificate for a Grade I tire to an applicant who is engaged in preferred mileage purposes under section 5.6 of Ration Order 5F and who applies for the size of tire specified as being unavailable. Certificates may be issued pursuant to this provision even though the applicant's total allowed mileage does not exceed 600 miles per month, and all certificates so issued must be deducted from the Board's quota for Grade I tires.

This amendment shall become effective March 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 18th day of March 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-3853; Filed, March 18, 1944; 11:40 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC, AND ADMIXTURES

[MPR 127, Corr. to Amdt. 19]

FINISHED PIECE GOODS

In § 1400.82 (s) (1) of Amendment No. 19 to Maximum Price Regulation No. 127, the date "April 15, 1943" is corrected to read "April 15, 1944".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-3854; Filed, March 18, 1944; 11:41 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 5]

HOME CANNING SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.21 (c) (30) is amended to read as follows:

(30) "Coupon" means a "sugar allowance coupon" (OPA Form Nos. R-324, R-325, R-326, or R-327) or a "ration coupon" (OPA Form R-325 (Revised)).

2. Section 1407.71 is amended to read as follows:

§ 1407.71 *Home processing and preserving for use*—(a) *Who may apply.* A person registered as a consumer may obtain "ration coupons" (OPA Form R-325, Revised) with which to get sugar for doing home preserving of fruits, fruit juices, or vegetables for use, and for producing processed foods from fruits, fruit juices, or vegetables (for use) in accordance with sections 26.2, 26.4, 26.4a, 26.5 and 26.6 of Revised Ration Order 13 (or for making the gifts permitted by those sections). However, for the period from March 1, 1944, to February 28, 1945, a consumer may not obtain coupons under this section for more than 20 pounds of sugar.

(b) *How application is made.* A consumer may apply, in person or by mail, on OPA Form R-323, for the sugar he needs for the purposes covered by this section. Application shall be made to the Board for the place where the applicant lives. One application may be made covering more than one consumer, if they all live at the same address, but the name of each shall be listed on the application. (The consumer signing the application must, however, be authorized to apply for each person he lists.) The applicant shall give the information required by OPA Form R-323 and shall attach to his application Spare Stamp No. 37 from the War Ration Book Four of each consumer on whose behalf the application is made. (Since each "ration coupon" authorizes the delivery of five pounds of sugar, application for each consumer must be made for either 5, 10, 15 or 20 pounds of sugar.) If the Board finds that the facts stated in the application are true and that a Spare Stamp No. 37 for each person for whom application is made is attached thereto, it shall grant the application in the amount needed for the purpose specified in paragraph (a), but not to exceed twenty pounds per person. It shall issue "ration coupons" for the amount of sugar granted.

(c) *How additional applications may be made.* A consumer who, for the period from March 1, 1944, to February 28, 1945, inclusive, has obtained "ration coupons" for less than twenty pounds of sugar and who needs more sugar for the purposes covered by this section may file another application on OPA Form R-323 at the same Board, and obtain "ration coupons" for the additional amount of sugar he needs up to the twenty pound total permitted by paragraph (a). The consumer's Spare Stamp No. 37 need not be attached to such application. If the Board finds that the facts stated in the application are true, it shall grant the application and issue "ration coupons" for the amount of sugar needed, subject to that twenty pound maximum.

(d) *How sugar obtained under this section may be used.* Sugar obtained under this section may be used only for the purposes for which it was granted. Processed foods produced with it may be used only as permitted by sections 26.2, 26.4, 26.4a, 26.5 and 26.6 of Revised Ration Order 13.

(e) *Board may issue certificates instead of ration coupons and a consumer may exchange them for "ration coupons".*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12434, 13920, 15378, 15661, 17223; 9 F.R. 727.

[1] 9 F.R. 1433, 1594, 2288.

For the period from March 1, 1944, to April 20, 1944, inclusive, a Board may issue a certificate or certificates instead of "ration coupons". A consumer who receives such certificates may at any time from April 20, 1944, to May 10, 1944, inclusive, exchange them, at the Board, for "ration coupons" of equal value.

3. Section 1407.71a is amended to read as follows:

§ 1407.71a *Home processing for sale*—(a) *Who may apply.* A person registered as a consumer may obtain from the Board certificates with which to get sugar to produce, from fresh fruits and fruit juices, "home processed foods" (as defined in section 26.1 of Revised Ration Order 13), other than those having a zero point value, which he intends to transfer for points in accordance with section 26.3 or 26.4a of Revised Ration Order 13.

(b) *How application is made.* Applications under this section shall be made to the Board, on OPA Form R–315, personally by the consumer applying for the family unit. The applicant shall state:

(1) The number of pounds of "home processed foods" (other than jams, jellies, preserves, marmalades or fruit butters) he intends to produce from fruits and fruit juices.

(2) The number of pounds of prepared fruit he intends to use in making jams, preserves and marmalades.

(3) The number of pounds of prepared fruit (or pints of fruit juices) he intends to use in making jellies.

(4) The number of pounds of prepared fruit (pulp) he intends to use in making fruit butter.

(5) The address at which the processing will be done.

(6) The type of facilities to be used.

(7) The number of pounds of sugar applied for.

(8) If any member of his family unit has obtained sugar under this section before March 1, 1944. If so, he must account for the "home processed" foods produced with such sugar, before the application may be granted. (Thus the family unit must either have an inventory of such foods, or have made the reports and surrendered the points required by Revised Ration Order 13 for their transfer.)

(9) If any member of his family unit has received an allowance under this section after March 1, 1944; if so (i) the name of the member who applied; (ii) the address of the Board at which the application was filed; and (iii) the number of pounds of sugar so obtained.

The applicant, in answering (1), (2), (3), and (4) shall not include any products which, at the time of application, have a zero point value.

(c) *The amounts that may be obtained.* Sugar may be obtained and used at the rate of not more than:

(1) One pound per four quarts (or 8 pounds) of finished home processed foods (other than jams, jellies, preserves, marmalades or fruit butters) produced from fruits or fruit juices;

(2) One pound per pound of prepared fruit used for making jams, preserves and marmalades;

(3) One pound per two pounds of prepared fruit (or one pint fruit juice) used for making jelly;

(4) One pound per two pounds of prepared fruit (pulp) used for making fruit butter.

However, the total amount of sugar which may be obtained by a family unit for all these purposes for the period from March 1, 1944, to February 28, 1945, inclusive, shall not exceed 250 pounds, and no sugar shall be granted for the production of a product having a zero point value at the time of application.

(d) *When application may be made.* Applications under this section may be made at any time from March 1, 1944, to February 28, 1945, inclusive.

(e) *The Board may issue certificates.* If the Board finds that the facts stated in the application are true (and if all sugar granted to the applicant or to a member of his family unit under this section before March 1, 1944, has been accounted for as provided in paragraph (b) (8)) it shall grant the application to the extent permitted under the provisions of this section and shall issue a certificate for the amount of sugar allowed.

(f) *The applicant must make reports and keep records.* The applicant shall make the reports and keep the records required of him by Revised Ration Order 13.

(g) *How sugar may be used and home processed foods transferred.* Sugar obtained under this section may be used only for the purposes for which it was granted and at a rate no higher than that permitted by paragraph (c). Home processed foods produced with such sugar shall be delivered, sold or transferred only in accordance with the provisions of Revised Ration Order 13.

4. Section 1407.72 is amended by deleting the words "producing processed foods from fresh fruits for use, in accordance with sections 26.2, 26.5 and 26.6" and inserting in place thereof the following: "doing home preserving of fruits, fruit juices or vegetables for use, and for producing processed foods from fruits, fruit juices, or vegetables (for use) in accordance with sections 26.2, 26.4, 26.4a, 26.5, and 26.6".

5. Section 1407.142a (a) is amended by deleting from the first sentence the words "and bearing the serial number of the consumer's book" and by deleting the second sentence thereof.

6. Section 1407.142a (b) is amended to read as follows:

(b) (1) A "sugar allowance coupon" (OPA Form Nos. R–324, R–325, R–326, or R–327) received, in accordance with this order, by a registering unit which is neither a depositor nor required to be one, authorizes the registering unit to take delivery of sugar, in an amount equal to the weight value of the "coupon", until March 31, 1944. If surrendered to a depositor, it shall be valid for deposit in his account until April 10, 1944.

(2) A "ration coupon" (OPA Form R–328 (Revised)) may be used by a consumer at any time to get five pounds of sugar. A "ration coupon" received, in accordance with this order, by a registering unit which is neither a depositor nor required to be one authorizes the registering unit to take delivery of five pounds of sugar at any time. A "ration coupon" surrendered to a depositor is valid for deposit in his account at any time.

This amendment shall become effective March 23, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3844; Filed, March 18, 1944; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 17]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 26.1 (a) (1) is amended by inserting before the colon the words ", or a member of his 'family unit' ".

2. Section 26.2 (b) is amended by substituting for the words "fifty (50)" the words "one hundred (100)" and by substituting for the words "one hundred (100)" the words "two hundred (200)".

3. Section 26.3 (b) is amended by substituting for the words "as a 'processor' or make reports" in the first sentence, the words ", or make reports, as a 'processor' "; and by adding at the end thereof the following:

If he transfers home processed foods produced with sugar obtained under § 1407.71a of Revised Ration Order 3, he must, at the same time, report in writing to his board the kinds and amounts of such foods transferred by him for points during the preceding month.

4. The first two sentences of section 26.4a (a) are deleted and the following is substituted therefor:

A person who produces frozen foods in a place other than a "kitchen" may consume the foods so produced and may let the members of his family unit and

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1727, 1817, 1908, 2233, 2234, 2240, 2567.

others who eat at his table or on a farm he operates consume them without giving up points only if he produces them primarily for consumption in his household or on a farm he operates. A person is considered to produce frozen foods for the purposes of this section only if he, or a member of his family unit, supplies all the ingredients, prepares the food for freezing and subjects that food to the freezing operation. In such case he and the members of his family unit may give (but not sell) such foods to any other person without receiving points, but no more than one hundred (100) quarts or two hundred (200) pounds of such foods per member may be given away point free by the family unit in any calendar year.

5. Section 26.5 (a) is amended by inserting before the period at the end of the first sentence the words ", but only if that processor regularly produced processed foods in the past for consumers from ingredients wholly supplied by them".

6. The headnote of section 26.5 (b) is amended to read as follows:

(b) *He may consume such foods or give them away.*

7. The second sentence of section 26.5 (b) is amended to read as follows: "He and the members of his family unit may give (but not sell) such foods to any other person without receiving points."

8. Section 26.5 (c) is amended to read as follows:

(c) *He may sell only for points, and must surrender points he gets to the board.* He may not sell any of such foods unless he gets points equal to the point value of the foods sold. Such foods are not home processed foods and they may be sold only at their regular point value, as fixed in a supplement to this order, rather than at the point value of home processed foods. For this purpose, he need not register or make reports but must keep a record of any sale he makes, showing the amount and date of the sale, and the name and address of the person to whom the sale is made. If he makes any sales during any month, he must give up the points received for that sale to his board on or before the tenth day of the next month.

9. Section 26.6 is amended to read as follows:

SEC. 26.6. *Consumers may acquire and use processed foods they produce in commercial scale processing facilities.* (a) A member of a group of persons which produces processed foods in commercial scale processing facilities primarily for consumption in their households or on farms they operate, may acquire his share of the processed foods so produced point free only if:

(1) The facilities used have not been operated commercially since January 1, 1943, or are not customarily operated commercially during the periods when the processing will be done by the group; and

(2) He, or a member of his family unit, takes an active part in the processing of such foods, or grew the fruits or vegetables being processed.

(b) Any member of a group which wishes so to produce processed foods may make application to his board in writing, on behalf of the group, stating:

(1) The name and address of each member of the group;

(2) The facts which bring the group under paragraph (a);

(3) The total amount of processed foods to be produced; and

(4) The disposition to be made of the foods produced.

(c) If the board finds that the group and its members meet all the requirements of paragraph (a) of this section, it shall approve the application. If the facilities to be used were operated commercially after January 1, 1943, but are no longer so operated, the board may still approve the application if it finds that commercial operations were not ended solely or partly for the purpose of enabling the members of the group to produce processed foods there for their own use.

(d) If the board approves the application, each member of the group covered by the application may acquire his share of the processed foods so produced point free, and may consume it and let the members of his family unit and others who eat at his table or on a farm he operates consume it without giving up points.

(e) Not more than one hundred (100) quarts of such processed foods per member may be acquired point free by or for any family unit under this section in any calendar year unless the board finds:

(1) That the use of the facilities is supervised or sponsored by a federal, state or local government or government agency; or

(2) That the facilities are part of a bona fide community processing project which is open for use by all members of the community.

(f) Any person who acquires processed foods under this section without giving up points may give (but not sell), his share to any other person, but not more than one hundred (100) quarts of such foods per member may be given away point free by a family unit in any calendar year.

(g) Processed foods produced pursuant to this section are not home processed foods. A person who sells or transfers any such foods except for the amount he is permitted to give away point free by paragraph (f), is considered a processor as to that part. He must register and file the reports required by section 3.2 of this order. He may make such transfers only in exchange for points equal to the regular point value of the processed foods transferred, as fixed in a supplement to this order, rather than at the point value of home processed foods.

10. Section 26.8 is amended to read as follows:

SEC. 26.8 *Institutional users (other than Group I institutional users) may use and transfer processed foods they produce as provided in General Ration Order 5.* (a) This article does not apply to the production of processed foods for use in, or to the use of processed foods in, "institutional user establishments" other than Group I institutional user establishments. The production, use, and transfer by such "institutional users" of home processed foods and of other processed foods they produce, are governed by General Ration Order 5.

This amendment shall become effective March 23, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005; and Food Directive 5, 8 F. R. 2251)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3845; Filed, March 18, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 114]

FATS AND OILS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The first sentence of section 7.11 (a) is amended to read as follows:

An industrial consumer who needs rationed fats or oils may apply, in writing, to the Fats and Oils Section, Food Distribution Administration, Washington, D. C., on a form to be designated by Food Distribution Administration, for permission to acquire and use them.

This amendment shall become effective March 23, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3846; Filed, March 18, 1944; 11:40 a. m.]

[1] 8 F.R. 13128, 13394, 13930, 14399, 14623, 14763, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1900,

PART 1407—RATIONING OF FOOD AND FOOD PRODUCT

[RO 16,[1] Amdt. 115]

SLAUGHTER OF SWINE

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 3.2 (a) (1) is amended by inserting before the semicolon at the end thereof, the words ", or a primary distributor who slaughters swine without a permit under the provisions of § 1410.15 (b) (2) of Food Distribution Order No. 75".

This amendment shall become effective March 23, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3847; Filed, March 18, 1944; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 116]

PRE-PACKAGED CHEESE

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The definition of "Pre-packaged cheese" in section 24.1 is deleted, and the following definition substituted therefor:

"Pre-packaged cheese item" means "rationed cheese" in an original package of a primary distributor or wholesaler. If one such package is contained within another, it means the smaller of such packages. (For example, a cardboard package containing several small individually wrapped pieces of cheese is not a single "pre-packaged cheese item". Rather, each individually wrapped piece is a separate "pre-packaged cheese item".)

This amendment shall become effective March 23, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3848; Filed, March 18, 1944; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 117]

MEAT

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The seventh sentence of section 1.1 (a) is amended to read as follows:

Meat does not include rendering fats and bones (produced in disassembling a carcass, or in cutting a carcass or primal cut into smaller cuts, or in boning a carcass or cut) and lean trimmings commingled with these rendering fats and bones, if these parts of the carcass are acquired by a person to be used by him for animal feed, for rendering into inedible products or for other inedible purposes, or by a primary distributor to be used by him for rendering into rationed fats or oils, or for transfer to such a person for one of these purposes; however, rendering fats do not include fat backs, fat back pork, clear plates and jowls (including jowl squares).

2. The sixth sentence of the definition of "meat" in section 24.1 (a) is amended to read as follows:

Meat does not include rendering fats and bones (produced in disassembling a carcass, or in cutting a carcass or primal cut into smaller cuts, or in boning a carcass or cut) and lean trimmings commingled with these rendering fats and bones, if these parts of the carcass are acquired by a person to be used by him for animal feed, for rendering into inedible products or for other inedible purposes, or by a primary distributor to be used by him for rendering into rationed fats or oils, or for transfer to such a person for one of these purposes; however, rendering fats do not include fat backs, fat back pork, clear plates and jowls (including jowl squares).

This amendment shall become effective March 23, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3849; Filed, March 18, 1944; 11:39 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 487,[2] Amdt. 1]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 487 is amended in the following respects:

1. Section 3 (16) is amended to read as follows:

(16) "Area A" includes the District of Columbia of the United States and the following states: Kansas, Oklahoma, Texas, South Dakota, North Dakota, Montana, Kentucky, Wyoming, Idaho, Utah, Nevada, Washington (except Whatcom, Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Pacific, Wahkiakum counties), Tennessee (except the area east of the western boundaries of Campbell, Anderson, Roane, Rhea and Hamilton Counties), Oregon (except west of the western boundaries of Wasco, Jefferson, and Lake Counties and west of the eastern boundary of Deschutes County), California, Minnesota, Iowa, Missouri, Nebraska, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, New York, Maryland (except the Eastern Shore south of a line drawn east and west through Chesapeake City), Colorado east of the western boundaries of Larimer, Boulder, Gilpin, Clear Creek, Park, Fremont, Custer, Huerfano and Las Animas counties and the counties of Quay, Debaca, Curry, Roosevelt, Chaves, Lea, Eddy, Guadalupe, Lincoln and Otero in New Mexico.

2. Section 3 (17) is amended to read as follows:

(17) "Missouri River Markets"* includes Kansas City, Missouri; Kansas City, Kansas; Atchison, Kansas; Leavenworth, Kansas; St. Joseph, Missouri; Omaha, Nebraska; Council Bluffs, Iowa; Sioux City, Iowa.

3. The formula price of "$1.90½" for Atlanta, Georgia, in the left hand column of prices in Table I in Appendix A is amended to read "$1.88¼".

4. Paragraph (b) (5) is added to Appendix A 3 to read as follows:

(5) In Oregon west of the western boundaries of Wasco, Jefferson, and Lake counties and west of the eastern boundary of Deschutes county and in Washington in the counties of Whatcom, Clallam, Kitsap, Mason, Jefferson, Grays Harbor, Pacific and Wahkiakum the formula price at Portland, Oregon, or Seattle, Washington, less 18½ cents per bushel and plus the lowest flat carload rail transportation charges from Spokane, Washington, to the interior rail point in question.

5. Appendix A 5 is amended to read as follows:

5. *Formula prices for mixed wheat.* The formula price per bushel, bulk, for mixed wheat at any terminal city or interior point shall be the appropriate maximum price for the class and grade of wheat predominating in the mixture at such terminal city or interior point adjusted for the moisture and protein content in the mixture in accordance with the tables in Appendix A less (unless the mixture consists wholly of hard red winter and hard red spring wheats or wholly of soft red winter and white wheats or is of the subclasses of Amber Mixed Durum or Mixed Durum) 2 cents per bushel: *Provided*, That the formula price per bushel for mixed wheat containing in excess of 15% red durum shall be the appropriate maximum price for red durum.

6. Appendix A 6 is amended to read as follows:

6. *Formula prices for mixed grain.* The formula price per bushel, bulk, for mixed grain (as defined in the Official Grain Standards of the United States) containing wheat at any point shall be determined by multiplying the percentage of each such grain in the mixture by the appropriate maximum price thereof at such point, or, if there is no such maximum price for the particular grain by the reasonable value thereof at such point, and adding the results and deducting 5 cents per bushel.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944

CHESTER BOWLES,
Administrator.

Approved: March 10, 1944

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–3855; Filed, March 18, 1944; 11:41 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 93]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.219 (b) (1) is amended to read as follows:

(1) *Maximum prices for coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses, except as otherwise specifically provided in this paragraph (b).

(i) Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes are for shipments to all destinations.

PRICES AND SIZE GROUP NUMBERS

Price classification	1 Lump and block (bottom size larger than 5")	2 Lump and double-screened egg coals (4" and 6" lump and 6" x 4")	3 Lump and double-screened egg coals (3" lump and 6" x 4")	4 Lump and double-screened egg coals (2" lump and 8" x 3")	5 Double-screened egg coals (6" x 3")	6 Double-screened egg coals (6" x 2" and 5" x 3")	7 Double-screened egg coals (6" x 2" and 4" x 2")	8 Double-screened stove coals (6" x 2" and 3" x 1¼")	9 Double-screened nut coals (top size larger than 1¼" but not exceeding 2")	10 Double-screened Stoker coals (top size not exceeding 1¼")	15, 16, 17 Mine run, (screened, straight, and results-nuts larger than 2¾" x 0)	18 Screenings, (deducted and modified)	19 Screenings (larger than 2" x 0, but not exceeding 2¾" x 0)	20, 21 Screenings (larger than ¾" x 0, but not exceeding 2" x 0)	22 Screenings (¾" x 0 and smaller)	23 Low grade reject
A	435	435	435	415	505	370	350	335	325	405	305	305	305	300	285	265
B	435	410	410	390	370	345	325	320	315	370	305	305	305	300	280	260
C	415	395	395	380	370	345	325	320	315	370	300	300	300	300	280	260
D	405	395	395	380	370	345	325	320	315	370	300	295	295	300	275	250
E	395	395	375	370	370	340	330	315	310	370	300	295	295	300	265	245
F	385	380	370	370	355	340	320	315	305	345	295	295	295	290	265	245
G	385	375	360	360	345	335	315	310	300	345	295	295	285	290	260	-----
H	380	375	360	360	345	335	315	305	305	340	-----	295	285	280	250	-----
J	375	370	360	360	345	335	315	300	290	340	-----	295	285	280	245	-----
K	365	360	350	350	345	335	310	295	290	340	-----	295	285	280	245	-----
L	350	350	345	345	320	320	310	295	-----	340	-----	295	285	280	240	-----
M	350	350	345	345	320	315	310	295	-----	340	-----	295	285	280	235	240	-----
N	350	350	345	345	320	315	305	-----	-----	-----	-----	295	285	280	235	240	-----
O	345	340	325	325	310	300	295	-----	-----	-----	-----	295	285	280	235	235	-----
P	330	325	320	320	305	300	295	-----	-----	-----	-----	295	285	280	235	235	-----
Q	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	295	285	280	235	235	-----
R	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
S	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

Exceptions: (Letters appearing on this table, instead of prices, designate price classifications; in these instances, the maximum prices are the same as those set forth in this sub-paragraph (1) (i).)

Mine index	Producers	Mine name	Subdist.	Prices, classifications and size group Nos. 1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
8	Allburn Collieries Co	Allburn	8	355 O	350 O	340 O	340 O	340 L	340 L	340 K	335 G	335 E	G	315 H	330 C	330 C	330	-----	-----
13	Alma Fuel Co	Alma	8	445 L	445 L	360 L	365 L	405 F	400 F	360 E	345 C	315 E	G	395 H	360 E	315 E	311	-----	-----
492	Anchor Coal Co	Anchor #5	4										E	315	360	315	335	-----	-----
27	Bell Coal Co	Bell	6																

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1450, 15256, 15455, 15456, 16280, 16419, 16738, 16998; 9 F.R. 396, 573, 693, 1181, 1395, 1454, 1721, 1905, 2008, 2127, 2237, 2407.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14523, 14764, 14848, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 693, 849, 1054, 1581, 1532, 1726, 1818, 1909, 2235, 2240, 2568, 2406.

[2] 9 F.R. 305.

Mine index	Producers	Mine name	Sub-dist.	Prices, classifications and size group Nos. 1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
481	Benedict Coal Corp.	Virgiow	7	450	450	450	425	405	380	375	360	330	305	310	305	295	290	265	275
405	Black Band Coal Co.	Reynolds	5	415	410	400	400	390	380	345	335	335	290	310	295	290	290	290	
4	Blue Bird Mining Co.	Blue Bird	3	O	O	O	O	M	M	L	I	G	J	310	280	275	295		
74	Buffalo Coal Co.	Buffalo	6	345	345	335	335	335	335	325	310	305	255	345	340	325	325	290	
142 & 419	Cambria Coal Co.	Cross Mountain & Royal	6	390	385	370	370	360	360	355	350	350	350	350	350	350	350	350	
590	Central Elkhorn Coal Co.	#3	1	F	F	F	F	D	355	350	350	350	340	350	350	350	350		
104, 105, 106	Christian Colliery Co.	#1, 2, 3	4	365	365	360	360	360	360	355	350	C	335	320	320	320	315		
638	Clover Darby Coal Co.	Jubilee	2	475	475	475	455	435	410	390	375	345	445	345	335	330	F	F	K
123	Clover Splint Coal Co.	Clover Splint	2	A	A	A	A	A	A	A	A	A	C	C	330	F	F	K	
413	Coalburg-Kanawha Mng. Co.	Belmont #8	4	420	415	405	405	390	380	355	340	340	390	345	340	330	325		
5774	Coal Processing Corp.	Dixiana	7	390	390	J	J	H	H	335	D	C	390	A	B	H	B	H	
826, 3612	Columbia Coal & Mng. Co.	Tom's Creek, Turner Branch.	7	440	430	430	415	405	375	345	340	335	405	340	330	329	315	275	
124	Columbus Mining Co.	#3	3	395	395	375	375	370	360	335	330	325	370	330	345	356	330		
126	Columbus Mining Co.	#5	3	360	360	355	335	330	325	315	J	305	350	315	310	300	295		
127	Columbus Mining Co.	#6	3	365	365	375	375	370	360	335	330	325	370	335	330	325	325		
921	Crystal Block Mining Co.	#2	8	O	O	O	O	L	L	K	G	E	C	C	310	G	O	O	
753	Dalton, A. J.	Low Ash	1	K	K	K	K	H	H	G	E	C	C	G	310	H	E	E	
151	Darb Fork Coal Co.	Darb Fork	3	K	K	K	K	J	J	H	315	315	G	315	300	295	295		
439	Dixport Coal Co.	Star Slope	4	450	440	430	425	400	390	365	360	355	425	360	320	345	345	300	
5210	Draper Mining Co.	Draper	8	K	R	R	R	L	L	L	K	H	F	H	306	H	H	H	
273	Elcomb Coal Co.	Elcomb	2	F	F	F	F	N	N	M	H	F	F	E	320	320	320	320	290
187, 725	Elk Creek Coal Co.	Elk Creek #1 and #2	5	345	340	335	335	325	325	325	325	320	365	320	320	320	320	320	295
285	Elkhorn Coal Co.	King Kons #2	5	410	405	390	390	375	365	340	335	320	400	335	330	330	330	325	295
196	Elkhorn Coal Corp.	#3	1	F	F	F	F	F	355	330	330	330	C	345	345	340	320	320	270
354	Fiska Coal & Coke Co.	#2	1	F	F	F	F	F	355	330	330	330	305	320	310	305	305		
696	Fisher Coal Co.	Nurex	6	460	460	460	440	420	395	375	360	330	305	320	310	305	305		
208	Fleming, Robert, & Co.	Fisher	8											330					
207	Fourseam Coal Corp.	Fleming	7	390	380	355	355	355	345	330	330	325	380	325	315	305	300		
404	Francis Rex Coal Co.	Fourseam	8	395	375	380	380	375	365	340	335	330	375	330	315	310	310	270	
213	Gatliff Coal Co.	Rex #2	8	445	405	405	405	405	355	340	330	330	365	310	294	290	290	220	
5805	Gatliff Coal Co.	Gatliff	8	435	425	415	410	410	385	350	345	340	410	340	325	325	320	270	
90	Gibson Fuel Co.	Gatliff #4	8	475	475	475	455	435	410	390	375	345	410	345	330	305	300	290	290
364	Gibson Fuel Co.	Calvin	7	M	M	M	M	M	K	K	J	340	D	A	C	310	305	300	
219	Glen Alum Coal Co.	Pardee	8	425	425	C	390	380	365	365	A	340	A	C	A	303	305	305	
5629	Hager Hill Coal Co.	Glen Alum	8	370	370	355	355	350	350	335	325	323	358	330	325	320	320	320	
283	Harlan Central Coal Co.	Hager Hill	9	425	415	415	400	400	380	330	325	320	380	325	315	305	300	300	260
225	Harold Fuel Co.	Harlan Central	9	390	390	355	345	345	345	340	340	340	390	335	320	320	320	320	280
45	Hatcher, James, Land Co.	Harold	1	H	H	H	H	H	H	H	E	C	C	E	315	310	305	305	
370	Hatfield-Campbell Creek Coal Co.	Big Shoal	1	K	K	K	K	H	H	H	E	C	C	C	311	306	306	301	295
		Point Lick #4	4	400	390	380	380	365	345	335	335	325	365	335	330	325	325	280	
111	Hi-Hat Elkhorn Mining Co.	Hi-Hat	1											350					
28	Hutchinson Coal Co.	Argyle	5	350	350	0	0	325	300	335	O	E	O	C	320	320	320		
262	Imperial Colliery Co.	#3	4	365	365	360	360	360	375	345	340	335	405	340	335	335	335		
109	Jeanne Francis Coal Co.	Jeanne Francis	8	M	M	M	M	M	N	R	Q	F	D	C	K	K	300		
5029	Lyburn Mines, Inc.	Lyburn #1	8	Q	Q	Q	Q	L	L	F	E	F	C	307	D	D	D		
331, 332	Milburn By-Products Coal Co.	Milburn #1 and #2	4	L	L	L	L	F	F	E	E	D	E	320	320	320	315		
435, 3764	New Long Ridge Coal Co.	Long Ridge	6	345	340	335	335	335	330	325	310	305	365	335	280	275	270		
25	New Southland Coal Corp.	# 1 and #2	1	435	435	420	420	420	400	370	365	360	420	360	325	315	315		
459	North-East Coal Co.	Auxier #7	1	450	450	430	430	410	385	365	350	A	430	320	310	305	305	255	
353	North-East Coal Co.	Thealka #3	1	420	410	410	395	385	365	355	325	320	C	365	C	C	300		
811	Norton Coal Co.	#11	7	O	O	O	O	K	K	J	F	E	E	305	O	O	300	255	
437	O & W Coal Company	Zenith	2	460	460	450	450	445	435	410	405	420	470	400	365	360	355		
605 [1]	Peerless Darby Coal Co.	Darby	6	420	420	410	405	395	395	335	330	325	420	330	320	315	315		
7051 [1]	Pewee Coal Co.	Pewee	8	435	435	435	405	445	420	400	385	345	420	355	345	335	330	290	
	Pewee Coal Co.	Red Ash	8	443	435	425	420	420	395	380	355	345	395	330	320	310	305	280	
	Premier-Jellico Coal Corp.	Premier	8	355	350	345	345	340	340	330				320	320	305	305		
	Puritan Coal Corp.	Puritan #1	8	Q	330	325	325	315	315	315	315	315	L	300	295	295	295		
380	Raleigh-Wyoming Mining Co.	Edwight #1, Hazy #3	4	380	380	380	380	380	375	345	340	335	E	345	345	345	345		
186, 239	Red Ash Smokeless Coal Co.	Red Ash	8	H	H	H	285	H	D	D	C	A	A	A	342	310	305	305	280
380	Red Jacket Coal Corporation	#9	8	O	O	O	O	L	L	K	G	F	D	280	310	310	305	305	260
384	Ridgeway-Darby Coal Co.	Ridgeway	2	350	350	325	335	K	K	J	D	320	330	E	300	330	320	320	
408	Ruth Elkhorn Coals, Inc.	Stedman	7	K	K	K	K	K	E	E	K	J	O	J	310	295	290	290	250
446	Sandlick Coal Co.	Belcraft	3	M	M	M	M	L	L	L	K	J	D	D	F	D	345	340	330
26	Scuddy Mining Co.	Scuddy	3	360	365	360	360	360	360	350	350	350	D	D	F	D	345	340	330
425	Southern Mining Co.	Insull	2	J	J	J	J	H	H	G	F	D	C	E	318	310	305	305	
248	Splash Dam Smokeless Coal Corporation.	Lonesome Branch	7	M	M	M	M	H	H	G	E	C	E	318	305	300	300		
297	Standard Banner Coal Corporation.	Honey Creek	7	360	360	360	360	355	355	340	340	335	380	325	320	320	320		
246	Stone Coal, Incorporated	Laurel	4	M	M	M	M	M	L	L	K	H	F	H	318	310	305	305	305
819	Tennessee-Jellico Coal Co.	Anthras	6	425	425	405	400	400	390	355	350	345	415	345	340	340	340	280	280
22	Turner Fuel Co.	Turner Darby	2	C	C	C	C	390	D	D	D	D	A	A	306	F	F		
540	War Eagle Coals, Inc.	War Eagle	B	390	385	370	370	365	365	350	340	340	385	345	340	335	335		

[1] Each of these max. prices for mine index Nos. 7051 and 605 shall be reduced by 50 cents 180 days after Feb. 18, 1944.

(ii) *Maximum price in cents per net ton for all railroad fuel uses.* (a) The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) (i) above, or $3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) (i) above.

(b) Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2¾" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2¾" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine

in order that percentages of plus and minus 2¾ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.219 (b) (1) (ii) of Maximum Price Regulation No. 120.

(iii) Specific description of size group numbers referred to in subparagraph (1) (i) of this paragraph (b).

Size group numbers:	*Description*
1	All single-screened block, bottom size larger than 5".
2	All single-screened lump, bottom size larger than 3", but not exceeding 5". All double-screened egg coals, top size larger than 6" and bottom size larger than 3", but not exceeding 4". All double-screened coals, top size 5" and larger, and bottom size larger than 4".
3	All single-screened lump, bottom size larger than 2", but not exceeding 3". All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".
4	All single-screened lump, bottom size larger than ¾", but not exceeding 2". All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".
5	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
6	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".
7	All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
8	All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.
9	All double-screened nut coals, top size larger than 1¼", but not exceeding 2", and bottom size smaller than 2".
10	All double-screened stoker coals, top size not exceeding 1¼", and bottom size less than 1¼".
15	Screen run of mine, bottom size ¾" or smaller.
16	Straight run of mine. Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed). Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
17	Straight resultant run of mine (larger than 2¾" x 0, but not exceeding 6" x 0). Altered resultant run of mine (straight resultant run of mine larger than 2¾" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
18	Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh. Modified screenings (top size not exceeding 2" total consist containing not less than 15% ⅜" x 0 screenings).
19	Screenings larger than 2" x 0, but not exceeding 2¾" x 0.
20	Screenings larger than ¾" x 0, but not exceeding 2" x 0.
21	Screenings larger than ⅜" x 0, but not exceeding ¾" x 0. Altered screenings (top size not exceeding 2¾" from which all of the 1" to 1¼" top and ⅜" to ⅜" bottom coal has been removed).
22	Screenings ¾" x 0 and smaller.
23	Low grade reject; separated at the tipple or loaded separately in the mine.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3869; Filed, March 18, 1944; 4:47 a. m.]

PART 1358—TOBACCO

[MPR 260, as Amended,[1] Amdt. 7]

CIGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 260, as amended, is amended in the following respects:

1. Section 1358.102 (e) (3) is amended to read as follows:

(3) After receipt of the application the Office of Price Administration will, by order, authorize a maximum price for which the manufacturer and every wholesaler and retailer may sell, and any purchaser may buy the new brand or size of domestic cigars. The provisions of this subparagraph shall apply to all sales for which manufacturers are required to establish maximum prices under this paragraph, except sales for which maximum prices have been authorized prior to March 18, 1944.

2. Section 1358.102a (e) (3) is amended to read as follows:

(3) After receipt of the application the Office of Price Administration will, by order, authorize a maximum price for which the importer and every wholesaler and retailer may sell, and any purchaser may buy the new brand or size of domestic cigars. The provisions of this subparagraph shall apply to all sales for which manufacturers are required to establish maximum prices under this paragraph, except sales for which maximum prices have been authorized prior to March 18, 1944.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3870; Filed, March 18, 1944; 4:48 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8997, 10255, 10475, 11113; 8 F.R. 1974, 2209, 4476.

PART 1364—FRESH CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 27]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Schedule No. 64 is added to Table A in section 20 to read as follows:

TABLE A—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December, Bulk ex-vessel
64	Ocean pout (Conger eel or Eel pout) (Zoarces anguillaris) (Leptocephalus conger).	1	Round	All sizes	$0.03

2. Schedule No. 64 is added to Table B in section 20 to read as follows:

TABLE B—MAXIMUM PRICES FOR PRIMARY FISH SHIPPER SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December
64	Ocean pout (Conger eel or Eel pout) (Zoarces anguillaris). (Leptocephalus conger).	1	Round	All sizes	$0.04
		2	Fillets	All sizes	.18

3. Schedule No. 64 is added to Table C in section 20 to read as follows:

TABLE C—MAXIMUM PRICES FOR RETAILER-OWNED COOPERATIVE SALES AND SALES BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS TO OTHER WHOLESALERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December
64	Ocean pout (Conger eel or Eel pout) (Zoarces anguillaris). (Leptocephalus conger).	1	Round	All sizes	$0.05
		2	Fillets	All sizes	.19½

4. Schedule No. 64 is added to Table D in section 20 to read as follows:

TABLE D—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December
64	Ocean pout (Conger eel or Eel pout) (Zoarces anguillaris) (Leptocephalus conger).	1	Round	All sizes	$0.06
		2	Fillets	All sizes	.20½

5. Schedule No. 64 is added to Table E in section 20 to read as follows:

TABLE E—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December
64	Ocean pout (Conger eel or Eel pout) (Zoarces anguillaris). (Leptocephalus conger).	1	Round	All sizes	$0.08½
		3	Fillets	All sizes	.23

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3871; Filed, March 18, 1944; 4:47 p. m.]

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11667, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1575, 2133, 2408, 2691.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[1] Amdt. 7]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 285 is amended in the following respects:

1. A new, undesignated paragraph is added to § 1351.1254 (b) to read as follows:

The wholesaler, when selling bananas imported from Mexico, shall state, on his invoice or other written evidence of the sale, the state of production in Mexico in which the bananas were grown.

2. A new paragraph (c) is added to § 1351.1254 to read as follows:

(c) (1) If an importer sells bananas which have been delivered to him by rail or truck from Mexico, and the importer has failed to meet the notification requirements set forth in paragraph (a) of this section, the maximum price per cwt., f. o. b. port of entry for the bananas so sold shall be $3.25.

(i) If any importer imports bananas from Mexico, he shall make the following disposition of the copies of the Mexican "Certificate of Origin" ("Certificado De Exportacion"—issued under the authority contained in the Order of the Department of Finance & Public Credit published in the "Diario Officiel" on February 2, 1943) which are furnished him by the Mexican Government, or which he must make himself, if necessary.

(a) One copy shall be retained by the importer in his possession for as long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Another copy shall be furnished by the importer to each of his purchasers, at the time of sale, which copy the purchaser shall retain in his possession for as long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If, for any reason, the importer fails to furnish his purchaser with a copy, as required by this subdivision (b), the maximum price, per cwt., f. o. b. port of entry, for the bananas so sold shall be $3.25.

3. In § 1351.1254 (a) the text is amended by adding the words "or to the premises of retail stores or of institutional users", immediately following the words "to another such point".

This amendment shall become effective March 25, 1944.

* NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

[1] 8 F.R. 3050, 10659, 16629; 9 F.R. 219, 1121.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3945; Filed, March 20, 1944; 12:07 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

TELEPHONE PLANT RECORD

The Commission on March 14, 1944, effective immediately, amended § 31.2-26 (a) to read as follows:

§ 31.2-26 *Telephone plant continuing property record required.* (a) Not later than January 1, 1937, each company shall begin the preparation of a continuing property record with respect to property of each class represented in the several plant accounts comprised by balance-sheet account 100:1, "Telephone plant in service." Not later than July 1, 1943, each company shall also begin the preparation of a similar record with respect to property of each class represented in the several plant accounts comprised by account 100:3, "Property held for future telephone use," and with respect to property represented in account 103, "Miscellaneous physical property." These records shall be completed not later than June 30, 1945, with respect to property as at December 31, 1936, and with respect to the changes effected therein between the dates of January 1, 1937, and December 31, 1944.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i), sec. 220 (a), 48 Stat. 1078; 47 U.S.C. 220 (a))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3803; Filed, March 17, 1944; 2:43 p. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

MISCELLANEOUS CREDITS TO SURPLUS AND COLLECTIBLE OPERATING REVENUES

The effective date of amendments to § 31.402, *Miscellaneous credits to surplus,* and § 31.530, *Uncollectible operating revenues—Dr.,* (which were published on page 2792 of the FEDERAL REGISTER for Tuesday, March 14, 1944) should be January 1, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3804; Filed, March 17, 1944; 2:43 p. m.]

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

UNCOLLECTIBLE OPERATING REVENUES

The effective date of the amendment to § 33.3090 *Uncollectible operating revenues—Dr.* (which was published on page 2792 of the FEDERAL REGISTER for Tuesday, March 14, 1944), should be January 1, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3805; Filed, March 17, 1944; 2:43 p. m.]

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

UNCOLLECTIBLE REVENUES

The effective date of the amendment to § 34.4935 *Uncollectible revenues,* (which was published on page 2792 of the FEDERAL REGISTER for Tuesday, March 14, 1944) should be January 1, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3806; Filed, March 17, 1944; 2:43 p. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

CURRENT LIABILITIES AND UNCOLLECTIBLE REVENUES

The effective date of the amendments to § 35.10-5 *Current liabilities* and § 35.-4935 *Uncollectible revenues* (which were published on page 2793 of the FEDERAL REGISTER for Tuesday, March 14, 1944) should be January 1, 1945.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3807; Filed, March 17, 1944; 2:43 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[A. O. ODT 11, Revocation]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATION OF AUTHORITY

Procedures and delegation of authority pursuant to Amendment 1 to General Order ODT 16.

Pursuant to General Order ODT 16, as amended, Administrative Order ODT 11 (8 F.R. 17515) is hereby revoked, effective March 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; Gen. Order ODT 16, as amended, 7 F.R. 5194, 8 F.R. 16220, 17001)

Issued at Washington, D. C., this 14th day of March 1944.

L. M. NICOLSON,
Director, Division of Storage, Office of Defense Transportation.

[F. R. Doc. 44-3824; Filed, March 18, 1944; 10:25 a. m.]

[A. O. ODT 21]

PART 503—ADMINISTRATION

SERVICE OF OFFICIAL DOCUMENTS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to provide a uniform procedure for the service of official documents of the Office of Defense Transportation, and to repeal the provisions of other orders in conflict therewith, it is hereby ordered, that:

Sec.
503.410 Service of official documents.
503.411 Applicability.
503.412 Definitions.
503.413 Repeal of conflicting provisions.

AUTHORITY: §§ 503.410 through 503.413 issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code secs. 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834.

§ 503.410 *Service of official documents.* (a) Whenever, under any order or directive of the Office of Defense Transportation, now in effect or hereafter issued, service of an official document issued by the Office of Defense Transportation is required to be made upon any person, service shall be made by one of the following methods:

(1) By mailing a true copy of the official document to the person to be served at the address shown upon the official records of the Office of Defense Transportation, unless such person shall have designated in writing a different address, or, in case no address is so shown or designated, by mailing a true copy to him at his last known address; or

(2) By delivering a true copy of the official document to him in person, if an individual, or, if a corporation, partnership, or other unincorporated association, to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process; or

(3) By publication, whenever specifically authorized by the terms of an order or directive, such publication to be made in the manner specified in the order or directive.

(b) Whenever it shall appear from the official records of the Office of Defense Transportation that a person is represented in a particular matter pending before the Office of Defense Transportation by an agent or attorney, service upon

such person of an official document in such matter may be made by serving the official document upon the agent or attorney in the manner provided in subparagraphs (1) or (2) of paragraph (a) of this § 503.410.

(c) The person serving the official document shall make proof of service by endorsement on or by certificate attached to the file or docket involved, showing the method utilized and the date of service. Failure to make proof of service does not affect the validity of the service.

§ 503.411 *Applicability.* The provisions of this order shall be applicable in the continental United States and within the territories and possessions thereof.

§ 503.412 *Definitions.* As used in this order, and unless otherwise indicated by the context, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or personal representatives, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Official document" shall include a written order, directive, instruction, notice, approval, decision, finding, request, inquiry, questionnaire, prescribed form, and any other written instrument evidencing official action by the Office of Defense Transportation.

§ 503.413 *Repeal of conflicting provisions.* The conflicting provisions of §§ 503.100, 503.101, 503.103, 503.104, 503.105 and 503.106 of Administrative Order ODT 5 (8 F.R. 13071), §§ 503.314, 503.316, 503.317, and 503.319 of Administrative Order ODT 14 (9 F.R. 1184), §§ 503.333, 503.335, 503.336, and 503.338 of Administrative Order ODT 15 (9 F.R. 1186), and §§ 503.390, 503.392, 503.393 and 503.394 of Administrative Order ODT 19 (9 F.R. 2693), relating to the service of official documents, and any other provisions of Office of Defense Transportation orders or directives in conflict herewith, are hereby revoked as of the effective date of this order.

This order shall become effective on March 27, 1944.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3825; Filed, March 18, 1944; 10:25 a. m.]

[A. O. ODT 22]

PART 503—ADMINISTRATION

EXERCISE OF DELEGATED AUTHORITY

Pursuant to Executive Orders 8989, as amended, 9108, as amended, 9156, 9214, 9294, and 9341, and War Production Board Directive 21, it is hereby ordered:

§ 503.420 *Continuance of authority and functions.* Federal officers, departments, agents and agencies, and employees shall continue to exercise the authority and perform the functions heretofore conferred and imposed upon them by the Director of the Office of Defense Transportation until otherwise ordered. Any authority or functions required to be exercised in the name of such Director shall be exercised in the name of the Acting Director.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9108, as amended, 7 F.R. 2201 and 8 F.R. 3687; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; E.O. 9341, 8 F.R. 6323; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 16th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-3862; Filed, March 20, 1944; 10:22 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Y—Cooperation With Other American Republics

[Amendment 1]

PART 295—FISHERY FELLOWSHIPS FOR STUDENTS FROM OTHER AMERICAN REPUBLICS

ALLOWANCES AND EXPENSES

Section 295.4, paragraphs (a) and (c) of the regulations governing fishery fellowships for students from other American Republics, signed by the Director of the Fish and Wildlife Service, approved by the Secretary of the Interior on January 26, 1942, and approved by the Acting Secretary of State on March 5, 1942 (7 F.R. 2517), are hereby amended as follows:

§ 295.4 *Allowances and expenses.* Applicants awarded fellowships may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period of studies in the United States, or its Territories or Possessions, while the fellow is not in travel status, at the following rates: (1) Not exceeding $180 per month while receiving training in a Department or agency of the Federal Government in a city of more than 100,000 population, or not exceeding $150 per month while receiving such training in a city of less than 100,000 population; and (2) Not exceeding $135 per month while receiving training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

* * * * *

(c) *Per diem while fellow is in travel status.* Per diem in lieu of subsistence at not to exceed the following rates: $6.00 over land or by air in and outside of the continental limits of the United States and $4.00 aboard vessels outside of the United States.

Issued this 23d day of June 1943.

IRA N. GABRIELSON,
Director.

Approved: June 25, 1943.

ABE FORTAS,
Acting Secretary of the Interior.

Approved: January 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-3857; Filed, January 31, 1944; 10:33 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

DIRECTOR OF THE NATIONAL PARK SERVICE

DELEGATION OF AUTHORITY

Pursuant to the provisions of sec. 161, Revised Statutes (5 U.S.C. sec. 22), sections 2 and 3 of the act of August 25, 1916 (39 Stat. 535, as amended June 2, 1920, 41 Stat. 732, March 4, 1921, 41 Stat. 1407, March 7, 1928, 45 Stat. 235, 16 U.S.C. secs. 2 and 3), and section 3 of the act of May 26, 1930 (46 Stat. 382, 16 U.S.C. sec. 17b), it is hereby ordered as follows:

1. The Director of the National Park Service may hereafter act in relation to the following classes of matters relating to National Park Service concessioners and concession contracts without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, and subject in any event to an appeal to the Secretary in appropriate cases:

(a) Determination of the concessioner's equity at the beginning of operations under the contract and the approval of the initial balance sheet.

(b) Determination when a performance bond should be furnished by the concessioner and the amount thereof.

(c) Passing upon the fitness of the employees of concessioners.

(d) Determination of the accounting records to be maintained by the concessioners and the type of reports to be submitted.

(e) Approval of the merchandise to be sold under concessioners' contracts.

(f) Approval of the plans and specifications for replacement of buildings and structures owned by the concessioner and for the installation of utilities by the concessioner when necessary funds are not available from the Government.

(g) Determination of the scale of the topographic map to be prepared by the concessioner.

2. All general rules, regulations and instructions must be approved by the Secretary. This order does not affect the responsibility of the Solicitor for the review of legal questions.

3. This order is effective immediately, but matters now pending before the Department will be cleared as heretofore.

HAROLD L. ICKES,
Secretary of the Interior.

MARCH 14, 1944.

[F. R. Doc. 44-3826; Filed, March 18, 1944; 11:10 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of amended order for the employment of learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Thompsontowa Manufacturing Company, Thompsontown, Pennsylvania; Army shorts, men's nightwear; 5 learners (T); effective March 20, 1944, expiring March 19, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Colonial Frocks, Inc., 32 S. La Salle Street, Aurora, Illinois; dresses; 10 percent (T); effective March 16, 1944, expiring March 15, 1945.

The Pitz Overall Company, Atchison, Kansas; overalls, work pants, jackets and suits; 10 learners (T); effective March 16, 1944, expiring March 15, 1945.

The H. W. Gossard Company, Ishpeming, Michigan; combinations and brassieres; 10 percent (T); effective March 16, 1944, expiring March 15, 1945.

Julius Leventhal & Bros., Lykens, Pennsylvania; work shirts; 10 percent (T); effective March 16, 1944, expiring March 15, 1945.

Jacob Miller's Sons Company, 26th & Reed Streets, Philadelphia, Pennsylvania; dress shirts; 5 learners (T); effective March 16, 1944, expiring March 15, 1945.

New Berlin Garment Company, New Berlin, Pennsylvania; dresses; 6 learners (T); effective March 16, 1944, expiring March 15, 1945.

Ottenheimer Bros., Inc., 115 Woodlane, Little Rock Arkansas; women's uniforms, dresses and smocks; 10 percent (T); effective March 18, 1944, expiring July 17, 1944.

Wonder Youth Lingerie Company, Main and Cedar Streets, Washington, Missouri; junior underwear, slips, nightgowns, pajamas; 10 learners (T); effective March 14, 1944, expiring March 13, 1945.

Wyoming Frocks, Inc., 342-346 Wyoming Avenue, Wyoming, Pennsylvania; dresses; 25 learners (E); effective March 20, 1944, expiring August 19, 1944.

GLOVE INDUSTRY

Green Mountain Glove Company, 8 Central Street, Randolph, Vermont; work gloves; 8 learners (T); effective March 16, 1944, expiring March 15, 1945.

HOSIERY INDUSTRY

Clay County Products Company, Inc., Green Cove Springs, Florida; full-fashioned hosiery; 5 learners (T); effective March 18, 1944, expiring March 17, 1945.

Johnson Hosiery Mill, Longview Street, Hickory, North Carolina; seamless hosiery; 2 learners (T); effective March 18, 1944, expiring March 17, 1945.

Lillian Knitting Mills Company, Albemarle, North Carolina; full-fashioned hosiery; 5 percent (T); effective March 18, 1944, expiring March 17, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Cedar Rapids, Iowa; to employ learners as commercial switchboard operators at its Emmetsburg exchange, located at 2201 Main Street, Emmetsburg, Iowa; effective March 16, 1944, expiring March 15, 1945.

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its Gladbrook exchange, located at Gladbrook, Iowa; effective March 16, 1944, expiring March 15, 1945.

West Iowa Telephone Company, Remsen, Iowa; to employ learners as commercial switchboard operators at its Marcus exchange, located at Marcus, Iowa; effective March 16, 1944, expiring March 15, 1945.

West Iowa Telephone Company, Remsen, Iowa; to employ learners as commercial switchboard operators at its Remsen exchange, located at Remsen, Iowa; effective March 16, 1944, expiring March 15, 1945.

TEXTILE INDUSTRY

Bernson Silk Mills, Inc., 535 Sycamore Avenue, Buena Vista, Virginia; rayon and nylon; 10 percent (AT); effective March 20, 1944, expiring August 19, 1944.

The Berryton Mills, Berryton, Georgia; yarns; 8 percent (T); effective March 13, 1944, expiring March 12, 1945.

Cleveland Silk Mills, Inc., 38th Street, Cleveland, Tennessee; rayon; 20 learners (AT); effective March 11, 1944, expiring September 10, 1944.

Southern Webbing Mills, Inc., Reidsville Road, Greensboro, North Carolina; elastic and narrow fabrics; 3 learners (T); effective March 16, 1944, expiring March 15, 1945.

Signed at New York, N. Y., this 18th day of March 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3887; Filed, March 20, 1944; 10:59 a. m.]

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE.

Harper Brush Works, 404 North Second Street, Fairfield, Iowa; brushes; 11 learners (T); brush making for a learning period of 320 hours at 30 cents per hour for the first 160 hours and 35 cents per hour for the next 160 hours; effective January 13, 1944, expiring July 31, 1944. (Revised certificate)

Nelsonville Electric & Manufacturing Company, Carbon Hill, Ohio; furniture; 4 learners (T); assembler, sewer and cutter for a learning period of 160 hours at 35 cents per

hour; effective March 13, 1944, expiring September 13, 1944.

Signed at New York, New York, this 18th day of March 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-3886; Filed, March 20, 1944; 10:59 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-39 (b)]

DEFINITION AND STANDARD OF IDENTITY FOR CREAM CHEESE

NOTICE OF HEARING

In the matter of a proposal to amend the definition and standard of identity for cream cheese.

Notice is hereby given that the Administrator of the Federal Security Agency, upon the application of a substantial portion of the interested industry stating reasonable grounds therefor and in accordance with the provisions of sections 401 and 701 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. secs. 341 and 371 (Supp. V. 1939); the Reorganization Act of 1939, 53 Stat. 561, 5 U.S.C. sec. 133 (Supp. V. 1939) and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (54 Stat. 1234, 5 F.R. 2421), will hold a public hearing, commencing at 10 o'clock in the morning of April 26, 1944, in Room 3106, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C., upon a proposal to amend § 19.515 (a) of the regulation which prescribes a definition and standard of identity for cream cheese (7 F.R. 10758) by increasing the maximum amount of moisture that may be contained therein from 55 percent to 59 percent.

Mr. Bernard D. Levinson hereby is designated as presiding officer to conduct the hearing, in the place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided therefor (See 5 F.R. 2379–2381).

In lieu of oral testimony, interested persons may submit affidavits to the presiding officer at Room 4148, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets, S. W., Washington, D. C., at any time prior to the hearing. Such affidavits should be submitted in quintuplicate and, if relevant and material, will be received and made a part of the record of the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements contained therein. Every interested person will be permitted, in accordance with the above-mentioned rules of practice, to examine all affidavits submitted and to file counter-affidavits with the presiding officer.

At the hearing evidence will be restricted to testimony and exhibits that are relevant and material to the issue contained in the proposal.

The proposal is subject to adoption, rejection, amendment, or modification by the Administrator, in whole or in part, as the evidence adduced at the hearing may require.

WATSON B. MILLER,
Acting Administrator.

MARCH 18, 1944.

[F. R. Doc. 44-3943; Filed, March 20, 1944; 11:40 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Corrected Spec. Permit 138]

RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15 or 16, 1944, by Teckes-Eichenbaum Company of car PFE 44234, peas, now on the Chicago Produce Terminal to New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3930; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 70-A, Spec. Permit 139]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 15 or 16, 1944, by P. N. Skalerup Company of car SFRD 19311, potatoes, now on the Wood Street Terminal to Paris, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3931; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 70-A, Spec. Permit 140]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, March 15 or 16, 1944, by Michael Swanson Brady Produce Company of car PFE 62500, potatoes, now on the Burlington Lines to Shreveport, Louisiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3932; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 70-A, Spec. Permit 141]

RECONSIGNMENT OF POTATOES AT KANKAKEE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kankakee, Illinois, March 15 or 16, 1944, by E. H. Anderson Company of car NRC 17043, potatoes, now on the Illinois Central Railroad, to Dothan, Alabama.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3933; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 70-A, Spec. Permit 142]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 16 or 17, 1944, by S. Friedman Sons of car PGE 38172, potatoes, now on the Wood Street Terminal, to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3934; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 70-A, Spec. Permit 143]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 16 or 17, 1944, by Auster Company of car PFE 91447, apples, now on the Rock Island Lines to Streator, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3935; Filed, March 20, 1944; 11:27 a. m.]

[S.O. 70-A, Spec. Permit 144]

RECONSIGNMENT OF GRAPEFRUIT AT LOS ANGELES, CALIF.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Los Angeles, California, March 16 or 17, 1944, by American Fruit Growers of car SP 185337, grapefruit, now on the Atchison, Topeka & Santa Fe Railway to unnamed destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3936; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 164, Gen. Permit 19]

REICING OF NAVEL ORANGES ORIGINATING IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice twice in transit to full bunker capacity at any points in the States of California, Oregon, Nevada, Utah, Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, or Missouri or at Omaha, Nebraska, East St. Louis, Illinois, Council Bluffs, Iowa, Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with Navel oranges, originating in Arizona and California. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 Under Service Order No. 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., March 18, 1944, and shall expire at 12:01 a. m., April 18, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3937; Filed, March 20, 1944; 11:27 a. m.]

[S. O. 164, Spec. Permit 26]

REFRIGERATION OF CITRUS FRUIT AT POINTS IN CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

At the carrier's option to accord standard refrigeration on any refrigerator car, loaded with citrus fruit, originating at any point in California, on which the shipper requests precooling by the carrier at Los Angeles, or Colton, California, under Rule 245 of the Perishable Protective Tariff, Agent J. J. Quinn's I. C. C. No. 19, in lieu of the service ordered by the shipper, where the carrier is unable to perform such precooling when ordered by the shipper because the ice plants at Colton, and Los Angeles are partially shut down for repairs or alterations.

This permit shall become effective at 12:01 a. m., March 16, 1944, and shall expire at 12:01 a. m., April 16, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3938; Filed, March 20, 1944; 11:28 a. m.]

[S. O. 178, Spec. Permit 75]

LOADING OF LARD AT OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one PFE refrigerator car with lard by the Cudahy Packing Company at Omaha, Nebraska, and the movement of the one car so loaded March 18, 1944, to Harmosillo, Mexico (R. I.-S. P.-S. P. delM) under refrigeration.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3939; Filed, March 20, 1944; 11:28 a. m.]

LOADING OF PACKAGED CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with cheese and spread in packages and jars by Kraft Cheese Company at Freeport, Illinois, and the movement of the two refrigerator cars so loaded from that point March 16, 1944, to Jersey City, New Jersey, and to Cincinnati, Ohio. (C. M. St. P. & P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3940; Filed, March 20, 1944; 11:28 a. m.]

[S. O. 178, Spec. Permit 77]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 13851 with shortening by Durkees Famous Foods at Berkeley, California, and the movement of that car so loaded from that point not later than March 21, 1944, to Seattle, Washington (SP-GN).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3941; Filed, March 20, 1944; 11:28 a. m.]

[S. O. 178, Spec. Permit 76]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one refrigerator car so loaded from that point March 18, 1944, to the Great A. & P. Tea Company, Somerville, Massachusetts. (I. C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3942; Filed, March 20, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 191]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Boyd Truck Lines, Inc., 500 West 4th Street, Kansas City, Mo.
Watson Bros. Transportation Co., Inc., 802 South 14th St., Omaha, Nebr.
Adams Transfer & Storage Company, 228 West 4th St., Kansas City, Mo.

[F. R. Doc. 44-3739; Filed, March 17, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 193]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK, N. Y., AND POINTS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445; 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment,

[1] Filed as part of the original document.

[1] Filed as part of the original document.

and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan that are in conflict therewith.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Dana Trucking Co., Inc., Lawrence, Massachusetts.

2. Nathan F. Smith and John F. Partelo doing business as L. & L. Transportation Co., Lowell, Massachusetts.

[F. R. Doc. 44-3740; Filed, March 17, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 194]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WISCONSIN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body

or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

9. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Earl S. Jones, doing business as Jones Transfer Line, 404 Henry Street, Green Bay, Wis.
2. Schneider Transport & Storage Company, 444 South Jackson Street, Green Bay, Wis.
3. Leicht Transfer & Storage Company, 128 S. Broadway, Green Bay, Wis.
4. Warren P. Spofford and Alden A. Spofford, doing business as Packer City Transit Line, 1253 Shawano Avenue, Green Bay, Wis.

[F. R. Doc. 44-3741; Filed, March 17, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 195]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN OKLAHOMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Couch Transfer & Storage Co., Inc., Ada, Okla.
2. Luper Transportation Company of Oklahoma, Shawnee, Okla.

[F. R. Doc. 44-3742; Filed, March 17, 1944; 10:24 a. m.]

OFFICE OF PRICE ADMINISTRATION

[MPR 136, Rev. Order 158]

CHEVROLET MOTOR DIVISION, GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 158, under Maximum Price Regulation 136, as amended, machines and parts and machinery services, is redesignated Revised Order No. 158, under that regulation, and is amended and revised to read as follows:

Revised Order No. 158, under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Chevrolet Motor Division, General Motors Corporation; Docket No. 3136-389.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority of the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended: *It is hereby ordered:*

(a) Chevrolet Motor Division, General Motors Corporation, General Motors Building, Detroit 2, Michigan, is authorized to sell to resellers each of the truck models listed in subparagraph (1) at a price not to exceed the "Net wholesale price" listed in that subparagraph, subject to the discounts in effect on March 31, 1942, to the applicable class of reseller, plus the applicable allowances in subparagraph (2):

(1) *Model, description and "net wholesale price."*

4103; Ucab-134½" Utility Chassis and Cab; $680.20.
4403; Ulcab-160" Utility Chassis and Cab; $695.40.
4409; Ulstk-160" Utility Chassis, Cab and Stake Body; $817.00.

(2) *Allowances.* (i) Allowance for extra, special, and optional equipment.

The allowance for parts covered by Maximum Price Regulation 452 shall not exceed applicable list prices in effect under that regulation, to which shall be applied the seller's regular wholesale discount in effect on March 31, 1942, to the applicable class of purchaser, for these parts when sold in connection with the applicable truck model described in subparagraph (1). The allowance for all other extra, special, or optional equipment, including oversize tires, shall not exceed the allowance for such equipment in effect on March 31, 1942, to the applicable class of purchaser.

(ii) Allowance to include federal excise tax and tire weight tax computed in accordance with the seller's method in effect on March 31, 1942.

(iii) Allowance for freight based on freight rates from Flint, Michigan, to place of delivery.

(iv) Allowance to cover seller's expense for unloading, handling, delivery, gas and oil, not to exceed $5.00, where the model is shipped to a company owned zone sales location.

(v) Allowance to cover seller's expense during January, February and March 1944, for storage in non-company owned storage locations, not to exceed $7.50 for the first month's storage or $5.00 for each other month's storage during this three months period.

(b) A reseller of Chevrolet motor trucks may sell, f. o. b. place of business, each Chevrolet motor truck of a model described in subparagraph (1) below, at a price not to exceed the applicable "Retail list price" in that subparagraph plus the applicable allowances in subparagraph (2) below, subject to the discounts in effect on March 31, 1942, for the applicable class of purchaser:

(1) *Model, description and "retail list price."*

4103; Ucab—134½" Utility Chassis and Cab; $895.00.
4403; Ulcab—160" Utility Chassis and Cab; $915.00.
4409; Ulstk—160" Utility Chassis, Cab and Stake Body; $1,075.00.

(2) *Allowances.* (i) An allowance for extra, special and optional equipment. The allowance for parts covered by Maximum Price Regulation 453, shall not exceed applicable maximum prices under that regulation. Allowance for all other equipment, including oversize tires, shall not exceed the allowance the reseller had in effect on March 31, 1942, for such equipment, to the applicable class of purchaser.

(ii) Actual freight-in expense.

(iii) The reseller's charge for handling and delivery in effect on March 31, 1942, and in addition, the storage charges he has to pay under subdivision (v) of paragraph (a) (2).

(iv) Allowance to include federal, state, and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) All requests in the application not granted in this revised order are denied.

(d) This revised order may be revoked or amended by the Office of Price Administration at any time.

This revised order shall be effective as of March 2, 1944.

Issued this 17th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3822; Filed, March 17, 1944; 4:33 p. m.]

[MPR 176, Amdt. 1 to Order 5]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 5 under Maximum Price Regulation No. 176 is amended in the following respect:

Paragraph (c) is amended to read as follows:

(c) This order shall be effective February 8, 1944.

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3852; Filed, March 18, 1944; 11:41 a. m.]

[RMPR 161, Order 42,[1] Correction]

BARRET BROS. ET AL

OVERTIME ADDITION

Order No. 42 under § 1381.156 of Revised Maximum Price Regulation 161 (West Coast Logs) paragraph (b) is corrected so that the name, address, etc., of the person authorized reads as follows:

Elmer E. Watters, Lebanon, Ore.: 48 hours—$1.00; November 1, 1943.

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3850; Filed, March 18, 1944; 11:41 a. m.]

[MPR 188, Amdt. 30 to Order A-1]

SHALE AND CLAY BUILDING BRICK IN OHIO

MODIFICATION OF MAXIMUM PRICES

Amendment No. 30 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Subparagraph (a) (26) is added to Order No. A-1 to read as set forth below:

(a) *Modification of maximum prices under Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto, are modified in accordance with § 1499.159b of Maximum Price Regulation No. 188 as hereinafter provided.

* * * * *

(26) *Modification of maximum prices for shale and clay building brick produced in the State of Ohio, except Cuyahoga County.* (i) On and after March 20, 1944, any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick (smooth, sanded, or wire cut) may increase his maximum prices, established by Maximum Price Regulation No. 188 and in effect on June 14, 1943, by an amount not in excess of $3.00 per thousand on sales f. o. b. plant or delivered to destination.

(ii) On and after March 20, 1944, any person who purchases shale and clay building brick for the purpose of resale from any manufacturer located in the State of Ohio, except Cuyahoga County, whose maximum price has been adjusted pursuant to subdivision (i), may increase his maximum prices, f. o. b. yard or delivered, established by the General Maximum Price Regulation and in effect on June 14, 1943, by an amount not in excess of the dollars-and-cents increase in cost to him resulting from the adjustment permitted herein to producers.

(iii) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity, and other

[1] Filed as part of the original document.

[1] 9 F.R. 2483.

discounts, transportation allowances, and the same rendition of transportation and other services as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iv) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick, are hereby revoked insofar as such Orders are applicable to shale and clay building brick.

(v) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for the resale of shale and clay building brick purchased from manufacturers located in the State of Ohio, except Cuyahoga County, are hereby revoked insofar as such Orders are applicable to shale and clay building brick.

This Amendment No. 30 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3868; Filed, March 18, 1944; 4:47 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-873]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of March, A. D., 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company ("Consolidated"), a registered holding company.

All interested persons are referred to said document, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Consolidated proposes to sell to Scott, Horner and Mason, Incorporated, an investment banking firm of Lynchburg, Virginia, all of the capital stock of Roanoke Gas Company ("Roanoke"), a subsidiary of Consolidated engaged in the gas utility business in and around Roanoke, Virginia. Said stock, consisting of 47,900 shares without par value, is proposed to be sold for $831,271, subject to adjustments for dividends and net earnings after January 1, 1944.

In connection with the sale by Consolidated of the stock of Roanoke, Consolidated proposes to sell to the same purchaser, $144,000 principal amount of First Mortgage 5½% Gold Bonds, due February 1, 1951, of Roanoke owned by Consolidated for 101% of the principal amount thereof and accrued interest.

Consolidated states that the Roanoke stock is presently pledged under the indenture securing the Collateral Trust Gold Bonds of Consolidated ("Consolidated Bonds") and that the Roanoke bonds owned by Consolidated are pledged under instruments securing certain bonds assumed by Consolidated and known as Federated Utilities, Inc. First Lien Collateral Trust 5½% Gold Bonds, due March 1, 1957 ("Federated Bonds"), but that said Roanoke bonds are also subject to a second lien under the indenture securing the above mentioned Consolidated Bonds. Consolidated further states that sufficient funds have been deposited with the trustee under the indenture securing the Federated Bonds for the retirement of all such Federated Bonds. It is proposed that the proceeds of the sale of the Roanoke stock shall, in effect, be applied in the retirement of Consolidated Bonds, such retirement to be effected by purchase of such bonds by Consolidated in the open market to the amount of such proceeds, the surrender of the bonds so purchased to the trustee under the indenture securing the same, and reimbursement of Consolidated from the proceeds of said sale for the amounts so expended by it. The moneys to be received from the sale of the Roanoke bonds are to be expended in like manner in the retirement of Consolidated Bonds when the proceeds of the sale thereof shall have been released from the lien of the Federated Bond indenture.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission.

It is ordered, That a hearing on said matters under the applicable provisions of said act and the rules of the Commission thereunder be held on March 28, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order to Consolidated Electric and Gas Company, Roanoke Gas Company, the State Corporation Commission of Virginia, and the Mayor of Roanoke, Virginia; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before March 24, 1944, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be received for the bonds and stock of Roanoke proposed to be sold is reasonable;

(2) Whether the proposed use of the proceeds of the sale of said securities in the retirement of the above mentioned Consolidated Bonds through purchases of such bonds in the open market is in conformity with the applicable provisions of the act;

(3) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder

(4) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3816; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-1275]

ADAMS OIL AND GAS CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The Adams Oil and Gas Company, pursuant to section 12 (d) of the Securities and Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3808; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-32]

SIMMS PETROLEUM CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule I-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Capital Stock, $10 Par Value, of Simms Petroleum Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3809; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-1716]

ASSOCIATED INSURANCE FUND, INC.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The San Francisco Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, $10 Par Value, of Associated Insurance Fund, Inc.;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3810; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-759]

NORTHWESTERN TELEGRAPH CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 4½% First Mortgage Thirty-Year Funding Gold Bonds, due January 1, 1934, extended to January 1, 1944, of Northwestern Telegraph Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3811; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-862]

MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILWAY CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5½% Twenty-Five Year Gold Notes, due March 1, 1949, of Minneapolis, St. Paul & Sault Ste. Marie Railway Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3812; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-3179]

STOKELY FOODS, INC.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $1.50 Cumulative Dividend Preferred Stock, $1 Par Value, of Stokely Foods, Inc.;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3814; Filed, March 17, 1944; 2:57 p. m.]

[File No. 1-957]

MARKET STREET RAILWAY CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 7% First Mortgage Sinking Fund Gold Bonds, Series A, due April 1, 1940, of Market Street Railway Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3813; Filed, March 17, 1944; 2:57 p. m.]

[File Nos. 31-481, 467, 165, 484, 483, 473, 157, 162, 164, 525]

KOPPERS UNITED CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of March 1944.

In the matter of Koppers United Company, File No. 31-481; The Brooklyn Union Gas Company, File No. 31-467; Koppers Company, File No. 31-165; Eastern Gas and Fuel Associates, File No. 31-484; Koppers United Company, Fuel Investment Associates and Eastern Gas

and Fuel Associates, File No. 31-483; Brockton Gas Light Company, File No. 31-473; Koppers United Company, File No. 31-167; Fuel Investment Associates, File No. 31-162; Eastern Gas and Fuel Associates, File No. 31-164; and Koppers Company, File No. 31-525.

The Commission having by order dated February 19, 1944 designated March 21, 1944 as the date for reconvening the hearing in the above consolidated proceeding involving the applications filed by Koppers United Company, Koppers Company, Fuel Investment Associates and Eastern Gas and Fuel Associates under section 3 of the Public Utility Holding Company Act of 1935 for an order exempting each of such applicants and every subsidiary thereof as such from all of the provisions of the Act; and

The applicants having requested that the hearing in this matter be postponed to April 17, 1944; and the Commission deeming it appropriate that the hearing be postponed but for a period not exceeding two weeks;

It is ordered, That the hearing in this matter previously scheduled for March 21, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed to April 4, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's Rules of Practice, be, and the same hereby is, extended to April 1, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3815; Filed, March 17, 1944; 2:37 p. m.]

[File Nos. 54-57, 59-57, 70-860]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER APPROVING PLAN AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of March, 1944.

In the Matter of American Utilities Service Corporation, File No. 54-57, and American Utilities Service Corporation and its subsidiary companies, respondents, File No. 59-57. In the matter of Fred D. Ellis and Edmund J. Haugh, File No. 70-860.

American Utilities Service Corporation, a registered holding company, having on August 31, 1942, filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan for compliance with section 11 (b) (2); and

The Commission having thereafter instituted proceedings pursuant to section 11 (b) (1) and section 11 (b) (2) of said act; and

American Utilities Service Corporation having subsequently filed an application and declaration on January 17, 1944, and an amendment thereto on January 31, 1944, regarding the sale of all of the securities of its subsidiary, Northwestern Illinois Utilities, an electric and gas utility, such securities consisting of 95,000 shares of common stock, par value $5 per share, and an unsecured note dated November 1, 1938, and due November 1, 1964, in the principal amount of $375,000, the consideration being $840,000 in cash with interest at the rate of 6% per annum from January 1, 1944, to closing date; and

American Utilities Service Corporation having proposed to use the proceeds from such sale to call and retire $800,000 principal amount of its Collateral Trust 6% Bonds, Series A, due 1964; and

American Utilities Service Corporation having requested that the order of the Commission approving said plan of January 17, 1944, conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations described in sections 371 (b), 371 (f) and 1808 (f) of said Internal Revenue Code, as amended; and

Fred D. Ellis and Edmund J. Haugh having filed an application pursuant to sections 9 (a) (2) and 10 of the act with respect to the acquisition of the securities of Northwestern Illinois Utilities; and

Consolidated hearings in the above matters having been held after appropriate notice; and the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, And recited that the sale and transfer by American Utilities Service Corporation of all of its securities of its subsidiary, Northwestern Illinois Utilities, consisting of 95,000 shares of common stock, par value $5 per share, and an unsecured note dated November 1, 1938 and due November 1, 1964 in the principal amount of $375,000 for the sum of $840,000 in cash with interest at the rate of 6% per annum from January 1, 1944 to closing date, and the use of the proceeds from such sale to call and retire a portion of its bonds, is necessary or appropriate to the integration or simplification of the American Utilities Service Corporation holding company system and is necessary or appropriate to effectuate the provisions of section 11 (b).

It is further ordered, That the said plan of American Utilities Service Corporation of January 17, 1944 be, and is hereby approved, and that the said declaration of the company be, and is hereby permitted to become effective, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the said application by Fred D. Ellis and Edmund J. Haugh be, and hereby is approved, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3858; Filed, March 18, 1944; 2:37 p.m.]

[File No. 1-1616]

NEW YORK AND HARLEM RAILROAD CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of March, A. D. 1944.

In the matter of New York and Harlem Railroad Company, $50 Par 10% Rental Preferred Stock.

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $50 Par 10% Rental Preferred Stock of New York and Harlem Railroad Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, March 27, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3859; Filed, March 18, 1944; 2:37 p. m.]

BOND & GOODWIN, INC.

ORDER SUSPENDING REGISTERED BROKER-DEALER FROM NATIONAL SECURITIES ASSOCIATION AND DISCONTINUING REVOCATION PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of March, A. D., 1944.

In the matter of Bond & Goodwin Incorporated, 30 Federal Street, Boston, Massachusetts.

The Commission by order having instituted proceedings pursuant to section 15 (b) and section 15A (*l*) (2) of the Securities Exchange Act of 1934 to determine whether the registration of the respondent, Bond & Goodwin, Incorporated, as a broker-dealer should be revoked and whether or not the said Bond & Goodwin, Incorporated, should be suspended or expelled from the National Association of Securities Dealers, Inc., a registered national securities association;

Private hearings having been held after appropriate notice, and the Commission being duly advised and having this day filed its findings and opinion herein; on the basis of said findings and opinion: *It is ordered*, That the record and the findings and opinion of the Commission herein be made public;

It is further ordered, That the proceedings herein pursuant to section 15 (b) of the Securities Exchange Act of 1934 be and they hereby are discontinued; and

It is further ordered, Pursuant to section 15a (*l*) (2) of said act, that Bond & Goodwin, Incorporated, be and it hereby is suspended from the National Association of Securities Dealers, Inc. for a period of thirty days commencing one week from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3860; Filed, March 18, 1944; 2:37 p.m.]

[File No. 70-875]

LOUISIANA POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of March A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this commission pursuant to the Public Utility Holding Company Act of 1935 by Louisiana Power & Light Company (hereinafter referred to as "Louisiana"), a subsidiary of Electric Power & Light Corporation, a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Louisiana proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $17,000,000 principal amount of First Mortgage Bonds to mature April 1, 1974. The interest rate and the price to be paid to the company for such bonds (which shall not be less than 101¾% of the principal amount thereof) are to be fixed by the bid of the successful bidder for the proposed bonds. The proceeds from the sale of the bonds are to be applied toward the redemption of the company's presently outstanding $17,500,000 principal amount of First Mortgage Gold Bonds, 5% Series, due 1957 at 102½% of the principal amount thereof plus accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both), shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the Rules of the Commission thereunder be held on April 3, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Public Service Commission of Louisiana and on the applicant or declarant herein; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before April 1, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed Mortgage Bonds are reasonably adapted to the earning power and the security structure of Louisiana and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Louisiana is presently engaged.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said Mortgage Bonds are reasonable.

(3) Whether the terms and conditions of the issue of sale of said Mortgage Bonds are detrimental to the public interest or the interests of investors or consumers.

(4) Whether in the event the declaration shall be permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3861; Filed, March 18, 1944; 2:38 p. m.]

[File No. 70-857]

THE HARPERS FERRY PAPER CO. AND VIRGINIA PUBLIC SERVICE CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of March 1944.

Virginia Public Service Company, a subsidiary of a registered holding company, and its wholly-owned subsidiary, The Harpers Ferry Paper Company, having filed a joint application-declaration pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and rules promulgated thereunder regarding (1) the sale by The Harpers Ferry Paper Company of all its assets, consisting entirely of physical property, to a non-affiliate, Potomac Light and Power Company, for $150,000 in cash, subject to adjustments at date of closing; and (2) subsequent surrender by Virginia Public Service Company to The Harpers Ferry Paper Company of the common stock of the latter, its entire capitalization, and the assumption of its liabilities, in exchange for all of the assets, consisting entirely of cash, of The Harpers Ferry Paper Company which is thereupon to dissolve;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,

[F. R. Doc. 44-3862; Filed, March 18, 1944; 2:38 p. m.]

[File No. 70-764]

TRI-CITY UTILITIES CO., ET AL.

NOTICE OF FILING AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia 3, Pa., on the 17th day of March 1944.

In the matter of Tri-City Utilities Company, Associated Electric Company, Owensboro Gas Company, and K-T Electric and Water Company.

A joint application-declaration having been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company (Aelec), a registered holding

company, and three wholly-owned subsidiaries, Tri-City Utilities Company (Tri-City), Owensboro Gas Company (Owensboro), and K-T Electric and Water Company (K-T); and

The Commission having on July 29, 1943, issued its notice of filing and order for hearing with respect to said application-declaration; and

A public hearing having been duly held in the proceedings, and the said hearing having been continued subject to call; and

The Commission having on August 14, 1943, issued its findings, opinion and order, granting the application and permitting the declaration to become effective, subject to certain conditions, by the terms of which jurisdiction was reserved over all accounting entries with respect to the transactions proposed, on the books of Aelec, K-T and Owensboro, and over the proposed accounting reorganization of Owensboro;

Notice is hereby given that amendments to the application-declaration have been filed by the parties; and

All interested persons are referred to the said application-declaration, as amended, which is on file in the office of the said Commission, for a statement of the transaction now proposed, which is summarized below:

Owensboro proposes to effect an accounting reorganization, including a reduction in the par value of its capital stock from $100 per share to $40 per share, the difference being credited to capital surplus, a restatement of its combined plant and property account, and an elimination of its earned surplus deficit by a charge to capital surplus.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the application-declaration, as amended, and that the hearing be reconvened for the purpose of adducing further evidence:

It is ordered, That the hearing in this matter be reconvened for the purpose of adducing further evidence for the determination of the matters submitted to this Commission by said application-declaration, as amended, or as it may be hereafter amended, and for the purpose of affording further opportunity to all interested persons to be heard.

It is further ordered, That such hearing be reconvened on March 28, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said joint application-declaration, as amended, particular attention will be directed at such hearing to the matters referred to in the Commission's notice of filing and order for hearing, dated July 29, 1943, except in so far as such matters were disposed of by the Commission's order dated August 14, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3803; Filed, March 18, 1944; 2:38 p.m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 20]

ALIEN LABORERS

EXEMPTION FROM SELECTIVE SERVICE REGISTRATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

That each native national and resident of a nation located in the Western Hemisphere who has not declared his intention to become a citizen of the United States and who has entered or hereafter enters the United States for the sole purpose of engaging in industry or agriculture under conditions prescribed by the Attorney General pursuant to arrangements between the Governments of the nation of which he is a national and the United States of America, and who has in his personal possession a valid Alien Laborer's Identification Card (Form I-100) or Woodsman Manifest (Form I-491) issued by the Immigration and Naturalization Service of the United States Department of Justice, shall not be required to present himself for and submit to registration under the Selective Training and Service Act of 1940, as amended, during the "period of admission" or extension thereof specified on such Alien Laborer's Identification Card (Form I-100) or Woodsman Manifest (Form I-491): *Provided*, That during such period of admission or extension thereof he continues in such industry or agriculture.

LEWIS B. HERSHEY, *Director.*

MARCH 17, 1944.

[F. R. Doc. 44-3804; Filed, March 18, 1944; 3:20 p. m.]

WAR FOOD ADMINISTRATION.

Office of Distribution.

WICHITA, KANS., MARKETING AREA

HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed order regulating the handling of milk in the Wichita, Kansas, marketing area:

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), notice is hereby given of the filing with the hearing clerk of this report of the Director of Food Distribution, with respect to a marketing agreement and to an order regulating the handling of milk in the Wichita, Kansas, marketing area to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*) Interested parties may file exceptions to this report with the hearing clerk, Office of the Solicitor, Room 1331, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER.

The hearing which was initiated by the Office of Distribution, following receipt of a petition by the Wichita Milk Producers' Association, was held at Wichita, Kansas, on January 12 and 13, 1944, after the issuance of notice on December 22, 1943 (8 F.R. 17313).

The major issues developed at the hearing were: (1) whether there is interstate commerce in milk in the Wichita market; (2) whether an order should be issued; (3) the extent of the marketing area; (4) the classification of milk and milk products; (5) the level of class prices and the method for determining such prices; (6) whether a base-rating plan should be included in the order; (7) the amount of the assessment for the costs of administration; and (8) the administrative provisions common to all orders.

With respect to these issues it is concluded from the record that:

1. There is interstate commerce in milk in the Wichita, Kansas, marketing area.

2. An order should be issued to regulate the handling of milk in the marketing area.

3. The marketing area should include the city of Wichita, Kansas, and the metropolitan area adjacent thereto.

4. The classification of milk as set out in the notice of hearing should be adopted, with the exception that flavored skim milk drinks containing not more than 1 percent butterfat should be classified as Class II.

5. The basic formula price proposed in the notice of hearing should be retained in the order, and Class I and Class II milk should be priced 75 cents and 50 cents respectively over the basic price. The Class III price should be as proposed in the notice of hearing.

6. A base-rating plan should be incorporated in the order.

7. The amount of the administrative assessment should not exceed 4 cents per hundredweight.

8. The administrative provisions should be essentially as set forth in the notice of hearing subject only to minor changes for purposes of clarity.

The following proposed order is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because its provisions are identical with those set forth in the proposed order.

PROPOSED ORDER REGULATING HANDLING OF MILK IN THE WICHITA, KANSAS, MARKETING AREA

It is found upon the evidence introduced at the public hearing held in Wichita, Kansas, on January 12 and 13, 1944:

1. That this order regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

2. That the issuance of this order and all of the terms and conditions of the order tend to effectuate the declared policy of the act.

Provisions

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may hereafter be authorized to exercise the powers and perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Wichita, Kansas, marketing area," hereinafter referred to as the "marketing area" means all the territory within the corporate limits of the city of Wichita, Kansas, and the territory within Delano, Kechi, Minneha, Riverside, Waco, and Wichita Townships and the city of Eastborough, all in Sedgwick County, Kansas.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which is received at the plant of a handler from which milk is disposed of as Class I milk or as Class II milk in the marketing area. This definition shall include any person who produces milk which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, disposes of as Class I or Class II milk in the marketing area all, or a portion of the milk purchased or received by him from (1) producers, (2) his own production, and (3) other handlers. This definition shall include a cooperative association with respect to milk which it causes to be delivered from a producer to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area.

(g) "Market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

(h) "Delivery period" means the then current marketing period from the first to, and including, the last day of each month.

(i) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at, the discretion of the War Food Administrator.

(b) *Powers.* The market administrator shall: (1) administer the terms and provisions hereof; and (2) report to the War Food Administrator complaints of violation of the provisions hereof.

(c) *Duties.* The market adminstrator shall:

(1) Within 45 days following the date upon which he enters upon his duties execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in the amount and with surety thereon satisfactory to the War Food Administrator;

(2) Pay out of the funds provided by section 11 hereof the cost of his bond, his own compensation, and all other expenses necessarily incurred by him in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 or (ii) made payments pursuant to section 6; and

(5) Promptly verify the information contained in the reports submitted by handlers.

SEC. 3. *Classification of milk*—(a) *Basis of classification.* All milk and milk products purchased or received by each handler, including milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, shall be reported by the handler in the classes set forth in (b) of this section: *Provided*, That (i) milk sold or disposed of by a handler as fluid milk to a nonhandler who distributes fluid milk or cream shall be classified as Class I milk, and cream sold or disposed of by a handler as cream to such nonhandler shall be classified as Class II milk; (ii) milk or cream sold or disposed of by a handler to a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk subject to verification by the market administrator; (iii) milk sold or disposed of as fluid milk by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided*, That if such milk, except milk sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator; (iv) cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided*, That if such cream, sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly, subject to verification by the market administrator; and (v) milk or cream sold or disposed of by a handler who receives no milk from producers to another handler who receives milk from producers shall be classified in the lowest use classification of the purchasing handler.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section the classes of utilization shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of in the form of milk and buttermilk or in the form of flavored milk drinks containing more than 1 percent butterfat and all milk not specifically accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream (for consumption as cream, including any cream product in fluid form which contains 6 percent or more butterfat), creamed cottage cheese, aerated cream, eggnog, and flavored milk drinks containing not more than 1 percent butterfat.

(3) Class III milk shall be all milk specifically accounted for (i) as used to produce a milk product other than those specified in Class II milk and (ii) as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification as required in (b) of this section, of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class.* For each delivery period each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received as follows: add together the total pounds of milk received from (i) producers, (ii) own farm production, (iii) other handlers, and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: (i) multiply by its average butterfat test the weight of the milk received from (a) producers, (b) own farm production, (c) other handlers, and (d) other sources, and (ii) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart, (ii) multiply the result by the average butterfat test of such milk, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph is less than the total pounds of butterfat received computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.8 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III by its average butterfat test, (ii) add together the resulting amounts, (iii) subtract from the total pounds of butterfat computed pursuant to (2) of this paragraph the total pounds of butterfat in Class I milk, computed pursuant to (3) (ii) of this paragraph, the total pounds of butterfat in Class II milk, computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler, (iv) add together the results obtained in (ii) and (iii) of this subparagraph, and (v) divide the results obtained in (iv) of this subparagraph by 3.8 percent.

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the remaining pounds of milk in each class the pounds of milk which were received from sources other than producers, own farm production, and other handlers in series beginning with the lowest class.

(iii) Subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk used in the several classes as computed pursuant to (d) (6) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to section 6 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts from producers and the total utilization of milk by classes for such handler.

SEC. 4 *Minimum prices*—(a) *Class prices.* Subject to the differentials set forth in (c) and (d) of this section each handler shall pay producers, at the time and in the manner set forth in section 8 for milk purchased or received from them, not less than the following prices:

(1) *Class I milk.* The price per hundredweight of Class I milk during each delivery period shall be the price determined pursuant to (b) of this section plus 75 cents.

(2) *Class II milk.* The price per hundredweight of Class II milk during each delivery period shall be the price determined pursuant to (b) of this section plus 50 cents.

(3) *Class III milk.* The price per hundredweight of Class III milk during each delivery period shall be the highest price paid for ungraded milk containing 3.8 percent butterfat during the delivery period by any of the following: DeCoursey Cream Company at its plants at Wichita or Anthony, Kansas; the Central Kansas Cooperative Creamery Association at its plant at Hillsboro, Kansas; or the Arkansas City Cooperative Milk Association at its plant at Arkansas City, Kansas.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the Class I and Class II prices, set forth in this section, per hundredweight of milk as computed and announced by the market administrator on or before the 5th day of the delivery period, shall be the arithmetical average of the prices per hundredweight reported to the United States Department of Agriculture as being paid all farmers for milk of 3.5 percent butterfat content during the immediately preceding delivery period at the following plants and places:

Borden Company, Mt. Pleasant, Mich.
Carnation Company, Sparta, Mich.
Pet Milk Company, Hudson, Mich.
Pet Milk Company, Wayland, Mich.
Pet Milk Company, Coopersville, Mich.
Borden Company, Greenville, Wis.
Borden Company, Black Creek, Wis.
Borden Company, New London, Wis.
Borden Company, Orfordville, Wis.
Carnation Company, Chilton, Wis.
Carnation Company, Berlin, Wis.
Carnation Company, Richland Center, Wis.
Carnation Company, Oconomowoc, Wis.
Carnation Company, Jefferson, Wis.
Pet Milk Company, New Glarus, Wis.
Pet Milk Company, Belleville, Wis.
White House Milk Company, Manitowoc, Wis.
White House Milk Company, West Bend, Wis.

divided by 3.5 and multiplied by 3.8, but in no event shall such basic formula price to be used be less than the Class III price computed pursuant to (a) (3) of this paragraph.

(c) *Emergency price provisions.* (1) Whenever the War Food Administrator finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the pubic interest, the Class I price for such delivery period shall be the same as the Class I price for the preceding delivery period: *Provided*, That if the War Food Administrator for two consecutive delivery periods finds and announces that the Class I price computed pursuant to (a) of this section is not in the public interest, he shall, upon request of interested parties, and pursuant to the applicable provisions of the act, issue notice of and opportunity for a hearing upon a proposed amendment to this section of the order.

(2) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

SEC. 5. *Reports of handlers*—(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler who purchased or received milk from sources other than his own production or other handlers shall, with respect to milk or dairy products which were purchased, received, or produced by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant of milk from each producer, the butterfat content, and the number of days on which milk was received from each producer;

(2) The receipts from such handler's own farm production and the butterfat content;

(3) The receipts of milk, cream, and milk products from handlers who purchase or receive milk from producers and the butterfat content;

(4) The receipts of milk, cream, and milk products from any other source and the butterfat content;

(5) The respective quantities of milk and milk products and the butterfat content which were sold, distributed, or used, including sales to other handlers for the purpose of classification pursuant to section 3; and

(6) Such other information with respect to the use of the milk as the market administrator may request.

(b) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, upon the request of the market administrator, each handler who purchased or received milk from producers shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer: (1) his total deliveries of base milk and total deliveries of milk in excess of base milk, (2) the average butterfat content of his milk, and (3) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(c) *Reports of handlers whose sole source of supply is from such handler's own farm production or from other handlers.* Handlers whose sole source of supply is from such handler's own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(d) *Verification of reports and payments.* The market administrator shall verify all reports and payments of such handler by audit of such handler's records and of the records of any other handler or persons upon whose disposition of milk the classification depends. Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk and milk products, and in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk purchased or received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

SEC. 6. *Application of provisions.* (a) The provisions of sections 3, 7, 8, 9, 10, and 11 shall not apply to a handler whose sole source of supply is from such handler's own farm production or from other handlers.

(b) If a handler who purchases or receives milk from producers, purchases or receives milk or cream in bulk from another handler who purchases or receives no milk from producers and sells or disposes of such milk or cream for other than Class III purposes, the market administrator, in determining the net pool obligation of the handler, pursuant to section 7 (a) shall add an amount equal to the difference between (1) the value of such milk or cream according to its utilization by the handler and (2) the value at the Class III price.

(c) If a handler has sold or disposed of milk or cream which was received from sources other than producers, his own farm production, or other handlers as Class I or Class II milk within the marketing area to persons other than a handler who purchases or receives milk from producers, the market administrator, in determining the net pool obligation of the handler, pursuant to section 7, shall add an amount equal to the difference between (1) the value of such milk according to its utilization by the handler and (2) the value at the Class III price.

(d) If a handler has purchased or received milk or butterfat from sources determined as other than producer, own farm production, or other handlers, the market administrator, in determining the net pool obligation of the handler pursuant to section 7, shall consider such milk or the milk equivalent of such butterfat as Class III milk. If the receiving handler sells or disposes of such milk or butterfat for other than Class III purposes, the market administrator shall add an amount equal to the difference between (1) the value of such milk or butterfat according to its utilization by the handler and (2) the value at the Class III price.

(e) The provisions of (b) (c) and (d) above shall not apply if the handler can prove to the market administrator that such milk or butterfat was used only to the extent that milk of producers was not available.

(f) If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers, own farm production, or other handlers, has disposed of milk and/or butterfat in excess of the milk and/or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator, in determining the net pool obligation of the handler, pursuant to section 7, shall add an amount equal to the value of such milk and/or butterfat according to its utilization by the handler.

SEC. 7. *Determination of uniform price to producers*—(a) *Net pool obligations of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of milk in each class computed pursuant to section 3 (d) by the class price pursuant to section 4 (a), add together the resulting values, and add the value of any payments required to be made pursuant to section 6.

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute and announce the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by section 5 and who made the payments prescribed by section 8;

(2) Add an amount equal to one-half of the cash balance in the producer-settlement fund less the amount due handlers pursuant to section 8 (g);

(3) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers.

(4) Compute the total quantity of milk which represents the delivered bases of producers and which is included in the computation made pursuant to (a) of this section.

(5) Compute the total value of the milk which is in excess of the delivered bases of producers determined pursuant to (4) of this paragraph and which is included in the computation pursuant to (a) of this section, by multiplying such quantity of milk by the Class III price.

(6) Compute the total value of the milk represented by the delivered bases of producers by subtracting the value obtained in (5) of this paragraph from the value obtained in (1) of this paragraph.

(7) Divide the result obtained in (6) of this paragraph by the quantity of milk represented by the delivered bases of producers as determined in (4) of this paragraph. This result shall be known as the uniform price per hundredweight for such delivery period for base milk of producers containing a 3.8 percent butterfat.

(8) On or before the 8th day after the end of each delivery period notify all handlers and make public announcement of these computations, of the uniform price per hundredweight of base milk, computed pursuant to this paragraph, and of the Class I, Class II, and Class III prices computed pursuant to section 4.

SEC. 8. *Payments for milk*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period each handler shall make payment, after deducting the amount of the payment made pursuant to (b) of this section, subject to the butterfat differential set forth in (c) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the uniform price per hundredweight computed pursuant to section 7 (b) for that quantity of milk received from such producer not in excess of such producer's base;

(2) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the Class III price for that quantity of milk received from

to (d) (6) of this section and the quantity

Carnation Company, Canton, Wis.

such producer in excess of such producer's base; and

(3) To a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

(b) *Half delivery period payments.* On or before the 25th day of each delivery period, each handler shall make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of such delivery period, was received by such handler.

(c) *Butterfat differential.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.8 percent, such handler in making the payments prescribed in (a) of this section, shall add to the prices per hundredweight for such producers for each one-tenth of 1 percent of average butterfat content in milk above 3.8 percent not less than, or shall subtract from such prices for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.8 percent not more than, an amount computed as follows: to the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation, including the payments to producers which are required to be made pursuant to section 6 is greater or less than the sum obtained by multiplying the hundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) of this section and adding together the resulting amounts, and shall enter such amount on each handler's account as such handler's pool debit or credit, as the case may be, and render such handler a transcript of his account.

(e) *Payments to the producer-settlement fund.* On or before the 10th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund, the amount by which the net pool obligation of such handler including the payments required to be made pursuant to section 6 is greater than the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section.

(f) *Payments out of the producer-settlement fund.* (1) On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section is greater than the net pool obligation of such handler, including the payments required to be made pursuant to section 6.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (d) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following the disclosure.

SEC. 9. *Base rating*—(a) *Determination of base.* The base of each producer, who is not also a handler, shall be a quantity of milk for each delivery period calculated by the market administrator in the following manner: multiply the applicable figure computed pursuant to (b) of this section by the number of days for which such producer's milk was delivered during the delivery period: *Provided*, That, if during any delivery period the total milk not in excess of base, delivered by all producers does not equal 105 percent of Class I and Class II sales for the delivery period, the market administrator shall add thereto as emergency base, in the case of each producer who delivered milk in excess of his base the percent of his excess milk which is the percent of his total excess milk needed to bring total base deliveries up to approximately 110 percent of Class I and Class II sales.

(b) *Determination of daily base.* (1) Effective for the calendar quarter ending (end of first quarter under order) the daily base of each producer shall be the daily base of such producer on record in the office of the market administrator under the Amended License for Milk No. 44, Wichita, Kansas, Sales Area, issued by the Secretary of Agriculture August 14, 1935. If no such base is on record for any producer who is not also a handler, the market administrator shall determine a base for such producer in the manner provided in (3) of this paragraph.

(2) For each calendar quarter subsequent to (and of first quarter under order) the daily base of each producer shall be an amount calculated by the market administrator as follows: (i) divide the total milk, not in excess of his base, delivered by each producer during the next preceding calendar quarter by the number of days in that quarter and (ii) if the total of the figures so calculated for all producers is not equal to 110 percent of the total sales of Class I and Class II milk by all handlers during that quarter, add to the figure for each producer an equal amount sufficient to bring the total to 110 percent of the total sales of Class I and Class II milk.

(3) In the case of a producer who resumes delivery after not having marketed milk to a handler for a period of more than 30 consecutive days or for whom there is no base on record in the office of the market administrator, a base shall be allotted in the following manner: for each delivery period from the date upon which such producer first markets milk to a handler until the conclusion of one full calendar quarter, the market administrator shall multiply such producer's daily average deliveries of milk by the percentage that base deliveries were to total deliveries to the market during the delivery period by all base holding producers on the market. After the conclusion of one full calendar quarter, the market administrator shall determine a base for such producer in accordance with (2) of this paragraph.

(4) In the case of a producer who is also a handler and who disposes of all of his delivery routes to another handler who is not a producer, the market administrator shall determine the daily average of the total sales of Class I milk and Class II milk by such producer during the preceding 8 months. The figure thus determined shall be such producer's base from the date of such determination until the end of the calendar quarter next following. Thereafter the base of such producer shall be determined in accordance with (2) of this paragraph.

(c) *Base rules.* (1) Any producer who ceases to deliver milk to a handler for a period of more than 30 consecutive days shall forfeit his base. In the event such producer thereafter commences to deliver milk to a handler he shall be allotted a daily base computed in the manner provided in (b) (3) of this section.

(2) A landlord who rents on a share basis shall be entitled to the entire daily

base to the exclusion of the tenant if the landlord owns the entire herd. A tenant who rents on a share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by the tenant and landlord, the daily base shall be divided between the joint owners according to ownership of the cattle when such share basis is terminated.

(3) A producer, whether landlord or tenant, may retain his base when moving his entire herd of cows from one farm to another: *Provided*, That at the beginning of a tenant and landlord relationship the base of each landlord and tenant may be combined and may be divided when such relationship is terminated.

(4) Base may be transferred only under the following conditions: (i) in case of the death of a producer, his base may be transferred to a surviving member or members of his family who carry on the dairy operations, and (ii) on the retirement of a producer, his base may be transferred to an immediate member of his family who carries on the dairy operations.

(5) Any producer desiring to earn a new base may do so by notifying the market administrator that he is relinquishing his base at the beginning of the delivery period next following. In such case all milk delivered by such producer during the next 2 full calendar months shall be considered as milk in excess of base. At the end of 2 months a new base shall be allotted by the market administrator computed in the manner provided in (b) (3) of this section.

SEC. 10. *Marketing service*—(a) *Deduction for marketing service.* Except as set forth in (b) of this section each handler shall deduct 4 cents per hundredweight from the payments made to each producer pursuant to section 8 (a) (1) and (a) (2) with respect to all milk of such producer purchased or received by such handler during the delivery period, and shall pay such deductions to the market administrator for market information to, and for the verification of weights, sampling, and testing of milk received from said producers. The market administrator may contract with a cooperative association or cooperative associations for the furnishing of the whole or any part of such services.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, is performing the services set forth in (a) of this section, each handler shall make the deductions from the payments to be made pursuant to sections 8 (a) (1) and (a) (2), which are authorized by such producers, and, on or before the 10th day after the end of each delivery period, pay over such deductions to the associations of which such producers are members.

SEC. 11. *Expenses of administration.* As his prorata share of the expenses of the administration hereof, each handler who purchased or received milk from producers, with respect to all milk received from producers during the delivery period, shall pay to the market administrator, on or before the 10th day after the end of such delivery period, an amount not exceeding 4 cents per hundredweight, which amount shall be determined by the market administrator subject to review by the War Food Administrator.

SEC. 12. *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to (b) of this section.

(b) *Suspension or termination.* Any or all of the provisions hereof, or any amendment hereto, may be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator shall give and shall, in any event, terminate whenever the provisions of the act cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shal (i) continue in such capacity until removed, (ii) from time to time account for all receipts and disbursements and when so directed by the War Food Administrator deliver all funds on hand, together with the books and records of the market administrator, or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 13. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 18th day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3865; Filed, March 18, 1944; 3:14 p. m.]

GREATER BOSTON, MASS., MARKETING AREA

HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed amendment to the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, Marketing Area.

Pursuant to § 900.12 (a) of the rules of practice and procedure (7 CFR, Cum. Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), Food Distribution Administration, War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director of Food Distribution, with respect to a marketing agreement and to amendment of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Food Distribution Administration (now Office of Distribution) as a result of petitions filed by 12 producers' cooperatives for a public hearing to receive evidence on a proposal to increase the price for Class I milk. The proposals of two of the 12 cooperatives also included a request for an increase in Class II price. The hearing notice also included suggested amendments of several Boston milk handlers and of the Dairy and Poultry Branch, Office of Distribution. It was concluded from consideration of the various proposals submitted that a hearing should be held and a hearing was held at Boston, Massachusetts, on September 23 and 24, following issuance of notice on September 15, 1943.

The issues developed at the hearing concerned: (1) an increase in the Class I price; (2) elimination of price quotations for casein and animal feed skim milk powder from the Class II price formula; (3) revision of the order from a market-wide to an individual-handler type of pool, either continuously or for the months of October, November, and December only; (4) pooling of transportation and plant handling costs; (5) a ceiling for the butterfat differential; (6) revision of the so-called transfer provisions, including elimination of the present optional features; (7) revision

from 33.48 to 33.0 of the factor in the Class II formula for converting the price per 40-quart can of cream of 40 percent butterfat content to milk equivalent; (8) provision in the case of a plant from which shipment of milk to the market is discontinued, that the order shall apply to handling operations at such plants for 90 days after shipments have been discontinued; and (9) the adoption of minor changes of an administrative nature.

With respect to these issues, it is concluded that the following changes should be made:

1. In the Class II price formula, skim milk manufactured into casein during April, May, and June should be priced separately at the present casein formula in the order.

A separate price on skim milk made into casein during April, May, and June recognizes the fact, as pointed out at the hearing by industry witnesses, that some casein manufacture is needed during the flush production season when volume of Class II skim milk exceeds the capacity of available facilities for making other products. The proposed change will protect handlers who are unable to avoid making casein from sustaining a loss on the operation, and it will also prevent the price for the remaining Class II milk from being depressed by low casein values.

This amendment would raise the Class II regular price 8.3¢ per hundredweight during April, May, and June, on the basis of price relationships existing in September, 1943.

The record also shows that animal feed powder, which is given a weight of 50 percent in the formula, has become an insignificant factor in the milk powder industry in this region, with production at such a low level that the Market News Division of the Department has found no carlot sales to report since September, 1941. The price equivalent of animal feed powder is less than other powder prices in an amount greater than normal. On the basis of this information it might seem that the animal feed powder price should be given a lesser weight or eliminated from the formula, as proposed by various parties, and thereby increase the Class II skim milk value. However, the area in which milk powder is manufactured in this milkshed is adjacent to and overlaps a part of the New York supply area in which is located powder facilities which in past years have absorbed a substantial proportion of the Class II skim milk in the Boston pool. At present, the price formulas for manufactured skim milk under both the Boston and New York Orders are the same. Any upward adjustment in the Boston value without a similar adjustment in the New York value would discourage New York handlers with powder-making facilities from absorbing the Boston milk. In addition, several companies engaged in manufacturing cottage, pot, bakers', Italian, and Greek chesses, who now purchase larger quantities of surplus skim milk from Boston handlers would be encouraged to shift to the New York supply for their raw products. Until it can be shown that other manufacturing facilities are available to handle such displaced milk it seems inadvisable to disturb the present relationship between New York and Boston fluid skim values.

2. Provision should be made for temporarily pricing to handlers all butterfat which may be manufactured into butter or Cheddar cheese, American Cheddar cheese, Colby cheese, washed curd cheese or part-skim Cheddar cheese at the cream value now provided in § 904.6 (b) (3 of the order. For butter manufactured from milk of a butterfat content in excess of 3.7%, the order now requires a handler to pay 69¢ per pound for the butterfat in excess of 3.7% compared to a value of 50.1¢ reflected by the regular butter price formula. In addition, a handler must pay the regular Class II price for milk manufactured into Cheddar cheese. For September, 1943, this was $2.886 per hundredweight compared to $2.295 for the Cheddar cheese class under the New York Order. The higher rate is clearly prohibitory.

The large difference between the butterfat value in the butter price formula and the butterfat differential value is caused by an abnormally high price for cream in the wholesale market at Boston, relative to butter prices. Adjustment of the latter value as it applies to butterfat made into butter is needed to prevent inequity between handlers. While a ceiling on the butterfat differential generally which was proposed is not recommended, an adjustment in its application to milk made into butter is needed.

A price adjustment to give handlers an opportunity to manufacture Cheddar cheese is needed to provide an additional outlet for skim milk solids, particularly in a product of which more production is needed for the war effort, which may be desirable in this milkshed to offset the limitations on skim milk outlets imposed by Food Distribution Orders Numbered 79 and 92. The record shows, in connection with proposed changes in the Class II skim value, a general uncertainty among handlers as to the manufacturing opportunities in 1944 due to Government restriction and limitation orders. One witness representing producers recommended that, in light of such limitations, a survey be conducted to determine remaining available facilities as a basis for providing price formulas which will enable handlers to utilize such facilities without incurring substantial losses. The recommended amendment with respect to price on milk manufactured into Cheddar cheese is based on such a survey which shows, among other things, that a few plants in the Boston milkshed have facilities for making Cheddar cheese. The price provision provided for Cheddar cheese represents a value comparable to the price of a similar class of milk under the New York Order, but it is drafted in such a way that it causes no inconsistency with the basic price structure under the Boston Order which provides for only a single butterfat differential.

3. Minor revisions should be made for administrative purposes.

The following conclusions are with respect to issues, concerning which no changes are proposed:

1. No increase is proposed for the Class I price as changes in production costs are now reflected, within the framework of the "hold the line" program announced in March, 1943, by the Director of Economic Stabilization, by the dairy feed payment program. Revision of Class I prices named in the order must await resolution by appropriate authorities of the method to be used to reflect returns to producers which will be adequate to encourage them to maintain the desired level of milk production during 1944.

2. Evidence supporting a change from the present market-wide pool to the individual-handler type of pool is inconclusive. One group of handlers proposed this type of pool as a continuous proposition, two other handlers proposed it on a seasonal basis, one other handler, a cooperative, maintained that the change would be detrimental to its producers. Such a change would be a fundamental revision in this regulation, introducing new incentives in marketing practices of major degree. The impact of such incentives were sketched in no more than a fragmentary manner by the proponents of the change. In the absence of more detailed analysis of the probable effects of such a change which indicates distinct advantages over the present system, or conclusive evidence of fundamental defects in the present system, adoption of the individual-handler type of pool seems inadvisable.

3. Pooling of transportation and plant handling costs would allow handlers with relatively inefficient milk assembly operations to deduct more from the producer's price, to reflect the added cost to handlers and service to producers of milk-receiving plants located at country points, than would be allowed in the case of other handlers with relatively efficient milk assembly operations. This would lessen any incentive to improve efficiency of plant operations which, in the long run, would be disadvantageous to producers, handlers, and the general public. This does not mean that there is no place for small volume plants in the milkshed; on the contrary they offer a real economic advantage in some situations, such as providing the one outlet for milk in an isolated area. This situation is now recognized in the order through permissive deductions, from producers who deliver milk to small plants, to reflect the added cost of shipping milk in quantities smaller than railroad or truck tank loads. This problem is well stated in the brief filed jointly by five of the principal cooperatives in this market in connection with a hearing on a similar proposal made at a hearing held in January 1942, as follows: "If competitive conditions do not allow the handler in certain cases to take this deduction, it is evidence that the small volume operation has no economic justification."

The proponents of the pooling of transportation and plant handling costs also proposed that sales of fluid milk by a handler who had already purchased it from another handler be allowed as Class II for manufacturing purposes. In other words, to permit a handler the privilege of having a given lot of milk traced from the first to the second to the third person who handled it to establish the disposition of the milk. In verifying the utilization of milk by handlers it is usually impossible to trace a given lot of milk to its ultimate use if it passes through the plants of several handlers. It is common for a handler to intermingle milk of several sources; thus identity is lost if the same milk is handled by more than one handler. Administrative experience has shown that in this market limiting the tracing of milk to the second of the various handlers who may have possession of the same milk before it is ultimately disposed of is necessary to prevent endless administrative detail in verifying use of milk for classification purposes, and provides equity among handlers. A case for exception to this rule must show that it has caused a handler to suffer unreasonable hardship. The proponents of a change have shown only two cases for the record to demonstrate the disadvantages of the present provision, neither of which shows real hardship. In one case, the handler is the second handler of the milk only by virtue of his marketing practices in which a separate corporation is maintained for operating a milk-receiving station in the milk-producing area, as an exclusive supply for another corporation distributing milk in the marketing area. The plan is typical of several similar plans. In such a situation the present provision is needed to prevent mushrooming of the corporate structure of milk distribution systems from hampering efficient administration of the order.

The other case involves the possibility of gaining a lower transportation rate by having a tank truck filled to capacity rather than being partially filled, if the handler is able to use this extra milk to participate in the Class II market in the marketing area. The order is designed to encourage the manufacture of surplus milk as near the source of production as possible to economize on transportation, and thereby provides a transportation allowance on Class II milk of the cost of shipping cream. Any handler who ships fluid milk to Boston from country plants for Class II purposes must himself bear the added transportation cost which is the difference between the tariff on cream and that of the milk equivalent of the cream. Thus the case cited is not a hardship in such a marketing system.

4. A ceiling on the butterfat differential as applied to producers would be inconsistent with the principle upon which it is based, in this order, which is the competitive value of butterfat in cream on the open market. Under this system, the differential has at times been relatively low, and at other times, as at present, relatively high. Both extremes are necessary to reflect full value to producers in the long run. Adoption of the requested ceiling of 5 cents per point of butterfat would therefore be incomplete without adoption of a floor also. This would result in a complete change in the basis of the differential, and no such complete change was requested.

5. Revision of the requested transfer provisions, and adoption of the requested 90-day rule, which are related aspects of the order, should not be changed at present for lack of conclusive evidence as to the changes which are needed. Involved is the question of the obligations, or privilege of various types of handlers to share the market-wide pool and the degree of such sharing required in various circumstances. From time to time various plants have been withdrawn or added to the pool with wide difference of opinion among handlers and producer groups as to the ethics or justification for such action. Further analysis and more evidence on this problem is needed.

6. With respect to the requested revision from 33.48 to 33.0 in the factor in the Class II formula for converting the price per 40-quart can of cream of 40 percent butterfat content to milk equivalent, the evidence in favor of the change is inconclusive. It is clear that a factor of 33 is in common use in the cream market for determining the price of cream on the open market, but it is not clear that the same factor is the closest approximation to the pounds of butterfat in a 40-quart can of cream of 40 percent butterfat content, the purpose for which it is generally understood that the factor is used. For this purpose, the evidence fails to show a more equitable factor than the present one of 33.48.

In addition to the proposed amendments heard at the hearing held on September 23 and 24, 1943, this report covers two points considered at hearings held September 24, 1942, at Burlington, Vermont, and September 28, 1942, at Boston, Massachusetts, with respect to which no conclusions were drawn in the report covering other proposals considered at that hearing which was issued December 28, 1942. The previous report stated "On . . . revison of . . . payments to cooperatives . . . and receiving plant handling allowances on both Class I and Class II milk, the record has not yet been completely analyzed. The evidence indicates that these points in the order are interrelated. In the present war emergency, maintenance of an adequate level of milk production and conservation of manpower, gasoline, rubber, and strategic materials needs to be accomplished by improving efficiency in the assembly and transportation of milk to market. Some revision of these points to increase returns to producers should be made as an aid to maintaining production and accomplishment of more efficient use of existing handling and transportation facilities, either through this order itself or in conjunction with other wartime conservation programs that may be developed. In order to avoid undue delay of other needed changes, recommendation of further revision of these points is reserved until after a thorough examination of the evidence has been made."

It is now concluded that no changes concerning these points should be made on the basis of the evidence at the hearing of September, 1942. That hearing includes testimony designed to show that plant handling allowances should be increased and other testimony designed to show that such allowances should be decreased. With respect to payments to cooperatives from the market-wide pool the proposed change was an elimination of this feature from the order. There is much testimony both for and against such a change.

The present plan of payments to cooperatives, which became effective August 1, 1941, was based on the consideration that to achieve the benefits to all producers which the order is designed to provide two types of activity by producers' cooperative marketing organizations are desirable: (1) presentation of evidence at hearings concerning the needs of producers with respect to prices for milk and differentials to reflect handling costs to furnish an adequate basis for constructive amendments to the order, and (2) assumption of responsibility for a reserve of milk to meet the irregular needs of distributors which is essential in a market which provides market-wide equalization among all producers of the total value of the milk. Further, it is recognized that allowances for costs associated with providing services to the market should be separated from the allowance which reflects the additional cost of receiving milk at country plants compared to receiving it directly at city plants. From these considerations it was concluded that provision for payments to cooperative associations is considered necessary to equitably apportion the total value of milk among producers. The testimony in support of the proposal to completely eliminate this feature of the order does not show that these considerations were substantially erroneous.

With respect to the need for revision of these features of the order to increase return to producers, as indicated in the previous report referred to herein, examination of the evidence in the record of the hearing of September, 1942, does not indicate clearly the nature of the changes that should be made to accomplish the desired result. In addition, abnormal marketing conditions, caused by limited facilities for handling milk resulting from shortages of strategic materials and a supply of milk which was sufficiently less than demand during the low point in the seasonal pattern of production in 1943, to occasion a program of allocation of the short supply to avoid an unevenness of supply among handlers, have resulted in changes in the structure of the assembly phase of this milk market which are sufficient to require examination of further evidence before the nature of constructive revisions to the order can be determined.

The following operating provisions of a proposed order amending the order, as amended, are recommended as the detailed means by which these conclusions may be carried out. A proposed marketing agreement is not included in this report because the proposed amendments applicable to it would be the same as those set forth below with respect to the order, as amended.

PROPOSED AMENDMENT TO ORDER, AS AMENDED, REGULATING HANDLING OF MILK IN GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

Provisions

1. Revise § 904.3 (a) (9) to read as follows:

The "delivery period" means the current marketing period from the first to and including the last day of each month.

2. In § 904.6 (a) (3) revise the last clause to read as follows:

* * * and then that milk, including skim milk and buttermilk, which was shipped from the nearest plant located more than 40 miles from the State House in Boston, including milk received at such plant pursuant to § 904.8 (b).

3. In § 904.6 (b) (2) (iii) delete the words "* * * except April, May, and June," and delete § 904.6 (b) (2) (iv).

4. Add two new paragraphs to § 904.6 as follows:

(e) *Butter and cheese adjustment.* For the duration of effect of Food Distribution Orders Numbered 8, 13, 79, and 92, including amendments thereto or other similar orders supplementing or superseding such orders, in lieu of application of § 904.6 (b) (3), in the case of butterfat made into butter, Cheddar cheese, American Cheddar cheese, Colby cheese, washed curd cheese, or part skim Cheddar cheese, during April to September, inclusive, of each year, the value of a handlers milk computed pursuant to § 904.9 (a) shall be adjusted by a value computed for such delivery period as follows:

(1) From the average price reported by the United States Department of Agriculture for 92 score butter at wholesale in the New York market, deduct 5 cents and add 20 percent;

(2) Divide the value determined pursuant to § 904.6 (b) (2) (i) or (ii), whichever applies, by 3.7, and subtract therefrom the value determined in (1) hereof; and

(3) Multiply the value determined pursuant to § 904.10 (d) by 10, and subtract therefrom the value determined in (1) hereof.

(4) Multiply the quantity of butterfat by the value determined in (2) hereof, except that for butter or cheese manufactured from milk of more than 3.7 percent butterfat content, the quantity of butterfat represented in the excess over 3.7 percent butterfat content of such milk, shall be multiplied by the value determined in (3) hereof.

(f) *Casein differential.* In the case of skim milk manufactured into casein during April, May, and June, the value of a handler's milk computed pursuant to § 904.9 (a) shall be adjusted by a value determined by multiplying the skim milk equivalent of such casein by a differential computed for each delivery period as follows:

(1) Divide the value determined pursuant to § 904.6 (b) (2) (iii) by .9075;

(2) Compute the average of all quotations (using midpoint of any range as one quotation) published during the delivery period in the "Oil, Paint, and Drug Reporter," for domestic 20–30 mesh casein in bags in carlots at New York, subtract 6.6¢ and multiply this result by 2.42; and

(3) Subtract the value determined in (2) from the value determined in (1) hereof.

5. In § 904.6 (c) add 10 zones to the table as follows:

A	*B*	*C*
301–310	51.0	28.0
311–320	51.0	28.0
321–330	52.0	28.0
331–340	52.0	28.0
341–350	52.5	28.0
351–360	52.5	28.5
361–370	52.5	28.5
371–380	53.0	28.5
381–390	53.0	28.5
391–400	53.0	28.5

6. Revise § 904.7 (f) (3) to read as follows:

(3) Make such examination of records, operations, equipment, and facilities as the market administrator deems necessary for the purpose specified in this paragraph.

7. In § 904.9 (a) add a third subparagraph as follows:

(3) Adjust the value determined in (2) hereof as provided in §§ 904.6 (a) and (f).

8. Revise § 904.10 (l) to read:

(l) *Adjustment of overdue accounts.* Any balance due pursuant to this section for any delivery period to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent, effective the 11th day of such month.

This report filed at Washington, D. C., this 18th day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44–3866; Filed, March 18, 1944; 3:14 p. m.]

WAR MANPOWER COMMISSION.

LOUISVILLE, KY., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Louisville, Kentucky, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Louisville Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Louisville Area shall include:

Jefferson County, Kentucky, Floyd County, Indiana, and Clark County, Indiana.

II. The effective date of this designation is January 10, 1944.

III. Not later than the effective date, each employer in the Louisville Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 13, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44–3768; Filed, March 17, 1944; 12:22 p. m.]

YOUNGSTOWN, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Youngstown Area as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Youngstown Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Youngstown Area shall include:

Mahoning County.

II. The effective date of this designation is April 1, 1944.

III. Not later than the effective date, each employer in the Youngstown Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 15, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44–3884; Filed, March 20, 1944; 10:46 p. m.]

KALAMAZOO, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Kalamazoo, Michigan, Area as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Kalamazoo, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Kalamazoo Area shall include:

Kalamazoo County.
Van Buren County (Bloomingdale, Pine Grove, Waverly, Almena, Lawrence, Paw-Paw, Antwerp, Hamilton, Decatur and Porter Townships only).
Allegan County (Monterey, Hopkins, Valley, Allegan, Watson, Martin, Cheshire, Towbridge, Otsego and Gun Plains townships only).

II. The effective date of this designation is April 1, 1944.

III. Not later than the effective date, each employer in the Kalamazoo Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 1, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44–3885; Filed, March 20, 1944; 10:46 a. m.]

WAR PRODUCTION BOARD.

BETTER BEVERAGES, INCORPORATED

CONSENT ORDER

Better Beverages, Incorporated, located at 811 North Seventh Street, Steubenville, Ohio, is engaged in the bottling and distribution of non-alcoholic beverages. The War Production Board has charged the company with having used 10,661 gross of new closures made of restricted materials, for the period from June 1, 1942, to January 1, 1944, in excess of the quota permitted under the provisions of Conservation Order M–104 as then in effect. Better Beverages, Incorporated, admits the excess use as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Better Beverages, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Better Beverages, Incorporated, its successors and assigns, shall during the calendar year of 1944 reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 5,752 gross, under the quota it would otherwise be entitled to use in such period, as provided by Limitation Order L–103–b, which on January 4, 1944, superseded Conservation Order M–104, controlling the use of such closures. Any exceptions to the afore-mentioned reduction in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Better Beverages, Incorporated, its successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on December 31, 1944.

Issued this 18th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3867; Filed, March 18, 1944; 4:29 p. m.]

WAR SHIPPING ADMINISTRATION.

"SUNBEAM"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on October 19, 1942, title to the vessel *Sunbeam* (226577), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 18, 1944.

E. S. LAND,
Administrator.

[F. R. Doc. 44–3929; Filed, March 20, 1944; 11:25 a. m.]

4-23-44

FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 930—MILK IN TOLEDO, OHIO, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, it is hereby found and determined that the provisions of such order which provide a seasonal minimum price for Class I milk during the months of April, May, and June 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., April 1, 1944, and continuing during the months of April, May, and June 1944, the following provisions of § 930.5 (a) (1) of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, are hereby suspended:

During the delivery period of June 1942 and thereafter add the following amount per hundredweight:

Delivery period:	*Amount (dollars per hundredweight)*
July through March	0.90
April, May and June	.80

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 20th day of March 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-3969; Filed, March 21, 1944; 11:16 a. m.]

PART 941—MILK IN CHICAGO, ILLINOIS, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.), and of the order, as amended, regulating the handling of milk in the Chicago marketing area, it is hereby found and determined that the provisions of such order which provide a seasonal minimum price for Class I milk during the months of May and June 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., May 1, 1944, and continuing during the months of May and June 1944, the following provisions of § 941.5 (a) (2) of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, are hereby suspended: "except the delivery periods of May and June," and "and during the delivery periods of May and June the price per hundredweight for Class I milk shall be the price determined pursuant to paragraph (b), plus 50 cents:"

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 20th day of March 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-3968; Filed, March 21, 1944; 11:16 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 75, Amdt. 13]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14508, 15684,

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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15772, 16353, 16587, 16675, 16887, 17290, 9 F.R. 51, 937, 1499), § 1410.15, issued under the authority of the War Food Administrator on August 9, 1943, is further amended by striking the figure "330" in the first sentence of paragraph (l) (1) and inserting in lieu thereof the figure "270."

This amendment shall become effective at 12:01 a. m., e. w. t., April 15, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 18th day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-3872; Filed, March 18, 1944; 5:00 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 63]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

PRESTON GLENN AIRPORT, LYNCHBURG, VA.

MARCH 4, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City:	*Name of Airport*
Lynchburg, Va	Preston Glenn Airport

This amendment shall become effective 0001 e. w. t., March 15, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-3970; Filed, March 21, 1944; 11:08 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 51025]

PART 3—DOCUMENTATION OF VESSELS[1]

CHANGE OF CERTAIN U. S. VESSEL NAMES

Waiving compliance with the provisions of R. S. 4179 and sections 1, 2, and 3 of the act of February 19, 1920, as modified by Executive Order No. 9083.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. App. 635), I hereby waive compliance with the provisions of R. S. 4179 (46 U.S.C. 50) and sections 1, 2, and 3 of the act of February 19, 1920, as modified by Executive Order No. 9083 (46 U.S.C. 51–53; 7 F.R. 1609), to the extent necessary to permit the name of any vessel of the United States which is owned by or under bareboat charter to the War Shipping Administration and which has been delivered by that Administration on a bareboat basis to the War Department or to the Navy Department to be changed by such Department without the prior approval of the Commissioner of Customs, without advertising such change of name in some daily or weekly paper at the place of documentation, without payment of any fee for the privilege of securing such change of name, and without surrendering the outstanding registry, enrollment and license, or license of such vessel; *Provided*, That, any change of name of a vessel of the United States which is so effected shall remain in force so long as that vessel is owned by or under bareboat charter to the War Shipping Administration and is in the possession of the War Department or of the Navy Department on a bareboat basis, and no longer. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3960; Filed, March 20, 1944; 3:47 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA G.O. 60-2A]

PART 702—PRIVATE WAR HOUSING

OCCUPANCY AND DISPOSITION

Supersedes NHA General Order 60-2.

The National Housing Agency is responsible for the proper occupancy of housing programmed for war workers and for the adoption of regulations assuring that war housing will be held available for eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, (4 F.R. 3851). The purpose of this general order is to set forth the private housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, the conditions under which such housing may be transferred or sold, and the conditions under which occupancy standards applicable to such housing may be modified or removed.

[1] 8 F.R. 8104, 17474.

Sec.

702.1	Private war housing to which occupancy standards apply.
702.2	Persons who are eligible war workers.
702.3	Length of time private war housing must be reserved for occupancy by eligible war workers.
702.4	Disposition of private war housing.

AUTHORITY: §§ 702.1 to 702.4, inclusive, issued under E.O. 9070, 7 F.R. 1529, 12 CFR 222.8 (e).

§ 702.1 *Private war housing to which occupancy standards apply.* (a) Private war housing to which occupancy standards apply are the following:

(1) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives priority assistance or authority to begin construction as follows:

(i) Application for priority assistance was submitted prior to February 10, 1943, on Form PD–105 and received or receives priority assistance through Preference Rating Order No. P–55, or

(ii) Application for priority assistance or authority to begin construction is submitted on or after February 10, 1943, on Form PD–105 (Revised 2–10–43) if Section B thereof is executed;

(2) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives either priority assistance or authority to begin construction, as a result of submitting an application for such assistance or authority on Form PD–200, if such application was accompanied by the form Applicant's Supplemental Certification and if such housing was not to be occupied by the owner;

(3) The additional housing accommodations created by remodeling or rehabilitation financed under Class 1 (b) of Title I of the National Housing Act;

(4) Housing financed under Class 3 of Title I of the National Housing Act for which an application was or is submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, a War Housing Statement Form, or

(ii) On or after February 10, 1943, and the applicant also executes Section B or Form PD–105 (Revised 2–10–43) in connection with such housing;

(5) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 603 of Title VI of the National Housing Act for which an application was submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, FHA Form 2004 (e), or

(ii) On or after February 10, 1943;

(6) Housing financed with a mortgage loan insured by the Federal Hous-

ing Administration under section 608 of Title VI of the National Housing Act; and

(7) The additional housing accommodations created by remodeling or rehabilitation in projects designated as "defense housing", by either the Division of Defense Housing Coordination or the National Housing Agency, in order to exempt such housing from Federal Reserve Board Regulation W.

(b) For the purposes of this general order, private war housing is "begun" on the date of submitting to the Federal Housing Administration a properly executed application for priority assistance or authority to begin construction in connection with such housing; or, if remodeling or rehabilitation of any private war housing did not receive priority assistance or authority to begin construction, such housing was "begun" either on the date a properly executed application was filed under Title I, Class 1 (b), of the National Housing Act in connection with such housing, or on the date a properly executed application for exemption from Federal Reserve Board Regulation W was submitted to a registrant in connection with such housing.

(c) For the purposes of this general order, the date of "completion" of any private war housing shall be the date upon which such housing is offered for initial rental or sale, or the date upon which such housing is first ready for immediate occupancy, whichever is later.

(d) The phrase "held for rental" includes only an ordinary landlord-tenant relationship or such a tenancy coupled with an option to purchase containing the following provisions:

(1) The tenant shall not be obligated to purchase and the option shall run only in behalf of the tenant;

(2) No payment shall be required in any one month in addition to the listed monthly payment while a tenant, which monthly payment shall not exceed the fair rental for the dwelling unit under an ordinary landlord-tenant relationship not coupled with an option to purchase;

(3) The monthly payment while a tenant shall not be in excess of rental for comparable accommodations;

(4) The total purchase price shall be a fair market price, or $6,000, whichever is lower;

(5) The option may not be exercised prior to the expiration of two months' occupancy;

(6) The option shall continue in effect for at least 30 months unless sooner exercised; and

(7) The occupancy and disposition provisions shall continue to apply to such housing after the option is exercised, or terminated, for the duration of the national emergency declared by the President on September 8, 1939.

§ 702.2 *Persons who are eligible war workers.* (a) For private war housing begun on or after February 10, 1943, an eligible war worker shall be only a person who qualifies under the provisions of NHA General Order No. 60–1.

(b) For private war housing begun prior to February 10, 1943, an eligible war worker shall be only a person who qualifies under the provision of the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing; or, at the option of the owner of such housing, a person who qualifies under the provisions of NHA General Order No. 60–1. Private war housing for which applications for priority assistance were filed with the Federal Housing Administration before February 10, 1943, but for which quotas did not become available until on or after that date, shall not be approved after July 15, 1943, except subject to the rules applicable to private war housing so "begun" on or after February 10, 1943.

§ 702.3 *Length of time private war housing must be reserved for occupancy by eligible war workers.* (a) Private war housing begun on or after February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, only by eligible war workers: *Provided, however,* That at any time subsequent to 60 days after completion of such housing, the owner of such housing may petition the National Housing Agency to permit initial occupancy, or re-occupancy, as the case may be, by a person other than an eligible war worker, in accordance with NHA General Order No. 60–3.

(b) Private war housing begun prior to February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, by eligible war workers for at least the period of time after completion specified in the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing. Whenever any such application (or other instruments related thereto) provided for an exclusive preference to eligible war workers for a specified time, such exclusive preference shall be so given for at least such specified time; and whenever any such application (or other instruments related thereto) provided for merely a general preference to eligible war workers, at least such general preference shall be so given for at least such specified time.

§ 702.4 *Disposition of private war housing.* (a) Private war housing begun on or after February 10, 1943, shall be held for rental only to eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, and, except for involuntary transfers, shall be disposed of only as follows:

(1) (i) An occupant, after two months' occupancy, may purchase the private war housing unit occupied by him subject to NHA General Order No. 60–3.

(ii) Without conforming to (i) which precludes selling except at the option of the eligible war worker exercised after at least two months' rental occupancy, a dwelling unit in a private war housing project may be held for sale or sold to an eligible war worker as provided in NHA General Order No. 60–3: *Provided,* That any sale so made shall take place not later than 15 days after the Federal Housing Administration makes its final Priority Compliance Inspection Report ("Completion Report") with respect to the unit (after which time the unit if not sold shall be held for rental as indicated in (i)): *And provided further,* That no owner shall sell more than one-third of the units in all projects (begun on or after February 10, 1943) which he has placed under actual construction in any war housing area except such sales as are made in conformity with the requirement of holding for rental as indicated in (i): *And provided further,* That any sale made pursuant to (ii) shall be within a price range for the general types of units intended to be sold which is acceptable to the National Housing Agency. The proposed price range shall be submitted to the Federal Housing Administration in advance of sale by letter or other appropriate method, and in the case of all PD–105 applications filed on or after August 1, 1943, shall be submitted with the application.

(2) A person who will not himself occupy such housing may purchase or otherwise acquire such housing at any time, in accordance with NHA General Order No. 60–3: *Provided,* The occupancy and disposition limitations applicable to such housing prior to such purchase or acquisition shall continue to be applicable to such housing after such purchase or acquisition.

(3) An eligible war worker under NHA General Order No. 60–1 may himself build, own and occupy a private war housing unit suitable to his needs, without complying with the rental requirements, as provided in and subject to the provisions of § 702.11 (a) of NHA General Order No. 60–3. Or,

(4) At any time subsequent to 60 days after completion of any such housing, the owner of such housing may petition the National Housing Agency, in accordance with NHA General Order No. 60–3 to permit such housing to be disposed of otherwise than as provided above in this paragraph (a).

(b) Private war housing begun prior to February 10, 1943, shall be rented, sold, or transferred only in accordance with the provisions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing, except that whenever any such application for priority assistance or authority to begin construction provided that such housing could be disposed of, with the prior approval of the War Production Board, otherwise than as stated in such application, a prior approval by the National Housing Agency (instead of by the War Production Board) shall be required in order to dispose of such housing otherwise than as stated in such application. NHA General Order No. 60–3 sets forth the provisions regarding the disposition of such housing.

This order shall become effective July 14, 1943.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-3967; Filed, March 21, 1944; 10:11 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

DIRECTIVE ORDERS IN DISPUTE CASES

Section 802.37 *Stay of order or ruling of an agent of the Board* has been amended by adding thereto the following paragraph, as paragraph (b) (3):

(b) *Directive orders in dispute cases.* • • •

(3) If only a part of the order is sought to be reviewed, any party may petition the Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval.

(E.O. 9017, 7 F.R. 7671)

Adopted March 6, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-3966; Filed, March 20, 1944; 3:43 p. m.]

PART 803—GENERAL ORDERS

RIG BUILDING EMPLOYERS OF PETROLEUM INDUSTRY

§ 803.4 *General Order No. 4.* • • •

(d) • • •

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

• • • • • •

16. Employers in the rig building branch of the petroleum industry in the area where uniform wage brackets have been set as provided in the order of the Board of March 3, 1944. (27 states in Mid-Continent Area, in Regions IV, V, VI, VII, VIII, IX, and XI, inclusive.)

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-3950; Filed, March 20, 1944; 3:43 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 215, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 627.13 to read as follows:

§ 627.13 *Local board to prepare and forward file and DSS Form 66.* (a) The local board shall determine the principal place of employment, if any, of the registrant and the address thereof immediately upon an appeal being taken to the board of appeal by a person entitled to appeal, or the classification of the registrant in Class II–A or Class II–B whose principal place of employment is located outside the appeal board area in which the local board having jurisdiction over the registrant is located and in an area where boards of appeal are organized. The local board shall record the principal place of employment, if any, of the registrant and the address thereof on and otherwise complete the Individual Appeal Record (Form 66). The determination of the local board of the principal place of employment of the registrant and the address thereof as recorded on the Individual Appeal Record (Form 66) shall be final except as provided in subparagraphs (1), (2), and (3) below.

(1) Prior to the decision of the case by the board of appeal, the local board may, on its own motion, and shall, upon request of the Director of Selective Service or the State Director of Selective Service of the State in which it is located, reconsider such determination. Upon such reconsideration, the local board shall determine the principal place of employment, if any, of the registrant and the address thereof and shall record such determination on the Individual Appeal Record (Form 66). Such determination, unless again reconsidered or an appeal is taken therefrom as provided in subparagraph (2) below, shall be final.

(2) Either the Director of Selective Service or the State Director of Selective Service, as to local boards in his State, may appeal from a determination of the local board of the principal place of employment of the registrant and the address thereof. Upon such an appeal being taken, the board of appeal whose area includes the address of the principal place of employment of the registrant as shown on the Individual Appeal Record (Form 66) shall have jurisdiction to determine the principal place of employment of the registrant and the address thereof and such determination, unless an appeal is taken therefrom to the President as provided in subparagraph (3) below, shall be final.

(3) Either the Director of Selective Service or the State Director of Selective Service in whose State is located the local board from whose determination an appeal was taken under subparagraph (2) above or the State Director of Selective Service in whose State is located the board of appeal which made a determination of the registrant's principal place of employment and the address thereof, may appeal to the President from such determination of the board of appeal. Upon such an appeal being taken, the President shall determine the principal place of employment of the registrant and the address thereof and such determination shall be final.

• • • • • •

2. Amend paragraphs (a) and (b) of § 627.14 to read as follows:

§ 627.14 *Time when record to be forwarded on appeal.* (a) When an appeal is taken from the classification of a registrant in Class I–A, Class I–A–O, or Class IV–E (except a registrant who, because of being in excess of 38 years of age, is identified with the letter "H" as provided in § 622.81) the file of the registrant shall be held by the local board and shall not be forwarded to the board of appeal or the State Director of Selective Service, as the case may be, until (1) the registrant has been ordered to report for his preinduction physical examination in the usual manner when his order number is reached and (2) the results of the preinduction physical examination have been received by the local board or the registrant has failed to appear for his preinduction physical examination at the time he is ordered to do so. If as a result of the preinduction physical examination such registrant is found to be disqualified for service, his classification shall be reopened and he shall be classified in Class IV–F. In such cases the appeal will not be forwarded.

(b) The registrant's file shall be forwarded to the board of appeal or the State Director of Selective Service, as the case may be, immediately after the local board has complied with the provisions of § 627.13 when (1) an appeal is taken from the classification of a registrant in a class other than Class I–A, Class I–A–O, or Class IV–E, or (2) the classification of a registrant in Class II–A or Class II–B is submitted for review and decision to a board of appeal under § 627.3, or (3) an appeal is taken from the classification of a registrant in Class I–A, Class I–A–O, or Class IV–E and such registrant, because of being in excess of 38 years of age is identified with the letter "H" as provided in § 622.81.

• • • • • •

3. Amend paragraph (a) of § 627.24 to read as follows:

§ 627.24 *Review by board of appeal.* (a) Except as provided in § 627.51 (c), the board of appeal shall consider appeals in the order in which they are received unless otherwise directed by the Director of Selective Service, in which event, they shall be considered in such order as the Director of Selective Service shall prescribe.

• • • • • •

4. Amend paragraph (c) of § 627.51 to read as follows:

§ 627.51 *Appeal may be made by registrant from local board's determination in agricultural cases.* • • •

(c) When the board of appeal receives a registrant's file, it shall give precedence to such appeal unless otherwise directed by the Director of Selective Service, shall make a determination, and shall immediately return the file as provided in § 627.27.

• • • • • •

The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

MARCH 18, 1944.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 44-3987; Filed, March 20, 1944; 3:26 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3690; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 7A, as Amended Mar. 21, 1944]

TRANSFERS OF QUOTAS, PREFERENCE RATINGS: TRANSFERS OF A BUSINESS AS A GOING CONCERN

§ 944.28 *Priorities Regulation 7A*—(a) *What this regulation does.* This regulation explains when quotas, preference ratings and other rights under the priorities system may be transferred from one person to another and states the rules governing transfer of a business as a going concern.

(b) *Specific provisions in orders or regulations govern.* This regulation does not apply in any case where an applicable order or regulation provides a different rule.

(c) *What is meant by "quota".* As used in this regulation "quota" means a quantitative limit which is placed on the production or delivery of items, or on the acquisition or use of material, by an order or regulation of the WPB. Most quotas are in the form of a specified percentage of production or use during a previous base period or in the form of a specified number of items which may be produced. The term also includes authorized production schedules under the Controlled Materials Plan, as defined in CMP Regulation 1.

(d) *Quota applies to actual manufacturer.* Where a manufacturer does not sell his product in his own name, but makes it for another person under whose name it is sold, and an order of the WPB imposes a quota on manufacturers of the product, that quota applies to the person who actually makes the product rather than to the one under whose name it is sold.

(e) *Distribution of quota where quota holder has several establishments.* Where the holder of a quota has several establishments, he may distribute his quota among them, and change the distribution in any way he wishes unless the quota was acquired on a transfer of a going business as explained in paragraph (h) (1) below.

(f) *Transfer of quotas forbidden in most cases.* No quota may be transferred from one person to another under any circumstances, except in connection with the transfer of a business as a going concern as explained in paragraph (h) (1) below or with the express permission of the WPB, and except that authorized production schedules may be transferred in connection with the transfer of allotments to the extent permitted by paragraph (j) of CMP Regulation 1. Permission to transfer quotas may be expressly given in an order or regulation or on appeal as explained in paragraph (i) below.

(g) *Transfers of preference ratings and specific authorizations forbidden.* No person may transfer to another a preference rating or any right granted by specific authorization except where this is part of a transfer of a going business as explained in paragraph (h) (1) below. However, as more fully explained in Interpretation 5 to Priorities Regulation 1, when a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed. The transfer of a rating must be distinguished from the application or extension of a rating under Priorities Regulation 3. For example, a person has a preference rating to buy a certain machine and decides that he does not want it but wishes to transfer to another person his rating to buy the machine, the second person may not use the rating. On the other hand, if someone who has a rating wishes to buy an article from a supplier, the supplier may, under certain conditions, extend the same rating to get the article for delivery to the customer or to replenish his inventory. This is explained in detail in Priorities Regulation 3.

(h) *Transfer of business as a going concern.* (1) Whenever an entire business is transferred as a going concern to a new owner who continues to operate substantially the same business in the same establishment, using substantially the same trade-mark or trade-name, if any, all rights and obligations under WPB orders and regulations which applied to the business before the transfer continue applicable after the transfer, and the old owner no longer has them. The business under the new ownership has the same quotas, preference ratings, allotments, authorized production schedules, specific authorizations and other rights and duties created by WPB orders and regulations as it had under the old ownership. However, the new owner may not continue to exercise any such rights if he discontinues operation of the business he acquired or operates it as a substantially different business or in another establishment, or if he uses a substantially different trade-mark or trade-name. He may not, at any time, use any quota of the transferred business for any other part of his business.

(2) If, on dissolution of a firm, the entire business is not transferred as a going concern to a single successor, but is divided up in any way, application must be made to the WPB for a determination of quotas and other rights and duties under WPB orders and regulations.

(3) An order or regulation of the WPB which places any restriction on the transfer of any particular material or product does not apply to a transfer which is part of a transfer of the ownership of an entire business as a going concern, and WPB approval need not be obtained for any such transfer.

(i) *Permission in exceptional cases on appeal.* In any case where the above rules work an exceptional hardship, specific permission may be given on appeal for the transfer of a quota, a preference rating or a specific authorization or for other exceptions from the rules. An appeal for the transfer of a quota should be filed as an appeal from the order imposing the quota by the person who wishes it transferred to him. If the person from whom it is to be transferred agrees to the transfer, he should join in the appeal. It is not expected that permission will be granted for the purchase or sale of a quota for any consideration in any case where the principal purpose of the transaction is merely to transfer the quota.

Issued this 21st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3980; Filed, March 21, 1944; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-103, as Amended Mar. 21, 1944]

DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.266 *Conservation Order M-103*—(a) *Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resinates, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(b) *Restrictions on delivery*—(1) *Class A.* No person shall in any calendar quarter deliver to any one person more than 25 pounds of any Class A dyestuffs and no one person shall in any calendar quarter accept a total of more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) *Restrictions on export* and except as provided in paragraph (d) *General exceptions.*

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (*General exceptions*), no person shall in any calendar quarter, deliver or accept delivery of any Class B, C or D dyestuffs for use in the United States or Canada, in excess of the quantities specified in the following schedule:

May deliver	*May accept delivery*
Class B. 17½% of combined amount of Class A and B dyestuffs delivered to all persons in 1941.	17½% of combined amount of Class A and B dyestuffs received from all sources in 1941, *plus 250 pounds.*
(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)	
Class C. 17½% of value of Class C dyestuffs delivered to all persons in 1941.	17½% of value of Class C dyestuffs received from all sources in 1941, *plus $250 value.*
Class D. 17½% of value of Class D dyestuffs delivered to all persons in 1941.	17½% of value of Class D dyestuffs received from all sources in 1941, *plus $250 value.*
(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)	

(3) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(4) The War Production Board may authorize the delivery or acceptance of additional quantities of Class A, B, C and D dyestuffs to be used as specifically directed. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order.

(c) *Restrictions on exports*—(1) *General restrictions.* No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Office of Economic Warfare (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act). The total value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so exported or delivered in any quarter shall not exceed:

(i) ¾ of 1% of the total value of all dyestuffs delivered by him in 1941 plus

(ii) 17% of the total value of dyestuffs exported or delivered for export by him from the United States to all places other than Canada in 1941.

(2) *Further restrictions on Class A, B and C.* The amount of dyestuffs, exclusive of the exceptions provided in paragraph (d), produced by him which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter, shall not exceed:

(i) As to Class A dyestuffs, ¾ of 1% of the total value of all Class A dyestuffs delivered by him in 1941;

(ii) As to a total of Class A, B and C dyestuffs, 2% of the total value of all Class A, B and C dyestuffs delivered by him in 1941.

(3) *Carry-over of undelivered portion of export quota.* Amounts of dyestuffs which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter and which have not been exported or delivered for export in such quarter, may be exported or delivered for export in the following quarter in addition to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) *General exceptions.* The restrictions in subparagraphs (1) and (2) of paragraph (b) (*Restrictions on delivery*) and the restrictions in paragraph (c) (*Restrictions on export*) shall not apply to the delivery or acceptance of delivery of dyestuffs:

(1) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing or the Government of Canada;

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of materials for uniforms as described in subdivisions (i) to (ix), inclusive, of paragraph (e) (1) of General Limitation Order L-224 (Clothing for Men and Boys) and in paragraph (d) (10) of General Limitation Order L-85 (Apparel for Feminine Wear);

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For redyeing used apparel or used household furnishings;

(9) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(10) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

(11) For purposes other than coloring (e. g. rubber chemicals).

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), (8) or (10) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(e) *Treatment of mixtures.* In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 90% of the value of such mixture, such mixtures shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(f) *Restrictions on use of specific dyestuffs.* No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azolic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(f–1) [Deleted Oct. 23, 1943.]

(g) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(h) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M–103.

Issued this 21st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

PART II—TRADE NAMES

Amanthrene olive R CI 1150.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTL CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAF CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG CI 1152.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G Pr122.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 44–3978; Filed, March 21, 1944; 11:23 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–140–b, as Amended Mar. 21, 1944]

FLATWARE AND HOLLOW WARE

Section 3291.176 Limitation Order L–140–b is hereby amended to read as follows:

§ 3291.176 *Limitation Order L–140–b*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted flatware" means knives, forks, spoons and similar implements used for eating or serving food at the table, which have metal blades, tines or bowls as well as handles made of metal. It does not include gold or sterling silver flatware, knives with sterling silver or gold handles and steel blades, carving sets, or articles of cutlery covered by Order L–140–a, or any order in the L–30 series.

(2) "Restricted hollow ware" means all articles commonly known as hollow ware in the trade. It does not include gold or sterling silver hollow ware or flatware or any articles covered by any order in the L–30 series, or electrical appliances covered by Order L–65.

(3) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, and orders authorized by the Maritime Commission on Form WPB–646. A purchase order placed with a manufacturer by a distributor or dealer to replace in inventory flatware or hollow ware sold on a preferred order, is also a preferred order. Orders from Post Exchanges, Ships' Service Stores, Officers' and Enlisted Men's Service Clubs on military or naval reservations are not preferred orders.

(4) "Manufacturer" means any person engaged in the business of making, assembling or plating any restricted flatware or restricted hollow ware or any parts for such ware.

(5) "Distributor" means any person or firm other than a retail dealer engaged in the business of selling restricted flatware or restricted hollow ware not manufactured by that firm.

(b) *Restriction on the production of restricted flatware.* (1) No person shall manufacture any restricted flatware for any orders except according to a quota approved by the War Production Board on Form WPB–2719, which must be filed with the War Production Board, Washington 25, D. C., Ref: L–140–b, on or before the 15th day of November, February, May and August. When one person makes restricted flatware and another person plates it, this restriction applies only to the first person.

(2) The War Production Board will assign production quotas to meet approved requirements. Total production which would exceed such requirements will not be authorized. No person will be authorized to produce flatware if that production would interfere with his or other war production. Production will be authorized so as to avoid increased labor requirements in labor shortage areas. The War Production Board will give notice to each manufacturer of the total and individual authorizations.

(c) *Production of restricted hollow ware.* No person shall use any metals in the manufacture of restricted hollow ware except to fill preferred orders.

(d) *No specifications for restricted flatware for preferred orders.* Restricted flatware made to fill preferred orders may be made from any material and according to any specifications called for in the preferred order.

(e) *Metal restrictions and specifications for restricted flatware for other than preferred orders.* (1) No person shall use any metal in the manufacture of restricted flatware made for other than preferred orders, except metals listed in Schedule A.

(2) No manufacturer shall make any restricted flatware for other than preferred orders except knives, dessert size forks, dessert spoons and teaspoons.

(3) All carbon steel silver plated restricted flatware made for other than preferred orders shall be plated with an undercoating of nickel of an average thickness of 0.0002 inch and the whole metal coating of nickel and silver shall be of an average thickness of not less than 0.0005 inch.

(4) Restricted flatware made for other than preferred orders shall not be made of any metal of a lighter gauge than 0.050 inch for teaspoons, 0.055 inch for dessert spoons and 0.065 inch for dessert forks.

(f) *Distribution of stainless steel restricted flatware.* (1) No manufacturer or distributor shall sell any stainless steel restricted flatware except to fill preferred orders, or to manufacturers, distributors, hospitals, institutions for the aged, sick or poor, prisons, educational institutions, orphanages, hotels, restaurants, canteens, clubs, cafeterias, lunch rooms, lunch counters, and public eating places (including those operated by common carriers), Officers, and Enlisted Men's Service Clubs; and the following Post Exchanges and Ship's Service Departments for use on the premises in eating places operated by them: U. S. Army or Marine Corps Post Exchanges, U. S. Navy or Coast Guard Ship's Service Departments, and War Shipping Administration Training Organization Ship's Service activities.

(2) No manufacturer or distributor shall sell stainless steel restricted flatware for export, except to Officers' and Enlisted Men's Service Clubs and to the Post Exchanges and Ship's Service Departments listed in paragraph (f) (1) for use on the premises in eating places operated by them.

(g) *Reports.* Each manufacturer shall file Form WPB–2719 (formerly PD–880) showing the amount of restricted flatware manufactured according to the instructions accompanying that form.

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of flatware and hollow ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–140–b.

(k) *Appeals.* Any appeal from this order should be made on Form WPB–1477 (formerly PB–500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

NOTE: The application and reporting requirements in this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 21st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Iron.
Carbon steel.
Straight chromium stainless steel.
Chromium nickel stainless steel (if in manufacturer's inventory on November 5, 1943, or obtained by him pursuant to Priorities Regulation No. 13).
Gold.
Silver (for plating).
Sterling silver.
Nickel (for plating).
Chromium (for plating).
Copper (for copper silver strike).

[F. R. Doc. 44–3979; Filed, March 21, 1944; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[RMPR 109,[1] Amdt. 8]

AIRCRAFT LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 109 is amended in the following respects:

1. Section 1312.358, in paragraph (b) (4) the heading over the vertical column of figures is amended by adding the words "board measure", and a new subparagraph (b) (6) is added, to read as follows:

(6) *Averaging inbound transportation charges.* An aircraft lumber remanufacturing plant may make an average inbound transportation addition on all sales f. o. b. the remanufacturing plant. The average inbound addition may also be used in selling on a delivered basis as provided in this section, except that where milling-in-transit rates are available, the entire addition (including inbound) must be figured on the through rate from the original shipping point indicated on the freight bills surrendered in connection with the outbound shipment. The transit charge may be added.

This average addition must be calculated for each quarter by averaging the total inbound charges paid during the preceding three months, under the following formula:

(i) Multiply the estimated weight of the material received from each original shipping point by the freight rate from that point to the remanufacturing plant.

(ii) Add the transportation charges thus computed and divide by the total footage of all aircraft lumber (except in-transit shipments) received during the quarter, whether the shipment of lumber involved inbound transportation charges or not.

2. Section 1312.361, in the section heading the phrase "per MBM" is deleted.

3. Section 1312.361, Table 1, in the table heading, the phrase "Maximum prices f. o. b." is changed to read "Maximum prices per MBM f. o. b.".

4. In § 1312.361, immediately after Table 1, and preceding the "Notes" applying thereto, a new Table 1A is inserted, to read as follows:

TABLE 1 A—MAXIMUM PRICES F. O. B. ORIGINAL SHIPPING POINT FOR THIN, ROUGH, S2S OR S4S ARMY-NAVY AERONAUTICAL SPECIFICATIONS SITKA SPRUCE (AN–S–6),[1] RED SPRUCE (AN–S–6),[1] WHITE SPRUCE (AN–S–6),[1] NOBLE FIR (AN–F–6),[1] AND WESTERN HEMLOCK (AN–H–4)[1]

[See footnote 4 for Douglas Fir (AN–F–7).[3] All prices per 1,000 feet surface measure]

	Random length groups	¼" S2S S4S, 5/16" rough	5/16" S2S S4S, ⅜" rough	⅜" S2S S4S, 7/16" rough	7/16" S2S S4S, ½" rough	½" S2S S4S, 9/16" rough	9/16" S2S S4S, ⅝" rough	⅝" S2S S4S, 11/16" rough	11/16" S2S S4S, ¾" rough	¾" S2S S4S, 13/16" rough
Random lengths and random widths	3' to 5½'	$52.00	$57.00	$62.00	$70.00	$77.00	$84.00	$92.00	$97.00	$100.00
Random lengths and specified widths, 7 inches or wider	3' to 5½'	84.50	89.75	96.25	73.50	80.75	88.25	94.50	101.75	105.00
Random lengths and random widths	6' to 9½'	143.00	150.75	173.25	192.50	211.75	231.00	247.50	269.75	275.00
Random lengths and specified widths, 7 inches or wider	6' to 9½'	150.25	164.50	182.00	202.25	222.25	242.50	260.00	280.00	288.75
Random lengths and random widths	10' to 13½'	195.00	213.75	236.25	262.50	288.75	315.00	337.50	363.75	375.00
Random lengths and specified widths, 7 inches or wider	10' to 13½'	204.75	224.50	248.00	275.75	303.25	330.75	354.50	383.00	393.75
Random lengths and random widths	14' to 17½'	234.00	256.50	283.50	315.00	346.50	378.00	405.00	436.50	450.00
Random lengths and specified widths, 7 inches or wider	14' to 17½'	245.75	269.25	297.75	330.75	363.75	397.00	425.25	458.25	472.50

An addition of $3.00 per MBM, for surfacing, may be made to the above prices for surfaced lumber.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10100; 8 F.R. 270, 2872, 4825, 4717, 6633, 6914.

8. Section 1312.361, in footnote 6 the words, "board measure" are deleted, and in footnote 7 item (ii) is deleted and item (i) is amended to read as follows:

(i) For sizes surfaced thicker than ⅝":[1]

Thicker than—	And not thicker than—	Compute as for nominal thickness of—
		Inches
¾ inch	⅞ inch	1
⅞ inch	1 1/16 inches	1¼
1 1/16 inches	1 3/16 inches	1½
1 3/16 inches	1 5/16 inches	1¾
1 5/16 inches	1 9/16 inches	2
1 9/16 inches	2 1/16 inches	2½

6. In § 1312.361, Table 3, immediately below the item covering "Douglas fir ____ Y ____ 90" a new item is added to read as follows:

(Species)	(Grade)	(Maximum price)
Douglas fir ____ Y ____ 90	111	75

This amendment shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3944; Filed, March 20, 1944; 12:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amdt. 29]

EVAPORATED MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 289 is amended in the following respects:

1. Section 1351.1521 (a) (1) (i) is amended to read as follows:

(i) The maximum prices for sales and deliveries of evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in table A below:

TABLE A

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 13-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1	$4.10	$3.85	$2.05	$4.10	$4.10
Zone 2	4.30	3.95	2.10	4.20	4.20
Zone 3	4.30	3.95	2.10	4.30	4.30

2. Section 1351.1521 (a) (1) (iv) is amended to read as follows:

(iv) If evaporated milk is delivered by the manufacturer to the buyer's customary receiving point at the following points within zones 1 and 2, the maximum price shall be the appropriate price in table A, plus 10¢ per carton for cartons of 48 14½-oz. cans, 48 13-oz. cans, 96 6-oz. cans, and 6 8-lb. cans, and 5¢ per carton for cartons of 48 6-oz. cans.

ZONE 1. Deliveries to all of New Mexico except Clayton, Dawson, Raton, Artesia, Carlsbad, Roswell and Hobbs; and deliveries to Sheridan, Greybull and Worland in Wyoming.

ZONE 2. Deliveries to all of Arizona, except Yuma; deliveries to Needles, El Portal and Alturas in California; deliveries to Montana; and deliveries to Boulder City, Ely, McGill and Las Vegas in Nevada.

3. Section 1351.1521 (a) (2) (ii) is amended to read as follows:

(ii) *Other sales and deliveries.* The maximum prices for all other sales and deliveries of evaporated milk or British Standard Evaporated Milk by manufacturers in less than carload lots delivered to the buyer's customary receiving point shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

5¢ per carton for cartons of 48 14½-oz. cans, 48 13-oz. cans, 96 6-oz. cans, and 6 8-lb. cans; 2½¢ per carton for cartons of 48 6-oz. cans.

This amendment shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3946; Filed, March 20, 1944; 12:05 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Amdt. 9]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 305 is amended in the following respects:

1. Section 1351.1754 is amended to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be $2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products shall be $3.21 per hundredweight at the basing point of Kansas City, Missouri.

2. Section 1351.1755 is amended to read as follows:

§ 1351.1755 *Transportation.* (a) "Transportation charge" means the charge figured at the lowest carload rail rate (local or proportional), (including the 3 percent transportation tax applicable under section 620 of the Revenue Act of 1942), from the basing point at Kansas City, Missouri, to the railroad siding nearest the point designated by the buyer as his receiving point. No transportation or local hauling charge beyond such receiving point shall be added to the maximum price except as permitted in § 1351.1757 below.

3. Section 1351.1756 is amended to read as follows:

§ 1351.1756 *Maximum delivered price for carload lots (including "pool car" and "mixed car" shipments).* Maximum delivered price for yellow or white corn products in the sale of carload lots (including pool car and mixed car shipments) by a processor to any person shall be:

(a) In bulk, the sum of:

(1) The maximum base point price, and

(2) The transportation charges as defined herein.

(b) In 100 pound cotton sacks, the sum of:

(1) The maximum base point price,

(2) The transportation charges as defined herein, and

(3) In addition, if in seller's bags, plus the actual cost of a cotton sack which holds 100 pounds of corn products (but not greater than the maximum price provided in Maximum Price Regulation No. 151).

(c) In containers other than 100 pound cotton sacks, except "case goods", the sum of:

(1) The maximum base point price,

(2) The transportation charges as defined herein,

(3) Plus or minus the package differential and charge for outside containers listed in Appendix A; and

(4) In addition, if in seller's bags, plus the actual cost of a cotton sack which holds 100 pounds of corn products (but not greater than the maximum price provided in Maximum Price Regulation No. 151).

(d) For case goods, the price determined by the following method:

(1) The seller shall first determine the maximum price he would be permitted to charge under the General Maximum Price Regulation, if the sale were not exempted from the General Maximum Price Regulation,

(2) To the price so determined, he shall add a sum equal to 40 cents per one hundred pounds computed upon the net weight of the product in the case.

4. Section 1351.1765 is hereby revoked.

5. Section 1351.1766 (k) is added to read as follows:

(k) "Case goods" means dry corn milling products packaged for sale to the ultimate consumer in a rigid paper container containing five pounds of products or less and packed for shipment in a case or box containing two or more packages.

6. Section 1351.1766a is added to read as follows:

§ 1351.1766a *Notification of change in maximum prices.* This regulation will have the effect of altering some sellers' maximum prices for the listed commodities. Those sellers and all sellers whose maximum prices for any item are altered by this regulation or any amendment must comply with the provisions of this section. In each case when a seller's maximum price for an item has been changed pursuant to this regulation or any amendment, he shall give notice of such change with the first shipment or delivery of the item after the change in price becomes effective, in the following manner.

(a) He shall supply each wholesaler and retailer who purchases from him with a written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe the item by the appropriate kind, grade, variety, brand, quantity, container type and size, etc.) has been changed by the OPA.

We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on or after (insert here effective date of price change). You must refigure your ceiling price following the rules of section 6 of Maximum Price Regulations 421, 422 or 423 whichever is applicable to you.

For a period of 60 days after the price change becomes effective, and with the first shipment or delivery of the item after that date, to each such purchaser who has not made a purchase of the item within that time, the seller shall include the notice set forth above in each case or carton containing the item or securely attach it to the case or carton or insert it on the invoice accompanying the shipment.

(b) He shall notify each purchaser who is a distributor other than a wholesaler or retailer of the change in price by a written notice attached to or written on the invoice issued in connection with the first transaction with such purchaser after such price increase becomes effective as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, brand, grade, variety and container type and size) has been changed from $____ to $____. Under the provisions of Maximum Price Regulation 305 you are required to notify all wholesalers and retailers purchasing the item from you after (insert effective date of price change) any change in your maximum price. This notice must be made in the manner prescribed in § 1351.1766a of Maximum Price Regulation 305.

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3947; Filed, March 20, 1944; 12:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 112]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7851 (b) (5) the text preceding subdivision (i) is amended by substituting a comma for the period at the end of the last sentence and adding the following provision: ", or unless the vehicle is a passenger automobile the transfer of which is governed by the provisions of Ration Order No. 2B, or unless the vehicle is a station wagon which was manufactured subsequent to July 31, 1941, and which has never been transferred except for the purpose of resale."

2. In § 1394.8183 (b) subparagraphs (5) and (6) are added to read as follows:

(5) Any movement of a passenger automobile the transfer of which is governed by the provisions of Ration Order No. 2B.

(6) Any movement of a station wagon which was manufactured subsequent to July 31, 1941, and which has never been transferred except for the purpose of resale.

This amendment shall become effective March 24, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3948; Filed, March 20, 1944; 12:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 18]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 8.3 (a) is amended by adding the following: "He may also retain, and need not deposit, enough stamps and certificates to acquire tokens for such use."

2. Section 9.9 (b) is amended by adding at the end the following:

However, he may retain enough tokens for use in returning excess points to consumers pursuant to section 2.4 (c). He may also retain enough stamps and certificates to acquire tokens for such use.

This amendment shall become effective March 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3949; Filed, March 20, 1944; 12:06 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 118]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The last sentence of section 7.6 (f) is amended by substituting the words "sections 6.10 and 10.11" for the words "section 10.11".

2. Section 7.8 (d) is amended by substituting the words "sections 6.10 and 10.11" for the words "section 10.11".

3. The third sentence in the definition of "Transfer" in section 24.1 (a) is amended by inserting the words "produced or" between the words "which he" and "holds for sale or transfer".

This amendment shall become effective March 24, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3950; Filed, March 20, 1944; 12:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 120]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1455, 1885, 1972, 2252, 3253, 3327, 4335, 4513, 4337, 4338, 4918, 6440, 7568, 7593, 8276, 8751, 9380, 9229, 10667, 11245.

[1] 8 F.R. 1053, 2501, 3178, 8705, 6316, 6177, 6440, 7567, 16397, 16780.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1362, 1397, 1712, 2033, 2057, 2230.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240.

[1] 8 F.R. 13128, 13394, 13960, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 108, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1813, 1909, 2235, 2240, 2405.

Ration Order 16 is amended in the following respects:

1. Section 9.3 (a) is amended by inserting before the parenthetical sentence at the end thereof, the following: "He may also retain and need not deposit enough stamps and certificates to acquire tokens for such use."

2. Section 10.10 (b) is amended by adding at the end the following:

However, he may retain enough tokens for use in returning excess points to consumers pursuant to section 2.3 (c). He may also retain enough stamps and certificates to acquire tokens for such use.

This amendment shall become effective March 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3951; Filed, March 20, 1944; 12:06 p. m.]

PART 1444—ICE BOXES

[MPR 399,[1] Amdt. 13]

NEW ICE BOXES

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 14, Table A, "Retail Ceiling Prices in Each State for Sales of Ice Boxes by Ice Companies and Retail Establishments Controlled by Ice Companies." is amended by adding ceiling prices for three new model ice boxes as set forth below:

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES*

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
L. D. Reeder Co.	Leader	GV–5	75#	$56.75	$56.75	$56.75	$56.75	$56.75	$58.25	$39.25	$60.25	$59.25	$59.75	$56.75	$59.00	$58.25
Maine Manufacturing Co.	White Mountain	150	50#	35.75	35.75	37.00	36.00	37.00	36.50	33.75	33.75	35.75	34.75	35.75	37.00	35.75
Maine Manufacturing Co.	White Mountain	150	75#	39.50	39.50	41.00	40.00	41.00	40.75	36.50	36.50	39.50	38.75	39.50	41.00	39.50

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
L. D. Reeder Co.	Leader	GV–5	75#	$56.75	$56.75	$56.25	$58.25	$58.75	$59.25	$59.25	$59.75	$59.25	$58.50	$58.75	$58.75	$58.25
Maine Manufacturing Co.	White Mountain	150	50#	35.75	35.75	35.75	36.25	35.75	36.25	33.75	33.75	35.75	36.50	36.00	35.75	35.75
Maine Manufacturing Co.	White Mountain	150	75#	39.50	39.50	39.75	40.00	39.50	40.25	39.50	39.50	39.50	39.50	39.75	39.75	39.50

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
L. D. Reeder Co.	Leader	GV–5	75#	$56.75	$59.25	$58.25	$58.25	$59.25	$59.25	$58.00	$59.25	$59.25	$58.25	$58.75	$58.25	$58.25
Maine Manufacturing Co.	White Mountain	150	50#	35.75	37.00	36.00	37.00	35.75	36.25	37.00	35.75	35.75	36.25	35.75	36.25	37.00
Maine Manufacturing Co.	White Mountain	150	75#	39.50	41.00	40.00	41.00	39.50	39.50	41.00	39.50	39.50	40.25	39.50	40.25	41.00

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
L. D. Reeder Co.	Leader	GV–5	75#	$59.75	$59.00	$59.25	$59.25	$58.50	$58.75	$58.25	$58.25	$59.25	$59.25	$57.75	$59.25	$58.50	$58.25
Maine Manufacturing Co.	White Mountain	150	50#	33.75	35.75	35.75	36.50	36.25	35.75	36.50	37.00	35.75	35.75	37.00	35.75	35.75	36.50
Maine Manufacturing Co.	White Mountain	150	75#	39.50	39.50	39.50	39.50	40.25	39.50	40.50	41.00	38.00	39.50	41.00	39.50	39.50	40.75

2. Section 16, Table C, "Ceiling Prices in Each State for all Other Sales of Ice Boxes at Retail" is amended by adding ceiling prices for three new model ice boxes as set forth below:

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—NO AMOUNT MAY BE ADDED TO THESE CEILING PRICES FOR DELIVERY TO THE BUYER

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
L. D. Reeder Co.	Leader	GV–5	75#	$67.50	$70.75	$69.25	$70.50	$68.50	$70.25	$71.25	$71.25	$71.25	$72.00	$71.00	$71.25	$70.50
Maine Manufacturing Co.	White Mountain	150	50#	40.50	41.75	43.00	42.00	43.00	42.75	41.00	41.25	41.75	41.75	41.75	43.00	41.75
Maine Manufacturing Co.	White Mountain	150	75#	44.95	46.50	48.00	46.75	48.00	47.50	43.50	45.75	45.75	46.50	46.25	48.00	46.25

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
L. D. Reeder Co.	Leader	GV–5	75#	$67.50	$70.75	$70.50	$70.25	$70.75	$70.50	$71.25	$71.25	$71.25	$70.75	$70.75	$70.75	$70.50
Maine Manufacturing Co.	White Mountain	150	50#	40.50	41.50	42.25	42.25	41.75	42.25	41.00	41.25	41.25	41.50	42.00	42.00	41.75
Maine Manufacturing Co.	White Mountain	150	75#	44.95	46.00	46.50	47.00	46.25	47.00	43.50	45.75	45.25	46.00	46.75	46.50	46.50

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
L. D. Reeder Co.	Leader	GV–5	75#	$67.50	$71.50	$70.25	$70.50	$71.25	$71.25	$70.25	$71.25	$71.25	$70.50	$70.75	$70.25	$70.50
Maine Manufacturing Co.	White Mountain	150	50#	43.00	42.25	43.00	43.00	42.75	43.25	43.00	41.50	41.50	42.50	41.50	42.25	43.00
Maine Manufacturing Co.	White Mountain	150	75#	44.95	46.00	46.75	46.00	46.25	45.75	46.00	45.50	46.00	47.25	46.00	47.00	48.00

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7448, 9062, 11366, 11813, 13963, 14150, 14818, 15624, 15626, 15717, 15748.

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—NO AMOUNT MAY BE ADDED TO THESE CEILING PRICES FOR DELIVERY TO THE BUYER—Continued

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
L. D. Reeder Co.	Leader	GV–5	75#	$67.50	$71.00	$71.25	$71.25	$70.50	$70.75	$70.25	$70.50	$71.25	$71.25	$70.00	$71.25	$70.50	$70.50
Maine Manufacturing Co.	White Mountain	150	50#	40.50	41.25	41.00	41.50	42.50	41.75	42.50	43.00	41.50	41.25	43.00	41.50	41.50	42.75
Maine Manufacturing Co.	White Mountain	150	75#	44.95	45.75	45.00	46.25	47.00	46.50	47.25	48.00	45.50	46.00	46.00	46.25	46.25	47.50

This amendment shall become effective on the 25th day of March 1944.

(Pub. Laws 427, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3959; Filed, March 20, 1944; 12:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 503,[1] Amdt. 1]

WESTERN CONTRACT LOGGING SERVICES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 503 is amended in the following respects:

1. The following sentence is added at the conclusion of paragraph (e) of section 3:

If the particular timber being cut was purchased prior to August 31, 1943, the buyer may, at his option, use the level of prices established by Maximum Price Regulation 460 for the purpose of computing "stumpage cost" under this section.

2. Section 8 (b) of Maximum Price Regulation 503 is amended so that the phrase "the form shall be filed within 30 days of that effective date" shall read "the form shall be filed by March 31, 1944".

This amendment shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3954; Filed, March 20, 1944; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 51]

NATIVE OR ISLAND TWIST CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.6 (k) is added to read as follows:

(k) *Native or island twist chewing tobacco sold and delivered to the Federal Surplus Commodity Corporation.* "Native or island twist chewing tobacco" means twist chewing tobacco pressed flat and made of fire-cured or dark air-cured tobacco, or a combination of both; and treated with a casing mixture of molasses, syrup, glycerin, alcohol and such flavorings as are normally used on twist tobacco consumed by the natives of New Guinea, the Solomons and other islands in the Southwest Pacific area.

Prior to the effective date of any contract for the sale of native or island twist chewing tobacco to the Federal Surplus Commodity Corporation (or, if the contract is already in effect, within ten days from March 25, 1944), a seller shall submit to the Office of Price Administration, Washington, D. C., a copy of such contract or a statement setting forth the date and terms of such contract, including the quantity of twist chewing tobacco sold or to be sold and the price paid or agreed to be paid therefor.

This amendment shall become effective March 25, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3953; Filed, March 20, 1944; 12:06 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1,[1] Amdt. 6]

PROCEDURE FOR PROTEST OF MAXIMUM PRICE REGULATIONS

Section 1300.26 (a) is amended to read as follows:

(a) Any protest against a provision of a maximum price regulation shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation, regardless of the effective date prescribed therein: *Provided, however,* That a protest based solely upon grounds arising after the date of issuance of a maximum price regulation may be filed at any time after such new grounds arise: *Provided, further,* That protests of any person having his principal place of business in a territory, may be filed with the director of the appropriate territorial office.

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3961; Filed, March 20, 1944; 4:56 p. m.]

PART 1301—MACHINE TOOLS

[MPR 1,[1] Amdt. 3]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 4 the text preceding paragraph (a) is amended to read as follows:

This section is applicable to the sale by the Defense Plant Corporation, the War Department and the Department of the Navy of any second-hand machine tool or extra which was acquired by the agency in question for the purpose of rental. Notwithstanding any other provisions of this regulation, the maximum price for such a sale shall be the price determined in accordance with section 3 or the price determined as provided in paragraphs (a) and (b) below, whichever is the higher.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3992; Filed, March 21, 1944; 11:45 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 53]

FOOD RATIONING FOR INSTITUTIONAL USERS; SUGAR-CONTAINING PRODUCTS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 15.3 (c) is added to read as follows:

(c) An institutional user may use imported sugar-containing products (as defined in § 1407.176 of Revised Ration Order 3) only in accordance with the

*Copies may be obtained from the Office Price Administration.

[1] 9 F. R. 303.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[1] 8 F.R. 10116, 13104; 9 F.R. 2135.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12408, 12744, 14472, 15488, 17486; 9 F.R. 501, 455, 492, 2212, 2287.

provisions of Revised Ration Order 3 and shall make and keep the records and furnish the reports required by that order.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively; Food Dir. 8, 8 F.R. 7093)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3988; Filed, March 21, 1944; 11:46 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 13]

REPLACEMENT OF RATION FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 11 is amended in the following respects:

1. Section 1.2 (a) is amended to read as follows:

(a) The designated agencies are the Army, Navy, Marine Corps, or Coast Guard of the United States; Army Exchanges; Army Exchange Service; Post Exchanges of the Marine Corps; Ships' Service Activities of the Navy or Coast Guard; other activities designated by the Army, Navy, Marine Corps or Coast Guard; Food Distribution Administration; the Training Organization, and Ships' Service Stores of the Training Organization, of the War Shipping Administration; the Immigration and Naturalization Service of the Department of Justice, with respect to its acquisitions of food for consumption at Alien Enemy Internment Camps; and the American National Red Cross, with respect to its acquisitions of food for consumption by members of the armed forces of the United States outside the United States.

2. The first sentence of section 2.1 (a) is amended to read as follows:

(a) Any industrial user may obtain replacement of rationed foods used by him in products which are acquired on or after July 1, 1943, by any of the designated agencies (other than the Immigration and Naturalization Service of the Department of Justice), by a Naval vessel or Naval activity of the United Nations, by the Navy, Army, and Air Force Institutes (of Great Britain), or for use as ships' or canteen stores on any ocean going vessel of the United States or of any of the United Nations, or on any neutral vessel designated by the War Shipping Administration, which is engaged in the transportation of cargo or passengers in foreign, coastal, or intercoastal trade, or by the India Supply Mission, or which are acquired on or after March 1, 1944, by the Immigration and Naturalization Service of the Department of Justice for consumption at Alien Enemy Internment Camps.

This amendment shall become effective March 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 563; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3990; Filed, March 21, 1944; 11:46 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 2]

FUEL OIL, GASOLINE, AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.27 is amended to read as follows:

(a) *State of New Hampshire.* The maximum tank wagon prices of kerosene, No. 1 fuel oil and range oil and of Nos. 2 and 3 fuel oil in the following townships and cities in the State of New Hampshire shall be as follows:

(1) For single lot deliveries of 100 gallons or more:

City or town	Kerosene, No. 1 fuel oil and range oil	Nos. 2 and 3 fuel oil
	Cents per gallon	*Cents per gallon*
Acworth	11.4	10.2
Albany	11.5	10.4
Alexandria	11.1	10.7
Allenstown	11.1	10.0
Alstead	11.2	10.2
Alton	10.7	10.1
Amherst	11.1	9.4
Andover	11.1	10.0
Antrim	10.9	9.9
Ashland	11.4	10.7
Atkinson	10.8	9.4
Auburn	11.1	9.7
Barnstead	10.7	10.1
Barrington	11.2	9.3
Bartlett	11.8	10.4
Bath	11.4	10.2
Bedford	11.1	9.7
Belmont	11.2	10.0
Bennington	10.9	9.9
Benton	11.4	10.7
Berlin	11.8	10.6
Bethlehem	11.8	10.9
Boscawen	10.7	10.0
Bow	10.7	10.0
Bradford	11.4	10.0
Brentwood	10.9	9.2
Bridgewater	11.4	10.7
Bristol	11.4	10.7
Brookfield	11.5	10.4
Brookline	10.7	9.4
Cambridge	11.0	11.2
Campton	11.4	10.7
Canaan	11.0	10.1
Candia	11.1	9.7
Canterbury	10.7	10.0
Carroll	11.8	10.9
Center Harbor	11.4	10.7
Charlestown	11.4	10.2
Chatham	11.5	10.4
Chester	11.1	9.7
Chesterfield	11.2	10.2
Chichester	10.7	10.0
Claremont	11.4	10.2
Clarksville	12.0	11.2
Colebrook	12.0	11.2
Columbia	12.0	11.2
Concord	10.7	10.0
Conway	11.5	10.4
Cornish	11.4	10.3
Croydon	11.4	10.3
Dalton	11.8	11.0
Danbury	11.1	10.0
Danville	10.8	9.4
Deerfield	11.1	9.7
Derry	10.7	9.4
Deering	10.9	9.9
Dixville	12.0	11.2
Dorchester	11.4	10.7
Dover	11.2	9.3
Dublin	11.4	9.4
Dummer	11.5	10.4
Dunbarton	10.7	9.7
Durham	11.2	9.3
East Kingston	10.6	9.4
Easton	11.8	10.7
Eaton	11.5	10.4
Effingham	11.5	10.4
Ellsworth	11.1	10.1
Enfield	11.0	9.2
Epping	10.7	10.0
Epsom	12.0	11.2
Errol	10.6	9.2
Exeter	11.2	9.8
Farmington	10.6	9.6
Fitzwilliam	10.9	9.9
Francestown	11.8	10.9
Franconia	11.1	10.0
Franklin	11.5	10.4
Freedom	10.8	9.4
Fremont	11.2	10.2
Gilford	10.7	10.1
Gilmanton	11.2	10.2
Gilsum	11.1	9.7
Goffstown	11.5	10.4
Gorham	11.4	10.9
Goshen	11.1	10.1
Grafton	11.0	10.2
Grantham	10.7	9.9
Greenfield	10.2	9.2
Greenland	10.7	9.9
Greenville	11.4	10.7
Groton	10.8	9.4
Hampstead	10.2	9.4
Hampton	10.6	9.4
Hampton Falls	10.9	9.8
Hancock	11.0	10.1
Hanover	11.4	9.9
Harrisville	11.5	10.4
Hart's Location	11.4	10.2
Haverhill	11.1	10.0
Hebron	10.7	10.0
Henniker	11.1	9.9
Hill	11.2	10.2
Hillsboro	11.2	10.7
Hinsdale	11.4	9.4
Holderness	10.7	9.7
Hollis	11.1	10.0
Hooksett	10.7	9.4
Hopkinton	10.7	10.4
Hudson	11.5	9.8
Jackson	10.6	11.0
Jaffrey	11.8	10.2
Jefferson	11.2	9.4
Keene	10.6	10.4
Kensington	11.5	9.4
Kilkenney	10.6	10.7
Kingston	11.4	11.0
Laconia	11.8	10.7
Lancaster	11.7	10.3
Landaff	11.4	10.1
Langdon	11.0	9.3
Lebanon	11.2	10.1
Lee	11.4	10.7
Lempster	11.4	10.9
Lincoln	11.8	
Lisbon		

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9008, 9635, 10419, 11671, 12868, 12711, 13171, 13920, 16840, 17511.

City or town	Kerosene, No. 1 fuel oil and range oil	Nos. 2 and 3 fuel oil
	Cents per gallon	*Cents per gallon*
Litchfield	10.7	9.7
Littleton	11.8	10.9
Livermore	11.4	10.7
Londonderry	11.1	9.7
Loudon	10.7	10.0
Lyman	11.4	10.9
Lyme	11.0	10.1
Lyndeboro	10.7	9.4
Madbury	11.2	9.3
Madison	11.5	10.4
Manchester	11.1	9.7
Marlboro	11.2	10.2
Marlow	11.4	10.2
Mason	10.7	9.4
Meredith	11.4	10.2
Merrimack	10.7	9.4
Middleton	11.2	9.6
Milan	11.5	10.4
Milford	10.7	9.4
Millsfield	12.0	11.2
Milton	11.2	9.6
Monroe	11.4	10.9
Mount Vernon	10.7	9.4
Moultonboro	11.4	10.7
Nashua	10.7	9.4
Nelson	11.4	10.2
New Boston	11.1	9.7
Newcastle	10.2	9.2
New Durham	11.2	9.6
New Hampton	11.1	10.7
New Ipswich	10.7	9.4
New London	11.4	10.3
Newbury	11.4	10.9
Newfields	10.6	9.2
Newington	10.2	9.2
Newmarket	11.2	9.2
Newport	11.4	10.2
Newton	10.6	9.4
No. Hampton	10.2	9.3
Northwood	11.2	10.1
Northfield	11.1	10.0
Northumberland	11.8	11.0
Nottingham	11.2	9.3
Odell	12.0	11.2
Orange	11.1	10.1
Orford	11.0	10.2
Ossipee	11.6	10.4
Pelham	10.7	9.4
Pembroke	10.7	10.0
Peterboro	10.7	9.6
Piermont	11.4	10.2
Pinkham	11.5	10.4
Pittsburgh	12.0	11.2
Pittsfield	10.7	10.1
Plainfield	11.0	10.1
Plaistow	10.5	9.4
Plymouth	11.4	10.7
Portsmouth	10.2	9.2
Randolph	11.5	10.4
Raymond	10.5	9.7
Richmond	11.2	10.2
Rindge	10.6	9.6
Rochester	11.2	9.6
Rollinsford	11.2	9.6
Roxbury	11.2	10.2
Rumney	11.4	10.7
Rye	10.2	9.2
Salem	10.7	9.4
Salisbury	11.1	10.0
Sanbornton	11.1	10.0
Sandown	10.5	9.4
Sandwich	11.4	10.7
Seabrook	10.6	9.4
Sharon	10.7	9.8
Shelburne	11.5	10.4
Somersworth	11.2	9.3
South Hampton	10.6	9.4
Springfield	11.4	10.3
Stark	11.8	11.0
Stewartstown	12.0	11.2
Stoddard	11.4	10.2
Strafford	11.2	10.1
Stratford	12.0	11.2
Stratham	10.6	9.2
Success	11.5	10.4
Sullivan	11.2	10.2
Sunapee	11.4	10.4
Surry	11.2	10.2
Sutton	11.0	10.0
Swanzey	11.2	10.2
Tamworth	11.5	10.4
Temple	10.7	9.6
Thornton	11.4	10.7
Tilton	11.1	10.0
Troy	11.2	10.2
Tuftonboro	11.5	10.4
Twin Mt	11.8	10.9
Unity	11.4	10.3
Wakefield	11.5	10.4
Walpole	11.4	10.2
Warner	11.0	10.0
Warren	11.4	10.7
Washington	11.4	9.9
Waterville	11.4	10.7
Weare	11.1	9.7
Webster	11.0	10.0
Wentworth	11.4	10.7
Wentworth Loc	12.0	11.2
Westmoreland	11.2	10.2
Whitefield	11.8	11.0
Wilmot	11.1	10.0
Wilton	10.7	9.4
Winchester	11.2	10.2
Windham	10.7	9.7
Windsor	11.2	9.9
Wolfeboro	11.5	10.4
Woodstock	11.4	10.7

(2) For single lot deliveries of less than 100 gallons, the maximum price at each point listed in subparagraph (1) above shall be increased as follows:

Product	*Increase (cents per gallon)*
Kerosene, No. 1 Fuel Oil and Range Oil	1.5
Nos. 2 and 3 Fuel Oil	.5

(b) *Conway, New Hampshire, Area.* In the Conway Area, comprising the following towns and cities in the State of New Hampshire: Albany, Bartlett, Chatham, Conway, Eaton, Hart's Location, Jackson, Madison and Tamworth, the maximum prices of kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
Loaded into buyer's tank wagons	9.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	11.5

2. Section 2.30 (a) (1) is amended in the following respects:

The table under the caption "Delivered Prices" is amended to read as follows:

[All prices in cents per gallon]

DELIVERED PRICES

	For tank wagon deliveries to resellers in any quantity	For tank wagon [2] deliveries to consumers in quantities of 25 gallons or over	For tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 [3] gallons
For delivery within:			
New York City	9.8	10.3	12.8
Westchester County, excepting:	9.8	10.3	12.0
Townships of North Salem, Lewisboro, Somers, Yorktown, Bedford and Pound Ridge	10.3	10.8	12.5
Nassau County	10.0	10.5	12.0
Suffolk County [1], excepting:	10.6	10.6	12.0
Townships of Riverhead, Southampton Southhold, and East Hampton	10.7	10.7	12.0
Township of Shelter Island	11.2	11.2	12.5

[1] Suffolk County, insofar as the delivered prices herein are concerned, excludes Fishers, Gardiners, Gull, Plum and Robbins Islands. Maximum prices for these excluded islands continue to be determined under other provisions of Maximum Price Regulation No. 88.

[2] For deliveries within New York City, the maximum price in this column applies also to truck deliveried in container in quantities of 50 gallons or over.

[3] For deliveries within New York City, the maximum price in this column applies to truck deliveries in containers in quantities of less than 50 gallons.

3. Section 2.37 is amended to read as follows:

SEC. 2.37 *Rhode Island.*—(a) *State of Rhode Island.* In the State of Rhode Island, at the points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil and range oil:

City or town	F. o. b. refineries and sea-board tanker terminals in bulk lots loaded into barges	F. o. b. refineries and sea-board tanker terminals in bulk lots loaded into tank cars or motor transports	F. o. b. barge terminals in bulk lots loaded into tank cars or motor transports	Loaded into buyers' tank wagons	Loaded into containers, in quantities of 10 gallons or less	Tank wagon deliveries to resellers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons
	Cents per gallon	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
Barrington				7.9	10.5	10.2	10.5	12.0
Bristol				7.9	10.5	10.2	10.5	12.0
Burrillville					10.4	10.3	10.6	12.1
Central Falls City				7.8	10.3	10.1	10.3	11.8
Charleston					10.2	10.1	10.4	11.9
Coventry					10.4	10.3	10.6	12.1
Cranston City				7.8	10.2	10.1	10.3	11.8
Cumberland					10.2	10.1	10.4	11.9
East Greenwich				7.9	10.3	10.2	10.5	12.0
East Providence	6.95	7.3	7.8	7.8	10.2	10.1	10.3	11.8
Executer					10.4	10.3	10.6	12.1
Foster					10.4	10.3	10.6	12.1

City or town	F. o. b. refineries and seaboard tanker terminals in bulk lots loaded into barges	F. o. b. refineries and seaboard tanker terminals in bulk lots loaded into tank cars or motor transports	F. o. b. barge terminals in bulk lots loaded into tank cars or motor transports	Loaded into buyers' tank wagons	Loaded into containers, in quantities of 10 gallons or less	Tank wagon deliveries to resellers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons
	Cents per gallon	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
Gloucester					10.4	10.3	10.0	12.1
Hopkinton					10.2	10.1	10.4	11.9
Jamestown					11.0	11.3	11.5	13.0
Johnston					10.2	10.1	10.3	11.8
Lincoln					10.2	10.1	10.3	11.8
Little Compton					10.4	10.3	10.6	12.1
Middletown					10.4	10.3	10.6	12.1
Narragansett					10.2	10.1	10.4	11.9
Newport City				8.0	10.4	10.3	10.6	12.1
North Kingston					10.4	10.3	10.6	12.1
North Providence				7.8	10.2	10.1	10.3	11.8
North Smithfield					10.2	10.1	10.4	11.9
Pawtucket City			7.3	7.8	10.2	10.1	10.3	11.8
Portsmouth					10.4	10.3	10.6	12.1
Providence City	6.85	7.2	7.3	7.8	10.2	10.1	10.3	11.8
Richmond					10.2	10.1	10.4	11.9
Scituate					10.4	10.3	10.6	12.1
Smithfield					10.2	10.1	10.3	11.8
South Kingston					10.2	10.1	10.4	11.9
Tiverton					10.4	10.3	10.6	12.1
Warren		7.2			10.2	10.1	10.3	11.8
Warwick City				7.9	10.3	10.2	10.5	12.0
Westerly				7.9	10.3	10.2	10.5	12.0
West Greenwich					10.2	10.1	10.4	11.9
West Warwick					10.4	10.3	10.6	12.1
Woonsocket				7.9	10.3	10.2	10.5	12.0
				7.9	10.2	10.1	10.4	11.9

(2) For Nos. 2 and 3 Fuel Oil:

City or town	F. o. b. refineries & seaboard tanker terminals loaded into barges	F. o. b. refineries & seaboard tanker terminals loaded into tank cars or motor transports	F. o. b. barge terminals loaded into tank cars or motor transports	Loaded into buyers' tank wagons except at jobbers' inland bulk plants	Loaded into tank wagons at jobbers' inland bulk plants	Tank wagon deliveries to consumers in quantities of 100 gallons and over	Tank wagon deliveries to consumers in quantities of less than 100 gallons
	Cents per gallon	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
Barrington						9.0	9.3
Bristol						9.0	9.3
Burrillville						9.0	9.3
Central Falls City						9.1	9.4
Charlestown						9.0	9.3
Coventry					7.3	9.0	9.3
Cranston City						9.0	9.3
Cumberland						9.0	9.3
East Greenwich					7.1	9.0	9.3
East Providence	6.45	6.70			7.3	9.0	9.3
Exeter						9.0	9.3
Foster						9.0	9.3
Glocester						9.1	9.4
Hopkinton						10.0	10.3
Jamestown						9.0	9.3
Johnston						9.0	9.3
Lincoln						9.2	9.5
Little Compton						9.3	9.6
Middletown						9.0	9.3
Narragansett						9.3	9.6
Newport City						9.0	9.3
North Kingston					7.3	9.0	9.3
North Providence						9.0	9.3
North Smithfield				6.80	7.1	9.0	9.3
Pawtucket City					7.3	9.3	9.6
Portsmouth						9.0	9.3
Providence City	6.45	6.70	6.80	7.1	7.3	9.1	9.4
Richmond						9.0	9.3
Scituate						9.0	9.3
Smithfield						9.0	9.3
South Kingston						9.2	9.5
Tiverton					7.1	9.0	9.3
Warren		6.70				9.0	9.3
Warwick City						9.1	9.4
Westerly						9.0	9.3
West Greenwich						9.0	9.3
West Warwick					7.4	9.0	9.3
Woonsocket						9.0	9.3

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3987; Filed, March 21, 1944; 11:50 a. m.]

PART 1340—FUEL

[RMPR 137,[1] Amdt. 1]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS; RHODE ISLAND

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9 (b) (10) is added to read as follows:

(10) *Rhode Island.* In the State of Rhode Island in the towns and cities named below, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be as follows:

City or town:	*Sales at retail establishments cents per gal.*
1. Barrington	13.0
2. Bristol	13.0
3. Burrillville	13.0
4. Central Falls City	12.5
5. Charlestown	12.5
6. Coventry	13.0
7. Cranston City	12.5
8. Cumberland	12.5
9. East Greenwich	13.0
10. East Providence	12.5
11. Exeter	13.0
12. Foster	13.0
13. Glocester	13.0
14. Hopkinton	12.5
15. Jamestown	13.5
16. Johnstown	12.5
17. Lincoln	12.5
18. Little Compton	13.0
19. Middletown	13.0
20. Narragansett	12.5
21. Newport City	13.0
22. North Kinston	13.0
23. North Providence	12.5
24. North Smithfield	12.5
25. Pawtucket City	12.5
26. Portsmouth	13.0
27. Providence City	12.5
28. Richmond	12.5
29. Scituate	13.0
30. Smithfield	12.5
31. South Kingston	12.5
32. Tiverton	13.0
33. Warren	13.0
34. Warwick City	13.0
35. Westerly	12.5
36. West Greenwich	13.0
37. West Warwick	13.0
38. Woonsocket	12.5

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3993; Filed, March 21, 1944; 11:46 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,[2] Amdt. 10]

PRINTING AND PRINTED PAPER COMMODITIES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 225 is amended in the following respects:

1. Section 1347.471 is amended to read as follows:

§ 1347.471 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 225 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of commodities and services for which maximum prices are established by this Maximum Price Regulation No. 225 and with respect to sales and deliveries of commodities and services for which specific exemptions are provided in this regulation; consequently, any sale specifically exempted from this Maximum Price Regulation No. 225 is exempt from all price control.

2. Section 1347.478 Appendix D is added to read as follows:

§ 1347.478 *Appendix D: Exemptions.* Neither this Maximum Price Regulation No. 225 nor the General Maximum Price Regulation shall apply to sales of printing and printed paper commodities by the Library of Congress.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3998; Filed, March 21, 1944; 11:48 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1117.

[2] 8 F.R. 4181, 7382, 10983, 12660, 15456.

ment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 225 is amended in the following respects:

1. Section 1347.471 is amended to read as follows:

§ 1347.471 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 225 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of commodities and services for which maximum prices are established by this Maximum Price Regulation No. 225 and with respect to sales and deliveries of commodities and services for which specific exemptions are provided in this regulation; consequently, any sale specifically exempted from this Maximum Price Regulation No. 225 is exempt from all price control.

2. Section 1347.478 Appendix D is added to read as follows:

§ 1347.478 *Appendix D: Exemptions.* Neither this Maximum Price Regulation No. 225 nor the General Maximum Price Regulation shall apply to sales of printing and printed paper commodities by the Library of Congress.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3998; Filed, March 21, 1944; 11:48 a. m.]

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 266,[1] Amdt. 7]

CERTAIN TISSUE PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1347.515 (b) (2), the last sentence is amended to read as follows: "Freight charges to the point of delivery may be added to the resulting f. o. b. price: *Provided*, That, except on shipments to the Army, Navy or Lend-Lease Administration, such maximum price including freight charges, may not exceed the maximum zone price which would apply at the given destination."

This amendment shall become effective March 27, 1944.

*Copies may be obtained from the Office Price Administration.

[1] 7 F.R. 9335, 10714; 8 F.R. 531, 2431, 4181, 7383.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3999; Filed, March 21, 1944; 11:47 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 522]

MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS IN SEVEN WESTERN STATES

In the judgment of the Price Administrator, it is necessary and proper to establish, by a separate maximum price regulation, maximum prices for merchants' sales of fine papers and certain paperboards in seven western states (California, Oregon, Washington, Nevada, Idaho, Arizona, and Utah). The Price Administrator has ascertained and given due consideration to merchants' prices for these sales prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practical, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1347.806 *Maximum prices for merchants' sales of fine papers and certain paperboards in seven western states.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 522 (Merchants' Prices for Fine Papers and Certain Paperboards in Seven Western States) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.806 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681.

MAXIMUM PRICE REGULATION No. 522—MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS IN SEVEN WESTERN STATES

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26. Geographical applicability.
27. Tabulation of fine papers and paperboards covered by this regulation.

SECTION 1. *Prohibition against dealing in fine papers and certain paperboards at prices above the maximum prices.* (a) On and after March 27, 1944, in the states covered by this regulation, regardless of any contract, agreement, lease or other obligation, no merchant shall sell, deliver or transfer any of the fine papers or paperboards covered by this regulation, and no person shall buy or receive any such fine papers or paperboards from any merchant at prices higher than the maximum prices set forth in this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. If the seller and buyer are not both located in the area covered by this regulation, then the location of the buyer and not that of the seller determines whether the transaction is subject to this regulation.

(b) *Sales not covered by the regulation.* The provisions of this regulation shall not be applicable to:

(1) Sales or deliveries of fine papers in cases where the manufacturer of the paper sells it through a merchant to a specific purchaser or sells it to a merchant for resale to a specific purchaser if the following conditions are present:

(i) The manufacturer is directly involved in the determination of the final price to the purchaser, and

(ii) The merchant's sole compensation for the service rendered is in the form of a selling discount, commission or fee.

Such sales are considered sales by the manufacturer and are subject to the appropriate regulation governing manufacturers' sales. This exception, however, does not apply to sales of paperboard.

(2) Sales or deliveries at the retail level, including sales to ultimate consumers, such as artists, illustrators, photographers and the like. Such sales are subject to the General Maximum Price Regulation.[1]

(3) Sales or deliveries in cases where the total sales price computed under this

[1] 9 F.R. 1385.

regulation is in an amount equal to or less than the minimum charge established by the merchant during March 1942, for the sale of any particular fine paper or paperboard. Such sales are subject to the General Maximum Price Regulation.

(4) Sales or deliveries of "specialty papers" as defined in section 18. Such sales are subject to the General Maximum Price Regulation.

SEC. 2. *Maximum prices.* (a) The maximum price at which a merchant may sell any of the fine papers or paperboards subject to this regulation shall be the total of the manufacturer's base price as defined in section 3 of this regulation, plus the highest percentage mark-up applied by the merchant during March 1942 to total cost (also computed in accordance with section 3) for the same commodity in the same quantity bracket.

(b) If the merchant did not have a mark-up during March 1942, for a particular fine paper or paperboard or for a particular quantity of fine paper or paperboard, then he shall use the percentage mark-up which he applied during March 1942, to a similar fine paper or paperboard.

For sales of less than 2,000 lbs. prices may be computed to the nearest 25¢ per cwt. For sales of 2,000 lbs. and over, prices may be computed to the nearest 5¢ per cwt. In each case 2½¢ or more may be considered as 5¢.

SEC. 3. *Manufacturer's base price.* The manufacturer's base price is his standard price to merchants, per base unit of sale for standard weights, colors, and finishes. The base unit of sale for each type is set forth in section 27. Standard Price means the price quoted in the manufacturer's merchant price list in effect at the date of the merchant's sale, or if the manufacturer had no price list, the price which he regularly quoted at that date in any other manner, before cash discount. Transportation charges paid by the merchant, less all freight allowances, and exclusive of any delivery charges (for which, see section 5) may be included within manufacturer's base price for the purposes of this regulation.

SEC. 4. *Differentials and discounts.* All differentials and discounts shall be computed in the relative order in which they are set forth below.

(a) *Discount for quantity shipments.* In any direct or indirect sale by the merchant to the customer or by the manufacturer to the customer for the account of the merchant, where because of the quantity of the order a deduction would be required under any price regulation from the manufacturer's base price on a similar sale to the merchant, the merchant must make a deduction in the same amount before the application of his percentage mark-up.

(b) *Colors, special finishes, watermarks and light weights.* The merchant may add to the manufacturer's base price before the application of the merchant's percentage mark-up, any charges actually paid to the manufacturer for colors, special finishes, watermarks and light weights.

Exceptions: (1) The merchant shall add any charges paid to the manufacturer for colors, special finishes, watermarks and light weights, after the application of the merchant's percentage mark-up if this was his customary practice during March 1942. (2) The merchant may continue to add, before the application of his percentage mark-up, a flat charge for colors, special finishes, watermarks and light weights if it was his customary practice during March 1942 to make such flat charge irrespective of the quantity of the sale.

(c) *Irregular basis weights and sizes.* The merchant may add to his selling price after the application of the merchant's percentage mark-up, the percentage differential represented by any charges made by the manufacturer to the merchant for irregular basis weights and sizes.

(d) *Packing differentials.* In any shipment by the merchant to the customer or by the manufacturer to the customer for the account of the merchant, where an additional charge would be permitted for packing when sold to the merchant, the merchant may add the amount of this charge to his selling price after the application of his percentage mark-up. If the manufacturer's differential for packing takes the form of a deduction from his base price, a deduction in the same amount must be made by the merchant and this may be done after the application of his percentage mark-up.

(e) *Cash discounts.* The merchant shall give the same cash discounts for each type of paper which he customarily gave in March 1942 to a purchaser of the same class, unless a change will result in the same or a lower price.

(f) *Manufacturing variations.* Variations by the manufacturer in quantity, weight, thickness, etc., from that ordered which would be permissible under trade tolerances, will also be permitted to the merchant on the resale of such paper or paperboard, and no differential will be permitted to, or discount required by, the merchant by reason of such variations.

SEC. 5. *Charges for delivery.* (a) Maximum prices established in accordance with section 2 are prices delivered to the purchaser except as provided in paragraphs (b) and (c) below. When any addition for delivery charges is permitted, such addition shall be made after the application of the merchant's percentage mark-up.

(b) *Free delivery area.* The merchant shall deliver the fine papers and paperboards subject to this regulation without charge in the same area within which he delivered or would have delivered without charge in March 1942. If, however, his customary practice in that month was to make a charge for the delivery in that area of certain quantities, or of certain grades, he may now charge an amount computed at the lowest of the available common or contract carrier rates for the same haul.

(c) *Outside free delivery area*—(1) *Warehouse or indirect sales.* (i) If the merchant had a practice in March 1942 of adding a fixed differential for delivery within a certain locality outside his free delivery area, he may add the same amount which he charged or would have charged for such delivery in that month. If he did not have such a practice, then he may add a delivery charge determined as follows:

(ii) On deliveries in the merchant's own truck, he may add a charge computed at the lowest of the available common or contract carrier rates in effect for the same haul.

(iii) On shipments by the merchant by common or contract carrier, his maximum prices established in accordance with section 2 are f. o. b. the carrier's loading point within the merchant's free delivery area, and he may add any subsequent transportation charges, including local cartage expense.

(2) *Direct sales.* On sales involving shipment from the manufacturer directly to the merchant's customer located outside of the merchant's free delivery area, the merchant may add to the maximum price established in accordance with section 2 the difference between the total actual delivery costs involved and the delivery costs borne by the manufacturer.

SEC. 6. *Sales by agent distributors*—(a) *Sales to merchants.* The agent distributor's maximum price to a merchant is the maximum price to such merchant chargeable by the manufacturer from whom the agent distributor has purchased.

(b) *Sales to consumers.* The agent distributor's maximum price to a consumer is the maximum price which a merchant may charge for the commodity.

(c) *Delivery charges.* The differential for transportation costs and the charges for delivery specified in section 5 shall be applicable to sales by agent distributors.

SEC. 7. *Resale price on sales by merchants who purchase from other merchants.* The maximum price at which a merchant may sell any fine papers or paperboards subject to this regulation which he purchased from another merchant is the maximum price which would be applicable if he had purchased the commodity directly from the same manufacturer as the first merchant. A merchant selling to another merchant shall supply the latter with all the information necessary to enable him to determine his maximum price upon the resale of such paper or paperboard, such as the manufacturer's base price and all applicable differentials and discounts.

SEC. 8. *Assortments and amalgamations.* The merchant shall grant the same privileges with respect to assortments and amalgamations which he customarily granted to a purchaser of the same class during March 1942.

SEC. 9. *Job lots.* The maximum prices established in section 2 are not applicable to sales of job lots or second qualities of paper or paperboard. The maximum prices for such job lots and second qualities are the total maximum prices for which a merchant may sell the first quality of the same commodity.

SEC. 10. *Charges for conversion*—(a) *Charges for conversion operations performed by the merchant.* A merchant performing a conversion operation such as cutting, sealing, banding, punching, round cornering, corner clipping, wrapping, slitting, packaging, rewinding or a related operation in connection with any fine papers or paperboards subject to this regulation may add a charge therefor which shall not exceed the maximum amount charged by the merchant for such operation in March 1942 to a purchaser of the same class.

If the merchant performs a conversion operation for which a charge was not made in March 1942, he shall compute the charge by using such cost factors, wage rates, charges for machine hours, overhead, etc., as he would have used to compute such charge during said period, even though the cost factors may have increased since that date.

(b) *Charges for conversion operations performed by another.* If the merchant secures the performance of any conversion operation by any other person, he may add to his maximum selling price for the fine paper or paperboard the total of:

(1) The actual charge made to him by such other person for such operation;

(2) Transportation costs necessarily incurred in such operation at the lowest of the available common or contract carrier rates, if such costs are not included in (1) above; and

(3) The percentage margin for profit which he charged or would have charged in March 1942 to a purchaser of the same class on the same conversion operation performed by another person on the same or a comparable type of paper or paperboard.

(c) *Operations not covered by this regulation.* If a conversion operation results in the creation of a converted paper product, the sale of which is subject to any specific maximum price regulation (other than the General Maximum Price Regulation), such operation is not subject to this regulation.

SEC. 11. *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation 522 may be charged, demanded, paid or offered.

SEC. 12. *Imports.* The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.[1]

SEC. 13. *Export sales and sales for export.* The maximum prices at which a merchant may sell for export or may export fine papers or paperboards subject to this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

SEC. 14. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order or letter.

SEC. 15. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service subject to this regulation, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 16. *Records and reports*—(a) *Records.* Every merchant shall keep for inspection by the office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records, including invoices, applicable to all sales of fine papers and paperboards subject to this regulation made by the merchant in March 1942 and subsequent to the issuance of this regulation, showing the following:

(1) Manufacturer's base price.
(2) Differentials or discounts applied.
(3) Merchant's mark-up.
(4) Charges for delivery.
(5) Charges for conversion.

(b) *Reports.* (1) Every person making a sale after March 26, 1944, of the fine papers and paperboards subject to this regulation shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of those specified in paragraph (a) as the Office of Price Administration may from time to time require with the approval of the Bureau of the Budget pursuant to the Federal Reports Act 1942.

(2) On and after May 11, 1944, no person may determine prices under this regulation unless he shall have submitted on Form No. 695–576 (copies of which may be obtained from the appropriate Field Office of the Office of Price Administration) the percentage mark-ups as provided for in section 2 of this regulation. Two copies must be filed with the Office of Price Administration, Paper and Paper Products Branch, Washington, D. C.; and one copy must be retained by the merchant.

SEC. 17. *Invoice and labelling requirements*—(a) *Grade description.* The merchant shall set forth on his invoice the basis weight or nominal weight and the brand name or grade description of the paper or paperboard.

(b) *Conversion charges.* The merchant shall set forth separately on his invoice any charges made by him for conversion.

(c) *Job lots and seconds.* On a sale of job lots or second qualities the merchant shall specify in his invoice or on the wrapping of the paper that it consists of such quality.

SEC. 18. *Definitions.* When used in this Maximum Price Regulation 522 the term:

"Seven Western States" means the states of California, Oregon, Washington, Nevada, Idaho, Arizona and Utah.

[1] 8 F.R. 11681, 12237.
[2] 8 F.R. 4132.

"Agent distributor" means a class of merchant who purchases fine papers and paperboards from a manufacturer (other than a manufacturer affiliated with such person through any community of ownership) at a special discount under an agreement that all sales which he makes to merchants shall be at a price not exceeding the manufacturer's price.

"Specialty paper" means a paper which fulfills all three of the following requirements: (1) When it is made by a manufacturer expressly and solely to fulfill an unusual requirement of a particular user or class of users; (2) When it is neither comparable with, nor a variation of, a standard mill grade which is regularly offered by the manufacturer; (3) When it possesses one or more physical or chemical qualities not attainable in the manufacturer's standard grades.

"Amalgamation" is a single order consisting of a combination of more than one grade, brand, or watermark.

"Assortment" is a single order consisting of a combination of different colors, finishes and basis weights within a grade, brand or watermark.

"Fine papers" and "paperboards" mean those certain papers and paperboards listed in section 27 of this regulation.

"Job lots" and "seconds" mean substandard qualities of fine paper or paperboard resulting from faulty manufacture customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture first quality of fine paper or paperboard.

"Manufacturer" means any person who manufactures fine papers and paperboards and includes an agent and a person affiliated with a manufacturer through any community of ownership, who distributes or sells such manufacturer's fine papers or paperboards, excluding, however, any person who comes within the definition of a merchant set forth in this section.

"Merchant" means any person who buys and resells any of the fine papers or paperboards listed in section 27 of this regulation, except (a) retailers and (b) manufacturers buying fine papers or paperboards from another manufacturer and reselling them.

"Merchant" also includes a manufacturer selling fine papers or paperboards of his own manufacture, and a person affiliated with such manufacturer through any community of ownership if, and only if, the Office of Price Administration shall find that he operates as a bona fide merchant. For the purposes of this regulation, (including the reporting provision contained in section 16 (b)) each branch house or branch office operated by a merchant shall be considered as a separate merchant.

"Nominal weight" means the ream or 1000 sheet weight ordered by the merchant for a quantity of paper in sheets.

"Person" means an individual, corporation, partnership, association, and any other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, and any agency of the foregoing.

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, retailer, jobber, converter, consumer, government agency) or for purchasers located in different areas or for different quantities or under different conditions of sale.

"Records" mean books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents, letters and correspondence.

"Retailer" means any person, the major portion of whose sales are to ultimate consumers other than industrial, commercial or institutional users or government agencies.

"Similar commodities." One commodity shall be deemed "similar" to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

"Standard weights, colors, and finishes" mean the weights, colors and finishes supplied by the manufacturer without any charges for differentials.

SEC. 19. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 20. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after March 26, 1944, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee with respect to those sales and services for which prices are based on the seller's charging practice in March 1942 shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with section 16 shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 522.

SEC. 21. *Application for determination of maximum price.* A merchant who did not deal in fine papers or paperboards in March 1942, and who is unable to determine a maximum price for any sales or services covered by this regulation because he had no charging practice with respect thereto in that month, shall apply to the Office of Price Administration in Washington, D. C., for the determination of the maximum price which he may charge for such sales and services. Any charge made prior to his receipt of such ruling shall be subject to adjustment in accordance with the determination made.

SEC. 22. *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation 522 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to fine papers and paperboards, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited if used as a means of evading the price limitations imposed by this Maximum Price Regulation 522: modifying, discontinuing, or altering any customary trade practice of the seller, increasing the terms of sale, or splitting orders.

SEC. 23. *Enforcement.* Persons violating any provisions of this Maximum Price Regulation 522 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 24. *Petition for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 522 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 25. *Applicability of the General Maximum Price Regulation.*[5] The provisions of this Maximum Price Regulation No. 522 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of fine papers and paperboards for which maximum prices are established by this Maximum Price Regulation 522.

SEC. 26. *Geographical applicability.* The provisions of this Maximum Price Regulation 522 shall be applicable to the following states:

Washington, Oregon, California, Nevada, Idaho, Arizona, and Utah.

The regulation shall not be applicable to the territories and possessions of the United States.

[4] 8 F.R. 13240.

[5] 8 F.R. 3086, 3849, 4347, 4486, 4724, 4978, 4848, 6047.

SEC. 27. *Tabulation of fine papers and paperboards covered by this regulation.*

Paper classification	Types of paper covered	Base price unit and quantity of sale
Tag board and manila	Bleached and unbleached sulphite tag, bleached and unbleached sulphate tag, groundwood content tag, jute tag, manila tag, rope tag, document Manila, envelope Kraft, and envelope Manila.	Base price per lb. for a sale of 500 lbs.
Plain and coated book papers	Coated book, process or machine coated book, uncoated book, such as machine finish, English finish, Bible, antique, eggshell, and supercalendered book paper.	Base price per lb. for a sale of 4 cases.
Offset book	Plain offset papers, fancy finish offset papers including all roll embossed and plater finishes.	Base price per lb. for a sale of 4 cases.
Groundwood book	Groundwood printing, catalog and directory papers.	Base price per lb. for a sale of 4 cases or 2,000 lbs.
Plain and fancy cover papers	Cover paper in plain, coated and fancy finishes. Single and double thick, plain edges and deckled edges.	Base price per lb. for a sale of 4 cartons.
Specialty cover papers	Cover papers with unusual finish or color effect produced either on the paper machine or by coating or printing.	Base price per lb. for a sale of 500 lbs. or 4 cartons.
Text papers	Antique or fancy finished papers, plain or deckled edge, laid or wove, with or without a range of colors, watermarked or unwatermarked.	Base price per lb. for a sale of 500 lbs. or 4 cartons
Coated blanks and boards	Coated blanks, translucents, coated post card, campaign Bristol, election Bristol, coated thick China, coated tough check, coated ear sign, coated show card, coated railroad board, and coated Bristol.	Base price per 1 M sheets for a sale of 4 cartons or 1 case.
Plain blanks and boards	Uncoated thick China, plain blanks, uncoated tough check, uncoated railroad board,	Base price per 1 M sheets for a sale of 4 cartons or 1 case.
Gummed papers	All grades	Base price per ream or per 1 M sheets, as the manufacturer's practice may be, for a sale of 4 cartons.
Glazed and plated papers	All grades	Base price per lb. or ream, as the manufacturer's practice may be, for a sale of 4 cartons.
Bogus Bristols	All bogus Bristols	Base price per lb. for a sale of 1 bundle.
Weddings and papeteries	Chemical wood pulp and rag content, vellum paper, wedding papers, wedding bristols and papeteries in both single thickness and pasted sheets.	Base price per lb. for a sale of 4 cartons.
Bristols	Uncoated Bristol, uncoated post card, chemical wood pulp, index Bristol, rag content and index Bristol.	Base price per lb. or per 1 M sheets, as the manufacturer's practice may be, for a sale of 4 cartons.
Clay coated boxboard	All grades	Base price per 1 M sheets for a sales of 5 cartons.
Groundwood papers	Groundwood poster, groundwood drawing, groundwood bulking book.	Base price per cwt. in bundles for a sale of 2 M lbs.
Groundwood writing papers	Railroad Manila, railroad writing, railroad second sheets and groundwood mimeograph.	Base price per cwt. in bundles for a sale of 2 M lbs.
Chemical wood pulp writing papers and rag content writing papers of less than 75% rag content.	Chemical wood pulp and less than 75% rag content, bonds and ledgers, linens, writing, mimeograph and duplicator papers.	Base price per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.
Safety papers	Chemical wood pulp and less than 75% rag content safety papers.	Base price per lb. for a sale of 4 cartons.
Opaque circular	Chemical wood pulp and rag content opaque circular in both writing and book paper sizes.	Base price per lb. for a sale of 4 cases or 16 cartons.
75% and over rag content writing papers.	Papers having 75% and greater rag content. Bonds and ledgers, writing linens, mimeographs, and duplicator papers.	Base price per lb. for white wove for a sale of 4 cartons.
Safety papers	Grades having 75% and greater rag content	Base price per lb. for a sale of 4 cartons.
Thin papers	Onionskin, manifold papers, French writings having 75% and greater rag content.	Base price per ream or per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.
Thin papers	Chemical wood pulp of less than 75% rag content. Onionskin, manifold papers, French writings, machine glazed, French folio.	Base price per ream or per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.
Board items	Plain chip, news vat lined chip, filled news, solid news, white vat lined chips, mounting board, white patent coated news.	Base price per ton for sale of 10 tons or more.
Board items	Binders board, marble board, cloth board, press board, stencil board.	Base price per ton for sale of 10 tons or more.
Blotting papers	Enameled, pasted offset, plain, halftone and embossed and fancy finish.	Base price per lb. or per 1 M sheets for a sale of 1 Bundle or 1 Carton, as the manufacturer's practice may be.

This regulation shall become effective March 27, 1944.

NOTE: All reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4000; Filed, March 21, 1944; 11:48 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148,[1] Amdt. 16]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

[1] 7 F.R. 8609, 9005, 9948; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8876, 8877, 9998, 10571, 10732, 11380, 13296, 15191, 15609, 16426.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Section 1364.32 (b) (4) is amended to read as follows:

(4) "Cooked" refers to a pork product which (i) has been heated, otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating and (iii) the lean meat of which weighs not in excess of 85 percent of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that cooked hams, shoulders and picnics, bone-in or boneless, but not fatted, listed as items 1, 2, 3, 4, 11 and 12 of Schedule I (a) of § 1364.35, may have a lean meat weight not in excess of 90 percent of the weight in the green state, or a moisture content in the lean meat not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

2. Section 1364.32 (b) (7) is amended to read as follows:

(7) "Dried" refers to a product from which moisture has been evaporated so as to produce a yield from green weight not in excess of the yield indicated for such product in Schedule I (d) of § 1364.35. Yield, for the purpose of compliance with this requirement, shall be determined by dividing the final weight of the product by the green weight of the meat used and expressing the quotient as a percentage. The lean meat of aged, dry cured hams, Prosciutti hams, aged, dry cured shoulders, and Capicalli butts shall have a total moisture content not in excess of 65 percent of such moisture in the green state or not in excess of 2.5 times the weight of protein minus the weight of sodium chloride as chemically tested. The lean meat of aged, dry cured sides, aged, dry cured bacon and aged, dry cured jowls shall have a moisture content not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

3. Section 1364.32 (c) (30) is amended to read as follows:

(30) "Aged, dry cured": products which have been dry cured and which have been hung for a period of at least five months.

4. Section 1364.32 (c) (39) is added to read as follows:

(39) "Dried jowl": includes the lower jawbone with the teeth removed but having attached to it the head meat, tongue, lip and jaws of the pig or hog.

5. Section 1364.32 (c) (40) is added to read as follows:

(40) "Dried side": that part of the hog which remains after removal of the ham,

*Copies may be obtained from the Office of Price Administration.

shoulder and backbone (chine and finger bones). The boot-jack shall be entirely removed, except that the flank end may be cut on a slight bias. Otherwise, the sides must be square trimmed on all sides and the seed must be removed from the belly.

6. Item 16 of Schedule I (a) of § 1364.35 is amended to read as follows:

Item	Green or frozen		Cured		Smoked (wrapped)		Ready-to-eat (wrapped)		Cooked	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
16. Butts, boneless C. T.	Pounds	$39.00	Pounds	$39.50	Pounds	$37.50	Pounds	$41.00	Pounds	

7. Schedule I (d) of § 1364.35 is amended to read as follows:

(d) *Dried pork products.*

Item	Price	Yield in percentage of green weight
1. Aged, dry cured hams	$38.50	73
2. Aged, dry cured shoulders	29.00	78
3. Aged, dry cured bacon	27.75	80
4. Aged, dry cured sides	25.00	80
5. Aged, dry cured jowls	18.00	80
6. Prosciutti hams	36.50	76
7. Capicolli butts	44.75	77

8. Schedule I (f) of § 1364.35 is amended to read as follows:

(f) *Miscellaneous pork cuts.*

Item	Fresh or frozen	Cured		Smoked
		Loose	In litrces	
1. Hocks	$14.25	$14.25	$15.25	$18.00
2. Knuckles	11.00	11.00	12.00	14.75
3. Feet, hind and short-cut front	4.75	4.75	.....	.....
4. Feet, long-cut front	7.25	7.25	.....	.....
5. Tidbits from hind feet (this price applicable to sales to canners only)	9.00	.....	.....	.....
6. Tails	10.00	10.00	11.00	13.75
7. Neck bones	4.75	4.75	.....	7.50
8. No. 1 skins—strips	10.50	10.50	.....	.....
9. Bacon skins	4.50	4.50	.....	6.25
10. Gelatin skins (all rail shipments moving at carload rates must be sold on f. o. b. shipping point basis with buyer paying carrier's charges directly to the carrier)	8.25	8.25	.....	12.25
11. Blade butts (blade bones)	18.75	18.75	.....	.....
12. Back bones	8.75	.....	.....	.....
13. Pork tenderloins—10 lb. cartons or packages	23.00	.....	.....	.....
14. Pork tenderloins, loose	30.00	.....	.....	.....
15. Pork tenderloin, tips	20.00	.....	.....	.....
16. Pork chops (this price applicable to sales to purveyors of meals only)	17.50	.....	.....	.....
17. Canned ham, imported into United States (may be sold on an f. o. b. shipping point basis in l. c. l. quantities, if buyers pay carrier's charges directly to the carrier)	.....	34.00	.....	.....

9. Schedule II (i) of § 1364.35 is added to read as follows:

(1) For overseas hams and overseas bacon not packed in salt, $0.25 per hundredweight.

10. Schedule III (d) (2) of § 1364.35 is amended to read as follows:

(2) (i) Where the seller makes a peddler truck sale, as defined in § 1364.32 (a) (10) (i), of wholesale pork cuts other than fresh wholesale pork cuts involving a delivery of not more than 50 pounds of wholesale pork cuts and not more than 150 pounds of meats in any one day from the truck to any buyer's store door located north of the Potomac River in Zone 9 North as described in section 17a of Maximum Price Regulation No. 336—Retail Ceiling Prices for Pork Cuts and Certain Sausage Products—he may add to the prices specified in Schedule I, the sum of $2.00 per hundredweight.

(ii) Except as provided in the preceding paragraph, where the seller makes a peddler truck sale, involving delivery of not more than 50 pounds of wholesale pork cuts and not more than 150 pounds of meats in any one day from the truck to any buyer's store door, he may add to the prices specified in Schedule I, the sum of $1.50 per hundredweight.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 21st day of March, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3994; Filed, March 21, 1944; 11:45 a. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429,[1] Amdt. 2]

CERTAIN USED CONSUMER DURABLE GOODS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 429 is amended in the following respect:

1. Section 10 paragraph (c) is amended to read as set forth below:

(c) (i) If the reconditioner is the retailer, considering the substantial amount expended for labor and materials, the establishment of a price by the Class I formula would result in a price so low that he could not reasonably be expected to continue to recondition or rebuild the article, or

(ii) If the reconditioner is not the retailer, considering the properly established maximum price charged the retailer by the reconditioner, the establishment of a price by the Class I formula would result in a price so low that the retailer can not reasonably be expected to sell the article.

For further information consult with your nearest district office of the Office of Price Administration.

Until such permission is granted the ceiling price is the price fixed by this regulation.

This amendment shall become effective on the 27th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3996; Filed, March 21, 1944; 11:47 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 111]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1390.11 (g) the text preceding subparagraph (1) is amended to read as follows:

This paragraph is applicable to the sale by the Defense Plant Corporation, the War Department and the Department of the Navy of any second-hand machine or part which was acquired by

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9677, 13742.

[2] 8 F.R. 16132; 9 F.R. 1523, 2032, 2138.

the agency in question for the purpose of rental. Notwithstanding any other provisions of this regulation, the maximum price for such a sale shall be the price determined in accordance with the applicable provisions of paragraphs (a) to (f), inclusive, of this section or the price determined in accordance with the applicable provisions of subparagraphs (1) to (3), inclusive, of this paragraph (g), whichever is the higher.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4001; Filed, March 21, 1944; 11:49 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 112]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.10 (b) is amended to read as follows:

(b) *Certain cases where seller's price is based on lower cost—(1) Applicability of this paragraph.* This paragraph is applicable to the sale by a seller other than a manufacturer of a machine or part for which the seller had a list or established price in effect on the base date which was based on a cost lower than the price which his base date supplier had in effect to him on that date. When used in this paragraph the term "base date supplier" means the last person from whom the seller purchased the machine or part before the base date. This paragraph is also applicable to the sale by a seller other than a manufacturer of a machine or part whose cost has been increased to him in accordance with the provisions of this paragraph.

(2) *Price—(i) Where seller's base date price was based on price sheets published by another.* Where the seller's list price in effect on the base date was based on price sheets published by another person, the maximum price shall be determined as follows: The seller shall deduct from the published price list, which such other person had in effect on the base date, or which was revised by such other person in accordance with the provisions of this paragraph, all discounts, allowances and any other deductions from the list price which the seller had in effect to a purchaser of the same class on the base date.

(ii) *Where price not based on price sheets published by another.* Where the seller's list or established price in effect on the base date was not based on price sheets published by another person, the seller shall determine the maximum price as follows: The seller shall multiply his selling price in effect on the base date to each class of purchasers by the percentage increase in cost to him either occurring on or before October 1, 1941, or due to an increase in price permitted by this paragraph. This percentage shall be determined as follows: The seller shall divide either the price his supplier had in effect to him on the base date, had he made a purchase, or the increased price this paragraph permits his supplier to charge, by the cost on which his base date selling price was calculated.

(3) *Report and approval of price.* No adjustment may be made under subparagraph (2) until the price which the seller wishes to charge is approved in writing by the Office of Price Administration. A seller, other than a manufacturer, who desires to increase his price for a machine or part in accordance with subparagraph (2) shall file a report with the Office of Price Administration in Washington, D. C. This report shall contain the following information:

(i) *Where the seller's base date price was based on price sheets published by another.* Where the seller's base date price was based on price sheets published by another person, the report shall contain the following information:

(a) The name and address of the immediate supplier, as well as the manufacturer, of the item. If the manufacturer is also the supplier, include a statement to that effect.

(b) A description of the machine or part.

(c) A copy of the published price sheet which the seller used in determining his base date price, together with all discounts, allowances and any other deductions from that list price which he had in effect on the base date.

(d) A copy of the published price sheet which was put in effect either on or before the base date, or in accordance with the provisions of this paragraph.

(e) The list price which the seller desires to have approved for his use, together with all applicable discounts, allowances and any other deductions from that list price.

(ii) *Where the seller's base date price was not based on price sheets published by another.* Where the seller's base date price was not based on price sheets published by another person, the report shall contain the following information:

(a) The name and address of the immediate supplier, as well as the manufacturer, of the item. If the manufacturer is also the supplier, include a statement to that effect.

(b) A description of the machine or part.

(c) Where the price to the seller was increased on or before the base date, the price that the seller's supplier would have charged him on the base date, had he made a purchase, and the date that price became effective. Where the price to the seller was increased in accordance with the provisions of this paragraph, the price which has been approved by the Office of Price Administration and the date that approval was given.

(d) The cost upon which the seller's base date selling price was calculated, and the period during which such cost was effective.

(e) The seller's net price in effect to each class of purchasers on the base date, and the date such price or prices became effective.

(f) The maximum price or prices determined in accordance with subparagraph (2) and the class of purchasers to which each price applies.

This amendment shall become effective March 27, 1944.

NOTE: All reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132; 9 F.R. 1523, 2032, 2138.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4002; Filed, March 21, 1944; 11:48 a. m.]

PART 1392—PLASTICS

[MPR 523]

PLASTICS PRODUCTS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1392.101 *Maximum prices for plastics products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 523 (Plastics Products), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1392.101 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 523—PLASTICS PRODUCTS

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

Sec.

1. Coverage.
2. Exclusions.
3. Relationship to other regulations.
4. Prohibitions.
5. Less than maximum prices.

shoulder and backbone (chine and finger bones). The boot-jack shall be entirely removed, except that the flank end may be cut on a slight bias. Otherwise, the sides must be square trimmed on all sides and the seed must be removed from the belly.

6. Item 18 of Schedule I (a) of § 1364.35 is amended to read as follows:

Item	Green or frozen		Cured		Smoked (wrapped)		Ready-to-eat (wrapped)		Cooked	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
18. Butts, boneless C. T.	*Pounds*	$39.00	*Pounds*	$29.50	*Pounds*	$37.50	*Pounds*	$41.00	*Pounds*	

7. Schedule I (d) of § 1364.35 is amended to read as follows:

(d) *Dried pork products.*

Item	Price	Yield in percentage of green weight
1. Aged, dry cured hams	$38.50	73
2. Aged, dry cured shoulders	29.00	78
3. Aged, dry cured bacon	27.75	80
4. Aged, dry cured sides	26.00	80
5. Aged, dry cured jowls	18.00	80
6. Prosciutti hams	36.50	76
7. Capicalli butts	44.75	77

8. Schedule I (f) of § 1364.35 is amended to read as follows:

(f) *Miscellaneous pork cuts.*

Item	Fresh or frozen	Cured		Smoked
		Loose	In tierces	
1. Hocks	$14.25	$14.25	$15.25	$18.00
2. Knuckles	11.00	11.00	12.00	14.75
3. Feet, hind and short-cut front	4.75	4.75	----------	----------
4. Feet, long-cut front	7.25	7.25	----------	----------
5. Middle from hind foot (this price applicable to sales to canners only)	[illegible]	----------	----------	----------

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429,[1] Amdt. 2]

CERTAIN USED CONSUMER DURABLE GOODS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 429 is amended in the following respect:

1. Section 10 paragraph (c) is amended to read as set forth below:

(c) (i) If the reconditioner is the retailer, considering the substantial amount expended for labor and materials, the establishment of a price by the Class I formula would result in a price so low that he could not reasonably be expected to continue to recondition or rebuild the article, or

(ii) If the reconditioner is not the retailer, considering the properly established maximum price charged the retailer by the reconditioner, the establishment of a price by the Class I formula would result in a price so low that the retailer can not reasonably be expected to sell the article.

For further information consult with your nearest district office of the Office of Price Administration.

Until such permission is granted the ceiling price is the price fixed by this regulation.

This amendment shall become effective on the 27th day of March 1944.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec.
6. Maximum prices for plastics products sold or offered for sale by the manufacturer during the period January 1 to March 31, 1942.
7. Maximum prices for plastics products not sold or offered for sale by the manufacturer during the period January 1 to March 31, 1942.
8. Pricing formula.
9. Establishment of price determining method.
10. Maximum prices for dies, molds and special tools.
11. Federal and state taxes.
12. Transportation costs.
13. Emergency service charges.
14. Transfers of business or stock in trade.

ARTICLE III—MISCELLANEOUS

Sec.
15. Applications for adjustment.
16. Petitions for amendment.
17. Adjustable pricing.
18. Records.
19. Reports.
20. Licensing.
21. Evasion.
22. Enforcement.
23. Definitions.

Appendix A.—Form for applications for adjustment.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATIONS

SECTION 1. *Coverage—(a) Commodities and persons.* Except as provided in section 2, this regulation establishes maximum prices for sales of plastics products by a manufacturer who molds, fabricates or processes plastics materials. This regulation also applies to sales by such manufacturers of any dies, molds, or special tools which are sold in connection with the sale of a plastics product. When used in this regulation, the term:

(1) "Plastics product" means any product made in whole or in part of plastics materials that is produced by molding, laminating, casting, extruding, machining, grinding, forming, punching, stamping, or otherwise fabricating plastics materials, plastics objects or plastics parts.

(2) "Plastics materials" means any of the natural or synthetic organic materials made from cellulose, proteins, hydrocarbons, or resins, which can be molded under heat and/or pressure, extruded, cast, or fabricated into various shapes. This term includes vulcanized fibre but does not include synthetic rubber.

(3) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(b) *Geographical applicability.* This regulation applies in the forty-eight states of the United States and in the District of Columbia, but not in the territories and possessions of the United States.

SEC. 2. *Exclusions—(a) Commodities.* This regulation does not apply to the following commodities:

(1) Cellophane products (regenerated cellulose).

(2) Completed consumers' articles when sold by a person who is not engaged in molding or fabricating plastics materials.

(3) Electrical transcription and direct writing records.

(4) Fabricated parts under .002" thickness made from sheets of ethyl cellulose, regenerated cellulose, and cellulose acetate.

(5) Fabricated pieces under .010" thickness for use in window envelopes.

(6) Impregnated and coated fabrics, paper or leather, and products produced therefrom. This exclusion does not apply to laminated parts.

(7) Motion picture, photographic and X-ray film.

(8) Plastic-plywood products.

(9) Powders, granules, liquids, preforms and scrap material.

(10) Protective or decorative coatings.

(11) Safety glass.

(12) Sheets, rods and tubes, prior to fabrication, when produced by a manufacturer who sells molding compounds produced by him.

(13) Synthetic rubber products.

(14) Vulcanized fibre sheets, rods and tubes, prior to fabrication.

(b) *Secret contracts.* This regulation does not apply to sales or deliveries of any plastics product made or supplied under a contract or subcontract that is officially classified as "secret" and certified in writing as such to the Office of Price Administration by the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing. Such certification shall set forth the date of the secret contract or subcontract and its number or other designation. The certifying government agency shall notify the manufacturer and the Office of Price Administration whenever such contract or subcontract ceases to be secret. This exemption shall not apply after the manufacturer receives such notification from the certifying government agency.

(c) *Developmental contracts*—(1) *Exclusion.* This regulation shall not apply to sales and deliveries of any plastics product manufactured pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing, as being developmental. For the purposes of this subparagraph, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer to permit a fair estimate of the manufacturing costs, or both. If the Office of Price Administration determines after consultation with the appropriate government agency that the period necessary for development has expired, and in writing so notifies such agency and the seller, this regulation shall apply to all subsequent sales and deliveries of such plastics product.

(2) *Report for developmental contracts.* Within ten days after entering into any such developmental contract or subcontract the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the plastics products which are the subject of the contract, a summary of the terms of the contract or subcontract, including all pricing provisions, and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on March 27, 1944, such report shall be filed prior to April 27, 1944. The report required by this subparagraph need not be filed if the developmental contract or subcontract is also certified as "confidential" or "restricted" by the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing.

SEC. 3. *Relationship to other regulations—(a) Regulations superseded.* Except as otherwise specifically provided in this regulation, this regulation supersedes the General Maximum Price Regulation,[1] including Order 229[2] under § 1499.3 (b) Maximum Price Regulation 136, as amended[3] (Machines and Parts, and Machinery Services), Maximum Price Regulation 188[4] (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel), Maximum Price Regulation 406[5] (Synthetic Resins and Plastic Materials and Substitute Rubber), and any other regulation issued by the Office of Price Administration with respect to sales, deliveries or transfers covered by this regulation.

(b) *Applicability of the Second Revised Maximum Export Price Regulation.*[6] The maximum price at which a person may make any export sales or sales to exporters of any plastics product shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation or any revisions thereto. When used in this section the terms "export sale" and "exporter" have the meaning given to them by section 11 of the Second Revised Maximum Export Price Regulation.

(c) *Applicability of the Maximum Import Price Regulation.*[7] The provisions of this regulation do not apply to purchases, sales or deliveries of plastic products if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported plastics products are governed by the provisions of the Maximum Import Price Regulation.

SEC. 4. *Prohibitions.* (a) On and after March 27, 1944, regardless of the terms of any contract or other obligation (except as provided in paragraph (c) of this section):

(1) No manufacturer shall sell, deliver or negotiate the sale of any plastics product at a price higher than the maximum fixed by this regulation.

(2) No person in the course of trade or business shall buy or receive any plastics product from a manufacturer at a price higher than the maximum price fixed by this regulation. If the purchaser receives from the manufacturer a written statement, that the price does not exceed the maximum price, and if the purchaser has no reason to doubt the validity of the statement, the purchaser shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by subparagraphs (1) and (2).

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to:

(1) The United States or any agency thereof;

(2) The government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act; or

(3) Any contracting officer of any of the foregoing, and, with respect to purchases made in his official capacity, any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

(c) Nothing in this regulation shall be deemed to prohibit the fulfilment of any contract entered into before March 27, 1944, if the maximum price regulation or price schedule which was applicable to the transaction at the time the contract was made permitted deliveries at such price.

SEC. 5. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 6. *Maximum prices for plastics products sold or offered for sale by the manufacturer during the period January 1 to March 31, 1942.* This section is applicable to any plastics product which the manufacturer sold or offered for sale during the period January 1 to March 31, 1942, inclusive. The maximum price of any plastics product covered by this section shall be the first applicable of the following prices:

(a) The price stated in the published price list of the manufacturer in effect on March 31, 1942, less all discounts, allowances and any other deductions from the list price that the manufacturer had in effect to a purchaser of the same class on that date.

(b) The last price at which the manufacturer sold or offered to sell the plastics product during the period January 1 to March 31, 1942, adjusted to reflect the manufacturer's March 31, 1942, differential between the class of purchasers to which that sale or offer was made, and the class of purchasers to which the present sale or offer is being made.

SEC. 7. *Maximum prices for plastics products not sold or offered for sale by the manufacturer during the period January 1 to March 31, 1942—(a) Maximum prices.* This section is applicable to any plastics product which was not sold or offered for sale by the manufacturer during the period January 1 to March 31, 1942, inclusive. The manufacturer must determine the maximum price of any such plastics product, in accordance with the provisions of this section, before he first offers it for sale, sells it or delivers it after March 26, 1944. This maximum price shall be calculated by using the price determining method for plastics products which the manufacturer had in effect on March 31, 1942. The application of this price determining method is subject to the limitations set forth in the next section 8. If the manufacturer did not have a price determining method for plastics products in effect on March 31, 1942 he shall use the price determining method approved by the Office of Price Administration in accordance with the provisions of section 9.

(b) *Recomputation of maximum prices—(1) Recomputation.* After the manufacturer has acquired actual experience in the production of a plastics product covered by this section, he shall recompute the maximum price thereof in accordance with the provisions of this section and section 8. This recomputation shall make use of the manufacturer's production experience. The completion after March 26, 1944, of one production order for such a plastics product shall be deemed to provide actual production experience. However, if the manufacturer's production experience in this initial production order is inadequate to determine a maximum price, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation.

(2) *Report and approval of recomputed maximum prices.* If the recomputation required by this paragraph (b) results in the same maximum price or a lower maximum price, the price resulting from the recomputation shall become the maximum price for all subsequent orders, and no report shall be required. If this recomputation results in a higher maximum price, and the manufacturer elects to charge this price on any subsequent order, he must file a report with the Office of Price Administration, Washington, D. C., within ten days after entering into a contract at such increased price. This report shall set forth:

(i) A description of the plastics product.

(ii) The price on the last sale, the date of such sale and the name and description of the purchaser.

(iii) The new price.

(iv) An explanation of the reason for the increase, including a comparison of the new and original cost estimates and the production experience on which the new price is based.

The manufacturer may not deliver the plastics product at the higher price so reported until the Office of Price Administration approves that price in writing or until thirty days have elapsed after the mailing of the report without the Office of Price Administration disapproving of the new price. If the Office of Price Administration disapproves of the new price, it will designate a different maximum price in writing. This price will be in line with the level of maximum prices established by this regulation.

(c) *Maximum prices where the manufacturer does not comply with the provisions of paragraphs (a) or (b).* This paragraph is applicable to any plastics product covered by this section which after March 26, 1944, is sold, offered for sale, delivered or transferred without computing the maximum price as required by paragraphs (a) or (b), or delivered without receiving approval of the maximum price as required by paragraph (b). The maximum price for any such sales, deliveries or transfers shall be a price established by written order of the Price Administrator. This price will be in line with the level of maximum prices established by this regulation.

SEC. 8. *Pricing formula.* In calculating maximum prices under the preceding section 7, the manufacturer shall use the following:

(a) *Price determining method.* The manufacturer shall use the price determining method for plastics products which was in use in his plant on March 31, 1942. This means that he must use the overhead rates, machine hour rates, if any, rates for general administrative and selling expense, profit margin, discounts and any other bases of computation which were in use in his plant for plastics products on that date. If the manufacturer had no price determining method for plastics products in use in his plant on March 31, 1942, a price determining method shall be established under the next section 9.

(b) *Direct labor costs—(1) Method of determining direct labor costs.* The manufacturer shall determine direct labor costs by using the straight time rate, determined in accordance with subparagraph (2), for each classification of labor.

(2) *Labor rates.* The rates used in determining direct labor costs shall be the labor rates in effect in the manufacturer's plant on March 31, 1942, for each classification of labor. If the manufacturer did not employ a particular classification of labor in his plant on that date, he shall apply the rate prevailing on March 31, 1942, for each such classifica-

[1] 9 F.R. 1385.
[2] 8 F.R. 1032.
[3] 8 F.R. 16132; 9 F.R. 1523, 2032, 2138.
[4] 7 F.R. 5872, 7967, 8043, 8048, 10155; 8 F.R. 537, 1815, 1980, 3105, 3783, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556.
[5] 8 F.R. 8372, 10825, 12879.
[6] 8 F.R. 4132, 5967, 7662, 9990, 15193.
[7] 8 F.R. 11681, 12237.

tion in the locality in which the manufacturing is to be performed. If labor of that classification was not employed in that locality on March 31, 1942, the manufacturer shall use the rate prevailing on that date for the nearest skill in the most comparable locality, as accurately as he is able to determine that rate by the use of reasonable diligence.

(3) *Overtime.* The amount of overtime estimated to be required in excess of that provided for in the overhead or machine hour rate may be added to the maximum price. This overtime shall be calculated by using the rates required by the preceding subparagraph (2). However, no markup, overhead or profit shall be applied to that overtime.

(c) *Direct material costs.* In determining the cost of the raw material and processed and fabricated materials required to produce the plastics product, the manufacturer shall use the lower of the following:

(1) The price that the manufacturer paid or would have paid for the material on January 1, 1941, in the case of thermosetting fabricated laminated materials and on March 31, 1942, in the case of any other material; or

(2) The actual price paid for the material, not in excess of the applicable maximum price.

If the manufacturer is unable to determine the price that he would have paid for the material on January 1, 1941, or March 31, 1942, as the case may be, he shall use the actual price paid by him for the material, not in excess of the applicable maximum price. If there was a published price list in effect on March 31, 1942, for the material; if the manufacturer purchased the material on or about March 31, 1942, or if one of the manufacturer's suppliers of the material was selling the material on or about March 31, 1942, the manufacturer must determine a price for the material under (1) above.

(d) *Subcontracted services.* To the extent that the manufacturer's price determining method includes or is based on prices paid for subcontracted services, the manufacturer shall use the actual prices he pays therefor, not to exceed the applicable maximum price.

(e) *Transportation costs.* In determining transportation costs the manufacturer shall use freight rates in effect on March 31, 1942, or current freight rates, whichever are the lower for the mode of transportation actually used.

(f) *Discounts and extra charges.* The manufacturer shall apply all applicable discounts or other allowances he used on March 31, 1942, and may apply all applicable extra charges he used on that date.

(g) *Certification by supplier where manufacturer is unable to determine the maximum price of purchased materials or services.* For the purposes of this section, if the manufacturer received a certification from his supplier that the price charged him for materials or services does not exceed the maximum price, and if the manufacturer has no reason to doubt the validity of this certification, the price certified by the supplier shall be deemed not to be in excess of the maximum price.

SEC. 9. *Establishment of price determining method.* Every manufacturer of plastics products who had no price determining method in use on March 31, 1942, for plastics products must establish a price determining method before he offers to sell plastics products that must be priced under section 7. This price determining method shall be reasonable in the light of the operations being or to be performed. Immediately upon the determination of such a price determining method, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C. This report shall set forth (a) a detailed description of the proposed price determining method, and (b) a representative sample of prices determined in accordance with the proposed price determining method, showing in detail how they were computed. Prices determined in accordance with the method so filed may be quoted and charged until and unless the method is disapproved by the Office of Price Administration. If the Office of Price Administration disapproves of the proposed method a revised method shall be filed in accordance with this section. If the Office of Price Administration disapproves of the proposed method within thirty days after it is filed by the manufacturer, it may, by order, require that refunds be made on all sales executed at the prices determined in accordance with the disapproved method.

SEC. 10. *Maximum prices for dies, molds and special tools*—(a) *Applicability of this section.* This section is applicable to dies, molds and special tools which are sold by the manufacturer in connection with the sale of a plastics product.

(b) *Purchased dies, molds and special tools.* Where the plastics manufacturer purchases the die, mold or special tool, the maximum price therefor shall be the price paid by the manufacturer, not to exceed the applicable maximum price.

(c) *Manufactured dies, molds and special tools.* Where the plastics manufacturer produces the die, mold or special tool, the maximum price therefor shall be the current total unit costs of the plastics manufacturer.

SEC. 11. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a product covered by this regulation imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the maximum price and in preparing records with respect thereto: If the statute or ordinance imposing such tax does not prohibit the manufacturer from stating and collecting the tax separately from the purchase price, and the manufacturer does separately state it, the manufacturer may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor from whom he purchased.

SEC. 12. *Transportation costs.* No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any product covered by this regulation than the manufacturer required purchasers of the same class to pay on March 31, 1942, on deliveries or supplies of the same or similar types of products.

SEC. 13. *Emergency service charge.* Notwithstanding any other provisions of this regulation, the manufacturer may add to the maximum price the amount of the extra direct labor costs incurred because of the temporary use of a multiple cavity, mold or die, some of whose cavities have been damaged or broken while in operation. These extra labor costs shall be computed in accordance with the provisions of paragraph (b) of section 8. No mark up, overhead, or profit may be applied to such extra costs. The extra charge permitted by this section shall be billed or invoiced separately.

SEC. 14. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of plastics products in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 15. *Applications for adjustment*—(a) *Application by a manufacturer that is not based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment.* The maximum price established by this regulation for a plastics product may be adjusted in the case of an essential manufacturer of an essential plastics products. An "essential plastics product" is one which contributes to the effective prosecution of the war. An "essential manufacturer" is one whose output of a plastics product cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into, or proposes to enter into, a war contract (as defined in subparagraph (5)), or a subcontract thereunder, is an essential manufacturer of an essential plastics product.

(2) *When adjustment may be granted*—(i) *In general.* The Office of Price Administartion, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential manufacturer of an essential plastics product upon the basis of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a plastics product is at such a level that (taking into account the cost thereof, the profits position of the manufacturer and the nature of his business) production or supply of the plastics product is impeded or threatened. In the case of an adjustment which would effect an increase in the cost of living, such adjustment will be granted only where it is approved by the Office of Economic Stabilization.

(ii) *Factors which may be considered.* (a) The following factors are relevant to the consideration of whether production or supply of the plastics product is impeded or threatened.

(1) Whether, and by what amount, the maximum price is below or above the total unit costs, less selling and administrative expenses properly allocable to the internal management of the business.

(2) Whether, and by what amount, the maximum price is below or above total unit costs.

(3) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period, increased by 7% of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period.

(4) Whether the proposed price is higher than the price prevailing in the industry.

(5) Whether the manufacturer's sales of the plastics product represent only a very small part of his total sales.

(6) Whether the manufacturer previously sold the plastics product at a price which was below its total unit costs.

(b) The following factors are relevant to the consideration of whether the adjustment would cause an increase in the cost of living:

(1) Whether the plastics product or a commodity in the production of which it is used is of a type sold to civilian consumers other than industrial consumers.

(2) If such is the case, whether the increase in price allowed by the adjustment would be absorbed prior to sale to a non-industrial-consumer.

(3) Whether, if the manufacturer did not produce the plastics product, his output would be replaced by the same or a substitute commodity only at prices equal to or higher than the proposed adjusted maximum price.

(3) *How the manufacturer proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 [8] and shall be made on a copy of Form OPA 694–774, set out in Appendix A. If the manufacturer's total sales of all plastics products in the calendar year 1943, or in the fiscal year ending in 1943, exceeded $200,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales of all plastics products during that period did not exceed $200,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the manufacturer's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in this paragraph (a) would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28,[9] which requires, among other things, that an application for adjustment in such case be filed within fifteen days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under the section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the Office of Price Administration. Where the application is disposed of by an amendment of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the plastics product;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration; and

(iii) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Normal base period.* The term "normal base period" means the period 1936–1939. If the manufacturer shall demonstrate to the satisfaction of the Office of Price Administration either

(a) That his entire industry was operating during the greater part of such period at an unusually depressed level, or

(b) That because of unusual conditions prevailing during that period, the manufacturer was operating during that period at an unusually depressed level in comparison to other manufacturers in the industry and in addition that some other period prior to January 1, 1941, represents a proper "normal base period", such other period may be considered. The mere fact that the rate of production has increased since 1936-1939 will not be deemed evidence that the manufacturer was operating at an "unusually depressed level" during that period. If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profits resulting from the operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(iv) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the plastics product, but does not include provisions for income or excess profits taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, for the sale of a plastics product purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

(b) *Application by a manufacturer based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential manufacturer of an essential plastics product. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as

[8] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[9] 7 F.R. 9619; 8 F.R. 7256.

may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which:

(i) The manufacturer agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (b)) makes a reduction in the selling price of other plastics products which will equal or exceed the total dollar amount of the adjustment granted under this paragraph; and

(ii) One of the following conditions is met:

(a) The increases in price are made for the purpose of restoring normal price relationships;

(b) The increases and decreases in price are effected by changes in the prices charged different classes of purchasers for the same plastics product; or

(c) The increases and decreases in price are made for the purpose of changing the manufacturer's price list-discount structure.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (b) shall contain information indicating that the applicant is an essential manufacturer of an essential plastics product and that if the proposed adjustment is granted, the gross dollar amount of sales of the plastics products affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the plastics products affected.

(4) *How the manufacturer proceeds in applying for an adjustment.* An application for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1. If the manufacturer's total sale of all plastics products for the calendar year 1943, or for the fiscal year ending in 1943, exceeded $200,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales of all plastics products during that period did not exceed $200,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the manufacturer's business is located.

(c) *Application by a manufacturer under a combination of both paragraphs (a) and (b).* A manufacturer who desires to apply for an adjustment under paragraph (b), may, at the time he applies under that paragraph, also apply under paragraph (a), if the facts of his case entitle him to do so. In such case, the Office considering his application will give the adjustment available under paragraph (a) before applying paragraph (b).

(d) *Procedural Regulation No. 6[20] superseded.* No application for adjustment filed under Procedural Regulation No. 6 after March 26, 1944, with respect to plastics products covered by this regulation will be granted.

[20] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

(e) *Amendment of general applicability.* Where the Price Administrator deems it appropriate, he may grant the relief, which he deems necessary, by issuing an amendment of general applicability.

SEC. 16. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 17. *Adjustable pricing.* If the manufacturer wishes, he may agree with the buyer to charge a price which can be increased up to the maximum price in effect at the time of delivery. Where the manufacturer has filed an application for adjustment under section 15, he may, in accordance with the provisions of that section, deliver at a price to be adjusted upward in accordance with the action taken by the Office of Price Administration on his application. In all other cases, unless authorized by the Office of Price Administration, the manufacturer must not deliver at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization may be given only where: (a) a request for a change in the applicable price is pending; (b) authorization is necessary to promote production; and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price.

SEC. 18. *Records.* To aid in the enforcement of this regulation every manufacturer subject to this regulation is required to keep certain records for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in two paragraphs as follows:

(a) *Records of sales.* Every manufacturer shall keep complete and accurate records of every sale of a product covered by this regulation. These records shall include:

(1) The date thereof.
(2) The name and address of the buyer.
(3) The quantity of each class, kind, type, condition and grade of product sold.
(4) The price per unit received.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer shall keep, in addition to the records required by paragraph (a) of this section, complete and accurate records of the following:

(1) Published price lists and discount sheets for plastics products in effect on March 31, 1942.

(2) The prices charged by the manufacturer during the period January 1 to March 31, 1942, inclusive, for each plastics product covered by this regulation.

(3) Labor rates in effect to him on March 31, 1942.

(4) Materials prices and waste and factory overhead rates in effect to him on March 31, 1942.

(5) Detailed cost estimate sheets and other data showing the calculation of prices for all plastics products for which the maximum price must be determined in accordance with the provisions of section 7 of this regulation.

SEC. 19. *Reports.* Every manufacturer who had a price determining method or methods for plastics products in use on March 31, 1942, shall file a detailed description of such method or methods with the Office of Price Administration, Washington, D. C., on or before April 27, 1944, unless he has already done so.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1,[21] licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 21. *Evasion*—(a) *In general.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or lease of or relating to plastics products, alone or in conjunction with any other commodity or service, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Paying a purchase commission if the sum of the commission and the purchase price exceeds the maximum price.

(2) Entering into a joint venture with any other person subject to this regulation for cross-selling or cross-purchasing.

SEC. 22. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 23. *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing.

(2) "Purchaser of the same class" and "class of purchaser" refers to the practice adopted by the manufacturer in setting different prices for plastics products for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, retailer, public institutions) or for purchasers located in

[21] 8 F.R. 13240.

different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

APPENDIX A—FORM FOR APPLICATIONS FOR ADJUSTMENT

(a) *Form.*

Form OPA 694–774 — Form Approved Budget Bureau No. 08–R 529

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR PLASTICS PRODUCTS UNDER MAXIMUM PRICE REGULATION 523

Company name _____
Address _____

(NOTE: There are no printed copies of this form)

The following facts are furnished to the Office of Price Administration in support of this application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe product(s) for which price increase is requested.

3. Present the following information for each product listed in Item 2 above.

NOTE: If more than one product is being reported, present the required information on another sheet.

(a) Dollar volume of unfilled orders. $_____.

(b) Unit volume of unfilled orders (Indicate unit used) $_____.

(c) Degree of completion of production on unfilled orders $_____.

(d) Anticipated dollar volume of new orders for the next: 3 months $_____; 6 months $_____; 12 months $_____.

4. Present evidence that the company is an essential manufacturer of an essential plastics product.

NOTE: If more than one product is being reported, present the required information on another sheet.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into, a war contract or subcontract for the sale of that product.

(1) Identification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____
(Street)
_____
(City) (State).

(b) Present any other information which demonstrates that the seller is an essential manufacturer of an essential plastics product.

NOTE: The terms "war contract", "subcontract", "essential manufacturer" and "essential plastics product" are defined in the adjustment provision under which this report is filed (section 15 of Maximum Price Regulation 523).

5. Are similar plastics products sold by competitors in your region? _____
(Yes or No).

If yes, gives names and addresses of competitors, and their prices for such plastics products.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, consolidated financial statements, as well as financial statements for the subsidiary, should be submitted.

1. Submit balance sheets and profit and loss statements for the years 1941, 1942 and 1943, and for the most recent accounting period in 1944.

NOTE: Each profit and loss statement must contain a detailed break-down of cost of goods sold, administrative expense, selling expenses, the total amount of officers' salaries and bonuses and the number of officers.

2. *Financial data 1936–1940.*

NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Administrative expense					
Selling expenses					
Net operating profit					
Other income before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office of Economic Stabilization? _____
(Yes or No.)
If no, state exceptions.

SCHEDULE C

Unit Price and Unit Cost Information

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. *Price data*—(a) *Net realized price.*

	Ceiling price, 194..	Current price	Requested price
1. (List) (Gross) price			
2. Less: Trade discounts			
3. Net realized price			
4. Net realized price at maximum discount and/or commissions			

(b) *Analysis of sales of the above designated product.* Sales for _____
(No. of months)
period ending _____, 1944.
(Month and day)

	Percentage amount of commission or discounts	Dollar value of sales after discounts
Sales subject to commission of	(1) ____ %	$_____
Sales subject to commission of	(2) ____ %	_____
Sales not subject to commission	X X X X	_____
Sales subject to discount of	(1) ____ %	_____
Sales subject to discount of	(2) ____ %	_____
Sales subject to discount of	(3) ____ %	_____
Sales subject to discount of	(4) ____ %	_____
Sales subject to discount of	(5) ____ %	_____
Sales not subject to discount	X X X X	_____
Total sales of above designated product or service	X X X X	_____

(c) *Total sales for the above designated product only.*

	1940	1941	1942	1943	——months ending ——, 1944
Total unit volume of sales					
Total dollar volume of sales (net)					

(d) *Is the price currently charged for the product the same as the maximum price filed with OPA?* _____
(Yes or No.)
(If answer is "No", state date when increased price was first charged)
Date: _____, 194..
(Month)

(e) *Indicate whether the current maximum price is a list of established price* ☐ *or a formula price* ☐ *(check one).*
Price used since _____, 194..
(Month)

(f) *State on a separate sheet the reasons for the need of the requested price increase.*

2. *Unit cost data:*

	Ceiling date costs, ——, 1944	Current date costs, ——, 1944
(a) Direct material		
(b) Direct labor		
(c) Factory overhead		
(d) Selling expense (do not include discounts and commissions under Price Data above)		
(e) Administrative expense		
(f) Freight out, if any		
(g) Other expense, specify		
(h) Total cost per unit		

(i) What method is used in allocating factory overhead?

1. Standard ☐; Actual ☐; Other ☐; (Check one).

2. Direct labor cost ☐; Direct labor hours ☐; Machine hours ☐; Other ☐.

(Explain separately if "other" or combination.)

AFFIDAVIT

State of _____ ss
County of _____

_____
Applicant
By _____
_____
(Title)

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
(Signature)

Subscribed and sworn to before me this _____ day of _____, 1944.

_____
(Officer administering oath)

(b) *Instructions for the form.*

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR PLASTICS PRODUCTS

In preparing this application, please consider that the form is intended to cover a wide variety of products. Therefore, you will find that some of the questions do not apply to your product. Moreover, you may find that some point that is important in your case is not covered in the form. Adapt the form if this can be done or state the information on a separate sheet if that will be clearer. If any difficulty is experienced in completing this form it may be taken to the nearest OPA district accountant who will give his assistance in its preparation.

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. *Price data.* (a) 1. (List) (Gross) Price: Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. *Dealers' commissions.* Where all dealers receive the same commission, use the full commission rate even if some sales are not subject to any commission. If several different rates affect the product covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. *Trade discounts.* Deduct trade discounts at the average rate of discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. *Unit cost data.* In presenting unit cost data be sure to include only actual cost. Material cost must represent actual cost. State separately any charges added to costs of materials. Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply. The cost data for the ceiling date may be recomputed if the product covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material costs of the same date. Under items (f), (g) and (h) include only costs borne by the manufacturer and not billed separately to the buyer.

Effective date. This regulation shall become effective March 27, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4003; Filed, March 21, 1944; 11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 22 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (2) (iv) and (v) are added to read as follows:

(iv) K8, L8, and M8 may be used from April 9 to June 18, 1944, inclusive.

(v) N8, P8, and Q8 may be used from April 23 to July 15, 1944, inclusive.

This amendment shall become effective March 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4001; Filed, March 21, 1944; 11:46 a. m.]

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 194, 731, 1161, 1819, 2007, 2091.

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 7 to Supp. 1[2]]

STOVES

Supplement 1 to Ration Order 9A is amended in the following respects:

1. Section 1432.69 (b) (1) is amended to read as follows:

(1) *New method for determining current allowable inventories for heating and cooking stoves*—(i) *General.* A dealer or distributor located in the area covered by Table III (set forth in subdivision (ii) of this subparagraph) may apply to his Board for an increase in his allowable inventory so that his current allowable inventory will be equal to the amount found by multiplying his allowable inventory for each type of stove determined from Table I (set forth in paragraph (a)) by the percentage for that type of stove shown in Table III. However, he may not obtain the increase authorized by this subparagraph (1) for any type of stove of which his sales in 1941 or 1942 totaled less than three stoves, or for which his allowable inventory was previously increased as a result of an application for adjustment or relief, under section 3.8 unless:

(*a*) That previous increase was less than the increase authorized by this subparagraph (1), in that event he shall receive the difference between the previous increase and the increase authorized by this subparagraph (1), or

(*b*) At the time the previous increase was granted, the Washington Office directed that he should not, because of the increase given him, be precluded from receiving the benefit of any subsequent general increase in allowable inventory for such types.

(ii) *Table III.* Table III referred to in subdivision (i) of this subparagraph (1) is as follows:

PERCENTAGE FOR FIGURING CURRENT ALLOWABLE INVENTORIES

Allowable inventory determined from Table I is to be multiplied by the applicable percentage figure shown below.

OPA District—	Heating stoves of following types			Cooking stoves of following types		
	Coal or wood	Oil	Gas	Coal or wood	Oil	Gas
Region I:	Pct.	Pct.	Pct.	Pct.	Pct.	Pct.
Hartford	200	400	300	100	100	150
Augusta	150	300	200	150	100	150
Boston	200	350	300	100	100	200
Concord	250	250	200	100	150	150
Providence	200	300	200	100	100	200
Montpelier	300	300	200	150	100	200
Region II:						
Wilmington	200	300	250	200	200	150
Washington, D. C.	200	250	200	100	100	150
Baltimore	200	250	200	150	100	150
Camden	200	300	250	150	100	150

[1] 8 F.R. 11564.
[2] 8 F.R. 13204.

PERCENTAGE FOR FIGURING CURRENT ALLOWABLE INVENTORIES—Continued

Allowable inventory determined from Table I is to be multiplied by the applicable percentage figure shown below—Continued.

OPA District—	Heating stoves of following types			Cooking stoves of following types		
	Coal or wood	Oil	Gas	Coal or wood	Oil	Gas
Region II—Con.	Pct.	Pct.	Pct.	Pct.	Pct.	Pct.
Newark	200	250	200	100	100	150
Trenton	200	250	200	100	100	150
Albany	200	250	200	100	100	150
Binghamton	200	200	150	100	100	150
Buffalo	200	250	200	100	100	150
New York City	200	250	200	100	100	150
Syracuse	200	250	250	100	100	150
Altoona	250	200	200	100	100	150
Erie	250	300	250	100	100	150
Harrisburg	300	300	300	100	100	150
Philadelphia	200	200	200	100	100	150
Pittsburgh	200	200	100	100	100	150
Scranton	200	200	300	150	100	150
Williamsport	250	200	300	150	100	150
Region III:						
Indianapolis	250	200	250	150	150	150
Lexington	250	200	150	100	150	150
Louisville	200	200	200	100	100	150
Detroit	300	200	250	150	150	200
Grand Rapids	250	300	200	150	150	150
Iron Mountain	200	150	250	150	150	150
Saginaw	250	300	300	150	150	150
Cincinnati	200	300	250	100	100	150
Cleveland	200	300	300	150	100	150
Columbus	200	200	300	150	100	150
Toledo	200	300	300	100	150	100
Charleston	200	200	300	100	150	150
Region IV:						
Birmingham	200	200	200	100	100	150
Montgomery	200	250	250	100	150	150
Jacksonville	200	300	250	100	150	150
Atlanta	300	200	300	100	150	150
Savannah	200	200	250	100	200	200
Jackson	200	250	300	100	150	150
Charlotte	200	200	200	100	100	150
Raleigh	250	300	200	150	200	150
Columbia	200	250	250	100	150	150
Memphis	250	300	300	100	100	150
Nashville	200	200	300	100	100	200
Richmond	200	300	200	200	150	150
Roanoke	200	200	250	150	100	150
Region V:						
Little Rock	200	250	250	100	250	100
Wichita	200	250	300	100	100	150
New Orleans	200	250	200	100	100	150
Shreveport	200	250	250	100	200	150
Kansas City	250	200	200	100	100	100
St. Louis	150	200	200	100	100	150
Oklahoma City	200	100	300	100	150	200
Tulsa	200	250	300	100	150	100
Dallas	150	300	150	100	150	150
Fort Worth	200	300	250	100	150	100
Houston	200	250	150	100	150	100
Lubbock	200	250	300	150	150	150
San Antonio	200	250	300	100	150	200
Region VI:						
Chicago	200	250	200	100	100	200
Moline	200	300	200	100	100	150
Peoria	200	300	250	100	150	150
Springfield	250	300	250	100	100	150
Des Moines	200	200	200	100	100	100
Sioux City	200	200	250	100	100	100
Duluth	200	200	250	100	100	150
St. Paul	200	200	200	100	100	100
North Platte	150	400	200	150	150	150
Omaha	250	250	200	100	100	150
Fargo	200	250	200	100	100	100
Sioux Falls	200	250	200	150	100	100
Green Bay	200	200	250	100	100	100
La Crosse	250	250	200	150	100	150
Milwaukee	200	250	250	100	100	150
Region VII:						
Denver	200	300	200	100	100	150
Boise	200	200	300	200	200	200
Helena	200	300	300	100	100	200
Albuquerque	200	300	300	100	300	250
Salt Lake City	200	300	200	100	200	200
Cheyenne	200	300	400	100	300	150
Region VIII:						
Phoenix	200	300	250	100	200	150
Fresno	200	400	300	100	200	200
Los Angeles	200	200	200	100	150	250
Sacramento	200	400	300	200	150	200
San Diego	200	350	300	100	200	250
San Francisco	200	300	250	100	100	250
Reno	300	300	600	150	200	200
Portland	250	300	300	150	100	250
Seattle	300	400	300	250	100	200
Spokane	300	350	300	200	200	200

(iii) *Where sales in base period totaled less than 3 stoves.* A dealer or distributor whose sales of any type of stove in 1941 or 1942 totalled less than 3 stoves may apply under subparagraph (b) (4) of this section.

(iv) *Applicants whose allowable inventory was determined by the Washington or District Office must apply to the District Office.* Application for an increase in allowable inventory by a dealer or distributor whose allowable inventory was determined by the Washington Office or District Office under section 3.7 (b) or 9.3 (b) must be made to the District Office. The amount of the increase will be determined by the Washington Office or the District Office, if the Washington Office so directs.

(v) *When application may be made.* Dealers and distributors located in Region 7 or 8 may apply under this subparagraph (1) on or after March 25, 1944; dealers and distributors located elsewhere may apply on or after April 4, 1944.

2. Section 1432.69 (b) (2) and (3) is deleted.

3. Section 1432.69 (b) (4) is added to read as follows:

(4) *Alternative method for determining current allowable inventories for coal and wood or gas heating stoves.* (i) A dealer or distributor whose sales of coal and wood or gas heating stoves in 1941 or 1942 were within the range for such types of stoves, as shown in table IV (set forth in subdivision (ii) of this subparagraph (4)) may, instead of applying for an increase in his allowable inventory for those types of stoves under paragraph (b) (1) of this section, apply to his Board for an increase equal to the amount by which the allowable inventory for those types of stoves shown in table IV exceeds his present allowable inventory for those types.

(ii) *Table IV.* Table IV referred to in subdivision (i) of this subparagraph is as follows:

CURRENT ALLOWABLE INVENTORIES FOR COAL AND WOOD OR GAS HEATING STOVE WHEN ALTERNATIVE METHOD IS USED

Allowable inventory (To be assigned on basis of figures in applicable sales column)	Reported sales (1941 or 1942)	
	Heating stoves	
	Coal or wood	Gas
1	(1)	1–2
2	1–2	3–4
3	3–4	5–6
4	5	7–8
5	6–7	9 and over.
6	8	
7	9	
8	10–11	
9	12	
10	13 and over	

[1] This line applies only to gas heating stoves.

(iii) *When application may be made.* Dealers and distributors located in Region 7 or 8 may apply under this subparagraph (4) on or after March 25, 1944; dealers and distributors located elsewhere may apply on or after April 4, 1944.

4. Section 1432.69 (c) is added as follows:

(c) *Loan of certificates for inventory in Regions 7 and 8*—(1) *Amount of loan.* A dealer or distributor located in Region 7 or 8 may, during the period March 25, 1944, through April 30, 1944, borrow from the Board with which his establishment is registered, certificates for the purpose of acquiring for inventory: coal or wood heating stoves up to fifty (50%) percent of his allowable inventory for that type of stove determined from Table I (set forth in paragraph (a)), and gas heating stoves up to one hundred (100%) percent of his allowable inventory for that type of stove determined from Table I. However, the Board shall deduct from the certificates to be loaned the number of certificates for each of those types which are currently due to the Board from the applicant for excess inventory or for any other reason.

(2) *Application.* Application shall be made to the Board in writing, signed by the applicant, and shall state the date, the name and address of the applicant's registered establishment, the number of stoves of each type for which the applicant wishes to borrow certificates, and a statement substantially as follows:

I will on or before October 1, 1944, turn over to you certificates for each type of stove, equal to the number I have borrowed under this application. If, by October 1, 1944, I have not paid this loan in full with respect to certificates for any type of stove, I will not use any certificate for the purpose of acquiring that type of stove for inventory, but will promptly turn over all such certificates to you until the loan as to that type of stove is paid in full.

(3) *Payment of loan.* A dealer or distributor to whom certificates are loaned under subparagraph (1) must on or before October 1, 1944, surrender to the Board certificates for each type of stove equal to the number loaned to him. If, by October 1, 1944, he has not paid the loan in full with respect to certificates for any type of stove he must thereafter promptly surrender to the Board each such certificate received by him from sales out of stock; until he has done so, he may not use any such certificate for the purpose of acquiring that type of stove for inventory.

(4) *Dealers and distributors whose allowable inventory was determined by the Washington or District Office must apply to the District Office.* A dealer or distributor located in Region 7 or 8, whose allowable inventory was determined by the Washington Office or District Office under section 3.7 (b) or 9.3 (b) may during the period March 25, 1944, through April 30, 1944, apply to the District Office for a loan of certificates for the purpose of acquiring coal or wood heating stoves and gas heating stoves for inventory. The amount of the loan will be determined by the Washington Office or the District Office, if the Washington Office so directs. The application must contain the same statements as those set forth in paragraph (a) and the loan shall be payable at the time and in the manner set forth in subparagraph (3).

This amendment shall become effective on March 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–8, 8 F.R. 6018)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3989; Filed, March 21, 1944; 11:45 a. m.]

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 345,[1] Amdt. 1]

THERMOPLASTIC SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 345 is amended in the following respects:

1. The first sentence of § 1436.13 (a) (2) is amended to form two sentences to read as follows:

(2) "Thermoplastic" includes all plastic materials which can be formed and reformed by the application of heat and pressure without material change in physical properties, and includes non-plastic materials laminated or impregnated with vinyl compounds and containing at least 10 per cent by weight of such vinyl compounds. It does not include synthetic rubber, shellac, or natural gums.

2. Section 1436.13 (a) (3) (b) is amended to read as follows:

(b) "Sheet scrap," which consists of plastic sheets, rods or tubes, or cuttings from any of these, including all forms of scrap nitrocellulose of plastic grade except motion picture, X-ray, or photographic film. It may be in unground or ground form. The following are not included: cellulose acetate X-ray or photographic film scrap; sheets laminated to non-plastic materials such as wire mesh, paper, or glass, except sheets composed of non-plastic materials laminated or impregnated with vinyl compounds and containing at least 10 per cent by weight of such vinyl compounds; gummed tapes; second grade sheets, rods or tubes in their original form.

3. Appendix A (a) (3) is amended by adding the following paragraph below the prices there listed:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3320, 3785.

Where scrap is composed of non-plastic materials laminated or impregnated with vinyl compounds and contains at least 10 per cent by weight of such vinyl compounds, the maximum price per pound for sales of the scrap shall be the maximum price per pound established in this subparagraph (3) for the vinyl compound or mixture of vinyl compounds contained in the scrap, multiplied by a figure equal to 90 per cent of the weight (expressed in pounds) of the vinyl compounds or mixture of vinyl compounds contained in each one pound of the scrap.

Example. Maximum price per pound of polyvinyl chloride is 21 cents.

One pound of scrap contains .9 pound polyvinyl chloride.

90 per cent of .9 pound equals .81 pound polyvinyl chloride.

21 cents multiplied by .81 equals 17.01 cents per pound, which is the maximum price per pound of scrap.

When scrap is processed to extract the polyvinyl chloride, maximum price for latter is 21 cents per pound, as stated above.

4. Appendix A (a) (4) is corrected by deleting the word "that" appearing between the words "current" and "net."

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3995; Filed, March 21, 1944; 11:46 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 496,[1] Amdt. 2]

VEGETABLE SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 496 is amended in the following respects:

1. The first sentence in section 4 (a) (6) is amended to read as follows:

"Wholesaler" means with respect to any particular lot:

(i) A person who sells beet, cabbage, carrot, cauliflower, Swiss chard, cucumber, lettuce, mangel, onion, rutabaga and turnip seeds to processors in any quantity; or

(ii) Who sells any vegetable seeds to retailers in any quantity; or

(iii) Who sells any vegetable seeds to planters in the following quantities:

2. Wherever the words "sweet corn" appear in section 5, they are hereby deleted.

3. Section 5 (f) is redesignated section 5 (g) and a new section 5 (f) is added to read as follows:

(f) For sweet corn:

(1) The maximum prices per pound for the sale or delivery of sweet corn seeds by a farmer-producer shall be:

Base variety and type	Maximum prices		
	1	2	3
	States of Minnesota and Wisconsin	Areas east of Mississippi River (excluding Minnesota and Wisconsin)	Areas west of Mississippi River (excluding Minnesota)
	Cents	*Cents*	*Cents*
Golden Bantam (Open pollinated)	4.75	7.50	5.00
Golden Cross Bantam (Yellow hybrid)	8.25	11.00	8.00
Country Gentleman (White hybrid)	8.50	16.20	10.60

Plus transportation charges from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(2) The maximum prices in column 1 above shall be reduced by the expenses borne by the purchaser (which were not borne by him during the base period) in connection with the growing, harvesting or loading for transportation of the sweet corn seeds in question.

(3) The maximum prices in columns 2 and 3 above shall be reduced by the expenses borne by the purchaser in connection with the growing, harvesting or loading for transportation of the sweet corn seeds in question.

(4) For varieties of sweet corn seeds, other than the varieties mentioned in this paragraph (f) the farmer-producer shall determine his maximum price by adding to or subtracting from the maximum price for the variety most nearly similar thereto for which a maximum price is established under this paragraph (f), the premium or discount, as the case may be, in dollars and cents normal to the trade during the base period, for the variety to be priced in relation to said most nearly similar variety; and the resultant figure shall be his maximum price for the variety in question.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: March 11, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4004; Filed, March 21, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16210; 9 F.R. 1716.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 108]

BALED SOUTHERN PINE WOOD EXCELSIOR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.35 is amended to read as follows:

SEC. 6.35 *Baled Southern pine wood excelsior—(a) Maximum prices for sales by manufacturers and by Virginia Excelsior Mills, Incorporated, Doswell, Virginia.* The maximum price f. o. b. mill per net ton for sales of baled Southern pine wood excelsior by Virginia Excelsior Mills, Incorporated, Doswell, Virginia and by manufacturers in the States named in paragraph (d) shall be as follows:

Grade:	*Maximum price for carload lots shipped to jobbers and distributors per net ton f. o. b. mill*
XX	$23.50
XXXX	25.50
Wood wool	36.50
Fine wood wool	44.50

Addition for less than carload shipments. 1 to 10 tons, add $2.00 per ton to above prices. Less than 1 ton, add $4.00 per ton to the above prices.

Addition for shipments direct to consumer. Add $3.00 per ton to above prices.

(b) *Maximum price for sales by jobbers or distributors of baled Southern pine wood excelsior manufactured in Virginia.* The maximum prices per net ton for sales by jobbers and distributors, of baled Southern pine wood excelsior produced in Virginia shall be the seller's maximum price established under the General Maximum Price Regulation for the particular grade of excelsior, and class of consumer, plus $2.50 per ton.

(c) *Grade.* The grades used in this section refer to the standards and specifications set forth in Federal Specification No. NN-E-911, as generally understood in the trade.

(d) This section 6.35 applies to baled Southern pine wood excelsior produced in the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Texas and Tennessee.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4005; Filed, March 21, 1944; 11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564.

[2] 8 F.R. 13204.

may apply under subparagraph (b) (4) of this section.

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 20]

SHELVING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

In § 1499.166 (Appendix (A)) a new item "Shelving" is added in subparagraph (2) of paragraph (b).

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4006; Filed, March 21, 1944; 11:48 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 65, as Amended March 15, 1944]

PART 1545—PETROLEUM SUPPLY

TRANSPORTATION OF PETROLEUM IN DESIGNATED WESTERN AND SOUTHERN STATES[2]

The shortage of facilities for the transportation of petroleum has created in certain areas shortages in the supply of petroleum and has made it imperative that all such facilities be used with maximum efficiency, that all back hauling, cross hauling, and unnecessary movement of petroleum be eliminated, and the following operating directive is deemed necessary for the prosecution of the war.

§ 1545.5 *Petroleum Directive 65—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Original supplier" means any person who, at the date of the issuance of this directive, refines petroleum in the United States and sells petroleum for delivery in District Two, or who distributes petroleum through a terminal in District Two.

(3) "Petroleum products" means motor fuel, kerosene, range oil, tractor fuel, distillate fuel oils, and residual fuel oils.

(4) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(5) "Manager" means the person designated and appointed as such, to act for and on behalf of the Supply and Transportation Committee for District Two, in connection with the operation and administration of this directive.

(6) "Terminal" means any storage plant supplied with petroleum products by pipe line or by river barge or lake tanker, as distinguished from bulk distributing stations or refineries.

(b) *Surveys and studies.* Subject to the supervision of the Director of Supply and Transportation, or such District Director as he may designate, the Manager and the Supply and Transportation Committee for District Two shall obtain, analyze, and keep current such pertinent and available facts, figures, and other data with respect to the available supplies of petroleum products and petroleum transportation in, to, and from District Two as may be necessary or appropriate in connection with the performance of the functions and duties with which the Supply and Transportation Committee for District Two is charged hereunder: *Provided,* That whenever available, such facts, figures, and other data shall be obtained from other appropriate committees or subcommittees rather than by new surveys or investigations.

(c) *District Two petroleum supply operations.* Subject to the approval of the Director of Supply and Transportation, or such District Director as he may designate, prior to the consumation of any such arrangement, the manager shall arrange for purchases, sales, exchanges, and loans of petroleum products among, and for the common use of facilities by, original suppliers in District Two only when any such transaction will:

(1) Eliminate or shorten the movement of petroleum products by pipe line, lake tanker, barge, tank car, or transport truck facilities within the confines of District Two: *Provided,* That such transaction does not result in a wasteful use of any such transportation facility within or outside of District Two; or

(2) Eliminate a movement or movements of petroleum products from District One to District Two; or

(3) Eliminate a movement or movements of petroleum products in a generally southerly or westerly direction and substitute therefor a movement or movements in a generally northerly or easterly direction; or

(4) Result in a substitution of a pipe line movement, or movements, of petroleum products for a movement, or movements, by lake tanker, barge, tank car, or transport truck; or

(5) Eliminate any cross hauling or back hauling of petroleum products; or

(6) Result in furnishing petroleum products to original suppliers from refineries or terminals within each respective area described in Exhibits A and B hereof.

(d) *Elimination of unnecessary movements within District Two.* In order to balance and coordinate available supplies of petroleum products in District Two with requirements to conserve the use of the transportation facilities, including pipe lines, lake tankers, barges, tank cars, and transport trucks, to increase the movement of petroleum products in a northerly and easterly direction, and to accomplish the other objectives of this directive, the manager shall, subject to the approval of the Director of Supply and Transportation, or such District Director as he may designate, prior to the consumation of any such arrangement, arrange for exchanges, loans, sales, and purchases of petroleum products between and among original suppliers in District Two which will tend to eliminate to the maximum extent practicable the movement of petroleum products, except residual fuel oil, between the areas described in Exhibit A hereof, and the movement of residual fuel oil between the areas described in Exhibit B hereof. Original suppliers in District Two shall eliminate to the greatest extent practicable interarea shipments between such areas and shall obtain necessary supplies and dispose of surpluses of petroleum products by means of exchanges, loans, sales, and purchases as provided in the foregoing sentence: *Provided,* That there shall be no tank car shipments of motor fuel, kerosene or distillate fuel oil to meet the requirements of any individual area except as approved by the Director of Supply and Transportation, or such District Director as he may designate. Each original supplier in District Two shall file with the manager on or before Friday of the succeeding week a complete weekly report of all inter-area shipments made by such supplier, together with a statement of the reasons for each such shipment. Nothing herein contained shall be deemed to prohibit or to require the reporting of the shipment from any area into any county adjacent thereto in any adjoining area.

(e) *Sales, loans, and exchanges.* (1) The terms and conditions of any exchange, loan, sale, or purchase made pursuant to this directive shall be subject to negotiation between the parties to any such transaction: *Provided,* That no price agreed upon shall exceed any applicable ceiling price established by the Office of Price Administration, and, *Provided, further,* That if the parties to any such transaction are unable to agree upon the price or other terms and conditions for furnishing any of the petroleum required to be sold, exchanged or loaned under this directive, or for the use of any facilities, any such dispute shall be referred to the Director of Supply and Transportation, or such District Director as he may designate, for such action as he may direct;

(2) All exchanges, loans, sales, and purchases pursuant to this directive shall be effected in such a manner as to provide to customers, including intermediate suppliers, of original suppliers in each of the areas an equitable share of the supplies of petroleum products available in each such area.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8943, 8948, 1055; 8 F.R. 1815, 1980, 2105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14700, 16299, 17415; 9 F.R. 1912.

[2] See War Production Board Certificate 46, Amendment 2, *infra.*

(f) *Determination of requirements.* The Supply and Transportation Committee for District Two, in collaboration with the Refining Committee for District Two, and a staff representative of the Petroleum Administration for War designated for the purpose, shall analyze and determine the amounts of petroleum products and petroleum transportation facilities available to any area to meet the needs of such area and shall make recommendations to the Director of Refining and the Director of Supply and Transportation with respect to such refinery yields of petroleum products as may be necessary to balance available supplies with requirements without interfering with the maximum production of critical war products.

(g) *Movement of surpluses to District One.* The Supply and Transportation Committee for District Two shall arrange with the appropriate committee for District One and with the Petroleum Administration for War for transportation facilities to move to District One such surpluses of petroleum as may be created in any area of District Two by the operation of this Directive. Such arrangements shall be in accordance with the provisions of Petroleum Directive 59, as amended (8 F.R. 15792) or as hereafter amended.

(h) *Coordination of product pipe lines.* The Supply and Transportation Committee for District Two and all persons affected by such arrangements shall coordinate the movement of petroleum products through product pipe lines in District Two in such manner and as directed by the Petroleum Administration for War, so as to adjust such movements to supply requirements and to minimize the use of lake tanker, barge, tank car, or transport truck facilities.

(i) Administration. In carrying out the duties, responsibilities, and functions imposed upon him by this directive, the manager shall consult with appropriate committees and subcommittees to the extent that activities hereunder may affect such committees and subcommittees. Meetings of the Supply and Transportation Committee for District Two, the manager, and other persons who may be affected by this directive, may be held from time to time for the purpose of doing all things necessary to carry into effect the provisions of this directive. The Supply and Transportation Committee for District Two shall maintain such staff and appoint such persons as it finds necessary to carry out its responsibility, duties, and functions under this directive. Operating expenses of the Committee and the manager shall not be met as provided in § 1500.7 of this chapter.

(j) *Appeals.* Any person affected by this directive or any action taken hereunder who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the District Director in Charge of the Office of Petroleum Administration for War for District Two, setting forth the pertinent facts and reasons why he considers himself entitled to relief, which Director shall act promptly upon such appeal and render a decision thereon within a period of fifteen days. If dissatisfied with the decision of the District Director in Charge, such person may appeal within fifteen days after receipt of notice of the District Director's decision to the Deputy Petroleum Administrator, or such representative as he may designate.

(E.O. 9276, 7 F.R. 10091)

Issued this 15th day of March 1944.

RALPH H. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A—DISTRICT TWO SUPPLY AND DISTRIBUTION AREAS

MOTOR FUEL, KEROSENE, RANGE OIL, TRACTOR FUEL, DISTILLATE FUEL OILS

AREA 1: The entire western part of the State of North Dakota up to and including the Counties of Rolette, Pierce, Wells, Kidder, Logan, and McIntosh; the entire western part of the State of South Dakota up to and including the Counties of Campbell, Walworth, Potter, Sully, Hughes, Lyman, and Tripp; the entire western part of the State of Nebraska up to and including the Counties of Cherry, Thomas, Logan, Lincoln, Frontier, and Redwillow.

AREA 2: The Counties of Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Greeley, Wichita, Scott, and Lane of the State of Kansas.

AREA 3: The Counties of Hamilton, Kearney, Finney, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade, and Clark of the State of Kansas; the Counties of Cimarron, Texas, Beaver, Harper, Woods, Ellis, and Woodward of the State of Oklahoma.

AREA 4: The Counties of Towner, Cavalier, Pembina, Benson, Ramsey, Walsh, Nelson, and Grand Forks of the State of North Dakota; the Counties of Kittson, Roseau, Lake of the Woods, Marshall, Beltrami, Polk, Pennington, Red Lake, Clearwater, Hubbard, Wadena, Cass, Crow Wing, Aitkin, Itasca, Koochiching, Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the Counties of Douglas, Bayfield, Ashland, Iron, Vilas, Burnett, Washburn, Sawyer, Rusk, Price, Taylor, Oneida, and Lincoln of the State of Wisconsin; the Counties of Gogebic and Ontonagon of the State of Michigan.

AREA 5: The Counties of Eddy, Griggs, Steele, Traill, Foster, Stutsman, Barnes, Cass, La Moure, Ransom, and Richland in the State of North Dakota; the Counties of Norman, Mahnomen, Clay, Becker, Wilkin, Otter Tail, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Benton, Isanti, Chisago, Stevens, Pope, Stearns, Sherburne, Anoka, Washington, Swift, Kandiyohi, Meeker, Wright, Hennepin, Ramsey, McLeod, Carver, Sibley, Scott, Dakota, Goodhue, Le Sueur, Rice, Wabasha, Waseca, Steele, Dodge, Olmsted, Winona, Freeborn, Mower, Fillmore, and Houston in the State of Minnesota; the Counties of Polk, Barron, Saint Croix, Dunn, Chippewa, Pierce, Pepin, Eau Claire, Clark, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, and Vernon in the State of Wisconsin.

AREA 6: The Counties of Dickey and Sargent in the State of North Dakota; the Counties of McPherson, Brown, Marshall, Roberts, Edmunds, Day, Grant, Faulk, Spink, Clark, Codington, Deuel, Hamlin, Hyde, Hand, Beadle, Kingsbury, Brookings, Buffalo, Jerauld, Sanborn, Minor, Lake, Moody, Brule, Aurora, Davison, Hanson, Gregory, McCook, Minnehaha, Charles Mix, Douglas, Hutchinson, Turner, and Lincoln in the State of South Dakota; the Counties of Traverse, Big Stone, Lac qui Parle, Chippewa, Yellow Medicine, Renville, Lincoln, Lyon, Redwood, Brown, Blue Earth, Nicollet, Pipestone, Murray, Cottonwood, Watonwan, Rock, Nobles, Jackson, Martin, and Faribault in the State of Minnesota; the Counties of Lyon, Osceola, Dickinson, Emmet, Kossuth, Sioux, O'Brien, Clay, Palo Alto, Pocahontas, and Humboldt in the State of Iowa.

AREA 7: The Counties of Bon Homme, Tankton, Clay, and Union in the State of South Dakota; the Counties of Keyapaha, Boyd, Brown, Rock, Holt, Knox, Cedar, Dixon, Dakota, Blaine, Loup, Garfield, Wheeler, Antelope, Pierce, Wayne, Thurston, Madison, Stanton, Cuming, Burt, Custer, Valley, Greeley, Boone, Nance, Sherman, Howard, Platte, Colfax, Dodge, Washington, Dawson, Buffalo, Hall, Merrick, Hamilton, Polk, Butler, Saunders, Douglas, Sarpy, Cass, Otoe, York, Seward, Lancaster, Gosper, Phelps, Kearney, Adams, Clay, Fillmore, Saline, Gage, Furnas, Harlan, Franklin, Webster, Nuckolls, Thayer, and Jefferson in the State of Nebraska; the Counties of Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold in the State of Iowa.

AREA 8: The Counties of Jewell, Republic, Washington, Mitchell, Cloud, Clay, Lincoln, Ottawa, Dickinson, Geary, Trego, Ellis, Russell, Ellsworth, Saline, Morris, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Coffey, Franklin, Miami, Anderson, Linn, Hodgeman, Pawnee, Stafford, Reno, Harvey, Butler, Greenwood, Woodson, Allen, Bourbon, Edwards, Pratt, Kiowa, Comanche, Barber, Kingman, Harper, Sedgwick, Summer, Cowley, Elk, Chautauqua, Wilson, Neosho, Crawford, Montgomery, Labette, and Cherokee in the State of Kansas; the Counties of Nowata, Craig, and Ottawa in the State of Oklahoma; the Counties of Cass, Bates, Vernon, Barton, Jasper, Newton, McDonald, Johnson, Henry, Saint Clair, Cedar, Dade, Lawrence, Barry, Pettis, Benton, Hickory, Polk, Greene, Christian, Stone, and Taney in the State of Missouri.

AREA 9: The Counties of Alfalfa, Major, Blaine, Grant, Garfield, Kingfisher, Canadian, Kay, Noble, Logan, Oklahoma, Cleveland, Pottawatomie, Osage, Pawnee, Payne, Lincoln, Creek, Okfuskee, Seminole, Hughes, Washington, Tulsa, Okmulgee, McIntosh, Rogers, Wagoner, Muskogee, Mayes, Delaware, Adair, Cherokee and Sequoyah in the State of Oklahoma.

AREA 10: The Counties of Roger Mills, Beckham, Harmon, Greer, Jackson, Dewey, Custer, Washita, Kiowa, Tillman, Caddo, Comanche, Cotton, Gray Stephens, Jefferson, McClain, Garvin, Muray, Carter, Love, Pontotoc, Johnston, Marshall, Coal, Atoka, Bryan, Pittsburg, Haskell, Latimer, Pushmataha, Choctaw, LeFlore, and McCurtain in the State of Oklahoma.

AREA 11: The Counties of Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Hancock, Cerro Gordo, Floyd, Chickasaw, Fayette, Clayton, Wright, Franklin, Butler, Bremer, Calhoun, Webster, Hamilton, Hardin, Grundy, Black Hawk, Buchanan, Delaware, Dubuque, Green, Boone, Story, Marshall, Tama, Benton, Linn, Jones, Jackson, Guthrie, Dallas, Polk, Jasper, Poweshiek, Iowa, Johnson, Cedar, Clinton, Scott, Muscatine, Madison, Warren, Marion, Mahaska, Keokuk, Washington, Louisa, Clark, Lucas, Monroe, Wapello, Jefferson, Henry, Des Moines, Decatur, Wayne, Appanoose, Davis, Van Buren, and Lee in the State of Iowa; the Counties of Richland, Crawford, Grant, Iowa, and Lafayette in the State of Wisconsin; the Counties of Jo Daviess, Carroll, Whiteside, Rock Island, Henry, Mercer, Warren, Henderson, and Hancock in the State of Illinois.

AREA 12: The Counties of Atchison, Holt, Nodaway, Andrew, Buchanan, Platte, Worth, Gentry, DeKalb, Clinton, Clay, Jackson, Harrison, Daviess, Caldwell, Ray, Lafayette, Mercer, Grundy, Livingston, Carroll, Saline, Putnam, Sullivan, Linn, Chariton, Schuyler, Adair, and Macon in the State of Missouri; the Counties of Marshall, Nemaha, Brown, Doniphan, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Shawnee, Wabaunsee, Osage, Douglas, and Johnson in the State of Kansas; the Counties of Johnson, Pawnee, Nemaha, and Richardson in the State of Nebraska.

AREA 13: The Counties of Dallas, Webster, Douglas, Ozark, Laclede, Wright, Pulaski, Texas, Howell, Phelps, Dent, Shannon, Oregon, Crawford, Reynolds, Carter, Ripley, Washington, Iron, Jefferson, Saint Francois, Sainte Genevieve, Madison, Wayne, and Butler in the State of Missouri.

AREA 14: The Counties of Forest, Florence, Marinette, Langlade, Oconto, Marathon, Shawano, Wood, Portage, Waupaca, Outagamie, Brown, Kewaunee, Juneau, Adams, Waushara, Winnebago, Calumet, Manitowoc, Marquette, Greenlake, Door, Fond Du Lac, Sheboygan, Sauk, Columbia, Dodge, Washington, Ozaukee, Dane, Jefferson, Waukesha, and Milwaukee in the State of Wisconsin; the Counties of Houghton, Keweenaw, Baraga, Iron, Marquette, Dickinson, Menominee, Alger, Delta, Schoolcraft, Luce, Mackinac, and Chippewa in the State of Michigan.

AREA 15: The Counties of Allegan, Barry, Eaton, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, Saint Joseph, and Branch in the State of Michigan; the Counties of Lake, Porter, Newton, Jasper, Benton, Warren, Fountain, Tippecanoe, White, Pulaski, Starke, Laporte, Saint Joseph, Marshall, Fulton, Miami, Cass, Carroll, Clinton, Howard, Tipton, Elkhart, Kosciusko, Wabash, Grant, Lagrange, Noble, Whitley, Huntington, Steuben, De Kalb, Allen, Wells, and Adams in the State of Indiana; the Counties of Stephenson, Ogle, Lee, Bureau, Putnam, Marshall, Winnebago, Boone, De Kalb, La Salle, Livingston, Ford, McHenry, Cook, Lane, Kane, Du Page, Kendall, Will, Grundy, Kankakee, and Iroquois in the State of Illinois; the Counties of Green, Rock, Walworth, Racine, and Kenosha in the State of Wisconsin.

AREA 16: The Counties of Knox, Fulton, McDonough, Schuyler, Adams, Brown, Pike, Calhoun, Jersey, Greene, Scott, Morgan, Cass, Mason, Peoria, Stark, Woodford, McLean, Tazewell, Logan, Menard, Sangamon, Macoupin, Madison, Saint Clair, Monroe, Randolph, Jackson, Williamson, Franklin, Perry, Hamilton, Wayne, Jefferson, Washington, Clinton, Marion, Clay, Effingham, Fayette, Bond, Shelby, Montgomery, Christian, Moultrie, Piatt, Macon, and De Witt in the State of Illinois; the Counties of Scotland, Knox, Clark, Lewis, Shelby, Marion, Monroe, Ralls, Pike, Randolph, Howard, Boone, Audrain, Callaway, Montgomery, Lincoln, Warren, Saint Charles, Saint Louis, Franklin, Gasconade, Osage, Maries, Cole, Miller, Camden, Morgan, Moniteau, and Cooper in the State of Missouri.

AREA 17: The Counties of Champaign, Vermilion, Douglas, Coles, Edgar, Clark, Cumberland, Jasper, Crawford, Lawrence, Richland, Edwards, Wabash, White, Saline, and Gallatin in the State of Illinois; the Counties of Vermillion, Parke, Vigo, Clay, Sullivan, Greene, Knox, Owen, Monroe, Lawrence, Martin, Daviess, Orange, Crawford, Dubois, Pike, Gibson, Posey, Vanderburgh, Warrick, Spencer, and Perry in the State of Indiana; the Counties of Union, Henderson, Webster, McLean, Hopkins, Muhlenberg, Butler, Warren, Edmonson, Grayson, Ohio, Daviess, Hancock, Breckinridge, and Mead in the State of Kentucky.

AREA 18: The Counties of Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac in the State of Illinois; the Counties of Perry, Bollinger, Cape Girardeau, Scott, Stoddard, New Madrid, Mississippi, Dunklin, and Pemiscot in the State of Missouri; the Counties of Hickman, Carlisle, Ballard, McCracken, Fulton, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Crittenden, and Livingston in the State of Kentucky; the Counties of Lake, Obion, Weakley, Henry, Carroll, Gibson, Dyer, Crockett, Lauderdale, Tipton, Haywood, Madison, Henderson, Shelby, Fayette, Hardeman, Chester, and McNairy in the State of Tennessee.

AREA 19: The Counties of Emmet, Charlevoix, Cheboygan, Presque Isle, Alpena, Montmorency, Otsego, Antrim, Leelanau, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Manistee, Wexford, Missaukee, Roscommon, Ogemaw, Iosco, Mason, Lake, Osceola, Clare, Arenac, Gladwin, Bay, Huron, Tuscola, Sanilac, Saginaw, Gratiot, Midland, Isabella, Mecosta, Montcalm, Newaygo, Oceana, Muskegon, Ottawa, Kent, Ionia, Clinton, Shiawassee, Genesee, Lapeer, and Saint Clair in the State of Michigan.

AREA 20: The Counties of Montgomery, Boone, Hamilton, Madison, Delaware, Jay, Blackford, Randolph, Wayne, Fayette, Rush, Henry, Hancock, Shelby, Bartholomew, Decatur, Johnson, Marion, Morgan, Hendricks, Putnam, and Brown in the State of Indiana.

AREA 21: The Counties of Jackson, Jennings, Ripley, Jefferson, Scott, Clark, Floyd, Harrison, and Washington in the State of Indiana; the Counties of Carroll, Trimble, Oldham, Henry, Owen, Scott, Harrison, Robertson, Bracken, Mason, Nicholas, Montgomery, Bourbon, Fayette, Franklin, Shelby, Jefferson, Bullitt, Spencer, Anderson, Woodford, Jessamine, Garrard, Boyle, Mercer, Bath, Washington, Nelson, Hardin, LaRue, Hart, Warren, Monroe, Metcalfe, Green, Taylor, Marion, Adair, Cumberland, Clinton, Wayne, Russell, Pulaski, Casey, Lincoln, Rock Castle, Laurel, Clay, Jackson, Madison, Clark, Estill, Powell, Menifee, Wolfe, Lee, Breathitt, Owsley, Perry, Knott, Letcher, and Leslie in the State of Kentucky.

AREA 22: The Counties of Christian, Todd, Logan, Simpson, Allen, McCreary, Whitley, Knox, Bell, and Harlan in the State of Kentucky; the Counties of Stewart, Houston, Benton, Humphreys, Decatur, Perry, Hardin, Wayne, Lawrence, Giles, Maury, Lewis, Hickman, Williamson, Dickson, Montgomery, Robertson, Cheatham, Davidson, Sumner, Macon, Trousdale, Wilson, Rutherford, Bedford, Marshall, Lincoln, Moore, Franklin, Coffee, Cannon, De Kalb, Smith, Jackson, Clay, Pickett, Putnam, Overton, White, Warren, Grundy, Marion, Van Buren, Bledsoe, Sequatchie, Hamilton, Bradley, Polk, McMinn, Monroe, Meigs, Rhea, Cumberland, Fentress, Scott, Morgan, Campbell, Anderson, Roane, Loudon, Blount, Sevier, Jefferson, Knox, Union, Claiborne, Hancock, Grainger, Hamblen, Hawkins, Cocke, Greene, Sullivan, Washington, Unicoi, Carter, and Johnson in the State of Tennessee.

AREA 23: The Counties of Ingham, Livingston, Oakland, Macomb, Jackson, Washtenaw, Wayne, Hillsdale, Lenawee, and Monroe in the State of Michigan; the Counties of Williams, Defiance, Paulding, Van Wert, Mercer, Fulton, Henry, Putnam, Allen, Auglaize, Shelby, Lucas, Wood, Hancock, Hardin, Logan, Ottawa, Sandusky, Seneca, Wyandot, Marion, Union, Erie, Huron, Crawford, and Richland in the State of Ohio.

AREA 24: The Counties of Darke, Preble, Butler, Hamilton, Clermont, Warren, Montgomery, Miami, Champaign, Clark, Greene, Clinton, Brown, Highland, Fayette, and Madison in the State of Ohio; the Counties of Boone, Kenton, Campbell, Pendleton, Grant, and Gallatin in the State of Kentucky; the Counties of Union, Franklin, Dearborn, Ohio, and Switzerland in the State of Indiana.

AREA 25: The Counties of Lewis, Fleming, Rowan, Morgan, Magoffin, Floyd, Pike, Martin, Johnson, Lawrence, Elliott, Carter, Boyd, and Greenup in the State of Kentucky; the Counties of Morrow, Delaware, Knox, Franklin, Pickaway, Ross, Pike, Adams, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Athens, Hocking, Fairfield, Perry, Licking, Holmes, Coshocton, Muskingum, Morgan, Washington, Noble, Monroe, Belmont, Guernsey, Tuscarawas, Carroll, Harrison, and Jefferson in the State of Ohio.

AREA 26: The Counties of Lorain, Cuyahoga, Lake, Ashtabula, Ashland, Medina, Wayne, Stark, Columbina, Summit, Portage, Mahoning, Trumbull, and Gesuga in the State of Ohio.

EXHIBIT B—DISTRICT TWO SUPPLY AND DISTRIBUTION AREA

RESIDUAL FUEL OILS

AREA 1: The States of Oklahoma and Kansas; all of the State of Missouri except the counties of Saint Louis, Saint Charles, and Jefferson; the entire western part of the State of Iowa up to and including the counties of Howard, Chickasaw, Dremer, Blackhawk, Benton, Iowa, Keokuk, Wapello, and Davis; the entire eastern part of the State of Nebraska up to and including the counties of Cedar, Pierce, Madison, Platte, Polk, York, Fillmore, and Thayer.

AREA 2: The States of North Dakota and South Dakota; that part of the State of Nebraska not included in Area 1; the entire western part of the State of Minnesota up to and including the counties of Koochiching, Itasca, Aitkin, Kanabec, Millelacs, Benton, Stearns, Kandiyohi, Renville, Brown, Blue Earth, Waseca, Steele, and Freeborn.

AREA 3: That part of the State of Minnesota not included in Areas 2 and 4; that part of the State of Iowa not included in Area 1; the counties of Saint Charles, Saint Louis, and Jefferson of the State of Missouri; the entire western part of the State of Wisconsin up to and including the counties of Iron, Viles, Oneida, Langlade, Marathon, Portage, Waushara, Greenlake, Columbia, Dane, Jefferson, and Rock, except the counties of Douglas and Bayfield; the entire western part of the State of Illinois up to and including the counties of Stephenson, Ogle, Lee, LaSalle, Livingston, McLean, Logan, Sangamon, Montgomery, Bond, Clinton, Washington, and Monroe; the counties of Gogebic and Ontonagon of the State of Michigan.

AREA 4: The counties of Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the counties of Douglas and Bayfield in the northwestern part of the State of Wisconsin; the counties of Waukesha, Milwaukee, Walworth, Racine, and Kenosha in the southeastern part of the State of Wisconsin; the counties of Winnebago, Boone, McHenry, Lake, DeKalb, Kane, Cook, Kendall, Grundy, DuPage, Will, and Kankakee of the State of Illinois; and the counties of Lake, Porter, LaPorte, and Saint Joseph of the State of Indiana.

AREA 5: That part of the State of Indiana not included in Area 4 except the counties of Posey, Vanderburgh, Warrick, Spencer, Dubois, Perry, Crawford, Orange, Washington, Harrison, Floyd, Scott, Clark, Jefferson, Jennings, Ripley, Franklin, Dearborn, Ohio, and Switzerland; the southeastern part of the State of Illinois up to and including the counties of Iroquois, Ford, Champaign, DeWitt, Macon, Christian, Shelby, Fayette, Marion, Jefferson, Perry, and Randolph.

AREA 6: The State of Tennessee; the southern part of the State of Kentucky up to and including the counties of Webster, McLean, Ohio, Grayson, Hart, Larue, Marion, Washington, Mercer, Garrard, Madison, Jackson, Lee, Wolfe, Breathitt, Magoffin, Floyd, and Pike.

AREA 7: That part of the State of Wisconsin not included in Areas 3 and 4; the northern peninsula of the State of Michigan except for the counties of Gogebic and Ontonagon, and the western part of the State of Michigan up to and including the counties of Emmet, Charlevoix, Antrim, Kalkaska, Missaukee, Osceola, Newaygo, Kent, Barry, Eaton, Calhoun, and Branch.

AREA 8: All that part of the State of Michigan not included in Area 7.

AREA 9: All that part of the State of Kentucky not included in Area 6; the southern part of the State of Indiana not included in Areas 4 and 5; the southern part of the State of Ohio up to and including the counties of Preble, Montgomery, Greene, Fayette, Pickaway, Fairfield, Perry, Morgan, Noble, Belmont, and Jefferson.

AREA 10: All that part of the State of Ohio not included in Area 9.

[F. R. Doc. 44-3977; Filed, March 21, 1944; 11:21 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE AT BUSH RIVER, MD.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.295 is amended to provide for the closure of the Pennsylvania Railroad bridge across Bush River at Bush River, Maryland, for the duration of the war or until such time as may be prescribed by the Secretary of War, the regulations being amended to read as follows:

§ 203.295 *Bush River, Md.; bridge of Pennsylvania Railroad at Bush River, Md.* (a) For the duration of the war or until such time as may be hereafter prescribed by the Secretary of War, the owner of or agency controlling the above-named bridge will not be required to open the draw, except as otherwise provided in paragraph (b).

(b) A draw tender shall be placed in attendance at the bridge and the draw shall be opened on ten days' advance notice in writing from the District Engineer of the Engineer Department in charge of the locality whenever, in his judgment, such action is necessary by reason of an emergency.

(c) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations. (Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. 13 March 1944 (CE823 (Bush River—Bush River, Md.—Mile 6.75)—SPEWR)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3965; Filed, March 21, 1944; 10:11 a. m.]

PART 203—BRIDGE REGULATIONS

BRIDGE AT LAKE CHARLES, LA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.509 is amended to provide additional closed periods, the regulations being amended to read as follows:

§ 203.509 *Calcasieu River, La.; State of Louisiana highway bridge in Lake Charles, La.* (a) The owner of or agency controlling the above-named bridge shall not be required to open the drawspan between the hours of 6:00 a. m. and 6:45 a. m., 7:00 a. m. and 8:00 a. m., 5:00 p. m. and 5:45 p. m., and 6:00 p. m. and 7:00 p. m., except as otherwise provided in paragraph (b).

(b) The drawspan shall be opened promptly for vessels of the United States Government, or vessels such as fire tugs and other vessels desiring passage because of an emergency. Such vessels desiring passage because of an emergency shall sound four distinct blasts of a whistle, horn or megaphone. When weather conditions prevent hearing the sound signals, such vessels shall signal for opening by raising and lowering in a vertical plane a number of times a lighted lantern at night and a flag by day.

(c) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations. (28 Stat. 362; 33 U.S.C. 499) [Spec. Regs. 14 March 1944 (CE 823 (Calcasieu R.—Lake Charles, La.—Mi. 43.5—SPEWR)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3966; Filed, March 21, 1944; 10:12 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 188]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON INTRATERMINAL REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of March, A. D. 1944.

It appearing that demurrage charges are not being assessed for detention to refrigerator cars used for transporting commodities intraterminal by the State Belt Railroad of California; that refrigerator cars are being delayed unduly, resulting in a diminution of utilization of such cars; in the opinion of the Commission an emergency exists requiring immediate action:

It is ordered, That:

§ 95.334 (a) *Demurrage charges to be applied on refrigerator cars engaged in intraterminal transportation.* (1) The State Belt Railroad of California shall apply the demurrage charges shown in paragraph (a) (2) to any refrigerator car used for transporting any commodity to, from, or between industries, plants, or piers located at points or places named in Districts A and/or B as described in Item No. 15 of Tariff I. C. C. No. 5 of the State Belt Railroad operated by the State of California.

(2) After the expiration of twenty-four (24) hours' free time after a refrigerator car is first placed for loading and until shipping instructions covering such car are tendered to said carrier's agent and/or after twenty-four (24) hours' free time after a refrigerator car is first placed for unloading and until such car is unloaded and released, the demurrage charges shall be $2.20 per car per day or fraction thereof for the first two (2) days; $5.50 per car per day or fraction thereof for the third day; $11 per car per day or fraction thereof for the fourth day; $22 per car per day or fraction thereof for the fifth day; and $44 per car per day or fraction thereof for each succeeding day.

(b) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) On and after the effective date of this order the provisions of this order shall apply to detention of any refrigerator car held for either loading or unloading. The number of days a refrigerator car has been held prior to the effective date of this order shall determine the charges applicable on that refrigerator car on the first full demurrage day and all subsequent demurrage days occurring after the effective date of this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., March 25, 1944, and that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3981; Filed, March 21, 1944; 11:32 a. m.]

Notices

DEPARTMENT OF LABOR.

Division of Public Contracts.

EVAPORATED AND POWDERED SKIM MILK

DESIGNATION OF PRESIDING OFFICER AT HEARING

Notice of designation of presiding officer at public hearing in the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk.

By virtue of and pursuant to the authority vested in me by the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35), I, Frances Perkins, Secretary of Labor,

Do hereby appoint Merle D. Vincent, Director, Exemptions Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, to act as Presiding Officer in the place and stead of L. Metcalfe Walling at the public hearing in the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk. Said hearing will be held at 10:00 a. m. on March 21, 1944, in Room 7129, Department of Labor Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., as previously announced in the notice of hearing (9 F.R. 2697).

Signed at Washington, D. C., this 20th day of March 1944.

D. W. TRACY,
Acting Secretary of Labor.

[F. R. Doc. 44-3956; Filed, March 20, 1944; 1:01 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5836]

POTOMAC ELECTRIC POWER CO.

ORDER FIXING DATE OF HEARING

MARCH 18, 1944.

It appearing to the Commission that:

(a) On July 13, 1943, the Commission entered an order instituting an investigation to enable it to determine whether, in connection with the furnishing of electric power and energy by Potomac Electric Power Company to Braddock Light & Power Company, Incorporated, under Potomac Electric Power Company Rate Schedule FPC No. 5, any rate, charge, or classification demanded, observed, charged, or collected, or any rule, regulation, practice, or contract affecting such rate, charge, or classification, is unjust, unreasonable, unduly discriminatory, or preferential;

(b) The order of July 13, 1943, provided further that if the Commission, after hearing has been had, shall find that any such rate, charge, classification, rule, regulation, practice, or contact is unjust, unreasonable, unduly discriminatory, or preferential, the Commission shall determine and fix by appropriate order or orders, just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force;

(c) The investigation conducted by the Commission staff pursuant to such order discloses conditions, facts, and circumstances which warrant a public hearing with respect to the matters set forth in paragraphs (a) and (b) hereof;

The Commission orders that:

(A) A public hearing be held with respect to the matters under investigation, commencing on the 18th day of April, 1944, at 9:45 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.;

(B) Interested State commissions may participate in said hearing as provided in § 39.4 of the rules of practice and regulations of the Commission under the Federal Power Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3963; Filed, March 21, 1944; 10:11 a. m.]

[Docket Nos. G-437 and G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING DATE OF HEARING

MARCH 20, 1944.

Upon consideration of the application filed March 17, 1944, by Panhandle Eastern Pipe Line Company requesting a postponement of the date of hearing set in Docket No. G-437 for March 24, 1944;

It appearing to the Commission that:

Good cause has been shown for the postponement of the hearing in the above-entitled matters;

The Commission orders that:

The public hearing heretofore set for March 24, 1944, in Docket Nos. G-437 and G-521 be and the same is hereby postponed to April 19, 1944, at 9:45 a. m., in the Commission's hearing room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3964; Filed, March 21, 1944; 10:11 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4602]

AMERICAN STEEL & WIRE COMPANY OF NEW JERSEY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, March 28, 1944, at ten-thirty o'clock in the forenoon of that day (eastern standard time), in Room 3062, William Penn Annex, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence, with his conclusions of fact, and law and his recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3973; Filed, March 21, 1944; 11:09 a. m.]

[Docket No. 5033]

COLUMBIA RIVER PACKERS ASSOCIATION, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 3, 1944, at ten-thirty o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial ex-

aminer will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3974; Filed, March 21, 1944; 11:09 a. m.]

[Docket No. 5137]

MARINE PRODUCTS COMPANY

ISSUANCE OF COMPLAINT AND NOTICE OF HEARING

Complaint

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Marine Products Company is a corporation, organized and existing under the laws of the State of California, with its principal office and place of business located at 3370 Harasthy Street, San Diego, California.

PAR. TWO: Respondent Marine Products Company is now engaged and for many years prior hereto has engaged in the business of distributing and selling canned tuna, canned abalone, and canned skip jack and other sea food products (all of which are hereinafter called sea food products) in its own name and for its own account.

The respondent sells and distributes its sea food products through two separate and distinct methods. First, through intermediaries who act as its agents in negotiating the sale of its sea food products and for which services such intermediaries customarily are paid, directly or indirectly, commissions or brokerage fees. Second, through the sale of its sea food products directly to buyers who are paid, directly or indirectly, commission or brokerage fees on their own purchases of such sea food products.

The respondent, to distinguish its sea food products from the sea food products sold by competitors and to facilitate sales, utilizes registered and unregistered trade marks and brands for various sea food products it sells, which brands are generally known as packers' or sellers' brands.

The respondent also sells its sea food products unlabeled or unbranded, and also under the labels or brands of its buyers, which brands or labels are generally known to the trade as private or buyers' brands. Some of such buyers who incorrectly designate themselves as brokers also utilize registered and unregistered labels and brands, which labels and brands are utilized in selling such respective buyers' merchandise. Such buyers are primarily engaged in the purchase and sale of sea food products in their own name and for their own account.

PAR. THREE: The respondent in the course and conduct of its said business, since June 19, 1936, has sold and distributed a substantial portion of its sea food products directly to buyers located in States other than the State in which the respondent is established, and as a result of said sales and the respondent's instructions, such sea food products are shipped and transported across State lines to such buyers who are located in various States of the United States.

PAR. FOUR: The respondent, since June 19, 1936, in connection with the interstate sale and distribution of sea food products in its own name and for its own account for resale, has sold such sea food products to buyers located in the various States of the United States other than the State where respondents is established, and has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to buyers of said sea food products sold under its own labels, unlabeled and under buyers' labels.

PAR. FIVE: The paying and granting by respondent, directly or indirectly, of commission, brokerage or other compensation and allowances or discounts in lieu thereof to the buyers of said sea food products, on their own purchases which are resold unlabeled or under either the buyers' or sellers' labels, and the acts and practices of the respondent in promoting sales of sea food products by paying to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 14th day of March, A. D., 1944, issues its complaint against said respondent.

Notice

Notice is hereby given you, Marine Products Company, a corporation, respondent herein, that the 21st day of April, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 14th day of March, A. D., 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-3975; Filed, March 21, 1944; 11:09 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2861]

SERA SHOTEN

In re: Sera Shoten, also known as R. Sera Shoten.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Sera Shoten, also known as R. Sera Shoten, whose principal place of business is Honolulu, T. H., is a sole proprietorship owned by Rokuichi Sera and is a business enterprise within the United States;

2. That Rokuichi Sera, whose last known address is Jigosenmura, Saiki-gun, Hiroshima-ken, Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Sera Shoten, also known as R. Sera Shoten, a sole proprietorship, is controlled by Rokuichi Sera and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Rokuichi Sera in and to Sera Shoten, also known as R. Sera Shoten, a sole proprietorship, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to or held on behalf of or on account of or owing to said Sera Shoten, also known as R. Sera Shoten, herein described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 31, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3923; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3196]

COMPAGNIA ITALIANA WESTINGHOUSE FRENI E SEGNALI

In re: Interest of Compagnia Italiana Westinghouse Freni e Segnali in an agreement with The Bendix-Westinghouse Automotive Air Brake Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Compagnia Italiana Westinghouse Freni e Segnali is a corporation organized under the laws of Italy and is a national of a foreign country (Italy);

2. That the property identified in subparagraph 3 hereof is property of Compagnia Italiana Westinghouse Freni e Segnali;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Compagnia Italiana Westinghouse Freni e Segnali by virtue of an agreement dated September 4, 1934 (including all modifications thereof and supplements thereto, if any) by and between Compagnia Italiana Westinghouse Freni e Segnali and The Bendix-Westinghouse Automotive Air Brake Company, which agreement relates, among other things, to Patent No. 2,160,565,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3920; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3197]

PATENTS OF NATIONALS OF ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed *Owner* in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or, if a corporation, has its principal place of business in, the country represented by the code number set forth after its respective number in said Exhibit A under the heading "NAT" in accordance with the following:

27 represents France.
49 represents The Netherlands.

and is a national of such foreign country or countries, respectively;

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of foreign countries (France and The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date, Inventor, Owner, Title, and Nationality
1,615,091; 1-18-27; Marcel Levy; N. V. Internationale Suiker en Alcohol Compagnie Internationale Sugar and Alcohol Co. "Isaco"; Process for removing coloring matters and other impurities from solutions; 49.
1,678,819; 7-31-28; Fritz Koch; N. V. Internationale Suiker en Alcohol Compagnie Internationale Sugar and Alcohol Co. "Isaco"; Process for removing hydrochloric acid from sugar solutions; 49.
1,752,446; 4-1-30; Fritz Marti; Camille Lipmann; Electromagnetic impulse timepiece; 27.
1,795,166; 3-3-31; Eduard Farber, G. Minkoff & T. W. M. Pond; N. V. Internationale Suiker en Alcohol Compagnie Internationale Sugar and Alcohol Co. "Isaco"; Process for the saccharification of wood; 49.
1,796,099; 3-24-31; Gregoire Minkoff & M. Levy; N. V. Internationale Suiker en Alcohol Compagnie Internationale Sugar and Alcohol Co. "Isaco"; Recovery of hydrochloric acid; 49.
2,146,461; 2-7-39; Egerton M. Bettington; Jacques Francois, Gabriel Chobert; Method of riveting; 27.

[F. R. Doc. 44–3921; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3198]

FRANZ KORMANN AND CHRISTIAN PRELL

In re: Interests of Franz Kormann and Christian Prell in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Franz Kormann and Christian Prell are residents of Germany and Czechoslovakia, respectively, and are nationals of foreign countries (Germany and Czechoslovakia, respectively);

2. That the property identified in subparagraph 4a hereof is property of Franz Kormann;

3. That the property identified in subparagraph 4b hereof is property of Christian Prell;

4. That the property described as follows:

(a) An undivided one-third interest remaining in Franz Kormann after a transfer by him to each of Otto E. Muller and Christian Prell of an undivided one-third interest, by an assignment dated June 18, 1938 and recorded in the assignment records of the United States Patent Office on June 29, 1938 at Liber M–175, page 646, in and to the following patent:

Patent Number, Date, Inventor and Title
2,201,902; 5–21–40; Franz Kormann; Brake device for cycles.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) An undivided one-third interest transferred to Christian Prell by an assignment dated June 18, 1938 and recorded in the assignment records of the United States Patent Office on June 29, 1938 at Liber M–175, page 646, in and to the following patent:

Patent Number, Date, Inventor and Title
2,201,902; 5–21–40; Franz Kormann; Brake device for cycles.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of nationals of foreign countries (Germany and Czechoslovakia, respectively);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3922; Filed March 20, 1944; 11:07 a. m.]

[Vesting Order 3212]

COMPAGNIE FRANCAISE POUR L'EXPLOITATION DES PROCEDES THOMSON-HOUSTON

In re: Interest of Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston in an Agreement with International General Electric Company, Incorporated.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston is a corporation organised under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston by virtue of an agreement executed on October 1, 1919 by Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston and on December 26, 1919 by International General Electric Company, Incorporated (including all modifications of and supplements to said agreement, including, but without limitation, four letter-agreements dated October 1, 1929 from International General Electric Company, Incorporated, to Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston, and accepted by Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston, and a letter-agreement dated June 7, 1939, from International General Electric Company, Incorporated to Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston, and accepted by Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston) by and between Compagnie Francaise Pour L'Exploitation des Procedes Thomson-Houston and International General Electric Company, Incorporated, relating, among other things, to certain United States Letters Patent, including Patent No. 2,281,385,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 25, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3924; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3213]

HERAEUS-VACUUMSCHMELZE, A. G.

In re: Interest of Heraeus-Vacuumschmelze A. G. in agreements with United States Steel Corporation and The Ajax Metal Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heraeus-Vacuumschmelze A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Heraeus-Vacuumschmelze A. G.;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heraeus-Vacuumschmelze A. G. by virtue of an agreement dated May 24, 1935 and June 11, 1935 (including all modifications thereof and supplements thereto, if any) by and between Heraeus-Vacuumschmelze A. G. and United States Steel Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,983,242,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heraeus-Vacuumschmelze A. G. by virtue of an agreement dated February 26, 1929 (including all modifications thereof and supplements thereto, if any) by and between Heraeus-Vacuumschmelze A. G. (therein identified as Vacuumschmelze G. m. b. H.) and The Ajax Metal Company, which agreement relates, among other things, to United States Letters Patent No. 1,704,902,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 25, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3925; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3214]

ADOLF RAMBOLD

In re: Patents of Adolf Rambold and/or R. Seelig & Hille Maschinen Ges. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Adolf Rambold is a resident of Germany and is a national of a foreign country (Germany);

2. That R. Seelig & Hille Maschinen Ges. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is the property of Adolf Rambold and/or R. Seelig & Hille Maschinen Ges. m. b. H.;

4. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title
2,085,509; 6-29-37; Adolf Rambold; Bag, Re. 20,881; 10-11-38; Adolf Rambold; Machine for Making, Filling, Closing and Wrapping Bags.

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to me held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appriopriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 25, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3926; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3287]

TAKAJI ABE

In re: Estate of Takaji Abe, deceased; File D-39-2413; E.T. sec. 8006.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank E. Boyle, Administrator, acting under the judicial supervision of the Superior Court of the State of Washington, for King County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Shigeru Uyeda, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Shigeru Uyeda in and to a claim against the Estate of Takaji Abe, deceased, for the sum of approximately $1,696.46 and accrued interest thereon, being the balance of funds deposited with the Sumitomo Bank of Seattle, Washington, by Takaji Abe and which were held by Takaji Abe at the time of his death in trust for the benefit of Shigeru Uyeda,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3927; Filed, March 20, 1944; 11:07 a. m.]

[Vesting Order 3288]

ANNA BLOECHL

In re: Estate of Anna Bloechl, deceased; File D-28-3509; E.T. sec. 5712-A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Winkler, Germany.
Helene Winkler Engelbrecht, Germany.
Karl Winkler II, Germany.
Robert Winkler, Germany.
Paul Winkler II, Germany.
Helene Seit, Germany.
Kurt Langer, Germany.
Kaete (Kate) Langer, Germany.
Johannes Langer, Germany.
Anna Gironi, Germany.
Minna Galeotti, Germany.
Paul Langer, father and guardian of his minor children: Helene Langer, Herbert Langer, and Waltraud Langer, Germany.
Friedrich (Frederick) Wilhelm, Germany.
Boerner, Conservator (guardian) of Richard Winkler, Germany.
Selma Rudolph, Germany.
Lina Montemurri, Germany.
Helene Heyde, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $3,448.84, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, pursuant to an order of the Probate Court of Cook County, Illinois, entered October 3, 1941, in the matter of the estate of Anna Bloechl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3899; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3289]

ELLEN C. BONAPARTE, ET AL.

In re: Ellen C. Bonaparte vs. Louise Eugenie Moltke Huitfeldt, et al.; File D-19-231; E. T. sec. 7062.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Baltimore National Bank, Baltimore and Light Streets, Baltimore, Maryland, Trustee, and Robert W. Williams, Baltimore Trust Building, Baltimore, Maryland, Co-trustee, acting under the judicial supervision of Circuit Court No. 2 of Baltimore City, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Eller de Moltke Huitfeldt, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eller de Moltke Huitfeldt in and to the trust estate created by Decree of the Circuit Court No. 2 of Baltimore City, Maryland, in proceedings entitled "Ellen C. Bonaparte vs Louise Eugenie Moltke Huitfeldt, et al," Docket 1922-A, Folio 154,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3900; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3290]

JEROME NAPOLEON CHARLES BONAPARTE, ET AL.

In re: Jerome Napoleon Charles Bonaparte, et al., plaintiffs, vs. Webster Appleton Edgar, et al., defendants; File D-19-199; E. T. sec. 7061.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by National Savings and Trust Company, 15th Street and New York Avenue, N. W., Washington, D. C., and Jerome Napoleon Charles Bonaparte, Hotel Westbury, New York City, New York, Substituted Trustees under the Last Will and Testament and Codicil thereto of Jerome Napoleon Bonaparte, deceased, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Eller de Moltke Huitfeldt, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eller de Moltke Huitfeldt in and to the trusts created under the Last Will and Testament and Codicil thereto of Jerome Napoleon Bonaparte, deceased, in process of administration by National Savings and Trust Company and Jerome Napoleon Charles Bonaparte, Substituted Trustees under appointment of the District Court of the United States for the District of Columbia in proceedings entitled "Jerome Napoleon Charles Bonaparte, et al. vs. Webster Appleton Edgar, et al., Equity No. 30,976,"

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3901; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3291]

GODFRED HAMP

In re: Estate of Godfred Hamp, deceased; File D-28-7577; E.T. sec. 7952.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by E. O. Dressel, Executor, acting under the judicial supervision of the Superior Court of the State of Washington, in and for Pend Oreille County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

August Hamp, Germany.
Surviving spouse, name unknown, of August Hamp, Germany.
Children, names unknown, of August Hamp, Germany.
Lydia Stoyke, Germany.
Surviving spouse, name unknown, of Lydia Stoyke, Germany.
Children, names unknown, of Lydia Stoyke, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Hamp, surviving spouse, name unknown, of August Hamp; children, names unknown, of August Hamp; Lydia Stoyke; surviving-spouse, name unknown, of Lydia Stoyke and children, names unknown, of Lydia Stoyke, and each of them, in and to the estate of Godfred Hamp, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3902; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3292]

CHARLES ALWIN HOFFMANN

In re: Estate of Charles Alwin Hoffmann, also known as Charles Hoffmann,

deceased; File No. F-28-6572; E. T. sec. 4031.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation—

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip F. Farley, ancillary administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The domiciliary personal representative, name unknown, of Charles Alwin Hoffmann, also known as Charles Hoffmann, deceased, Germany.

Luise Hoffmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the domiciliary personal representative, name unknown, of Charles Alwin Hoffmann, also known as Charles Hoffmann, and Luise Hoffmann, and each of them, in and to the estate of Charles Alwin Hoffmann, also known as Charles Hoffmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3903; Filed, March 20, 1944; 11:10 a. m.]

[Vesting Order 3293]

MARY HOPFENSITZ

In re: Estate of Mary Hopfensitz, also known as Mary Hildegarde Hopfensitz, Maria Hopfensitz, and Marie Hopfensitz, deceased; File D-28-1747; E. T. sec. 855.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Berta Hopfensitz, as administratrix, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Annie Huber, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Annie Huber, in and to the estate of Mary Hopfensitz, also known as Mary Hildegarde Hopfensitz, Maria Hopfensitz, and Marie Hopfensitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3904; Filed, March 20, 1944; 11:10 a. m.]

[Vesting Order 3294]

ALFRED CARL KNUTZEN

In re: Estate of Alfred Carl Knutzen, deceased; File D-28-3839; E. T. sec. 6496.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore J. Knutsen, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Joaquin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helen Knutzen Ruge, Germany.
Irene Knutzen, Germany.
Arthur Knutzen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helen Knutzen Ruge, Irene Knutzen, and Arthur Knutzen, and each of them, in and to the estate of Alfred Carl Knutzen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3905; Filed, March 20, 1944; 11:10 a. m.]

[Vesting Order 3295]

HERMAN SCHMIDT

In re: Estate of Herman Schmidt, deceased; File No. D-28-1995; E. T. sec. 2077.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Brown, 3910 Bush Avenue, Cleveland, Ohio, Executor, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Cuyahoga;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Schmidt, Germany.
Wilhelm Schmidt, Germany.
Fritz Schmidt, Germany.
Ida Meinke, Germany.
Alvina Schwartz, Germany.
The children (names unknown) of Karl Schmidt, Wilhelm Schmidt, Fritz Schmidt and Ida Meinke.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karl Schmidt, Wilhelm Schmidt, Fritz Schmidt, Ida Meinke, Alvina Schwartz and the children (names unknown) of Karl Schmidt, Wilhelm Schmidt, Fritz Schmidt and Ida Meinke, and each of them, in and to the estate of Herman Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3906; Filed, March 20, 1944; 11:11 a. m.]

[Vesting Order 3296]

USABURO SUZUKI

In re: Estate of Usaburo Suzuki, deceased; File: D-39-17410; E. T. sec. 9593 (H-102).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert K. Kimura, Administrator, acting under the judicial supervision of the Circuit Court of the Third Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tai Suzuki, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tai Suzuki in and to the Estate of Usaburo Suzuki, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3907; Filed, March 20, 1944; 11:11 a. m.]

[Vesting Order 3297]

ERNST WINKLER, ET AL

In re: Partition Proceedings—Ernst Winkler, et al. vs. Karl Winkler, et al.; File D-28-3509; E. T. sec. 5712-B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Roy Massena, 111 West Monroe Street, Chicago, Illinois, Master in Chancery, acting under the judicial supervision of the Circuit Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Winkler, Germany.
Helene Winkler Engelbrecht, Germany.
Karl Winkler II, Germany.
Robert Winkler, Germany.
Paul Winkler II, Germany.
Helene Seit, Germany.
Kurt Langer, Germany.
Kaete (Kate) Langer, Germany.
Johannes Langer, Germany.
Anna Gironi, Germany.
Minna Galeotti, Germany.
Paul Langer, father and guardian of his minor children:
Helene Langer, Germany.
Herbert Langer, Germany.
Waltraud Langer, Germany.
Friedrich (Frederick) Wilhelm, Boerner, Conservator (guardian) of Richard Winkler, Germany.
Selma Rudolph, Germany.
Lina Montemurri, Germany.
Helene Heyde, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karl Winkler, Helene Winkler Engelbrecht, Karl Winkler II, Robert Winkler, Paul Winkler II, Helene Seit, Kurt Langer, Kaete (Kate) Langer, Johannes Langer, Anna Gironi, Minna Galeotti, Paul Langer, guardian of Helene Langer; Paul Langer, guardian of Herbert Langer; Paul Langer, guardian of Waltraud

Langer; Helene Langer, Herbert Langer, Waltraud Langer, Friedrich (Frederick) Wilhelm Boerner, conservator (guardian) of Richard Winkler; Richard Winkler, Selma Rudolph, Lina Montemurri, and Helene Heyde, and each of them, in and to the proceeds derived from the sale of real estate by a decree of the Circuit Court of Cook County, Illinois, in the partition proceedings entitled "Ernst Winkler, et al. vs. Karl Winkler, et al., File No. 49-C-3994".

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3908; Filed, March 20, 1944; 11:11 a. m.]

[Vesting Order 3298]

GEORGE WOHLFAHRT

In re: Trust under the will of George Wohlfahrt, deceased; File D-28-6645; E.T. sec. 4568.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fifth Avenue Bank of New York, as Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Janchen Wohlfahrt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country; the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Janchen Wohlfahrt, in and to the Trust created under the Last Will and Testament of George Wohlfahrt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3909; Filed, March 20, 1944; 11:12 a. m.]

[Vesting Order 3299]

LUDWIG EVANOFF YOZOFF

In re: Estate of Ludwig Evanoff Yozoff, deceased; File No. D-11-71; E. T. sec. 8690.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Pete Popoff, 410 Front Street, Toledo, Ohio, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Lucas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Person or persons, names unknown, heirs at law of Ludwig Evanoff Yosoff, deceased, Bulgaria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, heirs at law of Ludwig Evanoff Yosoff, deceased, and each of them, in and to the estate of Ludwig Evanoff Yosoff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3910; Filed, March 20, 1944; 11:12 a. m.]

[Vesting Order 3303]

OTTAVIO CASALEGNO

In re: Estate of Ottavio Casalegno, deceased; File D-38-627; E.T. sec. 6447.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Virginio Casalegno, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Armando Savio, Italy.
Luigi Casalegno, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Armando Savio and Luigi Casalegno, and each of them, in and to the estate of Ottavio Casalegno, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 11, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3911; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3304]

EMIL BOECHER

In re: Guardianship of Emil Boecher, a minor; File F-38-17766; E.T. sec. 2524.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, 100 South Broad Street, Philadelphia, Pennsylvania, Guardian, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Emil Boecher, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Emil Boecher of any nature whatsoever in the possession of Land Title Bank and Trust Company as Guardian for Emil Boecher, a minor,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3912; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3305]

ADOLPH BURGER

In re: Estate of Adolph Burger, deceased; File D-34-142; E.T. sec. 5680.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by David Stein, Administrator, acting under the judicial supervision of the County Judge's Court of Hillsborough County, Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Bertha Hellinger, Hungary.
Guiza Markowitz, Hungary.
Rose Sternberg, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Hellinger, Guiza Markowitz and Rose Sternberg, and each of them, in and to the estate of Adolph Burger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3913; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3306]

MARY C. DUGAN

In re: Estate of Mary C. Dugan, deceased; File D-28-7982; E.T. sec. 8889.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the proc-

ess of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Bell, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Bell, in and to the estate of Mary C. Dugan, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3916; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3307]

ANDREW EHRECKE

In re: Estate of Andrew Ehrecke, deceased; File D–28–2043; E.T. sec. 2319.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by R. J. Barngrover, Hugo, Colorado, Administrator, acting under the judicial supervision of the County Court of the State of Colorado, in and for the County of Lincoln;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Else Deneke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Else Deneke, in and to the estate of Andrew Ehrecke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3918; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3308]

ANDREW EHRECKE

In re: Estate of Andrew Ehrecke, deceased; File D–68–1396; E.T. sec. 8811.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harvard W. Keefe, Treasurer of Ford County, Paxton, Illinois, Depositary, acting under the judicial supervision of the County Court of the State of Illinois, in and for the County of Ford;

(2) Such property and interests are payable to deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Else Deneke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $3,147.56 which is in the possession and custody of Harvard W. Keefe, Treasurer of Ford County, Illinois, Depositary, pursuant to the orders of the County Court dated February 3, 1941, and March 10, 1942, in the matter of the estate of Andrew Ehrecke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3916; Filed, March 20, 1944; 11:08 a. m.]

[Vesting Order 3309]

FRIEDRICH WILHELM OTTO GUENTHER

In re: Trust under the will of Friedrich Wilhelm Otto Guenther, deceased; File D–28–1719; E.T. sec. 707.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Land Title Bank and Trust Company, Substituted Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Children of Karl Guenther (names unknown), Germany.

Children of Fred D. Guenther (names unknown), Germany.

Children of Elizabeth Picard nee Guenther (names unknown), Germany.

Children of Wilhelm Klunder (names unknown), Germany.

Children of Martha Reinecke nee Klunder (names unknown), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of children of Karl Guenther, names unknown, children of Fred D. Guenther, names unknown, children of Elizabeth Picard nee Guenther, names unknown, children of Wilhelm Klunder, names unknown, and children of Martha Reinecke nee Klunder, names unknown, and each of them, in and to the Trust Estate created under the Will of Friedrich Wilhelm Otto Guenther, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3917; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3310]

ENGELBERT HEINZEN

In re: Estate of Engelbert Heinzen, deceased; File D–28–8244; E. T. sec. 9334.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph Woerndle, Executor, acting under the judicial supervision of the Circuit Court of the State of Oregon for Washington County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs, names unknown, of Elizabeth Engel, nee Heinzen, deceased, Germany.

Heirs, names unknown, of Anna Marie Roth, nee Heinzen, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of heirs, names unknown, of Elizabeth Engel, nee Heinzen, deceased, and heirs, names unknown, of Anna Marie Roth, nee Heinzen, deceased, and each of them, in and to the estate of Englebert Heinzen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3918; Filed, March 20, 1944; 11:09 a. m.]

[Vesting Order 3310, Amdt.]

NABUICHI KAMURA

In re: Interest in real property, a claim and fire insurance policy owned by Nabuichi Kamura.

Vesting Order Number 2819, dated December 16, 1943, is hereby amended as follows and not otherwise:

By deleting subparagraph 5–a of said vesting order and substituting therefor a new subparagraph, to be known as subparagraph 5–a, with the following language:

The undivided one-half interest, identified as the interest acquired by Nabuichi Kamura by deed from Oliver P. Adams executed August 3, 1912, in and to the real property situated in Los Angeles County, California, particularly described as the Northeast one-fourth (¼) of the Southeast one-fourth (¼) of Section twenty-one (21), Township eight (8) North, Range Thirteen (13) West, S. B. B. & M, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

All other provisions of said Vesting Order Number 2819 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3919; Filed, March 20, 1944; 11:12 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 636]

COOLEY BROTHERS, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 636 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 15. The location of each mine is given by county and state and production group. Each producer is subject to all provisions of Maximum Price Reguluation No. 120.

[Cooley Brothers, Webb City, Mo., Cooley Brothers Mine, Mine Index #3002, Coal County, Okla., Production Group #9, Strip Mine]

	Size group Nos.								
	1	2	3	4	5	8	9	10	14
Rail shipments	$5.00	$5.00	$5.00	$4.40	$4.00	$2.60	$3.25	$2.00	$1.40
Truck shipments	5.10	5.10	5.10	4.60	4.10	2.85	3.70	2.40	2.15

Railroad locomotive fuel: All size groups $2.70.

[Logan, W. F. & Sons Coal Co., Coalgate, Okla., Midway Mine, Mine Index #3008, Coal County, Okla., Production Group #9, Strip Mine]

	Size group Nos.								
	1	2	3	4	5	8	9	10	14
Rail shipments	$5.00	$5.00	$5.00	$4.40	$4.00	$2.60	$3.25	$2.00	$1.40
Truck shipments	5.10	5.10	5.10	4.60	4.10	2.85	3.70	2.40	2.15

Railroad locomotive fuel: All size groups $2.70.

[Midwest Pre Cote Company, 7600 E. 17th St., Kansas City, Mo., Midwest Strip Mine #1, Mine Index #3003, Lafayette County, Mo., Production Group #6, Strip Mine]

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	11	12	14	15
Rail shipments	$3.30	$3.30	$3.30	$3.30	$3.05	$2.95	$2.75	$2.70	$3.30	$2.65	$2.65	$2.50	$2.00	$1.40
Truck shipments	3.60	3.60	3.60	3.60	3.80	3.20	3.20	2.95	3.60	2.80	2.95	3.00	2.00	1.10

Railroad locomotive fuel: All size groups $3.10.

[Midwest Pre Cote Company, 7600 E. 17th St., Kansas City, Mo., Midwest Strip Mine #2, Mine Index #3001, Henry County, Production Group #3, Strip Mine]

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rail shipments	$2.85	$2.85	$2.85	$2.85	$2.85	$2.85	$2.75	$2.60	$2.65	$2.65	$2.45	$2.10	$2.00	$1.65	$1.40
Truck shipments	3.25	3.25	3.25	3.25	3.00	2.85	2.70	2.65	2.85	2.60	2.00	2.45	2.45	2.25	1.10

Railroad locomotive fuel (any size not specifically listed below)	$2.70
3" x 0" stoker screenings with ½ of fines removed	2.55
2" x 0" washed or unwashed	2.30

This order shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 18th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3851; Filed, March 18, 1944; 11:41 a. m.]

[RO 5C, Order 2]

PENNSYLVANIA TEST PLAN FOR ISSUANCE OF NON-HIGHWAY RATIONS

MILEAGE RATIONING: GASOLINE REGULATIONS

Pursuant to the authority conferred upon the Director of the Automotive Supply Rationing Division by § 1394.8361, *It is hereby ordered*, That § 1394.8356 of Ration Order 5C be, and it is hereby modified in the following respects:

1. *Issuance of delivery records for use with non-highway rations.* Delivery records shall not be issued in the Pennsylvania Test Area for use with non-highway rations unless the applicant establishes eligibility for an average of ten gallons or more of gasoline per month for non-highway purposes. When an applicant establishes eligibility for an average of less than ten gallons of gasoline per month, the maintenance and presentation of delivery records in connection with the issuance of non-highway rations is not required.

2. *Definitions.* The definition of terms and rules of construction contained in § 1394.7551 of Ration Order 5C shall apply to this order.

3. *Effective period.* This order shall become effective March 21, 1944, and shall remain effective until modified or revoked.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719; Ration Order 5C, 7 F.R. 15937 as amended March 10, 1944, 9 F.R. 2654)

Issued this 20th day of March 1944.

CHARLES F. PHILLIPS,
Director,
Automotive Supply Division.

[F. R. Doc. 44-3955; Filed, March 20, 1944; 12:07 p. m.]

REGIONAL ADMINISTRATORS

[Rev. Gen. Order 32,[1] Amdt. 10]

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32[1] is amended in the following respects:

1. Subparagraph (1) of paragraph (a) is amended by inserting the phrase "or any identical provision of any maximum price regulation" after the phrase "pursuant to § 1499.18 (d) of the General Maximum Price Regulation."

2. Subparagraph (1) of paragraph (b) is amended by inserting the phrase "or any identical provision of any maximum price regulation" after the phrase "pursuant to § 1499.18 (d) of the General Maximum Price Regulation."

This amendment shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3997; Filed, March 21, 1944; 11:48 a. m.]

Regional and District Office Orders.

[Region I Order G-1 Under MPR 426]

CITRUS FRUIT IN BOSTON, MASS.

Order No. G-1 under article III, section 15, Appendix I (g) (2) of Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under article III, section 15, appendix I (f) (2) (i).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of

[1] 8 F.R. 1769, 2902, 2906, 4143, 5417, 7054, 10695, 14413, 15341, 16569.

Price Administration by article III, section 15, appendix I (g) (2), of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The maximum prices for sales of citrus fruit as established by article III, section 15, appendix I (f) (2) (i) of Maximum Price Regulation No. 426 are modified by increasing the maximum mark-ups appearing in column 9 of the table in paragraph (d) so that they will read as follows:

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 9 Sales by carlot receivers in less-than-carlots or less-than-trucklots ex-terminal sales platform
1	Oranges	Standard containes	$0.35
		Cal., standard container loose pack	.26
		Other containers or bulk:	
		Cal., per pound	5/16 cent
		All other, per pound	5/16 cent
2	Grapefruit	Standard container	.32
		Cal., standard container loose pack	.25
		Other container or bulk:	
		Cal., per pound	5/16 cent
		All other, per pound	5/16 cent
3	Lemons	Standard container	.44
		California standard container loose pack	.35
		Other containers or bulk: All, per pound	5/16 cent
4	Tangerines, Temples King Oranges, Clementines, Tangelos, Satsumas.	Standard container	.44
		Other containers or bulk:	
		California, per pound	5/16 cent
		All other, per pound	5/16 cent

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective in accordance with the terms of Amendment 21 to Maximum Price Regulation No. 426 on March 7, 1944 for a period of two weeks ending March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9250, 8 F.R. 4681)

Issued March 7th, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3786; Filed, March 17, 1944; 12:24 p. m.]

[Region I Order G-2 Under MPR 426]

CITRUS FRUIT IN BOSTON, MASS.

Order No. G-2 under article III, section 15, appendix I (g) (2) of Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under article III, section 15, appendix I (f) (3) (i), Boston, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by article III, section 15, appendix I (g) (2), of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The maximum prices for sales of citrus fruit as established by article III, section 15, appendix I (f) (3) (i) of Maximum Price Regulation No. 426 are modified by increasing the maximum mark-ups appearing in column 9 of the table in paragraph (d) so that they will read as follows:

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 9 Sales by carlot receivers in less-than-carlots or less-than-trucklots at auction
1	Oranges	Standard Container	$0.35
		Cal. standard container loose pack	.29
		Other containers or bulk:	
		Cal. per pound	5/16 cent
		All other, per pound	5/16 cent
2	Grapefruit	Standard container	.32
		Cal. standard container loose pack	.25
		Other container or bulk:	
		Cal. per pound	5/16 cent
		All other, per pound	5/16 cent
3	Lemons	Standard container	.44
		California standard container loose pack	.35
		Other containers or bulk: All, per pound	5/16 cent
4	Tangerines, Temples, King oranges, Clementines, Tangelos, Satsumas.	Standard container	.44
		Other containers or bulk:	
		California, per pound	5/16 cent
		All other, per pound	5/16 cent

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on March 9, 1944 for a period of two weeks ending March 21, 1944 in accordance with the terms of Amendment 21 to Maximum Price Regulation No. 426.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9250, 8 F.R. 4681)

Issued March 8th, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3785; Filed, March 17, 1944; 12:20 p. m.]

[Region I Order G-3 Under MPR 426]

CITRUS FRUIT IN BOSTON, MASS., REGION

Order No. G-3 under Article III, section 15, appendix H (f) (1) and appendix I (g) (1) of Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under article III, section 15, appendix H (e) (4) and appendix I (f) (4) (ii), Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by article III, section 15, appendix I (g) (1) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) Article 3, section 15, appendix I (f) (4) (ii) is amended to read as follows:

ii. The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

(b) The second paragraph of article 3, section 15, appendix H (e) (4) is amended to read as follows:

The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

(c) This order applies in Region I.

(d) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time.

This order shall become effective on March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3784; Filed, March 17, 1944; 12:20 p. m.]

[Region I Order G-2 Under 3 (c)]

STEEL WOOL IN NEW ENGLAND

Order No. C-2 under § 1499.3 (c) of the General Maximum Price Regulation. Steel wool sold by the Andford Steel Wool Company.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, and by General Order No. 32, *It is hereby ordered*, That:

(a) The maximum prices for sales at retail of steel wool packaged by the Andford Steel Wool Company, Boston, Massachusetts, shall be as follows:

Quantity:	*Maximum Price per package*
½ oz.	$0.05
⅛ oz.	.05
1 oz.	.10

(b) The quantities set forth in paragraph numbered (a) above may not be less than 90% of the weights specified.

(c) This order applies to all retail sales made by sellers located in any of the New England states.

(d) In all particulars not specifically covered or excepted by this order, sellers shall remain subject to the provisions of the General Maximum Price Regulation.

(e) This order may be amended or revoked at any time.

(f) This order shall become effective March 13, 1944, at 12:01 a. m.

Issued this 11th day of March 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3802; Filed, March 17, 1944; 12:28 p. m.]

[Region I Order G-35 Under 16 (c) GMPR]

DAYSHINE FLOOR WAX IN NEW ENGLAND

Order No. G-36 under section 16 (c) of the General Maximum Price Regulation. "Dayshine" floor wax in half-gallon and gallon sizes.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 16 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is ordered:*

(a) The maximum prices established by the General Maximum Price Regulation for certain floor wax are modified so that the maximum prices for sales at retail of "Dayshine" liquid no-rub floor wax shall be $1.75 for the half-gallon size and $3.00 for the gallon size.

(b) This order applies to sales and deliveries made within the New England states.

(c) This order No. G-36 may be amended or revoked at any time.

(d) This order No. G-36 shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3787; Filed, March 17, 1944; 12:24 p. m.]

[Region I Order G-58 under RMPR 122]

SOLID FUELS IN ST. JOHNSBURY, VT.

Order No. G-58 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, St. Johnsbury, Vermont, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region 1 of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the St. Johnsbury, Vt., Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services. The geographical applicability of this Order G-58 is explained in paragraph (i) and the terms used herein are defined in paragraph (g). Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-58. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-58 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the State of Vermont, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I; sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the St. Johnsbury, Vt., Area.

Kind and size	Per net ton	Per ½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.75	$8.65	$4.60	$0.95
Pea	15.60	8.05	4.30	.90
Buckwheat	13.30	6.90	3.70	.75
Rice	12.20	6.35	3.45	.70
Yard screenings	5.00			
Jeddo Highland or Silver Brook or Greenwood: Egg, stove and chestnut	17.25	8.90	4.70	.95
Coke: Egg, stove and chestnut	16.25	8.40	4.45	.90

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places:

The township of St. Johnsbury, except for the incorporated village of East St. Johnsbury.

The township of Danville, except for the incorporated village of North Danville.

The township of Barnet, except for the unincorporated village of Passumpsic.

The entire township of Lyndon.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

	Per net ton	Per ½ ton	Per ¼ ton
The incorporated village of East St. Johnsbury in the township of St. Johnsbury; the unincorporated village of Passumpsic in the township of Barnet; and the entire township of Waterford	$0.50	$0.25	$0.15
The incorporated village of North Danville in the township of Danville, and the entire townships of Burke, Kirby, Peacham, Sheffield and Wheelock	1.00	.50	.25
The entire township of Sutton	1.25	.65	.35

(3) *Discounts to certain classes of purchasers.* (a) The foregoing per net ton prices shall be reduced by fifty cents (50¢) per ton on all sales to religious and charitable organizations and institutions whose bins or storage facilities are located in the town of St. Johnsbury in the township of that name, and on all sales to business blocks located in said town.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.75	.40	.20

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the St. Johnsbury, Vermont, Area to consumers.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.00	$8.25	$4.40	$0.90
Pea	14.85	7.70	4.10	.85
Buckwheat	12.55	6.55	3.55	.70
Rice	11.45	6.00	3.25	.65
Yard screenings	5.00			
Jeddo Highland, Greenwood, or Silver Brook: Egg, stove and chestnut	16.00	8.50	4.50	.90
Coke: Egg, stove and chestnut	15.50	8.00	4.25	.85

(2) *Discounts.* (a) The provisions of subparagraph (3) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the St. Johnsbury, Vermont, Area to dealers in fuels who resell them.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania Anthracite:			
Broken, egg, stove & chestnut	$15.75	$7.90	$3.95
Pea	14.60	7.30	3.65
Buckwheat	12.30	6.15	3.10
Rice	11.20	5.60	2.80
Yard Screenings	5.00		
Jeddo Highland, Greenwood or Silver Brook: Egg, stove, and chestnut	16.25	8.15	4.10
Coke: Egg, stove and chestnut	15.25	7.65	3.85

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 15 days after receipt of the fuel, the maximum prices set forth in paragraphs (b), (c) and (d), including those prices as reduced in accordance with sub-paragraphs (b), (3), and (c) (2), shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton, or, by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 15 days thereafter, terms shall be net 30 days.

(f) *Conditions on sales of named anthracites.* The specific maximum prices provided for Jeddo-Highland, Greenwood and Silver Brook (hereinafter referred to as named coals) may be charged only if:

(1) The named coals are not mixed with a coal which is not named herein, either in storage or delivery: *Provided, however*, That if a purchaser requests a delivery of a mixture of named and unnamed coal, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified in the manner set forth herein;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coal by the name used in this order; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(g) *Definitions.* When used in this Order G-58, the term:

(1) "St. Johnsbury, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: Barnet, Burke, Danville, Kirby, Lyndon, Peacham, Sheffield, St. Johnsbury, Waterford and Wheelock.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under trade name "Old Company's Lehigh Greenwood Premium Anthracite."

(6) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal," and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(7) "Broken," "egg," "stove," "chestnut," etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to

the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; and *Provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–58 shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3780; Filed, March 17, 1944; 12:19 p. m.]

[Region I Order G–59 Under RMPR 122]

SOLID FUELS IN WINSTED, CONN., AREA

Order No. G–59 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Winsted, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257, 1340.265 of Revised Price Regulation No. 122 for sales of specified kinds of solid fuels in the Winsted, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–59 is explained in paragraph (h), and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122, apply to all transactions which are the subject of this Order G–59. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–59 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning, sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Winsted, Connecticut, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.50	$8.50	$4.25	$1.00
Pea	15.20	7.85	3.95	.90
Buckwheat	13.05	6.80	3.40	.85
Rice	11.70	6.10	3.05	.75
Yard screenings	6.50			
Jeddo Highland or Greenwood:				
Egg, stove, and chestnut	16.75	8.65	4.35	1.00
Koppers coke: Egg, stove and chestnut	15.50	8.00	4.00	.90

Provided, however, That the following amounts may be added to the foregoing prices for deliveries of quarter-ton or larger quantities to consumers whose bins or storage facilities are located in Barkhamsted, Colebrook and Harland: 50 cents per ton; 25 cents per one-half ton; 15 cents per one-quarter ton.

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	Ct. 50	Ct. 25	Ct. 15
For any carry up or down flights of stairs, per flight	25	13	10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Winsted, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.00	$8.25	$4.15	$0.85
Pea	14.70	7.60	3.80	.80
Buckwheat	12.55	6.55	3.30	.70
Rice	11.20	5.85	2.95	.60
Yard screenings	5.50			
Jeddo Highland or Greenwood: Egg, stove, and chestnut	16.25	8.40	4.20	.85
Koppers coke: Egg, stove, and chestnut	15.00	7.75	3.90	.80

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons, and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer will be 25 cents per bag.

(d) *Terms of sale.* If payment is made at the time of delivery, or by the close of the next business day, the maximum prices set forth above shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts." No "cash discount" is required on sales of less than a half-ton, or on sales of any quantity of Pennsylvania anthracite yard screenings. If payment is not required or made at the time of delivery or by the close of the next business day, terms shall be net thirty days.

(e) *Conditions on sales of named anthracites.* The specific maximum prices provided for Jeddo Highland and Greenwood (hereinafter referred to as named coals) may be charged only if:

(1) The named coals are not mixed with a coal which is not named herein, either in storage or delivery; *Provided, however,* That if a purchaser requests a delivery of a mixture of named and unnamed coal, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified in the manner set forth herein;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coal by the name used in this order, and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Definitions.* When used in this Order G–59, the term:

(1) "Winsted, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Barkhamsted, Canaan, Colebrook, Hartland, Norfolk, Salisbury, Winchester, and Winsted.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and Koppers coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazel Brook Coal."

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's LeHigh Greenwood Premium Anthracite."

(6) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Koppers coke" means the by-product coke produced by the Koppers Coke Corporation at its plant in New Haven, Connecticut.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or re-

ceipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–59 shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3801; Filed, March 17, 1944; 12:28 p. m.]

[Region I Order G–60 Under RMPR 122]

SOLID FUELS IN SPRINGFIELD-CLAREMONT AREA

Order No. G–60 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Springfield-Claremont Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Springfield-Claremont Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–60 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–60. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–60 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the States of Vermont or New Hampshire, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solids fuels on a "direct delivery" basis to consumers at any point in the Springfield-Claremont Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.50	$9.00	$4.75	$1.00
Pea	16.20	8.35	4.45	.95
Buckwheat	13.65	7.05	3.80	.80
Rice	12.70	6.60	3.55	.75
Yard screenings	4.00	------	------	------
Jeddo Highland: Egg, stove, and chestnut	17.75	9.15	4.85	1.00
Coke: Egg, stove, and chestnut	16.75	8.65	4.60	.95
Ambricoal	15.30	7.90	4.20	.90

(2) *Additions to base prices.* The foregoing base prices in Price Schedule I shall apply to deliveries to any consumer whose bin or storage facility is located not more than two (2) miles from the dealer's yard. For deliveries to consumers whose bins or storage facilities are located more than two (2) miles from the dealer's yard, the following amounts may be added to the foregoing base prices (except the prices per 100 pounds):

Miles from dealer's yard	Amount of addition		
	Per net ton	Per ½ ton	Per ¼ ton
More than 2 but not more than 4	$0.25	$0.15	$0.10
More than 4 but not more than 6	.50	.25	.15
More than 6 but not more than 10	.75	.40	.30
More than 10 but not more than 14	1.00	.50	.35
More than 14	1.30	.75	.40

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Springfield-Claremont Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.75	$8.60	$4.55	$1.05
Pea	15.45	7.95	4.25	.90
Buckwheat	12.90	6.65	3.60	.75
Rice	11.95	6.20	3.35	.70
Yard screenings	3.00	------	------	------
Jeddo Highland: Egg, stove and chestnut	17.00	8.75	4.65	.90
Coke: Egg, stove and chestnut	16.00	8.25	4.40	.90
Ambricoal	14.55	7.50	4.00	.85

(2) *Maximum authorized bagging charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be charged by the dealer as a deposit on, or as predetermined liquidated damages for failure to return burlap bags furnished by him shall be 25 cents per bag.

(d) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth above shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on any sales of

Pennsylvania anthracite yard screenings or on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than half-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Conditions on sales of named anthracite.* The specific maximum prices for Jeddo Highland (hereinafter referred to as named coal) may be charged only if:

(1) The named coal is not mixed with a coal which is not named herein, either in storage or delivery: *Provided, however,* That if a purchaser requests a delivery of a mixture of named and unnamed coal, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified in the manner set forth herein;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coal by the name used in this order; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Definitions.* When used in this Order G–60, the term:

(1) "Springfield-Claremont Area" shall include the following cities, towns, and townships in the States of Vermont and New Hampshire:

In Vermont: Baltimore, Chester, Springfield and Weathersfield.

In New Hampshire: Claremont, Cornish, Croydon, Newport and Unity.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, coke, and ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(5) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(6) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(7) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(8) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space, but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(9) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided further,* That the dealer need not state said tax separately on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this Order G–60 for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the Springfield-Claremont Area, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Springfield-Claremont Area, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this Order G–60 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order G–60 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G–60 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charges made and the amount charged therefor. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–60 shall become effective March 15, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

ELDON C. SUOUP,
Regional Administrator.

[F. R. Doc. 44–3796; Filed, March 17, 1944; 12:26 p. m.]

[Region I Order G–61 Under RMPR 122]

SOLID FUELS IN NEW BRITAIN, CONN., AREA

Order No. G–61 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; New Britain, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the New Britain, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–61 is explained in paragraph (h) and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–61. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–61 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis at any point in the New Britain, Connecticut, Area:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.75	$8.65	$4.45	$0.95
Pea	15.20	7.85	4.05	.85
Buckwheat	13.05	6.80	3.50	.75
Rice	11.95	6.25	3.25	.70
Yard screenings	8.50			
Jeddo Highland or Greenwood: Egg, stove, and chestnut	17.00	8.75	4.50	.95
Koppers coke: Egg, stove, and chestnut	15.00	7.75	4.00	.85
Cannel coal	20.00	10.25	5.25	1.05

(2) *Discounts to certain classes of customers.* (a) The foregoing per net ton prices shall be reduced by fifty cents per ton on all sales to religious and charitable organizations and institutions.

(b) The foregoing per net ton prices (including those prices as reduced in accordance with the preceding subparagraph) shall be reduced by 50 cents per ton on sales to consumers whose annual purchases amount to 50 tons, or more. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the New Britain, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.75	$8.15	$4.20	$0.90
Pea	14.30	7.35	3.80	.80
Buckwheat	12.05	6.20	3.25	.70
Rice	10.95	5.75	3.00	.65
Yard screenings	4.50			
Jeddo Highland or Greenwood: Egg, stove and chestnut	16.00	8.25	4.25	.90
Koppers coke: Egg, stove and chestnut	14.00	7.25	3.75	.80
Cannel coal	19.00	9.75	5.00	1.00

(2) *Discounts to certain classes of customers.* The provisions of subparagraph (2) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale.* If payment is made by the buyer within 15 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c) shall, except in the cases of cannel coal and Pennsylvania anthracite yard screenings, be reduced by the following amounts:

	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite	$1.00	$0.50	$0.25
Koppers coke	.50	.25	.10

which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of cannel coal or Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of cannel coal, yard screenings and less than quarter-ton lots) within 15 days thereafter, terms shall be net 30 days.

(e) *Conditions on sales of named anthracites.* The specific maximum prices provided for Jeddo Highland and Greenwood (hereinafter referred to as named coals) may be charged only if:

(1) The named coals are not mixed with a coal which is not named herein, either in storage or delivery: *Provided, however,* That if a purchaser requests a delivery of a mixture of named and unnamed coal, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified in the manner set forth herein;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coal by the name used in this order; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Definitions.* When used in this Order G–61, the term:

(1) "New Britain, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Avon, Berlin, Bristol, Burlington, Farmington, Harwinton, New Britain, Newington, Plainville, Plymouth, Southington, and Wolcott.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, Koppers coke and cannel coal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Broken," "egg," "stove," "chestnut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Koppers Coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–61 shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

FRANK O'NEILL,
Acting Regional Administrator.

[F. R. Doc. 44–3794; Filed, March 17, 1944; 12:26 p. m.]

[Region I Order G–62 Under RMPR 122]

SOLID FUELS IN TORRINGTON, CONN., AREA

Order No. G–62 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Torrington, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administrator by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Price Regulation No. 122 for sales of specified kinds of solid fuels in the Torrington, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–62 is explained in paragraph (h), and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122, apply to all transactions which are the subject of this Order G–62. Specifically, but without limiting the generality of the foregoing, the prohibitions contained

in § 1340.252 apply except to the extent that this Order G–62 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price schedule I sets priced under the appropriate provision forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "Direct delivery" basis to consumers at any point in the Torrington, Connecticut, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.25	$8.40	$4.20	$1.00
Pea	15.20	7.85	3.95	.95
Buckwheat	13.05	6.90	3.40	.85
Rice	11.45	6.00	2.95	.75
Yard screenings	6.80	-----	-----	-----
Jeddo Highland: Egg, stove, and chestnut	16.75	8.65	4.30	1.00
Koppers coke: Egg, stove, and chestnut	15.50	8.00	4.00	.95

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space. If the consumer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.70	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.25	.15	.10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Torrington, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.	50 lbs.
Pennsylvania anthracite:					
Broken, egg, stove, and chestnut	$15.75	$8.15	$4.10	$0.85	$0.50
Pea	14.70	7.60	3.80	.80	.45
Buckwheat	12.55	6.55	3.30	.70	.40
Rice	10.95	5.75	2.90	.60	.35
Yard screenings	5.50	-----	-----	-----	-----
Jeddo, highland: Egg, stove, and chestnut	16.25	8.40	4.20	.85	.50
Koppers coke: Egg, stove, and chestnut	15.00	7.75	3.90	.80	.45

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 50 and 100 pounds are for 50 or 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons, and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer will be 25 cents per bag.

(d) *Terms of sale.* The following "cash discounts" for payment within the periods specified shall be granted from the maximum prices set forth in paragraphs (b) and (c):

	Per net ton	Per ½ ton
Payment at time of delivery or within 10 days thereafter	$1.00	$0.50
Payment more than 10 days but within 30 days after delivery	.50	.25

Provided, however, That no cash discount is required on any sales of Pennsylvania anthracite yard screenings or on any sales of less than a half-ton. If, in those cases where a cash discount is required, payment is not made within 30 days after delivery, terms shall be net 60 days.

(e) *Conditions on sales of named anthracite.* The specific maximum prices provided for Jeddo Highland (hereinafter referred to as named coal) may be charged only if:

(1) The named coal is not mixed with a coal which is not named herein, either in storage or delivery: *Provided, however,* That if a purchaser requests a delivery of a mixture of named and unnamed coal, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified in the manner set forth herein;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coal by the name used in this order, and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Definitions.* When used in this Order G–62, the term:

(1) "Torrington, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Cornwall, Goshen, Litchfield, Morris, New Hartford, Torrington, Warren, and Washington.

(2) "Specified solid fuels" shall include all Pennsylvania Anthracite and Koppers Coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo No. 7 breaker and Highland No. 5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(5) "Broken", "egg", "stove", "chestnut", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(6) "Koppers coke" means the by-product coke produced by the Koppers Coke Corporation at its plant in New Haven, Connecticut.

(7) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(8) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(9) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And*

provided, further, That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this Order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–62 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3795; Filed, March 17, 1944; 12:26 p. m.]

[Region I Order G–63 under RMPR 122]

SOLID FUELS IN WOONSOCKET, MASS.-R. I., AREA

Order No. G–63 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Woonsocket Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Woonsocket Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–63 is explained in paragraph (h) and the terms used herein are defined in paragraph (i).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–63. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this order G–63 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the Commonwealth of Massachusetts or the State of Rhode Island, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sale of specified kinds, sizes and quantities of solid fuels on a delivered basis at any point in the Woonsocket Area.

Kind and size	Per net ton	½ net ton	¼ net ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.45	$9.00	$4.75	$0.95
Pea	15.80	8.15	4.35	.90
Buckwheat	13.30	6.90	3.70	.75
Rice	11.95	6.25	3.40	.70
Yard screenings	4.00			
Coke: Egg, stove and chestnut	16.50	8.50	4.50	.90
Ambricoal	15.05	7.80	4.15	.85

(2) *Maximum authorized service and deposit charges.* (a) The foregoing maximum prices include any carrying or wheeling that may be necessary to effect delivery into buyer's bin or storage space, except for carries up flights of stairs. If the buyer requests such service of him, the dealer may charge $1.00 per ton, or 50 cents per half-ton, or 25 cents per quarter-ton for any carry up flights of stairs, per flight. If the consumer does not request such service in cases where delivery into bins cannot be effected without a carry up one or more flights of stairs, the maximum prices shall apply for delivery to that available point which is nearest and most accessible to the stairs.

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Woonsocket Area to consumers:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.95	$8.25	$4.35	$0.85
Pea	14.30	7.40	3.95	.80
Buckwheat	11.80	6.15	3.30	.65
Rice	10.45	5.50	3.00	.60
Yard screenings	2.50			
Coke: Egg, stove, and chestnut	15.00	7.75	4.10	.80
Ambricoal	13.55	7.05	3.75	.75

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds

bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c) shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania Anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Woonsocket Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$14.45	$7.25	$3.65
Pea	12.80	6.40	3.20
Buckwheat	10.80	5.15	2.60
Rice	8.95	4.50	2.25
Yard screenings	7.20		
Coke: Egg, stove and chestnut	13.50	6.75	3.40
Ambricoal	12.05	6.05	3.05

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging, exclusive of any deposit charges on bags furnished by the seller:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(3) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days E. O. M.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.15	$0.05
Broken, pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove and chestnut	.50	.25	.15	.05
Pea	.25	.15	.05	None
Silver Brook:				
Egg, stove and chestnut	.50	.25	.15	.05
Broken, pea and buckwheat	.30	.15	.05	None
Rice	.25	.15	.05	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	.05
Buckwheat	.35	.20	.10	None
Rice	.25	.15	.05	None

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however*, That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further*, That the dealer need not state said tax separately on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this Order G–63 for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the Woonsocket Area, regardless of the ultimate destination of the fuel. The maximum prices established by this Order for sales on a delivered basis, shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Woonsocket Area, regardless of whether the dealer is located within said area.

(i) *Definitions.* When used in this Order G–63, the term:

(1) "Woonsocket Area" shall include the following portions of the Commonwealth of Massachusetts and the State of Rhode Island:

In the Commonwealth of Massachusetts: The towns of Blackstone, Millville and Uxbridge.

In the State of Rhode Island: The cities and towns of Burrillville, Gloucester, North Smithfield and Woonsocket, and those portions of Cumberland and Lincoln which lie north of Albion and Angell Roads.

(2) "Specified solid fuels" shall include Pennsylvania anthracite, ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(7) "Legitts Creek" and "Black Stork" both means that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in the Woonsocket Area it shall not be identified by any names other than "Legitts Creek" or "Black Stork".

(8) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(9) "Coke" shall include only coke produced by the following producers: Providence Gas Company; Fall River Gas Company; Taunton Gas Light Company; Blackstone Valley Gas and Electric Company. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation #122.

(10) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and market under that trade name.

(11) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(12) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or stor-

age space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(13) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(14) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this Order G–63 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order G–63 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G–63 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charges made and the amount charged therefor. This paragraph (m) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–63 shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3790; Filed, March 17, 1944; 12:25 p. m.]

[Region II Order G–5 Under SR 15]

FLUID MILK IN SALISBURY, MD.

Order No. G–5 under § 1499.75 of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for regular fluid milk sold at wholesale and retail in glass or paper containers in the City of Salisbury, Wicomico County, Maryland.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 of Supplementary Regulation No. 15 to the General Maximum Price Regulation, *It is hereby ordered*, That:

(a) On and after March 10, 1944, the maximum price for the sale and delivery in glass or paper containers of regular fluid milk at wholesale into-store, and at retail out-of-store and to-the-home, in the City of Salisbury, Wicomico County, Maryland, and all territory adjacent thereto for a distance of three miles in all directions from the city limits thereof, shall be the applicable adjusted maximum price specified below:

Type of delivery	Type of milk	Adjusted maximum prices		
		Quart	Pint	Half-pint
		Ct.	*Ct.*	*Ct.*
At wholesale into-store	Pasteurized	13½	7½	4¼
Do	Raw	12½	7½	4¼
At retail out-of-store and to-the-home.	Pasteurized	15½	----	----
Do	Raw	14½	----	----

(b) *Other retail sales.* The maximum prices for sales to the Army and Navy and other retail sales of "regular fluid milk," except retail sales out-of-store and to-the-home, and retail sales by a restaurant, hotel, bar, cafe, club, delicatessen, soda fountain, boarding house, or any other eating or drinking establishment, shall be the wholesale prices listed above, subject to any applicable discounts or allowances.

(c) *Calculations.* On sales of one unit wherein the price specified contains a fraction of a cent, the seller may adjust the price upward to the full cent if the fraction is ½¢ or more, and shall decrease the price to the lowest even cent if the fraction is less than ½¢. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established herein shall be multiplied by the number of units. If the computation results in a fraction of a cent, the total shall be adjusted up or down to the nearest full cent, and, in such adjustment, a half-cent may be adjusted upward to the nearest full cent. (For example, a maximum price of 14½¢ for one unit shall be adjusted to 15¢ for one unit, 29¢ for two units, 44¢ for three units and 58¢ for four units, etc.). Deliveries "to-the-home" shall be considered multiple unit sales unless separate collections are made for single units delivered.

(d) Sections 1499.73a (a) (1) (ix) (a) (1) and 1499.73a (a) (1) (ix) (a) (1) (ii) of Supplementary Regulation No. 14A to the General Maximum Price Regulation, insofar as they establish maximum prices for the sale and delivery of regular fluid milk at wholesale into-store and at retail out-of-store and to-the-home in the City of Salisbury, Wicomico County, Maryland, and all territory adjacent thereto for a distance of three miles in all directions from the city limits thereof, are superseded by this Order No. G–5.

(e) *Geographical applicability.* This order applies to all sales and deliveries of regular fluid milk in glass or paper containers at wholesale into-store and at retail out-of-store and to-the-home within the city limits of the City of Salisbury, Wicomico County, Maryland, and all territory adjacent thereto for a distance of three miles in all directions from the city limits thereof.

(f) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter or by supplementary order which may be contrary thereto.

(g) *Definitions.* (1) "Regular fluid milk" means fluid cow's milk, raw or pasteurized, at least satisfying the minimum butterfat content, sanitary and health requirements for fluid milk sold for human consumption in the particular area wherein it is delivered, and standards set by purchasing officers for sales to the Army or Navy. It shall not include skim milk, buttermilk, chocolate milk, or other flavored milks, special milks and premium milks.

(2) "At retail out-of-store" means a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other

establishment which delivers fluid milk separately or together with other purchases, and shall include a sale of fluid milk at retail by a milk distributor at his plant or place of business.

(3) "At retail to-the-home" means a sale and delivery of fluid milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes and shall not include a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk separately or together with other purchases.

(h) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

This order shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3774; Filed, March 17, 1944; 12:17 p. m.]

[Region II Rev. Order G-2 Under RMPR 122]

SOLID FUELS IN SYRACUSE, N. Y.

Revised Order No. G-2 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels held and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) On and after March 13, 1944, the maximum prices for the sale and delivery, in bags, at wholesale and at retail in the City of Syracuse, of the following kinds and sizes of solid fuel in the quantities specified, shall be the applicable adjusted maximum prices set forth in the following schedules:

(1) *Maximum prices per 100 lb. paper bag (bag included).*

Kind and size of fuel	Sales at wholesale (sales at dealer's yard to other dealers or retail sellers for resale)	Sales at retail (all sales to consumers)
Pennsylvania anthracite:		
Egg, stove, and nut	$0.72	$0.82
Pea	.63	.73
Buckwheat	.53	.63
Rice	.48	.58
Bituminous:		
Egg, nut and pea	.52	.60
Coke:		
Byproduct	.62	.72
Reclaimed	.60	.70

(2) *Maximum prices per 50 lb. paper bag (bag included).*

Kind and size of fuel	Sales at wholesale (sales at dealer's yard to other dealers or retail sellers for resale)	Sales at retail (all sales to consumers)
Pennsylvania anthracite:		
Egg, stove, and nut	$0.37	$0.42
Pea	.33	.38
Buckwheat	.28	.33
Rice	.25	.30
Bituminous: Egg, nut, and pea	.27	.31
Coke:		
Byproduct	.32	.37
Reclaimed	.31	.36

(b) For sales in customer's bag or other container, the foregoing maximum price for sales in units of 100 lbs. shall be reduced by 10¢ and for sales in units of 50 lbs. shall be reduced by 5¢.

(c) For sales in units under 50 lbs., maximum prices shall be calculated proportionately on the basis of the maximum prices applicable to sales in 50 lb. units. For sales in units above 50 lbs. and under 100 lbs., maximum prices shall be calculated proportionately on the basis of the maximum prices applicable to sales in 100 lb. units.

(d) This revised order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter, or by supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) *Definitions.* When used in this order:

(1) The sizes of solid fuels described herein shall refer to the same sizes of the same fuel as were sold and delivered in the City of Syracuse in the State of New York with such designation during December, 1941.

(2) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(f) *Effect of order on Order No. G-2 as originally issued and amended.* Order No. G-2 under Revised Maximum Price Regulation No. 122, as issued on January 29, 1943 and as thereafter amended, is hereby revoked in full as of the effective date of this revised order.

This revised order shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3800; Filed, March 17, 1944; 12:27 p. m.]

[Region II Order G-13 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN BRADFORD COUNTY, PA.

Amendment No. 1 to Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Bradford County, Commonwealth of Pennsylvania, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-13 is amended in the following respects:

1. The title of the order is amended to read as follows:

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Bradford County and Sullivan County, Commonwealth of Pennsylvania, Coal Area IV.

2. Paragraph (a) (1) is amended to read as follows:

(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania, Coal Area IV. Coal Area IV comprises all of Bradford County and all of Sullivan County in the Commonwealth of Pennsylvania.

This amendment to Order No. G-13 shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3798; Filed, March 17, 1944; 12:27 p. m.]

[Region II Rev. Order G-26 Under RMPR 122]

ANTHRACITE IN NEW YORK REGION

Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial," "Salem Hill," and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) Dealers making sales of the anthracite specified in subparagraph (1) hereunder, in communities subject to the area dollars-and-cents orders listed in paragraph (c) of this order, may redetermine the maximum price for sales of such anthracite in accordance with the following provisions:

(1) There may be added to the maximum per net ton prices for designated sizes of anthracite established in those orders, for sales and deliveries within the territorial limits of those orders, an amount not to exceed the following:

[PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE]

For Sales of "Colonial" Anthracite

Size:	
Broken, egg, stove, nut, pea, and buckwheat	$0.65
Rice	.55
Barley	.10
Buckwheat #4	.10

For Sales of Coal Marketed as "The Only Genuine Franklin Coal of Lykens Valley"

Size:	
Broken	$0.75
Egg	1.00
Stove	1.25
Nut	.30
Rice	.10

For Sales of "Salem Hill' Anthracite

Size:	
Egg and stove	$0.70
Nut	.30
Pea	.25
Rice	.10

For Sales of Anthracite "Produced and Prepared by Penn Collieries Company"

Size:	
Broken, egg, stove, nut and pea	$0.50
Buckwheat	.35
Rice	.25

(2) For sales of fractions of a net ton, but not less than ¼ ton, dealers may take a proportionate increase based upon the per net ton increase in the preceding subparagraph.

(3) *Conditions and limitations; commingling.* To be eligible for the increases authorized by this order, the dealer must keep each kind of anthracite specified herein separate, in storage and delivery, from any other kind of solid fuel, and sell and invoice it under the name herein designated, except that a dealer, if he satisfied the following conditions, may commingle different kinds of fuel including those herein specified, and price as indicated:

Where a purchaser expressly requests that any kind or size of anthracite specified herein be commingled in one delivery with another kind or size of anthracite specified herein, or with any other kind or size of solid fuel, then, and in that event, if those kinds and sizes are separately weighed at the point of loading, the dealer may commingle those kinds and sizes in the truck or other vehicle in which the delivery is made. The maximum price for solid fuels so commingled shall be the weighted average of the maximum prices for each element in the combination. The invoice shall separately state the maximum price for the quantity of each kind and size in the combination.

Where anthracite specified herein is commingled under conditions other than above defined, the maximum price for the combination shall be the maximum price established by regulation or order for the least expensive kind or size of fuel in the combination.

(b) *Records.* Every dealer making sales of solid fuels subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration complete and accurate records of the quantities of the specified anthracite purchased and sold hereunder, and a record of every sale of such fuel, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. Where such fuel is sold in combination with solid fuels not subject to this order, the latter shall be identified in the manner described in the regulation or order governing their sale by dealers. The record shall also state separately each service rendered and the charge made for it.

(c) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein.* The following orders and any subsequent revisions thereof:

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-16 under §§ 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-20 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-22 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-24 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-25 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-27 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-29 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. 50 under Revised Maximum Price Regulation No. 122 (issued by the national office).

(d) *Definitions and explanations.* When used in this Revised Order No. G-26, the term:

(1) "Colonial" anthracite means anthractie produced by the Colonial Colliery Corporation of Philadelphia, Pennsylvania, at its mine at Natalie, Northumberland County, Pennsylvania, and marketed under the trade name "Colonial".

(2) "The Only Genuine Franklin Coal of Lykens Valley" means anthracite prepared at the Williamstown Breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(3) "Salem Hill" anthracite means anthracite produced by the Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and marketed under the trade name "Salem Hill".

(4) "Anthracite produced and prepared by Penn Collieries Company" refers to anthracite taken from mines now operated by said company in Lackawanna County, Pennsylvania, and prepared by it at the Von Storch Colliery. "Penn Collieries Company" refers to the company by that name whose principal office is in Scranton, Pennsylvania.

(5) The sizes of anthracite described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley, and buckwheat #4 shall refer to the same sizes of the same fuel as were sold and delivered with such designation during December 1941.

(6) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke, or rescind this revised order, or any provision hereof, at any time.

(f) Order No. G-26 under Revised Maximum Price Regulation No. 122, as issued on December 31, 1943, and as thereafter amended, is hereby revoked in full as of the effective date of this order.

Effective date. This Revised Order No. G-26 shall become effective March 23, 1944.

NOTE: The record-keeping and reporting requirements of the order have been approved

by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3771; Filed, March 17, 1944; 12:16 p. m.]

[Region II Order G-34 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *Who may take the increases provided by this order.* Any dealer, whose receipts of higher priced anthracite, specified in paragraph (c) hereof, during the previous calendar month equalled or exceeded 15% of all anthracite received by him during that month, may increase the maximum prices for sales of anthracite subject to the area dollars-and-cents orders specified in paragraph (d), by the amount provided in paragraph (b) hereof. There shall be a monthly recalculation.

(b) *Permitted increases over applicable area dollars-and-cents prices for anthracite.* (1) All dealers eligible for increases under paragraph (a) may add 5¢ per net ton to the maximum prices established by the area order governing their sales of anthracite, for all sizes except screenings. For sales of fractions of a net ton but not less than ½ ton, dealers may take a proportionate increase.

(2) Any dealer whose receipts of anthracite, specified in paragraph (c) hereof, during the previous calendar month exceeded 30% of all anthracite received by him during that month, may apply to the New York Regional Office of the Office of Price Administration for an additional increase. Such application shall be in writing and set forth the following:

(i) Total tonnage of anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of anthracite specified in paragraph (c) received during the previous calendar month, identified as described therein.

(iii) Proposed additional increases on anthracite sales.

(iv) Any other pertinent information the Regional Administrator may request.

The Regional Administrator will either grant or deny the application, in whole or in part, in the light of the average increased cost of anthracite to the dealer based on total receipts during the previous calendar month, as compared with suppliers' maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

(c) *Specified anthracite which establishes the basis for increases under paragraphs (a) and (b).* Each of the following carries higher maximum mine prices than the general anthracite mine prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112.

(1) Anthracite prepared at Jeddo #7 and Highland #5 breakers of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed under the trade name "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal".

(2) Anthracite produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(3) Anthracite produced by the Haddock Mining Company of Wilkes-Barre, Pennsylvania, and the Tomhicken Colliery, Sugar Loaf Township, Luzerne County, Pennsylvania, which is shipped to Beaver Meadow Breaker, Beaver Meadows, Carbon County, Pennsylvania, for preparation, and which is marketed under the trade name "Silver Brook".

(4) Anthracite produced and prepared by the Dial Rock Coal Company, Scranton, Pennsylvania, for rail shipments only, and marketed under the trade name "Dial Rock Coal".

(5) Anthracite produced by the Hazel Brook Coal Company from its Continental Mines and the property of Raven Run Coal Company, prepared at its Midvalley Breaker, and marketed under the trade name "Raven Run Coal".

(6) Anthracite produced and prepared by the Edison Anthracite Coal Company, Scranton, Pennsylvania.

(7) Anthracite produced and prepared by the Payne Coal Company, Wilkes-Barre, Pennsylvania, at its Exeter Colliery, and marketed under the trade name "Orange Disc Anthracite".

(8) Anthracite produced and prepared by the East Bear Ridge Colliery Company, Scranton, Pennsylvania.

(d) *Area dollars-and-cents orders subject to increases provided herein. The following orders and any subsequent revisions thereof:*

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-16 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-20 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-22 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-24 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-25 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-27 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-29 under §§ 1340.259 (a) (1) ulation No. 122.

Order No. 50 under Revised Maximum Price Regulation No. 122 (issued by the national and 1340.260 of Revised Maximum Price Regoffice).

(e) *Records.* Every dealer making sales of anthracite subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration complete and accurate records of the total quantities of anthracite, including that specified in paragraph (c), received during each calendar month commencing with February, 1944. The anthracite shall be identified in the manner in which it is described in this order.

(f) *Reports.* Every dealer subject to this order shall, within ten days after he determines or redetermines his maximum prices hereunder, report to the Regional Office of the Office of Price Administration:

(1) The total tonnage of anthracite received by him during the previous calendar month.

(2) The tonnage of anthracite specified in paragraph (c) received by him during the previous calendar month. This anthracite shall be identified in the manner in which it is described therein.

Effective date. This Order No. G-34 shall become effective March 13, 1944.

NOTE: The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3773; Filed, March 17, 1944; 12:17 p. m.]

[Region III Order G-20 Under MPR 329]

FLUID MILK IN GRANT COUNTY, IND.

Order No. G-20 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk in Grant County, Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in Grant County in the State of Indiana may pay producers an amount not in excess of $3.48 per cwt. for "milk" of 4% butterfat content, plus 5¢ for each 1/10 of 1% butterfat variation over 4% and minus 5¢ for each 1/10 of 1% butterfat variation under 4%, *Provided, however,* That such milk distributor shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall be effective as of February 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-3775; Filed, March 17, 1944; 12:18 p. m.]

[Region IV Order G-5 Under SR 15]

FLUID MILK PRICES IN CARTERET COUNTY, N. C.

Order No. G-5 under § 1499.75(a)(9)(i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of approved fluid milk prices in Carteret County, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Carteret County, North Carolina.* On and after March 15, 1944, the maximum prices for approved fluid milk sold and delivered to any person within Carteret County, North Carolina, at wholesale or retail in glass and paper containers of one quart or less shall be:

	Quarts		Pints		Half-pints	
	Glass	Paper	Glass	Paper	Glass	Paper
	Ct.	Ct.	Ct.	Ct.	Ct.	Ct.
Wholesale	16	17	9	10	4½	5½
Retail out-of-store	18	19	10	11	5½	6½
Retail home-delivered	18	19	10	11	5½	6½

One-third quart container sizes. The seller shall adjust his maximum wholesale price for one-third quart container sizes, as determined under § 1499.2 General Provisions of the General Maximum Price Regulation, by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (a) out-of-store, (b) home deliveries, (c) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices subject to any applicable discounts or allowances.

(b) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have been heretofore or may hereafter be issued. Specifically, but by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (x) (Supplementary Regulation No. 14A to the General Maximum Price Regulation, as amended), shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) This order may be revoked, amended or corrected at any time.

Effective March 15th, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 8, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3781; Filed, March 17, 1944; 12:20 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 7]

SOLID FUELS IN CHARLESTON, S. C., AND VICINITY

Amendment No. 7 to Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix VI. Maximum prices for solid fuels in Charleston, South Carolina, and vicinity.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, it is hereby ordered that paragraph (m) of said Order No. G-17 be amended by adding a new subparagraph thereto, designated (m) (6), to read as set forth below:

(6) *Appendix VI: Maximum prices for specified solid fuels in Charleston, South Carolina, and vicinity.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Charleston, South Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, chunk or block	$11.21	$6.06	$3.17
Egg	10.71	5.60	3.03
Stoker	9.71	5.10	2.80
Nut and slack	8.71	4.60	2.55
Run-of-mine (domestic)	9.21	4.86	2.67

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Egg	$11.41	$6.05	$3.22
Run-of-mine (domestic)	9.61	5.05	2.77

PENNSYLVANIA ANTHRACITE

Egg, stove and nut	$13.00	$6.25	$4.87

(ii) *Special sales and services*—(a) *Carry or wheel service.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 75¢ per ton.

(b) *Sack coal.* For bituminous egg coal from District 8 sold in sacks the dealer may charge not more than 60¢ per 80 pounds and 30¢ per 37½ pounds in paper sacks.

For sack coal delivered by the ton the dealer may add not more than $1.00 per ton to his maximum price set forth in section 6 (i) above if the purchaser furnishes the sacks, and not more than $3.50 per ton if the dealer furnishes the sacks.

(c) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price $1.00 per ton. This does not apply to yard sales of sack coal, in which sales no reduction is required.

(d) *Delivery zone.* For deliveries beyond the corporate limits of Charleston, South Carolina, and within fifteen miles thereof the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of said city with a minimum charge of 50¢ for such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route, except dealers whose places of business are located in that settled area known as North Charleston may make no delivery charge for deliveries within North Charleston. For deliveries in Mt. Pleasant, Sullivan's Island, and Isle of Palms dealers may make an additional charge in the amount of the actual bridge toll paid, apportioned on a tonnage basis so that each purchaser receiving a portion of a delivery where toll charges are involved will pay a proportionate share of the toll charge based upon the tonnage received by him from that delivery.

(e) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 7 to Order No. G–17 shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 6, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44–3778; Filed, March 17, 1944; 12:18 p. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 8]

SOLID FUELS IN BRISTOL, TENN.-VA., AND VICINITY

Amendment No. 8 to Order No. G–17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix VII. Maximum prices for solid fuels in Bristol, Tennessee-Virginia, and vicinity.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, it is hereby ordered that paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (7), to read as set forth below:

(7) *Appendix VII: Maximum prices for specified solid fuels in Bristol, Tennessee-Virginia, and Vicinity.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the Cities of Bristol, Tennessee, and Bristol, Virginia, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, chunk or block	$7.05	$3.78	$2.14
Lump coal, size group 2 price classification A from Blue Diamond Coal Co., mine index 230	7.90	4.20	2.35
Chunk coal, size group 1 price classification A from Kemmerer Coal Co., mine index 278	7.90	4.20	2.35
Egg	6.95	3.73	2.11
Stove	6.70	3.60	2.05
Stoker	7.30	3.90	2.20
Run-of-mine	6.05	3.28	1.89
Yard slack	5.00	2.73	1.61

(ii) *Special sales and services*—(a) *Carry or wheel service.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Sack coal.* For Egg Coal sold in sacks the dealer may charge not more than 30¢ per 60 pounds at the yard and 35¢ per 60 pounds delivered.

(c) *Yard sales.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price 50¢ per ton.

(d) *Delivery zone.* For deliveries beyond the corporate limits of Bristol, Tennessee, or Bristol, Virginia, and within fifteen miles thereof, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such cities, with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route.

(e) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 8 to Order No. G–17 shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 6, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44–3777; Filed, March 17, 1944; 12:18 p. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 9]

SOLID FUELS IN SPARTANBURG, S. C., AND VICINITY

Amendment No. 9 to Order No. G–17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix VIII. Maximum prices for solid fuels in Spartanburg, South Carolina, and vicinity.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, it is hereby ordered that paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (8), to read as set forth below.

(8) *Appendix VIII: Maximum prices for specified solid fuels in Spartanburg, South Carolina, and vicinity.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Spartanburg, South Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$9.00	$4.75	$2.50
Egg from the Virglow Mine of the Benedict Coal Corp. Mine Index No. 481 (top size larger than 5" but not exceeding 6"; bottom size 2" and smaller; top size 3" but not exceeding 5"; bottom size larger than 2" but not exceeding 3")	9.75	5.13	2.69
Chunk, block, or lump	9.20	4.85	2.55
Chunk, block, or lump (larger than 5"—Size Group No. 1, Price Classification A and B, larger than 2" but not exceeding 5", size groups No. 2 and 3, Price Classification A)	9.20	4.90	2.58
Stoker	9.00	4.75	2.50
Stoker from the Back Creek No. 2 Mine of Fruden Coal & Coke Co., Mine Index No. 728 (top size 1¼" and smaller; bottom size smaller than 1¼")	9.25	4.88	2.56

(ii) *Special sales and services*—(a) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than $1.00 per ton.

(b) *Sack coal.* For high volatile bituminous egg coal from District No. 8 sold in sacks, the dealer may charge not more than 30¢ for 40 pounds, including the sack, delivered, and not more than 50¢ for 80 pounds, including the sack, delivered. For the same coal purchased at the yard the dealer may charge not more than 60¢ for 100 pounds, sack not included.

(c) *Yard sales.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price 50¢ per ton.

(d) *Delivery zone.* For deliveries beyond the corporate limits of Spartanburg, South Carolina, and within fifteen miles thereof, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route.

(e) *Quantity.* On purchases of from 5 to 9 tons of coal inclusive, the dealer must reduce his domestic price 25¢ per ton, and on purchases of 10 or more tons he must reduce his domestic price 50¢ per ton.

(f) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 9 to Order No. G–17 shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 9, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–3770; Filed, March 17, 1944; 12:16 p. m.]

[Region VI Order G–15 Under RMPR 122, Amdt. 1]

SOLID FUELS IN QUAD CITIES AREA

Amendment No. 1 to Order No. G–15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Quad Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered:* That paragraphs (a), (c) (1) I, (c) (1) III, (c) (1) IV C 2 c, (c) (1) VI and (d) be amended to read as set forth below:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels delivered in the cities of Rock Island, Moline, East Moline, Silvis and Milan, Illinois, and Davenport and Bettendorf, Iowa, and within an area of five miles from the city limits of each of them. These are the highest prices that any dealer may charge when he delivers any such fuel within this area; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

* * * * *

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the fuel for which prices are established; columns 2, 3, and 4 show maximum prices for fuel delivered in quantities indicated by each column heading. All prices are stated on a net ton basis.

* * * * *

MAXIMUM AREA PRICES FOR QUAD CITIES AREA

1 Description	2 2 ton or more	3 1 ton or more	4 ½ ton
I. Low volatile bituminous coal from district No. 7 (West Virginia and Virginia) except mine index No. 73:			
1. Egg, S. G. No. 2, top size 3" and larger; bottom size no limit	$12.75	$13.00	$6.75
III. High volatile bituminous coal from district No. 9 (west Kentucky):			
A. All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2" (size groups 1 to 6, inclusive):			
1. 6th seam	8.40	8.65	4.60
2. 14th seam	8.60	8.85	4.70
3. 9th, 11th, and all other seams	8.15	8.40	4.45
B. All double-screened raw or washed stove coal, top size larger than 1½" but not exceeding 2" and bottom size larger than ⅜". All raw double-screened nut, stoker, and pea coals top size not exceeding 2" and bottom size larger than 10 mesh or ³²⁄₂₅" (size groups 8 to 12, inclusive):			
1. 6th seam	8.65	8.90	4.70
2. 14th seam	------	------	------
3. 9th, 11th, and all other seams	------	------	------

MAXIMUM AREA PRICES FOR QUAD CITIES AREA—Continued

1 Description	2 2 ton or more	3 1 ton or more	4 ½ ton
IV. High volatile bituminous coal from district No. 10 (Ill.):			
C. Fulton-Peoria subdistrict			
2. Egg			
c. S. G. No. 4, 5" x 2", 6" x 2", and 7" x 2"	$6.45	$6.70	$3.60
VI. Pennsylvania anthracite:			
1. Nut:			
From Feb. 7, 1944, to Mar. 5, 1944	19.15	19.45	10.00
Until May 31, 1944	18.75	19.00	9.75
After May 31, 1944	18.35	18.60	9.55

(d) *Service charges.* The service charges set forth below may be made for special services rendered in connection with sales under paragraph (c). No other or higher service charges may be made. Service charges must be separately stated on each invoice.

	Coal
Carrying or wheeling from curb, per ton	$0.75
Carrying up or down stairs, per ton	.60
Dust treatment, per ton	.10

This Amendment No. 1 to Order No. G–15 shall be effective March 9, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–3788; Filed, March 17, 1944; 12:24 p. m.]

[Region VII Order G–1 Under MPR 120]

COAL PRODUCED IN UINTAH COUNTY, UTAH

Order No. G–1 under Maximum Price Regulation No. 120, as amended. Specific f. o. b. mine prices for shipment by truck from mines in Uintah County, Utah.

Pursuant to the Emergency Price Control Act of 1942, as Amended, §§ 1340.207 (c) and 1340.209 of Maximum Price Regulation No. 120, as Amended, and for the reasons set forth in the accompanying opinion, and after clearance with the Solid Fuels Branch in the Washington Office of the Office of Price Administration, this order is issued.

(a) *What this order does.* This order supersedes Order No. 247 under Maximum Price Regulation No. 120, issued by the Washington Office of the Office of Price Administration. It establishes maximum prices f. o. b. the mines for truck shipments of coals produced by mines in Uintah County, Utah, having an average capacity of less than 50 tons per day.

(b) *Specific f. o. b. mine prices.* The following maximum prices per net ton f. o. b. the mine are hereby established for coals produced for shipment by truck

by mines in Uintah County, Utah, having an average capacity of less than 50 tons per day:

SIZE GROUPS

1, 2, 3	4, 5 6, 7	8	9	10	11, 12	13	14	15
$5.00	$4.00	$3.00	$2.60	$2.40	$2.35	$2.55	$2.90	$2.75

(c) *Order No. 247 superseded.* This order supersedes Order No. 247 under Maximum Price Regulation No. 120, issued by the Price Administration, subject, however, to the terms and provisions of Supplementary Order No. 40.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(e) *Applicability of other regulations.* Except insofar as the maximum prices per net ton f. o. b. the mine are established by this order, all coal producers covered by this order shall remain subject to all the provisions of Maximum Price Regulation No. 120.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

Effective date. This order shall become effective on the 10th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4661)

Issued this 10th day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-3791; Filed, March 17, 1944; 12:25 p. m.]

[Region I Order G-58 Under RMPR 122, Corr.]

SOLID FUELS IN ST. JOHNSBURY, VT., AREA

Correction to Order No. G-58 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, St. Johnsbury, Vermont, Area.

Region I Order No. G-58 under Revised Maximum Price Regulation No. 122 is corrected by inserting the word "Sutton" in subparagraph (1) of paragraph (g) thereof, between the words "St. Johnsbury" and "Waterford".

This correction shall become effective March 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4661)

Issued this 10th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3776; Filed, March 17, 1944; 12:18 p. m.]

[Region I Supp. Order 2 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW ENGLAND REGION

Amendment No. 2 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracites.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. That portion of the table in paragraph (a) which lists "Legitts Creek or Black Stork" is amended to read as follows:

Kind and size	Amount of addition: Per net ton	½ ton	¼ ton	100 lbs.
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	$0.50	$0.25	$0.10	None.
Buckwheat	.35	.20	.10	None.
Rice	.25	.15	.05	None.

2. The following is added to the table in paragraph (a):

Kind and size	Amount of addition: Per net ton	½ ton	¼ ton	100 lbs.
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.25	$0.15	$0.05	None

3. Subparagraph (2) of paragraph (d) is amended to read as follows:

(2) "Named Pennsylvania anthracite" means "Jeddo Highland", "Franklin", "Greenwood", "Salem Hill", "Colonial", "Silver Brook", "Legitts Creek", "Black Stork" and "Raven Run".

4. Subparagraph (10) of paragraph (d) is amended to read as follows:

(10) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by any names other than "Legitts Creek" or "Black Stork".

5. Subparagraph (11) is added to paragraph (d), to read as follows:

(11) "Raven Run" means that Pennsylvania anthracite which is produced and prepared by Hazle Brook Coal Company, Jeddo, Pennsylvania and marketed under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

This Amendment No. 2 shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3779; Filed, March 17, 1944; 12:19 p. m.]

[Region I Supp. Order 2 Under RMPR 122, Amdt. 3]

PENNSYLVANIA ANTHRACITE IN NEW ENGLAND REGION

Amendment No. 3 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Amount of addition: Per net ton	½ ton	¼ ton	100 lbs.
Nesquehaoning: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.25	$0.15	$0.05	None
East Bear Ridge: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None

2. Subparagraph (2) of paragraph (d) is amended to read as follows:

(2) "Named Pennsylvania anthracite" means "Jeddo Highland", "Franklin", "Greenwood", "Salem Hill", "Colonial", "Silver Brook", "Legitts Creek", "Black Stork", "Raven Run", "Nesquehaoning" and "East Bear Ridge".

3. Subparagraphs (12) and (13) are added to paragraph (d), to read as follows:

(12) "Nesquehaoning" means that Pennsylvania anthracite which is produced and prepared by Edison Anthracite Coal Company and which meets the quality and preparation standards established by Order No. 9 under Maximum Price Regulation No. 112.

(13) "East Bear Ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the

quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

This Amendment No. 3 shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-3789; Filed, March 17, 1944; 12:24 p. m.]

[Region IV Orders G-5 and G-10, Amdt. 1 to Supp. Order 2 Under RMPR 122]

SOLID FUELS IN CHARLOTTE, N. C., AND HENRICO AND CHESTERFIELD COUNTIES AND RICHMOND, VA.

Amendment No. 1 to Supplementary Order No. 2 to orders No. G-5 as amended, and G-10 as amended under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers applying respectively in or about the following areas: Charlotte, North Carolina, Henrico and Chesterfield Counties and the City of Richmond, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Supplementary Order No. 2 be amended to read as set forth below:

To the maximum prices for Pennsylvania anthracite coal established by the above orders may be added the sum of 45¢ per ton, 23¢ per ½ ton, and 12¢ per ¼ ton during the period February 1, 1944, to March 5, 1944, inclusive. The increases provided in this supplementary order, as amended, apply only during said period. On and after March 6, 1944, the maximum prices for anthracite shall be as provided in the amended orders prior to February 1, 1944.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 3, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3772; Filed, March 17, 1944; 12:16 p. m.]

[Region IV Order G-14 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DURHAM, N. C.

Amendment No. 1 to Order No. G-14 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Durham in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and by paragraph (f) of Order No. G-14, *It is hereby ordered,* That paragraph (c) (1) (ii) (d) be amended to read as set forth below:

(d) *Quantity.* When the purchaser purchases in carloads the dealer must reduce his domestic price $1.00 per ton on all grades except stoker and nut and slack coal on which the reduction must be 50¢ per ton.

This Amendment No. 1 to Order No. G-14 shall become effective March 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 8, 1944.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-3790; Filed, March 17, 1944; 12:27 p. m.]

[Region V Order G-3 Under SR 14A]

FLUID MILK IN ANTHONY, KANS.

Order No. G-3 under § 1499.73a (a) (1) (vii) (d) of Supplementary Regulation No. 14A of the General Maximum Price Regulation. Adjustment of maximum prices for approved fluid milk in the city of Anthony, Kansas.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region V, of the Office of Price Administration by § 1499.73a (a) (1) (vii) (d) of Supplementary Regulation No. 14A and § 1499.75 (a) (9) of Supplementary Regulation No. 15 of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices established by § 1499.73a (a) (1) (vii) of Supplementary Regulation No. 14A of the General Maximum Price Regulation for fluid milk in the City of Anthony, Kansas are adjusted as follows:

(1) Sellers of milk in determining maximum prices for the sale of approved fluid milk in containers of one gallon or less shall determine such prices as though Anthony, Kansas, were defined in the Appendix to § 1499.73a (a) (1) (vii) of Supplementary Regulation No. 14A to the General Maximum Price Regulation as being in Area 2A.

(b) This order may be revoked, amended, or corrected at any time.

(c) Unless the context otherwise requires, the definition set forth in § 1499.73a (a) (1) (vii) (b) of Supplementary Regulation No. 14A of the General Maximum Price Regulation shall apply to the terms used herein.

This order shall become effective March 3, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9260, 7 F.R. 7871)

Issued at Dallas, Texas, this the 29th day of February 1944.

MAX MCCULLOUGH,
Regional Administrator.

Approved by:

L. J. CAPPLEMAN,
Regional Director,
War Food Administration.

[F. R. Doc. 44-3788; Filed, March 17, 1944; 12:20 p. m.]

[Region VII Order G-2 Under MPR 120]

DELIVERIES OF COAL FROM UINTAH COUNTY, UTAH

Order No. G-2 under Maximum Price Regulation No. 120, as amended. Maximum area prices for deliveries of coal by truck from certain mines in Uintah County, Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1340.209 of Maximum Price Regulation No. 120, as amended, and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *What this order does.* This order establishes specific maximum prices for coals produced in Uintah County, Utah, for shipment by truck for sale and delivery in Vernal, Utah.

(b) *Specific maximum prices.* On and after the effective date of this order, the maximum prices for coals produced in Uintah County, Utah, for shipment by truck when sold and delivered in Vernal Utah, shall be the maximum f. o. b. mine price per net ton for the particular "size group" of coals sold, plus $1.00 per ton.

(c) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(d) *Applicability of other regulations.* Except insofar as the maximum prices for coal shipped by truck and sold delivered in Vernal, Utah, are changed by this order, all such sellers shall remain subject to the terms and provisions of Revised Maximum Price Regulation No. 122, as amended.

(e) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

Effective date. This order shall become effective on the 10th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-3792; Filed, March 17, 1944; 12:25 p. m.]

[Region VII Order G–24 Under RMPR 122, Amdt. 6]

SOLID FUELS IN DENVER REGION

Order No. G–24 under Revised Maximum Price Regulation No. 122, Amendment No. 6. Solid fuels sold and delivered by dealers.

Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 6 is issued.

1. Paragraph (d), Appendix A, is amended by deleting therefrom all of subparagraph (15), effective as of February 29, 1944.

2. *Effective date.* This Amendment No. 6 shall become effective on March 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–3703; Filed, March 17, 1944; 12:25 p. m.]

[Region VIII Order G–4 Under MPR 376, as Amended, Amdt. 2]

FRESH TOMATOES IN SAN FRANCISCO REGION

Amendment No. 2, to Order No. G–4 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables (fresh tomatoes).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered:*

(a) Paragraph (a) (2) is hereby amended to read as follows:

(2) *All other tomatoes (except hothouse).* (i) When packed in any type of container: $.15 per pound calculated f. o. b. Nogales, Arizona, plus "freight" from Nogales, Arizona, to the wholesale receiving point except in the case of wholesale receiving points located in the state of Arizona where the maximum price shall be $.155 per pound calculated f. o. b. El Centro in the state of California, plus freight from El Centro to such wholesale receiving point.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1944.

L. P. GENTNER,
Regional Administrator.

[F. R. Doc. 44–3782; Filed, March 17, 1944; 12:20 p. m.]

[Region VIII Order G–5 Under 3 (c)]

MILK IN DESIGNATED COUNTIES IN CALIFORNIA

Order No. G–5 under § 1499.3 (c) of the General Maximum Price Regulation. Establishment of maximum prices of milk in half pint containers at retail.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price at which any person may make sales at retail of half-pints of milk in glass or fiber containers in the counties of Alameda, Marin, Contra Costa, Napa, Sonoma, San Francisco, San Mateo, Santa Clara, and Solano, in the State of California, shall be $.06 per half-pint of milk of not less than 3.5% milk fat content.

(b) The term "sales at retail" shall include sales of half-pints made by peddlers and distributors direct to employees at industrial plants.

(c) This order may be amended, revoked, or corrected at any time.

This order shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44–3797; Filed, March 17, 1944; 12:27 p. m.]

[Region I Order G–37 Under 18 (c)]

CHARCOAL IN STAMFORD, CONN.

Order No. G–37 under section 18 (c) of the General Maximum Price Regulation. Retail sales of charcoal bagged by Yankee Charcoal Company, Stamford, Connecticut.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is ordered:*

(a) For kiln hardwood charcoal bagged by the Yankee Charcoal Company, Stamford, Connecticut, the maximum prices for sales at retail shall be 28¢ for a four pound bag and 65¢ for a ten pound bag.

(b) The maximum prices established by this order shall apply only to sales and deliveries made within Fairfield County, Connecticut.

(c) This order No. G–37 may be amended or revoked at any time.

(d) This order No. G–37 shall become effective March 14, 1944 at 12:01 A. M.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3874; Filed, March 20, 1944; 9:42 a. m.]

[Region I Order G–6 Under RMPR 122, Amdt. 5]

SOLID FUELS IN HARTFORD, CONN., AREA

Amendment No. 5 to Order No. G–6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal; Hartford, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order G–6 under Revised Maximum Price Regulation No. 122 is hereby amended by adding the following proviso after the table of prices in paragraph (a):

Provided, however, That the maximum prices for coals of C. A. Hughes & Company produced at its Hughes No. 2 Mine, Mine Index No. 217, in District No. 1, shall be the foregoing price for the particular kind of coal plus the difference between $3.90 per net ton f. o. b. mine and the maximum f. o. b. mine price for said coals at the time of delivery as established by any order adjusting said prices under Maximum Price Regulation No. 120.

This Amendment No. 5 shall become effective March 1, 1944.

(56 Stat. 23, 765 Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3875; Filed, March 20, 1944; 9:42 a. m.]

[Region I Order G–55 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WILLIMANTIC, CONN., AREA

Amendment No. 1 to Order No. G–55 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Willimantic, Connecticut, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, subparagraph (b) (3) (b) of Region I Order No. G–55 under Revised Maximum Price Regulation No. 122 is amended by strik-

ing out the column headed "Per ¼ ton" and by changing the words "quarter-ton" at the end of the next to last sentence in said subparagraph to read "half-ton."

This Amendment No. 1 to Order No. G–55 shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3876; Filed, March 20, 1944; 9:42 a. m.]

[Region I Order G–43 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MANCHESTER, VT., AREA

Amendment No. 1 to Order No. G–43 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Manchester, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G–43 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(1) In subparagraph (b)(2)(a), the word "Rupert" is inserted after the word "Manchester" and before the words "and Sunderland."

(2) In paragraph (h)(1), the word "Rupert" is inserted between the words "Peru" and "Sandgate."

This Amendment No. 1 to Order No. G–43 shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3877; Filed, March 20, 1944; 9:42 a. m.]

[Region I Order G–42 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BENNINGTON, VT., AREA

Amendment No. 1 to Order No. G–42 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Bennington, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) of paragraph (b) of Region I Order No. G–42 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to all deliveries to consumers whose bins or storage facilities are located in Bennington; and to all deliveries elsewhere in the Area when made by a dealer whose yard is located in the same township as the bin or storage facility to which delivery is made.

(b) The following amounts may be added to the foregoing base prices in Price Schedule I for deliveries of a quarter-ton or more to consumers whose bins or storage facilities are located in the following places, when delivery is made by a dealer whose yard is not located in the same township:

	Per net ton	Per ½ ton	Per ¼ ton
Pownal	$0.50	$0.25	$0.15
Glastenbury, Shaftsbury and Woodford	1.00	.50	.25

This Amendment No. 1 to Order No. G–42 shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3878; Filed, March 20, 1944; 9:43 a. m.]

[Region I Order G–40 Under RMPR 122, Amdt. 1]

SOLID FUELS IN RUTLAND, VT., AREA

Amendment No. 1 to Order No. G–40 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Rutland, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (i) of Region I Order No. G–40 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(1) "Rutland, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: Benson, Clarendon, Castleton, Fair Haven, Hubbardton, Ira, Mendon, Middletown, Pittsford, Poultney, Proctor, Rutland, Wallingford, West Haven and West Rutland.

This Amendment No. 1 to Order No. G–40 shall become effective March 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3879; Filed, March 20, 1944; 9:43 a. m.]

[Region I Supp. Order 4 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 1 to Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

Temporary price increase; Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

(1) The following order is added to the list of orders in subparagraph (1) of paragraph (b):

Order Number:	*Area*
• • • • •	
G–55	Willimantic, Connecticut

(2) Paragraph (c) is amended to read as follows:

(c) This order shall expire at midnight, March 4, 1944.

This Amendment No. 1 to Supplementary Order No. 4 shall become effective February 29, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44–3873; Filed, March 20, 1944; 9:42 a. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 10]

SOLID FUELS IN LAURENS AND NEWBERRY COUNTIES, S. C.

Amendment No. 10 to Order No. G–17 under Revised Maximum Price Regulation No. 122 (Formerly designated as Order No. G–17 under § 1340.260 of Revised Maximum Price Regulation No. 122). Solid fuels sold and delivered by dealers. Appendix IX; maximum prices for solid fuels in Laurens and Newberry Counties, South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a)

(1) and 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, it is hereby ordered that paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (9), to read as set forth below:

(9) *Appendix IX: Maximum prices for specified solid fuels in Laurens and Newberry Counties, South Carolina.* The maximum prices for specified solid fuels sold and delivered within the prescribed limits of the Counties of Laurens and Newberry, South Carolina, shall be as follows:

(i) *"Direct delivery or domestic" basis.*

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg and block, lump or chunk coal	$9.56	$5.03	$2.64
Stoker coal	9.15	4.83	2.54

(ii) *Special sales and services*—(a) *Carry or wheel service.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Sack coal.* For high volatile bituminous egg coal from District No. 8 sold in sacks the dealer may charge not more than 60¢ for 100 pounds, 50¢ for 80 pounds, 30¢ for 50 pounds, and 25¢ for 35 pounds, delivered or at the yard.

(c) *Yard sales.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price 50¢ per ton.

(d) *Delivery zone.* For deliveries beyond the corporate limits or prescribed boundary of the city or township in which the dealer's coal yard is located, and within Laurens and Newberry Counties, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits or prescribed boundary, with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits or prescribed boundary to the point of delivery by the most direct highway route.

(e) *Quantity.* On sales of 20 tons or more to a single purchaser, the dealer must reduce his domestic price 75¢ per ton.

(f) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 10 to Order No. G–17 shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued March 13, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–3881; Filed, March 20, 1944; 9:43 a. m.]

[District of Columbia Order G–1 Under 3 (c)]

OVERAGE MILITARY ELECTRIC DRY CELL BATTERIES

Order No. G–1 issued under § 1499.3 (c) of the General Maximum Price Regulation. Order establishing maximum prices for overage military electric dry cell batteries sold or distributed by Emerson Radio of Washington, Inc., Washington, D. C.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director by General Order No. 32, as amended, and Region II Delegation Order issued the 9th day of August 1943, under § 1499.3 (c) of the General Maximum Price Regulation; it is hereby ordered:

(a) *Description of overage military electric dry cell batteries covered by this order.* This order relates to the maximum prices of overage electric dry cell batteries built for military use. Furthermore, this order applies only to the electric dry cell batteries for which maximum prices are established under sections (b) and (c) of this order, and which are at the time of sale in a usable condition, that is, which have at the time of sale sufficient electrical capacity to fill initially the purpose for which they are to be used.

(b) *Maximum prices for overage military electric dry cell batteries on sales at retail.* The maximum price on sale at retail in the District of Columbia to be charged by Star Radio Company, 409 11th Street NW., Washington, D. C., and by all sellers at retail for any overage military electric dry cell battery which has been sold or distributed by Emerson Radio of Washington, Inc., 1209 13th Street NW., Washington, D. C., shall be 80 percent of the highest retail list price of the nearest comparable new General, Burgess, National, Ray-O-Vac or Mini-Max electric dry cell battery made and sold for civilian use.

(c) *Maximum prices for overage military electric dry cell batteries on sale other than at retail.* The maximum price for sales in the District of Columbia other than at retail to be charged by Emerson Radio of Washington, Inc. (and all subsequent sellers), for any overage military electric dry cell battery which has been sold or distributed by or through Emerson New York Distributors, 111 8th Avenue, New York City, shall be 80 percent of the highest retail list price of the nearest comparable new battery as determined under the provisions of section (b) of this order, less a discount of 30 percent and a discount for cash of 2 percent when sold to retailers.

(d) *Notification of maximum prices.* No electric dry cell batteries covered by this order shall be sold, offered for sale, or delivered by Emerson Radio of Washington, D. C., or at retail by any seller, unless there is securely posted upon such battery a price ticket bearing in easily readable lettering, the statement that the battery is an average military battery, and its maximum retail price as established under this order. Each person who shall sell any electric dry cell batteries which are covered by this order to any purchaser who buys them for resale shall, at the time of or prior to their delivery, notify such purchaser of the provisions of this order which determine the maximum wholesale and retail prices of such batteries and of the provisions of this order relating to the notification of maximum prices.

(e) *Coverage by General Maximum Price Regulation.* In all particulars which are not specifically covered or which are excepted by this order, all sellers of electric dry cell batteries which are covered by this order shall be subject to the provisions of the General Maximum Price Regulation with respect to the sales of such batteries.

(f) *Modification and adjustment.* This order may be revoked or amended by the District Director, the Regional Administrator of Region II, or the Price Administrator, through the issuance at any time hereafter of any Order or price regulation or amendment or supplement thereto.

(g) *Keeping a copy of this order.* Emerson Radio of Washington, Inc., and Star Radio Company shall keep a copy of this order and the accompanying opinion at their respective places of business, and such copy shall be available for inspection by any person during business hours.

(h) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order, and the regulation under which it is issued. The seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(i) *Effective date.* This order shall be effective as of March 15th, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4631)

Issued this 14th day of March 1944.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 44–3880; Filed, March 20, 1944; 9:43 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–863]

SOUTHWESTERN DEVELOPMENT CO. AND WEST TEXAS GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of March 1944.

Southwestern Development Company, a registered holding company, and West Texas Gas Company, its subsidiary, having filed a joint declaration pursuant to the Public Utility Holding Company Act of 1935, and rules promulgated thereunder, with respect to the following transactions:

(a) Southwestern Development Company, pursuant to a letter agreement with Guaranty Trust Company of New York, dated February 15, 1944, proposes to alter the maturity dates and instalment payments of four secured promissory notes, presently held by Guaranty Trust Company of New York, as indicated in the following table:

Date of issue	Present maturity dates	Interest rate %	Amount of instalment due	New maturity dates	Interest rate %	Amount of instalment due
1/2/44	July 1, 1946	2½	$40, 623. 35	July 1, 1943	2½	$40, 623. 35
1/2/40	July 1, 1946	2½	452, 974. 00	July 1, 1945	2½	564, 370. 05
	July 1, 1947	2¾	999, 954. 85	July 1, 1946	2½	535, 393. 20
10/20/40	July 1, 1947	2¾	865, 141. 50	July 1, 1946	2½	85, 617. 80
				July 1, 1947	2¾	925, 900. 00
				July 1, 1948	2¾	153, 523. 70
12/20/40	July 1, 1947	2¾	452, 909. 42	July 1, 1948	2¾	852, 909. 42
			2, 511, 493. 12			2, 511, 493. 12

The proposed changes are to be effectuated by stamping or indorsing the four existing notes with a legend referring to the modifications as set forth in the aforesaid letter agreement. The collateral on said notes will remain unchanged.

(b) West Texas Gas Company proposes to issue as of February 15, 1944 its unsecured instalment promissory note for $1,650,000 to Guaranty Trust Company of New York with maturities, interest rates, and instalments as follows:

PROPOSED INSTALMENT NOTE

Date of instalment	Amount of instalment	Interest rates
		(Percent)
January 2, 1945	$300, 000	2¼
January 2, 1946	350, 000	2½
January 2, 1947	350, 000	2¾
January 2, 1948	350, 000	2¾
January 2, 1949	350, 000	2¾

This note is being issued for the purpose of discharging the unpaid balance ($1,650,000) of a secured note previously issued to and previously held by Guaranty Trust Company of New York in the principal amount of $3,150,000, and effectuating the release of mortgage bonds and a promissory note presently pledged as collateral security therefor. Subsequently, West Texas Gas Company proposes to cancel and discharge the released collateral, which consists of $1,650,000 principal amount of South Plains Pipe Line Company First Mortgage and Collateral Trust Bonds, which have been heretofore assumed by West Texas Gas Company, and a $2,000,000 principal amount promissory note issued pursuant to a Deed of Trust and mortgage made with The Citizens-First National Bank, trustee.

Said declaration having been filed on February 17, 1944, and notice of said filing having been duly given in the form and manner provided by Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 7 and 12 (c) of the act and Rule U-42 promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder, and deeming it appropriate, in the public interest and in the interests of investors and consumers, to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions in Rule U-24, that the aforesaid declaration be, and hereby is, permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44—3883; Filed, March 20, 1944; 10:33 a. m.]

[File No. 30–202]

PUBLIC SERVICE COMPANY OF OKLAHOMA

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D., 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") by the Public Service Company of Oklahoma ("P. S. O."), a registered holding company, a direct subsidiary of Central and South West Utilities Company and an indirect subsidiary of The Middle West Corporation, for an order that it has ceased to be a holding company. The application states that on January 31, 1944, P. S. O. acquired all the properties of its only public utility subsidiary, Southwestern Light & Power Company ("Southwestern"), pursuant to an order of this Commission entered on January 10, 1944 (File No. 70–178), Holding Company Act Release No. 4822 and thereupon cancelled and surrendered to Southwestern all shares of the capital stock of that company which it owned. Said application further states that on January 31, 1944, Southwestern ceased to be a public utility company and was dissolved.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application shall not be granted except pursuant to further order of this Commission.

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules and regulations of the Commission thereunder be held on April 3, 1944 at 10:00 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., in such room as the hearing room clerk at that time shall advise. At such hearing cause will be shown why such application shall be granted. Notice of said hearing shall be given to the applicant by registered mail and to all other interested persons by publication in the FEDERAL REGISTER;

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That, without limiting the scope of issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the requested declaration of status is consistent with all applicable requirements of the act and the rules thereunder.

2. Whether it is necessary or appropriate for the protection of investors to impose any terms and conditions and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–3971; Filed, March 21, 1944; 11:08 a. m.]

[File No. 70–874]

ATLANTIC CITY ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of March, A. D. 1944.

Notice is hereby given that a joint application and declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 by American Gas and Electric Company ("American Gas"), a registered holding company, and its utility subsidiary, Atlantic City Electric Company ("Atlantic City"); and

All interested persons are referred to said document which is on file in the office of the Commission for a statement

of the transactions therein proposed, which are summarized as follows:

The aforesaid companies propose that:

(1) Atlantic City issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, 55,000 shares of $160 par value cumulative preferred stock, the bid or bids for such stock to fix a dividend rate of not more than 4½% and a price of not less than $100 per share.

(2) The proceeds of the sale of such preferred stock, together with treasury cash of Atlantic City, to the extent necessary, are to be applied to the redemption of Atlantic City's present publicly-held 26,283 shares of no par $6 Cumulative Preferred Stock at the redemption price of $120 per share and the purchase for cancellation from American Gas of its holdings of 30,592 shares of no par $6 cumulative preferred stock at its stated cost of $3,059,200.

Accrued dividends on the shares to be redeemed and purchased will be paid from the general funds of Atlantic City.

(3) Atlantic City will change its charter to eliminate the authorization for the preferred stock to be redeemed or purchased, and to authorize the issuance of 100,000 shares of new $100 par value cumulative preferred stock. The net result of the retirement of the outstanding preferred stock and the issuance of 55,000 shares of new preferred stock now proposed to be issued will be to reduce the capital of the company by $187,500.

(4) In connection with the redemption and purchase of the outstanding preferred stock, Atlantic City may obtain a temporary loan of not to exceed $5,500,000. The note representing such temporary loan, if made, will be made to a commercial bank or similar institution and not for resale to the public, and will be both issued and discharged on the same day on which the preferred stock proposed to be issued shall be issued.

(5) No fees, commissions or other remunerations will be paid upon the issue of said note, if made, or on the acquisition of the shares of preferred stock held by American Gas.

(6) The preferred stock to be authorized will have the right to elect a majority of the Board of Directors in the event of accumulation of arrearages equal to four quarterly dividends and will have special voting rights in connection with the authorization of any new stock ranking prior to or on a parity with it, the issuance, subject to certain exceptions, of debt in excess of a certain amount; and the merger or consolidation of the company.

The issue and sale of said preferred stock will, according to the filing, be expressly authorized by the Board of Public Utility Commissioners of the State of New Jersey, the State in which Atlantic City is organized and doing business.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both), shall not become effective or be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the act and the rules of the Commission thereunder be held on March 31, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Board of Public Utility Commissioners of the State of New Jersey and on the applicants or declarants herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before March 29, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of preferred stock by Atlantic City is solely for the purpose of financing the business of said company and has been expressly authorized by the State Commission of the State in which it is organized and doing business.

(2) Whether the proposed purchase of the 30,592 shares of Atlantic City's preferred stock held by American Gas is in compliance with statutory standards and whether it is necessary or appropriate to impose any terms or conditions with respect thereto.

(3) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3972; Filed, March 21, 1944; 11:08 a. m.]

WAR PRODUCTION BOARD.

[Certificate 46, Amdt. 2]

TRANSPORTATION OF PETROLEUM DESIGNATED IN WESTERN AND SOUTHERN STATES

APPROVAL OF DIRECTIVE

The ATTORNEY GENERAL:

Referring to Certificate No. 46, issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) on March 30, 1943 and amended on April 26, 1943, I submit herewith Petroleum Directive 65,[1] as amended March 15, 1944, of the Petroleum Administration for War.

For the purposes of the aforesaid section 12 of Public Law No. 603, I approve Petroleum Directive 65 as amended; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance therewith is requisite to the prosecution of the war.

Dated: March 15, 1944.

DONALD M. NELSON, *Chairman.*

[F. R. Doc. 44-3976; Filed, March 21, 1944; 11:21 a. m.]

[1] *Supra.*

THE NATIONAL ARCHIVES

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VOLUME 9 NUMBER 59

Washington, Thursday, March 23, 1944

The President

EXECUTIVE ORDER 9431

AMENDING THE FOREIGN SERVICE REGULATIONS OF THE UNITED STATES

By virtue of the authority vested in me by section 1752 of the Revised Statutes of the United States (U.S.C., title 22, sec. 132), it is ordered as follows:

1. Section IV-9 of the Foreign Service Regulations (E.O. 8189, July 5, 1939; 22 CFR 104.9, 1939 Supp.) is hereby amended to read as follows:

"IV-9. *Place of Residence of Diplomatic and Consular Officers*

"Diplomatic and consular officers shall conform with such regulations as may be prescribed by the Secretary of State regarding their place of residence during periods of assignment to Foreign Service posts."

2. Section IV-10 of the Foreign Service Regulations (E.O. 8189, July 5, 1939; 22 CFR 104.10, 1939 Supp.) is hereby amended to read as follows:

"IV-10. *Office Hours and Official Hours of Duty*

"(a) *Office hours.* Foreign Service offices shall be kept open for the convenience of the public during such hours and on such days as may be prescribed by the Secretary of State in accordance with acts of Congress, and Executive orders, regulations, and policies of the President; provided that the offices may be closed for the transaction of routine business on holidays of outstanding importance in their particular localities.

"(b) *Official hours of duty.* Officers and employees of the Foreign Service shall observe such official hours of duty as may be prescribed by act of Congress, by order of the President, or by administrative regulation of the Secretary of State."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 20, 1944.

[F. R. Doc. 44-4020; Filed, March 21, 1944; 2:59 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 946—MILK IN LOUISVILLE, KENTUCKY, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area, it is hereby found and determined that the provisions of such order which provide a seasonal minimum price for Class I milk during the months of April, May, June, and July 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., April 1, 1944, and continuing during the months of April, May, June, and July 1944, the following provisions of § 946.4 (a) (1) of the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area, are hereby suspended:

Delivery period:	
April through July	0.95
August through March	

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 21st day of March 1944.

THOMAS J. FLAVIN, *Assistant to the War Food Administrator.*

[F. R. Doc. 44-4000; Filed, March 22, 1944; 11:25 a. m.]

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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TITLE 8—ALIEN AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[G. O. 21, as Amended]

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to August 1, 1944, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *General Order No. 21.* (a) Without limitation by reason of any provision as to a specified claim period in any visiting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, at any time up to and including August 1, 1944, or within such further time as may be provided in any such order or on application or otherwise.

(b) The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U. S. C. App.; 55 Stat. 839, 50 U. S. C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4055; Filed, March 22, 1944; 10:40 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Reg. 4]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

BONDS AND INSURANCE

Correction

In § 81.498 of F.R. Doc. 44–3730, appearing on page 2984 of the issue for Tuesday, March 21, 1944, the first entry listed under the heading, "Abbreviations" should read as follows:

FCAB—Fire Companies Adjustment Bureau, Inc.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4986]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

H. D. SHIPP COMPANY, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* In connection with offer, etc., in commerce, of respondents' drinking glass designated as "Sneaker", or any other similar product, (1) representing, through the use of the words "taste less" or through any other means, directly or by implication, that respondents' product is a tasteless glass, or that its use will eliminate the objectionable taste of medicines, oils, liquors or other fluids; (2) representing, directly or by implication, that the use of said product will camouflage the flavor of distasteful liquids and render them enjoyable or pleasant to drink; and (3) representing, directly or by implication, that the use of said product will enable the user to drink distasteful liquids without experiencing any taste; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, H. D. Shipp Company, Inc., et al., Docket 4986, March 14, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of March, A. D. 1944.

In the Matter of H. D. Shipp Company, Inc., a Corporation, and H. D. Shipp, Individually and as President of H. D. Shipp Company, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, H. D. Shipp Company, Inc., a corporation, its officers, and H. D. Shipp, individually and as president of H. D. Shipp Company, Inc., and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' drinking glass designated as "Sneaker," or any other product of similar design or construction, whether designated by the same name or by any other name, do forthwith cease and desist from:

1. Representing, through the use of the words "taste less" or through any other means, directly or by implication, that respondents' product is a tasteless glass, or that its use will eliminate the objectionable taste of medicines, oils, liquors or other fluids.

2. Representing, directly or by implication, that the use of said product will camouflage the flavor of distasteful liquids and render them enjoyable or pleasant to drink.

3. Representing, directly or by implication, that the use of said product will enable the user to drink distasteful liquids without experiencing any taste.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4071; Filed, March 22, 1944; 10:51 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 204—EMPLOYMENT RELATION

REINSTATEMENT

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (sec. 10, 50 Stat. 314; 45 U. S. C. 228j), § 204.3 (f) of the Regulations of the Railroad Retirement Board under such Act (4 F. R. 1477) is amended by Board Order 44–124 dated March 7, 1944, to read as follows:

(f) *Reinstatement.* A bona fide reinstatement with restoration of seniority privileges, with or without pay for time lost, made for the purpose of and in contemplation of return to actual service (irrespective of whether actual service is resumed) operates to maintain the employment relation throughout the breach in service, provided that the reinstatement is not a violation of the rights of other employees. Participation in the reinstatement by representatives of the other employees, or acquiescence on their part in an actual return to service, shall be conclusive evidence that the reinstatement was not a violation of the rights of such other employees. In any case in which there is no purpose and contemplation of return to actual service but there is a claim that a wrongful discharge has been rectified by an award of (1) an adjustment or arbitration board established under the Railway Labor Act, as amended, or (2) a court of competent jurisdiction, the Board shall determine whether, on all the facts, the purported rectification operates to maintain the employment relation throughout the breach in service.

Dated: March 20, 1944.

By authority of the Board.

MARY B. LINKINS,
Secretary.

[F. R. Doc. 44-4073; Filed, March 22, 1944; 10:29 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 266]

PART 405—RECONDITIONING SECTION

CASES PROCESSED BY RECONDITIONING SECTION

In § 405.04–1[1] *Cases processed by the reconditioning section* the first sentence of § 405.04–1 is amended by deleting the figure $1000 and inserting in lieu thereof the figure $100.

Effective March 18, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-4019; Filed, March 21, 1944; 1:49 p. m.]

[NHA G. O. 60–2A]

PART 702—PRIVATE WAR HOUSING

OCCUPANCY AND DISPOSITION

NOTE: General Order 60–2A (9 F.R. 3065) was superseded by General Order 60–2B (9 F.R. 245) and General Order 60–2C (9 F.R. 2816).

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter I—Irrigation Projects; Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FLATHEAD INDIAN IRRIGATION PROJECT, MONT.

FEBRUARY 26, 1944.

Sections 130.16 (6 F.R. 1712) and 130.17 (7 F.R. 1667) of Part 130 of Title 25 CFR, Indians, as amended, are hereby further amended as follows:

In § 130.16 *Charge, Jocko Division*, substitute "$1.25" for the "$1.00" in the first paragraph of the section.

[1] 9 F.R. 1961.

In § 130.17 *Charges, Mission Valley and Camas Divisions*, substitute "$1.50" for "$1.18" in the first paragraph of the section.

(38 Stat. 583, 39 Stat. 142, 45 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-4040; Filed, March 22, 1944; 10:47 a. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FORT BELKNAP INDIAN IRRIGATION PROJECT, MONT.

FEBRUARY 26, 1944.

Sections 130.30 to 130.31, inclusive, of Part 130 of Title 25, CFR, Indians, as approved by the First Assistant Secretary of the Interior on March 14, 1936 (25 CFR 130.30–130.31), are hereby amended to read as follows:

§ 130.30 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the basic charge for operation and maintenance against the irrigable lands to which water can be delivered under the constructed project works of the Fort Belknap Indian Irrigation Project in Montana is hereby fixed at $1.25 per acre per annum until further notice.

The owners of Indian lands not under lease to non-Indians, who are financially unable to pay the total basic charge, may receive water during the calendar years 1944, 1945, 1946 and 1947 upon payment of the following proportionate share of said charge against the lands for said years as hereinafter stated, viz: $.25 per acre for the year 1944; $.50 per acre for the year 1945; $.75 per acre for the year 1946; $1.00 per acre for the year 1947, and thereafter the full rate shall be collected. All unpaid charges or portions thereof shall remain a lien on the lands as provided in § 130.31.

§ 130.31 *Payment.* The annual charges fixed in § 130.30 shall become due on April 1 of each year, are payable on or before that date, and any assessment remaining unpaid after the due date shall stand as a first lien against the land. Any delinquent charges against land in non-Indian ownership and Indian lands under lease to non-Indians shall be subject to a penalty of one-half of 1% per month or fraction thereof from the due date until paid.

The delivery of water shall be refused to all tracts of land for which the charges have not been paid when due, except where the lands are in Indian ownership, not under lease to non-Indians, and the Indian owners shall have made the necessary arrangements with the Superintendent as hereafter provided. When any Indian owner of land not under lease to a non-Indian is financially unable to pay the operation and maintenance charges on the due date from cash on hand, the Superintendent may make the necessary arrangements with such Indian owner as will permit him to perform labor on the irrigation project works, the proceeds derived therefrom to be applied in partial payment of such charges. The Superintendent may also make necessary arrangements for such Indian owner to pay the operation and maintenance charges from the proceeds of the crops grown on the land when harvested and marketed within that calendar year, provided written statements to that effect are furnished the Superintendent by the Indian owner on or before the due date.

In any instance where the Superintendent is convinced that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not financially able to pay such charges and copies thereof forwarded to the Commissioner of Indian Affairs for approval or rejection. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

§ 130.31a *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C., 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-4041; Filed, March 22, 1944; 10:47 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 10, Amdt. 4]

PART 602—GENERAL ORDERS AND DIRECTIVES

LIMITATIONS BASED ON BITUMINOUS COAL STOCKS OF INDUSTRIAL CONSUMERS

Pursuant to the powers conferred by Executive Order No. 9332, Solid Fuels Administration for War Regulation No. 10 (8 F.R. 15773) as amended, is hereby amended as follows:

§ 602.172 *Limitations based on bituminous coal stocks of industrial consumers.* * * *

(d) Paragraph (a) of this section is not applicable to shipments of coal by commercial dock operators located on Lake Superior or on the west bank of Lake Michigan north of, and including, Waukegan, Illinois. Except as provided in paragraph (b) of this section, or in directions which may hereafter be issued by the Solid Fuels Administration for War, no industrial consumer, or railroad system, that receives coal from any such commercial dock operator, shall place an order for delivery or receive, from all sources combined, during the period beginning March 21, 1944 and ending May 15, 1945, bituminous coal in excess of the amount representing the difference between its inventory as of March 21, 1944 and the amount of its consumption requirements for the period from March 21, 1944 to May 15, 1945. No commercial dock operator shall ship, except upon specific direction of the Solid Fuels Administration for War, any surplus tonnage which results from the restrictions imposed by this paragraph with respect to the amount of coal permitted to be received by an industrial consumer or railroad system from commercial dock operators. Commercial dock operators are required to spread the coal on their docks as of March 21, 1944 among their customers equitably so as to permit all of them to commence to build reasonable stock piles.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 21st day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-4077; Filed, March 22, 1944; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter D—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3281—PULP AND PAPER

[General Conservation Order M-241, as Amended Mar. 22, 1944]

PAPER AND PAPERBOARD

§ 3281.63 *General Conservation Order M-241*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Produce" and "manufacture" mean and include all making and finishing operations prior to packing or packaging.

(3) "Finished production" means paper or paperboard ready for packing or packaging.

(4) "Grade" as used in paragraph (d) means any kind of paper or paperboard for which a caption is provided in Form WPB–514, except containerboard 211000 to 219000 inclusive, as currently revised, or any particular grade even though not specifically mentioned within such kind. Also included are all coated papers not mentioned by captions but for which any captioned grade or item thereunder is used as a base stock.

(c) *Restrictions on production of paper and paperboard.* Unless specifically authorized by the War Production Board, no person shall produce paper or paperboard on any paper machine (Yankee, Harper, Fourdrinier, Cylinder or Wet Machine), which did not produce paper or paperboard in the period May 1, 1943 to July 15, 1943 inclusive.

(d) *Reserve production.* (1) Each manufacturer of paper or paperboard shall reserve in the production for each of his mills for the month of March 1944 and for each calendar month thereafter time and supplies sufficient to produce and deliver within such month the following reserve production percentages:

NOTE: The following table amended Mar. 22, 1944.

Class	WPB–514 Caption	Percent
Paperboard (except container board).	221100 to 269000 inclusive.	45
Condenser tissue	047200	100
Paper (other than condenser tissue).	All other captions	20

(or any other percentage of such production by grade or in total as the War Production Board may from time to time designate by notice in writing to each mill or by publication in the FEDERAL REGISTER, at least 10 days prior to the month for which such production is reserved). When any reserve percentage is designated by grade or combination of grades, this percentage shall apply to the average monthly finished production of such grade or combination of grades which such mill has, of record, reported on WPB–514 for the most recent three calendar quarters. The War Production Board may direct, on or before the 15th day of any month, any such manufacturer to employ such reserve, subject to the provisions of paragraph (d) (2) to produce any grades of paper or paperboard which such manufacturer is qualified to produce at such mill and in any quantity not exceeding the tonnage of such reserve production represented by the percentages designated for such month by the War Production Board, and may require such manufacturer to sell and deliver such tonnage to any person named by the War Production Board. Any order taken by a mill at the direction of the War Production Board shall reduce the reserve production for which such mill is obligated by the amount of finished production represented by such order. The manufacturer may refuse so to produce and deliver such reserve production only for the reasons specified for the refusal of rated orders in § 944.2 paragraph (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th day of the month in which such production is reserved receive from the War Production Board directions as to the disposition of all such production, he may employ the production for which no directions have been received as he may desire consistent with the provisions of this and other orders of the War Production Board.

(2) Any manufacturer who has accepted, directly or through another person, an order or orders for paper or paperboard to be produced for the account of any government department or agency, or for any other activity or use, listed in paragraph (d) (3) shall immediately report such acceptance in triplicate on Form WPB–3270, including other information provided for therein, and thereafter shall immediately report to the War Production Board on such form any change requested by the purchaser in any previously reported order or orders, if such change involves cancellation, a change in quantity or in the month of manufacture. When the order or orders or requested changes reported on Form WPB–3270 have been approved or disapproved by the War Production Board, the mill will be notified accordingly and if approved proper credit against the mill's reserve production will be recorded by mill and by company. Thereafter the mill shall produce such orders according to its schedule as reported to and approved by the War Production Board. (The reporting requirements of this paragraph have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.)

(3) Procurement activities:

1. United States Army
2. United States Army Map Service
3. United States Army Air Forces
4. United States Navy
5. The United States Marine Corps
6. The United States Coast Guard
7. United States Maritime Commission and War Shipping Administration
8. Lend Lease Administration—Foreign Economic Administration
9. Panama Canal
10. Bureau of Public Debt
11. United States Government Printing Office
12. United States Bureau of Engraving and Printing
13. Procurement Division of the United States Treasury
14. Office of Economic Warfare—Foreign Economic Administration (orders with an O. E. W. or F. E. A. approved export license)
15. United States Post Office
16. Producers of products or parts thereof, for any of the 15 procurement activities listed above to the extent that the primary paper or paperboard is to be used exclusively as a component part of the product or part thereof, or is to be used exclusively for the necessary packaging of the product or part thereof, to be delivered on a contract or purchase order issued by such activity. (Report Government Department Order number and name of converter or user.)

(e) *Restrictions on inventory.* Unless specifically authorized by the War Production Board or excepted by paragraph (e) (4):

(1) *Consumers' inventories, except converters of products covered by Conservation Order M–241–a.* (After January 1, 1944 printers and publishers shall be governed by the inventory provisions of WPB Orders L–241 (Commercial Printing), L–244 (Magazines), L–245 (Books) and the provisions of this order shall not apply to them.

(i) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of any quantity of paper or paperboard (other than newsprint) if the total inventory in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (a) in excess of two carloads or (b), in excess of forty-five calendar days' supply, whichever is greater, on the basis of either his average rate of consuming such paper or paperboard for the preceding quarter or his average rate of consuming such paper or paperboard as projected for the then current quarter.

(ii) Regardless of the provisions of (1) (i) above, no person shall knowingly deliver to a manufacturer of folding boxes, setup boxes, or paper shipping sacks and no manufacturer of folding boxes, setup boxes, or paper shipping sacks shall accept delivery of any quantity of paper or paperboard (other than newsprint) if the total inventory in the hands of the person accepting delivery is, or will by virtue of such acceptance become either (a) in excess of two carloads or (b) in excess of sixty calendar days' supply, whichever is greater, on the basis of either his average rate of consuming such paper or paperboard for the preceding quarter or his average rate of consuming such paper or paperboard as projected for the then current quarter.

(2) *Merchants inventories.* After January 1, 1944, no person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of any quantity of paper or paperboard (other than newsprint) if the total inventory in the hands of such paper merchant is, or will by virtue of such acceptance become, either (a) in excess of two carloads, or (b), in excess of forty-five calendar days' supply, whichever is greater, on the basis of either his average rate of distributing such paper or paperboard for the preceding quarter or his average rate of distributing such paper or paperboard as projected for the then current quarter.

NOTE: Former paragraph (e) (2) (i) deleted, and subdivision (ii) redesignated subparagraph (2) Mar. 22, 1944.

(3) *Mill inventories.* "Mill inventory" means all paper and paperboard other than that produced or being produced for prompt shipment against a definite order.

No person shall produce at any mill any quantity of paper or paperboard, if his inventory at such mill is, or will by virtue of such production, become, in excess of (a) two carloads or (b), in excess of sixty calendar days' supply, whichever is greater, on the basis of

either the average rate of shipment of paper or paperboard from such mill for the preceding quarter or the average rate of shipment of paper or paperboard from such mill as projected for the then current quarter.

(4) *Item inventories.* The restrictions of paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised, under the captions "Blueprint and similar base stock (043110 and 043210); photographic and other sensitizing stock (043130, 043220 and 043230); and Cigarette (047300)"; or to any paper or paperboard after it is printed or converted beyond waxing or coating.

(f) *Miscellaneous provisions*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to War Production Board, Pulp and Paper Division, Washington 25, D. C., Ref.: M-241.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4082; Filed, March 22, 1944; 11:12 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, Direction 2, Revocation]

PAPER AND PAPERBOARD

Direction No. 2 to *General Conservation Order M-241* is hereby revoked.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4086; Filed, March 22, 1944; 11:14 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335]

LUMBER CONSUMERS' REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.121 *Order L-335*—(a) *What this order does.* This order requires large consumers of lumber to file application with the War Production Board stating their requirements for the second and third quarters of 1944 and prohibits them from receiving lumber after April 25, 1944, unless they file their applications. These applications will be used by the War Production Board as a basis for authorizing the applicants to receive lumber, during part of the second and all of the third quarters, under procedures which will replace existing procedures under other orders. These procedures will be described in a later revision of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed or hewed railway cross ties and switch ties, and any sawed lumber of any species, size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except:

(i) Dogwood, rattan, and aircraft grade of sitka spruce;

(ii) Shingles, lath, and slabs;

(iii) Edging, trim, and off-fall less than three inches wide or less than four feet long, unless produced for the purpose of evading this order;

(iv) Hardwood flooring;

(v) Items produced from lumber but not classified in the trade as "lumber" such as box shook, last blocks, and mill work;

(vi) Used lumber.

(2) "Class I Consumer" means any person, who either received more than 50,000 board feet of lumber during the last quarter of 1943 or expects that he will need to receive more than 50,000 board feet of lumber during either the second or third quarters of 1944, for all purposes, except: (i) operations for which producers have been assigned serial numbers under Order P-56 (regarding mines and smelters); (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iii) resale by a sawmill or distributor; (iv) use outside the 48 states and the District of Columbia; and (v) construction jobs which have been expressly authorized by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission from the War Production Board for construction. This exception does not include those construction jobs which do not require the permission of the War Production Board or any Federal agency under Order L-41.

(3) "Sawmill" means:

(i) Any mill or plant, stationary or portable, which produces any lumber; and,

(ii) Any concentration yard or plant other than a mill if the yard or plant is located in a producing area and processes by drying, sawing, edging, planing, or some other comparable method, 25 percent or more of the total volume of logs and lumber which it receives.

(iii) The term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(4) "Sawmill stock" means any lumber in the possession of a "sawmill."

(5) "Distributor" means any person who buys lumber from a "sawmill" or from another distributor for resale either at wholesale or retail.

(6) "Distributor stock" means any lumber which a distributor has in his possession for resale, or for his own use.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *Acceptance of lumber in second quarter without filing application forbidden.* No "Class I consumer" may receive any lumber from any source after April 25, 1944 unless on or before April 25, he has filed with the War Production Board form WPB-3640. This means that if a "Class I consumer" does not file application he is forbidden to receive any lumber even though he has a preference rating for it or has been authorized to receive lumber under another order, regulation, or certificate of the War Production Board. The only exceptions are:

(1) A "Class I consumer" may receive the amount of lumber necessary for a construction job which has been authorized in writing by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission for construction from the War Production Board. He may not, under this exception, receive lumber for those construction jobs which do not require the permission of the War Production Board, or any other Federal agency under Order L-41.

(2) A "Class I consumer" who is also in the mining or smelting business may receive lumber for an operation which has been assigned a serial number under Order P-56.

(3) A "Class I consumer" who is also in the petroleum industry may receive lumber for operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(4) A "Class I consumer" who also has a sawmill or a distribution yard may receive lumber for resale.

(5) A "Class I consumer" may receive lumber if authorized in writing by the War Production Board and if the written authorization expressly refers to this order and grants an exception from it.

(d) *Receipt of lumber by Class I consumers who have filed applications.* Until otherwise notified by the War Production Board either through an amendment of this order or by action on his application, a "Class I consumer" who has filed his application may receive lumber to the extent he is authorized by other applicable orders and regulations of the War Production Board, and he may procure lumber under the procedures provided in such orders for delivery at any time in the future until otherwise provided.

(e) *Receipts from own sawmill stock or distribution stock included.* Under the definitions provided for in this order a person may find that his operations make him both a "sawmill" and a "Class I consumer" or both a "distributor" and a "Class I consumer", or he may be all three. Any person who finds that he is a "Class I consumer" as well as a "distributor" or a "sawmill" must file an application for permission to receive lumber for that part of his operation which makes him a "Class I consumer." For example, if a person has his own sawmill or distribution yard and also maintains his own cut-up plant, box factory or other plant where fabricated products are made from lumber or he uses lumber for purposes other than resale, he must apply for permission to use his "sawmill stock" or "distribution stock" in another piece of machinery, department, or plant which turns out products other than lumber, such as fabricated products or parts for fabricated products either for his own use or resale. The term "fabricated products" includes hardwood flooring but does not include softwood flooring which is included in the definition of lumber.

(f) *Existing lumber orders and procedures.* This order for the present in no way affects the manner in which lumber is controlled under other lumber orders and particularly orders L-218, L-290, M-361, and M-364. In other words, except for "Class I consumers" all transactions in lumber will continue to be handled as if this order did not exist. Even "Class I consumers" can make purchases and arrange for delivery of lumber in compliance with other applicable orders provided their applications on Form WPB-3640 are filed with the War Production Board by April 25, 1944. Before the end of the second quarter this order will be amended and new procedures will be established under which all consumers will be authorized to receive lumber.

(g) *Restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be used in violation of the provisions of this order, or any other order or regulation of the War Production Board.

(h) *Reports.* Any person shall execute and file with the War Production Board such other reports and questionnaires as the War Production Board may, from time to time, require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Application and communications.* Form WPB-3640 for use in filing applications under this order may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4079; Filed, March 22, 1944; 11:12 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, Interpretation 2]

APPLICATION OF THE TERM "CHUCK GAUGES" IN SCHEDULE A

In order to remove any uncertainty as to the meaning of the term "Chuck Gauges (tire air pressure)", appearing on Schedule A to Limitation Order L-270, as one of the items the production of which is prohibited by that order, the following official interpretation is issued:

The term "Chuck gauges (tire air pressure)", refers to any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4081; Filed, March 22, 1944; 11:12 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, as amended Mar. 16, 1944, Amdt. 1]

CHEMICALS AND ALLIED PRODUCTS

Appendices A, B and C of § 3293.1000 *General Allocation Order M-300* are amended to read as follows:

APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMERLY PD-600 AND 601)

(NOTE: Hide glue, extracted bone glue and green bone glue added Mar. 22, 1944)

Material	Schedule	Customers' filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule.)	Report on Form WPB-3442	Initial allocation date and allocation period. (*Indicates user's stocks frozen.)
1	2	3	4	5	6	7
Nicotinic acid	1 (Issued 2-11-44)	15th	20th	1 kilogram	None	5-4-43, month.
Anhydrous hydrofluoric acid	4 (Issued 2-11-44)	15th	20th	500 lbs.	None	3-1-44, month.
Benzaldehyde	7 (Issued 3-10-44)	15th	20th	50 lbs.	None	4-1-44, month.
Hide glue, extracted bone glue and green bone glue.	8 (Issued 3-22-44)	15th	20th	1200 lbs. of hide and extracted bone glue, and 6000 lbs. of green bone glue.	Yes	4-1-44, month.

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 (FORMERLY PD-602) WITH CUSTOMERS' USE CERTIFICATES

NOTE: No additions since Mar. 16, 1944.

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required. ("u" indicates use restriction in schedule)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6
Riboflavin	2 (Issued, 2-11-44)	20th	100 grams	None	4-1-43, month.
Peroxygen chemicals: Hydrogen peroxide; Sodium peroxide; Sodium perborate	5 (Issued 3-28-44)	20th	600 lbs.; 75 lbs.; 25 lbs.	Yes	4-1-44, month.

APPENDIX C—ALLOCATION USING FORM WPB-2947 (FORMERLY PD-602) FOR SUPPLIERS, AND CUSTOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

NOTE: No additions since Mar. 16, 1944.

Material	Schedule	Customers' Applications		Small order exemption per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report On Form WPB-3442	Initial allocation date and allocation period
		On Form WPB-2945, filing date and quantities per allocation period from all suppliers.	Use certificate quantities per allocation period from all suppliers				
1	2	3	4	5	6	7	8
Thiamine hydrochloride	3 (Issued 2-11-44)	15th—more than 2,000 grams. 1st—15,000 pounds or more.	Between 100–2,000 grams. Between 440–15,000 pounds.	100 grams	20th	None	5-4-43, month.
Citric acid	6 (Issued 3-28-44)			440 pounds per quarter.	10th	On Form WPB-2772 instead.	7-1-43, quarter.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4080; Filed, March 22, 1944; 11:13 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 8]

HIDE GLUE EXTRACTED BONE GLUE AND GREEN BONE GLUE

§ 3293.1008 *Schedule 8 to General Allocation Order M-300*—(a) *Definitions.* (1) "Hide glue" means glue known commercially as hide glue, including the types of glue known as coney and chrome glue, and also technical gelatin of the type known as clarified hide glue.

(2) "Extracted bone glue" means glue made from dry bones and known commercially as extracted bone glue.

(3) "Green bone glue" means glue of the type known commercially as green bone glue.

(4) The term "glue" where used alone means hide glue, extracted bone glue and green bone glue.

(b) *General provisions.* Glue is subject to provisions of General Allocation Order M-300 as an Appendix A material. The initial allocation date is April 1, 1944, and the allocation period is the calendar quarter. The small order exemption is 1,200 pounds or less of hide and extracted bone glue per person per calendar quarter, and an additional 6,000 pounds or less of green bone glue per person per calendar quarter.

(c) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month before the proposed delivery quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-8. Separate sets of forms shall be filed for hide glue, extracted bone glue and green bone glue respectively. Different plants under common ownership may file separate or combined suppliers' forms at their discretion. The unit of measure is pounds. Leave column 3 (grade) blank. An aggregate quantity may be requested without specifying customers' names, for delivery on exempt small orders. In Table II, leave column 8 blank and fill in the other columns as indicated. Substitute "Quarter" for "Month" in the headings throughout the form.

(d) *Customers' applications for authorization on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-8, one copy (reverse side blank) to the supplier, if any, and retain one copy. File separate sets of forms for green bone glue as opposed to hide glue and extracted bone glue (hide and extracted bone glue may be combined on the same form). The unit of measure is pounds. Leave columns 1, 11 and 19 (grade) blank. Fill in column 3 in terms of the following:

Abrasives.
Adhesives.
Book binding.
Containers of wood, paper and fibre.
Cork products (however, designate gaskets as such).
Flexible glue.
Gaskets.
Gummed paper and tape.
Matches.
Paper and paper products (however, designate paper containers, gummed paper and tape as such).
Printer rollers.
Textiles.
Woodwork (however, designate wooden containers as such).
Other products (describe).
Resale as such.
Export as such.

Fill in the other columns of Table I, and Columns 13 through 18 in Tables II and III as indicated. Leave Tables IV and V blank.

Substitute "Quarter" for "Month" in the headings throughout the form.

(e) *One time base-period report.* Each person (including suppliers who consume part of their own stocks, but excluding government departments and agencies) shall file a one time base-period report on Form WPB-3442, on or before the date of his initial application for glue pursuant to paragraph (d) above. It is not necessary to report again under this paragraph if the same report has previously been made in accordance with the special direction dated March 10, 1944, which called for the same information as this paragraph.

Separate sets of forms shall be prepared for hide glue, extracted bone glue and green bone glue respectively, and for each different plant. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-8.

In the heading specify in space (1) the kind of glue, in space (2) "pounds", and in space (3) "M-300-8." Fill in the other spaces as indicated.

In section (1) fill in column (a) as indicated and leave column (b) blank. In the heading of column (c) specify "1941," in the heading of column (d) specify "1942," in the heading of column (e) specify "1943," in the heading of column (f) specify "receipts 7/1/42 to 7/1/43," and fill in these columns accordingly on the bottom line of section (1). Sales and exports of glue as such may be combined on the last line of the sec-

tion and this line should be filled in for columns (b), (c), (d), (e) and (f). Leave column (g) blank.

Leave section II blank.

(f) *Approval of reporting requirements.* Forms WPB–2945, 2946 and 3442 and the instructions in this schedule and in Appendix A of Order M–300 for applications and reports regarding glue have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–8.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4089; Filed, March 22, 1944; 11:13 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–365]

PINE OIL

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pine oil for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.576 *Allocation Order M–365*—(a) *Definitions.* For the purposes of this order:

(1) "Pine oil" means any mixture of secondary or tertiary terpene alcohol and terpene hydrocarbons produced by steam and solvent distillation by wood Naval stores producers, or by destructive distillation by wood Naval stores producers, or by chemical synthesis.

(2) "Producer" means a person who produces pine oil or has it produced for him under toll agreement.

(3) "Distributor" means a person who buys or stocks pine oil for the purpose of resale or distribution in the form in which it was received.

(4) "Consumer" means a person who uses pine oil or incorporates pine oil with any other material.

(5) "Supplier" means a producer or a distributor.

(b) *Restrictions on suppliers.*[1] On and after April 1, 1944:

(1) No supplier shall use pine oil except as specifically authorized by the War Production Board on Form WPB–2947.

(2) No supplier shall deliver pine oil except as specifically authorized by the War Production Board on Form WPB–2947. If the person accepting delivery is a consumer of pine oil, the supplier shall not make the delivery (even though authorized on Form WPB–2947) unless the consumer has furnished the supplier with the end use certificate set forth in Appendix A.

(c) *Restrictions on consumers.* On and after April 1, 1944, no consumer shall accept delivery of pine oil in excess of 54 gallons from all sources in any calendar month, unless he shall have furnished his supplier with the end use certificate set forth in Appendix A. Each consumer accepting delivery of pine oil pursuant to the end use certificate shall use the pine oil only for the purposes certified.

(d) *Exemption for small deliveries.* On and after April 1, 1944, any consumer may accept delivery of and use for any purpose, not more than 54 gallons of pine oil from all sources in any calendar month, provided he furnishes the supplier with the "Small Order Certificate" set forth in Appendix A. No supplier shall make small deliveries of pine oil in excess of the aggregate quantity authorized by the War Production Board for small deliveries in such calendar month.

(e) *Exemption for mines serialized under Order P–56.* All deliveries of pine oil to persons holding serial numbers under Preference Rating Order P–56 are exempt from the provisions of this order, *Provided, however,* That:

(1) Such persons shall place on their purchase orders the endorsement appearing in paragraph (g) of Preference Rating Order P–56; and

(2) Producers and distributors shall report each month on Form WPB–2947 the total quantity of proposed monthly deliveries of pine oil to such persons and list the serial numbers of such persons. No break-down of deliveries by name of customer or by serial number is necessary.

(f) *Authorizations to deliver pine oil.*[1] Each supplier requiring authorization to deliver or use pine oil, shall file with the Chemicals Bureau, War Production Board, three copies of Form WPB–2947 (formerly PD–602) on or before the 20th of the month preceding the month in which delivery is to be made. However, applications for April deliveries may be made as soon as possible after March 20, 1944. Instructions for filling out this form are set forth in Appendix B. One copy of Form WPB–2947 will be returned to the applicant on which the War Production Board will indicate the quantity of pine oil which may be delivered.

(g) *Consumer's report of disposition and stocks of pine oil.*[1] Each person (including persons engaged in the mining or smelting of non-ferrous metals, whether serialized or non-serialized) who expects to consume more than 54 gallons of pine oil in any calendar month shall, on or before April 1, 1944, file with the Chemicals Bureau, War Production Board, Form WPB–3442, setting forth a report of 1943 consumption of pine oil, and stocks of pine oil on hand March 1, 1944. Consumption or use figures in Section I of that report shall be broken down according to calendar quarters of 1943. In Section II of that report, fill in only Columns (a) and (b). In Column (b) give actual stocks as of March 1, 1944. Unless such report shall have been filed with the War Production Board on or before April 1, 1944, War Production Board may defer issuance of authorization to deliver pine oil to any person failing to file such report.

(h) *Duration of specific authorization.* If it is not practicable for a supplier to make all deliveries of pine oil in the allocation period for which specifically authorized, he may complete them as early as practicable in the next allocation period, but the purchaser must place his order before the end of the allocation period and may not require postponement of delivery beyond ten days after the allocation period. Specific authorization to use pine oil shall be valid for forty-five days after receipt of the specific authorization or of the material allocated for the use, whichever is later. What pine oil is not used in this period may not be used for any purpose until further authorized or directed.

(i) *Special directives.* The War Production Board may from time to time issue special directives to any person with respect to the delivery of pine oil, notwithstanding the other provisions of this order.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–365.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

END USE CERTIFICATE

A certificate in substantially the following form, either signed manually or as provided in Priorities Regulation No. 7, must be furnished by any consumer to his supplier for any pine oil acquired in excess of 54 gallons, from all sources, in any calendar month:

The undersigned consumer hereby certifies to the War Production Board and to _____ (insert name and address of supplier) that he is familiar with the provisions of Order M–365, and that the pine oil listed on his purchase order, dated _____, will be put to the following end uses:

Gallons	*Primary Product*	*End Use*
_____	_____	_____
_____	_____	_____

_____
Name of consumer

By_____
Name and title of duly authorized official

[1] Forms WPB–2947 and WPB–3442 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

the month before the proposed delivery quarter. Send three copies (one certi-

date paper containers, gummed paper and tape as such).

Sales and exports of glue as such may be combined on the last line of the sec-

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

report, fill in only Columns (a) and (b). In Column (b) give actual stocks as of March 1, 1944. Unless such report shall

Name of consumer

By_____

Name and title of duly authorized official

The "End Use" column in the certificate should be filled out in detail. For example, disinfectant manufacturers should state the percentage of the total gallonage requested which will be used in disinfectants sold directly to the Army and Navy, to Ordnance plants or for use in public buildings or on transportation equipment (such as railroads, bus lines, etc.) or for civilian use. Persons engaged in the textile industry or serving the textile industry with products containing pine oil should state under "Primary Product" whether the pine oil is to be used for "textiles" or "textile soaps." If "textile soaps" is the "Primary Product," specify under "End Use" whether the soap is to be used for fulling, scouring, kier boiling, or whatever other use is to be made of the soap.

SMALL ORDER CERTIFICATE

A certificate in substantially the following form, either signed manually or as provided in Priorities Regulation No. 7, must be furnished by any consumer to his supplier for any pine oil acquired under the small deliveries provisions in paragraph (d) of this order:

The undersigned hereby certifies to the War Production Board and to _____ (insert name and address of supplier) that he is familiar with the provisions of Order M-365, and that his acceptance of delivery of pine oil listed on his purchase order, dated _____, will not, together with all other deliveries of pine oil acquired by him from all other sources, during the month of _____ exceed 54 gallons.

_____

Name of consumer

By_____

Name and title of duly authorized official

APPENDIX B

INSTRUCTIONS FOR FILING APPLICATIONS ON FORM WPB-2947 (FORMERLY PD-603) FOR SPECIFIC AUTHORIZATION TO USE OR DELIVER PINE OIL

1. *Form WPB-2947.* Copies of Form WPB-2947 may be obtained at local field offices of the War Production Board.

2. *Who should file.* Specific authorization of the War Production Board is required for any producer or distributor to use or deliver pine oil.

3. *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with specific instructions given below:

Heading. Under "WPB Order No.", specify "M-365"; in the space indicating the period during which deliveries are to be made, strike out the word "quarter" and indicate the month and year during which deliveries are to be made; under "Unit of measure", specify "Gallons"; under "Address of plant or warehouse", suppliers should specify the principal office address and file one form only for all producing plants; and otherwise fill in as indicated.

A. *Table I.* Producers fill in as follows:

(a) Except for small order deliveries as explained below, list in Column 1, names of distributors and consumers from whom orders have been received requesting delivery during the following month. Small deliveries proposed to be made under paragraph (d) of this order should be estimated. Specify "small deliveries" in Column 1 and fill in the aggregate amount of such deliveries of pine oil in Column 4; do not list the name of each customer. Also specify in Column 1 "Serialized mines" and below it list the serial numbers appearing on purchase orders on hand for delivery of pine oil during the following month, to persons who placed on their purchase orders the endorsement appearing in paragraph (g) of Order P-56. Opposite it in Column 4, give total gallonage of such purchase orders. No break-down by names of customers or by serial numbers need be given.

(b) In Column 1-a, list the product and end use for consumers only.

(c) In Column 4, specify quantity ordered in gallons.

(d) Leave all other columns in this Table blank.

Table II. Producers should fill in all columns except Column 16.

B. *Table I.* Distributors fill in as follows:

(a) Except for small order deliveries as explained below, list in Column 1, names of consumers from whom orders have been received requesting delivery during the following month. Small deliveries proposed to be made under paragraph (d) of this order should be estimated. Specify "small deliveries" in Column 1 and fill in the aggregate amount of such deliveries of pine oil in Column 4; do not list the name of each customer. Also specify in Column 1 "Serialized mines" and below it list the serial numbers appearing on purchase orders on hand for delivery of pine oil during the following month, to persons who placed on their purchase orders the endorsement appearing in paragraph (g) of Order P-56. Opposite it in Column 4, give total gallonage of such purchase orders. No break-down by names of customers or by serial numbers need be given.

(b) Do not fill in Columns 5, 5-a, 6 and 7.

Table II. Distributors should fill in only Columns 10, 12 and 13.

[F. R. Doc. 44-4085; Filed, March 22, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-367, Revocation]

CHEMICAL GLUE

Section 3293.586 *Conservation Order M-367* is revoked, effective April 1, 1944.

Beginning April 1, 1944, hide glue, extracted bone glue and green bone glue will be subject to allocation under General Allocation Order M-300, Schedule 8 (§§ 3293.1000 and 3293.1008).

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4083; Filed, March 22, 1944; 11:13 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-368 as Amended Mar. 22, 1944]

HIDE GLUE STOCK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hide glue stock for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.591 *Conservation Order M-368*—(a) *Restrictions on use of hide glue stock.* (1) No person shall use the following types of hide glue stock to make gelatin, edible or inedible:

(i) Green and salted hide trimmings including limed hide trimmings, salted tips, cattle tail pieces.

(ii) Limed and pickled cattle trimmings including limed and pickled hide trimmings, limed cattle pieces.

(iii) Goat trimmings including long haired, short haired, de-haired.

(iv) Chrome stock including chrome splits, chrome shavings, chrome trimmings.

(v) Coney stock.

(vi) Goat and sheep fleshings.

(vii) Packers trimmings including green and salted ears, lips, snouts, and tails, green and salted sinew and pizzles.

(viii) Sheep trimmings including limed sheep trimmings, limed sheep tails, pickled sheep.

(ix) Horse fleshings.

(x) Calf fleshings.

(xi) Horse and beam trimmings including green and salted horse trimmings, limed horse trimmings, horse tail pieces.

(xii) Sole leather fleshings.

(xiii) Common and #2 fleshings.

(xiv) Other cattle fleshings including sulfide fleshings, kip fleshings.

(xv) Raw hide shavings.

The above restriction applies to any processing of the above materials to prepare them for use in the manufacture of gelatin.

(2) On and after January 29, 1944, no person shall use natural colored cattle chrome stock, including chrome splits, chrome shavings and chrome trimmings, for fertilizer tankage or, after April 15, 1944, to make products (other than glue) used in treating textiles, such as detergents, dispersion agents, wetting agents or stain remover.

(b) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate stating fully the grounds of the appeal.

(c) *Communications to the War Production Board.* All appeals filed hereunder and all other reports and communications shall, unless otherwise directed, be addressed to the War Production Board, Chemical Bureau, Washington 25, D. C. Ref: M-368.

(d) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4084; Filed, March 22, 1944; 11:13 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-i]

MALLEABLE IRON CASTINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of malleable iron castings for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.113 *Order M-21-i*—(a) *Inventory limitations.* No person may accept delivery of any malleable iron castings if his inventory of such castings will after acceptance exceed what he reasonably expects to use in his authorized operations during the next 45 days. No person may deliver malleable iron castings if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45-day limitation.

(b) *Exception.* This order shall not apply to the delivery of any malleable iron castings produced before the effective date hereof.

(c) *Appeals.* Any producer or purchaser of malleable iron castings who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(d) *Communications.* All appeals and other communications concerning this order should be addressed to Redistribution Division, War Production Board, Washington 25, D. C., Ref: M-21-i.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4087; Filed, March 22, 1944; 11:14 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Jan. 12, 1944, Amdt. 2]

Rubber Order R-1 as amended January 12, 1944 is hereby amended by amending List 21, Appendix II to read as follows, effective April 1, 1944:

LIST 21—REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR

(a) *General provisions.* (1) The manufacture of rubber footwear and canvas rubber soled shoes shall be limited to the items shown in sub-divisions (b), (c), (d), and (e) of this List 21.

(2) All rubber footwear and canvas shoes shall be manufactured in black color compound only.

(3) Unlimited plus or minus variations from average weight of total crude rubber and latex per pair are permitted provided the over-all consumption of crude rubber and latex does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(4) Reclaimed rubber and general purpose synthetic rubber except neoprene may be consumed in any amount required for the manufacture of these products.

Average Weight of Crude Rubber and Latex per Pair Maximum (in Pounds)

(b) *Essential health items.*

Men's short boots—regulation height	0.08
Women's short boots—(molded heel)	.05
Men's lumber-over	.07
Men's 2-buckle perfection	.12
Men's 5-buckle rubber mid-weight arctic	.09
Men's 4-buckle rubber mid-weight arctic	.08
Men's 4-buckle rubber light-weight arctic	.06
Men's 4-buckle cloth farm-weight arctic	.05
Men's 4-buckle cloth light-weight arctic	.05
Boys' 3-buckle rubber light-weight arctic	.05
Youths' 3-buckle rubber light-weight arctic	.05
Women's 4-buckle rubber light-weight arctic (low heel)	.05
Women's 2-snap gaiter (rubber)	.025
Misses' 2-snap gaiter (rubber)	.025
Child's 2-snap gaiter (rubber)	.02
Men's 2-buckle work rubber	.05
Men's work rubber-storm & semi-storm	.05
Boys' storm work rubber	.04
Men's dress rubber-storm over & clog (full lined)	.03
Men's clog (molded)	.018
Boys' dress rubber-storm & over (soft back only)	.025
Youths' storm rubbers	.025
Women's toe rubbers	.01
Growing girls' storm rubber	.02
Misses' storm rubber	.02
Women's over	.02
Child's storm rubber	.015
Women's 10½" over-the-shoe arctic	.025
Misses' 9" over-the-shoe arctic	.025
Child's 8" over-the-shoe arctic	.02

(c) *Severe occupational items.*

Men's short boot (plaine toe)	.14
Men's short boot (steel toe)	.15
Men's storm king boot (plain toe)	.19
Men's storm king boot (steel toe)	.20
Men's storm king fireman's boot (plain toe)	.20
Men's hip boot and thigh (plain toe)	.24
Men's hip boot and thigh (steel toe)	.24
Men's 15" lace pac (plain toe)	.14
Men's 15" lace pac (steel toe)	.15
Men's 10" mine pac (plain toe)	.12
Men's 10" mine pac (steel toe)	.13
Men's work shoe (plain toe)	.09
Men's work shoe (steel toe)	.10
Women's work shoe (plain toe)	.09
Men's body boot	.33

(d) *Canvas rubber soled shoes of vulcanized construction.*

Men's training shoe—black duck upper	.12
Boys' training shoe—black duck upper	.12
Men's trimmed lace to toe bal. black or brown duck upper	.09
Boys' trimmed lace to toe bal. black or brown duck upper	.08
Youths' trimmed lace to toe bal. black or brown duck upper	.07
Little gents' lace to toe bal. black or brown duck upper (trimmed)	.06
Women's lace to toe gym bal. white duck upper	.07
Misses' lace to toe gym bal. white duck upper	.06
Men's untrimmed oxford white duck upper	.07
Boys' untrimmed clr. vamp oxford white duck upper	.07
Youths' untrimmed clr. vamp oxford white duck upper	.06

Average Weight of Crude Rubber and Latex per Pair Maximum (in Pounds)—Con.

(d) *Canvas rubber soled shoes of vulcanized construction*—Continued.

Women's untrimmed oxford white duck upper	0.07
Misses' untrimmed clr. vamp oxford white duck upper	.06
Childs' untrimmed clr. vamp oxford white duck upper	.05

(e) *Government order arsenal-ordnance order and munition plant order items.*

Men's hip boot BQD #113—16 April 1943	.38
Men's toplace short boot BQD #112—12 April 1943	.20
Men's lumber-over shell, Yukon type BQD #57F—7 May 1943	.18
Men's 4-bkle. rubber arctic (Army-Navy Spec.)	.19
Men's 5-bkle. rubber arctic with safety sole BQD #116—2 Sept. 1943	.17
Men's 4-bkle. cashmerette arctic BQD #56C—29 Jan. 1944	.14
Men's 4-bkle. extra large cashmerette arctic (Spec. pending)	.14
Women's 4-bkle. cashmerette arctic BQD #99B—20 Jan. 1944	.06
Women's 4-bkle. extra large cashmerette arctic (Spec. pending)	.06
Women's 2-snap gaiters (rubber) (BQD No. 70)	.06
Men's Jungle Boot BQD #79B—8 Nov. 1943	.10
Women's heavy storm rubber BQD 97A—1 Nov. 1943	.06
Men's short legging boot—conductive sole (Army Ord. Spec.)	.23
Men's short legging boot (Army Ord. Spec.)	.23
Men's powder-plant over-the-shoe boot	.22
Women's 10" pullover boot—conductive sole (Army Ord. Spec.)	.10
Men's work shoe—conductive sole (Army Ord. Spec.)	.19
Men's work rubber—conductive sole (Army Ord. Spec.)	.14
Men's clog—conductive sole (Army Ord. Spec.)	.10
Men's industrial hip boot—shell construction	.42
Men's industrial hip boot—shell construction—steel toe	.43
Men's industrial short boot—shell construction	.25
Men's industrial short boot—shell construction—steel toe	.27
Aviators' winter flying boot (Aero. Spec. M380-B)	(1)
Men's flying boot (A6)	(1)
Men's flying boot (A9)	(1)
D-1 electrically heated flying boot insert (Used in A9 boot)	.10
Men's flying boot (A10)	.13
Pilots' shoes—rubber surface—mukluk type (A13)	.14
Pilots' shoes—canvas and rubber—mukluk type (A14)	.10
Men's tennis shoe with safety sole BQD #117—26 July 1943	.07
Men's hip boot, medium weight (Navy Spec.)	.38
Men's short boot, heavy weight (Navy Spec.)	.28
Men's storm rubber (Navy Spec.)	.07
Men's clog non-slip sole (Navy Spec. M449)	.06
Men's clog molded (Navy Spec.)	.03
Women's snap gaiter (rubber) (Navy Spec.)	.06
Men's gym shoes (Navy Spec.)	.07
Women's gym shoe (Navy Spec.)	.07

[1] Cements only.

quarter. Send three copies (one certi-

and tape as such).

The "End Use" column in the certificate should be filled out in detail. For example, disinfectant manufacturers should state the percentage of the total gallonage requested which will be used in disinfectants sold directly to the Army and Navy, to Ordnance plants or for use in public buildings or on transportation equipment (such as railroads, bus lines, etc.) or for civilian use. Persons engaged in the textile industry or serving the textile industry with products containing pine oil should state under "Primary Product" whether the pine oil is to be used for "textiles" or "textile soaps." If "textile soaps" is the "Primary Product," specify under "End Use" whether the soap is to be used for fulling, scouring, kier boiling, or whatever other use is to be made of the soap.

SMALL ORDER CERTIFICATE

A certificate in substantially the following form, either signed manually or as provided in Priorities Regulation No. 7, must be furnished by any consumer to his supplier for any pine oil acquired under the small deliveries provisions in paragraph (d) of this order:

The undersigned hereby certifies to the War Production Board and to _____ (insert name and address of supplier) that he is familiar with the provisions of Order M-365, and that his acceptance of delivery of pine oil listed on his purchase order, dated _____, will not, together with all other deliveries of pine oil acquired by him from all other sources, during the month of _____ exceed 54 gallons.

_____
Name of consumer

By_____
Name and title of duly authorized official

APPENDIX B

INSTRUCTIONS FOR FILING APPLICATIONS ON FORM WPB-2947 (FORMERLY PD-602) FOR SPECIFIC AUTHORIZATION TO USE OR DELIVER PINE OIL

1. *Form WPB-2947.* Copies of Form WPB-2947 may be obtained at local field offices of the War Production Board.

2. *Who should file.* Specific authorization of the War Production Board is required for any producer or distributor to use or deliver pine oil.

3. *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with specific instructions given below:

Heading. Under "WPB Order No.", specify "M-365"; in the space indicating the period during which deliveries are to be made, strike out the word "quarter" and indicate the month and year during which deliveries are to be made; under "Unit of measure", specify "Gallons"; under "Address of plant or warehouse", suppliers should specify the principal office address and file one form only for all producing plants; and otherwise fill in as indicated.

A. *Table I.* Producers fill in as follows:

(a) Except for small order deliveries as explained below, list in Column 1, names of

(b) In Column 1-a, list the product and end use for consumers only.

(c) In Column 4, specify quantity ordered in gallons.

(d) Leave all other columns in this Table blank.

Table II. Producers should fill in all columns except Column 16.

B. *Table I.* Distributors fill in as follows:

(a) Except for small order deliveries as explained below, list in Column 1, names of consumers from whom orders have been received requesting delivery during the following month. Small deliveries proposed to be made under paragraph (d) of this order should be estimated. Specify "small deliveries" in Column 1 and fill in the aggregate amount of such deliveries of pine oil in Column 4; do not list the name of each customer. Also specify in Column 1 "Serialized mines" and below it list the serial numbers appearing on purchase orders on hand for delivery of pine oil during the following month, to persons who placed on their purchase orders the endorsement appearing in paragraph (g) of Order P-56. Opposite it in Column 4, give total gallonage of such purchase orders. No break-down by names of customers or by serial numbers need be given.

(b) Do not fill in Columns 5, 5-a, 6 and 7.

Table II. Distributors should fill in only Columns 10, 12 and 13.

[F. R. Doc. 44-4085; Filed, March 22, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-367, Revocation]

CHEMICAL GLUE

Section 3293.586 *Conservation Order M-367* is revoked, effective April 1, 1944.

Beginning April 1, 1944, hide glue, extracted bone glue and green bone glue will be subject to allocation under General Allocation Order M-300, Schedule 8 (§§ 3293.1000 and 3293.1008).

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4083; Filed, March 22, 1944; 11:13 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-368 as Amended Mar. 22, 1944]

HIDE GLUE STOCK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hide glue stock for defense, for private account, and for export; and the following order is deemed necessary and appro-

(iv) Chrome stock including chrome splits, chrome shavings, chrome trimmings.

(v) Coney stock.

(vi) Goat and sheep fleshings.

(vii) Packers trimmings including green and salted ears, lips, snouts, and tails, green and salted sinew and pizzles.

(viii) Sheep trimmings including limed sheep trimmings, limed sheep tails, pickled sheep.

(ix) Horse fleshings.

(x) Calf fleshings.

(xi) Horse and beam trimmings including green and salted horse trimmings, limed horse trimmings, horse tail pieces.

(xii) Sole leather fleshings.

(xiii) Common and #2 fleshings.

(xiv) Other cattle fleshings including sulfide fleshings, kip fleshings.

(xv) Raw hide shavings.

The above restriction applies to any processing of the above materials to prepare them for use in the manufacture of gelatin.

(2) On and after January 29, 1944, no person shall use natural colored cattle chrome stock, including chrome splits, chrome shavings and chrome trimmings, for fertilizer tankage or, after April 15, 1944, to make products (other than glue) used in treating textiles, such as detergents, dispersion agents, wetting agents or stain remover.

(b) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate stating fully the grounds of the appeal.

(c) *Communications to the War Production Board.* All appeals filed hereunder and all other reports and communications shall, unless otherwise directed, be addressed to the War Production Board, Chemical Bureau, Washington 25, D. C. Ref: M-368.

(d) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time

Average Weight of Crude Rubber and Latex per Pair Maximum (in Pounds)—Con.

(e) *Government order arsenal-ordnance order and munition plant order items*—Continued.

Men's training shoe (molded sole) (Navy Spec.)	0.12
Men's electrically heated flying boot (Navy-Aero M456)	.13
Men's 5-bkle. sea arctic N–1 non-slip sole (rubber) (Navy Spec. 72A–3)	.17
Men's wading suit (Aero Spec.)	.66
Men's wading shoe (Aero Spec.)	.08
Men's wader overshoe—armpit height (Engineers Spec.) BQD #139	.65
Men's wader over-the-foot, waist height (Signal Corps Spec.)	.50
Men's 2-bkle. cloth arctic (Marine Spec.)	.14
Men's 2-bkle. perfection (diving suits and felt boots) (Merchant Marine Spec.)	.17
Men's sea boot—non-slip sole, Navy Spec. 32B–6	.36
Men's firemen's storm king boot Navy 7282 revised 8–30–43	.59
Men's 5-bkle. rub. arctic (Navy) 72–A–4 shore arctic N2	.22

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4088; Filed, March 22, 1944; 11:13 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix III as Amended Mar. 22, 1944]

Introductory. Appendix III to Rubber Order R–1 as amended is a compilation of supplementary orders and directives of general applicability which affect rubber and rubber products. In the past, these orders and directives have involved principally the conversion of products from crude rubber to synthetics and have been issued individually to the manufacturers of the particular products. The purpose of Appendix III is to issue these directives and miscellaneous supplementary orders in printed form.

The material in Appendix III is arranged in accordance with the following product classifications:

Mechanical goods: Wire and cable; Tires and tubes; Footwear; Heels and soles; Proofing and combining of fabrics; Medical, surgical, dental, drug sundries; and Miscellaneous.

Each of these product classifications has been assigned a section number commencing with § 4600.51. Supplementary orders and directives in each group are designated by letter.

§ 4600.50 *Applicability of Rubber Order R–1.* Supplementary orders and directives which appear in Appendix III shall govern in case of inconsistency with other provisions of Rubber Order R–1. These orders and directives may be incorporated in the Rubber Order from time to time, at the discretion of the War Production Board.

§ 4600.51 *Mechanical goods.* The following supplementary orders and directives are applicable to mechanical goods:

(a) *Vibration mount and shock absorber.* No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations of Shore Durometer hardness of 40 and above. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed 1/32" in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of compression types of mountings or insulators having a Shore Durometer hardness of less than 40. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed 1/32" in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of plate, sandwich, tubular, or other types of shear mountings or insulations. This restriction covers mountings or insulations where the temperatures of applications are minus 40° F. and above. Aircraft engine and instrument mounts may be considered as falling in the applications functioning below minus 40° F. Crude rubber may be used for bonding cements and tie-gum compounds which shall not exceed 1/32" in thickness.

Torsional vibration dampers may be manufactured from crude rubber until further notice.

(b) [Deleted Jan. 12, 1944]

(c) *Pipe rings.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of pipe rings.

(d) *Milking machine inflations.* After April 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of milking machine inflations. During the month of March, 1944, no person shall manufacture milking machine inflations using crude rubber or natural latex in more than 50% of his production during the month.

(e) [Deleted Jan. 12, 1944]

(f) *Street car sandwich wheels.* After February 1, 1944, no crude rubber may be consumed in the manufacture of street car sandwich wheels, except that crude rubber may be used for bonding cements and tie-gum not to exceed 1/32" in thickness.

(g) *Hard rubber products.* Rubber Order R–1 as amended permits crude rubber to be consumed in the manufacture of the following blown hard rubber products: Bottles, fittings, pistons, valves, and valve parts for use with corrosive chemicals and explosives. It also permits crude rubber and natural latex to be consumed in the manufacture of hand made component hard rubber parts of machinery for the manufacture of rayon, explosives and corrosive chemicals. (See List 19, Appendix II).

After February 15, 1944, no crude rubber or natural latex may be consumed in the manufacture of the above mentioned blown hard rubber products.

After February 15, 1944, the maximum percentage of crude rubber or natural latex by volume in any compound for hand made component parts of machinery for the manufacture of rayon, explosives and corrosive chemicals shall not exceed 10% by volume of the compound.

§ 4600.52 *Wire and cable.* The following supplementary orders and directives are applicable to wire and cable:

(a) [Deleted Jan. 12, 1944]

(b) [Deleted Jan. 12, 1944]

(c) [Deleted Jan. 12, 1944]

(d) *X-ray cable.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of X-ray cable, high voltage, as shown in List 27, Appendix II, under "Commercial Types".

(e) *Long range field wire.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of W–143 long range field wire.

§ 4600.53 *Tires and tubes.* The following supplementary orders and directives are applicable to tires and tubes:

(a) *Fighter type and ice grip airplane tires.* Rubber Order R–1, List 29, requires that all airplane tires (except beaching gear tires) be manufactured in the S–5 or S–7 synthetic construction. These provisions shall not apply to fighter type and ice grip airplane tires. All fighter type and ice grip airplane tires shall be manufactured using natural rubber compounds throughout the tire until further notice; the compound grades to be used shall be B friction and B tread on all sizes except the following which shall be A friction and A tread.

Size	Ply	Type
47	12	Smooth contour landing.
51	14	Do.
56	16	Do.
60	18	Do.
65	22	Do.
44 x 12	14	High pressure special duty.
46 x 15	16	Do.
17.00 x 20	12	Low pressure landing.
19.00 x 28	16	Do.

(b) Deleted Feb. 15, 1944.

(c) Deleted Feb. 15, 1944.

(d) Deleted Feb. 15, 1944.

(e) Deleted Feb. 15, 1944.

§ 4600.54 *Footwear.* All outstanding supplementary orders and directives relating to footwear have been superseded by Rubber Order R–1 as amended.

§ 4600.55 *Heels and soles.* All outstanding supplementary orders and directives relating to heels and soles have been superseded by Rubber Order R–1 as amended.

§ 4600.56 *Proofing and combining of fabrics.* The following supplementary orders and directives are applicable to the proofing and combining of fabrics:

(a) *Industrial protective clothing.* Rubber Order R–1 as amended prohibits the consumption of crude rubber, natural latex or general purpose synthetics in the following item (Code 17, Schedule A): "Compounds for proofing fabrics designed for the manufacture of industrial occupational protective clothing, including cements for seaming, limited to aprons, leggings, sleeves, pants, coats, jackets, hats, and fireman's and policeman's clothing other than footwear and gloves".

Manufacturers are hereby authorized to consume GR–S in addition to reclaimed rubber in compounds for proofing and seaming under this item.

§ 4600.57 *Medical, surgical, dental, drug sundries.* All outstanding supplementary orders and directives relating to medical, surgical, dental and drug sundries have been superseded by Rubber Order R–1 as amended.

§ 4600.58 *Miscellaneous.* The following supplementary orders and directives are applicable to miscellaneous rubber products or materials:

(a) *Pressure sensitive tape.* Rubber Order R–1 permits the consumption of general purpose synthetics, reclaimed or scrap rubber in the manufacture of pressure sensitive tape for industrial purposes to fill Government and civilian orders. Schedule A of the order requires certification by the purchaser as to his end use.

(1) Uses which are classified as "industrial" are set forth in the certification.

(2) *Certification.* With respect to civilian orders no person shall deliver or accept delivery of pressure sensitive tape (except high heat resistant and non-corrosive electric tape) unless the person acquiring the same shall certify to the seller and to the War Production Board in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to_____ (insert name of seller) and to the War Production Board that the pressure sensitive tape specified in the accompanying purchase order and future purchase orders will not be sold or used by him except for one or more of the following purposes:

1. Repair of transportation facilities.
2. Maintenance and manufacture of industrial and mining equipment.
3. The manufacture of the following products and parts thereof:
   (a) Aircraft.
   (b) Armored tanks.
   (c) Ships.
   (d) Army transport vehicles.
   (e) Guns.
   (f) Small arms.
   (g) Signalling devices.
   (h) Precision instruments.
   (i) Munitions.
   (j) Electrical equipment.
   (k) Machine tools.
   (l) Vehicles for common carriers and related transportation facilities.
4. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails.
5. Production and shipping of photographic and motion picture film and X-ray film.
6. Sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

Name_____
By_____
Address_____
City_____
Date_____

The foregoing certification requirement does not apply to Government orders.

Certification in substantially the above form constitutes the approved form of certification required for deliveries of pressure sensitive tape.

The foregoing certification shall not be required for deliveries of pressure sensitive tape to a person who has already filed the certification with his supplier.

Certification of the purchaser may be relied upon by the seller unless the seller knows or has reason to believe that the certification is false.

(b) *Inflatable or pneumatic mattresses, cushions and pillows.* Rubber Order R–1 as amended does not permit the consumption of rubber or synthetic rubber in the manufacture of inflatable or pneumatic mattresses, cushions or pillows, to fill civilian orders.

In addition, the consumption of rubber or synthetic rubber in the manufacture of the foregoing products to fill Government orders is hereby prohibited except upon special authorization in writing by the War Production Board. (This supersedes SA–142.)

(c) *Shoe cements.* Notwithstanding the provisions of any quota directive 4–A or 4–B, no crude rubber or natural latex shall be consumed in the manufacture of shoe cements after December 31, 1943 without special authorization.

In order to receive adjustments of quota directives for this purpose, manufacturers should address a letter to the Manager of Allocations, Office of Rubber Director, Washington 25, D. C.

In this connection, it should be noted that Rubber Order R–1 as amended permits shoe cements containing crude rubber or natural latex only for shoe repairing.

(d) *Shoe cement inventories in hands of shoe manufacturers on January 1, 1944.* Shoe manufacturers who hold inventories of shoe cements which contain crude rubber or natural latex on January 1, 1944 are hereby authorized to use the same for the following permitted shoe manufacturing operations until April 1, 1944:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—cementing bottoms and outsoles or butsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching gem duck to welt innersoles.

(5) Special operations limited to: Joining leather welting.

Shoe manufacturers are hereby granted permission to purchase and sell such cements for use in the foregoing operations prior to April 1, 1944.

Inventories of shoe cements containing crude rubber or natural latex which remain in the hands of any shoe manufacturer on April 1, 1944 shall be reported to the Office of Rubber Director, War Production Board, by letter indicating the amounts of cement by type of operation.

(e) *Cements containing Neoprene for wood heels.* After February 1, 1944, no person shall deliver or accept delivery of cement containing Neoprene if he knows or has reason to believe that it will be used for covering wood heels. After February 15, 1944, no person shall use any cement containing Neoprene for the covering of wood heels except to fill Government orders.

(f) *Cements for non-leather shoes.* Cements containing general purpose synthetics may be used in the manufacture of shoes made from materials other than leather except that cements containing Neoprene shall be used only in the shoe manufacturing operations for which Neoprene is permitted in the manufacture of leather shoes by Amendment No. 1 to Rubber Order R–1 as amended.

(g) *Definition of light colored carcass scrap.* Rubber Order R–1 as amended refers to No. 1 and No. 2 light colored carcass. For the purposes of the order, No. 1 light colored carcass means all-white zinc carcass, and No. 2 light colored carcass means and includes light colored types such as white, pink, light grey, pure gum and light brown carcass.

(h) *Neoprene quota restrictions.* No person shall consume General Purpose Synthetic Neoprene types GR–M, GN or Latex without a quota assigned by quota directive or other authorization specifying the amounts which he may consume, and no person shall exceed the quantities which he is specifically authorized to consume in any designated period.

(i) *Temporary loans of general purpose synthetics.* A manufacturer may make a short term "loan" of general purpose synthetics to another manufacturer for permitted uses under Rubber Order R–1 as amended. A loan must not be made unless the person lending the material is reasonably certain that an equivalent amount of the material will be returned to him when he needs it. Full records of the loan transactions must be kept by both persons lending and persons borrowing, and the transactions must be reported as shipments or receipts on Form WPB–3410 for the calendar month in which the transactions occur. Each transaction shall be identified separately on the form under "remarks". Deliveries of material under this paragraph may be made without special authorization.

(j) *Elastic webbing.* Rubber Order R–1 includes the item, "elastic webbing not exceeding 4" in width" in Code 22, Schedule A. This item refers to combined knitted fabric cut to widths not exceeding 4".

(k) *Balata.* Rubber Reserve Company is hereby authorized to sell and deliver approximately 400 tons of mis-

Average Weight of Crude Rubber and Latex per Pair Maximum (in Pounds)—Con.

(e) *Government order arsenal-ordnance order and munition plant order items*—Continued.

Men's training shoe (molded sole) (Navy Spec.)	0.12
Men's electrically heated flying boot (Navy-Aero M456)	.13
Men's 5-bkle. sea arctic N–1 non-slip sole (rubber) (Navy Spec. 72A–3)	.17
Men's wading suit (Aero Spec.)	.66
Men's wading shoe (Aero Spec.)	.08
Men's wader overshoe—armpit height (Engineers Spec.) BQD #139	.55
Men's wader over-the-foot, waist height (Signal Corps Spec.)	.50
Men's 2-bkle. cloth arctic (Marine Spec.)	.14
Men's 2-bkle. perfection (diving suits and felt boots) (Merchant Marine Spec.)	.17
Men's sea boot—non-slip sole, Navy Spec. 32B–6	.38
Men's firemen's storm king boot Navy 72B2 revised 6–30–43	.59
Men's 5-bkle. rub. arctic (Navy) 72–A–4 shore arctic N2	.22

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4083; Filed, March 22, 1944; 11:13 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix III as Amended Mar. 22, 1944]

Introductory. Appendix III to Rubber Order R–1 as amended is a compilation of supplementary orders and directives of general applicability which affect rubber and rubber products. In the past, these orders and directives have involved principally the conversion of products from crude rubber to synthetics and have been issued individually to the manufacturers of the particular products. The purpose of Appendix III is to issue these directives are applicable to mechanical goods:

(a) *Vibration mount and shock absorber.* No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations of Shore Durometer hardness of 40 and above. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed 1/32" in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of compression types of mountings or insulators having a Shore Durometer hardness of less than 40. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed 1/32" in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of plate, sandwich, tubular, or other types of shear mountings or insulations. This restriction covers mountings or insulations where the temperatures of applications are minus 40° F. and above. Aircraft engine and instrument mounts may be considered as falling in the applications functioning below minus 40° F. Crude rubber may be used for bonding cements and tie-gum compounds which shall not exceed 1/32" in thickness.

Torsional vibration dampers may be manufactured from crude rubber until further notice.

(b) [Deleted Jan. 12, 1944]

(c) *Pipe rings.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of pipe rings.

(d) *Milking machine inflations.* After April 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of milking machine inflations. During the month of March, 1944, no person shall manufacture milking machine inflations using crude rubber or natural latex in more than 50% of his production during the month.

(e) [Deleted Jan. 12, 1944]

hand made component parts of machinery for the manufacture of rayon, explosives and corrosive chemicals shall not exceed 10% by volume of the compound.

§ 4600.52 *Wire and cable.* The following supplementary orders and directives are applicable to wire and cable:

(a) [Deleted Jan. 12, 1944]

(b) [Deleted Jan. 12, 1944]

(c) [Deleted Jan. 12, 1944]

(d) *X-ray cable.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of X-ray cable, high voltage, as shown in List 27, Appendix II, under "Commercial Types".

(e) *Long range field wire.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of W–143 long range field wire.

§ 4600.53 *Tires and tubes.* The following supplementary orders and directives are applicable to tires and tubes:

(a) *Fighter type and ice grip airplane tires.* Rubber Order R–1, List 29, requires that all airplane tires (except beaching gear tires) be manufactured in the S–5 or S–7 synthetic construction. These provisions shall not apply to fighter type and ice grip airplane tires. All fighter type and ice grip airplane tires shall be manufactured using natural rubber compounds throughout the tire until further notice; the compound grades to be used shall be B friction and B tread on all sizes except the following which shall be A friction and A tread.

Size	Ply	Type
47	12	Smooth contour landing.
51	14	Do.
56	16	Do.
65	18	Do.
65	22	Do.
44 x 12	14	High pressure special duty.
46 x 13	16	Do.
17.00 x 20	12	Low pressure landing.
19.00 x 23	16	Do.

(b) Deleted Feb. 15, 1944.

(c) Deleted Feb. 15, 1944.

cellaneous grades of balata which are showing signs of deterioration, to any person without specific authorization by the War Production Board, and any person who purchases balata under this paragraph is authorized to consume the same for any purpose without restriction.

Acquisition of balata for the manufacture of products for which rubber or synthetic rubber is also needed but not permitted by Rubber Order R–1, will in no way affect the disposition of subsequent appeals for permission to consume rubber or synthetic rubber.

All communications relating to the purchase of balata under this paragraph should be addressed to D. D. Haldane, Distributing Agent, Rubber Reserve Company, 15 Williams Street, New York, New York.

(1) *Butyl reclassified as special purpose synthetics.* All butyl type synthetic rubbers including standard, classes A, B, C, and D, are hereby reclassified as special purpose synthetics for the purposes of Rubber Order R–1 as amended.

Requests for allocation are to be filed with the Office of Rubber Director, War Production Board, Washington 25, D. C. on Form WPB–2877, in duplicate, in accordance with the instructions accompanying the form.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 22d day of March 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4073; Filed, March 22, 1944; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445,[1] Amdt. 14]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 445 is amended in the following respects:

1. Section 3.7 is amended to read as follows:

Sec. 3.7 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of items of packaged domestic distilled spirits by a processor on and after January 6, 1944, *Provided*, That with respect to sales of any item for which the processor is required or permitted to establish a special maximum price by authorization under Appendix F, if the processor files an application in accordance with Appendix F on or before January 21, 1944, the maximum price established for the item in accordance with Maximum Price Regulation No. 193 or other appropriate regulations or orders shall remain in force and effect until a special maximum price by authorization is established pursuant to Appendix F, or until May 21, 1944; notwithstanding the provisions of paragraph (e) (1) of Appendix F of Article III, in the case of applications for the establishment of special maximum prices by authorization filed prior to March 21, 1944, the maximum prices proposed in such applications shall not be deemed authorized until May 21, 1944, unless an order establishing such maximum prices shall have been issued by the Price Administrator prior to March 21, 1944, or prior to May 21, 1944: *And provided further*, That this article shall not apply to any sale which the processor is required by statute, ordinance or regulation to make at a price posted or listed prior to the appropriate date referred to above, with a state or other public authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity following the fourth day after that date.

NOTE: In the following appendices the examples are offered for purposes of illustration only. The examples are not to be regarded as a substantive part of this regulation. They neither enlarge nor restrict the definitive provisions. The examples do not reflect the applicable amount of the increase effective April 1, 1944 in United States excise taxes.

2. The notes immediately following paragraphs (b) (1) (i) (*d*), (b) (1) (ii) (*e*), and (b) (1) (iii) (*e*) of Appendix E of Article III are amended to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

3. A note is added immediately following paragraph (b) (2) of Appendix E of Article III to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

4. Paragraphs (b) (3) (i) (*a*) and (b) (3) (ii) (*a*) of Appendix E of Article III are amended to read as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

5. A note is added immediately following the second paragraph of paragraph (b) (3) (i) (*d*) of Appendix E of Article III to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

6. A note is added immediately following the second paragraph of (b) (3) (ii) (*d*) of Appendix E of Article III to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

7. Paragraph (b) (4) of Appendix E of Article III is amended to read as follows:

(4) *Processors' sales to consumers.* The processors' prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged domestic distilled spirits by retailers to consumers, shall be the processors' prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

8. Paragraph (d) is added to Appendix E of Article III to read as follows:

(d) *Determining amount of increase effective April 1, 1944 in Federal excise taxes.* The amount of the increase effective April 1, 1944, in Federal excise taxes which a processor may add to prescribed uniform maximum prices determined under this Appendix shall, in each instance, be figured by multiplying $3.00 by the number of proof gallons in the case being priced.

9. There is added to the note immediately following Table II of Appendix E of Article III the following sentence:

See paragraph (d) for computation of increase effective April 1, 1944 in United States excise taxes.

10. There is added to the note immediately following Table III of Appendix E of Article III the following sentence:

See paragraph (d) for computation of increase effective April 1, 1944, in United States excise taxes.

11. There is added to the note immediately following Table IV of Appendix E of Article III the following sentence:

See paragraph (d) for computation of increase effective April 1, 1944, in United States excise taxes.

12. Section 7.3 (c) is added to read as follows:

(c) *Treatment of increase effective April 1, 1944, in United States excise taxes.* (1) On and after April 1, 1944, every seller must state upon each invoice to any class of customers (except monopoly states and consumers) that the prices stated in the invoice include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

"Our invoice prices include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax. OPA regulations prohibit a markup on the amount thereof.

Reference to floor stocks tax may be eliminated from the invoice after the seller has disposed of all merchandise upon which floor stocks tax was paid by him or by a prior vendor.

(2) For sales to monopoly states sellers of distilled spirits or wines who were heretofore required to separately state the amount of any tax which became effective after March 31, 1942, on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell, shall continue to do so notwithstanding the provisions of paragraph (1) hereof.

13. An illustration is added following section 7.3 (c) to read as follows:

Illustration. As a guide to sellers in computing their maximum prices, the following tables are added. These tables show the amount of the increase effective April 1, 1944, in United States excise taxes for representative types, proofs and container sizes of distilled spirits and wines, but is not intended to be all-inclusive. For types, proofs, and container sizes not shown on the tables, every seller must compute the actual amount of the tax increase. No seller is permitted to apply a markup on the amount of the tax increase. In figuring maximum prices, sellers such as wholesalers or retailers who are required to price by use of a percentage markup applied to "net cost", shall figure maximum prices by (1) deduct the exact amount of the tax increase with respect to each item, (2) apply markup to "net cost" exclusive of tax increase, and (3) add the exact amount of the tax increase to that figure.

TAX INCREASE EFFECTIVE APRIL 1, 1944, IN UNITED STATES EXCISE TAXES

TABLE I—DISTILLED SPIRITS[1]

Proof	Contents per case				
	4 gal	3 gal.	2 4 gal.	1.5 gal.	1.2 gal.
100	$12.00	$9.00	$7.20	$4.50	$3.60
94.4	11.33	8.50	6.80	4.25	3.40
93	11.16	8.37	6.70	4.19	3.35
92	11.04	8.28	6.62	4.14	3.31
90.4	10.85	8.14	6.51	4.07	3.25
90	10.80	8.10	6.48	4.05	3.24
86.8	10.42	7.81	6.25	3.91	3.13
86	10.32	7.74	6.19	3.87	3.10
85	10.20	7.65	6.12	3.83	3.06
84	10.08	7.56	6.05	3.78	3.02
80.6	9.67	7.25	5.80	3.63	2.90
80	9.60	7.20	5.76	3.60	2.88
74	8.88	6.66	5.33	3.33	2.66
70	8.40	6.30	5.04	3.15	2.52
64	7.68	5.76	4.61	2.88	2.30
60	7.20	5.40	4.32	2.70	2.16
56	6.72	5.04	4.03	2.52	2.02
50	6.00	4.50	3.60	2.75	1.80
45	5.40	4.05	3.24	2.03	1.62

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE II—DISTILLED SPIRITS[1]

Proof	Contents per bottle							
	1 gal	½ gal.	quart	fifth	pint	tenth	½ pint	⅛ pt.
100	$3.00	$1.50	$0.75	$0.60	$0.38	$0.30	$0.19	$0.04
94.4	2.83	1.42	.71	.57	.36	.28	.18	.03
93	2.79	1.40	.70	.56	.35	.28	.18	.03
92	2.76	1.38	.69	.55	.35	.28	.18	.03
90.4	2.71	1.36	.68	.54	.34	.27	.17	.03
90	2.70	1.35	.68	.54	.34	.27	.17	.03
86.8	2.60	1.30	.65	.52	.33	.26	.17	.03
86	2.58	1.29	.65	.52	.33	.26	.16	.03
85	2.55	1.28	.64	.51	.32	.26	.16	.03
84	2.52	1.26	.63	.50	.32	.25	.16	.03
80.6	2.42	1.21	.61	.48	.31	.24	.15	.03
80	2.40	1.20	.60	.48	.30	.24	.15	.03
74	2.22	1.11	.56	.44	.28	.22	.14	.03
70	2.10	1.05	.53	.42	.27	.21	.13	.03
64	1.92	.96	.48	.38	.24	.19	.12	.03
60	1.80	.90	.45	.36	.23	.18	.11	.02
56	1.68	.84	.42	.34	.21	.17	.11	.02
50	1.50	.75	.38	.30	.19	.15	.10	.02
45	1.35	.68	.34	.27	.17	.14	.09	.02

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE III—WINES

Type	Contents per case						
	4 gal.	3 gal.	2.4 gal.	2.4375 gal.	2.25 gal.	1.5 gal.	1.2 gal.
Still wine not over 14%	$0.20	$0.15	$0.12	$0.12	$0.11	$0.08	$0.06
Still wine over 14% but not over 21%	.80	.60	.48	.49	.45	.30	.24
Still wine over 21% but not over 24%	4.00	3.00	2.40	2.44	2.25	1.50	1.20
Champagne and sparkling wines	3.20	2.40	1.92	1.95	1.80	1.20	.96
Carbonated wines	3.20	2.40	1.92	1.95	1.80	1.20	.96
Wine base cordials and liqueurs	3.20	2.40	1.92	1.95	1.80	1.20	.96

TABLE IV—WINES

Type	Contents per bottle									
	1 gal.	½ gal.	1 qt.	1 fifth	24 oz.	30 oz.	26 oz.	12 oz.	1 pt.	½ pt.	⅛ gal.
Still wine not over 14%	$0.05	$0.02	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01		
Still wine over 14% but not over 21%	.20	.10	.05	.04	.04	.05	.04	.02	.02	$0.01	$0.02
Still wine over 21% but not over 24%	1.00	.50	.25	.20	.19	.23	.20	.10	.12	.06	.10
Champagne and sparkling wines	.80	.40	.20	.16	.15	.19	.16	.08	.10	.05	.08
Carbonated wines	.80	.40	.20	.16	.15	.19	.16	.08	.10	.05	.08
Wine base cordials and liqueurs	.80	.40	.20	.16	.15	.19	.16	.08	.10	.05	.08

This amendment shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4026; Filed, March 21, 1944; 4:57 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 43]

FINISHED PIECE GOODS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 60 is amended to read as follows:

SEC. 60. *Maximum prices for finished piece goods at wholesale and retail*—(a) *To what commodities and transactions this section applies*—(1) *What commodities are covered.* This section applies to all finished piece goods 12" or more in width. These are classified as follows:

(i) *Woolen or worsted fabrics.* This classification includes all finished piece goods composed of 5% or more of woolen fiber.

(ii) *Dress goods.* This classification includes all finished piece goods commonly used for dress or other garment making except the following: Woolen or worsted fabrics, canvas, denim, cotton duck, cotton drill, men's shirting chambray, work clothing, suedes, whipcord, khaki, buckram, cotton jean, lining ma-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11161, 11851, 13496, 13500, 13845, 14016, 14401, 15913, 16997, 17415, 16928, 9 F.R. 303, 105, 2240.

[1] 8 F.R. 5386, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15862, 15862, 16866, 16997, 17001; 9 F.R. 173, 393.

*Copies may be obtained from the Office of Price Administration.

cellaneous grades of balata which are showing signs of deterioration, to any person without specific authorization by the War Production Board, and any person who purchases balata under this paragraph is authorized to consume the same for any purpose without restriction.

Acquisition of balata for the manufacture of products for which rubber or synthetic rubber is also needed but not permitted by Rubber Order R–1, will in no way affect the disposition of subsequent appeals for permission to consume rubber or synthetic rubber.

All communications relating to the purchase of balata under this paragraph should be addressed to D. D. Haldane, Distributing Agent, Rubber Reserve Company, 15 Williams Street, New York, New York.

(1) *Butyl reclassified as special purpose synthetics.* All butyl type synthetic rubbers including standard, classes A, B, C, and D, are hereby reclassified as special purpose synthetics for the purposes of Rubber Order R–1 as amended.

Requests for allocation are to be filed with the Office of Rubber Director, War Production Board, Washington 25, D. C. on Form WPB–2877, in duplicate, in accordance with the instructions accompanying the form.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports

Sec. 3.7 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of items of packaged domestic distilled spirits by a processor on and after January 6, 1944, *Provided*, That with respect to sales of any item for which the processor is required or permitted to establish a special maximum price by authorization under Appendix F, if the processor files an application in accordance with Appendix F on or before January 21, 1944, the maximum price established for the item in accordance with Maximum Price Regulation No. 193 or other appropriate regulations or orders shall remain in force and effect until a special maximum price by authorization is established pursuant to Appendix F, or until May 21, 1944; notwithstanding the provisions of paragraph (e) (1) of Appendix F of Article III, in the case of applications for the establishment of special maximum prices by authorization filed prior to March 21, 1944, the maximum prices proposed in such applications shall not be deemed authorized until May 21, 1944, unless an order establishing such maximum prices shall have been issued by the Price Administrator prior to March 21, 1944, or prior to May 21, 1944: *And provided further*, That this article shall not apply to any sale which the processor is required by statute, ordinance or regulation to make at a price posted or listed prior to the appropriate date referred to above, with a state or other public authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity following the fourth day after that date.

be added to that price in accordance with section 7.3.

4. Paragraphs (b) (3) (i) (*a*) and (b) (3) (ii) (*a*) of Appendix E of Article III are amended to read as follows:

(*a*) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

5. A note is added immediately following the second paragraph of paragraph (b) (3) (i) (*d*) of Appendix E of Article III to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

6. A note is added immediately following the second paragraph of (b) (3) (ii) (*d*) of Appendix E of Article III to read as follows:

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

7. Paragraph (b) (4) of Appendix E of Article III is amended to read as follows:

(4) *Processors' sales to consumers.* The processors' prescribed uniform maximum

terials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, belting cloth, moleskin and coutil.

(iii) *Table damask.* This classification includes finished piece goods commonly known as table damask.

(iv) *Upholstery and drapery fabrics.* This classification includes all finished piece goods commonly used for upholstery and for draperies and includes repp, monk's cloth, damask, cretonne, brocatelle, mohair, brocades, tapestry, novelty upholstery fabrics, and chenille, but does not include denim, canvas, blackout cloth, ticking, buckram, burlap, lining materials, sateen, automobile upholstery and top material, window shade cloth and awning materials.

(v) *Curtain materials.* This classification includes all finished piece goods commonly used for curtains and includes marquisette, net scrim, lace and dotted swiss, but does not include oilcloth, kitchen cloth, shower cloth, gauze, mosquito netting and cheesecloth.

(vi) *All other fabrics.* This classification includes all finished piece goods not included in any of the foregoing classifications and includes finished piece goods commonly used for utility or household purposes such as oilcloth, kitchen cloth, shower cloth, canvas, demin, cotton duck, cotton drill, men's shirting chambray, work clothing suedes, whipcord, khaki, waterproof sheeting, blackout cloth, sheeting, towelling, casing, gauze, ticking, unbleached muslin, mosquito netting, cheesecloth, awning material, buckram, burlap, cotton jean, lining materials, sateen, terry cloth, cotton twill, cotton flannel and flannelette, diaper cloth, belting cloth, bunting, table and laundry felt, moleskin, coutil, buff cloth, filter press cloth, auto upholstery and top material, window shade cloth, and similar materials.

(2) *What transactions are covered.* This section applies to all sales by converter-jobbers and sales at wholesale and retail of the finished piece goods described in subparagraph (1) above.

(3) *Effect upon General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this section supersedes the provisions of the General Maximum Price Regulation for the Territory of Hawaii, General Order No. 49, and all other maximum price regulations issued by the Office of Price Administration, except as hereinafter provided, with respect to sales at wholesale and at retail in the Territory of Hawaii of the finished piece goods set forth in subparagraph (1) above.

(b) *Maximum prices for sales at wholesale.* The maximum prices for sales at wholesale of finished piece goods shall be:

(1) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class I purchaser, the maximum price shall be an amount equal to the sum of the invoice price, less all allowable discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraphs (f) or (g)), multiplied by 1.22; *Provided*, That:

(i) The wholesaler or jobber carries such finished piece goods in stock, and

(ii) The particular finished piece goods are to be sold out of such stock, and

(iii) The particular finished piece goods are invoiced and shipped directly from the establishment of the converter to the establishment of the wholesaler or jobber, and

(iv) The wholesaler or jobber has in his possession proof that he purchased as a Class I purchaser from the converter. (Where the wholesaler or jobber has purchased finished piece goods from a converter-jobber, he must also have in his possession proof that such finished piece goods were finished by or for the account of such converter-jobber and that no wholesale mark-up has been taken on the finished piece goods.)

(2) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class I purchaser and does not sell such finished piece goods out of stock and the finished piece goods were not shipped directly from the establishment of the converter to the establishment of the wholesaler, or jobber, the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances multiplied by 1.12: *Provided*, That:

(i) The wholesaler or jobber has in his possession proof that he purchased as a Class I purchaser from the converter. (Where the wholesaler or jobber has purchased finished piece goods from a converter-jobber, he must also have in his possession proof that such finished piece goods were finished by or for the account of such converter-jobber and that no wholesale mark-up has been taken on the finished piece goods.)

(3) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a local wholesaler or jobber, the maximum price shall be the same as the maximum price of the local wholesaler or jobber from whom he purchased, as computed under subparagraph (1) or subparagraph (2) of this paragraph.

(4) Where the sale is by a wholesaler or jobber who has purchased the finished piece goods from a mainland converter as a Class II purchaser, or has purchased from a mainland wholesaler or jobber, the maximum price shall be an amount equal to the sum of the invoice price, less all allowable discounts and allowances except cash discounts up to 2% and the "landing costs" (as defined in paragraph (f) or (g)), except in the case of woolen or worsted fabrics sold to custom tailors. In such case the maximum price shall be determined by the pricing formula provided in subparagraph (2) above.

(5) *Sales by local sub-jobbers.* (i) The maximum price for sales by a local sub-jobber of any finished piece goods, listed and described in paragraph (a) of this section, to a retail establishment shall be:

(a) Where the sale is by a sub-jobber who purchased the finished piece goods from a mainland converter, as a Class II purchaser, or from a mainland converter-jobber, wholesaler or jobber, the maximum price shall be computed by multiplying the converter's, converter-jobber's, wholesaler's or jobber's maximum selling price less all allowable discounts and allowances except cash discounts up to 3%, by 1.25.

(b) Where the sale is by a sub-jobber who purchased the finished piece goods from a local converter-jobber, wholesaler, or jobber, the maximum price shall be computed by multiplying the converter-jobber's, wholesaler's or jobber's maximum wholesale price, as computed under subparagraph (1) of this paragraph, by 1.18.

(ii) Any sub-jobber who wishes to establish maximum prices in accordance with this paragraph must file with the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., a petition for permission to do so. Such petition must show that the applicant has been regularly engaged in performing the function of a sub-jobber during the year 1943 and must also show the estimated percentage of sub-jobbing business done in relation to the total sales during the years 1942 and 1943.

(6) *Inability to price finished piece goods.* Any person who is unable to determine his maximum price for finished piece goods under subparagraphs (1), (2), (3), (4), or (5) above, shall apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for determination of the maximum price.

(c) *Maximum prices for sales by converter-jobbers.* The maximum price for sales by a local converter-jobber of finished piece goods which the converter-jobber finishes or causes to be finished for his account shall be the maximum price established for each converter-jobber upon his application to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H. The application of a converter-jobber for the establishment of such maximum prices must show:

(1) The basic grey goods cost.
(2) The grey freight.
(3) Working allowance.
(4) Finishing cost.
(5) Put-up charges.
(6) The "landing costs" (as defined in paragraph (f) or (g)). With the exception of "landing costs", the foregoing items of cost shall be determined in the manner specified in Maximum Price Regulation 127, as now or hereafter amended.

(d) *Averaging of prices by converter-jobber, wholesaler or jobber.* Where a converter-jobber finishes or causes to be finished for his account or a wholesaler or jobber purchases various colors of the same pattern or style, and where the maximum prices for such colors vary, or where maximum prices for separate lots of the same pattern or style vary, the converter-jobber, jobber or wholesaler shall, after computing the maximum price for each color or lot, determine and use as his maximum price for the entire pattern, style or lot a weighted average of such varying prices.

(e) *Premiums allowed wholesalers—*(1) *Sales of cut lengths.* A premium not in excess of 10% of the applicable maximum price may be charged on the sale of cut lengths less than 20 yards when such lengths are cut from a larger piece by the wholesaler to fill a specific order.

(2) *Sales of woolen or worsted fabrics, lining materials and canvas to custom or merchant tailors.* (i) A premium not exceeding 10% of the applicable maximum price may be charged on the sale of full lengths.

(ii) A premium not exceeding 20% of the applicable maximum price may be charged on the sale of cut lengths.

(iii) A premium not exceeding 30% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by the local wholesaler from a mainland converter or manufacturer.

(iv) A premium not exceeding 40% of the applicable maximum price may be charged on the sale of cut lengths of 15 yards or less when the woolen or worsted fabric is purchased by the local wholesaler from a mainland wholesaler or jobber.

(f) *Landing costs.* For articles imported from outside the Territory of Hawaii "landing costs" shall be the total of the following amounts:

(1) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery, to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(2) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(3) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(4) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage taxes as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(5) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of $1.20 per ton, weight or measurement, *Provided*, That the commodity is moved from the dock at the wholesaler's expense.

(g) *Landing costs in cases of interisland shipments.* In the case of finished piece goods originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the "landing costs" in the island of final destination for sale at wholesale shall be:

(1) An amount equal to the "landing costs" at the island from which the article was shipped, calculated under paragraph (f), above.

(2) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in paragraph (f) (5), above, whether or not such cartage charges are actually incurred but in no event shall such cartage charges exceed public (common or contract) carrier rates.

(3) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(4) An amount equal to cartage charges on the island of destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in paragraph (f) (5), above, *Provided*, That the articles are moved from the dock at the wholesaler's expense.

(h) *Maximum prices for sales at retail—*(1) *Mainland purchases.* The maximum price for sales at retail of finished piece goods shall be computed by multiplying the converter's or the primary converter-jobber's, wholesaler's or jobber's invoice price, less all allowable discounts and allowances except cash discounts up to 3%, by the figure in column (1) of the table below for the classification of goods to be priced.

(2) *Local purchases.* The maximum price for sales at retail of finished piece goods shall be:

(i) Where the sale is by a retailer who has purchased the finished piece goods from a local converter-jobber, wholesaler or jobber who has computed his maximum price for the sale under paragraph (b) (1), the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances except cash discounts up to 3%, multiplied by the figure in column (2) of the table below for the classification of goods to be priced.

(ii) Where the sale is by a retailer who has purchased the finished piece goods from a local converter-jobber, wholesaler or jobber who has computed his maximum price for the sale under paragraph (b) (2), the maximum price shall be an amount equal to the invoice price, less all allowable discounts and allowances, multiplied by the figure in column (1) of the table below for the classification of goods to be priced.

(iii) Where the sale is by a retailer who has purchased the finished piece goods from a local sub-jobber who has computed his maximum price for the sale under paragraph (b) (5), the maximum price shall be an amount equal to the sub-jobber's maximum allowable price multiplied by the figure in column (3) of the table below for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURES

	Mainland purchases	Local purchases	
	Column (1)	Column (2)	Column (3)
Woolen or worsted fabrics	1.80	1.65	1.35
Dress goods	1.75	1.60	1.35
Table damask	1.75	1.60	1.35
Upholstery and drapery fabrics	1.85	1.65	1.35
Curtain materials	1.75	1.60	1.35
All other fabrics	1.65	1.50	1.35

(3) *Inability to determine maximum price at retail.* Any person who is unable to determine his maximum price at retail under subparagraph (1) or (2) of this paragraph (h) shall apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for determination of the maximum price.

(i) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting maximum wholesale or retail prices determined on the basis of the allocated costs.

(j) *Maximum prices for certain merchandise purchased at lower than manufacturer's, wholesaler's or converter's maximum price.* In cases where a retailer or wholesaler purchases any finished piece goods listed and described in paragraph (a) of this section at a price lower than a price which the purchaser previously paid to the same seller for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for a maximum price for resale of this merchandise, which maximum price is based upon the higher price previously paid to such seller, and the appropriate multiple provided by this Section. Any such application must be accompanied by the invoice for the goods in question and invoice establishing the former higher price or other evidence of a similar nature.

(k) *Odd cent maximum prices at wholesale or at retail.* Whenever the calculation of a maximum wholesale or retail price results in a fraction of a cent, the maximum price shall be adjusted to the nearest cent, except that on finished piece goods retailing for $1.00 per yard and above, the maximum retail price shall be adjusted to the nearest nickel.

(l) *Definitions.* When used in this section 60, the term:

(1) "Class I purchaser" means a wholesaler or jobber who buys finished

piece goods at the converter's price to Class I purchasers in accordance with the provisions of the mainland regulation, Maximum Price Regulation 127 Finished Piece Goods.

(2) "Class II purchaser" means a person who buys finished piece goods at the converter's price to Class II purchasers in accordance with the provisions of the mainland regulation, Maximum Price Regulation 127 Finished Piece Goods.

(3) "Converter" means a person who sells finished piece goods after having finished such goods or after causing such goods to be finished for his account.

(4) "Converter-jobber" means a converter who is also regularly engaged in performing, in addition to his converting business, the function of a jobber or wholesaler, and includes a jobber or wholesaler controlling, controlled by or under common control with a converter.

(5) "Wholesaler or jobber" means a person who purchases finished piece goods from a manufacturer or converter for the purpose of resale at wholesale.

(6) "Primary converter-jobber, wholesaler or jobber" means a converter-jobber, wholesaler or jobber who has purchased the finished piece goods directly from the converter or manufacturer.

(7) "Sub-jobber" means a jobber who purchases finished piece goods from primary wholesalers or jobbers and resells them to retail sellers.

(8) "Finished piece goods" means woven fabrics, more than 12'' in width, bleached, dyed, printed, mercerized or otherwise finished or processed.

(9) "Weighted average" price means the price computed on the basis of the actual yardage acquired at each separate price.

(m) *Records and reports by sellers other than at retail.* In addition to such records as the seller is required to keep under section 10 of this regulation, every person making a sale of finished piece goods other than at retail shall furnish the buyer at the time of the delivery of the finished piece goods with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of the finished piece goods sold (style or lot number), the price charged or received therefor, and either the retailer's ceiling price for the finished piece goods as calculated under paragraph (h) or the appropriate retail multiple figure as given in the tables in paragraph (h).

This amendment shall become effective as of January 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4093; Filed, March 22, 1944; 11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 15]

DRY SALTED, SMOKED OR PICKLED FISH

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 395 is amended in the following respects:

1. Section 24, Table XII, Item 1 is amended by adding the words "breeder egg mash" after the words "laying mash".

2. Section 26, Table XIV is amended to read as follows:

TABLE XIV—MAXIMUM RETAIL PRICES FOR DRY SALTED, SMOKED OR PICKLED FISH

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
	Lb.			
Dry salted or smoked fish, all varieties	1	$0.18	$0.18	$0.19
Pickled bonito fillets	1	.18	.18	.19
Pickled cod fillets	1	.22	.23	.23
Pickled herring	1	.12	.12	.13
Pickled salmon	1	.26	.26	.27
All other pickled fish	1	.11	.11	.11

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4094; Filed, March 22, 1944; 11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 16]

RUBBER TIRES, TUBES AND RECAPPED TIRES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 36 is added to read as follows:

SEC. 36. *Maximum prices for new rubber tires and tubes and recapped tires, except bicycle tires and tubes, sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 36, the term:

(1) "New rubber tire and tube" means any rubber tire or tube that has been used less than 1,000 miles.

(2) "Recapped tire" means a rubber tire that has been recapped and has not been used on any vehicle since recapping.

(3) "Rubber" means all forms and types of rubber including synthetic rubber and reclaimed rubber.

(b) *Pricing method.* The maximum price at retail and at wholesale for new rubber tires and tubes and recapped tires, except bicycle tires and tubes, sold or delivered in the Virgin Islands of the United States shall be the direct cost of the tire or tube to the importer, multiplied by 1.36.

The maximum prices thus calculated may not be exceeded regardless of the number of transfers of the commodity within the Virgin Islands of the United States. Any person, including the importer, who sells or otherwise transfers any new or recapped tire or any new tube to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each tire or tube to the importer, and shall certify this information to be true and correct.

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4095; Filed, March 22, 1944; 11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[2] Amdt. 28]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6621, 8878, 9906, 11438, 12661, 13845, 14144, 15865, 17062, 16298, 16793; 9 F.R. 1398.

[2] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

7. Section 29, Table 15 is amended by adding new items and by changing the prices of certain items to read as follows:

Item and brand names	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen) containers	At retail (per container)
Keebler:				
Family cracker	Ctns. 24/10 package	$2.35	$2.60	$0.27
Croydon cookies, chocolate	24/16 ounce	2.20	2.50	.32
Saltines	48/7 ounce	1.55	1.70	.44
Saltines	24/16 ounce pkg	2.45	2.70	.42
Chocolate sugar cookies	24/16 ounce pkg	2.65	2.90	.43
Graham crackers	24/16 ounce	2.20	2.50	.23
Rosemont cookies, vanilla	48/15 ounce	2.20	2.50	.45
Croydon cookies, molasses	24/16 ounce	2.20	2.50	.34
Rosemont cookies, chocolate	48/16 ounce	3.20	3.50	.50
Butter Sticks crackers	6/4 # package	9.45	10.40	1.55
Lesser, Wiles:				
Hydrox #136	Contains 6 doz./8 ounce	2.10	2.30	.45
Clover Leaves #136	6 doz./8 ounce	2.10	2.30	.34
Clover Leaves #118	12 doz./4 ounce	1.10	1.25	.50
Nabisco Assortment	4 doz./2 1/4 ounce	14.10	15.00	
Fancy Assortment	4 doz./2 1/4 ounce	16.20	17.00	
Vienna fingers	4 cad. of 100 each	10.00 ctn.	11.00 ctn.	1.34

[1] Per pound or 4 crackers for 5 cents.

8. Section 32, Table 18a is amended by changing the price at wholesale of Argo Vegetable Oil in cases of 4/1 gallon bottles from $8.25 to $8.85.

9. Section 39, Table 27 is amended by adding a new item to read as follows:

Item and brand names	Unit	To wholesalers	At wholesale	At retail
Table salt: News Hardy's	Ctn. 24/2 lb. pkg	$1.80	$2.00	*Per unit* $0.11

10. Section 42, Table 33d is amended by adding a new item to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Maxwell House Tea:				*Per unit*
Premium No. 1 Chocolate	Ctns. 24/4 oz. pkg	$3.55	$4.00	$0.33
Fancy Ground Coffee	Ctns. 36/3 lb.	7.10	7.45	.20
Calumet Baking Powder	Ctns. 24/12 oz.	3.80	4.25	.23
Instant Postum	Ctns. 24/25 oz.	5.45	6.00	.33
Gaines Dog Meal	Ctns. 12/2 pound bags	5.55	6.00	.55
Gaines Dog Meal	Ctns. 12/5 pound bags		2.20	.30
Gaines Kennelcon	Ctns. 12/5 pound bags		4.90	.90
			2.25	.28

1. Section 20, Table 3 is amended by adding new items and by changing the prices of certain items to read as follows:

Items and brand names	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Canned fruit cocktail:				
Del Monte	48/#1 tins	$3.15	$3.60	$0.24
Del Monte	12/#303 glass	2.65	3.00	.32
Del Monte	12/#2½ glass	3.90	4.30	.44
Del Monte	24/1 2½ tins	7.15	8.00	.42
Yellow Cling peaches, sliced: Del Monte	48/#1 tins	7.85	8.60	.23
Bartlett pear halves:				
Del Monte	24/#2½ tins	7.55	8.40	.45
Del Monte	12/#303 glass	2.85	3.20	.34
Del Monte	12/#2½ glass	4.25	4.70	.50

2. Section 21, Table 4 is amended by adding the category "Pear nectar," as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Pear nectar: Federal	48/12 ounce tin	$4.65	$5.25	$0.14

3. Section 23, Table 7 is amended by changing the prices of two items to read as follows:

Item and brand names	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Chiffard: Vegetable	48/10 ½ ounces	$5.55	$6.10	$0.16
Hurff: Vegetable	48/10 ½ ounces	5.80	6.20	.16

4. Section 24, Table 8 is amended by adding a new brand to the category "Tomato sauce" to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato sauce: Val-Vita	Case of: 72/10 ½ ounce		$5.50	$0.10

5. Section 24, Table 9 is amended by adding a new item to the category "Tomato juice" to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato juice: Glorietta	Case of: 48/12 ounce tin	$3.90	$4.35	$0.11

6. Section 25, Table 10 is amended by adding new items to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Green beans, fancy whole: Del Monte	Cs. 24/#2 tin	$4.25	$4.85	$0.25
Green beans, fancy cut: Del Monte	Cs. 24/#2 tin	3.95	4.55	.24
Lima beans, early garden: Del Monte	Cs. 24/#2 tin	4.80	5.20	.28
Lima beans, green: Del Monte	Cs. 24/#2 tin	4.90	5.60	.30
Pork and beans: Chiffard	Cs. 48/16 oz.	4.35	4.90	.13

12. Section 46, Table 38 is amended by changing the title and by adding a new item to read as follows:

TABLE 38—MAXIMUM PRICES FOR DRY SAUSAGES

	Sales to wholesaler	Sales at wholesale	Sales at retail
	price per lb.	*price per lb.*	*price per lb.*
Savonna Salami..	$0.5875	$0.6365	$0.82

13. Section 47, Table 39 is amended by adding the word "cake" after the item "Laundry soap" and by adding a new type "Laundry soap" to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale
Laundry soap: Powdered, flakes or granulated: in bulk	Per lb...	$0.1275	$0.14

14. Section 58, Table 51 is amended by adding a new item to read as follows:

Item and brand name	At wholesale	At retail
	Per doz.	*Each*
Machetes Collins No. 30—22 inches with handle, or similar	$7.50	$0.90

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4096; Filed, March 22, 1944; 11:51 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 188,[1] Amdt. 29]

ANIMAL FEED IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Section 64 is added to read as follows:

SEC. 64. *Maximum prices for animal feed sold or delivered in the Territory of Puerto Rico—(a) Definitions.* When used in this section, the term:

(1) "Mixed feed" means a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following commodities:

(i) Those commodities listed in Section 2.3 (m) and (n) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation[1] as exempt from said regulation.

(ii) A mixture resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural product, and also screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942, which commodities shall be and remain subject to § 1499.2 and other applicable provisions of the General Maximum Price Regulation.[2]

(iii) Cat and dog foods.

(2) "Straight feed" means an unmixed feed for the purpose of feeding animals and poultry.

(3) "Base price" means the direct cost to the importer of the first shipment of a brand, grade or variety of mixed feed received by him after February 1, 1944.

(b) *Maximum prices for imported mixed feed.* (1) The maximum prices for imported mixed feed sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 35¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor or 25¢ per 100 pound bag, whichever amount is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of mixed feed received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration at San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

(2) The maximum prices for imported mixed dairy feed sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(3) Prior to the first sale by the importer of imported mixed feed, and thereafter within five days after the receipt in Puerto Rico of a shipment of mixed feed for sale, the importer shall file with the Office of Price Administration for the territory of Puerto Rico, a statement setting forth in detail the direct cost to the importer, including the price the importer paid or discounts allowed, all costs of shipment, custom and entry fees, and war risk insurance cost.

(c) *Maximum prices for locally mixed feed sold by the manufacturer.*

TABLE 56—MAXIMUM PRICES FOR LOCALLY MIXED FEED SOLD BY THE MANUFACTURER

Puerto Rico brand:	*Per 100 pound bag*
20% Protein content	$3.45
24% Protein content	3.55
16% Protein content (dry freshing)	3.45
Calf meal	4.70
Oxen feed	3.55

(1) The maximum prices for locally mixed dairy feed sold by the manufacturer's agent or distributor shall be computed by adding to the price fixed in Table 56 a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the purchaser's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(2) The maximum prices for locally mixed dairy feed sold by a seller other than a manufacturer, his agent or distributor shall be computed by adding to the price fixed in Table 56 a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(d) *Maximum prices for straight feed.*

TABLE 57—MAXIMUM PRICES FOR STRAIGHT FEED

Oats (red or white):	*Per 100 lb. bag*
Sales to wholesalers	$3.10
Sales to others than wholesalers	3.50

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4092; Filed, March 22, 1944; 11:50 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

MISCELLANEOUS AMENDMENTS

The regulations, United States Coast Guard Reserve, 1941 (33 CFR, 1941 Supp., Part 8), as amended, are hereby further amended as follows:

1. Section 8.2102 (b) is amended by adding at the end thereof a new sentence reading as follows:

This prohibition shall not affect eligibility for enrollment as a temporary member of the Reserve without pay.

2. Section 8.7204 is amended by adding at the end thereof a new sentence reading as follows:

This prohibition shall not render temporary members of the Reserve serving without pay ineligible to receive uniform allowances, notwithstanding receipt of such pension, disability allowance, disability compensation, or retired pay.

3. Section 8.7205 (a) is amended by changing the period to a comma and adding thereafter the following:

* * * except that temporary members of the Reserve serving without pay may be certified for payment of uniform allowances without submitting such affidavit.

4. Section 8.7205 (c) is amended by striking out the words "or without" after the word "with" and before the word "pay".

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

Approved: March 21, 1944.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 44-4076; Filed, March 22, 1944; 11:16 a. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11606; 9 F.R. 1594.

[2] 9 F.R. 1385.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 214]

MONTANA

PARTIAL REVOCATION OF LAND WITHDRAWAL

Revoking in part Public Land Order No. 90 of February 10, 1943, withdrawing public lands for use of the War Department for aviation purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 90 of February 10, 1943, withdrawing public lands for the use of the War Department for aviation purposes, is hereby revoked so far as it affects the public lands within the following-described areas:

PRINCIPAL MERIDIAN

T. 26 N., R. 36 E.,
Secs. 2, 3, 10, 11, 14, 15, 22, 23, 26, 27, 34, and 35.
The areas described aggregate 7,688.74 acres.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 90 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government, according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

MARCH 13, 1944.

[F.R. Doc. 44-4038; Filed, March 22, 1944; 10:04 a. m.]

[Public Land Order 215]

IDAHO

PARTIAL REVOCATION OF LAND WITHDRAWAL

Revoking in part Public Land Order No. 178 of October 1, 1943, and withdrawing public lands for use of the War Department as a moving target range.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 178 of October 1, 1943, withdrawing public lands for the use of the War Department as a moving target range, is hereby revoked so far as it affects the public lands within the following-described areas:

BOISE MERIDIAN

T. 6 S., R. 34 E.,
Sec. 21, SW¼ and S½SE¼;
Sec. 28, N½, SW¼, and W½SE¼;
Sec. 29, E½ and SW¼;
Sec. 31;
Sec. 32, N½, SW¼, and NW¼SE¼;
Sec. 33, N½NW¼ and SW¼NW¼.
The areas described, including both public and non-public lands, aggregate 2,575.88 acres.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 178 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a moving target range:

BOISE MERIDIAN

T. 6 S., R. 34 E.,
Sec. 18, lot 2, SE¼NW¼, and N½SE¼;
Sec. 20, N½NE¼.
The areas described, including both public and non-public lands, aggregate 244.89 acres.

This order shall take precedence over but not modify the order of November 3, 1936, of the Secretary of the Interior, establishing Idaho Grazing District No. 3, so far as such order affects any of the lands withdrawn hereby.

The jurisdiction granted by this order, as to the lands withdrawn hereby, shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

MARCH 15, 1944.

[F. R. Doc. 44-4039; Filed, March 22, 1944; 10:04 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter K—Seamen

PART 138—RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES AND CONTINUOUS DISCHARGE BOOKS

WAIVER OF COMPLIANCE WITH CERTAIN PROVISIONS

The Acting Secretary of the Navy having by order dated October 1, 1942 (7 F.R. 7979) waived compliance with the navigation and vessel inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war,

Now therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the provisions of subsection (1) of section 4551 of the Revised Statutes, as amended (46 U. S. C. 643 (1)), and with paragraphs (i) and (j) of § 138.9 of the rules and regulations for issuance of certificates and continuous discharge books (46 CFR Part 138) as amended (9 F.R. 1826), relating to the reporting of the employment, discharge, or termination of the services of seamen on Coast Guard Form 735–T, in the case of tugs, towboats, and seagoing barges engaged in business connected with the conduct of the war. Nothing herein shall be construed as effectuating a waiver of the requirements for the filing of crew lists on Coast Guard Form 710–A in cases of departure for foreign ports.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

MARCH 20, 1944.

[F. R. Doc. 44-4075; Filed, March 22, 1944; 11:18 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

RAZOR CLAMS, HERRING AND SALMON FISHERIES

PART 203—YUKON-KUSKOKWIM AREA FISHERIES

Section 203.7 is hereby amended to read as follows:

§ 203.7 *Open season, salmon fishing.* Commercial fishing for salmon is prohibited except in the period from 6 o'clock antemeridian June 1 to 6 o'clock postmeridian July 31, in each year: *Provided*, That such fishing is permitted in the Kuskokwim district until 6 o'clock postmeridian August 15. (Sec. 2, 48 Stat. 595; 48 U.S.C. 232)

PART 204—BRISTOL BAY AREA SALMON FISHERIES

Section 204.2 is hereby amended to read as follows:

§ 204.2 *Districts open to salmon fishing.* Commercial fishing for salmon is prohibited except within the following-described districts:

(a) Hagemeister district: Waters of Hagemeister Strait from 161 degrees 40 minutes west longitude to 160 degrees 38 minutes west longitude.

(b) Nushagak district: Waters of Nushagak Bay within a line from Point Protection to Etolin Point.

(c) Kvichak-Naknek district: Waters of Kvichak Bay within a line from Etolin Point to Middle Bluff Light on the eastern side of Kvichak Bay.

(d) Egegik district: Waters between a line extending from Etolin Point to Middle Bluff Light and an east and west line at 58 degrees north latitude.

(e) Ugashik district: Waters between an east and west line at 58 degrees north latitude and the southern limit of the area at a point on the coast 3 statute miles south of Cape Menshikof.

Section 204.6 is hereby amended to read as follows:

§ 204.6 *Districts open to stake and set nets.* Commercial fishing for salmon with stake nets or set or anchored gill nets shall be limited to beach areas between high and low water marks, exclusive of bars or flats that at low tide are not connected by exposed land to the shore or places not covered at high tide, and shall be confined to the following places:

(a) Nushagak district: Along the beach, except on the west side of Nushagak Bay from a point 2 statute miles south of Bradford Point to Coffee Point, and except along the east side of that bay from a point 2,500 yards southeast of Ekuk Bluff Light to Etolin Point.

(b) Kvichak Bay: Along the beach on the southeast shore of the bay from Prosper Creek to Coffee Creek.

(c) Naknek Bay: Along the beach on the north side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 1,500 yards outside such markers, and along the beach on the south side of the bay from a point 1,200 yards above the drift gill net prohibitive markers to a point 3,000 yards outside such markers.

(d) Egegik Bay: Along the beach on the north side of the bay to a point 4,000 yards outside the drift gill net prohibitive marker, and on the south side of the bay to a point 1,000 yards outside such marker.

(e) Ugashik Bay and River: Along the beach on the north side of the bay from Pilot station to a point 500 yards south of Dago Creek, and along the beach on the east side of the river from a point 200 yards north of the Red Salmon Canning Co.'s cannery to a point 1,200 yards north of that cannery.

Section 204.12 is hereby amended to read as follows:

§ 204.12 *Opening date for red-salmon fishing.* Prior to 6 o'clock antemeridian June 26 in each year commercial fishing for salmon with nets of mesh less than 8½ inches stretched measure between knots, is prohibited.

Section 204.13 is hereby amended to read as follows:

§ 204.13 *Closed seasons, salmon fishing.* Commercial fishing for salmon is prohibited in the period from 6 o'clock antemeridian July 25, to 6 o'clock antemeridian August 3, except in the Ugashik district, where such fishing is prohibited from 6 o'clock antemeridian July 29 to 6 o'clock antemeridian August 10.

Section 204.14 is hereby amended to read as follows:

§ 204.14 *Open season, red-salmon fishing, Ugashik.* Commercial fishing for salmon in the Ugashik district with nets less than 8½ inches stretched measure between knots is prohibited except in the period from 6 o'clock antemeridian July 1 to 6 o'clock antemeridian July 29 in each year.

Section 204.19 *Weekly closed periods, salmon fishing*, is hereby revoked and deleted.

Section 204.20 is hereby amended to read as follows:

§ 204.20 *Waters closed to salmon fishing.* All commercial fishing for salmon is prohibited as follows:

(a) Nushagak Bay: All waters northward of a line from a marker 2 statute miles below Bradford Point to a marker on the opposite shore at Nushagak Point: *Provided*, That stake nets or wet or anchored gill nets limited to beach areas between high and low water marks will be permitted to the old prohibitive line from Snag Point to the old village on the east bank.

(b) Kvichak Bay: All waters above a line extending across Kvichak Bay from the Squaw Creek Light to a marker on the opposite side at Coffee Creek Point: *Provided*, That stake nets or set anchored gill nets limited to beach areas between high and low water marks will be permitted on the southeast shore from Prosper Creek to Coffee Creek.

(c) Naknek Bay: All waters within 1 statute mile of the mouth of the Naknek River: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on each side of the bay to a point 1,200 yards above the drift gill net prohibited markers.

(d) Egegik Bay: All waters above a line extending at right angles across said bay from a marker on the north bank 250 yards east of Libby, McNeill & Libby's cannery building, to a marker on the south bank 175 yards east of the Alaska Packers Association's cannery building.

(e) Ugashik River and Bay: All waters above a line extending at right angles across said river 500 yards below the mouth of King Salmon River: *Provided*, That stake nets or set or anchored gill nets limited to beach areas between high and low water marks will be permitted on the east side of the river from a point 200 yards north of the Red Salmon Canning Co.'s cannery to a point 1,200 yards north of that cannery.

PART 205—ALASKA PENINSULA AREA FISHERIES

Section 205.15 is hereby amended to read as follows:

§ 205.15 *Open season, salmon fishing.* Commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 27 in each calendar year and during the remainder of each calendar year after 6 o'clock postmeridian August 12, except that beach seines and gill nets may be used from September 5 to September 30, both dates inclusive.

PART 208—KODIAK AREA FISHERIES

Section 208.17 *Closed season, Karluk fishery*, is hereby revoked and deleted.

Section 208.23 (f) and (g) are hereby amended to read as follows:

§ 208.23 *Waters closed to salmon fishing.* All commercial fishing for salmon is prohibited as follows:

* * * * *

(f) Zachar Bay, tributary to Uyak Bay: All waters of Zachar Bay east of 153 degrees 44 minutes west longitude.

(g) Spiridon Bay (or northeast arm of Uyak Bay): All waters of Spiridon Bay south of 57 degrees 37 minutes 6 seconds north latitude.

Section 208.25 is hereby amended to read as follows:

§ 208.25 *Herring catch limitations; exceptions.* In the period from July 1 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 300,000 barrels, upon the basis of 250 pounds per barrel, in the waters of Shelikof Strait southeast of a line extending down the middle of the Strait from the latitude of Point Banks to the latitude of Cape Alitak and in all contiguous waters, including the waters of Kupreanof and Raspberry Straits eastward to the western extremity of Whale Island and the waters of Shuyak Strait. In the period from October 16 of one year to June 30 of the succeeding year the taking of herring for commercial purposes, except for bait and except by gill nets, is prohibited.

Section 208.29 is hereby amended to read as follows:

§ 208.29 *Size of purse seines, herring fishing.* Commercial fishing for herring, including bait fishing, by means of any purse seine more than 1,450 meshes in depth or more than 180 fathoms in length is prohibited: *Provided*, That any purse seine may have in addition a strip along the bottom not to exceed 30 meshes in depth and of mesh not less than 4 inches stretched measure between knots.

PART 209—COOK INLET AREA FISHERIES

Section 209.2 is hereby amended to read as follows:

§ 209.2 *Open seasons, salmon fishing.* (a) Between the latitude of the established stream marker marking the south limit of the closed area around the mouth of the Kasilof River at approximately 60 degrees 22 minutes 23 seconds north latitude to the latitude of Anchor Point Light, exclusive of all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 8 in each year: *Provided*, That this prohibition shall not apply to the use of gill nets from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10.

(b) South of the latitude of Anchor Point Light commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian May 25 and after 6 o'clock postmeridian August 12 in each year: *Provided*, That this prohibition shall not apply to the use of beach seines or gill nets from 6 o'clock antemeridian August 24 to 6 o'clock postmeridian September 10.

(c) North of the latitude of the marker marking the south limit around the mouth of the Kasilof River, as described herein under paragraph (a), including all waters adjacent to Kalgin Island, commercial fishing for salmon is prohibited prior to 6 o'clock antemeridian June 25 and after 6 o'clock postmeridian August 8 in each year: *Provided*, That this prohibition shall not apply (1) after 6 o'clock antemeridian May 25 to the use of gear having mesh not less than 8½ inches stretched measure between knots, or to gill nets of which not to exceed 35 fathoms in use by any individual or on any boat may have mesh less than 8½ inches stretched measure between knots, and (2) from 6 o'clock antemeridian August 20 to 6 o'clock postmeridian September 10 to the use of gill nets.

Section 209.18 is hereby amended to read as follows:

§ 209.18 *Closed seasons, herring fishing.* Commercial fishing for herring, except for bait purposes, is prohibited during the period from January 1 to June 29, both dates inclusive, and from November 16 to December 31, both dates inclusive: *Provided*, That this prohibition shall not apply to the use of gill nets in the period from November 16 to December 31, both dates inclusive.

Section 209.27 is hereby amended to read as follows:

§ 209.27 *Size of purse seines, herring fishery.* Commercial fishing for herring, including bait fishing, by means of any purse seine more than 1,450 meshes in depth or more than 180 fathoms in length is prohibited: *Provided*, That any purse seine may have in addition a strip along the bottom not to exceed 30 meshes in depth and of mesh not less than 4 inches stretched measure between knots.

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Section 211.9 is hereby amended to read as follows:

§ 211.9 *Opening date for salmon fishing.* Commercial fishing for salmon, except by trolling, is prohibited prior to 6 o'clock antemeridian July 10 in each calendar year.

Section 211.14 is hereby amended to read as follows:

§ 211.14 *Herring catch limitations, June 24 to August 20.* In the period from June 24 to August 20, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 75,000 barrels, on the basis of 250 pounds per barrel, in the waters of the Prince William Sound area as heretofore defined.

Section 211.15 is hereby amended to read as follows:

§ 211.15 *Herring catch limitations, August 21 to October 15.* In the period from August 21 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 125,000 barrels, upon the basis of 250 pounds per barrel, in the waters of the Prince William Sound area as heretofore defined. In the period from October 16 of one year to June 23 of the succeeding year the taking of herring for commercial purposes, except for bait and except by gill nets, is prohibited.

Section 211.19 is hereby amended to read as follows:

§ 211.19 *Size of purse seines, herring fishery.* Commercial fishing for herring, including bait fishing, by means of any purse seine more than 1,450 meshes in depth or more than 180 fathoms in length is prohibited: *Provided*, That any purse seine may have in addition a strip along the bottom not to exceed 30 meshes in depth and of mesh not less than 4 inches stretched measure between knots.

Section 211.26 is hereby amended to read as follows:

§ 211.26 *Maximum take of razor clams, January 1 to June 30.* In the open season from January 1 to June 30, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 1,600,000 pounds of razor clams, including shells, or 46,000 cases upon the basis of 48 one-half pound cans per case. Not to exceed 175,000 pounds, including shells, or 5,000 cases upon the basis of 48 one-half pound cans per case, shall be taken prior to April 15.

Section 211.27 is hereby amended to read as follows:

§ 211.27 *Maximum take of razor clams, August 16 to December 31.* In the open season from August 16 to December 31, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 105,000 pounds of razor clams, including shells, or 3,000 cases upon the basis of 48 one-half pound cans per case.

Section 211.28 is hereby amended to read as follows:

§ 211.28 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes for the remainder of the open season from January 1 to June 30 after a combined total of 700,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 212—COPPER RIVER AREA FISHERIES

Section 212.16 is hereby amended to read as follows:

§ 212.16 *Maximum take of razor clams, January 1 to June 30.* In the open season from January 1 to June 30, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 1,600,000 pounds of razor clams, including shells, or 46,000 cases upon the basis of 48 one-half pound cans per case. Not to exceed 175,000 pounds, including shells, or 5,000 cases upon the basis of 48 one-half pound cans per case, shall be taken prior to April 15.

Section 212.17 is hereby amended to read as follows:

§ 212.17 *Maximum take of razor clams, August 16 to December 31.* In the open season from August 16 to December 31, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 105,000 pounds of razor clams, including shells, or 3,000 cases upon the basis of 48 one-half pound cans per case.

Section 212.18 is hereby amended to read as follows:

§ 212.18 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from

the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes for the remainder of the open season from January 1 to June 30 after a combined total of 700,000 pounds, including shells, or 20,000 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

Section 220.3 is hereby amended to read as follows:

§ 220.3 *Herring catch limitation; exceptions.* In the period from June 15 to October 15, both dates inclusive, the total take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 200,000 barrels upon the basis of 250 pounds per barrel. In the period from October 16 of one year to June 14 of the succeeding year, the take of herring for commercial purposes, except for bait and except by gill nets, shall not exceed 2,000 barrels, upon the basis of 250 pounds per barrel, in any calendar month.

Section 220.5 is hereby amended to read as follows:

§ 220.5 *Size of purse seines, herring fishing.* Commercial fishing for herring, including bait fishing, by means of any purse seine more than 1,250 meshes in depth or more than 180 fathoms in length, is prohibited: *Provided*, That any purse seine may have in addition a strip along the bottom not to exceed 30 meshes in depth and of mesh not less than 4 inches stretched measure between knots.

PART 222—SOUTHEASTERN ALASKA AREA, ICY STRAIT DISTRICT, SALMON FISHERIES

Section 222.7 is hereby amended to read as follows:

§ 222.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

Section 222.16 (m) is hereby amended to read as follows:

§ 222.16 *Areas open to salmon traps.* The use of any trap for the capture of salmon is prohibited, except as follows:

* * * * *

(m) Chichagof Island: Northeastern coast within 2,500 feet of a point at 135 degrees 1 minute 31 seconds west longitude.

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Section 223.7 is hereby amended to read as follows:

§ 223.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

Section 223.19 (f) is hereby amended to read as follows:

§ 223.19 *Areas open to salmon traps.* The use of any trap for the capture of salmon is prohibited, except as follows:

* * * * *

(f) Baranof Island: East coast from a point ½ statute mile southeasterly of South Point to the north side of the entrance to Cosmos Cove, including islets on the northeastern side of the entrance to Cosmos Cove.

PART 224—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

Section 224.7 is hereby amended to read as follows:

§ 224.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

PART 225—SOUTHEASTERN ALASKA AREA, STIKINE DISTRICT, SALMON FISHERIES

Section 225.4 is hereby amended to read as follows:

§ 225.4 *Closed seasons, salmon fishing; exception.* Commercial fishing for salmon, except by trolling, is prohibited during the period from 6 o'clock antemeridian January 1 to 6 o'clock antemeridian June 23 in each calendar year, and for the remainder of each year after 6 o'clock antemeridian September 23. Commercial fishing by trolling is prohibited from 6 o'clock antemeridian June 1 to 6 o'clock antemeridian June 23.

PART 226—SOUTHEASTERN ALASKA AREA, SUMNER STRAIT DISTRICT, SALMON FISHERIES

Section 226.7 is hereby amended to read as follows:

§ 226.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

PART 227—SOUTHEASTERN ALASKA AREA, CLARENCE STRAIT DISTRICT, SALMON FISHERIES

Section 227.7 is hereby amended to read as follows:

§ 227.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

PART 228—SOUTHEASTERN ALASKA AREA, SOUTH PRINCE OF WALES ISLAND DISTRICT, SALMON FISHERIES

Section 228.7 is hereby amended to read as follows:

§ 228.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine, of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 75 fathoms in length and having mesh less than 7 inches stretched measure between knots is prohibited.

Section 228.8 is hereby amended to read as follows:

§ 228.8 *Closed seasons, salmon fishing.* Commercial fishing for salmon other than trolling, is prohibited prior to 6 o'clock antemeridian July 25, from 6 o'clock postmeridian August 29 to 6 o'clock antemeridian October 5, and for the remainder of each calendar year after 6 o'clock postmeridian October 25: *Provided*, That this prohibition shall not apply after July 20 to the use of purse seines west of a line from Cape Muzon northwesterly to Cape Ulitka, thence due north to the southern boundary of the Sumner Strait district.

PART 229—SOUTHEASTERN ALASKA AREA, SOUTHERN DISTRICT, SALMON FISHERIES

Section 229.7 is hereby amended to read as follows:

§ 229.7 *Operation of purse seines and leads.* No salmon-fishing boat shall carry or operate more than one seine of any description, and no additional net of any kind, except one lead having mesh not less than 7 inches stretched measure between knots and unhung web for mending purposes, shall be carried on such boat. The carrying of any additional seine or net of any kind on a boat towed by any salmon-fishing boat is prohibited. No purse seine shall be less than 175 meshes nor more than 400 meshes in depth nor less than 150 fathoms nor more than 300 fathoms in length, measured on the cork line. For the purpose of determining depths of seines, measurements will be upon the basis of 3½ inches stretched measure between knots. The extension to any seine in the way of leads exceeding 25 fathoms in length is prohibited. A lead having mesh not less than 7 inches stretched measure between knots may be detached from the seine.

(Sec. 1, 44 Stat. 752; 48 U.S.C. 221)

The amendments contained in this document shall be in full force and effect immediately from and after the date of their publication in the FEDERAL REGISTER.

HAROLD L. ICKES,
Secretary.

MARCH 18, 1944.

[F. R. Doc. 44-4074; Filed, March 22, 1944; 11:02 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service, Bureau of the Public Debt.

[1944 Dept. Circ. 737]

CERTIFICATES OF INDEBTEDNESS, SERIES B-1945

OFFERING OF CERTIFICATES

⅞ percent Treasury Certificates of Indebtedness of Series B-1945, dated and bearing interest from April 1, 1944, due April 1, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series B-1945, in exchange for Treasury Certificates of Indebtedness of Series B-1944, maturing April 1, 1944.

II. *Description of certificates.* 1. The certificates will be dated April 1, 1944, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on October 1, 1944, and April 1, 1945. They will mature April 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before April 1, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series B-1944, maturing April 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 44-4100; Filed, March 22, 1944; 11:51 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

GOODING PROJECT, IDAHO

REVOCATION OF FIRST FORM LAND WITHDRAWAL

JANUARY 18, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Gooding project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental orders of October 22, 1925, July 23 and August 5, 1927, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked, pro-

vided that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

GOODING PROJECT

BOISE MERIDIAN, IDAHO

T. 6 S., R. 13 E.,
Secs. 1, 2, 3, 11, 12, 13, 25, 26, 27, and 35.
T. 7 S., R. 13 E.,
Secs. 1 and 12.
T. 4 S., R. 14 E.,
Secs. 1, 12, 25 to 30, inclusive, 35 and 36.
T. 5 S., R. 14 E.,
Sec. 1, Lot 4, SW¼NE¼, S½NW¼, SW¼, W½SE¼, NE¼SE¼;
Secs. 2 to 9, inclusive;
Sec. 10, N½NE¼, SE¼NE¼, NW¼, N½SW¼, SW¼SW¼, SE¼;
Sec. 11, N½NE¼, SE¼NE¼, W½, N½SE¼, SW¼SE¼;
Sec. 12, E½, NE¼NW¼, S½NW¼, SW¼;
Secs. 13 to 26, inclusive;
Sec. 27, N½NE¼, SE¼NE¼, W½, SE¼;
Secs. 28 to 33, inclusive;
Sec. 34, E½, N½NW¼, SW¼NW¼, SW¼;
Secs. 35 and 36.
T. 6 S., R. 14 E.,
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Sec. 11, N½NE¼, SW¼NE¼, W½, SE¼;
Sec. 12, E½, N½NW¼, SW¼;
Secs. 13 and 14;
Sec. 15, E½, E½W½, NW¼NW¼, SW¼SW¼;
Secs. 16 and 20;
Sec. 21, N½, N½S½, S½SW¼, SE¼SE¼;
Secs. 22 to 30, inclusive.
T. 4 S., R. 15 E.,
Secs. 22 and 23;
Sec. 24, N½, W½SW¼;
Sec. 25, NE¼, W½NW¼, SE¼NW¼, SW¼, W½SE¼, SE¼SE¼;
Secs. 27 to 30, inclusive;
Sec. 31, N½, SW¼, NE¼SE¼;
Secs. 32 and 36.
T. 5 S., R. 15 E.,
Sec. 1, N½NE¼, SW¼NE¼, NW¼, N½SW¼, SE¼SW¼, W½SE¼;
Sec. 2, NE¼, N½NW¼, E½SW¼, NE¼SE¼;
Sec. 3, N½NE¼, SW¼NE¼, NE¼NW¼, SW¼NW¼, W½SW¼, NE¼SW¼, SW¼SE¼;
Sec. 4, NW¼NE¼, NW¼, W½SW¼, NW¼SE¼, SE¼SE¼;
Sec. 5, NE¼, SW¼, S½SE¼;
Sec. 6, W½NW¼, NW¼SW¼, S½SE¼;
Secs. 7 and 8;
Sec. 9, N½, SW¼, E½SE¼, SW¼SE¼;
Sec. 10, NE¼, W½NW¼, NE¼NW¼, SW¼, S½SE¼;
Sec. 11, E½NE¼, NE¼SW¼, S½SW¼, SE¼;
Secs. 12 and 13;
Sec. 14, E½, E½W½, NW¼NW¼, W½SW¼;
Sec. 15, E½, NE¼NW¼, W½W½, E½SW¼;
Secs. 16 and 25, inclusive;
Sec. 26, E½, E½W½, NW¼NW¼, W½SW¼;
Secs. 27 to 36, inclusive.
T. 6 S., R. 15 E.,
Secs. 1 to 3, inclusive;
Sec. 9, N½, SW¼, W½SE¼, SE¼SE¼;
Sec. 10, N½, SW¼SW¼, SE¼;
Sec. 11, N½NE¼, SW¼NE¼, W½, SE¼;
Secs. 12 to 18, inclusive;
Sec. 19, N½, N½S½;
Sec. 20, N½;
Sec. 21, N½;
Secs. 22 to 29, inclusive;
Sec. 30, SE¼NE¼, S½NW¼, S½;
Secs. 31 to 36, inclusive.
T. 4 S., R. 16 E.,
Sec. 19, N½, N½SW¼, SE¼;
Sec. 20, NW¼, N½SW¼;
Sec. 25, N½, N½S½, SW¼SW¼;
Sec. 26, NE¼, N½NW¼, SW¼NW¼, NE¼SE¼;
Sec. 27, NE¼, N½NW¼, SE¼SW¼;
Sec. 28, N½N½, SE¼NW¼;
Sec. 29, N½NE¼;
Sec. 30, N½NE¼, SW¼NE¼, W½, NW¼SE¼;
Sec. 31, W½NE¼, SE¼NE¼, W½, SE¼;
Sec. 32, SW¼NE¼, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼;
Sec. 33, W½NE¼, SE¼NE¼, S½SE¼;
Sec. 34, E½, NE¼NW¼, S½SW¼;
Sec. 35, N½NE¼, SE¼NE¼, N½S½, SE¼SE¼;
Sec. 36.
T. 5 S., R. 16 E.,
Sec. 1, N½N½, NE¼SW¼, S½SE¼;
Sec. 2, E½NE¼, SW¼NE¼, SE¼NW¼, S½;
Sec. 3, S½NE¼, SE¼NW¼, S½;
Sec. 5, E½;
Sec. 6, W½NW¼, SW¼;
Sec. 7, W½NE¼, W½, SE¼;
Sec. 8, S½NE¼, S½;
Sec. 9, SW¼NE¼, SE¼NW¼, S½;
Sec. 10, E½, W½SW¼, SE¼SW¼;
Sec. 11, NW¼, S½;
Sec. 12, E½, W½NW¼, SW¼;
Secs. 13 and 14;
Sec. 15, E½NE¼, SW¼NE¼, NW¼, S½;
Secs. 16 to 36, inclusive.
T. 6 S., R. 16 E.,
Secs. 1 to 5, inclusive;
Sec. 6, N½, N½S½, SE¼SW¼, S½SE¼;
Secs. 7 to 36, inclusive.
T. 7 S., R. 16 E.,
Secs. 1 to 10, inclusive;
Sec. 11, N½, SW¼, W½SE¼, SE¼SE¼;
Sec. 12, N½, S½S½;
Secs. 13 to 18, inclusive.
T. 4 S., R. 17 E.,
Secs. 30 and 31.
T. 5 S., R. 17 E.,
Sec. 5, SW¼, W½SE¼, SE¼SE¼;
Sec. 6, NE¼, SW¼, W½SE¼;
Sec. 7, SW¼NE¼, W½, SE¼;
Sec. 8, NE¼, E½NW¼, S½SW¼, NE¼SE¼, SW¼SE¼;
Sec. 9, SW¼, N½SE¼, SE¼SE¼;
Sec. 10, SW¼;
Sec. 15, N½NW¼, SE¼NW¼, S½;
Secs. 16 to 22, inclusive;
Sec. 23, SW¼;
Sec. 25, SW¼;
Secs. 26 to 36, inclusive.
T. 6 S., R. 17 E.
Secs. 1 to 36, inclusive.
T. 7 S., R. 17 E.
Secs. 1 to 6, inclusive;
Sec. 7, E½, E½W½, NW¼NW¼, W½SW¼;
Sec. 8, N½, N½S½, S½SW¼, SW¼SE¼;
Sec. 9, N½, N½S½, SE¼SE¼;
Secs. 10, 11, and 12.
T. 6 S., R. 18 E.,
Secs. 6, 7, 8, and 16;
Sec. 17, E½NE¼, W½NW¼, SE¼NW¼, S½;
Secs. 18 and 19;
Sec. 20, NE¼NE¼, W½E½, W½;
Sec. 21, E½NE¼, NW¼, S½;
Secs. 22, 23, and 24;
Sec. 25, E½, NW¼, NE¼SW¼, SW¼SW¼;
Sec. 26;
Sec. 27, N½NE¼, SE¼NE¼, N½NW¼, SE¼SW¼, SE¼;
Sec. 28, N½N½;
Secs. 30 to 33, inclusive;
Sec. 34, NW¼, W½SW¼, NE¼SE¼, S½SE¼;
Sec. 35, NW¼NE¼, E½W½, SW¼NW¼, NW¼SW¼, SE¼;
Sec. 36.
T. 7 S., R. 18 E.,
Sec. 2, NW¼;
Sec. 3;
Sec. 4, E½;
Sec. 7, S½SW¼;
Secs. 18 and 19;
Sec. 20, NW¼NW¼;
Sec. 30, N½N½, SW¼NW¼, W½SW¼;
Sec. 31, W½NW¼, NW¼SW¼.
T. 7 S., R. 19 E.,
Sec. 5, E½;
Sec. 8.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 14, 1944.

[F. R. Doc. 44-4032; Filed, March 22, 1944; 10:04 a. m.]

BRUNEAU PROJECT, IDAHO

REVOCATION OF FIRST FORM LAND WITHDRAWAL

JANUARY 18, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Bruneau project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 2 of the act of June 17, 1902 (32 Stat. 388) by departmental orders of January 9, 1919 and November 23, 1921, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

BRUNEAU PROJECT

BOISE MERIDIAN, IDAHO

T. 9 S., R. 6 E.,
Sec. 12, SE¼SE¼;
Sec. 13, NE¼NE¼.
T. 6 S., R. 9 E.,
Sec. 1, S½SW¼, SE¼;
Sec. 2, SW¼NW¼, W½SW¼, SE¼SW¼, S½SE¼.

T. 5 S., R. 10 E.,
Sec. 25, SE¼NE¼;
Sec. 26, NW¼NW¼, S½NW¼, S½;
Sec. 27, E½E½, S½SW¼, SW¼SE¼.
T. 6 S., R. 10 E.,
Sec. 1.
T. 5 S., R. 11 E.,
Sec. 17, Lots 2, 3, 6, 7, W½W½;
Sec. 18;
Sec. 19, Lots 1 to 6, inclusive, NE¼, E½W½, W½SE¼;
Sec. 20, Lots 2, 3;
Sec. 29, Lots 2, 6, 7, 8, W½SW¼, SE¼SW¼, SW¼SE¼;
Sec. 30, N½, SE¼;
Sec. 31;
Sec. 32, Lots 2, 3, W½NE¼, W½, SE¼.
T. 6 S., R. 11 E.,
Sec. 4, Lots 3, 4, 7, 8, SW¼NW¼;
Sec. 5, Lots 1 to 4, inclusive, S½N½, W½SW¼, E½SE¼;
Sec. 6, Lots 1 to 5, inclusive, Lot 7, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 8, NE¼, W½SE¼;
Sec. 9, Lots 2, 3, 6, 7;
Sec. 11, Lots 4, 5;
Sec. 12, Lots 5 to 8, inclusive;
Sec. 13, N½, SW¼;
Sec. 14, NE¼, SW¼, S½SE¼;
Sec. 15, Lots 4, 8, 9, 10, SE¼SE¼;
Sec. 17, NE¼;
Sec. 20;
Sec. 21, N½;
Sec. 22, N½.
T. 6 S., R. 12 E.,
Sec. 17, N½.
T. 6 S., R. 13 E.,
Sec. 18, Lots 1, 2, SE¼NW¼, W½SE¼, SE¼SE¼;
Sec. 19, NE¼;
Sec. 20, W½W½, SE¼SW¼;
Sec. 28, W½NW¼, SW¼, SW¼SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur:

FRED W. JOHNSON,
Commission of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 14, 1944.

[F. R. Doc. 44-4033; Filed, March 22, 1944; 10:04 a. m.]

MINIDOKA PROJECT, IDAHO

REVOCATION OF FIRST AND SECOND FORM LAND WITHDRAWALS

JANUARY 18, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Minidoka project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental orders of November 17, 1902, January 27 and July 19, 1904, December 20, 1907, March 18 and October 7, 1908, September 17, 1909, February 14 and May 4, 1910, May 23, 1913, May 8, 1914 and April 23, 1924, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

MINIDOKA PROJECT

BOISE MERIDIAN, IDAHO

T. 9 S., R. 16 E.,
Sec. 13, SW¼SW¼;
Sec. 14, S½;
Sec. 15, Lots 1, 2, 4, NE¼SE¼;
Sec. 16, S½;
Sec. 23, Lot 1;
Sec. 24, Lots 2 to 8, inclusive;
Sec. 25, Lots 1, 2, 3.
T. 9 S., R. 17 E.,
Sec. 19, Lot 8;
Sec. 25, SW¼SW¼;
Sec. 26, S½S½;
Sec. 27, Lots 2 to 7, inclusive;
Sec. 28, NE¼NW¼;
Sec. 30, S½ Lot 10, S½ Lot 11, Lot 12;
Sec. 34, Lots 7, 8;
Sec. 35, N½N½.
T. 10 S., R. 17 E.,
Sec. 2, Lots 1 to 4, inclusive;
Sec. 3, Lots 1, 2.
T. 7 S., R. 18 E.,
Sec. 4, W½;
Secs. 5 and 6;
Sec. 7, E½, NW¼, N½SW¼;
Sec. 36.
T. 9 S., R. 18 E.,
Secs. 28 to 31, inclusive;
Sec. 32, Lots 3 to 8 inclusive, N½N½, SE¼NE¼, S½SW¼;
Sec. 33.
T. 10 S., R. 18 E.,
Sec. 3, Lots 4, 5, 7, 8, 9, SW¼SW¼;
Sec. 4, Lots 1 to 5, inclusive, S½NW¼;
Sec. 10, Lots 1, 2, 4, 5, SE¼NW¼, N½ SE¼;
Sec. 11, Lots 1 to 8, inclusive, N½S½;
Sec. 12, Lots 2, 3, 5, 6, 7, SW¼SW¼;
T. 7 S., R. 19 E.,
Secs. 13 to 17, inclusive;
Sec. 20, E½;
Secs. 21 to 28, inclusive;
Sec. 29, NE¼, S½;
Sec. 32, N½, SE¼;
Secs. 33 to 36, inclusive.
T. 8 S., R. 19 E.,
Sec. 1;
Sec. 2, N½, SE¼;
Sec. 3, N½;
Sec. 4, N½N½;
Sec. 12, N½N½.
T. 10 S., R. 19 E.,
Sec. 7, Lot 4;
Sec. 15, Lot 4;
Sec 16, Lots 1, 2, 3, 7, NE¼NE¼;
Sec. 17, Lots 1, 2;
Sec. 23, Lots 2, 6;
Sec. 24, Lots 1, 4, 5, NE¼SW¼;
Sec. 25, Lots 4, 5, 8;
Sec. 36, Lot 1.
T. 7 S., R. 20 E.,
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 8 S., R. 20 E.,
Secs. 4, 5, 6;
Sec. 7, Lots 1, 2, E½, NE¼NW¼;
Secs. 8, 9, 16, 17;
Sec. 18, E½;
Sec. 19, E½;
Secs. 20, 21;
Sec. 27, SW¼;
Secs. 28, 29;
Sec. 30, E½, E½W½;
Sec. 32, NE¼;
Secs. 33, 34;
Sec. 35, W½, SE¼;
Sec. 36, S½.
T. 10 S., R. 20 E.,
Sec. 25, NE¼NW¼;
Sec. 26, N½SW¼, SW¼SW¼;
Sec. 31, Lots 4, 5, 8, 9, 10;
Sec. 32, NE¼SW¼.
T. 11 S., R. 20 E.,
Sec. 4, Lots 1 to 6 inclusive, NW¼NW¼;
Sec. 5, Lots 1 to 8, inclusive;
Sec. 6, Lots 8, 9, NE¼NE¼.
T. 9 S., R. 25 E.,
Sec. 11, E½SE¼;
Sec. 13, W½NW¼;
Sec. 14;
Sec. 15, NE¼, E½NW¼, S½;
Sec. 21, S½NE¼, NE¼SW¼, S½SW¼, SE¼;
Secs. 22, 27, 28;
Sec. 29, E½;
Sec. 31, SE¼;
Sec. 32;
Sec. 33, N½, SW¼.
T. 10 S., R. 25 E.,
Sec. 4, NW¼;
Sec. 5, NE¼, W½.
T. 9 S., R. 26 E.,
Sec. 13, N½N½, SW¼NW¼, NW¼SW¼;
Sec. 14, N½, N½SE¼;
Sec. 15, N½, SW¼, W½SE¼;
Sec. 16;
Sec. 17, N½, N½S½;
Sec. 18, N½;
Sec. 22, N½NW¼.
T. 8 S., R. 27 E.,
Sec. 30, SW¼;
Sec. 32, S½;
Sec. 33, S½SW¼.
T. 9 S., R. 27 E.,
Sec. 4, NW¼, W½SW¼;
Sec. 9, W½E½, W½;
Sec. 13, SE¼;
Sec. 14, SW¼SW¼;
Sec. 19, E½NE¼;
Sec. 26, N½NW¼, SW¼NW¼, W½SW¼, SE¼;
Sec. 27, NE¼, NE¼NW¼, E½SE¼;
Sec. 35, NE¼NE¼.
T. 10 S., R. 27 E.,
Sec. 1, E½;
Sec. 12, NE¼NE¼.
T. 9 S., R. 28 E.,
Sec. 9, S½SW¼, SE¼;
Sec. 10, SW¼;
Sec. 12, S½SW¼, SE¼;
Sec. 13, N½NW¼, W½SW¼, SE¼SW¼, S½SE¼;
Sec. 14;
Sec. 15, E½NE¼, SW¼NE¼, W½NW¼, SE¼NW¼, S½;
Sec. 17, N½;
Sec. 18;
Sec. 19, E½SW¼;
Sec. 20, N½SW¼;
Sec. 25, E½NE¼, SW¼;
Sec. 26, SE¼SE¼;
Sec. 30, W½W½, SE¼SW¼;

Sec. 31, W½, SW¼SE¼;
Sec. 35, NE¼NE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 14, 1944.

[F. R. Doc. 44-4034; Filed, March 22, 1944; 10:05 a. m.]

CAVE CREEK RESERVOIR SITE, ARIZ.

REVOCATION OF FIRST FORM LAND WITHDRAWAL

JANUARY 1, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Cave Creek Reservoir site, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by departmental order of October 5, 1920, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

CAVE CREEK RESERVOIR SITE

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 4 N., R. 4 E.,
Secs. 2 to 6, inclusive;
Sec. 7, NE¼;
Sec. 8, E½, NW¼;
Secs. 9 and 10;
Sec. 15, E½, NW¼;
Sec. 16, NE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Cave Creek Reservoir site is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. on the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 14, 1944.

[F. R. Doc. 44-4035; Filed, March 22, 1944; 10:05 a. m.]

KLAMATH PROJECT, OREG.

REVOCATION OF FIRST FORM LAND WITHDRAWAL

JANUARY 1, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Klamath project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of February 25, 1939, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked, provided that such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

KLAMATH PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 39 S., R. 12 E.,
Sec. 21, NE¼SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Klamath project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 14, 1944.

[F. R. Doc. 44-4036; Filed, March 22, 1944; 10:05 a. m.]

General Land Office.

[Recreational Withdrawal 17, Revocation]

MARICOPA COUNTY, ARIZONA

REVOCATION OF RECREATIONAL WITHDRAWAL

The order of the First Assistant Secretary of the Interior of November 5, 1928, withdrawing the following-described lands in Arizona under the provisions of the act of June 14, 1926, 44 Stat. 741 (U.S.C., title 43, sec. 869), upon the petition of the County of Maricopa, is hereby revoked:

GILA AND SALT RIVER MERIDIAN

T. 2 N., R. 5 E.,
Secs. 1, 2, 3, and 9 to 14, inclusive.
The areas described aggregate 5,760 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MARCH 1, 1944.

[F. R. Doc. 44-4037; Filed, March 22, 1944; 10:04 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 842]

COLONIAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of compensation for the transportation of mail by aircraft and facilities used therefor and the services connected therewith of Colonial Airlines, Inc., over F. A. M. route No. 1.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, that a hearing in the above-entitled proceeding is assigned to be held on March 30, 1944, at 10:00 a. m. (eastern war time) in the Foyer of the Department of Commerce Auditorium, 14th and Constitution Avenue NW., Washington, D. C., before Examiner Vincent L. Gingerich.

Dated: Washington, D. C., March 18, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-4091; Filed, March 22, 1944; 11:43 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 145]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 17 or 18, 1944, by Bacon Brothers of car PFE 60067, seed potatoes, now on the Wood Street Terminal, Chicago, Illinois, to Mandell Brothers, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3982; Filed, March 21, 1944; 11:32 a. m.]

[S. O. 178, Special Permit 79]

LOADING OF LARD AT WICHITA, KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of four (4) PFE refrigerator cars with lard by Oudahy Packing Company, three at Wichita, Kansas, and one at Sioux City, Iowa, and the movement under refrigeration of the refrigerator cars so loaded, two from Wichita on March 18, one from Wichita on March 20, and one from Sioux City on March 20, 1944, to Guaymas, Mexico, (RI–SP) to Cananea, Mexico, (RI–SP) and to Hermosillo, Mexico (CB&Q–RI–SP) respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3983; Filed, March 21, 1944; 11:32 a. m.]

[S. O. 178, Special Permit 80]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in jars by Kraft Cheese Company at Freeport, Illinois, and the movement of the one refrigerator car so loaded from that point March 18, 1944, to Cleveland, Ohio. (CMStP&P)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3984; Filed, March 21, 1944; 11:32 a. m.]

[S. O. 178, Special Permit 81]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in jars by Kraft Cheese Company at Freeport, Illinois, and the movement of the one refrigerator car so loaded from that point March 20, 1944, to Jersey City, New Jersey. (CMStP&P)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3986; Filed, March 21, 1944; 11:32 a. m.]

[S. O. 178, Special Permit 82]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one refrigerator car so loaded from that point March 21, 1944, to Loose-Wiles Biscuit Company, Long Island City, New York. (I.C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-3985; Filed, March 21, 1944; 11:32 a. m.]

NATIONAL WAR LABOR BOARD.

NOTE: The following is a restatement of certain directives and related orders with regard to industry commissions and panels, issued by the National War Labor Board during the period September 11, 1942 through February 15, 1944, and filed with the Division of the Federal Register on March 21, 1944.

[Directive Order, Sept. 11, 1942]

ORDER ESTABLISHING METROPOLITAN MILK DISTRIBUTORS COMMISSION

Under the provisions of Paragraph 3 of the Executive Order of January 12, 1942, the National War Labor Board finally determines the above entitled case[1] and hereby directs:

1. That there be created immediately a Metropolitan Milk Distributors Commission (hereinafter referred to as the Commission), which shall function under the direction of the War Labor Board.

2. That the Commission shall consist of three members appointed by the National War Labor Board: a Chairman, one representative of the New York and New Jersey Metropolitan Milk Distributors War Conservation Committee (hereinafter referred to as the Committee), and one representative of the Milk Wagon Drivers Union of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers Union, AFL.

The Chairman may also designate at any time from lists submitted by the respective parties alternates for the representative of the Committee or for the representative of the Union.

If the Commission is not able to reach a unanimous decision on any question the Chairman shall decide.

3. The Commission shall have the power to promulgate such rules and regulations and issue such orders relating to labor relations, including orders directed to particular companies, as may be necessary to the carrying out by each and every company of the provisions of General Order #6 as supplemented by General Order #17 of the Office of Defense Transportation, including any subsequent applicable order or amendment. In so doing the Commission shall be guided by the following principles:

a. All conservation plans must comply fully with the terms of the applicable Order.

b. As between feasible alternative plans, either of which will result in compliance, that plan should be adopted which will result in the least burden on employees.

c. Savings directly resulting from the application of an Order should be used to afford employees reasonable protection against losses of earnings and jobs.

d. Savings remaining after such provision has been made for employees should be passed on to consumers in the form of lower prices.

e. Conservation plans instituted to comply with ODT orders should be limited to the duration of the emergency.

4. The Chairman of the Commission, in addition to his duties as described above, shall act as the Impartial Chairman of the contract between the industry in the metropolitan area and the Union, and the Commission shall have the power in carrying out its duties to set aside any part of the collective bargaining agreement between the parties if the Board determines such action to be necessary for the proper fulfillment of its duties as outlined in Paragraph 3 above.

[Supp. Order, Aug. 19, 1943]

FUNCTIONS OF SPECIAL REPRESENTATIVE FOR METROPOLITAN MILK AREA, N. Y.-N. J.

By virtue of and pursuant to the power vested in it by Executive Order 9017 of January 12, 1942, the Executive Orders and Regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby orders:

1. The powers, duties and functions of the Metropolitan Milk Distributors Commission, hereafter called the Commission, are hereby vested in a special Representative to be designated by the National War Labor Board.

2. The milk distributors in the area subject to the jurisdiction of the former Commission who may desire to reorganize their present manner and method of distribution to accomplish the objectives of Amendment No. 3 to ODT General Order No. 17, and who are prepared to show that such reorganization is now prevented by the War Labor Board's telegram of June 4, 1943, pertaining to lay-offs, may present their plans for such reorganization, commencing immediately to said Special Representative.

3. The Special Representative shall examine each proposed plan with a view to determining (1) whether or not such plan is designed to accomplish the objectives of said Amendment No. 3 to ODT General Order No. 17, and (2) if found to be so designed, the means by which the plan may be put into effect, with due regard to the equities of the employers and employees involved, and to equality of treatment among employers affected by this Supplemental Order.

4. In making his determination, the Special Representative shall have, in addition to the powers previously conferred upon the Commission by the Board, the power to decide at what date and under what conditions any proposed plan of reorganization may be put into effect: *Provided, however,* That the Special Representative shall have no power to determine the nature of any such plan.

5. The conditions that the Special Representative may impose may include the payment of severance pay, the obtaining of other employment within or outside the industry by employees whose jobs may be affected by the proposed plan, special seniority rights with reference to jobs within the industry to which such employees may be transferred, and such other conditions as in the judgment of the Special Representative are fair and reasonable under the circumstances. The orders of the Special Representative issued under this Supplemental Directive Order shall be final and binding upon both parties.

6. The Board's telegram of June 4 is hereby modified to permit lay-offs resulting from reorganization of routes after approval of plans for such reorganization by the Special Representative and in accordance with the terms and conditions of such approval.

7. In the event of a change in the status of Amendment No. 3 to ODT General Order No. 17, or the issuance by the Government of any order which affects the purpose of this Supplemental Order, either party, or the Special Representative may request the Board for such modification of this Supplemental Order as they may deem necessary or desirable.

8. The Special Representative shall file a written report as to his actions under the Supplemental Order 30 days after the date of this Supplemental Order, and shall submit copies to the parties for their comments.

9. Nothing in this Supplemental Order, nor in the Board's telegram of June 4, 1943, shall be construed as limiting the right of the distributors under Paragraph "8" of the industry contract to make the necessary changes in routes, in the same manner as heretofore, for summer delivery.

10. Except as otherwise specifically provided, nothing herein shall affect the powers, duties and functions of the Impartial Chairman of the industry contract, the terms of such contract, or the status of orders heretofore issued by the Commission.

[Directive Order, Nov. 18, 1943]

ORDER ESTABLISHING WEST COAST LUMBER COMMISSION

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders and Regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby supplements and amends its Directive Order of September 17, 1942, as amended by Directive Orders of October 14, 1942, and January 5, 1943, to read as follows:

1. The West Coast Lumber Commission, hereinafter called the Commission, shall consist of six members appointed by the National War Labor Board. Of the persons so appointed, two shall represent Labor, two shall represent Industry and two shall represent the Public. The two Industry members of the Commission shall be appointed upon recommendation of the Industry Members of the National War Labor Board. One of the two Labor Members of the Commission shall be appointed upon recommendation of the A. F. of L. Members of the National War Labor Board; the other, upon recommendation of the C. I. O. Members of the National War Labor Board. The National War Labor Board shall designate one Public Member of the Commission to act as Chairman. Four alternate Industry Members of the Commission shall be appointed by the National War Labor Board upon recommendation by the Industry Members of the National War Labor Board. Four alternate Labor Members of the Commission shall be appointed by the National War Labor Board, two of whom shall be recommended by the A. F. of L. Members of the National War Labor Board and two by the C. I. O. Members of the National War Labor Board. The Labor and Industry Members of the Commission, both regular and alternate, may be chosen from either within or outside of the lumber industry. Not more than two Industry Members and not more than two Labor Members of the Commission shall be permitted to sit and transact business of the Commission at any one time. Three Members of the Commission shall constitute a quorum, providing Labor, Industry and the Public are represented in such quorum. The vote of a majority of the quorum shall be deemed sufficient to render a binding decision by the Commission.

2. The Commission shall have jurisdiction over labor disputes, voluntary wage adjustments, and salary adjustments (where the rate at which the salary, exclusive of bonuses and additional compensation and without regard to the contemplated adjustment, computed on an annual basis, is not in excess of $5,000 per annum) in all cases which involve the production of lumber and lumber products in Oregon, Washington, Idaho, Montana and California. The Commission shall have power (1) to conduct hearings on labor disputes and to issue Directive Orders affecting the same and (2) to receive and make final rulings on applications for voluntary wage or salary adjustments in the lumber industry submitted for approval of the National War Labor Board in accordance with the national wage stabilization policy. All rulings and orders of the Commission shall be filed with the National War Labor Board.

3. That in view of the vital importance of the lumber industry to the production of those things essential to the successful prosecution of the war, the Commission shall have the power to promulgate such rules and regulations, issue such orders and take such actions relating to the issues before it as may be necessary to effectuate a stabilization of labor conditions in the lumber industry of the area designated in paragraph two above, secure industrial harmony in said area and assure maximum production of lumber and lumber products.

4. The Commission shall not take original jurisdiction over any dispute case, but it shall have the power to determine whether, within the terms of this order, it may property assume jurisdiction over any dispute after the dispute has been referred to the Commission by the Board. However, in case of a strike or threatened strike in the lumber industry, the Commission may issue an order requiring the workers to remain on their jobs or to return to their jobs and maintain the status quo as it existed prior to the dispute pending conciliation by the United States Conciliation Service or if necessary, determination on the merits by the Commission after reference of the case to the Commission by the National War Labor Board. Such order shall be issued only after consultation with the United States Conciliation Service. Immediately upon being apprised of dispute the Commission shall notify the liaison officer of the United States Conciliation Service or in his absence the conciliator nearest to the dispute. In the event that a strike should occur or be threatened subsequent to certification the Commission shall order the workers to return to work or to remain on their jobs and shall refuse to exercise its jurisdiction until they have complied with the order. The United States Conciliation Service shall be free to call upon the Commission to cooperate with it in the settlement of any dispute during the period of conciliation and prior to actual certification. The Commission shall inform the National Board promptly of strikes or threatened strikes and shall keep the Board informed as to the status of such matters.

5. The rulings of the Commission on voluntary wage or salary adjustments as well as its directive orders on wage issues in dispute cases shall conform to the policies of the National War Labor Board, based on Executive Orders 9250 and 9328, the Policy Directive of May 12, 1943, issued by the Director of Economic Stabilization, and the War Labor Disputes Act of June 25, 1943. Accordingly, any wage or salary adjustment approved or ordered by the Commission "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings, or if any price ceilings are involved which may increase the production costs above the level prevailing in comparable plants or establishments," shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings and orders issued by the Commission in wage cases. The Commission may give approval to all applications which request authority to adjust wages, including adjustment in piece rates, to conform with the wages determined by the Commission in cases involving wage disputes in the same community.

6. In cases of voluntary applications for approval of wage or salary adjustments, and in dispute cases involving wage or salary issues, the Commission shall follow the procedure outlined in the National War Labor Board's memorandum entitled "Jurisdiction and Procedure of Regional War Labor Board," as amended. The West Coast Lumber Commission shall exercise those powers, duties and functions which are listed in said memorandum as being applicable to Regional War Labor Boards and Regional Attorneys. For the purpose of this Order, and within the sphere of its jurisdiction, the Commission shall set in lieu of said Regional Boards and Regional Attorneys.

7. The Commission shall, so far as practicable, utilize the information, data and staff services of the National War Labor Board or the Regional Boards, and of other Federal Departments and agencies. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

8. The rulings of the Commission on voluntary wage or salary adjustments, and upon preliminary inquiries concerning proposed wage or salary adjustments, and the directive orders of the Commission in dispute cases, shall have the same effect, and shall be subject to the same provisions for stay and review by the National War Labor Board, as rulings and orders of the Regional War Labor Boards, as set forth in the National War Labor Board's memorandum entitled "Jurisdiction and Procedure of Regional War Labor Boards," as amended.

9. The decisions, general orders and other actions of the Commission rendered pursuant to the authority conferred upon the Commission by the National War Labor Board's Directive Order of September 17, 1942, as amended by Directive Orders of October 14, 1942 and January 5, 1943, shall remain in full force and effect unless modified herein or unless previously modified by National War Labor Board action. All provisions of the aforesaid Directive Order of September 17, 1942, as amended shall remain in full force and effect unless and until further amended by the National War Labor Board.

10. The Commission shall submit to the National War Labor Board monthly reports concerning pending dispute and voluntary wage and salary cases, and its actions during the preceding month relative to both pending and closed cases.

[Directive Order, Dec. 3, 1942]

ORDER ESTABLISHING NON-FERROUS METALS COMMISSION

By virtue of the authority vested in it under Executive Orders #9017 and 9250, and in order to effectuate its resolution adopted October 23, 1942, establishing a Non-Ferrous Metals Commission, the National War Labor Board hereby orders that:

1. The Non-Ferrous Metals Commission shall have jurisdiction over and shall hear and determine labor disputes and requests for wage and salary adjustments affecting the stabilization of the mining, milling, smelting and refining of non-ferrous metals, referred to it by the Board or referred to it, under conditions to be established by the Commission, by the Regional Directors of the 9th, 10th and Alaskan regions of the Board.

The jurisdiction of the Commission shall not extend to those enterprises which supply materials and equipment to the above-named industries.

2. The Commission shall consist of a chairman and vice-chairman representing the public, two representatives of industry, and two representatives of labor.

[1] New York, New Jersey Metropolitan Milk Distributors War Conservation Committee and Milk Wagon Drivers Union of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers Union.

The National War Labor Board may, at any time, appoint alternates for the representatives of labor and industry.

3. In the determination of matters within its jurisdiction the Commission shall be governed by the provisions of Executive Orders #9017 and #9250; and it shall, subject to the approval of the National War Labor Board, have power to promulgate rules and regulations appropriate for the performance of its duties.

4. The determinations and orders of the Commission shall be final and binding upon the parties, subject only to review by the National War Labor Board on its own motion. Any ruling by the Commission shall be deemed to be the act of the National War Labor Board unless and until reversed or modified by the Board; and any such reversal or modification shall take effect only from the date of its issuance: *Provided, however,* That if a ruling denying an application for permission to make wage adjustments is overruled, the final ruling shall incorporate as the effective date of the increase that date which was specified in the application as the effective date.

5. In any case where the employer at the time of the filing of the application for approval of a wage increase or at the time of referral of the case to the Commission indicates that he intends to seek price relief if a wage increase is approved, he shall state fully upon a form approved by the National War Labor Board the relation between the proposed wage increase and the employer's price situation, and what the effect would be on the employer's business if wages were increased without price relief. A copy of said form shall be sent to the Office of Price Administration.

Copies of all rulings of the Commission in cases in which an application for price increase is involved shall be sent to the Office of Price Administration as well as to the parties.

If application for a wage increase in such a case is approved, the ruling shall state that it will become effective only on final approval by the National War Labor Board, and, when required by the provisions of Executive Order #9250, by the Economic Stabilization Director.

6. The Commission shall, so far as practicable, utilize the information, data and staff services of the National War Labor Board and of other Federal Departments and agencies. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

[Authorization, Aug. 19, 1943]

AUTHORIZATION FOR NON-FERROUS METALS PANEL (TRI-STATE AREA) TO APPROVE ADJUSTMENTS

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders and Regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, and supplementing its Directive Order in the above entitled case,[1] the National War Labor Board hereby authorizes the procedure set forth below.

Such a procedure is necessary to complete the industry-wide stabilization program in the non-ferrous metals mines in Kansas, Missouri and Oklahoma as set forth in the above entitled case which was approved by the Director of Economic Stabilization of August 13, 1943 as essential to productive efficiency to increase production of critical non-ferrous metals.

I. The non-ferrous metals panel for the Tri-State area authorized July 29, 1943 by the National War Labor Board for Region VII is hereby empowered to approve adjustments in the wage and salary rates of particular employees of the employer-parties to the above entitled case over whose wages and salaries the National War Labor Board and the panel has jurisdiction and who were not covered by the Directive Order: *Provided,* Such adjustments, in amount and character, conform to the adjustments required by said Directive Order, and that such adjustments are consistent with the relationship which has existed between the wage rates of the employees covered by the Directive Order and those on whose behalf the application is made; it is further provided that such adjustments will not be made the basis of an application to increase price ceilings nor to resist an otherwise justifiable decrease thereof.

II. The said panel is further empowered to approve adjustments in wages and salaries of employees for the companies engaged in the same industry and in the same area as the companies in the above entitled case, and over whose wages and salaries the National War Labor Board and the panel have jurisdiction, *Provided:*

(a) That such adjustments do not establish rates of pay in excess of those provided for in such order;

(b) That adjustments in rates according to the Board's Order be approved only when such adjustments would not unstabilize wage rates for comparable jobs in the same area or in the same industry.

(c) That the salary adjustments are subject to the same provisions mentioned in I. above.

(d) That any application for such adjustments shall state:

1. The nature and location of the applicant's business;

2. The number of employees in each occupation affected by the adjustments;

3. A table of the applicant's rates of pay for each occupation before and after the adjustments; and

4. A statement that if the increases are granted they will not be made the basis of an application to increase price ceilings nor to resist an otherwise justifiable decrease thereof though they may necessitate adjustment of quota premium payments.

5. Whether or not there is a duly recognized or certified collective bargaining agent for any or all of the employees affected which has not joined in the application; and

e. That where there is such an agent, the panel aforesaid, before acting on the application, shall send to the appropriate local officials of such organization a notice of the application, requesting the organization, if it has any objections to action on the application, so to inform the panel. If within 7 days of the sending of the notice no such objections shall have been filed with the panel or the organization shall have stated that it has no such objections, the panel shall forthwith act on the application. If, however, such objections shall have been made within the period aforesaid, the panel shall treat the matter as a dispute case and refer it to the Conciliation Service of the United States Department of Labor.

III. The said panel is still further empowered to approve to jointly submitted applications of the above described employers and unions or the applications of the above described employers alone where no union has been designated as bargaining representative, for the extension of the order of the Board with respect to night-shift differentials and piece rates system: *Provided, however,* That each of these provisions shall be applied according to the Board's Directive Order, and that the application of such provisions shall not unstabilize wage rates for comparable jobs in the same area or in the same industry.

[Directive Order, Dec. 11, 1942, as Amended July 29, 1943]

ORDER ESTABLISHING TOOL AND DIE COMMISSION (DETROIT AREA)

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017, dated January 12, 1942, and Executive Order No. 9250, dated October 3, 1942, the National War Labor Board hereby adopts the recommendations of the special representative and directs, as follows:

Administration. (1) There shall be created immediately a Tool and Die Commission of Region XI of the National War Labor Board. At the head of this Commission shall be a Chairman appointed by the Regional Board. The Chairman shall be assisted by industry and labor consultants who shall be chosen by the chairman from a panel of names approved by the Regional Board. In cases involving no disputes or conflicts of interests the chairman may act alone.[1]

(2) All disputes, voluntary applications for approval of wage increases or adjustments in wage rates, and any other matters affecting the tool and die industry within the jurisdiction of the Regional Board shall be referred in the first instance to the Tool and Die Commission of the Regional Board, which shall be empowered to issue rulings and decisions in these matters for the Regional Board, subject to the limitations set forth below. In dispute cases the chairman shall appoint tripartite panels of public, industry and labor representatives to hold hearings and make final determinations. The chairman or his deputy shall serve as public representative on such panels and the industry and labor representatives shall be chosen from names previously submitted to and approved by the Regional Board.

(3) All powers vested in the Tool and Die Commission and its chairman by paragraph 2 of this section shall be subject to the right of the Regional Board to review all rulings and decisions of the Commission or its chairman, either on its own motion or on the appeal of an interested party. All cases involving fundamental matters of policy shall be submitted by the chairman of the Commission to the Regional Board for final determination. Appeal to the Regional Board from any ruling or decision of the Commission or its chairman shall be accorded all interested parties as a matter of right.

Enforcement. (1) The Regional War Labor Board for Region XI shall establish a permanent Compliance Panel of the Regional Board which shall hear and determine all matters involving enforcement of and compliance with the National War Labor Board's Directive Order of December 11, 1942, in the Matter of Employers of Tool and Die Workers in the Detroit area. The Compliance Panel shall consist of the chairman of the Tool and Die Commission of the Regional Board or his deputy who shall serve as chairman of the Panel, and one industry and one labor representative appointed by the Regional Board.

(2) The Compliance Panel shall be bound in all respects by the National War Labor Board's procedure relative to possible violation of the wage and salary stabilization program, adopted June 3, 1943.

(3) The Compliance Panel shall take all necessary and appropriate steps to insure the enforcement of the National War Labor Board's Directive Order of December 11, 1942, in the Matter of Employers of Tool and Die Workers in the Detroit Area.

[Directive Order, July 30, 1943]

ORDER ESTABLISHING TRUCKING COMMISSION

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Order and regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby amends its Directive Order of December 2, 1942 establishing the Trucking Commission, and its Resolution of February 4, defining the jurisdiction of the Commission, to read as follows:

1. The Trucking Commission, hereinafter called the Commission, shall consist of three (3) members appointed by the National War Labor Board. Of the persons so appointed, one shall represent labor, one shall represent industry, and one shall represent public and act as Chairman. The Board may at any time appoint alternates for the members of the Commission.

2. The Commission shall have jurisdiction over labor disputes and voluntary wage or salary adjustments involving persons employed in the following types of trucking operations: over-the-road (common, contract or private carrier) local pick-up and delivery; transfer and storage. The Commission shall have power (1) to hear and determine and to issue directive orders in labor dispute cases and (2) to make final rulings on voluntary wage or salary adjustments submitted for the approval of the National War Labor Board in accordance with the National Wage Stabilization policy.

3. Labor disputes and voluntary wage or salary adjustments involving trucking employees (drivers, checkers, warehousemen or dockmen, stowers, lumpers or helpers) of businesses other than those specified in paragraph 2 above shall be subject to the jurisdiction of the Regional Boards, under the following conditions: A standing tri-partite regional trucking panel for cases involving trucking employees within the jurisdiction of the Regional Board shall be established in each region, the members of which shall be designated by the Trucking Commission, after consultation with the Regional Board concerned. This panel shall (a) hear dispute cases and make recommendations to the Regional Board, which shall issue its directive order as in other dispute cases; (b) pass on voluntary wage adjustment, under such procedure as the Regional Board may prescribe; and (c) gather the necessary data and recommend to the Regional Board wage brackets or revision of existing brackets for trucking employees within its jurisdiction.

Wage brackets established by a Regional Board for trucking employees within its jurisdiction shall not be published or become effective until approved by the Trucking Commission. The Regional Board shall furnish the necessary assistants and facilities to the regional trucking panels. Petitions for review of directive orders or rulings of Regional Boards in cases involving trucking employees, filed with the National Board, shall be referred to the Trucking Commission for appropriate recommendation to the National War Labor Board, with a view to stabilization of the trucking industry.

4. The rulings of the Commission on voluntary wage or salary adjustments as well as its directive orders on wage issues in dispute cases shall conform to the policies of the National War Labor Board, based on Executive Orders 9250 and 9328, and the Policy Directive of May 12, 1943, issued by the Director of Economic Stabilization. Accordingly, any wage or salary adjustment approved or ordered by the Commission "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings, or if no price ceilings are involved which may increase the production costs above the level prevailing in comparable plants or establishments," shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings and orders issued by the Commission in wage cases.

5. Applications for approval of voluntary wage adjustments within the jurisdiction of the Commission shall be filed with the nearest office of the Wage and Hour Division of the Department of Labor, which shall transmit the same to the Commission. The application shall state whether or not the adjustment if granted (1) may furnish the basis to increase price ceilings, or (2) may increase the production costs above the level prevailing in comparable plants or establishments. If the answer is in the affirmative as to (1) the Commission shall send to the Office of Price Administration a copy of the application and a copy of its ruling at the time of issuance thereof. In wage dispute cases the Commission shall send to the Office of Price Administration a copy of the recommendations of its panel or hearing officer, and of the Commission's order, in any case where it appears that the wage adjustment ordered may furnish the basis to increase price ceilings. In all voluntary or dispute cases involving wage or salary adjustments which may furnish the basis for price relief, the Commission shall notify the employer to apply promptly to the Office of Price Administration for such price relief. The Trucking Commission shall notify the parties of action taken by the Office of Price Administration or by the Director of Economic Stabilization.

6. The Commission shall, so far as practicable, utilize the information, data and staff services of the National War Labor Board or the Regional Boards, and of other Federal Departments and agencies. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

7. The rulings of the Commission on voluntary wage or salary adjustments, and the directive orders of the Commission in dispute cases, shall have the same effect, and shall be subject to same provisions for stay and review by the National War Labor Board, as rulings and orders of the Regional War Labor Boards, as set forth in section VII of the "Jurisdiction and Procedure of Regional War Labor Boards", as amended.

[Directive Order, Aug. 9, 1943]

ORDER ESTABLISHING SHIPBUILDING COMMISSION

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders and Regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby vacates its Directive Order of

[1] Kansas Explorations, Inc., Oronogo Mutual Mining Company et al., and International Union of Mine, Mill and Smelter Workers.

[1] Insertion of this last sentence approved by National War Labor Board November 13, 1943.

January 7, 1943, relative to shipbuilding, and hereby directs as follows:

1. A Shipbuilding Commission (hereinafter called the Commission) is hereby established which shall consist of six members who shall be appointed as paid officials of the National War Labor Board; two shall represent the Public, and shall serve as Chairman and Co-Chairman; two shall represent labor; and two shall represent industry. The Board shall appoint such alternates from time to time as may be deemed necessary.

2. The Commission shall have jurisdiction over labor disputes and voluntary wage or salary adjustments involving persons employed in the shipbuilding industry. The Commission shall have power (1) to hear and determine and to issue directive orders in labor dispute cases, and (2) to make final rulings on voluntary wage or salary adjustments submitted for approval of the National War Labor Board in accordance with the National Wage Stabilization policy.

3. For the purpose of this Order, shipbuilding, whether or not carried on subject to shipbuilding stabilization zone standards, is the construction, conversion, outfitting and repair of floating marine structures, including floating drydocks, within the continental limits of the United States and Alaska, exclusive of establishments owned and directly operated by the United States, provided the activity is carried on in the water, in drydocks, in basins, on ways for launching, or on the premises of a shipyard or boatyard.

4. Representatives of the Secretary of Navy, the Secretary of War, the Chairman of the Maritime Commission, and the Chairman of the War Production Board may consult with the Commission for the purpose of presenting to it any information necessary to facilitate the conduct of the business of the Commission.

5. Applications for Approval of Voluntary Wage Adjustments, within the jurisdiction of the Commission, shall be filed with the nearest office of the Wage and Hour Division, U. S. Department of Labor, which shall transmit the same to the Commission. The application shall state (a) whether or not the adjustment, if granted, may furnish the basis for an increase in production cost above the level prevailing in comparable yards or establishments, or (b) whether or not the applicant will apply for reimbursement from any agency of the government in the event the application is approved. If the answer is in the affirmative, any ruling made by the Commission, or by the National War Labor Board upon the recommendation of the Commission, shall not take effect unless and until the action is approved by the Director of Economic Stabilization.

6. The rulings and orders of the Commission shall conform to the policies of the National War Labor Board, based on Executive Orders Nos. 9250 and 9328, and the policy Directive of May 12, 1943, issued by the Director of Economic Stabilization and shall also state:

7. The rulings and orders of the Commission shall have the same effect, and shall be subject to the same provisions for stay and review by the National War Labor Board as rulings and orders of the Regional War Labor Boards, as set forth in Section VII of the "Jurisdiction and procedure of Regional War Labor Boards", as amended.

8. The Shipbuilding Commission in conjunction with the Wage Stabilization Division of the National War Labor Board shall proceed forthwith to gather and analyze wage data pursuant to the Board's Order of July 30, 1943 and to establish appropriate wage brackets in the industry. These brackets shall be submitted to the Regional Board for comment before they are approved by the Commission.

9. The Commission, shall, so far as is practicable, utilize the information, data, staff and services of the National War Labor Board or the several Regional War Labor Boards, and of other federal departments and agencies. The Regional War Labor Boards shall furnish such necessary assistance and facilities to Panels, Referees and Arbitrators of the Shipbuilding Commission as may be required. The employment by the Commission of additional personnel, facilities or services shall be subject to the approval of the National War Labor Board.

[Directive Order, Feb. 24, 1943]

Order Establishing Daily Newspaper Printing and Publishing Commission

By virtue of and pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, the Executive Orders and Regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby amends its directive order of February 24, 1943, as amended, establishing the Daily Newspaper Printing and Publishing Panel to read as follows.

A. The National War Labor Board hereby creates the Daily Newspaper Printing and Publishing Commission (hereinafter referred to as the Commission) for the daily newspaper printing and publishing industry, as hereinafter defined. The offices of the Commission shall be at the offices of the Regional War Labor Board, Region VI, in Chicago, Illinois.

B. For the purpose of this order, the daily newspaper printing and publishing industry shall include employees in the following departments of daily newspaper printing and publishing establishments: mechanical, maintenance, mailing, editorial, art, circulation (including newsboys), commercial and kindred departments. Cases involving services related to the daily newspaper printing and pulishing industry, at the request of any of the parties involved, may, in the discretion of the National War Labor Board or any Regional War Labor Board, be referred to the Commission.

C. The Commission shall consist of six members who shall be appointed by the Board and who shall serve as officials of the Board on a per diem basis. Of the six members, two shall represent the public; two, management; and two, labor. The Board shall designate one of the public members as a Chairman, and the other as Vice-Chairman of the Commission. The Chairman shall exercise general supervision of the Commission. The Commission may sit in any case as a three-man tri-partite division of the Commission, provided that one shall be the Chairman or Vice-Chairman, one shall be a representative of management, and one shall be a representative of labor. The Board may from time to time appoint alternates to serve on a per diem basis. The members and alternate members who represent management shall be appointed by the Board from nominees submitted by industry members of the Board. The members and alternate members who represent labor shall be appointed by the Board from nominees submitted by labor members of the Board. The Labor members of the Commission shall be chosen from crafts and industrial groups whose membership may be involved in matters within the jurisdiction of the Commission. The labor member of the Commission sitting in each case shall be a member chosen from the craft or industrial group involved in the case before the Commission, subject to the provisions of section 7 (c) of the War Labor Disputes Act of June 25, 1943.

D. The Commission shall have jurisdiction over labor disputes and voluntary wage and salary adjustments involving persons employed in the daily newspaper printing and publishing industry, as above defined. It shall have power, subject to review by the National War Labor Board, as provided in paragraph H hereof, (1) to hear and issue directive orders in labor dispute cases, and (2) to make final rulings on voluntary wage and salary adjustments requiring the approval of the National War Labor Board.

E. The rulings of the Commission on voluntary wage or salary adjustments, as well as its directive orders on wage issues in dispute cases, shall conform to the policies of the National War Labor Board, based on Executive Orders 9250 and 9328, and the Policy Directive of May 12, 1943, issued by the Director of Economic Stabilization, and all Executive Orders and Regulations that may be hereafter issued. Accordingly, any wage or salary adjustment approved or ordered by the Commission "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings," or, if no price ceilings are involved, which may increase the costs to the government of a product or service being furnished under a procurement contract, shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings and orders requiring this approval which are issued by the Commission.

F. In the handling of dispute cases, the Commission shall comply with all appropriate provisions of the "Jurisdiction and Procedure of Regional War Labor Boards," of April 15, 1943, as amended, and with the "Rules of Organization and Procedure of the National War Labor Board" of November 27, 1943, as amended, and with all other pertinent rules of procedure and policies of the National War Labor Board.

G. (1) Applications for approval of voluntary wage or salary adjustments within the jurisdiction of the Commission shall be filed with the nearest office of the Wage and Hour Division of the Department of Labor, which shall transmit the same to the Commission. The application shall state whether the adjustment, if approved (a) may furnish the basis to increase price ceilings or (b) may furnish the basis for an application by the employer for an increase to the government in the price of any product or service. If the statement is in the affirmative as to (a), the Commission shall send to the Office of Price Administration a copy of the application and a copy of its ruling at the time of issuance thereof. If the statement is in the affirmative as to (b) and an adjustment of the type that requires the approval of the Economic Stabilization Director is approved by the Commission, the Commission shall send to the appropriate procurement agency of the government a copy of its ruling at the time of issuance thereof.

(2) In any wage dispute case where it appears that the wage adjustment recommended or ordered may furnish the basis to increase price ceilings, the Commission shall send to the Office of Price Administration a copy of the recommendation of its panel or hearing officer at the time of its transmittal to the parties, and of its directive order when issued. In any wage dispute case where it appears that the wage adjustment ordered may furnish the basis for an application by the employer for an increase to the government in the price of any product of service, and the adjustment is of the type that requires the approval of the Economic Stabilization Director, the Commission shall send to the appropriate procurement agency of the government a copy of its directive order when issued.

(3) In all cases where the approval of the Director of Economic Stabilization is required, the Commission shall, after its ruling or order is issued, send the case to the National War Labor Board for transmittal to the Director of Economic Stabilization. The Commission shall, upon being notified, advise the parties of the action taken by the Office of Price Administration or by the Director of Economic Stabilization.

H. All rulings of the Commission on wage or salary adjustments, and all directive orders of the Commission in dispute cases, shall have the same effect, and be subject to the same provisions for stay and review by the National War Labor Board, as rulings and orders of the Regional War Labor Boards, as set forth in Section VII of the "Jurisdiction and Procedure of Regional War Labor Boards", as amended.

I. The Commission shall transmit regularly to the National War Labor Board copies of its decisions and rulings hereunder, which, when issued, shall be made available to the public, and such additional data and reports as the National War Labor Board may from time to time require.

[Directive Order, Jan. 10, 1944]

Order Establishing West Coast Aircraft Committee

By virtue of the authority vested in it under Executive Order No. 9017, the Executive Orders, Directives and Regulations issued under the Act of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, and in order to effectuate the provisions of its directive order in cases numbers 174, 307, 557, 558, 608, 609, 610, and 673 issued on March 3, 1943, the National War Labor Board hereby directs:

The directive order of March 8, 1943, is hereby amended to read as follows:

I. There shall be created a West Coast Aircraft Committee, consisting of two Divisions which shall have the powers and duties herein described. One Division shall be for the Region served by the Regional War Labor Board for Region X and is hereafter designated as Division X; the other shall be for the Region served by the Regional War Labor Board for Region XII and is hereafter designated as Division XII.

II. Division X shall consist of five members, one of whom shall represent the public, two industry, and two labor. Division XII shall consist of three members, one of whom shall represent the public, one industry and one labor. The Regional War Labor Board for the respective Divisions will designate the public member who shall act as permanent chairman of the Division. The Regional War Labor Board for the respective Divisions shall also appoint the industry and labor members from nominees submitted by the labor and industry members respectively of the Regional War Labor Board. The labor and industry members of the Division shall serve on a per diem basis. The Regional War Labor Boards for the respective Divisions may, from time to time, appoint alternates to serve as labor and industry members.

III. Upon the request of the chairman of either Division of the Committee, joint meetings of the full Committee shall be held at such time and at such place as is agreeable to the respective Divisions and to the respective Regional War Labor Boards. These meeting shall be for the purpose of exchanging information and ideas.

IV. In carrying out its duties hereunder, the Committee and its respective Divisions shall be governed by the provisions of Executive Order 9017, by the Executive Orders, Directives and Regulations heretofore or hereafter issued under the Act of October 2, 1942, section 7 of the War Labor Disputes Act, and the Committee shall, with reference to its duties listed below, have due regard for the desirability of stability in the industry.

V. Orders and recommendations of each Division shall be filed with its respective Regional War Labor Board, together with such additional information and data as the Regional War Labor Board or its Wage Stabilization Division may from time to time require.

VI. *Functions and procedures of the committee*—A. *Division X*—(a) *Functions.* The functions of Division X shall be:

(1) To assist in the carrying out the terms and provisions of the directive order of March 3, 1943 and, in so doing, to resolve all differences as to the meaning or application of any term or provision of said directive order that the parties affected thereby cannot resolve by mutual agreement subject, however, to the following limitations:

a. Pending completion by Division X of the over-all study requested by the National War Labor Board in its resolution of December 23, 1943, the Division shall not (nor shall any other agency of the National War Labor Board) act on any petition for revision of the classification, grade, description or evaluation heretofore established by or under the directive order of March 3, 1943 for any job. Such Division, may, however, recommend to the National War Labor Board a method whereby the Division, pending completion of such over-all study, may correct obvious and glaring errors of job evaluation and make urgently needed revisions of present job descriptions: *Provided, however,* That such a method shall not interfere with the over-all appraisal of job evaluations and job descriptions provided for in the Board's resolution of December 23, 1943.

b. No grievances of the type now accepted by Division X under Order 14 of the Division shall be accepted by it after the expiration of 30 days from the date of this amended order. All such grievances which have not been accepted by Division X before the expiration of such 30 days period and all such grievances which are pending before it and have not been finally disposed of by it upon the expiration of 90 days from the date of this amended order shall be returned to the parties for settlement through the grievance procedures established by them. The provisions of order 14 of the Division shall be rescinded upon the expiration of the 90 day period mentioned above.

(2) Except as otherwise specified herein the Division shall continue to exercise the powers vested in it by the directive order of March 3, 1943.

(3) In addition to the powers conferred upon it by the directive order of March 3, 1943, the Division shall have the following powers and duties:

a. The Division shall develop and recommend to the Board a system of periodic reporting to be used by the Southern California Airframe Companies to determine the various types of increases in wages and salaries which have resulted, or may result, from adjustments made in instituting and operating the Southern California Airframe Industry plan.

b. All reports, recommendations, and other materials which the Division is re-

quired to submit to the National War Labor Board under the provisions of this amendment to the Directive Order of March 8, 1943, or otherwise, shall first be transmitted by the Division to the National Airframe Panel for presentation to the Board.

(b) *Procedure.* Subject to the limitations contained above, the Division shall have the power in carrying out the provisions and in resolving any differences as to the meaning or application, of the Directive Order of March 3, 1943 to issue orders in any dispute cases, or rulings in any voluntary cases that may arise under the provisions of said Directive Order of March 3, 1943. Such orders and rulings shall be issued by the Division and approved by the Tenth Regional Board in accordance with the "Procedure for Issuance and Approval of Orders and Rulings of Division of the West Coast Aircraft Committee for Region X" approved by the National War Labor Board on January 10, 1944.

B. *Division XII*—(a) *Functions.* The functions of Division XII shall be to assist in carrying out the terms and provisions of the Directive Order of March 3, 1943, as amended and supplemented by the Directive Order of September 4, 1943, including any extension thereof pursuant to the "instructions" of the Chairman of the National War Labor Board dated November 15, 1943. In so doing the Division shall have authority to resolve all differences as to the meaning and application of Directive Orders which the parties can not resolve by mutual agreement.

(b) *Procedure.* In exercising the foregoing functions, the Division shall have power to issue rulings approving voluntary applications for wage or salary adjustments and shall have power to issue orders in dispute cases. Such orders and rulings shall, before they are issued, be filed with the Twelfth Regional War Labor Board and shall become effective ten days after such filing, unless they are (i) stayed by the Regional War Labor Board or (ii) approved by the Regional War Labor Board before the expiration of such 10-day period.

VII. Division X shall, at the request of the Tenth Regional War Labor Board, report to it as to the operation of the Directive Order of March 3, 1943. Division XII shall report in the same manner to the Twelfth Regional War Labor Board as to the operation of the Directive Order of March 3, 1943, as amended and supplemented by the Directive Order of September 4, 1943, including any extension thereof pursuant to the instructions of the Chairman of the National War Labor Board dated November 15, 1943. Each Division in discharging its duty of effectuating the provisions of said Directive Orders shall pay particular attention to the basic matters covered in the Orders and shall, in accordance with special developments, review such basic matters as the application of the provisions with respect to starting rates, merit increase systems, and automatic increases within grades in order to determine that they are being properly applied. Each Division shall make such recommendations to its respective Regional War Labor Board with respect to those basic matters as the Division may find wise and valuable for the welfare of the industry and the nation.

[Directive Order, July 6, 1943]

ORDER ESTABLISHING WAR SHIPPING PANEL

By virtue of and pursuant to the powers vested in it the National War Labor Board orders as follows:

A. The National War Labor Board hereby creates an advisory panel for the shipping industry. The headquarters of this panel shall be the offices of the National War Labor Board located in Washington, D. C.

B. For the purpose of this order the shipping industry shall include all personnel, both relief and regular crews, employed on all ships, including dry cargo, tankers, barges and towboats engaged in offshore, coastwise harbor, and inland waterways activities.

C. The Panel shall consist of six members who shall be appointed by the Board and who shall serve as officials of the Board on a per diem basis. Of the six members, two shall represent the public; two, management, and two labor. The Board will designate one of the public members as a Chairman and the other as a Vice Chairman of the Panel. The panel may sit in any case as a three-man tri-partite panel, provided that one shall be the Chairman or Vice Chairman, one shall be a representative of management and one shall be a representative of labor. The Board may from time to time appoint alternates to serve on a per diem basis. The members and alternate members who represent management will be appointed by the Board from nominees submitted by industry members of the Board. The members and alternate members who represent labor will be appointed by the Board from nominees submitted by labor members of the Board. The labor members of the panel shall be chosen from crafts and industrial groups whose membership may be involved in matters within the jurisdiction of the panel. The labor member of the panel sitting in each case shall be a member chosen from the craft or industrial group involved in the case before the panel, or such labor member as he may designate.

D.[1] The Panel shall have authority to make final rulings on voluntary wage or salary adjustments involving the shipping industry, as herein defined, submitted for the approval of the National War Labor Board. All such applications shall be referred directly to the Panel by the Regional War Labor Boards. If, however, a ruling of the Panel is not unanimous, such ruling shall not be issued to the parties and shall not become effective, but shall be transmitted by the Panel to the National War Labor Board, and shall thereafter become effective and be issued to the parties only if approved by the National War Labor Board. The rulings of the Panel shall conform to the policy of the National War Labor Board based on Executive Orders 9250 and 9328, and the policy directive of May 12, 1943, issued by the Director of Economic Stabilization. Accordingly, any wage or salary adjustment approved by the Panel "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings, or if no price ceilings are involved which may increase the production costs above the level prevailing in comparable plants or establishments", shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings issued by the Panel.

E.[1] The Panel shall consider and make recommendations to the National War Labor Board on all labor disputes referred to it, and findings and recommendations of the Panel thereon shall be filed with the National War Labor Board. The Panel shall be governed by the policies and regulations of the National War Labor Board.

F.[1] In all cases submitted to it for ruling or decision by the Panel, the National War Labor Board will notify the Panel of its final action and will direct the Panel to notify the parties of such action.

[Resolution, June 4, 1943]

RESOLUTION ESTABLISHING THE AUTOMOTIVE SECTION OF THE DETROIT BOARD (REGION XI)

Be It Resolved:

(1) That the Board's Special Representative appointed in the above entitled cases[2] is hereby authorized to issue interpretative letters on all differences of opinion which arise out of application of provisions of existing Directive Orders of the National War Labor Board and that the Special Representative is also authorized to approve or disapprove negotiated settlements of questions of application for which the parties may seek approval by the Board. All such interpretative letters shall represent final disposition of the questions at issue unless either or both of the parties file exceptions in writing with the Special Representative and with the Detroit Regional War Labor Board on or before ten (10) days after the date of the interpretative letter in question. If exceptions are filed, the Detroit Regional War Labor Board will then consider the matter and approve, disapprove or modify the action of the Special Representative by appropriate Board procedure. All such rulings are subject to review by the National Board on its own motion irrespective of whether exceptions are filed but any reversals or modifications will not be made retroactive in such instances.

(2) That all new issues not covered by existing Directive Orders, which may arise in General Motors plants shall be referred to the Detroit Regional Board unless the National Board on its own motion shall decide to retain jurisdiction. In such cases, the Detroit Board shall set up a Panel or appoint a Hearing Officer to hear the case according to usual Board procedures. The parties shall be consulted as to their preference for the Panel or Hearing Officer procedure. No recommendation or report of a Panel or Hearing Officer shall become final until the Board takes appropriate action. The Board's Special Representative in the above entitled cases may be appointed as Panel Chairman or Hearing Officer.

(3) That the Special Representative is hereby appointed Arbitrator for the Board in all Maintenance of Membership cases at the General Motors Corporation properly coming before a Board Arbitrator as noted in the Arbitration Award of March 9, 1943 and as provided in the September 26, 1942 Directive Order. The decision of the Arbitrator in such cases is final and binding on all parties.

(4) That the Special Representative is hereby appointed Arbitrator for the Board in all matters relating to application of the "equal pay for equal work" clause of the Board's Directive Orders pertaining to women's rates. Since awards of the Arbitrator in these cases may involve changes in wage rates they must be reviewed by the Detroit Regional War Labor Board according to the procedure applying to all Arbitrator's wage awards. The National Board may, on its own motion, review any decisions of the Regional Board in such cases. Any comments on or exceptions to an Arbitrator's award which either or both of the parties may wish to make must be submitted to the Detroit Regional Board on or before ten (10) days after the date of the award. The Board's Arbitrator will not hear any such cases which should be referred to the Umpire under contract provisions.

(5) That the general procedure for approval of negotiated Local Wage Agreements outlined in the Special Representative's letter of January 15, 1943, to the National War Labor Board as heretofore approved and followed in cases already disposed of, shall be continued for all Local Wage Agreements not yet submitted to the Board for approval. Hereafter all such Local Wage Agreements shall be submitted to the Detroit Regional Board for approval, denial or modification.

(6) That the Special Representative presently assigned and appointed in these cases is William E. Simkin but nothing in this resolution shall prevent the appointment of other Special Representatives, Hearing Officers, or Arbitrators in the above matters whose jurisdiction and duties shall be identical with those stated herein.

[1] As amended February 3, 1944.

[2] General Motors Corporation; Ford Motor Company; Chrysler Corporation; Briggs Manufacturing Co.; Packard Motor Car Company; Murray Corporation; Yellow Truck & Coach Manufacturing Co.; and Hudson Motor Car Co.

[Functions and Procedures, Aug. 27, 1943]

FUNCTIONS AND PROCEDURES OF THE NATIONAL WAR LABOR BOARD AUTOMOTIVE SECTION (REGION XI)

The procedures and mechanism set forth below are proposed as a means of carrying out the decision of the National War Labor Board to centralize in Regional Board XI the treatment of all wage and labor dispute matters arising in the plants of the participating automotive manufacturers. This procedure is being established in an effort to further the efficient and uniform application of Board policy and to secure the advantages inherent in setting up a specialized staff to handle this industry. The organization and procedures outlined below are based upon resolutions recently adopted by the National War Labor Board authorizing the creation of such staff under the jurisdiction of Regional Board XI, and delegating to it the powers enumerated here.

A. *Interpretation of National War Labor Board and Region XI Directive Orders.* (1) The staff members of the Automotive Unit will issue interpretative letters on all differences of opinion arising out of application of provisions of existing Directive Orders of the National Board and of existing orders and orders to be issued by the Regional Board. The staff will not have authority to modify Directive Orders. The staff will also approve or disapprove negotiated settlements of questions of interpretation which the parties may submit to the Board for approval.

(2) Such interpretative letters will constitute final disposition of the questions at issue unless either or both of the parties file exceptions in writing with Regional Board XI within 10 days after the date of the interpretative letter. The Regional Board will consider such exceptions and will approve, disapprove, or modify the action of the Staff, after recommendation by the Automotive Section.

(3) All rulings are subject to review by the War Labor Board for Region XI on its own motion and appeals to the Regional and National Board may be had under regular procedure, but any reversals or modifications will not be made retroactive in such instances.

(4) Such interpretative orders will not become effective until the time for filing appeals or exceptions has expired, or until such exceptions or appeals have been finally disposed of.

B. *Arbitration under National War Labor Board Directive Orders*—(1) *Application of maintenance of membership.* Staff members of the Automotive Unit will act as arbitrators for the Board on all questions relating to application of maintenance of membership provisions which require and properly come before an arbitrator appointed by the Board under the terms of certain Directive Orders. The decision of the arbitrator in such cases is final and binding on all parties.

(2) *Equal pay for women.* Where Directive Orders of the Board provide for arbitration of disagreements relating to application of the "equal pay for equal work" clause, staff members of the Automotive Unit will act as referees. They will not hear any cases which should be referred to stipulated arbiters or umpires under contract provisions. Exceptions to a referee's award by either party must be submitted to the Regional Board within 10 days of the date of the award. Such referee's awards will be acted upon by the Regional Board, after recommendation by the Automotive Section, and Regional Board decisions may be reviewed by the National Board.

C. *Dispute cases.* In accordance with the instructions of the National War Labor Board to its New Case Committee, all new issues not covered by existing Directive Orders which may arise in the plants of the participating automotive companies will be referred to Regional Board XI unless the National Board on its own motion decides to retain jurisdiction or makes other disposition. The following procedure will be observed:

(1) *Investigation by staff of the Automotive Unit.* a. Fact finding hearings which will be open to the public will be conducted by individual staff members for the purpose of considering written briefs submitted by the parties in advance, hearing oral argument, and obtaining additional necessary information from the parties.

b. Staff members will prepare reports of hearings summarizing the arguments and the facts. The fact finding reports will be submitted to the parties who will be allowed 10 days to forward their comments and exceptions. Thereafter, the reports together with the comments of the parties will be submitted to the Automotive Section.

c. Under these procedures either party shall have the right to make stenographic transcript of the hearings, at least one copy of which shall be furnished to the Board without charge. Additional copies shall be available to the other party at cost.

(2) *Action by Automotive Section.* a. A division of Regional Board XI consisting of one industry, one labor, and one public member will sit as an Automotive Section to review the briefs of the parties, the fact finding reports of staff members, and the comments of the parties on the factual reports.

b. The Automotive Section will hold a further hearing on all issues or any particular aspect of a dispute if, in its opinion, the circumstances of the case make it advisable. Where the Section holds such further hearing its findings and recommendations will be submitted to the parties before the case is presented to the Board, and the parties shall have 10 days in which to file exceptions.

c. After considering all the evidence, the Section will present the case to the Regional Board with its recommendations.

(3) *Action by Regional Board XI.* After considering the recommendations of its Automotive Section, the Board will render its decision.

(4) Either party may appeal a Regional Board decision in accordance with the established procedure.

D. *Wage agreements and voluntary applications.* (1) All Wage agreements and voluntary applications coming within the jurisdiction of the Board which are signed by the duly authorized representatives of the parties and which relate to plants of the participating automotive companies will be submitted to Regional Board XI for approval, modification, or denial.

(2) Wherever possible a member of the Automotive Unit Staff will meet with representatives of the applying parties to obtain the necessary background information, reasons, and justification for the wage request.

(3) A staff member and an analyst from the Wage Stabilization Division of the Regional Board XI will go over the wage request in detail making certain that wage stabilization principles and all comparative wage data in the possession of the Board are not overlooked. A memorandum and recommendation will be prepared which will represent the joint finding of the Wage Stabilization Division and the Automotive Unit.

(4) The wage request and the joint recommendation will be reviewed by the Automotive Section which will submit the request with its own recommendation to the Regional Board. It is anticipated that the Regional Board will delegate to the Automotive Section, and to the Automotive Unit and Wage Stabilization Director acting jointly, authority to render final decisions on certain types of wage requests. Such decisions may be appealed to the Regional Board.

(5) After considering the Automotive Section's recommendation the Board will render a final decision.

(6) A Regional Board decision may be appealed in accordance with regular procedure.

(7) All wage requests approved by the Regional Board which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings or which increase existing levels of production costs shall become effective only if approved by the Economic Stabilization Director.

[Rules of Procedure, Jan. 4, 1944]

NATIONAL AIRFRAME PANEL

Rules of organization and procedure adopted by National War Labor Board January 4, 1944.

The "Procedure for Handling Airframe Cases" approved by the National War Labor Board on August 20, 1943, establishing an "Airframe Disputes Panel" to handle disputes over wage or salary questions in the airframe industry, and the National War Labor Board's action of June 8, 1943, are hereby rescinded (except for the limited purposes referred to in Paragraph VIII hereof) and the following provisions are adopted in their stead:

I. The National Airframe Panel (hereafter called "the Panel") is hereby established with headquarters at Washington, D. C., where, unless otherwise directed by the Board, it shall conduct any necessary hearings. The National War Labor Board (hereafter called "the Board") shall appoint the members of the Panel, two of whom shall be representatives of industry, two representatives of labor, and one a representative of the public who shall act as chairman. Each member shall be entitled to one vote on any matter put to a vote before the Panel. A majority vote shall constitute the decision of the Panel. Equality of voting shall be preserved as between representatives of labor and industry. Three members, including at least one representative each of industry, labor and the public, shall constitute a quorum.

II. *Jurisdiction*—(a) *In general.* Except as otherwise specified herein, the jurisdiction of the Panel shall be limited to wage or salary issues in major dispute and major voluntary cases which substantially affect (1) the general wage structure of those airframe companies whose names appear on a list to be approved by the Board from time to time (hereafter called the "listed companies"), or (2) the wage stabilization policy in the airframe industry. If such a wage or salary issue arises in a dispute case the Panel, unless the Board otherwise directs, shall have jurisdiction not only of such issue but also of all other issues in the case. The names of the listed companies shall be made available to the New Case Committee of the Board and to the Regional War Labor Boards and other agents of the Board.

(b) *Liaison functions of the Panel.* There shall be referred to the Panel for presentation to the Board all reports, recommendations and other matters which, under the Directive Order of March 8, 1943, as amended, are required to be submitted to the Board by the West Coast Aircraft Committee. All other reports, recommendations and studies by Regional War Labor Boards and of the Airframe Industry shall likewise be transmitted to the Panel for presentation to the Board.

III. *Referral of cases to Panel*—(a) *By New Case Committee of the Board.* Any dispute case involving a wage or salary issue arising within one of the "listed companies" shall be referred to the Panel by the New Case Committee of the Board.

(b) *By Regional Boards.* The Regional War Labor Boards or other agents of the Board (not including the Wage and Hour Division) shall refer to the Panel (1) Any applications for approval of a voluntary or agreed upon adjustment in the wages or salaries of employees in any of the "listed companies," or (2) any submission of an arbitrator's award granting such a wage or salary adjustment.

IV. *Retention of cases by the Panel.* Upon receipt of any case, dispute or voluntary, the Panel shall determine whether the case falls within its jurisdiction as defined in paragraph II (a) above. If the Panel determines that the case does not fall within its jurisdiction, the Panel shall return the case, according to its source to the New Case Committee of the Board or to the Regional Board or other agent of the Board for appropriate action. If in any case the decision of the Panel with respect to its jurisdiction is not unanimous, the case shall, upon the request of a dissenting member, be referred to the Board for determination of the jurisdictional question. Such question shall be presented to the Board by the Chairman of the Panel.

V. *Functions and procedure*—(a) *In dispute cases.* In acting on any dispute case the Panel shall conform to §§ 802.15 to 802.27 inclusive, of the Board's "Rules of Procedure," adopted November 27, 1943. The report and recommendations of the Panel shall be submitted by the Chairman thereof to the Board together with the comments of the parties and the report of the National Wage Stabilization Division. The Board shall render its decision based on the entire record in the case.

(b) *In voluntary cases.* In voluntary cases within its jurisdiction the Panel, after reviewing the application or arbitration award and all relevant data available to it, shall, through the Chairman of the Panel, submit to the Board for final decision a report of its findings of fact together with its recommendations.

VI. *Services available to Panel.* In any case within its jurisdiction the Panel shall utilize the services of the Board's staff and, with the consent of any Regional Board, may avail itself of the services of the staff of such Regional Board.

VII. *Semi-monthly reports.* The Chairman of the Panel shall present in writing to the Board semi-monthly reports which shall contain, with respect to each case retained by it during the period covered by the report, information as to the wage or salary issues involved therein, including the size and nature of the wage or salary adjustments requested, the number of workers affected by such proposed adjustments, price relief and production cost data, and any other information pertaining to specific cases which the Panel deems it necessary to supply.

VIII. *Effective date.* These Rules shall take effect on and after December 31, 1943. The Airframe Disputes Panel shall immediately after that date transmit to the Panel all cases now pending before it, except those which by agreement of both Panels are to be retained by the Airframe Disputes Panel for appropriate action. The Panel shall retain for action hereunder all cases so transmitted which fall within its jurisdiction and any other of such cases which it deems necessary for it to process, and shall return all other such cases to the New Case Committee of the Board or to the appropriate Regional Board or other agent.

(E.O. 9017, 7 F.R. 237, E.O. 9250, 7 F.R. 7871, War Labor Disputes Act, P.L. 89, 78th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-3962; Filed, March 21, 1944; 9:56 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 509, Order 2]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 2.1 (c) of Maximum Price Regulation 509, *It is ordered:*

(a) For grapefruit juice packed during the month of February 1944, processors shall reduce the named maximum prices for government sales as listed in section 2.1 (a) of Maximum Price Regulation No. 509 by the amounts set forth below respectively for the period of pack, state or area, and container size. The resulting figures shall be the processors' maximum prices for grapefruit juice packed during February 1944 for sales to government procurement agencies. For the purpose of applying the monthly area grapefruit juice cost reduction the states of Florida and Texas shall be treated as two separate areas.

(b) Reduction per dozen containers:

State or area	Style of pack	Grade	Period of pack	Reduce maximum price named in sec. 2.1 (a) for Government sales per dozen containers by amounts set forth below		
				No. 2 can	No. 3 cyl. can	No. 10 can
Florida	All	All	February 1944	$0.110	$0.275	$0.583
Texas	All	All	February 1944	.110	.275	.583
California and Arizona	All	All	February 1944	.180	.450	.954

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9238, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4097; Filed, March 22, 1944; 11:54 a. m.]

[MPR 136, Order 167]

WOODWORKING MACHINERY MANUFACTURED BY DAVIS AND WELLS

Order No. 167 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services; woodworking machinery manufactured by Davis and Wells.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and pursuant to section 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered*, That:

(a) The maximum price for the sale by any person of any machine, which is listed below and is manufactured by Davis and Wells, Los Angeles, California, shall be determined as follows: The seller shall add a certain amount to the maximum price established by Maximum Price Regulation 136, as amended, on November 1, 1943, for the sale of the machine by the seller to a purchaser of the same class. The amount to be added for each machine is set forth in the following table:

Machine:	*Addition*
Saw Table	$28.47
6" Jointer	7.89
Boring Machine	22.63
20" Standard Band Saw	5.35
20" Metal Cutting Band Saw	26.57
Jointer Stand	2.73

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 23, 1944.

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4098; Filed, March 22, 1944; 11:54 a. m.]

Regional and District Office Orders.

[Region I Order G-25 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PORTLAND, ME.

Amendment No. 1 to Order No. G-25 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Portland, Maine, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.-260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-25 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in subparagraph (1) of paragraph (b), the words "New England coke" are substituted for the word "coke."

2. In Price Schedule II in subparagraph (1) of paragraph (c), the words "New England coke" are substituted for the word "coke."

3. In Price Schedule III in subparagraph (1) of paragraph (d), the words "New England coke" are substituted for the word "coke."

4. In paragraph (e) the words "coke and ambricoal" are amended to read "New England coke and ambricoal."

5. Subparagraph (2) of paragraph (i) is amended to read as follows:

(2) "Specified solid fuels" shall include ambricoal, New England coke and all Pennsylvania anthracite.

6. Subparagraph (11) is added to paragraph (i), to read as follows:

(11) "New England coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122. This Amendment No. 1 shall be effective as of March 7, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4012; Filed, March 21, 1944; 9:38 a. m.]

[Region I Order G-38 Under 18 (c)]

MAPLE SYRUP CANS IN VERMONT

Order No. G-38 under section 18 (c) of the General Maximum Price regulation. Gallon size maple syrup cans sold in Vermont.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is ordered:*

(a) For sales of gallon size maple syrup cans sold or delivered within Vermont by any general, hardware, or grocery store, or other similar outlet, a seller shall determine his maximum price by selecting the highest of the following:

(1) The highest price actually charged in March 1942; or

(2) $.16 each for sales of less than one hundred cans and $.15 each for sales of more than one hundred cans.

(b) If a maximum price is computed under section (a) (1) of this order, such price must include the seller's customary allowances, discounts or other price differentials in effect during March 1942.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective March 16, 1944, at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9250, 8 F.R. 4681)

Issued this 15th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4011; Filed, March 21, 1944; 9:40 a. m.]

[Region I Supp. Order 2 Under RMPR 122, Amdt. 4]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 4 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels

sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.35	$0.15	$0.05	None

2. The words "dial rock" are inserted in subparagraph (2) of paragraph (d).

3. Subparagraph (14) is added to paragraph (d), to read as follows:

(14) "Dial rock" means that Pennsylvania anthracite which is produced and prepared by Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112: *Provided, however,* That the additions provided for in paragraph (a) may be charged only when said coal is shipped from the mine by rail.

This Amendment No. 4 shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4010; Filed, March 21, 1944; 9:40 a. m.]

[Connecticut Order G-1 Under MPR 426]

CITRUS FRUITS IN CONNECTICUT

Order No. G-1 under Maximum Price Regulation No. 426. Citrus Fruits.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Director of the Connecticut District Office of the Office of Price Administration by section 15, Appendix I, paragraph g (2) of Maximum Price Regulation No. 426, and General Order No. 32, *It is hereby ordered:*

(a) The maximum price for a delivered sale (as defined below) by a carlot receiver in Connecticut within his free delivery zone, of each of the citrus fruit items listed in section 15, Appendix I, shall be the maximum price in Column 6 of the applicable table in section 15, Appendix I, paragraph (c), plus the markup specified in Column 10 of the table in section 15, Appendix I, paragraph (d) for ex-store or ex-warehouse sales, plus 15¢ per standard container.

(b) A "delivered sale" means a sale ex-store or ex-warehouse in accordance with the provisions of section 15, Appendix I, paragraph (f) (2) (ii), in addition to which the citrus fruit is delivered by the carlot receiver to a chain store warehouse or the warehouse of a retailer owned cooperative wholesaler and stacked by the seller in a place or places in the purchaser's warehouse designated by the purchaser.

Issued and effective this 9th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

ANTHONY F. ARPAIA,
Director.

[F. R. Doc. 44-4009; Filed, March 21, 1944; 9:40 a. m.]

[Region III Order G-12 Under 18 (c), Amdt. 7]

FLUID MILK IN INDIANA

Amendment No. 7 to Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation (Formerly Order No. III-1499.18 (c)-15). Adjustment of the maximum prices of fluid milk sold at retail and wholesale in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, *It is hereby ordered:*

(a) That subparagraph B of paragraph II of Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation be amended by deleting therefrom the County of Steuben.

(b) That paragraph II of said order be further amended by adding thereto subparagraph (M) as follows:

(M) Any person may sell or deliver fluid milk at retail or wholesale in the Counties of De Kalb, Lagrange, Montgomery, Noble, Randolph, Steuben, and Whitley in the State of Indiana at (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) prices set forth in the following schedule, whichever are greater.

Type of Delivery, Container, Size, and Adjusted Maximum Price

Retail, Glass or other, One gallon or multiples thereof, 52¢ per gallon.
Retail, Glass or paper, One-half gallon, 26½¢ per one-half gallon.
Retail, Glass or paper, One quart, 13½¢ per quart.
Retail, Glass or paper, One pint, 8¢ per pint.
Retail, Glass or paper, One-half pint, 5¢ per one-half pint.
Wholesale, Glass or other, One gallon or multiples thereof, 46¢ per gallon.
Wholesale, Glass or paper, One-half gallon, 23¢ per one-half gallon.
Wholesale, Glass or paper, One quart, 11½¢ per quart.
Wholesale, Glass or paper, One pint, 6½¢ per pint.
Wholesale, Glass or paper, One-half pint, 3½¢ per one-half pint.

(c) That Paragraph II of said order be further amended by adding thereto subparagraph (N) as follows:

(N) Any person may sell or deliver fluid milk at retail or wholesale in the Counties of Dubois, Ohio, Orange, Perry, Posey, and Washington, in the State of Indiana at (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater.

Type of Delivery, Container, Size, and Adjusted Maximum Price

Retail, Glass or other, One gallon or multiples thereof, 50¢ per gallon.
Retail, Glass or paper, One-half gallon, 25½¢ per one-half gallon.
Retail, Glass or paper, One quart, 13¢ per quart.
Retail, Glass or paper, One pint, 7½¢ per pint.
Retail, Glass or paper, One-half pint, 6¢ per one-half pint.
Wholesale, Glass or other, One gallon or multiples thereof, 44¢ per gallon.
Wholesale, Glass or paper, One-half gallon, 22¢ per one-half gallon.
Wholesale, Glass or paper, one quart, 11¢ per quart.
Wholesale, Glass or paper, One pint, 6¢ per pint.
Wholesale, Glass or paper, One-half pint, 3¼¢ per one-half pint.

This amendment to Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 15, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4014; Filed, March 21, 1944; 9:37 a. m.]

[Region III Order G-20 Under RMPR 122]

SOLID FUELS IN LANSING, MICH., AREA

Order No. G-20 under Revised Maximum Price Regulation No. 122 Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lansing, Michigan, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Lansing, the City of East Lansing, the Township of Lansing and the Township of Meridian. These are the highest prices that any dealers may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-20; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II sets forth maximum prices for sales on a "direct delivery" basis when payment is made within 15 days of date of delivery; Column III sets forth maximum prices for sales on a "direct delivery" basis, when payment is made more than 15 days after date of delivery; and Column IV sets forth maximum prices for "yard sales" to other dealers purchasing for resale. All prices are for sales on a net ton basis.

Column I	Maximum price per net ton		
	Column II	Column III	Column IV
I. High Volatile Bituminous Coals from Producing District No. 8 (Eastern Kentucky and Southwestern West Va.):			
A. Lump-Size Group Nos. 1 and 2 (larger than 3"):			
1. Mine Price Classification A	$9.95	$10.45	$8.70
2. Mine Price Classifications E through J	9.65	10.15	8.40
3. Mine Price Classifications K through O	9.30	9.80	8.05
B. Egg			
1. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller):			
(a) Mine Price Classifications B through E	9.65	10.15	8.40
(b) Mine Price Classifications L through N	8.75	9.25	7.50
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):			
(a) Mine Price Classification A	9.25	9.75	8.00
(b) Mine Price Classifications B through K	9.10	9.60	7.85
(c) Mine Price Classification L	8.75	9.25	7.50
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller)—Mine Price Classifications B through N	8.75	9.25	7.50
C. Stove-Size Group No. 8 (top size larger than 2" but not exceeding 2" x bottom size 2" and smaller)—Mine Price Classifications B through G	8.65	9.15	7.40
D. Stoker-Size Group No. 10 (top size 1¼" and smaller x bottom size smaller than 1¼"):			
1. Mine Price Classifications A through E:			
a. Treated	9.40	9.90	8.15
b. Untreated	9.30	9.80	8.05
2. Mine Price Classifications, Other:			
a. Treated	8.70	9.20	7.45
b. Untreated	8.60	9.10	7.35
E. Modified or Dedusted Screenings-Size Group No. 18 (top size not exceeding 2")—Mine Price Classifications A through J	8.60	9.10	7.35
II. High Volatile Bituminous Coals from Producing District No. 4 (Ohio):			
A. Lump-Size Group No. 2 (larger than 2" but not exceeding 6"):			
1. From the Hocking Freight Origin District	8.70	9.20	7.45
2. From the Ohio No. 8 Freight Origin District	8.25	8.75	7.00
B. Egg-Size Group No. 3 (bottom size larger than 1¼" but not exceeding 2")—From the Hocking Freight Origin District	7.80	8.30	6.55
III. High Volatile Bituminous Lump and Egg coals from the Sewell Seam of Producing District No. 3—Northwestern W. Va., excluding Panhandle-Size Group No. 2 (lump coal larger than 2" but not exceeding 5" bottom size; double screened coal with a bottom size larger than 2")	8.90	10.40	8.65
IV. Low Volatile Bituminous Coals from Producing District No. 7 (Southeastern W. Va. and Northwestern Va.):			
A. Lump or Egg-Size Group Nos. 1 and 2 (Lump: bottom size larger than that designated for Screened Run of Mine; Egg: top size larger than 2" x bottom size no limit):			
1. Coals produced at Mine Index No. 73, the Glen Rogers Mine of the Raleigh, Wyoming, Mining Company	11.10	11.60	9.85
2. Mine Price Classification A, other than Mine Index No. 73	10.60	11.10	9.35
3. Mine Price Classifications B and C	10.50	11.00	9.25
B. Stove or Dedusted Screenings-Size Group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3")—Mine Price Classification A	10.80	10.80	9.05
C. Nut or Dedusted Screenings-Size Group No. 4 (top size larger than ⅝" but not exceeding 1¼" x bottom size smaller than 1¼")—Mine Price Classification A	9.50	10.00	8.25
D. Pea or Dedusted Screenings (Stoker)-Size Group No. 5 (top size not exceeding ⅝" x bottom size smaller than ⅜")—Mine Price Classification A	9.30	9.80	8.05
V. Pennsylvania Anthracite—Egg, Stove and Chestnut sizes:			
A. Until June 1, 1944	14.75	15.25	13.50
B. On and after June 1, 1944	14.45	14.95	13.20
VI. Coke (excluding reject or reclaimed Coke): Egg, Stove and Nut sizes	13.10	13.60	11.85

All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-20 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carrying or wheeling from curb	$0.75 per ton.
Carrying up or down stairs one flight	$1.00 per ton.
Each additional flight	$0.50 per ton.
Half ton deliveries	½ of the ton price plus $0.25.
Forking (limited to the forking of low volatile coals from Producing District No. 7)	$0.50 per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. This tax need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulation.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The

solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order No. G–20 under Revised Maximum Price Regulation No. 122 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 10, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4013; Filed, March 21, 1944; 9:38 a. m.]

[Region III Order G–22 Under MPR 329]

MILK IN DESIGNATED INDIANA COUNTIES

Order No. G–22 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk; Counties of Dekalb, Dubois, Lagrange, Montgomery, Noble, Ohio, Orange, Perry, Posey, Randolph, Steuben, Washington and Whitley, all in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a) and (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in the Counties of DeKalb, Lagrange, Montgomery, Noble, Randolph, Steuben and Whitley in the State of Indiana may pay producers for "milk" an amount not to exceed $3.30 per cwt. f. o. b. plant for "milk" of 4% butterfat content, plus or minus 5¢ for each one-tenth of one percent butterfat variation over or under 4%: *Provided, however,* That such milk distributors shall be subject to the express restrictions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

(b) Any milk distributor in the Counties of Dubois, Ohio, Orange, Perry, Posey and Washington in the State of Indiana may pay producers for "milk" an amount not to exceed $3.20 per cwt. f. o. b. plant for "milk" of 4% butterfat content, plus or minus 5¢ for each one-tenth of one percent butterfat variation over or under 4%: *Provided, however,* That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329.

(c) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(d) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(e) As to the distributors designated in sections (a) and (b) above, this order supersedes and replaces the provisions of Order No. G–3 under Maximum Price Regulation No. 329, "Purchases of Milk from Producers for Resale as Fluid Milk". Said Order No. G–3 is therefore revoked as to fluid milk distributors located in the Counties of DeKalb, Lagrange, Montgomery, Noble, Randolph, Ohio, Steuben, Whitley, Dubois, Orange, Perry, Posey, and Washington in the State of Indiana.

(f) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: March 15, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4015; Filed, March 21, 1944; 9:37 a. m.]

[Region III Order G–34 Under RMPR 122, Rev.]

SOLID FUELS IN YOUNGSTOWN, OHIO, AREA

Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Youngstown, Ohio, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the municipal limits of Youngstown, Girard, Struthers, Campbell, Hubbard, Hall's Corners, Poland and Lowellville, and within the townships of Liberty and Hubbard in Trumbull County, and the townships of Youngstown, Coitsville, Boardman, and Poland in Mahoning County, all in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligations, no person shall: (1) Sell, or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–34 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis, when payment is made within 30 days of the date of delivery; Column III shows maximum prices for "yard sales" to unequipped dealers reselling coal and to consumers. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 2 (Western Pennsylvania):		
A. Lump and double-screened coals		
1. Size Group Nos. 1 and 2 (bottom size larger than 2")		
a. Mine price classifications A through E	$7.45	$6.45
b. Mine price classifications F and lower	7.10	6.10
2. Size Group Nos. 3, 4 and 5 (bottom size smaller than 2"), excepting coal from Mine Index No. 224		
a. Mine price classifications A through C	7.45	6.45
b. Mine price classifications F through H	6.95	5.95
II. High volatile bituminous coals from producing district 3 (northwestern West Virginia, excluding Panhandle):		
A. Pittsburgh seam		
1. Lump—Size Group No. 2 (bottom size larger than 2" but not exceeding 9")—Mine price classifications D and E	6.90	5.90
III. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump		
1. From the Ohio No. 8 freight origin district		
a. Size Group No. 1 (bottom size larger than 5")	$7.20	$6.20
b. Size Group No. 2 (bottom size larger than 2" but not exceeding 5") excepting coal produced at Mine Index No. 122 of the Tasa Coal Co.		
(1) Produced at all other mines	7.05	6.05
2. From the Middle Freight Origin District		
a. Size Group No. 2 (bottom size larger than 2" but not exceeding 5")	7.25	6.25
B. Egg		
1. From the Ohio No. 8 Freight Origin District		
a. Size Group No. 2 (double screened; bottom size larger than 2")	7.05	6.05
B. Size Group No. 3 (double screened; bottom size larger than 1¼" but not exceeding 2")	6.65	5.65
IV. High volatile bituminous coals from producing district No. 6 (West Virginia Panhandle):		
A. Lump—Size Group No. 2 (bottom size larger than 2" but not exceeding 5")	7.05	6.05
V. High volatile bituminous coals from producing district No. 8 (Eastern Kentucky and Southwestern West Virginia):		
A. Lump:		
1. Size Group No. 2 (bottom size larger than 3" but not exceeding 5")—Mine price classifications C through H	8.85	7.85
VI. Low volatile bituminous coals from producing district No. 7 (Pocahontas):		
A. Stoker (nut, pea, or dedusted screenings)—Size group Nos. 4 and 5 (top size not exceeding 1¼" x bottom size smaller than 1¼")—Mine price classification A	8.00	7.00

(2) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–34 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carrying from curb	$1.00 per ton.
Wheeling from curb	$0.75 per ton.
One-half ton deliveries	½ the 1 ton price plus $0.25.
Credit charge permitted on Column II price when not paid within 30 days from date of delivery.	$0.50 per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Cleveland District Office of the Office of Price Administration.

(n) *Definitions and expalantions.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes, sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–34 under Revised Maximum Price Regulation No. 122 shall become effective March 22, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: March 13, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–4016; Filed, March 21, 1944; 9:38 a. m.]

[Memphis Order G–1 Under MPR 265]

BANANAS IN MEMPHIS, TENN., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith, and under the authority of Executive Order 9250, Executive Order 9328, Regional Delegation Order No. 25, and § 1351.1254 (a) of Maximum Price Regulation 265, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes an additional handling charge of 35¢ per cwt. over the maximum price for banana wholesalers located within the district served by the Memphis District Office.

SEC. 2. *Maximum prices for additional handling.* Any banana wholesaler located within the district served by the Memphis District Office may add to his proper maximum price for bananas a charge in an amount not to exceed 35¢ per cwt. to cover transportation costs outside of his free delivery zone. Such charge may not be added for the cost of local hauling within the free delivery zone surrounding the wholesaler's customary receiving point.

SEC. 3. *Effective date.* This order shall become effective immediately.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

W. C. MANLEY, Jr.,
District Director.

[F. R. Doc. 4017; Filed, March 21, 1944; 9:39 a. m.]

[Region V Order G–1 Under MPR 251]

PAINTING AND DECORATING SERVICES IN DALLAS, TEX., REGION

Order No. G–1 under Maximum Price Regulation 251. Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region V, Dallas, Texas, by § 1397.68 (b) of Maximum Price Regulation No. 251, *It is hereby ordered:*

(a) Any seller making sales or supplying painting and decorating services which are subject to Maximum Price Regulation No. 251, may increase his maximum price under the regulation for such sales and services by an amount not in excess of the difference between his labor costs computed on the basis of hourly rates in effect on July 1, 1942, and the hourly rate of $1.50 established for certain painters and decorators by order of the National War Labor Board in Case No. 7–3047, when and only when all of the following conditions have been met:

(1) The hourly rate does not exceed the conditions set forth in the order of the War Labor Board granting permission to increase wages.

(2) The seller performs the work described above within the metropolitan area of Kansas City, Missouri, or Kansas City, Kansas.

(3) The seller employs laborers who are authorized by the War Labor Board order in Case No. 7–3047 to receive the hourly rate specified in the Order.

(b) Any person determining maximum prices subject to this Order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. G–1 is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(d) This Order No. G–1 shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–4016; Filed, March 21, 1944; 9:39 a. m.]

[Region VIII Order G–5 Under MPR 376]

SWEET POTATOES IN PORTLAND, OREG., DISTRICT

Order No. G–5 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended; *It is hereby ordered:*

(a) The maximum prices in the Portland District, Region VIII, for sales of sweet potatoes which were shipped from the country shipping point during the period February 20 to March 2, 1944 shall be the maximum prices set forth below or the seller's maximum prices established under section 3 of Maximum Price Regulation No. 376, whichever are higher.

(1) *Primary distributors.* For all sales in carlot quantities or ex-car sales in any quantity, the total of actual f. o. b. shipping point price plus actual freight plus 10 cents per 50 pound box.

(2) *Secondary distributors.* For all other sales, except sales at retail, (i) if purchased by the seller from a primary distributor the total of the maximum price of said distributor as established under paragraph (1) above or under Maximum Price Regulation No. 376, whichever is higher, plus 60 cents per 50 pound box, or (ii) if purchased by the seller f. o. b. shipping point or in transit, the total of actual shipping point price plus freight plus 60 cents per 50 pound box.

(3) *Retail sellers.* (i) All sweet potatoes, except Louisiana yams, 15 cents per pound, (ii) Louisiana yams, two pounds for 29 cents.

(b) No seller affected by this order shall change his customary allowances, discounts or other price differentials unless its change results in a lower price.

(c) For purposes of this order:

(1) "Portland District" means all counties in the State of Oregon, except Harney and Malheur, and Clark, Cowlitz, Klickitat, Skamania, and Wakiakum Counties in the State of Washington and the Southwestern portion of Pacific County, Washington, including cities of Chinook, Ilwaco, Seaview, Longbeach, Ocean Park, Nahcotta, Oysterville and Naselle.

(2) "Retail sellers" means those persons regularly and customarily selling to ultimate consumers other than institutional or commercial users.

(d) This order shall become effective upon issuance. As to all sellers other than retail sellers, it shall remain effective only through March 20, 1944. As to retail sellers, it shall remain effective until revoked.

This order is subject to amendment or revocation at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–4008; Filed, March 21, 1944; 9:37 a. m.]

[Region VIII Order G–5 Under 18 (c)]

SLAB WOOD SALES BY WEYERHAEUSER TIMBER CO., EVERETT, WASH.

Order No. G–5 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain sales to industrial users.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and order of Delegation No. 34 under General Order 32, *It is hereby ordered:*

(a) Weyerhaeuser Timber Company, Mill "C", Everett, Washington, may sell and deliver from Mill "C" 4-foot slab wood to dealers who purchase for resale to the following bakeries: Colby Bakery, Eisner's Bakery, Everett Bakery Company, Model Bakery, and Puget Sound Bakery, all of Everett, Washington, at prices no higher than $2.75 per cord, f. o. b. mill.

(b) Wood dealers purchasing 4-foot slab wood from Weyerhaeuser Timber Company, Mill "C", Everett, Washington, for resale to the following bakeries: Colby Bakery, Eisner's Bakery, Everett Bakery Company, Model Bakery, and Puget Sound Bakery, all of Everett, Washington, may sell and deliver said 4-foot slab wood to the named bakeries at prices no higher than $5.00 per cord, delivered to premises of bakery.

(c) All discounts or other allowances for quantity purchases, prompt payment or otherwise, in effect during March 1942 must be continued in effect.

(d) This Order No. G–5 is issued subject to the following conditions:

1. Within five days after receipt of notice of the issuance of Order No. G–5, Weyerhaeuser Timber Company, Mill "C", Everett, Washington, and each of the wood dealers electing to price under the provisions of this order, shall file with the Seattle District Office of the Office of Price Administration, 3312 White-Henry-Stuart Building, Seattle 1, Washington, a statement, under oath, that he has, to the best of his ability, complied with all the requirements of sections 11 and 13 of the General Maximum Price Regulation.

2. At or prior to the first invoice to each purchaser for resale after the date of issuance of this Order No. G–5, the Weyerhaeuser Timber Company, Mill "C", Everett, Washington, shall give written notice of the adjustment in price granted by Order No. G–5, which written notice shall advise each purchaser for resale of the resale price established by Order No. G–5 which may be charged on sales to the bakeries named in Order No. G–5.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

(f) All prayers of the application not granted herein are denied.

(g) This order shall become effective February 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

IRVIN A. HOFF,
Acting District Director.

FEBRUARY 24, 1944.

[F. R. Doc. 44–4007; Filed, March 21, 1944; 9:40 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 20, 1944.

REGION I

Concord Order No. 1–W, filed 2:57 p. m.
Concord Order No. 11, filed 2:56 p. m.

REGION III

Escanaba Order No. 9–F, filed 2:58 p. m.
Escanaba Order No. 9–F, Amendment No. 1, filed 2:57 p. m.
Escanaba Order No. 9–F, Amendment No. 2, filed 2:57 p. m.
Escanaba Order No. 10–F, filed 2:58 p. m.
Escanaba Order No. 10–F, Amendment No. 1, filed 2:58 p. m.
Escanaba Order No. 10–F, Amendment No. 2, filed 2:59 p. m.
Escanaba Order No. 11–F, filed 3:00 p. m.
Escanaba Order No. 11–F, Amendment No. 1, filed 3:00 p. m.
Escanaba Order No. 11–F, Amendment No. 2, filed 3:00 p. m.
Escanaba Order No. 15–F, filed 3:00 p. m.
Escanaba Order No. 21, filed 2:59 p. m.
Escanaba Order No. 22, filed 2:59 p. m.
Escanaba Order No. 24, filed 2:57 p. m.

REGION V

Arkansas Order No. G–14, filed 2:55 p. m.
Arkansas Order No. G–15, filed 2:55 p. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 8, filed 3:01 p. m.
Fresno Order No. 16, filed 3:02 p. m.
Phoenix Order No. 1–W, filed 2:56 p. m.
Phoenix Order No. 3–F, Amendment No. 10, filed 2:55 p. m.
Portland Order No. 1–F, Amendment No. 7, filed 3:02 p. m.
Seattle Order No. 1–F, Amendment No. 7, filed 3:00 p. m.
Seattle Order No. 3–F, Amendment No. 7, filed 2:56 p. m.
Seattle Order No. 4–F, Amendment No. 7, filed 2:56 p. m.
Seattle Order No. 5–F, Amendment No. 6, filed 2:56 p. m.
Spokane Order No. 17, Amendment No. 1, filed 3:01 p. m.
Spokane Order No. 18, Amendment No. 1, filed 3:01 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4031; Filed, March 21, 1944; 4:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 10, 1944.

REGION II

Erie Order No. 11, filed 12:18 p. m.
Erie Order No. 12, filed 12:18 p. m.
Erie Order No. 13, filed 12:18 p. m.

REGION III

Cleveland Order No. 16, Revocation, filed 12:20 p. m.
Cleveland Order No. 29, filed 12:09 p. m.
Charleston Order No. 2–F, Amendment No. 8, filed 12:21 p. m.
Charleston Order No. 3–F, Amendment No. 9, filed 12:21 p. m.
Charleston Order No. 29, filed 12:20 p. m.

REGION IV

Birmingham Order No. 14, Amendment No. 1, filed 12:17 p. m.
Birmingham Order No. 15, Amendment No. 1, filed 12:09 p. m.
Charlotte Order No. 1–W, filed 12:11 p. m.
Savannah Order No. 2–F, Amendment No. 20, filed 10:06 a. m.
South Carolina Order No. 1–W, Amendment No. 1, filed 12:11 p. m.
South Carolina Order No. 1–F, Amendment No. 16, filed 12:10 p. m.
South Carolina Order No. 2–F, Amendment No. 6, filed 12:10 p. m.
South Carolina Order No. 3–F, filed 12:15 p. m.

REGION V

Arkansas Order No. 2–F, Amendment No. 3, filed 12:12 p. m.
Arkansas Order No. 2–F, Amendment No. 4, filed 12:13 p. m.
Arkansas Order No. 3–F, Amendment No. 3, filed, 12:13 p. m.
Arkansas Order No. 4–F, Amendment No. 4, filed 12:13 p. m.
Arkansas Order No. 4–F, Amendment No. 5, filed 12:14 p. m.
Arkansas Order No. 5–F, Amendment No. 3, filed 12:13 p. m.
Arkansas Order No. 5–F, Amendment No. 4, filed 12:14 p. m.
Arkansas Order No. 6–F, Amendment No. 4, filed 12:13 p. m.
Arkansas Order No. 6–F, Amendment No. 5, filed 12:14 p. m.
Dallas Order No. 3–F, Amendment No. 5, filed 12:12 p. m.
Kansas City Order No. 2–F, Amendment No. 3, filed 12:17 p. m.
Shreveport Order No. 2–F, Amendment No. 4, filed 12:12 p. m.
Shreveport Order No. 1–W, filed 12:20 p. m.

REGION VI

Milwaukee Order No. 2–F, Amendment No. 4, filed 12:10 p. m.
Milwaukee Order No. 5–F, Amendment No. 3, filed 12:10 p. m.
Moline Order No. 26, Amendment No. 1, filed 12:14 p. m.
North Platte Order No. 10, filed 12:20 p. m.
Omaha Order No. 1–W, filed 12:16 p. m.
Omaha Order No. 1–F, Amendment No. 7, filed 12:17 p. m.
Omaha Order No. 2–F, Amendment No. 5, filed 12:17 p. m.
Omaha Order No. 13, filed 12:16 p. m.
Omaha Order No. 14, filed 12:16 p. m.
Sioux City Order No. 4–F, Amendment No. 2, filed 12:14 p. m.
Sioux Falls Order No. 1–F, Amendment No. 2, filed 12:09 p. m.

REGION VIII

Phoenix Order No. 8, Amendment No. 2, filed 12:14 p. m.
Phoenix Order No. 13, filed 12:12 p. m.
Sacramento Order No. 2–W, filed 12:15 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4027; Filed, March 21, 1944; 4:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 11, 1944.

REGION III

Charleston Order No. 1–F, Amendment No. 12, filed 1:00 p. m.
Charleston Order No. 4–F, Amendment No. 6, filed 1:00 p. m.
Charleston Order No. 5–F, Amendment No. 8, filed 12:56 p. m.
Charleston Order No. 6–F, Amendment No. 9, filed 12:56 p. m.
Cincinnati Order No. 2–F, Amendment No. 12, filed 1:00 p. m.

REGION IV

Charlotte Order No. 1–W, filed 1:00 p. m.
Charlotte Order No. 2–F, filed 1:01 p. m.

REGION V

New Orleans Order No. 2–F, Amendment No. 7, filed 12:58 p. m.

REGION VI

Duluth-Superior Order No. 1–F, Amendment No. 6, filed 12:56 p. m.
Fargo-Moorhead Rev. Order No. 21, filed 12:59 p. m.
Fargo-Moorhead Rev. Order No. 22, filed 12:59 p. m.
Fargo-Moorhead Rev. Order No. 23, filed 12:58 p. m.
Fargo-Moorhead Rev. Order No. 24, filed 12:58 p. m.
Green Bay Order No. 1–F, Amendment No. 5, filed 12:57 p. m.
Green Bay Order No. 2–F, Amendment No. 5, filed 12:57 p. m.
Milwaukee Order No. 3–F, Amendment No. 4, filed 12:56 p. m.
Milwaukee Order No. 4–F, Amendment No. 1, filed 12:58 p. m.
Moline Order No. 2–F, Amendment No. 4, filed 12:57 p. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 7, filed 1:01 p. m.
Fresno Order No. 11, Amendment No. 1, filed 1:01 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4036; Filed, March 21, 1944; 4:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 13, 1944.

REGION II & III

Albany Order No. P–1, Amendment No. 1, filed 12:38 p. m.
Altoona Order No. 11, filed 12:40 p. m.
District of Columbia Order No. 8, filed 12:40 p. m.
Charleston Order No. 1–F, Amendment No. 13, filed 12:41 p. m.
Charleston Order No. 2–F, Amendment No. 9, filed 12:41 p. m.
Charleston Order No. 3–F, Amendment No. 10, filed 12:42 p. m.
Charleston Order No. 4–F, Amendment No. 7, filed 12:42 p. m.
Charleston Order No. 5–F, Amendment No. 6, filed 12:42 p. m.
Charleston Order No. 6–F, Amendment No. 4, filed 12:21 p. m.
Charleston Order No. 30, filed 12:40 p. m.
Charleston Order No. 31, filed 12:21 p. m.
Cincinnati Order No. 2–F, Amendment No. 13, filed 12:32 p. m.
Cleveland Order No. F–4, Amendment No. 11, filed 12:38 p. m.
Cleveland Order No. 29, Amendment No. 1, filed 12:38 p. m.
Detroit Order No. 1–F, Amendment No. 5, filed 12:38 p. m.
Lexington Order No. 1–F, Amendment No. 20, filed 12:32 p. m.
Lexington Order No. 2–F, Amendment No. 13, filed 12:32 p. m.
Lexington Order No. 3–F, Amendment No. 11, filed 12:38 p. m.

REGION IV

Atlanta Order No. 1–F, Amendment No. 7, filed 12:47 p. m.
Memphis Order No. 8–F, Amendment No. 1, filed 12:46 p. m.
Memphis Order No. 16, Amendment No. 1, filed 12:45 p. m.
Montgomery Order No. 5–F, Amendment No. 2, filed 12:43 p. m.
Montgomery Order No. 8–F, Amendment No. 2, filed 12:42 p. m.
Savannah Order No. 1–W, filed 12:21 p. m.

REGION V

Dallas Order No. 1–F, Amendment No. 7, filed 12:46 p. m.
Dallas Order No. G–14, filed 12:24 p. m.
Dallas Order No. G–16, filed 12:24 p. m.
Houston Order No. 1–F, Amendment No. 4, filed 12:46 p. m.
Lubbock Order No. 1–W, filed 12:25 p. m.
Lubbock Order No. G–12, filed 12:25 p. m.
Lubbock Order No. G–13, filed 12:25 p. m.

REGION VI

Chicago Order No. 1–W, filed 12:23 p. m.
Duluth-Superior Order No. 1–F, Amendment No. 7, filed 12:44 p. m.
Peoria Order No. 1–F, Amendment No. 1, filed 12:46 p. m.
Peoria Order No. 6, Amendment No. 4, filed 12:45 p. m.
Peoria Order No. 7, Amendment No. 1, filed 12:44 p. m.
Peoria Order No. 7, Amendment No. 2, filed 12:45 p. m.
Peoria Order No. 8, Amendment No. 3, filed 12:44 p. m.
Peoria Order No. 9, Amendment No. 2, filed 12:44 p. m.
Sioux City Order No. 2–F, Amendment No. 5, filed 12:45 p. m.

REGION VIII

Los Angeles Order No. 1–F, Amendment No. 2, filed 12:23 p. m.
Portland Order No. 1–F, Amendment No. 6, filed 12:23 p. m.
Sacramento Order No. 14, Amendment No. 1, filed 12:23 p. m.
San Diego Order No. 1–F, Amendment No. 25, filed 12:47 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4029; Filed, March 21, 1944; 4:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 17, 1944.

REGION I & II

Connecticut Order No. 1–F, filed 3:53 p. m.
Cleveland Order No. F–1, Amendment No. 17, filed 3:55 p. m.
Cleveland Order No. F–5, Amendment No. 9, filed 3:54 p. m.
Cincinnati Order No. 1–F, Amendment No. 20, filed 3:53 p. m.
Detroit Order No. 10, Amendment No. 3, filed 3:54 p. m.

REGION IV

Atlanta Order No. 5–F, Amendment No. 4, filed 3:51 p. m.
Birmingham Order No. 1–F, Amendment No. 4, filed 3:52 p. m.
Birmingham Order No. 2–F, Amendment No. 1, filed 3:53 p. m.
Jacksonville Order No. 1–F, Amendment No. 15, filed 3:45 p. m.
Savannah Order No. 1–F, Amendment No. 26, filed 3:52 p. m.
Savannah Order No. 2–F, Amendment No. 21, filed 3:52 p. m.
Savannah Order No. 3–F, Amendment No. 19, filed 3:51 p. m.
Savannah Order No. 4–F, Amendment No. 18, filed 3:51 p. m.
South Carolina Order No. 1–F, Amendment No. 17, filed 3:48 p. m.
South Carolina Order No. 2–F, Amendment No. 7, filed 3:48 p. m.
South Carolina Order No. 3–F, Amendment No. 1, filed 3:47 p. m.

REGION V

Arkansas Order No. 3–F, Amendment No. 4, filed 3:56 p. m.
Arkansas Order No. 4–F, Amendment No. 6, filed 3:55 p. m.
Arkansas Order No. 5–F, Amendment No. 5, filed 3:55 p. m.
Arkansas Order No. 6–F, Amendment No. 6, filed 3:55 p. m.

REGION VI

La Crosse Order No. 3–F, Amendment No. 3, filed 3:57 p. m.
La Crosse Order No. 4–F, Amendment No. 3, filed 3:57 p. m.

La Crosse Order No. 5–F, Amendment No. 3, filed 3:57 p. m.
North Platte Order No. 13, filed 3:45 p. m.

REGION VII

New Mexico Order No. F–1, Amendment No. 4, filed 3:46 p. m.
New Mexico Order No. 1–W, filed 3:46 p. m.
Utah Order No. F–1, Amendment No. 4, filed 3:49 p. m.
Utah Order No. F–3, Amendment No. 2, filed 3:50 p. m.

REGION VIII

Fresno Order No. 14, filed 3:49 p. m.
Fresno Order No. 15, filed 3:49 p. m.
Los Angeles Order No. 1–F, Amendment No. 3, filed 3:50 p. m.
Sacramento Order No. 1–W, filed 3:47 p. m.

Copies of these orders may be secured from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4030; Filed, March 21, 1944; 4:57 p. m.]

[Region VIII Order G–2 Under MPR 136, Revocation]

WOODWORKING MACHINERY MANUFACTURED BY DAVIS AND WELLS

Order No. G–2 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services.

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. G–2 under Maximum Price Regulation 136, as amended, issued by the San Francisco Regional Office, is hereby revoked.

This order shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4099; Filed, March 22, 1944; 11:54 a. m.]

WAR FOOD ADMINISTRATION.

OFFICES OF PRODUCTION AND DISTRIBUTION

CHANGE OF AGENCY NAMES AND TITLES OF FOOD PRODUCTION AND FOOD DISTRIBUTION ADMINISTRATIONS

Pursuant to the authority vested in the War Food Administrator, effective January 21, 1944, the Food Production Administration and the Food Distribution Administration shall be known as the Office of Production and the Office of Distribution, respectively. The heads of these offices shall have the titles of Director of Production and Director of Distribution, respectively.

Issued this 21st day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–4021; Filed, March 21, 1944; 3:18 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 60

Washington, Friday, March 24, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 70, Amdt. 2]

PART 1470—FOOD STORAGE FACILITIES

REFRIGERATED FOOD STORAGE FACILITIES

Food Distribution Order 70, issued by the War Food Administrator on July 31, 1943 (8 F.R. 10703) as amended on August 31, 1943 (8 F.R. 12039), is further amended to read as follows:

§ 1470.1 *Restrictions on use of refrigerated storage facilities*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the United States, or any agency thereof, any State or political subdivision or agency thereof, and any other Government or agency thereof.

(2) The term "refrigerated storage facility" means any artificially cooled storage space of more than 10,000 cubic feet capacity (not operated as a part of an established wholesale or retail food business, hotel, or other establishment where persons are housed or fed, and not including that portion of the refrigerated storage facility occupied by individual lockers having a capacity of less than twenty-five cubic feet).

(3) The term "restricted commodities" means any commodity not to be placed in refrigerated storage as designated by the Director.

(4) The term "storage month" means the period during which the monthly rate charged for the storage of any commodity is applicable.

(5) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* No person operating a refrigerated storage facility shall, after the effective date of this order, unless specifically authorized by the Director:

(1) Receive in storage in such facility restricted commodities.

(2) Retain in storage in such facility restricted commodities after the expiration of the current storage month applicable to each item or lot of commodities in storage: *Provided,* That a minimum period of six days, excluding Sunday, after the effective date of this order shall be allowed in which to remove all such commodities from such facilities.

(3) Hold, for a period in excess of seventy-two hours from the time the reservation is made, storage space reserved by any person in such facility, unless the person operating such refrigerated storage facility is furnished with car numbers or copies of the bills of lading covering commodities which have been shipped to such facility by common carrier, or when means of transportation other than common carrier are used, other adequate evidence that the commodities to be stored have been shipped or are otherwise en route to such facility: *Provided,* That space may be held for the account of the War Department, the Navy Department and the Office of Distribution, War Food Administration for a period not to exceed seven days from the date the reservation is made: *Provided, further,* That this paragraph (b) (3) shall not apply to the reservation of storage space for any food in its natural or unprocessed state which has not been previously wrapped, packed or prepared for market, or to fruits and vegetables packed in the field and moving to the first refrigerated storage facility.

(c) *Restrictions as to length of storage.* No person shall, after the effective date of this order, unless specifically authorized by the Director: (1) Store or cause to be stored in a refrigerated storage facility any commodity or merchandise for a period or periods in excess of a total of ten months: *Provided,* That a minimum of thirty days, after the effective date of this order, shall be allowed in which to remove all such commodities or merchandise affected by this paragraph (c).

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.
Book 2: Titles 4-9, with index.

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(2) Store or accept for storage in a refrigerated storage facility any commodity or merchandise unless there is submitted therewith a certificate signed by the owner or his authorized representative showing the total time during which such commodities or merchandise have been previously stored in a refrigerated storage facility or facilities. Such certificate shall be retained by each person operating a refrigerated storage facility for a period of one year following the release of the commodities or merchandise listed thereon.

(d) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises of, or commodities held in storage by, any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate in his discretion, to the enforcement or administration of the provisions of this order subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any material or facilities subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials or facilities subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD 70.

(k) *Territorial extent.* This order shall apply only to the forty-eight States of the United States, and the District of Columbia.

(l) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., March 22, 1944. With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order 70 as amended shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 21st day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F.R. Doc. 44-4022; Filed, March 21, 1944; 3:21 p. m.]

[FDO 70-1, Amdt. 2]

PART 1470—FOOD STORAGE FACILITIES

DESIGNATION OF RESTRICTED COMMODITIES AND REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by Food Distribution Order No. 70 dated July 31, 1943 (8 F.R. 10703), as amended on August 31, 1943 (8 F.R. 12039), Food Distribution Order No. 70-1, dated July 31, 1943 (8 F.R. 10704), as amended on August 31, 1943 (8 F.R. 12039), is further amended to read as follows:

§ 1470.2 *Restricted commodities designated and reports required*—(a) *Definitions.* The definitions of terms contained in Food Distribution Order No. 70, as amended, shall apply to this order when such terms are used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "net piling space" means the space available for the storage of commodities; i. e., the space inside rooms measured from wall to wall and floor to ceiling, minus the actual space provided for ventilation outside of the piling space and space occupied by coils, aisles, posts, and for proper clearance of ceiling sprinklers.

(2) The term "freezer space" means any space in a refrigerated storage facility held at a temperature of 29 degrees Fahrenheit or lower.

(3) The term "cooler space" means any space in a refrigerated storage facility held at a temperature between 30 and 50 degrees Fahrenheit.

(b) *Designation of restricted commodities.* The following are designated as restricted commodities not to be placed in refrigerated storage:

(1) Evaporated milk
(2) Canned condensed milk
(3) Dried skim milk
(4) Dried whole milk in gas filled hermetically sealed containers
(5) Sterile canned meats
(6) Canned processed cheese
(7) All types of flour and dry cereals
(8) Canned fruits and vegetables except citrus concentrates
(9) Beer, wines, and liquors
(10) Nuts in the shell (including peanuts)
(11) Canned fish and canned shellfish in hermetically sealed containers except frozen crabmeat and shrimp
(12) Carter spread

(c) *Records and reports.* Any person operating a refrigerated storage facility shall: (1) Report to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 70 the following information:

(i) On Form FDO 70-7, within fifteen days after the effective date of this order, a list of all commodities designated in paragraph (b), (10), (11), and (12) hereof held by such person in a refrigerated storage facility on the effective date of this order, the quantity of each and the date on which the current storage month of each commodity or lot expires.

(ii) On Form FDO 70-6, within fifteen days after the effective date of this order, a list of all commodities or merchandise which have been in storage in a refrigerated storage facility for a period of ten months or longer and the names of the owners thereof.

(iii) On Form FDO 70-2, within three working days after the first and fifteenth day of each month following the effective date of this order, the number of cubic feet of cooler and freezer space occupied, for all purposes, as of the first and fifteenth day of each month.

(iv) On Form FDO 70-6, within fifteen days after the first day of each month, a list of all commodities or merchandise which have been stored in a refrigerated storage facility for a period of nine months or longer, the quantity in pounds of each commodity and the name of the owner thereof.

(2) On Form FDA 216, within six working days after the first day of each month following the effective date hereof, report to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. Cold Storage Reports the quantity of each commodity as designated thereon, held in a refrigerated storage facility as of the first day of each month.

(3) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., on the 22d day of March 1944. With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order No. 70-1 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO-70, 8 F.R. 10703; E.O. 9392, 8 F.R. 14785)

Issued this 21st day of March, 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-4203; Filed, March 21, 1944; 3:21 p. m.]

[FDO 90, Amdt. 1]

PART 1470—FOOD STORAGE FACILITIES

REFRIGERATED FOOD STORAGE FACILITIES

Food Distribution Order 90, issued by the War Food Administrator on December 22, 1943 (8 F.R. 17335), is amended to read as follows:

§ 1470.3 *Restrictions on use of freezer space*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the United States, or any agency thereof, any State or political subdivision or agency thereof, and any other Government or agency thereof.

(2) The term "freezer space" means any artificially cooled storage space of 10,000 cubic feet net capacity or more which can be maintained at a temperature of 29 degrees Fahrenheit or lower (not operated as a part of an established wholesale or retail food business, hotel, or other establishment where persons are housed or fed, and not including that portion of the freezer space occupied by individual lockers having a capacity of less than 25 cubic feet, curing cellars, cutting rooms, and chill rooms, held in excess of 29 degrees Fahrenheit, which are used in processing of meat).

(3) The term "excluded commodities," means any commodity not to be placed in freezer space as designated by the Director.

(4) The term "limited-storage commodities" means any commodity which may be placed in freezer space but not held there for a longer period of time than designated by the Director.

(5) The term "reduced storage commodities" means any commodity the quantity of which stored in freezer space must be reduced as designated by the Director.

(6) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(7) The term "storage month" means the period during which the monthly rate charged for the storage of any commodity is applicable.

(8) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on use of freezer space.* No person operating freezer space facilities shall, after the effective date of this order, unless specifically authorized by the Director:

(1) Receive for freezing or for storage in such freezer space excluded commodities.

(2) Retain in freezer space in such facility excluded commodities after the expiration of the current storage month applicable to every item or lot of commodities in storage: *Provided*, That a minimum period of ten days, excluding Sundays, after the effective date of this order shall be allowed in which to remove all such commodities from such facility.

(3) Retain in freezer space for a period in excess of ten days any limited storage commodity: *Provided*, That a period of ten days, excluding Sundays, from the effective date of this order or a period to the end of the current storage month, whichever is the longer, will be allowed in which to remove from such facility all such commodities that are now in storage.

(4) Accept for storage in freezer space limited-storage commodities, which have previously been held in freezer space for a period of ten days or more.

(c) *Reduction of the quantity of various commodities stored in freezer space.* No person shall, after thirty days, following the effective date of this order, unless specifically authorized by the Director, store or cause to be stored in freezer space facilities more than a total of eighty percent by weight of the reduced storage commodities held in storage in freezer space as of the effective date of this order. This reduction shall apply to the total of the stocks of reduced storage commodities of each person held in each freezer space facility without regard to commodities. This paragraph (c) shall not apply to the Armed Services of the United States or to persons holding poultry for a governmental agency pursuant to paragraph (b) of FDO 91 (8 F.R. 17502). The restriction contained in this paragraph (c) shall continue in effect only until June 1, 1944.

(d) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises of, or commodities held in storage by, any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate in his discretion, to the enforcement or administration of the provisions of this order subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(i) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any material or facilities subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials or facilities subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD 90.

(k) *Territorial extent.* This order shall apply only to the forty-eight States of the United States, and the District of Columbia.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., on the 22d day of March 1944. With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order No. 90 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 21st day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4024; Filed, March 21, 1944; 4:02 p. m.]

[FDO 90-1, Amdt. 1]

PART 1470—FOOD STORAGE FACILITIES

DESIGNATION OF RESTRICTED COMMODITIES AND REQUIREMENT OF REPORTS

Pursuant to the authority vested in the Director by Food Distribution Order No. 90 issued December 22, 1943 (8 F.R. 17336), as amended, Food Distribution Order No. 90–1 issued December 22, 1943 (8 F.R. 17335) is amended by deleting therefrom 1470.4 (e) and inserting in lieu thereof the following:

(e) *Designation of reduced storage commodities.* The following are designated as reduced storage commodities:

(1) Frozen poultry
(2) Frozen and cold pack fruits and vegetables
(3) Frozen puree (fruits and vegetables)

(f) *Effective date.* This amendment shall become effective 12:01 a. m., e. w. t. March 22, 1944. With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order 90–1 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 21st day of March 1944.

C. W. KITCHEN,
Acting Director Food Distribution.

[F. R. Doc. 44-4025; Filed, March 21, 1944; 3:21 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES, AND LIBRARIANS

HOSTESS; LIBRARIAN SERVICE UNIFORM

Sections 57.21 to 57.33 (7 F.R. 7185, 9449; 8 F.R. 4817) are hereby rescinded and the following §§ 57.21 to 57.33 are substituted therefor. The regulations in these sections are also contained in Army Regulations No. 600–36, dated 25 February 1944, the particular paragraphs being shown in brackets at end of sections.

Sec.
57.21 Service uniform; general.
57.22 Change in design or material.
57.23 Winter service uniform.
57.24 Summer service uniform.
57.25 Headgear.

Sec.
57.26 Coat.
57.27 Skirt.
57.28 Overcoat, long.
57.29 Trench coat.
57.30 Buttons.
57.31 Adopted standards of cloth.
57.32 Insignia; Army Hostess and Librarian Service.
57.33 Insignia; United Service Organizations; camp shows.

AUTHORITY: §§ 57.21 to 57.33, inclusive, issued under R.S. 161; 5 U.S.C. 22.

§ 57.21 *Service uniform; general—*(a) *In continental United States.* The hostess-librarian service uniform will be worn in the continental United States only by members of the Army Hostess and Librarian Service.

(b) *In oversea theaters, departments, and base commands.* In addition to its wear by members of the Army Hostess and Librarian Service, the purchase and wear of the hostess-librarian uniform, without insignia, in oversea theaters are authorized for all civilian women personnel employed by any department or agency of the United States Government, and for such other civilian women personnel employed in furtherance of the United States war effort who may be specifically accorded such authorization by the theater commander. This authority will not be extended to employees who are normally resident in the theater. It will also not be extended to civilian women personnel in the Territory of Hawaii and the Panama Canal Zone, except for personnel of organizations specifically authorized by the War Department.

(c) *United Service Organizations.* Women personnel sent abroad by the United Service Organizations (USO) are specifically authorized to wear the hostess-librarian uniform, modified as prescribed in these regulations in all oversea theaters and while en route. [Par. 1]

§ 57.22 *Change in design or material.* Whenever changes in design or material of uniforms are made, all members of the Army Hostess and Librarian Service or other personnel authorized to wear this uniform are authorized to wear out existing clothing. Uniforms procured or manufactured after promulgation of changes will be of the new type. [Par. 3]

§ 57.23 *Winter service uniform.* The winter service uniform for the Army Hostess and Librarian Service, and other organizations or other personnel authorized to wear this uniform, consists of the following items:

(a) Cap, service, gabardine, hostess-librarian (except for USO).
(b) Cap, garrison, gabardine, USO (for USO only).
(c) Coat, service, gabardine, hostess-librarian.
(d) Skirt, service, gabardine, hostess-librarian.
(e) Waist, white, women's (commercial pattern).
(f) Shoes, black, or dark blue, oxford type (commercial pattern).
(g) Hosiery, neutral shade.
(h) Gloves, leather, dress, black, grey, or dark blue (commercial pattern).

Optional

(i) Overcoat, long, hostess-librarian.
(j) Trench coat, women's, drab.
(k) Raincoat, black or dark blue, women's (commercial pattern).
(l) Scarf, black or dark blue (commercial pattern).
(m) Sweater, blue (commercial pattern).
(n) Overshoes, black (commercial pattern).
(o) Bag, utility, black or dark blue. [Par. 4]

§ 57.24 *Summer service uniform.* The summer service uniform for members of the Army Hostess and Librarian Service, other authorized organizations, and other personnel authorized to wear this uniform will conform to the winter service uniform, except that the wear of either a spun rayon uniform in the same blue shade as the winter uniform, or a blue and white striped seersucker uniform is authorized. The special items of summer uniform which will be worn in lieu of corresponding items of winter uniform are as follows:

(a) *Rayon summer service uniform.* (1) Coat, service, rayon, hostess-librarian.

(2) Skirt, service, rayon, hostess-librarian.

(b) *Seersucker summer service uniform.* (1) Coat, service, seersucker, hostess-librarian.

(2) Skirt, service, seersucker, hostess-librarian. [Par. 5]

§ 57.25 *Headgear—*(a) *Army Hostess and Librarian Service.* Of adopted design with insignia of the Army Hostess and Librarian Service to be attached thereto.

(b) *USO.* Women's garrison cap of adopted design with insignia of the USO to be attached thereto.

(c) *Other authorized personnel.* Hostess-librarian cap without insignia. [Par. 6]

§ 57.26 *Coat—*(a) *General description.* A single-breasted coat; lining, if desired, to be the same color as coat; to be slightly fitted at the waist, buttoned down the front with five coat buttons equally spaced so that the coat may be closed and buttoned to the collar.

(b) *Collar.* The collar to extend approximately ¾ inch horizontally from the notch of the lapel.

(c) *Pockets.* There will be four outside pockets, two upper and two lower, placed so that the upper lines are horizontal. The pockets will be slightly rounded at the lower corners. The pockets will be of suitable size according to the size of the coat, approximately of the following dimensions:

(1) *Upper pockets.* Depth 4¾ inches; width at top 4½ inches, at bottom 4¾ inches.

(2) *Lower pockets.* Depth 7 inches; width at top 5¾ inches, at bottom 6¾ inches. [Par. 7]

§ 57.27 *Skirt.* Of adopted design, eight gore, with a 1½-inch waist band and side opening of suitable closure. [Par. 8]

§ 57.28 *Overcoat, long—*(a) *General description.* A single-breasted women's type overcoat with buttoned-in lining of the same color; buttoned down the front with four large overcoat buttons, the three lower buttons approximately 4¼ inches apart, the top button for use in closing the coat to the neck; back to be an inverted box-pleat, closed at the waist and at the top, to have backstraps let into the side seams at the waistline, fastened together with two large overcoat buttons and buttonholes.

(b) *Pockets.* Two outside slash pockets, one on each side, with vertical openings. [Par. 9]

§ 57.29 *Trench coat—*(a) *Design.* A utility coat, with a buttoned-in removable wool lining; double-breasted with convertible roll collar and notch lapel, buttoned down the front with a double row of large overcoat buttons, three on each side; a rectangular throatpiece with two buttonholes for 24-ligne buttons; a detachable belt of the same material as coat with matching plastic buckle; adjustable tabs to button at cuff; two diagonal slash pockets.

(b) *Liner.* Made from a blue wool fabric, faced with a shoulder lining of drab color rayon fabric and with 20 buttons for buttoning into overcoat body. [Par. 10]

§ 57.30 *Buttons—*(a) *Coat.* Dark blue, four-hole plastic or other suitable composition, commercial type, 34-ligne.

(b) *Overcoat.* Dark blue, four-hole plastic or other suitable composition, commercial type, 45-ligne. [Par. 11]

§ 57.31 *Adopted standards of cloths—*(a) *Adopted standards.* The adopted standards of cloth for the hostess-librarian are as follows:

(1) *Winter service uniform—*(i) *Coat, cap and skirt—*(a) *Fabric.* Gabardine, worsted, 12½-ounce.

(b) *Color.* Light blue, shade No. 56.

(ii) *Overcoat—*(a) *Fabric.* Melton, or other suitable wool fabric, 17–26 ounce.

(b) *Color.* Light blue, shade No. 58 or slate blue, shade No. 59.

(iii) *Trench coat—*(a) *Fabric.* Gabardine, worsted, water-repellent.

(b) *Color.* Drab, shade No. 60.

(iv) *Waist—*(a) *Fabric.* Cotton, poplin or broadcloth; wool-rayon mixture.

(b) *Color.* White.

(2) *Summer service uniform, coat and skirt.* (i) Spun rayon, plain or twill weave, light blue, shade No. 56.

(ii) Seersucker, blue and white stripe, blue, shade No. 17.

(b) *Samples and specifications.* Samples of the adopted shades and standard cloths and of the several items of these prescribed uniforms, as approved by the Secretary of War, will be maintained on display at the Office of The Quartermaster General and in such other offices as he may prescribe. Specifications for the several articles of the uniforms and other clothing are published by The Quartermaster General. Prescribed articles of the uniforms will conform in quality, design, and color to the corresponding approved samples and specifications. [Par. 12]

§ 57.32 *Insignia; Army Hostess and Librarian Service*—(a) *Identification, brooch type.* (1) Of silver color metal of adopted design, engraved with name of hostess or librarian. Pin stem to be 2.1875 inches long, hinge to be the flat joint type, catch to be the ball-shaped safety type, the hinge and catch to be soldered to insignia with silver solder.

(b) *Shoulder sleeve and cap insignia.* (1) On a light blue semidisk approximately 1⅝ inch radius, a fan 1½ inches of nine pieces of varying lengths, radiating from an open center of 7/16 diameter; each piece of a different color, clockwise from 9 to 3 as follows: Maroon, red, orange, green, white, dark blue, yellow, buff, and crimson. [Par. 13]

§ 57.33 *Insignia; United Service Organizations—Camp shows*—(a) *Shoulder sleeve and cap insignia.* On an arc 1⅜ inches in width, inside radius 4 inches, and outside length 4 inches, of red, an eagle with wings displayed in white outlined in blue and charged with letters "U. S. O." in gold color metal, all above the words "Camp Shows" in white.

(b) *Lapel insignia.* On and over a red enameled rectangle 5/16 inch in width and 1¼ inches in length an eagle displayed in white enamel charged with the letters "U. S. O." in gold color metal, all above the words "Camp Shows" in gold color metal. [Par. 14]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-4112; Filed, March 23, 1944; 10:31 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 60-4]

PART 60—AIR TRAFFIC RULES

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 20th day of March 1944.

Effective March 20, 1944, § 60.970 (a) of the Civil Air Regulations (9 F.R. 1591) is amended by striking the words "as amended to April 28, 1943," and placing a period after "1941."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-4116; Filed, March 23, 1944; 10:46 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 325—REGISTRATION AND CLAIMS FOR BENEFITS

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 362), regulations of the Railroad Retirement Board under the Railroad Unemployment Insurance Act are amended as follows:

Section 325.1 *Statutory provisions* is amended by Board Order 44-78, dated February 10, 1944, by adding the following, effective November 1, 1940:

Section 1 (h) of the Railroad Unemployment Insurance Act, as amended, provides that:

(h) The term "registration period" means, with respect to any employee, the period which begins with the first day for which such employee registers at an employment office in accordance with such regulations as the Board may prescribe, and ends with whichever is the earlier of (i) the thirteenth day thereafter, or (ii) the day immediately preceding the day for which he next registers at a different employment office; and thereafter each period which begins with the first day for which he next registers at an employment office after the end of his last preceding registration period and ends with whichever is the earlier of (i) the thirteenth day thereafter, or (ii) the day immediately preceding the day for which he next registers at a different employment office.

(Sec. 12, 52 Stat. 1107; 45 U.S.C. 362; sec. 1 (h), 52 Stat. 1095; 45 U.S.C., Sup. IV, 351 (h); amended by sec. 4, 53 Stat. 845; 45 U.S.C., Sup. V, 351 (h); amended by sec. 3, 54 Stat. 1094; 45 U.S.C. 351 (h))

Section 325.4 *Registration period; statutory provision* is rescinded by Board Order 44-78 dated February 10, 1944, effective March 1, 1944.

Section 325.5 is added, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944, as follows:

§ 325.5 *Claim and withdrawal of claim*—(a) *Claim.* An employee shall claim a day as a day of unemployment by making registration with respect to such day.

(b) *Withdrawal of claim.* A claim to a day as a day of unemployment on the basis of a registration made with respect thereto may, in the absence of fraud, be withdrawn by the employee's (1) striking out his signature for such day on the registration and claim form, or (2) notifying the Board in writing that he no longer wishes to claim such a day as a day of unemployment on the basis of such registration.

Section 325.12 is amended, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944, to read as follows:

§ 325.12 *Registration.* (a) *Method of registration*—Registration with respect to any day shall be made by the employee's appearing before an unemployment claims agent at a free employment office during such agent's working hours, subscribing to the statements on the registration and claim form provided by the Board, and signing on such form for each such day: *Provided, however,* That no registration shall be deemed to have been made with respect to any day which, if registration were made with respect to it, would be the first day of a registration period in a benefit year in which (1) the employee is not a qualified employee under section 3 of the Railroad Unemployment Insurance Act, or (2) benefits have already been payable to him for 100 days of unemployment: *And provided further,* That if registration is made with respect to any day, and the claim to such day as a day of unemployment on the basis of such registration is not withdrawn, nothing done subsequent to such registration, except reregistration under § 325.50, shall be deemed registration with respect to such day.

(b) *Information required by registration and claim form.* Upon making registration, an employee shall furnish the information required by the registration and claim form provided by the Board. Until the information required by the registration and claim form with respect to any day shall have been received in the office of the Board in which the claims of the employee are being adjudicated, such day shall not be considered as a day of unemployment with respect to such employee.

(c) *Day of registration.* (1) Registration with respect to any day shall be made on such day or on the first business day thereafter, except that, if such day is not a business day, an employee who registered on the last business day preceding such day may register with respect thereto on the first or second business day thereafter. For the purpose of this subparagraph, the term "business day" means any day which is not a Sunday and is not a day which is generally observed as a holiday in the locality in which the employee registers.

(2) Notwithstanding the provisions of (1) hereof, the Board may require that registration by certain employees or classes of employees with respect to any day be made on that day.

(3) If an employee does not register with respect to any day within the time hereinabove specified, because of his being in transit to or from a job, or his being held over or lying over after completing a job in anticipation of a possible call for other work, or his being employed, or his being sick, or his complying with instructions from the Board to apply for work, or because of any other circumstance or condition directly affecting him and not attributable to any lack of diligence on his part, he may register with respect to such day at any other hour during the unemployment claims agent's working hours within the time specified in paragraph (c) hereof, and shall submit to an unemployment claims agent, to a duly authorized field representative of the Board, or to an office of the Board, a written statement explaining why he did not register with respect to such day within the time specified.

(4) If an employee does not register with respect to any day within the time hereinabove specified, because, after making reasonable efforts, he was unable to find an unemployment claims agent to take his registration, or because an unemployment claims agent at an employment office where such employee would otherwise have registered was not ready and willing to take his registration, or because such employee was given misinformation by an unemployment claims agent, a countersigning agent, the supervisor of such claims agent or countersigning agent, or an employee of the Board, such employee may register with respect to such day at any time within one year of such day, and shall submit to an unemployment claims agent, to a duly authorized field representative of the Board, or to an office of the Board, a written statement explaining why he did not register with respect to such day within the time specified.

(5) If an employee of an employer which does not comply with the provisions of the Act and denies that it is an employer or denies that it is the employer of such employee registers in accordance with the requirements of a state unemployment compensation law, or is not permitted by the state unemployment compensation agency to register in accordance with such law, for any period which includes a day occurring while such employer fails to comply with the provisions of the Act, he may register with respect to such day at any time within one year of such day.

(d) *Hour of registration.* Registration shall be made during the unemployment claims agent's working hours. The Board may require that registration by certain employees or classes of employees with respect to any day shall be made at a designated hour. If an employee does not register with respect to any day at the designated hour, because of his being in transit to or from a job, or his being held over or lying over after completing a job in anticipation of a possible call for other work, or his being employed, or his being sick, or his complying with instructions from the Board to apply for work, or because of any other circumstance or condition directly affecting him and not attributable to any lack of diligence on his part, he may register with respect to such day at any other hour during the unemployment claims agent's working hours within the time specified in paragraph (c) hereof, and shall submit to an unemployment claims agent, to a duly authorized field representative of the Board, or to an office of the Board, a written statement explaining why he did not register with respect to such day at the designated hour.

Section 325.13 is amended, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944, to read as follows:

§ 325.13 *Applications for certificate of benefit rights and employment service.* Upon making his first registration in a benefit year, an employee shall, on the form provided by the Board for making application for a certificate of benefit rights, furnish the information required by such form, and shall deliver such form to an unemployment claims agent or mail it to an office of the Board. Within two business days after such first registration, the employee shall, on the form provided by the Board for making application for employment service, furnish the information required by such form, and shall deliver such form to an unemployment claims agent or mail it to an office of the Board. No benefits shall be paid the employee on the basis of registrations in such benefit year until the application for a certificate of benefit rights, and the information required thereby, shall have been received in the office of the Board in which the claims of such employee are being adjudicated, and until there shall have been received in such office either the application for employment service and the information required thereby, or notification that such application and information have been received in another office of the Board.

Section 325.16 *Transfer of employee from one unemployment claims agent to another,* is rescinded, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944.

Section 325.25 *Registration period,* is added, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944, as follows:

§ 325.25 *Registration period*—(a) *First day.* The first day of a registration period with respect to any employee is the first day for which he registers, and thereafter the first day for which he next registers after the last day of his last preceding registration period.

(b) *Last day.* The last day of a registration period with respect to any employee shall be initially determined to be the thirteenth day after the first day of such registration period, subject to redetermination as the day immediately preceding the first day, not later than such thirteenth day, for which he registers at an employment office other than the one at which he registered for the first day of such registration period.

Section 325.50 *Reconstruction of lost claim,* is amended, effective March 1, 1944, by Board Order 44-78 dated February 10, 1944, to read as follows:

§ 325.50 *Lost or destroyed forms.* If it appears that a registration and claim form on which an employee registered has been lost or destroyed, and if (1) the unemployment claims agent has, on a form provided by the Board, a record of the registration and claim showing the dates of the days for which the employee registered and such record is in proper chronological order in a bound book in his possession, or (2) there is any other form provided by the Board which shows such dates and indicates that such registration and claim was transmitted by mail or otherwise by the unemployment claims agent to a countersigning agent, or by a countersigning agent to an unemployment claims agent or to the Board, or (3) it is otherwise established, by clear and convincing evidence, after full and complete investigation, that the employee in fact registered for such days, the employee may reregister for such days at any time within one year of the last of such days.

The first sentence of § 345.9 *Place and time for filing employers' contribution reports* (6 F.R. 11694) is amended by Board Order 43-676, dated September 23, 1943, to read as follows: "Each employer's contribution report shall be filed with the Railroad Retirement Board at Chicago (11), Illinois.".

The second sentence of § 345.10 *Payment of employers' contributions* is amended by Board Order 43-676, dated September 23, 1943, to read as follows: "Certified or uncertified checks may be tendered as provisional payment of contributions and should be made payable to the Railroad Retirement Board and mailed with the contribution report to the Railroad Retirement Board at Chicago (11), Illinois."

Dated: March 20, 1944.

By authority of the Board.

MARY B. LINKINS,
Secretary.

[F. R. Doc. 44-4072; Filed, March 22, 1944; 10:29 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 17]

PART 602—GENERAL ORDERS AND DIRECTIVES

CONSUMER DECLARATION WITH RESPECT TO CERTAIN SOLID FUELS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of anthracite and eastern coke for defense, for private account and for export; and the following regulation is deemed necessary, and appropriate in the public interest and to promote the national defense:

Sec.
602.300 What this regulation does.
602.301 Definitions.
602.302 Consumer Declaration.
602.303 Responsibility of retail dealers distributing anthracite, eastern coke or other solid fuels must be faithfully discharged.
602.304 Restrictions upon retail dealer deliveries and consumer receipts of anthracite, eastern coke and other solid fuels when used in conjunction with or in addition to anthracite or eastern coke.
602.305 Procedure governing deliveries by retail dealers of anthracite, eastern coke, and other solid fuels when used in lieu of or in addition to anthracite or eastern coke.
602.306 General restrictions upon retail dealer deliveries of anthracite for industrial use or production of power.
602.307 Limitations upon applicability of this regulation.
602.308 How consumers who need solid fuel may obtain assistance.
602.309 Reporting requirements.
602.310 Records.
602.311 Audit and inspection.
602.312 Violations.
602.313 Damages for breach of contract.
602.314 Application for modification and exception; inquiries and communications.
602.315 Official interpretations.
602.316 Regulations revoked hereby.
602.317 Effective date.

AUTHORITY: §§ 602.300 to 602.317, inclusive, issued under E. O. 9332, 8 F. R. 5355; E. O. 9125, 7 F R. 2719; WPB Directive No. 33, 9 F. R 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.300 *What this regulation does.* This regulation, which applies everywhere in the United States that dealers sell Pennsylvania anthracite, provides

for orderly and limited deliveries to substantially all consumers of anthracite, eastern coke and other solid fuels, when used in conjunction with anthracite or eastern coke, so that (1) the dealer will arrange to spread his limited available supply of those solid fuels equitably among consumers and (2) the consumer of those solid fuels will, to the maximum extent that he can, buy and store during the spring and summer sufficient solid fuels to take care of a substantial part of his annual needs. The risk of serious hardship next heating season can be reduced and perhaps eliminated if the consumer advises his dealer now of his requirements for solid fuels and if the dealer makes limited deliveries strictly in accordance with applicable regulations.

Consumers must not inflate, duplicate or pyramid their orders. Each consumer is required before receiving any anthracite or eastern coke to fill out and send to his dealer a short statement containing a few necessary facts such as his annual needs for solid fuels, and the amount of solid fuels he had on hand April 1, 1944. The Consumer Declaration is required only because it is believed by retail dealers generally and by many consumers to be essential to the equitable distribution by dealers of the limited supply of anthracite and eastern coke. Consumers who do not use anthracite or eastern coke are not required to fill out or file the Consumer Declaration under this regulation.

Although the retail dealer is forbidden to discriminate among consumers in making deliveries of anthracite and eastern coke, he is permitted to refuse to deliver such solid fuels to a consumer whose burning equipment reasonably permits the use of another solid fuel: *Provided*, That the dealer is ready, willing and able to provide the consumer with the other solid fuel.

A procedure is established for assisting consumers in critical need of solid fuels. Conservation of the available supply of solid fuels, strict adherence to applicable regulations, and cooperation with the Solid Fuels Administration for War on the part of retail dealers and consumers will materially aid in preventing critical situations from developing.

This regulation is not applicable to deliveries to consumers who do not use any anthracite or eastern coke but do use any of the other solid fuels, including western coke and bituminous coal.

§ 602.301 *Definitions.* (a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this regulation is limited to the following sizes: broken, egg, stove, chestnut, pea and No. 1 buckwheat or any combination of those sizes.

(b) "Coke" means all coke which is produced from bituminous coal.

(c) "Eastern coke" means all coke delivered by retail dealers to consumers in the District of Columbia and the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, and that portion of Pennsylvania which is east of a straight line drawn from the southern to the northern boundary of Pennsylvania through the western boundary of Gettysburg, in Adams County, and Lock Haven, in Clinton County.

(d) "Western coke" means all coke, except eastern coke, delivered by retail dealers to consumers.

(e) "Solid fuels" include any form of anthracite, semianthracite, bituminous, sub-bituminous or lignitic coals or coke (including packaged and processed fuels such as briquettes).

(f) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of solid fuels in any transaction involving a shipment, sale, or sale and delivery, of broken bulk solid fuels physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

(g) "Consumer" means any person who acquires solid fuels for space heating, domestic hot water or domestic cooking except to the extent that he acquires such solid fuels for space heating incidental to an industrial process or the production of power.

(h) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of solid fuels consumed for space heating does not exceed 40 percent of the total annual tonnage of solid fuels consumed in the industrial process, the production of power and the space heating.

(i) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools, and office buildings.

(j) "Consumer's annual requirements" or "consumer's annual needs" mean whichever of the following is less:

(1) The number of tons of solid fuels burned at the premises of a consumer (and if such premises has two or more units of heating equipment which customarily burn different sizes of solid fuels, the number of tons burned in each unit) during the period April 1, 1942 to March 31, 1943, inclusive. In the event solid fuels were not burned as the principal fuel in such premises (or in such heating units) during such period, the number of tons of solid fuels which were burned in other premises (or units) similar thereto in the same locality during the same period; or

(2) The consumer's annual needs, as stated in Item 1 of the Consumer's Declaration.

(k) "Consumer's inventory" means the number of tons of solid fuels in storage at the consumer's premises, or under the consumer's control on April 1, 1944.

(l) "Local sales in the producing region" mean sales or deliveries of anthracite at retail within the anthracite coal fields in the ten counties specified in paragraph (a) of this section.

(m) "Deliveries to mine employees" mean sales or deliveries of anthracite to such employees of producers of anthracite as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(n) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

§ 602.302 *Consumer Declaration.* (a) Except as provided in paragraph (c) of this section, during the period April 1, 1944 to March 31, 1945, inclusive, no retail dealer may deliver and no consumer may receive any anthracite or eastern coke, unless at or prior to the time of the first delivery, the consumer shall have filed with the retail dealer from whom he expects to purchase anthracite or eastern coke a statement on a form (referred to herein as a Consumer Declaration) to be reproduced and furnished by the retail dealer, setting forth, among other things, the consumer's estimated annual needs for solid fuels, the consumer's inventory, the number of rooms to be heated and the type of burning equipment. A consumer shall, subject to the provisions of paragraph (b) of this section, be required to file only one such declaration during the period April 1, 1944 to March 31, 1945, inclusive. Statements contained in any Consumer Declaration are representations to the Solid Fuels Administration for War and the retail dealers shall retain the Consumer Declarations for and on behalf of the Solid Fuels Administration for War for the period specified in § 602.310 of this regulation. A Consumer Declaration or statement filed by any consumer with any retail dealer before the issuance of this regulation shall not be deemed to be filed pursuant to the requirements of this regulation. The prescribed form of Consumer Declaration, marked Appendix A, is attached to this regulation and made a part hereof.

(b) A separate Consumer Declaration shall be filed for each building which the consumer expects to heat in whole or in part by the use of anthracite or eastern coke.

(c) A retail dealer may deliver and a consumer may receive anthracite or eastern coke without the filing of the Consumer Declaration if the consumer receives anthracite or eastern coke in less than a 1 ton lot and exclusively in bags containing one hundred pounds or less of such solid fuels.

(d) No consumer may receive and no retail dealer may deliver any anthracite or eastern coke during the period April 1, 1944, through March 31, 1945, inclusive, to a consumer if the consumer inflates, duplicates or pyramids his orders, or files a Consumer Declaration with more than one retail dealer unless it has been the consumer's customary practice to have outstanding orders or contracts for the acquisition of anthracite or eastern coke with more than one dealer for a given premises, in which event the consumer shall notify in writing all of the dealers concerned of the details including the total number of tons which he has ordered from each dealer.

§ 602.303 *Responsibility of retail dealers distributing anthracite, eastern coke or other solid fuels must be faithfully discharged.* Each retail dealer who receives any anthracite, eastern coke or other solid fuels has the responsibility for distributing such solid fuels equitably in strict accordance with the provisions of this regulation and all other regulations. Any dealer who does not discharge that responsibility faithfully may be precluded in whole or in part by the Solid Fuels Administration for War from receiving anthracite and other solid fuels.

It is anticipated that retail dealers generally will receive from their sources of supply less anthracite and eastern coke than consumers in the aggregate would like to purchase. No retail dealer should undertake to deliver to those consumers he serves, in the aggregate, more anthracite and eastern coke than such retail dealer reasonably expects to receive in view of applicable regulations and such advice as he receives from his sources of supply.

§ 602.304 *Restrictions upon retail dealer deliveries and consumer receipts of anthracite, eastern coke and other solid fuels when used in conjunction with or in addition to anthracite or eastern coke.* (a) Subject to the provisions of paragraphs (d) and (e) of this section, during the period April 1, 1944, to October 1, 1944, inclusive, no retail dealer may deliver, and no consumer may receive from all sources combined, anthracite or eastern coke or both, in an amount which when added to (1) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (2) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944, exceeds 50 percent of the consumer's annual requirements for solid fuels.

(b) Subject to the provisions of paragraphs (d) and (e) of this section, during the period April 1, 1944, to March 31, 1945, inclusive, no retail dealer may deliver and no consumer may receive from all sources combined, anthracite or eastern coke or both in an amount which when added to (1) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (2) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944, exceeds 87½ per cent of the consumer's annual requirements for solid fuels.

(c) If a consumer uses any other solid fuel in conjunction with or in addition to anthracite or eastern coke, a retail dealer may, subject to other applicable regulations, deliver to the consumer and the consumer may receive during the period April 1, 1944, to March 31, 1945, up to but not more than 100 per cent of the consumer's annual solid fuel requirements, after deducting the consumer's inventory as of April 1, 1944: *Provided, however*, That the deliveries and receipts of anthracite or eastern coke or both do not exceed the limitations upon deliveries and receipts of anthracite or eastern coke or both as set forth in paragraphs (a) and (b) of this section.

(d) In applying the percentage of permissible or required shipments under provisions of this regulation, the retail dealer may, in respect to one-half ton or a larger fraction, deliver, and the consumer may receive, a full ton; and conversely, in applying the percentage of permissible or required shipments under provisions of this regulation, the retail dealer may disregard a fraction of less than one-half ton. For example, if application of the percentage of permissible shipments indicates that two and one-half tons may be delivered, the dealer may deliver three tons; if the application of percentage indicates that two and one-third tons may be delivered, the dealer may disregard the one-third ton and deliver two tons.

(e) In the practical application of the provisions of paragraph (a) of this section, a retail dealer may deliver to a consumer and such consumer may receive one load or three tons, whichever is less, of anthracite or eastern coke, if it is necessary to do so in order to assure maximum effective utilization of transportation facilities available to the retail dealer: *Provided, however*, That the tonnage so delivered shall not, when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceed the consumer's annual requirements for solid fuels.

§ 602.305 *Procedure governing deliveries by retail dealers of anthracite, eastern coke, and other solid fuels when used in lieu of or in addition to anthracite or eastern coke.* (a) No retail dealer shall discriminate in the delivery of anthracite or eastern coke as between consumers who are equally entitled to receive deliveries pursuant to this regulation: *Provided, however*, That a retail dealer shall accord first preference in the delivery of solid fuels to a consumer who has less than a five days' supply of usable solid fuel on hand.

(b) To the extent that his available supply of anthracite and eastern coke permits, and subject to the provisions of paragraph (c) of this section and § 602.302 of this regulation, a retail dealer must supply or arrange for another retail dealer to supply, anthracite or eastern coke to (1) those consumers occupying premises that the retail dealer served with anthracite or eastern coke during the period April 1, 1942, to March 31, 1943; (2) those consumers who, although they had no regular source of supply for anthracite or eastern coke during the period April 1, 1942, to March 31, 1943, occupy premises that the retail dealer served with anthracite or eastern coke during the period April 1, 1943, to March 31, 1944; and (3) those consumers (including consumers who converted from fuel oil equipment to solid fuel equipment) who, although they had no regular source of supply for anthracite or eastern coke during the period April 1, 1942, to March 31, 1944, now occupy premises with burning equipment which does not reasonably permit the use of any solid fuel other than anthracite or eastern coke.

(c) The provisions of this section shall not be deemed to require any retail dealer to deliver anthracite or eastern coke to a consumer whose burning equipment reasonably permits the use of another solid fuel, *Provided*, That the retail dealer is ready, willing and able to supply such consumer with the other solid fuel.

§ 602.306 *General restrictions upon retail dealer deliveries of anthracite for industrial use or production of power.* No retail dealer may deliver and no person may acquire from all sources combined during the year April 1, 1944, to March 31, 1945, anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto in an amount which, when added to the anthracite in the possession or under the control of such person exceeds requirements up to March 31, 1945.

§ 602.307 *Limitations upon applicability of this regulation.* Except for the provisions of §§ 602.306, 602.309, 602.310, 602.311, 602.312, 602.314 and 602.315, this regulation does not apply to deliveries of anthracite, eastern coke or other solid fuels when used in conjunction with or in addition to anthracite or eastern coke or to the acquisition of such solid fuels by:

(a) The United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(b) Any governmental agency or other person who acquires such solid fuels for export to and use in any foreign country;

(c) Commercial fishing vessels or water-borne vessels engaged in the commercial transportation of cargo or passengers;

(d) Operators of poultry brooders or hatcheries;

(e) Consumers on local sales in the producing region;

(f) Mine employees; or

(g) Any person to the extent that he acquires such solid fuels for use in an industrial process or for the production of power or for space heating which is incidental thereto.

§ 602.308 *How consumers who need solid fuel may obtain assistance.* (a) A consumer who has received less solid fuels than is permitted under § 602.304 of this regulation and who (i) has less than five days supply of solid fuels on hand, (ii) is unable to obtain a supply of solid fuels either from the retail dealer with whom he filed his Consumer Declaration or other retail dealers, and (iii) is willing to accept any solid fuel which may reasonably be used in his burning equipment may obtain assistance from one of the following:

(1) The nearest local representative of any State Fuel Administration functioning under a plan of cooperation proposed by the Governor of the State and

approved by the Solid Fuels Administration for War. (Such plans have heretofore been proposed for the States of Connecticut, Massachusetts, New Hampshire and Rhode Island and have been approved by the Solid Fuels Administration for War); or

(2) The nearest SPAW area advisory committee on local distribution to be appointed pursuant to Solid Fuels Administration for War Order No. 12 (a list of such committees will be published prior to September 15, 1944); or

(3) The nearest SPAW community committee on emergency distribution to be appointed pursuant to Solid Fuels Administration for War Order No. 12 (a list of such committees will be published from time to time); or

(4) The nearest regional or field office of the Solid Fuels Administration for War.

(b) A consumer also may advise with any of the representatives, committees or officer, referred to in paragraph (a) of this section, in regard to any complaint as to the operation of this regulation.

§ 602.309 *Reporting requirements.* The reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.310 *Records.* Each retail dealer shall keep and preserve for a period of not less than two years accurate and complete records of the deliveries of anthracite, eastern coke or other solid fuels permitted or required by the provisions of §§ 602.304, 602.305, 602.306 and 602.307 of this regulation and shall also keep and preserve for a period of not less than two years accurate and complete records of the details of any transactions to which any other portion of this regulation applies.

§ 602.311 *Audit and inspection.* All records required to be kept by this regulation shall upon request be submitted for inspection, copy and audit by duly authorized representatives of the Solid Fuels Administration for War.

§ 602.312 *Violations.* Any person who wilfully violates any provision of this regulation or who by any act or omission falsifies records kept or information furnished in connection with this regulation is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both; and such person may also be prohibited from delivering or receiving any material under priority control.

§ 602.313 *Damages for breach of contract.* No retail dealer shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.314 *Application for modification and exception; inquiries and communications.* Any application by a retail dealer for modification of or exception from any provision of this regulation shall be filed in triplicate with the appropriate regional office of the Solid Fuels Administration for War for the area in which the dealer is engaged in business. The application shall set forth in detail the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of the request for modification or exception. The regional representative, area distribution manager, or other person in charge of the regional office of the Solid Fuels Administration for War shall, after considering the recommendation of the Regional Anthracite Distribution Committee (each of which is hereby constituted as an SPAW Area Advisory Committee on Local Distribution under Order No. 12) or other appropriate SPAW Area Advisory Committee on Local Distribution, send such application and his recommendation thereon to the Solid Fuels Administration for War, Washington 25, D. C., for appropriate action.

Any other person subject to or affected by this regulation should address inquiries and communications or requests for relief in respect to any provision of this regulation to the nearest office of the Solid Fuels Administration for War.

§ 602.315 *Official interpretations.* Official interpretations shall be given only in writing, signed by the Administrator, the Deputy Administrator or the General Counsel of the Solid Fuels Administration for War.

§ 602.316 *Regulations revoked hereby.* Solid Fuels Administration for War Revised Regulation No. 6, as amended, and Solid Fuels Administration for War Regulation No. 12, are hereby revoked as of the effective date of this regulation: *Provided, however,* That civil or criminal liabilities incurred under the provisions of those regulations shall not be affected by this revocation.

§ 602.317 *Effective date.* This regulation shall become effective at 12:01 a.m., April 1, 1944.

Issued this 22d day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

APPENDIX A TO SOLID FUELS ADMINISTRATION FOR WAR REGULATION NO. 17

UNITED STATES
DEPARTMENT OF THE INTERIOR
Solid Fuels Administration for War

CONSUMER DECLARATION

(Only a consumer who wishes to buy anthracite or eastern coke is required to fill out and file this form with his dealer before he receives a delivery of any anthracite or eastern coke.)

I, _____ do hereby certify to the Solid Fuels Administration for War that the statements contained herein regarding premises at _____ are true to the best of my knowledge and belief. I make this certification with knowledge that if I make any false statement or false representation herein, I am subject to criminal prosecution under the laws of the United States and with knowledge that I may be prohibited from receiving any further deliveries of certain kinds of solid fuel.

1. Judging from past experience, and assuming normal weather conditions, I would ordinarily burn during the period April 1, 1944 to March 31, 1945, inclusive, the following tons of Anthracite ____, Coke ____, Bituminous ____.

2. My annual needs for solid fuels, as indicated in statement 1 above, can be filled in part by what I had on hand April 1, 1944, namely, the following tons of Anthracite ____, Coke ____, Bituminous ____.

3. I am filing this Consumer Declaration with _____, and I have no
(name of dealer)
outstanding Consumer Declaration or order for anthracite or coke with any other dealer except _____
(name of other dealer and tonnage ordered)

4. If I file any Consumer Declaration, or if I place an order for any solid fuels for these premises, with any other dealer, during the above period, I will immediately advise in detail the dealer with whom I filed this Consumer Declaration.

5. I need to heat the following number of rooms at these premises: _____

6. I use the following type of heating equipment at these premises (indicated by check mark): Hand fired ( ), Stoker ( ), Magazine Type ( ), Stove ( ), Fireplace ( ), Kitchen Range ( ), Other Type ( ), (describe fully) _____

7. I will keep my heating equipment in good order and will conserve all solid fuels so far as possible.

Dated:
Signed _____
Address _____

This is not an order for fuel. An order should be placed separately. No retail dealer is authorized to deviate from or add to the prescribed form without written permission of Solid Fuels Administrator for War.

[F. R. Doc. 44-4117; Filed, March 23, 1944; 10:59 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 216, 2d Ed.]

PART 629—PHYSICAL EXAMINATION

RECORDS COMPLETED AT INDUCTION STATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (b) of § 629.31 to read as follows:

§ 629.31 *Records completed at induction station.* * * *

(b) After completing the records in the manner provided in paragraph (a) of this section, the induction station will return all records to the local board except (1) for registrants inducted, it will retain the original of the Report of Physical Examination and Induction (Form 221); (2) it will retain one copy of the Physical Examination List (Form 217), forward one copy of such list to the Director of Selective Service, 10th Floor, Gimbel Building, 35 South 9th Street, Philadelphia, Pennsylvania, and forward one copy of such list to the State Director of Selective Service; and (3) it will forward all records bearing upon the medical, social, and educational history of the registrant to the State Director of Selective Service.

The foregoing amendment to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4102; Filed, March 22, 1944; 4:09 p. m.]

[Amdt. 217, 2d Ed.]

PART 629—PHYSICAL EXAMINATION

TRANSFERS FOR PREINDUCTION PHYSICAL EXAMINATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 629.12 to read as follows:

§ 629.12 *Transfers for preinduction physical examination directed by Director of Selective Service.* (a) The Director of Selective Service may direct that a particular registrant or a registrant who comes within a described group of registrants be transferred for preinduction physical examination to such local board or local boards as he shall designate.

(b) A registrant selected for preinduction physical examination shall be transferred for such examination to the local board having jurisdiction of the area in which he is at that time located whenever, from information in his file, it appears that the registrant is located in one and the registrant's own local board is located in another of the following: The Continental United States, the Territory of Alaska, or the Territory of Hawaii.

(c) To accomplish the transfer for preinduction physical examination under paragraphs (a) or (b) of this section, the registrant's own local board shall complete the Transfer—Preinduction Physical Examination (Form 216) in duplicate by inserting the date, name, and present address of the registrant and the words "By direction of the Director of Selective Service" on the front of such forms and by completing the second endorsement on the back of such forms. The copy of the Transfer—Preinduction Physical Examination (Form 216) shall be filed in the registrant's Cover Sheet (Form 53). The local board shall then forward the original Transfer—Preinduction Physical Examination (Form 216), the Original, First, and Second Copies of Report of Physical Examination and Induction (Form 221), and all other documents referred to in subparagraph (4) of paragraph (a) of § 629.3 to the State Director of the State in which the registrant is located. The State Director of the State in which the registrant is located shall check such documents and insert thereon the name and address of the local board in his State to which the registrant is transferred for preinduction physical examination and forward the documents to such local board. The local board to which the registrant is transferred shall cause the registrant to be given a preinduction physical examination and shall take the other actions provided for in paragraphs (f) and (g) of § 629.11.

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4103; Filed, March 22, 1944; 4:09 p. m.]

[Amdt. 218, 2d Ed.]

PART 633—DELIVERY AND INDUCTION

PREPARING RECORDS FOR GROUP ORDERED TO REPORT FOR INDUCTION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a) of § 633.3 to read as follows:

§ 633.3 *Preparing records for a group ordered to report for induction.* (a) As soon as the local board has mailed Orders to Report for Induction (Form 150) to all registrants who are directed to report for induction at a particular time and place, it shall:

(1) Prepare in quadruplicate a Delivery List (Form 151) entering thereon (A) the name and order number of each such registrant and (B) the name and order number of each registrant who should be entered upon such Delivery List (Form 151) under the provisions of § 633.24 and indicating in column 3 thereof whether such registrant is a nonfather or a father.

(2) Assemble and attach to the registrant's Report of Physical Examination and Induction (Form 221) the copy of the Certificate of Fitness (Form 218); any waiver of disqualification; any order terminating civil custody; any Alien's Personal History and Statement (Form 304) or Statement of United States Citizen of Japanese Ancestry (Form 304A) bearing the armed forces' endorsement of acceptability for military service; and all other information bearing upon the fitness of the registrant for military service except records bearing upon the medical, social, and educational history of the registrant.

* * * * *

The foregoing amendment to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4104; Filed, March 22, 1944; 4:09 p. m.]

[Amdt. 219, 2d Ed.]

PART 633—DELIVERY AND INDUCTION

TRANSFERS FOR INDUCTION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 633.12 to read as follows:

§ 633.12 *Transfers for induction directed by Director of Selective Service.* (a) The Director of Selective Service may direct that a particular registrant or a registrant who comes within a described group of registrants be transferred for induction to such local board or local boards as he shall designate.

(b) A registrant selected for induction shall be transferred for induction to the local board having jurisdiction of the area in which he is at that time located whenever, from information in his file, it appears that the registrant is located in one and the registrant's own local board is located in another of the following: The Continental United States, the Territory of Alaska, or the Territory of Hawaii.

(c) To accomplish the transfer for induction under paragraphs (a) or (b) of this section, the registrant's own local board shall complete the Request for Transfer for Delivery (Form 154) in duplicate by inserting the name and present address of the registrant and the words "By direction of the Director of Selective Service" and by completing the second endorsement on such forms. A copy of Request for Transfer for Delivery (Form 154) shall be filed in the registrant's Cover Sheet (Form 53). The local board shall then forward the original request for Transfer for Delivery (Form 154), the Original, First, and Second Copies of Report of Physical Examination and Induction (Form 221), and all other documents referred to in paragraph (f) of § 633.11 to the State Director of the State in which the registrant is located. The State Director of the State in which the registrant is located shall check such documents and, if not already accomplished, insert thereon the name and address of the local board in his State to which the registrant is transferred for induction and forward the documents to such local board. Unless the transfer of the registrant for induction is canceled under paragraph (f) of this section, the local board to which the registrant is transferred shall cause the registrant to be delivered for induction to the Army Reception Center, the Navy Recruiting Station, or the induction station, as the case may be, and shall take the other actions provided for in paragraphs (g), (h), and (i) of § 633.11.

(d) A registrant transferred for induction under this section may, within

5 days after the date on which the local board to which he has been so transferred has mailed to him an Order to Report for Induction (Form 150), file with such local board a written request to cancel his transfer for induction. Upon such a request being filed, such local board shall determine whether grave and unusual hardship will result to the registrant if he is not permitted to report to his own local board for induction and, if it so determines, shall cancel his transfer for induction. The local board shall record such determination on the Request for Transfer for Delivery (Form 154), and shall notify the registrant of its determination by letter. If the local board determines to cancel the transfer for induction, it shall (1) cancel the Order to Report for Induction (Form 150) which it mailed to the registrant, and, (2) return the Request for Transfer for Delivery (Form 154) and all other documents concerning such registrant to his own local board. Upon receipt of such documents the registrant's own local board shall order the registrant to report to it for induction in the usual manner.

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4105; Filed, March 22, 1944; 4:09 p. m.]

[Amdt. 220, 2d Ed.]

PART 663—BOARDS OF TRANSFER IN TERRITORY OF HAWAII AND IN TERRITORY OF ALASKA

TRANSFERS FOR CLASSIFICATION AND INDUCTION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 663.3 to read as follows:

§ 633.3 *Transfer for classification.* (a) After returning the Selective Service Questionnaire (Form 40) and before the local board of origin has at any time undertaken the classification of a registrant who is located in the Territory of Hawaii and whose own local board is located elsewhere or a registrant who is located in the Territory of Alaska whose own local board is located elsewhere, such registrant may be transferred for classification in accordance with the procedure of § 623.12 to a local board of transfer in the Territory of Hawaii or in the Territory of Alaska, as the case may be. The file and all documents of a registrant who is thus transferred for classification to a local board in the Territory of Hawaii or in the Territory of Alaska shall be forwarded to the State Director of the Territory of Hawaii or the State Director of the Territory of Alaska, as the case may be, for transmission by him to such local board of transfer as he may designate. The local board of transfer so designated shall classify the registrant.

(b) After the classification, after the hearing when requested, and after the determination of appeal when taken, the local board to which the registrant is transferred for classification shall return through its State Director of Selective Service to the registrant's own local board all papers pertaining to the registrant except the duplicate Cover Sheet (Form 53) and the Order of Transfer for Classification (Form 63).

2. Amend the regulations by adding a new section to be known as § 663.4 to read as follows:

§ 663.4 *Transfer for preinduction physical examination mandatory.* (a) Transfer for preinduction physical examination is mandatory for each registrant located in the Territory of Hawaii whose own local board is located elsewhere and for each registrant located in the Territory of Alaska whose own local board is located elsewhere. Such transfer for preinduction physical examination shall be made by the registrant's own local board in the manner provided by § 629.12. The file and all documents of a registrant who is transferred for preinduction physical examination to a local board in the Territory of Hawaii or in the Territory of Alaska shall be forwarded to the State Director of the Territory of Hawaii or the State Director of the Territory of Alaska, as the case may be, for transmission by him to such local board of transfer as he may designate. The local board so designated shall cause the registrant to be given a preinduction physical examination and shall take the other actions provided for in paragraph (f) of § 629.11.

(b) When the transferred registrant's examination has been completed or if he fails to report for such examination, the local board to which such registrant was transferred for preinduction physical examination shall forward through its State Director of Selective Service all papers with reference to such registrant to his own local board.

3. Amend the regulations by adding a new section to be known as § 663.5 to read as follows:

§ 663.5 *Transfer for induction mandatory.* (a) Transfer for induction is mandatory for each registrant located in the Territory of Hawaii whose own local board is located elsewhere and for each registrant located in the Territory of Alaska whose own local board is located elsewhere. Such transfer for induction shall be made by the registrant's own local board in the manner provided by § 633.12. The file and all documents of a registrant who is transferred for induction to a local board in the Territory of Hawaii or in the Territory of Alaska shall be forwarded to the State Director of the Territory of Hawaii or the State Director of the Territory of Alaska, as the case may be, for transmission by him to such local board of transfer as he may designate. Unless the transfer of the registrant for induction is cancelled under paragraph (d) of § 633.12, the local board so designated shall cause the registrant to be delivered for induction to the Army Reception Center, the Navy Recruiting Station, or the induction station, as the case may be, and shall take the other actions provided for in paragraphs (g) and (h) of § 633.11.

(b) When the transferred registrant has been inducted or rejected or if he fails to report for induction, the local board to which such registrant was transferred for induction shall forward through its State Director of Selective Service all papers with reference to such registrant with the exception of the Delivery List (Form 151) to his own local board.

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4106; Filed, March 22, 1944; 4:09 p. m.]

[No. 245]

EMPLOYER NOTIFICATION FORM AND DISTRIBUTION OF SERVICE RATINGS FOR ANALYSIS

ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 82, entitled "Employee Notification Form," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 81, entitled "Distribution of Service Ratings for Analysis," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 22, 1944.

[F. R. Doc. 44-4111; Filed, March 23, 1944; 9:36 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-505]

DOBBS MANUFACTURING COMPANY

Joe W. Carter, doing business as Dobbs Manufacturing Company, at 131 North 28th Street, Birmingham, Alabama, is engaged in operating a lumber yard. Between January 29, 1943, and May 29, 1943, he violated Priorities Regulation No. 3, Conservation Order M-208, and Priorities Regulation No. 1 by ordering and accepting delivery of lumber for which he extended illegal preference ratings; he sold and delivered softwood lumber knowing that it was to be used in violation of Conservation Order M-208, and he failed to keep adequate and complete records of his operations. He knew of the restrictions contained in these orders and regulations, and his operations in violation thereof must be deemed wilful. These operations have diverted critical material to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.505 *Suspension Order No. S-505.* (a) Deliveries of material to Joe W. Carter, doing business as Dobbs Manufacturing Company, or otherwise, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to Joe W. Carter, doing business as Dobbs Manufacturing Company, or otherwise, his or its successors or assigns, shall be made of any material, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Joe W. Carter from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 22, 1944, and shall expire on June 22, 1944.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4107; Filed, March 22, 1944; 4:38 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-257 as Amended Mar. 23, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.15 *Limitation Order L-257—(a) What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuous production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelve-month period starting July 1, 1944, the new applicable schedule might be called Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period", until such time as a new schedule is issued. At present, there is no quota limitation on repair parts.

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of production schedules, covering machinery and equipment (both farm and non-farm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) *Definitions.* For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated):

(1) "Producer" means any person, other than a supplier, to the extent that he is actively engaged in the current manufacture (in the United States) of farm machinery and equipment or of repair parts for farm machinery and equipment, but does not include any person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed $100,000 during the calendar year 1941; and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and conditions as may be proper.

(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry). The term also includes use for the production or care of crops in "victory gardens" with respect to atomizing hand sprayers, hand dusters, wheel-type hand cultivators and wheel-type hand plows, and use for any civilian purpose with respect to horseshoes, muleshoes, oxenshoes and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage equipment (excluding tile), horseshoes, muleshoes, oxenshoes, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule).

(8) "Non-farm machinery and equipment" means machinery and equipment, as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.

(12) "United States" means the forty-eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and possessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current

quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) *Restrictions on production for domestic farm use*—(1) *Manufacturing quotas.* During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) *Special restrictions.* (i) No person who is not a "producer" has any quota. However he may manufacture farm machinery and equipment and repair parts of an aggregate value up to $2,500 during any current quota period.

(ii) No item which is not provided for in the applicable schedule shall be manufactured as "farm machinery and equipment" for sale in the United States.

(iii) [Deleted.]

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment except to the extent listed on an approved production schedule under paragraph (e).

(3) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *No quota for repair parts.* Producers may manufacture repair parts for sale in the United States without any restrictions as to quota. However, they must comply with paragraph (e) with respect to production schedules.

(2) *Bracketed items.* Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages).

(3) *Attachments may be lumped together.* Any producer may choose not to follow the individual quota percentages for items of attachments as indicated on the applicable schedule, and instead manufacture not more than an aggregate of 75% of his total base production of all attachments. This total may be distributed among all or any one or more of the attachments made by him. However, once this choice is made, the producer must stick to it for all attachments to be made during the current quota period.

(4) *Small producers.* Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm machinery and equipment during the current quota period does not exceed, in the aggregate, 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or other reports, as stated in subparagraph (c) (2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of quotas for sale in the United States under an applicable schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B–6) under Order L–170 may be carried over as explained above for completion any time before June 30, 1944. In addition, uncompleted quotas for the following items of harvesting machinery and equipment under Schedule A (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Items 126 and 126a only).
Corn binders (Items 132 and 132a only).
Corn pickers (Items 133–136).
Field ensilage harvesters (Item 137).
Peanut pickers (Item 161).
Corn shellers (Items 166 and 167 only).
Hay balers (Items 172, 172a and 172b only).
Feed grinders and crushers (Items 174, 175, and 175a only).
Portable elevators (Item 188).

(6) *Substitute materials.* Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools.
Poultry feeders.
Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M–25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M–208 and all other applicable M and L Orders).

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

(7) *Substitution for critical materials encouraged.* If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6), he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) *Assignments of quota.* All assignments of quota specifically authorized by appeal under Limitation Order L–170 for the period starting November 1, 1942, or under this Order L–257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, revoked.

(e) *Production schedules*—(1) *AA–2 for purpose of scheduling production.* Producers may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA–2.

(2) *Production schedules must be filed; exemption for "small producers".* With respect to each item of machinery and equipment (both farm and non-farm) and repair parts, each producer must file a production schedule on Form WPB–3053, listing the quantities he plans to have available for shipment (within his quota) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board. "Small producers" do not have to file this form.

(3) *Items on approved schedule to be available for shipment; changes in schedule.* Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. However, he may complete (within his approved total) more than his schedule in any month, except that, in the case of wheel-type tractors, a producer may not complete in any calendar quarter more tractors than the total shown on his approved schedule for that quarter, plus any approved amounts scheduled but not completed in previous quarters. He may also, if necessary, delay completion of any quantities scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB–3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) *Deliveries for farm use protected.* A producer must deliver all quantities of items listed on an approved schedule (WPB–3053 or WPB–3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers who have not filed Form WPB–3053 may deliver items for farm use and for export without regard to any orders bearing preference ratings of AA–2x or lower.

(f) *Further restrictions*—(1) [Deleted Mar. 23, 1944]

(2) *Restrictions on sale for domestic use.* Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, mule-shoes, oxenshoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA–4 or higher. If the rated order is for an item which farmers can get only by furnishing purchase certificates under Food Production Order 14 or any other applicable regulation of the War Food Administration, the seller must not fill the order from stock. However, in the following special cases, the seller may sell any of these items from stock for non-farm use on an order rated AA–4 or higher:

(i) If the item is in his stock as a replacement for one previously sold on a rated order, or

(ii) After he has extended the rated order to his supplier and has actually received the particular item, or

(iii) If the rated order is placed with him directly by the Army or Navy (and not indirectly by a contractor or otherwise), or

(iv) If he is a producer (but producers must comply with all applicable orders and regulations, particularly paragraph (e) (4) of this order).

(g) *Excess inventory.* Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) *Conservation of materials.* (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Reports.* Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB–1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB–1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

(l) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) *Order L–170.* Except as otherwise stated in this order, it supersedes Limitation Order L–170 as of July 1, 1943.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C. Ref: L–257.

NOTE: The reporting requirements in paragraphs (k), (c) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A TO L–257

NOTE: Items 205–207, 210, 212, 258–260, 295, 296 and 310 amended Mar. 23, 1944.

APPLICABLE SCHEDULE FOR CURRENT QUOTA PERIOD JULY 1, 1943 TO JUNE 30, 1944, INCLUSIVE

Manufacturing Quotas for Items of Farm Machinery and Equipment for Domestic Farm Use

Producers are not restricted by any quota percentage in the manufacture of repair parts.

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was higher. In accordance with paragraph (d) (2), production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket.

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Quotas for each item of attachments, unless election is made to lump together all attachments pursuant to paragraph (d) (3), are expressed as the same percentage as that listed for the machine with which the particular attachment is used (except engines).

Any item of farm machinery and equipment not provided for in this Schedule A is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule A, even though it may be scheduled for production under paragraph (e), is permitted only if specifically authorized pursuant to paragraph (c) (3) or on appeal.

GROUP 1: PLANTING, SEEDING, AND FERTILIZING MACHINERY

Division 1: Planters (Horse and Tractor Drawn)

Item No.		Quota Percent
1	One row, one horse, corn	61
2	One row, one horse, corn and cotton, peanut and bean	64
2a	One-horse legume planters for middles (Southern)	64
3	One row, two horse, corn and cotton	75
3a	Veteh	75
4	Two row, corn	77
5	Two row, corn and cotton	100
6	Three row and over, corn	65
7	Three row and over, corn and cotton	100

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Division 2: Planters (Tractor Mounted)

Item No.		Quota Percent
9	One row, corn	0
9	One row, corn and cotton	58
10	Two row, corn	94
11	Two row, corn and cotton	61
12	Three row and over, corn	100
13	Three row and over, corn and cotton	100

Division 3: Potato Planters (Horse and Tractor Drawn)

14	One row	100
14a	Two row and larger	100

Division 4: Transplanters

15	One row, horse or tractor drawn	126
15a	Two row, horse or tractor drawn	126
15b	Two row, tractor mounted	126
15c	Celery, self propelled	126
15d	Onion, set, horse or tractor drawn	126
16	Hand, wheel type	112

Division 5: Listers with Planting Attachments (Horse or Tractor Drawn)

17	One row	0
18	Two row	82
19	Three row and over	64

Division 6: Listers with Planting Attachments (Tractor Mounted)

20	One row	78
21	Two row	62
22	Three row and over	100

Division 7: Beet and Bean Drills or Planters

23	Four row, horse or tractor drawn	90
23a	Six row, horse or tractor drawn	90
23b	Four row, tractor mounted	90
23c	Six row, tractor mounted	90

Division 8: Grain Drills

24	One horse, plain or fertiliser, three to seven disc or run	100
25	Fertilizer, 14 run and under, horse or tractor drawn	93
25a	Fertilizer, over 14 run, horse or tractor drawn	93
26	Plain, 14 run and under, horse or tractor drawn	73
26a	Plain, over 14 run, horse or tractor drawn	73
26b	Press drill, horse or tractor drawn	73
26c	Plain drill, lister type, horse or tractor drawn	73

Division 9: Broadcast Seeders

27	Wheeled, horse or tractor drawn	53
28	End-gate	68
29	Hand (wheelbarrow and other)	49

Division 10: Garden Planters

30	Hand, wheel type	65
31	Horse or tractor drawn, one row or multiple row (one row is a unit)	73

Division 11: Fertilizer Distributors

32	One row, horse drawn	75
32a	Two row, horse drawn	75
32b	Two row, tractor mounted	75
32c	Broadcast, horse or tractor drawn	75
32d	Hand propelled	72

Division 12: Lime Spreaders (Sowers)

33	Wheeled hopper type sower, horse or tractor drawn	61
34	End-gate type	61
34a	Trailer type	61
35	Truck body type	100

Division 13: Manure Spreaders and Loaders

36	Four wheel, horse or tractor drawn	56
37	Two wheel, tractor drawn	51
37a	Manure loaders	100

Division 15: Other Planting, Seeding and Fertilizing Machinery

38	Limestone pulverisers (farm size, under 14'')	49
39	Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type	80
39a	Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor	80
40	Potato cutter	100
40a		80
40b		80
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)

GROUP 2: PLOWS AND LISTERS

Division 1: Moldboard, Plows (Horse Drawn)

42	Walking, one horse, steel bottom	76
43	Walking, one horse, chilled bottom	57
44	Walking, two horse and larger	62
45	Sulky	90
46	Gang, two bottom and larger	90

[1] Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

GROUP 2: PLOWS AND LISTERS—Continued

Division 2: Moldboard Plows (Tractor Drawn or Mounted)

Item No.		Quota Percent
47	One bottom, tractor drawn	35
47a	One bottom, two-way (one furrow) tractor drawn	35
48	Two bottom, tractor drawn	86
48a	Two bottom, two-way (two furrow) tractor drawn	60
49	Three bottom, tractor drawn	52
50	Four bottom, tractor drawn	34
51	Five bottom and larger, tractor drawn	44
52	One bottom, tractor mounted	14
52a	One bottom, two-way (one furrow) tractor mounted	35
53	Two bottom, tractor mounted	82

Division 3: Disc Plows (Horse Drawn)

54	Single disc, and larger	0

Division 4: Disc Plows (Tractor Drawn)

55	One disc	0
56	Two disc	78
57	Three disc	71
58	One disc—direct connected (one wheel type)	73
59	Two disc—direct connected (one wheel type)	51
59a	Three disc—direct connected (one wheel type)	61
59b	Three disc, tool bar type	61
60	Four disc, tractor drawn	54
61	Five disc, tractor drawn	54
62	Six disc and larger, tractor drawn	54

Division 5: One-way Disc Plows or Tillers

63	Under five feet	58
63a	Five foot and under eight foot	58
63b	Eight foot and over	58

Division 6: Listers (Horse or Tractor Drawn) (Middlebusters Without Planting Attachments)

64	One row, horse or tractor drawn	77
65	Two row, horse or tractor drawn	100
66	Three row and larger horse or tractor drawn	0

Division 7: Listers (Tractor Mounted) (Middlebusters Without Planting Attachments)

67	One row, tractor mounted	12
68	Two row, tractor mounted	25
69	Three row and larger, tractor mounted	48
69a	Three row ridgers	80

Division 8: Sub-Soil Plows

70	Horse drawn	60
71	Tractor drawn	60
72	Tractor mounted	60

Division 9: Plow Stocks

73	Single or double stocks	69

Division 10: Other Plows and Listers

74	Basin Tiller	100
75	Cane row plows	100
76		60
76a		60

Division 11: Attachments

77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)

GROUP 3: HARROWS, ROLLER, PULVERIZERS AND STALK CUTTERS

Division 1: Harrows

78	Spike tooth harrow sections (steel), horse or tractor drawn	60
78a	Spike tooth harrow sections (wood), horse or tractor drawn	60
79	Spring tooth harrow sections (steel), horse or tractor drawn	68
79a	Spring tooth harrow sections (wood), horse or tractor drawn	68
80	Disc harrows, reversible, row disc, horse or tractor drawn	60
80a	Disc harrows, single, six foot and under (horse drawn type)	60
80b	Disc harrows, single over six foot (horse drawn type)	60
80c	Disc harrows, tandem attachment for horse drawn type	60
80d	Disc harrows, single and tandem, six foot and under, tractor drawn	60
80e	Disc harrows, single and tandem, over six foot and under eleven foot, tractor drawn	60
80f	Disc harrows, tandem "heavy duty" "cover crop", "wide disc spacing" tractor drawn	60
80g	Disc harrows, wide disc harrows over ten foot, tractor drawn	60
80h	Disc harrow, offset—tractor drawn	60
80i	Disc harrows, brush and bog, tractor drawn	60
81	Disc harrows, tractor mounted and tool bar type	60
81a	Cane disc harrows, tractor mounted and tool bar type	100

GROU 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Division 2: Smooth Land Rollers

Item No.		Quota Percent
82	Smooth land rollers, not including lawn rollers	61

Division 3: Soil Pulverisers and Packers

83	Soil pulverizers and packers, single	57
83a	Soil pulverizers and packers, double	57

Division 4: Stalk Cutters

84	Stalk cutters, horse drawn	63
84a	Stalk cutters, tractor drawn	63
84b	Weed cutters (rotary blade type)	65
84c	Cane stubble shavers	95

Division 5: Ridge Busters

85	Ridge busters, horse or tractor drawn	100
86	Ridge busters, tractor mounted	100

Division 6: Others Harrows and Rollers

87	Combination harrow and rollers	91
87a	Seed-bed row rollers	72
88	Field Markers	60
89		60
89a		60

Division 7: Attachments

90	Attachments for all items in Group 3 expressed in terms of net shipping weights in pounds	(1)

GROUP 4: CULTIVATORS AND WEEDERS

Division 1: Cultivators (Horse and Tractor Drawn)

91	One horse (all types), including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows	45
92	One row, walking, wo horse	79
93	One row, riding, two horse, shovel type	90
93a	One row, riding, two horse, disc type	90
93b	Two row, riding, horse drawn, shovel or disc type	90
94	One row, riding, two horse listed corn type	79
94a	Two row, horse drawn, listed corn type	79
94b	Two row, tractor drawn, listed corn type	100
94c	Three row, tractor drawn, listed corn type	100
94d	Four row, tractor drawn, listed corn type	100
94e	Five row, tractor drawn, listed corn type	100
95	Beet and bean cultivators, two row, horse drawn	60
95a	Beet and bean cultivators, four row, horse or tractor drawn	60
95b	Two row wing and disc hoes and hillers, potato, horse or tractor drawn	144
95c	Two row wing and disc hoes and hillers, potato, tractor mounted	144
96	Field cultivators, spring tooth type, seven foot and under	70
96a	Field cultivators, spring tooth type, over seven foot	70
96b	Field cultivators, stiff tooth type, seven foot and under	70
96c	Field cultivators, stiff tooth type, over seven foot	70
96d	Chisels and orchard cultivators, tractor drawn	45
97	Hand cultivators, wheel type, including hand plows	74

Division 2: Cultivators (Tractor Mounted)

98	One row	21
99	Two row, shovel type	71
99a	Two row, listed corn type	71
99b	Two row, potato cultivator	100
99c	Two row, disc type	71
100	Three and four row, shovel type	116
101	Narrow row, four and six row (beet, bean, and vegetable cultivators)	94
101a	Combination cultivators and planters, two row, corn and cotton	60
101b	Two row, cane cultivators	100
101c	Three row, cane cultivators	100
101d	Field cultivator, mounted and tool bar type	70
101e	Chisel and orchard cultivators, mounted and tool bar type (See also item 96c)	45

Division 3: Rotary Hoes

102	Rotary hoes, horse or tractor drawn	85

Division 4: Weeders

103	Rod weeders, horse or tractor drawn	60
103a	Rod weeders, tractor mounted and tool bar	60
104	Tooth weeders, one horse, walking	150
104a	Tooth weeders, two horse, riding	150
104b	Tooth weeders, tractor drawn	150
104c	Tooth weeders, tractor mounted	150

GROUP 4—CULTIVATORS AND WEEDERS—Continued

Division 4: Other Cultivators and Weeders

Item No.		Quota Percent
105	Beet thinners	120
105a	Vegetable weeder and thinner	122
105b	Cyclone weeder	95
106		85
106a		85

Division 6: Attachments

107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)

GROUP 5: SPRAYERS, DUSTERS, AND ORCHARD HEATERS

Division 1: Power Sprayers

108	Market garden type, under six g. p. m	68
108a	Orchard type, six to ten g. p. m. auxiliary engines	68
108b	Orchard type, six to ten g. p. m. power take-off	63
108c	Orchard type, eleven to twenty g. p. m. auxiliary engines	62
108d	Orchard type, eleven to twenty g. p. m. power take-off	63
108e	Orchard type, over twenty g. p. m. auxiliary engines	63
108f	Orchard type, over twenty g. p. m. power take-off	63
109g	Field or row crop type, six to ten g. p. m. auxiliary engines	63
108h	Field or row crop type, six to ten, g. p. m. power take-off	63
108i	Field or row crop type, eleven to twenty g. p. m. auxiliary engines	63
108j	Field or row crop type, eleven to twenty g. p. m. power take-off	63
108k	Field or row crop type, over twenty g. p. m. auxiliary engines	63
108l	Field or row crop type, over twenty g. p. m. power take-off	63
108m	Field or row crop type, tractor mounted	100
108n	Propeller blast type	100
109	Traction sprayers, under six g. p. m	100
109a	Traction sprayers, six g. p. m and over	100

Division 2: Hand Sprayers with Tank, Barrel, Knapsack, etc., with Complete Equipment (Capacity 1 qt. or over but less than 6 gallons)

110	Compressed air	70
111	Knapsack, self-contained	68
112	Trombone pump type	61
113	Bucket, pump type, single cylinder	73
114	Bucket, pump type, double cylinder	70
115	Atomising, single action (1 qt. and larger capacity)	62
116	Atomizing, continuous (1 qt. and larger capacity)	64

Division 3: Hand Pump Sprayers (Capacity 6 gallons or more)

117	Barrel pump sprayer	67
118	Wheelbarrow sprayer	78

Division 4: Spray Pumps, Power

119	Spray pumps, power	104

Division 5: Weed and Pear Burners

120	Weed and pear burners	60

Division 6: Dusters

121	Power duster, auxiliary engines	126
121a	Power duster, power take-off	126
122	Traction dusters	79
123	Hand dusters, rotary type	74
123a	Hand dusters, plunger type	74

Division 7: Orchard Heaters

124	Orchard heaters	75
124a	Wind frost protection machines	75

Division 8: Attachments

125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)

GROUP 6: HARVESTING MACHINERY

Division 1: Combines (Harvester-Threshers)

126	Width of cut, 6 ft. and under, auxiliary engines	57
126a	Width of cut, 6 ft. and under, power take off	57
127	Width of cut, over 6 ft. including 10 ft	90
128	Width of cut, over 10 feet	97
128a	Windrowers or swathers	78

GROUP 6: HARVESTING MACHINERY—Continued

Division 2: Grain and Rice Binders

Item No.		Quota Percent
129	Grain binders (ground drive)	49
130	Grain binders (power take-off drive)	64
131	Rice binders	96

Division 3: Corn Binders

132	Corn binders, ground drive	70
132a	Corn binders, power take-off	73
132b	Corn harvester, sled and wheel type	73

Division 4: Corn Pickers

133	One row, mounted type	110
134	Two row, mounted type	76
135	One row, pull type	78
136	Two row, pull type	108

Division 5: Field Ensilage Harvesters—Row Type

137	Field Ensilage Harvesters (row type)	100

Division 6: Potato Diggers and Pickers

138	Walking plow type	114
139	One row, ground drive	135
139a	One row, power take off	125
139b	Two row, power take off	126
139c	Potato pickers	135

Division 7: Bean Cutters or Pullers

140	Two row, horse or tractor drawn	85
140a	Four row, horse or tractor drawn	85

Division 8: Sugar Beet and Cane Harvesting Equipment

141	Beet lifters, horse or tractor drawn	27
141a	Beet lifters, tractor mounted	27
141b	Beet harvesters	150
141c	Beet loaders	150
141d	Cane harvesters	85
141e	Cane loaders	150

Division 9: Other Harvesting Equipment

142	Cotton harvesters, stripper type	150
142a	Cotton pickers	150
143	Vegetable pullers and pickers	150
143a	Green pea harvesters	150
143b	Spinach harvesters	150
144	One row soybean harvesters	150
144a	Grass seed harvesters or strippers	80
144b	Flax pullers	100
144c	Hop pickers	67
144d	Peanut diggers	150
144e		90
144f		90

Division 10: Attachments

145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)

GROUP 7: HAYING MACHINERY

Division 1: Mowers

146	Horse or tractor drawn (ground drive)	40
147	Tractor mounted or semi-mounted (power take-off drive)	60

Division 2: Rakes

148	Sulky (dump)	47
149	Side delivery (incl. comb. side rakes and tedders)	84
150	Sweep (horse)	90
150a	Sweep (tractor mounted)	90

Division 3: Hay Loaders

151	Hay loaders	57

Division 4: Stackers

152	Stationary	90
152a	Combination stacker-loaders	146

Division 5: Pick-up Hay Balers and Bale Loaders

153	Pick-up hay balers—power take-off	78
153a	Pick-up hay balers—auxiliary engine	78
153b	Field bale loader	160

Division 6: Other Haying Machinery

154	Field hay choppers and harvesters	150
155		90
156		90

[1] Percentage quota is the same as that used for the machine with which the attachment is used, unless option is chosen as provided for in Paragraph (d) (3) of the Order (L-257).

GROUP 7: HAYING MACHINERY—Continued

Division 7: Attachments

Item No.		Quota Percent
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Division 1: Stationary Threshers—Grain, Rice and Alfalfa

158	Threshers, width of cylinder under 28 inches	68
159	Threshers, width of cylinder 28 inches and over	47

Division 2: Stationary Pea and Bean Threshers

160	Stationary pea and bean threshers	152

Division 3: Peanut Pickers

161	Peanut pickers	61

Division 4: Ensilage Cutters—Silo Fillers

162	Ensilage cutters (Silo Fillers)	64

Division 5: Feed Cutters—Hand and Power

163	Feed cutters, hand and power	81

Division 6: Corn Shellers

164	Corn shellers (hand)	43
165	Spring (2, 4, 6 and 8 hole)	0
166	Cylinder (150 bu. and under)	88
167	Cylinder (over 150 bushels)	45

Division 7: Corn Huskers and Shredders

168	Combination corn huskers-shredders	74
169	Corn huskers	41
170	Corn shredders	0

Division 8: Stationary Hay and Straw Balers

171	Horse	76
172	Auxiliary engine	36
172a	Belt driven	36
172b	Power take-off	36
172c	Broom corn balers	79

Division 9: Feed Grinders and Crushers

173	Hand	52
174	Power, burr type	88
175	Hammer type	58
175a	Roughage mills, combination type with cutter head and grinders	86
175b	Feed mixers (not concrete mixers)	58

Division 10: Grain Cleaners and Graders

176	Cleaners and graders—farm type (small grain and seed)	68

Division 11: Sorters and Graders

177	Potato sorters and graders	111
177a	Vegetable graders, washers, sackers and conveyors	90
177b	Vegetable toppers	90
177c	Fruit graders, washers, crushers, conveyors	90
177d	Nut hullers graders, sackers, conveyors	90

Division 12: Maple Syrup Evaporators

178	Complete sets of pans, not including furnaces	69
179	Furnaces	58

Division 13: Cane Syrup Evaporators

180	Complete sets of pans, not including furnaces	95
181	Furnaces	77

Division 14: Cane Mills—Farm Size

182	Cane mills (farm size)	63

Division 15: Cider Mills and Fruit Presses

183	Cider mills and fruit presses	32

Division 16: Other Machines for Preparing Crops for Market or Use

184	Tobacco Curers	40
185	Broom corn de-seeders	80
186		90
186a		90

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET USE—Continued

Division 17: Attachments

Item No.		Quota Percent
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

Division 1: Elevators—Portable

189	Elevators, Portable	100

Division 2: Elevators—Stationary

190	Elevators, stationary	90

Division 3: Blowers—Grain and Forage

190	Blowers (grain)	118
190a	Blowers (forage)	180

Division 4: Attachments

191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)

GROUP 10: TRACTORS

Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192	Special purpose, under 30 H. P.	32
193	Special purpose, 30 and over	44
194	All purpose under 30 H. P.	41
195	All purpose 30 and over	63

Division 2: Garden Tractors

196	Garden tractors (incl. motor tillers)	65

Division 3: Attachments

197	Attachments for all items in Group 10 expressed in net shipping weight in pounds	(1)

GROUP 11: ENGINES (CANCELLED—SCHEDULED BY AUTOMOTIVE DIVISION)

Division 1: Engines Under 1 H. P.

198	Air Cooled	(2)

Division 2: Engines, 1 or More but Under 5 H. P.

199	Air Cooled	(2)
200	Water Cooled	(2)

Division 3: Engines, 5 or More but Under 10 H. P.

201	Air Cooled	(2)
202	Water Cooled	(2)

Division 4: Engines, 10 or More but Under 20 H. P.

203	Water cooled	(2)

Division 5: Attachments

204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	75

GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

Division 1: Wagons and Trucks

205	Wagon gears (less box)	55
206	Truck gears (less box)	55
206a	One horse wagon (less box)	55

Division 2: Wagon Bodies

207	Wagon and truck boxes, farm	77

Division 3: Farm Sleighs

208	Sleighs and Bob-Sleds, farm	150

Division 4: Trailers—Farm

209	Trailers, farm	0

Division 5: Other Transporting Equipment Not Motor Trucks

210	Tobacco trucks	56
210a	Buggies and spring wagons, farm	55
211	Cane wagons and carts	47
211a		60
211b		70

Division 6: Attachments

212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)

[1] Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (2) of the order (L-257).

[2] Quota percentage not necessary.

GROUP 13: DOMESTIC WATER SYSTEMS

Division 1: Deep and Shallow Well Systems

213	Deep well, reciprocal	55
214	Deep or shallow well, jet type	70
215	Shallow well, 250–499 gals. per hour	66
216	Shallow well, 500 gals. per hour and over	70

Division 2: Power Pumps

217	Horizontal type, up to and incl. 75 gal. p. m. 100 lbs. pressure	15

Division 3: Water Well Casing

218	Water well casing (fabricated by other than pipe mills)	100

Division 4: Attachments

219	Attachments for all items in Group 13 expressed in terms of net shipping weight in pounds	(1)

GROUP 14: FARM PUMPS AND WINDMILLS

Division 1: Pumps, Water

220	Pitcher pumps	69
221	Hand and windmill pumps	84

Division 2: Windmills

222	Windmill heads	95
223	Windmill towers	89

Division 3: Pump Jacks

224	Pump jacks	67

Division 4: Attachments

226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)

GROUP 15: IRRIGATION AND DRAINAGE EQUIPMENT

Division 1: Irrigation and Drainage Pumps

227	Turbine Pumps, 0 to 1,200 G. P. M.	64
228	Turbine Pumps, 1,200 G. P. M. and up	135
229	Centrifugal pumps	64
230	Hydraulic rams	100

Division 2: Distribution Equipment

231	Land levelers	45
231a	Blade ditchers and terracers	45
231b	One disc terracers	45
231c	Corrugators	45
231d	Scrapers	45

(Items 231 to 231d are exclusive of power ditchers, draglines, and other self-powered machines.)

232	Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates, expressed in terms of net shipping weight in pounds	70

Division 3: Other Farm Irrigation Equipment (List each item separately)

233		40
234		40
235		40

Division 4: Attachments

236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Division 1: Milking Machines

237	Milking machines (Complete Outfits)	60

Division 2: Farm Cream Separators

238	Capacity 250 lbs. per hour or less	35
239	Capacity 251 lbs. to 800 lbs. per hour	27
240	Capacity 801 lbs. to 1500 lbs. per hour	23

Division 3: Farm Milk Coolers

241	Immersion type	84
242	Surface or Tubular type	84

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT—Continued

Division 4: Farm Butter Making Equipment

243	Butter churns	70
244	Butter molds	50

Division 5: Other Dairy Farm Equipment

245	Milk pails	98
246	Milk strainers	98
247	Stirrers	80
248	Cream setter cans	50
248a	Sterilizing tanks	70
248b	Dairy washing tanks	60
248c	Dairy water heaters (excluding boiler-type heaters)	60
248d	Can racks	60

(List additional items separately)

248e		50
248f		50
248g		50

Division 6: Attachments

249	Attachments for all items in Group 16, expressed in terms of net shipping weight in pounds	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT

Division 1: Feed Carriers, Litter Carriers, and Feed Trucks

250	Feed carriers	50
251	Litter carriers	82
252	Track for feed and litter carriers	75
253	Feed trucks (iron and steel)	67

Division 2: Hay Unloading Equipment

254	Hay carriers	90
255	Track for hay carriers	73
256	Hay forks, harpoon and grapple	90

Division 3: Cattle Stalls, Pen Equipment and Stanchions

258	Cattle stalls and fittings	50
259	Livestock pens	40
260	Cattle stanchions and fittings	65

Division 4: Livestock Drinking Cups and Watering Bowls

261	Livestock drinking cups	92
262	Outside livestock watering bowls	80

Division 5: Barnyard Stock Tanks

263	Barnyard stock tanks	65
264	Hog troughs (iron and steel)	86
265	Livestock dipping tanks	90

Division 6: Feeders, Feed Cookers, & Tank Heaters

265a	Livestock feeders (iron and steel)	80
266	Feed cookers	77
267	Tank heaters	90

Division 7: Barn Door Track & Hangers

Division 8: Other Barn & Barnyard Equipment

270	Hog waterers	100
270a	Hog oilers	65
271	Hog rings	110
271a	Hog fingers	85
271b	Cattle dehorning equipment	60
271c	Anti-cow-kickers	45
271h	Hay hoists	66
271i	Bull staffs	100
271j	Bull rings	100

(List additional items separately)

271k		50
271l		50

Division 9: Attachments

272	Attachments for all items in Group 17, expressed in terms of net shipping weight in pounds	(1)

GROUP 18: FARM POULTRY EQUIPMENT

Division 1: Incubators

274	Incubators, 1,000-egg capacity & smaller	51
275	Incubators, over 1,000-egg capacity	75

Division 2: Floor Brooders

276	Oil (over 100 chick capacity)	100
277	Coal (over 100 chick capacity)	100
278	Gas (over 100 chick capacity)	100
279	Wood (over 100 chick capacity)	100
280	Electric (over 100 chick capacity)	100
280a	All types 100 chick capacity and smaller	100

Division 3: Battery Brooders (Heated)

281	Three deck and smaller (heated)	30
282	Four deck (heated)	70
283	Five deck (heated)	85

[1] Percentage quota is the same as that listed for the machine with whom the attachment is used, unless option is chosen as provided for in paragraph (d) (a) o the order (L-257).

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Division 4: Growing and Laying Batteries

Item No.		Quota Percent
284	Growing	52
285	Laying	0

Division 5: Poultry Feeders

286	Poultry feeders (iron and steel)	70

Division 6: Poultry Waterers and Water Heaters

287	Poultry waterers (iron and steel)	70
287a	Automatic float valves	75
287b	Fountain heaters	75

Division 7: Laying Nests and Grit Boxes

288	Laying nests (iron and steel)	40
289	Egg baskets	100
289a	Grit boxes (iron and steel)	40

Division 8: Other Farm Poultry Equipment

290	Leg bands	110
290a	Wing bands	110
291	Egg graders	100
292	Egg candlers	100
292a	Poultry punches	60
292b	Roof saddles	100
292c	Draft equalizers	100
292d	Chimney caps	100
292g	Killing cones	80
292h	Fowl catchers	80

(List additional items separately)

292i		80
292j		80
292k		80

Division 9: Attachments

296	Attachments for all items in Group 18, expressed in terms of net shipping weight in pounds	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Division 1: Beekeepers' Supplies

294	Beekeepers' supplies (except bee hives)	100
295	Bee hives (not limited) (1).	

Division 2: Silos

296	Silos (total weight of iron and steel)	60

Division 3: Horse Shoes—Including Mule and Oxen Shoes

297	Horseshoes (incl. mule and oxen shoes)	107

Division 4: Harness Hardware

298	Harness hardware	100

Division 5: Power Sheep Shearing Machines

299	Power sheep shearing machines	100
299a	Power cattle and horse clippers	60

Division 6: Electric Fence Controllers

300	Electric fence controllers	100
301	Electric fence accessories	120

Division 8: Farm Wood-Sawing Machines

309	Farm wood-sawing machines including self-powered cross-cut and drag 5 H. P. and less	56

Division 9: Farm Gates

310	Farm gates	25

Division 10: Farm Electric Plants (wind-driven)

311	Farm electric plants (wind-driven electric generating plants only—does not include batteries or towers)	55
311a	Towers for wind-driven electric generating plants	55

(Engine driven farm lighting plants and batteries transferred to Automotive Division.)

Division 11: Attachments

312	Attachments for all items in Group 19, expressed in terms of net shipping weight in pounds	(1)

[F. R. Doc. 44-4116; Filed, March 23, 1944; 11:21 a. m.]

PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L-61, as Amended Mar. 23, 1944]

The fulfillment of requirements for the national defense has created a shortage in the supply of certain critical materials used in the manufacture of retreading, recapping and repair equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1114.1 *General Limitation Order L-61*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or any organized group of persons, whether incorporated or not.

(2) "Retreading, recapping or repair equipment" means any mechanical device used in connection with applying uncured rubber (in the form of camelback, patching rubber or otherwise) to rubber casings or innertubes for the purpose of renewing or repairing a rubber casing or innertube. The term includes, but is not limited to; full circle molds, full circle matrices, holders, tables, steam chambers, kettle curing devices, curing rings, curing bands, pressure plates, spacer rings, curing rims, sectional molds, sectional matrices, tire and tube repair and spot equipment, tire spreaders, tire buffers, mechanical stitchers, mechanical rollers, regroovers. It does not include, however, small tools such as knives, hand rollers, hand stitchers, jacks, shears, and other miscellaneous shop tools and supplies.

(3) "Delivery" means any physical delivery of any item of retreading, recapping or repair equipment, or parts of such equipment to other persons.

(4) "Approved order" means an order for new retreading, recapping or repair equipment authorized on Form WPB-1319, which bears the certification in paragraph (d). It also means any order for new retreading, recapping or repair equipment which the War Production Board has authorized under Order L-61 before March 23, 1944, to be produced or delivered.

(b) *Restrictions on production and delivery.* (1) No person shall manufacture or deliver any item of new retreading, recapping or repair equipment having a retail value of more than $85, or curing rings, spacer rings, full circle and sectional matrices, regardless of retail value, except to fill approved orders.

No person shall manufacture or deliver new parts except for the maintenance and repair of existing equipment or to fill approved orders. Any order for curing rings, spacer rings, full circle and sectional matrices (new items only) must be an approved order even though the items are for the maintenance or repair of existing equipment.

Any person engaged in the business of retreading, recapping or repairing tires may purchase parts for the maintenance and repair of his equipment under CMP Regulation 5. That regulation assigns a rating of AA-2 for this purpose. Single items of retreading, recapping or repair equipment having a retail value of $85 or less other than curing rings, spacer rings, full circle and sectional matrices may also be purchased under the provisions of CMP Regulation 5. The regulation may not, however, be used for new items of equipment for which an approved order is required.

(2) Facilities which can be used in the production of items of retreading, recapping or repair equipment in more than one of the groups of the following production pattern are called interchangeable facilities in this paragraph. For the purpose of the production pattern, "molds and matrices" include curing rings, spacer rings, curing tables, steam chambers and kettle curing devices.

PRODUCTION PATTERN

Group	Type of Equipment
1	Airplane, full circle tire molds and matrices.
2	Tractor-implement rear wheel full circle tire molds and matrices.
3	Earth-mover and road grader full circle molds and matrices.
4	Repair parts for retreading, recapping or repair equipment produced after December 7, 1941
5	Tractor front wheel full circle tire molds and matrices.
6	Truck-bus full circle tire molds and matrices.
7	Sectional molds and matrices, all types.
8	Repair parts for retreading, recapping or repair equipment produced prior to December 7, 1941.
9	Inner tube repair equipment.
10	Buffers and tire spreaders.
11	Passenger tire full circle molds and matrices and miscellaneous equipment not specifically covered in groups 1 to 10 inclusive.
12	Any discontinued or obsolete types of retreading, recapping or repair equipment which the manufacturer is unable to produce without loss of production.

Interchangeable facilities must be used to produce orders for new retreading, recapping or repair equipment or for parts in the sequence established by the above production pattern. This means that a manufacturer must use interchangeable facilities to produce orders classified in each higher group before he may use the same facilities to fill orders in any

lower group. If he is using interchangeable facilities for a lower group and is required by the production pattern to divert those facilities to unfilled orders in a higher group, he may postpone the diversion of facilities to the higher group for not more than 15 days after receipt of an order in the higher group.

Preference ratings for retreading, recapping or repair equipment or for parts of equipment shall have no effect upon the use of interchangeable facilities to fill orders in different groups. Orders classified in the same group, however, shall be produced and shipped in accordance with Priorities Regulation No. 1.

(c) *How approval is obtained.* Any person who wishes to purchase any item of new retreading, recapping or repair equipment having a retail value of more than $85, or curing rings, spacer rings, full circle and sectional matrices regardless of retail value, must make his application on Form WPB–1319. The form together with instructions for its use and filing may be obtained from the nearest War Production Board Field Office.

If the application is granted by the War Production Board, the form will be returned to the applicant authorizing the production or delivery of all or part of the items requested and a preference rating or ratings may be assigned.

(d) *Purchaser's certification to supplier.* The person receiving authorization by the War Production Board on Form WPB–1319 may serve an approved order upon his supplier for the items of equipment authorized on the form by making certification to his supplier and to the War Production Board in substantially the following form:

> The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.
>
> Date of authorization under Order L–61 .....
> Form WPB–1319, Serial Number .....
>
> .....
> (Authorized Official)

The above standard form of certification is set forth in Priorities Regulation No. 7. The information added to this certification consists of the date and serial number of the authorization on Form WPB 1319.

(e) [Deleted Mar. 23, 1944]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* Except as otherwise provided in paragraph (b), this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington 25, D. C., Ref.: L–61.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Records.* Each manufacturer or distributor of new retreading, recapping and repair equipment affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of such equipment.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4119; Filed, March 23, 1944; 11:20 a. m.]

PART 1226[1]—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–89, as Amended Mar. 23, 1944]

ELEVATORS AND ESCALATORS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of elevators and escalators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.32[1] *General Conservation Order L–89*—(a) *Definitions.* For the purpose of this order:

(1) "Elevator" means any hoisting or lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including hydraulic and hydroelectric elevators, electric dumbwaiters, home lifts and elevettes; but excluding mine material hoists, man lifts, platform lifts and portable elevators. The term shall also mean inclinators, and electrically operated elevating devices appurtenant to stationary stairways.

(2) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering persons.

(3) "Order" means any commitment or other arrangement for the delivery of an elevator, escalator, or parts or accessories therefor.

(4) "Approved order" means (i) any order for a new elevator bearing a preference rating of AA–5 or higher authorized on Form WPB–617 (formerly PD–200), except an order for a new elevator to replace the existing one or to install in an existing shaft, (ii) any order for parts or equipment for an elevator or escalator bearing a rating of AA–5 or higher involving less than $500, exclusive of installation labor costs, except an order for spare or maintenance parts not required for immediate use if, by its fulfillment, the parts inventory of the purchaser is increased beyond $50 for each elevator operated by him or if his total purchase of such parts would thereby exceed $100 for each elevator in any calendar year, or (iii) an order for repair or maintenance parts in whatever amount may be the minimum necessary when there has been an actual breakdown, or suspension of operations of an elevator or escalator is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. No order shall be subdivided for the purpose of coming within subdivision (ii) of this subparagraph. The term "any order" includes a group of orders for equipment for one or more elevators or escalators where all of the equipment is customarily purchased as part of a single order.

(5) "Maintenance" means the minimum upkeep necessary to continued operation of an elevator or escalator in sound working condition, and "repair" means the restoration of an elevator or escalator to sound working condition when rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(b) *Restrictions on accepting orders.* (1) No person shall manufacture an escalator or accept an order for delivery of an escalator.

(2) No person shall accept an order for a new elevator or for elevator or escalator parts or accessories, except an approved order, without authorization in writing from the War Production Board. Application for authorization shall be made by purchaser on Form WPB–1236 in accordance with instructions contained on the Form. The War Production Board may grant such application on such conditions, if any, as it may prescribe. An authorization by the War Production Board issued prior to March 23, 1944, meets the requirements of this paragraph.

(c) *Restrictions on use of materials.* No non-ferrous metals or stainless steel shall be used in the manufacture of car enclosures, facias, hanger covers, car doors or gates, car or landing thresholds or face plates of operating or signal fixtures; or in the manufacture of parts therefor.

[1] Formerly Part 1171, § 1171.1.

(d) *Exemptions.* (1) The restrictions of paragraphs (b) and (c) of this order shall not apply to any elevator or elevator parts, equipment or accessories, to be installed and used aboard any ships owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(2) The restrictions of paragraph (b) shall not apply to an order placed by a manufacturer or dealer for elevator or escalator parts, equipment or accessories to be delivered for further manufacture or for resale for maintenance and repair purposes.

(e) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Specific reports and questionnaires will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. Where the limitations imposed by other L, M or R orders are applicable to the subject matter of this order, the most restrictive limitation shall apply.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 (formerly PD–500) or by letter, in triplicate, referring to the provisions appealed from and stating fully the grounds for the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications, concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L–89.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4120; Filed, March 23, 1944; 11:20 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT ELEVATORS AND ESCALATORS

[General Conservation Order L–89, Interpretation 1]

The following interpretation was issued with respect to General Conservation Order L–89:

Paragraph (b) (2) provides that no person shall accept an order (except an approved order) unless the order has been authorized on Form WPB–1236 (this restriction not applying to acceptance of orders exempted under paragraph (d)). An "approved order" (as defined in paragraph (a) (4) (iii) includes an order for repair or maintenance parts for an elevator or escalator where suspension of operations is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. A suspension of operations may be considered imminent if the condition of the cables of an elevator or the steps or hand rails of an escalator or of any other parts of an elevator or escalator would make definitely dangerous its continued operation without making the repairs; and such condition may be assumed where the cables, steps, hand rails, or other parts have been condemned pursuant to a state law or municipal ordinance requiring suspension of operations unless their repair or replacement is made within the period (normally 30 to 90 days) specified on the inspector's report. However, a possible future breakdown cannot be considered as meaning that suspension of operations is imminent.

Issued this 23d day of March, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4121; Filed, March 23, 1944; 11:24 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L–216, Schedule II, as Amended Mar. 23, 1944]

WRENCHES

§ 3114.3 *Schedule II to Limitation Order L–216*—(a) *Definitions.* For the purpose of this schedule:

(1) "Wrench" means any wrench of any type specifically mentioned in Appendix A of this schedule, including any drive tools therefor. Wrenches of a type not specified in Appendix A of this schedule are not subject to its provisions.

(2) "Producer" means any person engaged in the production of wrenches.

(3) "Distributor" means any person who purchases wrenches for purposes of resale, excluding persons who purchase wrenches for resale to their own employees and persons who purchase wrenches for resale as accessories for delivery with or use with items of their own manufacture.

(4) "Ultimate consumer" means any person who purchases wrenches other than a distributor.

(5) "Alloy steel" means only those alloy steels which are in the series listed in Exhibit B to General Preference Order E–6.

(6) "Nominal", when applied to any over-all length specification contained in this schedule, means that such over-all length specification is subject to a production tolerance or allowance of one-half inch over or one-half inch under the given specification; provided that a "nominal" specification does not permit the production of two different size wrenches under the one specification.

(b) *Restrictions on production.* (1) No producer shall commence processing any carbon or alloy steel for the production of any wrench unless such wrench when completed shall conform to all provisions of this schedule which are applicable thereto.

(2) Where any provision of this schedule prohibits the production of any wrench heretofore produced by a producer and such producer believes this imposes unreasonable hardship upon him, application for specific permission to continue the production of such wrench for the life of usable dies acquired by the producer prior to March 25, 1943 may be made to the War Production Board. Application for such permission may be made by filing a letter in triplicate setting forth a detailed description of the wrench for which permission to continue production is sought, the number of usable dies for such wrench on hand, the date of their acquisition, and the approximate number of wrenches or parts therefor which such dies are capable of producing.

(c) *Limitation on the use of steel.* Producers may make any of the permitted types of wrenches out of carbon or alloy steel but must not make the same type in both carbon and alloy steel unless specifically permitted to do so by Appendix A of this schedule.

(d) *Limitation on styles, grades and dimensions.* Except where specifically permitted by Appendix A of this schedule, no producer shall:

(1) Make more than one style or pattern of any type of wrench.

(2) Make more than one grade of any type of wrench.

(3) Make any size wrench permitted by Appendix A of this schedule to more than one set of dimensions.

(e) *Limitation on finishes.* (1) Wrenches may have finishes applied to them only to the following extent: They may be coated with oil or grease compound or chemical black, or lacquered, parkerized, or lead or zinc coated.

(2) Polishing is prohibited except to the extent necessary to make the wrench usable for the purposes intended; in no event shall any wrench be polished on more than one wheel, or one belt, or one similar polishing device.

(f) *Limitation on production and delivery of sets.* (1) Except as provided in subparagraph (2) of this paragraph (f), no producer shall make for his own inventory and no distributor shall acquire for his inventory or shelf stock any sets of wrenches. Any number of wrenches in excess of one which have been grouped for purposes of sale as a unit shall be deemed a "set" for the purposes of this paragraph.

(2) Nothing contained in this paragraph shall prohibit

(i) A producer from producing sets to fill a specific order placed directly or indirectly by an ultimate consumer, or

(ii) A distributor from making up a set or sets of wrenches to fill a specific order placed by an ultimate consumer, or

(iii) The production and placement of sets in either a producer's or a distributor's inventory or shelf stock of those ¼-inch drive detachable socket wrenches permitted to be produced and maintained in inventory by Appendix A and those open-end ignition (or electrical) wrenches permitted to be produced and maintained in inventory by Appendix A.

(g) *Limitations on sizes and inventories.* (1) No producer shall make any wrenches of any type specified in Appendix A of this schedule except in the sizes therein authorized and for the purposes therein set forth.

(2) If, with respect to any type of wrench, it is indicated that one or more sizes on Appendix A shall be selected, each producer shall select such sizes as he may desire to manufacture within the limitations prescribed, not to exceed the number so indicated and shall forthwith give notice of his selection in writing to the War Production Board, Tools Division, Reference: L–216, Schedule II. The producer may thereafter apply to the War Production Board for leave to amend his original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(3) No producer or distributor shall maintain inventories of any wrenches of any type specified in Appendix A of this schedule except in the sizes in which inventories are specifically permitted by such Appendix A in the hands of either producers or distributors.

(h) *Limitation on segregation by brand or trade name.* Notwithstanding the provisions of any contract or purchase order, no producer shall hold or reserve wrenches for a particular customer if deliveries under orders from other customers entitled to preference will be delayed thereby, whether or not such wrenches are stamped or marked with a special brand or trade name.

(i) *Exemptions.* Notwithstanding any other provisions of this schedule, the following are exempt from the provisions herein contained:

(1) The production of any wrenches which has been commenced prior to May 31, 1943, provided such wrenches will be completed within ninety days after May 31, 1943.

(2) Wrenches for Whitworth and Metric bolts and nuts;

(3) Shanks, chucks, or sockets for power driven nut runners or impact power drivers.

(j) *Applicability of other orders.* All the provisions of General Preference Order E–6 which are not inconsistent with the provisions of this schedule shall apply to the production and delivery of wrenches.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

I. WRENCHES, OPEN-END, NON-ADJUSTABLE

(a) *Type: Engineers', double-head, 15° angle, normal duty.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

5/16 and 13/32	13/16 and 7/8
3/8 and 7/16	15/16 and 15/16
7/16 and 1/2	7/8 and 15/16
7/16 and 9/16	7/8 and 31/32
1/2 and 9/16	7/8 and 1
1/2 and 17/32	15/16 and 1
9/16 and 5/8	15/16 and 1 1/16
17/32 and 11/16	15/16 and 1 1/8
5/8 and 3/4	31/32 and 1 1/16
11/16 and 25/32	1 and 1 1/8
3/4 and 13/16	1 1/16 and 1 1/4
3/4 and 7/8	1 1/16 and 1 1/2
25/32 and 7/8	1 1/16 and 1 5/8

Provided, however, A producer may make this type in the following additional size combinations for such producer's own inventory:

7/8 and 1 1/16	2 1/8 and 2 1/4
1 1/16 and 1 1/8	3 and 3 1/8
1 13/16 and 2	3 1/8 and 3 1/2
2 1/8 and 2 3/8	

(b) *Type: Engineers', double-head, 15° angle, heavy duty.* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer, except that no wrench of this type shall be made with a wrench opening of less than 3/16" or more than 1 5/8".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

3/16 and 1/4	1 1/16 and 25/32
1/4 and 5/16	3/4 and 13/16
5/16 and 3/8	25/32 and 1 1/16
5/16 and 13/32	3/4 and 7/8
3/8 and 7/16	7/8 and 1 1/16
7/16 and 1/2	1 1/16 and 1 1/16
1/2 and 9/16	1 and 1 1/8
9/16 and 5/8	1 1/16 and 1 1/4
13/32 and 11/16	1 1/4 and 1 5/16
5/8 and 3/4	

Provided, however, A producer may make this type in the following additional size combinations for such producer's own inventory:

1 3/8 and 1 1/2	
1 5/16 and 1 1/2	
1 7/16 and 1 5/8	

(c) *Type: Engineers', single-head, 15° angle, normal duty.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench openings in inches):

3/8	1 3/8
7/16	1 5/16
1/2	1 3/32
9/16	1
17/32	1 1/16
5/8	1 1/8
11/16	1 1/4
3/4	1 5/16
25/32	1 3/8
13/16	

Provided, however, A producer may make this type in the following additional sizes for such producer's own inventory:

1 1/2	1 7/8
1 5/8	2 1/4
1 11/16	

(d) *Type: Engineers', single-head, 15° angle, heavy duty.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory except in the following sizes (stated in wrench openings in inches):

1 11/16	2 1/4
1 7/8	2 3/8
2	

(4) No distributor shall acquire this type for his inventory or shelf stock.

(e) *Type: Check nut, or thin-head, double-head 15° angle.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type wrench for his own inventory except in the following size combinations (stated in wrench openings in inches):

3/8 and 7/16	7/8 and 15/16
1/2 and 9/16	7/8 and 1
1/2 and 17/32	15/16 and 1 1/16
9/16 and 5/8	1 and 1 1/4
13/32 and 11/16	1 1/16 and 1 1/4
5/8 and 3/4	1 1/16 and 1 1/16
11/16 and 25/32	1 1/8 and 1 5/16
3/4 and 13/16	1 1/4 and 1 3/8
3/4 and 7/8	1 1/4 and 1 5/16
13/16 and 7/8	1 1/4 and 1 3/8

(3) No distributor shall acquire this type for his inventory or shelf stock.

(f) *Type: Tappet, double-head, 15° angle.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

7/16 and 1/2	3/8 and 11/16
7/16 and 17/32	3/4 and 7/8
1/2 and 9/16	

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(g) *Type: Set screw, double-head, 22½° angle.* (1) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

1/4 and 5/16	5/16 and 3/8
5/16 and 3/8	3/4 and 7/8
7/16 and 1/2	1 and 1 1/8

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(h) *Type: Tool post, double-end.* (1) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

Closed end inches		*Open end inches*
7/16	and	7/16
1/2	and	1/2
1/2	and	9/16
9/16	and	9/16
5/8	and	5/8
5/8	and	11/16
11/16	and	11/16
3/4	and	3/4

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(i) *Type: Ignition (or electrical), double-head.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any combination of sizes or head angles, and in any head pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock in more than eight size combinations. Sizes of openings and angles of heads are optional, provided that such wrenches may be made only in the size range of 13/64" to 7/16", inclusive.

(j) *Type: Structural, offset tapered handle.* (1) No producer shall make this type wrench except in the following sizes (stated in wrench openings in inches):

7/16	1
9/16	1 1/8
19/32	1 5/16
5/8	1 1/2
3/4	1 11/16
25/32	1 7/8
15/16	2
1	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(3) No producer shall make any size wrench of this type in more than one length of tang.

(k) *Type: Construction, 15° angle.* (1) No producer shall make this type wrench except in the following sizes (stated in wrench openings in inches):

7/16	1 13/16
1/2	1 1/8
9/16	1 1/4
19/32	1 5/16
5/8	1 7/16
11/16	1 1/2
3/4	1 5/8
25/32	1 11/16
13/16	1 7/8
7/8	2
31/32	2
1	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(3) No producer shall make any size wrench of this type in more than one length of tang.

(l) *Type: Car, double end.* A producer may make this type only in the following size combinations and lengths (stated in wrench openings in inches and nominal length in inches) to fill a specific order placed directly or indirectly by an ultimate consumer:

5/8 and 13/16	12
25/32 and 29/32	12
13/16 and 1	19
15/16 and 1 1/8	19
15/16 and 1 5/16	19
1 and 1 1/8	19
1 1/8 and 1 5/16	20
1 1/8 and 1 1/2	21
1 5/16 and 1 1/2	21
1 5/16 and 1 11/16	22
1 1/2 and 1 11/16	22
1 1/2 and 1 7/8	23
1 11/16 and 1 7/8	23
1 11/16 and 2 1/16	24
1 7/8 and 2 1/16	24
1 7/8 and 2 1/4	24
1 7/8 and 2 7/16	24
2 1/16 and 2 7/16	24

(m) *Prohibited types.* No producer shall make the following types of open-end, non-adjustable wrenches:

Offset wrenches and wrenches having an angle other than 15° or 22½°

Check-nut, single-head wrenches (except to fill specific orders placed directly or indirectly by an ultimate consumer)

"S" wrenches, except car wrenches

Alligator wrenches

Machine wrenches (heavy wrenches for planers, milling machines, lathes, drill presses, etc., having cross sections thicker than the producer's standard for other types)

II. WRENCHES, ADJUSTABLE, BOLT AND NUT, AND PIPE

(a) *Type: 22½° angle single end.* (1) A producer may make this type of both carbon and alloy steel.

(2) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

4	12
6	15 or 16
8	18
10	24

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(b) *Type: Adjustable "S", malleable iron handle.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

6	12
8	14
10	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(c) *Type: Auto, normal duty and heavy duty.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

5	15
9	18
11	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(d) *Type: Monkey, with metal grip.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

10	18
12	21
15	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(e) *Type: Screw, key model.* A producer may make this type only in the following sizes (stated in nominal over-all length in inches and jaw openings in inches) to fill a specific order placed directly or indirectly by an ultimate consumer:

26	5 1/8
36	6 1/4
48	9 1/2

(f) *Type: Pipe (Stillson, Trimo, Rigid, etc.), steel handle, normal duty and heavy duty.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

6	18
8	24
10	36
14	48

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(g) *Type: Pipe, chain (or tongs).* (1) No producer shall make this type wrench except in the following sizes:

Nominal over-all length (inches)	
13¾	42
20	50
27	64
35	85

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(h) *Type: Pipe and fittings, chain (or tongs).* (1) No producer shall make this type wrench except in the following sizes:

Nominal over-all length (inches)	
13¾	42
20	50
27	64
35	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(i) *Prohibited types:* No producer shall make the following types of adjustable, bolt and nut, or pipe wrenches:

Pocket wrenches.

Combination pipe and monkey wrenches.

Adjustable 22½° double end wrenches.

III. BOX WRENCHES

(a) *Type: Double-head, 12 point, alloy steel, 15° or 45° offset (short length).* (1) This type shall be made of alloy steel only.

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

5/16 and 3/8	9/16 and 5/8
3/8 and 7/16	5/8 and 11/16
7/16 and 1/2	5/8 and 3/4
1/2 and 9/16	

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(4) No producer shall make any size wrench of this type in both the 15° and 45° pattern.

(b) *Type: Double-head, 12 point, 15° offset (short length).* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

1/4 and 5/16	5/8 and 11/16
3/8 and 7/16	3/4 and 25/32
1/2 and 9/16	13/16 and 7/8

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(c) *Type: Double-head, 12 point, alloy steel, 15° and 45° offset (regular length).* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer except that no wrench of this type shall be made with a wrench opening larger than 1 5/8".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

3/8 and 7/16	5/8 and 7/8
7/16 and 1/2	15/16 and 7/8
1/2 and 9/16	15/16 and 1
9/16 and 5/8	1 1/16 and 1
19/32 and 11/16	1 1/4 and 1 5/16
5/8 and 11/16	1 1/4 and 1 3/8
5/8 and 3/4	1 1/16 and 1 1/2
3/4 and 25/32	

Provided, however, A producer may make this type in the following additional size combination for such producer's own inventory:

1 1/16 and 1 5/8

(d) *Type: Double-head, 12 point carbon steel, 45° offset (regular length).* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer except that no wrench of this type shall be made with a wrench opening larger than 1⅝".

(3) No producer shall make this type for his own inventory and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

4⅛ and 5/16	1 5/16 and ⅛
½ and 9/16	1 5/16 and 1
5/8 and 1 1/16	1 1/16 and 1 1/8
⅝ and 2/32	

(e) *Type: Stub, 12 point (heavy duty).* (1) This type shall be made of alloy steel only.

(2) No producer shall make this type wrench whether for an ultimate consumer or for such producer's own inventory except in sizes from 1 1/16" to 3 1/16", inclusive.

(3) No distributor shall acquire this type for his inventory or shelf stock.

(f) *Type: Slugging or striking face 6 or 12 point (heavy duty).* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory and no distributor shall acquire this type for his inventory or shelf stock.

(g) *Type: Combination box and open-end.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench for his own inventory and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench openings in inches):

5/16	15/16
3/8	1
7/16	1 1/16
1/2	1 1/8
9/16	1 3/16
5/8	1 1/4
11/16	
¾	

Provided, however, A producer may make this type in the following additional sizes for such producer's own inventory:

1 3/16	1 7/16

(h) *Type: Single-end, flare nut, 12 point.* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer, except that no wrench of this type shall be made with a wrench opening larger than 2".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench opening larger than 2".

9/8	1 13/16
5/16	1 15/16
1/2	1/8
9/16	1
5/8	1 1/16
11/16	1 1/8
¾	

IV. SOCKET WRENCHES

(a) *Type: ¼" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

Hexagon socket opening (distance across flats)	Square socket opening (distance across flats)
Inch	Inch
5/16	5/16
7/32	7/32
¼	¼
9/32	9/16
5/16	5/16
11/32	
⅜	
7/16	

(4) No producer shall make any size wrench of this type with hexagon socket in both 6 and 12 point or with square socket in both 4 and 8 point.

(5) No producer may make drive tools except as follows:

Sliding T-handle
Spin type speeder
Ratchets (types not limited)
2" (nominal) extension
6" (nominal) extension
6" (nominal) hinged handle
Cross bar

(6) There are no restrictions on carrying the permitted drive tools in inventory.

(b) *Type: 5/32" square drive.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in those quantities required to service necessary replacements of existing wrenches of this type required by customers who have been previously sold by such producer.

(3) No distributor shall acquire this type for his inventory or shelf stock.

(c) *Type: 3/16" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

OPENINGS IN INCHES (DISTANCE ACROSS FLATS)

Regular Pattern 12 Point	*Deep Pattern 12 Point*	*Square Pattern 8 Point*
7/16	7/16	1/16
½	½	½
9/16	9/16	9/16
19/32	5/8	5/8
5/8	11/16	11/16
11/16	¾	¾
¾	13/16	13/16
25/32	⅞	⅞
13/16	15/16	1
⅞	1	
15/16	1 1/16	
1	1 1/8	
1 1/16		
1 1/8		
1 3/16		
1 ¼		

(4) No producer may make drive tools except as follows:

4/64" screw driver bit, drag link pattern
5/64" screw driver bit, drag link pattern
1 3/16" screw driver bit, drag link pattern
Speeder, crank type
Sliding T-handle
Ratchets (types not limited)
3" (nominal) extension.
6" (nominal) extension.
9" (nominal) extension.
12" (nominal) extension.
Universal joint
Hinged handle.
Cross bar.

(5) There are no restrictions on carrying the permitted drive tools in inventory.

(d) *Type: ⅛" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

OPENINGS IN INCHES (DISTANCE ACROSS FLATS)

Regular Pattern 12 Point	*Deep Pattern 12 Point*	*Square Pattern 8 Point*
7/16	7/16	1/16
½	½	½
9/16	9/16	9/16
5/8	5/8	5/8
11/16	11/16	11/16
¾	¾	¾
13/16	13/16	13/16
⅞	⅞	⅞
15/16	1	1
1	1 1/16	
1 1/16	1 1/8	
1 1/8		
1 3/16		
1 ¼		

(4) No producer may make drive tools except as follows:

4/64" screw driver bit, drag link pattern
5/64" screw driver bit, drag link pattern
1 3/16" screw driver bit, drag link pattern
Speeder, crank type
Sliding T-handle
Ratchets (types not limited)
5" (nominal) extension
10" (nominal) extension
20" (nominal) extension
Universal joint
Stud removers
Choice of 15" or 18" (nominal) hinged handle
Cross bar

(5) There are no restrictions on carrying the permitted drive tools in inventory.

(e) *Type: ¾" square drive, hexagon.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

REGULAR PATTERN—12 POINT SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

1 1/16	1 3/8	1 11/16
1 1/8	1 7/16	1 ¾
1 3/16	1 ½	1 13/16
1 ¼	1 9/16	1 ⅞
1 5/16	1 5/8	2

(4) No producer may make drive tools except as follows:

Sliding T-handle
Ratchet
8" (nominal) extension
16" (nominal) extension
Universal joint
Hinged handle
Cross bar

(5) There are no restrictions on carrying the permitted drive tools in inventory.

(f) *Type: 1" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

1⅞	2 1/16	2 3/16
2	2 1/16	2 5/16
2 1/16	2 1/16	3 1/16
2 5/16	2 5/16	

(4) No producer shall make any size wrench of this type in both 6 and 12 point.

(5) No producer may make drive tools except as follows:

Sliding T-handle
Ratchet
6" (nominal) extension
17" (nominal) extension
Cross bar

(6) No distributor shall acquire this type wrench or drive tools therefor for his inventory or shelf stock.

(g) *Type: Drawn steel sockets.* (1) A producer may make this type and any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory, or shelf stock.

(h) *Type: Socket wrench drive adaptors.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type in any size.

(3) There are no restrictions on carrying this type in inventory.

(i) *Type: Integral, T-handle and offset, square and hexagon opening.* (1) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in those sizes catalogued by such producer on March 25, 1943.

(j) *Type: Spinner, hexagon, straight.* (1) No producer shall make this type wrench except in the following sizes:

SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

3/16	9/32	¾
7/32	5/16	7/16
¼	11/32	½

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(k) *Type: Spinner, special wrenches for industrial applications.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock.

(l) *Type: Special socket wrenches and drive tools for refrigeration and carburetor applications.* (1) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(2) A producer may make this type for his own inventory and a distributor may acquire this type for his inventory or shelf stock only in ¼" and ⅜" drives.

[F. R. Doc. 44-4123; Filed, March 23, 1944; 11:22 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L-216 Schedule III, as Amended Mar. 23, 1944]

PLIERS AND NIPPERS

§ 3114.4 *Schedule III to Limitation Order L-216*—(a) *Definitions.* For the purpose of this schedule:

(1) "Pliers" means any pliers of any type specifically mentioned in Appendix A of this schedule. Pliers of a type not specified in Appendix A of this schedule are not subject to its provisions.

(2) "Nippers" means any nippers or pincers of any type specifically mentioned in Appendix A of this schedule. Nippers of a type not specified in Appendix A of this schedule are not subject to its provisions.

(3) "Producer" means any person engaged in the production of pliers or nippers.

(4) "Distributor" means any person who purchases pliers or nippers for purposes of resale, excluding persons who purchase pliers or nippers for resale to their own employees and persons who purchase pliers or nippers for resale as accessories for delivery with or use with items of their own manufacture.

(5) "Ultimate consumer" means any person who purchases pliers or nippers other than a distributor.

(6) "Alloy steel" means only those alloy steels which are in the series listed in Exhibit B to General Preference Order E-6.

(7) "Nominal", when applied to any over-all length specification contained in this schedule, means that such over-all length specification is subject to a production tolerance or allowance of one-half inch over or one-half inch under the given specification: *Provided,* That a "nominal" specification does not permit the production of two different size pliers or nippers under the one specification.

(b) *Restrictions on production.* (1) No producer shall commence processing any carbon or alloy steel for the production of any pliers or nippers unless such pliers or nippers when completed shall conform to all provisions of this schedule which are applicable thereto.

(2) Where any provision of this schedule prohibits the production of any pliers or nippers heretofore produced by a producer and such producer believes this imposes unreasonable hardship upon him, application for specific permission to continue the production of such pliers or nippers for the life of usable dies acquired by the producer prior to March 25, 1943, may be made to the War Production Board. Application for such permission may be made by filing a letter, in triplicate, setting forth a detailed description of the pliers or nippers for which permission to continue production is sought, the number of usable dies for such pliers or nippers on hand, the date of their acquisition, and the approximate number of pliers or nippers, or parts therefor, which such dies are capable of producing.

(c) *Limitation on the use of steel.* Producers may make any of the permitted types of pliers and nippers out of carbon or alloy steel but must not make the same type in both carbon and alloy steel unless specifically permitted to do so by Appendix A of this schedule.

(d) *Limitation on styles, grades and dimensions.* Except where specifically permitted by Appendix A of this schedule, no producer shall:

(1) Make more than one style or pattern of any type of pliers or nippers.

(2) Make more than one grade of any type of pliers or nippers.

(3) Make any size pliers or nippers permitted by Appendix A of this schedule to more than one set of dimensions.

(e) *Limitation on finishes.* (1) Pliers and nippers may have finishes applied to them only to the following extent: They may be coated with oil or grease compound or chemical black, or lacquered, parkerized, or lead or zinc coated.

(2) Polishing is prohibited except to the extent necessary to make the pliers or nippers usable for the purposes intended; in no event shall any pliers or nippers be polished on more than one wheel, or one belt, or one similar polishing device.

(3) Except where specifically permitted by Appendix A of this schedule, no producer shall knurl or impress the handles of any pliers or nippers.

(f) *Limitations on sizes and inventories.* No producer shall make any pliers or nippers of any type specified in Appendix A of this schedule except in the sizes therein authorized and for the purposes therein set forth.

(g) *Selection of sizes for production.* If, with respect to any pliers or nippers, it is indicated that one or more sizes on Appendix A shall be selected, each producer shall select such sizes as he may desire to manufacture within the limitations prescribed, not to exceed the number so indicated and shall forthwith give notification of his selection in writing to the War Production Board, Tools Division, Reference: L-216 Schedule III. The producer may thereafter apply to the War Production Board for leave to amend such selection but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(h) *Limitation on segregation by brand or trade name.* Notwithstanding the provisions of any contract or purchase order, no producer shall hold or, reserve pliers or nippers for a particular customer if deliveries under orders from other customers entitled to preference will be delayed thereby, whether or not such pliers or nippers are stamped or

marked with a special brand or trade name.

(i) *Exemptions.* Notwithstanding any other provisions of this schedule, pliers or nippers the production of which has been commenced prior to May 31, 1943 are exempt from the provisions of this schedule, provided such pliers or nippers will be completed within ninety days after May 31, 1943.

(j) *Applicability of other orders.* All the provisions of General Preference Order E-6 which are not inconsistent with the provisions of this schedule shall apply to the production and delivery of pliers and nippers.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

I. PLIERS

(a) (1) A producer may make the following types of combination slip joint pliers only in the sizes specified (stated in nominal over-all length in inches):

Wire cutting, regular pattern, 6", 8", 10".
Wire cutting, light duty, 6".
Thin nose, regular pattern, 5", 6", 8", 10".
Thin nose, bent, 6".
Mechanics', side cutting—one size only to be selected by each producer.
Multiple position, angle nose (water pump), 10", normal duty and heavy duty.
Ignition, regular pattern, 5".

(2) A producer may knurl or impress handles on combination slip joint pliers only where such knurling or impressing is performed as a part of another manufacturing operation and does not require a separate additional operation.

(3) [Revoked Mar. 23, 1944]

(b) A producer may make offset battery, angle nose type pliers in one size only which may be selected by each producer.

(c) (1) A producer may make the following types of fixed joint pliers only in the sizes specified (stated in nominal over-all length in inches):

Lineman's, side cutting, both with and without stripping notch, heavy duty, 6", 7", 8".
Lineman's, side cutting, both with and without stripping notch, light duty, 5", 6", 7", 8".
Diagonal cutting, both with and without stripping notch, 4", 5", 6", 7".
Diagonal cutting, short nose, 6".
Needle nose, both with and without cutter, 6".
Needle nose, curved, 6".
Long nose, chain, both with and without cutter, 6".
Short nose, chain, both with and without cutter 5".
Long nose, flat, both with and without cutter, 6½".
Short nose, flat, without cutter, 5".
Duck bill, without cutter, 6½".
Round nose, 4", 6".
Buttons pattern, 8", 10".

(2) [Revoked Mar. 23, 1944]

II. NIPPERS

(a) (1) A producer may make the following types of nippers only in the sizes specified (stated in nominal over-all length in inches), provided that both normal duty and heavy duty are permitted:

End nippers, 5", 6", 7", 8", 10", 12", 14".

(2) [Revoked Mar. 23, 1944]

(3) [Revoked Mar. 23, 1944]

[F. R. Doc. 44-4123; Filed, March 23, 1944; 11:22 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b as Amended Mar. 23, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

§ 3270.36 *Supplementay Order L-103-b.* This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (x) hereof.

Restrictions on Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order.

(b) *Limitations on acceptance and use of glass containers and closures.* Likewise, during any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made from waste) than his quota for that product. However, jobbers or retailers may obtain closures and glass containers and resell them in conformity with the provisions of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate (including rejects) may be used wherever tinplate or terneplate is specified, and frosen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) *Home canning jars.* No packer shall pack any commodity in a home canning jar. (Note that the use of these jars for home canning is not restricted).

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* In most cases where this order provides a quota for the packing of any product, it does so, in the attached schedules, by stating a percentage figure followed by a calendar year—for instance, 100% 1943. Where this appears in the "glass quota" column opposite a product, it means, unless otherwise specified, that a packer's glass container quota for that product during 1944 and subsequent calendar years is computed as follows:

(1) He takes the number of new glass containers which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers which he used for packing that product during the named base year and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resulting figure by the applicable percentage.

Identical rules apply to the computation of closure quotas, except that unless otherwise specified they are based on the number of new metal closures used during the specified base period.

The schedules of this order provide that the quotas for some products are based on the number of new metal closures or new glass containers accepted rather than those used during the specified base period. Here again, the method of computation, described in this paragraph, applies, except that the word "accepted" should be substituted for the word "used" in steps 1 and 2 above. Only the new metal closures or the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base in such cases. But, for the purpose of making charges against quota, a packer must include the new metal closures and the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him.

In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass containers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export deliveries.* During any calendar year, no person shall deliver more empty new glass containers or more new metal closures to any person outside of the 48 States of the United States and the District of Columbia than he delivered to that person during 1943.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

Jobbers as well as packers must file certificates in accordance with this paragraph (k). However, in Exhibit B, jobbers need only supply the information called for in sections (b) and (d) of that certificate.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of the following:

(1) Home canning jars
(2) Home canning closures
(3) Returnable glass containers for packing products listed in item 66 of Schedule I
(4) Prescription bottles and ointment jars for prescription use
(5) Closures for prescription and ointment jars for prescription use
(6) Glass containers or closures of any kind to retailers for resale empty or unused or to persons purchasing them from retailers.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material.* (1) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (o) (2).

(2) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, or wire for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule VII attached to this order. No closure manufactured pursuant to Schedule VII shall knowingly be sold to, or used by, any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate waste-waste, or waste.

(4) No person shall use for the manufacture of closures, any tinplate with a tin coating in excess of 0.50 pound per base box except as follows: 1.50 tinplate may be used to make closures for packing items 1 to 46, inclusive, in Schedule I. However, even in the case of these items all persons are urged to use 0.50 tinplate whenever possible.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, having a diameter of two inches or less, for milk bottles.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the 48 States of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules

of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, ice cream mix and malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

Exceptions Relative to Glass Containers Only

(r) *Small users.* The restrictions of this order which pertain to glass containers shall not apply to any person, who was a packer before January 1, 1944, during any calendar year in which he accepts no more than a total of five hundred ($500.00) dollars worth (cost price to him) of empty new glass containers for all products.

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers of non-permitted sizes manufactured prior to January 4, 1944.* A packer may accept and use, for packing any product listed in the schedules of this order, any glass container which was manufactured before January 4, 1944, even though the container is of a size which is not permitted for that product by the schedules. Such acceptance and use must be in accordance with the quota provisions of this order and with the provisions of Order L–103.

(u) *Quota status of glass containers in inventory as of January 1, 1944.* Glass containers in the possession of a packer as of January 1, 1944, may be used by him for packing any listed product as follows:

(1) Quota free, if accepted for packing a product which had a limited quota in 1943, (unless "borrowed" as described in point 3 of this paragraph).

(2) Within quota, if accepted for packing a product which had an unlimited quota in 1943.

(3) Within quota, if borrowed against anticipated 1944 use as permitted in paragraph (e) of this order as amended November 1, 1943.

Exceptions Pertaining to Closures Only

(v) *Small users.* The restrictions of this order which pertain to closures shall not apply to any person during any calendar year in which he accepts no more than five thousand new metal closures for all products.

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M–104 and Order L–103–b.* All appeals granted prior to December 31, 1943 under orders L–103–b and M–104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

(x) *Definitions.* For the purposes of this order:

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States (the 48 States and the District of Columbia).

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which, since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

Miscellaneous

(y) *Multiple unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or group of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single commercial user for purposes of this paragraph.

(z) *Applicability of regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(aa) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(bb) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L–103–b.

(cc) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L–103–b and that he will not use or sell any glass containers or any closures purchased from _____
Name of seller
_____
Address of seller
pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____

_____
Legal name of purchaser
By _____
Authorized official
_____
Title of official
_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L–103–b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory (25% of number of such closures used for packing malt or non-alcoholic beverages in 1943.) _____ gross.

(b) Inventory on date of this certification (Exclusive of Closures made from waste) _____ gross.

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____
Seller
_____ gross.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L–103–b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the above-described "requested delivery" in violation of the terms of such order.

Date _____

_____
Legal name of purchaser
By _____
Authorized official
_____
Title of official
_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

SCHEDULES—GENERAL EXPLANATION

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures. Schedule VII relates to the manufacture of home canning closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L–103–b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

The "X" mark which appears opposite each product in one of the columns headed "closure material" indicates that, except as listed hereafter, only closures made of the specified material may be used to pack that product. The general exceptions from this rule are:

(i) Closures made of blackplate (including rejects) may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozen plate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for listed products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

All size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L–103 and its schedules.

Attention is called to paragraphs (p) through (v) of Order L–103–b which establish limited exceptions to the provisions of this order. Here again, any special provisions which these schedules contain relative to quota exemptions—as in the case of ice cream mix and certain beverages—must be observed.

SCHEDULE I—FOODS

NOTE: Item 68 amended, 68a added Mar. 23, 1944.

No product packed in a can shall be repacked for sale in a glass container by the same or a different person, in the same or a different form, except as follows (or as otherwise specifically permitted in this schedule):

(i) When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5-gallons or larger. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(ii) Tomato paste, tomato pulp or puree, and tomato sauce may be repacked from No. 10, or from 5-gallon or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste or tomato pulp or puree), but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(iii) Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
FRUIT AND FRUIT PRODUCTS				
1. Apples including crab apples, whole apples not to be packed	100% 1943	100% 1943	X	
2. Apple cider, gallons only	100% 1943 (see note)	100% 1943	X	
NOTE: Only new glass containers of one-half gallon and larger may be included for the purpose of computing quota under paragraph (g).				
3. Apple juice, not to be packed in containers smaller than 1 pint capacity	100% 1943	100% 1943	X	
4. Applesauce including sauce from crab apples	100% 1943	100% 1943	X	
5. Apricots, fresh	Unlimited	Unlimited	X	
6. Blackberries, black raspberries, blueberries or huckleberries, red raspberries, boysen berries, loganberries, and youngberries when packed as berries.	Unlimited	Unlimited	X	
7. Cherries, red sour pitted and sweet	Unlimited	Unlimited	X	
8. Cranberries	100% 1943	100% 1943	X	
9. Figs—(Kadota)	Unlimited	Unlimited	X	
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	Unlimited	X	
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent diced peaches, and not less than 25 percent nor more than 45 percent diced pears; or a combination of not less than 50 percent nor more than 60 percent diced peaches and not less than 30 percent nor more than 40 percent diced pears with not less than 6 percent nor more than 10 percent grapes. Such peaches or pears shall be peeled, pitted, or cored and diced to a size such that no more than 20 percent of the units will pass through a 3/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than 3/4", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
11. Fruit butters, minimum size (excluding tumblers) 3/4 pound. At least 70 percent of containers packed to be 1 1/4 pounds or larger	Unlimited	Unlimited	X	
12. Fruits crushed, fountain fruits and ice cream toppings	100% 1943	100% 1943	X	
13. Fruit conserves, jams, marmalades and preserves. At least 10 percent of the number of containers packed with these products, excluding tumblers, to be 2 pounds or larger.	Unlimited	Unlimited	X	
14. Fruit jellies	Unlimited	Unlimited	X	
15. Fruit juices, other than grape, apple, or apple cider, or mixtures of fruit juices (undiluted except for the addition of sweetening). Minimum size 1 pint.	100% 1943	100% 1943	X	
16. Grape juice, minimum size 1 pint	Unlimited	Unlimited	X	
17. Fruit concentrates, liquid, when concentrated on a ratio 5 or more to 1	100% 1943	100% 1943	X	
18. Fruit concentrates, dry	100% 1943	100% 1943		X
19. Fruit nectars, minimum size 1 pint	100% 1943	100% 1943	X	
20. Olives, ripe and green ripe	Unlimited	Unlimited	X	
21. Peaches, halves, slices or cubes	Unlimited	Unlimited	X	
22. Pears—whole pears, except seckel pears, not to be packed	Unlimited	Unlimited	X	
23. Pectin, liquid	Unlimited	Unlimited		X
24. Plums	Unlimited	Unlimited	X	
25. Prunes, fresh Italian	Unlimited	Unlimited	X	

closure except in accordance with the used in this order, includes "menders" (18 U. S. C. A. 80) makes it a crimin

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
VEGETABLES AND VEGETABLE PRODUCTS				
26. Asparagus, all-green or culturally bleached	Unlimited	Unlimited	X	
27. Beans, with or without pork	100% 1943	100% 1943	X	
28. Beans, fresh, all varieties	Unlimited	Unlimited	X	
29. Beets—whole beets over 1¼" diameter not to be packed	Unlimited	Unlimited	X	
30. Carrots—whole carrots not to be packed	Unlimited	Unlimited	X	
31. Peas and carrots—fresh green peas only. Carrots not to exceed 40 per cent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
32. Corn, fresh, sweet cut only	Unlimited	Unlimited	X	
33. Mixtures of vegetables (except succotash, and peas and carrots) which consist of not less than 90 percent of any combination of vegetables listed in this schedule: *Provided*, That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, *Provided further*, That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	100% 1943	100% 1943	X	
34. Mushrooms	100% 1943	100% 1943	X	
35. Okra, including tomatoes and okra	Unlimited	Unlimited	X	
36. Peas, green	100% 1943	100% 1943	X	
37. Peppers, sweet, including pimientos. Minimum size container 6 fluid ounces	100% 1943	100% 1943	X	
38. Pumpkin and squash	100% 1943	100% 1943	X	
39. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke and turnip greens.	Unlimited	Unlimited	X	
40. Succotash, fresh vegetables only	Unlimited	Unlimited	X	
41. Tomatoes	Unlimited	Unlimited	X	
42. Tomato catsup and chili sauce, containing not less than 10.5 percent (specific gravity 1.045) by weight of dry tomato solids.	Unlimited	Unlimited	X	
43. Tomato paste from fresh tomatoes, containing not less than 25 percent by weight of dry tomato solids.	Unlimited	Unlimited	X	
44. Tomato pulp or puree from fresh tomatoes, containing not less than 10.8 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	Unlimited	X	
45. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice, oils, and other flavoring ingredients.	Unlimited	Unlimited	X	
46. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning, minimum size 1 pint.	Unlimited	Unlimited	X	
MEAT AND MEAT PRODUCTS				
47. Beef, dried—tumblers and caps for tumblers may be used in addition to quota	100% 1943	100% 1943	X	
48. Beef extract	100% 1943	100% 1943	X	
49. Chicken, boned	100% 1943	100% 1943	X	
50. Corned beef hash	100% 1943	100% 1943	X	
51. Mince meat, fresh apples only. No containers holding less than one pound net weight of mince meat to be packed	200% 1943	200% 1943	X	
52. Pigs feet and cutlets, pickled. No containers of a capacity less than one pint to be packed	50% 1943	50% 1943	X	
53. Scrapple (Philadelphia type)	100% 1943	100% 1943	X	
54. Tamales	100% 1943	100% 1943	X	
55. Chili con carne, with or without beans (only when packed in accordance with F. D. A. standards)	100% 1943	100% 1943	X	
56. Meat spreads, including ham, tongue, liver, beef and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	100% 1943	100% 1943	X	
57. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	100% 1943	100% 1943	X	
58. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 percent added water by weight.	200% 1943	200% 1943	X	
59. Tongue				
FISH AND SHELLFISH				
60. Any person who packed fish or shellfish products in 1943 may pack the same products in 1944 or any subsequent year, except that no clam broth shall be packed.	150% 1943	150% 1943	X	
MILK AND DAIRY PRODUCTS				
61. Cheese spreads, processed or unprocessed. Tumblers and caps for tumblers may be used in addition to quota.	125% 1943	125% 1943	X	
62. Milk, cultured, as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.	100% 1943	100% 1943		X
63. Milk, fluid with or without flavoring	Unlimited	Unlimited		X
64. Dry milk, malted milk, (including chocolate milk), and milk fortifiers	100% 1943	100% 1943		X
65. Ice cream mix, dry—notwithstanding the provision of paragraph (p) of this Supplementary Order L-163-b, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies. Containers and closures used for such packs must be charged to quotas for this product.	100% 1943	100% 1943	X	
66. Miscellaneous dairy products packed in returnable glass containers, including but not limited to fluid milk, cultured milk, liquid modifications of milk, sweet cream, sour cream and cottage cheese.	Unlimited	None		
SYRUPS AND HONEY				
67. Syrups—blended, cane, corn, maple, molasses, sorghum. Containers under 1 gallon capacity only to be packed.	150% 1943 (see note).	Unlimited		X
NOTE: Only new glass containers under 1 gallon capacity to be included for purpose of computing quota in accordance with paragraph (g).				
68. Syrups—bottlers, malt, and fountain syrups	100% 1943	Unlimited		X
68a. Syrup—chocolate	100% 1943	Unlimited	X	
69. Honey	Unlimited	Unlimited		X
OLIVES, PICKLES, RELISHES, CONDIMENTS & SAUCES				
70. Pickles, piccalilli and relishes	125% 1943	125% 1943	X	
71. Horseradish	100% 1943	100% 1943	X	
72. Mustard	100% 1943	100% 1943	X	
73. Green Olives	100% 1943	100% 1943	X	
74. Sauces—beefsteak, cooking, soya, pepper and Worcestershire	100% 1943	100% 1943	X	
EDIBLE OILS AND DRESSINGS				
75. Dressings—Mayonnaise, Russian, salad, Thousand Island, Tartar Sauce and sandwich spreads (other than meat or cheese spreads). At least 60 percent of the contained used by any person to pack any or all of these products must be pints or larger.	125% 1943	125% 1943		X
76. French dressing	100% 1943	100% 1943	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
EDIBLE OILS AND DRESSINGS—Continued				
77. Oil, edible, liquid	125% 1943 (see note).	100% of quota glass containers.		X
NOTE: Both new glass containers and new metal cans packed during base period to be included for purpose of computing quota under paragraph (g).				
No containers other than quarts and pints may be packed, with the following exceptions: (i) Olive oil may be packed in quarts, pints and smaller sizes. (ii) Any person who packed liquid edible oils prior to January 1, 1942 in glass containers larger than one quart may continue to do so in 1944 and subsequent calendar years.				
78. Shortenings	100% 1943	None		
MISCELLANEOUS FOODS				
79. Baby foods. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Formulas—dry and liquid.	150% 1943	150% 1943	X	
81. Cherries, maraschino	100% 1943	100% 1943	X	
82. Coffee, not including soluble coffee	75% 1941 (see note).	50% quota glass containers. (See note.)		X
NOTE: Glass quotas for coffee are based on the capacity of new glass containers and metal cans accepted, rather than on the number of those used during 1941. Therefore, after computing his quota base in accordance with steps 1 and 2 of paragraph (g), on this basis, a coffee packer is permitted to accept and use enough new glass containers (of any size), to enable him to pack 75 percent of the capacity of new metal cans and jars resulting from such computation. No more than 40 percent of yearly glass quota may be accepted in period May 1 through October 31. New metal caps used in any one month shall not exceed 50 percent of the number of new glass containers packed in that month.				
83. Coffee, soluble	150% 1943	150% 1943		X
84. Baking powder	100% 1943	100% 1943		X
85. Dyes, certified colors, liquid	100% 1943	100% 1943		X
86. Flavoring extracts	100% 1943	100% 1943	X	
87. Malt, dry	100% 1943	100% 1943		X
88. Nut butters including soybean butter. To be packed in 1 pound, 1¼ pound, 2 pounds and larger containers only, except for tumblers which may be used subject to provisions of L-103. At least 10 percent of containers used to be 2 pounds or larger.	150% 1943	150% 1943		X
89. Spices and seasonings	100% 1943	100% 1943	X	
90. Vinegars. At least 70 percent of the containers packed must be quarts or larger. No containers less than pint capacity to be packed.	100% 1943	100% 1943	X	
91. Special foods, for human consumption only, limited to foods other than usual table foods.	(See note)	(See note)	(See note)	(See note).
NOTE: Quota—no person shall pack any special food product unless he packed the product in substantially the same form in 1943, and unless he obtains prior permission upon application to the War Production Board.				

SCHEDULE II—DRUG PRODUCTS

[Products for medicinal purposes only]

NOTE: Introductory statement amended, item 40 added Mar. 23, 1944.
Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Alcohol, rubbing or medicated	Note 1	Note 1		X
2. Anesthetic solutions	Unlimited	Unlimited	X	
3. Biological preparations	Unlimited	Unlimited	X	
4. Blood plasma	Unlimited	Unlimited	X	
5. Capsules, pills, tablets, troches, lozenges	Note 1	Note 1		X
6. Chemicals, dry or liquid	Unlimited	Unlimited	X	
7. Citrate of magnesia	Note 1	Note 1		X
8. Elixirs	Note 1	Note 1		X
9. Emulsions	Note 1	Note 1		X
10. Extracts, dry or liquid	Note 1	Note 1		X
11. Glycerine	Note 1	Note 1		X
12. Glycerites	Note 1	Note 1	X	
13. Jellies, aqueous	Note 1	Note 1		X
14. Liniments	Note 1	Note 1		X
15. Liniments of ammonia	Note 1	Note 1	X	
16. Lotions, medicinal only	Note 1	Note 1		X
17. Magmas	Note 1	Note 1	X	
18. Oleoresins	Note 1	Note 1		X
19. Oils, fixed, volatile or medicated	Note 1	Note 1	X	
20. Ointments, cerates, petrolatum pastes	Note 1	Note 1		X
21. Ointments, ophthalmic	Note 1	Note 1	X	
22. Powders	Note 1	Note 1		X
23. Prescriptions	Unlimited	Unlimited	X	
24. Proprietary preparations	Note 1	Note 1		X
25. Salts, effervescent, hygroscopic, efflorescent only	Note 1	Note 1		X
26. Soaps, medicinal only	Note 1	Note 1	X	
27. Solutions, aqueous	Note 1	Note 1	X	
28. Solutions, other than aqueous	Note 1	Note 1	X	
29. Solutions, parenteral	Unlimited	Unlimited	X	
30. Spirits	Note 1	Note 1		X
31. Spirits of ammonia, aromatic	Note 1	Note 1	X	
32. Spirit of ether compound and spirit of ether	Note 1	Note 1	X	
33. Sulfonamide preparations	Unlimited	Unlimited		X
34. Suppositories	Note 1	Note 1		X
35. Syrups	Note 1	Note 1		X
36. Tinctures	Unlimited	Unlimited		X
37. Tincture of iodine	Unlimited	Unlimited	X	
38. Waters, laxative, purgative or medicinal	Note 1	Note 1		X
39. Other drug products	Note 1	Note 1		X
40. Turpentine, maximum size 8 ounces	Note 1	Note 1		X

NOTE 1: The total number of new metal closures and new glass containers which may be used, during any calendar year, for packing all of the products referring to this note is 100 percent of the number of new metal closures or new glass containers, respectively, a person used for said purpose during 1943. This quota may be used for any one or more of said products.

SCHEDULE III—CHEMICALS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Adhesives, glue, mucilages and pastes	100% 1943	100% 1943		X
2. Alcohol, liquid or solidified (excluding anti-freeze)	100% 1943	100% 1943		X
3. Ammonia, household, and/or household liquid cleaners. No containers of less than 1 quart capacity may be packed	100% 1943	100% 1943	X	
4. Aromatic chemicals used for their odoriferous and/or flavoring properties	Unlimited	Unlimited	X	
5. Automotive maintenance or repair items, liquid or paste	100% 1943	100% 1943		X
6. Bluings	100% 1943	100% 1943	X	
7. Bleaches, liquid. No containers of less than 1 quart capacity may be packed	100% 1943	Unlimited	X	
8. Cements—dry, paste or liquid	100% 1943	100% 1943		X
9. Cements used for dental purposes	Unlimited	Unlimited		X
10. Chemicals, dry, not elsewhere specified	80% 1943	80% 1943		X
11. Chemicals; liquid, not elsewhere specified	80% 1943	80% 1943	X	
12. Chemicals for food sanitation purposes only	150% 1943	150% 1943		X
13. Chemicals, reagent	200% 1943	200% 1943	X	
14. Cleaners—dry, paste or liquid, not including liquid household cleaners	100% 1943	100% 1943		X
15. Compounds for grinding, polishing, or sealing	100% 1943	100% 1943		X
16. Deodorants—dry, not for use on human body	100% 1943	100% 1943		X
17. Deodorants—liquid or paste, not for use on human body	100% 1943	100% 1943	X	
18. Dressings for industrial purposes Belt dressings and similar preparations	100% 1943	100% 1943	X	
19. Dyes	100% 1943	100% 1943		X
20. Essential oils, distilled or cold pressed	Unlimited	Unlimited		X
21. Embalming fluid	100% 1943	100% 1943		X
22. Fire extinguisher fluids	100% 1943	100% 1943		X
23. Fumigants	150% 1943 (see note).	100% quota glass containers.		X
24. Fungicides, insecticides, disinfectants and livestock or agricultural solutions or sprays No containers larger than 1 quart to be packed				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
25. Germicides	125% 1943	125% 1943	X	
26. Graphite with liquid	100% 1943	100% 1943		X
27. Glycerine	100% 1943	100% 1943		X
28. Hand protective compounds (industrial protective only and only when packed in 8 ozs. container or larger).	150% 1943	150% 1943		X
29. Hypochlorite powders	125% 1943	125% 1943	X	
30. Inks	100% 1943	100% 1943	X	
31. Ink eradicators	100% 1943	100% 1943	X	
32. Paints, clear (including shellac) except nitro-cellulose base paints: containers limited to quarts and smaller	100% 1943 (see note)	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
33. Paints, pigmented except nitro-cellulose base paints; containers limited to one-half pints and smaller	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one pint capacity and smaller may be included in computing quota under paragraph (g).				
34. Paint thinner, including turpentine, paint and varnish removers and linseed oil; excluding thinners for nitro-cellulose products; quart, pint and half-pint containers only.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
35. Phenols	100% 1943	100% 1943	X	
36. Photographic supplies	100% 1943	100% 1943	X	
37. Poisons	100% 1943 (see note).	100% quota glass containers.		X
38. Polishes, liquid. Furniture, auto, metal and floor polishes, quart and smaller containers only				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
39. Putty	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g)				
*40. Polishes not otherwise specified	75% 1943	75% 1943		X
41. Shoe and leather polishes, waxes, dyes, stains and dressings not including liquid or cream shoe white	125% 1943	125% 1943		X
42. Shoe white, liquid or cream	100% 1943	100% 1943		X
43. Soap liquid or paste	100% 1943	100% 1943		X
44. Solvents—organic solvents and petroleum distillates	100% 1943	100% 1943		X
45. Synthetic resins	100% 1943	100% 1943		X
46. Waxes	100% 1943	100% 1943		X
47. Wood preservatives and/or fillers	100% 1943	100% 1943		X

SCHEDULE IV—COSMETICS AND TOILETRIES

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Cosmetics, solid and semisolid types; such as face creams, hand creams, vanishing creams, deodorant and anti-perspirant creams and cream rouge	100% 1943	85% quota glass containers.		X
2. Cosmetics and toiletries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, oral antiseptics, tooth pastes, tooth powders, liquid dentifrices, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations.	100% 1943	50% quota glass containers.		X
3. Soaps, hand	100% 1943	100% 1943		X
4. Shaving cream	100% 1943	100% 1943		X

SCHEDULE V—MISCELLANEOUS PRODUCTS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Artist supplies	100% 1943	100% quota glass containers.		X
2. Candle tumblers	Unlimited	None		
3. Dental floss	100% 1943	100% 1943		X
4. Lighter fluids	100% 1943	100% 1943		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts only	100% 1943	100% 1943		X
6. Tobacco and snuff not including cigars and cigarettes	100% 1943	None		

SCHEDULE VI—BEVERAGES

(The rules set forth in this Schedule are controlling wherever they conflict with any other provisions of Order L–103–b. However, except as modified herein, all provisions of Order L–103–b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) *Glass container quota.* 100% of the number of new returnable glass containers which the packer accepted delivery of for malt beverages during 1943—less the number of quota exempt returnable glass containers which were accepted during the period between July 1, 1943 and December 31, 1943.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) *Export shipment.* The full amount of glass containers for delivering malt beverages to or for any such person for shipment to points outside the continental United States.

2. *Domestic consumption.* 6% of the full amount of glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for malt beverages during 1943. (Quota exempt closures may not be included in base.)

(d) *Closure material.* (See Note 1) Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make malt beverage closures which are to be exported unused. The export of unused malt beverage closure is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–108–b, except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) *Glass container quota.* 80% of the number of new glass containers which the packer accepted delivery of for non-alcoholic beverages during 1941.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this Order.

(1) *Export shipment.* The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 8% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for non-alcoholic beverages during 1943 (Quota exempt closures are not to be included in base).

(d) *Closure material (See Note 1).* Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make non-alcoholic beverage closures which are to be exported unused. The export of unused non-alcoholic beverage closures is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–103–b except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

WINES

Product. Wines.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

NOTE 1: Permission to accept delivery of used cans made of tinplate or of sheets recovered from such cans or of tinplate slitter or shear trimmings, lithographing lay sheets and discs must be obtained in accordance with Conservation Order M–325.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory (including closures for use as described in paragraph (p) of this order, but not including closures made of the waste materials described in paragraphs (d) (1) and (d) (2) of this schedule) beyond 25% of the number of such closures which he used in 1943 for packing malt beverages and non-alcoholic beverages.

SCHEDULE VII—HOME CANNING CLOSURES

NOTE: Item 8a added Mar. 23, 1944.

No manufacturer of glass containers shall ship any jars with 70 mm. screw finish, intended for home canning unless at least 40% of such jars shipped during each calendar month are delivered as a unit, consisting of the jar and a "glass lid closure" packed together. A "glass lid closure" is one consisting of a glass lid, a screw band and a top seal jar ring.

Description of closure	Manufacturer's quota	Closure material indicated by X: 0.50 tinplate	Wire bails	Zinc	Blackplate
1. Top seal metal lids, 70 mm	Unlimited	X			
2. Bands for 70 mm. top seal metal lids	Unlimited	X			
3. Bands for use with 70 mm. glass lids	Unlimited	X			
4. Lightning type	Unlimited		X		
5. Top seal metal lids, smaller than 70 mm	Unlimited	X			
6. One piece metal closures, 70 mm. shoulder seal type.	Unlimited	X			
7. One piece metal closures, 70 mm. top seal type	Unlimited	X			
8. Top seal metal lids larger than 70 mm	From October 1, 1943 to September 30, 1944—6% of production of 70 mm. lids from October 1, 1942 to September 30, 1943.	X			
8a. Bands for top seal metal lids larger than 70 mm	25% of 1944 quota for top seal metal lids larger than 70 mm.	X			
9. Zinc Mason P/L closures, 70 mm	60% 1941 production			X	
10. Jelly glass lids	Unlimited				X

INTERPRETATION 1

[Interpretation 1 was revoked Jan. 4, 1944.]

[F. R. Doc. 44–4125; Filed, March 23, 1944; 11:21 a. m.]

PART 3270—CONTAINERS

[Limitation Order L–317 as Amended Mar. 23, 1944]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of fibre shipping containers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.6 *Limitation Order L–317—*(a) *"Fibre shipping container".* For purposes of this order, the term "fibre shipping container" means the following items:

(1) Any box, crate, case, basket, or hamper in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: trunks, luggage, or military locker boxes; fibre cans, tubes, or drums; inner cartons (except corrugated inner cartons and except

inner cartons made from solid fibre .045 or heavier). It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area).

(2) Any solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container-manufacturing industry as "sheet-plants", for their use in manufacturing fibre shipping containers.

(3) Any solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

(b) *"User"*. The term "user" means any person who uses fibre shipping containers for the shipment or delivery of materials in connection with his business.

(c) *"Containerboard content"*. The term "containerboard content" means the amount of solid fibre (.045 or heavier) or corrugated fibre containerboard in a fibre shipping container. This amount is computed both in terms of weight and in terms of square feet.

Manufacture and Delivery Prohibitions

(d) *General.* No person shall manufacture any new fibre shipping container which he has reason to believe will be used or accepted in violation of any provision of this order. No person shall sell or deliver any new fibre shipping container manufactured after October 11, 1943, if he has reason to believe it will be so used or accepted.

(e) *Prohibited types (Schedule A).* No person shall manufacture, from solid fibre (.045 or heavier) or corrugated fibre, any container of the types listed in Schedule A of this order.

Use Prohibitions

(f) *Prohibited uses*—(1) *Schedule B.* Schedule B of this order lists certain products which may not be packed in new fibre shipping containers and certain other products which may not be packed in less than specified quantities, in new fibre shipping containers. No user shall accept or use any new fibre shipping container for any product in violation of Schedule B. This restriction does not apply to (i) containers used for wholesalers' or retailers' deliveries (as defined in Schedule C of this order), (ii) empty containers used by the Army or Navy, or (iii) containers which are quota exempt under paragraph (t) below.

(2) *Carlining.* No person shall use in the shipping of any product any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll as carlining except where needed for door-blocking. When such sheet or roll is used for door-blocking, only the necessary practicable minimum quantity shall be used.

(g) *V-boxes.* No user shall use any new V-box for packing any product except for delivery against military or Lend-Lease orders which specify that V-boxes be used. No user shall accept delivery of any V-boxes unless he has reason to believe that he will need them for the use permitted in this paragraph. The restrictions of this paragraph shall not apply to empty V-boxes used by the Army and Navy. The term "V-boxes" means shipping containers of the types designated as V–1, 2 and 3, in Army Specification O. Q. M. G. No. 93, dated December 2, 1942, and of the similar types described in Navy Department Specification 53B11 (INT.) and in Food Distribution Administration Specification 1742–C.

Quota Restrictions

(h) *Quota products (Schedule C).* Schedule C of this order lists certain products, and certain types of container uses. Beginning as of October 1, 1943, users are permitted to use only a limited amount of new fibre shipping containers for packing any of the listed products (or for any of the listed uses), during each 3-month period (exclusive of amounts which are quota-exempt under paragraph (t) below). The limited amounts are called "quotas". The 3-month periods are called "quota periods". As explained below, there are two types of quotas—"footage quotas" and "tonnage quotas". (The percentages stated after the items in the amendment of March 23, 1944, do not apply until April 1, 1944. For all products which appeared on Schedule C before March 23, 1944, the percentages specified for those products by the schedule before that date apply until April 1, 1944.)

(i) *Quota restriction.* During any 3-month quota period, the total containerboard content of the new fibre shipping containers used by any user for packing any Schedule C product (or for any Schedule C use) shall exceed neither his footage quota nor his tonnage quota for that product (or use). Quotas are to be computed in accordance with the next four paragraphs below. (The restrictions of this paragraph shall not apply to empty containers used by the Army or Navy or to containers which are quota-exempt under paragraph (t) below).

(j) *Computing footage quota.* A user's "footage quota" for any Schedule C product (or use) shall be the following amount: the containerboard content (in terms of square feet) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 for packing that product (or for that use) multiplied by the quota percentage listed in Schedule C for that product (or use).

(k) *Computing tonnage quota.* A user's "tonnage quota" for any Schedule C product (or use) shall be the following amount: the containerboard content (in terms of weight) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 for packing that product (or for that use) multiplied by the quota percentage listed in Schedule C for that product (or use). In the case of a Schedule C product, the resulting amount may be increased to the extent permitted in the next paragraph.

(l) *Minimum-pack allowance.* If a user's tonnage quota for any Schedule C product is not enough for a "minimum pack" of that product, his tonnage quota for that product is increased to the extent needed for a minimum pack. However, the footage quota for that product is not increased. "Minimum pack" means the amount of a Schedule C product packed by the user during the corresponding 3-month period in 1942 multiplied by the quota percentage listed in Schedule C for that product.

(m) *Adjustments for "reshippers".* For quota purposes, "reshippers" shall be treated as though they were new fibre shipping containers. Accordingly, the containerboard content of all reshippers used by a user during the corresponding quarter of 1942 for packing a Schedule C product may be included in figuring his footage and tonnage quotas (paragraphs (j) and (k) above). Likewise, the containerboard content of all reshippers used by a user during any quota period for packing any Schedule C product shall be charged to his footage and tonnage quotas for that product. The term "reshippers" means new fibre shipping containers in which empty inner containers (such as glass jars, cans, etc.) are shipped to a packer and which are then used by the packer for shipping or delivering inner containers packed by him with some product.

Inventory Restrictions

(n) *Inventory restrictions.* No person shall accept any delivery which will increase his inventory of unfilled new fibre shipping containers to more than his maximum permitted inventory. He may figure his maximum permitted inventory in either (but not both) of two ways—"over-all" basis or "individual-item" basis.

(o) *Over-all basis.* On the over-all basis, his maximum permitted inventory of all sizes and types shall be no more than a combined total of 1½ carloads.

(p) *Individual-item basis.* On the individual-item basis he figures a separate inventory for each "container item class." In each class he figures how many he will need to meet his reasonably anticipated requirements in the next 30 days (as restricted by a quota on Schedule C, if any). If that is more than 1200 complete sets of that class his inventory for that class is his 30-day requirement; if not, it is 1200. The total of all his classes figured in this way will be his maximum permitted inventory, which he may divide among his several sizes and types as he sees fit. A "container item class" includes all new fibre shipping containers of the same or similar sizes and types currently being used by him. (A variation in size or type which does not make a container unsuitable for shipping the same amount of a product in substantially the same shape and form shall not be considered as representing a different size or type.)

(q) *Seasonal-foods and military exceptions.* The 30-day supply maximum in paragraph (p) above shall not apply to requirements for packing seasonal foods or to the Army's or Navy's requirements for empty new fibre shipping containers. Instead, the "practicable minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1a of that regulation) shall apply in those cases.

Multiple-Unit Organizations

(r) *Multiple-unit organizations.* Any user who uses new fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions of this order either to the operations of each place separately or to the collective operations of all his places. The same choice as to the inventory restrictions is available to any container-distributor who deals in new fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any user or container-distributor organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single user or distributor for the purposes of this paragraph.

Exceptions and Exemptions

(s) *Small-user exception.* The quota restrictions of paragraph (i) above do not apply to any user during any calendar year in which he accepts no more than a total of $500 worth (cost price to him) of new fibre shipping containers for all products (whether or not on Schedule C).

(t) *Use and quota exemptions for certain government orders.* The use prohibitions of paragraph (f) above and the quota restrictions of paragraph (i) above do not apply to new fibre shipping containers which are used by any user (whether a manufacturer or a distributor) for delivering any product to any of the following persons or which are used by any user for delivering any product to be redelivered by another party (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations as mentioned in Schedule C) to any of the following persons:

(1) The U. S. Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia).

(2) The Maritime Commission; the War Shipping Administration.

(3) Any U. S. agency making Lend-Lease purchases.

New fibre shipping containers used for those purposes may be regarded as being in addition to the user's quota for the product involved.

(u) *Exceptions for stocks in transit or on hand.* Any user may use for the purpose for which he acquired them any new fibre shipping containers which were in his possession or which were in transit to him on or before October 11, 1943. In the case of any product added to Schedule B after that date he may use for that product the containers which he had acquired or which were in transit to him for that product on or before the date on which the item was added to the schedule. These exceptions are subject to the quota restrictions of paragraph (i).

Miscellaneous Provisions

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(w) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L–317.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROHIBITED TYPES OF CONTAINERS

Paragraph (e) of Order L–317 prohibits the manufacture of the following types of containers from solid fibre (.045 or heavier) or corrugated fibre.

a. Bottle and can carry-outs
b. Counter boxes
c. Display-shippers
d. Laundry boxes and laundry shells
e. Retail gift boxes

SCHEDULE B—PROHIBITED USES

NOTE: Schedule B amended in its entirety Mar. 23, 1944.

Pursuant to paragraph (f) of Order L–317, users' acceptance or use of new fibre shipping containers for packing the products listed below (or, where specified below, for packing less than a specified quantity of certain products listed below) is prohibited. Some exceptions from this prohibition are allowed in paragraphs (t) and (u) of the order. In addition, paragraph (f) specifies that its prohibition does not apply to containers used for wholesalers' or retailers' deliveries (as defined in Schedule C). However, new fibre shipping containers so used for any product below must be charged to the wholesaler's or the retailer's over-all quota under Schedule C.

SCHEDULE B—PROHIBITED USES—Con.

a. Paper products:
   - Advertising displays—counter, window, or floor (including the dispenser type of display).
   - Catalogues.
   - Magazines, including house organs.
   - Posters.
   - Punch boards.
b. Fresh vegetables:
   - Cucumbers.
   - Green corn.
   - Onions.
   - Potatoes (white).
   - Rutabagas.
   - Turnips.
c. Building Materials:
   - Building brick (except glass brick).
   - Cement—except household.
   - Cork—except pipe covering and slabs.
   - Flooring, wood, molding, mopboards, trim and wainscoting.
   - Insulation board, rigid (except insulating tile and panel and cork insulation board which are on Schelule C).
   - Non-rigid insulation—(except slabs, blocks, batts, blankets, and formed and/or metal-encased insulation)
   - Plaster—cement, lime, gypsum (this does not include dental, orthopedic, and industrial-mold grades)
   - Sash and doors, except glazed, not finished further than primed
   - Shingles (except asbestos siding shingles and asphalt shingles which are on Schedule C)
   - Tile—except acoustical, asphalt, and glazed or unglazed floor, wall or facing tile
d. Textiles (except clothing):
   - Awnings
   - Blankets and comforters—less than 6 per package
   - Carpets and carpeting
   - Mattresses—other than innerspring
   - Rugs
   - Tents
   - Waste wiping rags
e. Hardware:
   - Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enameled pails)
   - Cans—refuse, garbage
   - Garden and farm tools, 16" or more in length—including but not limited to: Hoes, rakes, shovels
   - Handles, 13" or more in length—including but not limited to: shovels, picks, axes, etc.
   - Wash tubs—wood or metal
f. Glass products:
   - 1-pt. home canning jars—less than 24 per case
g. Horticultural items:
   - Bulbs
   - Ornamental shrubs
   - Seeds (flower)
h. Miscellaneous:
   - Athletic uniforms
   - Ball bats
   - Baskets—wicker, splint, etc.
   - Bridles
   - Brooms
   - Charcoal—except activated carbon
   - Coal
   - Cones—fir or pine
   - Fertilizers
   - Furniture—lawn and porch (except glass parts)
   - Furniture—unfinished (except glass parts)
   - Horse collars
   - Hose—rubber and fabric
   - Ironing boards
   - Ladders
   - Linoleum and printed floor coverings

SCHEDULE B—PROHIBITED USES—Con.

h. Miscellaneous—Continued.
Mops—except oil mops
Nuts, unshelled
Peanuts, unshelled
Peat moss
Playground equipment—wood, metal
Rope, string and twine
Saddles
Tape, gummed—cloth, paper or sisal, in rolls of 500 ft. or more
Trunks (in carload lots)
Venetian Blinds
Whips and crops

SCHEDULE C—PRODUCTS AND USES SUBJECT TO QUOTAS

NOTE: Schedule C amended in its entirety Mar. 23, 1944.

Paragraph (i) of Order L-317 places quotas on the amount of new fibre shipping containers (including "reshippers", as defined in paragraph (m) of the Order) which may be used for packing the products listed in Column 1 below or for the types of uses listed in that column. The percentage listed in Column 2 below are to be used in figuring the quotas. Where the percentage is changed by the amendment of March 23, 1944, for an item formerly on this schedule, the change is effective April 1, 1944. Until that date the percentage which formerly appeared remains applicable.

Restricted Products and Uses (1)	Quotas Percentages (2)
Restricted products:	
Adhesives—household	70
Advertising displays—counter, window, floor, including the dispenser type of display (except those made of paper which are listed in Schedule B)	50
Albums	50
Animal and pet foods—dry (except proprietary drug remedies)	50
Animal proprietary drug remedies	80
Art supplies	70
Ash trays	60
Athletic equipment and sporting goods	70
Automobile polish, waxes and cleaners	70
Beverage compounds, concentrates and syrups—including, but not limited to drink powders and soft drink concentrates	80
Beverages:	
Distilled spirits, as defined in Schedule VI of Order L-103-b	70
Malt, as defined in Schedule VI of Order L-103-b	70
Non-alcoholic, as defined in Schedule VI of Order L-103-b	70
Wines	70
Bleaches, household	80
Bluings, household	80
Book ends	60
Books	70
Brushes, household	70
Buttons	70
Calendars	50
Candles	70
Cement—household	70
Chewing gum	80
China and glass ware—except containers	70
Cleaners, household	80
Clothing, including work clothing, but not including shoes and safety clothes as defined in Order L-114	70
Combs	70
Compacts	60
Cosmetics—except dentifrices and perfumes	60
Curtains	70
Cushions and pillows	70
Dentifrices	70
Drinking straws	60

SCHEDULE C—PRODUCTS AND USES SUBJECT TO QUOTAS—Continued

Restricted Products and Uses (1)	Quotas Percentages (2)
Restricted products—Continued.	
Dry cleaning preparations—household	70
Fish bowls	50
Flowers and plants—cut or potted	60
Folding boxes—empty	70
Food products:	
Bacon	90
Bakery goods	100
Beans, peas and lentils; dried edible	90
Butter	80
Caviar	40
Cereals	100
Confectionery	80
Corn meal	90
Dessert products	65
Dried fruits	100
Filling, pie and cake	65
Flavorings	66
Flour (except home baking mixes)	100
Food coloring	65
Horseradish	80
Macaroni	90
Marshmallow and marshmallow cream	65
Mustard	80
Noodles	90
Oleomargarine	100
Peanut butter	100
Pectin	90
Popcorn—candied and otherwise, except unpopped	65
Popcorn—unpopped	80
Potato chips	65
Pretzels	50
Puddings	65
Relishes	80
Rice	90
Salad Dressings	80
Salt (for all purposes)	80
Spaghetti	90
Sugar	80
Vermicelli	90
Furniture (other than listed on Schedule B)	70
Games and toys	60
Glass tableware and glass kitchen articles. (This does not include tumblers, other than cut, footed, or stemmed tumblers)	70
Hooks and eyes, slide and snap fasteners, buckles, miscellaneous metal apparel bindings	70
Insulation board, cork	70
Insulation board—tile and panel	70
Jewelry	60
Jewelry boxes—empty	50
Leather—goat, kid, cabretta, kangaroo	70
Leather—all other	50
Mattresses—inner spring	70
Mirrors	70
Office supplies	70
Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed elsewhere in Schedule B or C)	60
Paints, varnishes, roof coatings and cements. This item includes but is not limited to pigmented oil or oleoresinous; ready mixed, semipaste, or paste, white lead in oil, colors in oil, pigmented or clear lacquers, resin emulsion paste, casein paste, vegetable protein paste; casein and calcimine paints in dry form or other paints and paint materials in dry form	60
Paper products of the following types: Illustrated post cards, announcements and greeting cards	60
Perfumes	60
Picture frames and folders	70
Polishes—household	70
Pottery products—household (except ornamental)	70

SCHEDULE C—PRODUCTS AND USES SUBJECT TO QUOTAS—Continued

Restricted Products and Uses (1)	Quotas Percentages (2)
Restricted products—Continued.	
Printing and publishing products—except those listed elsewhere in Schedule B or C	70
Seat covers	70
Screens, door and window	70
Set-up boxes—empty	80
Shingles, asbestos siding and asphalt	70
Shoe polishes, creams, dressings and dyes	70
Slip covers	70
Soap	80
Starch—all kinds	80
Stationery—including, but not limited to, envelopes in all styles—fillers (loose leaf), writing paper (commercial and social), papetries, correspondence cards, tablets, pads, notebooks, index cards, and folders	70
Suitcases	50
Tobacco and tobacco products	80
Traveling bags—all kinds	50
Trunks (in less than carload lots)	50
Utensils—kitchen and household (except those listed elsewhere in Schedule B or C)	70
Water softening compounds	80
Waxes—household	70
Restricted uses:	
Wholesalers' deliveries	70
Retailers' deliveries—mail, express, and common carrier	70
Retailers' deliveries—other than mail, express, and common carrier	60

These "restricted uses" items relate only to deliveries made by persons who have not produced the products delivered nor done any fabrication or processing work on them other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knocked-down furniture, monogramming of linen and jewelry, alteration of clothing). "Retailers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at retail. "Wholesalers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at wholesale. The quota for each type of use represents the maximum total amount of containers which can be so used for all products (whether or not listed in Schedule C). The quota takes the place of a separate quota for each Schedule C product.

INTERPRETATION 1

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product. (Issued Nov. 6, 1943)

[F. R. Doc. 44-4124; Filed, March 23, 1944; 11:21 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Supplementary General Limitation Order L-23-c as Amended Mar. 23, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

§ 3288.66 *Supplementary General Limitation Order No. L-23-c*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic cooking appliances" means gas ranges, cook stoves, and hot plates for household use; coal and wood ranges and cook stoves (including laundry stoves except water jacketed and permanently built-in coil types) for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) except electrical, for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any above the floor devices (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts, and includes, but is not limited to, circulating, radiant and portable heaters and trailer and caboose stoves. Domestic heating stoves shall not include floor or wall furnaces.

(3) "New domestic cooking appliances and domestic heating stoves" means any such appliances or stoves which have never been used by an ultimate consumer.

(4) "Accessories" means aprons, thermostats, high closets, high shelves, clocks, broiler pans other than iron or steel, storage compartments, thermometers, and any other instruments, attachments, or appurtenances (except top-burner lighters) for domestic cooking appliances not essential to any of the following three major cooking operations: top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal of the unit.

(6) "Fuel oil" means any liquid petroleum product commonly known as fuel oil including Numbers 1, 2, 3, 4, 5, and 6, Bunker C, Diesel oil, kerosene, range oil, gas oil or any other liquid petroleum product used for the same purposes as the above designated grades.

(7) "Base period" means the 12 months period from July 1, 1940 to June 30, 1941.

(8) "Factory sales value" means the aggregate value of shipments of domestic cooking appliances and domestic heating stoves.

(9) "Class A producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was $2,000,000 or more.

(10) "Class B producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than $2,000,000 and who are located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(11) "Class C producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than $2,000,000 and who are not located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(12) "Producer" means any person who during the base period manufactured, fabricated or assembled any domestic cooking appliances or domestic heating stoves.

(b) *General restrictions.* (1) No person except a producer shall manufacture, fabricate or assemble any domestic cooking appliances or any domestic heating stoves.

(2) No person shall manufacture, fabricate or assemble any domestic cooking appliance or domestic heating stove except from materials in inventory on July 29, 1943, or the acquisition and use of which is specifically authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise. In authorizing the manufacture of domestic cooking appliances and domestic heating stoves the War Production Board will, in general, authorize Class C producers to produce the types they normally fabricate up to 100% of their base period unit production before authorizing the manufacture of any of the same types by Class A and Class B producers; *Provided, however,* That during the period from July 1, 1943 to June 30, 1944 the total number of units of each type authorized for production by all producers will not exceed the percentages of total unit production specified in Schedule A attached.

(3) No producer shall manufacture, fabricate or assemble any domestic cooking appliances (other than combination ranges) or domestic heating stoves, except in those fuel types which he manufactured, fabricated or assembled during the base period; but this provision shall not apply to such appliances or stoves manufactured, fabricated or assembled for delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration of the United States, or for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55 or any Order in the P-19 series.

(4) No producer shall manufacture, fabricate, or assemble any domestic cooking appliances, except those listed in Schedule B attached and then only in accordance with the numbers of models or sizes and description of types set forth in such table; and no person shall manufacture, fabricate or assemble any accessories or incorporate them into any domestic cooking appliances.

(5) No person shall manufacture, fabricate or assemble any domestic heating stoves except those listed in Schedule B attached, and then only in accordance with the numbers of models and BTU capacities set forth therein.

(6) No producer shall

(i) Use any iron or steel in the production of cover tops or lids to cover the cooking surfaces of domestic cooking appliances when not in use; or

(ii) Produce or assemble any domestic cooking appliances equipped with such cover tops or lids containing any iron or steel; or

(iii) Use any "bright work", "bright finish", metal finish, or trim containing copper, nickel, chrome, or aluminum or other alloy in the production of domestic cooking appliances or domestic heating stoves; or

(iv) [Deleted Mar. 23, 1944]

(7) No producer shall substitute steel for cast iron in the manufacture, fabrication of assembly of any model of domestic cooking appliance or domestic heating stove which he manufactured, fabricated or assembled prior to July 29, 1943.

(8) No producer shall manufacture, fabricate or assemble any steel coal or wood range or cook stove who did not manufacture, fabricate or assemble such ranges or stoves during the period July 1, 1940 to July 29, 1943.

(c) *Exceptions.* (1) Nothing in paragraph (b) (4) or (b) (5) shall restrict the manufacture, fabrication or assembly of trailer or caboose stoves.

(2) Domestic cooking appliances or domestic heating stoves which do not conform to the provisions of paragraph (b) (4) or (b) (5) may be manufactured, fabricated or assembled to specifications for the account of or for delivery to the Army, Navy, Maritime Commission or War Shipping Administration of the United States, or to specifications for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55, or any Order in the P-19 series: *Provided,* That a prior request be made to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., by letter, and approved in writing.

(3) Notwithstanding any restrictions in this order, concerning use of metals, accessories, weight per unit, numbers of models, or sizes or types, until October 27, 1943, any producer may manufacture, fabricate or assemble any domestic cooking appliance or any domestic heating stove provided that he has in his inventory, on July 29, 1943, fabricated iron or steel parts of any such appliance or stove which total at least 50% of the total weight of iron and steel which such appliance or stove would contain when completely assembled.

(d) [Deleted Jan. 15, 1944]

(e) *Repair parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for domestic cooking appliances or domestic heating stoves.

(f) *Reports.* Each producer shall execute and file with the War Production Board, such reports as the War Produc-

tion Board may specify from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Applicability of priorities regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(h) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of domestic cooking appliances or domestic heating stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–600) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L–23–c.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing of using, material under priority control and may be deprived of priorities assistance.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
5. Coal and wood laundry stoves	100
6. Gas hot plates	75
7. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100

SCHEDULE B

NOTE: Schedule B amended in its entirety Mar. 23, 1944.

Appliance	Maximum number of models or sizes permitted	Type
1. Gas ranges	2	One to have 3 top burners, broiler optional. One to have 4 top burners with broiler and bake oven.
2. Gas hot plates	3	1—1 burner, 1—2 burner, 1—3 burner.
3. Coal or wood ranges and cook stoves.	6	2 steel ranges or cook stoves. 2 cast iron ranges. 2 cast iron cook stoves (At least one steel range or cook stove, one cast iron range and one cast iron cook stove manufactured by any producer shall be the lightest of each in his line).
4. Gas and coal or wood combination ranges.	1	
5. Bungalow or kitchen heater range (gas and coal or wood).	1	
6. Fuel oil ranges	2	1–3 top burner range with bake oven. 1–2 top burner range with bake oven.
7. Fuel oil stoves	2	1–2 burner stove. 1–3 burner stove.
8. Fuel oil table stoves.	3	1–1 burner stove. 1–2 burner stove. 1–3 burner stove.
9. Laundry stoves	6	4–2 hole stoves. 2–4 hole stoves. (1–2 hole stove and 1–4 hole stove manufactured by any producer shall be the lightest of each in his line.)
10. Portable ovens	2	1 single oven. 1 double oven.
11. Drum ovens	1	

Stoves	Number of models or sizes permitted	Maximum of models or sizes permitted in B. t. u. capacities per hour
1. Gas radiant	10	2–12,000 or less input. 2–12,001 to 20,000 input. 2–20,001 to 30,000 input. 2–30,001 to 45,000 input. 2–over 45,000 input.
2. Gas circulating	6	2–30,000 or less input. 2–30,001 to 50,000 input. 2–over 50,000 input.
3. Fuel oil portable (ball type).		
4. Fuel oil circulating.	2	2–30,000 or less output.
5. Cast iron or steel coal and/or wood.	10	
6. Sheet steel wood stoves.	6	

[F. R. Doc. 44–4126; Filed, March 23, 1944; 11:21 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Interpretation 1]

RATINGS FOR TWINE AND WRAPPING MATERIALS

The following interpretation was issued with respect to Conservation Order M–328:

Ratings for twine and other materials on Schedule A of M–328 used for wrapping must conform to the conditions specified in paragraph (a) of the order to be valid.

Such materials used to wrap products are not incorporated into the product which is wrapped. Therefore, a rating which can be used to get material to be incorporated into a product cannot be used to get twine with which to wrap the product even though the product is going to be delivered to one of the Government agencies mentioned in paragraph (a) (2).

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4127; Filed, March 23, 1944; 11:21 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–373 as Amended Mar. 23, 1944]

VITAMIN A

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Vitamin A for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.601 *Allocation Order M–373*—(a) *Definitions.* (1) "Vitamin A" means vitamin A derived from or contained in fish liver oils or fish viscera oils, in crude or refined form. The term includes, but is not limited to Vitamin A concentrates and esters and Vitamin A in blended oils. The term does not include pro-vitamins A such as caretones, cryptoxanthin, etc.; nor Vitamin A contained in oils which have less than 1000 USP–XII units of Vitamin A per gram, or in oils in which the number of USP–XII units of Vitamin A per gram is less than five times the number of USP–XII units of Vitamin D per gram; nor Vitamin A in cod liver oil; nor Vitamin A in standard dosage form (tablets, capsules, ampuls, solutions, etc.) or in retail pharmaceutical packages; nor Vitamin A compounded or mixed in food, feeds or feeding oils.

(2) "Concentrate" means any concentrate of Vitamin A derived from fish liver oils, fish viscera oils, other fish oils, or from fish livers or viscera if the concentration of Vitamin A in the product is increased beyond four times that in the original oil, or in the case of livers or viscera, beyond four times that of the oil which would have been obtained by ordinary extraction methods.

NOTE: Subparagraphs (4), (5), and (6), formerly (3), (4) and (5), redesignated Mar. 23, 1944.

(3) "Feeding oils" means oils or blends or admixtures of oils containing not more than 6000 U. S. P. units of Vitamin A per gram, irrespective of the Vitamin D content, used in animal or poultry feeds or feeding. The term shall include only those oils, blends or admixtures of this description which were manufactured before February 28, 1944, or were manufactured from Vitamin A within the quota for the February 28, to March 31, 1944 period or were subsequently manufactured from Vitamin A specifically allocated for this purpose or available for this purpose under the small order exemption. Any person buying feeding oils for animal or poultry feeds or feeding, or for resale for this purpose, may assume that such oils are not Vitamin A subject to this order.

(4) "Supplier" means any producer, importer, concentrator, or blender, or any person who purchases Vitamin A for resale as such without further processing or admixture, but does not include an exporter.

A supplier who also exports Vitamin A shall treat his export operations as a separate entity from his other operations for the purpose of this order.

(5) "Use" means the incorporation of Vitamin A into pharmaceutical preparations, feeds foods, feed oils, and the like, and includes blending and concentrating Vitamin A and the packaging of Vitamin A into retail pharmaceutical units. Authorization to use Vitamin A for any purpose carries with it authorization to perform all intermediate operations.

(6) "Unit of measure" is expressed in terms of USP–XII units of Vitamin A determined either on the basis of animal assay or spectrophotometric analysis.

Requirements for February and March 1944

(b) *Restrictions on acceptance of delivery.* During the period from February 28 to March 31, 1944, inclusive, no person shall accept delivery of more than 600,000,000 USP–XII units of Vitamin A in the aggregate from all suppliers, except Vitamin A in transit consigned to him on February 28, 1944, or except as specifically authorized in writing by the War Production Board upon application pursuant to Appendix B.

(c) *Restrictions on delivery.* No supplier shall deliver Vitamin A which he knows or has reason to believe would be accepted in violation of paragraph (b) above.

(d) *Restrictions on use.* During the period from February 28 to March 31, 1944, inclusive, no person shall use more Vitamin A than 12% of the quantity which he used during all of 1943, except as specifically authorized in writing by the War Production Board upon application pursuant to Appendix B. In computing quantities used currently and during the base period, exclude quantities used in fulfillment of U. S. Government contracts or subcontracts.

Requirements Beginning April 1, 1944

(e) *Restrictions on delivery, acceptance of delivery and use.* Beginning April 1, 1944, no supplier shall deliver Vitamin A to any person, no person shall accept delivery of Vitamin A from a supplier, and no person shall use Vitamin A, except as specifically authorized in writing by the War Production Board upon application pursuant to Appendices B and C.

(f) *User's one-time base period report.* Each person (including a supplier), at or before the time when he files his initial application in accordance with Appendix B for authorization to use or accept delivery of Vitamin A, shall file a one-time report on his past use and inventory in accordance with Appendix A.

(g) *Small order exemption.* Specific authorization is not required for:

(1) Acceptance of delivery and use by any person of 500,000,000 USP–XII units or less of Vitamin A in the aggregate during any calendar month from all suppliers.

(2) Delivery by any supplier to any customer in any calendar month of 500,000,000 USP–XII units or less if the total amount delivered on all such small orders does not exceed the sum of the following:

(i) The amount which he has been specifically authorized, upon application pursuant to Appendix C, to deliver on small orders;

(ii) The amount which he has been specifically authorized, upon application pursuant to Appendix B, to receive or use for the purpose of filling small orders;

(iii) The amount which he himself acquired on small orders and has not used for other purposes;

(iv) The amount which he had on hand on April 1, 1944, if he sells exclusively on small orders.

(h) *Allocated inventory.* Vitamin A allocated for inventory shall not be used or disposed of for any purpose, except as specifically directed by the War Production Board. Material which has not been used for the purpose for which it was allocated shall revert to inventory as if originally allocated to it. Applications for authorization to use Vitamin A allocated for inventory shall be filed pursuant to Appendix B. Pending receipt of Vitamin A allocated for a particular purpose stocks on hand may be used for that purpose, provided that the quantity withdrawn is replaced upon receipt of the allocated Vitamin A.

(i) *Toll arrangements.* In the case of any toll arrangement where vitamin A is produced, concentrated, blended or otherwise processed or used by another person for the owner of the vitamin A, the owner shall apply for any necessary authorizations and shall be subject to the limitations of this order as if he were performing the operation himself, but deliveries between the owner and the processor under the toll arrangement may be made without restriction.

(j) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the month for which authorized, he may complete them as early as practicable in the next month, but the authorization shall terminate if the purchaser fails to place his order before the end of the authorized delivery month or if the purchaser requires postponement of delivery beyond ten days after the authorized month.

(k) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery after the authorized month, but shall notify the War Production Board and hold the vitamin A intact subject to direction from the War Production Board, if he knows or has reason to believe that the shipment was made after the authorization for delivery had expired.

(l) *Duration of authorization for use.* Authorization for use shall be valid during the authorized month and the following month. Any unused portion at the end of the period shall not be used for any purpose until further authorized or directed by the War Production Board, upon application for use from inventory pursuant to Appendix B.

(m) *Special directions.* The War Production Board at any time may at its discretion, issue special directions to any person with respect to:

(1) Delivery or acceptance of delivery of vitamin A;

(2) Preparation of applications and reports under Appendices A, B or C, subject to approval of the Bureau of the Budget when required by Federal Reports Act of 1942.

(n) *Notification of customers.* Each supplier is requested to notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(o) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Limitation Order L–40.* In addition to the restrictions of this order, the use of vitamin A is subject to the provisions of Limitation Order L–40 (§ 3293.6) as amended.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M–373.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR FILING USERS' ONE-TIME BASE PERIOD AND INVENTORY REPORT

Each person (including a supplier) seeking authorization to use or accept delivery of vitamin A shall file a one-time report on

his stocks and past use of vitamin A on Form WPB-3442 in accordance with the following instructions:

Form WPB-3442. Copies may be obtained at local field offices of the War Production Board.

Time of filing. The report should be filed when application is first made on Form WPB-2945 (formerly PD-600) in accordance with Appendix B for authorization to use or accept delivery of Vitamin A.

Number of copies. Two copies should be prepared, of which one shall be retained by the person reporting and one certified copy shall be filed with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-373.

Heading. 1—Specify Vitamin A.
2—Specify Million USP-XII Units.
3—Specify M-373.
Fill in other spaces as indicated.

Section I. In column (a) specify primary products as pharmaceuticals, foods, feeds, etc. In column (b) specify grades in terms of potency ranges in accordance with the instructions in Appendix B for column 1. Fill in the headings of columns (c) (d) (e) and (f) as follows:
Column (c)—1943—excluding Gov. orders.
Column (d)—1943—excluding Gov. orders.
Column (e)—1942—Gov. orders only.
Column (f)—1943—Gov. orders only.
Fill in these columns as indicated and leave column (g) blank.

Section II. Specify potency ranges in column (a) as in Section I, Column (b), above. Fill in the headings of columns (b) (c) and (d) as follows, and fill in the columns accordingly:
Column (b)—January 1, 1944.
Column [1] (c)—March 1, 1944.
Column (d)—January 1, 1944.

APPENDIX B—INSTRUCTIONS FOR FILING APPLICATION FOR SPECIFIC INSTRUCTION TO ACCEPT DELIVERY OF AND USE VITAMIN A

Each person seeking authorization to use or accept delivery of vitamin A (more than 500,000,000 USP-XII units per month) shall file application on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions:

Form WPB-2945 (formerly PD-600). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Application shall be made in time to insure that copies will reach the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization to use or accept delivery is sought.

Number of copies. Prepare five copies, retain one, send one to the supplier and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-373. Omit supplier's copy if applying only for use from inventory.

Number of sets. Applications for acceptance of delivery shall be made on separate forms for each supplier. A single set of forms may be used for application to accept delivery and use a quantity from a supplier, and to use an additional quantity from inventory.

Exports. Exporters applying simultaneously for an export license and a WPB allocation for export shall send both sets of applications to the Foreign Economic Administration, which will transmit the WPB-2945 forms to the WPB with its recommendation.

Heading. Under the name of chemical, specify vitamin A; under WPB order number, specify M-373; under unit of measure specify "Million USP-XII units." If the application is exclusively for use from inventory specify "From Inventory" in space for supplier's name. Otherwise fill in as indicated.

[1] If filing after March, 1944, specify in Column (c) the first day of the next month.

Table I. Specify in the heading, the month and year for which authorization to use or accept delivery is sought.

Column 1. Specify "grade" in terms of potency range, in accordance with the following symbols:

20	1– 20	Thousand USP–XII Units per Gram
40	20– 40	Thousand USP–XII Units per Gram
60	40– 60	Thousand USP–XII Units per Gram
100	60–100	Thousand USP–XII Units per Gram
150	100–150	Thousand USP–XII Units per Gram
200	150–200	Thousand USP–XII Units per Gram
over 200	over 200	Thousand USP–XII Units per Gram

Column 2. Specify separately the quantity in millions USP–XII units sought for each different requirement indicated in columns 3 and 4.

Column 3. Fill in as follows:
Multivitamin tablets, capsules or liquids (specify separately)
Vitamin A and D tablets, capsules or liquids (specify separately)
Vitamin A tablets, capsules or liquids (specify separately)
Ampuls
Margarine
Feed
Feed Concentrates
Other—(specify)
For blending
For concentrating
For inventory (in original form)
For export (in original form)
For resale(in original form)

Column 4. Opposite any product in Column 3 (other than "for blending" or "for concentrating") specify in Column 4 whether the product is for Army, Navy, Lend-Lease, other specified Government agency, or commercial customer, and where practicable specify contract or specification numbers. Opposite "for blending", "for concentrating", "for inventory" or "for resale" in Column 3, write in Column 4, "subject to further authorization", except in the case of suppliers who resell exclusively on small orders, in which case "for small orders of 500,000,000 USP–XII Units or less per person per month" may be specified in Column 4.

Opposite "for export" in Column 3, specify in Column 4, the name of the individual, company, or Governmental agency to whom or for whose account the vitamin A will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Column 10. If the application is partly to accept delivery and use Vitamin A from a supplier and partly to use Vitamin A in inventory, specify in Column 10, "From Inventory" opposite quantities in Column 2, which relate to use from inventory.

Table II. Fill in as indicated. In Column II, specify "grade" in terms of potency range symbols as described in the Column 1 instructions above. In Columns 15 and 16 exclude from stocks, quantities authorized for use on the dates specified.

Table III. Fill in as indicated.

Table IV. Leave blank.

Table V. In Column 23, specify potency ranges in accordance with Column 1 instructions above; in Column 24, specify in the heading "Balance authorized for use ----------" (specify first day of current month) and fill in the column accordingly; and in Column 25 specify in the heading "Estimated balance authorized for use ----------" (specify first day of requested allocation month) and fill in the column accordingly.

APPENDIX C—INSTRUCTIONS FOR FILING APPLICATION FOR SPECIFIC AUTHORIZATION TO MAKE DELIVERIES OF VITAMIN A

Each producer or distributor seeking authorization to make delivery of Vitamin A during any month shall file application on Form WPB-2946 (formerly PD-601) in the manner prescribed therein and subject to the following instructions.

WPB-2946 (formerly PD-601). Copies may be obtained at the local field offices of the War Production Board.

Time of filing. Applications shall be filed in time to insure that copies will reach the War Production Board on or before the 20th day of the month preceding the month for which authorizations to make delivery are requested.

Number of copies. Prepare four copies, retain one and send three (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C. Ref. M-373.

Heading. Under name of chemical, specify vitamin A; leave grade space blank; under WPB Order No., specify M-373; under unit of measure, specify Million USP–XII Units; and otherwise fill in as indicated.

Table I. Fill in as indicated, listing customers alphabetically and including all who have sent in copies of Form WPB-2945 listing the applicant as supplier. In Column 3, specify "grade" in terms of potency range symbols specified below for Table II, Column 6.

Each producer seeking authorization to use his own production of vitamin A shall list his own name as a customer in his supplier's Form WPB-2946 application, and shall file a separate application for use on consumer's Form WPB-2945 in accordance with Appendix C above.

An aggregate amount may be requested for "orders for less than 500,000,000 USP–XII Units per month" without specifying individual customers' names.

Table II. Fill in as indicated. In columns 10 and 13 exclude quantities authorized for use or delivery on the dates specified. Specify "grade" in Column 8 in terms of potency range, using the following symbols.

20	1– 20	Thousand USP–XII Units per Gram
40	20– 40	Thousand USP–XII Units per Gram
60	40– 60	Thousand USP–XII Units per Gram
100	60–100	Thousand USP–XII Units per Gram
150	100–150	Thousand USP–XII Units per Gram
200	150–200	Thousand USP–XII Units per Gram
over 200	over 200	Thousand USP–XII Units per Gram

NOTE: Forms WPB-2945, 2946 and 3442, and the instructions in Appendices A, B, and C, have been approved by the Bureau of the Budget in accordance with Federal Report Act of 1942.

[F. R. Doc. 44-4128; Filed, March 23, 1944; 11:21 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L–238 as Amended Mar. 23, 1944]

SUN GLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.76 [1] *General Limitation Order L–238*—(a) *Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(4) "Thermoplastics" means thermoplastics as defined in General Preference Order M-154.

(b) *Restrictions on the use of metals.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or any part thereof or sun glass cases or any part thereof.

(c) *Exceptions to paragraph* (b). (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) From parts which were finished and ready for assembly on April 23, 1943, provided that such manufacture is completed on or before May 23, 1943; or

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided that the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) *Restrictions on the use of thermoplastics in sun glasses.* (1) No person shall incorporate any thermoplastics in the manufacture of sun glasses except to the extent permitted by Appendix A, attached to this order.

(2) Except as provided in subparagraph (3) of this paragraph (d), during the period beginning May 25, 1943, and ending June 30, 1943, no person shall use more thermoplastics in the manufacture of sun glasses than 90 per cent of the amount he used for such purpose during the corresponding period of 1942, and during each calendar quarter after June 30, 1943, no person shall use more thermoplastics in the manufacture of sun glasses than 90 per cent of the amount he used for such purpose during the corresponding calendar quarter of 1942.

(3) Any quantity of thermoplastics required to fill purchase orders or contracts of the Army or Navy of the United States, or of any agency of the United States Government for Lend-Lease purposes, shall not be charged against the quota permitted by subparagraph (2) of this paragraph (d). Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this subparagraph (3) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department, with the exception that 25 per cent of the quantity of thermoplastics required to fill contracts or purchase orders for delivery to or for the account of any such Post Exchange or Ship's Service Department shall not be charged against the quota permitted by subparagraph (2) of this paragraph (d).

(e) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L–238.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] Formerly Part 3161, § 3161.1.

APPENDIX A

Pursuant to the provisions of paragraph (b) and paragraphs (c) (1) (ii) and (d) (1) of this order, a person may incorporate the following materials in the manufacture of sun glasses to the extent indicated:

(1) Steel for:
(i) Core wire in plastic temples.
(ii) Spring clips in slip-over type sun glasses;
(iii) Hinges, hinge pins, and rivets; and
(iv) Snaps for sun glasses cases.
(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA–5 or higher.
(3) Copper (strike), zinc, silver, gold and palladium for electroplating.
(4) Thermoplastics in any part.

[F. R. Doc. 44-4129; Filed, March 23, 1944; 11:21 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L–190, as Amended Mar. 23, 1944]

SCALES, BALANCES AND WEIGHTS

The fulfillment of requirements for the defense of the United States has created a shortage in the materials used in the manufacture of scales, balances, and weights for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.21 *Limitation Order L–190*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Scales" means devices used for weighing persons, materials, objects or substances, or for grading, classifying, counting or evaluating materials, objects or substances in terms of weight, or the measuring of forces expressed in terms of weight. The term includes scales, balances, attachments, and weights.

(3) "Weights" means objects of established weight used in connection with the operation of scales and necessary to the operation or testing thereof.

(4) "Scales for household use" includes all scales commonly used for household purposes except dietetic scales graduated in the metric system for personal use by a person whose diet is regulated by a licensed physician and baby weighing or nursery scales.

(5) "New" scales are all scales other than those which have been used, or sold, rented or lent for the purpose of being used; except that scales which have been used solely for demonstration, trial loans or emergency repair loans are "new" scales.

(6) "Emergency repair loan" means the temporary leasing or lending of a scale to replace a similar scale while the latter is being repaired.

(7) "Class One scales" means coin-operated person weighing scales, spring type scales equipped with postal charts and having a retail list price of five dollars or less, and scales for household use, including bathroom scales and kitchen scales.

(8) "Class Two scales" means person weighing scales for clinical use and baby weighing or nursery scales.

(9) "Class Three scales" means mailing and parcel post scales, except spring type scales equipped with postal charts and having a retail list price of $5.00 or less.

(10) "Class Four scales" means all scales other than those in Class One, Class Two, Class Three, Class Five, Class Six or Class Seven.

(11) "Class Five scales" means egg grading scales, milk scales, cotton beam scales, cotton spring scales, and grain sampling, grading, and testing scales.

(12) "Class Six scales" means dietetic scales, graduated in the metric system, for personal use by a person whose diet is regulated by a licensed physician.

(13) "Class Seven Scales" means cylinder type scales, fan type scales, hanging scales, and even-balance scales of the kinds, sizes and models commonly used in making sales of merchandise direct to ultimate consumers.

(b) *Restrictions on production.* (1) No person shall fabricate parts for new Class One scales or assemble new Class One scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Two scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(3) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Three scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(4) No person engaged in the manufacture of scales shall increase his inventory of new scales in Class Four if that inventory following such increase will exceed one-twelfth of the total number of such scales billed by him to customers during the calendar year of 1941.

(5) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Five scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(6) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Six scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(7) During the calendar year of 1944, and during each subsequent calendar year, no person may fabricate or assemble a total dollar value of new Class Seven scales in excess of two-fifths of the total dollar value of such scales billed by him to customers during the calendar year of 1941.

(c) *Restrictions on transfer.* (1) No person shall sell any new Class Three, Class Four or Class Five scales to fill any order for such scales in an amount of $50.00 or more, except orders to which the purchaser has applied or extended a preference rating issued on Form WPB–2581 (Form PD–857), or to which the purchaser has applied or extended a rating of A–9 or higher prior to May 13, 1943. Any person placing such an order amounting to $50.00 or more after May 13, 1943, shall certify, in substantially the following form, that the preference rating applied or extended was issued on Form WPB–2581, (Form PD–857).

The undersigned purchaser represents to the seller and to the War Production Board that the rating of _____ applied or extended to this purchase order was issued on Form WPB–2581 (Form PD–857).

The person receiving this certification shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(2) No person shall rent or lend any new Class Three, Class Four or Class Five scales to fill any order for such scales in any amount, except orders to which the person placing the order has applied or extended a rating issued on Form WPB–2581 (Form PD–857), or to which the purchaser has applied or extended a rating of A–9 or higher prior to May 13, 1943. Any person placing such an order after May 13, 1943, shall certify that the rating was issued on Form WPB–2581 (Form PD–857) in the manner provided in paragraph (c) (1) of this order, and the person receiving the certification shall be entitled to rely thereon unless he knows or has reason to believe it to be false.

(3) No person shall sell any new Class Three scales to fill any order for such scales in an amount over $5.00 and less than $50.00, except orders rated A–9 or higher.

(4) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales on a farm, except orders for which purchase certificates have been issued by a County Farm Rationing Committee, or orders to which a rating of A–9 or higher was applied or extended prior to May 13, 1943.

(5) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales elsewhere than on a farm, except orders rated A–9 or higher.

(6) No person shall sell a new Class Four or Class Five scale having a retail list price of more than $5.00 to a person intending to resell it, except to fill orders rated A–9 or higher. Scales having a retail list price of $5.00 or less may be sold without ratings to persons buying them in amounts less than $50.00 for resale.

(7) No person shall sell any new Class Two or Class Six scales to any person acquiring such scales for personal or family use except to fill the prescription of a licensed physician.

(8) The restrictions of paragraphs (c) (1) to (c) (6), inclusive, of this order shall not apply to an emergency repair loan of new scales when no used scales are available for such use, or to the selling, renting or lending of any scales which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L–144, as amended.

(d) *Repair and maintenance parts.* (1) No person shall produce any repair or maintenance parts for scales for household use except parts to be used for rebuilding used commercial scales into baby weighing scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person shall fabricate a quantity of parts for repair and maintenance of scales which contains, when finished, a total weight of metals greater than 150% of the total weight of metals in the parts (exclusive of those for scales for household use) used or sold by him for repair and maintenance of scales during the calendar year of 1941.

(e) *Restrictions on types, sizes and materials.* (1) So far as any other order of the War Production Board may have the effect of limiting or curtailing the use of any material in any scales or parts thereof to an extent greater than herein provided, the limitations of such order shall be observed.

(2) No manufacturer shall assemble scales equipped with poises, weighbeams, pans, scoops or commodity receivers of copper or copper base alloys. This restriction does not apply to type bars, to scales sensitive to a weight of one centigram or less, or to racks, pinions and rollers for registering poises.

(3) After a period of sixty days following October 10, 1942, no manufacturer may fabricate weights of copper or copper base alloys if such weights are of denominations of 20 grams (metric) or ½ ounce (avoirdupois) and over. This restriction does not apply to weights of classes A, B, M, S, and S2 as defined and recognized by the National Bureau of Standards.

(4) The War Production Board may from time to time issue schedules establishing simplified practices with respect to the types, sizes, forms, materials and specifications or other qualifications for scales. After the effective date of any such schedule no scales shall be fabricated, or assembled, except such as conforms to the issued schedule and except as specifically permitted by such schedule.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except that notwithstanding the provisions of Priorities Regulation No. 3, CMP Regulation No. 5, or CMP Regulation No. 5A, persons applying or extending a rating issued on Form WPB–2581 (Form PD–857) for scales shall certify that fact as required by paragraph (c) of this order, in addition to making any certifications required by said regulations.

(g) *Records.* All persons to whom this order applies shall keep, and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* (1) Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, all persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) Each manufacturer and each distributor of scales must file form WPB–3495 monthly in accordance with the instructions thereon. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(l) *Communications.* All reports to be filed hereunder, or communications concerning this order should be addressed to: War Production Board, Service Equipment Division, Service Machinery Section, Washington 25, D. C. Ref: L–190.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Feb. 10, 1944.

INTERPRETATION 2: Revoked Feb. 10, 1944.

[F. R. Doc. 44–4130; Filed, March 23, 1944; 11:20 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L–190, Schedules, as Amended Mar. 23, 1944]

SCALES, BALANCES AND WEIGHTS

§ 3302.22 *Schedules of Limitation Order L–190.* The following schedules are issued pursuant to the provisions of subparagraph (e) (4) of Limitation Order L–190, as amended.

SCHEDULE I—BABY-WEIGHING SCALES

No baby-weighing or nursery scales shall be fabricated or assembled, except scales which conform to the following specifications:

1. No manufacturer shall manufacture any model of baby-weighing or nursery scales other than the one which, of all models manufactured by him during 1942, contains the least amount of steel by weight per scale, exclusive of the tray.

2. No manufacturer shall manufacture any baby-weighing or nursery scales containing any copper or copper-base alloys.

3. No manufacturer shall equip any baby-weighing or nursery scales with copper or copper-base alloy trays fabricated after April 20, 1943.

SCHEDULE II—RAILWAY TRACK SCALES

"Railway track scales" means scales for weighing railway cars in interchange service, excluding hot ladle scales, bar mill scales, plate scales, charging scales, mine car scales, wheel load scales, tipple scales, and any other scales normally produced for other purposes, even though equipped with rails. After October 24, 1943, no railway track scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales which conform to the following specifications:

(1) No person shall manufacture any railway track scales, except scales designed for weighrails which are either 42 feet, 50 feet, 60 feet, or 72 feet in length.

(2) No person shall manufacture any railway track scales with rated sectional capacities other than 30, 50, 60, 75, 100, 150 or 200 tons per section.

(3) No person shall manufacture any weighbridges for railway track scales requiring the use of more metal by weight than the American Railway Engineering Association specifications for weighbridges for weighrails of the lengths permitted in Specification No. 1.

(4) No person shall manufacture a railway track scale having a lever system other than the one which, of all those previously manufactured by him in accordance with American Railway Engineering Association specifications for scales of the same capacity, contains the least weight of material.

(5) No person shall manufacture any railway track scales other than four section scales.

SCHEDULE III—MOTOR TRUCK SCALES

The reason for issuing this schedule is to reduce the quantity of scarce materials consumed in the manufacture of motor truck scales to the lowest practicable amount. The War Production Board does not mean to suggest that scales made under this schedule will be as durable as scales containing larger quantities of materials. After October 24, 1943, no pit type motor truck scales, other than grain dump scales, shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales which conform to the following specifications:

(1) No person shall manufacture any sizes of scales other than the seven listed in the following table. The lever system and weighbridge adopted for each specified platform size must be the one which contains the least amount of materials by weight for the corresponding lever capacity which the manufacturer has been accustomed to manufacture and rate as specified:

Size number	Platform size	Lever capacity
		Tons
1	22 feet by 9 feet	15
2	24 feet by 10 feet	20
3	24 feet by 10 feet	30
4	34 feet by 10 feet	30
5	40 feet by 10 feet	30
6	45 feet by 10 feet	50
7	60 feet by 10 feet	50

(2) [Deleted Mar. 23, 1944]

SCHEDULE IV—PORTABLE BEAM SCALES

"Portable beam scales" means only scales which are normally equipped with wheels and which use a weighbeam as the indicating element. After October 24, 1943, no portable beam scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales which conform to the following specifications:

(1) No person shall manufacture more than five models of portable beam scales. The principal specifications of the models permitted are listed in the following table. The capacity specified refers to maximum indicating capacity in pounds avoirdupois, including tare capacity, if provided, and the total value of counterpoise weights, if provided. Maximum and minimum platform dimensions are stated for each model. No manufacturer shall make more than one platform size within the size limits specified. For use with each listed model a manufacturer may make not more than three models of weighbeams—a full capacity weighbeam, a single weighbeam for use with counterpoise weights, and a weighbeam with tare bar for use with counterpoise weights. Each of these three models of weighbeams may be graduated in the avoirdupois system, in the metric system, in a foreign system, or any two systems. If graduated in other than the avoirdupois system, the capacity shall be the nearest practicable equivalent of the avoirdupois capacity specified. Model No. 2 and model No. 3 may be made with or without wheels.

Model No.	Capacity	Platform dimension adjacent to pillar	Other platform dimension
1	1,000 lbs.	16" to 18"	24" to 27"
2	2,000 lbs.	22" to 28"	31" to 32"
3	2,000 lbs.	42" to 44"	33" to 35"
4	3,000 lbs.	23" to 27"	32" to 35"
5	4,000 lbs.	30" to 32"	36" to 41"

SCHEDULE V—ROLLING MILL SCALES

"Rolling mill scales" means only beam type rolling mill scales normally equipped with wheels. After October 24, 1943, unless specifically authorized by the War Production Board in writing, no person shall manufacture more than one model of rolling mill scales. This model shall have a capacity of 10,000 pounds avoirdupois, shall be made only with one lever system, and shall be made with one size of main platform. The latter restriction does not apply to super-platforms or racks.

SCHEDULE VI—PORTABLE DIAL SCALES

After October 24, 1943, no portable dial scales normally equipped with wheels shall be fabricated or assembled without specific authorization of the War Production Board

in writing, except scales with platforms measuring 21 inches adjacent to the column by not less than 20 inches or more than 30 inches.

SCHEDULE VII—DIALS

"Dial scales" means only scales having pendulum actuated head mechanisms, but does not include crane scales. After October 24, 1943, no dials for new dial scales shall be fabricated or assembled without specific authorization of the War Production Board in writing except dials which have a reading line with a diameter of either 20 inches, or not more than 15 inches nor less than 14 inches.

SCHEDULE VIII—SELF-CONTAINED FLOOR SCALES

"Self-contained floor scale" means a scale enclosed and supported by its own frame, manufactured as a complete weighing unit, and designed primarily for installation with the platform surface at floor level. Self-contained floor scales include so-called "dormant" scales, and for purposes of this schedule include "fulcrum stand" scales, in which the fulcrum stands are held in fixed position by means of tie-rods. After October 24, 1943, no self-contained floor scales shall be fabricated or assembled without specific authorization of the War Production Board in writing, except scales with skeleton frame, wood box or fulcrum stand construction.

SCHEDULE IX—BUILT-IN FLOOR SCALES

NOTE: Schedule IX deleted Mar. 23, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4130; Filed, March 23, 1944; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88,[1] Amdt. 3]

FUEL OIL, GASOLINE, AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1.1 is amended to read as follows:

SEC. 1.1 *To what products this regulation is applicable.* The provisions of this regulation cover the following products:

Tractor distillates and similar distillate type motor fuels other than gasoline.

Distillate burning, heating or fuel oils, including kerosene, range and stove oils.

Diesel fuels.

Gas oils.

Gas house oils.

Residual fuel oils and blends thereof with distillate fuel oils.

All grades of gasoline, including natural gasoline and blending naphthas, except 80 Octane ASTM All-Purpose gasoline when sold to the United States Government or any agency thereof and aviation gasoline of 87 Octane rating or higher.

Any other fraction of crude petroleum which is a source of or is used to produce any of the foregoing commodities, except special hydrocarbon fractions when sold for use in the manufacture of either synthetic rubber or aviation gasoline of 87 Octane rating or higher.

Liquefied petroleum gas except when sold for use in the manufacture of synthetic rubber and aviation gasoline.

2. Section 1.3 is amended to read as follows:

SEC. 1.3 *Products and transactions exempted from the General Maximum Price Regulation.* Any products or transactions stated in sections 1.1 or 1.2 to be excepted from the coverage of this regulation (not including, however, those transactions described in section 1.2 (a) (1) are also exempt from the provisions of the General Maximum Price Regulation.

3. Section 1.5 is amended to read as follows:

SEC. 1.5 *Imports.* Maximum prices in this regulation shall apply even though the product involved originated outside of the area covered by the regulation and was imported into such area.

4. Section 5.2 (d) is amended to read as follows:

(d) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia; maximum prices of Nos. 2, 3 and 4 fuel oil.* Within the above states and in the District of Columbia, any seller's maximum per gallon tank wagon price for Nos. 2, 3 and 4 distillate fuel oils at a particular point shall be his maximum per gallon tank wagon price as determined under section 5.2 (c) of this regulation for single lot deliveries of 150 gallons or more of the product of the same grade at the same point.

5. Section 6.1 (a) (1) (ii) is amended to read as follows:

(ii) Any other participating bidder's maximum price, if not established under Articles II, III or IV, for the sale of the same product to the particular buyer.

6. Section 6.3 (a) (3) is added to read as follows:

(3) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia; on deliveries of less than 100 gallons of Nos. 2, 3 and 4 fuel oil.* In the above States and the District of Columbia the sum of .5¢ per gallon, when delivery is made into single lots of less than 100 gallons, may be added to a maximum price determined under Article V for tank wagon deliveries of Nos 2, 3 and 4 distillate fuel oils.

7. Section 6.5 (a) (2) is amended to read as follows:

(2) *In the States of Florida (east of the Apalachicola River) and Georgia at all selling levels.* In the States of Florida (east of the Apalachicola River) and Georgia the sum of .9¢ may be added to a maximum price under Article V for deliveries of gasoline.

8. Section 6.5 (c) is added to read as follows:

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin; on sales to certain tank wagon sellers.* Under the circumstances set forth in subparagraphs (1) and (2) below, on deliveries of gasoline in the above states by a supplier to a tank wagon seller whose maximum price has been increased by the provisions of section 7.4, there may be added to the supplier's maximum price, as determined under section 5.2 for a particular grade at a particular delivery point, a sum computed pursuant to the provisions of subparagraphs (1) or (2) below:

(1) If there was a contract in effect on October 1, 1941, between the supplier and such tank wagon seller, and such contract provided for varying the price of the supplier to such tank wagon seller on the basis of the tank wagon price at the particular delivery point and if such tank wagon seller's maximum price is increased but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price shall be increased only when the tank wagon seller's margin would be in excess of that called for in the contract had the tank wagon seller's price been increased to normal and the extent of such increase to the supplier's maximum price shall be the amount of such excess.

(2) If there was a contract in effect on October 1, 1941, as described in (1) above and if such tank wagon seller's maximum price is increased at any point to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum price shall be altered in accordance with the provisions of such contract.

This amendment shall be effective as of February 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4110; Filed, March 22, 1944; 5:08 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[3] Amdt. 22]

MANITOWOC, WIS.

Item 253 in § 1388.1201 of Designation and Rent Declaration 25 is amended to read as follows:

(253) Manitowoc	Wisconsin	County of Manitowoc and that portion of the City of Kiel in the County of Calumet.	Mar. 1, 1942	Mar. 1, 1943	May 15, 1944

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4137; Filed, March 23, 1944; 11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27,[4] Amdt. 6]

EAGLE PASS, TEXAS

Item 21 (Eagle Pass) in § 1388.1301 of Designation and Rent Declaration 27 is hereby revoked to include this area in the Del Rio Defense-Rental Area. This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4140; Filed, March 23, 1944; 11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent. Reg. for Housing,[5] Amdt. 10]

HILLSDALE, MICH., ETC.

Schedule A of the Rent Regulation for Housing is amended in the following respects:

1. Item 314 (Eagle Pass) is revoked to add this area to the Del Rio Defense-Rental Area.

2. Items 150a (Hillsdale), 354a (Yakima), and 356a (Martinsburg), are added, and items 312 (Del Rio) and 363 (Manitowoc) are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for housing.	Maximum rent date	Effective date of regulation	Date by which registration statement is to be filed (inclusive)
(150a) Hillsdale	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde.	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354a) Yakima	Washington	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
(363) Manitowoc	Wisconsin	Manitowoc	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Wisconsin	That portion of the City of Kiel in the County of Calumet.	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944

This amendment shall become effective April 1, 1944. This amendment shall not release or extinguish any penalty, duty or liability incurred under the Rent Regulation for Housing.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4136; Filed, March 23, 1944; 11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent. Reg. for Hotels and Rooming Houses,[6] Amdt. 16]

HILLSDALE, MICH., ETC.

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Item 314 (Eagle Pass) is revoked to add this area to the Del Rio Defense-Rental Area.

2. Items 150a (Hillsdale), 354a (Yakima), and 356a (Martinsburg), are added, and items 312 (Del Rio) and 363 (Manitowoc) are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses.	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(150a) Hillsdale	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde.	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354a) Yakima	Washington	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(363) Manitowoc	Wisconsin	Manitowoc	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
	Wisconsin	That portion of the City of Kiel in the County of Calumet.			

This amendment shall become effective April 1, 1944. This amendment shall not release or extinguish any penalty, duty or liability incurred under the Rent Regulation for Hotels and Rooming Houses.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4135; Filed, March 23, 1944; 11:50 a. m.]

[1] 7 F.R. 3195, 3892, 4170, 5812, 6389, 7245, 8356, 8807, 9664, 10081; 8 F.R. 121, 1228, 4779, 5738, 9021, 10738, 12094, 13919, 14763, 15581, 16308, 17297; 9 F.R. 971.

[2] 8 F.R. 3716.

[3] 7 F.R. 4233, 8 F.R. 1220, 1748, 9021, 10764, 14687.

[4] 8 F.R. 14663, 14815, 15585, 16032, 16309, 16437, 17207, 9 F.R. 306, 972, 2176, 2280.

[5] 7 F.R. 9676, 14814, 15581, 16032, 16297, 16437, 16693, 17297; 9 F.R. 306, 947, 3165, 2280.

[6] 8 F.R. 14676, 14814, 15581, 16032, 16297, 16437, 16693, 17297; 9 F.R. 306, 947, 3165, 2280.

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 16]

MICHIGAN, ETC.

Items 18, 42, 43, 44, and 50 are amended and items 81 and 82 are added to § 1388.-1201 of Designation and Rent Declaration 31 to read as follows:

18) Michigan	Michigan	That portion of the State of Michigan not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Hillsdale.
(42) Washington	Washington	That portion of the State of Washington not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North, and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, Richland, Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs.
(43) West Virginia	West Virginia	That portion of the State of West Virginia not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Berkeley and the Magisterial District of Pocatalico in the County of Putnam.
(44) Wisconsin	Wisconsin	That portion of the State of Wisconsin not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of LaCrosse, that portion of the City of Waupun in the County of Dodge, and that portion of the City of Kiel in the County of Calumet.
(50) Del Rio	Texas	Counties of Kinney, Maverick, Uvalde, and Val Verde.
(81) Hillsdale	Michigan	County of Hillsdale.
(82) Martinsburg	West Virginia	County of Berkeley.
(17) Yakima	Washington	In the County of Benton, the Precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4138; Filed, March 23, 1944; 11:50 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 26,[2] Amdt. 3]

YAKIMA, WASH.

Item 17 in § 1388.1251 of Designation and Rent Declaration 26 is amended to read as follows:

[1] 7 F.R. 7942; 8 F.R. 122, 1229, 1749, 4779, 8733, 8739, 10739, 12099, 12624, 13920, 14112, 14887, 15581, 16209; 9 F.R. 972.

[2] 7 F.R. 3941; 8 F.R. 8738, 10739.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4139; Filed, March 23, 1944; 11:49 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 114]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7952 (a) the expression "Form OPA R-544 Revised, bearing the revision date, 4-15-43, or a later date" is substituted for the expression "Form OPA R-544 Revised," in the first sentence.

2. In § 1394.7952 (b) the expression "Form OPA R-544 Revised, bearing the revision date, 4-15-43, or a later date" is substituted for the expression "Form OPA R-544 Revised" in the second sentence.

3. Section 1394.8112 (a) is amended to read as follows:

(a) Any consumer who has in his possession or control any Class E and R coupons, issued on Forms OPA R-530, R-530A, R-531 and R-531A, or Class T coupons issued on Form OPA R-532C, or Class B and B-1 coupons issued on Forms OPA R-527B and R-527C, or Class C and C-1 coupons issued on Forms OPA R-528B and R-528C, which were issued to him as a ration and which have an expiration date or an earliest renewal date after March 31, 1944, may surrender such coupons to the Board having jurisdiction to renew such ration. If such a ration is surrendered before it has expired and before its earliest renewal date, the Board shall issue to the consumer, in exchange for such coupons, valid ration evidences of any appropriate class having the same expiration date or earliest renewal date as the ration surrendered and having a gallonage value to be determined as follows:

4. Section 1394.8153 (a) (8) is added to read as follows:

(8) On and after April 1, 1944, no transfer may be made in exchange for the following coupons:

(i) Class T coupons issued on Form OPA R-532C.

(ii) Class B and B-1 coupons issued on Forms OPA R-527B and R-527C.

(iii) Class C and C-1 coupons issued on Forms OPA R-528B and R-528C.

5. Section 1394.8153(b)(5) is added to read as follows:

(5) On and after April 1, 1944, no transfer may be made in exchange for Class E and R coupons issued on Forms OPA R-530, R-530A, R-531 and R-531A.

6. Section 1394.8154(a) is amended to read as follows:

(a) Transfer may be made in exchange for an Acknowledgment of Delivery on Form OPA R-544 Revised, bearing the revision date, 4-15-43, or a later date, or in exchange for an emergency acknowledgment issued in lieu thereof, in accordance with the provisions of § 1394.7952.

7. Section 1394.8154(b) is amended to read as follows:

(b) On and after April 21, 1944, an Acknowledgment of Delivery on Form OPA R-544, bearing a revision date earlier than 4-15-43, shall be invalid for any purpose.

8. Section 1394.8206b(a)(14) is added to read as follows:

(14) After April 20, 1944, any of the following coupons or evidences:

(i) Class E and R coupons, issued on Forms OPA R-530, R-530A, R-531 and R-531A.

(ii) Class T coupons issued on Form OPA R-532C.

(iii) Class B and B-1 coupons issued on Forms OPA R-527B and R-527C.

(iv) Class C and C-1 coupons issued on Forms OPA R-528B and R-528C.

(v) Acknowledgments of Delivery issued on Form OPA R-544, bearing the revision date, 9-30-42.

9. Section 1394.8215 (h) is added to read as follows:

(h) (1) Immediately upon the close of business on March 31, 1944, each dealer who has in his possession or control Class E and R coupons issued on Forms OPA R-530, R-530A, R-531, R-531A, or Class E and R coupons which were validly received after July 11, 1943 and before March 15, 1944, for transfers of gasoline made on the consumer's premises which do not bear the notations required by § 1394.8004 (e), or Class T coupons issued on Form OPA R-5320, or Class B and B-1 coupons issued on Forms OPA R-527B and R-527C, or Class C and C-1 coupons issued on Forms OPA R-528B and R-528C, shall attach such coupons to separate gummed sheets (Form OPA R-120). He shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before April 10, 1944, each such dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to a Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the coupons so surrendered.

(2) On or before April 10, 1944, each dealer who has in his possession or control acknowledgments of delivery issued on Form OPA R-544 bearing the revision date 9-30-42, shall surrender such acknowledgments to a distributor in exchange for a transfer of gasoline, or to a Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the acknowledgments so surrendered. Before making such surrender, each dealer shall attach such acknowledgments to a summary form (Form OPA R-541) on which he shall summarize the number of such acknowledgements and the number of gallons sold.

(3) After April 10, 1944, no distributor shall accept from any dealer or distributor any Class E and R coupons issued on Forms OPA R-530, R-530A, R-531, and R-531A, or Class E and R coupons which were validly received after July 11, 1943, and before March 15, 1944, for transfers of gasoline made on the consumers premises which do not bear the notations required by § 1394.8004 (e), or Class T coupons issued on Form OPA R-532C or Class B and B-1 coupons issued on Forms OPA R-527B and R-527C, or Class C and C-1 coupons issued on Forms OPA R-528B and R-528C, or acknowledgments of delivery bearing the revision date, 9-30-42, nor shall any distributor make any transfers of gasoline in exchange for such evidences. On or before April 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such evidences received by him in exchange for a lawful transfer of gasoline on or before April 10, 1944.

This amendment shall become effective March 31, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125; 7 F.R. 2719)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4144; Filed, March 23, 1944; 11:55 a. m.]

*Copies may be obtained from the Office Price Administration.

[1] 8 F.R. 15937.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6840, 7200, 7457, 8054, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 16866, 16997, 17201; 9 F.R. 173, 393.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 44]

FRUITS AND VEGETABLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5386, 6359, 6840, 7200, 7457, 8054, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 16866, 16997, 17201; 9 F.R. 173, 393.

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by deleting the item "cabbage" and by changing the wholesale maximum price of onions, dry, all colors from "$3.65 per 50 lb. bag" to "$3.40 per 50 lb. bag."

2. The table following section 21 (d) (1) is amended by deleting the items "Pears: Danjaus" and "Pears: Winter Nelis" and by changing the prices of "Oranges" to read as follows:

	Wholesale maximum price	Retail maximum price
Oranges:	*Per box*	*Per doz.*
100's	$6.00	$0.96
126's	6.00	.76
150's	6.00	.64
176's	6.00	.55
200's	6.00	.48
220's	6.00	.44
252's	6.00	.39
288's	6.00	.34
344's	6.00	.28
392's	6.00	.24

3. Section 21 (e) (5) is amended by adding a new item to read as follows:

Item	Grade	Maximum price at wholesale (per pound)	Maximum price at retail (per pound)
Cauliflower, trimmed	C2	$0.18	$0.25

4. Section 45 is hereby deleted.

This amendment shall become effective as follows:

(a) As to section 21 (c) (1) and (d) (1) as of March 4, 1944.

(b) As to section 21 (e) (5) as of February 18, 1944.

(c) As to section 45 as of February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4145; Filed, March 23, 1944; 11:49 a. m.]

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2269, 3316, 3419, 3792, 6786, 9299, 10940, 11691, 13302, 13303, 13813, 14016, 14845, 15258, 15190, 16798.

PART 1429—POULTRY AND EGGS

[RMPR 269,[1] Amdt. 26]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1429.14 (f) is added to read as follows:

(f) *Regional establishment of local maximum base prices for special forms of processed poultry.* (1) Each Regional Administrator of the Office of Price Administration is authorized to establish a maximum base price for any special form of processed poultry prepared in a manner separate and distinct from any of the following forms—dressed, Kosher-killed, Kosher-dressed and plucked, drawn, and frozen-eviscerated—where it appears that:

(i) Such special form of processed poultry has customarily been marketed in any locality in his region in substantial quantities for a period of twelve months prior to December 18, 1942; and

(ii) Such special form of processed poultry is prepared to meet the racial, religious, or traditional eating habits of the populace in that locality where it is marketed; and

(iii) By reason of marked preference of a substantial segment of the local consuming public, no other form of processed poultry can adequately be substituted for such special form; and

(iv) Those persons who have customarily prepared and marketed such special form of processed poultry will sustain undue hardship unless a maximum base price is established for such special form of processed poultry.

(2) The powers delegated to each Regional Administrator of the Office of Price Administration in subparagraph (1) immediately above, are subject to the following limitations:

(i) Any action taken by the Regional Administrator shall restrict the applicability of the maximum base price adopted for any special form of processed poultry to those persons who engaged, as a usual practice during the December 1, 1941, to December 1, 1942, period, in processing and selling poultry in the special form designated by the Regional Administrator.

(ii) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, and which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(iii) No Regional Administrator may establish a maximum base price for any special form of processed poultry which will exceed the actual cost involved in the processing and marketing of such form of poultry plus a generally fair and equitable margin of profit.

(iv) No Regional Administrator may establish a maximum base price for any special form of processed poultry which is so far out of relationship with the maximum base prices already established in this regulation for dressed, Kosher-killed, Kosher-dressed and plucked, drawn, and frozen-eviscerated poultry, as to disrupt or tend to disrupt the normal movement of such processed poultry in his region or in any other region in the United States of America.

(v) No maximum base price for any special form of processed poultry may be established by any Regional Administrator unless such proposed maximum base price has first been submitted in writing to the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, and to the Division Counsel for Food of the Office of

[7 F.R. 3941; 8 F.R. 5738, 10739.

[8 F.R. 15087.

Price Administration, and has been approved in writing by such Price Executive and by such Division Counsel.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4146; Filed, March 23, 1944; 11:49 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 7]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 2.6 is amended to read as follows:

SEC. 2.6 *Application for a certificate*—(a) *How application is made.* A consumer may apply for a certificate on OPA Form R-900. The application must be made by the consumer himself or by someone acting for him, and may be made in person or by mail. Separate applications must be made for each type of stove for which a certificate is sought.

(b) *Where application is made.* Application for a certificate shall be made to the "board" serving the area where the stove is to be used. However, if the stove is to be used in a vehicle or boat, the application shall be made to the board serving the area where the vehicle or boat is customarily garaged, stationed or kept, or if the applicant shows good cause for not applying to that board, to the board serving the area where the vehicle or boat is located at the time of application.

2. Section 3.1 (c) (1) is amended to read as follows:

(1) An agency of the United States.

3. Section 6.3 (a) (1) is amended by adding after the period at the end of the subparagraph the sentence: "However, if the offer is made by a consumer to another consumer, the certificate need be given up only at the time the stove is transferred".

4. Section 6.3 (a) (2) is amended to read as follows:

(2) Beginning September 1, 1943, a dealer, distributor or manufacturer must give up a certificate to the transferor of a stove at the time the offer is made or the order is placed for that stove, and the transferor may not accept the offer or order unless it is accompanied by a certificate. However, in the following cases the certificate need be given up only at the time the stove is transferred:

(i) A purchase or acquisition of a stove from an agency of the United States (section 6.7).

(ii) A purchase or acquisition of a stove from a person who acquired it under a WPB priority (section 6.8).

(iii) A purchase or acquisition of a stove from a dealer, distributor or manufacturer in connection with the closing of his establishment (section 9.4).

5. Section 6.7 is amended to read as follows:

SEC. 6.7 *Agencies of the United States may transfer stoves to persons other than an agency in exchange for certificates.* (a) Any agency of the United States may sell or otherwise transfer stoves only if the transferee gives up to the agency certificates for the type of stoves transferred at the time the stove is transferred. The agency shall, within 30 days after the sale or transfer, submit to the OPA District Office for the area in which the agency's local office making the sale or transfer is located, the certificates obtained for the stoves so sold or transferred, and if the transferee is a dealer or distributor, a report on its official letterhead showing the number, by ration type, of the stoves transferred, the date of the transfer, and the name and address of the transferee. (Transfers to another agency of the United States are included in section 7.11).

(b) *A dealer or distributor may borrow certificates from his Board.* A dealer or distributor who has a contract with an agency of the United States to acquire stoves from it may apply to the Board with which his establishment is registered for certificates for the purpose of acquiring those stoves. If the Board is satisfied that the applicant has such a contract and that he does not owe certificates to a supplier for stoves of any type shipped on certificate credit (under section 6.3 (b)), or for excess inventory of stoves of the type contracted for, it will issue him the certificates for the number of stoves of the type requested, not to exceed, however, the number he has contracted to buy from the agency.

(c) *Payment of loan.* A dealer or distributor who receives certificates from the Board under paragraph (b) must use them for the purpose for which they were obtained or return them to the Board within 20 days of their issuance. If he gives up the certificates to the agency, he must surrender to the Board the certificates he receives from the transfer of the stoves so acquired as the certificates are received. If he has not sold or otherwise transferred all those stoves within 6 months from the date he acquired them, he must thereafter surrender to the Board certificates for the number and types of the remaining stoves as certificates are received by him from the sale out of stock of any stoves of those types; until he has done so, he may not use any certificate for the purpose of acquiring that type of stove for inventory.

6. Section 6.8 is added to read as follows:

SEC. 6.8 *Transfers of stoves acquired under WPB priority orders.* A person specified in section 1.3 (c) (other than an exempt agency or other agency of the United States), who acquired a stove under a priority order of the War Production Board for a purpose specified in that section may, upon receiving the approval of the OPA District Director for the area in which he is located, transfer that stove to a consumer, dealer, distributor or manufacturer. The transfer may be made only if the transferee gives up to the transferor a certificate for the type of stove transferred at the time the stove is tranferred. The transferor must surrender the certificate to the District Director by the date specified by the District Director.

7. Section 7.11 is amended to read as follows:

SEC. 7.11 *Acquisition of stoves for transfer by agencies of the United States*—(a) *No certificates required.* No certificates need be surrendered in exchange for stoves acquired, for transfer, by an agency of the United States. However, if the transferor is a dealer or distributor the agency must, within 7 days after such acquisition, submit to the OPA District Office for the area in which the agency's local office is located a report on its official letterhead showing the number, by ration type, of the stoves acquired, the date of acquisition and the name and address of the transferor. (The submission of a report is not required if the transfer is made under a priority order).

(b) *Accounting for stoves transferred.* The report will be forwarded through the appropriate District Office to the Board for the area in which the transferor's establishment is located. If the transferor is not closing his establishment pursuant to Section 9.4, the Board will issue certificates to the transferor for the number and type of stoves transferred to the agency, after deducting the certificates, if any, owed it by the transferor because of excess inventory of stoves of that type, or owed it for any other reason. If the transferor is closing his establishment, the report shall be used to account for the stoves transferred by him to the agency.

This amendment shall become effective on March 28, 1944.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Directive 1, 7 F.R. 562, and Supp. Dir. 1-S, 8 F.R. 6018)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4147; Filed, March 23, 1944; 11:48 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 6 F.R. 11564, 12742, 13060, 14049, 15284; 9 F.R. 92, 348, 903.

PART 1499—COMMODITIES AND SERVICES

[Order 52 Under GMPR, Amdt. 1]

PFEIFFER BREWING CO.

An opinion in support of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 52 under § 1499.18 (b) of the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.852 (a) is amended to read as follows:

(a) On and after March 24, 1944, the maximum price of Pfeiffer Brewing Company, 3740 Bellevue Avenue, Detroit, Michigan for 32-ounce bottles of beer manufactured by it shall be an amount determined in accordance with § 1420.66 (f) (1) or § 1420.66 (f) (2) of Maximum Price Regulation No. 259, as amended. If such maximum price is determined under § 1420.66 (f) (1) of that regulation, then for purposes of such determination the provisions of this order, prior to amendment, shall not be deemed an "order heretofore issued by the Office of Price Administration." Within 10 days after March 23, 1944, Pfeiffer Brewing Company shall elect which of said subparagraphs of § 1420.66 (f) it desires to use under this order, and shall give written notice to the Office of Price Administration, Washington, D. C., stating the subparagraph it has elected to use. Such election shall be final.

On and after March 24, 1944, the maximum price of any wholesaler for 32-ounce bottles of beer manufactured by Pfeiffer Brewing Company shall be an amount determined in accordance with § 1420.66 (a) of Maximum Price Regulation No. 259, as amended.

On and after March 24, 1944, the maximum price of any retailer for 32-ounce bottles of beer manufactured by Pfeiffer Brewing Company shall be an amount determined in accordance with § 1420.66 (b) of Maximum Price Regulation No. 259, as amended.

All sellers shall maintain their customary discounts, allowances and price differentials applicable to their sales of 32 ounce bottles of beer manufactured by Pfeiffer Brewing Company, unless a change therein results in the same or a lower price.

2. Section 1499.852 (b) is amended to read as follows:

(b) At or before its first delivery of any 32-ounce bottles of beer to a purchaser at a maximum price provided in paragraph (a) of this section, Pfeiffer Brewing Company and every wholesaler shall notify the purchaser in writing of the maximum price for such beer. Such notice shall contain the following statement:

Maximum prices heretofore established for sales of 32-ounce bottles of beer manufactured by Pfeiffer Brewing Company have been changed by order of the Office of Price Administration. Your ceiling prices for all sales thereof are those stated below. All wholesalers receiving this notice are required to give similar notice to each purchaser, at or before their first delivery of any 32-ounce bottles of such beer to the purchaser.

The form and contents of such notice shall otherwise comply with § 1420.63 of Maximum Price Regulation No. 259, as amended.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4148; Filed, March 23, 1944; 11:53 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-518]

KENTUCKY NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

MARCH 21, 1944.

Upon consideration of the application filed January 1, 1944, by the Kentucky Natural Gas Corporation for authority under section 7 (b) of the Natural Gas Act to abandon its service of natural gas to the Village of Flat Rock, Illinois; and

It appearing to the Commission that:

(a) The Village of Flat Rock entered into a contract with the Kentucky Natural Gas Corporation on July 25, 1942, for the purchase of natural gas;

(b) The application alleges that the village has failed to make payments for gas delivered to it in accordance with such contract;

(c) The village filed a protest in opposition to the granting of the application on January 24, 1944;

The Commission orders that:

(A) A public hearing in this proceeding be held commencing on April 12, 1944, at 9:45 a. m. (c. w. t.) in Room 216, United States Post Office and Court House Building, Terre Haute, Indiana, respecting the matters involved and the issues presented in this proceeding:

(B) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4113; Filed, March 23, 1944; 10:31 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Amended Special Permit 68]

LOADING OF OLIVE OIL IN CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with olive oil, in glass containers, at points in California and the movement of refrigerator cars so loaded from California origins to destinations in the United States and Canada.

This permit shall become effective at 12:01 a. m., March 21, 1944, and shall expire at 12:01 a. m., April 15, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of March 1944.

HOMER C. KING,
Director.
Bureau of Service.

[F. R. Doc. 44-4134; Filed, March 23, 1944; 11:45 a. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 134]

BELDEN PROJECT, CALIF.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Belden Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 134. Said camp, located at Belden, Plumas County, California, will be the base of operations for forestry in the State of California, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

2. That the work to be undertaken by the men assigned to said Belden Project will consist of fire suppression, stand improvement, plantation release, hazard reduction, boundary posting, range erosion control, brush and snag disposal, timber cruising, resource improvement investigations, surveys, and action plan preparation, and shall be under the technical direction of the Forest Service of the Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Office

of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director.

MARCH 21, 1944.

[F. R. Doc. 44-4101; Filed, March 22, 1944; 4:09 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3173]

RAFFAELA NUNZIATO

In re: Interests in real property and property insurance policies, and a claim, owned by Raffaela Nunziato.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Raffaela Nunziato, also known as Raffaela Di Mauro, is Ustica, Province of Palermo, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Raffaela Nunziato, also known as Raffaela Di Mauro, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-tenth interests, identified as the interests which were distributed to Raffaela Nunziato by virtue of the Final Decree of Distribution, dated November 9, 1932, in the Matter of the Estate of Frank Nunziato, Deceased, recorded in the Office of the County Recorder for the City and County of San Francisco, California, on November 29, 1932, in Book 2455 at page 90 of the Official Records, in and to the real property situated in the City and County of San Francisco, California, particularly described as First and Second Parcels, in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Raffaela Nunziato in and to the insurance policies particularly described in Exhibit B attached hereto and by reference made a part hereof, which relate to the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Raffaela Nunziato in and to any and all obligations, contingent or otherwise and whether or not matured, owing to her by Mrs. Frank Tarantino, nee Caroline Di Mauro, San Francisco, California, including but not limited to all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

FIRST PARCEL

All that certain real property situate in the City and County of San Francisco, State of California, viz:

Commencing at a point on the southerly line of Broadway distant thereon 58 feet 6 inches westerly from the westerly line of Montgomery Street; running thence westerly and along said line of Broadway 79 feet; thence at a right angle southerly 70 feet to the northerly line of Verdi Place, thence at a right angle easterly along said line of Verdi Place 79 feet; thence at a right angle northerly 70 feet to the point of commencement. Being part of 50 Vara Lot No. 9 in Block No. 66.

SECOND PARCEL

All that certain real property situate in the City and County of San Francisco, State of California, viz:

Commencing at the point of intersection of the westerly line of Montgomery Street and the southerly line of Verdi Place; running thence southerly and along said line of Montgomery Street 47 feet 6 inches; thence at a right angle westerly 137 feet 6 inches; thence at a right angle northerly 47 feet 6 inches to the southerly line of Verdi Place; thence at a right angle easterly along said line of Verdi Place 137 feet 6 inches to the point of commencement.

Being part of 50 Vara Lot No. 9 in Block No. 66.

EXHIBIT B

(1) *Insurance covering First Parcel of property:*

Fire Insurance: Policy No. 1249, Great American Insurance Co., 3 Years—8/2/42 to 8/2/45 $13,000.

War Damage: Policy No. 278-08-217, Great American Insurance Co., 1 Year—7/1/43 to 7/1/44 $20,000.

Plate Glass: Policy No. 148434, Great American Indemnity Co., 1 Year—8/9/43 to 8/9/44

Elevator Liability: Policy No. LE-15378, Great American Indemnity Co., 1 Year—10/11/43 to 10/11/44 $10/20,000.

Public Liability: Policy No. LO-349467, Great American Indemnity Co., 3 Years—8/1/43 to 8/1/46 Limits $5/10,000.

(2) *Insurance covering Second Parcel of property:*

Public Liability: Policy No. LO-349467, Great American Indemnity Co., 3 Years—8/1/43 to 8/1/46 Limits $5/10,000.

[F. R. Doc. 44-4056; Filed, March 22, 1944; 10:40 a. m.]

[Vesting Order 3227]

KAGAE ARATANI

In re: Real property, claim and property insurance policy owned by Kagae Aratani.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kagae Aratani is Yooka-cho, Takase-machi, Tamana-gun, Kumamoto-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Kagae Aratani is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated at Kapahulu, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described as being Lot Number Five (5) of the tract of land known as the "Hollinger Tract", as shown on the map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Seventy-six (76), together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, and interest of Kagae Aratani in and to fire insurance policy No. 512292 issued by the California Insurance Company of San Francisco, San Francisco, California, insuring the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Kagae Aratani in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Kagae Aratani by Kumazo Aratani, including but not limited to all security rights in and to any and all collateral for any and all of such obligations and the right to enforce and collect such obligations, and including particularly any and all claims against Kumazo Aratani arising out of the management of the property described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the propery described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4057; Filed, March 22, 1944; 10:40 a. m.]

[Vesting Order 3230]

SADANOSUKE HATA

In re: Real property, property insurance policies and bank accounts owned by Sadanosuke Hata.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Sadanosuke Haja is Hiroshima, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Sadanosuke Hata is the owner of the property described in subparagraph 8 hereof;

3. That the property described as follows:

a. Real property situated in the County and Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, and real property situated in the County of Honolulu, Territory of Hawaii, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Sadanosuke Hata in and to the following insurance policies:

(1) Fire Insurance Policy No. 663490 issued by The Mercantile Insurance Co. of America, San Francisco, California;

(2) Fire Insurance Policy No. 90600 issued by the Home Insurance Co. of Hawaii, Limited, Honolulu, T. H.;

(3) Fire Insurance Policies No. 29828 and 28224 issued by the Fidelity and Guaranty Fire Corporation, San Francisco, California;

insuring the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Sadanosuke Hata in and to a certain bank account in the Bishop National Bank of Hawaii, Hilo Branch, Hilo, T. H. and a certain bank account in the Bank of Hawaii, Hilo Branch, Hilo, T. H., both of which are due and owing to, and held for Sadanosuke Hata, in the name of "S. Hata", including but not limited to all security rights in and to any and all collateral for any and all of such accounts or portion thereof, and the right to enforce and collect the same.

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Grant Number 3739 to J. D. Spreckels and A. B. Spreckels), situate, lying and being on the Northwesterly side of Kalakaua Avenue, in the City of Hilo, Island, County and Territory of Hawaii, and thus bounded and described:

Beginning at a ½" pipe at the South corner of this lot and on the West side of Kalakaua Avenue, the coordinates of said point of beginning referred to the Government Survey Trig. Station "Halai" being 3266.46 feet North and 3259.08 feet East and running by true azimuths:

1. 155°44' 118.67 feet along Catholic Mission's lot to a ½" pipe;

2. 236°30' 97.46 feet along Lots 9 and 11 to a spike set in concrete;

3. 328°11' 124.03 feet along Lot 11 to a + cut in sidewalk on the West side of Kalakaua Avenue;

4. 50°58' 113.07 feet along the West side of Kalakaua Avenue to the point of beginning.

Containing an Area of 12,717 Square Feet or thereabouts.

Together with the right to use that certain passageway hereinafter described, lying in the rear of the premises hereinabove described, in common with all other owners of property lying contiguous to said passageway, for a general right-of-way over the said roadway at all times and for all purposes in connection with the aforesaid parcel of land, namely:

That certain tract of land, being a portion of said Grant 3739, above mentioned, leading off of Kalakaua Avenue in the Northwesterly direction in said City of Hilo, described as follows:

Beginning at a X cut in sidewalk of the East corner of this lot and on the West side of Kalakaua Avenue, the coordinates of said point of beginning referred to Government Survey Trig. Station "Halai" being 3329.97 feet North and 3368.94 feet East and running by true azimuths:

1. 59°58' 13.83 feet along the West side of Kalakaua Avenue to a X cut in sidewalk;

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

2. 146°11' 124.02 feet along Lot 10 to a spike set in concrete;
3. 56°30' 25.70 feet along same to a spike set in concrete;
4. 146°30' 37.27 feet along Lot 9;
5. 236°30' 38.45 feet along Lots 9 and 13 to a X cut in cement walk;
6. 327°26' 162.11 feet along Lots 7, 6, 5, 4, 3 and 2 to the point of beginning.

EXHIBIT D

All of that certain parcel of land situate on the Southwest side of Queen Street, City and County of Honolulu, Territory of Hawaii, bounded and described as follows:

Beginning at a pipe, at the North corner of this piece, on the Southwest side of Queen Street, the true azimuth and distance from a Government Survey Street Monument, near the South corner of Queen and Punchbowl Streets, being 322°20' 503.25 feet, said monument is set on an offset of 26.0 feet to the South side of Punchbowl Street, running Northeasterly, and running by true azimuths:

1. 321°48' 100.75 feet along fence, along the Southwest side of Queen Street, to a pipe;
2. 71°09' 79.36 feet along fence to a pipe;
3. 158°38' 87.75 feet along fence to a pipe;
4. 243°09' 48.90 feet along fence, along the South side of Lane, to the point of beginning, and containing an area of 5626 square feet.

[F. R. Doc. 44-4059; Filed, March 22, 1944; 10:40 a. m.]

[Vesting Order 3231]

TAMOTSU HATA

In re: Real property, property insurance policies, and bank account owned by Tamotsu Hata.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Tamotsu Hata is 49-1 Chome, Shinmachi-dori, Nishiku, Osaka, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Tamotsu Hata is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County and Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, and real property situated in the County of Honolulu, Territory of Hawaii, particularly described in Exhibits B and C, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Tamotsu Hata in and to the following insurance policies:

(1) Fire Insurance Policy No. A830226, issued by the Firemen's Fund Insurance Company, San Francisco, California;

(2) Fire Insurance Policy No. 17486572 issued by the Sun Insurance Office, Ltd., London, England;

(3) Fire Insurance Policy No. OH970011 issued by the Orient Insurance Company of Hartford, San Francisco, California branch;

(4) Fire Insurance Policy No. 36712 issued by the Fidelity and Guaranty Fire Corporation of Baltimore, San Francisco, California branch;

(5) War Damage Policy No. 1173-19-12354 issued by the War Damage Corporation, Washington, D. C.;

insuring the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Tamotsu Hata in and to the sum of $1,000, constituting a portion of a certain commercial account in the Bank of Hawaii, Hilo Branch, Hilo, T. H., which is due and owing to and held for Tamotsu Hata, in the name of "T. Hata" including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (being all of the land described in and covered by Land Patent Grant Number 5481 to W. S. Wise), situate, lying and being at Ponahawai, District of Hilo, Island, County and Territory of Hawaii, and thus bounded and described:

Lot 1: Hilo Town: Beginning at the North corner of this lot on the South side of Front Street, the coordinates of said point referred to Government Survey Trig. Station "Halai" being 2624.13 feet North and 3908.84 feet East, as shown on Government Survey Registered Map No. 2478, and running by true azimuths:

1. 306°00' 50.80 feet along Front Street;
2. 58°55' 116.80 feet along Lot 2;
3. 130°42' 56.82 feet along Smith Street;
4. 242°15' 113.24 feet along R. P. 2176, Part of L. C. A. 463 to E. Kahakumakalina;
5. 225°00' 1.41 feet along R. P. 2176, Part of L. C. A. 463 to E. Kahakumakalina to the point of beginning.

Containing an Area of 5,690 square feet, or thereabouts.

All of that certain parcel of land (being all of the land described in and covered by Land Patent Grant Number 5462 to W. S. Wise), situate, lying and being at Ponahawai, District of Hilo, Island, County and Territory of Hawaii, and thus bounded and described:

Lot 2: Hilo Town: Beginning at the North corner of this lot and the East corner of Lot 1 and on the South side of Front Street, the coordinates of said point referred to Government Survey Trig. Station "Halai" being 2594.27 feet North and 3949.94 feet East, as shown on Government Survey Registered Map No. 2478, and running by true azimuths:

1. 306°00' 19.74 feet along Front Street;
2. Thence still along Front Street on a curve to the left having a radius of 751.02 feet, the direct azimuth and distance being: 304°20' 38.52 feet to the East corner of this lot;
3. 58°55' 123.00 feet along Lot 3;
4. 130°42' 56.00 feet along Smith Street;
5. 238°55' 116.80 feet along Lot 1 to the point of beginning.

Containing an Area of 6,360 square feet, or thereabouts.

EXHIBIT B

All of that certain parcel of land (portion of the land described in Royal Patent Number 5716 to Piikoi Kamakee for Maria M. Cummins, issued on a portion of Land Commission Award Number 10606, Apana 7, to Kamakee Piikoi), situate, lying and being at Kewalo, Honolulu, City and County of Honolulu, Territory of Hawaii, comprising lots numbers two (2), three (3), four (4), twenty-three (23), twenty-four (24) and twenty-five (25), in block number eleven (11), of the tract of land known as the "Kewalo Tract", as shown on the Map thereof, recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 162 on Page 222, and thus bounded and described:

Beginning at a pipe at the North corner of this piece of land, being also the North corner of Lot 2, Block 11 of the Kewalo Tract and the East corner of Land Court Application 967, on the Southwest side of Waimanu Street, the true azimuth and distance from the South corner of Waimanu and Cummins Streets being 321°52' 100.0 feet, and thence running by azimuths measured clockwise from true South:

1. 321°52' 150.0 feet along Southwest side of Waimanu Street;
2. 51°52' 200.0 feet along Lots 5 and 22, Block 11 of the Kewalo Tract;
3. 141°52' 150.0 feet along the Northeast side of Kawaiahao Street;
4. 231°52' 200.0 feet along Lots 26, 27 and 28, Block 11 of the Kewalo Tract and Land Court Application 967, to the point of beginning.

Containing an Area of 30,000 square feet, or thereabouts.

EXHIBIT C

All of that certain parcel of land situate in Puunui, Honolulu, City and County of Honolulu, Territory of Hawaii, and more particularly described as follows:

Beginning at a pipe at the West corner of this piece of land, on the Southeast side of Liliha Street, the coordinates of said point of beginning referred to a Government Survey Street Monument near the South corner of Liliha and Wylie Streets, being 712.67 feet South and 926.92 feet West; (said Street Monument being set on a 40 foot offset to the Northwest side of Liliha Street and on a 11.7 feet offset to the Southwest side of Wylie Street, and being by true azimuths and distance 320°06'30" 1811.5 feet from Government Survey Triangulation Station "Wyilie"), and running by true azimuths from the above described initial point:

1. 232°56' 78.30 feet along the Southeast side of Liliha Street to a + cut in rock;
2. 304°10' 149.25 feet to a pipe;
3. 35°04' 69.80 feet to a pipe;
4. 122°44' 173.40 feet to the point of beginning and containing an area of 11,580 square feet.

[F. R. Doc. 44-4060; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3232]

YOSHIO MURASHIMA

In re: Real property, fire insurance policies and claims owned by Yoshio Murashima.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Yoshio Murashima is Tokyo, Japan and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Yoshio Murashima is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Fresno, State of California, particularly described as Lots 21 and 22 in Block 38 of the Town of Fresno as per map recorded June 8, 1876 in Plat Book 1 at page 2, Fresno County Records, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, and interest of Yoshio Murashima in and to fire insurance policies Nos. 127746 and 77549 issued by the Caledonian Insurance Company, insuring the premises described in subparagraph 3-a hereof,

c. All right, title, interest and claim of any name or nature whatsoever of Yoshio Murashima in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Yoshio Murashima by Harry G. Murashima, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations, and including particularly any and all claims against Harry G. Murashima arising out of the management of the property described in subparagraph 3-a hereof, and

d. All right, title, interest and claim of any name or nature whatsoever of Yoshio Murashima in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Yoshio Murashima by Ben Drenth and Mabel Drenth, doing business as Drenth & Drenth, and represented on the books of Drenth & Drenth as a credit balance due Yoshio Murashima, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-b, 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4061; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3233]

NOBUO NAKAMURA

In re: Real property situated in the City of Long Beach, County of Los Angeles, California, property insurance policy, and bank account owned by Nobuo Nakamura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Nobuo Nakamura is 1087 Sasatsuka cho, Shibuya-ku, Tokyo, Japan, and that he is a resident of Japan and a national of a designted enemy country (Japan);

2. That Nobuo Nakamura is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property particularly described as Lots 17 and 18 in Block 3 of Pacific Home Tract, in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 6, page 17 of Maps in the office of the County Recorder of said county, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, and interest of Nobuo Nakamura in and to insurance policy No. D-431449 issued by the Firemen's Fund Insurance Company, San Francisco, California, in the amount of $5,500, which policy insures the improvements to the real property described in subparagraph 3-a hereof, and

c. That certain bank account with the Long Beach Main Office of the Bank of America National Trust and Savings Association, Long Beach, California, which account is due and owing to and held for Nobuo Nakamura in the name of Violet Sell, Trustee, and any and all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof;

All such property so vested to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4062; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3311]

ALEXANDER KLEIN

In re: Trust under the will of Alexander Klein, deceased; File D–34–109; E.T. sec. 3952.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Girard Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Personal representatives, heirs, next of kin, distributees, successors and assigns, names unknown, of Julius Klein, deceased, Hungary.
George Kemeny, Hungary.
Alexander Kemeny, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the personal representatives, heirs, next of kin, distributees, successors and assigns, names unknown, of Julius Klein, deceased, George Kemeny and Alexander Kemeny, and each of them, in and to the trust estate created under the will of Alexander Klein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4063; Filed, March 22, 1944; 10:38 a. m.]

[Vesting Order 3312]

LENA KLEY

In re: Estate of Lena Kley, also known as Karoline Kley, deceased; File D–28–2598; E. T. sec. 4093.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Naegele, Germany.
Anna Kley, Germany.
Christian Kley, Germany.
August Kley, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Naegele, Anna Kley, Christian Kley, August Kley, and each of them, in and to the estate of Lena Kley, also known as Karoline Kley, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4064; Filed, March 22, 1944; 10:38 a. m.]

[Vesting Order 3313]

CRESZENTIA KURZ

In re: Estate of Creszentia Kurz, also known as Cenda Kurz, deceased; File D–28–3871; E. T. sec. 6613.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rudolph J. Scholz, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Rosel Bauman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest, and claim of any kind or character whatsoever of Rosel Bauman, in and to the estate of Creszentia Kurz, also known as Cenda Kurz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4065; Filed, March 22, 1944; 10:38 a. m.]

[Vesting Order 3314]

HENRY LAUN

In re: Estate of Henry Laun, deceased; File D–28–2266; E. T. sec. 2980.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Napa;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilia Laun Webber and her surviving issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emilia Laun Webber and her surviving issue, and each of them, in and to the Estate of Henry Laun, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4066; Filed, March 22, 1944; 10:38 a. m.]

[Vesting Order 3315]

NATHAN STEINBERGER

In re: Trust created under the Will of Nathan Steinberger, also known as N. Steinberger, deceased; File D–66–727; E. T. sec. 5332.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of California National Association, and Robert Stanton, Co-trustees, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs, devisees, personal representatives or assigns, names unknown, of Ida Goldschmidt, who died a resident of Germany, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of heirs, devisees, personal representatives or assigns, names unknown, of Ida Goldschmidt, who died a resident of Germany, and each of them, in and to the Trust created under the Will of Nathan Steinberger, also known as N. Steinberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4046; Filed, March 22, 1944; 10:38 a. m.]

[Vesting Order 3316]

LOUIS H. WESSENDORF

In re: Estate of Louis H. Wessendorf, deceased; File D–28–7604; E. T. sec. 8084.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lester H. Wessendorf, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Cruz;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Martha Fischer, Germany.
Mrs. Mary Dorn, Germany.
Mrs. Toni Schlicht, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Martha Fischer, Mrs. Mary Dorn, Mrs. Toni Schlicht and each of them, in and to the Estate of Louis H. Wessendorf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4047; Filed, March 23, 1944; 10:38 a. m.]

[Vesting Order 3317]

FRED BOHN

In re: Estate of Fred Bohn, deceased; File D–28–3531; E. T. sec. 5656.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herbert Altstadt, Executor, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Renz, nee Bohnsack, Germany.
Carl Bohnsack, Jr., Germany.
Werner Bohnsack, Germany.
Hans Bohnsack, Germany.
Gertrude Frahm, nee Bohnsack, Germany.
Elsie Corsten, nee Bohnsack, Germany.
Frederick Bohnsack, Germany.
Alfred Dobbertin, Germany.
Carl Bohnsack, Sr., Germany.
Emma Dobbertin, nee Bohnsack, Germany.
Otto Bohnsack, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designate enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emma Renz, nee Bohnsack, Carl Bohnsack, Jr., Werner Bohnsack, Hans Bohnsack, Gertrude Frahm, nee Bohnsack, Elsie Corsten, nee Bohnsack, Frederick Bohnsack, Alfred Dobbertin, Carl Bohnsack, Sr., Emma Dobbertin, nee Bohnsack, Otto Bohnsack, and each of them, in and to the estate of Fred Bohn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4046; Filed, March 22, 1944; 10:39 a. m.]

[Vesting Order 3318]

WILHELM SONNENSCHEIN

In re: Estate of Wilhelm Sonnenschein, deceased; File D–28–1815; E.T. sec. 1337.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The San Francisco Bank, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Kamm, or surviving issue, Germany.
Heinrich Kamm, or surviving issue, Germany.
Louise Kamm, or surviving issue, Germany.
Marie Kamm, or surviving issue, Germany.
Wilhelmine Kamm, or surviving issue, Germany.
Wilhelm Becker, or surviving issue, Germany.
Karl Becker, or surviving issue, Germany.
Heinrich Becker, or surviving issue, Germany.
Marie Becker, or surviving issue, Germany.
Ida Becker, or surviving issue, Germany.
Wilhelmine Becker, or surviving issue, Germany.
Karoline Sonnenschein, or surviving issue, Germany.
Wilhelm Schnatz, or surviving issue, Germany.
Fritz Schnatz, or surviving issue, Germany.
Marie Schnatz, or surviving issue, Germany.
Christine Schnatz, or surviving issue, Germany.
Fritz Baumann, or surviving issue, Germany.
Widow and children of Wilhelm Baumann (names unknown), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelm Kamm, or surviving issue; Heinrich Kamm, or surviving issue; Louise Kamm, or surviving issue; Marie Kamm, or surviving issue; Wilhelmine Kamm, or surviving issue; Wilhelm Becker, or surviving issue; Karl Becker, or surviving issue; Heinrich Becker, or surviving issue; Marie Becker, or surviving issue; Ida Becker, or surviving issue; Wilhelmine Becker, or surviving issue; Karoline Sonnenschein, or surviving issue; Wilhelm Schnatz, or surviving issue; Fritz Schnatz, or surviving issue; Marie Schnatz, or surviving issue; Christine Schnatz, or surviving issue; Fritz Baumann, or surviving issue; Widow and children of Wilhelm Baumann (names unknown), and each of them, in and to the estate of Wilhelm Sonnenschein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4049; Filed, March 22, 1944; 10:39 a. m.]

[Vesting Order 3324]

CAECILIE AUHAGEN ALEXANDER

In re: Trust under the will of Caecilie Auhagen Alexander, deceased; File: D–28–8239; E. T. sec. 9322 (H–109).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hawaiian Trust Company, Limited, as Trustee, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie Auhagen, Germany.
Olga Ulrich, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Sophie Auhagen and Olga Ulrich, and each of them, in and to the trust created under the will of Caecilie Auhagen Alexander, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4050; Filed, March 22, 1944; 10:39 a. m.]

[Vesting Order 3326]

HENRY TANEO HASHIMOTO

In re: In the matter of the guardianship of Henry Taneo Hashimoto, minor; File F–39–1891; E. T. sec. 9475 (H–122).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by U. Okada, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

National and Last Known Address

Henry Taneo Hashimoto, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Henry Taneo Hashimoto, in and to the Guardianship estate of Henry Taneo Hashimoto, minor;

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4051; Filed, March 22, 1944; 10:39 a. m.]

[Vesting Order 3327]

SOPHIE MICKINN

In re: Estate of Sophie Mickinn, deceased; File D–28–4390; E. T. sec. 7418.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the First Trust and

Savings Bank of Pasadena, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frau Meta Nadneika (geb Nieswandt) or her heirs, Germany.
Frau Else Ribinski (geb Nieswandt) or her heirs, Germany.
Lydia Nieswandt or her heirs, Germany.
Paul Nieswandt or his heirs, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frau Meta Nadneika (geb Nieswandt) or her heirs, Frau Else Ribinski (geb Nieswandt) or her heirs, Lydia Nieswandt or her heirs, Paul Nieswandt or his heirs, and each of them, in and to the Estate of Sophie Mickinn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4052; Filed March 22, 1944; 10:39 a. m.]

[Vesting Order 3329]

LUISE ADELHELM

In re: Guardianship estate of Luise Adelhelm, an incompetent person; File F–28–0100; E. T. sec. 1289.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Liberty Title and Trust Company, Guardian, acting under the judicial supervision of the Court of Common Pleas, Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Luise Adelhelm, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Luise Adelheim, an incompetent person, of any nature whatsoever in the possession of the Liberty Title and Trust Company, as Guardian of the estate of Luise Adelhelm, an incompetent person, and

All that certain lot or piece of ground with the buildings and improvements thereon erected, situate on the North side of Cuthbert Street, at the distance of one hundred seventy-two (172) feet six (6) inches east of Twenty-first Street, containing in front or breadth on said Cuthbert Street sixteen (16) feet and extending in depth forty-seven (47) feet, known as 2033 Cuthbert Street; excepting therefrom the part thereof condemned by the City of Philadelphia, by ordinance of City Council dated December 19, 1927, as follows: All that certain lot or piece of ground with the buildings and improvements thereon erected situate on the former North side of Cuthbert Street, at the distance of One hundred and seventy two feet six inches Eastward from the East side of Twenty-first Street, in the Ninth Ward of the City of Philadelphia; containing in front or breadth along the former North side of Cuthbert Street Sixteen feet and extending of that width in length or depth Northward on the West line Seventeen feet one and seven eighths inches and on the East line Seventeen feet one and one half inches to the new North Line of Cuthbert Street,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4056; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3330]

JULIUS JOHANN WILHELM BEUL

In re: Estate of Julius Johann Wilhelm Beul, deceased; File No. D–28–1842; E. T. sec. 1453.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip F. Farley, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Arnold Wilhelm Julius Beul, Germany.
Elfriede Wilhelmine Henriette Kortmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Arnold Wilhelm Julius Beul and Elfriede Wilhelmine Henriette Kortmann, and each of them, in and to the estate of Julius Johann Wilhelm Beul, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4063; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3331]

LOUISE ECKMANN, ET AL.

In re: Louise Eckmann, et al. vs. Louis Lehmkuhl, also known as Louis Schibilla, et al.; File D–28–2000; E. T. sec. 2078.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the District Court of Scott County, Court House, Davenport, Iowa, Depositary, acting under the judicial supervision of the District Court of the State of Iowa, in and for Scott County, Davenport, Iowa;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Eckmann, Germany.
Abeline Oltschwager, Germany.
Anna Eckmann, Germany.
Martha Eckmann, Germany.
Issue, names unknown, of Catharina Diedrich, deceased, (half-sister of Timm Eckmann, father of the decedent, George H. Eckmann), Germany.
Issue of Henry Eckmann, deceased, (full brother of Timm Eckmann, father of the decedent, George H. Eckmann), with the exception of Claus Eckmann and Henry Eckmann, who are residents of the United States, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hans Eckmann, Abeline Oltschwager, Anna Eckmann, Martha Eckmann, issue, names unknown, of Catharina Diedrich, deceased (half-sister of Timm Eckmann, father of the decedent, George H. Eckmann), and issue of Henry Eckmann, deceased (full brother of Timm Eckmann, father of the decedent, George H. Eckmann), with the exception of Claus Eckmann and Henry Eckmann, who are residents of the United States, and each of them, in and to the proceeds derived from the sale of real estate, by decree of the District Court of the State of Iowa, in and for Scott County, in the cause entitled Louise Eckmann, et al. vs. Louis Lehmkuhl (also known as Louis Schibilla), et al., No. 33595,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4064; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3332]

AARON HANAUER

In re: Trust under the Will of Aaron Hanauer, deceased; File D–28–2292; E. T. sec. 3110.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis L. Friedman, 60 Park Place, Newark, New Jersey, Trustee, acting under the judicial supervision of the Circuit Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mina Rottenberg, 81 Rhine Strasse, Weisbaden, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mina Rottenberg, in and to the trust created under the Will of Aaron Hanauer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account, or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4065; Filed, March 22, 1944; 10:41 a. m.]

[Vesting Order 3333]

JOHN E. HORTEN

In re: Estate of John E. Horten, deceased; File D–28–8319; E.T. sec. 9588.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Kats, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Herbert Deutschmann, (Austria) Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herbert Deutschmann, in and to the Estate of John E. Horton, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4066; Filed, March 22, 1944; 10:42 a. m.]

[Vesting Order 3334]

ANNA B. JOHNSON

In re: Estate of Anna B. Johnson, deceased; File: D–28–7831; E. T. sec. 8569.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Kramer, Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johanna M. Gassmus, Dresden, Saxony, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johanna M. Gassmus, in and to the Estate of Anna B. Johnson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4067; Filed, March 22, 1944; 10:42 a. m.]

[Vesting Order 3335]

HENRY D. A. PAPENHUSEN

In re: Trust under the Will of Henry D. A. Papenhusen, deceased; File D–28–7475; E. T. sec. 7698.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by St. Louis Union Trust Company, 323 North Broadway, St. Louis, Missouri, Executor and Trustee, acting under the judicial supervision of the Probate Court, Clinton County, Illinois and St. Louis Probate Court, St. Louis, Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Magdalene Kunst, Germany.
Elsa Kunst, Germany.
Mrs. Lena Bothe, Germany.
Mrs. Henny Christensen, Denmark.
Descendants of Elsa Kunst, names unknown, Germany.
Descendants of Mrs. Lena Bothe, names unknown, Germany.
Descendants of Mrs. Henny Christensen, names unknown, Germany.

And determining that—

(3) Mrs. Henny Christensen, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Denmark, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Magdalene Kunst, Elsa Kunst, Mrs. Lena Bothe, Mrs. Henny Christensen, descendants of Elsa Kunst, names unknown, descendants of Mrs. Lena Bothe, names unknown, and descendants of Mrs. Henny Christensen, names unknown, and each of them, in and to the trust estate created under the will and codicil of Henry D. A. Papenhusen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4068; Filed, March 22, 1944; 10:42 a. m.]

[Vesting Order 3336]

JOSEPH STRNAD, ET AL.

In re: Joseph Strnad, et al. vs. Anna Strnad, et al.; File D–34–575; E. T. sec. 8426.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. Sam Priest, Clerk of the Circuit Court, City of St. Louis, Missouri, Depositary, acting under the judicial supervision of the Circuit Court, City of St. Louis, Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Fanny Nagy (nee Ulrich), Hungary.

Person or persons, names unknown, entitled to the estate of Maria Csetle, also known as Mrs. Julius Hajnal, also known as Maria Hajonal, deceased, Hungary.

Margaret Helen Frei, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $167.26 which is in the possession and custody of H. Sam Priest, Clerk of the Circuit Court, City of St. Louis, Missouri, as depositary, pursuant to the order of the Circuit Court, City of St. Louis, Missouri, entered December 8, 1942, in cause entitled Joseph Strnad, et al. vs. Anna Strnad, et al., File No. 52048–C,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4069; Filed, March 22, 1944; 10:42 a. m.]

[Vesting Order 3337]

MARIE WACH

In re: Estate of Marie Wach, deceased; File D–6–1062; E. T. sec. 8358.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jacob Grob, 1031 Nela View Avenue, Cleveland Heights, Ohio, Executor, acting under the judicial supervision of the Probate Court of Cuyahoga County, in the State of Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Hawerda, 40 Oberzellergasse 8–1 Vienna (Austria), Germany.

And determining that—

(3) If such a national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Hawerda, in and to the estate of Marie Wach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4070; Filed, March 22, 1944; 10:42 a. m.]

[Vesting Order 593, Amdt.]

TSUKUSA AND TOMOE KIYONO

In re: Certain real property in Mobile, Alabama, and a bank account, owned by Tsukusa and Tomoe Kiyono.

Vesting Order Number 593, dated December 30, 1942, is hereby amended as follows and not otherwise:

By deleting subparagraph 2–a of said vesting order and substituting a new subparagraph, to be known as subparagraph 2–a, with the following language:

All right, title, interest and estate, both legal and equitable, of said Tsukusa Kiyono and Tomoe Kiyono, and each of them, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situated at 38 Houston Street, Mobile, Alabama, and particularly described as follows:

Lot 18 of Dauphin Place according to Plat recorded in Deed Book 102, N. S., page 27 in the Probate Court of Mobile County, Alabama;

All other provisions of said Vesting Order Number 593 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4053; Filed, March 22, 1944; 10:39 a. m.]

[Vesting Order 2875, Amdt.]

PAUL HOLLENDER, ET AL.

In re: Shares owned by Paul Hollender, et al.

Vesting Order Number 2875, dated January 4, 1944, is hereby amended to read as follows:[1]

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

[1] Vesting Order 2875 filed with Division of the Federal Register.

and pursuant to law, the undersigned, after investigation, finding:

1. That of the outstanding capital stock of Thorer & Hollender, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 5,000 shares of 4% non-voting non-cumulative preferred stock having a par value of $100 a share and 1,500 shares of common stock having a par value of $100 a share, 5,000 shares (100%) of the 4% non-voting non-cumulative preferred stock and 889 shares (42.6%) of the common stock are registered in the name of Aktiebolaget Grenwall & Soderstrom, a Swedish corporation, and are beneficially owned by the persons listed below as their respective interests may appear:

Paul Hollender, Gerhard Hollender, Estate of Arndt Thorer, deceased, his heirs, legatees, executors, and administrators,

and are a substantial part of the stock of and an interest in said business enterprise;

2. That Paul Hollender, Gerhard Hollender and Estate of Arndt Thorer, deceased, his heirs, legatees, executors and administrators, whose last known addresses are Germany, are nationals of a designated enemy country (Germany);

3. That the interest of Paul Hollender in a certain agreement dated March 29, 1939 between Thorer & Hollender, Inc., Curt Mahler and Paul Hollender is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining:

4. That as a result of such beneficial ownership Thorer & Hollender, Inc. is acting for and on behalf of Paul Hollender, Gerhard Hollender and Estate of Arndt Thorer, deceased, his heirs, legatees, executors and administrators, and is as a result of such beneficial ownership a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 5,000 shares of 4% non-voting non-cumulative preferred stock and the 639 shares of common stock of Thorer & Hollender, Inc., and the interest of Paul Hollender in the agreement dated March 29, 1939, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 9, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4054; Filed, March 22, 1944; 10:43 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 111, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN INDIANA

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised–111 (8 F.R. 15995), filed with the Office of Defense Transportation by The Silver Fleet Motor Express, Inc., Louisville, Kentucky, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised–111 be, and it hereby is, revoked, effective March 23, 1944.

Issued at Washington, D. C., this 23d day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4132; Filed, March 23, 1944; 11:33 a. m.]

[Supp. Order ODT 3, Rev.–144, Correction]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK CITY AND ALBANY, N. Y.

Supplementary Order ODT 3, Revised–144 (9 F.R. 315) is hereby corrected by deleting "William Selley, doing business as Selley Express" and substituting "Selley's Express, Inc.," in the preamble thereof.

Issued at Washington, D. C., this 23d day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4133; Filed, March 23, 1944; 11:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 31 to Order A–1]

GYPSUM WALL BOARD, LATH AND SHEATHING

MODIFICATION OF MAXIMUM PRICES

Amendment No. 31 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 188.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (13) of Order No. A–1 is amended to read as follows:

(13) *Modification of maximum prices for gypsum wall board, lath and sheathing*—(i) *Manufacturers' sales.* Manufacturers' sales of gypsum wall board, lath and sheathing may be made at prices not exceeding the maximum prices specified below when the following conditions have been met:

(a) The sale is made f. o. b. at a mill located within the shipping-point originating territory set forth below;

(b) The sale must be made:

(i) To the War Department, the Navy Department, the Maritime Commission, the Federal Public Housing Authority or the Federal Works Agency;

(ii) To any lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher for the purchase of gypsum board products on behalf of any of these designated government agencies; or

(iii) To a lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher and the National Housing Agency Allotment symbol "H–1" for the purchase of gypsum board products.

(c) The gypsum wall board, lath or sheathing must be for use on a "government project", or a project bearing the symbol "H–1"; and

(d) The gypsum wall board, lath or sheathing must be destined for use in California, Arizona, Oregon, or Washington.

Shipping point origin. Indiana, Iowa, Michigan, Oklahoma, Texas, Ohio:

	Per M sq. ft.
Gypsum wall board ¼"	$30.00
Gypsum wall board ⅜"	33.00
Gypsum wall board ½"	35.00
Gypsum lath	13.00
Gypsum sheathing ½"	20.00
Gypsum sheathing (weatherproof treated) ½"	23.00
Gypsum board roof units (laminated) ¾"	54.00
Gypsum board roof units (laminated) 1"	58.00
Gypsum board roof units (laminated) 1⅛"	687.00
Gypsum board roof units (laminated) 2"	116.00
Gypsum board sheathing (laminated) ¾"	44.00
Gypsum board sheathing (laminated) 1"	48.00
Gypsum board sheathing (weatherproof treated, laminated) 1"	53.00
Gypsum board partition panel (laminated) 1"	58.00
Gypsum board partition panel laminated) 1½"	87.00

(ii) *Dealers' sales.* Any lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher for the purchase of gypsum board products on behalf of any of the government agencies designated in subdivision (i) (b) (i) or any dealer holding a War Production Board priority rating of AA–3 or higher and the National Housing Agency Allotment symbol "H–1" for the purchase of gypsum board products, who purchases gypsum wall board, lath or sheathing for use within the States of California, Arizona, Oregon or Washington from a manufacturer located at any of the shipping point origins specified above, may add to his cost, at such shipping point, the actual cost of transportation from such shipping point to destination plus the same dollars-and-cents mark-up as he would add on a shipment originating at a mill located within the State of California for a comparable sale.

(iii) Every manufacturer making sales subject to this subparagraph (13) shall submit on or before the first day of each month after March 24, 1944 to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing:

The name and address of each purchaser or dealer.
Point of origin of shipment.
Kind, quantity and thickness sold.
The name and location of job.

(iv) Every lumber or building material dealer making sales subject to this subparagraph (13) shall submit on or before the first day of each month after March 24, 1944 to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing:

The name and address of each purchaser.
Point of origin of shipment and name of manufacturer.
Kind, quantity and thickness sold.
The name and location of job.

(v) The term "government project" used in this subparagraph (13) shall mean a project constructed pursuant to a contract entered into with any of the following government agencies or any subcontract thereunder: The War and Navy Departments, the Maritime Commission, the Federal Public Housing Authority or the Federal Works Agency.

(vi) This subparagraph (13) may be revoked at any time.

This Amendment No. 31 shall become effective March 24, 1944, and shall terminate July 1, 1944, unless otherwise extended by amendment.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4143; Filed, March 23, 1944; 11:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54–51]

NATIONAL POWER & LIGHT CO. AND BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of March, A. D. 1944.

Birmingham Electric Company, an electric utility company, and its corporate parent, National Power & Light Company, a registered holding company, and itself a subsidiary of Electric Bond and Share Company, likewise a registered holding company, having filed joint applications and declarations and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 7 (e), 10 and 12 thereof and Rules U–42 and U–45 thereunder regarding: (1) the relinquishment by National Power & Light Company to Birmingham Electric Company of rights to receive common stock in the amount of $1,254,540 and securities junior to the preferred stock in the amount of $1,130,000 in the latter company; (2) the acquisition by National Power & Light Company of three shares of the common stock of Birmingham Electric Company; (3) the surrender for cancellation by National Power & Light Company to Birmingham Electric Company of 800,000 shares of issued common stock of the latter company in exchange for 545,610 shares of new common stock; (4) the acquisition by Birmingham Electric Company, at the call price of 110, of 10,000 shares of $7 preferred stock for cancellation; (5) the redemption by Birmingham Electric Company, at the call price of 101, of $1,200,000 principal amount of first mortgage bonds; (6) the reduction of stated capital and creation of capital surplus to absorb a write-down in plant account and to make other accounting adjustments; and (7) the amendment by Birmingham Electric Company of its certificate of incorporation to provide certain voting rights to its preferred stockholders and to reduce authorized capital; and

National Power & Light Company having requested that the order of the Commission dated November 3, 1941 in Pennsylvania Power & Light Company, et al., (File No. 59–29) restricting the payment of dividends by Birmingham Electric Company to, or the receipt thereof by, National Power & Light Company be rescinded; and

National Power & Light Company and Birmingham Electric Company having requested that our order contain recitals with respect to the proposed transfers of securities as being in accordance with sections 371 (d) and 1808 (f) of the Internal Revenue Code; and

A public hearing on said joint applications and declarations, as amended, having been duly held, the Commission having considered the record in this matter and having made and filed its findings and opinion therein:

It is ordered, That, subject to the terms and conditions prescribed in Rule U–24 promulgated pursuant to the Public Utility Holding Company Act of 1935, said joint applications and declarations, as amended, be granted and permitted to become effective; and

It is further ordered, That the restriction regarding the payment of common dividends by Birmingham Electric Company and the receipt thereof by National Power & Light Company as contained in the order of this Commission dated November 3, 1941, Pennsylvania Power & Light Company, et al. (File No. 59–29), is hereby rescinded.

It is further ordered, That the transfer by National Power & Light Company to Birmingham Electric Company of its rights to receive common stock in the amount of $1,254,540 and securities junior to the preferred stock in the amount of $1,130,000 of the latter company and the transfer by National Power & Light Company to Birmingham Electric Company of 800,000 shares of the issued common stock of Birmingham Electric Company and the issuance of 545,610 shares of new common stock by Birmingham Electric Company to National Power & Light Company are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4114; Filed, March 23, 1944; 10:31 a. m.]

[File No. 7–731]

BOSTON STOCK EXCHANGE

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March, A. D. 1944.

In the matter of application by the Boston Stock Exchange to extend unlisted trading privileges to Consolidated Natural Gas Company, Capital stock, $15 par value.

The Boston Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X–12F–1 promulgated thereunder, having made

application to the Commission to extend unlisted trading privileges to the abovementioned security;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 10, 1944, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Frank Kopelman, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4115; Filed, March 23, 1944; 10:31 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 61

Washington, Saturday, March 25, 1944

The President

PROCLAMATION 2610

ARMY DAY—1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS America's valiant soldiers have been welded by the fire of battle into a mighty army of liberation; and

WHEREAS the men and women of the American Army, of different races and creeds but one in their love of freedom and their devotion to the goals for which the United Nations are striving, must face during the coming year a burning test of their courage, their resourcefulness, and their physical prowess; and

WHEREAS the Congress, by Senate Concurrent Resolution 5, 75th Congress, agreed to by the House of Representatives March 16, 1937, has recognized April 6 of each year as Army Day and has requested that the President issue a proclamation annually with respect to that day;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim Thursday, April 6, 1944, as Army Day, and do invite the Governors of the various States to issue proclamations calling for the appropriate observance of that day.

And I urge the civilians of the Nation to reconsecrate themselves on that day to the task of producing in fullest measure and with the greatest possible speed the weapons and ammunition and the materials and supplies required to equip our Army and to sustain it unto final victory.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 22nd day of March, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-4186; Filed, March 24, 1944; 12:01 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 2-4]

PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET ASIDE IN APRIL 1944

Pursuant to the authority vested in me by Food Distribution Order No. 2, dated January 5, 1943, as amended, effective in accordance with the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, and Executive Order No. 9334, dated April 19, 1943, and Executive Order No. 9392, dated October 28, 1943, and in order to effectuate the purposes of the aforesaid orders, it is hereby ordered as follows:

§ 1401.10 *Percentage of butter to be set aside in April 1944*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in Food Distribution Order No. 2, as amended.

(2) The term "FDO 2" means Food Distribution Order No. 2 issued on January 5, 1943, as amended.

(b) *Percentage.* Each person who is required by FDO 2 to set aside butter during April 1944 shall, during said month, set aside a quantity of butter equal at least to 10 percent of all the

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THE PRESIDENT

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Cottonseed, peanut, soybean, and corn oils; use in paints, corn oil, or any fatty acids derived from any of such oils, or any mixture of any of such oils or fatty acids, or any mixture of such oils or fatty acids with any other material, in the manufacture of any of the following products:
(i) Soap, exclusive of USP X11 soap

[FDO 34 as Amended, Partial Suspension]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE OF GLYCERINE

Pursuant to the authority vested in the War Food Administrator, it is hereby ordered, as follows:

(7) "Fifteen-day period" means the period from the first to the fifteenth day, both inclusive, of any month, and the period from the sixteenth to the last day, both inclusive, of the month, except that the time from the effective date of this order to and including March 31, 1944, shall constitute a fifteen-day period

sale to a designated purchaser and not accepted by such designated purchaser within 24 hours from the time that such offer is received by the designated purchaser, may be offered for sale to the Commodity Credit Corporation at 208 South La Salle Street, Chicago 4, Illinois,

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

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butter produced by him during such month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 2, 8 F.R. 253, 5696)

Issued this 22d day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-4149; Filed, March 23, 1944; 1:01 p. m.]

[FDO 29, Amdt. 6]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order 29, as amended (8 F. R. 5619, 8623, 10970, 11551; 9 F.R. 651), § 1460.13 (f), is amended as follows:

By deleting the provisions of paragraph (f) thereof and inserting, in lieu thereof, the following:

(f) *Prohibited uses of cottonseed, peanut, soybean, or corn oil, and fatty acids derived therefrom.* (1) Except as specifically authorized by the Director, no person, including an industrial user, shall use crude, refined, or otherwise processed cottonseed, peanut, soybean, or ture of such oils or fatty acids with any other material, in the manufacture of any of the following products:

(i) Soap, exclusive of USP X11 soap for medicinal use, and soft soap, hospital grade, according to United States Army Specifications No. 4-1027A (Feb. 5, 1941) for delivery to the United States Army;

(ii) Paints, varnishes, lacquers and all other protective coatings, except that soybean oil may be used in synthetic resins and as a plasticizer in lacquers;

(iii) Linoleum, felt base floor covering, oilcloth and coated fabrics, except that soybean oil may be used as a plasticizer in coated fabrics other than linoleum, oilcloth, and felt base floor coverings;

(iv) Printing inks, including lithographing, offset, silk screen, and other processing inks;

(v) Animal and poultry feed, including vitamin preparations for animals and poultry, but excluding medicinals and pharmaceuticals for animals and poultry;

(vi) Core oils;

(vii) Any product for use in thinning or reducing paint, varnish, lacquer, or other protective coatings.

(2) The restrictions of paragraphs (f) (1) (i), (ii), (iii), (iv), (v), (vi) and (vii) hereof, shall not apply to the use of:

(i) Any cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms, or

(ii) Any fatty acids derived from cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms.

(3) Applications to use cottonseed, peanut, soybean, or corn oil, or fatty acids derived from any of such oils, under paragraph (f) (1) hereof, shall be made on Table I of Form FDA-478 or such other form or forms as the Director may, from time to time, designate.

With respect to violations of said Food Distribution Order 29, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order 29, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment shall become effective March 27, 1944 at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4106; Filed, March 22, 1944; 5:01 p. m.]

Pursuant to the authority vested in the War Food Administrator, it is hereby ordered, as follows:

That, unless otherwise ordered by the Director of Food Distribution, War Food Administration, the restrictions of paragraphs (b), (d), and (f) of Food Distribution Order 34, as amended (9 F. R. 52), § 1460.2 (b), (d), and (f), shall not apply to the use of glycerine by any person when such use occurs during the period beginning on the effective date of this order and ending on June 30, 1944.

This order shall become effective on April 1, 1944, at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of March, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4109; Filed, March 22, 1944; 5:01 p. m.]

[FDO 96]

PART 1468—GRAIN

CORN REQUIRED TO BE SET ASIDE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.6 *Corn required to be set aside*—(a) *Definitions.* When used in this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Receive" means to take as owner or purchaser, or on consignment for sale.

(3) "Corn" means yellow or mixed shelled corn, whole corn, ear corn, or snap corn, of the dent or flint varieties, excluding, however, white corn, seed corn, popcorn, grain sorghums, sweet corn, broom corn, and corn used for canning purposes.

(4) "Country elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge loading or car loading facility, located at a place other than a terminal or subterminal market, and who receives corn for resale from producers or truckers in wagon or truck lots.

(5) "Terminal elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge loading or car loading facility, located at a terminal or subterminal market, and who receives corn for resale.

(6) "Designated purchaser" means a person or agency of the United States, designated by the Director as eligible to purchase corn which has been set aside under this order.

(7) "Period" means each consecutive fifteen-day period beginning with the first day of April, May, June, July, August, September, October, November, December, January, February, and March, and ending with the fifteenth day thereof, and beginning with the sixteenth day of each of such months and ending with the last day, both inclusive, of the month, except that the time from the effective date of this order to and including March 31, 1944, shall constitute a fifteen-day period hereunder.

(8) "Offered for sale" means offered in carlots, unless otherwise authorized by the Director, at prices not exceeding the maximum prices established by the Office of Price Administration.

(9) "Director" means the Director of Distribution, War Food Administration, or any employee or agency thereof designated by the Director.

(10) "Set aside area" includes the following:

Illinois, Counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion, Will, and Woodford.

Indiana, Counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa, Counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawatamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, and Wright.

Minnesota, Counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

Nebraska, Counties of: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

The Director is authorized to revise the set aside area from time to time by the addition thereto or removal therefrom of any county or part thereof.

(b) *Quantity.* (1) Every country elevator operator located in the set aside area shall, in each fifteen-day period, set aside, reserve, and hold, for sale and shipment to designated purchasers, an amount equivalent to 35 percent of all corn received by him during such period.

(2) Every terminal elevator operator located in the set aside area shall, in each fifteen-day period, set aside, reserve, and hold, for sale and shipment to designated purchasers, an amount equivalent to 35 percent of all corn received by him during such period from persons other than country elevator operators.

(3) All corn which, on the effective date of this order, is in storage in any country elevator or terminal elevator located in the set aside area, and is owned by or has been consigned for sale to the operator of such country elevator or terminal elevator, respectively, shall be considered as having been received on that date.

(c) *Offer; release.* Any corn which has been set aside, reserved, and held under this order, and which is offered for sale to the Commodity Credit Corporation at 208 South La Salle Street, Chicago 4, Illinois, and if not accepted by the Commodity Credit Corporation or a designated purchaser specified by such corporation within 24 hours from the time that such offer is received by the corporation, shall be released from the set aside requirements of this order and shall, without further notice to the holder, be subject to disposition at his option.

(d) *Quality.* All corn set aside, reserved, and held in any fifteen-day period shall be of the fair average quality of all corn received during such fifteen-day period.

(e) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in corn.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 96, Grain Products Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on such petition by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* The Director may, by

TITLE 8—ALIENS AND NATIONALITY

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

(b) *Repeal of credits against Victory tax.* Section 453 (relating to credits against the

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-l as Amended

and authorized production schedules are not specific authorization to use alumi-

suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using corn, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using material subject to priority or allocation control by other governmental agencies. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* (1) The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(2) The Director is authorized to obtain, from time to time, information with respect to the processing of corn by, and the amount of corn in the inventory of, designated purchasers, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Upon the basis of such information, the Director may, by general order, revise the percentage of corn required to be set aside under this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref: FDO 96.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., March 24, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 23d day of March 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-4180; Filed, March 24, 1944; 11:38 a. m.]

[FDO 70-1, Amdt. 2]

PART 1470—FOOD STORAGE FACILITIES

DESIGNATION OF RESTRICTED COMMODITIES AND REQUIREMENT OF REPORTS

Correction

In the document appearing on page 3189 of the issue for Friday, March 24, 1944, the document number should read "44-4023".

CHAPTER II—OFFICE OF ALIEN PROPERTY CUSTODIAN

[G. O. 21, as Amended]

PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Correction

In F.R. Doc. 44-4055, appearing on page 3140 of the issue for Thursday, March 23, 1944, the fourth line of § 503.21 (a) is corrected by changing the word "visiting" to read "vesting".

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Amdt. 9]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

INSTRUCTION BOOKS FOR FORMS 12-K AND 12A-K

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said act, hereby amends paragraph 3 under the caption "Instructions as to Exhibits" in the Instruction Books for Forms 12-K and 12A-K to read as follows:

3. Notwithstanding the provisions of paragraph 1, above, any registrant filing a copy of Form A may, if it so desires, file a copy of Form A leaving blank any or all pages, schedules or items except the following:

Schedules 102; 103; 104A; 104B; 108; 109; 110; 200A; 200L; 200A (System); 200L (System); lines 40, 48, 56, 57, 58 and 59 of 211; 212; 214; 215; 216; 217; 218; 221, 251; 251A; 252; 261M; 261E; 261I; 110A; 261P; 263; 282; 283; 284; 285; 286; 287; 288; 289; 290; 292; 291; 295; 300I; 300P; 300D; 300I (System); 300P (System); 310; lines 100, 101; 102, 142, 143, 144, 155, 210, 215, 223, 225, 240, 241 and 242 of 320; 321, 350; 371; 371A; 383; 383A; 396; 411; 412; classes 800, 810, 820, 830, 840, 850, 710 and 860 of 541; Divisions 1, 2 and 801 of 561; 562; 563; 581; paragraphs 3 and 4 of 591; and verification.

If this privilege is exercised, all applicable instructions of the Interstate Commerce Commission should be followed in filling out the various schedules subject to the provisions of paragraph 4 below.

Effective March 22, 1944.
By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4160; Filed, March 23, 1944; 2:42 p. m.]

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5350]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

VICTORY TAX

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, 1943 Supp.] to the provisions of section 106 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding section 35 the following:

SEC. 106. VICTORY TAX. (Revenue Act of 1943, Title I.)

* * * * * *

(c) *Technical amendments.* * * *

(2) Section 34 (cross reference) is repealed.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. There is inserted immediately preceding § 29.450-1 the following:

SEC. 106. VICTORY TAX. (Revenue Act of 1943, Title I.)

(a) *Change in rate.* Section 450 (imposing the Victory tax) is amended by striking out "5 per centum" and inserting in lieu thereof "3 per centum".

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 3. Section 29.450-1 is amended to read as follows:

§ 29.450-1 *Victory tax on individuals.* For taxable years beginning after December 31, 1942, and before January 1, 1944, there is imposed, in addition to the normal tax and the surtax, upon every individual, other than a nonresident alien whose tax liability is determined under section 211 (a), a Victory tax at the rate of 5 percent upon the amount of the taxpayer's Victory tax net income. Such tax is subject to the limitations provided in section 456. The Victory tax likewise applies for taxable years beginning after December 31, 1943, and before the day following the date of cessation of hostilities in the present war, except that for such taxable years the rate of tax is 3 percent instead of 5 percent. The date of cessation of hostilities in the present war is to be determined as provided in section 475 (b). As to what constitutes Victory tax net income, see § 29.451-1.

PAR. 4. There is inserted immediately preceding § 29.453-1 the following:

SEC. 106. VICTORY TAX. (Revenue Act of 1943, Title I.)

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 5. Section 29.453-1, as amended by Treasury Decision 5309, approved December 4, 1943, is further amended by striking from the first sentence "each taxable year" and inserting in lieu thereof "taxable years begininng after December 31, 1942, and before January 1, 1944,".

PAR. 6. Section 29.453-2, added by Treasury Decision 5309, is amended by inserting immediately after "Supplement T" in the first sentence of paragraph (b) thereof "for the calendar year 1943".

PAR. 7. There is inserted immediately preceding § 29.456-1 the following:

SEC. 106. VICTORY TAX. (Revenue Act of 1943, Title I.)

* * * * * *

(c) *Technical amendments.* (1) Section 456 (relating to the 90 percentum limitation) is amended (A) by striking out ", computed without regard to the credits provided in sections 453 and 466 (e)," and (B) by striking out "35 and 466 (e)" and inserting in lieu thereof "and 35".

* * * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 8. Section 29.456-1, as amended by Treasury Decision 5309, is amended by inserting immediately after "victory tax credit" in the first sentence thereof "for taxable years beginning before January 1, 1944,".

(Sec. 62 of the Internal Revenue Code (53 Stat., 32 U. S. C., 62) and sec. 106 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4161; Filed, March 23, 1944; 3:23 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

[1] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials, entitled "Materials Substitutions and Supply List."

Mar. 24, 1944]

ALUMINUM

§ 921.11 *Supplementary Order M-1-4—(a) Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum, which material is in ingot or similar raw form or in the form of finished or semi-finished parts, assemblies or products of any kind; but not including any material in the form of aluminum scrap as defined herein (which is controlled by Supplementary Order M-1-d), or aluminum pigment or aluminum paint (which are defined in and controlled by Supplementary Order M-1-g).

(2) "Aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings, provided that the recoverable metallic aluminum content, as determined by the fire assay, hydrogen evolution or other method of comparable efficiency, constitutes 50% or more by weight of such residues.

(3) "Producer" means the Defense Plant Corporation, Aluminum Company of America, the Reynolds Metals Company, the Olin Corporation, and any other person who may be so designated by the War Production Board.

(4) "Approved smelter" means any person whose name appears on Schedule A attached to Supplementary Order M-1-d.

(5) "Use aluminum in manufacture" means to melt, roll, forge, cast, extrude, draw, turn, spin, fabricate or process in any other way, or assemble or incorporate in assemblies, or to consume or otherwise use in the course of manufacture, any aluminum; but does not include the installation of a finished product or repair part for the ultimate consumer.

(6) "Low grade aluminum ingot" means aluminum in ingot or similar raw form (but not scrap) containing at least 3% by weight of copper and 0.8% by weight of iron.

(b) *Restrictions on use of aluminum.* Except as specifically authorized by the War Production Board, no person shall use aluminum in manufacture where the use of a less scarce material [1] is practicable, and no person shall use more aluminum or aluminum of a better grade than is necessary for the proper operation of an article or part. Allotments, authorized controlled material orders

[2] Under Supplementary Order M-1-d, aluminum scrap may not be used for any of the purposes listed unless such use is specifically authorized by the War Production Board.

is prohibited by Order L–103–b unless they are to be used to package certain foods and drug products.

(14) Collapsible tubes. (See Order M–115.)

(15) Commercial radio equipment and all wire communications equipment, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941. The above partial restriction on the use of aluminum does not apply to electronic equipment, as defined in Order L–265, manufactured pursuant to subparagraph (22) below.

(16) Data and instruction plates, provided the plate is no larger than required to present the essential data and instructions.

(17) Electric bus bars, bare electrical conductors, and current-carrying accessories for conductors.

(18) Electric condensers.

(19) Electric conduit fittings and wiring devices, but only where aluminum was used in commercial production in the United States during 1939, 1940 or 1941.

(20) Electric motors.

(21) Electric switch gear equipment, for parts where lightness of weight is required for proper functioning of the equipment.

(22) Electronic equipment, as defined in Order L–265.

(23) Fire fighting equipment, protective signal and alarm equipment, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(24) Food processing machinery for bakeries, canneries, dairies, dehydrating plants and packing plants.

(25) Foundry equipment, the following items, made from low-grade aluminum ingot only; bottom boards, core boxes, core dryers, flasks, match plates and patterns. Damaged and obsolete equipment listed in this paragraph may be remelted for the production of new items listed in this paragraph without a CMP application or authorization pursuant to Order M–1–d. (See Direction 1 to CMP Regulation No. 5)

(26) Galvanizing, for addition to bath.

(27) Hydraulic brake pistons (low-grade aluminum ingot only).

(28) Industrial type fans and blowers and fans and blowers manufactured for incorporation into other machinery or devices, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(29) Industrial machinery and attachments therefor but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941. "Industrial machinery" as used in this subparagraph means machinery designed for use in manufacturing and chemical processing on a commercial basis; construction machinery; packaging machinery; conveyors for use in connection with manufacturing and chemical plants and in connection with construction; laundry, drycleaners' and tailors' pressing machines; and shoe repair machinery. The above partial restriction on the use of aluminum does not apply to food processing machinery if manufactured pursuant to subparagraph (24) above.

(30) Industrial spray guns and grease guns, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(31) Instruments, mechanical and electrical. Dials, scales, and panels for all types of such instruments. Other parts of only the following mechanical or electrical instruments.

(i) Drafting machines.

(ii) Engineering instruments.

(iii) Geophysical instruments.

(iv) Industrial instruments for measuring, recording or controlling industrial processes.

(v) Laboratory instruments.

(vi) Safety controls and heating controls.

(32) Internal combustion engines, but only where aluminum, copper, or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941. The above partial restriction on the use of aluminum does not apply to internal combustion engines manufactured pursuant to subparagraphs (1), (2) and (8).

(33) Jigs and fixtures for use in manufacturing processes (low-grade aluminum ingot only).

(34) Lighting equipment of the follow types only:

(i) Aviation ground lighting equipment.

(ii) Hospital operating room lighting equipment.

(iii) Industrial type lighting equipment.

(iv) Miners' lamps.

(v) Searchlight and industrial-type floodlights.

(vi) Reflectors for dry cell lights.

(35) Molds for the manufacture and repair of rubber products (low-grade aluminum ingot only).

(36) Orthopedic, medical, dental, ophthalmic and surgical instruments and equipment designed exclusively for orthopedic, medical, dental, ophthalmic and surgical use.

(37) Portable electric and pneumatic tools.

(38) Portable power-driven tree felling saws (low-grade aluminum ingot only).

(39) Repair and maintenance parts for mechanical or electrical equipment used domestically or in industry.

(40) Refrigeration and heating coils and fins.

(41) Research, developmental or experimental activities.[3] Aluminum may be used to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such item designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill, or facilities from activities connected with the war effort.

(42) Safety equipment as defined in Limitation Order L–114, but only where aluminum, copper, or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(43) Scales (weighing), but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(44) Steel deoxidizer (low-grade aluminum ingot only).

(45) Stove and range top burner heads (low-grade aluminum ingot only).

(46) Thermit reaction, for use in the manufacture of thermit powders and ferro-alloys only.

(47) Welding rod and metallizing wire.

(48) X-ray equipment, infra-red and ultra-violet lamps.

Section 944.10 of Priorities Regulation No. 1 provides that where limitations imposed by two or more rules, regulations or orders are applicable, the most restrictive provision shall apply, unless otherwise expressly provided. This means that if another order of the War Production Board has limitations on the use of aluminum which are more restrictive than the regulations of this Order M–1–l, the restriction of the other order must be obeyed.

[3] Aluminum in controlled material forms may be ordered for research, developmental and experimental activities by placing an order bearing the controlled material symbol V–9 and the standard CMP certification, all as provided in Order P–43.

(c) *Repair.* The restrictions of this order shall not apply to making repair parts for a specific repair of a used article, or to a person repairing a used article, when aluminum parts or aluminum material is used to replace aluminum or a scarcer material. Order M–1–d requires that any part or material replaced be turned over to a scrap dealer if it contains aluminum and is good only for scrap.

(d) *Requests for authorization to use aluminum.* Any person who seeks to obtain specific authorization of the War Production Board to use aluminum for a purpose not permitted by paragraphs (b) or (c) of this order should do so by applying by letter to the Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M–1–l, which letter should be filed in duplicate and contain substantially the information, numbered as shown below.

(1) Weight, form and alloy of aluminum, for which authorization to use is requested.

(2) The number of months the quantity of aluminum requested will cover estimated requirements.

(3) The part to be fabricated, or other use to be made of the aluminum requested.

(4) The product into which such part will be incorporated, and end-use of the product.

(5) The reasons, in detail, why the use of material other than aluminum is impracticable.

(6) If previous requests for this use have been authorized or denied, give reference number of most recent authorization or denial.

Special consideration will be given to requests for the use of aluminum in connection with approved programs of the War Production Board, where the use of aluminum would mean a substantial saving in man-hours or of material scarcer than aluminum, increase in production or increased efficiency of the product.

(e) *Contamination.* No person shall contaminate aluminum with any other metal or material, except that a producer or approved smelter may mix aluminum with other metals in the production of aluminum alloys, or except that any person may mix aluminum with other metals in the production of other alloys subject to the provisions of paragraph (b) hereof. (See also the provisions of Supplementary Order M–1–d with respect to aluminum scrap.)

(f) *Restrictions on deliveries.* No person shall deliver any aluminum if he knows or has reason to believe that such aluminum is to be used in violation of the terms of this order.

(g) *Reports.* All persons shall file such inventory and other reports as may be prescribed from time to time by the War Production Board.

(h) *Tolling.* Except as the War Production Board may specifically authorize on Form WPB–165 (formerly Form PD–114) or otherwise, no aluminum shall be delivered or received for melting under any toll, repurchase or similar arrangement.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4171; Filed, March 24, 1944; 11:07 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L–41, Interpretation 4]

PORTABLE STRUCTURES ON SKIDS

The following interpretation is issued with respect to Conservation Order L–41.

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L–41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4172; Filed, March 24, 1944; 11:06 a. m.]

PART 1159—ELECTRIC HEATING PADS

[General Limitation Order L–84, Revocation]

Section 1159.1 *General Limitation Order L–84* is revoked. This revocation does not affect any liability incurred under this order. The restrictions set forth in General Limitation Order L–65 continue to be applicable to electric heating pads.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4173; Filed, March 24, 1944; 11:06 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–314, as Amended Mar. 24, 1944]

LUBRICATION EQUIPMENT

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of lubrication equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.127 *General Limitation Order L–314—(a) Definitions.* For the purposes of this order:

(1) "Lubrication equipment" means any new machinery, equipment, device, or appliance for dispensing grease, oil, or other lubricant, or for applying a lubricant to any machinery or equipment at any point requiring lubrication; including general and special purpose lubrication equipment, lubrication fittings, oil and grease cups and receptacles and hand oilers as well as furnishings, accessories, appliances, of the types defined in paragraph (c) (1) of this order. It includes repair parts for any of such equipment. The term "lubrication equipment" shall not, however, include any of the following types of equipment designed to be used exclusively for railway locomotives or railway track rails (i) hydrostatic lubricators for steam locomotive valve and cylinder lubrication or for steam locomotive auxiliaries; (ii) mechanical lubricators and lubricating system for steam locomotive valves, cylinders, chassis and running gear members and auxiliaries; (iii) mechanical lubricators for diesel electric and electric locomotive chassis and running gear members; (iv) journal lubricators for driving, engine truck, trailer truck or tender journals using either oil or grease as a lubricating medium; (v) rail and flange lubricators as used on railway track rails.

(2) "Manufacturer" means any person who constructs, manufactures, or assembles lubrication equipment for resale.

(3) "Distribution outlet" means any person to the extent that he engages in selling lubrication equipment to jobbers or other wholesalers. The term includes (but is not limited to) a manufacturer's sales agency, branch warehouse or other sales or distribution outlet, if so engaged.

(4) "Jobber or other wholesaler" means any person (other than a manufacturer) to the extent that he engages in selling lubrication equipment to retail dealers. The term does not include retail dealers selling to other retail dealers or repair shops in quantities of $35.00 or less per month per customer.

(b) *Restrictions on acceptance and deliveries of orders—(1) Retail sales.* After October 31, 1943, no person shall

accept any order for lubrication equipment having a retail value of more than $35, from any person acquiring the equipment for his own use in dispensing or applying lubricants, or deliver more than that amount of such equipment to any such person under any order tendered after that date, unless the order is rated AA-5 or higher. No purchaser acquiring equipment for his own use shall divide his purchases into more than one order for the purpose of bringing them within the $35 exemption thus allowed, or purchase more than that amount of equipment during any thirty-day period without a rating of AA-5 or higher on the excess.

(2) *General distribution.* After October 31, 1943, no manufacturer or distribution outlet shall accept any order for lubrication equipment from a jobber or other wholesaler unless the order bears a preference rating of AA-5 or higher.

After November 20, 1943, no manufacturer or distribution outlet shall deliver any lubrication equipment to a jobber or other wholesaler except to fill an order bearing a preference rating of AA-5 or higher.

These restrictions do not apply to orders for replacement fittings of the types in general use on automobiles, trucks, or buses.

(3) *Preference ratings required.* (i) A jobber or other wholesaler may extend ratings received from his customers. He may apply for additional ratings on Form WPB-547, formerly PD-1X, even though he buys from a distribution outlet, despite any inconsistent instruction accompanying such form.

(ii) A retail dealer is not required by this order to have any ratings for orders placed by him with any supplier, although he may extend any ratings received from his customers.

(iii) A distribution outlet engaged in the business of buying and stocking or warehousing lubrication equipment and reselling it as such, may apply for a rating on Form WPB-547, formerly PD-1X, and may extend ratings received from jobbers or other wholesalers.

(This paragraph (b) (3) does not prevent the use of other forms, such as WPB-646 for marine suppliers, by any person entitled to use them in applying for ratings.)

(4) [Deleted Mar. 24, 1944]

(c) *Production restrictions.* (1) No manufacturer shall fabricate or assemble any of the following kinds of lubrication equipment:

(i) Metal shielded grease and oil barrel pumps.

(ii) Metal shielded portable grease pumps and transfers, except that metal shielding may be used in the manufacture of air powered portable grease pumps designed to hold 25 to 50 pounds original grease containers, but only where such shielding acts as the support for the pumping mechanism.

(iii) Metallic wall batteries, compartments, liners and cabinets, whether for individual or multiple installation.

(iv) Metallic backgrounds, panels, shelving and display boards.

(v) Metallic gun carriers, gun boards, gun racks, service boards and gun carriages and carts which are not to be delivered to and for use by the Army, Navy, Maritime Commission or War Shipping Administration, or the military forces of any Lend-Lease country.

(vi) Metallic centerstands, centerwells, lubewells, service or job write-up desks, metal shielded waste oil drains, oil bars, motor oil dispensing cabinets and combination service outlet-waste oil drains.

(2) [Deleted Mar. 24, 1944]

(3) The limitations and restrictions of subparagraph (c) (1) above shall not apply to or prohibit the following:

(i) The completion of any piece of lubrication equipment, from component parts that were fabricated prior to March 24, 1944, and which constitute not less than 80% of the finished piece of equipment (according to the aggregate weight of such parts), if the manufacturer cannot reasonably anticipate that he can utilize such parts as maintenance or repair parts within six months after that date; or

(ii) The fabrication or assembly of parts to be sold for maintenance or repair of lubrication equipment, where such parts would not be interchangeable with the replaced parts, if manufactured in accordance with this order.

(4) Beginning January 1, 1944, no manufacturer shall fabricate or assemble maintenance or repair parts in any calendar quarter in an amount exceeding, in dollar resale value, 150 per cent of the dollar resale value of maintenance and repair parts sold by him during the corresponding calendar quarter in the period from July 1, 1940 to June 30, 1941. This limit shall not apply to parts for direct use by the United States Army, Navy, Maritime Commission, or War Shipping Administration, or the military forces of any Lend-Lease country. As used in this paragraph (c), "maintenance" shall mean the upkeep of lubrication equipment in sound working condition, and "repair" shall mean the restoration without change of design of any portion of lubrication equipment to sound working condition when such portion has been rendered inoperative or unsafe or unfit for service by wear, or tear, damage, destruction, failure of parts, or other similar causes.

(d) *Conservation.* No manufacturer shall fabricate or assemble any lubrication equipment other than in accordance with the following restrictions:

(1) No chromium, bismuth, tin, zinc or nickel, or alloys thereof, shall be used in the fabrication of parts, finishes, or plating, except in solder or bearings, and except that:

(i) Repair parts for lubrication equipment which was fabricated prior to November 20, 1943, may be made of the same material as the part to be repaired or replaced if and to the extent that parts fabricated in accordance with the restrictions of this paragraph (d) would not be interchangeable with such existing parts because of the change in materials used.

(ii) [Deleted Dec. 20, 1943]

(iii) Zinc may be used for galvanizing, plating, and for die cast parts. (See, however, Conservation Order M-11-b for limitations on quantity.)

(iv) Chromium-stainless or chromium-nickel-stainless steel may be used for pump cylinder sleeves, pistons, valve seats or moving valve parts, and indicator rods which require free movement, for central pumping units in centralized lubricating systems.

(v) N. E. alloy steel may be used for cylinder sleeves, pistons, worm and drive shafts for central pumping units in centralized lubricating systems.

(vi) Nickel-copper alloy may be used in the manufacture of monel hydraulic fittings only for use aboard ships or amphibious equipment by the Army, Navy, Maritime Commission or War Shipping Administration where required by applicable specifications (other than performance specifications) of the agency for whose use the fittings are to be delivered.

(2) Rubber and synthetic rubber shall not be used except as permitted in Rubber Order R-1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(3) Cadmium shall not be used except as permitted in General Preference Order M-65, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(4) Aluminum shall not be used except for industrial spray guns and grease guns, and then only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 and 1941.

NOTE: Former subparagraphs (3) and (5) redesignated (5) and (6) Mar. 24, 1944.

(5) No metal shall be used (except in small hardware, such as bolts, nuts, screws, washers, cotter pins and metal corner reinforcements) in the fabrication of tool boxes or structural frames for portable grease service stations; and no metal other than rerolled rail or Bessemer steel shall be used in individual grease and oil containers or hose reels.

(6) The restrictions of this paragraph (d) do not apply to electric motors and switches, gas engines, and pressure gauges, or component parts of such motors, switches, engines, and gauges.

(e) [Deleted Mar. 24, 1944]

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) [Deleted Mar. 24, 1944]

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-314.

NOTE: This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Schedules A, B, C, D, and E deleted Mar. 24, 1944.

[F. R. Doc. 44-4174; Filed, March 24, 1944; 11:07 a. m.]

PART 3088—MOBILE HOUSING

[Limitation Order L-205 as Amended Mar. 2, 1944, Amdt. 1]

HOUSE TRAILERS AND EXPANSIBLE MOBILE HOUSES

Section 3088.1 *Limitation Order L-205* is hereby amended:

By amending the first sentence of paragraph (b) (2) to read as follows:

No person shall manufacture any house trailer, except a house trailer produced within the quota which the War Production Board has specifically notified such person on Form CMPL-150B that he is authorized to produce and except that production specifically authorized on appeals prior to the present amended version of this order may be completed without charge against any quotas.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4175; Filed, March 24, 1944; 11:06 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 2, Revocation]

OTHER SCHEDULING ORDERS

Section 3208.3 *Other scheduling orders* (Table 2 to General Scheduling Order M-293) is hereby revoked.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4176; Filed, March 24, 1944; 11:06 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-22 as Amended Mar. 24, 1944]

FURNACES

§ 3288.81 *General Limitation Order L-22*—(a) *Definitions.* For the purposes of this order:

(1) "Furnace" means any direct fired air heating unit which is designed for the purpose of heating the interior of a building, including but not limited to, any heating device commonly known as a gravity or forced warm air furnace, a free-standing heater or a floor-mounted unit heater for use with or without air distribution pipes. But "furnace" does not mean a domestic heating stove as defined in Supplementary General Limitation Order L-23-c, extended surface heating equipment as defined in General Limitation Order L-107, a direct-fired suspended unit heater, or a floor or wall furnace.

(2) "Steel furnace" means any furnace the heating surface of which is wholly or partially made of steel.

(3) "Cast iron furnace" means any furnace the heating surface of which is made of cast iron.

(4) "Base period" means the three year period ending April 11, 1942.

(b) *Restrictions on manufacture.* (1) No person shall manufacture, fabricate or assemble any steel furnace except:

(i) From materials in inventory on July 28, 1943 or as authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise.

(2) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any steel furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(3) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any cast-iron furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(4) No person shall manufacture any furnaces except in the fuel types manufactured by him during the base period.

(c) *Restrictions on delivery and installation.* (1) No person shall deliver a new furnace having extra panels for turning radiators, except when specified in the purchase order for an individual installation.

(2) [Deleted Mar. 24, 1944]

(d) *Simplified practices.* On and after September 26, 1943 no person shall manufacture, fabricate or assemble any furnace designed to burn solid fuel except in accordance with the following practices:

(1) Only one model each of cast iron and steel furnaces of the same nominal firepot diameter or the same grate area shall be manufactured. This restriction does not apply to furnaces specifically designed for stoker firing.

(2) The metal casing supplied with a furnace rated between 50,000 and 250,000 BTU shall be cylindrical when used on gravity installations.

(3) Cylindrical casings used on furnaces of less than 250,000 BTU shall not be heavier than 26 gauge.

(4) The following parts shall not be made of metal:

(i) Water pans.
(ii) Humidifiers.
(iii) Coiled wire handles or "detachable type" handles.
(iv) More than one detachable name plate.

(5) The following parts shall not be made of metal, except cast iron and steel:

(i) Feed door smoke curtains.
(ii) Feed door linings.
(iii) Hot blast lift doors.
(iv) Upright shaker handles.
(v) Extra panels for turning radiators.
(vi) Inner liners for casing.

(6) [Deleted Mar. 24, 1944]

(e) *Restriction on shipment of accessories.* On and after September 26, 1943 no person shall ship any of the following accessories with any furnace other than a furnace delivered to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States, or for use in any building or project authorized under order P-55-b or rated under any order in the P-55 series or any order in the P-19 series.

(i) Iron or steel poker.
(ii) Metal check damper.
(iii) Metal hand control draft regulator, chain and pulleys.

(f) *Parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for furnaces or parts necessary to convert a furnace from oil or gas burning to coal burning.

(g) *Applicability of other orders.* Insofar as any other order issued by the

War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restrictions of such order shall govern unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order, unless otherwise directed, should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–22.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Reports.* Manufacturers of warm air furnaces and direct fired floor mounted and direct fired suspended unit heaters (except floor furnaces) shall report on or before the tenth day of each month on Form WPB 3316, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4177; Filed, March 24, 1944; 11:07 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–13–a, as Amended Mar. 24, 1944]

METAL OFFICE AND INDUSTRIAL FURNITURE AND FIXTURES

Section 3291.50 *Limitation Order L–13–a* is hereby amended to read as follows:

§ 3291.50 *Limitation Order L–13–a*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person engaged in the production of metal office and industrial furniture and fixtures containing any new metal or new metal parts.

(2) "Metal office and industrial furniture and fixtures" includes the following: Insulated metal filing cabinets, safes; metal visible reference panels; other metal visible reference equipment; metal shelving; metal filing cabinets other than insulated filing cabinets; metal lockers, metal storage cabinets; metal desks, metal office chairs (except swivel chairs which are covered by M–126); metal office tables, including typewriter and office machine stands (except those which are integral parts of the machines which they support); metal bank vault equipment; metal office counters; any other metal office or industrial furniture and fixtures, including but not limited to, waste paper baskets, metal trays and wire baskets. The definition includes any office and industrial furniture whether or not specifically mentioned, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of non-metal structural parts. It does not include wood filing cabinets containing not more than two pounds of essential operating steel hardware per drawer; wood office chairs containing swivel irons, casters and upholstery springs, or wood typewriter desks containing metal typewriter mechanisms. Neither does it include the following items made of metal: Steel factory stools, steel work benches where required for safety, steel foremen's desks, time card racks, shop boxes, stacking boxes, tool cases, tool room shelving inserts, medical and surgical furniture and related equipment as defined in L–214, Schedule III, dental equipment, laboratory furniture or metal drafting tables.

(3) "Preferred order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* No manufacturer shall produce any item of metal office and industrial furniture and fixtures, except

(1) To fill preferred orders (i) which state on their face that the products are for use on board a steel seagoing vessel or at an advance military base outside the continental limits of the United States; or (ii) for insulated filing cabinets, safes and metal visible reference panels, regardless of where they are to be used. A manufacturer may not produce any item to fill preferred orders under this paragraph until the preferred order is actually received by him.

(2) Such additional metal visible reference panels as can be produced out of 40% of the aggregate weight of iron and steel used by a manufacturer in the production of metal visible reference panels in the year ending June 30, 1941: *Provided*, That no new steel other than flat rolled sheets or strip less than twelve inches in width be used in such production.

(c) *Restrictions on transfer.* No manufacturer shall sell or deliver any new item of metal office and industrial furniture and fixtures, except

(1) To fill orders under paragraph (b) (1).

(2) As authorized on Form WPB–1319.[1] This form should be filed in a field office of the War Production Board.

[1] For the month of March 1944, application on Form WPB–1319 for permission to assemble is not required. Revised instructions will appear in the forthcoming issue of the WPB–1319 instruction pamphlet.

(d) *Reports.* On or before the tenth day following the close of each calendar month, every manufacturer of safes, insulated files, or visible reference panels, shall file with the War Production Board, Form WPB–1600, according to the instructions accompanying that form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals.* Any appeal from the provisions of this order should be filed on Form WPB–1477 (formerly PD–500) with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed hereunder and all communications concerning this order except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–13–a.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4178; Filed, March 24, 1944; 11:06 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–13–a, Interpretation 1 as Amended Mar. 24, 1944]

METAL OFFICE AND INDUSTRIAL FURNITURE AND FIXTURES

The following interpretation is issued with respect to Limitation Order L–13–a.

Paragraph (a) (2) defines "metal bank vault equipment" as "metal office and industrial furniture and fixtures." Doors made of metal used for metal bank vault equipment (such as, doors for boxes within the bank vault, but not doors giving access to the vault) are subject to L–13–a. All other metal doors, metal door frames and metal shutters, as defined in Limitation Order L–142, are subject to the restrictions of that order, even though they may be the door, door frame or shutter of a bank vault.

NOTE: Paragraphs (2) and (3) superseded by paragraph (b) (1) of Limitation Order L–13–a, as amended Mar. 24, 1944.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4179; Filed, March 24, 1944; 11:06 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389,[1] Amdt. 18]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 389 is amended in the following respects:

1. Section 12 (c) (2) is amended to read as follows:

(2) *Local delivery.* Where the seller makes local delivery to the buyer's store door, otherwise than by peddler delivery, and treats the point at which local delivery begins as the point of delivery for determining the zone differential to be added to the base price, he may add $0.25 per hundredweight if such delivery is completed within 25 miles of the point from which such local delivery starts, or $0.50 per hundredweight if such delivery is completed over 25 miles from such starting point. A store means a restaurant, hotel, retail store, a wholesaler's or hotel supply house's warehouse, or the place where actual physical possession of the product is taken by a government agency.

2. The definition of "Lebanon bologna" in section 13 (h) is amended to read as follows:

"Lebanon bologna" means an all beef sausage containing no meat other than beef and beef fat; which is stuffed in beef casings or artificial casings; which is smoked not less than 96 hours during the months of May through September and not less than 144 hours during the remaining months; which has a fat content not in excess of 12 percent; which has a yield not in excess of 68 percent; which contains no extender; and which has been made under Federal inspection.

This amendment shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4162; Filed, March 23, 1944; 3:49 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5903, 6958, 8185, 8677, 10906, 10907, 11956, 13340, 15192.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 43]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF HOUSEHOLD GOODS

General outline. This order requires that every common carrier of household goods by motor truck, herein referred to as household goods carrier, shall eliminate wasteful operations and shall conserve and maintain motor trucks, tires and other facilities necessary in conducting the business of such carriers.

The order also provides that no household goods carrier shall operate any motor truck in over-the-road service which is not loaded to 80 percent of capacity, without first registering with the nearest district office of the Division of Motor Transport, Office of Defense Transportation, and obtaining clearance authority from the Office of Defense Transportation. The order establishes the conditions under which clearance authority will be issued. These conditions require the registration of each empty truck, or truck laden to less than 80 percent of capacity, prior to its departure from any point, and the transportation of any household goods found, upon such registration, to be available for transportation to, toward or beyond the registered destination of the truck. Provision is also made for the optional registration by a household goods carrier of a motor truck for the transportation of other suitable freight. Other loading and operating requirements are established.

The order further provides that each household goods carrier shall register with the nearest district office of the Division of Motor Transport any shipment of household goods which the carrier is unable to load or to transport within the periods of time established by the order.

Each district manager of the Office of Defense Transportation is authorized and required, subject to certain limitations, to direct household goods carriers to accept and transport shipments of household goods to, toward or beyond the destination point of a registered truck. A district manager is authorized and required to issue clearance authority under the conditions set forth in the order. Other provisions govern interchange and diversion of traffic, determination of applicable rates and charges, division of revenues between carriers, settlements between carriers, compliance by carriers with directions of a district manager in the event of disagreement over division of revenue, adjustments of such disagreements, filing of tariffs, records and reports, and carrier liability.

Provision is made in the order for the issuance of special or general permits to meet specific needs or exceptional circumstances or to prevent undue hardship. Provision is also made for the submission of plans for joint action to the Office of Defense Transportation for approval.

Household goods carriers are not permitted to extend or inaugurate new service without prior approval of the Office of Defense Transportation.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 43 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Order 8989, as amended, Executive Order 9156, and War Production Board Directive 21, and in order to assure the maximum utilization of the facilities, services and equipment of common carriers of household goods by motor vehicle, to prevent shortages of motor vehicles utilized in the transportation of household goods, to conserve and providently utilize vital equipment, materials and supplies, including rubber and rubber substitutes, and to provide for the prompt and continuous movement of necessary traffic, *It is hereby ordered*, That:

Sec.

501.390 Elimination of waste; conservation.
501.391 Loading and operating requirements.
501.392 Registration of truck; information required.
501.393 Registration of shipments; information required.
501.394 Cancellation of registration.
501.395 Use of information registered.
501.396 Authority of district manager.
501.397 Issuance of clearance authority.
501.398 Time limitations upon loading and holding shipments.
501.399 Optional loading and leasing.
501.400 Billing and rates; division of revenue; settlement between carriers
501.401 Compliance by carriers.
501.402 Filing of tariffs.
501.403 Carrier liability.
501.404 Special or general permits.
501.405 Submission of plans for joint action.
501.406 Extension or inauguration of new service.
501.407 Records and reports.
501.408 Definitions.
501.409 Applicability.
501.410 Communications.

AUTHORITY: §§ 501.390 through 501.410 issued under the act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834.

§ 501.390 *Elimination of waste; conservation.* Every household goods carrier shall:

(a) Eliminate wasteful operations; and

(b) Conserve and properly maintain tires, motor trucks and other facilities necessary in conducting the business of such carrier.

§ 501.391 *Loading and operating requirements.* (a) No household goods carrier shall operate any motor truck which is not loaded to 80 percent of its capacity, for the transportation of household goods in over-the-road service except as follows:

(1) Prior to the departure from any point of an empty truck or a truck loaded to less than 80 percent of its capacity, the carrier, or the representative in the immediate control and possession of the truck, shall register the truck with the nearest district office for the transportation of household goods registered with such district office and available for transportation to, toward or beyond the destination point of the truck; and

(2) Consistent with prior commitments involving the use of the truck en route, the carrier, or the representative in the immediate control and possession of the truck, shall accept and transport, to the load capacity of the truck, all household goods registered and available for transportation to the point of destination or to any point intermedi-

ate to or beyond such destination point; or

(3) There is in force with respect thereto, clearance authority issued by the Office of Defense Transportation in accordance with the provisions of this order.

(b) A motor truck which has been so disabled en route that a load equal to 80 percent of its capacity cannot be transported or carried thereon may be operated in over-the-road service empty or partially laden to the nearest point at which the carrier operating such truck maintains, provides or can obtain repair service.

(c) There shall be carried in each truck operated in over-the-road service by a household goods carrier a statement in writing, verified by the oath of the carrier, or by the oath of a duly authorized representative of such carrier, providing the following information:

(1) The name and address of the carrier;

(2) The interstate or intrastate operating authority held by the carrier for the transportation of household goods; and

(3) The amount of cargo insurance, public liability and property damage insurance, if any, then in force in respect of the truck, the name and address of any such insurer, together with the number, and the effective period or periods, of any such policy or policies of insurance.

(d) No household goods carrier shall operate in over-the-road service any motor truck, the gross weight of which exceeds by more than 20 percent its rated load carrying ability.

(e) No provision of this order shall be construed to require the loading of a motor truck so that the gross weight of the truck will exceed the actual safe capacity of any bridge or other structure en route, as determined by State or local authorities, or will exceed the maximum gross weight limitations prescribed by the applicable State law, proclamation or regulation, Federal statute, Federal regulation, or Executive Order, whichever is currently controlling, in which event such truck shall be loaded as nearly to its capacity as may be consistent with such applicable limitations and the provisions of this order.

(f) The provisions of this order shall not be so construed or applied as to require or permit any carrier to perform any transportation service, the performance of which is not authorized or sanctioned by law.

§ 501.392 *Registration of truck; information required.* (a) Every household goods carrier, when registering any empty or partially loaded truck as required or permitted by this order, shall submit, at its expense, to the district office, by telephone, telegraph, mail, or in person, the following information:

(1) The place at which the person providing the information may be reached;

(2) The name and address of the owner or lessee, and the name of the operator of the truck;

(3) The type of equipment and type of body;

(4) The space, in cubic feet, available for loading;

(5) The point and time at which the truck will be available for loading;

(6) The destination of the truck;

(7) The home license plate number and the State of issue; and

(8) If the carrier elects to transport suitable freight, to so state.

§ 501.393 *Registration of shipments; information required.* (a) Every household goods carrier, when registering shipments as required by this order, shall submit, at its expense, to the district office, by telephone, telegraph, mail, or in person, the following information:

(1) The name and address of the carrier submitting the information;

(2) The point of origin and destination;

(3) The nature of such shipment;

(4) The approximate weight and volume of the shipment;

(5) Any additional, accessorial, or terminal services that will be required in the handling of such shipment; and

(6) The period during which the shipment will be available for loading.

(b) No household goods carrier shall register any shipment for transportation between points which such carrier is not authorized to serve.

§ 501.394 *Cancellation of registration.* Whenever, after registration, any truck or shipment of household goods becomes unavailable for the purpose for which it was registered, the registering carrier forthwith shall notify the district office thereof and of the reasons therefor, and thereupon the registration shall be cancelled.

§ 501.395 *Use of information registered.* Information registered pursuant to this order shall be used by the district manager, as provided by §§ 501.396 and 501.397 of this order, without discrimination, preference, or partiality.

§ 501.396 *Authority of district manager.* (a) Upon registration of a truck or of a shipment of household goods by a carrier pursuant to this order, the district manager, to the extent necessary to avoid operations in over-the-road service of empty trucks, or trucks loaded to less than capacity, may:

(1) In respect of any empty truck, or a truck loaded to less than 80 percent of capacity, registered by a household goods carrier, direct that the truck be used in a specific movement for the transportation of designated household goods;

(2) In respect of registered household goods, direct that they be transported by a specified household goods carrier which has registered a truck; or

(3) Issue clearance authority as provided in § 501.397 of this order.

(b) The district manager shall not direct a household goods carrier to transport in any truck a load in excess of a capacity load or direct the transportation of household goods in any truck unsuitable or inadequate for such transportation.

(c) The district manager shall not direct a household goods carrier to transport in any truck any shipment which will cause damage to, or contaminate, the truck or other equipment or other lading being transported thereon.

(d) The district manager shall not direct a household goods carrier to perform any transportation service which it is not authorized to perform.

(e) The district manager shall not direct that a registered shipment of household goods be transported by a specified household goods carrier which has registered a truck when it appears from the verified statement carried in the truck pursuant to § 501.391 (c) of this order that the carrier does not maintain cargo insurance adequate to cover the declared or released value of the registered shipment.

(f) The district manager shall not direct that the departure of any empty or partially loaded truck be delayed beyond a reasonable time during any calendar day, or be delayed overnight, for the purpose of transporting household goods which may be available for transportation during such day, unless the volume of such household goods is in excess of 500 cubic feet and the distance to its destination is in excess of 200 miles, in which event the district manager may direct that the departure of such truck be delayed for a period of not to exceed 24 hours.

(g) The district manager shall not direct a household goods carrier to transport household goods beyond the registered destination of the truck, or to any point off the route that the truck otherwise would have traveled, unless:

(1) The distance traveled by reason of complying with such direction will not exceed by more than 25 percent the distance the truck otherwise would have traveled to reach its registered destination, and

(2) The truck will be laden with 50 percent or more of a capacity load for 75 percent or more of the distance traveled.

§ 501.397 *Issuance of clearance authority.* (a) Subject to the provisions of § 501.396 of this order, clearance authority shall be issued by the district manager in respect of a registered truck to a household goods carrier:

(1) When the carrier has accepted for transportation all shipments of household goods that the district manager has directed the carrier to transport, or

(2) When there are no registered shipments of household goods which the district manager is authorized to direct the carrier to transport.

(b) The issuance of clearance authority shall be evidenced by a clearance number, which shall be assigned by the district manager in respect of the registered truck at the time of issuance thereof, and shall authorize the movement of the truck to a specified point without further inquiry or registration. The clearance number may be given to the carrier, or to the carrier's representative, in person, by mail, or by telephone or telegraph.

§ 501.398 *Time limitations upon loading and holding shipments.* (a) Whenever a shipment which exceeds 3,000 pounds or 500 cubic feet is tendered to a household goods carrier for transportation in over-the-road service, the carrier shall load the shipment within 24 hours (exclusive of Sunday or legal holiday) after expiration of the final loading date specified by the shipper; and, in respect of any such shipment which is less than 3,000 pounds or 500 cubic feet, the carrier shall load the shipment within 5 days (exclusive of Sunday or legal holiday) after expiration of the final loading date specified by the shipper; or, if the carrier is unable to load a shipment of household goods within the time specified herein, the carrier shall promptly register the shipment with the district office nearest the point at which the shipment is available.

(b) No household goods carrier shall hold, carry over, store, or warehouse any shipment of household goods at the originating point for more than 5 days following expiration of the final loading date specified by the shipper, or at any other point en route for more than 5 days, except when there is no other household goods carrier capable of transporting the shipment consistent with the provisions of this order. If such carrier is unable to transport, divert, or otherwise arrange for the movement of any such shipment within the time specified herein, the carrier shall promptly register the shipment with the district office nearest the point at which the shipment is available, in accordance with the provisions of this order.

§ 501.399 *Optional loading or leasing.* (a) Whenever, after registration of a truck at any district office, no household goods are available for transportation to, toward or beyond the destination point of the truck, the carrier may elect to register the truck with the district office for the transportation of any suitable freight which may be available and which the carrier who registers the truck has the right to transport.

(b) When no household goods are available for the transportation in a truck registered under the provisions of this order and the person registering such truck elects to lease the truck for the transportation of suitable freight, such lease shall be in the form prescribed by Appendix 1 to Administrative Order ODT 10 (9 F.R. 2795) and shall be governed by the provisions of §§ 503.278, 503.279 and 503.280 of Administrative Order ODT 10.

§ 501.400 *Billing and rates; division of revenue; settlement between carriers.* (a) Whenever a shipment is interchanged or diverted pursuant to the provisions of this order the shipment shall be accepted and received by the carrier with which interchange is made, or to which diverted, at the connecting or diverting carrier's warehouse or at the consignor's premises, as the case may be, and the transporting carrier shall load, transport, forward, or deliver, as the case may be, such shipment as the agent of the carrier which first accepted the shipment for transportation and under and pursuant to its rates, rules, regulations and practices, and shall honor and conform to its bill of lading or other billing, except as to any routing instructions therein inconsistent with the requirements of this order.

(b) Except as may be prescribed by the Interstate Commerce Commission or other authorized regulatory body:

(1) The carrier transporting any shipment of household goods diverted pursuant to directions issued in accordance with the provisions of this order shall receive not less than 75 percent of the revenue derived from the transportation of the shipment and the diverting carrier shall receive not more than 25 percent of such revenue;

(2) The carrier performing any accessorial service or service other than transportation, except packing or unpacking, in respect of a shipment of household goods so diverted shall receive the revenue derived from the performance of that service; and

(3) The carrier who packs any shipment of household goods so diverted shall receive 80 percent of the revenue derived from the performance of that service and the carrier who unpacks the shipment shall receive the remainder: *Provided*, That, if the division of revenue for the performance of such services is separately shown in the originating carrier's tariff, the division so shown shall govern.

(c) Except as may be agreed upon by the interested carriers or directed by the Interstate Commerce Commission or other authorized regulatory body, the portion of any revenue due any carrier in accordance with the provisions of paragraph (b) of this section shall be paid as follows:

(1) The portion of the revenue due a diverting carrier in respect of a collect shipment of household goods shall be paid forthwith by the transporting carrier after delivery of the shipment: *Provided*, That, in respect of any such shipment, the transporting carrier, at the election of the diverting carrier and at or prior to the diversion of the shipment, shall pay the diverting carrier's portion of such revenue; and

(2) The portion of any revenue due a transporting carrier in respect of a prepaid shipment of household goods, at its election, shall be paid prior to the transportation of the shipment.

(d) Except as may be agreed upon by the interested carriers or prescribed by the Interstate Commerce Commission or other authorized regulatory body, the division of revenues from any interchange or diversion of suitable freight shipments made pursuant to paragraph (a) of § 501.399 of this order shall be as determined by the Office of Defense Transportation upon appropriate application of the carriers.

§ 501.401 *Compliance by carriers.* (a) Whenever the carriers are unable to agree upon a division of revenue within the maximum and minimum limitations set forth in subparagraph (1) of paragraph (b) of § 501.400 of this order, both carriers nevertheless shall comply promptly with any direction issued by the district manager pursuant to this order and the revenue derived from the transportation of the shipment (not including the revenue derived from the performance of accessorial service) shall be divided as follows, to wit, 75 percent of such revenue to the transporting carrier and 25 percent of such revenue to the diverting carrier, and payment shall be made in accordance with paragraph (c) of § 501.400 of this order. Such payment may be made and received without prejudice to a determination of the equitable division of such revenue by any duly authorized tribunal, or by the Office of Defense Transportation upon appropriate application of the carriers.

(b) Whenever either carrier believes that the division of revenue derived from the performance of accessorial service as set forth in subparagraphs (2) and (3) of paragraph (b) of § 501.400 of this order is inequitable, both carriers nevertheless shall comply promptly with any direction issued by the district manager pursuant to this order and the revenue derived from the performance of such accessorial service shall be divided in conformity with the terms set forth in subparagraphs (2) and (3) of paragraph (b) of § 501.400 of this order, and payment shall be made in accordance with paragraph (c) of § 501.400 of this order. Such payment may be made and received (except when the division or method of determining the division of such revenue is contained in the diverting carrier's tariff) without prejudice to a determination of the equitable division of such revenue by any duly authorized tribunal, or by the Office of Defense Transportation upon appropriate application of the carriers.

§ 501.402 *Filing of tariffs.* Every household goods carrier required by law to file tariffs or schedules of rates, charges, rules, regulations and practices, shall file and publish in accordance with law, and continue in effect until further order, tariffs or schedules or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

§ 501.403 *Carrier liability.* Common carrier responsibility to the owner of any property being transported and among the carriers participating in such transportation shall be as provided by law for initial, terminating, intermediate, or delivering carriers.

§ 501.404 *Special or general permits.* The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship.

§ 501.405 *Submission of plans for joint action.* The provisions of § 501.9, General Order ODT 3, Revised, as

amended (9 F.R. 947), relating to the submission of plans for joint action between two or more common carriers, shall be applicable to household goods carriers.

§ 501.406 *Extension or inauguration of new service.* The provisions of paragraph (d) of § 501.6, General Order ODT 3, Revised, as amended (8 F.R. 14582), relating to the extension or inauguration of over-the-road service by a common carrier, and the procedure set forth in Administrative Order ODT 15 (9 F.R. 1186) for approval of an extension or inauguration of new service, shall be applicable to household goods carriers.

§ 501.407 *Records and reports.* Every household goods carrier shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by an accredited representative of the Office of Defense Transportation.

§ 501.408 *Definitions.* As used in this order, the term:

(a) "Motor truck" and "truck" mean either (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, or (5) any other rubber-tired vehicle propelled or drawn by mechanical power while being used in the transportation of household goods;

(b) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(c) "Household goods" means personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals or other establishments; and articles, including objects of art, displays, and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods;

(d) "Suitable freight" means freight other than household goods, which can safely be transported in a motor truck especially equipped or adapted for the transportation of household goods and which will not cause damage to or contaminate any such truck or other equipment or other lading thereon;

(e) "Over-the-road service" means all operations of a motor truck except (1) those within an area which includes any municipality or urban community and a zone extending 75 air miles from the boundaries thereof; (2) those within and between contiguous municipalities or urban communities; and (3) those not more than 75 miles in length;

(f) "Household goods carrier" and "carrier" mean any person which holds itself out to the general public to engage in the transportation of household goods in over-the-road service by motor truck for compensation, regardless of the designation of such person under any Federal or State statute;

(g) "Rated load carrying ability" as applied to a truck means the weight which the tires mounted on the load bearing wheels of such truck are capable of carrying as determined in the manner set forth in Appendix No. 1, attached to General Order ODT 3, Revised, as amended (7 F.R. 5445).

(h) "Capacity load" and "loaded to capacity" as applied to a truck mean either (1) the quantity of household goods or suitable freight, by weight, which may be carried in said truck, determined by deducting the weight of said truck from its rated load carrying ability, or (2) the maximum quantity of household goods, by volume, which may be stowed by efficient methods and safely transported in the load bearing space of the truck, whichever quantity is the lesser in weight;

(i) "District" means a district of the Division of Motor Transport of the Office of Defense Transportation as described in Administrative Order ODT 6 (8 F.R. 13194);

(j) "District office" shall include any branch thereof;

(k) "District manager" means the manager of a district;

(l) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.409 *Applicability.* The provisions of this order shall be applicable only in the continental United States.

§ 501.410 *Communications.* Communications concerning this order should refer to General Order ODT 43, and unless otherwise directed should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective on March 27, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 24th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4162; Filed, March 24, 1944; 11:36 a. m.]

[General Order ODT 3, Rev., Amdt. 7]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, § 501.7 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), is hereby amended by adding a new paragraph designated (d), as follows:

§ 501.7 *Exemptions.* • • •

(d) The provisions of §§ 501.4, 501.5, 501.8, 501.10, 501.11, 501.12, 501.13, and 501.14 of this subpart, and the provisions of paragraphs (a) to (c), inclusive, of § 501.6 of this subpart, shall not apply to Household Goods Carriers as defined in § 501.408 (f) of General Order ODT 43 relating to common carriers of household goods.

This Amendment 7 to General Order ODT 3, Revised, as amended, shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 24th day of March 1944.

C. D. YOUNG,
Acting Director.
Office of Defense Transportation.

[F. R. Doc. 44-4181; Filed, March 24, 1944; 11:36 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 331]

MUNICIPALITY OF SAINT CROIX, VIRGIN ISLANDS

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Miles Merwin from a special industry committee for the municipality of Saint Croix, Virgin Islands, and do appoint in his stead as representative for the employers on such committee, Mr. Robert W. Skeoch of St. Croix, Virgin Islands.

Signed at Washington, D. C., this 18th day of March 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-4170; Filed, March 24, 1944; 11:08 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5105]

INTERNATIONAL DISTRIBUTING CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 3, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence, with his conclusions of fact, and law and his recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4166; Filed, March 24, 1944; 10:44 a. m.]

NATIONAL WAR LABOR BOARD.

ORDER ESTABLISHING DAILY NEWSPAPER PRINTING AND PUBLISHING COMMISSION

Correction

In F. R. Doc. 44-3962, appearing at page 3168 of the issue for Thursday, March 23, 1944, the caption in brackets in the middle column of page 3172 should read "[Amended Order, Feb. 15, 1944]".

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3825]

GOTTLIEB BUERKLE

In re: Estate of Gottlieb Buerkle, deceased; File D-28-2146; E. T. sec. 2691.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis J. Bergson, Jr., Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Hermann Ferdinand Buerkle, Germany.

Marie Wilhelmine Pauline Buerkle Toll, Germany.

Wilhelmine Karoline Buerkle Kauffmann, Germany.

Karl August Buerkle, Germany.

Luise Buerkle Scheufele, Germany.

Ernst Buerkle, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johann Hermann Ferdinand Buerkle, Marie Wilhelmine Pauline Buerkle Toll, Wilhelmine Karoline Buerkle Kauffmann, Karl August Buerkle, Luise Buerkle Scheufele and Ernst Buerkle, and each of them, in and to the estate of Gottlieb Buerkle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4167; Filed, March 24, 1944; 10:46 a. m.]

[Vesting Order 3338]

AUGUST J. WALTER

In re: Trust under the will and codicil of August J. Walter, deceased; File D-28-2587; E. T. sec. 3949.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by St. Louis Union Trust Company, 323 North Broadway, St. Louis, Missouri, and Ronald M. Bates, 208 North Broadway, St. Louis, Missouri, Co-executors and Co-trustees, acting under the judicial supervision of the Probate Court of the City of St. Louis, State of Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Prof. Hans Rhein, Germany.

Miss Helena Rhein, Germany.

Mrs. Clara Wiesendanger, Germany.

Mrs. Elizabeth Schmitt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Professor Hans Rhein, Miss Helena Rhein, Mrs. Clara Wiesendanger, Mrs. Elizabeth Schmitt, and each of them, in and to the Trust Estate created under the Will and Codicil of August J. Walter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4168; Filed, March 24, 1944; 10:46 a. m.]

[Supplemental Vesting Order 3341]

JOHANN MARIA FARINA, INC.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 72, dated July 30, 1942, that Johann Maria Farina, Inc., is a national of a designated enemy country (Germany);

2. Finding that of the outstanding stock of Johann Maria Farina, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 100 shares of no par value common capital stock, one share registered in the name of Hans H. A. Meyn and one share registered in the name of Emil Schill are beneficially owned by Johann Maria Farina, which shares, together with 98 shares of the outstanding capital stock that were beneficially owned by Franz Karl von Bock, Cologne, Germany, prior to Vesting Order Number 72, are evidence of ownership and control of said business enterprise;

3. Finding that Johann Maria Farina, whose principal place of business is gegenüber dem Jülichs-Platz, Cologne, Germany, is a national of a designated enemy country (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian two shares of no par value common capital stock of Johann Maria Farina, Inc., registered in the names of Hans H. A. Meyn and Emil Schill, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4169; Filed, March 24, 1944; 10:46 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–82]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE GRAND RAPIDS, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Grand Rapids, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–82" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan.

8. This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Co., Grand Rapids, Mich.
Oakwood Taxi Co., Grand Rapids, Mich.

[F. R. Doc. 44–4163; Filed, March 24, 1944; 11:36 a. m.]

[Supp. Order ODT 20A–83]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE DODGE CITY, KANS. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Dodge City, Kansas, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of Section 5 (5) which is disapproved. The operators are directed to place the plan, in so far as it is approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Wichita, Kansas, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–83" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Wichita, Kansas.

8. This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Charles Goldsberry, d/b/a Yellow Cab Company, 407 Central Avenue, Dodge City, Kans.
P. B. Fyles, d/b/a Uptown Taxi Company, 615½ 2nd Street, Dodge City, Kans.
J. L. Troyer, d/b/a Ever Ready Cab Company, 107 Walnut Street, Dodge City, Kans.
L. G. Brown, d/b/a Red Top Cab Company, 111 Walnut Street, Dodge City, Kans.

[F. R. Doc. 44–4184; Filed, March 24, 1944; 11:36 a. m.]

[1] Filed as part of the original document.

CERTAIN TAXICAB OPERATORS

[Supp. Order ODT 20A–84]

COORDINATED OPERATIONS IN THE PEORIA, ILL., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Peoria, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Peoria, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–84" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Peoria, Illinois.

8. This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

[1] Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX I

Kupper Cab and Rental Co., Inc., 207 Franklin Street, Peoria, Ill.

Niagara Cab Company, 226 N. Jefferson Street, Peoria, Ill.

Terminal Cab Company, 401 Hamilton Street, Peoria, Ill.

Peoria Yellow Cab Company, 607 Franklin Street, Peoria, Ill.

Millard Bender, 108 Longview Place, Peoria, Ill.

State Cab Company, 316 Hamilton Street, Peoria, Ill.

[F. R. Doc. 44-4185; Filed, March 24, 1944; 11:37 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 640]

BOW COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 640 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state and subdistricts. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

[Bow Coal Co., 1300 Graham Ave., Solomon Bldg., Windber, Pa., Tray No. 4 Mine, Mine Index #3072, Somerset County, Sub-District No. 33, Strip Mine]

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.35	$3.35	$3.35	$3.15	$3.15
Truck shipment	3.65	3.40	3.40	3.20	3.20
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

[Hughes, C. Virgil, 312 Commercial Trust Bldg., Philadelphia, Pa., Virgin No. 1 Mine, Mine Index #3033, Clearfield County, Sub-District No. 13, Strip Mine]

	Size group Nos.				
	1	2	3	4	5
Price classification	C	C	C	C	C
Rail shipment	$3.70	$3.65	$3.45	$3.30	$3.30
Truck shipment	3.75	3.50	3.50	3.40	3.40
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

[Hughes, C. Virgil, 312 Commercial Trust Bldg., Philadelphia, Pa., Virgin No. 2 Mine, Mine Index #3034, Clearfield County, Sub-District No. 13, Strip Mine]

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipment	3.60	3.35	3.35	3.25	3.15
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

[McGraw & Bindley, 6620 Hamilton Ave., Pittsburgh, Pa., Oak Ridge No. 7 Mine, Mine Index #3085, Cambria County, Sub-District No. 34, Strip Mine]

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipments	$3.35	$3.35	$3.35	$3.15	$3.15
Truck shipments	3.65	3.40	3.40	3.20	3.20
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

[Pine Run Coal Co., 211 N. Second St., Clearfield, Pa. Pine Run No. 1 Mine, Mine Index #3083, Clearfield County, Sub-District No. 13, Strip Mine]

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipments	$3.90	$3.40	$3.35	$3.25	$3.25
Truck shipments	3.70	3.45	3.45	3.25	3.25
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

This order shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4141; Filed, March 23, 1944; 11:35 a. m.]

[MPR 120, Order 641]

JERRY W. GWIN, ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 641 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 13. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

[Gwin, Jerry W., 1801 Comer Bldg., Birmingham, Ala., Walker County, Gwin No. 1 Mine, Mine Index No. 2006, Blue Creek Seam, Strip Mine]

	Size group																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Price classification:																							
Rail shipments price group #6	$5.30	$5.30	$5.30	$5.30	$5.30	$4.80	$4.70	$4.80	$4.70	$4.80	$4.70	$3.90	$3.80	$3.90	$3.90	$3.90	$3.70	$3.70	$3.80	$3.90	$3.80	$3.60	$3.60
Truck shipments price group #1	5.25	5.25	5.30	5.25	5.25	4.75	4.55	4.75	4.55	4.75	4.55	4.40	4.30	4.40	4.40	4.40	4.15	4.15	4.30	4.30	4.30	4.05	4.05
Railroad fuel price group #6	5.30	5.30	5.30	5.30	5.30	4.80	4.70	4.80	4.70	4.80	4.70	3.90	3.80	3.90	3.90	3.90	3.70	3.70	3.80	3.90	3.80	3.60	3.60

[Gwin, Jerry W., 1801 Comer Bldg., Birmingham, Ala., Walker County, Gwin No. 2 Mine, Mine Index No. 2007, Mary Lee Seam, Strip Mine]

	Size group																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Price classification:																							
Rail shipments price group #1	$3.30	$3.30	$3.30	$3.30	$3.30	$3.30	$3.40	$3.30	$3.40	$3.30	$3.40	$3.45	$3.35	$3.45	$3.45	$3.45	$3.40	$3.40	$3.35	$3.35	$3.35	$3.30	$3.30
Truck shipments price group #7	4.20	4.20	4.20	4.20	4.20	4.20	4.35	4.15	4.35	4.15	4.35	4.15	3.80	3.70	3.80	3.80	3.80	3.75	3.70	3.70	3.70	3.40	3.40
Railroad fuel price group #1	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.45	3.35	3.45	3.45	3.40	3.40	3.35	3.35	3.35	3.30	3.30

[Gwin, Jerry W., 1801 Comer Bldg., Birmingham, Ala., Walker County, Gwin No. 3 Mine, Mine Index No. 2010, Jagger Seam, Strip Mine]

	Size group																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Price classifications:																							
Rail shipments price group #1	$3.30	$3.30	$3.30	$3.30	$3.30	$3.30	$3.40	$3.30	$3.40	$3.30	$3.40	$3.45	$3.35	$3.45	$3.45	$3.45	$3.40	$3.40	$3.35	$3.35	$3.35	$3.30	$3.30
Truck shipments price group #7	4.20	4.20	4.20	4.20	4.20	4.20	4.35	4.15	4.35	4.15	4.35	4.15	3.80	3.70	3.80	3.80	3.80	3.75	3.70	3.70	3.70	3.40	3.40
Railroad fuel price group #1	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.45	3.35	3.45	3.45	3.40	3.40	3.35	3.35	3.35	3.30	3.30

[Alabama Coal Mining Co., Calera, Alabama, Shelby County, Alabama Coal Mining Co., #1 Mine, Mine Index No. 856, Wadsworth Seam, Strip Mine]

	Size group																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Price classification:																							
Rail shipments price group #6	$5.30	$5.30	$5.30	$5.30	$5.30	$4.80	$4.70	$4.80	$4.70	$4.80	$4.70	$3.90	$3.80	$3.90	$3.90	$3.90	$3.90	$3.70	$3.70	$3.80	$3.80	$3.80	$3.60
Truck shipments price group #2	5.05	5.05	5.05	5.05	5.05	4.75	4.55	4.75	4.55	4.75	4.55	4.25	4.15	4.25	4.25	4.25	4.00	4.00	4.15	4.15	4.15	3.65	3.65
Railroad fuel price group #6	5.30	5.30	5.30	5.30	5.30	4.80	4.70	4.80	4.70	4.80	4.70	3.90	3.80	3.90	3.90	3.90	3.70	3.70	3.80	3.80	3.80	3.60	3.60

[Commando Coal Co., Hailey, W. L., 1012 Cotton States Bldg., Nashville 3, Tenn., Grundy County, Commando Mine, Mine Index No. 2017, Sewanee Seam, Strip Mine]

	Size group													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Price classification:														
Rail shipments price group #10	$4.00	$4.00	$4.00	$3.50	$3.50	$3.50	$3.40	$3.40	$3.40	$3.20	$3.20	$3.20	$2.60	$2.60
Truck shipments price group #9	4.55	4.55	4.55	4.00	4.00	4.00	3.75	3.75	3.75	3.45	3.45	3.45	3.40	3.40
Railroad fuel price group #10	4.00	4.00	4.00	3.50	3.50	3.50	3.40	3.40	3.40	3.20	3.20	3.20	2.60	2.80

This order shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4142; Filed, March 23, 1944; 11:53 a. m.]

Regional and District Office Orders.

[Region I Order G-65 Under RMPR 122]

SOLID FUELS IN ATTLEBORO, MASS., AREA

Order No. G-65 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Attleboro, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Attleboro, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-65 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-65. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-65 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a delivered basis to consumers at any point in the Attleboro, Massachusetts, area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.00	$8.75	$4.65	$1.00
Pea	15.45	8.00	4.25	.95
Buckwheat	13.55	7.05	3.80	.85
Rice	12.15	6.35	3.45	.75
Yard Screenings	5.25			
Coke: Egg, stove and chestnut	16.75	8.15	4.35	.95
Ambricoal	14.80	7.65	4.10	.90

(2) *Discount to certain class of customers.* The foregoing maximum prices shall be reduced by fifty cents per ton on all sales to industrial and commercial users.

(3) *Maximum authorized service and deposit charges.* (a) The foregoing maximum prices include any carrying or wheeling that may be necessary to effect delivery into consumer's bin or storage space, except for carries up or down flights of stairs of quarter-ton or larger quantities. If a carry up or down flights of stairs is necessary in order to effect delivery of a quarter-ton or larger quantity into consumer's bin or storage space and if the consumer requests such service of him, the dealer may charge fifty cents per ton, twenty-five cents per half-ton or fifteen cents per quarter-ton, per flight, for any carry up or down flights of stairs. If the consumer does not request such service in such cases, the maximum prices shall apply for delivery to that available point which is nearest and most accessible to the stairs.

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Attleboro, Massachusetts, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.00	$8.00	$4.00	$0.85
Pea	14.45	7.25	3.65	.80
Buckwheat	12.55	6.30	3.15	.70
Rice	11.15	5.60	2.80	.60
Yard screenings	4.25			
Coke: Egg, stove and chestnut	14.75	7.40	3.70	.80
Ambricoal	13.60	6.90	3.45	.75

(2) *Discount to certain class of customers.* The provisions of subparagraph (2) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c), including those prices as reduced in accordance with subparagraphs (b) (2) and (c) (2), shall, except in the case of Pennsylvania anthracite yard

screenings, be reduced by $1.00 per ton or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(c) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Attleboro, Massachusetts Area to dealers in fuels who resell them.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$15.75	$8.20	$4.45
Pea	12.70	6.35	3.20
Buckwheat	10.60	5.40	2.70
Rice	9.40	4.70	2.35
Yard screenings	4.25		
Coke: egg, stove, and chestnut	13.25	6.85	3.35
Ambricoal	11.30	5.65	2.85

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold. *Provided,* That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	¼ ton	100 lbs.
Jeddo highland: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.25	$0.15	$0.05	None
Greenwood: Egg, stove, chestnut, and pea	.25	.15	.05	None
Franklin:				
Broken	.75	.40	.20	$0.05
Egg	1.00	.60	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.50	.15	.05	None
Rice	.10	.05	None	None

(g) *Definitions.* When used in this Order G–65, the term:

(1) "Attleboro, Massachusetts, Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Attleboro, North Attleboro and Plainville.

(2) "Specified solid fuels" shall include Pennsylvania Anthracite, Coke and Ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(7) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926). "Buckwheat", "Rice" and "Barley" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(8) "Coke" shall include only coke produced by the following producers: Providence Gas Company; Fall River Gas Company; Taunton Gas Light Company; Blackstone Valley Gas and Electric Company. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

(9) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; and *Provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyers (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–65 shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4154; Filed, March 23, 1944; 12:17 p. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 11]

SOLID FUELS IN RIPLEY, TENN.

Amendment No. 11 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix X, maximum prices for solid fuels in Ripley, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (10), to read as set forth below:

(10) *Appendix X: Maximum prices for specified solid fuels in Ripley, Tennessee, and vicinity.* The maximum prices for specified solid fuels sold and delivered within the limits of Ripley, Tennessee, and the area lying within fifteen miles of said limits (but not beyond the state line of the State of Tennessee) by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

Bituminous coals from District No. 9

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton ton 500 lbs.
Lump or Egg Coals from 9 or 11 and other seams in Price Group 3	$5.50	$2.65	$1.95

(ii) *Special sales and services*—(a) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price 50¢ per ton.

(b) *Delivery zone.* For deliveries made beyond the city limits of Ripley, Tennessee, and within fifteen miles thereof (but not beyond the state line of the State of Tennessee), the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the limits of such city with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said city limits to the point of delivery by the most direct highway route.

(c) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 11 to Order No. G–17 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 15, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4153; Filed, March 23, 1944; 12:19 p. m.]

[Region IV Orders G–12, G–14, and G–17, Supp. Order 1; Orders No. G–3, G–4, G–6, G–7, G–8, G–9, G–11, G–13, G–15, and G–16, Supp. Order 2; Orders G–5, G–10, Supp. Order 3; Under RMPR 122]

SOLID FUELS IN CERTAIN SOUTHERN STATES

Supplementary Order No. 1 to Orders No. G–12, G–14, and G–17 Supplementary Order No. 2 to Orders No. G–3, G–4, G–6, G–7, G–8, G–9, G–11, G–13, G–15, and G–16. Supplementary Order No. 3 to Orders No. G–5 and G–10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Applying respectively in or about the following areas: Augusta, Georgia; Durham, North Carolina; Toccoa, Dalton, Rome, Macon, and Columbus, Georgia; Phenix City, Alabama; Charleston, South Carolina; Bristol, Tennessee-Virginia; and Spartanburg, South Carolina; Fulton and Dekalb Counties, Georgia; Raleigh, North Carolina; Savannah, Georgia; Knoxville, Tennessee; Columbia, South Carolina; Danville, Virginia; Roanoke, Virginia; Wilmington and Winston-Salem, North Carolina; Lynchburg, Virginia; Charlotte, North Carolina; Henrico and Chesterfield counties, Virginia; and the City of Richmond, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the amendment provisions of the above captioned orders, *It is hereby ordered,* That:

The titles of the above captioned orders, and amendments and supplementary orders thereto, are hereby changed by striking from the present titles the words "Under § 1340.260 of", so that said titles shall hereafter read "Order No. G–(number of order) under Revised Maximum Price Regulation No. 122."

These Supplementary Orders No. 1, 2, and 3 shall become effective March 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 13, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4156; Filed, March 23, 1944; 12:19 p. m.]

[Region VII Order G–2 Under SR 14A]

FLUID MILK IN LAS VEGAS, N. MEX., AREA

Order No. G–2 Under Supplementary Regulation 14A to the General Maximum Price Regulation. Adjusted prices for sale of fluid milk to the Army and Navy in the Las Vegas area of the State of New Mexico.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.73a (a) (1) (iii) (c), Supplementary Regulation 14A to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G–2 is issued.

(a) *What this order does.* This order adjusts the maximum price of milk sold by the quart to the Army and Navy by distributors in the Las Vegas Area of the State of New Mexico.

(b) *Specific maximum price.* The maximum price of fluid milk sold in glass or paper containers to the Army or Navy for delivery f. o. b. the seller's dock or place of business in said Las Vegas Area to the Army or Navy shall, on and after the effective date of this order be 13½¢ per quart.

(c) *Geographical applicability.* This order applies only to the Las Vegas Area which means all of the area in the State of New Mexico contained within the municipal boundaries of Las Vegas and a distance of five miles beyond at all points.

(d) *Applicability to other regulations.* Except insofar as provided otherwise in this order No. G–2, all sellers of fluid milk to the Army or Navy in glass bottles or paper containers in the Las Vegas Area shall remain subject to and be required to comply with all other applicable regulations.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control,

are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Effective date.* This order shall become effective as of March 15, 1944.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-4151; Filed, March 23, 1944; 12:19 p. m.]

[Region VIII Order G-1 Under SR 15, Amdt. 1]

FLUID MILK IN OREGON-WASHINGTON

Amendment No. 1 to Order No. G-1 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended. Fluid milk prices at wholesale and retail in the State of Oregon and certain portions of the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by special authorization from the Price Administrator dated February 14, 1944, *It is hereby ordered*, That Order No. G-1, under § 1499.75 (a) (9) of Supplementary Regulation No. 15, to the General Maximum Price Regulation be amended as set forth below:

(a) The preamble is amended to read as follows:

For the reason set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, of the General Maximum Price Regulation and special authorization conferred by the Price Administrator, *It is hereby ordered:*

(b) Paragraph (a) is hereby amended by adding at the end thereof, the following:

THE TOWN OF HEPPNER IN THE STATE OF OREGON

Quantity	Retail	Wholesale f. o. b. seller's plant	Wholesale delivered
	Cents	*Cents*	*Cents*
Quart	13½	11	12
Half-pint		6	6½

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4150; Filed, March 23, 1944; 12:19 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 22]

FLUID MILK IN CALIFORNIA

Amendment No. 22 to Order No. G-2 under § 1499.18 (c) of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in certain localities of the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by special authorization conferred by the Price Administrator on March 16, 1944, *It is hereby ordered*, That Order No. G-2 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended as set forth below:

(a) Schedule B is hereby amended by striking out the heading, "Siskiyou County except the towns of Weed, Mt. Shasta, and Dunsmuir," and by substituting therefor the following, "Siskiyou County except the towns of Weed, Mt. Shasta, Dunsmuir, and Dorris".

(b) Schedule B is hereby further amended by adding at the end thereof, the following:

THE TOWN OF DORRIS IN SISKIYOU COUNTY

	Wholesale	Retail
Quart	10.13	10.145

This amendment to Order No. G-2 shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9323; 6 F.R. 4681)

Issued this 17th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4152; Filed, March 23, 1944; 12:17 p. m.]

[Region VIII Order G-70 Under 18 (c), Amdt. 1]

ALFALFA MEAL IN NEVADA

Amendment No. I to Order No. G-70 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for sales of alfalfa meal in the State of Nevada.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, Order No. G-70 under § 1499.18 (c), as amended, of the General Maximum Price Regulation is hereby amended in the following particulars:

(a) Paragraph (a) is hereby amended by adding a new subparagraph (4) to read as follows:

(4) For such sales of alfalfa meal of less than 14% protein content, deduct $2.00 per ton for each 1% reduction of protein content from the maximum price as provided in paragraph (a) (1) alfalfa meal, not less than 14% protein content.

This amendment shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4155; Filed, March 23, 1944; 12:17 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 22, 1944.

REGION II

Binghamton Order No. P-1, Amendment No. 1, filed 2:37 p. m.
New York Order No. P-1, Amendment No. 2, filed 2:37 p. m.
New York Order No. 12, Amendment No. 1, filed 2:38 p. m.
New York Order No. 13, Amendment No. 1, filed 2:38 p. m.
New York Order No. 14, Amendment No. 1, filed 2:37 p. m.

REGION III

Grand Rapids Order No. F-1, Amendment No. 26, filed 2:32 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 10, filed 2:39 p. m.
Lexington Order No. 1-F, Amendment No. 21, filed 2:36 p. m.
Lexington Order No. 2-F, Amendment No. 14, filed 2:36 p. m.
Lexington Order No. 3-F, Amendment No. 12, filed 2:35 p. m.

REGION IV

Memphis Order No. 1-W, Amendment No. 2, filed 2:35 p. m.
Memphis Order No. 4-F, Amendment No. 25, filed 2:35 p. m.

REGION V

Kansas City Order No. 3-F, Amendment No. 5, filed 2:34 p. m.
New Orleans Order No. 2-F, Amendment No. 9, filed 2:30 p. m.
San Antonio Order No. 1-W, filed 2:34 p. m.
San Antonio Order No. 1-F, Amendment No. 2, filed 2:30 p. m.
San Antonio Order No. 2-F, Amendment No. 2, filed 2:30 p. m.
Tulsa Order No. G-8, Amendment No. 1, filed 2:29 p. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 5, filed 2:31 p. m.
Des Moines Order No. 1-F, Amendment No. 8, filed 2:29 p. m.
Duluth-Superior Order No. 1-F, Amendment No. 8, filed 2:33 p. m.
Milwaukee Order No. 2-F, Amendment No. 6, filed 2:33 p. m.
Milwaukee Order No. 3-F, Amendment No. 6, filed 2:34 p. m.
Milwaukee Order No. 4-F, Amendment No. 2, filed 2:39 p. m.
Milwaukee Order No. 5-F, Amendment No. 5, filed 2:34 p. m.
Milwaukee Order No. 11, filed 2:33 p. m.
Moline Order No. 2-F, Amendment No. 5, filed 2:31 p. m.
North Platte Order No. 14, filed 2:31 p. m.
Peoria Order No. 5, Amendment No. 6, filed 2:31 p. m.

REGION VII

Utah Order No. F-2, Amendment No. 3, filed 2:32 p. m.
Utah Order No. F-4, Amendment No. 2, filed 2:39 p. m.

Utah Order No. F-5, Amendment No. 2, filed 2:38 p. m.
Utah Order No. F-6, Amendment No. 3, filed 2:38 p. m.

REGION VIII

Sacramento Order No. 3-P, filed 2:26 p. m.
Sacramento Order No. 4-P, filed 2:26 p. m.
Sacramento Order No. 1-F, Amendment No. 6, filed 2:29 p. m.
Sacramento Order No. 3-F, Amendment No. 6, filed 2:29 p. m.
Sacramento Order No. 5-F, Amendment No. 6, filed 2:27 p. m.
Sacramento Order No. 6-F, Amendment No. 4, filed 2:27 p. m.
Sacramento Order No. 7-F, Amendment No. 4, filed 2:27 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-4163; Filed, March 23, 1944; 3:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 21, 1944.

REGION II

Newark Order No. 1-P, Amendment No. 1, filed 4:16 p. m.

REGION III

Grand Rapids Order No. F-14-A, filed 4:01 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 1, filed 4:04 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 2, filed 4:05 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 3, filed 4:05 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 4, filed 4:05 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 5, filed 4:06 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 6, filed 4:06 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 7, filed 4:07 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 8, filed 4:07 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 9, filed 4:07 p. m.
Grand Rapids Order No. F-14-D, Amendment No. 1, filed 4:03 p. m.
Grand Rapids Order No. F-14-B, filed 4:02 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 1, filed 4:08 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 2, filed 4:08 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 3, filed 4:08 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 4, filed 4:09 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 5, filed 4:09 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 6, filed 4:09 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 7, filed 4:09 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 8, filed 4:11 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 9, filed 4:11 p. m.
Saginaw Order No. 2-W, filed 4:12 p. m.
Grand Rapids Order No. F-14-D, filed 4:01 p. m.
Grand Rapids Order No. F-14-D, Amendment No. 2, filed 4:03 p. m.
Grand Rapids Order No. F-14-D, Amendment No. 3, filed 4:04 p. m.
Grand Rapids Order No. F-14-C, filed 4:14 p. m.
Grand Rapids Order No. F-14-C, Amendment No. 1, filed 4:02 p. m.
Grand Rapids Order No. F-14-C, Amendment No. 2, filed 4:03 p. m.
Grand Rapids Order No. F-14-C, Amendment No. 3, filed 4:03 p. m.
Louisville Order No. 16, filed 4:13 p. m.

REGION IV

Memphis Order No. 14, Amendment No. 1, filed 4:13 p. m.
Nashville Order No. 2-W, Amendment No. 1, filed 4:17 p. m.
Nashville Order No. 5-F, Amendment No. 8, filed 4:17 p. m.
Nashville Order No. 12, Amendment No. 3, filed 4:17 p. m.

REGION V

Arkansas Order No. G-13, filed 4:15 p. m.
Houston Order No. 12, filed 4:11 p. m.
San Antonio Order No. G-10, filed 4:18 p. m.

REGION VI

Fargo-Moorhead Order No. 1-F, Amendment No. 1, filed 4:14 p. m.
Milwaukee Order No. 2-F, Amendment No. 5, filed 4:16 p. m.
Milwaukee Order No. 3-F, Amendment No. 5, filed 4:15 p. m.
Milwaukee Order No. 5-F, Amendment No. 4, filed 4:16 p. m.

REGION VIII

Seattle Order No. 2-F, Amendment No. 6, filed 4:15 p. m.

The following order under Revised General Order 51 was filed with the Division of the Federal Register on February 21, 1944.

New Mexico Order No. 7, Amendment 6, filed 4:03 p. m.

Copies of these orders may be secured from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-4164; Filed, March 23, 1944; 3:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-816]

AMERICAN LIGHT AND TRACTION CO., ET AL.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March 1944.

In the matter of American Light & Traction Company, Michigan Consolidated Gas Company, American Production Company, American Michigan Pipe Line Company, Waverly Company.

Michigan Consolidated Gas Company, a subsidiary of American Light & Traction Company, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said act of the issuance and sale, at competitive bidding pursuant to Rule U-50, of $38,000,000 principal amount of First Mortgage Bonds, 3½% Series due 1969, and 40,000 shares of 4¾% Cumulative Preferred Stock; and

Public hearings having been held on such matter after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the said application, as amended, be, and it hereby is, granted, subject to the terms and conditions prescribed in Rule U-24 and subject also to the following additional terms and conditions:

1. Said proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose.

2. Jurisdiction is reserved with respect to attorneys' fees incurred, and fees for advisory services rendered, in connection with the proposed financing.

It is further ordered That applicant's request for shortening of the ten-day period required by Rule U-50 (b) be and the same is hereby granted and that such period is shortened to not less than six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4159; Filed, March 23, 1944; 2:42 p. m.]

[File No. 1-725]

BROOKLYN AND QUEENS TRANSIT CORP.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D. 1944.

In the matter of Brooklyn and Queens Transit Corporation, Common Stock, No Par Value.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Brooklyn and Queens Transit Corporation;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 30, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4157; Filed, March 23, 1944; 2:42 p. m.]

[File No. 1-1154]

BROOKLYN-MANHATTAN TRANSIT CORP.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, on the 20th day of March, A. D. 1944.

In the matter of Brooklyn-Manhattan Transit Corporation, Common Stock, No Par Value.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Brooklyn-Manhattan Transit Corporation;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on March 30, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4156; Filed, March 23, 1944; 2:42 p. m.]

WAR PRODUCTION BOARD.

GOLDSTEIN POLAND CO., INC.

CONSENT ORDER

Goldstein Poland Co., Inc., of Pine Street, Providence, Rhode Island, engaged in the manufacture of jewelry, and Charles Rothman, its Treasurer, and James J. Poland, its President, both of Providence, are severally charged by the War Production Board with having purchased and put into process domestic silver in excess of the amount of their quota as established by Conservation Order M-199, between February 5, 1943, and October 30, 1943. Such over purchases aggregated 51,190.77 ounces. During January, 1944, voluntary sale of 27,577.30 ounces from inventory reduced the net amount of silver purchased and put into production in excess of quota to approximately 23,613.47 ounces. Goldstein Poland Co., Inc., Charles Rothman and James J. Poland admit the violations as charged and do not desire to contest their wilfulness and have consented to the issuance of this Order.

Wherefore, upon the agreement and consent of Goldstein Poland Co., Inc., Charles Rothman and James J. Poland and the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Goldstein Poland Co., Inc., shall not purchase or put into process prior to December 31, 1944, any domestic silver except that which shall be processed on toll agreement for others.

(b) Nothing contained in this order shall be deemed to relieve Goldstein Poland Co., Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 23, 1944, and shall expire on December 31, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4165; Filed, March 23, 1944; 4:55 p. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

FEDERAL REGISTER

VOLUME 9 NUMBER 62

Washington, Tuesday, March 28, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 503, Rev. 5]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE; TREATMENTS AUTHORIZED

Introductory note. Further investigational work has shown that methyl bromide fumigation in partial vacuum can be applied at lower soil temperatures than heretofore authorized, for the destruction of larvae of the white-fringed beetles; also, that larvae of all species of white-fringed beetles can be included under the same treatment schedules. Dosage schedules for fumigation of nursery plants with soil balls not greater than 5 inches in diameter under normal atmospheric pressure have also been developed. Likewise fumigation schedules for produce have been developed. The administrative instructions in this circular, specifying the various authorized treatments, are therefore hereby revised.

All treatments apply to the various species of white-fringed beetles.

This circular supersedes all instructions in Circular B. E. P. Q. 503 and Supplement No. 1 revised.

§ 301.72-5c[1] *Administrative instructions; treatments authorized.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (a) of § 301.72-5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle], the following methods of treatment are hereby authorized effective March 27, 1944, when carried out under the supervision of an authorized inspector of the United States Department of Agriculture.

(a) *Plants in pots or in soil balls—*(1) *Methyl bromide fumigation at atmospheric pressures.* (i) Fumigation may be done with the dosage schedules prescribed below. The period of fumigation shall be 2 hours in all instances.

Soil temperature at least ° F.:	*Dosage per 1,000 cubic feet (pounds)*
70	4.5
75	4
80	3.5
85	3
90	2.5

(ii) Such fumigation shall be applied only to plants in 6-inch pots or smaller, or with soil balls 5 inches or less in least diameter. The plants shall be placed on racks so that the gas mixture can have access to all sides of the pots or the soil balls.

(iii) The fumigation shall be done in a tight chamber with gastight doors. The chamber shall be of such construction so as to pass certain tests prescribed by the inspector in charge to his satisfaction.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan during the entire period of the treatment.

(v) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(2) *Methyl bromide fumigation under partial vacuum.* (i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury may be done with dosage schedules as prescribed below. The vacuum shall be maintained during the entire period. The period of fumigation shall be 1½ hours in all instances.

Soil temperature at least ° F.:	*Dosage per 1,000 cubic feet (pounds)*
40	6
45	5.5
50	5
55	4.5

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[1] Superseding §§ 301.72-5a and b.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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60	4
65	3.5
70	3
75	2.5
80	2

(ii) The soil masses shall not be more than 16 inches in least diameter.

(iii) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and to bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

(v) A standard vacuum fumigation chamber that can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) is not more than 20 minutes is necessary.

(3) *Methyl bromide solution*—(i) *Treatment method.* (Applicable to all regulated areas.) (a) The soil balls around the roots of plants must be buried in sand and plunged in boxes or trays which are watertight and approximately 1 foot deep.

(b) A 2-inch space filled with sand shall be provided between the soil balls, also above and beneath them.

(c) Such soil balls shall be treated with a solution of methyl bromide and alcohol at a concentration of 0.3 percent methyl bromide and 0.6 percent denatured ethyl alcohol by volume in water. The solution is to be prepared by first mixing the methyl bromide and alcohol together and then adding this mixture to the water and mixing thoroughly.

(d) The aqueous solution of methyl bromide and alcohol shall then be applied evenly over the surface of the sand around the plants at the rate of 40 gallons per 100 square feet of surface area by means of a sprinkling can or sprayer.

(ii) *Type of material, exposure, and temperature.* (a) In Orleans Parish, including the city of New Orleans, Saint Bernard Parish, and regulated parts of Jefferson and Plaquemines Parishes, La., the treatment shall be applied only to plants in soil balls not greater than 7 inches in diameter, nor greater than 7 inches in thickness when not spherical. After the required dosage has been applied, the soil balls shall remain embedded in the sand for a period of 8 hours. The temperature of the soil balls during the treatment shall not be lower than 65° F.

(b) In all regulated areas other than Orleans Parish, including the city of New Orleans, Saint Bernard Parish, and regulated parts of Jefferson and Plaquemines Parishes, La., the treatment shall be applied to soil balls not greater than 8 inches in diameter nor greater than 8 inches in thickness when not spherical. After the required dosage has been applied, the soil balls shall remain embedded in the sand for a period of 6 hours. The temperature of the soil balls during the treatment shall not be lower than 62° F.

(b) *Potting soil*—(1) *Carbon disulphide fumigation.* (i) Potting soil shall be treated in a container with carbon disulphide at a dosage of 2 pounds per cubic yard of soil for a period of 48 hours.

(ii) The grade of carbon disulphide shall be comparable to U. S. P. grade having a specific gravity of 1.25 at 68° F.

(iii) The container shall be tight, preferably lined with sheet metal, and shall have a tight cover or be covered with a tarpaulin immediately after the fumigant is applied. The container shall not be more than 36 inches deep.

(iv) The soil shall be friable, and wet soil shall not be treated by this method. The fumigant shall be applied to the soil in holes 3 inches deep, the dosage to be evenly divided among holes 1 foot apart over the surface of the soil, and the fumigant shall be covered with soil as soon as it is applied.

(v) The temperature of the soil shall not be lower than 40° F. during the entire time of treatment.

(vi) The condition of the soil and the apparatus used and the method of application of the fumigant must meet with the approval of an authorized inspector of the United States Department of Agriculture.

(2) *Methyl bromide fumigation.* (i) Potting soil must be treated in a container with methyl bromide at a dosage of 40 cubic centimeters of methyl bromide per cubic yard of soil for a period of 48 hours.

(ii) The sides, bottom, and seams of the container shall be tight, preferably lined with sheet metal, and shall have a tight cover or be covered with a tarpaulin immediately after the fumigant is applied.

(iii) The temperature of the soil shall not be lower than 40° F. during the entire time of treatment.

(iv) The condition of the soil and the apparatus used and the method of application of the fumigant must meet the approval of an authorized inspector of the United States Department of Agriculture.

(3) *Heat treatment.* (i) Live steam, under pressure of 80 pounds or more per square inch, shall be applied through a grid of perforated pipes at the bottom of the sterilizing box or truck body containing the soil, for a period of 45 minutes or until all parts of the load reach a temperature of 200° F.

(ii) The grids shall be constructed of 1-inch pipes, perforated with holes 1/32 inch in diameter on the upper side and connecting at one end to a manifold into which the steam is introduced.

(iii) The layer of soil in the sterilizing box shall not be more than 2 feet 6 inches deep.

(4) *Methyl bromide and carbon disulphide applied as liquid.* (See instructions in paragraph (c).)

(c) *Soil plots, plunging beds, and potting soil*—(1) *Methyl bromide.* (i) Inject the liquid methyl bromide into the soil at a depth of 6 inches by means of a hollow needle or other suitable injector at the rate of 4.7 milliliters per square foot or 7 milliliters per 1½ square feet of soil surface.

(ii) After treatment has been applied to the plot the soil should be covered with 10- or 15-pound building paper, lapped 4 inches and weighted down so that it will not be blown off.

(iii) The soil must be at a temperature not lower than 45° F. at a depth of 6 inches when the treatment is applied. At temperatures from 45° to 62° inclusive the soil must be kept covered for a period of 6 days to insure complete mortality of all eggs, larvae, pupae, and adults of the insect which may be present in the soil under treatment. At temperatures above 62° the soil must be kept so covered for a period of not less than 4 days.

(2) *Carbon disulphide.* (i) The insecticide shall be applied at the rate of 33 milliliters per square foot of soil surface, the liquid to be poured into holes at least 6 inches deep and 1 inch in diameter at the top, and covered immediately with earth.

(ii) After application the plot should be covered with 10- to 15-pound building paper which shall remain in position for at least 4 days in order to insure complete mortality of any eggs, larvae, pupae, or adults of white-fringed beetles that may be present.

(iii) The treatment shall not be applied to soil which is below 80° F. in temperature at a depth of 6 inches.

(d) *Vegetable produce (for larvae only)*—(1) *Methyl bromide fumigation at atmospheric pressure.* (i) Fumigation at atmospheric pressures may be done with dosage schedules as prescribed below. The period of fumigation shall be 2 hours in all instances.

Temperature of produce at least	Dosage per 1,000 cubic ft.	Dosage per refrigerator car	cc. (ml.) per cubic foot of volume
°F.	*Pounds*	*Pounds*	
86	4	10	1.044
82	3.6	9	0.940
58	3.2	8	0.835
74	2.8	7	0.731
80	2.4	6	0.626
86	2	5	0.522
92	1.6	4	0.418

(ii) The fumigation shall be performed in a refrigerator car, fumigation chamber, or other tight enclosure approved by the inspector in charge.

(iii) The dosage shall be volatilized into the enclosure and the fumigant-air mixt

ture shall be circulated by a blower or large fan for not less than 5 minutes.

(iv) These fumigation schedules should be applied only to produce affected by the presence of larval forms of the white-fringed beetles since they are known to be incompletely effective against eggs of this insect.

(e) *Disclaimer.* There has not been opportunity to test these treatments on all varieties of plants or produce and in authorizing the movement of potted plants, nursery stock, soil, or produce treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to plants, produce, or operators.

(f) *Caution*—(1) *Methyl bromide.* (i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(ii) The method for application of methyl bromide described in paragraph (c) provides a closed system in which the operator is not exposed to a dangerous concentration of the gas provided there is no leakage in any exposed portion of the equipment. Extreme care should be exercised to keep all joints of such apparatus tight and replace any defective parts to prevent accident. The operator should avoid geting any liquid methyl bromide on his clothing or his body at any time.

(2) *Carbon disulphide.* (i) The vapor of carbon disulphide is inflammable and explosive. At a temperature of 297° F. it may take fire spontaneously and in the presence of certain metals, particularly copper, it may ignite at considerably lower temperatures. It must be kept away from fire, and from hot objects, such as electric light bulbs, unprotected brush-type motors, steam pipes, etc. Lighted cigars, cigarettes, or pipes must never be brought near carbon disulphide..

(ii) Carbon disulphide is a blood poison, but poisoning by this chemical is rare. Exposure to the vapor may cause giddiness and headache. When these symtoms develop, the individual should get into the open air.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161; 7 CFR § 301.72–5)

Done at Washington, D. C., this 18th day of March 1944.

Effective March 27, 1944.

AVERY S. HOYT,
Acting Chief.

[F. R. Doc. 44-4382; Filed, March 27, 1944; 11:31 a. m.]

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 944—MILK IN THE QUAD CITIES MARKETING AREA

Sec.
944.0 Findings and determinations.
944.1 Definitions.
944.2 Market administrator.
944.3 Classification of milk.
944.4 Minimum prices.
944.5 Reports of handlers.
944.6 Application of provisions.
944.7 Determination of uniform price to producers.
944.8 Payments for milk.
944.9 Base ratings.
944.10 Marketing services.
944.11 Expenses of administration.
944.12 Effective time, suspension, or termination.
944.13 Agents.

AUTHORITY: §§ 944.0 to 944.13, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.

§ 944.0 *Findings and determinations*—(a) *Findings.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, Cum. Supp., 900.1–900.17; 7 F.R. 3550; 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Quad Cities marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of the order, as amended, and who during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that from and after the effective date hereof the handling of milk in the Quad Cities marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

§ 944.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act. No. 10, Seventy-third Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may hereafter be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Quad Cities marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the cities of Davenport and Bettendorf, Iowa, and Rock Island, Moline, East Moline, and Silvis, Illinois; together with the territory lying within the following townships: Davenport, Rockingham, and Pleasant Valley in Scott County, Iowa; and South Moline, Moline, Blackhawk, Coal Valley, Hampton, and South Rock Island in Rock Island County, Illinois.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, except as provided in § 944.8 (b), irrespective of whether such person is also a handler, who produces milk which is received at a plant from which milk is disposed of as Class I milk in the marketing area. This definition shall include any person who produces milk which a cooperative association causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(f) "Handler" means any person, except as provided in § 944.8 (b), who on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area. This definition shall include a cooperative association with respect to the milk of any producer which it causes to be delivered to a plant from which milk is disposed of as Class I milk in the marketing area, or which it causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(g) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (2) the processing, packaging, and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(h) "Delivery period" means the period from the effective date hereof to and including the last day of that month. Subsequent to that month, "delivery period" means the period from the first to the last day of each month, both inclusive.

(i) "Base" means the quantity of milk calculated for each producer pursuant to § 944.9.

(j) "Market administrator" means the agency which is described in § 944.2 for the administration hereof.

(k) "Cooperative association" means any cooperative association which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

(l) "Emergency milk" means milk received by a handler pursuant to § 944.8 (b) from sources other than producers or other handlers.

§ 944.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Investigate and report to the War Food Administrator complaints of violation of the provisions hereof.

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(2) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the War Food Administrator may designate.

(3) Submit his books and records to examination by the War Food Administrator at any and all times.

(4) Furnish such information and such verified reports as the War Food Administrator may request.

(5) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator.

(6) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 944.5 or (ii) made payments pursuant to § 944.8.

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(8) Pay, out of the funds provided by § 944.11, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses necessarily incurred in the maintenance and functioning of his office.

(9) Promptly verify the information contained in reports submitted by handlers.

§ 944.3 *Classification of milk*—(a) *Basis of classification.* All milk or cream purchased or received by a handler or caused to be delivered by a cooperative association to a plant from which no milk is disposed of as Class I milk in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section: *Provided*, That (1) any milk of producers moving as milk to a plant of a nonhandler who disposes of fluid milk for consumption as milk shall be classified as Class I milk except for such milk in excess of the amount of fluid milk so disposed of by such nonhandler; (2) any milk of producers, other than milk classified as Class I milk pursuant to (1) of this paragraph, moving as milk or cream to a plant of a handler who disposes of fluid cream for consumption as cream shall be classified as Class II milk except for such milk or cream in excess of the amount of milk and cream disposed of by such handler as fluid cream; (3) any milk of producers, other than milk classified as Class I milk or as Class II milk pursuant to (1) and (2) of this paragraph, moving as milk or cream to a plant of a nonhandler, shall be classified in accordance with its utilization by such nonhandler, subject to verification by the market administrator; and (4) any milk moving as fluid milk from any handler's plant to a plant of another handler shall be classified as Class I milk, and any cream moving as fluid cream to a plant of another handler shall be classified as Class II milk: *Provided*, That if such milk or cream was utilized in a lower classification, such milk or cream shall be classified accordingly, subject to verification by the market administrator.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of milk and all milk not specifically accounted for as Class II milk, Class III milk, or Class IV milk.

(2) Class II milk shall be all milk disposed of as cream, for consumption as cream (including any cream product in fluid form containing 6 percent or more butterfat), buttermilk, cottage cheese, and all milk disposed of as chocolate milk or as any flavored milk drink.

(3) Class III milk shall be all milk specifically accounted for as used to produce evaporated milk, condensed milk, ice cream mix, unsalted butter, or any milk product other than those specified in Class II milk and Class IV milk.

(4) Class IV milk shall be all milk used to produce butter and American type Cheddar cheese and all milk accounted for as actual plant shrinkage: *Provided*, That such shrinkage shall not exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of the milk in each class.* For each delivery period the market administrator shall compute, in the case of each handler, the amount of milk in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; (iv) other sources; and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test; (ii) multiply the weight of milk received from handler's own farm production by its average butterfat test; (iii) multiply the weight of the milk received from other handlers by its average butterfat test; (iv) multiply the weight of the milk received from other sources by its average butterfat test; and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the total quantity of milk disposed of in the form of milk on the basis of 2.15 pounds per quart; (ii) multiply the results by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk, Class III milk, and Class IV milk computed pursuant to subparagraphs (4) (ii), (5) (ii),

and (6) (iv) of this paragraph is less than the total pounds of butterfat received, computed in accordance with subparagraph (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to subdivision (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II by its average butterfat test; (ii) add together the resulting amounts; and (iii) divide the result obtained in subdivision (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products in Class III by its average butterfat test; (ii) add together the resulting amounts; and (iii) divide the result obtained in subdivision (ii) of this subparagraph by 3.5 percent.

(6) Determine the total pounds of milk in Class IV as follows: (i) multiply the actual weight of each of the several products of Class IV milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk, Class II milk, and Class III milk, computed pursuant to subparagraph (3) (ii), (4) (ii), and (5) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to subdivision (ii) of this paragraph from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purpose of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler); (iv) add the result obtained in subdivision (iii) of this subparagraph (but not to exceed 3 percent of the total receipts of butterfat from producers by the handler), and the result obtained in subdivision (ii) of this subparagraph; and (v) divide the result obtained in subdivision (iv) of this subparagraph by 3.5 percent.

(7) Determine the classification of milk received from producers as follows: (i) subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class; (ii) subtract from the remaining pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class; (iii) subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production and emergency milk; and (iv) except as set forth in (e) of this section the result shall be known as the "net pooled milk" in each class.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in the various classes as computed pursuant to paragraph (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 944.6 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in Class IV.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class IV for such handler by an amount equal to the difference between the total utilization of milk by classes for such handler and the receipts of milk from producers, which result shall be known as the "net pooled milk" in Class IV.

(f) *Sales of a cooperative association to any other handler.* Milk caused to be delivered from a producer to any other handler by a cooperative association which is a handler shall be ratably apportioned among the receiving handler's total Class I milk, Class II milk, Class III milk, and Class IV milk.

§ 944.4 *Minimum prices*—(a) *Class prices.* Each handler shall pay, at the time and in the manner set forth in § 944.8, not less than the prices set forth in this section per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area on the basis of milk of 3.5 percent butterfat content:

(1) For Class I milk, the price shall be the price for Class III milk for such delivery period plus 70 cents per hundredweight.

(2) For Class II milk, the price shall be the price for Class III milk for such delivery period plus 25 cents per hundredweight.

(3) For Class III milk, the price shall be the result of the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be the price of Class III milk for such delivery period: multiply by 0.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin [in the absence of such prices the prevailing price of "Twins" at Chicago as reported by the United States Department of Agriculture (or such other Federal Agency as may hereafter be authorized to perform this price reporting function) shall be used], add the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture (or such other Federal Agency as may hereafter be authorized to perform this price reporting function) and multiply such result by 3.9.

Concern and Location of Plants

Amboy Milk Products Company, Amboy, Ill.
Borden Company, Dixon, Ill.
Borden Company, Sterling, Ill.
Carnation Milk Company, Oregon, Ill.
Dean Milk Company, Belvidere, Ill.
Dean Milk Company, Pearl City, Ill.
Dean Milk Company, Pecatonica, Ill.
Libby McNeill & Libby Company, Morrison, Ill.
Pet Milk Company, Schullsburg, Wis.
United Milk Products Company, Argo Fey, Ill.

(4) For Class IV milk, the price shall be the result of the following computation by the market administrator: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal Agency as may hereafter be authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent thereof and add any plus amount resulting from the following calculation:

Subtract 4 cents from the average price per pound of casein and multiply such result by 2.3. The price per pound of casein to be used shall be the average of the carlot prices for unground casein, f. o. b. manufacturing plants in Wisconsin, as published by the United States Department of Agriculture (or such other Federal Agency as may hereafter be authorized to perform this price reporting function) at Chicago, during the delivery period in which such milk was received, including in such average the quotations for any part of the previous delivery period which were not published and available for the price determination of such casein for the preceding delivery period.

(b) *Emergency price provisions.* (1) Whenever the War Food Administrator finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the preceding delivery period: *Provided*, That if the War Food Administrator for two consecutive delivery periods finds and announces that the Class I price computed pursuant to (a) of this section is not in the public interest, he shall, upon request of interested parties, and pursuant to the applicable provisions of the act, issue notice of and opportunity for a hearing upon a proposed amendment to this section of the order.

(2) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment being made by any Federal agency in connection with the milk or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

(c) *Grade A premium.* In making payment for Class I milk and Class II milk which complies with the Grade A quality requirements of the Milk Ordinance of the City of Davenport, Iowa, and the minimum requirements adopted by the Davenport Board of Health for the interpretation and enforcement of such ordinance, or of the Grade A Milk and Grade A Milk Products Law of the State of Illinois, and the minimum requirements adopted by the Director of the Illinois Department of Public Health for the interpretation and enforcement of said act, there shall be added a premium of 20 cents per hundredweight to the prices set forth in (a) (1) and (2) of this section.

§ 944.5 *Reports of handlers*—(a) *Periodic reports.* (1) On or before the 5th day after the end of each delivery period each handler, with respect to all milk or milk products which were, during such delivery period, (i) received from producers, (ii) received from handlers, (iii) received from such handler's own production, (iv) received from any other source, or (v) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(a) The receipts at each plant from producers who are not handlers;

(b) The receipts at each plant from any other handler, including any handler who is also a producer;

(c) The receipts at each plant from such handler's own production;

(d) The receipts at each plant from any other source;

(e) The respective quantities of milk and milk products disposed of or on hand; and

(f) The respective butterfat content of each of the above.

(2) On or before the 5th day after the end of each delivery period, the receipts at each plant of emergency milk as follows: (i) the amount of such milk and the average butterfat content thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price paid or to be paid for such milk, (v) the utilization of such milk, and (vi) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall report to the market administrator within 10 days after the market administrator's request with respect to any producer and with respect to a period of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator his producer pay roll for such delivery period, which shall show for each producer (i) the net amount of such producer's payment with the prices, deductions, and charges involved, and (ii) the total delivery of base milk and the total delivery of milk in excess of base milk with the average butterfat test thereof.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipt and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 944.8.

§ 944.6 *Application of provisions*—(a) *Producer-handlers.* (1) Sections 944.4, 944.7, 944.8, 944.9, 944.10, and 944.11 shall not apply to the handling of milk by handlers (i) whose sole source of supply are receipts from other handlers or (ii) who are producer-handlers pursuant to § 944.1 (a) (5), as verified by the market administrator in the manner provided in (2) of this paragraph.

(2) Handlers shall furnish to the market administrator for his verification, subject to review by the War Food Administrator, evidence of their qualifications as producer-handlers pursuant to § 944.1 (a) (5), as of the effective date of the provisions hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affects their qualifications as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(b) *Milk received by a handler from another handler who is also a producer or a producer-handler.* If any handler has purchased or received milk or cream from another handler who is also a producer or a producer-handler, such milk or cream shall be considered as Class IV milk. If such receiving handler disposes of such milk or cream for other than Class IV purposes, the market administrator in computing the net pool obligation of such handler pursuant to § 944.7 (a) shall add an amount equal to the difference between (1) the value of such milk or cream in accordance with its actual utilization by such handler and (2) the value at the Class IV price.

(c) *Milk received by a handler from sources determined as other than producers or other handlers.* If any handler has purchased or received milk or cream from sources determined as other than producers or other handlers, except as provided in § 944.8 (b), such milk and the milk equivalent of such cream shall be considered as utilized in Class IV if the quantity of milk disposed of by him in this class equals or exceeds the quantity of milk from this source plus a quantity equal to actual plant shrinkage, not in excess of 3 percent. If the handler's Class IV disposition does not equal these quantities, any portion or all of such milk not thus utilized in Class IV shall be considered as utilized in Class III if the handler has a utilization in this class equal to or in excess of such quantity. Any quantity not thus considered as utilized in Class IV and Class III shall be considered as utilized as Class II.

(d) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to § 944.7 (a) shall add an amount equal to the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by the handler.

§ 944.7 *Determination of uniform prices to producers*—(a) *Net pool obligation of handlers.* Subject to the provisions of § 944.6, the net pool obligation

of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the "net pooled milk" in each class, computed pursuant to § 944.3 by the class price computed pursuant to § 944.4 (a), add together the resulting amounts, and add the value of any premium required to be paid pursuant to § 944.4 (c).

(b) *Computation of the uniform prices.* For each delivery period the market administrator shall compute the uniform prices per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports pursuant to § 944.5 (a) and who made the payments pursuant to § 944.8.

(2) Subtract from the value computed pursuant to (1) of this paragraph the amount of the payments made pursuant to § 944.4 (c).

(3) Compute the total quantity of milk which represents the delivered bases of producers and which is included in the computation made pursuant to (a) of this section.

(4) Compute the total value of the milk which is in excess of the delivered bases of producers determined pursuant to (2) of this paragraph and which is included in the computation pursuant to (a) of this section as follows: (i) determine the classification of milk in excess of base by allocating such milk first to Class IV milk and then to each succeeding higher classification until all such milk has been classified, (ii) multiply the total pounds of excess milk allocated to each class by the appropriate class price provided in § 944.4 (a), and (iii) add together the resulting amounts.

(5) Compute the total value of the milk represented by the delivered bases of producers by subtracting the value obtained in (4) of this paragraph from the result obtained in (2) of this paragraph.

(6) Add to the value computed pursuant to (5) of this paragraph the amount of the cash balance in the producer-settlement fund less any amount due handlers pursuant to § 944.8 (g).

(7) Divide the result obtained in (6) of this paragraph by the quantity of milk represented by the delivered bases of producers as determined in (3) of this paragraph.

(8) Subtract from the figure obtained in (7) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining a cash balance to provide against errors in reports and payments, or delinquencies, in payments by handlers. This result shall be known as the uniform price per hundredweight for such delivery period for base milk of producers containing 3.5 percent butterfat.

(9) Divide the sum obtained in (4) of this paragraph by the quantity of milk of producers in excess of their delivered base. This result shall be known as the excess price for such delivery period for milk in excess of delivered base of producers containing 3.5 percent butterfat.

(10) Divide the amount subtracted pursuant to (2) of this paragraph by the total hundredweight of base milk which complies with the Grade A milk quality requirements of the Milk Ordinance of the City of Davenport, Iowa, and the minimum requirements adopted by the Davenport Board of Health for the interpretation and enforcement of such ordinance, or of the Grade A milk and Grade A Milk Products Law of the State of Illinois, and the minimum requirements adopted by the Director of the Illinois Department of Public Health for the interpretation and enforcement of said act. The result shall be known as the Grade A premium for such delivery period per hundredweight of base milk of producers which conforms to the above requirements.

(c) *Announcement of prices.* On or before the 10th day after the end of each delivery period the market administrator shall notify all handlers and make public announcement of the computations pursuant to (b) of this section, of the uniform price per hundredweight of base milk, of the excess price, and of the Grade A premium computed pursuant to (b) of this section, of the Class I, Class II, Class III, and Class IV prices computed pursuant to § 944.4, and of the butterfat differential computed pursuant to § 944.8 (c).

§ 944.8 *Payment for milk*—(a) *Time and method of payment.* Each handler shall make payment subject to the butterfat differential set forth in (c) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer for milk which was not caused to be delivered to such handler by a cooperative association for the account of such cooperative association, on or before the 15th day after the end of the delivery period during which such milk was received, at not less than the uniform price per hundredweight for base milk computed pursuant to § 944.7 (b) (8): *Provided*, That for that quantity of base milk which complies with the Grade A milk quality requirements of the Milk Ordinance of the City of Davenport, Iowa, and the minimum requirements adopted by the Davenport Board of Health for the interpretation and enforcement of such ordinance, or of the Grade A milk and Grade A Milk Products Law of the State of Illinois, and the minimum requirements adopted by the Director of the Illinois Department of Public Health for the interpretation and enforcement of said act, there shall be added to the announced uniform price for base milk an amount equal to the Grade A premium computed prusuant to § 944.7 (b) (10).

(2) To each producer for milk which was not caused to be delivered to such handler by a cooperative association for the account of such cooperative association, on or before the 18th day after the end of the delivery period during which such milk was purchased or received at not less than the excess price computed pursuant to § 944.7 (b) (9) for that quantity of milk received from such producer in excess of such producer's base.

(3) On or before the 12th day after the end of each delivery period, each handler, with respect to milk which is caused to be delivered to him from producers by a cooperative association for the account of such cooperative association, shall make payment to such cooperative association for the utilization value of such milk at not less than the class prices, including the Grade A premium set forth in § 944.4, subject to the provisions of § 944.3 (f) and subject to the butterfat differential set forth in (c) of this section.

(b) *Emergency milk.* During any delivery period when the market administrator determines that the supply of milk available to any handler from producers and handlers is not sufficient to fulfill the Class I and Class II milk requirements, including the Grade A requirements of such handler, such handler, after giving notice to the market administrator of his intention to purchase milk from other than such sources, may secure milk from emergency sources on terms and conditions other than those provided in this section. Emergency milk shall be reported to the market administrator by the receiving handler separately from milk received from producers and handlers in accordance with § 944.3 (a). Such milk shall be deducted from each class in the proportion that the quantity of milk disposed of by the receiving handler in each class during the delivery period bears to the total quantity of milk received by him during such delivery period. The person from whom the handler received such milk shall not be considered a handler with respect to milk disposed of in the marketing area under the circumstances described in this paragraph, and the persons who produced such milk shall not be considered "producers" within the meaning of this order.

(c) *Butterfat differential.* If, during the delivery period, any handler has received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in paragraph (a) of this section, shall add for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent not more than:

(1) Three cents per hundredweight when the average price of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or such other Federal Agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk is received, is less than 30 cents;

(2) Four cents per hundredweight when such average price of 92-score butter is 30 cents or over but less than 35 cents; and

(3) Five cents per hundredweight when such average price of 92-score butter is 35 cents or over.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to paragraphs (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to paragraphs (f) and (g) of this section.

(e) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler, including a cooperative association which is a handler, shall pay to the market administrator for payment to producers through the producer-settlement fund, the amount by which the net pool obligation of such handler, including the payments required to be made pursuant to § 944.6, is greater than the sum required to be paid producers by such handler pursuant to paragraph (a) of this section.

(f) *Payments out of the producer-settlement fund.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum reported to be paid producers by such handler pursuant to paragraph (a) of this section is greater than the net pool obligation of such handler, including the payments required to be made pursuant to § 944.6.

(2) If the balance in the "producer-settlement fund" is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustment of errors in payment.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to paragraph (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to paragraph (f) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 944.9 *Base ratings*—(a) *Determination of base.* For each delivery period the base of each producer shall be a quantity of milk calculated in the following manner: multiply the applicable figure computed pursuant to paragraph (b) of this section by the number of days on which milk was received from such producer during such delivery period.

(b) *Determination of daily base.* Effective January 1, 1940, and each subsequent year thereafter, the daily base of each producer for the ensuing year shall be determined by the market administrator from reports filed by handlers pursuant to § 944.5 in the following manner:

(1) Determine for each producer that month during the preceding calendar year when his daily average deliveries of milk were the lowest. Determine the 3 months of the preceding calendar year when the daily average deliveries of milk of all producers were the lowest.

(2) Determine for each producer his total deliveries of milk during each of the 4 months of the year described in subparagraph (1) of this paragraph and add together the resulting amounts.

(3) Divide the sum obtained for each producer in subparagraph (2) of this paragraph by the number of days of such 4 calendar months.

(4) Add together in one sum all the daily average amounts, computed in accordance with subparagraph (3) of this paragraph.

(5) Determine the daily average utilization of Class I milk and Class II milk during the month of the preceding year when such utilization was greatest and add to such daily average an amount not to exceed 10 percent thereof.

(6) Divide the amount determined pursuant to subparagraph (5) of this paragraph by the sum determined pursuant to subparagraph (4) of this paragraph.

(7) Multiply the daily average amount for each producer determined in subparagraph (5) of this paragraph by the percentage figure computed pursuant to subparagraph (6) of this paragraph. This result shall be known as the producer's allotted daily base.

(c) *Base rules.* The following rules shall be observed by the market administrator with respect to the administration of the base plan:

(1) Base allotted to producers pursuant to paragraph (b) of this section shall not be transferable: *Provided*, That bases allotted under a tenant and landlord relationship shall be combined and may be divided only if such relationship is terminated: *And provided further*, That any member of the producer's family may be named as the person to whom such base is to be allotted, but in no case shall a base be allotted to more than one member of such producer's family on the same farm.

(2) As soon as bases are allotted to producers pursuant to paragraph (b) of this section, the market administrator shall notify each handler of the bases of producers from whom such handler receives milk.

(3) Any producer who ceases to market milk to a handler for a period of more than 45 consecutive days shall forfeit his base.

(4) In the event a producer delivers an average quantity of milk less than 85 percent of his allotted daily base for each of 3 consecutive months, such producer shall be reallotted a base equal to his daily average deliveries of milk of his own production for the 3 consecutive months involved.

(5) A producer, whether landlord or tenant of a farm, may retain his own base when moving his entire herd of cows from one farm to another: *Provided*, That at the beginning of a tenant and landlord relationship the allotted base of such tenant and landlord shall be a combined base.

(6) A landlord who rents on shares shall be entitled to the entire base to the exclusion of the tenant if the landlord owns the entire herd. Likewise, the tenant who rents on shares shall be entitled to the entire base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by tenant and landlord, the base shall be divided between the joint owners according to the ownership of the cattle, if and when such joint owners terminate the tenant and landlord relationship.

(7) The base of any producer shall be automatically canceled at the beginning of any delivery period during which such producer reports milk not produced by him as being milk of his own production for the purpose of maintaining or increasing his allotted base. Such producer shall be allotted a new base computed in the manner provided in subparagraph (8) of this paragraph, and shall be treated for the purposes of this section as if he had relinquished his base.

(8) Any producer wishing to earn a new base may do so by notifying the market administrator that he is relinquishing his base at the beginning of the delivery period following that during which notice is given, except that with respect to notice given during the month of January, such producer shall be considered to have relinquished his base effective January 1 or February 1, whichever is indicated in the notice given. All milk delivered by such producer shall be considered as milk delivered in excess of base for a period of 2 full calendar months following such producer's relinquishment of his base. At the conclusion of 2 calendar months such producer shall be allotted a new base in the following manner: the market administrator shall determine the daily average deliveries of milk by such producer during the 2 full calendar months following his relinquishment of base. Such daily average deliveries of milk shall be multiplied by the percentage that base deliveries were to total deliveries of milk to the market during such 2 calendar months by all base-holding producers on the market during that period.

(9) If a producer, who has notified the market administrator within 5 days prior to his participation, enters into a program of disease eradication supervised by either county, State, or Federal authorities, the market administrator, in making his determination of that month of the preceding year when such pro-

ducer's daily average deliveries were lowest pursuant to subparagraph (1) of paragraph (b) of this section, shall disregard any month in which such disease eradication program was being performed.

(10) All milk delivered to a handler by any producer who has not previously marketed milk to a handler or who resumes delivery after not having marketed milk to a handler for a period of more than 45 consecutive days shall, during the period from the date of such producer's first delivery until the conclusion of 2 full calendar months, be considered as milk delivered in excess of base. After the conclusion of 2 full calendar months, the market administrator shall determine a base for such producer by multiplying such producer's daily average deliveries of milk during those 2 calendar months by the percentage that base deliveries were to total deliveries of milk to the market by all base-holding producers on the market during such months.

(11) In the case of a producer who distributes the milk he produces and who disposes of all or a part of his delivery routes to a handler, the market administrator shall determine a figure representing the average daily Class I and Class II milk produced and disposed of during the previous 3 months on the delivery routes of such producer which such producer and such handler jointly report as involved in the transaction, subject to verification by the market administrator. Any base so determined shall be effective until the end of the then current calendar year and thereafter shall be superseded by a figure determined pursuant to paragraph (b) of this section.

§ 944.10 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 4 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to § 944.8 with respect to all milk received by such handler during each delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services of which such producers are members.

§ 944.11 *Expenses of administration*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 3 cents per hundredweight with respect to all milk received during such delivery period from producers or from a producers' cooperative association or produced by such handler, the exact sum to be determined by the market administrator subject to review by the War Food Administrator: *Provided,* That such handler which is a cooperative association shall pay such prorata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

§ 944.12 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order, as amended, or any provision hereof, whenever he finds that this order, as amended, or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order, as amended, shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until discharged by the War Food Administrator, (ii) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the War Food Administrator may direct, and (iii) if so directed by the War Food Administrator, execute such assignments or other instruments necesary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 944.13 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 16th day of March 1944, to be effective on and after the 1st day of April 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

Approved: March 17, 1944.

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 44-4284; Filed, March 27, 1944; 11:32 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[Suspension Order Docket No. FDA-GL-101]

PART 1590—SUSPENSION ORDERS

H. GRAVER COMPANY

This proceeding involves alleged violations of Meat Restriction Order 1 (7 F.R. 7839), as amended, which was issued on October 1, 1942, by the Office of Price Administration. The functions of administering and enforcing the provisions of this order, as amended, were transferred from the Office of Price Administration to the United States Department of Agriculture pursuant to Executive Order No. 9280 (7 F.R. 10179), by an order issued jointly by the Secretary of Agriculture and the Administrator of the Office of Price Administration on March 31, 1943 and effective April 1, 1943 (8 F.R. 4151). The administration and enforcement of this order was vested in the War Food Administrator by Executive Order No. 9322 (8 F.R. 3807), as amended by Executive Order No. 9334 (8 F.R. 5423). Meat Restriction Order 1 was amended and redesignated as Food Distribution Order 61 on July 1, 1943 (8 F.R. 9108) and was superseded by Food Distribution Order 75 on August 9, 1943 (8 F.R. 11119), except insofar as violations thereof or liabilities incurred thereunder. As to these, it was provided in paragraph (x) of Food Distribution Order 75, that Food Distribution Order 61 "shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation or liability."

This proceeding was instituted by the issuance and service of a statement of charges and procedure by the Regional Director for the Great Lakes Region, Food Distribution Administration (now Office of Distribution), War Food Administration, in which it was alleged that H. Graver Company, a corporation, 3813 South Morgan Street, Chicago, Illinois (the "respondent") had violated Meat Restriction Order 1, as amended, (1) by delivering beef, pork and veal in excess of its assigned quotas during the quota periods beginning September 27, 1942, December 27, 1942 and March 28, 1943, respectively; (2) by failing to keep certain records during these quota periods; and (3) by failing to file reports of its deliveries of controlled meat during the quota period beginning December 27, 1942.

The respondent filed an answer and requested a hearing. Pursuant to the respondent's request, this matter was heard before a presiding officer on October 21, 1943. The respondent appeared at this hearing, adduced evidence, both oral and documentary, cross-examined the witnesses who appeared on behalf of the War Food Administration and otherwise availed itself of its opportunity to be heard. A representative of the War Food Administration also appeared at the hearing, adduced evidence, both oral and documentary, and cross-examined the witnesses who testified on behalf of the respondent.

Upon the basis of the evidence adduced at the hearing, which included a stipulation by the respondent in which it admitted that it had delivered 16,121,389 pounds of controlled meat in excess of its quotas for the first, second and third quota periods, as alleged in the statement of charges, it is hereby found and determined:

(1) That H. Graver Company, the respondent, was at all times hereinafter mentioned a slaughterer as that term was defined in Meat Restriction Order 1, as amended, and subject to all the provisions of said order, as amended, relating to a slaughterer; and that respondent is now a Class I slaughterer, as that term is defined in § 1410.15 (a) (7) of said Food Distribution Order 75, and is subject to all the provisions of said order, as amended and supplemented, relating to a Class 1 slaughterer, including, but without limitation to, the set aside provisions of said Food Distribution Order 75, as amended and supplemented by Food Distribution Order 75-2, as amended and supplemented;

(2) That respondent's quota periods under Meat Restriction Order 1 were based on its normal accounting periods and, therefore, the first quota period began September 27, 1942 and ended December 26, 1942; the second quota period began December 27, 1942 and ended March 27, 1943; and the third quota period began March 28, 1943 and ended June 26, 1943; and that respondent was subject to the provisions of Meat Restriction Order 1, as amended, during these quota periods;

(3) That, if the respondent had complied with the provisions of § 1407.914a of Meat Restriction Order 1, as amended, its quota base would have been increased by an amount sufficient to decrease the excess deliveries of controlled meats to 15,139,054 pounds;

(4) That respondent wilfully violated Meat Restriction Order 1, as amended, by delivering during the quota periods beginning September 27, 1942, December 27, 1942 and March 28, 1943, respectively, 15,139,054 pounds of controlled meat in excess of its quotas for these quota periods as follows:

QUOTA PERIODS

	First	Second	Third	Total
Beef	2,995,516	5,170,637	4,984,939	13,151,092
Veal	206,533	518,994	485,243	1,210,770
Pork	291,360	202,033	283,799	777,192
Total	3,493,409	5,891,664	5,753,981	15,139,054

(5) That respondent failed to keep adequate records from which the conversion weight of beef of cutter and canner grades slaughtered during said first, second and third quota periods could be determined.

Because of the importance of having meat distributed in a manner to assure an adequate supply and efficient distribution of meat for war and civilian needs, the aforesaid violations by the respondent have impeded the war effort by diverting meat which had been allocated to the armed forces to civilian channels and uses.

It is therefore ordered, that:

§ 1590.10 *Suspension order against H. Graver Company.* (a) H. Graver Company, the respondent, shall set aside, reserve, and hold for delivery to governmental agencies or persons entitled to purchase set aside meat under a Food Distribution Regulation, in accordance with the provisions of Food Distribution Order 75-2, as amended, or as it may be amended and supplemented.

(1) An amount of the conversion weight of each week's production of beef graded "U. S. Choice," "U. S. Good," and "U. S. Commercial," obtained from steers and heifers whose carcasses meet Army specifications for carcass beef or frozen boneless beef, which amount together with the amount of such beef required to be set aside by the respondent under Food Distribution Order 75-2, as amended, or as it may be amended and supplemented, will equal 80 percent of the conversion weight of each week's production of such beef;

(ii) An amount of each week's production of beef graded "U. S. Utility," produced from steers and heifers whose carcasses meet Army weight specifications, in the form of carcass or frozen boneless beef meeting Army specifications, which together with the amount of such beef required to be set aside under Food Distribution Order 75-2, as amended, or as it may be amended and supplemented, will equal 80 percent of respondent's weekly production of such beef,

for and until such time as the amount of beef set aside pursuant to this order shall equal 13,151,092 pounds, the amount of beef which it has found and determined was delivered by respondent in excess of its quotas during the quota periods beginning September 27, 1942, December 27, 1942 and March 28, 1943.

(b) The beef set aside pursuant to this order shall be in addition to that which is required to be set aside under Food Distribution Order 75-2, as amended, or as it may be amended and supplemented.

(c) Any terms used in this order which are defined in Food Distribution Order 75, as amended, or as it may be amended and supplemented, and Food Distribution Order 75-2, as amended, or as it may be amended and supplemented, shall have the meaning therein given to them unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

(d) Nothing contained in this order shall be deemed to relieve respondent, its agents, successors, or assigns, from any restriction, prohibition, or provision, contained in any order or regulation issued by the War Food Administrator, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall become effective at 12:01 a. m., e. w. t., April 3, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegations of Authority, 8 F.R. 13696 and 16497)

Issued this 24th day of March 1944.

C. W. KITCHEN,
Deputy Director.

[F. R. Doc. 44-4283; Filed, March 27, 1944; 11:31 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision VII]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), The Proclaimed List of Certain Blocked Nationals, Revi-

sion VI of October 7, 1943 and Supplements 1, 2, 3, 4, 5, and 6 thereto, are superseded by the following Revision VII of the List, which is hereby promulgated.[1]

By direction of the President:

CORDELL HULL,
Secretary of State.
H. MORGENTHAU, JR.,
Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
LEO T. CROWLEY,
Administrator,
Foreign Economic Administration.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

MARCH 23, 1944.

[F. R. Doc. 44-4222; Filed, March 24, 1944; 5:12 p. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 501—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

PROVISION FOR PAYMENT

Amendment of § 501.3 (h) of the regulations effective May 26, 1942, as amended (7 F.R. 4247, 8 F.R. 5327), issued by the Federal Housing Commissioner in connection with property improvement loans under Title I of the National Housing Act as amended.

Part 501, § 501.3 (h) of the regulations effective May 26, 1942, as amended, is hereby amended to read as follows:

(h) Loans made on and after April 1, 1944 the proceeds of which are used exclusively for (1) the conversion of heating equipment to the use of any other fuel, the repair of heating equipment, or the replacement of heating equipment if it is worn out, damaged beyond repair, or destroyed, (2) the installation of loose-fill, blanket, or batt-type insulation, or insulating board, within existing structures, (3) the installation of storm doors, storm windows, or weather stripping, may provide for a first payment not later than November 1, 1944, unless a later first payment is permitted by paragraph (c) of this section.

The amendment contained herein is hereby declared to have the same force and effect as if included in and made a part of each Contract of Insurance, and is effective April 1, 1944.

Issued at Washington, D. C., March 24, 1944.

ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 44-4221; Filed, March 24, 1944; 1:55 p. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 26—INTERNAL REVENUE

Chapter III—The Tax Court of the United States

[Rule 64]

PART 701—RULES OF PRACTICE

RENEGOTIATION OF WAR CONTRACTS CASES

Additions to the rules of practice, edition of Feb. 9, 1943.

§ 701.64 *Renegotiation of war contracts cases.* (a) Except as otherwise prescribed by this section, proceedings for the redetermination of excessive profits under the Renegotiation Act[1] shall be governed by the existing regulations in this part. Where any of the existing regulations or the matter contained in the appendix thereto refer to the Commissioner, such regulations and the matter in the appendix, when applied to a proceeding for the redetermination of excessive profits under the Renegotiation Act, shall refer to the War Contracts Price Adjustment Board or to the Secretary as defined and used in that act. Similary references to the taxpayer shall refer to the contractor or subcontractor; references to tax shall refer to profits under a contract or subcontract subject to renegotiation, or to excessive profits thereunder, dependent upon context; and references to the determination of a deficiency, or a notice of such determination, shall refer to the order of the Board or the Secretary determining the amount of excessive profits.

(b) A proceeding for the redetermination of excessive profits under the Renegotiation Act shall be initiated by the filing of a petition, as provided in §§ 701.4, 701.5, 701.7 and 701.8. (See Form No. 2, Appendix I.)[2]

In proceedings initiated under section 403 (e) (1) of the act, the War Contracts price Adjustment Board shall be shown as the respondent. In proceedings initiated under section 403 (e) (2) of the act, the Secretary as referred to in that section shall be shown as the respondent.

The petition shall be complete in itself so as fully to state the issues. It shall contain:

(1) A caption in the following form:

THE TAX COURT OF THE UNITED STATES

Petitioner	Docket No. ----
v.	
Respondent	

PETITION

(2) Proper allegations showing jurisdiction in the Court.

(3) A statement of the amount of excessive profits determined by the Board or the Secretary, as the case may be, the period for which determined and the amount thereof in controversy. If the determination of excessive profits was made on the basis of a specific contract or contracts, the petition shall identify the contract or contracts and shall state the period covered thereby.

(4) Clear and concise assignments of each and every error which the petitioner alleges to have been committed by the Board or the Secretary in the determination of excessive profits. Each assignment of error shall be numbered.

(5) Clear and concise numbered statements of the facts upon which the petitioner relies as sustaining the assignments of error. The allegations of fact shall contain a statement of the amount received or accrued during the period in question under the contracts or subcontracts subject to renegotiation, the costs paid or incurred with respect thereto and the profits derived therefrom, the type and character of business done, and any other facts pertinent to a determination of the errors alleged.

(6) A prayer, setting forth relief sought by the petitioner.

(7) The signature of the petitioner or that of his counsel. (See § 701.4.)

(8) A verification by the petitioner in accordance with the applicable provision of § 701.6 (h).

(9) A copy of the order of the Board or of the Secretary, as the case may be, determining the amount of excessive profits, which order forms the basis for the initiation of the proceeding, shall be appended to the petition. If a statement has been furnished to the petitioner by the Board or the Secretary setting forth the facts upon which the determination of excessive profits was based and the reasons for such determination, a copy of such statement shall also be appended to the petition.

(c) Any claim for the redetermination of an amount of excessive profits greater than the amount shown in the notice of determination shall be made by the respondent in his answer filed under § 701.14, or in an amendment thereto filed under § 701.17 at or before the time of the hearing.

(d) With respect to the matter covered by § 701.60, attention is directed to section 403 (e) (1) of the Renegotiation Act.

(Sec. 1111, Internal Revenue Code of 1939)

Effective March 28, 1944.
By the Court.

[SEAL] J. E. MURDOCK,
Presiding Judge.

MARCH 27, 1944.

[F. R. Doc. 44-4266; Filed, March 27, 1944; 10:38 a. m.]

[1] Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended by section 701, Revenue Act of 1943.

[2] Not filed with the Division of the Federal Register.

TITLE 29—LABOR

Chapter VI—National War Labor Board

[G. O. 4, Amdt.]

PART 803—GENERAL ORDERS

EMPLOYERS IN REPAIRING AND BUILDING GASOLINE OPERATED MOTOR VEHICLES AND TRAILERS INDUSTRY, CUYAHOGA COUNTY, OHIO

§ 803.4 *General Order No. 4.* * * *
(d) * * *

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

* * * * *

17. All employers in Cuyahoga County, Ohio, who are engaged in the business of repairing and/or rebuilding gasoline operated motor vehicles and/or trailers, both bodies and chassis, for others.

(E.O. 9250, 7 F.R. 7871)

Approved March 21, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-4225; Filed, March 25, 1944; 10:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 31, as Amended Mar. 25, 1944]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.44 *Directive 31.*—(a) *Purpose.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with respect to the assignment of preference ratings.

(b) *Priorities Directives of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, with the concurrence of the War Production Board, may establish schedules of preference ratings within limits prescribed by WPB Program Determinations in the form of ANMB Priorities Directives covering contracts, purchase orders and other similar procurement documents for the delivery of materials to or for the account of:

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by any of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

(3) The following agencies of the Federal Government: Coast and Geodetic Survey; National Advisory Committee on Aeronautics; Civil Aeronautics Administration; Selective Service System; Office of Scientific Research and Development; Office of Strategic Services; Maritime Commission; War Shipping Administration; Weather Bureau; U. S. Soldiers Home (Washington, D. C.).

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Appropriate State officials, for the purchase of State Guard uniforms.

(7) Institutions and schools training military personnel under supervision of the military.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineer Corps construction or Panama Canal construction (see subparagraphs (3), (4) and (5) below).

(2) Deliveries of machine tools or other capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Directive 23 (§ 903.35) requires War Production Board approval of ratings assigned for machine tools and other capital equipment.

(3) Command construction; that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(4) Engineers Corps construction; that is, projects which (i) have been determined by the War Production Board to be essential, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased or operated by the War Department.

(5) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(d) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by that Board, either directly or through channels, to procurement, contracting and inspecting officials or other authorized officials of the Army and Navy and to the agencies enumerated in paragraph (b) and officials thereof. Any general instructions regarding the assignment of ratings which are issued by the Army and Navy Munitions Board shall be approved before issuance by the War Production Board. Approval of specific adjustments made by ANMB within the limits prescribed by WPB Program Determinations is not required.

(e) *Method of assigning ratings.* (1) A preference rating assigned to a production schedule at the time that allotments are made and the schedule is authorized under the Controlled Materials Plan shall be assigned on an allotment form, on Form WPB-542 (formerly PD-3A), or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 (formerly PD-3A) or as prescribed in subparagraph (3) below.

(3) When any government agency mentioned in paragraph (b) assigns a preference rating to deliveries to be made to it or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign ratings on behalf of the agency which is placing the order or contract. This method of assigning a rating may not be used when machine tools or capital equipment are ordered by prime or subcontractors, even if the delivery is for the account of the government agency assigning the rating.

(4) Every rating assigned under this directive on a form or certificate shall be assigned in the manner prescribed therein without attaching any further conditions or qualifications.

(f) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(g) *Directives and administrative orders superseded.* This directive supersedes Division Administrative Order No. 1 of the Division of Industry Operations, War Production Board, issued February 23, 1942, all amendments thereof and memoranda supplemental thereto, and all delegations of authority to assign preference ratings which have been heretofore issued to the Army and Navy Munitions Board or to any Service of the Army, to the Army Air Forces, or to any Bureau of the Navy.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3668, 3696)

Issued this 25th day of March 1944.

J. A. KRUG,
Program Vice Chairman.

[F. R. Doc. 44-4228; Filed, March 25, 1944; 10:51 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, Supplement 1]

SIGNAL AND ALARM EQUIPMENT

The following supplement to Directive 24 is issued pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9125 of April 7, 1943, and War Production Board Regulation No. 1 as amended December 31, 1943, and is to

facilitate the protection of War Housing projects.

§ 903.36a *Supplement 1 to Directive 24*—(a) *Purpose.* General Limitation Order L–39 as amended February 16, 1944, contains the provision, among others, that no person shall sell, deliver or install any signal or alarm equipment costing $50.00 or more except to or for the account of any person who has been specifically authorized by the War Production Board on Form WPB–1319 to receive the specific equipment. The purpose of this delegation is to enable the Federal Public Housing Authority to issue in the name of the War Production Board certain authorizations contemplated by the provisions of Order L–39.

(b) *Delegation of authority.* The Director of the Priorities Division of the Federal Public Housing Authority may issue in the name of the War Production Board on Form WPB–1319 authorizations to receive signal or alarm equipment (as defined in Order L–39) for use in projects under the jurisdiction of the Federal Public Housing Authority, subject to the following conditions:

1. A copy of every authorization on Form WPB–1319 shall be transmitted immediately after issuance to the Safety and Technical Equipment Division of the War Production Board.

2. The issuance of such authorizations shall be subject to any instructions in writing from the Program Vice Chairman of the War Production Board.

3. Such authorizations on Form WPB–1319 shall be signed substantially as follows:

WAR PRODUCTION BOARD,
By ----------,
(Title)----------
of the Federal Public Housing Authority.

(c) *Redelegation.* The Director of the Priorities Division of the Federal Public Housing Authority may exercise the authority delegated in this supplement through such officials as he may determine, but not more than two officials in each Region established by the Federal Public Housing Authority.

(d) *Expiration.* The authority delegated by this supplement or redelegated pursuant to its provisions shall expire at the end of the thirtieth day after March 24, 1944, but the expiration shall not affect the validity of any prior actions properly taken.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of March 1944.

J. A. KRUG,
Program Vice-Chairman.

[F. R. Doc. 44–4213; Filed, March 24, 1944; 4:46 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 35]

DELEGATION OF AUTHORITY TO THE OFFICE OF PRICE ADMINISTRATION TO REQUIRE REPORTS OF USED EQUIPMENT AND MACHINERY ON FORM WPB–2574

The following directive is issued pursuant to authority vested in me by Executive Order 9024 of January 16, 1942, Executive Order 9125 of April 7, 1943 and WPB Regulation No. 1 as amended December 31, 1943, in order to facilitate the redistribution of used equipment and machinery and to avoid duplicating functions of the War Production Board and the Office of Price Administration in connection therewith.

§ 903.48 *Directive No. 35*—(a) *Purpose.* Various orders and regulations of the War Production Board govern the redistribution of used equipment and machinery. Maximum price schedules issued by the Office of Price Administration control the prices of such used equipment and machinery and will require reports from the holders of selling prices. The reporting of dealers' inventories is essential for programs of redistribution which may be conducted by the War Production Board. The purpose of this delegation is to consolidate essential information about prices and inventories of used equipment and machinery into one reporting form, and to authorize the Office of Price Administration to require reporting on that form.

(b) *Delegation of authority.* The Office of Price Administration may require in its own name the filing of Form WPB–2574 (otherwise known as Used Equipment and Machinery Inventory and Sales Report Form) in such manner and at such places as it shall require (subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942) by any person engaged in the business of selling second-hand machines, equipment and parts, either as principal or agent. The Office of Price Administration may exercise the power and authority of the War Production Board in requiring reports on this form.

(c) *Redelegation.* The Office of Price Administration may exercise the power, authority and discretion conferred upon it by this directive through such officials or employees as it may from time to time determine.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of March 1944.

J. A. KRUG.
Program Vice Chairman.

[F. R. Doc. 44–4212; Filed, March 24, 1944; 4:46 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–506]

SINGER STEEL COMPANY

Albert Singer owns and operates a steel warehouse under the trade name of Singer Steel Company, at 6316 Kinsman Road, Cleveland, Ohio. He over-stated his deliveries of steel from warehouse stocks during the base period, January, February, and March 1941, in the amount of 2723.6 net tons, receiving a quota and warehouse certificate upon that statement. Of the amount over-stated, 611.9 net tons were included as the result of gross negligence. Subsequently, during the third and fourth calendar quarters of 1942 and the first calendar quarter of 1943, he accepted deliveries of 1581 net tons of prime steel into stock in excess of his quota for prime steel as the result of gross negligence. During the fourth calendar quarter of 1942 and the first calendar quarter of 1943, he accepted deliveries into warehouse stock of 1505 net tons of skelp and 151 net tons of scrap, for which no quota had been assigned nor authority granted by the War Production Board, in wilful violation of Supplementary Order M–21–b.

From July 1, 1942, to March 31, 1943, on Form PD–83–g, he violated Supplementary Order M–21–b and Priorities Regulation No. 3 by improperly extending customers' ratings for the following purposes: with gross negligence to purchase product groups and types of steel other than those entered on the customers' orders; wilfully to order and accept delivery of 1,867,300 pounds of steel into warehouse stock on customers' orders, which had been filled by direct shipment from the mill to the warehouse customer; with gross negligence to order and accept delivery of steel into warehouse stock, using ratings higher than the lowest rating received as well as ratings received more than 90 days prior to placing of his order with the mill.

During the period July 1, 1942, through March 31, 1943, as the result of gross negligence, he submitted false, and misleading information to the War Production Board on Forms PD–83 concerning his operations as a steel warehouse, in violation of Priorities Regulation No. 1.

These violations of Priorities Regulation No. 1 and No. 3, and Supplementary Order M–21–b have diverted scarce materials to uses not authorized by the War Production Board, and have hampered and impeded the War Effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.506 *Suspension Order No. S–506.* (a) Albert Singer, doing business as Singer Steel Company, or under any other name, his and its successors and assigns, shall not directly or indirectly receive into his warehouse stock from producers, other distributors, holders of excess and idle stocks or any other source of supply, general steel products as defined in General Preference Order M–21–b–1 in a total quantity greater than 1600 net tons; nor shall he receive any general steel products whatever, as defined in General Preference Order M–21–b–1, if they come from producers' scheduled rollings; nor shall he order for delivery to warehouse stock from producers, other distributors, holders of excess and idle stocks or any other source of supply, general steel products as defined in General Preference Order M–21–b–1 in a total quantity greater than 1600 net tons; nor shall he order any general steel products whatever, as they are defined in General Preference Order M–21–b–1, if they come from producers' scheduled rollings; unless hereafter specifically authorized in writing by the War Production Board. These restrictions shall apply to the successors and assigns of Albert Singer.

(b) Nothing in this order shall be deemed to relieve Albert Singer, doing business as Singer Steel Company, or under any other name, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 24, 1944, and shall expire on July 24, 1944.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4214; Filed, March 24, 1944; 4:45 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–508]

IRVINE & JACHENS

Irvine & Jachens is a co-partnership now composed of William F. Irvine and Mrs. Esther Irvine, doing business with its principal office located at 1068 Mission Street, San Francisco, California. This firm is engaged in the manufacture of signs, plates, badges and other similar copper products. Between July 1, 1942, and July 15, 1943, the firm filled orders for such copper products under circumstances which constituted grossly negligent violations of Conservation Order M–9–c. These violations of Conservation Order M–9–c have diverted critical copper to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.508 *Suspension Order No. S–508.* (a) William F. Irvine and Mrs. Esther Irvine, doing business as Irvine & Jachens, or under any other name, their and its successors and assigns, are prohibited from processing, fabricating or assembling copper products or copper base alloy products in the manufacture of any items or article unless hereafter specifically authorized in writing by the War Production Board.

(b) The terms of this suspension order shall not apply to any proper order for manufacture already accepted by William F. Irvine and Mrs. Esther Irvine, doing business as Irvine & Jachens, prior to the effective date of this suspension order.

(c) Nothing contained in this order shall be deemed to relieve William F. Irvine and Mrs. Esther Irvine, doing business as Irvine & Jachens, or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 24, 1944, and shall expire on May 24, 1944.

Issued this 17th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4215; Filed, March 24, 1944; 4:45 p. m.]

PART 3288 [1]—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–75 as amended February 16, 1944, Amdt. 1]

COAL STOKERS

Section 3288.76,[1] *Limitation Order L–75,* as amended February 16, 1944, is hereby further amended to read as follows:

1. By changing paragraph (b) to read as follows:

(b) *Restrictions.* (1) No manufacturer, distributor, or dealer may deliver or accept delivery of a new Class A stoker except:

(i) To fill orders of or for ultimate delivery to the Army or Navy;

(ii) For approved installation in a building or project authorized by any order of the P–16 series on Form GA–1456 or in the P–55 series on Form WPB–2896.

(iii) To fill orders authorized on Form WPB–1319. Applications for such authorization must be filed with the appropriate War Production Board Field Office. (This application form may be used by dealers and distributors for inventory. The use of the form, for applications where the total cost (stoker plus installation) is no more than $5,000, is required of any ultimate consumer not covered by (i) or (ii) and is permissible in lieu of application under (ii). If the total cost exceeds $5,000, application must be made under (i) or (ii).) Any order so authorized by the War Production Board shall be deemed a "rated order" for the purposes of § 944.2 of Priorities Regulation No. 1. Use of Form WPB–1319 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) No person shall manufacture a Class B stoker.

2. By deleting paragraphs (e), (f) and (g).

3. By changing the headings of paragraphs (h) to (e), (i) to (f), (j) to (g), (k) to (h), (l) to (i).

4. By changing paragraph (f), formerly (i), to read as follows:

(f) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the Field Office of the War Production Board for the district in which is located the plant or branch of the Appellant to which the appeal relates.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4216; Filed, March 24, 1944; 4:45 p. m.]

[1] Formerly Part 1160, § 1160.1—Coal Stokers.

PART 3270—CONTAINERS

[Conservation Order M–115, as Amended Mar. 25, 1944]

COLLAPSIBLE TUBES

§ 3270.39 *Conservation Order M–115*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Tube" means any collapsible container in the shape of a tube, including but not limited to any such container made in whole or in part of tin, aluminum, lead, or any combination thereof and includes closures, crowns and caps for such tubes. It shall not, however, include a tube made exclusively of plastic with or without the addition of a steel fastener at the bottom of the tube.

(2) "Retailer" means a person who sells or distributes tubes to the ultimate user.

(3) "Ultimate user" means a person who acquires filled tubes for the satisfaction of personal needs (with or without paying any consideration therefor), as distinguished from one acquiring tubes for industrial or other business purposes or for further distribution.

(c) *Restrictions upon the manufacture, sale and delivery of blanks and tubes and upon the use of tubes for packing.* (1) No person shall manufacture or sell tube blanks or tubes, and no person shall purchase, accept delivery of or use any tubes, for packing products except as specifically permitted in the schedules attached to this order.

(2) Packers of commodities listed in the schedules attached to this order are restricted in the quantity of the commodity (by weight) which they may pack in tubes in any calendar year. The packing quotas and the base period for each commodity are shown in the schedules. Commodities packed in tubes sold to the Army or Navy of the United States (including military exchanges or service departments as defined in Priorities Regulation No. 17) or to the American Red Cross, shall not be included either in computing the base period quantity or the packing quota for the current year.

(d) *Exchange of tubes, no longer required.* Retailers are no longer required to receive a used tube in exchange upon the sale of a filled tube. They are, how-

ever, required to deliver all used tubes which have been turned in to them to the Tin Salvage Institute, 411 Wilson Avenue, Newark, New Jersey, agent for the Metals Reserve Company, or to any other person who is a duly authorized representative of the Tin Salvage Institute.

NOTE: Paragraphs (e) and (f), formerly (f) and (g), redesignated Mar. 25, 1944.

(e) *Certificates and reports relating to all kinds of tubes covered by this order*—(1) *Certificate of tube packers.* Each tube packer who purchases any tubes shall furnish to the tube manufacturer from whom he buys, a certificate, in substantially the form attached hereto as Exhibit A. Only one such certificate covering all present and future purchases from a given tube manufacturer need be furnished by a tube packer to that tube manufacturer (who shall retain such certificate), but no tube manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false. No tube manufacturer shall sell any tubes except under contracts or orders validated by the certification required by this paragraph.

(2) *Reports.* Each tube manufacturer and each tube packer shall file such reports as the War Production Board may prescribe for the purpose of effective administration of the order, *Provided*, That such reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Sales of tin.* No person shall hereafter sell or deliver tin to any tube manufacturer or tube packer if he knows or has reason to believe that such tin is to be used in violation of the terms of this order.

(4) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C. Ref: M-115.

(5) *Effect of other orders.* Insofar as any other order of the War Production Board heretofore or hereafter issued limits or curtails to a greater extent than herein provided the use of any material used in the production of tubes, the limitations of such order shall control.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

Products	Packing quota	Tube material
1. Ointments and other preparations for ophthalmic use.	Unlimited	Tin, Aluminum, Lead, or any combination thereof.
2. Sulfa drugs in ointment or jelly form	Unlimited	Do.
3. Diagnostic extracts (allergens)	Unlimited	Do.
4. Morphine for hypodermic injection	Limited to tubes containing individual doses only and sold directly to the Army or Navy of the U. S.	Do.

SCHEDULE II

1. (a) Medicinal and pharmaceutical ointments not included in Schedule I.	Unlimited	Aluminum, or Lead and Tin (tin content of tubes not to exceed 7½% by weight).
(b) Preparations which are intended for introduction into the body orifices (nasal, vaginal, rectal, surgical jelly, etc.) not included in Schedule I.	Unlimited	Do

SCHEDULE III

Dental cleansing preparations	75% of the product (by weight) packed in 1941.	Aluminum, or Lead and Tin (tin content of tubes not to exceed 3% by weight).

SCHEDULE IV

Any product	Unlimited	Lead (containing not more than 0.5% tin as an impurity, derived from secondary sources).

EXHIBIT A

TUBE PACKER'S CERTIFICATE

Certificate required by paragraph (e) (1) of Conservation Order M-115. One copy of this certificate is to be delivered to each tube manufacturer from whom the tube packer purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-115 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

(Legal name of tube packer)

By ---
(Authorized official)

(Title of official reporting)

[F. R. Doc. 44-4229; Filed, March 25, 1944; 10:51 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-142, as Amended Mar. 25, 1944]

METAL DOORS, METAL DOOR FRAMES AND METAL SHUTTERS

§ 3284.21 *Limitation Order L-142*—(a) *Definitions.* For the purposes of this order:

(1) "Door" means a movable closure or barrier in an opening designed to be used as a means of passage or access in a side, floor, ceiling, partition, shaft, or tower of a building.

(2) "Metal door" means any door which, exclusive of essential hardware, is made in whole or in part of metal.

(3) "Metal door frame" means any framework, jamb, buck or trim, which, exclusive of essential hardware, is made in whole or in part of metal and is designed to be used for bounding a door opening or providing a means of support for a door.

(4) "Metal shutter" means a cover which, exclusive of essential hardware, is made in whole or in part of metal, and is designed to be used as a means of closure in or over an opening constructed in a side, floor, ceiling, partition, shaft, or tower of a building.

(5) "Essential hardware" means hangers, tracks, screws, nails, rivets, bolts, wire, locks, knobs, handles and other types of metal items normally used in the manufacture, joining or installation of a wooden door, buck, trim, jamb or shutter.

(6) "Put into process" means the first change by a person manufacturing metal doors, metal door frames and metal shutters in the form of material from the form in which it is received.

(7) "Vault door" means a unit consisting of a frame or vestibule designed to be built into the masonry of a vault and in which is hung one or more fire-insulated doors equipped with hinges and a locking mechanism containing expanding bolts which are checked with a combination lock.

(b) *Restrictions.* On and after the 13th day of May, 1943, notwithstanding any contract, agreement or preference rating, no person shall manufacture, fabricate or otherwise make a metal door, metal door frame or metal shutter except:

(1) To fill an order from the Army or Navy of the United States, provided such order states such metal door, metal door frame or metal shutter is required for use in one of the following types of structures:

(i) Bombproof and splinterproof structures, or

(ii) Sea coast fortifications, or

(iii) Magazines for the storage of other than inert material, or

(iv) Ammunition loading and handling spaces, or

(v) Bomb sight storage spaces, or

(vi) Radar equipment storage spaces, or

(vii) Finance vaults in standard finance buildings and in hospital administration buildings

(viii) Narcotics vaults in hospital buildings, dispensaries and clinics.

(2) To fill an order for a hangar type door, provided such door is designed and constructed for an opening used for the passage of aircraft; or

(3) For fire protection purposes, pursuant to an order or contract bearing a preference rating of AA-5 or better, provided such metal door, metal door frame or metal shutter is manufactured:

(i) Of ferrous metal not heavier than Number 16 U. S. standard gauge.

(ii) Of any metal heavier than Number 16 U. S. standard gauge at least 85% of which metal by weight (exclusive of essential hardware) was in the possession of such person prior to September 26, 1942 and has been offered for sale through the Steel Recovery Corporation for a period of at least 60 days.

(c) *Exception from provisions of this order.* This order does not apply to the manufacture of replacement parts to repair and maintain a metal door, metal door frame or metal shutter.

(d) *Restrictions on sale and delivery of vault doors.* No vault door may be sold or delivered by a manufacturer or distributor, except:

(1) To fill an order from the Army or Navy of the United States for use in one of the types of structures listed in paragraph (b) (1), or

(2) Pursuant to an order or contract which has been approved by the War Production Board, upon application made by letter addressed to: War Production Board, Building Materials Division, Washington 25, D. C., Ref. L-142. This letter should indicate the contents of the vault and the essentiality of the vault to the war effort; and state why one or two metal clad wood doors could not be used as recommended by the Critical Construction Materials Design Guide issued by the Conservation Division. If a WPB Conservation Order or an Army or Navy contract is involved, serial number and other identification should be included in the letter. Filing of this letter has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board as amended from time to time.

(k) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Ref.: L-142.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4230; Filed, March 25, 1944; 10:51 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 1]

CHANGE IN PERCENTAGE OF MANUFACTURERS' BENDS TO BE SET ASIDE

The following direction is issued pursuant to General Conservation Order M-310.

The percentage of manufacturers' bends to be set aside under paragraph (e) (2) is changed from 20% to 30% beginning with April 1944.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4231; Filed, March 25, 1944; 10:51 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317 as Amended Mar. 23, 1944]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

Correction

In F.R. Doc. 44-4124, appearing at page 3219 of the issue for Friday, March 24, 1944, under Schedule C, the percentage quota for "Paints, varnishes * * *" should be "70".

PART 3114—SIMPLIFICATION AND STANDING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule IV as Amended Mar. 27, 1944]

ROTARY FILES AND BURS

§ 3114.5 *Schedule IV to Limitation Order L-216*—(a) *Definitions.* For the purposes of this schedule, including the Appendix:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of rotary files.

(3) "Rotary file" means any file, rasp or bur which is held by means of a chucking device and rotated by a power driven shaft, excluding dental, medical, and craniotomy burs, finning burs, and small burs.

(4) "Finning bur" means any file or bur which has a shank diameter of ¼", a cutting diameter of ¼" or less, and a cutting length of 1½" or more.

(5) "Small bur" means any file or bur which has a shank diameter of $\frac{1}{16}$" or less.

(6) "Cutting diameter" means the maximum diameter of the cutting section of a rotary file which is marked dimension A in the illustrations in the attached Appendix.

(7) "Cutting length" means the maximum length of the cutting section of a rotary file which is marked dimension B in the illustrations in the attached Appendix.

(8) "Over-all length" means the maximum length of a rotary file, including the cutting length, shoulder length and shank length, which is marked dimension C in the illustrations in the attached Appendix.

(9) "Chip-breaker" means an interrupted cut in the cutting section of a rotary file.

(10) [Revoked Jan. 4, 1944]

(b) *Limitations on manufacture.* (1) No person shall manufacture any rotary file in any size or shape other than the sizes and shapes specified in the attached appendix, except as permitted by paragraph (b) (2) of this schedule.

(2) (i) Any producer may manufacture special rotary files not permitted by paragraph (b) (1) which are required to fill actual purchase orders received by the producer, but the total quantity of such special files which any producer may put into production in any month may not exceed 25% of the producer's total production in the preceding month. Total production means the total number of rotary files produced. These special rotary files may not be manufactured for the producer's stock.

(ii) Any producer now manufacturing rotary files having a cutting length shorter than that set forth in the attached Appendix may continue such manufacture subject, however, to all other limitations contained in this schedule; *provided, however,* That no such manufacturer shall also manufac-

ture the same shape rotary file having the cutting length specified in the attached Appendix.

(c) *Selection of sizes for regular manufacture.* If, with respect to any shape of rotary files, it is indicated under a particular shape in the Appendix attached hereto that a certain size thereof shall be selected, each producer shall select such size as he may desire to manufacture regularly and shall forthwith give notice in writing of such selection to the War Production Board, Tools Division, Ref.: L-216 Schedule IV. The producer may thereafter apply for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(d) *Chip-breakers eliminated.* On and after June 15, 1943, no chip-breakers shall be cut in any new rotary files or in any used rotary files which are being resharpened or converted unless specifically requested by the purchaser.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

Appendix to Schedule IV to L-216

(Dimension in inches)

FLAME SHAPE



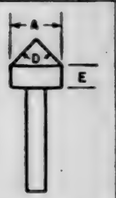
A	B
5/8	7/8
5/8	1 7/16
3/4	1 3/4

BI-SHAPES, pointed end



A	B
1/4	1
5/16	1 1/8

CONE SHAPES, 60° and 90°



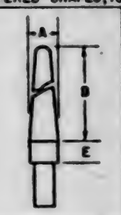
A	D	E
1/2	60°	1/4
5/8	60°	1/4
3/4	60°	1/4
1/2	90°	1/4
5/8	90°	1/4
3/4	90°	1/4

CONE SHAPES, other



A	B	E
1/4	1/2	
1/4	3/4	
1/4	1	
1/4	1 1/4	
5/16	3/4	1/4
5/16	1	1/4
3/8	5/8	1/4
1/2	7/8	1/4
5/8	1	1/4

TAPERED SHAPES, radius end



A	B	E
5/16	5/8	1/4
5/16	1 1/4	1/4
3/8	1 3/4	1/4
5/8	1	1/4

INVERTED CONE SHAPES



A	B
3/4	5/8

Angle of cutting length (B) optional

CONCAVE SHAPES, type I



A	B
3/4	5/8
1	7/32
1 1/4	7/32

Dimension of Radius Optional

CONCAVE SHAPES, type II



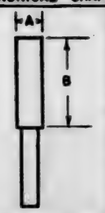
A	B
1/4	

Dimension of Radius Optional. Not more than 4 concave grooves permitted

APPENDIX TO SCHEDULE IV TO L-216—Continued

(Dimension in inches)

CYLINDRICAL SHAPES, flat end



A	B
1/8	1/2
1/4	1
3/8	1
1/2	1
3/4	3/4

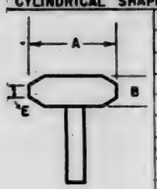
End Cut Optional

CYLINDRICAL SHAPE, radius



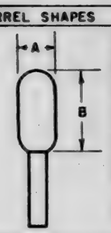
A	B
1/8	1/2
1/4	1
3/8	1
3/8	1 1/2
1/2	1
5/8	1
3/4	1 1/4

CYLINDRICAL SHAPES, double taper



A	B	E
1 5/32	3/8	5/32

BARREL SHAPES



A	B
1/2	1

BALL SHAPES



A	B
1/8	1/8
3/16	1/16
1/4	1/4
5/16	5/16
3/8	3/8
1/2	1/2
5/8	5/8
3/4	3/4
1	1

OVAL SHAPES



A	B
3/16	
1/4	
3/8	
7/16	
1/2	
5/8	
3/4	
1	

Each producer shall select one cutting length (B) only for each cutting diameter (A).

TREE SHAPES, pointed end



A	B
1/4	1/2
3/8	3/4
1/2	3/4
1/2	1 1/8
5/8	1
1 1/8	2

TREE SHAPES, radius end



A	B
1/4	3/4
3/8	3/4
1/2	1 1/8
3/4	1
1 1/8	2

[F. R. Doc. 44-4277; Filed, March 27, 1944; 11:17 a. m.]

PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Limitation Order L-217, Schedule VII, as Amended Mar. 27, 1944]

PUMPS

§ 3115.8 *Schedule VII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply, of the types listed below:

(i) Centrifugal self-priming pumps;

(ii) Diaphragm pumps;

(iii) Triplex piston road pumps; and

(iv) Plunger pumps.

This definition does not include Underwriter's approved fire-fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

(i) Fuller, Merritt, Chapman and Scott Corporation.

(ii) M. T. Reed Contracting Company.

(iii) Siems Drake Puget Sound.

(iv) Pacific Naval Air Bases.

(6) "New" when applied to pumps, means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

(7) [Deleted Mar. 27, 1944]

(8) [Deleted Mar. 27, 1944]

(b) *Exemptions.* Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) *Limitation on production and assembly of pumps.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof. Nothing in this paragraph (c) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) *Limitation on sizes and types.* Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (iron or aluminum body construction only):

(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).

(ii) 2"—10,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(vi) 8"—125,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*

(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*

(i) 125 G. P. M. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*

(i) No plunger pumps are to be manufactured for dewatering purposes.

(e) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted. Nothing in this paragraph (e) shall be deemed to require the repainting of any pumps or repair parts in any such producer's inventory on March 15, 1943.

(f) *Limitations on accessories.* On and after March 15, 1943, no producer shall manufacture, or receive from his supplier for resale, any of the following items, unless such items are in process or on order prior to February 25, 1943:

(1) Hand cranks, other than rope starters, to be furnished as equipment for new single cylinder engine pumps;

(2) Spring axle mountings for new pumps;

(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;

(4) Vacuum or pressure gauges, except for resale as special equipment;

(5) [Deleted Mar. 27, 1944]

(6) [Deleted Mar. 27, 1944]

(g) *Restrictions on producers.* No producer, unless actively engaged in the current production of pumps (as indicated by his January, 1943, filing of production and shipment schedules on Form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4275; Filed, March 27, 1944; 11:17 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, Direction 1, as Amended Mar. 27, 1944]

SPECIAL RESTRICTIONS ON ORDERING CERTAIN ITEMS

Direction 1 to Order P-142 (§ 3216.1) is amended to read as follows:

Because of critical shortages in the supply of malleable iron castings and other materials, until further notice no operator may use the ratings assigned in paragraph (b) (1) of Order P-142, as amended, to get the following items:

1. Malleable iron hand-brake wheels, except for maintenance and repair purposes. This means that operators may not acquire such wheels for the purpose of converting from the nongeared type to the geared type.

2. AB brakes, other than repair parts, since these are special items under paragraph (b) (2) of the order.

3. Steel wheels, since these are controlled materials, and operators must get them under paragraph (c) (2) of the order.

This amended direction is effective April 1, 1944. Until that time, the provisions of the direction as issued December 13, 1943, continue to apply.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4270; Filed, March 27, 1944; 11:16 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-124 as Amended Mar. 27, 1944]

RUBBER YARN AND ELASTIC THREAD

§ 3290.36 *Conservation Order M-124*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Restrictions on use and delivery.* No person shall knit, weave or otherwise process or use, sell, deliver, purchase, order or accept any rubber yarn, latex yarn or elastic thread including all types of synthetic rubber yarn or synthetic rubber thread, except:

(1) As specifically authorized by letter or telegram of the War Production Board.

(2) For sale or delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any rubber yarn, latex yarn or elastic thread in a retail merchant's stock as such on March 29, 1942.

Until October 1, 1944, the restrictions of this paragraph (b) shall not apply to synthetic rubber yarn or synthetic rubber thread.

(c) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on Form WPB-1319 (formerly PD-556), including inventory data and the prime contractor's name and prime contract number if a Government contract is involved. These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing, and Leather Division, Washington, (25) D. C., Ref: M-124.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Equitable distribution.* It is the policy of the War Production Board that rubber yarn, latex yarn, elastic thread and all types of synthetic rubber yarn and thread not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such products, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4272; Filed, March 27, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-c, as Amended Mar. 27, 1944]

CAST IRON WARE

§ 3291.160 *Limitation Order L-30-c*—(a) *Definitions.* For the purposes of this order:

(1) "Cast iron ware" means any of the following articles when made of cast iron:

(i) Kitchen utensils used primarily in the preparation, cooking, serving or storage of food or beverages, whether for household, institutional, commercial, government or any other use, and racks for holding such utensils;

(ii) Sugar, wash and butchering kettles and English pots;

(iii) Sad irons, flat irons and Mrs. Potts' irons; and

(iv) Hot plates and flame tamers;

"Cast iron ware" does not include electrical or gas appliances or power-driven equipment.

(2) "Manufacturer" means any person who produces or assembles any cast iron ware.

(3) "To put into process" means for a person to perform the first manufacturing or assembling operations on material or parts received by him.

(4) "Preferred order" means any purchase order or contract for cast iron ware which will be ultimately delivered to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* A manufacturer may not produce or assemble any cast iron ware except articles listed on Table A made within the quota provisions of that table.

(c) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cast iron ware to a greater extent than this order does, the other order shall govern unless it states otherwise.

(d) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Reports.* (1) [Deleted Mar. 27, 1944]

(2) On or before the twentieth day of the first month following each calendar quarter, beginning January 20, 1944, each manufacturer shall file with the War Production Board, Form WPB-1600 (formerly PD-655) showing all shipments of cast iron ware during the preceding calendar quarter and his inventory of cast iron ware.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-c.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

NOTE: Second paragraph deleted; columns (5) and (3) of table deleted and column (4) redesignated (2) Mar. 27, 1944.

General. A manufacturer may not make any cast iron ware which is not listed on the following table.

Quarterly quotas. No manufacturer shall put into process in the production of cast iron ware during any calendar quarter more iron and steel than his quarterly quotas as shown in column (2). The quota is calculated by taking the percentage shown for an article and multiplying it by one-fourth of the amount of iron and steel put into process by him for that article in the twelve months ending June 30, 1941. These quotas apply to all articles, whether produced in fulfillment of preferred orders or otherwise.

(1) Articles	(2) Quarterly quotas
	Per cent
Skillets	150
Griddles	80
Household kettle (12-quart or smaller)	75
Sugar or wash kettle (20 gallons or smaller)	100
Butchering kettle (over 20 gallons)	100
Dutch oven	100
Either muffin pan or corn or bread stick pan	25
Sad irons or flat irons	100
Scouse kettles	Unlimited [2]

[1] Of muffin pans and corn or bread stick pans.
[2] May be produced for preferred orders only.

[F. R. Doc. 44-4274; Filed, March 27, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-227-a, as Amended Mar. 27, 1944]

PEN NIBS

§ 3291.211 *General Limitation Order L-227-a*—(a) *Definitions.* For the purposes of this order:

(1) "Pen nib" means a removable writing point for use in a pen holder and designed to put writing fluid on a writing surface.

(2) "Pen holder" means any instrument designed to hold a pen nib in position for writing, except a fountain pen as defined by Order L-227.

(3) "Manufacturer" means any person who manufactures or produces pen nibs.

(4) "Special order" means any order, contract or subcontract placed by or for the Army or Navy of the United States (including Post Exchanges and Ship's Service Stores), the United States Maritime Commission, the War Shipping Administration, the Government of Canada, the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) and government agencies or other persons acquiring products covered by this order, for export to any foreign country under a license issued by the Foreign Economic Administration.

(b) *Restrictions and use of copper.* No manufacturer shall use any copper, or copper base alloy in the manufacture of pen nibs.

(c) *Limitation on production of pen nibs for all purposes.* During the period July 1, 1943, through September 30, 1943, no manufacturer shall produce more than 46¼% of the pen nibs by gross produced by him during 1941.

(d) *Restrictions on production of pen nibs to fill special orders.* (1) On or after October 1, 1943, no manufacturer shall produce or deliver any pen nibs to fill special orders except according to quotas specifically approved by the War Production Board on Form WPB–2719 (formerly PD–880).

(2) Each manufacturer must file this Form with the War Production Board on or before the 15th days of March, June, September and December, showing his proposed production and delivery.

(e) *Restrictions on production of pen nibs for other than special orders.* For other than special orders, during the calendar quarter beginning October 1, 1943, and during each calendar quarter after that, no manufacturer shall produce more than 18½% of the pen nibs by gross produced by him during 1941.

(f) *Reports.* Every manufacturer producing any pen nibs shall file with the War Production Board, Washington 25, D. C., *Ref:* L–227–a, Form WPB–2719 (formerly PD–880) on or before the 15th days of March, June, September and December, executed in accordance with the instructions for filing that Form.

(g) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of pen nibs, inventories of raw materials, semi-processed materials or finished parts in quantities greater than the minimum amount necessary to maintain production at the rates permitted by this order.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order should be filed on Form WPB–1477 (formerly PD–500).

(j) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of pen nibs to a greater extent than does this order, the other order shall govern unless it states otherwise.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–227–a.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4276; Filed, March 27, 1944; 11:17 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–158, Direction 1]

ARMY ORDERS FOR REPLACEMENT PARTS

The following direction is issued pursuant to Limitation Order L–158:

Purchase orders for replacement parts submitted by the Army to distributors under paragraph (1) (1) of Order L–158 need include neither the registration number of the vehicle nor a certification that the vehicle is deadlined for emergency repair if the Army certifies instead that the registration number is unavailable and that a survey for the parts, necessary to effect immediate shipment to fill a shortage of essential items for an overseas theater, has been made on Army stocks under War Department Circular No. 209, dated September 13, 1943.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4253; Filed, March 25, 1944; 3:17 p. m.]

PART 3293—CHEMICALS

[Allocation Order M–340 as Amended Mar. 27, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340.*

(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order; or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of, the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde, oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades

(2) "ST–115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulations No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.–78" means the chemical known by that trade name.

Effective date—August 1, 1943 Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades; no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS–673, 52–C–18 and AN–C–52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grade.

APPENDIX B

NOTE: Items (8) and (9) deleted Mar. 27, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization, and without certificate required by paragraph (f).	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST–115	Gallon	54 gallons	None.
(3) Dehydrol O.	Gallon	54 gallons	None.
(4) G. C.–78	Gallon	54 gallons	None.
(5) By-product phosphoric acid	Ton	5 Tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E. W. Naphtha	Gallons	54 gallons	None.
(13) Methyl Bromide	Pound	10 pounds	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the ---------- (specify subject chemical) ordered for delivery in ----------, 194--, Month will be used by him for the manufacture or preparation of the following product(s), and that such product(s), on the basis of order(s) filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

Name of purchaser

---------- By ----------
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory".

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB–2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Copies of Form WPB–2947 (formerly Form PD–602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M–340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB–2947 (formerly Form PD–602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB–2947 (formerly Form PD–602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M–340"; indicate month and year during which deliveries coveted by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1–a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB–2947 (formerly Form PD–602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB–2947 (formerly Form PD–602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44–4273; Filed, March 27, 1944; 11:17 a. m.]

PART 3294—IRON AND STEEL PRODUCTION [1]

[Supplementary Order M–18–a–1, as Amended Mar. 27, 1944]

CHROMIUM

§ 3294.17 [1] *Supplementary Order M–18–a–1*—(a) *Small deliveries.* Pursuant to General Preference Order M–18–a, as amended:

(1) Any processor or dealer (as respectively defined in Order M–18–a, as amended) may deliver to any person quantities of chromium not to exceed a total in any calendar month of 3000 pounds in terms of chromium content (but the chromium content of any chromium metal delivered to any person in any calendar month shall not exceed 250 pounds), provided that any material so delivered is to be used by the person accepting delivery thereof, only for metallurgical purposes; and

(2) Any person may, without the necessity of filing any of the forms required under paragraph (e) of Order M–18–a, as amended, accept the deliveries permitted to be made under the provisions of (1) above, provided that the total quantity of contained chromium received by such person in any calendar month from all sources of supply pursuant to this paragraph (a) shall be limited to 3000 pounds of which contained chromium not more than 250 pounds shall be in chromium metal.

Nothing contained in this supplementary order shall be construed as exempting any consumer of chromium from filing form WPB–532 with the Bureau of Mines in accordance with the instructions accompanying such form.

(b) *Melting.* The melting of any chromium acquired under the provisions of paragraph (a) of this order shall be governed by the applicable provisions of paragraph (d) of General Preference Order M–18–a, as amended, and by any special direction or exemption issued from time to time to the melter pursuant thereto, and also by any other existing or future order or regulation of the War Production Board relating to the melting of chromium.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4271; Filed, March 27, 1944; 11:17 a. m.]

[1] Formerly Part 949, § 949.4.

Subchapter C—Director, Office of War Utilities

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U–1, Direction 1]

The following direction is issued pursuant to Utilities Order U–1.

(a) No electric power producer shall place a purchase order with any supplier other than another producer for the delivery of new distribution transformers, 5 KVA and smaller, except as provided in paragraph (b) of this direction.

(b) Purchase orders for the delivery of new distribution transformers, 5 KVA and smaller, may be placed only when the producer's inquiry, made in accordance with paragraph (m) of Utilities Order U–1, has been stamped "Approved for Manufacture", over the signature of the Regional Utility Engineer in the region in which the electric power producer is located, or the signature of the Chief, Inventory Control Branch, Office of War Utilities, Washington, D. C. Applications for a statement of availability made pursuant to paragraph (m) of Utilities Order U–1 will be considered as applications for approval under this direction. No separate application is required.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4232; Filed, March 25, 1944; 10:51 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 11,[1] Amdt. 2]

NOTICE OF INCREASES IN RATES AND CHARGES OF COMMON CARRIERS AND OTHER PUBLIC UTILITIES

Procedural Regulation No. 11 is amended in the following respects:

1. The preamble is amended to read as follows:

Pursuant to the authority conferred by the Emergency Price Control Act of 1942, as amended, including sections 2 (a), 201 (d), and 202 (a) of that Act and sections 1, 2, and 7 (b) of the Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation and for other purposes, by Executive Order No. 9250,[2] dated October 3, 1942, and Directive No. 1 of the Director of Economic Stabilization,[3] the following rules are prescribed for the filing of notices of proposed general increases in rates or charges of common carriers and other public utilities.

2. Paragraphs (a), (b), and (c) of § 1300.903 are redesignated (b), (c), and (d) respectively and a new paragraph (a) is added to read as follows:

§ 1300.903 *Contents of notice filed by common carriers other than common carriers included in § 1300.904.* (a) For the purpose of this section the term common carrier shall include all common carriers except those included in § 1300.904 and except other common carriers with respect to the transportation of passengers when the maximum rates of charges for such transportation of passengers are not established, or otherwise regulated, by a federal, state or municipal authority having jurisdiction over such rates or charges.

3. Section 1300.904 (a) is amended to read as follows:

§ 1300.904 *Contents of notices of proposed increase in rates and charges of public utilities.* (a) For the purpose of this section the term public utility shall include the following: Any person, firm, corporation (private or public) engaged in the production, transmission, or sale of electric energy, gas (whether natural, artificial, or mixed), water, or heat; or in the transportation or transmission of electric energy, gas, water, or heat; and any person, firm, or corporation (private or public) appropriately classified as a public utility and subject to regulation as such when engaged in the transmission of messages, communications, or other intelligence by telephone, telegraph, cable, radio, or other wire or wireless conductors or appliances, as a common carrier for hire, or when engaged in the transportation as a common carrier of passengers by street railway, trolley, bus or motor vehicle in urban areas; or when engaged in the storage or warehousing of any commodity or in the performance of any other service not listed elsewhere in this paragraph or in § 1300.903, maximum rates or charges for such transmission, transportation, storage, warehousing, or other service having been established, or otherwise regulated, by a federal, state or municipal authority having jurisdiction over such rates or charges.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4187; Filed, March 24, 1944; 12:02 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 94]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.222 (b) (1) is amended to read as follows:

(1) *Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.*

PRICES AND SIZE GROUP NUMBERS

Consolidated price groups	Specific price group numbers included	1, 2, 3 All lump and egg coals bottom size larger than 2", washed or raw	4, 5, 6, 8 All lump, egg and stove coals bottom size 2" and smaller, washed or raw	7 Straight mine run, modified mine run and resultants larger than 2" x 0, washed or raw	9 to 12, incl. Raw nut and pea bottom size larger than 10 mesh or 3/32"	13, 14 Raw screenings larger than 3/8" x 0 but not exceeding 2" x 0	15 Raw carbon 3/8" x 0 and smaller	16 Raw dust top size not exceeding 10 mesh or 3/32"	18 Raw breaker screenings
A	1 to 4, incl.	240	240	200	215	175	135	105	155
B	8 to 12, incl.	240	240	200	215	180	140	110	160
C	7, 18 and 19	255	240	200	215	180	140	110	
D	5, 13 and 20	300	275	250	255	205	165	135	175
E	15, 16	330	275	265	245	200	160	130	
F	6	360	300	255	300	210	165	130	185
G	14	360	290	285	295	210	145	130	185
Exceptions:									
Mine Index No. 88 (P. G. 17)		385	365	355	335	300	160	130	
Mine Index No. 70 (P. G. 13)		300	275	250	255	220	180	150	190
Mine Index No. 115 (P. G. 10–A)		285	240	210	235	175	130	110	155

SCHEDULE OF MAXIMUM SERVICE CHARGES FOR SERVICES RENDERED IN CONNECTION WITH WET OR DRY MECHANICAL CLEANING

Washing or air-cleaning, Size Group Nos. 17 to 25 incl. and 34				15	[1] 25	35		40
Water dedusting, Size Group Nos. 30 to 32, incl.					20	20		
Dry dedusting, Size Group Nos. 26 to 29, incl.					[2] 15	20		

Only one service charge listed above can be made in connection with the sale of any coal.

[1] Exception: 20 cents for mines in Price Group Nos. 1 and 8.
[2] Exception: 20 cents for mines in Price Group Nos. 15 and 16.

(i) *Maximum prices for railroad fuel.* (a) The maximum prices for mine run, modified mine run and all lump and double-screened coals for railroad locomotive fuel use shall be $2.40 per net ton; and for screenings, top size not exceeding 2", the maximum price shall be $1.85 per net ton: *Provided, however,* That the maximum prices for Mine Index No. 70 shall be the above prices, plus 20 cents per net ton.

(b) Modified mine run shipped for railroad locomotive fuel use shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1¼" in diameter, or other shaped openings equivalent in area (1¼" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1¼" egg coal with 15%, with a tolerance of 2% up or down, of 1¼" screenings, as described above.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 939.
[2] 7 F.R. 7871.
[3] 7 F.R. 8758.

[1] 8 F.R. 14560, 15256, 15456, 16419, 16738, 16998; 9 F.R. 396, 573, 693, 794, 1181, 1395, 1454, 1721, 1905, 2008, 2127, 2237, 2407.

(c) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in this paragraph (b) (1) for the size and grade shipped.

(d) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tipple.

(ii) The maximum prices for coals produced at any underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or conveyors inside the mine, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton. This paragraph (b) (1) (ii) shall be void on and after June 1, 1944.

2. Section 1340.222 (b) (3) is revoked.

3. Section 1340.222 (b) (4) (A) and (C) are revoked.

4. New § 1340.222 (b) (3) is added to read as follows:

(3) Adjustments computed on Form OPA No. 653–638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to March 27, 1944, shall be void as of March 27, 1944 insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4189; Filed, March 24, 1944; 12:02 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 452[1], incl. Amdts. 1–4]

MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

Sections 1 (b) (1), (c) (1); 2 (c); 3 (b); 6 (headnote), (b) (1) (ii), (2) (ii), (c); 7 (a); 8 (headnote); 9 (a), (b), (c), (d); 10 (a) (b) (c); 11; 12 (a), (b); 13 (a), (c) (2); 14; 16 (a) (1) (ii), (iii), (2) (ii), (4); 18 (b) (1) (i), (b) (2) (iii); 21 (g), (k) (3); Appendix A, items 10, 20–22, 27; Appendix B, items 3, 20 are amended; sections 8a; 9 (a) (4); 12 (a) (4); 13 (a) (3); 14b; Appendix B, item 23 are added by Amendment 4[1a] effective March 30, 1944, so that Maximum Price Regulation No. 452 shall read as follows:

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable, will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and are necessary to adjust the provisions of the General Maximum Price Regulation[2] and Maximum Price Regulation No. 136,[3] as amended, to the particular circumstances of manufacturers of automotive parts. So far as practicable the Price Administrator has consulted with and has been advised by representative members of the industry which will be affected by this regulation. A statement of the considerations involved in its issuance has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[4]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1360.1 *Maximum prices for automotive parts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 452 (Manufacturers' Maximum Prices for Automotive Parts), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1360.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 452—MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

ARTICLE I—SCOPE OF REGULATION AND PROHIBITION

Sec.
1. To what transactions, persons, commodities, and geographical area this regulation applies.
2. Relation of this regulation to other regulations.
3. Prohibition against dealing in parts at prices above the maximum.
4. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES

5. Division of sales into those at list prices, and those at non-list prices for the purpose of establishing maximum prices.
6. Maximum prices for sales of new parts and rebuilt motors at list prices.
7. Maximum prices for sales of new parts and rebuilt motors at non-list prices.
8. Maximum prices for sales of new parts and rebuilt motors which cannot be priced under section 6 or 7.
8a. Prices for rebuilt parts other than rebuilt motors.

ARTICLE III—METHODS FOR ESTABLISHING AND REPORTING MAXIMUM PRICES

9. Procedure for establishing new list prices.
10. Notice to purchasers of maximum resale list prices.
11. Procedure for obtaining exemption from requirement of establishing new maximum list prices.
12. Procedure for establishing new maximum non-list prices.
13. Procedure for determining costs to be used by manufacturer in determining new maximum list or new maximum non-list prices.
14. Procedure for establishing maximum non-list prices for parts which cannot be priced under section 6 or 7.
14a. Regional office authorization.

ARTICLE IV—MISCELLANEOUS

15. Federal and State taxes.
16. Applications for adjustment and petitions for amendment.
17. Transfer of business or stock in trade.
18. Records and reports.
19. Evasion.
20. Enforcement.
20a. Licensing.
21. Definitions.
22. Exemptions from this regulation. Appendices A, B, and C.

ARTICLE I—SCOPE OF REGULATION AND PROHIBITION

SECTION 1. *To what transactions, persons, commodities, and geographical area this regulation applies*—(a) *Transactions.* This regulation covers all sales by manufacturers of new and rebuilt automotive parts.

(b) *Persons.* This regulation applies to all persons who are manufacturers of and also sell the automotive parts subject to this regulation, and to all persons who purchase such parts from manufacturers in the course of trade or business.

(1) *Manufacturer.* "Manufacturer" as used in this regulation means a producer of new automotive parts (as defined in section 21), or a rebuilder of used automotive parts or any person who sells automotive parts under his own trade name or who issues to the automotive trade catalogs or price lists containing his parts or catalog numbers and his suggested resale prices for automotive parts.

[Subparagraph (1) amended by Am. 2, 8 F.R. 15456, effective 11–15–43 and Am. 4, effective 3–30–44]

(c) *Commodities.* This regulation covers all new and rebuilt automotive parts.

(1) *Automotive parts.* "Automotive parts" (called parts in this regulation) for the purpose of this regulation mean all engine parts, body parts, chassis parts, motors, electrical equipment and wheels, and all other component parts and subassemblies, of automobiles, trucks, busses, trailers, semi-trailers, and motorcycles (except rebuilt bodies of trucks, busses, trailers, and semi-trailers) and also include all accessories and optional, extra and special equipment designed for use on, or with, motor vehicles, and unfinished parts and accessories and components thereof, when in such form as to permit their use only as automotive parts, but do not mean any service or maintenance accessories such as anti-freeze, body polish, tools, etc., or tires, tubes, storage batteries, sheet or other non-processed glass, or any parts, subassemblies or accessories specially designed for use in vehicles built primarily for military purposes, although parts, subassemblies or accessories originally designed for use in private or commercial motor vehicles but which are used both in military and private or commercial motor vehicles are considered as automotive parts. Illustrative lists of parts covered by this regulation and parts not covered by this regulation are attached as Appendices A and B.

[Subparagraph (1) amended by Am. 2, effective 11–15–43 and Am. 4, effective 3–30–44]

(d) *Geographical area.* This regulation applies to the 48 states of the United States and the District of Columbia, but not to the territories and possessions of the United States.

SEC. 2. *Relation of this regulation to other regulations*—(a) *In general.* The transactions, persons, and commodities subject to this Maximum Price Regulation No. 452, on and after its effective date, shall not be subject to the General Maximum Price Regulation or Maximum Price Regulation No. 136, as amended, or any other regulation issued by the Office of Price Administration insofar as this Maximum Price Regulation No. 452 affects such transactions, persons, or commodities except as provided in paragraphs (b), (c), and (d).

[Paragraph (a) as amended by Am. 2, 8 F.R. 15456, effective 11–15–43]

(b) *Sales for export.* The maximum price for sales for export of parts shall be determined in accordance with the provisions of the Second Revised Export Price Regulation.[5]

(c) *Imports.* The provisions of this regulation do not apply to the sale, purchase or delivery of a part which is not manufactured in, but is imported into, the continental United States or the District of Columbia. Such a sale, purchase, or delivery is governed by the Maximum Import Price Regulation.[6]

[Paragraph (c) amended by Am. 4, effective 3–30–44]

(d) *Mechanical rubber goods.* This regulation shall not apply to mechanical rubber goods when both produced and sold by manufacturers of mechanical rubber goods as defined in section 1315.31 of Maximum Price Regulation No. 149—Mechanical Rubber Goods.[7]

SEC. 3. *Prohibition against dealing in parts at prices above the maximum.* On and after September 2, 1943, regardless of any contract or other obligation,

(a) No manufacturer shall sell or deliver a part at a price higher than the maximum price permitted by this regulation;

(b) No person in the course of trade or business shall buy or receive a part from a manufacturer at a price higher than the maximum price permitted by this regulation, but if he, the purchaser, has received from the manufacturer a written statement that the price charged is not in excess of the maximum price and he has no knowledge to the contrary, he shall be deemed to have complied with this paragraph (b);

[Paragraph (b) amended by Am. 4, effective 3–30–44]

[NOTE: Supplementary Order No. 7 (7 F.R. 5170) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration with respect to the buying or receiving of commodities or services covered by such price regulations.]

(c) No person shall agree, offer, or attempt to do any of the acts prohibited in paragraphs (a) and (b) of this section.

(d) Nothing in this regulation shall prevent the fulfillment of contracts entered into before September 2, 1943, for the sale of parts by manufacturers at prices not exceeding the maximum prices established by Maximum Price Regulation No. 136, as amended, prior to September 2, 1943.

SEC. 4. *Less than maximum prices.* Nothing in this regulation prevents the charging or paying of prices lower than the maximum prices established by this regulation.

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Division of sales into those at list prices and those at non-list prices for the purpose of establishing maximum prices.* This regulation divides sales into two kinds:

(a) *Sales of parts at list prices.* "List price" as used in this regulation means the price for a manufacturer's sale of a part which may be derived from a price list or price sheet published and generally distributed to the trade by him. When a list price is named in this regulation as the maximum price to a purchaser, it means the price adjusted for all applicable extra charges, discounts or allowances for sales to a purchaser of the same class.

[Paragraph (a) as amended by Am. 2, 8 F.R. 15456, effective 11–15–43]

(b) *Sales of parts at non-list prices*—(1) *Non-list price.* "Non-list price" as used in this regulation means any price or price basis other than a list price at which a manufacturer sells a part to any class of purchaser.

SEC. 6. *Maximum prices for sales of new parts and rebuilt motors at list prices*—(a) *Determination of maximum price in accordance with previous price list.* This section sets maximum prices for sales by a manufacturer who

[Sec. heading amended by Am. 4, effective 3–30–44]

(1) Had a list price for the part being priced in effect on March 31, 1942;

(2) Placed a list price authorized by the Office of Price Administration in effect subsequent to March 31, 1942; or

(3) Has established a list price in accordance with paragraph (b) of this section.

The maximum price which such a manufacturer may charge for a part is the most recent of the list prices described in (1), (2), and (3).

(b) *Conditions requiring and permitting establishment of new list prices*—(1) *When new list prices must be established.* (i) A new list price must be established in accordance with section 9 for a part for which the list price is the maximum price when a specification change or material substitution made in the part reduces by 10% or more the factory cost or purchase cost (where the manufacturer is only a reseller of the part), except where the reduction in cost for the part or set (where the part is sold in sets) amounts to less than five cents. The new list price must be established within three months from the date the specification change or material substitution is made.

(ii) A new list price must be established when there is offered for sale a part for which a list price was not in effect between March 31, 1942, and the time of offering it for sale, but for which a list price was in effect and withdrawn during the period January 1, 1932, to March 31, 1942. The new list price shall be established within thirty days from the date the part is offered for sale either in accordance with section 9 or by adopting a price no higher than the highest list price in effect during the period January 1, 1932, to March 31, 1942, as the new list price.

If the manufacturer elects to reestablish a list price he had in effect during the period January 1, 1932, to March 31, 1942, as a new list price, he is not required to report or secure approval of such price as required by section 9. As soon as it is reestablished, he may charge and accept payment at or below such price and notify his customers of applicable resale prices in accordance with section 10 (a) notwithstanding section 10 (c). However, he should notify the Office of Price Administration (the National Office, Washington, D. C., for new parts and the regional office for the region in which his principal place of business is located for rebuilt parts) in writing of such a reestablished price within thirty days after he reestablishes it and should furnish that agency, as required by section 6 (c), with catalogs, price lists and discount sheets containing these reestablished prices only when he has such data available.

(iii) A manufacturer may be exempted from the necessity of establishing a new list price as required by this subparagraph (1) when the part is produced by a special run to fill a small non-recurrent order or there is some other reason why the special run is not likely to be repeated. In lieu of establishing a new list price he may be authorized to use a list price previously in effect and withdrawn or a new non-list price determined in accordance with section 12. The procedure to be followed in requesting this exemption is stated in section 11.

[Subparagraph (1) amended, (ii) revoked and former (iii) and (iv) redesignated as (ii) and (iii) by Am. 2, 8 F.R. 15456, effective 11–15–43. Paragraph added to (ii) by Am. 4, effective 3–30–44]

(2) *When new list prices may be established.* (i) A new list price may be established in accordance with section 9 when the factory or purchase cost of a part for which a list price is the maximum price, has been increased by 10%

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[1] 8 F.R. 11572, 12287, 12516.

[1a] The text which is added or amended by Am. 4 is underscored.

[2] 9 F.R. 1385.

[3] 8 F.R. 16132; 9 F.R. 1523, 2082, 3136, 2701.

[4] Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1096.

[6] 9 F.R. 2350.

[7] 8 F.R. 10813, 13172, 15255; 9 F.R. 396.

or more as a result of a specification change or material substitution; or

(ii) A new list price may be established when the manufacturer wishes to establish a list price for a part for which there has been no list price in effect since January 1, 1932. The new list price in such a case shall be a price no higher than the previous maximum price for the part established pursuant to section 7, 14 or 16 of this regulation, or a price established in accordance with section 9 when the part is a new part.

[Subparagraph (2) amended by Am. 1, 8 F.R. 12237, effective 9-2-43, Am. 2, 8 F.R. 15456, effective 11-15-43, and Am. 4, effective 3-30-44]

(c) *List prices to be furnished to Office of Price Administration.* The manufacturer shall furnish to the Office of Price Administration, Washington, D. C., to the extent it has not already done so, catalogs, price lists, and discount sheets, containing list prices which are established as maximum prices by this section. A rebuilder of used parts shall furnish these data to the Office of Price Administration regional office for the region in which his principal place of business is located.

[Paragraph (c) amended by Am. 4, effective 3-30-44]

SEC. 7. *Maximum prices for sales of new parts and rebuilt motors at non-list prices*—(a) *In general.* The maximum price a manufacturer may charge for the sale of a new part or a rebuilt motor for which he cannot establish a maximum price in accordance with section 6 or for which he has not established a new list price in accordance with that section and section 9, although permitted, but not required, to do so, shall be the first applicable non-list price determined as follows:

(1) If the manufacturer quoted or charged the same price to the same class of purchaser more than twice during the period from October, 1941, to March, 1942, inclusive, and did not increase that price on or before March 31, 1942, that price will be the maximum price for sales to that class of purchaser.

(2) If the manufacturer had a series of prices in effect for different classes of purchasers during the period October, 1941, to March, 1942, inclusive, and any of those prices is now his maximum price pursuant to subparagraph (1), the other prices in the series are his maximum prices for the classes to which they relate.

(3) If the manufacturer had a method of setting prices for different classes of purchasers (as by the application of discounts, differentials, etc.) during the period October, 1941, to March, 1942, inclusive, and a price for any class of purchaser determined by the use of that method is now his maximum price pursuant to subparagraph (1), the prices for other classes under that pricing method are his maximum prices for the classes to which they relate.

(4) If the manufacturer cannot establish a maximum price for a part in accordance with either subparagraph (1), (2) or (3), he shall determine this maximum non-list price for the part in accordance with section 12.

The price established under subparagraph (1), (2), (3) or (4) as the maximum price for the sale of a part to a certain class of purchaser shall be the maximum price for all future sales to the same class of purchaser until changed in accordance with paragraph (b) or (c) of this section. For the purpose of subparagraph (1), all deliveries under a single contract shall be considered as parts of one sale.

(b) *When a new maximum price must be established for a non-list part.* A new maximum price must be established in accordance with section 12 for a non-list part when a specification change or a material substitution reduces by 10% or more the factory or purchase cost. The new maximum price must be established within three months from the date the specification change or material substitution is made.

(c) *When a new maximum price may be established for a non-list part.* A new maximum price may be established in accordance with section 12 for a non-list part when the factory or purchase cost for the part has been increased by 10% or more as a result of a specification change or a material substitution.

[Sec. 7 amended by Am. 1, 8 F.R. 12237, effective 9-2-43, Am. 2, 8 F.R. 15456, effective 11-15-43, and Am. 4, effective 3-30-44]

SEC. 8. *Maximum prices for sales of new parts and rebuilt motors which cannot be priced under section 6 or 7.* Where a manufacturer cannot establish a maximum price for a part in accordance with section 6 or 7 because he is producing it in a new or converted plant or because he was not engaged as a manufacturer as defined in this regulation during a period which permits him to establish a price under section 6 or 7, or for any other reason, he shall determine the maximum price for such part in accordance with section 14.

[Sec. heading amended by Am. 4, effective 3-30-44]

SEC. 8a. *Prices for rebuilt parts other than rebuilt motors.* A manufacturer must have prices in accordance with this section for any rebuilt parts, other than rebuilt motors, which he sells.

(a) *Rebuilt parts, other than rebuilt motors, having list prices under section 6 prior to March 30, 1944.* If a manufacturer had a list price under section 6 for a rebuilt part, other than a rebuilt motor, prior to March 30, 1944, he may continue to price this part under that section, or, if he so elects, he may establish a price for such a part under paragraph (c) below.

(b) *All other rebuilt parts, except rebuilt motors.* All rebuilt parts, other than rebuilt motors, which are not covered by paragraph (a) shall be priced in accordance with paragraph (c) below. Parts covered by this paragraph are those having non-list prices under section 7 or 14 prior to March 30, 1944, and those for which list or non-list prices are established for the first time on or after March 30, 1944.

(c) *Method for determining prices for rebuilt parts, other than rebuilt motors.* The price for a rebuilt part other than a rebuilt motor, except as provided in paragraph (a), shall not exceed a percentage of the net retail list price suggested by a manufacturer for the same part (or lacking the same part, the nearest equivalent part) when new which is a maximum retail list price under Maximum Price Regulation 453[*], These percentages are:

(1) *For a sale to a user:* 75%.

(2) *For a sale to a wholesaler or retailer:* 65%.

(d) *Prices under paragraph (c) as list prices*—(1) *Manufacturer's list price.* A price established under paragraph (c) will be a list price if the previous price for the part was a list price under section 6. Other prices under paragraph (c) may be established as list prices if the rebuilder elects to establish these prices as list prices.

(2) *Resale list prices.* If the rebuilder had suggested resale list prices in connection with a previous list price for the part for which he is establishing a list price under subparagraph (1) above, he shall continue to suggest resale list prices for this part. These resale list prices shall be determined in accordance with section 9 (b) (1). If he wishes to establish suggested resale list prices for the first time, he may do so for the type of sale for which rebuilders customarily had in effect suggested resale prices on March 31, 1942. The resale list prices, however, shall be established only in connection with list prices established under subparagraph (1) above, and shall be determined in accordance with subparagraph (1), (2) or (3) of section 9 (b). Any suggested resale list price determined in accordance with this subparagraph must in no event exceed 85% of the retail net price suggested by a manufacturer for the same part (or lacking the same part, the nearest equivalent part) when new which is a maximum retail price under Maximum Price Regulation 453.

(3) *Filing, approval, charging and notification of list prices determined under paragraphs (c) and (d).* Any list price and applicable resale list prices determined under paragraphs (c) and (d) are subject to the filing provisions of section 6 (c); the reporting, approval and charging provisions of paragraphs (c), (d) and (e) of section 9; and to the notice requirements of section 10.

(e) *Prices under paragraph (c) as non-list prices.* When a rebuilder's price under paragraph (c) is a non-list price, this price may be charged and payment received at such price subject to the reporting requirements of section 12 (b).

(f) *Exchange allowances.* Any part or other commodity exchanged, transferred or traded-in in connection with the sale of a rebuilt part under paragraph (c) is a part payment of the price for the rebuilt part. A reasonable allowance for the part or other commodity exchanged, transferred or traded-in must be given to the purchaser of the rebuilt part.

[See 8a added by Am. 4, effective 3-30-44]

[*] 8 F.R. 11562, 13256, 15458.

ARTICLE III—METHODS FOR ESTABLISHING AND REPORTING MAXIMUM PRICES

SEC. 9. *Procedure for establishing new list prices*—(a) *Determining a new list price.* A new list price for a part shall be a price not in excess of the sum of the manufacturer's costs for the part determined in accordance with section 13, plus the following:

(1) A percentage markup not in excess of the percentage markup he included in the price for the same part on March 31, 1942; or

(2) Where he did not sell or offer for sale the same part on March 31, 1942, a percentage markup not in excess of the percentage markup he included in the price on March 31, 1942, for the similar part (as defined in Section 21) most nearly like it; or

(3) Where he did not sell or offer for sale the same or a similar part on March 31, 1942, a percentage markup not in excess of the percentage markup he included on March 31, 1942, in the price for the part of the same type having the closest total costs to the part being priced. Examples of types for the purpose of this paragraph are engine parts, carburetor parts, electrical parts, etc.

(4) Where he cannot establish a markup in accordance with subparagraph (1), (2) or (3) because he did not sell or offer to sell to the class of purchaser for which a price is being established, a percentage markup in line with the first applicable markup which may be established in accordance with subparagraph (1), (2) or (3) for another class of purchaser and adjusted to reflect the difference between the classes of purchasers. This in-line and adjusted markup shall be determined by considering all factors which normally determined markup on March 31, 1942, including factors which caused markups to vary for different classes of purchasers, such as sales volume and competitors' prices.

[Subparagraph (4) added by Am. 4, effective 3-30-44]

To this price the manufacturer must apply the same differentials, discounts, allowances, rebates, and deductions which he had in effect on March 31, 1942, as to the particular part named in paragraph (1), (2), or (3), the percentage markup of which is added to costs. Where the manufacturer establishes a markup in accordance with subparagraph (4) he shall establish differentials, discounts, allowances, rebates and deductions to apply to the price which includes this mark-up. He shall, however, establish them by modifying his March 31, 1942 differentials, discounts, allowances, rebates and deductions in accordance with his March 31, 1942 pricing policy.

[Above paragraph amended by Am. 1, 8 F.R. 12237, effective 9-2-43, and Am. 4, effective 3-30-44]

(b) *Determining of applicable suggested resale list prices.* If the manufacturer had suggested resale list prices for a part on or after March 31, 1942, or customarily names suggested resale prices in connection with his price list, he shall name suggested resale prices for any parts for which new list prices are established in accordance with sections 6 and 9. If a manufacturer now wishes to suggest resale prices for the first time, he may do so for a part for which new list prices are established in accordance with section 6 (b). The suggested resale prices shall be determined as follows:

(1) If the manufacturer has had suggested resale prices for the part at any time since January 1, 1932, the relationship of the new suggested resale prices to the new list price for the manufacturer's sale of the part shall be the same as the relationship that existed under the most recent price list.

(2) If the manufacturer has not had suggested resale prices for the same part at any time since January 1, 1932, but has had suggested resale prices for other parts of the same type, the relationship of the new suggested resale prices to the new list price for the manufacturer's sale of the part shall be the same as the relationship that existed for the part of the same type having the closest list price under the most recent price list. Examples of types for the purpose of this paragraph are engine parts, carburetor parts, electrical parts, etc.

(3) If the suggested resale list prices cannot be determined under (1) or (2), they will be prices in line with the prices previously charged by resellers for the same part of the same manufacturer, or, in the absence of such prices, in line with suggested resale prices for the same or similar part named by other manufacturers.

(c) *Notice to Office of Price Administration of new list prices.* After a manufacturer has determined a new list price and suggested resale prices in accordance with paragraphs (a) and (b) above or section 8a he shall file a report with the Office of Price Administration as follows:

(1) *For new list prices for new parts.* The report shall be filed with the National Office of the Office of Price Administration at Washington, D. C., and shall be signed by the manufacturer or a responsible official of the manufacturer and shall contain the following information:

(i) Description of the part and its number or other designation.

(ii) The new list price and suggested resale prices and the previous list price and suggested resale prices, if any, for each class of purchaser.

(iii) The newly determined unit costs and the unit costs included in the previous list prices, if available.

(iv) If not previously filed, all the other factors used in determining the new list price and suggested resale prices such as markup, discounts, differentials, freight, and other allowances and other price determining factors.

(v) A statement that the new list price was determined in accordance with section 9 (a) and that the new suggested resale prices were determined in accordance with section 9 (b) and that the unit costs included in such prices were determined in accordance with section 13.

(2) *For new list prices for rebuilt parts.* The report shall be filed with the Office of Price Administration regional office for the region in which the manufacturer's principal place of business is located and shall be signed by the manufacturer (rebuilder) or a responsible official of the manufacturer, and shall contain the following information:

(i) Description of the part and its number or other designation.

(ii) The new list price and suggested resale prices and the previous list price and suggested resale prices, if any, for each class of purchaser.

(iii) Whether the new list price and suggested resale prices are established under section 6 or 8a (c) and (d). If the prices are under section 6, the justification should be given for pricing under such section.

(iv) Where the new list price and the suggested resale prices are established under section 6 and 9 (a), the newly determined unit costs and the unit costs included in the previous list prices, if available.

(v) Where the new list price and suggested resale prices are established under paragraphs (c) and (d) of section 8a, the retail list price which is established un-

der Maximum Price Regulation 453 as the maximum retail list price of the same part (or lacking the same part, the nearest equivalent part) when new.

(vi) All the other factors used in determining the new list price and suggested resale prices.

(vii) A statement that the new list price was determined in accordance with section 8a (c) or 9 (a) (whichever is applicable) and the new suggested resale prices were determined in accordance with section 8a (d) or 9 (b) (whichever is applicable).

(d) *Action by the Office of Price Administration.* The new list prices set forth in reports filed in accordance with paragraph (c) shall become maximum prices, and the suggested resale prices shall be considered approved, if approved by the Office of Price Administration, or if not disapproved by that agency within thirty days after the receipt of the reports. If the Office of Price Administration shall later determine that such prices were not computed in accordance with the requirements of sections 6, 9 and 13, or sections 8a and 9, they may at that time be disapproved, but such disapproval shall not be retroactive as to any deliveries completed prior to the date of the disapproval. If any price is disapproved because in some respect it is not determined in accordance with these sections, the manufacturer shall recompute the new list price in accordance with these sections and the suggestions contained in the notice of disapproval, and report the revised list price in accordance with paragraph (c) above.

[Paragraphs (b), (c), and (d) amended by Am. 2, 8 F.R. 15456, effective 11-15-43, and Am. 4, effective 3-30-44]

(e) *When the new list prices may be charged.* Upon the mailing of the reports in accordance with paragraph (c) above, the new list prices contained in such reports may be charged and any one of the following actions regarding payment may be followed:

(1) Accept payment in the amount of the existing maximum price and collect or refund the difference between the existing maximum price and the proposed maximum price upon the latter being approved or not disapproved within the thirty-day period.

(2) Accept payment in the amount of the proposed maximum price and if such a price is disapproved, collect or refund the difference between the existing maximum price and the disapproved proposed price.

(3) Do not accept payment for any deliveries until the proposed maximum price is approved or the thirty-day period elapses without disapproval. If such a price is approved or not disapproved, accept payment at the new price for the deliveries made on and subsequent to the filing of the reports and for all deliveries thereafter. If the proposed price is disapproved, accept payment for the deliveries made on and subsequent to the filing of the reports at the existing maximum price.

[Paragraph (e) amended by Am. 2, 8 F.R. 15456, effective 11-15-43]

SEC. 10. *Notice to purchasers of maximum resale list prices—(a) Furnishing of suggested resale price lists.* A manufacturer whose maximum prices are the list prices which he had in effect on March 31, 1942, and who had suggested resale list prices in effect on that date shall furnish to his customers, to the extent they do not already have the same, copies of catalogs, price lists, and discount sheets in which are contained his resale list prices. A manufacturer whose prices are list prices placed in effect after March 31, 1942, with the authorization of the Office of Price Administration, or list prices established in accordance with sections 6 (b) and 9, or sections 8a and 9, and who also established suggested list prices, shall furnish to his customers, to the extent they do not already have the same, copies of catalogs, price lists, and discount sheets in which are contained his resale list prices. A manufacturer who reestablishes as a new list price for a part a list price in effect during the period January 1, 1932, to March 31, 1942, (in accordance with section 6) may, in lieu of furnishing catalogs, price lists, and discount sheets containing resale prices, notify his customers of such resale prices by stating these prices on the invoices which he furnishes to such customers in connection with the sale of the part. A manufacturer, in lieu of furnishing catalogs, price lists, and discount sheets to classes of customers to whom he would not ordinarily furnish such material, may notify such customers of the resale prices for a part by stating such resale prices on the invoice he furnishes to these customers in connection with the sale of a part. A manufacturer may also notify customers by invoices of new list prices approved, or not disapproved within thirty days from filing in accordance with section 9, or new list prices authorized under section 16, pending the issuance of new price lists or catalogs or supplements to existing catalogs or price lists. When the suggested resale prices are stated upon invoices in accordance with this paragraph, they shall be indicated by the appropriate description as "Retail Maximum", Wholesale Maximum", etc. A manufacturer need not furnish catalogs, price lists and discount sheets to a customer for parts which the latter, as a manufacturer, resells under his own trade name or for which he includes his parts or catalog numbers and his suggested resale prices in catalogs or price lists that he issues to the automotive trade. Resale price lists of the type described in this paragraph are called "Approved resale price lists" in paragraph (b).

(b) *Statements to be furnished to a customer by a manufacturer having a suggested resale price list in effect.* A manufacturer having in effect an approved resale price list (of a type described in paragraph (a)) shall furnish to all customers a statement substantially the same as the following statement, to which is affixed the signature, or a facsimile thereof, of the manufacturer, or a responsible official of the manufacturer.

The suggested resale prices, discounts and allowances in our catalog(s), price list(s), and discount sheet(s) dated ---------- (or "numbered ---------") are the maximum resale prices for the parts listed therein, in accordance with Maximum Price Regulation 453 (Wholesalers' and Retailers' Maximum Prices for Automotive Parts) of the Office of Price Administration.

A sample copy of the statement issued by the manufacturer should be forwarded to the Office of Price Administration, Washington, D. C. A rebuilder of used parts, however, should furnish the sample copy to the Office of Price Administration regional office for the region in which his principal place of business is located.

[Paragraphs (a) and (b) amended by Am. 2, effective 11-15-43 and Am. 4, effective 3-30-44]

(c) *When notice shall be given to customers.* Manufacturers shall act as required in paragraphs (a) and (b) as soon as practicable, but not later than October 1, 1943 with regard to price lists in effect before the effective date of this regulation. Such action shall not be taken regarding a list price established after the effective date of the regulation until the new list price has been approved in writing or thirty days have elapsed from the date the report regarding it is received by the Office of Price Administration when the report is neither approved nor disapproved in writing.

[Paragraph (c), formerly (d), amended by Am. 1, 8 F.R. 12237, effective 9-2-43, and Am. 4, effective 3-30-44; former (c) revoked and former (d) redesignated as (c) by Am. 2]

SEC. 11. *Procedure for obtaining exemption from requirement of establishing new maximum list prices.* The manufacturer who seeks an exemption from the requirements of establishing a new list price as required by section 6 (b) should request this exemption from the Office of Price Administration, Washington, D. C., with the exception that a rebuilder of used parts should make this request to the Office of Price Administration regional office for the region in which his principal place of business is located. In his request he should include a showing that the order for

the part is small and nonrecurrent or other reasons why neither the order nor the special run is likely to be repeated. He shall also include in his request his list price or a non-list price computed in accordance with section 12. Upon the mailing of his request, he may charge his previously established list price or non-list price, but he must not accept payment until he is either notified in writing that his request has been approved or thirty days have elapsed from the date the request is received by the Office of Price Administration without any notification of disapproval. If the request is approved, or is not disapproved, within the thirty day period, the manufacturer may then accept payment at the proposed price for deliveries made prior to approval or the end of the thirty day period and for all deliveries made thereafter. If the request is disapproved the manufacturer shall establish a new list price in accordance with section 9.

[Sec. 11 amended by Am. 4, effective 3-30-44]

SEC. 12. *Procedure for establishing new maximum non-list prices—(a) Determining new non-list prices.* A new non-list price shall be a price not in excess of the manufacturer's cost for the part determined in accordance with section 13, plus the following:

(1) A percentage markup not in excess of the percentage markup he included in the price for the part on March 31, 1942; or

(2) Where he did not sell or offer for sale the same part on March 31, 1942, a percentage markup not in excess of the percentage markup he included in the price for the similar part (as defined in section 21) most nearly like it; or

(3) Where he did not sell or offer for sale the same or a similar part on March 31, 1942, a percentage markup not in excess of the percentage markup he included in the price for the part of the same type having the closest total costs to the part being priced. Examples of types for the purpose of this paragraph are engine parts, carburetor parts, electrical parts, etc.

(4) Where he cannot establish a markup in accordance with subparagraph (1), (2) or (3) because he did not sell or offer to sell to the class of purchaser for which a price is being established, a percentage markup in line with the first applicable markup which may be established in accordance with subparagraph (1), (2) or (3) for another class of purchaser and adjusted to reflect the differences in the classes of purchasers. This in-line and adjusted markup shall be determined by taking into consideration all factors which normally determined markup on March 31, 1942, including factors which caused markups to vary for different classes of purchasers, such as sales volume and competitors' prices.

[Subparagraph (4) amended by Am. 4, effective 3-30-44]

To this price the manufacturer must apply the same differentials, discounts, allowances, rebates, and deductions which he had in effect on March 31, 1942, as to the particular part named in subparagraph (1), (2) or (3), the percentage markup of which is added to costs. Where the manufacturer establishes a markup in accordance with subparagraph (4), he shall establish differentials, discounts, allowances, rebates, and deductions to apply to the price which includes this markup. He shall, however, establish them by modifying his March 31, 1942, differentials, discounts, allowances, rebates and deductions in accordance with his March 31, 1942, pricing policy.

[Above paragraph amended by Am. 1, 8 F.R. 12237, effective 9-2-43 and Am. 4, effective 3-30-44]

(b) *Notice to Office of Price Administration when a non-list price computed under paragraph (a) above or section 8a is higher than the price previously charged subsequent to March 31, 1942.* If the non-list price determined under paragraph (a) above or under section 8a is higher than the price previously charged subsequent to March 31, 1942, the manufacturer shall file with the Office of Price Administration within ten days after making the first sale or delivery at such an increased price a report in accordance with the following procedure:

(1) *For new non-list prices for new parts.* The report shall be filed with the National Office of the Office of Price Administration at Washington, D. C., and shall be signed by the manufacturer or a responsible official of the manufacturer and shall contain the following information:

(i) A description of the part, its number or other identification.

(ii) The price on its sale prior to its sale at the increased price.

(iii) The new non-list price.

(iv) The retail list price which is established under Maximum Price Regulation 453 as the maximum retail list price of the same part (or lacking the same part, the nearest equivalent part) when new.

(v) A statement that the new non-list price was determined in accordance with section 8a.

[Paragraph (b) amended by Am. 4, effective 3-30-44]

SEC. 13. *Procedure for determining costs to be used by manufacturer in determining new maximum list or new maximum non-list prices.* When costs must be determined by a manufacturer in connection with a price determining method which must be followed in determining list or non-list prices in accordance with the provisions of this regulation, except where the determining of costs for the manufacturing of a part in a new or converted plant requires the procedure stated in section 14, the following cost determining method shall be followed:

(a) *Determination of costs when manufacturer is a producer.* When the manufacturer is a producer he shall use the same cost determining method he used on March 31, 1942.

(1) To the extent that the cost determining method includes or is based on direct labor costs, the manufacturer shall use labor rates in effect on March 31, 1942.

(i) "Labor rates in effect on March 31, 1942" are the labor rates prevailing on that date in the manufacturer's plant for each classification of labor. If the manufacturer employs labor of a particular classification not employed in such plant on March 31, 1942, he shall apply the rate prevailing on that date for such classification in the locality in which the manufacturing is to be performed. If labor of such classification was not employed on March 31, 1942, in such locality, the manufacturer shall apply the rate prevailing on that date for the nearest skill in the nearest comparable locality, as accurately as he is able to determine the same by reasonably diligent inquiry.

(ii) The permitted labor cost to be used in the pricing formula provided in this paragraph (a) is to be determined by applying to the clock hours of each classification of labor estimated to be required on the basis of previous production experience, or, where an estimate is not used, to the clock hours actually required, the hourly rate for such classification in effect on March 31, 1942. If on March 31, 1942, an average rate was used, an average rate may be applied if the labor rates and the method of computing the average in effect on March 31, 1942, are used. If individuals have been or are promoted from one classification to another because of increased efficiency, the higher rates may be used.

(iii) The amount of overtime (estimated, if necessary) required to be used in excess of that provided for in the overhead or machine hour rate may be added

to the cost of labor. In no event shall any markup, overhead, or profit be applied to that part of the labor cost which is in excess of the straight-time cost, except that no adjustment of the overhead or the machine hour rates in effect on March 31, 1942, shall be required.

[Subparagraph (1) amended by Am. 4, effective 3-30-44]

(2) To the extent that the cost determining method includes or is based on prices paid for materials, the manufacturer shall use the prices which the manufacturer's supplier had in effect to him or his class of purchaser on March 31, 1942, or if the supplier did not have a price in effect on that date for a certain commodity, the price he first had in effect after that date. However, if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer, such lower price shall govern. The manufacturer's supplier shall be

(i) His March 31, 1942, supplier of the material; or

(ii) Lacking a March 31, 1942 supplier of the material, his most recent supplier of the material subsequent to March 31, 1942. If neither of these exists, it shall be his proposed supplier.

For the purposes of this subparagraph (2), if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the statement, the price as stated by the seller shall be deemed not to be in excess of the maximum price established by the Office of Price Administration for that material. The price the manufacturer shall use for material composed in whole or in part of silver shall be the current price not to exceed the applicable maximum price. The term "material prices" includes the prices for raw materials or products which have been processed or fabricated to any degree. However, costs for automotive parts defined in section 1 (c) (1) which are purchased from a supplier shall be the prices paid for such parts, not to exceed the applicable maximum prices established by this regulation.

[Subparagraph (2) as amended by Am. 2, 8 F.R. 15456, effective 11-15-43]

(3) To the extent that the cost determining method includes factory overhead, the manufacturer shall use factory overhead rates in effect on March 31, 1942.

[Subparagraph (3) added by Am. 4, effective 3-30-44. Former (3) and (4) redesignated (4) and (5), respectively]

(4) To the extent that the cost determining method includes or is based on prices paid for subcontracted services, whether machinery services or otherwise, or perishable tools, dies, molds, patterns, or work-holding devices, the manufacturer shall use the actual prices paid or the prices to be paid, which are estimated by his supplier if he has no reason to believe that these prices exceed the applicable maximum prices. If a price estimated by a supplier is not available, the manufacturer shall use his own estimate of the price to be paid which he has no reason to believe exceeds the applicable maximum price.

(5) To the extent that the cost determining method includes freight rates paid, the manufacturer shall use freight rates in effect on March 31, 1942, or current actual freight rates, whichever are lower, for the mode of transportation actually used.

[Subparagraph (5), formerly (4), amended by Am. 4, effective 3-30-44]

(b) *Determination of costs when manufacturer is not a producer.* When the manufacturer is not a producer of the part he sells, he shall determine his costs by dividing the amount of the invoiced charges, including freight-in, for the units of the part he purchased during the three months preceding the date he determines his costs by the number of units of the part he purchased during the same three months' period and which are included on the same invoices. The result obtained from this division shall be the costs to be included in the pricing method of either section 9 or section 12 by the manufacturer who does not produce the part he sells. If the manufacturer did not make any purchase or a representative number of purchases during the three months immediately preceding the date these costs are determined, he shall use the invoiced charges to him, including freight-in, for the three months' period closest to the date he determines these costs in which he made a representative number of purchases. If the manufacturer did not make any purchases during either of these periods, he shall determine his costs by dividing the invoiced costs including freight in, of the units of the part for which invoices have been received by him, by the number of the units of the part included on such invoices, or where there are no invoices, by using the unit price at which the supplier agrees, either under contract or by quotation, to sell such a part to the manufacturer.

[Above sentence added by Am. 2, 8 F.R. 15456, effective 11-15-43]

(c) *Determination of costs when manufacturer produces some of the units and purchases the remainder of the units of the part he sells.* When the manufacturer produces some of the units and purchases the remainder of the units of a part he sells, he shall determine his costs by:

(1) Determining his costs for the units he produces in accordance with paragraph (a) and by determining his costs for the units he purchases in accordance with paragraph (b).

(2) Multiplying each of these costs by the respective percentage which the units produced and the units purchased each constituted of the total units produced and purchased during the three months' period preceding the date he determines his costs or during the three months' period closest to the date he determines these costs in which he purchased and produced a representative number of units. Where a manufacturer determines his costs in accordance with paragraph (b) by using the method permitted when he has not purchased any units of the part during either of the three months' periods described in that paragraph, for the purpose of this subparagraph, he shall multiply the costs determined in accordance with paragraph (a) and those determined in accordance with paragraph (b) by the respective percentage he estimates that the units produced and the units purchased will each constitute of the total units he estimates he will produce and purchase during a representative three months' period closest to the date he determines these costs.

[Subparagraph (2) amended by Am. 4, effective 3-30-44]

(3) Adding together the result of each of the multiplications required by subparagraph (2) to obtain a total which shall be the costs to be included in the pricing method of either section 9 or 12 by the manufacturer who produces some and purchases the remainder of the units of a part he sells.

SEC. 14. *Procedure for establishing maximum non-list prices for parts which cannot be priced under section 6 or 7.* If the manufacturer is not able to establish a maximum price in accordance with section 6 or 7 because he produces the part in a new or converted plant or because he was not engaged as a manufacturer as defined in section 1 (b) (1) of this regulation during a period on or after March 31, 1942, which would enable him to establish a maximum price in accordance with section 6 or 7, or for any other reason, he shall establish a maximum non-list price in accordance with the following:

[Above paragraph amended by Am. 4, effective 3-30-44]

(a) *Price determining method*—(1) *Where the manufacturer is a producer.* Where the manufacturer is a producer he shall establish a price determining method and rates for use therein (labor rates, machine hour rates, overhead rates, and profit rates, etc.) for the determination of a non-list price for such part conforming so far as possible to the provisions of section 12 and section 13. The overhead rate so established shall be a reasonable rate with respect to the operations to be performed, and shall, so far as possible, be based on costs for items of overhead in effect on March 31, 1942. In the case of a newly constructed plant, however, the manufacturer may use as a base date for all purposes the date upon which price quotations were first made or upon which production was started in the plant, whichever is earlier, and shall use labor rates for each classification of labor prevailing on that date in the locality of the plant determined in accordance with section 13 (a) (1), with the above base date substituted for the March 31, 1942, date used therein.

(2) *Where the manufacturer is not a producer.* Where the manufacturer is not a producer he shall establish a price by determining costs for the part in accordance with section 13 (b), and adding to such costs a markup as comparable as possible to the markup he would have added if he were able to establish a price in accordance with section 9 or 12, taking into consideration discounts and allowances to be applied for different classes of purchasers.

(b) *Notifying the Office of Price Administration*—(1) *Where the manufacturer is a producer.* Where the manufacturer is a producer he shall file a report with the Office of Price Administration, Washington, D. C., except that a rebuilder of used parts shall file it with the Office of Price Administration regional office for the region in which his principal place of business is located, containing:

[Subparagraph (1) amended by Am. 4, effective 3-30-44]

(i) The price determining method and rates used in establishing prices as provided in paragraph (a);

(ii) A description of the parts for which the prices are determined;

(iii) A representative sample of prices determined in accordance with the pricing method;

(iv) An explanation of the circumstances necessitating pricing under this section;

(v) Relevant data bearing on the price determining method and rates to be used, including evidence that such method and rates were calculated as provided in paragraph (a);

(vi) A statement of whether or not quantity production has been achieved or is anticipated;

(vii) A brief description of the newly constructed or converted plant, if any; and

(viii) Any other data which the Office of Price Administration may in writing require.

(2) *Where the manufacturer is not a producer.* Where the manufacturer is not a producer he shall file a report with the Office of Price Administration, Washington, D. C., containing:

(i) A description of the part for which a price is being established;

(ii) An explanation of the circumstances necessitating pricing under this section;

(iii) The costs for the part determined in accordance with section 13 (b);

(iv) The amount of the markup to be added to the costs, together with a percentage breakdown of the expenses and profit provided for;

(v) The discounts and allowances to be applied to the price for each class of purchaser; and

(vi) Any other data which the Office of Price Administration may in writing require.

(c) *Action by the Office of Price Administration.* If the Office of Price Administration approves the prices, or the pricing method and the prices which result from its use, or fails to disapprove them within thirty days after receiving the report, the maximum non-list prices for the parts involved shall be the prices reported, or the prices calculated in accordance with the price determining method reported, until new prices or a new pricing method is proposed and reported either upon the initiative of the manufacturer or as required by the Office of Price Administration. The prices previously filed shall not be regarded as fixed prices, but may be modified pursuant to the new prices or the new price determining method submitted. Prices determined in accordance with this section may be quoted or charged for thirty days prior to filing the report required by paragraph (b) and may be quoted or charged thereafter until the Office of Price Administration disapproves such prices, or the price determining methods from which these prices may be determined, or requires a new filing under paragraph (b). Either one of the following actions may be followed with respect to accepting payment at these prices:

(1) Accept payment at such prices and refund or collect the difference between such prices and the prices which become the established maximum prices or which are determined in accordance with the established price determining methods.

(2) Do not accept payment for any deliveries until maximum prices are established or price determining methods are established for the determination of maximum prices. Then accept payment for all deliveries at the established prices.

[Paragraph (c) as amended by Am. 2, 8 F.R. 15456, effective 11-15-43]

(d) *Refiling of prices or price determining method.* No later than six months after the last filing, in accordance with this section, of prices or a price determining method which was not disapproved by the Office of Price Administration, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., except that a rebuilder of used parts shall file this report with the Office of Price Administration regional office for the region in which his principal place of business is located, containing:

[Paragraph (d) amended by Am. 4, effective 3-30-44]

(1) A comparison of his total actual direct and indirect costs for the period under review, with the estimates on which the prices or price determining method being used was based; and

(2) So far as available for each of the representative items for which prices were previously charged, the current price being charged and a comparison of the actual direct and indirect unit costs with the estimates on which the price previously charged was based.

(e) *Revision of prices or price determining method.* The manufacturer may at any time file, and the Office of Price Administration may at any time require the filing of, revised prices or a revised pricing method, together with a representative sample of prices determined in accordance with such method. The provisions of paragraph (c) are applicable to such filing.

SEC. 14a. *Regional office authorization.* Regional offices are authorized to take any and all action that may be necessary in connection with the processing and approving or disapproving of notices of proposed new list prices and of new non-list prices and requests for exemption from the requirement of establishing new list prices, filed in connection with rebuilt parts under the provisions of Article III of this regulation.

[Sec. 14a added by Am. 1, 8 F.R. 12237, effective 9-2-43]

SEC. 14b. *Emergency service charges.* Notwithstanding any other provision of this regulation, any manufacturer may add to the maximum price for a part when sold under a war contract or any subcontract thereunder, the extra material cost resulting from his purchasing materials, in an emergency and at the request of the customer, from a source more expensive than the current usual source. Also, any manufacturer may add to the maximum price for a part his extra transportation cost resulting from his shipping the part or materials used in the production of the part, in an emergency and at the request of the customer, by means more expensive than the current usual method of shipping. No markup, overhead or profit shall be applied to the extra material or transportation cost. The extra charges allowed by this section shall be billed separately on the invoice, and a copy of the invoice must be immediately forwarded to the Machinery Branch, Office of Price Administration, Washington, D. C.

[Sec. 14b added by Am. 4, effective 3-30-44]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

ARTICLE IV—MISCELLANEOUS

Sec. 15. *Federal and State taxes.* (a) Any tax levied by any statute of the United States or statute or ordinance of any state or subdivision thereof which the manufacturer on March 31, 1942, added to the price paid by the purchaser shall not be included in the maximum price but may be collected by the manufacturer in addition to the maximum price if such tax is stated separately from the purchase price, except that such tax need not be stated separately if it is measured by the manufacturer's cost of the part.

(b) Any tax upon the sale or delivery of a part and any compensating use tax upon a part levied by any statute of the United States or statute or ordinance of any state or subdivision thereof and becoming effective on or after March 31, 1942, may also be collected by the manufacturer making such taxable sale or delivery in addition to the maximum price if such tax is stated separately from the purchase price, unless the manufacturer had increased his price on or before March 31, 1942, to reflect such new or increased tax, except that such tax need not be stated separately

if it is measured by the manufacturer's cost of the part.

(c) (1) Any separately stated tax paid by a manufacturer on a part purchased for resale may be collected by such manufacturer in addition to the maximum price upon the resale of such part unless the price in effect on March 31, 1942, reflected the amount of such tax.

(2) Any tax paid by a manufacturer upon the purchase of a component of a part which can be delivered separately from the principal assembly of the complete part may also be collected by the manufacturer upon the sale of the part as well as upon the sale of the component separately, if such tax is stated separately from the purchase price, unless the manufacturer's price for the component or the part in effect on March 31, 1942, reflected the amount of such tax.

(d) A tax on transportation of parts imposed by section 620 of the Internal Revenue Act of 1942, for the purpose of determining the applicable maximum price, shall be treated as a cost of transportation. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 16. *Applications for adjustment and petitions for amendment*—(a) *Application for adjustment*—(1) *Application by a manufacturer of a part*—(i) *Who may receive adjustment.* The manufacturer's maximum price for a part established by this regulation may be adjusted only in the case of an essential manufacturer of an essential part. An essential part is one which contributes to the successful prosecution of the war. An essential manufacturer is one whose output or supply of a part cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into, or proposes to enter into, a war contract (as defined in section 21), or a subcontract thereunder, is an essential manufacturer of an essential part.

(ii) *When adjustment may be granted*—(a) *Individual adjustments.* An adjustment may be made in the maximum price of an essential manufacturer of an essential part upon the basis of information submitted by such manufacturer or of other information, and whenever it is found that the maximum price of the part is at such a level that (taking into account the cost thereof, the profits position of the manufacturer, and the nature of the business) production or supply of the part is impeded or threatened. The National Office, a regional office for the region in which the applicant's principal place of business is located, or a district office in that region authorized by order issued by such regional office, may make individual adjustments in maximum prices for rebuilt parts. The National Office only may make adjustments in maximum prices for new parts.

(b) *Group adjustments by regional offices.* The regional office for the region in which the principal places of business of a group of motor rebuilders are located may by a single order adjust the maximum prices for this group whenever it determines that in general the maximum prices of the group for rebuilt motors are such that their production is impeded or threatened and that it is not practicable to remove that impediment or threat by individual adjustment.

(iii) *Factors which may be considered.* The following factors are relevant to the consideration whether production or supply of the commodity is impeded or threatened:

(a) Whether, and by what amount, the maximum price is below or above the total unit costs (as defined in section 21) of the part less selling and administrative expenses properly allocable to the internal management of the business, and above or below the total unit costs of the part.

(b) Whether, and by what amount, the manufacturer's over-all profits (as defined in section 21), before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period (as defined in section 21), increased by 7% of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period. Capital investment will be construed as including accumulated profits.

(c) Whether the proposed price is higher than the price prevailing in the industry.

(d) Whether the manufacturer's sales for the part represent only a very small part of his total sales.

(e) Whether the manufacturer previously sold the part below the total unit costs of the part.

[Subparagraphs (ii) and (iii) amended by Am. 4, effective 3-30-44]

(iv) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in subparagraph (1) would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under the paragraph. Application for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28,[8] which requires, among other things, that an application for adjustment in such case be filed within fifteen days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within fifteen days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(v) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this subparagraph (1) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(*a*) The maximum price for the part;

(*b*) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration;

(*c*) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(2) *Application by a manufacturer based upon an appropriate decrease of other prices*—(i) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential producer or supplier of an essential part. The meaning of these terms is explained in subparagraph (1) (i) of this section.

(ii) *When adjustment may be granted.* The Office of Price Administration may make an adjustment of the maximum price in any case in which the manufacturer agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this subparagraph (2)) makes a reduction in the selling price of other commodities which will equal or exceed the total dollar amount of the adjustment granted under this subparagraph. Adjustments for rebuilders may be made by the National Office, the regional office for the region in which the applicant's principal place of business is located, or by a district office in that region authorized by order issued by such regional office. The National Office only shall make adjustments in maximum prices for new parts.

[Subparagraph (ii) amended by Am. 4, effective 3-30-44]

(iii) *What an application under this subparagraph must show.* An application for price adjustment under this subparagraph shall contain information indicating that the applicant is an essential manufacturer of an essential part and that if the proposed adjustment is granted, the gross dollar amount of sales of the parts affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities affected.

[8] 7 F.R. 9019; 8 F.R. 7256.

(3) *Application by a manufacturer under a combination of both paragraphs (a) and (b).* A manufacturer who desires to apply for an adjustment under subparagraph (2) may, at the time he applies under that subparagraph, also apply under subparagraph (1), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under subparagraph (1) before applying subparagraph (2).

(4) *How the manufacturer proceeds in applying for an adjustment.* An application for an adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1[9] and shall be on Form OPA 694:478 set out in Appendix C. Copies of this form and of the instructions for completing it may be obtained from any district or regional office of the Office of Price Administration. Where application is made for an adjustment in the maximum price for a rebuilt part, the application shall be filed with the nearest regional office. All other applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C.

[Subparagraph (4) amended by Am. 4, effective 3-30-44]

(5) *Nonapplication of Supplementary Order No. 9.* This paragraph (a) supersedes Supplementary Order No. 9[10] (§ 1305.12), insofar as commodities covered by this regulation are concerned. Accordingly, applications for adjustment of a maximum price established by this regulation may not be filed under Procedural Regulation No. 6.[11]

(6) *Adjusting applicable suggested resale prices.* Any manufacturer who receives, under this paragraph (a), an adjustment in a list price established as his maximum price under this regulation shall adjust his applicable suggested resale list prices, if any, as follows: He shall multiply the previously suggested resale list prices by a percentage to be determined by dividing his adjusted maximum list price by his maximum list price prior to adjustment.

[Subparagraph (6) added by Am. 2, 8 F.R. 15456, effective 11-15-43]

(b) *Petition for amendment.* Any person seeking an amendment of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1. There shall be filed with such petition and incorporated therein all relevant data showing the need for the proposed amendment and its conformity to the policy of this regulation and of the Emergency Price Control Act of 1942, as amended, to control inflation.

SEC. 17. *Transfer of business or stock in trade.* If the business assets or stock in trade of any business are sold or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of parts in the same competitive area and in an establishment separate from any establishment which he may previously have owned or operated, the transferee shall be subject to the same maximum prices as those to which his transferor would have been subject under this regulation if no transfer had taken place, and his obligation to keep records sufficient to verify these maximum prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 18. *Records and reports*—(a) *Records.* Persons subject to this regulation shall keep available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect;

(1) Records of all sales of parts made after the effective date of this regulation and of the prices charged.

(2) Records of labor rates and overhead rates in effect on March 31, 1942;

(3) Records of all data showing the calculation of maximum prices in accordance with the provisions of this regulation.

(b) *Summary of data to be furnished by manufacturer to Office of Price Administration, and to customers*—(1) *To Office of Price Administration.* (i) Catalogs and discount sheets, and price lists containing list prices which are established as maximum prices. (Required by section 6.)

[Subparagraph (i) amended by Am. 4, effective 3-30-44]

(ii) Report of new maximum list price determined in accordance with section 9. (Required by section 9 (c).)

(iii) Informal application for exemption from necessity of establishing a new maximum list price. (Required by section 11.)

(iv) Report of new maximum non-list price determined in accordance with section 12 which is higher than the most recent price charged subsequent to March 31, 1942. (Required by section 12 (b).)

(v) Report of maximum price or price determining method established for a part under section 14. (Required by section 14 (b).)

(vi) Report on price or price determining method established under section 14, which must be filed six months after the date the established price or price determining method was filed in accordance with section 14 (b). (Required by section 14 (d).)

(2) *To customers.* (i) Catalogs and price lists, and discount sheets which include suggested resale prices established as maximum prices under Maximum Price Regulation No. 453 (Wholesalers' and Retailers' Maximum Prices for Automotive Parts).[12] (Required by section 10 (a).)

(ii) A statement informing customers that suggested resale prices included on manufacturer's price lists are their maximum prices, where such resale prices are established as maximum prices under Maximum Price Regulation No. 453 (Wholesalers' and Retailers' Maximum Prices for Automotive Parts). (Required by section 10 (b).)

(iii) Copies of invoices on which are billed emergency service charges permitted by section 14b. (Required by section 14b.)

[Subparagraph (iii) amended by Am. 4, effective 3-30-44]

(c) *Additional or substituted records and reports.* Every person subject to this regulation shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require in writing, either in addition to or in substitution for, records and reports required by this regulation subject to the approval of the Budget Bureau in accordance with the Federal Reports Act of 1942.

[Paragraph (c) added by Am. 2, 8 F.R. 15456, effective 11-15-43]

SEC. 19. *Evasion.* (a) It shall be a violation of this regulation to evade the price limitations of this regulation by direct or indirect means, by reducing the period of guaranty or warranty or performance; by reducing discounts, freight allowances, exchange values, or other concessions to any purchaser; by changing discount or customary price differentials among classes of purchasers; by eliminating or reducing exchange credits; or in any other manner.

(b) The Office of Price Administration may, upon request, grant written permission to any person subject to this regulation to change his credit terms in effect on March 31, 1942, where such change is necessitated by orders issued by the Board of Governors of the Federal Reserve System or any agency of the United States.

SEC. 20. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages or suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 20a. *Licensing.* The provisions of Licensing Order No. 1,[13] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the

[9] 7 F.R. 8961; 8 F.R. 3813, 8583, 8173, 11806; 9 F.R. 1594.

[10] Revised: 8 F.R. 6175.

[11] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12034.

[12] 8 F.R. 11562, 13256, 15456.

[13] 8 F.R. 13240.

license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 20a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 21. *Definitions.* (a) "New part" is a part which has not been previously used. The term includes unfinished parts not specifically excluded by section 1 (c) (1) and when sold by a manufacturer who is a regular producer of parts as defined in paragraph (g).

(b) "Normal base period" means the period 1936–1939. If the applicant for an adjustment under section 16 (a) shall demonstrate to the satisfaction of the Office of Price Administration either (1) that his entire industry was operating during the greater part of such period at an unusually depressed level or (2) that because of unusual conditions prevailing during that period, the manufacturer's business was operating during that period at an unusually depressed level in comparison to other businesses in the industry, and in addition that some other period prior to January 1, 1941, represents a proper normal base period, such other period may be considered. The mere fact that the rate of production or distribution has increased since 1936–1939 will not be deemed evidence that production or distribution during that period was at an unusually depressed level. If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(c) "Over-all profits" mean net profit resulting from the operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. In the case of a subsidiary wholly owned by a parent corporation, over-all profits mean the consolidated net profit of the parent corporation and the wholly owned subsidiary, as well as the net profit of the subsidiary, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(d) "Person" includes: an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

(e) "Purchaser of the same class" refers to the practice adopted by the manufacturer in setting different prices for a part sold to different purchasers or kinds of purchasers (for example, governmental agency, public institution, dealer, service station, other individual wholesaler or retailer, mail order house), or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(f) "Rebuilt part", which includes a reconditioned part, is a part which has been previously used and in which all defective, worn, or missing components needing replacement or repair for satisfactory operation have been replaced or repaired, and is guaranteed to be rebuilt or equivalent to rebuilt and to render satisfactory service.

(g) "Producer", for the purpose of this regulation, means any person engaged in one or more operations in the fabrication, processing or assembly of a part described in section 1 (c) (1), and includes subcontractors as well as prime contractors.

[Paragraph (g) amended by Am. 4, effective 3-30-44]

(h) "Similar part". One part shall be deemed "similar" to another part, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarities of such commodities, differences merely in style or design which do not affect use or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

(j) "Subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(k) "Total unit costs" mean:

(1) *When the manufacturer produces all the units of the part he sells,* the direct unit cost of labor, materials, and subcontracted services plus a proportion of factory overhead, administrative, selling and other expenses, based on actual operating experience, properly allocable to the production of the part, but does not include provisions for income or excess profit taxes. The allocation of factory overhead, administrative and other expenses must be made without reference to temporary fluctuations of production.

(2) *When the manufacturer purchases all the units of the part he sells,* the weighted average of his supplier's invoiced net prices, freight in and freight out, other direct costs, and selling and administrative expenses normally applicable to the handling of the commodity which are properly allocable to the manufacturer's total cost of doing business, exclusive of any provisions for income or excess profit taxes.

(3) *When the manufacturer produces some of the units and purchases the remainder of the units of the part he sells,* the result obtained by adding together the amounts derived from the multiplication of the total unit cost determined under subparagraph (1) for the units produced and the total unit cost under subparagraph (2) for the units purchased by the respective percentage each of these groups constitute of the total units sold by the manufacturer.

[Subparagraph (3) amended by Am. 4, effective 3-30-44]

(l) "Used part" is a part which has been previously used but which is not a rebuilt part as defined in paragraph (f).

(m) "War contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of a machine or part purchased (1) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (2) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (3) for use in the production or manufacture of any commodity described in (1) or (2).

SEC. 22. *Exemptions from this regulation.* (a) All sales and deliveries of heavy axles pursuant to the prime contract between the United States and the Timken-Detroit Axle Company, Detroit, Michigan, Contract No. W-20-018-ORD-816 and Production No. T-10759, notwithstanding section 3 or any other section of this regulation, are exempt from the provisions of this regulation. This exemption does not extend to sales and deliveries pursuant to subcontracts under such prime contract.

[Sec. 22 added by Am. 3, 9 F.R. 1161, effective 1-28-44]

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the OPA shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

APPENDIX A—AUTOMOTIVE PARTS AND SUBASSEMBLIES COVERED BY THIS REGULATION

1. Chassis parts and actuating mechanism, including frame, torque members and other parts used to promote rigidity or strength, including chassis converters and trailer running gears.
2. Springs, standard helper and auxiliary, including parts thereof and all attaching parts.
3. Shock absorbers and parts thereof, including attaching parts.
4. Axles.
(a) Front axle, conventional and front wheel drive, and all parts thereof, including bearings, housing, actuating mechanism and spring seats, connecting and attaching parts.
(b) Rear axle, conventional, auxiliary and conversion, and all parts thereof, including bearings, actuating mechanism, spring seats, connecting and attaching parts.
5. Wheels and associated parts and parts thereof, and attaching parts, including rims, hubs, hub caps, drums, lugs, and bearings. Also wheel trim sets, discs and shields.
6. Steering mechanism, housing and parts thereof, including steering wheel with connecting and attaching parts, king pins and king pin bushings, shims, and attaching parts, steering bearings, and steering balls, stabilising equipment.
7. Internal combustion engines and parts thereof, including actuating mechanism, cylinder head, attaching and connecting parts, cylinder block, pistons and parts thereof, connecting rods and attaching parts thereof, cylinder sleeves (wet and dry), timing gears, timing chain, distributor, including shaft gears, bushings and their connecting and attaching parts, tappets, plungers, valves, valve parts and their actuating mechanism, air pumps, fan and parts thereof, crank case and enclosed parts, crankshaft bearings, oil level indicator, fly wheel with connecting parts, shims and gaskets.
8. Fuel system and parts thereof, including the actuating mechanism, gas tank, auxiliary gas tank, vacuum tank and parts thereof, air filter, carburetor and parts thereof. Also fuel pipes, check valves, manifolds and pressure pumps.
9. Motor exhaust systems, extensions and parts thereof, including manifold exhaust pipe, muffler and parts and connecting parts thereof.
10. Ignition system and parts thereof (except batteries), including ignition switch, generator and parts thereof, with connecting and attaching parts thereof, distributors and parts thereof, including connecting and attaching parts, spark plugs and parts thereof, ignition coil, relay or cut-out, fuses, automatic spark control systems.

[Item 10 amended by Am. 4, effective 3-30-44]

11. Temperature control system and parts thereof, including hose connections, radiator, radiator covers, screens, shutters, fronts and guards and parts thereof with their connecting and attaching parts, radiator grills, circulating pumps and parts thereof, thermostat and parts thereof.
12. Clutch mechanism and parts thereof, including clutch cover, bearings, facings, shafts, and pedals.
13. Transmission, standard auxiliary, overdrive and fourth speed, with the actuating mechanism thereof, including housing, fluid and vacuumatic transmissions with the parts thereof, bearings, gears, shift levers, speedometer drive.
14. Differential, standard and auxiliary with the actuating mechanism and parts thereof, including pinion and ring gears, and housings.
15. Drive shaft with the connecting actuating parts thereof, including bushings and universal joints.
16. Brake system, all types with actuating mechanism and parts thereof, including foot and hand brake levers, brake shoes, toggle joinings, pull rods, shafts, equalizers, springs, cylinders, tubes, tanks, and reserve tanks for fluid.
17. Lubrication system and parts thereof, including oil pumps and parts thereof, including connecting and attaching parts, filler and level plugs, grease cups, oil cleaners, individual fittings and parts thereof, central shot system and parts thereof.
18. Bolts, nuts, screws and rivets as defined in Maximum Price Regulation 147 either when specially packaged and sold as automotive parts by manufacturers of automotive parts or sold as replacement parts by manufacturers of motor vehicles or of assemblies designed for use only as automotive parts or accessories.
19. Hood, fenders, running boards, cowling and connecting and attaching parts thereof, including dual wheel fenders and fender splash guards.
20. Starting system and parts thereof, actuating mechanism, including starter, motor starter, switches, starting pedal rods, with the connecting and attaching parts.
21. Signal devices and parts thereof, including the actuating mechanism, buttons, and switches, horns, and buzzers, including connecting and attaching parts and directional signals.
22. Lighting system and parts thereof, including switches, lamps and posts, including auxiliary lighting equipment (except bulbs), resistance coils and parts thereof. Also beam headlights, fog, spot, trunk, fender, step, and running or identification lighting equipment.

23. Electrical gauges and control equipment and parts thereof, including gasoline gauges, heat indicator, ammeter and other miscellaneous electrical gauges.
24. Mechanical equipment gauges, hydraulic or otherwise, including the instrument panel and with its connecting and attaching parts, gas tank gauges, water temperature gauges, oil circulation gauges, oil pressure indicator and other miscellaneous gauges.
25. Control equipment and parts thereof, including acceleration mechanism, choker rods, governors and parts thereof, windshield wiper control and attaching parts, carburetor heat control, speedometers and parts thereof.
26. Bumpers and bumper stops, guards, wings, and their connecting and attaching parts.
27. Bodies and cabs designed exclusively for commercial vehicles and busses including component and attaching parts, excepting upholstery.

[Items 20, 21, 22 and 27 amended by Am. 4, effective 3-30-44]

28. Rear view mirrors.
29. Body fittings and attachments, including wind lace or weather strip, cowl boards, sun visors, floor boards, foot rails, body hardware.
30. Miscellaneous auxiliaries, including windshield wipers, running board plates, running board molding, spare tire locks, license plate frames, etc.

[Item 30 as amended by Am. 2, 8 F.R. 15456, effective 11-15-43]

31. Tourist trailer parts, including trailer legs, hitches, coupling devices and running gears.
32. Parts for commercial motor vehicle trailers, tractors, including third axle attachments and auxiliary wheel units.
33. Portable power units including power take-offs, truck cranes, winches, transmission derricks, truck hoists, and compressors auto driven.
34. Reground crankshafts, rebored cylinders, repaired and rebuilt generators, starters and motors, relined brake shoes, overhauled and reconditioned carburetors, rebabbitted connecting rods, realigned main bearings, trued brake drums, rebuilt clutches, resurfaced cylinder heads, and refaced valves.
35. Motorcycle drive chains.
36. Motorcycle dispatch, tow, traffic, side, and service cars and their parts, accessories and subassemblies.

APPENDIX B—AUTOMOTIVE PARTS, SUBASSEMBLIES, AND ACCESSORIES EXCLUDED FROM THIS REGULATION

1. Batteries and battery separators.
2. Electric light bulbs, flares, flashlights.
3. Sheet or other nonprocessed glass.

[Item 3 amended by Am. 4, effective 3-30-44]

4. Goggles, riding belts, saddle bags and splashers, leg shields and windshields for motorcycles.
5. Rugs, carpets, fabrics, leather and mohair upholstery.
6. Bicycle accessories and parts.
7. Hoists, winches, derricks, and cranes not classified as automotive power units or auto driven.
8. Tire or car theft alarms including truck burglar alarms.
9. Luggage and baggage racks, roof rails, and coat rails.
10. Radios, radio aerials and controls.
11. Tires, tubes, tire covers and tire repair material including patches.
12. Automotive fabrics including cloth, fibre or leather seat covers.
13. Signs or insignia attachments including decalcomanias.
14. Clocks, mileage clocks and movement recorders other than speedometers.
15. Automotive mechanical and electrical testing and maintenance equipment and supplies including but not limited to:
Garage equipment.
Small tools.
Expendable tools.
Tire gauges.
Chemical compounds.
Air pumps—hand or mechanical.
Lubricants and greases.
Brake fluids.
Anti-freeze solutions.
Rags.
Polishes.
Waxes.
16. Castings, forgings or blanks before machining, threading or stamping operations have progressed to the point where they can be identified as automotive parts. Non-ferrous castings are identified as automotive parts when the cost of machining such castings is more than 25%, figured as provided in § 1395.1 (c) of Revised Maximum Price Regulation 125, or when such castings are otherwise exempt from that regulation.

[Item 16 as amended by Am. 2, 8 F.R. 15456, effective 11-15-43]

17. Farm machine equipment or parts and subassemblies especially designed or manufactured for farm equipment.
18. Road building equipment or parts and subassemblies especially designed or manufactured for road building equipment.
19. Marine engines or parts thereof when such engines or parts are especially designed for marine engines.
20. The following types of accessories:

["Sun visors and shields" deleted by Am. 4, effective 3-30-44]

Shades.
Screens.
Valances.
De-gassers.
Vents.
Ventilators.
Traction sanders.
Automatic doors.
Tarpaulins.
Fare boxes.
Fire hose.
Registering machines.
Fire extinguishers.
Skid chains, adjusters and links.
Cigarette lighters and ash receivers.
Hat holders.
Tissue dispensers.
Auto umbrellas.
Refrigeration and air conditioning equipment.
Rubber horn bulbs, floor mats and topping.
Air cushions, mattresses, pillows, and bed conversions.

21. Bolts, nuts, screws and rivets as defined in Maximum Price Regulation 147 except those included in Item 18 of Appendix A.
22. Rubber and rubber products not listed on automotive parts, accessories or subassemblies price lists.
23. Battery cables and wiring harness.

[Item 23 added by Am. 4, effective 3-30-44]

APPENDIX C—FORM FOR APPLICATION FOR ADJUSTMENT OF MANUFACTURER'S MAXIMUM PRICES FOR AUTOMOTIVE PARTS

Form OPA 694:478

Form Approved
Budget Bureau No. 08-R616

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Application for Adjustment of Maximum Prices for Automotive Parts Under Maximum Price Regulation No. 452.

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe part(s) for which price increase is required.

3. Present the following information for each part listed in Item 2 above.

(a) Dollar volume of unfilled orders, $_____

(b) Unit volume of unfilled orders. (Indicate unit used) _____

(c) Degree of completion of production or supply on unfilled orders _____%.

(d) Anticipated dollar volume of new orders for the next: 3 months, $_____; 6 months, $_____; 12 months, $_____.

NOTE: If more than one part is being reported, present the required information on another sheet.

4. Present evidence that the company is an essential manufacturer of an essential automotive part.

(a) For each part designated in Item 2 above, fill in the following if you have entered into, or propose to enter into, a war contract or subcontract for the sale of that part:

(1) Identification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____
(Street)
_____
(City) (State)

NOTE: If more than one part is being reported, present the required information on another sheet.

(b) Present any other information which demonstrates that the manufacturer is an essential manufacturer of an essential part.

(NOTE: The terms "war contract", "subcontract", "essential manufacturer" and "essential part" are defined in Sections 16 and 21 of this regulation.)

5. Are similar parts produced or supplied by competing manufacturers in your region? _____
(Yes or no)

If yes, give names and addresses of competitors, and their prices for such parts.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, consolidated financial data should be submitted for the parent corporation and the wholly owned subsidiary as well as financial statements for the subsidiary.

1. *Financial data 1941–1943.*

Submit balance sheets and profit and loss statements for the years 1941 and 1942, and for the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries and bonuses, and the number of officers.)

2. *Financial data 1936–1940.*

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expenses					
Selling expenses					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? _____ If no, state exceptions.
(Yes or no)

SCHEDULE C

UNIT PRICE AND COST INFORMATION

Designation of part: _____

NOTE: If more than one part is involved, prepare and file separate reports on this schedule for each part that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. *Price data:*

(a) *Net realized price:*

	Ceiling date price March 31, 1942	Current price	Requested price
1. (List) (Non-list) price			
2. Less: Dealers' commissions			
3. Less: Trade discounts			
4. Net realized price			
5. Net realized price at maximum discount and/or commissions			

(b) *Analysis of sales of the above designated part:*

Sales for _____ month period
(number of months)
ending _____ 1943.
(month and day)

	Percentage amount of commissions or discounts	Dollar value of sales
Sales subject to commission of (1)		
Sales subject to commission of (2)		
Sales not subject to commission		
Sales subject to discount of (1)		
Sales subject to discount of (2)		
Sales subject to discount of (3)		
Sales subject to discount of (4)		
Sales subject to discount of (5)		
Sales not subject to discount		
Total sales of above designated product		

(c) *Total sales for the above designated part only:*

	1940	1941	1942	Months ending 1943
Total unit volume of sales				
Total dollar volume of sales (net)	$	$	$	$

(d) *Is the price currently charged for the part the same as the maximum price filed with OPA?* _____
(Yes or no)

(If answer is "No", state date when increased price was first charged.) Date: _____ 194__
(Month)

(e) *Indicate whether the current maximum price is a list ( ) or non-list ( ) price.* (Check one.)

Price used since _____ 194__
(Month)

(f) *State on a separate sheet the reasons for the need of the requested price increase.*

2. *Unit cost data:*

(a) *For parts produced:*

	Ceiling date costs March 31, 1942	Costs December 1942	Current date costs 1943
(1) Direct material	$	$	$
(2) Direct labor			
(3) Factory overhead			
(4) Selling expense (do not include discounts and commissions deducted under Price Data above)			
(5) Administrative expense			
(6) Freight out, if any			
(7) Installation expense, if any			
(8) Other expense, specify			
(9) Total cost per unit			

(10) What method is used in allocating factory overhead?

(i) Standard ( ), Actual ( ), Other ( ). (Check one.)

(ii) Direct labor cost ( ); Direct labor hours ( ); Machine hours ( ); Other ( ).

(Explain separately if "other" or combination.)

(b) *For parts purchased for resale.*

	Ceiling date costs Mar. 31, 1942	Costs December 1942	Current date costs 1943
(1) Price paid for parts	$	$	$
(2) Selling expense (do not include discounts deducted under Price Data above)			
(3) Administrative expense			
(4) Freight out, if any			
(5) Other expense, specify			
(6) Total cost per unit			

Affidavit

STATE OF _____
County of _____ ss.

_____
(Applicant)

By _____
_____
(Title)

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct,

_____
(Signature)

Subscribed and sworn to before me this _____ day of _____ 1943.

_____
(Officer administering oath)

Instructions for the Form—Instructions for the use of Adjustment Application Form for Automotive Parts. In preparing this application, please consider that the form is intended to cover the cases of all persons who are manufacturers as defined in Section 1 (b) (1) of Maximum Price Regulation No. 422. Therefore, you will find that some of the questions do not apply to your case. Moreover, you may find that some points that is important in your case is not covered in the form. Adapt the form if this can be done, or state the information on a separate sheet if that will be clearer. If any difficulty is experienced in completing this form it may be taken to the nearest OPA district accountant who will give his assistance in its preparation.

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. *Price data—(a) (1) (List) (Non-list) price.* Please indicate whether the price is a list price or a non-list price by crossing out the term that does not apply.

2. *Dealers' commissions.* Where all dealers receive the same commission, use the full commission rate even if some sales are not subject to any commission. If several different rates affect the part covered by the application, use the rate that applies to the largest amount of sales.

3. *Trade discounts.* Deduct trade discounts at the average rate of discounts prevailing in your company for the part covered by this application.

(b) *Period to be covered.* Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. *Unit cost data—(a) (1) In general.* A manufacturer who produces all the parts he sells should use Form (a). A manufacturer who purchases all the parts he sells should use Form (b). A manufacturer who produces some and purchases the remainder of the parts he sells should use both Forms (a) and (b) and should indicate under Form (a) or (b) what percentage each group of parts constituted of the total number of parts sold during the period for which the data are submitted. (2) Only actual costs for materials should be included in unit cost data.

(b) *Form (a).* For Form (a) the following should be noted: State separately any charges added to costs of materials.

Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the part covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under Items (6), (7) and (8) include only costs borne by the manufacturer and not billed separately to the buyer.

Effective date. This regulation shall become effective September 2, 1943.

[Effective dates of amendments are shown in notes following the parts affected]

[MPR 452 originally issued August 19, 1943]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4190; Filed, March 24, 1944; 12:04 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 146,[1] Incl. Amdts. 1–18]

APPALACHIAN HARDWOOD LUMBER

Section 1382.1 is amended; § 1382.11 (b) subparagraph (27) is redesignated (26); § 1382.12 (a) (1) (iii) through (c) is deleted; § 1382.12 (d) is redesignated (b) and amended by Amendment 18, effective March 30, 1944, so that Maximum Price Regulation No. 146 shall read as follows:

In the judgment of the Price Administrator, the prices of Appalachian hardwood lumber are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Appalachian hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above paragraph added by Supplementary Order 61, 8 F.R. 12552, effective 9–11–43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 146 is hereby issued.

Sec.

1382.1 Maximum prices for Appalachian hardwood lumber.
1382.2 Less than maximum prices.
1382.3 Adjustable pricing.
1382.4 Evasion.
1382.5 Records and reports.
1382.6 Enforcement.
1382.6a Licensing.
1382.7 Petitions for amendment.
1382.8 Definitions.
1382.9 Applicability of General Maximum Price Regulation.
1382.10 Effective date.
1382.10a Effective dates of amendments.
1382.11 Appendix A: Maximum prices for Appalachian hardwood lumber in standard or near standard grades.
1382.12 Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.
1382.13 Appendix C: Maximum prices for Appalachian hardwood lumber in "standard special" grades or items.
1382.14 Appendix D: Maximum prices for Appalachian hardwood lumber in grades, specifications and extras not specifically priced.

AUTHORITY: §§ 1382.1 to 1382.14, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1382.1 *Maximum prices for Appalachian hardwood lumber.* On and after June 1, 1942, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of business, any Appalachian hardwood lumber for direct-mill shipment at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, or attempt to do any of these things.

[§ 1382.1 amended by Am. 18, effective 3–30–44]

§ 1382.2 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B, and C, §§ 1382.11, 1382.12, and 1382.13, may be charged, demanded, paid, or offered.

§ 1382.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1382.3 amended by Am. 11, 8 F.R. 3056, effective 3–16–43, and Supplementary Order 50, 8 F.R. 10568, 14310, effective 7–27–43]

§ 1382.4 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 146 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Appalachian hardwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making credit terms more onerous than those in effect or available to the purchaser on October 1, 1941;

(2) Unnecessarily routing lumber through a distribution yard;

(3) Unreasonably refusing to ship an item of lumber except in a small quantity which entitles the seller to a premium;

[1] 7 F.R. 3770.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 3661; 8 F.R. 3313, 3863, 6173, 11806; 9 F.R. 1594.

(4) Unreasonably refusing to ship lumber on standard grades and in grade-rule range widths and lengths;

(5) Falsely or wrongly grading or invoicing lumber;

(6) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(7) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in § 1382.11 (f)).

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

[Paragraph (c) added by Supplementary Order 37, 8 F.R. 2192, effective 2-23-43; amended by Supplementary Order 77, 8 F.R. 14310, effective 10-26-43]

§ 1382.5 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 146 making sales or deliveries or purchases of Appalachian hardwood lumber to the value of $500.00 or more in any one month, after June 1, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Appalachian hardwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the price paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1382.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 146 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[Paragraph (a) as amended by Am. 10, 7 F.R. 8384, effective 10-21-42]

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 146 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1382.6a *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1382.6a added by Am. 10, 7 F.R. 8384, effective 10-21-42; amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1382.7 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 146 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Above paragraph as amended by Supplementary Order 26, 7 F.R. 9948, effective 11-4-42]

In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation 161 (West Coast Logs),[5] or Maximum Price Regulations 313 (Prime Grade Hardwood Logs)[6] and 348 (Logs and Bolts),[7] or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[Above paragraph added by Supplementary Order 47, 8 F.R. 5808, effective 5-8-43]

[Note: Procedural Regulation No. 6 (7 F.R. 5067, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9]

§ 1382.8 *Definitions.* (a) When used in Maximum Price Regulation No. 146, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ¾", and ⅞", the term "feet" means surface feet.

(3) "Appalachian hardwood lumber" means lumber:

(i) Produced from the botanical species of yellow poplar (Liriodendron tulipifera), tough white ash (Fraxinus americana), beech (Fagus americana), soft maple (Acer rubrum), butternut (Juglans cinerea), chestnut (Castanea dentata), hard maple (Acer saccharum), and the botanical species included in the genera of red oak and white oak (Quercus), hickory (Hicoria), basswood (Tilia), birch (Betula), buckeye (Aesculus), cherry (Prunus), and all other hardwood species; and

[Subparagraph (1) as amended by Am. 13, 8 F.R. 9998, effective 7-23-43]

(ii) Processed into lumber at mills located within the Appalachian hardwoods area. The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(4) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 146, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 per cent of the volume of Appalachian hardwood lumber or logs purchased or received by it, or

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Appalachian hardwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(5) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 146, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 per cent of the volume or Applachian hardwood purchased or received by it, and

(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within the six months immediately prior to the transaction subject to this Maximum Price Regulation No. 146.

(7) "Deliver" means to make physical transfer of lumber to a purchaser, or to a carrier, not owned or controlled by the seller, for carriage to a purchaser.

(8) "Retail sale" means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 2,000 feet of lumber

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(9) "FAS One Face" means a trade practice grade of Appalachian hardwood lumber which grades Firsts or Seconds on the better side of the piece and not below No. 1 Common on the poorer side of the piece, in accordance with the standard grading rules for the particular species.

(10) "No. 2A Common Basswood" and the term "No. 2B Common Basswood" mean trade practice grades of Appalachian hardwood lumber under which basswood lumber is graded in accordance with the standard grading rules covering No. 2A Common Yellow Poplar and No. 2B Common Yellow Poplar, respectively.

(11) "Box grade" means a trade practice grade of Appalachian hardwood lumber which varies from the National Hardwood Lumber Association No. 3B Common grade by requiring 6/12 (50 per cent) rather than 3/12 (25 per cent) yield in sound cuttings.

(12) Unless otherwise specified, grade terms used herein have the meaning set forth in the "Rules for the Measurement and Inspection of Hardwood Lumber", issued by the National Hardwood Lumber Association, effective January 1, 1943.

[Subparagraph (12) as amended by Am. 13, 8 F.R. 9998, effective 7-23-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1382.9 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation[8] shall not, on and after May 19, 1942, apply to sales and deliveries of Appalachian hardwood lumber where shipment originates at the mill rather than at a distribution yard.

§ 1382.10 *Effective date.* Sections 1382.1 to 1382.8, inclusive, and §§ 1382.10 to 1382.13, inclusive of Maximum Price Regulation No. 146 shall become effective June 1, 1942. Sections 1382.9 and 1382.10 of Maximum Price Regulation No. 146 shall become effective May 19, 1942.

[MPR 146 originally issued May 19, 1942]

§ 1382.10a *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following the parts affected]

§ 1382.11 *Appendix A: Maximum prices for Appalachian hardwood lumber in standard or near standard grades—*

(a) *Application of Appendix A.* The provisions of this appendix shall apply to Appalachian hardwood lumber which is sold in the species and on the grades designated in this appendix. Lumber sold on such grades shall be deemed to include lumber in:

(1) Grade-rule range widths and lengths;

(2) Widths and lengths substantially the same as grade-rule range widths and lengths; or

(3) Specified average widths or specified average lengths which are substantially run-of-the-log.

(b) The maximum f. o. b. mill price for 1,000 feet of Appalachian hardwood lumber in a rough air dried condition shall be as follows:

(1) TOUGH ASH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$82.00	$52.00	$39.00	$26.00
1¼	92.00	57.00	41.00	27.00
1½	97.00	62.00	43.00	27.00
2	107.00	72.00	47.00	26.00
2½	117.00	87.00	52.00	-------
3	127.00	97.00	57.00	-------
4	137.00	107.00	62.00	-------

(2) BASSWOOD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2 Common	No. 2B Common	No. 3 Common
¼	$58.00	$41.00	$35.00	$30.00	$27.00	-------
⅜	67.00	47.00	39.00	34.00	31.00	-------
½	75.00	52.00	43.00	38.00	34.00	-------
1	87.00	62.00	50.00	43.00	39.00	$26.00
1¼	92.00	65.00	52.00	45.00	40.00	27.00
1½	94.00	67.00	54.00	47.00	41.00	27.00
2	100.00	72.00	58.00	48.00	42.00	26.00
2½	110.00	79.00	62.00	52.00	-------	-------
3	125.00	84.00	66.00	52.00	-------	-------
4	135.00	94.00	71.00	57.00	-------	-------

[4] 8 F.R. 13240.

[5] 8 F.R. 1117, 2992, 5678, 6619, 9381, 11509, 17227.

[6] 8 F.R. 1453, 2208, 2992, 5364, 6359, 10625.

[7] 8 F.R. 16115, 16196, 16204, 16297; 9 F.R. 230, 392, 342, 402, 450, 582, 674, 682, 792, 973, 1317, 1571, 1572, 1717, 2068, 2135.

[8] 9 F.R. 1365.

(3) BEECH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 2A Common	Hut Grade	No. 3B Common
1	$49.00	$38.00	$28.00			
1¼	55.00	43.00	31.00			
1½	62.00	47.00	34.00			
2	71.00	54.00	39.00	$31.00	$28.00	$21.00
2½	78.00	58.00	41.00	32.00	27.00	22.00
3	78.00	58.00	43.00	32.00	27.00	22.00
4	83.00	63.00	46.00	33.00	28.00	23.00

(4) BIRCH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	Hut Grade	No. 3B Common
1	$113.00	$79.00	$47.00	$31.00	$26.00	$21.00
1¼	118.00	74.00	49.00	32.00	27.00	22.00
1½	120.00	77.00	52.00	32.00	27.00	22.00
2	130.00	87.00	58.00	33.00	28.00	23.00
2½	137.00	97.00	57.00			
3	143.00	103.00	62.00			
4	152.00	112.00	67.00			

(5) BUCKEYE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$67.00	$47.00	$37.00	$26.00
1¼	72.00	48.00	37.00	27.00
1½	75.00	50.00	37.00	27.00
2	77.00	50.00	37.00	28.00

(6) BUTTERNUT

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$80.00	$55.00	$37.00	$26.00
1¼	90.00	55.00	39.00	27.00
1½	95.00	60.00	40.00	27.00
2	105.00	70.00	42.00	28.00

(7) CHERRY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$117.00	$75.00	$49.00	$29.00
1¼	147.00	92.00	54.00	31.00
1½	157.00	97.00	55.00	31.00
2	172.00	107.00	59.00	34.00
2½	187.00	122.00		
3	197.00	132.00		
4	207.00	147.00		

(8) CHESTNUT—WHAD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
¼	$51.00	$42.00		
⅜	60.00	50.00		
½	66.00	55.00		
1	120.00	75.00	$31.00	$25.00
1¼	125.00	80.00	31.00	26.00
1½	130.00	85.00	31.00	27.00
2			31.00	
2½			31.00	
3			31.00	

(9) CHESTNUT—WHND

Thickness (inches)	FAS	No. 1 Common and Better	No. 1 Common	Sound Wormy
¼	$48.00	$35.00	$27.00	$23.00
⅜	50.00	43.00	41.00	37.00
½	55.00	47.00	45.00	41.00
¾	65.00	56.00	52.00	47.00
1	67.00	60.00	56.00	51.00
1¼	70.00	61.00	57.00	52.00
1½	75.00	66.00	62.00	57.00
2				60.00
2½				65.00
3				

(10) HICKORY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$82.00	$47.00	$31.00	$25.00
1¼	92.00	49.00	34.00	27.00
1½	92.00	52.00	40.00	27.00
2	102.00	57.00	40.00	28.00
2½	112.00	67.00		
3	122.00	72.00		
4	132.00	77.00		

(11) HARD MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	Box Grade	No. 3B Common
¼	$37.00	$47.00	$30.00	$30.00			
⅜	77.00	58.00	33.00	33.00			
½	86.00	20.00	37.00	37.00			
1	102.00	28.00	42.00	42.00	$31.00	$26.00	$21.00
1¼	112.00	74.00	43.00	43.00	32.00	27.00	22.00
1½	117.00	76.00	47.00	47.00	32.00	27.00	22.00
2	122.00	83.00	49.00	49.00	33.00	28.00	23.00
2½	137.00	97.00					
3	162.00	112.00					
4	167.00	129.00					

(12) SOFT MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
¼	$60.00	$43.00	$30.00	
⅜	68.00	46.00	33.00	
½	70.00	54.00	37.00	
1	98.00	62.00	42.00	$26.00
1¼	93.00	67.00	45.00	27.00
1½	95.00	69.00	47.00	27.00
2	103.00	77.00	49.00	28.00
2½	117.00	87.00		
3	132.00	97.00		
4	147.00	112.00		

(13) RED OAK—PLAIN

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
¼	$55.00	$39.00	$30.00	$30.00		
⅜	63.00	45.00	34.00	34.00		
½	72.00	50.00	37.00	37.00		
¾	86.00	62.00	43.00	43.00	$31.00	$21.00
1	93.00	66.00	46.00	47.00	31.00	21.00
1¼	94.00	66.00	49.00	50.00	31.00	21.00
1½	102.00	76.00	52.00	55.00	31.00	21.00
2	127.00	94.00				
2½	145.00	94.00				
3	160.00	107.00				
4						

(14) RED OAK—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
¼	$66.00	$43.00	$33.00	$30.00		
⅜	75.00	49.00	37.00	34.00		
½	83.00	54.00	41.00	37.00		
1	97.00	62.00	45.00	43.00	$31.00	$21.00
1¼	107.00	67.00	46.00	47.00		
1½	112.00	72.00	49.00	50.00		
2	122.00	77.00	53.00	55.00		

(15) WHITE OAK—PLAIN—WHAD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
¼	$75.00	$43.00	$32.00	$30.00		
⅜	85.00	48.00	36.00	34.00		
½	97.00	53.00	40.00	37.00		
1	113.00	65.00	43.00	43.00	$31.00	$21.00
1¼	120.00	70.00	46.00	47.00	31.00	21.00
1½	122.00	71.00	48.00	50.00	31.00	21.00
2	132.00	76.00	53.00	55.00	31.00	21.00
2½	152.00	94.00				
3	167.00	106.00				
4	182.00	123.00				

(16) WHITE OAK—PLAIN—WHND

Thickness (inches)	FAS	No. 1 Common and Better	No. 1 Common
¼	$47.00	$35.00	$30.00
⅜	54.00	39.00	34.00
½	60.00	44.00	38.00
1	73.00	57.00	47.00
1¼	80.00	61.00	51.00
1½	82.00	63.00	56.00
2	93.00	67.00	62.00
2½	112.00	87.00	79.00
3	127.00	102.00	91.00
4	142.00	112.00	102.00

(17) WHITE OAK—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
¼	$57.00	$36.00	$33.00	$30.00		
⅜	99.00	63.00	37.00	34.00		
½	114.00	71.00	41.00	37.00		
1	122.00	82.00	45.00	43.00	$31.00	$21.00
1¼	142.00	90.00	46.00	47.00		
1½	152.00	97.00	49.00	50.00		
2	167.00	107.00	53.00	55.00		
2½	182.00	117.00				
3	197.00	127.00				

(18A) YELLOW POPLAR—PLAIN

Thickness (inches)	FAS	Saps	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
¼	$42.00	$31.00	$43.00	$36.00	$28.00	
⅜	70.00	55.00	48.00	40.00	32.00	
½	75.00	65.00	54.00	44.00	35.00	
1	80.00	75.00	62.00	51.00	40.00	$26.00
1¼	96.00	80.00	66.00	53.00	41.00	27.00
1½	90.00	83.00	70.00	55.00	42.00	27.00
2	111.00	90.00	75.00	60.00	43.00	28.00
2½	130.00	105.00	87.00	63.00		
3	142.00	117.00	97.00	67.00		
4	157.00	132.00	112.00			

(18B) YELLOW POPLAR SQUARES

Thickness and Width (inches)	FAS	No. 1 Common
3 x 3	$117.00	$72.00
4 x 4	127.00	77.00
5 x 5	137.00	82.00
6 x 6	142.00	87.00
7 x 7	172.00	107.00
8 x 8	182.00	117.00
10 x 10	207.00	137.00
12 x 12	232.00	167.00

(18C) YELLOW POPLAR—PANEL AND WIDE NO. 1

Thickness (inches)	Widths (inches)	Price
1	18 and 19	$107.00
1	20 and 21	112.00
1	22 and 23	117.00
1	24 to 27	122.00
1¼	18 and 19	117.00
1¼	20 and 21	122.00
1¼	22 and 23	127.00
1¼	24 to 27	132.00
1½	18 and 19	127.00
1½	20 and 21	132.00
1½	22 and 23	137.00
1½	24 to 27	142.00
2	18 and 19	137.00
2	20 and 21	142.00
2	22 and 23	147.00
2	24 to 27	152.00

(18D) YELLOW POPLAR—BUNG LUMBER

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common
1	$95.00	$66.00	$58.00

(19) YELLOW POPLAR—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
¼	$65.00	$46.00	$36.00	$28.00	
⅜	74.00	52.00	40.00	32.00	
½	83.00	58.00	44.00	35.00	
1	96.00	67.00	51.00	40.00	$26.00
1¼	102.00	71.00	53.00	41.00	27.00
1½	105.00	75.00	55.00	42.00	27.00
2	118.00	81.00	59.00	43.00	28.00

(20) STRIPS

Species	Manufacture	Thickness (inch)	Width (inches)	Grade	
				Clear	No. 1 Common
Red Oak	Quartered	1	2 to 5½	$72.00	$47.00
White Oak	Quartered	1	2 to 5½	92.00	62.00

(21) BOX BOARDS

Species	Thickness (inch)	Widths (inches)	
		9 to 12	13 to 17
Yellow Poplar	1	$90.00	$95.00

[Subparagraphs (1) through (17), (19) through (21) amended; (18) redesignated (18A) and amended; (18B), (18C), and 18 (D) added by Am. 15, 8 F.R. 15737, 16063, effective 11-19-43.]

(22) WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	143	146	150	154	159	165	173
2 x 8	43	46	50	54	59	65	73
2 x 10	45	48	52	56	61	67	75
2 x 12	49	52	56	60	65	71	79
2 x 14	53	56	60	64	69	75	83
2 x 16	58	61	65	69	74	80	88
3 x 6	43	46	50	54	59	65	73
3 x 8	43	46	50	54	59	65	73
3 x 10	45	48	52	56	61	67	75
3 x 12	49	52	56	60	65	71	79
3 x 14	53	56	60	64	69	75	83
3 x 16	58	61	65	69	74	80	88
4 x 6	43	46	50	54	59	65	73
4 x 8	43	46	50	54	59	65	73
4 x 10	45	48	52	56	61	67	75
4 x 12	49	52	56	60	65	71	79
4 x 14	53	56	60	64	69	75	83
4 x 16	58	61	65	69	74	80	88
6 x 6	43	46	50	54	59	65	73
6 x 8	43	46	50	54	59	65	73
6 x 10	45	48	52	56	61	67	75
6 x 12	49	52	56	60	65	71	79
6 x 14	53	56	60	64	69	75	83
6 x 16	58	61	65	69	74	80	88
8 x 8	45	48	52	56	61	67	75
8 x 10	47	50	54	58	63	69	77
8 x 12	49	52	56	60	65	71	79
8 x 14	53	56	60	64	69	75	83
8 x 16	58	61	65	69	74	80	88
10 x 10	47	50	54	58	63	69	77
10 x 12	49	52	56	60	65	71	79
10 x 14	53	56	60	64	69	75	83
10 x 16	58	61	65	69	74	80	88
10 x 18	63	66	70	74	79	85	93
12 x 12	50	53	57	61	66	72	80
12 x 14	55	58	62	66	71	77	85
12 x 16	60	63	67	71	76	82	90
12 x 18	66	69	73	77	82	88	96
12 x 20	72	75	79	83	88	94	102
14 x 14	56	59	63	67	72	78	86
14 x 16	62	65	69	73	78	84	92
14 x 18	68	71	75	79	84	90	98
14 x 20	75	78	82	86	91	97	105
14 x 22	82	86	90	94	99	105	113

(22) WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE—Con.

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
14 x 24	$92	$95	$99	$103	$106	$114	$122
14 x 26	102	105	109	113	118	124	132
14 x 28	113	116	120	124	129	135	143
16 x 16	69	72	76	80	85	91	99
16 x 18	76	79	83	87	92	98	106
16 x 20	84	87	91	95	100	106	114
16 x 22	92	95	99	103	108	114	122
16 x 24	101	104	108	112	117	123	131
16 x 26	111	114	118	122	127	133	141
16 x 28	122	125	129	133	138	144	152
18 x 18	83	86	90	94	99	105	113
18 x 20	91	94	98	102	107	113	121
18 x 22	100	103	107	111	116	122	130
18 x 24	110	113	117	121	126	132	140
18 x 26	121	124	128	132	137	143	151
18 x 28	133	136	140	144	149	155	163

Notes on White Oak or Red Oak—Structural Stock or Sound Square Edge

Random Widths; in 2", 3" and 4" thicknesses—$43.00.

Free of heart in 2", 3" and 4" thicknesses—add $6.00 to maximum price for same thickness, width and length in above schedule.

Prices for Specific Sizes not in Schedule

The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deductions for mixed hardwoods. For mixed hardwoods, structural stock or sound square edge, deduct $4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size in above schedule.

[Above paragraph added by Am. 15, 8 F.R. 15737, effective 11-19-43]

(23) WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	$50	$55	$61	$67	$74	$83	$95
2 x 8	50	55	61	67	74	83	95
2 x 10	53	57	63	69	77	86	98
2 x 12	56	60	66	72	80	91	103
2 x 14	64	68	74	80	88	97	109
2 x 16	70	76	81	87	95	104	116
3 x 6	50	55	61	67	74	83	95
3 x 8	50	55	61	67	74	83	95
3 x 10	53	57	63	69	77	86	98
3 x 12	56	60	66	72	80	91	103
3 x 14	64	68	74	80	88	97	109
3 x 16	70	75	81	87	95	104	116
4 x 6	48	55	60	66	71	76	88
4 x 8	48	55	60	66	71	76	88
4 x 10	50	56	62	67	73	80	90
4 x 12	55	62	67	72	78	85	95
4 x 14	59	67	72	77	83	90	100
4 x 16	66	76	78	83	89	96	106
6 x 6	48	55	60	66	71	76	88
6 x 8	50	56	62	67	73	80	90
6 x 10	53	60	65	70	76	83	92
6 x 12	55	62	67	72	78	85	95
6 x 14	59	67	72	77	83	90	100
6 x 16	66	73	78	83	89	96	106
8 x 6	50	56	62	67	73	80	90
8 x 8	53	60	65	70	76	83	92
8 x 10	55	62	67	72	78	85	95
8 x 12	59	67	72	77	83	90	100
8 x 14	66	73	78	83	89	96	106
8 x 16	70	78	83	89	95	102	113
10 x 10	53	60	65	70	76	83	92
10 x 12	55	62	67	72	78	85	95
10 x 14	59	67	72	77	83	90	100

(23) WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER—Continued

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
10 x 16	$83	$73	$78	$83	$86	$94	$106
10 x 18	71	79	84	89	95	102	112
12 x 12	56	64	68	73	79	86	96
12 x 14	62	70	74	79	85	92	102
12 x 16	67	76	80	85	91	98	108
12 x 18	74	83	88	93	98	106	114
12 x 20	81	90	95	100	106	113	122
14 x 14	63	71	76	80	86	94	103
14 x 16	69	78	83	88	94	101	110
14 x 18	76	85	90	95	101	108	118
14 x 20	84	94	98	103	109	116	126
14 x 22	93	103	108	113	119	126	136
14 x 24	103	114	119	124	130	137	146
14 x 26	114	126	131	136	142	149	158
14 x 28	127	139	144	149	155	162	172
16 x 16	77	86	91	96	102	109	119
16 x 18	86	95	100	104	110	118	127
16 x 20	94	104	109	114	120	127	137
16 x 22	103	114	119	124	131	137	146
16 x 24	113	126	130	134	140	148	157
16 x 26	124	137	142	146	152	160	169
16 x 28	137	150	155	160	166	173	182
18 x 18	93	103	108	113	119	126	136
18 x 20	103	113	118	122	128	136	145
18 x 22	113	124	128	133	139	146	156
18 x 24	123	136	140	145	151	158	168
18 x 26	136	149	154	158	164	172	181
18 x 28	149	163	168	173	179	186	196

Notes on White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber

Random Widths; in 2" and 3" thicknesses—$50.00.

Free of Heart; in 2" and 3" thicknesses—add $8.00 to maximum price for same thickness, width and length in above schedule.

Prices for Specific Sizes not in Schedule

The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For mixed hardwoods—freight car stock, common dimension, mine car lumber, deduct $4.00 from the maximum price for white oak or red oak—freight car stock, common dimension, mine car lumber, in the same size as shown in above schedule.

[Above paragraph added by Am. 16, 8 F.R. 17297, effective 12–29–43]

[Subparagraphs (22) and (23) added by Am. 13, 8 F.R. 9998, effective 7–23–43]

(24) MIXED HARDWOODS NO. 1 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	8	10	12	14	16	18	20	22 and 24
2 x 2	$27.50	$27.50	$34.50	$35.50	$34.50	$34.50	$35.50	$35.50	$36.00	$39.00	$44.50
2 x 3	26.50	26.50	33.50	34.50	33.50	33.50	34.50	35.50	37.00	38.00	43.50
2 x 4	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.50	36.00	37.00	42.50
2 x 6	26.00	26.00	32.00	33.00	32.00	32.00	33.00	34.00	35.00	37.00	42.00
2 x 8	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	35.00	37.00	42.00
2 x 10	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	35.00	37.00	42.00
2 x 12	29.00	29.00	36.00	36.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
	31.00	31.00	38.00	40.50	39.50	39.50	39.50	40.50	44.00	46.00	50.50

(25) MIXED HARDWOODS NO. 2 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	8	10	12	14	16	18	20	22 and 24
2 x 2	$25.50	$25.50	$31.50	$32.50	$31.50	$31.50	$32.50	$33.50	$35.00	$36.00	$41.50
2 x 3	24.50	24.50	30.50	31.50	30.50	30.50	31.50	32.50	34.00	35.00	40.50
2 x 4	23.50	23.50	29.50	30.50	29.50	29.50	30.50	31.50	33.00	34.00	39.50
2 x 6	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
2 x 8	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 10	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 12	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
	26.00	26.00	32.00	34.00	33.00	34.00	33.00	34.00	37.00	38.50	44.00

[Subparagraph (24) and (25) added by Am. 14, 8 F.R. 14984, effective 11–6–43. Subparagraph (26) added by Am. 17, 9 F.R. 1454, effective 2–8–44]

(26) FAS ONE FACE

The maximum price for lumber of any species and thickness in the grade FAS One Face shall be $10.00 per 1,000 feet less than the maximum price established in this appendix for lumber of the same thickness in the FAS grade for the species.

[Former subparagraph (22) redesignated (24) by Am. 13, redesignated (27) by Am. 14, and redesignated (26) by Am. 18, effective 3–30–44]

(c) *Maximum prices for dunnage.* (1) The maximum rail-delivered price for 1,000 feet of dunnage lumber shall be as follows:

Delivered at:	Maximum delivered price
Baltimore, Maryland	$32.00
Beaumont, Texas	22.00
Boston, Massachusetts	36.00
Charleston, South Carolina	23.00
Corpus Christi, Texas	23.00
Galveston, Texas	23.00
Gulfport, Mississippi	23.00
Houston, Texas	23.00
Jacksonville, Florida	23.00
Lake Charles, Louisiana	22.00
Mobile, Alabama	22.00
Morgan City, Louisiana	22.00
Newark, New Jersey	34.00
New Orleans, Louisiana	22.00
New York, New York	34.00
Pensacola, Florida	23.00
Philadelphia, Pennsylvania	33.00
Port Arthur, Texas	23.00
Portsmouth, Virginia	26.00
Savannah, Georgia	23.00
Tampa, Florida	25.00

(2) The maximum price for dunnage delivered at the above ports by water shall be the rail-delivered price as above set forth less the difference between the rail transportation charge from the point of shipment to the particular port, computed by multiplying the applicable rail rate by the weight of the lumber based on 3500 pounds per M'BM, and the actual water transportation charge from the point of shipment to the particular port.

(3) The term "dunnage" as used above means lumber of any hardwood species, of standard widths and lengths, but poorer in quality than the lowest standard grade in the particular species.

[Paragraph (c) added by Am. 13, 8 F.R. 9998, effective 7–23–43, amended by Am. 15, 8 F.R. 15737, effective 11–19–43. Former paragraphs (c) through (j) redesignated (d) through (k) by Am. 13]

(d) *Deduction for green.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix "A", 10 per cent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, tough ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association, January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Paragraph (d), formerly (c), amended by Am. 13, 8 F.R. 9998, effective 7–23–43, and Am. 15, 8 F.R. 1537, effective 11–19–43]

(e) The following additions per 1,000 feet of Appalachian hardwood lumber may be charged for the specified treatments and workings:

(1) Kiln drying the lumber to a moisture content not exceeding 9 per cent as of the time the lumber leaves the kiln.

Species	¾" and 4/4" thick	5/4" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood	$4.50	$5.00	$5.50	$6.50	$7.00	$7.50	$9.50	$11.50
Soft Maple								
Buckeye								
Yellow Poplar								
Butternut								
Ash	5.00	5.50	6.50	7.50	8.50	9.50	11.50	13.50
Beech								
Birch								
Cherry								
Chestnut								
Hickory	5.50	6.00	7.00	8.50	10.00	12.50	15.50	20.50
Hard Maple								
Plain Oak								
Quartered Oak	5.50	6.50	8.00	9.50	11.50	15.50	20.50	25.50

(2) Kiln drying the lumber to a moisture content greater than 9 per cent but not exceeding 15 per cent as of the time the lumber leaves the kiln.

Species	¾" and 4/4" thick	5/4" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood	$3.00	$3.50	$4.00	$4.50	$5.00	$6.50	$8.50	$8.00
Soft Maple								
Buckeye								
Yellow Poplar								
Butternut								
Ash	3.50	4.00	4.50	5.50	6.00	6.50	8.00	9.50
Beech								
Birch								
Cherry								
Chestnut								
Hickory								
Hard Maple	4.00	4.50	5.00	6.00	7.00	8.50	10.50	14.00
Plain Oak								
Quartered Oak	4.00	4.50	5.50	6.50	8.00	10.50	14.00	17.00

(3) Anti-stain treatment (where requested by purchaser): 50¢

(4) Mill-working.

	Less than 1", 1" and 1¼" thick	1¼" to 3" thick
Resawing 1 line	$3.00	$2.50
Resawing 2 lines	5.50	4.50
Surfacing 1 or 2 sides	2.50	2.25
Surfacing 2 sides and Resawing	5.00	4.25
Resawing and Surfacing 1 or 2 sides	5.50	4.75
Surfacing 3 or 4 sides or 1 side and 1 edge	4.00	3.50

[Subparagraph (4) as amended by Am. 15, 8 F.R. 15737, effective 11–19–43]

(5) Inspecting, grading and measuring after kiln drying: 5 per cent of the f. o. b. mill price of the lumber in a rough air dried condition. This addition may be made only where the seller performs all three of these services, at the request of the purchaser, after kiln drying.

(6) End-racking or band sawing: No addition.

(7) *Custom kiln-drying and milling.* Where Appalachian hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended,* services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling. The invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

[Sub-paragraph (7) added by Am. 12, 8 F.R. 5479, effective 4–29–43]

(f) The following additions per 1,000 feet of Appalachian hardwood lumber may be charged where the purchaser (or purchasers, in the case of pool cars) orders an item, consisting of one species, thickness, and grade of Appalachian hardwood lumber, in the quantities herein indicated:

Quantity ordered	Allowable addition (per 1,000 feet)
Over 3,000 but not exceeding 4,000 feet	$1.00
Over 2,000 but not exceeding 3,000 feet	2.00
1,000 to 2,000 feet	2.50
Less than 1,000 feet	3.00

(g) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (b) and (c) hereof, may be charged, consisting of such maximum prices, plus the transportation charges set forth below: *Provided,* That the invoice contains the point of origin of the shipment, the destination, the applicable rail or truck rate, or if shipment is by private truck, the amount added for transportation, and the words "direct-mill shipment".

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

[Paragraph (g), formerly (f), amended by Am. 11, 8 F. R. 3056, effective 3–16–43; Am. 15, 8 F.R. 15737, effective 11–19–43; and Am. 16, 8 F.R. 17297, effective 12–29–43]

(h) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

*7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5081, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14090; 9 F.R. 1819.

(i) Where Appalachian hardwood lumber is sold on a Log Run, Mill Run, or No. 1 Common and Better grade for which no maximum price has been established in this appendix the maximum price shall be the maximum price established in this appendix for the lowest grade of lumber contained in the stock that is sold on such special inspection grade; the seller, however, may grade and ship the lumber on the standard grades included in such special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 146 for the respective standard grades.

(j) The maximum prices established in this appendix shall not be increased by any charges for the extension of credit and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941, in a sale of a similar nature to a purchaser of the same class as involved in the transaction subject to this Maximum Price Regulation No. 146.

(k) Export sales of Appalachian hardwood lumber are subject to the provisions of the Maximum Export Price Regulation."

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.*

(a) *Application of Appendix B.* (1) The provisions of this appendix shall apply to Appalachian hardwood lumber in the species set forth in paragraph (a) (3) (i) of § 1382.8 which is sold on special specifications (herein referred to as "recurring special" grades or items), requested by the purchaser:

(i) Which are not covered by § 1382.11, Appendix A, of this Maximum Price Regulation No. 146; and

(ii) To which reference was made in the published price lists or unsolicited trade quotations of the producing mill at any time during the year 1941 or 1942.

(b) The maximum f. o. b. mill prices for 1,000 feet of Appalachian hardwood lumber in a rough air dried condition shipped from mills in the Appalachian area of the following particular producers, and in the following "recurring special" grades or items, shall be as follows:

[Former (a) (1) (iii) added by Am. 13, 8 F.R. 9998, effective 7-23-43; former (b) amended by Am. 1, 7 F.R. 4179, effective 6-1-42 and Am. 2, 7 F.R. 4852, effective 6-26-42; former (a) (1) (iii), (2), (b) and (c) deleted and former (d) redesignated (b) and amended by Am. 18, effective 3-30-44]

[10] 2d Revision: 8 F.R. 4132, 5987, 7062, 9998, 15193; 9 F.R. 1036.

(1) W. M. RITTER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Hat Block	Poplar	2½	11 to 17	8 to 16	$136.00
1	Hat Block	Poplar	3	11 to 17	8 to 16	148.00
1	Hat Block	Poplar	4	7 to 17	8 to 16	163.00
1	Hat Block	Poplar	5	Av. 12 or more	65% or more 14, 15 and 16	168.00
1	Hat Block	Poplar	2	7 and 8	8 to 16	98.00
2	No. 1 Common	Poplar	2	7 and 8	60% 14, 15 and 16	53.00
2	No. 2 Common	Poplar	2	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	57.00
3	FAS, 1 Face	Poplar	¾	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	63.00
3	FAS, 1 Face	Poplar	¾	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	75.00
3	FAS, 1 Face	Poplar	1	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	78.00
3	FAS, 1 Face	Poplar	1¼	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	80.00
3	FAS, 1 Face	Poplar	1½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	85.00
3	FAS, 1 Face	Poplar	2	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	98.00
3	FAS, 1 Face	Poplar	2½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	108.00
3	FAS, 1 Face	Poplar	3	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	128.00
3	FAS, 1 Face	Poplar	4	6 and up. Av. 9 or more	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	91.00
4	No. 1 Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	107.00
4	No. 1 Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	121.00
4	No. 1 Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	87.00
6	C Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	61.00
6	C Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	64.00
6	C Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	74.00
6	C Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	49.00
7	No. 2 Common Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	50.00
7	No. 2 Common Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	61.00
7	No. 2 Common Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	153.00
8	FAS Squares	Poplar	5	8	8 to 16. 75% to 85% 14, 15 and 16	163.00
8	FAS Squares	Poplar	6	6	8 to 16. 75% to 85% 14, 15 and 16	173.00
8	FAS Squares	Poplar	7	7	8 to 16. 75% to 85% 14, 15 and 16	183.00
8	FAS Squares	Poplar	8	8	6 to 16. 60% to 70% 14, and 16	103.00
9	No. 1 Common Squares	Poplar	5	6	6 to 16. 60% to 70% 14, and 16	113.00
9	No. 1 Common Squares	Poplar	6	6	6 to 16. 60% to 70% 14, and 16	123.00
9	No. 1 Common Squares	Poplar	7	7	6 to 16. 60% to 70% 14, and 16	133.00
9	No. 1 Common Squares	Poplar	8	8	8 and longer. 60% or more 14 and 16	88.00
10	Panel and Wide No. 1	Poplar	⅝	18 to 23	8 and longer. 60% or more 14 and 16	118.00
10	Panel and Wide No. 1	Poplar	1	18 to 23	8 and longer. 60% or more 14 and 16	130.00
10	Panel and Wide No. 1	Poplar	1	24 and up	8 and longer. 60% or more 14 and 16	128.00
10	Panel and Wide No. 1	Poplar	1¼	18 to 23	8 and longer. 60% or more 14 and 16	145.00
10	Panel and Wide No. 1	Poplar	1½	18 to 23	8 and longer. 60% or more 14 and 16	165.00
10	Panel and Wide No. 1	Poplar	2	18 to 23	8 and longer. 60% or more 14 and 16	50.00
11	Wall Panel and Core Stock	Poplar	1	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	51.00
11	Wall Panel and Core Stock	Poplar	1¼	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	53.00
11	Wall Panel and Core Stock	Poplar	1½	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	70.00
12	Clear Stripe	Basswood	1	4 to 8¼	8 to 16. 60% or more 14 and 16	61.00
13	Clear Face Strips	Basswood	1	2¼ to 8¼	6 to 16. 50% or more 14 and 16	49.00
14	No. 1 Common Strips	Basswood	1	2¼ to 8¼	6 to 16. 50% or more 14 and 16	155.00
15	FAS (Special)	Plain White Oak	2¼	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
15	FAS (Special)	Plain White Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	195.00
15	FAS (Special)	Plain White Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	220.00

(1) W. M. RITTER LUMBER COMPANY—Continued

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	10 to 16	$125.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	17 to 19	150.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	20 to 22	175.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	10 to 16	135.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	17 to 19	160.00
16	Industrial FAS-A and Better	Plain White Oak	1¼ to 1¾	3½ and wider	20 to 22	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	10 to 16	160.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	17 to 19	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	20 to 22	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	10 to 16	185.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	17 to 19	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	20 to 22	235.00
17	Industrial FAS-A	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	79.00
17	Industrial FAS-A	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	85.00
17	Industrial FAS-A	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	87.00
17	Industrial FAS-A	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	92.00
18	Industrial FAS-B	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	66.00
18	Industrial FAS-B	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	69.00
18	Industrial FAS-B	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	71.00
18	Industrial FAS-B	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	80.00
18	Industrial FAS-B	Plain White Oak	2½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	100.00
18	Industrial FAS-B	Plain White Oak	3	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	110.00
18	Industrial FAS-B	Plain White Oak	4	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	130.00
19	Body Builders	Plain White Oak	¾	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	38.00
19	Body Builders	Plain White Oak	¾	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	42.00
19	Body Builders	Plain White Oak	1	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	49.00
19	Body Builders	Plain White Oak	1¼	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	51.00
19	Body Builders	Plain White Oak	1½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	52.00
19	Body Builders	Plain White Oak	2	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	57.00
19	Body Builders	Plain White Oak	2½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	66.00
19	Body Builders	Plain White Oak	3	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	80.00
20	Sound Sill	Plain White Oak	2	6-7-8-10-12-13	6 to 16. 50% or more 14 and 16	52.00
21	Sound Square Edge	Plain White Oak	1	3 and wider. Av. 7	6 to 16. 50% or more 14 and 16	40.00
22	Fencing	Plain White Oak	1	6	16	47.00
23	Clear Face Strips	Plain White Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	60.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1	6 and wider. Av. 10 or more	18 to 24. Av. 20	147.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1¼	6 and wider. Av. 10 or more	18 to 24. Av. 20	157.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1½	6 and wider. Av. 10 or more	18 to 24. Av. 20	162.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2	6 and wider. Av. 10 or more	18 to 24. Av. 20	172.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2½	6 and wider. Av. 10 or more	18 to 24. Av. 20	182.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	3	6 and wider. Av. 10 or more	18 to 24. Av. 20	197.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	4	6 and wider. Av. 10 or more	18 to 24. Av. 20	247.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	10 to 16, inc	150.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	17 to 20, inc	175.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	21 to 24, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	10 to 16, inc	175.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	17 to 20, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	21 to 24, inc	225.00
25	Bending Oak	White Oak	2¾ to 3	3 to 8	10 to 16, inc	200.00
25	Bending Oak	White Oak	2¾ to 3	3 to 8	17 to 20, inc	225.00
25	Bending Oak	White Oak	2¾ to 3	3 to 8	21 to 24, inc	250.00
26	Quartered Clear Face Strips	Quartered White Oak	1	3 to 5½	8 to 16. 50% or more 14 and 16	95.00
27	Comb Grain FAS	White Oak	1	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	125.00
27	Comb Grain FAS	White Oak	1¼	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	135.00
27	Comb Grain FAS	White Oak	1½	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	145.00
27	Comb Grain FAS	White Oak	2	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	160.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	75.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1¼	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	82.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1½	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	90.00
28	Comb Grain No. 1 Common and Selects.	White Oak	2	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	100.00
29	Plain FAS	Red Oak	2¼	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	130.00
29	Plain FAS	Red Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	145.00
29	Plain FAS	Red Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
30	Plain FAS Step Plank	Red Oak	1¼	10 to 14	8 to 16	112.00
30	Plain FAS Step Plank	Red Oak	1½	10 to 14	8 to 16	117.00
31	Plain Clear Face Strips	Red Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	54.00
32	Plain No. 1 Common Strips	Red Oak	1	3 to 5½	6 to 16. 50% or more 14 and 16	45.00
33	FAS Star (Export)	Plain White Oak	1	6 to 17	8 to 16	79.00
33	FAS Star (Export)	Plain White Oak	1¼	6 to 17	8 to 16	85.00
33	FAS Star (Export)	Plain White Oak	1½	6 to 17	8 to 16	87.00
33	FAS Star (Export)	Plain White Oak	2	6 to 17	8 to 16	92.00
34	(Export)	Plain White Oak	¾	4 and up	6 to 16	36.00
34	(Export)	Plain White Oak	¾	4 and up	6 to 16	43.00
34	(Export)	Plain White Oak	¾	4 and up	6 to 16	46.00
34	(Export)	Plain White Oak	¾	4 and up	6 to 16	51.00
34	(Export)	Plain White Oak	1	4 and up	6 to 16	60.00
34	(Export)	Plain White Oak	1¼	4 and up	6 to 16	65.00
34	(Export)	Plain White Oak	1½	4 and up	6 to 16	67.00
34	(Export)	Plain White Oak	1¾	4 and up	6 to 16	72.00
34	(Export)	Plain White Oak	2	4 and up	6 to 16	72.00
34	(Export)	Plain White Oak	2¼	4 and up	6 to 16	97.00
34	(Export)	Plain White Oak	3	4 and up	6 to 16	107.00
34	(Export)	Plain White Oak	4	4 and up	6 to 16	127.00
35	Banco (Export)	Plain White Oak	¾	6 and up	6 to 16	37.00
35	Banco (Export)	Plain White Oak	1	6 and up	6 to 16	40.00
35	Banco (Export)	Plain White Oak	1¼	6 and up	6 to 16	47.00
35	Banco (Export)	Plain White Oak	1½	6 and up	6 to 16	50.00
35	Banco (Export)	Plain White Oak	2	6 and up	6 to 16	56.00
35	Banco (Export)	Plain White Oak	2½	6 and up	6 to 16	81.00
36	B (Export)	Plain White Oak	¾	4 and up	6 to 16	35.00
36	B (Export)	Plain White Oak	¾	4 and up	6 to 16	39.00
36	B (Export)	Plain White Oak	1	4 and up	6 to 16	44.00
36	B (Export)	Plain White Oak	1¼	4 and up	6 to 16	46.00
36	B (Export)	Plain White Oak	1½	4 and up	6 to 16	47.00
36	B (Export)	Plain White Oak	2	4 and up	6 to 16	54.00
36	B (Export)	Plain White Oak	2½	4 and up	6 to 16	57.00
36	B (Export)	Plain White Oak	3	4 and up	6 to 16	62.00

(2) CHERRY RIVER BOOM AND LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Panel and No. 1 Wide	Poplar	1	Regular	Regular	$105.00
2	Flitch-sawed Mill Run	Beech	1			80.00
3	Box Grade	Chestnut	1	Regular	Regular	28.00
4	FAS—Red Face	Birch	1	Regular	Regular	112.00
4	FAS—Red Face	Birch	1¼	Regular	Regular	115.00
5	No. 1 Common—Red Face	Birch	1	Regular	Regular	68.00
5	No. 1 Common—Red Face	Birch	1¼	Regular	Regular	75.00
6	Dunnage	Mixed Hardwoods	1			12.00
7	No. 1 Common & Better GSND	Cherry	1			58.00
8	FAS	Hard and Soft Maple	1	16 and wider		125.00
9	No. 1 Common & Selects	White Oak	1	10 and wider		89.00
10	FAS—Red Face	Birch	2			128.00
11	Sound Square Edge	White Oak	2			38.00
12	Sound Square Edge	White Oak	3			43.00
13	FAS—Comb Grain	Red Oak	1			90.00
14	No. 1—Common and Selects—Comb Grain.	Red Oak	1			55.00

[Subparagraph (2) amended by Am. 4, 7 F.R. 6053, effective 8-3-42; Am. 5, 7 F.R. 6998, effective 9-8-42; Am. 6, 7 F.R. 7600, effective 9-30-42; and Am. 9, 7 F.R. 8350, effective 10-19-42]

(3) MOORE, KEPPEL & COMPANY

1	Sound Square Edge or Structural	White Oak	1			$26.00
1	Sound Square Edge or Structural	White Oak	1¼ and 1½			40.00
1	Sound Square Edge or Structural	White Oak	2			42.00
1	Sound Square Edge or Structural	White Oak	3			42.00
2	Export and Better	White Oak	4			100.00
3	No. 2 Common and Better Sound Wormy.	Beech	1¼			80.00
4	Dunnage or Burning Boards	Mixed Hardwoods	1			12.00
5	No. 3 Common	Mixed Beech, Birch, Maple, Oak and Hickory.	1	Regular	Regular	20.00
6	FAS Step Plank	Plain Red Oak	1¼			110.00
7	Sound and Better Sill Stock	Plain White Oak	2	6		70.00
7	Sound and Better Sill Stock	Plain White Oak	2	8		75.00
7	Sound and Better Sill Stock	Plain White Oak	2	10		80.00
7	Sound and Better Sill Stock	Plain White Oak	2	12		90.00
8	Blocking	Mixed Hardwoods	2, 3, 4	4		24.00
9	No. 2 Common and Better S. W	Beech	1½			32.00

[Subparagraph (3) as amended by Am. 5, 7 F.R. 6998, effective 9-8-42]

(4) ELK RIVER COAL & LUMBER COMPANY

1	Sound Square Edge or Structural	White Oak	2	10		$44.00
2	Scoots or Burning Boards	Mixed Hardwoods	1			13.00
3	Bung No. 1 Common	Poplar	1	Regular	Regular	55.00
4	Bung No. 2-A Common	Poplar	1	Regular	Regular	50.00
5	Bung No. 2-B Common	Poplar	1	Regular	Regular	38.00
6	Core Grade	Poplar	1			33.00
7	Clear Strips	Poplar	1	Regular	Regular	65.00
8	No. 1 Common Strips	Poplar	1	Regular	Regular	45.00
9	No. 1 Common and Selects	Poplar	1	6 and up	Regular	61.00
10	Sound Square Edge or Structural	White Oak	2	8		42.00
11	Sound Square Edge or Structural	White Oak	2	12		47.00
12	FAS	Poplar	5/8	10 and wider		78.00
13	FAS	Poplar	1	10 and wider		93.00
14	FAS	Poplar	1¼	10 and wider		98.00
15	FAS	Poplar	1½	10 and wider		107.00

[Subparagraph (4) as amended by Am. 4, 7 F.R. 6053, effective 8-3-42]

(5) BEMIS HARDWOOD LUMBER COMPANY

1	Core Grade	Poplar	1			$31.00

(6) MORRISON, GROSS & COMPANY

1	Sound Square Edge	White Oak and Red Oak.	1			$34.00
1	Sound Square Edge	White Oak and Red Oak.	2			42.00
2	FAS End Dried All White	Hard Maple	1			125.00
3	No. 1 Common & Selects End Dried All White.	Hard Maple	1			90.00
4	No. 3 Common (Box), 50% Sound	White Oak and Red Oak.	1			23.00
4	FAS All White Sap End Dried	Hard Maple	1¼	6 and wider	Average 9	135.00
5	FAS Step Plank	Red Oak	1¼	10½ to 15		100.00
6	Sound Blocking	Mixed Hardwoods	2	6 and 8		26.00

[Subparagraph (6) as amended by Am. 4, 7 F.R. 6053, effective 8-3-42; Am. 5, 7 F.R. 6998, effective 9-8-42; Am. 9, 7 F.R. 8350, effective 10-19-42]

(7) CONASAUGA RIVET LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common Bung	Poplar	1	Regular	Regular	$87.00
2	FAS Squares	Poplar	4	4		115.00
2	FAS Squares	Poplar	5	5		165.00
2	FAS Squares	Poplar	10	10		172.00
3	No. 1 Common and Sound Squares	Poplar	4	4		70.00
3	No. 1 Common and Sound Squares	Poplar	5	5		78.00
4	Truck Bed Flooring, 100% Sound	Oak, Beech, Hard Maple.	1¼	6 to 12	All one length—8, 10, 12, 14, or 16	77.00
4	Truck Bed Flooring, 100% Sound	Oak, Beech, Hard Maple.	1¼	6 to 12	Combination of any two lengths	72.00
4	Truck Bed Flooring, 100% Sound	Oak, Beech, Hard Maple.	1¼	6 to 12	Random	67.00
5	FAS	Poplar	5/4	10 and 12		75.00
6	FAS	Poplar	1¼	6, 8, and 10	10 and 12	100.00
7	FAS	Poplar	1	12	12	110.00
8	No. 2B Common Bung	Poplar	1			52.00
9	No. 2A Common Bung	Poplar	1			60.00
10	Common & Better Moulding Strips.	Poplar	1	3 to 6		50.00
11	No. 2B Common Sound Core Stock.	Poplar	1½			58.00
12	No. 2B Common Sound Core Stock.	Poplar	2			80.00
13	FAS Squares	Poplar	5	5		145.00
13	FAS Squares	Poplar	6	6		150.00
14	FAS Squares	Poplar	7	7		160.00
15	Panel and Wide No. 1	Poplar	1¼	Regular	Regular	115.00
15	Panel and Wide No. 1	Poplar	1	Regular	Regular	105.00
15	Panel and Wide No. 1	Poplar	1	22 and 24		110.00
16	Selected Siding	Poplar	1¼	8		66.00
16	Selected Siding	Poplar	1¼	10		66.00
17	100% Sound Sills	Oak	2	7	12 and 14	65.00
17	100% Sound Sills	Oak	2	8	12 and 14	65.00
18	Sound Square Edge SW	Oak	1¼	8	10s	45.00
18	Sound Square Edge SW	Oak	1¼	10¼ to 11	8, 12, and 16	50.00
19	FAS Stepping Plank	Red Oak	1¼	10 and up		102.00
19	FAS Stepping Plank	Red Oak	1¼	10 and up		105.00
20	FAS Stepping Plank	White Oak	1¼	10 to 15		125.00

[Subparagraph (7) as amended by Am. 4, 7 F.R. 6053, effective 8-3-42]

(8) PARDEE & CURTIN LUMBER COMPANY

1	No. 1 Common and Selects	Red Oak	1	4¼ and wider	6 and longer. 50% 7, 8, 14 and 16	$56.00
2	FAS	Red Oak	1¼	11 to 14	Regular	105.00
3	Select Common	Poplar	1	6 and wider, Av. 10 or more	50% or more, 14 and 16	65.00
3	Select Common	Poplar	1¼	6 and wider, Av. 10 or more	50% or more, 14 and 16	70.00
3	Select Common	Poplar	1⅜	6 and wider, Av. 10 or more	50% or more, 14 and 16	70.00
3	Select Common	Poplar	2	6 and wider, Av. 10 or more	50% or more, 14 and 16	75.00
4	FAS	White Oak	1¼	11 to 14		120.00
5	Selected FAS End Dried	Red Oak	1			90.00
6	Panel and Wide No. 1	Poplar	1			105.00
6	Panel and Wide No. 1	Poplar	1¼			110.00
6	Panel and Wide No. 1	Poplar	1½			115.00
6	Panel and Wide No. 1	Poplar	2			120.00
7	No. 1 Common and Better Sound Wormy.	Beech	1¼			87.00
7	No. 1 Common and Better Sound Wormy.	Beech	1½			87.00

[Subparagraph (8) as amended by Am. 4, 7 F.R. 6053, effective 8-3-42; Am. 7, 7 F.R. 7747, effective 10-5-42; Am. 9, 7 F.R. 8350, effective 10-19-42]

(9) TENNESSEE EASTMAN CORPORATION

1	Sound Square Edge	White Oak	2	8		$40.00
1	Sound Square Edge	White Oak	2	8½		44.00
1	Sound Square Edge	White Oak	2	10		41.00
1	Sound Square Edge	White Oak	2	12		42.00
2	Sound Square Edge	White Oak	3			45.00
3	Sound Square Edge	White Oak	3½			43.00
4	FAS Comb Grain	White Oak	1			125.00

(9) TENNESSEE EASTMAN CORPORATION—Continued

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
8	Crating Grade	Poplar, Chestnut, Basswood.	1	8, 10, 12, 14		$27.00
6	Crating Grade	Poplar, Chestnut, Basswood.	1¼	8, 10, 12, 14		28.00
7	FAS Comb Grain	White Oak	1½			145.00
7	FAS Comb Grain	White Oak	2			160.00
8	No. 1 Common & Selects Comb Grain.	White Oak	1			73.00
8	No. 1 Common & Selects Comb Grain.	White Oak	1¼			85.00
8	No. 1 Common & Selects Comb Grain.	White Oak	1½			90.00
8	No. 1 Common & Selects Comb Grain.	White Oak	2			100.00
9	Step Plank	White Oak	1¼	11 to 13		157.00
10	Step Plank	Red Oak	1¼	12 to 13		100.00
11	Special Y. I. M. C. (A-S. W. & No. 1 C & Btr. WHND).	White Oak	1			90.00
12	FAS	Red Oak	2	10	16	121.00
13	No. 3 B Sheathing	White Oak and Red Oak.	1			55.00

[Subparagraph (9) as amended by Am. 4, 7 F.R. 6053, effective 8-3-42]

[Paragraph (d) and subparagraphs (1) through (9) added by Am. 3, 7 F.R. 5530, effective 7-24-42]

(10) MEADOW RIVER LUMBER COMPANY

1	No. 1 Common	Hickory	2	4	5, 6, 10, 12, 14, 16 (10%—14).	$51.00
2	Sound Square Edge	Hickory	2½	7	8, 14, 16	55.00
3	FAS	White Oak	1¼	12 and wider		147.00
4	FAS—WHND	White Oak	1¼	10½	7'8" to 8'	88.00
5	No. 1 Common and Better WHND.	White Oak	1¼	8		61.00
6	FAS—One Face	Red Oak	1	5		67.00
7	No. 1 Common and Selects.	Red Oak	2	8 and wider		73.00
8	FAS	Soft Maple	1	6 to 8		82.00
9	Selected Grade—100% Sound.	Soft Maple	1	6 to 8		45.00
10	FAS	Hard Maple	2	12 and wider		140.00
11	Saps	Poplar	1	6 and wider		70.00
12	FAS	Hard Maple	1	9 to 12		110.00
13	FAS	Hard Maple	1	11 and wider		125.00
14	FAS	Hard Maple	1	12 and wider		130.00
15	FAS	Hard Maple	1¼	8, 10 and 12	12 to 16	150.00
16	FAS	Hard Maple	1¼	8 to 12		110.00
17	FAS	Hard Maple	1½	8 to 12		134.00
18	FAS	Hard Maple	2	8, 10 and 12	12 to 16	160.00
19	FAS	Hard Maple	2	10 to 12		170.00
20	FAS	Soft Maple	1	8 to 10		90.00
21	FAS	Soft Maple	1	12 and wider		95.00
22	FAS	Soft Maple	1¼	8 and wider		101.00
23	FAS	Soft Maple	1½	8 and wider		103.00
24	FAS	Soft Maple	2	8 and wider		110.00
25	FAS	Soft Maple	2	10 and wider		121.00
26	FAS	Soft Maple	2	10 to 12		121.00
27	FAS	Soft Maple	2	8 to 7	9, 10, 14 and 16	101.00
28	FAS	Soft Maple	2	8 and 10		111.00
29	FAS	Soft Maple	3	10 and wider		150.00
30	FAS	Poplar	¾	8 and wider		66.00
31	FAS	Poplar	1	8 and wider		88.00
32	FAS	Poplar	1	10 and wider		98.00
33	FAS	Poplar	2	12 to 13	16	140.00
34	FAS	Poplar	2	8 and wider		109.00
35	FAS	Poplar	2	6	Random	160.00
36	FAS	Poplar	2	8	10, 12, 14 and 16	166.00
37	FAS	Poplar	1	8 to 9		70.00
38	FAS—One Face	Red Oak	1	8 to 10		78.00
39	FAS—One Face	Red Oak	1	10 to 11		90.00
40	FAS	Red Oak	1	12 to 13	16	121.00
41	FAS	Red Oak	1	6, 8, and 12	12 to 16	100.00
43	FAS	Red Oak	1	8 and wider		90.00
43	FAS	Red Oak	1	10 to 12		90.00
43	FAS	Red Oak	1	12 and wider	16	135.00
44	FAS	Red Oak	1¼	12 to 13	16	134.00
45	FAS	Red Oak	1¼	8 and wider		90.00
46	FAS	Red Oak	1¼	12 and wider	16	145.00
47	FAS	Red Oak	1¼	11 to 14		105.00
48	FAS	Red Oak	1½	8 and wider		94.00
49	FAS	Red Oak	1½	12 to 13	16	130.00
50	FAS	Red Oak	2	6 and wider	12 to 16	110.00
51	FAS	Red Oak	2	10 and wider		120.00
52	FAS	Tough Ash	2½	6 to 9	14 to 16	125.00
53	FAS	Tough Ash	4	6 to 9½		118.00
54	FAS	Basswood	1	7 and 10	12	93.00
55	FAS	Beech	2	8		133.00
56	FAS	Birch	1	8 and wider		116.00
57	FAS	Cherry	1	9	10 to 16	84.00
58	No. 2 Common & Better SSE-SW.	Chestnut	1	6		34.00
59	No. 2 Common Sound Square Edge.	Chestnut	3	8	14 and 16	50.00
60	Sound Square Edge Wormy.	Chestnut	3	11	12	50.00
61	Sound Square Edge Wormy.	Chestnut				

(10) MEADOW RIVER LUMBER COMPANY—Continued

Grade or Item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
62	Sound Square Edge	Hickory	3	7	8, 14 and 16	$50.00
63	Clear (FAS)	Hard Maple	4	8 and wider	16	200.00
64	FAS—Quartered	White Oak	1	10 and wider	12 to 16	160.00
65	FAS	White Oak	1¼	11 and wider		142.00
66	FAS—Stepping Grade	White Oak	1¼	11 to 13		139.00
67	No. 1 Common & Select Export.	White Oak	1	6 and up		60.00
68	No. 1 Common & Select Export.	White Oak	1¼	6 and up		70.00
69	No. 1 Common & Select Export.	White Oak	2	6 and up		85.00
70	No. 1 Common & Better—WHND.	White Oak	1¼	7 to 10		66.00
71	No. 1 Common & Better—WHND.	White Oak	2	10 to 12		89.00
72	No. 1 Common & No. 2 Common Special (100% Sound).	Oak	1	6 to 8		46.00
73	No. 1 Common & No. 2 Common Special (100% Sound).	Oak	1¼	6 to 8		49.00
74	Sound No. 1 Common & Better WHND.	Oak	1¼	6 and wider	8 and 16	60.00
75	Sound Square Edge	White Oak	4	8	16	47.00
76	Sound Square Edge	White Oak	4	6	16	47.00
77	Sound Square Edge	White Oak	2	12	16	52.00
78	Sound Square Edge	White Oak	1	12	16	34.00
79	FAS	Hard Maple	1	3 to 4, and 6½ to 7.	6 to 7, and 12 to 13.	107.00
80	FAS	Hard Maple	2	10 to 12		140.00
81	FAS	Plain White Oak	2	4 and 6	8	140.00
82	FAS—WHND	Plain White Oak	1	4	7' 6" to 8'	71.00
83	FAS One Face	Plain Red Oak	1	10		80.00
84	FAS—Clear	Soft Maple	1½	9 to 12		125.00
85	FAS—Clear One Face	Poplar	1		12 and shorter	110.00
86	FAS—Clear One Face	Poplar	1½		12 and shorter	124.00
87	FAS—Clear One Face	Poplar	2		12 and shorter	145.00
88	No. 2A Common	Soft Maple	1			45.00
89	FAS	Red Oak	1¼	10 and wider		105.00

[Subparagraph (10) amended by Am. 5, 7 F.R. 6998, effective 9-8-42; Am. 6, 7 F.R. 7600, effective 9-30-42; Am. 7, 7 F.R. 7747, effective 10-5-42; Am. 9, 7 F.R. 8350, effective 10-19-42]

(11) BIRCH VALLEY LUMBER COMPANY

1	FAS—Step Plank	Red Oak	1¼	11 to 14		$105.00
2	Panel and Wide No. 1	Poplar	1	18 and wider, 20% 24 to 30.	75% 14 and 16	105.00
3	No. 1 Common & Better (Bird Peck No Defect).	Hickory	1½			40.00
4	No. 1 Common & Better (Bird Peck No Defect).	Hickory	2			43.00
5	No. 1 Common and Selects	Poplar	1	18 and wider		73.00

[Subparagraph (11) amended by Am. 5, 7 F.R. 6998, effective 9-8-42]

(12) INTER-MOUNTAIN COAL & LUMBER COMPANY

1	FAS—All white one face	Hard Maple	1			$110.00
2	No. 1 Common & Selects, All white one face.	Hard Maple	1			80.00
3	FAS	Hard Maple	1	12 and wider		115.00
3	FAS	Hard Maple	1½	12 and wider		130.00
3	FAS	Hard Maple	2	12 and wider		135.00
3	FAS Step Plank	Red Oak	1¼	11 to 13		100.00

[Subparagraph (12) amended by Am. 5, 7 F.R. 6998, effective 9-8-42]

(13) MCCRACKEN & MCCALL, INCORPORATED

1	Box Grade	White and Red Oak	1			$20.00
1	Box Grade	White and Red Oak	1¼			21.00
1	Box Grade	White and Red Oak	1½			21.00
1	Box Grade	White and Red Oak	2			22.00
2	FAS	Poplar	1	12 and 13		100.00

[Subparagraph (13) amended by Am. 5, 7 F.R. 6998, effective 9-8-42]

(17) J. P. HAMER LUMBER COMPANY

(14) STEARNS COAL AND LUMBER COMPANY

Grade or Item No.	Grade designation	Species	Thickness (Inches)	Widths (Inches)	Lengths (feet)	Price
1	Clear Strips	White Oak	1	3½ to 5½		$54.00
2	Clear Strips	Poplar	1	3½ to 5½		52.00
3	No. 3 Common—75% Sound.	White Oak and Red Oak.	1			30.00
4	Panel and Wide No. 1	Poplar	1	18 and 19		100.00
4	Panel and Wide No. 1	Poplar	1	20 and 21		105.00
4	Panel and Wide No. 1	Poplar	1	22 and 23		110.00
4	Panel and Wide No. 1	Poplar	1	24 to 27		115.00
4	Panel and Wide No. 1	Poplar	1¼	18 and 19		110.00
4	Panel and Wide No. 1	Poplar	1¼	20 and 21		115.00
4	Panel and Wide No. 1	Poplar	1¼	22 and 23		120.00
4	Panel and Wide No. 1	Poplar	1¼	24 to 27		125.00
4	Panel and Wide No. 1	Poplar	1½	18 and 19		110.00
4	Panel and Wide No. 1	Poplar	1½	20 and 21		115.00
4	Panel and Wide No. 1	Poplar	1½	22 and 23		120.00
4	Panel and Wide No. 1	Poplar	1½	24 to 27		125.00
4	Panel and Wide No. 1	Poplar	2	18 and 19		130.00
4	Panel and Wide No. 1	Poplar	2	20 and 21		135.00
4	Panel and Wide No. 1	Poplar	2	22 and 23		140.00
4	Panel and Wide No. 1	Poplar	2	24 to 27		145.00
5	Structural Grade	White Oak	4	6	10 to 16	40.00
5	Structural Grade	White Oak	2	8	10 to 16	40.00
5	Structural Grade	White Oak	8	8	18	44.00
5	Structural Grade	White Oak	12	12	10 to 16	40.00
6	Structural Grade Free of Heart.	White Oak	2	6	10 to 16	40.00
6	Structural Grade Free of Heart.	White Oak	2	10	10 to 16	48.00
6	Structural Grade Free of Heart.	White Oak	2	12	10 to 16	52.00
6	Structural Grade Free of Heart.	White Oak	3	6	10 to 16	46.00
6	Structural Grade Free of Heart.	White Oak	3	8	10 to 16	46.00
6	Structural Grade Free of Heart.	White Oak	3	10	10 to 16	48.00
6	Structural Grade Free of Heart.	White Oak	3	12	10 to 16	52.00
6	Structural Grade Free of Heart.	White Oak	4	6	10 to 16	46.00
6	Structural Grade Free of Heart.	White Oak	4	6	18	50.00
7	No. 3 Common—75% Sound (Box Grade)	White Oak and Red Oak.	1			20.00

[Subparagraph (14) amended by Am. 5, 7 F.R. 6968, effective 9-8-42]

(15) VIRGINIA HARDWOOD LUMBER COMPANY

1	Box Grade—50% Sound	White Oak and Red Oak.	1			$21.0

(16) BRINGARDNER LUMBER COMPANY

1	FAS—Step Plank	Red Oak	1¼	11 to 15		$100.00
2	Sound Square Edge Free of Heart.	White Oak	2	6		46.00
3	Sound Square Edge Free of Heart.	White Oak	2	8		46.00
4	Sound Square Edge Free of Heart.	White Oak	2	10		48.00
5	Sound Square Edge Free of Heart.	White Oak	2	12		50.00
6	Sound Square Edge	White Oak	2	12		42.00
7	FAS—Comb Grain	Red Oak	1			90.00
8	FAS—Comb Grain	Red Oak	1¼			95.00
9	Box Grade (No. 3—50% or Better Sound).	White Oak and Red Oak	1			18.00
10	Sound Square Edge	White Oak	1			32.00
11	Sound Square Edge	White Oak	2	6		40.00
12	Sound Square Edge	White Oak	2	8		40.00
13	Sound Square Edge	White Oak	2	10		42.00
14	Sound Square Edge	White Oak	2	12		42.00
15	FAS—WHND	White Oak	2	12 and up		105.00
16	FAS Comb Grain	White Oak	1			125.00
16	FAS Comb Grain	White Oak	1¼			135.00
16	FAS Comb Grain	White Oak	1½			145.00
16	FAS Comb Grain	White Oak	2			155.00
17	No. 1 Common and Selects Comb Grain	White Oak	1			75.00
17	No. 1 Common and Selects Comb Grain.	White Oak	1¼			82.00
17	No. 1 Common and Selects Comb Grain.	White Oak	1½			90.00
17	No. 1 Common and Selects Comb Grain.	White Oak	2			100.00
18	FAS Comb Grain	Red Oak	1½			105.00
18	FAS Comb Grain	Red Oak	2			115.00
19	No. 1 Common and Selects Comb Grain.	Red Oak	1			55.00
19	No. 1 Common and Selects Comb Grain.	Red Oak	1¼			60.00
19	No. 1 Common and Selects Comb Grain.	Red Oak	1½			65.00
19	No. 1 Common and Selects Comb Grain.	Red Oak	2			70.00

[Subparagraph (16) amended by Am. 6, 7 F.R. 7600, effective 9-30-42; Am. 9, 7 F.R. 8350, effective 10-19-42]

(17) J. P. HAMER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common and Selects—Key Stock.	Basswood	1			$62.00

(18) LOGAN LUMBER COMPANY

1	Selects and Better	White Oak	2 to 6		16 and shorter	$100.00
1	Selects and Better	White Oak	2 to 6		18 and 20	120.00

(19) EDMONDS BROTHERS LUMBER COMPANY

1	No. 2 Common and Better.	Beech	1			$36.00
2	No. 2 Common and Better.	Beech	1½			46.00

[Subparagraphs (10) through (19) added by Am. 4, 7 F.R. 6053, effective 8-3-42]

(20) MOUNTAIN FORK LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Sound Square Edge Free of Heart	Plain White Oak	2	12		$52.00

(21) WILLIAMS-BROWNELL PLANING MILL COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS White Face	Hard Maple	1¼			$123.00
2	No. 1 Common and Selects White Face	Hard Maple	1¼			86.00

(22) WOOD MOSAIC COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS Step Plank	Red Oak	1¼	11 to 15		$105.00
2	Common and Better Vehicle	White Oak and Red Oak.	2			57.00
3	No. 1 Common	Hickory	1¼		8	32.00
4	No. 2 Common	Hickory	1¼		8	22.00
5	FAS Sill Stock	Red Oak	2	8		105.00
6	FAS Sill Stock	White Oak	2	8		135.00

(23) KENOVA SAWMILL COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common and Better WHND and No. 1 Common Special Grade.	Oak	1	10		$48.00
2	No. 2 Common and Sound	Poplar	1		14 and 16	37.00

(24) KITCHEN LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Panel and No. 1 Wide	Poplar	1	18 and wider	8 to 16	$100.00
2	No. 1 Common and Select Bung	Poplar	1			57.00
3	No. 2A Common Bung	Poplar	1			47.00

(28) THE ATLAS LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS WHND	White Oak	2	10 and wider		$90.00
2	FAS	Red Oak	1¼	10 to 16		100.00
3	"Box", 90% Sound Cuttings	Red Oak	1			80.00
4	"Box", 90% Sound Cuttings	White Oak	1			85.00
5	No. 1 Common and Select—Yellow Birch.	Poplar		6 and wider	6 and longer	
6	Core Grade	Poplar	1	12 to 14	10 and 14	84.00
7	FAS	Hard Maple	1¼	12 to 14	16 and 14	145.00
8	FAS	Hard Maple	1¼	12 to 14	16 and 16	160.00
9	FAS	Hard Maple	2	13 to 14	12 and 16	165.00
10	No. 1 Common & Selects, 90% and Better White One Face.	Hard Maple	1¼			85.00
11	No. 1 Common & Selects, 90% and Better White One Face.	Hard Maple	2			95.00
12	Selects, 90% White One Face and Better.	Hard Maple	1			110.00
13	FAS, 90% White One Face and Better.	Hard Maple	1¼			120.00
14	FAS, 90% White One Face and Better.	Hard Maple	2			135.00
15	Sound Square Edge	White Oak	1		10 to 16	72.00
16	Sound Square Edge	White Oak	1¼		10 to 16	85.00
17	Sound Square Edge	White Oak	2 and 3		10 to 16	62.00
18	Sound Square Edge	White Oak	2 and 3		10 and 12	42.00
19	Sound Square Edge	White Oak	4 and 6		10 to 16	44.00
20	Sound Square Edge	White Oak	4 and 6		12 to 14	46.00
21	Sound Square Edge	White Oak	4 and 6		16 and 16	48.00
22	Sound Square Edge	White Oak	8		10 and 12	44.00
23	Sound Square Edge	White Oak	8		14 and 16	46.00
24	Sound Square Edge	White Oak	3		10 and 12	46.00
25	Sound Square Edge	White Oak	3		14 and 16	48.00

[Subparagraph (28) as amended by Am. 6, 7 F.R. 7600, effective 9-30-42.]

(29) J. M. EVERETT SONS COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	FAS Step Plank	Red Oak	1¼	11 to 15		$100.00

[Subparagraphs (29) through (29) added by Am. 5, 7 F.R. 6998, effective 9-8-42.]

(27) VESTAL LUMBER & MANUFACTURING COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common Squares	Poplar	8	8		$110.00
2	No. 1 Common Squares	Poplar	1½			90.00
3	No. 1 Common and Selected	Yellow Poplar				
4	FAS Squares	Poplar	3	8		130.00
5	FAS Squares	Poplar	4			150.00
6	FAS Squares	Poplar	6			155.00
7	FAS Squares	Poplar	7	8		165.00
8	FAS Squares	Poplar	8			175.00
9	FAS Squares	Poplar	10	10		200.00
10	No. 1 Common Squares	Poplar	12	12		85.00
11	No. 1 Common Squares	Poplar	4	4		75.00
12	No. 1 Common Squares	Poplar	5	5		75.00
13	No. 1 Common Squares	Poplar	7	7		100.00
14	No. 1 Common Squares	Poplar	10	10		130.00
15	No. 1 Common Squares	Poplar	12	12		165.00
16	No. 1 Common Squares	Poplar	12	12 to 20		115.00
17	Panel and Wide No. 1	Poplar		24 and wider		125.00
18	Panel and Wide No. 1	Poplar	1	10 to 20		110.00
19	Panel and Wide No. 1	Poplar	1¼	10 to 20		120.00
20	Panel and Wide No. 1	Poplar	1¼	24 and wider		130.00
21	Panel and Wide No. 1	Poplar	1½	10 to 20		115.00
22	Panel and Wide No. 1	Poplar	1½	24 and wider		125.00
23	Panel and Wide No. 1	Poplar	1½	10 to 20		120.00
24	Panel and Wide No. 1	Poplar	1½	24 and wider		130.00
25	Panel and Wide No. 1	Poplar	1½	10 to 20		125.00
26	Panel and Wide No. 1	Poplar	1½	24 and wider		135.00
27	FAS	Rift Sawn Red Oak	1			120.00
28	FAS	Rift Sawn White Oak	1			125.00
29	No. 1 Common—Bunk	Poplar	1			32.00
30	No. 2A Common—Bunk	Poplar	1			40.00
31	No. 2B Common—Bunk	Poplar	1			36.00

[Subparagraph (27) amended by Am. 7, 7 F.R. 7747, effective 10-5-42; Am. 9, 7 F.R. 8350, effective 10-19-42]

(28) EMORY RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Panel and Wide No. 1	Poplar	¾	18 and wider		$90.00
2	Panel and Wide No. 1	Poplar	1	18 and 19		105.00
3	Panel and Wide No. 1	Poplar	1	20 to 23		110.00
4	Panel and Wide No. 1	Poplar	1	24 to 28		115.00
5	Panel and Wide No. 1	Poplar	1	30 and wider		120.00
6	Panel and Wide No. 1	Poplar	1¼	16 to 27		120.00
7	FAS	Poplar	1	13 to 17		110.00

(29) MARSHALL LUMBER COMPANY

1	FAS—White Face	Hard Maple	1			$110.00
2	FAS—White Face	Hard Maple	1¼			120.00
3	No. 1 Common—White Face	Hard Maple	1			81.00
4	No. 1 Common—White Face	Hard Maple	1¼			86.00

(30) SALUDA RIVER LUMBER COMPANY

1	No. 1 Common and Selects—Stained	Poplar	1			$44.00
2	Step Grade	Red Oak	1¼			100.00

(31) ELY-THOMAS LUMBER COMPANY

1	FAS—White Two Faces	Hard Maple	1¼			$135.00
2	FAS—White Two Faces	Hard Maple	1½			140.00
3	FAS—White Two Faces	Hard Maple	2			145.00
4	FAS—White One Face	Hard Maple	1			110.00
5	No. 1 Common and Selects—White One Face.	Hard Maple	1			81.00

[Subparagraphs (27) through (31) added by Am. 6, 7 F.R. 7600, effective 9-30-42]

(32) WILDERNESS LUMBER COMPANY

1	"A" Grade—100% Sound—Free of Heart.	White Oak	1			$38.00
2	"A" Grade—100% Sound—Free of Heart.	White Oak	1¼			42.00
3	"A" Grade—100% Sound—Free of Heart.	White Oak	1½			44.00
4	Sill Stock	White Oak	2	6 to 12	6 to 16	60.00
5	Selected No. 3	White Oak and Red Oak (50% and better sound).	1	6 and wider	8 and longer	27.00
6	Selected No. 3	White Oak and Red Oak (50% and better sound).	1¼			28.00
7	Selected No. 3	White Oak and Red Oak (50% and better sound).	2			29.00
8	Selected No. 3	White Oak and Red Oak (50% and better sound).	1			23.00
9	Panel and Wide No. 1	Poplar	1			101.00
10	Stepping Plank	Red Oak	1¼	11 to 15		105.00
11	Export Grade	White Oak	1	8 and wider	18 to 24	100.00
12	Export Grade	White Oak	1¼	8 and wider	18 to 24	110.00
13	Export Grade	White Oak	1½	8 and wider	18 to 24	110.00
14	Export Grade	White Oak	2	8 and wider	18 to 24	120.00

[Subparagraph (32) added by Am. 7, 7 F.R. 7747, effective 10-5-42]

§ 1382.13 *Appendix C: Maximum prices for Appalachian hardwood lumber in "standard special" grades or items—(a) Standard special widths and lengths.* The f. o. b. mill price for 1,000 feet of Appalachian hardwood lumber in the species and the "standard special" lengths and widths listed below shall be as follows:

(1) STANDARD SPECIAL WIDTHS AND LENGTHS—ALL HARDWOOD SPECIES

[Except as otherwise provided in subparagraph (2) below]

Width and/or length	Grade	Maximum additions to maximum prices established in § 1382.11 for lumber in corresponding standard grades and same thicknesses
5" or 6" and wider; regular lengths	No. 1 Common and Selects or No. 1 Common; No. 2 Common; No. 3 Common.	$2.00
8' and longer	No. 1 Common and Selects or No. 1 Common; No. 2 Common; No. 3 Common.	1.00
10' and longer; or 12' and longer	No. 2 Common; No. 3A Common; No. 3 Common.	2.00
All 14' to 16' or all one length 10' to 14'	No. 2 Common; No. 3A Common; No. 3 Common.	4.00
All 16'	No. 2 Common; No. 3A Common; No. 3 Common.	5.00
8" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common.	4.00
10" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common.	5.00
12" and wider; standard lengths	No. 2 Common; No. 3A Common; No. 3 Common.	6.00
All 10' to 16' or all 10'	No. 1 Common and Better	3.00
All 12' to 16'	No. 1 Common and Better	6.00
All 12' and 14' or all 12'	No. 1 Common and Better	8.00
All 14' and 16' or all 14'	No. 1 Common and Better	10.00
All 16'	No. 1 Common and Better	15.00
All 7" and wider; standard lengths	No. 1 Common and Better	4.00
All 8" and wider; standard lengths	No. 1 Common and Better	8.00
All 9" and wider; standard lengths	No. 1 Common and Better	12.00
All 10" and wider; standard lengths	No. 1 Common and Better	16.00
All 11" and wider; standard lengths	No. 1 Common and Better	20.00
All 12" and wider; standard lengths	No. 1 Common and Better	25.00
For each additional inch over 12" and wider	No. 1 Common and Better	5.00
All one width	No. 3 Common and Better	(1)
Step Plank	No. 1 Common and Better	25.00

[1] Same price as for same width and wider.

(2) STANDARD SPECIAL WIDTHS—BASSWOOD AND POPLAR

Width and/or length	Grade	Maximum additions to maximum prices established in § 1382.11 for lumber in corresponding standard grades and same thicknesses
7" and wider; standard lengths	No. 1 Common and Better	$4.00
8" and wider; standard lengths	No. 1 Common and Better	5.00
9" and wider; standard lengths	No. 1 Common and Better	7.00
10" and wider; standard lengths	No. 1 Common and Better	10.00
11" and wider; standard lengths	No. 1 Common and Better	11.00
12" and wider; standard lengths	No. 1 Common and Better	12.00
13" and wider; standard lengths	No. 1 Common and Better	13.00
14" and wider; standard lengths	No. 1 Common and Better	14.00
15" and wider; standard lengths	No. 1 Common and Better	15.00
16" and wider; standard lengths	No. 1 Common and Better	16.00
17" and wider; standard lengths	No. 1 Common and Better	17.00
18" and wider; standard lengths	No. 1 Common and Better	18.00
20" and wider; standard lengths	No. 1 Common and Better	20.00
For each additional inch over 20" and wider	No. 1 Common and Better	2.00

STANDARD DIFFERENTIAL FOR WHITE MAPLE[1]

Grade or Designation:	Maximum addition to Ceiling Price of Standard Grade
No. 1 White	$20.00
No. 1 and No. 2 White	15.00
No. 2 White	10.00

(b) *Additions, adjustments and restrictions.* The additions, adjustments, and restrictions provided in paragraphs (d), (e), (f), (g), (h), (i), (j), and (k) of § 1382.11 (Appendix A) shall apply to the prices established in this Appendix.

(c) *Effect on special prices.* The maximum prices contained in this Appendix C supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

[§ 1382.13 added by Am. 13, 8 F.R. 9098, effective 7-23-43. Former § 1382.13 amended by Am. 8, 7 F.R. 8198, effective 10-18-42; revoked by Am. 13]

§ 1382.14 *Appendix D: Maximum prices for Appalachian hardwood lumber in grades, specifications and extras not specifically priced—(a) Application of Appendix D.* (1) Appalachian hardwood lumber sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendices A and C (§§ 1382.11 and 1382.13) is nevertheless subject to this regulation. The maximum price for such lumber shall be determined in accordance with the formula in paragraph (b) below.

(2) For the purposes of this section the term "Appalachian hardwood lumber" shall include all items of lumber in the species set forth in § 1382.8 (a) (3) but shall not include the following items. (The term "items" includes specifications, workings, services and/or extras):

(i) Glued stock.
(ii) Moulding.
(iii) Shiplap.
(iv) Risers.
(v) Step treads.
(vi) Thresholds.
(vii) Hand rails.
(viii) Bevel and drop siding.
(ix) Flooring.
(x) Switch, cross, and mine ties.
(xi) Mine material.
(xii) Small dimension stock.
(xiii) Lath.
(xiv) Navy oak ship stock. (See Maximum Price Regulation No. 281.)

(b) *Maximum prices for grades, specifications and extras not specifically priced.* (1) The maximum price for Appalachian hardwood lumber in grades, specifications and extras not specifically priced in Appendices A and C, shall be a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 246:1 Rev. given in paragraph (3) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report it is approved.

Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (i) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (ii) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

[Subparagraph (1) as amended by Am. 15, 8 F.R. 15737, effective 11-19-43]

(2) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(3) OPA Form 246:1 Rev. is as follows:

OFFICE OF PRICE ADMINISTRATION
LUMBER BRANCH
HARDWOOD SECTION

Form 246:1 Rev.

Form Approved
Budget Bureau No. 08-R551

Report of Sales of Appalachian Hardwood Lumber in Special Items or Special Grades (other than Combination Grades), or Prepared with Special Workings, Treatments or Services.

Company _____
Address _____
Mill location _____

Sales of special stocks of lumber

(As defined in Appendix D to Maximum Price Regulation No. 148).

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Appalachian hardwood lumber in a special item or special grade (other than a combination grade) or prepared with a special working, treatment, or service.

Date of Order _____
Origin of Shipment _____
Order No. _____
Destination of shipment _____
Purchaser _____ (Name and address)

F. o. b. Mill Price _____
(Including discounts or commissions, if any)

(Species) (Thickness)

(Widths) (Lengths)

(Designation of grade, item, working, treatment or service)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1–15, 1941 _____

Most comparable standard grade or item to which differential is applied _____

Complete description of special grade, item, working, treatment, or service (including a statement whether the lumber is rough or machined and is air-dried, kiln dried, or green) _____

Detailed explanation of how maximum price was computed or built up _____

(Name) (Office or title)

(c) *Additions, adjustments, and restrictions.* The additions, adjustments and restrictions provided in paragraphs (d), (e), (f), (g), (h), (i), (j) and (k) of § 1382.11 (Appendix A) shall apply to the prices established in this Appendix D.

[§ 1382.14 added by Am. 13, 8 F.R. 9098, effective 7-23-43]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4191; Filed, March 24, 1944; 12:04 p. m.]

PART 1412—SOLVENTS

[MPR 28, Corr. to Amdt. 5[1]]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

In § 1412.263 (h) (1) the words "Defense Supplies Corporation" appearing in the paragraph entitled *"Rental payments"* are corrected to read "Defense Plant Corporation."

This correction shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4193; Filed, March 24, 1944; 12:04 p. m.]

PART 1412—SOLVENTS

[MPR 296, Corr. to Amdt. 6[1]]

WEST COAST ETHYL ALCOHOL

In § 1412.165 (g) (1) the words "Defense Supplies Corporation" appearing in

[1] NHLA grades of White Maple, P. 86, January 1943 Rules for the Measurement and Inspection of Hardwood lumber.

[1] 9 F. R. 2068.

the paragraph entitled *"Rental payments"* are corrected to read "Defense Plant Corporation."

This correction shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4192; Filed, March 24, 1944; 12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 108 Under 3 (b), Corr. to Amdt. 3]

DEFENSE PLANT CORPORATION

Amendment No. 3 to Order No. 108 under § 1499.3 (b) of the General Maximum Price Regulation, correction.

In § 1499.972 (a) the words "Defense Supplies Corporation" appearing in the paragraph entitled *"Rental payments"* are corrected to read "Defense Plant Corporation."

This correction shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4194; Filed, March 24, 1944; 12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 45]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rev. SR 11 is amended in the following respects:

1. Section 1499.46 (b) (91) is amended and (140) and (141) are added to read as follows:

§1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

* * * * *

(91) Transportation of commodities by persons offering their services to the general public as common carriers by rail, water, motor, pipe line, or other means of conveyances, rates charged for.

* * * * *

(140) Service of storage or warehousing when performed by a person appropriately classified a a public utility and subject to regulation as such, maximum rates or charges for such service having been established, or otherwise regulated, by a federal, state, or municipal authority having jurisdiction over such rates or charges.

(141) Any service not excepted by other sub-paragraphs of this supplementary regulation when performed by a person appropriately classified as a public utility and subject to regulation as such, maximum rates or charges for such service having been established, or otherwise regulated, by a federal, state, or municipal authority having jurisdiction over such rates or charges.

2. Paragraph (c) of § 1499.46 is redesignated (d) and paragraph (d) is redesignated (e) and a new paragraph (c) is added to read as follows:

(c) (1) Any person furnishing a service listed in subparagraph (28), (33), (41), (51), (73), (81), (82), (91), (92), (99), (110), (140), or (141) of paragraph (b) of this section shall give notice of any proposed general increase in the rates or charges for such service thirty (30) days before the effective date of the increase. The notice shall be filed with the Transportation and Public Utilities Division of the Office of Price Administration, Washington, D. C., as provided in Procedural Regulation No. 11, as amended, and shall comply with all the applicable requirements of that regulation.

(2) The requirements of subparagraph (1) of this paragraph (c) shall be applicable for a period of only sixty (60) days from March 24, 1944 to any service listed in subparagraph (28), (33), (41), (51), (73), (91), (99), or (110) of paragraph (b) if, in the furnishing of the service, the person so doing is not properly classified as a public utility or is not regulated as such or if maximum rates or charges for the service have not been established, or are not otherwise regulated, by a federal, state, or municipal authority having jurisdiction.

(3) The requirements of subparagraph (1) of this paragraph (c) shall not be applicable to any service listed in subparagraph (81), (82), or (92) of paragraph (b) if, in the furnishing of the service, the person so doing is not properly classified as a public utility or is not regulated as such or if maximum rates or charges for the service have not been established, or are not otherwise regulated, by a federal, state, or municipal authority having jurisdiction.

This amendment shall become effective March 24, 1944.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4195; Filed, March 24, 1944; 12:04 p. m.]

PART 1347—PAPER AND PAPER PRODUCTS

[RPS 32,[1] Incl. Amdts. 1–12]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

Sections 1347.51, 1347.62 (i) (2), (i) (3), and 1347.63 (b) (2) are amended by Amendment 12,* effective March 30, 1944, so that Revised Price Schedule No. 32 shall read as follows:

The Office of Price Administration, being charged with the maintenance of price stability and the prevention of undue price rises, has determined that the establishment of maximum prices for paperboard is essential in order to accomplish these purposes and is in the interest of national defense and national welfare, and that the maximum prices set forth herein are fair and reasonable. The determination of these prices comes after exhaustive investigations and numerous conferences with representatives of all branches of the paperboard trade.

Paperboard, and the boxes and containers manufactured therefrom, have become essential to the prosecution of the defense effort. The Office of Price Administration, through voluntary agreements and the establishment of price schedules for wastepaper and other commodities, has been exerting its efforts to prevent undue price rises in those raw materials which go to make up paperboard. The price rises which are threatening in the paperboard industry are, therefore, unwarranted. Because of the countless uses for paperboard, the effect of an inflationary price would be to create a dangerous price spiral and, therefore, immediate action is necessary.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above sentence added by Supplementary Order No. 64, 8 F.R. 12554, effective 9-11-43]

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

Sec.
1347.51 Maximum prices for paperboard.
1347.52 Less than maximum prices.
1347.53 Evasion.
1347.53a Prohibited practices.
1347.54 Records and reports.
1347.55 Application to import transactions.
1347.56 [Revoked]
1347.57 Enforcement.
1347.57a Licensing.
1347.58 Petitions for amendment and applications for adjustment.
1347.58a Adjustable pricing.
1347.59 Definitions.
1347.60 Effective date.
1347.61 Appendix A: Maximum prices for paperboard used in the manufacture of folding paper cartons, set-up boxes, or for any other purpose, sold east of the Rocky Mountains.
1347.62 Appendix B: Maximum prices for paperboard used in the manufacture of fibre boxes (corrugated or solid fibre), sheets (corrugated or solid fibre), single faced rolls, or for any other purposes, sold east of the Rocky Mountains.

*Copies may be obtained from the Office of Price Administration.

*The text which is added or amended by Am. 12 is underscored.

[1] 7 F.R. 1264.

Sec.
1347.63 Appendix C: Maximum prices for paperboard and specialty paperboard not covered by §§ 1347.61 and 1347.62, sold east of the Rocky Mountains.
1347.64 Sales for export.

AUTHORITY: §§ 1347.51 to 1347.64, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1347.51 *Maximum prices for paperboard.* The sale of any paperboard shipped from, within or into the area east of the Rocky Mountains shall be subject to Revised Price Schedule No. 32.

[Above sentence amended by Am. 12, effective 3-30-44]

Regardless of the terms of any contract of sale or purchase, or other commitment, in the area east of the Rocky Mountains:

(a) No producer and no agent or representative of a producer, shall sell, offer to sell, deliver, or transfer any grade of paperboard at prices higher than the appropriate maximum prices established by §§ 1347.61, 1347.62 and 1347.63. Transfers of paperboard by an integrated or combined operator to a converting plant owned, controlled or operated by such operator shall be made at prices not in excess of the maximum prices established herein.

(b) No person shall buy, offer to buy, or accept delivery of any grade of paperboard from a producer, or agent or representative of a producer at prices higher than the appropriate maximum prices established by §§ 1347.61, 1347.62, and 1347.63.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

[§ 1347.51 amended by Am. 7, 8 F.R. 14811, effective 11-4-43]

§ 1347.52 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B, and C (§§ 1347.61, 1347.62, and 1347.63) may, however, be charged, demanded, paid, or offered.

§ 1347.53 *Evasion.* The price limitations set forth in Revised Price Schedule No. 32 shall not be evaded by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of paperboard, alone or in conjunction with any other material or by way of any commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of special packing expenses maximum prices on sales to procurement agencies of the United States.]

§ 1347.53a *Prohibited practices.* (a) No person who sells paperboard for which maximum prices are established by this regulation shall require any purchaser of such paperboard to sell or deliver wastepaper to him or to any other person or to cause or induce any person to sell or deliver wastepaper to him or to any other person.

(b) No person who purchases paperboard for which maximum prices are established by this regulation shall sell or deliver wastepaper or cause or induce any person to sell or deliver wastepaper to any person who sells paperboard for which maximum prices are established by this regulation, unless

(1) The wastepaper was accumulated upon such purchaser's own premises from the conversion by him of new paper board into any converted product, or

(2) The purchaser engaged in the practice prior to October 1, 1941 of buying wastepaper and selling it to his paperboard supplier.

[§ 1347.53a added by Am. 9, 8 F.R. 17415, effective 1-3-44]

§ 1347.54 *Records and reports.* (a) Every person making purchases or sales aggregating ten tons or more of any or all grades of paperboard in any one month shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records of each purchase or sale of paperboard made during such month and each month thereafter, showing the date thereof, the name and address of the purchaser or seller, the prices paid or received, and the quantity and grade or grades so purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Every producer selling paperboard for which maximum prices are established by this price schedule shall preserve for examination by the Office of Price Administration for so long as the Price Control Act of 1942 shall remain in effect all his existing records relating to the prices which he charged for such paperboard and specialty paperboard as he sold or contracted to be sold at a definite price during the period of October 1, 1940 to October 15, 1941, inclusive.

[§ 1347.54 as amended by Am. 5, 8 F.R. 5838, effective 5-10-43]

§ 1347.55 *Application to import transactions.* This regulation applies to transactions in commodities to be imported into the United States.

[§ 1347.55 added by Supplementary Order 78, 8 F.R. 14811, effective 11-4-43. Former § 1347.55 revoked by Am. 5, 8 F.R. 5838, effective 5-10-43]

§ 1347.56 [Revoked]

[§ 1347.56 revoked by Supplementary Order 2, 7 F.R. 2000, effective 3-13-42]

§ 1347.57 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 32 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 32 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1347.57 as amended by Supplementary Order 3, 7 F.R. 2132, effective 3-18-42]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1347.57a *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1347.57a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1347.58 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

(b) Under the following conditions a producer of any of the commodities covered by this Revised Price Schedule No. 32 may apply for adjustment of his maximum prices where the War Production Board certifies by letter to the Office of Price Administration that the commodity involved is necessary, in the quantity actually to be supplied by the applicant, to meet a military or essential civilian need. The amount of adjustment which may be granted will be determined by the Office of Price Administration and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the commodity in question, in the light of the applicant's costs of production and his overall financial condition.

(1) *Form of application for adjustment.* Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, with the Office of Price Administration, Code 695, Washington, D. C. In addition the applicant shall set forth the following data:

(i) Statement of the applicant's maximum price, the section of Revised Price Schedule No. 32 under which such price is determined, and the proposed adjusted maximum price.

(ii) Statement as to the length of time the applicant has been producing the commodity, and the actual production in tons per month for the last six months, preceding the date of filing of the application.

[1] 8 F.R. 13240.
[2] 7 F.R. 8961; 8 F.R. 3313, 3583, 6173, 11806.

(iii) Where the applicant has been producing the commodity, a record of the applicant's actual costs involved in the manufacture and sale of the commodity is to be given in full detail on Form 695:105 in accordance with the instructions on that form. These costs are to be given for the total production during each of the last two quarterly accounting periods, by which is meant the average actual costs for all the tons of the commodity produced during each period. Costs on only one of several runs during each period will not be sufficient for this purpose.

If the applicant has not been producing the commodity during the preceding six months, an estimate of costs for the month following the date of the application is to be given on forms to be supplied by the Office of Price Administration.

A sample of the commodity (size 8½" x 11") is to be filed with these forms, which may be obtained from the Office of Price Administration—Code 695—Washington, D. C.

(iv) Statement of the seller's over-all financial condition, including the information required by OPA Form A (Annual Financial Report) for the fiscal year next preceding the filing of the application, and the information required by OPA Form B (Interim Financial Report) for each quarterly period subsequent to the period covered by the A report: *Provided*, That for cause shown this latter requirement may be waived in whole or in part at the discretion of the Administrator.

(v) A complete statement of the reasons why the applicant believes that he will be unable to maintain his production of the commodity at his established maximum price.

[§ 1347.58 as amended by Am. 8, 8 F.R. 15607, effective 11-20-43]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1347.58a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

[§ 1347.58a added by Am. 3, 8 F.R. 3524, effective 3-19-43]

§ 1347.59 *Definitions.* When used in Revised Price Schedule No. 32, or any modifications or exceptions thereto, the term:

(a) "Base price" means the going market price quoted for any grade and type of paperboard specifically listed in Appendices A, B, and C (§§ 1347.61, 1347.62, and 1347.63) of Revised Price Schedule No. 32;

(b) "East of the Rocky Mountains" includes all of the area of the continental United States except the states of California, Oregon, Washington, Idaho, Utah, Nevada, New Mexico, Arizona, Wyoming, and Montana.

[Paragraph (b) as amended by Am. 7, 8 F.R. 14811, effective 11-4-43]

(d) "Gage list" means those lists set forth in United States Department of Commerce Simplified Practice Recommendation R44-36 entitled "Box Board Thicknesses";

(e) "Item" means paperboard of one size, of the same grade, color, type, weight, caliper, and finish which the purchaser is willing to have delivered at one time;

(f) "Paperboard" means all kinds, grades, types, calipers, colors, and patterns of paperboard, and is further defined as follows:

(1) All grades of paperboard covered by Appendix A:

(i) Shall have weight, thickness and density specifications prescribed in Boxboard Thicknesses (R-44-36), U. S. Department of Commerce Simplified Practice Recommendations.

(ii) Which are full bending boards shall sustain a 180° fold when properly scored and folded across the grain, with no break in the outer surface fibres, except that semi-bending boards are those which sustain a 90° fold under the same conditions.

(iii) Which are vat lined boards shall have a liner of uniform formation and of sufficient thickness to prevent any show-through of the filler.

(iv) Shall have a moisture content not exceeding 8½% of invoiced weight.

(v) Which are vat lined boards shall be made on a cylinder paper machine or a multiple head box Fourdrinier machine with the lined side of different compositions than the balance of the sheet.

(2) "Plain chip" is a paperboard which is composed of mixed papers and is characterized by a gray to a natural brown color.

(3) "News vat lined chip" is a vat lined paperboard which has one side lined with 100% printed news wastepaper, with the remainder of the sheet composed of mixed papers; the lined side of a characteristic gray color, is cleaner than plain chip.

(4) "Filled news" is a vat lined paperboard which has both sides lined with 100% printed news wastepaper with the remainder of the sheet composed of mixed papers; and has both liners, of a characteristic gray color, which are cleaner than plain chip.

(5) "Solid news" is a paperboard which is a homogeneous grade composed of a minimum of 70% printed news wastepaper and has a characteristic clean gray color.

(6) "White vat lined chip" is a vat lined paperboard which has a white or natural cream colored top liner and has the balance of the sheet composed of mixed papers.

(7) "Mounting board" is a paperboard which is a quality of chipboard or newsboard with resistance to warping, and is a very closely formed smooth sheet with a uniform moisture content.

(8) "Chip tube and can stock" is a paperboard which is composed of mixed papers; is hard, uniform, and level in caliper across the sheet, and is of a quality that permits forming it into a spirally or convolutely wound cylinder of the desired diameter without checking, in excess of the amount of checking, generally acceptable to the purchaser during the year 1941.

(9) "Single manila lined chip" is a vat lined paperboard which is of full-bending quality on the top liner side. It has a uniform cream colored top liner with a surface suitable for printing in colors, and has the balance of the sheet composed of mixed papers.

(10) "Single jute lined chip" is a vat lined paperboard which is of full-bending quality on the top liner side. It has a uniform brown colored top liner with a smooth surface suitable for printing in colors, and has the balance of the sheet composed of mixed papers. This grade may not be sold in roll form, unless for use in other than the manufacture of corrugated and solid fibre shipping containers.

(11) "Mist gray lined chip" is a vat lined paperboard which is of full-bending quality on the top liner side. It has a top liner containing a uniform dispersal of black fibres to give the board a misty appearance, with a surface suitable for printing in colors, and has the balance of the sheet composed of mixed papers.

(12) "Bleached manila lined chip" is a vat lined paperboard which is of full-bending quality on the top liner side. It has a white top liner, with a surface suitable for printing in colors, and has the balance of the sheet composed of mixed papers.

(13) "Semi-bending and creasing chip" is a paperboard which is of semi-bending quality on one side. It is composed of mixed papers, and is characterized by a gray to a natural brown color.

(14) "Full-bending chip" is a paperboard which is of full-bending quality on one side. It is composed of mixed papers and is characterized by a gray to a natural brown color.

(15) "#1 single white patent coated news" is a vat lined paperboard of full-bending quality on the top liner side. It has a white top liner, with an extra smooth surface adapted for high grade color printing. It has a top liner composed of 85% or more chemical fibre either in virgin pulp form or in wastepapers directly substituting therefore, with the balance of the sheet homogeneous in character and composed of a minimum of 60% printed news wastepaper.

(16) "#1 double white patent coated news" is a vat lined paperboard which is of full-bending quality on both the top and bottom liner sides. It has white top and bottom liners with extra smooth surfaces adapted for high grade color printing. It has a top and a bottom liner composed of 85% or more chemical fibre either in virgin pulp form or in wastepapers directly substituting therefore, with the balance of the sheet homogeneous in character and composed of a minimum of 60% printed news wastepaper.

(17) All grades of paperboard covered by Appendix B:

(i) Which are of full-bending quality shall sustain a 180° fold across the grain when properly scored and folded as an integral part of corrugated sheets, or solid fibre sheets not exceeding .100 points in thickness.

(ii) Which are vat lined boards shall be made on a cylinder machine, with the top liner of uniform formation and of sufficient thickness to prevent any show-through of the filler.

(18) "Fourdrinier Kraft" is a grade of paperboard of full-bending quality, manufactured on a Fourdrinier machine from a furnish of at least 70% virgin Kraft wood pulp or virgin Kraft wood pulp screenings.

(19) "Cylinder Kraft" is a vat lined board of full-bending quality, manufactured from a furnish of at least 70% virgin Kraft wood pulp or virgin Kraft wood pulp screenings.

(20) "Jute liner" is a vat lined board of full-bending quality manufactured on a cylinder machine with the top liner of Kraft pulp or Kraft wastepapers and with the total furnish containing more than 30% wastepaper.

(21) "Strawboard corrugating material" is a grade of paperboard manufactured on a cylinder or Fourdrinier machine from a furnish of at least 60% straw pulp.

(22) "Chestnut corrugating material" is a grade of paperboard manufactured on a cylinder or Fourdrinier machine from a furnish of at least 70% Chestnut Pulp.

(23) "Bogus corrugating material" is a grade of paperboard manufactured on a cylinder or Fourdrinier machine from a furnish containing more than 30% wastepaper or ground wood pulp.

(24) "Canadian sulphite and ground wood corrugating material" is a grade of paperboard manufactured in the Dominion of Canada or Newfoundland on a cylinder Fourdrinier machine from a furnish of sulphite and ground wood.

(25) "Chip" is a non-bending grade of paperboard manufactured on a cylinder or Fourdrinier machine from a furnish of mixed papers.

[Paragraph (f) amended by Am. 1, 7 F.R. 2740, effective 4-9-42; Am. 2, 7 F.R. 3182, effective 5-11-42; and Am. 7, 8 F.R. 14811, effective 11-4-43]

(g) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(h) "Producer" means any person who manufactures from any raw material paperboard for any use whatever, and includes the agents and representatives of such person;

[Paragraphs (g) and (h) as amended by Am. 1, 7 F.R. 2740, effective 4-9-42]

(i) "Total transportation cost involved" includes all actual costs involved in transporting and delivering paperboard to the purchaser's plant actually using the paperboard, whether paid by purchaser, by seller, or prorated between purchaser and seller;

(k) "Ton" means a net ton of 2,000 pounds.

(l) "Test" means minimum average Mullen or Cady test, and is to be determined as follows:

(1) Each roll is to be considered individually in determining whether the Mullen or Cady test of the paperboard is as specified. The tests shall be made according to TAPPI method T-403-m-36, in so far as apparatus and calibration are concerned.

(2) At least one sample is to be taken from each roll, and cut to size 12" x 12", for testing purposes. This sample shall be obtained from the outer laps of the roll immediately upon being rewound and tested within 15 minutes on a Mullen or Cady tester located in the same machine room, or in another room of the same conditions of temperature and relative humidity. The moisture content of the board when tested shall be within 6% to 8½%.

(3) In applying Mullen or Cady test, the plate above diaphragm must be firmly clamped down on board to prevent its slipping. At least two tests shall be made from each side of the sample and the tester shall be turned at a constant and uniform speed of about 2 revolutions per second. The average test of the sample is determined by securing a simple arithmetic average of these tests. This average test is to be used in determining the proper classification for pricing purposes.

[Paragraph (l) added by Am. 7, 8 F.R. 14811, effective 11-4-43]

§ 1347.60 *Effective date of Revised Price Schedule No. 32.* This Revised Price Schedule (§§ 1347.51 to 1347.62, inclusive) shall become effective on October 1, 1941. [Originally issued September 30, 1941]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1347.61 *Appendix A: Maximum prices for paperboard used in the manufacture of folding paper cartons, set-up boxes, or for any other purpose, sold east of the Rocky Mountains.* (a) Nonbending boards, mounting-boards, and chip tube and can stock. (No. 1 Gage List—Regs. 50's to 90's incl. See paragraph (d) for other thicknesses.[1])

	Maximum price per item[1]		
	1 to 9 tons	Over 9 less 10 tons	10 tons or over
Plain chip	$48.00	$50.50	$46.00
News vat lined chip	48.00	50.50	46.00
Filled news	50.00	50.50	48.00
Solid news	55.00	57.50	53.00
White vat lined chip	61.00	62.50	60.00
Mounting board	48.00	50.50	46.00
Chip tube and can stock[2]	51.00	53.50	49.00

[1] See paragraph (e) for exceptions to quantity differentials.

[2] Except No. 8 Gage List.

If the producer had observed the practice of charging an additional differential for quantities of less than 1 ton during the base period of October 1, 1940 to October 15, 1941 such additional differential may now be charged.

[Paragraph (a) as amended by Am. 7, 8 F.R. 14811, effective 11-4-43; Am. 10, 9 F.R. 678, effective 1-14-44; and Am. 11, 9 F.R. 1571, effective 2-8-44]

(b) *Folding boards.* (No. 2 gage list—Reg. 50's to 90's incl. See paragraph (d) for other thicknesses):

	Maximum price per item[1]		
	1 to 9 tons	Over 9 less 10 tons	10 tons or over
Single manila lined chip	$65.00	$62.50	$60.00
Single jute lined chip	65.00	62.50	60.00
Mist gray lined chip	65.00	62.50	60.00
Bleached manila lined chip	67.50	65.00	62.50
Semi-bending and creasing chip	55.00	52.50	50.00
Full-bending chip	57.50	55.00	52.50

[1] See paragraph (e) for exceptions to quantity differentials.

If the producer had observed the practice of charging an additional differential for quantities of less than 1 ton during the base period of October 1, 1940 to October 15, 1941 such additional differential may now be charged.

[Paragraph (b) amended by Am. 7, 8 F.R. 14811, effective 11-4-43; and Am. 11, 9 F.R. 1571, effective 2-8-44]

(c) *White patent coated news.* (No. 8 and No. 7 gage lists):

	Maximum price per item[1]		
	1 to 9 tons	Over 9 less 10 tons	10 tons or over
Gage List No. 6			
#1 Single white 0.020 and heavier	$80.00	$77.50	$75.00
#1 Single white 0.018	82.50	80.00	77.50
#1 Single white 0.016	85.00	82.50	80.00
#1 Single white 0.015	87.50	85.00	82.50
#1 Single white 0.014	90.00	87.50	85.00
Gage List No. 7			
#1 Double white 0.020 and heavier	102.50	100.00	97.50
#1 Double white 0.018	107.50	105.00	102.50
#1 Double white 0.016	112.50	110.00	107.50
#1 Double white 0.015	115.00	112.50	110.00
#1 Double white 0.014	117.50	115.00	112.50

[1] See paragraph (e) for exceptions to quantity differentials.

If the producer had observed the practice of charging an additional differential for quantities of less than 1 ton during the base period of October 1, 1940 to October 15, 1941, such additional differential may now be charged.

[Paragraph (c) as amended by Am. 7, 8 F.R. 14811, effective 11-4-43]

(d) *Additional differentials.* (1) Applying to paragraphs (a) or (b) only:

	Per ton[2]
Regular 35's to 39's	+$5.00
Regular 40's to 49's	+2.50
Regular 91's to 100's	+2.50
Regular 101's to 120's	+5.00
Skim news back	+1.50

(2) Applying to White Patent Coated News, Single Manila Lined Chip, or Bleached Manila Lined Chip only:

	Per ton[2]
Manila back non-bender	+$10.00
Manila back bender	+15.00

(3) Applying to paragraphs (a), (b), or (c):

	Per ton[2]
Silicating (per side)	+$2.50
Pasting 15's and lighter	+7.50
Pasting 14's to ¼" thick	+12.50
Gloss ink	+2.50

(e) *Exception to quantity differentials.* When a single purchaser places an order, for delivery at one time, for paperboard of one grade, color, type, weight, caliper and finish, and where the sizes ordered are combined to fill the trim of the seller's papermaking machine and can be made simultaneously without a change in the slitter or chopper knives as the paperboard leaves the machine, then the combined weight of such sizes shall be considered as the quantity of an item for the application of quantity differentials. A combination of sizes which when combined are within 3% of the full trim of the papermaking machine shall be considered an acceptable trim of such machine when applying this exception to quantity differentials.

(1) The quantity differentials established in Appendix A are designed to compensate, in whole or in part, for the extra costs involved in handling and manufacturing small orders of paperboard. These quantity differentials apply on the quantity ordered for delivery at one time (see definition of item, and exception to quantity differentials.) While this regulation does not require any manufacturer to sell any person any specific quantity of paperboard, it is considered an indirect violation of this regulation for the manufacturer to demand (directly, or by threat of refusal to supply) that the customer place several orders of small quantities, rather than to accept one or more orders of larger quantities, solely for the purpose of receiving the additional income from these quantity differentials—that is, six 2 ton orders, or four 3 ton orders, rather than one 12 ton order as the customer desires to place.

(f) *Trimming.* For trimming sheets, to secure clean edges and/or more accurate measurements, add $1.00 per ton for each side trimmed. (This charge does not apply when merely cutting two or more sheets from one larger sheet.)

[Paragraphs (e) and (f) as amended by Am. 7, 8 F.R. 14811, effective 11-4-43]

(g) *Special size, special white, special color, special sizing, special test, or other special characteristics or requirements.* The prices and differentials set forth in paragraphs (a), (b), (c) and (d) of this section cover the types of paperboard described therein, or slight variations from these specified qualities. For special sizes, special whites, special colors, special sizing, special test, or other special characteristics or requirements, involving a difference in cost, the maximum price shall be determined by adding to, or subtracting from, the maximum price, as established by paragraphs (a), (b), (c) and (d) of this section for the particular type of paperboard involved, a differential therefor as follows:

(1) For items sold or contracted to be sold at a definite price by the producer during the period of October 1, 1940 to October 15, 1941, inclusive, the differential shall be the differential applied during such period to the base price of such paperboard of comparable quantity, for the special sizes, special whites, special colors, special sizing, special test, or other special characteristics or requirements, if not otherwise specifically provided for in this section.

(2) For items not sold or contracted to be sold at a definite price by the producer during such period, the differential shall be the list price for such differential therefore effective during such period. If no list price for such differential was in effect during such period, an application for approval of a differential shall be made to the Price Administrator, Washington, D. C. When submitting such differential to the Price Administrator for approval the application made by the producer or by an officer or partner of the producer, shall contain complete price and cost data in the manner and form required by the Price Administrator on one or more comparable items described in this section and sold or contracted to be sold at a definite price by the producer during such period: *Provided, however,* That orders may be accepted and manufactured, and invoices issued, at a differential subject to approval, disapproval or adjustment by letter. A notation to this effect must be made on all quotations, orders and invoices of the particular quality involved until the differential is approved or adjusted. The application must be mailed to the Office of Price Administration, Code 695, Washington, D. C., within 10 days after the item has been produced, on forms which may be secured from the Office of Price Administration, Code 695, Washington, D. C., Information must be included as to the name and address of the customer and the price agreed upon for the new grade or quality.

The differentials established by a producer under the provisions of this paragraph shall apply only to that producer and may not be used by any other producer without the specific authorization of the Price Administrator.

[Paragraph (g) added by Am. 2, 7 F.R. 3182, effective 5-11-42; amended by Am. 7, 8 F.R. 14811, effective 11-4-43]

(h) *Delivered prices.* All of the above maximum prices are for the respective grades or tonnages delivered to the purchaser's plant actually using the paperboard.

The maximum prices set forth in this Appendix shall include all transportation costs involved, except as provided in paragraph (i) below, regardless of whether such transportation costs are paid by the seller, by the purchaser, or prorated between purchaser and seller. Billing may be f. o. b. point of shipment with freight allowed.

(i) *Added freight adjustments for long hauls.* If, in the shipment of any paperboard, the total transportation cost involved exceeds $6.00 per ton, the maximum prices set forth in this Appendix may be increased by a sum per ton not in excess of the difference between $6.00 and the total transportation cost involved per ton.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1347.62 *Appendix B: Maximum prices for paperboard used in the manufacture of fibre boxes (corrugated or solid fibre), sheets (corrugated or solid fibre), single faced rolls, or for any other purposes, sold east of the Rocky Mountains*[1]—(a) *Liners—0.016.*

	Price per M square feet
0.016—42 lb. Fourdrinier Kraft—100 lb. Test	$1.32
0.016—47 lb. Fourdrinier Kraft—105 lb. Test	1.48
0.016—50 lb. Fourdrinier Kraft—110 lb. Test	1.58
0.016—52 lb. Fourdrinier Kraft—110 lb. Test	1.64
0.016—52–58 lb. Cylinder Kraft—100 lb. Test	1.82
0.016—56 lb. Fourdrinier Kraft—115 lb. Test	1.90

[1] A plus sign before a figure establishes it as the maximum amount that may be added to the base price in the sale or purchase of the kind and grade of paperboard in whose column the figure appears. Smaller amounts may be added. A minus sign before a figure establishes it as the minimum amount that must be subtracted from the base price in the sale or purchase of the kind and grade of paperboard in whose column the figure appears. Larger amounts may be subtracted.

[1] Where paperboard of any type covered by this Appendix is imported from a foreign country by a purchaser, and duty must be paid on such import, such purchaser may pay this duty although this payment results in a total cost to such purchaser for paperboard which exceeds the maximum prices established in this Appendix. The total amount paid by the purchaser for such imported paperboard shall in no event exceed the prices established in this Appendix plus the actual amount of the import duty paid, and such import duty must be shown as a separate item in the records required to be kept in accordance with § 1347.54 hereof.

Liners—0.016—Con.	*Price per M square feet*
0.016—56–68 lb. Jute—85 lb. Test to less than 110 lb. Test	$1.02
0.016—56–68 lb. Jute—70 lb. Test to less than 85 lb. Test	1.04
0.016—56–68 lb. Jute—Less than 70 lb. Test	$37.50 per ton

[Paragraph (a) amended by Am. 4, 8 F.R. 4187, effective 4–1–43; Am. 6, 8 F.R. 11291, effective 8–18–43; Am. 7, 8 F.R. 14811, effective 11–4–43; Am. 10, 9 F.R. 678, effective 1–14–44; and Am. 11, 9 F.R. 1571, effective 2–8–44]

(b) *Liners heavier than 0.016.*

	Price per M square feet
0.023—Jute (See Paragraph G).	
0.023—72 lb. Fourdrinier Kraft—135 lb. Test	$2.27
0.030—95–110 lb. Jute—135 lb. Test	2.30
0.030—90 lb. Fourdrinier Kraft—140 lb. Test	2.34
0.030—90–104 lb. Cylinder Kraft—135 lb. Test	2.86
0.030—90–106 lb. Cylinder Kraft—150 lb. Test	3.00
0.030—90–106 lb. Cylinder Kraft—170 lb. Test	3.13

[Paragraph (b) amended by Am. 4, 8 F.R. 4187, effective 4–1–43; Am. 6, 8 F.R. 11291, effective 8–18–43; Am. 7, 8 F.R. 14811, effective 11–4–43; Am. 10, 9 F.R. 678, effective 1–14–44; and Am. 11, 9 F.R. 1571, effective 2–8–44]

(c) *Liners lighter than 0.016.*

	Price per M square feet
0.009—32 lb. Fourdrinier Kraft—75 lb. Test	$1.09
0.012—33 lb. Fourdrinier Kraft—75 lb. Test	1.04
0.013—48–52 lb. Jute	1.63
0.014—38 lb. Fourdrinier Kraft—85 lb. Test	1.20
0.014—43 lb. Fourdrinier Kraft—100 lb. Test	1.35

[Paragraph (c) amended by Am. 4, effective 4–1–43; and Am. 6, effective 8–18–43]

(d) *Corrugating grades.*

	Price per M square feet
0.009—30–34 lb. Strawboard	$.96
0.009—26 lb. Fourdrinier Kraft	.82
0.009—36 lb. Chestnut	.78
0.009—25–30 lb. "Bogus" Corrugating Material	.90
0.009—36 lb. Canadian Sulphite and Ground Wood	.78

[Paragraph (d) as amended by Am. 4, 8 F.R. 4187, effective 4–1–43]

(e) *Chip for use in inner packing, single face rolls, or containers.*

	Price per ton
0.007—21 lb. up to 0.016	$50.80
0.017 and heavier	46.00

[Paragraph (e) amended by Am. 7, 8 F.R. 14811, effective 11–4–43; and Am. 11, 9 F.R. 1571, effective 2–8–44]

(f) *Natural colors.* All Kraft, Jute, and Chip prices are based on standard grades in their respective natural colors.

(g) *Special size, special white, special color, special sizing, special test, or other special characteristics or requirements.* The prices and differentials set forth in paragraphs (a), (b), (c), (d) and (e) of this section cover the types of paperboard described therein, or slight variations from these specified qualities. For special sizes, special whites, special colors, special sizing, special test, or other special characteristics or requirements, involving a difference in cost, the maximum price shall be determined by adding to, or subtracting from, the maximum price, as established by paragraphs (a), (b), (c), (d) and (e) of this section for the particular type of paperboard involved, a differential therefore as follows:

(1) For items sold or contracted to be sold at a definite price by the producer during the period of October 1, 1940 to October 15, 1941, inclusive, the differential shall be the differential applied during such period to the base price of such paperboard of comparable quantity, for the special sizes, special whites, special colors, special sizing, special test, or other special characteristics or requirements, if not otherwise specifically provided for in this section.

(2) For items not sold or contracted to be sold at a definite price by the producer during such period, the differential shall be the list price for such differential therefore effective during such period. If no list price for such differential was in effect during such period, an application for approval of a differential shall be made to the Price Administrator, Washington, D. C. When submitting such differential to the Price Administrator for approval, the application made by the producer or by an officer or partner of the producer, shall contain complete price and cost data in the manner and form required by the Price Administrator on one or more comparable items described in this section and sold or contracted to be sold at a definite price by the producer during such period: *Provided, however,* That orders may be accepted and manufactured, and invoices issued, at a differential subject to approval, disapproval, or adjustment by letter. A notation to this effect must be made on all quotations, orders and invoices of the particular quality involved until the differential is approved or adjusted. The application must be mailed to the Office of Price Administration, Code 695, Washington, D. C., within 10 days after the item has been produced, on forms which may be secured from the Office of Price Administration, Code 695, Washington, D. C. Information must be included as to the name and address of the customer, and the price agreed upon for the new grades or quality.

The differentials established by a producer under the provisions of this paragraph shall apply only to that producer and may not be used by any other producer without the specific authorization of the Price Administrator.

[Paragraph (g) added by Am. 2, 7 F.R. 3182, effective 5–11–42; amended by Am. 7, 8 F.R. 14811, effective 11–4–43]

(h) *Delivered prices.* All of the above maximum prices are for the respective grades or tonnages delivered to the purchaser's plant actually using the paperboard.

The maximum prices set forth in this Appendix shall include all transportation costs involved except as provided in paragraph (i) below, regardless of whether such transportation costs are paid by the seller, by the purchaser, or prorated between purchaser and seller. Billing may be f. o. b. point of shipment with freight allowed.

(i) *Added freight adjustments for long hauls.* (1) If the total transportation cost involved for the type of transportation used in the shipment of Fourdrinier Kraft liners, Cylinder Kraft liners, and Kraft corrugating material, provided such liner or corrugating material is made in the United States from at least 70% virgin Kraft coniferous wood pulp, exceeds $10.00 per ton, the maximum prices set forth in this Appendix may be increased by a sum per ton not in excess of the difference between $10.00 and the total transportation cost involved per ton.

(2) If the total transportation cost involved for the type of transportation used in the shipment of corrugating material or liners listed in this appendix imported from Canada or Newfoundland exceeds $12.00 per ton, the maximum prices set forth in this appendix may be increased by a sum per ton not in excess of the difference between $12.00 and the total transportation cost involved per ton.

(3) If the total transportation cost involved for the type of transportation used in the shipment of all other types of paperboard listed in this Appendix, except those provided for in subparagraphs (1) and (2) hereof, exceeds $6.00 per ton, the maximum prices set forth in this Appendix may be increased by a sum per ton not in excess of the difference between $6.00 and the total transportation cost involved per ton. Total transportation cost as used in this subparagraph (3) means transportation cost involved in shipment within the United States.

[Subparagraph (2) and (3) amended by Am. 12, effective 3–30–44]

(j) A maximum variation of 5% is allowed in the specified basis weights of Fourdrinier Kraft Linerboards specifically listed in this section.

[Paragraph (j) added by Am. 6, 8 F.R. 11291, effective 8–18–43]

(k) Where the maximum price of paperboard is on a per M square foot basis, the square footage to be invoiced is to be determined by one of the following procedures:

NOTE: Paperboard on which the maximum price, as covered by this Appendix, is on a per M. square foot basis may not be invoiced at a price per ton.

(1) The paperboard in each roll is measured mechanically as it is wound to secure the lineal footage in such roll. This figure multiplied by the width of the roll (in decimals of a foot-to-two-places, e. g. 50 inch width equals 4.17 foot) results in the square footage to be invoiced.

(2) A sample is taken from each roll and cut accurately to size 12" x 12" square (1 square foot). The accurate weight of this sample (secured by weighing on a balance scale) multiplied by 1,000 results in the weight per thousand square feet for that roll. The simple arithmetic average of these weights, from the samples of the rolls in the shipment, divided into the total weight of the shipment results in the square footage to be invoiced. Each truckload or carload of paperboard is to be considered individually as a shipment when determining the square footage to be invoiced.

[Paragraph (k) added by Am. 7, 8 F.R. 14811, effective 11–4–43]

§ 1347.63 *Appendix C: Maximum prices for paperboard and specialty paperboard not covered by §§ 1347.61 and 1347.62, sold east of the Rocky Mountains, shall apply to the following:*

(a) *Classifications:*

(1) Tag stocks and file folder stocks.

(2) Press board, imitation press board and paperboards used in the manufacture of electrical equipment.

(3) Bogus bristols and mill blanks.

(4) Fibreboard used in the manufacture of footwear, and leatherboard for any purpose.

(5) Container boards used for foods and purposes other than foods, limited to:

(i) Milk bottle stock.
(ii) Milk bottle cap stock.
(iii) Liquid tight can stock.
(iv) Solid bleached boards.
(v) Bleached lined solid manila board.
(vi) Double bleached lined solid manila board.
(vii) Solid manila board.
(viii) Solid wood pulp boards.

(6) Paperboard for egg fillers, egg flats and molded pulp packing material for eggs.

(7) Binders board.

(8) Clay coated folding boxboard and clay coated cardboard.

(9) Screening board.

(10) Miscellaneous specialty paperboards not covered elsewhere in this agreement.

(b) *Maximum prices for paperboard and specialty paperboard listed in paragraph (a) above.* (1) For paperboard and specialty paperboard sold or contracted to be sold at a definite price by the producer during the period of October 1, 1940, to October 15, 1941, inclusive, the maximum price shall be the highest price per ton or per thousand square feet charged by the producer for items of the same or comparable quantity during such period, subject to the following qualifications:

(i) If the price was on an f. o. b. mill basis, such price shall be the maximum price;

(ii) If the price was on a delivered basis, or f. o. b. the mill with full freight allowed, such price shall be the maximum price to the same or similarly located purchaser: *Provided, however,* That if the price was on a delivered basis by zones, the highest price in each zone shall be the maximum price for such zone, and the producer shall continue to make sales of such item or items on whichever basis he employed during such period;

(iii) If the price was on a basis of partial freight allowance to the purchaser, the highest price charged on such basis by the producer during such period shall be the maximum price to the same or similarly located purchaser, provided the producer continues to make partial freight allowances in the same amounts and upon the same basis employed during such period.

An additional charge for packaging or packing such items may be made providing such charge does not exceed the highest charge added during such period to items of the same or comparable quantity.

(2) For paperboard or specialty paperboard not sold during such period, the maximum price shall be the highest list price therefor effective during such period. If no such list price was in effect during such period, an application for approval of the proposed price shall be made to the Price Administrator. When submitting a proposed maximum price to the Price Administrator for approval, an affidavit made by the producer or by an officer or partner of the producer, shall be submitted, containing complete price and cost data in the manner and form requested by the Price Administrator on one or more comparable items sold or contracted to be sold at a definite price by the producer during such period, establishing that such proposed maximum price is consistent with the general price level of the producer during such period.

However, orders may be accepted and manufactured, and invoices issued, at the proposed maximum price subject to approval, disapproval, or adjustment by letter. A notation to this effect must be made on all quotations, orders and invoices of the particular quality involved until the proposed maximum price is approved or adjusted. The application must be mailed to the Office of Price Administration, Code 695, Washington, D. C., within 10 days after the item has been produced, on forms which may be secured from the Office of Price Administration, Code 695, Washington, D. C. Information must be included as to the name and address of the customer, and the price agreed upon for the new grades or quality. The maximum price established by a producer under the provisions of this paragraph shall apply only to that producer and may not be used by any other producer without the specific authorization of the Price Administrator.

[Above paragraph added by Am. 12, effective 3–30–44]

[§ 1347.63 added and former § 1347.63 redesignated as § 1347.64 by Am. 2, 7 F.R. 3182, effective 5–11–42]

§ 1347.64 *Sales for export.* The maximum price at which a producer may sell or deliver paperboard for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation[7] issued by the Office of Price Administration on April 25, 1942.

[§ 1347.64 (formerly § 1347.63) added by Am. 1, 7 F.R. 2740, effective 4–9–42; amended by Am. 2, 7 F.R., 3182, effective 5–11–42]

[NOTE: Supplementary Order No. 42 (8 F.R. 4966) provides that no price regulation of the OPA shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

NOTE: All reporting and record keeping requirements of this price schedule have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4218; Filed, March 24, 1944; 5:06 p. m.]

[7] 2nd revision, 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

PART 1300—PROCEDURE

[Rev. Procedural Reg. 3,[1] Amdt. 6]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Section 1300.216 (a) is amended to read as follows:

(a) Any protest as provided in §1300.215 of this regulation against a provision of a maximum rent regulation or an order, shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation or order, regardless of the effective date thereo: *Provided,* That a protest against a provision of a maximum rent regulation based solely on grounds arising after the date of issuance of such maximum rent regulation may be filed at any time after such new grounds arise.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4220; Filed, March 24, 1944; 5:05 p. m.]

[1] 9 FR 1656.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[2] Amdt. 42]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended in the following respects:

1. In Appendix C, Table 2, under the heading "Maximum prices", the prices for sawmill blocks appearing at the end of the price tables are amended to read as follows:

Sawmill blocks:
Pine—$8.10 per cord[3] of 128 cubic feet
Hardwoods—$8.60 per cord[3] of 128 cubic feet
Cypress—$9.10 per cord[3] of 128 cubic feet
(Footnote 3 remains unchanged.)

2. In Appendix C, Table 3 (Grain door bolts), the section headed "Maximum price" is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[2] 9 FR 1656.

[3] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 1317, 1571, 1572, 1717, 2068, 2135.

Maximum price. $9.35 per cord of 128 cubic feet. The price shall prevail F. O. B. cars or delivered to the mill by truck.

3. In Appendix C, Table 6, the maximum prices for fence bolts are amended to read as follows:

MAXIMUM PRICES

Pine—$8.70 per unit of 133 cubic feet
Hardwoods—$9.10 per unit of 133 cubic feet

4. In Appendix G (Chemical wood), Table 3, the section entitled "Maximum prices" is amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

5. In Appendix G (Chemical wood), Table 5, the prices for chemical wood appearing under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

6. In Appendix G (Chemical wood), Table 6, the first paragraph under the heading "Maximum prices" is amended to read as follows:

Maximum prices. $8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

7. In Appendix J (Excelsior wood), Table 2, the maximum prices for excelsior wood appearing under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

8. Appendix K (Insulation and felt bolts or cordwood), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" is amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

Unpeeled pine—
$7.60 per cord F. O. B. cars.
$8.60 per cord F. O. B. barge.
Peeled pine[1]—
$9.35 per cord F. O. B. cars or barge.
Unpeeled hardwoods—
$8.10 per cord F. O. B. cars or barge.
Peeled hardwoods—
$10.80 per cord F. O. B. cars or barge.
(Footnote 1 remains unchanged.)

b. The paragraph numbered 3 appearing below the prices under the heading "Maximum prices" is amended to read as follows:

3. In the event that a consumer of insulation logs or bolts shall purchase insulation logs or bolts through a dealer, the consumer may pay such dealer not more than the maximum price herein plus a dealer's allowance of 75 cents per cord except that no commission can be paid for barged wood.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4319; Filed, March 24, 1944; 5:05 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 80]

DISTILLED SPIRITS, ETC.

Distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials, and fermented malt beverages sold by persons whose maximum prices are established by National, Regional, or District Restaurant Maximum Price Regulations, or by Maximum Price Regulations 193, 288 and 373, or by Revised Maximum Price Regulation 183, or by the General Maximum Price Regulation, or by Revised Supplementary Regulation 14.

A statement of the reasons for this supplementary order is issued simultaneously herewith and filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, the following Supplementary Order is issued:

§ 1305.112 *Maximum prices for distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials and fermented malt beverages sold by persons whose maximum prices are established by National, Regional, or District Restaurant Maximum Price Regulations of the Office of Price Administration, or by persons whose maximum prices are established by Maximum Price Regulation 193, or by Maximum Price Regulation 288, or by Maximum Price Regulation 373, or by Revised Maximum Price Regulation 183, or by the General Maximum Price Regulation, or by Revised Supplementary Regulation 14.* (a) If you sell or offer for sale distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials, or fermented malt beverages and if your maximum prices for such sales are established by National, Regional, or District Restaurant Maximum Price Regulations, or by Maximum Price Regulation 193, or by Maximum Price Regulation 288, or by Maximum Price Regulation 373, or by Revised Maximum Price Regulation 183, or by the General Maximum Price Regulation, or by Revised Supplementary Regulation 14; your maximum price for such sales of distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials, or fermented malt beverages, shall not exceed the appropriate maximum price set forth below.

(1) The maximum price which you may charge for a straight or mixed drink containing distilled spirits of 80 proof or more shall be your ceiling price for such drink, established in accordance with the applicable regulation plus the amount set forth in the following table:

	Cents
Drinks containing not less than ⅓ ounce and not more than 1 ounce of such distilled spirits	2
Drinks containing more than 1 ounce but less than 1¾ ounces of such distilled spirits	3
Drinks containing 1¾ ounces or more of such distilled spirits	4

(2) The maximum price which you may charge for a straight or mixed drink containing 1 ounce or more of distilled spirits of less than 80 proof and not within the provisions of paragraph (1) above shall be your ceiling price for such drink established in accordance with the applicable regulation plus 2 cents.

(3) The maximum price which you may charge for drinks of 2½ ounces or more of still wines containing more than 14% but not over 21% of alcohol shall be your ceiling price therefor established in accordance with the applicable regulation plus 1 cent.

The maximum price which you may charge for drinks of 3 ounces or more of champagne, sparkling wine, carbonated wines or wine based cordials shall be your ceiling price therefor established in accordance with the applicable regulation plus 3 cents.

(4) The maximum price which you may charge for drinks of 8 ounces or more of fermented malt beverages sold on draught shall be your ceiling price therefor established in accordance with the applicable regulation plus 1 cent. No amount may be added to your ceiling prices for fermented malt beverages sold on draught in containers of less than 8 ounces.

(5) The maximum price which you may charge for imported and domestic distilled spirits such as whiskey, gin, brandy, rum, cordials, liqueurs, and other beverage distilled spirits, sold in packages shall be your ceiling price therefor established in accordance with the applicable regulation plus the appropriate amount set forth in the following table:

PERMITTED INCREASE

Distilled spirits proof	Contents per bottle							
	1 gal.	½ gal.	Quart	Fifth	Pint	Tenth	½ pint	Six pint
100	$1.90	$1.50	$1.00	$0.76	$0.50	$0.36	$0.30	$0.19	$0.04
94.4	2.83	1.42	.71	.57	.36	.28	.18	.03
98	2.79	1.40	.70	.56	.35	.28	.18	.03
92	2.76	1.38	.69	.55	.35	.28	.18	.03
90.4	2.71	1.36	.68	.54	.34	.27	.17	.03
90	2.70	1.35	.68	.54	.34	.27	.17	.03
86.8	2.60	1.30	.65	.52	.33	.26	.17	.03
86	2.58	1.29	.65	.52	.33	.26	.16	.03
85	2.55	1.28	.64	.51	.32	.26	.16	.03
84	2.52	1.26	.63	.50	.32	.25	.16	.03
80.6	2.42	1.21	.61	.48	.31	.24	.15	.03
80	2.40	1.20	.60	.48	.30	.24	.15	.03
74	2.22	1.11	.56	.44	.28	.22	.14	.03
70	2.10	1.05	.53	.42	.27	.21	.13	.03
64	1.92	.96	.48	.38	.24	.19	.12	.02
60	1.80	.90	.45	.36	.23	.18	.11	.02
56	1.68	.84	.42	.34	.21	.17	.11	.02
50	1.50	.75	.38	.30	.19	.15	.10	.02
45	1.35	.68	.34	.27	.17	.14	.09	.01

*Copies may be obtained from the Office of Price Administration.

For packages of distilled spirits above 45 proof not listed in the table, the amount which may be added is the permitted increase stated in the table for distilled spirits of the next lowest proof. For a package size not listed in the table, the amount which may be added is the permitted increase for distilled spirits of the same proof in packages of the next smaller size.

(6) The maximum price which you may charge for imported and domestic still wines sold in packages shall be your ceiling price therefor established in accordance with the applicable regulation plus the appropriate amount set forth in the following table:

PERMITTED INCREASE

Still Wines	Contents per bottle										
	1 gal.	½ gal.	1 qt.	1 fifth	30 oz.	25 oz.	24 oz.	13 oz.	1 pt.	½ pt.	⅛ gal.
Not over 14%	$0.05	$0.02	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01	.....	.....
Over 14% but not over 21%	.20	.10	.05	.04	.05	.04	.04	.02	.02	$0.01	$0.02
Over 21% but not over 24%	1.00	.50	.25	.20	.23	.20	.19	.10	.12	.06	.10

For packages of still wines of a container size not listed in the table, the amount which may be added is the permitted increase stated in the table for still wines of the same alcoholic content in packages of the next smaller size.

(7) The maximum price which you may charge for imported and domestic champagnes, sparkling wines, carbonated wines, or wine based cordials and liqueurs sold in packages shall be your ceiling price therefor established in accordance with the applicable Regulation plus the appropriate amount set forth in the following table:

PERMITTED INCREASE

Champagne, sparkling wines, carbonated wines, wine based cordials and liqueurs	Contents per bottle										
	1 gal.	½ gal.	1 qt.	1 fifth	30 oz.	26 oz.	24 oz.	13 oz.	1 pt.	½ pt.	⅛ gal.
Champagne and sparkling wines	$0.80	$0.40	$0.20	$0.16	$0.19	$0.16	$0.15	$0.08	$0.10	$0.05	$0.08
Carbonated wines	.80	.40	.20	.16	.19	.16	.15	.08	.10	.05	.08
Wine based cordials and liqueurs	.80	.40	.20	.16	.19	.16	.15	.08	.10	.05	.08

For packages of champagnes, sparkling wines, carbonated wines, and wine-based cordials and liqueurs of a container size not listed in the table, the amount to be added shall be the permitted increase stated in the table for champagnes, sparkling wines, carbonated wines, and wine-based cordials and liqueurs in packages of the nearest size.

(b) *Relation to other maximum price regulations and orders.* With the exception of the flat pricing beer and food orders issued by the Regional and District Officers under General Order 50 or the Regional or District Restaurant Freeze Regulations, this supplementary order shall supersede, in the matters to which it pertains, any provision in National, Regional, or District Restaurant Maximum Price Regulations, and shall, with respect to the increase in Federal excise taxes provided for in the "Revenue Act of 1943" effective April 1, 1944, supersede provisions of Maximum Price Regulation 193, or Maximum Price Regulation 288, or Maximum Price Regulation 373, or Revised Maximum Price Regulation 183, or the General Maximum Price Regulation, or Supplementary Regulation 14, otherwise applicable, including those provisions requiring a separate statement of increased taxes added to maximum prices. The provisions of this supplementary order do not supersede or affect pricing provisions of Maximum Price Regulation 259 applicable to sales of packaged fermented malt beverages.

(c) Except for the specified permitted increases expressly provided for in this supplementary order no person, whose maximum price for distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials, and fermented malt beverages are established by Restaurant Maximum Price Regulations, or Maximum Price Regulation 193, or Maximum Price Regulation 288, or Maximum Price Regulation 373, or Revised Maximum Price Regulation 183, or the General Maximum Price Regulation, or Supplementary Regulation 14, may increase their ceiling prices because of new or increased excise tax provided in the "Revenue Act of 1943."

(d) *Definitions.* The terms used in this supplementary order shall be defined in the same manner as in the applicable maximum price regulations which it supersedes.

This supplementary order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4217; Filed, March 24, 1944; 5:05 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 19]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 (Carded Grey and Colored-Yarn Cotton Goods) is amended in the following respects:

1. Table IV of § 1316.61 (b) (4) is amended to read as follows:

TABLE IV.—DENIMS[2] (PRICES ARE FOR ALL SHADES AND COLORS)

Spot cotton price—Cents per pound, 20.37

Type of cloth and yards per pound or ounces per yard:	*Cents per yard*
Denims:	
Mill finish:	
3.50 yards	14.50
3.00 yards	16.25
2.60 yards	18.25
2.45 yards	19.00
2.40 yards	19.00
2.30 yards	20.00
2.20 yards	20.50
8 oz. (2.00)	22.50
9 oz. (1.78)	25.00
10 oz. (1.60)	27.75
Sanforized:	
3.15 yards	17.00
3.00 yards	17.00
2.70 yards	19.00
2.45 yards	21.00
2.20 yards	22.00
8 oz. (2.00)	23.50
9 oz. (1.78)	25.75
10 oz. (1.60)	28.75
11 oz. (1.45)	31.75

[2] The maximum prices listed above are for all patterns made entirely or in part with white filling yarn. Premiums over the above maximum prices may be charged as follows (cents per yard):

For solid color and for all stripes and patterns made with 100 percent-colored filling yarn	½
For herringbone weave	½
For denim meeting Navy specifications and sold for military use	½

The maximum prices set forth herein are for denims of 28 to 30 inches, inclusive, in width. The maximum price for a denim of any other width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 28 to 30 inch width) as does its width to 29 inches.

The weights listed herein are "card" weights. The prices listed herein apply to denim not lighter than the actual weights which the individual seller has customarily delivered against contracts calling for the "card" weights. Denim of a weight other than that which a seller has customarily delivered against a contract calling for "card" weight shall be priced in inverse proportion to the yardage per pound of the nearest weight of denim customarily delivered.

For seconds and short lengths of denim, the maximum prices listed in this table must be discounted as follows: Seconds, ½ cent; short lengths, 25 to 40 yards, inclusive, ¾ cent; 20 to 24.99 yards, 1 cent; 2 to 9.99 yards, 15 percent.

The maximum prices set forth herein shall be discounted (1) where payment is made within 10 days of delivery, by 3 percent; and (2) where payment is made within the next 60 days, by 2 percent and by interest at 6 percent per annum for such portion of the 60-day period as the buyer at his option or pursuant to agreement with the seller, anticipates by earlier payment.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1963, 5306, 15906, 16744; 9 F.R. 2020, 2477, 2237, 2790.

Maximum price. $8.35 per cord of 128 cubic feet. The price shall prevail F. O. B. cars or delivered to the mill by truck.

3. In Appendix C, Table 6, the maximum prices for fence bolts are amended to read as follows:

MAXIMUM PRICES

Pine—$8.70 per unit of 133 cubic feet
Hardwoods—$9.10 per unit of 133 cubic feet

4. In Appendix G (Chemical wood), Table 3, the section entitled "Maximum prices" is amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

5. In Appendix G (Chemical wood), Table 5, the prices for chemical wood appearing under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

6. In Appendix G (Chemical wood), Table 6, the first paragraph under the heading "Maximum prices" is amended to read as follows:

Maximum prices. $8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

7. In Appendix J (Excelsior wood), Table 2, the maximum prices for excelsior wood appearing under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

8. Appendix K (Insulation and felt bolts or cordwood), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

9. Appendix L (Fuel wood), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

10. Appendix M (Poles), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

11. Appendix N (Mine timbers), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

12. Appendix O (Pulpwood), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

13. Appendix P (Veneer logs or bolts), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

14. Appendix Q (Miscellaneous), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

15. Appendix R (Logs or bolts through a dealer), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

16. Appendix S (Logs or bolts through a dealer), Table 2, is amended in the following respects:

a. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

b. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

c. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

d. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

e. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Zone 1:		
Pine	$7.60	$10.30
Poplar	8.10	10.80
Zone 2:		
Pine	7.60	10.30
Poplar	8.10	10.80
Zone 3:		
Pine	7.60	10.30
Poplar	8.10	10.80

f. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord of 138 cubic feet f. o. b. cars.
$8.30 per cord of 138 cubic feet delivered to plant by truck.

g. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$7.80 per cord f. o. b. railroad cars.
$7.80 per cord f. o. b. trucks that deliver the particular lot of chemical cordwood directly to buying plant.
$7.30 per cord delivered to railroad bank.
$7.30 per cord delivered to highway bank to be loaded on trucks that will deliver directly to buying plants.

h. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 133 cubic feet
$9.10 per unit of 133 cubic feet

i. The prices set forth under the heading "Maximum prices" are amended to read as follows:

MAXIMUM PRICES

$8.70 per unit of 138 cubic feet f. o. b. cars at rail siding; $9.20 per unit of 138 cubic feet delivered to mill by truck.

This amendment shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4219; Filed, March 24, 1944; 5:05 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 80]

DISTILLED SPIRITS, ETC.

Distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials, and fermented malt beverages sold by persons whose maximum prices are established by National, Regional, or District Restaurant Maximum Price Regulations, or by Maximum Price Regulations 193, 288 and 373, or by Revised Maximum Price Regulation 183, or by the General Maximum Price Regulation, or by Revised Supplementary Regulation 14.

A statement of the reasons for this supplementary order is issued simultaneously herewith and filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, the following Supplementary Order is issued:

§ 1305.112 *Maximum prices for distilled spirits, still wines, sparkling wines, carbonated wines, liqueurs and cordials and fermented malt beverages sold by persons whose maximum prices are established by National, Regional, or District Restaurant Maximum Price Regulations of the Office of Price Administration, or by persons whose maximum prices are established by Maximum Price Regulation 193, or by Maximum Price Regulation 288, or by Maximum Price Regulation 373, or by Revised Maximum Price Regulation 183, or by the General Maximum Price Regulation, or by Revised Supplementary Regulation 14.* (a) *Definitions.* For the purpose of this regulation:

(1) "Distilled spirits" means ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, brandy, rum, gin, and all dilutions and mixtures thereof, for non-industrial use.

(2) "Still wines" means wines containing not more than 14% of alcohol by volume, and includes vermouth, sherry, port, Madeira, Marsala, Tokay, Angelica, Muscatel, Sauterne, Burgundy, Claret, Chianti, Rhine wine, Moselle, Hock, Sauterne, Riesling, Barbera, Zinfandel, Cabernet, Sylvaner, Pinot, Chablis, Champagne, Catawba, Delaware, Iona, Isabella, Concord, Virginia Dare, Muscadine, Scuppernong, Elderberry, Blackberry, Port Wine

2. Table V of § 1316.61 (b) (4) is amended to read as follows:

TABLE V—CHAMBRAYS AND COVERTS

[Prices are for all shades and colors]

Class of cloth and weight in yards per pound [1]	Cotton spot price—cents per pound (all numbers inclusive)	
	20.37	
	Chambrays [2] (cents per yard)	Coverts [3] (cents per yard)
Carded fine yarn shirtings: [2]		
Mill finish:		
4.85 yards	12.25	
3.90 yards	14.50	15.25
3.20 yards	16.00	16.75
Sanforized:		
3.60 yards	17.00	17.75
2.90 yards	16.75	17.50
Carded coarse yarn shirtings: [2]		
Mill finish:		
3.20 yards		16.25
3.00 yards	16.00	
Sanforized:		
2.90 yards		19.25
2.70 yards	18.75	
Cotton pants coverts: [4]		
Mill finish:		
2.67 yards		19.65
2.20 yards		23.00
1.85 yards		27.95
Sanforized:		
2.40 yards		22.65
2.00 yards		26.31
1.65 yards		31.75

[1] The maximum prices set forth herein are for fabrics 36 or more inches in width. The maximum price for a fabric of any lesser width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 36-inch width) as does its width to 36 inches.

Maximum prices for cloths of weight other than those listed herein (for the same type of cloth) shall be determined in inverse proportion to the respective number of yards per pound from the maximum price for the cloth of that type and of the nearest weight.

[2] The maximum prices set forth herein shall be discounted (1) where payment is made within 10 days of delivery, by 2 percent; and (2) where payment is made within the next 60 days, by 2 percent and by interest at 6 percent per annum for such portion of the 60-day period as the buyer, at his option or pursuant to agreement with the seller, anticipates by earlier payment.

[3] Maximum prices for seconds and short lengths of shirting chambrays and shirting coverts shall be the above prices, discounted as follows:

	(Cents per yard)
Seconds	¼
Short lengths:	
20 to 40 yards, inclusive	¼
10 to 19.99 yards, inclusive	1
1 to 9.99 yards, inclusive	1½

[4] Maximum prices for seconds and short lengths of pants coverts shall be the above prices, discounted as follows:

	(Cents per yard)
Seconds	1
Short lengths:	
20 to 40 yards, inclusive	1
10 to 19.99 yards, inclusive	2½
1 to 9.99 yards, inclusive	3½

This amendment shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4186; Filed, March 24, 1944; 12:05 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 84]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Section 12.2 (b) is amended to read as follows:

(b) The District Office may act upon the petition if authorized by the Washington Office to do so; in all other cases the District Office shall forward the petition together with all other material received from the Board to the Regional Office. The Regional Office may act upon the petition if authorized by the Washington Office to do so; in all other cases the Regional Office shall forward the petition to the Washington Office for appropriate action. The Washington Office may act on the petition in such manner as it deems necessary or appropriate and thereafter return the file to the District Office for retransmittal to the Board. The petitioner at any time may be requested to furnish further information and to appear personally.

This amendment shall become effective March 30, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4243; Filed, March 25, 1944; 11:39 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 72]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Ration Order No. 1A is amended in the following respects:

1. Sections 1315.804 (c) (9), 1315.804 (j) and 1315.901 (n) are hereby revoked.

2. Section 1315.1007 (a) is amended to read as follows:

(a) Take an inventory on March 31, June 30, September 30, and December 31 of each year of the following tires and tubes by type, listing new and used separately, for each of his establishments:

(1) All unmounted tires and tubes, except tires and tubes owned by others and in the establishment solely for purposes of inspection, mounting, repair or recapping, and except tires and tubes transferred to the establishment by a manufacturer pursuant to § 1315.804 (f).

(2) All tires and tubes billed to him but not yet received at the establishment.

3. Section 1315.1007 (b) is amended to read as follows:

(b) File a report on OPA Form R-17 in accordance with the instructions thereon for each of his establishments to which the form is mailed by the Office of Price Administration.

This amendment shall become effective March 31, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4242; Filed, March 25, 1944; 11:38 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 56]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Ration Order 17 is amended in the following respect:

Section 1.16 is amended to read as follows:

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid:

War ration book number	Stamp number	Valid period for men's, women's and children's shoes
One	17	First Tuesday after effective date of order to June 15, 1943, inclusive.
One	18	June 16, 1943, to April 30, 1944, inclusive.
Three	Airplane No. 1	November 1, 1943, to date to be announced by the Office of Price Administration.

This amendment shall become effective March 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4244; Filed, March 25, 1944; 11:39 a. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17466; 9 F.R. 401, 458, 492, 2312, 2287.

[1] 7 F.R. 9160, 9392, 9724.

[1] 8 F.R. 15899, 16605, 16996, 9 F.R. 92, 573, 764, 2283.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Corr. to Amdt. 22[1]]

CLOTHING IN PUERTO RICO

Amendment 22 to Revised Maximum Price Regulation 183—Puerto Rico, is corrected in the following respect:

The tables following section 54 (b) (1) and (b) (2) (ii) are corrected by deleting the dollar signs.

This correction shall become effective as of December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4238; Filed, March 25, 1944; 11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 45]

MEAT AND DAIRY PRODUCTS IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 373 is amended in the following respects:

1. The headnote to section 19 is amended to read as follows:

SEC. 19. *Maximum slaughterers' and wholesalers' prices for mainland meat products and certain mainland dairy products, and maximum prices for island meats, hogs, rabbits, poultry and eggs sold by slaughterers, wholesalers and producers.*

2. Section 19 (a) is amended to read as follows:

(a) *To what commodities and transactions this section applies.* (1) Maximum prices for sales by slaughterers and wholesalers of meats, poultry and certain dairy products imported from the mainland are covered in paragraphs (h), (i), (j) and (k). A wholesaler for the purposes of these paragraphs is any person who customarily distributes the mainland commodities covered by this section for resale by retail outlets, or to commercial, industrial, institutional users, or to the Armed Forces of the United States.

(2) Maximum prices for sales of island produced meats, hogs, rabbits, poultry and eggs by slaughterers, wholesalers, and producers are covered in paragraphs (l) and (m). The terms "slaughterer" and "wholesaler", as used in these paragraphs, are defined therein.

3. Section 19 (b) is amended to read as follows:

(b) *Permitted practices.* (1) Where a wholesaler purchases from a mainland seller a variety of wholesale cuts of a particular carcass which are billed at one price, the wholesaler may sell the various wholesale cuts at the current market price provided that the total margin of profit received from the sale of all such wholesale cuts does not exceed the appropriate margin specified in Table A.

4. Section 19 (c) is amended to read as follows:

(c) *Sales invoices.* Every person making a sale of any commodity subject to this section shall furnish the buyer at the time of the delivery of the commodity with a written invoice or sales memorandum setting forth the date of sale, the name and address of the buyer and seller, the quantity and description of the commodity sold (including kind, grade, brand, container size, sex, weight, weight classes, etc., whichever is applicable,) and the price therefor, (including all allowances and payments for all services rendered or to be rendered in connection with the sale.) On the sale of live animals and carcasses listed in paragraphs (l) and (m) wherein the price varies with the weight, the weight of each individual carcass or animal shall be shown.

5. Section 19 (d) is amended to read as follows:

(d) *Records and reports.* Every person making a sale or purchase of any commodity subject to this section shall keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remain in effect, all sales invoices and sales memoranda required in paragraph (c) above.

In addition, all wholesalers are required to keep and make available:

(1) All records and data reflecting the charges incurred by the wholesaler in arriving at the selling price.

(2) The wholesaler's error account provided for in paragraph (h) (2).

6. Section 19 (f) is amended to read as follows:

(f) *Delivery charges.* No charges for delivery may be added to the ceiling prices established by this section unless authorized by order of the Office of Price Administration, Honolulu, T. H., upon the written application of the seller.

7. The first paragraph of section 19 (j) is amended to read as follows:

(j) *Calculation of the base price.* Except in the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be an amount not in excess of the items described in subparagraphs (1) through (8) below. If any of the items has already been absorbed by the seller, it may not again be added. In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of twelve cents per hundred pounds net weight.

8. Section 19 (j) (1) is amended to read as follows:

(1) An amount equal to the price which the wholesaler paid the mainland seller for the commodity prepared for shipment. If the wholesaler must process or prepare the commodity for shipment at his own expense subsequent to purchase from the mainland seller, then the charges actually paid by the wholesaler for processing or preparing the commodity for shipment may be added to the price paid the mainland seller.

9. In section 19 (j) under the heading "Refrigerated", a new item is added to read as follows:

	Per 100 lbs. net weight
Refrigerated:	
Turkeys, dressed	$4.25

10. The headnote to section 19 (l), and sections 19 (l) (1) and (2) are amended to read as follows:

(l) *Maximum prices for sales by slaughterers of island produced meats, and for sales by any person of live island hogs*—(1) *Explanation.* (i) For the purposes of this paragraph, a slaughterer is anyone who kills the live animal, and, after dressing it, sells and distributes the carcass or wholesale cuts to wholesalers, retailers or to commercial, industrial, or institutional users, or to the Armed Forces of the United States.

(ii) The cuts or cutting methods referred to in this section are defined in paragraph (n) below.

(2) *Custom slaughtering.* The maximum remuneration which a slaughterer may receive for killing and dressing any animal except hogs is the retention of the hide, offal, and other by-products. The maximum remuneration which a slaughterer may receive for killing any hog is the retention of the offal plus a fee for slaughtering of one cent per pound live weight.

12. Section 19 (l) (6) (i) is amended to read as follows:

(i) "Lamb" means the whole or any portion of the carcass of the young animal of the Genus Ovis, approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry and specifical-

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 688.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

ly by the "break joint" and by bone and flesh coloration.

13. The text of section 19 (l) (8), and Tables F, G, and H thereunder are amended to read as follows:

(8) *Hogs.* Table F below fixes ceiling prices for live hogs, including live pigs, sold or delivered by any person. It does not apply to sales or deliveries to bona fide hog raisers of live hogs for breeding purposes and of live hogs weighing 175 pounds or less for feeding for more than one month. The Office of Price Administration may establish ceiling prices in excess of those set forth in Table F below for sales of live hogs weighing more than 175 pounds for feeding for more than one month upon written application by the seller to the Office of Price Administration, Iolani Palace, Honolulu, T. H. No payments, commissions or allowances for any service, including feeding, transportation or shrinkage should be made by the buyer of live hogs to the seller unless the total sales price, including such payment, commission, or allowances, is equal to or less than the maximum price. No extra charges may be made for delivery or other services.

TABLE F—MAXIMUM PRICES FOR LIVE ISLAND HOGS[1]

	All islands (per pound)
Grade "A"; Hogs, excluding sows, stags, and boars:	
Liveweight pounds:	
Under 175	$0.23
175–240	.22
241–275	.21
276–300	.20
301–325	.19
326–350	.18
351–400	.17
401–450	.16
451–500	.15
Grade "B": Good sows and good stags	.14
Grade "C": Poor sows, poor stags and all boars	.07

All of the above prices are delivered slaughterhouse.

TABLE G—SLAUGHTERERS' MAXIMUM PRICES FOR ISLAND PORK CARCASSES AND QUARTERS[1]

[All islands—per pound]

Dressed carcass, weight pounds	Shipper style, head on, whole or half carcass	Hindquarter	Forequarter
Grade "A": From top quality young hogs, other than sows, stags and boars:			
Under 140	$0.31		
140–180	.30	$0.32	$0.29
181–210	.29	.31	.28
211–230	.28	.30	.27
231–250	.26	.28	.25
251–275	.24	.26	.23
276–300	.23	.25	.22
301–340	.22	.24	.21
341–380	.21	.23	.20
Grade "B": From good sows and good stags	.20	.20	.17
Grade "C": From poor sows, poor stags and all boars	.10		

[1] NOTE: Food Production Permit is required for all hogs slaughtered for private use under Hawaii Defense Act, Rule No. 53.

TABLE H—SLAUGHTERERS' MAXIMUM PRICES FOR WHOLESALE CUTS OF ISLAND PORK

[All islands—per pound]

Cut	Grade "A" from top quality young hogs, other than sows, stags and boars	Grade "B" from good sows and good stags
Loin	$0.43	$0.30
Legs, bone in	.42	.25
Shoulder, bone in	.39½	.22
Bellies, ribs removed	.27	.17
Back fat	.09	.08
Leaf lard	.15	.15
Spare ribs	.35	.23
Neck bones	.15	.15
Sausage meat	.40	.30
Feet	.19½	.16
Head, bone in	.12	.09
Head, boneless	.17	.12
Tongue	.27	.27

14. The headnote to section 19 (m), and section 19 (m) (1) are amended to read as follows:

(m) *Maximum prices for sales of island meats by wholesalers, and maximum prices for sales of island rabbits, poultry and eggs by wholesalers and producers.* (1) For the purposes of paragraph (m), a wholesaler is anyone whose selling establishment is not physically attached to a slaughtering plant, and who purchases carcasses or wholesale cuts and resells the same to retail outlets, or to commercial, industrial or institutional users, or to the Armed Forces of the United States. By this definition, any wholesaler who does any slaughtering must use the slaughterers' maximum prices on sales of those carcasses of cuts which he himself slaughters.

15. Table N under section 19 (m) is amended to read as follows:

TABLE N—WHOLESALERS' MAXIMUM PRICES FOR TRIMMED WHOLESALE CUTS, CARCASSES AND QUARTERS OF ISLAND PORK

[All islands—per pound]

Cut	Grade "A" from top quality young hogs, other than sows, stags and boars	Grade "B" from good sows and good stags
Loin, center chops or roast	$0.50	$0.35
Legs, bone in	.49	.29
Shoulder, bone in	.46	.26
Bellies, ribs removed	.32	.20
Back fat	.09	.08
Leaf lard	.18	.18
Spare ribs	.41	.27
Neck bones	.18	.18
Sausage meat	.47	.35
Feet	.23	.19
Head, bone in	.14	.10
Head, boneless	.20	.14
Tongue	.31	.31

The wholesalers' maximum prices for carcasses and quarters of Island pork shall be the slaughterers' maximum price for corresponding weights as set forth in Table G above plus 10%.

16. The caption to Table P under section 19 (m) is amended to read as follows: *"Table P—Maximum Prices for Island Poultry and Rabbits Sold by Wholesalers or Producers."*

17. The caption to Table Q under section 19 (m) is amended to read as follows: *"Table Q—Maximum Prices for Island Eggs Sold by Wholesaler or Producers."*

18. Section 19a Table P is amended by changing the paragraph headed "Definitions" to read as follows:

Definition. "Dressed poultry" is poultry which has been killed, bled, and plucked.

This amendment shall become effective as of January 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4239; Filed, March 25, 1944; 11:36 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[2d Rev. MPR 216,[1] Amdt. 3]

EASTERN PRIMARY FOREST PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 216 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

SECTION 1. *Sales of Eastern primary forest products at higher than maximum prices prohibited.* (a) On and after September 27, 1943, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern primary forest products covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

This amendment shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4240; Filed, March 25, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 1 to Supp. Service Reg. 25]

DISTRIBUTORS' COMMISSIONS FOR PETROLEUM PRODUCTS TO FARM TRADE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph is added to § 1499.2256 (b) to read as follows:

(2) Petroleum products delivered to the farm trade.

This amendment shall become effective March 25, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4241; Filed, March 25, 1944; 11:39 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12936, 16309.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 361]

PULPWOOD PRODUCED IN NEW YORK AND DESIGNATED PORTIONS OF NEW ENGLAND

Maximum Price Regulation No. 361[1] is redesignated as Revised Maximum Price Regulation No. 361 (Pulpwood produced in the States of Maine, Vermont, New Hampshire, New York and that portion of Connecticut and Massachusetts west of the Connecticut River) and it is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1347.951 *Maximum prices for pulpwood produced in the States of Maine, Vermont, New Hampshire, New York and that portion of Connecticut and Massachusetts west of the Connecticut River.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 361 (Pulpwood produced in the States of Maine, Vermont, New Hampshire, New York and that portion of Connecticut and Massachusetts west of the Connecticut River) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.951 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 361—PULPWOOD PRODUCED IN THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE, NEW YORK AND THAT PORTION OF CONNECTICUT AND MASSACHUSETTS WEST OF THE CONNECTICUT RIVER

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Sec.
1. Prohibitions.
2. Less than maximum prices.
3. Adjustable pricing.
4. Evasion.
5. Records and reports.
6. Enforcement.
7. Petitions for amendment.
8. Definitions.
Appendix A—Maximum prices.

SECTION 1. *Prohibitions.* (a) On and after March 25, 1944, in the continental limits of the United States, regardless of any contract, agreement, lease or other obligation, no person shall buy and no person shall sell, deliver or transfer pulpwood cut from the stump in the States of Maine, Vermont, New Hampshire, New York and that portion of Connecticut and Massachusetts west of the Connecticut River; and no person shall purchase pulpwood cut from the stump within the continental limits of the United States for consumption in the aforesaid states, at prices in excess of the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in Appendix A of this regulation may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 4. *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation No. 361 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to pulpwood cut in the States of Maine, Vermont, New Hampshire, New York and that portion of Connecticut and Massachusetts west of the Connecticut River, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, discount premium or other privilege, or by tying agreement or other understanding, or otherwise.

SEC. 5. *Records and reports.* (a) Every person making a purchase or sale of pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, the same records of such purchases and sales as such person customarily made prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration, with the approval of the Bureau of the Budget, may from time to time require.

SEC. 6. *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 361 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 7. *Petitions for amendment.* (a) Persons seeking any amendment of this Revised Maximum Price Regulation No. 361 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

SEC. 8. *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 361 the term:

(1) "Person" includes an individual, corporation, partnership, association, or

[1] 8 F.R. 13240.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

ly by the "break joint" and by bone and flesh coloration.

13. The text of section 19 (l) (8), and Tables F, G, and H thereunder are amended to read as follows:

(8) *Hogs.* Table F below fixes ceiling prices for live hogs, including live pigs, sold or delivered by any person. It does not apply to sales or deliveries to bona fide hog raisers of live hogs for breeding purposes and of live hogs weighing 175 pounds or less for feeding for more than one month. The Office of Price Administration may establish ceiling prices in excess of those set forth in Table F below for sales of live hogs weighing more than 175 pounds for feeding for more than one month upon written application by the seller to the Office of Price Administration, Iolani Palace, Honolulu, T. H. No payments, commissions or allowances for any service, including feeding, transportation or shrinkage should be made by the buyer of live hogs to the seller unless the total sales price, including such payment, commission, or allowances, is equal to or less than the maximum price. No extra charges may be made for delivery or other services.

TABLE F—MAXIMUM PRICES FOR LIVE ISLAND HOGS [1]

Grade "A"; Hogs, excluding sows, stags, and boars: Liveweight pounds:	*All islands (per pound)*
Under 175	$0.23
175–240	.22
241–275	.21
276–300	.20
301–325	.19

TABLE H—SLAUGHTERERS' MAXIMUM PRICES FOR WHOLESALE CUTS OF ISLAND PORK

[All islands—per pound]

Cut	Grade "A" from top quality young hogs, other than sows, stags and boars	Grade "B" from good sows and good [illegible]
Loin	$0.43	$0.30
Legs, bone in	.42	.25
Shoulder, bone in	.39½	.22
Bellies, ribs removed	.27	.17
Back fat	[illegible]	.08
Leaf lard	.15	.15
Spare ribs	.35	.23
Neck bones	.15	.15
Sausage meat	.40	.30
Feet	.19½	.16
Head, bone in	.12	.[illegible]
Head, boneless	.17	.12
Tongue	.27	.27

14. The headnote to section 19 (m), and section 19 (m) (1) are amended to read as follows:

(m) *Maximum prices for sales of island meats by wholesalers, and maximum prices for sales of island rabbits, poultry and eggs by wholesalers and producers.* (1) For the purposes of paragraph (m), a wholesaler is anyone whose selling establishment is not physically attached to a slaughtering plant, and who purchases carcasses or wholesale cuts and resells the same to retail outlets, or to commercial, industrial or institutional users, or to the Armed Forces of the United States. By this definition, any wholesaler who does any slaughtering must use the slaughterers' maximum prices on sales of those car-

17. The caption to Table Q under section 19 (m) is amended to read as follows: *"Table Q—Maximum Prices for Island Eggs Sold by Wholesaler or Producers."*

18. Section 19a Table P is amended by changing the paragraph headed "Definitions" to read as follows:

Definition. "Dressed poultry" is poultry which has been killed, bled, and plucked.

This amendment shall become effective as of January 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4239; Filed, March 25, 1944; 11:36 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[2d Rev. MPR 216,[1] Amdt. 3]

EASTERN PRIMARY FOREST PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 216 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing;

(2) "Pulpwood producer" or "seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any species of wood exclusive of mill waste or mill by-products sold for manufacture into woodpulp;

(5) "Spruce and fir wood" includes black spruce (Picea mariana), white spruce (Picea glauca), red spruce (Picea rubra), and balsam fir (Abies balsamea);

(6) "Hemlock wood" includes Tsuga canadensis, and Tamarack (Larix laricina);

(7) "Northern hardwoods" includes beech (Fagus grandifolia), paper birch (Betula papyrifera), yellow birch (Betula lutea), gray birch (Betula populifolia), sugar maple (Acer saccharum), red maple (Acer rubrum), and all other Northern deciduous species except those referred to in subparagraph (9) below;

(8) "Pine" includes any species of the genus Pinus;

(9) "Poplar wood" includes basswood (Tilia americana), butternut (Juglans cinerea), cucumber (Magnolia acuminata), yellow poplar (Liriodendron tulipifera) and any species of the genus Populus, sometimes referred to as the "soft-hardwood group";

(10) "Peeled pulpwood" includes any pulpwood which has been sap peeled or barked prior to its delivery to a consumer;

(11) "Rossed pulpwood" includes hand shaved pulpwood and any pulpwood from which the bark has been removed by any mechanical rosser, prior to its delivery to a consumer;

(12) "Rough pulpwood" means pulpwood from which the bark has not been removed;

(13) "Cord of pulpwood" means an amount of pulpwood (whether peeled, rossed, or rough) which, when properly prepared and stacked, contains 128 cubic feet, or, when pulpwood is sold in the form of logs, means 128 cubic feet at a ratio in proportion to the log scale used.

(14) "Dealer" means any person who sells to consumers at least 1,000 cords of pulpwood during the period from April 13, 1944, to April 30, 1945, and thereafter during the period from May 1 of any year to April 30 of the following year. Notwithstanding the foregoing, sections 8 (a) (14) and 9 (f) of Maximum Price Regulation No. 361 shall remain in effect through April 12, 1944.

(15) "Roadside" is any road that is maintained and kept open for traffic twelve months of the year;

(16) "Lake or stream" has reference to wood which has been properly landed and boomed in the lake or on the bank of or in the stream by which it is to be carried to the consumer;

(17) "Sale" or "sold" includes sales and deliveries, and sales and contracts to sell pulpwood.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price control Act of 1942, as amended, shall apply to other terms used herein.

APPENDIX A—MAXIMUM PRICES FOR PULPWOOD

(a) (1) The maximum price per cord for pulpwood cut in each of the zones hereinafter indicated shall not exceed the following, delivered at seller's expense at the points indicated.

Zone I—State of Maine.

Species	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)	Delivered mill boom by vessel via tidewater
Spruce and fir:					
Peeled	$17.00	$16.25	$15.00	$18.00	$19.00
Rough	14.50	13.75	12.00	15.50	16.50
Hemlock:					
Peeled	15.75	15.00	13.75	16.75	.....
Rough	13.25	12.50	10.75	14.25	.....
Poplar:					
Peeled	14.75	14.00	12.75	15.75	.....
Rough	12.75	12.00	10.25	13.75	.....
Northern hardwood:					
Peeled	16.25	.....	14.25	17.25	.....
Rough	12.75	.....	11.25	14.75	.....
Pine:					
Peeled	15.25	14.50	13.25	16.25	.....
Rough	12.75	12.00	10.25	13.75	.....

Zone II—State of New Hampshire, and in the State of Vermont, Essex County, Caledonia County and Orange County, the townships of Woodbury, Cabot, Calais, Marshfield and Plainfield in Washington County, and the townships of Norwich, Hartford, Hartland, Windsor, West Windsor, Weathersfield and Springfield in Windsor County.

Species	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Peeled	$18.50	$17.75	$16.50	$19.50
Rough	16.00	15.25	13.50	17.00
Hemlock:				
Peeled	16.75	16.00	14.75	17.75
Rough	14.25	13.50	11.75	15.25
Poplar:				
Peeled	15.25	14.50	13.25	16.25
Rough	13.25	12.50	10.75	14.25
Northern hardwood:				
Peeled	17.25	.....	15.25	18.25
Rough	14.75	.....	12.25	15.75
Pine:				
Peeled	16.75	15.00	13.75	16.75
Rough	13.25	12.50	10.75	14.25

Zone III—In the State of Vermont, Franklin County, Orleans County, Chittenden County, and Lamoille County, and the townships of Worcester, Waterbury, Middlesex, East Montpelier, Barre, Berlin, Moretown, Duxbury, Fayston, Waitsfield, Northfield, Warren and Roxbury in Washington County.

Species	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Peeled	$18.50	.....	$16.50	$20.75
Rough	16.00	.....	13.50	18.25
Hemlock:				
Peeled	16.75	.....	14.75	19.00
Rough	14.25	.....	11.75	16.50
Poplar:				
Peeled	15.25	.....	13.25	17.80
Rough	13.25	.....	10.75	16.50
Northern hardwood:				
Peeled	17.25	.....	15.25	19.50
Rough	14.75	.....	12.25	17.00
Pine:				
Peeled	16.75	.....	13.75	18.00
Rough	13.25	.....	10.75	15.50

Zone IV—In the State of Vermont, Addison County, Rutland County, Bennington County, Windham County, and the Townships of Rochester, Bethel, Royalton, Sharon, Stockbridge, Barnard, Pomfret, Bridgewater, Woodstock, Plymouth, Reading, Ludlow, Cavendish, Baltimore, Weston, Andover and Chester in Windsor County, that portion of the States Connecticut and Massachusetts West of the Connecticut River and that portion of the State of New York not included in Zone V.

Species	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Peeled	$20.00	$19.25	$17.00	$22.00
Rough	17.00	15.75	13.50	19.50
Hemlock:				
Peeled	16.00	.....	14.00	18.25
Rough	13.50	.....	11.00	15.75
Poplar:				
Peeled	14.25	.....	13.25	17.50
Rough	14.25	.....	10.75	15.50
Northern hardwood:				
Peeled	16.00	.....	14.00	18.25
Rough	13.50	.....	11.00	15.75
Pine:				
Peeled	14.75	.....	13.75	18.00
Rough	13.25	.....	10.75	15.50

Zone V—In the State of New York, Chautauqua Co., Cattaraugus Co., Allegany Co., Steuben Co., Chemung Co., Tioga Co., Broome Co., Delaware Co., Sullivan Co., Orange Co. and Rockland Co.

Species	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Peeled	$19.50	.....	$16.50	$21.50
Rough	16.50	.....	13.50	18.50
Hemlock:				
Peeled	13.75	.....	11.75	15.75
Rough	11.25	.....	9.25	13.25
Poplar:				
Peeled	13.00	.....	11.00	15.00
Rough	11.00	.....	9.00	13.00
Northern hardwood:				
Peeled	13.75	.....	11.75	15.75
Rough	11.25	.....	9.25	13.25
Pine:				
Peeled	13.00	.....	11.00	15.00
Rough	11.00	.....	9.00	13.00

(2) When pulpwood is rossed as defined in section 8 (a) (11) of this regulation, a sum not in excess of $1.00 per cord may be added to the appropriate maximum peeled wood price set forth in paragraph (a) (1) above.

(3) The maximum price for pulpwood sold at points other than those listed aboveshall be arrived at by deducting from the appropriate maximum price established above an amount equal to the actual cost incurred in transporting the wood to and loading the wood at the point of shipment described above actually used, or, in the case of wood trucked to the mill, the actual costs of such trucking.

(b) (1) The appropriate maximum prices set forth in paragraph (a) (1) above shall in no event be increased by more than $1.00 per cord when it is necessary to secure the wood in question and this is the least expensive means of securing such wood. Amounts in excess of the appropriate maximum prices can be paid only to a producer and only if the buyer makes a statement to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C., either prior to or subsequent to such payment. Such statement shall set forth fully the reasons why the excess payment is necessary, and shall explain the excess payment in itemized form, with a justification for the payment of each item.

(2) The Office of Price Administration may at any time suspend or withdraw from any buyer or buyers the privilege of paying the excess amount provided for by this paragraph (b) over the appropriate maximum prices.

(c) The prices established herein are for wood of top quality prepared to conform with the consumer's specifications. All trade practices and customs with respect to allowance for defective wood of any kind must be observed.

(d) *Mixed shipments.* If a shipment contains a mixture of species, except a mixture of spruce and fir, the maximum price per cord shall be ascertained by determining the number of cords of each species in the shipment and then applying the maximum price for each species.

(e) When one consumer sells pulpwood to another, the maximum price shall not exceed the actual cost which the wood stands the seller, plus such actual costs of moving the wood to the buyer as the seller incurs.

(f) *Dealers allowance.* (1) In the event that a person qualifies as a dealer as defined in section 8 (a) (14) of this regulation, a consumer or consumers may pay such dealer, in addition to the producer's maximum price hereinbefore provided, a sum not in excess of $1.00 per cord on each cord of pulpwood received. Any one consumer who is asked to pay a commission on less than 1,000 cords sold by a dealer may rely in making such payments on letters from other consumers to the dealer indicating that, at the time the commission is paid, the dealer has met the requirements of this paragraph.

(2) The maximum prices established in paragraph (a) of Appendix A, can in no case be augmented by more than one dealer's allowance for each cord. In no event shall a person receive a dealer's allowance on the cut of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge an allowance on the wood cut by the other. In addition to the price paid by the consumer a dealer may receive a dealer's allowance only from a consumer and only if the dealer fulfills all of the following requirements with respect to the transactions:

(i) Keep copies of all contracts in which a dealer's allowance is charged.

(ii) The sale is made by the dealer to the consumer.

(iii) The dealer guarantees the merchantable quality of the pulpwood.

(iv) The dealer's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement that the charges are not in excess of those established in this Revised Maximum Price Regulation No. 361.

(v) The dealer's allowances is not split or divided with any other person.

(vi) All pertinent provisions in this Revised Maximum Price Regulation No. 361 are strictly complied with.

This Revised Maximum Price Regulation No. 361 shall become effective March 25, 1944.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4254; Filed, March 25, 1944; 4:18 p. m.]

PART 1429—POULTRY AND EGGS

[RMPR 269,[1] Amdt. 27]

POULTRY

A statement of the considerations involved in this issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 1429.19 (h) (1) (i) (c) is amended to read as follows:

(c) For a period of 30 days from March 26, 1944, the maximum base price for kosher-killed poultry items sold in the "New York metropolitan area"[2] shall be the maximum base price, as established by the other applicable provisions of this regulation, plus 1 cent per pound.

2. Section 1429.21 (a) (1) (i) (*a*) is added to read as follows:

(*a*) For a period of 30 days from March 26, 1944, any person who transports live poultry for a distance of 5 or more miles, to, and for ultimate consumption in, the "New York metropolitan area" may sell or deliver such live poultry items to any "wholesaler", individual retail store, or any ultimate consumer, including commercial, institutional or governmental users, located in the "New York metropolitan area" at the maximum base price established for such place in § 1429.19 (h) (1) Table A of this regulation plus, in lieu of the permitted increases provided by paragraph (a) (1) (i) of this section, the following permitted increases in cents per pound:

Shortest distance in road miles or railroad miles from place where transport of live poultry begins to place where such transport ends:	*Maximum permitted increase in cents per pound*
Less than 5 miles	No increase
5 to 25 miles	1 cent
25 to 50 miles	1¾ cents
50 to 100 miles	2 cents
100 to 150 miles	2¼ cents
150 to 200 miles	2½ cents
200 to 250 miles	2¾ cents
250 or more miles	3 cents

3. The text of Item (1a) under the column entitled "Base price to which increase is added" of Table B in § 1429.21 (a) (2) (i) is amended to read as follows:

TABLE B—MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

• • • •	Base price to which increase is added • • •
• • • • •	• • •
(1a) • • • •	Maximum base price at seller's shipping point, plus permitted increase established for actual distance live poultry was transported to seller's place of business, in a sum not to exceed 2¢ per lb., or, if the live poultry was transported into the N. Y. metropolitan area,[1] in a sum not to exceed 3¢ per lb. for a period of 30 days from March 26, 1944.

[1] "New York metropolitan area" means the city of New York, New York, and the counties of Nassau, Suffolk and Westchester in the State of New York and the counties of Essex, Hudson, and Union in the State of New Jersey.

This amendment shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 24, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-4255; Filed, March 25, 1944; 4:18 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289, 3316, 3419, 3792, 6736, 9299, 10940, 11691, 13302, 13303, 13813, 14016, 15258, 14845, 15190, 16793.

[2] "New York metropolitan area" means the city of New York, New York, and the counties of Nassau, Suffolk, and Westchester in the State of New York and the counties of Essex, Hudson, and Union in the State of New Jersey.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 41]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended in the following respects:

1. Article II, Table of Appendices, "Part II—Special Items" is amended so that the item covering Appendix K reads as follows:

	Appendix
Insulation and felt bolts or cordwood (including pulpwood not covered by a specific pulpwood regulation)	K

2. Table 4 is added to Appendix K, as follows:

TABLE 4

Area. The entire State of New Jersey.

Species. Pine and hardwood cordwood or pulpwood suitable for the manufacture of insulation and felt products or wood pulp.

Scaling rules. The basis for measurement shall be the standard cord of 128 cubic feet.

Grading rules. Wood shall be cut into lengths specified by the buyer. The mini-

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 452, 558, 539, 574, 682, 792, 1377.

mum acceptable diameter shall be 2", measured inside the bark. Large pieces shall be split to specifications of the buyers. Wood must be sound and be fresh cut from live timber. The wood must be clean-trimmed, free of branches, forks and doty material.

Maximum price. $10.00 per cord of 128 cubic feet f. o. b. rail cars at rail siding. For units of other sizes see conversion table at beginning of Appendix E.

(a) The maximum price for truck delivered wood shall be the highest price each buying plant contracted for during March 1943. Any company not having a specific contract price during that month shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for the establishment of a truck-delivered price. The Lumber Branch may establish such a price by letter or telegram. All buying plants which purchase truck-delivered wood must file with the Lumber Branch a statement as to its truck-delivered price permitted under this provision within 15 days of the effective date of this amendment.

(b) If delivery of wood is taken at any place other than f. o. b. cars or at the mill, the buyer must deduct from the ceiling price either:

(i) the cost per cord of bringing the wood to a rail siding and loading on cars if delivery to mill is by rail car; or

(ii) the cost per cord of bringing the wood to the mill if delivery to mill is by truck.

2. Appendix J. Table 1, is revised so that the maximum prices read as follows:

MAXIMUM PRICES

[Per unit of 147 cubic feet]

	Peeled	Unpeeled
Poplar (Aspen, Popple)	$12.50	$10.25
Basswood	12.50	10.25

Paragraphs (1) through (6) remain as previously stated.

4. The paragraph immediately below the title of "Maximum Prices" in Appendix D, Table 1 is amended by the insertion of the following sentence before the last sentence of the paragraph.

In the event that the delivery of logs necessitates truck hauls in excess of 25 miles, the buyer and seller may join in submitting an application to the local District Office of the Office of Price Administration requesting permission to pay for the extra truck haul. These District Offices are as follows: For the upper Peninsula of Michigan, Iron Mountain, Michigan; for Wisconsin, Green Bay, Wisconsin. In no event will the trucking addition approved exceed 10 cents per thousand feet log scale for each load mile that logs are hauled in excess of the original 25 miles.

5. In Appendix N, Hickory Special Logs, Table 1, the grading rules are amended to read as follows:

Grading rules (logs or bolts). "Face defects" are knots, catfaces, scabs, and ingrown bark.

"End defects" are bird pecks, holes from any cause, windshake, brashy or light weight, decay or sap stain.

1. *Extra quality.* Must have a ring of white wood measuring not less than 3⅛" in from bark. All logs or bolts 8" and up in diameter must have all clear faces and clear ends.

2. *No. 1 quality.* All logs and bolts 6" and up in diameter must have at least 3 clear faces and must have clear ends.

3. *No. 2 quality.* All logs and bolts 6" and up in diameter must have at least 2 clear faces; end defects are permitted. If the defects reduce the footage cut from the log more than 25 percent, the log will be classed as a cull.

4. *Timber-run quality.* A combination of extra quality, No. 1 and No. 2 logs or bolts containing not over 20 percent No. 3.

6. Appendix C. Table 5, is amended in the following respect: The price addition for dense shortleaf pine in Price Table No. 2 under the heading "Maximum Prices" is changed to read "For dense shortleaf, 12" and up, add $2.00."

7. Appendix B. Table 1, the grade specification for ship timber and bending oak logs is changed to read—"minimum diameter—16 inches" instead of minimum diameter 20 inches. The price table on White Oak ship timber logs is amended by the addition of the following column of prices for ship timber logs 16"–19" in diameter:

Length (feet)	*Diameters 16"–19"*
18	$37.00
20	39.00
22	42.00
24	46.00
26	51.00
28	56.00
30	61.00
32	66.00
34	71.00
36	76.00
38	81.00
40	86.00
42	91.00
44	96.00
46	101.00

The price table on Chestnut Oak ship timber logs is amended by the addition of the following column of prices for ship timber logs 16"–19" in diameter.

Length (feet)	*Diameters 16"–19"*
18	$32.00
20	34.00
22	36.00
24	41.00
26	46.00
28	51.00

8. The maximum price in Zone 1, Appendix G, Table 4 is amended to include the clause "the above price can be increased $3.00 per cord of 128 cubic feet for peeled willow wood."

9. In Appendix D, Table 1, the price table for 8' tie cuts in Upper Michigan and the State of Wisconsin excluding 9 counties is amended by transferring white birch from column 4 and including that species in column 2.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4298; Filed, March 27, 1944; 11:46 a. m.]

PART 1335—CHEMICALS

[RPS 81,[1] Amdt. 5]

ACETIC ACID

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1335.210 (a) (1) is amended by changing the price "$7.18" therein to "$7.95" and adding a sentence to read as follows:

Persons producing acetic acid from fermentation ethyl alcohol in California may adjust the prices charged on deliveries of such acetic acid made since December 10, 1943, to a price not in excess of $7.95 per hundred pounds, f. o. b. works, if the buyer agrees to such adjustment.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4309; Filed, March 27, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[2] Amdt. 4]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 150 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Applicability.* (a) Except as provided in paragraph (b), this regulation shall apply to all sales, whether for immediate or future delivery, of domestic and imported finished rice within the 48 states and the District of Columbia of the United States.

(b) This regulation shall have no application to sales of domestic or imported wild rice or sweet rice.

2. Section 5 (a) (2) is amended to read as follows:

(2) "Primary distributor" means a person who receives delivery of finished rice of classes I to X and grading No. 4 or better at a warehouse in carload quantities, unloads the same into said warehouse and sells the same in quantities of 20,000 pounds or less from such point to wholesalers or for delivery to distributing warehouses of retailers: *Provided,* That a miller may be a primary distributor of rice only if he unloads such rice at a warehouse located outside any city and the recognized switching limits thereof at which such miller owns or operates a rice mill therein. A distributing warehouse of a retailer is a warehouse used primarily for the storage of supplies for delivery to his retail stores.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1263, 2000, 2132, 8201, 8948, 9694; 8 F.R. 12016; 9 F.R. 167.

[2] 8 F.R. 4788, 10750, 12873, 14076, 15322.

3. Section 5 (c) (4) is amended to read as follows:

(4) "Retailer" means a person who buys rice milling by-products and resells the same to a feeder.

4. Section 6 (a) (6) (ii) is amended to read as follows:

(ii) The foregoing maximum prices for the sale or delivery of brown rice of a type specified in subparagraph (1) above may be increased for the sale or delivery thereof in containers furnished by the seller at the rate per 100 pounds as set forth in the following table:

Size of containers	Cartons or cellophane bags	Kraft bags or other containers
Up to and including 1 pound	$2.15	$1.55
From 1 pound up to and including 2 pounds	2.00	1.55

Where such containers are furnished by the buyer, the seller shall determine his maximum price by subtracting from the above differential the cost of the containers furnished by the buyer.

5. Section 6 (a) (6) (iii) is amended to read as follows:

(iii) The foregoing maximum prices for the sale or delivery of brown rice of a type specified in subparagraph (1) above may be increased for the sale or delivery thereof for packing and resale by the buyer in containers of 2 pounds or less at the rate of $0.65 per 100 pounds: *Provided,* That within 10 days of each such sale the seller delivers to the nearest district or state office of the Office of Price Administration a copy of the invoice of the sale showing the quantity sold, the price paid and the name and address of the buyer and seller together with a verified certificate signed by the buyer and stating that he will use the rice in question for packing and resale in containers of 2 pounds or less.

6. Section 8 is amended to read as follows:

SEC. 8. *Maximum price for the sale or delivery of rice milling by-products.* (a) The maximum price for the sale or delivery by a processor of rice hulls, rice bran or rice polishings, sacked, shall be as follows:

(1) For sales other than to a feeder in quantities of 20,000 pounds or less:

(i) $10.00 per ton for rice hulls plus transportation charges actually incurred by the seller to the buyer's receiving point.

(ii) $30.00 per ton for rice bran plus transportation charges actually incurred by the seller to the buyer's receiving point.

(iii) $38.00 per ton for rice polishings plus transportation charges actually incurred by the seller to the buyer's receiving point.

(2) For sales to a feeder in quantities of 20,000 pounds or less, the maximum prices set forth in subparagraph (1) above may be increased at the rate of $2.00 per ton.

(b) The maximum price of an importer shall be the maximum price of a processor, f. o. b. a mill, as if located at the port of entry, plus transportation charges from the port of entry to the buyer's receiving point.

(c) The maximum price for the sale or delivery of rice milling by-products, sacked, by a jobber shall be his cost (not exceeding the maximum price) thereon to him of the processor or importer from whom the rice milling by-products in question were purchased, plus transportation charges actually incurred by the jobber, and plus

(1) $1.00 per ton for sales in quantities of 20,000 pounds or less; or

(2) 50 cents per ton for all other sales.

(d) The maximum price for the sale or delivery of rice hulls, sacked, by a wholesaler shall be $2.00 per ton (maximum markup) over his cost (not exceeding the maximum price) thereon to him of the processor, importer or jobber, as the case may be, from whom the rice hulls in question were purchased plus transportation charges actually incurred by the wholesaler.

(e) The maximum price for the sale or delivery of rice bran or rice polishings, sacked by a wholesaler shall be $2.50 per ton (maximum markup) over his cost (not exceeding the maximum price) thereon to him of the processor or jobber, as the case may be, from whom the rice bran or rice polishings in question were purchased plus transportation charges actually incurred by the wholesaler.

(f) The maximum price for the sale or delivery of rice hulls, sacked, by a retailer shall be $3.00 per ton (maximum markup) over his cost (not exceeding the maximum price) thereon to him of the processor, importer, jobber or wholesaler, as the case may be, from whom the rice hulls in question were purchased plus transportation charges actually incurred by the retailer.

(g) The maximum price for the sale or delivery of rice bran or rice polishings, sacked, by a retailer shall be $4.00 per ton (maximum markup) over his cost (not exceeding the maximum price) thereon to him of the processor, importer, jobber or wholesaler, as the case may be, from whom the rice bran or rice polishings in question were purchased plus transportation charges actually incurred by the retailer.

(h) When a given lot of rice milling by-products is sold by more than one member of the same class, as set forth above, the maximum aggregate markup of all such sellers in the same class shall not exceed the maximum markup of a single handler in such class.

(i) The maximum prices for the sale or delivery of rice hulls, rice bran and rice polishings, unsacked, or in buyer's sacks, shall be the maximum prices hereinbefore in this section set forth less the customary differential applying to sales unsacked or in buyer's sacks in relation to sales sacked by a like class of seller during March 1942.

8. Section 13 is added to read as follows:

SEC. 13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4304; Filed, March 27, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 312]

MAPLE SYRUP AND MAPLE SUGAR

Maximum Price Regulation No. 312 is redesignated Revised Maximum Price Regulation 312 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

*Copies may be obtained from the Office of Price Administration.

§ 1351.1601 *Maximum prices for maple syrup and maple sugar.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 312, "Maple Syrup and Maple Sugar," which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1601, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

REVISED MPR 312—MAPLE SYRUP AND MAPLE SUGAR

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SECTION 1. *Commodities covered.* This regulation establishes maximum prices for purchases and sales of certain bulk and packaged maple syrup and for block and Canadian bag sugar.

SEC. 2. *Manufacturers' maximum prices for maple syrup*—(a) *Producers' maximum prices for maple syrup sold in bulk.* (1) The producer's maximum price f. o. b. loading point for the following grades of maple syrup sold in bulk shall be as follows:

TABLE A—PRODUCERS' MAXIMUM PRICES FOR MAPLE SYRUP SOLD IN BULK

Grades	Maximum prices per pound, Baumé					
	33°	34°	35°	36° Standard	37°	38°
Fancy AA	$0.17	$0.18	$0.1675	$0.19	$0.1925	$0.195
A	.16	.17	.175	.18	.1825	.185
B	.15	.16	.165	.17	.1725	.175
C	.14	.15	.155	.16	.1625	.165

(2) Producers are prohibited from receiving and purchasers from paying bonuses whether or not such bonuses result in prices higher than those listed in subparagraph (1) immediately above.

(3) The grades set out in this paragraph (a) shall be determined in accordance with all the criteria, except the density criterion, set forth in the U. S. Standards for Maple Syrup for Reprocessing, issued by the United States Department of Agriculture.

(4) The above prices are the maximum prices irrespective of the terms of payment. However, discounts and allowances may always be given when they result in less than the maximum prices.

(b) *Producers' and packers' maximum prices for packaged maple syrup.* (1) The producers' and packers' maximum prices f. o. b. loading point for packaged maple syrup shall be as follows:

TABLE B—PRODUCERS' AND PACKERS' MAXIMUM PRICES FOR PACKAGED MAPLE SYRUP

Size container	Prices on sales to wholesalers and all other purchasers except retailers and domestic consumers				Prices on sales to retailers				Prices on sales directly to domestic consumers (per container)
	Grade	(Per case of 24)	(Per case of 12)	(Per case of 6)	(Per case of 1)	(Per case of 24)	(Per case of 12)	(Per case of 6)	(Per case of 1)	
6 oz.	A or better	$4.08	$2.09			$4.49	$2.30			$0.22
6 oz.	B	3.83	1.97			4.21	2.16			.20
8 oz.	A or better	5.05	2.59			5.56	2.84			.27
8 oz.	B	4.72	2.41			5.19	2.64			.25
10 oz.	A or better	6.10	3.10			6.71	3.41			.33
10 oz.	B	5.69	2.90			6.26	3.18			.30
12 oz.	A or better	7.12	3.61			7.83	3.97			.38
12 oz.	B	6.62	3.36			7.28	3.69			.35
16 oz. (pt.)	A or better	8.94	4.52			9.84	4.97			.44
16 oz. (pt.)	B	8.28	4.19			9.11	4.61			.44
24 oz.	A or better	13.40	6.78			14.74	7.43			.71
24 oz.	B	12.41	6.26			13.65	6.88			.66
32 oz. (qt.)	A or better	17.58	8.84			19.34	9.72			.94
32 oz. (qt.)	B	16.26	8.18			17.89	9.00			.87
½ gallon	A or better	24.64	17.37	$8.74		26.10	19.11	$9.61		1.83
½ gallon	B	22.09	16.05	8.08		25.20	17.65	8.88		1.71
1 gallon	A or better		31.78	16.94			34.95	17.53		3.39
1 gallon	B		25.14	14.62			32.05	16.08		3.11
5 gallon	A or better				$12.89				$16.18	16.50
5 gallon	B				11.79				12.97	15.06
5 gallon	C				10.69				11.76	14.68

(2) The grades set forth in Table B shall be determined in accordance with all the criteria set forth in the U. S. Standards for Table Maple Syrup, issued by the United States Department of Agriculture.

(3) The prices set forth in Table B include the cost of the container, and shall apply to maple syrup in all types of containers irrespective of their shape or composition. The prices are cash prices for the quantities and class of purchaser set forth. Packers may charge an additional 1% on those sales where credit for ten days or longer is extended.

(4) Producers and packers of maple syrup packed in fancy containers may elect to use either the prices stipulated in Table B for such size or the price established by such producer or packer under § 1499.2 (a) of the General Maximum Price Regulation.

(c) *Packers' maximum prices for maple syrup sold in bulk.* (1) The packer's maximum prices, f. o. b. plant, for the following grades of maple syrup sold in bulk shall be as follows:

TABLE C—PACKERS' MAXIMUM PRICES FOR MAPLE SYRUP SOLD IN BULK

Grades	Maximum price per pound	
	Filtered	Unfiltered
Fancy AA	$0.235	$0.225
A	.225	.215
B	.215	.205
C	.205	.195

(2) The grades set forth in Table C shall be determined in accordance with all the criteria set forth in the U. S. Standards for Maple Syrup for Reprocessing, issued by the United States Department of Agriculture.

(d) *Producers' and packers' maximum prices for "flavoring maple syrup."* (1) The producer's or packer's maximum prices, f. o. b. packing plant for each item, that is, for each type and container size, of "flavoring maple syrup" for each class of purchaser shall be his "base price" plus 66 cents per gallon.

(i) The "base price" shall be calculated by dividing the total dollars charged each class of purchaser for such item during the period comprising the months of April, May and June, 1941, hereinafter called the "base period," by the number of such items sold such class of purchasers during the "base period."

Example. X packer seeks the maximum price of a five gallon tin of type Q "flavoring" maple syrup. In determining his "base price," he ascertains that he sold during the "base period" a total of 1,000 5-gallon tins for which he received $5,000. The maximum price would be computed as follows:

$5,000 ÷ 1,000 5-gallon tins	$5.00—base price
5 gal. × $0.66	3.30
	8.30

Producers or packers seeking to price "flavoring" maple syrup which is to be sold without the container or on a returnable container basis, shall use the same method provided for in subparagraph (1) immediately above, except that their "base price" shall be computed by using only sales that were made on a returnable container basis during the "base period."

(e) *Delivered prices.* The delivered price for any commodity subject to the provisions of this regulation shall in no case exceed the established maximum f. o. b. price plus the actual transportation charges incurred from the seller's shipping point to the place of destination which charges, in no event, shall exceed the cost of transporting an equal quantity of maple syrup from the same shipping point directly to the purchaser's customary receiving point, computed at the lowest available transportation rate for the customary mode of transportation employed.

(f) *Maximum prices for "maple syrup" items on which no price has been established.* (1) The maximum price for any item of maple syrup for which a maximum price is not established by this Revised Maximum Price Regulation No. 312, shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (i) a description of the grade of syrup and size of the container of the item upon which a price is sought; and (ii) the factory door cost of such item. The "factory door cost" shall include all direct and indirect costs and expenses chargeable to the production of the item, but shall not include costs and expenses chargeable to the administration, selling, advertising or transportation; and (iii) the factory door costs and maximum selling prices of the applicant's three most comparable items together with their description.

(2) Until the Office of Price Administration shall fix a price for such item of "maple syrup", applicant may deliver the item but he may not receive payment for it.

(g) *Imports.* (1) The appropriate maximum prices for maple syrup established by this regulation shall likewise apply to all maple syrup imported into the United States, the importer being considered the producer or packer as the case may be. Such prices shall apply f. o. b. point of entry and shall include duty.

SEC. 3. *Maximum prices for maple sugar*—(a) *Maximum prices for block sugar.* (1) The following are maximum prices f. o. b. seller's shipping point, for block sugar. These prices include the cost of the container, and are prices before discounts. Each seller shall reduce these prices to reflect his own established trade allowance and discounts, including but not limited to the discount for prompt payment. The term "quantity of sale" as used in the following table means the total quantity of maple sugar to be delivered as a result of a single contract.

Type	Quantity of sale	Prices per pound
Fancy block sugar	2,000 lbs. or less	$0.36
Fancy block sugar	Over 2,000 lbs. but less than 40,000 lbs.	.35
Fancy block sugar	40,000 lbs. or over but less than 250,000 lbs.	.34
Fancy block sugar	250,000 lbs. and over	.33
Blended block sugar	2,000 lbs. or less	.34
Blended block sugar	Over 2,000 lbs. but less than 40,000 lbs.	.33
Blended block sugar	40,000 lbs. or over but less than 250,000 lbs.	.32
Blended block sugar	250,000 lbs. and over	.31

(2) The maximum prices for block sugar which is imported into the United States shall apply f. o. b., port of entry, and shall include duty.

(b) *Maximum prices for Canadian bag sugar.* (1) The maximum price for Canadian bag sugar, f. o. b. port of entry, duty included, shall be $0.27 per pound.

(c) *Delivery prices.* (1) The prices for block sugar and Canadian bag sugar delivered to buyer shall in no case exceed the established maximum f. o. b. prices, plus the actual transportation charges incurred from the seller's f. o. b. shipping point to the place of destination, which charges, in no event, shall exceed the cost of transporting an equal quantity of the same commodity from the same shipping point directly to the purchaser's customary receiving point, computed at the lowest available transportation rate for the customary mode of transportation employed.

SEC. 4. *Compliance with this regulation*—(a) *No selling or buying above maximum prices.* Regardless of any contract, agreement or other obligation,

(1) No person shall sell or deliver any commodities at prices higher than the maximum prices set forth for such commodities in this regulation; and

(2) No person shall buy or receive any commodities in the course of trade or business at prices higher than the maximum prices set forth for such commodities in this regulation.

However, lower prices than the maximum prices may be charged or paid.

(b) *Evasion.* Price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities whose prices are herein regulated alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or other trade understanding, or otherwise.

(c) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1[1] licensing all persons except growers, who make sales under price control, are applicable to sellers subject to this regulation. A seller's license may be suspended for violations of a license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 5. *Exempt sales.* (a) The provisions of this regulation shall not be applicable to sales of maple syrup at wholesale and retail except when such sales are made by producers and packers. Sales of maple syrup by wholesalers shall be subject to the applicable provisions of Maximum Price Regulation 421 and sales by retailers shall be subject to the applicable provisions of Maximum Price Regulation 422 and 423.

(b) All sales of pure maple sugar other than "Block Sugar" and "Canadian Bag Sugar" are exempt from price control.

SEC. 6. *Notification of new maximum price.* With the first delivery of an item to a particular wholesaler or retailer after the effective date of this regulation or an amendment to it, in any case where the seller's new maximum price is different from the maximum price he previously had for the same item, he shall:

(a) Supply such wholesaler or retailer purchasing from him a written notice as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe items included in sale) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation Nos. 421, 422 or 423 you must refigure your ceiling price for this item on your first delivery of it to you containing this notification after (insert effective date of this regulation or amendment). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of sixty days after determining the new maximum price for the item, and with the first shipment after the sixty day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

SEC. 7. *Records and reports.* (a) Every producer and packer who makes sales of maple syrup or maple sugar after the effective date of this regulation shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged for any of such items sold after the effective date of this regulation.

(b) Every person making sales of maple syrup pursuant to this regulation shall submit such reports to the Office of Price Administration, and such other records as the Office of Price Administration may from time to time require, subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(c) Every producer or packer who sells an item of "flavoring maple syrup" shall within ten days after calculating his maximum price for each such item submit to the Office of Price Administration, Washington, D. C., a statement showing his "base prices" and his maximum prices as computed under section 2, paragraph (d) and shall include in such statement, the figures which were the basis of the required computations.

SEC. 8. *Export sales.* The maximum prices at which a person may export maple syrup or maple sugar shall be determined in accordance with the Second Revised Maximum Export Price Regulation, as amended, issued by the Office of Price Administration.

SEC. 9. *Applicability of the General Maximum Price Regulation.* (a) The provisions of this Revised Maximum Price Regulation No. 312 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of maple syrup and maple sugar for which maximum prices are or may be established by this regulation except where otherwise provided in this regulation.

(b) The following sections of the applicable regulation or order shall apply to sales covered by this Revised Maximum Price Regulation 312.

(1) Section 1499.14 of the GMPR *Sales slips and receipts.*

[1] 8 F.R. 12940.

(2) Section 4.4 of Rev. SR No. 1 and § 1499.46 (b) (118) of Rev. SR No. 11. *Developmental contracts.*

(3) Supplementary Order No. 42 *Secret contracts.*

(4) Section 4.3 (f) of Rev. SR No. 1 *Emergency purchases.*

(5) Supplementary Order No. 27 *Sales by certain stores operated or regulated by the War Department or the Department of the Navy.*

SEC. 10. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any seller are sold or otherwise transferred on or after the effective date of this regulation and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer, which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

SEC. 11. *General amendments.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] and amendments, issued by the Office of Price Administration.

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. No person may deliver or agree to deliver at a price to be adjusted upward after delivery except upon authorization of the Office of Price Administration. Such authorization may be given when a request for a change in the applicable maximum price is pending, if the authorization is deemed necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to whom authority to grant such authorization has been delegated. The authorization will be by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 13. *Taxes.* Any tax upon or incident to, the sale or delivery of maple syrup imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect prior to the effective date of this regulation.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price prior to the effective date for such item the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such a case shall include such amount in determining the maximum price under this regulation.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased and in such case the seller shall not include such amount in determining the maximum price under this regulation.

(b) *As to a tax or increase in a tax which becomes effective after the effective date of this regulation.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 14. *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 312, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Manufacturer" means a person who is a producer or packer or both a producer and packer.

(3) "Producer" means a person who obtains maple sap by tapping maple trees and manufactures the sap into maple syrup by evaporation or other means.

(4) "Packer" means a person who purchases or receives maple syrup and manufactures it by packaging it into containers or processes it further and manufactures it as maple syrup, or manufactures it into another commodity such as maple sugar, or maple candy, or manufactures it by blending it with, or adding it to another commodity. A packer may also engage in reselling to others, or in buying from others maple syrup in bulk with or without further processing it. The term "packer" includes persons who are acting in the capacity of selling agents for producers, or buying agents for packers regardless of whether their selling or buying compensation results from a commission, or buying at a discount below the packer's price. The term "packer" also includes non-profit cooperative associations who manufacture and process maple syrup as above described regardless of whether in their purchases of the maple syrup they take title to the maple syrup.

(5) "Wholesaler" means a person engaged in the distributing business who buys maple syrup and resells it to any person other than a domestic consumer. The term includes chain store warehouses but does not include producers and packers even though part of their sales are at wholesale.

(6) "Retailer" means a person who buys maple syrup and resells it to a domestic consumer. The term does not include producers, packers, or chain store warehouses.

(7) "Domestic consumer" means a person who receives maple syrup and either uses it for personal use or makes a gift of it to another. The term does not include any person engaged in the business of selling maple syrup or maple syrup products either separately or in conjunction with or as an ingredient of another product.

(8) "Maple syrup" means syrup made by the evaporation of pure maple sap or from a solution of maple concrete (maple sugar). It contains not more than 35% of water, and weighs not less than 11 pounds to the gallon (231 cubic inches.) However, solely for the purposes of this regulation, the term "maple syrup" shall include maple sap of a density of 33°, 34°, and 35° Baumé for which prices are provided in Table A.

(9) "Flavoring maple syrup" means maple syrup which is extremely dark in color, sold only for flavoring or blending purposes and is too strong in taste to be suitable for table use.

(10) "Maple sugar" means the solid or pulverized maple product made by evaporating maple syrup.

(11) "Block sugar" is maple sugar which is sold in 10-pound blocks or larger, is commonly used in the confectionery, blended syrup, and tobacco industries, and is commonly referred to in the trade as "block sugar."

(12) "Fancy block sugar" is block sugar which is wholly or substantially made from Grade "Fancy" syrup and which contains no syrup which is less than Grade "A".

(13) "Blended block sugar" is block sugar other than "Fancy block sugar."

(14) "Canadian bag sugar" is maple sugar produced in Canada in pieces of irregular shape and size and packed loose in bags, boxes or barrels.

(15) "Loading point" means the central collection point (including but not limited to railroad stations, warehouses, storehouses and creameries) in the producing area to which maple syrup is picked up by the buyer or at which point the syrup is loaded for shipment to the buyer.

(16) "In bulk" means (i) where the purchaser furnishes the drum or other container in which the maple syrup is received; or (ii) where the seller furnishes the drum or container but the sale is made on a returnable basis; and (iii) where such container has a capacity of more than five gallons.

SEC. 15. *Geographical applicability.* The provisions of this regulation shall be applicable to the 48 states of the United States and the District of Columbia.

Effective date. This regulation shall become effective April 1, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 18, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4299; Filed, March 27, 1944; 11:46 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 424,[1] Amdt. 2]

TIGHT COOPERAGE STOCK AND SAWED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation 424 is amended in the following respects:

1. In section 3 the portion of the second paragraph under paragraph (b) following the phrase "and headings covered by this regulation" is deleted.

2. In section 6, paragraph (a) (2) is amended to read as follows:

(2) Cooperage producers located in states other than those included in the stock-producing areas (Table 1, Appendix A) shall use the maximum prices of staves and headings in the upper area for the purpose of computing cooperage prices under paragraph (a) (1) of this section.

3. Section 14 is amended to read as follows:

SEC. 14. *Licenses.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

4. Sections 15, 16, 17 and 18, respectively, are redesignated, sections 16, 17, 18 and 19, respectively, and a new section 15 is added to read as follows:

SEC. 15. *Registration.* Persons desiring to sell as dealers, merchants or warehousemen, any of the products covered by this regulation must register with the Lumber Branch, Office of Price Administration, Washington, D. C. within 15 days after becoming subject to the regulation. The registration shall be accomplished by filing with the Office of Price Administration a statement of the applicant's qualifications. Every person owning, operating or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by a dealer, warehouseman or merchant, such dealer, warehouseman or merchant shall, within 15 days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

The Office of Price Administration will issue to each dealer, warehouseman or merchant registering in accordance with this section a registration certificate which shall be posted at all times in a conspicuous place in the registrant's place of business.

Persons who have previously filed their qualifications and received specific approval under the original section 14 of the regulation are not required to register under this section.

5. In the newly designated section 18, Table II, the prices in the columns headed "26" through "30" are amended as follows:

	Southern producing area	Upper producing area
Wide Sap #1	$49.50	$54.50
Red Oak #1	49.50	54.50
Chestnut Oak #1	49.50	54.50
Gum and Gum Mixed #1	49.50	54.50

6. In the newly designated section 18, Table IV, the prices in the columns headed "16" to "19" are amended as follows:

	Southern producing area	Upper producing area
Wide Sap #1	$0.27	$0.31
Red Oak #1	.27	.31
Chestnut Oak #1	.27	.31
Gum and Gum Mixed #1	.27	.31

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4302; Filed, March 27, 1944; 11:47 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 524]

USED TIGHT COOPERAGE

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1377.306 *Maximum prices for used tight cooperage.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 524 (Used Tight Cooperage), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1377.306 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 524—USED TIGHT COOPERAGE

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.
1. Prohibition against dealing in used tight cooperage at prices above the maximum.
2. Products and transactions covered by the regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Maximum prices.
4. Additions for delivery.
5. Definitions.
6. What the invoice must contain.
7. Prohibited practices.

ARTICLE III—MISCELLANEOUS

8. Adjustable pricing.
9. Applications for adjustment and petitions for amendment.
10. Records.
11. Licenses.
12. Enforcement.
13. Relation to other regulations.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in used tight cooperage at prices above the maximum.* Regardless of any contract or other obligation, no person may sell or deliver, and no person may buy or receive used tight cooperage at prices higher than those contained in this regulation. No person shall agree, offer or attempt to do these things.

Prices less than the maximum prices established by this regulation may, of course, be charged and paid.

SEC. 2. *Products and transactions covered by the regulation.*—(a) *Products covered.* This regulation under the term "used tight cooperage," covers all used tight wooden barrels or kegs, and used whiskey barrel stock and shook.

(b) *Transactions covered.* This regulation covers all sales and purchases within the continental limits of the United States of used tight cooperage.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum prices.* The maximum prices, f. o. b. conveyance, for used tight cooperage are shown in the following tables:

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[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1394.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9516, 11175.

[2] 8 F.R. 13240.

USED TIGHT COOPERAGE

[Maximum prices, f. o. b. conveyance]

	As they run		Sales by other than dumpers to consumers and exporters		
	Sales to anyone, by		As they run	Selected and sound	Reconditioned
	Dumpers	Peddlers			
Regular barrels					
48/60 gallons double head	$1.25	$1.60	$1.60	$2.00	$3.50
dropped head	1.10	1.45	1.45		
single head	.75	1.10	1.10		
20/48 gallons double head	.75	1.00	1.00	1.90	2.40
dropped head	.60	.85	.85		
single head	.35	.60	.60	.80	1.35
Up to 20 gallons double head	.45	.60	.50		
dropped head	.35	.50	.35		
single head	.20	.35			

				Scraped coopered	Unscraped coopered
Whiskey barrels					
47/50 gallons distillery run	1.35	1.70	1.70	2.10	2.55	2.80
culls	.85	1.20	1.20			

SERVICE RECONDITIONING

[Received f. o. b. shop, returned f. o. b. shop]

	48/60	20/48	Under 20
Regular barrels in lots 50 percent sound, including material replacement	$1.90	$1.40	$0.75
Regular barrels in cull lots, including material replacement	2.25	1.65	.90

	Scraped	Unscraped
Whiskey barrels in distillery run lots, including material replacement	$1.90	$1.20
Whiskey barrels in cull lots, including material replacement	2.25	1.45

Barrels, 47/60 gal. capacity, rebuilt of used whiskey barrel staves

Formula:
Staves, listed domestic price
Heads used, listed domestic price } Or new heads as per MPR 424
Hoops, used, listed domestic price } Or new hoops as per MPR 424
Other extras
Sum of above

To this sum add $2.25 for all barrels; except for barrels made in Washington, Oregon and California of staves from the East, add $3.00. These mark-ups include inbound freight.

Used whiskey barrel stock and sheet.

Domestic.
From 47/50 gallon barrel.
Bundled for domestic carload or truck shipment.
F. o. b. Cooper shop or railhead.

	Staves (per bilge inch)	Heads (per set)
Char on	$0.028	$0.20
Planed/shaved	.030	.27

For rejointed staves, add $0.004 per bilge inch.

Export stock:
From 47/50 gallon barrel.
Staves bundled with steel strappings.
Heads in headed, made up barrel.
Hoops bundled with steel strapping (3 hoops each shook set).
Each set of shook complete, staves numbered
Char on $2.85
Planed/shaved 3.07
For sets of staves of bilge measurement less than 77" or more than 79", strapped for export. *Per bilge inch*
Char on $0.033
Planed/shaved .035
For rejointed staves add $0.004 per bilge inch.

EXTRAS—USED BARRELS—TIGHT

	Over 20 gallons	20 gallons and under
Hoops, used	$0.03 each	$0.015 each.
Reworking	.02 each	.02 each.
New	As per MPR 424.	
Linings	As per MPR 424.	
Kiln drying staves:		
Over 24" per set		.10.
24" and under per set		.07.
Kiln drying heading:		
Over 15" per set		.03.
15" and under per set		.02.

SEC. 4. *Additions for delivery.* To the maximum prices, f. o. b. conveyance, the actual charges paid or incurred by the seller in making delivery may be added. However, if delivery is by truck owned or controlled by the seller the addition may not exceed 80 percent of the common carrier truck charge for a similar delivery.

SEC. 5. *Definitions*—(a) *Dumper or emptier.* One who purchases commodities in barrels and empties the contents.

(b) *Peddler.* One who obtains used barrels from emptiers for the purpose of resale without storing, selecting or reconditioning them.

(c) *Reconditioned barrel*—(1) *Regular run.* A used barrel with all sound staves, heads and hoops which has been steamed and/or washed clean inside, washed outside, flagged, if necessary, recoopered to liquid tightness; except, at the buyer's option, one sound fitting head may be furnished loose and the hoops not driven to a final tightness, provided the barrel has been completely recoopered and tested.

(2) *Whiskey barrel.* A used whiskey barrel with all sound staves, heads and hoops which has been flagged, if necessary, and recoopered to liquid tightness; except, at the buyer's option, one sound, fitting head may be furnished loose and the hoops not driven to a final tightness, provided the barrel has been completely recoopered and tested.

(i) *Char on.* A reconditioned whiskey barrel from which the char has not been removed.

(ii) *Scraped.* A reconditioned whiskey barrel from which practically all the inside char has been removed by lathing, scraping, sanding or some comparable method.

(d) *Rebuilt whiskey barrel.* A barrel that has been completely rebuilt partially or wholly from used barrel staves, heads and hoops.

(e) *Sound barrel.* An unreconditioned barrel, complete with all hoops, no broken, cracked or defective staves, and two heads (one of which may be dropped) without breaks, cracks or other defects. Warpage in heads which will fit the croze and minor defects in staves or heads which will take up in hoop driving do not constitute unsoundness.

(f) *Selected barrel.* A sound barrel, partially or wholly unreconditioned, which has been selected for uniformity or comparability of size and type.

(g) *Cull barrel.* An unsound, defective barrel.

(h) *Distillery run barrels.* Used whiskey barrels which have not been reconditioned but any quantity of which contains at least 50 percent sound barrels.

(i) *As they run barrels.* Used regular run barrels which have not been reconditioned or selected in any way.

(j) *Regular run tight barrels.* All used tight barrels except those which have been used for whiskey or other commodities requiring a similar high quality barrel.

SEC. 6. *What the invoice must contain.* All invoices must contain a sufficiently complete description of the items sold to show whether or not the price is proper. They must also show the name and address of the seller, the name and address of the purchaser, the origin and destination of the shipment, the quantity and price and any items, including delivery charges, affecting the price.

SEC. 7. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

ARTICLE III—MISCELLANEOUS

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 9. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[1] for adjustments on certain government contracts and sub-contracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 10. *Records.* Any person making sales covered by this regulation which amount to $10.00 or more in any one month must keep records which will show a complete description of the containers sold, the quantity, price, date of sale and the name and address of the buyer. Buyers must keep similar records including the name and address of the seller. These records must be kept for two years for inspection by the Office of Price Administration.

SEC. 11. *Licenses.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 12. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Relation to other regulations*—(a) *General Maximum Price Regulation.*[4] Any sale or delivery covered by this Maximum Price Regulation 524 is not subject to the General Maximum Price Regulation.

(b) *Second Revised Maximum Export Price Regulation.*[5] The maximum prices for export sales of used tight cooperage are governed by the Second Revised Maximum Export Price Regulation.

The effective date of this regulation shall be April 1, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4300; Filed, March 27, 1944; 11:47 a. m.]

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 13024.
[2] 7 F.R. 8961; 8 F.R. 8313, 3533, 6173, 11806.
[3] 8 F.R. 13240.
[4] 8 F.R. 3096, 3849, 4947, 4486, 4724, 4978, 4548.
[5] 8 F.R. 4132.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 1]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5001 (a) (22) (iv) is amended to read as follows:

(iv) The first person to have possession within the limitation area is not the primary supplier if the person from whom he purchased the fuel oil maintains within the limitation area a regular place of business at which the order was placed. Instead, the person from whom the purchase is made is a primary supplier and the place of business at which the order for the fuel oil was placed is the primary supplier establishment.

2. Section 1394.5001 (a) (29) is amended by adding after the period at the end of the subparagraph the parenthetical sentence, "(Section 1394.5735 explains the application of the term transfer where fuel oil is delivered for another person's account.)"

3. Section 1394.5603 (a) (8) is added as follows:

(8) The fuel oil is used for compoundings or laboratory research, experimental or refining purposes by a primary supplier who is engaged in the business of transferring fuel oil.

4. Section 1394.5652 (a) is amended by adding after the period at the end of the paragraph the parenthetical sentence, "(Section 1394.5735 explains to whom evidences must be surrendered (or a primary supplier registration number furnished) when fuel oil is delivered to a person for another person's account.)"

5. Section 1394.5652 (c) is added as follows:

(c) A primary supplier engaged in the business of transferring fuel oil may without obtaining a ration for the purpose acquire fuel oil for his own use for compoundings, experimentation, laboratory research and refining.

6. Section 1394.5660 is amended to read as follows:

§ 1394.5660 *Transfers by consumers to dealers or primary suppliers.* (a) A consumer may transfer fuel oil to a dealer or primary supplier. If the dealer or primary supplier to whom such a transfer is made is a depositor, he must, at the time of the transfer, issue his ration check for the amount of the fuel oil transferred, drawn to the Office of Price Administration and deliver it to the consumer. If the dealer or primary supplier is not a depositor, he must, at the time of the transfer, deliver to the consumer an exchange certificate equal in gallonage value to the amount of the fuel oil transferred. Before delivering the check or exchange certificate to the consumer, the dealer or primary supplier must endorse upon the back of it his name, the name and address of the consumer and the words, "Not transferable." No consumer may accept a ration check or an exchange certificate of a gallonage value in excess of the amount of the fuel oil transferred by him.

(b) A consumer to whom a ration check or an exchange certificate has been delivered in accordance with paragraph (a) must surrender the check or exchange certificate to his Board. No such ration check or exchange certificate may be used or accepted by any person for a transfer of fuel oil. If the consumer's ration has not expired under § 1394.5501 or § 1394.5502, the Board will issue him a Class 3 coupon sheet containing coupons of a gallonage value equal to the amount of the check or exchange certificate surrendered, or if the consumer is a depositor, a fuel oil deposit certificate for the amount of the check or exchange certificate surrendered.

7. Section 1394.5668 is added as follows:

§ 1394.5668 *Adjustments by non-banking dealers and primary suppliers with consumers.* (a) A dealer or primary supplier who is not a depositor and who is required to make an adjustment between the amount of evidences received from a consumer and the amount of fuel oil transferred to the consumer in exchange for such evidences must deliver to the consumer an exchange certificate equal in gallonage value to the amount of the adjustment. Before delivering the exchange certificate to the consumer, the dealer or primary supplier must endorse upon the back of it his name, the name and address of the consumer and the words "Not transferable".

(b) A consumer to whom an exchange certificate has been delivered in accordance with paragraph (a) must surrender it to his Board. No such exchange certificate may be used or accepted by any person for a transfer of fuel oil. If the consumer's ration has not expired under § 1394 5501 or § 1394.5502, the Board will issue him a Class 3 coupon sheet containing coupons of a gallonage value equal to the amount of the exchange certificate surrendered, or if the consumer is a depositor, a fuel oil deposit certificate for the amount of the exchange certificate surrendered.

8. Section 1394.5686 (b) is amended to read as follows:

(b) To a person from whom he has received evidences to make any necessary adjustment between the amount of evidences received and the amount of fuel oil transferred to such person in exchange for such evidences. However, no ration check may be drawn to a consumer who is not a depositor for the purpose of making an adjustment. (Section 1394.5690 explains how adjustments may be made with consumers who are not depositors.)

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 2357.

9. Section 1394.5690 is added as follows:

§ 1394.5690 *Adjustments by depositors with consumers.* (a) A depositor who is required to make an adjustment between the amount of evidences received from a consumer who is not a depositor and the amount of fuel oil transferred to the consumer in exchange for such evidences must issue his ration check for the amount of the adjustment, drawn to the Office of Price Administration and deliver it to the consumer. Before delivering the check to the consumer, the person issuing it must endorse upon the back the name and address of the consumer and the words, "Not transferable". The consumer must surrender the check to his Board. No such ration check may be used or accepted by any person for a transfer of fuel oil. If the consumer's ration has not expired under § 1394.5501 or § 1394.5502, the Board will issue him a Class 3 coupon sheet containing coupons of a gallonage value equal to the amount of the check.

10. Section 1394.5701 (a) is amended to read as follows:

(a) *Primary suppliers.* A primary supplier shall apply for registration on Form OPA R–1116 (Revised), in duplicate, to any Board within the limitation area within five (5) days after becoming a primary supplier. If an establishment is already included in an earlier primary supplier registration under Ration Order No. 11 or Revised Ration Order 11, application for registration for such establishment need not be made.

(1) The applicant shall furnish together with such other information as may be required by the form:

(i) His name, firm name, and business address.

(ii) The total fuel oil storage capacity (as defined in § 1394.5703) and the total inventory of fuel oil on hand (as defined in § 1394.5702) as of the time he became a primary supplier. (This subdivision (ii) shall not apply to stationary storage facilities maintained without the limitation area.)

(iii) The location of, and the storage capacity and inventory on hand at, each establishment included in the proposed registration; or, if he does not maintain stationary storage facilities within the limitation area, the number of mobile and portable units operated by him within the area and included in the registration, and the capacity and vehicle license number of each of such mobile delivery units. If more than one establishment or mobile unit is included in the registration, the applicant shall attach a schedule or schedules to Form OPA R–1116 (Revised), supplying the information required with respect to each such establishment or mobile unit.

(iv) A statement as to the facts which constitute him a primary supplier under the definition of "primary supplier" in § 1394.5001 (a) (22).

(v) If he applies for registration after the time fixed by paragraph (a), a signed statement, in duplicate, setting forth his reasons for not applying within the time fixed for the application.

(2) A primary supplier shall include in one application for his primary supplier registration all the establishments or mobile facilities at or from which he conducts operations constituting him a primary supplier and all stationary storage facilities in which he commingles fuel oil with that of other primary suppliers irrespective of the ownership of such facilities. However, facilities in which a primary supplier commingles fuel oil pursuant to Directive No. 59 of the Petroleum Administration for War shall be included in his application only if operations constituting him a primary supplier are conducted at or from such facilities. If he has other establishments within the limitation area, he may include some or all of them in his application if he chooses to do so.

(i) He shall apply for registration as a dealer as to each establishment at which he engages in the business of transferring fuel oil and which he does not choose to include in his primary supplier registration.

(ii) Where the operations of a primary supplier are divided by him among two or more accounting and financial districts, he may make a separate application for any district if he has at least one establishment in such district at or from which primary supplier operations are conducted.

(iii) A person may include in his application the fuel oil storage facilities of any person who receives fuel oil on consignment from him, title to the fuel oil remaining in the consignor until the time of transfer by the consignee. If such facilities are included in the application, the consignee shall for all purposes of this order be deemed to be an agent of the primary supplier with respect to such fuel oil. If the consignee's facilities are not included in the application, the consignee shall apply for registration with respect to such facilities, and notwithstanding the retention of title by the consignor to the fuel oil consigned, the consignee shall, if he is a dealer, surrender coupons or other evidences upon the transfer of such fuel oil to him and include the fuel oil in his inventory.

(iv) An establishment without the limitation area and an establishment within the limitation area must not be included in the same application for registration.

(3) Registration certificates shall be issued in accordance with § 1394.5704.

11. Section 1394.5704 is amended to read as follows:

§ 1394.5704 *Issuance of registration certificates*—(a) *How applications are granted.* Upon determining that all information required by OPA Form R–1116 (Revised) has been properly entered on the form, the Board shall, in the case of application for registration as a dealer, grant the application by authorized signature and return the original to the registrant. In the case of application for registration as a primary supplier, the Board shall note upon the application a temporary primary supplier registration number and furnish that number to the applicant. The original and duplicate of the application will be mailed promptly by the Board to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office. If the registrant qualifies as a primary supplier, the Washington Office will assign a permanent registration number to the application and return the original application to the egistrant.

(b) *Late dealer registration.* Whenever a person applies for registration as a dealer after the time fixed therefor by § 1394.5701, the Board shall, after the granting of the application, notify the District Office.

(c) *Registration certificate to be exhibited.* The original of the application for registration, bearing the registration number assigned by the Control and Audit Section in the case of a primary supplier or the authorized signature of the Board in the case of a dealer, shall be retained as a certificate of registration at the business address stated on the application. The certificate shall be presented at any time when requested by a Board or by an authorized representative of the Office of Price Administration.

(d) *Saving clause; late registrations.* Neither the granting of an application for a dealer registration by a Board nor the assignment of a primary supplier registration number (temporary or permanent) shall operate as a waiver of any violation of this Order by the applicant.

12. Section 1394.5707 (a) is amended by adding after the period at the end of the paragraph the parenthetical sentence, "(Section 1394.5735 explains to whom evidences must be surrendered (or a primary supplier registration number furnished) when fuel oil is delivered to a person for another person's account.)"

13. Section 1394.5707 (a) (1) is deleted.

14. Section 1394.5707 (b) is added as follows:

(b) *Transfers to primary suppliers from without the limitation area or from other primary suppliers within the area*—(1) *Transfers from without the area.* No exchange of coupons or other evidences shall accompany a transfer of fuel oil directly from without the limitation area to a primary supplier within the limitation area.

(2) *Transfers within the area between primary suppliers.* Beginning April 1, 1944, a primary supplier may transfer fuel oil within the limitation area to another primary supplier who may accept such a transfer, only if the transferor and the transferee each furnishes to the other at the time or in advance of the transfer his permanent registration number assigned by the Washington Office, or if that number has not been received, the temporary registration number assigned by the Board. No coupons or other evidences shall accompany such a transfer.

15. Section 1394.5709 (a) is amended by adding after the period at the end of the paragraph the parenthetical sentence, "(Section 1394.5735 explains to whom evidences must be surrendered (or a primary supplier registration number furnished) when fuel oil is delivered to a person for another person's account.)"

16. Section 1394.5723 (a) is amended by deleting the sentence, "No dealer or primary supplier shall knowingly accept, for exchange certificates delivered to the Board, another exchange certificate of a gallonage value in excess of the amount of fuel oil transferred for the coupons or other evidences for which such exchange certificates were issued."; and by adding after the period at the end of the paragraph the sentence, "No exchange certificate endorsed to a consumer may be used or accepted by any person for a transfer of fuel oil."

17. Section 1394.5725 (a) is amended by adding the word "(Revised)" after the phrase "OPA Form R–1119."

18. Section 1394.5726 (b) is amended by adding the word "(Revised)" after the phrase "OPA Form R–1119."

19. Section 1394.5731 (a) is amended to read as follows:

(a) On or before the 25th day of each month, commencing on the 25th day of April, 1944, every primary supplier shall forward to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington (25), D. C., a report on OPA Form R–1119 (Revised), giving the information required by the form. The report shall cover the preceding month and shall be prepared in accordance with the instructions, OPA Form R–1119B. Each report must be accompanied by a certified ration check (or if the primary supplier is not a ration banking depositor, an exchange certificate) for the amount required by the form and the instructions. No ration check (or exchange certificate) submitted to accompany a report on OPA Form R–1119 (Revised) shall include any evidence surrendered to the primary supplier for transfers of fuel oil made by him after the close of the month for which the report is made.

20. Section 1394.5731 (d) is deleted.

21. Section 1394.5732 (a) is amended by inserting after the first sentence in the paragraph the following two sentences, "If the fuel oil is delivered to a person for another person's account, the person making the delivery (other than as a carrier) need furnish the invoice, delivery ticket or other customary document of transfer only to the person for whose account the delivery is made. That invoice, delivery ticket or other customary document of transfer shall also state the name and address of the person to whom the fuel oil is delivered. The person for whose account the delivery is made must furnish an invoice, delivery ticket or other customary document of transfer to the person to whom the fuel oil is delivered.

22. Section 1394.5732 (b) is amended by inserting after the period at the end of the paragraph the following two sentences, "This paragraph applies only to the dealer or primary supplier to whom the ration evidence must be surrendered. Section 1394.5735 explains to whom evidences must be surrendered when fuel oil is delivered to a person for another person's account."

23. Section 1394.5735 is added to read as follows:

§ 1394.5735 *Surrender of ration evidence or furnishing primary supplier registration number when delivery is made for another person's account*—(a) *General rule.* Where a person (in this section called the "seller") causes fuel oil to be delivered for his account to a second person (called the "buyer") by a third person (called the "deliverer"), the following is the rule for the surrender of evidences or the furnishing of a primary supplier registration number: The seller must surrender ration evidence (or furnish a primary supplier registration number) to the deliverer, and the buyer must surrender ration evidence (or furnish a primary supplier registration number) to the seller, unless such surrender of evidence is not required by any provision of this order. No ration evidence shall be surrendered (and no primary supplier registration number need be furnished) by the buyer to the deliverer.

Examples. Note: Unless otherwise noted, the buyer, seller, and deliverer are within the limitation area.

1. A, a dealer or consumer, orders fuel oil from B, a dealer, who causes C, a primary supplier, to deliver the fuel oil to A for B's account. A must surrender ration evidence to B for the transfer from B to A. B must surrender evidence to C for the transfer from C to B. No evidence may be surrendered for the transfer from C to A. C will include in his primary supplier report a transfer to B.

2. A, a dealer or consumer, orders fuel oil from B, a primary supplier. B causes C, a primary supplier, to deliver fuel oil to A for B's account. A must surrender evidence to B for the transfer from B to A. B and C must each furnish to the other his primary supplier registration number for the transfer from C to B. No evidence may be surrendered for the transfer from C to A. B will report a transfer to A and an acquisition from a primary supplier. C will include in his primary supplier report a transfer to a primary supplier.

3. A, a dealer or consumer, orders fuel oil from B, a primary supplier. B causes C, a refiner located without the limitation area, to deliver the fuel oil to A for B's account. A must surrender evidence to B for the transfer from B to A. No evidence may be surrendered for the transfer from C to A or for the transfer from C to B. Surrender of ration evidence for the transfer from C to B is not otherwise required by this order or by this § 1394.5735. B will include in his primary supplier report the transfer to A and an acquisition from without the limitation area.

4. A, a consumer located without the limitation area, orders fuel oil from B, a primary supplier. B causes C, a primary supplier, to deliver the fuel oil to A for B's account. A must surrender evidence to B for the transfer from B to A. B and C will each furnish the other his primary supplier registration number for the transfer from C to B. No evidence may be surrendered for the transfer from C to A. B will include in his primary supplier report the transfer to A and an acquisition from a primary supplier. C will include in his primary supplier report a transfer to a primary supplier.

(b) *Exception where seller is without the area.* However, if the seller is without the limitation area, the buyer must surrender ration evidence (or furnish a primary supplier registration number) to the deliverer (unless that surrender of evidence is not required by any provision of this order).

No ration evidence may be surrendered (and no primary supplier registration number need be furnished) by the buyer to the seller or by the seller to the deliverer but the deliverer may designate the seller as his agent to obtain the ration evidence (or primary supplier registration number) from the buyer. If so designated, the seller must surrender the ration evidence collected to the deliverer, and if it is a ration check, he must endorse it before the surrender. No such evidence may be used by the seller to acquire fuel oil.

Example. 1. A, a dealer or consumer located within the limitation area, orders fuel oil from B, a refiner located without the limitation area. B causes C, a primary supplier located within the limitation area, to transfer the fuel oil to A for B's account. C must obtain evidence from A for the transfer from C to A. C may designate B his agent to collect the evidence from A. No evidence may be surrendered for the transfer from B to A or for the transfer from C to B. C will include in his primary supplier report the transfer to A.

2. A, a consumer located without the limitation area, orders fuel oil from B, a supplier located without the limitation area. B causes C, a dealer within the limitation area, to deliver the fuel oil to A for B's account. C must obtain evidence from A for the transfer from C to A. C may designate B his agent to collect the evidence from A. No evidence may be surrendered for the transfer from B to A or for the transfer from C to B.

This amendment shall become effective on April 1, 1944.

NOTE: All reporting and record keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4297; Filed, March 27, 1944; 11:54 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 65, as Amended March 15, 1944]

PART 1545—PETROLEUM SUPPLY

TRANSPORTATION OF PETROLEUM IN DESIGNATED WESTERN AND SOUTHERN STATES

Correction

In F. R. Doc. 44–3977, appearing at page 3095 of the issue for Wednesday, March 22, 1944, the last sentence of paragraph (i) on page 3096 should read: "Operating expenses of the Committee and the manager shall be met as provided in § 1500.7 of this chapter."

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

HIGHWAY BRIDGE NEAR CHOPTANK, MD.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.241 are hereby extended to include a highway bridge over Hunting Creek, near Choptank, Maryland, paragraph (f) being amended as follows:

§ 203.241 *Navigable waterways of the United States discharging their waters into the Atlantic Ocean south of and including Chesapeake Bay and the Gulf of Mexico, excepting the Mississippi River and its tributaries; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

• • • • •

Hunting Creek, Md.; bridge of the County Commissioners of Caroline and Dorchester Counties near Choptank, Md. (At lease twenty-four hours' advance notice required).

(28 Stat. 362; 33 U.S.C. 499) [Regs. 8 November 1943, CE 800.211 SPEKH, as amended 20 March 1944, CE 823 (Hunting Creek-Choptank, Md.—Mile 0.3)—SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-4261; Filed, March 27, 1944; 10:00 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4427, 4438, 4438a, 4439, 4440, 4441, 4442, 4447, 4488, 4491, 4551, as amended, 29 Stat. 188, 34 Stat. 1411, 38 Stat. 1169, 49 Stat. 1544, 1936, 53 Stat. 1147, 54 Stat. 163–167, as amended (46 U.S.C. 375, 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 233, 481, 489, 643, 225, 237, 672, 367, 689, 247, 526–526t), and Executive Order 9083, dated 28 February, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations, and approval of items of equipment for the better security of life at sea are prescribed.

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 25—REQUIREMENTS FOR ALL MOTORBOATS EXCEPT THOSE OF OVER 15 GROSS TONS CARRYING PASSENGERS FOR HIRE

LICENSED OPERATORS

Section 25.8–8 (a) is deleted and the following is substituted instead:

§ 25.8–8 *Lost license.* (a) In case of loss of license from any cause, except as stated in § 25.8–9, the Officer in Charge, Marine Inspection, upon receiving a properly executed affidavit on form NAVCG 719–E, giving satisfactory evidence of such loss and a record of the lost license from the marine inspection office that issued same, shall issue a Certificate of Lost License to the licensee which shall have the authority of the lost license for the unexpired term. In all cases the Certificates of Lost License shall state the marine inspection office that issued the lost license.

Subchapter D—Tank Vessels

PART 36—LICENSED OFFICERS AND CERTIFICATED MEN

LICENSED OFFICERS

Section 36.1–16 (a) is deleted and the following is substituted instead:

§ 36.1–16 *Lost license; T/ALL.* (a) In case of loss of license of any class from any cause, any Officer in Charge, Marine Inspection, upon receiving a properly executed affidavit on Form NAVCG 719–E giving satisfactory evidence of such loss and a record of the lost license from the marine inspection office that issued same shall issue a Certificate of Lost License to the licensee, which shall have the authority of the lost license for the unexpired term unless in the meantime the licensee shall have the grade of his license raised after due examination, in which case a license in due form for such grade may be issued. In all cases where a Certificate of Lost License is issued by a marine inspection office other than the office that issued the lost license, the Certificate of Lost License shall state what marine inspection office issued the lost license.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

INSPECTED VESSELS

Section 62.7 is amended by deleting the first sentence of paragraph (a) and substituting the following instead:

§ 62.7 *Certificate of lost license.* (a) Whenever a person who holds a license loses his license, he shall report such loss to an Officer in Charge, Marine Inspection, who shall issue a Certificate of Lost License after receiving from such person a properly executed affidavit on form NAVCG 719–E, giving satisfactory evidence of such loss, and a record of the lost license from the marine inspection office where it was issued. • • •

UNINSPECTED VESSELS

Licensed Masters, Mates and Engineers

Section 62.118 (a) is deleted and the following is substituted instead:

§ 62.118 *Lost license.* (a) In case of loss of license of any class from any cause, except as stated in § 62.119, any Officer in Charge, Marine Inspection, upon receiving a properly executed affidavit on form NAVCG 719–E, giving satisfactory evidence of such loss, and a record of the lost license from the marine inspection office that issued same, shall issue a certificate to the licensee which shall have the authority of the lost license for the unexpired term, unless in the meantime the licensee shall have the grade of his license raised after due examination, in which case a license in due form for such grade may be issued. In all cases the Certificate of Lost License shall state what marine inspection office issued the lost license.

Registration of Staff Officers

Section 62.204 (n) is deleted and the following is substituted instead:

§ 62.204 *General.* • • •

(n) Any person whose certificate of registry has been stolen, lost or destroyed shall report that fact to an Officer in Charge, Marine Inspection, as soon as possible, and if a duplicate certificate is desired, a properly executed affidavit on form NAVCG 719–E, giving satisfactory evidence of such loss shall be furnished an Officer in Charge, Marine Inspection, along with the one photograph as required in the case of an application for an original certificate. The Officer in Charge, Marine Inspection, shall transmit the affidavit and photograph to Coast Guard Headquarters and the Commandant shall cause to be prepared a certificate which shall be similar to the former certificate, bear the same book or identification number as the former certificate and be marked "Duplicate."

Subchapter H—Great Lakes: General Rules and Regulations

PART 78—LICENSED OFFICERS AND CERTIFICATED MEN

INSPECTED VESSELS

Section 78.7 is amended by deleting the first sentence of paragraph (a) and substituting the following instead:

§ 78.7 *Certificate of lost license.* (See § 62.7 of this chapter which is identical with this section.)

REGISTRATION OF STAFF OFFICERS

Section 78.105 (n) is deleted and the following is substituted instead:

§ 78.105 *General.* • • •

(n) (See § 62.204 of this chapter which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 96—LICENSED OFFICERS AND CERTIFICATED MEN

CERTIFICATE OF LOST LICENSE

Section 96.7 is amended by deleting the first sentence of paragraph (a) and substituting the following instead:

§ 96.7 *Certificate of lost license.* (See § 62.7 of this chapter which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 115—LICENSED OFFICERS

CERTIFICATE OF LOST LICENSE

Section 115.7 is amended by deleting the first sentence of paragraph (a) and substituting the following instead:

§ 115.7 *Certificate of lost license.* (See § 62.7 of this chapter which is identical with this section.)

Subchapter K—Seamen

PART 138—RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES AND CONTINUOUS DISCHARGE BOOKS

PROCEDURE FOR OBTAINING DUPLICATE

Section 138.11 is amended by deleting the undesignated paragraph of this section which starts with the phrase "The seaman will be required to make affidavit in duplicate • • •" and substituting the following paragraph instead:

§ 138.11 *Duplicate: Procedure for obtaining.* • • •

A seaman shall be required to furnish one properly executed affidavit on form NAVCG 719–E, giving satisfactory evidence of the loss of his documents; such as continuous discharge book, certificate of identification, certificate of service or efficiency, or certificate of discharge, to the Officer in Charge, Marine Inspection, Collector of Customs, Deputy Collector of Customs, or other authorized person. The affidavit shall be accompanied by one photograph for each duplicate document requested, except no photograph is required for a duplicate certificate of discharge. The affidavit and necessary photographs shall be forwarded by the official receiving them to Coast Guard Headquarters and the Commandant will cause to be prepared a duplicate of lost document requested. The duplicate continuous discharge book, certificate of identification, certificate of service or efficiency, or certificate of discharge will be marked, "duplicate", and will bear the same number as the original book or certificate of identification with the addition of the suffix "D–1" on the first duplicate, "D–2" on the second duplicate, "D–3" on the third duplicate, etc.; such suffix shall then become part of the serial number and shall be recorded in all subsequent records.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES: REGULATIONS DURING EMERGENCY

LIFEBOATS ON OCEAN AND COASTWISE VESSELS

Section 153.3 (b) is deleted and the following is substituted instead:

§ 153.3 *Lifeboats on ocean and coastwise vessels.* • • •

(b) *Readiness for lowering.* When in the opinion of the master it can be done with safety, all lifeboats attached to davits other than gravity davits shall be properly griped in the outboard position so as to provide for immediate lowering in case of emergency. On all vessels guys are to be rigged from the davit heads when the boats are carried in the outboard position.

ITEMS OF EQUIPMENT APPROVED

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer type releasing gear (Dwgs. No. 5US–904, dated 25 February, 1944, and No. 4US–910, dated 3 March, 1944) (Maximum working load of 7,000 pounds per hook), submitted by the Globe American Corp., Kokomo, Ind.

SKATES OR FENDERS FOR LIFEBOATS

Lifeboat skates (Dwg. No. 100, dated March 8, 1944), submitted by the Boatcraft Company, Cor. Cropsey and 26th Avenues, Brooklyn, N. Y.

FIRST-AID KIT

First-aid kit, Model X–172W, submitted by the Davis Emergency Equipment Company, Inc., 45 Halleck St., Newark, N. J.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MARCH 24, 1944.

[F. R. Doc. 44-4211; Filed, March 24, 1944; 1:46 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 189]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF ROUTES AND TRANSIT ARRANGEMENTS ON GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23rd day of March, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee, and it appearing that the practice of transporting carloads of grain, grain products, grain by-products, soybeans, seeds, feed, or related commodities under the transit arrangements as described in the tariffs specified in Appendix A, attached hereto and made a part hereof,[1] is causing unnecessary haulage of cars and consequent delay of equipment due to back-hauls and out-of-line hauls, thereby impeding the use of grain cars and decreasing the available supply of grain cars for shippers; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of equipment and congestion of traffic; it is ordered, that:

§ 97.12 *Embargo of routes and transit arrangements on grain and related articles.* (a) No common carrier by railroad named in Appendix A, attached hereto and made a part hereof,[1] subject to the Interstate Commerce Act, shall accept for transportation, transport, or move, carload shipments of grain, grain products, grain by-products, soybeans, seeds, feed, or related commodities (collectively designated grain in Appendix A) as described in tariffs and over routes specified in Appendix A until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* This order will apply to grain, grain products, grain by-products, soybeans, seeds, feed, or related commodities (collectively designated grain in Appendix A) covered by the tariff items specified in Appendix A, on hand at transit points on the effective date of this order, or carloads of these commodities arriving at the transit point after the effective date of this order, and on carloads of these commodities shipped from point of origin on and after the effective date of this order.

(c) *Notice of embargo.* Each railroad, or its agent, 30 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby announcing the embargo of routes and transit arrangements herein provided. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)–(17), 15 (4))

It is further ordered, That this order shall become effective at 12:01 a. m., May 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4233; Filed, March 25, 1944; 11:02 a. m.]

Chapter II—Office of Defense Transportation

[G. O. ODT 3, Rev., Amdt. 8]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, § 501.9, General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), is hereby amended to read as follows:

§ 501.9 *Submission of plans for joint action.* (a) Any two or more common carriers, in order to accomplish any of the purposes of this order, may formulate and submit to the Office of Defense Transportation for consideration, a plan or plans for joint action between such carriers, or between such carriers and common carriers of property by rail or other facilities, designed to accomplish such purposes by one or more of the methods described below:

(1) Alternate, stagger, or coordinate, schedules between two or more points;

[1] Filed as part of the original document.

Lemont Pants Company, 310 Illinois Street,

poned to March 31, 1944, at 10:00 a. m.

filed with the Office of Defense Transpor-

(2) Suspend service in respect of shipments in less-than-truckload lots between two or more points;

(3) Reciprocally exchange shipments of property between two or more points;

(4) Pool traffic, revenues, or both, between two or more points;

(5) Jointly load for transportation or operate a motor truck or trucks between two or more points;

(6) Divert traffic, operate joint terminals or joint pick-up or delivery vehicles;

(7) Establish arrangements with other carriers for the interchange of equipment;

(8) Appoint one of their own number or any other carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for, and distribute gross or net revenues therefrom, or otherwise handle or conduct the carrier's business as common carriers of property upon just and reasonable terms and conditions.

Provided, That General Order ODT 3, Revised, as amended, shall not be construed to authorize any common carrier or carriers to utilize any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or other authorized regulatory body.

(b) Whenever two or more common carriers are directed in writing so to do by the Director, Division of Motor Transport, Office of Defense Transportation, such carriers shall consult, or cause their representatives to consult, for the purpose of formulating a plan or plans for joint action designed to accomplish any of the purposes of this order by one or more of the methods described in paragraph (a) of this § 501.9; and, when so directed, those carriers, within such time as may be fixed by that Director, shall submit to the Office of Defense Transportation any plan for joint action so formulated, or a statement setting forth the reasons why no plan for joint action has been formulated and submitted by them.

(c) Each plan for joint action submitted in accordance with the provisions of this § 501.9 shall be in writing, signed by each participant, and should state: (1) the full legal name, address and operating authority, if any, of each participant; (2) the territory or routes involved; (3) the specific method or methods of joint action to be used; (4) the practical application of these methods to the particular operations of the participants; (5) an estimate and explanation of the conservation to be accomplished; (6) the effect, if any, of the proposed joint action on the maintenance of adequate transportation service; and (7) the name and address of a person to whom communications in respect of the plan may be sent.

(d) The provisions of any order of the Office of Defense Transportation, heretofore issued and in effect or hereafter issued, directing the effectuation of a plan for joint action submitted pursuant to this § 501.9, shall be binding upon any successor in interest to any carrier named in the order. Upon a transfer of any operation involved in any such order, the successor in interest and the other carriers named in the order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of its predecessor in accordance with the provisions of the order.

This Amendment 8 to General Order ODT 3, Revised, shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

NOTE: The recording and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 25th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4224; Filed, March 25, 1944; 10:07 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079)

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Derby Sportswear, Inc., 420 E. German Street, Herkimer, New York; misses' and children's sportswear, W. A. C. slacks, defense apparel; 10 percent (T); effective March 26, 1944, expiring March 24, 1945.

Eagle Brothers, 108 S. Main Street, Mahanoy City, Pennsylvania; boys' dress and sport shirts; 10 percent (T); effective March 23, 1944, expiring March 22, 1945.

Empire Dress Company, 92 South Empire Street, Wilkes-Barre, Pennsylvania; ladies' dresses; 30 learners (AT); effective March 27, 1944, expiring September 26, 1944.

Franklin Frocks, Inc., Trevorton, Pennsylvania; dresses; 10 learners (T); effective March 21, 1944, expiring March 20, 1945.

Gort Girls Frocks, Inc., 75 Stark Street, N. E., Wilkes-Barre, Pennsylvania; children's dresses, housecoats, playsuits, slacks; 10 percent (T); effective March 23, 1944, expiring March 22, 1945.

The Jetmore Company, 128 N. Cherry Street, Olathe, Kansas; children's garments; 5 learners (T); effective March 22, 1944, expiring March 21, 1945.

Lemont Pants Company, 310 Illinois Street, Lemont, Illinois; Boys' longies, ladies' slacks, men's pants; 4 learners (T); effective March 25, 1944, expiring March 24, 1945.

Mylcraft Manufacturing Company, St. Paul, Virginia; shirts; 10 learners (T); effective March 24, 1944, expiring March 23, 1945.

Philip Moss, Inc., Whitehorse Pike and Cherry Street, Atco, New Jersey; ladies' cotton wash dresses; 4 learners (T); effective March 25, 1944, expiring March 24, 1945.

Rice Stix Dry Goods Company, Factory No. 14, Hillsboro, Illinois; dresses; 10 percent (T); effective March 20, 1944, expiring March 19, 1945.

J. H. Rutter-Rex-Manufacturing Company, Inc., P. O. Box 3068, Station D., New Orleans, Louisiana; Work shirts and pants; 10 percent (T); effective March 23, 1944, expiring March 22, 1945.

Weil-Kalter Manufacturing Company, Millstadt, Illinois; woven underwear; 10 percent (T); effective March 27, 1944, expiring March 26, 1945.

GLOVE INDUSTRY

Northern Glove & Mitten Company, 1514 Morrow Street, Green Bay, Wisconsin; work gloves; 7 learners (AT); effective March 22, 1944, expiring November 25, 1944.

HOSIERY INDUSTRY

Graham Hosiery Mills, Graham, North Carolina; full-fashioned hosiery; 5 learners (T); effective March 25, 1944, expiring March 24, 1945.

Wilkes Hosiery Mills Company, North Wilkesboro, North Carolina; seamless hosiery; 76 learners (AT); effective March 25, 1944, expiring September 24, 1944.

Windy-City Knitting Mills, Box 2291, Hickory, North Carolina; seamless hosiery; 10 learners (E); effective March 22, 1944, expiring September 21, 1944.

TEXTILE INDUSTRY

South Boston Weaving Corporation, Noblin Street, South Boston, Virginia; narrow textiles and parachute tapes; 3 learners (T); effective March 25, 1944, expiring March 24, 1945.

Signed at New York, N. Y., this 25th day of March 1944.

MERLE D. VINCENT,
Authorized Representative,
of the Administrator.

[F. R. Doc. 44-4205; Filed, March 27, 1944; 11:48 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 842]

COLONIAL AIRLINES, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of compensation for the transportation of mail by aircraft and facilities used therefor and the services connected therewith of Colonial Airlines, Inc., over F. A. M. route No. 1.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that hearing in the above-entitled proceeding assigned to be heard on March 30, 1944, is hereby postponed to March 31, 1944, at 10:00 a. m. (eastern war time) in the Foyer of the Department of Commerce Auditorium, 14th and Constitution Avenue, N. W., Washington, D. C., before Examiner Vincent L. Gingerich.

Dated Washington, D. C., March 25, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-4257; Filed, March 27, 1944; 10:23 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5076]

VICTORY COAL SAVER MFG. CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of March A. D. 1944.

In the matter of Eugene Clement d'Art, an individual trading as Victory Coal Saver Mfg. Co.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, May 1, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 215, New Post Office Building, Poughkeepsie, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4262; Filed, March 27, 1944; 10:46 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 67, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN IOWA AND SOUTH DAKOTA

Upon consideration of the application for an order amending Supplementary Order ODT 3, Revised-67 (8 F.R. 13527), filed with the Office of Defense Transportation by Wilson Storage and Transfer Co., and Harry E. Reynolds and Norman Nold, co-partners, doing business as Tri-State Transportation Co., all of Sioux Falls, South Dakota, and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 3, Revised-67 be, and it is hereby, amended by striking from Appendix 1[1] thereto the following:

11. *Leasing of operating authority.* It is contemplated that Wilson will lease to the Tri-State the inter- and intra-state rights detailed in section 7. The Tri-State will abandon the operations outlined, and since Wilson holds duplicate authority, no lease by Wilson from the Tri-State.

and substituting the following:

11. *No leasing of operating authority contemplated by this agreement.*

This amendment shall become effective on March 25, 1944.

Issued at Washington, D. C., this 25th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4223; Filed, March 25, 1944; 10:07 a. m.]

[Supp. Order ODT 6A-16]

COMMON CARRIERS

COORDINATED OPERATIONS IN KINGS, QUEENS, AND BRONX COUNTIES, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[2] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Apuendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected

[1] Appendix 1, amended herein, was filed as part of the original document, but not published in the FEDERAL REGISTER.

[2] Filed as part of the original document.

by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the apropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–16" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Lester Brenner, doing business as Arless Trucking Co.
2. Sidney Schnur, doing business as Atco Express Co.
3. Chas. D. Coppins, doing business as Coppins Transfer Co.
4. Charles Crimmins, doing business as Crimmins Trucking Co.
5. Frank Pascarella, doing business as Empire State Trucking Co.
6. Frank Girard, doing business as Girard Service Inc.
7. George Herkert, doing business as Goldberg & Herkert.
8. John Jodice, doing business as J. Jodice Express Co.
9. Adam Kuhn, doing business as Kuhn Trucking Co.
10. Harry Lener, doing business as Harry Lener.
11. Anthony Jodice, doing business as Madison Transfer Co.
12. Albert Fenoroli, doing business as Manhattan Exp. & Tkg. Corp.
13. Kach Kan'ar, doing business as Massis Express Co.
14. Wm. N. Wildmann, Jr., doing business as G. T. McGovern Tkg. Co., Inc.
15. Joseph Mecca, doing business as Mecca's Exp. & Tkg. Co.
16. Thomas Kenny, doing business as Monroe Express Co.
17. Pete Brostto, doing business as P. & B. Auto Truck.
18. Sal Carrino, doing business as Pioneer Delivery Service.
19. Isaac Gersten, doing business as J. Roth Trucking Co.
20. George Transier, doing business as Schmidt & Transier Tkg. Co.
21. Timothy Tehan, doing business as Tehan Trucking Co.
22. Nick Viano, doing business as Viano Trucking Co.
23. Chelsea Trucking, doing business as Streichler's Express Co.
24. Henry Jacobs, doing business as Jay Transfer.
25. Arthur Halschuk, Julius Broggelwirth, Paul Haas and Paul Voelker, doing business as Arthur's Express Co., Maspeth, Long Island, New York.
26. John Gemind, doing business as M. G. M. Trucking.

NOTE: Except as indicated, all participants are domiciled in New York, New York.

[F. R. Doc. 44–4263; Filed, March 27, 1944; 10:42 a. m.]

[Supp. Order ODT 6A–17]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BOSTON AND BROCKTON, MASS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–17" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Inter-City Transportation Co., Inc., Boston, Mass.
2. Lyons Express Inc., Brockton, Mass.
3. Hallamore's Motor Transportation, Brockton, Mass.
4. Brockton Transportation Company, Brockton, Mass.
5. William J. O'Brien, doing business as O'Brien Transportation Co., Stoughton, Mass.
6. Harry Cohen, doing business as Cohen's Express, Brockton, Mass.
7. Ernest G. Reynolds and Fred O. Reynolds, doing business as Reynolds Bros. Transportation Co., Brockton, Mass.
8. Calvin F. Bourne, doing business as Bourne's Transportation Co., Brockton, Mass.
9. Shoe City Express Co., Inc., Brockton, Mass.
10. Michael D. Hatch, Brockton, Mass.
11. Leo A. Brousseau and Napoleon F. Brousseau, doing business as Brockton Auto Express, Brockton, Mass.
12. Archie J. Powers, doing business as Powers Express, Brockton, Mass.
13. Henry F. Lyons, doing business as Cape Cod Overland Express, Brockton, Mass.
14. Peerless Motor Express Inc., Holbrook, Mass.
15. Caesar Urbani, doing business as Brockton Motor Express, Brockton, Mass.

[F. R. Doc. 44–4264; Filed, March 27, 1944; 10:42 a. m.]

[Supp. Order ODT 6A–18]

COMMON CARRIERS

COORDINATED OPERATIONS IN ZANESVILLE, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–18" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. George F. Liston, 1545 Wheeling Avenue, Zanesville, Ohio.
2. George J. Liston, 1340 Newman Drive, Zanesville, Ohio.

[F. R. Doc. 44–4265; Filed, March 27, 1944; 10:42 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 11]

EXCEPTION RELATING TO SALES OF IMPORTED INDUSTRIAL MATERIALS PRICED PRIOR TO ISSUANCE OF AMENDMENT NO. 2[1]

An opinion accompanying this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in that opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is hereby ordered*, That:

(a) Notwithstanding the provisions of the Maximum Import Price Regulation, any importer, or intermediate distributor, who has applied for or has obtained an

[1] 9 F.R. 2350.

approved maximum selling price for imported industrial materials from the Export-Import Price Branch, Office of Price Administration, Washington, D. C., prior to March 2, 1944, under paragraph (c) of section 3 or paragraph (c) of section 4 of the Maximum Import Price Regulation, may sell or deliver such materials at the approved price within 60 days after March 2, 1944.

(b) Notwithstanding the provisions of the Maximum Import Price Regulation, any importer who has properly established a maximum selling price for imported industrial materials under paragraph (a) of section 3 by calculating his permitted total landed costs on the basis of a first purchase of such materials after August 20, 1943, may sell or deliver such materials at that maximum price within 60 days after March 2, 1944.

(c) This Order No. 11 shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4236; Filed, March 25, 1944; 11:37 a. m.]

[MPR 188, Amdt. 1 to Order 1298]

UPHOLSTERED FURNITURE

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1298 under § 1499.159b of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 1298 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

1. Paragraph (d) of Order No. 1298 is amended to read as follows:

(d) *Adjustment charge provided by Order No. 1052 may not be used by manufacturers in computing maximum price of new or changed articles under this order.* In computing the maximum price of a new or changed article under this order, manufacturers who are permitted to add an adjustment charge under Order No. 1052 must nevertheless use the maximum price of the old or comparable article without the adjustment charge. After the maximum price of the article being priced has been properly computed under this order (using the existing maximum prices of the old or comparable article without adjustment charge) the five percent adjustment charge provided by Order No. 1052 may be added by manufacturers of those articles which are covered by that order. No adjustment charge may be added to the maximum prices of those types of upholstered furniture excluded from the coverage of Order No. 1052.

This Amendment No. 1 to Order No. 1298 shall become effective on the 27th day of March 1944.

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4236; Filed, March 25, 1944; 11:37 a. m.]

[MPR 188, Order 1408]

BAIA MOTION PICTURE ENGINEERING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1408 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of film splicers manufactured by Baia Motion Picture Engineering Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders No. 9250 and 9328, and in accordance with § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Baia Motion Picture Engineering Company, 166 Victor Ave., Highland Park 3, Michigan, may sell to consumers and deliver the film splicer of its manufacture at a maximum price of $10.95 per unit. This maximum price shall be subject to a discount of 40% for sales to dealers, and 50–10–10–5% for sales to distributors. Maximum prices for sales to consumers shall include delivery. In all other cases maximum prices shall be f. o. b. factory.

(b) Any person, other than the Baia Motion Picture Engineering Company, may sell to dealers and deliver the film splicer manufactured by Baia Motion Picture Engineering Company at a price no higher than $10.95 per unit, less 40% discount, f. o. b. factory.

(c) Any person may sell to consumers and deliver the film splicer manufactured by the Baia Motion Picture Engineering Company at a delivered price no higher than $10.95 per unit.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1408 for resale by the purchaser. This notice may be given in any convenient form.

(e) This Order No. 1408 may be revoked or amended by the Price Administrator at any time.

This Order No. 1408 shall become effective on the 27th day of March 1944.

Issued this 25th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4237; Filed, March 25, 1944; 11:37 a. m.]

[MPR 251, Order 3]

SELLERS OF PLUMBING MATERIALS AND SERVICES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 3 under Maximum Price Regulation 251. Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1397.68 (b) of Maximum Price Regulation No. 251, *It is hereby ordered:*

(a) Any seller making sales of plumbing materials on an installed or erected basis or supplying plumbing services, for commercial construction, which are subject to Maximum Price Regulation No. 251, may increase his maximum prices under the regulation for such sales and services by an amount not in excess of the difference between his labor cost computed on the basis of the hourly rates in effect on July 1, 1942, and labor costs computed on the basis of the hourly rates of $1.15 established for plumbing labor by the National War Labor Board in WLB Case No. 7–3709, when the following conditions have been met:

(1) The sale is for commercial plumbing sales or services within the St. Louis, Missouri, area;

(2) The seller employs members of the International Hod Carriers, Building and Common Laborers Union of America, Locals 42 or 110; and

(3) The seller actually pays the hourly rates specified above.

(b) Any person determining maximum prices subject to this order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. 3 may be revoked or amended at any time.

(d) This Order No. 3 shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9 23, 8 F.R. 4681)

Issued this 27th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4301; Filed, March 27, 1944; 11:47 a. m.]

Regional and District Office Orders.

[Region II Order G-18 Under 18 (c)]

SOLID FUELS IN LACKAWANNA AND LUZERNE COUNTIES, PA.

Order No. G–18 under § 1499.18 (c) of the General Maximum Price Regulation. Pennsylvania anthracite hauled by contract carriers for coal producers in Lackawanna and Luzerne Counties, Commonwealth of Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) On and after March 20, 1944, the maximum prices for contract carriers, hauling Pennsylvania anthracite in Lackawanna and Luzerne Counties in the Commonwealth of Pennsylvania for anthracite producers in those Counties, may be increased by an amount not exceeding 25¢ per net ton over their established maximum prices.

(b) The adjusted maximum prices are subject to carriers' customary allowances, discounts and other price differentials, and the carriers making deliveries hereunder shall not change those allowances, discounts and other price differentials unless said change results in a lower price.

(c) This order may be revoked or amended by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order, price regulation, or amendment, or supplement thereto.

This Order No. G–18 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4200; Filed, March 24, 1944; 12:16 p. m.]

[Region II Rev. Order G-26 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW YORK REGION

Amendment No. 1 to Revised Order No. G–26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial," "Salem Hill," and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–26 is amended in the following respect:

1. Paragraph (c) is amended by adding the following orders to the list of orders there enumerated:

Order No. G–32 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G–35 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 1 to Revised Order No. G–26 shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4201; Filed, March 24, 1944; 12:16 p. m.]

[Region II Order G-32 Under RMPR 122]

SOLID FUELS IN UNION AND SOMERSET COUNTIES, N. J.

Order No. G–32 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in designated portions of Union County and Somerset County, State of New Jersey, Coal Area VI.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New Jersey, Coal Area VI. That area comprises all of Union County except the City of Summit, the Borough of New Providence, and the Townships of Hillside, New Providence, Springfield, and Union. It also includes the Boroughs of North Plainfield and Watchung in Somerset County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area VI are set forth in Schedule I hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area VI, whether or not you are located in Coal Area VI.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) Refer to Schedule I which contains a separate table of prices for sales on a "direct-delivery" basis, "yard sales", and "sales of bagged coal". You will find Schedule I in paragraph (d).

(2) Take the dollars-and-cents figure set forth in the applicable table of the schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I:* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area VI. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal".

(1) *Sales on a "direct-delivery" basis.*

For sales of anthracite of the sizes and in the quantities specified

Size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs. for less than ¼ ton
Broken, egg, stove, nut	$14.25	$7.65	$3.95	$0.85
Pea	12.70	6.85	3.55	.75
Buckwheat	10.40	5.70	2.95	----------
Rice	9.50	5.25	2.75	----------
Barley	8.50	4.75	2.60	----------
Screenings	8.00	----------	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities

of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis, and you are not required to give the discount for sales and deliveries in quantities under one ton.

Maximum authorized service charges per net ton

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than one ton)	50¢
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50¢

No such service charges may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For sales of anthracite of the sizes and in the quantities specified

Size	Per net ton, for sales of ½ or more	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton
Broken, egg, stove, nut	$12.75	$0.75
Pea	11.20	.65
Buckwheat	8.20	
Rice	8.00	
Barley	7.00	
Screenings	4.00	

(3) *"Sales of bagged coal" (maximum price per bag).*

Maximum prices per 50 pound paper bag

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer in lots of ½ ton or more	Sales to ultimate consumer in quantities under ½ ton
Nut	$0.37	$0.42	$0.42	$0.47
Pea	.32	.37	.37	.42

Maximum prices per 85 pound paper bag

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.19	$0.21	$0.25

Maximum prices per 12 pound paper bag

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.095	$0.105	$0.125

(e) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum prices established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale," or "sale of bagged coal," except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(f) *Ex parte 148; freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(g) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New Jersey or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Newark District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order No. G–32, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area VI with such designation during December 1941.

(6) "Direct-delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to "sales of bagged coal", means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to "sales of bagged coal", means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to "sales of bagged coal", means sales by dealers, other than sales at a dealer's yard, whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This order shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4205; Filed, March 24, 1944; 12:14 p. m.]

[Region II Order G–34 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW YORK REGION

Amendment No. 1 to Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–34 is amended in the following respect:

1. Paragraph (d) is amended by adding the following orders to the list of orders there enumerated:

Order No. G–32 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G–35 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 1 to Order No. G–34 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4208; Filed, March 24, 1944; 12:16 p. m.]

[Region II Order G–35 Under RMPR 122]

SOLID FUELS IN LACKAWANNA AND LUZERNE COUNTIES, PA.

Order No. G–35 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Lackawanna and Luzerne Counties, Commonwealth of Pennsylvania, Coal Area VII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) On and after March 20, 1944, dealers' maximum prices for delivered sales at retail, in Lackawanna and Luzerne Counties in the Commonwealth of Pennsylvania, of the following sizes of Pennsylvania anthracite, in the quantities specified, shall be the applicable adjusted maximum prices set forth in the following schedules:

1. *For delivered sales in Lackawanna County (by dealers).*

Size:	Maximum price per net ton
Broken, egg, stove, nut	$9.25
Pea	7.70
Buckwheat	6.05
Rice	5.10
Barley	4.10

2. *For delivered sales in Luzerne County (by dealers).*

Size:	Maximum price per net ton
Broken, egg, stove, nut	$9.00
Pea	7.45
Buckwheat	5.80
Rice	4.85
Barley	3.85

(b) The foregoing prices are subject to dealer's customary allowances, discounts, differentials, and authorized service charges. Dealers making sales hereunder shall not change those allowances, discounts, differentials, or service charges unless such change results in prices lower than the prices permitted by this order (after applying the customary allowances, discounts, differentials, or service charges).

(c) Dealers subject to this order shall give each purchaser a sales slip, receipt, or invoice showing his name and address, the size, and quantity of fuel sold to him, the date of the sale and delivery and the price charged, separately stating the amount, if any, of required allowances and discounts which must be deducted from, and the authorized charges which may be added to, the specific maximum prices prescribed herein.

(d) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the size of anthracite sold. The record shall state separately each service rendered and the charge made for it.

(e) *Definitions.* When used in this Order No. G–35 the term:

(1) "Delivered sales at retail" means sales to consumers accompanied by the customary method of delivery to consumer's premises, whether to his bin or storage space, or to the point nearest and most accessible to his bin or storage space and at which the fuel can be discharged directly from seller's truck.

(2) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut,

pea, buckwheat, rice and barley shall refer to the same sizes of the same fuel as were sold and delivered in Lackawanna and Luzerne Counties with such designation during December, 1941.

(3) Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(f) To the extent that they are not inconsistent with the terms of this order, the provisions of Revised Maximum Price Regulation No. 122 remain applicable to all sales made hereunder.

NOTE: The record-keeping and reporting requirements of this Order No. G–35 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–35 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4210; Filed, March 24, 1944; 12:17 p. m.]

[Region V Order G–2 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KANSAS CITY, MO.–KANS.

Amendment No. 1 to Order No. G–2 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the cities of Kansas City, Missouri, Kansas City, Kansas, and parts of the counties adjacent to these cities.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Paragraph (d), Price Schedule, section III (A), Production Group 1, is amended to read as follows:

The following maximum prices are for specified sizes of bituminous coal produced at strip mines in Cherokee, Crawford, Bourbon, Neosho, Labette, and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:

(1) Lump (bottom size 2" or larger)	$7.75
(2) Nut (top size 3"—bottom 1¼")	7.25
(3) HH Stoker (top size 1¼"—bottom 5/16")	6.30
(4) Mill (1¼" x 0)	5.65

The following maximum prices are for specified sizes of bituminous coal produced at deep shaft mines in Cherokee County by the Atkinson Coal Company, Mine Index No. 7, and in Crawford County by A. De Gasperi Coal Company, Mine Index No. 42; Puritan Fuel Company, Mine Index No. 71; Quality Coal Company, Mine Index No. 120; Umbria Coal Company, Mine Index No. 129; Victor Fuel Coal Company, Mine Index No. 131; Gaskell Coal Company, Mine Index No. 53; and Black Crown Coal Company, Mine Index No. 15:

(5) Lump (bottom size 2" or larger)	$8.40
(6) Nut (top size 3"—bottom 1¼")	7.66
(7) HH Stoker (top size 1¼"—bottom 5/16")	6.30
(8) Mill (1¼" x 0)	5.25

Paragraph (d), Price Schedule, section III (B), Production Groups 2 & 3, Item (3), is amended to read as follows:

(3) HH Stoker (top size 1¼"—bottom 5/16")	$6.10

Paragraph (d), Price Schedule, section III (E), Production Group 11, Item (1), is amended to read as follows:

(1) Lump (bottom size 2" or large)	$8.60

Paragraph (d), Price Schedule, section III (C), Production Groups 4 & 5, second descriptive paragraph and Item 2, is amended to read as follows:

The following maximum price is for the specified size of bituminous coal produced in Ray County by the Elmira Coal Company, Mine Index No. 48 and in Lafayette County by Mine No. 7, Farmers Coal Mining Company, Mine Index 49 and the Western Coal Mining Company, Mine Index No. 140:

(2) Lump. (Bottom size 2" or larger)	$8.00

(56 Stat. 23, 765, Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 6 F.R. 4631)

Issued at Dallas, Texas, on this 8th day of March 1944, and effective on the 15th day of March 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R Doc. 44–4199; Filed, March 24, 1944; 12:14 p. m.]

[Region VI Order G–2 Under MPR 280]

FLUID MILK IN KANKAKEE AND MANTENO, ILL.

Order No. G–2 under § 1351.807 (b) (2) of Maximum Price Regulation 280. Adjustment of fluid milk prices to the Kankakee State Hospital in Kankakee, Illinois and to the Manteno State Hospital in Manteno, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.807 (b) (2) of Maximum Price Regulation 280, it is ordered:

(a) *Maximum prices for sales to the Kankakee State Hospital, Kankakee, Illinois, and the Manteno State Hospital, Manteno, Illinois.* The maximum price for the sale and delivery of standard butterfat content fluid milk for human consumption to the Kankakee State Hospital, Kankakee, Illinois, and the Manteno State Hospital, Manteno, Illinois, shall be the maximum price determined under the General Maximum Price Regulation or the following price, whichever shall be the higher:

87¢ per gallon in 10-gallon containers.

(b) *Definitions.* (1) Standard butterfat content milk shall mean cows' having a butterfat content of not less than 3.2% or the legal minimum established by Statute or Municipal Ordinance, distributed or sold for consumption in fluid form as whole milk.

(c) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in the customary business or trade practices in effect during the base period established by that regulation.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9230, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4198; Filed, March 24, 1944; 12:18 p. m.]

[Region VI Order G–29 Under MPR 329]

FLUID MILK IN RED WING, MINN.

Order No. G–29 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Red Wing, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be 78¢ per pound of butterfat contained in whole milk.

(b) *Applicability of producer prices.* This order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the City of Red Wing, and the Townships of Burnside, Featherstone, Florence, Hay Creek, Goodhue and Wacouta, in Goodhue County, Minnesota, or who sell within that city and in the named townships 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in the City of Red Wing and in the named townships in Goodhue County, Minnesota.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4202; Filed, March 24, 1944; 12:17 p. m.]

[Region VI Order G–30 Under MPR 329]

FLUID MILK IN MUNDELEIN, ILL.

Order No. G–30 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Mundelein, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be the maximum price in effect under Maximum Price Regulation 329 for 3.5% milk, plus not more than 5½¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5½¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Mundelein, Illinois, or who sell within that city 50% or more of the milk sold by them.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall become effective March 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4203; Filed, March 24, 1944; 12:17 p. m.]

[Region VI Order G–31 Under MPR 329]

FLUID MILK IN CANTON, ILL.

Order No. G–31 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Canton, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.90 for 4% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Canton, Illinois, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943, to January 31, 1944 and is not applicable to purchasers from produeers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4204; Filed, March 24, 1944; 12:17 p. m.]

[Region VI Order G–32 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN HOUSTON, MINN.

Order No. G–32 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; under Maximum Price Regulation No. 280, Maximum prices for specific food products; and under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Houston, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.15 per cwt. for 4% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption by distributors whose bottling plants are located within Houston, Minnesota, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943, to January 31, 1944. The order is not applicable to purchases from producers who did not during that period sell to distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in

Houston, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content fluid milk:		
Gallon, in bulk	$0.37	$0.45
Gallon	.37	.45
Quart	.10	.12
Pint	.05½	.06¼
Half pint	.03	.06

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Houston, Minnesota, area shall mean:

1. All sales made within the city limits of Houston, Minnesota, and all sales at or from an establishment located in Houston, Minnesota;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Houston, Minnesota.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-4207; Filed, March 24, 1944; 12:15 p. m.]

[Region VI Order G-33 Under SR 15 and MPR 280]

FLUID MILK IN ANTIOCH, ILL.

Order No. G-33 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices in Antioch, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Antioch, Illinois shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content fluid milk:		
Gallons in bulk	$0.38	
Gallons	.40	$0.46
Quarts	.11½	.13¼
Pints	.06½	.07½
Half pints	.03½	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Antioch, Illinois area shall mean:

1. All sales made within the city limits of Antioch, Illinois, and all sales at or from an establishment located in Antioch, Illinois.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Antioch, Illinois.

(c) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

R. E. WALTERS.
Regional Administrator.

[F. R. Doc. 44-4206; Filed, March 24, 1944; 12:15 p. m.]

[Region VI Order G-34 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN WILLMAR, MINN.

Order No. G-34 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, maximum prices for specific food products, and under Maximum Price Regulation No. 329, purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Willmar, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, *It is ordered:*

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be 76¢ per pound of butterfat contained in whole milk.

(b) *Applicability of producer prices.* This order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the City of Willmar, Minnesota, or who sell within that city and in the named townships 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in the City of Willmar.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Willmar Minnesota shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon, in bulk	$0.37	
Gallon	.37	$0.45
Quart	.10	.12
Pint	.05½	.06¼
Half pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Willmar, Minnesota, area shall mean:

1. All sales made within the city limits of Willmar, Minnesota, and all sales at or from an establishment located in Willmar, Minnesota;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Willmar, Minnesota.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, prisons, schools, hospitals, and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of March 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-4209; Filed, March 24, 1944; 12:14 p. m.]

[Region VI Order G-35 Under SR 15]

FLUID MILK IN WAKEFIELD, NEBR.

Order No. G-35 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Wakefield, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption with a butterfat content of 4.5% or more sold at wholesale and retail in Wakefield, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

Container size	Wholesale	Retail
Gallon	$0.37	$0.45
⅓ gallon	.10	.23
Quart	.10	.12
Pint	.05½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered a multiple unit sale unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Wakefield, Nebraska area shall mean:

1. All sales made within the city limits of Wakefield, Nebraska and all sales at or from an establishment located in Wakefield, Nebraska.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Wakefield, Nebraska.

(d) *Definitions.* 1. Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

2. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base period established by that regulation.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-4190; Filed, March 24, 1944; 12:18 p. m.]

[Region VI Order G-36 Under SR 15 and MPR 280]

FLUID MILK IN TIPTON, IOWA

Order No. G-36 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Tipton, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption with a butterfat content of 4.0% or more at wholesale and retail in Tipton, Iowa, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices whichever shall be the higher:

Container size	Wholesale	Retail
Gallon, in bulk	$0.35	
Quart	.09½	$0.11½
Half pint	.02½	.03

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Tipton, Iowa area shall mean:

1. All sales made within the city limits of Tipton, Iowa and all sales at or from an establishment located in Tipton, Iowa.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Tipton, Iowa.

(d) *Definitions.* 1. Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

2. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base periods established by those regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-4197; Filed, March 24, 1944; 12:19 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 23, 1944.

REGION I

Connecticut Order No. 6, filed 1:26 p. m.
Connecticut Order No. 6, Amendment No. 1, filed 1:26 p. m.

REGION III

Cincinnati Order No. 11, filed 2:46 p. m.
Columbus Order No. 3-F, Amendment No. 10, filed 1:24 p. m.
Columbus Order No. 7-F, Amendment No. 9, filed 1:25 p. m.
Escanaba Order No. 23, filed 1:26 p. m.
Indianapolis Order No. 14, Revocation, filed 2:44 p. m.
Indianapolis Order No. 15, Revocation, filed 2:44 p. m.
Indianapolis Order No. 16, Revocation, filed 2:45 p. m.
Indianapolis Order No. 17, Revocation, filed 2:45 p. m.
Indianapolis Order No. 22, filed 1:26 p. m.
Indianapolis Order No. 23, filed 1:25 p. m.
Indianapolis Order No. 24, filed 1:27 p. m.
Indianapolis Order No. 25, filed 2:44 p. m.
Louisville Order No. 1-F, Amendment No. 22, filed 2:47 p. m.
Louisville Order No. 3-F, Amendment No. 9, filed 2:47 p. m.
Louisville Order No. 17 filed 2:46 p. m.

REGION IV

Jackson Order No. 1-W, filed 2:45 p. m.
Jackson Order No. 2-F, Amendment No. 3, filed 1:24 p. m.
Jackson Order No. 3-F, filed 2:45 p. m.
Jackson Order No. 9, filed 2:45 p. m.
Louisville Order No. 2-F, Amendment No. 16, filed 2:47 p. m.
Savannah Order No. 1-F, Amendment No. 27, filed 2:48 p. m.
Savannah Order No. 2-F, Amendment No. 22, filed 2:48 p. m.
Savannah Order No. 3-F, Amendment No. 20, filed 2:48 p. m.
Savannah Order No. 4-F, Amendment No. 19, filed 2:48 p. m.
Savannah Order No. 5-F, filed 1:20 p. m.
Savannah Order No. 6-F, filed 1:21 p. m.
South Carolina Order No. 2-F, Amendment No. 8, filed 2:47 p. m.
South Carolina Order No. 3-F, Amendment No. 2, filed 2:48 p. m.

REGION V

Arkansas Order No. 1-W, filed 1:24 p. m.
Dallas Order No. 2-F, Amendment No. 2, filed 1:21 p. m.
Dallas Order No. 3-F, Amendment No. 7, filed 1:21 p. m.
Fort Worth Order No. 1-F, Amendment No. 9, filed 1:18 p. m.
Fort Worth Order No. 2-F, Amendment No. 9, filed 1:18 p. m.
Fort Worth Order No. 3-F, Amendment No. 9, filed 1:22 p. m.
Fort Worth Order No. 4-F, Amendment No. 9, filed 1:22 p. m.
Fort Worth Order No. 5-F, Amendment No. 9, filed 1:22 p. m.
Fort Worth Order No. 6-F, Amendment No. 1, filed 1:22 p. m.
Lubbock Order No. 2-F, Amendment No. 1, filed 1:22 p. m.
San Antonio Order No. G-9, Correction, filed 1:22 p. m.
Tulsa Order No. G-3W, filed 1:24 p. m.

REGION VI

Sioux City Order No. 13, filed 1:20 p. m.
Sioux Falls Order No. 12, Amendment No. 1, filed 1:19 p. m.
Sioux Falls Order No. 13, Amendment No. 1, filed 1:19 p. m.
Sioux Falls Order No. 14, Amendment No. 1, filed 1:19 p. m.
Twin Cities Order No. G-3, Amendment No. 9, filed 1:19 p. m.
Twin Cities Order No. G-4, Amendment No. 7, filed 1:18 p. m.

REGION VII

New Mexico Order No. F-1, Amendment No. 8, filed 1:20 p. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 9, filed 1:20 p. m.
Phoenix Order No. 9, Amendment No. 2, filed 1:18 p. m.
Spokane Order No. 24, Amendment No. 1, filed 1:23 p. m.
Spokane Order No. 25, Amendment No. 1, filed 1:23 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-4234; Filed, March 25, 1944; 11:38 a. m.]

[Region I Order G-11 Under RMPR 122, Amdt 4]

SOLID FUELS IN LAWRENCE, MASS., AREA

Amendment No. 4 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Lawrence, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in paragraph (b) (1), the words "Franklin and Salem Hill" are substituted for the word "Franklin".

2. In Price Schedule II in paragraph (c) (1), the word "Franklin and Salem Hill" are substituted for the word "Franklin".

3. In paragraph (g) (2) the words "Franklin and Salem Hill" are substituted for the word "Franklin".

4. Subparagraph (16) is added to paragraph (g) to read as follows:

(16) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

This Amendment No. 4 to Order No. G-11 shall become effective March 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4246; Filed, March 25, 1944; 12:27 p. m.]

[Region I Order G-38 Under 18 (c), Amdt. 1]

GALLON SIZE MAPLE SYRUP CANS IN VERMONT

Amendment No. 1 to Order No. G-38 under section 18 (c) of the General Maximum Price Regulation. Gallon size maple syrup cans sold in Vermont.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is ordered:*

(a) Subparagraph (2) of paragraph (a) is amended, and a new paragraph (d) is added, to read as set forth below:

(2) $0.16 each for sales of less than one hundred cans and $0.15 each for sales of one hundred cans or more.

(d) Amendment No. 1 shall become effective at 12:01 a. m., March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9250, 8 F.R. 4681)

Issued this 20th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4248; Filed, March 25, 1944; 12:28 p. m.]

[Region I Order G-64 Under RMPR 122]

SOLID FUELS IN NEW BEDFORD, MASS., AREA

Order No. G-64 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; New Bedford, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the New Bedford, Massachusetts, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-64 is explained in paragraph (f) and the terms used herein are defined in paragraph (d).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-64. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-64 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales of deliveries of solid fuels.

(b) *Maximum prices for Pennsylvania anthracite, coke and ambricoal—(1) Price Schedule I: Sales on a delivered basis.* (a) Price Schedule I sets forth maximum prices for sales of Pennsylvania anthracite, coke and ambricoal on a "direct delivery" basis to consumers at any point in the New Bedford, Massachusetts, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, and chestnut	$16.25	$8.55	$4.55	$0.95
Stove	16.50	8.65	4.65	.95
Pea	14.20	7.50	4.05	.85
Buckwheat	13.05	6.95	3.75	.80
Rice	11.95	6.40	3.50	.75
Yard screenings	5.00			
Coke: Egg, stove and chestnut	16.00	8.40	4.50	.95
Ambricoal	15.05	7.95	4.25	.90

(b) *Maximum authorized service and deposit charges.* (i) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.25	.15	.10

(ii) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(2) *Price Schedule II: Yard sales to consumers.* (a) Price Schedule II sets forth maximum prices for sales of Pennsylvania anthracite, coke and ambricoal delivered at the yard or dock of any dealer in the New Bedford, Massachusetts, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg and chestnut	$15.75	$8.30	$4.40	$0.90
Stove	16.00	8.40	4.50	.90
Pea	13.70	7.25	3.90	.80
Buckwheat	12.55	6.70	3.60	.75
Rice	11.45	6.15	3.35	.70
Yard screenings	4.00			
Coke:				
Egg, stove and chestnut	15.30	8.15	4.35	.90
Ambricoal	14.55	7.70	4.10	.85

(b) *Maximum authorized bagging and deposit charges.* (i) The maximum

prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(ii) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(3) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in subparagraphs (1) and (2) of this paragraph (b) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $.50 per ton, or by 25 cents per half-ton, or by 10 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(4) *Price Schedule III: Yard sales to dealers.* (a) Price Schedule III sets forth maximum prices for sales of Pennsylvania anthracite, coke and ambricoal delivered at the yard or dock of any dealer in the New Bedford, Massachusetts, Area to dealers in fuels who resell them.

Kind and size	Per gross ton	½ gross ton	¼ gross ton
Pennsylvania anthracite:			
Broken, egg and chestnut	$15.75	$7.90	$3.95
Stove	16.00	8.00	4.00
Pea	13.70	6.85	3.45
Buckwheat	12.55	6.30	3.15
Rice	11.45	5.75	2.90
Yard screenings	4.00		
Coke: Egg, stove and chestnut	15.50	7.75	3.90
Ambricoal	14.55	7.30	3.65

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(5) *Certain named Pennsylvania anthracite coals.* The specific prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition: Per net ton	½ ton	¾ ton	100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.15	$0.05
Broken, pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Franklin:				
Broken and chestnut	.75	.40	.20	.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Rice	.10	.05	None	None.
Salem Hill:				
Egg and stove	.70	.35	.20	.05
Chestnut	.30	.15	.05	None.
Brooder nut	.55	.30	.15	None.
Pea	.25	.15	.05	None.
Rice	.10	.05	None	None.
Silver Brook:				
Broken, egg, stove, chestnut pea and buckwheat	.30	.15	.05	None
Rice	.35	.15	.05	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.50	.25	.10	None
Buckwheat	.35	.20	.10	None
Rice	.25	.15	.05	None
Raven Run:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None

(c) *Maximum prices for bituminous coal*—(1) *Price Schedule IV: F. o. b. sales.* (a) Price Schedule IV sets forth maximum prices for sales of bituminous coal f. o. b. transportation facilities at a dealer's yard, dock or other terminal facilities, to any person.

Kind of coal	Price per net ton
Domestic run of mine	$7.60
Straight run of mine	7.57
Nut and slack	7.36
Slack	7.25
Lump, egg and stove	8.25
Nut	7.45
Pea	7.31

(2) *Price Schedule V: Sales on a delivered basis.* (a) Price Schedule V sets forth maximum prices for sales of bituminous coal on a "direct delivery" basis to consumers at any point in the New Bedford, Massachusetts, Area.

Kind of coal	Prices per net ton: Class I	Class II	Class III
Domestic run of mine	$11.50	$10.27	$8.55
Straight run of mine	10.60	9.37	8.22
Nut and slack	9.95	8.68	8.13
Slack	9.60	8.75	8.00
Lump, egg and stove	13.20	11.97	----------
Nut	11.50	10.31	----------
Pea	11.40	10.18	----------
Blacksmith	11.70	10.49	----------

(b) *Classes of purchasers.* Quantities refer to the consumer's annual purchasers in net tons. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

Class I—300 tons or less.
Class II—More than 300 tons, but not over 1,000 tons.
Class III—More than 1,000 tons.

If the purchaser's proper classification cannot be determined at the time of delivery (as for example, in the case of a purchaser who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the purchaser agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(c) *Maximum authorized service charges.* (i) If the buyer requests such service of him, the dealer may make the following charges for services rendered by the dealer:

Service	Amount per net ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50
For any carry up or down flights of stairs, per flight	.25
For trimming in bin	.50
For trimming on ground storage facilities	.45

(ii) If coal is delivered to and stored in the purchaser's ground storage facilities and the purchaser then requests the dealer to move the coal to another location (for example, to a bin from which current firings are made), the dealer may charge $2.50 per hour for the use of a Ford conveyor, and $2.50 per hour for a truck and driver.

(3) *Terms of sale; bituminous coal.* Terms of sale for bituminous coal may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E.O.M.

(4) *Dust treatment.* No extra charge may be made for bituminous coal which has been subjected to a chemical, oil or waxing process for allaying dust except that ten cents (10¢) per ton may be added to the otherwise applicable maximum price in the following cases:

(1) When the coal has been so treated at the mine and the producer or distributor makes an extra charge for such treatment pursuant to § 1240.210 (a) (10) of Maximum Price Regulation No. 120.

(2) When the coal has been so treated by a dealer subject to this order; but no dealer shall require a purchaser to buy coal which has been so treated by the dealer. The additional charge for such treatment shall be shown separately on the invoice or similar document which is furnished by the dealer to the purchaser.

(d) *Definitions.* When used in this Order G–64, the term:

(1) "New Bedford, Massachusetts, Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Acushnet, Dartmouth, Fairhaven, New Bedford and Rochester.

(2) "Specified solid fuels" shall include Pennsylvania anthracite, coke, ambricoal, and those kinds of bituminous coal for which specific prices are established by this order and which are hereinafter defined.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(5) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(6) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(7) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(8) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by any names other than "Legitts Creek" or "Black Stork".

(9) "Raven Run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliate Company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(10) "East Bear Ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

(11) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926). "Buckwheat", "rice" and "barley" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(12) "Coke" shall include only coke produced by the following producers:

Providence Gas Company, Providence, Rhode Island.
New England Coke Co., or its affiliated producing company, at the plant located in Everett, Massachusetts.

All other coke shall be priced under the appropriate provisions of Revised Maximum Price Regulation No. 122.

(13) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(14) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all references to terms defined by the Bituminous Coal Division are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to Producing Districts are to the geographical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, a they were in effect (or established) as of midnight August 23, 1943.

(15) *Definitions of and specifications for bituminous coals.* The bituminous coals which are listed in subparagraphs (1) and (2) of paragraph (c) of this order shall conform to the following specifications:

(a) "Domestic run of mine": bituminous coal which was defined by the Bituminous Coal Division as "domestic, dealer, modified or screened run of mine" or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(b) "Straight run of mine": bituminous coal which was defined by the Bituminous Coal Division as "straight run of mine," or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(c) "Nut and slack": bituminous coal screenings which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(d) "Slack": bituminous coal screenings which, at the mine, have passed through a screen with openings of three-quarters (¾) of an inch or smaller.

(e) "Nut": bituminous coal, double screened at the mines, with a top size larger than three-quarters (¾) of an inch but not exceeding one and one-quarter (1¼) inches, and a bottom size smaller than one and one-quarter (1¼) inches, from the low volatile section of Producing District 7.

(f) "Pea": bituminous coal, double screened at the mines, with a top size not exceeding three-quarters (¾) of an inch and a bottom size smaller than three-quarters (¾) of an inch, from the low volatile section of Producing District 7.

(g) "Lump, egg and stove": bituminous coal, single screened or double screened at the mines, with a bottom size larger than one and one-quarter (1¼) inches, from the low volatile section of Producing District 7.

(h) "Blacksmith": low volatile, low sulphur bituminous coal which is suitable for use in forge work.

(16) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(17) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(18) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(19) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(20) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(e) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however*, That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further*, That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(f) *Geographical applicability.* The maximum prices established by this order for "yard sales" and sales f. o. b. transportation facilities shall apply to all such sales of the specified solid fuels at a yard or dock located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales

on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(g) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(h) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(i) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(k) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-64 shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4245; Filed, March 25, 1944; 12:27 p. m.]

[Region II Order G-1 Under MPR 285]

BANANAS IN TRENTON, N. J., DISTRICT

Order No. G-1 under Maximum Price Regulation No. 285, as amended. Imported fresh bananas, sales except at retail. Adjustment of maximum prices of wholesalers in the Trenton District of the Office of Price Administration of fresh bananas imported from Costa Rica, Panama, Guatemala and Honduras.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Trenton District Office, Region II, of the Office of Price Administration, by § 1351.1254a of Maximum Price Regulation No. 285, as amended, and by order of delegation under Maximum Price Regulation No. 285, as amended, issued by the Regional Administrator of Region II of the Office of Price Administration on January 14, 1944, *It is hereby ordered:*

(a) Any wholesaler whose place of business is located within the counties of Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset and Warren, in the State of New Jersey, who purchases on the stem fresh bananas imported from Costa Rica, Panama, Guatemala and Honduras, and whose customary receiving point therefor is either the City of Philadelphia, Pennsylvania, or the City of New York, New York, necessitating hauling of such bananas from such receiving point to his place of business or ripening facilities, at his expense, may increase his maximum price otherwise determined under § 1351.1253 of Maximum Price Regulation No. 285, as amended, for resale of such bananas so purchased in the following manner:

(1) If the wholesaler's largest single purchase of such bananas on the stem during the week preceding the Monday on which he determines his maximum price was made at the Auction Market in Philadelphia, Pennsylvania, was received by him in that city, and was hauled at his expense from such receiving point to his place of business or his ripening facilities, he shall add to his maximum price for such bananas otherwise determined under § 1351.1253 of Maximum Price Regulation No. 285, as amended, the sum of $.25 per cwt.;

(2) If the wholesaler's largest single purchase of such bananas on the stem during the week preceding the Monday on which he determines his maximum price was made at the Auction Market in New York, New York, was received by him in that city, and was hauled at his expense from such receiving point to his place of business or his ripening facilities, he shall add to his maximum price for such bananas otherwise determined under § 1351.1253 of Maximum Price Regulation No. 285, as amended, the sum of $.18 per cwt.;

(3) If the wholesaler's largest single purchase of such bananas on the stem during the week preceding the Monday on which he determines his maximum price was made from any seller other than an auction market received by him in Philadelphia, Pennsylvania, and was hauled at his expense from such receiving point to his place of business or his ripening facilities, he shall add to his maximum price for such bananas under § 1351.1253 of Maximum Price Regulation No. 285, as amended the sum of $.32 per cwt.;

(4) If the wholesaler's largest single purchase of such bananas on the stem during the week preceding the Monday on which he determines his maximum price was made from any seller other than an auction market received by him in New York, New York, and was hauled at his expense from such receiving point to his place of business or his ripening facilities, he shall add to his maximum price for such bananas under § 1351.1253 of Maximum Price Regulation No. 285, as amended the sum of $.23 per cwt.

(b) Wherever a term used in Maximum Price Regulation No. 285, as amended, is used in this order, it shall have the same meaning ascribed to it in Maximum Price Regulation No. 285, as amended.

(c) This order may be revoked, amended or corrected at any time. This order shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

RALPH W. HACKETT,
District Director.

[F. R. Doc. 44-4247; Filed, March 25, 1944; 12:27 p. m.]

[Region II Order G-19 Under MPR 165]

LAUNDRY MINIMUM BUNDLE SIZE IN NEW YORK REGION

Order No. G-19 under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended, Services. Revocation of permissive laundry minimum bundle size increases.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region II under the Emergency Price Control Act and by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended, services, *It is hereby ordered:*

(1) Every supplier of laundry services in Region II of the Office of Price Administration which supplies and prices any of its services upon the basis of a minimum bundle by weight or by number of pieces, and which offered or supplied the same or a similar service in March, 1942, must maintain the same minimum weight or minimum number of pieces for any such service as in March, 1942. No such supplier of services may hereafter change any of its minimum bundle sizes without specific authorization from the Office of Price Administration, regardless of the provisions of any order heretofore issued by this office or by any district office in this region.

(2) The provisions of paragraph (1) of this order shall not be applicable to any laundry service supplier which, prior to the effective date of this order, has changed any of its minimum bundle sizes as they existed in March, 1942, under the authority and according to the provisions of any order heretofore issued by this office or by any district office in this region.

(3) The provisions of paragraph (1) of this order shall not be applicable to any laundry service supplier whose establishment or place of business is located in the city of Philadelphia, and which desires to adopt the minimum size bundles permitted by our Order No. G-17 under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended—Services.

(4) To the extent that the provisions of this order are inconsistent with or contradictory to the provisions of any order, general or individual, previously issued by this office or by any district office in this region, such orders are, to such extent only, revoked.

(5) This order may be revoked or amended by the Regional Administrator or Price Administrator through the issuance at any time hereafter of any order or regulation, or amendment or supplement thereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued March 21, 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4252; Filed, March 25, 1944; 12:29 p. m.]

[Region III Order G-18 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PARKERSBURG, W. VA., AREA

Amendment No. 1 to Order No. G-18 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Parkersburg, West Virginia, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That paragraph (c) of Order No. G-18 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III shows maximum prices for cash or credit "yard sales" to other dealers or to consumers. All prices are on a net ton basis.

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District No. 3 (Fairmont):		
(a) Lump (5" and larger) mine price classifications E through G inclusive:		
Orders and deliveries in lots of 1 ton	*Per ton* $5.90	*Per ton* $5.05
Orders and deliveries in lots of 2 tons	5.75	5.05
Orders and deliveries in lots of 3 tons	5.65	5.05
Orders and deliveries in lots of 4 tons	5.55	5.05
Orders and deliveries in lots of less than 1 ton	6.35	*Per cwt.* .30
(b) Stoker (double screened, top size 2" and smaller) mine price classifications D through G inclusive:		
Orders and deliveries in lots of 1 ton	5.80	*Per ton* 5.10
Orders and deliveries in lots of 2 tons	5.70	5.10
Orders and deliveries in lots of 3 tons	5.60	5.10
Orders and deliveries in lots of 4 tons	5.50	5.10

There are no quantity discounts except those set forth above in this price schedule.

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

This amendment to Order No. G-18 under Revised Maximum Price Regulation No. 122 shall become effective March 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 18, 1944.

BURKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-4249; Filed, March 25, 1944; 12:28 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-13]

STANDARD POWER AND LIGHT CORPORATION

MEMORANDUM OPINION AND ORDER GRANTING APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held in its office in the City of Philadelphia, Pa. on the 23d day of March 1944.

Integration of holding company system. Extension of time pursuant to section 11 (c) of the act.

Application of a registered holding company filed pursuant to section 11 (c) of the act for an extension of time of an additional period of six months from December 19, 1943, within which to comply with the Commission's liquidation order of June 19, 1942 issued pursuant to section 11 (b) (2) granted, the Commission finding that present conditions have not materially changed from those existing on June 19, 1943, the time the Commission granted applicant's first application for an extension of time and that applicant has been unable in the exercise of due diligence to comply with the order and that the extension is necessary and appropriate in the public interest and for the protection of investors.

Standard Power and Light Corporation (Standard Power), a registered holding company, has filed an application with the Commission, pursuant to section 11 (c) [1] of the Public Utility Holding Company Act of 1935 requesting an extension of time of six months from December 19, 1943, within which to comply with the provisions of an order [2] issued by the Commission on June 19, 1942. Said order was entered pursuant to section 11 (b) (2) of the act and directed Standard Power, within one year of the date of said order, to liquidate and terminate its existence, and to proceed with due diligence to file a plan for its prompt liquidation and the termination of its existence.

After appropriate notice a public hearing was held and the Commission, having considered the record, now makes its findings and opinion.

Previously, on May 22, 1943, Standard Power not having complied with our liquidating order, filed an application requesting an extension of time of one year within which to comply with said order. Standard Power in its first application assigned two primary reasons for non-compliance with our order of June 19, 1942. The first was the undetermined liability on its 6% Gold Debentures, due February 1, 1957, in the aggregate principal amount of $14,997,700 which were assumed by Standard Gas and Electric Company in 1930.[3] The sec-

[1] Section 11 (c) of the act provides as follows:

Any order under subsection (b) shall be complied with within one year from the date of such order; but the Commission shall, upon a showing (made before or after the entry of such order) that the applicant has been or will be unable in the exercise of due diligence to comply with such order within such time, extend such time for an additional period not exceeding one year if it finds such extension necessary or appropriate in the public interest or for the protection of investors or consumers.

[2] *Standard Power and Light Corporation,* Holding Company Act Release No. 3607 (1942) — SEC —.

[3] On March 24, 1943, Standard Gas and Electric Company filed a plan for its recapitalization (File No. 54-72) pursuant to section 11 (e) of said act with this Commission and proceedings with respect thereto are still pending. Said plan provides that one-half of the aggregate principal amount of all notes and debentures of Standard Gas and Electric Company, including the debentures of Standard Power assumed by Standard Gas and Electric Company, will be paid in cash and that the remainder of such principal amount will be discharged by the delivery to the holders of said notes and debentures of shares of common stock of The California Oregon

ond was the pendency of the litigation instituted against it and others in December 1941, by Daniel O. Hastings, as Special Trustee of Standard Gas and Electric Company, in the Court of Chancery of the State of Delaware for New Castle County. In this litigation, the plaintiff seeks judgment decreeing that the defendants illegally received and dealt with property of Standard Gas and Electric Company, which property is held in trust for the last mentioned company and for the plaintiff, as Special Trustee, and plaintiff also demands an accounting and other equitable relief. On June 19, 1942,[1] after hearing, we granted Standard Power's application but only to the extent that it would be allowed a period of six months from June 19, 1943, within which to comply with our order of June 19, 1942.

The reasons assigned for an extension in the present application are the same as those assigned in the previous application for an extension of time. The record indicates that conditions have not materially changed since the hearing upon Standard Power's first application.

We therefore find that the applicant has been unable in the exercise of due diligence to comply with our order of June 19, 1942, within the additional period of six months' time granted applicant by our order of June 19, 1943, and that it is now necessary and appropriate in the public interest and for the protection of investors and consumers to grant applicant a further extension of time for a period of six months within which to comply with our order of June 19, 1942.

It is therefore ordered, That Standard Power and Light Corporation be and it is hereby granted an additional period of six months from December 19, 1943, within which to comply with our order of June 19, 1942.

By the Commission (Commissioners Healy, O'Brien, Pike, and McConnaughey), Chairman Purcell being absent and not participating.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4226; Filed, March 25, 1944; 10:25 a. m.]

Power Company and of Mountain States Power Company, both subsidiaries of Standard Gas and Electric Company, and Common Stock Series A of Standard Gas and Electric Company, on the basis of five shares of common stock of The California Oregon Power Company, two shares of common stock of Mountain States Power Company, and twenty-three shares of the new Common Stock Series A of Standard Gas and Electric Company, to be issued in connection with the proposed recapitalization of the company, for each $1,000 principal amount of said notes or debentures.

[1] *Standard Power and Light Corporation*, Holding Company Act Release No. 4416 (1943) — SEC —

[File No. 70-855]

CONSOLIDATED ELECTRIC AND GAS CO. AND ATHENS AND SAYRE GAS CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of March, A. D., 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and its subsidiary, Athens and Sayre Gas Company ("Athens"), having filed joint declarations pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 12 (b), 12 (c), 12 (d), and 12 (f) thereof and the rules promulgated thereunder, regarding (a) the proposed sale by Athens of all of its assets to H. Emerson Thomas and Mark Anton, or their nominee, for a basic consideration of $132,255 in cash and the assumption by the purchasers, or their nominee, of a certain promissory note in the principal amount of $68,000 of Athens held by The Gas Light Company of Waverly ("Waverly"), also a subsidiary of Consolidated, (b) the sale by Consolidated to the same individuals of a promissory note of Waverly in the principal amount of $8,000 and all the common stock of Waverly for a basic consideration of $30,000 in cash, (c) the donation by Consolidated to Athens of all debt securities of Athens owned by Consolidated, (d) the liquidation and dissolution of Athens, and (e) the application by Consolidated of the moneys to be received by it from the liquidation of Athens and from the sale by it of the securities of Waverly in the retirement of Consolidated's Collateral Trust Bonds, due August 1, 1957, and August 1, 1962, by the purchase of such bonds in the open market and the surrender of the bonds so purchased to the trustee under the indenture securing the same for cancellation.

A public hearing having been held upon said declarations, after appropriate notice, and the Commission having considered the record and having made and filed its findings herein;

It is hereby ordered, That said declarations be, and the same are hereby, permitted to become effective forthwith, subject to the terms and conditions set forth in Rule U-24, and, in respect of the proposed acquisition and retirement by Consolidated of its own bonds, subject to the following additional terms and conditions:

(1) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any bonds to Consolidated;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(3) That Consolidated shall furnish to the Commission, promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4227; Filed, March 25, 1944; 10:25 a. m.]

[File Nos. 70-314, 70-365, 59-21, 4-33, 54-91, 70-868]

UNITED GAS CORP., ET AL.

NOTICE OF FILING OF AMENDMENT TO JOINT DECLARATION IN CONSOLIDATED PROCEEDINGS AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of March, A. D. 1944.

In the matters of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; Electric Bond and Share Company, File No. 70-315; and Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21;

Investigation of organization and financing of United Gas Corporation, Etc., File No. 4-33; United Gas Corporation, Electric Power & Light Corporation, Electric Bond and Share Company, File No. 54-91; and Electric Bond and Share Company, File No. 70-868.

The Commission having on March 6, 1944 issued its notice of filing and order for consolidation and hearing (Holding Company Act Release No. 4926) with respect to a plan filed pursuant to section 11 (e) by Electric Bond and Share Company ("Bond and Share"), a registered holding company, Electric Power & Light Corporation ("Electric"), a subsidiary of Bond and Share and likewise a registered holding company, and United Gas Corporation ("United"), a subsidiary of Electric, the stated purposes of which are to effectuate compliance with section 11 (b) (2) of the act through the conversion of United's present capital structure into a capital structure consisting only of par value common stock and mortgage debt; the simplification of the capital structure of United and the consequent simplification of the holding company system of Electric; the fair and equitable distribution of voting power among the security holders of United; and the compromise, settlement and discharge of the various claims, defenses and counter claims among Bond and Share, United, Electric and their respective security holders; and said notice and order having directed the consolidation, for purposes of consideration by the Commission, of the proceedings with respect to said plan with a previously consolidated proceeding involving, among other things, a joint declaration filed by United and certain of its subsidiary companies for approval of a series of transactions incident to the refinancing of United (File No. 70-314); and said plan being stated to be contingent upon the issuance and sale by United of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds pursuant to an anticipated amendment to its above-described previous filing designated File No. 70-314;

Notice is hereby given that the above-described amendment to the joint declaration designated File No. 70-314 has been filed pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder by United and its subsidiary, United Gas Pipe Line Company ("Pipe Line"). All interested persons are referred to said amendment which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

(1) United proposes to issue and sell $100,000,000 principal amount of its First Mortgage and Collateral Trust Bonds, Series due 1961. The proceeds from the sale of the bonds, together with such treasury funds as may be necessary, will be applied as follows:

(a) To redeem 432,512 shares of $7 preferred stock of United held by the public at $110 per share plus the amount of dividend arrearages thereon (which as of April 1, 1944, will amount to $10.45⅝ per share),

(b) To purchase from Electric for $44,000,000 in cash, $44,000,000 stated value (440,000 shares) of $7 second preferred stock of United in connection with which purchase Electric will transfer to United the right of Electric to accumulated and unpaid dividends on such stock.

(c) To redeem $3,460,000 principal amount of publicly held 5% Collateral Trust Gold Bonds of Houston Gas Securities Company due March 1, 1952, assumed by United.

(2) Pipe Line proposes to issue and sell $23,000,000 principal amount of its First Mortgage Bonds 4% Series due 1961, all of which will be issued to United in exchange for a like principal amount of Pipe Line's 6% Debentures due March 1, 1952, now owned by United which debentures will be cancelled.

The $23,000,000 principal amount of Pipe Line Bonds will be pledged under United's mortgage together with the following securities of Pipe Line and other subsidiaries of United: 100,000 shares of the capital stock (100%) of Pipe Line; 50,000 shares of the capital stock (100%) of Union Producing Company, $40,000,000 principal amount of 6% Debentures due March 1, 1952, of United Producing Company, 5,000 shares of the capital stock (100%) of United Oil Pipe Line Company; and 53,094 shares of the capital stock (99.9%) of Compania Mexicana de Gas, S. A. The Amendment contemplates that the assets of Houston Gulf Gas Company, a subsidiary of Pipe Line, will be acquired by Pipe Line by merger, or by the liquidation or dissolution of Houston Gulf Gas Company.

The filing states that it is the belief of United that its proposed financing described above is exempt from the provisions of Rule U-50 by virtue of the fact that its original joint application in connection therewith was filed with the Commission prior to the effective date of such Rule. However, in the event that it should be determined by the Commission that such an exemption does not apply, United requests exemption from the competitive bidding requirements of Rule U-50 with respect to the issuance and sale of its bonds.

Hearings on the joint declaration described above and designated File No. 70-314 having been held at various dates and the record having been closed on September 21, 1943; and

United and Pipe Line having requested that the record in the said proceedings designated File No. 70-314 be reopened to consider the above-described amendment to said joint declaration; and

The Commission finding such request is reasonable and that the granting thereof will not be detrimental to the public interest or the interest of investors or consumers:

It is ordered, That the record in the proceedings designated File No. 70-314 be reopened for the purpose of considering the amendment hereinbefore described.

It is further ordered, That a hearing be held on the joint declaration as amended in connection with the hearing to be held on the section 11 (e) plan, with which by reason of previous orders of the Commission it is consolidated, which has been set for hearing on April 4, 1944, before William W. Swift or any other officer or officers of the Commission designated by it for that purpose. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the rules of practice of the Commission on or before April 1, 1944.

It is further ordered, That, without limiting the scope of the issues presented by said joint application as amended, particular attention will be directed at the hearings to the following matters and questions in addition to those stated in the notice and order of this Commission referred to above dated March 6, 1944:

(1) Whether the issuance and sale of bonds of United should be exempted from the competitive bidding requirements of Rule U-50.

(2) Whether the securities proposed to be issued by United and Pipe Line are securities of a type authorized to be issued under the provisions of section 7 (c) of the act.

(3) Whether the securities proposed to be issued by United and Pipe Line are reasonably adapted to their security structures and earning power and to the security structure of the other companies in the same holding company systems.

(4) Whether the proposed issuance and sale of securities by United and Pipe Line are necessary and appropriate to the economical and efficient operation of the business or businesses in which they are engaged or have an interest.

(5) Whether any of the terms and conditions of the securities proposed to be issued by United and Pipe Line are detrimental to the public interest or the interests of investors or consumers.

(6) Whether the proposed acquisition by United of the proposed bonds of Pipe Line is in conformity with the standards of section 10 of the act.

(7) Whether the fees and expenses proposed to be paid are for necessary services and are reasonable in amount.

(8) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the act and the rules promulgated thereunder.

(9) Whether if the transactions proposed are authorized by the Commission it is appropriate in the public interest or in the interest of investors or consumers that any terms or conditions be imposed in connection with such authorization and if so what such terms and conditions should be.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4228; Filed, March 27, 1944; 10:00 a. m.]

[File Nos. 70-740, 70-741, 70-743, 70-746]

UTILITIES EMPLOYEES SECURITIES CO., ET AL.

RELEASE OF JURISDICTION OVER, AND APPROVAL OF, WELFARE TRUST AGREEMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of March, 1944.

In the matter of Utilities Employees Securities Company, File No. 70-740; Stanley Clarke, trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, General Gas & Electric Corporation, Associated Utilities Corporation, File No. 70-741; New England Gas and Electric Association, File No. 70-743; Noel T. Dowling, James V. Gilloon, Jr., Joseph A. Shields, trustees under Pension Trust Agreement dated December 14, 1937, as amended, File No. 70-746.

The Commission having on August 12, 1943, approved a plan of liquidation, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for Utilities Employees Securities Company (Uesco), a subsidiary of Associated Gas and Electric Company, Associated Gas and Electric Corporation, and Associated Utilities Corporation, registered holding companies, and having at the same time approved certain applications and permitted certain declarations to become effective; the Commission having reserved jurisdiction to approve or disapprove the terms of the Welfare Trust Agreement before the same shall become effective pursuant to the plan; and an amendment to the plan having been filed submitting said Welfare Trust Agreement entered into between and among

the various parties to the original plan of liquidations; such Welfare Trust Agreement providing, in summary that:

The purpose of the agreement is to define the rights, duties, liabilities, and accountability of the Welfare Trustee, the present trustee being Noel T. Dowling. Uesco is to transfer to the Welfare Trustee all of its remaining assets. Within a reasonable time, after the receipt of the Uesco assets, the Welfare Trustee is to establish a separate account for each distributee company entitled to distribution of Uesco welfare assets and allocate to the account of such company its aliquot portion of the assets. Each distributee company is to be entitled to receive from the Welfare Trustee its portion upon the establishment by such distributee company of employee pension, insurance, or welfare programs as specified in the original settlement agreement of June 4, 1943. The Welfare Trustee is not, however, required to deliver to the company its portion, unless he is satisfied that such company has duly complied with all the conditions to be performed by it. The Welfare Trust Agreement also contains provisions as to the termination of the rights of the Welfare Trustee, the administration of the fund, compensation to be permitted, and other matters originally set forth in the agreement of June 4, 1943, heretofore approved by the Commission.

Due notice having been given of the filing of such post-effective amendment by the Commission on February 10, 1944, and further notice having been given by the circularization of appropriate notice to the various distributee companies and the employees and representatives of employees thereof, and no objection having been received in regard to the terms and conditions of the Welfare Trust Agreement within the time specified in the said notice of the Commission of February 10, 1944; and

It appearing to the Commission that the terms and conditions of the Welfare Trust Agreement are appropriate to effectuate the plan of liquidation heretofore approved;

It is hereby ordered, That jurisdiction be, and hereby is, released over the terms and conditions of the Welfare Trust Agreement, and that said terms and conditions be and hereby are approved; subject, however, to the terms and conditions of Rule U-24 of the general rules and regulations promulgated pursuant to the Public Utility Holding Company Act and subject further to the following condition that, on or before February 1, 1945, and each year thereafter as long as the Welfare Trust Agreement shall be operative, the Welfare Trustee shall file with the Commission a report for the prior calendar year setting forth in appropriate detail the results of operations and the financial condition of the Welfare Trust, and that within sixty days of the termination of said Welfare Trust, the Welfare Trustee shall file with the Commission a notification of said termination, together with a final report covering the period from the beginning of the calendar year to the date of said termination.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4259; Filed, March 27, 1944; 10:00 a. m.]

SHERMAN GLEASON AND CO.

ORDER AFFIRMING CENSURE AND FINE AND CANCELING EXPULSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of March, A. D. 1944.

In the matter of Applications of Sherman Gleason, doing business as Sherman Gleason and Company, for review of disciplinary actions taken against him by the National Association of Securities Dealers, Inc. (Cases No. 20 and 29 of District No. 14.)

Sherman Gleason having filed applications pursuant to section 15A of the Securities Exchange Act of 1934 as amended for review of disciplinary proceedings conducted by National Association of Securities Dealers, Inc., in Complaints No. 20 and No. 29 originated by the District Business Conduct Committee of District 14 of the said association, hearings having been held, briefs filed and oral argument heard; and the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of the said findings and opinion: *It is ordered*, (1) That the penalty of severe censure and fine of $250 imposed in the proceedings on Complaint No. 20 be, and hereby is, affirmed and (2) that the penalty of expulsion imposed in the proceedings on Complaint No. 29 be, and hereby is, canceled.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4260; Filed, March 27, 1944; 10:00 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 26-A]

REGISTRANTS IN VIRGIN ISLANDS

ASSIGNMENT OF SERIAL AND ORDER NUMBERS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

The order of the Director, Operations Order No. 26, is hereby amended in the following particulars:

1. The initial paragraph and subparagraph (a) under numerical paragraph 3 are deleted and the following substituted therefor:

3. The local board shall assign serial numbers and order numbers to registrants for whom it receives or completes a Registration Card on or before March 31, 1944, in the following manner:

(a) After the local board has transcribed from the Registration Card Form 1-F to a white Registration Card (Form 1) all of the information needed to complete the white Registration Card (Form 1) as provided in § 618.11 of the Selective Service Regulations, it shall place all of such Registration Cards (Form 1) together. On April 1, 1944, the local board shall thoroughly shuffle or mix such Registration Cards (Form 1) so that the location of any card in the pile—and the number it later receives—will be purely a matter of chance.

2. Subparagraph (i) (1) under numerical paragraph 3 is deleted and the following substituted therefor:

(i) (1) When the local board has completed the actions provided for above, it shall on April 1, 1944, assign each registrant an order number by use of the National Master List—First Drawing, October 29-30, 1940 (Form 169). The greatest care must be used in the assignment of order numbers because the order numbers establish the order in which the registrants will be considered for selection for service. The registrant whose serial number appears at the top, or nearest the top of the National Master List shall get Order Number 1. The registrant whose serial number is next closest to the top of the National Master List shall get Order Number 2. The registrant whose serial number is third closest to the top of the list shall get Order Number 3, and so on until each registrant has an order number. Order numbers must be assigned in sequence; no order number shall be skipped. Serial numbers on the National Master List which are not held by any registrant of the particular local board are simply crossed off the National Master List and ignored. It is suggested that the local board shall as its first step in the assignment of order numbers mark the order numbers opposite the applicable serial numbers on the National Master List.

3. Numerical paragraph 4 and subparagraphs (a) and (b) thereunder are deleted and the following substituted therefor:

4. The local board shall assign serial numbers and order numbers to registrants for whom it receives or completes a Registration Card on and after April 1, 1944, in the following manner:

(a) After the local board has transcribed from the Registration Card (Form 1-F) to a white Registration Card (Form 1) all of the information needed to complete the white Registration Card (Form 1) as provided in § 618.11 of the Selective Service Regulations, it shall then place the smallest unassigned serial number upon such Registration Card (Form 1).

(b) The local board shall then find from the National Master List—First Drawing, October 29-30, 1940 (Form 169) what the registrant's order number would have been if his Registration Card (Form 1) had been completed prior to April 1, 1944. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to him had his Registration Card (Form 1) been completed prior to April 1, 1944, and shall add a letter to it. For example: If his order number would have been 84 had his card been completed prior to April 1, 1944, the local board will assign him Order No. 83-A."

LEWIS B. HERSHEY, *Director.*

MARCH 25, 1944.

[F. R. Doc. 44-4256; Filed, March 25, 1944; 4:38 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 63

Washington, Wednesday, March 29, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 534]

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY; STERILIZATION OF GRAPEFRUIT REQUIRED

Introductory note. Because of increasing numbers of infestations of Mexican fruitflies now occurring in the regulated area in the Rio Grande Valley it has become necessary to require the sterilization of grapefruit moved interstate from the Texas counties of Cameron, Hidalgo, and Willacy. The harvesting season for grapefruit in these counties was extended to the close of June 15 for this year under administrative instructions of the Bureau (Circular B. E. P. Q. 531 dated September 23, 1943).

§ 301.64-4b *Administrative instructions relative to the Mexican fruitfly quarantine.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.64-4(e) [Notice of Quarantine No. 64], it is hereby required that effective April 3, 1944, and continuing throughout the harvesting season to the close of June 15, 1944, all grapefruit, as a condition of certification for interstate movement from the Texas counties of Cameron, Hidalgo, and Willacy, shall be sterilized in accordance with the methods authorized in § 301.64-4a (Circular B. E. P. Q. 472), revised effective September 25, 1941.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR 301.64-4; 7 U.S.C. 161)

Done at Washington, D. C., this 28th day of March 1944.

Effective April 3, 1944.

AVERY S. HOYT, *Acting Chief.*

[F. R. Doc. 44-4331; Filed, March 28, 1944; 11:19 a. m.]

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

SUGARCANE FARMS IN HAWAII

Determination of (1) normal yield of commercially recoverable sugar per acre and (2) eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Hawaii (revised).

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.35 *Normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Territory of Hawaii*—(a) *Normal yield calculation.* The normal yield of commercially recoverable sugar per acre for any farm in Hawaii on which sugarcane was grown and marketed (or processed by the producer) for the extraction of sugar during all three of the 1939, 1940, and 1941 crop years, shall be the product of:

(1) The simple average, for such crop years, of the number of hundredweights of sugar, raw value, recovered per short ton of sugarcane processed for the extraction of sugar by the mill at which the sugarcane from the farm was ground, and

(2) The simple average, for such crop years, of the number of short tons of sugarcane per acre harvested on the farm for the extraction of sugar.

The normal yield of commercially recoverable sugar per acre for any farm on which sugarcane was not grown and marketed (or processed by the producer) for the extraction of sugar during all three of the 1939, 1940, and 1941 crop years, shall be the simple average of the normal yields, computed in accordance with the foregoing provisions of this paragraph,

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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for all farms within the same local producing area, as defined herein.

(b) *Eligibility for abandonment and deficiency payments.* Any farm located in a local producing area, as defined herein, in which actual yields of commercially recoverable sugar from the sugarcane for farms comprising 10 percent or more of the sugarcane acreage of all farms in such local producing area, were 80 percent or less of the normal yields therefor, as determined by the officer or acting officer in charge of the Honolulu office of the Agricultural Adjustment Agency, because of drought, flood, storm, freeze, disease or insects, shall be eligible for abandonment and deficiency payments.

A "local producing area" shall be all contiguous farms which are found by the officer or acting officer in charge of the Honolulu office of the Agricultural Adjustment Agency to be similar with respect to types of soil or with respect to topography: *Provided, however,* That farms separated from other farms by any natural barrier such as mountains or large areas of land shall not be included within the same local producing area.

This determination supersedes with respect to the 1943 and subsequent crops, the "Determination of (1) Normal Yield of Commercially Recoverable Sugar per Acre and (2) Eligibility for Payment with Respect to Abandonment and Crop Deficiency for Farms in the Territory of Hawaii, Pursuant to section 303 of the Sugar Act of 1937," issued June 17, 1938.

(Sec. 303, 50 Stat. 911; 7 U.S.C. 1133; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 27th day of March 1944.

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44–4307; Filed, March 27, 1944; 4:17 p. m.]

PART 802—SUGAR DETERMINATIONS

PRICES FOR 1943–1944 PUERTO RICAN SUGARCANE CROP

Determination of fair and reasonable prices for the 1943–1944 crop of Puerto Rican sugarcane.

Pursuant to the provisions of paragraph (d) of section 301 of the Sugar Act of 1937, as amended, and Executive Order 9322, issued March 26, 1943, as amended by Executive Order 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.42f *Fair and reasonable prices for the 1943–1944 crop of Puerto Rican sugarcane.* Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) When payment for sugarcane delivered to a producer-processor is made by actual delivery of sugar to the producer (colono) on the basis of a stated percentage of 96° raw sugar recoverable from the producer's sugarcane, such percentage shall be not less than 63, in the case of sugarcane yielding less than 12 percent of sugar, or not less than 65, in the case of sugarcane yielding 12 percent or more of sugar, of the recoverable sugar (packed in the customary bags) determined in accordance with the formula given below, and such recoverable sugar shall be calculated fortnightly or monthly, as may be agreed upon between the producer and the producer-processor:

$$R = (S - 0.3B) F$$

where:
R = Recoverable sugar yield, 96° polarization.
S = Polarization of the crusher juice obtained from the sugarcane of each producer.
B = "Brix" of the crusher juice obtained from the sugarcane of each producer.
F = Factor obtained from the fraction whose numerator is the average yield of sugar 96° polarization obtained from the aggregate grinding during each fortnight or month in which the cane of the producer is ground, and whose denominator is the average polarization of the crusher juice minus three-tenths of the Brix of the crusher juice, both components of the denominator being obtained from the aggregate grinding during the fortnight or month in which the cane of the producer has been ground:

Provided, however, That in the event a mill has been using the formula set forth below to calculate the sugar recoverable from the cane ground during the 1943–1944 crop year, such formula may be used to determine the recoverable sugar from the 1943–1944 crop of sugarcane:

$$R = FS$$

where:
R = Recoverable sugar, 96° polarization.
S = Polarization of the crusher juice obtained from the sugarcane of each producer, during each fortnight or month.
F = Fraction whose numerator is the average yield of sugar of 96° polarization obtained from the aggregate grinding during each fortnight or month in which the cane of the producer (colono) has been ground, and whose denominator is the average polarization of the crusher juice obtained from the aggregate grinding during the fortnight or month in which the cane of the producer (colono) has been ground:

Provided, further, That when, through the delivery of unripe or burnt cane, or through any other cause, the recoverable sugar determined in accordance with the aforesaid provisions amounts to nine pounds or less per 100 pounds of cane, or when sugarcane is delivered of the Japanese, Uba, Coimbatore, or other varieties of the Saccharum Spontaneum or Saccharum Sinense type, the payment shall be on the basis of rates not less than those provided in the 1942–43 cane grinding agreement between the producer-processor and the producer.

(b) When payment for sugarcane delivered to a producer-processor is made by actual delivery of sugar to the producer on the basis of an amount of 96° raw sugar equal to a stated percentage of the weight of the sugarcane received from the producer (commonly referred to as the "flat rate" basis), the applicable percentage for the computation of the quantity of sugar deliverable to the producer shall be not less than the product of the average number of pounds of sugar, 96° basis, recovered per 100 pounds of sugarcane during the current crop, month, or week (as may be agreed upon) at the mill where the sugarcane was ground and .63, in the case of sugarcane yielding less than 12 percent of sugar, or .65, in the case of sugarcane yielding 12 percent or more of sugar. The figure for the average number of pounds of sugar, 96° basis, recovered per 100 pounds of sugarcane shall be rounded to the nearest one-tenth of a pound. The product of such figure and .63 or .65 whichever is applicable, shall be rounded to the nearest one-hundredth of 1 percent. If payment is to be determined from the sugar recovery for the entire crop, as aforesaid, provisional liquidation shall be made fortnightly or monthly on such bases as may be agreed upon between the producer (colono) and the producer-processor.

(c) When settlement is made in cash, the money value of the sugar which would otherwise be delivered to the producer, as in (a) or (b) above (whichever is applicable), shall be determined on the basis of the average duty paid price for 96° sugar for the fortnight or month (or such other period as may be agreed upon between the producer and the producer-processor) during which the sugarcane is delivered to the producer-processor, converted to the equivalent f. o. b. mill price by deducting selling and delivery expenses actually incurred by the producer-processor: *Provided, however,* That the producer-processor shall adjust (or agree to adjust) the f. o. b. mill price, determined in the aforesaid manner, to give recognition to any reimbursement of selling and delivery expense made to the producer-processor by any government agency: *And provided, further,* That the producer-processor shall submit in duplicate to the San Juan office of the Agricultural Adjustment Agency a statement verified by a certified public accountant of the actual deductions incurred in determining the f. o. b. mill price.

(d) When payment is made by delivery of sugar, as in paragraph (a) or (b) of this section, the producer-processor shall (1) store and insure (or agree to store and insure) all such sugar until the end of the calendar year free of charge to the grower (except that the grower shall bear a proportionate share of any charges arising out of the necessity of utilizing outside storage facilities) and (2) share (or agree to share) with the producer, on a pro rata basis, all ocean shipping facilities available to the producer-processor.

(e) In addition to the foregoing, the following requirements shall be met:

(1) The producer-processor shall pay to the grocer a molasses bonus per ton of cane received, such bonus per ton of sugarcane to be the equivalent of (a) one-half of the net proceeds per gallon of blackstrap molasses of the 1943–44 crop in excess of 4¢ per gallon multiplied by (b) the average production of blackstrap molasses per ton of sugarcane of the 1943–44 crop.

(2) When sugarcane is delivered to a producer-processor in the name of a person other than the producer thereof (commonly referred to as "purchasing agent"), the producer-processor shall make payment to the producer of such sugarcane in accordance with the provisions of this determination.

(3) The producer-processor shall not, through any subterfuge or device whatsoever, reduce the returns from the 1943–1944 crop to Puerto Rican sugarcane to the producer below those determined above.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1131; 8 F.R. 3807; 8 F.R. 5423)

Issued this 27th day of March 1944.

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44–4308; Filed, March 27, 1944; 4:17 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51029]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICES FOR FOOTWEAR

In addition to all other information required by law or regulations, customs invoices for boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in part of leather, shall contain a statement whether or not the articles were sewed or stitched by the process or method known as McKay.

This requirement shall be effective as to invoices certified after 30 days after publication of this document in the weekly Treasury Decisions. (Sec. 481 (a) (10), 46 Stat. 719; 19 U. S. C. 1481 (a) (10))

Section 8.13 (j), Customs Regulations of 1943 (19 CFR 8.13 (j)), is hereby amended by adding the following to the list of merchandise in connection with which additional information is required to be furnished on invoices and by placing opposite such addition the number and date of this Treasury decision:

Boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in part of leather. T. D. 51029, March 28, 1944.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: March 24, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–4343; Filed, March 28, 1944; 11:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–509]

NOWELL LUMBER COMPANY, INC.

Nowell Lumber Company, Inc., of Cleveland, Mississippi, is engaged in the operation of a wholesale and retail lumber and building supply business. From

January 1, 1943, to April 15, 1943, the corporation sold and delivered new metal plumbing equipment, consisting of more than 50% metal by weight, in violation of General Limitation Order L–79. From October 1, 1942, to June 1, 1943, the corporation participated in the construction of certain residences without obtaining authorization from the War Production Board, and sold and delivered material for construction of the residences. The cost of each job was in excess of $200, which was the maximum amount permitted for this type of construction, in the absence of War Production Board authorization. These acts constituted a violation of Conservation Order L–41. In May, 1943, the corporation accepted orders for, and delivered, two attic fans or blowers without preference ratings although preference ratings were required by General Limitation Order L–280. These acts constituted a violation of General Limitation Order L–280. In August, 1943, the corporation ordered two carloads of restricted lumber, and extended ratings of AA–4 in connection with its order. The corporation was not authorized to extend preference ratings to the purchase of this lumber, but nevertheless did so and received the lumber. These acts constituted violations of Priorities Regulations 1 and 3. The corporation failed to keep and preserve accurate and complete records of its transactions. This constituted a violation of Priorities Regulation No. 1.

The corporation, through its president and other officers, was familiar with the provisions of the orders and regulations of the War Production Board which governed the operations of the corporation, and its conduct constituted wilful violations of General Limitation Order L–79, Conservation Order L–41, and Priorities Regulations No. 1 and No. 3. As the result of these violations scarce materials have been diverted from the war effort to uses not authorized by the War Production Board and the war effort of the United States has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.509 *Suspension Order No. S–509.* (a) Deliveries of material to Nowell Lumber Company, Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Nowell Lumber Company, Inc., its successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this order shall not apply to deliveries to Nowell Lumber Company, Inc., of material ordered by, or required to fill any order of, the Army, Navy, or Maritime Commission.

(d) Nothing contained in this order shall be deemed to relieve Nowell Lumber Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on March 27, 1944, and shall expire June 27, 1944.

Issued this 21st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F.R. Doc. 44–4310; Filed, March 27, 1944; 4:38 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 34, as Amended Mar. 28, 1944]

CLASS A FACILITIES NOT RELATED TO CONSTRUCTION

The following direction is issued pursuant to CMP Regulation 1:

(a) This direction tells how you may apply for priorities assistance to buy a Class A facility from the manufacturer of the facility where an allotment of controlled material is needed and where you cannot apply for priorities assistance under CMP Regulation No. 6—"Construction and Facilities". This Direction also tells you how to get priorities assistance and an allotment in order to build a Class A facility or a Class B facility for yourself.

(b) The term "facility" means any machinery or equipment which is generally carried as a capital item. Your local WPB office will tell you whether the facility you wish to buy is a Class A product and you should check with it if you have any doubt as to whether you should follow this procedure.

(c) This direction does not deal with the case where a Class A facility is to b bought from a distributor, or as a minor capital addition under paragraph (b) (3) of CMP Regulation No. 5 (or under similar provisions of other regulations or orders), or where the facility is a Class B product, since the purchaser does not take any part in getting allotments of controlled materials in these cases.

(d) If you want to buy a Class A facility under this direction and an allotment of controlled materials is needed for its manufacture, you should file an application for priorities assistance with your local WPB office. In most cases the application should be made on Form WPB–541 (formerly PD–1A), but there are special forms for special products which your local WPB office will explain. Before filing your application you should have the manufacturer from whom you intend to buy the facility fill out and sign a Form CMP–4A application for an allotment of the controlled materials needed to make the facility. In preparing the form only items 3, 4, 5, 6 and 7 and section B need be filled in. This form, together with one copy, should be filed along with your application.

(e) If your application is approved, the War Production Board will assign a rating for the purchase of the facility and will make an allotment on CMPL–150 of the controlled materials needed to make the facility. You will use the rating in placing your order for the Class A facility and will make an allotment on CMPL–150A to the manufacturer of the facility. The manufacturer may use the allotment and preference rating assigned for the production of the facility to buy controlled materials, Class A products, Class B products and other products and material needed as production material to make the facility. The manufacturer may not use the allotment or rating for any other purpose. The manufacturer must accept and fill your order, or reject it, as required by paragraph (p) of CMP Regulation No. 1 relating to the protection of production schedules for Class A products. If the manufacturer is compelled to reject the order under paragraph (p), you may place your order with any manufacturer whom you may select, and if he is in a position to accept the order under paragraph (p) you may, without further action by the War Production Board, make the allotment to him.

(f) If you need an allotment of controlled materials for a Class A facility which you will make for yourself and which you cannot apply for under CMP Regulation No. 6, you may follow the procedure outlined in this Direction just as though you were going to buy the facility from a manufacturer. In such a case you may use the allotment and preference rating assigned for the production of the facility to buy controlled materials, Class A products, Class B products and other products and material needed as production material to make the facility. If you need an allotment of controlled materials for a Class B facility which you will make for yourself, but which you are not in the business of making, you may follow the procedure in this direction in the same way as described for a Class A product. If you make the Class B facility in the normal course of your business, you must get the material by use of a CMP–4B application which you ordinarily file.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4334; Filed, March 28, 1944; 11:20 a. m.]

PART 3286—MISCELLANEOUS MINERALS[1]

[Conservation Order M–239 as Amended Mar. 28, 1944]

TALC

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of talc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3286.56[1] *Conservation Order M–239*—(a) *Definitions.* For the purposes of this order:

(1) "Talc" means naturally occurring magnesium silicate, both crude and beneficiated.

(2) "Steatite talc" means naturally occurring magnesium silicate both crude and beneficiated, suitable for use in the manufacture of electrical insulators and containing not to exceed one and one-half per cent (1½%) lime (CaO), not to exceed one and one-half per cent (1½%) ferric oxide (Fe_2O_3), and not to exceed four per cent (4%) alumina (Al_2O_3).

(3) "Producer" means a person who mines talc.

(4) "Processor" means a person who mills, treats, or classifies talc or otherwise prepares or beneficiates talc for use by consumers.

(5) "Supplier" means a person who imports talc into the United States or who offers talc for sale to consumers.

(6) "Consumer" means a person who uses talc by incorporating it physically in a product he manufactures or who consumes talc in any other commercial or laboratory process.

(7) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of, or under common control with, or available for the use of such person.

(8) "Minimum practicable working inventory" means:

(i) In the case of steatite talc for use in products and processes on List A, a twelve months' supply; and for use in all other products and processes, a six months' supply.

(ii) In the case of talc other than steatite and other than that which is known to have been mined in the State of New York, a six months' supply, regardless of use; in the case of talc other than steatite which is known to have been mined in the State of New York, a two months' supply, regardless of use.

(iii) In the case of steatite talc to be held by dealers or distributors, a three months' supply, based upon average monthly sales during the first nine months of 1942.

(b) *Grinding of talc.* No processor shall grind steatite talc to a grain size so small that it is rendered unusable for steatite insulators, unless he has received a firm order for the amount of steatite talc so to be ground, specifying such small grain size, which is to be delivered within 30 days of the date of such grinding.

(c) *Restrictions on sales or deliveries of talc.* No person after April 29, 1943, shall sell or deliver (including a delivery under toll agreement) talc to any person if he knows or has reason to believe such material is to be received or used in violation of the terms of this order.

(d) *Limitations of inventories*—(1) *Accumulation.* No supplier, other than a producer or a processor, and no consumer, shall accumulate an inventory of talc in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies in quantities in excess of a minimum practicable working inventory.

(2) *Further receipts.* No supplier, other than a producer or a processor, and no consumer, who has an inventory in excess of a minimum practicable working inventory, shall receive any additional talc until his inventory thereof has been reduced below a minimum practicable working inventory.

(3) *Exception.* The foregoing limitations on inventories shall not apply to any supplier (including a dealer or distributor) whose current rate of sale of talc does not exceed five (5) tons per month, or to any consumer whose current rate of consumption of talc does not exceed one (1) ton per month, or to any consumer who customarily purchases talc in carload quantities: *Provided, however,* No such supplier or consumer shall receive any additional talc at any time his inventory of talc in the form of raw material exceeds 60 tons.

(e) *Reports.* (1) Each processor shall file Form WPB–2705 (formerly PD–862) with the War Production Board in accordance with the instructions printed on such form.

(2) Each consumer, except a consumer whose current rate of consumption of talc does not exceed three tons per month, shall file Form WPB–2604 (formerly Form PD–863) with the War Production Board in accordance with the instructions printed on such form.

(3) Each supplier (other than a producer) who customarily stocks the talc which he offers for sale shall file Form WPB–2705 with the War Production Board in accordance with the instructions printed on such form.

(4) The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Miscellaneous provisions*—(1) *Appeal.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. All releases of steatite mines which have been granted under Order M–239 prior to April 29, 1943, are hereby revoked. All steatite mines which have been so released prior to April 29, 1943, are subject to all provisions of this order.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C.; Ref: M–239.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

USES OF STEATITE TALC FOR INVENTORY PURPOSES

1. Steatite insulators for use in communications, radio, radar, and underwater sound instruments.

2. Spark plugs being produced or purchased under specific contract, subcontract, or purchase order for delivery to or for the account of the Army, the Navy, or the Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or being produced in accordance with Limitation Order L–158.

3. Steatite porcelain products used for electrical and heat insulating purposes. This item shall not be deemed to include refractories.

4. Electric light bulbs.

5. Filtering of foods, flavoring extracts, and medicines.

6. Medicinal preparations and health supplies, not including talcum powder or cosmetic preparations

7. Educational, testing, experimentation, and research uses by scientific laboratories.

LIST B

NOTE: List B was deleted Mar. 28, 1944.

[F. R. Doc. 44–4332; Filed, March 28, 1944; 11:20 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–340 as Amended Mar. 28, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any

[1] Formerly Part 3092, § 3092.1.

person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST–115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.–78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS–673, 52–C–18 and AN–C–52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

APPENDIX B

NOTE: Item (14) added Mar. 28, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST–115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.–78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W. Naphtha.	Gallons	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the _____ (specify subject chemical) ordered for delivery in _____, 194_: Month will be used by him for the manufacture or preparation of the following product(s), and that such product(s), on the basis of order(s) filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

_____
Name of purchaser

By _____
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB–2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Copies of Form WPB–2947 (formerly Form PD–602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M–340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB–2947 (formerly Form PD–602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB–2947 (formerly Form PD–602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M–340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1–a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB–2947 (formerly Form PD–602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB–2947 (formerly Form PD–602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44–4333; Filed, March 28, 1944; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 43]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348, Appendix J, Table 4 is amended to read as follows:

TABLE 4

Area. The States of Maine, New Hampshire, Vermont, New York and parts of the States of Massachusetts and Connecticut by zones as listed below:

Zone 1: The State of Maine.

Zone 2: The State of New Hampshire and in the State of Vermont, Essex County, Caledonia County and Orange County, the townships of Woodbury, Cabot, Calais, Marshfield and Plainfield in Washington County, and the townships of Norwich, Hartford, Hartland, Windsor, West Windsor, Weathersfield and Springfield in Windsor County.

Zone 3: In the State of Vermont, Franklin County, Orleans County, Chittenden County, and Lamoille County, and the townships of Worcester, Waterbury, Middlesex, East Montpelier, Barre, Berlin, Mortown, Duxbury, Fayston, Waitsfield, Northfield, Warren, and Roxbury in Washington County.

Zone 4: In the State of Vermont, Addison County, Rutland County, Bennington County, Windham County, and the townships of Rochester, Bethel, Royalton, Sharon, Stockbridge, Barnard, Pomfret, Bridgewater, Woodstock, Plymouth, Reading, Ludlow, Cavendish, Baltimore, Weston, Andover and Chester in Windsor County, that portion of the States of Connecticut and Massachusetts west of the Connecticut River and that portion of the State of New York not included in Zone 5.

Zone 5: In the State of New York, the Counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Broome, Delaware, Sullivan, Orange and Rockland.

Species. Poplar bolts of the genus Populus and Pine bolts of the genus Pinus, peeled or rough, for the manufacture of excelsior wood.

Scaling rules. Cord of 128 cubic feet.

Definitions. "Dealer" means any person who sells to consumers at least 1,000 cords of cordwood during the period from April 13, 1944, to April 30, 1945, and thereafter during

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 973, 1317, 1571, 1572, 1717, 2088, 2135.

the period from May 1 of any year to April 30 of the following year. Notwithstanding the foregoing, the definition of dealer as contained in this Table prior to this revision shall be in effect through April 12, 1944.

"Roadside" is any road that is maintained and kept open for traffic twelve months of the year.

Maximum prices. Per cord of 128 cubic feet.

ZONE 1

Species and condition	F. o. b. cars	Roadside	Delivered to mill (by truck)
Poplar (Aspen):			
Peeled	$14.75	$12.75	$15.75
Rough	12.75	10.25	13.75
Pine:			
Peeled	15.25	13.25	16.25
Rough	12.75	10.25	13.75

ZONE 2

Poplar (Aspen):			
Peeled	$15.25	$13.25	$16.25
Rough	13.25	10.75	14.25
Pine:			
Peeled	15.75	13.75	16.75
Rough	13.25	10.75	14.25

ZONE 3

Poplar (Aspen):			
Peeled	$15.25	$13.25	$17.50
Rough	13.25	10.75	15.50
Pine:			
Peeled	15.75	13.75	18.00
Rough	13.25	10.75	15.50

ZONE 4

Poplar (Aspen):			
Peeled	$15.25	$13.25	$17.50
Rough	13.25	10.75	15.50
Pine:			
Peeled	15.75	13.75	18.00
Rough	13.25	10.75	15.50

ZONE 5

Poplar (Aspen):			
Peeled	$13.00	$11.00	$15.00
Rough	11.00	9.00	13.00
Pine:			
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00

Dealer's allowance. (1) In the event that a person qualifies as a dealer as defined above, a consumer or consumers may pay such dealer, in addition to the producer's maximum price hereinbefore provided, a sum not in excess of $1.00 per cord on each cord of cordwood received. Any one consumer who is asked to pay a commission on less than 1,000 cords sold by a dealer may rely, in making such payments, on letters from other consumers to the dealer indicating that, at the time the commission is paid, the dealer has met the requirements of this paragraph.

(2) The maximum prices established under Table 4 of Appendix J can in no case be augmented by more than one dealer's allowance for each cord. In no event shall a person receive a dealer's allowance on the cut of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge an allowance on the wood cut by the other. In addition to the price paid by the consumer a dealer may receive a dealer's allowance only from a consumer and only if the dealer fulfills all of the following requirements with respect to the transactions:

(1) Keep copies of all contracts in which a dealer's allowance is charged.

(2) The sale is made by the dealer to the consumer.

(3) The dealer guarantees the merchantable quality of the cordwood.

(4) The dealer's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement that the charges are not in excess of those established in this Maximum Price Regulation No. 348.

(5) The dealer's allowance is not split or divided with any other person.

(6) All pertinent provisions in this Maximum Price Regulation No. 348 are strictly complied with.

This amendment shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4911; Filed, March 27, 1944; 5:06 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 344,[1] Amdt. 2]

NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 344 is amended in the following respects:

1. Section 1347.751 (b) is amended to read as follows:

(b) This regulation shall not apply to sales or deliveries of unsorted or mixed new cotton, linen or underwear cuttings, to a purchaser other than a consumer. In connection with every such sale, however, the purchaser must warrant in writing to the seller that he will not use the material as a consumer thereof; these warranties must be kept in the seller's records in the manner provided in § 1347.757 of this regulation. Where unsorted or mixed new cotton, linen or underwear cuttings are sold to a consumer, the maximum price shall not exceed the lowest maximum price prescribed by this regulation for any grade contained in the assortment. No new cotton, linen or underwear cuttings which conform with the specifications of any grade listed in Appendix A shall be considered to be unsorted, or mixed.

2. Section 1347.763 (2) is amended to read as follows:

(2) "New cotton, linen and underwear cuttings" include all kinds and grades of new cotton, linen and underwear cuttings, and new linen thread waste, regardless of the use for which they are sold, excepting, however, pound goods and similar materials when sold for reuse as new textiles, and excepting also cotton hooked rug materials sorted in accordance with the provisions of Maximum Price Regulation No. 504[2] for which maximum prices are established by that regulation.

3. The text of Appendix A, paragraph (a) preceding subparagraph (1) is amended to read as follows:

(a) The respective maximum prices set forth below are established for the listed grades of new cotton, linen, and underwear cuttings. These maximum prices are per pound, delivered to buyer's usual receiving point; in the case of sales for the account of the Lend-Lease Administration, delivery shall be to the point specified by the Lend-Lease Administration. In the case of sales to persons other than consumers, these maximum prices are per pound, delivered to the buyer's plant or to the consumer's mill. All grades as defined herein must be clean, dry, and free of rubber, leather, slasher, wool, silk and rayon rags, wood, paper, muse, pasted stock, paint, acetate, grease, oil, paraffine, latex, or other waterproofed materials and other foreign materials, unless otherwise specified. Tare weight in excess of 3% must be deducted from the weight of the bale in computing the maximum price for the bale.

4. Appendix A (a) (6), (7), (13), (27), (29), and (37) are amended and subparagraphs (92) to (98) inclusive are added as follows:

Grades	Maximum delivered prices in cents per pound
(6) No. 2 White Shirt Cuttings, white shirt cuttings which may include starched or loaded materials, colored threads, stringy or soiled materials and must be free of lawns, shrunk materials or wiggin	5.75
(7) No. 2 White Headings, the same material as No. 1 White Headings but may include starched or loaded materials, colored threads, stringy or soiled materials and must be free of lawns, shrunk materials or wiggin	5.75
(13) No. 1 Unbleached Thrums, new unbleached strips, mill rags with threads attached and may contain mill and weaver knots but must be free of slasher and unbleachable colored selvages	5.75
(27) Yellow and/or blue striped glove cuttings, table cuttings of yellow and/or blue striped glove material free of all other colors	5.25
(29) Tan and/or Grey glove cuttings, table cuttings of tan and/or grey gloves free of all other colors	5.25
(37) Bleachable pink and/or peach and/or pastel blue muslin cuttings, woven table cuttings or crinkly pajama cuttings which must be free of rubber	6.25
(92) No. 1 Linen or Hemp Threads, clean untreated threads of white and/or cream and/or grey linen or hemp, free of soiled or oily material, or colored threads and containing no more than a slight trace of shive	14.00
(93) No. 1 Linen or Hemp Threads, With Color, the same grade as No. 1 Linen or Hemp Threads except that the packing may contain a maximum of 5% cotton threads or colored linen threads	12.00

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3196, 6109.

[2] 9 F.R. 482.

Grades	Maximum delivered prices in cents per pound
(94) No. 1 Mixed Linen or Hemp Threads, clean, untreated threads of white and/or cream and/or grey linen or hemp, free of soiled or oily threads and containing no more than a trace of shive or colored linen or hemp threads	13.00
(95) No. 2 Linen or Hemp Threads, white and/or cream and/or grey linen or hemp threads of a coarser grade than No. 1 Linen or Hemp Threads. The packing may contain soiled and oily threads and shive but must be free of colored and cotton threads. No. 1 Linen or Hemp Threads may be included in the packing	11.00
(96) No. 2 Linen or Hemp Threads, With Color, the same grade as No. 2 Linen or Hemp Threads except that the packing may contain a maximum of 10% cotton threads or colored linen threads	9.00
(97) No. 1 Mixed Colored Linen or Hemp Threads, clean, untreated colored linen or hemp threads, free of soiled and oily threads. The packing may contain a maximum of 10% cotton threads and a trace of shive	9.25
(98) No. 2 Mixed Colored Linen or Hemp Threads, colored threads which may be soiled or oily. The packing may contain cotton threads and a trace of shive	7.25

5. Appendix A (c) is amended to read as follows:

(c) *Special packing, packaging or services.* There may not be added to any maximum price established herein any additional amount or differential for any special packing, packaging or services. Revised Supplementary Order No. 34, Packing Expenses on Sales to Procurement Agencies shall not apply to this Maximum Price Regulation No. 344.

6. Appendix A (d) (1) (ii), (iv), and (vi) are amended to read as follows:

(ii) The broker must have taken title to the material and have sold it and passed the title thereto to the consumer. The materials must have been commercially sorted and baled by a person other than the broker. Where the material has been sorted and baled both by the broker and another person, the broker may charge an allowance only with respect to the tonnage of cuttings sorted and baled by such other person.

* * * * * * *

(iv) The broker's allowance must be shown as a separate item in the billing or invoice. The billing or invoice shall contain a statement that the material was re-sorted and repacked after leaving the factory and that the material was not packed by the broker.

* * * * * * *

(vi) Brokerage may not be accepted or paid on new cotton, linen or underwear cuttings which are delivered to the consumer without sorting or repacking, in the original factory or government packing, regardless of how many persons are involved in the transaction.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4346; Filed, March 28, 1944; 11:51 a. m.]

No. 63——2

PART 1349—ELECTRICAL GENERATION, TRANSMISSION, CONVERSION AND DISTRIBUTION APPARATUS

[RPS 82,[1] Amdt. 8]

WIRE, CABLE AND CABLE ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 82 is amended in the following respects:

1. Section 1349.17, Appendix A, is amended by adding a new paragraph (d) to read as follows:

(d) *Maximum prices of armored cable.* The maximum prices for the sale by the manufacturer of armored cable, also known as BX cable and described in subparagraph (15) of § 1349.12, shall be the prices set forth in the following schedule. These prices shall be subject to the same discounts (including the standard 5% cash discount) and other conditions of sale which were in effect on October 15, 1941. The zones set forth in the Schedule are the standard geographic shipping zones uniformly recognized in the industry.

SCHEDULE OF MANUFACTURERS' PRICES TO JOBBERS

[Net price per 1,000 feet delivered to jobbing points. Shipments to other points made direct by factory are f. o. b. factory—one order—one destination]

SOLID WIRES—TWO CONDUCTORS

Size	Feet per coil	Zone 1-A	Zone 1	Zone 2	Zone 3
14/2	250	$30.60	$31.70	$33.90	$36.40
14/2	100	31.20	32.30	34.50	37.10
14/2	50	31.80	32.90	35.10	37.60
14/2	25	32.90	34.10	36.30	38.80
14/2	15	33.60	34.70	36.90	39.40

SOLID WIRES—TWO CONDUCTORS

12/2	250	$39.10	$40.40	$42.90	$45.70
12/2	100	39.60	40.90	43.50	46.20
12/2	50	40.30	41.60	44.10	46.80
12/2	25	41.40	42.70	45.20	48.00
12/2	15	42.00	44.20	46.80	49.50
10/2	250	58.20	59.70	62.70	66.00
8/2	150	90.60	90.20	104.60	110.60

SOLID WIRES—THREE CONDUCTORS

14/3	250	$41.40	$42.70	$45.30	$48.20
14/3	100	42.00	43.30	46.00	48.80
14/3	50	42.60	43.90	46.50	49.40
14/3	25	43.80	45.10	47.70	50.60
14/3	15	45.00	46.60	49.30	52.10
12/3	250	52.90	54.50	57.60	61.30
10/3	250	73.80	75.70	79.30	83.40
8/3	150	125.70	128.90	135.20	142.30

SOLID WIRES—FOUR CONDUCTORS

14/4	250	$71.50	$73.00	$76.10	$79.50
12/4	250	87.80	89.70	93.30	97.50
10/4	150	110.40	113.10	118.40	124.30

STRANDED WIRES—TWO CONDUCTORS

8/2	150	$100.30	$103.00	$108.40	$114.30
6/2	100	138.40	141.50	147.60	154.60
4/2	100	218.20	222.00	229.70	237.90
2/2	100	333.30	338.30	348.10	359.20

STRANDED WIRES—THREE CONDUCTORS

Size	Feet per coil	Zone 1-A	Zone 1	Zone 2	Zone 3
8/3	100	$134.40	$137.60	$144.10	$151.40
6/3	100	170.60	174.40	181.80	190.20
4/3	100	289.20	294.30	304.40	315.80
2/3	100	316.90	323.30	336.10	350.50

STRANDED WIRES—FOUR CONDUCTORS

8/4	100	$168.70	$172.90	$181.30	$190.70
6/4	100	220.70	225.30	234.50	244.90
4/4	100	322.30	328.60	341.20	355.30

SOLID WIRES—SINGLE CONDUCTOR

8/1	250	$42.50	$43.70	$46.00	$48.60
6/1	250	54.90	56.20	58.10	62.30

STRANDED WIRES—SINGLE CONDUCTOR

8/1	250	$52.40	$53.70	$56.40	$59.40
6/1	250	67.10	68.60	71.80	75.50
4/1	250	115.20	117.20	121.10	125.60
2/1	250	134.30	136.70	141.60	147.10
1/1	100	162.00	165.60	173.30	181.60

ARMORED LAMP CORD

PLAIN TWISTED CONDUCTORS

18/2	250	$40.00	$40.90	$42.70	$44.70
16/2	250	45.90	46.80	48.60	50.80
14/2	250	60.00	61.20	63.60	66.20

ARMORED LEADED CABLE

SOLID WIRES—TWO CONDUCTORS

14/2	250	$62.40	$64.40	$68.30	$72.70
14/2	150	62.40	64.40	68.30	72.70
12/2	150	75.90	78.00	82.20	87.00
10/2	100	93.60	96.80	102.40	109.10

STRANDED WIRES—TWO CONDUCTORS

8/2	100	$153.00	$157.50	$166.40	$176.60
6/2	100	190.90	196.40	207.20	219.50

SOLID WIRES—THREE CONDUCTORS

14/3	150	$87.30	$89.50	$94.10	$99.00
12/3	150	106.20	109.00	116.30	123.80
10/3	100	128.30	131.80	138.90	147.00

STRANDED WIRES—THREE CONDUCTORS

8/3	100	$212.60	$218.60	$230.60	$244.10
6/3	100	266.30	272.70	286.80	300.40
4/3	100	339.60	351.70	375.80	402.60

2. Section 1349.20 Appendix D is amended by redesignating the former paragraph (f) as paragraph (g), and inserting a new paragraph (f) to read as follows:

(f) *New list prices for armored cable.* The maximum prices for the sale of armored cable, also known as BX cable and described in subparagraph (15) of § 1349.12, by a seller other than the manufacturer shall be the prices set forth in § 1349.17 (d), plus the percentage increase which the seller applied to the manufacturer's listed prices to jobbers for armored cable in effect on October 15, 1941 to arrive at his selling prices on or before that date, and such price may be established as the seller's new list price for armored cable pursuant to the provisions of paragraph (e) hereof.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1358, 2133, 7034; 8 F.R. 5810, 10656, 17296; 9 F.R. 2821, 2858.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4354; Filed, March 28, 1944; 12:01 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 13]

CANADIAN LAKE FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 3 (e) is amended by inserting before the last sentence the following sentence:

For Canadian lake fish covered in Schedules Nos. 70–77, inclusive, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States but in no event more than the carload rail rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

2. In section 12 after the definition of "Cellophane wrapped" the following two definitions are inserted:

"Center cut" or "Cut—center" means a cross section cut (not a head cut or tail cut) from the middle portion of and not exceeding ⅓ the length of the dressed fish.

"Chunk" or "Cut" means a cross section cut from the dressed fish not exceeding in thickness ⅓ the length thereof.

3. In section 12 the definition of "Dressed" is amended to read as follows:

"Dressed" means fish from which the head and viscera have been removed or any portion of such fish not otherwise designated.

4. In section 12 after the definition of "Gutted" the following definition is inserted:

"Head cut" or "Cut-head" means a cross section cut from the head end of the dressed fish.

5. In section 12 the definition of "Steak" is amended to read as follows:

"Steak" or "Slice" means a cross section not exceeding in thickness its largest diameter or 4 inches whichever is smaller cut from the dressed fish after the tail, fins and collar bone (nape bone) have been removed.

6. In section 12 after the definition of "steak" the following definition is inserted:

"Tail cut" or "Cut-tail" means a cross section cut from the tail end of the dressed fish.

7. In the table of base prices in section 14, Schedules Nos. 70–77 inclusive, are added to read as follows:

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound January through December
70	Whitefish—Canadian (Coregonus clupeiformis)[2 7 8]	1	Round or gutted	Under 4#	$0.15
		2	Round or gutted	4# and over	.19
		3	Fillets	All sizes	.23
71	Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee)[2 7 8]	1	Round	All sizes	.06
		2	Gutted	All sizes	.07¼
72	Lake Trout—Canadian (Cristivomer mamaycush)[2 7 8]	1	Round or gutted	All sizes	.16
		2	Fillets	All sizes	.35
73	Yellow Pike—Canadian (Yellow or Wall-eyed Pike) (Stizostedion vitreum vitreum)[2 7 8]	1	Round or gutted	All sizes	.11
		2	Headless and gutted	All sizes	.13½
		3	Fillets	All sizes	.27½
74	Sucker—Canadian (Fresh water Mullet) (Catostomidae species).[2 7 8]	1	Round	All sizes	.03
		2	Fillets	All sizes	.14
75	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).[2 7 8]	1	Round	All sizes	.06½
		2	Headless and gutted	All sizes	.07½
		3	Fillets	All sizes	.16¾
76	Sauger—Canadian (Sand Pike) (Stizostedion canadense).[2 7 8]	1	Round	All sizes	.08½
		2	Headless and gutted	All sizes	.10½
		3	Fillets	All sizes	.23
77	Yellow Perch—Canadian (Perca) (flavescens).[2 7 8]	1	Round	All sizes	.09½

8. Footnote 6 is added to the table of prices in section 14 to read as follows:

[6] These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lake Superior, Lake Huron, Lake Ontario or Lake Erie.

9. Footnote 7 is added to the table of prices in section 14 to read as follows:

[7] To these prices may be added duty. Any person who processes this species may add to his selling price an amount which will recover the full amount of duty which he paid for the particular lot of fish involved in the processing.

10. Footnote 8 is added to the table of prices in section 14 to read as follows:

[8] All fish of this species frozen before April 3, 1944 may be sold at the maximum prices fixed by the General Maximum Price Regulation until April 18, 1944.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4360; Filed, March 28, 1944; 12:00 m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 28]

CANADIAN LAKE FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 7 (a) preceding the example is amended to read as follows:

(a) *When a wholesaler may add his transportation cost to the listed prices.* Any wholesaler in the United States buying fresh fish or seafood from another wholesaler in the United States may add to the price fixed in section 20 for such fish or seafood his actual transportation cost (excluding local trucking, hauling and handling charges) from the seller's shipping point to such wholesaler's receiving point, but only when he records the transportation cost in an invoice to the customer purchasing the fish or seafood. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation cost as part of the maximum selling price, but only if they in turn record it on an invoice to their customers. In no case may the added transportation cost exceed the common carrier rate from the shipping point to the wholesaler's receiving point. Where a wholesaler has a branch warehouse located at a remote point from his principal place of business as well as at a remote point from the nearest domestic port producing the greatest volume of a particular species and such wholesaler ships fresh fish or seafood of such species from his principal place of business to the branch warehouse, such branch warehouse may for the purpose of transportation allowance be considered a wholesaler who purchases fish and seafood from another wholesaler.

2. Section 7 (b), (c) and (d) are inserted preceding the example to read as follows:

(b) *Service and delivery sales.* When a service and delivery wholesaler delivers by means other than a common carrier to an individual retail store or purveyor of meals located at a distance of more than 25 air miles from the point of shipment, he may add to his maximum price the appropriate charge listed below.

Distance:	*Allowance in cents per pound*
26 to 75 miles	½
76 to 150 miles	¾
151 to 250 miles	1
Over 250 miles	1¼

(c) *Transportation allowance for imported fish.* Any importer or agent of a foreign consignor of fresh fish or seafood may add as a transportation allowance to the appropriate table price the lowest amount determined on the following three bases:

(1) The actual cost of transportation (exclusive of local trucking hauling and handling charges) from the seller's shipping point to the importer's receiving point;

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the fresh fish or seafood entered the United States or the carload rail rate for fresh fish or seafood from the point in the United States nearest the foreign shipper's shipping point whichever is designated by the seller.

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port where the greatest volume of that species is landed.

In determining the transportation allowance common carrier rates shall be used, and the importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they in turn record it in an invoice to their customers. This paragraph (c) does not apply to Canadian lake fish listed in Schedules 51–60.

(d) *Canadian lake fish.* Any importer or agent of a foreign consignor of fish covered in Schedules 51–60 inclusive may add the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment to the receiving point in the United States, but in no event more than carload rail rate from the City of Winnipeg in the Province of Manitoba, Canada, to such receiving point. He may add such transportation cost only if he records it on an invoice to the customer purchasing the fish or seafood. A purchasing wholesaler or subsequent wholesalers of such fish or seafood may pass on such transportation cost, but only if they in turn record it in an invoice to their customers.

3. The designation of section 7 (b) following the example is changed to read 7 (e).

4. Section 8 is amended to read as follows:

SEC. 8. *Imported fresh fish and seafood.* (a) The maximum prices at which a wholesaler, including any agent of a foreign shipper, may sell any fresh fish and seafood listed in the regulation shall be the prices listed in Table B, C, D, or E, depending on the type of sale involved, plus the container prices provided in section 19 when containers are used, plus transportation as provided in section 7. The provisions of this paragraph are modified in the case of Canadian lake fish by the footnotes 32 and 33 applicable to Schedules 51–60.

Name	Item No.	Style of dressing	Size	Price per pound (Jan. through Dec.)
1. Whitefish—Canadian (Coregonus clupeiformis).	1	Round or gutted	Under 4 pounds	$0.16
	2	Round or gutted	4 pounds and over	.20
2. Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee).	1	Round	All sizes	.06
	2	Gutted	do	.07¼
3. Lake Trout—Canadian (Cristivomer mamaycush).	1	Round or gutted	do	.17
4. Yellow Pike—Canadian (Yellows or Wall-eyed Pike) (Stizostedion vitreum vitreum)	1	Round or gutted	do	.12
	2	Headless and gutted	do	.15
	3	Fillets	do	.29½
5. Sucker—Canadian (Fresh water Mullet) (Catostomidae species).	1	Round	do	.03
	2	Fillets	do	.14
6. Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).	1	Round	do	.05½
	2	Headless and gutted	do	.07½
	3	Fillets	do	.16¾
7. Sauger—Canadian (Sand Pike) (Stizostedion canadense).	1	Round	do	.09
	2	Headless and gutted	do	.11½
	3	Fillets	do	.24
8. Yellow Perch—Canadian (Perca flavescens).	1	Round	do	.10½

5. Section 11 (b) is deleted.

6. In section 18 after the definition of "Cellophane wrapped" the following definition is inserted:

"Center cut" or "Cut—center" means a cross section cut (not a head cut or tail cut) from the middle portion of and not exceeding ⅓ the length of the dressed fish.

7. In section 18 the definition of "Dressed" is amended to read as follows:

"Dressed" means fish from which the head and viscera have been removed or any portion of such fish not otherwise designated.

8. In section 18 after the definition of "Gutted" the following definition is inserted:

"Head cut" or "Cut—head" means a cross section cut from the head end of the dressed fish.

9. In section 18 after the definition of "Seine caught" the following definition is inserted:

"Steak" or "Slice" means a cross section cut from the dressed fish after the tail, fins and collar bone (nape bone) have been removed which does not exceed in thickness its largest diameter or 4 inches, whichever is smaller.

10. In section 18 after the definition of "Steak" the following definition is inserted:

"Tail cut" or "Cut—tail" means a cross section cut from the tail end of the dressed fish.

11. In section 20, Table B is amended by deleting Schedule No. 58 and amending Schedules Nos. 51 to 57 inclusive and Schedules Nos. 59 and 60 to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 6 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998; 9 F. R. 183, 946, 2023.

[1] 8 F.R. 9366, 10066, 10513, 10939, 11734, 11837, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90.

TABLE C—MAXIMUM PRICES FOR RETAILER-OWNED COOPERATIVE SALES AND SALES BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS TO OTHER WHOLESALERS OF FRESH FISH AND SEAFOOD—Continued

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound Jan. through Dec.
57	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).[28]	1	Round	do	$0.08
		2	Headless and gutted	do	.10½
		3	Fillets	do	.20¼
59	Sauger—Canadian (Sand Pike) (Stizostedion canadense).[28]	1	Round	do	.12
		2	Headless and gutted	do	.15¼
		3	Fillets	do	.29
60	Yellow Perch—Canadian (Perca flavescens).[28]	1	Round	do	.14½

16. Footnote 36 is added at the end of Table C in section 20 to read as follows:

[28] Notwithstanding the heading of Table C, these prices do not apply to sales by an importer or any agent of a foreign consignor regardless of whether he bought the fish from a producer or a foreign wholesaler.

17. In section 20, Table D is amended by deleting Schedule No. 58 and amending Schedules Nos. 51 to 57 inclusive and Schedules Nos. 59 and 60 to read as follows:

TABLE D—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound Jan. through Dec.
51	Whitefish—Canadian (Coregonus clupeiformis).	1	Round or gutted	Under 4 pounds	$0.21
		2	Round or gutted	4 pounds and over	.30
		3	Fillets	All sizes	.09½
52	Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee).	1	Gutted	do	.10½
53	Lake Trout—Canadian (Cristivomer namaycush).	1	Round or gutted	do	.12
		2	Fillets	do	.17
54	Yellow Pike—Canadian (Yellows or Wall-eyed Pike) (Stizostedion vitreum vitreum).	1	Round or gutted	do	.20
		2	Headless and gutted	do	.21½
		3	Fillets	do	.16½
55	Sucker—Canadian (Fresh water Mullet) (Catostomidae species).	1	Round	do	.09
		2	Fillets	do	.11½
57	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).	1	Round	do	.11½
		2	Headless and gutted	do	.14
		3	Fillets	do	.23½
59	Sauger—Canadian (Sand Pike) (Stizostedion canadense).	1	Round	do	.15½
		2	Headless and gutted	do	.19
		3	Fillets	do	.32½
60	Yellow Perch—Canadian (Perca flavescens).	1	Round	do	.18

18. In section 20, Table E is amended by deleting Schedule No. 58 and amending Schedules Nos. 51 to 57 inclusive and Schedules Nos. 59 and 60 to read as follows:

TABLE E—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound Jan. through Dec.
51	Whitefish—Canadian (Coregonus clupeiformis).	1	Round or gutted	Under 4 pounds	$0.23½
		2	Round or gutted	4 pounds and over	.28
		3	Fillets	All sizes	.41½
52	Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee).	1	Round	do	.12
		2	Gutted	do	.13½
53	Lake Trout—Canadian (Cristivomer namaycush).	1	Round or gutted	do	.24½
		2	Fillets	do	.43½
54	Yellow Pike—Canadian (Yellows or Wall-eyed Pike) (Stizostedion vitreum vitreum).	1	Round or gutted	do	.19½
		2	Headless and gutted	do	.22½
		3	Fillets	do	.40
55	Sucker—Canadian (Fresh water Mullet) (Catostomidae species).	1	Round	All sizes	.09
		2	Fillets	do	.21½
57	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).	1	Round	do	.11½
		2	Headless and gutted	do	.14
		3	Fillets	do	.23½
59	Sauger—Canadian (Sand Pike) (Stizostedion canadense).	1	Round	do	.15½
		2	Headless and gutted	do	.19
		3	Fillets	do	.32½
60	Yellow Perch—Canadian (Perca flavescens).	1	Round	do	.18

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4356; Filed, March 28, 1944; 12:01 p. m.]

PART 1416—COAL TAR

[RMPR 192,[1] Amdt. 1]

IMPORTED TAR ACIDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 192 is amended in the following respects:

1. The following new definitions are added at the end of section 9 (a):

"Crude acids" mean crude or distilled crude coal tar acids imported from the United Kingdom and which cannot be used by an industrial consumer without further processing.

"Redistilled acids" mean coal tar acids processed by a domestic distiller from imported crude acids and which may be utilized by an industrial consumer.

"Distiller" means a person who purchases crude acids from the Defense Supplies Corporation, redistills same, and sells the resulting redistilled acids to industrial consumers.

2. Appendix C is added as follows:

APPENDIX C—MAXIMUM PRICES FOR CRUDE AND REDISTILLED ACIDS

(a) *Sales by Defense Supplies Corporation to a distiller.* Maximum prices for sales by Defense Supplies Corporation of crude acids shall be the sum of the items listed below, ex dock, port of entry:

(1) Net amount paid for crude acids naked, ex works, not to be computed at a price in excess of the maximum price applicable to such payment under Statutory Rules and Orders 1942 No. 2509 (Coal Tar Products Prices Order of the British Minister of Fuel and Power).

(2) War risk insurance at rates no greater than whichever of the following rates is applicable:

(i) If purchased by Defense Supplies Corporation, c. i. f. a port in the continental United States, the actual sums incurred for such insurance by the supplier.

(ii) If the risks are borne by Defense Supplies Corporation, rates no higher than those established by the War Shipping Administration.

(3) The following items of cost insofar as actually incurred by Defense Supplies Corporation prior to sale by that corporation, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in paragraph (a) (1) of this Appendix C, paid to exporters or brokers in the United Kingdom, to the extent that such commission does not inure directly or indirectly to the benefit of Defense Supplies Corporation;

(ii) Filling charges in United Kingdom;

(iii) Transportation charges in United Kingdom, including all cartage, loading, and insurance charges incurred in connection with such transportation:

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) Entry charges;

(ix) Leakage loss actually borne by Defense Supplies Corporation, to be computed percentagewise upon the basis of the cost to Defense Supplies Corporation, ex dock, United States port of entry; of the particular shipment with respect to which such loss is claimed;

(x) Demurrage on pier;

(xi) Transportation charges in the United States, including all cartage and insurance charges incurred in connection with such transportation;

(xii) Storage charges, including warehouse insurance.

(4) A mark-up not to exceed $.01 per U. S. gallon.

(b) *Sales of redistilled acids.* The maximum price f. o. b. distiller's plant for sales of redistilled acids shall be the sum of items (1), (2) and (3) below divided by the number of gallons (or other unit of measure) of redistilled acids derived from the particular lot of crude acids involved.

(1) Net cost of the particular lot of crude acids from which the redistilled acids priced hereunder are derived. Said cost shall be the sum of:

(i) Total amount paid to Defense Supplies Corporation for the particular lot of crude acids, not to exceed the product of the per gallon price established under paragraph (a) of this Appendix C and the quantity redistilled;

(ii) Transportation charges in the United States from dock or storage point to distiller's plant, including all cartage and insurance charges in connection therewith, actually paid by the distiller;

(iii) Actual storage charges paid by distiller.

(2) Processing charges (not including the extraordinary processing charges referred to in paragraph (c) of this appendix) which under recognized accounting methods may be allocated to the particular lot of crude acids redistilled.

(i) Direct costs:

(*a*) Labor.

(*b*) Steam.

(*c*) Water.

(*d*) Electricity.

(*e*) Miscellaneous.

(ii) Indirect costs:

(*a*) Depreciation.

(*b*) Insurance—property.

(*c*) Taxes—real estate and personal property.

(*d*) Maintenance.

(*e*) General plant operating expenses.

(3) Administrative and selling expenses and profit (equal to 15 percent of dollar volume of sales) calculated by dividing the sum of items (b) (1) and (b) (2) above by 85 and multiplying the quotient by 100.

(c) *Special sales of redistilled acids.* In the event a distiller subjects a portion of the redistilled acids derived from a particular lot of crude acids to further processing, in accordance with War Production Board directives, he may apply to the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C., for the establishment of a maximum price for the acids so produced. After receipt of said application and satisfactory proof of the additional production costs involved, the Administrator will issue an order establishing maximum prices for such sales.

(d) *Invoice requirement.* Prior to receipt of payment on each sale of redistilled acid subject to the maximum prices established by this Appendix C, the distiller shall furnish to the buyer and to the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C., an invoice (or a copy thereof) showing the cost of the crude acids, the aggregate processing charges and the maximum price.

The maximum price specified in said invoice shall be subject to review and adjustment by the Administrator in accordance with the requirements of this Appendix C, and in the event any adjustment is made therein, the distiller shall make refund to the buyer accordingly. The Administrator will notify the seller within 20 days of the receipt of the invoice if any adjustment is contemplated. Otherwise, the maximum price reported shall stand approved.

This invoice requirement does not apply to sales or deliveries of acids the maximum price for which is established by order under paragraph (c) of this appendix.

This amendment shall become effective April 3, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4355; Filed, March 28, 1944; 12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5999, 8217, 8948, 10705; 8 F.R. 3372.

PART 1420—BREWERY, DISTILLERY, AND WINERY PRODUCTS

[MPR 289, as Amended,[1] Amdt. 4]

DOMESTIC MALT BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been filed simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289, as amended, is amended in the following respects:

1. Section 1420.55 (b) is amended by adding at the end thereof a phrase to read as follows: "except in accordance with paragraph (d) of this section."

2. Section 1420.55 (d) is amended to read as follows:

(d) As to the total specific increase in Federal excise tax on domestic malt beverages of $2.00 per barrel ($1.00 increase effective November 1, 1942, and $1.00 increase effective April 1, 1944), the method by which such tax increase may be added to the seller's maximum price is provided in § 1420.66. A seller at retail of domestic malt beverages "to be sold on draught" may add the tax increase to his maximum price in accordance with the method provided in § 1420.66 (b) (2).

3. Section 1420.63 is amended to read as follows:

§ 1420.63 *Notification of adjustment by manufacturers and wholesalers*—(a) *Where the manufacturer established maximum prices based on his highest price during October 1 to 15, 1941, plus material cost increase of 50 cents per barrel and excise tax increase of $1.00 per barrel.* Each brewer who adjusts his maximum price in accordance with § 1420.66 (c) (1) shall furnish to each wholesaler and retailer to whom he sells and each wholesaler shall furnish to each retailer to whom he sells, before or at the time of his first delivery to such purchaser at the adjusted price, a written statement as follows:

The Office of Price Administration has authorized us to establish a new maximum price on domestic malt beverages to include the additional excise tax on such beverages provided by the Revenue Act of 1944, effective April 1, 1944. Our former maximum price was based on the highest price charged each wholesaler or purchaser during the period October 1 to 15, 1941, inclusive, plus an increase for material cost advances of 50 cents per barrel and for a previous excise tax increase of $1.00 per barrel.

Your new OPA ceiling price for each size of the domestic malt beverages listed below is either the highest price charged by you to each class of purchasers during the period October 1 to 15, 1941, inclusive, plus the permitted increase in Table 1 or your highest March 1942 price as determined under the provisions of the General Maximum Price Regulation plus the permitted increase in Table 2.

The Office of Price Administration requires that you keep this notice for examination.

(Table 1 and Table 2 should be quoted in full or the appropriate figures from both tables pertaining to the particular transaction must be made a part of this written statement.)

(b) *Where the manufacturer established maximum prices based on his highest price in March 1942 plus excise tax increase of $1.00 per barrel only.* Each brewer who adjusts his maximum price in accordance with § 1420.66 (c) (2) shall furnish to each wholesaler and retailer to whom he sells and each wholesaler shall furnish to each retailer to whom he sells, before or at the time of his first delivery to such purchaser at the adjusted price, a written statement as follows:

The Office of Price Administration has authorized us to establish a new maximum price on domestic malt beverages to include the additional excise tax on such beverages provided by the Revenue Act of 1944, effective April 1, 1944. Our former maximum price was based on the highest price charged each wholesaler or purchaser during March 1942 plus $1.00 per barrel for a previous excise tax increase.

Your new OPA ceiling price for each size of the domestic malt beverages listed below is either the highest price charged by you to each class of purchasers during the period October 1 to 15, 1941, inclusive, plus the permitted increase in Table 1, or your highest March 1942 price as determined under the provisions of the General Maximum Price Regulation plus the permitted increase in Table 2.

The Office of Price Administration requires that you keep this notice for examination.

(Table 1 and Table 2 should be quoted in full or the appropriate figures from both tables pertaining to the particular transaction must be made a part of this written statement.)

c. *Tables:*

TABLE 1

NOTE: You may add the permitted increases shown in this table to your October 1 to 15, 1941, selling prices. Do not add these amounts to your March 1942 ceiling prices.

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here brand names of products subject to price and adjustment.)	Barrel	Barrel	$2.50 per barrel.	
	½ barrel	½ barrel	$1.25 per ½ barrel.	
	¼ barrel	¼ barrel	$0.63 per ¼ barrel.	
	⅛ barrel	⅛ barrel	$0.31 per ⅛ barrel.	
	64 oz. bottles	Case of 6 bottles	24 cents	4 cents.
	32 oz. bottles	Case of 12 bottles	24 cents	2 cents.
	24 oz. bottles	Case of 12 bottles	18 cents	1½ cents.
	16 oz. bottles	Case of 24 bottles	24 cents	1 cent.
	12 oz. bottles	Case of 24 bottles	18 cents	¾ cent.
	11 oz. bottles	Case of 24 bottles	17 cents	¾ cent.
	8 oz. bottles	Case of 48 bottles	24 cents	½ cent.
	7 oz. bottles	Case of 48 bottles	21 cents	½ cent.

TABLE 2

NOTE: You may add the permitted increases shown in this table to your March 1942 ceiling price.

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here brand names of products subject to price adjustment.)	Barrel	Barrel	$2.00 per barrel.	
	½ barrel	½ barrel	$1.00 per ½ barrel.	
	¼ barrel	¼ barrel	$0.50 per ¼ barrel.	
	⅛ barrel	⅛ barrel	$0.25 per ⅛ barrel.	
	64 oz. bottles	Case of 6 bottles	19 cents	3 cents.
	32 oz. bottles	Case of 12 bottles	19 cents	1½ cents.
	24 oz. bottles	Case of 12 bottles	15 cents	1¼ cents.
	16 oz. bottles	Case of 24 bottles	19 cents	1 cent.
	12 oz. bottles	Case of 24 bottles	13 cents	¾ cent.
	11 oz. bottles	Case of 24 bottles	13 cents	¾ cent.
	8 oz. bottles	Case of 48 bottles	19 cents	½ cent.
	7 oz. bottles	Case of 48 bottles	17 cents	¾ cent.

All permitted increases resulting in a fractional cent shall be raised to the next higher cent if the fraction is ½ cent or more; but if the fraction is less than ½ cent the retailer may not add it to his price.

(d) On any written notification required under this section the seller is directed to list only those portions of tables 1 and 2 which apply to the size and brands handled by him.

(e) No further notice to any particular buyer shall be required after the first notification to such buyer as to the seller's adjusted maximum price computed under § 1420.66 hereof unless such maximum price is further adjusted in accordance with the provisions under § 1420.55 for any new state tax imposed after the effective date of this regulation.

4. Section 1420.66 (b) (2) is amended to read as follows:

(2) The maximum prices which a retailer may charge for any domestic malt beverage "to be sold on draught" in a container holding 8 ounces or more shall be the maximum price established by such retailer under the pricing provisions of the General Maximum Price Regulation plus one cent. With respect to sales in a container holding less than 8 ounces, no increase may be made under § 1420.55 or under this section in the retailer's maximum price established by him under the General Maximum Price Regulation.

5. Section 1420.66 (c) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8950, 9495, 9621; 8 F.R. 10002.

(c) *Schedules of permitted increases*—(1) *Schedule of permitted increase for material costs and excise tax increases combined:*

Brand	Size	Unit of pack	Permitted increase[1]	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here brand names of products subject to price adjustment.)	Barrel	Barrel	$2.80 per barrel.	
	½ barrel	½ barrel	$1.25 per ½ barrel.	
	¼ barrel	¼ barrel	$0.63 per ¼ barrel.	
	⅛ barrel	⅛ barrel	$0.31 per ⅛ barrel.	
	64 oz. bottles	Case of 6 bottles	24 cents	4 cents.
	32 oz. bottles	Case of 12 bottles	24 cents	2 cents.
	24 oz. bottles	Case of 12 bottles	18 cents	1½ cents.
	16 oz. bottles	Case of 24 bottles	24 cents	1 cent.
	12 oz. bottles	Case of 24 bottles	18 cents	¾ cent.
	11 oz. bottles	Case of 24 bottles	17 cents	¾ cent.
	8 oz. bottles	Case of 48 bottles	24 cents	½ cent.
	7 oz. bottles	Case of 48 bottles	21 cents	½ cent.

[1] The total permitted increase in this schedule includes the following:
1. Increase for material costs at the rate of $0.50 per barrel, effective November 1, 1942.
2. Total increase of $2.00 per barrel to cover increases in Federal excise tax effective November 1, 1942 and April 1 1944. (See §1420.55 (c) above.)

(2) *Schedule of permitted increases in excise tax only.*

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here brand names of products subject to price adjustment.)	Barrel	Barrel	$2.00 per barrel.	
	½ barrel	½ barrel	$1.00 per ½ barrel.	
	¼ barrel	¼ barrel	$0.50 per ¼ barrel.	
	⅛ barrel	⅛ barrel	$0.25 per ⅛ barrel.	
	64 oz. bottles	Case of 6 bottles	19 cents	3 cents.
	32 oz. bottles	Case of 12 bottles	19 cents	1½ cents.
	24 oz. bottles	Case of 12 bottles	13 cents	1¼ cents.
	16 oz. bottles	Case of 24 bottles	19 cents	1 cent.
	12 oz. bottles	Case of 24 bottles	15 cents	¾ cent.
	11 oz. bottles	Case of 24 bottles	13 cents	¾ cent.
	8 oz. bottles	Case of 48 bottles	19 cents	½ cent.
	7 oz. bottles	Case of 48 bottles	17 cents	¾ cent.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4347; Filed, March 28, 1944; 11:51 a. m.]

PART 1442—CORDAGE

[MPR 340,[1] Amdt. 2]

JUTE AND ISTLE YARN, ROVE AND ROPE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 340 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What products are covered by this regulation*—(1) *No. I jute yarn or rove sold for manufacture into rope or into jute centers for wire rope.* "No. I jute yarn or rove" means yarn or rove which is to be used in the manufacture of rope or jute centers for wire rope and which is spun from a raw jute fiber mix having a weighted average cost per pound (without regard to in-freight, cost of oils or emulsions, or loss of weight in processing) of not less than $.1065. This cost shall be determined by the use of Defense Supplies Corporation's raw jute fiber prices in effect at the time of the manufacture of the yarn or rove.

(2) *No. II jute and istle yarn or rove sold for manufacture into rope.* "No. II jute and istle yarn or rove" means yarn or rove which is to be used in the manufacture of rope and which is spun from a raw fiber mix composed of jute or istle or any combination of jute and istle fiber. If the mix contains jute, the raw jute fiber used shall have a weighted average cost per pound (without regard to in-freight, cost of oils or emulsions, or loss of weight in processing) of not less than $.0935. This cost shall be determined by the use of Defense Supplies Corporation's raw jute fiber prices in effect at the time of the manufacture of the yarn or rove.

(3) *Other yarn and rove.* All other yarn and rove spun entirely from jute fiber, including yarn and rove sold for further processing into twine but not including yarn and rove sold for use as twine.

(4) *No. I jute rope.* "No. I jute rope" means rope manufactured from No. I jute yarn or rove, as defined in paragraph (a) (1), above.

(5) *No. II jute and istle rope.* "No. II jute and istle rope" means rope manufactured from No. II jute and istle yarn or rove, as defined in paragraph (a) (2), above.

(6) *No. I jute centers for wire rope.* "No. I jute centers for wire rope" means wire rope centers manufactured from No. I jute yarn or rove, as defined in paragraph (a) (1), above.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2994, 4347.

2. Section 2 (b) (1) is amended to read as follows:

(1) *Yarn and rove.* This regulation covers all sales of the yarn and rove described in section 2 (a).

3. Section 2 (b) (3) is added to read as follows:

(3) *No. I jute centers for wire rope.* This regulation covers all sales of No. I jute centers for wire rope.

4. Section 3 is amended to read as follows:

SEC. 3. *Maximum prices for jute and istle yarn and rove and No. I jute centers for wire rope.* (a) The maximum prices for jute and istle yarn and rove sold for manufacture into rope or into No. I jute centers for wire rope are enumerated in Appendix B to this regulation.

(b) The maximum prices for jute fuse yarn are enumerated in Appendix C to this regulation.

(c) The maximum prices for the other jute yarn and rove described in section 2 (a) (3) are enumerated in Appendix D to this regulation.

(d) The maximum prices for No. I jute centers for wire rope are enumerated in Appendix E to this regulation.

5. Section 4 (e) is added to read as follows:

(e) *Premium for cut-lengths.* A premium of 1¢ per pound may be added to the prices established by paragraphs (a) and (b) of this section for sales and deliveries of rope in cut-lengths of less than 540 feet.

6. Section 4 (f) is added to read as follows:

(f) *Shipments of less than 100 pounds.* In the case of a sale of rope for shipment in a quantity of less than 100 pounds, the maximum prices established in paragraphs (a) and (b) of this section shall apply f. o. b. the seller's shipping point rather than delivered to buyer's destination.

7. Section 14 is added to read as follows:

SEC. 14. *Invoices.* Every seller shall, with respect to every delivery of a commodity for which a maximum price is established by this regulation, deliver to the purchaser an invoice or other document showing, in addition to the information required by any other provision of this regulation, (a) the name and address of the seller and the purchaser, (b) the quantity, selling price and an identification of each different item delivered, including, in the case of yarn or rove covered by Appendix D, a description of any special processes for which price differentials are provided by paragraph (b) of the Appendix.

8. Appendix B is added to read as follows:

APPENDIX B—MAXIMUM PRICES FOR JUTE AND ISTLE YARN AND ROVE SOLD FOR MANUFACTURE INTO ROPE OR INTO NO. I JUTE CENTERS FOR WIRE ROPE

(a) *No. I Jute yarn and rove.* The maximum prices for No. I jute yarn and rove, as defined in section 2 (a) (1), are:

PRICES PER POUND, F. O. B. SPINNER'S MILL, NET CASH 30 DAYS

Size	*Cents*
4 pounds per spyndle	34¾
5 pounds per spyndle	31⅛
6 pounds per spyndle	29
7 pounds per spyndle	27½
8 pounds per spyndle	24¾
9 pounds per spyndle	23¾
10 pounds per spyndle	22
11 pounds per spyndle	21½
12 pounds per spyndle	19¾
13 pounds per spyndle	19½
14 to 16 pounds per spyndle	19
17 to 19 pounds per spyndle	18¾
20 to 49 pounds per spyndle	18½
50 to 99 pounds per spyndle	17½
100 pounds per spyndle or heavier	17¼

"Pounds per spyndle" means the weight, in pounds, of 14,400 yards of single yarn or rove.

The maximum price for a fractional size falling between two of the sizes listed above shall be the maximum price for the nearest size listed. Where the fractional size is midway between the two nearest sizes, the maximum price shall be that for the finer size.

(b) *No. II yarn or rove.* The maximum prices for No. II jute and istle yarn or rove, as defined in section 2 (a) (2), are the prices enumerated in paragraph (a) of this Appendix B for No. I jute yarn and rove less 1¼ cents per pound.

(c) *Put-ups.* The maximum prices established by paragraphs (a) and (b) of this Appendix B are for gross shipping weight, if the yarn or rove is put up on paper tubes, and are for gross shipping weight minus the weight of the tubes if put up on permanent tubes. A reasonable charge may be made by the seller for permanent tubes furnished by him, provided that he agrees to refund the amount charged upon return of the tubes in usable condition. Such charge for permanent tubes shall be separately stated on the invoice or other document delivered to the purchaser.

(d) *Sales on a delivered basis.* A delivered price in excess of the applicable maximum price f. o. b. spinner's mill may be charged, consisting of such maximum price plus the actual amount paid to the carrier, if delivery is made by common carrier, or, if delivery is made by a vehicle owned or controlled by the seller, an amount not to exceed the lowest available commercial carrier rate for the identical shipment. Such delivery charge shall be separately stated on the invoice or other document delivered to the purchaser.

9. Appendix C is added to read as follows:

APPENDIX C—MAXIMUM PRICES FOR JUTE FUSE YARN

(a) The maximum prices for jute fuse yarn are:

PRICES PER POUND, F. O. B. SPINNER'S MILL, NET CASH 30 DAYS

Size	*Cents*
8 pounds per spyndle	26½
9 pounds per spyndle	25½
10 pounds per spyndle	23¾
11 pounds per spyndle	23¼
12 pounds per spyndle	21½
13 pounds per spyndle	21¼
14 pounds per spyndle	20¾
15 pounds per spyndle	20¾
16 pounds per spyndle	20¾
17 pounds per spyndle	20½
18 pounds per spyndle	20½

"Pounds per spyndle" means the weight, in pounds, of 14,400 yards of single yarn or rove.

The maximum price for any size of jute fuse yarn for which a price is not specifically listed above shall be the maximum price for the nearest size listed. Where the unlisted size is midway between the two nearest sizes, the maximum price shall be that for the finer size.

(b) *Put-ups.* The maximum prices established by paragraph (a) of this Appendix C are for gross shipping weight, if the yarn is put up on paper tubes, and are for gross shipping weight minus the weight of the tubes, if put up on permanent tubes. A reasonable charge may be made by the seller for permanent tubes furnished by him, provided that he agrees to refund the amount charged upon return of the tubes in usable condition. Such charge for permanent tubes shall be separately stated on the invoice or other document delivered to the purchaser.

(c) *Sales on a delivered basis.* A delivered price in excess of the applicable maximum price f. o. b. spinner's mill may be charged, consisting of such maximum price plus the actual amount paid to the carrier, if delivery is made by common carrier, or, if delivery is made by a vehicle owned or controlled by the seller, an amount not to exceed the lowest available commercial carrier rate for the identical shipment. Such delivery charge shall be separately stated on the invoice or other document delivered to the purchaser.

10. Appendix D is added to read as follows:

APPENDIX D—MAXIMUM PRICES FOR OTHER JUTE YARN AND ROVE

(a) The maximum prices for the jute yarn and rove described in section 2 (a) (3), except jute fuse yarns, are:

PRICES PER POUND, NET CASH 30 DAYS

Size	*Cents*
4 pounds per spyndle	35⅛
5 pounds per spyndle	32
6 pounds per spyndle	29½
7 pounds per spyndle	28
8 pounds per spyndle	25¼
9 pounds per spyndle	24¼
10 pounds per spyndle	22½
11 pounds per spyndle	22
12 pounds per spyndle	20¼
13 pounds per spyndle	20
14 to 16 pounds per spyndle	19½
17 to 19 pounds per spyndle	19¼
20 to 49 pounds per spyndle	19
50 to 99 pounds per spyndle	18
100 pounds per spyndle and heavier	17¾

"Pounds per spyndle" means the weight, in pounds, of 14,400 yards of single yarn or rove.

The maximum price for a fractional size falling between two of the sizes listed above shall be the maximum price for the nearest size listed. Where the fractional size is midway between the two nearest sizes, the maximum price shall be that for the finer size.

The above maximum prices are for gross shipping weight, if the yarn or rove is put up on paper tubes, and are for gross shipping weight minus the weight of the tubes, if put up on permanent tubes. A reasonable charge may be made by the seller for permanent tubes furnished by him, provided that he agrees to refund the amount charged upon return of the tubes in usable condition. Such charge for permanent tubes shall be separately stated on the invoice or other document delivered to the purchaser.

The above maximum prices are f. o. b. spinner's mill, freight paid to any point in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Michigan and Illinois or to St. Louis, Missouri. On shipments to other points, an allowance against the actual freight up to but not including 75¢ per 100 pounds of gross shipping weight shall be made by the seller and shall be separately shown on the invoice or other document delivered to the purchaser.

(b) *Differentials for plying, special put-ups and treating.* The following differentials per pound for plying, special put-ups and treating are applicable to the base prices enumerated in paragraph (a) of this Appendix D.

(1) *Plied yarn or rove.*

(i) 6 pound up to but not including 10 pound, 3¢ additional.

(ii) 10 pound up to but not including 20 pound, 2¢ additional.

(iii) 20 pound up to but not including 50 pound, 1½¢ additional.

(iv) 50 pound and heavier, 1¢ additional.

(2) *Yarn or rove with special put-ups.*

(i) Yarn or rove wound on tubes smaller than 6" x 6" but not smaller than 6" x 4", 1¢ additional.

(ii) Yarn or rove wound two or more ends, without plying, ½¢ additional.

(iii) 12 pound or heavier yarn or rove wound on cops, 2¢ additional.

(3) *Treated yarn or rove.*

(i) Softener stains in dark jute, 1¢ additional.

(ii) Softener stains in light jute (such as yellow, light red and light blue), 2¢ additional.

(iii) Treatment of single yarn or rove heavier than 20 pound and all plied yarn or rove with asphalt compound or heavy pitch, not less than 30% added to the weight of the spun yarn or rove, 1¢ less.

(iv) Treatment with asphalt containing copper napthenate (at least 0.6%, by weight, metallic copper in treated product):

Not less than 30% asphalt added to weight of spun yarn or rove, Base price.

Less than 30% asphalt added to weight of spun yarn or rove, 1½¢ additional.

(v) Cutching, 3¢ additional.

(vi) Cutching and tanning, 6¢ additional.

(vii) Fireproofing, 5¢ additional.

(viii) Any standard treatment not otherwise provided for above:

Single yarn or rove heavier than 20 pound and all plied yarn or rove, less than 30% treatment added to the weight of the spun yarn or rove, ½¢ additional.

Single yarn or rove 20 pounds or finer, 2¢ additional.

(4) *Other special processes.* The maximum price for yarn or rove on which a special process or special processes other than those provided for in subparagraphs (1), (2) or (3) of this paragraph (b) have been performed shall be a price in line with the prices established by this Appendix D, which shall be determined by the Office of Price Administration, Washington, D. C., upon request by the seller.

11. Appendix E is added to read as follows:

APPENDIX E—MAXIMUM PRICES FOR NO. I JUTE CENTERS FOR WIRE ROPE

(a) The maximum prices for No. I jute centers for wire rope, as defined in section 2 (a) (6), are:

PRICES PER POUND FOR L. C. L. SHIPMENTS DELIVERED TO ANY POINT IN ZONE I

Diameter	*Cents*
4⅝₄" and larger	25
4⅜₄" to 4¹⁵⁄₆₄", inclusive	26
3²⁵⁄₆₄" to 3³⁵⁄₆₄", inclusive	27
3¼₄" to 3³⁄₆₄", inclusive	28
2⅝₄" to 2³⁵⁄₆₄", inclusive	29
1³⁵⁄₆₄" to 1⁵⁵⁄₆₄", inclusive	30
1³⁵⁄₆₄"	31
1¹¹⁄₆₄"	32
1⁵⁵⁄₆₄"	33
⅞₄"	34
¾₄"	37
⅝₄"	39
⅞₄"	41½
⅝₄"	44
⅝₄"	44
⅞₄"	44

The maximum prices for carload shipments in Zone I shall be ¼ cents per pound less than the prices enumerated above.

(b) *Differentials for delivery in freight Zones other than Zone I.*

L. C. L. shipments

Zone II—Zone I, l. c. l. price plus ½¢
Zone III—Zone I, l. c. l. price plus 1¢
Zone IV—Zone I, l. c. l. price plus 1½¢
Zone V—Zone I, l. c. l. price plus 2½¢

Carload shipments

Zone I, l. c. l. price plus ¼¢
Zone I, l. c. l. price plus ¾¢
Zone I, l. c. l. price plus 1¢
Zone I, l. c. l. price plus 1¼¢

The freight delivery Zones established by this regulation for jute and istle rope shall be applicable to No. I jute centers for wire rope. They are set forth in Appendix A to this regulation, and a map showing their boundaries has been filed with the Division of the Federal Register.

(c) *Terms.* The maximum prices established by paragraphs (a) and (b) of this Appendix E for No. I jute centers for wire rope are subject to a cash discount of 2% 10 days. They are based upon gross weight, provided that tare, consisting of wrapping and lashings, shall not exceed 2% of the gross weight.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4345; Filed, March 28, 1944; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 109]

CORN OIL MEAL FUR CLEANER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.23 is added to read as follows:

SEC. 4.23 *Corn oil meal fur cleaner.* (a) "Corn oil meal fur cleaner" is corn oil meal specially treated for use in cleaning furs.

(b) The maximum price for the sale of corn oil meal fur cleaner by the manufacturer shall be his lawful maximum price determined under § 1499.2 of the General Maximum Price Regulation, plus an addition at the rate of $10.00 per ton.

This amendment shall become effective April 3, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4357; Filed, March 28, 1944; 12:00 m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 110]

ALUMINUM COLLAPSIBLE TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

1. A new section 5.6 is added to read as follows:

SEC. 5.6 *Aluminum collapsible tubes*—(a) *Maximum prices.* The maximum price at which any person may sell or deliver any aluminum collapsible tube shall be a price approved by the Office of Price Administration. Every such price shall be reported to the Office of Price Administration, Washington, D. C., within fifteen days after the first sale or delivery of the commodity which is made on or after April 3, 1944.

Under the provisions of this section a seller may report for approval a price for a single item or a price schedule applicable to all or a part of all sales contemplated.

Pending action by the Office of Price Administration on prices submitted for approval under this section, any seller may sell or deliver and any person may buy, offer to buy or receive from such seller any aluminum collapsible tube at the price submitted for approval. If, however, the price submitted is disapproved the selling price shall be revised downward to the maximum price which shall be approved and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order establishing such revised price: *Provided*, That the price submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved price within fifteen days from the date on which the price submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

This amendment shall become effective April 3, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4358; Filed, March 28, 1944; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 35]

HEATING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.101 (c) (29) is amended to read as follows:

(29) Gas appliances (except gas furnaces and industrial equipment) maintenance, rental or repair of.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4361; Filed, March 28, 1944; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 1 to Supp. Service Reg. 22]

REPAIR OF CERTAIN APPLIANCES AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The last sentence in § 1499.674 (g) (1) is amended to read as follows:

The term does not include gas furnaces, industrial equipment, oil burners, typewriters, adding machines, dictating machines, duplicating equipment, or other office machines.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4361; Filed, March 28, 1944; 12:01 p. m.]

Chapter XV—Board of War Communications

[Order 21-A]

PART 1715—EXEMPTION FROM ORDER No. 11

FEDERAL STATE MARKET NEWS SERVICE

Whereas by Board of War Communications Order No. 21[2] the point-to-point radiotelegraph circuits in the Agriculture Service operated by the Federal-State

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8673, 10671, 10939, 11754, 12023.

[2] 7 F.R. 8563.

Market News Service were exempted from the closure provisions of Board Order No. 11 [1] and were permitted to be operated only for the transmission in plain language of statistical reports and other material furnished by the Department of Agriculture or its agents; and

Whereas the Federal-State Market News Service has requested that it be permitted to resume the transmission of such reports and data in the Department of Agriculture code and it now appears to be consistent with the national defense and security and the successful conduct of the war to permit the material sent over such circuits to be either in plain language or in the United States Department of Agriculture code; it is hereby ordered, that:

§ 1715.1 *Exemption of point-to-point radiotelegraph in the Agriculture Service.* The point-to-point radiotelegraph circuits in the Agriculture Service operated by the Federal-State Market News Service be, and they are hereby, exempted from the closure provision of Order No. 11.

Provided, however, That the aforesaid circuits shall be operated only for the transmission, in plain language or the United States Department of Agriculture code, of statistical reports and other material furnished by the Department of Agriculture or its agents.

Subject to such further order as the Board may deem appropriate.

(E.O. 8964; 6 F.R. 6367)

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY,
Chairman.

Attest: March 16, 1944.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 44-4341; Filed, March 28, 1944; 11:15 a. m.]

[1] 7 F.R. 4929.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

WAIVER OF INVENTORY OF MATERIALS AND SUPPLIES REQUIREMENT

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 17th day of March, A. D. 1944.

The matter of waiving the provisions of Note B to account 716, "Material and supplies," in the "Uniform System of Accounts for Steam Railroads, Issue of 1943," relating to the taking of inventories of material and supplies during each calendar year, being under consideration,

And it appearing that due to an acute shortage of experienced personnel necessary for the taking of inventories of materials and supplies, requests have been received to omit such inventories for the year 1944:

It is ordered, That the requirements of Note B to account 716, "Material and supplies," relating to inventory of materials and supplies be, and they are, hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4335; Filed, March 28, 1944; 11:15 a. m.]

[S. O. 188, Amdt. 1]

PART 95—CAR SERVICE

COMPUTATION OF DEMURRAGE TIME

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of March, A. D. 1944.

Upon further consideration of Service Order No. 188 (9 F.R. 3098) of March 18, 1944, and good cause appearing therefor:

It is ordered, That:

Service Order No. 188 (9 F.R. 3098) of March 18, 1944, be, and it is hereby, amended by adding the following note below paragraph (a) (2) in § 95.334:

NOTE: After a refrigerator car is loaded and released for movement by the tender of shipping instructions to said carrier's agent, if the car is not actually placed for unloading for any reason within forty-eight (48) hours after such car is released for movement, but is held by the carrier short of place of delivery for unloading, such car will be considered as constructively placed at the expiration of the said forty-eight (48) hours and demurrage time shall be computed from the expiration of the said forty-eight (48) hours until said car is unloaded and released. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., March 28, 1944, and that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4336; Filed, March 28, 1944; 11:15 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 809]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Texas 4130S1 Itasca	$18,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4278; Filed, March 27, 1944; 11:31 a. m.]

[A. O. 810]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

I hereby amend:

(a) Administrative Order No. 792, dated November 27, 1943, by reducing the allocation of $880,000 therein made for "Colorado 4017F1 Prowers" by $202,196, so that the reduced allocation shall be $677,810.

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4279; Filed, March 27, 1944; 11:31 a. m.]

[A. O. 811]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 4018E1 Carroll	$50,000
Arkansas 4021E1 Lincoln	75,000
Illinois 4045B2 Clinton	40,000
Iowa 4014D1 Humboldt	6,500
Iowa 4015B2 Harrison	65,000
Iowa 4034E4 Jones	80,000
Iowa 4043C2 Greene	50,000
Iowa 4050B2 Lyon	50,000
Iowa 4052C3 Howard	60,000
Iowa 4067B2 Sac	45,000
New Mexico 4008B2 Roosevelt	20,000
Oklahoma 4010E1 Cleveland	50,000
Oklahoma 4014C1 Love	50,000
Oklahoma 4030B1 Choctaw	50,000
Texas 4038E2 Hill	60,000
Texas 4096C4 Victoria	55,000
Texas 4099B3 Jones	75,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4280; Filed, March 27, 1944; 11:31 a. m.]

[A. O. 812]

CHANGE OF PROJECT DESIGNATIONS

MARCH 13, 1944.

I hereby amend the administrative orders specified below by changing the project designations therein mentioned as follows:

Administrative Order		Project Designation Changed	
No.	Date	From—	To—
805	2-19-44	Arkansas 4-3009D1, Craighead	Arkansas 4009D1, Craighead.
806	2-19-44	Arkansas 4-3022C1, Clay	Arkansas 4022C1, Clay.
807	2-19-44	Illinois 4-3007D4, Henry	Illinois 4007D4, Henry.
807	2-19-44	Illinois 4-3012B5, Bureau	Illinois 4012B5, Bureau.
807	2-19-44	Illinois 4-3021H3, Menard	Illinois 4021H3, Menard.
807	2-19-44	Illinois 4-3037B3, Saline	Illinois 4037B3, Saline.
807	2-19-44	Illinois 4-3046B2, Madison	Illinois 4046B2, Madison.
807	2-19-44	Iowa 4-3040C4, Marion	Iowa 4040C4, Marion.
807	2-19-44	Kentucky 4-3046D3, Harrison	Kentucky 4046D3, Harrison.
807	2-19-44	Kentucky 4-3055E2, Henderson-Union	Kentucky 4055E2, Henderson-Union.
807	2-19-44	Louisiana 4-3010C4, Washington	Louisiana 4010C4, Washington.
807	2-19-44	Louisiana 4-3011B2, Bossier	Louisiana 4011B2, Bossier.
807	2-19-44	Louisiana 4-3012C5, Franklin	Louisiana 4012C5, Franklin.
806	2-19-44	Louisiana 4-3013D1, East Baton Rouge	Louisiana 4013D1, East Baton Rouge.
807	2-19-44	Mississippi 4-3041C2, Pike	Mississippi 4041C2, Pike.
807	2-19-44	Nevada 4-3003A2 Alamo, District Public	Nevada 4003A2 Alamo, District Public.
807	2-19-44	North Carolina 4-2010C2, Haywood	North Carolina, 4010C2 Haywood.
806	2-19-44	Oklahoma 4-2006F1, Caddo	Oklahoma 4006F1, Caddo.
806	2-19-44	Oklahoma 4-2015F1, Tillman	Oklahoma 4015F1, Tillman.
806	2-19-44	Oklahoma 4-2021C1, Washita	Oklahoma 4021C1, Washita.
806	2-19-44	Oklahoma 4-2026D1, Harmon	Oklahoma 4026D1, Harmon.
807	2-19-44	Pennsylvania 4-3017D1, Armstrong	Pennsylvania 4017D1, Armstrong.
806	2-19-44	Pennsylvania 4-3025E1, Adams	Pennsylvania 4025E1, Adams.
808	2-19-44	Virginia 4-1011K1, Rockingham	Virginia 4011K1, Rockingham.

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4281; Filed, March 27, 1944; 11:31 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-90]

ACCIDENT OCCURRING AT TOPEKA, KANS.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry NR 45073 and NR 45079 which occurred at Topeka, Kansas, on March 24, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Friday, March 31, 1944, at 10:00 a. m. (c. w. t.) in the U. S. Post Office and Court House Building, Topeka, Kansas.

Dated at Washington, D. C., March 27, 1944.

[SEAL] W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 44-4330; Filed, March 28, 1944; 10:58 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-514, G-517]

INDIANA UTILITIES CORP. AND LOUISVILLE GAS AND ELECTRIC CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MARCH 25, 1944

In the matters of Indiana Utilities Corporation, Louisville Gas and Electric Company, Docket No. G-514, and Docket No. G-517.

Upon consideration of the application filed December 14, 1943, by Indiana Utilities Corporation, in Docket No. G-514, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the acquisition from Kentucky Pipe Line Company and the operation of the following described facilities:

(1) Approximately 40,286 feet of 8-inch transmission lines, extending from the compressor station proposed to be purchased to the North Line of the Ohio River, in Harrison County, Indiana;

(2) Approximately 33,700 feet of gathering lines, as follows: 12,445 feet of 8-inch line; 4,155 feet of 6-inch line; 10,188 feet of 4-inch line; 1,850 feet of 3-inch line, and 5,062 feet of 2-inch line;

(3) Seven producing natural gas wells and two natural gas wells, not now commercial producers, with the equipment therein;

(4) Nine natural gas leases in Harrison County, Indiana;

(5) One and one-half acres of land in Harrison County, Indiana, with building thereon, used as a compressor station;

(6) One Clark gas compressor, 60 horsepower, single cylinder, with appurtenances; and

Upon consideration of the application filed December 30, 1943, by Louisville Gas and Electric Company, in Docket No. G-517, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, seeking authorization to sell and deliver natural gas for resale to Indiana Utilities corporation at the Kentucky-Indiana State line;

It appearing to the Commission that:

(a) The above-entitled proceedings may involve substantially similar issues and facts;

(b) Good cause exists for consolidating the above matters for the purposes of hearing thereof;

The Commission orders that:

(A) The above-entitled proceedings be and they are hereby consolidated for the purposes of hearing;

(B) A public hearing be held commencing on April 13, 1944, at 9:45 a. m. (c. w. t.) in Room 216, United States Post Office and Court House Building, Terre Haute, Indiana, respecting the matters involved and the issues presented in these proceedings;

(C) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4318; Filed, March 28, 1944; 10:26 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 147]

RECONSIGNMENT OF CERTIFIED SEED POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 23 or 24, 1944, by Bacon Brothers Company of car CX 50156, certified seed potatoes, now on the Wood Street Terminal, to Kroger Grocery, Fort Wayne, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4285; Filed, March 27, 1944; 11:42 a. m.

[S. O. 178, Special Permit 87]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese in glass and bulk by Kraft Cheese Company at Freeport, Illinois, and the movement of the one refrigerator car so loaded from that point March 22, 1944, to Pueblo, Colorado. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permits has been served upon the Association of American Railroads, Car Service Division, as agent

of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4286; Filed, March 27, 1944; 11:42 a. m.]

[S. O. 178, Special Permit 88]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 75137 with shortening by Durkee Famous Foods at Berkeley, California, and the movement of that car so loaded from that point not later than March 28, 1944, to Seattle, Washington. (S. P.-G. N.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4287; Filed, March 27, 1944; 11:42 a. m.]

[S. O. 178, Special Permit 89]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for the Chicago Junction Railway (The Chicago River and Indiana Railroad Company, Lessee):

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of the following named ten (10) cars, viz: AGRX 436, 441, 442, 443, 444, 446, 447, 448, 449 and 450, with twenty-five (25) carloads of lard by Agar Packing Company, Chicago, Illinois, at points on its line, and the movement by it of the ten refrigerator cars named above, when so loaded, in switching service between origins and destinations on the Chicago Junction Railway (The Chicago River and Indiana Railroad Company, Lessee).

The waybills shall show reference to this special permit.

This special permit shall become effective at 12:01 a. m., March 23, 1944, and shall expire at 12:01 a. m., April 22, 1944.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4288; Filed, March 27, 1944; 11:42 a. m.]

[S. O. 178, Special Permit 90]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILLINOIS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one refrigerator car so loaded from that point March 23, 1944, to Jersey City, New Jersey. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4289; Filed, March 27, 1944; 11:42 a. m.]

[S. O. 178, Special Permit 91]

LOADING OF LARD AT SIOUX CITY, IOWA, AND WICHITA, KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of four refrigerator cars with lard by Cudahy Packing Company, three at Sioux City, Iowa, and one at Wichita, Kansas, and the movement of the four cars so loaded under refrigeration, from Sioux City (C. B. & Q.-K. C. S.-L. & A.) and from Wichita (Mo.-Pac.) not later than March 28, 1944, to Lake Charles, Louisiana, for export to Cuba.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4290; Filed, March 27, 1944; 11:43 a. m.]

[S. O. 178, Special Permit 92]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with cheese in packages and glass and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the two cars so loaded from that point March 24, 1944, to Cambridge, Massachusetts, and to Omaha, Nebraska. (C. M. St. P. & P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4291; Filed, March 27, 1944; 11:43 a. m.]

[S. O. 178, Special Permit 93]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one car so loaded from that point March 25, 1944, to New York, New York. (I.C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4292; Filed, March 27, 1944; 11:43 a. m.]

[S. O. 187, Special Permit 1]

LOADING OF POTATOES AT GREELEY, COLO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the loading of two refrigerator cars, with potatoes, other than sweet, grading below U. S. No. 2 grade, by the Mathews Produce Company at Greeley, Colorado, and the movement of the two refrigerator cars so loaded from that point not later than March 27, 1944, one to Muskogee, Oklahoma, and one to Louisville, Kentucky.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4293; Filed, March 27, 1944; 11:42 a. m.]

[S. O. 187, Special Permit 2]

LOADING OF POTATOES AT BAKER, MINN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the loading of car WFE 49539 with potatoes, other than sweet, grading seventy-five percent (75%) U. S. Number 1 quality by Henry Possehl at Baker, Minnesota, and the movement of that car so loaded from that point March 23 or 24, 1944, to Friedman and Sons, Chicago, Illinois. (G. N.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4294; Filed, March 27, 1944; 11:42 a. m.]

RELICING OF NAVEL ORANGES IN DESIGNATED WESTERN AND SOUTHERN STATES

[S. O. 164, Gen. Permit 13, Amended]

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice twice in transit to full bunker capacity at any points in the States of California, Oregon, Washington, Montana, Nevada, Utah, Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, Missouri, Nebraska, Iowa, or Illinois, or at Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with Navel oranges, originating in Arizona and California. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 Under Service Order No. 164.

This permit shall become effective at 12:01 a. m., March 25, 1944, and shall expire at 12:01 a. m., May 25, 1944.

The waybills shall show reference to this general permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4337; Filed, March 28, 1944; 11:15 a. m.]

[S. O. 164, Gen. Permit 14]

STANDARD REFRIGERATION OF GRAPEFRUIT IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit originating at any point or points in Texas moving direct to destinations in Western Canada without stop-off at intermediate points.

This permit shall become effective at 12:01 a. m., March 25, 1944, and shall expire at 12:01 a. m., April 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4338; Filed, March 28, 1944; 11:15 a. m.]

[S. O. 187, Gen. Permit 1]

TRANSPORTATION AND MOVEMENT OF POTATOES IN COLORADO, NEBRASKA, AND WYOMING

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska and Wyoming, consigned to washing plants located at Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Mitchell, Nebraska, Huntley, Lingle, Pine Bluffs, Riverton, South Torrington or Torrington, Wyoming, for washing, sorting and grading purposes, only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American

Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositiong a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4339; Filed, March 28, 1944; 11:15 a. m.]

[S. O. 187, Gen. Permit 2]

TRANSPORTATION AND MOVEMENT OF POTATOES IN DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington or Wyoming, consigned to dehydrating plants located at Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho, Sioux City, Iowa, Mitchell or Scottsbluff, Nebraska, or Olympia, Washington, for dehydration purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-4340; Filed, March 28, 1944; 11:15 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3228]

DORA AND MIMI GAERTNER

In re: Interest in real property, property insurance policies, and bank accounts owned by Dora Gaertner and Mimi Gaertner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Dora Gaertner and Mimi Gaertner is Hanover, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Dora Gaertner and Mimi Gaertner are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided sixteen fifty-sixths (16/56s) interest in and to that certain real property situated in City of St. Louis, State of Missouri, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Dora Gaertner and Mimi Gaertner in and to the insurance policies particularly described in Exhibit B attached hereto and by reference made a part hereof, insuring the premises described in subparagraph 3-a hereof, and

c. Those certain bank accounts with the Lindell Trust Company, Grand and St. Louis Avenues, St. Louis, Missouri, which are due and owing to, and held for and in the names of, Mrs. Dora Gaertner, Hanover, Germany, and Mrs. Mimi Gaertner, Hanover, Germany, and any and all security rights in and to any and all collateral for all or part of such accounts, and the right to enforce and collect the same.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

That certain tract or parcel of land situated in the City of St. Louis, State of Missouri, more particularly described as follows:

A Lot in Block 95 of the City of St. Louis, fronting 40 feet on the North line of Lucas Avenue, by a depth Northwardly of 112 feet 8 inches. Bounded North by property now or formerly of Caroline P. Vester, East by lots now or formerly owned by Florence M. Louderman's Trustee and others and West by a line 96 feet East of the East line of Broadway.

EXHIBIT B

Location of property	Name of company	Type	Policy No.	Amount	Expiration date	Name of assured
413-415 Lucas Ave., St. Louis, Mo.	Hartford Fire Insurance Co., Hartford, Conn.	Fire	06 225-0	$8,000	Oct. 26, 1947	George Gaertner, Walter Gaertner, Emma Gaertner, Mimi Gaertner, Dora Gaertner, Alvin F. Ahrens, Fred Ahrens, Jessie Lee Mallalieu, and Conrad Ahrens.
Do	Dubuque Fire & Marine Co., Dubuque, Iowa.	do	105608	$2,000	Oct. 26, 1947	Do.
Do	Hartford Accident & Indemnity Co., Hartford, Conn.	Landlord and owners' liability.	[illegible]	$25/50,000	Jan. 28, 1944	Do.

Loss payable clause, if any, is payable to Alvin F. Ahrens, agent.

[F. R. Doc. 44-4267; Filed, March 27, 1944; 10:56 a. m.]

[Vesting Order 3235]

HELEN E. PREIS STELZENBACH

In re: Real property and property insurance policies owned by Helen E. Preis Stelzenbach.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Helen E. Preis Stelzenbach is Rossberg, Kreis Marburg, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Helen E. Preis Stelzenbach is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Philadelphia, Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b All right, title and interest of Helen E. Preis Stelzenbach in and to fire and all hazard insurance policy No. 165438 in the amount of $11,000, issued by the Hartford Fire Insurance Company, Hartford, Connecticut, and expiring, June 1, 1944; workmen's compensation policy in the amount of $1,000, issued by the Fidelity and Casualty Company, New York, and expiring January 29, 1944; and plate glass insurance policy No. 426445, issued by the Travelers Indemnity Insurance Company, Hartford, Connecticut, and expiring October 7, 1944, all insuring the improvements to the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain four story brick messuage or tenement and lot or piece of ground described according to a recent survey thereof made by Edward D. Roberts Surveyor and Regulator of the Fourth District of the City of Philadelphia as follows:

Beginning at a point the Northeast corner of Seventeenth Street and Ridge Avenue in the Fifteenth Ward of the City of Philadelphia thence extending Northwardly along the East line of Seventeenth Street thirty-eight feet two and seven-eighths inches to a point in line of party wall between this and premises adjoining to the North belonging to John D. Lankenau which said line runs four and one quarter inches North of the South Face of a heavy wall and is parallel with Poplar Street thence Eastwardly along said line fifty-three feet four inches to a point thence Southwardly along the West face of another wall of said premises belonging to said John D. Lankenau which also bounds the premises to the East three feet four inches to a point thence Westwardly on a line parallel with said Poplar Street twenty feet seven and three-eighths inches to a point thence Southwestwardly on a line at right angles with said Ridge Avenue forty feet one and three-eighths inches to a point in the Northeasterly side of said Ridge Avenue thence Northwestwardly along the same nine feet five inches to said Seventeenth Street the place of beginning.

And also all that certain brick messuage or tenement and lot or piece of ground situate on the Northeast side of Ridge Avenue at the distance of Nine feet five inches Eastward from the East side of Seventeenth Street in the Fifteenth Ward of the City of Philadelphia.

Containing in front or breadth on the said Ridge Avenue fifteen feet and extending in depth Northeastward of that width at right angles with said Ridge Avenue on the Northwestward line thereof forty-one feet one inch and three-quarters of an inch and on the Southeastward line thereof forty-two feet six inches and seven-eighths of an inch bounded Northwestward by above described ground Southwestward by Ridge Avenue aforesaid and Southeastward by ground granted to George Emerick on Ground rent.

Being the same premises which Albert G. Einselen and wife by indenture bearing date the thirteenth day of April A. D. 1921, and recorded at Philadelphia in deed book J. M. H. No. 1136 page 41 granted and conveyed unto the said Joseph Horner in fee.

Together with all and singular the buildings, improvements, ways, streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining and the reversions and remainders rents issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor in law equity or otherwise howsoever of in and to the same and every part hereof.

[F. R. Doc. 4268; Filed, March 27, 1944; 10:56 a. m.]

[Vesting Order 3328]

SCHERING CORPORATION (NEW JERSEY)

In re: Five shares of the common capital stock of Schering Corporation (New Jersey).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation,

(a) Having vested by Vesting Order Number 4 dated April 18, 1942, and Vesting Order Number 139 dated September 2, 1942, 43,995 shares of the common capital stock and 2,225 shares of the preferred stock of Schering Corporation, a New Jersey corporation, which is a business enterprise within the United States, together with certain dividends declared and unpaid on the capital stock of the said corporation; and

(b) Finding that the five shares of common capital stock of the said Schering Corporation registered in the names of the persons listed below in the number appearing opposite each name:

	Shares
Edward Henderson	1
Ernest Meili	1
J. W. H. Randall	1
Dr. Gregory Stragnell	2
Total	5

are registered in the names of the above-named registered owners acting for and on behalf of nationals of a designated enemy country (Germany) and are therefore property of nationals of a designated enemy country (Germany) and represent interests in said business enterprise which is a national of a designated enemy country (Germany);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and that the national interest of the United States requires that such persons be treated as nationals of such designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian five shares of common capital stock of Schering Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a spe-

cial account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 16, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.
By JAMES E. MARKHAM,
Deputy Alien Property Custodian.

[F. R. Doc. 44–4269; Filed, March 27, 1944; 10:56 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT MF–1]

COMMON CARRIERS

SUBSTITUTED AND COORDINATED SERVICE IN MINNESOTA

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of requirements for the defense of the United States will result in shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. The Rock Island Motor Transit Company, a corporation, hereinafter called "motor carrier", in the operation of motor vehicles and equipment in interstate commerce between Minneapolis and St. Paul, Minnesota, and points and places within ten miles thereof, on the one hand, and the Minnesota-Iowa State line, on the other hand, over the highways and routes set forth in Appendix 1 hereto, shall accept and transport in intrastate commerce between the points and places in the State of Minnesota specified in Appendix 2 hereto, all less-than-carload shipments of freight tendered to it by Joseph B. Fleming and Aaron Colnon, Trustees of the Estate of The Chicago, Rock Island and Pacific Railway Company, hereinafter called "rail carrier", for transportation in substituted and coordinated service between such points and places, subject to the following provisions of this order.

2. The motor carrier shall not accept or transport any shipment or shipments tendered to it by the rail carrier in accordance with this order, the transportation of which would require the motor carrier to use a greater number of motor vehicles, or to traverse a greater number of miles, than the motor carrier is normally using or traversing between the points and places specified in Appendix 2 hereto on the effective date of this order.

3. Shipments transported by the motor carrier in accordance with this order shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the rail carrier.

4. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

5. Except as may be otherwise provided by agreement between the motor carrier and the rail carrier or prescribed by any regulatory body having jurisdiction thereof, the division between the carriers of revenues derived from transportation of shipments pursuant to this order shall be as determined by the Office of Defense Transportation upon appropriate application.

6. All records of the motor carrier pertaining to transportation performed pursuant to this order shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Special Order ODT MF–1" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

(Second War Powers Act, 56 Stat. 176, 50 U.S.C. secs. 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Highways and routes in the State of Minnesota over which substituted and coordinated motor carrier operations in intrastate commerce are to be performed in accordance with Special Order ODT MF–1:

From the Iowa-Minnesota State line via Highway 65 to Albert Lea; thence over said Highway 65 to Owatonna (also from Albert Lea over U. S. Highway 16 to Austin, thence over U. S. Highway 218 to Owatonna), and thence over U. S. Highway 65 to Minneapolis, and return over these routes:

Between Farmington and St. Paul over U. S. Highway 218 and return over the same route;

Also all intermediate points within ten miles of Minneapolis and St. Paul.

APPENDIX 2

Points and places in the State of Minnesota between which substituted and coordinated motor carrier service is authorized to be performed in accordance with Special Order ODT MF–1:

Minneapolis, Twin City Stock Yards, New Brighton, Minnesota Transfer, St. Paul, Newport, Refinery Spur (St. Paul Park), South St. Paul, Inver Grove, Rosemount (Gopher Ordnance Works), Rosemount, Farmington, Castle Rock, Northfield, Dundas, Faribault, Medford, Owatonna, Hope, Ellendale, Hollandale, Clark's Grove, Bricelyn, Walters, Conger, Albert Lea, Glenville, and Gordon.

Also all intermediate points within ten miles of Minneapolis and St. Paul.

[F. R. Doc. 44–4319; Filed, March 28, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 201]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hefeto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or interastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Frisco Transportation Company (a corporation) St. Louis, Mo.

2. W. E. & Lee R. Smith (a co-partnership) doing business as Smith Truck Lines, Joplin, Mo.

[F. R. Doc. 44–4323; Filed, March 28, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 202]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN AUSTIN AND SAN ANTONIO, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or interastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. English Freight Company (a corporation), 3131 Oak Lane, Dallas, Tex.

2. J. H. Robinson Truck Line, Incorporated, 1500 North Broadway, Corpus Christi, Tex.

[F. R. Doc. 44–4324; Filed, March 28, 1944; 10:24 a. m.]

[1] Filed as part of the original document.

[1] Filed as part of the original document.

[Supp. Order ODT 3, Revised-203]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN AMCHLLE, CUMBERLAND AND BALTIMORE, MD.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Associated Transport, Inc., 1775 Broadway, New York, N. Y.
2. Charlton Bros. Transportation Company, Inc., Hagerstown, Md.

[F. R. Doc. 44-4325; Filed, March 28, 1944; 10:24 p. m.]

[Supp. Order ODT 3, Rev. 204]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LOUISVILLE AND BARDSTOWN, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Sam G. Nally, Robert B. Nally and Everett Mudd (a co-partnership), doing business as Bardstown Transfer Line, Bardstown, Ky.
2. B. L. Smith (an individual), doing business as Distillery Transfer Service, Bardstown, Ky.

[F. R. Doc. 44-4326; Filed, March 28, 1944; 10:24 a. m.]

[Supp. Order ODT 3, Rev. 205]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LOUISVILLE, KY., AND INDIANAPOLIS, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Ziffrin Truck Lines, Inc., Indianapolis, Ind.
General Motor Express, Inc., Indianapolis, Ind.

[F. R. Doc. 44-4327; Filed, March 28, 1944; 10:25 a. m.]

[Supp. Order ODT 3, Rev. 206]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of

[1] Filed as part of the original document.

[1] Filed as part of the original document.

such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. A & B Fast Freight, Inc., 970 Washington Street, Akron, Ohio.
2. Akron-Chicago Transportation Co., Inc., 347 W. Thornton Street, Akron, Ohio.
3. All States Freight, Inc., 1142 Newton Street, Akron, Ohio.
4. Henry G. Bender & Clair Louden, doing business as Bender & Louden Motor Freight, 184 E. Buchtel Avenue, Akron, Ohio.
5. Best Motor Lines, Dallas, Tex.
6. Caldwell Motor Freight, Inc., Detroit, Mich.
7. Dixie-Ohio Express Company, 1031 Sweitzer Avenue, Akron, Ohio.
8. Federal Express, Inc., Indianapolis, Ind.
9. Freight, Inc., 71 Wigley Avenue, Akron, Ohio.
10. Harry Jerry Hall, doing business as H. J. Hall Trucking Company, Wadsworth, Ohio.
11. Hayes Freight Lines, Inc., Matoon, Illinois.
12. Motor Cargo, Inc., 700 Cafroll Street, Akron, Ohio.
13. Norwalk Truck Line Company, Norwalk, Ohio.
14. Overland Transportation Company, 1011 S. Arlington Street, Akron, Ohio.
15. Red Star Transit Company, Inc., Detroit, Mich.
16. Roadway Express, Inc., 97 E. South Street, Akron, Ohio.
17. The Ridgewood Company, doing business as Roberts Freight Lines (Lessee and Operator of James F. Roberts, doing business as Roberts Freight Lines), Beaver Falls, Pa.
18. Summit Fast Freight, Inc., 144 N. Union Street, Akron, Ohio.
19. Yankee Lines, Inc., 186 Ira Avenue, Akron, Ohio.

[F. R. Doc. 44-4328; Filed, March 28, 1944; 10:25 a. m.]

[Supp. Order ODT 3, Rev. 207]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FAYETTEVILLE AND ALMA, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Frisco Transportation Company, Springfield, Missouri.
Arkansas Motor Freight Lines, Inc., Fort Smith, Arkansas.
Campbell "66" Express, Inc., Springfield, Missouri.

[F. R. Doc. 44-4329; Filed, March 28, 1944; 10:25 a. m.]

[Supp. Order ODT 6A-19]

COMMON CARRIERS

COORDINATED OPERATIONS IN GREATER KANSAS CITY, MO-KANS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-19" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Advance Transfer Company, a corporation, 1218 West 9th St., Kansas City, Mo.
2. American Transfer & Storage Co., Inc., a corporation, 1340 Liberty St., Kansas City, Mo.
3. S. H. Moore, an individual, doing business as Baltimore Transfer & Storage Company, 1908 Walnut St., Kansas City, Mo.
4. H. H. Barton, an individual, doing business as Barton Teaming Co., 1519 Campbell St., Kansas City, Mo.
5. Richard Beiger, an individual, doing business as Beiger Cartage Service, 1627 Walnut St., Kansas City, Mo.
6. Blue Line Transfer Company, a corporation, 1719 Wyoming St., Kansas City, Mo.
7. Cass H. Curtis, an individual doing business as C & S Transfer Company, 76 S. James St., Kansas City, Mo.
8. Central Storage Co., a corporation, 1422 St. Louis Ave., Kansas City, Mo.
9. H. L. Pettyjohn, an individual, doing business as Centropolis Transfer Company, 7012 E. 15th St., Kansas City, Mo.
10. Crooks Terminal Warehouses, Inc., a corporation, 1104 Union Ave., Kansas City, Mo.
11. Chester Evans, an individual, doing business as Evans Transfer & Storage Co., 1525 St. Louis Ave., Kansas City, Mo.
12. Joseph Burke, an individual, doing business as Faulkner Cartage Service, 1418 W. 9th St., Kansas City, Mo.
13. Charles Isreal, an individual, doing business as Isreal Transfer Co., 2216 Grand Ave., Kansas City, Mo.
14. C. P. Johnson and Bessie Johnson, a co-partnership, doing business as C. F. Johnson Transfer Co., 416 Delaware St., Kansas City, Mo.
15. Kansas City Transfer & Storage Company, a corporation, 512 W. 6th St., Kansas City, Mo.
16. Kathrens Moxing & Storage Company, a corporation, 3834 Main St., Kansas City, Mo.
17. Robert P. Kissick, an individual, doing business as Kissick Transfer Company, 100 Kansas Ave., Kansas City, Kans.
18. Knake-Diels Company, a corporation, 1622 Wyandotte, Kansas City, Mo.
19. M. H. Casparl, an individual, doing business as Martin Transfer Company, 1314 W. 9th St., Kansas City, Mo.
20. Dan McNamara, an individual, doing business as McNamara Transfer Company, 1418 W. 9th St., Kansas City, Mo.
21. J. F. Murray and H. K. Murray, a co-partnership, doing business as J. F. Murray Transfer Co., 504 W. 5th St., Kansas City, Mo.
22. W. E. Murray Transfer & Storage Co., a corporation, 2019 Grand Ave., Kansas City, Mo.
23. Hjalmer Nielsen, an individual, doing business as Nielsen Bros. Transfer Company, 7015 E. 15th St., Kansas City, Mo.
24. The Only Way Transfer & Warehouse Company, a corporation, 1404 St. Louis Ave., Kansas City, Mo.
25. Carl Parker, an individual, doing business as Parker Transfer Company, 734 Southwest Blvd., Kansas City, Kans.
26. E. C. Schock, an individual, doing business as Edward C. Schock Transfer, 7 Kansas Ave., Kansas City, Kans.
27. F. W. Dolson, an individual, doing business as Sloan Transfer Company, 1900 Burlington, North Kansas City, Mo.
28. W. E. Weiler, an individual, doing business as Smith Cartage Company, 1015 Mulberry St., Kansas City, Mo.
29. A. J. Bannowsky, an individual, doing business as Smith-Hoffman Transfer Company, 2107 Washington, Kansas City, Mo.
30. Hurschel Stock, an individual, doing business as Stock Transfer Company, 1738 Holly, Kansas City, Mo.
31. H. G. Lynch, an individual, doing business as Superior Transfer & City Delivery Service, 2504 Prospect Ave., Kansas City, Mo.
32. H. R. Shortridge and D. C. Beamer, a co-partnership, doing business as The Thomson Transfer Co., 1322 W. 9th St., Kansas City, Mo.
33. Union Transfer Company, a corporation, 215 E. 5th St., Kansas City, Mo.
34. L. V. Burns, H. A. Dale and M. C. Burns, a co-partnership, doing business as Western Transfer Company, 1316 Liberty, Kansas City, Mo.
35. C. C. Trantum and J. T. Trantum, a co-partnership, doing business as Wyandotte Transfer Company, 7th & Eagle, Kansas City, Kans.
36. Peter Earl Thomson, an individual, doing business as Big Four Transfer & Storage Company, 1900 Erie St., North Kansas City, Mo.

[F. R. Doc. 44-4320; Filed, March 28, 1944; 10:22 a. m.]

[Supp. Order ODT 6A-20]

COMMON CARRIERS

COORDINATED OPERATIONS IN METROPOLITAN OAKLAND, CALIF.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord

[1] Filed as part of the original document.

with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-20" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. H. G. Spotswood, an individual, 755 Norville Ave., El Cerrito, California.

2. R. F. Maher, an individual, doing business as East Bay Delivery Company, 2412 Webster St., Oakland, California.

3. C. V. Alison, an individual, 571 29th St., Oakland, California.

[F. R. Doc. 44-4321; Filed, March 28, 1944; 10:23 a. m.]

[Supp. Order ODT 6A-21]

COMMON CARRIERS

COORDINATED OPERATIONS IN ALBANY, N. Y., AND ADJACENT MUNICIPALITIES

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-21" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Anson J. Hart, doing business as Hart's Express, Hudson, N. Y.
2. A. J. Huntington, doing business as Huntington Motor Transportation, Fort Edward, N. Y.
3. Wilbur C. Richmond, doing business as Richmond Express, South Glens Falls, N. Y.
4. Robert F. Westervelt, doing business as Westervelt's Express, Delmar, N. Y.
5. Charles F. May, doing business as May's Trucking and Delivery Service, Watervliet, N. Y.
6. Browns Express, Inc., Pittsfield, Mass.
7. Dean Davis, doing business as Davis Express, Meduse, N. Y.
8. Benjamin L. Styles and James C. Styles, doing business as Styles Express, Cottekill, N. Y.
9. Theron W. Davis, Arthur L. Davis and Donald T. Davis, doing business as Mohican Express, Prattsville, N. Y.
10. Richard T. Link, doing business as Link's Express, Copake, N. Y.

[F. R. Doc. 44-4322; Filed, March 28, 1944; 10:23 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[RPS 60, Order 12]

NATIONAL SUGAR REFINING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 12 under § 1334.51 (a) (6) (i) of Revised Price Schedule No. 60. Direct consumption sugar.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The National Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for granulated sugar packed in cartons of 6 ounces net—112 cartons in a corrugated board container by adding a differential of one dollar and thirty cents ($1.30) per 100 pounds net to the maximum basic price.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4312; Filed, March 27, 1944; 5:06 p. m.]

[MPR 120, Order 651]

MCALLISTER CONSTRUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 651 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing prices and price classifications for coals of McAllister Construction Company.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by McAllister Construction Company, Clarksville, Arkansas, at its Big Vein No. 2 Mine, Mine Index No. 513, in District No. 14, in Size Group No. 8, are hereby classified "C", and may be sold and purchased for rail shipment at prices not exceeding $6.10 per net ton, f. o. b. the rail shipping point, and at prices not exceeding $6.00 per net ton f. o. b. the mine for truck shipments.

(b) This order may be revoked or amended at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) This order shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 27th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4344; Filed, March 28, 1944; 11:51 a. m.]

Regional and District Office Orders.

[Region VI Order G-7 Under SR 15 and MPR 329, Amdt. 1]

FLUID MILK IN KEARNEY, NEBR.

Amendment No. 1 to Order No. G-7 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.408 (a) of Maximum Price Regulation No. 329. Purchases from producers for resale as fluid milk. Adjustment of fluid milk prices for Kearney, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.408 (b) of Maximum Price Regulation No. 329, *It is ordered,* That paragraph (d) of Order No. G-7 under § 1499.75 (a) (9) of Supplementary Regulation No. 329—Purchases of Milk from Producers for Resale of Fluid Milk, be amended to read as follows:

(d) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and of Maximum Price Regulation 329 shall remain in full force and effect except as modified in the order, and shall not be evaded by any change in the business or trade practices in effect during the base periods established by those regulations. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of milk than the seller required purchasers of the same class to pay during January 1943 on deliveries or supplies of milk governed by this order.

This amendement No. 1 to Order No. G-7 shall become effective March 14, 1944 and may be revoked or further amended by the Office of Price Administration at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-4250; Filed, March 25, 1944; 12:28 p. m.]

[Boise Order G-1 Under MPR 376 and Delegation Order 10, Amdt. 2]

CERTAIN FRESH FRUITS AND VEGETABLES IN BOISE, IDAHO, DISTRICT

Order No. G-1 under section 4 (c) of Maximum Price Regulation No. 376 and Region VII Delegation Order No. 10, Amendment No. 2. Adjustment of maximum prices for "certain fresh fruits and vegetables, when sold otherwise than at retail" in the Boise, Idaho, district.

Pursuant to the Emergency Price Control Act of 1942, as amended and section 4 (c) of Maximum Price Regulation 376, and to the authority delegated to the District Director of the Boise, Idaho District Office by Region VII Delegation Order No. 10 and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered,* That the above described order be amended in the following respects:

1. Section (a), "Commodities covered", is amended by deleting the following named and numbered commodities:

(2) Snap beans.
(3) Carrots.
(4) Cabbage.
(5) Green peas.
(6) Lettuce.
(7) Spinach.

and by adding as item (2), "sweet potatoes".

2. For the purpose of this order all sellers selling "sweet potatoes" to other than consumers, shall be considered "primary distributors" and shall compute their maximum prices of "sweet potatoes" by multiplying their "base price" by 1.25.

3. Section (p), "Maximum prices at country shipping point in Boise, Idaho District" is hereby revoked.

Right to revoke, modify or amend. This order may be revoked, modified or amended by the Price Administrator, Regional Administrator or District Director at any time.

Effective date. This amendment shall become effective at 12:01 a. m. on the 18th day of March 1944.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

C. C. ANDERSON,
District Director.

[F. R. Doc. 44-4251; Filed, March 25, 1944; 12:28 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 24, 1944.

REGION I

Connecticut Order No. 1-F, Amendment No. 1, Filed 3:23 p. m.

REGION II

Wilmington Order No. 9, Amendment No. 1, Filed 10:41 a. m.

REGION III

Charleston Order No. 29, Amendment No. 1, filed 3:23 p. m.
Charleston Order No. 34, filed 3:24 p. m.
Charleston Order No. 36, filed 3:24 p. m.
Cincinnati Order No. 1-F, Amendment No. 21, filed 3:23 p. m.
Detroit Order No. 1-F, Amendment No. 6, filed 3:23 p. m.

Escanaba Order No. 9–F, Amendment No. 8, filed 3:23 p. m.
Escanaba Order No. 11–F, Amendment No. 8, filed 3:23 p. m.
Escanaba Order No. 10–F, Amendment No. 8, filed 3:23 p. m.
Escanaba Order No. 12–F, Amendment No. 2, filed 3:22 p. m.
Escanaba Order No. 13–F, Amendment No. 2, filed 3:22 p. m.
Escanaba Order No. 14–F, Amendment No. 2, filed 3:22 p. m.
Escanaba Order No. 15–F, Amendment No. 1, filed 3:21 p. m.
Escanaba Order No. 15–F, Amendment No. 2, filed 3:22 p. m.
Escanaba Order No. 16–F, Amendment No. 1, filed 3:21 p. m.
Escanaba Order No. 16–F, Amendment No. 2, filed 3:22 p. m.
Escanaba Order No. 16–F, filed 3:21 p. m.
Escanaba Order No. 17–F, filed 3:21 p. m.
Escanaba Order No. 17–F, Amendment No. 1, filed 3:22 p. m.

REGION IV

Birmingham Order No. 1–W, filed 3:29 p. m.
Jacksonville Order No. 1–F, Amendment No. 16, filed 3:26 p. m.
Jacksonville Order No. 3–F, Amendment No. 1, filed 10:48 a. m.
Memphis Order No. 5–F, Amendment No. 2, filed 3:21 p. m.
Montgomery Order No. 1–W, filed 10:40 a. m.
Montgomery Order No. 5–F, Amendment No. 3, filed 3:20 p. m.
Montgomery Order No. 6–F, Amendment No. 1, filed 3:20 p. m.
Montgomery Order No. 7–F, Amendment No. 1, filed 3:20 p. m.
Montgomery Order No. 8–F, Amendment No. 3, filed 3:21 p. m.
Montgomery Order No. 15, filed 10:39 a. m.
South Carolina Order No. 4–F, filed 10:50 a. m.

REGION V

Arkansas Order No. 1–F, Amendment No. 2, filed 10:43 a. m.
Arkansas Order No. 2–F, Amendment No. 5, filed 10:48 a. m.
Arkansas Order No. 3–F, Amendment No. 5, filed 10:48 a. m.
Arkansas Order No. 4–F, Amendment No. 7, filed 10:43 a. m.
Arkansas Order No. 5–F, Amendment No. 6, filed 10:43 a. m.
Arkansas Order No. 6–F, Amendment No. 7, filed 10:43 a. m.
Forth Worth Order No. 1–W, filed 10:42 a. m.
Fort Worth Order No. 11, filed 10:50 a. m.
Fort Worth Order No. 12, filed 3:28 p. m.
Houston, Order No. 1–F, Amendment No. 5, filed 10:50 a. m.
Houston Order No. 2–F, Amendment No. 2, filed 10:50 a. m.
New Orleans Order No. 1–F, Amendment No. 2, filed 3:20 p. m.
Oklahoma City Order No. 3–F, Amendment No. 9, filed 10:42 a. m.
Shreveport Order No. 1–F, Amendment No. 2, filed 10:42 a. m.
Shreveport Order No. 2–F, Amendment No. 6, filed 3:29 p. m.

REGION VI

Chicago Order No. 2–F, Amendment No. 6, filed 10:42 a. m.
Des Moines Order No. 1–F, Amendment No. 7, filed 10:40 a. m.
Des Moines Order No. 2–F, Amendment No. 1, filed 10:41 a. m.
La Crosse Order No. 1–F, Amendment No. 8, filed 3:28 p. m.
La Crosse Order No. 3–F, Amendment No. 4, filed 3:28 p. m.
La Crosse Order No. 4–F, Amendment No. 4, filed 10:41 a. m.
La Crosse Order No. 5–F, Amendment No. 4, filed 10:41 a. m.
Omaha Order No. 1–F, Amendment No. 8, filed 3:29 p. m.
Omaha Order No. 1–F, Amendment No. 9, filed 3:25 p. m.
Omaha Order No. 2–F, Amendment No. 7, filed 3:30 p. m.
Omaha Order No. 2–W, filed 3:30 p. m.
Omaha Order No. 3–F, Amendment No. 1, filed 3:30 p.m.
Sioux City Order No. 2–F, Amendment No. 6, filed 3:29 p. m.

REGION VIII

Nevada Order No. 2–W, filed 3:24 p. m.
Phoenix Order No. 3–F, Amendment No. 11, filed 3:27 p. m.
Sacramento Order No. 1–F, filed 10:51 a. m.
Sacramento Order No. 2–F, filed 10:51 a. m.
San Diego Order No. 1–F, Amendment No. 26, filed 3:24 p. m.
San Francisco Order No. 1–F, Amendment No. 6, filed 3:28 p. m.
Seattle Order No. 1–F, Amendment No. 2, filed 3:25 p. m.
Seattle Order No. 1–F, Amendment No. 8, filed 3:26 p. m.
Seattle Order No. 2–F, Amendment No. 7, filed 3:25 p. m.
Seattle Order No. 3–F, Amendment No. 6, filed 3:26 p. m.
Seattle Order No. 4–F, Amendment No. 6, filed 3:26 p. m.
Seattle Order No. 5–F, Amendment No. 7, filed 3:26 p. m.
Spokane Order No. 1–F, Amendment No. 2, filed 10:41 a. m.
Spokane Order No. 13, Amendment No. 1, filed 10:38 a. m.
Spokane Order No. 14, Amendment No. 1, filed 3:27 p. m.
Spokane Order No. 20, Amendment No. 1, filed 10:39 a. m.
Spokane Order No. 21, Amendment No. 1, filed 10:38 a. m.
Spokane Order No. 23, Amendment No. 1, filed 10:39 a. m.
Spokane Order No. 27, Amendment No. 1, filed 10:38 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4295; Filed, March 27, 1944; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 25, 1944.

REGION III

Louisville Order No. 1–F, Amendment No. 21, filed 10:28 a. m.
Louisville Order No. 2–F, Amendment No. 15, filed 10:27 a. m.
Louisville Order No. 3–F, Amendment No. 8, filed 10:27 a. m.
Louisville Order No. 15, filed 10:28 a. m.
Cleveland Order No. F–4, Amendment No. 12, filed 10:28 a. m.
Columbus Order No. 3–F, Amendment No. 9, filed 10:31 a. m.
Columbus Order No. 4–F, Amendment No. 8, filed 10:30 a. m.
Columbus Order No. 5–F, Amendment No. 4, filed 10:30 a. m.
Columbus Order No. 7–F, Amendment No. 8, filed 10:30 a. m.

REGION V

Kansas City Order No. 1–F, Amendment No. 2, filed 10:32 a. m.
Kansas City Order No. 2–F, Amendment No. 4, filed 10:29 a. m.
New Orleans Order No. 2–F, Amendment No. 8, filed 10:28 a. m.
San Antonio Order No. G–9, filed 10:27 a. m.

REGION VI

Fargo-Moorhead Order No. 2–F, Amendment No. 1, filed 10:32 a. m.
Fargo-Moorhead Order No. 3–F, Amendment No. 1, filed 10:32 a. m.
La Crosse Order No. 1–F, Amendment No. 7, filed 10:29 a. m.

REGION VII

Utah 2d Rev. Order 1, Amendment No. 3, filed 10:31 a. m.
Utah Rev. Order No. 2, Amendment No. 3, filed 10:31 a. m.
Utah Rev. Order No. 3, Amendment No. 3, filed 10:31 a. m.
Utah Rev. Order No. 4, Amendment No. 3, filed 10:32 a. m.
Utah Order No. 5 (Rev.), Amendment No. 3, filed 10:32 a. m.

REGION VIII

Phoenix Order No. 10, Amendment No. 10, filed 10:29 a. m.
Sacramento Order No. 6–F, Amendment No. 3, filed 10:31 a. m.
San Francisco Order No. 1–F, Amendment No. 5, filed 10:27 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4296; Filed, March 27, 1944; 11:45 a. m.]

UNITED STATES MARITIME COMMISSION.

DOCUMENTATION OF VESSELS COVERED BY PREFERRED MORTGAGE

RENEWAL OF LICENSE, ETC.

Notice is given that on March 21, 1944, the United States Maritime Commission adopted the following resolution construing section O (a) of the Ship Mortgage Act, 1920 (U.S.C. Title 46, 961; 41 Stat. 1004):

BE IT RESOLVED, That the United States Maritime Commission construes section O (a) of the Ship Mortgage Act, 1920, which is contained in section 30 of the Merchant Marine Act, 1920, as not applying to a case in which a vessel owner merely renews the license or changes the document incident to change of trade where the ownership and home port remain the same, or changes to a permanent document on arrival of the vessel at her home port under temporary document.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 44–4306; Filed, March 27, 1944; 3:27 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 64

Washington, Thursday, March 30, 1944

The President

EXECUTIVE ORDER 9432

DESIGNATION OF UNDER SECRETARY AND ASSISTANT SECRETARIES OF THE INTERIOR TO ACT AS SECRETARY OF THE INTERIOR

By virtue of and pursuant to the authority vested in me by section 179 of the Revised Statutes of the United States (5 U.S.C., sec. 6), I hereby authorize and direct the Under Secretary of the Interior to perform the duties of the Secretary of the Interior during the absence or sickness of the Secretary of the Interior; and I hereby further authorize and direct Assistant Secretary of the Interior Michael W. Straus or his successors, and in his absence or sickness Assistant Secretary of the Interior Oscar L. Chapman or his successors, to perform the duties of the Secretary of the Interior during the absence or sickness of both the Secretary and the Under Secretary of the Interior.

This order supersedes Executive Order No. 7277 of January 17, 1936.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 28, 1944.

[F. R. Doc. 44–4394; Filed, March 29, 1944; 10:54 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.–Q. 48]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE

Introductory note: This revision of the quarantine and regulations permits more flexibility in the handling of seasonal and local problems through the issuance of administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine as provided in paragraph (b) of § 301.48–4.

The only additions to the regulated area are the Maryland election districts of North Branch (No. 16) in Allegany County and Hancock (No. 5) in Washington County and the cities of Princeton and Williamstown, W. Va. The heavily infested area remains the same as heretofore except for the inclusion of the township of West Leesport, Berks County, Pa.

This revision supersedes the quarantine issued effective February 12, 1941, the regulations of March 24, 1942, as amended effective January 14, 1943, and circulars B.E.P.Q. 527 effective April 26, 1943, and B.E.P.Q. 394, revised effective July 20, 1942.

Determination of the Secretary of Agriculture. The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle (Popillia japonica Newm.), a dangerous insect not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated the thirteenth revision of Notice of Quarantine, § 301.48, Part 301, Chapter III, Title 7, Code of Federal Regulations, and rules and regulations supplemental thereto, governing the movement of (1) fruits and vegetables; (2) nursery, ornamental, and greenhouse stock, and other plants; and (3) sand, soil, earth, peat, compost, and manure, from any of the above-named States or the District of Columbia, into or through any other State or Territory or District of the United States, §§ 301.48–1 to 301.48–14, inclusive, Part 301, Chapter III, Title 7, Code of Federal Regulations [B. E. P. Q.–Q. 48, effective March 24, 1942, as amended effective January 14, 1943].

The Secretary has determined that it is necessary to revise the aforesaid quar-

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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antine and rules and regulations for the purpose of making changes in the regulated areas, and to make other minor modifications.

Order of the Secretary of Agriculture: Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), the subpart entitled "Japanese Beetle" of Part 301, Chapter III, Title 7, Code of Federal Regulations [B. E. P. Q.–Q. 48, as revised] is hereby revised effective March 30, 1944, to read as follows:

SUBPART—JAPANESE BEETLE

Sec.
301.48 Notice of quarantine.

RULES AND REGULATIONS

Meaning of Terms

301.48–1 Definitions.

Areas Under Regulation

301.48–2 Regulated areas.
301.48–3 Heavily infested area.

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301.48–4 Restricted articles.

Conditions of Interstate Movement

301.48–5 Conditions governing interstate movement of restricted articles.

Conditions of Certification

301.48–6 Conditions governing the issuance of certificates and permits.

Procedure for Applicants

301.48–7 Assembly of restricted articles for inspection.

Certificates and Permits May Be Canceled

301.48–8 Cancelation of certificates or permits.

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301.48–10 Inspection in transit.

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301.48–11 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.48 to 301.48–11, inclusive, issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.

SUBPART—JAPANESE BEETLE

§ 301.48 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), the Secretary of Agriculture quarantines the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle. Hereafter (1) earth, soil, compost, and decomposed manure; (2) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (3) cut flowers; and (4) fresh fruits and vegetables, shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States or District into or through any other State or Territory of the United States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided,* That the restrictions of this quarantine and of the rules and regulations supplemental thereto may be limited to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas, when, in the judgment of the Secretary of Agriculture, the enforcement of the aforesaid rules and regulations as to such regulated areas shall be adequate to prevent the spread of the Japanese beetle: *Provided further,* That such limitation shall be conditioned upon the said State providing for the control of the intrastate movement of the restricted articles and such other control measures with respect to such regulated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the spread of the Japanese beetle therefrom to other parts of the State: *And provided further,* That whenever in any year the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions specifying the manner in which the applicable regulation should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof or for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

RULES AND REGULATIONS

Meaning of Terms

§ 301.48–1 *Definitions.* For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *Japanese beetle.* The insect known as the Japanese beetle (Popillia japonica Newm.), in any stage of development.

(b) *Infestation.* This term refers to the presence of the Japanese beetle.

(c) *Regulated area.* Any area in a quarantined State or District which is now, or which may hereafter be, designated as such by the Secretary of Agriculture in accordance with the provisos of § 301.48 as revised.

(d) *Heavily infested area.* That portion of the regulated areas usually heavily and continuously populated with Japanese beetles, and in which dense flights of the adult may occur.

(e) *Noninfested premises, establishments, or areas.* That portion of the regulated areas in which no infestation exists, or in the vicinity of which no infestation is known to exist under such conditions as to expose it to infestation by natural spread of beetles, as determined by an inspector.

(f) *Nursery stock.* Forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes.

(g) *Soil-free, free from soil.* Devoid of soil in quantities sufficient to harbor immature stages of the Japanese beetle.

(h) *Inspector.* An inspector of the United States Department of Agriculture.

(i) *Interstate movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from a regulated area in one State or District of the United States to a nonregulated area or a protected area in any other State or Territory.

(j) *Certificate.* A valid form evidencing compliance with the requirements of these regulations.

(k) *Limited permit.* A valid form authorizing the interstate movement of restricted articles to a restricted destination for limited handling, utilization, or for processing.

Areas Under Regulation

§ 301.48–2 *Regulated areas.* In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas the following States, District, counties, townships, cities, towns, boroughs, and districts, or parts thereof, as described:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. "County of York; towns of Auburn and Lewiston, in *Androscoggin County;* towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County;* the city of Waterville, in *Kennebec County;* and the city of Brewer, in *Penobscot County.*

Maryland. The entire State except the counties of Garrett and St. Marys; and except the election districts of Orleans (No. 1), Oldtown (No. 2), Flintstone (No. 3), Gross (No. 21), and Kifer (No. 33), in *Allegany County;* and the election districts of Hill Top (No. 2), Cross Roads (No. 3), Allens Fresh (No. 4), Harris Lot (No. 5), Bryantown (No. 8), Patuxent (No. 9), and Marbury (No. 10), in *Charles County.*

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County.*

New Jersey. The entire State

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County;* city of Auburn and the towns of Fleming, Owasco, and Sennett, in *Cayuga County;* towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County;* towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls in *Herkimer County;* town of Watertown and city of Watertown in *Jefferson County;* town of Mount Morris and village of Mount Morris, in *Livingston County;* city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in *Monroe County;* town of Manchester, in *Ontario County;* cities of Fulton and Oswego, in *Oswego County;* towns of Catharine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County;* towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County;* towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County;* towns of Luzerne and Queensbury and the city of Glens Falls, in *Warren County.*

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County;* the city of Columbus, and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County;* townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County;* the township of Newark and the city of Newark, in *Licking County;* the city of Toledo in *Lucas County;* the township of Madison and the city of Mansfield, in *Richland County;* townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County.*

Pennsylvania. The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in *Crawford County;* the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in *Erie County;* the townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and the boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in *Mercer County.*

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County.*

Virginia. Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Matoaca, in *Chesterfield County;* town of Emporia, in *Greensville County;* town of West Point, in *King William County;* magisterial district of Sleepy Hole, in *Nansemond County;* village of Schoolfield in *Pittsylvania County;* town of Pulaski, in *Pulaski County;* magisterial districts of Hampton, Jackson, and Wakefield in *Rappahannock County;* magisterial district of Courtland, in *Spotsylvania County;* town of Front Royal, in *Warren County;* magisterial district of

Newport, in *Warwick County;* magisterial district of Washington, in *Westmoreland County;* and the cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, and Winchester.

West Virginia. Counties of Barbour, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Monongalia, Ohio, Taylor, and Upshur; magisterial districts of Arden, Falling Waters, Hedgesville, and Opequon and the city of Martinsburg, in *Berkeley County;* districts of Charleston, Elk, Loudon, and Malden, the city of Charleston, and the town of South Charleston in *Kanawha County;* magisterial districts of Sand Hill, Union, Washington, and Webster, in *Marshall County;* the city of Princeton in *Mercer County;* town of Keyser and magisterial district of Frankfort, in *Mineral County;* the town of Rowlesburg, in *Preston County;* city of Hinton in *Summers County;* magisterial district of Lincoln in *Tyler County;* town of Paden City, in *Tyler* and *Wetzel Counties;* the cities of Parkersburg and Williamstown and magisterial districts of Lubeck and Tygart, in *Wood County.*

§ 301.48–3 *Heavily infested area.*

Delaware. The entire State.

District of Columbia. The entire District.

Maryland. Counties of Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Annes, Somerset, Talbot, Wicomico and Worcester; election districts Nos. 3, 4, and 5, in *Anne Arundel County;* the city of Baltimore; election districts of Elk Ridge (No. 1), and Ellicott City (No. 2), in *Howard County.*

New Jersey. Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Boonton, Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Montville, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, the town of Boonton and the boroughs of Chatham, Florham Park, Lincoln Park, Madison, Mendham, Morris Plains, and Mountain Lakes in *Morris County;* townships of Little Falls and Wayne, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County;* townships of Allamuchy, Franklin, Greenwich, Hackettstown, Independence, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County.*

Pennsylvania. Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of *Berks County* except the townships of Albany, Bethel, Centre, Greenwich, Jefferson, Marion, North Heidelberg, Penn, Perry, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken, and Windsor, and the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Shoemakersville and Strausstown; townships of Lower Allen, Monroe, and Upper Allen, and boroughs of Lemoyne, Mechanicsburg, and New Cumberland, in *Cumberland County;* townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County;* all of *Lehigh County* except the townships of Heidelberg, Lowhill, Lynn, Washington, and Weisenberg, and borough of Slatington; all of *Northampton County* except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Stockertown, Walnutport, and Wind Gap; and all of *York County* except the townships of Carroll, Codorus, Dover, Franklin, Heidelberg, Jackson, Manheim, Monaghan, Paradise, Penn, Warrington, Washington, and West Manheim, and boroughs of Dillsburg, Dover, Franklintown, Hanover, Jefferson, Spring Grove, and Wellsville.

Virginia. Counties of Accomac, Arlington, and Northampton; magisterial district of Tanners Creek, in *Norfolk County,* and magisterial district of Kempsville, in *Princess Anne County.*

Articles Restricted

§ 301.48–4 *Restricted articles.* — (a) *Movement from all regulated areas.* Unless exempted by administrative instructions and except as hereinafter provided, the interstate movement of the following articles from regulated areas to points outside thereof is restricted:

(1) Earth, soil, compost, and decomposed manure of any kind moved independent of or in connection with nursery stock or any other articles or things, except that gravel, sand, greensand marl, and clay originating from pits, mines, or deposits, and that compost, humus, and decomposed manure when dehydrated, ground, pulverized, or compressed, are exempt from the restrictions of this quarantine.

(2) Nursery stock.

(b) *Movement from heavily infested areas.* Unless exempted by administrative instructions the interstate movement, either on direct billing, diversion, or reconsignment, from the heavily infested areas to points outside the regulated areas, of the products named in subparagraphs (1) and (2) of this paragraph, is restricted each summer during the period of heavy flight of the beetle, the dates of the beginning and cessation of which shall be based on seasonal observation of emergence and disappearance of the adult beetles and shall be as designated in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine: *Provided,* That identical restrictions shall also apply to the interstate movement of the products from the heavily infested areas to such isolated, lightly infested, regulated areas as may be designated from year to year in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine when it has been determined by him that such areas should be so protected.

(1) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor.

(2) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only.

Conditions of Interstate Movement

§ 301.48–5 *Conditions governing interstate movement of restricted articles.* (a) *Certification.* Except as provided herein, or in subsequent administrative instructions, articles designated in § 301.48–4 shall not be moved interstate from the respective areas as specified therein (paragraphs (a) and (b)) to points outside the regulated areas, unless a certificate or permit shall have been issued therefor in compliance with these regulations.

(b) *Safeguards against reinfestation.* Subsequent to certification, as provided in the foregoing paragraph, the restricted articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(c) *Marking.* Every container of articles, the interstate movement of which is restricted as provided in § 301.48–4, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with these regulations: *Provided,* That (1) in the case of lot freight shipments other than by road vehicle, a certificate attached to one of the containers and another certificate attached to the waybill will be sufficient, and carlot freight or express shipments, either in containers or in bulk, require a certificate attached to the waybill and shall also have attached to the outside of the car a placard showing the number of the certificate accompanying the waybill; (2) in the case of shipment by road vehicle, the certificate shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

(d) *Articles originating outside the regulated area.* No certificates are required for the interstate movement of restricted articles originating outside the regulated areas and moving through or reshipped from a regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles are safeguarded against infestation while in the regulated areas.

Conditions of Certification

§ 301.48–6 *Conditions governing the issuance of certificates and permits.* — (a) *Certification of earth, soil, compost, and decomposed manure.* Certificates may be issued for the interstate movement of these products under any one of the following conditions:

(1) When they have originated on noninfested premises, establishments, or areas. (See § 301.48–1 *Definitions.*)

(2) When the soil has been removed, under the observation of the inspector, from a depth of more than 12 inches below the surface of the ground.

(3) When the soil, compost, or decomposed manure has been fumigated, sterilized, or treated under the observation of an inspector by methods authorized in administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine; or when, in the judgment of the inspector, they have been handled or processed in a manner to free them from infestation.

(b) *Certification of nursery stock.* Certificates may be issued for the interstate movement of nursery stock under any one of the following conditions:

(1) When the soil about the roots of the plants has been treated, sterilized, or fumigated under the observation of an inspector and in accordance with methods authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(2) When the plants have been made soil-free.

(3) When the nursery stock originated on noninfested premises, establishments, or areas. (See § 301.48–1 *Definitions.*)

(4) When the nursery stock has been produced under protected conditions in greenhouses, potting beds, heeling-in areas, hotbeds, coldframes, and similar plots, in the infested area, in which the ventilators, doors, and all other openings have been kept screened to the inspector's satisfaction during such periods as he may designate:

Provided, That in order to maintain an infestation-free status under paragraph (b) (3) and (4) of this section, the operator of the establishment must restrict all receipts of nursery stock and other restricted articles from points within the regulated areas to articles certified or certifiable without further treatment. The operator must report to the inspector the source of all nursery stock and other regulated articles received on such premises and must maintain a record, accessible to the inspector, of all shipments made to points outside the regulated areas. Premises will lose their infestation-free status if there are received thereon quarantined articles from the regulated area which are not certified or certifiable without further treatment. Infestation-free establishments, together with their environs, will be inspected during the active adult season and their status determined on the basis of such inspections.

(c) *Certification of cut flowers.* Certificates may be issued for the interstate movement of restricted cut flowers from the heavily infested area to points outside the regulated areas, under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(d) *Certification of fruits and vegetables.* Certificates may be issued for the interstate movement by refrigerator car or motortruck of fresh fruits and vegetables originating or loaded in or reshipped from the heavily infested area interstate to points outside the regulated areas under any one of the following conditions.

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been harvested, handled, graded, or processed in a manner, in the judgment of the inspector, to free them from infestation.

(4) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine:

Provided, That, under the first three of these conditions, the refrigerator cars or motortrucks used for transporting such fruits and vegetables shall be thoroughly swept, cleaned, or fumigated prior to loading; and shall in all cases while in the heavily infested area, be screened, covered, sealed, or otherwise protected in manner or method to safeguard the articles from infestation, as may be required by the inspector.

(e) *Limited permits.* Limited permits may be issued for the interstate movement of noncertified restricted articles to specified destinations for processing or other handling. Persons shipping, transporting, or receiving such articles may be required to enter into written agreements to maintain such sanitation safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of restricted products and to the cleaning of cars, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector.

Procedure for Applicants

§ 301.48–7 *Assembly of restricted articles for inspection.* Persons intending to move interstate any of the articles restricted by these regulations shall make application for inspection as far in advance as possible, and will be required to prepare, handle, and safeguard such materials from infestation, and to assemble them at such points as the inspector shall designate, placing them so that inspection may be readily made. All costs including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

Certificates and Permits May Be Canceled

§ 301.48–8 *Cancelation of certificates or permits.* Certificates or permits issued under these regulations may be withdrawn or canceled by the inspector and further certification refused whenever the further use of such certificates or permits might result in the dissemination of infestation.

Cleaning of Vehicles

§ 301.48–9 *Cleaning of trucks, wagons, cars, boats, and other vehicles and containers.* When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of trucks, wagons, cars, boats, and other vehicles and containers may be required before movement interstate to points outside of the regulated areas.

Inspection of Shipments En Route

§ 301.48–10 *Inspection in transit.* Any car, vehicle, basket, box, or container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is restricted by these regulations, shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

Articles for Experimental and Scientific Purposes

§ 301.48–11 *Shipments for experimental and scientific purposes.* Articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The containers of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine.

Done at Washington, D. C., this 28th day of March 1944. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX

PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), provides that no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds * * * or any other article * * * specified in the notice of quarantine * * * in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. It also provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500, or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

STATE AND FEDERAL INSPECTION

Certain of the quarantined States have promulgated or are about to promulgate quarantine regulations restricting intrastate movement supplemental to the Federal quarantine. These State regulations are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing the United States Department of Agriculture, 503 Main Street, East Orange, N. J.

Subsidiary offices are maintained at the following locations:

Connecticut: Agricultural Experiment Station, 123 Huntington Street, New Haven, Conn.

Maryland: 2 Sherwood Avenue, Pikesville, Md. Room 205, New Post Office Building, Main Street, Salisbury, Md.

Massachusetts: 144 Moody Street, Waltham, Mass.

New Jersey: Kotler Building, Main and High Streets, Glassboro, N. J. P. O. Box 1, Trenton (1), N. J., or Yardville Road, White Horse, N. J.

New York: Room 838, 641 Washington Street, New York (14), N. Y. Room 200, 2507 James Street, Syracuse (6), N. Y.

Ohio: 21065 Euclid Avenue, Euclid (17), Ohio.

Pennsylvania: 6905 Torresdale Avenue, Philadelphia, Pa. Room 504, Bessemer Build-

ing, Sixth Street and Duquesne Way, Pittsburgh (22), Pa.

Virginia: Room 284, Brokers' Exchange Building, 264 West Tazewell Street, Norfolk, Va. 17 North Boulevard, Richmond (20), Va.

West Virginia: 245 West Philadelphia Avenue, Bridgeport, W. Va. (Mail box 197).

Arrangements may be made for inspection and certification of shipments from the District of Columbia by calling Republic 4142, branch 2596, inspection house of the Bureau of Entomology and Plant Quarantine, 224 Twelfth Street SW., Washington, D. C.

GENERAL OFFICES OF STATES COOPERATING

Department of Entomology, Agricultural Experiment Station, New Haven, Conn.
Board of Agriculture, Dover, Del.
State horticulturist, Augusta, Maine.
Department of Entomology, University of Maryland, College Park, Md.
Division of Plant Pest Control, Department of Agriculture, Statehouse, Boston, Mass.
Deputy commissioner, Department of Agriculture, Durham, N. H.
Bureau of Plant Industry, Department of Agriculture, Trenton, N. J.
Bureau of Plant Industry, Department of Agriculture and Markets, Albany 1, N. Y.
Division of Plant Industry, Department of Agriculture, Columbus 15, Ohio.
Bureau of Plant Industry, Department of Agriculture, Harrisburg, Pa.
Bureau of Entomology, Department of Agriculture, Statehouse, Providence, R. I.
Entomologist, Department of Agriculture, Montpelier, Vt.
Division of Plant Industry, Department of Agriculture and Immigration, Richmond 19, Va.
State entomologist, Department of Agriculture, Charleston 5, W. Va.

[F. R. Doc. 44-4383; Filed, March 28, 1943; 3:30 p. m.]

[B. E. P. Q. 533]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE; EXEMPTED ARTICLES

§ 301.48d *Administrative instructions; articles exempt from certification.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 48), the following articles, the interstate movement of which is not considered to constitute a risk of Japanese beetle dissemination, are exempted from the restrictions of the regulations of this quarantine, effective March 30, 1944.

Nursery stock. Under this classification, the following articles are exempted:

True bulbs, corms, and tubers, when dormant, except for storage growth, and when free from soil.
Single dahlia tubers or small dahlia root-divisions when free from stems, cavities, and soil. (Dahlia tubers, other than single tubers or small root-divisions meeting these conditions, require certification.)
Orchid plants when growing exclusively in Camunda fiber.
Trailing arbutus, or Mayflower (Epigaea repens), when free from soil.
Moss and clubmoss, ground-pine or running-pine, when free from soil.
Soil-free aquatic plants.
Soil-free sweetpotato draws.
Soil-free plant cuttings without roots.
Soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the Japanese beetle.

Cut flowers. Under this classification, cut orchids are exempted.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.48)

Done at Washington, D. C., this 26th day of February 1944.

P. N. ANNAND,
Chief.

[F. R. Doc. 44-4369; Filed, March 28, 1944; 3:28 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 53, Amdt. 3]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF ANIMAL OIL, NEAT'S-FOOT OIL AND RED OIL

Food Distribution Order 53, as amended (9 F.R. 938), § 1460.15, is amended as follows:

1. By deleting the word and figures "March 31, 1944" in paragraph (d) thereof and inserting in lieu thereof the word and figures "June 30, 1944".

2. By adding immediately after the end of paragraph (r) thereof the following:

(s) *Temporary suspension of (b) and (c) with respect to distilled red oil and neat's-foot oil which has been pressed.* The restrictions and provisions of (b) and (c) hereof, shall not apply to the delivery, acceptance of delivery, use, processing, or blending of distilled red oil or neat's-foot oil which has been pressed, by any person, when such delivery, acceptance of delivery, use, processing, or blending occurs during the period beginning on April 1, 1944, and ending on June 30, 1944.

(t) *Inventory limitations with respect to neat's-foot oil which has been pressed.* No person, other than a producer or distributor, shall, after April 1, 1944, accept delivery of any neat's-foot oil which has been pressed which will cause his inventory of neat's-foot oil which has been pressed to exceed a quantity equal to 5000 pounds, or the aggregate amount of neat's-foot oil which had been pressed and which was used, processed, or blended, by him during any two consecutive calendar months in the period beginning on July 1, 1943, and ending on December 31, 1943, whichever is greater. In computing the aggregate amount of neat's-foot oil which had been pressed which was used, processed, or blended by any person in any two consecutive calendar months in the period beginning on July 1, 1943, and ending on December 31, 1943, the same oil shall not be counted more than once.

(u) *Distilled red oil set aside.* On May 1, 1944, and June 1, 1944, every producer shall set aside and hold for delivery pursuant to specific authorizations by the Director a quantity of distilled red oil equal to one-third of the total amount of distilled red oil produced by him in the preceding calendar month. Any distilled red oil required to be set aside hereunder and the delivery of which is not specifically authorized by the Director prior to the first day of the succeeding calendar month, shall be released from the restrictions of this paragraph on the first day of such succeeding calendar month.

(v) *Orders for distilled red oil which is not to be used for the production of liquid, industrial laundry, or household laundry soap given preference.* (1) Every person, except a distributor, who desires to obtain distilled red oil from a producer or distributor in April, May, or June 1944, for any purpose other than the production of liquid, industrial laundry, or household laundry soap, shall, prior to the delivery of the distilled red oil to him, deliver to such producer or distributor a written order for such distilled red oil, which has attached thereto, or included therein, a certificate properly filled out and signed by him, in the following form:

The undersigned hereby certifies to the War Food Administration and to _____
(supplier)
that this certificate constitutes a part of an order by him to said supplier for _____ pounds of distilled red oil to be delivered on or about _____, and that none
(date)
of the distilled red oil which may be received by the undersigned pursuant to such order will be used by him in the production of liquid, industrial laundry, or household laundry soap.

_____
(Purchaser)

By _____
(Authorized official)

_____
Date

No person who receives distilled red oil as the result of such a certified order shall use any of the distilled red oil so received in the production of liquid, industrial laundry, or household laundry soap.

(2) No producer or distributor shall deliver distilled red oil to any person, other than a distributor, in any calendar month in the period beginning on April 1, 1944, and ending on June 30, 1944, except pursuant to a specific authorization by the Director or an order certified in accordance with the provisions of (v) (1) hereof, unless and until he has delivered, offered to deliver, or made provision to deliver all distilled red oil which is ordered from him by means of orders, certified in accordance with the provisions of (v) (1) hereof, which are received by him at any time before the sixteenth day of such calendar month, and if subject to (u) hereof, has set aside the amount of distilled red oil required thereunder.

This amendment shall become effective on April 1, 1944, at 12:01 a. m., e. w. t. However, with respect to violations of said Food Distribution Order 53, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 53, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of March 1944.

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44-4309; Filed, March 27, 1944; 4:18 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 11—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

EFFECTS OF DECEASED PERSONNEL

Paragraph (d) of § 11.4a (8 F.R. 11466), pertaining to effects of deceased personnel, is amended as follows:

§ 11.4a *Disposition of effects of deceased personnel.* * * *

(d) (1) The personal effects will be securely packed in a suitable container, with the original list of effects inclosed, and shipped to the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo.

(2) Where, however, death occurs outside the limits of the States of the United States and the District of Columbia and the summary court determines that the person or persons legally entitled under Article of War 112 to receive the effects are resident within the country in which death occurred, in territories or possessions of the United States, or in neutral or allied countries, and if in the light of circumstances the summary court considers it more practicable to transmit the effects to such person or persons directly rather than through the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo., the court will transmit the effects at Government expense to such person or persons in accordance with the provisions of Article of War 112. If any monies remain after action prescribed in paragraph (b) of this section is taken by the court, such monies will not be converted as stated in paragraph (c), but will be transmitted with the other effects to the person or persons entitled thereto. In cases in which such person or persons are resident in an allied or neutral country and direct transmission of effects is not practicable, he or they may be requested to designate, by written notice in triplicate to the summary court, a consular representative at or near the place where the officer exercising the authority of a summary court is stationed, as his or their agent for acceptance of the effects of the deceased person; but if the person or persons so entitled to the effects fail or refuse upon request to designate a consular representative as agent for acceptance of the effects, the summary court will dispose of the effects in accordance with the procedure otherwise provided in this section. The original and one copy of all papers, including the summary court's final report, list of the effects actually shipped, receipt of the person or persons receiving the effects, and the authority of the consular representative to act as agent if required, will be mailed to the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo.

(41 Stat. 809, 46 Stat. 1203; 10 U.S.C. 1584, 1584a) [Par 16a, W.D. Circular 195, Sept. 1, 1943, as amended by W.D. Circular 118, Mar. 22, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-4383; Filed, March 28, 1944; 4:35 p. m.]

Chapter VI—Organized Reserves

PART 64—ENLISTED RESERVE CORPS

CURRENT PROCEDURES GOVERNING ENLISTMENTS, ETC.

The following current procedures govern the enlistment in, transfer to, call to active duty from, and discharge from the Enlisted Reserve Corps:

1. *Enlistments in Enlisted Reserve Corps.* *a.* All enlistments in the Enlisted Reserve Corps will be in the seventh grade only. All men enlisted in the Enlisted Reserve Corps must be qualified for general military service.

(1) *Enlisted Reserve Corps, unassigned.* Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Enlisted Reserve Corps, unassigned, provided consent of his parents or guardian is obtained. Included in this category are successful applicants in the Army-Navy College Qualifying Tests.

(2) *Air Corps Enlisted Reserve (ACER).* Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Air Corps Enlisted Reserve, provided he has previously qualified for aviation cadet training under current standards and provided the consent of his parents or guardian is obtained:

b. Commissioned officers of the Medical Administrative Corps, Army of the United States, or the Officers' Reserve Corps, who are on an inactive status for the purpose of pursuing training in medicine, dentistry, veterinary medicine, or in preparation therefor at their own expense, may resign their commissions and enlist in the Enlisted Reserve Corps, unassigned, within 15 days after resignation under the authority contained in current War Department instructions.

2. *Transfers to enlisted reserve components.* No enlisted person will be released from active service and transferred to the Enlisted Reserve Corps unassigned, or to the Air Corps Enlisted Reserve without authority of the War Department, except as follows:

a. Voluntary induction and transfer to the Air Corps Enlisted Reserve of instructors and mechanics employed by civilian contract flying schools under contract with the War Department to train aviation cadets is authorized.

b. United States citizens of Japanese ancestry who are inducted in the Army under normal induction procedures will be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

c. Women at the time of enlistment in the Women's Army Corps may be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

d. Enlisted men, except former members of the National Guard, over 38 years of age serving overseas and having applied for release under the provisions of current War Department instructions, and whose applications have not been processed may be released and transferred to the Enlisted Reserve Corps, unassigned, or the Air Corps Enlisted Reserve, whichever is appropriate, upon return to the continental limits of the United States.

3. *Call to active duty.* *a.* Men enlisted under the authority contained in paragraph 1*a* (1) and (2) will not be ordered to active duty until they have attained their eighteenth birthday but in every instance will be ordered to active duty within 6 months after attaining such age: *Provided,* That—

(1) Students in colleges and secondary schools may, upon their own application, be deferred from call to active duty to complete the semester, quarter, or trimester in which they reach their respective eighteenth birthdays: *Provided, further,* That no such student will be deferred more than 6 months after reaching his eighteenth birthday.

(2) Students in the Army Specialized Training Reserve Program will not be called to active duty until the end of the term in which they reach their respective eighteenth birthdays.

b. United States citizens of Japanese ancestry who have been inducted and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty for training in groups as determined by the needs of the service.

c. Enlisted personnel transferred to the Enlisted Reserve Corps, unassigned or to the Air Corps Enlisted Reserve to accept employment in essential industry, including agriculture or other essential civilian employment, may be recalled to active duty—

(1) At the expiration of the deferment period.

(2) Upon failure to remain employed in essential industry.

(3) Upon recommendation of the State Director of Selective Service or the employer concerned, with the approval of the War Department.

d. Members of the Air Corps Enlisted Reserve placed in such category by reason of their employment in key position, civilian flying training schools under contract with the War Training Service (CPT), Civil Aeronautics Administration, civilian flying trainng schools under contract with the War Department to train aviation cadets, when released from such employment by reason of personnel reduction or for other causes be-

yond control of the individual, will be given an opportunity to express a preference for either call to active duty for service in an enlisted status with the Army Air Forces, or for discharge from the Air Corps Enlisted Reserve. If, however, the release of such Reservists is not occasioned by causes beyond their control, they will be called to active duty in enlisted status for service with the Army Air Forces. Air Corps Enlisted Reservists employed by the Air Transport Command, or by civilian airlines under contract with the Government, will be called to active duty at the request of the Commanding General, Army Air Forces, upon notification by the employer of the individuals concerned of their separation from such employment, or sooner if the military situation requires.

e. Preprofessional students (premedical, predental, and preveterinary) who are members of the Enlisted Reserve Corps, unassigned, and who have upon their own application continued on an inactive status to complete preprofessional work at their own expense under the authority contained in current War Department instructions, will be called to active duty upon completion of minimum requirements for admission to schools of medicine, dentistry, or veterinary medicine, or upon the initiation of ASTP preprofessional training at the institutions which they are attending.

f. Members of the Enlisted Reserve Corps, unassigned, referred to in paragraph 1*b*, who are at the time of their resignation attending an approved school of medicine, dentistry, or veterinary medicine, will be called to active duty immediately upon enlistment. Those who have completed the minimum requirements for admission to the appropriate school of medicine, dentistry, or veterinary medicine, and where the interval between the date of enlistment (or date of this circular, in the case of those now enlisted) and the entering date of the class for which accepted is 8 weeks or less, will be called to active duty at such time as will enable them to arrive at the respective institution by which accepted not later than 5 days prior to the entering date of the class for which accepted. Those who have completed such minimum requirements, and where the interval between the date of enlistment (or date of this circular, in the case of those now enlisted) and the entering date of class for which accepted is more than 8 weeks, will be called to active duty immediately upon enlistment, or as soon as practicable after date of this circular, in the case of those now enlisted.

g. Voluntary requests for call to active duty:

(1) Members of the Enlisted Reserve Corps, unassigned, may be called to active duty upon submission in writing of their formal request to the commanding general of the service command of residence.

(2) Members of the Air Corps Enlisted Reserve may be called to active duty upon their own request subject to the approval of the Commanding General, Army Air Forces.

h. Members of the Signal Corps Enlisted Reserve assigned to the Electronics Training Group, Office of the Chief Signal Officer, will be called to active duty at such time as they have completed the prescribed course of training at the institutions where they are receiving training. Students who fail to maintain satisfactory scholastic averages will be discharged from the Signal Corps Enlisted Reserve.

i. Women enlisted in the Women's Army Corps and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty consistent with the time specified on their orders and the needs of the service. This period will not exceed 30 days, except that in individual cases under exceptional circumstances when the commanding general of the service command of residence may grant a reasonable extension.

4. *Discharges.* *a.* Members of Enlisted Reserve Corps components may be discharged:

(1) By order of the President or the Secretary of War.

(2) Members of the Air Corps Enlisted Reserve may be discharged for reasons not included in (3) below by direction of the commanding general of a service command upon the recommendation of the Commanding General, Army Air Forces.

(3) By direction of the commanding general of a service command, or such officers who may be designated by him for that purpose:

(*a*) On account of physical disability. See paragraph (a) (2) (i) of § 64.13.

(*b*) Upon acceptance of a commission in the Armed Forces.

(*c*) Upon conviction and sentence by a civil court for the commission of a crime or crimes as enumerated in Army Regulations.

(*d*) Because of inaptness or failure to possess the required degree of adaptability for military service, or because of evidence of habits or traits of character which render retention in the service undesirable.

b. Members of National Guard units. Upon being relieved from active duty in the military service of the United States all individuals who were members of the National Guard of the United States ordered into the active military service will revert to their National Guard status.

5. In instances where this Circular 117 is in conflict with Army Regulations No. 150–5 and Part 64 of this chapter, the provisions of this circular will govern. All instructions on the Enlisted Reserve Corps issued previous to this circular and in conflict with same are rescinded.

(39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421, 423–427) [Pars. 1, 2, 3, 4 and 7*b*, W.D. Circular 117, March 22, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-4384; Filed, March 28, 1944; 4:35 p. m.]

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

DECORATIONS

Paragraph (b) of § 78.1 (8 F.R. 15482) is amended as follows:

§ 78.1 *Decorations.* • • •

(b) *War Department decorations.* In order of precedence, except that the Oak-Leaf Cluster is issued in lieu of an additional medal, and its precedence is that of the medal it represents.

(1) Medal of Honor.
(2) Distinguished-Service Cross.
(3) Distinguished-Service Medal.
(4) Legion of Merit.
(5) Silver Star.
(6) Distinguished Flying Cross.
(7) Soldiers Medal.
(8) Bronze Star Medal.
(9) Air Medal.
(10) Purple Heart.
(11) Medal for Merit (State, War, and Navy Departments).
(12) Oak-Leaf Cluster.
(13) Good Conduct Medal and Clasps. See § 78.33–78.37.

(40 Stat. 870–872; 41 Stat. 398; 44 Stat. 789; 10 U.S.C. 1403, 1409, 1411, 1429) [Par. 2, AR 600–45, 22 September 1943, as amended by C1, March 9, 1944]

• • • • •

In § 78.2 paragraph (e) (2) and the last sentence of paragraph (h) (1) are amended and paragraph (k) is added, as follows (8 F.R. 15482):

§ 78.2 *To whom decorations awarded.* • • •

(e) *Silver Star.* • • •

(2) Those individuals who, prior to 7 December 1941, have been cited for gallantry in action in orders issued by the headquarters of a force commanded by a general officer, which citations do not warrant the award of the Medal of Honor or Distinguished-Service Cross, may make application for the Silver Star Medal to The Adjutant General, W. D., A. G. O. Form No. 0715 (Application for Silver Star), being used for this purpose.

• • • • •

(h) *Purple Heart.* (1) • • •

One award (the Purple Heart for the first wound, and Oak-Leaf Cluster thereafter) is authorized for each such wound, except that only one award is authorized for two or more wounds received at the same instant.

• • • • •

(k) *Bronze Star Medal.* (1) The Bronze Star Medal is awarded to any person who, while serving in any capacity in or with the Army of the United States, on or after 7 December 1941, distinguishes, or has distinguished, himself by heroic or meritorious achievement or service not involving participation in aerial flight, in connection with military operations against an enemy of the United States.

(2) The required achievement or service for award of the Bronze Star is less than that required for award of the Silver Star or the Legion of Merit, but must nevertheless be accomplished with

distinction. The Bronze Star may be awarded to recognize minor acts of heroism in actual combat or single acts of merit, or meritorious service either in sustained operational activities against an enemy or in direct support of such operations.

(40 Stat. 870–872, 41 Stat. 398, 44 Stat. 789; 10 U.S.C. 1403, 1409, 1411, 1429) [Pars. 13, 15½ and 16, AR 600–45, Sept. 22, 1943, as amended by C 1, Mar. 9, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–4385; Filed, March 28, 1944; 4:35 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5121]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROCKWELL WOOLEN CO.

§ 3.66 (a 7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce, misbranding yarns or other "wool products" as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as defined in said act, by failing securely to affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited; subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of said Wool Products Labeling Act of 1939; and to the further proviso that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, Rockwell Woolen Company, Docket 5121, March 20, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of March A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That respondent, Rockwell Woolen Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding yarns or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said act by failing securely to affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further*, That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–4398; Filed, March 29, 1944; 11:32 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

AVAILABILITY TO PUBLIC OF CERTAIN INFORMATION

Amendment to rule governing documents filed by issuers and others under sections 12 and 13, and repeal of rule relating to publication of information filed under section 16.

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to the authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 16 (a), 23 (a) and 24 (b) thereof, hereby (1) repeals § 240.24b–4 (Rule X-24b–4) and (2) amends paragraph (a) of § 240.24b–3 (Rule X-24b–3) to read as follows:

§ 240.24b–3 *Documents filed by issuers and others under sections 12, 13, and 16.* (a) Except as otherwise provided in this section, each exchange shall keep available to the public, under reasonable regulations as to the manner of inspection, during reasonable office hours, all information regarding a security registered on such exchange which is filed with it pursuant to sections 12, 13, or 16, or any rules or regulations thereunder. This requirement shall not apply to any information to the disclosure of which objection has been filed pursuant to § 240.24b–2, which objection shall not have been overruled by the Commission pursuant to section 24 (b). The making of such information available pursuant to this section shall not be deemed a representation by any exchange as to the accuracy, completeness, or genuineness thereof.

Effective March 28, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4362; Filed, March 28, 1944; 2:39 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T.D. 5351]

PART 81—REGULATIONS RELATING TO ESTATE TAX

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 105 [Part 81, Title 26, Code of Federal Regulations, Cum. Supp.] to sections 501, 505 and 511 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 81.10 the following:

SEC. 501. VALUATION OF UNLISTED STOCK AND SECURITIES FOR ESTATE TAX PURPOSES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

Section 811 (relating to gross estate) is amended (a) by striking out "(k)" at the beginning of subsection (k) and inserting in lieu thereof "(l)", and (b) by inserting after subsection (j) the following:

(k) *Valuation of unlisted stock and securities.* In the case of stock and securities of a corporation the value of which by reason of their not being listed on an exchange and by reason of the absence of sales thereof, cannot be determined with reference to bid and asked prices or with reference to sales prices, the value thereof shall be determined taking into consideration, in addition to all other factors, the value of stock or securities of corporations engaged in the same or a similar line of business which are listed on an exchange.

PAR. 2. Section 81.10 (c) is amended by inserting immediately after the first sentence of the sixth paragraph thereof the following sentences:

Among such other relevant factors to be considered are the values of securities of corporations engaged in the same or a similar line of business which are listed on an exchange. However, the weight to be accorded such comparisons or any other evidentiary factors considered in the determination of a value depends upon the facts of each case.

PAR. 3. There is inserted immediately after section 10 of the Current Tax Payment Act of 1943, which was inserted by Treasury Decision 5283, approved July 12, 1943, and preceding section 302 (f) of the Revenue Act of 1926 (as originally enacted), as set forth preceding § 81.24, the following:

SEC. 505. EXTENSION OF TIME IN CONNECTION WITH RELEASE OF POWERS OF APPOINTMENT. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

Section 403 (d) (3) of the Revenue Act of 1942 is amended by striking out "March 1, 1944" wherever it appears and inserting in lieu thereof "January 1, 1945" • • •

PAR. 4. Section 81.24 (b), added by Treasury Decision 5239, approved March 10, 1943, and as amended by Treasury Decision 5283, is further amended as follows:

(A) By striking out "February 29, 1944" wherever it appears and by inserting in lieu thereof "December 31, 1944".

(B) By striking from the first sentence of paragraph (3) "(as amended by section 10 of the Current Tax Payment Act of 1943)" and by inserting in lieu thereof "(as amended by section 505 of the Revenue Act of 1943)".

(C) By striking out "March 1, 1944" wherever it appears and by inserting in lieu thereof "January 1, 1945".

PAR. 5. There is inserted immediately after section 401 of the Revenue Act of 1942, which was inserted by Treasury Decision 5239, and preceding § 81.44, the following:

SEC. 511. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

(a) *Deduction in case of citizens and residents.* The first sentence of section 812 (d) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942, if the disclaimer is made prior to September 1, 1944".

• • • • • •

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

PAR. 6. Section 81.44 is amended by striking out the first two sentences of the second paragraph, added by Treasury Decision 5239, and by inserting in lieu thereof the following sentences:

The amount of the bequest, legacy, devise, or transfer, for which a deduction is allowable under the provisions of this section, includes the interest which falls into any such bequest, legacy, devise, or transfer, as a result of an irrevocable disclaimer of a bequest, legacy, devise, transfer, or power, if the disclaimer is made (1) prior to September 1, 1944, in the case of a decedent dying on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, or (2) prior to the date prescribed for the filing of the estate tax return in the case of a decedent dying after October 21, 1942. The disclaimer must not only be made (1) prior to September 1, 1944, in the case of a decedent dying on or before October 21, 1942, or (2) prior to the date prescribed for the filing of the estate tax return (including such date as may be prescribed in an extension of time granted for the filing of such return) in the case of a decedent dying after October 21, 1942, but must be irrevocable at the time the deduction is allowed.

PAR. 7. There is inserted immediately after section 401 of the Revenue Act of 1942, which was inserted by Treasury Decision 5239, and preceding § 81.51, the following:

SEC. 511. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

• • • • • •

(b) *Deduction in case of nonresidents not citizens.* The first sentence of section 861 (a) (3) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942, if the disclaimer is made prior to September 1, 1944".

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467, 26 U.S.C. 3791) and secs. 501, 505 and 511 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 27, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4342; Filed, March 28, 1944; 11:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-506, Stay of Execution]

SINGER STEEL COMPANY

Albert Singer, doing business as Singer Steel Company of Cleveland, Ohio, has appealed to the Chief Compliance Commissioner from the provisions of Suspension Order S-506 and has represented that its business would be irreparably impaired by the suspension order, and that a stay of the suspension order would permit it to complete necessary deliveries to manufacturers of essential materials. In order to prevent interference with essential deliveries and pending determination of the appeal, the Chief Compliance Commissioner has directed that Suspension Order S-506 be stayed. *It is hereby ordered*, That:

The provisions of § 1010.506 *Suspension Order S-506* are hereby stayed.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4382; Filed, March 28, 1944; 4:28 p. m.]

PART 3087—ELECTRONIC EQUIPMENT

[General Limitation Order L-183-a, Interpretation 1]

RELATION OF THE PRECEDENCE LIST TO SCHEDULING

The following interpretation is issued with respect to General Limitation Order L-183-a:

This is an official interpretation of § 3087.2, *General Limitation Order L-183-a*. It is issued to answer two questions which have frequently arisen with respect to this order, but it does not represent any change in the scope and operation of the order. It simply clarifies the meaning and intent of this order

and its relation to General Scheduling Order M–293

(1) Some persons have asked whether electronic components, such as resistors and capacitors, are subject to the order when they are purchased for use in such things as fire control devices, battle-announce systems and airframes which are assigned relative urgencies by the Precedence List. The answer is "yes"—Limitation Order L–183–a is intended to apply and does apply to the scheduling of these components when Precedence List designations are extended to them.

(2) Questions have often been asked as to the relation of Limitation Order L–183–a to General Scheduling Order M–293. Shipping schedules for products listed under Order M–293, when frozen by the War Production Board under Order M–293, are subject to change only in the manner provided in Order M–293, and Priorities Regulation 18. This means that preference ratings, reratings and Precedence List designations received during the frozen schedule period cannot change the frozen schedule. Such ratings, reratings and Precedence List designations may, however, serve as a guide and justification for the issuance of a schedule change by the industry division of the War Production Board responsible for that schedule. Once a shipping schedule is frozen under Order M–293, therefore, there is nothing in Order L–183–a which can change that schedule. The insurance of the flexibility necessary to fulfill changing strategic needs lies in the authority of the industry division to "unfreeze" or issue changes in such a frozen schedule on the basis of Precedence List urgencies or other considerations.

The relative urgencies established by the Precedence List as indicated by Precedence List designations still remain the basic guide, however, for the initial scheduling of electronic equipment and components. Order M–293 in no sense relieves manufacturers of complying with the provisions of Order L–183–a prior to the time a schedule has actually become frozen under Order M–293. Only after a schedule has been frozen under Order M–293 does Order L–183–a become inoperative, and then only as to the frozen schedule. In preparing a product schedule for filing under Order M–293 a manufacturer should arrange the sequence of shipments on that schedule according to the Precedence List in the manner prescribed by Order L–183–a, to whatever extent Precedence List information is available. In doing so, however, he must not disturb the sequence of any shipping dates already frozen in his schedule under Order M–293

The impression has appeared from time to time that a rated order for electronic equipment or components which does not bear a Precedence List designation may be rejected. That is incorrect—the absence of a Precedence List designation does not provide a reason for rejecting a rated order. Another erroneous impression which should be corrected is that all orders without Precedence List designations are inferior to orders with equal preference ratings and Precedence List designations. An AA–1 order without Precedence List designation is not inferior to an AA–1 order with Precedence List designation. The position of an order without Precedence must never be displaced by an order with Precedence simply because the latter bears Precedence. The positions of orders with and orders without Precedence List designation, where they bear the same preference rating, are established in relation to each other according to the dates they were received, as provided in Priorities Regulation No. 1 (especially § 944.7).

Scheduling according to the Precedence List sequence takes place only among those orders which bear Precedence List designations and the same preference rating. For example, orders rated AAA and carrying Precedence may be scheduled in relation to each other according to Precedence, and orders rated AA–1 carrying Precedence may be scheduled in relation to each other according to Precedence. It is clear, therefore, that Precedence never results in lower rated orders being scheduled ahead of higher rated orders.

(3) Priorities Regulation 1 now provides in part (§ 944.2 (a)) that: "A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted * * *". In applying that rule to purchase orders with Precedence List designations, the Precedence List designations must be considered as well as the ratings. For example, a purchase order rated AA–1 with a Precedence of A–10 calling for delivery in May may be accepted even though it will interfere with May deliveries on previous AA–1 purchase orders with lower Precedences (e. g., A–20, B–5, C–10, etc.). It must not be accepted, however, if May delivery cannot be made without interference with AAA orders or AA–1 orders with Precedence of A–10 or higher (e. g., A–1, A–2, etc.). Furthermore, it must not be accepted if May delivery cannot be made without interference with May deliveries on previous AAA orders or AA–1 orders which have no Precedence List designation.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4400; Filed, March 29, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–227–b as Amended Mar. 29, 1944]

WOOD CASED AND OTHER NON-MECHANICAL PENCILS AND PEN HOLDERS

§ 3291.212 *General Limitation Order L–227–b*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted pencil" means any wood cased pencil or other writing instrument containing a nonmovable core of lead or other marking material encased in a sheath of wood, paper, or other material which sheath has a thickness greater than .010 of an inch.

(2) "Pen holder" means an instrument designed to hold a pen nib in position for writing, except fountain pens as defined in Order L–227.

(3) "Manufacturer" means any person who manufactures or assembles restricted pencils or pen holders.

(b) *Specifications for restricted pencils and pen holders.* No manufacturer shall use in the manufacture of restricted pencils or pen holders any:

(1) Copper or copper base alloy;

(2) Crude, reclaimed or synthetic rubber except as permitted in Rubber Order R–1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(c) *Limitation on production of restricted pencils and pen holders.* (1) From July 1, 1943, through September 30, 1943, no manufacturer shall produce more than:

(i) 22% of the number of restricted pencils produced by him during 1941;

(ii) 31¼% of the number of pen holders produced by him during 1941.

(2) During the calendar quarter beginning October 1, 1943, and during each calendar quarter after that, no manufacturer shall produce more than:

(i) 20¼% of the number of restricted pencils produced by him during 1941;

(ii) 24% of the number of pen holders produced by him during 1941.

(d) *Reports.* Every manufacturer producing any restricted pencils and pen holders shall file with the War Production Board, Washington 25, D. C., Ref: L–227–b, Form WPB–1600 (formerly PD–655) on or before the 15th days of October, January, April and July, executed in accordance with the instructions for filing that Form.

(e) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of restricted pencils and pen holders, inventories of raw materials, semi-processed materials, or finished parts in quantities greater than the minimum amount necessary to maintain production at the rates permitted by this order.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order should be filed on Form WPB–1477 (formerly PD–500).

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted pencils and pen holders to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–227–b.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4399; Filed, March 29, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 17]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph of section 5 of the Rent Regulation for

[1] 9 F.R. 2165, 2290.

Hotels and Rooming Houses is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on the maximum rent date the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on the maximum rent date.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4348; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, N. Y. C.,[1] Amdt. 7]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph in section 5 of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7), (c) (4) and (c) (5) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1943 the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on September 30, 1943.

In cases under paragraph (c) (5) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4350; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, Miami,[1] Amdt. 2]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph of Section 5 of the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on September 1, 1943, the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since September 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on September 1, 1943.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4351; Filed, March 28, 1944; 11:53 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 20]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing is amended in the following respects:

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, be-

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[1] 8 F.R. 13910, 14617, 14814, 15581, 16219, 16893; 9 F.R. 2086.

[1] 8 F.R. 14043, 16033.

[1] 8 F.R. 14663, 14815, 15585, 16032, 16206, 16427, 17297; 9 F.R. 206, 972, 2176, 2280.

cause of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The first unnumbered paragraph of section 5 is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

3. Section 5 (a) (10) is added to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4353; Filed, March 28, 1944; 11:58 a. m.]

PART 1388—DEFENSE RENTAL AREAS

[Rent Reg. for Housing, Miami,[1] Amdt. 3]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 4 (c) is amended to read as follows:

(c) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on September 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (c) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (c) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The fifth unnumbered paragraph of section 5 is amended to read as follows:

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since September 1, 1943.

3. Section 5 (a) (9) is added to read as follows:

(9) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (c), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on September 1, 1943, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

This paragraph (a) (9) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4349; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, N. Y. C.,[1] Amdt. 6]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

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[1] 8 F.R. 13118, 14047, 16033,

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087.

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on March 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The first unnumbered paragraph of section 5 is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1943, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (c) (6), and (c) (8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on September 30, 1943.

In cases under paragraph (c) (8) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

3. Section 5 (a) (10) is added to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable accommodations on March 1, 1943, giving due consideration to general increases in costs of construction, if any, in the Defense-Rental Area since March 1, 1943.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4363; Filed, March 28, 1944; 11:58 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[RMPR 169,[1] Amdt. 39]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1364.405 (d) is amended to read as follows:

(d) Upon the petition of any person or upon his own motion, the Administrator may, by order, authorize the sale or delivery to a War Procurement Agency, of any meat item subject to this revised regulation, where it is found: (1) that an inventory of meat items has been accumulated (showing each item and the total volume in pounds), which items were prepared pursuant to a contract, agreement or at the request of a War Procurement Agency on the basis of specifications issued by the Office of Price Administration or by a War Procurement Agency and adopted by the Office of Price Administration; (2) that by reason of a change in specifications or the provisions of this revised regulation, the sale or delivery of the accumulated inventory is prohibited; and (3) that a War Procurement Agency indicates in writing that it is essential for it to obtain such accumulated inventory (showing the items and total inventory in pounds required).

Upon proof of the foregoing, the Administrator shall authorize the applicant to sell or deliver such accumulated inventory or portion thereof, to the designated War Procurement Agency at a maximum price or prices in line with appropriate prices established for sales of beef and veal, and may require delivery within a time specified by the Administrator. Any person authorized to make sales or deliveries pursuant to this paragraph (d) shall submit a copy of the authorization issued hereunder with the invoice submitted for payment.

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4370; Filed, March 28, 1944; 4:09 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 15]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 364 is amended in the following respects:

1. The text of section 3 (f) is redesignated section 3 (f) (1), its headnote is changed to read *"Sales to government agencies"* and subparagraph (2) is added to read as follows:

(2) *Sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species).* The maximum price for sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species) to any government agency is 21½ cents per pound. This price is f. o. b. the shipping point for dressed smelts packed in a container of the customary size and kind meeting specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price. This item may be sold only to government agencies.

2. Section 12 is amended by inserting after the definition of "Frozen fish" the following definition:

"Government agency" means the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government.

3. In the table of base prices in section 14, the name of Schedule No. 60 is amended and reference to footnote 9 is added thereto to read as follows:

Smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species)*

4. Footnote 9 is added at the end of the table of prices in section 14 to read as follows:

*The processor shall deduct 3½ cents from the base price if he does not either wash and repack the smelts in layers or wash and individually freeze the smelts.

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4371; Filed, March 28, 1944; 4:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[1] Amdt. 5]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 150 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all sales of domestic and imported finished rice whether for immediate or future delivery within the 48 states and the District of Columbia of the United States.

(b) This regulation shall have no application to any finished rice purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

2. Section 3 (b) (6) is hereby redesignated section 3 (b) (7) and a new section 3 (b) (6) is hereby added to read as follows:

(6) The practice known as "toll milling" or "custom milling", by which a producer, distributor (other than a processor) or other person arranges to have his rough rice processed by a mill and to pay a fee for the processing, shall be and it hereby is prohibited as a device used for the purpose of avoiding the provisions of this regulation, and is permitted only when the following provisions are complied with:

(i) The owner of the rough rice must retain title during the processing.

(ii) The owner of the rough rice must assume all risks of loss due to breakage or other damage during the processing, except for such loss as is occasioned by the misconduct or neglect of the processor for which the processor would be legally liable.

(iii) The owner shall not purchase the rough rice from the processor performing the toll milling service, nor shall he sell the processed product or by-products to the processor.

(iv) The processor shall not negotiate the purchase of the rough rice nor the sale of the processed rice for the owner, nor act as agent of the owner in any such transaction, nor receive any fee or commission in connection with the purchase or sale of the product.

(v) The processor shall return to the owner all of the identical processed rice and by-products yielded by the rough rice processed for the owner and shall not substitute other rice or by-products on a quantity equivalent or other basis.

This amendment shall become effective April 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4402; Filed, March 29, 1944; 11:38 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amdt. 6]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 275 is amended in the following respects:

1. Section 1351.1313 is amended to read as follows:

§ 1351.1313 *Records and reports.* Every person, covered by this regulation, who sells "packaged honey" at the prices determined pursuant to § 1351.1319 (c), shall preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all of his existing records which were the basis for the computation required in order to determine prices under that section.

2. A new § 1351.1319 (e) is added to read as follows:

(e) *Filing of Forms 1-A, 1-B, and 1-C.* A seller shall not sell or deliver any item of "packaged honey" at prices determined pursuant to paragraph (c) of § 1351.1319 unless and until he has obtained from and filed with the Sugar Section, Food Price Division, Office of Price Administration, Washington, D. C., one copy of Forms Nos. 1-A, 1-B, and 1-C. These forms, when executed, shall be sent to the Office of Price Administration, Washington, D. C., and shall be deemed filed on the second day following the date on which they are mailed.

(1) If the Office of Price Administration finds that the prices reported in Forms Nos. 1-A, 1-B, and 1-C, are higher than those allowed by § 1351.1319 (c) or it finds that the forms have been improperly executed, or omit required information necessary to determine whether the prices reported therein are in excess of those allowed by § 1351.1319 (c), the Office of Price Administration may at any time by letter or telegram object to prices thus reported. A seller, after receiving such letter or telegram, shall not sell or deliver any item, the prices of which have been objected to, at prices higher than those set forth in § 1351.1319 (b) until he has resubmitted Forms Nos. 1-A, 1-B, and 1-C and received from the Office of Price Administration a letter notifying him that the prices thus resubmitted are correct.

3. Section 1351.1319 (f) is amended to read as follows:

(f) *Delivered prices.* The prices which a seller determines pursuant to § 1351.1319 (c) or § 1351.1319 (f) are all f. o. b. packing plant. Except as provided below, the delivered price to a purchaser shall not exceed the f. o. b. price to that purchaser plus actual freight charges incurred from the packing plant to that purchaser's receiving point.

(1) A seller who wishes to establish a uniform maximum delivered price for an item of packaged honey to a particular class of purchasers in a particular zone or area may do so by adding to his f. o. b. packing plant price to that class of purchasers his "weighted average transportation charges" from his packing plant to that class of purchasers' receiving points. For any zone or area this "weighted average transportation

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[1] 9 F.R. 1121, 2023, 2136.

[1] 8 F.R. 4840, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998; 9 F.R. 183, 946, 2023.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4783, 10756, 12873, 14076, 15322.

[1] 7 F.R. 9955; 8 F.R. 542, 1226, 2337, 3947, 9502, 9218.

charge" shall be figured by him as follows: he shall (i) determine the total estimated transportation charges which would have been incurred if the shipments of the item which he made during the one-year period immediately preceding the date of calculation, to the particular class of purchasers in that zone or area, had been at rates in effect on the date of calculation, and (ii) divide that figure by the total number of pounds or other units of the items included in those shipments. Where more than one means of transportation is used averages shall be taken separately for each.

(2) Any seller covered by this regulation who sells "packaged honey" directly to a retailer from a branch warehouse owned or controlled by the seller and located in a city other than that in which the seller's packing plant is located, may establish maximum delivered prices for such sales determined by adding together the following:

(i) His maximum price for sales of the item to wholesalers f. o. b. packing plant.

(ii) The freight, if any, incurred on the item from the packing plant to branch warehouse; or if he has more than one branch warehouse in a particular zone or area and wishes to sell the item at a uniform price within the zone or area within which the branch warehouses are located, the "weighted average transportation charges" from the packing plant to the warehouses within the particular zone or area. "Weighted average transportation charges" shall be figured in accordance with the method set forth in subparagraph (1) above.

(iii) The sum obtained by multiplying the markup figure appropriate to the particular sale which would have been applicable to him as a "wholesaler" operating under MPR 421 had he purchased the finished product and not bottled or packed it, by the total of (i) and (ii); plus such additional transportation charges which a wholesaler would be permitted to add by Maximum Price Regulation 421.

4. A new § 1351.1319 (i) is added to read as follows:

(i) *Notification of new maximum prices.* In any case where a seller's maximum price for an item of "packaged honey" is different from the price which he had for such item prior to April 4, 1944, he shall, with the first delivery of the item after April 3, 1944, supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

The Office of Price Administration has authorized us to adjust our ceiling price for packaged honey. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under the Office of Price Administration Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you after April 3, 1944, from your customary type of supplier accompanied by this notification. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the sixty-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment instead of providing it with the goods.

This amendment shall become effective April 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 21, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4405; Filed, March 29, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 340,[1] Correction]

CORN

In section 20 (e) in the list of counties under Alabama, the word "Walter" is changed to read "Walker".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4401; Filed, March 29, 1944; 11:38 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 472,[2] Amdt. 1]

CERTAIN ESSENTIAL OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 472 is amended in the following respects:

1. Section 1 (b) is added to read as follows:

(b) *Transactions excluded from this regulation.* This regulation does not apply to sales at retail, that is, sales to ultimate consumers other than industrial or commercial users.

2. Section 7 (b) is revoked and paragraph (c) of section 7 is redesignated "(b)."

3. Section 11 (a) (6) is amended to read as follows:

(6) "Dealer" means:

(i) In the case of natural oil of peppermint and natural oil of spearmint, a person who customarily is in the business of selling these essential oils, other than such oils distilled from plants grown by him or distilled by him from plants grown by others. As used here, the word "dealer" does not, however, include drug wholesalers.

(ii) In the case of U. S. P. redistilled oil of peppermint, a person other than a drug wholesaler who sells oil of peppermint U. S. P.

(iii) In the case of premium grades of U. S. P. redistilled oil of peppermint, a person other than a drug wholesaler who sells these premium grades.

4. Section 11 (a) (7) is added to read as follows:

(7) "Drug wholesaler" means a person who sells the essential oils covered by this regulation principally to retail druggists.

5. Section 11 (a) (8) is added to read as follows:

(8) "Premium grade of U. S. P. redistilled oil of peppermint" means a U. S. P. redistilled oil of peppermint which has been further treated by fractional distillation to yield a grade of oil which is deemed to have more desirable organoleptic properties than the usual grade of U. S. P. redistilled oil of peppermint and is produced by a person who produced such grade prior to July 1, 1943.

6. Appendix A is amended to read as follows:

APPENDIX A—MAXIMUM PRICES FOR NATURAL OILS OF PEPPERMINT AND SPEARMINT AND U. S. P. REDISTILLED OIL OF PEPPERMINT

(a) *Sales by producers.* The maximum prices for sales by producers of natural oils of peppermint and spearmint in any quantity and any container, f. o. b. producer's shipping point, shall be:

	Per pound
Natural oil of peppermint	$7.00
Natural oil of spearmint	3.50

A buyer purchasing the natural oils of peppermint or spearmint from a producer through a broker or other agent acting for him may, in addition to the above maximum prices, pay such broker or agent a buying commission no higher than the customary commission paid by such buyer during the calendar year of 1942. If the buyer paid no such commission during that period, then the commission shall be no higher than the customary commission paid by like buyers for like services on such a purchase during the calendar year 1942. But in no case shall the commission be more than 10 cents per pound.

(b) *Sales by dealers.* (1) The maximum prices for sales by dealers of the natural oils of peppermint and spearmint and U. S. P. redistilled oil of peppermint shall be:

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 17512; 9 F.R. 2021.

[2] 8 F.R. 13126.

Per pound, in drums of at least 400 lbs. capacity	
Natural oil of peppermint	$7.50
Natural oil of spearmint	4.00
U. S. P. redistilled oil of peppermint	8.05

Each dealer shall apply to the maximum prices for sales in drums for each essential oil listed above the same discounts, credit terms, dollar and cent packaging price differentials, practices relating to the payment of freight charges and other transportation costs and other practices which were in effect during the calendar year 1942 on sales by the dealer of the particular essential oil.

Where the dealer did not make sales in drums during the calendar year 1942, the dollar and cent packaging price differential per pound for any particular essential oil in any particular package in any quantity to any class of purchasers shall be determined as follows: From the maximum price per pound as determined under the General Maximum Price Regulation for that essential oil in that package in the same quantity and to the same class of purchasers, subtract the applicable one of the following prices per pound:

In the case of natural oil of spearmint	$3.50
In the case of natural oil of peppermint	5.50
In the case of U. S. P. redistilled oil of peppermint	5.75

(2) The maximum price for sales by a dealer of a premium grade of U. S. P. redistilled oil of peppermint in any quantity and any packaging shall be $8.05 per pound plus the dollar and cent differential per pound that the dealer had on July 1, 1943 between his maximum prices per pound in the same quantity and packaging to the same class of purchaser for that premium grade of U. S. P. redistilled oil of peppermint and for his lowest grade of U. S. P. redistilled oil of peppermint.

(3) Dealers in the natural oils of peppermint, spearmint and U. S. P. redistilled oil of peppermint may, at their option, establish as their maximum prices those prices therefor determined pursuant to the provisions of the General Maximum Price Regulation.

(c) *Sales by producer-dealers.* Where a person is a dealer and sells not only oils produced by others but also oils produced by himself, the maximum prices established in paragraph (a) above for producers shall apply to his sales of the natural oils of peppermint and spearmint that he produces himself. The maximum prices established in paragraph (b) above for dealers shall apply to his sales of the oils produced by others.

(d) *Sales by drug wholesalers.* The maximum prices for sales by a drug wholesaler of the natural oils of peppermint and spearmint and U. S. P. redistilled oil of peppermint shall be the maximum prices as determined under the General Maximum Price Regulation, except that in the case of the natural and U. S. P. redistilled oils of peppermint there may be added to the maximum price per pound determined under the General Maximum Price Regulation an amount not in excess of $1.60 per pound.

This amendment shall become effective April 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4403; Filed, March 29, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended, Corr. to Supp. Service Reg. 26 [1]]

BUNKER FUEL SOLD TO FOREIGN STEAMSHIP VESSELS

Section 1499.2257 is corrected by inserting the words "bituminous coal sold for direct use as" after the words "maximum price which suppliers of" and before the words "bunker fuel."

This correction to Supplementary Service Regulation No. 26 (§ 1499.2257) to Maximum Price Regulation No. 165 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4406; Filed, March 29, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 111]

CORN STARCH AND DEXTRINE PRODUCTS IN BULK

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 6.41 (a) (2) is amended to read as follows:

(2) $0.62 per hundredweight in the case of any type or grade of corn starch or dextrine product in bulk with an average March 1942 moisture content between and including 11½ percent and 14 percent. In the case of any type or grade of corn starch or dextrine product in bulk which had a March 1942 average moisture content below 11½ percent or above 14 percent the maximum selling price for that product shall be computed by adjusting the figure $0.62 on the basis of dry starch of 11½ percent moisture content. In the case of products not wholly corn starch or dextrine the figure $0.62 shall be adjusted by multiplying it by the percentage (by weight) of the corn starch of dextrine contained therein, also on the basis of dry starch of 11½ percent moisture content.

This amendment shall become effective April 4, 1944.

(56 Stat. 23,756; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4404; Filed, March 29, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 947.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION: VETERANS CLAIMS

DISALLOWANCE AND AWARDS

Section 3.1257 is amended in the following respect:

§ 3.1257 *Notice of reduction to institution.* [Canceled March 31, 1944.]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44-4374; Filed, March 28, 1944; 4:17 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1570]

PART 160—GRAZING LEASES

RENTAL CHARGE

The regulations authorizing the issuance of grazing leases contained in Part 160 are amended as follows:

Section 160.23 is amended by adding the following sentence at the end thereof: "In no lease, however, will the rental charge be fixed at less than $1.00 per annum."

FRED W. JOHNSON,
Commissioner.

Approved: March 21, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-4389; Filed, March 29, 1944; 10:00 a. m.]

[Public Land Order 213]

WYOMING

RESERVING ADDITIONAL PUBLIC LANDS IN CONNECTION WITH THE GREYS RIVER ELK WINTER PASTURE AND FEED GROUND

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Lincoln County, Wyoming, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws and the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Game and Fish Commission of the State of Wyoming in addition to the lands reserved by Public Land Order No. 155 of August 4, 1942, in connection with the Greys River Elk Winter Pasture and Feed Ground, under such conditions as may be prescribed by the Secretary of the Interior:

SIXTH PRINCIPAL MERIDIAN

T. 36 N., R. 119 W.
Sec. 2, lots 1, 2, 3, and 4, S½NE¼, and E½SE¼;
Sec. 3, lot 1;
Sec. 11, NE¼ and N½SE¼.
The areas described aggregate 647.31 acres.

The reservation made by this order supersedes, as to the above-described lands, the general withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

MARCH 10, 1944.

[F. R. Doc. 44-4390; Filed, March 29, 1944; 10:09 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 4]

YAKIMA PROJECT, WASH.; ROZA DIVISION

ANNOUNCEMENT OF ANNUAL WATER RENTAL CHARGES [1]

MARCH 17, 1944.

1. Whereas, I have determined that it is factually impossible, in view of provision for construction of distribution works by the United States under the contract with the Roza Irrigation District dated December 13, 1935, to make water available for diversion by said District for irrigation use as contemplated in article 16 of the contract of July 8, 1921, as amended by the contract with the said District dated April 15, 1935; and

2. Whereas, it is factually impossible to promulgate during the year 1944, any of the public notices of construction charges contemplated in article 12 of said contract dated December 13, 1935, because construction work contemplated by said contract is not sufficiently advanced; therefore

3. Announcement is hereby made, pursuant to article 31 of the contract dated December 13, 1935, that water may be furnished, if and when available, during the irrigation season of 1944 (from April 1 to October 31, inclusive) for the irrigation of Roza Irrigation District lands, hereinafter described, upon a water rental basis, at rates and upon terms following:

(a) For privately owned lands under the Yakima Ridge Canal in the following sections:

Sections 1, 11, 12, 13, and 14, T. 12 N., R. 19 E., Willamette meridian;
Sections 16, 22, 23, 25, 26, and 36, T. 13 N., R. 19 E., Willamette meridian;
Sections 17, 20, 29, and 32, T. 14 N., R. 19 E., Willamette meridian;
Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 24, and 25, T. 11 N., R. 20 E., Willamette meridian;
Sections 4, 5, 6, 7, 8, 9, 17, 18, 28, 29, 30, 31, 32, 33, and 34, T. 12 N., R. 20 E., Willamette meridian;
Sections 30, 31, and 32, T. 13 N., R. 20 E., Willamette meridian;
Sections 1, 2, 3, and 4, T. 10 N., R. 21 E., Willamette meridian;
Sections 7, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, and 36, T. 11 N., R. 21 E., Willamette meridian;
Sections 1, 2, 3, 4, 5, 6, 11, and 12, T. 10 N., R. 22 E., Willamette meridian;
Sections 29, 30, 31, 32, 33, 34, 35, and 36, T. 11 N., R. 22 E., Willamette meridian;
Sections 5, 6, 7, 8, 17, 18, 19, and 20, T. 10 N., R. 23 E., Willamette meridian;
Section 31, T. 11 N., R. 23 E., Willamette meridian.

(b) A minimum charge of one dollar and eighty cents ($1.80) per irrigable acre for each irrigable acre of the legal subdivision for which such service is requested for two (2) acre-feet per acre per annum, and payable by the District to the United States in advance of delivery of water. Additional water will be furnished at the following rates payable by the District in advance:

	Per acre-foot
Third acre-foot per acre	$1.35
Fourth acre-foot per acre	1.80
Fifth acre-foot per acre	2.25

4. Water will be delivered and measured at the tap or weir nearest to the individual farms.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or are held under contract of purchase by persons duly qualified to receive water under the terms of said Reclamation Act of June 17, 1902 (32 Stat., 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 13, 1935, between the United States and the Roza Irrigation District, including:

(a) The execution and delivery of the recordable contract as provided for in article 28 of said contract.

(b) The execution and delivery of an application for water service, as provided for in article 28 of said contract; and

(c) The execution and delivery of a valid recordable contract, in the case of ownership of excess land, as provided for in article 29 of said contract.

6. Applications for water on the basis of this announcement will be received at the office of the Secretary of the Roza Irrigation District at Zillah, Washington, and payments will be made to that office.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat., 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4391; Filed, March 29, 1944; 10:13 a. m.]

[No. 16]

OWYHEE IRRIGATION PROJECT, ORE.-IDAHO

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES [1]

MARCH 16, 1944.

1. Announcement is hereby made that water will be furnished during the irrigation season of 1944 (April to October, both inclusive) and thereafter until further notice, for the irrigation of project lands hereinafter described, upon a water rental basis at rates and upon terms following:

For lands in the Gem, Owyhee, Ontario-Nyssa, Advancement, Payette-Oregon Slope, Bench, Crystal, and Slide Irrigation Districts, the minimum rental charge for the irrigation season of 1944 and thereafter until further notice, for water delivered to or for the farms by Government forces, will be two dollars and forty cents ($2.40) per irrigable acre, payable by all landowners in advance of the delivery of any water, but not later than December 31st of each year, said payment to be made by each landowner for his total irrigable area. The said minimum charge of two dollars and forty cents ($2.40) per irrigable acre shall be payable whether water is used or not and will entitle the water user to three (3) acre-feet of water per irrigable acre for each irrigation season. Additional water will be furnished during each irrigation season at the rate of seventy-five cents ($0.75) per acre-foot, and shall be payable by each landowner to the district in which his land is situated on or before December 30th of each year. Charges for such excess water shall be payable by the districts to the United States on or before December 31st of each year: *Provided*, That, if the Gem and Ontario-Nyssa Irrigation Districts elect to continue operation of their pumping plants and old distribution systems at their own expense, the minimum charge for water delivered and measured, as provided in paragraph 4 hereof, to the Gem Irrigation District for the old land farms in that district and to the Ontario-Nyssa Irrigation District for the farms in that district, will be reduced to one dollar and twenty cents ($1.20) per irrigable acre, which reduced minimum charge will entitle the water user to three (3) acre-feet of water per irrigable acre and shall be payable in advance of the delivery of water but not later than December 31st of each year by each landowner for his total irrigable area, whether water is used or not. The charge for any water delivered under this proviso to such lands in the Gem and Ontario-Nyssa Irrigation Districts in excess of three (3) acre-feet per irrigable acre will be reduced to thirty-seven and one-half cents ($0.375) per acre-foot, which excess water charge shall be payable by the landowners to their districts on or before December 30th of each year and, in turn, by the districts to the United States on or before December 31st of each year, the measurement of water in each case to be made as provided in paragraph 4 hereof.

2. No distinction will be made between water pumped from the Snake River and water delivered from the Owyhee Reservoir.

3. Electric power used by the Government for pumping water delivered under this notice will be charged to the project as a whole and not to the particular districts for which water may be pumped.

4. Water will be delivered and measured by the Government forces at the nearest available measuring device to the individual farm, except that in the case of the Gem and Ontario-Nyssa Irrigation Districts, if these districts elect to continue operation of their pumping plants and old distribution systems at their own expense, the water delivered to or for the farms by the district forces will be measured by the Government at the pump outlets and at feeders from the Owyhee gravity canals and for the purpose of computing water rental charges under paragraph 1 hereof a reduction of fifteen per centum (15%) to cover losses in the

[1] Act of June 17, 1902, 32 Stat. 388, as amended and supplemented.

distribution system will be made on measurements of water at pump outlets and feeders for the old lands of the Gem District.

5. If the charges or any part thereof are unpaid on the date due there shall be added a penalty of one-half of one per centum of the amount unpaid, and there shall be added a like penalty of one-half of one per centum of the amount unpaid on the first day of each month thereafter so long as such default shall continue.

6. Individual landowners will make their application for water and the payments required by this public notice direct to their irrigation district office. Applications by the irrigation districts for water and payments by the districts to the United States on the basis of this public notice will be received at the office of the Assistant Regional Director, Bureau of Reclamation, Boise, Idaho.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941), 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4392; Filed, March 29, 1944; 10:13 a. m.]

[No. 40]

KLAMATH IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER CHARGES [1]

MARCH 23, 1944.

1. *Operation and maintenance charges.* The annual operation and maintenance charge for the irrigation season of 1944 against all lands of the Main division lying outside of the Klamath Irrigation District shall be a minimum charge of one dollar and eighty-eight cents ($1.88) per irrigable acre, whether water is used or not, which will entitle the water user to two and one-half (2½) acre-feet of water per irrigable acre. Additional water will be furnished at the rate of fifty cents ($0.50) per acre-foot.

2. The annual operation and maintenance charge for the irrigation season of 1944 against all lands under district or individual Warren Act contracts, shall be a minimum charge of ninety-four cents ($0.94) per irrigable acre, whether water is used or not. Pending the final adjustment of differences between certain Warren Act contractors and the Bureau arising out of charges for additional water, the charge of twenty-five cents ($0.25) per acre-foot for additional water, announced in prior notices, will not be made for this season.

3. *Water rental charges.* The annual water rental charge for the irrigation season of 1944 against all lands of the Tule Lake division lying outside of the Klamath Irrigation District and subject to Public Orders of January 22, 1927; March 30, 1928; February 6, 1929; September 10, 1930; October 16, 1931; and September 9, 1937; shall be a minimum charge of two dollars and twenty cents ($2.20) per irrigable acre, whether water is used or not, which will entitle the water users to two and one-half (2½) acre-feet of water per irrigable acre. Additional water will be furnished up to a limit of three and one-half (3½) acre-feet per irrigable acre at a rate of fifty cents ($0.50) per acre-foot and all further quantities for seventy-five cents ($0.75) per acre-foot.

4. For irrigation or waste water furnished Tule Lake leased lands the charge, unless otherwise specified in the leases, shall be seventy-five cents ($0.75) per acre-foot for the season of 1944.

5. For irrigation or waste water furnished private lands within the dry bed of or bordering Lower Klamath Lake, the charge shall be fifty cents ($0.50) per acre-foot for the season of 1944.

6. For water furnished lands not subject to the operation and maintenance or water rental charges named above the charges shall be eighty-five cents ($0.85) per acre-foot for the season of 1944.

7. *Time of payment.* For lands of the Tule Lake division under public notice or public order lying outside of the Klamath Irrigation District, the minimum charge of two dollars and twenty cents ($2.20) per irrigable acre stated above will be due and payable one-half before the delivery of water, if water is delivered before July 1, and one-half on or before July 1. If no water is delivered before July 1, then the entire charge shall become due and payable on that date. If the charge, or any part thereof, is unpaid on that date there will be added a penalty of one-half of one per centum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used, and if not paid on or before said due date, there will be added a penalty of one-half of one per centum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue.

8. For all other lands referred to herein the minimum charges announced shall be due and payable before the delivery of water and in any event not later than May 1 of the current irrigation season. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used. On all payments not made on or before the due dates specified herein, there will be added a penalty of one-half of one percentum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue.

9. Where water rental application is made for public land entered under the Reclamation Law after June 15 and where water rental application is made after August 1 for land in private ownership, no water rental charge shall be made for water delivered during the remainder of the irrigation season in which water rental application is made.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4393; Filed, March 29, 1944; 10:13 a. m.]

[1] Act of June 17, 1902 (32 Stat. 388) as amended or supplemented.

General Land Office.

[Five-Acre Tract Classification 36]

NEW MEXICO

ORDER OPENING PUBLIC LAND

MARCH 22, 1944.

On October 22, 1943, the following-described public land in the Santa Fe, New Mexico, land district, was classified and opened by the Secretary of the Interior under the Five-Acre Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home and business sites.

NEW MEXICO No. 3

NEW MEXICO PRINCIPAL MERIDIAN

T. 1 N., R. 12 W., sec. 19, that part of the NE¼ lying north of U. S. Highway No. 60 94.12 acres.

This land is located adjacent to the present site of Pie Town, Catron County. It lies one mile west of the Cibola National Forest, about 25 miles east of Quemada, and about 60 miles west of Magdalena. U. S. Highway No. 60 passes the land along the south side.

The land described above will be leased under the act as home and/or business sites, only in tracts as shown upon the plat of subdivision of the NE¼ of the section, accepted February 7, 1944, which was prepared to provide a basis for definition of tracts and as an aid for leasing purposes under the classification. This plat will be on file in the Santa Fe district land office. Shown thereon are 42 tracts, with designations, the areas of the tracts ranging from 0.96 to 2.49 acres. Eight applications for tracts in the area have been received. These must be amended to describe tracts in accordance with the plat.

Based on the above-mentioned classification, the tracts not covered by applications are subject to application under the act of June 1, 1938, supra, by any qualified persons, in accordance with the regulations issued pursuant to the act, which are contained in Circular No. 1470 as amended.

Tracts Nos. 12, 23, and 24 will be leased only to the community, upon proper application. They will not be leased for individual use. No structures shall be erected or maintained upon these tracts without the approval of this office.

Leases will provide for ingress and egress. No buildings or signs shall be erected on the right-of-way for any constructed road or on areas described in leases for ingress and egress.

Lessees will be required to construct substantial improvements having a value of not less than $500. Leases will be for a period of 5 years, at an annual rental

of $3.00 per acre for home sites, payable in advance yearly. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income.

The Register of the district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 44-4386; Filed, March 29, 1944; 10:09 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 813]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Illinois 403386 Hancock	$10,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4367; Filed, March 28, 1944; 8:28 p. m.]

[A. O. 814]

ALLOCATION OF FUNDS FOR LOANS

MARCH 18, 1944.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the

DEPARTMENT OF LABOR.

Division of Public Contracts.

DETERMINATION OF PREVAILING MINIMUM WAGE IN DIMENSION GRANITE INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Dimension Granite Industry issued by the Secretary of Labor on December 22, 1937, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of dimension granite, including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone is as follows:

(1) In Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York: 57.5 cents per hour or $23 per week, based on a 40-hour week, arrived at either on a time or piece-work basis;

(2) In Pennsylvania, Maryland, Wisconsin, Minnesota, South Dakota and all other States not included in paragraph (1) above or paragraph (3) below: 42.5 cents per hour or $17 per week based on a 40-hour week arrived at either on a time or piece-work basis;

(3) In North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas: 32.5 cents per hour or $13 per week based on a 40-hour week arrived at either on a time or piece-work basis; and

Whereas the minimum wage required to be paid by employers engaged in the dimension granite industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the dimension

tion for the dimension granite industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, arrived at upon a time or piece-work basis, in the following States presently subject to a minimum wage below 40 cents an hour or $16.00 per week of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours: North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4375; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN FIREWORKS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the fireworks industry issued by the Secretary of Labor on September 30, 1938, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wages for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the act are as follows:

(1) For the manufacture or supply of commercial fireworks, 31.25 cents an hour or $12.50 per week for a week of 40 hours, arrived at either upon a time or piece-work

of $3.00 per acre for home sites, payable in advance yearly. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income.

The Register of the district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 44-4388; Filed, March 29, 1944; 10:09 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 813]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Illinois 4083B6 Hancock	$10,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4367; Filed, March 28, 1944; 8:28 p. m.]

[A. O. 814]

ALLOCATION OF FUNDS FOR LOANS

MARCH 18, 1944.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Indiana 4089B2 Harrison	$20,000
Iowa 4090K4 Scott	75,000
Iowa 4090C2 Franklin	40,000
Iowa 4038D4 Pocahontas	35,000
Iowa 4061C2 Cherokee	50,000
Iowa 4070B2 Osceola	50,000
Louisiana 4010D1 Washington	50,000
Minnesota 4004B2 Lake	10,000
Minnesota 4053D4 Waseca	75,000
Minnesota 4056C2 Crow Wing	20,000
Minnesota 4074B4 Norman	50,000
Missouri 4060B2 Lafayette	20,000
Nebraska 4056C3 Cedar-Knox District Public	30,000
Texas 4062B2 Bailey	30,000
Texas 4084C2 Hall	30,000
Wisconsin 4046D2 Lafayette	50,000
Wisconsin 4060A3 Waushara*	65,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4368; Filed, March 28, 1944; 8:28 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

DETERMINATION OF PREVAILING MINIMUM WAGE IN DIMENSION GRANITE INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Dimension Granite Industry issued by the Secretary of Labor on December 22, 1937, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of dimension granite, including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone is as follows:

(1) In Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York: 57.5 cents per hour or $23 per week, based on a 40-hour week, arrived at either on a time or piece-work basis;

(2) In Pennsylvania, Maryland, Wisconsin, Minnesota, South Dakota and all other States not included in paragraph (1) above or paragraph (3) below: 42.5 cents per hour or $17 per week based on a 40-hour week arrived at either on a time or piece-work basis;

(3) In North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas: 32.5 cents per hour or $13 per week based on a 40-hour week arrived at either on a time or piece-work basis; and

Whereas the minimum wage required to be paid by employers engaged in the dimension granite industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the dimension granite industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the dimension granite industry; and

Whereas, it appears advisable to amend the wage determination for the dimension granite industry by providing that the prevailing minimum wage for persons employed therein, in those States, subject to a wage determination of less than 40 cents, shall be not less than 40 cents an hour.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the dimension granite industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, arrived at upon a time or piece-work basis, in the following States presently subject to a minimum wage below 40 cents an hour or $16.00 per week of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours: North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4375; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN FIREWORKS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the fireworks industry issued by the Secretary of Labor on September 30, 1938, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wages for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the act are as follows:

(1) For the manufacture or supply of commercial fireworks, 31.25 cents an hour or $12.50 per week for a week of 40 hours, arrived at either upon a time or piece-work basis; and

(2) For the manufacture or supply of fusees, flares, and ship and railroad torpedoes, 37.5 cents an hour or $15.00 per week for a week of 40 hours, arrived at either upon a time or piece-work basis.

Whereas the minimum wage required to be paid by employers engaged in the fireworks industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the chemical, petroleum and coal products, and allied manufacturing industries, issued by the Administrator of the Wage and Hour Division and effective February 7, 1944; and

Whereas it appears that substantially all employees subject to the fireworks industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed therein shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the fireworks industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act to provide that:

The prevailing minimum wage for all persons engaged in the performance of contracts with agencies of the United States, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), for the manufacture or supply of the products of the fireworks industry will be 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than April 30, 1944.

DATED: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4379; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN DENTAL GOODS AND EQUIPMENT MANUFACTURING INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the dental goods and equipment manufacturing industry issued by the Secretary of Labor on September 8, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), provides that the minimum wages for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the act, are as follows:

(1) For the manufacture or furnishing of any one or more of the hereinafter designated durable products of the Dental Goods and Equipment Manufacturing Industry, 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis: *Provided*, That apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship: *And provided further*, That learners may be employed at the rate of 35 cents an hour or $14.00 per week for 40 hours for a period of not to exceed sixty days, if the total number of employees so classified does not exceed 10 percent of the total number of employees in any one establishment in any given pay roll or workweek:

DURABLE GOODS

Hand instruments, including forceps and pliers, broaches and cutting instruments, for dental use.
Dental chairs.
Dental cabinets.
Equipment units.
Dental sterilizers.
Dental gas apparatus.
Dental X-ray equipment.
Dental compressors, engines and lathes.
Dental lights.
Dental laboratory equipment, other than laboratory furniture.

(2) For the manufacture or furnishing of any one or more of the hereinafter designated consumable products of the Dental Goods and Equipment Manufacturing Industry, 35 cents an hour or $14.00 per week of 40 hours, arrived at either upon a time or piece-work basis;

CONSUMABLE GOODS

Dental gold.
Dental alloy for amalgams.
Dental cement and filling materials.
Teeth, porcelain and gold.
Orthodontic appliances.
Waxes, compounds and investments.
Rubber dental materials.
Denture materials other than rubber.
Burrs, drills, and similar tools for use with handpieces.
Abrasive points, wheels and disks; and

Whereas, the minimum wage required to be paid by the employers engaged in the dental goods and equipment manufacturing industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the following wage orders, which were effective on the dates indicated:

Chemical, petroleum, and coal products, and allied manufacturing industries—February 7, 1944.
Metal, plastics, machinery, instrument, and allied industries—September 13, 1943.
Rubber products manufacturing industry—July 28, 1941.
Stone, clay, glass, and allied industries—December 27, 1943; and

Whereas it appears that substantially all employees subject to the dental goods and equipment manufacturing industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage orders of the Administrator have had the effect of establishing not less than 40 cents per hour as the prevailing minimum wage for persons employed in the consumable goods division of the dental goods and equipment manufacturing industry; and

Whereas, it appears advisable to amend the wage determination for the consumable goods division of the dental goods and equipment manufacturing industry by providing that the prevailing minimum wage for persons employed in the industry shall be not less than 40 cents per hour; and

Whereas, it appears advisable to amend the wage determination for the dental goods and equipment manufacturing industry by providing that learners may be employed in the industry at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the dental goods and equipment manufacturing industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act as follows:

So that the prevailing minimum wage arrived at upon a time or piece-work basis for employees in the industry presently subject to a minimum wage below 40 cents an hour or $16.00 a week of forty hours will be raised to 40 cents an hour or $16.00 per week of forty hours; and

So that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4376; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN STRUCTURAL CLAY PRODUCTS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the structural clay products industry issued by the Secretary of Labor on December 27, 1940, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, Sec. 35), as amended September 26, 1941, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or supply of common brick, face brick (including glazed and enameled brick), salt glazed brick, manhole brick; structural clay tile (including glazed tile), unglazed facing tile, paving brick, and clay or shale granules, is the amount indicated for each of the following groups of States:

Thirty-four cents an hour or $13.60 per week of forty hours, arrived at either upon a time or piece-work basis, in the States of Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, and the District of Columbia;

For the remaining States of the United States, the prevailing minimum wage for such persons shall be 40 cents an hour or $16.00 per week of forty hours, arrived at either upon a time or piece-work basis, as provided in my original decision of December 27, 1940; and

Whereas the minimum wage required to be paid by the employers engaged in the structural clay products industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the structural clay products industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the structural clay products industry; and

Whereas it appears advisable to amend the wage determination for the structural clay products industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should amend the wage determination for the structural clay products industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4376; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGES IN EVAPORATED MILK INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the evaporated milk industry issued by the Secretary of Labor on October 3, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of evaporated milk, is the amount indicated for each of the following groups of States, whether arrived at upon a time or piece-work basis:

(1) 50 cents per hour or $20.00 per week of forty hours in the States of Washington, Oregon, and California;

(2) 40 cents per hour or $16.00 per week of forty hours in the States of Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and Ohio;

(3) 32.5 cents per hour or $13.00 per week of forty hours in the remaining States of the United States and the District of Columbia; and

Whereas the minimum wage required to be paid by the employers engaged in the evaporated milk industry subject to the provisions of the Fair Labor Standards Act of 1938 will be not less than 40 cents an hour on and after March 20, 1944, the effective date of the wage order for the meat, poultry, and dairy products industry, issued by the Administrator of the Wage and Hour Division; and

Whereas it appears that substantially all employees subject to the evaporated milk industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the evaporated milk industry; and

Whereas it appears advisable to amend the wage determination for the evaporated milk industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should amend the wage determination for the evaporated milk industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour.

The States of Washington, Oregon, California, Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Florida, Mississippi, Alabama, Georgia, Tennessee, Kentucky, Indiana, Illinois, and the District of Columbia.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4377; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGES IN PAPER AND PULP INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the paper and pulp industry issued by the Secretary of Labor on September 26, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or furnishing of pulp and other fiber and

For the remaining States of the United States, the prevailing minimum wage for such persons shall be 40 cents an hour or $16.00 per week of forty hours, arrived at either upon a time or piece-work basis, as provided in my original decision of December 27, 1940; and

Whereas the minimum wage required to be paid by the employers engaged in the structural clay products industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the structural clay products industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the structural clay products industry; and

Whereas it appears advisable to amend the wage determination for the structural clay products industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the structural clay products industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the amended determination will read as follows:

That the prevailing minimum wage for all persons engaged in the performance of contracts with agencies of the United States, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), for the manufacture or supply of the products of the structural clay products industry shall be 40 cents an hour or $16.00 per week for 40 hours arrived at either upon a time or piece-work basis.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4381; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN EVAPORATED MILK INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the evaporated milk industry issued by the Secretary of Labor on October 3, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of evaporated milk, is the amount indicated for each of the following groups of States, whether arrived at upon a time or piece-work basis:

(1) 90 cents per hour or $20.00 per week of forty hours in the States of Washington, Oregon, and California;

(2) 40 cents per hour or $16.00 per week of forty hours in the States of Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and Ohio;

(3) 32.5 cents per hour or $13.00 per week of forty hours in the remaining States of the United States and the District of Columbia; and

Whereas the minimum wage required to be paid by the employers engaged in the evaporated milk industry subject to the provisions of the Fair Labor Standards Act of 1938 will be not less than 40 cents an hour on and after March 20, 1944, the effective date of the wage order for the meat, poultry, and dairy products industry, issued by the Administrator of the Wage and Hour Division; and

Whereas it appears that substantially all employees subject to the evaporated milk industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator will have the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the evaporated milk industry; and

Whereas it appears advisable to amend the wage determination for the evaporated milk industry by providing that the prevailing minimum wage for persons employed in the industry in those States or District presently subject to a wage determination of less than 40 cents an hour shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the evaporated milk industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, whether arrived at upon a time or piece-work basis, in the following States and District presently subject to a minimum wage below 40 cents an hour or $16.00 per week of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours:

For the States of Kansas, Missouri, Oklahoma, Texas, Arkansas, Louisiana, Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Florida, Mississippi, Alabama, Georgia, Tennessee, Kentucky, Indiana, Illinois, and the District of Columbia.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4377; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGES IN PAPER AND PULP INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the paper and pulp industry issued by the Secretary of Labor on September 26, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or furnishing of pulp and other fiber and the primary conversion of pulp and other fiber into paper and paperboard, and in addition, the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper and paper shipping sacks, is the amount indicated for each of the following groups of States:

For the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, and Texas, 35 cents an hour or $14.00 per week of forty hours, arrived at either upon a time or piece-work basis;

For the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia, 39 cents an hour, or $15.60 per week of forty hours, arrived at either upon a time or piece-work basis;

For the States of Washington, Oregon, and California, 50 cents an hour or $20.00 per week of forty hours, arrived at either upon a time or piece-work basis; and

Whereas the minimum wage required to be paid by the employers engaged in the paper and pulp industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage orders for the pulp and primary paper industry and for the converted paper products industry, issued by the Administrator of the Wage and Hour Division and effective September 16, 1940, and February 15, 1943, respectively; and

Whereas it appears that substantially all employees subject to the paper and pulp industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage orders of the Administrator have had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the paper and pulp industry; and

Whereas it appears advisable to amend the wage determination for the paper and pulp industry by providing that the prevailing minimum wage for persons employed in the industry in those States presently subject to a wage determination of less than 40 cents per hour, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the paper and pulp industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry in the following States will be 40 cents an hour or $16.00 per week of forty hours, arrived at either upon a time or piece-work basis:

For the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, Texas, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City, 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4380; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN FERTILIZER INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Fertilizer Industry issued by the Secretary of Labor on August 15, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), as amended March 20, 1940, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or supply of superphosphates and concentrated superphosphates; and for the manufacture or mixing of concentrated fertilizer from superphosphates, potash and ammoniates, is the amount indicated for each of the following groups of States:

For the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware (except Kent and Sussex Counties), Maryland (except the Eastern Shore consisting of Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, and the District of Columbia, 40 cents an hour or $16.00 per week of forty hours.

For the States of New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington, 50 cents an hour, or $20.00 per week of forty hours.

For Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas, 30 cents an hour, or $12.00 per week of forty hours.

Whereas the minimum wage required to be paid by the employers engaged in the fertilizer industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the chemical, petroleum and coal products, and allied manufacturing industries, issued by the Administrator of the Wage and Hour Division and effective February 7, 1944; and

Whereas it appears that substantially all employees subject to the fertilizer industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the fertilizer industry; and

Whereas it appears advisable to amend the wage determination for the fertilizer industry by providing that the prevailing minimum wage for persons employed in the industry in those States presently subject to a wage determination of less than 40 cents an hour shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944 why the Secretary of Labor should not amend the wage determination for the fertilizer industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, arrived at upon a time or piece-work basis, in the following States presently subject to a minimum wage below 40 cents an hour or $16.00 per week, of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours:

For Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. McCOMB,
Acting Administrator.

[F. R. Doc. 44-4378; Filed, March 28, 1944; 4:15 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 190]

UNLOADING OF SCRAP TIN CANS AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of March, A. D. 1944.

It appearing, that four (4) cars containing scrap tin cans for the Ben Zenoff Motor Company, Chicago, Illinois, on the Chicago and North Western Railway Company (Claude A. Roth, Trustee) and two (2) cars containing scrap tin cans for the Ben Zenoff Motor Company, Chicago, Illinois, on The Baltimore and Ohio Chicago Terminal Railroad Company or The Baltimore and Ohio Railroad Company have been on hand for some time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Scrap tin cans at Chicago, Illinois, for Ben Zenoff Motor Company to be unloaded. The Chicago and North Western Railway Company (Claude A. Roth, Trustee), The Baltimore and Ohio Chicago Terminal Railroad Company, or The Baltimore and Ohio Railroad Company, common carriers by railroad subject to the Interstate Commerce Act, and their agents or employees shall unload forthwith four (4) cars containing scrap tin cans on hand on the Chicago and North Western Railway Company (Claude A. Roth, Trustee) and two (2) cars containing scrap tin cans on hand on The Baltimore and Ohio Chicago Terminal Railroad Company or The Baltimore and Ohio Railroad Company, all at Chicago, Illinois, for Ben Zenoff Motor Company. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Chicago and North Western Railway Company (Claude A.

Roth, Trustee), The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4396; Filed, March 29, 1944; 11:16 a. m.]

[S. O. 191]

UNLOADING COAL AT CHARLESTOWN, MASS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of March, A. D. 1944.

It appearing, that ten (10) cars containing bituminous coal for the Snider Fuel Corporation, Charlestown, Massachusetts, on the Boston and Maine Railroad have been on hand for some time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered*, That:

Coal at Charlestown, Massachusetts, for the Snider Fuel Corporation to be unloaded. The Boston and Maine Railroad, a common carrier by railroad subject to the Interstate Commerce Act, its agents or employees, shall unload forthwith ten (10) cars containing bituminous coal on hand on its railroad at Charlestown, Massachusetts, billed to the Snider Fuel Corporation. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Boston and Maine Railroad and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4307; Filed, March 29, 1944; 11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 171]

WESTERN ELECTRIC CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 171 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Western Electric Company, Incorporated. (Docket No. 3136-379).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) That Western Electric Company, Incorporated, 195 Broadway, New York City, is authorized to increase the maximum prices of its magneto switchboard and magneto switchboard apparatus to 154.5% of standard shop costs of these items; and the maximum selling price of its magneto station apparatus to 112.5% of standard shop costs.

(b) The distributors of the products affected by this order are hereby authorized to increase their maximum selling prices therefor by the addition of the increase in the cost to them of the said items resulting from this order.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective March 29, 1944.

Issued this 28th day of March 1944.

JAMES P. BROWNLEE, *Acting Administrator.*

[F. R. Doc. 44-4372; Filed, March 28, 1944; 4:09 p. m.]

[MPR 477, Order 11]

RUBBER HEELS AND SOLES

AUTHORIZATION OF MAXIMUM PRICES

Order No. 11 under Maximum Price Regulation No. 477. Sales of rubber heels and soles in the shoe factory and home replacement trades.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 15 of Maximum Price Regulation No. 477, *It is ordered:*

(a) This order is applicable only to sales in the home replacement trade of V-1, V-2, V-3, super grade, standard grade, and competitive grade rubber heels as defined in § 1315.1420 of Maximum Price Regulation 200; and HF-A, HF-B, and HF-C grade rubber heels as defined in section 18 of Maximum Price Regulation 477.

(b) All manufacturers and wholesalers may sell or deliver to wholesalers or retailers and wholesalers and retailers may buy or receive such rubber heels for sale in the home replacement trade at prices to be adjusted upward in accordance with action that may hereafter be taken by the Office of Price Administration changing the applicable maximum price for manufacturers' sales to wholesalers and retailers and wholesalers' sales to retailers of such heels in the home replacement trade.

(c) Unless and until the Office of Price Administration changes the maximum prices applicable to such rubber heels for sale in the home replacement trade, no manufacturer may receive, no wholesaler may pay or receive, and no retailer may pay or receive for such rubber heels sold in the Home Replacement Trade more than the maximum prices presently established under Maximum Price Regulation No. 477.

(d) This order shall be automatically revoked on the effective date of Amendment No. 4 to Maximum Price Regulation 477.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 3, 1944.

Issued this 28th day of March 1944.

JAMES F. BROWNLEE, *Acting Administrator.*

[F. R. Doc. 44-4373; Filed, March 28, 1944; 4:09 p. m.]

[RO 17, Administrative Exception Order 22]

LITTLE FALLS FELT SHOE CO.

AUTHORIZATION OF RATION-FREE SALES

The above petitioner, Little Falls Felt Shoe Company, Little Falls, New York, is a duly registered manufacturing establishment. The petitioner has been engaged in the manufacture of men's Wanagans to be used for outdoor wear by teamsters, farmers and other workmen as protection against the cold in winter months. Except for a small leather tab at the vamp seam, the shoe is made entirely of felt and non-critical materials. The tab is made from scrap leather. However, since it is made of leather the shoe is rationed. The petitioner has discontinued the use of the leather tab in the manufacture of these Wanagans but it has on hand approximately 4,000 pairs having the leather tab on the vamp seam. Due to the fact that this shoe is a special type to be used only under certain climatic conditions, it will not sell for ration currency. Since this shoe is made of material other than leather or rubber except for the leather tab and because the petitioner will suffer a severe financial loss unless these shoes can be sold ration-free, the petitioner requests permission to transfer the above described shoes ration-free.

The relief requested in this case may be granted in this and all similar cases without defeating or impairing the effectiveness of the policy of Ration Order 17.

It is hereby ordered, That the Little Falls Felt Shoe Company, Little Falls, New York, is authorized to receive from the District Office serving the locality in which the petitioner is located the necessary number of non-rationed stickers needed to transfer ration-free the above described shoes. The petitioner is further authorized to attach a non-rationed sticker to one shoe of each pair of the Wanagans to be transferred ration-free. The petitioner then may transfer them ration-free. Any unused stickers shall be returned to the District Office within 30 days after they are received by the petitioner.

It is hereby further ordered, That any other persons similarly situated may be given the same relief on similar conditions upon application to and written authorization from the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

Issued and effective this 29th day of March 1944.

COL. BRYAN HOUSTON, *Deputy Administrator.*

[F. R. Doc. 44-4407; Filed, March 29, 1944; 11:40 a. m.]

[MPR 188, Order 27]

EASTERN FOUNDRY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 27 under paragraph (a) (8) of Order No. A-2 under Maximum Price Regulation No. 188. Manufacturers maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of certain models of cast-iron coal-fired hot-water supply boilers manufactured by the Eastern Foundry Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and paragraph (a) (8) of Order No. A-2 issued under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order permits the Eastern Foundry Company of Boyertown, Pennsylvania, and the jobbers, distributors and dealers and retailers of its cast-iron coal-fired hot-water supply boilers to add to their maximum net prices of certain designated cast-iron coal-fired hot-water supply boilers the amounts specified below.

(1) *Manufacturers' prices.* On and after March 30, 1944, the Eastern Foundry Company may increase its maximum net price for the following models of its cast-iron coal-fired hot-water supply boilers by the amounts indicated:

Model number:	*Amount of increase permitted*
47-D	$2.80
51-D	2.32
71-D	2.19
91-D	1.13
46-L	.49
61-L	1.27
85-D	2.04
102-D	2.22
119-D	1.27
160-D	3.80
250-D	3.53
265-D	1.58

(2) *Jobber's, distributor's, dealer's and retailer's prices.* All jobbers, distributors, dealers and retailers may adjust their maximum net prices for the cast-iron coal-fired hot-water supply boilers designated above by adding to their present maximum net prices established by the General Maximum Price Regulation the dollars-and-cents increase in cost resulting from the increase permitted the Eastern Foundary Company by this order.

(b) *Notification to all purchasers.* All persons selling cast-iron coal-fired hot-water supply boilers who adjust their maximum prices under the authority of this order shall send the following notice to every purchaser of such supply boilers at the time of billing:

Order No. 27 under paragraph (a) (8) of Order A-2 under Maximum Price Regulation No. 188 granted us an increase in the amounts set forth below to our maximum net price for the following specified models of cast-iron coal-fired hot-water supply boilers.

Model Number

(List model number included in Order No. 27)

Amount of Increase Permitted

(Insert correct amount of increase)

This notice is given to you at the express direction of the Office of Price Administration.

(c) All prayers in the application of the Eastern Foundry Company not granted in this order are denied.

(d) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

This Order No. 27 shall become effective March 30, 1944.

Issued this 29th day of March 1944.

JAMES F. BROWNLEE, *Acting Administrator.*

[F. R. Doc. 44-4408; Filed, March 29, 1944; 11:40 a. m.]

Regional and District Office Orders.

[Region VI Order G-11 Under RMPR 122, Amdt. 1]

SOLID FUELS IN CHICAGO AREA

Amendment No. 1 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Chicago Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That paragraph (i) be deleted and that paragraphs (c), (e), (j) (2), (k) (3) and (k) (4) of Order G-11 be amended to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; Columns 2, 3, 4 and 5 show maximum prices for "domestic sales" of coal (as defined in paragraph (k) (4)) delivered in the quantities indicated by each column heading; Column 6 shows the maximum prices for yard sales to other dealers for resale, and Column 7 shows maximum prices for "commercial sales" (as defined in paragraph (k) (3)). All prices are stated on a net ton basis.

During the period February 7 to March 5, 1944, the maximum prices shown in Part VII A and footnote of the schedule are increased by 45¢ per ton, 25¢ per ½ ton and 15¢ per ¼ ton.

(2) No prices are shown in Column 7, "Commercial," for those fuels customarily used only for domestic purposes. Similarly, no prices are shown in Columns 1 to 6 for those fuels customarily used only for commercial purposes. For such fuels, however, the prices shown in the schedule (adjusted for the quantity delivered) are the maximum prices irrespective of the type of sale. Fuels for which only a commercial price is shown may not be sold at a price higher than the price shown in Column 7 of the schedule, irrespective of the use. Fuels for which domestic but not commercial prices are shown may be sold at the domestic prices indicated in the schedule, irrespective of the use to which the fuels are put. The maximum prices for solid fuels of a size and type not provided for in the schedule, shall be established under the applicable provisions of Revised Maximum Price Regulation No. 122, as amended.

* * * * *

SCHEDULE OF MAXIMUM PRICES

1	2 ton or more delivered	3 1-2-3-ton	4 ½ ton delivered	5 ¼ ton delivered	6 Yard sales to dealers	7 Commercial
II. High volatile bituminous coal from District No. 8 (E. Ky. & W. Va.):						
6. Nut, 1¼" x 2"	$10.20	$10.70	$5.85	$2.45	$8.00	.....
III. High volatile coal from District No. 9 (W. Ky.):						
A. 6th Seam:						
1. Size Groups 1 thru 6. All single screen lump coals and all double-screened raw washed or air-cleaned egg coals, top size larger than 2"	9.20	9.70	5.35	3.20	7.65	.....
2. Size Groups 8 to 12, inclusive. All raw, double-screened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh	8.70	9.20	5.10	3.05	7.50	.....
3. Size Group 7. Straight mine run no fines removed. Mine run modified by removal of any intermediate size or sizes—no fines removed. All mine run resultants larger than 2"—no fines removed	7.85	8.30	4.70	2.85	6.65	.....
4. Size Groups 26 to 28, inclusive. All dry dedusted screenings, top size not exceeding 2"						57.65
B. 14th and Stray Seam:						
1. Size Groups 23 and 31. All washed or air-cleaned screenings larger than ¾" x 0 but not exceeding 2" x 0						6.80
III. High volatile coal from District No. 9 (W. Ky.)—Continued.						
C. 9th, 11th and all other seams:						
1. Size Groups 23 and 24, all washed or air cleaned screenings larger than ¾" x 0 but not exceeding 2" x 0						57.10
IV. High volatile bituminous coal from District #10 (Illinois):						
2. Egg, 3" x 2", 6" x 3"	10.15	10.65	5.35	3.20	7.60	.....
V. High volatile bituminous coal from District #11 (Indiana):						
4. Stoker Nut, 1½" and larger x 10 mesh	7.70	8.20	4.60	2.80	6.50	.....
VI. Low volatile smithing coal from District #1 (Penn.) retroactive to December 20, 1943	12.30	12.80	6.90	3.95	10.60	.....
VIII. Chicago manufactured coke—retroactive to December 20, 1943:						
1. Egg, stove, nut	14.10	15.30	8.15	4.60	13.10	.....
2. Pea	13.80	14.30	7.65	4.35	12.10	.....
X. Briquettes:						
1. All types	12.85	13.35	7.20	4.10	11.20	.....

(e) *Cash discounts and time payment charges.* (1) The maximum prices provided for in this order shall be reduced by 25¢ a ton for domestic coal and 15¢ a ton for commercial coal if payment is made within 10 days from the date invoice is rendered.

(2) Any seller covered by this order who during December 1941 had in effect a regularly established plan for selling coal at retail on an installment basis with specific charges for the privilege of deferring payments may file an application with the Chicago Regional Office of the Office of Price Administration requesting permission to continue such plan in effect. Such application shall set forth the plan in detail. The Regional Administrator of the Office of Price Administration may grant permission to continue the use of such plan in whole or in part.

* * * * * *

(i) *Records.* [Deleted]

(j) *Posting of maximum prices and records.* * * *

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Definitions and explanations.* * * *

(3) "Commercial sales" shall mean sales made to all commercial, industrial or institutional users and all sales for use in apartment buildings having 3 or more apartments.

(4) "Domestic sales" shall mean all sales of coal or coke other than commercial sales and yard sales.

Except as otherwise specifically indicated, this Amendment No. 1 to Order No. G–11 shall be effective March 25, 1943.

Issued this 21st day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4315; Filed, March 27, 1944; 5:06 p. m.]

[Region VII Order G–1 Under SR 15]

FLUID MILK IN MONTANA

Order No. G–1 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for fluid milk sold at wholesale and at retail in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *What this order does.* This order supersedes 2d Revised Order No. G–12 under § 1499.18 (c) of the General Maximum Price Regulation and all amendments thereto; divides the State of Montana into five districts and establishes specific maximum prices in each district for fluid milk when sold for human consumption; maintains present maximum prices as established by said 2d Revised Order No. G–12 and the five amendments thereto, except in the small communities of Malta, Saco, Scobey, Red Lodge, Livingston, and Bozeman, in which said communities prices are adjusted upward, not, however, to exceed one cent per quart at retail.

(b) *Order superseded.* 2d Revised Order No. G–12 under § 1499.18 (c) of the General Maximum Price Regulation and Amendments Nos. 1, 2, 3, 4, and 5 issued thereto are hereby superseded as of the effective date hereof; and from and after the effective date, the maximum prices for the commodity in question throughout said five several districts of the State of Montana shall be as set forth herein.

(c) *State of Montana divided into five districts.* For the purpose of this order the State of Montana is hereby divided into five districts, to be known as District No. 1, District No. 2, District No. 3, District No. 4, and District No. 5, each of which said districts shall be as defined in paragraph (e) hereof.

(d) *Maximum prices for fluid milk sold at wholesale and at retail in the several districts of the State of Montana.* The maximum prices for fluid milk sold at wholesale in glass bottles or paper containers in a quantity less than one gallon and sold in bulk by the gallon in whatever container, and sold at retail in glass bottles or paper containers in the five several districts of the State of Montana shall, upon and after the effective date of this order be as follows:

Size of glass or paper container	District No. 1		District No. 2		District No. 3		District No. 4		District No. 5	
	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
½ pint	4	6	4	6	4	6	4	.....	3½	5
Pint	7	8	6	8	6	8	6	7	5	7
Quart	12	14	11½	13½	11	13	10½	12½	10	12
Bulk, any container: Gallon	44	.....	48	.....	40	.....	40	.....	36	.....

NOTE.—Except as to all fluid milk sold in bulk, the prices hereinabove specified for each of said five several districts may be increased ½¢ per quart for every ½% or major fraction thereof of butterfat content in excess of 4%.

(e) *Definitions.* (1) "District No. 1" means all that area in the State of Montana contained within the municipalities of Seeley Lake, Anaconda, Butte, Helena, East Helena, Great Falls, and Miles City, and a distance of five miles beyond the corporate limits of each of said municipalities at all points.

(2) "District No. 2" means all that area in the State of Montana contained within the municipalities of Sidney, Fairview, and Forsyth, and a distance of three miles beyond the corporate limits of each of said municipalities at all points.

(3) "District No. 3" means all that area in the State of Montana contained within the counties of Beaverhead, Cascade (except that portion contained within the municipality of Great Falls and a distance of five miles beyond the corporate limits thereof at all points), Custer (except that portion contained within the municipality of Miles City and a distance of five miles beyond the corporate limits thereof at all points), Deer Lodge (except that portion contained within the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier, Hill, Lewis and Clark (except that portion contained within the municipalities of Helena and East Helena and a distance of five miles beyond the corporate limits thereof at all points), Lincoln, Musselshell, Pondera, Prairie, Sheridan, Silver Bow (except that portion contained within the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole, and Valley, and the municipalities of Hardin, Billings, Laurel, Columbus, Malta, Saco, and Scobey, and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points.

(4) "District No. 4" means all that area within the State of Montana contained within the municipalities of Bozeman, Livingston, and Red Lodge, and a distance of five miles beyond the corporate limits of each of said municipalities at all points.

(5) "District No. 5" means all that area within the State of Montana contained within the Counties of Big Horn (except the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points), Carter, Choteau, Daniels (except the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson, Fallon, Gallatin (except the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, McCone, Madison, Meagher, Mineral, Missoula (except the municipality of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except the municipalities of Malta and Saco and a distance of twelve miles beyond the corporate limits thereof at all points), Powder River, Powell, Ravalli, Richland (except the municipalities of Fairview and Sidney and a distance of three miles beyond the corporate limits thereof at all points), Roosevelt, Rosebud (except the municipality of Forsyth and a distance of three miles beyond the corporate limits thereof at all points, Sanders, Stillwater (except the municipality of Columbus and a distance of twelve miles beyond the corporate limits thereof at all points), Sweet Grass, Teton, Treasure, Wheatland, Wibaux, and Yellowstone (except the municipalities of Billings and Laurel and a distance of twelve miles beyond the corporate limits thereof at all points).

(6) "Milk" or "fluid milk" means cow's milk, processed or raw, of approved grade and distributed and sold at wholesale in glass bottles or paper containers in quantities less than one gallon and in bulk in whatever container in quantities of one gallon or more and sold at retail in glass bottles or paper containers in quantities less than one gallon for human consumption as whole milk and containing not less than 3.25% butterfat content.

(7) Insofar as the same are not contradictory of or inconsistent with any of the terms and provisions of this order, the definitions and explanations set forth in § 1499.20 of the General Maximum Price Regulation shall apply to all persons and all transactions covered by this order.

(f) *Higher established maximum prices may be maintained.* Any seller who has established maximum prices under § 1499.2 of the General Maximum Price Regulation or any applicable price regulation supplementary thereto, or under Maximum Price Regulation No. 280 or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Marketing Agreement Act, as amended, that are higher than the prices fixed by this order may continue to sell at such higher established maximum prices and the same shall not be modified or superseded by this order.

(g) *Customary discounts, allowances, and differentials need not be maintained.* Upon and after the effective date of this order, it shall not be obligatory upon any seller of fluid milk hereunder to maintain or continue any customary allowance, discount, quantity discount, or differential heretofore established by him; *Provided, however,* That any seller may sell at a price lower than the maximum prices established by this order if he so desires.

(h) *Exempt sales.* This order does not apply to or in any manner affect sales of fluid milk made by one distributor or wholesaler to another distributor or wholesaler, or to purchases made from producers under Maximum Price Regulation No. 329.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

(j) *Effective date.* This order shall become effective on the 21st day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–4313; Filed, March 27, 1944; 5:07 p. m.]

[Region VII Rev. Order G–4 Under MPR 329]

FLUID MILK IN MONTANA

Revised Order No. G–4 under Maximum Price Regulation No. 329. Purchases of fluid milk from producers in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (a) (1) (i) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Revised Order No. G–4 is issued.

(a) *Former orders superseded.* This Revised Order No. G–4 supersedes Order No. G–4 and Amendment No. 1 thereto as of the effective date hereof.

(b) *State of Montana divided into five districts.* For the purpose of this Revised Order No. G–4, the State of Montana is hereby divided into five districts, to be known as District No. 1, District No. 2, District No. 3, District No. 4, and District No. 5, as hereinafter defined.

(c) *Maximum prices for milk purchased from producers in the several*

districts of the State of Montana. The maximum prices for milk purchased from producers in the several districts of the State of Montana upon and after the effective date of this Revised Order shall be the maximum producer's price established under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, or the specific maximum prices set forth below when sold f. o. b. the producer's place of production, whichever is higher.

In District No. 1, 92¢ per pound of butterfat content.

In District No. 2, 84¢ per pound of butterfat content.

In District No. 3, 80¢ per pound of butterfat content.

In District No. 4, 26¢ per gallon.

In District No. 5, 76¢ per pound of butterfat content.

(d) *Fractional price adjustments.* Computations of the butterfat content of milk shall be carried out to the second decimal place, and fractions of a cent in price shall be adjusted upward to the next cent if the fraction is one-half or more, and shall be adjusted downward to the next cent if the fraction is less than one-half cent.

(e) *Exempt sales.* (1) This order shall not apply to sales and deliveries of milk at retail, whatever the container, or to sales at wholesale, except when made by a producer to a purchaser who bottles the same in glass or paper containers for resale for human consumption as fluid milk.

(2) This order shall not apply to purchases of bulk milk from producers for use in manufacturing dairy products such as butter, cheese, evaporated or condensed milk, casein, ice cream, or any other commercial or industrial milk product.

(f) *Applicability of other price regulations.* Except insofar as the same is contradictory of or inconsistent with the terms and provisions of this revised order, Maximum Price Regulation No. 329 shall remain in full force and effect and be applicable to all purchases of milk made under this order.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Definitions.* (1) "Milk" means cow's milk in a raw, unprocessed and ungraded state which is produced for resale for human consumption as fluid milk.

(2) "In a raw, unprocessed and ungraded state" means unpasteurized and not sold or delivered in glass bottles or paper containers subject to municipal ordinance or other regulation as to butter fat content or bacteria count.

(3) "District No. 1" of the State of Montana means the municipalities of Seeley Lake in Missoula County, Anaconda in Dear Lodge County, Butte in Silver Bow County, Helena and East Helena in Lewis and Clark County, Great Falls in Cascade County, and Miles City in Custer County, and a distance of five miles beyond the respective corporate limits of each said municipality at all points.

(4) "District No. 2" of the State of Montana means the Counties of Beaverhead, Cascade (except the municipality of Great Falls and a distance of five miles beyond the corporate limits thereof at all points), Custer (except the municipality of Miles City and a distance of five miles beyond the corporate limits at all points), Deer Lodge (except the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier, Hill, Lewis and Clark (except the municipalities of Helena and East Helena and a distance of five miles beyond the corporate limits thereof at all points), Lincoln, Musselshell, Pondera, Prairie, Sheridan, Silver Bow (except the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole, and Valley, and the municipalities of Hardin in Big Horn County, Billings in Yellowstone County, Forsyth in Rosebud County, Malta and Saco in Phillips County, Scobey in Daniels County, Sidney and Fairview in Richland County (including an area extending beyond the corporate limits of each said municipality a distance of twelve miles at all points).

(5) "District No. 3" of the State of Montana means the municipalities of Red Lodge in Carbon County, and Livingston in Park County (including an area extending beyond the respective corporate limits of each said municipality a distance of five miles at all points).

(6) "District No. 4" of the State of Montana means the municipality of Bozeman in Gallatin County (including an area extending beyond the corporate limits thereof a distance of five miles at all points).

(7) "District No. 5" of the State of Montana means the Counties of Big Horn (except the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points), Carter, Choteau, Daniels (except the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson, Fallon, Gallatin (except the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, McCone, Madison, Meagher, Mineral, Missoula (except the municipality of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except the municipalities of Malta and Saco and a distance of twelve miles beyond the respective corporate limits thereof at all points), Powder River, Powell, Ravalli, Richland (except the towns of Fairview and Sidney and a distance of twelve miles beyond the respective corporate limits thereof at all points), Roosevelt, Rosebud (except the municipality of Forsyth and a distance of twelve miles beyond the corporate limits thereof at all points), Sanders, Stillwater, Sweetgrass, Teton, Treasure, Wheatland, Wibaux, and Yellowstone (except the municipality of Billings and a distance of twelve miles beyond the corporate limits thereof at all points).

(8) "Producer" means a farmer or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(j) *Effective date.* This Revised Order No. G-4 shall become effective on the 21st day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-4914; Filed, March 27, 1944; 8:07 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-348]

SECURITIES CORPORATION GENERAL

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of March, A. D. 1944.

Securities Corporation General, a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said Act a transaction in which the applicant proposes to sell to Russel B. Stearns, Janson Noyes, John M. Foster, C. T. Williams, Scott Allen and Ellis D. Slater a total of 10,637 shares of the Class B stock, $1.00 par value, of National Food Products Corporation (National Food). The proposed sales price for the stock is $32.50 per share, an aggregate sum of $345,702.50. The purchasers (other than Ellis D. Slater) are affiliated persons of National Food or its subsidiary, Colonial Stores Incorporated, and such corporations are affiliated persons of the applicant.

It is ordered, Pursuant to section 40 (a) of the said Act that a hearing on the aforementioned application be held on April 6, 1944 at 10:00 a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Willis E. Monty, Esq., or any other officer or of-

ficers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Securities Corporation General, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4363; Filed, March 28, 1944; 2:39 p. m.]

[File No. 1-806]

CHICAGO AND NORTH WESTERN RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of March, A. D. 1944.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $100 Par Common Stock and the $100 Par 7% Non-Cumulative Preferred Stock of Chicago and North Western Railway Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 17, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection herewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4364; Filed, March 28, 1944; 2:39 p. m.]

CHICAGO STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF PLAN

The Chicago Stock Exchange, pursuant to § 240.10b-2 (d) (Rule X-10B-2 (d)) having filed on March 18, 1944, a plan for special offerings contained in Article XXXIII of the rules of the Chicago Stock Exchange; and

The Securities and Exchange Commission, having given due consideration to the terms of such plan, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and Rule X-10B-2 (d) thereunder, hereby declares such plan to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective March 27, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4365; Filed, March 28, 1944; 2:39 p. m.]

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated 28 February, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

ITEMS OF EQUIPMENT APPROVED

FIRST-AID KIT

First-aid kit, Model OC-44, submitted by the Oceanic Chemical Company, Inc., 280 Pearl Street, New York, N. Y.

LUMINOUS CLOTH OR TAPE FOR MARKING INTERIOR ACCOMMODATIONS, ETC.

Luminous tape, types 11-1031, 11-1032, 11-1033, and 10-1332, submitted by Charles F. Heaphy Company, Graybar Building, New York, N. Y.

SEA ANCHOR

Sea anchor, Type SEAWAY (U. S. Coast Guard Specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by Seaway Manufacturing Co., 511 North Solomon Street, New Orleans, La.

APPROVAL WITHDRAWN

LINE-THROWING GUN

Line-throwing gun, manufactured by R. S. Newbold & Son Company, Norristown, Pa. (Originally approved in 1919) (Any on board ship in good condition may remain in service.)

R. R. WAESCHE,
Vice Admiral, USCG, Commandant.

MARCH 29, 1944.

[F. R. Doc. 44-4387; Filed, March 29, 1944; 9:20 a. m.]

WAR MANPOWER COMMISSION.

[G. O. 11]

LIST OF ESSENTIAL ACTIVITIES

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 (7 F.R. 2919) and 9279 (7 F.R. 10177), War Manpower Commission General Order No. 11 (8 F.R. 11421), List of Essential Activities, is hereby amended, effective February 23, 1944, to read as follows:

The following activities are designated as essential activities and as included in and constituting the List of Essential Activities.

1. *Production of aircraft and parts.* The production, maintenance, and repair of aircraft, gliders, parachutes, dirigibles, balloons, aircraft engines, aircraft parts, pontoons, propellers, and similar products.

2. *Production of ships, boats, and parts.* The production, maintenance, and repair of ships, boats, ship and boat parts and equipment.

3. *Production of ordnance and accessories.* The production, maintenance, and repair of firearms, guns, howitzers, mortars, gun turrets and mounts, tanks, sighting and fire-control equipment, torpedo tubes, and similar products.

4. *Production of ammunition.* The production of bombs, mines, torpedoes, grenades, chemical warfare projectiles, explosives, fuses, pyrotechnics, as well as products such as glycerin which go into the manufacture of ammunition.

5. *Agriculture and commercial fishing*—(a) *Agricultural products.* Livestock and livestock products, including beef cattle, dairy cattle, hogs, poultry, sheep, and goats; fiber, oil crops, and potatoes, including castor beans, American-Egyptian, Sea Island and Upland cotton, flaxseed and soybeans, hemp, peanuts, Irish potatoes, and sweet potatoes; field crops, including barley, dry field peas, oats, rye, wheat, alfalfa hay, alfalfa, hay seed, cover crop seed, broomcorn, corn for grain and silage, dry edible beans, green peas for processing, rice, sweet corn, hybrid seed corn, grain sorghum, tame hay and seed, wild or native hay; pineapples, tree fruits, small fruits and berries; medicinal, insecticide, and rubber plants; vegetables for fresh consumption and processing; vegetable plants and seeds; other food and special crops, including honey, tree nuts, sugarcane for sugar and syrup, sugar beets, sugar beet seed, sorghum and sorgo syrup, and tobacco.

(b) *Agricultural services.* Agricultural, horticultural, and animal husbandry services such as: Commercial poultry hatcheries, seed processing, animal breeding, crop disease protection services, initial processing services such as ginning, compressing, threshing, cleaning, shelling and curing, irrigation services, farm repair and maintenance services, farm product assembly services, all of which are performed on a substantially year-round basis to essential activities related to essential crops and livestock enterprises indicated in Selective Service Local Board Release No. 164; grist milling (custom); ice harvesting.

(c) *Commercial fishing.* Including fish hatcheries (conservation or commercial) and sponges: Gathering, bleaching, cutting, and trimming.

6. *Processing of food.* Meat packing and slaughtering (including poultry), production of dairy products, eggs, fish and nuts, fruits and vegetables and their juices, soups, flour and other grain mill products, prepared feeds for animals and fowls, starch, cereals, rice, bread and other bakery products, sugar,

leavening compounds, corn syrup, fats and oils, ice. Includes dried, preserved, dehydrated, frozen, canned, and other special-processed foods.

7. *Forestry, logging, lumbering, and forest industries.* Timber tracts and logging camps, cutting of pulpwood, wood for tanning extract, charcoal, sawmills, veneer, cooperage-stock, planing, and plywood mills, raising of tung oil trees; fire prevention, pest control; forest nurseries and reforestation services; gathering of gums and barks for the manufacture of naval stores and medicinal purposes.

8. *Construction.* Highway and street construction; marine construction; construction of approved industrial plants, houses, hospitals, and military projects; repair of such facilities; and services necessary to complete such construction.

9. *Coal mining.* The mining of anthracite, bituminous, and semi-anthracite coal, lignite, and peat, and the operation of breakers or preparation plants. Includes also removing overburden and other such activities preparatory to coal mining operations.

10. *Metal mining.* The mining of iron, copper, tin, lead, zinc, aluminum, mercury, manganese, chromium, molybdenum, tungsten, vanadium and similar ores, and the dressing of such ores. Includes also removing overburden, sinking shafts, and other such activities preparatory to metal mining operations.

11. *Nonmetallic mining and processing and quarrying.* The mining, processing, or quarrying of salt, gypsum, phosphate rock, sulphur, potash, asbestos, graphite pyrites, graphite, borates and other salines, fluorspar, mica, talc, abrasive sands, calcite (optical), and similar essential products.

12. *Smelting, refining and rolling of metal; scrap salvage.* Primary and secondary smelting, and refining, alloying, rolling, and drawing of iron, steel, copper, lead, zinc, magnesium, aluminum, brass, bronze, nickel, tin, cadmium, ferro-alloys, and any other metals used in the production of war materials; and scrap salvage.

13. *Production of metal shapes and forgings.* The manufacture of castings, die castings, forgings, wire, nails, chains, anchors, axles, pipe, springs, screws, bolts, tubing, stampings, pressings, structural shapes, and machined parts.

14. *Finishing of metal products.* Enameling, japanning, lacquering, painting, plating, galvanizing, aluminum coating, polishing, rustproofing of metal products; sherardizing, retinning of cans and utensils; heat treating.

15. *Production of industrial and agricultural equipment.* Power boilers, wiring devices and supplies; agricultural implements; electric lamps; storage and primary batteries; pumps, compressors, and pumping equipment; recording, controlling and measuring instruments and meters; conveyors, industrial cars and trucks; blowers, exhaust and ventilating fans; mechanical power-transmission equipment such as clutches, drives and shafts; mechanical stokers; tools, files, and saws; plumbers' supplies; professional and scientific instruments, photographic apparatus, and optical instruments; and all equipment necessary to operate plants producing essential commodities.

16. *Production of machinery.* Engines and turbines; metal-working machinery and and petroleum crudes, coal tar intermediates, dyes, color lakes and toners, explosives and components of explosives, synthetic fibers, synthetic rubbers, plastics materials, non-coal-tar intermediates and solvents, and miscellaneous organic chemicals; gum and wood chemicals, plasticizers, rubber chemicals, and tanning extracts. Drugs, medicines, and insecticides: Drug grinding, crude botanical drugs, botanical drugs, derivatives, and synthetic equivalents, biological products, drugs of animal origin, pharmaceuticals for use in proprietary remedies and prescriptions, insecticides, fungicides, fumigants, rodenticides, and laboratory animals for biological and pharmaceutical experimentation. Heavy inorganic chemicals: Acids, alkalies, carbonates, and miscellaneous heavy chemicals. Industrial, industrial fine and related inorganic chemicals; inorganic compounds. Fertilizer materials: nitrogenous, phosphatic, and potassic fertilizer materials, mixed fertilizers, organic nitrogenous materials, and agricultural liming materials. Paints, varnishes, pigments, and allied products: Color pigments, ester gums and resins, thinners, paint dryers, wood fillers and whiting. Compressed and liquefied gases: Gaseous hydrocarbons, elemental and nonhydrocarbon gases. Vegetable and animal oils and fats: Animal oils and fats; vegetable oils. Miscellaneous chemicals and chemical products: Bleaching compounds, boiler treating compounds, catalysts, chemical cotton pulp, emulsifiers, matches, oil treating compounds, photographic and pharmaceutical gelatin, synthetic resin adhesives and glue, analytical reagents, water treating compounds, and wetting agents, including sulfonated oils. (Fire works, pyrotechnics, and flares are included with ammunition in Group 4, salt and crude sulfur in Group 11, and magnesium metal in Group 12.)

18. *Production of rubber products.* All rubber products.

19. *Production of leather products.* The production of shoe and belting leather; industrial belting for transmission of power; saddlery, harness, and accessories; military and rationed boots and shoes; infants' shoes (sizes through 4); gloves for military and industrial use; leather garments.

20. *Production of textiles.* Production of textiles including the processing, manufacturing, bleaching, dyeing, printing, and other finishing of textile cordage, fabrics (excluding wool or fur felt for hats and fancy fabrics such as brocades, chiffons, damasks, laces, velvet, etc.), fibers, nets, rope, twine, yarns, made of or using any of the following materials: Animal hair (other than wool) such as bristles, alpaca, etc.; asbestos, cotton, fibrous glass, flax, hemp, henequen, jute, kapok, manila, nylon, rayon, rubber, silk, sisal, shearlings; waste (processed), wool, other synthetic filaments or fibers.

21. *Production of apparel.* Apparel for the armed forces; work clothing; snowshoes; the following infants' and children's wear (woven and knit) when produced under the War Production Board's "Critical Infants' and Children's Apparel Production Program No. I": (1) Underwear and nightwear (a) through age 6—baby buntings, crib blankets, diapers, gertrudes, gowns, kimonas, pajamas, panties, quilted crib pads, shirts, sleepers, slips, training panties, union suits (heavyweight), waist suits (knit), wrappers; (b) age 6 through age 16—bloomers, briefs and/or shorts (boys'), and/or creepers, shirts, suits (including sun suits and wash suits); (b) age 6 through 16—shirts; (4) Utility garments (a) through age 6—anklets, coveralls, dresses, dungarees, half socks, overalls, ribbed hose; (b) age 6 through age 16—coveralls, crew socks (boys'), dungarees, golf hose (boys'), hose (children's, ⅝–⅞), overalls, shirts (boys'), work gloves (small, medium, large).

22. *Production of stone, clay and glass products.* Scientific and industrial glass products; acid-proof brick, firebrick, and other heat-resisting clay products; chemical lime; abrasive wheels, stones, paper, cloth and related products; asbestos products including steam and other packing, pipe and boiler covering; crucibles and retorts; gypsum board; mineral wool (for insulation); porcelain electrical supplies; as well as parts of military apparatus.

23. *Production of petroleum, natural-gas and petroleum and coal products.* Drilling, rig-building, and maintenance service operations, and petroleum refining. Includes also production of tar and pitch, coal gas, coke, and liquefied petroleum gas.

24. *Production of finished lumber products.* Cork products such as life preservers; storage battery boxes; insulating material; cars; matches; crutches; caskets; wood preservation activities; building, portable and prefabricated; wood base hardboard. Includes also wooden parts of aircraft, ships, and other military equipment.

25. *Production of transportation equipment.* The production of motor vehicles such as trucks, ambulances, fire engines, busses, and military motorized units; essential parts and accessories of such motor vehicles; motorcycles, bicycles, and parts; locomotives and parts; railroad and street cars, and equipment.

26. *Transportation services.* Air transportation; line-haul railroad; switching and terminal; railway and air express; freight forwarding; rail inspection; maintenance and repair of railroad equipment, buildings, right-of-way, and rolling stock; local transit, rapid transit, interurban electric railway, and over-the-road bus; offshore and intercoastal water transportation, including shore service such as stevedoring and harbor operations; pipeline transportation; transportation services on the inland waterways, Great Lakes, harbors, bays, sounds, and waters connected with the seas, including shore service such as stevedoring; trucking, warehousing, dry, open and cold storage of essential (perishable and nonperishable) commodities.

27. *Production of pulp, paper and materials for packing and shipping products*—(a) *Production of the following pulp, paper, paperboard, and converted products.* Pulp (made from pulpwood and other substances); the following types of paper stock and paper board; Absorbent for impregnation, asphalt laminating, blueprint, box board, butcher papers (untreated and treated), cable and electrical insulation, carbonizing, chart and map (Government), condenser tissue, container board, drafting, filter, fruit and vegetable wrapping tissue, gasket, glassine, greaseproof, gumming, mandrel winding stock, pattern tissue, photographic and other sensitized, rope and jute, safety base stock, sanitary (sanitary napkin stock, toweling stock, napkin stock, toilet tissue stock, hospital wadding stock, shipping sacks stock, tabulating card stock, tracing, twisting and spinning, vegetable parchment, waxing, wetma-

leavening compounds, corn syrup, fats and oils, ice. Includes dried, preserved, dehydrated, frozen, canned, and other special-processed foods.

7. *Forestry, logging, lumbering, and forest industries.* Timber tracts and logging camps, cutting of pulpwood, wood for tanning extract, charcoal, sawmills, veneer, cooperage-stock, planing, and plywood mills, raising of tung oil trees; fire prevention, pest control; forest nurseries and reforestation services; gathering of gums and barks for the manufacture of naval stores and medicinal purposes.

8. *Construction.* Highway and street construction; marine construction; construction of approved industrial plants, houses, hospitals, and military projects; repair of such facilities; and services necessary to complete such construction.

9. *Coal mining.* The mining of anthracite, bituminous, and semi-anthracite coal, lignite, and peat, and the operation of breakers or preparation plants. Includes also removing overburden and other such activities preparatory to coal mining operations.

10. *Metal mining.* The mining of iron, copper, tin, lead, zinc, aluminum, mercury, manganese, chromium, molybdenum, tungsten, vanadium and similar ores, and the dressing of such ores. Includes also removing overburden, sinking shafts, and other such activities preparatory to metal mining operations.

11. *Nonmetallic mining and processing and quarrying.* The mining, processing, or quarrying of salt, gypsum, phosphate rock, sulphur, potash, asbestos, graphite pyrites, graphite, borates and other salines, fluorspar, mica, talc, abrasive sands, calcite (optical), and similar essential products.

12. *Smelting, refining and rolling of metal; scrap salvage.* Primary and secondary smelting, and refining, alloying, rolling, and drawing of iron, steel, copper, lead, zinc, magnesium, aluminum, brass, bronze, nickel, tin, cadmium, ferro-alloys, and any other metals used in the production of war materials; and scrap salvage.

13. *Production of metal shapes and forgings.* The manufacture of castings, die castings, forgings, wire, nails, chains, anchors, axles, pipe, springs, screws, bolts, tubing, stampings, pressings, structural shapes, and machined parts.

14. *Finishing of metal products.* Enameling, japanning, lacquering, painting, plating, galvanizing, aluminum coating, polishing, rustproofing of metal products; sherardizing, retinning of cans and utensils; heat treating.

15. *Production of industrial and agricultural equipment.* Power boilers, wiring devices and supplies; agricultural implements; electric lamps; storage and primary batteries; pumps, compressors, and pumping equipment; recording, controlling and measuring instruments and meters; conveyors, industrial cars and trucks; blowers, exhaust and ventilating fans; mechanical power-transmission equipment such as clutches, drives and shafts; mechanical stokers; tools, files, and saws; plumbers' supplies; professional and scientific instruments, photographic apparatus, and optical instruments; and all equipment necessary to operate plants producing essential commodities.

16. *Production of machinery.* Engines and turbines; metal-working machinery and equipment; electrical generating, distribution, and industrial apparatus for electric public utility, manufacturing, mining, transportation, and construction use, for use in manufactured products or in service industries; construction, mining, agricultural, oil field, smelting, and refining machinery, as well as all machinery necessary to produce, equip, and maintain aircraft, ships, ordnance, and other military equipment.

17. *Production of chemicals and allied products.* Industrial organic chemicals: Coal and petroleum crudes, coal tar intermediates, dyes, color lakes and toners, explosives and components of explosives, synthetic fibers, synthetic rubbers, plastics materials, noncoal-tar intermediates and solvents, and miscellaneous organic chemicals; gum and wood chemicals, plasticizers, rubber chemicals, and tanning extracts. Drugs, medicines, and insecticides: Drug grinding, crude botanical drugs, botanical drugs, derivatives, and synthetic equivalents, biological products, drugs of animal origin, pharmaceuticals for use in proprietary remedies and prescriptions, insecticides, fungicides, fumigants, rodenticides, and laboratory animals for biological and pharmaceutical experimentation. Heavy inorganic chemicals: Acids, alkalies, carbonates, and miscellaneous heavy chemicals. Industrial, industrial fine and related inorganic chemicals; inorganic compounds. Fertilizer materials: nitrogenous, phosphatic, and potassic fertilizer materials, mixed fertilizers, organic nitrogenous materials, and agricultural liming materials. Paints, varnishes, pigments, and allied products: Color pigments, ester gums and resins, thinners, paint dryers, wood fillers and whiting. Compressed and liquefied gases: Gaseous hydrocarbons, elemental and nonhydrocarbon gases. Vegetable and animal oils and fats: Animal oils and fats; vegetable oils. Miscellaneous chemicals and chemical products: Bleaching compounds, boiler treating compounds, catalysts, chemical cotton pulp, emulsifiers, matches, oil treating compounds, photographic and pharmaceutical gelatin, synthetic resin adhesives and glue, analytical reagents, water treating compounds, and wetting agents, including sulfonated oils. (Fire works, pyrotechnics, and flares are included with ammunition in Group 4, salt and crude sulfur in Group 11, and magnesium metal in Group 12.)

18. *Production of rubber products.* All rubber products.

19. *Production of leather products.* The production of shoe and belting leather; industrial belting for transmission of power; saddlery, harness, and accessories; military and rationed boots and shoes; infants' shoes (sizes through 4); gloves for military and industrial use; leather garments.

20. *Production of textiles.* Production of textiles including the processing, manufacturing, bleaching, dyeing, printing, and other finishing of textile cordage, fabrics (excluding wool or fur felt for hats and fancy fabrics such as brocades, chiffons, damasks, laces, velvet, etc.), fibers, nets, rope, twine, yarns, made of or using any of the following materials: Animal hair (other than wool) such as bristles, alpaca, etc.; asbestos, cotton, fibrous glass, flax, hemp, henequen, jute, kapok, manila, nylon, rayon, rubber, silk, sisal, shearlings; waste (processed), wool, other synthetic filaments or fibers.

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22. *Production of stone, clay and glass products.* Scientific and industrial glass products; acid-proof brick, firebrick, and other heat-resisting clay products; chemical lime; abrasive wheels, stones, paper, cloth and related products; asbestos products including steam and other packing, pipe and boiler covering; crucibles and retorts; gypsum board; mineral wool (for insulation); porcelain electrical supplies; as well as parts of military apparatus.

23. *Production of petroleum, natural-gas and petroleum and coal products.* Drilling, rig-building, and maintenance service operations, and petroleum refining. Includes also production of tar and pitch, coal gas, coke, and liquefied petroleum gas.

24. *Production of finished lumber products.* Cork products such as life preservers; storage battery boxes; insulating material; cars; matches; crutches; caskets; wood preservation activities; building, portable and prefabricated; wood base hardboard. Includes also wooden parts of aircraft, ships, and other military equipment.

25. *Production of transportation equipment.* The production of motor vehicles such as trucks, ambulances, fire engines, busses, and military motorized units; essential parts and accessories of such motor vehicles; motorcycles, bicycles, and parts; locomotives and parts; railroad and street cars, and equipment.

26. *Transportation services.* Air transportation; line-haul railroad; switching and terminal; railway and air express; freight forwarding; rail inspection; maintenance and repair of railroad equipment, buildings, right-of-way, and rolling stock; local transit, rapid transit, interurban electric railway, and over-the-road bus; offshore and intercoastal water transportation, including shore service such as stevedoring and harbor operations; pipeline transportation; transportation services on the inland waterways, Great Lakes, harbors, bays, sounds, and waters connected with the seas, including shore service such as stevedoring; trucking, warehousing, dry, open and cold storage of essential (perishable and nonperishable) commodities.

27. *Production of pulp, paper and materials for packing and shipping products*—(a) *Production of the following pulp, paper, paperboard, and converted products.* Pulp (made from pulpwood and other substances); the following types of paper stock and paper board; Absorbent for impregnation, asphalt laminating, blueprint, box board, butcher papers (untreated and treated), cable and electrical insulation, carbonizing, chart and map (Government), condenser tissue, container board, drafting, filter, fruit and vegetable wrapping tissue, gasket, glassine, greaseproof, gumming, mandrel winding stock, pattern tissue, photographic and other sensitised, rope and jute, safety base stock, sanitary (sanitary napkin stock, toweling stock, napkin stock, toilet tissue stock, hospital wadding stock, shipping sacks stock, tabulating card stock, tracing, twisting and spinning, vegetable parchment, waxing, wetmachine board, wrapping (machine finished and machine glazed); the following converted products from paper and paper board: Ammunition and shell cases, carbon, envelopes used for shipping and preserving essential products, fiber drums, gummed paper tape, hospital wadding, laminated waterproof and heavy crepe, liquid tight containers and closures, mandrel wound, mesh cloth and fabrics, napkins, nested paper cups, nested paper food containers (excluding paper plates), paperboard boxes and shipping containers, sanitary napkins, shipping sacks, toilet tissue, towels, twine, waxed, waxed laminated and resin impregnated papers for food, munitions, and industrial wrapping.

(b) *Production of other materials for shipping and preserving essential products.* Bagging, jute, meat; bags, textile (except laundry bags); barrels, metal; baskets (Climax, fruit, vegetable); box shooks; boxes (metal, wooden and paperboard); cable, fiber; cans; cases, packing; containers (glass, metal, and wood; caps and closures for such containers); cooperage; cooperage stock (staves, headings, and hoops); cordage; crates; drums (shipping); excelsior; gummed cloth tape; reconditioning round stave baskets (one-half bushel and one bushel), hampers, wire-bound citrus boxes and celery crates, slack and tight coopered barrels, wooden lugs, apple boxes, and metal drums; rope; tin cans.

28. *Production of communication equipment.* Radios and radio equipment; radar; telephone, telegraph, cable television, signalling apparatus; electrical sound equipment; vinylite transcriptions; telautograph.

29. *Communication services.* Magazines of general circulation which are devoted primarily to the dissemination of public information; newspapers and news syndicates; military, naval, and technical charts and maps, instructional and technical manuals, and training literature; production of motion pictures (including technical and vocational training films for the Army, Navy, and war production industries); motion picture film processing; news reels; development of sensitised film; protective signal systems which supplement fire and police protection to military, public, and private industrial and commercial establishments; radio broadcasting; radio communications (radiotelephone and radiotelegraph); cable service (land or submarine); telegraph; telephone; television; production for essential activities of continuous forms with or without one-time carbon; production for essential activities of snapout types of forms interleaved with one-time carbon, and produced on rotary equipment; and production of salesbook-type forms contracted for by governmental agencies.

30. *Heating, power, water supply and illuminating services.* Electric light and power, water, and gas utilities; steam-heating services; sewage systems; tree trimming for power and communication lines; water-well drilling; installation and servicing of liquefied petroleum gas facilities.

31. *Repair services.* Repair of: Vehicles, such as bicycles, motorcycles, automobiles, busses, trucks, taxicabs; tires; typewriters and business machines; elevators; shoe repairing; sewing machines; radios; refrigerators; clocks and watches; harnesses; tools; stoves; pneumatic tube systems; power laundry equipment electric appliances and motors, engines, heating equipment; scientific, commercial and industrial weighing machines; farm and other industrial and scientific equipment; welding service; roofing, and electric, gas, and plumbing and heating installations in domestic, commercial, and industrial buildings; building alteration, maintenance and repair, installation of insulating material; blacksmithing; armature rewinding; locksmithing. It is intended that consideration be given only to individuals qualified to render all-around repair services on the types of equipment specified herein.

32. *Health and welfare services.* Offices of physicians, surgeons, dentists, oculists, osteopaths, podiatrists (chiropodist), sanitary engineers, and veterinarians; medical, dental and optical laboratories; pharmaceutical services; hospitals; nursing services; institutional care; mortuary services; auxiliary civilian welfare services to the armed forces; welfare services to civilians; church activities; accident- and fire-preventive services; structural pest control services.

33. *Educational services.* Public and private industrial and agricultural vocational training; elementary, secondary, and preparatory schools; junior colleges, colleges, universities, and professional schools, educational and scientific research agencies; United States Maritime Service Training Program; Civil Aeronautics Administration Civilian Pilot Training Program; armed forces contract flying, ground, and factory aviation schools; and the production of technical and vocational training films.

34. *Governmental services.* Federal; other than Federal; cobelligerent.

35. *Technical, scientific, and management services.* The supplying of technical, scientific and management services to establishments engaged in war production; union-management negotiation services; publication of technical and scientific books and journals; and the services of Federal Reserve System district banks and branches (does not include services of member banks of the Federal Reserve System).

PAUL V. MCNUTT,
Chairman.

MARCH 25, 1944.

[F. R. Doc. 44-4366; Filed, March 28, 1944; 3:35 p. m.]

SALEM, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Salem, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Salem, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Salem Area shall include:

Columbiana County (Perry, Butler, Hanover, Knox, Salem and West townships).

II. The effective date of this designation is May 1, 1944.

III. Not later than the effective date, each employer in the Salem Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before April 16, 1944.

Date of issuance: March 21, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-4316; Filed, March 28, 1944; 9:37 a. m.]

MANSFIELD, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Mansfield, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Mansfield, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Mansfield Area shall include:

Richland County and Ashland County.

II. The effective date of this designation is May 1, 1944.

III. Not later than the effective date, each employer in the Mansfield Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before April 16, 1944.

Date of issuance: March 21, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-4317; Filed, March 28, 1944; 9:37 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 65

Washington, Friday, March 31, 1944

The President

PROCLAMATION 2611

CANCER CONTROL MONTH—1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS in time of war as in time of peace it continues to be our high responsibility to maintain proper standards of health and human welfare;

WHEREAS in the midst of the necessities of war and the prevailing shortages of physicians and surgeons we may be tempted to neglect the constant watchfulness and the programs of popular education which are at present our one hope of preventing those tens of thousands of deaths from cancer which result each year from lack of early attention; and

WHEREAS by Public Resolution 82, 75th Congress, approved March 26, 1938 (52 Stat. 148), the President is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby set apart the month of April 1944 as Cancer Control Month and invite similar action on the part of the Governors of the several States, Territories, and possessions of the United States. I call upon the medical profession and upon all agencies, organizations, and individuals in a position to claim public attention, to disseminate knowledge of the early symptoms of cancer and to effect wide-spread publication of the facts about clinics and other health facilities for the control of cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 28th day of March, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-4486; Filed, March 30, 1944; 11:47 a. m.]

Regulations

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

On March 23, 1944, the Board of Governors of the Federal Reserve System amended Part 222 in the following respects, effective April 3, 1944:

1. By amending § 222.4 (a) (7 F.R. 3351, 8413) entitled "Down Payment" so that subparagraph (3) will read as follows:

(3) In the case of articles the cash price of which is $10.00 or less, no down payment is required.

2. By adding to § 222.4 (d) entitled "Statement of Transaction" the following sentence:

The Statement of Transaction need not include a description of the article if it is purchased by means of a coupon book or similar medium of instalment credit upon which a cash down payment of at least one-third of its purchase value has been made.

3. By adding at the end of § 222.5 (d) entitled "Curing Defaults" the following paragraph:

In the case of any charge account obligation of any member or former member of the armed forces of the United State incurred prior to his induction into such service, a default may be cured by the purchaser entering into a written agreement in good faith to make pay-

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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Carlson, Carl Julius 3446
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ment according to such terms as the registrant shall deem it appropriate to require.

4. By striking out of § 222.5 (f) entitled "'Authorization' of Small Items" the words "within 15 days from the date of sale" and inserting in lieu thereof the words "within 30 days from the date of sale",

5. By amending § 222.5 (g) so that it will read as follows:

(g) *Small defaults.* A charge account shall not be deemed to be "in default" within the meaning of §§ 222.5 (c) or 222.12 (m) if the amount in default is less than $10.00.

6. By amending § 222.6 (d) so that it will read as follows:

(d) *Statement of the borrower.* No registrant shall make any instalment loan, except under the provisions of § 222.10 (a), unless he shall have accepted in good faith a signed Statement of the Borrower as to the purposes of the loan. Such statement shall state whether or not any of the proceeds of the loan are to be used to make a down payment on the purchase of a listed article or to be used to purchase any listed article having a cash price of $15.00 or more, and, if any of the proceeds of the loan are to be so used, such statement shall identify such listed article and shall state the cash price thereof and the value of any trade-in. Such statement shall state also whether or not any of the proceeds of the loan are to be used to reduce or retire any instalment sale or instalment loan, or any single-payment loan which is subject to this regulation, or any charge account arising in whole or in part from the sale of a listed article, and, if any of the proceeds are to be so used, shall state the amount of such obligation and the terms of payment. If a registrant relies in good faith on the facts set out by the obligor in such statement, it shall be deemed to be correct for the purposes of the registrant. (The registrant, at his option, may use either his own form or the most recent Statement of Borrower form prescribed by the Board.)

7. By amending § 222.7 (c) entitled "Renewals and Extensions" so that subdivision (i) of numbered subparagraph (3) will read as follows:

(i) With respect to any obligation of any member or former member of the armed forces of the United States incurred prior to his induction into such service,

8. By amending § 222.7 (d) so that it will read as follows:

(d) *Statement of the borrower.* No registrant shall make any single-payment loan, except under the provisions of § 222.7 (c), unless he shall have accepted in good faith a signed Statement of the Borrower as to the purposes of the loan. Such statement shall state whether or not any of the proceeds of the loan are to be used to make a down payment on the purchase of a listed article or to be used to purchase any listed article having a cash price of $15 or more, and, if any of the proceeds of the loan are to be so used, such statement shall identify such listed article and shall state the cash price thereof and the value of any trade-in. If a registrant relies in good faith on the facts set out by the obligor in such statement, it shall be deemed to be correct for the purposes of the registrant. (The registrant, at his option, may use either his own form or the most recent Statement of Borrower form prescribed by the Board.)

9. By amending §222.8 entitled "Exceptions" so that subparagraph (1) of paragraph (m) will read as follows:

(1) The conversion of heating equipment to the use of any other fuel, the repair of heating equipment, or the replacement of heating equipment if it is worn out, damaged beyond repair, or destroyed,

10. By adding to § 222.8 entitled "Exceptions" the following new paragraph:

(p) *Loans to Indians.* Any extension of credit made in accordance with regulations of the Secretary of the Interior for the economic development or rehabilitation of Indians.

11. By amending § 222.10 (a) entitled "Renewals and Revisions" so that subparagraph (1) will read as follows:

(1) With respect to any obligation of any member or former member of the armed forces of the United States incurred prior to his induction into such service,

12. By striking out the phrase "in form and content prescribed by the Board," from the second paragraph of § 222.10 (d) entitled "Statement of Necessity to Prevent Undue Hardship".

13. By amending § 222.12 (h) so that it will read as follows:

(h) *Preservation of records.* Every registrant shall preserve, for the life of the obligation to which they relate, such books of account, records, and other papers (including any statements required by or obtained pursuant to this regulation) as are relevant to establishing whether or not an extension of credit within the scope of this regulation was in conformity with the requirements thereof, *Provided, however,* That the statement of the Borrower obtained pursuant to § 222.6 (d) or § 222.7 (d) shall be preserved for the life of the obligation to which it relates or for one year, whichever period is longer, *And provided further,* That the registrant may preserve photographic reproductions in lieu of such books of accounts, records, or papers.

14. By amending § 222.12 (i) so that it will read as follows:

(i) *Inspections and production of records.* For the purpose of determining whether or not there has been compliance with the requirements of this regulation, every person required to be licensed under § 222.3 shall permit the Board or any Federal Reserve Bank, by its duly authorized representatives, to make such inspections of his business operations as the Board or Federal Reserve Bank may deem necessary or appropriate, including inspections of books of account, contracts, letters or other relevant papers wherever located, and, for such purpose, shall furnish such reports as the Board or the Federal Reserve Bank may require. When ordered to do so by the Board, every such person shall furnish, under oath or otherwise, such information relative to any transaction within the scope of the Executive order as the Board may deem necessary or appropriate for such purpose, including the production of books of account, contracts, letters or other papers in the custody or control of such person.

15. By adding to § 222.12 the following new paragraph:

(n) *Mail orders.* An instalment sale shall not be deemed to be in violation of § 222.4 (a) if the sale is made upon the receipt of a mail order for one or more articles and the cash deposit received with the order falls by less than $1.00 to equal the sum of the down payments required by this regulation for all of the articles included in the order.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Sup., 50 U.S.C. App. 616, 617, and E.O. 8843, dated August 9, 1941)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 44-4449; Filed, March 30, 1944; 10:57 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 41]

PART 600—DESIGNATION OF CIVIL AIRWAYS

RED CIVIL AIRWAYS 1 AND 44; BLUE CIVIL AIRWAY 12

MARCH 7, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of civil airways: Red civil airway No. 1. Designation of civil airways: Red civil airway No. 44. Redesignation of civil airways: Blue civil airway No. 12.

1. By striking in § 600.10200 *Red civil airway No. 1 (Portland, Oreg., to Fort Bridger, Wyo.)* the words:

via the intersection of the center lines of the on course signals of the northeast leg of the Dallesport, Wash., radio range and the west leg of the Arlington, Oreg., radio range; Arlington, Oreg., radio range station;

and inserting in lieu thereof the following:

via the intersection of the center lines of the on course signals of the east leg of the Portland, Oreg., radio range and the northwest leg of The Dalles, Oreg., radio range; The Dalles, Oreg., radio range station; the intersection of the center lines of the on course signals of the southeast leg of The Dalles, Oreg., radio range and the southwest leg of the Pendleton, Oreg., radio range;

2. By adding a new § 600.10243 *Red civil airway No. 44 (Bellingham, Wash., to U. S.-Canadian Border)* to read as follows:

§ 600.10243 *Red civil airway No. 44 (Bellingham, Wash., to U. S.-Canadian Border).* From the Bellingham, Wash., radio range station to the intersection of the center line of the on course signal of the northeast leg of the Bellingham, Wash., radio range and the U. S.-Canadian Border.

3. By amending § 600.10311 *Blue civil airway No. 12 (Dallesport, Wash., to Ellensburg, Wash.)* to read as follows:

§ 600.10311 *Blue civil airway No. 12 (The Dalles, Oreg., to Ellensburg, Wash.).* From The Dalles, Oreg., radio range station; via the Yakima, Wash., radio range station to the Ellensburg, Wash., radio range station.

This amendment shall become effective 0001 e. w. t. March 31, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-4434; Filed, March 30, 1944; 10:11 a. m.]

[Amdt. 64]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

RED CIVIL AIRWAYS 1 AND 44; BLUE CIVIL AIRWAY 12

MARCH 7, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of airway traffic control areas: Red civil airway No. 44. Redesignation of radio fixes: Red civil airway No. 1. Designation of radio fixes: Red civil airways Nos. 1, and 44. Redesignation of radio fixes: Blue civil airway No. 12.

1. By adding a new § 601.10244 *Red civil airway No. 44 airway traffic control areas (Bellingham, Wash., to U. S.-Canadian Border)* to read as follows:

§ 601.10244 *Red civil airway No. 44 airway traffic control areas (Bellingham, Wash., to U. S.-Canadian Border).* All of Red civil airway No. 44.

2. By striking in § 601.40201 *Red civil airway No. 1 (Portland, Oreg., to Fort Bridger, Wyo.)* the following:

The intersection of the center lines of the on course signals of the northeast leg of the Dallesport, Wash., radio range and the west leg of the Arlington, Oreg., radio range; Arlington, Oreg., radio range station;

and inserting in lieu thereof the following:

The intersection of the center lines of the on course signals of the east leg of the Portland, Oreg., radio range and the northwest leg of The Dalles, Oreg., radio range; The Dalles, Oreg., radio range station;

3. By adding a new § 601.40244 *Red civil airway No. 44 (Bellingham, Wash., to U. S.-Canadian Border.)* to read as follows:

§ 601.40244 *Red civil airway No. 44 (Bellingham, Wash., to U. S.-Canadian Border).* No radio fix designation.

4. By amending § 601.40312 *Blue civil airway No. 12 (Dallesport, Wash., to Ellensburg, Wash.)* to read as follows:

§ 601.40312 *Blue civil airway No. 12 (The Dalles, Oreg., to Ellensburg, Wash.).* Yakima, Wash., radio range station.

This amendment shall become effective 0001 e. w. t. March 31, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-4435; Filed, March 30, 1944; 10:11 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51031]

PART 56—EXTENSIONS OF TIME PURSUANT TO PROCLAMATION OF THE PRESIDENT UNDER SECTION 318, TARIFF ACT OF 1930

MERCHANDISE IN BONDED WAREHOUSE

MARCH 27, 1944.

Agreement to cover an extension of the three-year warehousing period for one year and such further extensions of one year as may be permissible in the case of merchandise charged against a General Term Bond for Entry of Merchandise or against a Blanket Smelting and Refining Bond.

Section 56.3 (c) (8 F.R. 15814), Title 19, Code of Federal Regulations, published in T. D. 50967, is hereby amended to read as follows:

(c) In cases in which the merchandise was entered for warehouse and charged against a General Term Bond for Entry of Merchandise, customs Form 7595, or against a Blanket Smelting and Refining Bond in the form prescribed in T. D. 50267, the agreement of the principal and sureties on the bond shall be furnished to the collector of customs in the following form and forwarded by the collector to the Bureau of Customs for approval:

EXTENSION OF GENERAL TERM BOND FOR ENTRY OF MERCHANDISE [1]

Whereas, In Treasury Decision 50967 of November 19, 1943, issued pursuant to authority contained in the President's Proclamation dated November 4, 1943, the three-year warehousing period for imported merchandise prescribed in sections 557 and 559, Tariff Act of 1930, as amended, was extended for one year and further extended for an additional period of one year from and after the expiration of the immediately preceding extension, provided, among other things, that in each case the sureties on the entry bond agree to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, and

Whereas, the bond described below was furnished by ----------
(Name of principal on the bond)
and accepted by the Government of the United States to cover, among other things, the entry of imported merchandise for warehouse or rewarehouse at the port(s) of ----------, during the period beginning on ----------, 19----, and ending on ----------, 19----; [2]

General Term Bond for Entry of Merchandise [1] in the sum of $----------, executed by ----------, as principal, and ----------, and ----------, as sureties, under date of ----------, 19----, and approved by the Commissioner of Customs under date of ----------, 19----; and

Whereas, certain imported merchandise was entered for warehouse or rewarehouse at the ports and under the entries indicated below and such entries charged against the bond described above:

Name of port	*Entry No.*	*Date of entry*
----------	----------	----------
----------	----------	----------
----------	----------	----------

and

Whereas, ----------
(Name of principal on the bond)
desires, as to such merchandise, to obtain an extension of the period during which it may remain in warehouse for one year from and after the expiration of the three-year period prescribed in sections 557 and 559, *supra*, as amended, and to obtain such further extensions for additional periods of one year each from and after the expiration of the immediately preceding extension as may be permissible under T. D. 50967, as amended, and to continue the liability therefor under the bond for such three-year period and to extend the liability under the bond to cover such one-year extension and any further extensions as may be permissible under T. D. 50967, as amended;

Now, therefore, this is to certify that ----------, principal, and ----------, and ----------, sureties, on the bond described above, hereby stipulate and agree that, in consideration of the granting of an extension of one year of the three-year period during which the merchandise may remain in warehouse and the granting of such further extensions of one year each as may be permissible under T. D. 50967, as amended, their liability under the bond as to such merchandise shall cover such one-year extension and any further extensions permissible under T. D. 50967, as amended, together with the original three-year period.

Witness our hands and seals this ____ day of ----------, 19----.

[SEAL] ----------
(Principal)
By ----------
(Name and official title)
[SEAL] ----------
(Surety)
By ----------
(Name and official title)
[SEAL] ----------
(Surety)
By ----------
(Name and official title)

Signed, sealed, and delivered in the presence of—

---------- (Name)	---------- (Address)
---------- (Name)	---------- (Address)
---------- (Name)	---------- (Address)
---------- (Name)	---------- (Address)

[1] Substitute the words "Blanket Smelting and Refining Bond" if the merchandise was charged against such a bond.

[2] If the merchandise was charged against a Blanket Smelting and Refining Bond, delete the words "during the period beginning on ----------, 19----, and ending on ----------, 19----", and substitute therefor the words "on and after ----------, 19----".

A sufficient number of copies of the foregoing agreement shall be furnished to permit of the retention of the original in the Bureau and the filing of one copy at each of the ports where the entries involved were filed.

(Secs. 318, 624, 46 Stat. 696, 759; 19 U.S.C. 1318, 1624. Proc. No. 2599, Nov. 4, 1943; 8 F.R. 15359)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4414; Filed, March 29, 1944; 3:43 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1942, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-502]

CARL JULIUS CARLSON

Carl Julius Carlson resides in Riverside, California, and is engaged in the general contracting and building business in that locality. On or about February 1, May 15, and July 26, 1943, respectively, without authority, he commenced certain construction which constituted additions to a cafe and cocktail lounge located at 255 Mission Boulevard, Riverside, California, the estimated total cost of which was $2500. The limit provided by Conservation Order L-41 was $200. Also, on or about April 1, 1943, without authority, he commenced certain residential construction at 3921 Whittier Place, Riverside, California, at an estimated cost in excess of $1300. The limit provided by Conservation Order L-41 was $200 in this instance also. Carl Julius Carlson admits having knowledge of the provisions of Conservation Order L-41 prior to the time this construction was commenced and knowledge that the construction would exceed the permitted amounts. His acts must be deemed to constitute wilful violations of the order.

These violations of Conservation Order L-41 have diverted materials to uses unauthorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.502 *Suspension Order No. S-502.* (a) Deliveries of material to Carl Julius Carlson, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Carl Julius Carlson, his successors or assigns, of any material or product, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The terms of this suspension order shall not apply to construction as "construction" is defined in Conservation Order L-41, which has been begun prior to the effective date of this suspension order.

(d) Nothing contained in this order shall be deemed to relieve Carl Julius Carlson, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions of this order.

(e) This order shall take effect on March 29, 1944, and shall expire on June 29, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4478; Filed, March 29, 1944; 4:48 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended Mar. 30, 1944]

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transhipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than $200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person

to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB–1039 (formerly PD–222A), which form shall be addressed to the War Production Board, Ref.: M–63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB–1040 (formerly PD–222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M–63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

This amended order shall become effective March 30, 1944.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I amended Mar. 30, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 010 3417. 110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	[2] 7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	[1] 1/18/43
Cords and twines of agave fibers	N. S. C.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. C.	[3] 9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpaca llama, and vicuna hair	3535. 000–3535. 400 fine.	[2] 7/2/42
Alpargatas	0309. 500	6/28/43
Beef and mutton tallow—includes oleo stock	0606. 600	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock	0615. 000	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120. 600	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10/6/42
Broomcorn	3936. 000	[4] 2/23/42
Cacahuananche oil	N. S. C.	1/18/43
Cacahuananche seeds	N. S. C.	3/5/43
Castor beans	2231. 000	4/8/43
Cedar, Spanish:		
Logs	4032. 000	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4302. 000	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Chrome ore (Chromite)	6213. 100 6213. 300 6213. 500	[4] 12/28/41 [4] 12/28/41 [4] 12/28/41
Cinchona bark or other bark from which quinine may be extracted	5301. 000 0804. 000	5/22/43 5/22/43
Cod oil		
Columbium ore (columbite) or concentrates	6270. 300	4/5/43
Cottonseed oil, crude, refined	1422. 100	4/22/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922. 200 2283. 000	6/28/43 5/22/43
Flaxseed (linseed)		
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5720. 100	4/6/42
Crystalline flake	5720. 500	12/28/41
Crystalline, crucible lump and chip graphite	5720. 610	4/6/42
Crystalline, dust and other crystalline lump and chip graphite	5720. 650	4/6/42
Hemp (Cannabis Sativa type only), unmanufactured:		
Hackled including "line of hemp"	3263. 000	9/11/42
Not hackled	3263. 200	9/11/42
Tow	3263. 500	9/11/42
Hides and skins:		
Deer: buck or doe	0202. 100	[5] 3/11/43
Lac: crude, seed, button and stick	2105. 000	[6] 4/8/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0030. 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0006. 100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	0300. 100–0917. 900 inc. 0345. 000 0345. 100 0332. 000–0333. 800 inc.	7/2/42
Goat and kidskin leather (except vegetable-tanned)	0338. 400 0340. 800 0345. 200 0345. 300	7/2/42 7/2/42 7/2/42 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2254. 000	5/22/42
Macaiba oil	N. S. C.	5/14/43
Manganese ore (including ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211. 200 6211. 300	5/14/43 5/14/43
Muru muru nut oil	N. S. C.	8/21/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808. 950	5/22/42
Oleo oil	0030. 200	8/21/42
Peanut (ground nut) oil	1427. 000	5/22/42
Peanuts:		
Shelled	1307. 000	4/2/43
Not shelled	1308. 000	4/2/42
Prima Vera:		
Logs	4083. 400	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220. 310	10/21/42
Rapeseed	2257. 000	[4] 5/22/42
Red squill	2210. 680	10/21/42
Rotenone bearing roots (cubé root (timbo or barbasco) derris and tuba) crude and advanced	2210. 260 2210. 300 2220. 360 2220. 370	5/4/42 5/4/42 5/4/42 5/4/42
Rutile	6270. 200	12/28/41
Seal oil	0816. 000	7/2/42
Sesame oil, edible and inedible	1428. 300 2249. 000	[7] 7/21/42 [7] 7/21/42
Sunflower oil, edible and denatured	1421. 000 2247. 000	5/22/42 5/22/42
Sunflower seed	2240. 000	[4] 5/22/42
Tantalum ore (tantalite)	6270. 400	4/5/43
Tucum oil	N. S. C.	8/21/42
Whale oil (other than sperm)	0809. 500	5/22/42
Wool grease, including degras or brown wool grease (all grades)	0813. 200 0813. 300 0813. 500	5/22/42 5/22/42 5/22/42
Zirconium ore	6270. 400	12/28/41

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/43.
[4] Moved from List II 8/14/43.
[5] Moved from List III 3/5/43.
[6] Moved from List II 10/6/42.

See footnotes at end of table.

LIST I—Continued

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Mar. 30, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (including flume tow and bagasse waste)	N. S. C.	5/5/43
Antimony	6650. 000 6651. 000	12/28/41 12/28/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	6651. 100 6380. 190 6380. 210 5500. 010 5500. 020 5500. 080 5500. 300 5500. 500 5501. 000 5501. 100 5501. 600 5502. 100	12/28/41 12/28/41 12/28/41 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42
Babassu nuts and kernels	2239. 150 2239. 160	4/8/42 4/8/42
Babassu nut oil	2257. 100	4/8/42
Balsa wood:		
Logs	4026. 100	6/16/42
Sawed boards, planks, deals and sawed timber	4118. 000	6/16/42
Beryl ore or beryllium ore	6270. 000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	6380. 963	5/4/42
Bristles, hog and pig	0917. 000 0979. 100	[2] 3/14/42 [2] 3/14/42
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	[3] 9/23/43
Other (except toilet brushes and hair pencils)	9715. 900	[3] 9/23/43
Cashew nut kernel oil	2257. 400	4/8/42
Cashew nut shell liquid (oil)	2171. 880	4/8/42
Castor oil	2260. 020	4/8/42
Cattle, ox, and calf tail hair including switches	3999. 100	7/2/42
Coconut oil	2242. 000	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Coir fiber	3409. 000	[1] 11/23/42
Coir yarn	3420. 000	[1] 11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	[1] 11/23/42
Copper	6401. 800 6417. 100 6430. 000 6416. 300 6455. 000 6760. 020	12/28/41 3/14/42 3/14/42 6/1/42 6/1/42 6/1/42
Copper and brass scrap	6401. 900 6416. 100 7/2/42	12/28/41
Copra	2232. 000	1/13/42
Corn or maize oil (edible)	1422. 000	5/22/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460. 000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/42
Balloon fabric, type HH	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope or spinning mules	N. S. C.	11/23/42
Decoting apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 58's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithograph moleskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	9970. 000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Emetine and salts thereof	N. S. C.	[4] 8/5/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Fir, other than Douglas fir—Con.		
Lumber, rough sawed boards, planks, deals, etc.	4104. 040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104. 050	4/28/43
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	3261. 000	7/2/42
Not hackled:		
Valued less than $340 per ton	3262. 300	4/8/42
Valued $340 or more per ton	3262. 600	4/8/42
Noils	3262. 700	7/2/42
Tow	3262. 800	5/4/42
Straw	3262. 000	5/4/42
Glycerine, crude and refined	6290. 000 6291. 100	5/22/42 5/22/42
Hides and skins:		
Buffalo hides, dry and wet	0203. 000 0203. 100	1/13/42 1/13/42
Cabretta skins or hair sheep skins	0235. 000	7/2/42
Calf, dry and wet	0207. 000 0208. 000	1/13/42 1/13/42
Cattle hides, dry and wet	0201. 000 0202. 000	1/13/42 1/13/42
Goat and kid skins, dry and wet	0241. 000 0242. 000	7/2/42 7/2/42
Kip, dry and wet	0205. 000 0206. 000	1/13/42 1/13/42
Horse mane and tail hair, raw and drawn, including switches	3994. 000	[2] 3/14/42
	3994. 100	[2] 3/14/42
Ipecac, crude and advanced in value or condition	2210. 450	[1] 1/18/43
	2220. 170	[1] 1/18/43
Iron and steel scrap, fit only for remanufacture	6004. 000 6004. 100	6/1/42 6/1/42
Istle or tampico fiber, manufactured in whole or in part (dressed)	3410. 010	3/5/43
Istle or tampico fiber manufactures (including all products in whole or in part of istle)	N. S. C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405. 000	3/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 367 and 368 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	9980. 000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	3243. 000	6/10/43
Jute yarns or roving, single	3244. 000 3244. 100	6/10/43 6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:	3244. 200	6/10/43
Not bleached, dyed or otherwise treated	3245. 200 3245. 300 3245. 400	6/10/43 6/10/43 6/10/43
Bleached, dyed or otherwise treated	3245. 500 3245. 520 3245. 420	6/10/43 6/10/43 6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3245. 520 3246. 000	6/10/43 6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3246. 100 3247. 000	6/10/43 6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3247. 200 3248. 000	6/10/43 6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248. 100	6/1/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3246. 300	6/10/43
Jute sliver	3280. 000	6/10/43
Jute webbing, not exceeding 12 inches in width	3280. 700	6/10/43
Jute manufactures, n. s. p. f.	3280. 000	6/10/43
Jute bags or sacks	3249. 000 3249. 100	4/2/43 4/2/43
Jute butts, unmanufactured	3242. 000	10/6/42
Jute, unmanufactured	3241. 000	10/6/42

See footnotes at end of table.

List II—Continued

Material	Commerce Import Class No.	Governing date
Kapok	3403. 000	7/2/42
Kyanite and sillimanite	5530. 980	12/28/41
Lead	6504. 000	12/28/41
	6505. 000	1/9/42
	6505. 100	12/28/41
	6506. 100	1/9/42
	6506. 500	1/9/42
	6506. 900	6/1/42
	6507. 000	1/9/42
	6509. 000	1/9/42
Leather, unmanufactured:		
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0339. 000	[1] 7/2/42
	0339. 100	[1] 7/2/42
Loofa (Luffa) sponges	N. S. C.	8/21/42
Luggage and related articles of bovine leather (include suitcases, valises, satchels, traveling and overnight bags, hat boxes, trunks, and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, and other cases, except handbags, and flat leather goods)	N. S. C.	3/5/43
Maguey or cantala, unmanufactured	1409. 200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204. 700	7/21/42
Mahogany logs	4201. 000	7/2/42
Mahogany rough (not further manufactured than sawed)	4202. 100	7/21/42
Mangrove bark	1209. 100	7/2/42
Mangrove extract (including Philippine cutch)	2542. 000	7/2/42
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 050	6/28/43
	3417. 100	6/28/43
Manila or abaca fiber (except T grade tow)	3402. 300	4/28/43
Manila or abaca tow (T grade only)	3403. 700	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
Mercury-bearing ores and concentrates	N. S. C.	4/5/43
Mercury or quicksilver (metallic)	6902. 000	12/28/41
Meshta fiber	N. S. C.	10/6/42
Metallic beryllium, cesium, lithium, and potassium	6380. 570	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740. 190	6/1/42
Mica	5560. 700	3/14/42
	5560. 800	3/14/42
	5560. 910	3/14/42
	5560. 920	3/14/42
	5560. 930	3/14/42
	5560. 940	3/14/42
	5560. 950	3/14/42
	5560. 960	3/14/42
	5560. 970	3/14/42
	5560. 980	3/14/42
	5560. 990	3/14/42
	5561. 000	3/14/42
	5561. 700	7/21/42
	5561. 800	3/14/42
	5561. 810	3/14/42
	5561. 820	3/14/42
	5561. 830	3/14/42
	5561. 850	3/14/42
	5561. 900	3/14/42
	5564. 000	3/14/42
	5564. 200	3/14/42
Milkweed	N. S. C.	1/18/43
Officica oil	2255. 600	4/5/43
Ouricury (uricury) nuts and kernels	2239. 610	5/22/42
	2239. 620	5/22/42
Ouricury (uricury) oil, inedible and edible	2237. 800	5/22/42
	2237. 850	5/22/42
Palm nut kernels	2236. 300	3/14/42
Palm kernel oil	2248. 000	3/14/42
Palm oil	2243. 000	1/13/42
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals etc., rough and dressed	4107. 700	4/28/43
Pulpwood, except chipped pulpwood	4590. 000–4595. 000 inc.	1/12/44

List II—Continued

Material	Commerce Import Class No.	Governing date
Punga fiber	N. S. C.	3/8/43
Quebracho extract	2244. 000	[1] 7/2/42
Quebracho wood	2205. 000	[1] 7/2/42
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	5102. 000	3/5/43
Quinine alkaloid	5102. 200	3/5/43
Other salts and derivatives of quinine	5103. 200	3/5/43
Cinchonidine and its salts	5103. 400	3/5/43
Cinchonine and its salts	5103. 600	3/5/43
Quinidine and its salts	5105. 000	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Raffia, unmanufactured	1409. 500	4/28/43
Rapeseed oil, denatured and not denatured	2305. 000	[2] 5/22/42
	2205. 000	1/13/42
Shellac, unbleached and bleached	2107. 200	1/14/42
	2108. 000	2/14/42
Silk:		
Cocoons	3708. 000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3709. 000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702. 000	10/21/42
	3704. 000	10/21/42
Silk waste	3702. 100	10/21/42
Wild silk or tussah		
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819. 500	7/21/42
Bullion, refined	6819. 600	7/21/42
Coin, foreign	6819. 800	7/21/42
Sweepings and scrap, including silver sulphides	6819. 900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (includes fiume tow and bagasse waste)	1401. 000	1/18/43
Sperm oil, crude, refined or otherwise processed	0503. 000	4/22/42
	0503. 100	4/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N. S. C.	11/23/42
Tin:		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551. 900	6/1/42
Bars, blocks, pigs, grain or granulated	6551. 300	6/1/42
Metallic scrap (except alloyed scrap)	6551. 700	6/1/42
Tin-plate scrap	6740. 050	7/2/42
Tung oil (China wood oil)	2241. 000	11/13/42
Tungsten ore and concentrates	6232. 000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260. 000	12/28/41
Wattle bark	2309. 000	[2] 7/2/42
Wattle extract	2345. 500	[2] 7/2/42
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6556. 200	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/30/44.
[3] Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

List III

Note: List III amended Mar. 30, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

List III—Continued

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill-waste (including sisal and henequen processors' mill waste)	N. S. C.	8/5/43
Alewives and other pickled or salted fish, n. s. p. f.	0073. 300–0073. 900 inc.	7/2/42
Alfalfa seed	1401. 000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067. 000	7/2/42
Anchovies, in oil or in oil and other substances	0064. 200	1/18/43
	0064. 300	1/18/43
Apples, dried, desiccated, or evaporated	1330. 010	6/28/43
Apricots, dried, desiccated, or evaporated	1330. 120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	6125. 000	7/2/42
	6230. 000	7/2/42
	6280. 013	7/2/42
Balata, Massarunduba	N. S. C.	3/5/43
Balata, Peruvian F. A. Q., white	N. S. C.	3/5/43
Bananas, dried, desiccated, or evaporated	1330. 170	6/28/43
Bananas, green or ripe	1301. 000	7/2/42
Barley malt	1099. 000	7/2/42
Baskets and bags of wood, straw, etc.	4221. 000	7/2/42
	4221. 200	7/2/42
	4221. 500	7/2/42
	4221. 600	7/2/42
	4221. 900	7/2/42
Beans, dried	1102. 000	7/2/42
Beef and veal, pickled or cured	0026. 000	7/2/42
Beef, canned, including corned beef	0028. 000	7/2/42
Beef, fresh, chilled or frozen	0018. 000	5/14/43
Beeswax	0972. 000	7/2/42
	0972. 100	7/2/42
	0974. 000	7/2/42
Blood, dried	0005. 000	7/2/42
Bone black, bone char, and blood char	1590. 130	7/2/42
Bones, crude	0911. 200	7/2/42
Bones, ground, ash, dust, meal and flour	0911. 300	7/2/42
Bran, shorts, and other wheat by-product feeds	1151. 000	7/2/42
Brazil or cream nuts	1359. 000	7/2/42
	1357. 000	7/2/42
Butter	0044. 000	7/2/42
Buttermilk, dried	0041. 200	4/2/43
Cacao butter (cocoa butter)	1420. 000	7/2/42
Camel's hair	3510. 000	4/28/43
	3511. 000	4/28/43
	3511. 100	4/28/43
	3511. 200	4/28/43
	3511. 300	4/28/43
Camel's hair tops	3560. 000	1/18/43
Canary seed	2432. 000	7/2/42
Carnauba wax	2251. 000	7/2/42
Caroa fiber	4003. 800	7/2/42
Caroa manufactures	N. S. C.	1/18/43
Caroa yarn	N. S. C.	10/6/42
Casein or lactarene	0043. 000	7/2/42
Cashew nuts and kernels	1377. 000	4/8/42
Cashmere goat hair, Angora rabbit hair, and hair of other like animals, n. e. s	1535. 300	4/2/43
	1535. 600	4/2/43
	3536. 700	4/2/43
	3535. 800	4/2/43
	3535. 900	4/2/43
Cassia buds, unground	1532. 000	10/6/42
Cassia, cassia vera, unground	1532. 100	10/6/42
Cassia, cassia buds and cassia vera, ground	1550. 070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	5509. 100	1/18/43
Celery seeds	1535. 000	8/5/43
Cheese	0045. 100–0046. 900 inc.	7/2/42
Cherries dried, desiccated, evaporated	1317. 100	6/28/43
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0025. 400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1200. 000	7/2/42
Chicle, crude and refined or advanced	3131. 000	7/2/42
	2189. 300	7/2/42
	5300. 000	8/21/42
China clay or Kaolin	1626. 000	10/6/42
Cinnamon and chips of, unground	1550. 030	10/6/42
Cinnamon and chips of, ground	1801. 800	7/2/42
Cocoa beans or cacao beans	1502. 100	1/18/43
Cocoa powder, unsweetened and sweetened	1502. 300	1/18/43
	1502. 900	1/18/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Coconuts, in the shell	1851.000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1879.000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 18 lbs. each)	0069.000	4/2/43
	0069.200	4/2/43
	0069.900	4/2/43
Coffee, raw or green, roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Congo gum copal	N. S. C.	1/12/44
Corn	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Cornstarch	2915.000	10/25/43
Cotton linters (all grades)	3005.000	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3006.350	7/2/42
	3006.600	7/2/42
	3230.390	7/2/42
	3230.990	7/2/42
Cotton—Merino waste	9850.900	7/2/42
Cream, dried	0041.800	4/2/43
Crin vegetal	3407.000	8/28/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Egg albumen, dried	0094.000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095.000	3/5/43
Eggs (chicken) whole, in the shell	0085.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091.000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088.100	3/5/43
Egg yolks, dried	0092.000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093.000	3/5/43
Ergot	2210.330	10/6/42
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified	2260.280	7/21/42
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0970.000	7/2/42
	8509.700	7/2/42
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220.250	1/12/44
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	3560.000–3570.570 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3950.100	10/21/42
Pile mats and floor coverings of rattan	3960.200	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.	3963.600	10/21/42
Flaxseed	5501.000	7/2/42
	5501.100	7/2/42
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Garlic	1205.000	7/2/42
Ginger root, unground, not preserved or candied	1535.100	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.100	7/2/42
Glue stock, not elsewhere specified	0930.000	3/5/43
Goat and kid hair except Angora (mohair) and Cashmere	3690.200	7/2/42
Grapes, dried, other than raisins	1319.800	8/28/43
Grapes, fresh (other than hothouse)	1310.800	7/2/42
Guano	8504.000	7/2/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Herring (including sprats, pilchards and anchovies) all types	0070.000–0070.900 inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42
Hide cuttings, raw	0990.900	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/13/44
Hides and skins:		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ¼ inch and down)	N. S. C.	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.		
Pickled skins, not split, no wool	0234.000	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Other wooled (wool on) except shearlings	0231.500	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	8270.100	7/2/42
Iodine	8300.900	7/2/42
	8300.630	7/2/42
Iron ore	6001.000	7/2/42
Kola nuts	2210.490	7/2/42
Lamb, fresh, chilled or frozen	0022.000	5/14/43
	0332.000–0332.500 inc.	7/2/42
	0334.000–0335.350 inc.	7/2/42
Leather unmanufactured (all types except bovine, goat and kid, and rough vegetable-tanned goat and sheep skins)	0335.500–0335.990 inc.	7/2/42
	0340.000–0340.700 inc.	7/2/42
	0345.400	7/2/42
	0345.900	7/2/42
Leche caspi (including crude sorva gum)	2170.000	3/5/43
Lentils	1199.000	7/2/42
Lignaloe oil or Bois de Rose	2280.270	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.060	10/6/42
Mace, Bombay or wild, unground	1540.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0052.900	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Milk, skimmed, dried	0041.100	4/2/43
Milk, whole, dried	0041.000	4/2/43
Mohair (Angora goat hair)	3530.000–3530.400 inc.	7/2/42
Mohair tops	3580.100	1/18/43
Mohair yarns	3570.300–3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	1620.480–1640.000 inc.	7/2/42
Muru muru nuts and kernels	2239.630	8/22/42
	2239.640	8/22/42
Mutton, fresh, chilled or frozen	0021.000	5/14/43
Nitrates, Sodium and Potassium	8506.000	7/2/42
	8527.500	7/2/42
	8527.900	7/2/42
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509.800	1/18/43
Nutmegs, unground	1539.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.100	7/2/42
Offal, edible	0023.600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1114.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.600	7/2/42
Hempseed	1119.700	7/2/42
Other n. s. p. f.	1119.900	7/2/42
Oleo stearin	0036.300	7/2/42
Olive oil, edible	1424.000	9/23/43
	1425.000	9/23/43
Olive oil, inedible:		
Sulphured or foots	2344.000	9/23/43
Other	2345.000	9/23/43
Onions, edible	1208.100	7/2/42
Paper base stock:		
Rags for paper stock	4001.000	7/2/42
Waste bagging, gunny cloth and bags	4002.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4002.900	7/2/42
Peaches, dried, desiccated, or evaporated	1330.620	6/28/43
Peaches, green, ripe, or in brine	1330.610	7/2/42
Peanut butter	1280.090	9/23/43
Pearl shells or mother-of-pearl shells, unmanufactured	0901.000	5/5/43
Pears, dried, desiccated, or evaporated	1330.670	6/28/43
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Pissava fiber	3409.300	7/2/42
Pissava fiber, manufactured in whole or in part (dressed cut to length, etc.)	3410.000	3/5/43
Pigeons, racing or fancy	0090.800	7/2/42
Pigeons, other	N.S.C.	7/2/42
Pimento (allspice), unground	1543.000	10/6/42
Pimento (allspice), ground	1550.150	10/6/42
Pimientos, packed in brine or oil, or prepared or preserved	1244.000	8/5/43
Pork:		
Fresh or chilled	0020.100	5/14/43
Frozen	0020.900	5/14/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030.900	7/2/42
	0031.900	7/2/42
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1330.510	6/28/43
In brine	1330.530	6/28/43
Dried, desiccated, or evaporated	1330.540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330.580	6/28/43
Raisins:		
Made from seedless grapes	1319.100	6/28/43
Other	1319.200	6/28/43
Ramie fiber or China grass, unmanufactured	3409.600	9/23/43
Rice:		
Paddy	1031.000	10/25/43
Uncleaned or brown rice	1051.100	10/25/43
Cleaned or milled rice	1058.000	10/25/43
Patna rice, cleaned, for use in canned soups	1034.000	10/25/43
Rice meal, flour, polish and bran	1039.100	10/25/43
Broken	1030.300	7/2/42
Rye	1044.000	7/2/42
Sansevieria fiber	N.S.C.	6/28/43
Sansevieria manufactures (including all products in whole or in parts of sansevieria)	N.S.C.	6/28/43
Sardines, in oil or in oil and other substances	0062.200	4/2/43
	0062.300	4/2/43
Sausage casings, sheep, lamb and goat only	0034.000	7/2/42
Sausage casings, other	0035.500	7/2/42
Sesame seed	2234.000	8/22/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0908.700	1/12/44
Soap (except Castile) and soap powder	8712.300–8719.900 inc.	7/2/42
Sugar, cane	1010.700–1610.000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	3/5/43
Tallow, vegetable	2250.000	7/2/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	0975.000–8500.600	7/2/42
Tapioca, tapioca flour, and cassava (including mandoica flour)	1222.000	7/2/42

See footnotes at end of table.

List III—Continued

Material	Commerce Import Class No.	Governing date
Tea, not specially provided for	1521.000	7/21/42
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N. S. C.	7/2/42
Tobacco, unmanufactured	2601.000–2610.000 inc.	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560.500	1/18/43
Tucum nuts and kernels	1220.650 2220.000	5/22/42
Tuna fish, in oil or in oil and other substances	0005.200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0024.000	4/28/43
Live	0014.000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Veal, fresh, chilled or frozen	0019.000	5/14/42
Vegetable oil foots, other than olive	N. S. C.	7/21/42
Vegetable soapstock	N. S. C.	7/21/42
Vegetables, dehydrated	N. S. C.	[3] 4/28/43
Wool, advanced, n. e. s.	3580.900	1/18/43
Wool, apparel, 40's or coarser	3505.000–3509.200 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	3514.000 3525.000	7/2/42
Wool, apparel, finer than 44's [1]	3525.000 3521.100 3521.200 3521.300 3522.000 3523.100 3523.200 3523.300 3526.000 3527.100 3527.200 3527.300 3528.000 3529.100 3529.200 3529.300	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Wool apparel, (finer than 40's but not finer than 44's) [1]	3513.000 3514.100 3514.200 3514.300 3524.000 3525.100 3525.200 3525.300	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Wool, carpet	3501.000–3502.200 inc.	7/2/42
Wool mungo	3553.900	11/23/42
Wool noils and waste	3550.000–3553.700 inc.	7/2/42
Wool press cloth waste	9920.900	7/2/42
Wool rags	3554.000	11/23/42
Wool shoddy and wool extract	3552.900	11/23/42
Wool tops	3560.400	1/18/43
Wool yarns and yarns of other hair	3574.300–3574.600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	3573.400–3573.600 inc.	1/18/43

[1] Moved from List II 9/28/42.
[2] Moved from List I 1/8/44.
[3] Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63. (Issued May 14, 1943.)

[F.R. Doc. 44-4471; Filed, March 30, 1944; 11:14 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended Mar. 30, 1944]

Pursuant to General Imports Order M-63, as amended, which this order supplements, it is hereby ordered, that:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further order of the War Production Board, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: "Bottle caps • • •," "Canary seed • • •," and "Hairpins • • •" deleted March 30, 1944.

Material:	Commerce import Class No.		Effective date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.		Aug. 5, 1943
Bones, crude	0011.200		Aug. 5, 1943
Chicle, crude and refined or advanced	2131.000		Dec. 14, 1942
	2189.300		Dec. 14, 1942
Chickpeas and garbanzos, dried	1200.000		Mar. 5, 1943
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 pounds each)	0069.000		Aug. 5, 1943
	0069.200		Aug. 5, 1943
	0069.900		Aug. 5, 1943
Coffee: raw or green	1511.000		Mar. 5, 1943
roasted or processed	1511.100		Mar. 5, 1943
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220.250		Jan. 12, 1944
Molasses and sugar sirup, edible and inedible	1630.480	1640.000 inclusive	Dec. 14, 1942
Oil cake and oil cake meal:			
Coconut or copra	1111.000		Mar. 5, 1943
Soybean	1112.000		Mar. 5, 1943
Cottonseed	1114.000		Dec. 14, 1942
Linseed	1115.000		Mar. 5, 1943
Peanut	1119.600		Dec. 14, 1942
Hempseed	1119.700		Dec. 14, 1942
Other, n. s. p. f.	1119.900		Dec. 14, 1942

SCHEDULE A—Continued

Material—Continued.	Commerce import Class No.	Effective date
Onions (edible)	1206.100	Dec. 20, 1943
Peanut butter	1380.090	Sept. 23, 1943
Pigeons, other	N.S.C.	Jan. 12, 1944
Pigeons, racing or fancy	0695.500	Jan. 12, 1944
Sansevieria fiber	N.S.C.	June 28, 1943
Sansevieria manufactures (including all products in whole or in part of sansevieria)	N.S.C.	June 28, 1943
Sesame seed	2234.000	Nov. 26, 1943
Shark-liver oil, including oil produced from dogfish livers, n.s.p.f.	0808.730	Jan. 12, 1944
Syrups and extracts for use in the manufacture of beverages, if transported in railway tank cars	N.S.C.	April 28, 1943

[F. R. Doc. 44-4472; Filed, March 30, 1944; 11:41 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L-42, Direction 2]

CAST IRON BATHTUBS

The following direction is issued pursuant to Limitation Order L-42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 80,000 bathtubs for the second quarter. This direction tells by whom and for what purposes bathtubs may be made in order to produce the required 80,000 metal bathtubs, without utilizing labor in critical labor areas.

(b) *Production of bathtubs.* Prior to July 1, 1944, in addition to the bathtubs authorized by Direction #1 to Limitation Order L-42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

American Radiator & Standard Sanitary Corp., Louisville, Ky.	10,500
Crane Company, Chattanooga, Tenn.	10,500
Eljer Company, Salem, Ohio	3,000
Elwood Company, Elwood City, Pa.	5,000
Kohler Company, Kohler, Wisconsin	10,500
Richmond Radiator Company, Uniontown, Pa.	10,500

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders of or for ultimate delivery to the Army or Navy, or for export authorized by the Foreign Economic Administration, or for approved installation in projects rated in the P-19 series authorized by GA-1456 and in the P-55 series authorized by WPB-2896. This does not mean that a jobber or dealer may get these tubs to replace in his inventory tubs or other equipment he has previously delivered to fill such orders. It means that delivery to a jobber or dealer may be made to enable him to deliver the tubs to fill an actual order for an authorized project or building with a specified completion date, to or for the account of the Army or Navy, or for installation in a project rated by orders in the P-19 or P-55 series. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administration. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

1. For delivery to the Army or Navy, the contract, purchase order, or rating certificate number.
2. For delivery to an authorized project of the P-19 or P-55 series, the number and location of the project.
3. For export authorized by the Foreign Economic Administration, the export license number.

(d) *Crating.* No manufacturer may use better than No. 3 quality grades of lumber in crating these bathtubs.

(e) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Effect of other orders.* The restriction of Schedule X-II to Order L-42 are superseded to the extent necessary to give effect to this direction.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4473; Filed, March 30, 1944; 11:41 a. m.]

PART 1204—PHTHALIC ALKYD RESINS

[General Preference Order M-139, Direction 1]

REVOCATION OF AUTHORIZATIONS ISSUED PRIOR TO FEBRUARY 15, 1944

The following direction is issued pursuant to General Preference Order M-139:

All authorizations issued to any person prior to February 15, 1944, for the use of phthalic-alkyd resins, are hereby revoked.

This direction does not apply to phthalic alkyd resins which, on March 30, 1944, have been put into process for uses authorized prior to February 15, 1944, and are no longer in the form in which such resins are delivered for resale or consumption. This direction is made necessary because of the critical shortage of phthalic alkyd resins and the ingredients of those resins. All end uses authorized on and after February 15, 1944, are still valid for the quantities authorized for those end uses.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4474; Filed, March 30, 1944; 11:41 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-250, as Amended Mar. 30, 1944]

ELECTRIC MOTOR CONTROLLERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of electric motor controllers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.97 *General Conservation Order L-250*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing controllers, and includes sales and distribution outlets and warehouses controlled by any such person.

(3) "Manufacture" means the production, fabrication or assembly of any controller, or of any part thereof.

(4) "Controller" means any new device or equipment used to stop, start or regulate electric motors or to protect electric motors against overheating or overloading; including manual and magnetic starters and controllers, contactors and relays, speed regulators, drum switches, shunt or series coil type thermal or magnetic overload relays (except switch gear induction type relays), motor field rheostats, and solenoid, thrustor and torque motor brakes; and related pilot devices such as push button stations, and limit, pressure and float switches. The term does not include wiring devices or snap switches rated 15 amperes or less; safety switches; fuses; air circuit breakers; oil circuit breakers; domestic type thermostats, refrigeration controls or furnace controls; or any replacement part for a passenger automobile, truck, truck trailer, passenger carrier, motorized fire equipment, or off-the-highway motor vehicle, as defined in Limitation Order L-158, as amended.

(5) "Commercial" as applied to a size, type or rating of a product means any size, type or rating thereof heretofore normally produced by any producer as a standard item, for his inventory or for general distribution, and not in fulfillment of special orders.

(b) *Restrictions on orders.* No manufacturer shall accept any order for any controller or part thereof, unless the order bears a preference rating of AA-5 or higher. The restrictions of this paragraph shall not apply to any order for any controllers, or parts thereof, for use on elevators and manufactured by a person engaged primarily in the production of elevators.

(c) *Restrictions on manufacture.* (1) Except as otherwise provided herein, on and after March 1, 1943, no manufacturer shall accept any order, or commence manufacture in fulfillment of any order, for any controller or part thereof unless such controller or part is to be manufactured in accordance with the standards prescribed in subparagraph (2) below. On and after May 14, 1943, no manufacturer shall deliver any controller or part thereof, unless it has been manufactured in accordance with such standards. The limitations of this sub-

paragraph shall not apply to any order for, or delivery of any controller or part which was completely fabricated on or before February 13, 1943.

(2) Subject to the other provisions of this paragraph, all controllers and parts thereof shall be manufactured in compliance with the following requirements and shall be otherwise of the simplest practicable design:

(i) All control circuit wiring shall follow a straight line between terminals except where, and to the extent that deviation therefrom is necessary to avoid electrical or mechanical interference.

(ii) Control circuit wiring carrying 15 amperes or less shall have no greater copper content than size No. 14 AWG wire; except when and to the extent that a larger copper content is required to avoid abnormal voltage drop or heating.

(iii) [Deleted Mar. 30, 1944]

(iv) No control circuit wiring insulation between terminals on a controller shall be of more than one color for each voltage.

(v) No controller of a type listed in Appendix A, for a single motor, shall include a contactor having an ampere rating in excess of the maximum rating prescribed in the appendix for such controller; except where operation of a general purpose controller, as covered by Table No. 1 or Table No. 4 of Appendix A requires repeated opening of stalled motor current (such as plugestop or jogging (inching) duty) at a rate in excess of 5 per minute.

(vi) No general purpose controller, for a single motor, of the type listed below rated 600 volts or less shall include control circuit fuses or a control circuit disconnect switch:

(*a*) Alternating current magnetic across the line type starters;

(*b*) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(*c*) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(*d*) Alternating current combination across the line starters and motor circuit switches.

(*e*) Direct current reduced voltage controllers.

(*f*) Direct current, reduced voltage controllers with motor circuit switches or thermal or magnetic circuit breakers.

(vii) No general purpose controller, for a single motor, of the types listed below rated 600 volts or less shall include a control transformer unless master switches or pilot devices of the necessary rating are not obtainable as a commercial product:

(*a*) Alternating current magnetic across the line type starters;

(*b*) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(*c*) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(*d*) Alternating current combination across the line starters and motor circuit switches.

(viii) No alternating current controller of the reduced voltage autotransformer, reactor, impedance, or primary resistance type shall be provided for a polyphase induction motor of 20 horsepower or less, rated 600 volts or less, except that the limitations of this paragraph shall not apply to a controller for an elevator, hoist or crane.

(ix) [Deleted Mar. 30, 1944]

(x) No controller shall be supplied with built in test jacks or test receptacles.

(xi) No alternating current motor controller of less than 1,000 horsepower, and no direct current motor controller of 50 horsepower or less, shall include instruments, meters, potential transformers, or current transformers or shunts to be used for metering, mounted on the controller panel or enclosure; but this restriction shall not apply to controllers used to regulate a series of direct current motors driving a common load, nor to alternating current line ammeter and direct current field ammeter to be installed on synchronous motor controllers, nor to ampere hour meters to be installed on industrial truck or locomotive control panels.

(xii) No copper, chromium, nickel, cadmium, or alloys or finishes thereof shall be used in the manufacture of enclosing cases, name plates, identification plates or door handles for controllers.

(xiii) [Deleted Mar. 30, 1944]

(3) The limitations of paragraph (c) shall not apply to any controller delivered for use aboard any ship owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(d) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales. All such persons shall execute and file with the War Production Board, such reports and questionnaires as the Board shall request from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order may be made by either the manufacturer or the proposed purchaser. Any such appeal shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. On appeals from the provisions of paragraph (c) (2) (viii), the letter shall include the following data:

(i) Horsepower, voltage, frequency and phase of the motor to be controlled;

(ii) The kva rating of the transformer bank supplying the motor;

(iii) The maximum load on the transformer bank, exclusive of the motor to be controlled;

(iv) Description of the equipment being driven by the motor if reduced voltage starter is necessary to limit starting torque;

(v) And any other information necessary to establish the need for a reduced voltage starter.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington 25, D. C.; Ref.: L-250.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—ALTERNATING CURRENT CONTROLLERS

TABLE NO. 1—SQUIRREL CAGE AND WOUND ROTOR MOTOR CONTROLLERS

Maximum permissible size of:
(a) Enclosed across-the-line magnetic switch general purpose starters (8 hour basis)
(b) Reduced voltage general purpose magnetic starters

H. P. at 110 volts		H. P. at 220 volts		H. P. at 380-440-550 volts[2]		Maximum size	Maximum ampere rating
Three phase	Single phase	Three phase	Single phase	Three phase	Single phase		
1½	1	2	1½	3	1½	10	11
3	1½	5	3	7½	5	11	25
7½	3	15	7½	25	10	2	50
15	7½	30	15	50	25	3	100
25	-------	50	-------	100	-------	4	150
-------	-------	100	-------	200	-------	5	300
-------	-------	200	-------	400	-------	6	600

[2] These sizes not applicable to (a) or (b) for oil immersed controllers of the across-the-line or reduced voltage types, or (b) reduced voltage general purposes magnetic starters.

[3] If full load motor current of 380 volts exceeds the inclosed rating of the controller, the next larger size contactor may be used.

TABLE NO. 2—SYNCHRONOUS MOTOR CONTROLLERS

Maximum permissible size of:
(a) Contactors for full voltage starting
(b) Contactors for reduced voltage starting

Horsepower rating				Maximum contactor rating (8 hour)
220 volt		440-550 volt		
1.0 P. F.	0.8 P. F.	1.0 P. F.	0.8 P. F.	
50	15	80	30	50
60	30	60	60	100
90	50	125	100	150
125	100	250	200	300
250	200	500	400	600
450	400	1,000	800	1,200

TABLE NO. 3—OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor

Horsepower @ 220 volts crane duty	Horsepower @ 440–550 volt crane duty	Maximum ampere rating (8 hour)	Maximum ampere rating crane duty
----------	----------	70	50
40	75	100	133
60	125	150	200
150	300	300	400
300	----------	600	800

DIRECT CURRENT CONTROLLERS

TABLE NO. 4—GENERAL PURPOSE & MACHINE TOOL SERVICE CONTROLLERS

Maximum permissible size of:
(a) Line container
(b) Reversible contactor
(c) Final accelerating contactor

Horsepower rating			Maximum ampere rating
115 volt	250 volt	550 volt	
½	5	----------	25
5	10	20	50
10	25	50	100
20	40	75	150
40	75	150	300
75	150	300	600

TABLE NO. 5—STEEL MILL AUXILIARIES & OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Accelerating contactor

Horsepower continuous duty	Maximum ampere rating (8 hour)	Horsepower mill or crane duty	Maximum ampere rating mill or crane duty
25	100	35	133
40	150	55	200
75	300	110	400
120	600	225	800

INTERPRETATION 2

Subparagraph (c) (3) of § 1226.97 (General Conservation Order L–250) provides that the limitations of paragraph (c) shall not apply to any controller delivered for use aboard any ship owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration. A question has been raised as to the proper classification of floating dry docks. It was contemplated that floating dry docks produced for service anywhere would be considered ships within the meaning of the paragraph. (Issued June 15, 1943.)

INTERPRETATION 3

The question has been raised as to whether the word "controller", as defined in paragraph (a) (4), includes a controller which is incorporated into a larger assembly, as a component part of the assembly.

The word "controller", as thus used, includes any controller (except those which are specifically excluded in the definition), regardless of whether it is assembled with other apparatus, or mounted individually. (Issued Nov. 1, 1943.)

[F. R. Doc. 44–4476; Filed, March 30, 1944; 11:24 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–250, as Amended Mar. 30, 1944, Interpretation 1, Revocation]

Interpretation 1 of *General Conservation Order L–250* is hereby revoked.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4475; Filed, March 30, 1944; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 15]

CAN MANUFACTURERS IN THE PACIFIC COAST AREA

§ 3175.115 *Inventory Direction No. 15.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered,* That:

During the period from the date of this Direction through September 30, 1944, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply to the acceptance of deliveries, in the States of Washington, Oregon, California and Utah, of tinplate for the manufacture of cans. In lieu thereof, until September 30, 1944, no user of controlled material shall accept delivery in such States of any item of tinplate for the manufacture of cans if its inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item it will be required by current practices to put into use during the succeeding 90-day period in order to carry out its authorized operations. After September 30, 1944, this inventory direction shall cease to be of any effect and the provisions of paragraph (b) (1) of CMP Regulation 2 shall apply.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4477; Filed, March 30, 1944; 11:41 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Table 3, as Amended Mar. 30, 1944]

ALUMINUM AND MAGNESIUM DIVISION

§ 3208.4 *Table for Aluminum and Magnesium Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M–293:

Type of M–293 product	Designation	Applicable forms column 1 Operations report	Applicable forms column 2 Shipping schedule	Applicable forms column 3 Application and authorization	4 Calendar months frozen [1]
1. Forgings (aluminum) [2]	----------	2476, 2685	2351	----------	1 month.
a. Propellers	----------	----------	----------	----------	
b. Crank cases	----------	----------	----------	----------	
c. Pistons	----------	----------	----------	----------	
d. Large hammer forgings (10,000 lbs. and over)	----------	----------	----------	----------	
e. Small hammer forgings (less than 10,000 lbs.)	----------	----------	----------	----------	
f. Press forgings	----------	----------	----------	----------	

[1] For explanation of time during which shipping schedule is frozen see paragraph (c) (3) of M–293.
[2] Exempt from paragraph (f) of M–293.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4481; Filed, March 30, 1944; 11:42 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M–294, as Amended Mar. 30, 1944]

WASTE MANILA ROPE AND MANILA FIBRE OF THE T–2, T–3, O, Y AND EQUIVALENT GRADES

§ 3281.71 *General Conservation Order M–294*—(a) *Definitions.* For the purpose of this order:

(1) "Waste manila rope" means used manila rope, which is acquired for any purpose whatsoever excepting only that which is acquired for reuse as rope. The material resulting from any shredding, parting or other type of separation of the strands or fibres of used manila rope shall be deemed to be "waste manila rope".

(2) "Manila fibre" means fibre grades of T–2, T–3, O, Y or equivalent as established by the Insular Government of the Philippine Islands.

(3) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

(4) "No. 1 large waste manila rope" means solid, clean, dry, sound manila rope not less than ¾" in diameter, free from any inferior or objectionable materials, such as tarred and transmission ropes; dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than manila and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

(5) "No. 1 small waste manila rope" means the same rope as defined in paragraph (a) (3), except that the rope may be less than ¾" in diameter.

(6) "Uncut manila fenders" means uncut manila fenders obtained from boats and docks, packed separately and

free of mats, iron, grease, rubber, tender and other foreign materials.

(b) *Limitations on sale or use of waste manila rope and manila fibre.* (1) No person shall use waste manila rope or manila fibre as a raw material in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(2) No person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(3) No person shall sell waste manila rope or manila fibre if he knows or has reason to believe such raw material will be used in the manufacture of any product or products other than in the manufacture of rope or in the manufacture of paper.

(4) No person shall sell waste manila rope if he knows or has reason to believe such materials will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List A.

(5) No person shall use manila fibre in the manufacture of any grade or type of paper other than the grades and types of paper shown on List B.

(6) No person shall sell manila fibre if he knows or has reason to believe such material will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List B.

(c) *Limitation on use of grades and types of paper shown on List A or List B.* No person who accepts delivery of any grade or type of paper shown on List A or List B in which waste manila rope or manila fibre is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A or List B, except that this restriction shall not apply to any grade or type of paper containing waste manila rope, manufactured prior to March 19, 1943.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 45% of the total fibre content of such paper: *Provided, however,* That the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 45% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use No. 1 large waste manila rope (as defined in paragraph (a) (4)) or No. 1 small waste manila rope (as defined in paragraph (a) (5)) or uncut manila fenders (as defined in paragraph (a) (6) of this order), to an extent in excess of 35% of the total fibre content of such paper: *Provided, however,* That the amount of No. 1 large waste manila rope, No. 1 small waste manila rope or uncut manila fenders used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(3) [Deleted Mar. 20, 1944]

(e) *Limitation on use of waste manila rope in the manufacture of abrasive paper.* (1) No person shall use waste manila rope in the manufacture of abrasive paper to an extent in excess of 25% of the total fibre content of such paper, and none of the waste manila rope so used shall be of the grades known as No. 1 large old manila rope or No. 1 small old manila rope or uncut manila fenders.

(f) *Obligation to examine and refuse certain orders.* (1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose or use other than a permitted use.

(2) No person using manila fibre in the manufacture of grades and types of paper shown on List B shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose other than a permitted use.

(g) *Exceptions.* Specific authorization may be granted by the War Production Board for use of waste manila rope in the manufacture of any product or products for delivery to the Armed Forces or for use in the manufacture of any material or equipment for delivery to the Armed Forces when such product or products, material or equipment cannot be satisfactorily produced from other available fibres. Applications for such authorization shall be made by filing a letter with the War Production Board, Pulp Allocation Office, Ref: M-294, stating fully the reasons for requesting such authorization.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(j) *Communication.* All reports required to be filed hereunder, or communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Pulp Allocation Office, Washington 25, D. C., Ref. M-294.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Grade or type of paper:	Permitted use
Insulating papers...	In the manufacture of insulation for communication wiring and cables, for electrical wiring and cables, and other types of electrical insulation.
Gasket base papers..	In the manufacture of gaskets.
Artificial leather base papers.	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour and cereal products sack papers.	For use in the manufacture of sacks for packaging flour or other cereal products, in quantities of 25 pounds or more.
Tag papers.....	In the manufacture of casualty tags, shipping tags and identification tags for delivery to the Armed Forces.
Abrasive paper.....	In the manufacture of industrial abrasive papers and belts.
Stencil base paper...	In the manufacture of stencil base papers for mimeograph stencils.

LIST B

NOTE: List B amended Mar. 30, 1944.

Electrolytic condenser paper (but not more than 24 x 36—18#).	In the manufacture of electrical condensers or capacitors where electrolytic paper is required.
Stencil base paper ...	In the manufacture of stencil base papers for mimeograph stencils.

[F. R. Doc. 44-4462; Filed, March 30, 1944; 11:42 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Interpretation 1]

RADIO CABINETS AND RADIO RECEIVING SETS

This is an official interpretation of § 3289.31, *General Limitation Order L-265.*

(1) Radio cabinets, regardless of the material from which made, are included within the definition of "electronic equipment", in paragraph (a) (3) of the order; and are subject, therefore, to all of the provisions of the order. A radio cabinet is any type of cabinet designed to contain a radio, even though other things may also be contained in it.

(2) Paragraph (c) (1) (i) provides in part that the provisions of the order do not apply to the transfer of "radio receiving sets" which were produced and designed for home use and which were completely manufactured on or before April 24, 1943. There seems to exist on the part of some persons the erroneous impression that if a set was partly assembled or almost complete on or before April 24, 1943, it could be finished and transferred free of the restrictions of the order. Some persons have even taken the position that if parts were on hand on April 24, 1943, their assembly into a set and its transfer thereafter were not subject to the provisions

of the order. Both such ideas are definitely mistaken. The term "radio receiving set", as used in paragraph (c) (1) (i), means a home radio receiver which was completely assembled (including cabinet installation), and ready for operation on or before April 24, 1943. If any part (such as cabinet, speaker, or transformers, etc.) has been added or has to be added to the set since that date and before its transfer, then its transfer is not exempt from the provisions of the order.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4483; Filed, March 30, 1944; 11:42 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Supplementary Limitation Order L-7-c, Schedule VII]

DOMESTIC ICE REFRIGERATORS

§ 3291.23 *Schedule VII to Limitation Order L-7-c.* Pursuant to paragraph (b) (2) of Limitation Order L-7-c:

The following production quotas for domestic ice refrigerators are established for the period from April 1, 1944, through June 30, 1944, inclusive. During that period each manufacturer listed is authorized to make the number of domestic ice refrigerators set forth below opposite his name. Manufacturers listed may make the refrigerators only in their own plants at the location set forth opposite their respective names. Manufacturers listed may not make more domestic ice refrigerators than the number opposite their names, even for orders bearing preference ratings. All domestic ice refrigerators made by each manufacturer must be included in the quotas assigned in this Schedule.

Company, Location, and Units

Arctic Refrigerator Company, Brooklyn, N. Y., 7,000.
American Fixture & Manufacturing Company, St. Louis, Mo., 5,000.
Atkins Table & Cabinet Company, Brooklyn, N. Y., 5,000.
Brunswick Refrigerator Company, Brooklyn, N. Y., 4,000.
Coolerator Company, Duluth, Minn., 25,000.
Craftbilt Cabinets, Burbank, Calif., 4,750.
Doherty-Stirling, Inc.,[1] Baton Rouge, La., 2,000.
Dratch's Victory Refrigerator Box, Brooklyn, N. Y., 2,500.
Durasteel Company, Hannibal, Mo., 2,000.
Fy-Boro Metal Products Company, Inc., Brooklyn, N. Y., 6,000.
Globe Wood Products Company, Brooklyn, N. Y., 5,000.
Home Building Corporation, Kansas City, Mo., 3,000.
Ice Cooling Appliance Corporation, Morrison, Ill., 18,325.
Iceland Refrigerator Company, Brooklyn, N. Y., 5,000.
King Refrigerator Company, Brooklyn, N. Y., 7,500.
Maine Manufacturing Company, Nashua, N. H., 11,500.
Modern Refrigerator Works, Glendale, Calif., 4,620.
C. Nelson Manufacturing Company, St. Louis, Mo., 5,000.
Precision Metal Products Company, Brooklyn, N. Y., 6,000.
Progress Refrigerator Company,[2] Louisville, Ky., 13,660.
Sanitary Refrigerator Company, Fond du Lac, Wis., 15,000.
Stoddard Manufacturing Company, Mason City, Iowa, 2,800.
Success Manufacturing Company, Gloucester, Mass., 6,000.
Ward Refrigerator & Mfg. Company, Los Angeles, Calif., 15,000.

[1] 1000 ice refrigerators and 1000 ice chests.
[2] Ice chests only.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4478; Filed, March 30, 1944; 11:41 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-154 as Amended Mar. 30, 1944]

NITRO-CELLULOSE

§ 3293.186 *General Preference Order M-154*—(a) *Definitions.* For the purpose of this order, "nitro-cellulose" means plasticized cellulose nitrate in the following forms:

(1) First grade rod (unfabricated);
(2) First grade tube (unfabricated);
(3) First grade cake sheet (unfabricated), not including pieces having an area of less than 2 square feet produced as a by-product of normal slicing, polishing, or fabricating operations; and
(4) First grade continuous sheeting (unfabricated), not including butt rolls having less than one inch of material on the core, and not including trim rolls less than 4 inches in width produced as a by-product of normal slitting or trimming operations.

(b) *Restrictions on use.* No person shall use in any month more than a total of 50 pounds of nitro-cellulose in the manufacture of all articles set forth in Exhibit A annexed, regardless of preference ratings.

(c) *War use exemption.* Nothing in paragraph (b) above shall apply to the use of nitro-cellulose by the U. S. Army, Navy, Coast Guard, Maritime Commission, or War Shipping Administration, or by any person pursuant to the terms of any contract or order for nitro-cellulose articles to be delivered to, or incorporated into products to be delivered to, those agencies.

(d) *Existing stocks exemption.* Nothing in paragraph (b) above shall apply to a person's use of nitro-cellulose which:

(1) Was owned by him and was not in the possession of his supplier on the effective date of the restriction on the article, or
(2) Was owned by him and was stored by his supplier to comply with fire-prevention regulations, on the effective date of the restriction on the article, or
(3) Was in the possession of his supplier, and on his order had been so processed prior to the effective date of the restriction on the article as to render impracticable the use of the nitro-cellulose in a manner not subject to restrictions under this order.

(e) *Notification to customers.* Producers of nitro-cellulose are requested to notify each of their regular customers as soon as practicable of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing in this order shall be construed to permit the manufacture of any article prohibited or curtailed by the terms of any other War Production Board order.

(3) *Reports.* Each person affected by this order shall file such reports as may from time to time be required by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which the appellant is located, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-154.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

NOTE: Item "Buttons * * *" deleted Mar. 30, 1944.

Item	Effective date of restriction
Advertising specialties and other items used for advertising purposes and miscellaneous novelties	Sept. 1, 1942
Amusement machines and parts	Sept. 1, 1942
Animal feeding dishes and cups	Mar. 26, 1943
Artificial flowers, flower pots, and florists' supplies, including plant markers	Sept. 1, 1942
Badges, emblems and campaign buttons, except the following: Personal identification required by governmental agencies, personnel and plant identification for industrial use, tags and badges required for tax purposes by state and municipal governments, public safety personnel of state and municipal governments	Jan. 9, 1943
Bill folds	Jan. 9, 1943
Book covers and book marks	Mar. 26, 1943
Book ends and book stands	Sept. 1, 1942
Calendars	Jan. 9, 1943
Caskets, decorative parts	Sept. 1, 1942
Closet accessories	Sept. 1, 1942
Clothes hangers.	
Hat boxes.	
Hat stands.	
Shoe horns.	
Shoe trees.	
Tie racks.	
Coin banks and other coin holders	Jan. 9, 1943
Crumb scrapers	Mar. 26, 1943
Curtain fixtures and window pulls	Mar. 26, 1943
Displays, including but not limited to: advertising printing, containers and packages, including all transparent boxes and food covers; fixtures; mannequins and hosiery forms; signs and advertising sign letters	Sept. 1, 1942
Furniture and furniture parts	Mar. 26, 1943
Greeting cards and components	Jan. 9, 1943
Handbags and components, except handbag cement and slide fasteners	Sept. 1, 1942
Handbag frames	Mar. 26, 1943
Hats and hat ornaments	Jan. 9, 1943
House address numbers	Mar. 26, 1943
Jewelry and ornaments, including hand fabricated jewelry	Mar. 26, 1943
Jewelry cases and watch boxes	Sept. 1, 1942
Laminations and covers to photographs and pictures	Mar. 26, 1943
Laundry hampers	Sept. 1, 1942
Nameplates, but not including equipment, data and instruction plates	Sept. 1, 1942
Napkin rings	Sept. 1, 1942
Novelties, miscellaneous	Sept. 1, 1942
Pencils, novelty	Jan. 9, 1943
Picture and mirror frames	Sept. 1, 1942
Plaques and laminated plaques	Jan. 9, 1943
Poker chips	Jan. 9, 1943
Premium items	Sept. 1, 1942
Protective envelopes and laminations to paper for other than documents, permanent records, blueprints and industrial charts	Mar. 26, 1943
Ration book cases	Jan. 9, 1943
Sculptured pieces	Sept. 1, 1942
Seasonal ornaments and ornamental lighting fixtures	Sept. 1, 1942
Shoe horns	Sept. 1, 1942
Shoe trimmings	Jan. 9, 1943
Sleeve protectors	Mar. 26, 1943
Soda fountain and beverage dispensing accessories, beer scrapers, beverage stirrers, drinking straws	Sept. 1, 1942
Table mats, coasters and table ornaments	Sept. 1, 1942
Tableware cases and boxes	Sept. 1, 1942
Tie racks	Mar. 26, 1943
Vending machines and parts	Mar. 26, 1943
Wall shields	Mar. 26, 1943

[F. R. Doc. 44-4480; Filed, March 30, 1944; 11:42 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-a, Direction 2, Revocation]

Direction 2 to *Order M-21-a* is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 30th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4479; Filed, March 30, 1944; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 41,[1] Amdt. 12]

STEEL CASTINGS AND RAILROAD SPECIALTIES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Class No. 4 in paragraph B 2 of Table VII of Appendix A (§1306.112) of Revised Price Schedule No. 41 is amended by inserting "15" in the column headed "Percent".

This amendment shall become effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4485; Filed, March 30, 1944; 11:51 a. m.]

PART 1309—COPPER

[MPR 202,[2] Amdt. 4]

BRASS AND BRONZE ALLOY INGOT AND SHOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Table I and Table III contained in paragraph (b) of § 1309.165 are amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12992, 13846; 9 F.R. 678, 2556.

[2] 7 F.R. 6421, 7247, 9048, 9427; 8 F.R. 1449, 4510.

(b) *Maximum prices for sales or deliveries in carload lots.*

RANGES OF ALLOY CONTENT

TABLE I—85-5-5-5 GROUP

Ingot identification No.	Copper Min.	Copper Max.	Tin Min.	Tin Max.	Lead Min.	Lead Max.	Zinc Min.	Zinc Max.	Impurities[1]	Impurities Min.	Impurities Max.	Maximum price (cents per pound)
100	83.00	85.00	4.50	5.74	2.75	3.99	1.00	9.49	QQ-B-701-3			13.00
101	77.00	82.99	4.50	5.74	2.00	2.99	2.00	15.99				13.75
110	83.00	87.99	4.50	5.49	4.25	7.00	2.00	7.00				13.25
115	82.00	83.99	4.00	4.49	6.00	10.00	4.00	10.00				12.75
120	79.00	81.99	3.00	4.00	6.00	8.99	6.00	15.00				12.50
125	77.00	78.99	2.00	3.00	5.00	8.00	6.00	18.00				12.25
130	75.00	76.99	1.00	2.00	4.00	10.99	8.00	20.00				12.00
131	72.00	74.99		2.00	1.00	3.00	Balance					12.00
132	68.00	72.00		1.00		2.00						12.00

TABLE III—80-10-10 GROUP

295	77.00	82.00	13.00	17.00	4.00	6.00	0.00	1.00	0.00 Ni, 0.50 Fe, 0.25 Sb, 0.25 Others 0.50	0.00	0.50	20.00
296	68.00	72.00	12.00	14.00	14.00	16.00	0.00	0.50	Ni, 0.50-1.00 Fe, 0.25 Sb, 0.25 Others 0.50	0.00	0.50	17.25
296.5	79.00	82.00	10.50	12.50	7.00	10.00		0.50		0.70	1.50	17.75
297	80.00	85.00	9.50	11.49	4.25	6.99		0.50		0.70	1.50	16.50
298	80.00	85.00	9.00	11.00	4.25	6.99	1.00	5.00		0.70	1.50	16.00
299	77.00	82.00	9.00	11.00	9.00	11.99	0.13	0.75		0.00	0.25	17.00
300	77.00	82.00	9.00	10.74	2.50	11.74				0.70	1.50	16.00
305	67.00	82.00	9.00	10.74	5.50	21.74				0.70	1.50	15.75
310	83.00	85.00	7.50	8.50	7.25	8.74				0.70	1.50	15.00
311	83.00	85.00	7.50	8.50	7.25	8.75		1.00		0.70	1.50	15.00
312	74.00	81.99	7.50	8.99	12.00	15.99				0.70	1.50	15.75
313	74.00	81.99	7.50	8.99	12.00	15.99				0.70	1.50	15.75
314	74.00	81.99	7.50	8.99	12.00	15.99				0.25	0.75	15.00
315	79.00	85.00	5.50	7.49	6.00	10.00		4.00		0.70	1.50	14.25
319	74.00	82.00	5.75	7.49	12.00	16.99	S. A. E.	2.00		0.70	1.50	14.75
320	68.00	77.00	5.75	7.49	16.75	26.74				0.70	1.50	13.75
322	67.50	73.50	5.75	6.00	21.75	26.00		0.50		0.70	1.50	13.50
323	67.50	72.50	4.00	6.00	21.75	26.00			Aeron. Mat. Spec. #2680	0.70	1.50	14.50
324	68.00	67.49	4.00	5.73	26.99	32.00		2.00		0.70	1.50	13.00
325	72.00	85.00	2.00	5.74	11.75	21.74		4.00		0.70	1.50	13.25
326	80.00	86.00		5.49	8.00	15.00					0.50	13.75

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4486; Filed, March 30, 1944; 11:52 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 14]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, has been issued simultaneously herewith, and filed with the Division of the Federal Register.*

In the table of base prices in section 14, Schedule No. 10 is amended to read as follows:

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
10	Eel, Conger (Ocean pout or Eel pout) (Leptocephalus conger) (Conrees anguillaris).	1	Round	All sizes	$0.05
		2	Gutted	All sizes	.064
		3	Dressed and Skinned.	All sizes	.10
		4	Fillets	All sizes	.20

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4488; Filed, March 30, 1944; 11:51 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 818,[2] Amdt. 1]

YELLOW CYPRESS LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 17a is added to read as follows:

SEC. 17a *Grades.* The grades and terms in this regulation are based on the National Hardwood Lumber Association Rules for the Measurement & Inspection of Hardwood Lumber, Cypress, Veneers and Thin Lumber, issued January 1941 by the National Hardwood Lumber Association.

This amendment shall become effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4490; Filed, March 30, 1944; 11:52 a. m.]

PART 1340—FUEL

[Rev. MPR 137,[1] Amdt. 2]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

[1] 9 F.R. 1117.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3446, 4640, 5586, 7592, 11176, 12023, 12792, 14079, 15191, 16682, 16998; 9 F.R. 183, 946, 3023.

*9 F.R. 3026.

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 217,[1] Amdt. 3]

WALNUT GUNSTOCK BLANKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1384.112 is amended to read as follows:

§ 1384.112 *Appendix A: Maximum prices for walnut gunstock blanks.* The maximum f. o. b. mill prices for Walnut Gunstock blanks, manufactured in accordance with United States Government quality specifications, shall be as follows:

	Condition	
	Kiln dried[2]	Green[3]
Springfield (U. S. Rifle, Cal. .30 M 1903 A3)	$2.05	$1.90
Enfield (U. S. Rifle, Cal. .30 M 1917)	2.06	1.90
Garand (U. S. Rifle, Cal. .30 M-1)	1.87	1.21
Mark IV [per set of butt (Specification OE-359C), hand guard (Specification OE-361B), and fore end (Specification OE-360B)]	1.33	1.34
Johnson (Johnson Model R)	1.32	1.16
Reising (H-R Reising Sub-Machine Gun)	1.32	1.16
Carbine (Carbine Cal. .30 M-1)	.94	.83
Thompson (Sub-Machine Gun, Cal. .45, M1928 A-1 and M-1)	.38	.33

[1] To an average moisture content of not more than 8 percent.

[2] Includes any blanks not kiln dried to an average moisture content of 8 percent or less.

This amendment shall become effective March 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4491; Filed, March 30, 1944; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 15[1] to GMPR, Amdt. 22]

PRIVATE BRANDS OF SMOKING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) is amended by adding a subparagraph to read as follows:

(13) *Private brands of smoking tobacco.* Any manufacturer of a private brand of smoking tobacco may apply for adjustment of his maximum price for such private brand if:

(i) His over-all net profits, before income taxes, during his last fiscal year, are not greater than his average over-all net profits, before income taxes, during the period 1936–1939, inclusive; or

(ii) His over-all net profits, before income taxes, during his last fiscal year, are greater than his average over-all net profits, before income taxes, during the period 1936–1939, inclusive, and the total cost to him of the private brand of smoking tobacco exceeds his maximum net selling price therefor; and

(iii) His continued production of the private brand of smoking tobacco is threatened or its manufacture has been curtailed or discontinued.

"Private brand of smoking tobacco" means a brand of smoking tobacco bearing a brand name owned privately and duly registered by a person selling and distributing the product on his own behalf, and which is manufactured for him according to his specifications and requirements.

A manufacturer of a private brand of smoking tobacco who desires an adjustment in his maximum price for such private brand shall send to the Office of Price Administration, Washington, D. C., an application containing the following information:

(i) His present and requested maximum net selling prices per dozen.

(ii) The date and the complete terms of the agreement between him and the private brand owner pursuant to which the smoking tobacco is manufactured.

(iii) A statement in detail showing why he finds it necessary to request an increase in his maximum price in order to continue producing the particular brand of smoking tobacco for the private brand owner.

(iv) His present detailed costs, prepared in accordance with his usual system of accounts, of the private brand of smoking tobacco.

(v) His present detailed costs, prepared in accordance with his usual system of accounts, of his own most comparable brand of smoking tobacco, and his present maximum net selling price per dozen of such brand.

(vi) His profit and loss statements for the period 1936–1939, inclusive, and for his last fiscal year, prepared in accordance with his usual system of accounts, unless such data have been previously made available to the Office of Price Administration.

(vii) His current volume of sales of the private brand of smoking tobacco or, if the production of such smoking tobacco has been discontinued, the volume of sales which may be reasonably expected if his present maximum price is adjusted upward.

(viii) A statement signed by the private brand owner that he will absorb and will not pass on to any purchaser the requested increase or any part thereof, and that such increase will not be made the basis of any future request for adjustment of his maximum price for such smoking tobacco.

Any adjustment granted under this subparagraph shall be limited as follows:

(i) If the manufacturer's over-all net profits, before income taxes, for his last fiscal year are not greater than his average over-all net profits during the period 1936–1939, inclusive, the adjustment shall not exceed the total cost to him of the private brand of smoking tobacco plus a reasonable profit. In determining what is a reasonable profit, the Office of Price Administration will consider the net profit per dozen realized on sales of his own most comparable brand of smoking tobacco. No adjustment made in such instance may result in over-all net profits greater than his average over-all net profits during the period 1936–1939, inclusive.

(ii) If the manufacturer's over-all net profits, before income taxes, for his last fiscal year are greater than his average over-all net profits during the period 1936–1939, inclusive, the adjustment shall not exceed the total cost to him of the private brand of smoking tobacco.

The Office of Price Administration shall authorize or deny by order the adjustment requested. The authorization so granted may be revoked at any time by the Price Administrator.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4492; Filed, March 30, 1944; 11:52 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

PROCEDURE RELATIVE TO ADJUSTMENT IN RATES OF PAY OF EMPLOYEES OF DEPARTMENT OF COMMERCE

§ 803.34 *General Order No. 34.* (a) The National War Labor Board hereby delegates to the Secretary of Commerce the authority to approve adjustments in the wages or salaries of employees of the Department of Commerce, not fixed by statute, which would otherwise require the prior approval of the National War Labor Board, all in accordance with the further provisions of this order.

(b) In the exercise of the authority delegated hereunder, the Secretary of Commerce shall comply with the terms of Executive Order 9250, dated October 3, 1942, as amended, Executive Order 9328, dated April 8, 1943, the Supplement thereto issued by the Director of Economic Stabilization on May 12, 1943, and all pertinent principles and policies of the National War Labor Board or of the Director of Economic Stabilization here-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7244, 8946; 8 F.R. 12747.

[1] 7 F.R. 3959, 9619, 10584, 11006; 8 F.R. 1201, 6443, 9614, 9936, 11873, 13255, 13895, 13734, 15197, 16298, 16796, 17220; 9 F.R. 755, 902, 1945, 2509.

tofore or hereafter announced. The Secretary of Commerce shall, so far as is practicable, utilize the information and data of the National War Labor Board or of the several regional war labor boards in the determination of area rates and applicable wage brackets.

(c) The Secretary of Commerce, without making a ruling thereon, may refer to the National War Labor Board for decision any case which in his opinion presents doubtful or disputed questions of sufficient seriousness or import to warrant action by the National War Labor Board.

(d) A certificate by the Secretary of Commefce attesting to the approval of the adjustment, stating the nature and amount of the adjustment, and briefly setting forth the facts indicating that the adjustment meets the requirements of the wage stabilization program, as set forth above, will be accepted by the National War Labor Board as sufficient evidence of the propriety of the adjustment. All rulings of the Secretary hereunder shall be subject to review by the National War Labor Board on its own initiative, but the reversal or modification of any such ruling shall not be retroactive.

(e) The certificate described herein, together with four copies thereof, shall be filed promptly with the Wage Stabilization Division of the National War Labor Board, together with such additional data and reports as said division or the National War Labor Board may from time to time require.

(E.O. 9250, 7 F.R. 7871)

Adopted March 24, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-4431; Filed, March 30, 1944; 10:11 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 7—REGULATIONS FOR THE PROTECTION OF WATERFRONT FACILITIES

MISCELLANEOUS AMENDMENTS

Under authority of Executive Order 9074 (7 F.R. 1587) and pursuant to the Act of July 9, 1943 (Public Law No. 127—78th Congress), the following regulations governing protection of waterfront facilities are hereby promulgated and approved, effective May 1, 1944:

GENERAL PROVISIONS

Sec.
7.1 Purpose of regulations.
7.2 Application.
7.3 Administration.
7.4 Special orders of the Captain of the Port.
7.5 Powers of the Captain of the Port.
7.6 Responsibility for compliance.
7.7 Waiver authority based on local or unusual conditions.
7.8 Special circumstances.

SABOTAGE

7.15 Precautions against sabotage.
7.16 Reporting of sabotage.

GUARDING OF WATERFRONT FACILITIES

7.20 Adequate guard protection.
7.21 How guards are provided.
7.22 Qualifications of guards.
7.23 Instruction of guards.

IDENTIFICATION AND PASSES

7.25 Basic requirements.

FIRE PREVENTION

7.30 Smoking.
7.31 Welding.
7.32 Fire Watch.
7.33 Trucks and other motor vehicles.
7.34 Pier automotive equipment.
7.35 Rubbish and waste materials.
7.36 Maintenance stores and supplies.
7.37 Electric wiring.
7.38 Heating equipment.
7.39 Fire extinguishing equipment.
7.40 Marking of fire appliance locations.
7.41 Lighting.
7.42 Arrangement of cargo.

DANGEROUS CARGO

7.50 Approval of facility for dangerous cargo.
7.51 Handling of dangerous cargo.

SEPARABILITY AND PENALTY

7.55 Separability.
7.56 Penalty.

AUTHORITY. §§ 7.1 to 7.56 inclusive, issued under Executive Order 9074 (7 F.R. 1587), 57 Stat. 391 (33 CFR 7.7).

GENERAL PROVISIONS

§ 7.1 *Purpose of regulations.* The regulations contained in this part are promulgated for the protection of vessels, harbors, ports and waterfront facilities. Nothing contained in this part shall be construed to repeal or supersede the provisions of the regulations relating to the Security of Ports and the Control of Vessels in the Navigable Waters in the United States (33 CFR, Part 6), Explosives or Other Dangerous Articles on Board Vessels as amended (46 CFR, Part 146), or the Regulations Relating to Tank Vessels as amended (46 CFR, Parts 30–38 incl.), or any other law or regulation not inconsistent herewith promulgated by any Federal, State, municipal, port, or other lawful agency for the protection of waterfront facilities.

§ 7.2 *Application.* The regulations contained in this part shall apply to all piers, wharves, docks, or similar structures to which vessels may be secured, buildings on such structures or contiguous to them, and equipment and materials on such structures or in such buildings on all navigable waters of the United States, Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands, but shall not apply to shipyards and facilities used in connection therewith or to such waterfront facilities as may be directly operated by the War Department or the Navy Department. Whenever the term "waterfront facilities" is used in this part it shall mean all piers, wharves, docks, and similar structures to which vessels may be secured, buildings on such structures or contiguous to them, and equipment and materials on such structures or in such buildings.

§ 7.3 *Administration.* The regulations contained in this part shall be administered by the U. S. Coast Guard Captain of the Port under the general supervision of the District Coast Guard Officer. Pursuant to order of the Chief of Naval Operations any waterfront facility may be specifically assigned to the Navy for the purpose of security inspection. In any such case, the regulations in this part may be administered with respect to such facility by the Naval District Commandant. Such officer may exercise with respect to such facility all the powers and authority granted to the Captain of the Port by the regulations contained in this part. The Captain of the Port shall give notice to the owner, lessee, or operator of such facility of such assignment and of the officer of the Navy authorized to administer the regulations.

§ 7.4 *Special orders of the Captain of the Port.* Whenever the Captain of the Port shall find that the conditions of construction, maintenance, equipment, or operation of any waterfront facility or of any other waterfront property creates a hazard of destruction, loss, or injury from sabotage or other subversive acts, accident, fire or other causes of a similar nature to such waterfront facility or to any other waterfront facility, he is authorized to issue such special orders not inconsistent with the regulations contained in this part as he shall find to be necessary to eliminate such hazard, and the owner, lessee, and operator of such waterfront facility or such other waterfront property shall comply with such orders.

§ 7.5 *Powers of the Captain of the Port.* The Captain of the Port and his duly authorized representatives shall have the right of entry to waterfront facilities at all times. The Captain of the Port may cause to be inspected and searched at any time, any waterfront facility or any person or package thereon, may place guards thereon, and may remove therefrom any or all persons not specifically authorized by him to go or remain thereon.

§ 7.6 *Responsibility for compliance.* Owners, lessees, and operators of waterfront facilities are required to comply with the regulations contained in this part and shall be responsible for taking all necessary measures to comply therewith. Nothing in the regulations contained in this part shall be construed to relieve the owners, lessees, and operators of waterfront facilities from their responsibility for the protection of such facilities.

§ 7.7 *Waiver authority based on local or unusual conditions.* Whenever the Commandant, U. S. Coast Guard, the District Coast Guard Officer, or the Captain of the Port shall find that the application of any provision of the regulations contained in this part is not necessary to the security of a waterfront facility or of the port, or that its application is not practical because the materials or personnel required for compliance are not available, or because the protection of the particular facility is not essential

to the war effort or to the security of other facilities or vessels moored thereto, he may waive compliance with such provisions to the extent and upon the conditions determined by him; such waivers and requests therefor shall be in writing.

§ 7.8 *Special circumstances.* In case of emergency circumstances causing imminent hazard to a waterfront facility or vessel and in the absence of specific orders from the Captain of the Port, nothing in these regulations shall be construed as prohibiting the owner, lessee, or operator thereof from pursuing the most effective course of action in his judgment for the safety of the property.

SABOTAGE

§ 7.15 *Precautions against sabotage.* The owner, lessee, and operator of a waterfront facility shall take all necessary precautions to protect such facilities from sabotage.

§ 7.16 *Reporting of sabotage.* The evidence of or suspicion of sabotage or any other subversive activity involving a waterfront facility or personnel employed thereon, shall be reported immediately to the Captain of the Port, the nearest representative of the Naval Intelligence Service and the Federal Bureau of Investigation.

GUARDING OF WATERFRONT FACILITIES

§ 7.20 *Adequate guard protection.* Guards shall be provided for the protection of waterfront facilities in such numbers as to assure adequate surveillance, prevent unlawful entrance, detect fire hazards, and to check the readiness of protective equipment. The Captain of the Port is authorized to require additional guards upon a finding that the owner, lessee, and operator of such facilities have not provided guards in the manner required by this section.

§ 7.21 *How guards are provided.* All guards required by the regulations contained in this part shall be provided by the owners, lessees, and operators of waterfront facilities.

§ 7.22 *Qualifications of guards.* Guards shall be citizens of the United States, of good character and satisfactory physical condition. No person shall be employed as guard upon a waterfront facility if the Captain of the Port shall find that by reason of misconduct, inattention to duty, negligence or other causes, such person would thereby endanger the security of a waterfront facility.

§ 7.23 *Instruction of guards.* The owners, lessees, and operators of waterfront facilities shall be responsible for the instruction of guards in their duties and for the supervision of the performance of such duties, except in the case of Coast Guard Police and Auxiliary Military Police.

IDENTIFICATION AND PASSES

§ 7.25 *Basic requirements.* No person shall enter upon or be permitted to enter any waterfront facility unless he shall possess all of the following:

(a) A Coast Guard identification card or other means of identification acceptable to the Captain of the Port.

(b) Any of the following kinds of passes:

(1) A badge or card issued by the company or individual operating the waterfront facility and bearing the name of the person to whom issued.

(2) Express permission (oral or written) from the owner, lessee, or operator of a water-front facility or his duly authorized representative, valid for a single day or for a single entrance to the waterfront facility.

(3) A daily work ticket or other evidence of legitimate employment on a waterfront facility, acceptable for the date of issue only, which is issued by stevedoring companies, welding companies, carloading Companies, engineering Companies, railroads, trucking companies, and others whose agents and employees are authorized by the owner, lessee, or operator of the waterfront facilities, to be thereon.

(4) Credentials establishing status as an official of the government of the United States, or of the States or possessions thereof, or of a municipality thereof, whose duties require his presence on a waterfront facility.

(5) A pass when approved by the master, senior deck officer on duty, or representative of the owner in a position or authority of a vessel moored at the waterfront facility.

(6) A certificate of identification or seaman's service record issued to United States Merchant Marine Officers and seamen when the holder thereof is a member, or is to become a member of the crew of a vessel moored at the waterfront facility.

(c) A legitimate reason for seeking entrance to the waterfront facility at that particular time. The provisions of this section shall not apply to any person entering a waterfront facility solely for the purpose of transportation as a passenger on board a passenger carrying vessel to be boarded from such waterfront facility.

FIRE PREVENTION

§ 7.30 *Smoking.* Smoking shall be prohibited on all piers, docks, wharves, and other waterfront facilities except at such portions thereof as may be designated by the owner, lessee, or operator thereof, and approved by the Captain of the Port: *Provided,* That smoking in such areas shall only be permitted in accordance with local ordinances and regulations. Signs shall be conspicuously posted marking such authorized smoking areas. "No Smoking" signs shall be conspicuously posted elsewhere on waterfront facilities.

§ 7.31 *Welding.* Oxyacetylene or similar welding or burning, or other hot work including electric welding or the operation of equipment therewith shall be prohibited on a waterfront facility, except pursuant to the procedure and under the conditions prescribed by the Captain of the Port.

§ 7.32 *Fire watch.* No welding, burning or other hot work on a waterfront facility in the presence of combustible material likely to become ignited, shall be done except in the presence of a fire watch to be composed of one or more fire guards as may be determined by the Captain of the Port. Suitable fire extinguishing appliance shall be kept readily at hand during the process of such work. The fire watch shall remain on duty from the time hot work is started until after it is completed and danger of ignition is past.

§ 7.33 *Trucks and other motor vehicles.* Trucks and other motor vehicles shall not remain or park upon a waterfront facility except for the purpose of awaiting transportation, for the purpose of discharging or loading cargo or passengers, or for the purpose of performing services in connection with the operation of the facility or in connection with a vessel moored thereto. No truck or other motor vehicle shall be left unattended in such a position as may block the access of fire-fighting apparatus. Refueling of trucks or cars on a waterfront facility is prohibited except in such areas and pursuant to such procedures as may be prescribed by the Captain of the Port.

§ 7.34 *Pier automotive equipment.* Tractors, stackers, lift trucks, hoisters, and other equipment driven by internal combustion engines used on waterfront facilities, shall be of such construction and condition and free from excess grease, oil or lint as not to constitute a fire hazard. Each unit of such equipment shall be provided with an approved type hand extinguisher. When not in use, such equipment shall be stored in a manner and location satisfactory to the Captain of the Port. Gasoline or other fuel used for such equipment, shall be stored and handled in accordance with accepted safe practices, and shall not be stored on waterfront facilities without the approval of the Captain of the Port. Refueling or repairing of such equipment on waterfront facilities is prohibited except in such areas and pursuant to such procedures as may be prescribed by the Captain of the Port.

§ 7.35 *Rubbish and waste materials.* Waterfront facilities shall be kept free from rubbish, debris, and waste materials.

§ 7.36 *Maintenance stores and supplies.* Supplies classified as dangerous by the provisions of the regulations entitled "Explosives and Other Dangerous Articles on Board Vessels" (46 CFR, Part 146), to be used in connection with operation or maintenance of the property or facility, shall not be stored on waterfront facilities except in amounts necessary for normal current operating conditions and such storage shall be in a compartment remote from combustible material and so constructed as to be readily accessible and provide safe storage. Storage compartments must be kept clean and maintained free of scrap materials, empty containers, soiled wiping rags, waste, and other debris. Covered metal containers shall be provided for storage of used wiping cloths and contents removed at the end of each working day. Clothing lockers shall be

maintained clean and orderly and properly ventilated. Fire extinguishing equipment suitable for the type of hazard shall be readily available.

§ 7.37 *Electric wiring.* New installations of electric wiring and equipment shall be made in accordance with accepted safe practices. Conformity with the requirements of the National Electric Code, 1940 edition and supplement of November, 1943, and the requirements of applicable local regulations shall be deemed evidence of compliance with such accepted safe practices. Materials, fittings, and devices shall be of type and character approved for the intended use by Underwriters Laboratories, Inc., Associated Factory Mutual Laboratories, or U. S. Bureau of Standards. Existing electric wiring shall be maintained in a safe condition, free of defects or modifications which may cause fire or personal injury. Defective or dangerous wiring, equipment, and devices shall be replaced, repaired or permanently disconnected from a source of energy.

§ 7.38 *Heating equipment.* Heating equipment shall be safely installed and maintained in good operating condition. Adequate clearances to prevent undue heating of nearby combustible materials shall be maintained between heating appliances, chimneys, stove pipes, gas vents or other heat producing elements, and any combustible materials of the floors, walls, partitions or roofs. In general, clearances shall be such that continuous operation of the heat producing device at full capacity will not increase the temperature of nearby woodwork more than 90° above the ambient temperature. Where necessary to prevent contact with movable combustible materials, heating appliances shall be enclosed or screened. Spark arresters shall be provided on chimneys or appliances burning solid fuel used in locations where sparks constitute a hazard to nearby combustible materials. As a guide to safe installation of heating equipment, the appropriate chapters of the National Board of Fire Underwriters Building Code, 1943 Edition, shall be used.

§ 7.39 *Fire extinguishing equipment.* Fire extinguishing appliances shall be made available in such minimum quantities, locations, and types as the Captain of the Port may prescribe. Installation and maintenance of first aid fire appliances shall not be less than equivalent to the requirements prescribed in the "Standards for First Aid Fire Appliances", issued by the National Board of Fire Underwriters. Fire extinguishing equipment, fire alarms systems and devices, and fire doors and other safety equipment shall be maintained in good operating condition at all times. When the Captain of the Port shall find that the existence of hazardous conditions require such precaution, emergency hose lines shall be led out and other emergency fire-fighting equipment shall be located immediately adjacent to said hazards.

§ 7.40 *Marking of fire appliance locations.* The locations of all fire appliances, including hydrants, standpipe and hose stations, fire extinguishers, and fire alarm boxes, shall be conspicuously marked and ready accessibility to such appliances shall be maintained.

§ 7.41 *Lighting.* Subject to applicable dimout and blackout regulations, piers, docks, and wharves to which cargo vessels are moored, shall be illuminated during the hours of darkness. The use of kerosene and gasoline lamps and lanterns on such waterfront facilities is prohibited.

§ 7.42 *Arrangement of cargo.* Cargo shall be arranged on waterfront facilities according to the individual structures of such facilities, in a manner to permit complete access for the purpose of fire extinguishment. Cargo shall be placed on waterfront facilities under the following conditions:

(a) Two feet of clear and open space shall be maintained free of rubbish, dunnage, or other obstruction, between cargo piles and any side of covered piers and cargo stored thereon. This distance shall be measured from the most prominent projection of the wall such as studding, bracings or other obstructions that are a part of the structure.

(b) Inflammable and combustible cargo shall not be tiered higher than 12 feet. All cargo including inflammable and combustible cargo shall be so tiered as to maintain a clearance between the upper level of the top tier and trusses, beams, girders, or other structural members of not less than 36" and between such upper level and sprinkler heads a clearance of 12" shall be maintained.

(c) There shall be maintained four feet of clear and open operating space around any fire alarm box, standpipe and fire hose, sprinkler valve, firedoors, deck hatches, or any fire-aid fire appliances.

(d) When first-aid fire appliances, alarm boxes, or other safety equipment, or deck hatches are located in a space surrounded by cargo, there shall be maintained a straight, free and open space three feet in width running to the center aisle. This space shall be kept clear of all rubbish, dunnage, or other obstruction.

(e) A center aisle of at least twenty feet in width shall be maintained the entire length of the waterfront facility when control of fire requires trucks to come on the pier. The aisle may be reduced to eight feet in width if such access by fire trucks is not required.

(f) Cross aisles, five feet wide, straight and at right angles to the center aisles, to be maintained at intervals not exceeding seventy-five feet, and extending to the sides of the waterfront facility.

Where the type of cargo to be worked and the construction of a waterfront facility makes compliance with the foregoing provisions impracticable, the Captain of the Port may prescribe such rules for the arrangement of cargo as he may deem necessary and appropriate.

DANGEROUS CARGO

§ 7.50 *Approval of facility for dangerous cargo.* Explosives, military, ammunition, inflammable liquids, and other dangerous cargo as defined in the regulations "Explosives and Other Dangerous Articles on Board Vessels" (46 CFR, Part 146) shall not be processed, stored, or packed upon any waterfront facility unless such facility has been authorized by the Captain of the Port for such use.

§ 7.51 *Handling of dangerous cargo.* Freight classified as dangerous by Coast Guard regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR, Part 146) shall not be handled or stored on any waterfront facility except in accordance with the following regulations:

(a) Explosives and ammunition (except small-arms ammunition) shall not be handled or stored on waterfront facilities except when laden within a railroad or highway vehicle, and then only upon such waterfront facilities that are specifically approved for such purposes by the Captain of the Port.

(b) Small-arms ammunition may be handled or stored on waterfront facilities: *Provided*, Local regulations do not prohibit handling or storage thereon.

(c) Inflammable liquids in metal containers, in amounts exceeding 10 tons, shall not be handled or stored at any one time on waterfront facilities except upon permission of the Captain of the Port. Such liquids in any amounts shall be so handled and stored as to provide maximum separation from combustible materials.

(d) Inflammable liquids and compressed gases shall be so handled and stored upon waterfront facilities as to provide maximum separation between freight consisting of acids or corrosive liquids. Storage for inflammable solids or liquidizing materials shall be so arranged as to prevent moisture coming in contact therewith.

(e) Acids or corrosive liquids shall be so handled and stored as to prevent such acids or liquids in event of leakage from contacting any organic materials.

(f) Poisonous gases or liquids shall be so handled and stored as to prevent their contact with acids, corrosive liquids, or inflammable liquids.

(g) All dangerous articles of freight, including combustible liquids and hazardous articles, shall be arranged in such manner as to retard the spread of fire. This shall be accomplished by interspersing piles of dangerous freight with piles of inert or less combustible materials.

SEPARABILITY AND PENALTY

§ 7.55 *Separability.* If any provision of the regulations contained in this part or the application of such provision to any person, waterfront facility, or circumstance shall be held invalid, the validity of the remainder of the regulations contained in this part and applicability of such provision to other persons, waterfront facilities, or circumstances, shall not be affected thereby.

§ 7.56 *Penalty.* Wilful violation of any of the provisions contained in this part or of any order issued thereunder is a misdemeanor, punishable by a fine of

not to exceed $5,000 or by imprisonment for not more than one year, or both.

R. R. WAESCHE,
Commandant, U. S. Coast Guard.

Approved: March 29, 1944.

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-4447; Filed, March 30, 1944; 10:23 a. m.]

PART 7—PROTECTION OF WATERFRONT FACILITIES

WAIVER OF COMPLIANCE IN ST. LOUIS DISTRICT

Whereas I find that the application of the regulations for the Protection of Waterfront Facilities (33 CFR Part 7) in the St. Louis District of the Coast Guard is not presently necessary to the security of the waterfront facilities in such District;

Now therefore, I hereby waive compliance with all the provisions of such regulations with respect to waterfront facilities in the St. Louis District of the Coast Guard, which includes the following states: West Virginia, Kentucky, Tennessee, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Iowa, Missouri, Pennsylvania west of longitude 79° W. and south of latitude 41° N., Ohio south of latitude 41° N., Indiana south of latitude 41° N., Illinois south of latitude 41° N. and west of longitude 90° W., Wisconsin west of longitude 90° W. and south of latitude 46°20′ N., Minnesota south of latitude 46°20′ N., Arkansas north of latitude 34° N., Mississippi north of latitude 34° N., and Alabama north of latitude 34° N.

This waiver is granted upon the express condition that it may be revoked at any time in whole or in part with respect to any or all waterfront facilities to which it applies.

(33 CFR 7.7)

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MARCH 29, 1944.

[F. R. Doc. 44-4448; Filed, March 30, 1944; 10:23 a. m.]

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

HIGHWAY BRIDGE AT MOBILE, ALA.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.241 are hereby extended to include a highway bridge over Three Mile Creek, at Mobile, Alabama, paragraph (f) being amended as follows:

§ 203.241 *Navigable waterways of the United States discharging their waters into the Atlantic Ocean south of and including Chesapeake Bay and the Gulf of Mexico, excepting the Mississippi River and its tributaries; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

• • • • •

Three Mile Creek, Ala.; State of Alabama Highway Department bridge at Mobile, Ala. (At least 12 hours' advance notice required.)

(Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. 8 November 1943, CE 800.211 SPEKH, as amended 23 March 1944 CE 823 (Three Mile Creek—Mobile, Ala.—Mile 1)—SPEWR.]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-4463; Filed, March 30, 1944; 11:28 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 2]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM ADDENDUM TO TIME CHARTERS

§ 302.57 *Uniform addendum to time charters covering adjustments of certain disputed questions.* Whenever appropriate and upon approval of the parties, there shall be executed and made a part of the time charters entered into by the War Shipping Administration pursuant to § 302.50 *Uniform time charter for requisitioned and other dry cargo vessels*[1] (General Order 11) and §§ 302.55 *Requisition time charter for tank vessels*[1] and 302.56 *Uniform time charter terms and conditions for tank vessels*[1] (General Order 11, Supplements 1, 1A, and 1B), the following addendum to cover adjustments of certain disputed questions:

UNIFORM ADDENDUM TO TIME CHARTER COVERING ADJUSTMENTS OF CERTAIN DISPUTED QUESTIONS

ADDENDUM dated the _____ day of _____, 194__, to Requisition Time Charter (Contract No. WSA-_____) dated as of _____ 1942, (hereinafter called the Charter) between _____, Owner of the good steel SS MS._____ (hereinafter called the Vessel) and the United States of America, Charterer.

WHEREAS various disputes have arisen between the Owner and the Charterer with respect to the rights, duties and obligations of the parties under the aforesaid Charter, and

WHEREAS the parties desire to compromise and adjust certain of such disputes to the extent hereinafter set forth pursuant to the statutes and laws of the United States, and

WHEREAS the Administrator, War Shipping Administration, on behalf of the United States has found that such compromise and adjustment would be beneficial to the interest of the United States and would facilitate the prosecution of the war:

NOW, THEREFORE, IT IS AGREED that the Charter is hereby amended, effective on the date of the Charter, as follows:

First: The following paragraph shall be inserted between Clause 4 (b) and the present proviso:

"Provided, however, that when the period of time lost to the Charterer on any one occasion is less than twenty-four (24) consecutive hours, hire shall not be reduced for such period unless it exceeds eleven (11) consecutive hours, in which case such period shall be counted as one day."

Second: Clause 11 is amended by adding thereto the following paragraph:

"The full rate of hire provided in Part I of this Charter shall be paid for all the periods of time required to install any defensive armament (including demagnetization by installed equipment or other process, e. g. degaussing, wiping or deperming) whether installed pursuant to this Clause 11 or during any period of time referred to in the first sentence of § 302.18 (d) (Paragraph 2 (d) of General Order 8 revised) or of § 302.18 (c) (Paragraph 2 (c) of General Order 8, Supp. 1); provided, however, that if during all or any part of any such period, the vessel concurrently undergoes repairs of whatever nature for the Owner's account, except repairs of any damage arising from causes specified in Clause 4 (i), then for the period of such concurrent repairs for the Owner's account, the rate of hire payable shall be reduced one-quarter. The period of such concurrent repairs shall be computed, at the Owner's option, on the basis of time elapsing between the actual commencement and the actual completion of the Owner's repairs, or on the basis of an estimate, submitted by the Owner and approved by the Charterer's local manager of Maintenance and Repair or by some other person designated by the Charterer, of the amount of time that would have been required for Owner's work if it had been performed during normal working hours (not in excess of a two shift basis) and on normal working days, but otherwise without interruption."

Third: Any other provisions of this Charter or any amendments thereto to the contrary notwithstanding, no hire or other moneys which the Charterer or the Owner is obligated to pay to the other under this Charter or any amendment thereto, shall accrue or become due and payable before the execution of this Charter which occurred on _____, 1942, and no hire or other moneys which the Charterer or the Owner is obligated to pay to the other under this Addendum shall accrue or become due and payable before the date of this Addendum.

Fourth: Clause 8 is amended by adding the following to the end thereof:

"Except as to newly constructed vessels delivered by the shipbuilder after December 7, 1941 and as to Vessels lost or requisitioned and delivered for bareboat use or title within six months after delivery under the Charter (which classes of vessels shall be the subject of special agreements), the Charter shall be construed to impose upon the Charterer the full actual cost of providing and maintaining on and after December 7, 1941, all equipment and installations on the Vessel, beyond normal peacetime standards, then or thereafter required by sub-chapter O of chapter 11 of the Regulations of the United States Coast Guard (Title 46, U.S.C.A.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel is under time charter after March 1, 1944, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements. All costs, which by reason of the Charter as construed by this Amendment, are to be borne by the Charterer but have been incurred by the Owner prior to the date of this Addendum, shall be adjusted and reimbursed in accordance with the foregoing provisions. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations

[1] 7 F.R. 6227, 6546, 6550, 6551.

or additions made by the Charterer pursuant to Clause 11 of the Charter."

In consideration of the foregoing undertaking by the Charterer and the other provisions of this Addendum, the Owner shall forthwith pay or allow to the Charterer as a credit against the hire of the Vessel or against the Owner's prior disbursements for such equipment or installations, the sum of $175 for each member of the Vessel's normal complement of officers and crew.

IN WITNESS WHEREOF, the Owner has executed this Agreement in quadruplicate on the ------ day of ----------, 1944, and the Charterer has executed this agreement in quadruplicate on the ------ day of ----------, 1944.

UNITED STATES OF AMERICA,
By: E. S. LAND, *Administrator.*
War Shipping Administration.

By: ---
For the Administrator.

As to execution for Owner.
Attest:

---
or if not incorporated
In the presence of:

Witness

and

Witness

Approved as to form:

Assistant General Counsel.

I, ----------, certify that I am the duly chosen, qualified, and acting Secretary of ---------- a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that ---------- who signed this Agreement on behalf of said corporation, was then the duly qualified ---------- of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL]

Secretary.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

MARCH 28, 1944.

[F. R. Doc. 44-4395; Filed, March 29, 1944; 10:27 a. m.]

Notices

DEPARTMENT OF LABOR

Wage and Hour Division.

[A. O. 332]

ADVISORY COMMITTEE ON SHELTERED WORKSHOPS

RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor,

Do hereby accept the resignation of Commissioner Edward J. Parker from the Advisory Committee on Sheltered Workshops, and do appoint in his stead Commissioner Donald McMillan, National Secretary of the Salvation Army, to the Advisory Committee on Sheltered Workshops.

Signed at Washington, D. C., this 23d day of March 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-4429; Filed, March 29, 1944; 5:05 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-531]

INTERSTATE NATURAL GAS CO., INC.

NOTICE OF APPLICATION

MARCH 29, 1944.

Notice is hereby given that on March 15, 1944, Interstate Natural Gas Company, Inc. (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 (b) of the Natural Gas Act to abandon the northern 40,840 feet of its 16-inch line which extends in a southerly direction from Perryville, Ouachita Parish, Louisiana, for about 22 miles to a point near Alto, Richland Parish, Louisiana, designated as Applicant's line T-9.

The Applicant states that, pursuant to authorization granted by this Commission on June 30, 1943, in Docket No. G-468, it completed construction and commenced operation of a new 16-inch line extending from its De Siard compressor station and connecting with the aforesaid line T-9. Since the completion of the new line on November 30, 1943, the Applicant states that it has transported no gas through the northern section of its line T-9 proposed to be abandoned, and that such facility will not be required for the transportation of gas in the future.

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 15, 1944, file with the Federal Power Commisison a petition or protest in accordance with the rules of practice and regulations of the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4430; Filed, March 30, 1944; 10:11 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 49-59]

WILLYS-OVERLAND MOTORS, INC., AND UNITED STATES ADVERTISING CORP., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 207, Federal Building, Toledo, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4464; Filed, March 30, 1944; 11:29 a. m.]

[Docket No. 5042]

MOTLOID CO., INC. AND WALLACE A. ERICKSON

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 21, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4465; Filed, March 30, 1944; 11:29 a. m.]

[Docket No. 5052]

MONTGOMERY WARD AND CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 28th day of March, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, April 20, 1944, at two o'clock in the afternoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-4466; Filed, March 30, 1944; 11:29 a. m.]

[Docket No. 5080]

C. I. TOGSTAD CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1944.

In the matter of Vera P. Williams, an individual trading and doing business as the C. I. Togstad Company; and L. O. Williams, individually and as general manager of Vera P. Williams, doing business as The C. I. Togstad Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 18, 1944, at ten o'clock in the forenoon of that day (central standard time), in Juvenile Court Room, County Court House, Kokomo, Indiana.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-4467; Filed, March 30, 1944; 11:29 a. m.]

[Docket No. 5106]

JULIUS C. SCHWARTZ, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1944.

In the matter of Julius C. Schwartz, Freda Schwartz, and Rubin Rocker, individuals, and W. W. In The Western Hemisphere, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 24, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-4468; Filed, March 30, 1944; 11:29 a. m.]

NATIONAL HOUSING AGENCY.

Federal Housing Administration.

MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

NOTICE OF CALL FOR PARTIAL REDEMPTION

MARCH 27, 1944.

Notice of call for partial redemption, before maturity, of 2¾ percent mutual mortgage insurance fund debentures, Series B.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1,543 to 1,555
$100	5,710 to 5,765
$500	1,906 to 1,923
$1,000	6,918 to 7,007
$5,000	508 to 514

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944 to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on and after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

[SEAL] ABNER H. FERGUSON, *Commissioner.*

Approved: March 29, 1944.

D. W. BELL, *Acting Secretary of the Treasury.*

[F. R. Doc. 44-4469; Filed, March 30, 1944; 11:28 a. m.]

MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

NOTICE OF CALL FOR PARTIAL REDEMPTION

MARCH 27, 1944.

Notice of call for partial redemption, before maturity, of 2¾ percent mutual mortgage insurance fund debentures, Series E.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	16 to 21
$100	67 to 83
$500	17 to 20
$1,000	79 to 96
$5,000	5

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944 to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

[SEAL] ABNER H. FERGUSON, *Commissioner.*

Approved: March 29, 1944.

D. W. BELL, *Acting Secretary of the Treasury.*

[F. R. Doc. 44-4451; Filed, March 30, 1944; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1848, Amdt.]

FREDERICK L. KEPPLER

Whereas, pursuant to Vesting Order Number 1848 of July 19, 1943, the undersigned purported to vest all right, title, interest and claim of any kind or character whatsoever of "Susan Weissbaam" in and to the Estate of Frederick L. Keppler, deceased; and

Whereas, through clerical error the name "Susan Weissbaam" appears in such vesting order as "Susan Weissbaan";

Now, therefore, Vesting Order Number 1848 is hereby amended by substituting the name "Susan Weissbaam" for "Susan Weissbaan" in such vesting order.

All other provisions of said Vesting Order Number 1848 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 24, 1944.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc. 44-4440; Filed, March 30, 1944; 10:53 a. m.]

[Vesting Order 2865]

HIYAMA SHOTEN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hiyama Shoten, whose principal place of business is Honolulu, T. H., is a partnership organized and doing business under the laws of the Territory of Hawaii, composed of Kinko Hiyama, Hiroshi Hiyama, Minoru Hiyama, Kumejiro Hamaishi and Torao Wakayama, and is a business enterprise within the United States;

2. That Kinko Hiyama, Hiroshi Hiyama and Minoru Hiyama own the entire partnership interests in the assets and profits of Hiyama Shoten and said interests are evidence of ownership and control of said enterprise;

3. That Kinko Hiyama, Hiroshi Hiyama and Minoru Hiyama, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

4. That Hiyama Shoten, Japan, whose principal place of business is Osaka, Japan, is a business enterprise organized under the laws of Japan and a national of a designated enemy country (Japan);

5. That Hiyama Shoten, Japan, has a claim against Hiyama Shoten, which claim, as of June 30, 1943, was in the amount of $437.24, subject to all accruals and deductions subsequent thereto, and is represented on the books and records of Hiyama Shoten as an account payable, and is evidence of an interest in said business enterprise;

and determining:

6. That Hiyama Shoten is owned and controlled by Kinko Hiyama, Hiroshi Hiyama and Minoru Hiyama and is a national of a designated enemy country (Japan);

7. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian:

All right, title and interest of Kinko Hiyama, Hiroshi Hiyama and Minoru Hiyama in and to Hiyama Shoten, a partnership; and

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to Hiyama Shoten; and

The interest of Hiyama Shoten, Japan, in Hiyama Shoten, hereinbefore more fully described,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 31, 1943.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc. 44-4441; Filed, March 30, 1944; 10:52 a. m.]

[Vesting Order 3234]

F. ROMEISER & SONS LTD.

In re: Two cases of steel plates and a negotiable warehouse receipt relating to them, owned by F. Romeiser & Sons Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That F. Romeiser & Sons Ltd., sometimes referred to as F. Romeiser and Sons Co. Ltd., is a corporation with its principal office and place of business at V., Gesa-Utca 6, Budapest, Hungary, and is a national of a designated enemy country (Hungary);

2. That F. Romeiser & Sons Ltd. is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The two cases of steel plates presently located at Baker & Williams Storage Warehouses, 525-27 West 20th Street, New York, New York, for which Baker & Williams issued warehouse receipt F-171, dated August 1, 1940, and

b. Warehouse receipt F-171 issued by Baker & Williams Storage Warehouses to American Union Transport, Inc., or order, dated August 1, 1940 entitling the holder to the delivery of two cases marked FRS Co. Budapest, upon the surrender of this receipt and the payment of all charges, which receipt is presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4442; Filed, March 30, 1944; 10:53 a. m.]

[Vesting Order 8236]

ALFRED VON HORST

In re: Real property, property insurance policies and bank account owned by Alfred von Horst.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Alfred von Horst is Tauentzienstrasse 5, Berlin W. 50, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Alfred von Horst is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of Washington, District of Columbia, particularly described as part of Lot Forty-nine (49) in E. Kingman's sub-division of Square Two Hundred Forty-one (241) as per plat recorded in Liber B, Folio 167 of the records of the Office of the Surveyor of the District of Columbia, being the Twenty (20) feet front on Kingman Place of said lot, by a depth of Forty (40) feet; and also Lot Ninety-two (92) in Dwight J. Partello's combination of lots in Square Four Hundred Forty-two (442) as per plat recorded in Liber 33, Folio 13, of the aforesaid Surveyor's office records, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, and interest of Alfred von Horst in and to:

1. Fire Insurance Policy issued by the Continental Insurance Company of New York in the amount of $1,400 naming Alfred von Horst as assured and expiring May 2, 1945,

2. Fire Insurance Policy issued by the Continental Insurance Company of New York in the amount of $8,500 naming Alfred von Horst as assured and expiring April 2, 1945, and

c. All right, title, interest and claim of Alfred von Horst in and to that certain bank account with the Columbia National Bank of Washington, D. C., which is due and owing to and held for Alfred von Horst in an account entitled "Alfred von Horst under Richmond License 2264", including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4443; Filed, March 30, 1944; 10:53 a. m.]

CHRISTIAN F. BENZ

ORDER FOR AND NOTICE OF HEARING

In the matter of Christian F. Benz: American Voith Contact Company, Inc. J. M. Voith Company, Inc. Voith-Schneider Propeller Company, Inc.

Whereas by Vesting Orders Nos. 114, 115 and 116 of August 25, 1942 (7 F.R. 7155), the Alien Property Custodian vested the following property:

1,990 shares of $100 par value common capital stock of American Voith Contact Company, Inc.

200 shares of no par value common stock of J. M. Voith Company, Inc.

80 shares of no par value common stock of Voith-Schneider Propeller Company, Inc.

in which vesting orders there was recited, among other things, a finding that said shares were held for the benefit of a national of a designated enemy country (Germany); and

Whereas Christian F. Benz has filed Notices of Claims Nos. 682, 683 and 684 which appear to assert that the said Christian F. Benz is a citizen and resident of the United States and that he is the sole beneficial owner of the vested property; and

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing thereon be held before the Vested Property Claims Committee on Thursday, April 13, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C. on or before April 7, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting orders are available for public inspection at the address last above stated.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MARCH 27, 1944.

[F. R. Doc. 44–4444; Filed, March 30, 1944; 10:54 a. m.]

THEODORE RINGS

ORDER FOR AND NOTICE OF HEARING

Whereas on June 8, 1943, the Alien Property Custodian issued Vesting Order No. 1457 (8 F.R. 7789), and amendment thereto dated August 26, 1943 (8 F.R. 11853) vesting among other things real property known as 3762 Olinville Avenue, New York, New York and all right, title and interest of Elsie Rings in and to certain savings accounts, in which vesting order there was recited, among other things, a finding that all of the above property is owned by Elsie Rings, a national of a designated enemy country (Germany); and

Whereas Theodore Rings at 245 East 31st Street, New York, New York has filed Notice of Claim No. 820 which appears to assert that said claimant is the owner of the above described property and that the claimant is not a national of a designated enemy country; and

Whereas The General Counsel of the Office of Alien Property Custodian and counsel for the claimant have stipulated that a transcript of sworn testimony of the claimant given at the Office of the Alien Property Custodian on January 21, 1944 sets forth the undisputed facts in this matter, and have filed said transcript with the Vested Property Claims Committee.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian (7 F.R. 2290) that a hearing on the said claim be held before the Vested Property Claims Committee on Tuesday, April 18, 1944 at 10:00 a. m., Eastern War Time, in Room 633 National Press Building, 14th and F Streets NW., Washington, D. C., to continue thereafter at such times and places as the Committee may determine. *It is further ordered,* That this notice of hearing be served by registered mail upon the said claimant designated in paragraph 2 of the said notice of claim, and filed with the Federal Register.

Any person desiring to be heard either in support of or in opposition to the said claim may appear at the hearing and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before April 11, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the above address.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MARCH 27, 1944.

[F. R. Doc. 44–4446; Filed, March 30, 1944; 10:54 a. m.]

LOUIS E. LOVETT

ORDER FOR AND NOTICE OF HEARING

Whereas on August 25, 1942, the Alien Property Custodian issued Vesting Order No. 112 (7 F.R. 7785) which vested, among other things, all right, title and interest in United States Patents Nos. 1,719,754 and 1,815,761, which stood of record in the name of L. Cerini; and

Whereas there was recited in Vesting Order No. 112, among other things, a finding that the said patents were property in which nations of a foreign country or countries have interests; and

Whereas Louis E. Lovett has filed a claim on Form APC–1, which appears to assert that the claimant is a citizen of the United States and that he was granted, and holds, an exclusive license under both of the United States Patents set forth above.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709) that a hearing on the said claim be held before the Vested Property Claims Committee on Tuesday, April 11, 1944, at 10:00 a. m. Eastern War Time, at the Office of Alien Property Custodian, 120 Broadway, New York City, New York, to continue thereafter at such time and place as the committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the said claimant, Louis E. Lovett, as an individual and as a copartner with Hermine Lovett in a partnership doing business under the firm name and style of The Race Company, and on Hermine Lovett as a copartner in said partnership, and upon American Viscose Corporation and Tubize Chatillon Corporation, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the said claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before April 6, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the above address.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MARCH 27, 1944.

[F. R. Doc. 44–4445; Filed, March 30, 1944; 10:54 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 210]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WATERBURY CONN., AND BOSTON, MASS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7894; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

[1] Filed as part of the original document.

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

The Darcey Transportation Company, Inc., Waterbury, Conn.
Lombard Bros., Incorporated, Waterbury, Conn.
The Laube Interstate Corporation, Waterbury, Conn.

[F. R. Doc. 44-4437; Filed, March 30, 1944; 10:35 a. m.]

[Supp. Order ODT 3, Rev. 211]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. H. L. Goble & Co., Inc., Great Meadows, N. J.
2. Roy D. Benson, doing business as Sussex County Express, Newton, N. J.

[F. R. Doc. 44-4438; Filed, March 30, 1944; 10:35 a. m.]

[Supp. Order ODT 3, Rev. 212]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MINNESOTA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plant shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

S. L. Goldish, doing business as Lake Superior Motor Freight, Duluth, Minn.
North Shore Fish & Freight Company (a corporation); Duluth, Minn.

[F. R. Doc. 44-4439; Filed, March 30, 1944; 10:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 113, Order 7]

IRON ORE IN MINNESOTA, WISCONSIN, OR MICHIGAN

AUTHORIZATION OF ADJUSTABLE PRICING

Order No. 7 under section 3 of Revised Maximum Price Regulation 113. Iron ore produced in Minnesota, Wisconsin, or Michigan.

The Iron Ore Industry Advisory Committee has advised the Office of Price Administration that it believes that the maximum prices presently established by Revised Maximum Price Regulation 113 for sales of iron ore produced in Minnesota, Wisconsin, or Michigan are not generally fair and equitable in that they fail to provide an adequate return on mining operations. The committee has requested that appropriate adjustments in such prices be made and has recommended that persons subject to the regulation be authorized to deliver or agree to deliver, pending the disposition of its request, iron ore at prices to be adjusted upwards in accordance with action which may be taken by the Office of Price Administration after delivery.

Data reflecting the operations of a representative number of producers have been submitted and are now being analyzed for the purpose of evaluating the committee's recommendations. It has become apparent, however, that due to many uncertain factors in the estimate of operating costs for the coming year and the peculiar seasonal nature of the industry an immediate decision cannot be given. The granting of permission to enter into adjustable pricing agreements is therefore necessary, in the opinion of the Administrator, to promote the distribution of iron ore vitally needed in the war program.

Unlike most manufacturing industries, the iron ore industry in the Lake Superior region conducts its affairs upon a seasonal basis due primarily to the fact that shipments are made only during the months of navigation on the Great Lakes. Customarily, one price is charged for ore shipped during a given season and payments are made in twelve monthly installments. All payments before the end of the season, however, are subject to final adjustment for grade and analysis after all ore has been shipped. Under these circumstances, it is necessary to take measures which will insure that any adjustment in maximum prices which may be granted during the 1944 season will be applicable to all ore shipped during that season. Unless this is done, serious disruption may occur in the even flow of this essential commodity. Uncertainty about price may result in hesitancy to enter into firm commitments for the full season and producers who ship both captive and merchant ore may find it desirable to restrict shipments of the latter type until a decision has been reached. The granting of authorization to enter into adjustable pricing agreements will remove those difficulties and will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. This action is not to be considered as an indication of whether, or to what extent, an increase in maximum prices will be made.

Therefore, in accordance with section 3 of Maximum Price Regulation 113, *It is ordered*:

(a) Persons selling iron ore produced in Minnesota, Wisconsin, or Michigan may deliver or agree to deliver, and purchasers may receive or agree to receive, such ore at prices to be adjusted upward after delivery to an amount not in excess of the maximum prices established by the Office of Price Administration in taking final action upon the pending request for an increase in existing maximum prices. Prior to such action, no payment in excess of the maximum prices in effect at time of delivery shall be made or received.

(b) This order shall be automatically revoked upon the effective date of any amendment or other formal action by the Office of Price Administration increasing maximum prices for iron ore produced in Minnesota, Wisconsin, or Michigan or upon denial of the pending request for an increase in the present maximum prices for such ore. It may be revoked or amended by the Administrator at any time.

This order shall become effective March 30, 1944.

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4494; Filed, March 30, 1944; 11:53 a. m.]

Regional and District Office Orders.

[Region VI Gen. Order G-14 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 3 to General Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered that paragraph (e) (1) as amended, be further amended to read as set forth below:

(e) *Cash discounts.* Not less than the following discounts must be granted by any seller to any purchaser whose account for previous sales shall not be past due:

(1) On sales of domestic coal and briquettes, 25¢ per ton, provided payment is made within 5 days of delivery.

This Amendment No. 3 to General Order G–14 shall be effective immediately.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4410; Filed, March 29, 1944; 1:41 p. m.]

[Region I Order G–31 Under 18 (c), Amdt. 1]

FIREWOOD IN RHODE ISLAND

Amendment No. 1 to Order No. G–31 under section 18 (c) of the General Maximum Price Regulation. Firewood in Rhode Island.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, Order No. G–31 issued by said Regional Administrator under the above authority is hereby amended in the following respects:

1. Paragraph (d), subdivision (1), of said order is hereby amended to read as follows:

(1) When used in this order, "Firewood" means any wood prepared and sold for consumption as fuel, composed entirely of sound wood with no decay and also meeting the following requirements:

(a) It must be between twelve (12) inches and four (4) feet in length, including one-half the kerf.

(b) It must be round wood with a diameter of two (2) inches or more, or cleft wood with a cross section providing equal merchantability as fuel.

(c) It must not contain slabwood or wood prepared for use primarily as kindling.

2. Paragraph (e), subdivision (3) is hereby amended to read as follows:

(3) The quality of firewood sold and whether "first quality firewood" or "second quality firewood".

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–4409; Filed, March 29, 1944; 1:41 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 27, 1944.

REGION II

Buffalo Order No. 1–F, filed 4:43 p. m.

REGION III

Charleston Order No. 27, filed 4:41 p. m.
Escanaba Order No. 9–F, Amendment No. 4, filed 4:37 p. m.
Escanaba Order No. 10–F, Amendment No. 4, filed 4:38 p. m.
Escanaba Order No. 11–F, Amendment No. 4, filed 4:38 p. m.
Escanaba Order No. 12–F, Amendment No. 3, filed 4:38 p. m.
Escanaba Order No. 13–F, Amendment No. 3, filed 4:38 p. m.
Escanaba Order No. 15–F, Amendment No. 3, filed 4:39 p. m.
Escanaba Order No. 16–F, Amendment No. 3, filed 4:39 p. m.
Escanaba Order No. 17–F, Amendment No. 2, filed 4:39 p. m.
Indianapolis Order No. 4–F, Amendment No. 6, filed 4:34 p. m.
Indianapolis Order No. 5–F, Amendment No. 6, filed 4:34 p. m.
Indianapolis Order No. 6–F, Amendment No. 6, filed 4:34 p. m.

REGION IV

Montgomery Order No. 8–F, Amendment No. 4, filed 4:40 p. m.
Savannah Order No. 1–F, Amendment No. 28, filed 4:35 p. m.
Savannah Order No. 2–F, Amendment No. 23, filed 4:35 p. m.
Savannah Order No. 3–F, Amendment No. 21, filed 4:35 p. m.
Savannah Order No. 4–F, Amendment No. 20, filed 4:36 p. m.
Savannah Order No. 5–F, Amendment No. 1, filed 4:36 p. m.

REGION V

Lubbock Order No. 1–W, Amendment No. 1, filed 4:37 p. m.
Lubbock Order No. G–12, Amendment No. 1, filed 4:36 p. m.
Lubbock Order No. G–13, Amendment No. 1, filed 4:37 p. m.
Oklahoma City Order No. 3–F, Amendment No. 10, filed 4:37 p. m.
Wichita Order No. 1–W, filed 4:32 p. m.
Wichita Order No. G–15, filed 4:44 p. m.
Wichita Order No. G–16, filed 4:45 p. m.

REGION VI

Green Bay Order No. 2–F, Amendment No. 8, filed 4:40 p. m.
Green Bay Order No. 3–F, Amendment No. 2, filed 4:40 p. m.
Milwaukee Order No. 4, Amendment No. 1, filed 4:41 p. m.
Twin Cities Order No. 1–F, Amendment No. 6, filed 4:39 p. m.

REGION VII

New Mexico Order No. 1–W, Amendment No. 1, filed 4:43 p. m.
New Mexico Order No. 3–W, filed 4:43 p. m.
New Mexico Order No. 4–W, filed 4:41 p. m.
Utah Order No. F–1, Amendment No. 5, filed 4:33 p. m.

REGION VIII

Portland Order No. 1–F, Amendment No. 8, filed 4:32 p. m.
San Diego Order No. 1–F, Amendment No. 27, filed 4:33 p. m.
San Diego Order No. 1–F, Amendment No. 28, filed 4:33 p. m.
San Diego Order No. 6, Amendment No. 5, filed 4:32 p. m.
San Diego Order No. 6, Amendment No. 6, filed 4:33 p. m.

Copies of these orders may be obtained from the issuing offices.

ELVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4408; Filed, March 30, 1944; 11:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 31–481, 31–467, 31–165, 31–484, 31–483, 31–473, 31–167, 31–162, 31–164, 31–525]

KOPPERS UNITED CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of March 1944.

In the matter of Koppers United Company, File No. 31–481; The Brooklyn Union Gas Company, File No. 31–467; Koppers Company, File No. 31–165; Eastern Gas and Fuel Associates, File No. 31–484; Koppers United Company, Fuel Investment Associates, and Eastern Gas and Fuel Associates, File No. 31–483; Brockton Gas Light Company, File No. 31–473; Koppers United Company, File No. 31–167; Fuel Investment Associates, File No. 31–162; Eastern Gas and Fuel Associates, File No. 31–164; Koppers Company, File No. 31–525.

The Commission having previously designated April 4, 1944, as the date for reconvening the hearing in the above consolidated proceeding involving the applications filed by Koppers United Company, Koppers Company, Fuel Investment Associates and Eastern Gas and Fuel Associates under section 3 of the Public Utility Holding Company Act for an order exempting each of such applicants and every subsidiary thereof as such from all of the provisions of the act; and

The applicants having advised the Commission that the regular annual meeting of stockholders of Eastern Gas and Fuel Associates is scheduled for April 4, 1944, and that the applicants' preparation for the hearing has been delayed by reason of illness of counsel and other circumstances; the applicants having requested that the hearing in this matter be postponed to April 11, 1944; and the Commission deeming it appropriate under the circumstances to grant said request,

It is ordered, That the hearing in this matter previously scheduled for April 4, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed to April 11, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to April 7, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4432; Filed, March 30, 1944; 10:11 a. m.]

[File No. 70–816]

AMERICAN LIGHT AND TRACTION CO., ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of March 1944.

In the matter of American Light & Traction Company, Michigan Consolidated Gas Company, American Production Company, American Michigan Pipe Line Company, Waverly Company, File No. 70–816.

The Commission having on March 20, 1944, issued its order herein under section 6 (b) of the Public Utility Holding Company Act of 1935 granting an exemption from the provisions of section 6 (a) of the act of the issue and sale by Michigan Consolidated Gas Company of $38,000,000 principal amount of First Mortgage Bonds, 3½% Series due 1969, and 40,000 shares of 4¾% Cumulative Preferred Stock, to underwriters selected by competitive bidding in conformity with Rule U–50 promulgated under the act; and

The Commission having in said order reserved jurisdiction to pass upon the facts disclosed by the report with respect to the results of competitive bidding, as required by Rule U–50 (c), to pass upon the sale price of the bonds and preferred stock and the spread between such prices and the offering prices thereof to the public, and to issue a supplemental order with respect thereto; and

Michigan Consolidated Gas Company having made a report to the Commission pursuant to Rule U–50 (c), in the form of an amendment to the application herein, specifying the proposals which have been received for the purchase of said bonds and preferred stock pursuant to the invitation for competitive bids and stating that Michigan Consolidated Gas Company has accepted the proposal of a group of underwriters headed by Dillon, Read & Co. to purchase said bonds at a price of 104.7739, plus accrued interest thereon from March 1, 1944, to the date of delivery and said preferred stock at a price of 102.5199, plus accrued dividends thereon from March 1, 1944, to the date of delivery; such bonds are to be offered initially to the public by such underwriting group at 106.25, plus accrued interest from March 1, 1944, to the date of delivery, representing a spread to the underwriters of 1.4701; such preferred stock is to be offered initially to the public by such underwriting group at 105.5, plus accrued dividends from March 1, 1944, to the date of delivery, representing a spread to the underwriters of 2.9801; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the sale of said bonds and preferred stock of Michigan Consolidated Gas Company at such prices and with such spreads;

It is ordered, That said amendment to the said application be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4433; Filed, March 30, 1944; 10:11 a. m.]

[File No. 812–324]

FILBERT CORPORATION

ORDER DENYING APPLICATION AND GRANTING PARTIAL EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of March, A. D. 1944.

Filbert Corporation having filed an application pursuant to section 3 (b) (2) of the Investment Company Act of 1940, and in the alternative for a general exemption under said act; a hearing having been held after appropriate notice; and the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion, *It is ordered*, That the application for an order under section 3 (b) (2) of said act be and it hereby is denied;

Further ordered, That the application for general exemption from the provisions of said act be and it hereby is denied; *Provided, however*, That Filbert Corporation be and it hereby is, pursuant to section 6 (c) of said act, exempted from the provisions of section 8 (b) of said act, and partially exempted from the requirements of subsections (b) and (d) of section 30 of said act to the extent that it need not issue or file the reports and statements required by those subsections more often than annually; *And provided, further*, That the Commission reserves jurisdiction to reconsider at any time the partial exemption herein granted, and to terminate it or make appropriate amendments thereto, after notice and opportunity for hearing, if the Commission find such action warranted by future circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4469; Filed, March 30, 1944; 11:28 a. m.]

WAR FOOD ADMINISTRATION.

[License 85]

MILK IN DENVER, COLO., SALES AREA

ORDER TERMINATING LICENSE

The license for milk in the Denver, Colorado, sales area issued by the Secretary of Agriculture on August 16, 1934, pursuant to the powers vested in him by the terms and provisions of Public Act No. 10, 73d Congress, May 12, 1933, which license was suspended January 15, 1943, is hereby terminated effective as of the date of the execution hereof.

Done at Washington, D. C., this 29th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–4412; Filed, March 29, 1944; 3:49 p. m.]

[383 Admin.]

MILK IN DENVER, COLO., SALES AREA

TERMINATION OF DESIGNATION OF MARKET ADMINISTRATOR UNDER LICENSE

The designation of Walter C. Moore as Market Administrator under the license for milk, Denver, Colorado, sales area, is terminated effective as of the date of the execution hereof: *Provided*, That this shall not relieve the said Walter C. Moore or his surety of any liability heretofore incurred under the bond executed by him and filed with the Secretary of Agriculture, pursuant to the terms of said license.

Done at Washington, D. C., this 29th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–4413; Filed, March 29, 1944; 3:49 p. m.]

Office of Distribution.

ADMINISTRATOR, ALTERNATE ADMINISTRATOR, AND DEPUTY ADMINISTRATOR OF FOOD DISTRIBUTION ORDER NO. 96

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order No. 96 (9 F.R. 3253), and to effectuate the purposes thereof, it is hereby ordered as follows:

1. The Order Administrator and Alternate Order Administrator of Food Distribution Order No. 96 are hereby authorized:

(a) After consultation with and upon the advice of a committee composed of representatives of the Office of Distribution of the War Food Administration, Office of Production of the War Food Administration, War Production Board, Agricultural Adjustment Administration, and the Commodity Credit Corporation, to name individual processors of corn as "designated purchasers" eligible to purchase corn which has been set aside under Food Distribution Order No. 96, and to withdraw such designations. Designations shall be based upon (1) the processor's inventory of corn, (2) requirements for the commodity or material produced by the processor, and (3) the rate of production necessary in order to enable the processor to retain a necessary minimum operating labor force for the production of essential materials. Designations may be made subject to such conditions as, in the discretion of the Order Administrator or Alternate Order Administrator, will carry out the purposes of Food Distribution Order No. 96;

(b) To require information from processors in order to determine the eligibility of such processors to be designated purchasers;

(c) To grant or deny petitions for relief from hardship under (h) of Food Distribution Order No. 96. In granting such relief, consideration shall be given to the geographical position of the petitioner with reference to a designated purchaser or purchasers, the extent to which such designated purchaser's current requirements for corn have been fulfilled, the quality, quantity, grade, and condition of the corn, and any other factors involving facilities, transportation, economy of operation, or requirements for purposes other than industrial processing, which, in the discretion of the Order Administrator or Alternate Order Administrator, appear to warrant relief.

2. The Deputy Order Administrator of Food Distribution Order No. 96 is hereby authorized, under the supervision and direction of the Order Administrator or Alternate Order Administrator, to perform such duties and functions as are necessary in connection with the administration of Food Distribution Order No. 96, except the function of naming individual processors as designated purchasers or withdrawing such designations. The Deputy Order Administrator may, upon authorization by the Commodity Credit Corporation, act in behalf of the Corporation in accepting offers of corn made to it and in specifying particular designated purchasers for acceptance of such offers, pursuant to paragraph (c) of Food Distribution Order No. 96.

All authority herein conferred shall be exercised subject to the supervision of the Chief of the Grain Products Branch, Office of Distribution, War Food Administration, and in accordance with such general instructions concerning policy and procedure as may from time to time be issued by the Director of Distribution.

All action taken under this delegation of authority shall be by written notice to the individual concerned and not by general order.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director of Distribution.

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4417; Filed, March 29, 1944; 3:49 p. m.]

WAR PRODUCTION BOARD.

COLONIAL ROOFING AND SIDING COMPANY

CONSENT ORDER

Zolton Hubay, doing business as Colonial Roofing and Siding Company in Charlotte, North Carolina, is engaged in the general remodeling and repairing business. By letter dated December 13, 1943, he was charged by the War Production Board with having begun, carried on, or participated in several construction jobs, during the period from February 1943, through August 1943, the cost or value of each of said construction jobs having exceeded the limits provided in Conservation Order L-41, without having obtained authorization from the War Production Board. He was also charged with having purchased and accepted delivery of certain materials for use in these construction jobs without proper authorization. Each of these construction jobs was in violation of Conservation Order L-41. Zolton Hubay had knowledge of building restrictions and of the orders of the War Production Board, including Conservation Order L-41, prior to beginning construction. Zolton Hubay, doing business as Colonial Roofing and Siding Company, admits the violations as charged and does not desire to contest the same, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Zolton Hubay, doing business as Colonial Roofing and Siding Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Zolton Hubay, doing business as Colonial Roofing and Siding Company, or under any other name, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment of materials or products shall be made to Zolton Hubay, doing business as Colonial Roofing and Siding Company, or under any other name, his or its successors or assigns, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Zolton Hubay, doing business as Colonial Roofing and Siding Company, or under any other name, his or its successors or assigns, of any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 29, 1944, and shall expire on June 29, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4427; Filed, March 29, 1944; 4:48 p. m.]

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Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[3d Rev. FPO 9, Amdt. 2]

PART 1220—FEED

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF PROTEIN MEAL AND ON USE OF SOYBEAN PRODUCTS

Section 1220.2[1] is hereby amended as follows:

Paragraph (g) (1) is amended to read:

(g) *Inventory limitations.* (1) No person shall accept delivery of any protein meal which, together with his inventory of protein meal, would exceed the total tonnage of protein meal needed by such person to fill his manufacturing, sales or feeding requirements, as follows:

(i) Season's requirements for fish meal; and

(ii) Sixty days' requirements for all other protein meal;

Except that:

(a) Any handler or mixed feed manufacturer may accept delivery of a single carload lot (as determined under regulations of the Office of Defense Transportation) of any protein meal if individual deliveries of carload lots are not made more frequently than similar deliveries to such person in the past;

(b) Any feeder may accept delivery at any one time of not to exceed 2,000 pounds of any protein meal if individual deliveries are not made more frequently than similar deliveries to such persons in the past; and

(c) Any ranchman may accept delivery of protein meal in such amounts as are necessary to provide a readily available supply of protein meal for ranch feeding purposes and to make the most economical use of transportation facilities under regulations issued by the Office of Defense Transportation.

[1] 8 F.R. 16960.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of March 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-4510; Filed, March 30, 1944; 4:03 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-4, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WASHINGTON, D. C., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 1246), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-4 (8 F.R. 13368), relative to the conservation and distribution of fluid milk in the Washington, D. C., milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.38 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "$0.01" wherever it appears in § 1401.38 (n) and inserting, in lieu thereof, the numeral "$0.005."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-4, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-4, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

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Book 2: Titles 4–9, with index.
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Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–4416; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79–5, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN NORFOLK-PORTSMOUTH-NEWPORT NEWS VA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof Food Distribution Order No. 79–5 (8 F.R. 13369), relative to the conservation and distribution of fluid milk in the Norfolk-Portsmouth-Newport News, Virginia, milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.37 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "$0.01" wherever it appears in § 1401.37 (n) and inserting, in lieu thereof, the numeral "$0.005."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–5, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–5, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–4415; Filed, March 29, 1944; 3:58 p. m.]

PART 1401—DAIRY PRODUCTS

[FDO 79–6, Amdt. 2]

FLUID MILK AND CREAM IN RICHMOND, VA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–6 (8 F.R. 13370), relative to the conservation and distribution of fluid milk in the Richmond, Virginia, milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended, as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.39 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "$0.01" wherever it appears in § 1401.39 (n) and inserting, in lieu thereof, the numeral "$0.005."

3. By deleting therefrom the provisions of § 1401.39 (h) and substituting therefor, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quota.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–6, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–6, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–4417; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79–43, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.74 (i) and inserting in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–43, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44–4418; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79–44, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD-HOLYOKE, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–44 (8 F.R. 13968), relative to the conservation and distribution of fluid milk in the Springfield-Holyoke, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.78 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–44, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–44, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4419; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79-67, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FLINT, MICH., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-67 (8 F. R. 14269), relative to the conservation and distribution of fluid milk in the Flint, Michigan, metropolitan milk sales area, issued by the Director of Food Distribution on October 19, 1943, is amended by deleting the description of the sales area in § 1401.95 (b) and inserting in lieu thereof, the following:

(b) The cities of Flint, Grand Blanc and Mount Morris, and the townships of Burton, Flint, Genesee, Grand Blanc and Mount Morris, all in Genesee County, Michigan.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-67, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-67 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4420; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79-83, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, MAINE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-83 (8 F.R. 14654), relative to the conservation and distribution of fluid milk in the Portland, Maine, milk sales area, issued by the Director of Food Distribution on October 28, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.116 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-83, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-83, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4421; Filed, March 29, 1944; 3:58 p. m.]

[FDO 79-97, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MANCHESTER, N. H., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F. R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-97 (8 F.R. 15481), relative to the conservation and distribution of fluid milk in the Manchester, New Hampshire, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.122 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-97, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-97, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4422; Filed, March 29, 1944; 3:59 p. m.]

[FDO 79-115, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MIAMI, FLA., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-115 (9 F.R. 632), relative to the conservation and distribution of fluid milk in the Miami, Florida, metropolitan milk sales area, issued by the Director of Food Distribution on January 13, 1944, is hereby amended by deleting therefrom the provisions in § 1401.149 (e) (3) and inserting, in lieu thereof, the following:

Multiply the aforesaid resulting amounts in the case of the base for milk as follows:

	Percent
January	115
February	120
March	130
April	110
May	110
June	90
July	80
August	80
September	85
October	90
November	90
December	100

and, in the case of the base for cream and milk byproducts as follows:

	Percent
January	86.25
February	90.00
March	97.50
April	82.50
May	82.50
June	67.50
July	60.00
August	60.00
September	63.75
October	67.50
November	67.50
December	75.00

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-115, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-115 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4423; Filed, March 29, 1944; 3:59 p. m.]

[FDO 79-116, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TAMPA-ST. PETERSBURG, FLA., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-116 (9 F.R. 633), relative to the conservation and distribution of fluid milk in the Tampa-St. Petersburg, Fla., milk sales area, issued by the Director of Food Distribution on January 13, 1944, is hereby amended as follows:

1. Delete from the heading of the order the word "-St. Petersburg", making the heading of the order read as follows: "Fluid Milk and Cream in Tampa, Fla., Sales Area."

2. Delete the description of the sales area in § 1401.150 (b) and insert in lieu thereof, the following:

(b) The city of Tampa, and the election precincts numbered 1 to 40, inclusive, 42, 43, 44, that part of 46 comprising part of Temple Terrace City, 58, 59, and 60, in Hillsborough County, Fla.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-116, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-116, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4424; Filed, March 29, 1944; 3:59 p. m.]

[FDO 79-142, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CONNECTICUT SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-142 (9 F.R. 2534), relative to the conservation and distribution of fluid milk in the Connecticut milk sales area, issued by the Director of Food Distribution on March 1, 1944, is hereby amended as follows:

Delete the provisions in § 1401.175 (g).

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-142, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-142, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-4425; Filed, March 29, 1944; 3:59 p. m.]

[FDO 63, Amdt. 3]

PART 1460—FATS AND OILS

RESTRICTIONS ON DELIVERY OF LINSEED OIL

Food Distribution Order 63, as amended (8 F. R. 16316, 17398), § 1460.20, is amended as follows:

By deleting paragraph (k) thereof and inserting in lieu thereof the following:

(k) *Records and reports.* (1) No person (except a person who has filed a report of his quota in compliance with paragraph (e) of Food Distribution Order 63, 8 F. R. 9487, issued July 10, 1943), shall after April 15, 1944, deliver or consume any linseed oil which under the terms of this order is chargeable against the quota of such person, unless he shall have on or before April 15, 1944, mailed to the Director a report (which may be in the form of a letter), showing the amount of his quota base, as defined in paragraph (a) (12) hereof, for each of the four calendar quarters in the year.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in linseed oil, including copies of any notices given pursuant to paragraph (e) hereof, and the originals of any such notices received.

(3) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(4) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

This amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. However, with respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 63, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 63, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4426; Filed, March 29, 1944; 3:59 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[Special Reg. 1]

PART 508—SPECIAL REGULATIONS

RATIFICATION OF APPOINTMENTS, ETC.

Under the authority of the Trading with the Enemy Act, as amended, and the Executive orders issued thereunder, and pursuant to law, the undersigned, in order to provide continuity of operation of the Office of Alien Property Custodian, hereby issues the following regulation:

§ 508.1 *Special Regulation No. 1.* (a) (1) The appointment and designation of all employees, appointees, delegates, designees, agents, supervisors, proxies, attorneys, representatives and other personnel heretofore appointed on behalf of the Alien Property Custodian or in the Office of Alien Property Custodian, together with all powers, authority, functions and duties conferred, granted or delegated by virtue of any certificate of appointment, general order, proxy, letter or other instrument of appointment or delegation by or under the authority of Leo T. Crowley as Alien Property Custodian, and

(2) All certificates of appointment, general orders, special orders, orders, regulations, licenses, instructions, directions, delegations, designations, authorizations and forms executed, issued or promulgated by or under the authority of Leo T. Crowley as Alien Property Custodian,

are, except as hereinafter indicated, hereby affirmed, ratified and continued in effect according to their terms until revoked, superseded or terminated by, or by authority of, the undersigned.

(b) Any instrument which might lawfully be issued by or under the authority of the Alien Property Custodian shall not be deemed invalid for the reason that it contains the printed, or otherwise stamped or affixed name "Leo T. Crowley" instead of the name "James E. Markham", but shall be construed as though it contained the name "James E. Markham" in place of the name "Leo T. Crowley" unless the context otherwise requires.

(c) The certificates of appointment granted to James E. Markham as Deputy Alien Property Custodian dated March 19, 1942 (7 F.R. 2363) and October 30, 1942 (7 F.R. 8911), having no further utility, are hereby terminated and revoked as of this date, but without impairment of any action heretofore taken thereunder or by virtue thereof.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1943); E.O. 9193, 7 F.R. 5305)

Executed at Washington, D. C., on March 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4627; Filed, March 31, 1944; 11:00 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter E—War Housing Insurance

PART 577—ADMINISTRATIVE REGULATIONS FOR WAR HOUSING INSURANCE

TRANSFER OF PROPERTY TO THE COMMISSIONER; CONDITIONS OF DEFAULT IN MORTGAGE

Section 577.7 is hereby amended by striking the period at the end of the third sentence thereof and inserting a semicolon and the following:

Provided, however, That a mortgagee may, with and subject to the written consent of the Commissioner, apply partial payments to delinquent interest not in excess of two and one-half per centum (2½%), to the exclusion of prior delinquent principal payments, in which event the date of default shall be thirty (30) days after the due date of the earliest monthly payment, any part of which remains unpaid.

Issued at Washington, D. C. this 27th day of March 1944.

[SEAL] ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 44-4487; Filed, March 31, 1944; 9:34 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5252]

PART 451—EXPORTATION AND SHIPMENT TO CERTAIN POSSESSIONS OF THE UNITED STATES OF CERTAIN MANUFACTURES WITHOUT PAYMENT OF TAX, ETC.

TAX FREE SHIPMENT OF PLAYING CARDS FOR USE OF ARMED FORCES

In order to conform Regulations 73 [Part 451, Title 26, Code of Federal Regulations], relating to exportation without payment of tax of certain manufactures, including playing cards, to section 508 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, Note, Title 26, Code of Federal Regulations, Cum. Supp.] are hereby amended as follows:

PARAGRAPH 1. Immediately preceding Article 1 [§ 451.1 of such Title 26], there is inserted the following:

SEC. 508. EXEMPTION FROM TAX ON PLAYING CARDS EXPORTED FOR USE OF ARMED FORCES OUTSIDE CONTINENTAL UNITED STATES. (Revenue Act of 1943.)

(a) *In general.* Section 1630 (relating to the exemption from the tax upon playing cards exported) is amended to read as follows:

SEC. 1630. EXEMPTION IN CASE OF EXPORTATION. Playing cards may be removed from the place of manufacture for export to a foreign country or for shipment to a possession of the United States (or, until the date on which the President proclaims that hostilities in the present war have terminated, to a territory of the United States for the use of members of the military or naval forces of the United States) without payment of tax, or affixing stamps thereto, under such rules and regulations and the filing of such bonds as the Commissioner, with the approval of the Secretary, may prescribe.

(b) *Effective date.* The amendment made by subsection (a) shall be effective as of January 1, 1943.

PAR. 2. Article 1 [§ 451.1 of such Title 26], is amended as follows:

(A) By inserting "and playing cards" after the word "manufactures" in the third sentence.

(B) By changing the fourth and fifth sentence to read as follows:

The law makes no provision for removal of oleomargarine or adultered butter without the payment of tax for shipment to the Territories of Alaska and Hawaii, or to possessions other than the Philippine Islands, Puerto Rico, or Virgin Islands. Under the amendment made by section 508 of the Revenue Act of 1943, playing cards may, beginning January 1, 1942, and continuing indefinitely, be removed without payment of tax for shipment to a possession of the United States. By the same amendment, the privilege is granted of removing playing cards without payment of tax for shipment to a territory of the United States for the use of members of the military or naval forces of the United States. However, this privilege, and the amendments of these regulations pursuant thereto, are effective only during the period January 1, 1942, to the date on which the President proclaims that hostilities in the present war have terminated.

PAR. 3. Article 3 [§ 451.3 of such Title 26], is amended by inserting at the end thereof a new paragraph as follows:

Before removal of playing cards without the payment of tax for use of members of the military or naval forces of the United States in Alaska or Hawaii, the manufacturer shall submit to the collector for his district the consent of the surety on his bond to such removal. Such consent shall be executed in duplicate. No particular form has been provided for this purpose; any form may be used so long as it is adequate to accomplish the intended purpose. The collector shall forward to the Commissioner the duplicate consent of surety to be attached to the duplicate bond in force.

PAR. 4. Article 4 (c) [§ 451.4 (c) of such Title 26], as amended by inserting at the end thereof the following:

Each pack of playing cards intended to be removed from the factory for use of members of the military or naval forces of the United States in Alaska or Hawaii shall have affixed in place of the internal revenue stamp a label, which label shall be readily distinguishable from the internal revenue stamp and shall bear the following legend:

Free of tax—for use only of U. S. military and naval forces in Alaska or Hawaii, or for use outside the jurisdiction of the internal revenue laws of the United States.

PAR. 5. Article 5 (a) (1) [§ 451.5 (a) (1) of such Title 26], is amended by inserting at the end thereof the following:

However, where playing cards are removed without payment of tax for shipment to Alaska or Hawaii for the use of military or naval forces of the United States, the case, etc., shall if the shipment is direct, be consigned to the consignee in Alaska or Hawaii, or, if the shipment is to an army port of embarkation or navy supply depot, to the Army port transportation officer or Navy supply officer.

PAR. 6. Article 6 [§ 451.6 of such Title 26], is amended by adding a new paragraph at the end thereof, as follows:

In the case of shipments (other than by parcel post) of playing cards to Alaska or Hawaii without payment of tax for the use of military or naval forces of the United States, the application on Form 550 shall be modified as set forth in article 10 (a) (3), and shall be executed and filed in duplicate. The port of lading, name of vessel, and the port of destination need not be entered on the application Form 550, but in all other respects the preparation, execution, and filing of such application form shall be in accordance with the provisions of this article.

PAR. 7. Article 9 [§ 451.9 of such Title 26], is amended by changing the matter preceding paragraph (a) to read as follows:

With the exception (1) of shipments of playing cards to Alaska or Hawaii without payment of tax for use of members of the military or naval forces of the United States, as to which see article 10 (a) (3); and (2) parcel post shipments, as to which see article 10 (b); the manufacturer, upon release of a shipment for export (art. 8), will deliver such shipment either to the carrier or directly for customs inspection, as follows:

* * * * * *

PAR. 8. Article 10 (a) [§ 451.10 (a) of such Title 26], is amended by adding a new subparagraph at the end thereof, as follows:

(3) In the case of shipments of playing cards to Alaska or Hawaii without payment of tax for use of members of the military or naval forces of the United States the Form 550 shall be modified and disposed of as follows:

(i) The manufacturer shall insert on the original Form 550 immediately preceding the "Certificate of Mailing by Parcel Post", a "Certificate of Receipt" as follows:

CERTIFICATE OF RECEIPT

I certify that the playing cards herein described, except for the discrepancies as listed below, were delivered to me on _____, 19____, and that said playing cards are intended for shipment or delivery only for consumption or use outside the jurisdiction of the internal revenue laws of the United States, or for delivery to a territory of the United States for the use of military or naval forces of the United States therein.

Discrepancies _____

_____

_____

(Name)

_____

(Title)

(ii) If the shipment is to be made from the factory direct to the consignee in Alaska or Hawaii, the original Form 550, and the case, etc., containing the playing cards, shall be forwarded by the manufacturer to the consignee.

(iii) If the shipment is made to an Army port of embarkation or Navy supply depot for transshipment to Alaska or Hawaii, the original Form 550, and the case, etc., containing the playing cards, shall be forwarded by the manufacturer to the Army port transportation officer, or Navy supply officer, as the case may be.

(iv) Upon receipt and verification of the shipment, the consignee in the territory or the Army or Navy officer in the continental United States to whom the original Form 550 had been forwarded by the manufacturer shall execute the "Certificate of Receipt" appearing on such Form 550, note thereon any discrepancies in the shipment, and return the executed form to the manufacturer. Such executed form shall then be forwarded promptly by the manufacturer to the appropriate collector.

PAR. 9. Article 10 (b) [§ 451.10 (b) of such Title 26], is amended by inserting after the words "by parcel post," in the first sentence "or shipments of playing cards by parcel post to Alaska or Hawaii for use of members of the military or naval forces of the United States,".

PAR. 10. Immediately following Article 10 [§ 451.10 of such Title 26], a new article is inserted as follows:

§ 451.10a *Penalties.* Section 1820 (b) and 3320 (a) of the Internal Revenue Code impose severe penalties for dealing in, within the United States, playing cards upon which the tax properly due has not been paid, or for possessing playing cards with design to avoid payment of the tax thereon. These sections apply to playing cards removed without payment of tax under these regulations, and accordingly, any person possessing, using, or dealing in, such playing cards otherwise than as authorized by these regulations may be subject to penalties prescribed therein.

(Sec. 508, Rev. Act of 1943 (Pub. Law 235, 78th Cong.), and secs. 1830 and 3791 of the Internal Revenue Code (53 Stat. 204, 467; 26 U.S.C., 1830, 3791)

[SEAL] JOSEPH D. NUNAN, Jr.
Commissioner of Internal Revenue.

Approved March 29, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4506; Filed, March 30, 1944; 11:38 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 5, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

ANTHRACITE FOR OPERATORS OF POULTRY BROODERS AND HATCHERIES

Revised Regulation No. 2, as amended, expires March 31, 1944, and will be superceded by Regulation No. 18, effective April 1, 1944. Accordingly, it is necessary to amend Regulation No. 5.

To effectuate the purposes of Executive Order No. 9332 and by virtue of the authority vested by that Order, Regulation No. 5 is amended as follows:

1. Section 602.85 is amended to read as follows:

§ 602.85 *Other regulations.* Nothing contained in Solid Fuels Administration for War Regulation No. 18 shall be deemed (i) to exclude compliance with the provisions of this regulation or (ii) to preclude any action by the Solid Fuels Administrator for War under Solid Fuels Administration for War Regulation No. 1.

This amendment shall become effective at 12:01 a. m. on April 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 30th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-4559; Filed, March 31, 1944; 11:18 a. m.]

[Reg. 18]

PART 602—GENERAL ORDERS AND DIRECTIVES

PENNSYLVANIA ANTHRACITE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of anthracite for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense.

Sec.
602.330 Purpose of regulation.
602.331 Definitions.
602.332 Conditions under which anthracite may be sold, shipped, delivered or received.
602.333 Deliveries to mine employees.
602.334 Deliveries on local sales in the producing region.
602.335 Distribution by producers to timber truckers.
602.336 Distribution by producers and wholesalers of available tonnage.
602.337 Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).
602.338 Disposition by SFAW of excess tonnage.
602.339 Distribution by equipped retail dealer to unequipped retail dealers.
602.340 Method for establishing war veteran base period tonnage.
602.341 Receipts by retail dealers restricted.
602.342 Retail dealers required to augment their anthracite supply with other solid fuels.
602.343 Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.
602.344 Information to be furnished by producers and wholesalers to SFAW.
602.345 Review of base period tonnage adjustments.
602.346 Transfers of base period tonnage.
602.347 Producers or wholesalers without a base period tonnage.
602.348 Action under other regulations.
602.349 Evasion prohibited.
602.350 National Anthracite Distribution Committee; Supply and Distribution Subcommittee; Regional Anthracite Distribution Committee.
602.351 Reports.
602.352 Records.
602.353 Audit and inspection.
602.354 Violations.
602.355 Applications for modification and exception; inquiries and communications.
602.356 Official interpretations.
602.357 Regulations revoked hereby.
602.358 Short title.

AUTHORITY: §§ 602.330 to 602.358, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.330 *Purpose of regulation.* It is intended that under this regulation each producer and each wholesaler of Pennsylvania anthracite will arrange his production and distribution schedules so as to meet the maximum extent practicable the requirements for such anthracite. It is the responsibility of each producer and of each wholesaler to arrange his production and distribution schedules so that the purposes of this regulation will be effectively carried out. In the absence of unforeseen difficulties, producers and wholesalers should, under this regulation, be able to distribute equitably the available supply of anthracite among all destinations and dealers. This does not mean that there will be enough anthracite to give all consumers all that they want. It is anticipated that many consumers who want anthracite may find it necessary to use some other solid fuel. Retail dealers must arrange to augment their anthracite supply with other solid fuels to the extent necessary to meet minimum essential requirements of consumers. The distribution of anthracite can be equitably accomplished if producers, wholesalers, and retail dealers will act strictly and promptly in ac-

cordance with regulations of the Solid Fuels Administration for War.

§ 602.331 *Definitions.* (a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this regulation is limited to the following sizes: broken, egg, stove, chestnut, pea and No. 1 buckwheat, or any combination of those sizes.

(b) "Solid fuel" means any form of anthracite, semi-anthracite, bituminous, sub-bituminous or lignitic coals or coke (including packaged and processed fuels such as briquettes).

(c) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

(d) "Producer" means any person engaged in the business of mining or preparing anthracite.

(e) "Wholesaler" means any producer to the extent that he ships, distributes, or sells anthracite to equipped retail dealers, unequipped retail dealers, or lake dock operators; and any person (including a lake dock operator) to the extent that he receives or purchases anthracite for shipment, distribution or resale to equipped retail dealers, lake dock operators, or other wholesalers.

(f) "Lake dock operator" means any person to the extent that he receives anthracite by water at unloading facilities on the Great Lakes.

(g) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler, or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper, or seller of anthracite in any transaction involving a shipment, sale, or sale and delivery, of broken bulk anthracite physically handled in a truck, wagon or other less than carload facility, without regard to quantity or frequency of delivery.

(h) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck scales.

(i) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(j) "Consumer" means any person who acquires anthracite for space heating, domestic hot water, or domestic cooking except to the extent that he acquires such anthracite for space heating incidental to an industrial process or the production of power.

(k) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of anthracite consumed for space heating does not exceed 40 percent of the total annual tonnage of anthracite consumed in the industrial process, the production of power and the space heating.

(l) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools and office buildings.

(m) "Local sales in the producing region" means all sales or deliveries of anthracite at retail to consumers (other than mine employees) within the following townships and boroughs in the ten counties specified in paragraph (a) of this section: Carbon County—Packer, Lehigh, Mahoning, Mauch Chunk townships and the boroughs of Mauch Chunk and East Mauch Chunk; Columbia County—Locust, Roaring Creek, Beaver and Mifflin townships; Dauphin County—Lykens, Williams, Wiconisco, Jackson, Jefferson and Rush townships; Lackawanna County—all townships; Lebanon County—Cold Spring township only; Luzerne County—all townships except Ross, Fairmont and Huntington; Northumberland County—Coal, Zerbie, West Cameron, East Cameron, Mount Carmel and Upper Mahanoy townships; Schuylkill County—Clifford township only; and Wayne County—Clinton and Canaan townships.

(n) "Deliveries to mine employees" means sales or deliveries of anthracite to such employees of producers of anthracite as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(o) "Base period" means the period from April 1, 1942, to March 31, 1943, inclusive.

(p) "Base period tonnage" means the total number of tons of anthracite shipped by any person to any other person during the base period except excludable tonnage as defined in this regulation. The persons as between whom base period tonnages are established under this regulation are specified in §§ 602.334, 602.336, 602.337 (b), 602.339, 602.340, and 602.341.

(q) "Base period tonnage as adjusted" means the base period tonnage as heretofore or hereafter increased or decreased by the Solid Fuels Administration for War.

(r) "Available tonnage" means the total tonnage of anthracite which a producer or wholesaler has in any calendar month for distribution after deducting the tonnage lawfully shipped or scheduled for shipment in that calendar month as follows:

(1) Pursuant to Solid Fuels Administration for War directions;

(2) As excludable tonnage:

(3) To mine employees to the extent permitted by § 602.333;

(4) On local sales in the producing region to the extent permitted by § 602.334;

(5) To timber truckers in the manner and to the extent permitted by § 602.335.

(s) "Excludable tonnage" means only that tonnage of anthracite lawfully shipped or scheduled for shipment in any calendar month by producers or wholesalers directly, or through retail dealers, to the following:

(1) United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(2) Any person to the extent that he acquires anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto;

(3) Any person for use in poultry brooders or hatcheries to the extent permitted under Solid Fuels Administration for War Regulation No. 5.

(t) "Excess tonnage" means that portion of the available tonnage of anthracite which on a cumulative basis from April 1, 1944, to the end of any calendar month exceeds the tonnage necessary to make the shipments to retail dealers and others as required in § 602.336. (Unless shipped to or for the account of other producers or wholesalers as more fully provided in § 602.337, excess tonnage of any producer or wholesaler must be made immediately available to the Solid Fuels Administration for War for allocation to minus producers or minus wholesalers.)

(u) "Deficiency in tonnage" means a tonnage of anthracite which, on a cumulative basis from April 1, 1944, to the end of any calendar month, equals the difference between the available tonnage of anthracite and the tonnage necessary to make the maximum permissible shipments pursuant to § 602.336.

(v) "Plus producer" means a producer who has excess tonnage; "plus wholesaler" means a wholesaler who has excess tonnage.

(w) "Minus producer" means a producer who has a deficiency in tonnage; "minus wholesaler" means a wholesaler who has a deficiency in tonnage.

(x) "Destination" means any city, town, village or community: *Provided, however*, That with respect to New York City, the boroughs of Manhattan and Bronx as a unit, Brooklyn and Queens as a unit, and the borough of Richmond, shall be treated as three separate destinations.

(y) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(z) "SFAW" means Solid Fuels Administration for War.

§ 602.332 *Conditions under which anthracite may be sold, shipped, delivered or received.* No producer, wholesaler or retail dealer shall distribute, ship, deliver, sell or receive any anthracite except in accordance with the provisions of this regulation and other applicable regulations. Any producer, wholesaler or retail dealer who distributes, ships, delivers, sells or receives anthracite, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of anthracite, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving anthracite.

§ 602.333 *Deliveries to mine employees.* A producer may, notwithstanding other provisions of this regulation, deliver and supply, or arrange for the delivery or supply of, the full annual requirements for anthracite during the period April 1, 1944, to March 31, 1945, of his mine employees.

§ 602.334 *Deliveries on local sales in the producing region.* A producer or wholesaler may, notwithstanding other provisions of this regulation, during the period April 1, 1944, to March 31, 1945, inclusive, deliver or arrange through retail dealers for the delivery to consumers (other than mine employees) of anthracite on local sales in the producing region up to but not in excess of 90 per cent of the aggregate of the base period tonnages, as adjusted, which such producer or wholesaler has established in respect to such local sales in the producing region. In making deliveries of anthracite on local sales in the producing region, no producer, wholesaler or retail dealer shall deliver during the period April 1, 1944, to March 31, 1945, inclusive, to consumers (other than mine employees) more than 90 per cent of the individual consumer's annual requirements for anthracite.

§ 602.335 *Distribution by producers to timber truckers.* Upon receipt of a truckload of timber for use in mining operations, a producer may deliver to the timber trucker one truckload of anthracite, *Provided, however*, That before making any such delivery of anthracite, the producer shall obtain from the timber trucker a statement filled out and signed by the timber trucker, as follows:

Bureau of the Budget No. 43–R668

UNITED STATES
DEPARTMENT OF THE INTERIOR
Solid Fuels Administration for War

I have this day delivered to _____ (Insert producer's name and location of colliery) _____, one truckload of timber and I have received from that producer one truckload consisting of _____ tons of anthracite which I will deliver to _____ (Insert destination and name of retail dealer, if any) _____. The last load of anthracite consisting of _____ tons which I received from this colliery, I delivered to _____ (Insert destination and name of retail dealer, if any) _____.

To the extent that I am making deliveries of anthracite to consumers, I am observing the provisions of Solid Fuels Administration for War Regulation No. 17.

I understand that all of the foregoing statements are representations to the Solid Fuels Administration for War and that any wilfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that section 35 (A) of the Criminal Code (18 U.S.C. 80) provides, upon conviction, for a fine of not more than $10,000 or imprisonment for not more than 10 years, or both.

_____
(Signature of timber trucker)

Date: _____
Sales Ticket No. _____
State License No. of Truck _____

§ 602.336 *Distribution by producers and wholesalers of available tonnage—(a) Distribution by producer or wholesaler to equipped retail dealers (except deliveries moving by truck from mine or preparation plant).* Except as otherwise provided in paragraphs (b) and (c) of this section, each producer and wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage, as defined in this regulation (exclusive of deliveries by truck from a mine or preparation plant which are governed by paragraph (d) of this section) so that by March 31, 1945, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have supplied to each equipped retail dealer in the United States and Canada up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

(b) *Distribution by producer or wholesaler to lake dock operators.* Each producer and each wholesaler (excluding a lake dock operator) shall arrange his schedule for the distribution of his available tonnage, as defined in this regulation, via the Great Lakes, so that by November 1, 1944, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have shipped to the same lake docks and the same lake dock operators in the United States and Canada (whether they are wholesalers or equipped retail dealers, or both) up to but not in excess of 90 percent of the base period tonnage, as adjusted, established between such producer or wholesaler and such lake dock and lake dock operator.

(c) *Distribution by producer or wholesaler to retail dealers at designated ice-bound ports.* Each producer and each wholesaler may, and upon direction of SFAW shall, arrange his schedule for the distribution of his available tonnage, as defined in this regulation, so that by November 1, 1944, he shall have shipped by water to retail dealers in the United States and Canada (including tidewater dock operators) located at ice-bound ports, to be designated by SFAW, and on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer.

(d) *Distribution by producer or wholesaler to retail dealers of anthracite moving by truck from a mine or preparation plant (except sales to mine employees, local sales and sales to timber truckers).* This paragraph (d) governs the distribution of anthracite (except that referred to in §§ 602.333, 602.334 and 602.335) moving by truck from a mine or preparation plant located in any of the counties designated in § 602.331 (a). (This section does not govern the distribution of anthracite by a truck which is loaded at a point outside of the townships and boroughs designated in § 602.331 (m) and which is delivered at a point outside of those townships and boroughs. Such distribution is governed by § 602.339 entitled "Distribution by equipped retail dealer to unequipped retail dealers.")

(1) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage for shipment by truck to each retail dealer with whom he has established a base period tonnage so that during the period April 1, 1944, to March 31, 1945, inclusive, he shall have supplied to each such retail dealer, on the basis, to the maximum extent practicable, of regular equal monthly shipments up to but not in excess of 90 per cent of the base period tonnage, as adjusted, of each such retail dealer.

(2) If in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, a retail dealer, who customarily receives anthracite by truck, fails to send trucks to the mine or preparation plant to receive his proportionate share of the available tonnage of the producer or wholesaler with whom he has established a base period tonnage, such producer or wholesaler may, subject to the restrictions of this regulation, distribute to other retail dealers a tonnage equivalent to such undelivered tonnage.

(3) If a producer or wholesaler does not have records which establish the base period tonnage of an individual retail dealer, such producer or wholesaler may distribute anthracite to such retail dealer for shipment by truck: *Provided*, That the aggregate tonnage of truck shipments by such producer or wholesaler to all retail dealers do not in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, exceed 1/12 of 90 percent of the aggregate base period tonnage, as adjusted, of truck shipments by such producer or wholesaler to all retail dealers.

(4) Before making any delivery to a retail dealer, pursuant to this paragraph (d), a producer or wholesaler shall first obtain the following statement filled out and signed by the driver of the truck:

Bureau of the Budget No. 42–R669

UNITED STATES
DEPARTMENT OF THE INTERIOR
Solid Fuels Administration for War

I have this day received for _____ (Name of retail dealer purchaser) _____ tons of anthracite from _____ (Insert name of producer or wholesaler) which will be delivered to _____ (Insert destination and name of retail dealer, if any) _____. This is a destination to which I, or the retail dealer purchaser, delivered anthracite during the period April 1, 1942 to March 31, 1943, inclusive.

I understand that all the foregoing statements are representations to the Solid Fuels Administration for War and that any wilfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that section 35 (A) of the Criminal Code (18 U. S. C. 80) provides, upon conviction, for a fine of not more than $10,000 or imprisonment for not more than 10 years, or both.

_____
(Signature of truck driver)

Date: _____
Sales Ticket No. _____
State License No. of Truck _____

(e) *Uniform percentage of reduction in shipments required if producer or wholesaler has a deficiency in tonnage.* If in any calendar month a producer's or wholesaler's available tonnage is not sufficient to enable him to supply each retail dealer, lake dock or lake dock operator to whom he shipped anthracite in the base period with the appropriate monthly portion of 90 per cent of the base period tonnage, as adjusted, of each such retail dealer, lake dock or lake dock operator, such producer or wholesaler shall during that month apply a uniform percentage of reduction in shipments to each retail dealer, lake dock and lake dock operator.

§ 602.337 *Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).* (a) Except as provided in §§ 602.337 (b) and 602.338 (e), each producer and wholesaler shall, to the maximum extent practicable, arrange with another producer or wholesaler of his own selection (excluding lake dock operators but including any other wholesaler in the United States or Canada) for regular shipment each month to or for the account of such producer or wholesaler of all anthracite which exceeds the tonnage actually shipped or scheduled for shipment during the month (1) pursuant to SFAW directions; (2) as excludable tonnage; (3) to mine workers, or on local sales in the producing region or to timber truckers in the manner and to the extent permitted in §§ 602.333, 602.334 and 602.335, respectively; and (4) as available tonnage to retail dealers and others to the maximum extent permitted under § 602.336.

No producer or wholesaler may receive anthracite from another producer or wholesaler, pursuant to this section, except upon condition that the receiving producer or wholesaler will distribute such anthracite strictly in accordance with this regulation.

(b) In order to assure a fair apportionment of anthracite as between wholesalers in the United States and wholesalers in Canada, the following special provisions and restrictions are necessary:

(1) There is hereby established as the base period tonnage between each producer or wholesaler in the United States and wholesalers in Canada in the aggregate the total tonnage of anthracite shipped by such producer or wholesaler in the United States to or for the account of all wholesalers in Canada during the base period.

(2) Each producer and each wholesaler in the United States shall determine the percentage of the total tonnage shipped by him during the base period to or for the account of all wholesalers, in the United States and Canada, that was shipped by him to or for the account of wholesalers in Canada in the aggregate.

(3) No producer or wholesaler in the United States shall during any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, ship a greater percentage of his excess tonnage to or for the account of wholesalers in Canada in the aggregate than the percentage determined in subparagraph (2) of this paragraph (b).

(4) Subject to the further restriction imposed by subparagraph (3) of this paragraph (b) no producer or wholesaler in the United States shall ship or schedule for shipment to or for the account of wholesalers in Canada in the aggregate during the period April 1, 1944, to March 31, 1945, inclusive, a tonnage of anthracite which exceeds 90 per cent of the base period tonnage, as adjusted, of wholesalers in Canada in the aggregate.

§ 602.338 *Disposition by SFAW of excess tonnage.* (a) Any plus producer or plus wholesaler who fails to dispose of his excess tonnage of anthracite in accordance with § 602.337 must make all such excess tonnage immediately available to SFAW for distribution during the period specified in paragraph (b) of this section to minus producers or minus wholesalers.

(b) SFAW directions for the distribution of excess tonnage will be issued within 30 days from the date on which the existence of such excess tonnage is brought to the attention of the Chief of the Anthracite Distribution Division of SFAW. If SFAW fails to issue a direction for the distribution of such excess tonnage within said period of 30 days, the plus producer or plus wholesaler involved may ship to any person he chooses.

(c) Unless otherwise specified in the SFAW direction, a producer or wholesaler shall commence shipment in compliance with such direction within five working days after the receipt of such direction and complete the required shipments within 30 days from the receipt of such direction. If any wholesaler fails to commence shipments in compliance with a direction within five working days after the receipt of the direction, SFAW may reissue such direction to the producer or producers supplying anthracite directly or indirectly to or for the account of such wholesaler and such producer or producers shall be required to comply in full with said direction before making any other shipments directly or indirectly to or for the account of such wholesaler.

A producer or wholesaler to whom a direction is issued by SFAW is required (1) to acknowledge promptly in writing the receipt of the direction and advise SFAW of the date on which shipments will commence and the probable date of completion and (2) to notify SFAW in writing of the date on which shipments have been completed, pursuant to the direction.

(d) If, but only if, the necessity of obtaining an adequate car supply so requires, a producer with excess tonnage may, prior to the receipt of shipping instructions from a wholesaler to whom such excess tonnage has been allocated by SFAW, ship excess tonnage, to the extent necessary to relieve the car supply problem, to any person he wishes. Any producer who takes such action shall forthwith notify SFAW by telegram of the circumstances necessitating the action, the tonnage shipped and the person to whom the tonnage was shipped.

(e) If it appears to SFAW that during any calendar month from April 1, 1944, to March 31, 1945, inclusive, all producers and wholesalers have made the maximum shipments permissible under § 602.336 to retail dealers, lake dock operators and others and that estimated production for the current calendar month is likely to exceed maximum shipments permissible for that month under § 602.336, SFAW will issue a notification to all producers and wholesalers authorizing them, after making shipments of excludable tonnage and shipments permitted or required under §§ 602.333, 602.334, 602.335, and 602.336 during the current month, to ship the remaining tonnage to any person they choose. Shipments made upon the basis of such SFAW notification will not be considered as a basis for reducing required or permissible shipments under this regulation during succeeding months to any dealer or other person receiving the excess tonnage.

§ 602.339 *Distribution by equipped retail dealer to unequipped retail dealers.* Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his distribution schedule so that by March 31, 1945, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each unequipped retail dealer up to but not in excess of 90 per cent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped dealer. If in any calendar month an equipped retail dealer's available tonnage is not sufficient to enable him to supply each unequipped retail dealer to whom he supplied anthracite in the base period with the appropriate monthly portion of 90 per cent of the base period tonnage, as adjusted, of each such unequipped retail dealer, such equipped retail dealer shall during that month apply a uniform percentage of reduction in shipments to each of his unequipped retail dealers.

If in any calendar month during the period April 1, 1944, to March 31, 1945, inclusive, an unequipped retail dealer fails to send trucks to the yard of the equipped retail dealer to receive his proportionate share of the available tonnage of the equipped retail dealer with whom he has an established base period tonnage, such equipped retail dealer may, subject to the restrictions of applicable regulations, distribute to other unequipped retail dealers or to consumers a tonnage equivalent to such undelivered tonnage.

§ 602.340 *Method for establishing war veteran base period tonnage.* Notwithstanding other provisions of this regulation, any producer, wholesaler or other person may ship to any equipped or unequipped retail dealer who (1) has been honorably discharged from any of the armed forces of the United States, and (2) did not by reason of his service in any of the armed forces of the United

States receive anthracite during each month of the base period, and (3) did not sell, transfer or assign his equipment and business or either to a person now engaged in the retail distribution of anthracite in the same community formerly served by such war veteran retail dealer, the same proportion of available tonnage up to, but not in excess of, 90 per cent of the anthracite shipped by him to such retail dealer during the 12-month period (hereinafter referred to as "war veteran's base period tonnage") immediately preceding the cessation of retail dealer activities because of the entrance of such retail dealer into the armed forces of the United States. If the producer or wholesaler and the war veteran retail dealer differ as to the amount of anthracite shipped to such retail dealer during his war veteran's base period, or if such reail dealer believes that his war veteran's base period tonnage figure should be adjusted, application may be made to the appropriate regional representative of the SFAW determination of the war veteran's proper base period tonnage figure. The regional representative will immediately consider the information presented to him by the producer, wholesaler or war veteran dealer and recommend to SFAW to the war veteran's base period tonnage to be established for such dealer. Pending the establishment by SFAW of such war veteran's base period tonnage figure, such war veteran retail dealer may obtain from any producer or wholesaler during any calendar month 1/12 of the tonnage shown by the producer's or wholesaler's records to have been shipped to such war veteran retail dealer during the twelve months preceding the commencement of his service in the armed forces.

§ 602.341 *Receipts by retail dealers restricted.* Except as provided in paragraph (e) of § 602.338, no retail dealer may receive (1) from all sources combined a tonnage of anthracite which either exceeds 90 per cent of the sum of his base period tonnages, as adjusted, established between such retail dealer and each of the producers, wholesalers or equipped retail dealers who supplied him during the base period or (2) any anthracite which a producer, wholesaler or equipped retail dealer is not authorized to ship under this regulation.

No retail dealer may receive anthracite except on condition that he will distribute it in accordance with SFAW Regulation No. 17, or other applicable regulations of SFAW.

§ 602.342 *Retail dealers required to augment their anthracite supply with other solid fuels.* It is the obligation of retail dealers who receive anthracite under this regulation to take all reasonable and necessary steps to augment their anthracite supply with other solid fuels to the extent necessary to assure that the minimum essential solid fuels requirements of the communities which they serve will be met. For this purpose, each retail dealer individually and the retail dealers collectively at any destination shall promptly make arrangements for the receipt in the spring, summer and fall of a substantial part of the other solid fuels which may be needed to avoid hardship during any part of the year April 1, 1944, to March 31, 1945, inclusive.

§ 602.343 *Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.* Each producer and wholesaler, on or before the 25th day of April 1944, shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of anthracite shipped during the base period, including any adjustments thereof approved by SFAW. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business, and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification shall be subject to review, and may be increased or decreased, by SFAW.

§ 602.344 *Information to be furnished by producers and wholesalers to SFAW.* (a) Each producer and wholesaler shall, on forms prescribed by SFAW, report in writing to Solid Fuels Administration for War, Washington 25, D. C., on or before the 10th day of May 1944 and the 10th day of each month thereafter, (1) the actual tonnage produced, prepared or purchased and the actual tonnage shipped during the preceding full calendar month, and (2) the actual tonnage produced, prepared or purchased and actual tonnage shipped shown cumulatively from April 1, 1944, to the end of that same calendar month. The report shall set forth the tonnages of broken, eggs, stove, chestnut and pea as a single total covering the domestic sizes and separately set forth the tonnage of No. 1 buckwheat.

(b) From the information contained in the reports required by paragraph (a) of this section, SFAW shall publish once each month figures showing the excess tonnage and the deficiency in tonnage of each producer and each wholesaler in sufficient detail to enable all producers, wholesalers and retail dealers to do their part in carrying out the purposes and provisions of this regulation.

(c) Each producer and wholesaler, on or before the 10th day of May 1944, and the 10th day of each month thereafter, shall report in writing to the Solid Fuels Administration for War, Washington 25, D. C., the tonnage of anthracite shipped during the preceding calendar month to each of the States, Canadian Provinces and key city destinations designated by SFAW and shall certify that the reporting producer or wholesaler is complying strictly with the requirements of this regulation. Such report shall be on a form prescribed by SFAW.

(d) On or before April 25, 1944, each producer and wholesaler shall file with Solid Fuels Administration for War, Washington 25, D. C., an estimate, as accurate as it can be, of the total number of tons of anthracite which will be required under this regulation during the period April 1, 1944, to March 31, 1945, inclusive, for (1) mine employees, (2) deliveries on local sales in the producing region, and (3) distribution by producers to timber truckers, as more fully provided in §§ 602.333, 602.334 and 602.335, respectively.

(e) Not later than the date specified in this paragraph, each producer, wholesaler and lake dock operator shall file with the Solid Fuels Administration for War, Washington 25, D. C., on forms prescribed by it, detailed information and data with respect to the production, inventories, purchases and distribution of anthracite for the periods indicated below:

(1) Not later than October 15, 1944, for the period April 1, 1944, to September 30, 1944, inclusive;

(2) Not later than April 15, 1945, for the period April 1, 1944, to March 31, 1945, inclusive.

§ 602.345 *Review of base period tonnage adjustments.* SFAW will review increases in base period tonnages previously authorized and will make such downward adjustments as are appropriate in order more effectively to secure an equitable distribution of the available supply of anthracite.

§ 602.346 *Transfers of base period tonnage.* (a) If SFAW determines that a producer or wholesaler has discontinued business or has ceased to make shipments of anthracite to the retail dealers to whom he made shipments of anthracite during the base period, SFAW, after considering the recommendation of the National Anthracite Distribution Committee, may direct any producer or wholesaler to make shipments of anthracite to all or any of the retail dealers who fail to receive shipments of anthracite by reason of the circumstances recited in this paragraph.

(b) If an equipped retail dealer discontinues business, each producer or wholesaler who supplied such retail dealer with anthracite in the base period shall promptly notify in writing SFAW which, after consulting the producers or wholesalers supplying such retail dealer, may transfer the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer to another retail dealer or other retail dealers located at or near the same destination and authorize or direct such producers or wholesalers to make shipments to such other retail dealer or dealers.

§ 602.347 *Producers or wholesalers without a base period tonnage.* Any producer or wholesaler who did not make shipments of anthracite during the base period shall make shipments only (1) to or for the account of another producer or wholesaler or (2) upon specific direction of SFAW.

§ 602.348 *Action under other regulations.* (a) Nothing contained in this regulation shall be deemed to preclude SFAW from taking appropriate action under SFAW Regulation No. 1, as amended or revised, or under any other regulation heretofore or hereafter issued.

(b) Directions heretofore or hereafter issued by SFAW, prohibiting or requiring shipment of any anthracite, shall be complied with notwithstanding provisions of this regulation.

§ 602.349 *Evasion prohibited.* Persons are prohibited from evading any of the provisions of this regulation through a reincorporation, reorganization, arrangement or device of any kind occurring prior or subsequent to the effective date of this regulation, and the successor in interest of any person shall be deemed fully bound by the provisions of this regulation with the same force and effect as though the predecessor had remained in existence. No person subject to this regulation shall change his method of doing business for the purpose of evading any of the provisions of this regulation and no such person shall continue any such evasive practice which may have been entered into subsequent to April 1, 1943. Any person who has any doubts concerning the applicability of this section to his business activities should forthwith make written inquiry of the General Counsel of the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.350 *National Anthracite Distribution Committee; Supply and Distribution Subcommittees; Regional Anthracite Distribution Committee.* (a) The National Anthracite Distribution Committee shall continue to advise with and make recommendations to SFAW with reference to matters of general policy and administration under this regulation. The committee shall consist of: five representatives of the producers, at least one of whom shall be from each of the three anthracite-producing regions (Wyoming, Lehigh and Schuylkill), two representatives of the wholesalers and three representatives of retail dealers and such other members of the solid fuels industry as the Solid Fuels Administrator for War may from time to time appoint.

(b) The Chairman of the National Anthracite Distribution Committee shall, with the approval of SFAW, appoint from the membership of said committee a subcommittee composed of any four members representing producers and wholesalers, which subcommittee shall be known as the Subcommittee on Supply and Distribution. It shall be the function of such subcommittee each month to recommend to the National Anthracite Distribution Committee the distribution of excess tonnage, if any, which should be made in order to carry out the purposes and provisions of this regulation, and the National Anthracite Distribution Committee shall, as soon as feasible thereafter, submit to SFAW its recommendations. Each such committee shall continue to consist of two producers, one wholesaler, and two retail dealers appointed by the Solid Fuels Administrator for War. Recommendations of the Regional Anthracite Distribution Committees in respect to matters of general policy or such other matters as may be specified by SFAW may be referred by SFAW to the National Anthracite Distribution Committee for its consideration and recommendation to SFAW.

§ 602.351 *Reports.* Each person participating in any transaction to which any portion of this regulation applies shall execute and file with SFAW reports and questionnaires on forms to be designated from time to time by SFAW.

NOTE: All reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.352 *Records.* Each person participating in any transaction to which any portion of this regulation applies shall keep and preserve for a period of two years accurate and complete records of all the details of all such transactions.

§ 602.353 *Audit and inspection.* All records required to be kept by this regulation shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.354 *Violations.* (a) It is a violation of this regulation for a producer, wholesaler or equipped retail dealer to condition his required or permissible shipments to any person upon the performance by such other person of an act which violates this regulation or any other applicable law of the United States.

(b) Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of anthracite by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving anthracite and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code [18 U. S. C. sec. 80 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than ten years, or both)], or under the Second War Powers Act [50 U. S. C. 633 (any person found guilty of violating that statute may be

The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Regional Office SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D. C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation to the appropriate Regional Office of SFAW for advice and recommendation.

§ 602.356 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.357 *Regulations revoked hereby.* SFAW Revised Regulation No. 2, as amended, is hereby revoked, *Provided, however*, That civil or criminal liabilities resulting from violations of that regulation shall not be affected by this section.

§ 602.358 *Short title.* This regulation may be cited as SFAW Regulation No. 18.

This regulation shall take effect at 12:01 a. m. on April 1, 1944.

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

APPENDIX A

Regional Anthracite Distribution Committees have been established for each of the following regions:

(a) Region No. 1: New York City and Westchester, Nassau and Suffolk Counties.

(b) Region No. 2: New York excluding that portion of the State described as being included in Region No. 1.

(c) Region No. 3: New Jersey.

(d) Region No. 4: Pennsylvania.

(e) Region No. 5: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(f) Region No. 6: Delaware, Maryland, Virginia, and the District of Columbia.

[F. R. Doc. 44-4562; Filed, March 31, 1944; 11:18 a. m.]

[Reg. 19]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL IN UTAH

(b) Directions heretofore or hereafter issued by SFAW, prohibiting or requiring shipment of any anthracite, shall be complied with notwithstanding provisions of this regulation.

§ 602.349 *Evasion prohibited.* Persons are prohibited from evading any of the provisions of this regulation through a reincorporation, reorganization, arrangement or device of any kind occurring prior or subsequent to the effective date of this regulation, and the successor in interest of any person shall be deemed fully bound by the provisions of this regulation with the same force and effect as though the predecessor had remained in existence. No person subject to this regulation shall change his method of doing business for the purpose of evading any of the provisions of this regulation and no such person shall continue any such evasive practice which may have been entered into subsequent to April 1, 1943. Any person who has any doubts concerning the applicability of this section to his business activities should forthwith make written inquiry of the General Counsel of the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.350 *National Anthracite Distribution Committee; Supply and Distribution Subcommittees; Regional Anthracite Distribution Committee.* (a) The National Anthracite Distribution Committee shall continue to advise with and make recommendations to SFAW with reference to matters of general policy and administration under this regulation. The committee shall consist of: five representatives of the producers, at least one of whom shall be from each of the three anthracite-producing regions (Wyoming, Lehigh and Schuylkill), two representatives of the wholesalers and three representatives of retail dealers and such other members of the solid fuels industry as the Solid Fuels Administrator for War may from time to time appoint.

(b) The Chairman of the National Anthracite Distribution Committee shall, with the approval of SFAW, appoint from the membership of said committee a subcommittee composed of any four members representing producers and wholesalers, which subcommittee shall be known as the Subcommittee on Supply and Distribution. It shall be the function of such subcommittee each month to recommend to the National Anthracite Distribution Committee the distribution of excess tonnage, if any, which should be made in order to carry out the purposes and provisions of this regulation, and the National Anthracite Distribution Committee shall, as soon as feasible thereafter, submit to SFAW its recommendations with regard to the distribution of excess tonnage which should be made.

(c) The Regional Anthracite Distribution Committee created for each of the regions defined and set forth in Appendix A, attached hereto, and made a part hereof, shall continue to advise with and make recommendations to SFAW with reference to the administration of the provisions of this regulation for their respective regions. Each such committee shall continue to consist of two producers, one wholesaler, and two retail dealers appointed by the Solid Fuels Administrator for War. Recommendations of the Regional Anthracite Distribution Committees in respect to matters of general policy or such other matters as may be specified by SFAW may be referred by SFAW to the National Anthracite Distribution Committee for its consideration and recommendation to SFAW.

§ 602.351 *Reports.* Each person participating in any transaction to which any portion of this regulation applies shall execute and file with SFAW reports and questionnaires on forms to be designated from time to time by SFAW.

NOTE: All reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.352 *Records.* Each person participating in any transaction to which any portion of this regulation applies shall keep and preserve for a period of two years accurate and complete records of all the details of all such transactions.

§ 602.353 *Audit and inspection.* All records required to be kept by this regulation shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.354 *Violations.* (a) It is a violation of this regulation for a producer, wholesaler or equipped retail dealer to condition his required or permissible shipments to any person upon the performance by such other person of an act which violates this regulation or any other applicable law of the United States.

(b) Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of anthracite by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving anthracite and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code [18 U. S. C. sec. 80 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than ten years, or both)] or under the Second War Powers Act [50 U. S. C. 633 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than one year, or both)].

§ 602.355 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Regional Office SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D. C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation to the appropriate Regional Office of SFAW for advice and recommendation.

§ 602.356 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.357 *Regulations revoked hereby.* SFAW Revised Regulation No. 2, as amended, is hereby revoked, *Provided, however*, That civil or criminal liabilities resulting from violations of that regulation shall not be affected by this section.

§ 602.358 *Short title.* This regulation may be cited as SFAW Regulation No. 18.

This regulation shall take effect at 12:01 a. m. on April 1, 1944.

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

APPENDIX A

Regional Anthracite Distribution Committees have been established for each of the following regions:

(a) Region No. 1: New York City and Westchester, Nassau and Suffolk Counties.
(b) Region No. 2: New York excluding that portion of the State described as being included in Region No. 1.
(c) Region No. 3: New Jersey.
(d) Region No. 4: Pennsylvania.
(e) Region No. 5: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
(f) Region No. 6: Delaware, Maryland, Virginia, and the District of Columbia.

[F. R. Doc. 44-4562; Filed, March 31, 1944; 11:18 a. m.]

[Reg. 19]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL IN UTAH

The fulfillment of requirements for the defense of the United States will create a shortage in the supply of solid fuels for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense. The regulation is issued pursuant to authority conferred by, and in order to effectuate the purposes of, Title III of the Second War Powers Act, 1942 (56 Stat. 176), Executive Order No. 9125 (7 F.R. 2719) and Executive Order No. 9332 (8 F.R. 5355).

§ 602.370 *What this regulation does.* The requirements of retail dealers during the next coal year (April 1, 1944–March 31, 1945, inclusive) for bituminous coal produced in the State of Utah will probably exceed the production of such coal, unless there is continuous running time this spring and summer at Utah mines, so that a seasonal loss of production is averted. It is therefore necessary to require retail dealers, who market coal produced in Utah, to receive equal monthly shipments of such coal during the coal year. It is also necessary that industrial consumers of Utah coal make every effort to receive such coal during the 1944–1945 coal year in equal monthly shipments.

§ 602.371 *Definitions.* (a) "Person" means any person, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(b) "District 20" means the coal producing district so numbered and described in the Annex to the Bituminous Coal Act of 1937, as amended.

(c) "Coal" or "bituminous coal" means all bituminous and subbituminous coal produced in District 20.

(d) "Producer" means any person (except when engaged in retail dealer transactions) engaged in the business of mining or preparing bituminous coal in District 20 (or the sales agent of such person).

(e) "Wholesaler" means any distributor, jobber, forwarder, or other person (except when engaged in retail dealer transactions) who acts in the capacity of a seller in a transaction involving the resale of bituminous coal produced in District 20 for rail shipment in carload lots.

(f) "Industrial consumer" means any person who consumes bituminous coal in an industrial process, the production of power or space heating which is incidental thereto.

(g) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools and office buildings.

(h) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of bituminous coal consumed for space heating does not exceed 40 per cent of the total annual tonnage of bituminous coal consumed in the industrial process, the production of power and the space heating.

(i) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer or wholesaler) to the extent that he acts in the capacity of a supplier, shipper or seller of bituminous coal in any transaction involving a shipment, sale, or sale and delivery, of broken bulk bituminous coal physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

§ 602.372 *Equal monthly shipments of District 20 coal to retail dealers are required.* (a) Except as provided in § 602.373, producers and wholesalers shall meet the requirements of their retail dealer customers for bituminous coal produced in District 20 and shipped by rail during the period April 1, 1944–March 31, 1945, inclusive, by making the tonnage to meet the requirements of such retail dealers during that period available each calendar month of such period in equal amounts, to the maximum extent practicable.

(b) No producer or wholesaler shall ship District 20 coal by rail to any retail dealer during any calendar month of the period April 1, 1944–March 31, 1945, inclusive, in an amount greater than the regular equal monthly portion of the total amount such producer or wholesaler expects to ship to such dealer during that period. If a retail dealer refuses to accept the regular equal monthly shipment, the producer or wholesaler shall reduce the total annual quota of such retail dealer accordingly and shall ship the coal refused by such dealer to other dealers who are conducting their affairs in accordance with the purpose of this regulation.

(c) Each producer or wholesaler shall, on or before April 15, 1944, notify each retail dealer to whom he expects to ship bituminous coal by rail during the period April 1, 1944–March 31, 1945, inclusive, (1) of the provisions and purposes of this regulation, (2) of the amount of coal by sizes he expects to furnish such dealer during that period, and (3) that such amount will be available during that period for equal monthly shipments.

§ 602.373 *Equal monthly shipments of District 20 coal to retail dealers who receive less than 600 tons are not required.* Producers may deviate from the mandatory program for equal monthly shipments to retail dealers required by § 602.371 in shipping to retail dealers who receive less than 600 tons of coal during the period April 1, 1944–March 31, 1945, inclusive; but, to the maximum extent practicable, producers should attempt to ship to such retail dealers, and such retail dealers should attempt to receive, coal in equal monthly or quarterly shipments during that period.

§ 602.374 *Equal monthly shipments of District 20 coal to industrial consumers are necessary.* Producers in District 20 shall urge industrial consumers to order and receive to the maximum extent practicable, during the period April 1, 1944–March 31, 1945, inclusive, their requirements for District 20 coal in equal monthly shipments; and producers and industrial consumers shall make every effort to arrange their distribution and operating schedules so as to secure a full all-year production at Utah mines.

§ 602.375 *Violations.* Any person who wilfully violates any provision of this regulation is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

§ 602.376 *Approval by Bureau of the Budget.* The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 602.377 *Damages for breach of contract.* No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with this regulation.

§ 602.378 *Applications for modification or exception.* Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Area Distribution Manager of the Solid Fuels Administration for War, Salt Lake City, Utah. The applications shall set forth in detail the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

This regulation shall become effective immediately.

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

[F. R. Doc. 44-4561; Filed, March 31, 1944; 11:18 a. m.]

[Reg. 20]

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of certain grades and sizes of bituminous coal for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 602.390 *Definitions.* (a) "Coal" or "bituminous coal" means, unless otherwise specified, all bituminous and subbituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13, as described in the Annex to the Bituminous Coal Act of 1937, as amended.

(b) "By-product coal" or "coal for by-product use" means bituminous coal that is to be charged into by-product coke ovens for the production of coke for thetallurgical uses, production of gas or by-products.

(c) "Other special purpose coal" or "coal for other special purpose uses" means coal, other than by-product coal, (1) used for foundry or other metallurgical purposes in which the coal or its products of combustion come in direct contact with the metal during the processing; (2) used for foundry facings requiring special chemical or physical characteristics; (3) used for production of water gas; (4) charged into producers for the production of gas; or (5) used as a raw material because of special chemical or physical characteristics to form a component part of chemicals, or directly entering into the chemical processes.

(d) "Producer" means any person to the extent that he is engaged in the business of mining coal at a mine producing 50 tons per day or more, or at a mine having rail or river shipping facilities regardless of tonnage produced, or any person who operates a central washery or preparation plant, or the sales agent of such person.

(e) "Wholesaler" means any person to the extent that he purchases and resells coal in not less than cargo or railroad car lots and shall include, without limitation, dock operators, distributors, jobbers and cooperatives.

(f) "Lake receiver" means any commercial dock operator and any industrial consumer, or railroad, to the extent that he or it receives coal by vessel or barge at a dock or other unloading facility located on the Great Lakes.

(g) "Retail dealers" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of solid fuels in any transaction involving a shipment, sale, or sale and delivery, of broken bulk solid fuels physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

(h) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

(i) "By-product coal commitment" or "contract for by-product coal" means either (1) a contract to supply by-product coal (i) entered into on or before March 10, 1944, and reported to the Solid Fuels Administration for War in accordance with Regulation No. 16 (9 F.R. 2491) and (ii) not disapproved in writing by the Solid Fuels Administration for War; or (2) a contract to supply by-product coal (i) entered into after March 10, 1944, and (ii) approved in writing by the Solid Fuels Administration for War.

(j) "Other special purpose coal commitment" or "contract for other special purpose coal" means any contract or agreement to supply other special purpose coal.

(k) "Lake coal commitment" or "contract for lake coal" means either (1) a contract (other than a contract for by-product coal) to ship coal via the Great Lakes (i) entered into on or before February 29, 1944, and reported to the Solid Fuels Administration for War pursuant to Regulation No. 15 (9 F. R. 1501) and (ii) not disapproved in writing by the Solid Fuels Administration for War; or (2) a contract to ship coal (other than by-product coal) via the Great Lakes (i) entered into after February 29, 1944, and (ii) approved in writing by the Solid Fuels Administration for War.

(l) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(m) "Direction" means a direction of the Solid Fuels Administration for War issued pursuant to Regulation No. 1 (8 F. R. 5832) unless otherwise specifically indicated.

(n) "SFAW" means Solid Fuels Administration for War.

§ 602.391 *Schedules for distribution of bituminous coal.* Producers and wholesalers (including dock operators) are required to arrange their distribution schedules for the period April 1, 1944, to March 31, 1945, (1) so that first preference is given to by-product coal and other special purpose coal commitments, in a manner which assures that such commitments are met in full and are, to the maximum extent practicable, met by regular equal monthly shipments (shipments by rail, river or tidewater should be spread through the entire year April 1, 1944, to March 31, 1945; shipments by lake should be spread through the current season of navigation and concluded on or before November 1, 1944), (2) so that a second preference is given (pending further study by SFAW) to lake coal commitments (excluding by-product coal and other special purpose coal commitments) in a manner which will assure that such commitments are, to the maximum extent practicable, met by regular equal monthly shipments.

§ 602.392 *Restrictions in deliveries by certain lake receivers (commercial lake dock operators) to industrial consumers and retail dealer customers.* During the period April 1, 1944, to August 1, 1944, no commercial lake dock operator may deliver to an industrial consumer or retail dealer more than 50 percent of the total tonnage of coal which such commercial lake dock operator is obliged to ship during the period from April 1, 1944, to May 15, 1945, to such industrial consumer or retail dealer.

§ 602.393 *Conditions under which bituminous coal may be shipped, delivered or received.* No person shall distribute, ship, deliver or receive any bituminous coal except in accordance with the provisions of this regulation and other applicable regulations. Any person who distributes, ships, delivers or receives bituminous coal, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of bituminous coal, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving bituminous coal.

§ 602.394 *SFAW directions.* Directions issued by SFAW, unless they otherwise specifically provide, take precedence over but do not otherwise alter other regulations.

§ 602.395 *Violations.* Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of bituminous coal by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving bituminous coal and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. sec. 80 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than ten years, or both)); or under the Second War Powers Act (50 U. S. C. 633 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than one year, or both)).

§ 602.396 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Area Distribution Manager of SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D. C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation to the appropriate Area Distribution Manager of SFAW for advice and recommendation.

§ 602.397 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

§ 602.398 *Action under other regulations.* Nothing contained in this regulation shall be deemed to preclude the Solid Fuels Administrator for War from taking appropriate action under Solid Fuels Administrator for War Regulation No. 1 or under any other regulation.

This regulation shall take effect immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 30th day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

[F. R. Doc. 44-4560; Filed, March 31, 1944; 11:18 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Gen. License 32A, as Amended]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL

MARCH 30, 1944.

General License No. 32A, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32A is hereby amended to read as follows:

§ 131.32a *General License No. 32A—*(a) *Certain remittances to specified liberated areas for living expenses authorized.* A general license is hereby granted authorizing remittances by any individual through any domestic bank to any individual within the liberated areas specified in paragraph (h) of this general license, and any domestic bank is authorized to effect such remittances: *Provided,* The following terms and conditions are complied with:

(1) Such remittances are made only for the necessary living expenses of the payee and his household;

(2) If the payee is not a citizen of the United States, the total of all remittances to such payee and his household effected in any one calendar quarter under this general license may not exceed $100;

(3) If the payee is a citizen of the United States, the total of all remittances to such payee and his household effected in any one calendar month under this general license may not exceed $75, except that additional sums not exceeding $25 in any one calendar month may be remitted for each citizen of the United States, in addition to the payee, who is a member of such payee's household: *Provided,* That in no case shall a sum in excess of $150 per calendar month be remitted to any such payee and his household;

(4) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, a citizen of the United States who is the payee or a member of his household; and

(5) Such remittances are effected only by the payment of the dollar amount of the remittance to a domestic bank for credit:

(i) When the remittance is to any individual within the area specified in paragraph (h) (1) hereof, to a post-liberation blocked account in the name of "Bank of Sicily, Account AF";

(ii) When the remittance is to any individual within the area specified in paragraph (h) (2) hereof, to a post-liberation blocked account in the name of "Bank of Naples, Account AF".

(b) *Duty of individuals and domestic banks acting under this license.* All individuals making such remittances and all domestic banks effecting such remittances shall satisfy themselves that the foregoing terms and conditions are complied with.

(c) *Reports by domestic banks effecting remittances.* Domestic banks through which any such remittances originate shall execute promptly section A of Form TFR-132 with respect to each such remittance. When so executed, Form TFR-132 shall be forwarded promptly to the domestic bank ultimately transmitting abroad the payment instructions for such remittances and the latter bank shall, upon receipt thereof, execute section B of Form TFR-132 and promptly file such executed report with the appropriate Federal Reserve Bank. If the domestic bank through which any such remittance originates is also the bank ultimately transmitting abroad the payment instructions for such remittance, then such bank shall execute both sections A and B of such report. No report on Form TFR-132 shall be deemed to have been filed in compliance with this general license unless both sections A and B thereof have been duly executed as herein prescribed.

(d) *Reports by domestic banks maintaining post-liberation blocked accounts.* Domestic banks maintaining post-liberation blocked accounts pursuant to this general license shall report promptly the establishment of such accounts, and the balances therein at the end of each calendar month, to the appropriate Federal Reserve Bank.

(e) *Refunds.* Domestic banks are authorized to refund the amount of any remittance ordered pursuant to this general license when such domestic banks are advised that such remittance cannot be effected.

(f) *Waiver of General Ruling No. 11 and General Ruling No. 5A.* Transactions authorized herein and communications with persons in the areas specified in paragraph (h) hereof relating thereto are authorized notwithstanding General Ruling No. 11. Domestic banks are authorized, notwithstanding General Ruling No. 5A, to send to and receive from the banks referred to in paragraph (a) (5) hereof nonnegotiable bank payment orders covering remittances or refunds authorized herein.

(g) *Definitions.* As used in this general license:

(1) The term "household" shall mean:

(i) Those individuals sharing a common dwelling as a family; or

(ii) Any individual not sharing a common dwelling with others as a family.

(2) The term "post-liberation blocked account" shall mean a blocked account:

(i) Which is established pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account;

(ii) To which funds may be credited only pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account; and

(iii) With respect to which payments, transfers, or withdrawals or other dealings may not be made or effected except pursuant to this license or any other license or other authorization expressly referring to a post-liberation blocked account.

(h) *Designation of liberated areas to which remittances may be effected.* The liberated areas covered by this general license are:

(1) Sicily;

(2) Sardinia and the following provinces of Italy: Cosenza, Reggio Calabria, Potenza, Foggia, Bari, Brindisi, Catanzaro, Matera, Avallino, Taranto, Lecce, Naples, Salerno, and Benevento.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs., Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4504; Filed, March 30, 1944; 1:58 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

[Gen. License 6]

PART 303—GENERAL LICENSE PERTAINING TO EXPLOSIVES

LICENSE FOR SODIUM NITRATE AND AMMONIUM NITRATE AS FERTILIZER AND SODIUM CHLORATE AS WEED ERADICATOR

General License No. 6 (§ 303.6)[1] is amended to read as follows:

§ 303.6 *General purchaser's license for sodium nitrate and ammonium nitrate*

[1] 7 F.R. 4760, 6670, 10925; 8 F.R. 564, 1938, 9183, 16503.

(b) "By-product coal" or "coal for by-product use" means bituminous coal that is to be charged into by-product coke ovens for the production of coke for metallurgical uses, production of gas or by-products.

(c) "Other special purpose coal" or "coal for other special purpose uses" means coal, other than by-product coal, (1) used for foundry or other metallurgical purposes in which the coal or its products of combustion come in direct contact with the metal during the processing; (2) used for foundry facings requiring special chemical or physical characteristics; (3) used for production of water gas; (4) charged into producers for the production of gas; or (5) used as a raw material because of special chemical or physical characteristics to form a component part of chemicals, or directly entering into the chemical procession.

(d) "Producer" means any person to the extent that he is engaged in the business of mining coal at a mine producing 50 tons per day or more, or at a mine having rail or river shipping facilities regardless of tonnage produced, or any person who operates a central washery or preparation plant, or the sales agent of such person.

(e) "Wholesaler" means any person to the extent that he purchases and resells coal in not less than cargo or railroad car lots and shall include, without limitation, dock operators, distributors, jobbers and cooperatives.

(f) "Lake receiver" means any commercial dock operator and any industrial consumer, or railroad, to the extent that he or it receives coal by vessel or barge at a dock or other unloading facility located on the Great Lakes.

(g) "Retail dealers" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or dock operator) to the extent that he acts in the capacity

purpose coal" means any contract or agreement to supply other special purpose coal.

(k) "Lake coal commitment" or "contract for lake coal" means either (1) a contract (other than a contract for by-product coal) to ship coal via the Great Lakes (i) entered into on or before February 29, 1944, and reported to the Solid Fuels Administration for War pursuant to Regulation No. 15 (9 F. R. 1501) and (ii) not disapproved in writing by the Solid Fuels Administration for War; or (2) a contract to ship coal (other than by-product coal) via the Great Lakes (i) entered into after February 29, 1944, and (ii) approved in writing by the Solid Fuels Administration for War.

(l) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(m) "Direction" means a direction of the Solid Fuels Administration for War issued pursuant to Regulation No. 1 (8 F. R. 5832) unless otherwise specifically indicated.

(n) "SFAW" means Solid Fuels Administration for War.

§ 602.391 *Schedules for distribution of bituminous coal.* Producers and wholesalers (including dock operators) are required to arrange their distribution schedules for the period April 1, 1944, to March 31, 1945, (1) so that first preference is given to by-product coal and other special purpose coal commitments, in a manner which assures that such commitments are met in full and are, to the maximum extent practicable, met by regular equal monthly shipments (shipments by rail, river or tidewater should be spread through the entire year April 1, 1944, to March 31, 1945; shipments by lake should be spread through the current season of navigation and concluded on or before November 1, 1944), (2) so that a second preference is given (pending further study by SFAW)

distributes, ships, delivers or receives bituminous coal, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of bituminous coal, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving bituminous coal.

§ 602.394 *SFAW directions.* Directions issued by SFAW, unless they otherwise specifically provide, take precedence over but do not otherwise alter other regulations.

§ 602.395 *Violations.* Any person who violates any provision of this regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of bituminous coal by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving bituminous coal and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. sec. 80 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than ten years, or both)); or under the Second War Powers Act (50 U. S. C. 633 (any person found guilty of violating that statute may be fined not more than $10,000 or imprisoned for not more than one year, or both)).

§ 602.396 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in de-

as fertilizer and for sodium chlorate as weed eradicator. A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, to any person as defined therein who, as owner, manager, tenant or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco or inedible oils, authorizing him to purchase and possess sodium nitrate and ammonium nitrate as a fertilizer and sodium chlorate as a weed eradicator on that tract of land and to use them for those purposes thereon. It does not cover any person, citizen or alien, who is prohibited by regulation or proclamation of the War Department or other Federal agency from possessing, using, or controlling explosives or component parts thereof.

This general license relieves persons covered by it from the duty of applying for and securing individual licenses for the purposes specified in it and from the duty of keeping records on the acquisition and use of sodium nitrate, ammonium nitrate, and sodium chlorate. It does not relieve them from any other duty under the Federal Explosives Act or the regulations thereunder, and it does not relieve persons selling or otherwise disposing of sodium nitrate, ammonium nitrate, or sodium chlorate to them from the duty of keeping the records required by section 5 of the act and § 301.14 (d) of the regulations.

This general license expires at the close of business on December 31, 1944, unless sooner terminated.

R. R. SAYERS,
Director.

The foregoing license as amended is approved and all regulations inconsistent therewith are waived.

MICHAEL W. STRAUS,
First Assistant Secretary, Department of the Interior.

MARCH 28, 1944.

[F. R. Doc. 44-4507; Filed, March 30, 1944; 3:27 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 158]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity, Department of Commerce Number and General License Group	
Leather:	
Case, bag and strap leather, 0836.00	None
Glove, and garment leather, other, 0839.00	None
Commodity, Department of Commerce Number and General License Group—Con.	
Leather—Continued.	
Other upper leathers, 0811.00	None
Pig and hog glove & garment leather, 0838.00	None
Sheep and lamb glove & garment leather (except shearling), 0836.00	None
Machinery-vehicles-automotive, parts & accessories:	
Automobile parts for assembly abroad into complete vehicles with American trade names, 7912.00	None
Engines, Diesel & semi-Diesel, for replacement, 7931.30	None
Engines, gasoline (carburetor type) for replacement, 7931.50	None
Horns, hand & electric, 7926.00	None
Motor truck & bus engines, Diesel & semi-Diesel, for assembly, 7928.30	None
Motor truck & bus engines, gasoline (carburetor type) for assembly, 7928.50	None
Passenger car engines, 7929.00	None
Spark plugs, 7921.00	None
Other automobile accessories, n. e. s. (include air cleaners, oil rectifiers, taxi-meters & other engine accessories), 7927.00	None
Other automobile service appliances & parts, 7931.80	None
Machinery-vehicles-miscellaneous:	
Air brake equipment & parts for railroad cars, 7926.00	None
Internal-combustion Marine engines (carburetor type) other than detachable motors, 7959.00	None
Motorcycles, 7952.00	None
Motorcycle parts & accessories (report tires & inner tubes in 2064.00), 7954.00	None

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective April 6, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 30, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-4585; Filed, March 31 1944; 11:37 a. m.]

[Amdt. 159]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Correction in Amendment No. 156.

The General License Group designation for the commodities "wheat flour, wholly of United States wheat" and "wheat flour, other" as set forth in Amendment No. 156 published March 14, 1944 (9 F.R. 2775), is hereby changed from "None" to "K".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 31, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-4526; Filed, March 31, 1944; 10:35 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 23 as Amended Jan. 7, 1944, Amdt. 1]

MILITARY RATING PROCEDURE

Section 903.35. *Directive 23* is hereby amended in the following respect:

By substituting in the place of the second and third sentences of paragraph (c) (1) the following sentences:

The instruments shall be approved by a War Production Board official of such office only after he has determined that the item or items requested are required and that no existing equipment or subcontracting facilities are available which are suitable and appropriate for the purposes for which the items are requested, or that such determination cannot be made within ten days after receipt thereof. An exception to this is that instruments covering any machine tools produced under Defense Plant Corporation pool orders which remain unsold, may be approved if the machine tools are required, notwithstanding the availability of other existing equipment.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4517; Filed March 30, 1944; 5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 8, Amdt. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS

Section 905.1 *Directive No. 8* is amended in the following respects:

1. By striking out the words "a date sixty days after the issuance of this directive" at the end of the first sentence of paragraph (a), and in paragraph (b) and substituting in their place in each paragraph the words "November 9, 1942".

2. By eliminating paragraph (c), and renumbering present paragraph (d) as new paragraph (c).

3. By amending former paragraph (d) (now designated as paragraph (c)) to read as follows:

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 8.

4. By inserting a new paragraph at the end of the directive as follows:

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of structural steel.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4516; Filed, March 30, 1944; 5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 9 as Amended Dec. 19, 1942, Amdt. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN OF REINFORCED CONCRETE BUILDINGS

Section 905.2 *Directive No. 9* is amended in the following respects:

1. By inserting at the beginning of paragraph (a) the words: "Except to the extent permitted by paragraph (d) of this directive", and substituting a comma for the period at the end of the first sentence of said paragraph (a), and adding the following words: "and prior to April 1, 1944. With respect to contracts placed on and after April 1, 1944, National Emergency Specifications for the Design of Reinforced Concrete Buildings, issued by the War Production Board on October 5, 1942,[1] as revised March 30, 1944,[2] shall govern."

2. By eliminating paragraph (c) and renumbering the present paragraph (d) as paragraph (c).

3. By amending former paragraph (d) (now designated as paragraph (c)) to read as follows:

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 9.

4. By inserting a new paragraph at the end of the directive reading as follows:

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of reinforcing steel.

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4518; Filed, March 30, 1944; 5:01 p. m.]

PART 905—SPECIFICATIONS

[Directive 20, Amdt. 1]

NATIONAL EMERGENCY SPECIFICATIONS FOR DESIGN, FABRICATION AND ERECTION OF STRESS GRADE LUMBER AND ITS FASTENINGS FOR BUILDINGS

Section 905.3 *Directive No. 20* is amended by striking out paragraph (d), and renumbering present paragraph (e) as new paragraph (d).

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4519; Filed, March 30, 1944; 5:01 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-507]

CERAMIC COLOR AND CHEMICAL MANUFACTURING COMPANY

Ceramic Color and Chemical Manufacturing Company, a corporation with its principal place of business at New Brighton, Pennsylvania, manufactures and sells colors and chemicals. On July 21, 1943, it filed Form PD-600, applying for permission to receive delivery of 40,000 pounds of black copper oxide. The company by a letter to the War Production Board dated July 21, 1943, stated that Army and Navy priority orders were on hand for this material which could not be filled until that application had been approved. These statements were false and misleading with respect to orders on hand, and were wilfully made with the intent of deceiving the War Production Board and securing the critical material to which Ceramic Color and Chemical Manufacturing Company was not entitled. The War Production Board granted permission to receive this material and it was so received by the Ceramic Color and Chemical Manufacturing Company, thereby diverting critical materials to uses which would not have been authorized by the War Production Board had the true facts been stated. These statements so made subjected the company to administrative action under the provisions of Priorities Regulation No. 1. In view of the foregoing, it is hereby ordered, that:

§ 1010.507 *Suspension order No. S-507.* (a) Deliveries of copper oxide in any form to the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation of copper oxide in any form shall be made to the Ceramic Color and Chemical Manufacturing Company, its successors or assigns; nor shall the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, receive or accept delivery of copper oxide in any form; nor shall any person, firm, or corporation deliver copper oxide in any form to Ceramic Color and Chemical Manufacturing Company, its successors or assigns; unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this suspension order shall apply to the small orders defined in paragraph (c) of Allocation Order M-227 as amended February 24, 1944, or as thereafter amended.

(d) The provisions of this suspension order shall not prevent the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, from receiving or accepting delivery of copper oxide in any form which constitutes the undelivered balance of any purchase or delivery authorized by the War Production Board prior to the date of issuance of this suspension order.

(e) Nothing contained in this order shall be deemed to relieve the Ceramic Color and Chemical Manufacturing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

[1] Not filed with the Division of the Federal Register.

[2] Filed as part of the original document.

(f) This order shall take effect on March 30, 1944, and shall expire on July 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4520; Filed, March 30, 1944; 5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-510]

JOSEPH F. MELDON

Joseph F. Meldon of Boston, Massachusetts, in December, 1943, began construction at 553 Dudley Street, Boston, without authorization from the War Production Board. His purpose was to alter the premises into a cafe at a cost of $2,339.98, which amount exceeded the limit of $200. permitted by Conservation Order L-41 and was in violation of that order. Notwithstanding a telegraphic warning from the War Production Board on January 5, 1944, he continued construction until January 14th. Joseph F. Meldon was aware of War Production Board restrictions on construction, and doing this construction without authorization and its continuance despite warning to cease, constituted wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.510 *Suspension Order No. S-510.* (a) Neither Joseph F. Meldon, his successors or assigns, nor any other person, shall do any construction on the premises at 553 Dudley Street, Boston, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph F. Meldon, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4521; Filed, March 30, 1944; 5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-511]

J. VARNERIN'S SONS

Laurence J. Varnerin and Peter Varnerin, partners doing business under the name of J. Varnerin's Sons, general contractors, in December, 1943, and January, 1944, did construction work on premises at 553 Dudley Street, Boston, Massachusetts, owned by Joseph F. Meldon, at an estimated cost in excess of the $200 limit permitted by Conservation Order L-41. They were aware of War Production Board regulations governing construction. Having been warned by a War Production Board telegram on January 5, 1944, against further construction in violation of the order, they stopped work but allowed the owner to use their account to get materials, knowing that such materials were to be used in continuing the unauthorized construction. These actions constituted wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.510 *Suspension Order No. S-510.* (a) Deliveries of material to Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Laurence J. Varnerin or Peter Varnerin, doing business as J. Varnerin's Sons, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 30, 1944, and shall expire on July 30, 1944.

Issued this 23d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4522; Filed, March 30, 1944; 5:01 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, Interpretation 1, as Amended Mar. 31, 1944]

FOOD PROCESSING MACHINERY

The following interpretation is issued with respect to General Limitation Order L-292.

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA-5 or higher assigned on certain specified forms (WPB-617, 576, 748, etc.). These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4566; Filed, March 31, 1944; 11:57 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-296 as Amended Mar. 31, 1944]

RESISTANCE WELDING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities used in the manufacture of resistance welding equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.107 *General Limitation Order L-296—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Resistance welding" means that process for the localized consolidation or joining of metals under pressure and heat, wherein the heat is generated within the metallic parts to be consolidated or joined by the resistance of those

parts to the passage of an electric current.

(3) "Resistance welding equipment" means equipment manufactured for use in the operation of joining metals by the resistance welding process and includes resistance welding machines, resistance welding controls, and resistance welding electrodes.

(4) "Manufacturer" means any person engaged in the business of producing, fabricating or assembling resistance welding equipment, and shall include sales and distribution outlets owned by any such person.

(5) "Dealer" means any person engaged in the business of purchasing resistance welding equipment for resale.

(6) "Order" means any commitment or other arrangement for the delivery of resistance welding equipment whether by purchase, lease, rental or otherwise.

(7) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies or operated on a cost-plus-fixed-fee basis.

(8) "Used resistance welding equipment" means resistance welding equipment that has been delivered to an ultimate consumer.

(b) *Operations reports.* Each manufacturer shall, on or before the 15th day of each month, commencing with the month of August, 1943, file with the War Production Board an operations report on Form WPB–2830, showing orders for new and rebuilt resistance welding equipment and repair parts unfilled, received, shipped and cancelled during the preceding month, in accordance with instructions accompanying the form: *Provided*, That this paragraph (b) shall not apply to orders for electrical circuit breakers or indicating or recording apparatus used with resistance welding equipment, or repair parts for such circuit breakers or indicating or recording apparatus.

(c) *Authorization of purchase orders required.* (1) No manufacturer or dealer shall accept an order for, or deliver any new resistance welding equipment unless the order or delivery is specifically authorized by the War Production Board on Form WPB–1319 (or Form WPB–2752). Application for an authorization, and for a preference rating if none has been previously assigned, is to be made by the purchaser by filing Form WPB–1319, with the War Production Board in accordance with the current instructions for the form. (Applications on Form WPB–2752 will continue to be accepted by the War Production Board until March 15, 1944 only.) The delivery restrictions of this paragraph (c) (1) do not apply to orders received prior to July 27, 1943.

(2) The provisions of paragraph (c) (1) shall not apply to (i) any order of $200 or less for resistance welding equipment; (ii) any order for resistance welding electrodes; (iii) any order for resistance welding equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any resistance welding equipment to be used directly by such agencies; (iv) any purchase order bearing a preference rating assigned on Form CMPL–224, Form GA–1456 or under any order in the P–19 series: *Provided*, That the certificate applying or extending such rating shall state the source of the rating; or (v) any order placed by a manufacturer of, or dealer in, resistance welding equipment.

(d) *Registration of idle equipment.* On receipt of a specific request by the War Production Board, the owner of any idle used resistance welding equipment shall register it by filing with the War Production Board Form WPB–2732, in accordance with instructions which accompany the request.

(e) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise expressly provided herein.

(2) *Reporting provisions.* The reporting requirements of paragraphs (b) and (d) and the form of application prescribed in paragraph (c) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board General Industrial Equipment Division, Washington 25, D. C., Ref.: L–296.

Issued this 31st day of March, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4587; Filed, March 31, 1944; 11:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 41, as Amended Mar. 31, 1944]

ALLOTMENT PROCEDURE FOR MANUFACTURERS OF CLASS A PRODUCTS, WHEN USED FOR SHIP REPAIRS AND BUREAU OF SHIPS' SPECIAL NAVY PRODUCTS, WHEN USED FOR SHIP REPAIRS

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction explains where a manufacturer is to file applications for allotments of controlled materials needed to make Class A products or Bureau of Ships' Special Navy Products required for ship repairs. The direction applies regardless of whether the repair is capitalized or not. The direction does not cover facilities or equipment which are a part of the plant where the repairs are made, as distinct from products and materials which will be incorporated in the ship. Manufacturers of Class B products other than those included in the Bureau of Ships' Special Navy Product List are not affected by this direction.

(b) *Where to file applications.* The following chart shows where manufacturers of Class A products or Bureau of Ships' Special Navy Products file applications for controlled materials to fill orders received from the following users:

NOTE: Chart amended Mar. 31, 1944.

Type of product	Users	Use	Manufacturers file applications with
Class "A" product (other than BuShips Special Navy).	Army repair yards	All vessels	Army repair yard (CMP–4A).
	Navy yards, repair	All vessels	Navy yards, repair (CMP–4A).
	Minor Navy repair establishments.	All vessels	WPB–(CMP–4B).[1]
	Private repair yard	All vessels	WPB–(CMP–4B).[1]
	Private dockside	All vessels	WPB–(CMP–4B).[1]
BuShips Special Navy Products.	Navy yards, repair	All vessels	Navy (CMP–4A).
	Minor Navy repair establishments.	All vessels	Navy (CMP–4A).
	Private repair yard	Naval vessels of the United States or other United Nations.	Navy (CMP–4A).
	Private dockside	Naval vessels of the United States or other United Nations.	Navy (CMP–4A).
	Private repair yard	Other vessels	WPB (CMP–4B).[1]
	Private dockside	Other vessels	WPB (CMP–4B).[1]

[1] Application should be made to the Building Materials Division on CMP Code No. 805, "Fabricated Items for Ship Repair Work."

In filing applications on CMP–4B for any product classification, requirements for the manufacture of products to be used for ship repair need not be treated separately but should be included in the manufacturer's application covering the entire product classification.

(c) *Emergencies.* Where a manufacturer of any Class A product or Bureau of Ships' Special Navy Product for use in making ship repairs receives an order for the product which he did not anticipate and which, in point of fact, he did not take into consideration in applying for his allotment, he should apply for necessary supplemental allotments to the same sources mentioned in paragraph (b) above.

PART 1208—SCHEDULED PRODUCTS

[General Scheduling Order M-208, Table 12, as Amended Mar. 31, 1944]

TOOLS DIVISION

§ 1208.12 *Table for Tools Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-208:

Type of M-208 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months from 1
1. Coated abrasive products:					
(a) Standard size sheets (9¾" x 10¾", 9" x 11", and 9" x 11¾"). (Purchase orders for 500 sheets or more)	Y	3256	3409		1
(b) Rolls. (Purchase orders for 100 or more rolls 50 yards long, 2¼" wide or equivalent).	Y	3256	3478		1
2. Bearings, anti-friction:					
(None: Anti-friction bearings are exempt from the special reporting provisions of paragraph (c) (2) of M-293, but are subject to the shortage in terms of certain minimum quantities must submit Form WPB-3586, the Direction 1 to table 12, Order M-208.)		3004	3001-M		1
3. Chain, excluding steel link, roller and power transmission:					
(a) ¾" (purchase orders for 2000 pounds or more)	X	3004	3001-M		1
(b) ¾" (purchase orders for 2000 pounds or more).	X	3004	3001-M		1
(c) ¾" (purchase orders for 2000 pounds or more).	X	3004	3001-M		1
4. Cranes and monorail systems:					
(a) Overhead traveling cranes with double I beams.		1047	1313 and 1315-A		6
(b) Electric hoists, including Whirley, revolver and trolley cranes.		1047	1313 and 1315-A		6
(c) Locomotive cranes.		1047	1313 and 1315-A		6
(d) Gantry cranes.		1047	1313 and 1315-A		6
(e) Monorail systems for motor driven cranes carriers.		1047	1313 and 1315-A		6
(f) Chargers.		1047	1313 and 1315-A		6
(g) Manipulators.		1047	1313 and 1315-A		6
5. Mechanics' hand service tools:					
(a) Pliers, slip joint (purchase orders for $1,000 or more).	Y	3207	1319		3
(b) Pliers, solid joint (purchase orders, for $1,000 or more).	Y	3207	1319		3
(c) Screw drivers, all types (purchase orders for $1,000 or more).	Y	3207	1319		3
(d) Wrenches, adjustable, including driving units (purchase orders for $10,000 or more).	Y	3207	1319		3
(e) Wrenches, open end & comb. box (purchase orders for $10,000 or more).	Y	3207	1319		3
(f) Wrenches, adjustable, 2½" angle (purchase orders for $10,000 or more).	Y	3207	1319		3
(g) Wrenches, box (purchase orders for $10,000 or more).	Y	3207	1319		3
(h) Wrenches, monkey (purchase orders for $2,000 or more).	Y	3207	1319		3
(i) Wrenches, pipe (purchase orders for $2,000 or more).	Y	3207	1319		3

[1] For explanation of time during which shipping schedule is frozen see Paragraph (c) (2) of M-293.

(d) *Information about Bureau of Ships' Special Products List.* Information concerning the classification of specific products as Bureau of Ships' Special Navy Products and as to whether specific minor Navy repair establishments are authorized to obtain Class A products for ship repair, may be obtained from the Bureau of Ships (Code), Washington, D. C.

(e) *Addresses.* Applications filed with the Navy under this direction should be addressed to the Bureau of Ships, (Code), Navy Department, Washington, D. C. or, in the case of U. S. Coast Guard contracts, to Headquarters, U. S. Coast Guard, Washington, D. C.; those filed with the Navy or Army Repair Yard should be addressed to the Navy or Army Yard involved, and those filed with the War Production Board should be addressed to the War Production Board, Washington 25, D. C.

(f) *Effective for second quarter and following quarters.* This direction is to be followed in making applications for allotments for the 2d quarter of 1944 and following quarters.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4585; Filed, March 31, 1944; 11:57 a. m.]

PART 1208—SCHEDULED PRODUCTS

[General Scheduling Order M-208, Table 13, as Amended Mar. 31, 1944]

SAFETY AND TECHNICAL EQUIPMENT DIVISION

§ 1208.11 *Table for Safety and Technical Equipment Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-208:

Type of M-208 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months from 1
1. Carbon dioxide fire extinguishers:					
(a) High pressure portable (Pounding is based on the weight of the carbon dioxide contained in the cylinder).	X	3000.30	3000		3
(b) High pressure fixed systems. (The term "high pressure" as used in connection with fixed systems shall mean any carbon dioxide installation which is connected to a permanently located reservoir of carbon dioxide.)	X	3000.30	3000		3
(c) Carbon dioxide fire extinguishers mounted on trucks (with motor fed fire apparatus)	X	3000.30	3000		3
(d) All other carbon dioxide fire extinguishers using carbon dioxide from high or low pressure reservoirs, but not including self-contained or trailer units.		3000.29	3000		3
2. Dental laboratory equipment:					
(a) Dental lathes, including straight, contra-angle and right-angle type.		3000.46	3000		3
(b) Repair parts for all types of dental handpieces.		3000.46	3000		3

[1] For explanation of time during which shipping schedule is frozen see Paragraph (c) (2) of M-293.

[2] Form WPB 3401 may be used in lieu of WPB 3003.

[3] The term "high pressure" as used in connection with portable carbon dioxide fire extinguishers and fixed systems refers to equipment which will comply with I. C. C. 3A specifications for compressed gas cylinders and in which the gas pressure is 450 pounds or more per square inch.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4586; Filed, March 31, 1944; 11:56 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-27, as Amended Mar. 31, 1944]

VENDING MACHINES: MERCHANDISE

§ 3291.100 *Limitation Order L-27*—(a) *Definitions.* For the purposes of this order:

(1) "Merchandise vending machines" means any coin or token operated machine from which merchandise is sold. It includes for example, cigarette, candy, chewing gum, nut, bulk and bottle beverage and food vending machines, photograph vending machines, sanitary napkin vending machines, and drinking cup dispensers. It does not include automatic restaurants (so-called automats) or United States Postage Stamp vending machines.

(2) "Manufacturer" means any person who produces or assembles any merchandise vending machines or parts for merchandise vending machines, or any person who produced or assembled any merchandise vending machines during the twelve month period ending June 30, 1941, whether or not he now produces any.

(3) "Deliver" means to lease, sell, or transfer.

(b) *Restrictions on production and delivery.* (1) No manufacturer shall produce or deliver any merchandise vending machines except sanitary napkin vending machines, which may only be produced according to a quota approved by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer who wishes to produce or deliver any of these sanitary napkin vending machines must file this form with the War Production Board on or before the 15th day of December, March, June and September according to the instructions accompanying that form. A manufacturer asking permission to produce or assemble sanitary napkin vending machines must file with his first application a letter stating the total number of sanitary napkin vending machines which he produced, assembled or delivered during the twelve month period ending June 30, 1941 and the location of his plant and of any other plants which will produce parts for those machines. If the manufacturer intends to produce or assemble in his own plant, he should state the estimated man hours which will be consumed in the production or assembly of each unit. If the manufacturer intends to have the machines produced for him by another manufacturer, he should state that fact and give the name and location of the other manufacturer.

(c) *Delivery of certain merchandise vending machines not covered.* This order does not restrict the delivery of any merchandise vending machines completely finished before January 15, 1944.

(d) *Reports.* Each manufacturer producing or delivering sanitary napkin vending machines must file, with the War Production Board, quarterly reports on Form WPB-2719 (formerly PD-880) on or before the 15th day of December, March, June and September, according to the instructions for filing that form.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(g) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of vending machines to a greater extent than does this order, the other order shall govern unless it states otherwise.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4592; Filed, March 31, 1944; 11:56 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-140-a as Amended Mar. 31, 1944]

CUTLERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals used in the production of cutlery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.175 *General Limitation Order L-140-a*—(a) *Definitions.* For the purposes of this order:

(1) "Cutlery" means any professional food processing cutlery, as defined in Schedule A, any professional kitchen cutlery, as defined in Schedule B, any household kitchen cutlery, as defined in Schedule C, any household table cutlery, as defined in Schedule D, any pocket cutlery, as defined in Schedule E, any scissors, shears and trimmers, as defined in Schedule F, any hand hair or fetlock clippers, as defined in Schedule G, any industrial cutlery, as defined in Schedule H, and any hunting or fixed blade sheath knife, any carving sets, any poultry shears, any implement designed or intended for manicuring, for pedicuring or for extracting blackheads, including but not limited to nail files, nail nippers, nail clippers, pushers, picks, cuticle scissors, cuticle pushers, cuticle clippers and cuticle nippers, and any other hand operated, fixed or folding, cutting blade or fork with a handle or handles of any material attached so as to become an integral part of the implement. "Cutlery" shall not include any article of flatware, as defined in Order L-140-b, when issued, or any of the articles subject to Order L-30-d, as amended from time to time, or surgical instruments.

(2) "Manufacturer" means any person engaged in the business of fabricating or assembling any new cutlery from any raw material, purchased parts or previously used or fabricated material, or who performs any hand or mechanical fabricating or assembling operation on an article of cutlery.

(3) "Process" means the first change by a manufacturer in the form of material (whether raw material, semi or fully fabricated material or finished parts) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form by him. Any manufacturer who did not maintain records during the base period as to his processing of metals in terms of weight, but who maintained records in terms of units of cutlery only, may apply all percentages contained in this order and schedules in terms of units rather than in terms of weight.

(4) "Base period" means the period beginning July 1, 1940 and ending June 30, 1941, inclusive.

(5) Gauges when referred to in this order, are subject to commercial tolerances.

(b) *Restrictions on kinds of cutlery which may be manufactured.* No manufacturer shall process any metal for new cutlery which is not of a type defined in a schedule in this order.

(c) *Restrictions on quantity of cutlery produced.* No manufacturer shall process more metal in the production of any new cutlery than the amount specified for that class of cutlery in the appropriate schedule attached to this order.

(d) *Exceptions for military orders.* In addition to the production permitted by paragraph (c) above a manufacturer may process sufficient additional amounts of metal to fill purchase orders or contracts for cutlery to be delivered by him to or for the account of

(1) The War Shipping Administration,

(2) The United States Maritime Commission,

(3) The United States Navy (excluding purchase orders placed by or for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319, pursuant to an application filed on said Form, the filling of purchase orders for cutlery for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale within but for use

outside the 48 United States and the District of Columbia. Form WPB–1319 is to be filed and executed only by the Bureau of Naval Personnel, Navy Department, Washington, D. C., and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(4) The United States Army (excluding purchase orders placed by or for delivery to United States Army post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specially authorize on Form WPB–1319, pursuant to an application filed on said form, the filling of purchase orders for cutlery for delivery to and use by post exchanges located in areas designated by the United States Army as "staging areas." Form WPB–1319 is to be filed and executed only by the Army Exchange Service of New York, and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(e) *Specifications.* No manufacturer shall process any metal for the production of any new cutlery which does not conform to the specifications contained in the applicable schedules in this order except that these specifications do not apply to orders for household table cutlery, pocket cutlery and hunting or fixed blade sheath knives, or orders for other cutlery accepted by the manufacturer prior to July 1, 1943: *Provided*, That such orders are for the agencies specified above in paragraph (d).

(f) *Metal restrictions.* No manufacturer shall process any metals other than iron, carbon steel, alloy steel (if not containing nickel), gold and silver in the production of cutlery, except

(1) Lead for bolsters or rivets;

(2) Chromium for plating;

(3) Zinc as provided in Schedule G and H of this order subject to the restrictions contained in the M–11 series, as amended from time to time.

(g) *Hardness of knife blades and sharpening steels.* No manufacturer shall process any steel for the production of:

(1) Knife blades for cutlery which when finished tests less than 45, Rockwell C Scale;

(2) Sharpening steel which when finished tests less than 62, or more than 68, Rockwell C Scale.

(h) *Special provision affecting distribution of overruns, rejects and cancellations.* When material for the production of cutlery is obtained with priorities assistance and, because of cancellations of orders or other reasons, can no longer be used for the purpose for which the assistance was given, such material may only be used as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1. Similarly, when such material has been manufactured into cutlery to fill a specific contract and that cutlery, because of overruns, rejects, cancellations or other reasons, cannot be used for that purpose, it may be used or disposed of only as allowed in that section. One of the ways in which these materials or products may be used or disposed of is outlined in subparagraph (5) of that paragraph, which permits use and disposal in any manner specifically authorized in writing by the War Production Board. Applications for such authorization may be made on Form WPB–1319.

(i) *Partial revocation of L–140.* On and after July 1, 1943, the restrictions contained in L–140 are hereby superseded and L–140 is hereby revoked in so far as it applies to the production of any cutlery other than silver plated flatware restricted in paragraph (b) (5) of that order.

(j) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the production of cutlery inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(k) *Reports.* (1) Prior to July 15, 1943, every manufacturer of cutlery shall execute and file in duplicate with the War Production Board, Washington 25, D. C., Ref: L–140–a, a report as to the aggregate amount of all metals processed by that manufacturer during the base period and grouped in accordance with the classes as specified in the definitions contained in the individual schedules attached to this order. Manufacturers who compute their processing of metals in units in accordance with paragraph (a) (3) of this order may file such report in units. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington 25, D. C., Ref.: L–140–a, on or before the 10th day of July, 1943, and on or before the 10th day of each calendar month thereafter, Form WPB–1600 (formerly PD–655).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cutlery to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (PD–500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(o) *Communications.* All reports to be filed hereunder or communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–140–a.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROFESSIONAL FOOD PROCESSING CUTLERY

Definitions. "Professional food processing cutlery" means any hand operated knives, cleavers, splitters, sharpening steels, beef tiers, ham stringers, coring hooks, canning or pitting spoons, and other hand cutlery designed for, but not limited to, use in packing houses, quick-freezing plants, canneries and dehydrating plants for slaughtering, cleaning, dressing, boning and otherwise processing meats, poultry, fish, vegetables, fruits, and other food stuffs; and also hand cutlery designed for, but not limited to, use in butcher shops and provision markets for the further processing of meats and other foods.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon, and does not apply to the grind or finish of the blade or bowl, or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional food processing cutlery except that which conforms to the following specifications.

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Minimum length in inches
Butcher knife. Not lighter than .093" in thickness	1	4	6
Steak knife (Scimitar shape)	1	2	10
Trimming or heading knife	1	1	------
Ribbing knife	1	1	------
Boning knife (Straight blade)	2	2	------
Boning knife (Curved blade)	1	1	------
Sticking knife	1	1	6
Sticking knife (chicken)	1	1	------
Sticking knife (turkey)	1	1	------
Skinning knife	3	1	------
Finners knife (pinfeather)	1	1	------
Sharpening steels	1	3	------
Fish slitting or gutting knife	1	1	------
Fish splitting knife	1	1	------
Fish slicing knife	1	1	------
Fish fillet knife	1	1	------
Clam knife	1	1	------
Oyster knife	2	1	------
Scallop knife	1	1	------
Sponge or fishermen's sheath knife	1	1	------
Ham stringer	1	1	------
Beef tier	1	1	------
Fruit canning knife (California type)	1	3	------
Canning knife (California type)	1	1	------
Tomato knife	1	1	------
Beet topping knife	1	1	------
Pitting spoon	3	1	------
Tomato spoon	1	1	------
Coring hook	2	1	------
Cleavers	2	1	------
Splitters	2	1	------

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional food processing cutlery more iron and steel in the aggregate than 225% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional food processing cutlery.

SCHEDULE B—PROFESSIONAL KITCHEN CUTLERY

Definitions. "Professional kitchen cutlery" means any hand operated knives, forks, scrapers, turners and spatulas used in the preparation of food, designed for, but not limited to, use in the bakery trade and in kitchens of hotels, restaurants, cafeterias, hospitals, institutions and other public eating places.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length," unless otherwise specified, means the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Length in inches
Butcher knife (not heavier than .072" in thickness, nor lighter than 0.68" in thickness).	1	2	8" Maximum.
Cook's knife (Sabatier shape, no bolster).	1	2	8" Minimum.
Meat slicer	2	1	10" Minimum.
Utility slicer	1	1	8" Maximum. 8" Minimum.
Paring knife	5	1	3½" Maximum
Cook's fork (forged blade).	1	1	14" including handle.
Cook's fork (blanked blade, hardened and tempered).	1	1	
Spatula	1	2	8" Minimum.
Baker's scraper (1 weight of blade only).	1	1	
Cake turner (spatula type).	1	1	
Hamburg turner (spatula type).	1	1	

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional kitchen cutlery more iron and steel in the aggregate than 75% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional kitchen cutlery.

SCHEDULE C—HOUSEHOLD KITCHEN CUTLERY

Definitions. "Household kitchen cutlery" means hand operated knives and forks used in the preparation and serving of food, and designed for use in home kitchens.

"Pattern" means the outline shape of the blade of a knife or fork. It does not apply to the grind or finish of the blade or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	Length in inches
Slicer	2	1	9" maximum
Cook's fork (blanked blade, hardened and tempered).	1	1	10½" maximum (including handle).

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household kitchen cutlery more iron and steel in the aggregate than 35% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household kitchen cutlery.

SCHEDULE D—HOUSEHOLD TABLE CUTLERY

Definitions. "Household table cutlery" means any knife, fork, spoon or any other cutlery of plated or unplated metal, with handles made of other material than metal, designed for the actual serving and eating of food in the home, other than all metal flatware.

"Pattern" means the outline shape of the blade of a knife or fork or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household table cutlery except that which conforms to the following specifications:

Description of item	Maximum No. of patterns	Maximum No. of lengths per pattern
Table knife	1	1
Dessert fork	1	1
Dessert spoon	1	1
Teaspoon	1	1

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household table cutlery more iron and steel in the aggregate than 50% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household table cutlery.

SCHEDULE E—POCKET CUTLERY

Definitions. "Pocket cutlery" means any folding blade knife.

"Pattern" means the outline shape of the skeleton or frame. It does not apply to the shape of, number of or finishes of blades, or to the type of material, finish or color of the handle.

"Length", unless otherwise specified, means the outside measurement of the skeleton or frame of the knife, subject to a tolerance (plus or minus) of ⅛th inch.

"Number of blades per knife" refers only to the number of blades which may be fastened directly or indirectly to each skeleton or frame and does not refer to the shape or finish of the blades. Different styles of blades may be mounted on the same pattern of skeleton or frame. For instance, the specifications state that not more than one blade may be fastened to each skeleton or frame of a pruning, maize or navy knife. The manufacturer may produce as many styles of blades for such pruning, maize or navy knives as he wishes, so long as each completed knife contains only a single blade, irrespective of its style.

Permissible types. No manufacturer shall process metal in the production of pocket cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	No. of blades per knife
General utility knife	1	1	Maximum 4.
Premium stock knife or cattle knife	2	1	Maximum 3.
Jackknife. No. of weights, 2.	1	3	2 only.
Pruning, maize or navy knife.	1	1	1 only.
Budding or grafting knife.	1	1	1 only.
Electrician's knife	1	1	2 only.
Scout knife	1	1	4 only.
Self opening knife	1	2	1 only.

No item in this List E may be made with a handle less than 3⅝ inches in length nor less than ⅝ of an inch in thickness at the narrowest point.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of pocket cutlery more iron and steel in the aggregate than 60% of the average quarterly amount of iron, steel and other metals in the aggregate processed by that manufacturer during the base period in his production of pocket cutlery.

SCHEDULE F—SCISSORS; SHEARS AND TRIMMERS

Definitions. "Scissors" means any two bladed, hand operated cutting implement having two rings, each of a size sufficient to accommodate not more than one finger or thumb in each ring, designed for use in industrial plants, schools, dressmakers' establishments, department stores, homes, etc., for cutting cloth, paper and miscellaneous materials; including nail scissors, but excluding surgical scissors and barber shears and scissors.

"Shears and trimmers" means any two bladed, hand operated cutting implement having one ring of a size sufficient to accommodate two or more fingers and a second ring which is smaller and barber shears or scissors possessing a protruding finger rest, but not including animal and agricultural shears and trimmers or metal cutting shears or snips.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of scissors more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of scissors.

During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of shears and trimmers more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of shears and trimmers.

SCHEDULE G—HAND HAIR CLIPPERS

Definitions. "Hand hair clippers" means clippers operated by hand, designed for but not limited to use in barber shops, beauty parlors, hospitals or homes for cutting human hair, and including fetlock clippers.

"Length" means the over-all measurement of the article from the tip of the stationary handle to the tip of the cap or head.

"Pattern" means the outline shape of the head, cap and handles, including horns and finger rests of the completed article, without the plates. It does not refer to the finish, color or weight of the article.

Permissible types. No manufacturer shall process metal in the production of any hand hair clippers except those which conform to the following specifications:

General description	Maximum No. of patterns	Maximum No. of lengths
Large heavy duty clippers	1	1
Light weight clippers	1	1
Fetlock clippers	1	1

Permissible amount of metal. During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new large heavy duty hand hair clippers and fetlock clippers more iron, steel and zinc in the aggregate than 45% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new large heavy duty hand hair clippers, and fetlock clippers.

During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new light weight hand hair clippers more iron, steel and zinc in the aggregate than 25% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new light weight hand hair clippers.

Restrictions on distribution. On and after July 1, 1943, no manufacturer shall transfer the physical possession of or title to any new light weight hand hair clipper produced after that date except to or for the account of persons acquiring such light weight hand hair clippers for export to and consumption or use in a foreign country.

SCHEDULE H—INDUSTRIAL CUTLERY

Definitions. "Industrial cutlery" means hand operated knives or similar articles designed for use primarily in, but not limited to, shoe, rubber, linoleum, electrical and other manufacturing plants; and in the shipbuilding, storage battery, automotive, tire repair, painting, furniture, office supply and other trades; including but not limited to putty knives, scrapers, wallpaper trimmers, paper hangers' knives, casing knives, corner knives, linoleum knives, roofing knives, manual training knives, wood carving knives, pattern makers' knives, stencil knives, rubber knives, shoe knives, cotton sampling knives, broom corn knives, and similar industrial knives; and also adjustable knife blades with detachable handles designed for essential cutting operations.

Permissible amounts of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of industrial cutlery more iron, steel, and zinc in the aggregate than 200% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of industrial cutlery.

[F. R. Doc. 44-4593; Filed, March 31, 1944; 11:57 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, Interpretation 3]

APPLICATION OF THE TERM "CAPACITY" IN RELATION TO JACKS IN THE SCHEDULES TO LIMITATION ORDER L-270

In order to remove any uncertainty as to the meaning of the term "capacity", as applied to jacks appearing on Schedules A, B and C to Limitation Order L-270, the following official interpretation is issued:

"Capacity" refers to lifting capacity which shall be measured by load raising ability through the entire jacking range from minimum to maximum height.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4594; Filed, March 31, 1944; 11:57 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-30, As Amended Feb. 3, 1944, Amdt. 1]

ETHYL ALCOHOL

Section 3293.66 (Allocation Order M-30) is hereby amended in the following respects:

1. In paragraph (c) (1), third line from the bottom of the products listed, the entire line should be omitted, viz "Natural shellac or shellac substitute."

2. In paragraph (c) (2), the following should be added to the list of products: "Natural shellac or shellac substitute."

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4591; Filed, March 31, 1944; 11:56 a. m.]

PART 3294 [1]—IRON AND STEEL PRODUCTION

[Conservation Order M-126 as Amended Mar. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.63 [1] *General Conservation Order M-126*—(a) *Definitions.* For the purposes of this order:

(1) The term "iron or steel" does not include "tin plate" and "terne plate" as defined by Supplementary Order M-21—(e), as amended, or screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes. The term does include stainless steel.

(2) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(3) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(4) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(5) The term "assemble" does not include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "as-

[1] Formerly Part 1176, § 1176.1.

semble" also does not include adding finished parts to an otherwise finished article when the location of one or more of the added parts, or the size or type of one or more of the added parts, is determined by the use to which the ultimate consumer is to put the article.

(6) The term "Bessemer processed steel" means steel made by a process, in which air is blown through molten cast iron contained in a converter.

(7) The term "top cut" means that portion of a steel ingot rejected because it is not of sufficiently high quality for use on the order for which the ingot was melted, but which is normally used for some other purpose.

(b) *Restrictions with respect to List A products*—(1) *Raw material deliveries.* No person shall deliver or accept delivery of any iron or steel (including stainless steel) which he knows or has reason to know will be used to make any item on List A, any part thereof or repair part therefor.

(2) *Fabrication: prohibition.* No person shall process any iron or steel (including stainless steel) to make any item on List A, any part thereof or repair part therefor.

(3) *Assembly.* No person shall assemble any item on List A, any part thereof or repair part therefor, if it contains any iron or steel (including stainless steel).

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A, any part thereof or repair part therefor, which he knows or has reason to know was made, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

(c) *Exemption for Army-Navy-Maritime orders*—(1) *List C items.* In the case of any item on List C ordered by or for the account of the Army or Navy of the United States, the United States Maritime Commission and the War Shipping Administration, or ordered for physical incorporation into material to be purchased by or for the account of such agencies, the kind and amount of iron or steel required by the specifications (including performance specifications) applicable to the purchase order or contract may be delivered for and used in the manufacture of the item unless List C says otherwise. However, no stainless steel shall be used unless List C specifically says that it may.

(2) *Other items.* In the case of all articles or parts not governed by List A or C (including those articles and parts excepted from List A), when specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration call for a particular kind or amount of iron or steel (including stainless steel) the iron or steel specified may be used.

(d) *Restrictions on manufacture when the use of iron and steel is not elsewhere prohibited in this order.* No person shall use any iron or steel to make any article or part for which it would be practicable to use other less scarce material.[1] No person shall use more iron or steel in making any article or part than is necessary. No person shall use any alloy steel (including stainless steel) to make any article or part for which it is practicable to use carbon steel or iron (other than iron included under the definition of stainless steel).

(e) *Restrictions with respect to other scarce materials.* No person shall use as a substitute for any iron or steel (including stainless steel) any material more critical[1] than the material which he is prevented from using by this order.

(f) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel (including stainless steel) shall be subject to the applicable provisions of Priorities Regulation No. 13 (§944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order must be made on Form WPB–1477 (formerly Form PD-500) and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating or allotment insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order shall not apply to the installation of an item or part for the ultimate consumer on his premises or to any putting into process, processing or assembling of the item or part incidental to the installation when done on the premises of the ultimate consumer.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. This paragraph (g) (7) does not limit the manufacture of repair and maintenance parts when List A permits the making of such parts.

(8) *Restrictions on manufacturing in certain labor areas.* When List A indicates that the manufacture of a particular item is subject to this paragraph (g) (8), no person shall put into process, process, or assemble any iron or steel (including stainless steel) to make any such item or any part thereof, unless such processing or assembling is to take place in a manufacturing establishment located in groups 3 or 4 of the labor market areas as may be from time to time designated by the War Manpower Commission.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: "Book trucks * * *", "Cutlery * * *", "Dish trucks * * *", "Food carts * * *", "Laundry trucks and laundry truck tubs * * *", "Linen trucks * * *", "Pen holders * * *", "Shelf trucks * * *", "Stencils", "Stokers until Sept. 1, 1943 * * *", "Roofing and Siding" and "Stoves and ranges, disc stoves and hot plates * * *", deleted, "Tags and badges * * *" amended March 31, 1944. Other amended items are underscored.

"A" Frames and booms for lighters of 15 ton capacity and under.
Access panels—except as required by Underwriters Codes.
Accessories, soda fountain.*
Accustical ceilings.
Advertising novelties.
Air-conditioning systems—except as may be permitted under Limitation Orders L–38 and L–126.
Aircraft fire walls—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Aircraft seats—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Aircraft toilets—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Amusement park devices and roller coasters.*

[1] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply".

*Maintenance and repair parts excepted.

Area walls.
Ash sieves—except as may be permitted under limitation orders in the L–30 series.
Asparagus tongs.
Atomizers, perfume-boudoir.
Attic fans.
Automotive accessories—except those items the production of which as automotive replacement parts is permitted under Limitation Order L–158, as amended from time to time, whether produced as replacement parts or as original or optional equipment for new vehicles.
Automotive heaters—except when produced as replacement parts under Limitation Order L–158.
Awning frames and supports—except that no person shall process during the year 1944, in the manufacture of all awning frames and supports, more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board.
Bag, purse and pocketbook frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Balers, paper, for household use.
Ball park equipment including but not limited to:
Cages.*
Fences.
Lighting systems—except lamp bulbs.
Metal bases.
Protective netting.*
Railings.
Rollers.
Score boards.
Screens.*
Seats.*
Tampers.
Banks, personal, toy, miniature.
Barber and beauty shop furniture.
Barber and beauty shop supplies, machines and equipment.*
Barn pushers and scrapers.
Barrel hoops and fittings—except when made with iron or steel other than stainless steel.
Barware and bar accessories.
Bases on refrigerating machines below one H P—except as may be permitted under Limitation Orders L–28 and L–126.
Baskets—(i) except for commercial cooking, industrial and laboratory uses; (ii) except as may be permitted under Limitation Orders in the L–30 series; and (iii) except for agricultural purposes as may be permitted under Limitation Order L–257. Stainless steel may not be used for any basket except for baskets for heat-treating, pickling and plating and for repair and maintenance parts.
Baths, steam, all types.
Bath tubs—except as may be permitted under Limitation Order L–42.
B-B shot for air rifles.
Beach umbrellas—except as may be permitted under Limitation Order L–62.
Bed pans—except when made with iron or steel other than stainless steel and in accordance with Schedule 1 of Limitation Order L–214.
Beds—(i) except hospital beds; and (ii) except other beds when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to paragraph (g) (8) of this order.
Bed spring frames—except as may be permitted under Limitation Order L–49.
Beer kegs—except hoops and fittings for wooden kegs.
Beer mugs.
Beer stands.
Beer steins.
Bench legs—except industrial.
Beverage bottle cases, including but not limited to beer and all soft drinks.
Bicycle racks.
Binding, linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Binoculars—except for U. S. Government Agencies.
Bins and screens—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Bird cages and bird cage stands.
Bird houses and feeders.
Biscuit boxes—except as may be permitted under Limitation Orders in the L–30 series.
Blackboards.
Blade stroppers, mechanical.
Bleachers and grandstands.*
Blocks, hat.
Blue print machines—(i) except parts coming in contact with chemicals; and (ii) except for other parts when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Boards, sounding.
Boat hooks.
Bobbin heads—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–98.
Boiler casings—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L–42, L–185, L–187 and L–199.
Book ends.
Boot jacks.
Bottle coolers—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–38.
Bottle holders—except hospital.
Bowling alleys, bowling pins and accessories.*
Boxes and trays for jewelry, cutlery, combs and toilet sets.
Boxes, meter, for household use—(i) except covers; and (ii) except reinforcing for concrete.
Braces, extensible steel, trench.
Branding, marking, and labeling devices—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L–83 and L–302.
Bread and cake boxes, household—except as may be permitted under Limitation Orders in the L–30 series.
Bread slicers for home use—(i) except knives; and (ii) except as may be permitted under Limitation Orders in the L–30 series.
Brewing, distilling, and processing equipment for alcoholic and nonalcoholic beverages, including bottling equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–292.
Bridge splash guards.
Brush-backs—(i) except industrial; and (ii) except brush-backs other than industrial when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except to fill other orders when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L–30 series and L–257.
Buckles for clothing—except as may be permitted under Limitation Order L–66.
Buckles for pocketbooks and shoes—except as may be permitted under Limitation Order L–66.
Builders' hardware—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–236.
Builders' supplies—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Building ornaments.
Buildings, portable.
Burial lowering devices.
Butter chips.
Butter knives.
Buttons for clothing—except as may be permitted under Limitation Order L–66.
Cabinets—except as may be permitted under Limitation Orders L–19–a, L–42 and Schedule 3 to L–214.
Cafeteria and restaurant equipment—except when made with iron or steel other than stainless steel provided that stainless steel may be used for operating parts for repair and maintenance purposes.
Cake cutters.
Cake icing equipment.
Cake tongs.
Calendar and memo pad stands—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Calliopes or steam organs.
Candy display dishes.
Canes.
Canopies, hoods and supports—except brooder canopies.
Cans, containers and closures—except (i) shipping packages; and (ii) cans, containers and closures as may be permitted under Orders M–81, L–103–b, L–197 and M–261.
Car washing machines—except as may be permitted under Limitation Order L–270.
Carillons.
Carpet rods.
Carriers, casket.*
Carrousels (Merry-go-rounds).*
Carving set holders.
Cash boxes.
Cash registers.*
Casket hardware—except as may be permitted under Limitation Order L–64.
Casket trucks, undertaker's—except wheels.
Ceilings.
Chafing dishes.
Chains and cables—(i) except for heat-treating, pickling and plating; and (ii) except for all other uses when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Chamber pots—except as may be permitted under Limitation Orders in the L–30 series.
Cheese dishes.
Cheese vats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–292.
Chicken crates.
Chicken house scrapers.
Christmas tree holders.
Christmas tree ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Cigar and cigarette holders and cases.
Cigar clippers.
Cigarette lighters—(i) except for spark wheels and springs; and (ii) except for all parts other than spark wheels and springs when made from iron or steel (including stainless steel) acquired from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, and then only subject to the provisions of paragraph (g) (8) of this order.
Cigarette package holders.
Cigarette making machines, hand.
Circus and carnival apparatus, equipment* and devices, including but not limited to:
Animal cages.*
Animal stands.
Tent standers.
Trailers.*
Trapeze bars.
Clamps, hair, including barrettes, decorative clips and fasteners (but not including common bob and hair pins and clamps for hair curling or waving)—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Clips for attaching baggage tags.
Clock cases—except on recording and controlling industrial instruments and heating system control equipment, and then only if made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Clocks, parts other than cases—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Clothes hampers.
Clothes lines.
Clothes line pulleys.
Clothes line reels.
Clothes racks and clothes dryers.
Clothes trees.
Clothing trim and dress ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Coal chutes and doors, household.
Coal pans.
Coasters and trivets for glass and hot containers.
Cocktail glasses.
Cocktail sets.
Cocktail shakers.
Coffee pots—except when made from iron and steel other than stainless steel and in accordance with Limitation Orders of the L–30 series.
Combs, hair—except curry combs.
Compacts.
Control levers—except when made from iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Convectors, local and unit heaters—(i) except for heat controls; and (ii) except for parts other than heat controls when made with iron or steel other than stainless steel and in accordance with Limitation Order L–107.
Conveyors and conveyor chutes—(i) except where subject to high temperature or corrosive action and made in accordance with Supplementary Order M–21–g; and (ii) except when made of iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Cooking stoves, commercial, electric—except as may be permitted under Limitation Order L–63.
Copy holders.
Corn poppers and machines.
Cosmetics and toiletries—except as may be permitted under Supplementary Order L–103–b.
Counter tops and edgings.
Covers for automotive leaf-type springs.
Covers and frames, manhole—(i) except for reinforcing for concrete covers.
Covers, meter frame—except for industrial use.
Crochet hooks.
Croquet sets.
Crumb trays—except as may be permitted under Limitation Orders in the L–30 series.
Crutches.
Culverts, including conduits, corrugated pipe and corrugated plates and arches for culverts—(i) except from top cuts and discard steel; (ii) except reinforcing bars for poured concrete; (iii) except other reinforcing made with iron or steel in the form of re-rolled rail stock, top cuts and discard steels; (iv) except nestable culverts for use outside of the continental limits of the United States; and (v) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Cups, drinking, of all kinds—(i) except for livestock; and (ii) except as may be permitted under Limitation Orders in the L–30 series.
Cups, other than drinking—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.
Curb guards.
Curler, hair, non-electric—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order
Curtain stretchers.
Dampers, fireplace—except as may be specified by the War Housing Critical List.
Darners, sock.
Decorative iron products.
Deodorizing dispensers.
Desk equipment, including but not limited to:
Desk sets.
Desk pads.
Fountain pen and pencil stands.
Letter openers.
Name plates.
Paper weights.
Diaper cans, containers, and receptacles.
Dictaphone racks.
Dinner bells.
Dishes, saucers and plates—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L–30 series.
Dishwashing machines—except commercial dishwashing machines as may be permitted under Limitation Order L–248.
Dishwashing racks, household.
Dispensers, hand, for:
Hand lotions.
Paper products.
Soap.
Straws.
Display forms.
Document stands.
Door chimes.
Door closers—except as may be permitted under Limitation Order L–236.
Door handles—except as may be permitted under Limitation Order L–236.
Door knockers.
Door mats.
Door stops—except as may be permitted under Limitation Order L–236.
Drain boards—except as may be permitted under Limitation Order L–42.
Drawer pulls—except as may be permitted under Limitation Orders L–19–a and L–260.
Dress forms.
Dummy police.
Dust collecting systems and equipment*—except on preference rating of AA–5 or higher.
Dust covers and enclosures*—except industrial.
Dyeing equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–215; and (ii) except for repair and maintenance parts as may be permitted under Limitation Order L–215.
Easels, all types.
Edgings, furniture and linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Ediphone racks.
Egg slicers.
Electric drinking water coolers—except as may be permitted under Limitation Orders L–38 and L–126.
Elevators, including doors and trim—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L–89 and L–257.
Embalming tables.*
Enameled tile sheets and squares.
Enamel store fronts.
Erasing knives.
Erasing shields.
Escalators.*
Exercise and reducing machines.*
Exhibition and fair apparatus and equipment,* including but not limited to:
Lighting equipment.
Racks.
Stands.
Fan stands, all types.
Fans, (i) except industrial; or (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–176.
Farm machinery and replacement parts therefor—(i) except high pressure sprayer valves, valve sets and nozzles; and (ii) except other parts when made with iron or steel other than stainless steel and in accordance with Limitation Order L–257.
Feed troughs, except as may be permitted under Limitation Order L–257.
Fences of all kinds, except:
(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire flooring.
(2) Chain link fence, weighing not more than two pounds per lineal foot and not more than 0.33 pounds per square foot, for industrial plant protection only.
Fence posts—except for agricultural purposes and for snow fences, but in either case only if made from steel in the form of rerolled rail stock.
Ferneries, metal.
Finger bowls.
Fireplace equipment, including but not limited to: andirons, fireplace screens, fireplace accessories and ash dumps but not including dampers and grates. See also the items "Dampers x x" and "Fireplace grates x x" on List A hereof.
Fireplace grates—except grates weighing not more than 40 lbs. each. No person shall process during the year 1944 in the manufacture of all fireplace grates weighing 40 lbs. each or less, more than 50% of the amount of iron and steel used by him in making all fireplace grates during the year 1941.
First aid kit boxes.
Fish aquariums.
Fishing tackle and equipment other than commercial—except as may be permitted under Limitation Order L–92.
Flag holders.
Flag poles.
Flashlights—except as may be permitted under Limitation Order L–71.
Flasks, quicksilver.

*Maintenance and repair parts excepted.

Floats for pageants, parades, advertising, etc.—except trucks.
Floor and ceiling plates for piping—except for industrial use.
Floor and counter covering trim—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Floor plates and floor coverings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Floor scrapers—except power driven.
Floral tools and floral hoes.
Florist supplies—except that iron or steel wire may be used which was drawn prior to June 19, 1942 or was sold to the manufacturer of florist supplies as scrap.
Flour, salt and pepper shakers—except as may be permitted under Limitation Orders in the L-30 series.
Flower boxes, pot holders and vases.
Flower shears.
Fly traps.
Food vending machines, including automats.
Foot baths—except as may be permitted under Limitation Order L-42.
Foot scrapers.
Forms for concrete construction.
Fountain pens—except as may be permitted under Limitation Order L-227.
Fountains—(i) except fountains (other than ornamental fountains) when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-38 and L-42; and (ii) except for replacement parts for soda fountains of the following types: covers, breaker strips, milk cans and ice pans which may be made with any iron or steel including stainless steel.
Fountains, ornamental.
Frames, catch basin and grater, all types—(i) except when made from low-grade cast iron; and (ii) except for reinforcing for concrete covers.
Frames, clothes drying.
Frames for artists' canvas, darning and needle work.
Frames, steel blocking.
Fruit juice extractors, household—except as may be permitted under Limitation Orders in the L-30 series and L-65.
Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, L-135, Schedule 3 of L-314, L-226, L-349, L-254, and L-260, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.
Furniture, hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260.
Galley and mess equipment—except when made with iron or steel other than stainless steel, provided that stainless steel may be used for operating parts for repair and maintenance purposes.
Galley, kitchen, cafeteria and restaurant panneling—except when made with iron or steel other than stainless steel.
Game and gambling devices.
Garage hoists, car lifts and racks—except as may be permitted under Limitation Order L-270.
Garbage grinders, household.*
Garden trowels.
Gas toasters, household.
Gates for fences*—except for agricultural use as may be permitted under Limitation Order L-257.
Glassware holders and trim—except on cooking utensils.
Golf bag supports.
Grass shears.
Grass whips.
Grave markers.
Grilles, ornamental.
Grilles, sewers—except when made from low-grade cast-iron.
Grills, outdoor.
Guards for guy wires.
Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height*—except when the installation has been approved by the War Production Board.
H-Bar units.
Hair dryers, hand. See also the item "Barber and beauty shop, supplies, machines and equipment" on this List A for other hair dryers.
Hand seals for documents.
Hand weeders.
Handles, broom and mop.
Hangers, all types—(i) except X-ray film hangers; and (ii) except for other types of hangers when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders. See the next item below for a type of hanger which may not be made with any iron or steel.
Hangers and track for garage doors for private use.
Hangers rings on brushes, brooms, etc.
Harness and saddlery fittings—except for draft, work and ranch animals.
Hat frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Hat-making machinery.*
Heat resisting pads for household use.
Hedge shears.
Helmets—except as may be permitted under Limitation Order L-105.
Highway crossing protection devices, electrical or mechanical.*
Highway guard rail, wire, strip and posts.*
Highway guard rail reflectors.
Hitching posts.
Holders, wire, all types—except as may be permitted under Limitation Orders in the L-30 series.
Hoops, galvanized wire for flower garden trim.
Hose clamps—except when made with iron or steel other than stainless steel.
Hose reels—(i) except fire fighting equipment; (ii) except for industrial use in direct fire hazard areas; and (iii) except as may be permitted under Limitation Order L-314.
Hospital, medical, dental and related equipment—only items listed elsewhere on this List A are restricted by any provisions of this order other than paragraph (d).
Hot water heaters, tanks and coils—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-65, L-185 and L-190.
House numerals.
Houses, poultry—except wire netting and except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
Houses, tool and hog—except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
Humidification devices—except as may be permitted under Limitation Orders L-38 and L-126.
Humidors.
Ice box exteriors—except as may be permitted under Limitation Orders L-7-c, L-38 and L-126.
Ice box parts other than exteriors—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-7-c, L-38 and L-126.
Ice cream cabinets (see Item "Cabinets x x" on this List A).
Ice cream freezers, household.
Ice cream molds.
Ice cube trays.
Identification tags and badges (see "Tags and badges x x x" on this List A).
Incinerators—except for industrial or commercial use and except for housing as may be permitted by the War Housing Critical List.
Ink well holders.
Inlets, gutter, all types—except reinforcing for concrete.
Inlets, sewer, all types—except reinforcing for concrete.
Instrument dials and cases—except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.
Insulation, metal reflecting type.
Ironing boards and stands.
Jam boxes—except as may be permitted under Limitation Orders in the L-30 series.
Jelly molds—except as may be permitted under Limitation Orders in the L-30 series.
Jewelry.
Jewelry cases.
Jugs, picnic, all types.
Kaleidoscopes.
Key chains, cases and rings.
Kitchenware—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.
Knitting needles.
Ladders and hoists, including fittings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Ladders, step.
Lanterns and lamps—(i) except valves, controls and mantle-holders and except for miners' lamps; and (ii) except for parts of lamps other than valves, controls and mantle-holders and for all parts of lamps other than miners' lamps, when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Lanterns, magic.
Lard or vegetable oil tubs—except of a capacity of 5 pounds and over.
Laundry chutes.
Laundry trays—except as may be permitted under Limitation Order L-42.
Lavatories—(i) except for railway cars; (ii) except for hangers; and (iii) except as may be permitted under Limitation Order L-42.
Lavatory equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.
Lawn brooms.
Lawn edgers.
Lawn rakes.
Lawn rollers.*
Lawn tampers.
Lawn seeders.*
Lawn sprinklers.
Letter chutes.
Letter openers.
Letter trays.
Lighting equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-78, L-168, L-312, L-235 and L-289; and (ii) except for use in floodlights, searchlights and other outdoor lighting equipment used in connection with aerial and marine navigation.
Lighting poles and standards.*
Linen hampers—except for frames.
Lipstick holders—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Livestock and poultry equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.

*Maintenance and repair parts excepted.

Lockers—(i) except for oil refinery use; and (ii) except as permitted under Limitation Order L-13-a.
Locks—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.
Logs, artificial for gas—except as may be permitted under Limitation Order L-23-c.
Logs, artificial for electric fireplaces.
Luggage*—except as may be permitted under Limitation Order L-284.
Lunch boxes—except as may be permitted under Limitation Orders in the L-30 series.
Mail boxes—except as required by U. S. postal regulations.
Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma and biological specimens.
(Marine hardware for pleasure boats.)*
Marquees.
Match boxes.
Match and pattern plates, matrices and flasks—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Material for housing not otherwise specified in this order—(i) except as may be specified by the War Housing Critical List; (ii) except metal windows as may be permitted under Limitation Order L-77; and (iii) except metal doors and metal door frames as may be permitted under Limitation Order L-142.
Measuring pumps and dispensers*—for gasoline station, garage and household uses, including but not limited to:
Air pumps—except as may be permitted under Limitation Order L-270
Grease guns—except as may be permitted under Limitation Order L-314
Grease pumps—except as may be permitted under Limitation Order L-314
Gasoline dispensing pumps
Kerosene pumps
Oil pumps—(i) except barrel pumps and lubesters; and (ii) except as may be permitted under Limitation Order L-314
Meat molds.
Mechanical book-binding—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Mechanical drawing and drafting equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Memorial tablets.
Menu holders.
Metal cloths—except insect screening and hardware cloth and for industrial processing.
Metal dust covers and enclosures—except for industrial use.
Milk bottle cases—except that a total of 4½ pounds of steel per case (including joining and essential hardware) may be used.
Millinery wire and gimps—except for hat brims.
Mirrors, hand.
Monograms and initials.
Mop wringers, household type.
Mortician's supplies and equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Motion picture cameras,* except that for motion picture cameras of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.
Motion picture projectors and projection equipment*—(i) except for motion picture projectors and projection equipment of the types the production and distribution of which is regulated by Limitation Order L-325; and (ii) except that for motion picture projectors and projection equipment of the types regulated by Limitation Order L-267, iron or steel may be used to the extent permitted under that order.
Motion picture screen stands.
Motion picture sound reproducing equipment—except for motion picture sound reproducing equipment of the types the production and distribution of which is regulated by Limitation Order L-325.
Mud scrapers.
Music stands.
Name, data and instruction plates for machinery and equipment—except when made from iron or steel other than stainless steel or when made from any steel obtained from idle or excessive inventory listed with Steel Recovery Corporation and, in each case, in accordance with any applicable orders of the War Production Board.
Napkin rings.
Necktie racks—except as may be permitted under Limitation Orders in the L-30 series.
Newspaper boxes or holders.
Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, and flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942, or was sold to the manufacturer of the artificial leaves, fruits, flowers, or feather ornaments as scrap.
Ornamental hardware and moldings.
Outdoor fireplace parts.
Outing spades.
Packing twine holders.
Pail clasps.
Paint spray outfits—except for industrial use.
Paper rollers, household—except as may be permitted under Limitation Order L-120.
Parachute ripcord housing after September 30, 1943—(i) except when made from iron or steel (including stainless steel) acquired through Steel Recovery Corporation; and (ii) except when the manufacturer has not been able to acquire iron or steel (including stainless steel) of the type required through Steel Recovery Corporation.
Parasols, shafts and handles.
Park and recreational benches.
Parking meters.
Partitions.
Partition studs.
Pegs, tent.
Pencil holders.
Permanent wave machines.*
Pet beds.
Pet cages.
Pet dishes.
Pet equipment (except license tags) including but not limited to:
Carriers,
Chains.
Collars.
Feeders.
Houses.
Leashes.
Muzzles.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic accessories—(i) except accessories used in connection with X-ray; and (ii) except that for photographic accessories of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.
Photographic equipment*—(i) except printing and publishing equipment as may be permitted under Limitation Order L-226; (ii) except X-ray film developing equipment; (iii) except that for photographic equipment of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order; and (iv) except document copying machines and equipment therefor (other than blue print machines) for business purposes and for use by government agencies. See also the item "Blue print machines * * *" on this List A.
Physical reducing machines.
Picnic and outing boxes and accessories.
Picture and mirror hardware.
Pie plates—except as may be permitted under Limitation Orders in the L-30 series.
Pipe cases.
Pipe cleaner knives.
Pipe posts.
Pitchers—except for hospital use.
Plant and flower supports.
Plates, light switch—except for cast conduit bodies.
Playground equipment—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before October 3, 1942, and then only subject to the provisions of paragraph (g) (8) of this order and only for sale to public recreation areas and Defense Housing projects.
Play pens, boxes and enclosures, children's.
Pleasure boats.
Pleasure boat equipment and accessories.
Plumbing and heating equipment.
Gas conversion burners.*
Gas fired boiler-burner units—except as may be permitted under Limitation Order L-187.
Gas fired furnace-burner units—except as may be permitted under Limitation Order L-22.
Grilles.*
Oil fired boiler-burner units—except as may be permitted under Limitation Order L-187.
Oil fired furnace-burner units—except as may be permitted under Limitation Order L-22.
Registers*—(i) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order; and (ii) except registers for use in warm air circulating systems but only if made from Bessemer processed steel or from a "top cut" and then only subject to the provisions of paragraph (g) (8) of this order.
Steel heating boilers of 129 sq. ft. or less of heating surface.*
Pneumatic tube delivery systems*—except industrial.
Pocketbook ornaments.
Pole-line hardware—except when made with iron or steel other than stainless steel.
Polishing-wax applicators—except industrial as may be permitted under Limitation Order L-222.*
Polishing-wax sprayers.
Portable bath tubs.
Poultry incubator cabinets—except as may be permitted under Limitation Order L-257.
Pulp, paper, paper products and converter machinery and equipment*—(i) except graphic arts machinery or equipment as may be permitted under Limitation Order L-226, and (ii) except machinery or equipment for the fabrication of containers.
Pumps, fresh water—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

*Maintenance and repair parts excepted.
*The items in parenthesis have been deleted. Their manufacture is prohibited or regulated by Limitation Order L-236 in the case of "Marine hardware for pleasure boats" and by Limitation Order L-190 in the case of "Scales, coin operated."

Push carts.
Push plates and kick plates, door.
Race track apparatus and equipment,* including but not limited to:
Mutuel ticket machines.
Pari-mutuel boards.
Race finish photographic equipment.
Starting gates.
Racks, display.
Racquets.
Radiator enclosures.
Radio antenna—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Radio antenna poles*—except on preference ratings of AA-5 or higher.
Railings and barriers—(i) except for essential industrial use; and (ii) for metal fire escapes and fire towers.*
Railroad rail joint angle bars over 24" in length*—(i) except for replacement on used rails; and (ii) except for rail weighing more than 110 lbs. per yard.
Reading stands.
Reels, cable and rope.
Refrigerator boxes, walk-in—except as may be permitted under Limitation Orders L-30 and L-128.
Refrigerator containers and trays, household.
Refrigerator and refrigeration equipment—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel. This item is subject to the provisions of the two previous items on this List.
Regalia.
Registers, hand tally.
Rodeo equipment, including but not limited to:
Animal trappings.
Fences.
Gates.*
Rolling boardwalk chairs.*
Rolling pins—except as may be permitted under Limitation Orders in the L-30 series.
Rotary door bells.
Rubber moulds—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Rug scrubbing and shampooing machines.*
Safety zone posts, rails, cables and platforms.
Salesmen's display cases and sales kits.
Salt and pepper holders—except as may be permitted under Limitation Orders in the L-30 series.
Sample boxes.
Sand boats.
Scaffolding—except for use in shipyards and industrial plants.
(Scales, coin operated.)*
Scenery and stage hardware equipment* (except lamp bulbs) for dramatic, theatrical and operatic use, including but not limited to:
Battens.
Cables.
Lighting equipment.
Stage drops.
Score boards.
Screen frames—(i) except for industrial processing; and (ii) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Scrubbing boards.
Semaphores, traffic signal—except railroad.
Service food trays.
Sewer pipe, exterior installations*—(i) except for vents and within 5 feet of buildings; (ii) except for cast iron pressure mains; and (iii) except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel.

*Maintenance and repair parts excepted.

Shades, window and roller type—(i) except for railroad passenger cars, street cars, and busses; and (ii) except for roller mechanism on shades for all uses.
Sheet iron or hoop iron packings for cookies and sweet goods.
Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.
Shelves, other than shelves for domestic ice refrigerators—except as may be made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Shirt and stocking dryers.
Shoe cleaning kits.
Shoe ornaments.
Show window lighting and display equipment.
Shower receptors and stalls—except as may be permitted under Limitation Order L-42.
Shutters, window*—except as may be permitted under Limitation Order L-142.
Sidewalk scrapers.
Sign hanger frames.
Sign posts.
Signets.
Silos—except as may be permitted under Limitation Order L-257.
Sinks, sink aprons and sink legs—(i) except scullery sinks; and (ii) except as may be permitted under Limitation Order L-42.
Sink drainboards, both integral and removable—except as may be permitted under Limitation Order L-42.
Siphon chargers—except as may be permitted under Limitation Order M-333.
Sitz baths—except as may be permitted under Limitation Order L-42.
Skates, roller and ice.
Skating rink apparatus and equipment.*
Skewers, all types.
Ski racks.
Sleds and sleighs—except runners.
Slide fasteners—except as may be permitted under Limitation Order L-68.
Slides, loops and slide-loops for work clothing—except as may be permitted under Limitation Order L-68.
Smokers' accessories—except pipe cleaners.
Snow shovels and pushers, hand—except as may be permitted under Limitation Order L-157.
Sod lifters.
Spading forks—children's.
Special industrial machinery of the following types:
Ceramic making machinery*—except machinery for making refractories, porcelain for industrial use, vitrified abrasives and stoneware for chemical processing.
Collapsible tube filling machines.*
Cosmetic machinery.
Coupon inserting machines.
Cut and monumental stone machinery.
Milk can machinery.*
Steel drum machinery—except for export purposes.
Tobacco machinery.*
Spittoons—except as may be permitted under Limitation Orders in the L-30 series.
Spools, for cord, ribbon or tape—except for adhesive tape and inked ribbon.
Spools for wire—except traverse and spools used in industrial processing. This item does not include spools for solder.
Sporting and athletic goods—(i) except cleats and spikes for athletic shoes; (ii) fishing tackle as permitted under Limitation Order L-92; and (iii) gymnasium equipment for programs approved by the United States Office of Education. Fully fabricated skates may be attached to athletic shoes without restrictions since the order does not regulate such assembly (see paragraph (a) (3)).
Spray containers, household.
Sprinkling cans, garden.
Stadiums.*
Stair and threshold treads,* household, institutional and commercial buildings—except for fire escape, fire towers and essential industrial use.
Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.
Stands, all types—(i) except for essential industrial use; and (ii) except as may be permitted under Limitation Order L-54-c and L-199, and Schedule 3 of Limitation Order L-214.
Staple removers—except as may be permitted under Limitation Order L-73.
Staples—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Starter shingle strips.
Statues.
Steel wool for household use made from material other than waste.
Stokers, after August 31, 1943—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-75.
Storage racks, racks, cabinets or lockers—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Store display equipment and show cases.
Store fronts.
Stretchers, carpet.
Stretchers, glove, sock and sweater.
Structural steel home construction.
Subway turnstiles.*
Sugar cube dryer trays.
Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.
Sun dials.
Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.
Swimming pool equipment*, including but not limited to:
Diving boards.
Diving stands.
Ladders.
Slides.
Swivel chairs—except casters.
Table name-card holders.
Table tops for household use—except as may be permitted under Limitation Order L-62.
Tablets.
Tags and badges, key; name; price; identification—(i) except personnel identification tags or badges where metal tags or badges are required for the protection of government agencies provided they are made with iron or steel other than stainless steel; (ii) except personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants provided they are made with iron or steel other than stainless steel; (iii) except metal tags required for identification of livestock and poultry and products made therefrom provided they are made with iron or steel other than stainless steel; (iv) except pin attached or wire attached tickets for price marking of soft goods; (v) except metal tags for marking and identification of metals in its production, shipment and application provided they are made with iron or steel other than stainless steel; (vi) except license tags for pets; (vii) except name, data, identification and instruction plates for machinery and equipment provided they are made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board; and (viii) except for laundry and dry cleaning identification.

Tanks (strapping excluded) for agricultural use—except as may be permitted under Limitation Order L-257.
Tanks, storage (strapping excluded) for beer.
Tanks (strapping excluded) for water*—(i) except for use in tropical climates; (ii) except of a height in excess of 100 feet; (iii) except for range boilers and hot water storage; and (iv) except pneumatic pressure tanks.
Tank towers (i) except over 20 feet in height supporting more than 100 tons; and (ii) except over 50 feet in height.
Teapots—except as may be permitted under Limitation Orders in the L-30 series.
Telephone bell boxes—except bases and where required for safety.
Telephone booths.
Telescopes—except for U. S. Government Agencies.
Tent frames and supports.
Termite shields—except as may be specified by the War Housing Critical List.
Terrazzo spacers and decorative strips—except hospital operating rooms.
Textile machinery—except as may be permitted under Limitation Order L-215.
Thermometer bases, household.
Thermometer cases and mountings—except for industrial use and use on heating boilers.
Thermos or insulated jugs and bottles over one quart size.
Thimbles, sewing.
Tickers, stock.
Ticket vending machines*—except for public transportation.
Tile, steel-back.
Toilet floats, cistern and low water-floats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.
Tongs, for food handling or for household use.
Tool boxes and cases—except for industrial use.
Tool handles—except for power driven tools.
Traffic lane markers.
Trailer bodies—except as may be permitted under Limitation Order L-253.
Transplanting drowels—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Trophies.
Truck bodies—except as may be permitted under Limitation Order L-253.
Trunks*—except as may be permitted under Limitation Order L-284.
Tub covers.
Tubs, washing—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.
Turf edgers.
Typewriter mechanism for pedestal and drop-head desks.
Umbrellas, garden—except as may be permitted under Limitation Order L-62.
Umbrella shafts and handles.
Urinals—except as may be permitted under Limitation Order L-42.
Valve handles—except when made with iron or steel other than stainless steel.
Vanity cases—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.

*Maintenance and repair parts excepted.

Ventilators other than louver ventilators of the residential type, for use in walls,—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-142 and other applicable orders of the War Production Board.
Ventilators, louver, for use in walls, residential type—except when made from shop shearings or trimmings.
Vibrators, electric—except for industrial use.
Voting machines.
Wagon bodies and frames—(i) except for construction use; and (ii) except for agricultural use as may be permitted under Limitation Order L-257.
Wardrobe trunks—except as may be permitted under Limitation Order L-284.
Waste paper receptacles.
Watch straps.
Water color paint boxes.
Water stills, household.
Water troughs—except as may be permitted under Limitation Order L-257.
Weather stripping.
Weather vanes.
Weed cutters and pullers, including dandelion, thistle and dock cutters and pullers—except when made from steel in the form of re-rolled rail stock or from idle or excessive inventory listed with Steel Recovery Corporation.
Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling hot materials; forgings and castings.
Wheel chairs—except frames and wheels.
Whiskey service sets.
Window display advertising.
Window shade rollers. See item "Shades xxx" on List A hereof.
Window stools.
Window ventilators—except for industrial and hospital use.
Wine coolers.
Wine service sets.
Wire parcel handles and holders.
Wire racks—(i) except for animal cages for biological work; (ii) except for industrial use; (iii) except for scientific laboratory equipment; (iv) except for agricultural use as may be permitted under Limitation Order L-257; and (v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Order L-30-d.
Work benches—(i) except for shipboard use; and (ii) except for industrial use where required for safety.

List C

Access panels—for use on board ship, on military vehicles and artillery items and where climatic or safety conditions make necessary.
Access panels of stainless steel for radio equipment.
Accessories, soda fountain—for use on board ship.
Acoustical ceilings—for use on board ship.
Aircraft fire walls—stainless steel permitted where required for non-magnetic properties, or when required as a structural load carrying member of aircraft.
Attic fans*—where climatic conditions make necessary.
Automotive accessories.
Automotive heaters—where specified for military vehicles.
Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Barber chairs—when manufactured in accordance with Navy Department specification 26C6 for use on board ship.
Barber shop supplies.
Baskets*—for cooking and manufacturing uses and for ordinance operations.
Baths, steam—for use on board ship.
B-B shot—for training and shot blast cleaning purposes.
Beds—hospital.
Beds, other than hospital—only from iron or steel in the form of rerolled rail stock or Bessemer processed steel.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Boat hooks.
Bobbin heads of non-nickel bearing stainless steel—for use on board ship.
Boiler casings of stainless steel*—for use on board destroyers and where required for corrosion or heat resistance on board ship.
Bottle holders—for use on board ship and in hospitals.
Boxes, meter, and covers.
Brush-backs for bore brushes.
Buckets and pails.**
Buildings, portable.
Cabinets* for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, and as may be permitted under Limitation Orders L-13-a, L-62 and Schedule 3 of L-214.
Cabinets of stainless steel for radar equipment.
Cable terminals, fittings and turnbuckles of stainless steel—for aircraft and use on board ship.
Canopies, hoods, and supports.
Cash boxes.
Ceilings—for use on board ship.
Chains and cables.**
Cigarette lighters—when ordered by the Army Exchange Service, the Quartermaster Corps, the Bureau of Naval Personnel and the Marine Corps, for use by the Army, Navy, Marine Corps, Coast Guard, U. S. Maritime Commission, and War Shipping Administration.
Clock bases.
Clothes hampers—for use on board ship.
Clothing trim.
Control levers of stainless steel for aircraft.
Conveyor and conveyor chutes for artillery equipment—stainless steel permitted where required.
Counter tops and edgings—for use on board ship.
Covers and frames, manhole.
Covers, meter frame.
Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.
Cups of all kinds, drinking.
Door stops.
Dust collecting systems and equipment.
Dust covers and enclosures—when specified for military vehicles and artillery items.
Erasing knives.
Fans of stainless steel—for use on board ship and where required for corrosion resistance.
Fences, including chain link, weighing not more than 2 pounds per lineal foot and not more than 0.33 pound per square foot.
Fence posts from iron or steel in the form of re-rolled rail stock.
First aid kit boxes.
Flag holders.
Flag staffs and flag masts—for use on board ship, and on military vehicles.
Flashlights and portable electric lights on fire control instruments.
Floor and ceiling plates for piping—for use on board ship, for military vehicles and artillery items, and where climatic or safety conditions make necessary.

**Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Push carts.
Push plates and kick plates, door.
Race track apparatus and equipment,* including but not limited to:
Mutuel ticket machines.
Pari-mutuel boards.
Race finish photographic equipment.
Starting gates.
Racks, display.
Racquets.
Radiator enclosures.
Radio antenna—except when made with iron or steel other than stainless steel.
Radio antenna poles*—except on preference ratings of AA-5 or higher.
Railings and barriers—(i) except for essential industrial use; and (ii) for metal fire escapes and fire towers.
Railroad rail joint angle bars over 24" in length*—(i) except for replacement on used rails; and (ii) except for rail weighing more than 110 lbs. per yard.
Reading stands.
Reels, cable and rope.
Refrigerator boxes, walk-in—except as may be permitted under Limitation Orders L-36 and L-126.
Refrigerator containers and trays, household.
Refrigerator and refrigeration equipment—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel. This item is subject to the provisions of the two previous items on this List.
Regalia.
Registers, hand tally.
Rodeo equipment, including but not limited to:
Animal trappings.
Fences.
Gates.*
Rolling boardwalk chairs.*
Rolling pins—except as may be permitted under Limitation Orders in the L-30 series.
Rotary door bells.
Rubber moulds—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Rug scrubbing and shampooing machines.*
Safety zone posts, rails, cables and platforms.
Salesmen's display cases and sales kits.
Salt and pepper holders—except as may be permitted under Limitation Orders in the L-30 series.
Sample boxes.
Sand boats.
Scaffolding—except for use in shipyards and industrial plants.
(Scales, coin operated.)*
Scenery and stage hardware equipment* (except lamp bulbs) for dramatic, theatrical and operatic use, including but not limited to:
Battens.
Cables.
Lighting equipment.
Stage drops.
Score boards.
Screen frames—(i) except for industrial processing; and (ii) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Scrubbing boards.
Semaphores, traffic signal—except railroad.
Service food trays.
Sewer pipe, exterior installations*—(i) except for vents and within 5 feet of buildings; (ii) except for cast iron pressure mains; and (iii) except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel.

Shades, window and roller type—(i) except for railroad passenger cars, street cars, and busses; and (ii) except for roller mechanism on shades for all uses.
Sheet iron or hoop iron packings for cookies and sweet goods.
Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.
Shelves, other than shelves for domestic ice refrigerators—except as may be made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Shirt and stocking dryers.
Shoe cleaning kits.
Shoe ornaments.
Show window lighting and display equipment.
Shower receptors and stalls—except as may be permitted under Limitation Order L-42.
Shutters, window*—except as may be permitted under Limitation Order L-142.
Sidewalk scrapers.
Sign hanger frames.
Sign posts.
Signets.
Silos—except as may be permitted under Limitation Order L-257.
Sinks, sink aprons and sink legs—(i) except scullery sinks; and (ii) except as may be permitted under Limitation Order L-42.
Sink drainboards, both integral and removable—except as may be permitted under Limitation Order L-42.
Siphon chargers—except as may be permitted under Limitation Order M-293.
Sitz baths—except as may be permitted under Limitation Order L-42.
Skates, roller and ice.
Skating rink apparatus and equipment.*
Skewers, all types.
Ski racks.
Sleds and sleighs—except runners.
Slide fasteners—except as may be permitted under Limitation Order L-68.
Slides, loops and slide-loops for work clothing—except as may be permitted under Limitation Order L-68.
Smokers' accessories—except pipe cleaners.
Snow shovels and pushers, hand—except as may be permitted under Limitation Order L-157.
Sod lifters.
Spading forks—children's.
Special industrial machinery of the following types:
Ceramic making machinery*—except machinery for making refractories, porcelain for industrial use, vitrified abrasives and stoneware for chemical processing.
Collapsible tube filling machines.*
Cosmetic machinery.
Coupon inserting machines.
Cut and monumental stone machinery.
Milk can machinery.*
Steel drum machinery—except for export purposes.
Tobacco machinery.*
Spittoons—except as may be permitted under Limitation Orders in the L-30 series.
Spools, for cord, ribbon or tape—except for adhesive tape and inked ribbon.
Spools for wire—except traverse and spools used in industrial processing. This item does not include spools for solder.
Sporting and athletic goods—(i) except cleats and spikes for athletic shoes; (ii) fishing tackle as permitted under Limitation Order L-92; and (iii) gymnasium equipment for programs approved by the United States Office of Education. Fully fabricated skates may be attached to athletic shoes without restrictions since the order does not regulate such assembly (see paragraph (a) (5)).
Sprinkling cans, garden.
Stadiums.*
Stair and threshold treads,* household, institutional and commercial buildings—except for fire escape, fire towers and essential industrial use.
Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.
Stands, all types—(i) except for essential industrial use; and (ii) except as may be permitted under Limitation Order L-54-c and L-199, and Schedule 3 of Limitation Order L-214.
Staple removers—except as may be permitted under Limitation Order L-73.
Staples—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Starter shingle strips.
Statues.
Steel wool for household use made from material other than waste.
Stokers, after August 31, 1943—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-75.
Storage racks, racks, cabinets or lockers—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Store display equipment and show cases.
Store fronts.
Stretchers, carpet.
Stretchers, glove, sock and sweater.
Structural steel home construction.
Subway turnstiles.*
Sugar cube dryer trays.
Sugar holders—except as may be permitted under Limitation Orders in the L-30 series.
Sun dials.
Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L-259.
Swimming pool equipment*, including but not limited to:
Diving boards.
Diving stands.
Ladders.
Slides.
Swivel chairs—except casters.
Table name-card holders.
Table tops for household use—except as may be permitted under Limitation Order L-62.
Tablets.
Tags and badges, key; name; price; identification—(i) except personnel identification tags or badges where metal tags or badges are required for the protection of government agencies provided they are made with iron or steel other than stainless steel; (ii) except personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants provided they are made with iron or steel other than stainless steel; (iii) except metal tags required for identification of livestock and poultry and products made therefrom provided they are made with iron or steel other than stainless steel; (iv) except pin attached or wire attached tickets for price marking of soft goods; (v) except metal tags for marking and identification of metals in its production, shipment and application provided they are made with iron or steel other than stainless steel; (vi) except license tags for pets; (vii) except name, data, identification and instruction plates for machinery and equipment provided they are made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board; and (viii) except for laundry and dry cleaning

Fountains, portable, of stainless steel—for use on board ship.
Furniture—for use on board ship.
Galley and mess equipment of stainless steel, as follows:
Canteens.
Coffee urns of non-nickel bearing stainless steel.
Cold storage space on board ship—but only clad stainless steel for doors and other parts coming in direct contact with food.
Compartment mess trays—but only from existing finished stocks of stainless steel.
Dishwashing machines—but only tanks, hoods and pump shafts of non-nickel bearing stainless steel.
Kettles, steam jacketed—but only single clad stainless steel for inside lining and cover; solid stainless steel for interior baffles, strainer and drain-off fittings, and for covers when two-piece covers are specified.
Meat cans and covers.
Metal sponges of non-nickel bearing stainless steel wire.
Portable water coolers, liners only—non-nickel bearing stainless steel.
Pressure cookers—but only clad stainless steel for bottoms and solid stainless steel for sides.
Sinks and dresser tops for use on board ship and aircraft—but only clad stainless steel.
Steam tables, warming pans and inserts—but only clad stainless steel.
Stock pots—but only clad stainless steel.
Games.
Gates for fences.
Grilles—sewer.
Grilles—for use on board ship.
Hand seals for documents.
Harness and saddlery fittings.
Hat frames, wire and gimps.
Hat-making machinery, but only—
Blocking machines with complete sets of blocks.
Sets or dies for cutting parts.
Hose clamps of stainless steel—for aircraft.
Hose reels.
Hot water heater tanks and coils of stainless steel—for aircraft and military vehicles.
Ice cube trays.
Incinerators.
Instrument dials and cases of stainless steel.
Ironing boards and stands—for use on board hospital ships.
Ladders, step.
Lighting equipment for theatres and recreational buildings for the armed forces.
Name, data and instruction plates for machinery, equipment and aircraft—stainless steel permitted if acquired through Steel Recovery Corporation.
Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.
Partitions—for use in hospitals and on board ship.
Partition studs for radar equipment.
Pegs, tent.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic equipment and accessories.**
Pipe posts.
Pitchers.
Plates, light switch, for use on board ship and for artillery and mobile items.
Pneumatic tube delivery systems.
Portable bathtubs.
Pumps, fresh water, for use on board ship.**
Pump shafts of stainless steel.
Push carts—for ordnance and combat organizations.
Radiator enclosures for use on board ship, on military vehicles and on artillery items.
Radio antenna of stainless steel.
Radio antenna poles—stainless steel permitted for submarines.
Railings—for use on board ship.
Reels, cable and rope—for combat and field training purposes and for use on board ship.
Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.
Screen frames.
Sewer pipe for pressure lines in exterior installations—cast iron only may be used.
Shirt and stocking dryers of cast iron only.
Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
Skewers all types.
Spools for wire—for combat and field training purposes.
Sporting and athletic goods.
Stair and threshold treads—for use on board ship.
Stencils.
Swimming pool equipment for training purposes.
Swivel chairs—for use on board ship.
Tags—
For marking ammunition and military equipment.
Identification tags and badges for personnel.**
Tanks, storage, water—but only for use on board ship, mobile units, range boilers and water storage, of a height in excess of 100

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 88]

COLLECTION BY RETAILERS OF RETAIL FEDERAL EXCISE TAX ON JEWELRY, FURS AND FUR TRIMMED ARTICLES, TOILET PREPARATIONS AND CERTAIN ITEMS OF LEATHER GOODS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is hereby ordered:

§ 1305.113 *Collection by retailers of the Retail Federal Excise Tax on jewelry, furs and fur trimmed articles, toilet preparations and certain items of leather goods imposed by the Revenue Act of 1943.* Under this supplementary order retailers may increase the total charge which they are permitted to make under applicable maximum price regulations for the items covered by this order. Retailers may treat the permitted increase in the total charge as an increase in their maximum prices and state their maximum prices as prices including the tax, or retailers may make (or increase) a charge in addition to the maximum price and state the maximum price as a price exclusive of tax. However, no increase in the total charge may be made unless the retailer identifies and states the whole amount of the tax in accordance with the rules for statement of tax contained in this order. Paragraph (a) lists the commodities which are covered by this order. Paragraph (b) indicates the method by which the total permissible charge is to be computed. Paragraph (c) indicates the various methods which retailers may use to state the retail Federal excise tax. Paragraph (d) explains the extent to which uniformity is required in the choice of method.

(a) *What commodities are covered by*

Fountains, portable, of stainless steel—for use on board ship.
Furniture—for use on board ship.
Galley and mess equipment of stainless steel, as follows:
Canteens.
Coffee urns of non-nickel bearing stainless steel.
Cold storage space on board ship—but only clad stainless steel for doors and other parts coming in direct contact with food.
Compartment mess trays—but only from existing finished stocks of stainless steel.
Dishwashing machines—but only tanks, hoods and pump shafts of non-nickel bearing stainless steel.
Kettles, steam jacketed—but only single clad stainless steel for inside lining and cover; solid stainless steel for interior baffles, strainer and drain-off fittings, and for covers when two-piece covers are specified.
Meat cans and covers.
Metal sponges of non-nickel bearing stainless steel wire.
Portable water coolers, liners only—non-nickel bearing stainless steel.
Pressure cookers—but only clad stainless steel for bottoms and solid stainless steel for sides.
Sinks and dresser tops for use on board ship and aircraft—but only clad stainless steel.
Steam tables, warming pans and inserts—but only clad stainless steel.
Stock pots—but only clad stainless steel.
Games.
Gates for fences.
Grilles—sewer.
Grilles—for use on board ship.
Hand seals for documents.
Harness and saddlery fittings.
Hat frames, wire and gimps.
Hat-making machinery, but only—
Blocking machines with complete sets of blocks.
Sets or dies for cutting parts.
Hose clamps of stainless steel—for aircraft.
Hose reels.
Hot water heater tanks and coils of stainless steel—for aircraft and military vehicles.
Ice cube trays.
Incinerators.
Instrument dials and cases of stainless steel.
Ironing boards and stands—for use on board hospital ships.
Ladders, step.
Lighting equipment for theatres and recreational buildings for the armed forces.
Lighting poles and standards for fire control instruments.
Lockers—for office equipment as limited under Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.
Mail boxes—for use on board ship.
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
Air pumps.
Gasoline dispensing pumps.
Grease guns.
Grease pumps.
Kerosene pumps.
Oil pumps.
Mechanical drawing and drafting equipment of stainless steel.
Metal cloths.
Mirrors, hand—for signal use.
Motion picture cameras, projectors and projection equipment—stainless steel permitted for sprockets and aperture plates.
Motion picture screen stands.
Motion picture sound reproducing equipment.
Music stands—for use on board ship.
Name, data and instruction plates for machinery, equipment and aircraft—stainless steel permitted if acquired through Steel Recovery Corporation.
Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.
Partitions—for use in hospitals and on board ship.
Partition studs for radar equipment.
Pegs, tent.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic equipment and accessories.**
Pipe posts.
Pitchers.
Plates, light switch, for use on board ship and for artillery and mobile items.
Pneumatic tube delivery systems.
Portable bathtubs.
Pumps, fresh water, for use on board ship.**
Pump shafts of stainless steel.
Push carts—for ordnance and combat organizations.
Radiator enclosures for use on board ship, on military vehicles and on artillery items.
Radio antenna of stainless steel.
Radio antenna poles—stainless steel permitted for submarines.
Railings—for use on board ship.
Reels, cable and rope—for combat and field training purposes and for use on board ship.
Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.
Screen frames.
Sewer pipe for pressure lines in exterior installations—cast iron only may be used.
Shirt and stocking dryers of cast iron only.
Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
Skewers all types.
Spools for wire—for combat and field training purposes.
Sporting and athletic goods.
Stair and threshold treads—for use on board ship.
Stencils.
Swimming pool equipment for training purposes.
Swivel chairs—for use on board ship.
Tags—
For marking ammunition and military equipment.
Identification tags and badges for personnel.**
Tanks, storage, water—but only for use on board ship, mobile units, range boilers and water storage, of a height in excess of 100 feet, or for pneumatic pressure tanks, or for use outside continental limits of U. S.
Tanks, water storage, of stainless steel—for use in aircraft.
Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
Telephone booths,* acoustically treated—for use on board ship.
Tent frames and supports.
Termite shields—for use outside continental limits of U. S.
Thermos or insulated jugs and bottles.
Tile, steel back—for ladder treads, step plates and use on board ship.
Tool boxes and cases.
Tool handles.
Typewriter mechanism for pedestal and drophead desks—for use on board ship.
Waste paper receptacles—for hospital use.
Water troughs—frame and support only.
Wheel barrows.
Wire racks.
Workbenches.

[F. R. Doc. 44-4595; Filed, March 31, 1944; 11:56 a. m.]

**Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

(Supp. Order 66)

COLLECTION BY RETAILERS OF RETAIL FEDERAL EXCISE TAX ON JEWELRY, FURS AND FUR TRIMMED ARTICLES, TOILET PREPARATIONS AND CERTAIN ITEMS OF LEATHER GOODS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is hereby ordered:

§ 1305.113 *Collection by retailers of the Retail Federal Excise Tax on jewelry, furs and fur trimmed articles, toilet preparations and certain items of leather goods imposed by the Revenue Act of 1943.* Under this supplementary order retailers may increase the total charge which they are permitted to make under applicable maximum price regulations for the items covered by this order. Retailers may treat the permitted increase in the total charge as an increase in their maximum prices and state their maximum prices as prices including the tax, or retailers may make (or increase) a charge in addition to the maximum price and state the maximum price as a price exclusive of tax. However, no increase in the total charge may be made unless the retailer identifies and states the whole amount of the tax in accordance with the rules for statement of tax contained in this order. Paragraph (a) lists the commodities which are covered by this order. Paragraph (b) indicates the method by which the total permissible charge is to be computed. Paragraph (c) indicates the various methods which retailers may use to state the retail Federal excise tax. Paragraph (d) explains the extent to which uniformity is required in the choice of method.

(a) *What commodities are covered by this order.* This order does not cover all the commodities which are taxed by the Revenue Act of 1943. It only covers those items which are listed in subparagraph (1) below.

(1) *List of commodities covered by this order.* The following commodities are covered:

(i) Jewelry, including:
Watches retailing for more than $65.
Alarm clocks retailing for more than $5.
Synthetic stones and cultured pearls and mountings containing synthetic stones and cultured pearls.
Semi-precious stones after sale by the cutter when the cutter has received $100 or less for the stone and mountings containing the semi-precious stones.
Articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof.
Gold, goldplated, silver or sterling silver flatware or hollow ware.
Opera glasses.
Lorgnettes.
Marine glasses.

*Copies may be obtained from the Office of Price Administration.

Field glasses.
Binoculars.
(ii) Fur articles.
(iii) Fur trimmed articles of which the fur is the component material of chief value.
(iv) The following items:
Brief cases made of leather or imitation leather.
Beach bags.
Bathing suit bags.
Purses.
Handbags.
Pocketbooks.
Wallets.
Billfolds.
Card, pass and key cases.
Toilet cases and other cases, bags and kits (without regard to size, shape, construction or material from which made) for use in carrying toilet articles.
(v) Toilet preparations.

(2) *List of jewelry, luggage and furs not covered by this order.* This order does not apply to the following commodities which are designated as jewelry, luggage and furs respectively under the Revenue Act of 1943:

(i) Precious stones, mountings containing precious stones, semi-precious stones after sale by the cutter for which the cutter has received more than $100 for the sale of the stone, and the mountings containing those semi-precious stones. These items are exempt from price control. They are, however, not exempt from the provisions of the Revenue Act of 1943.
(ii) Watches retailing for not more than $65, and alarm clocks retailing for not more than $5. The retail Federal excise tax imposed on these items has not been changed by the Revenue Act of 1943.
(iii) Silverplated flatware. These items are exempt from the provisions of the Revenue Act of 1943.
(iv) Luggage for which maximum retail prices are established by Maximum Price Regulation No. 476.[1] The method which retailers will use to collect the retail Federal excise tax on luggage is provided in an amendment to that regulation.
(v) Fur garments wholesaling for $8,000 or more. These items are exempt from price control. They are, however, not exempt from the provisions of the Revenue Act of 1943.

(3) *What regulations are modified by this order.* This order modifies § 1499.7 of the General Maximum Price Regulation,[2] § 1389.156 of Maximum Price Regulation No. 178,[3] § 1389.559 (a) (3) of Maximum Price Regulation No. 330,[4] section 15 of Maximum Price Regulation No. 392,[5] section 16 of Maximum Price Regulation No. 393,[6] Maximum Price Regulation No. 142,[7] and Maximum Price Regulation No. 210,[8] for the purpose of establishing the rules governing the collection of the retail Federal excise tax imposed by the Revenue Act of 1943 on sales of the commodities listed in paragraph (a) (1) above.

(b) *How retailers compute the total permissible charge including the additional tax.* If you are a retailer, you compute the total charge inclusive of the retail Federal excise tax which you may make as follows:

(1) You deduct from your previously established maximum price the amount (if any) of the retail Federal excise tax which was included in the price.
(2) You add to your price exclusive of tax, as computed under subparagraph (1), 20% of that price. The resulting figure is the total price inclusive of tax which you may now charge.

Example. If your ceiling price for an item of jewelry is $11, tax included, you must first deduct 1/11 (one eleventh) from $11, and $10 is your maximum price exclusive of tax. If your maximum price for an item of jewelry is $10 plus tax, then $10 is your maximum price, exclusive of the excise tax. In either case, if you now sell the item for $10, you multiply $10 by 20% ($10 x 20% = $2). The resulting figure ($2) is the amount of the retail Federal excise tax on your ceiling price and the total charge which you can make is $12.00.

(c) *What constitutes a proper statement of the tax.* If you wish to increase the total charge which you are permitted to make by an amount to cover any part of the increase in the retail Federal excise tax (or the new tax) imposed by the Revenue Act of 1943, you must properly state the whole tax. For the purposes of this order, the tax shall be deemed to be properly stated if you comply with the following requirements:

(1) *Advertising.* All advertisements which state prices, must separately state the tax for every item covered by this order in one of the following ways:

(i) You may state your price exclusive of tax, but indicate in the advertisement that the purchaser will have to pay a tax in addition to the price.
(ii) You may state the total price inclusive of the retail Federal excise tax with a notation following the price that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price $1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.
(iii) You may indicate somewhere in the layout that the prices for sales of designated items covered by this order include 20% tax.

(2) *Catalogues.* In all catalogues which include prices, you must state the retail Federal excise tax for items covered by this order in one of the following ways:

(i) You may state your price as a price exclusive of tax, but indicate in the catalogue the amount of the tax, either in dollars and cents or as a percentage which the purchaser has to pay in addition to the price.
(ii) You may state the total price inclusive of the retail Federal excise tax with a notation following the price that the price includes the 20% retail Federal excise tax. A statement in the following form will be sufficient: Price $1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.
(iii) You may indicate on each page of the catalogue listing the commodities covered by this order that the prices for designated items include the 20% retail Federal excise tax.

The requirements with respect to catalogues apply only to catalogues which are issued subsequent to April 1, 1944. This order does not require that catalogues which have been issued prior to this date be changed. However, if your catalogue has been issued prior to April 1, 1944, you may collect the increase in the tax (or the new tax) if you disclose to your purchaser the full amount of the tax at the time that the purchaser is first notified by you of the additional charge for taxes.

(3) *Sales slips and other evidence of sale.* All sales slips or other evidences of sale which you give to your customers, must state the retail Federal excise tax for every item covered by this order in one of the following ways:

(i) You may state the dollars and cents amount of the tax separately from the price.
(ii) You may state the total price inclusive of the retail Federal excise tax with a notation on the sales slip that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price $1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.
(iii) You may set forth somewhere on the sales slip or receipt, or on a separate slip, that the prices for sales of designated items covered by this order, include 20% tax.

(4) *Sales made in retail stores.* In addition to stating the tax separately on all advertisements, catalogues, and sales slips, on sales made in your store of items covered by this order, you may collect the increase in the retail Federal excise tax (or the new tax) only if you notify your purchasers prior to the consummation of the sale of the whole amount of the tax. This notification must be accomplished in one of the following ways:

(i) You may state on price tags your price exclusive of the retail Federal excise tax but indicate either on the tag or on a readable notice posted near the point of sale the amount of the tax either in dollars and cents or as a percentage that the purchaser will have to pay in addition to the price.
(ii) You may state the total price on the tag with a notation that the price includes the 20% retail Federal excise tax. A statement in the following form is sufficient: Price $1.20, 20% tax incl. A statement "tax incl." which does not state the percentage is not sufficient.
(iii) You may display a poster or sign stating that the prices of designated commodities covered by this order include the 20% retail Federal excise tax. The statement must be posted at the place or places where the commodities are being offered for sale. It must be plainly visible to any purchaser, must be in easily readable lettering and must be large enough to allow all purchasers to read it from the normal place of purchase.

(d) *The extent to which uniformity is required in the application of these requirements.* It is not necessary that you elect and use the same method of stat-

[1] 8 F.R. 13977, 15193, 17414.
[2] 9 F.R. 1385.
[3] 7 F.R. 5277, 6771, 8017, 8946, 8948, 8 F.R. 7601.
[4] 8 F.R. 2209, 4732, 11041, 16060, 16426.
[5] 8 F.R. 6262, 12477, 12660, 9 F.R. 2440.
[6] 8 F.R. 6268, 12478, 12661, 9 F.R. 2440.
[7] 7 F.R. 3553, 3720, 5179, 5520, 8945, 8948, 13050.
[8] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 1613, 2025, 6359, 13050, 13742, 16170.

ing the tax throughout your store or throughout any department of your store. It is only necessary that you follow a uniform practice with respect to each commodity, and that the method you use with respect to each commodity complies with this order.

This supplementary order shall become effective on the 1st day of April 1944.

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4508; Filed, March 30, 1944; 3:48 p. m.]

PART 1378—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 476,[1] Amdt. 3]

LUGGAGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 476 is amended in the following respects:

1. Section 4 is amended to read as set forth below:

SEC. 4. *Manufacturers must calculate retail ceiling prices.* If you are a manufacturer, you must calculate the retail ceiling price for each item of luggage in the following manner:

First, find your ceiling price (f. o. b. factory, exclusive of federal excise tax) to the class of retailers which contained the largest number of your customers during August 1943. Multiply that price by 1.82. To that figure you may add the manufacturer's federal excise tax for all items in your factory on and after April 1, 1944, for which you have paid the manufacturer's federal excise tax or for which you are obligated to pay the Manufacturer's federal excise tax. The resulting figure may be adjusted to the nearest $0.05. The resulting price is the ceiling price exclusive of retail federal excise tax for all sales of the item at retail.

For example, if your ceiling price for sales to the class of retailers which contained the largest number of customers during August 1943 of a certain men's wardrobe is $10.00, exclusive of federal excise tax, you multiply that price by 1.82, obtaining $18.20. If you have not paid a manufacturer's excise tax, this price is the ceiling price exclusive of retail federal excise tax for all sales at retail. If you have paid or are obligated to pay the manufacturer's excise tax, you add $1.00 (the amount of the manufacturer's excise tax) to $18.20. The resulting figure ($19.20) is then the ceiling price exclusive of the retail Federal excise tax for all sales at retail.

2. Section 5 (b) is amended to read as follows:

(b) On and after November 1, 1943, if you are a manufacturer, you may not deliver any item of luggage unless the retail price tag described below is attached to it. On and after November 15, 1943, if you are a jobber, you may not deliver any item of luggage unless the retail price tag is attached to it, and on and after November 30, 1943, if you are a retailer, you may not offer for sale, sell, or deliver any item of luggage unless the price tag is attached to it.

The tag must be a durable one and must be securely attached to the top or handle of the luggage. It must contain in easily readable lettering the retail ceiling price exclusive of the retail tax, manufacturer's lot number and size of the luggage, a space in which the retailer may insert his selling price and a space for insertion of the amount of the federal excise tax. The statement shall be in the following form:

OPA retail ceiling price, exclusive of retail federal excise tax.....
Selling Price.....
Retail Federal Excise Tax.....
Lot Number.....
Size.....

Do Not Detach

The tag may not be removed until after the luggage has been delivered to the retail purchaser.

3. Section 8 (a) is amended to read as follows:

(a) Section 4 of this regulation requires each manufacturer to calculate the retail ceiling price exclusive of the retail federal excise tax for each item of luggage he delivers to you on and after November 1, 1943. If you are a retailer, the price so calculated is the ceiling price, exclusive of the retail federal excise tax for all sales of such luggage by you to consumers. You will find the retail ceiling price on the tag which section 5 requires the manufacture to attach to each item. In addition to the retail ceiling price listed on the tag, you may also collect the real federal excise tax if it is separately stated. You will find on each tag a blank space to list the tax. Before you sell, offer to sell, or deliver any item of luggage with the tag attached, you must fill the blank space with your selling price and the amount of the retail federal excise tax. You may not sell the item of luggage at a price higher than the sum of the ceiling price and the retail federal excise tax, which you have marked on the tag.

4. Section 10 is amended to read as set forth below:

SEC. 10. *Ceiling prices for sales by jobbers of luggage with tags attached.* If you are a jobber, you must determine your ceiling price for sales to retailers of any item of luggage to which a retail ceiling price tag has been attached by deducting 35 percent from the retail ceiling price. The retail ceiling price will not contain the retail federal excise tax but may contain the manufacturer's excise tax. The price so arrived at is your ceiling price inclusive of all federal taxes except the retail federal excise tax.

The ceiling prices established for jobbers' sales by this section and by section 11 of this regulation are the ceiling prices for sales to any person for resale, including all sales by jobbers to jobbers, by retailers to jobbers and by retailers to other retailers.

5. Section 12 is amended to read as set forth below:

SEC. 12. *Taxes.* The retail ceiling prices established under this regulation do not include the retail federal excise tax. The retail federal excise tax and any other tax upon the sale of any item of luggage imposed by any statute or ordinance of any state or subdivision thereof may be collected in addition to the ceiling price, if it is separately stated.

6. Section 5 (c) is hereby revoked.

This amendment shall become effective on the 1st day of April 1944.

(56 Stat. 23, 765, Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4509; Filed, March 30, 1944; 3:49 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 17]

EXPORT OF RATIONED FOODS

Procedures covering the ways in which rationed foods are acquired for export and exported rationed foods are replaced are at present provided in the respective ration orders covering the foods exported. Experience in the operation of the rationing program has shown that certain technical changes should be made to facilitate its operation in this respect. Thus, this order replaces such procedures and provides a uniform procedure by which points may be obtained for the acquisition of all rationed foods for export and covering the replacement of rationed foods exported. While in some respects this order simplifies existing procedures, it does not in any way change the substantive rights of any person acquiring or replacing such foods. Nor does it affect in any way the control over exports exercised by other government agencies, such as the Foreign Economic Administration; but merely provides ways in which rationed foods may be obtained for export as permitted by the regulations of the responsible government agencies, and by which rationed foods so exported may be replaced.

§ 1305.111 *Export of rationed foods.* Under the authority vested in the Administrator by Executive Orders 9125 and 9280, issued by the President on April 7, 1942, and December 5, 1942, respectively, Directive No. 1, issued by the War Production Board on January 24, 1942, and Supplementary Directives thereto and Food Directives Nos. 1, 3, 5, 6, and 7 issued by the Secretary of Agriculture, General Ration Order 17 (Export of Rationed Foods), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.111 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; Food Dir. 1, 6 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471.

GENERAL RATION ORDER 17—EXPORT OF RATIONED FOODS

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11. Definitions.

SECTION 1. *Scope of this order.* This order covers the acquisition of rationed foods for export and the replacement of rationed foods exported.

SEC. 2. *Who may export rationed foods.* Any person may export rationed foods to a foreign country or to any territory or possession of the United States (other than the District of Columbia) without giving up or receiving ration evidences.

SEC. 3. *Export of rationed foods to certain persons.* Rationed foods are considered "exported" under this order, even though not as yet sent out of the country, if they are properly mailed to one of the following addresses, to a person who has been assigned that address:

(a) Any Army Post Office address at one of the following cities:

Boston, Massachusetts.
Charleston, South Carolina.
Hampton Roads, Virginia.
Miami, Florida.
New Orleans, Louisiana.
New York, New York.
San Francisco, California.
Seattle, Washington.

(b) A Fleet Post Office address at one of the following cities:

New York, New York.
San Francisco, California.

SEC. 4. *How evidences may be obtained to acquire rationed foods for export.* (a) Any person who desires to export rationed foods to any foreign country or to any territory or possession of the United States (other than the District of Columbia) may apply to the district office on OPA Form No. R–315, for evidences with which to acquire those rationed foods. The application must show:

(1) His name and address. (If the export is to be made in the course of his business, the applicant's business address should be given; if not, his residence address);

(2) The port (or other shipping point) from which the rationed foods will be shipped, and how they are to be shipped; or, if the rationed foods are to be exported by mail, the address of the post office from which they will be mailed;

(3) The name and address of the person to whom the rationed foods are to be exported;

(4) The amount, by item, of each rationed food to be exported.

(However, military or naval information which is secret in nature need not be disclosed.)

(b) If the district office finds that the rationed foods for which the application is made will be exported, it shall issue ration evidences for the amount of rationed foods to be exported.

(c) No person may use rationed foods acquired with ration evidences issued under this section for any purpose other than export. However, if he is unable to export any such rationed foods, he may dispose of them by transfer or delivery in the way that a "retailer" is permitted under the ration order covering that food. Immediately after so disposing of the rationed foods he must give up to the district office evidences covering the amount of rationed foods so transferred or delivered.

SEC. 5. *All advances must be accounted for.* A person who received evidences under section 4, must within 30 days after receiving them, account to the district office for all evidences so received, by giving proof of export, or by returning to the district office evidences for the difference between the value of those received and the value of the rationed foods exported.

SEC. 6. *How a person who has not received an advance obtains replacement.* A registered retailer, wholesaler, primary distributor (under Ration Order 16), or processor or country shipper (under Ration Order 13) who exported foods covered by the order under which he is registered and who did not receive evidences for the food, either under section 4 or in any other way, may apply to the district office on O. P. A. Form R–315 for evidences covering the amount of the rationed food exported. He must submit proof of export with his application. If the district office finds he exported rationed food and that he has not already received evidences for such food, it shall issue to him evidences for the amount of rationed food he exported.

SEC. 7. *Proof of export.* (a) Any person who needs to submit proof of export under section 5 or 6, must, unless the foods are exported by mail, submit a copy of a shipper's Export Declaration (Commerce Form 7525) to the district office within 30 days after the export. The declaration must contain a description of the rationed foods exported, showing the amount of each, and a statement signed by an authorized customs official that, to the best of his knowledge and belief, such rationed foods were exported by such person.

(b) If export rationed foods were consigned to an agency of the United States, and no Shipper's Export Declaration was filed at the time of the shipment, the exporter may submit, instead of such declaration, a bill of lading, manifest, or other satisfactory evidence that the rationed foods were actually exported to such agency of the United States.

(c) If the rationed foods are exported by mail, the person exporting them shall obtain from the post office a certificate of mailing (Post Office Form No. 2965, 3817, 3877, 3881, or 3882) in which, at the time of mailing, he shall write his name and address and the name and address of the person to whom the rationed foods are being mailed. A statement signed by the person mailing the package, describing the kinds and amount of rationed foods contained in the package, shall be attached to the certificate. The certificate of mailing and any accompanying statements required by this paragraph, must be submitted to the district office within 15 days after mailing.

(d) An agency of the United States which has exported rationed foods need not submit any formal proof of export, in order to obtain replacement and need not account for evidences advanced under section 4.

NOTE: Exceptions to this section are set forth in sections 8 and 9.

SEC. 8. *How consumers who take rationed foods outside the United States acquire them.* (a) Any consumer, except a member of the armed forces of the United States or of one of the United Nations, who is leaving the Continental United States and who wishes to take rationed foods outside the Continental United States for his personal use or for the use of members of his family, may apply to the district office for evidences to acquire those foods.

(b) Application shall be made to the district office, on OPA Form R–315, by the consumer or by an authorized agent. The application must show:

(1) The consumer's name and address;

(2) His destination;

(3) His method of departure from the United States (ship, airplane, train);

(4) The amounts and kinds of rationed foods he wishes to acquire;

(5) That the rationed foods are to be consumed by him or by members of his family, outside the Continental United States.

(However, military or naval information which is secret in nature need not be disclosed.)

(c) If the district office finds that the facts stated in the application are true, it shall issue to the applicant evidences for the amount of rationed foods he will export.

(d) If the applicant does not take the rationed foods outside the Continental United States within 30 days after the evidences have been issued to him by the district office, he must report such fact to the district office in writing. If the evidences have not been used, they must be surrendered to the district office. If the evidences have been used to acquire any rationed food, the consumer may dispose of the food by transfer or delivery in the way a "retailer" is permitted under the ration order covering that food. Immediately after such disposition he must give up to the district office evidences

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13977, 15193, 17414.

covering the amount of rationed foods so transferred or delivered.

SEC. 9. *How members of the armed forces of the United Nations may obtain rationed foods for personal export.* (a) A member of the armed forces of the United States, or of one of the United Nations, who is leaving the Continental United States and who wishes to take rationed foods outside the Continental United States, may apply to the district office for evidences to acquire those foods.

(b) Application shall be made to the district office, on OPA Form R-315, by the consumer or by an authorized agent. The application must show:

(1) The applicant's name and address;

(2) That the applicant is a member of the armed forces of the United States or of one of the United Nations;

(3) The amounts and kinds of rationed foods he wishes to acquire.

He shall submit with the application a certification by his commanding officer that the applicant is authorized personally to export the amount of rationed foods requested. (However, military or naval information which is secret in nature need not be disclosed.)

(c) If the district office finds that the facts stated in the application are true and that the applicant will export the foods for which the application is made, it shall issue to the applicant evidences for the amount of rationed foods he will export.

(d) If the applicant does not take the rationed foods outside the Continental United States within 30 days after the evidences have been issued to him by the district office, he must account for them in the way provided in section 8 (d).

SEC. 10. *Ration bank accounts for exporters.* (a) Every person who is engaged in a business which involves the export of rationed foods may open a ration bank account, in accordance with the provisions of Revised General Ration Order 3A, for each such rationed food he exports, (for which he does not already have an account), in the same way that a "wholesaler" registered under the provisions of the order rationing that food may open an account. (However, such an exporter is not, merely because of his exports, required to register as a "wholesaler" under such ration order.)

(b) Only ration evidences received to acquire rationed foods for export may be deposited in an account opened under this section and checks may be issued against that account only to acquire rationed foods for export or to account to the district office for evidences received to acquire such foods.

SEC. 11. *Definitions.* When used in this order:

(a) "Acquire" means obtain possession or title.

(b) "Consumer" means any individual who acquires rationed foods for personal use.

(c) "District Office" means the district office of the Office of Price Administration for the place where the applicant resides or, if the export is made in the course of the applicant's business, the district office for the place where his principal business office is located.

(d) "Evidences" or "ration evidences" means documents issued by the Office of Price Administration authorizing the transfer, delivery, or acquisition of rationed foods and includes stamps, coupons, ration checks, and certificates.

(e) "Order" or "ration order" means any food ration order issued by the Office of Price Administration.

(f) "Person" means not only an individual, but also a partnership, corporation, association, or business trust and includes a government, government agency, and any other organized group or enterprise.

(g) "Rationed foods" means "sugar", "foods covered by Ration Order 16", or "processed foods", which terms have the meaning given to them in Rationing Order No. 3 and Ration Orders 16 and 13, respectively.

This order shall become effective April 5, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4567; Filed, March 31, 1944; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 12]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respects:

1. A new paragraph (j) is added to section 20 to read as follows:

(j) *Poultry bought live, dressed or drawn and sold in parts*—(1) *"Cut-up poultry".* If you buy poultry live, dressed or drawn, and you sell such poultry in parts which are "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269,[2] you shall figure your ceiling price for each item of such "cut-up poultry" as though you had bought it "cut-up", using as your "net cost" per pound the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269, which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such "cut-up poultry" items during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for that item of "cut-up poultry".

(2) *Poultry other than "cut-up poultry".* If you buy poultry live, dressed or drawn and you sell such poultry in parts (other than split, or in quarters) which are not "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269, you shall figure a separate ceiling price for each of such parts. You must use as your "net cost" per pound for each of such parts the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269 which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such part, during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for such parts.

2. Section 29 (b) (3) is amended to read as follows:

(3) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer shall be priced in accordance with the provisions of section 20 (j). Poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 20 (j). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20 and 1429.21 of Revised Maximum Price Regulation No. 269 shall apply to terms used herein wherever applicable.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4561; Filed, March 31, 1944; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 13]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respects:

1. Section 18 (c) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9365, 10668, 10907, 12465, 13611, 13294, 13551, 14662, 15266, 15807, 17309, 17570; 9 F.R. 95.

[2] 8 F.R. 12813, 14016, 15258, 14854, 15190, 16703; 9 F.R. 95, 613, 903, 96, 1036, 1941.

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; or if you buy poultry live, dressed or drawn and sell it cut-up or in parts.)

2. Section 28 (b) (3) is amended to read as follows:

(3) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer and poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 18 (c). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20, and 1429.21 of Revised Maximum Price Regulation No. 269[2] shall apply to terms used herein wherever applicable.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4566; Filed, March 31, 1944; 11:54 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,[1] Amdt. 1]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respects:

1. Section 15 (a) (1) is amended to read as follows:

SEC. 15. *How you figure your ceiling price for items which you "process"*—(a) *Fresh fish*—(1) *"Net cost".* If, prior to offering any item of fresh fish for sale, you "process" it by changing its form to either drawn, dressed, dressed and skinned, fillets, cuts or steaks (sliced), you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price, fixed at the time you process it, for that style of dressing in Maximum Price Regulation No. 418,[2] as listed in the table of prices covering your supplier's sales to you. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) If the item which you "process" is one which you purchased from a producer under Table A in Maximum Price Regulation No. 418, your "net cost" is the price, fixed at the time you process it, for that style of dressing in Table B of Maximum Price Regulation No. 418.

If, prior to offering any item of fresh fish for sale, you "process" it by changing its form to cuts or steaks (sliced), and if Maximum Price Regulation No. 418 does not fix a price for that style of dressing, you will figure your "net cost" as follows:

(i) For salt-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought dressed. (If the item which you process is one which you purchased from a producer under Table A of Maximum Price Regulation No. 418, use the dressed price, fixed at the time you process it, in Table B of Maximum Price Regulation No. 418.) Multiply that price by 1.40. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The resulting figure will be your "net cost" per pound for the item.

(ii) For fresh-water fish, find the price per pound fixed at the time you process it in Maximum Price Regulation No. 418 in the table of prices covering your supplier's sales to you of that kind of fish bought round. Multiply that price by 1.45. (Add the transportation and container allowances permitted in Maximum Price Regulation No. 418.) The resulting figure will be your "net cost" per pound for the item.

If you received deliveries from more than one type of supplier, use the table price in Maximum Price Regulation No. 418 applicable to the type of supplier from whom you received the largest single delivery.

NOTE: This paragraph (a) applies only to processing which changes the item to one of the following major styles of dressing: drawn, dressed, dressed and skinned, fillets, cuts or steaks.

2. In section 15 (a) (2), two new undesignated paragraphs are added to read as follows:

Or, for example, if in the month of March you purchase haddock (a salt-water fish) round, drawn, or dressed, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the haddock for sale, you change its form to steaks (sliced) your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for dressed haddock multiplied by 1.40 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for haddock in the table covering fillets, cuts and steaks sold as purchased.

However, if in the month of March you purchase Canadian pickerel (a fresh-water fish) round, gutted, or headed and gutted, from a cash-and-carry wholesaler (Table D) under Maximum Price Regulation No. 418, and if, prior to offering the pickerel for sale you change its form to steaks (sliced) your "net cost" under this regulation is the Table D price listed in Maximum Price Regulation No. 418 for round Canadian pickerel multiplied by 1.45 (plus transportation and container allowances permitted in Maximum Price Regulation No. 418). To figure your ceiling price, add to your "net cost" the per pound mark-up given your group of store for Canadian pickerel in the table covering fillets, cuts and steaks sold as purchased.

3. In section 26, I, items (18), (41), (42), (43), (44), and (45) in Table A are amended to read as follows:

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF JANUARY, FEBRUARY, AND MARCH

Kind of fish	Whole fish, sold on gross weight basis and prepared to customer's order[1]		Fillets, cuts and steaks sold as purchased[1]	
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Fresh fish:				
18. Bonito	9	7	9	7
41. Lake Trout, Canadian	10	8	12	11
42. Pickerel, Canadian	9	8	10	8
43. Whitefish, Canadian	11	9	12	11
44. Yellow Pike, Canadian	11	9	12	10
45. Yellow Perch, Canadian	9	7		

[1] Retailers processing items prior to offering for sale at retail, who price in accordance with section 15 (a) (2) or section 15 (b) (3) shall use these tables.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 607.

[2] 8 F.R. 12813, 14016, 15258, 14854, 15190, 16703. 9 F.R. 95, 613, 903, 96, 1036, 1941.

[1] 8 F.R. 9366, 10068, 10513, 10939, 11784, 11667, 12468, 12233, 12688, 13297, 13182, 13303, 14049, 14475, 14616, 15267, 15430, 16131, 16295, 16206. 9 F.R. 90, 1325, 1532, 1675, 2123.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4571; Filed, March 31, 1944; 11:47 a. m.]

PART 1384—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,[1] Amdt. 2]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respect:

1. In section 36, the heading of Table A is amended to read as follows: "Cents-per-pound mark-ups over 'net cost' allowed to retailers for fresh fish and seafood covered by this regulation, by species, for the months of January, February, March and April."

This amendment shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4572; Filed, March 31, 1944; 11:46 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 461,[1] Amdt. 3]

SLACK COOPERAGE AND COOPERAGE STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 461 is amended in the following respects:

1. The title is amended to read "Slack Cooperage and Cooperage Stock."

2. The phrase "slack staves, slack heading and slack cooperage" is deleted from the heading and text of § 1377.303, the heading and item 1 of the table of contents, and from the heading and text of section 1. In its place is inserted the phrase "slack cooperage and cooperage stock."

3. In section 3, paragraph (b) a new unlettered paragraph is added to read as follows:

The term "wood hoops," as used in this regulation, includes all knife-cut, beveled barrel or keg hoops and headliners made of wood and produced in Arkansas, Louisiana, Indiana or Ohio.

4. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices for slack cooperage stock.*—(a) *Factory or mill sales.* In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for slack cooperage stock are those contained in the Tables I and II below:

TABLE I—SLACK STAVES, KNIFE CUT, HARDWOOD, AIR-DRIED, JOINTED

[Per M grading rule average measurement, f. o. b. mill or railroad]

	Mill run	#1	#2 and lower[1]
All hardwood species except Ash #1:[2]			
Over 30" through 34"	$22.50	$24.50	$20.50
28" through 30"	19.00	21.00	17.00
23" to 26"	17.00	19.00	15.00
Over 18" to 23"	14.00	16.00	13.00
18" and under	11.00	13.00	9.00
Ash #1:			
100% white butter tub stock, 30"[3]		25.00	
Red butter tub stock 30"[3]		23.00	
Woods Run butter tub stock, 30"[3]		24.00	

[1] Except mouldy, mildewed and stained.
[2] Individually or mixed.
[3] Must contain at least 66⅔% all white.

NOTES: A. Allowable additions to maximum prices for staves per M:

1. Kiln drying to 7% or less	$1.50
2. Tongue and groove through 30"	2.00
Over 30" through 34"	2.50

B. The maximum price for mouldy, mildewed and/or stained staves is $1.00 per M less than the regular grade. In #2, this is an exception to the grading rule.

TABLE II—SLACK STAVES, SAWED ON PARALLEL SIDED DRUM SAW, AIR-DRIED, JOINTED, NOT CROZED

[Per M 4" average bilge width, ⅝" thick, f. o. b. mill or railhead]

Length of staves	Pine	Hardwood
28½"	$16.00	$17.00
Over 28½" through 30"	17.00	18.00
Over 30" through 32"	18.00	19.00

TABLE III—PINE HEADING SAWED, KILN DRIED, PLANED ONE SIDE, STRAIGHT JOINTED, CIRCLED, BUNDLED

[Per set f. o. b. mill or railhead]

Diameter	#1	MR	#2
13½" to 13" x ½"	$0.10	$0.09	$0.08
13" to 14" x ½"	.11	.10	.09
14" to 15" x ½"	.135	.125	.115
15" to 16" x ½"	.15	.14	.13
16" to 17" x ½"	.16	.15	.14
17" to 18" x ½"	.175	.165	.155
18" to 19" x ½"	.18	.17	.16
19" to 19½" x ½"	.19	.18	.17
19½" to 20" x ½"	.20	.19	.18
20" to 21" x ½"	.23	.21	.20
21" to 22" x ½"	.25	.24	.23
22" to 23" x ½"	.28	.27	.26
23" through 24" x ½"	.37	.36	.35

Planed 2 sides add 2¢ per set.

	Add per set
Square edge heading	$0.015
Hardwood heading	.04

For additional thicknesses all sizes and species: Percent

9/16"	10
⅝"	20
¾"	50
⅞"	75
1"	100

Add for tongue, groove and glued

	Pine	Hardwood
12½" to 16"	$0.03½	$0.03
16" to 18"	.03	.03½
18" to 20"	.03½	.04
20" to 22"	.04	.04½
22" through 24"	.05	.05½

TABLE IV—WOODEN HOOPS

[Per M, f. o. b. mill or railhead]

Length of hoop	Arkansas and Louisiana	Indiana and Ohio
6' 9"	$23.00	$27.00
6' 0"	24.00	28.00
5' 9"	23.00	26.00
5' 3"	22.00	24.00
5' 0"	20.00	22.00
4' 8"	14.00	16.00
4' 4"	13.00	15.00
4' 0"	12.00	14.00
3' 8"	11.00	13.00
3' 4"	10.00	12.00
3' 0"	8.00	10.00
HEADLINERS		
12"	$1.25	$1.50
18"	1.50	1.75

On shipments of staves, headings and/or hoops of 6,000 pounds or less from a producing factory, a mark-up of 10 percent may be added to the maximum prices contained in the schedule;

(b) *Warehouse sales.* In warehouse sales the maximum prices for slack cooperage stock shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse.

As used in this regulation a "warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stave, heading, or hoop mill may be considered a "warehouse sale".

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month, and must be used in computing prices during the succeeding month.

As used in this regulation the term "warehouseman" is one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of cooperage stock are made.

(c) *Sales by dealers or merchants.* In sales by dealers or merchants of purchased stock the maximum prices for slack cooperage stock shall be the maximum f. o. b. producing factory price for a similar sale plus the following mark-ups:

	Per M
Staves	$0.50
	Per C Sets
Heading:	
15" and less in diameter	$0.25
Over 15" to 17⅛" in diameter	.35
17⅛" and over in diameter	.50
	Per M
Hoops:	
4'6" to 6'9", inclusive	$0.50
3' to 4'3", inclusive	.30

As used in this regulation the term "dealer or merchant" is one who, although he does not take actual physical possession, buys, takes title to, resells and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced.

5. In section 15, paragraph (b) is amended to read as follows:

(b) *Second Revised Maximum Export Price Regulation.*[2] The maximum prices for export sales of products covered by this regulation are governed by the Second Revised Maximum Export Price Regulation.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4576; Filed, March 31, 1944; 11:48 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 26,[1] Amdt. 6]

DOUGLAS FIR AND OTHER COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 2 (a) at the end of the first paragraph, the following sentence is added: "The term 'lumber' as used here specifically includes mouldings."

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4573; Filed, March 31, 1944; 11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 7570, 9519, 11508, 12315, 12406, 16240; 9 F.R. 1016.
[2] 8 F.R. 4132, 5987, 7662, 9998, 15193.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 6]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respect:

1. Section 1.1 is amended to read as follows:

SEC. 1.1 *Territorial limitations.* The provisions of this ration order shall apply only in the Islands of Kauai, Maui, Oahu, Hawaii and Molokai in the Territory of Hawaii.

This amendment shall become effective April 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 31st day of March 1944.

MELVIN C. ROBBINS,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator, Region IX.

[F. R. Doc. 44-4581; Filed, March 31, 1944; 11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 6]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.168 (e) is amended by deleting the words "§ 1407.183 (b) of this order," and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c) of this order or to sugar delivered for export under General Ration Order 17."

2. Section 1407.122 is amended by deleting from the last sentence the words "paragraph (b) of § 1407.183" and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c)".

3. Section 1407.123 is amended by deleting the words "§ 1407.183 (b)" and inserting in place thereof the words "§§ 1407.182 (a) or 1407.183 (c)".

4. Section 1407.183 (a) is amended by deleting the first sentence and inserting in place thereof the following sentence: "A registering unit which, at any time after registration, delivers sugar to any of the persons or agencies enumerated in paragraph (c) of this section may deliver such sugar without receiving stamps or certificates therefor."

5. Section 1407.183 (b) is revoked.

6. Section 1407.183 (e) is added to read as follows:

(e) The acquisition of sugar for export and the replacement of sugar exported is covered by General Ration Order 17.

This amendment shall become effective April 5, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965, Food Dir. No. 3, 8 F.R. 2005)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4583; Filed, March 31, 1944; 11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 19]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 22.1 is amended to read as follows:

SEC. 22.1 *Processed foods may be exported under General Ration Order 17.* (a) Any "person" may export "processed foods" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) in accordance with the provisions of General Ration Order 17.

(b) A "processor" or a "country shipper" who does not apply for points to replace the processed foods exported, and a "wholesaler" who has not applied for an advance of points to "acquire" the processed foods exported or who does not apply for points to replace them, must attach his proof of export to his periodic report on OPA Form R-1303 (country shippers), OPA Form R-1305 (processors), or OPA Form R-1310 (wholesalers) covering the reporting period in which the export was made.

2. Section 22.2 is revoked.

3. Section 22.3 is revoked.

This amendment shall become effective April 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4580; Filed, March 31, 1944; 11:49 a. m.]

[1] 9 F.R. 3, 104, 603, 574, 848, 765, 1323, 1727, 1817, 1908, 2233, 2234, 2240, 2567.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 121]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 21.1 is amended to read as follows:

SEC. 21.1 *Foods covered by this order may be exported under General Ration Order 17.* (a) Any "person" may export "foods covered by this order" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) in accordance with the provisions of General Ration Order 17.

(b) A "primary distributor" who does not apply for points to replace the foods covered by this order which he exported must attach his proof of export to his report on OPA Forms R–1606 (Revised), R–1607, R–1609 (Revised), or R–1626 covering the reporting period in which the export was made.

2. Section 21.2 is revoked.

3. Section 21.3 is revoked.

This amendment shall become effective April 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 31st day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4579; Filed, March 31, 1944; 11:48 a. m.]

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Comp. Adj. Reg. 1,[2] Amdt. 2]

WARTIME INCREASES IN THE COST OF TRANSPORTING OF COAL

Revised Compensatory Adjustment Regulation No. 1 is amended in the following respect:

Section 1411.7 is amended by changing the final period to a comma and adding thereto the following: "except that, converters from oil to coal who have received compensatory adjustment payments on coal received prior to the month of October 1943 and whose eligibility has been terminated by § 1411.1 (a) of this revised regulation, shall be eligible to apply for compensatory adjustment on coal received during the period July 1943 to and including October 1943."

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4575; Filed, March 31, 1944; 11:47 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[RMPR 293,[1] Amdt. 4]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first paragraph of section 2 (a) is amended by adding a new sentence as follows: "This regulation also covers flush veneered doors with hollow cores made of any species of lumber or insulating board."

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4582; Filed, March 31, 1944; 11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 29, Corr.]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

Amendment 29 to Maximum Price Regulation 373 is corrected in the following respects:

1. In section 57, Table B, under the heading "(4) Chevrolet, 1936–Series 6–FD–Master De Luxe" the item "Coupe–2–$378" is corrected to read "Coupe–2–$368"; and the item "Sport Coupe–2–4–$368" is corrected to read "Sport Coupe–2–4–$378".

2. In section 57, Table B, under the heading "(21) Pontiac, 1939–Series 8–28 E A–De Luxe" the item "Sedan TK, 4 Dr.–6–$710" is corrected to read "Sedan TK, 4 Dr.–6–$755"; and the item "Sedan TK, 2–Dr.–6–$755" is corrected to read "Sedan TK, 2 Dr.–6–$710."

This correction shall become effective as of December 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4578; Filed, March 31, 1944; 11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[2] Amdt. 30]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 24 Table 8 is amended by adding a new item to read as follows:

Item and Brand Names	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Tomato sauce: Cock Robin	Carton 72/8 oz. tins	$4.35	$4.00	$0.09

2. Section 54 (a) (1) Group C is amended by adding a new item to read:

"Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer of more than $18.00 per dozen".

3. Section 54 (g) (3) is amended to read as follows:

(3) All entries in the textile reference book shall be made in numerical sequence. All imported textile products in inventory on November 22, 1943, shall be recorded before entries are made of any items subsequently received. Before the first entry on such inventory the seller shall state: "Inventory as of November 22, 1943". Prior to recording each subsequent delivery of any items in the textile reference book, the seller shall note: "New merchandise received after November 22, 1943". Imported textile products received by the seller which are identical to products earlier entered into the Reference Book shall be reentered under a new reference stock number.

This amendment shall become effective April 6, 1944.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14390, 14628, 14764, 14845, 15263, 15454, 15534, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

[2] 8 F.R. 13980, 15705.

[1] 8 F.R. 12694, 14946, 14914, 16199.

[1] 8 F.R. 17201.

[2] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12682, 13165, 13947, 14090, 14765, 15195.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4574; Filed, March 31, 1944; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR. 1, to GMPR Amdt. 52]

ANTHRACITE INDUSTRIES, INC.

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 2.9 (k) is added to read as follows:

(k) Analyzed Pennsylvania anthracite sold by the Anthracite Industries, Inc., to testing laboratories for use as a standard test fuel.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4570; Filed, March 31, 1944; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 112]

MAXIMUM PRICES FOR PROCESSORS OF CERTAIN WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. Section 2.14 (a) is amended to read as follows:

(a) *Maximum prices for processors.* Any processor of fruit wines, berry wines, and grape wines (other than California grape wines) may add to the maximum price established for him under § 1499.2 of the General Maximum Price Regulation, with respect to any brand, type, quality, and container size of such wines, the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof which is imposed upon such processor or any prior vendor after March 31, 1942, with respect to fruit wines, berry wines and grape wines (other than California grape wines), by any statute of the United States or statute or ordinance of any state or subdivision thereof: *Provided*, That the amount of such tax or increase in such tax shall have been paid or shall have accrued and be payable by such processor to the proper taxing authorities or to any prior vendor, with respect to any particular quantity of such fruit wines, berry wines and grape wines (other than California grape wines) in question.

2. Section 2.14 (b) is hereby revoked.

3. Section 2.14 (c) is redesignated 2.14 (b).

4. A new section 2.14 (c) is added to read as follows:

(c) *Treatment of increase effective April 1, 1944, in United States excise taxes.* (1) On and after April 1, 1944, every processor must state upon each invoice to any class of customers (except monopoly states and consumers) that the prices stated in the invoice include the increase effective April 1, 1944, in United States excise taxes and that no markup may be applied to the amount of such tax increase. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

Our invoice prices include the increase effective April 1, 1944 in United States excise taxes. Office of Price Administration regulations prohibit a markup on the amount of that tax increase.

(2) For sales to monopoly states every processor who was heretofore required to separately state the amount of any tax which became effective after March 31, 1942, on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell, shall continue to do so notwithstanding the provisions of paragraph (1) hereof.

5. The headnote of section 2.15 (a) is amended to read as follows:

(a) *Maximum prices for processors.*

6. Section 2.15 (a) (1) to but not including subdivision (i) is amended to read as follows:

(1) *Permitted increase, specified types of wine.* On and after February 5, 1943, any processor may add to the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation and section 2.14 of this regulation, for the fruit wines, berry wines and grape wines hereinafter described (other than California grape wines) made from the 1943 crop and prior crops of berries, fruits, and grapes, a permitted increase per gallon as follows:

7. Section 2.15 (a) (2) is amended to read as follows:

(2) Every processor shall convert his permitted increase per gallon computed under subparagraph (1) into a permitted increase per case, container or other unit of sale on the basis of the number of gallons of the particular type of wine contained therein, and if such permitted increase per case, container or other unit of sale includes the fractional part of a cent, shall adjust the permitted increase to the nearest higher full cent if the fraction is ½ cent or over, or to the nearest lower full cent if the fraction is less than ½ cent.

8. Section 2.15 (b) (c) and (d) are hereby revoked.

9. Section 2.15 (e) is redesignated 2.15 (b) and is amended to read as follows:

(b) *Determination of maximum prices by reference to maximum prices of most closely competitive seller.* If a processor's maximum price for any type, quality and container size of berry wines, fruit wines or grape wines (other than California grape wines) listed in paragraph (a) (1) hereof made from the 1943 crop or prior crops of berries, fruits, or grapes cannot be determined under paragraph (a) hereof, his maximum price therefor shall be the maximum price established under paragraph (a) hereof for his most closely competitive seller of the same class for the same type, quality and container size of wine, or for the similar commodity most nearly like it (as such term is defined in § 1499.2 of the General Maximum Price Regulation) for sales to purchasers of the same class.

10. Sections 2.15 (f) and 2.15 (g) are redesignated 2.15 (c) and 2.15 (d) respectively.

11. Sections 2.16 and 2.17 are hereby revoked.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4577; Filed, March 31, 1944; 11:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Coast Guard: Inspection and Navigation

PART 312—PILOT RULES FOR INLAND WATERS

PILOT RULES

By virtue of the authority vested in me by section 2, 30 Stat. 102, 38 Stat. 381 (33 U.S.C. 157) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation regulation is prescribed:

The document dated February 5, 1944, published in 9 F.R. 1535, is amended by changing the effective date to read May 1, 1944, instead of April 1, 1944.

Dated: March 31, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-4564; Filed, March 31, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 17-30]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

RETAIL AND WHOLESALE DELIVERIES OF CUT FLOWERS AND PLANTS DURING CERTAIN HOLIDAY PERIODS

Pursuant to § 501.71 of General Order ODT 17, as amended, it is hereby authorized, that:

§ 521.2906 *Retail and wholesale deliveries of cut flowers and plants during certain holiday periods.* Notwithstanding the provisions of paragraph (b) of § 501.75 (limiting the number of days of motor truck operations), subparagraph (1) of paragraph (a) of § 501.76 and Appendix No. 2 (limiting the frequency of deliveries weekly), and subparagraph (2) of paragraph (a) of § 501.76 (limiting deliveries on Sunday) of General Order ODT 17, as amended, any motor carrier may make the following number of deliveries of cut flowers and plants from any one point of origin to any one point of destination:

(a) Two retail deliveries during the calendar week in which St. Valentine's Day occurs: *Provided*, That one of such retail deliveries shall be made on St. Valentine's Day.

(b) Four retail deliveries during the calendar week preceding Easter Sunday: *Provided*, That one each of such retail deliveries shall be made on Thursday, Friday, and Saturday of such week; and two retail deliveries during the calendar week in which Easter Sunday occurs: *Provided*, That one of such retail deliveries shall be made on Easter Sunday.

(c) Three retail deliveries during the calendar week preceding Mother's Day: *Provided*, That one each of such retail deliveries shall be made on Friday and Saturday of such week; and two retail deliveries during the calendar week in which Mother's Day occurs: *Provided*, That one of such retail deliveries shall be made on Mother's Day.

(d) Three retail deliveries for patriotic or memorial purposes during the calendar week in which Memorial Day occurs: *Provided*, That one of such retail deliveries shall be made on Memorial Day and one of such retail deliveries shall be made on one of the two days immediately preceding Memorial Day.

(e) Two retail deliveries during the calendar week in which Thanksgiving Day occurs: *Provided*, That one of such deliveries shall be made on the Wednesday immediately preceding Thanksgiving Day.

(f) Six retail deliveries during the two-weeks period comprised of the calendar week during which Christmas Day occurs and the preceding calendar week: *Provided*, That one of such retail deliveries shall be made on Christmas Day and one on each of the three days immediately preceding Christmas Day.

(g) Six wholesale deliveries during the calender week immediately preceding Easter Sunday.

(h) Six wholesale deliveries during the calendar week in which Christmas occurs, one of which may be made on Sunday.

This General Permit ODT 17-30 shall become effective March 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 29th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4436; Filed, March 30, 1944; 10:35 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, OREG.-WASH.

ORDER CONFIRMING AND APPROVING RATE SCHEDULE

MARCH 28, 1944.

In the matter of Bonneville Project, Columbia River, Oregon-Washington.

The Bonneville Power Administrator submitted on January 24, 1944, and modified on February 5 and 23, 1944, a new schedule of rates and charges for electric energy produced at the Bonneville Project, for confirmation and approval by the Federal Power Commission, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended.

It appears to the Commission that:

(a) Such new schedule, designated as Wholesale Power Rate Schedule E-2 (hereinafter Schedule E-2), provides an optional lower rate for at-site and transmission system firm power delivered to those purchasers for resale (including public bodies and cooperatives) to ultimate consumers and for irrigation and drainage pumping service, who purchase at least ninety per cent of their electric energy requirements from the Bonneville Project.

(b) Schedule E-2 was first submitted (under the designation of Wholesale Power Rate Schedule E-1) as part of proposed revisions of rate schedules and general rate schedule provisions, but upon objections by the Superintendent of Light Division, Department of Public Utilities, City of Tacoma, Washington, and the Superintendent, Department of Lighting, City of Seattle, Washington, to certain of such general rate schedule provisions and administrative interpretations thereof by the Bonneville Power Administrator, Schedule E-2 was separately submitted with the request that when the proposed revisions of general rate schedule provisions are approved, they should be approved for use therewith.

(c) Meanwhile, the aforementioned representatives of the Cities of Tacoma and Seattle advised that they have no objection to approval of Schedule E-2, *Provided*, That any changes later effected in the general rate schedule provisions and administrative interpretations thereof are applied retroactively to Schedule E-2.

(d) Consideration of the matters presented by the aforesaid objections and the response thereto by the Bonneville Power Administrator has not been completed, but need not delay action on Schedule E-2.

The Commission, having considered Schedule E-2 and the presently available information and data thereon, finds that:

(1) Schedule E-2 represents a further development of the rate structure of the Bonneville Project and should be confirmed and approved by the Commission as hereinafter provided.

(2) Action on the remaining proposed revisions of rate schedules and general rate schedule provisions should await determination of the matters involved in the aforesaid objections of the representatives of the Cities of Tacoma and Seattle and response of the Bonneville Power Administrator.

The Commission orders that:

Effective on and after April 1, 1944, the aforesaid Schedule E-2 (attached hereto and made a part hereof) is confirmed and approved upon the following conditions:

(i) Any proposed revision of general rate schedule provisions now pending, which may hereafter be confirmed and approved by the Commission, shall become applicable to Schedule E-2, as of April 1, 1944.

(ii) Schedule E-2 may be modified from time to time by the Bonneville Power Administrator, subject to confirmation and approval by the Commission, pursuant to the provisions of the Bonneville Act.

(iii) Nothing herein contained shall in any way affect or prejudice any action which may hereafter be taken by the Commission in any matter affecting the Bonneville Project.

By the Commission.

[SEAL.] LEON M. FUQUAY,
Secretary.

BONNEVILLE POWER ADMINISTRATION

WHOLESALE POWER RATE SCHEDULE E-2

Availability. This schedule applies to at-site and transmission system firm power delivered to purchasers for resale by purchaser to ultimate consumers and for irrigation and drainage pumping service.

Rate. Power shall be sold under this schedule at the following monthly rate:

Demand Charge: 75¢ net per kilowatt of billing demand.

Energy Charge: First 300 kilowatt-hours per kilowatt of billing demand @ 2 mills net per kilowatt-hour; additional kilowatt-hours @ 1 mill net per kilowatt-hour;

Provided, however, that the number of kilowatt-hours to be billed each month for each separate electric system shall be not less than 90% of the total energy requirements of such system for the month.

Billing demand. The billing demand shall be the highest of the following demands:

(1) The contract demand,

(2) The measured demand for the month, adjusted for power factor,

(3) The highest computed demand during twelve-month period ending with current month, (*Note:* Applies only when part of the load is supplied from other sources. See Section 7 of the General Rate Schedule Provisions.)

(4) 80% of the highest billing demand during the preceding eleven months exclusive of irrigation and drainage pumping demands.

Developmental period for public bodies and cooperatives. Public bodies and cooperatives purchasing power for a separate distribution system under this rate schedule will be permitted a developmental period for such separate system extending until (1) four years after cessation of present hostilities between United States and Germany, and Japan, or (2) three years after the date service is first rendered to such system by the Administrator, whichever is the later date. Bills for power delivered to each separate system during such developmental period shall not exceed 3.5 mills multiplied by the number of kilowatt-hours billed for the month by the Administrator plus any increase in the demand charge due to power factor adjustment.

Power factor adjustment. The provisions of section 8 of the General Rate Schedule Provisions effective January 1, 1942, shall not apply to this rate schedule. The measured demand, before adjustment for power factor, will be increased 1% for each 1% or major fraction thereof by which the average power factor is less than 0.95 lagging. This adjustment may be waived in whole or in part to the extent that the Administrator determines that a power factor of less than 0.95 would in any particular case be advantageous to the Government. Unless specifically otherwise agreed, the Administrator shall not be obligated to deliver power to the purchaser at any time at a power factor below 0.75. The formula for determining average power factor is as follows:

$$\text{Average Power Factor} = \frac{\text{kilowatt-hours}}{\sqrt{(\text{Kilowatt-hours})^2 + (\text{Reactive kilovolt-ampere-hours})^2}}$$

In applying the above formula the meter for measurement of reactive kilovolt-ampere-hours will be ratcheted to prevent reverse registration.

Power for irrigation and drainage pumping service. The rates stated in this schedule shall be applied on a monthly basis to power for irrigation and drainage pumping service, subject to a maximum annual demand charge of $4.50 per kilowatt of the maximum irrigation and drainage pumping demand during the calendar year. The demand charge will be billed monthly at the rate of 75¢ per kilowatt of billing demand until the maximum annual demand charge has been paid, after which no further demand charges shall apply during the calendar year to demands caused by irrigation and drainage pumping loads. The demands caused by irrigation and drainage pumping shall be metered, if reasonably practicable; where metering is impracticable, such demands shall be estimated from the connected load and method of operation of the pumping equipment on the basis of suitable field tests.

Notwithstanding any other provisions of this schedule, the Administrator may include in contracts with customers served with irrigation and drainage pumping power a provision requiring a higher minimum charge based on load factor. At the end of the irrigation season, or the calendar year for drainage pumping customers, the customers shall be billed for the amount by which the total previous billings for the year fail to equal the required minimum annual charge.

Irrigation and drainage pumping power will be available on a firm power basis from April to September, inclusive, and for the balance of the year may be interrupted at the discretion of the Administrator for periods of not to exceed four hours in any one day. The Administrator will designate in advance the hours of the day in which service to purchasers of irrigation and drainage pumping power is subject to interruption, and will give such advance notice of interruption as is practicable. The amount of irrigation and drainage pumping power which will be contracted will be limited to the amount of such power, which, in the judgment of the Administrator, will be available from the seasonal reduction in the Government's monthly system peak demands for firm power during the months of April to September, inclusive.

Change to kilowatt-year rate schedule. Upon written application to the Administrator, any purchaser who has contracted for service under this rate schedule may change, under an appropriate new contract for the remainder of the original contract term, to the kilowatt-year schedule which is applicable.

General provisions. Sales of power under this schedule shall be subject to the provisions of the Bonneville Act and the General Rate Schedule Provisions, except as to the applicability of section 8 of the General Rate Schedule Provisions effective January 1, 1942, as set forth herein under the heading Power Factor Adjustment.

PAUL J. RAVER,
Bonneville Power Administrator.

Confirmed and approved by the Federal Power Commission by order entered March 28, 1944, and subject to the conditions therein specified, said rate schedule to be effective on and after April 1, 1944.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4524; Filed, March 31, 1944; 9:48 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket Nos. FDC 13, 12 and 29, 29 (a)]

CREAM CHEESE, NEUFCHATEL CHEESE, COTTAGE CHEESE AND CREAMED COTTAGE CHEESE

REJECTION OF PROPOSED ORDER

Cream cheese, Neufchatel cheese, cottage cheese and creamed cottage cheese: Order denying proposal to amend definitions and standards of identity so as to permit the use of sodium and calcium propionates as optional ingredients.

By virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act [secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371]; upon the basis of the evidence of record in the above-entitled hearings duly held pursuant to notice issued respectively on August 18, 1939 (4 F.R. 3683), January 6, 1941 (6 F.R. 679), and January 16, 1943 (8 F.R. 890); and upon consideration of the exceptions filed to the proposed order issued by the Acting Administrator on October 14, 1943 (8 F.R. 14226), the following order is hereby made:

Findings of Fact

1. Soft uncured cheeses appeal to consumers because of their distinctive flavors and texture, as well as their food values. Like other fresh dairy products, soft uncured cheeses are highly perishable since they are not hermetically packaged and serilized and are good media for the growth of microorganisms. Their desirable characteristics are materially impaired by the development of microorganisms they contain. In their commercial production and distribution constant care must be taken to protect them from contamination and to provide adequate refrigeration to retard the development of such organisms. Consumers expect soft uncured cheeses to be reasonably fresh when purchased.

2. Soft uncured cheeses begin to deteriorate as soon as they are made due to the action of microorganisms and to other causes. Deterioration progresses gradually until the characteristics of freshness are lost. Soon thereafter the products become spoiled and unacceptable to consumers. The rate of deterioration depends primarily upon the number and kinds of microorganisms present, the manner of packaging and the temperature under which the products are held.

3. Types of organisms causing spoilage in such cheeses are yeasts, bacteria, molds and certain organisms (Oospora) generally classified as molds and sometimes considered as intermediate between yeasts and molds. The number and types of viable organisms remaining in the finished product depend on the microbial flora of the starting mix, the efficacy of the pasteurizing processes to which it is subjected, the character of subsequent heat treatment and the degree of care taken to prevent contamination during manufacture and packaging. The number of viable organisms resulting from such contamination depends largely on the degree of cleanliness and sanitation maintained in the plants where the products are made and packaged.

4. In making cold pack cream and neufchatel cheeses, the coagulated mix is usually heated to a point where a substantial proportion of the organisms is killed, although the heating is not sufficient to destroy all organisms. When the hot pack method is employed the curd is given an additional heating which reduces the number of viable organisms to a point much below that of the cold pack. The efficacy of the treatment depends on the temperature and time of

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 17-30]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

RETAIL AND WHOLESALE DELIVERIES OF CUT FLOWERS AND PLANTS DURING CERTAIN HOLIDAY PERIODS

Pursuant to § 501.71 of General Order ODT 17, as amended, it is hereby authorized, that:

§ 521.2906 *Retail and wholesale deliveries of cut flowers and plants during certain holiday periods.* Notwithstanding the provisions of paragraph (b) of § 501.75 (limiting the number of days of motor truck operations), subparagraph (1) of paragraph (a) of § 501.76 and Appendix No. 2 (limiting the frequency of deliveries weekly), and subparagraph (2) of paragraph (a) of § 501.76 (limiting deliveries on Sunday) of General Order ODT 17, as amended, any motor carrier may make the following number of deliveries of cut flowers and plants from any one point of origin to any one point of destination:

(a) Two retail deliveries during the calendar week in which St. Valentine's Day occurs: *Provided*, That one of such retail deliveries shall be made on St. Valentine's Day.

(b) Four retail deliveries during the calendar week preceding Easter Sunday:

(g) Six wholesale deliveries during the calender week immediately preceding Easter Sunday.

(h) Six wholesale deliveries during the calendar week in which Christmas occurs, one of which may be made on Sunday.

This General Permit ODT 17-30 shall become effective March 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 29th day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4436; Filed, March 30, 1944; 10:35 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, OREG.-WASH.

ORDER CONFIRMING AND APPROVING RATE SCHEDULE

MARCH 28, 1944.

In the matter of Bonneville Project, Columbia River, Oregon-Washington.

The Bonneville Power Administrator

they should be approved for use therewith.

(c) Meanwhile, the aforementioned representatives of the Cities of Tacoma and Seattle advised that they have no objection to approval of Schedule E-2, *Provided*, That any changes later effected in the general rate schedule provisions and administrative interpretations thereof are applied retroactively to Schedule E-2.

(d) Consideration of the matters presented by the aforesaid objections and the response thereto by the Bonneville Power Administrator has not been completed, but need not delay action on Schedule E-2.

The Commission, having considered Schedule E-2 and the presently available information and data thereon, finds that:

(1) Schedule E-2 represents a further development of the rate structure of the Bonneville Project and should be confirmed and approved by the Commission as hereinafter provided.

(2) Action on the remaining proposed revisions of rate schedules and general rate schedule provisions should await determination of the matters involved in the aforesaid objections of the representatives of the Cities of Tacoma and Seattle and response of the Bonneville Power Administrator.

The Commission orders that:

Effective on and after April 1, 1944, the aforesaid Schedule E-2 (attached hereto and made a part hereof) is confirmed and approved upon the following conditions:

heating. In making cottage cheese and creamed cottage cheese, the heat treatment of the coagulated mix is not sufficient to effect a material reduction in the number of viable organisms present and these cheeses contain large numbers of viable bacteria, mostly lactic acid forming organisms from the starter used.

5. Microorganisms which contaminate and spoil soft uncured cheeses come from many sources. Some survive pasteurization of the starting mix. Starter organisms may survive the manufacturing processes and cause spoilage, particularly in cottage cheese and creamed cottage cheese. Some spoilage organisms, especially yeasts and Oospora, come from dirty and improperly maintained equipment with which the cheeses come in contact. Air borne organisms, particularly mold spores, may fall on the cheeses or on the surface of the equipment. Oospora is seldom, if ever, air borne.

6. A supply of air is necessary for the growth of mold and Oospora. Space in loosely packaged soft uncured cheeses may supply sufficient air to promote growth. Air is not necessary for the growth of most bacteria and yeasts and these organisms develop continuously in the cheeses. Yeasts are usually the cause of spoilage of cream and neufchatel cheeses and bacteria of cottage and creamed cottage cheeses. Visible mold or Oospora seldom develop in such cheeses until spoilage from yeasts or bacteria has occurred if they are produced under sanitary conditions and properly packaged and refrigerated, although hot pack cream and neufchatel cheeses in which the final heating has destroyed spoilage organisms may spoil from mold growth alone if the cheese is recontaminated during or after packaging.

7. Traffic in soft uncured cheeses is characterized by rapid turnover of stocks. Manufacturers hold and ship them under refrigeration, package them tightly and make frequent deliveries to distributors. The air in well conducted and well maintained cheese plants carries but few molds and fewer yeasts. There is no need in the manufacturing and packaging processes for exposure of such cheeses to air for lengths of time which result in a material degree of contamination. The care taken to maintain cleanliness and otherwise to avoid contamination varies widely in different plants making soft uncured cheese. A recent investigation of 12 representative cream cheese plants showed that two were definitely unclean. Manufacturers are familiar with or can discover sources of abnormal contamination and can eliminate them by applying accepted methods of sanitation.

8. Distributors know that soft unoured cheeses are perishable foods and handle them as such. Retailers receive frequent deliveries, limit their orders to quantities they expect to sell between deliveries, keep such cheeses refrigerated and hold them ordinarily two or three days and seldom more than a week. Under such conditions, spoilage seldom occurs. Retailers usually keep such cheeses covered and handle them carefully. When portions of large packages are sold, contamination may occur but not to a significant extent when sanitary procedures are observed.

9. Consumers know that soft uncured cheeses are perishable. Ordinarily, they buy such cheeses in small quantities and do not expect to keep them more than a few days. While such cheeses are kept in the home they are usually refrigerated. When consumers open packages of such cheeses, further contamination is likely to occur.

10. Soft uncured cheeses held under refrigeration seldom develop visible mold in less than about two weeks, even with surface exposed to air and with heavier mold contamination than is usually found in such cheeses. Spoilage from mold or Oospora alone is not an important problem to manufacturers who operate under clean and sanitary conditions and package and refrigerate their products properly. The average life of cold pack cream and neufchatel cheeses manufactured and handled under reasonably good sanitary conditions is about two to three weeks; that of hot pack cream and neufchatel cheeses is somewhat longer, and that of cottage and creamed cottage cheeses is considerably less.

11. In 1938 a manufacturer of chemicals began marketing sodium and calcium propionates, produced by a method of chemical synthesis, for use in soft uncured cheeses to retard the development of mold. Prior to 1938 no preservative was used in soft uncured cheeses made in the United States. Since that time several manufacturers have used propionates, although most of the cream and neufchatel cheeses are made without propionates and only a small proportion of cottage and creamed cottage cheeses are made with propionates.

12. The quantity of propionates recommended by the manufacturer of these chemicals is 0.15 percent for cream and neufchatel cheeses and 0.2 percent for cottage and creamed cottage cheeses. However, some producers of such cheeses use much lower concentrations. When used in concentrations of 0.05 percent propionates are much less effective against molds and yeasts than when used in the recommended amounts.

13. The extent to which propionates retard the growth of various spoilage organisms in soft uncured cheeses has not been fully determined. In the concentrations recommended by the manufacturer, propionates retard the development of most, if not all, types of mold found in soft uncured cheeses. In such concentrations propionates also retard the development of some types of yeasts which are capable of spoiling such cheeses. Some types of yeast are not materially affected but the evidence does not show whether these types are capable of spoiling such cheeses. Propionates in such concentrations have little effect on lactic acid forming bacteria in such cheeses. The growth of some types of bacteria is retarded but the evidence does not show whether these types are capable of spoiling such cheeses. Propionates in the recommended concentrations have little, if any, effect on Oospora. The retarding effect of propionates in such concentrations on the development of molds and yeasts in such cheeses is substantial irrespective of whether the number of such organisms is about the average of what ordinarily occurs or is many times greater than the average.

14. Sodium or calcium propionates in the concentrations recommended by the manufacturer for use in soft uncured cheeses impart an undesirable flavor to such cheeses and have been found at times to affect adversely the texture or body of hot pack cheeses.

15. Soft uncured cheeses commonly spoil from other causes before visible mold appears and when visible mold precedes actual spoilage it is only by a very short period of time. Consumers regard visible mold as an indication of inferiority or lack of freshness. Under conditions prevailing in the marketing of such products consumers have no other means of determining the age of such cheeses or the degree of deterioration due to the development of spoilage organisms, or how long they can be expected to keep in the home.

16. Of the twelve cream cheese plants mentioned in Finding 7 the two unclean plants and three others were using propionates. One of the three others was using heavily contaminated drain racks; in another, prolonged exposure to air occurred during hand packaging; in the third the mold count of the cheeses was substantially higher than is usual, although the source of the contamination was not found in the single visit made to the plant.

17 Soft uncured cheeses can be and are manufactured and distributed under conditions in which there is no need for or advantage in the use of calcium and sodium propionates. Under present conditions of production and distribution, such cheeses can and do reach consumers in a reasonably fresh state.

18. The evidence fails to disclose to what extent loss is suffered by consumers because of development of yeasts or visible mold in soft uncured cheeses, nor does it show that the use of propionates increases the time such cheeses remain unspoiled after consumer purchase.

19. After the use of chemical preservatives in food began legislative and administrative policy has been to prohibit or regulate their use because, among other reasons, such use tends to encourage careless, lax and insanitary methods of production, distribution and marketing, and the cloaking or masking of inferiority. Sodium and calcium propionates are chemical preservatives, the use of which delays the appearance of the results of improper and insanitary methods of production, distribution and marketing of soft uncured cheeses, and cloaks or masks inferiority in such cheeses.

Conclusions

On the basis of the foregoing findings of fact, it is concluded that:

(a) By retarding the development of yeast and mold on soft uncured cheeses, the use of propionates tends to result in the relaxation of precautions against contamination and spoilage during manufacture, packaging and distribution.

(b) Flavors are important characteristics of such cheeses which appeal to consumers and such flavors are adversely affected by adding to such cheeses propionates in the recommended concentrations.

(c) By retarding the development of visible mold on such cheeses the use of propionates destroys an index of inferiority or lack of freshness or keeping qualities, and tends to promote the sale of older cheeses and cheeses about to spoil.

(d) The record does not show that the use of propionates in such cheeses results in any advantage to consumers.

(e) It would not promote honesty and fair dealing in the interest of consumers to provide for the use of propionates as optional ingredients of such cheeses.

Order

Wherefore, *It is ordered*, That the regulations promulgated December 22, 1942 (7 F.R. 10755, 10835), fixing and establishing definitions and standards of identity for cream cheese, neufchatel cheese, cottage cheese, and creamed cottage cheese be not amended to provide for calcium propionate and sodium propionate as optional ingredients of such cheeses.

(Secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371)

This order shall become effective on the ninetieth day after its publication in the FEDERAL REGISTER.

Dated: March 29, 1944.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44-4558; Filed, March 31, 1944; 11:32 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4878]

L. & C. HARDTMUTH, INC. AND KOH-I-NOOR PENCIL COMPANY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1944.

In the matter of L. & C. Hardtmuth, Inc., a corporation; Koh-I-Noor Pencil Company, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commision,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 11, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4542; Filed, March 31, 1944; 11:00 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 148]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 24 or 25, 1944, by Piowaty Bergart Company of car PFE 98566, cabbage, now on the Alton Railroad to Produce Exchange, Rockford, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4552; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 70-A, Special Permit 149]

RECONSIGNMENT OF ORANGES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, March 24, 1944, by E. H. Robinson Company of car PFE 27338 oranges, now on the Rock Island Lines, to Nash-Finch Company at Huron, South Dakota. (Gr. Nor.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4553; Filed, March 30, 1944; 11:14 a. m.]

[S. O. 70-A; Special Permit 150]

RECONSIGNMENT OF POTATOES AT EVANSVILLE, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Evansville, Indiana, March 24 or 25, 1944, by E. H. Anderson Company of car WFE 65526, potatoes, now on the Chicago & Eastern Illinois Railroad, to Dalesville, Alabama.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4554; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 70-A, Special Permit 151]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 25, 1944, by Bacon Brothers of car PGE 35252, certified seed potatoes, now on

the Wood Street Terminal, to Piper Grocery, Vincennes, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4455; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 70-A, Special Permit 152]

RECONSIGNMENT OF BROCCOLI AND MIXED VEGETABLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 26, 1944, by La Mantia Brothers Arrigo Company of car SFRD 23392, broccoli and mixed vegetables, now on the Wabash Railroad to Shippers Service Company, Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4456; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 164, Amended General Permit 11]

REFRIGERATION OF ORANGES IN FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to refrigerator cars loaded with straight carloads of temple, king or clementine oranges, originating at any point or points in the State of Florida, moving to destinations in official and western classification territories and western Canada, provided the waybills make reference to this permit.

This permit shall become effective at 12:01 a. m., April 1, 1944, and shall expire at 12:01 a. m., April 25, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4457; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 178, Corr. Special Permit 86]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 74184 with shortening by Durkee's Famous Foods at Berkeley, California, and the movement of that car so loaded from that point March 21, 1944, to Seattle, Washington, with a stop-over at Portland, Oregon, for partial unloading. (S.P.-N.P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4458; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 176, Special Permit 94]

LOADING OF LARD AT OTTUMWA, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard by John Morrell Company at Ottumwa, Iowa, and the movement under refrigeration of the one car so loaded from that point March 27, 1944, to Houston, Texas, for export to Cuba. (C. M. St. P. & P.-M. K. T.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4459; Filed, March 30, 1944; 11:14 a. m.]

[S.O. 176, Special Permit 95]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese in glass and bulk by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point March 27, 1944, to Denison, Texas. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4460; Filed, March 30, 1944; 11:15 a. m.]

[S.O. 187, Special Permit 3]

TRANSPORTATION OF POTATOES AT AULT, COLO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of car PFE 97595, loaded with No. 3 Triumph potatoes, shipped by Mathews Produce Company, from Ault, Colorado, March 26, 1944, consigned to Warehouse Market, Tulsa, Oklahoma. (U.P.-Frisco.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4461; Filed, March 30, 1944; 11:15 a. m.]

[S.O. 192]

UNLOADING OF COAL AT VAN NEST, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of March, A. D. 1944.

It appearing, that one (1) car, PMcK&Y 62831, containing bituminous coal billed to the Master Coal Company, Van Nest, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered*, That:

Coal at Van Nest, New York, billed to the Master Coal Company to be unloaded. The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees), a common carrier by railroad subject to the Interstate Commerce Act, its agents or employees, shall unload forthwith one (1) car, PMcK&Y 62831, containing bituminous coal on hand on its railroad at Van Nest, New York, billed to the Master Coal Company. (49 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4462; Filed, March 30, 1944; 11:14 a. m.]

MARITIME WAR EMERGENCY BOARD.

[Decision 2 B]

BONUS

ANNOUNCEMENT OF DECISION

The Maritime War Emergency Board today announces this decision with respect to bonus.

ARTICLE I. *Voyage bonus, area bonus and vessel attack bonus required.* Voyage bonus, area bonus, and vessel attack bonus shall be paid under this decision to licensed and unlicensed personnel employed as regular crew members on United States flag vessels of the American Merchant Marine.

ART. II. *Voyage bonus classifications. Classification I, 100% Bonus, $100 Monthly Minimum.* Voyages or portions of voyages while within the following waters:

A. *European Area.* All waters within the area bounded on the *east* and *south* by 60° east longitude to its intersection with the north coast of Russia and thence following the coast of continental Europe to its intersection with 9° west longitude on the north coast of Spain; and bounded on the *west* by 9° west longitude.

B. *Mediterranean Area.* All waters within the Mediterranean Sea east of a line from Cape Spartel to Cape Trafalgar, including the Adriatic Sea, the Aegean Sea, the Black Sea, the Sea of Azov and the Sea of Marmora, the Dardanelles and the Bosporus.

C. *Pacific Area.* All waters within the area bounded on the *north* by 60° north latitude; on the *east* by the 180th meridian; on the *south* by 13° south latitude; and on the *west* by 90° east longitude and the coast of continental Asia.

Classification II, 66⅔% Bonus, $80 Monthly Minimum. Voyages or portions of voyages while within all waters not included in Classifications I, III or IV.

Classification III, 25% Bonus, $30 Monthly Minimum. Voyages or portions of voyages, not included in Classification IV, while within waters of the Pacific Ocean east of 126° west longitude and west of a line drawn due south from Cape Horn.

Classification IV, no bonus. Voyages or portions of voyages while within inland waters of the Western Hemisphere. For this purpose the Western Hemisphere shall include the Hawaiian Islands, Bermuda, Greenland, the east coast of Central and South America in the Caribbean Area and the West Indies, but shall not include Iceland, Alaska (west of 136° west longitude) and the Aleutian Islands.

The following waters are classified as inland waters of the Western Hemisphere:

A. The inland passage to Alaska defined as follows:

i. Waters to the eastward of a line drawn from Cape Flattery, Washington, to Pachena Point Lighthouse, Vancouver Island, and all waters to the northward and eastward of Vancouver Island.

ii. Waters to the eastward of a line drawn from Cape Scott, Vancouver Island, to Cape St. James, Queen Charlotte Islands, including the waters of Queen Charlotte Islands (Hecate Strait).

iii. Waters to the eastward of a line drawn from Cape Know, Queen Charlotte Islands, to Cape Muzon, Dall Island (Dixon Entrance).

iv. Waters to the eastward of a coastal line drawn from Cape Muzon to Cape Bartolome and thence to Cape Ommaney, and Cape Edgecumb at the entrance to Sitka Sound.

v. Waters to the eastward of a coastal line drawn from Cape Edgecumb to Cape Spencer, the entrance to Cross Sound.

B. Hudson Bay, Hudson Strait, Ungava Bay and Frobisher Bay, west of a line from North Foreland on Loks Island to Black Bluff on Resolution Island and west of a line drawn from Acadia Cove on Resolution Island to Cape Chidley.

C. Puget Sound east of a line drawn in the Strait of Juan de Fuca from Cape Flattery, Washington to Pachena Point, Vancouver Island.

D. The St. Lawrence River west of Father Point.

E. The Panama Canal.

F. The Strait of Magellan, defined as follows:

(a) *Atlantic boundary line.* A line running in a southerly and easterly direction from Direction Hill (Cerro Direccion) on the northern shore of the First Narrows to Anegada Point located on the southern shore of the First Narrows:

(b) *Pacific boundary line.* A line running in a northerly and easterly direction from Felix Bay Light Tower located on an island in Felix Bay off the southwesterly shore of Sea Reach (Paso Del Mar), to the Fairway Island Light Pyramid located on the west side of the largest Fairway Island.

G. The Great Lakes; and inland waters, harbors, rivers, sounds, bays and gulfs of the United States as defined in "Rules & Regulations, series No. 16, Bureau of Marine Inspection & Navigation, Department of Commerce, Pilot Rules for certain inland waters of the Atlantic and Pacific Coasts and the Coast of the Gulf of Mexico" dated May 28, 1940.

H. Ports or other inland waters of the Western Hemisphere, either as specifically defined in this Classification or as

may be defined from time to time by the Maritime War Emergency Board.

ART. III. *Amount of voyage bonus.* Voyage bonus shall be based on transit of areas of risk and computed as follows:

A. Voyage bonus shall be computed on basic and special emergency wages, excluding overtime, penalty time and other extra compensation.

B. Voyage bonus equal to 100% of wages shall be paid for voyages in Classification I, but not in any case less than $100 per month or a proportionate sum for a part thereof.

C. Voyage bonus equal to 66⅔% of wages shall be paid for voyages or portions of voyages in Classification II, but not in any case less than $80 per month or a proportionate sum for a part thereof.

D. Voyage bonus equal to 25% of wages shall be paid for voyages or portions of voyages in Classification III, but not in any case less than $30 per month or a proportionate sum for a part thereof.

E. No voyage bonus shall be paid for voyages or portions of voyages in Classification IV.

ART. IV. *Time when voyage bonus payments start and stop.* A. Voyage bonus payments shall become effective at midnight prior to the day during which the vessel departs from waters included in Classification IV and enters the high seas.

B. Voyage bonus payments shall cease at midnight of the day during which the vessel departs from the high seas and enters waters included in Classification IV.

C. Changes in voyage bonus rates between Classifications I, II and III during a voyage or part of a voyage while on the high seas are effective as of midnight prior to the day during which the vessel crosses the line demarking the new Classification.

ART. V. *Area and vessel attack bonus—*

A. *Area bonus.* In addition to voyage bonus payable under Article II, III and IV, area bonus at the rate of $5.00 per day shall be payable to each crew member of a vessel within any of the areas specified in Classification I of Article II, including periods during which the vessel is in port or at an anchorage. Area bonus shall commence as of midnight prior to the day during which the vessel enters the area and shall cease at midnight of the day during which the vessel departs from the area.

B. *Vessel attack bonus.* In addition to voyage and area bonus, vessel attack bonus of $125 shall be payable to each crew member of a vessel (1) which is destroyed or substantially damaged as a result of enemy attack or (2) on which any person is killed or seriously injured as a result of enemy attack. Vessel attack bonus shall be payable whether the vessel is within or without any of the areas specified in Paragraph A above, and whether the vessel is in a port or at an anchorage or on the high seas. Only one vessel attack bonus shall be payable in the course of any passage of the vessel between ports or anchorages. A passage between ports or anchorages shall be deemed to commence at the time the vessel departs from a port or anchorage and to end at the time the vessel departs from its next port or anchorage. Shifts in berth shall not be deemed passages between anchorages.

ART. VI. *Periods during which voyage, area, and vessel attack bonus payable—*

A. *During ordinary course of voyage.* Voyage, area and vessel attack bonus shall be payable to a regular crew member of the vessel on which he is employed during the course of his employment aboard such vessel.

B. *When bonus payable after separation from vessel and during repatriation.* (1) If a crew member is separated from his vessel as the result of a peril described in Article 3, as amended, of the form of insurance policy attached to Decision 1A, bonus continues payable to such crew member until midnight of the day on which he reaches a port.

(2) If a crew member is repatriated to the United States after separation from his vessel as a result of either:

(a) A peril referred to in paragraph (1) above, or

(b) Illness or injury incurred in the service of his vessel and not occasioned by his wilful misconduct,

bonus shall be payable to such crew member during his repatriation from midnight of the day prior to which the vessel or other conveyance on which he is being repatriated departs until midnight of the day of arrival of such vessel or other conveyance at a continental United States port.

C. *When bonus not payable after separation from vessel.* (1) Bonus shall not be payable while a crew member is on land after separation from his vessel.

(2) Bonus shall not be payable during the period that a crew member is detained either by capture by an enemy of the United States or by internment.

(3) Bonus shall not be payable to a crew member:

(a) After voluntary termination of his employment aboard his vessel for a reason other than one set forth in paragraph B (2),

(b) After desertion or discharge from his employment aboard his vessel,

(c) After a crew member accepts employment on another vessel for a purpose other than to be repatriated,

(d) After a crew member refuses without good cause to be repatriated to the United States.

(4) A crew member repatriated after occurrence of an event specified in subparagraph (3) of this paragraph C is not entitled to bonus from his original vessel during repatriation. If such crew member signs on as a replacement in the crew of the repatriating vessel, he shall be entitled to bonus from the repatriating vessel. If such crew member signs on as a workaway on the repatriating vessel, he shall not be entitled to bonus from the repatriating vessel.

D. *No double bonus.* If a crew member signs on the vessel on which he is being repatriated, either as a crew member or workaway on such repatriating vessel, he shall not be entitled to bonus from such vessel in addition to bonus payable under paragraph B of this Article VI.

E. *Death of a crew member.* Bonus shall not be payable for any period after death of a crew member.

ART. VII. *Effective date.* This decision shall be effective on and after 12:01 a. m. of April 1, 1944. The provisions of this decision shall not be retroactive.

ART. VIII. *Repeal.* Decision 2A, and all Amendments thereto, previously issued by the Maritime War Emergency Board are repealed as of the effective date of this decision, except as to any voyage, area and port attack bonus payable for any period prior to 12:01 a. m. of April 1, 1944.

Dated: March 14, 1944.

[SEAL] MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY,
Chairman.
JOHN R. STEELMAN.
FRANK P. GRAHAM.

[F. R. Doc. 44-4470; Filed, March 30, 1944; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

CERTIFICATE OF APPOINTMENT

DEPUTY ALIEN PROPERTY CUSTODIAN

Know all men by these presents: That I, James E. Markham, Alien Property Custodian, pursuant to the authority vested in me by the Trading with the Enemy Act, as amended, and by Executive Orders issued thereunder, hereby designate and appoint Francis J. McNamara as Deputy Alien Property Custodian, and do hereby delegate to, confer upon and vest in the said Deputy Alien Property Custodian, in the absence of the Alien Property Custodian or in the event of his inability to act, to the extent permitted by law, all of the powers and authority granted and delegated to, conferred upon and vested in, or which may be granted and delegated to, conferred upon and vested in the Alien Property Custodian by the laws of the United States of America, orders of the President of the United States, or regulations made or issued in pursuance of said laws or orders, including, without being limited to, the power and authority to appoint and fix the compensation of attorneys, investigators, accountants, clerks and such other employees as may be deemed to be necessary for the due and proper administration of the provisions of said laws, orders of the President, and regulations, and the power to execute proxies in my behalf with the same force and effect as if they were executed by myself upon any shares of stock in any corporation which are held by, or stand in the name of, the Alien Property Custodian or which the Alien Property Custodian has power to vote by virtue of his office; and I do hereby further delegate to, confer upon and vest in the said Deputy Alien Property Custodian full authority at all times to exercise any and all of the powers granted and delegated to, conferred upon and vested in, or which may be granted and delegated to, conferred upon and vested in the Alien Property Custodian by the laws of the United States, orders of the President, and regulations made or issued pursuant to said laws or orders, to the extent that such authority may be lawfully delegated by the Alien Property Custodian.

In testimony whereof, I have hereunto set my hand and official seal this twenty-eighth day of March 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4523; Filed, March 31, 1944; 11:00 a. m.]

[Vesting Order 3346]

LOUIS C. BUECHNER

In re: Estate of Louis C. Buechner, deceased; File D-28-3632; E. T. sec. 5881.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William A. Buechner, 107 Gilbert Street, Mobile, Alabama, Administrator d. b. n., acting under the judicial supervision of the Probate Court for the County of Allegan, State of Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lulu Welcker, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lulu Welcker in and to the estate of Louis C. Buechner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4529; Filed, March 31, 1944; 10:56 a. m.]

[Vesting Order 3348]

WILLIAM R. DELECKER

In re: Estate of William R. Delecker, deceased; File D-28-7965; E. T. sec. 8922.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elsie Weber, 740 Tenth Avenue, New York City, Administratrix, acting under the judicial supervision of the Surrogate's Court, County of Kings, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Delecker, Germany.
Kurt Delecker, Germany.
Ella Delecker, Germany.
Liesolott Delecker, Germany.
Dr. Lulu Gloede, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Delecker, Kurt Delecker, Ella Delecker, Liesolott Delecker and Dr. Lulu Gloede, and each of them, in and to the estate of William R. Delecker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4530; Filed, March 31, 1944; 10:56 a. m.]

[Vesting Order 3349]

CHARLES FOULON

In re: Trust under the will of Charles Foulon, deceased; File D-28-1813; E. T. sec. 1237.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Camden Trust Company, Substituted Trustee, acting under the judicial supervision of the Camden County Orphans' Court, County of Camden, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelmina Slimbach, Germany.
Alvina Beyer, also known as Alvinia Beyer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelmina Slimbach and Alvina Beyer, also known as Alvinia Beyer, and each of them, in and to the Trust estate created under the Last Will and Testament of Charles Foulon, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4531; Filed, March 31, 1944; 10:56 a. m.]

[Vesting Order 3352]

OTTO OBERMEYER

In re: Estate of Otto Obermeyer, deceased: File D–28–6657; E. T. sec. 4628.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Wetsel Washington Otto Obermeyer, Germany.

Martha Obermeyer, also known as Minna Martha Obermeyer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Johann Wetsel Washington Otto Obermeyer and Martha Obermeyer, also known as Minna Martha Obermeyer, and each of them, together with any and all additions of principal and income thereto, in the possession of The National City Bank of New York as depositary pursuant to a decree of the Surrogate's Court of the County of New York, New York, dated October 5, 1938 and entered in a proceeding for the judicial settlement of the Account of Proceedings of Francis B. Appleton, Jr., as Ancillary Administrator, c. t. a., of the Last Will and Testament of Otto Obermeyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4532; Filed, March 31, 1944; 10:56 a. m.]

[Vesting Order 3353]

WILLIAM SCHRAMM

In re: Trust under Will of William Schramm, deceased; File D–28–6589; E.T. sec. 5174.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by A. H. Schafer of 730 Fifth Avenue, New York, New York, Trustee, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of Suffolk; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Irma Grohe, Germany.

The issue of Irma Grohe, whose names are unknown, Germany.

Nora Mohr, Germany.

The issue of Nora Mohr, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property, and interests:

All right, title, interest and claim of any kind or character whatsoever of Irma Grohe and Nora Mohr and their issue whose names are unknown, and each of them, in and to the Trust established under the Will of William Schramm, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4533; Filed, March 31, 1944; 10:57 a. m.]

[Vesting Order 3354]

ADOLPH SCHAUS

In re: Trust under Will of Adolph Schaus, also known as Philip August Heinrich Friedrich Ludwig Adolph Schaus, deceased; File D–17–212; E. T. sec. 5065.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, County of Richmond, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Hermine Bierling, Germany.

The issue of Anna Hermine Bierling whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Hermine Bierling, and her issue, whose names are unknown, and each of them, in and to the trust created under the Last Will and Testament of Adolph Schaus, also known as Philip August Heinrich Freidrich Ludwig Adolph Schaus, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4534; Filed, March 31, 1944; 10:57 a. m.]

[Vesting Order 3355]

DR. H. M. SCHUGT

In re: Estate of Dr. H. M. Schugt, deceased; File D–28–6180; E. T. sec. 7589.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edmund H. Krohn, Administrator, acting under the judicial supervision of the County Court of El Paso County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henry Schugt, Germany.
Paul Schugt, Germany.
Gertrude Schenk, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Henry Schugt, Paul Schugt and Gertrude Schenk, and each of them, in and to the estate of Dr. H. M. Schugt, deceased, and

All that real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in El Paso County, State of Texas, and particularly described as follows:

Lots 14 and 15, Block 2, according to Map No. 2 of Satterthwaite's Addition to the City of El Paso, in El Paso County, Texas,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4535; Filed, March 31, 1944; 10:57 a. m.]

[Vesting Order 3357]

KATIE VOIGT

In re: Estate of Katie Voigt, deceased; File No. D–28–1606; E. T. sec. 445.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Surrogate's Court of Essex County, Newark, New Jersey, as depositary, acting under the judicial supervision of the Essex County Surrogate's Court, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katie Simon, nee Goeselt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katie Simon, nee Goeselt, in and to the Estate of Katie Voigt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated, March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4536; Filed, March 31, 1944; 10:57 a. m.]

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4581; Filed, March 31, 1944; 10:56 a. m.]

[Vesting Order 3888]

OTTO OBERMEYER

In re: Estate of Otto Obermeyer, deceased; File D–28–6657; E. T. sec. 4928.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

thereto, in the possession of The National City Bank of New York as depositary pursuant to a decree of the Surrogate's Court of the County of New York, New York, dated October 5, 1936 and entered in a proceeding for the judicial settlement of the Account of Proceedings of Francis B. Appleton, Jr., as Ancillary Administrator, c. t. a., of the Last Will and Testament of Otto Obermeyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–4582; Filed, March 31, 1944; 10:56 a. m.]

tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property, and interests:

All right, title, interest and claim of any kind or character whatsoever of Irma Grohe and Nora Mohr and their issue whose names are unknown, and each of them, in and to the Trust established under the Will of William Schramm, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

[Vesting Order 3362]

HUBERT FRANCIS VON GORTZ

In re: Estate of Hubert Francis Von Gortz, also known as Hubert V. Gortz, also known as Frank Gortz, deceased; File: D-38-8321; E. T. sec. 9590 (H-125).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bishop Trust Company, Ltd., Executor, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Hungary, namely,

Nationals and Last Known Address

Helmut von Gortz, Germany.
Pitsie Marton, Hungary.
Heirs, devisees or personal representatives, names unknown, of Pitsie Marton, Germany.
Alajos Marton, Hungary.
Arthur von Gortz, Germany.

And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certifications, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helmut von Gortz, Pitsie Marton, Heirs, devisees or personal representatives, names unknown, of Pitsie Marton, Alajos Marton, and Arthur von Gortz, and each of them, in and to the Estate of Hubert Francis Von Gortz, also known as Hubert V. Gortz, also known as Frank Gortz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4537; Filed, March 31, 1944; 10:57 a. m.]

[Vesting Order 3364]

ADOLPH PROPPER

In re: Estate of Adolph Propper, deceased; File D-34-718; E. T. sec. 9222.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Leo Roth, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Simon Propper, Hungary.
Mrs. Lipot Weisz, Hungary.
Sam V. Propper, Hungary.
Moric Propper, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Simon Propper, Mrs. Lipot Weisz, Sam V. Propper, and Moric Propper, and each of them, in and to the Estate of Adolph Propper, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4538; Filed, March 31, 1944; 10:57 a. m.]

[Vesting Order 3367]

ERMINIO GAMBERI

In re: Estate of Erminio Gamberi, sometimes known as E. Gamberi, deceased; File: D-38-1058; E. T. sec. 3057.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by California Trust Company, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Carolina Gambari or her issue, Italy.
Mario Gambari or his issue, Italy.
Giovani Gambari or his issue, Italy.
Samuele Gambari or his issue, Italy.
Pepino Gambari or his issue, Italy.
Olga Gambari or her issue, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carolina Gambari or her issue, Mario Gambari or his issue, Giovani Gambari or his issue, Samuele Gambari or his issue, Pepino Gambari or his issue and Olga Gambari or her issue, and each of them, in and to the Estate of Erminio Gamberi, sometimes known as E. Gamberi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4539; Filed, March 31, 1944; 10:58 a. m.]

[Vesting Order 3229]

HILDE SCHEIBE AND KURT GERBRACHT

In re: Interests in real property and fire insurance policies owned by Hilde Scheibe and Kurt Gerbracht.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding:

1. That the last known address of Hilde Scheibe and Kurt Gerbracht is Gifhorn, Germany, and that they are citizens and residents of Germany and nationals of a designated enemy country (Germany);

2. That Hilde Scheibe and Kurt Gerbracht are the owners of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. The undivided ¼th interest, identified as the interest devised to Hilde Scheibe under the terms and provisions of the Last Will and Testament of Ernst W. Gerbracht, deceased, duly admitted to probate in the New Jersey Prerogative Court, City of Trenton, New Jersey, on December 11, 1928, in and to the real property situated in the Borough of Closter, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. The undivided ¼th interest, identified as the interest devised to Kurt Gerbracht under the terms and provisions of the Last Will and Testament of Ernst W. Gerbrscht, deceased, duly admitted to probate in the New Jersey Prerogative Court, City of Trenton, New Jersey, on December 11, 1928, in and to the real property situated in the Borough of Closter, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3029 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

d. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #2221 issued by the Home Insurance Co. of 59 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

e. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3038 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

f. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #3031 issued by the Continental Insurance Co. of 80 Maiden Lane, New York, New York, covering the premises described in paragraph 3 (a) hereof, and

g. All right, title and interest of Hilde Scheibe and Kurt Gerbracht in and to fire insurance policy #12567 issued by the Northern Assurance Co. Ltd., of London, covering the premises described in paragraph 3 (a) hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in paragraphs 3-c, 3-d, 3-e, 3-f, 3-g hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in paragraphs 3-a and 3-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order,

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in paragraphs 3-c, 3-d, 3-e, 3-f, 3-g hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land and premises situate, lying and being in the Borough of Closter, County of Bergen and State of New Jersey, more particularly described as follows:

Beginning in the middle of Closter Dock Road where the same is intersected by the northwesterly line of land now or formerly of Herman F. Ahrens, from thence running (1) along the middle of said road north 40°16' west 472.02 feet; thence (2) still along the middle of said road north 40°12' west 425.67 feet to the most southerly corner of a tract of land containing 6.00 acres conveyed by Cedar Hill Realty Company, party of the first part herein, to Clara Westlake Moore by deed dated February 1, 1924 and recorded in the Bergen County Clerk's Office in Book 1252 page 396 etc., thence along the line of land so conveyed to Clara Westlake Moore the following three courses, (3) north 52°16' east 568.55 feet; (4) north 37°29' west 37.85 feet; (5) north 17°46'30" east 199.87 feet to the line of land now or formerly of D. S. van Sciver, thence along the line of the last mentioned land the following two courses: (6) south 60°38'30" east 38.52 feet; (7) south 53°20'30" east 125.35 to the most westerly corner of land belonging to the Estate of Dwight Moore; thence (8) along the line of the land of said estate, south 40°11' east 692.20 feet to the line of lands now or formerly of said Herman F. Ahrens, and thence (9) along said last mentioned line south 37°18' west 797.55 feet to the point or place of beginning. Containing 14.659 acres.

All those certain tracts or parcels of land and premises situate, lying and being in the Borough of Closter, County of Bergen and State of New Jersey, more particularly described as follows:

First tract: Beginning at a point in the center line of Homans Avenue where the same is intersected by the westerly line of a tract of land conveyed by Emma J. Trimble and George R. Trimble, her husband, to William Gerard Vermilye by deed dated March 30, 1908 and recorded in the Bergan County Clerk's Office in Book 686 of Deeds on page 547, etc.; from thence running (1) along lands so conveyed to Vermilye south 50° 7' west 712.22 feet to the line of lands now or formerly of Herman F. Ahrens; thence (2) along the land of said Ahrens north 39°40' west 103.25 feet to the most easterly corner of land belonging to the Cedar Hill Realty Company; thence (3) along land of said com-

pany, north 40°11' west 602.20 feet to lands now or formerly of D. S. van Sciver; thence (4) along said van Sciver's land and line of lands now or formerly of Henry M. Alexander and a line of the second tract herein described, north 49°51' east 716.76 feet to the center of Romans Avenue, and thence (5) along the center of said avenue, south 39°47' east 796.78 feet to the point or place of beginning. Containing 13.072 acres.

Second tract: Beginning at a point in the southwesterly line of Romans Avenue where the same is intersected by the northwesterly line of the first tract hereinabove described, from thence (1) along the southwesterly line of Romans Avenue north 39°47' west 200 feet to the line of lands now or formerly of Henry M. Alexander; thence (2) along said Alexander's line south 40°51' west 248.73 feet; thence (3) along another line of said Alexander's land south 39°47' east 200 feet to the northwesterly line of the first tract above described, and thence (4) along said line of said tract north 40°51' east 248.73 feet to the point or place of beginning. Containing 1.142 acres.

The above three tracts as described contain 28.573 acres excepting therefrom any portion which may have been taken for the opening or widening of any road or street abutting said lands.

[F. R. Doc. 44-4540; Filed, March 31, 1944; 10:58 a. m.]

[Vesting Order 2707, Amdt.]

EUGENIO AND EVA MARRACCINI

In re: Interest in real property located in Portland, Oregon, contract of sale, bank account and insurance policy owned by Eugenio Marraccini, also known as Eugenio Marraccini, and Eva Marraccini, his wife.

Vesting Order Number 2707, dated December 2, 1943, is hereby amended as follows and not otherwise:

By deleting Exhibit A attached to and by reference made a part of said vesting order and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 2707 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that part of Lots 3 and 4 in Block 120 Caruther's Addition to the City of Portland, as laid out by the South Portland Real Estate Association, within the corporate limits of the City of Portland, County of Multnomah and State of Oregon, lying Southwesterly of SW Barbur Boulevard; EXCEPT that part of Lot 3 described as follows: Beginning at a point 14 feet South of the Northwest corner of Lot 3; thence North 14 feet; thence East along the Northerly boundary of said lot, 36.74 feet to what is commonly known as S. W. Barbur Boulevard; thence South along the Westerly boundary of said Boulevard, 10 feet; thence to the point of beginning in the City of Portland, County of Multnomah and State of Oregon.

[F. R. Doc. 44-4541; Filed March 31, 1944; 10:58 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 208]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN OKLAHOMA CITY AND M'CLOUD, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of March 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Couch Transfer & Storage Co., Inc., Ada, Okla.

2. Luper Transportation Company of Oklahoma, Shawnee, Okla.

3. Walter L. Hayes, doing business as Hayes Truck Line, Luther, Okla.

[F. R. Doc. 44-4539; Filed, March 31, 1944; 9:48 a. m.]

[1] Filed as a part of the original document.

OFFICE OF PRICE ADMINISTRATION.

TOYS AND GAMES

[MPR 188, Order 1444]

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Purposes of this order.* This order provides a method by which manufacturers of the articles listed in paragraph (b) below may establish maximum prices for their sales when they cannot determine their maximum prices pursuant to §§ 1499.153, 1499.155, 1499.156, or 1499.157, of Maximum Price Regulation No. 188. It supersedes the provisions of § 1499.158 of Maximum Price Regulation No. 188 as to the establishment of maximum prices for the articles listed in paragraph (b), for which applications have been filed with the Office of Price Administration, Washington, D. C., after the effective date of this order. All other sections of Maximum Price Regulation No. 188 shall remain applicable.

(b) *Articles covered by this order.* This order covers only the following articles.

1. Toys and games.

(c) *Maximum prices for sales by manufacturers.* The maximum price for an article covered by this order which cannot be priced under §§ 1499.153, 1499.155, 1499.156, or 1499.157 of Maximum Price Regulation No. 188, or which cannot be priced under §§ 1499.156 or 1499.157 without undue hardship by reason of the application of the formula, shall be a price in line with the level of maximum prices established by Maximum Price Regulation No. 188, approved or set by order of the Office of Price Administration in the manner described in the following paragraph (d) of this order. No person shall offer to sell, sell, or deliver an article the maximum price of which should be established under this order until the manufacturer has fulfilled all the requirements of paragraph (d).

(d) *How maximum price is approved or set—(1) Approval or disapproval of proposed maximum price.* To determine a maximum price under this paragraph, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report containing the following information:

(i) A description in detail of the article being priced (including the manufacturing process by which it is made).

(ii) A statement of the facts which make it necessary to price the article under this order, rather than under §§ 1499.155, 1499.156, or 1499.157 of Maximum Price Regulation No. 188.

(iii) A statement of the proposed maximum price (including terms, allowances, and price differentials for sales to different classes of purchasers).

(iv) A statement of the reasons why the manufacturer believes the proposed prices to be in line with the level of maximum prices established by Maximum Price Regulation No. 188.

(v) A sample of the article to be priced.

(vi) A description in detail of at least two competitive articles, together with the names, addresses, model numbers, or other manufacturer's identifications, and maximum prices to jobbers or dealers if known, of the manufacturers of these articles.

Important note: Competitive articles for which maximum prices have not been properly established under Maximum Price Regulation No. 188 will be disregarded for the purpose of establishing maximum prices under this order. It will aid the Office of Price Administration to approve or disapprove the manufacturer's proposed maximum prices promptly if samples of the competitive articles are submitted also. In addition, the names, addresses, and selling prices of retail outlets handling the articles will be helpful. If full information is not furnished, it may not be possible for the Office of Price Administration to obtain sufficient information for a decision within twenty days.

(2) *When manufacturer's proposed maximum price is approved.* Upon specific written approval from the Office of Price Administration or twenty days after the mailing of the report, in the absence of notification to the contrary by the Office of Price Administration, the reported price to each class of purchaser shall become approved as the manufacturer's maximum price and the manufacturer may begin to sell, offer to sell, and deliver the article at the price reported.

(3) *Price set by order.* If the reported price is not approved by the Office of Price Administration as being a price in line with the level of maximum prices established by the regulation, or if the manufacturer has not filed the report required above, the maximum price for the article shall be a price set by order of the Office of Price Administration in line with the level of maximum prices established under § 1499.158 of Maximum Price Regulation No. 188 and the manufacturer may not sell, offer to sell, or deliver the article until he has received specific written authorization from the Office of Price Administration to do so.

This order may include maximum prices for other related articles and maximum prices, or methods of determining maximum prices for sellers generally, including purchasers for resale.

(e) *Sales in violation.* If in violation of any provisions of this order a sale, offer to sell, or delivery of an article is made before it has been properly authorized, the maximum price applicable to the sale, offer to sell, or delivery, shall be the maximum price which is properly established subsequently.

(f) Any maximum prices established under this order shall be subject to adjustment by order, not to apply retroactively, by the Office of Price Administration at any time.

(g) This Order No. 1444 may be revoked or amended by the Price Administrator at any time.

This Order No. 1444 shall become effective on the 31st day of March 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4515; Filed, March 30, 1944; 3:58 p. m.]

Regional and District Office Orders.

[Region III Order G-9 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 2 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The general description contained in the heading of Part I under Column I of Schedule I in section (c) is amended by the addition of the following phrase "excepting coal from Jubilee Mine Index No. 638 of the Clover-Darby Coal Company" so that the entire heading under said Part I shall read as follows: "High Volatile Bituminous Coal from Producing District No. 8, excepting coal from the Jubilee Mine Index No. 638 of the Clover-Darby Coal Company (Eastern Kentucky and Southwestern West Virginia)".

(b) The general description contained in the heading of Part III under Column I of Schedule I in section (c) is amended by the substitution of the words "(Southwestern West Virginia and Eastern Kentucky)" for the word "(Pocahontas)" so that the entire heading under said Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southwestern West Virginia and Eastern Kentucky)".

(c) The general description contained in the heading of Part IV under Column I of Schedule I in section (c) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part IV shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 7 (Southeastern West Virginia and Northwestern Virginia)".

(d) Part V of Schedule I in section (c) is amended to read as follows:

Column I	Column II	Column III
V. Pennsylvania Anthracite:		
A. Egg, stove, chestnut	$16.55	----------

For all sales of said anthracite coal for the periods February 7, 1944, to and including March 5, 1944, the sum of $0.45 per ton may be added to the prices listed above.

(e) Paragraph (ii) *Prompt payment*, of subparagraph (2) *Discounts*, in section (e) *Schedule of Service Charges and Discounts* is amended to read as follows:

(e) *Schedule of service charges and discounts.* (1) * * *

(2) *Discounts.* (i) * * *

(ii) *Prompt payment.* The prices set forth in Column II Schedule I for sales on a direct delivery basis (other than quantity sales) shall be subject to a dis-

count of $0.25 per ton when paid within ten days from the date of delivery.

This amendment to Order No. G–9 under Revised Maximum Price Regulation No. 122 shall become effective February 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–4511; Filed, March 30, 1944; 8:47 p. m.]

[Region III Order G–9 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 3 to Order No. G–9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That sub-paragraph 2, paragraph B, Part I under Schedule 1, section (c) in Order No. G–9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

Column I	Column II	Column III
1. • • •	•	•
2. Size Group No. 7 (top size larger than 2" but not exceeding 8" x bottom size 2" and smaller), excepting coal produced at Mine Index No. 295 of the Old Ben Coal Corporation:		
a. Mine Price Classification A	$9.15	$8.10
b. Mine Price Classifications B through H	8.70	7.70
c. Mine Price Classifications J through M	8.35	7.35
d. Mine Price Classifications N and lower	8.30	7.30

This amendment to Order No. G–9 under Revised Maximum Price Regulation No. 122 shall become effective March 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 16, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–4512; Filed, March 30, 1944; 8:47 p. m.]

[Region III Order G–30 Under RMPR 122]

SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

Order No. G–30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Hamilton County, Ohio, and in the city of Milford, Ohio.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the County of Hamilton, Ohio, and within the corporate limits of Milford, Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall,

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–30 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II shows maximum prices for cash or credit sales to domestic consumers on a "direct delivery" basis; Column III shows maximum prices for cash or credit sales to commercial or industrial consumers on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High Volatile Bituminous Coals from Producing District Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky):		
A. Lump, Size Group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Upper Banner, Splash Dam, Clinchwood, Elkhorn 1 and 2, No. 2 Gas, Dorothy, and Millers Creek Seams, in Mine Price Classifications E through J	$8.15	$7.90
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 412	7.60	7.35
B. Egg, Size Groups 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in Mine Price Classifications G and lower	7.80	7.05
C. Stoker, Size Group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger) in Mine Price Classifications B and lower:		
1. Treated	7.95	7.70
2. Untreated	7.55	7.60
D. Screenings, Size Group No. 20 (larger than ¾" x 0 but not exceeding 3" x 0), and yard screenings		5.80
II. Low Volatile Bituminous Coals from Producing District Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), excepting Mine Index No. 72:		
A. Lump, Size Group No. 1 (bottom size larger than that designated for screened Run of Mine) in Mine Price classifications A through C	8.35	8.10
B. Egg, size group No. 2 (top size larger than 3" x bottom size no limit) in Mine Price Classifications A through C	8.35	8.05
C. Stoker, or dedusted screenings, Size Group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") in Mine Price Classification A (treated and untreated)	7.70	7.45
D. Screenings, Size Group No. 8 (larger than ¾" x 0 but not exceeding 1¼" x 0) and Yard screenings		5.80
III. Coke (excluding reclaimed or reject coke), Nut and Egg Size	10.35	10.10

(2) *Discounts.* All prices quoted in Column II shall be subject to a discount of $1.00 per ton on all "yard sales" to other dealers for resale. All prices quoted in Column III shall be subject to a discount of $.50 per ton on all "yard sales" to commercial and industrial consumers.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–30 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Use of conveyor or chute to convey coal from truck to bin or use of high lift truck to deliver coal to bin, 50¢ per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state the service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing:

the date of the delivery, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Cincinnati District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The term "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant, operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means discharging the fuel directly from the seller's truck at a point where this can be done and in the customary manner at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Commercial and industrial sales" shall mean sales in quantities totaling 35 tons or more in one year to one buyer and delivered to one place to churches, apartment building of four or more apartments, to greenhouses, and to commercial and industrial establishments.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–30 under Revised Maximum Price Regulation No. 122 shall become effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: March 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–4513; Filed, March 30, 1944; 3:47 p. m.]

[Region III Order G–45 Under RMPR 122]

SOLID FUELS IN BOONE, CAMPBELL, AND KENTON COUNTIES, KY.

Order No. G–45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Boone, Campbell, and Kenton Counties, Kentucky.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.259 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Counties of Boone, Campbell, and Kenton, in the State of Kentucky. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuel at prices higher than the maximum prices set by this Order No. G–45 but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of solid fuel*—(1) *Price schedules.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I describes the solid fuel for which prices are established; Column II shows maximum prices for cash or credit sales to domestic consumers on a "direct delivery" basis; Column III shows maximum prices for cash or credit sales to commercial or industrial consumers on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High Volatile Bituminous Coals from Producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky):		
A. Lump, Size Group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Upper Banner, Splash Dam, Clinchwood, Elkhorn 1 and 2, No. 2 Gas, Dorothy, and Millers Creek Seams, in Mine Price Classifications E through J	8.15	7.30
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 413	7.80	7.35
B. Egg, Size Groups 6 & 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller) in Mine Price Classifications G and lower	7.35	7.05
C. Stoker, Size Group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger) in Mine Price Classifications B and lower:		
1. Treated	7.90	7.70
2. Untreated	7.85	7.60
D. Screenings, Size Group No. 20 (larger than ¼" x 0 but not exceeding 3" x 0), and yard screenings		5.45
II. Low Volatile Bituminous Coals from Producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), excepting Mine Index No. 73:		
A. Lump, Size Group No. 1 (bottom size larger than that designated for screened Run of Mine) in Mine Price Classifications A through C	8.20	8.00
B. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) in Mine Price Classifications A through C	8.20	8.00
C. Stoker, or dedusted screenings, Size Group No. 8 (top size not exceeding ¾" x bottom size smaller than ¼") in Mine Price Classification A (treated and untreated)	7.70	7.45
D. Screenings, Size Group No. 9 (larger than ¾" x 0 but not exceeding 1¼" x 0) and Yard Screenings		5.45
III. Coke (excluding reclaimed or reject coke), Nut and Egg Size	10.35	10.10

(2) *Discounts.* All prices quoted in Column II shall be subject to a discount of $1.00 per ton on all "yard sales" to other dealers for resale. All prices quoted in Column III shall be subject to a discount of $.50 per ton on all "yard sales" to commercial and industrial consumers.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this order No. G–45 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Use of conveyor or chute to convey coal from truck to bin or use of high lift truck to deliver coal to bin	80¢

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided, the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political sub-division thereof.

(g) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state the service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Lexington District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The term "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant, operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means discharging the fuel directly from the seller's truck at a point where this can be done and in the customary manner at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Commercial and industrial sales" shall mean sales in quantities totaling 35 tons or more in one year to one buyer and delivered to one place to churches, apartment building of four or more apartments, to greenhouses, and to commercial and industrial establishments.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–45 under Revised Maximum Price Regulation No. 122 shall become effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–4514; Filed, March 30, 1944; 3:48 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on the 28th of March 1944.

REGION II

Binghamton Order No. 9, Amendment No. 1, filed 2:57 p. m.
Buffalo Order No. 2–F, filed 3:00 p. m.
Erie Order No. 11, Amendment No. 1, filed 2:49 p. m.
Erie Order No. 12, Amendment No. 1, filed 2:49 p. m.
Erie Order No. 13, Amendment No. 1, filed 2:49 p. m.
Trenton Order No. 11, Amendment No. 1, filed 2:56 p. m.
Trenton Order No. 12, Amendment No. 1, filed 2:57 p. m.

REGION III

Charleston Order No. 1–F, Amendment No. 14, filed 2:57 p. m.
Charleston Order No. 1–F, Amendment No. 15, filed 2:52 p. m.
Charleston Order No. 8–F, Amendment No. 11, filed 2:53 p. m.
Charleston Order No. 9–F, Amendment No. 12, filed 2:53 p. m.
Charleston Order No. 3–F, Amendment No. 13, filed 2:53 p. m.
Charleston Order No. 4–F, Amendment No. 8, filed 2:53 p. m.
Charleston Order No. 5–F, Amendment No. 7, filed 2:54 p. m.
Charleston Order No. 6–F, Amendment No. 5, filed 2:55 p. m.
Charleston Order No. 32, filed 2:55 p. m.
Charleston Order No. 35, filed 2:56 p. m.
Cincinnati Order No. 1–F, Amendment No. 22, filed 2:50 p. m.
Cincinnati Order No. 2–F, Amendment No. 15, filed 2:50 p. m.
Detroit Order No. 1–F, Amendment No. 7, filed 2:59 p. m.
Escanaba Order No. 25, filed 3:00 p. m.
Indianapolis Order No. 4–F, Amendment No. 6, filed 2:50 p. m.
Indianapolis Order No. 5–F, Amendment No. 6, filed 2:50 p. m.
Indianapolis Order No. 6–F, Amendment No. 8, filed 2:51 p. m.
Indianapolis Order No. 8–F, Amendment No. 8, filed 2:51 p. m.
Indianapolis Order No. 9–F, Amendment No. 8, filed 2:51 p. m.
Indianapolis Order No. 11–F, Amendment No. 8, filed 2:52 p. m.
Indianapolis Order No. 10–F, Amendment No. 8, filed 2:52 p. m.

REGION IV

Atlanta Order No. 1–F, Amendment No. 8, filed 2:44 p. m.
Atlanta Order No. 3–F, Amendment No. 7, filed 2:44 p. m.
Atlanta Order No. 5–F, Amendment No. 5, filed 3:44 p. m.
Memphis Order No. 4–F, Amendment No. 26, filed 2:52 p. m.
Nashville Order No. 5–F, Amendment No. 9, filed 2:43 p. m.
Nashville Order No. 8–F, Amendment No. 1, filed 2:43 p. m.
Nashville Order No. 9–F, Amendment No. 1, filed 2:43 p. m.
Raleigh Order No. 11, Amendment No. 1, filed 2:42 p. m.
Raleigh Order No. 11, Amendment No. 2, filed 2:42 p. m.
Raleigh Order No. 1–W, filed 2:36 p. m.
Raleigh Order No. 5–F, filed 2:43 p. m.

REGION V

Dallas Order No. G–15, filed 3:02 p. m.
St. Louis Order No. G–13, filed 3:01 p. m.
St. Louis Order No. G–14, filed 3:01 p. m.
Wichita Order No. 2–F, Amendment No. 1, filed 2:47 p. m.
Wichita Order No. 3–F, filed 2:48 p. m.
Wichita Order No. G–17, filed 2:46 p. m.
Wichita Order No. G–18, filed 2:47 p. m.

REGION VI

Duluth-Superior Order No. 1–F, Amendment No. 9, filed 2:46 p. m.
North Platte Order No. 15, filed 3:04 p. m.

REGION VII

Utah Order No. F–3, Amendment No. 3, filed 2:35 p. m.
Utah Order No. F–4, Amendment No. 3, filed 2:35 p. m.
Utah Order No. F–5, Amendment No. 3, filed 2:36 p. m.

REGION VIII

Fresno Order No. 17, filed 2:59 p. m.
Fresno Order No. 17, Amendment No. 1, filed 2:59 p. m.
Seattle Order No. 22, Amendment No. 2, filed 3:02 p. m.
Seattle Order No. 23, Amendment No. 1, filed 3:03 p. m.
Seattle Order No. 24, Amendment No. 1, filed 3:03 p. m.
Seattle Order No. 25, Amendment No. 1, filed 3:03 p. m.
Seattle Order No. 26, Amendment No. 1, filed 3:03 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4568; Filed, March 31, 1944; 11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–87, 59–7]

FEDERAL LIGHT & TRACTION CO., ET AL.

ORDER DISAPPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1944.

In the matter of Federal Light & Traction Company and its subsidiary companies, File No. 54–87; and Cities Service Power & Light Company and its subsidiary companies, File No. 59–7.

The Commission having, on August 17, 1943, issued an order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 respecting the holding-company system of Cities Service Power & Light Company and the holding-company system of Federal Light & Traction Company, both registered public utility holding companies, in which order jurisdiction was reserved on the issue of the retainability by Federal Light & Traction Company of its interests in the Tucson Gas Electric Light and Power Company and Deming Ice and Electric Company, both public utility operating companies and subsidiaries of Federal Light & Traction Company;

Federal Light & Traction Company having filed a plan pursuant to section 11 (e) of the said act proposing, among other things, a merger of Albuquerque Gas and Electric Company, Deming Ice and Electric Company, The Las Vegas Light & Power Company, New Mexico Power Company, The Trinidad Electric Transmission, Railway and Gas Company with The Tucson Gas Electric Light and Power Company, and proceedings upon the said plan having been, by order, consolidated with proceedings upon the issues reserved in the aforementioned order of August 17, 1943, hearings having been held after due notice at which evidence as to the retainability of The Tucson Gas Electric Light and Power Company and Deming Ice and Electric Company was received, such evidence, and other evidence received, relating also to the question whether the plan complies with the provisions of section 11 (e) and could be carried out pursuant to the provisions of section 10, briefs and oral argument having been waived and the Commission having considered the matter and this day issued its findings and opinion thereon, pursuant to the said findings and opinion.

It is ordered, That Federal Light & Traction Company shall sever its relationships with The Tucson Gas Electric Light and Power Company and with Tucson Rapid Transit Company, which operates in the territory of The Tucson Gas Electric Light and Power Company, by disposing, in any appropriate manner not in contravention of the applicable provisions of the act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control, and holding of securities issues and properties owned, controlled, or operated by, the said companies; and

It is further ordered, That Federal Light & Traction Company shall similarly dispose of any interest, direct or indirect in the properties of Stonewall Electric Company adjacent to the properties of The Tucson Gas Electric Light and Power Company: *Provided, however*, That Federal Light & Traction Company may, within the time fixed for compliance with this order by the said act, elect to retain its interests in The Tucson Gas Electric Light and Power Company and in the properties of Stonewall Electric Company adjacent thereto, in which event it shall dispose of all its other interests save those in Deming Ice and Electric Company and Tucson Rapid Transit Company; and jurisdiction is reserved to consider the application of the said act to the retainability of the latter interests in the event the election herein noted is made; and

It is further ordered, That the plan filed by Federal Light & Traction Company pursuant to the provisions of section 11 (e) be, and the same hereby is, disapproved, insofar as it provides for the continuation of joint control of the properties of The Tucson Gas Electric Light and Power Company together with those of the remaining subsidiaries of Federal Light & Traction Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4543; Filed, March 31, 1944; 11:04 a. m.]

[File No. 812-946]

NATIONAL AVIATION CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March, A. D. 1944.

National Aviation Corporation, a registered investment company, having filed an application under the provisions of section 10 (f) of the Investment Company Act of 1940 for an order permitting it to purchase as a shareholder pursuant to rights its aliquot portion of shares of an offering by Northwest Airlines, Incorporated, of additional common stock to holders of its common stock at a price of $16 per share in the ratio of 1 share of additional common stock for each 2 shares of common stock held, such offerings being underwritten in part by Hornblower and Weeks, 40 Wall Street, N. Y., N. Y., and Paine, Webber, Jackson and Curtis, 25 Broad Street, N. Y., N. Y., of which firms certain directors of the applicant are affiliated persons;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on April 5, 1944 at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4344; Filed, March 31, 1944; 11:04 a. m.]

WAR MANPOWER COMMISSION.

[Directive No. X, Amdt. 2]

TRANSFER AND RELEASE OF GOVERNMENT EMPLOYEES

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9346 (7 F.R. 2919, 7213), paragraphs I and VI of War Manpower Commission Directive No. X, entitled "Directive With Respect to the Transfer and Release of Government Employees," (7 F.R. 7288) as amended by War Manpower Commission Directive No. XVI (7 F.R. 11050), are hereby amended to read as follows:

I. Whenever the Civil Service Commission shall find that a civilian employee of any department or agency of the executive branch of the Federal Government can make a more effective contribution to the war effort, in a position in some other such department or agency, the Commission with or without the consent of the employee or of the department or agency in which he is employed or to which he is transferred, shall direct the transfer of such employee to such position: *Provided*, That whenever such transfer is directed to a position beyond reasonable commuting distance from the home of the employee concerned, the department or agency to which he is transferred shall reimburse the employee for the cost of transporting himself, and his household goods, out of funds available to the agency for expenses of travel or transportation, in accordance with Government regulations.

VI. Any employee whose transfer is to be directed pursuant to this directive without the consent of such employee shall be afforded, prior to such transfer, a fair opportunity to present to the Civil Service Commission evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. No employee shall, without his consent, be transferred to a position at a lower salary than he received at the time such transfer is directed.

Dated: March 27, 1944.

PAUL V. MCNUTT, *Chairman.*

[F. R. Doc. 44-4305; Filed, March 30, 1944; 2:32 p. m.]

PATERSON, N. J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Paterson, New Jersey, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Paterson, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Paterson, New Jersey, Area shall include:

Passaic County; Bergen County (except Lyndhurst Township and North Arlington Borough); North Bergen Township, Weehawken Township, Union City, Guttenberg Town, Secaucus Town, West New York Town in Hudson County; and Pequannock Township, Butler Borough, Kinnelton Borough, Lincoln Park Borough, Riverdale Borough in Morris County.

II. The effective date of this designation is April 1, 1944.

III. Not later than the effective date, each employer in the Paterson, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 17, 1944.

FRANK L. MCNAMEE, *Regional Director, Region III.*

[F. R. Doc. 44-4336; Filed, March 31, 1944; 10:31 a. m.]

APR 10 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 67

Washington, Tuesday, April 4, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-1, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BALTIMORE, MD., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-1 (8 F.R. 13364), relative to the conservation and distribution of fluid milk in the Baltimore, Maryland, milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended as follows:

1. By deleting the numeral "20" wherever it appears in § 1401.34 (k) (2) and inserting, in lieu thereof, the numeral "10."

2. By deleting the numeral "$0.01" wherever it appears in § 1401.34 (n) and inserting, in lieu thereof, the numeral "$0.005."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-1, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-1, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL, *Director of Food Distribution.*

[F. R. Doc. 44-4497; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79-2, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. LOUIS METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-2 (8 F.R. 13365), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Louis metropolitan milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is hereby further amended by deleting the numeral "20" wherever it appears in § 1401.45 (k) (2) thereof and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-2, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-2, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL, *Director of Food Distribution.*

[F. R. Doc. 44-4498; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79-20, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DAVENPORT-ROCK ISLAND-MOLINE, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September

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[File No. 812-548]

NATIONAL AVIATION CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March, A. D. 1944.

National Aviation Corporation, a registered investment company, having filed an application under the provisions of section 10 (f) of the Investment Company Act of 1940 for an order permitting it to purchase as a shareholder pursuant to rights its aliquot portion of shares of an offering by Northwest Airlines, Incorporated, of additional common stock to holders of its common stock at a price of $16 per share in the ratio of 1 share of additional common stock for each 2 shares of common stock held, such offerings being underwritten in part by Hornblower and Weeks, 40 Wall Street, N. Y., N. Y., and Paine, Webber, Jackson and Curtis, 25 Broad Street, N. Y., N. Y., of which firms certain directors of the applicant are affiliated persons;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on April 5, 1944 at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Robert P. Reeder, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given

Commission by Executive Orders Nos. 9139 and 9263 (7 F.R. 2919, 7213), paragraphs I and VI of War Manpower Commission Directive No. X, entitled "Directive With Respect to the Transfer and Release of Government Employees," (7 F.R. 7296) as amended by War Manpower Commission Directive No. XVI (7 F.R. 11050), are hereby amended to read as follows:

I. Whenever the Civil Service Commission shall find that a civilian employee of any department or agency of the executive branch of the Federal Government can make a more effective contribution to the war effort, in a position in some other such department or agency, the Commission with or without the consent of the employee or of the department or agency in which he is employed or to which he is transferred, shall direct the transfer of such employee to such position: *Provided*, That whenever such transfer is directed to a position beyond reasonable commuting distance from the home of the employee concerned, the department or agency to which he is transferred shall reimburse the employee for the cost of transporting himself, and his household goods, out of funds available to the agency for expenses of travel or transportation, in accordance with Government regulations.

VI. Any employee whose transfer is to be directed pursuant to this directive without the consent of such employee shall be afforded, prior to such transfer, a fair opportunity to present to the Civil Service Commission evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. No employee shall, without his consent, be transferred to a position at a lower salary than he received at the time such

Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Paterson, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Paterson, New Jersey, Area shall include:

Passaic County; Bergen County (except Lyndhurst Township and North Arlington Borough); North Bergen Township, Weehawken Township, Union City, Guttenberg Town, Secaucus Town, West New York Town in Hudson County; and Pequannock Township, Butler Borough, Kinnelton Borough, Lincoln Park Borough, Riverdale Borough in Morris County.

II. The effective date of this designation is April 1, 1944.

III. Not later than the effective date, each employer in the Paterson, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

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7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–20 (8 F.R. 13431), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Davenport-Rock Island-Moline milk sales area, issued by the Director of Food Distribution on October 1, 1943, is hereby amended by deleting therefrom the provisions in § 1401.52 (h) and inserting, in lieu thereof, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–20, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–20, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–4499; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79–89, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CEDAR RAPIDS, IOWA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–89 (8 F.R. 15473), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Cedar Rapids, Iowa, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.125 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–89, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–89, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–4500; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79–90, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WATERLOO, IOWA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–90 (8 F.R. 15474), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Waterloo, Iowa, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.126 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to subhandlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–90, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–90, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–4501; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79–98, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DECATUR, ILL., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–98 (8 F.R. 15767), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Decatur, Illinois, milk sales area, issued by the Director of Food Distribution on November 16, 1943, is hereby amended by deleting the numeral "20" wherever it appears in § 1401.132 (1) (2) thereof and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79–98, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–98, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit,

action or other proceeding with respect to any such violations, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4302; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79-99, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD, ILL., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-99 (8 F.R. 15769), relative to the conservation and distribution of fluid milk, milk byproducts, and cream, in the Springfield, Illinois, milk sales area, issued by the Director of Food Distribution on November 16, 1943, is hereby amended by deleting the numeral "20" wherever it appears in § 1401.133 (1) (2) thereof and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-99, rights accrued, or liabilities incurred, prior to the effective time of this amendment, said Food Distribution Order No. 79-99 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4303; Filed, March 30, 1944; 12:36 p. m.]

[FDO 79-62, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, OREG., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-62 (8 F.R. 14264), relative to the conservation and distribution of fluid milk and cream in the Portland, Oregon, metropolitan milk sales area, issued by the Director of Food Distribution on October 19, 1943, is amended by deleting therefrom the description of the sales area in § 1401.107 (b) thereof and inserting, in lieu thereof, the following:

The city of Portland and the precincts within the counties of Multnomah, Washington, and Clackamas, all in Oregon, as shown on the map on page 899 and listed in Table No. 4, pp. 887 to 894 of the Sixteenth Census of the United States: 1940 (Population, Volume 1); and the city of Vancouver and an area extending 3 miles to the east, north, and west of the city limits of Vancouver in Clark County, Washington.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-62, rights accrued, or liabilities incurred, prior to the effective time of this amendment, said Food Distribution Order No. 79-62, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 30th day of March 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4601; Filed, March 31, 1944; 12:58 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 303]

PART 285—RULES OF PRACTICE

OBJECTION TO PUBLIC DISCLOSURE OF INFORMATION

Amendment No. 1 of § 285.12.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of March, 1944.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 8, 1944, paragraph (d) of § 285.12 of the Economic Regulations is hereby amended by adding to subparagraph (3) thereof, the following:

If such motion relates to contracts, agreements, understandings, or arrangements filed pursuant to section 412 (a) of the Civil Aeronautics Act of 1938, as amended, and § 251.1 of the Economic Regulations, or pursuant to § 251.2 of the Economic Regulations, an executed original copy and two copies of such motion shall be filed.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-4665; Filed, April 3, 1944; 10:00 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

EXTENSION OF DATES FOR COMPLETION AND FILING OF ORIGINAL COST STUDIES

Extension of date for completion and filing of the original cost studies required by § 250.27 [Rule U-27] which relates to classification of accounts prescribed for utility companies not already subject thereto.

Acting pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 15 and 20 (b) thereof, it is hereby ordered by the Securities and Exchange Commission that:

(1) The date on or before which the reporting company is required to complete and file the original cost studies pursuant to the Uniform System of Accounts as prescribed by the Federal Power Commission and/or the National Association of Railroad and Utilities Commissioners, as made applicable to certain registered holding companies or subsidiaries pursuant to § 250.27 [Rule U-27] under the Public Utility Holding Company Act of 1935, is hereby extended to June 30, 1944.

(2) The requirements for submission of entries and balance sheets prescribed in Instruction 2D of the Uniform System of Accounts as prescribed by the Federal Power Commission and/or the National Association of Railroad and Utilities Commissioners, as made applicable to certain registered holding companies and subsidiaries pursuant to § 250.27 [Rule U-27] under the Public Utility Holding Company Act of 1935, are modified so as to specify that every company subject to said rule shall furnish, where applicable, the following statements properly sworn to by the officer in responsible charge of their compilation:

Statement A showing in outline the origin and development of the company including, particularly, a description (giving names of parties and dates) of each consolidation and merger to which the company, or a predecessor, was a party and each acquisition of an electric and/or gas operating unit or system.

Statement B showing for each acquisition by the reporting company or any of its predecessors of an electric and/or gas operating unit or system, the original cost, estimated, if not known, the cost of such company and the amount entered in the books in respect thereto as of the date of acquisition. If the depreciation, retirement or amortization reserve was adjusted as of the date of acquisition and in connection therewith, a full disclosure of the pertinent facts should be made. The difference between the original cost and the amount entered in respect thereto of each acquisition of an electric and/or gas operating unit or system, as of the date of acquisition, should be clearly stated, and a summary of all transactions affecting such difference between the date of the respective acquisition and the effective date of the applicable Uniform System of Accounts, and the resultant amount on the latter date, should be set forth. The amount to be included in Account 100.5, Electric Plant Acquisition Adjustments and/or Account 100-5, Utility Plant Acquisition Adjustments, as of the effective date of the applicable Uniform System of Accounts, shall be subdivided so as to show the amounts applicable to (a) electric and/or gas plant in service, (b) electric and/or gas plant leased to others, and (c) electric and/or gas plant held for future use. Whenever practical, such amount shall be classified according to nature, i. e., going value, structural value, etc.

Where estimates are used in arriving at original cost or the amount to be included in Account 100.5 and/or Account 100-5, a full disclosure of the method and underlying facts should be given. The method of determining the original cost of the electric and/or gas plant acquired as operating units or systems should be described in sufficient detail to permit a clear understanding of the nature of the investigations which were made for that purpose.

Statement C showing any amounts arrived at by appraisals, recorded prior to the effective date of the applicable Uniform System of Accounts, in the electric and/or gas plant accounts (and not eliminated) in lieu of cost to the reporting company. This statement should give the full journal entry at the time the appraisal was originally recorded and if the entry had the effect of appreciating or writing-up the electric and/or gas plant account, the amount of the appreciation or write-up should be traced, by proper description and explanation of changes, from the date recorded to the effective date of the applicable Uniform System of Accounts.

Statement D showing electric and/or gas plant as of the effective date of the applicable Uniform System of Accounts, as classified in the books of account immediately prior to reclassification in accordance with the applicable system of accounts, including, under a descriptive heading, any unclassified accounts applicable jointly to the electric and/or gas department and other departments of the utility.

Statement E showing summary of adjustments necessary to state, as of the effective date of the applicable Uniform System of Accounts, Account 100, Electric Plant and/or Account 100, Utility Plant, including all its subsidiary accounts, and Account 107 Electric Plant Adjustments and/or Account 107, Utility Plant Adjustments, as prescribed in the applicable Uniform System of Accounts.

Statement F showing electric and/or gas plant (balance sheet Account 100) as of the effective date of the applicable Uniform System of Accounts classified according to the accounts prescribed in said Uniform System of Accounts on that date, and showing also the amount includible in Account 107, Electric Plant Adjustments and/or Account 107, Utility Plant Adjustments.

Statement G giving a comparative balance sheet, as of the effective date of the applicable Uniform System of Accounts, showing the accounts and amounts appearing in the books before the adjusting entries have been made and after such entries shall have been made.

Statement H giving a suggested plan for depreciating, amortizing, or otherwise disposing in whole or in part of the amounts, as of the effective date of the applicable Uniform System of Accounts, includible in Account 100.5, Electric Plant Acquisition Adjustments and/or Account 100-5, Utility Plant Acquisition Adjustments, and Account 107, Electric Plant Adjustments and/or Account 107, Utility Plant Adjustments.

Effective April 1, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4644; Filed, April 1, 1944; 2:05 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5354]

PART 143—TAX ON THE TRANSPORTATION OF PROPERTY

GOVERNMENTAL EXEMPTIONS

In order to conform Regulations 113 [Part 143, Title 26, Code of Federal Regulations, 1943 Supp.], relating to the tax on the transportation of property, to section 307 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are hereby amended as follows:

PARAGRAPH 1. Section 143.0, Subpart A, is amended by changing the fourth paragraph to read as follows:

Subpart D deals with governmental exemptions.

PAR. 2. Section 143.13 (a), Subpart C, is amended by changing the seventh paragraph to read as follows:

The tax does not apply: (1) to an amount paid outside the United States for the transportation of property from a point without the United States to a point within the United States; (2) to an amount paid by a carrier, freight forwarder, express company, or similar person for the transportation of property with respect to which a tax is payable to such carrier, freight forwarder, express company, or similar person; or (3) to an amount paid for the transportation of property in course of exportation or shipment to a possession of the United States and actually so exported or shipped (see § 143.30). For governmental exemptions see Subpart D.

PAR. 3. Subpart D, as amended by Treasury Decision 5312, approved December 16, 1943, is further amended to read as follows:

SUBPART D—GOVERNMENTAL EXEMPTIONS

[SEC. 3475. TRANSPORTATION OF PROPERTY.—As added by section 620 (a) of the Revenue Act of 1942.]

(b) *Exemption of Government transportation.* The tax imposed under this section shall not apply to amounts paid by or to the United States or any agency or instrumentality of the United States for the transportation of property.

PUBLIC LAW 180—78TH CONGRESS, 1ST SESSION. APPROVED NOVEMBER 4, 1943

* * * * * *

That section 3475 (b) of the Internal Revenue Code (relating to the tax on the transportation of property) is amended to read as follows:

(b) *Government transportation.* The tax imposed under this section shall not apply to amounts paid for the transportation of property to or from the Government of the United States, or any State, Territory, or political subdivision thereof, or the District of Columbia, or to amounts paid to the Post Office Department for the transportation of property.

SEC. 2. The amendment made by section 1 shall take effect with respect to amounts paid, on and after the first day of the first month which begins more than ten days after the date of the enactment of this Act, for the transportation of property on and after such first day.

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

* * * * * *

(9) Section 3475 (b) (relating to governmental exemption from tax with respect to transportation of property) is amended to read as follows:

(b) *Exemption of Government transportation.* The tax imposed under this section shall not apply to (1) amounts paid for the transportation of property to or from the government of a State, Territory of the United States, or political subdivision thereof, or the District of Columbia, or any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864, (2) amounts paid to the Post Office Department for the transportation of property, or (3) amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes."

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

* * * * * *

(5) The amendments of sections * * * 3475 (b) of the Internal Revenue Code shall be applicable only with respect to amounts paid on or after the first day of the first month which begins three months or more after the date of the enactment of this Act, except that the amendment of such section 3475 (b), insofar as it relates to the exemption of amounts paid by or to the War Shipping Administration, shall be applicable for the period beginning December 1, 1943, and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

(6) For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

* * * * *

§ 143.20 *United States Government; general provisions.* An amount paid prior to June 1, 1944, for the transportation of property, where such transportation originated prior to December 1, 1943, is exempt from the tax (1) if paid directly to a carrier by the United States or any agency or instrumentality thereof, or (2) if paid to the United States or any agency or instrumentality thereof. In either case an exemption certificate is not required.

An amount paid during the period December 1, 1943, to May 31, 1944, inclusive, for the transportation, originating on or after December 1, 1943, of property to or from the Government of the United States, is exempt from the tax. Where the shipping papers show the consignor or consignee to be the Government of the United States, or an agency or instrumentality thereof, such papers may be accepted by the carrier as proof of the exempt character of the shipment. A United States Government bill of lading may likewise be accepted as evidence of the exempt character of the shipment. No exemption certificate is required.

For additional exemptions affecting the Post Office Department, the War Shipping Administration, and The American National Red Cross see §§ 143.21 to 143.23, inclusive.

§ 143.21 *Post Office Department.* All amounts paid to the Post Office Department for the transportation of property are exempt from the tax.

§ 143.22 *War Shipping Administration.* An amount paid directly to a carrier by the War Shipping Administration, or an amount paid to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes, is exempt from the tax.

The exemptions under this section shall apply only to amounts paid during the period beginning December 1, 1943, and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

§ 143.23 *The American National Red Cross.* An amount paid on or after December 1, 1943, for the transportation, originating on or after such date, of property to or from The American National Red Cross, is exempt from the tax.

§ 143.24 *States, Territories, etc.* An amount paid directly to a carrier by a State, or political subdivision thereof, for the transportation of property is exempt from the tax.

An amount paid on or after December 1, 1943, for the transportation, originating on or after such date, of property to or from the government of a State, Territory of the United States, or political subdivision thereof, or the District of Columbia, is exempt from the tax. Where the shipping papers show the consignor or consignee to be a State, Territory, or political subdivision thereof, or the District of Columbia, or an agency or instrumentality of any of the foregoing, such papers may be accepted by the carrier as proof of the exempt character of the shipment.

No certificate of exemption is required.

§ 143.25 *Penalties.* For penalties applicable to any person falsely claiming exemption under §§ 143.20 to 143.24, inclusive, see section 1718 of the Internal Revenue Code, made applicable to the tax on amounts paid for the transportation of property by section 3473 thereof. (See Subpart H.)

(Secs. 3472 and 3791, Internal Revenue Code (53 Stat. 423, 467; 26 U.S.C. 3472, 3791) and sec. 307, Rev. Act of 1943 (Pub. Law 235, 78th Cong.))

HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: April 1, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4655; Filed, April 1, 1944; 4:39 p. m.]

[T.D. 5353]

PART 320—RETAILERS' EXCISE TAXES

TAXES ON JEWELRY, FURS, TOILET PREPARATIONS, AND LUGGAGE

In order to conform Regulations 51 [Part 320, Title 26, Code of Federal Regulations, 1941 Supp.], relating to the retailers' excise taxes under the Internal Revenue Code, to sections 301, 302, 303, 307, and 310 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. The subheading immediately preceding the heading "Subpart A—Introductory" is amended to read as follows:

Regulations Relating to Excise Taxes on Sales by the Retailer (Chapter 19 of the Internal Revenue Code, Added by Section 552 of the Revenue Act of 1941, and Chapter 9a of the Internal Revenue Code, Added by Section 210 of the Revenue Act of 1940, and Amended by Section 302 of the Revenue Act of 1943).

PAR. 2. Section 320.0 is amended to read as follows:

§ 320.0 *Scope of regulations.* These regulations deal with excise taxes imposed by Chapter 19 of the Internal Revenue Code, as added by section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, as added by section 210 of the Revenue Act of 1940, and amended by section 302 of the Revenue Act of 1943, on sales by the retailer of:

(a) Jewelry.
(b) Furs.
(c) Toilet preparations.
(d) Luggage.

Taxes on sales of articles in the four classes will be considered hereinafter in the order indicated. The regulations with respect to the imposition, manner of application, and computation of tax liability are set forth in Subparts B to G, inclusive. The regulations relating to the return and collection of tax and the imposition of penalties and other matters are contained in Subpart H.

PAR. 3. Immediately preceding § 320.1, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * *

SEC. 1655. DEFINITION.

For the purposes of this chapter the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

* * * * *

PAR. 4. Section 320.1, as amended by Treasury Decision 5191, approved December 3, 1942, is further amended by adding the following:

(k) The term "war period" means the period beginning April 1, 1944, and running to the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is earlier.

PAR. 5. Immediately preceding § 320.2, there is inserted the following:

SEC. 301. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1943, Title III, effective April 1, 1944.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * *

SEC. 1654. TERMINATION OF WAR TAXES AND WAR RATES.

The tax imposed by section 1651 shall not apply with respect to any period commencing on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

* * * * *

PAR. 6. Section 320.2, as amended by Treasury Decision 5191, is further amended by adding at the end thereof the following paragraph:

The provisions of section 302 of the Revenue Act of 1943, relating to the increases in the rates of tax on jewelry, etc., fur articles, and toilet preparations, the imposition of the retailers' excise tax on luggage, etc.; the amendment by section 303 of the Revenue Act of 1943 of section 2401, relating to persons making fur articles from pelts furnished by customers; the amendment by section 302 of the Revenue Act of 1943 affecting section 2405, relating to leases, conditional sales, existing contracts, etc.; and the amendment by section 310 of the Revenue Act of 1943 of section 2400, exempting silverplated flatware from the tax on jewelry, etc., become effective in each case on April 1, 1944. The amendment made by section 307 of the Revenue Act of 1943 of section 2406 (a), terminating the exemption with respect to the sale of articles for the exclusive use of the United States, becomes effective on June 1, 1944.

PAR. 7. Immediately preceding § 320.3, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * *

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

* * * * *

(c) *Existing contracts*—(1) *Tax payable by vendee.* If (A) any person has, prior to the effective date of Title III of the Revenue Act of 1943, made a bona fide contract for the sale on or after such date, of any article with respect to the sale of which a tax is imposed by that Act or an existing rate of tax is increased by that Act, and (B) such contract does not permit the adding to the amount to be paid under such contract of the whole of such tax or increased rate of tax, then (unless the contract prohibits such addition) the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price.

(2) *Tax paid to vendor.* Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected and paid to the United States by the vendor in the same manner as provided in section 3467. In cases of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner who shall cause collection of such taxes to be made from the vendee.

* * * * *

PAR. 8. Section 320.3 is amended by adding at the end thereof the following paragraphs:

Under section 1652 (c), as added by section 302 of the Revenue Act of 1943, if certain conditions exist, the liability for the retailer's tax on luggage, etc., and the increases in existing retailers' taxes, imposed by the Revenue Act of 1943, is shifted from the retailer to the vendee. (See § 320.10.)

The conditions under which such liability is shifted are as follows: first, there must be a bona fide contract made by a retailer prior to April 1, 1944, for the sale on or after such date of an article with respect to which a retailers' excise tax is imposed, or the rate of an existing retailers' excise tax is increased, by the Revenue Act of 1943; second, the contract must not provide for the addition of such tax or increase in tax to the amount payable under such contract; and third, the contract must not expressly, or by implication, prohibit such addition to the contract price. Where these conditions are present the vendee becomes liable for the tax or additional tax imposed by the Revenue Act of 1943. In all other cases, the liability remains upon the retailer and the full amount of the tax is payable by him.

A contract which provides that the tax shall be paid by the vendor or otherwise negatives any addition to the contract price, is regarded as prohibiting an addition of the tax to such price.

A vendee who is required to pay the tax shall make payment thereof to the vendor at the time the sale is consummated, and the tax shall be returned and paid to the collector by the vendor. (See § 320.70.) In case of a failure or refusal by the vendee to pay the tax to the vendor, the vendor shall report the facts to the Commissioner for direct collection of the tax from the vendee.

PAR. 9. Immediately preceding § 320.10, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

* * * * *

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

(a) *Cases where rate of tax increased.* In the application of section 2405 * * * to the articles with respect to which the rate of tax is increased by this chapter, where the lease, contract of sale, conditional sale, or chattel mortgage was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943, the total tax referred to in such section shall be the tax at the rate in force on the day before such effective date.

(b) *Cases where new tax imposed.* In the case of (1) a lease, (2) a contract for the sale of an article wherein it is provided that the price shall be paid by installments and title to the article sold does not pass until a future date notwithstanding partial payment by installments, (3) a conditional sale, or (4) a chattel mortgage arrangement wherein it is provided that the sales price shall be paid in installments, no tax shall be imposed under section 1651 on the sale of any article if with respect to such article the lease, contract for sale, conditional sale, or chattel mortgage arrangement was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943.

* * * * *

PAR. 10. Section 320.10, as amended by Treasury Decision 5191, is further amended by adding at the end thereof the following paragraphs:

If (1) the lease, installment sale, conditional sale, or chattel mortgage arrangement, (2) delivery of the article under the contract, and (3) payment of a part of the consideration, were made prior to April 1, 1944, the tax due is at the rate in force on March 31, 1944, and not at the increased rate provided for in section 1650 of the Internal Revenue Code, as amended by section 302 of the Revenue Act of 1943.

In the case of articles taxable under section 1651 of the Internal Revenue Code, as added by section 302 of the Revenue Act of 1943, (relating to luggage, etc.), the tax does not apply if (1) the lease, or installment sale, or conditional sale contract, or chattel mortgage arrangement, (2) delivery of the article under the contract, and (3) payment of a part of the consideration, were made prior to April 1, 1944.

PAR. 11. Immediately preceding § 320.20, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

(1) Section 2406 (a) (relating to tax-free sales under Chapter 19) is amended to read as follows:

(a) for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia;.

* * * * *

(b) *Period with respect to which applicable.* * * * the amendments made by this section shall apply as follows:

(1) The amendments of sections 2406 (a) * * * of the Internal Revenue Code shall be applicable to sales made on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

* * * * *

PAR. 12. The first paragraph of § 320.20, is amended to read as follows:

Under section 2406 (a) prior to the amendment thereof by section 307 (a) (1) of the Revenue Act of 1943, no tax attaches to articles sold by the retailer direct to the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use, provided the exempt character of the sale is established as required by these regulations. By virtue of the amendment of section 2406 (a), sales of articles by the retailer to the United States on or after June 1, 1944, are not exempt from tax, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

PAR. 13. Immediately preceding § 320.30 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
• •	•	•	•
2400 (except as respects watches selling at retail for not more than $65 and alarm clocks selling at retail for not more than $9).	Jewelry.	10 per centum.	20 per centum.
• •	•	•	•

• • • • •

SEC. 310. EXEMPTION OF SILVER-PLATED FLATWARE FROM TAX ON JEWELRY. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2400 (relating to the retailers' excise tax with respect to jewelry, etc.) is amended by striking out "gold, gold plated, silver, silver-plated or sterling flatware or hollow ware" and inserting in lieu thereof "gold, gold plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware".

PAR. 14. Subparagraph (4) of § 320.30 is amended to read as follows:

(4) Articles specifically mentioned in section 2400, such as watches, clocks, cases and movements therefor, gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars.

PAR. 15. The parenthetical phrase at the end of the second paragraph of § 320.31, as added by Treasury Decision 5102, is amended to read as follows:

(But see § 320.33 as to the taxability of articles where made of, or ornamented, mounted or fitted with, precious metals or imitations thereof, and § 320.61 relating to the taxability of purses, handbags, pocketbooks, etc.)

PAR. 16. Section 320.33, as amended by Treasury Decision 5191, is further amended by striking out the second paragraph.

PAR. 17. Section 320.35 is amended to read as follows:

§ 320.35 *Gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware.* The tax is imposed on the sale at retail of any gold, gold-plated, silver, or sterling flatware or hollow ware, and any silver-plated hollow ware. The terms "flatware and hollow ware" include all articles commonly or commercially known and sold as such in the trade. Any gold, gold-plated, silver, silver-plated, or sterling article which is not so known or sold in the trade as flatware or hollow ware, is subject to the tax as an article made of, ornamented, mounted or fitted with precious metals or imitations thereof.

No tax attaches to the sale at retail of any article commonly or commercially known or sold in the trade as "silver-plated flatware".

PAR. 18. Section 320.36 is amended by striking out the last sentence.

PAR. 19. Section 320.37, as amended by Treasury Decision 5102, is further amended by striking out the last paragraph.

PAR. 20. Section 320.38 is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold, except watches selling at retail for $65 or less, and alarm clocks selling at retail for $5 or less, which watches and alarm clocks are subject to the rate of 10 per cent.

PAR. 21. Immediately preceding § 320.40, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
•	•	•	•
2401..	Furs	10 per centum.	20 per centum
•	•	•	•

• • • • •

SEC. 303. PERSONS MAKING FUR ARTICLES FROM PELTS FURNISHED BY CUSTOMER. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2401 (relating to the retailers' excise tax with respect to fur articles) is amended by inserting at the end thereof the following: "Where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces an article of the kind described in this section from fur on the hide or pelt furnished, directly or indirectly, by a customer and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for purposes of this section. The tax on such a transaction shall be computed and paid by such person upon the fair retail market value, as determined by the Commissioner, of the finished article."

PAR. 22. Section 320.41 is renumbered § 320.42, and a new § 320.41 is inserted to read as follows:

§ 320.41 *Fur articles made from pelts furnished by customers.* On and after April 1, 1944, where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces a taxable fur article from fur on the hide or pelt furnished, directly or indirectly, by a customer, and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for the purposes of the tax.

The tax applicable to such transactions is to be computed upon the fair retail market value of the finished article, as determined by the Commissioner. Generally the fair retail market value may be considered as the retail sales price for which the same or a similar finished article is sold by retailers generally in the ordinary course of the retail trade.

PAR. 23. Renumbered § 320.42, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold.

PAR. 24. Immediately preceding § 320.50, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
•	•	•	•
2402	Toilet preparations	10 per centum.	20 per centum.
•	•	•	•

• • • • •

PAR. 25. Section 320.50, is amended by striking out the third paragraph.

PAR. 26. Section 320.51, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 percent of the price for which such articles are sold.

PAR. 27. The heading "Subpart G—Miscellaneous Provisions" following § 320.52 is amended to read "Subpart H.—Miscellaneous Provisions", and the sections thereof are changed as follows: 320.60 to 320.70; 320.61 to 320.71; 320.62 to 320.72; 320.63 to 320.73; 320.64 to 320.74; 320.65 to 320.75; 320.66 to 320.76; 320.67 to 320.77; and 320.68 to 320.78.

PAR. 28. Immediately after § 320.52, there is inserted a new Subpart G, as follows:

SUBPART G—LUGGAGE, ETC.

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

• • • • •

SEC. 1651. RETAILERS' EXCISE TAX ON LUGGAGE, ETC.

(a) TAX. There is hereby imposed upon the following articles (including in each case fittings or accessories therefor sold on or in connection with the sale thereof) sold at retail a tax equivalent to 20 per centum of the price for which so sold:

(1) Trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, and salesmen's sample and display cases.

(2) Purses, handbags, pocketbooks, wallets, billfolds, and card, pass, and key cases.

(3) Toilet cases and other cases, bags, and kits (without regard to size, shape, construction, or material from which made) for use in carrying toilet articles or articles of wearing apparel.

• • • • •

§ 320.60 *Scope of tax.* The tax imposed by section 1651, as added by section 302 of the Revenue Act of 1943, attaches to the sale by the retailer on and after April 1, 1944, of all articles commonly and commercially known or sold as:

(1) Trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, and salesmen's sample and display cases;

(2) Purses, handbags, pocketbooks, wallets, billfolds, and card, pass, and key cases; and,

(3) Toilet cases and other cases, bags, and kits (without regard to size, shape, construction, or material from which made) for use in carrying toilet articles or articles of wearing apparel.

The terms "trunks", "valises", "traveling bags", "suitcases", "satchels", "overnight bags", "beach bags", "bathing suit bags", and "salesmen's sample and display cases", include all receptacles which are commonly and commercially known and sold as such regardless of their design, size, materials from which made, or the purpose for which they are to be used.

The term "hat boxes for use by travelers" includes all receptacles commonly and commercially known and sold as such, which are designed for the purpose of conveying or carrying hats by hand or otherwise in traveling.

The term "brief cases made of leather or imitation leather" includes all receptacles commonly or commercially known and sold as such, which are made of leather or imitation leather, regardless of size or the purpose for which purchased. This term also includes so-called "ring binders", "portfolios", "envelopes", etc., which are made of leather or imitation leather, regardless of size, provided such articles are capable of being closed on all four sides by means of a zipper, lock, snap fastener, or some other such device.

The terms "purses", "handbags", "pocketbooks", "wallets", "billfolds", and "card, pass, and key cases" include receptacles commonly and commercially known and sold as such, regardless of design, size, or materials from which made, or the purpose for which they are to be used.

The terms "toilet cases", and "other cases, bags, and kits", include all receptacles commonly and commercially known and sold for use in carrying toilet articles or articles of wearing apparel, regardless of their size, shape, construction, or materials from which made. These terms also include so-called "utility bags", "furlough bags" and similar articles.

§ 320.61 *Rate of tax.* The tax is payable by the retailer. The tax rate is 20 per cent of the price for which the articles are sold. The tax applies to all sales made on and after April 1, 1944, as determined under §§ 320.5 to 320.10, inclusive, and § 320.74.

No credit or refund shall be allowed against the retailers' tax due on luggage, etc., for any tax previously paid by the manufacturer on his sale thereof under the provisions of section 3406 (a) (2) of the Code.

PAR. 29. Immediately preceding the subheading "Records, Statements, and Special Returns" under relettered Subpart H—Miscellaneous Provisions, there is inserted the following:

SEC. 1651. RETAILERS' EXCISE TAX ON LUGGAGE, ETC. (As added by section 302, Revenue Act of 1943.)

• • • • •

(b) *Other laws applicable.* All provisions of law (including penalties) applicable in respect of the taxes imposed by Chapter 19 shall be applicable in respect of the tax imposed by subsection (a).

• • • • •

PAR. 30. Renumbered § 320.70 is amended by adding at the end thereof the following paragraph:

The taxes collected and paid under section 1652 (c), as added by section 302 of the Revenue Act of 1943 (see § 320.3), should be included in the regular monthly return on Form 728A filed by the vendor as prescribed above. If a vendee, liable for the tax, refuses to pay to the vendor the tax due, the vendor should report to the Commissioner the name and address of such vendee, the nature of the transaction, the amount involved in the contract, and the date of the payment of such amount. A copy of the contract involved should also be furnished.

PAR. 31. The last sentence of renumbered § 320.71, is amended by changing "§ 320.67" to read "§ 320.77."

(Secs. 301, 302, 303, 307, and 310 of the Revenue Act of 1943 (Public Law 235, 78th Congress), and secs. 2410 and 3791 of the Internal Revenue Code (53 Stat., 467; 26 U.S.C., 194 ed., 2410, 3791))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: March 31, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4800; Filed, March 31, 1944; 12:32 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 21]

PART 602—GENERAL ORDERS AND DIRECTIVES

RETAIL DELIVERIES OF BITUMINOUS COAL AND WESTERN COKE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of bituminous coal and western coke for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense:

Sec.
602.410 What this regulation does.
602.411 Definitions.
602.412 Responsibility of retail dealers distributing bituminous coal, western coke, briquettes or packaged fuel must be faithfully discharged.
602.413 Restrictions upon retail dealer deliveries and consumer receipts of bituminous coal, western coke, briquettes and packaged fuel.
602.414 Procedure governing deliveries by retail dealers of bituminous coal, western coke, briquettes and packaged fuel.
602.415 Restrictions upon deliveries and receipts of bituminous coal, western coke, briquettes and packaged fuel when used in conjunction with or in addition to certain other solid fuels.
602.416 General restrictions upon retail dealer deliveries of bituminous coal for industrial use or production of power.
602.417 Consumer declarations.
602.418 Limitations upon applicability of this regulation.
602.419 How consumers who need solid fuels may obtain assistance.
602.420 Records.
602.421 Audit and inspection.
602.422 Violations.
602.423 Damages for breach of contract.
602.424 Application for modification and exception; inquiries and communications.
602.425 Official interpretations.
602.426 Regulations revoked hereby.
602.427 Effective date.

AUTHORITY: §§ 602.410 to 602.427, inclusive issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.410 *What this regulation does.* This regulation provides the basic governmental control over the distribution by retail dealers to consumers of bituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13. It also applies to the distribution by retail dealers of western coke, briquettes and packaged fuel. Under the regulation no retail dealer may deliver to any consumer, and no consumer may receive from all sources combined, more bituminous coal, western coke, briquettes and packaged fuel than such consumer will need, in addition to his inventory on April 1, 1944,

Section	Description of tax	Old rate	War tax rate
• •	•	•	•
2400 (except as respects watches selling at retail for not more than $65 and alarm clocks selling at retail for not more than $5).	Jewelry.	10 per centum.	20 per centum.
• •	•	•	•

• • • • •

SEC. 310. EXEMPTION OF SILVER-PLATED FLATWARE FROM TAX ON JEWELRY. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2400 (relating to the retailers' excise tax with respect to jewelry, etc.) is amended by striking out "gold, gold plated, silver, silver-plated or sterling flatware or hollow ware" and inserting in lieu thereof "gold, gold plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware".

PAR. 14. Subparagraph (4) of § 320.30 is amended to read as follows:

(4) Articles specifically mentioned in section 2400, such as watches, clocks, cases and movements therefor, gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars.

PAR. 15. The parenthetical phrase at the end of the second paragraph of § 320.31, as added by Treasury Decision 5102, is amended to read as follows:

(But see § 320.33 as to the taxability of articles where made of, or ornamented, mounted or fitted with, precious metals or imitations thereof, and § 320.61 relating to the taxability of purses, handbags, pocketbooks, etc.)

PAR. 16. Section 320.33, as amended by Treasury Decision 5191, is further amended by striking out the second paragraph.

PAR. 17. Section 320.35 is amended to read as follows:

§ 320.35 *Gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware.* The tax is imposed on the sale at retail of any gold, gold-plated, silver, or sterling flatware or hollow ware, and any silver-plated hollow ware. The terms "flatware and hollow ware" include all articles commonly or commercially known and sold as such in the trade. Any gold, gold-plated, silver, silver-plated, or sterling article which is not so known or sold in the trade as flatware or hollow ware, is subject to the tax as an article made of, ornamented, mounted or fitted with precious metals or imitations thereof.

No tax attaches to the sale at retail

PAR. 20. Section 320.36 is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold, except watches selling at retail for $65 or less, and alarm clocks selling at retail for $5 or less, which watches and alarm clocks are subject to the rate of 10 per cent.

PAR. 21. Immediately preceding § 320.40, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
•	• •	•	•
2401...	Furs.....	10 per centum.	20 per centum
•	• •	•	•

• • • • •

SEC. 303. PERSONS MAKING FUR ARTICLES FROM PELTS FURNISHED BY CUSTOMER. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2401 (relating to the retailers' excise tax with respect to fur articles) is amended by inserting at the end thereof the following: "Where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces an article of the kind described in this section from fur on the hide or pelt furnished, directly or indirectly, by a customer and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for purposes of this section. The tax on such a transaction shall be computed and paid by such person upon the fair retail market value, as determined by the Commissioner, of the finished article."

PAR. 22. Section 320.41 is renumbered § 320.42, and a new § 320.41 is inserted to read as follows:

§ 320.41 *Fur articles made from pelts furnished by customers.* On and after April 1, 1944, where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces

The tax applicable to such transactions is to be computed upon the fair retail market value of the finished article, as determined by the Commissioner. Generally the fair retail market value may be considered as the retail sales price for which the same or a similar finished article is sold by retailers generally in the ordinary course of the retail trade.

PAR. 23. Renumbered § 320.42, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold.

PAR. 24. Immediately preceding § 320.50, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
•	• •	•	•
2402	Toilet preparations.....	10 per centum.	20 per centum.
•	• •	•	•

• • • • •

PAR. 25. Section 320.50, is amended by striking out the third paragraph.

PAR. 26. Section 320.51, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 percent of the price for which such articles are sold.

PAR. 27. The heading "Subpart G—Miscellaneous Provisions" following § 320.52 is amended to read "Subpart H.—Miscellaneous Provisions", and the sections thereof are changed as follows: 320.60 to 320.70; 320.61 to 320.71; 320.62 to 320.72; 320.63 to 320.73; 320.64 to 320.74; 320.65 to 320.75; 320.66 to 320.76; 320.67 to 320.77; and 320.68 to 320.78.

PAR. 28. Immediately after § 320.52, there is inserted a new Subpart G, as follows:

SUBPART G—LUGGAGE, ETC.

to meet his heating requirements during the 1944–1945 coal year (April 1, 1944–March 31, 1945, inclusive).

Among the solid fuels to which this regulation applies, certain sizes and kinds will be considerably scarcer than others. Consumers will not be able to obtain as much of these scarcer solid fuels (namely, certain domestic sizes of bituminous coal produced in District 7 and District 8, western coke, briquettes and packaged fuel) as they will want. More stringent limitations must be placed upon the retail dealer distribution of the scarcer solid fuels, in order to secure their equitable distribution. Up to October 1, 1944, no retail dealer may deliver to a consumer, and no consumer may receive from all sources combined, a tonnage of the scarcer solid fuels which exceeds 75 percent of the consumer's annual requirements, less his April 1, 1944 inventory.

In areas where alternative and less scarce solid fuels, such as Districts 4, 9, 10, 11 or 12 coals, are available, it is estimated that not more than 75 per cent of the consumer's annual requirements to March 31, 1945, less his April 1, 1944 inventory, will be met by the scarcer solid fuels (certain sizes of District 7 and 8 coal, western coke, briquettes and packaged fuel). Therefore, consumers in such areas must, unless they wish to go through the winter with less than an adequate tonnage of solid fuels, put the alternative and less scarce solid fuels into their bins during the spring and summer to the extent of not less than 25 per cent of their annual requirements. Dealers, in the area in which Districts 4, 9, 10, 11 or 12 coals are obtainable, must, therefore, in the interest of protecting the communities which they serve, arrange to have available an adequate supply of those alternative and less scarce solid fuels for delivery during the spring and summer to their customers. Moreover, retail dealers may refuse to deliver the scarcer fuels to consumers whose burning equipment permits the use of an alternative solid fuel, provided that the dealer is ready, willing and able to provide the consumer with such other solid fuel.

If retail dealers and consumers cooperate with one another and SFAW in the early delivery of the alternative and less scarce solid fuels and if the utmost conservation is practiced by consumers, it is estimated that there will be sufficient usable coal of one kind or another for everyone. The responsibility of dealers under this regulation is to spread their available supply equitably among all consumers; the responsibility of consumers under this regulation is to refrain from duplicating or inflating their orders for coal and to conserve their fuel supply; it is the responsibility of both the retail dealers and the consumers to obey all provisions of this regulation.

§ 602.411 *Definitions.* (a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(b) "Coal" or "bituminous coal" means, unless otherwise specifically indicated, bituminous and subbituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13, as described in the Annex to the Bituminous Coal Act of 1937, as amended.

(c) "Solid fuels" include any form of anthracite, semianthracite, bituminous, subbituminous or lignitic coals or coke (including packaged and processed fuels such as briquettes).

(d) "Coke" means coke which is produced from bituminous coal.

(e) "Eastern coke" means coke delivered by retail dealers to consumers in the District of Columbia, and the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, and that portion of Pennsylvania which is east of a straight line drawn from the southern to the northern boundary of Pennsylvania through the western boundary of Gettysburg, in Adams County, and Lock Haven, in Clinton County.

(f) "Western coke" means all coke, except eastern coke, delivered by retail dealers to consumers.

(g) "Scarcer kinds of solid fuels" means (1) all lump, egg, stove, nut, pea, domestic mine run or straight mine run bituminous coal produced in the low volatile fields of District 7 or District 8, (2) all lump, egg, stove or nut bituminous coal produced in the high volatile fields of District 7 or District 8, (3) western coke and (4) packaged fuel or briquettes.

(h) "Alternative solid fuels" means all forms of bituminous coal other than the scarcer kinds of solid fuels.

(i) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of solid fuels in any transaction involving a shipment, sale, or sale and delivery, of broken bulk solid fuels physically handled in a truck, wagon or other less than carload facility, without regard to quantity or frequency of delivery.

(j) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck scales.

(k) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(l) "Consumer" means any person who acquires solid fuels for space heating, domestic hot water or domestic cooking except to the extent that he acquires such solid fuels for space heating incidental to an industrial process or the production of power.

(m) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of solid fuels consumed for space heating does not exceed 40 percent of the total annual tonnage of solid fuels consumed in the industrial process, the production of power and the space heating.

(n) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools, and office buildings.

(o) "Consumer's annual requirements" means the number of tons of solid fuels burned at the premises of a consumer (and if such premises has two or more units of heating equipment which customarily burn different sizes of solid fuels, the number of tons burned in each unit) during the period April 1, 1942, to March 31, 1943, inclusive; or, in the event solid fuels were not burned as the principal fuel in such premises (or in such heating units) during such period, the number of tons of solid fuels which were burned in other premises (or units) similar thereto in the same locality during the same period.

(p) "Consumer's inventory" means the number of tons of solid fuels in storage at the consumer's premises, or under the consumer's control, on April 1, 1944.

(q) "Deliveries to mine employees" means sale or deliveries of bituminous coal to such employees of producers of bituminous coal as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(r) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(s) "SFAW" means Solid Fuels Administration for War.

§ 602.412 *Responsibility of retail dealers distributing bituminous coal, western coke, briquettes or packaged fuel must be faithfully discharged.* (a) Each equipped or unequipped retail dealer who has or receives any bituminous coal, western coke, packaged fuel or briquettes has the responsibility for distributing such solid fuels equitably in strict accordance with the provisions of this regulation. Any dealer who does not discharge that responsibility faithfully may be precluded in whole or in part by SFAW from receiving bituminous coal and other solid fuels.

(b) It is anticipated that retail dealers generally will receive from their sources of supply considerably less of the scarcer kinds of solid fuels (such as certain sizes of District 7 and District 8 coal) than consumers in the aggregate would like to purchase. No equipped or unequipped retail dealer should undertake to deliver, in the aggregate, to the consumers he serves a tonnage of the scarcer kinds of solid fuels which exceeds the tonnage of such fuels he reasonably expects to receive in view of applicable regulations and such advice as he may receive from his sources of supply.

§ 602.413 *Restrictions upon retail dealer deliveries and consumer receipts of bituminous coal, western coke, briquettes and packaged fuel.* (a) During the period April 1, 1944–March 31, 1945, inclusive, no equipped or unequipped retail dealer may deliver, and no consumer may receive from all sources combined, any bituminous coal, western coke, packaged fuel or briquettes, or any or all of them in combination, in an amount which when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceeds 100 per cent of the consumer's annual requirements for solid fuels.

(b) Subject to the provisions of paragraphs (c) and (d) of this section, during the period April 1, 1944 to October 1, 1944, inclusive, no equipped or unequipped retail dealer may deliver, and no consumer may receive from all sources combined, the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 coal, western coke, briquettes, packaged fuel, or any or all of them in combination) in an amount which when added to (1) the consumer's inventory of such solid fuels as of April 1, 1944, and (2) the tonnage of such solid fuels received by the consumer after April 1, 1944, exceeds 75 per cent of the consumer's annual requirements for solid fuels.

(c) In applying the percentage of permissible shipments under provisions of this regulation, the retail dealer may, in respect to one-half ton or a larger fraction, deliver, and the consumer may receive, a full ton; and conversely, in applying the percentage of permissible shipments under provisions of this regulation, the retail dealer may disregard a fraction of less than one-half ton. For example, if application of the percentage of permissible shipments indicates that two and one-half tons may be delivered, the dealer may deliver three tons; if the application of the percentage of permissible shipments indicates that two and one-third tons may be delivered, the dealer may disregard the one-third ton and deliver two tons.

(d) In the practical application of the provisions of paragraph (b) of this section, a retail dealer may deliver to a consumer, and such consumer may receive, one load or three tons, whichever is less, of bituminous coal, western coke, briquettes or packaged fuel if it is necessary to do so in order to assure maximum effective utilization of transportation facilities available to the retail dealer: *Provided, however,* That the tonnage so delivered shall not, when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceed the consumer's annual requirements for solid fuels.

§ 602.414 *Procedure governing deliveries by retail dealers of bituminous coal, western coke, briquettes and packaged fuel.* (a) No equipped or unequipped retail dealer may deliver to a consumer, and no consumer may receive from any person, the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 coal, western coke, briquettes and packaged fuel) if the consumer inflates, duplicates or pyramids his orders for solid fuels.

(b) No equipped or unequipped retail dealer shall discriminate in the delivery of bituminous coal, western coke, packaged fuel, or briquettes, as between or among consumers who are equally entitled to receive such solid fuels under this regulation, provided, however, that retail dealers shall accord first preference in the delivery of such solid fuels to consumers who have less than a five days' supply of usable solid fuel on hand.

(c) Nothing in this regulation shall be deemed to require any retail dealer to deliver the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 bituminous coal, western coke, briquettes and packaged fuel) to a consumer whose burning equipment permits the use of alternative solid fuels, provided that the retail dealer is ready, willing and able to supply such consumer with such other alternative solid fuels.

§ 602.415 *Restrictions upon deliveries and receipts of bituminous coal, western coke, briquettes and packaged fuel when used in conjunction with or in addition to certain other solid fuels.* During the period April 1, 1944–March 31, 1945, inclusive, some consumers may want to use some of the solid fuels to which this regulation applies in conjunction with or in addition to other solid fuels (anthracite and eastern coke) to which SFAW Regulation No. 17 (9 F.R. 3193) applies. For example, some consumers may wish to receive bituminous coal, western coke and anthracite; or bituminous coal, eastern coke and anthracite; or certain of the scarcer kinds of solid fuels, as defined in this regulation (certain sizes of District 7 and District 8 coal, briquettes or packaged fuel) and anthracite or eastern coke. However, no equipped or unequipped retail dealer wherever located may deliver to a consumer, and no consumer may receive from all sources combined, an aggregate tonnage of the different solid fuels in excess of the amounts permitted to be delivered and received under this regulation and SFAW Regulation No. 17, as indicated by the following illustrative table:

Solid fuels to be delivered or received	Maximum percentage of consumer's annual requirements which may be delivered or received to Oct 1, 1944 (appropriate deduction to be made for consumer's Apr. 1, 1944 inventory).
(1) Certain sizes of Districts 7 and 8 coals, western coke, briquettes, packaged fuel (or any of them) and (2) anthracite.	75 percent (not more than 50 percent may be anthracite).
(1) Certain sizes of District 7 and 8 coal, briquettes, packaged fuel (or any of them) and (2) anthracite or eastern coke (or both of them).	75 percent (not more than 50 percent may be anthracite or eastern coke or both).

§ 602.416 *General restrictions upon retail dealer deliveries of bituminous coal for industrial use or production of power.* No equipped or unequipped retail dealer may deliver and no person may acquire from all sources combined during the period April 1, 1944–March 31, 1945, inclusive, bituminous coal for use in an industrial process or for the production of power or for space heating which is incidental thereto in an amount which when added to solid fuels in the possession or under the control of such person exceeds the amount needed to meet annual requirements to March 31, 1945.

§ 602.417 *Consumer declarations.* (a) Unlike SFAW Regulation No. 17 (which regulates retail dealer deliveries of anthracite and eastern coke), this regulation does not now require the filing of consumer declarations by consumers of bituminous coal, western coke, packaged fuel or briquettes.

(b) However, the SFAW may, after considering such recommendation as may be made, prior to SFAW action, by any SFAW Area Advisory Committee on Local Distribution or Community Committee on Emergency Distribution, require the filing with retail dealers of consumer declarations by consumers in certain areas before bituminous coal, western coke, briquettes or packaged fuel may be delivered or received.

§ 602.418 *Limitations upon applicability of this regulation.* This regulation does not apply to deliveries of bituminous coal, western coke, briquettes and packaged fuel to, or to the acquisition of such solid fuels by:

(1) The United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(2) Any person, including a governmental agency, who acquires such solid fuels for export to and use in any foreign country;

(3) Commercial fishing vessels or water-borne vessels engaged in the commercial transportation of cargo or passengers;

(4) Mine employees; or

(5) Except as provided in § 602.416, any person to the extent that he acquires such solid fuels for use in an industrial process or for the production of power or for space heating which is incidental thereto.

§ 602.419 *How consumers who need solid fuels may obtain assistance.* (a) A consumer who has received less solid fuels than is permitted under § 602.413 of this regulation and who (1) has less than five days' supply of solid fuels on hand, (2) is unable to obtain a supply of solid fuels either from his retail dealer or other retail dealers, and (3) is willing to accept any solid fuel which may reasonably be used in his burning equipment may obtain assistance from one of the following:

(1) The nearest local representative or any State Fuel Administration functioning under a plan of cooperation proposed by the Governor of the State and approved by SFAW. (Such plans have

heretofore been proposed for the States of Connecticut, Massachusetts, New Hampshire and Rhode Island and have been approved by SFAW); or

(ii) The nearest SFAW Area Advisory Committee on Local Distribution to be appointed pursuant to SFAW Order No. 12 (9 F.R. 2206). (A list of such committees will be published prior to September 15, 1944); or

(iii) The nearest SFAW Community Committee on Emergency Distribution to be appointed pursuant to SFAW Order No. 12 (a list of such committees will be published from time to time); or

(iv) The nearest regional or field office of SFAW.

(b) A consumer also may advise with any of the representatives, committees or officer, referred to in paragraph (a) of this section, in regard to any complaint as to the operation of this regulation.

§ 602.420 *Records.* Each retail dealer shall keep and preserve for a period of not less than two years accurate and complete records of the details of any transaction to which any portion of this regulation applies.

§ 602.421 *Audit and inspection.* All records required to be kept by this regulation shall upon request be submitted for inspection, copy and audit by duly authorized representatives of SFAW.

§ 602.422 *Violations.* Any person who wilfully violates any provision of this regulation or who by any act or omission falsifies records kept or information furnished in connection with this regulation is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both; and such person may also be prohibited from delivering or receiving any material under priority control.

§ 602.423 *Damages for breach of contract.* No retail dealer shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.424 *Application for modification and exception; inquiries and communications.* Any application by a retail dealer for modification of or exception from any provision of this regulation shall be filed in triplicate with the appropriate Regional Office of SFAW for the area in which the dealer is engaged in business. The application shall set forth in detail the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of the request for modification or exception. The Regional Representative, Area Distribution Manager, or other person in charge of the Regional Office of SFAW shall, after considering the recommendation of the SFAW Area Advisory Committee on Local Distribution, send such application and his recommendation thereon, to the Solid Fuels Administration for War, Washington 25, D. C., for appropriate action.

Any other person subject to or affected by this regulation should address inquiries and communications or requests for relief in respect to any provision of this regulation to the nearest office of SFAW.

§ 602.425 *Official interpretations.* Official interpretations shall be given only in writing, signed by the Administrator, the Deputy Administrator or the General Counsel of SFAW.

§ 602.426 *Regulations revoked hereby.* Solid Fuels Administration for War Revised Regulation No. 7 (8 F.R. 15442), as amended, is hereby revoked as of the effective date of this regulation: *Provided, however,* That civil or criminal liabilities incurred under the provisions of that regulation shall not be affected by this revocation.

§ 602.427 *Effective date.* This regulation shall become effective at 12:01 a. m., April 1, 1944.

Issued this 31st day of March 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

[F. R. Doc. 44-4683; Filed, April 3, 1944; 10:36 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communication Commission

[Order 66-A]

PART 8—RULES GOVERNING SHIP SERVICE[1]

EXTENSION OF SEVEN-YEAR LIMITATION PROVISION FOR AUTOMATIC ALARM RECEIVERS

At a session of the Federal Communications Commission held on the 28th day of March 1944, at its offices in Washington, D. C.;

It appearing that by Commission Order No. 66 (5 F.R. 1285), dated April 1, 1940, certain types and models of automatic alarm receivers were approved as meeting the Commission's Auto Alarm Requirements and Type Tests, promulgated under date of October 1, 1935,

"*Provided*, That approval of a particular individual automatic alarm receiver of any one of the above-mentioned types, installed on a ship for the purpose of complying with treaty or Title III, Part II of the Communications Act of 1934, as amended, shall not extend beyond the date seven years following the date when the particular alarm in question was first put into service aboard a ship.";

and it further appearing that subsequent to the adoption of Order No. 66, certain other types of auto alarms which constitute modified models of those originally approved, have been approved from time to time by the Commission; and

It further appearing that nearly seven years have elapsed since auto alarms of certain types and models approved by the Commission were first placed in service on board ships; and

It further appearing that because of conditions brought about by the war in which the United States is now engaged, no new specifications for automatic alarm receivers have been drawn by the Commisson to supersede the Auto Alarm Requirements and Type Tests, promulgated under date of October 1, 1935;

Therefore, it is ordered, That the seven year limitation contained in the above-cited proviso of Commission Order No. 66, dated April 1, 1940, be, and it is hereby extended until further order of the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-4714; Filed, April 3, 1944; 10:49 a. m.]

[1] Affects tabulation in § 162.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

NOXUBEE NATIONAL WILDLIFE REFUGE, MISS.

Under authority of section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the following is hereby ordered:

§ 25.691 *Noxubee National Wildlife Refuge, Mississippi; fishing.* Noncommercial fishing is permitted in the Noxubee National Wildlife Refuge, Mississippi, during the daylight hours from May 1 to October 31, inclusive, of each year in the waters specified herein, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940,[1] and subject to the following conditions, restrictions, and requirements:

(a) *Waters open to fishing.* Bluff Lake shall be open to fishing.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Mississippi. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law, and the use of trot and set lines and other similar contrivances is prohibited.

(c) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Mississippi State Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Mississippi State Game and Fish Commission or of the Fish and Wildlife Service.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

(e) *Use of motorboats.* Persons fishing in the waters of the refuge are prohibited from using on or in any boat a motor of greater than 5 horsepower capacity, except for official purposes.

(f) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

(g) *State cooperation.* The provisions of the regulations in this section shall be incorporated in, and deemed to be a part of, any agreement between the Director of the Fish and Wildlife Service and the Director of the State Game and Fish Commission of Mississippi for the regulation and management of fishing on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MARCH 14, 1944.

[F. R. Doc. 44-4666; Filed, April 3, 1944; 9:53 a. m.]

[1] 5 F.R. 5284.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, as Amended Apr. 1, 1944]

AUTHORITY OF NATIONAL HOUSING AGENCY FOR HOUSING CONSTRUCTION

§ 903.36 *Directive 24.* The National Housing Agency is hereby authorized for housing projects, except housing projects of the types listed on Schedule A, to take the following types of action, subject to conditions and limits established by the War Production Board through the issuance of program determinations or otherwise:

(a) Approve under Limited Preference Order P-55-c applications on Form WPB-2896 for housing construction, remodeling, repairs and installations of the types described in Schedule B, stating in the approval of any application that the allotment symbol "H" with the appropriate program number may be used for the construction;

(b) Approve construction, remodeling, repairs and installations of the types described in Schedule B, by the Federal Public Housing Authority and Home Owners Loan Corporation without requiring the filing of Form WPB-2896. This approval constitutes War Production Board authorization under Conservation Order L-41 and permits construction, remodeling, repairs and installations under the provisions of Limited Preference Order P-55-c using the allotment symbol "H" with the appropriate program number, subject to such further restrictions as the War Production Board may impose for temporary war housing;

(c) Cancel approvals under paragraphs (a) and (b) above as provided in Limited Preference Order P-55-c;

(d) Permit the use of items in housing projects approved under paragraphs (a) and (b) above where specific permission is required under Schedule I of Limited Preference Order P-55-c. This does not include items which must be specifically approved by the War Production Board and does not include the grant of an appeal for any other item;

(e) Assign upratings for specified projects only in accordance with approved War Production Board program determinations;

(f) Grant requests to amend the provisions of applications approved under paragraph (a) above and requests to amend orders in the P-55 series and the related provisions of applications for war housing covered by them in the following respects in the form and subject to criteria approved by the Facilities Bureau of the War Production Board:

(1) The number of dwelling units covered by the application;

(2) The location of the housing project;

(3) The time for application or extension of the preference rating and allotment symbol, for beginning or completing construction of the project, or for applying for an allotment of controlled materials;

(4) Permission to a successor builder or owner who has applied for permission to complete construction and to avail himself of the preference rating or authorization previously issued to the original builder or owner;

(5) Changes in the promises, certifications, and agreements, except for changes in rentals and sales prices which are covered by Directive 25, made by the builder or owner on Form WPB-2896 (PD-105) or other application forms used instead, in cases where the changes are covered by Preference Rating Order P-55-a.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. A. KRUG,
Program Vice Chairman.

SCHEDULE A

The following types of residential construction are not covered by Directive 24:

a. Farm housing and mobile farm labor camps.

b. Housing being built directly by or under the direct management of the Military Services.

c. Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

d. Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution", as defined in Paragraph (b) (2) of CMP Reg. 5A.

e. Mobile housing units (trailers).

f. Residential construction built by an "operator" as defined in P-98-b, under a Petroleum Administrative Order of the Petroleum Administration for War.

g. Housing built and owned by a Producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

h. The alteration, betterment, repair or replacement (but not the initial construction and equipping, which is provided for under paragraph a. (2) of Schedule B below) of structure, facilities, equipment or fixtures which is intended primarily for a commercial establishment located in a dwelling structure.

SCHEDULE B

The following construction, remodeling, repairs and installations are covered by Directive 24:

a. Dwelling structures (including partially or completely prefabricated structures):

(1) Single family and multi-family residential structures including apartment hotels, except hotels as defined in Schedule A.

(2) Dormitories, rooming houses and similar dwelling accommodations.

(3) Structures which include commercial establishments such as stores, restaurants, offices, where more than 50 per cent of the floor area of each structure provides dwelling accommodations, not including alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

b. Dwelling Facilities: All buildings and structures which are appurtenant and accessory to dwellings such as private garages, sheds, management offices, project maintenance and repair shops, private recreation facilities, garden structures.

c. Dwelling Equipment and Fixtures: All fixtures and equipment built into or firmly attached to a dwelling structure or dwelling facility.

(1) The following equipment is excluded:

(i) Portable electric space heating appliances.

(ii) Movable furniture and movable furnishings.

(2) Except where required for the construction of new houses, or for the rebuilding or remodeling projects where new dwelling units are added, the following equipment is excluded:

(i) Domestic cooking stoves, ranges and hot plates.

(ii) Domestic space eating stoves.

(iii) Mechanical and ice refrigerators.

(iv) Window shades and venetian blinds.

d. Utility Facilities: Sanitation facilities and facilities supplying electric power, gas, water and central steam heating which are an integral part of the housing development in cases where the owner of the facilities does not qualify as an "operator" under paragraph 1 of P-141 or as a "producer" under Paragraph (a) of U-1.

e. Roads and Other Land Improvements: All improvements which are accessory to and an integral part of dwelling sites, such as roads, driveways, walks, parking areas, terraces, retaining walls, fences, and private outdoor recreation facilities. Off-site access roads are not included.

f. Trailer Sites and Facilities, but not the construction of trailers (See Paragraph (e) of Schedule A).

g. Commercial Establishments: Land improvements, structures, facilities or fixed equipment for commercial establishments such as stores, service stations, restaurants, offices, theaters, and for public community buildings, only to the extent that such establishments are:

(1) An integral part of a project which is undertaken primarily for the purpose of construction, alteration or betterment of dwelling accommodations, and

(2) Specified in the application form WPB-2896, and

(3) Necessary for the utilization of the dwelling accommodations upon completion of the construction project.

This paragraph does not include alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

[F. R. Doc. 44-4659; Filed, April 1, 1944; 4:51 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E. O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Apr. 1, 1944]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are three types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold to anyone who makes or produces such a product in the form in which the holder possesses it or to a wholesaler whose regular business is selling such a product in whole or in part from stock or inventory. They also may be sold to anyone on a rating of AA-5 or higher. A holder may also make a special sale of a finished product which is not on List B if he obtains permission from the War Production Board. The way to get this permission is explained in paragraph (c) (2) (iii) below.

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (PD-470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. There are two exceptions to this rule in which WPB-1161 is not to be used. These are controlled materials for which special rules have been provided in later paragraphs, and a few finished products where a note in List B states that another form is to be used.

(iv) A holder may sell freely to anyone if he has a total of not more than $100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has $100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth less than $100.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.
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Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders bearing the endorsements described in M-21-b-1 and M-21-b-2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the Regional Office of the War Production Board for the region in which the material is located or to the appropriate materials division. If the material is being secured through the Copper Recovery Inventory Branch, then such request should be addressed to it at 350 Fifth Ave., New York 16, N. Y.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before April 1, 1944 which say that this regulation does not apply may be disregarded, except for Order U-1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P-98-c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after April 1, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised on the first of each month, beginning April 1st, 1944. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LISTS A AND B

Explanation of Lists A and B: Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes non-integrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are wholesale dealers in the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons for the purpose of resale, or for fabrication or assembly into other products. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5," it means that the holder can sell to anyone who gives him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
PART I—METALS AND METALLIC ORES					
Alumina	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):***					
In controlled material form	W. O. P.	No*	W. O. P.**	W. O. P.**	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors and wholesale dealers. Lists available at WPB offices. ***A holder may sell freely to anyone if the total amount of aluminum held by him does not exceed $25.00 in value.
Not in controlled material form	W. O. P.	No	W. O. P.**	W. O. P.**	
Antimony:					
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Beryllium*	W. O. P.	No	No	W. O. P.	*Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals)					
Chromium:					
High carbon ferro-chromium over .10 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Low carbon ferro-chromium under .10 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Copper:					
In controlled material form (new and used)*:					*A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in para. (c) (2) (iv) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items. **Only to fill orders under para. (c) (2) (v) and (vi) of the regulation. ***Only to persons permitted to accept delivery pursuant to Copper Order M-9. ****Only to persons having specific authorization to buy.
Brass mill products	W. O. P.	No**	No***	No****	
Copper wire mill products (bare and insulated).	W. O. P.	No**	No***	No****	
Foundry copper or copper base alloy products	X	No**	X	X	
Not in controlled material form (new and used):					
Copper raw materials (Ref. shapes & Cu. and Cu. base alloy ingots).	No***	No***	X	No***	
Semi-fabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper)).	W. O. P.	PR-AA5	PR-AA5	PR-AA5	
Corundum (see Part III).					
Cryolite	No	No	No	No	
Electrical resistance material*	W. O. P.	PR-AA5	PR-AA5	W. O. P.	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. ** A holder may sell freely to anyone if the total amount of electrical resistance material held by him does not exceed $25.00 in value.
Ferroalloys* (other than ferrocolumbium).					* May be sold as provided for principal non-ferrous element.
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	* Includes any alloy containing 45% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
Alloy iron castings*	W. O. P.	W. O. P.	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys."
Cast iron products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Malleable iron castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pig iron	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron (see steel).					
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).	W. O. P.	W. O. P.	W. O. P.**	No	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WPB offices.
Magnesium and magnesium products*					*Includes hydrogen reduced powder.
Molybdenum wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Monel (see Nickel).					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR-AA5	PR-AA5	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Osmium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in implements of war.
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	No	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	No	W. O. P.	W. O. P.	
Treasury silver	W. O. P.	No	W. O. P.	W. O. P.	
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, alloy and carbon (including wrought iron)*:					*Pursuant to pars. (c) (2) (iv), a holder may sell freely to any one any item of iron or steel if the total amount of that item held by him does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Alloy steel castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Axles (railway)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sheet piling	W. O. P.	W. O. P.	X	No**	**Only to fill orders under par. (c) (2) (v) and (vi) of the regulation.
Tin plate, terne plate, and tin mill black plate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tires	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wheels	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
All other controlled material forms of steel (including wrought iron).*	W. O. P.***	No**	No**	No**	*See CMP Reg. 1 for list of controlled material forms. ***Also includes nonintegrated steel producers who further process steel.
Not in controlled material form:					
Bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle, and taper).	W. O. P.	W. O. P.	X	W. O. P.	
Cotton bale ties	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Forgings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Track materials:					
Frogs, switches, crossings, switch stands, guard rails, guard rail clamps, rail braces, rail anchors, gauge rods, clip bolts, rail clips and nut locks	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Steel, other	W.O.P.	PR-AA5	PR-AA5	W.O.P.	
Wrought iron	W.O.P.	PR-A9	W.O.P.	W.O.P.	
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tungsten wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*	W. O. P.	No			*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5	X	W. O. P.	
Wrought iron (see steel).					
Zinc:					
Zinc	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
PART II—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde	W. O. P.	No*	W. O. P.	W. O. P.	*54 gals. Mo.[1]
Acetate, vinyl (and polymers of)	W. O. P.	No*	X	No	*25 lbs. Mo.[1]
Acetic anhydride**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Acetone	W. O. P.	No*	X	W. O. P.	**Also called ethanoic anhydride, acetyl oxide and acetic oxide. *5 drums Mo.[1]
Acids:					
Acetic	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Adipic**	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1] ** Includes all derivatives except "Nylon."
Anhydrous hydrofluric	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Arsenious**	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Citric	W. O. P.	No*	X	W. O. P.	*440 lbs. Qr.[1]
Maleic	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Naphthenic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*5 tons Mo.[1]
Phosphoric	W. O. P.	No*	X	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) AND (g) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Acrylic Monomers and Acrylic Resins:					
Cast sheet	W. O. P.	No*	X	W. O. P.	*20 sq. feet Mo.[1]
Molding sheet	W. O. P.	No*	X	W. O. P.	*20 sq. feet Mo.[1]
Molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cast shapes	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Tube	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Rod	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Solution	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Emulsion	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomer	W. O. P.	No*	X	W. O. P.	*10 gals. Mo.[1]
Granular polymers	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Acrylonitrile**	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1] **Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Includes Isobutyl, secondary butyl, and tertiary butyl.
Capryl**	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo.[1] **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	No.	X	W. O. P.	
Hexahydric Alcohols:					
d-Sorbitol	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Technical grade d-Sorbitol	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Commercial grade	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Mannitol-crystalline	W. O. P.	No*	X	W. O. P.	*280 gals. Mo.[1]
Higher Aliphatic Alcohols:					
Normal octanol	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Normal decanol	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Lauryl alcohol	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Mixed aliphatic alcohols	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
2-ethyl hexanol	W. O. P.	No*	X	W. O. P.	270 lbs. Mo.[1]
Isopropyl**	W. O. P.	No*	X	W. O. P.	*270 gals. Mo.[1] **Also called secondary propanol.
Methyl (methanol)	W. O. P.	No*	X	W. O. P.	*540 gals. Mo.[1]
Alcohols, denatured:					
Acetaldol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Dehydrol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
G. C. 76	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
St. 115	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Alkanolamines	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Allyl Alcohol	W. O. P.	No*	X	X	*20 lbs. Mo.[1]
Allyl Chloride	W. O. P.	No*	X	X	*20 lbs. Mo.[1]
Aluminum hydrate	W. O. P.	No.	X	W. O. P.	
Aluminum chloride, anhydrous	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Ammonia:					
By-product ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Antimony sulphide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol)	W. O. P.	No*	X	W. O. P.	*80 gals. Mo.[1] **Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*20 lbs. Mo.[1]
Benzaldehyde	W. O. P.	No*	X	W. O. P.	*20 gals. Mo.[1]
Benzene	W. O. P.	No*	No.	W. O. P.	
Benzene containing oils	W. O. P.	No.	No.	W. O. P.	
Beryllium chemicals	W. O. P.	No.	No.	W. O. P.	
Butadiene	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo.[1]
2-butanol	W. O. P.	No.	X	W. O. P.	
Butyl phthalyl butyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Cadmium pigment	W. O. P.	No*	No.	W. O. P.	*20 lbs. Mo.[1]
Calcium carbide	W. O. P.	No*	X	W. O. P.	*50 tons Mo.[1]
Calcium carbonate, precipitated	W. O. P.	No*	X	W. O. P.	*20 lbs. Mo.[1]
Calcium hypochlorite, high test**	W. O. P.	No*	X	No.	**Available chlorine content 68% or more by weight.
Calcium metal	W. O. P.	No*	X	W. O. P.	*1 lbs. Mo.[1]
Other forms	W. O. P.	No*	X	W. O. P.	*1 lbs. Mo.[1]
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Carbon tetrachloride	W. O. P.	No*	W. O. P.	W. O. P.	*55 gals. Mo.[1]
Casein	W. O. P.	No*	No.	W. O. P.	*125 lbs. Mo.[1]
Castor oil phthalate	W. O. P.	No.	X	W. O. P.	
Castor oil phthalate hydrogenated	W. O. P.	No.	X	W. O. P.	
Cellophane (See list B).					
Cellulose acetate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1] **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
Cellulose ester sheets, rods, tubes and molding powder:					
Cellulose plastic molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cellulose plastic sheets	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic rods	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic tubes	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose nitrate, plasticized**	W. O. P.	W. O. P.	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Chestnut extract	No.	No.	No.	No.	
Chlorate and perchlorate chemicals**	W. O. P.	No*	No.	W. O. P.	*25 lbs. Mo. **Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) AND (g) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Chloride of lime**	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Chlorine	W. O. P.	No.	X	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No.	No.	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chrome Pigments:					
Class A	W. O. P.	No*	X	W. O. P.	*Class A products, subject to quota (See M-370).
Class B	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] of zinc chromate and 25 lbs. Mo.[1] of chromium oxide green.
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Chromic Acid	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Chromium tanning compounds	W. O. P.	No*	No.	W. O. P.	*See sodium bichromate.
Sodium bichromate	W. O. P.	No*	No.	W. O. P.	*4,000 lbs. Mo.[1] or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Potassium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Potassium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Cobalt oxide	W. O. P.	No.	X	W. O. P.	
Copper carbonate	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper chloride	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper cyanide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper oxide (except cuprous oxide)	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper sulphate	W. O. P.	No*	X	W. O. P.	*4,000 lbs. quarter.[1]
Cotton pulp, chemical	W. O. P.	No.	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No.	No.	W. O. P.	
Cuprous oxide	W. O. P.	No.	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Cyanide (sodium)	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
DDT	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Diacetone	W. O. P.	No*	X	W. O. P.	*1 lb. Mo.[1]
Diamyl phthalate	W. O. P.	No.	X	W. O. P.	*5 drums Mo.[1]
Di-butoxy ethyl phthalate	W. O. P.	No.	X	W. O. P.	
Dibutyl phthalate	W. O. P.	No.	X	W. O. P.	
Dicapryl phthalate	W. O. P.	No.	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No*	No.	No.	*550 lbs. Mo.[1]
Dichlorodifluoromethane	W. O. P.	No.	X	W. O. P.	
Dicyandiamide	W. O. P.	No.	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethel ethanolamine	W. O. P.	No*	X	W. O. P.	*3 gals. Mo.[1]
Diethyl phthalate	W. O. P.	No.	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No.	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No.	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No.	X	W. O. P.	
Dimethyl phthalate	W. O. P.	No.	X	W. O. P.	
Diphenylamine**	W. O. P.	No.	X	W. O. P.	**Also called phenylaniline.
Dyestuffs and organic pigments	W. O. P.	No.	X	W. O. P.	
E. W. naphtha	W. O. P.	No*	W. O. P.	W. O. P.	*54 gals. Mo.[1]
Ethyl acetate	No.	No*	X	No.	*270 gals. Mo. of ethyl acetate and isopropyl acetate.[1]
Ethyl cellulose	W. O. P.	W. O. P.	X	W. O. P.	*10 lbs. Mo.[1]
Ethyl chloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethylene dichloride	W. O. P.	No.	X	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Formaldehyde	W. O. P.	No*	X	W. O. P.	*110 gals. Mo.[1]
Furfural	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Gasoline Gum inhibitors					
Glycols:	W. O. P.	No*	X	W. O. P.	*5,000 lbs. Mo.[1]
Ethylene	W. O. P.	No*	X	W. O. P.	*960 lbs. Mo.[1]
Propylene	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Diethylene	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Triethylene	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Mixed glycols	W. O. P.	No*	X		
Glycol ethers:	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monobutyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*430 lbs. Mo.[1]
Monomethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*410 lbs. Mo.[1]
Monoethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*460 lbs. Mo.[1]
Monoethyl ether of diethylene glycol	W. O. P.	No.	X	W. O. P.	
Guanidine	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Hexamethylenetetramine	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Hydrogen peroxide	W. O. P.	No.	X	W. O. P.	
Isobutyl castor oil phthalate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of isopropyl acetate and ethyl acetate.
Isopropyl acetate					
Lacquer, lacquer thinners (see Paints).	W. O. P.	W. O. P.	X	W. O. P.	
Lithopone	W. O. P.	No.	No.	W. O. P.	**Excluding crude lithium sodium phosphate.
Lithium chemicals**	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Magnesium oxide, light	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Maleic Anhydride	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Melamine Aldehyde molding compound and resins.					
Methacrylic acid (see acrylic monomer and acrylic resins.					
Methanol	W. O. P.	No.	X	W. O. P.	*10 lbs. Mo.[1]
Methyl bromide	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl ethyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl Isobutyl ketone	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Methyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1]
Mineral oil polymers	W. O. P.	No*	X		
Molding compounds:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Monoethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Naphthalene	W. O. P.	No.	W. O. P.	W. O. P.	
Naphthanates**	W. O. P.	No*	X		*50 gals. Mo.[1] **Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naptha, high flash	W. O. P.	No*	X	W. O. P.	*20 gals. Mo.[1]
Nickel chemicals**	W. O. P.	No.	No.	W. O. P.	**Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oxidized petrolatum	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paints, varnishes, lacquers and lacquer thinners:					
Aluminum paint	W. O. P.	No	X	W. O. P.	
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1] **Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Di-acetone.
Paints, other	W. O. P.	W. O. P.	X	W. O. P.	*3,000 lbs. Mo.[1]
Paraformaldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Pentaerythritol	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Perchlorate chemicals	W. O. P.	No*	No	W. O. P.	1 drum Mo.[1]
Perchlorethylene	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Perchloric acid	W. O. P.	No*	No*	W. O. P.	*55 gals. Mo.[1]
Phenols (tar acids)**	W. O. P.	No*	No	W. O. P.	**Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	No*	W O P	W. O. P.	*10,000 lbs. Mo.[1]
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	*700 lbs Mo[1]
Pine oil	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Plasticizers:					
Phosphate**	No	No*	X	No	*1,000 lbs. Mo.[1] **Tricresyl and triphenyl.
Phthalate	W. O. P.	No	X	W O P.	
Plastics, cellulose (see cellulose ester flake)					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyethylene	W. O. P.	No	X	W. O. P.	
Polystyrene**	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1] **In primary unfabricated forms.
Polyvinyl acetal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Potash**	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1] **Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	No	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No	W. O. P.	*80 lbs. Mo.[1]
Resin:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	*750 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Vinsol	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	*5 lbs. or 1 gal. Mo.[1]
Rubber, synthetic (see Rubber, Part III).					
Shellac	W. O. B.	No	X	W. O. P.	
Sodium metallic	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Sodium metsilicate	W. O. P.	No*	X	W. O. P.	*300 lbs. Mo.[1]
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium perborate	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Sodium peroxide	W. O. P.	No*	X	W. O. P.	*75 lbs. Mo.[1]
Sodium phosphates	W. O. P.	No*	X	W. O. P.	2000 lbs. bi-monthly.
Stabilized rosin	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Styrene	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No	No	X	No	**Potassium tantalum fuoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Tin chemicals	No	No	No	No	
Titanium dioxide	W. O. P.	W. O. P.	X	W. O. P.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	
Toluene (toluol)	W. O. P.	No*	No	W. O. P.	*5 gals. Mo.[1]
Tributyl glycerol triphthalate	W. O. P.	No	X	W. O. P.	
Trichlorethylene	W. O. P.	No*	X	W. O. P.	1 drum Mo.[1]
Tungsten chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals	W O. P.	No	W. O. P.	W. O. P.	
Varnishes (see Paints).					
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1] **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No*	X	W. O. P.	*20 gals. Mo.[1]
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide-pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Abrasive, manufactured,* crude and grain.	W. O. P.	No	W. O. P.	W. O. P.	*Includes silicon carbide and used aluminum oxide only.
Agave Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Agave fibre:					
Suitable for cordage	No	No	No	No	
Not suitable for cordage	No	W. O. P.	No	No	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Burlap	W. O. P.	W. O. P.	No	W. O. P.	
Cantala (see Agave fibre)					

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LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Diamonds, industrial*	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Report sales as required by M-100.
Duck, Cotton*	W. O. P.	PR AA-5	X	W. O. P.	*Width 15" to 87".
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	
Graphite, strategic grades	No	No	No	No	
Hemp seeds	W. O. P.	W. O. P.	X	W. O. P.	
Hemp Sunn	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)					
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Hull fibre*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Istle, raw*	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Jewel bearings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearing material*	W. O. P.	No	X	W. O. P.	*Natural sapphire and spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	W. O. P.	W. O. P.	X	W. O. P.	
Lacquer, lacquer thinners (see Paints, Part II).					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. D. P.	W. O. P.	No	W. O. P.	
Fibre	No	No.*	No	No	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon	W. O. P.	No	No	No	
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool).					
Paints (see Part II).					
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W. O. P.	W. O. P.	No	W. O. P.	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rubber:					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	No	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Co.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W O P.	
Silk:					
Raw	No	No	X	No	
Waste, noils, etc	No	W. O. P.**	W. O. P.**	W O P.	**Use certificate required.
Sisal (see Agave fibre).					
Sole leather (see Leather).					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Black Walnut	W. O. P.	W. O. P.	X	W. O. P.	
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Port Orford Cedar and derivatives	W. O. P.	W. O. P.	X	W. O. P.	
Sitka Spruce	No	No	No	No	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR-AA-2X	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan slab	W O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Diamonds, industrial*	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Report sales as required by M-109.
Duck, Cotton*	W. O. P.	PR AA-5	X	W. O. P.	*Width 15" to 87".
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	
Graphite, strategic grades	No	No	No	No	
Hemp seeds	W. O. P.	W. O. P.	X	W. O. P.	
Hemp Sunn	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)					
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Hull fibre*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Istle, raw*	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Jewel bearings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearing material*	W. O. P.	No	X	W. O. P.	*Natural sapphire and spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	W. O. P.	W. O. P.	X	W. O. P.	
Lacquer, lacquer thinners (see Paints, Part II).					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Fibre	No	No.*	No	No	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon	W. O. P.	No	No	No	
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool).					
Paints (see Part II).					
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Abrasive products, bonded and coated.	WOP	WOP	WOP	WOP	
Automotive equipment:					
Axles	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Brakes	WOP	PR-AA-2X	X	WOP [1]	
Clutches	WOP	PR-AA-2X	X	WOP [1]	
Off-the-highway vehicles	WOP	PR-AA-2X	X	WOP [1]	
Propeller shafts	WOP	PR-AA-2X	X	WOP [1]	
Rims	WOP	PR-AA-2X	X	WOP [1]	
Transfer cases	WOP	PR-AA-2X	X	WOP [1]	
Transmissions	WOP	PR-AA-2X	X	WOP [1]	
Truck-trailers	WOP	PR-AA-2X	X	WOP [1]	
Trucks	WOP	PR-AA-2X	X	WOP [1]	
Wheels	WOP	PR-AA-2X	X	WOP [1]	
Engines:					
Air-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Diesel and gas (not gasoline) (non-marine only).	WOP	PR-AA-2X	X	WOP [1]	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only).	WOP	PR-AA-2X	X	WOP [2]	[2] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Camshafts (finished only).	WOP	PR-AA-2X	X	WOP [2]	
Carburetors, gasoline	WOP	PR-AA-2X	X	WOP [2]	
Crankshafts (finished drop forged).	WOP	PR-AA-2X	X	WOP [2]	
Electric starting motors, engine mounted only.	WOP	PR-AA-2X	X	WOP [2]	
Exhaust and intake valves and seats—internal combustion engines.	WOP	PR-AA-2X	X	WOP [2]	
Fuel injection equipment	WOP	PR-AA-2X	X	WOP [2]	
Governors, internal combustion engine mounted.	WOP	PR-AA-2X	X	WOP [2]	
Magnetic starting switches—internal combustion engines.	WOP	PR-AA-2X	X	WOP [2]	
Magnetos	WOP	PR-AA-2X	X	WOP [2]	
Mechanical governors	WOP	PR-AA-2X	X	WOP [2]	
Piston rings	WOP	PR-AA-2X	X	WOP [2]	
Voltage regulators	WOP	PR-AA-2X	X	WOP [2]	
Bearings—anti-friction	No [3]	No [3]	No [3]	No [3]	[3] Sales of excess bearings are limited to the following: 1. To the original supplier, or 2. On any AAA order; or 3. On any AA-5 or higher rated order from Army, Navy, Maritime Commission, or War Shipping Administration or from any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 4. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-5 or higher regardless of order's purpose; or 5. Specific sales authorized by the War Production Board.
Cellophane	WOP	No	No	No	
Chain saws	WOP	No [4]	X	No [4]	[4] May be sold only on WPB authorization (Form WPB-3131).

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Construction machinery:					
Backhoes (new and used), power crawler, mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	[1] May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located.
Cranes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	This restriction does not apply to sales outside the 48 states of the United States and the District of Columbia and does not apply to the following special sales: 1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale. 2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer. 3. Sales by any Governmental agency to any other Governmental agency. 4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Draglines (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	
Motorgraders (new and used), self propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four wheel drive types.	No [1]	No [1]	No [1]	WOP	
Shovels (new and used), power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	
Tractors (new and used), crawler or track-laying type, all gauges, bare and including tractor mounted equipment such as bulldozers, angledozers, cranes, loaders, power control units, etc. (all diesel and semi-diesel powered models and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No [1]	No [1]	No [1]	WOP	
Cork products	WOP	WOP	WOP	WOP	
Dental burs	WOP	WOP	WOP	WOP	
Diamond dies (large) [6]	WOP	WOP	WOP	WOP	[6] With hole diameter larger than .0018.
Diamond dies (small) [7]	No	No	No	No	[7] With hole diameter of .0018 and smaller.
Electronic parts and equipment:					
Electronic equipments	WOP	AA-5	X	No	
Capacitors (variable)	WOP	AA-5	X	No	
Capacitors (fixed)	WOP	AA-5	X	No	
Coaxial cable	WOP	AA-5	X	No	
Crystal assemblies	WOP	AA-5	X	No	
Instruments, electrical indicating, combat type [8]	WOP	AA-5	X	No	[8] Except fire control equipment, and navigation instruments.
Insulators [9]	WOP	AA-5	X	No	[9] Ceramic, micalex, plastic.
Loudspeakers	WOP	AA-5	X	No	
Microphones	WOP	AA-5	X	No	
Relays, other than motor control as used in radio communication equipment.	WOP	AA-5	X	No	
Resistors (radio and radar)	WOP	AA-5	X	No	
Sockets, tube (radio and radar)	WOP	AA-5	X	No	
Test equipment [10]	WOP	AA-5	X	No	[10] All items cleared as recognized B-1 items, (standard) electronic.
Transformers and reactors [11]	WOP	AA-5	X	No	[11] Radio and radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar)	WOP	AA-5	X	No	
Vibrator [12]	WOP	AA-5	X	No	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Engines, marine Diesel	WOP	No [13]	X	No	[13] Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Graphite crucibles	WOP	WOP	WOP	WOP	
Industrial power trucks (new and used).	WOP	No [14]	X	WOP	[14] Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1319).
Laundry equipment, commercial, dry cleaning equipment, commercial, and tailors pressing equipment:					
Group 1					
Boards, steam spotting	WOP	No [15]	X	WOP	[15] May be sold freely to the Army or Navy or any prime contractor or subcontractor for delivery to the Army or Navy, otherwise WPB Form 924 authorization is required.
Conveyors, monorail	WOP	No [15]	X	WOP	
Dry cleaning units, naphtha	WOP	No [15]	X	WOP	
Dry cleaning units, synthetic	WOP	No [15]	X	WOP	
Dryers, garment, hot air	WOP	No [15]	X	WOP	
Dryers, hosiery and sock	WOP	No [15]	X	WOP	
Dye machines	WOP	No [15]	X	WOP	
Extractors (including mechanical unloading).	WOP	No [15]	X	WOP	
Forms, collar	WOP	No [15]	X	WOP	
Forms, hosiery and sock	WOP	No [15]	X	WOP	
Forms, overall	WOP	No [15]	X	WOP	
Forms, sleeve	WOP	No [15]	X	WOP	
Forms, trouser	WOP	No [15]	X	WOP	
Filters, solvent, for dry cleaning	WOP	No [15]	X	WOP	
Fluffers, handkerchief	WOP	No [15]	X	WOP	
Folding machines, automatic	WOP	No [15]	X	WOP	
Ironers, collar	WOP	No [15]	X	WOP	
Ironers, flatwork	WOP	No [15]	X	WOP	
Ironers, handkerchief	WOP	No [15]	X	WOP	
Ironer attachments:					
Canopies	WOP	No [15]	X	WOP	
Feeding devices	WOP	No [15]	X	WOP	
Listing machines	WOP	No [15]	X	WOP	
Marking machines	WOP	No [15]	X	WOP	
Presses	WOP	No [15]	X	WOP	
Shakers, flatwork	WOP	No [15]	X	WOP	
Shapers, sleeve	WOP	No [15]	X	WOP	
Shapers, trouser	WOP	No [15]	X	WOP	
Spreaders, flatwork	WOP	No [15]	X	WOP	
Stackers, flatwork automatic	WOP	No [15]	X	WOP	
Stackers, handkerchief automatic.	WOP	No [15]	X	WOP	
Starch cookers	WOP	No [15]	X	WOP	
Starching and stenciling machines.	WOP	No [15]	X	WOP	
Starching machines	WOP	No [15]	X	WOP	
Stills, vacuum, for dry cleaning	WOP	No [15]	X	WOP	
Stretchers, trouser	WOP	No [15]	X	WOP	
Tables, marking	WOP	No [15]	X	WOP	
Tumblers	WOP	No [15]	X	WOP	
Washers (except glove)	WOP	No [15]	X	WOP	
Group 2					
Blocking machines, garment	WOP	WOP	WOP	WOP	
Boards, pressing	WOP	WOP	WOP	WOP	
Boards, pressing, velvet and nap	WOP	WOP	WOP	WOP	
Boards, shirt folding	WOP	WOP	WOP	WOP	
Boards, ironing	WOP	WOP	WOP	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Laundry equipment, etc.—Con.					
Boards, spotting, except steam	WOP	WOP	WOP	WOP	
Boards, steam	WOP	WOP	WOP	WOP	
Cabinets, deodorizing, drying or sterilising	WOP	WOP	WOP	WOP	
Collar shapers	WOP	WOP	WOP	WOP	
Collar tippers	WOP	WOP	WOP	WOP	
Conveyors, bag (wet wash)	WOP	WOP	WOP	WOP	
Conveyors, "go back"	WOP	WOP	WOP	WOP	
Conveyors, shirt	WOP	WOP	WOP	WOP	
Cuff cleaners	WOP	WOP	WOP	WOP	
Dampeners, cloth	WOP	WOP	WOP	WOP	
Dampeners, collar and seam	WOP	WOP	WOP	WOP	
Dryers, blanket and curtain	WOP	WOP	WOP	WOP	
Dryers, rug	WOP	WOP	WOP	WOP	
Dryers, windwhip	WOP	WOP	WOP	WOP	
Dry rooms, conveyor	WOP	WOP	WOP	WOP	
Dry rooms, sectional	WOP	WOP	WOP	WOP	
Dye kettles	WOP	WOP	WOP	WOP	
Feather sanitising machines	WOP	WOP	WOP	WOP	
Finishers, garment	WOP	WOP	WOP	WOP	
Finishers, sleeve	WOP	WOP	WOP	WOP	
Fluting machines	WOP	WOP	WOP	WOP	
Forms, glove	WOP	WOP	WOP	WOP	
Fur cleaning equipment	WOP	WOP	WOP	WOP	
Glazers, fur	WOP	WOP	WOP	WOP	
Glove cleaning machines	WOP	WOP	WOP	WOP	
Hangers, revolving shirt	WOP	WOP	WOP	WOP	
Hatters' equipment	WOP	WOP	WOP	WOP	
Holders, bag	WOP	WOP	WOP	WOP	
Holders, net	WOP	WOP	WOP	WOP	
Irons, puff	WOP	WOP	WOP	WOP	
Irons, rotary	WOP	WOP	WOP	WOP	
Irons, steam	WOP	WOP	WOP	WOP	
Ironers, edger	WOP	WOP	WOP	WOP	
Ironers, hat crown	WOP	WOP	WOP	WOP	
Ironers, ruffle	WOP	WOP	WOP	WOP	
Ironer attachments:					
String mark eliminators	WOP	WOP	WOP	WOP	
Napping machines (carding machines for blanket finishing).	WOP	WOP	WOP	WOP	
Puffers, steam	WOP	WOP	WOP	WOP	
Rug cleaning machines (stationary).	WOP	WOP	WOP	WOP	
Sand bags, hat	WOP	WOP	WOP	WOP	
Seam cleaners	WOP	WOP	WOP	WOP	
Shirt envelop machines	WOP	WOP	WOP	WOP	
Steamers, garment	WOP	WOP	WOP	WOP	
Steamers, velvet	WOP	WOP	WOP	WOP	
Sterilizers, feather	WOP	WOP	WOP	WOP	
Stretchers, blanket and curtain.	WOP	WOP	WOP	WOP	
Stretchers, dress	WOP	WOP	WOP	WOP	
Tables, steam	WOP	WOP	WOP	WOP	
Tubs, scrub	WOP	WOP	WOP	WOP	
Tubs, starch	WOP	WOP	WOP	WOP	
Tubs, stationary laundry	WOP	WOP	WOP	WOP	
Washers, glove	WOP	WOP	WOP	WOP	
Mining Equipment and machinery [17] (new and used).	No	No	No	No	[17] Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in P-56 may be transferred by such producer only to another producer who holds a serial number under such order or with permission of the Mining Division, WPB.
Motion Picture (35 mm.) projection equipment and accessories:					
List 1					
Amplifiers	No [18]	No [18]	No [18]	No [18]	[18] May be sold only on WPB authorization (Forms WPB-3253 WPB-3254).
Bases	No [18]	No [18]	No [18]	No [18]	
Complete portable projector.	No [18]	No [18]	No [18]	No [18]	
Complete projection arc	No [18]	No [18]	No [18]	No [18]	
Complete projectors	No [18]	No [18]	No [18]	No [18]	
Complete sound systems	No [18]	No [18]	No [18]	No [18]	
Current converting devices	No [18]	No [18]	No [18]	No [18]	
Loud speakers	No [18]	No [18]	No [18]	No [18]	
Pedestals	No [19]	No [19]	No [19]	No [19]	[19] May be sold only on WPB authorization (Forms WPB-3253, WPB-3254).
Projection arc lamphouses	No [19]	No [19]	No [19]	No [19]	
Projector mechanisms	No [19]	No [19]	No [19]	No [19]	
Sound heads	No [19]	No [19]	No [19]	No [19]	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) AND (6) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
List 8					
Motion Picture, etc.—Con.					
Automatic enclosed rewinders.	WOP	WOP	WOP	WOP	
Change-over devices	WOP	WOP	WOP	WOP	
Film splicers	WOP	WOP	WOP	WOP	
Hand rewinders	WOP	WOP	WOP	WOP	
Nitrate film storage cabinets.	WOP	WOP	WOP	WOP	
Repair units and repair parts (except electronic parts).	WOP	WOP	WOP	WOP	
Steel fireproof booth tables	WOP	WOP	WOP	WOP	
Take-up reels	WOP	WOP	WOP	WOP	
Motors and generators, electric (fractional horsepower) excepting those used as starters or magnetos on internal combustion engines.	WOP	No [8]	X	No	[8] Does not apply to the sale, exchange or other transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, their contractors or subcontractors provided the fractional horsepower motors will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Office machinery:					
List 1					
Accounting machines, bookkeeping machines and billing machines (accounting principle.) Also continuous forms handling machines (typewriter principle) having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.	WOP	No [8]	No	No	[8] May be sold only on WPB authorization. (Form WPB-1088).
Adding machines	WOP	No [8]	No	No	
Addressing machines, including but not limited to embossing machines (for plates, and stencil cutting machines embodying typewriter principle.	WOP	No [8]	No	No	
Calculating and computing machines:					
Rotary and others	WOP	No [8]	No	No	
Duplicating machines including but not limited to ink ribbon gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators:					
Gelatin	WOP	No [8]	No	No	
Offset and relief	WOP	No [8]	No	No	[8] May be sold only on WPB authorization (Form WPB 1088).
Spirit	WOP	No [8]	No	No	
Stencil	WOP	No [8]	No	No	
Machines and collateral equipment intended for use for dictating purposes.	WOP	No [8]	No	No	
Microfilm machines designed for office functions	WOP	No [8]	No	No	
Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).	WOP	No [8]	No	No	
Payroll denominating machines.	WOP	No [8]	No	No	
Punched card tabulating and accounting machines and collateral equipment.	WOP	No [8]	No	No	
Time recording machines and collateral equipment, except watchmen's clocks	WOP	No [8]	No	No	[8] May be sold on WPB authorization. (Form WPB-1088).
Time stamp machines and collateral equipment	WOP	No [8]	No	No	
Typewriters—new nonportable	WOP	No [8]	No	No	
Typewriters—new portable	WOP	No [8]	No	No	
Typewriters—used nonportable	WOP	No [8]	WOP	WOP	[8] Subject to OPA Reg. RO-4A.
Typewriters—used portable	WOP	No [8]	WOP	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
List 2					
Office machinery—Con.					
Autographic registers	WOP	WOP	WOP	WOP	
Cash (registering machines)	WOP	WOP	WOP	WOP	
Change making machines	WOP	WOP	WOP	WOP	
Check cancelling machines	WOP	WOP	WOP	WOP	
Check cutting machines	WOP	WOP	WOP	WOP	
Check dating machines	WOP	WOP	WOP	WOP	
Check endorsing machines	WOP	WOP	WOP	WOP	
Check numbering machines	WOP	WOP	WOP	WOP	
Check protecting machines	WOP	WOP	WOP	WOP	
Check signing machines	WOP	WOP	WOP	WOP	
Check sorting machines	WOP	WOP	WOP	WOP	
Check writing machines	WOP	WOP	WOP	WOP	
Coin counting machines	WOP	WOP	WOP	WOP	
Coin sorting machines	WOP	WOP	WOP	WOP	
Coin wrapping machines	WOP	WOP	WOP	WOP	
Currency counting machines	WOP	WOP	WOP	WOP	
Envelope contents folding machines	WOP	WOP	WOP	WOP	
Envelope handling machines	WOP	WOP	WOP	WOP	
Envelope mailing machines	WOP	WOP	WOP	WOP	
Envelope opening machines	WOP	WOP	WOP	WOP	
Envelope sealing machines	WOP	WOP	WOP	WOP	
Envelope stuffing machines	WOP	WOP	WOP	WOP	
Mail room folding machines	WOP	WOP	WOP	WOP	
Perforating machines (marking and cancelling)	WOP	WOP	WOP	WOP	
Postal permit mailing machines	WOP	WOP	WOP	WOP	
Post office cancelling machines	WOP	WOP	WOP	WOP	
Shorthand writing machines	WOP	WOP	WOP	WOP	
Stamp affixing machines	WOP	WOP	WOP	WOP	
Printing and publishing machinery, parts and supplies (new and used):					
Graphic arts machinery:					
Machine composition	WOP	No [21]	WOP	WOP	[21] May be sold only on WPB authorization. (Form WPB-1319). Does not apply to machinery put into use before May 1, 1937, which may be sold freely.
Hand composition	WOP	No [21]	WOP	WOP	
Photoengraving, lithographic and gravure plate making	WOP	No [21]	WOP	WOP	
Electrotype, stereotype rubber and plastic	WOP	No [21]	WOP	WOP	
Presses	WOP	No [21]	WOP	WOP	
Bindery	WOP	No [21]	WOP	WOP	
Ranges, domestic electric	WOP	WOP [26]	X	WOP	[26] See Order L-23-b for persons eligible to buy new domestic electric ranges.
Refrigerators, domestic mechanical	No [27]	No [28]	X	No [27]	[27] WPB Form 809 required. [28] May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission; or the War Shipping Administration for shipboard use only, otherwise WPB Form-867 is required.
Sterilizer equipment	WOP	WOP	WOP	WOP	
Tools:					
Machine tools [29]	WOP	WOP	WOP	WOP	[29] The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and forcing of metals.
Metal cutting [29]	WOP	WOP	WOP	WOP	[29] Except chasers.
Track-laying tractor parts	WOP	WOP	WOP	WOP	

[F. R. Doc. 44-4628; Filed, April 1, 1944; 11:20 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-513]

IMPERIAL MANUFACTURING COMPANY

Joseph Reiter and Herbert Holmberg, co-partners, doing business under the name of Imperial Manufacturing Company, 2019 East Lake Street, Minneapolis, Minnesota, were engaged in the business of constructing and selling prefabricated houses. Between August 15, 1943, and November 1, 1943, they constructed two pre-fabricated houses, one at Spring Lake Park, Minnesota, and the other at New Brighton, Minnesota, and sold them without authorization of the War Production Board and in violation of Conservation Order L-41. The estimated cost and sale price of these structures was approximately $925 and $1,450, respectively, both of which exceeded the $200 limit permitted under Conservation Order L-41. Joseph Reiter and Herbert Holmberg had such knowledge of Conservation Order L-41 that their beginning these constructions constituted wilful violations of the order.

These violations of Conservation Order L-41 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.513 *Suspension Order S-513.* (a) Deliveries of material to Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 31, 1944, and shall expire on June 29, 1944.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD.

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4604; Filed, March 31, 1944; 4:28 p. m.]

PART 1226 [1]—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-111, as Amended Apr. 1, 1944]

HAND TRUCKS AND OTHER HANDLING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel and other materials, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.112 [2] *General Limitation Order L-111*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles hand trucks, platforms, pallets, portable (platform type) elevators, or racks.

(3) "Hand truck" means any truck, lift truck, lift jack, dolly, or trailer, not self-power propelled, with one or more free running wheels or casters, designed or used for transporting material of any kind; except a hospital cart designed for moving materials in parts of hospitals customarily used by patients, or a trailer for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(4) "Dolly" means any low platform or structure mounted on wheels or casters (or one or more of each), and designed primarily for moving bulky loads on floors.

(5) [Revoked, September 6, 1943].

(6) "Lift truck" means a hand truck designed or used to lift and support a platform or pallet in moving. "Lift jack" means a hand truck designed or used to lift and support a part of a semi-live platform in moving.

(7) "Two wheel hand truck" means a hand truck in which the load is partly carried or balanced by a person, even though such hand truck may be equipped with more than two wheels or casters.

(8) "Platform truck" means a hand truck consisting of a platform on wheels or casters or both, not self-power propelled.

(9) "Trailer" means a platform type truck designed to be towed.

(10) "Platform" means any platform, deck or skid, with or without box top or enclosure, standing on legs or other supports, and used or designed primarily for use in conjunction with hand or power operated lift trucks, portable (platform type) elevators, or similar devices. "Semi-live platform" means a platform with one or more wheels, or casters, and one or more legs or similar supports.

(11) "Pallet" means a single or double faced support designed primarily for the same purposes as a platform.

(12) "Portable (platform type) elevator" means any elevating device, mounted on wheels or casters (or one or more of each), with either power or hand operated lift, used or designed primarily for elevating or lowering material, for purposes of tiering, stacking, or access to elevated places.

(13) "Rack" means any rack or other structure used or designed primarily for the storage of pallets or platforms, or storage or draining (or both) of barrels, drums, carboys, or similar containers.

(14) [Deleted Apr. 1, 1944]

(15) "Copper or copper base alloy" means unalloyed copper metal, or alloy metal containing 40% or more by weight of copper metal. It shall include unalloyed copper metal or alloy metal produced from scrap.

(16) [Deleted Apr. 1, 1944]

(b) *Restrictions on acceptance of orders for hand trucks, platforms, and portable (platform type) elevators, and parts.* (1) No manufacturer, dealer or other person shall accept any order for any new hand truck, platform, or portable (platform type) elevator, or any new parts for any such equipment, or deliver any such equipment or parts under any order tendered on or after April 13, 1943, unless such order bears a preference rating of AA-5 or higher.

(2) The foregoing requirements shall not apply to any order for parts to be delivered to a manufacturer or dealer for resale for repair purposes, or to any other person for use in the repair of any such equipment already owned by such person, if the purchaser furnishes his supplier with a certification in substantially the following form, on the purchase order or in a separate document:

I hereby certify that the above (or attached) order is for parts to be used for repair purposes only, in compliance with paragraph (b) (2) of General Limitation Order L-111.

---------- Company

By ----------
(Authorized Official)

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7. No person shall make delivery under any such order if he knows or has reason to believe that such certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any supplier may rely upon the information therein, and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue.

(c) *Operation reports.* On or before the 15th day of each calendar month, each manufacturer shall file a report with the War Production Board on Form WPB-2494 (formerly PD-845) showing his production capacity and such other information as may be required by said form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Required specifications for hand trucks and other handling equipment.* No person shall manufacture or deliver any new hand trucks, platforms, pallets, racks, or portable (platform type) elevators, or deliver any new wheels, or other parts for use on any such new equipment or for replacement on any such used equipment, except in accordance with the specifications and restrictions set forth below, and no person shall deliver, or accept delivery of, any such equipment which he knows, or has reason to believe, was manufactured, or is being delivered, contrary to such specifications and restrictions:

(1) [Revoked September 6, 1943].

(2) *Restriction on the use of bearings and materials.* No ball bearings or roller bearings shall be used in the manufacture of two-wheel hand trucks, platform trucks, dollies, or semi-live platforms, except where the normal load capacity is 2500 lbs. or more, and except also that ball bearings and other alloy steel may be used in the swivel bearings or casters. This restriction shall not be deemed to prohibit the use of pin bearings using unground steel pins of other than alloy steel.

(3) [Deleted Apr. 1, 1944]

(4) [Deleted Apr. 1, 1944]

(5) *Restrictions on use of copper and copper base alloy.* No copper or copper base alloy shall be used in the manufacture of hand trucks, pallets, or platforms, except in hydraulic packing washers, or where the use of other materials would create a definite explosion hazard as a result of the necessity of using such equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives. However, brass may be used in bearings where bearings are permitted under paragraph (d) (2).

(6) *Restrictions on use of aluminum, tin, cadmium, zinc, and metallic plating and finishes.* No aluminum, tin, cadmium, zinc, metallic plating or metallic finishes shall be used in the manufacture of hand trucks, pallets, or platforms, except that zinc may be used for galvanizing when required by regulations of the Department of Agriculture or other federal agency, or by a state law, or where it would be required if such federal regulations were applicable in intrastate commerce.

(e) [Deleted Apr. 1, 1944]

(f) *Exemptions and exceptions.* (1) [Deleted Apr. 1, 1944]

(2) The limitations and restrictions of paragraph (d) of this order shall not apply:

(i) To the manufacture, delivery and acceptance of parts which are to be used for repair and maintenance only and which cannot be used for replacement on existing equipment in a practical manner if made in conformity with such specifications and restrictions;

(ii) To the manufacture, delivery and acceptance of parts which on April 23, 1943, had been fabricated or processed to the extent that any other use would be impractical;

(iii) To the manufacture, delivery and acceptance of any hand trucks or other handling equipment in the process of manufacture on April 23, 1943, and to be used in filling any order accepted by the manufacturer prior to said date;

(iv) [Deleted Apr. 1, 1944]

(3) [Deleted Apr. 1, 1944]

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as issued and amended from time to time.

(2) [Revoked September 6, 1943].

(3) [Revoked September 6, 1943].

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-111.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Questions have arisen as to whether the term "hand truck", as defined in paragraph (a) (3), includes equipment of the following kinds:

So-called "carriers" of the types furnished for the use of customers in self-service grocery stores for carrying small quantities of groceries to the cashier's desk; equipment of similar design used in offices for moving light wire baskets of correspondence and the like about the office; and canvas covered baskets or hampers used for moving linens, trash, and other very light materials. Items of these kinds of equipment consist of a very light frame work mounted on small wheels or casters.

Equipment of these kinds is not included in the definition of "hand truck", and is not covered by Order L-111.

It is to be noted, however, that hand trucks of heavier construction, such as those used by the employees in retail stores for moving cases or boxes of merchandise about the store in restocking the shelves or for other purposes, are covered by the order along with other trucks of still heavier construction. (Issued Mar. 6, 1944)

[F. R. Doc. 44-4629; Filed, April 1, 1944; 11:20 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-111, Interpretation 2]

HAND TRUCKS AND OTHER HANDLING EQUIPMENT

The following interpretation is issued with respect to General Limitation Order L-111:

Book trucks, dish trucks, food carts, laundry trucks and laundry truck tubs, linen trucks, and shelf trucks are within the definition of "hand trucks" in paragraph (a) (3), except for hospital carts of the kinds which are specifically excluded by that definition, and except for "carriers" of the kinds described in Interpretation 1. Neither are such hospital carts and carriers within any of the other classes of equipment which are covered by the order.

It is to be noted that the term "hand trucks" includes both two wheel hand trucks and other kinds which have more than two wheels or casters and that paragraphs (b), (d) (5), and (d) (6) therefore apply to hand trucks of all types which are covered by the order (as well as other kinds of equipment referred to in these paragraphs).

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4630; Filed, April 1, 1944; 11:20 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, Interpretation 1]

STOVE TOP WORK SPACE NOT "ACCESSORIES"

The following interpretation is issued with respect to Limitation Order L-23-C:

Production of stoves with top work space is not prohibited by Limitation Order L-23-c. "Accessories" as defined in paragraph (a) (4) of the order does not include top work space.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4631; Filed, April 1, 1944; 11:20 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-512]

MASTER MANUFACTURING CORPORATION

Master Manufacturing Corporation of 119 Main Street, Sioux City, Iowa, was known at the time of the following occurrences as the Master Refrigerator Locker System, Inc., and is an Iowa corporation engaged in the business of manufacturing food lockers, as well as certain items which are of a military nature. The corporation admits the receipt of 644 tons of steel in excess of the quantity specifically authorized by its PRP certificates, between July 1, 1942, and February 11, 1943, in violation of Priorities Regulation No. 11. As to 474 of these tons, the corporation filed PD-25A forms in order to obtain steel and the forms contained a statement that the ratings assigned thereon were subject to the provisions of Priorities Regulation No. 11, and the War Production Board has otherwise found that the responsible officers of the corporation were aware of Priorities Regulation No. 11 or from their general business experience should have been aware of the regulation. These violations of Priorities Regulation No. 11 are deemed wilful, and they have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.512 *Suspension Order No. S-512.* (a) Master Manufacturing Corporation, its successors and assigns, shall not, directly or indirectly, receive steel in any form in a total tonnage exceeding 650 tons, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Master Manufacturing Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on August 1, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4663; Filed, April 1, 1944; 4:53 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-514]

SOILLESS GROWERS GUILD

Henry Phillips does business under the name of Soilless Growers Guild at 259 Jefferson Avenue S. E., Grand Rapids, Michigan, and is engaged in the assembly and distribution of Phillips Soilless Plant Balls of both flowers and vegetables. Soilless Growers Guild, during the months of September and October, 1943, applied preference ratings to obtain quantities of shipping containers

[1] Formerly Part 1209, § 1209.1.

in excess of the amount authorized by the War Production Board, in violation of Priorities Regulation No. 3. During the months of September and October, 1943, Soilless Growers Guild duplicated purchase orders with one or more suppliers for deliveries of shipping containers, to which it applied ratings in such a manner that the amount of shipping containers ordered exceeded the amount authorized, in violation of Priorities Regulation No. 3. Henry Phillips was sufficiently conversant with War Production Board Regulations so that he knew, or reasonably should have known, that his actions constituted violations of Priorities Regulation No. 3, and the violations must therefore be deemed wilful.

These violations of Priorities Regulation No. 3 have interferred with the War Production Board's system of priorities and allocations, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.514 *Suspension Order No. S-541.* (a) Deliveries of material to Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, shall not be accorded priorities assistance, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended, directly or indirectly, to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, of materials or products, the supply or distribution or which is governed by any order of the War Production Board, shall be made to Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The provisions of this order shall not be applicable to deliveries of materials upon orders bearing a preference rating of AA-1 or higher.

(e) This order shall take effect on April 1, 1944, and shall terminate on July 1, 1944.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4662; Filed, April 1, 1944; 4:53 p. m.]

PART 1075—CONSTRUCTION

[Limited Preference Order P-55-c, Amdt. 1]

HOUSING CONSTRUCTION

Section 1075.13 *Limited Preference Order P-55-c*, as amended February 12, 1944, is hereby amended as follows:

1. Paragraph (a) by eliminating the words "a" and "project" in the first sentence of this paragraph; by adding to the end of the second sentence "remodeling and installations"; by eliminating the third and fourth sentences and substituting "It covers all housing construction, remodeling and installations except construction of the types not included in the definition of housing (paragraph (j) (3)); by inserting after the word "property" in the fifth sentence "to the extent not covered by CMP Regulation 5, 5A or 9A, or General Limitation Order L-79"; by eliminating the word "construction" in the second paragraph.

2. Paragraph (b) by inserting "remodel, or make installation in" after the word "construct" in the first sentence; by adding "to the National Housing Agency" after "2896"; by omitting the second sentence and substituting "This paragraph does not apply to FPHA and HOLC construction."

3. Paragraph (c) by omitting the first sentence and substituting "Approval of the application on Form WPB-2896 by National Housing Agency and approval by the National Housing Agency of FPHA and HOLC projects constitutes WPB authorization under Order L-41."; by adding "installations" after "roads" and omitting "on Form WPB-2896, and is" and substituting "by the National Housing Agency and shown on the application Form WPB-2896 where this form is required".

Paragraph (c) (1) by inserting "In the case of construction of a new building or structure, if" in the place of "If" at the beginning of the first sentence and by inserting "National Housing Agency" in place of the words "agency which approved the application" in the first sentence.

Paragraph (c) (3) by adding a new sentence "Construction of temporary war housing by the FPHA must conform to these and such other requirements with respect to the use of material as may be imposed by the War Production Board".

4. Paragraph (d) by inserting the word "specifically" immediately before the word "list" and eliminating "the housing project" and substituting "construction" in the first sentence by inserting a new second sentence "However, if the application is for an installation only the description of the work should clearly indicate what is contemplated"; by omitting in the present second sentence "of H-1 or S-2 (whichever is shown in the application as approved)" and substituting "'H' with the program designation number shown on the application as approved".

5. Paragraph (j) (3) by omitting the word "project" in the first sentence; by adding at the end of the paragraph:

It does not include construction of the following types:

(i) Farm housing and mobile farm labor camps.

(ii) Housing being built directly by or under the direct management of the Military Services.

(iii) Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

(iv) Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution," as defined in Paragraph (b) (2) of CMP Reg. 5A.

(v) Mobile housing units (trailers).

(vi) Residential construction built by an "operator" (as defined in P-98-b) under a Petroleum Administrative Order of the Petroleum Administration for War.

(vii) Housing built and owned by a producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

(viii) Construction of commercial establishments in existing houses, or the remodelling of or installations in those establishments.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4660; Filed, April 1, 1944; 4:51 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-227, as Amended April 1, 1944]

FOUNTAIN PENS AND MECHANICAL PENCILS

Section 3291.210 *Limitation Order L-227* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of fountain pens and mechanical pencils for defense, for private account and for export, and it is deemed necessary and appropriate in the public interest and to promote the national defense to continue restrictions on the production of those articles but to modify the restrictions by assigning individual quotas to producers, instead of a general percentage of 1941 production, so as to give small producers a proportionately larger share in the production, to adjust production in the light of critical shortages of manpower in certain areas, and to adjust production on account of changes since 1941 with respect to location of plants and nature of products. At the same time materials restrictions are being somewhat relaxed to permit the use of certain materials which have become less scarce.

§ 3291.210 *Limitation Order L-227*—(a) *Effect on outstanding authorizations.* This order and the quotas assigned in Schedule A supersede all authorizations for the manufacture, assembly or delivery of fountain pens or mechanical pencils granted by the War Production Board, on appeal or otherwise, before April 1, 1944.

(b) *Definitions.* For the purposes of this order:

(1) "Fountain pen" means a writing device which can hold more fluid than that retained by capillary attraction on the surface of its pen nib. A dip pen is a fountain pen whether or not a pen nib is attached to it.

(2) "Mechanical pencil" means a writing instrument having a movable core of marking material encased in a housing.

(3) "Part" means any part made specifically for incorporation into a fountain pen or mechanical pencil.

(4) "Special order" means any purchase order, contract or subcontract calling for delivery:

(i) To or for the account of the Jersey City Quartermaster Depot of the United States Army, bearing Symbol No. W-1913-QM or 23-021-QM; or to or for the account of the Procurement and Accounting Division of the Office of the Secretary of War, or to or for the account of the Corps of Engineers of the United States Army for civilian functions;

(ii) To or for the account of the Navy (including ship service stores and Marine Post Exchanges);

(iii) To or for the account of the Maritime Commission or War Shipping Administration;

(iv) Outside the United States, its territories and possessions if it bears an export license issued by the Foreign Economic Administration.

(5) "Civilian production" means production of fountain pens or mechanical pencils for any order, contract or subcontract not included in special orders. It includes production for inventory other than production for anticipated special orders as permitted by this order. It does not include production for direct orders from Army Post Exchanges, and such orders may not be filled at all.

(c) *Restrictions on manufacture and delivery of fountain pens and mechanical pencils.* (1) During the calendar quarter beginning April 1, 1944, and during each calendar quarter after that until further notice from the War Production Board, no manufacturer shall make, assemble, or deliver any fountain pens or mechanical pencils for any purpose, except that each manufacturer listed on Schedule A may make or assemble at the location listed on that schedule and may deliver the quota of pens and pencils indicated after his name on the schedule for special orders and civilian production respectively.

(2) Any manufacturer who is not assigned a quota on Schedule A but who actually produced fountain pens or mechanical pencils during the first calendar quarter of 1944, in compliance with applicable orders and regulations of the War Production Board, is hereby assigned a provisional production and delivery quota during the second calendar quarter of 1944 only, for combined civilian production and special orders of one-half the amount of fountain pens and mechanical pencils, respectively, actually made by him during the first quarter of 1944. Any such manufacturer, and any other manufacturer who is not assigned a quota on Schedule A, may file an application with the War Production Board for a quota. Also, a manufacturer who wishes a quota increased or who wishes to manufacture at a location other than the one listed on the schedule may make application.

(d) *Materials restrictions for fountain pens, mechanical pencils and parts.* No person shall use any copper, copper base alloy, or crude, reclaimed or synthetic rubber in the manufacture of fountain pens, mechanical pencils or parts except:

(1) Copper in the production of silver or 14 karat gold pen nibs; and

(2) Crude, reclaimed or synthetic rubber as permitted in Rubber Order R-1, as amended, or any relief granted on appeal under that order.

(e) *Special restrictions on plating.* No person shall use in the manufacture of fountain pens, mechanical pencils or parts, any plating, coating or other metal finish containing:

(1) Tin, cadmium or nickel; or

(2) Copper unless permitted by Order M-9-c.

(f) *Distribution of civilian production.* In any case where a distributor of fountain pens or mechanical pencils either under his own brand name or under the name of the manufacturer is unable to get what he considers an equitable share of the civilian production of fountain pens or mechanical pencils he may apply to the War Production Board on Form WPB-547 for a rating.

(g) *Special restrictions on purchase and sale of fountain pen parts.* No person shall buy or accept delivery of any fountain pen parts except for the manufacture, production and assembly of fountain pens (including dip pens) as permitted by this order or for use or resale as repair parts. No person shall sell or deliver any fountain pen parts if he knows or has reason to believe that the purchaser is getting them in violation of this provision.

(h) *Reports.* Each manufacturer who makes fountain pens or mechanical pencils shall file within 15 days after the close of each calendar quarter a report of his production on Form WPB-1600 in accordance with the filing instructions for that form.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB-1477 (formerly PD-500) and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of fountain pens and mechanical pencils to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-227.

NOTE: The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

(1) Pursuant to paragraph (b) of Limitation Order L-227, the following production and delivery quotas for fountain pens and mechanical pencils are hereby established for the calendar quarter beginning April 1, 1944, and for each calendar quarter after that until further notice from the War Production Board.

(2) Each manufacturer listed may make and deliver the number of fountain pens and mechanical pencils set forth opposite his name for special orders and civilian production respectively.

(3) Quotas for special orders, include special orders actually on hand and received and also anticipated special orders, but the amount made for anticipated special orders by any one manufacturer listed may not in any event exceed 50% of his quarterly production quota for civilian production.

(4) Manufacturers may make their quotas only at the locations stated on the Schedule.

(5) In assigning production and delivery quotas the War Production Board has been guided by the following general policies:

(i) Manufacturers in Group 1 and Group 2 labor areas and manufacturers whose facilities are substantially engaged in war work have not been assigned quotas which would permit them to increase their production above the amounts actually produced in the fourth calendar quarter of 1943.

(ii) Small manufacturers producing less than 100,000 units in 1940 have been given a larger percentage of their pre-war production than larger manufacturers.

(iii) The War Production Board has attempted to allocate production to fill special orders so that all manufacturers making a pen or pencil which will satisfy military requirements will have a chance to secure special order business.

FOUNTAIN PENS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Adler Pen & Pencil Co.	366 Broadway, New York City	25,000	Unlimited
Arnold, R. L. Pen Co., Inc.	143 E. Washington St., Petersburg, Va.	197,250	247,500
Associated Pen Co.	45 E. 20th St., New York City	138,360	Unlimited
Avon Products Co.	49 W. 23d St., New York City	300,000	Unlimited
Barret, C. E. & Co.	315 S. Peoria St., Chicago, Ill.	15,250	10,000
Camel Pen Co.	2200 Morris Ave., Union, N. J.	6,250	6,250
Cooper Pen & Pencil Co.	Northvale, N. J.	11,000	10,000
Eagle Pencil Co.	703 E. 13th St., New York City	234,500	Unlimited
Eberhard Faber Pencil Co.	37 Greenpoint Ave. Brooklyn, N. Y.	170,750	Unlimited
Esser Corporation	Charlottesville, Va.	306,500	Unlimited
Esterbrook Steel Pen Mfg. Co.	Delaware Ave. & Cooper St., Camden, N. J.	142,000	61,000
Eversharp, Inc.	1300 Roscoe St., Chicago, Ill.	155,000	214,500
Frank Feldman	Nassau, N. Y.	81,500	Unlimited
Gilbert & Miller, Inc.	698 Broadway, New York City	6,750	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	16,500	Unlimited
Graphomatic Corporation	155 N. Clark St., Chicago, Ill.	1,500	1,500
Gregory Fount-O-Ink Co.	3501 Eagle Rock Blvd., Los Angeles, Calif.	11,000	11,000
Grodin Pen & Pencil Co.	344 Foster Ave., Brooklyn, N. Y.	25,000	Unlimited
J. Harris & Co.	115 E. 23d St., New York City	90,000	Unlimited
Hutcheon Bros.	241 Centre St., New York City	2,750	Unlimited
Inkograph Co.	200 Hudson St., New York City	95,500	Unlimited
David Kahn, Inc.	Grand Avenue, N. Bergen, N. J.	953,750	19,000
Kerr Pen Co.	Tulsa, Okla.	12,750	Unlimited
Moore Pen Co.	29 Melcher St., Boston, Mass.	11,000	1,750
Bert M. Morris Co.	1015 S. LaCienga Blvd., Los Angeles, Calif.	11,250	11,250
New Diamond Point Pen Co., Inc.	236 Fifth Avenue, New York, N. Y.	77,500	Unlimited
No-Mek Pen Products	10845 Prospect Avenue, Chicago, Ill.	2,250	2,250
Novelty Pen & Pencil Co.	318 Cliff Lane, Cliffside, N. J.	107,750	122,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	195,750	32,500
Parker Pen Co.	Janesville, Wis.	100,000	240,000
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	43,750	Unlimited
Preferred Products Co.	1723 West 12th St., Toledo, Ohio	5,000	5,000
Reliable Pen & Pencil Co.	277 Broadway, New York City	7,500	Unlimited
Salz Bros., Inc.	44 West 28th St., New York City	301,750	Unlimited
Sengbusch Self-Closing Inkstand Co.	2222 W. Clybourn St., Milwaukee, Wis.	11,500	3,250
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	190,500	220,750
Southern Pen Co.	16 N. Union St., Petersburg, Va.	76,250	3,500
Louis Tamis & Son	36 West 47th St., New York City	500	Unlimited
J. Ullrich & Co.	161 Washington St., New York City	4,500	Unlimited
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	25,000	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
L. E. Waterman Co.	344 Hudson St., New York City	93,000	Unlimited
Weidlich Pen Co.	505 Elm St., Cincinnati, Ohio	1,500	Unlimited
Welsh Mfg. Co.	54 Troy, Providence, R. I.	81,000	26,250

MECHANICAL PENCILS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Autopoint Pencil Co.	1801 Foster Ave., Chicago, Ill.	85,500	115,750
C. E. Barrett & Co.	315 S. Peoria St., Chicago, Ill.	7,750	7,750
Cooper Pen & Pencil Co.	Northvale, N. J.	1,000	1,000
Dur-O-Lite Pencil Co.	1001 N. 25th St., Melrose Park, Ill.	36,250	105,500
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	199,250	Unlimited
Esser Corporation	Charlottesville, Va.	372,750	Unlimited
Eversharp, Inc.	1300 Roscoe St., Chicago, Ill.	60,000	147,750
Frank Feldman	Nassau, N. Y.	13,500	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	15,000	Unlimited
Globe Pencil Advertising Co.	327 71st St., Guttenberg, N. J.	19,250	95,500
Guth, Stern & Co., Inc.	159 W. 25th St., New York City	28,750	Unlimited
Hardtmuth, L. & C, Inc.	Bloomsbury, N. J.	6,250	6,250
David Kahn, Inc.	Grand Ave., N. Bergen, N. J.	240,250	948,250
Jos Lipic Pen Co.	2201 Indiana Ave., St. Louis, Mo.	131,750	Unlimited
Listo Pencil Corp.	Alameda, Calif.	66,500	169,500
Mays Mfg. Co., Inc.	236 Chapman St., Providence, R. I.	20,000	75,000
Nichols Products Co.	Morrestown, N. J.	2,000	2,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	26,000	89,500
Parker Pen Co.	Janesville, Wis.	26,250	69,750
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	25,000	Unlimited
Ritepoint Co.	116 S. Grand Ave., St. Louis, Mo.	169,500	Unlimited
Rite Rite Mfg. Co.	555 Rogers St., Downers Grove, Ill.	83,000	189,000
Salz Bros, Inc.	44 W. 25th St., New York City	175,000	Unlimited
Scripto Mfg. Co.	422 Houston St., Atlanta, Ga.	252,000	630,000
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	44,000	89,500
Southern Pen Co.	16 N. Union St., Petersburg, Va.	11,250	42,750
Louis Tamis & Son	36 W. 47th St., New York City	1,000	Unlimited
Tec Pencil Co.	414 S. Robertson Blvd., Los Angeles, Calif.	2,750	2,750
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	7,250	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
Waterman, L. E.	344 Hudson St., New York City	43,000	Unlimited
Wonder Pen Co.	207 W. 25th St., New York City	19,750	Unlimited

[F. R. Doc. 44-4658; Filed, April 1, 1944; 4:51 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, Interpretation 2]

FOOD PROCESSING MACHINERY

The following interpretation is issued with respect to General Limitation Order L-292:

In accordance with paragraph (f) of General Limitation Order L-292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M-9-c, dealing with copper).

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4719; Filed, April 3, 1944; 11:55 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-315 as Amended Apr. 3, 1944]

ENCLOSED SAFETY SWITCHES, ENCLOSED BRANCH AND SERVICE CIRCUIT BREAKERS, SERVICE ENTRANCE EQUIPMENT, PANEL AND DISTRIBUTION BOARDS AND KNIFE SWITCHES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of enclosed safety switches, enclosed branch and service circuit breakers, service entrance equipment, panel and distribution boards and knife switches for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.132 *General Limitation Order L-315*—(a) *Definitions.* For the purposes of this order:

(1) "Secondary electrical distribution equipment" means only the following new devices, rated at not more than 600 volts, which are intended to be used to provide control or protection for service entrance, branch, or feeder circuits:

(i) Enclosed safety switches rated from 30 amperes to 2400 amperes, inclusive;

(ii) Enclosed branch or service circuit breakers. This term includes only devices rated at not more than 600 amperes and in which the circuit breakers are of the type in which all current carrying parts except the terminals are completely enclosed by an insulating case;

(iii) Service entrance equipment;

(iv) Panel and distribution boards. This term includes only devices accessible from the front and designed to be supported in or against a wall;

(v) Knife switches rated from 30 amperes to 1200 amperes, inclusive.

Secondary electrical distribution equipment does not include power switchgear, as defined in Schedule IV of

Limitation Order L–154, busway plugs, electric control equipment as defined in Limitation Order L–260, or snap and toggle switches of less than 30 ampere capacity.

(2) "Enclosures" means any steel enclosing cases designed to enclose current carrying parts of secondary electrical distribution equipment.

(3) [Deleted Apr. 3, 1944.]

(4) [Deleted Apr. 3, 1944.]

(5) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing secondary electrical distribution equipment, or enclosures, and includes sales and distribution outlets and warehouses owned by any such person.

(b) *Restrictions on manufacturers' sales and deliveries.* No manufacturer shall sell or deliver any secondary electrical distribution equipment or enclosures unless the sale or delivery bears a preference rating of AA–5 or higher. However, this restriction shall not apply to repair parts for secondary electrical distribution equipment or enclosures.

(c) *Conservation of materials.* After December 16, 1943, no manufacturer shall put into process any material for the manufacture of secondary electrical distribution equipment or enclosures, or parts thereof, except in accordance with the restrictions contained in Schedule A of this order. Nothing in this paragraph or Schedule A shall prohibit a manufacturer from assembling into complete devices any parts which he has in stock on December 16, 1943.

(d) *Exemptions.* The limitations of paragraph (c) shall not apply to the manufacture of any device or item of equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, where such equipment is required for shipboard use, or to the manufacture of any device or item of equipment for direct use on aircraft.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All communications concerning this order, except where specific reference is made therein to the contrary, shall be addressed to War Production Board, General Industrial Equipment Division, Washington, 25, D. C., Ref: L–315.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CONSERVATION RESTRICTIONS RELATING TO THE PRODUCTION OF SECONDARY ELECTRICAL DISTRIBUTION EQUIPMENT

(1) [Deleted Apr. 3, 1944.]

(2) [Deleted Apr. 3, 1944.]

(3) [Deleted Apr. 3, 1944.]

(4) [Deleted Apr. 3, 1944.]

(5) [Deleted Apr. 3, 1944.]

(6) Safety switches, enclosed branch and service circuit breakers and household type service entrance equipment, specifically designed for mounting therein current transformers, meters, or contractors, are not allowed.

(7) Special or separate dead front shields for shielding the line terminals only on enclosed safety switches, enclosed branch or service circuit breakers or service entrance equipment shall not be incorporated in equipment having general-purpose enclosures.

(8) [Deleted Apr. 3, 1944.]

(9) No copper, chromium, nickel, or alloys or finishes made of these metals shall be used in enclosures, nameplates, identification plates, or door hinges. The use of zinc is permitted only to the extent allowed in Conservation Order M–11–b. This paragraph does not govern the use of paint or paint finishes.

(10) No cadmium, or alloys or finishes made of cadmium, shall be used in or on any parts, except in silver alloy contacts for current interruption or ferrous metal parts where close tolerances must be maintained.

(11) Non-ferrous metal shall not be used in any of the following parts except where such parts are used in explosion-proof devices:

(i) Bolts, screws, clips or other devices used to ground an insulated neutral terminal plate to the enclosure;

(ii) The neutral terminal plate of equipment rated 70 amperes and less, except for plating.

(iii) Wire-binding screws and wire binding nuts rated 35 amperes and less, except that zinc or lead plating is permitted.

(12) Wire or cable lugs for ground connection to an enclosure shall not be incorporated in any equipment by the manufacturer.

(13) Draw file and polish finish of copper parts and bus bars are not allowed.

(14) Rusible type double-throw safety switches with general purpose enclosures may only be manufactured with provisions for fuses in both ends of the enclosures.

(15) Spade handles shall not be supplied on knife switches except those switches rated 600 amperes and over and switches having four or more poles.

[F. R. Doc. 44–4722; Filed, April 3, 1944; 11:55 a. m.]

PART 3077—WESTERN HEMLOCK AIRCRAFT LOGS

[General Preference Order M–229, Revocation]

Order M–229 is revoked. This revocation does not affect any liabilities incurred under the order. Delivery, acceptance of delivery, and use of Western hemlock aircraft logs remain subject to all other applicable regulations or orders of the War Production Board.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4724; Filed, April 3, 1944; 11:55 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 23]

DEFINITION OF STEEL

The following interpretation is issued with respect to CMP Regulation 1:

The word "steel" as used in CMP Regulation No. 1 means all carbon steel (including wrought iron) and alloy steel in the forms and shapes indicated in Schedule I. The term includes all types of rejected or second quality material and shearings, except when sold as scrap for remelting or when sold to a dealer for sorting or processing or for resale as scrap for remelting. The term includes material (in the forms and shapes indicated in Schedule I) salvaged from scrap and sold for other than remelting purposes except that it does not include material which has been in use or service.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4723; Filed, April 3, 1944; 11:55 a. m.]

PART 3260—TISSUE

[Limitation Order L–297, Revocation]

JAPANESE TISSUE

Section 3260.1 *Limitation Order L–297* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of Japanese tissue remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4721; Filed, April 3, 1944; 11:55 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L–103–b, Interpretation 2]

GLASS CONTAINER AND CLOSURE QUOTAS

The following official interpretation is hereby issued with respect to Order L–103–b (§ 3270.36):

Paragraph (g) sets forth the method for computing a packer's quota of new glass containers or new metal closures. The first step in the process (subparagraph (1) of para-

graph (g)) is to take the number of new glass containers or new metal closures used or accepted for packing that product during the named base period. In arriving at this number a packer may not include more containers or closures than he was permitted to accept or use under the provisions of the applicable order in existence at the time. New glass containers or new metal closures accepted or used pursuant to the grant of an appeal are properly included in making the computation.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4720; Filed, April 3, 1944; 11:54 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-201 as Amended Apr. 3, 1944]

AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

Limitation Order L-201 as amended July 10, 1943 (§ 3274.76) is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of tire chains for use on passenger autos, commercial vehicles, and farm tractors for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.76 *Limitation Order L-201*—(a) *Definitions.* For the purposes of this order:

(1) "Tire chain" means:

(i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.

(ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.

(iii) Any chain assembly of the strap-on or single-chain type.

(2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.

(3) "Commercial vehicle" means any light, medium, or heavy motor truck, truck-tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(4) "Consumer" means the owner or operator of the vehicle for which tire chains are required, or the user of such tire chains for any other purpose.

(b) *Limits on types and sizes of tire chains.* (1) A producer must not make any tire chains containing any metal other than low carbon steel, or any tire chains which are plated with metal.

(2) A producer must not make any tire chains except for use on the following sizes of tires:

(i) Tires for passenger autos: 6.00–16 (in "light car special" type only); 6.50–16; 7.00–16; 7:50–16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00–16, 6.50–20/32 x 6; 7.00–20; 7:50–16; 7.50–17; 7.50–20/34 x 7; 8.25–20; 9.00–20; 9.75–20.

(iii) Tires for farm tractors: As required.

(3) All tire chain produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No. 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(c) *Production of specially sized tire chain.* Tire chain in types and sizes other than those permitted by paragraphs (b) (2) and (b) (3) may also be made when individually ordered for delivery by the producer directly to the consumer. This is an exception to paragraphs (b) (2) and (b) (3).

(d) *Limits on production*—(1) *For passenger autos.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for passenger autos more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941–March 31, 1942.

(2) *For commercial vehicles.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for commercial vehicles more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941–March 31, 1942.

(3) *For farm tractors.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for farm tractors more than the total weight of metals used in the production of all tire chain for farm tractors sold by him either during the year April 1, 1940–March 31, 1941, or the year April 1, 1941–March 31, 1942, whichever is greater.

(4) *Increased production in critical labor areas and requirement for special authorization.* Notwithstanding the increase in production permitted by this order, no producer's plant located in a Group I or Group II Labor Shortage Area as classified by the War Manpower Commission shall, during the period April 1, 1944–March 31, 1945, put into process for the production of tire chain under this order a total weight of metals in excess of that legally put into process during the period April 1, 1943–March 31, 1944, unless specific authorization to do so is obtained from the War Production Board. The policy of the War Production Board will be to authorize the using of an increased weight of metals for such production so as to avoid increasing requirements for labor in labor shortage areas. Any producer seeking specific authorization under this paragraph should file a written statement in triplicate with the War Production Board, Washington, D. C., explaining fully how labor requirements for the requested increase will be met.

(5) *Exclusions in determining quota.* In determining production quotas under this paragraph (d) sales of tire chain during the base period to or for the account of persons described in paragraph (e) below shall not be included.

(6) *Scheduling of tire chain production.* Each producer may schedule production of the quantity of tire chain which he is allowed to produce by this paragraph (d) regardless of preference ratings on orders for tire chain or other kinds of chain. An exception to this rule is that production of tire chain under this order shall not be permitted to delay the production and delivery of any order for tire chain or other kinds of chain rated AAA; or to delay the production or delivery more than thirty days beyond the required delivery date of any order for tire or other kinds of chain for delivery to or for the use of the Army, Navy, Maritime Commission, or War Shipping Administration.

(e) *Exceptions to applicability of this order.* With the exception of the restrictions contained in paragraph (b) (1), the restrictions of this order shall not apply to tire chains sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, and the Treasury Department under Treasury Procurement Supply (TPS) contract.

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its dominions, crown colonies and protectorates, and Yugoslavia.

(3) Any agency of the United States Government for delivery to, or for the account of, the government of any country listed above, or any other country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This appeal should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: L-201.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4716; Filed, April 3, 1944; 11:54 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-78, as Amended Apr. 3, 1944]

FLUORESCENT LIGHTING FIXTURES

§ 3284.36 *General Limitation Order L-78*—(a) *Definitions.* For the purposes of this order:

(1) "Fluorescent lighting fixture" means any equipment employing, or used in connection with an electric light source (but excluding an incandescent light source) in which (i) visible light for illuminating purposes is produced by the passage of electric current through vaporized mercury, or (ii) visible light, for illuminating purposes is produced due to the effects of ultra-violet radiation on substances exposed to such radiation, including, but not limited to the following: (*a*) a hot cathode fluorescent lighting fixture, (*b*) a cold cathode fluorescent lighting fixture, (*c*) a rectified fluorescent lighting fixture, (*d*) a Cooper-Hewitt type fixture, (*e*) a Mercury type fixture, and (*f*) a portable fluorescent lighting fixture known as a mechanic's lamp, and any other portable fluorescent lighting fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment.

"Fluorescent lighting fixture" does not include any tube, bulb, or replaceable fluorescent starter, or portable lamp, commonly known as bed lamps, floor lamps, wall lamps, table lamps and desk lamps.

(2) "Industrial fluorescent lighting fixture" means a fluorescent lighting fixture which fixture is designed and constructed to illuminate an area of a factory, workshop or similar plant in which area manufacturing, assembling or other industrial functions are performed. For the purpose of this order an office or a drafting room is not an area in which manufacturing, assembling or other industrial functions are performed.

(3) "Non-industrial fluorescent lighting fixture" means any fluorescent lighting fixture other than an industrial fluorescent lighting fixture.

(4) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any fluorescent lighting fixture.

(5) "Repair" means the restoration of any fluorescent lighting fixture to a sound working condition after wear and tear, damage, destruction or failure of any part has made it unfit or unsafe for service.

(6) "Put in process" means the act by which a person first changes the form of material from that form in which it was received by him.

(7) "Reflector" means that part of a fluorescent lighting fixture which redirects the light emitted from the tube, bulb, tubes or bulbs in such fixture in a desired direction. Reflector does not include a wiring channel, wireway, raceway, or any locknuts, screws, bolts, washers or other devices for the purpose of connecting a reflector to such channel, wireway or raceway.

(8) "Top-housing" means a wiring channel, wireway or raceway specifically designed and constructed to support or hold any of the following component parts of a fluorescent lighting fixture, the ballast, the transformer, sockets, or reflector.

(b) *Restrictions*—(1) *Manufacture.* Notwithstanding any contract or agreement to the contrary, no person shall manufacture or assemble any fluorescent lighting fixture or any component part of any fluorescent lighting fixture, except:

(i) A fluorescent lighting fixture, other than a rectified fluorescent lighting fixture, or any component part of any fluorescent lighting fixture manufactured or assembled from:

(*a*) Materials which were acquired by him pursuant to orders or contracts bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan, or Controlled Materials Plan provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M-9-c; and provided further, that until the 1st day of December, 1943 a non-industrial fluorescent lighting fixture may only be manufactured or assembled from such materials upon written authorization from the War Production Board after application made by letter in duplicate; or

(*b*) Materials which have been put in process to manufacture fluorescent lighting fixtures and which materials were in his possession on April 20, 1942, pursuant to orders placed by him on or before April 2, 1942, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M-9-c.

(*c*) Component parts of a fluorescent lighting fixture acquired by him from a person having possession of such component parts on April 20, 1942, pursuant to an order placed by such person having such physical possession on or before April 2, 1942.

(ii) Any component part of a rectified fluorescent lighting fixture, provided that such part is used for purposes of maintenance and repair and that copper, copper base alloy or copper products used in the manufacture or assembly of such component part shall be in accordance with the limitations established by General Conservation Order M-9-c.

(2) [Revoked Apr. 3, 1944]

(3) On and after the 9th day of February 1943, no person, without specific authorization of the War Production Board, after application made by letter in duplicate, shall put in process any metal to close the end of a reflector or to be used in a shield, louver or baffle of a fluorescent lighting fixture except in the minimum amount required to join, attach or fasten such end, shield, louver or baffle to such fixture. The provisions of this paragraph shall not apply or control the manufacture or assembly of a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use on board ships or in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition, or the manufacture or assembly of a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3000 watt mercury vapor tube, bulb, tubes or bulbs, or the manufacture or assembly of a portable fluorescent lighting fixture of the type set forth in paragraph (a) (1) (ii) (*f*) of this order.

(4) [Revoked Apr. 3, 1944]

(5) [Revoked Apr. 3, 1944]

(6) On and after the 8th day of September 1943, no person shall put in process without specific written authorization from the War Production Board after application made by letter in duplicate, any metal for the manufacture of a fluorescent lighting fixture designed and constructed for:

(i) One hot cathode tube or bulb rated 30 watts or higher; or

(ii) Four or more hot cathode tubes or bulbs of any wattage arranged in parallel unless the fixture is designed and constructed for four (4) 40 watt hot cathode tubes or bulbs in parallel arrangement; or

(iii) A continuous row of single hot cathode tubes or bulbs of any wattage; or

(iv) Two or more hot cathode tubes or bulbs of any wattage arranged in parallel continuous rows unless the fixture is designed and constructed for two or three continuous parallel rows of 40 watt hot cathode tubes or bulbs or for two parallel continuous rows of 100 watt hot cathode tubes or bulbs.

(7) *Sale and delivery.* Notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new fluorescent lighting fixture

(that is any fluorescent lighting fixture which has never been used by an ultimate consumer) or any new component part of any fluorescent lighting fixture, except that:

(i) A person who regularly in the course of his business sells fluorescent lighting fixtures or component parts of fluorescent lighting fixtures, may sell and deliver:

(a) Prior to the 1st day of September 1943 any such fixture or component part to a manufacturer or assembler of fluorescent lighting fixtures, or to any other person who regularly in the course of his business sells fluorescent lighting fixtures or component parts thereof, but only for resale of such fixture, component part or component parts assembled by such other person into a fluorescent lighting fixture; or

(b) Any such fixture to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Metals Reserve Company, War Shipping Administration or any corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended;

(ii) And any person may:

(a) Sell and deliver, pursuant to an order or contract bearing a preference rating of B-2 or better, a fluorescent lighting fixture, providing such fixture was manufactured on or before June 1, 1942, or was manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (c) of this order.

(b) Sell and deliver a fluorescent lighting fixture manufactured or assembled subsequent to June 1, 1942, pursuant to an order or contract bearing a preference rating of A-1-j or better;

(c) Sell and deliver any component part of any fluorescent lighting fixture, pursuant to an order or contract bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan.

(d) Sell and deliver a hot cathode fluorescent lighting fixture designed and constructed for the operation of a tube, bulb, tubes or bulbs, no individual tube or bulb to have a rated wattage in excess of 30 watts, which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (c) of this order.

(e) Sell and deliver a cold cathode fluorescent lighting fixture which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (b) (1) (i) (c) of this order.

(f) Sell and deliver any component part of any fluorescent lighting fixture: *Provided*, That such person is engaged in the business of the manufacture and assembly of fluorescent lighting fixtures, and that the person purchasing or receiving such component part is also engaged in the same business, and any such sale and delivery shall be deemed to be permitted under the provisions of Priorities Regulation No. 13;

(g) Sell and deliver any component part of any fluorescent lighting fixture which is sold or delivered for the purposes of maintenance or repair;

(h) Deliver a fluorescent lighting fixture or any component part of any fluorescent lighting fixture to be used solely for purposes of demonstration or test of such fluorescent lighting fixture or component part thereof; and a person having title to a fluorescent lighting fixture or component part thereof may deliver such fluorescent lighting fixture or component part thereof from one branch, division or section of a single enterprise to another branch, division, or section of such enterprise.

(j) [Revoked August 18, 1943].

(c) *Blanket MRO ratings.* No person may sell or deliver any new fluorescent lighting fixture to fill an order bearing a blanket MRO rating lower than AA-2. A "blanket MRO rating" is defined in Priorities Regulation 3.

(d) *Avoidance of excessive inventories.* No person shall accumulate an inventory of any material (whether raw, semi-processed or processed) for manufacture into any fluorescent lighting fixture in excess of the minimum amount of such material necessary to maintain production of fluorescent lighting fixtures to the extent permitted by this order.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(j) *Applicability of priorities regulations.* This order as amended and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(l) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington 25, D. C., Ref: L-78.

(m) The provisions of this order calling for application by letter in duplicate (paragraphs (b) (1) (i) (a), (b) (3) and (b) (6)) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4716; Filed, April 3, 1944; 11:54 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 2, Revocation]

PURCHASES OF SOUTHERN YELLOW PINE LUMBER THROUGH WHOLESALERS

Direction 2 to *Order M-361* is revoked. This direction is superseded by paragraph (e) (3) of Order M-361.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4727; Filed, April, 3, 1944; 11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 5, as Amended Apr. 3, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE TO PRODUCERS OF STEEL AND OTHER CONTROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-361.

(a) This direction which is issued in accordance with Order M-361, paragraph (g), tells how a person producing controlled materials may get the restricted Southern yellow pine lumber he needs without having to file on Form WPB 2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB-2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted Southern yellow pine lumber for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to Order M-361, with the terms of which I am familiar.

Producer.

By ---
Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted Southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes, and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under the direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter within thirty days after the end of each calendar quarter stating the entire amount of Southern yellow pine lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4726; Filed, April 3, 1944; 11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 1 as Amended Apr. 3, 1944]

DELIVERIES OF HARDWOOD LUMBER TO FARM MACHINERY MANUFACTURERS

The following direction is issued in accordance with Order M-364, paragraph (g):

(a) This direction tells how a manufacturer of farm machinery may get the restricted hardwood lumber he needs for production material without having to file on Form WPB-2720.

(b) A manufacturer of farm machinery must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of farm machinery and equipment. Delivery may be made to me under Direction 1 to Order M-364, with the terms of which I am familiar.

Purchaser

By ---
Duly authorized official

Date ---

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to fulfill his authorized schedules for the production of farm machinery, or to get lumber for any use except as production material: for example, no one can get lumber under this direction for boxing and crating his product. The inventory restrictions of paragraph (f) of Order M-364 are waived so long as the above restrictions are complied with.

(d) Manufacturers of farm machinery who get restricted hardwood lumber under this direction shall report by letter, ten days after the end of each quarter, to the War Food Administration, Office of Materials and Facilities, Washington 25, D. C., stating their inventories of restricted hardwood for production material at the beginning of the quarter, the amount delivered to them for production material during the quarter, and the amount used for production material during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Manufacturers of farm machinery do not have to get restricted hardwood lumber under this direction unless they want to. They may get it in any other way that is allowed under M-364. For example, a small manufacturer who buys from a mill producing less than 10,000 board feet a day may prefer not to change his arrangements. Manufacturers who buy from a limited number of sources may prefer to file on WPB-2720.

(f) "Farm machinery" means farm machinery and equipment as defined in Orders L-257 and L-257-a. "Production material" means material for the production of farm machinery.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4730; Filed, April 3, 1944; 11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 2, Revocation]

PURCHASES OF HARDWOOD LUMBER THROUGH WHOLESALERS

Direction 2 to *Order M-364* is revoked. This direction is superseded by paragraph (e) (3) of Order M-364.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4731; Filed, April 3, 1944; 11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 3, as Amended Apr. 3, 1944]

ASH SPECIALISTS

Direction 3 to Order M-364 is amended to read as follows:

(a) This direction, issued pursuant to paragraph (g) of Order M-364 tells how "ash specialists" may obtain ash lumber, and what rules they must observe in disposing of it.

(b) Any producer may deliver ash lumber to an ash specialist without restriction, just as if he were another producer.

(c) Unless specifically directed, an ash specialist may deliver ash lumber only to fill orders supported by certificates as prescribed in paragraphs (d) (1), (d) (2), and (d) (3) of M-364, or as prescribed in Directions to M-364, and to fill orders approved on Form WPB 2720 as prescribed in paragraph (e) of M-364. In other words, in his deliveries of ash lumber, the ash specialist is subject to the same restrictions as if he were a producer.

(d) For the purposes of this direction an "ash specialist" is a person who operates a concentration yard dealing exclusively in ash lumber.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4732; Filed, April 3, 1944; 11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 5 as Amended Apr. 3, 1944]

DELIVERIES OF HARDWOOD LUMBER TO PRODUCERS OF STEEL AND OTHER CONTROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-364:

(a) This direction, which is issued in accordance with Order M-364 paragraph (g), tells how a person producing controlled materials may get the restricted hardwood lumber he needs without having to file on Form WPB 2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted hardwood lumber under this direction for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to Order M-364, with the terms of which I am familiar.

Producer.

By ---
Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bear-

ing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under this direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter within thirty days after the end of each calendar quarter stating the entire amount of hardwood lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4720; Filed, April 3, 1944; 11:56 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-b, as Amended Apr. 3, 1944]

ENAMELED WARE

§ 3291.155 *Limitation Order L-30-b*—(a) *What this order does.* This order states the rules governing the manufacture of household, cooking and hospital articles made of vitreous-enameled iron and steel. The kinds and sizes of enameled ware which may be made are described, including hospital ware which was formerly covered by Schedule I to Order L-214. Quotas are placed on the use of iron and steel. Special provisions are made for military and export orders.

(b) *Definitions.* When used in this order:

(1) "Enameled ware" means any of the articles listed on Table A when made of vitreous-enameled iron or steel. It does not include any furniture, electrical or gas appliance or power-driven equipment.

(2) "Preferred orders" means any purchase order or contract for enameled ware which will be ultimately delivered to the Army or Navy of the United States, the U. S. Maritime Commission or War Shipping Administration.

(3) "Export orders" means any purchase order or contract for enameled ware for delivery outside the United States, its territories and possessions.

(4) "Civilian orders" means any purchase order or contract other than a preferred order or export order.

(c) *What enameled ware may be made.* (1) No manufacturer shall produce or assemble any enameled ware that does not conform to Table A. Exceptions to this rule are stated below.

(2) A manufacturer may complete the following operations on enameled ware which was otherwise completed by December 31, 1942; making and attaching handles, bails, spouts and ears; welding together fabricated parts; applying a vitreous-enameled or other coating.

(3) The War Production Board may authorize on Form WPB-1319 (formerly PD-556) enameled ware not conforming to Table A to fill export orders.

(4) The provisions of Table A do not apply to enameled ware which is produced to fill preferred orders or for experimental use in a scientific laboratory in connection with the development of enameled ware standards.

Quota Restrictions

(d) *General.* No manufacturer shall use more iron and steel in making enameled ware than the amounts stated below. Each manufacturer has a quota for civilian orders and a separate quota for preferred orders and export orders. In each calendar quarter a manufacturer is limited to a percentage of the iron and steel he used in his total production of enameled ware in the twelve months ending June 30, 1941, the "base period." The gross weight of iron and steel when first put into production, whether in the form of raw materials or as purchased parts, is considered the amount of iron and steel used and to be used in figuring out the quotas. A manufacturer who purchases black shapes and covers them with an enamel coating should include the weight of these black shapes in his "use" of iron and steel, while a manufacturer who fabricates the black shapes should consider the gross weight of the sheets he cuts up as part of his "use" of iron and steel.

(e) *Civilian quotas*—(1) *General rule.* In his production for civilian orders of all enameled ware (except roasters), a manufacturer is limited in each calendar quarter to one-fourth of 70% of the iron and steel which he used for all enameled ware (except roasters) in the base period. No manufacturer may produce during any calendar year more enameled roasters than 15% of the number he produced in the base period.

(2) *Optional quotas for manufacturers of hospital ware.* Instead of following the general rule any manufacturer may use in any calendar quarter in producing hospital enameled ware (See Table A) not more than one-fourth of 100% of the iron and steel which he used for that ware in the base period. If he does this, however, his civilian quota for non-hospital ware (except roasters) is reduced to one-fourth of 60% of the iron and steel he used for that ware in the base period. Any manufacturer who chooses this alternative or who later decides to follow the general rule stated in the preceding paragraph shall notify the War Production Board by January 15, 1944 or before the first day of the quarter in which he intends to do this.

(3) *Division of quota among different articles.* In allocating his iron and steel among the items listed in column (2) of Table A, a manufacturer should use his best efforts to divide his quota of iron and steel among all the articles which he customarily makes in such a way as to meet the essential needs for those articles. If it is found that an undue shortage exists in certain articles or that production is being concentrated too much on other articles, the War Production Board may issue written instructions to any manufacturer directing him to allocate a specified share of his production to articles which are considered most essential. Failure to comply with a specific direction shall be deemed a violation of this order.

(f) *Quotas for preferred orders and for export.* In addition to his civilian quota, a manufacturer may use during any quarter in producing enameled ware to fill preferred orders and export orders not more than one-fourth of 55% of the iron and steel which he used in the base period for all enameled ware.

(g) *Unused quotas.* A manufacturer may use for civilian orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's civilian quota. A manufacturer may also use to fill preferred orders and export orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such orders.

(h) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas. This will only be done in special cases and for limited periods of time. For example, if one or more manufacturers are unable to use their full quota in any quarter, other manufacturers may be permitted to use the unused amount in addition to their own quotas. Similarly, if additional iron or steel becomes available at any time, the War Production Board may authorize its use in addition to the quotas. As far as practicable increases will be permitted for all manufacturers of the articles to be made in proportion to their quotas. Permission will be granted either in the form of individual letters or of published directions supplementary to this order.

Miscellaneous Provisions

(i) *Overruns, rejects and cancellations.* Enameled ware made to fill a preferred order, which, because of overruns, rejects, cancellations of orders or any other reasons cannot be used to fill that order, may be used or disposed of only as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1.

(j) *Reports.* (1) [Deleted Apr. 3, 1944]

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20, and October 20 of each year, a report on Form WPB-1600 (formerly PD-655), showing his production, shipments, and inventory of enameled ware for the preceding quarter.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of enameled ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., *Ref:* L-30-b.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

General. Under the provisions of paragraph (c) of Order L-30-b, no manufacturer shall produce or assemble any enameled ware falling within any class in column (1) except articles listed in column (2) conforming to the restrictions of columns (3) and (4). When a manufacturer is permitted to make more than one size of any article, each size he manufactures shall fall within a different one of the size ranges specified, except that if only one size range is specified he may manufacture the permitted number of sizes anywhere within that range.

(1) Class of articles	(2) Permitted types in each class	(3) Number of sizes permitted each manufacturer	(4) Sizes
Cooking enameled ware (Utensils used primarily in the preparation, cooking, serving or storage of foods or beverages, whether for household, institutional, commercial, governmental or any other use).	Bains Marie pots	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Canners, cold pack (only as permitted in Direction 1)	See Direction 1.	See Direction 1.
	Coffee boilers [1]	1	9½ to 12-quart capacity.
	Dippers	1	Manufacturer's choice.
	Double boilers [1]	2	1½ to 2½ quart and 6½ to 8 quart capacity.
	Kettles [1]	1	14 to 20-quart capacity.
	Ladles	1	Manufacturer's choice.
	Percolators (with or without baskets).[1]	1	6 to 9-cup capacity.
	Drip coffee makers [1]	1	6 to 9-cup capacity.
	Roasters (single wall) [1]	1	15" to 16" in length.
	Sauce pans	3	1 to 3 quart capacity.
	Sauce pots [1]	3	3½ to 10 quart capacity.
	Steamtable inserts [1]	3	To fit openings of 6⅝", 8⅝" and 10½" in diameter.
	Steamtable pans [1]	2	Manufacturer's choice, to fit rectangular openings only.
	Stock pots [1]	3	15 to 36 quart capacity.
	Tea Kettles [1]	1	4 to 7-quart capacity.
	Water pails [1]	1	10 to 13½ quart capacity.
	Dish pans	1	9 to 15 quart capacity.
Household enameled ware (Enameled pails, buckets, and tubs, including infants' bathtubs; dish pans and sink strainers; baby bottle sterilizers).			
Enameled combinets, commodes, chambers and chamber covers.	Combinets [1]	1	8 to 12 quart capacity.
Hospital enameled ware (Any wash basin, any step-on can insert, and any article designed primarily for hospital or sick room use, including but not limited to, sponge basins, pus basins, solution basins, bed pans, irrigators, dressing jars, instrument trays, instrument sterilizers (without heating elements or stands), urinals, catheter trays, feeding cups and douche pans, but excluding any article in another class in this column).	Basin, pus	2	6 to 10½ inches in length.
	Basin, sponge	1	6 to 7 inches in diameter.
	Basin, solution	1	12 to 13½ inches in diameter.
	Basin, wash	1	12 to 13¾ inches in diameter.
	Bedpan	2	Manufacturer's choice.
	Irrigator	1	2 to 2½ quart capacity.
	Jar, dressing [1]	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Step-on can inserts, as may be permitted under Schedule 2 of Order L-214.		
	Steriliser, instrument (without heating element or stand).[1]	1	18 to 19 inches in length; 4 to 5 inches in depth; 8 to 9 inches in width.
	Tray, instrument [1]	4	Manufacturer's choice.

[1] Metal covers may be made for these articles but not for any others in this table.

INTERPRETATION 1: Revoked Jan. 8, 1944.

[F. R. Doc. 44-4718; Filed, April 3, 1944; 11:54 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-291, as Amended April 3, 1944]

POTASH

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of potash for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.386 *Allocation Order M-291*—(a) *Definitions.* (1) "Potash" means the following primary potash salts: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash.

(2) "Potassium oxide" (hereinafter referred to as "K_2O") means the highly caustic oxide of potassium. As such it does not exist commercially but is used as a standard unit of measure in determining the relative value of potash salts.

(3) "Muriate of potash" means the chloride salt of potassium. In commerce it is offered in two grades: muriate of potash containing 48 to 52 per cent K_2O, and high grade muriate of potash containing 58 to 62.7 per cent K_2O.

(4) "Sulfate of potash" means commercial potassium sulfate, a potash salt containing approximately 48 per cent or more K_2O, chiefly as sulfate. It does not include recrystallized salt.

(5) "Sulfate of potash-magnesia" means a potash and magnesia salt containing from approximately 18 to 25 per cent K_2O and 18 to 25 per cent sulfate of magnesia.

(6) "Run-of-mine potash" (also known as manure salts and kainit) means potash salts containing a high percentage of chlorides and containing more than 18 and less than 48 per cent K_2O.

(7) "Producer" means any person engaged in the production of potash and includes any person who has potash produced for him pursuant to toll agreement.

(8) "Distributor" means any person who, for his own account or as agent or broker for any producer, sells potash in any form. The term includes importers but does not include any manufacturer (including any fertilizer manufacturer) to the extent that he uses potash as one of his raw materials, any person who purchases potash exclusively for sale at retail, or any governmental agency which delivers fertilizers to farmers.

(9) "Supplier" means a producer or distributor.

(10) "Period" means one of the five periods specified in paragraphs (a) (11), (12), (13), (14) and (15).

(11) "Period One" means April 1, 1943, through May 31, 1943.

(12) "Period Two" means June 1, 1943, through March 31, 1944

(13) "Period Three" means April 1, 1944, through May 31, 1944.

(14) "Period Four" means June 1, 1944, through March 31, 1945.

(15) "Period Five" means April 1, 1945, through May 31, 1945.

(b) *Restrictions on deliveries and use.* (1) On and after April 1, 1943 no supplier shall deliver potash to any person, and no person shall accept delivery of potash from a supplier except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to quantities of potash which may be received in any period will be issued by the War Production Board as soon as possible after the receipt of the applications called for by paragraph (c) (1) hereof. Thereafter, after persons so authorized to receive potash have placed with producers or distributors their orders for potash within the totals provided in such authorizations and such producers and distributors have made application pursuant to paragraph (c) (3) to make delivery to such persons, the War Production Board will issue to each producer or distributor authorizations with respect to deliveries to be made. The War Production Board may, however, at any time, at its discretion, and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of potash to be delivered or then on hand. Insofar as authorizations or directions relate to the quantities of particular grades of mixed fertilizer to be manufactured from potash or to the quantity of potash to be made available for direct application to the soil, such authorizations or directions will so far as practicable be issued in conformity with needs for grades of mixed fertilizer or for potash as determined by the Director of Food Production of the Department of Agriculture.

(3) Each person specifically authorized to accept delivery of potash shall use such material for the purpose authorized and only for such purpose except as otherwise specifically directed by the War Production Board.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the War Production Board shall not be required for:

(1) Acceptance of delivery by any person from all sources in any period of not more than 5 tons of potash for each month of such period, in terms of K_2O content;

(2) Delivery by any supplier in any period to any person who shall have furnished to such supplier a certificate in substantially the following form:

The undersigned hereby certifies that the potash hereby ordered to be delivered in Period ---------- [insert Three, Four or Five] does not, taken with all other potash delivered or to be delivered from all sources in such period, exceed 5 tons for each month of such period, in terms of K_2O content.

---------- Name of purchaser

By---------- ---------- Authorized official Title

---------- Date

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of such potash by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate;

(3) Delivery by any supplier to any person in any period prior to the receipt of any specific authorization or direction of the War Production Board with respect to deliveries to be made in such period of not more than 20% of the quantity of any potash salt delivered by such supplier to such person during the corresponding period in the 12 months ending March 31, 1944. Any person delivering or receiving potash delivered in any period pursuant to this paragraph (c) (3) shall charge the amount so delivered or received against the amount which he is or may be specifically authorized or directed to deliver or receive in such period, and against any amount which may be delivered or received pursuant to paragraphs (c) (1) and (c) (2);

(4) [Revoked Apr. 3, 1944]

(5) [Revoked Apr. 3, 1944]

(d) *Transportation and storage directions.* For the purpose of conserving transportation and storage facilities, the War Production Board may issue directions to any person respecting deliveries or storage of potash which may or may not be made, and respecting form of transportation and shipping routes.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of potash in any period, whether for own consumption or resale, shall file application therefor on Form WPB–2945 (formerly PD–600) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB–2945 (formerly PD–600) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-391, the fourth to be retained for applicant's files.

(iii) The date when such applications shall be filed with the War Production Board will be as follows:

(a) Where the application is for authorization to accept delivery of potash in Period Four: on or before May 1, 1944.

(b) Where the application is for authorization to accept delivery of potash in Period Five: on or before January 15, 1945.

(c) [Revoked Apr. 3, 1944]

(iv) In the heading, under "name of chemical" specify "Potash"; under "WPB Order No.", specify "M-391"; under heading "Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K_2O content). Do not specify supplier.

(v) In heading at top of Table I, specify "Period ----------" [Four or Five], not month.

(vi) In Columns 1 and 11, specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia, run-of-mine potash, and also indicate in each case per cent of K_2O content.

(vii) In Column 2 indicate quantity in short tons of each salt requested (not K_2O content).

(viii) In Column 3, applicant will specify his primary product in terms of the following:

Fertilizers
Potassium bitartrate
Potassium carbonate
Potassium chlorate
Potassium cyanide
Potassium hydroxide
Potassium nitrate
Potassium perchlorate
Potassium permanganate
Potassium phosphates
Other chemical (specify)
Resale (as potash) subject to further authorization.

(ix) In Column 4 applicant will specify ultimate use of product (where, for example, the primary product called for in Column 3 is "Potassium carbonate" the ultimate use of product might be "optical glass"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where the Form WPB–2945 (formerly PD–600) is an application for potash for resale (as potash) pursuant to further authorization, applicant will leave Column 4 blank. Where primary product called for in Column 3 is potassium chlorate or potassium perchlorate, specify "Order M–171" in Column 4 and omit further statement of use.

(x) Leave blank Columns 13 to 15c, inclusive.

(xi) [Revoked Apr. 3, 1944]

(xii) Leave blank Tables II, III, IV and V in their entirety.

(2) [Revoked Apr. 3, 1944]

(3) Each supplier seeking authorization to make delivery of potash during any period shall file application therefor on Form WPB–2946 (formerly PD–601) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB–2946 (formerly PD–601) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–391, the fourth to be retained for supplier's files.

(iii) The date when such application shall be filed with the War Production Board will be as follows:

(a) Where the application relates to Period One: on or before April 7, 1943.

(b) Where the application relates to Period Two: on or before July 7, 1943.

(c) Where the application relates to Period Three:: on or before April 7, 1944.

(iv) In the heading, under "name of chemical", specify "Potash"; under "WPB Order No.", specify "M–391"; in heading "This schedule is for deliveries to be made during the month of ", substitute the word "period" for word "month", and indicate "Four or Five," as the case may be; under heading "Indicate unit of measure", specify short tons of potash salt (not K_2O content)

(v) In Column 1 indicate the name of each customer to whom supplier proposes to make delivery of potash in the period to which application relates. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list the names of customers to whom, in such period, applicant proposes to make small order deliveries pursuant to paragraph (c) (1) and (c) (2) hereof, but applicant must specify in Column 1 "Total small order deliveries (estimated)" and in Column 4 must state the estimated quantity.

(vi) In Column 5 specify particular potash salt which applicant proposes to deliver as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, the per cent of K_2O content.

(vii) Leave blank Columns 6 to 16, inclusive, except for any remarks considered pertinent, which may be listed in Column 7.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form WPB–2945 (formerly PD–600) and WPB–2946 (formerly PD–601).

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Producers shall as soon as practicable notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of potash shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C. Ref.: M–391.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4725; Filed, April 3, 1944; 11:55 a. m.]

No. 67——6

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-266, as Amended Apr. 3, 1944]

STERILIZER EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of sterilizer equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.91 *General Limitation Order L–266*—(a) *Definitions.* For the purposes of this order:

(1) "Steriliser equipmept" means the following types of sterilizers, as each is hereinafter defined, and includes heating elements when such elements are an integral part of such sterilizers: Pressure sterilizers, bulk pressure sterilizers, pressure water sterilizers, non-pressure water sterilizers, non-pressure instrument sterilizers, non-pressure utensil sterilizers, baby bottle pasteurizers and sterilizers, bedpan steamers, boiling type bedpan sterilizers, laboratory pressure sterilizers, bedpan washers and field sterilizers. The term shall not include used or rebuilt sterilizer equipment, nor any parts or materials for the repair or maintenance of existing sterilizer equipment, nor shall it include any pressure cooker designed for processing foods.

(2) "Pressure sterilizer" means a sterilizer having a volumetric capacity of less than 40,000 cubic inches which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms.

(3) "Bulk pressure sterilizer" means a sterilizer having a volumetric capacity of 40,000 cubic inches or more which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms. It may or may not include attachments for fumigating purposes.

(4) "Pressure water sterilizer" means a sterilizer which is designed to heat water to a temperature higher than 212° F. in order to free it from living pathogenic microorganisms.

(5) "Non-pressure water sterilizer" means a sterilizer which is designed to free water from living pathogenic microorganisms by means of boiling.

(6) "Non-pressure instrument steriliser" means a sterilizer which is designed to free surgical, medical and dental instruments and similar articles from living pathogenic microorganisms by subjecting them to a boiling liquid. The term shall not include any such sterilizer which contains metal in no part other than the heating element, lid and essential hardware.

(7) "Non-pressure utensil sterilizer" means a sterilizer which is designed to free hospital or medical utensils and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(8) "Baby bottle pasteurizer and steriliser" means equipment designed to free baby bottles from living pathogenic microorganisms and to pasteurize baby milk formulas. The term shall not include any such equipment having a capacity of twelve bottles or less.

(9) "Bedpan steamer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to live steam.

(10) "Boiling type bedpan sterilizer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(11) "Laboratory pressure sterilizer" means a sterilizer which is designed to free articles from living pathogenic microorganisms by utilizing steam under pressure and which is specially designed for use in a laboratory.

(12) "Bedpan washer" means apparatus designed to wash (and, in some cases, to sterilize) bedpans, urinals, and similar articles, and which may or may not be equipped with flushing mechanism.

(13) "Field sterilizer" means any sterilizer which is designed for use in the field and which is manufactured for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(14) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of sterilizer equipment.

(15) "Distributor" means any person who purchases sterilizer equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (b), no manufacturer shall manufacture or continue the manufacture of any sterilizer equipment other than the permitted sizes of the permitted types set forth in Schedule A attached to this order.

(2) Any sterilizer equipment which was in the process of fabrication on February 24, 1943, and which cannot be completely fabricated within the restrictions of Schedule A, attached to this order, may be further fabricated after said date only to the extent specifically authorized by the War Production Board. Any manufacturer requesting such specific authorization shall file a statement in duplicate with the War Production Board setting forth in detail the number of units of each type in process of fabrication on February 24, 1943, the extent of the fabrication, the amount of materials required to complete fabrication, the reasons why such units cannot be converted to the permitted types and sizes set forth in Schedule A, and any other facts supporting the request for specific authorization.

(c) *Restrictions on the use of copper and copper base alloys in the manufacture of non-pressure instrument steri-*

lizers. No manufacturer shall incorporate any copper or copper base alloy in the manufacture of any non-pressure instrument steriliser, except as follows:

(1) Brass castings (containing not more than 74% copper or 2% tin) may be used in any part;

(2) Copper or copper base alloy may be used in electrical circuits and draincocks;

(3) Copper base alloy sheet may be used in non-pressure instrument sterilizers which are 20 in. in length by 10 in. in width by 9 in. in depth or larger in size; and

(4) Copper or copper base alloy may be used in trays and tray-lifting devices.

(d) *Restrictions on the sale and delivery of steriliser equipment.* (1) Except as provided in subparagraph (2) of this paragraph (d), no person shall sell or deliver any steriliser equipment, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Foreign Economic Administration: *Provided, however,* That delivery shall not be made to any person holding an export license which was issued prior to February 24, 1943, unless such export license has been revalidated by the Foreign Economic Administration after said date;

(iv) Any distributor; or

(v) Any other person who has filed Form WPB-1319 and has been specifically authorized on such form by the War Production Board to receive the specific steriliser equipment and has furnished to his supplier one copy of such form signed in the name of the War Production Board. (As a general rule, authority to receive steriliser equipment will be granted only in cases where the equipment will receive general use and where essentiality is clearly established.)

(2) The restrictions set forth in subparagraph (1) of this paragraph (d) shall not apply to the sale or delivery of the following sterilizers, but production and shipping schedules of such sterilizers shall be listed on Form WPB-2232 (formerly Form PD-774) in accordance with the provisions of paragraph (f) of this order:

(i) Non-pressure instrument sterilizers which are not more than 16" in length by 6" in width by 4" in depth (with a permitted variation of 10 per cent from the specified dimensions) in size; or

(ii) Laboratory pressure sterilizers which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L-144.

(3) No person shall purchase or accept delivery of any steriliser equipment if he knows or has reason to believe that the delivery of such steriliser equipment is prohibited by the terms of this order.

(e) *Applications on Form WPB-1319.* Each person seeking authorization, as permitted by paragraph (d) (1) (v) of this order, to receive steriliser equipment shall prepare Form WPB-1319 in accordance with the current instructions for such form. (Form WPB-1319 and instructions may be obtained at the local field offices of the War Production Board).

(f) *Production and shipping schedules and restrictions thereon.* (1) On or before the 15th day of July, 1943, and on or before the 5th day of each succeeding calendar month, each manufacturer of sterilizer equipment shall file with the War Production Board in triplicate on Form WPB 2232 (Formerly Form PD-774), his proposed production and shipping schedules of sterilizer equipment for the period required by such form. Upon receipt of such form, the War Production Board will approve the proposed production and shipping schedules or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed.

(2) In addition to the restrictions contained in paragraphs (b), (c) and (d) of this order, each manufacturer shall produce and ship sterilizer equipment in accordance with his production and shipping schedule as approved or changed by the War Production Board, regardless of any preference rating which any order may bear or any order or regulation of the War Production Board.

(g) *Other allocation action.* With respect to sterilizer equipment, the War Production Board may, notwithstanding any other order, preference rating, or regulation of the War Production Board:

(1) Direct the return or cancellation of any unfilled order on the books of a manufacturer; or

(2) Cancel orders placed with one manufacturer and direct that they be placed with another manufacturer.

(h) *Reports.* The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall also file such other reports as may be required from time to time by the War Production Board, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(m) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L-266.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Permitted types	*Permitted sizes*[1]
Pressure steriliser (cylindrical).	8" diameter by 16" Length 16" diameter by 24" Length 20" diameter by 28" Length 20" diameter by 36" Length 30" diameter by 54" Length
Pressure steriliser (rectangular).	Any sizes with a capacity between 20,000 and 40,000 cubic inches
Pressure water steriliser (single tank or pairs).	8 gallon capacity per tank 15 gallon capacity per tank 25 gallon capacity per tank
Non-pressure instrument steriliser.	12" length by 5" width by 3¾" depth 16" length by 6" width by 4" depth 20" length by 10" width by 9" depth 22" length by 12" width by 10" depth
Non-pressure utensil steriliser.	24" length by 16" width by 16" depth 24" length by 20" width by 20" depth
Baby bottle pasteurizer and steriliser (36 bottles).	22" length by 12" width by 10" depth
Horizontal laboratory pressure steriliser (cylindrical) (single pressure wall or double pressure wall).	16" diameter by 24" length 20" diameter by 28" length 20" diameter by 36" length
Vertical laboratory pressure steriliser (cylindrical).	11" diameter by 24" length 14" diameter by 26" length
Bedpan steamer	24" length by 16" width by 16" depth
Boiling type bedpan steriliser.	24" length by 16" width by 16" depth
Bulk pressure steriliser.	No restriction
Field steriliser	No restriction
Bedpan washer	No restriction

[F. R. Doc. 44-4717; Filed, April 3, 1944; 11:54 a. m.]

[1] A variation of not more than 10 per cent in the specified dimensions and capacities will be permitted.

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 56]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order 5 is amended in the following respect:

Section 7.3 (f) and the definition of "dollar revenue" in section 22.1 are amended by changing the parenthetical sentence in each to read as follows: "(However, if the combined charge covers entertainment and admission taxes, only that part of the charge which covers entertainment is included in dollar revenue.)"

This amendment shall become effective April 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2865, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4637; Filed, April 1, 1944; 11:46 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 44]

LOGS AND BOLTS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 348 is amended in the following respects:

The effective date provisions of Amendment 34 is amended to include the following sentences immediately after the effective date: "Regardless of any other provisions of this regulation, any buyer purchasing logs in the area covered by this amendment who had prices in effect on or after January 12, 1944, higher than those set forth in this amendment, may continue to purchase the same grades and species then being bought at those same prices for an additional period until April 15, 1944. These prices may have been established either by a contract, firm commitment, by a standing offer to buy at stated prices, or by purchases under Maximum Price Regulation 313. New contracts or commitments may be entered into at the same prices fixed by existing contracts, or commitments, or standing offers."

This amendment shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4605; Filed, March 31, 1944; 4:59 p. m.]

PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 15]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1316.4 Table II is amended to read as follows:

TABLE II

The following provisions shall apply to unfinished box-loom clip-spot marquisettes.

As used herein, the term "standard" means having a width of 35", 39½", 46", or 48" and a total count per inch of 37 to 48 sley and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½" 40 x 16, 40s or 50s combed warp, 40s or 50s combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 10.00 cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

A. WIDTH DIFFERENTIALS

35", deduct	$0.0068
46", add	.0098
48", add	.0203

B. WARP DIFFERENTIALS—GROUND

	35"	39½"	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch	$0.0016	$0.0018	$0.0021	$0.0022
Pastel colors, add per end per inch	.00041	.00047	.00054	.00057
Empire colors, add per end per inch	.00054	.00062	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch	.00016	.00018	.00020	.00021

C. FILLING DIFFERENTIALS

	35"	39½"	46"	48"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch	$0.0040	$0.0042	$0.0045	$0.0053
Pastel colors, add per pick per inch	.00047	.00053	.00062	.00065
Empire colors, add per pick per inch	.00061	.00069	.00080	.00084
40s or 50s carded subtract from combed for one pick per inch	.000079	.000089	.000104	.000109
2. Roving, subtract and add per pick per inch:	.0094	.0104	.0118	.0130
Grey:				
4 hank	.0061	.0067	.0076	.0082
6 hank	.0047	.0052	.0059	.0065
8 hank	.0039	.0042	.0047	.0053
10 hank	.0034	.0035	.0041	.0046
12 hank	.0032	.0034	.0038	.0043
Pastel:				
4 hank	.0100	.0111	.0127	.0136
6 hank	.0070	.0078	.0089	.0096
8 hank	.0057	.0062	.0071	.0078
10 hank	.0049	.0053	.0060	.0066
12 hank	.0044	.0047	.0052	.0059
Empire:				
4 hank	.0111	.0123	.0141	.0150
6 hank	.0077	.0086	.0098	.0105
8 hank	.0062	.0068	.0078	.0086
10 hank	.0053	.0058	.0066	.0072
12 hank	.0047	.0052	.0057	.0064

D. PATTERN DIFFERENTIALS

	35"	39½"	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles	$0.000128	$0.000139	$0.000170	$0.000170
Per yard per pick 3 and 4 shuttles	.000170	.000170	.000213	.000213

20/2 Carded cords (other than selvage) add per end:

Grey	$0.000062
Pastel colors	.000102
Empire colors	.000118

E. LOOP CUTTING

Add widths per yard	$0.0043

F. PRODUCTION DIFFERENTIAL

After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks	$0.0003

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 13453, 12557, 13403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2353, 2476, 2789.

[1] 8 F.R. 16115, 16196, 16304, 16897; 9 F.R. 220, 302, 343, 402, 450, 538, 574, 662, 702, 1317, 1571, 1572, 1717, 2088, 2135.

[1] 8 F.R. 361, 2206, 4620, 4725, 5477, 8065, 8615, 9987, 10900, 11434, 13974, 15129; 9 F.R. 306, 1522, 2660.

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4638; Filed, April 1, 1944; 11:48 a. m.]

PART 1340—FUEL

[MPR 130, Amdt. 98]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Correction

In F.R. Doc. 44-3869, appearing at page 3035 of the issue for Tuesday, March 21, 1944, in the table on page 3036 the price classifications for mine index No. 45 under the columns headed 7, 8 and 9 should read G, E, and C. The price classifications for mine index No. 169 under the columns headed 5 and 15, 16, 17 should read H and D. The subdistrict number for mine index No. 483 should be 8.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 29]

HALIBUT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 7 (e) is added to read as follows:

(e) *Special rules affecting halibut.* The table price, appropriate with respect to the type of sale, the style of dressing and the point of landing, plus the transportation allowance in this section shall not exceed whichever of the following three is lowest: (1) The appropriate table price for halibut which was landed on the Pacific Coast of Continental United States, plus the rail rate from Seattle to the seller's receiving point for the type of shipment used; (2) The appropriate table price for halibut which was landed on the Pacific Coast of Canada, plus the rail rate from Prince Rupert to the seller's receiving point for the type of shipment used; (3) The appropriate table price plus the transportation allowance as fixed in section 7 (a) or (7) (c), whichever is applicable.

2. Section 8 (c) is added to read as follows:

(c) *Halibut.* No person shall buy halibut landed on the Pacific Coast of Canada, which halibut is intended for transshipment in bond into the United States, at a price higher than the applicable table price as fixed by footnote 38 or 39. No producer shall sell any halibut on the Pacific Coast of Canada from a vessel of the United States, which halibut is intended for transshipment in bond to the United States, at a price higher than the applicable Table A price as fixed by footnote 38.

3. In section 30, Table A, the reference to footnote 3 is eliminated from the name of Schedule No. 23 and footnote 38 is added thereto.

4. Footnote 38 is added at the end of Table A in section 20 to read as follows:

"When landed in the following Alaskan ports, deduct the following amounts: Ketchikan, 3½ cents; Wrangell and Petersburg, 3¾ cents; Juneau, Sitka and Pelican City, 4 cents; Port Williams, 4½ cents.

When landed in any other port in Alaska, deduct the amount specified for the nearest port listed. Deduct 2¼ cents in American currency for sales of halibut landed on the Pacific Coast of Canada.

For sales of dressed halibut landed on the Atlantic Coast of Continental United States add 2 cents.

For sales of round halibut deduct 8½ cents from the appropriate dressed price.

For sales of drawn halibut deduct 2 cents from the appropriate dressed price.

5. In section 20, Table B, the reference to footnote 39 is added to the name of Schedule No. 23.

6. Footnote 39 is added at the end of Table B in section 20 to read as follows:

"Deduct the following amounts for sales of steaks processed from halibut landed in the following Alaskan ports: Ketchikan, 4½ cents; Wrangell and Petersburg, 5 cents; Juneau, Sitka and Pelican City, 5¼ cents; Port Williams, 6 cents;

For sales of steaks processed from halibut landed in any other port in Alaska, deduct the amount specified for the nearest port listed.

For sales of steaks processed from halibut landed on the Atlantic Coast of Continental United States, add 2¾ cents.

For sales of steaks processed from halibut landed on the Pacific Coast of Canada, deduct 3¼ cents.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4606; Filed, March 31, 1944; 4:59 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 113]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1390.2 (q) is added to read as follows:

(q) Any tank or vessel which (1) is installed underground at the time of sale and (2) is purchased for use in its present location.

This amendment will become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4639; Filed, April 1, 1944; 11:48 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,[1] Amdt. 8]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 465 is amended in the following respects:

1. Section 2 (g) is added to read as follows:

(g) Any vessel which (1) is installed underground at the time of sale and (2) is purchased for use in its present location.

2. Section 7 (c) (1) (v) is revoked.

3. Section 8 (c) (5) is revoked.

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4640; Filed, April 1, 1944; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 118]

MILEAGE RATIONING: GASOLINE REGULATIONS

Correction

In F.R. Doc. 44-3635, appearing on page 2909 of the issue for Friday, March 17, 1944, the second sentence of § 1394.-7653 (d) should read:

Before issuing a Class A or Basic Class D ration book the Board shall remove coupons from the book according to the following formula:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10088, 10812, 10939, 11734, 11887, 12408, 12253, 12698, 13397, 13383, 13908, 14048, 14476, 14616, 15357, 15430, 16151, 16263, 16296; 9 F.R. 90, 1325, 1582, 1675, 2125, 2408.

[1] 8 F.R. 16182; 9 F.R. 1528, 2082, 2198, 2791.

[1] 8 F.R. 12628, 16170; 9 F.R. 267, 2091, 2692.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 7]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised R. O. 3 is amended in the following respects:

1. Section 1407.69 is revoked.

2. Section 1407.73 is amended to read as follows:

§ 1407.73 *Consumer handicapped by transportation difficulties.* A consumer who, because of transportation difficulties, finds it a hardship to take delivery of sugar at the time, and in the amounts specified in § 1407.243 may apply to the Board for a certificate or ration coupons for 5, 10 or 15 pounds of sugar. The application must be made, in person or by mail, on OPA Form R-315, by the consumer personally, an adult member of his family unit, or an authorized agent. The Board, in its discretion, may grant the application. Before issuing a certificate or ration coupons, however, the Board shall detach from the book of the consumer a "sugar stamp" for each five pounds granted. (Stamps applicable to expired ration periods shall not be detached for this purpose.)

3. Section 1407.74 is amended to read as follows:

§ 1407.74 *Growers of sugarcane and sugar beets.* A consumer who has delivered sugarcane or sugar beets produced by him to a primary distributor for processing into sugar may apply to the Board for a certificate or ration coupons authorizing him to take delivery of sugar in an amount not in excess of 25 pounds for himself and 25 pounds for each member of his family unit. (Application shall be made for 5, 10, 15, 20 or 25 pounds.) The application must be made on OPA Form R-315 by the consumer personally, an adult member of his family unit, or an authorized agent. The Board, in a proper case, shall grant the application. At the time of granting the application, the Board shall detach from the Book of the consumer, and from the Book of each member of his family unit for which application is made, a "sugar stamp" for each 5 pounds of sugar granted to such person. (Stamps applicable to expired ration periods shall not be detached for this purpose.)

4. Section 1407.74a is added to read as follows:

§ 1407.74a *Sugarcane and sugar beet growers may get sugar without giving up evidences.* (a) A consumer who produces sugarcane or sugar beets and delivers them to a primary distributor for processing into sugar may, without giving up ration evidences, acquire from the primary distributor, for himself and the members of his family unit, an amount of sugar not in excess of the smaller of the following:

(1) 25 pounds for each member of his family unit; or

(2) 25 pounds for each acre of sugarcane or sugar beets grown on a farm where he resides more than six months a year and harvested from the "1944 crop". However, if, at the time of harvest, more than one consumer eligible under this section is entitled to a share of that crop, the per acre allowance for such consumer may be no greater than the proportion of 25 pounds that his share of the crop bears to the total shares of all eligible consumers. (For example, if two share-cropping tenants, both living on a farm on which sugar beets are produced from the "1944 crop" entitled to 40 percent and 60 percent respectively of the crop, their per acre allowances would be 10 and 15 pounds respectively.)

(b) For a consumer to be eligible to get such sugar, the following conditions must be met:

(1) The sugar must be sugar manufactured tax-free under section 402 (d) of the Sugar Act of 1937.

(2) The sugarcane or sugar beets must have been produced on a farm where he resides more than six months a year.

(3) The sugarcane or sugar beets must have been harvested from the 1944 crop grown on that farm. (As used in this section, the "1944 crop" of sugarcane means sugarcane harvested between October 1, 1944, and September 30, 1945, inclusive, and the "1944 crop" of sugar beets means sugar beets planted for harvest in the calendar year 1944, except that with respect to sugar beets grown in Yuma County, Arizona, in Imperial County, California, and in those parts of the Imperial and Coachella Valleys which are included in Riverside County, California, the "1944 crop" of sugar beets does not include sugar beets planted for harvest in the calendar year 1944 but includes sugar beets planted for harvest in the calendar year 1945.)

(c) A primary distributor may deliver an amount of sugar, not in excess of the amount permitted under paragraph (a) of this section, to an eligible consumer in exchange for a statement signed by him showing:

(1) His name and address and the date;

(2) Facts indicating that he is eligible under paragraph (b) of this section;

(3) The number of acres of sugarcane or sugar beets harvested from the 1944 crop grown on a farm where he resides more than six months a year; (if, at the time of harvest, more than one consumer, eligible under this section is entitled to a share of that crop, the applicant must state the proportion that his share bears to the total shares of all such consumers);

(4) The number of persons in his family unit (including himself);

(5) The amount, if any, he or any member of his family unit has previously obtained under this section. (This amount when added to the amount stated under (6), must not exceed the total amount which the consumer may obtain under paragraph (a));

(6) The total amount of sugar he wishes to obtain.

The representations made in this statement constitute representations made to the Office of Price Administration.

(d) The primary distributor shall note on the statement delivered to him under paragraph (c) the amount of sugar delivered against the statement and shall retain all such statements at his principal business office until further order by the Office of Price Administration.

(e) Sugar may be obtained under this section only for the personal use of the consumer who obtains it or for the personal use of the members of his family unit. The consumer or the members of his family unit may not sell, transfer, or deliver such sugar to any other person.

5. Section 1407.120 (d) is amended by adding the following sentence at the end thereof: In addition, he shall, when sending such check to the Washington Office, include a statement as to the amount of sugar delivered under § 1407.74a without getting evidences.

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005, Food Dir. 8, 8 F.R. 7093)

Issued this 1st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4641; Filed, April 1, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 20]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.5 (a) is amended by substituting for the last sentence the following:

The statement must contain a specific diagnosis of the applicant's illness or condition, and must show why the applicant must have more processed foods, the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration), and the probable duration of the illness.

2. Section 2.5 (b) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433.

[1] 9 F.R. 3, 104, 695, 574, 843, 765, 1393, 1727, 1817, 1903, 2233, 2234, 2240, 2567.

(b) If the diagnosis is diabetes mellitus or active tuberculosis, and if the board finds that the applicant's health depends upon his getting more processed foods, it shall issue to him one or more certificates for the number of points necessary to get the additional processed foods which he needs during the next ten weeks. If the diagnosis is any illness other than diabetes mellitus or active tuberculosis, or if the applicant requests more processed foods during this period than the board is authorized by the Washington Office to grant to him, the board shall send the application to the district office for decision. (However, in emergency cases, if the board finds that the applicant needs additional processed foods, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks.) If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct.

3. Section 2.5 (c) is added to read as follows:

(c) An applicant who requires additional processed foods for a period longer than the ten weeks for which points are granted to him, may apply for additional points (in person or by mail) to the board at the end of the ten-week period. However, the statement certifying the diagnosis of his illness need not be renewed more often than once a year, in cases of diabetes mellitus and active tuberculosis. In cases where the statement certifying the diagnosis of the applicant's condition need not be renewed with each application for additional rations, his application for such additional rations shall be deemed to be a certification that he knows, or has reason to believe, the diagnosis of his condition remains the same as set forth in the written statement attached to his original application. If the applicant changes his residence before the time when he would have to renew the statement certifying the diagnosis of his illness, he may obtain the statement from the board where it is filed and file it with the board for the place where he will live.

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4634; Filed, April 1, 1944; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 9 to 24 Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 14) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., April 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 8 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4642; Filed, April 1, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 123]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.4 (a) is amended by substituting for the last two sentences the following:

The application (on OPA Form R-315) must contain a written statement signed by a person licensed by the laws of the State in which the certification is made to prescribe for human medication all internal drugs which may be prescribed within that State. However, if the consumer is pregnant, a Public Health Nurse employed by a federal, state or community public health agency, may sign such a statement instead. The statement must contain a specific diagnosis of the applicant's illness or condition, and must show why the applicant must have more foods covered by this order, the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration), and the probable duration of the illness.

2. Section 2.4 (b) is amended to read as follows:

(b) If the diagnosis is diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, severe hepatitis, chronic suppurative diseases (this group includes empyema of the chest cavity, osteomyelitis, extensive suppurative lesions of soft parts, subcutaneous tissues or muscles, and those infections in which there is profuse pus formation), severe burns, gastro-intestinal lesions (including post-operative cases involving operations on the stomach, intestines or colon for ulcers or cancer), or pregnancy, and if the board finds that the applicant's health depends upon his getting more foods covered by this order, it shall issue to him one or more certificates for the number of points necessary to get the additional foods covered by this order which he needs during the next ten weeks. If the diagnosis is any illness other than one of those specified in this paragraph, or if the applicant requests more foods covered by this order than the board is authorized by the Washington Office to grant to him, the board shall send the application to the district office for decision. However, in emergency cases, if the board finds that the applicant needs additional foods covered by this order, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks. If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct.

3. Section 2.4 (c) is added to read as follows:

(c) An applicant who requires additional foods covered by this order for a period longer than the ten weeks for which points are granted to him, may apply for additional points (in person or by mail) to the board at the end of the ten week period. However, the statement certifying the diagnosis of his illness need not be renewed more often than once a year, in cases of diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, and severe hepatitis. A statement certifying to the applicant's pregnancy need not be renewed during the term of the pregnancy. In cases where the statement certifying the diagnosis of the applicant's condition need not be renewed with each application for additional rations, his application for such additional rations shall be deemed to be a certification that he knows, or has reason to believe, the diagnosis of his condition remains the same as set forth in the written statement attached to his original application. If the applicant changes his residence before the time when he would have to renew the statement certifying the diagnosis of his illness, he may obtain the statement from the board where it is filed and file it with the board for the place where he will live.

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4636; Filed, April 1, 1944; 11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 179, 906, 1181, 2091, 2280, 2583, 2880, 2947.

[1] 8 F.R. 13128, 13394, 13960, 14300, 14623, 14764, 14845, 15253, 15454, 16160, 16161, 16260, 16265, 16424, 16527, 16606, 16695, 16834, 16707, 16827, 16906, 16739, 16855, 17326; 9 F.R. 106, 220, 403, 104, 677, 692, 849, 105, 1581, 1726, 1818, 1909, 2235, 2240, 2563, 2406.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 24 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 13) (OPA Forms R-1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., April 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4635; Filed, April 1, 1944; 11:46 a. m.]

PART 1436—PLASTICS AND SYNTHETIC RESINS

[MPR 519]

THERMOSETTING PLASTIC LAMINATES

Correction

In F.R. Doc. 44-3612, appearing at page 2865 of the issue for Thursday, March 16, 1944, the entry in the table of Appendix A paragraph (c) shown in the column headed 5/16 and opposite the figure 1 11/16 should read "3.39."

PART 1305—ADMINISTRATION

[Supp. Order 80,[1] Amdt. 1]

INCREASE IN EXCISE TAXES AFFECTING SALES OF DISTILLED SPIRITS, WINES AND FERMENTED BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Order No. 80 is amended in the following respects:

1. The title of Supplementary Order No. 80 is amended to read as follows: "*Increase in United States excise taxes affecting sales of distilled spirits, wines and fermented malt beverages covered by certain regulations.*"

2. The table in § 1305.112 (a) (5) is corrected by substituting the figures shown below for the items of distilled spirits of the proofs herein listed.

Distilled spirits proof	Contents per bottle							
	1 gal.	½ gal.	quart	fifth	pint	tenth	½ pt.	1/10 pt.
94.4	$2.82	$1.41	$0.71	$0.56	$0.36	$0.28	$0.18	$0.04
90.4	2.70	1.35	.68	.54	.34	.27	.17	.03
86.8	2.61	1.31	.65	.52	.33	.26	.17	.03
80.6	2.43	1.22	.61	.49	.31	.24	.15	.03

3. The table in § 1305.112 (a) (7) is corrected to read as follows:

Champagne, sparkling wines, carbonated wines, wine based cordials and liqueurs	Contents per bottle										
	1 gal.	½ gal.	1 qt.	1 fifth	30 oz.	26 oz.	24 oz.	13 oz.	1 pt.	½ pt.	1/10 gal.
Champagne and sparkling wines	$0.80	$0.40	$0.20	$0.20	$0.20	$0.20	$0.15	$0.10	$0.10	$0.05	$0.10
Carbonated wines	.80	.40	.20	.20	.20	.20	.15	.10	.10	.05	.10
Wine based cordials and liqueurs	.80	.40	.20	.20	.20	.20	.15	.10	.10	.05	.10

4. The headnote to §§ 1305.112 and 1305.112 (a) is amended by deleting the words "or by Maximum Price Regulation 373" wherever they appear.

5. Section 1305.112 (b) and (c) is amended by deleting the words "or Maximum Price Regulation 373" wherever they appear.

6. Section 1305.112 (e) is added to read as follows:

(e) *Geographical applicability.* This supplementary order applies in the forty-eight states of the United States, the District of Columbia, and the Territories and Possessions of the United States, except the Territory of Hawaii.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631).

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4584; Filed, March 31, 1944; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] to GMPR, incl. Amdts. 1–53]

EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION [2]

Section 4.3 (m) is added by Amendment 53,* effective April 7, 1944, so that Revised Supplementary Regulation No. 1 shall read as follows.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.26 *Exceptions of commodity transactions from the General Maximum Price Regulation.* Under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Supplementary Regulation No. 1 (Exceptions of Commodity Transactions from the General Maximum Price Regulation), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1499.26 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED SUPPLEMENTARY REGULATION NO. 1—EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION

ARTICLE I—EXPLANATORY AND GENERAL PROVISIONS

Sec.
1.1 What this regulation covers.
1.2 What this regulation does not cover.
1.3 Regulations revoked.
1.4 Cross-reference to superseded provisions.
1.5 Definitions.

ARTICLE II—EXCEPTION OF SPECIFIC COMMODITIES

2.1 Basis of classification in this article.
2.2 Exception granted.
2.3 Foods, feeds, and beverages.
2.4 Paper and paper products (including publications and other printed matter.)
2.5 Chemicals, drugs and paints.
2.6 Rubber and rubber products.
2.7 Fuel, petroleum products and other oils.
2.8 Machinery, tools and equipment.
2.9 Metals and minerals.
2.10 Forest products, lumber and building materials.
2.11 Textiles, leather and apparel.
2.12 Miscellaneous.

ARTICLE III—EXCEPTION OF TRANSACTIONS OF A GENERAL NATURE

3.1 Basis of classification in this article.
3.2 Transactions excepted.

ARTICLE IV—EXCEPTION OF SALES TO GOVERNMENT AGENCIES

4.1 Basis of classification in this article.
4.2 Exception of sales to the United States or any of its agencies.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

[1] 9 F.R. 3336.

[1] 8 F.R. 4978.

[2] 9 F.R. 1385.

*Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

*The text which is added by Am. 53 is underscored.

Sec.
4.3 Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.
4.4 Exception of sales pursuant to developmental contracts or subcontracts.
4.5 Exception of sales to Metals Reserve Company or its agents.
4.6 Exception of sales to specified government agencies.

ARTICLE 5—EXCEPTION OF SALES BY GOVERNMENT AGENCIES

5.1 Basis of classification in this article.
5.3 Commodities excepted.

APPENDIX A—TABLES OF CROSS-REFERENCES

Table I. Former Provisions of the General Maximum Price Regulation.
Table II. Former Provisions of Supplementary Regulation No. 1.
Table III. Former Provisions of Revised Supplementary Regulation No. 4.
Table IV. Provisions of Revised Supplementary Regulation No. 12.

ARTICLE 1—EXPLANATORY AND GENERAL PROVISIONS

SECTION 1.1 *What this regulation covers.* Exceptions of commodity transactions from the General Maximum Price Regulation are collected in this regulation. It brings together, restates and reclassifies the exceptions of commodity transactions (other than those which have become obsolete) previously contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulation No. 1 (Exceptions for Certain Commodities, Certain Sales and Deliveries, and Certain Services) and Revised Supplementary Regulation No. 4 (Exceptions of Sales to United States Agencies). It incorporates two exceptions which are also stated in Revised Supplementary Regulation No. 12 (Sales and Deliveries of Imported Commodities). This regulation does not, as of the date issued, make any new exception or terminate or otherwise change the operative effect of any of these exceptions but merely consolidates and continues them in effect. Other exceptions of commodity transactions may be added from time to time.

SEC. 1.2 *What this regulation does not cover.* This regulation being limited to exceptions from the General Maximum Price Regulation, does not incorporate exceptions which are stated in other price regulations. The commodity transactions listed in subsequent articles of this regulation, while excepted from the General Maximum Price Regulation, are of course subject to any other price regulations which apply to them. Services excepted from the General Maximum Price Regulation are not within the scope of this regulation but are collected in Revised Supplementary Regulation No. 7, being obsolete, is also hereby revoked. § 1499.9 of the General Maximum Price Regulation is not being revoked but is being amended simultaneously herewith so as to remove therefrom the exceptions now incorporated herein.

SEC. 1.4 *Cross-reference to superseded provisions.* Tables are set forth in Appendix A of this regulation, showing the counterpart in this regulation or elsewhere of the exceptions heretofore contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulations Nos. 1, 4 (revised) and 7 and also the exceptions incorporated herein from Revised Supplementary Regulation No. 12. Reference in any price regulation or other document to any such provision shall be deemed reference to its counterpart, if any, in this or any other regulation.

SEC. 1.5 *Definitions.* Terms used in this regulation shall, unless differently defined herein or unless the context requires a different meaning, have the same meaning as when used in the General Maximum Price Regulation.

ARTICLE 2—EXCEPTION OF SPECIFIC COMMODITIES

SEC. 2.1 *Basis of classification in this article.* The exceptions stated in this article, classified according to commodity group, are those which are based primarily upon the identity or character of the commodity or class of commodities rather than upon the nature of the transaction or of the parties thereto.

SEC. 2.2 *Exception granted.* Sales and deliveries of the commodities set forth in subsequent sections of this article are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated.

SEC. 2.3 *Foods, feeds, and beverages.* The exception stated above in section 2.2 extends to the following:

(a) Green coffee sold in Puerto Rico.

(b) Revoked.

[Paragraph (b) revoked by Am. 45, 9 F.R. 797, effective 1-26-44]

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; citrus concentrates, citrus pulp, citrus marmalade base, crushed citrus fruit and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.

(d) All milk products, including butter, cheese, condensed and evaporated milk, powdered milk, casein, malted milk powder and any other commodity which ... sale, by any person, of fluid milk or cream in bottles or paper containers, to any person, including an industrial or commercial user, other than the ultimate consumer.

(e) Sliced and peeled apples.

(f) Dried apple pomace, i. e., the sound dried residue obtained by removing cider from apples.

(g) Bland apple syrup, i. e., the product obtained by removing or neutralizing the malic acid from pure apple juice, and concentrating, after slightly reacidifying, by heating under reduced pressure to the extent that the product meets a minimum test of 40 degrees Baumé.

(h) Eggs and poultry.

(i) Fresh fish and sea food and game.

(j) Leaf tobacco (whether dried or green); stemmed tobacco leaf irrespective of cutting incidental and preliminary to stemming or cigar making; and tobacco stems sold as such.

(k) All nuts.

(l) Linseed oil.

(m) Mixed seeds for house pet birds.

(n) Animal and poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

(o) Ground grain feed, i. e., grains and seeds which are pulverized, cracked, crushed or otherwise milled to prepare the whole grains and seeds for use only as animal feeds.

(p) *Excepted grain products.* (1) The following products when neither further processed nor packaged. The term "packaged," as here used, means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment. The term "ground," as used below in describing these products, means crushed, cracked, rolled, ground, flaked or pulverized; but a product is "ground" and not "further processed" although subjected to processes such as steaming, which are incidental to grinding, as distinguished from other processes not merely incidental to grinding:

(i) The following wheat products: ground wheat, malted wheat.

(ii) The following barley products: pearled barley, ground pearled barley, hulled barley, malted barley, ground barley.

(iii) The following oat products: groats, hulled oats, ground groats, rolled hulled oats (table or feeding), cereal oats, ground oats.

(iv) The following rye products: malted rye, ground rye.

(v) Ground soy beans.

(vi) Ground buckwheat.

(2) All corn products of a dry corn milling process not covered by Maxi-

Sec.
4.3 Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.
4.4 Exception of sales pursuant to developmental contracts or subcontracts.
4.5 Exception of sales to Metals Reserve Company or its agents.
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5.1 Basis of classification in this article.
5.2 Commodities excepted.

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ARTICLE 1—EXPLANATORY AND GENERAL PROVISIONS

SECTION 1.1 *What this regulation covers.* Exceptions of commodity transactions from the General Maximum Price Regulation are collected in this regulation. It brings together, restates and reclassifies the exceptions of commodity transactions (other than those which have become obsolete) previously contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulation No. 1 (Exceptions for Certain Commodities, Certain Sales and Deliveries, and Certain Services) and Revised Supplementary Regulation No. 4 (Exceptions of Sales to United States Agencies). It incorporates two exceptions which are also stated in Revised Supplementary Regulation No. 12 (Sales and Deliveries of Imported Commodities). This regulation does not, as of the date issued, make any new exception or terminate or otherwise change the operative effect of any of these exceptions but merely consolidates and continues them in effect. Other exceptions of commodity transactions may be added from time to time.

SEC. 1.2 *What this regulation does not cover.* This regulation being limited to exceptions from the General Maximum Price Regulation, does not incorporate exceptions which are stated in other price regulations. The commodity transactions listed in subsequent articles of this regulation, while excepted from the General Maximum Price Regulation, are of course subject to any other price regulations which apply to them. Services excepted from the General Maximum Price Regulation are not within the scope of this regulation but are collected in Revised Supplementary Regulation No. 11. Those service exceptions formerly contained in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4 are being transferred to Revised Supplementary Regulation No. 11 simultaneously with issuance of this regulation.

SEC. 1.3 *Regulations revoked.* Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4, being superseded by this regulation, are hereby revoked. Supplementary Regulation No. 7, being obsolete, is also hereby revoked. § 1499.9 of the General Maximum Price Regulation is not being revoked but is being amended simultaneously herewith so as to remove therefrom the exceptions now incorporated herein.

SEC. 1.4 *Cross-reference to superseded provisions.* Tables are set forth in Appendix A of this regulation, showing the counterpart in this regulation or elsewhere of the exceptions heretofore contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulations Nos. 1, 4 (revised) and 7 and also the exceptions incorporated herein from Revised Supplementary Regulation No. 12. Reference in any price regulation or other document to any such provision shall be deemed reference to its counterpart, if any, in this or any other regulation.

SEC. 1.5 *Definitions.* Terms used in this regulation shall, unless differently defined herein or unless the context requires a different meaning, have the same meaning as when used in the General Maximum Price Regulation.

ARTICLE 2—EXCEPTION OF SPECIFIC COMMODITIES

SEC. 2.1 *Basis of classification in this article.* The exceptions stated in this article, classified according to commodity group, are those which are based primarily upon the identity or character of the commodity or class of commodities rather than upon the nature of the transaction or of the parties thereto.

SEC. 2.2 *Exception granted.* Sales and deliveries of the commodities set forth in subsequent sections of this article are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated.

SEC. 2.3 *Foods, feeds, and beverages.* The exception stated above in section 2.2 extends to the following:

(a) Green coffee sold in Puerto Rico.

(b) Revoked.

[Paragraph (b) revoked by Am. 45, 9 F.R. 797, effective 1-26-44]

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; citrus concentrates, citrus pulp, citrus marmalade base, crushed citrus fruit and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.

(d) All milk products, including butter, cheese, condensed and evaporated milk, powdered milk, casein, malted milk powder and any other commodity which is processed or manufactured from cow's milk and composed of milk ingredients constituting more than fifty per cent by weight or volume; but this exception shall not extend to fluid milk or cream sold at wholesale or retail, nor to ice cream, nor to ice cream mix for which adjusted maximum prices are established in § 1499.73 (a) (1a) of Supplementary Regulation No. 14. The term "sold at wholesale," as here used, refers to the sale, by any person, of fluid milk or cream in bottles or paper containers, to any person, including an industrial or commercial user, other than the ultimate consumer.

(e) Sliced and peeled apples.

(f) Dried apple pomace, i. e., the sound dried residue obtained by removing cider from apples.

(g) Bland apple syrup, i. e., the product obtained by removing or neutralizing the malic acid from pure apple juice, and concentrating, after slightly reacidifying, by heating under reduced pressure to the extent that the product meets a minimum test of 40 degrees Baumé.

(h) Eggs and poultry.

(i) Fresh fish and sea food and game.

(j) Leaf tobacco (whether dried or green); stemmed tobacco leaf irrespective of cutting incidental and preliminary to stemming or cigar making; and tobacco stems sold as such.

(k) All nuts.

(l) Linseed oil.

(m) Mixed seeds for house pet birds.

(n) Animal and poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

(o) Ground grain feed, i. e., grains and seeds which are pulverized, cracked, crushed or otherwise milled to prepare the whole grains and seeds for use only as animal feeds.

(p) *Excepted grain products.* (1) The following products when neither further processed nor packaged. The term "packaged," as here used, means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment. The term "ground," as used below in describing these products, means crushed, cracked, rolled, ground, flaked or pulverized; but a product is "ground" and not "further processed" although subjected to processes such as steaming, which are incidental to grinding, as distinguished from other processes not merely incidental to grinding:

(i) The following wheat products: ground wheat, malted wheat.

(ii) The following barley products: pearled barley, ground pearled barley, hulled barley, malted barley, ground barley.

(iii) The following oat products: groats, hulled oats, ground groats, rolled hulled oats (table or feeding), cereal oats, ground oats.

(iv) The following rye products: malted rye, ground rye.

(v) Ground soy beans.

(vi) Ground buckwheat.

(2) All corn products of a dry corn milling process not covered by Maximum Price Regulation 305 or Maximum Price Regulation 401.

(3) Wallpaper paste at least 90 percent composed of the products of the dry milling industry derived from wheat or corn.

(4) Corebinder.

(5) Wild rice.

[Paragraph (p) amended by Am. 10, 8 F.R. 7592, effective 6-10-43; Am. 18, 8 F.R. 9219, effective 7-10-43; Am. 25, 8 F.R. 11736, effective 8-28-43; and Am. 38, 8 F.R. 14819, effective 11-4-43]

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soy beans, potatoes; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

(1) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than 1/20th of the protein calculated to a moisture-free basis plus .35, except that farina shall not be considered flour produced from wheat;

(2) Any product of the milling of durum wheat whose ash content, calculated to a moisture-free basis, is not more than 1.5%, except that semolina shall not be considered flour produced from wheat;

(3) Whole wheat flour;

(4) Whole durum wheat flour; and

(5) Blends of the foregoing flours produced from wheat.

NOTE: In determining whether the ash content of bleached, bromated, enriched, phosphated and self-rising flours complies with the above ash requirements, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

(r) Cake mixes and flour mixes when not packaged. The terms "cake mixes" and "flour mixes" mean combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated, and self-rising flours. The term "packaged" means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment.

(s) Flint and granite grit and crushed granite for poultry feeding.

[Paragraph (s) added by Am. 7, 8 F.R. 7261, effective 6-3-43; amended by Am. 29, 8 F.R. 12793, effective 9-23-43]

(t) Artichoke hearts in wine vinegar.

[Paragraph (t) added by Am. 15, 8 F.R. 8754, effective 6-30-43]

(u) Sorghum syrup (sorghum molasses).

[Paragraph (u) added by Am. 35, 8 F.R. 15432, effective 11-15-43]

SEC. 2.4 *Paper and paper products (including publications and other printed matter).* The exception stated above in section 2.2 extends to the following:

(a) Books, magazines, motion pictures, periodicals, newspapers, materials furnished for publication by any press association or feature service, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs and price lists: *Provided, however,* That this exception shall not include any commodity listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225.

(b) The commodities listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225 when sold or delivered by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed $20,000.

(c) Seed flax tow, on condition, however, that on or before February 1, 1944, the seller file with the Office of Price Administration in Washington, D. C., a statement showing his highest selling price during March 1942, to each of the persons to whom he made deliveries in that month, and declaring the selling price he intends to charge each purchaser after January 23, 1944, and on the further condition that no prospective price thus reported to the Office of Price Administration may thereafter be changed unless seller shall first have given at least 30 days notice in writing to the Office of Price Administration, Washington, D. C. Nothing in this section 2.4 (c) shall apply to fiber flax tow.

[Paragraph (c) added by Am. 44, 9 F.R. 730, effective 1-24-44]

SEC. 2.5 *Chemicals, drugs and paints.* The exception stated above in section 2.2 extends to the following:

(a) Hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera), manufactured and marketed in compliance with the standards and regulations promulgated by the United States Department of Agriculture, or manufactured in a similar manner and for an identical purpose under license or authority of any State or otherwise and marketed in interstate or foreign commerce or so as directly to burden, obstruct or affect interstate or foreign commerce.

(b) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural, as set forth below:

[Paragraph (b) amended by Am. 16, 8 F.R. 9026, effective 7-6-43]

(1) Aviation gasoline of 87 octane rating or higher and, to the extent sold or delivered for use in the manufacture thereof, all components of aviation gasoline of 87 octane rating or higher, including but not limited to alkylate, neohexane, iso-octane, hydrycodimers, isomate, and hot acid octanes; iso-pentane, iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions thereof; and catalysts.

[Subparagraph (1) amended by Am. 11, 8 F.R. 7600, effective 6-11-43, and Am. 21, 8 F.R. 10304, effective 7-27-43]

(2) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of the components of synthetic rubber, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane, and iso-butane; hydrogen, acetaldehyde, acetylene, vinyl-acetylene, vinyl chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate, hydrochloric acid, calcium carbide, ethylene dichloride, dichlorethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and ethyl-alcohol, and furfural, catalysts, including but not limited to chrome-alumina and magnesia-alumina catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

The term "synthetic rubber," as here used, means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

[Subparagraph (2) amended by Am. 21, 8 F.R. 10304, effective 7-27-43]

(3) Toluene manufactured from petroleum and, to the extent sold or delivered for use in the manufacture of such toluene, base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene and catalysts.

[Subparagraph (3) amended by Am. 21, 8 F.R. 10304, effective 7-27-43]

(4) Agricultural components of furfural to the extent sold or delivered for use in the manufacture of furfural, including but not limited to oat hulls, cottonseed hulls and cottonseed hull bran.

(c) Volatile ("essential") oils, when sold by the growers (in any of the forty-eight States and the District of Columbia) of the plants from which such oils were distilled. However, maximum prices for the natural oils of peppermint and spearmint are established by Maximum Price Regulation No. 472.

[Paragraph (c) amended by Am. 30, 8 F.R. 13171, effective 9-20-43]

(d) Domestic botanical drugs.

(NOTE: Sales and deliveries of botanical drugs originating outside of and imported into the continental United States are subject to the Maximum Import Price Regulation.)

[Paragraph (d) as amended by Am. 32, 8 F.R. 14473, effective 10-28-43]

(e) Sales or deliveries by a manufacturer of a chemical or an industrial paint which that manufacturer did not sell during March 1942 or prior thereto, until the total sales of that chemical or industrial paint exceed $1,000.

"Industrial paint" means a protective coating sold for application to industrial equipment, military equipment, and articles manufactured primarily for resale. The term "industrial paint" does not include protective coatings commonly

known as "trade sales" or "shelf goods" paints.

[Paragraph (e) added by Am. 9, 8 F.R. 7349, effective 6-5-43; amended by Am. 37, 8 F.R. 16903, effective 12-15-43]

(f) Sales or deliveries by a manufacturer of a chemical which is in the experimental stage of production, on condition, however, that before making any sale of any such chemical which would bring the total sales thereof to a sum in excess of $1,000 the manufacturer thereof files with the Office of Price Administration at Washington, D. C., a report setting forth the name of the manufacturer, a description of the chemical, the reasons why he considers that it is in an experimental stage of production, the prices he proposes to charge during the experimental stage of production, and the monthly volume of production which he believes would represent commercial production as opposed to the experimental stage of production. If the Office of Price Administration does not by letter disapprove the report within twenty days, sales or deliveries of the chemical shall continue to be excepted from the General Maximum Price Regulation until the volume of production specified in the report as commercial production is reached.

[Paragraph (f) added by Am. 9, 8 F.R. 7349, effective 6-5-43]

SEC. 2.6 *Rubber and rubber products.* The exception stated above in section 2.2 extends to the following:

(a) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (b) (2) of section 2.5.

(b) Balata rubber when sold or delivered by Rubber Reserve Company; and also when delivered by other sellers if delivery is pursuant to a sale which, when made, was excepted from the General Maximum Price Regulation.

(c) Crude rubber, guayule rubber and liquid latex.

SEC. 2.7 *Fuel, petroleum products and other oils.* The exception stated above in section 2.2 extends to the following:

(a) Coal, coke, briquettes, fuel oil, kerosene, gasoline, petroleum products and other oils, when sold for use as fuel, and natural gas, when sold by the producer, gatherer or pipeline company, and manufactured gas, when sold by the manufacturer, gatherer or pipeline company, and all other sales of natural gas and manufactured gas, except sales by retail gas companies, shall continue to be governed by the General Maximum Price Regulation.

(b) Instrument jewel bearings.

(c) Diamond dies smaller than .002 inch in diameter.

(d) Used automobiles.

SEC. 2.9 *Metals and minerals.* The exception stated above in section 2.2 applies to the following:

(a) Scrap metal, as specified below in paragraph (a) of section 2.12.

(b) The following scrap material whether sold to an industrial consumer or other purchaser:

(1) Zinc scrap materials, including but not limited to zinc skimmings, zinc ashes, sal skimmings and flue dust; but some such materials are governed by Revised Price Schedule No. 3.

(2) Lead scrap materials, including but not limited to lead drosses, lead slags, lead ashes and lead sludges; but some such materials are governed by Revised Price Schedule No. 70.

(3) Residues of tin, solder, babbitt and type material, including but not limited to drosses, scruffs, acidy drosses, fumes, sludges and slags.

(4) Antimony residues, slags, skimmings and drosses.

(5) Copper clad steel scrap—i. e., any steel scrap clad or coated with copper or a copper base alloy, including gilding metal clad steel scrap, in which the cladding or coating amounts to 3% or more by weight.

(6) Detinned or tin-coated scrap sold for use in copper precipitation.

[Subparagraph (6) added by Am. 22, 8 F.R. 10759, effective 8-6-43]

(c) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M-101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(d) Fluorspar ores.

(e) Blister copper.

(f) Lead bullion.

(g) Ores and ore concentrates. The term "ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. The term "ore concentrates"

[Paragraph (i) added by Am. 48, 9 F.R. 2138, effective 3-30-44]

(j) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafilt".

[Paragraph (j) added by Am. 49, 9 F.R. 2413, effective 3-6-44]

(k) Analyzed Pennsylvania anthracite sold by the Anthracite Industries, Inc. to testing laboratories for use as a standard test fuel.

[Paragraph (k) added by Am. 82, effective 4-6-44]

SEC. 2.10 *Forest products, lumber and building materials.* The exception stated above in section 2.2 applies to the following:

(a) Bark obtained from hemlock, oak, chestnut and spruce.

(b) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(c) Stumpage.

[Paragraph (c) amended by Am. 39, 8 F.R. 16727, effective 12-20-43]

(d) Wood and gum for naval stores and gum naval stores.

(e) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs, edgings, veneer log ends and cores, and ground wood: *Provided, however,* That no petitions for increase in maximum prices of the products manufactured from the above raw materials will be granted to the extent that such petitions are based on increases in prices of such raw materials above March, 1942, levels.

(f) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

SEC. 2.11 *Textiles, leather and apparel.* The exception stated above in section 2.2 applies to the following:

(a) Imported silk wastes.

(b) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearlings or wool skins which are sold for use as furs.

(c) Women's fur garments sold by

known as "trade sales" or "shelf goods" paints.

[Paragraph (e) added by Am. 9, 8 F.R. 7349, effective 6-5-43; amended by Am. 27, 8 F.R. 16902, effective 12-15-43]

(f) Sales or deliveries by a manufacturer of a chemical which is in the experimental stage of production, on condition, however, that before making any sale of any such chemical which would bring the total sales thereof to a sum in excess of $1,000 the manufacturer thereof files with the Office of Price Administration at Washington, D. C., a report setting forth the name of the manufacturer, a description of the chemical, the reasons why he considers that it is in an experimental stage of production, the prices he proposes to charge during the experimental stage of production, and the monthly volume of production which he believes would represent commercial production as opposed to the experimental stage of production. If the Office of Price Administration does not by letter disapprove the report within twenty days, sales or deliveries of the chemical shall continue to be excepted from the General Maximum Price Regulation until the volume of production specified in the report as commercial production is reached.

[Paragraph (f) added by Am. 9, 8 F.R. 7349, effective 6-5-43]

SEC. 2.6 *Rubber and rubber products.* The exception stated above in section 2. 2 extends to the following:

(a) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (b) (2) of section 2.5.

(b) Balata rubber when sold or delivered by Rubber Reserve Company; and also when delivered by other sellers if delivery is pursuant to a sale which, when made, was excepted from the General Maximum Price Regulation.

(c) Crude rubber, guayule rubber and liquid latex.

SEC. 2.7 *Fuel, petroleum products and other oils.* The exception stated above in section 2.2 extends to the following:

(a) Aviation gasoline of 87 octane rating and higher and its components, as specified above in paragraph (b) (1) of section 2.5.

(b) Toluene manufactured from petroleum, as specified above in paragraph (b) (3) of section 2.5.

(c) Core oils and core washing oils.

(d) Bituminous coal produced in Alaska.

SEC. 2.8 *Machinery, tools and equipment.*[1] The exception stated above in section 2.2 extends to the following:

(a) Machines and parts excluded from Maximum Price Regulation No. 136, as amended, by § 1390.2 thereof, except that machines and parts sold at retail by a person other than the manufacturer thereof and on that account excluded by paragraph (f) of said § 1390.2 shall continue to be governed by the General Maximum Price Regulation.[2]

(b) Instrument jewel bearings.

(c) Diamond dies smaller than .002 inch in diameter.

(d) Used automobiles.

SEC. 2.9 *Metals and minerals.* The exception stated above in section 2.2 applies to the following:

(a) Scrap metal, as specified below in paragraph (a) of section 2.12.

(b) The following scrap material whether sold to an industrial consumer or other purchaser:

(1) Zinc scrap materials, including but not limited to zinc skimmings, zinc ashes, sal skimmings and flue dust; but some such materials are governed by Revised Price Schedule No. 3.

(2) Lead scrap materials, including but not limited to lead drosses, lead slags, lead ashes and lead sludges; but some such materials are governed by Revised Price Schedule No. 70.

(3) Residues of tin, solder, babbitt and type material, including but not limited to drosses, scruffs, acidy drosses, fumes, sludges and slags.

(4) Antimony residues, slags, skimmings and drosses.

(5) Copper clad steel scrap—i. e., any steel scrap clad or coated with copper or a copper base alloy, including gilding metal clad steel scrap, in which the cladding or coating amounts to 3% or more by weight.

(6) Detinned or tin-coated scrap sold for use in copper precipitation.

[Subparagraph (6) added by Am. 22, 8 F.R. 10759, effective 8-6-43]

(c) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M-101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(d) Fluorspar ores.

(e) Blister copper.

(f) Lead bullion.

(g) Ores and ore concentrates. The term "ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. The term "ore concentrates" means any ore after the removal of a part of the gangue, or a part of the nonmetallic elements, by either a physical or chemical process.

(h) Electrotype plates which are obsolete by reason of the time limitations of War Production Board Order M-99 or which may become obsolete within the definition of War Production Board Order M-99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotype plates, sold by purchasers of the electrotype plates to the National Lead Company, acting as agent for the Metals Reserve Company.

(i) Brucite when sold to a producer of magnesium metal for use in the production of magnesium metal.

[Paragraph (i) added by Am. 43, 8 F.R. 2138, effective 2-20-43]

(j) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafilt".

[Paragraph (j) added by Am. 49, 9 F.R. 2413, effective 3-6-44]

(k) Analyzed Pennsylvania anthracite sold by the Anthracite Industries, Inc. to testing laboratories for use as a standard test fuel.

[Paragraph (k) added by Am. 82, effective 4-6-44]

SEC. 2.10 *Forest products, lumber and building materials.* The exception stated above in section 2.2 applies to the following:

(a) Bark obtained from hemlock, oak, chestnut and spruce.

(b) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(c) Stumpage.

[Paragraph (c) amended by Am. 89, 8 F.R. 16727, effective 12-20-43]

(d) Wood and gum for naval stores and gum naval stores.

(e) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs, edgings, veneer log ends and cores, and ground wood: *Provided, however,* That no petitions for increase in maximum prices of the products manufactured from the above raw materials will be granted to the extent that such petitions are based on increases in prices of such raw materials above March, 1942, levels.

(f) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

SEC. 2.11 *Textiles, leather and apparel.* The exception stated above in section 2.2 applies to the following:

(a) Imported silk wastes.

(b) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearlings or wool skins which are sold for use as furs.

(c) Women's fur garments sold by manufacturers and manufacturing-retailers at $8,000 or more, (exclusive of excise taxes) or purchased by retailers and wholesalers at $8,000 or more.

[Paragraph (c) added by Am. 46, 9 F.R. 755, effective 1-18-44]

SEC. 2.12 *Miscellaneous.* The exception stated above in section 2. 2 applies to the following:

(a) Waste materials, including but not limited to metal, paper, cloth and rubber scrap, sold to a purchaser other than an industrial consumer: *Provided, however,* That for purposes of this exception:

(1) "Industrial consumer" includes a person who cleans and resells cloth scrap for use as wiping rags or waste and any other person who processes any scrap material otherwise than by sorting, cleaning, baling, compressing or reducing in size.

(2) "Waste materials" does not include top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap or scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers, nor cotton mill waste (defined to mean all cotton waste produced in the process of converting raw cotton into yarn and yarn into cloth, except jute bagging removed from cotton bales and except any kind of scrap burlap or bagging), nor fat-bearing and oil-bearing animal waste materials.

[Subparagraph (2) amended by Am. 17, 8 F.R. 9025, effective 7-6-43; and Am. 24, 8 F.R. 11754, effective 8-28-43]

(b) Animals of any kind, whether wild or domestic and whether living or dead, other than those slaughtered for food purposes; but this exception does not extend to pelts, furs, or other parts of animals—as to which see section 3. 2 (f), below.

(c) Manure.

(d) Garbage.

(e) Stamps and coins.

(f) *Precious stones and mountings into which precious stones are set.* The term "precious stones" means any ruby, sapphire, emerald, natural pearl or any diamond (other than an industrial diamond) or any semi-precious stone after sale by the cutter, when the cutter has received more than $100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones."

[Paragraph (f) amended by Am. 23, 8 F.R. 11572, effective 8-25-43]

(g) Antiques.

(h) Knotted oriental rugs.

(i) Paintings, etchings, sculptures and other objects of art.

(j) Indian and Eskimo handicraft objects which are produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(k) Securities, including any note, stock, bond, and interest or instrument commonly known as a "security."

(l) Any raw and unprocessed agricultural commodity or greenhouse commodity while it remains in substantially its original state, subject to the following qualifications:

(1) Commodities which are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported and/or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat constitute processing for this purpose.

(2) This exception does not extend to any dried fruits or dried berries other than those sold or delivered "in natural condition" by growers to packers; nor to any dried imported agricultural commodities; nor to any forest products, such as lumber, wood naval stores and mineral products, whether processed or unprocessed.

[Subparagraph (2) amended by Am. 6, 8 F.R. 6964, effective 6-22-43]

(3) All natural flowers and floral products, whether fresh or dried and all seeds and bulbs for planting purposes are deemed to be raw and unprocessed agricultural commodities and so are included within this exception.

[Subparagraph (3) amended by Am. 27, 8 F.R. 11951, effective 9-2-43]

(m) Cattle warts.

[Paragraph (m) added by Am. 1, 8 F.R. 6055, effective 5-14-43]

(n) Domestic hog bristle, whether raw or dressed; *Provided,* That this exemption shall not apply to sales of dressed hog bristle to a manufacturer of brushes.

[Paragraph (n) added by Am. 14, 8 F.R. 8754, 9 F.R. 1531, effective 6-30-43]

(o) Unginned Spanish moss.

[Paragraph (o) added by Am. 47, 9 F.R. 1531, effective 2-11-44]

ARTICLE III—EXCEPTION OF TRANSACTIONS OF A GENERAL NATURE

SEC. 3.1 *Basis of classification in this article.* The exceptions stated in this article are those which are based primarily upon the nature of the transaction or the parties thereto (other than government agencies, which are the subject of Articles IV and V) and thus generally affect more than one commodity or class of commodities.[3]

SEC. 3.2 *Transactions excepted.* The following transactions are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, upon the conditions and to the extent indicated:

(a) Sales and deliveries by a farmer, of commodities grown and processed on his farm, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(b) Sales and deliveries by any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided, however,* That this exception shall not apply to the following:

(1) Sales and deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board.

(2) Sales and deliveries of top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap, and scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers.

[Subparagraph (2) amended by Am. 17, 8 F.R. 9025, effective 7-6-43; and Am. 24, 8 F.R. 11754, effective 8-28-43]

(3) Sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

[Subparagraph (3) added by Am. 41, 9 F.R. 215, effective 1-8-44]

(c) Sales and deliveries by an owner, of his used personal or household effects or other personal property used by him. This exception shall not apply to sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

[Paragraph (c) amended by Am. 41, 9 F.R. 215, effective 1-8-44]

(d) Sales and deliveries at a bona fide auction of used household or personal effects, except that this exception shall not apply to any sale at auction conducted in, by, or for a retail or wholesale establishment regularly engaged in the business of selling such goods other than by auction.

(e) Sales and deliveries by hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller; but this exception shall not apply to sales of ice cream in cones, dixie cups or similar packages.

(f) Sales and deliveries by a breeder, trapper, or hunter, of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

(g) Sales and deliveries of commodities sold without private profit in the course of any sale, fair, or bazaar conducted for a period of not more than 15 days by any religious, charitable, or philanthropic organization.

(h) Sales and deliveries of damaged commodities by insurance companies, transportation companies, or agents of the United States Government or by any other person engaged in reconditioning and selling damaged commodities received, in direct connection with the adjustment of losses, from insurance companies, transportation companies, or agents of the United States Government: *Provided,* That such other person has registered with and has been approved by the Office of Price Administration as engaged principally and primarily in such business and as one whose

[1] Machinery services as defined in Maximum Price Regulation No. 136, as amended, are excepted from the General Maximum Price Regulation by § 1499.46 (b) (116) of Revised Supplementary Regulation No. 11.

[2] Exceptions from all price control, which necessarily constitute exceptions from the General Maximum Price Regulation but are not incorporated herein, are contained in the following Supplementary Orders: No. 8, Panama Canal Zone; No. 10, Judicial Sales; No. 21, District of Columbia Penal Institutions; No. 22, Sales to Office of Scientific Research and Development; No. 27, Sales by Army and Navy Stores; No. 35, Purchases of Strategic or Critical Materials by Metals Reserve Company; No. 42, Exception of Sales to Government Agencies Pursuant to Secret Contracts or Subcontracts. [Further exceptions from price control are contained in the following Supplementary Orders: No. 45, Exemption From Price Control of Certain Commodities and Services; No. 46, Exemption of Auction Sales of Contents of Dead Letters or Packages by Post Office Department; No. 52, Exemption From Price Control of Certain Commodities and Services Sold by Railroads Pursuant to the Code of Rules of the Association of American Railroads; No. 54, Exemption of Sales of Commodities Produced and Services Supplied by State of Ohio Penal Institutions; No. 62, Sales to Dealers for Resale, by the War Department, the Department of the Navy, or the Procurement Division of the Treasury Department, of Scrap, Waste and Used Materials.]

other activities do not include selling new or second-hand commodities for his own account.

(i) Sales and deliveries by non-profit making agencies for the blind (i. e., institutions operated in the interest of blind persons, the net income of which does not inure in whole or in part to the benefit of the shareholders or individuals) of any commodity on which 75 per cent of the direct labor in man-hours has been performed by the blind. Persons are, for this purpose, considered blind if their visual acuity does not exceed 20/200 in the better eye with correcting lenses or if their visual acuity is greater than 20/200 but they have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(j) Sales or deliveries of commodities made or produced by the seller at his home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed $75 in any one calendar month.

[Paragraph (j) amended by Am. 40, 8 F.R. 17485, effective 1-4-44]

(k) Purchases of commodities to be imported into the continental United States by any person who deals directly with a foreign seller whose place of business is located outside the continental United States or with his selling agent wherever located.

[Paragraph (k) amended by Am. 26, 8 F.R. 11814, effective 8-30-43]

(l) Component parts and subassemblies of certain military products, as specified below in paragraph (c) of section 4. 3.

(m) Sales and deliveries of 40% oleum (109% sulphuric acid) to an ordnance plant or works operated by or for the United States or any agency thereof.

[Paragraph (m) amended by Am. 36, 8 F.R. 15527, effective 7-9-43]

(n) Sales and deliveries of the following articles by the Coca Cola Company of Wilmington, Delaware to bottlers of Coca Cola:

Upright and horizontal frames.
Metal racks.
Menu boards and signs.
Wood hangers.
Porcelain enamel signs.
Porcelain enamel letters.
Booms and weathercock for porcelain enamel signs.
Fibre signs.
Outdoor signs and inserts.
Miscellaneous metal signs.
Privilege panels and inserts.
Embossed metal material.
Painted bottles, metal or hardboard.
Trays.
Pigskin billfolds.
Thermometers.
Miniature bottles and cases.
Giant bottles and crowns.
Rulers.
Pencils.
Bottle openers.
Ice picks.
Phonograph records.
Slide films.
Playing cards.
Game kits.
Mending kits.

[Paragraph (n) added by Am. 38, 8 F.R. 16064, effective 12-18-43]

ARTICLE IV—EXCEPTION OF SALES TO GOVERNMENT AGENCIES

SEC. 4.1 *Basis of classification in this article.* The exceptions stated in this article, classified according to the purchasing agency or agencies, are those which are based primarily upon the governmental character of the purchaser.

SEC. 4.2 *Exception of sales to the United States or any of its agencies.* Sales and deliveries of the following, when made to the United States or any of its agencies, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Brazilian rock quartz crystals, suitable for piezoelectrical purposes.

(b) Standard Model P-4 payroll machines manufactured by the International Payroll Machine Company of Reading, Pennsylvania, delivered prior to July 1, 1943.

(c) Manila cordage sold by Metals Reserve Company or its duly authorized agent or agents. The term "Manila cordage" has the same meaning here as in paragraph (d) of section 4. 5 below.

(d) Brooms sold by Federal Prison Industries, Inc.

(e) 40% oleum, as specified above in paragraph (m) of section 3. 2.

(f) Clay pigeons, but this exemption shall expire on April 1, 1944.

[Paragraph (f) added by Am. 26, 8 F.R. 12406, effective 9-11-43; amended by Am. 43, 9 F.R. 184, effective 1-1-44]

SEC. 4.3 *Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.* Sales and deliveries of the following are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated, when made to the United States or any agency thereof or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or any agency of any such government, and also in certain cases of related transactions when made to others as specifically provided below:

(a) Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes.

(b) Amphibians, armored vehicles, automobiles, tanks, trailers and trucks, when sold for military purposes.

(c) Component parts and subassemblies of any product excepted under paragraphs (a) and (b), above, regardless of the person to whom sold or delivered, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under paragraphs (a) and (b), above.[1]

(d) Military propellants and explosives.

(e) Imported mahogany logs, lumber, flitches, veneer and plywood and mahogany lumber, flitches, veneer and plywood manufactured therefrom in the United States—or any of the same when sold or delivered to any person who will use such commodity to fulfill (1) a contract with the United States or any agency thereof or with any Government or agency thereof the defense of which the President deems vital to the defense of the United States as aforesaid or (2) a subcontract under any such contract. The term "mahogany", as here used, means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya of the Meliaceae family, and the term "mahogany plywood" means plywood composed of one or more plies of mahogany veneer.

[Paragraph (e) amended by Am. 2, 8 F.R. 8363, effective 6-19-43]

(f) Any commodity purchased for immediate delivery under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable: *Provided*, That the person making such purchase on behalf of the purchasing Government or agency files a report with the Office of Price Administration, Washington, D. C., within five days after such purchase is made, certifying that such emergency existed and setting forth: (1) the name and address of the seller, (2) date of purchase, (3) date of delivery, (4) description of commodity purchased, (5) quantity purchased, (6) price at which purchased, and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

(g) Calcium carbide when sold by Defense Supplies Corporation.

(h) Any imported commodity while in its imported state or after being subjected to a process that does not result in the production of a new and different article having a distinctive name, character or use, if sold to any person who certifies in writing to the seller that the commodity will be used to fulfill a contract with the United States or any agency thereof, or with such other government or any agency thereof, or to fulfill a sub-contract under such a contract. Such a contract shall be evidenced either by a signed contract between the contractor-buyer and the agency, or by a letter of intent from the agency to such a person that a contract will be forthcoming. Such a sub-contract shall be evidenced by a

[1] Revised Supplementary Regulation No. 11, § 1499.46 (b) (114), excepts from the General Maximum Price Regulation any manufacturing service performed by a person other than the manufacturer in the production of any product excepted under paragraphs (a), (b) and (c) of section 4. 3, above, if all or part of the material on which such service is performed is supplied by the manufacturer.

signed contract between the prime contractor and sub-contractor or between one sub-contractor and another or by a letter of intent from the prime contractor to the sub-contractor or from one sub-contractor to another that such a subcontract will be forthcoming: *Provided, however*, That:

(1) This exception shall not apply to the following imported commodities:

(i) Fish and sea food: canned, salted, pickled, smoked or frozen.
(ii) Other foodstuffs processed after importation.
(iii) Silver bullion.
(iv) Crude rubber, balata, and guayule.
(v) Lumber and wood shingles produced in and imported from Canada or Mexico.
(vi) Molasses produced in and imported from Hawaii for use in producing ethyl alcohol.

[Subparagraph (vi) added by Am. 42, 9 F.R. 36, effective 12-30-43]

(2) The term "imported commodity," as above used, means any commodity transported into the continental United States from any place outside thereof. Goods entered in a foreign trade zone or a customs bonded warehouse shall be considered as "imported."

[Paragraph (h) amended by Am. 26, 8 F.R. 11814, effective 8-30-43]

(i) The following Army field and emergency rations and commodities:

(1) Completed rations: C; D; K; Five-in-One; Mountain; Bail Out; Combat; Jungle; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Stew (30 oz. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne; and Ten-in-One.

[Subparagraph (1) amended by Am. 8, 8 F.R. 7270, effective 6-4-43; and Am. 34, 8 F.R. 15361, effective 11-12-43]

(2) All finished component parts of these rations (for example, finished biscuits, finished drink powders, etc., as distinct from their ingredients). However, the following finished component parts shall be subject to maximum prices in sales to these buyers:

(i) Breakfast cereals.
(ii) Milk, condensed (covered by Maximum Price Regulation No. 289).
(iii) Milk, unsweetened evaporated, unsweetened dehydrated (powdered skim) (covered by Maximum Price Regulation No. 289).
(iv) Canned fruits, fruit juices and nectars (covered by Maximum Price Regulations Nos. 185 and 306).
(v) Dried fruits (covered by Maximum Price Regulation No. 227).
(vi) Raisins (covered by Maximum Price Regulation No. 242).
(vii) Canned vegetables and vegetable juices (covered by Maximum Price Regulations Nos. 152 and 306).
(viii) Dehydrated potato shreds.
(ix) Canned sliced bacon (covered by Maximum Price Regulation No. 148).
(x) Canned pork sausage (covered by Maximum Price Regulation No. 148).
(xi) Canned corned pork (covered by Maximum Price Regulation No. 148).
(xii) Canned corned beef (covered by Maximum Price Regulation No. 156).
(xiii) Spaghetti (covered by Maximum Price Regulation No. 325).
(xiv) Cheese (covered by Maximum Price Regulation No. 380).
(xv) Peanuts (covered by Maximum Price Regulation No. 335).
(xvi) Fruit preserves, jams, jellies (covered by Maximum Price Regulation No. 226).
(xvii) Powdered puddings.
(xviii) Tea (covered by Revised Price Schedule No. 91).
(xix) Sugar (covered by Revised Price Schedule No. 60).
(xx) Salt and salt tablets.
(xxi) Hard candy.
(xxii) Chewing gum.
(xxiii) Cigarettes (covered by Revised Price Schedule No. 62).
(xxiv) Toilet paper (covered by Maximum Price Regulation No. 266).
(xxv) Halazone tablets (covered by Maximum Price Regulation No. 392).
(xxvi) Matches (covered by Maximum Price Regulation No. 365).
(xxxvii) Soap (covered by Maximum Price Regulation No. 391).
(xxviii) Paper towels (covered by Maximum Price Regulation No. 266).
(xxix) Canned roast beef (covered by Maximum Price Regulation No. 169).
(xxx) Dehydrated corned beef hash.

[Subparagraphs (xxv) through (xxx) added by Am. 34, 8 F.R. 15331, effective 11-12-43]

(j) Canned fish flakes: *Provided, however*, That within fifteen days after entering into any contract made on or after April 3, 1943, for the sale or delivery thereof, the seller shall file with the Office of Price Administration either a duly authenticated copy of such contract or, in lieu thereof, a duly authenticated summary of such contract setting forth the name of the seller, date of contract, term of contract, price, quantity, species and manner of preparation, name of buyer, point of delivery corresponding to sales price, and method of delivery.

(k) The following commodities, but this exception shall expire April 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(2) Field ranges, Model–1937 (Quartermaster Corps); spare parts thereof, Class A.

(3) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model–1937 (Quartermaster Corps). Parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model–1937 (Quartermaster Corps);

(ii) Metal insignia, cap and collar (for enlisted men).

(4) Deliveries of canteen cups and meat cans, Model M–1942 pursuant to contracts entered into prior to April 1, 1943.

[Paragraph (k) amended by Am. 20, 8 F.R. 9219, effective 7-1-43; Am. 31, 8 F.R. 13513, effective 10-1-43; and Am. 43, 9 F.R. 184, effective 1-1-44]

(l) Canned (in tin) white potatoes.

[Paragraph (l) added by Am. 19, 8 F.R. 9016, 10002, effective 6-28-43]

(m) Barbed wire concertinas.

[Paragraph (m) added by Am. 53, effective 4-7-44]

SEC. 4.4 *Exception of sales pursuant to developmental contracts or subcontracts.* The General Maximum Price Regulation shall have no application to sales or deliveries of any commodity manufactured or service supplied[1] pursuant to a contract or subcontract which is certified in writing to the Office of Price Administration, Washington, D. C., as being a "developmental" contract or subcontract, by the United States or any agency thereof or by the Government of any country the defense of which the President deems vital to the defense of the United States under the terms of the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States," or any agency of any such Government: *Provided, however*, That:

(a) The manufacturer of the commodity or the supplier of the service files with the Office of Price Administration, Washington, D. C., within ten days after entering into the contract or subcontract, a report containing a description of the product to be manufactured or service to be supplied, a summary of the terms of the contract or subcontract, including all pricing provisions, a statement of the production plan of which the contract or subcontract is a part, and an estimate of the expected duration of such developmental work.

(b) If at any time the Office of Price Administration determines, after consultation with the certifying government agency, that the period necessary for development has expired and in writing so notifies such agency and the manufacturer of the commodity or supplier of the service, this exception shall not apply to the commodities or services thereafter sold, delivered or supplied under the contract or subcontract to which such notice relates.

(c) A contract or subcontract is, for the purpose of this section, deemed to be "developmental" if the manufacturer or supplier thereunder requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs or if the purchaser thereunder requires a period of time to select a product, or both.

SEC. 4.5 *Exception of sales to Metals Reserve Company or its agents.* Sales and deliveries of the following, when made to Metals Reserve Company or any of its agents, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Metallic copper, lead or zinc, or ores or concentrates containing copper, lead or zinc, sold pursuant to the Premium Price Plan announced by the Federal Loan Agency, the War Production Board, and the Office of Price Administration.

(b) Aluminum scrap sold pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced on February 24, 1942, by the War Production Board, Division of Industry Operations.

(c) Nickel-bearing scrap materials sold pursuant to the program with respect to frozen stocks of metallic nickel adopted and announced on April 15, 1942,

[1] The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (115) of Revised Supplementary Regulation No. 11.

by the War Production Board, Division of Industry Operations.

(d) Manila cordage sold by persons other than the producers thereof. The term "Manila cordage," as here used, means rope and cable in which Manila fiber is used either alone or in combination with other fibers and which is of diameters of $\frac{1}{4}$ of an inch and larger and of lengths of not less than 200 feet and of grades designated by manufacturers as "better than grade #1", "grade #1", "grade #2" and "grade #3."

(e) Nickel oxide sold by the Electric Heating Equipment Company of Philadelphia, Pennsylvania.

(f) Electrotype plates, as specified above in paragraph (h) of section 2.9.

Sec. 4.6 *Exception of sales to specified government agencies.* Sales and deliveries of the following, when made to the government agencies or other persons specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Talking books manufactured by the American Foundation for the Blind and sold to the Library of Congress.

(b) Tires and tubes sold or delivered to Defense Supplies Corporation pursuant to the Idle Tire Purchase Plan.

(c) Solid-pack pie apricots in No. 10 cans sold to the Agricultural Marketing Administration for Lend-Lease purposes exclusively.

(d) Beef or veal, or any product made or derived therefrom, sold to the armed forces of the United States or the Federal Surplus Commodities Corporation under contracts entered into before July 13, 1943.

(e) Dried apples, dried apricots, raisins, dried peaches or dried pears sold to the armed forces of the United States or to the Federal Surplus Commodities Corporation.

(f) Dehydrated vegetables sold to the armed forces of the United States or any other purchasing agency of the United States.

(g) Phosphorus sold by the Tennessee Valley Authority to the War Department.

(h) Funeral supplies, appurtenances, and services rendered by a funeral director under a contract with the U. S. Veterans' Administration.

[Paragraph (h) added by Am. 3, 8 F.R. 6547, effective 5-22-43]

(i) Steel valves, valve parts or subassemblies sold by a subcontractor to a valve manufacturer who has previously entered into a contract entitled "Contract Between the Navy Department and Valve Manufacturers for Reimbursement of Added Cost on Subcontracted Valves and Valve Parts," or sold by a subsubcontractor to such subcontractor for sale to such valve manufacturer, except that if the same kind of valve, valve part or subassembly was sold to the same valve manufacturer or subcontractor by the same seller prior to June 7, 1943, the sale of such valve, valve part or subassembly by the seller after June 7, 1943, shall not be exempt under this paragraph (i).

[Paragraph (i) added by Am. 12, 8 F. R. 7888, effective 6-7-43]

(j) Domestically manufactured jewel bearings, which are used in timekeeping instruments, sold to the Defense Supplies Corporation. See section 5.2 for sales by or for the account of Defense Supplies Corporation.

[Paragraph (j) added by Am. 13, 8 F.R. 8710, effective 6-29-43]

ARTICLE V—EXCEPTION OF SALES BY GOVERNMENT AGENCIES

Sec. 5.1 *Basis of classification in this article.* The exceptions stated in this article are those which are based primarily upon the governmental character of the seller.

Sec. 5.2 *Commodities excepted.* Sales and deliveries of the following, when made by the government agencies specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Any scrap, waste, damaged or used materials or commodities sold, delivered or transferred by the War Department, the Department of the Navy of the United States, or the Procurement Division—Treasury Department.

[Paragraph (a) amended by Am. 5, 8 F.R. 6823, effective 5-28-43]

(b) Vinyl acetate-vinyl chloride copolymer transcription records sold by the United States or any agency thereof.

(c) Ammunition sold by Defense Supplies Corporation.

(d) Phonograph records sold by the recording laboratory of the Library of Congress.

(e) Balata rubber sold by Rubber Reserve Company, as specified above in paragraph (b) of section 2.6.

(f) Crude petroleum transported through the war emergency pipelines system and sold by Defense Supplies Corporation at the eastern termini of such system.

(g) Temporary buildings sold apart from the land by the United States or any agency thereof and also the supply of demolition, wrecking, and site-clearance services* which are part of and are included within the sale of such temporary buildings.

(h) Domestically manufactured jewel bearings, which are used in timekeeping instruments, sold by or for the account of the Defense Supplies Corporation. See section 4.2 for sales to Defense Sales Corporation.

[Paragraph (h) added by Am. 12, 8 F.R. 8710, effective 6-29-43]

APPENDIX A—TABLES OF CROSS-REFERENCES

TABLE I—FORMER PROVISIONS OF THE GENERAL MAXIMUM PRICE REGULATION

Former paragraph of § 1499.3 of GMPR	*Present counterpart in Rev. Supp. Reg. No. 1*
(a) (1)—Combined with § 1499.20 (j).	Sec. 2.13 (1)
(a) (2)	Sec. 2.3 (h)

*The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (117) of Revised Supplementary Regulation No. 11.

TABLE I—FORMER PROVISIONS OF THE GENERAL MAXIMUM PRICE REGULATION—continued

Former paragraph of § 1499.3 of GMPR	*Present counterpart in Rev. Supp. Reg. No. 1*
(a) (3)—Combined with § 1499.20 (p).	Sec. 2.3 (d)
(a) (4)—Combined with § 1499.20 (v).	Sec. 2.3 (q)
(a) (6)—Combined with § 1499.20 (w) and (x).	Sec. 2.3 (r)
(a) (5)	[Covered by specific price regulations]
(a) (6)	Sec. 2.3 (j)
(a) (7)	Sec. 2.3 (j) (k) (l) (m) and (n) and Sec. 2.13 (c) and (d)
(a) (8)	Sec. 2.13 (b)
(a) (9)	Sec. 2.4 (a)
(a) (10)—Combined with § 1499.20 (y).	Sec. 2.9 (e) (f) and (g)
(a) (11)	Sec. 2.10 (c)
(a) (12)—Combined with § 1499.20 (z).	Sec. 2.13 (e) (f) (g) (h) and (i).
(a) (13)	Sec. 2.6 (d)
(a) (14)	Sec. 2.10 (d)
(a) (15)—Combined with § 1499.20 (q).	Sec. 2.12 (k)
(b) (1)	Sec. 3.2 (a)
(b) (2)	Sec. 3.2 (b)
(b) (3)	Sec. 3.2 (c)
(b) (4)	Sec. 3.2 (d)
(b) (5)	Sec. 3.2 (e)
(b) (6)	Sec. 3.2 (f)
(b) (7)	Sec. 3.2 (g)

TABLE II—FORMER PROVISIONS OF SUPPLEMENTARY REGULATION NO. 1

Former paragraph of Supp. Reg. No. 1 (§ 1499.20)	*Present status or counterpart*
(a) (1)—Combined with (e) (1) (i) and (ii).	Rev. Supp. Reg. No. 1, Sec. 2.13 (a)
(a) (2)	Rev. Supp. Reg. No. 1, Sec. 2.9 (b)
(a) (3)	Rev. Supp. Reg. No. 1, Sec. 2.2 (a)
(a) (4)	Rev. Supp. Reg. No. 1, Sec. 2.3 (g)
(a) (5)	Rev. Supp. Reg. No. 1, Sec. 2.6 (b)
(a) (6)	Rev. Supp. Reg. No. 1, Sec. 2.11 (a)
(a) (7)	[Revoked]
(a) (8)	Rev. Supp. Reg. No. 1, Sec. 2.3 (a)
(a) (9)	MPR No. 20, Sec. 1309.71 (i) (1)
(a) (10)—Combined with (e) (1) (iii).	Rev. Supp. Reg. No. 1, Sec. 2.3 (c)
(a) (11)—Combined with (e) (1) (v).	Rev. Supp. Reg. No. 1, Sec. 2.5 (a)
(a) (12)—Combined with (e) (1) (iv).	Rev. Supp. Reg. No. 1, Sec. 2.9 (c)
(a) (13)	Rev. Supp. Reg. No. 1, Sec. 2.3 (c)
(a) (14)	[Expired]
(a) (15) to (21), Incl.—Combined with (e) (1) (vii) and (viii).	Rev. Supp. Reg. No. 1, Sec. 2.3 (p)
(a) (22)	Rev. Supp. Reg. No. 1, Sec. 2.2 (c)
(a) (23)	[Expired]
(a) (24)—Combined with (e) (1) (ix).	Rev. Supp. Reg. No. 1, Sec. 2.11 (b)
(a) (25)—Combined with (e) (1) (xiv).	Rev. Supp. Reg. No. 1, Sec. 2.5 (b)
(a) (26)	Rev. Supp. Reg. No. 1, Sec. 5.2 (a)
(a) (27)	Rev. Supp. Reg. No. 1, Sec. 2.13 (b)
(a) (28)	Rev. Supp. Reg. No. 1, Sec. 2.10 (a)

TABLE II—FORMER PROVISIONS OF SUPPLEMENTARY REGULATION NO. 1—continued

Former paragraph of Supp. Reg. No. 1 (§ 1499.20)	*Present status or counterpart*
(a) (29)	Rev. Supp. Reg. No. 1, Sec. 2.2 (b)
(a) (30)	Rev. Supp. Reg. No. 1, Sec. 2.7 (c)
(a) (31)	Rev. Supp. Reg. No. 1, Sec. 2.3 (e)
(a) (32)	Rev. Supp. Reg. No. 1, Sec. 2.9 (b)
(a) (33)	Rev. Supp. Reg. No. 1, Sec. 2.4 (a)
(a) (34)	Rev. Supp. Reg. No. 1, Sec. 2.4 (b)
(a) (35)	Rev. Supp. Reg. No. 1, Sec. 2.7 (d)
(a) (36)	Rev. Supp. Reg. No. 1, Sec. 2.10 (b)
(a) (37)—Combined with (e) (1) (xii).	Rev. Supp. Reg. No. 1, Sec. 2.3 (f)
(a) (38)	[Revoked]
(a) (39)	Rev. Supp. Reg. No. 1, Sec. 2.9 (d)
(a) (40)—Combined with (e) (1) (xiii).	Rev. Supp. Reg. No. 1, Sec. 2.9 (b) (5)
(a) (41)	Rev. Supp. Reg. No. 1, Sec. 5.2 (b)
(a) (42)	Rev. Supp. Reg. No. 1, Sec. 2.12 (j)
(a) (43)	Rev. Supp. Reg. No. 1, Sec. 2.6 (c)
(a) (44)—Combined with (e) (1) (xv).	Rev. Supp. Reg. No. 1, Sec. 2.3 (g)
(b) (1)	Rev. Supp. Reg. No. 1, Sec. 3.2 (h)
(b) (2)—Combined with (e) (1) (x) and (xi).	Rev. Supp. Reg. No. 1, Sec. 3.2 (i)
(b) (3)	Rev. Supp. Reg. No. 1, Sec. 4.6 (a)
(b) (4)	Rev. Supp. Reg. No. 1, Sec. 2.5 (c)
(b) (5)	Rev. Supp. Reg. No. 1, Sec. 2.10 (e)
(b) (6)	Rev. Supp. Reg. No. 1, Sec. 2.10 (f)
(b) (7)	Rev. Supp. Reg. No. 1, Sec. 2.5 (d)
(b) (8)	Rev. Supp. Reg. No. 1, Sec. 4.6 (b)
(b) (9)	Rev. Supp. Reg. No. 1, Sec. 5.2 (c)
(b) (10)	Rev. Supp. Reg. No. 1, Sec. 5.2 (d)
(b) (11)	Rev. Supp. Reg. No. 1, Sec. 3.2 (j)
(b) (12)	Rev. Supp. Reg. No. 1, Sec. 2.6 (b)
(b) (13)	Rev. Supp. Reg. No. 1, Sec. 5.2 (f)
(c) (1)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (116)
(c) (2)	[Expired]
(d) (1)	Rev. Supp. Reg. No. 1, Sec. 5.2 (g); Rev. Supp. Reg. No. 11, § 1499.46 (b) (117)

TABLE III—FORMER PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 4

Former paragraph of Rev. Supp. Reg. No. 4 (§ 1499.29)	*Present status or counterpart*
(a) (1)	Rev. Supp. Reg. No. 1, Sec. 4.3 (a) and (b)
(a) (2)	Rev. Supp. Reg. No. 1, Sec. 4.3 (c)
(a) (3)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (114) and (108)
(a) (4)	Rev. Supp. Reg. No. 1, Sec. 4.3 (d)
(a) (5)	Rev. Supp. Reg. No. 1, Sec. 4.4; Rev. Supp. Reg. 11, § 1499.46 (b) (115)
(a) (6)	Supp. Order No. 42
(a) (7)	Rev. Supp. Reg. No. 1, Sec. 4.3 (f)
(a) (8)	Rev. Supp. Reg. No. 1, Sec. 4.3 (k)
(a) (9)	Rev. Supp. Reg. No. 1, Sec. 4.2 (a)
(a) (10)	Rev. Supp. Reg. No. 1, Sec. 4.5 (a)
(a) (11)	Rev. Supp. Reg. No. 1, Sec. 4.5 (b)
(a) (12)	Rev. Supp. Reg. No. 1, Sec. 4.5 (c)
(a) (13)	[Revoked]
(a) (14) (i)	Rev. Supp. Reg. No. 1, Sec. 4.6 (c)
(a) (14) (ii)	[Covered by specific price regulations]
(a) (15)	Supp. Order No. 27
(a) (16)	Rev. Supp. Reg. No. 1, Sec. 4.6 (d)
(a) (17)	Rev. Supp. Reg. No. 1, Sec. 4.2 (b)
(a) (18)	Rev. Supp. Reg. No. 1, Sec. 4.2 (c) and 4.5 (d)
(a) (19)	[Expired]
(a) (20)	[Covered by specific price regulations]
(a) (21)	Rev. Supp. Reg. No. 1, Sec. 4.6 (e)
(a) (22)	Rev. Supp. Reg. No. 1, Sec. 4.6 (f)
(a) (23)	Rev. Supp. Reg. No. 1, Sec. 4.3 (e)
(a) (24)	Rev. Supp. Reg. No. 1, Sec. 4.6 (g)
(a) (25)	Rev. Supp. Reg. No. 1, Sec. 4.5 (e)
(a) (26)	[Expired]
(a) (27)	Rev. Supp. Reg. No. 1, Sec. 4.2 (d)
(a) (28)	Rev. Supp. Reg. No. 11, § 1499.46 (b) (108)
(a) (29)	Rev. Supp. Reg. No. 1, Sec. 4.3 (g)
(a) (30)	Rev. Supp. Reg. No. 1, Sec. 3.2 (m)
(a) (31)	Rev. Supp. Reg. No. 1, Sec. 4.3 (i)
(a) (32)	Rev. Supp. Reg. No. 1, Sec. 4.3 (j)
(b)	Supp. Order No. 9
(c)	[Revoked]

TABLE IV—PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 12

Paragraph of Rev. Supp. Reg. No. 12 (§ 1499.1401)	*Counterpart in Rev. Supp. Reg. No. 1*
(a) (1)—Combined with § 1499.1406 (a).	Sec. 3.2 (k)
(a) (2)—Combined with § 1499.1406 (a).	Sec. 4.3 (h)

Revised Supplementary Regulation No. 1 shall become effective April 22, 1943, except that section 2.3 (e) shall be effective as of May 11, 1942.

[Effective date provision amended by Am. 4, 8 F.R. 6615, effective 5-24-43]

[Revised Sup. Reg. 1 originally issued April 16, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4652; Filed, April 1, 1944; 9:21 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,[1] Amdt. 6]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 130 is amended in the following respects:

1. Section 1347.281 (a) (2) (ii) is amended to read as follows:

(ii) *Rolls.* Rolls shall be not less than 15 inches wide nor less than 28 inches in diameter.

2. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Light weight quality.* There may be added to the maximum prices hereinabove established, a price differential not in excess of $4.00 per ton for light weight newsprint paper, as hereinbefore defined, *Provided, however,* That with respect to newsprint paper manufactured outside the Continental United States, such light weight differential may, during the period from April 1, 1944, through July 31, 1944, inclusive, be an amount agreed upon between the individual seller and purchaser. Such differential shall not exceed an amount computed as follows:

The manufacturer of the newsprint involved shall in accordance with his customary accounting methods determine his total production cost per ton for the standard newsprint customarily produced by him. He shall then estimate what his total production cost per ton for the particular light weight newsprint will be during the four-month period; using the same accounting methods. The total production cost per ton for the standard newsprint shall then be subtracted from the estimated total production cost per ton for the particular light weight newsprint involved. The difference is the maximum allowable differential for the particular weight of light weight standard newsprint.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4651; Filed, April 1, 1944; 3:20 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[2] Amdt. 12]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766, 11382, 16918.

[2] 8 F.R. 15587, 15663; 9 F.R. 1532.

has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 271 is amended in the following respects:

1. In section 9 (c), the text is designated (1) and a new paragraph (2) is added to read as follows:

(2) In the case of onions, if a country shipper makes sales to procurement agencies of the United States, and at the buyer's specification, grades or regrades the onions and specially packs them in containers other than bags, he may add 40 cents per 50 pounds to his maximum price, f. o. b. country shipping point.

2. In section 24, Table VI is added to read as follows:

TABLE VI—EARLY DRY ONIONS (1944 CROP)

MAXIMUM PRICES PER 50 POUNDS, ALL PRODUCING AREAS [1]

Period:	Maximum price
March 20 to May 15, inclusive	$2.65
May 16 to June 15, inclusive	2.55
June 16 to July 15, inclusive	2.35

[1] The following differentials are applicable to the prices in the above table.

(a) For white onions, the country shipper may add 15 cents per 50 pounds.

(b) For white boiler and pickler onions (meeting United States Department of Agriculture standards for size only) the country shipper may add $1 per 50 pounds.

(c) For onions sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15 cents per 50 pounds.

(d) For onions 3½ inches and larger, the country shipper may add 20 cents per 50 pounds.

(e) If the country shipper supplies excelsior or other protective pads in making shipments of early dry onions by rail freight car, he may add 2 cents per 50 pounds.

3. Section 25 (a) (2) is amended by adding an item to the list, to read as follows:

U. S. No. 1 or better, 6 oz. and heavier, 2½ inch and larger	add 35 cents

4. Section 25 (a) (3) is amended to read as follows:

(3) *Baking type.*

6 oz. minimum to 14 oz. maximum, or 2½ inch minimum to 4 inch maximum, hand selected and graded, washed or brushed, and specially packed in 100 pound bags	add 50 cents
Same, but specially packed in 10 lb. mesh bags, or in bags containing 10 mesh bags, each such bag containing approximately 5 lbs	add $1.25
Same, but specially packed in 50 lb. bags	add 60 cents
12 oz. minimum, packed in 50 lb. bags	add 70 cents
Same, but packed in 100 lb. bags	add 60 cents

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 1, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-4650; Filed, April 1, 1944; 3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 [1] to GMPR, Amdt. 84]

EXEMPTIONS OF CERTAIN SKI TROOP EQUIPMENT AND FIELD RANGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 1 is amended in the following respects:

Section 4.3 (k) is amended to read as set forth below:

(k) The following commodities, but this exception shall expire July 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons (rock and ice), and ski bindings.

(2) Field ranges, Model—1937 (quartermaster corps); spare parts thereof, Class A.

(3) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model—1937 (quartermaster corps), Parts 222, 223, 224, 225, 226, 227, 228, 229 and 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model—1937 (quartermaster corps):

(4) Deliveries of Canteen cups and meat cans, Model—1942 pursuant to contracts entered into prior to April 1, 1943.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4653; Filed, April 1, 1944; 3:21 p. m.]

PART 1340—FUEL

[MPR 120,[2] Corr. to Amdt. 93]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Paragraph 4 is corrected to read as follows:

4. In § 1340.219 (b), subparagraph (5) is revoked and subparagraphs (6), (7), (8), (9) and (10) are redesignated (5), (6), (7), (8) and (9).

This correction to Amendment No. 93 shall become effective as of March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES P. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4708; Filed, April 3, 1944; 11:36 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 317,[3] Amdt. 3]

LOCKS AND LOCK SETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 317 is amended in the following respects:

1. The headnote to § 1346.354 and paragraph (a) thereof are amended to read as follows:

§ 1346.354 *Manufacturers' maximum prices for locks and lock sets except cylindrical, tubular, and rim locks and lock sets*—(a) *Manufacturers' sales to jobbers.* The maximum price for sales by manufacturers of locks and lock sets to jobbers, except sales of cylindrical and tubular locks and lock sets and rim locks and lock sets by manufacturers to jobbers, shall not be more than the prices set forth in Appendix A, incorporated herein as § 1346.367.

(1) Subject to a discount of 5 percent.

2. Paragraphs (d) and (e) of Section 1346.357a are redesignated (e) and (f) respectively; and a new paragraph (d) is added to read as follows:

(d) *Maximum prices for the Pacific Plastic and Manufacturing Company*—(1) *Sales to all persons.* The maximum price for the sale of tubular locks and lock sets by the Pacific Plastic and Manufacturing Company to all persons shall be the list prices set forth in Table 19 of Appendix B (Section 1346.368), subject to

(i) A discount of 50 percent.

3. A new § 1346.357d is added to read as follows:

§ 1346.357d *Manufacturers' maximum prices for rim locks and lock sets*—(a) *Maximum prices for the Clinton Lock Company*—(1) *Sales to all persons.* The maximum price for sales of rim locks and lock sets by the Clinton Lock Company shall not be more than the list price for each rim lock and lock set as set forth in its "Special Net Price List—Applying to Supplementary Catalog No. 38" dated December 24, 1940, subject to

(i) The discount or discounts which were extended or would have been extended to jobbers on comparable sales on October 1, 1941.

(b) *Maximum prices for manufacturers listed in Appendix C of rim locks and lock sets*—(1) *Sales to jobbers.* The maximum price for sales of rim locks and lock sets by the manufacturers listed in Appendix C (which does not include the Clinton Lock Company) shall not be more than the prices set forth in Appendix C (§ 1346.369), subject to

(i) A discount of 5 percent.

(2) *Sales to persons other than jobbers.* The maximum price for sales to persons other than jobbers shall not be more than the prices set forth in Appendix C (§ 1346.369) subject to

(i) The discount or discounts which were extended or would have been extended to such persons on comparable sales on October 1, 1941.

(c) *Manufacturers' maximum prices for rim locks and lock sets first offered for sale on and after April 8, 1944.* The maximum price for sales of any rim lock and lock set first offered for sale by a manufacturer on or after April 8, 1944, for which a maximum price is not set forth in Appendix C (§ 1346.369) and which differs in size, type, material, or combination of component parts or trim, in whole or in part, from rim locks or lock sets listed in Appendix C (§ 1346.369) shall be determined in accordance with the provisions of § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188, as amended.

4. A new § 1346.357e is added to read as follows:

§ 1346.357e *Jobbers' maximum prices for rim locks and lock sets.* The maximum price for sales of rim locks and lock sets by jobbers, except sales at retail, shall not be more than the actual cost of such rim locks and lock sets (figured at prices not higher than the maximum price permitted by this regulation), plus a mark-up over cost of 23½ percent plus transportation charges paid by the jobber in securing delivery. If a jobber sells rim locks and lock sets at retail, such a sale is to be governed by the provisions of the General Maximum Price Regulation.

5. A new § 1346.357f is added to read as follows:

§ 1346.357f *Cash and quantity discounts, transportation charges, and other services on rim locks and lock sets applicable to manufacturers.* The maximum prices established under § 1346.357d shall be subject to at least the same extension of cash and quantity discounts, the same absorption of transportation charges and the same rendition of services which the manufacturer extended, absorbed or rendered or would have extended, absorbed or rendered to purchasers of the same class on comparable sales on October 1, 1941.

6. A new § 1346.357g is added to read as follows:

§ 1346.357g *Cash, quantity and other discounts, transportation charges, and other services on sales of rim locks and lock sets applicable to jobbers.* The maximum prices established under § 1346.357e shall be subject to at least the same extension of cash, quantity and other discounts, the same absorption of transportation charges and the same rendition of services which the jobber extended, absorbed or rendered or would have extended, absorbed or rendered to purchasers of the same class on comparable sales on October 1, 1941.

7. A new § 1346.369 is added to read as follows:

§ 1346.369 *Appendix C: Maximum prices for rim locks and lock sets.* There is set forth below a table showing the maximum price for each rim lock and lock set to which this regulation applies. The first column shows the description of each lock or lock set. The second column shows the maximum price for each such lock or lock set. The remaining columns show the lock or lock set for each designated manufacturer comparable to each lock or lock set listed in column one.

In order to ascertain a maximum price, a person shall first locate in the proper manufacturer's designated column the lock or lock set for which a maximum price is sought, then reading horizontally to the left determine according to the table the lock or lock set listed in column one to which it is comparable. The maximum price is that appearing opposite to such lock or lock set in column two.

TABLE I—RIM LOCKS AND RIM LOCK SETS*

Description	Maximum price	Barrows Lock Works	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	P. & F. Corbin	Reading Hardware Corporation	Russell & Erwin Mfg. Co.	Sager Lock Works	Sargent & Co.	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
Upright rim lock sets:													
Mineral	$4.10 dos.	1940M	100M	7536M	1200½A	621M	3315	421M	1888M	M1030	713M	0021½A	M4151
Jet	4.10 dos.	1940J	100J	7536J	1200½C	621J	3317	421J	1888J	J1030	713J	0021½E	J4151
Porcelain	4.10 dos.	1940P	100P	7536P	1200½B	621P	3316	421P	1888P	P1030	713W	0021½B	P4151
Steel	3.95 dos.	1940S	100 x 53½J	75368	1200½J	6215	9016	421E	1888SJ	51030	713S	0021½S	S4152
Horizontal rim lock sets:													
Mineral	4.10 dos.	1945M	200M	7110M	1501½A	821M	3330	521M	1288M	M1035	313M	R2300½A	M4201
Jet	4.10 dos.	1945J	200J	7110J	1501½C	821J	3332	521J	1288J	J1035	313J	R2300½E	J4201
Porcelain	4.10 dos.	1945P	200P	7110P	1501½B	821P	3331	521P	1288P	P1035	313W	R2300½B	P4201
Steel	3.95 dos.	1945S	200 x 53½J	71105	1501½J	8215	3333	521E	1288SJ	51035	313S	R2300½S	S4202
Horizontal rim latch sets:													
Mineral	4.10 dos.	1952M			720A				2851M	M1041			M4031
Jet	4.10 dos.	1952J			720C				2851J	J1041			J4031
Porcelain	4.10 dos.	1952P			720B				2851P	P1041			P4031
Steel	3.95 dos.	19528			720J				28518J	81041			S4032
Horizontal rim latch sets x Sliding dead bolt:													
Mineral	4.10 dos.	1950M							2552M	M1040			M4021
Jet	4.10 dos.	1950J							2552J	J1040			J4021
Porcelain	4.10 dos.	1950P							2552P	P1040			P4021
Steel	3.95 dos.	19508							25525J	81040			S4022
Upright rim locks	2.55 dos.	940	100	7105	1200½	621	881	443	1888	1030	2213	0021½	415
Horizontal rim locks	2.55 dos.	945	200	7110	1501½	821	5334	462	1288	1035	2213	R2300½	420
Horizontal rim latches	2.55 dos.	942		8070	720		3013		2551	1041	4020		402
Horizontal rim latches x Sliding dead bolt.	2.55 dos.	950		8076			303		2552	1040	4021		402

*For maximum prices for Clinton Lock Co. of Clinton, Iowa, see § 1346.357d.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4978, 6065, 6349, 6547, 6615, 6952, 6964, 7261, 7270, 7340, 7592, 7800, 7988, 8710, 8754, 9016, 9026, 9218, 9219, 10003, 10304, 10759, 11572, 11754, 11788, 11814, 11951, 12406, 12793, 13171, 13513, 14473, 14819, 15361, 15432, 15527, 16008, 16094, 16797, 17485; 9 F.R. 38, 315, 184, 730, 797, 756, 1591, 2130, 2413, 2692.

[2] 9 F.R. 2935.

[3] 8 F.R. 1900, 1901, 6357, 13003.

8. Section 1346.368 is amended by adding thereto a new table "Table 19—Pacific Plastic and Manufacturing Company".

TABLE 19—PACIFIC PLASTIC AND MANUFACTURING COMPANY

Description	Plate No.	Maximum price per dozen sets
Tubular sets San Diego design—Ivory plastic knob 2" diameter with plastic face insert:		
Latch set	81½	$16.70
Bath set	31½	24.75
Bedroom set	31½	22.30
Closet set	P31½	16.70
Tubular sets San Diego design—Ivory plastic knobs 2" diameter with metal face insets:		
Latch set	M31½	17.70
Bath set	M31½	25.85
Bedroom set	M31½	23.30
Closet set	MP31½	17.70
Tubular sets Los Angeles design—Ivory all plastic knobs 2" diameter:		
Latch set	91½	12.30
Bath set	91½	21.40
Bedroom set	91½	18.90
Tubular sets x 2" diameter glass knobs—Atlanta design:		
Latch set	72½	14.40
Bath set	72½	20.80
Bedroom set	72½	20.00
Tubular sets x 2" diameter glass knobs—Omaha design:		
Latch set	73½	14.90
Bath set	73½	21.20
Bedroom set	73½	20.20
Tubular sets x 2" diameter glass knobs—Auburn design:		
Latch set	75½	14.40
Bath set	75½	20.80
Bedroom set	75½	20.00
Tubular sets x 2" diameter steel knobs—Dayton design:		
Latch set	76½	16.00
Bath set	76½	21.40
Bedroom set	76½	21.00
Closet set	MP76½	14.30
Latch only	80	8.40
Tubular cylindrical locks:		
Dead lock	1	2.20
Spring lock	2	2.50
Dead latch	3	2.00

This Amendment No. 3 shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4700; Filed, April 3, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 443,[1] Amdt. 3]

SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation 443 is amended in the following respects:

1. The definition of "processor" in section 3 is amended to read as follows:

"Processor" is a person who crushes soybeans by expeller, extraction or hydraulic process into the soybean oil and soybean oil cake or meal (including soybean oil meal for adhesives). It also includes a person converting soybean oil cake into soybean oil meal, pea size meal and pellets.

2. Section 3 is amended by inserting after the definition of "soybean oil meal, cake, pea size meal and pellets" the following new definition:

"Soybean oil meal for adhesives" is a soybean oil meal which is manufactured from selected soybeans by a special process different from that used in the manufacture of soybean oil meal for feed and which is sold by the processor of such soybean oil meal for adhesives to a manufacturer of adhesives.

3. Section 4 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery of domestic soybean oil cake and meal, except soybean oil meal for adhesives, per ton, in carload lots or pool car lots, bulk, 41 percent or more protein, at any point, except within the switching limits of Decatur, Illinois (including production plant), by a processor shall be $45.00 plus transportation charges as follows:

(1) The carload flat rate on soybean oil meal from Decatur, Illinois, to all points of destination in the United States, except the area east of the Illinois-Indiana state line on or north of the Virginia Railway from Roanoke, Virginia to Norfolk, Virginia; and

(2) The carload flat rate on grain products from Decatur, Illinois, to all points of destination in the area excepted from the above subparagraph (1).

4. Section 4 (e) is added to read as follows:

(e) The maximum prices set forth in paragraphs (a) and (c) hereof shall be increased at the rate of $3.00 per ton for a sale of soybean oil meal for adhesives.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4705; Filed, April 3, 1944; 11:37 a. m.]

PART 1363—SHOES AND SHOE FINDINGS

[MPR 420,[1] Amdt. 4]

HARDWOOD HEEL BLOCKS, FINISHED HARDWOOD AND SYNTHETIC HARDWOOD HEELS AND WOOD SHANKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 420 is amended in the following respects:

1. The title of this regulation is amended to read as follows: "Hardwood Heel Blocks, Finished Hardwood and Synthetic Hardwood Heels and Wood Shanks", and the words "hardwood heel blocks, finished hardwood heels and wood shanks", wherever they appear, except in sections 3, 4 and 4a, are amended to read as follows: "hardwood heel blocks, finished hardwood and synthetic hardwood heels and wood shanks."

2. Section 2 (a) is amended by adding thereto the following paragraphs:

"Volume slipper heel" means a finished heel of the type commonly used on slippers and low and medium priced play shoes, generally produced in large quantities and subject to a wage rate differential, and known in the trade as a "slipper heel." It includes slipper heels made of hardwood or synthetic hardwood.

"Synthetic hardwood heel" means a heel block moulded from processed granulated hardwood to which covering material and a toplift have been applied, completely finished and suitable for attachment to a shoe.

3. The headnote of section 3 is amended by the addition of the words "and volume slipper heels produced in New York City."

4. Section 3 (a) is amended by inserting after the words "except as otherwise provided under Column III", in the third sentence, the words "and paragraph (c) (5)" and by inserting before the last sentence of the section the following sentence: "The prices under paragraph (c) (5) apply to volume slipper heels produced in New York City."

5. Section 3 (c) is amended by adding to the headnote thereof the words "and volume slipper heels produced in New York City", and by adding subparagraph (5) to read as follows:

(5) *Volume slipper heels produced in New York City.*

Type	Price (per pair)
Hardwood—14⅛/8 inches and under—covered or lacquered	$0.122
Synthetic hardwood—14⅛/8 inches and under—covered or lacquered	.088

The above maximum prices for lacquered heels apply to lacquered heels with one coat of filler and one coat of lacquer, or two coats of lacquer. To these maximum prices may be added $.00833 per pair for each additional coat of lacquer applied.

6. Section 4 is amended by changing the words "hardwood heel blocks and finished hardwood heels" wherever they appear to read as follows: "hardwood heel blocks and finished hardwood and synthetic hardwood heels."

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4702; Filed, April 3, 1944; 11:36 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10759, 11740, 15368.

[1] 8 F.R. 9081, 9367, 15198.

8. Section 1346.368 is amended by adding thereto a new table "Table 19—Pacific Plastic and Manufacturing Company".

TABLE 19—PACIFIC PLASTIC AND MANUFACTURING COMPANY

Description	Plate No.	Maximum price per dozen sets
Tubular sets San Diego design—Ivory plastic knob 2" diameter with plastic face insert:		
Latch set	31¼	$16.70
Bath set	31¼	24.75
Bedroom set	31¼	22.30
Closet set	P31¼	15.70
Tubular sets San Diego design—Ivory plastic knobs 2" diameter with metal face inserts:		
Latch set	M31¼	17.70
Bath set	M31¼	26.55
Bedroom set	M31¼	23.90
Closet set	MP31¼	17.70
Tubular sets Los Angles design—Ivory all plastic knobs 2" diameter:		
Latch set	9¼	13.20
Bath set	9¼	21.60
Bedroom set	9¼	18.60
Tubular sets x 2" diameter glass knobs—Atlanta design:		
Latch set	72¼	14.40
Bath set	72¼	20.90
Bedroom set	72¼	20.00
Tubular sets x 2" diameter glass knobs—Omaha design:		
Latch set	73¼	14.90
Bath set	73¼	21.20
Bedroom set	73¼	20.20
Tubular sets x 2" diameter glass knobs—Auburn design:		
Latch set	78¼	14.40
Bath set	78¼	20.80
Bedroom set	78¼	20.00
Tubular sets x 2" diameter steel knobs—Dayton design:		
Latch set	76¼	16.00
Bath set	76¼	21.60
Bedroom set	76¼	21.05
Closet set	MP76¼	14.30
Latch only	86	6.40
Tubular cylindrical locks:		
Dead lock	1	2.20
Spring lock	2	2.30
Dead latch	3	2.80

This Amendment No. 3 shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4700; Filed, April 3, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 443,[1] Amdt. 3]

SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation 443 is amended in the following respects:

1. The definition of "processor" in section 3 is amended to read as follows:

"Processor" is a person who crushes soybeans by expeller, extraction or hydraulic process into the soybean oil and soybean oil cake or meal (including soybean oil meal for adhesives). It also includes a person converting soybean oil cake into soybean oil meal, pea size meal and pellets.

2. Section 3 is amended by inserting after the definition of "soybean oil meal, cake, pea size meal and pellets" the following new definition:

"Soybean oil meal for adhesives" is a soybean oil meal which is manufactured from selected soybeans by a special process different from that used in the manufacture of soybean oil meal for feed and which is sold by the processor of such soybean oil meal for adhesives to a manufacturer of adhesives.

3. Section 4 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery of domestic soybean oil cake and meal, except soybean oil meal for adhesives, per ton, in carload lots or pool car lots, bulk, 41 percent or more protein, at any point, except within the switching limits of Decatur, Illinois (including production plant), by a processor shall be $45.00 plus transportation charges as follows:

(1) The carload flat rate on soybean oil meal from Decatur, Illinois, to all points of destination in the United States, except the area east of the Illinois-Indiana state line on or north of the Virginia Railway from Roanoke, Virginia to Norfolk, Virginia; and

(2) The carload flat rate on grain products from Decatur, Illinois, to all points of destination in the area excepted from the above subparagraph (1).

4. Section 4 (c) is added to read as follows:

(c) The maximum prices set forth in paragraphs (a) and (c) hereof shall be increased at the rate of $3.00 per ton for a sale of soybean oil meal for adhesives.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4705; Filed, April 3, 1944; 11:37 a. m.]

PART 1383—SHOES AND SHOE FINDINGS

[MPR 420,[1] Amdt. 4]

HARDWOOD HEEL BLOCKS, FINISHED HARDWOOD AND SYNTHETIC HARDWOOD HEELS AND WOOD SHANKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 420 is amended in the following respects:

1. The title of this regulation is amended to read as follows: "Hardwood Heel Blocks, Finished Hardwood and Synthetic Hardwood Heels and Wood Shanks", and the words "hardwood heel blocks, finished hardwood heels and wood shanks", wherever they appear, except in sections 3, 4 and 4a, are amended to read as follows: "hardwood heel blocks, finished hardwood and synthetic hardwood heels and wood shanks."

2. Section 2 (a) is amended by adding thereto the following paragraphs:

"Volume slipper heel" means a finished heel of the type commonly used on slippers and low and medium priced play shoes, generally produced in large quantities and subject to a wake rate differential, and known in the trade as a "slipper heel." It includes slipper heels made of hardwood or synthetic hardwood.

"Synthetic hardwood heel" means a heel block moulded from processed granulated hardwood to which covering material and a toplift have been applied, completely finished and suitable for attachment to a shoe.

3. The headnote of section 3 is amended by the addition of the words "and volume slipper heels produced in New York City."

4. Section 3 (a) is amended by inserting after the words "except as otherwise provided under Column III", in the third sentence, the words "and paragraph (c) (5)" and by inserting before the last sentence of the section the following sentence: "The prices under paragraph (c) (5) apply to volume slipper heels produced in New York City."

5. Section 3 (c) is amended by adding to the headnote thereof the words "and volume slipper heels produced in New York City", and by adding subparagraph (5) to read as follows:

(5) *Volume slipper heels produced in New York City.*

Type	Price (per pair)
Hardwood—14½/8 inches and under—covered or lacquered	$0.133
Synthetic hardwood—14½/8 inches and under—covered or lacquered	.093

The above maximum prices for lacquered heels apply to lacquered heels with one coat of filler and one coat of lacquer, or two coats of lacquer. To these maximum prices may be added $.00833 per pair for each additional coat of lacquer applied.

6. Section 4 is amended by changing the words "hardwood heel blocks and finished hardwood heels" wherever they appear to read as follows: "hardwood heel blocks and finished hardwood and synthetic hardwood heels."

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4702; Filed, April 3, 1944; 11:36 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10759, 11740, 15368.

[1] 8 F.R. 9981, 9987, 15198.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 114]

CANE BLACKSTRAP MOLASSES AND BEET SUGAR FINAL MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1.6 is hereby revoked.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4707; Filed, April 3, 1944; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 36]

NON-RETAIL SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph is added to § 1499.114 (f) to read as follows:

(8) *Application by purchaser who buys services from numerous sellers.* Where the purchaser buys non-retail services from sellers too numerous to make recourse to other provisions of this paragraph (f) practicable, he may apply for an adjustment of the charges made to him by letter addressed to the Chief, Service Trades Branch, Office of Price Administration, Washington 25, D. C. Such letter should show that the facts set forth in subparagraph (1) (ii) of this paragraph exist; the general nature and extent of the sellers' cost increases; and, where practicable, the names and addresses of the sellers and the maximum prices of each. A price increase under this subparagraph may not become effective until the applicant is advised in writing of OPA approval, which will be given only where it is clear that there is no practicable recourse to other provisions of this paragraph (f) and where granting of such approval will not interfere with the price control program.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4698; Filed, April 3, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 6933, 6364, 8506, 8873, 10674, 10930, 11754, 12023.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter III—Coast Guard: Inspection and Navigation

PART 312—PILOT RULES FOR INLAND WATERS

PILOT RULES

Correction

In F.R. Doc. 44-4564, appearing on page 3515 of the issue for Saturday, April 1, 1944, the chapter heading should read as set forth above.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION: DISALLOWANCES AND AWARDS

APPORTIONMENT

§ 3.1312 *Apportionment not authorized.* No apportionment will be authorized:

* * * * * * *

(g) Of any amount in excess of the rate for total disability or of the additional amount authorized by the last paragraph of section 202 (3), or section 202 (5), World War Veterans' Act, 1924, as amended, or the additional amount payable under § 35.011 (b) (11), § 35.012 (b) (11) of this chapter. Where pension is being paid under Public No. 323, 71st Congress (act of June 9, 1930), no amount in excess of $75.00 monthly will be subject to apportionment, where pension is being paid under Public No. 541, 75th Congress, no amount in excess of $60.00 monthly will be subject to apportionment, and where pension is being paid on or after April 1, 1944, under Public No. 242, 78th Congress, no amount in excess of $75.00 monthly will be subject to apportionment. (March 1, 1944) (Pub. Law 242, 78th Cong.)

PART 4—ADJUDICATION: VETERANS' CLAIMS

AWARDS, AMENDMENTS, AND DISCONTINUANCES

§ 4.2108 *Rates.* Service pension is payable at rates as follows:

Disability	Act June 5, 1920, 90 days service	Act May 1, 1926, 90 days service or disability discharge	Act June 2, 1930, 90 days service or disability discharge	Act June 2, 1930, 70 days service	Act May 24, 1938, 90 days service or disability discharge	Act Mar. 1, 1944, 90 days service or disability discharge
⅛	$12	$20	$20	$12		
¼	15	25	25	15		
⅜	15	30	25	15		
½	24	40	35	24		
Total	30	50	45	30		$75
Aid and attendance		72	72	50	$100	
Age						
62	12	30	30	12		
65					50	75
68	15	30	40	15		
72	24	40	50	24		
75	30	50	60	30		

The foregoing rates are subject to the provisions of § 3.1255. Where a veteran is furnished hospital treatment, institutional or domiciliary care by the United States or a political subdivision thereof and is furnished with nursing or attendant's service, the award of pension will be the amount authorized by the rating decision or the attainment of beneficial age, exclusive of any additional amount on account of the need of regular aid and attendance. This rate of pension in such instances will be effective as of the beginning of the maintenance of the disabled veteran in an institution by the United States or a political subdivision thereof. (March 1, 1944) (Pub. Law 242, 78th Cong.)

§ 4.2109 *Indian Wars.* Pension or increased pension pursuant to the Act of March 3, 1927, as amended by Public No. 245, 78th Congress, shall commence from the date of claim therefor or the date of entitlement, whichever is the later. The rate for regular aid and attendance as to persons applying for pension after March 3, 1944, is payable from the date of inception of the requisite condition as shown by the evidence, but not earlier than the date of the original application for pension under Public No. 245, 78th Congress. (March 3, 1944) (Pub. Law 245, 78th Cong.)

§ 4.2110 *Rates.* Pension is payable at rates as follows:

Degree of disability	Rates prior to 9-1-37	Rates on and after 9-1-37	Rates from date of claim filed on or after 2-3-44 [1]
⅛	$20	$20	$25
¼	25	25	25
⅜	30	35	33
½	40	45	50
Total	60	55	60
Regular aid and attendance		72	[1] 100
Age			
53	20	25	30
65			60
68	30	35	
72	40	45	
75	50	50	

[1] For effective date of rate for aid and attendance, see § 4.2109.

Subject to the provision that the rate for regular aid and attendance may not be allowed while the veteran is receiving such services in kind. The foregoing rates are subject to the provisions of § 3.1255. (March 3, 1944) (Pub. Law 245, 78th Cong.)

§ 4.2112 *Rates.* (a) Pension is payable at rates as follows:

Minimum rate	$75
Helpless or blind or so nearly helpless or blind as to require the regular aid and attendance of another person	100

Where such disabled veteran does not have wife, child, nor dependent parent and is being furnished hospital treatment, institutional or domiciliary care by the United States Government or any political subdivision thereof, his pension

shall not exceed $20.00 per month. Even where such veteran has dependents, the rate for regular aid and attendance may not be allowed while the veteran is receiving such services in kind.

(b) The rate for Army nurses, under the Act of August 5, 1892, as amended by the Act of July 3, 1926, is $50.00 monthly. (April 4, 1944) (57 Stat. 554–560)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 44-4563; Filed, March 31, 1944; 11:20 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 184, Amdt. 2]

PART 95—CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of March, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, as amended (9 F.R. 2924) be further amended by striking from the last ordering paragraph, as amended, the clause "That this order shall become effective at 7:00 a. m., April 3, 1944:" and by inserting in lieu thereof the following clause "That this order shall become effective 7:00 a. m., May 3, 1944;". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17).)

It is further ordered, That this order shall become effective at 7:00 a. m., April 3, 1944; that copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4643; Filed, April 1, 1944; 11:50 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 738]

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

ELEVENTH CALL FOR PARTIAL REDEMPTION BEFORE MATURITY

MARCH 30, 1944.

I. *Notice of eleventh call for partial redemption, before maturity, of 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B.* The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1,543 to 1,555
$100	5,710 to 5,765
$500	1,808 to 1,828
$1,000	6,918 to 7,007
$5,000	508 to 514

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944, to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in eleventh-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1944, are hereby designated eleventh-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as eleventh-called debentures.

2. Transfers and denominational exchanges in eleventh-called debentures will terminate at the close of business on March 31, 1944.

III. *Redemption or purchase.* 1. Holders of eleventh-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1944, with interest in full to that date, at the rate of $13.75 per $1,000. Interest on eleventh-called debentures will cease on July 1, 1944.

2. Holders of eleventh-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1944, inclusive, for purchase at par and accrued interest, at the rate of $0.075549 per $1,000 per day from January 1, 1944, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of eleventh-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of eleventh-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Eleventh-called debentures presented for redemption on July 1, 1944, or for purchase from April 1 to June 30, 1944, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form PD 1920 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of _____"

inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any eleventh-called debentures, whether purchased prior to or redeemed on or after July 1, 1944, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. An eleventh-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1944, upon an appropriate assignment for that purpose on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1944, and in case of assignments for redemption on or after July 1, 1944, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of eleventh-called debentures on July 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1944. Such early presentation by holders will insure prompt payment of principal and interest when due.

Form PD 1920

Treasury Department
Fiscal Service
Bureau of the Public Debt

FORM OF ADVICE TO ACCOMPANY ELEVENTH-CALLED 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B, PRESENTED FOR REDEMPTION ON JULY 1, 1944, OR FOR PURCHASE PRIOR TO THAT DATE

To the Federal Reserve Bank of _____
or Treasury Department, Division of Loans and Currency, Washington 25, D. C.:

Pursuant to the provisions of Treasury Department Circular No. 738, dated March 30, 1944, the undersigned presents and surrenders herewith for

_____
(Indicate whether for immediate purchase or for redemption on July 1, 1944)

$_____, face amount of eleventh-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, registered in the name of _____ and duly assigned to "The Federal Housing Commissioner for _____[1]," as follows:

Number of debentures	Denomination	Serial numbers of debentures	Face amount
_____	$50	_____	$_____
_____	100	_____	_____
_____	500	_____	_____
_____	1,000	_____	_____
_____	5,000	_____	_____
Total			$_____

and requests that remittance covering payment therefor be forwarded to the undersigned at the address indicated below.

Signature _____
Name (please print) _____
Address in full _____
_____

Date _____

[1] Debentures presented for immediate purchase should be assigned to "The Federal Housing Commissioner for purchase"; debentures presented for redemption on July 1, 1944, should be assigned to "The Federal Housing Commissioner for redemption."

V. *General provisions.* 1. Any further information which may be desired regarding the redemption of eleventh-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of eleventh-called debentures.

[SEAL] D. W. BELL, *Acting Secretary of the Treasury.*

[F. R. Doc. 44-4651; Filed, March 31, 1944; 11:28 a. m.]

[1944 Dept. Circ. 739]

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

SECOND CALL FOR PARTIAL REDEMPTION BEFORE MATURITY

MARCH 30, 1944.

I. *Notice of second call for partial redemption, before maturity, of 2¾ percent Mutual Mortgage Insurance Fund debentures, Series E.* The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series E:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	*Serial numbers (all numbers inclusive)*
$50	16 to 21
$100	67 to 83
$500	17 to 20
$1,000	79 to 96
$5,000	5

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944, to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury."

II. *Transaction in second-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1944, are hereby designated second-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series E, and are hereinafter referred to as second-called debentures.

2. Transfers and denominational exchanges in second-called debentures will terminate at the close of business on March 31, 1944.

III. *Redemption or purchase.* 1. Holders of second-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1944, with interest in full to that date, at the rate of $13.75 per $1,000. Interest on second-called debentures will cease on July 1, 1944.

2. Holders of second-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1944, inclusive, for purchase at par and accrued interest, at the rate of $0.075549 per $1,000 per day from January 1, 1944, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner

for the redemption and purchase of second-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of second-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Second-called debentures presented for redemption on July 1, 1944, or for purchase from April 1 to June 30, 1944, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form PD 1921 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of _____" inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any second-called debentures, whether purchased prior to or redeemed on or after July 1, 1944, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. A second-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1944, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1944, and in case of assignments for redemption on or after July 1, 1944, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of second-called debentures on July 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1944. Such early presentation by holders will insure prompt payment of principal and interest when due.

Form PD 1921
Treasury Department
Fiscal Service

Bureau of the Public Debt

FORM OF ADVICE TO ACCOMPANY SECOND-CALLED 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E, PRESENTED FOR REDEMPTION ON JULY 1, 1944, OR FOR PURCHASE PRIOR TO THAT DATE

To the Federal Reserve Bank of _____
or Treasury Department, Division of Loans and Currency, Washington 25, D. C.:

Pursuant to the provisions of Treasury Department Circular No. 739, dated March 30, 1944, the undersigned presents and surrenders herewith for

_____
(Indicate whether for immediate purchase or for redemption on July, 1, 1944)

$ _____, face amount of second-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series E, registered in the name of _____ and duly assigned to "The Federal Housing Commissioner for _____[1]," as follows:

Number of debentures	Denomination	Serial numbers of debentures	Face amount
_____	500	_____	$_____
_____	100	_____	_____
_____	500	_____	_____
_____	1,000	_____	_____
_____	5,000	_____	_____
Total _____		_____	$_____

and requests that remittance covering payment therefor be forwarded to the undersigned at the address indicated below.

Signature _____
Name (please print) _____
Address in full _____
Date _____ _____

[1] Debentures presented for immediate purchase should be assigned to "The Federal Housing Commissioner for purchase"; debentures presented for redemption on July 1, 1944, should be assigned to "The Federal Housing Commissioner for redemption."

V. *General provisions.* 1. Any further information which may be desired regarding the redemption of second-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of second-called debentures.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4552; Filed, March 31, 1944; 11:27 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 815]

ALLOCATION OF FUNDS FOR LOANS

MARCH 22, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Iowa 4-3026C2 Shelby	$50,000
Minnesota 4-3085A3 Todd*	80,000
North Carolina 4-2036B3 Randolph	25,000
Oklahoma 4-2018C1 Beckham	140,000
Oklahoma 4-2020B2 Garvin	60,000
South Carolina 4-3031A3 Horry	25,000
Wisconsin 4-3043E3 Grant	50,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4602; Filed, March 31, 1944; 3:17 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 835]

ST. THOMAS, ST. JOHN, AND ST. CROIX MUNICIPALITIES, VIRGIN ISLANDS

NOTICE OF POSTPONEMENT OF MEETINGS OF SPECIAL INDUSTRY COMMITTEES

Whereas, pursuant to Administrative Orders Nos. 228 and 229 issued on March 4, 1944 and published in the FEDERAL REGISTER on March 9, 1944, special industry committees were appointed and convened for the municipality of Saint Thomas and St. John and for the municipality of Saint Croix, Virgin Islands, and

Whereas, such committees were authorized to investigate conditions in the industries in the above-mentioned municipalities, in such order as the committees may elect, and recommend to the

Administrator minimum wage rates for all employees in the limits of such municipalities who within the meaning of the Fair Labor Standards Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14, and

Whereas, it is deemed advisable to postpone the dates of such meetings,

Now, therefore, pursuant to § 511.4 of Regulations, Part 511 (Regulations Applicable to Industry Committees), notice is hereby given that the aforementioned meetings, originally set for April 4 and 12, 1944, are hereby postponed to such dates and places, in lieu of the dates and places fixed in Administrative Orders Nos. 228 and 229, as shall be determined by the chairman of the respective committees.

Notice of such orders convening the industry committees will be given by publication in the Federal Register.

Signed at New York this 1st day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-4711; Filed, April 8, 1944; 11:48 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Anundsen Publishing Company, 108 Washington Street, Decorah, Iowa; printing; 2 learners (T); printer, pressman for a learning period of 480 hours at 30 cents per hour; effective March 27, 1944, expiring September 27, 1944.

Navajo Weavers, Albuquerque, New Mexico; men's hand woven neckwear; 9 learners (T); weaving, hand sewing, machine sewing and pressing for a learning period of 160 hours at 30 cents per hour; effective March 31, 1944, expiring September 30, 1944.

Signed at New York, New York, this 1st day of April 1944.

MERLE D. VINCENT,
Authorized Representative, of the Administrator.

[F. R. Doc. 44-4713; Filed, April 8, 1944; 11:48 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862; and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392; 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

M. M. Bernstein & Sons, 213 N. Broad Street, Phillipsburg, New Jersey; ladies' underwear; 10 percent (T); effective March 30, 1944, expiring March 29, 1945.

Beverly Frocks, 108–10 East 22nd Street, Chicago Heights, Illinois; wash dresses; 10 learners (T); effective March 28, 1944, expiring March 27, 1945.

Blackman-Hazzard Company, Cortland Street, Homer, New York; kiddies' wear; 10 learners (T); effective March 30, 1944, expiring March 29, 1945.

Excelsior Manufacturing Corporation, 12 Pine Grove Avenue, Kingston, New York; dresses; 10 percent (T); effective March 30, 1944, expiring March 29, 1945.

Judy Anne Frocks, Inc., 110 North Fifth Street, Minneapolis, Minnesota; dresses, sportswear; 5 learners (T); effective March 30, 1944, expiring March 29, 1945.

A. F. Keating Company, Inc., 306 N. Franklin Street, Decatur, Illinois; junior dresses; 10 percent (T); effective March 31, 1944, expiring March 30, 1945.

S. Liebovitz & Sons, Inc., Donaldson, Pennsylvania; men's dress and sport shirts; 10 learners (T); effective March 30, 1944, expiring March 29, 1945.

Manheim Manufacturing Company, 35 So. Spring Street, Elizabeth, New Jersey; blouses; 10 learners (T); effective March 28, 1944, expiring March 27, 1945.

Manistee Garment Company, 77 Hancock Street, Manistee, Michigan; essential junior dresses; 10 percent (T); effective March 30, 1944, expiring September 29, 1944.

Martin Manufacturing Company, Lindell Street, Martin, Tennessee; cotton work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Lawrenceburg, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Pine Street, Lexington, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Obion, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Washington Street, Paris, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

HOSIERY INDUSTRY

Crescent Hosiery Mills, Niota, Tennessee; seamless hosiery; 5 percent (T); effective March 28, 1944, expiring March 27, 1945.

TEXTILE INDUSTRY

The Clark Thread Company of Georgia—Pelham Mill, Pelham, Georgia; sewing thread;

76 learners (E); effective March 29, 1944, expiring September 28, 1944.

Signed at New York, N. Y., this 1st day of April 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-4713; Filed, April 3, 1944; 11:48 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 183]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 28 or 29, 1944, by E. H. Anderson Company of the following cars, all containing potatoes, now on the Pere Marquette Railway, as follows:

Car FGE 22801 to Atlanta, Georgia.
Car FGE 19316 to Fort Benning, Georgia.
Car MDT 19419 to Fort Benning, Georgia.
Car WFE 62477 to Fort Jackson, South Carolina.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4545; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 164, 4th Amended Gen. Permit 10]

REICING OF CITRUS FRUITS AT POINTS IN SOUTH CAROLINA, NORTH CAROLINA, GEORGIA, FLORIDA, AND ALABAMA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at a regular icing station enroute but not beyond Florence, South Carolina, Aberdeen, North Carolina, Spencer, North Carolina, Augusta, Georgia, Atlanta, Georgia, Pensacola, Florida, Montgomery, Alabama, or Birmingham, Alabama, after the first or initial icing at an icing station in the State of Florida, any refrigerator car or cars loaded with citrus fruits, originating at points in the State of Florida.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 1, 1944, and shall expire at 12:01 a. m., May 1, 1944.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4546; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 174, General Permit 1]

TRANSPORTATION OF GRAIN TO FORT WORTH, TEX., ETC.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph (§ 95.327, 9 F.R. 404) of Service Order No. 174 of January 7, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of subparagraph (1) under paragraph (a) of Service Order No. 174 insofar as it applies to the acceptance for transportation, transportation or movement of carload shipments of grain, grain products, grain by-products or seeds consigned to a "notify" party or to an "advise" party located at one point in any of the following named groups when the billed destination is another point within the same group.

Fort Worth, Texas group includes: Fort Worth and Mara, Texas.
Chicago, Illinois group includes: Chicago, Illinois and points in the Chicago, Illinois switching district as defined in Illinois Freight Association Freight Tariff No. 20-W, Agent R. G. Raasch's I. C. C. No. 442.
Omaha, Nebraska group includes: Omaha and South Omaha, Nebraska; Council Bluffs, Iowa.
Peoria, Illinois group includes: Peoria and Pekin, Illinois.
St. Joseph, Missouri group includes: St. Joseph and South St. Joseph, Missouri; Elwood, Kansas.
Minneapolis-St. Paul, Minnesota group includes: Brooklyn Center, Camden Place, Columbia Heights, Crystal, Edna, Ft. Snelling, Fridley, Golden Valley, Hopkins, Inver Grove, McCarron's Lake, Mendota, Minneapolis, New Brighton, Newport, North St. Paul, Richfield, Robinsdale, St. Louis Park, St. Paul, Savage, South St. Paul, State Fair Grounds and West St. Paul, Minnesota.
Duluth, Minnesota group includes: Duluth, Minnesota; Superior, Wisconsin.
Kansas City, Missouri group includes: Kansas City, Kansas; Kansas City and Independence, Missouri.
Los Angeles, California group includes: Alhambra, Hynes, Long Beach, Los Angeles, Los Angeles Harbor and Van Nuys, California.
San Diego, California group includes: Chula Vista, National City, San Diego and Santee, California.
St. Louis, Missouri group includes: East St. Louis, Illinois; St. Louis, Missouri.
Houston, Texas group includes: Camp Logan, Clinton, Fidelity, Harrisburg, Houston, Pasadena, Rambler and Street Spur, Texas.

This general permit shall become effective at 12:01 a. m., April 3, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4547; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 178, 2d Amended Special Permit 3]

LOADING OF FATS AND OILS AT COLUMBUS, OHIO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of not to exceed five (5) refrigerator cars per day with lard substitutes, vegetable oil shortening, or cooking and salad oil by the Capital City Products Company, Columbus, Ohio, destined to points in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, or Pennsylvania, and the movement of not over five (5) refrigerator cars per day when so loaded by the Capital City Products Company, from Columbus, Ohio, to destinations in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, or Pennsylvania.

The waybills shall show reference to this special permit.

This permit shall expire at 12:01 a. m., April 15, 1944.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4548; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 178, 2d Amended Special Permit 4]

LOADING OF FATS AND OILS AT ELMHURST, L. I., N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of not to exceed three (3) refrigerator cars per day with lard substitutes, vegetable oil shortening, or cooking and salad oil, by Durkee Famous Foods, Elmhurst, Long Island, New York, destined to points in the States of Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine and Vermont, and the movement of not over three (3) refrigerator cars per day, when so loaded by Durkee Famous Foods, from Elmhurst, Long Island, New York, to destinations in the States of Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine and Vermont.

The waybills shall show reference to this special permit.

This permit shall expire at 12:01 a. m., April 15, 1944.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4549; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 178, Special Permit 96]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard by Armour and Company at Chicago, Illinois, and the movement under refrigeration of the one car so loaded from that point not later than April 1, 1944, to Tampa, Florida, for export to Cuba. (C. J.-I. C.-C. of G.-S. A. L.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4550; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 178, Special Permit 97]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with shortening by The Humko Company at Memphis, Tennessee, and the movement from that point of the two cars so loaded, one to Pittsburgh, Pennsylvania, March 28, 1944, and one to Buffalo, New York, March 29, 1944. (Mo. Pac.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4554; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 187, Amended Gen. Permit 1]

TRANSPORTATION OF POTATOES FROM COLORADO, NEBRASKA AND WYOMING

Pursuant to the authority vested in me my paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska and Wyoming, consigned to washing plants located at Center, Del Norte, La Jara or Monte Vista, Colorado; Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Michell, Nebraska; Huntley, Lingle, Pine Bluffs, Riverton, South Torrington or Torrington, Wyoming; for washing, sorting and grading purposes, only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4555; Filed, March 31, 1944; 11:15 a. m.]

[S. O. 187, Amended Gen. Permit 2]

TRANSPORTATION OF POTATOES FROM DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944,

permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg or San Jose, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas or Salem, Oregon; or Olympia, Washington; for dehydration purposes only: *Provided*, The bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4556; Filed, March 31, 1944; 11:16 a. m.]

[S. O. 187, Special Permit 5]

TRANSPORTATION OF POTATOES FROM HENRY, NEBR.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of car SFRD 28398, loaded with Triumph selected seed size B potatoes, shipped by C. J. Cosand, from Henry, Nebraska, March 30 or 31, 1944, consigned to Ray Howard, Hammett, Idaho. (C. B. & Q. to Cheyenne—U. P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4557; Filed, March 31, 1944; 11:16 a. m.]

[S. O. 187, Special Permit 4]

LOADING OF POTATOES AT GRAND FORKS, N. DAK.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the loading of five refrigerator cars with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality, by Wilensky and Company at Kedney Warehouse at Grand Forks, North Dakota, on the Great Northern Railroad, and the movement of the five refrigerator cars so loaded from that point not later than April 15, 1944, consigned to Wilensky and Company at Joliet, Illinois. (G. N.-M. & St. L.-Alton)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4557; Filed, March 31, 1944; 11:16 a. m.]

[S. O. 192-A]

UNLOADING OF COAL AT VAN NEST, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of March, A. D. 1944.

Upon further consideration of Service Order No. 192 of March 28, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 192 of March 28, 1944 (9 F.R. 3521), ordering the unloading of bituminous coal at Van Nest, New York, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4614; Filed, April 1, 1944; 11:50 a. m.]

[S.O. 186-A]

UNLOADING OF BITUMINOUS COAL AT CERTAIN POINTS IN NEW YORK AND NEW JERSEY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of April, A. D. 1944.

Upon further consideration of Service Order No. 186 of March 13, 1944, and good cause appearing therefor: *It is ordered*, That: Service Order No. 186 of March 13, 1944, ordering the unloading of cars of bituminous coal at Van Nest and Brooklyn, New York; Juaniata Scales, South Amboy, and Port Reading, New Jersey; be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis, and Henry B. Sawyer, Trustees), The Pennsylvania Railroad Company, the Reading Company, and the South Brooklyn Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4685; Filed, April 3, 1944; 11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 139, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA

Upon consideration of an application for an order amending Supplementary Order ODT 3, Revised–139 (8 F.R. 17444), filed with the Office of Defense Transportation by Georgia Motor Express, Inc., Atlanta, Georgia, Smith's Transfer Corporation, Lenoir, North Carolina, Great Southern Trucking Company, Jacksonville, Florida, New South Express Lines, Inc., Columbia, South Carolina, The Mason & Dixon Lines, Incorporated, Kingsport, Tennessee, ET & WNC Transportation Company, Johnson City, Tennessee, Frederickson Motor Express Corporation, Charlotte, North Carolina, J. N. Youngblood, doing business as J. N. Youngblood Truck Lines, Fletcher, North Carolina, R. Frank Buckner, doing business as Buckner Transfer Co., and Nemiah Goldstein and Bernard Goldstein, doing business as Blue Ridge Trucking Company, both of Asheville, North Carolina; and of separate petitions filed by Atlantic States Motor Lines, Incorporated, High Point, North Carolina, and W. R. Candler, doing business as W. R. Candler Transfer Company, Asheville, North Carolina, and good cause appearing therefor; *It is hereby ordered*, That Supplementary Order ODT 3, Revised–139, be and it is hereby amended by adding thereto a new paragraph designated 4A, as follows:

4A. Any common carrier by motor vehicle duly authorized to engage in the transportation of property, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C., for authorization to participate in the functioning of the central dispatching office established pursuant to this Supplementary Order ODT 3, Revised–139, as amended. A copy of every such application shall be served upon the manager of the central dispatching office or other authorized representative of the participating carriers. Upon approval of the application, the carrier shall become subject to this order, as amended, and shall thereupon be entitled and required to participate in the functioning of the central dispatching office in accordance with all the provisions of this order, as amended, in the same manner and degree as the carriers named in Appendix 1 to the order.

and by adding in Appendixes 1 and 2 thereto, the following carriers:

Atlantic States Motor Lines, Incorporated, High Point, N. C.

W. R. Candler, doing business as W. R. Candler Transfer Company, Asheville, N. C.

This amendment shall become effective on April 1, 1944.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44–4615; Filed, April 1, 1944; 10:30 a. m.]

[Supp. Order ODT 3, Rev. 146, Corr.]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., AND LOUISVILLE, KY.

Supplementary Order ODT 3, Revised–146 (9 F.R. 316) is hereby corrected by deleting "Yellow Cab Transit Co., doing business as Yellow Transit Company" and substituting "Yellow Transit Co. (a corporation)," in the preamble thereof.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG.
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44–4616; Filed, April 1, 1944; 10:30 a. m.]

[Supp. Order ODT 6A–22]

COMMON CARRIERS

COORDINATED OPERATIONS IN CINCINNATI, OHIO, AREA

Coordinated operations within an area comprised of the City of Cincinnati, Ohio, and contiguous municipalities and surrounding suburbs.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14562, 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

[1] Filed as part of the original document.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–22" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Thompson Express, 125 Ohio St., Ft. Thomas, Ky.
2. Dixon Express, 2075 Kemper Lane, Cincinnati, Ohio.
3. Fischer Bros., Express, 219 Mellish Ave., Cincinnati, Ohio.
4. Saylor Park Express Co., 170 Monitor St., Saylor Park, Ohio.
5. George Eschrubach Express, 3662 Edmondson Rd., Cincinnati, Ohio.
6. Schroder Express, 211 York St., Newport, Kentucky.
7. Thomas Rolstin, 5327 Crown Ave., Norwood, Ohio.
8. Schurbrook Express, 1751 Ramonde St., Cincinnati, Ohio.
9. Carl Eschrubach Express, 5319 Stewart St., Cincinnati, Ohio.
10. Pearce Express, 1504 Sycamore St., Cincinnati, Ohio.
11. Veith's Express, 3505 Mozart Ave., Cincinnati, Ohio.
12. Porter's Motor Express, 32 Vine St., Cincinnati, Ohio.
13. Betscher Express, Orchard Drive, Mt. Washington, Ohio.
14. Meinking Suburban Express, 1702 West St., Cincinnati, Ohio.
15. Zembrodt Express, 1218 Pike St., Covington, Kentucky.
16. Berndt Express, 7927 Hickman Ave., College Hill, Cincinnati, Ohio.
17. Husman Express Co., 651 Arlington Heights, Cincinnati, Ohio.

[F. R. Doc. 44–4617; Filed, April 1, 1944; 10:30 a. m.]

[Supp. Order ODT 6A–23]

COMMON CARRIERS

COORDINATED OPERATIONS IN GRAND RAPIDS, MICH., AREA

Coordinated operations within an area comprised of the City of Grand Rapids, Michigan, and adjacent suburbs.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 3757, 14582, 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–23" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Premier Motor Transportation Company, 528 W. Fulton Street, Grand Rapids, Mich.
2. Associated Truck Lines Inc., Uncrated Furniture Division, 30 Seward NW, Grand Rapids, Mich.

[F. R. Doc. 44–4618; Filed, April 1, 1944; 10:31 a. m.]

[Supp. Order ODT 20A–85]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ASHLAND, WIS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ashland, Wisconsin, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by acredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–85" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Tony Seegar, d/b/a Seegars Cab Company, 602 Second Avenue West, Ashland, Wis.
Albert F. Bennett, d/b/a City Cab Company, 400 Second Street East, Ashland, Wis.

[F. R. Doc. 44–4620; Filed, April 1, 1944; 10:31 a. m.]

[Supp. Order ODT 20A–86]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NORTH ADAMS, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of North Adams, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–86" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Edwin J. Ames, 20 Franklin Street, North Adams, Mass.
Joseph Andrews, 20 Rand Street, North Adams, Mass.
Alderic Gamache, 150 Prospect Street, North Adams, Mass.
Francis Herrington, 20 Bank Street, North Adams, Mass.
Peter Horn, 475 Church Street, North Adams, Mass.
Archie H. Lavigne, 11 Sumit Avenue, North Adams, Mass.
Harvey Lavigne, 165 Kemp Avenue, North Adams, Mass.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

Thomas H. Marsh, 178 E. Quincy Street, North Adams, Mass.
Raymond W. McNine, 31 Main Street, North Adams, Mass.
Nelson Thibert, 28 State Street, North Adams, Mass.
Andrew J. Trottier, 8 Ballou Street, North Adams, Mass.

[F. R. Doc. 44-4630; Filed, April 1, 1944; 10:31 a. m.]

[Supp. Order ODT 20A-87]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN CLEVELAND, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Cleveland, Ohio and between Cleveland, Ohio and East Cleveland, Ohio, the latter point named being located within ten miles of the corporate limits of the City of Cleveland, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, except that sections 1 (d) and 2 (c) are disapproved. The operators are directed to place the plan, in so far as approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Cleveland, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-87" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Cleveland, Ohio.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Company of Cleveland, Inc., Cleveland, Ohio.
The Zone Cab Corporation, Cleveland, Ohio.
Mrs. Helen Smith, doing business as East Cleveland Cab Company or Service, East Cleveland, Ohio.

[F. R. Doc. 44-4631; Filed, April 1, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-88]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORTLAND AND SOUTH PORTLAND, MAINE, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portland and South Portland, Maine, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-88" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Alfred J. Smith, d/b/a Smith's Taxi, 221 Fore Street, Portland, Maine.
George J. Jacobson, d/b/a Prime Taxi, 109 Commercial Street, Portland, Maine.
Ernest J. McKenna, d/b/a Mac's Taxi, 125a High Street, Portland, Maine.
Philip J. Vanier, d/b/a Skee's Taxi, 26 Union Street, Portland, Maine.
Tony F. Sanson, d/b/a Tony's Taxi, 18 Casco Street, Portland, Maine.
Arthur I. Grossman, d/b/a Pine State Taxi, 17 Quincy Street, Portland, Maine.

[F. R. Doc. 44-4622; Filed, April 1, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-89]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORTLAND AND SOUTH PORTLAND, MAINE, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portland and South Portland, Maine, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-89" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Maine Taxi, Inc., 60 Payson Street, Portland, Maine.
Victory Taxi, Inc., 60 Sawyer Street, South Portland, Maine.
City Taxi, Inc., 60 Payson Street, Portland, Maine.

[F. R. Doc. 44-4623; Filed, April 1, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-90]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AUGUSTA, GA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Augusta, Ga., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilise vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

[1] Filed as part of the original document.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–90" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April, 1944.

C. D. Young,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Overton-Green Taxicab Co., Augusta, Ga.
Dixie Cab Company, Augusta, Ga.

providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 3 (*f*) thereof which is disapproved. The operators are directed to place the plan, to the extent approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense

rected, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. Young,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Lola Newman, 907 West Main Street, Madison, Ind.
Louis Yungman, d/b/a Central Taxi, 107 East Second Street, Madison, Ind.
Bernard Heilman, 1001 Park Avenue, Madison, Ind.
Eddie's Taxi Service, 319 West Main Street, Madison, Ind.

[F. R. Doc. 44–4625; Filed, April 1, 1944; 10:33 a. m.]

[Supp. Order ODT 20A–92]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MADISON, IND., AND CARROLLTON, KY., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Ind., and Carrollton, Ky., so as

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–90" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April, 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Overton-Green Taxicab Co., Augusta, Ga.
Dixie Cab Company, Augusta, Ga.
Richmond Taxi Service, Augusta, Ga.
Red Bird Cab Company, Augusta, Ga.
Graham Cab Company, Augusta, Ga.
Joe's Taxi, Augusta, Ga.
Garden City Taxi, Augusta, Ga.

[F. R. Doc. 44–4624; Filed, April 1, 1944; 10:33 a. m.]

[Supp. Order ODT 20A–91]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MADISON, IND., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 P.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Indiana, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 3 (f) thereof which is disapproved. The operators are directed to place the plan, to the extent approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Louisville, Kentucky, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–91" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Lois Newman, 907 West Main Street, Madison, Ind.
Louis Yungman, d/b/a Central Taxi, 107 East Second Street, Madison, Ind.
Bernard Heilman, 1001 Park Avenue, Madison, Ind.
Eddie's Taxi Service, 319 West Main Street, Madison, Ind.

[F. R. Doc. 44–4625; Filed, April 1, 1944; 10:33 a. m.]

[Supp. Order ODT 20A–92]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MADISON, IND., AND CARROLLTON, KY., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Ind., and Carrollton, Ky., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–92" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Roger Baker, d/b/a White Top Taxi, Carrollton, Ky.
Lois Newman, 907 West Main Street, Madison, Ind.
Louis Yungman, d/b/a Central Taxi, 107 East Second Street, Madison, Ind.
Bernard Heilman, 1001 Park Avenue, Madison, Ind.
Eddie's Taxi Service, 319 West Main Street, Madison, Ind.

[F. R. Doc. 44–4626; Filed, April 1, 1944; 10:33 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 20A–94]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BISMARCK, AND MANDAN, N. DAK., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the areas of Bismarck, North Dakota and Mandan, North Dakota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Bismarck, North Dakota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–94" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Bismarck, North Dakota.

8. This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Economy Cab Company, Bismarck, N. Dak.
Checker Cab Company, Bismarck, N. Dak.
Home Cab Company, Mandan, N. Dak.

[F. R. Doc. 44–4640; Filed, April 1, 1944; 2:39 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 664]

PEN-HIO CLAY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 664 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices for coals produced by Pen-Hio Clay Company.

For the reasons set forth in an opinion issued simultaneously herewith, in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Boardman Mine operated by the Pen-Hio Clay Company, Mt. Jewett, Pennsylvania, is hereby assigned Mine Index No. 4009.

(b) Coals produced by the Pen-Hio Clay Company, Mt. Jewett, Pennsylvania, at its Boardman Mine Index No. 4009, in District No. 4, for shipment by truck or wagon may be sold and purchased at prices not to exceed the following respective prices per ton f. o. b. the mine:

Size Groups: 1, $3.85; 2, $3.75; 3, $3.60; 4, $3.35; 5, $3.30; 6, $3.05; 7, $2.70; 8, $2.60.

[1] Filed as part of the original document.

FORESHEW BROTHERS, P. O. BOX 368, FORT SMITH, ARK., FORESHEW BROTHERS STRIP PIT MINE, MINE INDEX #1016, JENNY LIND SEAM (HARTSHORNE), SEBASTIAN COUNTY, ARK., PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	I	J	J	J	J	G	F	L	D	B	B	B	A	L			
Rail shipments	$5.40	$5.45	$5.45	$5.00	$5.10	$4.90	$4.90	$4.45	$3.90	$2.10	$2.10	$2.10	$2.25	$4.60			
Truck shipments	5.40	5.40	5.40	5.15	4.95	4.70	4.70	4.25	3.75	2.60	2.40	2.30	2.10	4.60			

DISTRICT NO. 14: MR. VESTA COAL CO., 201 SOUTH TENTH ST., FORT SMITH, ARK., STRIP MINE #1, MINE INDEX #1000, LOWER HARTSHORNE SEAM, FRANKLIN COUNTY, ARK., PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	G	G	D	G	D	D	D	L	D	B	B	B	A	F			
Rail shipments	$5.40	$5.00	$5.05	$5.10	$5.20	$5.20	$4.90	$4.45	$3.90	$2.10	$2.10	$2.10	$2.25	$4.60			
Truck shipments	5.40	5.00	5.05	5.05	5.20	4.85	4.85	4.25	3.75	2.60	2.40	2.30	2.10	4.60			

RAMBO, L. L., CHARLESTON, ARK., L. L. RAMBO MINE, MINE INDEX #1018, SEAM: UPPER VEIN, FRANKLIN COUNTY, PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification					H			K	L					Q			
Rail shipments					$5.00			$4.90	$4.45					$4.60			
Truck shipments					4.80			4.60	4.25					4.60			

The maximum price for lump coal (solid shot) with bottom size larger than 2½" for rail shipments shall be the maximum price which is applicable to the coals of size group No. 3 plus 15 cents per net ton.

SMITH-WARNER COMPANY, 813 UNION LIFE BLDG., 219 CENTER ST., LITTLE ROCK, ARK., JAMESTOWN MINE, MINE INDEX #1014, SPADRE, JAMESTOWN SEAM, JOHNSON COUNTY, ARK., PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	D	D	A	A	A	A	A	A	A	A	A	A	A	A			
Rail shipments	$5.00	$5.05	$5.15	$5.20	$5.20	$5.00	$4.90	$4.60	$4.20	$3.90	$3.90	$3.90	$3.25	$4.75			
Truck shipments	4.80	4.85	4.95	5.00	5.00	4.80	4.70	4.45	4.05	3.75	3.75	3.75	3.25	4.75			

Railroad locomotive fuel: For mines included in this order:
Any size prepared coal, single or double-screened, straight mine run, and all resultants larger than 0" x 0.....$2.35
All resultants 3/4" x 0 and smaller, but not exceeding 6" x 0.....2.10
All resultants 3/4" x 0 and smaller.....2.20

This order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4606; Filed, March 31, 1944; 4:59 p. m.]

(c) This Order No. 664 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.206 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

This Order No. 664 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4607; Filed, March 31, 1944; 4:59 p. m.]

[MPR 120; Order 666]

A. D. CLARK COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 666 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 14. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DISTRICT NO. 14: A. D. CLARK COAL CO., 1118 SOUTH GREENWOOD, FORT SMITH, ARK., CLARK NO. 2 MINE, MINE INDEX NO. 1015, CATAVAL SEAM; LE FLORE COUNTY, OKLA., PRODUCTION GROUP 4, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	I	A	J	J	J	G	H	K	L	D	B	B	B	E			
Rail shipments	$5.40	$5.00	$5.45	$5.45	$5.10	$4.90	$4.90	$4.60	$4.45	$3.90	$2.10	$1.10	$2.10	$4.65			
Truck shipments	5.40	5.30	5.40	5.40	5.20	4.85	4.85	4.60	4.25	3.60	2.40	2.00	2.10	4.15			

DIAMOND COAL CO., FORT SMITH, ARK., DIAMOND COAL CO. MINE, MINE INDEX #1008, SPIKER SEAM, SEQUOYAH COUNTY, OKLA., PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	K	L	L	L	L	L	L	L	L	D	B	B	B	O			
Rail shipments	$5.10	$5.40	$5.40	$5.40	$5.40	$5.40	$5.40	$4.45	$4.25	$3.90	$2.10	$2.10	$2.10	$4.60			
Truck shipments	4.90	5.20	5.20	5.20	5.20	5.20	5.20	4.25	4.05	3.75	2.60	2.40	2.30	4.60			

S. E. EVANS CONSTRUCTION CO., INC., P. O. BOX 903, FORT SMITH, ARK., EVANS-MAGARD MINE, MINE INDEX #1010, LOWER HARTSHORNE SEAM, SEBASTIAN COUNTY, ARK., PRODUCTION GROUP #6, STRIP MINE

	Size group Nos.																
	4	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Price classification	I	J	J	J	J	G	F	L	D	B	B	B	A	L			
Rail shipments	$5.40	$5.45	$5.45	$5.45	$5.00	$5.10	$4.90	$4.45	$3.90	$2.10	$2.10	$2.10	$2.25	$4.60			
Truck shipments	5.40	5.40	5.40	5.40	5.15	4.95	4.70	4.25	3.75	2.60	2.40	2.30	2.10	4.60			

Regional and District Office Orders.

[Region I Supp. Order 2 Under RMPR 122, Amdt. 5]

ORANGE DISC ANTHRACITE IN BOSTON REGION

Amendment No. 5 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Per net ton	Amount of addition		
		½ ton	¼ ton	100 lbs.
Orange disc: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$9.25	$0.15	$0.05	None

2. The words "Orange disc" are inserted in subparagraph (2) of paragraph (d).

3. Subparagraph (15) is added to paragraph (d), to read as follows:

(15) "Orange disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange disc anthracite", and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

This Amendment No. 5 shall become effective March 29, 1944.

(56 Stat. 23, 755; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4596; Filed, March 31, 1944; 12:16 p. m.]

[Region I Rev. Order G-10 Under RMPR 122]

PREPARED BITUMINOUS COAL IN BOSTON REGION

Revised Order No. G-10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Prepared bituminous coal.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Region I Order No. G-10 under Revised Maximum Price Regulation No. 122 is revised and amended and is hereby issued as Revised Order No. G-10, to read as follows:

(a) *Pricing rules established by this order.* This order specifies the manner in which dealers in Region I (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut) who are not subject to an area pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122 which fixes specific maximum prices for prepared bituminous coal, and who cannot price prepared bituminous coal under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122, shall establish their maximum prices for such coal, and contains provisions for reporting prices determined hereunder. Any dealer who can price a particular prepared bituminous coal under said Rule 1 shall do so, and shall not use this Revised Order G-10 except for prepared bituminous coals which he cannot price under Rule 1.

(b) *Maximum prices for prepared bituminous coal which cannot be priced under Rule 1*—(1) *Dealers who have Rule 1 prices for one or more prepared bituminous coals.* Any dealer who delivered one or more kinds of prepared bituminous coal during December, 1941, and so can calculate a maximum price under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122 for prepared bituminous which is the same as that which he delivered during that month, shall price any prepared bituminous which is not the "same fuel" (as that term is defined in § 1340.255 (a) (3) of Revised Maximum Price Regulation No. 122) as one for which he has a Rule 1 price by the use of Rule 3 in § 1340.254 (b), and shall not use any of the other provisions of this order: *Provided, however,* That such a dealer may apply to the Regional Office for Region I for permission to use one of said other provisions and, in appropriate cases, such permission will be granted by letter.

(2) *Dealers who have no Rule 1 prices for any prepared bituminous coal.* Any dealer who did not deliver any prepared bituminous coal during December, 1941, and so has no maximum prices under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122 and is not required to use the preceding subparagraph of this order, may elect to price prepared bituminous coal in either of the following ways:

Option 1. The maximum price shall be the sum of:

First. The per net ton cost to the dealer of the bituminous coal, f. o. b. supplier's shipping point;

Second. The actual transportation cost from supplier's shipping point to the dealer's yard, dock or other terminal facility (exclusive of any tax on such transportation); and

Third. The margin over delivered cost on the dealers similar sale of Pennsylvania anthracite coal most nearly like the sale of the bituminous coal for which a maximum price is being calculated hereunder, taking into account class of purchaser, method of delivery and terms of delivery.

Provided, however, That a dealer eligible for compensatory adjustment on bituminous coal under Revised Compensatory Adjustment Regulation No. 1 shall, in place of the item marked Second, substitute the lowest transportation cost he would have incurred during December, 1941, in bringing the bituminous coal to his terminal facility: *And provided further,* That when the bituminous coal is purchased f. o. b. truck and delivered directly to the purchaser, the item marked Second shall be eliminated and the price arrived at by adding items First and Third.

Option 2. If the coal is low volatile coal from Producing District 7, the maximum price shall be calculated in accordance with Option 1, except that the following specific amounts shall be substituted for the item marked First in Option 1:

	Per net ton
For pea or nut size, or any mixture thereof	$3.50
For lump, egg or stove size, or any mixture thereof	4.10

Provided, however, That a dealer who obtains lump coal by screening or forking run of mine bituminous coal at his yard or dock so as to remove all coal smaller in size than 1¼" may price such lump coal under Option 2 by use of $4.10 as item First, and the transportation cost of the run of mine coal as item Second, regardless of the option selected by said dealer for use in pricing bituminous coal which is screened at the mine.

The dealer shall evidence his election of either option 1 or option 2 by a letter to his State Office of the Office of Price Administration within five (5) days after his first purchase of prepared bituminous coal after the effective date of this order, in which letter the dealer shall specify that he did not deliver any prepared bituminous coal during December, 1941, and state which option he had elected. All purchases of prepared bituminous must thereafter be priced under that option, and the dealer may not change his election and use the other option without receiving permission in writing from the Regional Office for Region I. Any dealer who fails to evidence his election within the period specified, in the manner specified, shall be deemed to have elected option 1 and may not thereafter use option 2 without receiving such permission in writing. However, any dealer who has prepared bituminous coal on hand on the effective date of this order which he has priced under order G-10 may complete the sale of that particular coal at the price so established without prejudice to his right to elect either option 1 or option 2 as to coal subsequently received by him.

(c) *Pricing in certain special cases.* If the dealer does not himself handle Pennsylvania anthracite and so has no actual margin from his own experience for use under paragraph (b) hereof, he may nevertheless price hereunder. In such case, the margin to be used shall be determined as follows:

(1) If there is an area price order under § 1340.260 of Revised Maximum Price Regulation No. 122 which estab-

lishes specific maximum prices for the type of sale of Pennsylvania anthracite which is similar to the proposed sale of prepared bituminous the margin shall be that which the dealer would obtain were he to deal in Pennsylvania anthracite.

(2) If there is no such area price order in effect, the dealer shall apply by letter to his State Office of the Office of Price Administration, stating that he does not handle Pennsylvania anthracite and giving the name and address of his most closely competitive dealer of the same class who does handle it. The State Office will then notify the dealer by letter of the margin he may use.

(3) If no margin is available from an area price order, and the dealer cannot find a closely competitive dealer who handles Pennsylvania anthracite, the dealer shall apply to his State Office of the Office of Price Administration stating why he is unable to price under the other provisions of this order, and a margin for his use hereunder will be supplied by letter.

(d) *Records and reports.* (1) Every dealer who prices prepared bituminous coal under paragraph (b) of this order shall preserve all invoices and other records of his purchases of said coals, and shall keep a record of all sales showing the date, the name and address of the buyer (if known), the price charged and the coal sold. The record shall also separately state each service rendered and the charge made for it.

(2) Every dealer who prices prepared bituminous coal under subparagraph (1) of paragraph (b) of this order, under option 1 in subparagraph (2) of paragraph (b) or by the special use of option 2 which is permitted for lump coal obtained from run of mine, shall within ten days after he determines or redetermines any maximum price thereunder file a report with his State Office of the Office of Price Administration containing a description of the particular coal, the maximum price thereof to each class of purchaser to whom it is sold and a detailed showing of the method of computation of said maximum prices, including each item entering into such computation. Separate reports must be filed for each purchase which varies in mine price or transportation cost from any prepared bituminous previously reported by the dealer.

(3) Every dealer who prices prepared bituminous coal under option 2 in subparagraph (2) of paragraph (b) shall, at the same time that he files the notice of his election of said option 2, also file with his State office a statement listing (a) The amount of the item marked "Second" in option 2 on each of the prepared bituminous coals which he is currently receiving, describing said coals and listing the suppliers shipping point; and (b) the amounts of the margins which he is using as the item marked "Third", listed separately for each class of purchaser and for each of the two main classifications of prepared bituminous coal (i. e., pea or nut and stove or egg). Thereafter, additional reports shall be filed by such dealer whenever the item marked "Second" changes as a result of purchases of prepared bituminous coal which have a different transportation cost from supplier's shipping point to dealer's yard than those originally reported; and whenever the anthracite margin which he uses changes for any reason. Said additional reports shall also describe the coals and specify the supplier's shipping point, and shall include a statement of the reasons for any change in the anthracite margin which the dealer is using.

(e) *Terms of sale and charges for services.* Terms of sale and charges for services shall be those applicable to the sale of the coal which is used as a basis for the determination of the margin to be used in calculating maximum prices under this order. When an anthracite margin is used, for example, the terms of sale and charges for services shall be those applicable to the sale of the anthracite, whether such anthracite is priced under Revised Maximum Price Regulation No. 122 itself or under an area price order under § 1340.260 thereof.

(f) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(g) *Definitions.* When used in this Revised Order G–10, the terms:

(1) "Prepared bituminous coal" means bituminous coal which has been prepared at the mine by passing over a screen or by double screening, and which has again been forked or screened at a dealer's yard for the removal of undersized coal, and shall, to the extent indicated by the terms of this order, include lump coal obtained by forking or screening run of mine bituminous coal.

(2) "Pea size" is double screened coal with a top size of ¾" and a bottom size smaller than ⅜".

(3) "Nut size" is double screened coal with a top size larger than ¾" but not over 1¼" and a bottom size smaller than 1¼".

(4) "Stove size" is double screened coal with a top size larger than 1¼" but not exceeding 3" and a bottom size smaller than 3".

(5) "Egg size" is double screened coal with a top size larger than 3" and with no limit as to the bottom size.

(6) "Lump size" is single screened coal all of which passes over a screen with openings not less than 1¼" in size.

(7) A dealer's "State Office of the Office of Price Administration" shall mean the respective State offices in the case of dealers located in Maine, New Hampshire, Vermont, Rhode Island and Connecticut, and the Regional Office for Region I, Boston, Massachusetts, in the case of dealers located in Massachusetts.

(8) "Margin over delivered cost on the dealer's similar sale of Pennsylvania anthracite coal" shall mean the difference between (a) the dealer's maximum price of Pennsylvania anthracite of the most nearly similar size to the same class of purchaser, and (b) the total of (i) the dealer's supplier's maximum price for that anthracite (gross, before any cash or other discounts), and (ii) the actual transportation cost to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for compensatory adjustment on anthracite coal under Revised Compensatory Adjustment Regulation No. 1. In the case of prepared bituminous purchased f. o. b. truck at the yard of another dealer and delivered direct to the purchaser, the margin used shall be the margin available on anthracite which is so purchased and delivered. "Taking into account class of purchaser, method of delivery and terms of delivery" means, by way of illustration, that there shall be taken into consideration differences in maximum prices for sales of anthracite delivered to consumers, sold at the yard to consumers, and sold at the yard to other dealers, both equipped and unequipped; and differences in margins available on sales of anthracite purchased f. o. b. mine and received by rail or barge at the dealer's yard or dock, and on sales of anthracite purchased at the yard of another dealer and delivered to the consumer. In no case, however, shall the dealer use a margin available on a Pennsylvania anthracite coal which has a mine price higher than those set forth in § 1340.200 (a) (1) of Maximum Price Regulation No. 112, if that margin differs from his margin on anthracite which is priced under that section at the mines; nor shall he use any higher margin which is available on any separately named and priced anthracite which is priced under that section at the mines.

(9) Except as is otherwise specifically provided herein, and unless the context otherwise requires, the definitions set forth in §§ 1340.235 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Lower prices permitted.* Lower prices than those provided for herein may be charged, paid or offered.

(i) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G–10 shall become effective April 10, 1944; *Provided, however,* That it shall become effective immediately as to any dealer who elects to price hereunder prior to said date.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4597; Filed, March 31, 1944; 12:16 a. m.]

[Region I Order G–10 Under RMPR 122, Amdt. 2]

BITUMINOUS COAL IN BOSTON REGION

Amendment No. 2 to Order No. G–10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal sold to domestic consumers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, paragraph (c) of Order G–10 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(c) This order shall expire on April 9, 1944.

This Amendment No. 2 to Order G–10 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4627; Filed, April 1, 1944; 10:50 a. m.]

[Region II Rev. Order G–8 of RMPR 122]

PENNSYLVANIA ANTHRACITE IN BURLINGTON, CAMDEN, AND GLOUCESTER COUNTIES, N. J.

Revised Order No. G–8 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Burlington County, Camden County, and Gloucester County, State of New Jersey, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereunder called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey—Coal Area I. That area consists of four zones, as follows:

Zone 1: Zone 1 includes the following portions of the State of New Jersey: All of Camden County north of Evesham Road; the City of Beverly, the Boroughs of Medford Lakes, Palmyra, Riverton, and the Townships of Cinnaminson, Chester, Mount Laurel, Evesham, Medford, Moorestown, Delran, Riverside, Delanco, Edgewater Park, Willingboro in Burlington County; the City of Woodbury, the Boroughs of Westville, Woodbury Heights, Wenonah, Paulsboro, and the Townships of West Deptford, Deptford, Greenwich and East Greenwich in Gloucester County.

Zone 2: Zone 2 includes the following portions of the State of New Jersey: The City of Bordentown, the Borough of Fieldsboro and the Townships of Bordentown and Chesterfield in Burlington County.

Zone 3: Zone 3 includes the following portions of the State of New Jersey: The City of Burlington, the Boroughs of Pamberton and Wrightstown and the Townships of Florence, Mansfield, Burlington, Westampton, Hainesport, Lumberton, Mount Holly, Southampton, Eastampton, Pemberton, Springfield, North Hanover, and New Hanover in Burlington County.

Zone 4: Zone 4 includes the following portions of the State of New Jersey: All of Camden County and all of Gloucester County not included in Zone 1, and all of Burlington County not included in Zones 1, 2, and 3. Geographically, Zone 4 covers all of Camden County south of Evesham Road; the Boroughs of Swedesboro, Pitman, Glaseboro, Clayton, Newfield, National Park, and the Townships of Logan, Woolwich, South Harrison, Harrison, Mantua, Washington, Monroe, Elk, and Franklin in Gloucester County; and the Townships of Shamong, Tabernacle, Woodland, Bass River and Washington in Burlington County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3 and 4 are set forth in Schedules I, II, III and IV, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3 and 4.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the four zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis, "yard sales", and "sales in 18 lb. paper bags" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II, III, and IV apply to similar sales in Zones 2, 3 and 4 respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f) and Schedule IV in paragraph (g).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure derived from the preceding subparagraphs no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, even less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and

the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales, "yard sales," and "sales of bagged coal."

(1) *Sales on a direct delivery basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.75	$7.40	$0.85
Pea	12.20	6.60	.75
Buckwheat	10.55	5.80	.65
Rice	9.70	5.35	
Barley	8.30	4.10	
Screenings	5.95	3.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point. You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than ½ ton)	50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per 100 lbs., for 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.75	$0.80	$0.42
Pea	10.70	.70	.37
Buckwheat	9.05	.60	
Rice	8.30	.55	
Barley	6.70		
Screenings	5.30		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18-lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.75	$7.40	$0.85
Pea	12.45	6.75	.75
Buckwheat	10.55	5.80	.65
Rice	8.95	5.00	
Screenings	5.95	2.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point. You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same 12-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than ½ ton)	50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton (for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.75	$0.75	$0.42
Pea	11.45	.65	.375
Buckwheat	9.55	.55	
Rice	7.95		
Screenings	5.30		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18 lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "Direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Broken, egg, stove, nut	$13.25	$7.15	$0.85
Pea	11.05	6.20	.75
Buckwheat	10.05	5.55	.65
Rice	8.45	4.75	
Screenings	5.95	2.00	

the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales, "yard sales," and "sales of bagged coal."

(1) *Sales on a direct delivery basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.75	$7.40	$0.85
Pea	12.20	6.60	.75
Buckwheat	10.55	5.80	.65
Rice	9.70	5.35	
Barley	8.30	4.10	
Screenings	8.95	2.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than ⅓ ton)	60
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ⅓ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ¼ ton or more	Per 100 lbs. for 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.75	$0.80	$0.42
Pea	10.70	.70	.37
Buckwheat	9.05	.60	
Rice	8.30	.55	
Barley	6.70		
Screenings	8.95		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18-lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.75	$7.40	$0.85
Pea	12.45	6.75	.75
Buckwheat	10.55	5.80	.65
Rice	9.95	5.00	
Screenings	8.95	2.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same 12-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than ⅓ ton)	60
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ⅓ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ¼ ton or more	Per 100 lbs. for 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.75	$0.75	$0.42½
Pea	11.45	.65	.375
Buckwheat	9.55	.55	
Rice	7.95		
Screenings	8.95		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of $1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18 lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "Direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Broken, egg, stove, nut	$13.75	$7.15	$0.85
Pea	11.05	6.30	.75
Buckwheat	10.05	5.55	.65
Rice	8.45	4.75	
Screenings	8.95	2.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than ⅓ ton)	60
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ⅓ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)	Per 50-lb. paper bag
Broken, egg, stove, nut	$13.75	$0.80	$0.42½
Pea	10.95	.70	.375
Buckwheat	9.05	.60	
Rice	7.45	.55	
Screenings	2.20		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sale and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18 lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "Direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	For 100 lb. (for sales of 100 lb. or more, but less than ½ ton)
Broken, egg, stove, nut	$14.00	$7.50	$0.85
Pea	12.45	6.75	.75
Buckwheat	10.55	5.80	.65
Rice	9.20	5.10	
Screenings	8.95	2.00	

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than ⅓ ton)	50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ½ ton or more	Per 100 lb. (for sales of 100 lb. or more, but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.50	$0.85	$0.42½
Pea	10.95	.70	.375
Buckwheat	9.05	.60	
Rice	7.70	.55	
Screenings	2.20		

Required discounts. You shall deduct from the prices set forth in paragraph (a) (2) (i), on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18 lb. paper bags" (maximum prices per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.13	$0.17
Pea	.11	.13	.15

(h) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale" or "sale in 18 lb. paper bags", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(j) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it

separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the net net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable Schedule or Schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Camden District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and explanations* When used in this Order No. G8, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey—Coal Area 1 with such designation during December 1941.

(6) "Coal Area 1" includes the following portions of the State of New Jersey: Burlington County, Camden County and Gloucester County.

(7) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(8) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(9) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(10) "Delivered at dealer's yard" as applied to sales of bagged coal in 18 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(11) "Delivered to retail stores" as applied to sales of bagged coal in 18 lb. paper bags, means deposit in that part of the store designated by the purchaser.

(12) "Sales to ultimate consumer" as applied to bagged coal in 18 lb. paper bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(13) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(u) *Effect of order on Order No. G–8 as originally issued and on Order No. G–23.* Order No. G–8 under Revised Maximum Price Regulation No. 122, as issued on July 21, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23, issued under that Regulation on November 24, 1943, to the extent that Order No. G–23 is applicable to Order No. G–8.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This order shall become effective December 8th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4599; Filed, March 31, 1944; 12:17 p. m.]

[Region II Rev. Order G–14 under RMPR 122]

PENNSYLVANIA ANTHRACITE IN RICHMOND COUNTY, N. Y.

Revised Order No. G–14 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Richmond County, (Borough of Richmond, City of New York) State of New York, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New York, Coal Area II. Coal Area II comprises all of Richmond County in the City and State of New York.

(2) *Schedules of prices, charges and discounts.* The applicable prices authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area II, are set forth in Schedules I, II and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area II, whether or not you are located in Coal Area II.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service set forth in Schedule I higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to "Direct Delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 lb. and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) Take the dollars-and-cents figure given in the applicable Schedule for the size and quantity you are selling.

(3) Deduct from this figure the amount of the discount which you are required to give as specified in the Schedule. If the Schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(5) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable Schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area II.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Broken, egg, stove, nut	$14.25	$7.40	$0.85
Pea	12.70	6.60	.75
Buckwheat	10.30	5.40	.70
Rice	9.20	4.85	----------
Barley	8.05	4.20	----------
Screenings "A" [1]	5.20	3.10	----------
Screenings "B" [1]	3.80	1.65	----------

[1] See definition in paragraph (r) (5).

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of broken, egg, stove, nut and pea sizes, and a discount of 25¢ per net ton on sales and deliveries of buckwheat, rice, and barley sizes, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the fiftieth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges
(Cents per Net Ton)

Special service rendered at the request of the purchaser:
Carrying upstairs (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton) ---------- [1] 5

[1] For each two steps or fraction thereof above the fifth step. No charge is permitted for the first five steps.

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite sold at the dealer's "yard" to dealers or consumers.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	To dealers—per net ton for sales of ½ ton or more	To consumers: Per net ton for sales of ½ ton or more	To consumers: Per 100 lbs. for 100 lbs. or more but less than ½ ton
Broken, egg, stove, nut	$11.75	$12.75	$0.75
Pea	10.20	11.20	.65
Buckwheat	8.30	8.90	.60
Rice	7.20	7.70	----------
Barley	6.05	----------	----------
Screenings "A" [1]	5.15	----------	----------
Screenings "B" [1]	2.25	----------	----------

[1] See definition in paragraph (r) (5).

(f) *Schedule III: "Sales of bagged coal".* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

MAXIMUM PRICE PER 50 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.38	$0.42	$0.72

MAXIMUM PRICE PER 25 LB. PAPER BAG

Nut	$0.19	$0.21	$0.36

MAXIMUM PRICE PER 12 LB. PAPER BAG

Nut	$0.095	$0.105	$0.128

(g) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale", "yard sale", or a "sale of bagged coal", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorised service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip of receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G–14, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area II, with such designation during December, 1941.

"Screenings A" are screenings derived from the primary or initial screening of egg, stove, nut, pea, and buckwheat sizes of anthracite before any of these sizes have been reclaimed from screenings.

"Screenings B" are the resultant screenings after buckwheat and larger sizes of anthracite have been reclaimed from "Screenings A".

(6) "Direct delivery", in all situations except those involving "carrying upstairs" more than five steps, shall mean delivery to the buyer's bin or storage space. Where delivery involves "carrying upstairs" more than five steps, and such carrying service has not been requested by the purchaser, "direct delivery" means discharging the coal at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carrying upstairs" refers to the movement of coal to buyer's bin or storage space in baskets or other containers, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., or 12 lb. bags, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumers" as applied to bagged coal in 50 lb., 25 lb., or 12 lb. bags, means sales by dealers other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(t) *Effect of order on Order No. G–14 as originally issued and on Order No. G–23.* Order G–14 under Revised Maximum Price Regulation No. 122, as issued on October 9, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23 issued under that Regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Order No. G–14.

NOTE: The record keeping requirements of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G–14 shall become effective December 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 9th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4598; Filed, March 31, 1944; 12:16 p. m.]

[Region II Rev. Order G–3 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN NEW YORK CITY

Amendment No. 1 to Revised Order No. G–3 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in the boroughs of Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–3 is amended in the following respect:

1. Paragraph (s) is amended to read as follows:

(s) *Automatic roll-back pursuant to Amendment No. 3 to Order No. G–3 as originally issued.* Amendment No. 3 to Order No. G–3, issued on October 21, 1943 and effective October 22, 1943, by its terms provided that all dealers subject thereto would, on April 1, 1944, revert to the schedules of prices in effect immediately prior to the amendment. Since that amendment increased "delivered sales" prices by 30¢ per net ton and 15¢ per net ½ ton, and "yard sales" prices by 10¢ per net ton, all dealers subject to this revised order were required, on and after April 1, 1944, to reduce their maximum prices for "delivered sales" as set forth herein by 30¢ per net ton and 15¢ per net ½ ton, and their maximum price for "yard sales" as set forth herein by 10¢ per net ton. The time at which such reduction must go into effect is extended to midnight April 30, 1944. No such reduction is required for sales under ½ ton. This roll-back shall be in addition to any further roll-back that may be occasioned by a reduction in supplier's maximum prices.

This Amendment No. 1 to Revised Order No. G–3 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4611; Filed, March 31, 1944; 5:00 p. m.]

[Region II Order G–18 Under MPR 165 as Amended]

LAUNDRY SERVICE SUPPLIERS IN NEW YORK REGION

Order No. G–18 under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended. Services. Permission to laundry service suppliers to indicate authorized price increases either with or without specification of percentage amount.

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended and by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended—Services, *It is hereby ordered:*

1. Every supplier of laundry and related services which has heretofore been required by any order issued by the New York Regional Office of the Office of Price Administration or by any district office in this region to inscribe upon each bill rendered to any customer the legend: "OPA permitted increase of ____% to maintain supply: $____", is hereby permitted, at its option instead to inscribe upon each such bill the following: "OPA permitted increase to maintain supply: $____".

2. Every provision in any order heretofore issued by this office or by any district office in Region II which is inconsistent with the provisions of paragraph (1) of this order is hereby modified to the extent indicated in that paragraph.

3. Except as in paragraph (1) hereof provided, every such services supplier shall remain subject to all the provisions of any such order in which it is named or referred to, and shall remain subject to all the provisions of Maximum Price Regulation No. 165 as amended—Services.

4. This order may be revoked or amended by the Regional Administrator or Region II or by the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued March 29, 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4610; Filed, March 31, 1944; 5:00 p. m.]

[Region II Order G–31 Under RMPR 122, Amdt. 1]

BITUMINOUS COAL AND COKE IN NEW YORK CITY

Amendment No. 1 to Order No. G–31 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjustment in maximum prices for bituminous coal and coke delivered by dealers in Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–31 is amended in the following respects:

1. The preamble to the order is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring midnight April 30, 1944, *It is ordered:*

2. Paragraph (f) is amended to read as follows:

(f) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on midnight April 30, 1944.

This Amendment No. 1 to Order No. G–31 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4612; Filed, March 31, 1944; 5:00 p. m.]

[Region VI Order G–15 Under RMPR 122, Amdt. 2]

SOLID FUELS IN QUAD CITIES AREA

Amendment No. 2 to Order No. G–15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Quad Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That paragraphs (c) (1) IV (C) 2 (d) and (c) (1) IV (C) (3) be amended to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales by direct delivery of specified mines, kinds and quantities of solid fuels. Column 1 describes the fuel for which prices are established; Columns 2, 3 and 4 show maximum prices for fuel delivered in quantities indicated by each column heading. All prices are stated on a net ton basis.

* * * * *

MAXIMUM AREA PRICES FOR QUAD CITY AREA

1 Description	2 2 tons or more	3 1 ton or more	4 ½ ton
VI. High Volatile bituminous coal from Dist. #10 (Illinois):			
C. Fulton-Peoria Sub District:			
3. Egg:			
d. S. G. #6, 3" x 2", 4" x 2"	$6.45	$6.70	$1.00
3. Stove or Nut, S. G. #8: 2" x 1½"	5.70	5.95	3.75

This Amendment No. 2 to General Order No. G–15 shall be effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4613; Filed, March 31, 1944; 5:01 p. m.]

[Region II Order G–1 Under MPR 280 Amdt. 1]

FLUID MILK IN NEW YORK REGION

Amendment No. 1 to Order No. G–1 issued under § 1351.817 (a) of Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Maximum prices for inter-handler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended: *It is ordered*, That section (b) (1), (2) and (3) be amended to read as follows:

(1) When such entire annual output, or a fixed percentage thereof is sold or delivered to a single purchaser pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 35¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(2) Where a stated quantity but less than such entire annual output is sold or delivered to a purchaser pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 30¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(3) Where fluid milk in any quantity is sold or delivered to a purchaser for two days or less during any calendar month, and such sale is not made pursuant to any prior contract between the seller and the purchaser, the primary handler's fluid milk cost, plus a markup of 40¢ per cwt., f. o. b. primary handler's receiving or processing plant.

This amendment to Order No. G–1 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4609; Filed, March 31, 1944; 5:00 p. m.]

[Region VIII Order G–3 Under 18 (c), Amdt. 40]

FLUID MILK IN WASHINGTON

Correction

In F.R. Doc. 44–3281, appearing on page 2720 of the issue for Friday, March 10, 1944, the retail price for a half-gallon container should read ".26".

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 31, 1944.

REGION I

Providence Order No. W–1, filed 9:37 a. m.

REGION II

Binghamton Order No. 1–F, filed 9:42 a. m.
Maryland Order No. 1–F, filed 9:44 a. m.
Philadelphia Order No. 1–F, filed 9:44 a. m.
Trenton Order No. 1–F, filed 9:42 a. m.

REGION III

Charleston Order No. 1–F, Amendment No. 16, filed 9:53 a. m.
Charleston Order No. 2–F, Amendment No. 10, filed 9:54 a. m.
Charleston Order No. 4–F, Amendment No. 9, filed 9:54 a. m.
Charleston Order No. 5–F, Amendment No. 8, filed 9:55 a. m.
Charleston Order No. 6–F, Amendment No. 6, filed 9:55 a. m.
Charleston Order No. 7–F, filed 9:56 a. m.
Charleston Order No. 8–F, filed 9:56 a. m.
Charleston Order No. 88, filed 9:45 a. m.
Detroit Order No. 11, filed 9:58 a. m.
Escanaba Order No. 14–F, Amendment No. 3, filed 9:57 a. m.
Louisville Order No. 1–F, Amendment No. 29, filed 9:53 a. m.
Louisville Order No. 2–F, Amendment No. 17, filed 9:53 a. m.
Louisville Order No. 3–F, Amendment No. 10, filed 9:52 a. m.

REGION IV

Jackson Order No. 2–F, Amendment No. 4, filed 9:57 a. m.
Jackson Order No. 9, Amendment No. 1, filed 9:44 a. m.
Jacksonville Order No. 4–F, filed 9:37 a. m.
Jacksonville Order No. 5–F, filed 9:38 a. m.
Nashville Order No. 5–F, Amendment No. 10, filed 9:50 a. m.
Nashville Order No. 8–F, Amendment No. 2, filed 9:58 a. m.

REGION VI

La Crosse Order No. 9, Amendment No. 2, filed 9:57 a. m.
La Crosse Order No. 10, Amendment No. 2, filed 9:57 a. m.
La Crosse Order No. 11, Amendment No. 2, filed 9:57 a. m.

REGION VIII

Los Angeles Order No. 1–F, Amendment No. 5, filed 9:42 a. m.
Sacramento Order No. 7 (Rev.), Amendment No. 2, filed 9:40 a. m.
Sacramento Rev. Order No. 8, Amendment No. 2, filed 9:40 a. m.
Sacramento Rev. Order No. 9, Amendment No. 2, filed 9:39 a. m.
Seattle Order No. 1–F, Amendment No. 9, filed 9:52 a. m.
Seattle Order No. 3–F, Amendment No. 9, filed 9:51 a. m.
Seattle Order No. 4–F, Amendment No. 9, filed 9:51 a. m.
San Diego Order No. 1–F, Amendment No. 29, filed 9:39 a. m.
Spokane Order No. 1–F, Amendment No. 3, filed 9:45 a. m.
Spokane Order No. 1–F, Amendment No. 4, filed 9:38 a. m.
Spokane Order No. 2–F, filed 9:45 a. m.
Spokane Order No. 2–F, Amendment No. 1, filed 9:39 a. m.
Spokane Order No. 6–F, Amendment No. 1, filed 9:38 a. m.
Spokane Order No. 22, Amendment No. 1, filed 9:51 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4632; Filed, April 1, 1944; 11:49 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 29, 1944.

REGION III

Grand Rapids Order No. F–14–A, Amendment No. 11, filed 11:13 a. m.
Grand Rapids Order No. F–14–B, Amendment No. 11, filed 11:13 a. m.
Indianapolis Order No. 1–F, Amendment No. 1, filed 11:34 a. m.
Indianapolis Order No. 4–F, Amendment No. 7, filed 11:31 a. m.
Indianapolis Order No. 5–F, Amendment No. 7, filed 11:31 a. m.
Indianapolis Order No. 6–F, Amendment No. 7, filed 11:31 a. m.
Indianapolis Order No. 8–F, Amendment No. 6, filed 11:29 a. m.
Indianapolis Order No. 8–F, Amendment No. 7, filed 11:32 a. m.
Indianapolis Order No. 9–F, Amendment No. 6, filed 11:29 a. m.
Indianapolis Order No. 9–F, Amendment No. 7, filed 11:32 a. m.
Indianapolis Order No. 10–F, Amendment No. 6, filed 11:29 a. m.
Indianapolis Order No. 10–F, Amendment No. 7, filed 11:33 a. m.
Indianapolis Order No. 11–F, Amendment No. 6, filed 11:30 a. m.
Indianapolis Order No. 11–F, Amendment No. 7, filed 11:33 a. m.

REGION IV

Birmingham Order No. 1–F, Amendment No. 5, filed 11:19 a. m.
Jacksonville Order No. 1–F, Amendment No. 17, filed 11:17 a. m.
Raleigh Order No. 11, filed 11:36 a. m.
Richmond Order No. 1–W, Amendment No. 1, filed 11:26 a. m.
Richmond Order No. 4–F, filed 11:26 a. m.
South Carolina Order No. 1–W, Amendment No. 2, filed 11:18 a. m.
South Carolina Order No. 2–F, Amendment No. 9, filed 11:18 a. m.
South Carolina Order No. 3–F, Amendment No. 3, filed 11:18 a. m.
South Carolina Order No. 11, Amendment No. 2, filed 11:18 a. m.

REGION V

Kansas City Order No. 1–W, filed 11:24 a. m.
Oklahoma City Order No. 1–W, Amendment No. 1, filed 11:17 a. m.
Shreveport Order No. 2–F, Amendment No. 7, filed 11:14 a. m.
St. Louis Order No. 2–W, filed 11:35 a. m.
St. Louis Order No. 1–W, filed 11:35 a. m.
St. Louis Order No. G–15, filed 11:26 a. m.
St. Louis Order No. G–16, filed 11:26 a. m.

REGION VI

Duluth-Superior Order No. 11, Amendment No. 1, filed 11:11 a. m.
La Crosse Order No. 1–F, Amendment No. 9, filed 11:22 a. m.
La Crosse Order No. 3–F, Amendment No. 5, filed 11:23 a. m.
La Crosse Order No. 4–F, Amendment No. 5, filed 11:22 a. m.
La Crosse Order No. 5–F, Amendment No. 5, filed 11:19 a. m.
Milwaukee Order No. 1–W, filed 11:23 a. m.
Moline Order No. 2–F, Amendment No. 6, filed 11:12 a. m.
North Platte Order No. 16, filed 11:29 a. m.

REGION VIII

Phoenix Order No. 3–F, Amendment No. 12, filed 11:21 a. m.
Spokane Order No. 3–F, filed 11:24 a. m.
Spokane Order No. 4–F, filed 11:20 a. m.
Spokane Order No. 5–F, filed 11:19 a. m.
Spokane Order No. 6–F, filed 11:24 a. m.
Spokane Order No. 15, Amendment No. 1, filed 11:20 a. m.
Spokane Order No. 16, Amendment No. 1, filed 11:20 a. m.
Spokane Order No. 26, Amendment No. 1, filed 11:21 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4569; Filed, March 31, 1944; 11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1–2642]

SCRANTON LACE CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1944.

The Scranton Lace Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X–12D2–1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on the New York Curb Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on April 10, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4645; Filed, April 1, 1944; 2:05 p. m.]

[File Nos. 54–54, 70–559, 59–50]

NORTHERN STATES POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING ON AMENDED PLAN AND ON AMENDED DECLARATION AND APPLICATION AND ON OTHER MATTERS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March 1944.

In the matter of Northern States Power Company (Delaware), File No. 54–54; and Northern States Power Company (Minnesota), File No. 70–559; and Northern States Power Company (Delaware) and each of its subsidiaries, File No. 59–50.

Northern States Power Company (Delaware), a registered holding company which owns all of the common stock of Northern States Power Company (Minnesota), having, on June 3, 1942, filed a plan for its liquidation and dissolution pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of enabling that company to comply with the provisions of section 11 (b) of said act (File No. 54–54), and Northern States Power Company (Minnesota), a subsidiary of Northern States Power Company (Delaware) which is also a registered holding company, having, on June 5, 1942, filed a declaration and application pursuant to sections 6, 7, and 12 of the act relating to various transactions incident to said plan (File No. 70–559), and the Commission having, on June 5, 1942, issued an order instituting proceedings pursuant to sections 11 (b) (2), 15 (f), and 20 (a) with respect to the Northern States Power Company (Delaware) and each of its subsidiaries (File No. 59–50), which order also set the issues raised by the plan, the declaration and application, and the proceedings so instituted for consolidated hearings; and

Hearings having been held on the matters so consolidated from time to time commencing on July 8, 1942, and ending on August 5, 1943;

Notice is hereby given that on March 31, 1944, Northern States Power Company (Delaware) filed an amended plan for its liquidation and dissolution pursuant to the provisions of said section 11 (e). All interested persons are referred to said amended plan (File No. 54–54), which is on file at the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. Northern States Power Company (Delaware), (hereinafter sometimes referred to as the Delaware Company), proposes to discharge the open account indebtedness in the amount of $7,530,852.08 owing by it to Northern States Power Company (Minnesota) by (a) the surrender to the latter company of 481,111 shares of the presently outstanding 4,000,000 shares, without par value, of common stock of Northern States Power Company (Minnesota), (hereinafter sometimes referred to as the Minnesota Company), for a credit of $7,457,220.00 against such indebtedness, and (b) an assignment by the Delaware Company to the Minnesota Company of claims for federal income tax refunds for a credit of $73,632.08 against such indebtedness. (The sum of $7,457,220.00 at which the 481,111 shares are proposed to be surrendered is equivalent to about $15.50 per share and is stated to represent the approximate cost of such shares to the Delaware Company as determined by it for the purposes of the federal income tax laws. The stated capital represented by the 481,111 shares is $10,824,997.50, or $22.50 per share.)

2. In connection with the foregoing, the Minnesota Company proposes to agree, pursuant to an order of this Commission, to annually retain in its earned surplus over a period of 16¾ years commencing April 1, 1942, an amount equivalent to equal annual installments on the sum of $7,457,200.00 (namely, $333,905.44 in the year 1942 and $445,207.16 in each of the years of the period thereafter), which retained surplus shall not at any time be available for the declaration of dividends on any class of its stock.

3. Concurrently with the aforesaid surrender, the Minnesota Company proposes to credit its paid-in surplus with the excess, namely, $3,367,777.50 of the stated capital represented by the 481,111 shares over the amount at which such shares are to be accepted by the Minnesota Company and to then transfer such paid-in surplus credit to the stated capital represented by the then remaining 3,518,889 shares of its common stock. After such transfer the aggregate stated

value of the 3,518,889 shares would be $82,542,780.00.

4. The Delaware Company proposes to take the corporate action necessary to cause the Minnesota Company to reclassify the remaining 3,518,889 shares of the common stock of the Minnesota Company then having an aggregate stated value of $82,542,780.00 into 8,216,228 shares of common stock, without par value, having a stated value of $6.75 per share or an aggregate stated value of $55,459,539.00. It is proposed to transfer the amount by which the stated value of the common stock of the Minnesota Company will be thereby reduced, namely, $27,083,241.00 to paid-in surplus. (The proposal with respect to the resulting paid-in surplus of the Minnesota Company is related hereinafter in the summary of the amended declaration and application filed by that company.)

5. The Delaware Company proposes, at or prior to the effective date of the amended plan, to pay in cash the dividends accumulated, but not paid, during the years 1942 and 1943 on its 7% Cumulative Preferred Stock and 6% Cumulative Preferred Stock. Such payment will require the sum of $2,542,066.50 and will amount to $3.50 and $3.00 per share on the 7% Cumulative Preferred Stock and 6% Cumulative Preferred Stock, respectively.

6. The Delaware Company proposes to retire its outstanding capital stock of all classes by a distribution to the holders thereof of the 8,216,228 shares of the reclassified common stock of the Minnesota Company as follows:

10 shares of the reclassified common stock for each share of 7% Cumulative Preferred Stock of the Delaware Company and all remaining accumulated and unpaid dividends thereon, or an aggregate of 3,910,770 shares, representing 47.60% of all of the reclassified stock, to the holders of the 7% Cumulative Preferred Stock of the Delaware Company;

9 shares of the reclassified common stock for each share of 6% Cumulative Preferred Stock of the Delaware Company and all remaining accumulated and unpaid dividends thereon, or an aggregate of 3,519,891 shares, representing 42.84% of all of the reclassified stock, to the holders of the 6% Cumulative Preferred Stock of the Delaware Company;

2 shares of the reclassified common stock for each share of Class A Common stock of the Delaware Company, or an aggregate of 683,102 shares, representing 8.32% of all of the reclassified stock, to the holders of the Class A Common stock of the Delaware Company;

0.1405 share of the reclassified common stock for each share of Class B Common stock, or an aggregate of 102,465 shares, representing 1.24% of all of the reclassified stock, to the holders of the Class B Common stock of the Delaware Company;

In lieu of fractional shares of common stock, scrip certificates of the Minnesota Company will be issued representing rights to such fractional shares and exchangeable, when accompanied by other scrip certificates representing one or more full shares of stock, for certificates for such full shares, but entitling the holders thereof to no rights as stockholders of the Minnesota Company until so exchanged. If not so exchanged, all scrip certificates will become void in five years from the effective date of the amended plan.

7. The Delaware Company proposes to transfer, without consideration, any assets remaining after the distribution of the reclassified common stock and the payment of the expenses incident to the consummation of the amended plan to the Minnesota Company. These assets will consist of only a relatively small amount of net current assets.

8. The Delaware Company proposes to dissolve upon the consummation of the amended plan.

If this Commission should approve the amended plan for the liquidation and dissolution of the Delaware Company, that company requests that this Commission apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said act to enforce and carry out the terms and provisions of the amended plan.

Notice is further given that on March 31, 1944, Northern States Power Company (Minnesota) filed an amended declaration and application relating to transactions incident to carrying out the amended plan of its parent. All interested persons are referred to said documents (File No. 70-559), which are on file in the office of this Commission, for a statement of the transactions therein proposed which may be summarized as follows:

1. The Minnesota Company proposes to accept the payment of the open account indebtedness owing to it by the Delaware Company in the manner and under the terms and condition outlined in paragraphs numbered 1 and 2 above.

2. The Minnesota Company proposes to credit its paid-in surplus with the sum of $3,367,777.50 and thereafter to transfer such amount to the stated capital represented by its then remaining shares of common stock as related in paragraph numbered 3 above.

3. The Minnesota Company proposes to then reclassify its remaining 3,518,889 shares of common stock having, after the aforesaid transfer, an aggregate stated capital of $82,542,780.00 into 8,216,228 shares of common stock, without par value, having a stated value of $6.75 per share or an aggregate stated value of $55,459,539.00; to transfer the amount of the reduction in stated capital, namely, $27,083,241.00, to paid-in surplus, and to transfer the present balance sheet account, "Reserve for Possible Adjustment of Intangibles," in the amount of $3,398,908.57 to paid-in surplus. After such adjustments the paid-in surplus of the Minnesota Company will be in the amount of $33,286,903.08.

4. The Minnesota Company proposes to then create a "Reserve for Possible Adjustment of Utility Plant Accounts and Other Balance Sheet Accounts" in the amount of $29,500,000.00 by a charge against its earned surplus and to eliminate the deficit in the latter account resulting from such charge, namely $28,297,895.61, by a charge to its paid-in surplus.

5. The Minnesota Company proposes to charge the "Reserve for Possible Adjustment of Utility Plant Accounts and Other Balance Sheet Accounts" with (a) the sum of $6,557,219.54 now lodged in its "Plant and Equipment—Intangibles" account, which sum allegedly represents the amount of discounts on securities and profit to affiliated interests in connection with acquisitions of property, and (b) the sum of $80,490.50, which sum allegedly represents the excess of the cost to the Minnesota Company of 2,303 shares of the 7% and 6% Cumulative Preferred Stocks of the Delaware Company owned by it over the stated capital of $149,809.50 to be represented by the 22,194 shares of the reclassified common stock that the Minnesota Company will receive under the amended plan in exchange for such preferred stocks.

6. The Minnesota Company proposes to amend its Articles of Incorporation so as to provide: (a) For an increase in the voting rights of its Cumulative Preferred Stock, $5 Series, from one to three votes per share; (b) that in the event of defaults equivalent to four quarterly dividends on any series of preferred stock at the time outstanding, the preferred stock shall have the right, voting as a class, to elect, at the next meeting following such defaults, the smallest number of persons necessary to constitute a majority of the Board of Directors and such right once obtained shall continue until all dividends in default are paid; (c) that without the affirmative vote of the holders of a majority in number of the shares of preferred stock at the time outstanding, the company cannot create additional unsecured debt unless certain standards with respect to secured indebtedness, capital and surplus are met; and (d) that without the affirmative vote of the holders of a majority in number of the shares of preferred stock at the time outstanding, the company will not merge or consolidate with or into any other corporation unless such merger or consolidation shall have been approved by this Commission or by any successor Commission or regulatory authority of the United States of America having jurisdiction over the merger.

The Commission being required by the provisions of section 11 (e) of the act to find, after notice and opportunity for hearing and before approving any plan filed thereunder, that such plan, as submitted or as amended, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and it appearing appropriate that notice be given and a hearing held on the amended plan to afford all interested persons an opportunity to be heard with respect thereto; and

It being appropriate that notice be given and a hearing held with respect to the amended declaration and application of Northern States Power Company (Minnesota); that said amended declaration and application shall not become effective or be granted except pursuant to the further order of the Commission; and

It appearing that the common issues of fact and law arising in connection with the amended plan, the amended declaration and application, and the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) heretofore instituted and now pending make it appropriate that hearings on said matters be consolidated; *It is hereby ordered*:

(a) That the hearings on the amended plan of Northern States Power Company (Delaware), on the amended declaration and application of Northern States Power Company (Minnesota), and on the pending proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) with respect to Northern States Power Company (Delaware) and each of its subsidiaries be consolidated, subject to a reservation of jurisdiction to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said amended plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved;

(b) That the consolidated hearings be held on the 26th day of April, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 16th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its Rules of Practice, Rule XVII, on or before the 21st day of April, 1944.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That notice of this hearing be given to Northern States Power Company (Delaware) and Northern States Power Company (Minnesota) and to all other persons; such notice to be given to Northern States Power Company (Delaware) and Northern States Power Company (Minnesota) by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

It is further ordered, That Northern States Power Company (Delaware) mail a copy of the amended plan and this notice and order at least fifteen days prior to April 26, 1944, to each of its stockholders at his last-known address; and

It is further ordered, That without limiting the scope of issues presented by said amended plan, by said amended declaration and application, or by the pending proceedings instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the amended plan as proposed or as modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

2. Whether the accounting adjustments proposed by Northern States Power Company (Minnesota) are appropriate and in accordance with sound accounting principles and practice;

3. Generally, whether the proposed transactions of Northern States Power Company (Minnesota) are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

4. What orders, if any, should be entered pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act, to require Northern States Power Company (Delaware) or any of its subsidiaries to take such steps as the Commission may find necessary and appropriate to effect complete compliance with the provisions of said sections.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4664; Filed, April 3, 1944; 9:52 a. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 135]

SENEY WILDLIFE PROJECT, MICH.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Seney Wildlife Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 135. Said camp, located at Germfask, Schoolcraft County, Michigan, will be the base of operations for fish and wildlife work in the State of Michigan and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

2. That the work to be undertaken by the men assigned to Civilian Public Service Camp No. 135 will consist of fire suppression; construction of dams, roads, trails, fences and maintenance of lines, roads, trails, fire lanes and general improvement of wildlife breeding grounds by the control of flood waters; and various other allied projects under the technical direction of the Fish and Wildlife Service of the Department of the Interior. This Bureau will also be responsible for the housing, feeding, clothing, discipline and provision of necessary medical and dental care. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Supervision and control of the Seney Wildlife Project shall be under the Selective Service System through the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY, *Director.*

MARCH 31, 1944.

[F. R. Doc. 44-4667; Filed, April 3, 1944; 10:17 a. m.]

SOLID FUELS ADMINISTRATION FOR WAR.

ANTHRACITE

DISTRIBUTION AT WHOLESALE LEVEL AND USE IN POULTRY BROODERS OR HATCHERIES

Statement regarding Revised Regulation No. 11.

Revised Regulation No. 11 expires March 31, 1944. Since that regulation modifies the provisions of Revised Regulation No. 2, as amended, and Regulation No. 5, it is appropriate to issue this statement.

1. Revised Regulation No. 2, as amended, expires March 31, 1944, and it is contemplated that a new regulation controlling the distribution of anthracite at the wholesale level to all destinations and retail dealers within the United States will be issued effective April 1, 1944.

2. On April 1, 1944, the provisions of Regulation No. 5 will be in effect throughout the United States and orders for anthracite for use in poultry brooders or hatcheries shall be accorded preference pursuant to its provisions regardless of the place within the United States where any such poultry brooder or hatchery may be located.

Dated: March 30, 1944.

C. J. POTTER, *Deputy Solid Fuels Administrator for War.*

[F. R. Doc. 44-4496; Filed, March 30, 1944; 11:50 a. m.]

BY-PRODUCT, SPECIAL PURPOSE, AND LAKE COALS

INFORMATION TO BE INCLUDED IN ORDERS

Statement concerning information to be contained in orders for by-product and other special purpose coals, and for lake coals.

Since the issuance of Solid Fuels Administration for War Regulations Nos. 15 and 16, inquiry has been made as to whether industrial consumers of by-product and other special purpose coals, and lake coals are required to include in their orders for such coals the information specified in § 602.174 (a) of Solid Fuels Administration for War Regulation No. 10, as amended.

The information specified in § 602.174 (a) of Regulation No. 10 must be contained in orders for by-product and other special purposes coal regardless of method of transportation, notwithstanding that § 602.172 (b) excepts orders for such coals from the restrictions imposed by the regulation upon the basis of days' supply.

Except as specifically provided in § 602.174 (d) and (e), the information required in § 602.174 (a) must also be included in orders served upon producers and wholesalers (other than certain commercial dock operators) for coal for movement via the Great Lakes. However, orders for such coal served upon commercial dock operators located on Lake Superior or on the west bank of Lake Michigan, north of and including Waukegan, Illinois, need not contain such information [§ 602.174 (e) (iii)].

Nothing herein shall be deemed to modify in any way any regulation, order or direction issued by the Solid Fuels Administration for War.

Issued this 29th day of March 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-4495; Filed, March 30, 1944; 11:23 a. m.]

WAR PRODUCTION BOARD.

GLOBE UPHOLSTERERS, INC.

CONSENT ORDER

Globe Upholsterers, Inc., a corporation located at 884 Park Avenue, Brooklyn, New York, is engaged in the upholstery business; it was charged by the War Production Board on February 21, 1944, with having wilfully violated Limitation Order L-135 in that during the period beginning on or about November 1, 1942, through February 4, 1943, it wilfully and in violation of Limitation Order L-135 processed, fabricated, worked on and assembled more than 870 pieces of wood upholstered furniture containing steel springs and coils, although Limitation Order L-135 provided that on and after November 1, 1942, no new wood upholstered manufacturer should process, fabricate, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. The Globe Upholsterers, Inc., admits the violation as charged except that it denies the violations continued after January 22, 1943, and has consented to the issuance of this order. The Globe Upholstery Company, the successor co-partnership, has likewise admitted the violations by its predecessor and has likewise consented to the issuance of this order.

Wherefore, upon the agreement and consent of Globe Upholsterers, Inc., and Globe Upholstery Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, that:*

(a) Globe Upholsterers, Inc., and Globe Upholstery Company, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than five per cent of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders); and during the three months period beginning July 1, 1944, and ending September 30, 1944, it shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than ten per cent of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve Globe Upholsterers, Inc., and Globe Upholstery Company, their successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4657; Filed, April 1, 1944; 4:58 p. m.]

WAR SHIPPING ADMINISTRATION.

VESSEL "AVELINDA"

DETERMINATION AS TO OWNERSHIP

Notice of determination by War Shipping Administration pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas on August 8, 1942, title to the vessel AVELINDA (236007), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to Section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment is full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances, and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 31, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-4603; Filed, March 31, 1944; 4:38 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 68

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Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 2, Amdt. 2]

PART 1401—DAIRY PRODUCTS

REQUIREMENTS FOR PRODUCERS AND AUTHORIZED RECEIVERS TO SET ASIDE BUTTER

Food Distribution Order No. 2, issued by the Secretary of Agriculture of the United States on January 5, 1943, as amended (8 F.R. 253, 5696), is further amended to read as follows:

§ 1401.11 *Butter required to be set aside*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed. Unless otherwise specified by the Director, it shall include butter made from milk or cream containing whey cream and shall exclude butter made entirely from whey cream.

(2) The terms "U. S. 90 score" and "U. S. 89 score," respectively, mean U. S. Grade B, or 90 score, butter, and U. S. Grade C, or 89 score, butter, respectively, determined in accordance with the Official United States Standards for Grades of Creamery Butter, issued by the Secretary of Agriculture on January 20, 1943 (8 F.R. 1327).

(3) The term "person" means any individual, partnership, corporation, association, or any other business entity or organized group of persons, whether incorporated or not.

(4) The term "authorized receiver" means any person who holds a letter of authority, issued to him by the Director, to receive butter set aside pursuant to the provisions hereof.

(5) The term "set aside" means to set aside and hold for sale and delivery to any designated agency.

(6) The term "designated agency" means (i) Office of Distribution (including, but not being limited to, the Federal Surplus Commodities Corporation); (ii) Dairy Products Marketing Association, Inc.; (iii) the Armed Services of the United States (excluding, for the purposes of this order, the United States Army post exchanges, the United States Navy ship service departments, and the United States Marine Corps post exchanges); (iv) War Shipping Administration; (v) Veterans' Administration; (vi) any other agencies designated by the Director; and (vii) any person who, pursuant to a food distribution regulation, is entitled to purchase butter subject to this order.

(7) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(8) The term "producer" means a person who produces butter subject to the provisions of this order.

(9) The term "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions on producers and authorized receivers of butter.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, shall set aside in April 1944, and in each subsequent calendar month, a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such calendar month, regardless of the quantity of butter produced by him during or after April 1944.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, but who produces more than 12,000 pounds of butter in April 1944 or in any subsequent calendar month shall, during each calendar

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–8 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

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month thereafter, set aside a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such subsequent calendar month, regardless of the quantity of butter produced by such person in each such subsequent calendar month.

(3) In the event of a change in ownership with respect to a creamery, the production record of the former owner with respect to such creamery shall be the basis for reporting and setting aside butter by the new owner; and the purchaser of the creamery shall so report and set aside butter if (i) the person from whom he purchased the creamery was obligated to report and set aside butter or (ii) such purchaser is required by other provisions hereof to report and set aside butter.

(4) Notwithstanding the restrictions in paragraphs (b) (1), (2), and (3) hereof, any person required by the provisions of such paragraphs to set aside butter may, at his option, sell and deliver all or part of the butter set aside pursuant to the provisions hereof to any authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him, a quantity of butter equal to the quantity of such set-aside butter so sold and delivered to him, and such authorized receiver shall so set aside such quantity of such butter. An authorized receiver may sell and deliver set-aside butter to another authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him and in addition to all other butter required to be set aside by him, a quantity of butter equal to the quantity of set-aside butter so sold and delivered to him. Each person who sells and delivers set-aside butter to an authorized receiver shall deliver, with each such delivery, a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

This is to certify that of the ____ pounds of butter sold and delivered by me on ____, ____ pounds are butter set aside pursuant to the provisions of Food Distribution Order No. 2, issued by the Secretary of Agriculture of the United States on January 5, 1943, as amended, and you are required, pursuant to the provisions of said order, as amended, to set aside, upon receipt of such set-aside butter, out of butter owned by you, a quantity of butter equal to the aforesaid quantity of set-aside butter. The balance of ____ pounds is butter free from the restrictions of said order, as amended. I ____
(am)
____ an authorized receiver.
(am not)

____
(Signature)

This will acknowledge receipt of the above indicated quantity of set-aside butter.

____
(Signature of authorized receiver)

The aforesaid certificate, in duplicate, shall be signed (i) by the person selling and delivering set-aside butter, and (ii) by the authorized receiver accepting such set-aside butter; and such authorized receiver shall retain, for two years, one copy of such certificate and return the other to the person who sold and delivered such set-aside butter.

(5) All butter set aside pursuant to the provisions hereof shall be salted and shall be U. S. 90 score, or better, and shall be packed as bulk in domestic packages, unless

(i) Otherwise specified by the Director; or

(ii) The producer arranges with an authorized receiver to sell and deliver to such authorized receiver unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein and such authorized receiver agrees to set aside, upon receipt of such set-aside butter, an equal quantity of butter which is salted, is U. S. 90 score, or better, and is packaged as specified herein; or

(iii) The producer or authorized receiver has previously arranged with a designated agency to sell and deliver to such agency unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein; or

(iv) the producer manifests by butter grading certificates issued by the Office of Distribution, War Food Administration, or by other written evidence satisfactory to the Director, that the quantity of U. S. 90 score, and better, produced by such producer in the calendar month in which such butter is required to be set aside, is less than the quantity required to be set aside by such producer in such month, in which event the producer shall set aside all of the U. S. 90 score, and better, produced by him in such month and an additional quantity of U. S. 89 score produced by him in such month to the extent necessary to fulfill such producer's total set-aside requirements under the provisions hereof: *Provided*, That if a producer does not produce, during such month, an additional quantity, as aforesaid, of U. S. 89 score sufficient to fulfill such producer's total set-aside requirements, as aforesaid, he shall set aside all of the U. S. 89 score, and better, so produced by him, and thereupon he shall be deemed to have fulfilled the set-aside requirements, as aforesaid. Any authorized receiver who purchases and accepts delivery of any butter set aside in accordance with (iv) of this paragraph shall set aside, upon receipt of such butter, an equal quantity of butter which shall contain, at least, the same number of pounds of U. S. 90 score, or better, as that of U. S. 90 score, and better, contained in the quantity of butter so accepted by him, and the remainder, if any, thus set aside shall be U. S. 89 score. The Director may require any person who is required to set aside butter pursuant to the provisions hereof to submit butter grading certificates issued by the Office of Distribution or other evidences satisfactory to the Director relative to the grade of all butter produced or owned by such person.

(6) All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of butter.

(7) No person may serve as an authorized receiver unless he has received from the Director a letter of authority to serve as an authorized receiver. Any such letter of authority issued to become effective prior to April 1, 1944, shall not entitle the person to whom it was issued to serve as an authorized receiver on or after April 1, 1944: *Provided*, That any set-aside obligations incumbent on any such authorized receiver, with respect to butter acquired or butter produced by him on or prior to March 31, 1944, shall continue subsequent to March 31, 1944. Any person who desires to serve as an authorized receiver on or after April 1, 1944, shall file with the Director an application upon a form approved by the Director setting forth information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority if, in the opinion of the Director, the issuance of such letter of authority is necessary or appropriate in the public interest and to promote the national defense. Any letter of authority, issued as aforesaid, may be revoked at any time by the Director and all letters of authority issued to become effective on or after April 1, 1944, shall expire on March 31, 1945, or on such other date as the Director may specify by order. No person shall represent himself to be an authorized receiver unless he holds a letter of authority issued by the Director pursuant hereto. No person other than an authorized receiver shall purchase and receive or, after purchase and receipt thereof, deal in butter set aside pursuant to the provisions hereof.

(c) *Inventory restrictions.* (1) No authorized receiver shall, during any calendar month, unless authorized in writing by the Director, buy, or contract to buy, and accept delivery of any quantity of set-aside butter which will cause the total quantity of set-aside butter owned by such authorized receiver on the last day of such calendar month to exceed an amount equal to the total quantity of butter required to be set aside by such authorized receiver during such calendar month and the immediately preceding calendar month.

(2) Each producer and each authorized receiver, respectively, shall retain in his possession at all times a quantity of set-aside butter which is equal to the total quantity of butter required to be set aside by each such person minus the quantity of set-aside butter (i) sold and delivered by each such person to authorized receivers or designated agencies, and (ii) released from the set-aside provisions hereof.

(d) *Releases by Director.* The Director may release any butter from the restrictions of this order if he determines that no designated agency has contracted for, or declared its intention or desire to contract for, such butter within such period as may be specified by the Director, or that such butter is not required for such agencies. The Director may issue such administrative rulings, regulations, interpretations, and exemptions, as he deems necessary to facilitate, expedite, and accomplish the purposes of this order.

(e) *Existing contracts.* The provisions of this order and of any regulation or order issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any designated agency, to any such agency.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall maintain, for at least two years, or for such period of time as the Director may designate, an accurate record of his transactions in butter.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of butter of any person and to make such investigations as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who

considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the administrator of this order. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 2, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using, butter, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, except as provided herein or unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, Food Distribution Order No. 2, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply only in the area included in the 48 States of the United States and the District of Columbia.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said Food Distribution Order No. 2, as amended, prior to the effective time of the provisions hereof, all provisions of Food Distribution Order No. 2, as amended, in effect prior to the issuance of this order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4654; Filed, April 1, 1944; 4:12 p. m.]

[FDO 79-7, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHICAGO, ILL., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-7 (8 F.R. 13371), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Chicago, Illinois, metropolitan milk sales area, issued by the Director of Food Distribution on September 30, 1943, as amended, is further amended so as to read as follows:

§ 1401.40 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts other than cottage, pot, or baker's cheese, or cream for delivery, and does not operate facilities for the processing and bottling of fluid milk.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Chicago, Illinois, metropolitan milk area, and is referred to hereinafter as the "sales area":

The city of Chicago and the entire area included in:

The townships of Waukegan, Shields, Deerfield, and West Deerfield in Lake County, Illinois; the counties of Cook and DuPage in Illinois; the townships of Aurora, Batavia, Dundee, Elgin, Geneva, and St. Charles in Kane County, Illinois; the townships of Calumet, Hobart, and North in Lake County, Indiana.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* Each calendar month subsequent to the effective date of this order is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, cream and butterfat in cream made in the sales area by such handler during the base period, after excluding the base period deliveries of the character described in (h) hereof, and after adjusting such deliveries for transfers made pursuant to (j) and for relief as granted pursuant to (k), by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage; (i) Milk, 100 percent of pounds of milk; (ii) Cream, 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts, 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 400 units of milk, cream, and milk byproducts: *Provided,* That not more than 200 units of such total consist of cream or of any one milk byproduct. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) One quart of milk;

(2) One-half pint of cream; and

(3) One quart of fluid byproduct, or one-half pound of cottage, pot, or baker's cheese.

(h) *Quota exclusions and exemptions.* The following deliveries of milk, milk byproducts, or cream shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas:

(1) To other handlers, except for such deliveries to sub-handlers.

(2) To plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area.

(3) To the agencies or groups specified in (d) of FDO 79.

(4) To industrial users in their capacity as such users and as determined by the market agent to be manufacturing products which require as an ingredient, milk, cream or milk byproducts, which are disposed of primarily for resale to consumers off the premises where made, and

(5) To schools determined by the market agent to be at high-school level or below.

(i) *Quota adjustments.* Within each quota period, a handler may at his discretion:

(1) Increase the pounds of cream in his cream quota to the extent that the substitution of the figure 100 for the figure 75 set out in (e) (3) (ii) will permit as follows:

(i) By reducing the average butterfat test of his cream deliveries below the average butterfat test of his cream quota, with the result that for each such reduction of 1 percent, the pounds of cream he may deliver may be increased by 4.5 percent of the pounds of cream in his cream quota computed pursuant to (e);

(ii) By transferring byproducts quota to cream quota, with the result that for each reduction of one pound in byproducts quota, the pounds of cream he may deliver may be increased at the following rates:

1 lb. of byproducts quota=.34 lbs. of 20% cream quota.
1 lb. of byproducts quota=.36 lbs. of 19% cream quota.
1 lb. of byproducts quota=.37 lbs. of 18% cream quota.
1 lb. of byproducts quota=.38 lbs. of 17% cream quota.
1 lb. of byproducts quota=.40 lbs. of 16% cream quota.
1 lb. of byproducts quota=.41 lbs. of 15% cream quota.
1 lb. of byproducts quota=.43 lbs. of 14% cream quota.
1 lb. of byproducts quota=.45 lbs. of 13% cream quota.
1 lb. of byproducts quota=.47 lbs. of 12% cream quota.

or, (iii) by reducing the butterfat content of cream deliveries and transferring byproducts quota to cream quota through the use of a combination of (i) and (ii).

(2) Increase the pounds of milk byproducts in milk byproducts quota by transferring cream quota at the following rates:

1 lb. of 20% cream quota=2.91 lbs. of byproducts quota.
1 lb. of 19% cream quota=2.81 lbs. of byproducts quota.
1 lb. of 18% cream quota=2.72 lbs. of byproducts quota.
1 lb. of 17% cream quota=2.62 lbs. of byproducts quota.
1 lb. of 16% cream quota=2.52 lbs. of byproducts quota.
1 lb. of 15% cream quota=2.43 lbs. of byproducts quota.
1 lb. of 14% cream quota=2.33 lbs. of byproducts quota.
1 lb. of 13% cream quota=2.24 lbs. of byproducts quota.
1 lb. of 12% cream quota=2.14 lbs. of byproducts quota.

(3) Increase the pounds of milk in milk quota by:

(i) Transferring milk byproducts quota to milk quota at the rate of one pound of milk byproducts quota for each 0.75 pound of milk quota;

(ii) Transferring cream quota to milk quota at the following rates:

1 lb. of 20% cream quota=2.19 lbs. of milk quota.
1 lb. of 19% cream quota=2.12 lbs. of milk quota.
1 lb. of 18% cream quota=2.05 lbs. of milk quota.
1 lb. of 17% cream quota=1.97 lbs. of milk quota.
1 lb. of 16% cream quota=1.90 lbs. of milk quota.
1 lb. of 15% cream quota=1.83 lbs. of milk quota.
1 lb. of 14% cream quota=1.76 lbs. of milk quota.
1 lb. of 13% cream quota=1.69 lbs. of milk quota.
1 lb. of 12% cream quota=1.61 lbs. of milk quota.

(j) *Transfers of quotas between handlers.* The market agent is empowered to transfer quota between handlers as follows:

(1) Upon application and after written notice to the director and to each handler involved to:

(i) Reflect transfers of accounts occurring between the base period and October 4, 1943;

(ii) Permit deliveries to purchasers whose handlers have denied them service;

(iii) Permit a handler to serve an account which customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis: *Provided,* That the amounts of quota transferred to serve such accounts shall not exceed deliveries to such accounts in the base period or in the quota period next preceding the transfer, whichever is less; and

(2) Upon receipt of a request in writing from each handler involved to permit an exchange of quota between such handlers, except that a transfer of quota made up of deliveries to sub-handlers shall require proof of prior written notice of such request to each sub-handler affected and shall be subject for a period of seven days, from the date of filing of request and proof of notice, to a further transfer, to be made upon application by the sub-handler and the prospective supplying handler and notice to the other handlers affected.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (g) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Expense of administration.* Each handler shall pay to the market agent within 10 days after the close of each calendar month, an assessment of $0.005 per hundredweight of each of milk, cream, fluid milk byproducts, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period (other than a quota period during which offsetting deliveries below quota are to be made under this provision) in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) *Effective date.* This amendment shall become effective at 11:59 p. m., e. w. t., March 31, 1944. With respect to violations of said Food Distribution Order No. 79-7, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-7, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807 E.O. 9334, 8 F.R. 5423 E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-4648; Filed, April 1, 1944; 12:39 p. m.]

[FDO 79-75, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LOS ANGELES, CALIF., METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-75 (8 F.R. 14370), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Los Angeles, California, metropolitan milk sales area, issued by the Director of Food Distribution on October 22, 1943, as amended, is hereby further amended by deleting therefrom the description of the sales area in § 1401.87 (b) and inserting, in lieu thereof, the following:

The entire area within Los Angeles County, excluding the communities of Little Rock, Palmdale, Denis, Lancaster, Roosevelt, Oban and El Vista; the entire area within Orange County; that portion of San Bernardino County south of the township line between Townships Three and Four, north of the San Bernardino base meridian and west of 117 west longitude; and that portion of Riverside County north of the township line between Townships Four and Five, south of the San Bernardino base meridian and west of 117 west longitude, all within the State of California.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-75, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-75, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of March 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-4647; Filed, April 1, 1944; 12:39 p. m.]

[FDO 91, Termination]

PART 1414—POULTRY

RESTRICTIONS ON POULTRY IN STORAGE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and Executive Order No. 9392, dated October 28, 1943, it is hereby ordered, as follows:

That Food Distribution Order No. 91, issued by the War Food Administrator on December 29, 1943 (8 F.R. 17502), placing restrictions on poultry in storage, be, and the same is, hereby terminated at 12:01 a. m., e. w. t. April 3, 1944.

With respect to violations of said Food Distribution Order No. 91, rights accrued, liabilities incurred, or appeals taken under said order, prior to the effective time of the termination thereof, said Food Distribution Order No. 91 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4783; Filed, April 3, 1944; 4:43 p. m.]

[FDO 96-1]

PART 1468—GRAIN

PERCENTAGE OF CORN REQUIRED TO BE SET ASIDE

Pursuant to the provisions of Food Distribution Order No. 96 (9 F.R. 2939), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1468.7 *Percentage of corn required to be set aside.* The amount of corn required to be set aside under the provisions of (b) (1) and (b) (2) of Food Distribution Order No. 96 shall be 60 percent.

This order shall become effective at 12:01 a. m., e. w. t., April 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 96, prior to the effective date of this order, all provisions of said Food Distribution Order No. 96 in effect prior to this order shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO No. 96, 9 F.R. 2939)

Issued this 31st day of March 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-4646; Filed, April 1, 1944; 12:39 p. m.]

[FDO 45, Amdt. 3]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

Food Distribution Order 45, as amended (8 F.R. 14880), is further amended as follows:

1. By amending (a) (3) thereof to read as follows:

(3) "Country shipper" means any person whose total deliveries of beans, exclusive of his deliveries thereof to another country shipper, during any calendar month subsequent to July 1, 1943, has exceeded or exceeds 20,000 pounds, and who (i) owns beans, in whole or in part, which he has caused to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state, whether for his own account or the joint account of himself and another; or (ii) purchases, for his own account or for the joint account of himself and another, beans from a grower who caused such beans to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state. Any person who once qualifies as a country shipper within this definition shall thereafter be deemed to be a country shipper and subject to the terms and conditions of this order, regardless of the volume of his deliveries in succeeding months, unless he obtains a release from the Director.

2. By amending (a) (7) thereof to read as follows:

(7) "Governmental agency" means (i) the Armed Services of the United States (however, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations shall not be deemed a part of the Armed Services of the United States); (ii) The Office of Distribution, War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); and (iii) any other instrumentality or agency designated by the War Food Administration.

3. By adding at the end of (a) thereof the following new provision:

(9) "Deliveries into civilian channels" means the delivery of beans to persons other than governmental agencies, country shippers, and authorized purchasers in accordance with the provisions of (b) (4), or to any person for use as feed or seed, in accordance with the provisions of (b) (7).

4. By amending (b) (1) thereof to read as follows:

(1) Every country shipper shall during each calendar month set aside and thereafter hold for delivery to governmental agencies or authorized purchasers a quantity of Pea beans, Great Northern beans, Flat Small White beans, Cranberry beans, Small Red beans or Pinto beans equal to at least 25 percent of his total deliveries of such classes of beans into civilian channels during such calendar month, and a quantity of Small White beans, Light Red Kidney beans, Dark Red Kidney beans, Western Red Kidney beans, Pink beans or Baby Lima beans equal to at least 100 percent of his total deliveries of such classes of beans into civilian channels during such calendar month.

5. By amending (b) (7) thereof to read as follows:

(7) Nothing herein shall be applicable to beans sold and delivered exclusively for use as seed, in compliance with State and Federal seed laws, or for use as feed for poultry or livestock, provided that the person purchasing or accepting delivery of beans for such purposes shall execute and deliver to the country shipper a certificate in substantially the form attached hereto as Exhibit B. Such certificate shall be retained by the country shipper for inspection by and, upon request, delivery to the Director. The representations made in such certificates shall constitute representations to the War Food Administrator. A certificate shall be given for each specific delivery of beans exempted from the provisions of the order under the terms of this paragraph. One copy should be delivered to the country shipper and one retained by the purchaser. No country shipper shall, however, be entitled to rely on any certificate if he knows or has reasonable cause to believe it to be false.

6. By amending (h) thereof to read as follows:

(h) *Releases.* (1) The Director may, notwithstanding any of the provisions hereof, release any or all of the beans set aside pursuant to the provisions of this order.

(2) Upon application, the Director may release any person from the classification of a "country shipper" if the person seeking removal from such classification shows to the satisfaction of the Director (i) that his total deliveries of beans during each of the two calendar months next preceding the date of his application, exclusive of his deliveries to any country shipper, have not exceeded 20,000 pounds; (ii) that he is currently in compliance with the provisions of the order; (iii) that he has delivered or contracted to deliver to governmental agencies or authorized purchasers all of the beans required to be set aside except a quantity of less than a carlot; and (iv) that he does not intend to operate as a country shipper.

This amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order 45, as amended, prior to the effective date of this amendment, all the provisions of said Food Distribution Order 45, as amended, in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

EXHIBIT B—PURCHASER'S CERTIFICATE REQUIRED BY PARAGRAPH (b) (7) OF FOOD DISTRIBUTION ORDER 45, AS AMENDED, COVERING BEANS PURCHASED FOR SEED OR FEED PURPOSES

Commodity and class	Quantity
Use (insert whether for feed or seed purpose)	Purchaser's name
Grade	Purchaser's address
Country shipper	Country shipper's address

In accordance with paragraph (b) (7) of Food Distribution Order 45, as amended, the undersigned hereby certifies to the War Food Administrator that the undersigned purchaser is familiar with the terms of Food Distribution Order 45 (as originally issued or subsequently amended), that this certificate is issued to obtain the beans herein described under exemption from the set aside requirements of Food Distribution Order 45, as amended, and that the undersigned will use the beans purchased exclusively for the use specified in this certificate.

Date	Signature of purchaser

[F. R. Doc. 44-4733; Filed, April 3, 1944; 2:57 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 524—EMPLOYMENT OF HANDICAPPED PERSONS PURSUANT TO SECTION 14 OF THE FAIR LABOR STANDARDS ACT OF 1938

VOCATIONAL REHABILITATION BY VETERANS' ADMINISTRATION

The following amendment to regulations, Part 524 (Employment of Handicapped Persons Pursuant to section 14 of the Fair Labor Standards Act of 1938) is hereby issued. This amendment shall become effective upon my signing the original and upon publication thereof in the FEDERAL REGISTER.

§ 524.14 *Vocational rehabilitation by Veterans' Administration.* The following provisions, notwithstanding any other section of these regulations, shall govern the issuance of temporary and special certificates to veterans handicapped by a service-incurred disability (as determined by the Veterans' Administration) employed under any vocational rehabilitation program administered by the Veterans' Administration:

(a) Temporary certificates authorizing the employment of veterans handicapped by a service-incurred disability (as determined by the Veterans' Administration) under any vocational rehabilitation program administered by the Veterans' Administration at wages lower than the minimum wage applicable under section 6 of the Fair Labor Standards Act may be issued by such representatives of the Veterans' Administration as shall have been duly designated by the Administrator of the Wage and Hour Division, United States Department of Labor, as his authorized representatives for that purpose, whenever employment at such lower rate is necessary in order to prevent curtailment of opportunities for employment. Requests for temporary certificates will not be favorably considered unless:

(1) Other opportunities for the desired training neither exist nor are available in the veterans' community and

(2) The trainees' disabilities preclude initial entrance into training at the minimum wage otherwise applicable.

(b) No wage rate shall be fixed in any temporary certificate authorizing the employment-training of a disabled veteran at less than 75 percent of the minimum wage applicable under section 6 save in exceptional and unusual cases. A certificate, however, will not necessarily be issued at a rate as low as 75 percent of the minimum. In each case the rate will be set at a figure designed adequately to reflect the individual trainee's earning capacity.

In establishments where nonhandicapped workers in the same occupation are employed on a piece-rate basis, the trainee shall be paid on the same piece-rate basis and in no case less than the hourly wage rate set forth in the certificate. If the wage rate established by a temporary certificate differs from that established by an applicable Federal or State law, or municipal ordinance, or order, or certificate, or license issued thereunder, the higher wage rate shall prevail.

(c) A temporary certificate shall be valid under the terms and conditions prescribed therein for a period of not longer than three months.

(d) Within 10 days after issuance of a temporary certificate, a copy thereof shall be forwarded by the authorized representative of the Veterans' Administration to the appropriate regional director of the Wage and Hour Division, United States Department of Labor, together with his recommendation covering the agreed subminimum rate or rates for the balance of the veteran's training period. The regional director may then issue a special certificate, prior to the expiration of the temporary certificate, authorizing the employment-training of the named trainee by the named employer at the subminimum wage rate or rates and for the length of time specified in the training agreement entered into by the Veterans' Administration and the employer. A special certificate, effective upon the expiration of the temporary certificate, shall be valid for such length of time as the regional director determines to be necessary to prevent curtailment of opportunities for employment, but in no case for a period in excess of nine months from the date of expiration of the temporary certificate.

(e) Where unusual conditions necessitate a period of employment-training at a subminimum wage rate in excess of one year, a renewal certificate may be issued by the Wage and Hour Division, United States Department of Labor, upon the application and recommendation of the authorized representative of the Veterans' Administration.

(f) No employer shall employ any trainee under a temporary or special certificate at a wage rate lower than the rate applicable in such certificate. Each certificate issued under this section shall specify the wage rate or rates at which a trainee may be employed and the length of time for which such rate or rates shall be applicable.

(g) A temporary or special certificate may be revoked, in accordance with the procedure prescribed in § 524.9 of these regulations, by the authorized regional representative of the Administrator for cause at any time.

(h) Each employer to whom a certificate may be issued under this section shall preserve such certificate in accord-

ance with the requirements of § 534.5 of these regulations.

(i) The provisions of §§ 524.12 and 524.13 of these regulations are hereby incorporated in and made a part of this section.

Signed at Washington, D. C., this 25th day of March 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-4750; Filed, April 3, 1944; 2:57 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3695; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-478, Reinstatement]

JAMES A. GAVIN & SONS, INC.

James A. Gavin & Sons, Inc., a New Jersey corporation located at 310 Main Street, Paterson, New Jersey, was suspended on January 15, 1944, by Suspension Order No. S-478. It appealed from the provisions of the suspension order and, pending determination of that appeal, the suspension order was stayed by letter directed to the corporation on February 2, 1944. The appeal has been considered by the Deputy Chief Compliance Commissioner who has found that there were violations of Limitation Order L-219 of the War Production Board and that they were wilful, and he has recommended that the appeal be dismissed, the stay terminated, and the suspension order reinstated. The suspension order, which limited total receipts of consumers' goods during the first quarter, was in effect for eighteen days. Although there is no evidence that the corporation actually curtailed its total first quarter receipts as a result of the suspension order, in order to reinstate the suspension order and have it equitably apply for a full quarter, the Deputy Chief Compliance Commissioner has directed that the allowable percentage of receipts of consumers' goods be increased to eighty per cent., in accordance with the order, and that the order be reinstated for the whole of the second quarter for 1944. In view of the foregoing,

It is hereby ordered, That: § 1010.478, *Suspension Order No. S-478* issued January 8, 1944, to take effect January 15, 1944, be and hereby is reinstated; the stay of execution issued by letter to the corporation on February 2, 1944, and confirmed by official stay issued February 9, 1944, be and hereby is revoked; and paragraphs (a) and (c) be and hereby are amended to read as follows:

(a) James A. Gavin & Sons, Inc., its successors or assigns, during the second quarterly period of 1944 (April 1 to July 1) shall compute its allowable receipts of consumers' goods in accordance with paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L-219 as a controlled merchant whose mercantile inventory is greater than its inventory limit at the beginning of any quarterly period under and shall conform to paragraph (d) (1), (d) (2) and (e) of Consumers' Goods Inventory Limitation Order L-219; it shall not during the second quarter of 1944 receive consumers' goods in excess of 80% of the amount thus computed under paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L-219, unless hereafter specifically authorized by the War Production Board.

(c) This order shall take effect on April 1, 1944, and shall expire on July 1, 1944.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4661; Filed, April 1, 1944; 4:52 p. m.]

PART 933—COPPER

[Conservation Order M-9-c, as Amended Apr. 4, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M-9-c*—(a) *Restrictions on manufacture of articles appearing on combined list.* No manufacturer of any article on the combined list attached, or of parts (including repair parts [1]) for any such article, may, if such article or parts contain copper products, or copper base alloy products, continue their manufacture by means of processing, assembling or finishing.

(b) *Restrictions on manufacture of articles not appearing on combined list out of inventory on hand on June 30, 1942.* (1) A manufacturer of any article omitted from the combined list or excepted from that list, or of parts (including repair parts [1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing:

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured to fill a purchase order, existing or prospective,[2] bearing a preference rating of AA-5 or higher or, in the case of a controlled materials producer under the Controlled Materials Plan, to fill an authorized controlled material order; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized in writing by the War Production Board, pursuant to an application on Form WPB-940 (formerly Form PD-426), or otherwise, to manufacture the article or parts in question with the copper products or copper base alloy products being used.

(2) The provisions of paragraph (b) (1) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the combined list or excepted from that list. The provisions of paragraph (b) (1) shall also not apply to the manufacturing of any machinery omitted from the Combined List or excepted from that list, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on June 30, 1942 are bushings, bearings, nuts, bolts, screws, washers, and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *General restrictions on manufacture and plating.* (1) No manufacturer may continue the manufacture of any article or parts (including repair parts) if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material [3] is practicable. Furthermore, no manufacturer may continue the manufacture of any article or parts (including repair parts) if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any article on the combined list or for plating any parts (including repair parts) of such an article, is prohibited unless such plating is expressly stated in the list to be permissible.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the combined list or excepted from that list, and the plating of parts (including repair parts) for such an article, is permitted provided that:

(a) Such plating is not for decorative purposes, or part of a decoration, or an undercoating for lead or silver plating (however, a copper strike may be used as an undercoating for silver when silver is used as a substitute for cadmium in electroplating); and

(b) The use of, or the normal wear on, such article or parts would make impracticable any other form of coating.

(d) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34), as amended from time to time.

(f) *Exceptions*—(1) *Applicability of order to certain Governmental agencies.* The provisions of this order shall not apply to the use of copper products or copper base alloy products in the manufacture of any article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) *Installation.* The provisions of this order shall not apply to the installation of any article or part (including a repair part) for the ultimate consumer on his premises when any manufacturing of such article or part is incidental to the installation and is done on the consumer's premises. This exception does not, however, in any way affect or modify the provisions of Supplementary Conservation Order M-9-c-4 (restricting the installation of certain types of copper and copper base alloy pipe, tube, fittings, plumbing fixture fittings and trim, and building materials) or of any other order restricting installation.

(3) *Repair.* The restrictions of this order (other than those contained in paragraph (c)) shall not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and when all manufacturing done by him is with knowledge of the particular used article to be repaired. The restrictions of this order (other than those contained in paragraph (c)) shall also not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, even if the manufacturer of the parts or the person making the repair uses copper products or copper base alloy products weighing in the aggregate more than two pounds, when (i) the copper scrap or copper base alloy scrap derived from the article being repaired weighs within one pound of the copper product or copper base alloy product used, (ii) all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M-9-b and (iii) all manufacturing done is with knowledge of the particular used article to be repaired.

(g) *Special products; restrictions and exceptions*—(1) *Printing and publishing industries.* After October 3, 1943, the provisions of this order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping, and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste, and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3. All other uses in those industries of copper products, copper base alloy products, copper scrap, and copper base alloy scrap are governed by Conservation Order M-339. Nothing contained in this paragraph (g) (1) shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products under paragraph (a) and the Combined List of this order.

(2) *Insect screening.* This order does not restrict the delivery, installation, or cutting of (i) used or second hand insect screening, (ii) insect screening in any roll which was initially cut before April 10, 1942, or (iii) insect screening in rolls which have been rejected by Copper Recovery Corporation or Metals Reserve Company, or their agent, before February 12, 1944 for any reason, or on or after that date for the reason stated in writing that the screening does not meet the specifications of the government buying program. However, no person shall deliver, install, or cut any other copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (ii) unless such delivery, installation, or cutting shall be with the specific authorization of the War Production Board. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C. Reference: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the Combined List. (See the item "insect screening" under the heading "Miscellaneous" on the combined list).

(3) *Copper products not controlled by order.* The provisions of this order shall not apply to the manufacture of the following articles and parts (including repair parts) even though they contain copper products, or copper base alloy products, since these articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.
Fire protective equipment governed by General Limitation Order L-39.
Motorized fire apparatus governed by General Limitation Order L-43.
Bronze paste, bronze ink, and bronze leaf, and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.
Jewelry governed by Supplementary Conservation Order M-9-c-2.
Musical instruments governed by Supplementary Limitation Order L-37-a.
Water meters governed by Schedule I of Limitation Order L-154.

(4) *Attachment and assembly work.* (i) The provisions of this order do not apply to attaching finished slide fasteners, hook and eyes, brassiere hooks, sewon, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress cottons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to the manufacture, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(ii) The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy. The provisions of this order do, however, apply to the manufacture, processing and finishing of watch and clock cases and of all other parts of watches and clocks and to assembling watches and clocks except as specifically exempted in this paragraph.

(h) *Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(3) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(4) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(5) "Manufacturer" means a person who manufactures, processes, assembles,

[1] See also paragraph (f) (3) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

[2] Priorities Regulation No. 1, § 944.14, prohibits the manufacture of more than a practicable minimum working inventory of articles or parts to fill prospective orders.

[3] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply."

or finishes. "Manufacture" includes processing, assembling, and finishing.

(i) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a) or (c) of this order shall be made by filing Form WPB–1477 (formerly PD–800 revised) with the War Production Board, Washington 25, D. C., Reference: M–9–c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C., Reference: M–9–c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether the articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of any articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (c) of this order.

AUTOMOTIVE, TRAILER * AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L–106 governing the use of copper and copper base alloy in the manufacture of automotive parts entering into the production of, or as replacement parts for, passenger automobiles, motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles and Order L–170–a governing the use of copper and copper base alloy in the manufacture of certain farm tractors and engine power units for farm machinery.

Ambulance hardware (for locks, see under the heading "Miscellaneous" on this list).
Automotive maintenance equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–270).
Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Heaters (except when the only copper products or copper base alloy products used are (i) for parts necessary for conducting electricity or (ii) for water courses and tanks of radiators if made of copper base alloy containing not more than 71% of copper).
Hearse hardware (for locks see under the heading "Miscellaneous" on this list).
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and for plating reflectors as provided by the item "Reflectors * * *" on this list under the heading "Miscellaneous").
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Motor-driven power cycles as defined in Order L–301 (except when the only copper products or copper base alloy products used are for parts necessary for generating and conducting electricity, or for carburetors, clutch facings or repair parts).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES AND HARDWARE

(Excluding supplies and hardware for ships, boats and aircraft)

Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L–38, either because the order therefor is an "authorized order" under L–38 or otherwise).
Blinds, including fixture fittings and trimmings.
Builders' finishing hardware, including hinges (except in those parts of plants where the use of non-sparking metal is necessary to prevent a hazard in the production, use or storage of explosives and except when the only copper products or copper base alloy products used are permitted by the terms of paragraph (g) of Schedule I of Order L–236). For locks see under the heading "Miscellaneous" on this list.
Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring for hospital operating and anesthetic rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).
Conduits.
Decorative hardware—including house numbers.
Door knockers, checks, pulls, and stops.
Doors, door and window frames, sills and parts, including door handles and knobs.
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).
Expansion bolts and caulking anchors.
Gravel stops and snow-guards.
Grilles.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Hangers and tracks for private garages.
Incinerator hardware and fittings.
Letter boxes and mail chutes.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conduction or electricity).
Linoleum stripping.
Ornamental metal work.
Pile butt protection.
Pipe, tube, tubing and fittings for water supply or water distribution systems and installations or for any gas supply or gas distribution system (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use in chlorine gas equipment).
Plumbing and heating supplies:
  Bands on pipe covering.
  Cistern and low-water floats.
  Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by the terms of Orders L–185 and L–65).
  Pipe, tube, tubing and fittings for piping systems (except solder nipples and ferrules).
  Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V and XII of Order L–42 or any schedules or orders taking their place, or are permitted by a specific authorization of the War Production Board granted pursuant to such a schedule or order).
Push, kick, switch, floor and all other device plates.
Roof, roofing, roofing nails, flashing valleys, and other roofing items.
Sash balances.
Sheet, roll, and strip for building construction.
Shelves.
Stair and threshold treads.
Termite shields.
Terrazzo strips, reglets, and mouldings.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).
Ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial urns.
Burial vaults.
Caskets and casket hardware. See also Order L–64.
Memorial tablets.
Morticians' supplies.
  (See also the item "Boxes, * * *" under the heading "Miscellaneous" on this list.)

CLOTHING AND DRESS ACCESSORIES

(See also Order L–60)

Dress ornaments.
Handbag fittings.
Insignia.
Metal cloths.
  (See also the item "Slide fasteners * * *" under the heading "Miscellaneous" on this list.)

* See also under "Passenger Transportation Equipment" on this List.

FURNISHINGS AND EQUIPMENT

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters.
Curtain fasteners, rods and rings.
Cuspidors.
Fans (See the item "Fans * * *" under the heading "Miscellaneous" on this list).
Furniture.
Furniture hardware (for locks, see under the heading "Miscellaneous" on this list).
Gas heater and stove installation connections.
Hollow-ware.
Mud scrapers.
Portable heaters (except repair parts for electric portable heaters when the only copper product or copper base alloy products used are permitted by the terms of Order L–65).
Shower curtains.
Stoves and ranges for household cooking use, gas (except when each valve contains not more than ⅛ cu. of copper base alloy and each control contains not more than 1½ cu. of copper base alloy and the stove or range contains no other copper or copper base alloy whatever; or except when the stove contains no copper or copper base alloy whatever other than 1½ cu. of copper base alloy in each control and the copper base alloy contained in any valves which either were finished prior to August 7, 1942, or which were or will be finished subsequent to that date pursuant to the granting of an appeal to a valve manufacturer).
Stoves and ranges other than gas stoves and ranges for household cooking use (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity).
Timers, for stoves and ranges.
Trays.
Upholsterers' supplies, including nails and tacks.
Vases, pitchers, bowls, and arteraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors and similar items.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
  Beater bars and beaters.
  Head boxes for jordans, paper machines or any other use for regulating stock flow.
  Bars and fillings for jordans, refiners or any similar equipment used in the preparation of paper stock.
  Savealls, filters, washers, deckers or any similar equipment (except for screens).
  Stock and water lines, including shower pipes.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to:
  Advertising specialties.
  Atomizers (see also this list under "Miscellaneous").
  Bar fittings.
  Book ends.
  Cosmetic containers.
  Lighters.
  Napkin rings.
  Picture frames.
  Smokers' accessories, including ash trays.
  Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, busses, and trailers, but excluding locomotives)

All items under the heading "Furnishings and equipment".

Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L–38, either because the order therefor is an "authorized order" under Order L–38 or otherwise).
Bands on pipe covering.
Decorative, general, and finish hardware, and ornamental metal work (for locks, see under the heading "Miscellaneous" on this List).
Door knockers, checks, pulls and stops.
Doors and windows; door and window frames and window sills.
Drinking water reservoirs.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Pipe, tube, tubing, and fitting for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screening.
Towel and luggage racks.
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting *Fig. 8* or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L–39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Arch supports.
Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).
Barrel hoops.
Badges.
Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories.
Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers, when the only copper products or copper base alloy products used are permitted by the terms of Order L–65.
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L–126 or under any schedule of Order L–38).
Bicycles, and similar vehicles (See also Order L–52).
Binoculars, including opera glasses.
Bird and pet cages and stands.
Blow torches, gasoline, kerosene and alcohol (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block).
Bottle coolers.
Boxes, cans, jars and other containers.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals). See also the item "Stencils * * *" on this list.
Brushes (except for the types used in electric motors and generators; and except for industrial brushes used for (a) applications requiring non-sparking characteristics, (b) burring of needles, (c) the manufacture of precision gauges, or (d) the manufacture of combat end-products complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States, or when prescribed for field or combat use by the Army or Navy of any foreign country, and (e) except for drawing, spacing, or binding wire for other industrial brushes where copper or copper base alloy wire is essential to the efficient performance of the brush). The term "drawing, spacing, or binding wire" does not include "stapling wire."
Cabinets.
Canes.
Carpet rods.
Cash registers.
Change making, and coin handling machines and devices (except for machines and devices, the production of which has been authorized under Order L–54–c).
Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Clothes line pulleys and reels and scrubbing boards.
Cooking utensils (except for commercial processing machinery when the only copper products or copper base alloy products used are permitted by the terms of Order L–292 or by a specific authorization of the War Production Board granted pursuant to such order).
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, heat exchangers, bearings, and worm gears for speed reducers).
Cutlery, including pocket knives.
Daubers for shoe polish.
Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–248 or by a specific authorization of the War Production Board granted pursuant to such order) and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L–7.
Domestic laundry equipment as defined in Order L–6 (except that copper products or copper base alloy products may be used in the assembly of new domestic laundry equipment when such assembly is specifically authorized by the War Production Board under Order L–6; and except that copper products or copper base alloy products may be used in the production of repair and replacement parts for domestic laundry equipment to the extent permitted by the terms of Order L–6).

Domestic mechanical refrigerators as defined in Order L-6.
Domestic vacuum cleaners as defined in Order L-15.
Electric blankets.
Electric irons, portable, designed primarily to be used in ironing or pressing wearing apparel and having a self-contained heating element in which heat is generated by the passage of electricity (except that copper products or copper base alloy products may be used in the manufacture of current carrying parts and for plating).
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Electrical appliances, as defined in Order L-65 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).
Electrolytic devices for the removal and prevention of scale in boilers and condensers.
Flashlights and lanterns powered by dry cell batteries (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For other lanterns, see the item "Lanterns * * *" on this list.
Fans, electric, as defined in Order L-176 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-176 or by a specific authorization of the War Production Board granted pursuant to such order).
Floats for liquid level control.
Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens.
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V and XII of Order L-42).
Furniture grommets.
Games as defined in Order L-31.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Hand saw screws, nuts and washers for attaching saw blades to the handle.
Hammers, including mallets.
Health supplies, except the following:
Acoustic aids
Anaesthesia apparatus and supplies,
Atomizers (medical use only),
Diagnostic equipment and supplies,
Hypodermic syringes and needles,
Infant incubators,
Instruments,
Laboratory equipment and supplies,
Medicinal chemicals (limited to medical use only),
Operating room supplies and equipment,
Ophthalmic products and instruments,
Physical therapy equipment (limited to medical use only),
Respirators, resuscitators and iron lungs,
Rubber hospital sundries,
Splints and fracture equipment,
Sterilizers, blanket and solution warmers,
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports),
Sutures and suture needles, and
X-ray equipment and supplies.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Insect screening.
Kitchen utensils, devices and machines other than electrical appliances. For electrical appliances see the item "Electrical appliances * * *" on this list.
Kitchen and miscellaneous household articles.
Lace tips.
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric (except for non-portable lamps for use in hospitals or in industry, otherwise than in offices, and then only when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper base alloy products used are for valves, controls, and wicks).
Lanterns (except those powered by dry cell batteries, covered by the item "Flashlights * * *" on this list).
Lawn sprinklers, mowers, seeders and rollers.
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under the heading "Building Supplies and Hardware" on this list.
Livestock and poultry equipment (except for bull rings; and except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and wafer thermostats).
Locks (except pin tumbler and disc tumbler cylinder assemblies; essential interior working parts of mortise locks, rim locks, dead locks and night latches; levers, tubes and centers for secure lever locks; interior working parts of railway car door locks and railway switch padlocks; keys for pin tumbler and disc tumbler locks; postal locks when manufactured by the Mail and Equipment Section of the United States Post Office; and except when the only copper products or copper base alloy products used are permitted by the terms of paragraph (g) of Schedule I of Order L-236).
Loose-leaf binders.
Luggage fittings, trim and hardware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Mattress buttons and furniture glides.
Medals, including decorations.
Mirrors.
Motion picture and projection equipment (i) except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions and (ii) except for motion picture and projection equipment of the types the production and distribution of which is regulated by Order L-267 or Order L-325).
Name, identification, instruction and data plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pari-mutuel, gambling and gaming machines, devices and accessories.
Pencils, mechanical.
Phonographs or other record players.
Photographic equipment and accessories ((i) except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office; (ii) except for X-ray equipment; and (iii) except for photographic equipment and accessories of the types the production and distribution of which is regulated by Order L-267).
Pins.
Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers or scrapings from old rollers).
Putty and scraping knives.
Radio receiving sets and vacuum tubes (except when their manufacture is permitted by the terms of Order L-265).
Razors operated by electricity (except for repair parts).
Razors not operated by electricity (except when the only copper products or copper base alloy products used in making safety razors or parts are for heads and for plating, and, in making straight razors or parts, are for rivets, pins and washers.
Reclaimers for heating water.
Reflectors (except that copper or copper base alloy products may be used for electroplating glass reflectors in connection with silvering when the reflectors are to be used in street and highway illumination or in traffic signals, flood lights, searchlights, locomotive headlamps, hospital operating room lights, and airport lighting equipment as defined by Order L-235, or for electroplating on steel reflectors for searchlights, flood lights, airport lighting equipment as defined by Order L-235, and automotive headlamps of types other than sealed beam headlamps).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L-190.)
Screens and points for oil wells and water wells ((i) except for public and industrial water supply systems and installations and (ii) except for agricultural water supply systems when the only copper products or copper base alloy products used is used fourdrinier wire screening.)
Seismograph loading pole couplings.
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L-29.)
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, garter trimmings, hose supporters, personal hardware, pin fasteners, slides, and trouser trimmings; except as may be permitted by the terms of Order L-114 and eyelets, loops, staples, rivets, burrs and tacks for use on wearing apparel, except as may be permitted by the terms of Order L-114.
Slot, game and vending machines, including parking meters.
Soda fountain equipment (except for repair and replacement parts manufactured in conformity with the inventory restrictions of Order L-38).
Sound equipment attachments for motion picture projection machines (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions).
Sporting goods, and fishing and hunting equipment and supplies, except fishing equipment and supplies for commercial fishing use.
Staples for fastening cartons and containers.
Stationery supplies:
Desk accessories. (See also Order L-78.)
Office supplies. (See also Order L-78.)
Pencils. (See also Order L-227.)
Pens and penholders.
Statues.
Stencils, adjustable and otherwise (except for hand cut stencils for marking shipments).
Sundials.

Table flatware (except for a copper-silver strike).
Telescopes.
Tent poles and parts.
Thermos jugs and bottles.
Tokens.
Toys.
Tying devices for laundry.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L-368.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves (i) where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical or (ii) where and to the extent permitted by the terms of Order L-252 or by a specific authorization of the War Production Board granted pursuant to that order).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

MILITARY EXEMPTION LIST

Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Binoculars.
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communications equipment and for powder charges).
Buttons and insignia for military uniforms when and to the extent that their manufacture is specifically authorized in writing by the War Production Board.
Carbonated beverage dispensing units and soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Conduits and pipe (for radio and electrical communications equipment).
Chronometer and watch cases.
Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA-3 or higher only.
Electric blankets.
Field ranges and ski stoves.
Fishing equipment and supplies for use on life boats and rafts.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Hammers, including mallets.
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heater coils for hospital, laundry and bakery projects.
Instruction and data plates of wrought material of a gauge of 1/32nd of an inch or less (for use in aircraft and on board ship).
Instruction and data plates from cast material of a gauge of 3/32nd of an inch or less (for use on board ship but only if and to the extent specified by the specifications, other than performance specifications, of the governmental agency acquiring the plate).
Kitchen utensils' devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Lanterns, gasoline (generators, valves and controls, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lighting equipment and accessories for use in aircraft, on board ship and for use in lighting aids for marine or aerial navigation, and for searchlights.
Locks and latches (for use on board ship) and padlocks (for use where non-sparking metal is necessary to prevent a hazard from explosives).
Mirrors, when they are to be installed on board ship and the only copper product or copper base alloy product used is for coating the backing of the mirror to a thickness not in excess of .0015 inch.
Motion picture and projection equipment.
Paint (for ship bottoms and flying boat hull bottoms).
Phonographs and other record players being produced on a rating of AA-3 or higher.
Photographic equipment and accessories.
Pins for hinges (for use on board ship).
Prescription scales (health supplies).
Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).
Screens and points for water wells.
Shells and caps for electric sockets (for use in aircraft and on board ship).
(i) Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots; and (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA-3 or higher.
Sound equipment attachments for motion picture projection machines.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).
Valves of vacuum type, up to 3 inches.

NOTE: Interpretations 1-4 are obsolete.

INTERPRETATION 5

USE OF COPPER IN THE MANUFACTURE OF CERTAIN DRAINS AND STRAINERS

Copper Conservation Order M-9-c, as amended December 10, 1941, specifically prohibited any person from using after March 31, 1942, any copper or copper base alloy in the manufacture of gutters, leaders or downspouts, or accessories thereto, and of all roofing items, to go on private buildings. These provisions have remained in the order without interruption.

In addition, since May 7, 1942, paragraph (d) (1) of Order M-9-c (relettered as paragraph (c) (1) when the order was amended on October 4, 1943), has provided that no manufacturer may continue to manufacture from copper or copper base alloy, any article the manufacture of which, with copper or copper base alloy, is not specifically prohibited by the order, if it is practicable to use any material less scarce than copper, brass or bronze to make the article.

For some time, many manufacturers have been making floor, roof, cesspool and shower drains and strainers out of galvanized steel or iron; and it has been demonstrated that the use for such purposes of this type of material instead of copper or copper base alloy is practicable for all uses to which these articles are put except their use in places where explosives are handled or stored or where explosive vapors may be present. Furthermore, the types of iron and steel used as well as zinc, are less scarce materials than copper or copper base alloy.

Accordingly, manufacturers are prohibited by Copper Conservation Order M-9-c from using brass or other copper and copper base alloy materials to make all roof, floor, cesspool and shower drains or strainers, even if the drains or strainers are not accessories to gutters, leaders or downspouts, or roofing items. An exception to the foregoing arises in the case of drains or strainers for floors in places where explosives are handled or stored or where explosive vapors may be present. (Issued Oct. 19, 1943.)

[F. R. Doc. 44-4770; Filed, April 4, 1944; 11:50 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Export Schedules X-11 Through X-18, as Amended Apr. 4, 1944]

APPLICABLE EXPORT SCHEDULES OF QUOTAS FOR FARM MACHINERY, EQUIPMENT AND REPAIRS FOR EXPORT FOR THE CURRENT QUOTA PERIOD JULY 1, 1944, TO JUNE 30, 1945

§ 1029.18 *Export Schedule X-11 through X-18 to Limitation Order L-257-a.* In accordance with the provisions of Orders L-257 and L-257-a, the following are the "applicable export schedules" for the current quota period starting July 1, 1944. These are similar to the applicable export schedules for the current quota period ending June 30, 1944, with some minor changes and consolidations, and with certain changes in quota percentages.

The production quotas set forth in these export schedules should be used by producers as the basis for planning their production, establishing production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued before the effective date of these schedules, which is July 1, 1944. In figuring his anticipated production, each producer must comply with the provisions of the basic Limitation Orders L-257 and L-257-a.

Quotas for countries listed on Schedules X-11, X-13, X-14, X-15, and X-16, below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair parts to all the countries in the particular group.

Quotas for countries listed on Schedule X-17 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

NOTE: A quota percentage is not established for countries listed in Schedule X-12 below. Quotas for these countries will be allocated specifically from time to time under paragraph (c) (4) of Order L-257-a.

SCHEDULE X-11—QUOTA PERCENTAGE 88%

Bolivia	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela
Guatemala	

NOTE: Argentina has been transferred to Schedule X-13.

SCHEDULE X-12—QUOTA PERCENTAGE 0%

Aden	Iceland
Arabia Peninsula States	Italian Somaliland
Argentina	Italy
Azores	Liberia
Bahrein Island	Madagascar
Belgian Congo	Malta and Gozo
Belgium	Mauritius and Dependencies
British Oceania	Miquelon and St. Pierre
British Somaliland	Mozambique
Canary Islands	Netherlands
Cape Verde Islands	Newfoundland
Ceylon	Norway
China	Poland
Curaçao	Portugal
Cyprus	Portuguese Guinea and Angola
Cyrenaica	Rio de Oro and Spanish Guinea
Denmark	St. Helena and Dependencies
Eire	Spain
Ethiopia	Spanish Morocco
Falkland Islands	Surinam (Dutch Guiana)
France	Sweden
French Cameroons	Switzerland
French Equatorial Africa	Syria
French Guiana	Tangier
French Oceania	Tripolitania
French Somaliland	U. S. S. R.
French West Africa	Yugoslavia
French West Indies	
Gibraltar	
Greece	
Greenland	

SCHEDULE X-13—QUOTA PERCENTAGE 64%

United Kingdom:
- Great Britain
- North Ireland
- Scotland
- Wales

SCHEDULE X-14—QUOTA PERCENTAGE 712%

French North Africa:
- Algeria
- French Morocco
- Tunisia

SCHEDULE X-15—QUOTA PERCENTAGE 150%

British West Indies:
- Bahamas
- Barbados
- Bermuda
- Jamaica
- Leeward Islands
- Trinidad and Tobago
- Windward Islands

SCHEDULE X-16—QUOTA PERCENTAGE 37%

British West Africa:
- Cameroons (British)
- Gambia
- Gold Coast
- Nigeria
- Sierra Leone

SCHEDULE X-17—QUOTA PERCENTAGES

Australia	429
British East Africa	164
British Honduras	83
British Guiana	400
Egypt and Sudan	570
India	54
Iran	58
Iraq (Mesopotamia)	800
New Zealand	232
Palestine	208
North and South Rhodesia	330
Turkey	100
Union of South Africa	145

CANADA

SCHEDULE X-18

NOTE: Schedule X-18 amended April 4, 1944.

Quotas for the following items of farm machinery and equipment (excluding attachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule B of Order L-257. Bracketed items may be handled as indicated in paragraph (d) (2).

The quota base for each item of attachments, and for repair parts, is one-half the net shipping weight of the 1940 and 1941 shipments thereof. Note option to lump all attachments as provided in paragraph (d) (3).

Items not listed are not to be manufactured for shipment to Canada.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)

Item		Quota percentages
4	Two row, corn	81
6	Three row and over, corn	88

DIVISION 2: PLANTERS (TRACTOR MOUNTED)

10	Two row, corn	81
12	Three row and over, corn	0

DIVISION 3: POTATO PLANTERS (HORSE AND TRACTOR DRAWN)

14	One row	152
14a	Two row and larger	152

DIVISION 4: TRANSPLANTERS

15	Horse or tractor drawn, tractor mounted or self-propelled	87

DIVISION 7: BEET AND BEAN DRILLS OR PLANTERS

23	Horse or tractor drawn, or tractor mounted	124

DIVISION 8: GRAIN DRILLS

25	Fertilizer drills, horse or tractor drawn	67
26	Plain drills, horse or tractor drawn	93
26a	Plain, over 14 run, horse or tractor drawn	92
(1)	Press drill, horse or tractor drawn	37

DIVISION 10: GARDEN PLANTERS

30	Hand, wheel type	125

DIVISION 12: LIME SPREADERS (SOWERS)

33	Wheeled hopper type sower, horse or tractor drawn	84

DIVISION 13: MANURE SPREADERS AND LOADERS

36	Four Wheel, horse or tractor drawn	133
37	Two Wheel, tractor drawn	131

GROUP 2: FARM PLOWS AND LISTERS

DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)

44	Walking, two horse and larger	57
46	Gang, two bottom and larger	26

DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)

47	One bottom, tractor drawn	83
48	Two bottom, tractor drawn	83
49	Three bottom, tractor drawn	69
50	Four bottom, tractor drawn	68
51	Five bottom and larger, tractor drawn	88
52	One bottom, tractor mounted	74
53	Two bottom, tractor mounted	73

[1] No applicable item number on Schedule B of Order L-257.

GROUP 2: FARM PLOWS AND LISTERS—Con.

DIVISION 4: DISC PLOWS (TRACTOR DRAWN)

Item		Quota percentages
56	Two disc	0
57	Three disc	0

DIVISION 5: ONE-WAY DISC PLOWS OR TILLERS

63	Under five feet	94
63a	Five foot and over	94
(1)	Seed boxes for one-way plows	92

GROUP 3: HARROWS, ROLLERS, PULVERIZERS & STALK CUTTERS

DIVISION 1: FARM TYPE HARROWS

78	Spike tooth harrow sections (steel), horse or tractor drawn	65
79	Spring tooth harrow sections (steel), horse or tractor drawn	65
80	Disc harrows, horse drawn	56
80a	Disc harrows, tractor drawn or mounted	82

DIVISION 3: SOIL PULVERIZERS AND PACKERS

(1)	Trailer Packers for one-way plows	41

GROUP 4: CULTIVATORS AND WEEDERS

DIVISION 1: CULTIVATORS (HORSE OR TRACTOR DRAWN)

91	One horse (all types) including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows	100
93	One row, riding, two horse	96
95	Beet and bean cultivators	76
96	Field cultivators, including chisels and orchard cultivators	65
97	Hand cultivators, wheel type, including hand plows	100

DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)

98	One row	83
99	Two row, shovel or disc type	83
100	Three row and over, all types	83

DIVISION 4: WEEDERS, DRAWN OR MOUNTED

103	Rod weeders, horse or tractor drawn	95

DIVISION 5: OTHER CULTIVATORS AND WEEDERS

(1)	Tobacco cultivators	50

GROUP 5: FARM SPRAYERS, DUSTERS, AND ORCHARD HEATERS

DIVISION 1: POWER SPRAYERS

108a	Orchard type, auxiliary engine	166
108b	Orchard type, power take-off	0
108g	Field or row crop type, auxiliary engine	147
108h	Field or row crop type, power take-off	0
109	Traction sprayers	147

DIVISION 2: HAND SPRAYERS WITH TANK BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)

110	Compressed air	100
111	Knapsack, self contained	
112	Trombone, pump type	
113	Bucket, pump type, single cylinder	
114	Bucket, pump type, double cylinder	
115	Atomizing, single action (1 qt. and larger capacity)	
116	Atomizing, continuous (1 qt. and larger capacity)	

DIVISION 3: HAND PUMP SPRAYERS (CAPACITY SIX GALLONS OR MORE)

117	Barrel pump sprayer	165
118	Wheelbarrow sprayer	168

GROUP 5: FARM SPRAYERS, DUSTERS, AND ORCHARD HEATERS—Continued

DIVISION 4: SPRAY PUMPS, POWER

Item		Quota percentages
119	Spray pumps, power	100

DIVISION 6: DUSTERS

121	Power duster, auxiliary engines	164
121a	Power duster, power take-off	171
122	Traction dusters	146
123	Hand dusters, all types	100

GROUP 6: HARVESTING MACHINERY

DIVISION 1: COMBINES (HARVESTER THRESHERS)

126	Width of cut, 6 ft. & under, auxiliary engines	119
126a	Width of cut, 6 ft. & under, power take-off	119
127	Width of cut, over 6 ft. including 10 ft.	119
128	Width of cut, over 10 feet	119
128a	Windrowers or swathers	244
(2)	Pickup for combine	200

DIVISION 2: GRAIN AND RICE BINDERS

129	Grain binders (ground drive)	67
130	Grain binders (power take-off drive)	78

DIVISION 3: CORN BINDERS

132	Corn binders, ground drive	75
132a	Corn binders, power take-off	75

DIVISION 4: CORN PICKERS

133	One row, mounted type	127
134	Two row, mounted type	122
135	One row, pull type	128
136	Two row, pull type	132

DIVISION 5: FIELD ENSILAGE HARVESTERS—ROW TYPE

137	Field ensilage harvesters (row type) (to be allotted).	

DIVISION 6: POTATO DIGGERS AND PICKERS

139	One row, ground drive	172
139a	One row, power take-off	172
139b	Two row, power take-off	173
139c	Potato Pickers (to be allotted).	

DIVISION 9: SUGAR BEET AND CANE HARVESTING EQUIPMENT

141	Beet lifters, horse or tractor drawn	97

GROUP 7: FARM HAYING MACHINERY

DIVISION 1: MOWERS

146	Horse or tractor drawn (ground drive)	98
147	Tractor mounted or semi-mounted (power take-off drive)	98
(1)	Knife or sickle grinder	71

DIVISION 2: RAKES

148	Sulky (dump)	93
149	Side delivery (incl. comb. side rakes and tedders)	129
150	Sweep (horse)	75

DIVISION 3: HAY LOADERS

151	Hay loaders	164

DIVISION 4: STACKERS

152	Stationary	100

DIVISION 5: PICK-UP HAY BALERS AND BALE LOADERS

153	Pick-up hay balers—Power take off (to be allotted)	

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

DIVISION 1: STATIONARY THRESHERS—GRAIN, RICE AND ALFALFA

158	Threshers, width of cylinder under 28 ins.	40
159	Threshers, width of cylinder 28 ins. and over	40

[1] No applicable item number on Schedule B of Order L-257.

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Continued

DIVISION 4: ENSILAGE CUTTERS—SILO FILLERS

Item		Quota percentages
162	Ensilage cutters (silo fillers)	89

DIVISION 5: FEED CUTTERS—HAND POWER

163	Feed cutters, hand and power	105

DIVISION 6: CORN SHELLERS

164	Corn shellers (hand)	40
165	Spring (2, 4, 6, and 8 hole)	40
166	Cylinder (150 bu. and under)	40
167	Cylinder (over 150 bushels)	40

DIVISION 8: FEED GRINDERS AND CRUSHERS (FARM)

174	Power, burr type	163
175	Hammer type	
175a	Roughage mills, combination type with cutter head and Grinders	77
175b	Feed Mixers (not concrete mixers)	126

DIVISION 10: GRAIN CLEANERS AND GRADERS

176	Cleaners and graders—farm type (small grain and seed)	96

DIVISION 11: SORTERS AND GRADERS

177	Potato sorters and graders	86
(1)	Roller or crusher	33
(1)	Pulper	100

GROUP 9: FARM ELEVATORS AND BLOWERS

DIVISION 1: ELEVATORS—PORTABLE

188	Elevators, portable	99

GROUP 10: TRACTORS

DIVISION 1: FARM TRACTORS, WHEEL TYPE, BY RATED BELT H. P.

192	Special purpose, under 20 H. P.	75
193	Special purpose, 20 and over	75
194	All purpose under 20 H. P.	75
195	All purpose 20 and over	75

DIVISION 2: GARDEN TRACTORS

196	Garden tractors (incl. motor tillers) (to be allotted)	

GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

DIVISION 1: WAGONS AND TRUCKS

205	Wagon gears (less box)	89
206	Truck gears (less box)	97

DIVISION 2: WAGON BODIES

207	Wagon & truck boxes, farm	141

GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)

DIVISION 1: DEEP AND SHALLOW WELL SYSTEMS

213	Deep well, reciprocal	126
214	Deep or shallow well, jet type	126
215	Shallow well, 250-499 gals. per hour	128
216	Shallow well, 500 gals. per hour and over	128

DIVISION 2: POWER PUMPS

217	Horizontal type, up to and incl. 75 gal. p. m. 100. lbs pressure	129

GROUP 14: FARM PUMPS AND WINDMILLS

DIVISION 1: PUMPS, WATER

220	Pitcher pumps	87
221	Hand and windmill pumps	162

DIVISION 2: WINDMILLS

222	Windmill heads	92
223	Windmill towers	47

DIVISION 3: PUMP JACKS

224	Pump jacks	158

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

DIVISION 1: MILKING MACHINES

Item		Quota percentages
237	Milking machines (complete outfits)	185

DIVISION 2: FARM CREAM SEPARATORS

239	Capacity 251 lbs. to 800 lbs. per hour	186
240	Capacity 801 lbs. to 1600 lbs. per hour	185

DIVISION 4: FARM BUTTER MAKING EQUIPMENT

243	Butter churns	80

GROUP 17: BARN AND BARNYARD EQUIPMENT

DIVISION 2: HAY UNLOADING EQUIPMENT

254	Hay carriers	103
255	Track for hay carriers	103
256	Hay forks, harpoon, and grapple	103

DIVISION 4: LIVESTOCK DRINKING CUPS AND WATERING BOWLS

261	Livestock drinking cups	131

DIVISION 5: BARNYARD STOCK TANKS

264	Hog troughs (iron and steel)	75

DIVISION 6: OTHER BARN & BARNYARD EQUIPMENT

270	Hog waterers	75
271	Hog rings (to be allotted).	
272	Bull rings (to be allotted).	
(1)	Pulleys & fittings for hay forks (to be allotted).	
(1)	Calf weaners (to be allotted).	

GROUP 18: FARM POULTRY EQUIPMENT

DIVISION 1: INCUBATORS

274	Incubators, 1,000-egg capacity & smaller	105
275	Incubators, over 1,000-egg capacity	105

DIVISION 3: FLOOR BROODERS

277	Coal (over 100 chick capacity)	159
278	Gas (over 100 chick capacity)	
279	Wood (over 100 chick capacity)	
280	Electric (over 100 chick capacity)	

NOTE: Producers may use one-half their production of oil brooders (over 100 chick capacity), as well as one-half their production of coal, gas, wood and electric types, during 1940 and 1941, in figuring their total brooder quota; but they can produce for shipment to Canada only the coal, gas, wood, and electric types listed above.

DIVISION 5: BATTERY BROODERS (HEATED)

282	Four deck (heated)	100

DIVISION 8: OTHER FARM POULTRY EQUIPMENT

(1)	Egg cleaners & brushes, hand use only (to be allotted).	

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

DIVISION 4: HARNESS HARDWARE

298	Harness hardware (to be allotted).	

DIVISION 6: ELECTRIC FENCE CONTROLLERS

300	Electric fence controllers	225
301	Electric fence accessories	200

DIVISION 8: FARM WOOD-SAWING MACHINES

309	Farm wood-sawing machines incl. self-powered cross-cut and drag 5 H. P. and less (to be allotted).	

GROUP 18: FARM POULTRY EQUIPMENT—Con.

DIVISION 10: FARM ELECTRIC PLANTS (WIND-DRIVEN)

Item		*Quota percentages*
311	Farm electric plants (wind-driven electric generating plants only; does not include batteries or towers)	26
	ATTACHMENTS AND REPAIR PARTS	
(1)	Repair parts, in the aggregate (base is one-half the net shipping weight of total 1940–1941 shipments of repairs)	150
(1)	Attachments: Quota percentage for each attachment item is the same as that listed above for the machine or item with which the attachment is used, except that the base is net shipping weight instead of units. If a producer chooses to lump all attachments as explained in paragraph (d) (3) of Order L–257–a, he may use the quota "100%" for purposes of this Schedule X–18 instead of the "75%" specified in that paragraph.	

[1] No applicable item number on Schedule B of Order L–257.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1075—CONSTRUCTION

[Conservation Order L–41, Interpretation 5]

DISTINCTION BETWEEN RESIDENTIAL AND FARM CONSTRUCTION

The following interpretation is issued with respect to Conservation Order L–41.

Under the terms of paragraph (c) (1) of L–41 not more than $200 may be spent on a house, including the entire residential property, over a year's period. Under paragraph (c) (2) of that order not more than $1,000 may be spent on a farm, "including the farm house". A property is not necessarily a "farm" because farm products are produced on it but only if it is used primarily for the raising of crops, livestock, dairy products, poultry, etc., for the market.

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By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1075—CONSTRUCTION

[Conservation Order L–41, Interpretation 6]

MAINTENANCE AND REPAIR OF SIDINGS

The following interpretation is issued with respect to Conservation Order L–41.

Paragraph (d) (1) of L–41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L–41–d.

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By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L–42, as Amended April 4, 1944, Schedule V]

PLUMBING FIXTURE FITTINGS AND TRIM

§ 1076.6 *Schedule V to Limitation Order L–42*—(a) *Definitions.* For the purpose of this schedule:

(1) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Limitations.* Pursuant to Limitation Order L–42 the following limitations are established for the manufacture of plumbing fixture fittings and trim:

(1) No copper or copper base alloy shall be used in the manufacture of any plumbing fixture fittings or trim, except the items specified on List A.

(2) No zinc shall be used in the manufacture of any plumbing fixture fittings or trim other than the items specified on List B, except for plating, coating or galvanizing.

(3) No cadmium, chromium, or nickel shall be used for plating or coating.

(4) No metal shall be used in the manufacture of any plumbing fixture fittings or trim on List C.

(c) *General exceptions.* The restrictions of this schedule do not apply to the production of articles or parts not available in the producers inventory for use in ships, boats, planes or advance bases (when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels), or for use in chemical and research laboratories, abattoirs, food packing and processing plants, hospitals, clinics, dispensaries and railroad cars.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—COPPER AND COPPER BASE ALLOY

Copper base alloy may be used for the following items. Castings shall be made without the use of any primary copper or tin and shall be of no higher grade than Alloy 5A of American Society of Testing Materials Specification B–145–42–T.

Number and item:

1. Drinking fountain bubbler, guard, regulator and self closing valve (to be made according to the minimum requirements of the U. S. Public Health Service)
2. Glass-filler faucet
3. Upper and lower lift wires
4. Spud or insert (for flush balls and floats)
5. Flush valves for high tanks
6. Ball cock complete, including hush tube and refill tube, but not including float and float rod
7. Ring, for lead traps—not including plugs or covers

The use of copper and copper base alloy in the following items is limited to valve stems, valve seats, bonnets, disc and disc screws, or valve trimming units combining these separate parts into one unit, and springs for self-closing faucets, provided it does not exceed the weight specified for each item.

Number and item:	*Ounces*
8. Bathtub filler (½" I. P. S.) exposed	8.0
9. Bathtub filler (½" I. P. S.) concealed	21.0
10. Combination tub and shower supply assembly (½" I. P. S.)	30.0
11. Lavatory supply fittings (combination)	9.0
12. Lavatory faucet (single)	4.0
13. Laundry tray combination faucet (½" I. P. S.)	9.0
14. Laundry tray faucet (single)	5.0
15. Service sink combination faucet (½" I. P. S.)	11.0
16. Shower, two-valve (exposed ½" I. P. S.)	11.0
17. Shower, two-valve (concealed ½" I. P. S.)	21.0
18. Sink faucet, single (plain, hose and solid flange ½" and ⅝" I. P. S.)	5.0
19. Sink faucet (deck, swinging, rigid, and concealed ½" I. P. S.)	11.0
20. Self-closing faucet or stop	12.0
21. Self-closing stop for shower	12.0

Copper and copper base alloy may be used in the manufacture of the following items, provided it does not exceed the weight specified for each item:

	Ounces
22. Automatic high tank supply valve—¾"	8.0
23. Automatic high tank supply valve—1" or larger	13.0
24. Automatic high tank supply valve—1¼" or larger	16.0
25. Flushometer valve, stop and back-flow preventor	13.0
26. Wash fountain trim	16.0

LIST B—ZINC PERMITTED IN THE FOLLOWING ITEMS

Number and item:

1. Clean out plugs (fixture traps).
2. Escutcheon holders (thimbles).
3. Flush tank trip lever assembly.
4. Nuts (lock, slip, coupling or bonnet).
5. Spuds or inserts (for handles).
6. Handles, faucet.

LIST C—NO METAL PERMITTED

Number and item:

1. Floats (ball cock), except for spud.
2. Flush balls, except for spud and inserts.
3. Pop-up wastes.
4. Trip-lever wastes, or other mechanical waste assembly.
5. Escutcheons.

[F. R. Doc. 44–4774; Filed, April 4, 1944; 11:49 a. m.]

PART 1293—BUILDING MATERIALS

[General Limitation Order L–157, Schedule III, as Amended Apr. 4, 1944]

MANUALLY-OPERATED WOOD AND SPECIAL PURPOSE SAWS

Section 1293.4 *Schedule III to Limitation Order L–157* is hereby amended to read as follows:

§ 1293.4 *Schedule III to Limitation Order L–157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps or otherwise fabricates manually-operated wood and special purpose saws.

(2) "Manually-operated wood and special purpose saws" means the following saws:

(i) Handsaws, crosscut and rip.
(ii) Mitre, cabinet, and back saws.
(iii) Compass and keyhole saws and nests of saws.
(iv) Special purpose handsaws of the kinds listed in Table 4.
(v) Pruning saws.
(vi) Cordwood (buck) and pulpwood saws.
(vii) Crosscut saws, two-man.
(viii) Crosscut saws, one-man.
(ix) Ice saws.

(3) "Quota" means (i) 20 percent of the dollar sales value of the saws on a specified table of Appendix A manufactured by a producer during 1941, plus (ii) the dollar sales value of such saws manufactured by a producer in accordance with special authorizations (appeals) granted to him by the War Production Board during 1943.

(4) "Lend-Lease government" means the government of any foreign country entitled to receive material or equipment under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) "Non-conforming saws" means any manually-operated wood and special purpose saws other than the types, grades, sizes and number of models set forth in Appendix A of this schedule.

(b) *Simplified practices.* Pursuant to Limitation Order L–157, no producer shall manufacture any manually-operated wood and special purpose saws other than the types, grades, sizes and number of models set forth in Appendix A. An exception to this rule appears in paragraph (c).

(c) *Production of non-conforming saws.* As an exception to the rule set forth in paragraph (b), non-conforming saws may be manufactured to fill orders (1) for a Lend-Lease government, (2) from any person holding an export license issued by the Foreign Economic Administration, or (3) from persons located in the Dominion of Canada. However, during the year 1944, and during every calendar year thereafter, no producer shall manufacture more non-conforming saws, by dollar value, than he manufactured to fill the above three kinds of orders during 1943 in compliance with this order. This limitation does not apply table-by-table to the saws covered by the tables in Appendix A but is merely an over-all limitation on the production of non-conforming saws.

(d) *Limitations on volume of production of saws listed in Tables 2, 3, 4 and 5.* During the year 1944, and during every calendar year thereafter, no producer shall manufacture more saws listed in Table 2, 3, 4 or 5 than his quota (as defined in paragraph (a) (3)) of saws in the respective table. Thus, he cannot manufacture more Table 2 saws than his quota of Table 2 saws. There are the following exceptions to this rule:

(1) Docking, dehorning and mine saws may be manufactured without charging their dollar sales value against the quota permitted for Table 4 saws;

(2) A producer need not charge against his quota the dollar sales value of saws produced to fill orders from or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration;

(3) A producer need not charge against his quota the dollar sales value of any non-conforming saws which he manufactures. (Restrictions on the production of non-conforming saws appear in paragraph (c) above.)

(e) *Reports.* Each producer of manually-operated wood and special purpose saws shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

EXPLANATIONS AND LIMITATIONS

(1) *"Model"* as used in the following Tables 1, 2, 3, 4, 5, 6, 7, 9, and 10 shall designate one combination of saw details. Such details as are not specified may be selected by the manufacturer, provided that the different combinations of details for a given kind and grade of saw do not exceed the number of models to which such saw is limited.

(2) *"Gages"* as referred to in the following Tables are Birmingham or Stubs' wire gages, and are subject to commercial tolerances.

(3) *"Length & Width of Blades"* as referred to in the following Tables 1, 2, 3, 4, 5, 6, 7a, 8, 9, and 10 are subject to commercial tolerances, except where minima and maxima are specified.

(4) [Revoked Mar. 16, 1944]

GRADES OF HANDSAWS

A-Grade. Blades shall be of best quality selected saw steel, free from harmful dirt, segregation, and inclusions. The steel shall be either alloy steel or carbon steel, but both kinds may not be used. If carbon steel is selected, the steel shall be cross rolled and show a fine fracture grain; and the carbon content shall be not less than 0.80, or more than 0.95 per cent, phosphorus and sulphur not more than 0.035 per cent, and silicon not less than 0.15 per cent.

The blade shall be tempered to a Rockwell hardness of not less than 48 or more than 52 on the C scale.

The blade shall be true and full taper ground, i. e., uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 4 gages. The thickness of the cutting edge shall be not less than 0.032 in. or more than 0.042 in., and the thickness of the back at the handle not less than the cutting edge.

The teeth of cross cut saws shall be bevel filed, and the teeth of rip saws filed straight through. The teeth shall be set, but the set shall not extend more than one-half the depth of the tooth.

Handles shall be of suitable hardwood, properly seasoned, and free from cracks, checks, and other defects, and shall be given a protective coating to aid in preventing warping, swelling, or shrinkage. Handles shall be fastened to blades with not more than 5 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

B-Grade. Blades shall be of standard quality steel free from harmful dirt and inclusions, and shall show a fine fracture grain. The carbon content shall be not less than 0.70, or more than 0.95 percent, phosphorus and sulphur not more than 0.040 percent, and silicon not less than 0.15 percent. The blade shall be tempered to a Rockwell hardness of not less than 46, or more than 48 on the C scale.

The blade shall be taper ground, uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 2 or more than 3 gages. The back at the handle shall not be thinner than the cutting edge.

The teeth of both cross cut and rip saws to be filed and set, but the set shall not extend more than one-half the depth of the tooth.

The handle shall be of seasoned hardwood, free from cracks, checks, or other defects, shall be given a protective coating to aid in preventing warping, swelling, and shrinkage, and shall be fastened to the blade with not more than 4 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

C-Grade. No C-Grade handsaws shall be manufactured on and after the 28th day of December 1942 except to fill orders received by the manufacturers on or before the 21st day of December 1942, but no such C-Grade handsaws shall be manufactured on or after the 5th day of February 1943.

Private brands. The blades of all handsaws manufactured for distribution under private brands shall have the qualities specified above, and shall be permanently branded to permit their identification. The handles of such saws may vary in design from the manufacturers' standard: *Provided,* That no manufacturer shall make, for any saw distributed under private brands, more than 3 different designs of handles in addition to his standard handles.

TABLE 3—COMPASS, KEYHOLE, AND SETS OF SAWS

Kind	Blade: Length [1]	Blade: Kind	Points per inch
	In.		
COMPASS SAWS			
Grade 1:			
Standard model: Full polished blade, teeth filed and set, hardwood handle with either open- or pistol-style grip (one only), carving optional	12	Taper ground	6
Adjustable model: Full polished blade, teeth filed and set, blade position adjustable, suitable hardwood handle	12	do	6
Plumber's model: Heavy blade, reversible hardwood handle:			6
For wood cutting, teeth filed and set	12	do	12
For metal cutting	12	do	12
Grade 2:			
Standard model: Hardwood handle with either open- or pistol-type grip (one only)	12	Flat ground	6
KEYHOLE SAWS			
Grade 1:			
Standard model: Blade tapered to sharp point, teeth filed and set, hardwood handle with either open- or pistol-type grip (one only), carving optional	10	Taper ground	10
Grade 2:			
Standard model: Blade tapered, hardwood handle	10	Flat ground	10
SETS OF SAWS			
Standard combination (one grade only):			
One 7-in. curved handle and 3 blades to fit as follows:	10	do	10
One keyhole blade	10	do	10 *
One compass blade	10	do	10
One pruning blade	10	do	10
Nail-cutting combination (one grade only):			
Same as standard combination but with nail-cutting blade substituted for pruning blade, as follows:			
One nail cutting blade (one only)	10 or 12	do	12 or 15

[1] Plus or minus ½ inch.

TABLE 4—SPECIAL PURPOSE SAWS

NOTE: "Web saw, fellos" deleted Apr. 4, 1944.

Kind	Blade specification: Length	Blade specification: Width	Blade specification: Points per inch
	In.	*In.*	
Coping saws.			
Grade 1.—Steel frame ⅜" x ⅛" with hardwood handle, and threaded wire rod frame adjustable by turning handle (one model)	6½	(1) ⅛	15
Grade 2.—Wire rod frame ⅛" diameter for loop-end blade, hardwood handle with plug to prevent turning (one model)	6	(1) 5/16	15
Cable saw			
Docking saw, with wood handle only			
Plumber's saw			
Pruning or trimming saw			
Pattern maker's saw			
Stair builder's saw			
Dehorning saw			
Plasterer's saw			
Tool post saw			
Bead saw			
Veneer saw			
Kitchen saw			
Pork packer's saw			
Mine saw, with wood handle only			
Dovetail saw (1 model in each length)	{ 8 / 10		15½ / 16½

[1] Approximately.
[2] One model, one size only.
[3] Two models, each in two lengths and one tooth style.

TABLE 1—HANDSAWS

Grade and kind	Length [1]	Blade dimensions: Width: Point: Min.	Point: Max.	Butt: Min.	Butt: Max.	Number of points per inch: Cross-cut saws	Number of points per inch: Rip saws
	In.	*In.*	*In.*	*In.*	*In.*		
A Grade: [2]							
Regular style, skew back: One model in each length	20	1⅝	1⅝	.056	.056	10	
	22	1⅝	1⅝	.056	.056	8, 10	
	24	1⅝	2	.056	.064	8, 10	
	26	2	2⅛	.064	.064	7, 8, 10, 11	6½
Narrow or ship-point style, skew or straight back:							
One 26-in. model	26	1⅝	1⅝	.056	.064	7, 8, 10, 11	6½
One 24-in. model	24	1⅝	1⅝	.056	.064	8, 10	6½
B Grade: [3]							
Narrow or ship-point style, skew or straight back:							
Two 26-in. models	26	1⅝	1⅝	.056	.064	8, 10	6½
One 20-in. model	20	1¼	1¼	.056	.064		

[1] Plus or minus ½ inch.
[2] For the purposes of this schedule grades are defined as shown in the section immediately above entitled grades of handsaws.

TABLE 2—MITRE, CABINET, AND BACK SAWS

Kind	Blade dimensions: Length [1]	Blade dimensions: Width [1]: Min.	Blade dimensions: Width [1]: Max.	Blade dimensions: Thickness: Min.	Blade dimensions: Thickness: Max.	Points per inch
	In.	*In.*	*In.*	*In.*	*In.*	
MITRE BOX SAW						
Flat-ground blade, hardwood handle attached by not more than 3 steel screws:						
One grade, one model	{ 26 / 28 / 30	4 / 5 / 6	4 / 5 / 6	0.040 / .040 / .040	0.045 / .045 / .045	11
CABINET SAW						
Flat-ground blade, one edge toothed for ripping, the other for cross cutting, hardwood handle attached with not more than 2 steel screws:						
One grade, one model	12	----	----	----	----	Optional
BACK SAWS						
Grade 1.—Heavy back, flat-ground blade, hardwood handle attached with not more than 3 steel screws:				Gage		
One model	{ 12 / 14 / 16 / 18 / 20	3⅛	3⅛	22	21	8
Grade 2.—Flat-ground blade, hardwood handle, one model	{ 10 / 12 / 14 / 16 / 18	2⅝	2⅝	22	21	11

[1] Distance from underside of back to cutting edge.
[2] Plus or minus ½ inch.

TABLE 5—PRUNING SAWS

NOTE: Items 13 and 14 amended Apr. 4, 1944.

Description [1]	Blade size: Length	Blade size: Width: Point [2]	Blade size: Width: Butt [3]
	In.	*In.*	*In.*
1. Curved, tapered blade with hardwood lacquered handle, 7 or 8 points per in. [4] to cut on draw stroke, one model in each of two teeth types	14	¼	1½
2. Curved, tapered blade with long lacquered hardwood handle, 8½ points per in. to cut on draw stroke	14	3/16	2¾
3. Folding pattern, with curved, tapered blade and lacquered hardwood folding handle, 6 or 6½ points per in. [4] to cut on draw stroke	12	5/16	1 15/16
4. Folding pattern, with curved, tapered blade and lacquered folding hardwood handle, 8 points per in. to cut on draw stroke	12	½	1⅞
5. Slightly curved and tapered blade with large hardwood lacquered handle: 6 points per in. on convex edge, 6 on concave edge, latter to cut on draw stroke	18	1⅜	3⅛
6. Straight, tapered, high tempered blade with large hardwood handle; 8 points per in. on one edge, lightning-type teeth on the other, teeth filed and set	18	⅝	2⅜
7. Same as No. 6, except blade to be of standard saw steel	18	⅝	2⅜
8. Standard type, tapered skew back blade, with hardwood handle, having a large hole for gloved hand, 7 points per in.	20	1⅜	5
9. Same as No. 8, but with large tuttle or champion type teeth	24	1⅜	5⅝
10. Same as No. 8, but with 6 points per in., bevel filed and set	26	1¾	6
11. Flat steel frame tapered to a narrow point, and arranged to hold blade taut at 4 different angles, hardwood handle, 8 points per in.	14	⅜	⅝
12. Saw and shear combination, with malleable iron socket and hook, socket 1 to 1¼ in. in diameter, shear to cut up to ¾ in. in diameter, blade 8 points per in.	[5] 10¾	(6)	(6)
13. Curved, tapered blade, with malleable iron socket for pole, arranged for adjustment of angle of saw blade with bolt and wing nut or attached directly to the pole, 8 points per in. to cut on draw stroke	[7] 15	⅝	2¼
14. Curved, tapered walnut-pruning blade, with teeth in butt to hold adjustment in sprocket of pruning saw socket, heavy stamped socket with hook and wing nut and bolt, or attached directly to the pole, 6 points per in.	20	1¼	3⅛

[1] Each number to be made in one grade and one model only, except No. 1, which may be made in two styles of teeth.
[2] Tolerance: Plus or minus 1/16 inch.
[3] Tolerance: Plus or minus ¼ inch.
[4] One or the other, not both
[5] Plus or minus ¾ inch.
[6] Optional.
[7] Plus or minus 1 inch.

TABLE 6—BUTCHER SAWS

NOTE: Table 6 revoked Apr. 4, 1944.

TABLE 7—CORDWOOD (BUCK) SAWS, AND PULPWOOD SAWS

NOTE: Table 7 amended Apr. 4, 1944.

Kind	Frame: Size	Frame: Bracing	Blades [1]
	In.		
CORDWOOD (BUCK) SAWS			
Grade 1: Special selected hardwood frame, with lacquered finish, one model in each length	30, 36, 42	Double brace, single or double riveted, hardwood.	1 to 10
Grade 2: Standard selected hardwood frame, with sanded finish, one model in each length	30, 36, 42	Single straight or double brace	1 to 10
PULPWOOD SAWS			
Tubular steel frame tempered for strength, with suitable blade fastening and lacquered finish:			
One non-adjustable model in each length	30, 36, 42		11 to 15
One adjustable model	45 max.		11 to 15

TABLE 7A—BLADES FOR CORDWOOD (BUCK) SAWS AND PULPWOOD SAWS

NOTE: Table 7A amended Apr. 4, 1944.

No.	Grade	Style	Length	Width	Teeth
	CORDWOOD (BUCK) SAWS		*Inches*	*Inches*	
1	Grade 1: Either alloy or high carbon steel (but not both); tapered or flat rolled (but not both).	Straight	30	1 and 1¼	2 patterns.
2		do	36		
3		do	42		
4		Breasted	30		
5		do	36		
6		do	42		
7	Grade 2: Carbon steel, flat rolled	Straight	30		
8		do	36		
9		do	36		
10		do	42		
	PULPWOOD SAWS				
11	Grade 1: Either alloy or high carbon steel (but not both); tapered or flat rolled (but not both).	Straight	30	1	2 patterns.
12		do	36		
13		do	36		
14		do	42	1 and 1¼	
15		do	42		

[1] See table 7A.

TABLE 8—TWO-MAN CROSS-CUT SAWS

Class	Kind	Length	Maximum width	Gage at cutting edge	Number of different saws to be made in each length of each class [1]
	HOLLOW BACK	*Feet*	*Inches*		
1	Eastern, narrow	4½	4 9/16	14 or 15	2
		5	4 5/8	do	2
		5½	4 7/8	do	2
		6	5	do	2
2	Eastern, medium	5	5 3/4	do	4
		5½	6	do	4
		6	6 5/16	do	4
		6½	6 9/16	do	4
3	Western, talling	5½	5½	13 or 14	2
		6	6	do	2
		6½	6	do	2
		7	6 1/16	do	2
		7½	6 1/16	do	2
		8	6 1/16	do	2
		10	6 1/16	do	2
4	Wide gullet lance tooth	5½	6	14 or 15	2
		6	6 1/16	do	2
		6½	6 1/16	do	2
5	Parallel pattern	5	3¼	do	4
		5½	3¼	do	4
		6	3¼	do	4
	STRAIGHT BACK	5	3¼	do	4
		5½	6	do	4
6	Eastern, medium	6	6 1/16	do	4
		6½	6 9/16	do	4
		7	6¼	13 or 14	4
7	Eastern, wide	5	6½	14 or 15	4
		5½	6¾	do	4
		6	7¼	do	2
8	Western bucking	5	6½	13 or 14	4
		6	6¾	do	2
		6½	7 1/16	do	2
		7	7¼	do	2

[1] The figures in this column designate the maximum different combinations of characteristics in which a given class and length of saw may be made by a single manufacturer, subject to the qualifications given below. The characteristics referred to are (1) grade, (2) type of teeth, (3) amount of taper (including flat ground as zero taper), (4) gage of cutting edge, (5) width, and (6) breast.

In other words, any variation in any one of the above characteristics as between two saws of the same class and length would make them different saws. They might, of course, differ in all those characteristics.

Saws of classes 4, 5, and 7 are permitted to be made in two types of teeth, and saws of class 6, in three types of teeth. If a manufacturer elects to make them in only one type of teeth, he shall not make more than two different saws in each length in these classes. Thus, no saw shall be made in more than two different grades.

Saws of the same class and length and type of tooth, but of different grade or gage, may vary slightly in width, provided the total different saws of a given class and length does not exceed the figure given in column 6.

TABLE 9—ONE-MAN CROSSCUT SAWS

NOTE: Table 9 amended Apr. 4, 1944.

Grade and kind	Length	Gage at cutting edge	Number of gages taper	Maximum blade dimensions	
				Point	Butt
	Feet			*Inches*	*Inches*
Grade 1: Tapered straight or skew-back blade, with hardwood handle attached with not more than 3 steel screws, and supplementary handle, one model in each of 2 tooth designs in each length, except that the 4-foot length may be made in three models provided each model has a different tooth design.	3	16	2 to 3	2⅜	7⅛
	3½	16	2 to 3		
	4	15 or 16	2 to 3		
	4½	15 or 16	2 to 3		
Grade 2: Same as grade 1, but of lower grade steel and flat ground blade, one model in each of 2 tooth designs in each length, except that the 4-foot length may be made in three models provided each model has a different tooth design.	3	16	None	2⅛	7⅛
	3½	16	do		
	4	16	do		
	4½	16	do		

TABLE 10—ICE SAWS

Kind	Length	Width	Gage
HAND ICE SAW	*Inches*	*Inches*	
Straight-back, flat-ground blade, with hardwood handle, plain teeth, one grade, one model.	26	8¼	14
POND ICE SAW			
Straight back, flat-ground blade, with hole in butt for tiller handle, teeth optional, one grade, one model.	60	5 at point, 7 at butt	11

[F. R. Doc. 44-4778; Filed, April 4, 1944; 11:49 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule II, as Amended Apr. 4, 1944]

WRENCHES

§ 3114.3 *Schedule II to Limitation Order L-216*—(a) *Definitions.* For the purpose of this schedule:

(1) "Wrench" means any wrench of any type specifically mentioned in Appendix A of this schedule, including any drive tools therefor. Wrenches of a type not specified in Appendix A of this schedule are not subject to its provisions.

(2) "Producer" means any person engaged in the production of wrenches.

(3) "Distributor" means any person who purchases wrenches for purposes of resale, excluding persons who purchase wrenches for resale to their own employees and persons who purchase wrenches for resale as accessories for delivery with or use with items of their own manufacture.

(4) "Ultimate consumer" means any person who purchases wrenches other than a distributor.

(5) "Alloy steel" means only those alloy steels which are in the series listed in Exhibit B to General Preference Order E-6.

(6) "Nominal", when applied to any over-all length specification contained in this schedule, means that such over-all length specification is subject to a production tolerance or allowance of one-half inch over or one-half inch under the given specification; provided that a "nominal" specification does not permit the production of two different size wrenches under the one specification.

(b) *Restrictions on production.* (1) No producer shall commence processing any carbon or alloy steel for the production of any wrench unless such wrench when completed shall conform to all provisions of this schedule which are applicable thereto.

(2) Where any provision of this schedule prohibits the production of any wrench heretofore produced by a producer and such producer believes this imposes unreasonable hardship upon him, application for specific permission to continue the production of such wrench for the life of usable dies acquired by the producer prior to March 25, 1943 may be made to the War Production Board. Application for such permission may be made by filing a letter in triplicate setting forth a detailed description of the wrench for which permission to continue production is sought, the number of usable dies for such wrench on hand, the date of their acquisition, and the approximate number of wrenches or parts therefor which such dies are capable of producing.

TABLE 8—TWO-MAN CROSS-CUT SAWS

Class	Kind	Length	Maximum width	Gage at cutting edge	Number of different saws to be made in each length of each class [1]
	HOLLOW BACK	*Feet*	*Inches*		
		4½	4⅜	14 or 15	2
		5	4⅝	....do....	2
1	Eastern, narrow	5½	4⅞	....do....	2
		6	5	....do....	2
		5	5¼	....do....	4
2	Eastern, medium	5½	5⅝	....do....	4
		6	6⅛	....do....	4
		6½	6⅜	....do....	4
		5½	5½	13 or 14	2
		6	6	....do....	2
		6½	6	....do....	2
3	Western, falling	7	6⅛	....do....	2
		7½	6⅜	....do....	2
		8	6⅝	....do....	2
		10	6¾	....do....	2
		5½	6	14 or 15	2
4	Wide gullet lance tooth	6	6⅛	....do....	2
		6½	6⅜	....do....	2
		5	5¼	....do....	4
5	Parallel pattern	5½	5⅝	....do....	4
		6	5¾	....do....	4
		5	5¼	....do....	4
	STRAIGHT BACK	5½	6	....do....	4
6	Eastern, medium	6	6⅛	....do....	4
		6½	6⅜	....do....	4
		7	6⅝	13 or 14	4
		5	6½	14 or 15	4
7	Eastern, wide	5½	6⅝	....do....	4
		6	7⅛	....do....	2
		5	6½	13 or 14	4
8	Western bucking	6	7⅛	....do....	2
		6½	7⅜	....do....	2
		7	7⅝	....do....	2

[1] The figures in this column designate the maximum different combinations of characteristics in which a given class and length of saw may be made by a single manufacturer, subject to the qualifications given below. The characteristics referred to are (1) grade, (2) type of teeth, (3) amount of taper (including flat ground as zero taper), (4) gage of cutting edge, (5) width, and (6) breast.

In other words, any variation in any one of the above characteristics as between two saws of the same class and length would make them different saws. They might, of course, differ in all those characteristics.

Saws of classes 4, 5, and 7 are permitted to be made in two types of teeth, and saws of class 6, in three types of teeth. If a manufacturer elects to make them in only one type of teeth, he shall not make more than two different saws in each length in these classes. Thus, no saw shall be made in more than two different grades.

Saws of the same class and length and type of tooth, but of different grade or gage, may vary slightly in width, provided the total different saws of a given class and length does not exceed the figure given in column 5.

TABLE 9—ONE-MAN CROSSCUT SAWS

NOTE: Table 9 amended Apr. 4, 1944.

Grade and kind	Length	Gage at cutting edge	Number of gages taper	Maximum blade dimensions	
				Point	Butt
	Feet			*Inches*	*Inches*
Grade 1: Tapered straight or skew-back blade, with hardwood handle attached with not more than 3 steel screws, and supplementary handle, one model in each of 2 tooth designs in each length, except that the 4-foot length may be made in three models provided each model has a different tooth design.	3	16	2 to 3	2⅛	7⅛
	3½	16	2 to 3		
	4	15 or 16	2 to 3		
	4½	15 or 16	2 to 3		
Grade 2: Same as grade 1, but of lower grade steel and flat ground blade, one model in each of 2 tooth designs in each length, except that the 4-foot length may be made in three models provided each model has a different tooth design.	3	16	None	2⅛	7⅛
	3½	16	do		
	4	16	do		
	4½	16	do		

TABLE 10—ICE SAWS

Kind	Length	Width	Gage
	Inches	*Inches*	
HAND ICE SAW			
Straight-back, flat-ground blade, with hardwood handle, plain teeth, one grade, one model.	26	3¼	16
POND ICE SAW			
Straight back, flat-ground blade, with hole in butt for tiller handle, teeth optional, one grade, one model.	60	(5 at point, 7 at butt)	11

[F. R. Doc. 44-4778; Filed, April 4, 1944; 11:49 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule II, as Amended Apr. 4, 1944]

WRENCHES

§ 3114.3 *Schedule II to Limitation Order L-216—*(a) *Definitions.* For the purpose of this schedule:

(1) "Wrench" means any wrench of any type specifically mentioned in Appendix A of this schedule, including any drive tools therefor. Wrenches of a type not specified in Appendix A of this schedule are not subject to its provisions.

(2) "Producer" means any person engaged in the production of wrenches.

(3) "Distributor" means any person who purchases wrenches for purposes of resale, excluding persons who purchase wrenches for resale to their own employees and persons who purchase wrenches for resale as accessories for delivery with or use with items of their own manufacture.

(4) "Ultimate consumer" means any person who purchases wrenches other than a distributor.

(5) "Alloy steel" means only those alloy steels which are in the series listed in Exhibit B to General Preference Order E-6.

(6) "Nominal", when applied to any over-all length specification contained in this schedule, means that such over-all length specification is subject to a production tolerance or allowance of one-half inch over or one-half inch under the given specification; provided that a "nominal" specification does not permit the production of two different size wrenches under the one specification.

(b) *Restrictions on production.* (1) No producer shall commence processing any carbon or alloy steel for the production of any wrench unless such wrench when completed shall conform to all provisions of this schedule which are applicable thereto.

(2) Where any provision of this schedule prohibits the production of any wrench heretofore produced by a producer and such producer believes this imposes unreasonable hardship upon him, application for specific permission to continue the production of such wrench for the life of usable dies acquired by the producer prior to March 25, 1943 may be made to the War Production Board. Application for such permission may be made by filing a letter in triplicate setting forth a detailed description of the wrench for which permission to continue production is sought, the number of usable dies for such wrench on hand, the date of their acquisition, and the approximate number of wrenches or parts therefor which such dies are capable of producing.

(c) *Limitation on the use of steel.* Except where alloy steel only is specified, producers may make any of the permitted types of wrenches out of carbon or alloy steel. However, they must not make the same type in both carbon and alloy steel unless specifically permitted to do so by Appendix A of this schedule.

(d) *Limitation on styles, grades and dimensions.* Except where specifically permitted by Appendix A of this schedule, no producer shall:

(1) Make more than one style or pattern of any type of wrench.

(2) Make more than one grade of any type of wrench.

(3) Make any size wrench permitted by Appendix A of this schedule to more than one set of dimensions.

(e) *Limitation on finishes.* (1) Wrenches may have finishes applied to them only to the following extent: They may be coated with oil or grease compound or chemical black, or lacquered, parkerized, or lead or zinc coated.

(2) Polishing is prohibited except to the extent necessary to make the wrench usable for the purposes intended; in no event shall any wrench be polished on more than one wheel, or one belt, or one similar polishing device.

(f) *Limitation on production and delivery of sets.* (1) Except as provided in subparagraph (2) of this paragraph (f), no producer shall make for his own inventory and no distributor shall acquire for his inventory or shelf stock any sets of wrenches. Any number of wrenches in excess of one which have been grouped for purposes of sale as a unit shall be deemed a "set" for the purposes of this paragraph.

(2) Nothing contained in this paragraph shall prohibit:

(i) A producer from producing sets to fill a specific order placed directly or indirectly by an ultimate consumer, or

(ii) A distributor from making up a set or sets of wrenches to fill a specific order placed by an ultimate consumer, or

(iii) The production and placement of sets in either a producer's or a distributor's inventory or shelf stock of those ¼-inch drive detachable socket wrenches permitted to be produced and maintained in inventory by Appendix A and those open-end ignition (or electrical) wrenches permitted to be produced and maintained in inventory by Appendix A.

(g) *Limitations on sizes and inventories.* (1) No producer shall make any wrenches of any type specified in Appendix A of this schedule except in the sizes therein authorized and for the purposes therein set forth.

(2) If, with respect to any type of wrench, it is indicated that one or more sizes on Appendix A shall be selected, each producer shall select such sizes as he may desire to manufacture within the limitations prescribed, not to exceed the number so indicated and shall forthwith give notice of his selection in writing to the War Production Board, Tools Division, Reference: L-216, Schedule II. The producer may thereafter apply to the War Production Board for leave to amend his original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(3) No producer or distributor shall maintain inventories of any wrenches of any type specified in Appendix A of this schedule except in the sizes in which inventories are specifically permitted by such Appendix A in the hands of either producers or distributors.

(h) *Limitation on segregation by brand or trade name.* Notwithstanding the provisions of any contract or purchase order, no producer shall hold or reserve wrenches for a particular customer if deliveries under orders from other customers entitled to preference will be delayed thereby, whether or not such wrenches are stamped or marked with a special brand or trade name.

(i) *Exemptions.* Notwithstanding any other provisions of this schedule, the following are exempt from the provisions herein contained.

(1) The production of any wrenches which has been commenced prior to May 31, 1943, provided such wrenches will be completed within ninety days after May 31, 1943.

(2) Wrenches for Whitworth and Metric bolts and nuts;

(3) Shanks, chucks, or sockets for power driven nut runners or impact power drivers.

(j) *Applicability of other orders.* All the provisions of General Preference Order E-6 which are not inconsistent with the provisions of this schedule shall apply to the production and delivery of wrenches.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

I. WRENCHES, OPEN-END, NON-ADJUSTABLE

(a) *Type: Engineers', double-head, 15° angle, normal duty.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

5/16 and 13/32	13/16 and 7/8
3/8 and 7/16	13/16 and 15/16
7/16 and 1/2	7/8 and 15/16
7/16 and 9/16	7/8 and 31/32
1/2 and 9/16	7/8 and 1
1/2 and 17/32	15/16 and 1
9/16 and 5/8	15/16 and 1 1/16
19/32 and 11/16	15/16 and 1 1/8
5/8 and 3/4	31/32 and 1 1/16
11/16 and 23/32	1 and 1 1/8
3/4 and 13/16	1 1/16 and 1 1/4
3/4 and 7/8	1 1/16 and 1 1/8
25/32 and 7/8	1 1/16 and 1 3/8

Provided, however, A producer may make this type in the following additional size combinations for such producer's own inventory:

3/4 and 13/16	2 1/4 and 2 3/8
1 1/16 and 1 1/8	3 and 3 1/8
1 15/16 and 2	3 1/8 and 3 1/8
2 1/4 and 2 3/8	

(b) *Type: Engineers', double-head, 15° angle, heavy duty.* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer, except that no wrench of this type shall be made with a wrench opening of less than 5/16" or more than 1 5/8".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

3/16 and 1/4	11/16 and 25/32
1/4 and 5/16	3/4 and 13/16
5/16 and 3/8	25/32 and 15/16
5/16 and 13/32	3/4 and 7/8
3/8 and 7/16	7/8 and 15/16
7/16 and 1/2	15/16 and 1 1/16
1/2 and 9/16	1 and 1 1/8
9/16 and 5/8	1 1/16 and 1 1/4
19/32 and 11/16	1 1/8 and 1 5/16
5/8 and 3/4	

Provided, however, A producer may make this type in the following additional size combinations for such producer's own inventory:

5/16 and 11/32	1 1/16
11/32 and 3/8	1 1/8
1/2	1 1/16
9/16	1 1/8
19/32	1 1/4
5/8	1 5/16
11/16	1 7/16
3/4	1 1/2
25/32	1 5/8
13/16	1 11/16
7/8	1 3/8
15/16	2 1/4

(c) *Type: Engineers', single-head, 15° angle, normal duty.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench openings in inches):

3/8	31/32
11/16	1
1/2	1 1/16
9/16	1 1/8
19/32	1 1/4
5/8	1 5/16
11/16	1 7/16
3/4	1 1/2
25/32	1 5/8
13/16	1 11/16
7/8	1 3/8
15/16	2 1/4

(d) *Type: Engineers', single-head, 15° angle, heavy duty.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory except in the following sizes (stated in wrench openings in inches):

1 11/16	2 1/4
1 7/8	2 5/8
3	

(4) No distributor shall acquire this type for his inventory or shelf stock.

(e) *Type: Check nut, or thin-head, double-head 15° angle.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type wrench for his own inventory except in the following size combinations (stated in wrench openings in inches):

3/8 and 7/16	7/8 and 15/16
1/2 and 9/16	7/8 and 1
1/2 and 19/32	15/16 and 1 1/16
9/16 and 5/8	1 and 1 1/8
19/32 and 11/16	1 1/16 and 1 1/8
5/8 and 3/4	1 1/16 and 1 7/16
11/16 and 25/32	1 1/8 and 1 5/16
3/4 and 13/16	1 1/8 and 1 1/2
3/4 and 7/8	1 1/4 and 1 7/16
13/16 and 7/8	1 1/4 and 1 3/8

(3) No distributor shall acquire this type for his inventory or shelf stock.

(f) *Type: Tappet, double-head, 15° angle.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

Note: First item added Apr. 4, 1944.

3/8 and 7/16	1/2 and 9/16
7/16 and 1/2	9/16 and 21/32
7/16 and 11/32	3/4 and 7/8

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(g) *Type: Set screw, double-head, 22½° angle.* (1) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

1/4 and 5/16	9/16 and 5/8
5/16 and 3/8	3/4 and 7/8
7/16 and 1/2	1 and 1 1/4

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(h) *Type: Tool post, double-end.* (1) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

Closed end inches	*Open end inches*
7/16	and 7/16
1/2	and 1/2
9/16	and 9/16
5/8	and 9/16
3/4	and 5/8
3/4	and 11/16
1 1/16	and 1 1/16
3/4	and 3/4

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(3) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any combination of sizes or head patterns specified by such ultimate consumer.

(i) *Type: Ignition (or electrical), double-head.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any combination of sizes or head angles, and in any head pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock in more than eight size combinations. Sizes of openings and angles of heads are optional, provided that such wrenches may be made only in the size range of 15/64" to 7/16", inclusive.

(j) *Type: Structural, offset tapered handle.* (1) No producer shall make this type wrench except in the following sizes (stated in wrench openings in inches):

Note: List amended Apr. 4, 1944.

7/16	1 1/16
1/2	1 1/8
9/16	1 1/4
19/32	1 5/16
5/8	1 3/16
11/16	1 1/2
3/4	1 5/8
25/32	1 11/16
13/16	1 13/16
7/8	1 7/8
29/32	2
1	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(3) No producer shall make any size wrench of this type in more than one length of tang.

(4) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size opening or type of opening specified by such ultimate consumer.

(k) *Type: Construction, 15° angle.* (1) No producer shall make this type wrench except in the following sizes (stated in wrench openings in inches):

7/16	1 1/16
1/2	1 1/8
9/16	1 1/4
19/32	1 5/16
5/8	1 3/16
11/16	1 1/2
3/4	1 5/8
25/32	1 11/16
13/16	1 13/16
7/8	1 7/8
29/32	2
1	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(3) No producer shall make any size wrench of this type in more than one length of tang.

(4) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size opening or type of opening specified by such ultimate consumer.

(l) *Type: Car, double end.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size opening specified by such ultimate consumer.

(2) No distributor shall acquire this type for his own inventory or shelf stock.

(3) No producer shall make this type for his own inventory, except in the following sizes:

5/8 and 25/32	1 7/16 and 1 1/2
21/32 and 7/8	1 7/16 and 1 5/8
25/32 and 1	1 1/2 and 1 11/16
7/8 and 1 1/16	1 1/2 and 1 7/8
15/16 and 1 1/8	1 11/16 and 1 7/8
15/16 and 1 5/16	1 11/16 and 2 1/16
1 and 1 1/8	1 13/16 and 2 3/16
1 1/16 and 1 1/4	1 7/8 and 2 1/16
1 1/8 and 1 5/16	1 7/8 and 2 1/4
1 1/8 and 1 1/2	1 7/8 and 2 1/16
1 5/16 and 1 11/16	2 1/16 and 2 1/16

(m) *Prohibited types.* No producer shall make the following types of open-end, non-adjustable wrenches:

Offset wrenches and wrenches having an angle other than 15° or 22½°.

Check-nut, single-head wrenches (except to fill specific orders placed directly or indirectly by an ultimate consumer).

"S" wrenches, except car wrenches.

Alligator wrenches.

Machine wrenches (heavy wrenches for planers, milling machines, lathes, drill presses, etc., having cross sections thicker than the producer's standard for other types).

II. WRENCHES, ADJUSTABLE, BOLT AND NUT, AND PIPE

(a) *Type: 22½° angle single end.* (1) A producer may make this type of both carbon and alloy steel.

(2) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

4	12
6	15 or 16
8	18
10	24

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(b) *Type: Adjustable "S", malleable iron handle.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

6	12
8	14
10	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(c) *Type: Auto, normal duty and heavy duty.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

5	15
9	18
11	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(d) *Type: Monkey, with metal grip.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

10	18
12	21
15	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(e) *Type: Screw, key model.* A producer may make this type only in the following sizes (stated in nominal over-all length in inches and jaw openings in inches) to fill a specific order placed directly or indirectly by an ultimate consumer:

28	5 1/4
36	6 1/4
48	9 1/2

(f) *Type: Pipe (Stillson, Trimo, Rigid, etc.), steel handle, normal duty and heavy duty.* (1) No producer shall make this type wrench except in the following sizes (stated in nominal over-all length in inches):

6	18
8	24
10	36
14	48

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(g) *Type: Pipe, chain (or tongs).* (1) No producer shall make this type wrench except in the following sizes:

Nominal over-all length (inches)	
13¾	42
20	50
27	64
35	86

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(h) *Type: Pipe and fittings, chain (or tongs).* (1) No producer shall make this type wrench except in the following sizes:

Nominal over-all length (inches)	
13¾	42
20	50
27	64
35	

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(i) *Prohibited types:* No producer shall make the following types of adjustable, bolt and nut, or pipe wrenches:

Pocket wrenches.

Combination pipe and monkey wrenches.

Adjustable 22½° double end wrenches.

III. BOX WRENCHES

(a) *Type: Double-head, 12 point, alloy steel, 15° or 45° offset (short length).* (1) This type shall be made of alloy steel only.

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

5/16 and 3/8	9/16 and 5/8
3/8 and 7/16	5/8 and 11/16
7/16 and 1/2	3/4 and 7/8
1/2 and 9/16	

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(4) No producer shall make any size wrench of this type in both the 15° and 45° pattern.

(b) *Type: Double-head, 12 point, 15° offset (short length).* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in the following size combinations (stated in wrench openings in inches):

1/2 and 9/16	5/8 and 11/16
9/16 and 5/8	11/16 and 3/4
1/2 and 5/8	11/16 and 7/8

(3) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(c) *Type: Double-head, 12 point, alloy steel, 15° and 45° offset (regular length).* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer except that no wrench of this type shall be made with a wrench opening larger than 1⅛".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

Note: Fourth item in second column amended April 4, 1944.

3/8 and 7/16	3/4 and 7/8
7/16 and 1/2	15/16 and 1
1/2 and 9/16	15/16 and 1
9/16 and 5/8	1 1/16 and 1 1/4
19/32 and 11/16	1 1/4 and 1 5/16
5/8 and 11/16	1 1/4 and 1 3/8
5/8 and 3/4	1 7/16 and 1 1/2
3/4 and 25/32	

Provided, however, A producer may make this type in the following additional size combination for such producer's own inventory:

1 7/16 and 1 5/8

(d) *Type: Double-head, 12 point carbon steel, 45° offset (regular length).* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size combination specified by such ultimate consumer except that no wrench of this type shall be made with a wrench opening larger than 1⅛".

(3) No producer shall make this type for his own inventory and no distributor shall acquire this type for his inventory or shelf stock except in the following size combinations (stated in wrench openings in inches):

5/8 and 11/16	15/16 and 1
1/2 and 9/16	1 1/16 and 1 1/8
5/8 and 11/16	1 11/16 and 1 1/2
3/4 and 25/32	

(e) *Type: Stub, 12 point (heavy duty).* (1) This type shall be made of alloy steel only.

(2) No producer shall make this type wrench whether for an ultimate consumer or for such producer's own inventory except in sizes from 1 1/16" to 3 1/16", inclusive.

(3) No distributor shall acquire this type for his inventory or shelf stock.

(f) *Type: Slugging or striking face 6 or 12 point (heavy duty).* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory and no distributor shall acquire this type for his inventory or shelf stock.

(g) *Type: Combination box and open-end.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench for his own inventory and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench openings in inches):

7/16	15/16
1/2	1
9/16	1 1/16
5/8	1 1/8
11/16	1 1/4
3/4	

Provided, however, A producer may make this type in the following additional sizes for such producer's own inventory:

1 5/16 1 7/16

(h) *Type: Single-end, flare nut, 12 point.* (1) This type shall be made of alloy steel only.

(2) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer, except that no wrench of this type shall be made with a wrench opening larger than 2".

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes (stated in wrench opening larger than 2".

5/8	15/16
11/16	15/16
1/2	1/4
9/16	1
5/8	1 1/16
11/16	1 1/8
3/4	

IV. SOCKET WRENCHES

(a) *Type: ¼" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

Hexagon socket opening (distance across flats) Inch	Square socket opening (distance across flats) Inch
5/16	5/16
7/16	7/32
1/4	1/4
9/32	9/16
5/16	5/8
11/32	
3/8	
7/16	

(4) No producer shall make any size wrench of this type with hexagon socket in both 6 and 12 point or with square socket in both 4 and 8 point.

(5) No producer may make drive tools for his own inventory and no distributor shall acquire drive tools for his inventory or shelf stock except as follows:

Sliding T-handle.

Spin type speeder.

Ratchets (types not limited).

3" (nominal) extension.

6" (nominal) extension.

6" (nominal) hinged handle.

Cross bar.

(6) [Deleted Apr. 4, 1944]

(b) *Type: 5/16" square drive.* (1) [Revoked Mar. 23, 1944]

(2) No producer shall make this type wrench except in those quantities required to service necessary replacements of existing wrenches of this type required by customers who have been previously sold by such producer.

(3) No distributor shall acquire this type for his inventory or shelf stock.

(c) *Type: 3/8" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

OPENINGS IN INCHES (DISTANCE ACROSS FLATS)

Regular 12 Point Pattern	*Flex 12 Point Pattern*
5/16	5/16
7/16	7/16
1/2	1/2
9/16	9/16
5/8	5/8
11/16	11/16
3/4	3/4
Detachable Crowfoot	*Deep Pattern*
7/16	5/8
1/2	7/16
9/16	1/2
5/8	9/16
3/4	5/8
25/32	11/16
7/8	3/4
1	25/32
1 1/4	
1 5/8	

(4) No producer may make drive tools for his own inventory and no distributor shall acquire drive tools for his inventory or shelf stock except as follows:

Speeder, crank type.

Sliding T-handle.

Ratchets (types not limited).

3" (nominal) extension.

6" (nominal) extension.

9" (nominal) extension.

12" (nominal) extension.

Universal joint.

Hinged handle.

Cross bar.

(5) [Deleted Apr. 4, 1944]

(d) *Type: ½" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

OPENINGS IN INCHES (DISTANCE ACROSS FLATS)

Regular Pattern 12 Point	Deep Pattern 12 Point	Square Pattern 8 Point
7/16	1/16	7/16
1/2	1/16	1/2
9/16	9/16	9/16
19/32	5/8	5/8
5/8	21/32	21/32
21/32	11/16	11/16
11/16	23/32	23/32
23/32	3/4	3/4
3/4	25/32	1
25/32	13/16	
13/16	27/32	
27/32	7/8	
7/8	1	
29/32	1 1/16	
1	1 1/8	
1 1/16		
1 1/8		
1 3/16		
1 1/4		

(4) No producer may make drive tools for his own inventory and no distributor shall acquire drive tools for his inventory or shelf stock except as follows:

- 4 3/64" screw driver bit, drag link pattern.
- 5 5/32" screw driver bit, drag link pattern.
- 1 9/16" screw driver bit, drag link pattern.
- Speeder, crank type.
- Sliding T-handle.
- Ratchets (types not limited).
- 8" (nominal) extension.
- 10" (nominal) extension.
- 20" (nominal) extension.
- Universal joint.
- Stud removers.
- Choice of 15" or 18" (nominal) hinged handle.
- Cross bar.

(5) [Deleted Apr. 4, 1944]

(e) *Type: 3/4" square drive, hexagon.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

REGULAR PATTERN—12 POINT

SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

1 1/16	1 3/8	1 11/16
1 1/8	1 7/16	1 3/4
1 3/16	1 1/2	1 13/16
1 1/4	1 9/16	1 7/8
1 5/16	1 5/8	2

(4) No producer may make drive tools for his own inventory and no distributor shall acquire drive tools for his inventory or shelf stock except as follows:

- Sliding T-handle.
- Ratchet.
- 8" (nominal) extension.
- 16" (nominal) extension.
- Universal joint.
- Hinged handle.
- Cross bar.

(5) [Deleted Apr. 4, 1944]

(f) *Type: 1" square drive.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(3) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in the following sizes:

SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

1 1/16	2 1/4	2 3/4
2	2 5/8	2 15/16
2 1/8	2 1/2	3 1/16
2 3/16	2 5/8	

(4) No producer shall make any size wrench of this type in both 6 and 12 point.

(5) No producer may make drive tools for his own inventory and no distributor shall acquire drive tools for his inventory or shelf stock except as follows:

- Sliding T-handle.
- Ratchet.
- 8" (nominal) extension.
- 17" (nominal) extension.
- Cross bar.

(6) [Deleted Apr. 4, 1944]

(g) *Type: Drawn steel sockets.* (1) A producer may make this type and any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory, or shelf stock.

(h) *Type: Socket wrench drive adaptors.* (1) [Revoked Mar. 23, 1944]

(2) A producer may make this type in any size.

(3) There are no restrictions on carrying this type in inventory.

(i) *Type: Integral, T-handle and offset, square and hexagon opening.* (1) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock except in those sizes cataloged by such producer on March 26, 1943.

(j) *Type: Spinner, hexagon, straight.* (1) No producer shall make this type wrench except in the following sizes:

SOCKET OPENINGS (DISTANCE ACROSS FLATS) INCHES

9/16	9/32	3/8
11/32	5/16	7/16
3/4	21/32	1/2

(2) There are no restrictions on carrying this type wrench in inventory in the permitted sizes.

(k) *Type: Spinner, special wrenches for industrial applications.* (1) A producer may make this type to fill a specific order placed directly or indirectly by an ultimate consumer in any size specified by such ultimate consumer.

(2) No producer shall make this type for his own inventory, and no distributor shall acquire this type for his inventory or shelf stock.

(l) *Type: Special socket wrenches and drive tools for refrigeration and carburetor applications.* (1) A producer may make this type together with any drive tools therefor to fill a specific order placed directly or indirectly by an ultimate consumer in any size, style, or pattern specified by such ultimate consumer.

(2) A producer may make this type for his own inventory and a distributor may acquire this type for his inventory or shelf stock only in 1/4" and 5/16" drives.

[F. R. Doc. 44-4776; Filed, April 4, 1944; 11:49 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 1, as Amended Apr. 3, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER TO FARM MACHINERY MANUFACTURERS

The following direction is issued in accordance with Order M-361, paragraph (g):

(a) This direction tells how a manufacturer of farm machinery may get the restricted Southern yellow pine lumber he needs for production material without having to file on Form WPB-2720.

(b) A manufacturer of farm machinery must endorse the following certificate on his purchase orders:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of farm machinery and equipment. Delivery may be made to me under Direction 1 to Order M-361, with the terms of which I am familiar.

Purchaser

By ---
Duly authorized official

Date ---

(c) Any producer may sell, ship, or deliver restricted Southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to fulfill his authorized schedules for the production of farm machinery, or to get lumber for any use except as production material: for example, no one can get lumber under this direction for boxing and crating his product. The inventory restrictions of paragraph (f) of Order M-361 are waived so long as the above restrictions are complied with.

(d) Manufacturers of farm machinery who get Southern yellow pine lumber under this direction shall report by letter, ten days after the end of each quarter, to the War Food Administration, Office of Materials and Facilities, Washington, D. C., stating their inventories of Southern yellow pine for production material at the beginning of the quarter, the amount delivered to them for production material during the quarter, and the amount used for production material during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Manufacturers of farm machinery do not have to get restricted Southern yellow pine lumber under this direction unless they want to. They may get it in any other way that is allowed under M-361. For example, a small manufacturer who buys from a mill producing less than 10,000 board feet a day may prefer not to change his arrangement. Manufacturers who buy from a limited number of sources may prefer to file on WPB-2720.

(f) "Farm machinery" means farm machinery and equipment as defined in Orders L-257 and L-257-a. "Production material" means material for the production of farm machinery.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4730; Filed, April 3, 1944; 11:56 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 291,[1] Amdt. 3]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 291 is amended in the following respects:

1. Section 1 (e) is added to read as follows:

(e) *Cane blackstrap molasses and beet sugar final molasses.* Cane blackstrap molasses is the final by-product liquid from the cane sugar refining process after the extraction of all commercially available sucrose. Beet sugar final molasses is a final by-product liquid from beet sugar manufacturing and includes straight house or whole molasses and Steffens discard molasses.

2. Section 11a is added to read as follows:

SEC. 11a *Maximum prices for domestic cane blackstrap molasses and beet sugar final molasses.* (a) This section does not apply to (1) sales at retail, (2) sales at wholesale by persons whose entire sales during the period between August 1, 1941 and March 31, 1942 were made in less than tank car lots, (3) sales to manufacturers of ethyl alcohol, butyl alcohol and acetone or other solvents, and (4) sales of imports.

(b) Producers' and distributors' maximum prices for cane blackstrap molasses and beet sugar final molasses produced in the areas specified below, sold f. o. b. mill, in tank cars, shall be as follows:

Area No. 1: Louisiana, Florida, Texas, Georgia, and Alabama—18 per gallon, 42 degrees Baumé.

Area No. 2: New York, Pennsylvania, Maryland, Massachusetts, New Jersey, Virginia, North Carolina, and South Carolina—18½¢ per gallon, 42 degrees Baumé.

Area No. 3: California—$26.00 per ton of 2,000 pounds.

Area No. 4: Washington, Oregon, Idaho, Utah, Montana, Colorado, Wyoming, Kansas, South Dakota, and Nebraska, excluding Grand Island—$29.00 per ton of 2,000 pounds

Area No. 5: Indiana, Michigan, Ohio, Wisconsin, Minnesota, Iowa, and Grand Island, Nebr.—$34.00 per ton of 2,000 pounds.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16508; 9 F.R. 795, 2562.

Or in all areas the sellers' maximum price as determined under § 1499.2 of the General Maximum Price Regulation.

(b) Maximum delivered prices shall be determined by adding to the prices set out in (a) the amount actually paid for freight, on the quantity delivered, up to but not in excess of the lowest available freight rate from the producer's mill to the buyer's receiving point.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4701; Filed, April 3, 1944; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 8]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 421 is amended in the following respects:

1. Section 8 is amended to read as follows:

SEC. 8. *Invoices and receipts.* You must give each of your customers an invoice, receipt or other evidence of purchase in connection with every sale, retaining a copy for your files. Each such record you prepare and give your customer must show the date of sale, the name and address of your customer, your name and address, each food item sold, and the price you charged for it. Be sure that your description of each item shows the kind, brand, variety, container-size and container-type.

In addition, you must, on or before May 8, 1944, file with your nearest District OPA office a list of the items of canned fruits and canned vegetables you sell for which OPA regulations require processors to notify purchasers of the grade. (For example, in Maximum Price Regulation No. 306[2] certain items are listed by grades such as "A", "B", "C", or "Fancy", "Extra Standard" and "Standard". Each processor selling such an item must furnish the purchaser with an invoice describing the item and separately stating its grade.) The list must give your name and address, and the name of each brand and the grade thereof. If at any time the grade is changed so that it is different from the grade shown on the list, or if you offer for sale an item which you were not selling at the time you filed your list, you must, within 5 days of such change or such addition, notify your nearest District OPA office thereof.

If you sell more than one grade of any canned fruit or canned vegetable under the same brand name, you must show, on each invoice, the grade of each such item.

2. Section 32 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

3. Section 32 (b) (15) is amended to read as follows:

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

4. Section 32 (b) (19) is amended to read as follows:

(19) "Meat, canned" includes, but is not limited to, canned or glassed chicken and turkey products, chicken-and-noodles, chili con carne, meat spreads, meat gravy, pickled meats, ravioli, spaghetti-and-meatballs, stews, tamales and tripe. Excluded are mincemeat, frozen food products in which meat, chicken and turkey are combined with other ingredients, frozen meat gravies, and frozen meat stews.

5. The text preceding the list of items in section 32 (b) (37) is amended to read as follows:

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

6. In section 32 (b) (37), the item "Date products" is added in alphabetical order and the items "Corn starch" and "Egg nog, bottled" are amended to read as follows:

Corn starch, edible or gloss (packaged in containers of ten pounds or less).

Egg nog (non-alcoholic), bottled.

7. In section 32 (c), the following items are added in alphabetical order to the list of commodities excluded:

Corn starch, edible or gloss (packaged in containers of more than ten pounds).

Pet foods (except cat and dog foods or any frozen cat or dog foods).

This amendment shall become effective April 8, 1944.

[2] 8 F.R. 9866, 10869, 10967, 13293, 15250, 15607, 17367, 17368; 9 F.R. 2562.

[2] 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4703; Filed, April 3, 1944; 11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 13]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respects:

1. Section 38 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1943 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

2. Section 38 (b) (15) is amended to read as follows:

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

3. The text preceding the list of items in section 38 (b) (37) is amended to read as follows:

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

4. In section 38 (b) (37), the item "Date products" is added in alphabetical order and the items "Corn starch" and "Egg nog, bottled" are amended to read as follows:

Corn starch, edible or gloss (packaged in containers of ten pounds or less).
Egg nog (non-alcoholic), bottled.

5. In section 38 (c), the following items are added in alphabetical order to the list of commodities excluded:

Corn starch, edible or gloss (packaged in containers of more than ten pounds).
Pet foods (except cat and dog foods or any frozen cat or dog foods).

6. The first paragraph of section 39 (b) (1) is amended to read as follows:

(1) *Dairy products.* "Butter" (packaged or bulk) means only butter from milk, including, but not limited to, processed, salted, unsalted, and whipped butter. Excluded are peanut, nut, fruit or honey butters.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4704; Filed, April 3, 1944; 11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 14]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respects:

1. Section 27 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1943 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

2. Section 27 (b) (15) is amended to read as follows:

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

3. The text preceding the list of items in section 27 (b) (37) is amended to read as follows:

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

4. In section 27 (b) (37), the item "Date products" is added in alphabetical order and the items "Corn starch" and "Egg nog, bottled" are amended to read as follows:

Corn starch, edible or gloss (packaged in containers of ten pounds or less).
Egg Nog (non-alcoholic), bottled.

5. In section 27 (c), the following items are added in alphabetical order to the list of commodities excluded:

Corn starch, edible or gloss (packaged in containers of more than ten pounds).
Pet foods (except cat and dog foods or any frozen cat or dog foods).

6. The first paragraph of section 28 (b) (1) is amended to read as follows:

(1) *Dairy products.* "Butter" (packaged or bulk) means only butter from milk, including, but not limited to, processed, salted, unsalted, and whipped butter. Excluded are peanut, nut, fruit or honey butters.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4697; Filed, April 3, 1944; 11:38 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 353,[1] Amdt. 4]

ANHYDROUS CAFFEINE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1396.59 (c) (2) is amended by adding at the end thereof a paragraph to read as follows:

Citro Chemical Company of America, Maywood, New Jersey, may sell and deliver to industrial or commercial consumers anhydrous caffeine produced from tea waste at a price no higher than $4.25 per pound.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4699; Filed, April 3, 1944; 11:39 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9395, 10569, 10967, 12443, 12611, 13294, 15251, 14853, 15386, 15607, 17369, 17370; 9 F.R. 95.

[1] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14384, 15567, 15608, 16031, 17371, 9 F.R. 95.

[1] 8 F.R. 3951, 6441, 13125, 16155.

PART 1306—IRON AND STEEL

[RPS 49,[1] Amdt. 21]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1306.159 (u) (1) (v) is amended to read as follows:

(v) "Rail rate of freight" means the lowest filed or published rail tariff rate for the shipment of material included in the order to be shipped, plus 3% of such rate. When a minimum charge per shipment is applicable, such minimum charge shall be considered the freight rate.

This amendment shall be effective April 8, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4742; Filed, April 3, 1944; 3:41 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[1] Corr. to Amdt. 4]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this correction, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Amendment 4 to Revised Maximum Price Regulation 150 is corrected in the following respects:

1. Section 5 (c) (5) is added to read as follows:

(5) "Importer" means any person who imports rice or rice milling by-products from a foreign country into the United States or who makes the first sale thereof after such importation.

2. Section 6 (c) is amended to read as follows:

(c) The maximum price for the sale or delivery of finished rice by a primary distributor in quantities of 20,000 pounds or less shall be the maximum price for the sale or delivery of finished rice as specified in paragraphs (a) and (b) of this section, plus an addition at the rate of 15 cents per 100 pounds, plus inbound and outbound transportation charges actually incurred by the distributor.

This correction shall become effective April 8, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4608, 4542, 7257, 7595, 7760, 7909, 9750, 9530, 13553, 13069; 9 F.R. 604.

[1] 8 F.R. 4766, 10750, 12873, 14076, 15322.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4743; Filed, April 3, 1944; 3:40 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amdt. 30]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 289 is amended in the following respects:

1. Section 1351.1501 (h) is added to read as follows:

(h) Condensed milk, condensed skim milk and condensed products containing milk solids in bulk, and canned sweetened condensed milk.

2. Section 1351.1526 is added to read as follows:

§ 1351.1526 *Maximum Prices for condensed milk, condensed skim milk and condensed products containing milk solids, in bulk or bulk packed, and canned sweetened condensed milk*—(a) *Sales by processors, in bulk or bulk packed.* (1) Maximum prices for sales to any class of purchasers shall be those listed in Items 1 and 2 of Table A, f. o. b. processor's plant, subject to the composition adjustments set forth in Item 3 of Table A.

TABLE A

Product	Composition percentage (exclusive of moisture)			In cents per liquid pound (f. o. b. plant)	
	Milk fat	MSNF	Sugar	In wooden barrels	In containers (except wooden barrels) and in tank cars or tank trucks
Item 1:					
Plain condensed skim milk	0	20	0	----	4.06
Super-heated condensed skim milk	0	20	0	----	4.59
Item 2:					
Plain condensed milk	8	22	0	----	8.28
Super-heated condensed milk	8	22	0	----	8.61
Sweetened condensed skim milk	0	20	42	8.08	7.33
Sweetened condensed milk	9½	19½	42	12.28	11.55

Item 3: Adjustments. (i) The maximum prices for products listed in Item 1 of Table A, in bulk or bulk packed, shall be adjusted up or down by adding or deducting $0.0014 per pound for each change of 1% in the composition percentage of milk solids not fat in the finished product, and fractions of 1% shall be adjusted proportionately.

(ii) The maximum prices for products listed in Item 2 of Table A and for any "miscellaneous condensed product", in bulk or bulk packed, shall be adjusted up or down by the amounts stated below for each change of 1% in the composition percentage of the ingredients in the comparable finished product, and fractions of 1% shall be adjusted proportionately (see examples).

Ingredient	Add or deduct per pound
Milk solids not fat	$0.00145
Milk fat	.0065
Sugar	.0006

Example A. If a product contains only 7% fat and 18% MSNF it is not "Plain condensed milk". However, if a processor wishes to supply such a "Miscellaneous Condensed Product" he would figure his maximum price as follows:

Find the price in Table A for the comparable finished product (Plain condensed milk) which is 8.28¢. Since the butterfat is 1% less and MSNF are 4% less than the stated composition of Plain condensed milk, he will deduct $0.0065 for reduction in fat and $0.0058 ($0.00145 x 4) for reduction in MSNF, resulting in a price of 7.05¢ per lb. for the "miscellaneous condensed product".

Example B. If "Plain condensed milk" should contain 8½% fat and 30% MSNF the price is figured by adding to the price in Table A, $0.00325 (½ of $0.0065) for ½% increase in fat and deducting $0.0029 ($0.00145 x 2) for 2% decrease in MSNF to obtain a price of 8.315¢ instead of 8.28¢ per pound.

(2) "Dry solids" means the number of pounds of dry milk solids not fat in a condensed liquid product.

(3) *Records.* The invoice which the seller is required to deliver to the buyer under § 1351.1505 of this regulation No. 289 shall also state the total net weight of the finished product together with the percentage content of dry solids not fat.

(4) *F. o. b. and delivered prices.* The processor's prices are f. o. b. the processor's plant, however, sales may be made on a delivered basis. If a sale is made on a delivered basis, the maximum delivered price, when delivery is made by a common or contract carrier, shall not exceed the f. o. b. price plus the established transportation charge of such carrier, and actual icing charge if any, incurred from the processor's plant to the buyer's receiving point. If the delivery is made by a vehicle owned or controlled by the processor, the transportation charge shall not exceed the lowest available published rate for contract or common carrier for such delivery. However, instead of the maximum delivered price as stated above, the processor may use,

[1] 7 F.R. 10996; 8 F.R. 490, 1486, 1885, 1972, 2352, 3327, 4335, 4587, 4326, 4513, 4918, 6440, 7566, 7593, 8276, 8751, 9330, 9229, 10667, 11245, 13327, 15428, 15455, 16594, 16542, 16836; 9 F.R. 2195, 2269.

as a maximum delivered price on a delivery to the buyer's place of business, the f. o. b. price for the particular product plus $.0015 per liquid pound.

(5) *Allowances and fees.* The maximum prices established for processors shall not be increased by brokerage fees, commissions, or other charges.

(6) *Calculations.* Fractions of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than ½ cent and increased to the next higher cent if ½ cent or more.

(b) *Sales by brokers, jobbers and other persons, in bulk or bulk packed.* The maximum prices on sales of condensed milk products, in bulk and bulk packed by brokers, jobbers and other persons to any class of purchasers shall not exceed the maximum prices set forth in paragraph (a) for processors.

(c) *Sales by processors of canned sweetened condensed milk, in cartons.* (1) Maximum prices for sales and deliveries by a processor of sweetened condensed milk (as defined in paragraph (d) (15) and containing 42% sugar), in cans, packed in cartons shall be either (i) the prices listed in Table B subject to adjustments for variations in composition and can weights as set forth in (c) (2) below, or (ii) the maximum prices to purchasers (other than the United States Government, or any agency thereof) established by processors under § 1499.2 of the General Maximum Price Regulation[9] whichever shall be the higher:

TABLE B

Prices are subject to the provisions of paragraphs (a) (5) and (c) (5)

[In dollars and cents per carton]

If delivered in	Carton of 48 14-oz. cans	Carton of 24 14-oz. cans	Carton of 48 15-oz. cans	Carton of 24 15-oz. cans
Carloads to the United States Government or any agency thereof, f. o. b. processor's plant or warehouse	$6.25	$3.12½	$6.89	$3.20½
Carloads to the customary receiving point of buyers other than the United States Government or any agency thereof	6.25	3.12½	6.89	3.20½
Less carloads to physical premises of a retail store or of a food processor	6.40	3.20	6.74	3.37
Less carloads to the customary receiving point of other buyers	6.30	3.15	6.64	3.32

(2) *Composition adjustments.* (i) The maximum prices for cartons of 48 cans, listed in Table B above shall be adjusted up or down for variations in the composition percentage or net weight per can of the finished product as set forth below:

	Per carton of 48 cans	
Composition or can weight:		
Milk fat for each ½ % variation	14¢	(add)
Milk solids not fat, for each 1% variation	6¢	(add or deduct)
Sugar, for each 1% variation	2½¢	(add or deduct)
Can weight, for each ½ ounce variation in net weight per can with standard composition as described in (c) (1)	17¢	(add or deduct)

(ii) Where a product contains added milk fat and increased or decreased milk solids and the net weight of the can is above or below 14 ounces the processor's maximum prices shall be figured as follows:

Find the prices per carton of 48 14-ounce cans, with the varied ingredients in (c) (1) and (c) (2) above and adjust the total amount for each ½ ounce variation above or below the 14 ounce can weight by adding or deducting,

⅓¢ for each ½ % of milk fat.
⅙¢ for each 1% of milk solids not fat.

(iii) The price for cartons of 24 cans shall be ½ of the price for cartons of 48 cans; other quantities in proportion.

(3) Where canned sweetened condensed milk is sold f. o. b. or delivered to any point other than the buyer's customary receiving point, the maximum prices established in paragraphs (c) (1) and (c) (2), shall be reduced by the cost of transportation between that point and the buyer's customary receiving point, computed in the same manner as delivery charges are computed in paragraph (a) (4).

(d) *Definitions.* (1) "Milk" means cow's milk.

(2) "Skim milk" means cow's milk from which substantially all of the milk fat has been removed.

(3) "MSNF" means milk solids not fat.

(4) "Sugar", except where otherwise specifically limited, means refined sugar (sucrose) or any combination of refined sugar (sucrose) and refined corn sugar (dextrose), or corn sirup.

(5) "Barrel" means a tight wooden barrel costing approximately 1 cent per pound of bulk sweetened condensed milk or of sweetened condensed skim milk.

(6) "Bulk" or "bulk packed" means packed or shipped in any form other than in hermetically sealed containers of one gallon capacity or smaller.

(7) "Buyer's place of business" means the place at which a buyer conducts his principal business operations. This place may be the buyer's warehouse, his manufacturing plant or his wholesale or retail store, depending on the nature of his business.

(8) "Customary receiving point" means that place, in the town or city where the buyer's place of business is located, at which the buyer customarily takes possession of condensed milk products. It may be either a railroad siding or the buyer's warehouse in that town or city.

[9] 9 F.R. 1385.

(9) "Processor" means a person who manufactures for sale any of the products described in this section.

(10) "Plain condensed skim milk, concentrated skim milk" is the product resulting from the evaporation of a considerable portion of the moisture from skim milk, and contains not less than 20 percent of the solids of milk or skim milk.

(11) "Super-heated plain condensed skim milk" is plain condensed skim milk in which live steam has been introduced at a stage of processing.

(12) "Plain condensed milk, concentrated milk", is the liquid food made by evaporating sweet milk to such point that it contains not less than 7.9 percent of milk fat and not less than 25.9 percent of total milk solids. It conforms to the definition and standard of identity for plain condensed milk, concentrated milk, promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940 (5 F.R. 2444).

(13) "Super-heated plain condensed milk" is plain condensed milk in which live steam has been introduced at a stage of processing.

(14) "Sweetened condensed skim milk" is the liquid or semi-liquid product resulting from the evaporation of a considerable portion of the moisture from skim milk to which refined sugar (sucrose) or a combination of refined sugar (sucrose) and refined corn sugar (dextrose) has been added. It contains not less than 24 percent of the solids of milk or skim milk.

(15) "Sweetened condensed milk" is the liquid or semi-liquid food made by evaporating a mixture of sweet milk and refined sugar (sucrose) or any combination of refined sugar (sucrose) and refined corn sugar (dextrose) to such point that the finished sweetened condensed milk contains not less than 28.0 percent of total milk solids and not less than 8.5 percent of milk fat. The quantity of refined sugar (sucrose) or any combination of sugar and refined corn sugar (dextrose) used is sufficient to prevent spoilage. It conforms to the definition and standard of identity for sweetened condensed milk promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940 (5 F.R. 2445).

(16) "Miscellaneous condensed product" means a condensed or concentrated liquid product, sold in bulk, which is not specifically named in and covered by this § 1351.1526, or by some other maximum price regulation, and the composition of which (exclusive of sugar and moisture) includes more than one-half (by weight or volume) of the solids of milk or skim milk.

(e) Reference to other maximum price regulations governing sales of canned sweetened condensed milk:

(1) Sales at wholesale shall be priced under the provisions of Maximum Price Regulation No. 421[8] and at retail under

[8] 8 F.R. 9388, 10569, 10987, 13299, 15250, 15607, 17368, 17367; 9 F.R. 2562.

the provisions of Maximum Price Regulation Nos. 422 [4] and 423.[5]

(f) *Notification of new maximum price.* With the first delivery of canned sweetened condensed milk after the effective date of this amendment, in any case where the seller's new maximum price is different from the maximum price he previously had for the same item, he shall:

Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for canned sweetened condensed milk (describe item by kind, variety, grade, brand, style of pack, and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert effective date of this amendment). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4752; Filed, April 3, 1944; 4:40 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 453,[1] Amdt. 3]

WHOLESALERS' AND RETAILERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 453 is amended in the following respects:

1. Section 1 (c) (1) is amended by inserting after the words "storage batteries", and before the word "glass", the words "sheet or other non-processed".

2. The second sentence of section 2 (c) is amended to read as follows:

Such a sale, purchase or delivery is governed by the Maximum Import Price Regulation.[2]

3. The section headnote of section 5 is amended to read as follows:

SEC. 5. *Maximum prices for sales at wholesale and retail of new parts and rebuilt parts when the seller has been notified by his supplier of the applicable maximum price.*

4. The headnote of section 6 is amended to read as follows: "*Maximum prices for sales at wholesale and at retail of used motors and of new and rebuilt parts when the seller has not been notified by his supplier of the applicable maximum price.*"

5. The undesignated paragraph in section 6 prior to subparagraph (a) is amended by the addition of the words "subject to paragraph (d)".

6. Section 6 is amended by the addition of a new paragraph (d) to read as follows:

(d) *Limitation on maximum prices of rebuilt parts other than rebuilt motors.* The maximum price established under this section 6 for a rebuilt part other than a rebuilt motor shall not exceed 85% of the manufacturer's suggested retail list price for the same part (or lacking the same part, the nearest equivalent part) when new.

7. Section 7 is amended by the addition of the following sentence: "However, any maximum price determined under this section for a rebuilt part other than a rebuilt motor shall not exceed 85% of the manufacturer's suggested retail list price for the same part (or lacking the same part, the nearest equivalent part) when new."

8. Article II is amended by adding a new section 7a to read as follows:

SEC. 7a. *Maximum prices for sales at wholesale and retail of used parts other than used motors.* The maximum price for the sale either at wholesale or retail of a used part other than a used motor shall not exceed a percentage of the manufacturer's suggested retail list price for the same part (or lacking the same part, the nearest equivalent part) when new. The percentage to be applied in establishing a maximum price in accordance with this section 7a is as follows:

(a) For the sale of a used part that is usable without rebuilding: 75%.

(b) For the sale of a used part which requires rebuilding before it can be used: 30%.

9. Section 8 is amended to read as follows:

SEC. 8. *Federal and state taxes*—(a) *Addition of actual amount of federal and state taxes.* A wholesaler or retailer may add to the maximum price established under section 5, 6, 7, or 7a for a part, a tax upon, or incident to, the sale, delivery, transportation or use of the part imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof if: (1) he pays the tax, or his supplier pays it and separately charges and collects it from him; and

(2) The tax is not included in the maximum price; and

(3) A statute or ordinance does not prohibit him from separately stating or collecting the tax; and

(4) He states and collects the tax separately from his maximum price; and

(5) Where the tax was in effect in March, 1942, and during that month he paid the tax, or his supplier paid it and separately charged and collected it from him, he stated and collected the tax separately, or stated and collected an allowance separately which included such tax, or, when his maximum price is established under section 5, his March, 1942, price included the tax and was greater than his present maximum price.

(b) *Allowance that may be added instead of manufacturer's Federal Excise Tax.* A wholesaler or retailer who is entitled to add to a maximum price a manufacturer's federal excise tax under the provisions of paragraph (a) instead of adding such a tax may add an allowance approximating it which shall not exceed 3% of that maximum price if he states this allowance on the invoice (1) separately from all other charges and (2) designates it as "special handling charge authorized by OPA". Wholesalers and retailers are cautioned against representing this allowance as the exact amount of the federal excise tax, since where it is in excess of this tax such a representation may be construed to be a violation of section 3325 of the Internal Revenue Code.

(c) *Transportation tax.* A tax on the transportation of parts imposed by section 3475 of the Internal Revenue Code shall, for purposes of determining the applicable maximum price, be treated as a cost of transportation. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

10. Section 17 (a) is amended to read as follows:

(a) "Manufacturer" means a producer of new automotive parts as defined in section 21 of Maximum Price Regulation 452, or a rebuilder of used automotive parts, or any person who sells automotive parts under his own trade name, or who issues to the automotive trade catalogs or price lists containing his parts or catalog numbers and his suggested resale prices for automotive parts.

11. The second sentence of section 17 (e) is amended to read as follows: "Adjustment must be made for all applicable extra charges, discounts or allowances included in the manufacturer's price list

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*Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 14858, 15251, 15586, 15607, 17369, 17370; 9 F.R. 95.

[5] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15606, 16031, 17371; 9 F.R. 95.

[1] 8 F.R. 11582, 13256, 15458.

[2] 9 F.R. 2350.

or price sheet for sales to a purchaser of the same class in figuring the list price."

12. The first sentence of section 17 (f) is amended to read as follows:

"Sale at retail" means any sale, other than by a manufacturer defined in paragraph (a), to a purchaser for use and not for resale, and includes sales made by garages when to a purchaser for use.

13. Item 10 of Appendix A is amended by deleting the phrase "ignition wiring harness".

14. Item 20 of Appendix A is amended by deleting the words "wiring harness".

15. Item 21 of Appendix A is amended by deleting the words "wire harness".

16. Item 22 of Appendix A is amended by deleting the words "wire harness".

17. Item 27 of Appendix A is amended to read as follows:

Bodies and cabs designed exclusively for commercial vehicles and busses including component and attaching parts, excepting upholstery.

18. A new item 37 is added to Appendix A to read as follows:

Automotive battery cable and wiring harness when sold or delivered at retail to an ultimate user other than an industrial, commercial or governmental user.

19. Item 3 of Appendix B is amended to read: Sheet or other non-processed glass.

20. Item 20 of Appendix B is amended by deleting the phrase "Sun visors and shields".

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4738; Filed, April 3, 1944; 3:42 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 385,[1] Amdt. 14]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 2 (d) is amended to read as follows:

(d) *Chain stores.* Your store is a "chain store" if it is one of four or more stores under one or common ownership which had combined "annual gross sales" for all stores of $500,000 or more. To determine your "annual gross sales", consult section 13, 14 or 15.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4736; Filed, April 3, 1944; 3:41 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 110,[1] Amdt. 6]

RESALE OF NEW HOUSEHOLD REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 110 is amended in the following respect:

1. Section 1380.110 (a) (1) is amended by adding to the price list of Edison General Electric Appliance Co., Inc., a table of maximum prices for 1942 Model Hotpoint refrigerators, to read as follows:

Manufacturer	Brand	Model	1st zone	2d zone	3d zone	4th zone	4A zone
		1942 models[1]					
Edison General Electric Appliance Co., Inc.	Hotpoint	EA-6-42	$126.31	$128.31	$131.31	$133.31	$128.31
		EA-7-42	152.20	154.20	157.20	159.20	154.20
		EA8-7-42	166.63	168.63	171.63	173.63	168.63
		EB-7-42	192.30	194.30	197.30	199.30	194.30
		EBP-7-42	202.48	204.48	207.48	211.48	204.48
		EC-7-42	222.66	225.16	230.16	232.16	225.16
		EC-8-42	242.59	245.59	250.59	253.59	245.59
		ED-6-42	263.04	266.04	271.04	274.04	266.04
		ED-12-42	450.15	455.15	462.65	467.65	474.15
		ED-16-42	511.49	516.49	523.99	528.99	535.49

This amendment shall become effective on the 8th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4735; Filed, April 3, 1944; 3:40 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 513,[1] Amdt. 2]

YELLOW CYPRESS LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 513 (Yellow Cypress Lumber) is amended in the following respect:

Section 5 is deleted.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4739; Filed, April 3, 1944; 3:41 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 18]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is added to read as follows:

(1) Cornmeal.

2. Section 1407.687 is added to read as follows:

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp (pounds of cornmeal)
#9 March 17 to March 19	No. 9	2
#10 March 20 to March 26	No. 10	2
#11 March 27 to April 2	No. 11	2
#12 April 3 to April 9	No. 12	2
#13 April 10 to April 16	No. 13	2
#14 April 17 to April 23	No. 14	2
#15 April 24 to April 30	No. 15	2

3. Section 1407.704 is added to read as follows:

§ 1407.704 *Designation of amount of rationed commodities allowed per person served by institutional users.* (a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be eight (8) pounds per person per month of cornmeal.

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; W.P.B. Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 17th day of March 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-4751; Filed, April 3, 1944; 4:39 p. m.]

PART 1434—MATCHES

[MPR 365,[1] Amdt. 3]

RESALE BOOK MATCHES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 12 (a) (10) is amended to read as follows:

(10) "Resale book matches" includes paper matches in books which are intended for distribution to and through retailers. They contain advertising other than that of the purchaser and over which the distributor or retailer has no control; or they contain patriotic or other non-commercial slogans, or non-commercial designs not specially imprinted for one particular customer. They do not include paper matches which light automatically as they are removed from the package and which are known as "pull-quick" matches.

2. Section 12 (a) (11) is amended to read as follows:

(11) "Thank you" type book matches include resale book matches which contain a blank space in place of any advertising matter or of patriotic or other non-commercial slogans or non-commercial designs.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4737; Filed, April 3, 1944; 3:41 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4423, 4922, 6214, 6438, 7199, 7827, 8185, 8945.

[1] 7 F.R. 2311, 2543, 2761, 4107, 6052, 7175, 8043, 11070; 8 F.R. 137, 5478.

[1] 9 F.R. 2028.

[1] 7 F.R. 8867, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3643, 4190, 4892, 5263, 7017; 9 F.R. 2233, 2478, 2656, 2746.

[1] 8 F.R. 4721, 9520, 12560, 13712.

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 14 to GMPR, Amdt. 118]

FF WOOD ROSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 4.24 is added to read as follows:

SEC. 4.24 *Sales of FF wood rosin by certain persons.*—(a) *Sales by producers.* The maximum price for a carload sale of FF wood rosin in drums, bags or barrels by a producer thereof, whose maximum price for the same sale under the General Maximum Price Regulation was under $3.18 per 100 pounds f. o. b. plant prior to April 8, 1944, shall be $3.18 per 100 pounds f. o. b. plant. Maximum prices for sales in other containers and quantities shall be established by applying to the above price the dollar and cent differentials established for those sales under the General Maximum Price Regulation prior to April 8, 1944. Discounts and allowances established under the General Maximum Price Regulation prior to April 8, 1944, shall be maintained.

(b) *Sales by resellers.* At his option, a reseller of FF wood rosin, acquired by virtue of this section 4.24 at a cost higher than that prevailing prior to April 8, 1944, may establish maximum prices for a sale of this rosin according to the following method, in place of the maximum prices established for such sales by the General Maximum Price Regulation:

(1) Determine from the invoice furnished to him, as required by paragraph (c) of this section 4.24, the amount of the increase per 100 pounds in the price of his supplier for the particular quantity of FF wood rosin permitted by this section 4.24.

(2) Add this increase (in dollars and cents) per 100 pounds to his maximum price per 100 pounds for the sale in question established under the General Maximum Price Regulation prior to April 8, 1944. The resulting figure is the reseller's maximum price under this paragraph (b).

(3) Show the increase per 100 pounds separately on his invoices, as required by paragraph (c) of this section 4.24.

(c) *Invoices.* The producer or reseller shall show as separate items on all invoices for such FF wood rosin the maximum price for the same sale under the General Maximum Price Regulation prior to April 8, 1944, and the adjusted selling price (not in excess of the maximum price under this section 4.24). An invoice containing the above required information shall be furnished the buyer prior to payment by him.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4740; Filed, April 3, 1944; 3:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15,[1] to GMPR,[2] Amdt. 23]

OLEOMARGARINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1499.75 (a) (13) is added to read as follows:

(13) *Oleomargarine.* The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] or on its own motion, adjust the maximum prices of a processor or manufacturer of oleomargarine where

(i) The processor's or manufacturer's maximum price is below the general price level prevailing for similar products, and

(ii) The processor or manufacturer is or will be unable to maintain his production at his maximum price or prices, and

(iii) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(iv) An increase in his maximum price or prices will enable him to continue production, and

(v) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended.

The maximum price increase that may be granted to a processor or manufacturer under the provisions of this subparagraph (13) shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, an increase in price may be granted not to exceed the total cost of the product, or if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal prewar (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

This amendment shall become effective April 8, 1944.

[1] 7 F.R. 8959, 9819, 10594, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13395, 13724, 15197, 16298, 16796, 17226; 9 F.R. 755, 900, 1581, 1948.

[2] 9 F.R. 1385.

[3] 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4741; Filed, April 3, 1944; 3:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] 11th Rev. Zoning Order 1]

SUGAR; ORDER ESTABLISHING ZONES

Pursuant to § 1407.168, the Tenth Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established;

Zone 1 shall include the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Zone 1A shall include the State of Connecticut.

Zone 2 shall include that part of the State of New York which is not located in Zone 2A; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union Counties in the State of New Jersey.

Zone 2A shall include Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates Counties in the State of New York.

Zone 3 shall include the States of Delaware and Pennsylvania and that part of the State of New Jersey which is not included in Zone 2.

Zone 3A shall include that part of the State of Indiana which is not located in Zone 8; and Adams, Athens, Brown, Butler, Clark, Clermont, Clinton, Fairchild, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Lawrence, Licking, Madison, Meigs, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Vinton, Warren, and Washington Counties in the State of Ohio.

Zone 4 shall include the State of Maryland; Barbour, Berkeley, Braxton, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt, and Wood Counties in the State of West Virginia; Accomac, Arlington, Caroline, Charles City, Clarke, Culpeper, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Greene, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, cities of Alexandria, Fredericksburg, Hampton, Harrisonburg, Hopewell, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg, and Winchester in the State of Virginia; and the District of Columbia.

Zone 5 shall include all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; that part of the State of Virginia which is not included in Zone 4; and that part of the State of West Virginia which is not included in Zones 3A and 4.

Zone 6 shall include the States of Georgia and South Carolina; and that part of the State of North Carolina which is not included in Zone 5.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Louisiana, and Mississippi; that part of the State of Florida which lies west of the Apalachicola River; Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Henderson, Hickman, Livingston, Lyon, Marshall, McCracken, Trigg, Union, and Webster Counties in the State of Kentucky; and Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Houston, Humphreys, Lake, Lauderdale, McNairy, Madison, Obion, Perry, Shelby, Steward, Tipton, Wayne, and Weakley Counties in the State of Tennessee; and Benton, Boone, Brown, Carroll, Clark, Clay, Clinton, Crawford, Daviess, Dubois, Floyd, Fountain, Gibson, Greene, Harrison, Hendricks, Jasper, Johnson, Knox, Lake, Lawrence, Marion, Martin, Monroe, Montgomery, Morgan, Newton, Orange, Owen, Parke, Perry, Pike, Porter, Posey, Pulaski, Putnam, Spencer, Sullivan, Tippecanoe, Vanderburgh, Vermillion, Vigo, Warren, Warrick, Washington, and White Counties in the State of Indiana.

Zone 8A shall include those parts of the States of Kentucky and Tennessee which are not located in Zone 8.

Zone 9 shall include that part of the State of Texas which is not located in Zone 9A.

Zone 9A shall include Andrews, Armstrong, Bailey, Borden, Brewster, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, El Paso, Floyd, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Kent, King, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Ochiltree, Oldham, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Reeves, Roberts, Scurry, Sherman, Sterling, Stonewall, Swisher, Terrell, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum Counties in the State of Texas.

Zone 10 shall include the lower peninsula of the State of Michigan; that part of the State of Ohio which is not located in Zone 3A; and Brooke, Hancock, Ohio and Marshall Counties in the State of West Virginia.

Zone 11 shall include the States of Illinois

in effect on the effective date of this Eleventh Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped, or transferred as follows:

(1) From Zone 1 to any point in Zone 1A.

(2) From Zone 2 to any points in Zones 1A, 2A, 3A, or 10.

(3) From Zone 3 to any point in Zones 2A, 3A, or 10.

(4) From Zone 6 to any point in Zone 8A or to any point in the City of Bristol located in the State of Virginia.

(5) From Zone 8 to any point in Zones 3A, 8A, 9, or 11, or to any point in the City of Bristol located in the State of Virginia.

(6) From Zone 9 to any point in Zone 9A.

(7) From Zone 12 to any point in Zones 9A or 11.

(d) (1) Granulated sugar in 5 and 10 pound packages and confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 4 to any point located in Zone 5 and to any point in the City of Bristol located in the State of Tennessee.

(2) Confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 6 to any point in Zone 7.

(3) Sugar produced in the State of Minnesota may be delivered, shipped or transferred from any point in Zone 11 located in the State of Minnesota to any point in Zone 12 located in the State of North Dakota.

(4) Until April 15, 1944, granulated sugar in two and five pound packages which are clearly labeled to show that the sugar therein may be used during the Passover Holiday by members of the Jewish Faith observing the Orthodox Jewish dietary regulations for that Holiday, may be delivered, shipped, or transferred from any zone to any point in any other zone.

(e) Any carrier who has, prior to the effective date of this Eleventh Revised Zoning Order 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment, or transfer after the effective date of this Eleventh Revised Zoning Order No. 1.

This Revised Zoning Order shall become effective April 3, 1944.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4741; Filed, April 3, 1944; 3:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] 11th Rev. Zoning Order 1]

SUGAR; ORDER ESTABLISHING ZONES

Pursuant to § 1407.168, the Tenth Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Zone 1A shall include the State of Connecticut.

Zone 2 shall include that part of the State of New York which is not located in Zone 2A; and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union Counties in the State of New Jersey.

Zone 2A shall include Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates Counties in the State of New York.

Zone 3 shall include the States of Delaware and Pennsylvania and that part of the State of New Jersey which is not included in Zone 2.

Zone 3A shall include that part of the State of Indiana which is not located in Zone 8; and Adams, Athens, Brown, Butler, Clark, Clermont, Clinton, Fairchild, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Lawrence, Licking, Madison, Meigs, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Vinton, Warren, and Washington Counties in the State of Ohio.

Zone 4 shall include the State of Maryland; Barbour, Berkeley, Braxton, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt, and Wood Counties in the State of West Virginia; Accomac, Arlington, Carolina, Charles City, Clarke, Culpeper, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Greene, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Madison, Mathews, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Page, Prince George, Princess Anne, Prince William, Rappahannock, Richmond, Rockingham, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, and York Counties and the Independent cities of Alexandria, Fredericksburg, Hampton, Harrisonburg, Hopewell, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg, and Winchester in the State of Virginia; and the District of Columbia.

Zone 5 shall include all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; that part of the State of Virginia which is not included in Zone 4; and that part of the State of West Virginia which is not included in Zones 3A and 4.

Zone 6 shall include the States of Georgia and South Carolina; and that part of the State of North Carolina which is not included in Zone 5.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Louisiana, and Mississippi; that part of the State of Florida which lies west of the Apalachicola River; Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Henderson, Hickman, Livingston, Lyon, Marshall, McCracken, Trigg, Union, and Webster Counties in the State of Kentucky; and Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Houston, Humphreys, Lake, Lauderdale, McNairy, Madison, Obion, Perry, Shelby, Steward, Tipton, Wayne, and Weakley Counties in the State of Tennessee; and Benton, Boone, Brown, Carroll, Clark, Clay, Clinton, Crawford, Daviess, Dubois, Floyd, Fountain, Gibson, Greene, Harrison, Hendricks, Jasper, Johnson, Knox, Lake, Lawrence, Marion, Martin, Monroe, Montgomery, Morgan, Newton, Orange, Owen, Parke, Perry, Pike, Porter, Posey, Pulaski, Putnam, Spencer, Sullivan, Tippecance, Vanderburgh, Vermillion, Vigo, Warren, Warrick, Washington, and White Counties in the State of Indiana.

Zone 8A shall include those parts of the States of Kentucky and Tennessee which are not located in Zone 8.

Zone 9 shall include that part of the State of Texas which is not located in Zone 9A.

Zone 9A shall include Andrews, Armstrong, Bailey, Borden, Brewster, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, El Paso, Floyd, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Kent, King, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Ochiltree, Oldham, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Reeves, Roberts, Scurry, Sherman, Sterling, Stonewall, Swisher, Terrell, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum Counties in the State of Texas.

Zone 10 shall include the lower peninsula of the State of Michigan; that part of the State of Ohio which is not located in Zone 3A; and Brooke, Hancock, Ohio and Marshall Counties in the State of West Virginia.

Zone 11 shall include the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin; the upper peninsula of the State of Michigan; and all counties in the State of Oklahoma except Beaver, Cimarron, and Texas Counties.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11, inclusive.

(b) "Base rate", as used herein, refers to the lowest published refiners' base rate in effect on the effective date of this Eleventh Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped, or transferred as follows:

(1) From Zone 1 to any point in Zone 1A.

(2) From Zone 2 to any points in Zones 1A, 2A, 3A, or 10.

(3) From Zone 3 to any point in Zones 2A, 3A, or 10.

(4) From Zone 6 to any point in Zone 8A or to any point in the City of Bristol located in the State of Virginia.

(5) From Zone 8 to any point in Zones 3A, 8A, 9, or 11, or to any point in the City of Bristol located in the State of Virginia.

(6) From Zone 9 to any point in Zone 9A.

(7) From Zone 12 to any point in Zones 9A or 11.

(d) (1) Granulated sugar in 5 and 10 pound packages and confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 4 to any point located in Zone 5 and to any point in the City of Bristol located in the State of Tennessee.

(2) Confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 6 to any point in Zone 7.

(3) Sugar produced in the State of Minnesota may be delivered, shipped or transferred from any point in Zone 11 located in the State of Minnesota to any point in Zone 12 located in the State of North Dakota.

(4) Until April 15, 1944, granulated sugar in two and five pound packages which are clearly labeled to show that the sugar therein may be used during the Passover Holiday by members of the Jewish Faith observing the Orthodox Jewish dietary regulations for that Holiday, may be delivered, shipped, or transferred from any zone to any point in any other zone.

(e) Any carrier who has, prior to the effective date of this Eleventh Revised Zoning Order 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment, or transfer after the effective date of this Eleventh Revised Zoning Order No. 1.

This Revised Zoning Order shall become effective April 3, 1944.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093; Sec. 1407.168 of Revised Ration Order 3)

Issued this 3d day of April 1944.

WALTER P. STRAUB,
Director,
Food Rationing Division.

[F. R. Doc. 44-4744; Filed, April 3, 1944; 3:43 p. m.]

[1] 9 F.R. 1433, 1834, 2626, 3021.

PART 1499—COMMODITIES AND SERVICES

[SR 14A to GMPR, Amdt. 14]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73a (a) (1) (iii) (*d*) (2) is amended to read as follows:

(2) "Sold at wholesale", with respect to sales in bottles or paper containers, refers to sales covered by such term as defined in § 1499.73a (a) (1) (xi) (*a*) (7) of Supplementary Regulation No. 14A and sales to institutions, except that in the territory lying within the boundaries of Region VIII of the Office of Price Administration "Sold at wholesale" shall not include sales to institutions; with respect to sales other than in glass or paper containers "Sold at wholesale" refers to stores, hotels, restaurants and institutions.

This amendment shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4706; Filed, April 3, 1944; 11:36 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

EMPLOYMENT OF HANDICAPPED PERSONS AT WAGES LESS THAN THE APPLICABLE PREVAILING MINIMUM RATES

In the matter of the amendment of Article 1102 of Regulations 504 to provide for the employment of handicapped persons at wages less than the applicable prevailing minimum rates.

By virtue of the authority vested in me by section 4 of the Act approved June 30, 1936 (49 Stat. 2036; 41 U.S.C. secs. 34-35) Article 1102 of Regulations Number 504 concerning tolerances for handicapped workers is amended to provide that § 524.14 of regulations, Part 524,[1] Title 29, of the Wage and Hour Division entitled Regulations Applicable to the Employment of Handicapped Persons Pursuant to section 14 of the Fair Labor Standards Act is hereby adopted for the purposes of the Public Contracts Act as the regulation applicable to handicapped veterans employed under the Vocational Rehabilitation Program of the Veterans Administration.

This amendment shall apply to all contracts subject to the Walsh-Healey Public Contracts Act bids for which are solicited or negotiations commenced by the contracting agency on or after April 5, 1944.

Signed at Washington, D. C. this 25th day of March 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-4736; Filed, April 3, 1944; 2:57 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 216]

NEW MEXICO

PARTIAL REVOCATION OF LAND WITHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking in part Public Land Order No. 60 of November 13, 1942, withdrawing public lands for use of the War Department as auxiliary landing fields.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 1943, it is ordered as follows:

Public Land Order No. 60 of November 13, 1942, withdrawing public lands for the use of the War Department as auxiliary landing fields, is hereby revoked so far as it affects the public lands in the following-described areas:

NEW MEXICO PRINCIPAL MERIDIAN

T. 21 S., R. 11 W.,
Sec. 3, lots 1, 2, 3, and 4, S½N½, SW¼, and W½SE¼;
Sec. 10, N½N½NW¼ and N½NW¼NE¼.
T. 24 S., R. 13 W.,
Sec. 19, lots 3 and 4, E½SW¼, and SE¼;
Sec. 20, W½SW¼ and W½E½SW¼;
Sec. 29, NW¼NW¼;
Sec. 30, NE¼, NE¼NW¼, and N½N½SE¼.

The areas described, including both public and non-public lands, aggregate 1406.17 acres.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 60 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

MARCH 25, 1944.

[F. R. Doc. 44-4764; Filed, April 4, 1944; 11:09 a. m.]

[Public Land Order 217]

IDAHO

CONSOLIDATION OF BOISE AND PAYETTE NATIONAL FORESTS AND DESIGNATION OF CONSOLIDATED AREA AS BOISE NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The Boise National Forest as defined by Proclamation No. 1113 of December 24, 1910 (36 Stat. 2773), and as subsequently modified, and the Payette National Forest as defined by Proclamation No. 1769 of March 24, 1926 (44 Stat. 2609), and as subsequently modified, are hereby consolidated, effective April 1, 1944. The area heretofore comprising the Boise and Payette National Forests shall thereafter be designated and administered as the Boise National Forest.

It is not intended by this order to give a national-forest status to any publicly-owned lands which have not hitherto had such a status, or to remove any publicly-owned lands from a national-forest status.

HAROLD L. ICKES,
Secretary of the Interior.

MARCH 18, 1944.

[F. R. Doc. 44-4765; Filed, April 4, 1944; 11:09 a. m.]

[Public Land Order 218]

IDAHO

CONSOLIDATION OF WEISER AND IDAHO NATIONAL FORESTS AND DESIGNATION OF CONSOLIDATED AREA AS PAYETTE NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C., Title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The Weiser National Forest as defined by Proclamation No. 1151 of June 30, 1911 (37 Stat. 1702) and as subsequently modified, and the Idaho National Forest as defined by Proclamation No. 1769 of March 24, 1926 (44 Stat. 2609), and as subsequently modified, are hereby consolidated, effective April 1, 1944. The area heretofore comprising the Weiser and Idaho National Forests shall thereafter be designated and administered as the Payette National Forest.

It is not intended by this order to give a national-forest status to any publicly-owned lands which have not hitherto had such a status, or to remove any publicly-owned lands from a national-forest status.

HAROLD L. ICKES,
Secretary of the Interior.

MARCH 18, 1944.

[F. R. Doc. 44-4766; Filed, April 4, 1944; 11:09 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] *Supra.*

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 28A–1]

PART 503—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That:

All provisions of General Order ODT 28A (6 F.R. 7778), shall be and the same are hereby suspended until May 15, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 4th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4787; Filed, April 4, 1944; 10:35 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

Regulations of the International Fisheries Commission adopted pursuant to the Pacific Halibut Fishery Convention between the United States of America and the Dominion of Canada, signed January 29, 1937.

Sec.

301.1 Regulatory areas.
301.2 Limit of catch in each area.
301.3 Length of closed season.
301.4 Issuance of licenses and conditions limiting their validity.
301.5 Retention of halibut taken with other fish under permit.
301.6 Issuance of permits and conditions limiting their validity.
301.7 Statistical return by vessels.
301.8 Statistical return by dealers.
301.9 Closed small halibut grounds.
301.10 Dory gear prohibited.
301.11 Nets prohibited.
301.12 Responsibility of master.
301.13 Supervision of unloading and weighing.
301.14 Previous regulations superseded.

AUTHORITY: §§ 301.1 to 301.14, inclusive, issued under 80 Stat. 1351.

§ 301.1 *Regulatory areas.* (a) The convention waters shall be divided into the following areas, all directions given being magnetic.

(b) Area 1 shall include all convention waters southeast of a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in July, 1939, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43'17" N., longitude 124°04'15" W.

(c) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June, 1940, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'57" N., longitude 136°38'18" W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in § 301.9.

(d) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°49'30" N., longitude 169°07'00" W., according to Chart 8802, published in January, 1942, by the United States Coast and Geodetic Survey, and that are south of the Alaska Peninsula and of the Aleutian Islands and shall also include the intervening straits or passes of the Aleutian Islands.

(e) Area 4 shall include all convention waters which are not included in Areas 1, 2, and 3, and in those areas defined in § 301.9.

§ 301.2 *Limit of catch in each area.* (a) The catch of halibut to be taken during the halibut fishing season of the year 1944 from Area 2 shall be limited to approximately 23,500,000 pounds of salable halibut, and from Area 3 to approximately 27,500,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from each area during the halibut fishing season of the year 1944 shall also be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) The International Fisheries Commission shall as early in the said year as is practicable determine the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for or catching of halibut in the area or areas to which such limit applies shall at that date be prohibited until after the end of the closed season as defined and modified in § 301.3 of these regulations, except as provided in § 301.5 thereof and in Article I of the Convention: *And provided*, That if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date, it may substitute another date.

§ 301.3 *Length of closed season.* (a) Under the authority of Article I of the aforesaid Convention the closed season as therein defined shall be modified so as to end at 12 midnight of the 15th day of April of the year 1944 and of each year thereafter and shall begin at 12 midnight of the 30th day of November of each year unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section: *Provided*, That the International Fisheries Commission may fix any date subsequent to the 1st day of November as the commencement of the closed season regardless of the catch which it deems will be attained by such date.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in each area on the date on which the limit is reached as provided in § 301.2 (c) and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval (the burden of proving any such signification being upon the person alleging it): *And provided*, That the closing date of Area 2 or of Area 3, whichever shall be later, shall apply to Area 4, and that the closure of Area 2 shall apply to Area 1.

(c) Nothing contained in these regulations shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 *Issuance of licenses and conditions limiting their validity.* (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International Fisheries Commission, provided that vessels of less than five net tons or vessels which do not use set lines need not be licensed unless they shall require a permit as provided in § 301.5.

(b) Each licensed vessel shall carry this license on board at all times while at sea whether it is validated for halibut fishing or endorsed with a permit as provided in § 301.6 and this license shall at all times be subject to inspection by authorized officers of either of said Governments or by representatives of the International Fisheries Commission.

(c) The license shall be issued without fee by the customs officers of either of said Governments or by representatives of the International Fisheries Commission. A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license form previously issued, or when there shall be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(d) The license of any vessel shall be validated before departure from port for each fishing operation for which statistical returns are required. This validation of a license shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the license of such vessel may be validated by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) No license shall be validated for departure for halibut fishing in Areas 1 or 2 more than three days, and in Areas 3 or 4 more than five days before the end of the closed season as defined in § 301.3 (a).

(f) No license shall be valid for halibut fishing in more than one area, as defined in § 301.1, during any one trip nor shall it be revalidated for halibut fishing in another such area while the vessel has any halibut on board.

(g) The license shall not be valid for halibut fishing in any area closed to halibut fishing or for the possession of halibut in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(h) The license shall not be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

(i) The license of any vessel shall not be valid for the possession of any halibut in any area other than that for which validated, if such vessel is in possession of baited gear, except in those waters included within a twenty-five mile radius of Cape Spencer Light, Alaska.

§ 301.5 *Retention of halibut taken with other fish under permit.* (a) There may be retained in possession on any vessel which shall have a permit as provided in § 301.6 such halibut as is caught incidentally to fishing by that vessel in any area that is closed to halibut fishing under § 301.2 with set lines (of the type commonly used in the Pacific coast halibut fishery) for other species, not to exceed at any time one pound of halibut for each seven pounds of salable fish, actually utilized, of other species not including salmon or tuna, and such halibut may be sold as the catch of said vessel, the weight of all fish to be computed as with heads off and entrails removed.

(b) The catch of halibut taken and retained under such permit shall be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) Halibut retained under such permit shall not be landed or otherwise removed or be received by any person, firm or corporation from the catching vessel until all halibut on board shall have been reported to a customs, fishery or other authorized officer of either of said Governments nor shall any vessel receive it for transportation unless it shall be reported to the said officer prior to departure from port, and no halibut or other fish shall be landed or removed or be received from the catching vessel except under such supervision as the said officer may deem advisable.

(d) Halibut retained under such permit shall not be purchased or held in possession by any person other than the master, operator, or crew of the catching vessel in excess of the proportion herein allowed until such excess whatever its origin shall have been forfeited and surrendered to the customs, fishery or other authorized officers of either of said Governments. In forfeiting such excess, the vessel shall be permitted to surrender any part of its catch of halibut: *Provided*, That the amount retained shall not exceed the proportion herein allowed.

(e) Permits for the retention and landing of halibut in the year 1944 shall become invalid at 12 midnight of the 30th day of November of said year or at such earlier date as the International Fisheries Commission shall determine.

§ 301.6 *Issuance of permits and conditions limiting their validity.* (a) Any vessel which shall be used in fishing for other species than halibut in any area closed to halibut fishing under § 301.2 must have a license and a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in § 301.5.

(b) The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall show the area for which the permit is issued.

(c) The permit shall terminate at the time of first landing thereafter of fish of any species and a new permit shall be secured before any subsequent fishing operation for which a permit is required.

(d) A permit shall not be issued to any vessel which shall have halibut on board taken while said vessel was licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and as thereby subject to forfeiture when landed if in excess of the amount permitted in § 301.5.

(e) A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines of the type commonly used in the Pacific coast halibut fishery.

(f) The permit of any vessel shall not be valid unless the permit is granted before departure from port for each fishing operation for which statistical returns are required. This granting of a permit shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license or permit: *Provided*, That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the permit of such vessel may be granted by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

§ 301.7 *Statistical return by vessels.* (a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any licensed vessel and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in § 301.5 and 301.6, within 48 hours of landing, sale or transfer of halibut or of first entry thereafter into a port where there is an officer authorized to receive such return, except that when operating within any area in which the catch is not limited in amount by these regulations the master or operator of a licensed vessel shall make statistical returns at such times as are required by the customs officers or the International Fisheries Commission, but shall at all times keep with the license form such records as are necessary to make such return.

(b) The statistical return must state the port of landing and the amount of each species taken within the area defined in these regulations, for which the vessel's license is validated.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A copy of such return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator and/or any person engaged on shares in the operation of any vessel licensed or holding a permit under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license or permit under these regulations shall keep an accurate

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 25A–1]

PART 503—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That:

All provisions of General Order ODT 25A (8 F.R. 7778), shall be and the same are hereby suspended until May 15, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 4th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4787; Filed, April 4, 1944; 10:35 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

Regulations of the International Fisheries Commission adopted pursuant to the Pacific Halibut Fishery Convention between the United States of America and the Dominion of Canada, signed January 29, 1937.

Sec.
301.1 Regulatory areas.
301.2 Limit of catch in each area.
301.3 Length of closed season.
301.4 Issuance of licenses and conditions limiting their validity.

1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June, 1940, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'57" N., longitude 136°38'18" W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in § 301.9.

(d) Area 2 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°49'30" N., longitude 169°07'00" W., according to Chart 8802, published in January, 1942, by the United States Coast and Geodetic Survey, and that are south of the Alaska Peninsula and of the Aleutian Islands and shall also include the intervening straits or passes of the Aleutian Islands.

(e) Area 4 shall include all convention waters which are not included in Areas 1, 2, and 3, and in those areas defined in § 301.9.

§ 301.2 *Limit of catch in each area.* (a) The catch of halibut to be taken during the halibut fishing season of the year 1944 from Area 2 shall be limited to approximately 23,500,000 pounds of salable halibut, and from Area 3 to approximately 27,500,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from each area during the halibut fishing season of the year 1944 shall also be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any

as to end at 12 midnight of the 15th day of April of the year 1944 and of each year thereafter and shall begin at 12 midnight of the 30th day of November of each year unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section: *Provided*, That the International Fisheries Commission may fix any date subsequent to the 1st day of November as the commencement of the closed season regardless of the catch which it deems will be attained by such date.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in each area on the date on which the limit is reached as provided in § 301.2 (c) and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval (the burden of proving any such signification being upon the person alleging it): *And provided*, That the closing date of Area 2 or of Area 3, whichever shall be later, shall apply to Area 4, and that the closure of Area 2 shall apply to Area 1.

(c) Nothing contained in these regulations shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 *Issuance of licenses and conditions limiting their validity.* (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International

log of all fishing operations including therein date, locality, amount of gear used, and the amount of halibut taken daily in each such locality. This log record shall be open to inspection of representatives of the International Fisheries Commission authorized for this purpose.

(f) The master, operator and/or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

§ 301.8 *Statistical return by dealers.* (a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcing officer of either of said Governments or to representatives of the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut.

(b) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut and other species landed therewith shall be open at all times to inspection of any enforcement officer of either of said Governments or of any authorized representative of the International Fisheries Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(c) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by an unlicensed vessel or a vessel without a permit when such license or permit is required, is prohibited.

§ 301.9 *Closed small halibut grounds.* (a) The following areas have been found to be populated by small, immature halibut and are hereby closed to all halibut fishing and the possession of halibut of any origin is prohibited therein during fishing for other species:

(b) First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated: from the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55°33'48" N., longitude 133°43'35" W., to the south extremity of Wood Island, approximately latitude 55°39'44" N., longitude 133°42'29" W.; thence to the east extremity of Timbered Islet, approximately latitude 55°41'47" N., longitude 133°47'42" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55°41'46" N., longitude 133°48'01" W.; thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55°34'46" N., longitude 134°14'40" W.; thence southeast by south twelve and one-half miles to a point approximately latitude 55°22'23" N., longitude 134°12'48" W.; thence northeast thirteen and seven-eighths miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°26'11" N., longitude 133°49'12" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in June, 1929, and Chart 8182, as published by the United States Coast and Geodetic Survey at Washington, D. C., in March, 1933, and reissued March, 1939, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December, 1923: *Provided*, That the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(c) Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: from the northwest extremity of Wiah Point, latitude 54°06'50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill, Graham Island, latitude 54°04'24" N., longitude 131°48'00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911: *Provided*, That the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

§ 301.10 *Dory gear prohibited.* The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in all convention waters.

§ 301.11 *Nets prohibited.* It is prohibited to retain halibut taken with a net of any kind or to have in possession any halibut while using any net or nets other than bait nets for the capture of other species of fish, nor shall any license or permit held by any vessel under these regulations be valid during the use or possession on board of any net or nets other than bait nets which are utilized for no other purpose than the capture of bait for said vessel.

§ 301.12 *Responsibility of master.* Wherever in these regulations any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

§ 301.13 *Supervision of unloading and weighing.* The unloading and weighing of the halibut of any vessel licensed or holding a permit under these regulations shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfilment of the provisions of these regulations.

§ 301.14 *Previous regulations superseded.* These regulations shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed January 29, 1937, except as to offenses occurring prior to the approval of these regulations. These regulations shall be effective as to each succeeding year, with the dates herein specified changed accordingly, until superseded by subsequently approved regulations. Any determination made by the International Fisheries Commission pursuant to these regulations shall become effective immediately.

G. W. NICKERSON,
Chairman.
CHARLES E. JACKSON,
A. J. WHITMORE,
EDWARD W. ALLEN,
Secretary.

Approved: March 30, 1944.

FRANKLIN D ROOSEVELT

[F. R. Doc. 44-4760; Filed, April 4, 1944; 11:24 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 54]

YUMA AUXILIARY PROJECT, ARIZ.

PUBLIC NOTICE OF ANNUAL WATER CHARGES[1]

MARCH 28, 1944.

1. *Annual operation and maintenance charges for Yuma Auxiliary Project.* For the season of 1944, and thereafter until further notice, each acre of irrigable land described below, whether water is used or not, shall be charged with a minimum operation and maintenance charge of eight dollars ($8.00), which will permit delivery of not to exceed 3 acre-feet per acre; and additional water will be furnished at the rate of two dollars ($2.00) per acre-foot: *Provided*, That, for lands entered subsequent to September 1 and prior to January 1 no minimum operation and maintenance charge shall be assessed, but water actually delivered shall be paid for in advance at the rate of $3.00 per acre-foot. For the irrigation season of 1944 and for subsequent seasons covered by this notice (beginning January 1 of each year), the minimum charge will be due and payable April 15 of each year and charges for additional water shall be payable on the tenth of the month following that in which the additional quantity was used. All charges due hereunder shall be payable to the Bureau of Reclamation, Yuma, Arizona.

2. The following lands shown on the farm unit plats of this project, approved October 3, 1919, are subject to the charges announced:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 23 W.,
Sections 31 and 32—All.
T. 10 S., R. 23 W.
Sections 4, 5, 6, 7, 8, 9, and 17—All.
Section 18—E½SE¼, N½N½.
Section 19—NE¼NE¼.
Section 20—NW¼NW¼.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the act of December 19, 1941, 55 Stat. 842)

[SEAL] H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4763; Filed, April 4, 1944; 11:09 a. m.]

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[1] Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.

General Land Office.

NEVADA AND CALIFORNIA

REDUCING AND REVOKING CERTAIN STOCK DRIVEWAY WITHDRAWALS

The orders of the Secretary and the Acting Secretary of the Interior of September 3, 1918, September 13, 1918, November 4, 1918, December 26, 1918, January 16, 1919, February 14, 1919, May 5, 1919, October 24, 1919, October 30, 1919, and December 19, 1919, establishing and modifying stock driveway withdrawals in Nevada and California under section 10 of the act of December 29, 1916, 39 Stat. 865 (U.S.C., title 43, sec. 300), are hereby revoked so far as they affect the following-described lands, which are within Nevada Grazing District No. 3:

NEVADA

MOUNT DIABLO MERIDIAN

T. 11 N., R. 20 E.,
Sec. 1;
Sec. 2, NE¼, S½SW¼, N½SE¼, and SE¼SE¼;
Sec. 4, SW¼;
Sec. 8, lot 9 and NE¼SE¼;
Sec. 9, W½ and SE¼;
Sec. 10, NE¼SE¼;
Sec. 11, N½NE¼, SW¼NE¼, NW¼, N½SW¼, and NW¼SE¼;
Sec. 12, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 13, E½, NE¼NW¼, S½NW¼, NE¼SW¼, and S½SW¼;
Sec. 15, E½NE¼ and SE¼;
Sec. 16;
Sec. 22, lots 12 and 13, N½NE¼ and SE¼NE¼.
T. 13 N., R. 20 E.,
Sec. 13, E½, NE¼SW¼, and S½SW¼;
Sec. 24, NE¼.
T. 11 N., R. 21 E.,
Sec. 3, W½W½;
Sec. 4, E½, NW¼, and NE¼SW¼;
Sec. 9, E½NE¼;
Sec. 10, W½W½;
Sec. 15, NE¼NW¼.
T. 12 N., R. 21 E.,
Sec. 30, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 31.
T. 13 N., R. 21 E.,
Sec. 7, SE¼SW¼ and S½SE¼;
Sec. 8, S½S½;
Secs. 17, 18, 19, and 20;
Sec. 25, SW¼;
Secs. 26 to 30, inclusive;
Sec. 31, N½;
Sec. 32, N½.
T. 10 N., R. 22 E.,
Sec. 7, NE¼NW¼.
T. 13 N., R. 22 E.,
Sec. 13, N½ and N½S½;
Sec. 14, N½, N½S½, and SW¼SW¼;
Sec. 15, S½;
Sec. 16, S½;
Sec. 17, NW¼ and S½;
Sec. 20, W½NE¼ and N½NW¼.
T. 14 N., R. 22 E.,
Sec. 1, S½NE¼, W½, and SE¼;
Secs. 2 and 11;
Sec. 12, E½, N½NW¼, SE¼NW¼, and SW¼;
Sec. 13;
Sec. 14, N½ and SE¼;
Sec. 23, E½, S½NW¼, and SW¼;
Sec. 24, NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 25, 26, 35, and 36.
T. 15 N., R. 22 E.,
Secs. 1, 2, and 3;
Sec. 4, SE¼;
Sec. 9, E½ and SW¼;
Sec. 10;
Sec. 11, N½;
Sec. 12, N½ and SE¼;
Sec. 15, W½;
Sec. 16;
Sec. 21, E½, N½NW¼, SE¼NW¼, and SW¼;
Sec. 22, S½NE¼, W½, and SE¼;
Sec. 23, SW¼NE¼, S½NW¼, SW¼, and W½SE¼;
Sec. 24, NE¼, SE¼SW¼, NE¼SE¼, and S½SE¼;
Sec. 25, N½NE¼, SW¼NE¼, and W½;
Secs. 26 and 27;
Sec. 28, NE¼;
Sec. 35;
Sec. 36, NW¼, N½SW¼, and SW¼SW¼.
T. 10 N., R. 23 E.,
Sec. 3, lots 2, 3, 4, S½N½, and N½S½;
Sec. 4, N½, N½S½, and SW¼SW¼;
Secs. 5 and 6;
Sec. 7, N½;
Sec. 8, N½;
Sec. 10, SE¼;
Sec. 13, NE¼;
Sec. 15, N½NE¼.
T. 11 N., R. 23 E.,
Sec. 5, W½NE¼, W½, and SE¼;
Secs. 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32.
T. 12 N., R. 23 E.,
Sec. 4, N½ and SW¼;
Secs. 5, 6, and 7;
Sec. 8, NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 17, 18, 19, 20, 29, 30, and 31;
Sec. 32, N½, SW¼, N½SE¼, and SW¼SE¼.
T. 13 N., R. 23 E.,
Sec. 4, W½;
Secs. 5 and 6;
Sec. 8, E½, E½NW¼, and SW¼;
Sec. 9, NW¼, W½SW¼, and SE¼SW¼;
Sec. 10, E½;
Secs. 11, 12, and 14;
Sec. 15, NE¼, S½NW¼, and S½;
Sec. 16, NW¼NE¼, S½NE¼, W½, and N½SE¼;
Secs. 17, 18, 20, 21, 22, 28, 29, and 31;
Sec. 32, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 33.
T. 14 N., R. 23 E.,
Sec. 30, S½SW¼ and SW¼SE¼;
Sec. 31;
Sec. 32, W½ and W½SE¼.
T. 15 N., R. 23 E.,
Sec. 1, W½W½, SE¼SW¼, and S½SE¼;
Secs. 2 to 7, inclusive;
Sec. 8, NE¼NE¼, S½NE¼, NW¼, and S½;
Secs. 9 to 12, inclusive;
Sec. 15, W½;
Sec. 16;
Sec. 17, E½;
Secs. 19 and 20;
Sec. 21, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 30, N½N½.
T. 20 N., R. 23 E.,
Sec. 24.
T. 9 N., R. 24 E.,
Secs. 2, 3, 10, 11, 14, and 15, partly unsurveyed.
T. 10 N., R. 24 E.,
Sec. 1, unsurveyed;
Sec. 2, S½, unsurveyed;
Sec. 3, S½;
Sec. 4, NE¼SE¼ and S½SE¼;
Sec. 9, NW¼NE¼ and E½E½;
Secs. 10, 11, and 12, partly unsurveyed;
Sec. 13, N½, unsurveyed;
Sec. 14, N½, unsurveyed;
Sec. 15, N½;
Sec. 16, E½NE¼;
Sec. 18, W½NW¼;
Sec. 21, S½SW¼;
Secs. 27 and 28;
Sec. 29, E½E½;
Sec. 33, N½ and SE¼;
Secs. 34 and 35, partly unsurveyed.
T. 13 N., R. 24 E.,
Secs. 7 to 17, inclusive;
Sec. 21, N½ and SE¼;
Secs. 22, 23, and 24.
T. 15 N., R. 24 E.,
Secs. 3 to 10, inclusive.
T. 16 N., R. 24 E.,
Sec. 1, W½W½;
Sec. 2, NE¼, S½NW¼, and S½;
Secs. 11, 13, and 14;
Sec. 21, S½S½;
Sec. 22, S½SW¼ and SE¼;
Secs. 23, 24 and 25;
Sec. 26, E½ and N½NW¼;
Sec. 27, NE¼NE¼, W½E½, and W½;
Secs. 28 and 33;
Sec. 34, W½E½ and W½;
Sec. 35, E½;
Sec. 36.
T. 17 N., R. 24 E.,
Secs. 6 and 18;
Sec. 28, SW¼;
Sec. 30;
Sec. 31, N½NE¼;
Sec. 32, N½ and N½SE¼;
Sec. 33, N½ and N½S½;
Sec. 34, N½ and N½SW¼;
Sec. 35, N½N½ and S½NW¼.
T. 18 N., R. 24 E.,
Secs. 6, 18, and 30.
T. 19 N., R. 24 E.,
Secs. 6, 18, and 30.
T. 20 N., R. 24 E.,
Sec. 30.
T. 10 N., R. 25 E.,
Secs. 1 to 6, inclusive;
Sec. 7, W½;
Sec. 18, NW¼.
T. 13 N., R. 25 E.,
Sec. 19.
T. 16 N., R. 25 E.,
Sec. 19, S½, unsurveyed;
Secs. 25 to 36, inclusive, unsurveyed.
T. 7 N., R. 26 E.,
Sec. 25, NE¼ and S½, partly unsurveyed;
Sec. 36, NE¼NW¼, and S½.
T. 9 N., R. 26 E.,
Sec. 1, W½, unsurveyed;
Sec. 12, W½, unsurveyed;
Sec. 13, W½, unsurveyed;
Sec. 24, W½, unsurveyed;
Sec. 25, W½, unsurveyed;
Sec. 36, unsurveyed.

T. 10 N., R. 26 E.,
Sec. 6;
Sec. 7, N½;
Sec. 8, SW¼NW¼, NW¼SW¼, S½SW¼, and SW¼SE¼;
Sec. 16, SW¼SW¼;
Sec. 17, W½E½ and SE¼SE¼;
Sec. 21, W½W½, SE¼SW¼, and S½SE¼;
Sec. 22, SW¼SW¼;
Sec. 27, W½W½, SE¼SW¼, and SW¼SE¼;
Sec. 34, NE¼;
Sec. 35, SW¼NW¼, NW¼SW¼, and S½S½;
Sec. 36, S½SW¼.
T. 13 N., R. 26 E.,
Sec. 12, NE¼ and S½;
Sec. 13;
Sec. 14, NE¼ and S½;
Secs. 21, 22, 23, 24, 27, 28, and 29;
Sec. 30, E½.
T. 16 N., R. 26 E.,
Secs. 25 to 36, inclusive.
T. 5 N., R. 27 E.,
Sec. 1, E½;
Sec. 13, NE¼ and S½;
Secs. 19, 23, 24, and 25;
Secs. 26 and 36.
T. 6 N., R. 27 E.,
Secs. 5 to 9, inclusive;
Sec. 10, SW¼;
Sec. 14, S½;
Secs. 15, 16, 17, 22, and 23;
Sec. 24, NE¼NE¼, S½NE¼, NW¼NW¼, S½NW¼, SW¼, and N½SE¼;
Sec. 25, W½;
Sec. 26, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 35, E½E½;
Sec. 36, S½NE¼, NW¼, and S½.
T. 7 N., R. 27 E.,
Secs. 31 and 32.
T. 8 N., R. 27 E.,
Sec. 14, SW¼;
Sec. 15, SE¼SE¼;
Sec. 22, NE¼NE¼;
Sec. 23;
Sec. 24, S½;
Sec. 25, N½.
T. 9 N., R. 27 E.,
Sec. 31, W½.
T. 13 N., R. 27 E.,
Sec. 1, SW¼;
Secs. 2, 3, and 4, and secs. 7 to 12, inclusive, partly unsurveyed;
Sec. 13, NW¼ and S½;
Secs. 14 to 30, inclusive, partly unsurveyed.
T. 16 N., R. 27 E.,
Secs. 21 to 34, inclusive, unsurveyed.
T. 5 N., R. 28 E.,
Sec. 6, N½NE¼ and W½;
Sec. 7, W½;
Sec. 18, NW¼.
T. 6 N., R. 28 E.,
Secs. 1, 2, 3, and secs. 10 to 16, inclusive;
Sec. 19, N½, N½S½, SW¼SW¼, and SE¼SE¼;
Secs. 20, 21, and 22;
Sec. 23, N½, SW¼, NE¼SE¼, and S½SE¼;
Sec. 24 and secs. 26 to 31, inclusive.
T. 7 N., R. 28 E.,
Secs. 5, 6, 7, 8, 17, 18, 20, 27, 34, and 35.
T. 8 N., R. 28 E.,
Secs. 29 to 32, inclusive.
T. 13 N., R. 28 E.,
Sec. 7, W½;
Sec. 18, NW¼.
T. 16 N., R. 28 E.,
Secs. 19 to 30, inclusive, unsurveyed.
T. 7 N., R. 29 E.,
Sec. 27, N½SW¼, SW¼SW¼;
Sec. 28, E½SW¼ and SE¼SE¼;
Secs. 33 to 36, inclusive;
Sec. 36, S½NE¼, NW¼, and S½.
T. 15 N., R. 29 E.,
Secs. 1, 2, 3, and secs. 10 to 14, inclusive, unsurveyed.
T. 16 N., R. 29 E.,
Secs. 19 to 22, secs. 26 to 30, inclusive, and secs. 34 and 35, unsurveyed.

T. 7 N., R. 30 E.,
Secs. 1 and 2;
Sec. 3, SE¼;
Sec. 9, S½;
Secs. 10 to 15, inclusive;
Sec. 16, N½;
Sec. 17, NE¼, E½NW¼, SW¼, and W½SE¼;
Sec. 18, SE¼;
Sec. 19, N½NE¼;
Sec. 20, N½NW¼ and E½SE¼;
Sec. 21, S½;
Secs. 22 to 26, inclusive;
Sec. 27, N½ and SE¼;
Sec. 28, N½NW¼;
Sec. 29, E½NE¼;
Sec. 31, NE¼NE¼, S½NE¼, NE¼SW¼, S½SW¼, NE¼SE¼, and S½SE¼;
Sec. 32, SW¼;
Sec. 35, N½ and SE¼;
Sec. 36.
T. 8 N., R. 30 E.,
Sec. 1;
Sec. 3, E½;
Secs. 12, 13, 24, and 25;
Sec. 26, E½E½;
Secs. 35 and 36.
T. 14 N., R. 30 E.,
Secs. 1, 2, 11, 12, 13, and 14, unsurveyed.
T. 15 N., R. 30 E.,
Secs. 7 to 10, secs. 13 to 18, and secs. 21 to 24, inclusive, unsurveyed.
T. 6 N., R. 31 E.,
Secs. 3 to 7, inclusive;
Sec. 8, E½, N½NW¼, SW¼NW¼, and SW¼;
Secs. 9 and 10;
Sec. 11, SW¼;
Secs. 14, 15, and 16;
Sec. 21, NE¼;
Secs. 22 to 26, inclusive;
Sec. 27, E½;
Sec. 35, NE¼;
Sec. 36.
T. 7 N., R. 31 E.,
Secs. 29 to 32, inclusive.
T. 8 N., R. 31 E.,
Secs. 5 to 8, inclusive.
T. 9 N., R. 31 E.,
Secs. 3, 4, 9, 10, 15, 16, secs. 19 to 22, and secs. 27 to 32, inclusive.
T. 10 N., R. 31 E.,
Secs. 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, and 34, unsurveyed.
T. 11 N., R. 31 E.,
Secs. 1, 2, 3, 10, 11, 12, secs. 14 to 17, secs. 20 to 23, and secs. 28 to 33, inclusive, unsurveyed.
T. 13 N., R. 31 E.,
Sec. 1, secs. 4 to 9, inclusive, and secs. 12, 13, 16, 17, and 18, unsurveyed.
T. 14 N., R. 31 E.,
Secs. 24 and 25, unsurveyed.
T. 1 N., R. 32 E.,
Sec. 1, NW¼NE¼, S½NE¼, NW¼, and S½;
Secs. 2, 3, 10, 11, and 12;
Sec. 14, N½ and SW¼;
Sec. 15;
Sec. 20, S½;
Sec. 21, S½;
Sec. 22;
Sec. 23, W½;
Sec. 26, W½;
Secs. 27 and 28;
Secs. 29, 30, 32, and 33;
Sec. 34, NW¼.
T. 2 N., R. 32 E.,
Secs. 1, 2, 3, secs. 10 to 14, secs. 23 to 26, inclusive, and secs. 34 and 35;
Sec. 36, N½NE¼, SW¼NE¼, W½, and W½SE¼.
T. 3 N., R. 32 E.,
Secs. 2, 3, 4, secs. 9 to 15, secs. 23 to 27, inclusive, and secs. 34, 35, and 36, unsurveyed.
T. 4 N., R. 32 E.,
Secs. 2, 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 33, and 34;
Sec. 35, N½, N½SW¼, SW¼SW¼, and SE¼.

T. 5 N., R. 32 E.,
Secs. 4 to 9, inclusive;
Sec. 16, W½;
Secs. 17 to 20, inclusive;
Sec. 21, NW¼ and S½;
Sec. 22, S½;
Secs. 26 to 30, inclusive, and secs. 33, 34, and 35.
T. 6 N., R. 32 E.,
Sec. 19 and secs. 29 to 32, inclusive, unsurveyed;
Sec. 33, W½, unsurveyed.
T. 10 N., R. 32 E.,
Secs. 1, 2, 11, and 12.
T. 11 N., R. 32 E.,
Secs. 5 to 8, secs. 15 to 22, inclusive, and secs. 27, 28, 33, and 34.
T. 12 N., R. 32 E.,
Secs. 2 to 5, inclusive, secs. 8, 9, 10, and secs. 16 to 21, inclusive.
T. 13 N., R. 32 E.,
Secs. 4 to 9, inclusive, secs. 16, 17, 18, 20, 21, 27, 28, 29, and secs. 32 to 35, inclusive, unsurveyed.
T. 14 N., R. 32 E.,
Secs. 19, 20, 21, and secs. 28 to 33, inclusive unsurveyed.
T. 9 N., R. 33 E.,
Sec. 1, W½;
Secs. 2, 3, 4, 9, 10, and 11;
Sec. 12, NW¼ and S½;
Secs. 13 to 16, inclusive, and secs. 22, 23, and 24.
T. 10 N., R. 33 E.,
Secs. 5 to 8, inclusive;
Sec. 9, W½;
Secs. 16 to 22, inclusive;
Sec. 27, S½NE¼, NW¼, and S½;
Secs. 28, 33, and 34;
Sec. 35, S½.
T. 8 N., R. 34 E.,
Secs. 2, 3, 4, 10, 11, 14, 15, 22, and 23;
Sec. 24, SW¼;
Secs. 25, 26, 27, 35, and 36.
T. 9 N., R. 34 E.,
Sec. 7, S½;
Secs. 17 to 21, secs. 24 to 29, inclusive, and secs. 33, 34, and 35.
T. 17 N., R. 34 E.,
Secs. 25 to 36, inclusive, unsurveyed.
T. 7 N., R. 35 E.,
Secs. 3 to 6, and secs. 8 to 16, inclusive;
Sec. 23, N½;
Sec. 24.
T. 8 N., R. 35 E.,
Sec. 29, W½;
Secs. 30 and 31;
Sec. 32, W½W½.
T. 9 N., R. 35 E.,
Sec. 4, W½;
Secs. 5 and 8;
Sec. 9, W½;
Sec. 17;
Sec. 18, SE¼;
Sec. 19;
Sec. 20, W½.
T. 10 N., R. 35 E.,
Sec. 1, lots 3 to 7, lots 10 to 20, inclusive, and S½;
Sec. 10, SE¼;
Secs. 11 to 16, inclusive, and sec. 21;
Sec. 22, NW¼;
Sec. 23;
Sec. 29, E½;
Sec. 32;
Sec. 33, W½.
T. 11 N., R. 35 E.,
Sec. 34, SW¼SW¼.
T. 16 N., R. 35 E.,
Secs. 2 to 11, inclusive, secs. 13, 14, 15, 23, and 24, unsurveyed.
T. 17 N., R. 35 E.,
Secs. 29 to 32, inclusive.
T. 5 N., R. 36 E.,
Secs. 2 and 3, secs. 10 to 15, inclusive, and secs. 23 and 24, unsurveyed.
T. 6 N., R. 36 E.,
Secs. 5 to 9, secs. 15 to 18, secs. 20 to 23, inclusive, and secs. 26, 27, 28, 34, and 35, unsurveyed.

T. 7 N., R. 36 E.,
Secs. 7 and 8, secs. 17 to 20, and secs. 29 to 32, inclusive;
T. 10 N., R. 36 E.,
Sec. 16, NW¼SW¼ and S½SW¼, unsurveyed;
Sec. 17, NW¼NE¼, S½NE¼, W½, and SE¼, unsurveyed;
Sec. 18, unsurveyed.
T. 15 N., R. 36 E.,
Secs. 1, 2, 3, 11, and 12, unsurveyed.
T. 16 N., R. 36 E.,
Secs. 16 to 22, inclusive, secs. 26, 27, 28, 34, 35 and 36, unsurveyed.
T. 5 N., R. 37 E.,
Sec. 17, NW¼NW¼, unsurveyed;
Sec. 18, N½, SW¼, and NW¼SE¼, unsurveyed;
Sec. 19, NW¼NW¼, unsurveyed.
T. 14 N., R. 37 E.,
Secs. 4 and 5;
Sec. 9, N½ and N½S½;
Sec. 10, N½;
Sec. 11, N½NW¼.
T. 15 N., R. 37 E.,
Secs. 7, 18, 19, 20, 29, and 32, unsurveyed.
T. 16 N., R. 37 E.,
Secs. 5, 8, 17, 20, 29, 30, and 31, unsurveyed.
T. 17 N., R. 37 E.,
Secs. 5, 8, 17, 20, 29, and 32, unsurveyed.
T. 18 N., R. 37 E.,
Secs. 2, 11, 14, 15, 22, 27, 28, 29, and 32.
T. 19 N., R. 37 E.,
Secs. 24, 25, 26, and 35.
T. 10 N., R. 38 E.,
Secs. 4, 9, 16, 17, 19, and 20.
T. 20 N., R. 38 E.,
Secs. 25, 26, 27, 33, and 34.
T. 20 N., R. 39 E.,
Secs. 3, 10, and 15;
Sec. 20, S½;
Secs. 21 and 22;
Sec. 28, N½;
Secs. 29 and 30.
T. 21 N., R. 39 E.,
Sec. 10, SE¼;
Secs. 11 and 12;
Sec. 14, N½ and SW¼;
Secs. 15, 22, 27, and 34.
T. 20 N., R. 40 E.,
Sec. 4, E½.
T. 21 N., R. 40 E.,
Sec. 4, W½;
Secs. 7 and 8;
Sec. 9, W½;
Sec. 22, W½W½ and SE¼SW¼;
Sec. 27, W½;
Sec. 28, E½;
Sec. 33, E½;
Sec. 34, W½.
T. 22 N., R. 40 E.,
Sec. 33, W½.

The areas described, including both public and nonpublic lands, aggregate approximately 580,900 acres.

CALIFORNIA

MOUNT DIABLO MERIDIAN

T. 8 N., R. 23 E.,
Sec. 30, SW¼SE¼;
Sec. 31, NW¼NE¼ and NW¼.
T. 5 N., R. 26 E.,
Sec. 1, lots 1, 2, 3, and 4;
Secs. 10 and 11;
Sec. 12, N½ and SW¼.

The areas described aggregate 2003.74 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MARCH 23, 1944.

[F. R. Doc. 44–4767; Filed, April 4, 1944; 11:09 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 334]

VOCATIONAL AND ACTING VOCATIONAL REHABILITATION OFFICERS OF VETERANS' ADMINISTRATION

DESIGNATION TO ACT AS AUTHORIZED REPRESENTATIVES OF ADMINISTRATOR

Designating the vocational rehabilitation officers and the acting vocational rehabilitation officers of the Veterans' Administration as authorized representatives to sign and issue temporary certificates for the employment of disabled veterans at subminimum wage rates pursuant to section 14 of the Fair Labor Standards Act of 1938 and section 4 of the Public Contracts Act of June 30, 1936.

By virtue of, and pursuant to, the authority vested in me by sections 4 and 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060), and Article 1102, as amended, of Regulations No. 504 and the administrative order, dated March 25, 1944, issued by the Secretary of Labor under section 4 of the Walsh-Healey Public Contracts Act (49 Stat. 2036), I, L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Divisions, do hereby designate and appoint the Vocational Rehabilitation Officers and the Acting Vocational Rehabilitation Officers of the Veterans' Administration as my authorized representatives with full power and authority to sign and issue temporary certificates authorizing the employment of veterans handicapped by a service incurred disability (as determined by the Veterans' Administration) under any vocational rehabilitation program administered by the Veterans' Administration, at subminimum wage rates pursuant to section 14 of the Fair Labor Standards Act of 1938 and § 524.14 of Part 524, as amended, of the regulations issued thereunder, and Article 1102, as amended, of Regulations No. 504 issued under the Walsh-Healey Public Contracts Act.

Signed at Washington, D. C., this 25th day of March 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44–4734; Filed, April 3, 1944; 2:57 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G–534]

KANSAS POWER AND LIGHT CO.

NOTICE OF APPLICATION

APRIL 3, 1944.

Notice is hereby given that on March 27, 1944, The Kansas Power and Light Company, a Kansas corporation, with principal place of business located at 808 Kansas Avenue, Topeka, Kansas, filed with the Federal Power Commission an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

An 8-inch Dresser coupled pipe line approximately 38,000 feet in length, beginning in the Cities Service Field at the Northeast corner of Section 8, in Township 25 South, Range 16 West, Edwards County, Kansas, and running in a Southwesterly direction through Sections 8, 17, 18, 19, and 30 in said Township 25 South, Range 16 West, Sections 25 and 36 in Township 25 South, Range 17 West, and Sections 2 and 3 in Township 26 South, Range 17 West, and connecting to The Kansas Power and Light Company's present 8-inch line in the Southeast corner of Section 3, Township 26 South, Range 17 West, including well connections and necessary measuring stations to connect the English No. 1 well in Section 8, and the Breitenbach No. 1 well in Section 5, Township 25 South, Range 16 West, all in Edwards County, Kansas.

The Kansas Power and Light Company proposes to purchase natural gas in the field and transport the same into its existing pipe lines at the point above described. The pipe line will be operated under the natural pressure of the wells, without use of compressors at the present time, the application states.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 19th day of April 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–4755; Filed, April 4, 1944; 10:02 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5143]

PURE CARBONIC, INC., ET AL.

NOTICE OF HEARING

In the matter of Pure Carbonic, Inc., a corporation; Air Reduction Company, Inc., a corporation; Liquid Carbonic Corporation, a corporation; Mathieson Alkali Works, Inc., a corporation, and Michigan Alkali Company, a corporation.

Notice. Notice is hereby given you, Pure Carbonic, Inc., a corporation, Air Reduction Company, Inc., a corporation, Liquid Carbonic Corporation, a corporation, Mathieson Alkali Works, Inc., a corporation, and Michigan Alkali Company, a corporation, respondents herein, that the 5th day of May, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint,[1] at which time and place you will have the right, under said Act, to appear and show

[1] Filed as part of the original document.

cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

Your are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from his service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 29th day of March, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4759; Filed, April 4, 1944; 10:39 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 154]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, March 29, 1944, by S. Friedman Sons, of car WFE 63506, potatoes, now on the CB&Q Railroad, to Southern Illinois Wholesale Grocery Company at Herrin, Illinois. (Mo. Pac.-I. C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4686; Filed, April 3, 1944; 11:14 a. m.]

[S. O. 164, 8th Amended General Permit 9]

REICING OF CITRUS FRUITS FROM ARIZONA, CALIFORNIA AND TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at any point in the States of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, Missouri or Nebraska, or at East St. Louis, Illinois, Council Bluffs, Iowa, Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with citrus fruits originating in Arizona, California and Texas. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 Under Service Order No. 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 1, 1944, and shall expire at 12:01 a. m., June 1, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4687; Filed, April 3, 1944; 11:14 a. m.]

[S. O. 178, Special Permit 98]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of three refrigerator cars with lard and one refrigerator car with lard and dry salt meat by Hateley Brothers at Chicago, Illinois, and the movement under refrigeration of the four cars so loaded from that point not later than April 5, 1944, to Pensacola, Florida, for export to Cuba. (C. & E. I.-Frisco)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4688; Filed, April 3, 1944; 11:14 a. m.]

[S. O. 178, Special Permit 99]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one refrigerator car so loaded from that point March 30, 1944, to Cincinnati, Ohio. (I. C.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4689; Filed, April 3, 1944; 11:15 a. m.]

[S. O. 187, 2d Amended General Permit 2]

TRANSPORTATION OF POTATOES FROM DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, or Visalia, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, Ney Plymouth, or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4690; Filed, April 3, 1944; 11:15 a. m.]

[S. O. 187, Special Permit 6]

TRANSPORTATION OF SEED POTATOES FROM PRESQUE ISLE, MAINE

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation or movement of one refrigerator car loaded with a mixed shipment of certified seed potatoes and smaller size seed potatoes from the same stock grading U. S. 1 except for size, shipped by Ben Marks Company, Presque Isle, Maine, consigned to Frank Barney, Girard, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4691; Filed, April 3, 1944; 11:15 a. m.]

[S. O. 187, Special Permit 7]

TRANSPORTATION OF POTATOES FROM SOUTH MITCHELL, NEBR.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation or movement of two refrigerator cars loaded with throw-out Triumph potatoes which grade below U. S. 2 by Ledingham and Simpson at South Mitchell, Nebraska, and the movement March 28 or 29, 1944, of car PFE 25937, so loaded, from South Mitchell to Pratt Grocery Company, Ardmore, Oklahoma, (U. P.-A. T. & S. F.) and car PFE 13782, so loaded from South Mitchell to Palmer Wholesale Grocery, Eufaula, Oklahoma. (U. P.-M. K. T.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4692; Filed, April 3, 1944; 11:15 a. m.]

[S. O. 193]

REROUTING OF FREIGHT TRAFFIC BETWEEN YORK AND REFORM, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of April, A. D. 1944.

It appearing that due to high water on the Tombigbee River the Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee) is unable to transport freight traffic over its line between York and Reform, Alabama; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people. It is ordered, that:

(a) *High water on Tombigbee River; rerouting of freight traffic.* The Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee) is hereby directed to forward freight traffic routed over its line between York and Reform, Alabama, by routes most available to expedite its movement and prevent congestion without regard to the routing thereof made by shippers and by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made; provided that the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carrier's disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Divisions of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized, they shall not be changed or affected by this order.

(40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That this order shall become effective immediately; that copy of this order and direction shall be served upon the Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4768; Filed, April 4, 1944, 11:46 a. m.]

[S. O. 194]

UNLOADING OF COAL AT OAK POINT, N. Y., AND CLEARFIELD, PA.

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 3d day of April, A. D. 1944.

It appearing that four (4) cars containing coal billed to the Castle Coal Company, Oak Point, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and five (5) cars containing coal billed to Louis Gullotta, Clearfield, Pennsylvania, on The New York Central Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Coal at Oak Point, New York, and Clearfield, Pennsylvania, to be unloaded. (a) The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and The New York Central Railroad Company, common carriers by railroad subject to the Interstate Commerce Act, their agents or employees, shall unload forthwith four (4) cars containing coal billed to the Castle Coal Company, Oak Point, New York, on The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and five (5) cars containing coal billed to Louis Gullotta, Clearfield, Pennsylvania, on The New York Central Railroad Company.

(b) Said carriers shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and The New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4769; Filed, April 4, 1944; 11:46 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3058]

I. B. ULRICH BUDAPEST

In re: A negotiable delivery receipt for 224,000 pounds of pig lead owned by I. B. Ulrich Budapest.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. B. Ulrich Budapest, sometimes referred to as I. B. Ulrich and J. B. Ulrich, is a business enterprise operated by Richard Minkus and Imre Minkus, with its principal place of business at VI Vilmos csaszar-ut 81, Budapest, Hungary, and is a national of a designated enemy country (Hungary);

2. That I. B. Ulrich Budapest, sometimes referred to as I. B. Ulrich and J. B. Ulrich, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Certificate number 615 issued by American Smelting and Refining Company to Mineralia, Metal and Ore Corporation, or order dated June 4, 1940, entitling the holder to the delivery of 224,000 pounds of pig lead in bond on or after June 4, 1940, upon the surrender of this certificate, F. A. S. Galveston, Texas.

is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 4, 1944.

[SEAL] LEO T. CROWLEY, *Alien Property Custodian.*

[F. R. Doc. 44-4666; Filed, April 3, 1944; 10:38 a. m.]

[Vesting Order 3266]

SIEMENS & HALSKE, A. G., ET AL.

In re: Patents and interests of Siemens & Halske Aktiengesellschaft and others in an agreement dated June 7, 1929 between Siemens & Halske Aktiengesellschaft, Associated Telephone and Telegraph Company, The International Automatic Telephone Company Limited and Siemens Brothers & Co. Limited.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each of the business organizations identified in Exhibit A attached hereto and made a part hereof is organized under the laws of and has its principal place of business in the country set forth in the column headed "Nat" after its respective name, and is a national of such foreign country;

2. That Companhia Brasileira de Electricidade, Siemens-Schuckert, S. A.; Siemens-Schuckert Ltda., Cia de Electricidad; Siemens Companhia de Electricidade; Siemens Industria Electrica, S. A.; Elektriska Aktiebolaget Siemens-Svagstromsafdelningen; Siemens Elektrizitats-Erzeugnisse A. G., Abteilung Siemens & Halske; and Albiswerk Zurich Aktiengesellschaft are controlled by or are acting for or on behalf of nationals of Germany and are nationals of a foreign country (Germany);

3. That the property described in subparagraph 7a hereof is property of Siemens & Halske Aktiengesellschaft;

4. That the property described in subparagraph 7b hereof is property of Telephon-Apparat-Fabrik E. Zwietusch & Co. G. m. b. H;

5. That the property described in subparagraph 7c hereof is property of Albiswerk Zurich Aktiengesellschaft;

6. That the property described in subparagraph 7d hereof is property of the business organizations set forth in Exhibit A;

7. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

Re. 17,703; 6-17-30; Adolf Waschnack; Telephone system.

1,865,188; 6-28-32; Ernst Horn; Telephone system.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

2,098,986; 9-28-37; Fritz Appelius & Heinrich Langer; Measured service telephone system.

2,183,002; 6-20-39; Heinrich Langer; Telephone pay station.

2,221,665; 11-12-40; Karl Schiffmann & Emil Walter; Party line telephone system.

(c) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

2,250,769; 7-29-41; Max Kieser; Signaling circuit.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the business organizations identified in Exhibit A attached hereto and made a part hereof, and in each of them, by virtue of an agreement dated June 7, 1929 (including all modifications thereof and supplements thereto, if any) by and between Siemens & Halske Aktiengesellschaft, Associated Telephone and Telegraph Company, The International Automatic Telephone Company Limited and Siemens Brothers & Co. Limited, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,289,562,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Name of Company, Address and Nationality

Compania Platense de Electricidad, Siemens-Schuckert S. A., Seccion Siemens & Halske A. G., Buenos Aires, Argentina, Argentina.

Societe Anonyme Siemens, Departement Siemens & Halske, Brussels, Belgium, Belgium.

Automatic Electric Sales Company, S. A., Antwerp, Belgium, Belgium.

The New Antwerp Telephone and Electrical Works, Societe Anonyme, now known as Automatique Electrique, S. A., Antwerp, Belgium, Belgium.

Companhia Brasileira de Electricidade, Siemens-Schuckert, S. A., Rio de Janeiro, Brazil, Brazil.

Bulgarische Elektrizitats A. G. Siemens, Sektion Siemens & Halske, Sofia, Bulgaria, Bulgaria.

Siemens-Schuckert Ltda., Cia de Electricidad, Santiago, Chile, Chile.

Siemens Elektrizitats A. G., Schwachstromabteilung, Prague, Czechoslovakia, Czechoslovakia.

Elektrotechna A. G. fur Schwachstromtechnik, Prague, Karlin, Czechoslovakia, Czechoslovakia.

Technische Industrie A. G., Prague, Czechoslovakia, Czechoslovakia.

Siemens-Gesellschaft m. b. H., Schwachstromabteilung, Danzig, Danzig, Danzig.

Siemens Elektricitets Aktieselskab, Svagstromsafdelingen, Copenhagen, Denmark, Denmark.

Estnische Handels-Aktiengesellschaft Siemens, Tallinn, Estonia, Estonia.

Siemens-France Societe Anonyme, Departement Siemens & Halske, Paris, Franco, France.

Cie. Generale de Telegraphie et de Telephonie, Paris, France, France.

Siemens & Halske Aktiengesellschaft, Berlin-Siemensstadt, Germany, Germany.

Telephon-Apparat-Fabrik E. Zwietusch & Co. G. m. b. H., Berlin, Germany, Germany.

Vereinigte Bayerische Telefonwerke A. G., Munchen, Germany, Germany.

Siemens Apparate und Maschinen G. m. b. H., Berlin, Germany, Germany.

Fides-Gesellschaft fur die Verwaltung und Verwertung von Gewerblichen Schutzrechten m. b. H., Berlin, Germany, Germany.

Neue Telefongesellschaft m. b. H., Berlin, Germany, Germany.

Nederlandsche Siemens Maatschappij N. V., Afdeeling Zwakstroom, 's-Gravenhage, The Netherlands, The Netherlands.

Ungarische Siemens-Schukert Werke, Elektrizitats A. G., Budapest, Hungary, Hungary.

Siemens Societa Anonima, Sezione Apparecchi, Milan, Italy, Italy.

Officine Lombarde Apparecchi di Precisione S. A., Milan, Italy, Italy.

Autelco Mediterranea S. A. T. A. P., Milan, Italy, Italy.

Siemens-Schuckert Denki Kabushiki Kaisha, Tokyo, Japan, Japan.

Fusi Denki Seizo Kabushiki Kaisha, Tokyo, Japan, Japan.

Fusi Tsushinki Seizo Kabushiki Kaisha, Kawasaki, Japan, Japan.

Jugoslavische Siemens A. G., Schwachstromabtig, Belgrade, Yugoslavia, Yugoslavia.

Latvijas Akciju Sabiedriba Siemens, Riga, Latvia, Latvia.

Siemens Norsk Aktieselskap, Svakstromavdelingen, Oslo, Norway, Norway.

Automatic Sales & Installation Company, Warsaw, Poland, Poland.

Siemens Companhia de Electricidade, Lisbon, Portugal, Portugal.

Societatea Romana de Electricitate Siemens-Schukert, S. A., Bucharest, Rumania, Rumania.

Siemens Industria Electrica, S. A., Madrid, Spain, Spain.

Elektriska Aktiebolaget Siemens-Svagstromsafdelningen, Stockholm, Sweden, Sweden.

Siemens Elektrizitats-Erzeugnisse A. G., Abteilung Siemens & Halske, Zurich, Switzerland, Switzerland.

Albiswerk Zurich Aktiengesellschaft, Zurich-Albisrieden, Switzerland, Switzerland.

[F. R. Doc. 44-4671; Filed, April 3, 1944, 10:38 a. m.]

[Vesting Order 3267]

HOLZWARTH GASTURBINEN G. M. B. H. ET AL.

In re: Interests of Holzwarth Gasturbinen G. m. b. H. and Holzwarth Gasturbinen Aktiengesellschaft in an agreement with Holzwarth Gas Turbine Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Holzwarth Gasturbinen G. m. b. H. is a company organized under the laws of Germany and is a national of a foreign country (Germany);

2. That Holzwarth Gasturbinen Aktiengesellschaft is a company organized under the laws of Switzerland and is owned and controlled by Holzwarth Gasturbinen G. m. b. H. and is a national of foreign countries (Germany and Switzerland);

3. That the property identified in subparagraph 4 hereof is property of Holzwarth Gasturbinen G. m. b. H. and/or Holzwarth Gasturbinen Aktiengesellschaft;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Holzwarth Gasturbinen G. m. b. H. and Holzwarth Gasturbinen Aktiengesellschaft, and each of them, by virtue of an agreement dated April 5, 1929 (including all modifications thereof and supplements thereto, if any) by and between Holzwarth Gasturbinen G. m. b. H., Holzwarth Gasturbinen Aktiengesellschaft and Holzwarth Gas Turbine Co., which agreement relates, among other things, to Patent No. 2,207,762.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany and Switzerland);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4672; Filed, April 3, 1944, 10:39 a. m.]

[Vesting Order 3268]

NATIONALS OF GERMANY

In re: Patents of Nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or, if a corporation, has its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all such property described in subparagraph 3 hereof, to be held, used, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and the proceeds thereof shall not be subject to any claim except as hereinafter provided.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date, Inventor, Owner and Title

Re. 19,675; 3-20-36; Adolf Rambold; R. Seelig & Hille Maschinen G. m. b. H.; Conveying and flattening device for small bags filled with tea, etc.

1,826,812; 10-6-31; Wilhelm Neumann; Schering A. G.; Remedy and process of making same.

1,889,550; 11-29-32; Albert Hirth; Albert Koch, Executor of Albert Hirth; Magazine pencil.

1,919,861; 7-25-33; Olof Rodhe; H. Maihak A. G.; Method and apparatus for analyzing the gaseous content in liquids.

1,923,076; 8-22-33; Ralph C. Coxhead & C. W. Norton; Brunsviga Maschinenwerke Grimme Natalis & Co., A. G.; Adding machine ribbon mechanism.

2,087,236; 7-20-37; Ernest R. Anders; R. Seelig & Hille Maschinen G. m. b. H.; Individually wrapped bag package.

[F. R. Doc. 44-4673; Filed, April 3, 1944; 10:39 a. m.]

[Vesting Order 3269]

SOCIETE NOBEL FRANCAISE

In re: Patent and interest of Societe Nobel Francaise in an agreement with E. I. du Pont de Nemours and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe Nobel Francaise is a corporation organized under the laws of France

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

2,036,930; 3-31-36; Maurice Belloc; Process for the preparation of artificial fibers.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Nobel Francaise by virtue of an agreement dated September 12, 1939 (including all modifications thereof and supplements thereto, if any) by and between Societe Nobel Francaise and E. I. du Pont de Ne-

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4672; Filed, April 3, 1944, 10:39 a. m.]

[Vesting Order 3268]

NATIONALS OF GERMANY

In re: Patents of Nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or, if a corporation, has its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date, Inventor, Owner and Title

Re. 19,675; 3-20-35; Adolf Rambold; R. Seelig & Hille Maschinen G. m. b. H.; Conveying and flattening device for small bags filled with tea, etc.

1,835,812; 10-6-31; Wilhelm Neumann; Schering A. G.; Remedy and process of making same.

1,889,550; 11-29-32; Albert Hirth; Albert Koch, Executor of Albert Hirth; Magazine pencil.

1,919,861; 7-25-33; Olof Rodhe; H. Malhak A. G.; Method and apparatus for analyzing the gaseous content in liquids.

1,923,076; 8-22-33; Ralph C. Coxhead & C. W. Norton; Brunsviga Maschinenwerke Grimme Natalis & Co., A. G.; Adding machine ribbon mechanism.

2,087,236; 7-20-37; Ernest R. Anders; R. Seelig & Hille Maschinen G. m. b. H.; Individually wrapped bag package.

[F. R. Doc. 44-4673; Filed, April 3, 1944; 10:39 a. m.]

[Vesting Order 3269]

SOCIETE NOBEL FRANCAISE

In re: Patent and interest of Societe Nobel Francaise in an agreement with E. I. du Pont de Nemours and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe Nobel Francaise is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe Nobel Francaise;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor and Title

2,035,939; 3-31-36; Maurice Belloc; Process for the preparation of artificial fibers.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Nobel Francaise by virtue of an agreement dated September 12, 1939 (including all modifications thereof and supplements thereto, if any) by and between Societe Nobel Francaise and E. I. du Pont de Nemours and Company, which agreement relates, among other things, to United States Letters Patent No. 2,035,939.

[F. R. Doc. 44-4674; Filed, April 3, 1944; 10:40 a. m.]

[Vesting Order 3270]

LEO KLUITMANN

In re: Patent of Leo Kluitmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Leo Kluitmann is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Leo Kluitmann;

3. That the property described as follows:

All right, title, and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

2,176,686; 10-10-39; Leo Kluitmann; Method and machine for continuously reprinting.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4675; Filed, April 3, 1944; 10:40 a. m.]

[Vesting Order 3271]

HEINRICH FRINGS AND KARL MEYNEN

In re: Interests of Heinrich Frings and Karl Meynen in an agreement with Standard Brands Incorporated.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Frings and Karl Meynen are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Heinrich Frings and Karl Meynen;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heinrich Frings and Karl Meynen, and each of them, individually and as members of the firm of Heinrich Frings, by virtue of an agreement dated December 12, 1938 (including all modifications thereof and supplements thereto, if any) by and between Heinrich Frings and Karl Meynen, individually and as members of the firm of Heinrich Frings, and Standard Brands Incorporated, relating, among other things, to United States Letters Patent No. 1,890,981,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States: *Provided, however,* That the property herein vested shall not include any right, title or interest of Josef Lowy or Mrs. Olga Szamek in and to the aforesaid agreement, nor shall such vesting disturb in any way the rights of said Josef Lowy or Mrs. Olga Szamek or affect adversely in any way any right, title, interest or privilege which either of them may have.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4676; Filed, April 3, 1944; 10:40 a. m.]

[Vesting Order 3272]

HEINRICH NEUHAUSS

In re: Interests of Heinrich Neuhauss in a patent and an agreement with William H. Clamer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Neuhauss is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Heinrich Neuhauss;

3. That the property described as follows:

Property described in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) An undivided one-half (50%) interest, which stands of record in the United States Patent Office in the name of Heinrich Neuhauss, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

1,876,732; 9-13-32; Heinrich Neuhauss; Metallurgical apparatus.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and

all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heinrich Neuhaus by virtue of a verbal agreement (including all modifications thereof and supplements thereto, if any) by and between Heinrich Neuhaus and Guilliam H. Clamer, relating, among other things, to United States Letters Patent No. 1,876,732.

[F. R. Doc. 44-4677; Filed, April 3, 1944; 10:40 a. m.]

[Vesting Order 3273]

SOCIETE ANONYME DES MANUFACTURES DES GLACES & PRODUITS CHIMIQUES DE SAINT-GOBAIN, CHAUNY & CIREY

In re: Patent of Societe Anonyme des Manufactures des Glaces & Produits Chimiques de Saint-Gobain, Chauny & Cirey.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe Anonyme des Manufactures des Glaces & Produits Chimiques de Saint-Gobain, Chauny & Cirey is a corporation organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe Anonyme des Manufactures des Glaces & Produits Chimiques de Saint-Gobain, Chauny & Cirey;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent;

Patent Number, Date of Issue, Inventor and Title

1,662,894; 6-21-27; Bernard Long; Glass and process of making the same.

is property of a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4678; Filed, April 3, 1944; 10:41 a. m.]

[Vesting Order 3274]

SIEMENS-SCHUCKERTWERKE A. G.

In re: Patent and interest of Siemens-Schuckertwerke A. G. in an agreement with The Hoover Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Siemens-Schuckertwerke A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens-Schuckertwerke A. G.;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealth with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

Re. 20,921; 11-15-38; Paul Scholl and Carl Kuhnel; Absorption refrigerating apparatus.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke A. G. by virtue of an agreement (including all modifications thereof and supplements thereto, if any) by and between Siemens-Schuckertwerke A. G. and The Hoover Company executed by Siemens-Schuckertwerke A. G., on December 22, 1936 and by The Hoover Company on August 2, 1939, which agreement relates, among other things, to United States Patents.

[F. R. Doc. 44-4679; Filed, April 3, 1944; 10:41 a. m.]

[Vesting Order 3275]

MAGNESITAL G. M. B. H.

In re: Interest of Magnesital G. m. b. H. in an agreement with A. P. Green Fire Brick Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Magnesital G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Magnesital G. m. b. H.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Magnesital G. m. b. H. by virtue of an agreement executed by A. P. Green Fire Brick Company on June 16, 1939, and by Magnesital G. m. b. H. on November 1, 1939 (including all modifications of and supplements to such agreement, including, but not by way of limitation, an amendment thereto evidenced in part by a letter dated June 17, 1939, from Silika-und Schamotte-Fabriken Martin & Pagenstecher, A. G. to A. P. Green Fire Brick Company and a cable dated July 10, 1939, from A. P. Green Fire Brick Company to Silag, Kiln-Mulheim, Germany) by and between A. P. Green Fire Brick Company and Magnesital G. m. b. H., relating, among other things, to United States Letters Patent No. 2,079,066,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4680; Filed, April 3, 1944; 10:41 a. m.]

[Vesting Order 3602]

MARCELLO PIACENTINI

In re: Patent of Marcello Piacentini.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Marcello Piacentini is a resident of Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Marcello Piacentini;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

2,221,606, 11-12-40; Marcello Piacentini; Signaling System for night landing of air craft.

is property of a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4681; Filed, April 3, 1944; 10:41 a. m.]

[Vesting Order 3319]

FRIEDRICH FUCHS, WILLEM JOHANN BERNARD JANSEN

In re: Interests of Friedrich Fuchs and Willem Johann Bernard Jansen in patents and in an agreement between Franz Georg Bloch, Karl Fuchs, Friedrich Fuchs and Weston Electrical Instrument Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Friedrich Fuchs and Willem Johann Bernard Jansen are residents of Czechoslovakia and The Netherlands, respectively, and are nationals of foreign countries (Czechoslovakia and The Netherlands);

2. That the property identified in subparagraphs 4a and 4b hereof is property of Friedrich Fuchs and Willem Johann Bernard Jansen;

3. That the property identified in subparagraph 4c hereof is property of Willem Johann Bernard Jansen;

4. That the property described as follows:

(a) An undivided 50% interest in and to the patents identified in Exhibit A attached hereto and made a part hereof, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Friedrich Fuchs by virtue of an agreement dated April 29, 1935 (including all modifications thereof or supplements thereto, including, but without limitation, supplements dated April 29, 1935, June 29, 1942 and March 29, 1943) by and between Franz Georg Bloch, Karl Fuchs, Friedrich Fuchs and Weston Electrical Instrument Corporation, relating, among others, to patent number 1,970,219;

(c) One-fourth of the interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Franz Georg Bloch and Karl Fuchs, and each of them, by virtue of an agreement dated April 29, 1935 (including all modifications thereof or supplements thereto, including, but without limitation, supplements dated April 29, 1935, June 29, 1942 and March 29, 1943) by and between Franz Georg Bloch, Karl Fuchs, Friedrich Fuchs and Weston Electrical Instrument Corporation, relating, among others, to patent number 1,970,219;

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Czechoslovakia and The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents identified as follows:

Patent Number, Date, Inventor and Title

1,970,319; 8-14-34; Frans Georg Bloch; device for indicating temperature.

2,008,494; 7-2-35; Frans Georg Bloch; Electric fire alarm.

2,113,565; 9-20-36; Frans Georg Bloch; Thermometer.

2,117,297; 5-17-38; Frans Georg Bloch; Measuring device.

2,133,899; 10-18-38; Frans Georg Bloch; Electric circuit arrangement for contact-pointer thermostats and like instruments.

2,177,709; 10-31-39; Frans Georg Bloch; Motion transmitting apparatus.

2,304,082; 8-30-42; Frans Georg Bloch; Bimetallic element.

2,316,891; 4-13-43; Frans Georg Bloch; Measuring device.

[F. R. Doc. 44-4662; Filed, April 3, 1944; 10:41 a. m.]

[Vesting Order 8365]

TOSHIO NAKAMURA, ET AL.

In re: Guardianship of the Estate of Toshio Nakamura, Ruth Nakamura, John Nakamura and May Nakamura, minors; File D-68-1509; E. T. sec. 9804.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described in sub-paragraph (a) are property which is in the process of administration by Ralph Keeley, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Tulare;

(2) Such property and interests described in sub-paragraph (a) are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

May Nakamura, Japan.
Ruth Nakamura, Japan.

(3) The property and interest described in subparagraph (b) are property within the United States owned by nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

May Nakamura, Japan.
Ruth Nakamura, Japan.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest, and claim of any kind or character whatsoever of May Nakamura and Ruth Nakamura, and each of them, in and to the Guardianship Estate of Toshio Nakamura, Ruth Nakamura, John Nakamura and May Nakamura, minors, in the possession of Ralph Keeley, Guardian.

(b) All that undivided ½ interest in the real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in Tulare County, State of California, and particularly described as follows:

"The west half of Lot Fifteen of Fairview Colony, in the County of Tulare, State of California, as per map recorded in Book 7, page 41 of Maps in the office of the County Recorder."

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4666; Filed, April 3, 1944; 10:39 a. m.]

[Vesting Order 8366]

SUSANNE LUDWIG

In re: Estate of Susanne Ludwig, deceased; File D-28-3585; E. T. sec. 5833.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, as executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address.

Adolf Ludwig, Germany.
Johann Ludwig, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Adolf Ludwig and Johann Ludwig, and each of them, in and to the estate of Susanne Ludwig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-4670; Filed, April 3, 1944; 10:38 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 213]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WYOMING

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. George Fedor, doing business as Star Transportation Company, Salt Lake City, Utah.

2. F. L. Francis and J. A. Macy, doing business as Francis & Macy, Jackson, Wyoming.

[F. R. Doc. 44-4695; Filed, April 3, 1944; 11:20 a. m.]

[Supp. Order ODT 3, Rev. 214]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the

[1] Filed as part of the original document.

ing jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the

Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Charles Burnett Trucking Co., Newark, N. J.
2. August PraSisto, Florian PraSisto, Albert Marchini and Walter Marchini, doing business as Moon Carrier, Clifton, N. J.
3. Joseph Shallcross, Sr., doing business as Shallcross Express, Newark, N. J.

[F. R. Doc. 44-4694; Filed, April 3, 1944; 11:19 a. m.]

[Supp. Order ODT 3, Rev. 215]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN RHODE ISLAND AND MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Henry F. Lyons, doing business as Cape Cod Overland Express, Brockton, Mass.
2. Kirby's Express, Inc., New Bedford, Mass.
3. James Walter Enos, doing business as Peter's Express, Provincetown, Mass.
4. Fish Transport Co., Inc., New Bedford, Mass.

[F. R. Doc. 44-4693; Filed, April 3, 1944; 11:19 a. m.]

[Supp. Order ODT 6A-25]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN AN AREA COMPRISED OF THE CITY OF ROCHESTER, N. Y., AND ITS METROPOLITAN AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissable, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier

[1] Filed as part of the original document.

forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–25" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Sam Gottry Carting Co. (a corporation), Rochester, N. Y.
2. Rochester Carting Co. (a corporation), Rochester, N. Y.
3. Blanchard Storage Company, Inc., Rochester, N. Y.
4. E. T. Clark Carting Co. (a corporation), Rochester, N. Y.
5. Wm. B. Duffy (an individual), doing business as Wm. B. Duffy Carting Co., Rochester, N. Y.
6. Lewis Ness Carting Co., Inc., Rochester, N. Y.
7. J. P. Rush (an individual), doing business as J. P. Rush Carting Co., Rochester, N. Y.

[F. R. Doc. 44–4696; Filed, April 3, 1944; 11:21 a. m.]

[Supp. A. O. ODT 1–6A]

DESIGNATED MEMBERS OF STAFF OF DIVISION OF RAILWAY TRANSPORT

DELEGATION OF AUTHORITY

Pursuant to § 503.4, paragraph (a), subparagraph (5) of Administrative Order ODT 1, as amended (8 F.R. 6001 and this issue), Supplementary Administrative Order ODT 1–6 is superseded, and it is hereby authorized that:

1. The Western Director, Eastern Director, and Southern Director of the Division of Railway Transport, Office of Defense Transportation, within their respective regions, and the Deputy Western Director, Pacific Coast District, Western Region, within said Pacific Coast District, may issue, subject to the conditions named herein, the directions contemplated by § 502.25 of General Order ODT 12A (9 F.R. 222), or as such order may be hereafter amended, revised, or reissued:

(a) No direction shall be issued directing the removal of any freight from a storage facility which is operated by, or is under the exclusive control of, an agency or department of the United States unless such freight is loaded in or on a railway car.

(b) When freight consigned to or shipped for account of the War Department, Navy Department, or War Shipping Administration is being held at a port area in or on a railway car and such car is needed for other service, or when freight is being held in storage for account of the War Department, Navy Department, or War Shipping Administration, in a storage facility which is not operated by or under the exclusive control of, an agency or department of the United States, and such storage space is needed for other purposes, the appropriate field representative of the War Department, Navy Department, or War Shipping Administration, as the case may be, shall be consulted before the unloading of such car is directed, or before such freight is ordered removed from such storage facility. In the event objection is made by such representative to the unloading of such car, or to the removal of such freight from such storage facility, the matter shall be referred to the Director, Division of Railway Transport, Office of Defense Transportation, for determination.

2. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director of the Office of Defense Transportation and the Director, Division of Railway Transport, Office of Defense Transportation.

This Supplementary Administrative Order ODT 1–6A shall become effective April 5, 1944.

Supplementary Administrative Order ODT 1–6 (9 F.R. 231), is hereby revoked as of the effective date of this Supplementary Administrative Order ODT 1–6A.

Issued at Washington, D. C., this 4th day of April 1944.

J. H. AYDELOTT,
Acting Director,
Division of Railway Transport,
Office of Defense Transportation.

[F. R. Doc. 44–4758; Filed, April 4, 1944; 10:35 a. m.]

[Supp. Order ODT 20A–93]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BEND, OREG., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Bend, Oregon, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Portland, Oregon, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary

[1] Filed as part of the original document.

Order ODT 20A–93" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Portland, Oregon.

8. This order shall become effective April 11, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

R. L. Hiriette, Bend, Oreg.
G. W. Passets, Bend, Oreg.
Albert E. Saye, Bend, Oreg.

[F. R. Doc. 44-4756; Filed, April 4, 1944; 10:38 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 666]

BLAKELEY COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 666 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classification.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

BLAKELEY COAL COMPANY, J. E. MORRIS, 306 27TH ST., CHARLESTON, W. VA., BLAKELEY NO. 1 MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7004, SUB DISTRICT 4, KANAWHA COUNTY, W. VA., DRIFT MINE

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21
Price classification	Q	Q	Q	Q	P	F	O	M	K	M	F	M	M	M
Rail shipments	$3.30	$3.25	$3.20	$3.20	$3.05	$3.00	$2.95	$2.95	$2.90	$3.40	$2.95	$2.65	$2.60	$2.55
Railroad fuel for all uses	3.30	3.25	3.20	3.20	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.65	2.60	2.55
Truck shipments	3.50	3.20	3.15	3.00	2.85	2.80	2.25	2.20						

RAMEY COAL COMPANY, J. R. RAMEY, WILLIAMSBURG, KY., RAMEY MINE, BLUE GEM SEAM, MINE INDEX 7015, SUBDISTRICT 6, WHITLEY COUNTY, KY.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21
Price classification	A	A	A	A	A	A	A	A	A	C	A	E	E	E
Rail shipments including railroad fuel all uses	$4.30	$4.30	$4.30	$4.30	$4.10	$3.85	$3.55	$3.30	$3.40	$3.85	$3.20	$3.00	$2.95	$2.95
Truck shipments	4.40	4.20	3.40	3.05	3.30	3.05	2.23	2.20						

S. AND S. COAL COMPANY, P. O. BOX 103 MIDDLESBORO, KY., S. AND S. COAL CO. MINE, HIGGITE SEAM, MINE INDEX NO. 7011, SUB DISTRICT 6, BELL COUNTY, KY., DRIFT MINE

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipments	$3.90	$3.70	$3.25	$3.45	$3.20	$2.90	$2.35	$2.30

ALLEN AND CODELL COMPANY, WINCHESTER, KY., WILLIAMS COAL MINE, MINE INDEX 7012, SUB DISTRICT 6, PULASKI COUNTY, KY., STRIP MINE

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipments	$3.70	$3.50	$3.25	$3.25	$3.10	$2.90	$2.35	$2.30

This order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4633; Filed, April 1, 1944; 11:40 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 31, 1944.

REGION I

Providence Order No. 6, filed 4:36 p. m.

REGION IV

Jacksonville Order No. 2–F, Amendment No. 11, filed 4:37 p. m.

Nashville Order No. 3–F, Amendment No. 2, filed 4:38 p. m.

REGION V

Dallas Order No. 1–F, Amendment No. 8, filed 4:33 p. m.

Dallas Order No. 1–F, Amendment No. 9, filed 4:35 p. m.

Fort Worth Order No. 1–F, Amendment No. 10, filed 4:33 p. m.

Fort Worth, Order No. 2–F, Amendment No. 10, filed 4:34 p. m.

Fort Worth Order No. 3–F, Amendment No. 10, filed 4:34 p. m.

Fort Worth Order No. 4–F, Amendment No. 10, filed 4:34 p. m.

Fort Worth Order No. 5–F, Amendment No. 10, filed 4:33 p. m.

REGION VI

Chicago Order No. 2–F, Amendment No. 7, filed 4:35 p. m.

La Crosse Order No. 8, Amendment No. 8, filed 4:37 p. m.

REGION VII

Boise Order No. 1–W, Amendment No. 1, filed 4:45 p. m.

Boise Order No. 5–W, filed 4:37 p. m.

Boise Order No. 11, Amendment No. 2, filed 4:40 p. m.

Boise Order No. 12, Amendment No. 2, filed 4:40 p. m.
Boise Order No. 13, Amendment No. 2, filed 4:43 p. m.
Boise Order No. 14, Amendment No. 2, filed 4:43 p. m.
Boise Order No. 15, Amendment No. 2, filed 4:41 p. m.
Boise Order No. 16, Amendment No. 2, filed 4:38 p. m.
Utah Order No. 1–W, filed 4:38 p. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 10, filed 4:45 p. m.
San Francisco Order No. 1–F, Amendment No. 7, filed 4:45 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4710; Filed, April 3, 1944; 11:36 a. m.]

[Region II Order G–19 Under 18 (c)]

RAW MILK IN CERTAIN PENNSYLVANIA COUNTIES

Order No. G–19 under § 1499.18 (c) of the General Maximum Price Regulation. Raw milk hauled by contract carriers for farmers and other producers in Armstrong, Allegheny, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington and Westmoreland Counties, Commonwealth of Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) On and after April 1, 1944, the maximum prices for contract carriers hauling raw milk from farmers or other producers to milk depots, dairies, cooling stations, manufacturing plants or any other receiving point in Armstrong, Allegheny, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Greene, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington and Westmoreland Counties, located in the Commonwealth of Pennsylvania may be increased by an amount not exceeding 5¢ per cwt over their present established maximum prices.

(b) The adjusted maximum prices are subject to carriers' customary allowances, discounts and other price differentials, and the carriers making deliveries hereunder shall not change those allowances, discounts and other price differentials unless said change results in a lower price.

(c) This order may be revoked or amended by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order, price regulation, or amendment, or supplement thereto.

This Order No. G–19 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4709; Filed, April 3, 1944; 11:39 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 1, 1944.

REGION I

Connecticut Order No. 2–F, filed 10:47 a. m.
Connecticut Order No. 3–F, filed 10:47 a. m.

REGION II

Harrisburg Order No. P–1, Amendment No. 1, filed 10:47 a. m.

REGION IV

Memphis Order No. 4–F, Amendment No. 27, filed 10:42 a. m.
Roanoke Order No. 11, filed 10:42 a. m.

REGION V

Kansas City Order No. 15, filed 10:48 a. m.
Kansas City Order No. 16, filed 10:48 a. m.
New Orleans Order No. 2–F, Amendment No. 10, filed 10:42 a. m.

REGION VI

Fargo-Moorhead Order No. 1–F, Amendment No. 2, filed 10:39 a. m.
Fargo-Moorhead Order No. 2–F, Amendment No. 2, filed 10:39 a. m.
Fargo-Moorhead Order No. 3–F, Amendment No. 2, filed 10:40 a. m.
Fargo-Moorhead Order No. 15 (Rev), Amendment No. 1, filed 10:44 a. m.
Fargo-Moorhead Rev. Order No. 16, Amendment No. 1, filed 10:38 a. m.
Fargo-Moorhead Rev. Order 17, Amendment No. 1, filed 10:44 a. m.
Fargo-Moorhead Rev. Order 18, Amendment No. 1, filed 10:44 a. m.
Fargo-Moorhead Rev. Order 19, Amendment No. 1, filed 10:38 a. m.
Fargo-Moorhead Rev. Order 20, Amendment No. 1, filed 10:39 a. m.
Moline Order No. 2–F, Amendment No. 7, filed 10:44 a. m.
Sioux City Order No. 2–F, Amendment No. 8, filed 10:43 a. m.
Twin Cities Order No. 1–F, Amendment No. 7, filed 10:43 a. m.

REGION VII

Boise Order No. 1–W, filed 10:52 a. m.
Boise Order No. 2–W, filed 10:53 a. m.
Boise Order No. 3–W, filed 10:52 a. m.
Boise Order No. 4–W, filed 10:50 a. m.
Boise Order No. 17, filed 10:50 a. m.
Montana Order No. 37, Amendment No. 3, filed 10:40 a. m.
Montana Order No. 13 (Rev), Amendment No. 3, filed 10:44 a. m.
Montana Rev. Order 15, Amendment No. 3, filed 10:41 a. m.
Montana Order No. 22, Amendment No. 3, filed 10:37 a. m.
Montana Rev. Order 14, Amendment No. 3, filed 10:37 a. m.
Montana Rev. Order 16, Amendment No. 2, filed 10:41 a. m.
Montana Rev. Order 17, Amendment No. 2, filed 10:38 a. m.
Montana Rev. Order 18, Amendment No. 3, filed 10:46 a. m.
Montana Rev. Order 20, Amendment No. 3, filed 10:40 a. m.
Montana Rev. Order 21, Amendment No. 4, filed 10:46 a. m.
Montana Order No. 27, Amendment No. 3, filed 10:46 a. m.
Montana Order No. 28, Amendment No. 3, filed 10:46 a. m.
Montana Order No. 32, Amendment No. 3, filed 10:37 a. m.
Montana Order No. 36, Amendment No. 3, filed 10:38 a. m.

REGION VIII

San Francisco Order No. 2–F, filed 10:40 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–4745; Filed, April 3, 1944; 3:39 p. m.]

WAR FOOD ADMINISTRATION.

DIRECTOR OF LABOR

DELEGATION OF AUTHORITY WITH RESPECT TO APPROVAL OF CLAIMS OF WORKERS RECRUITED IN FOREIGN COUNTRIES

The Director of Labor is hereby authorized to exercise the authority vested in the War Food Administrator by section 3 (a) 4, Title 1, Public Law 229, 78th Congress, with respect to the determination and payment of claims of workers recruited in foreign countries. The Director of Labor is further authorized to redelegate the authority hereby conferred upon him to such persons as he may, in his discretion, deem necessary.

Issued this 4th day of April 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–4761; Filed, April 4, 1944; 11:21 a. m.]

WAR PRODUCTION BOARD.

GRANITE FURNITURE COMPANY

CONSENT ORDER

Granite Furniture Company is a corporation engaged in the retail distribution of consumers' goods with its place of business located at 1015 East 21st South, Salt Lake City, Utah.

The company is charged by the War Production Board with violating Limitation Order L–219 in that during the second, third, and fourth quarters of 1943 it purchased and received delivery of consumers' goods for sale at retail in excess of its allowable receipts as provided for in paragraph (d) of that order. In the second quarter of 1943 the excess receipts by the company of consumers' goods amount to $34,000.47, which was 155% in excess of the limitation of the company's allowable receipts. During the third quarter of 1943, the company's excess receipts amounted to $18,147.45, which was 62% in excess of its allowable

receipts. In October, 1943, the excess receipts of the company amounted to $11,156.13, which was 288% in excess of its allowable receipts. In November, 1943, the excess receipts of the company amounted to $11,510.41 which was 297% in excess of its allowable receipts.

The company admits the excessive receipts as charged and consents to the issuance of the following order:

Wherefore, upon the agreement and consent of Granite Furniture Company, the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Granite Furniture Company, its successors or assigns, during the second quarterly period of 1944 (April 1 to July 1) shall compute its allowable receipts of consumers' goods in accordance with paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L-219 as a controlled merchant whose mercantile inventory is greater than its inventory limit at the beginning of any quarterly period under and shall conform to paragraph (d) (1), (d) (2) and (e) of Consumers' Goods Inventory Limitation Order L-219; it shall not during the second quarter of 1944 receive consumers' goods in excess of 75% of the amount thus computed under paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L-219 unless hereafter specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Granite Furniture Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on July 1, 1944.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4656; Filed, April 1, 1944; 4:53 p. m.]

STEPHEN KUBIK

CONSENT ORDER

Stephen Kubik, residing at 540 Girard Avenue, York, Pennsylvania, on or about December 18, 1943, began construction of a residence at 648 South Wheatfield Street, York, Pennsylvania, the estimated cost of which was in excess of the $200 limit permitted by Conservation Order L-41. Stephen Kubik admits this violation but denies that it was wilful, and does not care to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Stephen Kubik, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Stephen Kubik, his agents or contractors, shall not engage in further construction on the premises at 648 South Wheatfield Street, York, Pennsylvania, unless and until authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Stephen Kubik, his agents or contractors, from any restriction, prohibition, or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 3d day of April 1944.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4754; Filed, April 3, 1944; 4:45 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 69

Washington, Thursday, April 6, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter IV—War Food Administration
(Crop Insurance)

PART 412—1943 COTTON CROP INSURANCE CONTRACT REGULATIONS

AMOUNT OF LOSS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1943 Cotton Crop Insurance Regulations are amended as follows:

In § 412.11 *Amount of loss*, paragraph (3) of the 1943 Cotton Crop Insurance Regulations is amended to read as follows:

(3) Where a reduction in production of cotton on any acreage results either in whole or in part from one or more causes not insured against, including (i) the use, for any purpose other than the production of cotton, of insured acreage planted to cotton under an insurance contract, without the consent of the Corporation, and (ii) failure properly to apply irrigation water to cotton in proportion to the water available for all irrigated crops in instances in which insurance is written on an irrigated basis, a number of pounds equal to the appraised reduction in production, except that with respect to any acreage on which there is a complete failure in yield due solely to a cause not insured against, such number of pounds shall not be less than the product of the acreage, the average yield, and the insured percentage;

Adopted by the Board of Directors on November 30, 1943.

(Secs. 506 (e), 516 (b); 52 Stat. 73, 77, 7 U.S.C. 1940 ed., 1506 (e), 1516 (b); E.O. 9322, E.O. 9334)

LEROY K. SMITH,
Chairman of the Board.

Approved: April 5, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-4814; Filed, April 5, 1944; 11:16 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

CLAIMS IN CONNECTION WITH MARINE CASUALTIES

PART 36—CLAIMS AGAINST THE UNITED STATES

Sections 36.44 and 37.6, pertaining to claims in connection with marine casualties, are added as follows:

§ 36.44 *Marine casualties; claims*—(a) *Scope*—(1) *General.* The regulations in this section are concerned with marine casualties, as hereinafter defined, involving vessels, cargoes, or water-front facilities, under the jurisdiction of the Transportation Corps.

(2) *Claims.* The provisions of these regulations apply to all claims otherwise within the scope thereof, not heretofore paid, arising out of marine casualties, as herein defined, occurring on or after 27 May 1941.

(b) *Definitions.* The expressions "Army vessel," "marine casualty," and "investigating officer," are used as follows:

(1) *Army vessel.* Any vessel owned by, or bareboat chartered, subbareboat chartered or allocated on a bareboat basis to the War Department or the Army and under the jurisdiction of the Transportation Corps. Vessels operated by the Army Air Forces, the Army Ground Forces, or agencies of the Army Service Forces other than the Transportation Corps, are not included.

(2) *Marine casualty.* (i) Any collision, grounding, fire, explosion, or other accident or incident involving an Army vessel resulting in loss of life, personal injury, or damage to or loss of vessel, cargo, or other property.

(ii) Any accident or incident resulting in damage to a pier, dock, wharf, quay, or other waterfront facility under the jurisdiction of the Transportation Corps.

(iii) Any accident or incident which may result in a salvage claim, or general average contribution in respect of either vessel or cargo.

(iv) Damage to or loss of cargo while being carried on an Army vessel.

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receipts. In October, 1943, the excess receipts of the company amounted to $11,158.13, which was 288% in excess of its allowable receipts. In November, 1943, the excess receipts of the company amounted to $11,510.41 which was 297% in excess of its allowable receipts.

The company admits the excessive receipts as charged and consents to the issuance of the following order:

Wherefore, upon the agreement and consent of Granite Furniture Company, the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Granite Furniture Company, its successors or assigns, during the second quarterly period of 1944 (April 1 to July 1) shall compute its allowable receipts of consumers' goods in accordance with paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L–219 as a controlled merchant whose mercantile inventory is greater than its inventory limit at the beginning of any quarterly period under and shall conform to paragraph (d) (1), (d) (2) and (e) of Consumers' Goods Inventory Limitation Order L–219; it shall not during the second quarter of 1944 receive consumers' goods in excess of 75% of the amount thus computed under paragraph (d) (1) of Consumers' Goods Inventory Limitation Order L–219 unless hereafter specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Granite Furniture Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on July 1, 1944.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4656; Filed, April 1, 1944; 4:53 p. m.]

STEPHEN KUBIK

CONSENT ORDER

Stephen Kubik, residing at 540 Girard Avenue, York, Pennsylvania, on or about December 18, 1943, began construction of a residence at 648 South Wheatfield Street, York, Pennsylvania, the estimated cost of which was in excess of the $200 limit permitted by Conservation Order L–41. Stephen Kubik admits this violation but denies that it was wilful, and does not care to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Stephen Kubik, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Stephen Kubik, his agents or contractors, shall not engage in further construction on the premises at 648 South Wheatfield Street, York, Pennsylvania, unless and until authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Stephen Kubik, his agents or contractors, from any restriction, prohibition, or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 3d day of April 1944.

Issued this 27th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4754; Filed, April 3, 1944; 4:45 p. m.]

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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(v) Damage to or loss of vessel or cargo caused by War Department or Army stevedores, or stevedores under contract with the War Department or the Army, in the course of the loading or discharging of cargo on or from a vessel.

(3) *Investigating officer.* An officer designated pursuant to the provisions of Army regulations to investigate marine casualties.

(c) *Action by claimant*—(1) *Claimant.* Claims must be presented by the owner of the property damaged or the person injured, or his duly authorized agent or legal representative. The word "owner," as so used, includes bailees, lessees, mortgagors, and conditional vendees but does not include mortgagees, conditional vendors, and others having title for purposes of security only. The claim, if filed by an agent or legal representative, should show the title or capacity of the person signing and be accompanied by evidence of the appointment of such agent, executor, administrator, guardian, trustee, or other fiduciary.

(2) *Form of claim.* Claims should be submitted by presenting in triplicate a sworn statement in writing stating the claimant's address and setting forth the amount of the claim and, so far as possible, the detailed facts and circumstances surrounding the occurrence, indicating the date and place, the property and persons involved, the nature and extent of the damage or injury, and the agency which was the cause or occasion thereof. War Department forms will be used whenever practicable.

(3) *Evidence to be submitted by claimant*—(i) *General.* The amount claimed for damage to or loss or destruction of property, or for personal injury or death, must be substantiated by competent evidence.

(ii) *Property damage.* In support of claims for damage to or destruction of property which has been or can be repaired or replaced, the claimant should submit an itemized signed statement or estimate of the cost of repairs or replacements; if not reparable, the value thereof before and after the casualty occurred should be stated. Whenever a claim includes an item for detention during repairs of damage to vessel, proof establishing such item should be submitted and should include; the date when the vessel was disabled; date on which she was laid up for repairs, and name and location of repair works; date when repairs were commenced and completed; whether while laid up for repairs any other work was performed on the vessel and, if so, the amount and character thereof and the time required for performance; date on which the vessel was returned to service after completion of repairs and where put in service; whether there was opportunity to employ or hire vessel during time laid up for repairs; whether vessel was under charter and, if so, rate of charter hire; and the usual charter rate for the vessel and running expenses. All such statement or estimate should be in triplicate and, if possible, by disinterested competent witnesses, preferably reputable dealers of the type of property damaged or destroyed. Such statements and estimates should be certified as just and correct; if payment has been made, itemized receipts evidencing payment should be included.

(iii) *Personal injury.* In support of claims for personal injury or death, the claimant should submit in triplicate a written report by attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, and the period of hospitalization or incapacitation, and bills for medical, hospital, or burial expenses actually incurred.

(4) *Signature.* The claim and all other papers requiring the signature of the claimant should be signed by the claimant personally or by a duly authorized agent. The signature of such claimant or agent should be identical throughout.

(5) *Place of filing.* The claim should be submitted to the commanding officer of the War Department or Army installation under whose immediate control the vessel was operated, if known, otherwise to the commanding officer of any post, camp, station, or other military establishment, if practicable the one within which or nearest to which the casualty occurred.

(d) *Claims of subrogees*—(1) *Included.* Settlement will be made solely with the insured, rather than with the insurer or with both the insured and insurer, in cases of damage, loss, destruction, injury, or death covered by insurance. No inquiry will be made into, nor determination made of, the relative interests as between insured and insurer. The entire claim, including any portion thereof insured against, will be filed by or on behalf of the insured and payment of the entire amount allowed will be made in the name of the insured. Evidence of authority to file a claim on behalf of the insured may be established by a power of atttorney, insurance policy provision, or other documentary evidence. The foregoing provisions will be equally applicable in cases of subrogation based other than on insurance.

(2) *Not included.* Claims by subrogees in their own right are not within the scope of these regulations and will not be considered.

(3) *Claims presented prior to 3 July 1943.* The provisions of subparagraphs (1) and (2) will, however, be inapplicable to claims filed prior to 3 July 1943.

(e) *Conditions of payment.* Prior to payment of any claim within the provisions of these regulations, each of the following conditions must be fulfilled:

(1) Amount of the damage, loss, or destruction, or amount to be allowed on account of personal injury or death, must be determined.

(2) Award must not exceed $1,000 ($500 in time of peace).

(3) Claims must be within the scope of these regulations as outlined in paragraph (b) (2) of this section.

(4) Claim must be presented in writing, ordinarily within 1 year after the occurrence of the casualty out of which the claim arises.

(5) Claim must be approved by officials designated in Army Regulations or, on appeal, by the Secretary of War.

(6) Claimant must accept, in full satisfaction and final settlement, the amount allowed if less than the full amount claimed.

(7) Claims payable under the provisions of AW 105 (§ 36.25) are not payable under the provisions of this section.

(8) Personal claims payable under the provisions of § 36.27 are not payable under the provisions of this section.

(9) Claims of military personnel or civilian employees incident to their service are not payable under the provisions of this section.

(f) *Claims in excess of $1,000.* Claims in excess of $1,000 ($500 in time of peace) if otherwise within the scope of these regulations may be reported by the Secretary of War to Congress for its consideration. Any claim which is asserted in an amount in excess of $1,000 will be forwarded, with related files and recommendations, by or through the Chief of Transportation to The Judge Advocate General for appropriate action.

(g) *Regulations not applicable.* Marine casualties will not be investigated or processed or claims arising therefrom processed or disposed of, under the provisions of §§ 36.1–36.10, 36.12–36.23, or §§ 37.2–37.5. (Sec. 1, Act of July 3, 1943, Public Law 112, 78th Congress) [Pars. 1, 2, 19, 21, 23, 24, and 26, AR 55–500, dated 3 July 1943]

PART 37—CLAIMS ON BEHALF OF THE UNITED STATES

§ 37.6 *Marine casualties; claims*—(a) *Definitions.* See §§ 36.44 (b) and 37.3.

(b) *Scope.* Included within the provisions of this section are claims in excess of $100 for:

(1) Damage to or loss or destruction of Government property.

(2) Amount of pay and allowances paid or payable by the Government to military personnel for any period of incapacitation incident to injury to such personnel.

(3) Cost of medical treatment, hospitalization, travel, or other expense or loss to the Government in the rehabilitation of military personnel incident to injury to such personnel.

(4) Cost of funeral, burial, transportation, or other expense or loss to the Government incident to death of military personnel.

(c) *Action by reviewing authorities.* Upon receipt by the commanding general of a service command, or a command claims service, or the Chief of Transportation, as the case may be, each investigating officer's report will, unless the report is accompanied by a statement that payment in full has been made, be reviewed and, after any corrective action deemed necessary with relation thereto, appropriate administrative action will be taken. Such action, unless the investigating officer's report is accompanied by a statement that payment in full has been made or by a compromise offer which such reviewing authority deems it advisable to accept, will include a determination whether the defendant is legally liable to the United States and, if so, the amount of such liability. Upon a determination that the defendant is liable and of the amount of such liability, the commanding general of the service command, or the chief of the command claims service, or the Chief of Transportation, will cause a written demand to be made upon the defendant for payment of the claim. If such demand is complied with, the certified check or postal money order will be accepted and transmitted to the appropriate fiscal officer. If the defendant fails to comply with the demand within a reasonable time, and the amount involved, the financial responsibility of the defendant and other circumstances of the case appear to make advisable the institution of suit, or if the defendant has already made, or on such demand makes, a compromise offer accompanied by a certified check or postal money order, the commanding general of the service command, or the chief of the command claims service, or the Chief of Transportation, will forward the original and one copy of the file, including any compromise offer and certified check or postal money order, with his recommendation as to the advisability of acceptance of such compromise offer, if any, or, if none, as to the advisability of instituting suit, to The Judge Advocate General for appropriate administrative action. (R. S. 161; 5 U.S.C. 22) [Par. 27, AR 55–500, dated July 3, 1943]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–4807; Filed, April 4, 1944; 4:56 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4911]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

C. F. LUSK CO.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties.* In connection with offer, etc., of respondent's "Lusco" and "Lusco Weld" or any other similar product, (1) using the word "weld," "welding," or "weldium," or any other word of similar import, to designate or describe respondent's product or the results accomplished through the use of such product; and (2) representing, directly or by implication, that the use of respondent's product will result in the fusion, union, consolidation, or welding of metal parts, or that the results accomplished through the use of respondent's product are such as are accomplished through a welding process; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, C. F. Lusk Company, Docket 4911, March 27, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1944.

In the Matter of C. F. Lusk, an Individual Trading as C. F. Lusk Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, C. F. Lusk, individually and trading as C. F. Lusk Company, or trading under any other name, and his agents, representa-

tives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's product designated "Lusco" and "Lusco Weld," or any other product of a substantially similar nature, under whatever name sold, do forthwith cease and desist from:

1. Using the word "weld," "welding," or "weldium," or any other word of similar import, to designate or describe respondent's product or the results accomplished through the use of such product.

2. Representing, directly or by implication, that the use of respondent's product will result in the fusion, union, consolidation, or welding of metal parts, or that the results accomplished through the use of respondent's product are such as are accomplished through a welding process.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4813; Filed, April 5, 1944; 10:51 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51093]

PART 58—FREE ENTRY OF CERTAIN FEEDS FOR LIVESTOCK AND POULTRY AND CERTAIN OTHER PRODUCTS

FREE ENTRY OF FEEDS AND OTHER PRODUCTS

APRIL 3, 1944.

Under authority of Public Law 211, approved December 22, 1943, as amended by Public Law 272, approved March 29, 1944, §§ 58.1, 58.2, 58.3, and 58.4 of Part 58, Title 19, Code of Federal Regulations, are hereby amended and a new section designated as § 58.5 added, to read as follows:

§ 58.1 *Free entry of feedstuffs.* (a) Under authority of section 1 (a) (1) of Public Law 211, approved December 22, 1943, as amended by Public Law 272, approved March 29, 1944,[1] the following products, if entered, or withdrawn from warehouse, for consumption, on or after December 23, 1943, and before June 20, 1944, and if actually used in the United States as, or as a constituent part of, feeds for livestock or poultry, are exempt from duty upon compliance with these regulations:

(1) Wheat, oats, barley, rye, flax, cottonseed, corn, or hay;

(2) Derivatives of the foregoing;

(3) Products wholly or in chief value of one or more of the products mentioned in (1) and (2) above.

The foregoing does not apply to wheat or other grain which is used in the manufacture of flour for human consumption, to cottonseed for oil milling, or to other merchandise to be processed for the purpose of producing a product which is not to be used as, or as a constituent part of, feed for livestock or poultry. If the required use is shown, the exemption is applicable to imported derivatives of the products named in Public Law 211, as amended, such as feed flour, linseed cake or meal, and cottonseed cake or meal, and is applicable to products in chief value of one or more of the derivatives and/or the named products.

(b) Screenings or scalpings are not a product or a derivative of the grain or seed from which screened, but if the screenings or scalpings are in chief value of wheat, oats, barley, rye, flax, cottonseed, corn, or hay, and/or derivatives thereof, they may be admitted free of duty under the provision in Public Law 211, as amended, for products in chief value of the named products or derivatives thereof, provided they are used as, or as a constituent part of, feed for livestock or poultry.

(c) A product of the threshing machine consisting of a cultivated grain or seed named in section 1 (a) (1) of Public Law 211, as amended, and screenings, if in chief value of the cultivated grain or seed, may be admitted free of duty under that section, if such product is used as, or as a constituent part of, feed for livestock or poultry. (Public, No. 211, as amended, 78th Congress)

§ 58.2 *Entry requirements.* (a) There shall be filed in connection with the entry an affidavit of the importer that the merchandise, which shall be described by name, is to be used as, or as a constituent part of, feed for livestock or poultry.

(b) If the product is entered for consumption, there shall also be filed in connection with the entry a bond on customs Form 7551 or 7553, with an added condition, concurred in by the surety, for the payment of duty at the appropriate rate in the event that the proof of required use prescribed by § 58.3 is not produced within one year from the date of entry, or any lawful extension of that period. If the importer has on file a general term bond for the entry of merchandise, customs Form 7595, the conditionally free merchandise may be charged against such bond. If the bond on file is on customs Form 7553, the merchandise may be charged against such bond after there has been added thereto, with the concurrence of the surety, the condition provided for herein. When such merchandise is entered for warehouse the regular warehouse entry bond, customs Form 7555, shall be given unless the merchandise is charged against a general term bond for the entry of merchandise, customs Form 7595, and in either case withdrawals shall be made on customs Form 7506. Liquidation of the consumption entries and warehouse entries shall be suspended pending the submission of satisfactory proof of use. (Public, No. 211, as amended, 78th Congress)

§ 58.3 *Proof of use.* (a) Within one year from the date of entry (in the case of warehouse entries as well as consumption entries) the importer shall submit an affidavit as to the use made of the importation in the United States. If it has been used for feed for livestock or poultry on premises under the control of the importer there shall be submitted an affidavit, executed by the importer or his agent, to that effect. If the product has been substantially processed or manufactured in the United States, the importer shall submit an affidavit of the superintendent or manager of the manufacturing plant stating the use to which the product has been put in such manner as to indicate whether the article manufactured from the imported product is feed for livestock or poultry. If the importation was not used by the importer and was not substantially processed or manufactured, but was sold substantially as the imported product to the ultimate user, the importer shall submit, either before or after the product is actually consumed, either the affidavit of such user or the affidavit of the person making the final sale of the product to the ultimate user as to the use made or to be made of the product. An appropriate case affidavits as to the use of products covered by more than one entry may be included in one affidavit, but in this event the affidavit shall be filed in duplicate, one copy to be forwarded to the comptroller of customs.

(b) Upon satisfactory proof of use of the product as, or as a constituent part of, feed for livestock or poultry, the entry shall be liquidated free of duty. When such proof is not filed within one year from the date of entry or any authorized extension of the period of the bond, the entry shall be liquidated with the assessment of duty at the appropriate rate under the proper provision of the tariff act.

(c) The entry or withdrawal of hay within the effective period of Public Law 211, as amended, may be permitted free of duty upon the filing of the affidavit prescribed in § 58.2 (a) and the entry liquidated free of duty without compliance with §§ 58.2 (b) or 58.3 (a) or (b) (Public, No. 211, as amended, 78th Congress)

§ 58.4 *Free entry of oats for human consumption and flaxseed.* (a) Under authority of section 1 (a) (2) and (3) of Public Law 211, approved December 22, 1943, as amended by Public Law 272, approved March 29, 1944, the following products, if entered, or withdrawn from warehouse, for consumption, on or after March 30, 1944, and before June 20, 1944, are exempt from duty:

Flaxseed;
Oats to be used for purposes of human consumption.

(b) Flaxseed, if so entered or withdrawn, is exempt from duty regardless of the purpose for which used, but the screenings imported in shipments of flaxseed are not entitled to free entry unless in chief value of the products named in section 1 (a) (1) of Public Law 211, as amended, and/or derivatives thereof (see § 58.1 (b)), and upon compliance with §§ 58.2 and 58.3 (a).

(c) There shall be filed in connection with the entry of oats under the authority of section 1 (a) (3) of Public Law 211, as amended, an affidavit of the importer that the oats are to be used for purposes of human consumption. The importer shall also comply, with appropriate modifications, with the provisions of § 58.2 (b) with respect to the filing of a bond in connection with the entry, and of § 58.3 (a) with respect to furnishing of proof of use. Such proof of use shall consist of proof that the oats have been manufactured into products for human consumption which are not to be exported. Upon satisfactory proof of use of the product for purposes of human consumption, the entry shall be liquidated free of duty. When such proof is not filed within one year from the date of entry or any authorized extension of the period of the bond, the entry shall be liquidated with the assessment of duty at the appropriate rate under the proper provision of the tariff act. (Public, No. 211, as amended, 78th Congress)

§ 58.5 *Quota limitations.* Articles of the kinds subject to quantitative limitations upon entry or withdrawal for consumption which are accorded free entry pursuant to Public Law 211, as amended, are subject to such quota limitations. (Public, No. 211, as amended, 78th Congress)

The foregoing regulations supersede T. D. 50983 and T. D. 50990. (§ 461.5)

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4798; Filed, April 4, 1944; 8:51 p. m.]

[1] Sec. 1. (a) Notwithstanding the provisions of the Tariff Act of 1930, the following, when imported into the United States from foreign countries, and when entered, or withdrawn from warehouse, for consumption, at any time after December 23, 1943, and before June 20, 1944, shall be exempt from duty:

(1) Wheat, oats, barley, rye, flax, cottonseed, corn, or hay, or products in chief value of one or more of the foregoing or derivatives thereof, any of the foregoing if to be used as, or as a constituent part of, feed for livestock and poultry.

(2) Flaxseed, if the entry or withdrawal is after the date this paragraph takes effect.

(3) Oats to be used for purposes of human consumption, if the entry or withdrawal is after the date this paragraph takes effect.

(b) This joint resolution shall not be construed to authorize the importation of wheat for milling purposes.

(c) As used in this joint resolution the term "United States" means the several States, the District of Columbia, the Territories, Puerto Rico, and the Virgin Islands.

Sec. 2. The exemptions from duties provided for by this joint resolution shall be subject to compliance with regulations to be prescribed by the Secretary of the Treasury.

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 2]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN ALFALFA HAY IN THE IMPERIAL VALLEY

§ 1102.2 *Wages of workers engaged in the mowing, raking, baling, hauling and piling, and hauling and loading into railroad cars of alfalfa hay and baling of flax straw in the Imperial Valley of Imperial County, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the mowing, raking, baling, hauling and piling, and hauling and loading into railroad cars of alfalfa hay and baling of flax straw in the Imperial Valley of Imperial County, State of California are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for harvesting alfalfa hay.* (1) Wage rates for mowing, raking, baling, hauling and piling, and hauling and loading into railroad cars of alfalfa hay, and baling flax straw:

(i) Mowing alfalfa hay—35¢ per acre.
(ii) Raking alfalfa hay—40¢ per acre.
(iii) Baling alfalfa hay with 4-man crew.
(*a*) Beginning of harvest season until July 1—35¢ per ton for 3 men and 40¢ per ton for one man who is designated as lead man.
(*b*) After July 1 until end of the harvest season—40¢ per ton for 3 men and 45¢ per ton for lead man.
(iv) Baling flax straw with 4-man crew—45¢ per ton for 3 men and 50¢ per ton for lead man.
(v) Hauling and piling alfalfa hay with 2-man crew up to but not to exceed 9 bales high.
(*a*) 2½¢ per bale per man from beginning of harvest season to June 1.
(*b*) 3¢ per bale per man after June 1 until end of harvest season.
(vi) Hauling and piling alfalfa hay with 2-man crew where piling is in excess of 9 bales high and for hauling and loading alfalfa hay into railroad cars.
(*a*) 3¢ per bale per man from beginning of harvest season to June 1.
(*b*) 3½¢ per bale per man after June 1 until end of harvest season.

(c) *Administration.* The California WFA Wage Board located at 2288 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 2 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), and any violation of this specific wage ceiling regulation No. 2 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 4th day of April 1944.

PHILIP BRUTON,
Director, Office of Labor.

[F. R. Doc. 44-4815; Filed, April 5, 1944; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 160]

PART 802—GENERAL LICENSES

PARAFFIN WAX AND SCRAP RUBBER

Paragraph (b) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the commodities "Paraffin wax, refined and unrefined" and "Scrap rubber".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 3, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-4808; Filed, April 5, 1944; 9:32 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 23 as Amended Mar. 30, 1944][1]

MILITARY RATING PROCEDURE

§ 903.35 *Directive 23*—(a) *Purpose.* The purpose of this War Production

[1] This document is a restatement of Amendment 1 to Directive 23, as amended January 7, 1944, which appeared in the FEDERAL REGISTER of April 1, 1944, page 3490, and reflects the order in its completed form as of March 30, 1944.

Board directive is to provide for review by representatives of the War Production Board of certain priorities actions taken by the Army and Navy and other government agencies, and for approval of placement of certain purchase orders rated by such agencies; and to define the scope of such review.

(b) *Requirement of War Production Board approval for ratings of capital equipment and machine tools.* Every preference rating certificate on Form PD-3A, if such instrument assigns a rating to any delivery of capital equipment or machine tools (whether such delivery is to be made directly to the Army or Navy or other government agency or to a prime or subcontractor thereof), shall, prior to issuance, be approved by a duly authorized official of the War Production Board by endorsing thereon the statement "approved for issuance" duly signed, unless exempt under paragraph (e).

(c) *Procedure for review of rating actions by War Production Board officials.* (1) Instruments assigning a rating to the delivery of capital equipment and/or machine tools required in connection with a production project in a single plant, where the total cost of all tools and equipment required for the project is less than $100,000, shall be submitted after countersignature by the appropriate Service Officer to the War Production Board field office within whose jurisdiction the tools or equipment are to be located. The instruments shall be approved by a War Production Board official of such office only after he has determined that the item or items requested are required and that no existing equipment or subcontracting facilities are available which are suitable and appropriate for the purposes for which the items are requested, or that such determination cannot be made within ten days after receipt thereof. An exception to this is that instruments covering any machine tools produced under Defense Plant Corporation pool orders which remain unsold, may be approved if the machine tools are required, notwithstanding the availability of other existing equipment. Purchases shall not be divided for the purpose of coming within this paragraph (c) (1). The fact that the equipment and/or machine tools appear on a single preference rating application or on several such applications shall not determine whether the capital equipment and/or machine tools are in connection with a single given project, but the War Production Board field office shall determine this after full consideration of all the facts surrounding such application or applications. When an instrument which has been countersigned by the appropriate Service Officer under paragraph (c) (1) is disapproved by a War Production Board official in a War Production Board field office, the Service Officer may request the War Production Board field office to forward the latter's entire file in the matter, together with a statement of the facts, to the Facilities Bureau of the War Production Board, at the same time forwarding a copy of the statement of the facts to the Army and Navy Munitions Board in Washington and an additional copy to the Production Resources Division of the War Production Board. The Facilities Bureau of the War Production Board may in its discretion direct the issuance of the instrument in question.

(2) Instruments assigning a rating to the delivery of capital equipment and/or machine tools required in connection with a production project in a single plant, where the total cost of all tools and equipment required for the project is $100,000 or more, shall be submitted after countersignature by the appropriate Service Officer to the appropriate War Production Board field office specified in paragraph (c) (1) or the Routing and Issuance Branch of the War Production Board, Washington 25, D. C., at the option of the sponsoring agency. If such instrument or instruments are submitted to the War Production Board field office under this paragraph, the field office shall not approve the same but shall recommend the granting or denying of approval and forward the same together with its recommendation to the Facilities Bureau of the War Production Board for approval or disapproval in accordance with prescribed procedure.

(3) The Tools Division of the War Production Board may from time to time specify certain machine tools as to which instruments assigning a rating to the delivery thereof shall follow the procedure specified in paragraph (c) (2) above, irrespective of whether the capital equipment and/or machine tools for the project in question may have a total cost of less than $100,000.

(d) *Approval of placement of certain purchase orders by War Production Board officials.* No person to whom a preference rating has been or is at any time assigned on Form PD-3 or PD-3A, covering deliveries of capital equipment and/or machine tools required in connection with a production project in a single plant where the total cost of all tools and equipment required for the project is $100,000 or more, shall apply the rating or any subsequent rerating to any purchase order unless a War Production Board official has approved the purchase order or it is exempt under paragraph (e). Approval of a purchase order may be obtained by submitting, to the War Production Board field office within whose jurisdiction the tools or equipment are to be located, the purchase order, or a true copy thereof, or a written document containing such appropriate parts of the order as the field office may specify. Before approving the purchase order the field office must determine that no suitable existing equipment or subcontracting facilities are available, or that their availability or unavailability cannot be ascertained within ten calendar days after its receipt of the order. If approval is refused, the person desiring to rate the purchase order may request the field office to forward its file together with its recommendation to the Facilities Bureau of the War Production Board in Washington for final approval or disapproval.

(e) *Exemptions* (1) Preference rating certificates countersigned under any of the following circumstances are exempt from the requirements of paragraph (b):

(i) Where the total value of the delivery or deliveries rated by the instrument does not exceed $500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the countersigning takes place outside of the forty-eight States, the District of Columbia and the Dominion of Canada.

(iii) A purchase made pursuant to approval given by a commanding officer, commandant, or the Bureau of Supplies and Accounts of the Navy, or by a commanding officer of a defense command of the Army, in an emergency where the degree of urgency is such that advance approval by a War Production Board official cannot be obtained, provided that in each such case a copy of the rating document is mailed within 24 hours after issuance to the appropriate Regional Office of the War Production Board.

(iv) Where the capital equipment or machine tools are for shipboard use (including floating dry docks), or are for use outside the forty-eight States and the District of Columbia for military operations.

(v) Where capital equipment, not including machine tools, is purchased by or for the account of the Army or the Navy for military operations, or where the purchaser intends to devote the items solely to administrative uses as distinguished from productive or operational uses.

(vi) Where the certificate assigns a rating to a command construction project of which the capital equipment and/or machine tools are only a part.

(2) Purchase orders placed under any of the following circumstances are exempt from the requirements of paragraph (d):

(i) Where the dollar value of the items covered by the purchase order does not exceed $500. Purchases shall not be divided for the purpose of making this exemption available.

(ii) Where the purchase order is being rated by a certificate which was exempted by paragraph (e) (1), or would have been exempted by paragraph (e) (1) if this directive had been in effect when the certificate was issued.

(iii) Where each unit of capital equipment or machine tools covered by the purchase order was listed either in the certificate originally assigning a rating thereto or in a certificate (such as Form PD-4X) subsequently rerating the same or listed in an appendix or its equivalent (an itemized list) attached to such a certificate approved by the Facilities Bureau after May 31, 1943, or expressly referred to therein.

(3) Purchases of jigs, fixtures, gauges and special tools designed for the individual job and made for a special application to standard machine tools are exempt from the requirements of paragraph (e).

(4) The requirements of paragraphs (b), (c) and (d) shall not apply to such cases as may be exempted in writing by the Facilities Bureau of the War Production Board.

(f) *Rating of military construction.* (1) All construction, other than command construction as defined below, will be rated only by the War Production Board, even though the facilities, when completed, will be owned, leased or operated by the Army, Navy or Maritime Commission.

(2) "Command construction" as used in this directive means the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy, viz: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(3) Command construction as defined above may be rated on PD-3A certificates by Army or Navy contracting and procurement officers. Review thereof by War Production Board officials is no longer required.

(g) *Status of existing administrative orders and instructions.* Except as otherwise provided herein, ratings on PD-3A certificates may be assigned by appropriate officials of the Army and Navy and other designated federal agencies as provided in Division Administrative Order No. 1 as heretofore supplemented, subject to existing and future Army and Navy Munitions Board Instructions, and subject to approval by a War Production Board official where required by paragraph (b) hereof.

(h) *Priorities Directive No. 2 superseded.* This directive as amended supersedes Priorities Directive No. 2.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4816; Filed, April 5, 1944; 11:22 a. m.]

PART 905—SPECIFICATIONS

[Directive 8, as Amended Mar. 30, 1944] [1]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders 9024 of January 16, 1942, 9040 of January 24, 1942 and 9125 of April 7, 1942, and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work," dated April 1, 1942 as revised June 29, 1942, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.1 *National emergency specifications for the design, fabrication and erection of structural steel for buildings; adoption of specifications.* (a) National emergency specifications for the design, fabrication and erection of structural steel for buildings issued by the War Production Board September 10, 1942, shall apply to and shall govern the designing, fabrication and erection of structural steel for all buildings which are constructed by, or the construction of which is financed by, or the construction of which must be approved by any of such departments or agencies, the contracts for which are placed after November 9, 1942. Such departments or agencies, however, are empowered to put this directive into immediate effect wherever possible.

(b) With respect to any such contracts already placed by any of said departments or agencies or entered into prior to November 9, 1942, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in any substantial delay in the war effort.

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 8.

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of structural steel.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1944.

CHARLES E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4818; Filed, April 5, 1944; 11:23 a. m.]

PART 905—SPECIFICATIONS

[Directive 9, as Amended Mar. 30, 1944] [1]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN OF REINFORCED CONCRETE BUILDINGS

§ 905.2 *National Emergency Specifications for the design of reinforced concrete buildings.* Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942, No. 9040 of January 24, 1942, and No. 9125 of April 7, 1942, and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work," dated April 1, 1942, as revised June 29, 1942, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction:

(a) Except to the extent permitted by paragraph (d) of this directive, National Emergency Specifications for the Design of Reinforced Concrete Buildings issued by the War Production Board on October 5, 1942, shall apply to and shall govern the designing of reinforced concrete buildings which are constructed by, or the construction of which is financed by, or the construction of which must be approved by any of such departments or agencies, the contracts for which are placed on and after January 1, 1943, and prior to April 1, 1944. With respect to contracts placed on and after April 1, 1944, National Emergency Specifications for the Design of Reinforced Concrete Buildings, issued by the War Production Board on October 5, 1942, as revised March 30, 1944, shall govern. Such departments and agencies are, however, empowered to put such emergency specifications into immediate effect wherever possible.

(b) With respect to any such contracts already placed by any of said departments or agencies or entered into prior to December 31, 1942, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in any substantial delay in the war effort.

(c) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Application for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation

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[1] This document is a restatement of Amendment 1 to Directive 8, which appeared in the FEDERAL REGISTER of April 1, 1944, page 3490, and reflects the order in its completed form as of March 30, 1944.

[1] This document is a restatement of Amendment 1 to Directive 9 as amended December 19, 1942, which appeared in the FEDERAL REGISTER of April 1, 1944, page 3491, and reflects the order in its completed form as of March 30, 1944.

Division, Washington 25, D. C., Ref.: Directive 9.

(d) Said emergency specifications shall not apply to the design of buildings requiring 5 tons or less of reinforcing steel.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4817; Filed, April 5, 1944; 11:22 a. m.]

PART 905—SPECIFICATIONS

[Directive 29, as Amended Mar. 30, 1944] [1]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRESS GRADE LUMBER AND ITS FASTENINGS FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942, No. 9040 of January 24, 1942, and No. 9125 of April 7, 1942, and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work", dated April 1, 1942, as revised and supplemented, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.3 *National Emergency specifications for design, fabrication and erection of stress grade lumber and its fastenings for buildings.* (a) "National Emergency Specifications for the Design, Fabrication and Erections of Stress Grade Lumber and its Fastenings for Buildings" issued by the War Production Board on August 9, 1943, shall apply to and shall govern the design, fabrication and erection of all buildings in which stress grades of lumber are used, and which are constructed by, or the construction of which is financed by or must be approved by any of such departments or agencies. Such emergency specifications shall be used only in the design, fabrication and erection of buildings to the extent stress grades of lumber are used and the contracts for which are placed on and after November 1, 1943, but such departments and agencies are empowered to put this directive into immediate effect wherever possible. As used herein, "stress grade" lumber means lumber which has been graded for strength by a recognized lumber grading or inspection bureau or agency.

(b) Nothing herein shall prevent the Army, Navy, or Maritime Commission from specifying and using higher stresses than those set forth in such emergency specifications for any buildings which are under their control.

(c) With respect to any such contracts already placed by any of said departments or agencies, or entered into prior to November 1, 1943, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in a substantial delay in the war effort.

NOTE: Former paragraph (d) deleted and paragraph (e) redesignated paragraph (d) Mar. 30, 1944.

(d) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Applications for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 29.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amend. March 24, 1943, 8 F.R. 3666, 3696)

Issued this 30th day of March 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-4821; Filed, April 5, 1944; 11:22 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-517]

L. PARISI ESTATE

James Parisi, Antonio Parisi, John Parisi, and Frank Parisi, as partners, are conducting under the name of L. Parisi Estate a wholesale grocery business in rented premises at 138 Spruce Street, Providence, Rhode Island. They live in quarters over the store. In the summer of 1943, a four-story building was bought opposite, at number 141 Spruce Street, with the intention that they should live in the upper quarters and that they would enlarge and remodel the ground floor into an office and storage room for their business. On October 28, 1943, the sons began such construction in violation of Conservation Order L-41 although they reasonably should have been aware of the order. On November 4th they were apprised by the War Production Board of Conservation Order L-41, and despite that notice and subsequent warnings, continued construction to an estimated cost exceeding $2500., although limited by the terms of the order to an estimated cost of construction of $200. This construction was begun and continued in wilful violation of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.517 *Suspension Order No. S-517.* (a) Neither James Parisi, Antonio Parisi, John Parisi, or Frank Parisi, doing business as L. Parisi Estate, or under any other name, nor any of them, their or its successors or assigns, nor any other person, shall do any construction on the premises at 141 Spruce Street, Providence, Rhode Island, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve James Parisi, Antonio Parisi, John Parisi, or Frank Parisi, doing business as L. Parisi Estate, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 4, 1944.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4801; Filed, April 4, 1944; 4:34 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-519]

DAVIS MANUFACTURING COMPANY

Zean W. Davis and Dorothy E. Davis are co-partners, doing business as Davis Manufacturing Company, 233 West Lee Street, Plano, Illinois, and engaged in manufacturing various articles of electrical equipment, including electric cords for flat irons. As a producer of replacement cord sets for flat irons the company, under General Limitation Order L-65, from June 17, 1943, through December 31, 1943, could not produce more sets than 25% of the number of such sets produced by it during the year 1940. This gave the company a quota of 5,162 sets, which the company exceeded by 44,800 sets during the period June 17, 1943, to December 20, 1943. Mr. Davis was familiar with order L-65 and the quota to which the company's production was restricted. Moreover, the company continued production in excess of its quota after the violation was called to Mr. Davis' attention by the War Production Board. The production of sets in

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[1] This document is a restatement of Amendment 1 to Directive 29, which appeared in the FEDERAL REGISTER of April 1, 1944, page 3491, and reflects the order in its completed form as of March 30, 1944.

excess of the quota limitation was a violation of the order, and the violation was with such reckless disregard of the wording of the order as to amount to wilful violation.

This excessive production has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.519 *Suspension Order No. S–519.* (a) Zean W. Davis and Dorothy E. Davis, individually, or doing business as Davis Manufacturing Company, or otherwise, their successors and assigns, shall not manufacture any electric cord sets containing copper wire, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Zean W. Davis and Dorothy E. Davis, individually, or doing business as Davis Manufacturing Company, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 4, 1944, and shall expire July 4, 1944.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4802; Filed, April 4, 1944; 4:34 p. m.]

PART 1075—CONSTRUCTION

[Limited Preference Order P–55–c, as Amended Apr. 1, 1944) [1]

HOUSING CONSTRUCTION

§ 1075.13 *Preference Rating Order P–55–c*—(a) *Purpose and scope of order and authorization.* This order applies only to persons who have received approval of an application for housing as provided below. For the persons who have received this approval, it is an authorization for residential construction under Conservation Order L–41 and it assigns a preference rating and an allotment symbol for material necessary for housing construction, remodeling and installations. It covers all housing construction, remodeling and installations except construction of the types not included in the definition of housing (paragraph (j) (3)). Priorities assistance for maintenance and repair of residential property to the extent not covered by CMP Regulation 5, 5A, or 9A, or General Limitation Order L–79 is also provided by this order.

This order also applies to housing previously authorized under an application on Form WPB–2896 as explained in paragraph (g) below.

(b) *Method of obtaining authorization of housing applications.* Any person who wishes to construct, remodel, or make installation in a housing project should apply on Form WPB–2896 to the National Housing Agency. This paragraph does not apply to FPHA and HOLC construction.

(c) *Authorization of housing construction.* Approval of the application on Form WPB–2896 by National Housing Agency and approval by the National Housing Agency of FPHA and HOLC projects constitutes WPB authorization under Order L–41. The authorization includes only the buildings, structures, roads, installations and other construction work specifically listed and approved by the National Housing Agency and shown on the application Form WPB–2896 where this form is required subject to the following conditions and directions:

(1) *Cancellation of authorizations on buildings not begun on time.* In the case of construction of a new building or structure, if work on the building site preparatory to construction is not begun within sixty days of the approval of the project on WPB–2896, the National Housing Agency may cancel the authorization by giving written notice to the owner. Whatever buildings in the total authorized project have not been commenced by physically incorporating material into them by the last starting date specified in the construction schedule of the application will also be subject to cancellation in the way set forth above. These provisions do not preclude cancellation for any other reason. No person shall begin or carry on the construction of any building affected by a cancellation, and no person shall deliver or accept delivery of any material ordered for use in the construction of any building affected by a cancellation.

(2) *Utilities connections.* The builder must not begin construction of a housing project which requires the extension of utility or sewer lines unless both the builder and the utility operators are authorized to make the extensions. In any case where the applicable order of the U series (water, gas, and electricity) or P–141 (sewers) does not require specific authorization, then all required certifications must have been filed.

(3) *Restrictions on use of materials.* The builder must not incorporate any material into the housing project except of the kinds and minimum quantities needed for the project and permitted both by the War Housing Critical List and the War Housing Construction Standards (Schedules I and II to this order). If any schedule is amended after the housing project is approved, the builder may comply with any of the provisions of the schedule as amended or the schedule as in effect at the time the housing project was approved, as he may elect. Construction of temporary war housing by the FPHA must conform to these and such other requirements with respect to the use of material as may be imposed by the War Production Board.

(4) *Liability of owner.* The owner and any other person who holds or later acquires any beneficial interest in the housing project or any part of it, must abide by all the representations, certifications and promises made by the owner in the application, except to the extent he is relieved by regulation or order of the National Housing Agency or the War Production Board.

(d) *Assignment of preference ratings and allotments.* It is not necessary to show on Form WPB–2896 the quantity of controlled material or to specifically list products and equipment needed for construction. However, if the application is for an installation only the description of the work should clearly indicate what is contemplated. If the application is approved, the builder may use the allotment symbol of "H" with the program designation number shown on the application as approved and a preference rating of AA–3 to get materials permitted by the War Housing Critical List and needed to complete the project. Neither the owner nor the builder shall order or accept delivery of any material prohibited for incorporation in the project by subparagraph (c) (3) above.

(e) *Use of allotment symbol.* (1) The allotment symbol may be used to order controlled materials and Class A products by:

(i) The builder;

(ii) Manufacturers of Class A products or Class A components of Class A products to be incorporated in the project;

(iii) Contractors and subcontractors doing all or any part of the construction work.

The builder must not use the allotment symbol or give others the right to use it before his application is approved. A manufacturer, contractor or subcontractor may not use it or give others the right to use it unless he has received a statement in substantially the following form endorsed on the order or contract by the person placing it, signed manually or in the way explained in Priorities Regulation No. 7:

Serial No. (identifying project) ——
You are authorized to use the allotment symbol ———— to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35–a of the United States Criminal Code that he has the right to authorize the person with whom the order or contract

[1] This document is a restatement of Amendment 1 to P–55–c, which appeared in the FEDERAL REGISTER of April 4, 1944, page 3564, and reflects the order in its completed form as of April 1, 1944.

is placed to use the allotment symbol to fill the order or contract. The standard form described in Priorities Regulation No. 7 cannot be used instead of the above statement.

(2) The preference rating may be used to order all materials other than controlled materials. If an applicant, contractor or subcontractor orders a Class A product the certificate described in Priorities Regulation 7 must be used in addition to the statement set forth in paragraph (d) (1) above. If a contractor or subcontractor needs a preference rating to buy materials the rating may be given him by use of the certificate set forth in Priorities Regulation 7. In using the rating to buy all products and materials other than controlled materials or Class A products the certificate in Priorities Regulation 7 must be used and the allotment symbol must be used along with the preference rating for purposes of identification.

(3) Each person using the allotment symbol or preference rating must maintain at his regular place of business for a period of two years records of the right to use the allotment symbol or preference rating, records, kept by serial number identifying the project, of the amount of controlled materials ordered with the allotment symbol or rating and showing that the materials so ordered were used for the purpose for which the right to use the symbol or rating was granted.

(4) The use of the allotment symbol assigned by this order will not be limited to any particular month or quarter and, therefore, no quarterly identification need be shown when using it. Authorized controlled material orders must, however, show the month in which delivery is requested. The allotment symbol or preference rating may not be used in placing authorized controlled material orders after the scheduled completion date of the project but delivery after such date may be specified on orders placed before then.

(5) The allotment symbol and preference rating must not be used to order controlled materials in greater quantities or on earlier dates than needed for the construction. It may be used not only to order materials needed for the construction but also to replace in inventory materials used for construction. Attention is called to CMP Regulation No. 2 which places a restriction on inventories of controlled materials which must be complied with.

(6) A person who has the right under this order to use an allotment symbol in ordering controlled materials must endorse the symbol on his purchase order and the form of certification set out in CMP Regulation No. 7, signed manually or in the way explained in Priorities Regulation No. 7. An order so endorsed is an authorized controlled material order (i) if it is a "delivery order" as defined in paragraph (b) (9) of CMP Regulation No. 6, (ii) if it is in sufficient detail to permit entry on mill schedules and (iii) if, when placed with a controlled materials producer, it is received by the lead time specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same.

(f) *Applicability of War Production Board orders and regulations.* This order and all transactions affected by it are subject to the applicable provisions of all regulations and orders of the War Production Board. When any such order excepts from its restrictions any person to whom an order in the P-55 series has been issued, the exception shall include any person who is authorized to build by this order.

(g) *Projects previously authorized.* Where a housing project has been previously authorized by the War Production Board and the authorization is still in effect, the owner may construct the project under the provisions of the authorization he received or, at his election, under the provisions of this order. If he elects to construct under this order he should maintain the construction schedule in the CMP–H–1, if any; otherwise he should maintain the construction schedule in his application form. The authorization to construct any such project may be cancelled under paragraph (c) (1).

(h) *Appeals.* Any builder who considers that the provisions of this order or the schedules to it would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board (by letter) setting forth the facts and the reasons why he considers he is entitled to the relief requested. This appeal should be addressed to the War Production Board and filed with the office which approved the application.

(i) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priorities assistance by the War Production Board and may be denied permission to begin construction under General Conservation Order L–41.

(j) *Definitions.* (1) "Owner" means the person in whose name the application was filed.

(2) "Builder" means the owner and any building contractor or subcontractor with whom the owner has placed a contract pursuant to which such contractor or subcontractor has agreed to furnish material.

(3) "Housing" means the house, or houses, and its appurtenant buildings and related construction described in the owner's application as approved. This also includes projects converting any structure to residential use. It does not include construction of the following types:

(i) Farm housing and mobile farm labor camps.

(ii) Housing being built directly by or under the direct management of the Military Services.

(iii) Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

(iv) Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution," as defined in paragraph (b) (2) of CMP Reg. 5A.

(v) Mobile housing units (trailers).

(vi) Residential construction built by an "operator" (as defined in P–98–b) under a Petroleum Administrative Order of the Petroleum Administration for War.

(vii) Housing built and owned by a producer, as defined in Utilities Order U–1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

(viii) Construction of commercial establishments in existing houses, or the remodelling of or installations in those establishments.

(4) "Application" means the owner's application on Form WPB–2896 as approved.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4819; Filed, April 5, 1944; 11:22 a. m.]

PART 3201—MINING

[Preference Rating Order P–56 as Amended Apr. 5, 1944]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P-56*—(a) *Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment. This order does not apply, however, to an operator of a nonessential mine as defined in Limitation Order L–208.

(b) *Definitions.* (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country, but does not include any enterprise defined as a "nonessential" mine in Order L–208 or any like enterprise located outside the United States, its territories or possessions: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity;

(ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P–73, or is hereafter issued as provided in paragraph (c):

Antimony	Nickel
Cobalt	Platinum
Copper	Tin
Iridium	Tungsten
Lead	Vanadium
Mercury	Zinc
Molybdenum	

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P–56 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost $500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) (1) *Maintenance, repair, and operating supplies for domestic producers with serial numbers.* Producers located within the United States, its territories and possessions (herein called "domestic" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), are hereby assigned a preference rating of AA–1 for the purchase of maintenance, repair, and operating supplies, other than controlled materials. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by endorsing his delivery order with the endorsement described in paragraph (g) and inserting the allotment symbol "S–7" therein. An order bearing this endorsement constitutes an authorized controlled material order. No serialized producer shall order for delivery during any calendar quarter, with or without preference ratings, or allotment number, maintenance, repair, or operating supplies in an aggregate amount exceeding 120 percent of his aggregate expenditures for maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. A producer who has several plants or other operating units which maintain separate records of maintenance, repair, and operating supplies may treat each of them separately for purposes of complying with the provisions of this paragraph (c) (1).

(2) *Maintenance, repair, and operating supplies for foreign producers with serial numbers.* Producers located outside the United States, its territories and possessions and outside of Canada,[1] (herein called "foreign" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance for maintenance, repair, and operating supplies by filing the foreign mine quota application Form WPB–2937 with the Mining Division, War Production Board, Washington 25, D. C.

(3) *Machinery and equipment.* Domestic producers, foreign producers, and Canadian producers holding serial numbers may apply for priorities assistance in obtaining machinery or equipment by filing Form WPB–1319 in accordance with the WPB–1319 instruction manual. If necessary, Form WPB–1319 may be accompanied by a letter giving any unusual relevant circumstances. No specific application is necessary in the case of minor capital additions as defined in paragraph (b) (3) unless a special form is required by another order of the War Production Board.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

[1] Producers located in Canada, whether or not they hold serial numbers issued under this order, may obtain maintenance, repair, and operating supplies in the United States under Canadian order PO6B.

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing the foreign mine quota application Form WPB–2937 with the Mining Division, War Production Board, Washington 25, D. C. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

_____
Name of district

_____
Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB–1319, such application to be endorsed with the signed approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA–5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies (including minor capital additions as defined in paragraph (b) (3)), other than controlled materials, placed by domestic producers not holding serial numbers (other than operators of nonessential mines as defined in Limitation Order L–208). This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by placing on his delivery order the endorsement described in paragraph (g) and inserting the allotment symbol assigned by this order shall order controlled materials for delivery during any calendar

is placed to use the allotment symbol to fill the order or contract. The standard form described in Priorities Regulation No. 7 cannot be used instead of the above statement.

(2) The preference rating may be used to order all materials other than controlled materials. If an applicant, contractor or subcontractor orders a Class A product the certificate described in Priorities Regulation 7 must be used in addition to the statement set forth in paragraph (d) (1) above. If a contractor or subcontractor needs a preference rating to buy materials the rating may be given him by use of the certificate set forth in Priorities Regulation 7. In using the rating to buy all products and materials other than controlled materials or Class A products the certificate in Priorities Regulation 7 must be used and the allotment symbol must be used along with the preference rating for purposes of identification.

(3) Each person using the allotment symbol or preference rating must maintain at his regular place of business for a period of two years records of the right to use the allotment symbol or preference rating, records, kept by serial number identifying the project, of the amount of controlled materials ordered with the allotment symbol or rating and showing that the materials so ordered were used for the purpose for which the right to use the symbol or rating was granted.

(4) The use of the allotment symbol assigned by this order will not be limited to any particular month or quarter and, therefore, no quarterly identification need be shown when using it. Authorized controlled material orders must, however, show the month in which delivery is requested. The allotment symbol or preference rating may not be used in placing authorized controlled material orders after the scheduled completion date of the project but delivery after such date may be specified on orders placed before then.

(5) The allotment symbol and preference rating must not be used to order controlled materials in greater quantities or on earlier dates than needed for the construction. It may be used not only to order materials needed for the construction but also to replace in inventory

III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same.

(f) *Applicability of War Production Board orders and regulations.* This order and all transactions affected by it are subject to the applicable provisions of all regulations and orders of the War Production Board. When any such order excepts from its restrictions any person to whom an order in the P–55 series has been issued, the exception shall include any person who is authorized to build by this order.

(g) *Projects previously authorized.* Where a housing project has been previously authorized by the War Production Board and the authorization is still in effect, the owner may construct the project under the provisions of the authorization he received or, at his election, under the provisions of this order. If he elects to construct under this order he should maintain the construction schedule in the CMP–H–1, if any; otherwise he should maintain the construction schedule in his application form. The authorization to construct any such project may be cancelled under paragraph (c) (1).

(h) *Appeals.* Any builder who considers that the provisions of this order or the schedules to it would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board (by letter) setting forth the facts and the reasons why he considers he is entitled to the relief requested. This appeal should be addressed to the War Production Board and filed with the office which approved the application.

(i) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priorities assistance by the War Production Board and may be denied permission to begin construction under General Conservation

(ii) Housing being built directly by or under the direct management of the Military Services.

(iii) Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

(iv) Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution," as defined in paragraph (b) (2) of CMP Reg. 5A.

(v) Mobile housing units (trailers).

(vi) Residential construction built by an "operator" (as defined in P–98–b) under a Petroleum Administrative Order of the Petroleum Administration for War.

(vii) Housing built and owned by a producer, as defined in Utilities Order U–1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

(viii) Construction of commercial establishments in existing houses, or the remodelling of or installations in those establishments.

(4) "Application" means the owner's application on Form WPB–2896 as approved.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4819; Filed, April 5, 1944; 11:22 a. m.]

PART 3201—MINING

[Preference Rating Order P–56 as Amended Apr. 5, 1944]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P–56*—(a) *Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include

quarter in an amount exceeding 120 percent of his aggregate expenditures for controlled materials for use as maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. Such producers may apply for higher ratings for maintenance, repair, or operating supplies exclusive of minor capital additions by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C. Such producers may apply for priorities assistance for machinery or equipment and minor capital additions by filing Form WPB–1319 with the Mining Division of the War Production Board, Washington 25, D. C. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., and for machinery or equipment, including minor capital additions, by filing Form WPB–1319 with the Mining Division of the War Production Board, Washington 25, D. C.

(2) [Deleted Apr. 5, 1944.]

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C. Applications by Canadian and all other foreign producers should also be filed with the Mining Division, War Production Board, Washington 25, D. C. In filing such application, the following forms shall be used:

Metal mines	Form WPB–1212
Coal mines	Form WPB–2784
Non-metallic mines	Form WPB–2756
Core or churn drill operators	Form WPB–2963

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P–56 and P–73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P–56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number .....
Preference rating .....
Order authorized under Preference Rating Order P–56, Serial No. .....

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation by the producer to the seller and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code (18 U. S. C. 80), that to the best of the producer's knowledge and belief he is authorized under applicable War Production Board orders and regulations to place the delivery order, to receive the item ordered for the purpose for which ordered, and to use the preference rating or allotment symbol for this purpose. Preference ratings assigned under this order for maintenance, repair, and operating supplies may not be used to obtain items on List A or List B of Priorities Regulation No. 3, except where that regulation permits the use of a P–56 rating for a particular item.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the following restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

(1) To a producer holding a serial number hereunder, or

(2) With the written approval of the War Production Board applied for by letter to the Mining Division, or

(3) With the written approval of a district if he is a non-serialized producer located within such district, or

(4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P–56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No foreign producer or district shall acquire maintenance, repair, or operating supplies through the use of any preference rating except after having received an approved application on the foreign mine quota application Form WPB–2937, from the Mining Division, War Production Board, Washington 25, D. C. No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB–1319 in the manner above provided, which shall be accompanied by the special application form, if any, required by any other order, or except after filing a project application.

Miscellaneous Provisions

(k) *Records and orders.* Each producer and each distributor acquiring maintenance, repair, or operating supplies pursuant to this order shall keep and preserve for a period of not less than two years accurate and complete records of all such materials so acquired and used or disposed of which shall upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Reports.* Producers shall file such report forms as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Additional assistance and appeals in individual cases.* If the sound working condition of a producer is adversely affected by any provisions of this order or by inability to obtain material essential for repair, maintenance, or operating supplies, the producer may apply to the War Production Board for additional assistance by letter, in triplicate, giving the reasons why such assistance is essential. In case of breakdown, imminent breakdown, or other emergency, the application may be made by telegraph or telephone.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 5th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P–56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (i) (§ 3301.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P–56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P–56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA–2 is assigned to persons engaged in the manufacture of structural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA–5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 44–4820; Filed, April 5, 1944; 11:22 a. m.]

PART 3281—WOOD PULP

[General Preference Order M–93, Direction 1]

PREFERRED STATUS OF CERTAIN DELIVERIES AND USES OF WOOD PULP

The following direction is issued pursuant to General Preference Order M–93:

(a) *Reasons for this direction.* A producer's output of wood pulp is allocated by the War Production Board for his own uses and for delivery to other consumers on the basis of the amount which he reports to the War Production Board as his estimated output. If he over-estimates his production, it is necessary and appropriate in the public interest and to promote the national defense to assure that this does not result in cutting off wood pulp from the consumers to whom it was allocated and who have no other source of supply for the continuance of their minimum operations, and to assure that any necessary reductions are made in those grades of paper and paperboard not listed in paragraph (d) below.

(b) *Producers.* If a producer is unable during any calendar quarter to make all deliveries which he has been directed on Form WPB–699 to make, he shall reduce his deliveries to himself to the extent necessary to complete all deliveries to consumers other than himself.

(c) *Consumers.* If a consumer during any calendar quarter has, or anticipates that he will have, inventory and receipts of wood pulp less than the amount of wood pulp he is authorized on Form WPB–2973 to consume, he shall not use in the production of grades of paper and paperboard other than those listed in paragraph (d) below more wood pulp than the amount calculated by subtracting (1) the amount of his above-mentioned shortage of wood pulp from (2) the total amount of wood pulp he is authorized on Form WPB–2973 to use in the production of grades of paper and paperboard other than those listed in paragraph (d) below.

(d) *Grades of paper and paperboard having preferred production status:*

Item No. from WPB–2973	*Grade of Paper or Paperboard*
021930	Target paper
033000	Postal card (Government)
041130	Rag manifold
041160	Rag map and chart
041230	Chemical wood pulp manifold
041260	Chart and map paper other than wet strength map paper
043110	Rag content blueprint, brownprint and similar base stock
043130	Rag content photographic and similar sensitising stock
043190	Other rag content reproduction paper

Item No. from WPB–2973	*Grade of Paper or Paperboard*
043210	Chemical wood pulp blueprint, brownprint, and similar base stock
043220	Chemical wood pulp photographic baryta stock
043230	Chemical wood pulp photographic, other than baryta
043290	Other chemical wood pulp reproduction paper
047100	Carbonizing paper
047200	Condenser tissue
(1)	Wet strength map paper
051200	Greaseproof
051300	Glassine
051400	Vegetable parchment
051600	Unbleached kraft wrapping
053110	Asphalting, including creped or creping stock for asphalting
053120	Creping, including creped or creping stock not for asphalting and not including toweling
053400	Twisting and spinning (over #18)
053600	Cup stock
054100	Multi-wall bag and shipping sack paper
054900	Other specification shipping sack paper
060100	Abrasive paper backing
060200	Cable paper
060300	Electrical insulation and armature paper and paperboard
060400	Gasket paper and paperboard (except dense fibre)
060700	Tabulating card stock
060800	Tag, file folder and other light manila board
069000	Other special industrial
071000	Sanitary napkin stock
072001	Industrial toweling stock
073100	Toilet tissue stock
074001	Industrial napkin stock
080500	Twisting tissue
080800	Fruit and vegetable wrapping tissue
114000	Vulcanizing fibre stock
115000	Resin impregnating stock

All items in Subschedule F–1, All grades of container board (211000–219000)

224001	Milk bottle stock (solid sulphite and sulphate)
224002	Milk bottle hood & lip cover stock (solid sulphite and sulphate)
224004	Hot drink cup stock (solid sulphite and sulphate)
225001	Milk bottle stock (solid manila)
225002	Milk bottle hood & lip cover stock (solid manila)
238200	Double kraft lined arsenal board and similar specifications

[1] Wet strength map is one of papers included under item 041260, but does not constitute the total tonnage within this category.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4800; Filed, April 4, 1944; 4:34 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–86, as Amended April 5, 1944]

CORDAGE FIBER, CORDAGE YARN AND CORDAGE

§ 3290.221 *General Conservation Order M–86*—(a) *Allocation of cordage fiber*

and yarn. No processor shall make or accept delivery of any cordage fiber or cordage yarn contrary to directions which from time to time the War Production Board may issue. The War Production Board may from time to time allocate to processors the available supplies of cordage fibers and cordage yarns, and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(b) *Specific restrictions on processing.* The War Production Board may issue specific directions to processors who have received cordage fiber or yarn by allocation under this order or any other War Production Board order or by delivery from any United States Government agency, as to the purpose for which the fiber or yarn may be processed and as to the extension of more critical fibers by mixture with less critical ones in the manufacture of any product.

(c) *Provisions relating to processing of fiber into rope.* (1) No processor may put into process any manila, agave, or other cordage fiber or cordage yarn to manufacture rope except:

(i) For an end use allowed for rope manufactured from that fiber or yarn in the rope end use schedule, Schedule A, attached to this order, or

(ii) To fill orders placed by or for the account of any United States Government agency having in effect a plan approved by the War Production Board, to screen its orders and requisitions for rope and to eliminate unnecessary end uses of rope manufactured from critical fibers. Only the Army, Navy, and Maritime Commission now have such approved plans in effect. Any agency having an approved plan may, however, instruct its suppliers to deliver rope in accordance with the end use restrictions of this order or any part of them, and to the extent they are thus adopted by such agency the restrictions will apply to its orders.

(2) No processor may in any calendar quarter put into process for the manufacture of rope more manila and agave fiber than the following percentages of his basic monthly poundages:

(i) Manila—111%
(ii) Agave—530%

Use of "extenders", including agave fourcroydes, and spinnable tow, shall not be charged against the permitted quantity of agave. Specific directions may be issued to exceed the above percentages, of either fiber, to permit increased deliveries to particular claimant agencies. If a processor is permitted to exceed his quota of either fiber, he may be required to accept a corresponding decrease in his quota of the other fiber.

(3) Preference Rating AA-3 is assigned to processors to get istle and jute yarns for processing into rope.

(d) *Provisions relating to the processing of fiber or yarn into other products.* (1) No processor may put into process any manila, agave or other cordage fiber or cordage yarn for the manufacture of products other than:

(i) Rope, as permitted in paragraph (c);

(ii) Twine, as specified in Schedule B; and

(iii) Other products to the extent and for the purposes specifically authorized or directed by the War Production Board.

However, the use of agave (other than cantala or sisalana, from Java, Africa, Haiti or Madagascar) may be authorized from time to time for binder or baler twine.

(2) Manufacturers of wire rope are assigned a rating of AA-1 to get yarn or roving for component parts of wire rope. Material delivered pursuant to this preference rating shall be charged against the processor's non-military quota referred to in paragraph (g).

(e) *Restrictions on delivery of rope and twine.* (1) No processor or dealer may sell, deliver, or accept delivery of rope or twine, produced in whole or in part from any cordage fiber or cordage yarn, except for the purposes for which the product may, under this order, be manufactured. However, this order does not control or restrict the sale, delivery, acceptance of delivery or use of rope:

(i) In Puerto Rico or the Virgin Islands, if the rope was made outside of the United States or any of its territories or possessions.

(ii) If the rope was or will be sold by retailers from coils already cut on October 27, 1943.

(2) No person may sell or deliver binder or baler twine if he knows or has reason to believe that:

(i) The binder twine will not be used with mechanical harvesting equipment or in the growing, harvesting or delivering of agricultural crops.

(ii) The baler twine will not be used in a self-tying machine for baling hay, straw or other fodder crops.

(f) *Allocation of non-military cordage.* (1) The War Production Board may, in accordance with Program Determinations, state the quantity of manila, agave (sisal) and other cordage fibers which each processor must, out of his production during stated periods, process into cordage, as allowed by Schedules A and B, to be delivered or set aside for delivery only to fill non-military orders and only to the extent specified for particular non-military uses. From that quantity, the processor may not fill any other orders, except orders rated AAA. When that cordage is sold by the processor, he must inform the buyer of the particular non-military use for which it must be used. The buyer may use or sell that cordage only for the specified non-military use or an AAA order.

"Non-military" means general industrial, farm, oil field and fishing uses. It also includes cores and centers for wire rope, regardless of their ultimate use. The term does not include purchases for direct or ultimate delivery to, or for incorporation into any material for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, or orders for commercial marine uses (including harbor or river tugs, ferries or barges, or stevedoring or inland waterway operation).

(2) The War Production Board may issue directions to processors and dealers for the establishment of emergency stocks of rope for maritime use.

(g) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(h) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or defective cordage fiber, cordage yarn or cordage may report by letter the extent of the damage and state to the War Production Board the percentage not suitable for the manufacture of products permitted by this order. He may then upon receipt of acknowledgment, without objection from the War Production Board, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Inventory restriction.* In addition to the restrictions on inventory contained in Priorities Regulation 1 (§ 944.14), no processor may accept delivery of any istle or jute yarns which will increase his inventory of istle or

jute yarns beyond an amount which, to the best of his knowledge and belief, will be used by him in the next sixty days.

(j) *Invalidity of oral instructions.* Instructions, allocations and directions, under this order, will be by telegram or letter unless otherwise specified, and in the name of the War Production Board. No one is bound by any oral instructions.

(k) *Reports.* Every processor of manila and agave fiber shall report monthly supplying the information required on Form WPB 2901 (formerly PD–128). Processors of all other cordage fibers will report their sales monthly on Form WPB 2901 (formerly PD–128). Processors of all cordage fibers other than manila and agave shall report monthly, supplying other information required on Form WPB 914 (formerly PD–469). These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Imports.* The importation of cordage fibers, cordage yarns, and cordage shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

NOTE: Following paragraph (m), formerly (a), and paragraphs (a) through (l), formerly (b) through (m), redesignated Apr. 5, 1944.

(m) *Definitions.* For the purposes of this order:

(1) "Cordage fiber" means any spinnable vegetable fiber which is, or which may be, commercially utilized for the manufacture of rope or twine including binder and baler twine, but does not include cotton, processor's mill waste, or bagasse.

(2) "Manila" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp, wherever grown (either stripped or decorticated), but does not mean the fiber grades of T2 and T3, O or Y, or equivalent, as established by the Insular Government of the Philippine Islands, processor's mill waste, or bagasse.

(3) "Agave" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste, or bagasse.

(4) "Jute" means jute fiber, including butts (often called cuttings), also meshta, urena lobata (commonly called congo jute), and punga.

(5) "Istle" means istle fiber, including but not limited to the types or grades commonly known as juamave, tula, palma, pita, and yucca.

(6) "Hemp" means true hemp fiber, line or tow, of the species cannabis sativa, whether grown in the United States or elsewhere but does not include waste of any kind.

(7) "Coir" means the fiber obtained from the fibrous shell of the coconut.

(8) "Coir yarn" means yarn spun from coir fiber.

(9) "Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber, each strand composed of two or more yarns, but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commercial packaging use.

(10) "Twine" means any single or plied yarn or roving including marlin and tarred seizings manufactured from any cordage fiber, or from any other fiber, for use as a tying material, for sewing, or for any similar purpose, but shall not include any product falling within the definition of "rope" or "binder twine" or "baler twine".

(11) "Cordage yarn" means yarns or rovings spun from any of the fibers referred to in definitions (1)–(8), including cotton, and from other vegetable fibers not referred to in this order when spun into rope or twine.

(12) "Binder twine" means a single yarn twine usually containing agave, but sometimes containing manila, istle, jute, hemp, coir, cotton or paper, suitable for use in a harvesting machine and of the type customarily heretofore manufactured. It is sold in balls of approximately five to eight pounds, in lengths measuring five hundred feet to the pound with a plus or minus tolerance of five per cent, and contains a lubricant of at least ten per cent of the weight of the twine and an insect repellant. It is also known as binding twine.

(13) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(14) "Basic monthly poundage" of manila fiber with respect to any processor shall be the average number of pounds per month of manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(15) "Basic monthly poundage" of agave fiber with respect to any processor for any month shall be the average number of pounds per month of both manila and agave cordage sold by such processor during the period from January 1, 1939 to December 31, 1941, minus 37% of such person's manila fiber basic monthly poundage calculated as prescribed in paragraph (a) (14): *Provided,* That any processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quota under this order.

(16) "Processor" means any person (other than a U. S. Government agency) who spins, weaves, or twists, or otherwise uses any cordage fiber or cordage yarn in the production of rope, twine, or any other product.

(n) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the ground of the appeal.

(o) *Applicability of regulations.* Except as specifically otherwise provided this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(q) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile, Clothing and Leather Division, War Production Board, Washington 25, D. C., Ref.: M–84.

Issued this 5th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CORDAGE END USE

NOTE: Schedule A amended Apr. 5, 1944.

This list specifies the permitted end uses for which rope may be manufactured from Manila, agave and other fibers. However, it does not restrict manufacture for and delivery to the Army, Navy, and Maritime Commission.

The left hand column lists the permitted end uses. Rope for end uses not listed

may not be manufactured. The second column explains more fully the character of the end uses which are permitted. The third column indicates what products may be made of Manila, the forth, of agave, and the fifth indicates any restrictions on use of fibers other than Manila and agave, for this product. In the case of Manila and agave, the word "yes" in the appropriate column means that use of the fiber is permitted, otherwise, it is prohibited. Any restrictions on use of fibers other than Manila and agave will be specifically stated in column five. If there is a blank in column five, any fiber other than manila and agave may be used.

End use	Definition	Manila	Agave	Restrictions on other fibers
Anchor buoy spar rope	A rope used to steady a spar projecting from the side of a vessel		Yes	
Anchor lines—submerged Fishing gear.	A line used to fix the position of stationary gear such as pounds or trap nets, fykes, and anchored gill nets.		Yes	
Anchor lines—sea plane	The anchor rode of a sea plane	Yes	Yes	
Anchor rodes	See anchor lines			
Anchor lines—vessel	A line used to connect the anchor chain and the vessel		Yes	
Anchor lines—small boats	The lines carried on small ships for anchoring		Yes	
Anchor lines—sea anchor	A rope attached to a canvas sea anchor used to retard the progress of a small boat or life raft		Yes	
Antenna rope	A rope used for raising or lowering radio antennae for maintaining tension on antenna			
Auxiliary line—Lyle gun	A 3" circ. hawser-drawn to or from a vessel by means of a whip line and which is used to support a breeches buoy.	Yes	Yes	
Awning rope	Rope for reinforcing and securing awning in place			
Awning rope	A small sized rope used to hoist or lower an awning			
Backbone	The rope stitched to the back of the middle of an awning and to which the crows foot is spliced			
Backhaul rope	The rope to haul back a hoisting tackle when it is not heavy enough to return by gravity			
Backhaul rope—boom	A rope used for hauling in the sounding boom aboard vessels			
Bale rope	A heavy wrapping twine for securing large bales or bundles			
Barrel chimes	A special type of sling used only to hoist fuel drums aboard ship where rope is passed through eyes at each end of drum; hoists 4 drums at a time.		Yes	
Band line	See Guard rope			
Beckett	A rope eye or grommet used for the hook of a block			
Beckett—Sprit sail	A small piece of rope with an eye spliced in each end to hold the end of a sprit to the mast			
Becket—Handle	See Handles			
Becket rowlock	A rowlock formed of a rope grommet secured over a throle pin in a sailing launch			
Beckets—Steering wheel	Used for lashing the wheel of a trawler when running on a fixed course			
Beckets—Trawl lines	A short loop inserted at regular intervals in the ground line to provide fastening for the snell or ganging.		Yes	
Bell rope	A small hand rope suspended or attached to a bell and used for the purpose of ringing the bell.			
Belly lines—Otter trawl	Ropes running from the head or foot line to the cod end and seined to the seams joining the top side and bottom sections of the net. Their purpose is to reinforce the net.			
Belt shifter rope	Frequently used on machinery as a medium of shifting belt drive from idler pulley to driving pulley and vice versa.			
Berth bottoms	A network of rope fashioned inside a frame which constitutes the bottom of the berth			Cotton only.
Bight line	A line used to support a heavy line at the bight			
Boat line	A line used to tend boats when coming alongside			
Bobstay	A rope or chain preventing the bowsprit from jumping and leading from the end of the bow sprit to the vessel's stem.			
Bolsch line	A line lashed to the foot rope on which the bottom section of the otter trawl is hung			
Bolt rope—Sail	A rope to which a sail is sewed to reinforce the sail and maintain its shape. The efficient action of a sail depends on the strength and stretching characteristics of the rope both when it is wet and dry.		Yes	
Boom lift (Fishing vessels)	A line rove through tackle blocks attached to the mast and boom. It is used to adjust the angle at which the boom is inclined from the mast and must support the load applied to the fall lines.		Yes	
Boom-out haul line	A line used to hold the boom away from the amidships when men are working and as a stop to prevent sudden gusts of wind from unsuspected directions, causing the boom to fly over and strike men in the boat.			
Boring machine rope	A rope used to clean inside of large caliber gun barrels after being bored or filed			
Bos'n's chair rope	The rope to which is suspended a piece of board on which a man working aloft is swung and used to raise or lower or support man.		Yes	
Bottom line	See Hanging Rope—Fishing Industry			
Bow lines	*See mooring lines.* A line used in mooring or docking to check the vessel from going astern. Line is led forward through bow chock making an angle of less than 45° to the keel.			
Braces	The ropes to control the horizontal movement of the yards			
Brails	Ropes used for furling fore and aft sails such as spanker to the mast. Can be fast—throat—or peak brails.			
Brailer lifting rope	A line rove, singly, through a block attached near the outer end of the boom, or suspended from a pennant between two masts, or a mast and a suitable point on the vessel. Used for various hoisting purposes.		Yes	
Breast line	*See mooring lines.* A line used in mooring or docking vessels and runs at rightangles to keel and dock.			
Breast line—30 to 50 ton booms	A stay or guy used to prevent swinging of boom when lifting heavy load		Yes	
Breast lines—Pile drive (Fishing)	These lines lead from the sides of pile drivers to anchors and control the position of a pile driver with reference to a definite area in which piling must be spotted for a fish trap.		Yes	
Breast line—Sea Plane and Flying Boat.	Control surge of seaplane when moored or anchored		Yes	
Breast line—Seines & Trawls	Usually the breast line is formed by continuing the lead and cork lines vertically at the ends of the net and splicing them near the bottom. Its purpose is to prevent the weight of the lead line from tearing the netting and to take the towing strain on the net.			
Breast purse line	A line passed through rings attached to the breast line of a purse seine and fastened near the lead line. Power is applied to this line to purse the end of the net and lift it clear of the purse line.			
Bridles-Seines, submerged traps and gill nets.	A length of line connected to the float and bottom lines of seines and submerged traps and gill nets, the approximate midpoint being attached to an anchor line.		Yes	
Bucket ropes	A rope attached to a bucket and used to raise or lower the bucket			
Bull rope	A rope working through a bull's eye, especially one used in securing a light yard of mast			
Bull ropes	Oil well and gas drilling—A rope 2¼ to 3" diam, in lengths 80' to 120' long with eye splices in each end; used to transmit power in grooved pulleys from engine to bull wheel. (A bull wheel is a large reel, with grooved pulleys attached on which are wound cables for drilling or cleaning out wells.)		Yes	
Bumper rope	A rope secured to the outside of the gunwale of a small boat and used as a permanent bumper			
Bumpers	Bumpers are usually made of old rope, the poorer sections used as filling and the covering made by lacing a strand over the filling. New strand is sometimes required for this purpose.			Coir only.
Bustlines	The lines used to haul the foot of a sail above and forward of the yard for convenience in furling			
Buoy line—fog towing	See Tow line—Towing spar			
Buoy line—deep water fishery	A line connecting a surface buoy and the trawl line and the anchor on the bottom		Yes	
Buoy line—halibut fishery	Same as above	Yes	Yes	
Buoy line—shallow water fishery (50' and less).	Same as above			
Burton rope (below 3" circ.)	A type or part of a cargo fall—a cargo fall is a rope used in unloading and loading vessels			
Burton rope (3" circ. & larger)	Same as above		Yes	
Busy lines	See buoy lines			
Caisson ropes	*See hoisting ropes.* Cable laid ropes used for hoisting			
Calf rope	*See bull rope.* A small size bull rope			
Car puller rope	A rope, either plain or cable laid used for moving railway cars along an industrial siding		Yes	

End use	Definition	Manila	Agave	Restrictions on other fibers
Carriage rope	See mill carriage rope			
Casing lines	Rope used in pulling "casing" out of oil wells			
Cathead lines	Oil well and gas drilling—a rope not smaller than 1¼" diam. used around a drilling rig in oil and gas drilling for hoisting tools, pipe, etc., by means of power driven capstan.		Yes	
Catlines	Same as Cathead lines			
Chinese shrimp bag—Net lines	The lines used by the Chinese shrimp bagnet fishing industry generally confined to San Francisco Bay.			
Clews—Hammock	The ropes running angularly from the hammock surface to the ring or other fitting whereby the hammock is supported.			
Clew line—Sail	A type of lashing rope used to secure the hem rope of a sail to the mast of a small boat			
Clothesline	A rope approximately ¼" diam. used as a drying line			Cotton only.
Cod end rope	This line is passed through the last meshes or rings attached to the fish bag opening and serves to close and open the fish bag or cod end.			
Cod line	See cod end rope			
Cod lines	Small sized lines, generally lightly tarred, used for ground fishing			
Come-alongs	Ropes used in the mining industry for emergency stretching of wire ropes		Yes	
Compressor pull back	See chain compressor fall			
Concluding line	A small rope rove through the middle of the steps of a Jacob's ladder			
Construction Rigging Rope (below 1" diam.).	Used in construction of new machinery and repairs to existing machinery or equipment. Also for the maintenance of existing and construction of new structures, including power lines and communications systems. In shipyards, for uses in building of yards; construction of new hulls and the repair of existing vessels.			
Construction Rigging Rope (1" diam. and over).	Same as above		Yes	
Cork line	See Float line			
Crab line	Usually a 3/16" to ¼" soft laid rope used as the bait line by inserting bait between strands in the crab fishing industry.			
Crackers	A short length of fiber drilling cable used in conjunction with a wire drilling cable affording spring or elasticity to the wire line. Generally 2½" diam. and larger.	Yes	Yes	
Cringle	A piece of rope spliced into an eye over a thimble in the bolt of a sail			
Davit rope	See Falls			
Decorticator rope	The endless rope used in certain types of fiber decorticating machines for holding the leaves for stripping.		Yes	
Derrick lines	See hoisting rope			
Dogsled—Gang line	Main line to which dog harnesses are fastened when pulling a sled		Yes	
Dip rope	Usually 7" circ. rope used in connection with clearing a foul chain aboard ship		Yes	
Dock lines	See Mooring lines			
Dory lift	See Falls—Lifeboat			
Down hauls—Pounds and traps	A line passing around a windlass and trap or pound, and through an eye fastened to a pile, or suspended to a weighted chain, for the purpose of raising or lowering the trap spillers, for brailing or fishing. The bottom of the spiller is attached to the down haul.		Yes	
Down haul	See Hoisting Rope—Sail			
Drag ropes—Trawls	Ropes used to drag a small trawl for certain fishing purposes, used in small boats not equipped with drums for wire cables.	Yes	Yes	
Dragging rope	A rope generally attached to a hook of one variety or another and used to locate and recover objects lying on the bottom of a body of water.			
Draw line	See Cod end rope			
Dressing lines	The lines used in the display of national colors (flags) at all mastheads and the flagstaff aboard ships.			
Drift line—Gill net fishing	A line by which the net is secured to the boat while drifting			
Drilling cables—gas wells (2" diam. and above).	Used for operating the tools in "cable tool" drilling		Yes	
Drilling cables—oil wells (2" diam. and above).	Used for operating the tools in "cable tool" drilling	Yes	Yes	
Drilling cables—water wells	Used on portable machines for drilling water wells. Usually made in size 1¼" diam. to 1⅝" diam. inc.		Yes	
Drilling cables—quarry and mining	Used on drilling machines for drilling blast holes. Usual sizes 1¼" diam. to 2" diam. incl		Yes	
Drop hammer rope	In aircraft and auto industry used to raise the drop hammer for forming metal parts		Yes	
Dumbwaiter hand rope	The rope used for operating a dumbwaiter			
Earing	A short piece of rope secured to a cringle for hauling out the cringle			
Easing out line	A line used in clearing bawse and in mooring for easing out a chain which has been unshackled			
Eel pot Rope	See Buoy line			
Electric coil filler	A rope filler in double deck coils for securing insulation, used principally in electric traction motors.			
Electric Linemen's Rope	Used by linemen on high voltage work as a general utility line		Yes	
Elevator Rope	A hoisting rope which supports an elevator		Yes	
Elevator Pull Rope	A rope used to stop and start power of a power driven elevator; also a hand rope to raise or lower a hand powered elevator.			
Elevator Gate Rope	A rope attached to a gate or door and attached to counterbalance to facilitate operation of gate.			
Emergency Line—Bristol Bay Gill Net Boats.	An emergency all-purpose line used by Bristol Bay Fishermen		Yes	
Execution rope	A rope used to carry out the death sentence of a court		Yes	
Falls—Accommodation ladder	A rope used to lower, hoist or support a ship's ladder or pilot's ladder over to side of a vessel		Yes	
Falls—Ammunition	Ropes, other than box handles, used for handling ammunition	Yes	Yes	
Falls—Anchor	The tackle used for hoisting an anchor to the deck, usually used in connection with davits		Yes	
Falls—Awning tackle	See awning rope			
Falls—Boat	A rope used, generally in conjunction with a pair of davits to raise or lower small boats, other than lifeboats.		Yes	
Falls—Boom tackle (fishing vessels)	A tackle attached near the outer end of the boom or suspended from a pendant attached to one or two masts or a pendant between the mast and a suitable point on the vessel.		Yes	
Falls—Cargo (below 3" circ.)	A 3 or 4 strand rope used in loading or discharging cargoes			
Falls—Cargo (3" circ. and larger)	Same as above		Yes	
Falls—Chain compressor	A rope used to check the speed and direction of the anchor chain		Yes	
Falls—Coal	A 3 or 4 strand hard laid rope used in discharging coal cargoes		Yes	
Falls—Flagstaff	See Halyard—flag and signal			
Falls—Fishing dory	See Falls—lifeboat			
Falls—F. O. Hose Davit	Rope used to raise, lower or otherwise handle fuel oil hose for refueling vessels		Yes	
Falls—Kingpost	See topping lift fall			
Falls—Lifeboat	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people.	Yes	Yes	
Falls—Purse boat	A pair of tackles suspended from davits used to raise and lower the purse boats and seine which weigh about 5 tons.	Yes	Yes	
Falls—Powder tank	Used in handling powder tanks (lowering and hoisting)	Yes	Yes	
Falls—Topping lift (below ¾" diameter).	The falls used for raising and lowering the boom			
Falls—Topping lift (¾" dia. or larger)	Same as above		Yes	
Falls—Ventilation	Rope for adjusting windsails (ventilators) in position			
Fenders	See bumpers			Coir only.
Fire escape rope	Rope used for fire escape in hotel rooms, etc., not connected with outside stairways			
Fisherman's cable	*See anchor lines.* Cable laid rope, sometimes tarred, for use off the fishing banks for anchor line			
Fish bag release line	See cod end rope			
Float line—Fyke nets	The floatline is used to support the leader netting of fyke nets			
Float line—Gill nets	A line to which the corks or floats are attached and supports the netting			
Float line—Haul seine	The line which contains the floats and is used to float a haul seine	Yes	Yes	
Float line—Otter trawls	The main line to which the top netting of an otter trawl is attached	Yes	Yes	
Float line—Purse seines and ring nets	The buoyed line to which the top of the netting is hung	Yes	Yes	
Float line—Submerged gill net	A buoyed line which supports the webbing		Yes	
Foot rope—Otter trawl	The main bottom line of a trawl to which the foot rope hanging line is secured. "Bolsch" weight and roller line may also be attached.	Yes	Yes	

End use	Definition	Manila	Agave	Restrictions on other fibers
Foot rope—Auxiliary	See "Bolsch" line			
Foot rope—Hanging line	See "Bolsch" line			
Foot rope—Serving	Rope wrapped around the steel cable foot rope to protect the trawl hangings and bolsch line seizings.	Yes	Yes	
Foregoers	The line carried by the projectile in modern whaling			
Frapping lines	A line passed around a boat fall, one end being made fast on deck and other end being hauled taut and belayed to prevent boat from swinging.			
Furling line	A small line secured to the mast and used for furling fore and aft sails			
Furnace charging bucket rope	A rope used in conjunction with the charging of steel furnaces with scrap metal			Cotton only.
Gangings	Short lines varying from 1 foot to 6 feet in length having a hook at one end which are attached at regular intervals to the trawl or ground line.			
Gantline	See Falls			
Girtline	See Falls		Yes	
Governor rope for use on elevators	A rope, usually ¼" to ¾" dia. used as part of the safety equipment to prevent overspeeds on elevators.			
Grab rope	A line secured waist-high above a boat-boom or gangplank used for steadying oneself			
Grab line—Life boats and life rafts	A line fastened to outside of life boat to right a capsized boat or as a grab rail		Yes	
Grapnel cables—For cable ships	A combination of wire and fiber—the fiber is used to either fill in the interstices or to actually seize the wire to increase the friction grips of the cable on the hoisting drum.			
Grapnel line	See dragging rope			
Ground line	See foot rope			
Ground lines—Trawls (otter)	See spreaders			
Ground line	See trawl lines			
Guard rope	A rope used to bound a permitted area—A safety rope used, for instance, as a railing		Yes	
Guess warp (3" circ. and larger)	A line by which a bight is secured to the swing boom. It may be slacked off from the deck. A line rove through a thimble at the outer end of a boat boom, used for securing the boat to the boom. In general a hauling line laid out by a boat, a portion of the line coiled down in the boat.			
Guest warp (below 3" circ.)	Same as above			
Guide line	See tag line			
Guy lines	A rope used to hold or steady some object such as a pole or mast		Yes	
Guy lines—Fish trap	Lines from stake traps to anchors to steady the trap and counteract the influence of weather and currents.			
Guy—Lazy	Running rigging to steady a boom in a seaway			
Guy—Lazy jack	Lines often forked reach from above on each side of a fore-and-aft sail to about the middle of the boom to confine the sail when it is lowered.		Yes	
Guy line—Preventer	Preventers are generally made up with an eye splice at one end which is shackled to the topping lift bands at the bottom head or looped over the boom head. Used generally when handling heavier types of cargo as a safety measure. A rope used as an additional support for added security.		Yes	
Guy lines—Vessel	Lines usually rove as tackles made fast to the ships bulwarks and to wire rope pennants from the outer end of the boom. They are used to regulate the lateral position of the boom.			
Halibut line	See Trawl line			
Halter	A rope about ½" diam. soft lay, used for tying horses and cattle, and making halters			
Halliards	See Halyard			
Halyards—Flag and signal	Ropes used for hoisting flags and signals			
Halyards—Spar and sail	See Hoisting Rope—Sails		Yes	
Hammer fall rope	A rope used on pile driving equipment in hoisting the hammer to the derrick head. The rope is then released dropping the hammer onto the pile head.			
Hand lines	A small rope used to raise or lower small objects by hand. For instance between ground and scaffolding, etc.			
Hand lines	Small sized lines generally lightly tarred used for bottom fishing			
Hand rail—Life rafts	See grab line—life boats and life rafts			
Hand rope	See Grap Rope		Yes	
Hanging ropes—Pounds and traps	Lines to which various sections of netting such as pots, spiller hearts and leads are hung. These lines support the netting. Also the lines used to reinforce the wire netting used in salmon traps.			
Handles—Buckets	Rope handles for wooden, canvas or other type buckets		Yes	
Harpon line—Swordfish	A line attached to the harpoon and a buoy keg which is used to tire the fish		Yes	
Harpoon line—Whale	A line connecting an explosive harpoon (fired from a gun) and the vessel	Yes	Yes	
Haul up line (Otter trawl)	The line is fastened to the splitting strap and runs to the head rope to be readily accessible. Power is applied to this line to assist in raising the net, splitting the catch and raising the splitting strap in order to engage the fish tackle.			
Hauling line (seine)	A line attached to the end of the seine to increase the circumference of the circle which may be made around a school of fish.		Yes	
Hay rope	A rope used generally in conjunction with a hay fork to load hay into farmers storage			
Hay loader rope	The rope used in the operation of hay loaders			
Head line	See Towing Rope. The line from the bow bit of a tug to the tow			
Head rope	See Float line			
Head & Stem Line (fishing industry)	Ropes that lead from head and stern of pile drivers and rigging scows to anchor; in order to control their off-shore positions.		Yes	
Heart Ropes—Wire ropes	See wire rope centers			
Heaving line	A length of light line, weighted at one end, which is thrown to a wharf, etc., in order to assist in getting the mooring line to the wharf.			
High Climbers rope	A rope having a wire core used in timbering as a safety device and also a method of climbing tall trees for the purpose of cutting off the tops. The wire center is to add strength and also to serve as a guard against the rope being severed by a slip of the axe.		Yes	
High tension rope	See Electric linemen's rope			
Hitch rope	The rope attached to the hitch weight for temporarily securing a horse or team			
Hobble rope	See Leg Rope			
Hoisting rope—Hot dip galvanizing	Rope used in processing of hot dip galvanizing by lowering the metal objects into acid bath or hot metal.		Yes	
Hoisting rope—Sail	A rope used to hoist and lower the gaffs and sails of small boats		Yes	
Hoisting line—Fishing industry	A line rove singly through a block and used to unload fish		Yes	
Hoisting rope (3" circ. & larger)	A special rope for heavy hoisting			
Hoisting rope (below 3" circ.)	Same as above		Yes	
Hook rope (3" circ. & larger)	Used for mooring a ship to a buoy or in weighing anchor			
Hook rope (below 3" circ.)	Same as above			
Hook-on-line	See shore line			
Jack rope	The lacing securing the foot of a sail to the boom			
Jackstay—Hammock	The reinforcing ropes in the bed of a hammock		Yes	
Jackstay—Life float	Rope used to lash netting to wooden ring of life float			
Jacob's Ladder	See Ladder-pilots		Yes	
Jaw rope	A span of rope leading from the jaws of a gaff around the mast, strung with hard wooden beads.			
Jumper	A rope used to prevent a spar from jumping up; specifically, the rope from the outer end of the whiskers to the martingale.		Yes	
Jumperstay	An extra stay from the masthead to the rail and set up by a tackle			
Jilson	See Brailer Lifting Rope		Yes	
Jilson—After	Holds the mid section of the foot rope in place before the main Jilson is hooked up		Yes	
Keeling Line—Pile driver	A heavy utility line used aboard a pile driver for seating trap bracing pilings, capping logs and other heavy work.			
Ladder—Extension	The rope used for expanding and contracting and extension ladder			
Ladder—Pilots	A rope ladder, usually with wooden steps, hung over the side of a ship for the pilot's use			
Ladders—Ropes	A ladder formed by splicing cross ropes between two longer ropes for steps. These ladders take several forms, some with wooden rung or flat steps held between 4 upright ropes; some with oval end pieces of wood supporting round steps, the oval held by 2 ropes lashed at the points of the ovals.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Lair rope	See Pack Rope			
Lanyard	A line attached to an article to make it fast			
Lanyards	Rope used for tightening the shrouds and stays on board ship			
Lanyards—Fender	Generally 3" to 3¼" circ. Reg. Lay. Used for lashing fenders to rail (tug boats)			
Lanyard—Hammock	The rope attached to the hammock clews by which the hammock is suspended			
Lanyard—Tripping	See trip rope or tripping line			
Lanyard—Whistle	The rope or cord used for blowing a whistle			
Lariat rope	A very hard laid rope used for lassoing cattle		Yes	
Lashing rope	A general rope used for tying down or securing any object but not for shipping purposes			
Lashing ropes	Ropes for securing cargo in transit			
Lashing rope—Aircraft	Lashing rope used for securing equipment, etc. in transport planes		Yes	
Lashing rope—Dory	Used to lash stacked or nested dories on a trawler			
Lashing rope—Gripe	A lashing spliced to the lip of the gripes, and secured to either the davit head or strong back, for purpose of securing life boat on deck of vessel.		Yes	
Lashing rope—Life rafts	A rope used to tie or otherwise secure life rafts aboard deck of a vessel			
Launching rope	A rope used in connection with the launching of a vessel		Yes	
Launching rope—Trigger	Rope used in shipyards to trip device allowing vessels to slide down ways		Yes	
Lead line—Sounding	A plain or cable laid rope used for determining the depth of water			
Lead line—Fyke nets	A leaded line attached to the bottom of the fyke leader			
Lead line—Gill nets	A leaded line attached to the bottom of the gill net			
Lead line—Haul seines	A leaded line attached to the bottom of the haul seine netting		Yes	
Lead line—Otter trawls	A leaded line attached to the foot rope			
Lead line—Purse seines and ring nets	A leaded line attached to the bottom of a purse seine or ring net	Yes	Yes	
Lead line—Submerged gill nets	A weighted line attached to the bottom of a gill net		Yes	
Leader hanging rope	Ropes used to hang a lead used in connection with seines			
Leader rope—Reef nets	A rope used to hand a lead used in connection with reef nets		Yes	
Leech lines	The rope used to haul the leech of courses and sometimes Top Sails along the yard			
Lag rope	A small size rope used to hobble horses and other animals			
Life line	See auxiliary line—lyle gun	Yes	Yes	
Life line	A line secured along the deck to lay hold of in heavy weather			
Life line	A knotted line secured to the span of lifeboat davits for use of the crew when hoisting and lowering.			
Life line—Divers	A line used to raise and lower a deep sea diver	Yes	Yes	
Life line—Fire & Police Departments	A rope used in conjunction with the saving of life or valuable property		Yes	
Life line—Lifeboat or life raft	A line festooned in bights, along each side of a lifeboat or raft, life raft or float. Each bight is equipped with seine floats.			
Life preserver rope	The hand rope around the outer side of a circular life preserver			
Life preserving rope	Used from a reel set up on a beach with cork ring or torpedo life preserver attached. Life preserver carried out to victim by life guard. Rope used to pull both ashore.			
Lifts	Yards are supported at the yardarm by lifts, leading through blocks or fair leaders at the masthead and thence to the deck.		Yes	
Lift—Trolling pole	A pole or tackle suspended from the mast and connected to the trolling poles for the purpose of raising or lowering the latter.			
Lifting lines—Divers outfits	Lines used to lift products harvested from the bottom, such as sponges, precious corals, avalone, etc. by divers.		Yes	
Lizard	A rope fitted with a thimble and used as a leader for running rigging			
Lobster Pot Warps	See Pot Warps			
Lock Lines	See Tow lines—Canal			
Lock gate operating lines	Used for operation of canal lock gates			
Log line	A line used to transmit the rotation of the log propeller to the recording instrument aboard the vessel			
Long line	See Trawl lines			
Lug ropes	Short, heavy ropes for tieing canal barges together		Yes	
Main fish tackle	See Falls—boom tackle			
Man ropes	See grab ropes			
Man ropes	Ropes hung over a ship's side and used for assistance in ascending or descending		Yes	
Mats—Blasting	Solid woven mats, 6 to 12 ft. sq. used to cover blasting areas to prevent flying fragments			Coir only.
Messenger	A line used to lead the heavy tow line around the capstan in ocean tow boats			
Messenger	A light rope used for hauling over a heavier rope or cable, or fuel line			
Messenger—Side set trawlers	A line used to haul the towing warps to the towing block		Yes	
Mill carriage rope	Used for moving a carriage, such as a log carriage back and forth			
Millwright rope	See construction rigging			
Mooring lines (below 3" circ.)	Ropes used in mooring or docking vessels			
Mooring lines (3" circ. and larger)	Same as above		Yes	
Mooring lines (vessels 40,000 gross tons and over).	Same as above	Yes	Yes	
Mooring lines	A rope attached permanently to a submerged anchor or weight used as a harbor mooring for small boats, yachts, etc.		Yes	
Motion picture screen arrangement	Lowering and hoisting screen			
Net—Brails	A dipnet used to remove fish from a trap			
Net—Cargo	A net constructed of rope and used for loading or discharging cargo from a ship			
Net cargo—Stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a cargo net and to which the net is lashed.		Yes	
Nets—Circus safety	The nets suspended below trapeze and other circus performers			
Nets—Construction safety	The net used for the protection of workmen on construction jobs			
Nets—Debarkation and life floats—net rope.	The inner netting rope which is attached to jackstays of nets hung over the side of ships for emergency debarkation and life saving.			
Nets—Jackstays—Cargo and debarkation nets.	The supporting ropes to which the net ropes of cargo and debarkation nets are attached		Yes	
Net—Lashing rope	Lines used to lash net on deck to rail when net is stored away			
Net—Life float—Jackstay	A net used to support the platform of a life float			
Net—Life net rope	The rope used for making life nets used in Fire Department			
Nets—Save all	Nets hung from the sides of a ship to the dock to prevent cargo from falling into water in case of accident when discharging.			
Net—Save all—stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a save-all net and to which the net is lashed.		Yes	
Nigger lines	See Hauling Lines			
Ocean Bathing Safety Rope	A rope supported by poles or buoys which serves as protection to bathers			
Outboard gripe (lifeboat)	See lashing rope—gripe			
Outhauls	The ropes by which sails are hauled out on the boom. These ropes are named for the part of the sail they control, i. e. head outhaul—foot outhaul.			
Outhaul line—Boom	A line used to rig the boom out from amidships position to overside for sailing or to remove it from the area when men are working.			
Oyster Tong Hoisting Rope	A rope to raise or lower tongs used in oyster fishing		Yes	
Pack Rope	A light lashing line for tying packs, generally on animals			
Painter—Small Boat or Skiff	A rope in the bow of a small boat used in making fast, and for towing a small boat			
Painter—Lifeboat and Life Raft	Same as above		Yes	
Painter—Sea	A rope, one end of which is attached to a small boat the other end to the bow of a ship. This rope is of sufficient length to allow the small boat to maneuver alongside the landing stage of the ship. Is used particularly during rough weather.		Yes	
Painter—Seine	A line attached to the fish—bag end of a purse seine for the purpose of pulling the seine to the side of the vessel and completing the circle of netting about the fish.		Yes	
Painter—Shank	The rope securing the fluke of an anchor on the billboard to a toe of the tumbler arm			
Parbuckle rope	Two ropes for handling a spar or cask over the side in the bight of the rope			
Paying out lines	See Easing out line			
Pendant rope (below 1" diam.)	The vertical rope support of a cargo fall			
Pendant rope (1" diam. and larger)	Same as above		Yes	
Pendant—Heavy weather	A line used to control boom hook in heavy weather			
Pendant—Kingpost	See topping lift			
Picket lines	Lines to which the halters of horses or mules are attached			

End use	Definition	Manila	Agave	Restrictions on other fibers
Pile driver rope	See Hammer fall rope			
Pipe Bending rope	Performed on flat table with steel pegs. Pipe preheated—Rope Hooked on to protect end of pipe and by means of a winch, pipe is pulled to form the correct or required angle of bend.			
Ploughlines	Small rope used for reins when plowing			
Polishing machine rope—textile equipment	Rope wound and fastened to scrubbing and polishing rollers on textile polishing machine			Coir only.
Potwarp	A thread rope connecting a buoy with a lobster pot on the ocean floor; used also to hoist the lobster pot.		Yes	
Power transmission rope (⅛" and larger)	Power transmission rope is an endless rope used in transmitting continuous mechanical power between driver and driven sheaved pulleys.		Yes	
Power transmission rope (below ⅛" diam.)	Same as above			
Preventor guy	A line fastened between the mast and boom to add an additional safety factor for heavy lifts on the boom.		Yes	
Projectile line	See shot line			
Pull rope	Attached to cart, wagon or other vehicle used to pull or move apparatus by hand, such as hand drawn fire hose apparatus.			
Punt handling rope	Lowering and hoisting punts			
Purse bridles	See purse-ring bridles			
Purse-ring bridles	Lengths of line with the ends seized to the head line of a seine so as to form bridles. To the center of each bridle is seized a purse-ring.			
Purse line	A line rove through rings attached to the bottom of a seine. By hauling on this line the bottom of the net is closed or pursed.	Yes	Yes	
Purse seine bow line	A short length of line fastened to the cork line on a purse seine in such a position as to be opposite the bow when the ends of the seine are hove to the side of the vessel. This line is made fast to the bow in order to prevent the cork line from going under the bow while pursing the net.			
Purse seine stern line	See purse seine bow line			
Purse weight line	A line used to raise and lower the "tom" weight on East Coast purse seines			
Quarter rope	A pair of lines used on side-set otter trawls that are fastened to the foot rope at the junction of the wing and the bottom. Each line is passed thru an eye in a similar position on the head rope and made fast to the outer end of the wing. They are taken to the gypsy heads and power applied in order to draw the head and foot rope together and bring the wide part of the trawl aboard at the conclusion of a drag.	Yes	Yes	
Raft ropes	A three strand rope used in binding logs together while being floated to a sawmill			
Rat lines	A short length of tarred hemp rope, usually ¼ "to ½" diam. running horizontally across the shrouds for a step.			
Reef points	Short lengths of rope secured to a sail used for reefing			
Release line	See Cod end rope			
Retrieving line	See Easing-out line			
Rib lines—Otter trawls	See Belly Lines—otter trawls			
Rib lines—Pounds and traps	See banging rope—fishing industry			
Ridge rope	The rope rove through stanchion heads to which the awning stops and lacings are hauled out. The backbone of an awning. The backbone of any heavy tent.			
Ring rope	The rope used to bend the chain to the anchor ring		Yes	
Rip cord—Sailing ships	Rope used to break out sails put up in steps			
Running line	*See Messenger.* A line coiled in a boat and run from the ship to a dock or another ship			
Running line—Pile driver	See hoisting rope			
Safety rope—Antenna	Check swing of antenna aboard vessels			
Safety belt rope	A rope used either in the construction of a belt or attached to a belt used to suspend or support a person while engaged in hazardous work.		Yes	
Sail hem rope	See bolt rope—sail			
Sand lines	A small size cable laid rope; usually ¾" diam. to 1¼" diam. incl. Sand lines are used to hoist the bailer in well drilling.			
Sash cord	Used for support of sash weights in window casements			Cotton only.
Scaffold rope	See staging			
Scaling rope	Generally similar in construction to a High Climber rope—i. e. with a steel core. Used to lower a person over the side of a cliff in a mine or quarry for the purpose, for instance, of drilling.		Yes	
Set line	See trawl lines			
Sheehan carrier rope	A small transmission rope usually ½" to ⅝" diam. used for carrying the wet sheet around the drying rolls in a paper mill.			
Sheet rope—(below 1" diam.)	A rope, often rove as a tackle—which regulates the angle at which a sail is set in relation to the wind.			
Sheet rope—(1" diam. and larger)	Same as above		Yes	
Shore line—gill nets and seines	A length of line used to fasten the inside end of a net to the shore while towing the outer end. The purpose of this operation is to hold the net in position and increase the catch.		Yes	
Shot lines—Lyle guns	Soft laid rope used in connection with Lyle guns for rescue work on disabled ships	Yes	Yes	
Shovel lines	A line used in operation of shovels in unloading of grain boats		Yes	
Shrouds	Side stays from the mast head to the rail and set up by deadeyes			
Shrouds—Lifeboats	Same as above		Yes	
Signal rope	Any rope used to convey signals by means of "Jerks", etc			
Signal rope—Deep Sea Diving	A rope used to convey signals from a diver working below the surface of the water to a boat above.		Yes	
Skates—Vertical (lifeboats)	Ropes used to steady lifeboats and prevent them from capsizing while being lowered from davits		Yes	
Slings (below 3" circ.)	Ropes either spliced endless, knotted or used in conjunction with rigid platforms and used for the transference of cargo or equipment by means of hooks, derricks or hoists, etc.; the sling is secured around the object to be moved.			
Slings—(3" circ. and larger)	Same as above		Yes	
Sling shots—Halibut fishery	A line inserted between the ground or trawl line and the anchor or to serve as a point of attachment of the buoy line.			
Slip line	See Cod end rope			
Slip rope	A rope bent to the anchor cable outboard of the hawsepipe and secured on the vessel's quarter; used in slipping the cable.		Yes	
Slip shots	See Sling shots			
Smiting line	See Rip cord—sailing ships			
Snells	See ganging			
Snorter	A hand line used around the deck of a trawler to move heavy objects			
Snubbing rope	A rope used to hold or retard the progress of a load or object		Yes	
Sounding line	See lead line			
Spinning lines	A rope used in conjunction with oil well drilling to couple or uncouple lengths of pipe		Yes	
Spray hood hem rope	See bolt rope—sail			
Spreaders—Otter trawls—Stern set	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.	Yes	Yes	
Spreaders—Otter trawls—Side set	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.		Yes	
Spring lines	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward or astern heading at an angle of 45° to the keel. Includes bow spring, quarter spring, waist spring, stern spring, etc.			
Sprit hem rope	Bolt rope—sail			
Sprit line	Line used to raise sprit sail on Bristol Bay gill netters			
Sprit tackle	Tacks used to adjust sprit sail			
Stage painter line	See Bos'n's chair rope			
Staging rope	A rope used in the support of a temporary structure of boards		Yes	
Staging rope—Deep sea diving	See Life Line—diver			
Stake lines	Lines used to maintain stationary gear in position such as the lines leading from fyke nets, pound nets, or trap nets to stakes or piling.			

Rope line	Definition	Manila	Agave	Restrictions on other fibers
Stationary tackle	A triple purchase to hold up the boom of a trawler		Yes	
Stay	A rope used for supporting a mast		Yes	
Stay running backstay	Used in a small sailing vessel to stay the mast, the weather one being set up and the lee one loose		Yes	
Steadying lines	See guy lines			
Steering gear—Emergency rope	Emergency steering apparatus for operating steering device of disabled vessels by hand		Yes	
Steeple jack rope	See Bos'n's chair rope			
Stem line	See mooring line			
Stern falls	Used by menhaden purse boats while they are being towed behind the large boat and as they approach a school of fish.	Yes	Yes	
Stern line	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward. Line is led aft thru stern check making an angle of less than 45° to the keel.			
Stevedoring rope	See Falls Cargo. A special rope for high speed hoisting; used over winch or a gipsy head			
Stops	See Reef points			
Stopper	A line used to steady or stop the working end of a vessel's cargo boom			
Stopper-menhaden	A line used to stop the working end of the purse boat lifting tackle		Yes	
Stowage rope	See lashing rope			
Strap	A rope spliced endless, usually with a short splice used in suspending or making fast. A small sling is sometimes called a strap.			
Strap—Anchor	A short line with an eye splice in each end, one of which is attached to the anchor			
Strap—Belly	A rope passed around a boat for hanging a kedge anchor in carrying out the anchor		Yes	
Strap—Bow (Small Boats)	A line passed through a hole in the stem of a skiff or small boat and spliced to form a loop. The skiff painter is attached to this loop.			
Strap-block	A strap used to suspend a block aloft		Yes	
Strap—Buoy keg	Consists of two lines tightly fitted around the side of a keg and interlaced to prevent their working over the ends. The two loops are provided with two bridles for fastening the buoy line and flagpole.			
Strap—Flagpole	Consists of a bridle attached to the flagpole and a line for attaching to the buoy keg			
Strap-lifting (fishery)	A strap used to wrap around nets, lines or objects in order to hook them to the lifting tackle	Yes	Yes	
Straps—Skate bottom	Consists of 4 short lines spliced one to each corner of a small square of canvas. Two adjacent lines are provided with a grommet and the complete "skate bottom" is used to hold a skate of gear in proper manner and prevent tangling.			
Strap—Splitting	Consists of a loop passed through straps located at suitable points around the fish bag so as to divide the catch into convenient portions while unloading the net. The splitting strap and cod end are hove to the surface by the haul-up line and lifted aboard by the fishing tackle.	Yes	Yes	
Strap—Tow	A heavy rope, spliced endless and used for side towing by harbor tugs		Yes	
Sweep Lines	Used to support heavy sweep bar over sheaves under barges in sounding for high spots			
Tack	The rope by which the forward lower corner of a fore and aft sail is held down and secured		Yes	
Tackline	The rope that hauls down the tack of a gaff topsail			
Tackline	A short length of line used to separate flags in a hoist			
Tag line	A rope used to guide loads which are being hoisted and moved off the ground			
Tarpaulin rope	A rope usually attached to, and for securing or making fast a tarpaulin			
Telegraph line	A small transmission rope used in the oil field for controlling the speed of the engine from the derrick floor.			
Tent rope—Guy line	Rope used in tying down or securing tents			
Tent rope—Shelter	The rope used on the halves of shelter tents			
Tie ropes—Cover	Small lines not attached to covers or tarpaulins but which are used to secure or lash a cover to or around an object.			
Tie rope	A small rope usually ¼" diam. used for staking out grazing animals			
Tie down rope—Aircraft	A rope used to tie down or otherwise secure aircraft to the ground as a protection against being damaged by wind, etc.		Yes	
Tiller ropes (vessels—5 net tons and over)	A line running from the steering windlass through blocks to the tiller		Yes	
Tiller rope (vessels—under 5 net tons)	Same as above			
Top lift	See Boom lift			
Topping lift (below ⅜" diam.)	A tackle or rope leading from the head of a mast of a vessel or derrick employed to raise or top the end of a boom.			
Topping lift (⅜" diam. and larger)	Same as above		Yes	
Torpedo lines—oil well	Approximately ¼" diam. rope used to lower explosives into oil or gas well preparatory to "shooting" the well.	Yes	Yes	
Tow line—Automobile, trucks and mechanized equipment.	A short length of rope for towing a vehicle. Usually has an eye splice in one or both ends			
Tow line—Canal barges and cargo vessels (below 3" circ.).	A rope used in towing canal barges or boats			
Tow line—Canal barges and cargo vessels (3" circ. and larger).	Same as above		Yes	
Tow line—Life boat	Used to tow a life boat behind a larger vessel or behind another life boat		Yes	
Tow line—Seine and purse boat	The line used for towing the seine or purse boat behind the fishing boat		Yes	
Tow line—Skiff (fishery)	See Painter—seine			
Tow line—Stern (tug boat) (smaller than 3" circ.)	The line used by tug boats to hold the stern of the tug to the tow			
Tow line—Stern (tug boat) (3" circ. and larger).	Same as above		Yes	
Tow line—Tender (fishery)	Used to tow heavy scows laden with fish		Yes	
Tow line—Towing spar	Used to tow spar which keeps ships in position		Yes	
Tow lines—Mines	The ropes used for towing heavy machinery in mines		Yes	
Tow lines—Seaplanes and Airplanes	Rope used in towing seaplanes, flying boats and land planes at bases and airports		Yes	
Tow lines—Tug boat (smaller than 3" circ.).	The lines used by tug boats for towing ships, barges, scows, etc. It is the line between the tug and the tow, or when the tow consists of more than one unit, the line between the units.			
Tow lines—Tug boat (7" circ. and not smaller than 3" circ.).	Same as above		Yes	
Tow lines—Tug boat (7" circ. and larger).	Same as above	Yes	Yes	
Towing line—Purse seine	See hauling line (purse seine)			
Traces	Rope traces used as a substitute for leather traces in some types of harness usually farm or artillery harness			
Trap hanging lines	See net rope			
Traveler line	Line secured to sounding boom and to lower and hoist			
Trawl lines	A long line consisting of 1 or more "skates", "tubs", or coils of gear set in a continuous and substantially straight line. With the exception of crab trot lines, the trawl lines have snells or gangings attached at regular intervals.			
Tree surgery rope	A utility rope used as the name implies			
Trip line	The line used for holding a dory or tender off shore			
Trip ropes	A utility rope used to trip unloading devices			
Tripping line	A line used for capsizing a sea anchor. A line used for releasing a pelican hook, etc			
Trolley car rope	A rope used to pull down and secure a trolley pole			Cotton only.
Trot line	Used as the main or ground line for crab fishing and fag lines			Cotton only.
Truck rope	A rope used in making loads fast on a truck or to serve as a lacing to prevent loads from being lost out of the rear of a truck.			
Tunnel lines	See net rope			
Turntable lines	A line used by West Coast purse seiners to swing the turntable. One end is attached to a corner of the table, the other is brought to the gypsy.			
Tye	The pendant of the purchase for hoisting the yards		Yes	
Up and down line	See breast line			
Utility Rope	Rope used for making small straps, seizing, etc			
Vang rope	A rope running from end of gaff to the deck			

End use	Definition	Manila	Agave	Restrictions on other fibers
Vang rope (7/8" diam. and larger)	Used for swinging the cargo boom in loading or discharging cargo		Yes	
Vang rope (below 7/8" diam.)	Same as above			
Venetian blind rope	Small twisted or braided ropes used for the operation of venetian blinds			Cotton only.
Warps	A light hawser used to draw a vessel to a pier or some other fixed object		Yes	
Water bag	Rope handle or sling attached to fabric water bag for desert use			
Weather Cloth—Sheet lines	A rope used to support canvas rigged as shelter in life boats			
Well ropes	Ropes used for raising and lowering the bucket in water wells			
Whale rope	A 3-strand rope, long jawed but solid strand to prevent knuckling, used on the end of a harpoon in whaling industry. The long line to which the foregoer is attached in whaling. Usually 6½" or 7" circ. and 600 fath. long.		Yes	
Wheel rope (vessels over 10 net tons)	A line from the steering windlass through blocks to the metal linkage which connects with the tiller.	Yes	Yes	
Wheel rope (vessels under 10 net tons)	Same as above		Yes	
Winch rope	A rope used to draw or drag or pull an object by means of a power or hand driven winch, capstan or gypsy head, etc.			
Window cleaning rope	A safety rope, usually about 5/8" diam. used through a window cleaner's belt to attach him to the building.		Yes	
Wing control line (otter trawls)	Line used to steady wing of a trawl		Yes	
Wiping rope	Rope used in the manufacture of wire and cable to remove excessive lubrication and to polish surface of the wire or cable.			
Wire rope centers—(larger than 1 7/64" diam.).	The fiber rope core serving as a base or cushion around which wire strands are twisted in the manufacture of wire rope.		Yes	
Wire rope centers—(1 7/64" diam. and smaller).	Same as above			
Wire rope surface yarns	Yarn twisted alternately with strands of wire in manufacturing of spring lay type cables		Yes	
Wrecking cable	A cable laid rope usually 10" circ. and larger used in floating stranded ships	Yes	Yes	
Whip rope—Ammunition	See Falls—ammunition			
Whip line—Lyle gun	An intermediate line between the shot line and the auxiliary line used initially to haul out the auxiliary line and also to draw the breeches buoy back and forth along the auxiliary line.	Yes	Yes	
Yacht rope	Rope used for the running rigging of yachts			

Schedule B—Cordage End Use List

The use of agave fiber for the manufacture of binder and baler twine will be authorized as stated in paragraph (e) (2). Normal end uses of agave twine are as follows. Agave is now permitted only where indicated.

End use	Definition	Manila	Agave	Restrictions on other fibers
Christmas tree twine	A single ply twine, usually tarred or dyed for binding Christmas trees in bundles for shipping			
Fodder yarn	Single yarn, generally tarred, put up in stranded or many end form, used in tying up fodder. This yarn is comparable to a binder twine, in certain parts of the country where a mechanical binder is used for harvesting a binder twine. In other parts where the binding of sheaves is done by hand, fodder yarn is used.			
Hambroline	See seizing stuff			
Hanging twine—Hard fiber nets	Twine used to hang hard fiber nets to lines		Yes	
Hanging twine—Soft fiber nets	Twine used to hang soft fiber nets to lines		Yes	
Heading twine	See Marline—lobster			
Hide rope	Generally sisal twine—twisted into strand form usually 50 ends. 2 or 3 ply			
House-line	See seizing stuff			
Lathyarn	A single yarn put up in stranded or many end form either tarred or untarred			
Marline	See seizing stuff			
Marline—Lobster	A twine required in the manufacture of the inside tunnel of lobster pots			
Nettwine—Otter trawls	A hard-laid twine, usually 2, 3, or 4 ply in sizes from #000 to #1200 used for the manufacture of hard fiber fishing nets. Also for mending nets.		Yes	
Piping cord	The cord used in a roll edge trim for furniture, etc			
Ring yarns	See wrapping twine. A single yarn usually put up in stranded or many end form and used for general tying purposes.			
Roundline	See seizing stuff			
Seizing stuff	A general term covering fine sizes of rope and twine used for seizing larger ropes and cables			
Shingle yarn	A yarn put up in single end form, used for tying up bundles of shingles. Tarred and untarred			
Small stuff	See seizing stuff			
Spunyarn	See seizing stuff			
Wormline	See seizing stuff			
Wrapping twine—Tying twine	In general, single or plied twine, twisted or laid, used for tying or bundling purposes and practically every industry uses tying twine in some form.			

Supplementary List 1—Cordage End Use List

The following list includes military end uses for which rope or twine may be manufactured only on Army, Navy or Maritime Commission orders or for incorporation into products manufactured or assembled for the account of the Army, Navy or Maritime Commission.

End use	Definition	Manila	Agave	Restrictions on other fibers
Anchor lines—Amphibian tractors	Lines used for anchoring amphibian tractors		Yes	
Anchor lines—Flying boats	Lines used for anchoring flying boats. Line connects boat to submerged anchor	Yes	Yes	
Barrage balloon lines	The hand lines required for the handling of barrage balloons			
Bridle lines—Pontoon bridges	See guy lines—pontoon bridges			
Buoy lines—Flying boats	A line connecting a surface buoy to a submerged anchor. The flying boat to be moored to the buoy.	Yes	Yes	
Depth charge handling rope	Used as the end use implies	Yes	Yes	
Depth charge thrower rope	Used aboard ship in the releasing of depth charges	Yes	Yes	
Falls—Plane	A hoisting rope used to lower and hoist aircraft	Yes	Yes	
Grommets—Balloon	A ring of rope formed by a single strand of fibre laid 3 times around. It is used in connection with the construction and operation of barrage balloons.			
Grommets—Shell	A ring of rope formed by a single strand of fibre laid 3 times around. It is fastened around ammunition for padding purposes during shipment.			
Guy lines—Pontoon bridge	Lines used for guying or staying pontoon bridges		Yes	
Hammock—Rope	Minor findings for hammocks including jackstays, lanyards, clews, etc. Used for support of hammocks for fighting troops, for crossing rivers, climbing trees and other uses requiring rope of minimum weight and maximum strength.		Yes	
Handles—Ammunition box	A short rope, spliced endless and fastened to each end of an ammunition box for a handle			
Lanyard—Artillery	A strong line with a hook attached used for firing large guns			
Lanyard—Oerlikon cocking	A ¼" diameter rope with evenly spaced knots used for cocking Oerlikon naval aircraft guns			

End use	Definition	Manila	Agave	Restrictions on other fibers
Lizard line—Flying boat	A line attached to the pendant of a flying boat for purpose of hauling the pendant	Yes	Yes	
Net—Embarkation or escape	Nets woven from rope generally ¾" to 1" diameter used for climbing up or down any elevation—usually on shipboard.			
Parachutist's Rope	Rope used by parachute troops to lower themselves from tree tops, and when needed for other emergency uses.			
Pontoon bridge lines	Lines for lashing planking on pontoon bridges and temporary piers		Yes	
Rip cord—Barrage balloons	The rip cord on barrage balloons			
Signal tower rope	A rope used for the erection and assembly of portable signal towers			
Smoke screen tank handling rope	Lines for handling smoke screen equipment		Yes	
Submarine net strand	A combination wire and fiber rope (strand) used for the construction of mesh in submarine netting.			
Toggle rope	Used by ranger troops for climbing cliffs or buildings, crossing streams, strangling sentries, and other uses where a rope of light weight and high strength is required.		Yes	
Torpedo handling rope	Rope used for handling torpedos	Yes	Yes	
Torpedo salvage line	A heavy twine connecting a practice torpedo with a buoy used to locate the torpedo in order it may be retrieved.	Yes	Yes	
Tow line—Flying boat	A rope used to tow flying boats	Yes	Yes	
Tow line—Gliders	A rope used to tow gliders by aircraft	Yes	Yes	

SUPPLEMENTARY LIST 2—CORDAGE END USE LIST

The following list includes for completeness, end uses which have purposely been omitted from the foregoing lists. Further manufacture of such items from any cordage fiber is prohibited. However, if an end use is not included on either previous list, it is a prohibited use.

END USE—DEFINITION

Acrobatic rope: Rope used for various types of acrobatic stunts or exercises in circuses and gymnasiums, etc.
Bumpers: A thick woven or braided mat which serves as a cushion on which drums or barrels are dropped when unloading trucks, etc.
Climbing rope: See acrobatic rope. Also mountain climbing rope.
Display or decoration rope: Rope used as the end use implies.
Grommets—games: See toys and games.
Gymnasium rope: See acrobatic rope.
Mats—door: Mats used for wiping feet before entering building.
Net rope—banner nets: A rope to which is rigged or suspended a web of netting used for advertising display purposes, generally over streets.
Net rope—sport nets: Rope used on sport nets: Tennis nets, badminton, volley ball, deck tennis nets, hockey goal nets, etc.
Shoe soles: A rope used in the mfg of rope soled shoes.
Sporting and gymnasium equipment: See acrobatic rope.
Swing rope: Rope used in park or children's swings.
Tow rope—ski: A special rope used for towing skiers to the top of a ski slope or slide.
Toys and Games: i. e. Quoits, jump ropes, etc.
Trapeze rope: See acrobatic rope.

[F. R. Doc. 44-4822; Filed, April 5, 1944; 11:22 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-30, as Amended Mar. 31, 1944 [1]]

ETHYL ALCOHOL

§ 3293.66 *Allocation Order M-30*—(a) *Definitions.* (1) "Ethyl alcohol" means the product of that name, from whatever source derived. The term includes mixtures of ethyl alcohol and denaturants, including the product known as "proprietary solvent". The term does not include ethyl alcohol produced for beverage purposes or ethyl alcohol tax paid and withdrawn for beverage purposes.

(2) "Producer" means any person engaged in the production of ethyl alcohol and includes any importer and any person who has ethyl alcohol produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases ethyl alcohol for purposes of resale.

(4) "Supplier" means a producer or distributor.

(b) *General restrictions on deliveries and use.* (1) No person shall accept delivery of ethyl alcohol from a supplier except in accordance with the procedure established by paragraphs (c) and (d) or except upon specific written authorization of the War Production Board issued on application made pursuant to paragraph (e).

(2) No supplier shall deliver any ethyl alcohol except in accordance with the provisions of paragraph (f) or except upon specific written authorization of the War Production Board, issued on application made by the supplier under paragraph (g).

(3) No supplier shall use any ethyl alcohol except upon specific written authorization of the War Production Board issued on application made by him under paragraph (e).

(c) *Acceptance of certain deliveries of 7900 gallons or less per quarter.* Any person may without specific written authorization of War Production Board accept delivery in any calendar quarter from all sources or not more than 7900 gallons of ethyl alcohol, subject to two conditions. The first condition is that he shall have furnished to each supplier from whom he obtains delivery a certificate substantially in the form set forth in Appendix C. The second condition is that the aggregate amount received (in no case in excess of 7900 gallons) must be within the following additional quantity limitations:

(1) Where the purpose for which delivery is requested is the manufacture of any of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 100% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

NOTE: "Natural shellac * * *" deleted from list Mar. 31, 1944.

Adhesives.
Agricultural poisons.
Brake fluids.
Cutting oils.
Drugs and pharmaceuticals (not including rubbing alcohol or products specifically listed in paragraphs (c) (3) or (c) (4)).
Embalming fluids.
Food products (except candy glazes, pectin and vinegar).
Laboratory and experimental.
Photographic materials (including photo engraving).
All other products not classified in paragraphs (c) (2) to (c) (6) inclusive.

(2) Where the purpose is the manufacture of any of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 50% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Candy glazes.
Cleaning and polishing preparations (including shoe and floor polishes).
Deodorant sprays (non-body).
Natural shellac or shellac substitute.
Tooth cleaning preparations.
Witch hazel.
All toiletries and cosmetics including but not limited to:
Bay rum.
Body deodorants.
Face and hand creams and lotions.
Hair and scalp preparations.
Perfume and perfume materials, tinctures and fixatives.
Shampoos.
Toilet soaps (including shaving cream).
Toilet waters.

However, any person who, during the period from July 1, 1942 to June 30, 1943 inclusive, held a permit issued by the Bureau of Internal Revenue and who purchased ethyl alcohol in quantities averaging not in excess of 162 gallons per calendar quarter during such period and who used such ethyl alcohol for the manufacture of toiletries and cosmetics, may continue to purchase and use not more than 162 gallons of ethyl alcohol per calendar quarter for the manufacture of toiletries and cosmetics.

For the purposes of this paragraph (c) (2) all toiletry and cosmetic uses of ethyl alcohol shall be considered as a whole, and the use during the base period of ethyl alcohol in the manufacture of a particular toiletry or cosmetic product may be used to support the acceptance of delivery for use in the manufacture of a different toiletry or cosmetic prod-

[1] This order is a reinstatement of Amendment 1 to M-30, as amended February 8, 1944, as it appeared in the FEDERAL REGISTER of April 1, 1944, page 3496, and reflects the order in its completed form as of March 31, 1944.

uct. For example, ethyl alcohol used in the manufacture of toilet waters during the base period would support the receipt of ethyl alcohol for the manufacture of after-shave lotions containing ethyl alcohol.

(3) Where the purpose is the manufacture of one of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 60% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Antiseptics for oral uses (including Antiseptic Solution N. F.).
Mouth washes.

(4) Where the purpose is the manufacture of any of the following products, there shall be no further limitation on the quantity received (beyond the requirement that only 7900 gallons may be accepted in a calendar quarter):

Acetaldehyde.
Acetic acid (except vinegar for food use).
Basic medicinal chemicals not in compounded form.
Biological preparations.
Butadiene.
Diethylamine.
Dyes and intermediates (manufacture of).
Ethers
Ethyl acetate.
Ethyl chloride.
Other ethyl esters.
Ethylene dibromide.
Ethylene gas.
Ethylene oxide.
Explosives (military and industrial).
Flotation reagents.
Fulminate of mercury.
Glycols.
Hydrosulfites.
Nitrocellulose (dehydration).
Pectin
Plastics and synthetic resins (manufacture of).
Styrene.
Xanthates.

(5) Where the purpose is the manufacture of one of the following products, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 110% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941:

Flavoring extracts.
Vinegar.

(6) Where the purpose is the manufacture of any rubbing alcohol compound or preparation, the quantity received in any calendar quarter shall not (without specific written authorization) exceed 15% of the quantity used for the same purpose in the corresponding calendar quarter of the 12-month period ended June 30, 1941.

(7) Where the purpose is not the manufacture of other products but resale as ethyl alcohol, specific written authorization of War Production Board shall in every case be obtained, whatever the quantity, except as provided in (d) (1).

(d) *Special exemptions for acceptance of small deliveries and acceptance of deliveries by hospitals and scientific institutions.* (1) Any person, upon giving to each supplier from whom he obtains delivery a certificate substantially in the form set forth in Appendix D, may, without written authorization of War Production Board and without any limitation based on past use, accept small deliveries as specified in this paragraph. The specified maximum quantity of either (but not both) of the following two categories of ethyl alcohol may be accepted from all sources: (i) 972 gallons, which may be comprised of proprietary solvent or completely denatured alcohol, or a portion of each, or, in the alternative (ii) 162 gallons which may be comprised of specially denatured or pure alcohol, or a portion of each. However, in computing the amount which may be so accepted, all other ethyl alcohol delivered or ordered for delivery in the same quarter pursuant to any of the provisions of this order, must be taken into account and only the difference between any amounts so delivered and ordered and either 972 gallons or 162 gallons, as the case may be, may be accepted pursuant to this paragraph. Moreover, specially denatured and pure alcohol may not be accepted under this paragraph for use in the manufacture of rubbing alcohol compound or preparation or for use in the manufacture of toiletries and cosmetics.

(2) Any hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue, permitting it to acquire undenatured alcohol tax free, may, without written authorization of War Production Board and without any limitation based on past use, accept delivery of such quantity of alcohol as it is permitted to acquire tax free by such permit.

(e) *Acceptance of deliveries (and use by suppliers) upon specific authorization.* Each person seeking specific authorization to accept delivery of ethyl alcohol during any calendar quarter, whether for his own consumption or resale (and each supplier requiring authorization to use ethyl alcohol in any calendar quarter) shall file application therefor on or before the 5th day of the last month of the preceding quarter. The application will be made on Form WPB–2945 (formerly PD–600) in the manner set forth in the general instructions appearing on that form, subject to the special instructions appearing in Appendix A to this order. If there is any inconsistency between the general and special instructions, the special instructions must be followed.

(f) *Special provisions governing deliveries by suppliers.* (1) A supplier may without specific authorization of the War Production Board deliver to any person, who has filed with him the appropriate certificate substantially in the form either as set forth in Appendix C or in Appendix D, the quantity of ethyl alcohol which such person is entitled to receive under one of the paragraphs (c) (1) to (c) (6), inclusive, or under paragraph (d) (1).

(2) A supplier may, without such certificate and without specific authorization of the War Production Board, deliver to any hospital or scientific institution which holds a permit issued by the Bureau of Internal Revenue permitting it to acquire undenatured alcohol tax free, such quantity of alcohol as such hospital or scientific institution is permitted to acquire tax free by its permit.

(3) A supplier must not deliver ethyl alcohol where he knows or has reason to believe that the certificate is false, but in the absence of such knowledge or reason to believe he may rely upon it.

(4) If War Production Board issues written directions to suppliers reducing the quantities of ethyl alcohol which may be delivered pursuant to paragraph (f) (1), suppliers will rateably reduce all orders for ethyl alcohol from customers wishing it for the same class of use.

(g) *Deliveries by suppliers upon specific authorization.* Each supplier requiring specific authorization to deliver ethyl alcohol during any calendar quarter shall file application on or before the 15th day of the last month of the preceding quarter. The application will be made on Form WPB 2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions appearing in Appendix B. If there is any inconsistency between the general and special instructions, the special instructions must be followed.

(h) *Special authorizations and directions.* (1) Authorizations and directions with respect to delivery to be made or accepted in each calendar quarter (and with respect to use by suppliers in each calendar quarter) will generally be issued by War Production Board prior to the beginning of such quarter, but War Production Board may at any time in its discretion and notwithstanding any of the provisions of this order issue directions to any person with respect to:

(i) Use, delivery or acceptance of delivery of ethyl alcohol.

(ii) Production of ethyl alcohol, including raw materials which may be used.

(2) War Production Board may issue to suppliers and other persons, other and different instructions with respect to the preparation or filing of Form WPB 2947 (formerly PD–602) and Form WPB 2945 (formerly PD–600).

(i) *Special restrictions; rubbing alcohol, anti-freeze, beverage use.* (1) No person shall deliver ethyl alcohol or any compound or preparation containing ethyl alcohol for use as rubbing alcohol or for the manufacture of any rubbing alcohol compound or preparation: *Provided*, That this restriction shall not prevent deliveries to:

(i) A hospital or scientific institution holding a permit issued by the Bureau of Internal Revenue permitting it to receive undenatured alcohol tax free.

(ii) Licensed physicians, dentists and veterinarians.

(iii) The holders of written prescriptions or orders of licensed physicians, dentists and veterinarians.

(iv) A wholesale or retail druggist, for resale in accordance with this paragraph (i) (1) only.

(v) A manufacturer of any rubbing alcohol compound or preparation or a packager or bottler of any such compound or preparation (in amounts not exceeding the amounts permitted by paragraph (c) (6) hereof), for resale in accordance with this paragraph (i) (1) only.

(2) The restrictions of this order shall govern delivery of ethyl alcohol to and acceptance of delivery of ethyl alcohol by any person for use in the manufacture of anti-freeze preparations, provided that:

(i) Any person may deliver or accept delivery of completed anti-freeze preparations containing ethyl alcohol without specific authorizations under this order; and

(ii) Nothing contained in this order shall be construed to permit the manufacture, delivery or acceptance of delivery of any anti-freeze preparation in violation of § 1100.1, Limitation Order L–51, as from time to time amended.

(3) No person shall deliver or accept delivery of ethyl alcohol or any compound or preparation containing ethyl alcohol for use, whether in its then form or after rectification or other treatment, for beverage purposes.

(j) *Special provisions; inventories, unfilled orders.* (1) Ethyl alcohol allocated for inventory shall not be used except as specifically authorized or directed in writing by War Production Board.

(2) Ethyl alcohol allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is for any reason not filled, revert to inventory as though originally allocated therefor.

(k) *Transactions outside the United States.* This order does not apply to deliveries of ethyl alcohol which are both made and received outside of the forty-eight states and the District of Columbia, or to the use of ethyl alcohol outside such states and District, but the import of ethyl alcohol shall be subject to all the provisions hereof.

(l) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Forms.* Forms WPB 2945 and WPB 2947, provided for in paragraphs (e) and (g) have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C.; Ref: M–30.

Issued this 31st day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SPECIAL INSTRUCTIONS FOR CUSTOMER'S FORM WPB 2945 (FORMERLY PD–600)

(1) *Obtaining forms.* Form WPB 2945 (formerly PD–600) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and four copies. File the original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M–30, file one copy with each supplier with whom an order is placed, and retain the final copy for your files.

(3) *Information at top of page.* In the heading, under "Name of chemical," specify "Ethyl alcohol"; under "WPB Order No.," specify "M–30"; under "Indicate unit of measure," specify "Wine gallons." In space following heading "Name of supplier with whom this order is placed," state name of usual supplier and also specify his shipping point, if known.

(4) In headings at top of Tables I, III, and IV, substitute "quarter" for "month" and specify particular quarter and year; for example, "third quarter, 1944."

(5) *Proof.* In columns 1, 11 and 19, specify proof, whether pure or denatured, and if denatured, the formula number.

(6) *Primary product.* In column 3, applicant will specify his primary product in terms of the following:

Acetaldehyde.
Acetic acid (except vinegar for food use).
Adhesives.
Agricultural poisons.
Antiseptics for oral uses.
Basic medicinal chemicals not in compounded form.
Biological preparations.
Brake fluids.
Butadiene.
Candy glazes.
Cleaning and polishing preparations (specify).
Cutting oils.
Deodorant sprays (non-body).
Diethylamine.
Drugs and pharmaceuticals (other than rubbing alcohol and other products elsewhere in this paragraph specifically listed).
Dyes and intermediates (manufacture of).
Embalming fluids.
Ethers.
Ethyl acetate.
Ethyl chloride.
Other ethyl esters.
Ethylene dibromide.
Ethylene gas.
Ethylene oxide.
Explosives (specify whether military or industrial).
Flavoring extracts.
Flotation reagents.
Food products (except candy glazes, pectin and vinegar).
Fulminate of mercury.
Glycols.
Hydrosulfites.
Laboratory and experimental.
Mouth washes (other than antiseptics).
Nitrocellulose (dehydration).
Nitrocellulose (dissolving and as a diluent).
Pectin.
Photographic materials (including photo engraving).
Shellac, natural or substitute.
Synthetic plastics and synthetic resins (manufacture of).
Rubbing alcohol compounds.
Styrene.
Toiletries and cosmetics (specify).
Tooth cleaning preparations.
Vinegar.
Witch hazel.
Xanthates.
Other products (specify).
Resale (as ethyl alcohol).
Inventory (as ethyl alcohol).

(7) *Product end use.* In column 4, applicant will specify ultimate use of the product which he manufactures. (Where, for example, applicant's primary product called for in column 3 is "ethylene glycol," the ultimate use of product might be "aircraft coolant.") Applicant must also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where Form WPB 2945 is application for ethyl alcohol for resale or inventory (in each case as ethyl alcohol), leave column 4 blank. If primary product called for in column 3 is under allocation pursuant to War Production Board order, indicate in column 4 "WPB allocation order number."

(8) In column 10 (Remarks) specify quantity of ethyl alcohol used by you in the manufacture of each primary product shown in column 3 in that calendar quarter of the 12-month period ended June 30, 1941, which corresponds to the quarter for which delivery is requested.

(9) *Tables II, III and IV.* Fill out completely Tables II, III and IV, except that Table IV need not be filled out for primary products under allocation. In Table II, substitute word "quarter" for "month" throughout. In Table III show all suppliers, including the supplier named on the face of the form, with whom orders have been placed, including orders against which deliveries may be made without specific authorization.

APPENDIX B—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB 2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Form WPB 2947 (formerly PD–602) may be obtained at local field offices of War Production Board.

(2) *Number of copies.* Prepare an original and three copies, file the original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M–30, retaining the third copy for your files.

(3) *Information at top of form.* In heading under "Name of Material," specify "Ethyl alcohol"; leave grade blank; under "WPB Order No.," specify "M–30"; under "Indicate unit of measure," specify "Wine gallons."

(4) In heading "This schedule is for deliveries to be made during the month/quarter ending ——————, 194—," strike out word "month" and insert the quarter and year to which the application relates.

(5) *Listing of customers.* In column 1 list the name of each customer from whom you have received a Form WPB 2945 (formerly PD–600) respecting a delivery in the applicable quarter. Do not list names of customers who have not filed with you Form PD–600. If it is necessary to use more than one sheet to list the customers, number each sheet in order and show on the last sheet total orders for customers whose Form WPB 2945 shows that they propose to accept more than 7,900 gallons in the calendar quarter and the total orders from customers whose Form WPB 2945 shows that they propose to receive not more than 7,900 gallons.

(6) *Primary product and end use.* It is not necessary to show primary product or end use with respect to a customer who files Form WPB 2945 (formerly PD–600). Instead, in column 1–a, opposite the name of each such customer, enter "WPB 2945."

(7) *Other orders to be lumped according to use.* In column 1, the supplier need not list names of customers to whom he proposes to make delivery in the applicable quarter, pursuant to paragraph (f) (1) of

this order, but will instead show the total quantity of ethyl alcohol for which he has received orders for delivery in such quarter under each of the paragraphs (c) (1), (c) (2), (c) (3), (c) (4), (c) (5), (c) (6) and (d) (1). To do so, he will list in columns 1 and 1-a, for example, "Total quantity ordered for delivery under paragraph (c) (1)," and will list in column 4 the total quantity represented by the orders placed pursuant to such paragraph.

(8) *Proof.* In column 7 (remarks), specify proof, whether pure or denatured, and if denatured, the formula number with respect to all ethyl alcohol for which customer has filed WPB 2045. Do not show this information respecting orders for which WPB 2045 has not been filed and which are lumped under (7) above.

(9) *Use by producers.* Each producer who has filed application on Form WPB 2045 specifying himself as his supplier shall list his own name as customer on Form WPB 2047.

(10) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, columns 9 to 16, inclusive. Distributors will fill out only columns 10, 12 and 15.

APPENDIX C—CUSTOMER'S CERTIFICATE ON CERTAIN DELIVERIES OF 7,000 GALLONS OR LESS (SEE PARAGRAPHS (C) (1) TO (C) (6), INCLUSIVE, AND (F) (1))

The undersigned hereby certifies to the War Production Board and to his supplier:

That the _____ gallons of ethyl alcohol hereby ordered for delivery in the _____ calendar quarter, 194__ [insert "second, 1944;" "third, 1944;" etc.] will be used for a class of use within paragraphs (c) (1), (c) (2), (c) (3), (c) (4), (c) (5), (c) (6) [strike out inapplicable paragraph numbers]; that the quantity used by the undersigned (in such class of use in the corresponding quarter of the 12 month period ended June 30, 1941, was _____ gallons, and that the amount ordered does not, taken together with all other ethyl alcohol delivered or ordered for delivery in such quarter, exceed _____ percent of the quantity used in such class of use in the corresponding quarter) or (in the manufacture of toiletries and cosmetics prior to July 1, 1943, did not exceed 162 gallons per calendar quarter) [strike out inapplicable clause in parentheses]

_____ _____
Date Name of Purchaser

By _____ _____
Duly Authorized Official Title

INSTRUCTIONS FOR CUSTOMER'S CERTIFICATE

(1) Prepare one copy for each supplier with whom an order is placed and one copy for your files. Wherever possible file certificate with supplier not later than the 5th day of the last month of the quarter preceding the quarter in which you wish to receive delivery. The certificate may be endorsed on the purchase order or be a separate paper. Do not file a copy with War Production Board.

(2) The certificate shall be signed by the purchaser, or an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

APPENDIX D—CUSTOMER'S CERTIFICATES ON CERTAIN SMALL DELIVERIES (SEE PARAGRAPHS (D) (1) AND (F) (1))

The undersigned hereby certifies to the War Production Board and to his supplier: that the ethyl alcohol hereby ordered for delivery in the _____ calendar quarter (insert "second, 1944"; "third, 1944"; etc.) does not, taken together with all other ethyl alcohol of the applicable types delivered or ordered for delivery in such quarter, exceed the amount authorized pursuant to the provisions of paragraph (d) (1) of allocation Order M-30 and, if specially denatured alcohol or pure alcohol, will not be used for the manufacture of rubbing alcohol compound or preparation or for the manufacture of toiletries and cosmetics.

_____ _____
Date Name of purchaser

By _____ _____
Duly Authorized Official Title

[F. R. Doc. 44-4823; Filed, April 5, 1944; 11:23 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. (3) (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3896; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix III as Amended April 5, 1944]

Introductory. Appendix III to Rubber Order R-1 as amended is a compilation of supplementary orders and directives of general applicability which affect rubber and rubber products. In the past, these orders and directives have involved principally the conversion of products from crude rubber to synthetics and have been issued individually to the manufacturers of the particular products. The purpose of Appendix III is to issue these directives and miscellaneous supplementary orders in printed form.

The material in Appendix III is arranged in accordance with the following product classifications:

Mechanical goods: Wire and cable; Tires and tubes; Footwear; Heels and soles; Proofing and combining of fabrics; Medical, surgical, dental, drug sundries; and Miscellaneous.

Each of these product classifications has been assigned a section number commencing with § 4600.51. Supplementary orders and directives in each group are designated by letter.

§ 4600.50 *Applicability of Rubber Order R-1.* Supplementary orders and directives which appear in Appendix III shall govern in case of inconsistency with other provisions of Rubber Order R-1. These orders and directives may be incorporated in the Rubber Order from time to time, at the discretion of the War Production Board.

§ 4600.51 *Mechanical goods.* The following supplementary orders and directives are applicable to mechanical goods:

(a) *Vibration mount and shock absorbers.* No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations regardless of shore durometer reading.

No crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations. This restriction covers mountings or insulations where the temperatures of applications are minus 40° F. and above. Aircraft engine and instrument mounts may be considered as falling in the applications functioning below minus 40° F.

No crude rubber or natural latex may be consumed in the manufacture of non-bonded torsional vibration dampers but bonded torsional vibration dampers may be manufactured from crude rubber until further notice.

No crude rubber or natural latex may be consumed in the manufacture of cushioning for cameras, radio and radar instruments, or fire and flight control mechanisms except on special authorization by the War Production Board.

Crude rubber may be used for bonding cements and tie-gum compounds which shall not exceed 1/32" thickness for any type of vibration mount or shock absorber.

(b) [Deleted Jan. 12, 1944]

(c) *Pipe rings.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of pipe rings.

(d) *Milking machine inflations.* Crude rubber or natural latex may be consumed in the manufacture of milking machine inflations during the month of April 1944, provided the amounts of crude rubber or natural latex consumed during that month do not exceed ½ of the manufacturer's consumption for milking machine inflations during the first calendar quarter of 1944.

No crude rubber or natural latex may be consumed after April 30, 1944 in the manufacture of milking machine inflations. Consumption after April 30, 1944 may, however, be authorized by the War Production Board upon appeal for relief, but only if the manufacturer has not consumed the amounts of crude rubber or natural latex permitted for the month of April, 1944.

(e) [Deleted Jan. 12, 1944]

(f) *Street car sandwich wheels.* After February 1, 1944, no crude rubber may be consumed in the manufacture of street car sandwich wheels, except that crude rubber may be used for bonding cements and tie-gum not to exceed 1/32" in thickness.

(g) *Hard rubber products.* Rubber Order R-1 as amended permits crude rubber to be consumed in the manufacture of the following blown hard rubber products: Bottles, fittings, pistons, valves, and valve parts for use with corrosive chemicals and explosives. It also permits crude rubber and natural latex to be consumed in the manufacture of hand made component hard rubber parts of machinery for the manufacture of rayon, explosives and corrosive chemicals. (See List 19, Appendix II).

After February 15, 1944, no crude rubber or natural latex may be consumed in the manufacture of the above mentioned blown hard rubber products.

After February 15, 1944, the maximum percentage of crude rubber or natural latex by volume in any compound for hand made component parts of machinery for the manufacture of rayon, explosives and corrosive chemicals shall not exceed 10% by volume of the compound.

§ 4600.52 *Wire and cable.* The following supplementary orders and directives are applicable to wire and cable:

(a) [Deleted Jan. 12, 1944]

(b) [Deleted Jan. 12, 1944]

(c) [Deleted Jan. 12, 1944]

(d) *X-ray cable.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of X-ray cable, high voltage, as shown in List 27, Appendix II, under "Commercial Types".

(e) *Long range field wire.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of W-143 long range field wire.

§ 4600.53 *Tires and tubes.* The following supplementary orders and directives are applicable to tires and tubes:

(a) *Fighter type and ice grip airplane tires.* Rubber Order R-1, List 29, requires that all airplane tires (except beaching gear tires) be manufactured in the S-5 or S-7 synthetic construction. These provisions shall not apply to fighter type and ice grip airplane tires. All fighter type and ice grip airplane tires shall be manufactured using natural rubber compounds throughout the tire until further notice; the compound grades to be used shall be B friction and B tread on all sizes except the following which shall be A friction and A tread.

Size	Ply	Type
47	12	Smooth contour landing.
51	14	Do.
36	16	Do.
63	18	Do.
65	22	Do.
44 x 12	14	High pressure special duty.
46 x 13	16	Do.
17.00 x 20	12	Low pressure landing.
19.00 x 23	16	Do.

(b) Deleted Feb. 15, 1944.

(c) Deleted Feb. 15, 1944.

(d) Deleted Feb. 15, 1944.

(e) Deleted Feb. 15, 1944.

(f) *Grade "A" camelback for fire, police and ambulance service.* Grade "A" camelback (minimum of 65% by volume of general purpose synthetics in compound and minimum total RHC plus general purpose synthetics of 70.0) is hereby permitted for fire, police and ambulance service.

§ 4600.54 *Footwear.* All outstanding supplementary orders and directives relating to footwear have been superseded by Rubber Order R-1 as amended.

§ 4600.55 *Heels and soles.* All outstanding supplementary orders and directives relating to heels and soles have been superseded by Rubber Order R-1 as amended.

§ 4600.56 *Proofing and combining of fabrics.* The following supplementary orders and directives are applicable to the proofing and combining of fabrics:

(a) *Industrial protective clothing.* Rubber Order R-1 as amended prohibits the consumption of crude rubber, natural latex or general purpose synthetics in the following item (Code 17, Schedule A): "Compounds for proofing fabrics designed for the manufacture of industrial occupational protective clothing, including cements for seaming, limited to aprons, leggings, sleeves, pants, coats, jackets, hats, and fireman's and policeman's clothing other than footwear and gloves".

Manufacturers are hereby authorized to consume GR-S in addition to reclaimed rubber in compounds for proofing and seaming under this item.

§ 4600.57 *Medical, surgical, dental, drug sundries.* All outstanding supplementary orders and directives relating to medical, surgical, dental and drug sundries have been superseded by Rubber Order R-1 as amended.

§ 4600.58 *Miscellaneous.* The following supplementary orders and directives are applicable to miscellaneous rubber products or materials:

(a) *Pressure sensitive tape.* Rubber Order R-1 permits the consumption of general purpose synthetics, reclaimed or scrap rubber in the manufacture of pressure sensitive tape for industrial purposes to fill Government and civilian orders. Schedule A of the order requires certification by the purchaser as to his end use.

(1) Uses which are classified as "industrial" are set forth in the certification.

(2) *Certification.* With respect to civilian orders no person shall deliver or accept delivery of pressure sensitive tape (except high heat resistant and non-corrosive electric tape) unless the person acquiring the same shall certify to the seller and to the War Production Board in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to _____ (insert name of seller) and to the War Production Board that the pressure sensitive tape specified in the accompanying purchase order and future purchase orders will not be sold or used by him except for one or more of the following purposes:

1. Repair of transportation facilities.
2. Maintenance and manufacture of industrial and mining equipment.
3. The manufacture of the following products and parts thereof:
   (a) Aircraft.
   (b) Armored tanks.
   (c) Ships.
   (d) Army transport vehicles.
   (e) Guns.
   (f) Small arms.
   (g) Signalling devices.
   (h) Precision instruments.
   (i) Munitions.
   (j) Electrical equipment.
   (k) Machine tools.
   (l) Vehicles for common carriers and related transportation facilities.
4. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails.
5. Production and shipping of photographic and motion picture film and X-ray film.
6. Sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

Name _____
By _____
Address _____
City _____
Date _____

The foregoing certification requirement does not apply to Government orders.

Certification in substantially the above form constitutes the approved form of certification required for deliveries of pressure sensitive tape.

The foregoing certification shall not be required for deliveries of pressure sensitive tape to a person who has already filed the certification with his supplier.

Certification of the purchaser may be relied upon by the seller unless the seller knows or has reason to believe that the certification is false.

(b) *Inflatable or pneumatic mattresses, cushions and pillows.* Rubber Order R-1 as amended does not permit the consumption of rubber or synthetic rubber in the manufacture of inflatable or pneumatic mattresses, cushions or pillows, to fill civilian orders.

In addition, the consumption of rubber or synthetic rubber in the manufacture of the foregoing products to fill Government orders is hereby prohibited except upon special authorization in writing by the War Production Board. (This supersedes SA-142.)

(c) *Shoe cements.* Notwithstanding the provisions of any quota directive 4-A or 4-B, no crude rubber or natural latex shall be consumed in the manufacture of shoe cements after December 31, 1943 without special authorization.

In order to receive adjustments of quota directives for this purpose, manufacturers should address a letter to the Manager of Allocations, Office of Rubber Director, Washington 25, D. C.

In this connection, it should be noted that Rubber Order R-1 as amended permits shoe cements containing crude rubber or natural latex only for shoe repairing.

(d) *Shoe cement inventories in hands of shoe manufacturers on January 1, 1944.* Shoe manufacturers who hold inventories of shoe cements which contain crude rubber or natural latex on January 1, 1944 are hereby authorized to use the same for the following permitted shoe manufacturing operations until April 1, 1944:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—

cementing bottoms and outsoles or butsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching rem duck to welt innersoles.

(5) Special operations limited to: Joining leather welting.

Shoe manufacturers are hereby granted permission to purchase and sell such cements for use in the foregoing operations prior to April 1, 1944.

Inventories of shoe cements containing crude rubber or natural latex which remain in the hands of any shoe manufacturer on April 1, 1944 shall be reported to the Office of Rubber Director, War Production Board, by letter indicating the amounts of cement by type of operation.

(e) *Cements containing Neoprene for wood heels.* After February 1, 1944, no person shall deliver or accept delivery of cement containing Neoprene if he knows or has reason to believe that it will be used for covering wood heels. After February 15, 1944, no person shall use any cement containing Neoprene for the covering of wood heels except to fill Government orders.

(f) *Cements for non-leather shoes.* Cements containing general purpose synthetics may be used in the manufacture of shoes made from materials other than leather except that cements containing Neoprene shall be used only in the shoe manufacturing operations for which Neoprene is permitted in the manufacture of leather shoes by Amendment No. 1 to Rubber Order R-1 as amended.

(g) *Definition of light colored carcass scrap.* Rubber Order R-1 as amended refers to No. 1 and No. 2 light colored carcass. For the purposes of the order, No. 1 light colored carcass means all-white zinc carcass, and No. 2 light colored carcass means and includes light colored types such as white, pink, light grey, pure gum and light brown carcass.

(h) *Neoprene quota restrictions.* No person shall consume General Purpose Synthetic Neoprene types GR-M, GN or Latex without a quota assigned by quota directive or other authorization specifying the amounts which he may consume, and no person shall exceed the quantities which he is specifically authorized to consume in any designated period.

(i) *Temporary loans of general purpose synthetics.* A manufacturer may make a short term "loan" of general purpose synthetics to another manufacturer for permitted uses under Rubber Order R-1 as amended. A loan must not be made unless the person lending the material is reasonably certain that an equivalent amount of the material will be returned to him when he needs it. Full records of the loan transactions must be kept by both persons lending and persons borrowing, and the transactions must be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur. Each transaction shall be identified separately on the form under "remarks". Deliveries of material under this paragraph may be made without special authorization.

(j) *Elastic webbing.* Rubber Order R-1 includes the item, "elastic webbing not exceeding 4" in width" in Code 22, Schedule A. This item refers to combined knitted fabric cut to widths not exceeding 4".

(k) *Balata.* Rubber Reserve Company is hereby authorized to sell and deliver approximately 400 tons of miscellaneous grades of balata which are showing signs of deterioration, to any person without specific authorization by the War Production Board, and any person who purchases balata under this paragraph is authorized to consume the same for any purpose without restriction.

Acquisition of balata for the manufacture of products for which rubber or synthetic rubber is also needed but not permitted by Rubber Order R-1, will in no way affect the disposition of subsequent appeals for permission to consume rubber or synthetic rubber.

All communications relating to the purchase of balata under this paragraph should be addressed to D. D. Haldane, Distributing Agent, Rubber Reserve Company, 15 Williams Street, New York, New York.

(l) *Butyl reclassified as special purpose synthetics.* All butyl type synthetic rubbers including standard, classes A, B, C, and D, are hereby reclassified as special purpose synthetics for the purposes of Rubber Order R-1 as amended.

Requests for allocation are to be filed with the Office of Rubber Director, War Production Board, Washington 25, D. C. on Form WPB-2877, in duplicate, in accordance with the instructions accompanying the form.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of April 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4834; Filed, April 5, 1944; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 55]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11078, 11480, 11479, 13483, 12557, 12403, 12744, 14472, 15485, 17486; 9 F.R. 401, 458, 492.

General Ration Order 5 is amended in the following respects:

1. Section 5.6 (c) is amended by adding the following sentence at the end thereof: "His reserve allotments will be equal to one-half of his bases for meal services and refreshments."

2. Section 10.1 is amended to read as follows:

SEC. 10.1 *Seasonal users.* (a) An institutional user is a seasonal user with respect to an establishment which is not in operation during every month in the year.

(b) If a seasonal user applies for a regular allotment in any period, and he did not operate in both months of the preceding period, his figures for the last two calendar months (after February 28, 1943) in which he did operate instead of his figures for the preceding period, shall be used in determining his allotment. If those months were not full months of operation, his figures are converted to a full two months basis in this way:

(1) Each of those figures is divided by the number of days he operated in those months;

(2) Each result is multiplied by the number of days he would have operated in those months had both been full normal months of operation;

(3) The figures so obtained are used, for the purpose of this order, as if they were his figures for the preceding allotment period.

(c) If a seasonal user has not operated for at least two calendar months after February 28, 1943, his allotment for each rationed food shall be twice his bases.

(d) A seasonal user who will not be in operation during the entire allotment period, must notify the Board when he applies for his allotment, of the number of days he will not be in operation during that period, and his allotment shall be reduced proportionately.

(e) A seasonal user who has suspended operations temporarily may apply for an allotment for the period in which he will resume operations at any time during the (30) days before the date on which he will resume. (A seasonal user who was already granted an allotment for the allotment period following the one in which he suspended operations, under the former provisions of this order, may not, of course, be granted another allotment.)

(f) A seasonal user who has combined in one registration establishments which he does not operate during the same months in the year, shall re-register those establishments when he next applies for an allotment. He shall either register them separately or combine in one registration those operated in the same months in the year. He must file with the Board additional OPA Forms R-1307 and R-1307 Supplement, giving the information called for by those forms, separately, for each establishment or combination of establishments. Where he combines some establishments in one registration, he must attach to his forms a list showing the name and address of each and the months in which it is operated. He may apportion any remaining excess inventory of the originally combined establishments among his establishments as re-registered.

This amendment shall become effective April 8, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4778; Filed, April 4, 1944; 12:04 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 319]

CERTAIN BAKERY PRODUCTS

Maximum Price Regulation 319[1] is redesignated Revised Maximum Price Regulation 319 and is revised and amended to read as follows:

In the judgment of the Price Administrator the prices herein established will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1351.1901 *Maximum prices for sales of certain bakery products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 319 (Certain Bakery Products) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1901 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 319—CERTAIN BAKERY PRODUCTS

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Appendix A. Bakery products covered by this regulation and the appropriate base periods for calculating maximum prices.

SECTION 1. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any of the products covered by this regulation at prices above the maximum prices established by this regulation, nor shall any person agree, solicit, offer or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may be charged or paid.

SEC. 2. *Applicability.* Except as otherwise provided in paragraphs (a) and (b) of this section, this revised regulation shall apply to all sales within the 48 states and the District of Columbia of commodities covered hereby.

(a) The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.[2]

(b) Sales or deliveries of any commodity listed in Appendix A to the War Department or the Department of the Navy of the United States shall be exempt from this regulation, but sales or deliveries of any such commodity to post exchanges shall be subject to this regulation.

SEC. 3. *Evasion.* The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying agreement or other trade understanding or by any other means.

SEC. 4. *Licensing.* The provisions of Licensing Order No. 1[3] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 5. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 6. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration.

SEC. 7. *Maximum prices of producers for sales to retailers.* The maximum price of the producer for the sale of any commodity listed in Appendix A to retailers shall be his maximum price, f. o. b. his plant or delivered to the buyer, as the case may be, which he last calculated and reported for such a sale under the provisions of Maximum Price Regulation 319, subject to the provisions of section 13 of this regulation relating to recalculating and reporting. The maximum price for sales to retailers for any commodity listed in Appendix A for which the maximum price has not been so calculated and reported, shall be determined in accordance with the provisions of section 12 hereof.

SEC. 8. *Maximum prices of producers for sales to wholesalers and routesellers.* (a) For any commodity listed in Appendix A produced by the producer primarily for sale through retailers, the producer's maximum price for sales to wholesalers and routesellers, f. o. b. his plant, shall be his maximum price for the sale of such commodity to retailers, f. o. b. his plant, less 20 percent. For delivered sales he shall add to his f. o. b. plant price the actual cost of delivery or he shall determine his maximum delivered price for sales to wholesalers and routesellers by deducting 20 percent from his maximum delivered price to retailers.

(b) For any commodity listed in Appendix A produced by the producer primarily for sale to ultimate consumers, other than through retailers, the producer's maximum price for sales to wholesalers and routesellers shall be his maximum price for the sale of such commodity to ultimate consumers f. o. b. his plant less 25 percent.

SEC. 9. *Maximum prices of producers for sales to ultimate consumers.* The maximum price of the producer for the sale of any commodity listed in Appendix A to ultimate consumers shall be his maximum price which he last calculated and reported for such a sale under the provisions of Maximum Price Regulation 319, subject to the provisions of section 15 of this regulation relating to recalculating and reporting. The maximum price for sales to ultimate consumers for any commodity listed in Appendix A for which the maximum price has not been so calculated and reported shall be determined in accordance with the provisions of section 12 hereof.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1803.

[2] 8 F.R. 4132, 7662, 9987, 9998.

[3] 8 F.R. 13240.

[4] 7 F.R. 8961; 8 F.R. 3313, 3553, 6173, 11806. Price Administration.

SEC. 10. *Maximum prices of wholesalers and routesellers.* (a) The maximum price of every wholesaler for sales of a commodity listed in Appendix A to retailers shall be the maximum price of the producer thereof for sales of such commodity to retailers.

(b) The maximum price of every wholesaler for sales of a commodity listed in Appendix A to other wholesalers or to routesellers shall be the maximum price of the producer thereof for sales of such commodity to wholesalers and routesellers.

(c) The maximum price of every routeseller for sales of a commodity listed in Appendix A to ultimate consumers shall be the maximum price of the producer thereof for sales of such commodity to ultimate consumers.

(d) The maximum price of every routeseller for sales of a commodity listed in Appendix A to retailers shall be the maximum price of the producer thereof for sales of such commodity to retailers.

(e) The maximum price of every routeseller for sales of a commodity listed in Appendix A to wholesalers or to other routesellers shall be the maximum price of the producer thereof for sales of such commodity to wholesalers and routesellers.

SEC. 11. *Maximum prices of retailers for sales to ultimate consumers.* (a) The maximum price of every retailer for the sale of any commodity listed in Appendix A to ultimate consumers shall be the maximum price of the producer to the retailer multiplied by 125 percent. If the commodity in question is unwrapped or unpackaged when received from the producer the retailer may add the cost, not exceeding any maximum price thereof, of the packaging materials furnished by the retailer.

SEC. 12. *Maximum prices for new classes of sales and for new products.* If the producer has not established a maximum price on any commodity listed in Appendix A pursuant to the provisions of Maximum Price Regulation 319 his maximum price for such commodity shall be the sum of (1) his cost of ingredients and packaging materials at the time of calculation, not exceeding any maximum price thereon, and (2) his direct labor costs and markup determined as follows:

(a) The direct labor costs and markup as computed for his similar commodity most nearly like it; or

(b) If it cannot be so determined the direct labor costs and markup for a similar commodity of his most closely competitive seller of the same class as computed by him; or

(c) If it cannot be so determined the direct labor costs and markup for a similar commodity of his most closely competitive seller of the same class as computed by such seller.

SEC. 13. *Calculation and reporting of maximum prices by producers.*—(a) *Maximum prices must be calculated and reported.* No producer subject to this regulation shall sell any of the commodities listed in Appendix A hereof until he has calculated and reported his maximum price to the Office of Price Administration. If such report was filed pursuant to Maximum Price Regulation 319, such report shall satisfy the requirement hereof until a further report is required under this revised Maximum Price Regulation 319. In all other cases the report shall show:

(1) The present maximum price and weight of each commodity produced and

(2) The maximum price and weight of each such commodity during the base period specified in Appendix A or, in the case of a commodity which was not produced during such base period, the maximum price and weight of such commodity as first calculated and reported pursuant to the provisions of this regulation or the original Maximum Price Regulation 319.

Maximum prices for sales to ultimate consumers shall be reported to the state or district office of the Office of Price Administration for the state or district in which the commodities are produced. Maximum prices for sales to retailers shall be reported to the Office of Price Administration in Washington, D. C.

(b) *Recalculation of maximum prices.* During the months of April and October of each year commencing with the month of April, 1944, every producer subject to this regulation shall recalculate his maximum prices for the sale of all commodities sold by him listed in Appendix A on the basis of his then existing ingredient and packaging costs, but using the previously reported direct labor costs and markup. Each producer shall report these new maximum prices to the Office of Price Administration, as provided in paragraph (a) of this section, unless he elects to continue to sell at the same maximum price by making the appropriate change in package or unit net weight as provided in paragraph (d) of this section.

(c) *Modification of maximum prices.* Whenever a maximum price calculated and reported under this regulation is apparently based upon a miscalculation or upon the use of a wrong figure, the Office of Price Administration may require the producer to recalculate his maximum price and report the recalculated price. Pending such recalculation and report the maximum price of the producer shall be the maximum price established by the Office of Price Administration.

(d) *Producer may elect to change package or unit net weight.* Any producer may elect to reflect the maximum price changes prescribed by this section by making changes in package or unit net weight he shall, at the time of recalculation, divide his existing maximum price per unit of the commodity by his maximum price as recalculated and then multiply the existing package or unit net weight of the commodity by the percentage so determined. The resulting figure shall be the new package or unit net weight for sales at the maximum price prevailing prior to the recalculation in question. Such package or unit net weight changes together with the applicable maximum prices must be reported to the Office of Price Administration as provided in paragraph (a) of this section.

(e) *Adjustments of fraction of a cent.* If the figure resulting from the calculation of any maximum price contains a fraction of one-half cent or more it shall be adjusted to the next higher cent and if it contains a fraction of less than one-half cent to the next lower cent.

SEC. 14. *Producers must show ultimate consumer prices on packaged items or show such prices on lists supplied to purchasers.* Whenever a producer sells a commodity listed in Appendix A to ultimate consumers or to retailers for resale to ultimate consumers wrapped in packaging materials he shall either print the maximum price to ultimate consumers on the packaging materials or shall otherwise show such maximum price so as to be readily seen by the buyer: *Provided*, That if a producer, who sells directly to ultimate consumers, delivers a list to the purchaser containing the names of and his maximum prices for every commodity included in Appendix A which he offers for sale to such purchaser he need not place his maximum prices upon the packaging materials of any such commodity. No sale shall be made to any purchaser pursuant to the foregoing proviso after the expiration of 14 days from the day upon which such a list is delivered to such purchaser.

SEC. 15. *Notice of retailer's maximum price.* When any unpackaged item of any commodity subject to this regulation is sold by a producer, wholesaler or routeseller to a retailer or by a producer to a wholesaler or routeseller for the first time after the maximum price for it has been established or recalculated under this regulation, the seller shall supply his purchaser with a written notice as follows:

NOTICE OF RETAILER'S MAXIMUM PRICE

The Office of Price Administration has es-

SEC. 10. *Maximum prices of wholesalers and routesellers.* (a) The maximum price of every wholesaler for sales of a commodity listed in Appendix A to retailers shall be the maximum price of the producer thereof for sales of such commodity to retailers.

(b) The maximum price of every wholesaler for sales of a commodity listed in Appendix A to other wholesalers or to routesellers shall be the maximum price of the producer thereof for sales of such commodity to wholesalers and routesellers.

(c) The maximum price of every routeseller for sales of a commodity listed in Appendix A to ultimate consumers shall be the maximum price of the producer thereof for sales of such commodity to ultimate consumers.

(d) The maximum price of every routeseller for sales of a commodity listed in Appendix A to retailers shall be the maximum price of the producer thereof for sales of such commodity to retailers.

(e) The maximum price of every routeseller for sales of a commodity listed in Appendix A to wholesalers or to other routesellers shall be the maximum price of the producer thereof for sales of such commodity to wholesalers and routesellers.

SEC. 11. *Maximum prices of retailers for sales to ultimate consumers.* (a) The maximum price of every retailer for the sale of any commodity listed in Appendix A to ultimate consumers shall be the maximum price of the producer to the retailer multiplied by 125 percent. If the commodity in question is unwrapped or unpackaged when received from the producer the retailer may add the cost, not exceeding any maximum price thereof, of the packaging materials furnished by the retailer.

SEC. 12. *Maximum prices for new classes of sales and for new products.* If the producer has not established a maximum price on any commodity listed in Appendix A pursuant to the provisions of Maximum Price Regulation 319 his maximum price for such commodity shall be the sum of (1) his cost of ingredients and packaging materials at the time of calculation, not exceeding any maximum price thereon, and (2) his direct labor costs and markup determined as follows:

(a) The direct labor costs and markup as computed for his similar commodity most nearly like it; or

(b) If it cannot be so determined the direct labor costs and markup for a similar commodity of his most closely competitive seller of the same class as computed by such seller in his last calculation reported under Maximum Price Regulation 319; or

(c) If the producer cannot establish an appropriate maximum price under the foregoing provisions he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price on such commodity. Such application shall set forth (1) the reason why the applicant cannot establish a maximum price under the foregoing provisions of this section, (2) a detailed description of the commodity, including the brand name, (3) an itemized cost breakdown, and (4) the specific prices desired for each producing plant for sales to each class of purchaser f. o. b. his producing plant and delivered.

SEC. 13. *Calculation and reporting of maximum prices by producers—(a) Maximum prices must be calculated and reported.* No producer subject to this regulation shall sell any of the commodities listed in Appendix A hereof until he has calculated and reported his maximum price to the Office of Price Administration. If such report was filed pursuant to Maximum Price Regulation 319, such report shall satisfy the requirement hereof until a further report is required under this revised Maximum Price Regulation 319. In all other cases the report shall show:

(1) The present maximum price and weight of each commodity produced and

(2) The maximum price and weight of each such commodity during the base period specified in Appendix A or, in the case of a commodity which was not produced during such base period, the maximum price and weight of such commodity as first calculated and reported pursuant to the provisions of this regulation or the original Maximum Price Regulation 319.

Maximum prices for sales to ultimate consumers shall be reported to the state or district office of the Office of Price Administration for the state or district in which the commodities are produced. Maximum prices for sales to retailers shall be reported to the Office of Price Administration in Washington, D. C.

(b) *Recalculation of maximum prices.* During the months of April and October of each year commencing with the month of April, 1944, every producer subject to this regulation shall recalculate his maximum prices for the sale of all commodities sold by him listed in Appendix A on the basis of his then existing ingredient and packaging costs, but using the previously reported direct labor costs and markup. Each producer shall report these new maximum prices to the Office of Price Administration, as provided in paragraph (a) of this section, unless he elects to continue to sell at the same maximum price by making the appropriate change in package or unit net weight as provided in paragraph (d) of this section.

(c) *Modification of maximum prices.* Whenever a maximum price calculated and reported under this regulation is apparently based upon a miscalculation or appears to be excessive, the Office of Price Administration may require the filing of data supporting the price as calculated and reported. After a maximum price has been calculated and reported, it may not be changed except by the written consent of the Office of Price Administration which will be given only in cases of excusable clerical error or other mistake.

(d) *Price changes may be reflected in unit weight changes.* If the producer elects to reflect the maximum price changes prescribed by this section by making changes in package or unit net weight he shall, at the time of recalculation, divide his existing maximum price per unit of the commodity by his maximum price as recalculated and then multiply the existing package or unit net weight of the commodity by the percentage so determined. The resulting figure shall be the new package or unit net weight for sales at the maximum price prevailing prior to the recalculation in question. Such package or unit net weight changes together with the applicable maximum prices must be reported to the Office of Price Administration as provided in paragraph (a) of this section.

(e) *Adjustments of fraction of a cent.* If the figure resulting from the calculation of any maximum price contains a fraction of one-half cent or more it shall be adjusted to the next higher cent and if it contains a fraction of less than one-half cent to the next lower cent.

SEC. 14. *Producers must show ultimate consumer prices on packaged items or show such prices on lists supplied to purchasers.* Whenever a producer sells a commodity listed in Appendix A to ultimate consumers or to retailers for resale to ultimate consumers wrapped in packaging materials he shall either print the maximum price to ultimate consumers on the packaging materials or shall otherwise show such maximum price so as to be readily seen by the buyer: *Provided*, That if a producer, who sells directly to ultimate consumers, delivers a list to the purchaser containing the names of and his maximum prices for every commodity included in Appendix A which he offers for sale to such purchaser he need not place his maximum prices upon the packaging materials of any such commodity. No sale shall be made to any purchaser pursuant to the foregoing proviso after the expiration of 14 days from the day upon which such a list is delivered to such purchaser.

SEC. 15. *Notice of retailer's maximum price.* When any unpackaged item of any commodity subject to this regulation is sold by a producer, wholesaler or routeseller to a retailer or by a producer to a wholesaler or routeseller for the first time after the maximum price for it has been established or recalculated under this regulation, the seller shall supply his purchaser with a written notice as follows:

NOTICE OF RETAILER'S MAXIMUM PRICE

The Office of Price Administration has established a new maximum price for retailers for sales by them of (insert name of commodity) at (insert retailer's maximum price for this commodity). This price was determined by multiplying the producer's maximum price for sales of this commodity to retailers by 125 percent. The Office of Price Administration requires you to keep this information for public examination.

When the retailer receives this notice he shall keep it and make it available for public examination upon request.

SEC. 16. *Definitions.* (a) When used in this regulation the term:

(1) "Person" means any individual, corporation, partnership, association, or other organized group of persons or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Producer" means with respect to any lot of bakery products listed in Appendix A, the person who baked, manufactured, produced or processed the same in the operation of a producing plant.

(3) "Wholesaler" means with respect to any lot of bakery products any person, other than a routeseller, who purchases a commodity listed in Appendix A for resale to any person other than an ultimate consumer.

(4) "Routeseller" means with respect to any lot of bakery products any person who purchases a commodity listed in Appendix A for resale from a vehicle operated by him over a regular route.

(5) "Retailer" means with respect to any lot of bakery products listed in Appendix A any person, other than a routeseller, who purchases the same for resale to ultimate consumers. It includes restaurants, cafes ,cafeterias, hotels and all other eating places purchasing a commodity listed in Appendix A for resale or distribution to their customers, and all institutions, public or private, purchasing a commodity listed in Appendix A for resale or distribution to their customers or inmates, except that maximum prices established by section 11 hereof shall not apply to sales by eating places for consumption on the premises.

(6) "Cost of ingredients and packaging materials" means the cost of ingredients and packaging materials to the producer, not exceeding the maximum price thereof, when purchased at his usual source of supply and in the quantities normally purchased by him.

(7) "Direct labor costs" includes the labor involved in the manufacturing, packing and preparation for shipping, but shall not include the labor involved in the purchase of ingredients and supplies, plant and machinery maintenance, or distribution, selling, advertising and administrative expenses. Direct labor costs shall be calculated at a rate not higher than the highest wage rate paid by the producer in March 1942 for each class of labor involved in the production of the commodity in question.

(8) "Markup" means the markup established on the particular commodity in question for a sale to a particular class of purchaser pursuant to the provisions of Maximum Price Regulation No. 319.

(9) "Similar commodity" refers to a commodity which has (i) substantially the same cost at the time of determination, (ii) is made from the same basic type of dough and (iii) has the same weight when completely finished and ready for wrapping or when ready for sale if sold unwrapped. In the case of pies, the similar commodity must have the same kind of filler.

APPENDIX A—BAKERY PRODUCTS COVERED BY THIS REGULATION AND THE APPROPRIATE BASE PERIODS FOR CALCULATING MAXIMUM PRICES

Bakery products:[1]	*Base period*
Fruit cake	Oct. 1 to Dec. 31, 1942
All other cakes except cookies	March 1942
Pastries	March 1942
Doughnuts	March 1942
Sweet yeast raised goods	March 1942
Pies	Sept. 14 to Oct. 11, 1941

[1] The bakery product terms listed above shall be construed in accordance with trade understanding.

This regulation shall become effective April 4, 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4779; Filed, April 4, 1944; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 8 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) of Second Revised Supplement 1 to Revised Ration Order 13 is amended to read as follows:

(e) The following are the validation dates (referred to in sections 2.4 (b) and 9.4 (e) of Revised Ration Order 13) for blue stamps in War Ration Book Four:

(1) A8, B8, C8, D8, and E8 are valid beginning February 27, 1944;

(2) F8, G8, H8, J8, and K8 are valid beginning April 1, 1944.

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4780; Filed, April 4, 1944; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amdt. 23 to Rev. Supp. 1]

MEATS, FATS, FISH AND CHEESES

Section 1407.3027 (e) of Revised Supplement 1 to Ration Order 16 is amended to read as follows:

(e) The following are the validation dates (referred to in sections 2.3 (b) and 10.4 (g) of Ration Order 16) for the red stamps in War Ration Book Four:

(1) A8, B8, and C8 are valid beginning February 27, 1944.

(2) D8, E2, and F8 are valid beginning March 12, 1944.

(3) G8, H8, and J8 are valid beginning March 26, 1944.

(4) K8, L8, and M8 are valid beginning April 9, 1944.

(5) N8, P8, and Q8 are valid beginning April 23, 1944.

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4781; Filed, April 4, 1944; 12:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 123]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 3.2 (b) is added to read as follows:

(b) However, for the purposes of this section, a consumer may use, and a transferor may accept, only the eighteen stamps in War Ration Book Four which will become valid after the stamps which are valid for use by consumers generally at the time of the transfer. Stamps in War Ration Book Four will become valid in the following order: A8 to Z8; A5 to Z5; A2 to Z2; A1 to Z1.

This amendment shall become effective April 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4782; Filed, April 4, 1944; 12:05 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14390, 14623, 14784, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 230, 403, 677, 695, 849, 1054, 1532, 1581, 1736, 1818, 1909, 2235, 2240, 2406.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553.

[2] 8 F.R. 16634, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 124]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 7.1 (a) is amended to read as follows:

(a) Any use by a "person" of "foods covered by this order" in producing or manufacturing, for sale or "transfer," a food for human consumption, which is not covered by this order, or a pharmaceutical, is an "industrial use". (For example, use by a bakery of "shortening" in making bread, is an industrial use.)

(1) Industrial use also includes the use of a food covered by this order for experimental, educational, testing, or demonstration purposes, and the use of "rationed fats and oils" in the care and treatment of the sick. It does not include laboratory testing of his products by or for a primary distributor, for the purpose of determining whether they meet established formulas, standards, or specifications. (Where a primary distributor establishment sends samples of its products to a laboratory for the purpose of testing those products to determine whether they meet established formulas, standards, or specifications, the place at which the testing is done is, as to those samples, considered part of that primary distributor establishment.)

(2) If a food covered by this order is used for a purpose for which the order does not otherwise provide, such use is "industrial consumption". (The way foods covered by this order may be "acquired" for industrial consumption is covered in sections 7.10 and 7.11.)

(3) The use of foods covered by this order for demonstration purposes under

8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4788; Filed, April 4, 1944; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 21]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.4 (a) is amended to read as follows:

(a) *A consumer uses stamps.* A consumer gives up points, when he acquires processed foods, by surrendering blue "stamps" from his War Ration Book Four.

2. Section 2.4 (b) is amended to read as follows:

(b) *Stamps may be used only when they have been validated.* A consumer may use each blue stamp in his War Ration Book Four as soon as it has been validated by the Office of Price Administration. The validation dates of these stamps will be fixed in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any war ration book.)

3. Section 2.4 (c) is amended by deleting the second sentence.

4. Section 8.4 (a) is amended to read

they have been validated for use by a consumer. The stamps must either be pasted on gummed sheets (OPA Form R-140 or OPA Form R-120A) or enclosed in sealed envelopes.

5. Section 15.9 (a) (1) is amended by inserting before the period at the end of the third sentence, the following: "notwithstanding the provisions of General Ration Order 7."

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4806; Filed, April 4, 1944; 4:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 125]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.3 (a) is amended to read as follows:

(a) *A consumer uses stamps.* A consumer gives up points, when he acquires foods covered by this order, by surrendering red "stamps" from his War Ration Book Four.

2. Section 2.3 (b) is amended to read

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 124]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 7.1 (a) is amended to read as follows:

(a) Any use by a "person" of "foods covered by this order" in producing or manufacturing, for sale or "transfer," a food for human consumption, which is not covered by this order, or a pharmaceutical, is an "industrial use". (For example, use by a bakery of "shortening" in making bread, is an industrial use.)

(1) Industrial use also includes the use of a food covered by this order for experimental, educational, testing, or demonstration purposes, and the use of "rationed fats and oils" in the care and treatment of the sick. It does not include laboratory testing of his products by or for a primary distributor, for the purpose of determining whether they meet established formulas, standards, or specifications. (Where a primary distributor establishment sends samples of its products to a laboratory for the purpose of testing those products to determine whether they meet established formulas, standards, or specifications, the place at which the testing is done is, as to those samples, considered part of that primary distributor establishment.)

(2) If a food covered by this order is used for a purpose for which the order does not otherwise provide, such use is "industrial consumption". (The way foods covered by this order may be "acquired" for industrial consumption is covered in sections 7.10 and 7.11.)

(3) The use of foods covered by this order for demonstration purposes under the direction of the Department of Agriculture or the Extension Service of the Department of Agriculture is neither an industrial use nor industrial consumption.

(4) The use of foods covered by this order in the preparation of food for service, or in the service of food to "consumers", is an "institutional use" and not an industrial use. (An "institutional user" may obtain allotments of foods, and may use such foods, only in accordance with the provisions of General Ration Order 5.)

This amendment shall become effective April 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4788; Filed, April 4, 1944; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[2] Amdt. 21]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.4 (a) is amended to read as follows:

(a) *A consumer uses stamps.* A consumer gives up points, when he acquires processed foods, by surrendering blue "stamps" from his War Ration Book Four.

2. Section 2.4 (b) is amended to read as follows:

(b) *Stamps may be used only when they have been validated.* A consumer may use each blue stamp in his War Ration Book Four as soon as it has been validated by the Office of Price Administration. The validation dates of these stamps will be fixed in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any war ration book.)

3. Section 2.4 (c) is amended by deleting the second sentence.

4. Section 8.4 (a) is amended to read as follows:

(a) *Stamps.* A person who has a ration bank account may deposit blue stamps from War Ration Book Four at any time after they have been validated for use by consumers.

5. Section 9.4 (e) is amended to read as follows:

(e) *When stamps are good.* Each stamp may be accepted for a transfer to a consumer at any time after it has been validated. The validation dates for blue stamps in War Ration Book Four are fixed by the Office of Price Administration in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any war ration book.)

6. Section 9.4 (g) is amended by deleting the last sentence.

7. Section 9.5 (d) (1) is amended by substituting for the first three sentences the following:

(1) *Stamps.* Stamps may be accepted from the transferee at any time after they have been validated for use by a consumer. The stamps must either be pasted on gummed sheets (OPA Form R–140 or OPA Form R–120A) or enclosed in sealed envelopes.

8. Section 15.9 (a) (1) is amended by inserting before the period at the end of the third sentence, the following: "notwithstanding the provisions of General Ration Order 7."

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4806; Filed, April 4, 1944; 4:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 125]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.3 (a) is amended to read as follows:

(a) *A consumer uses stamps.* A consumer may use each blue stamp in his War Ration Book Four as soon as it has been validated by the Office of Price Administration. The validation dates of these stamps will be fixed in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any war ration book.)

2. Section 2.3 (b) is amended to read as follows:

(b) *Stamps may be used only when they have been validated.* A consumer may use each red stamp in his War Ration Book Four as soon as it has been validated by the Office of Price Administration. The validation dates of these stamps will be fixed in a supplement to this order. (Transfers of "meat" by farm slaughterers to consumers, covered in section 3.2, are excepted from this rule.) (Nothing in this provision validates any stamps which have already expired in any War Ration Book.)

3. Section 2.3 (c) is amended by deleting the second sentence.

4. Section 9.4 (a) is amended to read as follows:

(a) *Stamps.* A person who has a ration bank account may deposit red stamps from War Ration Book Four at any time after they have been validated for use by consumers.

5. Section 10.4 (g) is amended to read as follows:

(g) *When stamps are good.* Each stamp may be accepted for a transfer to a consumer at any time after it has been validated. The validation dates for red stamps in War Ration Book Four are fixed by the Office of Price Administration in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any War Ration Book.)

6. Section 10.4 (i) (1) is amended by deleting the last sentence.

7. Section 10.5 (e) (1) is amended by substituting for the first three sentences the following:

Stamps may be accepted from the transferee at any time after they have been validated for use by a consumer. The stamps must either be pasted on gummed sheets (OPA Form R–140 or OPA Form R–120A) or enclosed in sealed envelopes.

8. Section 16.9 (a) (1) is amended by inserting before the period at the end of the third sentence the following: "notwithstanding the provisions of General Ration Order 7."

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4805; Filed, April 4, 1944; 4:47 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 272, Corr. to Amdt. 4[1]]

CAST-IRON BOILERS AND CAST-IRON RADIATION

The words "10 percent" appearing in the second paragraph of § 1346.268 (e) (2) are corrected to read "10½ percent".

This correction shall be effective as of February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4825; Filed, April 5, 1944; 11:48 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,[2] Amdt. 11]

PRINTING AND PRINTED PAPER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 225 is amended in the following respect:

Section 1347.452 is amended by substituting the following for the proviso appearing at the end of said section.

Provided, however, That if the cost to the seller of the paper used in said commodity or service has increased over the cost of the paper to him in March 1942 by reason of the light weight differentials permitted by Maximum Price Regulation No. 450, Writing Paper and Certain Other Fine Papers, and Maximum Price Regulation No. 451, Book Papers, then the seller may add to his maximum price established under the foregoing provisions of this section the amount of such increase, either by a change in price, or by a decrease in sheet count, whichever he shall elect. For the purpose of this section the term "light weight differentials" shall include the difference in price between 16 lb. and 20 lb. paper specified in Maximum Price Regulation 450, as well as the specifically mentioned "light weight differentials" in either of the two regulations. The seller shall, with respect to each commodity, the price for which has been so increased, keep records showing: (1) the exact amount of the cost increase incurred by him; (2) the exact amount of the price increase or sheet decrease, whichever shall be applicable. Such records shall be preserved for a period of two years for examination by the Office of Price Administration or by the purchaser of the printing service or printed paper commodity involved.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4826; Filed, April 5, 1944; 11:48 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,[1] Amdt. 12]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respects:

1. The product name headings of items 3A, 3B, 3C, 3D, 20E, 20F and 25A in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores are amended to read as follows:

3A. Fresh, frozen or cured ham, whole:
3B. Fresh, frozen or cured ham, shank end:
3C. Fresh, frozen or cured ham, round or butt end:
3D. Fresh, frozen or cured ham, slices:
20E. Pigs feet, long-cut front:
20F. Pigs feet, hind and short-cut front:
25A. Cooked or boiled and smoked ham and picnic, boneless and fatted (whole or piece):

2. The product names of subitems 1 and 2 of item 9A and the product names of subitems 1 and 2 of item 9B in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores are amended to read as follows:

9A. • • •
1. Fresh, frozen or cured with rine.
2. Fresh, frozen or cured derined.
9B. • • •
1. Fresh, frozen or cured with rine.
2. Fresh, frozen or cured derined.

3. Items 7, 14A, 14B, 20H, 27A and 27B in the price table in section 19 for Group 1 and 2 stores are amended to read as follows:

	Zone 1, Group 1-2	Zone 2, Group 1-2	Zones 3 and 4, Group 1-2	Zone 4a, Group 1-2	Zone 5, Group 1-2	Zones 6 and 7, Group 1-2	Zones 8 and 9 north, Group 1-2	Zones 8 and 9 south, Group 1-2	Zone 10, Group 1-2
• • •									
7. Aged, dry cured hams:									
1. Whole or half	55	55	54	52	53	53	54	54	55
2. Sliced	60	62	61	59	60	60	61	61	62
• • •									
14A. Boneless butts (whole or piece):									
1. Fresh, frozen or cured	43	43	43	40	41	41	42	42	43
2. Smoked	48	48	47	46	46	47	47	48	48
3. Ready-to-eat	53	52	51	50	50	51	52	53	53
14B. Boneless butts (store sliced):									
1. Fresh, frozen or cured	48	48	47	45	45	46	48	47	48
2. Smoked	55	54	53	52	52	53	53	54	54
3. Ready-to-eat	59	59	58	56	57	57	58	58	[illegible]
• • •									
20H. Neck bones									
1. Fresh, frozen or cured	10	10	9	7	8	9	10	9	10
2. Smoked	14	14	13	11	11	13	14	13	13
• • •									
27A. Dried specialties (whole or piece):									
1. Aged, dry cured bacon	41	41	40	38	39	39	40	40	41
2. Aged, dry cured sides	38	37	36	35	35	36	36	36	37
3. Aged, dry cured jowls	28	28	27	25	26	26	27	27	28
4. Aged, dry cured shoulders	43	43	41	40	40	41	41	42	42
5. Capicolli butts	63	63	62	60	61	61	62	62	63
• • •									
27B. Dried specialties (store sliced):									
1. Aged, dry cured bacon	47	46	45	43	44	44	45	45	46
2. Aged, dry cured sides	43	43	41	39	39	40	41	41	42
3. Aged, dry cured jowls	33	33	30	29	29	29	30	31	31
4. Aged, dry cured shoulders	48	48	47	45	45	46	47	47	48
5. Capicolli butts	71	71	69	68	68	69	69	70	72

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128 13394, 13960, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16250, 16265, 16434, 16527, 16606, 16695, 16730, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1726, 1810, 1909, 2215, 2240, 2405.

[2] 9 F.R. 8, 104, 674, 693, 165, 848, 1307, 1727, 1817, 1908, 2233, 2234, 2240.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2301.

[2] 8 F.R. 4181, 7382, 10983, 12660, 15456.

[1] 9 F.R. 167, 2212.

4. Items 7, 14A, 14B, 20H, 27A and 27B in Section 19 in the price table for Group 3 and 4 stores are amended to read as follows:

	Zone 1, Group 3-4	Zone 2, Group 3-4	Zones 3 and 4, Group 3-4	Zone 4a, Group 3-4	Zone 5, Group 3-4	Zones 6 and 7, Group 3-4	Zones 8 and 9 north, Group 3-4	Zones 8 and 9 south, Group 3-4	Zone 10, Group 3-4
• • •									
7. Aged, dry cured hams:									
1. Whole or half	54	54	53	51	51	52	52	53	53
2. Sliced	60	60	58	57	57	58	58	59	59
• • •									
14A. Boneless butt: (whole or piece):									
1. Fresh, frozen or cured	41	41	39	39	38	39	41	40	41
2. Smoked	47	46	45	44	44	45	45	45	46
3. Ready-to-eat	51	50	49	48	48	49	50	50	51
14B. Boneless butts (store sliced):									
1. Fresh, frozen or cured	48	48	46	45	44	44	46	45	46
2. Smoked	53	53	51	50	50	51	51	52	52
3. Ready-to-eat	57	57	56	54	54	55	56	55	57
• • •									
20H. Neck bones:									
1. Fresh, frozen or cured	9	9	9	7	7	9	15	9	9
2. Smoked	13	13	11	10	11	13	13	12	13
• • •									
27A. Dried specialties (whole or piece):									
1. Aged, dry-cured bacon	40	40	38	37	37	38	38	39	39
2. Aged, dry-cured sides	36	36	35	33	34	34	34	35	36
3. Aged, dry-cured jowls	27	27	26	24	23	25	26	26	27
4. Aged, dry-cured shoulders	43	43	42	39	38	39	40	40	41
5. Capicolli butts	61	61	59	56	55	59	60	60	61
27B. Dried specialties (store sliced):									
1. Aged, dry-cured bacon	45	44	43	41	42	42	42	43	44
2. Aged, dry-cured sides	41	40	39	37	38	38	39	39	40
3. Aged, dry-cured jowls	30	30	29	27	26	28	29	28	30
4. Aged, dry-cured shoulders	48	48	45	43	44	44	45	45	46
5. Capicolli butts	68	68	67	63	63	66	67	67	68

This amendment shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4826; Filed, April 5, 1944; 11:49 a. m.]

PART 1358—TOBACCO

[MPR 360, as Amended, Corr. to Amdt. 7[1]]

CIGARS

§ 1358.102a (e) (3) the word "manufacturers" in the last sentence is corrected to read "importers."

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4827; Filed, April 5, 1944; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 22]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 6.3 (c) is added to read as follows:

(c) However, any person may make an industrial use of processed foods which have a zero point value without registering as an industrial user.

2. Section 6.6 (i) is amended to read as follows:

(i) *Reduction of allotment and adjustment of excess inventory based on frozen processed foods.* (1) The allotment for the second allotment period of 1944 of any industrial user who used frozen processed foods during the second quarter of his base period, shall be reduced by the amount which represents that use. The amount of the reduction shall be treated as excess inventory. He may not, after April 6, 1944, use processed foods having a point value, if, before that date, he used processed foods up to the amount of that reduced allotment plus any unused parts of his prior allotments or if such use of processed foods would cause his total use, in points, during the second allotment period to exceed that reduced allotment plus any unused parts of his prior allotments.

(2) An industrial user who acquired frozen processed foods for points after March 15, 1944, from points issued to him for the second allotment period, may apply for an adjustment of his excess inventory. (An industrial user who, on March 15, 1944, had points on hand or in his ration bank account is considered to have acquired frozen processed foods from points issued to him for his second allotment period only to the extent that the point value of frozen processed foods he acquired after March 15, 1944, exceeds the points he had on hand or in his ration bank account on that date.) Application shall be made on OPA Form R-315 to the board with which he is registered and must state, with respect to each such acquisition:

(i) The point value of frozen processed foods acquired for points after March 15, 1944, from points issued to him for the second allotment period;

(ii) The types and quantities of frozen processed foods acquired with those points;

(iii) The dates on which such foods were acquired; and

(iv) The names and addresses of the persons from whom such foods were acquired.

(3) If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the number of such points which he used between March 16 and April 1, 1944, inclusive, to acquire frozen processed foods.

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4829; Filed, April 5, 1944; 11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 194,[1] Amdt. 12]

ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 194 is amended in the following respects.

1. Section 1418.52 is amended to read as follows:

§ 1418.52 *Maximum prices for commodities not actually produced or manufactured in the Territory of Alaska.* (a) Except as provided in paragraph (b) of this § 1418.52, with respect to any commodity for which a maximum price has been established in the Continental United States and which is not actually manufactured or produced in the Territory of Alaska, the maximum price to a buyer in the Territory of Alaska shall be:

(1) The direct cost to the seller of the commodity sold,

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941, to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period to a purchaser of the same class, or if no such sale was made during that period, the amount of such mark-up added by the seller in his highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which such a sale was made:

Provided, That in case a seller's maximum price for a commodity cannot be determined as provided above, his maximum price for such commodity shall be the same as the maximum price determined under this paragraph (a) for the same or similar commodity by his most closely competitive seller of the same class for sales to the same class of purchasers: and

Provided further, That the price determined in accordance with this paragraph (a), if not in line with the maximum prices of other similar sellers, may be adjusted by the Administrator of the Ninth Region of the Office of Price Administration, subject to review as provided in Procedural Regulation No. 7.[2]

NOTE: For the purposes of paragraph (a), one commodity shall be deemed "similar" to another commodity, if it has the same use, affords the purchaser fairly equivalent serviceability and would ordinarily sell in the same price line as the commodity being priced. Differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodity would ordinarily have been sold, shall not be taken into account.

(b) Where the seller's maximum price for a commodity cannot be determined under paragraph (a) of this section, the maximum price of such commodity shall be determined in accordance with the following procedure. The seller shall file in duplicate with the Territorial Office of the Office of Price Administration in Juneau, Alaska, an application containing:

(1) A description of the commodity for which a maximum price is sought.

(2) A statement of the reasons why the maximum price for such commodity cannot be determined under paragraph (a) of § 1418.52.

(3) The direct cost of the commodity to the seller.

(4) The price at which the seller intends to offer the commodity for sale.

(5) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Territorial Director in Juneau, Alaska, may authorize a price which is in line with the maximum prices established by this regulation, or may, in his discretion, forward the application to the Administrator of the Ninth Region in Washington, D. C. If a seller objects to the price authorized by the Territorial Director, he must file such objection with the Territorial Office at Juneau, Alaska, within thirty days after the date the notice of price authorization by the Territorial Director was postmarked. If, at the expiration of forty days from the date the price authorization is signed by the Territorial Director, the Administrator of the Ninth Region does not issue an order establishing a maximum price other than that authorized by the Territorial Director, the seller may thereafter continue to sell such commodity at a price not in excess of the maximum price authorized by the Territorial Director. The Administrator for the Ninth Region may, from time to time, make such changes in the authorized maximum prices as in his judgment changes in circumstances require. Such increases or decreases in maximum prices shall not have retroactive effect. If a seller objects to a price authorized by the Administrator for the Ninth Region, he may obtain review in accordance with the provisions of Procedural Regulation No. 7.

2. Section 1418.53a is added to read as follows:

§ 1418.53a *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any person are or have been sold or otherwise transferred after July 30, 1942, and the transferee carries on the business or continues to deal in the same type of commodities in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which the transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record and filing provisions of the regulation.

3. Section 1418.55 (b) (3) is amended to read as follows:

(3) Wholesalers selling to other wholesalers, or retailers selling to other retailers, and adding to direct cost a mark-up greater than the amount added on sales during the period, November 7 to December 6, 1941, inclusive. If during this period a wholesaler sold only to retailers, or a retailer sold only to consumers, the wholesaler, or retailer, must apply to the Territorial Director of the Office of Price Administration in Juneau, Alaska, for a mark-up; a wholesaler may not use the mark-up he took on his sales to retailers and a retailer may not use the mark-up he took on his sales to consumers.

4. Section 1418.63 (a) (4) is amended to read as follows:

(4) "The direct cost to the seller" means the price which the seller paid for the commodity to his supplier less discounts allowed to the seller plus all costs of shipment actually incurred by the seller: *Provided*, That (i) the seller's supplier is a customary supplier, (ii) the price paid for the commodity is no higher than the supplier's ceiling, and (iii) shipment is by the customary means of transportation: *Provided further*, That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

5. Section 1418.63 (a) (13) is added to read as follows:

(13) A seller's "most closely competitive seller of the same class" means a seller who (i) is performing the same function (for example, manufacturer, wholesaler, retailer), (ii) is of a similar type (for example, department store, mail order house, specialty shop, cut rate store), (iii) is selling the same or a similar commodity, (iv) is closely competitive in the sale of such commodities, and (v) is located nearest to the seller.

This amendment shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4830; Filed, April 5, 1944; 11:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 65-A]

PART 8—RULES GOVERNING SHIP SERVICE

EXTENSION OF SEVEN-YEAR LIMITATION PROVISION FOR AUTOMATIC ALARM RECEIVERS

Correction

The footnote to F.R. Doc. 44-4714 which appears on page 3546 of the issue for Tuesday, April 4, 1944 should read "Affects footnote in § 8.162."

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71-85—EXPLOSIVES AND OTHER DANGEROUS ARTICLES[1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of March, A. D. 1944.

It appearing, that pursuant to section 233 of the Transportation of Explosives

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[1] 9 F.R. 3037.

[2] 9 F.R. 3, 104, 574, 695, 765, 833, 1397, 1727, 1817, 1903, 2232, 2294, 2340, 2440, 2567, 2791.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4779; 8 F.R. 970.

[1] 7 F.R. 5909, 6268, 8744, 8023, 8358, 8947, 9195, 10231, 10790, 11012; 8 F.R. 886.

[1] Parts 2, 3, 4, and 7 in this order appear in CFR as Parts 72, 73, 75, 80, and 85.

Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending list, section 4, order August 16, 1940, as follows:

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in one outside package rail express
(Add) Ammunition for small arms with explosive projectiles.	Expl. A	No exemption, 88		Not accepted.
(Add) *Diethylene glycol dinitrate*	See sec. 20 (d)			
(Add) Ethyl chlorocarbonate	Pois. C	No exemption, 263	Tear gas	20 pounds.
(Add) Explosive mine cutters	Expl. C	No exemption, 66A		150 pounds.
(Add) Nitroxylol	Pois. B	338, 349	Poison	55 gallons.
(Change) Police grenades	Pois. A	No exemption, 235	Poison gas	Not accepted.
(Add) Xylidene	Pois. B	338, 349	Poison	55 gallons.
(Add) Urea peroxide	Inf. S	No exemption, 212A	Yellow	25 pounds.

Part 3—Regulations Applying to Shippers (CFR 75)

Superseding and amending paragraph (a), section 29, order August 16, 1940, to read as follows (empty containers):

29 (a) Empty cylinders, barrels, kegs, or drums, previously used for the shipment of any dangerous article, as defined herein, must have all openings including removable heads, filling and vent holes properly closed before being offered for transportation.

Amending paragraph (g), section 31, order August 16, 1940, as follows (qualification of tank cars) (add):

NOTE 2. Because of the present emergency and until further order of the Commission, spec. ARA–IV and ICC–104 tank cars converted and stenciled as provided in Note 15 to sec. 303 (q) (1) may be used for the transportation of petroleum alkylate, isopentane, or any other inflammable liquid having vapor pressure not exceeding 40 pounds per square inch, absolute, at 100° F., without changing the stenciled markings, provided the effective discharge area of the safety valves with which these cars are equipped can be proved, by the method of calculation shown in Appendix A of the A. A. R. Specifications for Tank Cars, to be equal to or greater than the area calculated as necessary for each particular material transported, in order to prevent building up pressures within the tank in excess of 60 pounds per square inch.

Superseding and amending paragraph (d), section 50, order November 8, 1941, to read as follows (forbidden explosives):

(d) *Liquid nitroglycerin or diethylene glycol dinitrate.* (For shipment by carrier by motor vehicle other than common carriers, see section 822 (b).)

Superseding and amending section 58, order August 16, 1940, to read as follows (ammunition for small arms with explosive bullets or ammunition for small arms with explosive projectiles):

58 (a) Ammunition for small arms with explosive bullets or ammunition for small arms with explosive projectiles is fixed ammunition to be used in machine guns or similar firearms and consists of a metallic cartridge case, the primer and the propelling charge, with explosive bullet or explosive projectile with or without detonating fuze, the component parts necessary for one firing being all in one assembly. Detonating fuzes, tracer fuzes, explosive or ignition devices or fuze parts with explosives contained therein must not be assembled in ammunition or included in the same outside package unless shipped by, for, or to the War or Navy Department of the United States Government, or unless of a type approved by the Bureau of Explosives.

(b) *Packing and weight.* Ammunition for small arms with explosive bullets and ammunition for small arms with explosive projectiles must be well packed and properly secured in strong wooden or metal containers. The gross weight of the outside package must not exceed 150 pounds.

(c) *Marking.* Each outside package must be plainly marked "Ammunition for small arms with explosive bullets" or "Ammunition for small arms with explosive projectiles".

(d) Ammunition for small arms with explosive bullets or ammunition for small arms with explosive projectiles must not be offered for transportation by rail express, except as provided for in section 52.

Amending section 60, order Aug. 16, 1940, as follows (black powder and low explosives) (change 60 (a), add (c) (4) (a), (c) (4) (b) and (d) (4):

60 (a) Black powder and low explosives are general names used to describe all explosives similar in composition or characteristics to ordinary black powder and which cannot be detonated by a commercial blasting cap. Examples are rifle, sporting, cannon, pellet, and blasting powders. Flash powder sheets in bulk, flash powders packed in inner units exceeding 2 ounces each, and flash powder or spreader cartridges exceeding 72 grains each are classed as low explosives. (See section 64 for shipments made as fireworks.)

(c) (4) (a) Black pellet powder primed with an electric squib secured inside the co-axial hole of the pellet powder with loose ends of the wires of the squib effectively short-circuited may be shipped in containers complying with the following specifications:

(c) (4) (b) *Spec. 14, 15A, or 16.* Wooden boxes with inside cartridges as required by section 60 (b) (6) (c).

(d) (4) *Spec. 15A.* Wooden boxes, lined, spec. 2L. Authorized only for low explosives in the form of hard non-plastic rods or cylinders not less than ⅝-inch diameter.

Superseding and amending paragraph (f) (5), section 61, order August 16, 1940, to read as follows (packing ammonium picrate, etc., wet):

(f) (5) Ammonium picrate, picric acid, urea nitrate, trinitrobenzene, trinitroresorcinol, and trinitrotoluene when wet with not less than 10 pounds of water to each 90 pounds of dry material must be shipped in containers complying with the following specifications:

Amending order August 16, 1940, as follows (explosive mine cutters) (add):

66A (a) Explosive mine cutters are used for cutting cables, etc. They consist of a metal device containing a knife-edged component which is propelled by a small charge of an explosive compound.

(b) *Packing.* Strong wooden boxes.

(c) *Marking.* Each outside container must be plainly marked "Explosive Mine Cutters—Handle Carefully."

Superseding and amending Note, paragraph (b) (4), section 110, order May 12, 1943, to read as follows (packing inflammable liquids):

NOTE. Because of the present emergency and until further order of the Commission, used metal drums in good condition, manufactured prior to May 1, 1943, having welded side seams, openings not over 2.3 inches in diameter, bodies and heads of 18 gage minimum thickness, and minimum rated capacity of 55 gallons may be reused, if retested by owner or user in the manner prescribed in par. 14 of specification 17E, and approved for service by the Bureau of Explosives. Each drum must be embossed or stamped on one head (1) with manufacturer's name, or with an identification symbol or trademark which must have been registered with the Consolidated Freight Classification Committee, and (2) with the U. S. Standard gage of the metal, the capacity of the container, and the year of manufacture (these may be abbreviated and must appear in the order specified, for example, 18–55–43). Each drum must be adequately closed before shipment to prevent leakage, gaskets being required, and must be stamped with the words "Authorized for Reuse by Bureau of Explosives." Applications for permission for reuse should be made to the Bureau of Explosives, 30 Vesey Street, New York City.

Superseding and amending paragraph (a), section 201, order August 16, 1940, to read as follows (packing rubber scrap or rubber buffings):

201 (a) Rubber scrap, without cotton or fabric insertion, if ground, powdered, or granulated, and the rubber content

of which exceeds 45 percent, as determined by subtracting the sum of the percentage of ash and the percentage of acetone extract from 100, and rubber buffings from any grade of rubber, irrespective of the percentage of rubber content, must be packed in specification containers as follows (see section 202 for rubber scrap, not ground):

Amending order August 16, 1940, as follows (packing urea peroxide) (add):

212A (a) Urea peroxide must be packed in specification containers as follows:

(b) *Spec. 12B.* Fiberboard boxes with inside containers which must be: rubber or plastic containers not exceeding 4 ounces each. Gross weight not over 65 pounds.

(c) *Spec. 21A.* Fiber drums completely coated on the inside with a suitable wax. Gross weight not to exceed 125 pounds.

NOTE: Because of the present emergency and until further order of the Commission the gross weight of such packages shall not exceed 225 pounds.

(d) *Spec. 22A.* Plywood drums with paper bags, spec. 2J, coated with suitable wax on the inner surface. Gross weight not to exceed 125 pounds.

NOTE: Because of the present emergency and until further order of the Commission the gross weight of such packages shall not exceed 225 pounds.

Amending paragraph (i), section 264, order August 16, 1940, as follows (packing hydrofluoric acid) (add):

NOTE: Because of the present emergency and until further order of the Commission, tank cars authorized under this paragraph may be used to transport hydrofluoric acid stronger than 80 percent but not exceeding 99 percent, provided each car is equipped with suitable inlet and outlet valves with protective housings in accordance with the appropriate tank car specification. On spec. 103A cars, safety vent must be provided with frangible disc of material impervious to the lading which will hold a pressure of 90 pounds per square inch for a period of at least one hour but will rupture within eight hours. On all cars equipped with safety valves, a frangible disc of material impervious to the lading must be interposed between the lading and the valve seat. All tanks must be stenciled on both sides immediately above the specification mark "Hydrofluoric acid over 90 percent and not over 99 percent strength only"; use of cars to be limited to movements between Cornwells Heights, Pa., and Philadelphia, Pa., or Cornwells Heights, Pa., and North Claymont, Del.

Superseding and amending paragraph (o) (2), section 264, order July 14, 1942, to read as follows (packing hydrofluoric acid, anhydrous):

(o) (2) *Spec. 3, 3A, 3B, 3C, 3E, 4, 4A, 25, or 38, also 4B or 4C if not brazed.* Cylinders. Filling density must not exceed 85 percent of the pounds water weight capacity of the cylinder.

Amending paragraph (f), section 268, order August 16, 1940, as follows (packing nitric acid) (add):

NOTE: Because of the present emergency and until further order of the Commission, spec. 42B drums having not less than 99.7 percent aluminum content are authorized for fuming acid having specific gravity of 1.59 to 1.65 and containing not more than 0.1 percent of hydrochloric acid nor more than 1 percent of sulfuric acid.

Amending Note 15, paragraph (q) (1), section 303, order February 26, 1942, as follows (compressed gases shipped in tank cars) (add):

Specification ARA-IV and ICC-104 tank cars lacking specification expansion domes, but equipped with approved manway nozzles and covers and otherwise converted as prescribed herein, are also authorized. To the specification class marking of Class ARA-IV and ICC-104 cars equipped with approved manway nozzles in lieu of expansion domes shall be added the word "Emergency" in letters at least 2 inches high.

Amending paragraph (d), section 354, order August 16, 1940, as follows (packing arsenical compounds, n. o. s., etc.) (add):

NOTE: Because of the present emergency for experimental purposes and until further order of the Commission, less than carload and less than truckload shipments are authorized in nine-ply multi-fall paper bags, provided specifications for the bags and results of tests made to prove their efficiency for such service are submitted to the Bureau of Explosives for approval.

Superseding and amending paragraph (b), section 363, order August 16, 1940, to read as follows (packing tear gas, etc.);

(b) Spec. 5, 5A, or 5B, metal barrels or drums; or spec. 17C, metal drums (single-trip) not over 5 gallons capacity each.

Superseding and amending paragraph (p), section 402, order July 14, 1942, to read as follows (marking and labeling packages):

(p) Labels and marking name of contents are not required on shipments of dangerous articles forwarded in carload or truckload quantities by rail freight, rail express, or highway, when such shipments are to be unloaded by the consignee. This exception does not apply to class A or class C poisons.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending paragraph 8, spec. 3A, order August 16, 1940, to read as follows:

8. *Manufacture.* By best appliances and methods; dirt and scale to be removed as necessary to afford proper inspection; no defect acceptable that is likely to weaken the finished cylinder appreciably; reasonably smooth and uniform surface finish required. The internal surface of the bottoms of spun cylinders must be free from fissures or other defects, and if not originally free from such defects should be machined or otherwise treated to eliminate these defects. The thickness of the spun bottoms is, under no condition, to be less than two times the minimum wall thickness of the cylindrical shell; such bottom thicknesses to be measured within an area bounded by a line representing the points of contact between the cylinder and floor when the cylinder is in a vertical position.

Superseding and amending note following paragraph 19 (c), spec. 3A, order February 24, 1944, to read as follows:

NOTE: Lot numbers, not over 500 cylinders in each lot, authorized for cylinders not over 2 inches outside diameter and for cylinders over 2 inches outside diameter when the volumetric capacity does not exceed 60 cubic inches.

Superseding and amending head paragraph 22 and subparagraph (1) thereof, spec. 3A, order August 13, 1943, to read as follows:

22. *Additional type.* Cylinders made of steel commercially known as 4130X, NE-8630, 9115, 9125, 9115X, or 9125X with yield point over 70 percent of tensile strength are also authorized under the following restrictions:

(1) Chemical analysis of steels authorized:

	4130X	NE-8630	9115
	Percent	*Percent*	*Percent*
Carbon	0.25/0.35	0.28/0.33	0.10/0.20
Manganese	0.40/0.60	0.70/0.90	0.50/0.75
Phosphorus	0.04	0.04	0.04
Sulphur	0.05	0.04	0.04
Silicon	0.20/0.35	0.20/0.35	0.60/0.90
Chromium	0.80/1.10	0.40/0.60	0.50/0.65
Molybdenum	0.15/0.25	0.15/0.25	
Zirconium			0.05/0.15
Nickel		0.40/0.70	

	9125	9115X	9125X
	Percent	*Percent*	*Percent*
Carbon	0.20/0.30	0.10/0.20	0.20/0.30
Manganese	0.50/0.75	0.50/0.75	0.50/0.75
Phosphorus	0.04	0.04	0.04
Sulphur	0.04	0.04	0.04
Silicon	0.60/0.90	0.60/0.90	0.60/0.90
Chromium	0.50/0.65	0.50/0.65	0.50/0.65
Molybdenum		0.10/0.20	0.10/0.20
Zirconium	0.05/0.15	0.05/0.15	0.05/0.15
Nickel			

NOTE: Because of the present emergency and until further order of the Commission, a heat of steel made under any of the above specifications, the chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, under the following conditions:

Carbon, phosphorus, and sulphur shall not be out of the specified range more than 0.02 percent for carbon, 0.005 percent for phosphorus, and 0.005 percent for sulphur, and no alloying element shall be out of the specified range in excess of 10 percent of the mean of the range.

Amending title and provisions of specs. MC 200 and MC 201, order Nov. 8, 1941, as follows: Wherever the word "nitroglycerin" appears, the words "or diethylene glycol dinitrate" shall be added immediately thereafter.

Part 4—Regulations Applying Particularly to Carriers by Rail Freight (CFR 80)

Superseding and amending headline and sideline descriptions "e" and "5", loading and storage chart, section 533, order November 8, 1941, to read as follows:

e Ammunition For Cannon with Explosive Projectiles, Gas Projectiles, Smoke Projectiles or Incendiary Projectiles, Ammunition for Small Arms with Explosive Bullets or Ammunition for Small Arms with Explosive Projectiles d

8 Primers for Cannon or Small Arms, Empty Cartridge Bags—Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive mine cutters

Superseding and amending paragraph (f), section 541, order February 26, 1942, to read as follows (placards on cars):

(f) When dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds, are loaded in the same car with less dangerous explosives, class B, or poisonous solids or liquids, class B, only the "Explosives" placard is required.

Superseding and amending in part, cut, paragraph (a), section 551, order November 8, 1941, to read as follows (name of contents, carload, on "dangerous" placard or commodity card): Name of contents of carload shipments must be inserted here or on commodity card.

Part 7—Regulations Applying to Shipments Made by Way of Common, Contract, or Private Carriers by Public Highway (CFR 85)

Amending paragraphs (a) and (b) of section 821, paragraphs (a) and (b) of section 822, and paragraphs (b) (3) as amended, (b) (8), (b) (11), (b) (12), and (b) (13) of section 824, order November 8, 1941, as follows: Wherever the word "nitroglycerin" appears, the words "or diethylene glycol dinitrate" shall be added immediately thereafter.

Superseding and amending headline and sideline descriptions "e" and "8", loading and storage chart, section 825, order November 8, 1941, to read as follows:

e Ammunition For Cannon with Explosive Projectiles, Gas Projectiles, Smoke Projectiles or Incendiary Projectives, Ammunition for Small Arms with Explosive Bullets, or Ammunition for Small Arm with Explosive Projectiles [4]

8 Primers for Cannon or Small Arms, Empty Cartridge Bags-Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive mine cutters

Amending paragraphs (a) (4) as amended and (a) (5) of section 828, order November 8, 1941, as follows:

Wherever the word "nitroglycerin" appears, the words "or diethylene glycol dinitrate" shall be added immediately thereafter.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after March 29, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4884; Filed, April 8, 1944; 11:14 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 35-3]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

LOCAL PASSENGER TRANSPORTATION EQUIPMENT

In accordance with § 501.308 of General Order ODT 35, it is hereby authorized that:

§ 521.5202 *Certain Department of the Navy operations authorized.* Notwithstanding the provisions of § 501.307 of General Order ODT 35 the Department of the Navy may use and operate local passenger transportation equipment (a) for the movement of naval personnel on maneuvers or on trips made on official naval orders, or (b) on special operations necessary for the prosecution of the war.

This General Permit ODT 35-3 shall become effective April 5, 1944.

(E.O. 8989, as amended, 9156, 9294; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349, 8 F.R. 221; General Order ODT 35, 8 F.R. 3451)

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4819; Filed, April 8, 1944; 10:30 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 40]

GOODING DIVISION—MINIDOKA PROJECT, IDAHO

PUBLIC NOTICE THAT WATER IS READY FOR DELIVERY TO NEW LANDS

MARCH 28, 1944.

American Falls Reservoir District No. 2, Gooding, Idaho.

Gentlemen: Pursuant to the provisions of article 64 of the contract of September 21, 1927, between the United States and American Falls Reservoir District No. 2, notice is hereby given that:

Water is available for the following tracts of "new lands" in the District, to-wit:

Description	Irrigable area: Public (entered units only)	Irrigable area: Private
T. 4 S., R. 14 E., Boise Meridian		
Sec. 35:		
SW¼SE¼	-------	8.0
SE¼SE¼	-------	31.0
T. 4 S., R. 16 E., Boise Meridian		
Sec. 19:		
SW¼NE¼	-------	26.0
SE¼NE¼	-------	34.2
Sec. 29:		
NW¼NE¼	-------	10.0
SW¼NE¼	-------	18.0
Sec. 34:		
NE¼SE¼	-------	36.0
Farm Unit A	70.0	-------
Sec. 26:		
Farm Unit A	72.0	-------
Farm Unit B	80.0	-------
Sec. 27:		
Farm Unit A	100.0	-------
Farm Unit B	90.0	-------
SE¼SW¼	-------	37.0
Sec. 28:		
Farm Unit A	71.0	-------
Farm Unit B	85.0	-------
Sec. 29:		
Farm Unit A	80.0	-------
Farm Unit C	73.0	-------
Farm Unit D	64.0	-------
Farm Unit E	93.0	-------
Farm Unit F	93.0	-------
Farm Unit G	69.0	-------
Sec. 30:		
Farm Unit B	79.0	-------
Farm Unit C	95.0	-------
Sec. 32:		
Farm Unit A	72.0	-------
Farm Unit D	65.0	-------
SW¼NE¼	-------	32.0
NW¼NW¼	-------	40.0
SW¼NW¼	-------	38.0
SE¼NW¼	-------	36.0
NE¼SW¼	-------	35.0
NW¼SE¼	-------	22.0
Sec. 33:		
Farm Unit B	96.0	-------
Farm Unit C	94.0	-------
Farm Unit E	87.0	-------
Farm Unit F	81.0	-------
NW¼NE¼	-------	30.0
SW¼NE¼	-------	38.0
SE¼NE¼	-------	33.0
SW¼SE¼	-------	28.0
SE¼SE¼	-------	34.0
Sec. 34:		
Farm Unit A	97.0	-------
Farm Unit B	97.0	-------
NE¼NE¼	-------	36.0
NW¼NE¼	-------	37.0
SW¼NE¼	-------	32.0
NE¼NW¼	-------	35.0
NW¼SW¼	-------	36.0
SE¼SW¼	-------	35.0
NE¼SE¼	-------	32.0
SW¼SE¼	-------	33.0
SE¼SE¼ (part of)	-------	32.0
Sec. 35:		
Farm Unit A	67.0	-------
Farm Unit B	62.0	-------
Farm Unit C	67.0	-------
Farm Unit D	36.0	-------
Farm Unit E	78.0	-------
NE¼NE¼	-------	22.0
NE¼SW¼	-------	36.0
NW¼SW¼	-------	36.0
Sec. 36:		
NE¼SE¼	-------	31.0
NW¼SE¼	-------	31.0
SW¼SE¼	-------	31.0
SE¼SE¼	-------	31.0
T. 4 S., R. 17 E., Boise Meridian		
Sec. 30:		
NE¼NW¼	-------	12.0
Lot 1	-------	34.0
Lot 2	-------	41.0
SE¼NW¼	-------	36.0
Lot 3	-------	15.0
Lot 4	-------	2.0
Sec. 31:		
Lot 2	-------	29.0
Lot 3	-------	31.0
T. 5 S., R. 14 E., Boise Meridian		
Sec. 1:		
Lot 4	-------	29.0
SW¼SW¼	-------	24.0
W½SE¼SW¼	-------	15.0

5 Primers for Cannon or Small Arms, Empty Cartridge Bags—Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive mine cutters

Superseding and amending paragraph (f), section 541, order February 26, 1942, to read as follows (placards on cars):

(f) When dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds, are loaded in the same car with less dangerous explosives, class B, or poisonous solids or liquids, class B, only the "Explosives" placard is required.

Superseding and amending in part, cut, paragraph (a), section 551, order November 8, 1941, to read as follows (name of contents, carload, on "dangerous" placard or commodity card): Name of contents of carload shipments must be inserted here or on commodity card.

Part 7—Regulations Applying to Shipments Made by Way of Common, Contract, or Private Carriers by Public Highway (CFR 35)

Amending paragraphs (a) and (b) of section 821, paragraphs (a) and (b) of section 822, and paragraphs (b) (3) as amended, (b) (8), (b) (11), (b) (12), and (b) (13) of section 824, order November 8, 1941, as follows: Wherever the word "nitroglycerin" appears, the words "or diethylene glycol dinitrate" shall be added immediately thereafter.

Superseding and amending headline and sideline descriptions "e" and "5", loading and storage chart, section 826, order November 8, 1941, to read as follows:

e Ammunition For Cannon with Explosive Projectiles, Gas Projectiles, Smoke Projectiles or Incendiary Projectiles, Ammunition for Small Arms with Explosive Bullets or Ammunition for Small Arm with Explosive Projectiles [1]

5 Primers for Cannon or Small Arms, Empty Cartridge Bags-Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive mine cutters

Amending paragraphs (a) (4) as amended and (a) (5) of section 828, order November 8, 1941, as follows:

Wherever the word "nitroglycerin" appears, the words "or diethylene glycol dinitrate" shall be added immediately thereafter.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after March 29, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4894; Filed, April 3, 1944; 11:14 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 35-3]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

LOCAL PASSENGER TRANSPORTATION EQUIPMENT

In accordance with § 501.308 of General Order ODT 35, it is hereby authorized that:

§ 521.5203 *Certain Department of the Navy operations authorized.* Notwithstanding the provisions of § 501.307 of General Order ODT 35 the Department of the Navy may use and operate local passenger transportation equipment (a) for the movement of naval personnel on maneuvers or on trips made on official naval orders, or (b) on special operations necessary for the prosecution of the war.

This General Permit ODT 35-3 shall become effective April 5, 1944.

(E.O. 9389, as amended, 9156, 9294; 6 F.R. 6725 and 8 F.R. 14153, 7 F.R. 3349, 8 F.R. 221; General Order ODT 35, 8 F.R. 3451)

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44-4813; Filed, April 5, 1944; 10:30 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 40]

GOODING DIVISION—MINIDOKA PROJECT, IDAHO

PUBLIC NOTICE THAT WATER IS READY FOR DELIVERY TO NEW LANDS

MARCH 28, 1944.

American Falls Reservoir District No. 2, Gooding, Idaho.

Gentlemen: Pursuant to the provisions of article 64 of the contract of September 21, 1927, between the United States and American Falls Reservoir District No. 2, notice is hereby given that:

Water is available for the following tracts of "new lands" in the District, to-wit:

Description	Irrigable area: Public (entered units only)	Irrigable area: Private
T. 4 S., R. 14 E., Boise Meridian		
Sec. 24:		
SW¼SE¼		8.0
SE¼SE¼		31.0
T. 4 S., R. 16 E., Boise Meridian		
Sec. 19:		
SW¼NE¼		36.8
SE¼NE¼		34.1
Sec. 20:		
NW¼NE¼		19.0
SW¼NE¼		19.0
Sec. 24:		
NE¼SE¼		36.0
Farm Unit A	76.0	
Sec. 26:		
Farm Unit A	73.0	
Farm Unit B	83.0	
Sec. 27:		
Farm Unit A	105.0	
Farm Unit B	90.0	
SE¼SW¼		37.0
Sec. 28:		
Farm Unit A	71.0	
Farm Unit B	85.0	
Sec. 29:		
Farm Unit A	80.0	
Farm Unit C	72.0	
Farm Unit D	64.0	
Farm Unit E	93.0	
Farm Unit F	90.0	
Farm Unit G	80.0	
Sec. 30:		
Farm Unit B	79.0	
Farm Unit C	93.0	
Sec. 32:		
Farm Unit A	72.0	
Farm Unit D	68.0	
SW¼NE¼		35.0
NW¼SE¼		40.0
NW¼SW¼		22.0
SW¼SE¼		26.0
Sec. 33:		
Farm Unit B	96.0	
Farm Unit C	94.0	
Farm Unit E	87.0	
Farm Unit F	81.0	
NW¼NE¼		20.0
SW¼NE¼		36.0
SE¼NW¼		23.0
SW¼SE¼		28.0
SE¼SE¼		34.0
Sec. 34:		
Farm Unit A	97.0	
Farm Unit B	97.0	
NE¼NE¼		26.0
NW¼NE¼		17.0
SW¼NE¼		12.0
NE¼NW¼		15.1
SW¼SW¼		16.0
SE¼SW¼		13.0
NE¼SE¼		13.0
SW¼SE¼		14.0
SE¼SE¼ (part of)		12.0
Sec. 35:		
Farm Unit A	87.0	
Farm Unit B	82.0	
Farm Unit C	87.0	
Farm Unit D	86.0	
Farm Unit E	78.0	
NE¼NE¼		23.0
NE¼SW¼		24.0
NW¼SW¼		24.0
Sec. 36:		
NE¼SE¼		25.0
NW¼SE¼		25.0
SW¼SE¼		15.0
SE¼SE¼		12.0
T. 4 S., R. 17 E., Boise Meridian		
Sec. 30:		
NE¼NW¼		12.0
Lot 1		34.9
Lot 2		41.0
SE¼NW¼		25.0
Lot 3		13.0
Lot 4		2.0
Sec. 31:		
Lot 1		20.0
Lot 2		31.0
T. 5 S., R. 14 E., Boise Meridian		
Sec. 1:		
Lot 4		25.0
SW¼SW¼		24.0
W½SE¼SW¼		15.0

Description	Irrigable area: Public (entered units only)	Irrigable area: Private
***T. 5 S., R. 14 E., Boise Meridian*—Continued**		
Sec. 2:		
SW¼SW¼		15.0
SE¼SW¼		18.0
Sec. 10:		
NE¼NE¼		38.0
SE¼NE¼		9.0
NE¼SE¼		40.0
SE¼SE¼		40.0
Sec. 11:		
SW¼NW¼		32.0
NW¼SW¼		35.5
SW¼SW¼		40.0
SE¼SW¼ (part of)		12.4
Sec. 14:		
NE¼NE¼		40.0
SE¼NE¼		40.0
NE¼NW¼		36.3
NW¼NW¼		35.4
SW¼NW¼		37.4
SE¼NW¼		38.7
Sec. 22:		
SW¼NW¼		37.0
SE¼NW¼		35.0
SW¼SW¼		40.0
Sec. 23: SE¼SE¼ (part of)		5.0
Sec. 26: NE¼NE¼ (part of)		33.0
Sec. 35: NW¼NW¼		35.0
Sec. 36: NE¼NE¼ (part of)		15.0
Sec. 27:		
NW¼NW¼		40.4
SW¼NW¼		37.6
SE¼NW¼		25.0
NE¼SW¼		19.5
NW¼SW¼		23.4
SW¼SW¼		22.6
SE¼SW¼		22.2
SW¼SE¼		40.0
Sec. 28:		
SW¼SE¼		25.6
SE¼SE¼		40.0
Sec. 29:		
NE¼NE¼		40.0
NW¼NE¼		19.9
SW¼NE¼		4.5
SE¼NE¼		29.4
SE¼SE¼		27.0
Sec. 32:		
NW¼NE¼		19.0
NE¼NW¼		27.6
NW¼NW¼		36.9
SW¼NW¼		19.9
Sec. 33:		
NE¼NE¼		17.9
NW¼NE¼		16.1
T. 5 S., R. 15 E., Boise Meridian		
Sec. 1:		
NW¼SE¼		15.0
SW¼SE¼		19.0
Sec. 3:		
SW¼NW¼		23.0
NE¼SW¼		23.0
NW¼SW¼		31.0
SW¼SW¼		36.0
Sec. 4: NW¼SE¼		23.
Sec. 6:		
Lot 6		31.0
E½SE¼SE¼ (part of)		17.0
Sec. 7: NW¼NE¼		29.0
Sec. 8:		
SE¼NW¼ (part of)		17.0
NE¼SW¼		35.0
Sec. 10:		
NW¼NE¼		37.0
NE¼NW¼		33.0
Sec. 11:		
NE¼NE¼		37.0
SE¼NE¼		38.0
Sec. 12:		
SE¼NE¼		23.0
NE¼NW¼		35.0
NW¼NW¼		38.0
SE¼NW¼		36.0
NE¼SW¼		30.0
SW¼SW¼		36.0
NW¼SE¼		10.0
Sec. 20: SE¼SW¼		37.0
Sec. 29:		
SW¼NW¼		40.0
NW¼SW¼ (part of)		5.0
Sec. 29: SE¼SE¼ (part of)		5.0
Sec. 32: SE¼NE¼		28.0
Sec. 33:		
SW¼NW¼		40.0
SE¼NW¼		20.1
Sec. 30:		
NE¼NW¼		33.0
Lot 1		19.0
Lot 2		19.0
SE¼NW¼		19.0
SW¼NE¼		22.0
NE¼SE¼		36.0
NW¼SE¼		35.0
SW¼SE¼		20.0
SE¼SE¼		17.0
Sec. 6:		
Farm Unit B	97.0	
Farm Unit C	93.0	
Farm Unit D	65.0	
Farm Unit E	67.0	
Sec. 7:		
Farm Unit A	66.0	
SW¼NE¼		30.0
SE¼NW¼		32.0
Sec. 8:		
Farm Unit A	66.0	
Farm Unit B	65.0	
Farm Unit C	61.0	
Sec. 9:		
Farm Unit A	100.0	
Farm Unit B	83.0	
SW¼NE¼		38.0
Sec. 10:		
Farm Unit A	75.0	
Farm Unit B	74.0	
Farm Unit C	39.0	
Sec. 11:		
Farm Unit A	70.0	
Farm Unit B	64.0	
Sec. 12:		
Farm Unit A	65.0	
NW¼NW¼		23.0
SW¼NW¼		34.0
Sec. 13: Farm Unit A	83.0	
Sec. 21: SE¼SE¼		15.4
Sec. 28:		
NE¼NE¼		7.0
NW¼NE¼		18.0
SE¼NE¼		1.6
NE¼NW¼		13.0
SW¼NW¼		2.0
SE¼NW¼		8.0
SE¼SW¼		7.7
Sec. 30:		
Lot 4		25.0
SE¼SW¼		20.0

Description	Irrigable area: Public (entered units only)	Irrigable area: Private
***T. 5 S., R. 16 E., Boise Meridian*—Continued**		
Sec. 31:		
SW¼NE¼ (part of)		16.0
NW¼SE¼ (part of)		12.0
T. 5 S., R. 17 E., Boise Meridian		
Sec. 6:		
Farm Unit A	116.0	
Lot 6		28.0
SW¼SW¼		40.0
SE¼SW¼		30.0
Sec. 7:		
Farm Unit B	105.0	
Lot 3		27.6
Sec. 8:		
Farm Unit A	83.0	
Farm Unit B	80.0	
Farm Unit C	86.0	
SE¼SW¼ (part of)		15.7
SW¼SE¼ (part of)		11.8
Sec. 16:		
NE¼NE¼		[1] 33.0
NW¼NE¼		[1] 28.0
SW¼NE¼		[1] 11.0
SE¼NE¼		[1] 15.0
NE¼NW¼		[1] 32.0
SE¼NW¼		[1] 10.0
Sec. 26:		
SW¼NW¼		20.0
NW¼SW¼		15.0
Sec. 27: SE¼NE¼		15.0
Sec. 34: SW¼NE¼ (part of)		5.0
T. 6 S., R. 13 E., Boise Meridian		
Sec. 25:		
SW¼SW¼		20.1
SE¼SW¼		17.2
Sec. 36:		
NW¼SW¼		9.0
SW¼SW¼		13.0
T. 6 S., R. 14 E., Boise Meridian		
Sec. 3: SE¼SW¼ (part of)		21.0
Sec. 10:		
NE¼SW¼		19.0
SE¼SW¼		11.0
Sec. 16:		
NE¼NE¼		[1] 20.0
NW¼NE¼		[1] 20.0
NE¼SE¼		[1] 20.0
NW¼SE¼		[1] 16.0
Sec. 21:		
NE¼NE¼		27.6
SE¼NE¼		32.0
Sec. 22:		
NE¼SW¼		20.0
NW¼SW¼		34.0
SW¼SW¼		36.0
SE¼SW¼		38.0
NE¼SE¼ (part of)		15.0
NW¼SE¼		32.0
SW¼SE¼		36.0
SE¼SE¼		25.0
Sec. 23:		
NE¼SW¼		40.0
NW¼SW¼		39.0
Sec. 26:		
NE¼NW¼		40.0
NW¼NW¼		40.0
SE¼NW¼		38.0
Sec. 27:		
NE¼NE¼		37.0
SE¼NE¼		38.0
Sec. 28:		
NE¼NE¼		33.3
NW¼NE¼		38.0
SW¼NE¼		16.0
T. 6 S., R. 15 E., Boise Meridian		
Sec. 1:		
NE¼SE¼		13.0
NW¼SE¼		38.0
Sec. 3:		
SW¼SE¼		39.0
SE¼SE¼		34.0
Sec. 7: Lot 53, South Gooding Acreage		2.0
Sec. 8:		
NE¼NE¼ (part of)		10.0
SW¼NE¼		39.0
SE¼NE¼ (part of)		27.0
NE¼SW¼ (part of)		9.0
SE¼SW¼ (part of)		4.0

[1] State.

Description	Irrigable area: Public (entered units only)	Irrigable area: Private
T. 6 S., R. 13 E., Boise Meridian—Continued		
Sec. 9:		
SW¼NE¼		21.0
SE¼NE¼		14.0
SW¼SW¼ (part of)		10.0
NW¼SE¼		18.0
Sec. 10:		
NE¼NE¼		18.0
NW¼NE¼		11.0
SE¼NE¼		28.0
NE¼SE¼		29.0
NW¼SE¼		28.0
Sec. 11:		
SW¼NE¼		4.0
SE¼NW¼		8.0
Sec. 12: SW¼SW¼		5.0
Sec. 19:		
NW¼SW¼		25.0
SW¼SW¼		23.1
Sec. 17: NE¼NW¼ (part of)		5.0
Sec. 21:		
Lot 3		33.0
Lot 4		33.0
T. 6 S., R. 18 E., Boise Meridian		
Sec. 17:		
SW¼SE¼		33.0
SE¼SE¼		40.0
Sec. 21:		
NE¼NW¼		5.0
SE¼NW¼		5.0
NW¼SE¼		37.0
SW¼SE¼		20.0
SE¼SE¼		34.0
Sec. 22: NE¼SW¼		10.0
Sec. 23:		
SW¼SW¼		30.0
SE¼SW¼		37.3
NW¼SE¼		35.0
Sec. 26:		
SW¼NW¼		34.0
NE¼SW¼		14.5
SW¼SW¼		40.0
Sec. 25:		
NE¼NE¼		38.2
NW¼NE¼		21.0
SW¼NE¼		27.7
SE¼NE¼		36.1
Sec. 26:		
NE¼NW¼		19.0
NW¼NW¼		17.0
SE¼NW¼		30.5
NE¼SE¼		36.0
SE¼SE¼		35.0
Sec. 27:		
NE¼NE¼		10.0
NW¼NE¼		17.0
SE¼NE¼		32.7
Sec. 35:		
SE¼SW¼		36.4
SW¼SE¼		33.5
SE¼SE¼		34.9
T. 7 S., R. 18 E., Boise Meridian		
Sec. 1:		
SE¼NW¼		36.0
Sec. 11:		
NE¼SW¼		32.5
NW¼SE¼		14.5
Sec. 12:		
NE¼SW¼		0.2
NW¼SW¼		11.4
Total	5,103.0	7,213.7
Grand total		12,316.7

The preliminary estimate of the probable cost of the works and rights to be provided the District under said contract is $6,300,000;

The construction charges payable by the District to the United States on account of the above-described "new lands" of the District will be due and payable in forty (40) annual instalments, (the last thirty-five (35) of which will be equal annual instalments) and will be based upon this preliminary estimate until the actual cost of the works and rights to be provided the District under the said contract is determined and announced, and the first five (5) of which will be two dollars ($2.00) per irrigable acre per year, as the irrigable acreage is shown on the above list of lands. The first of said annual installments will be due and payable by the District to the United States on December 31, 1944, and subsequent installments will be due on December 31 of each year thereafter. The amount per acre of the thirty-five (35) equal annual instalments will be governed by the number of acres of "new land" finally to be irrigated. This amount will be determined and announced hereafter.

(Departmental Order No. 1003 of November 17, 1943 (8 F. R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

[SEAL] H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4763; Filed, April 4, 1944; 11:27 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 174, Amended General Permit 1]

TRANSPORTATION OF GRAIN FROM BATON ROUGE, LA., ETC.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph (§ 95.327, 9 F.R. 406) of Service Order No. 174 of January 7, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of subparagraph (1) under paragraph (a) of Service Order No. 174 insofar as it applies to the acceptance for transportation, transportation or movement of carload shipments of grain, grain products, grain by-products or seeds consigned to a "notify" party or to an "advise" party located at one point in any of the following named groups when the billed destination is another point within the same group.

Baton Rouge, Louisiana group includes: Baton Rouge and North Baton Rouge, Louisiana.

Chicago, Illinois group includes: Chicago, Illinois and points in the Chicago, Illinois switching district as defined in Illinois Freight Association Freight Tariff No. 20-W, Agent R. G. Raasch's I. C. C. No. 442.

Duluth, Minnesota group includes: Duluth, Minnesota; Superior, Wisconsin.

Fort Worth, Texas group includes: Fort Worth and Mars, Texas.

Houston, Texas group includes: Camp Logan, Clinton, Fidelity, Harrisburg, Houston, Pasadena, Rambler and Street Spur, Texas.

Kansas City, Missouri group includes: Kansas City, Kansas; Kansas City and Independence, Missouri.

Los Angeles, California group includes: Alhambra, Hynes, Long Beach, Los Angeles, Los Angeles Harbor and Van Nuys, California.

Minneapolis-St. Paul, Minnesota group includes: Brooklyn Center, Camden Place, Columbia Heights, Crystal, Edina, Ft. Snelling, Fridley, Golden Valley, Hopkins, Inver Grove, McCarron's Lake, Mendota, Minneapolis, New Brighton, Newport, North St. Paul, Richfield, Robinsdale, St. Louis Park, St. Paul, Savage, South St. Paul, State Fair Grounds and West St. Paul, Minnesota.

New Orleans, Louisiana group includes: Algiers, Arabi, Avondale, Belle Chasse, Chalmette, Gretna, Harvey, Harrihan, McDonoghville, Marrero, New Orleans, Shrewsbury and Westwego, Louisiana.

Omaha, Nebraska group includes: Omaha and South Omaha, Nebraska; Council Bluffs, Iowa.

Peoria, Illinois group includes: Peoria and Pekin, Illinois.

San Diego, California group includes: Chula Vista, National City, San Diego and Santee, California.

St. Joseph, Missouri group includes: St. Joseph and South St. Joseph, Missouri; Elwood, Kansas.

St. Louis, Missouri group includes: East St. Louis, Illinois; St. Louis, Missouri.

This general permit shall become effective at 12:01 a. m., April 8, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4835; Filed, April 5, 1944; 11:51 a. m.]

[S. O. 187, 3d Amended General Permit 2]

TRANSPORTATION OF POTATOES FROM DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, or Visalia, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, Lebanon, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4836; Filed, April 5, 1944; 11:51 a. m.]

[S. O. 190-A]

UNLOADING OF SCRAP TIN CANS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of April, A. D. 1944.

Upon further consideration of Service Order No. 190 of March 27, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 190 of March 27, 1944, ordering the unloading of six (6) cars containing scrap tin cans be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Chicago and North Western Railway Company (Claude A. Roth, Trustee), The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4833; Filed, April 5, 1944; 11:51 a. m.]

[S. O. 195]

UNLOADING OF COAL AT JERSEY CITY, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of April, A. D. 1944.

It appearing that four (4) cars containing coal, PRR 195740, PRR 677204, PRR 897606, and LV 16775 on hand at the Henderson Street Station, Jersey City, New Jersey, on the Pennsylvania Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, That:

Coal at Jersey City, New Jersey, to be unloaded. (a) The Pennsylvania Railroad Company, its agents or employees, shall unload forthwith four (4) cars containing coal, PRR 195740, PRR 677204, PRR 897606, and LV 16775 on hand at the Henderson Street Station, Jersey City, New Jersey.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Pennsylvania Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-4834; Filed, April 5, 1944; 11:51 a. m.]

OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS.

ACTING COORDINATOR OF INTER-AMERICAN AFFAIRS

DESIGNATION AND DELEGATION OF AUTHORITY TO PERFORM DUTIES AND FUNCTIONS OF COORDINATOR

By virtue of authority vested in the Coordinator of Inter-American Affairs by Executive Orders Nos. 8840 (6 F.R. 3857) and 9116 (7 F.R. 2527), Percy L. Douglas is hereby authorized in the absence of the Coordinator to perform and exercise as Acting Coordinator, all of the duties, powers and functions heretofore and hereafter authorized by law to be performed and exercised by the Coordinator, and in the absence of the Coordinator and the said Percy L. Douglas, John C. McClintock is authorized to perform and exercise as Acting Coordinator the aforesaid duties, powers and functions, and in the absence of the Coordinator and the said Percy L. Douglas and John C. McClintock, Don Francisco is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator and the said Percy L. Douglas, John C. McClintock and Don Francisco, Francis A. Jamieson is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator, the said Percy L. Douglas, John C. McClintock, Don Francisco and Francis A. Jamieson, George C. Dunham is authorized to exercise and perform such duties, powers and functions as Acting Coordinator, and in the absence of the Coordinator, the said Percy L. Douglas, John C. McClintock, Don Francisco, Francis A. Jamieson and George C. Dunham, Victor Borella is authorized to exercise and perform such duties, powers and functions as Acting Coordinator.

This authorization shall remain in effect until specifically revoked by the Coordinator and shall supersede the orders designating the Acting Coordinator of Inter-American Affairs, dated August 5, 1942 (7 F.R. 6156); February 26, 1944 (9 F.R. 2443); and March 7, 1944 (9 F.R. 2670).

Dated: April 4, 1944.

NELSON A. ROCKEFELLER,
Coordinator.

[F. R. Doc. 44-4809; Filed, April 5, 1944; 10:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1467]

ANSUL CHEMICAL CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1467 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of fire extinguishers manufactured by Ansul Chemical Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders No. 9250 and 9328, and in accordance with § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Ansul Chemical Company, Marinette, Wisconsin, is authorized to sell to Dugas Engineering Corporation and deliver the War Emergency Service Fire Extinguishing Unit of its manufacture at a maximum price of $2.36 per unit, f. o. b. Marinette, Wisconsin, subject to terms of net 30 days.

(b) Any person, other than the Ansul Chemical Company, may sell to distributors and deliver the War Emergency Service Fire Extinguishing Unit manufactured by the Ansul Chemical Company at a maximum price of $3.72 per unit, f. o. b. Marinette, Wisconsin. This maximum price is, subject to the seller's customary discounts, allowances, and other price differentials.

(c) Any person, other than the Ansul Chemical Company, may sell to consumers and deliver the War Emergency Service Fire Extinguishing Unit manufactured by Ansul Chemical Company at a maximum delivered price of $6.20 per unit. This maximum price is subject to the seller's customary discounts, allowances, and other price differentials.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1467 for resale by the

purchaser. This notice may be given in any convenient form.

(e) This Order No. 1467 may be revoked or amended by the Price Administrator at any time.

This Order No. 1467 shall become effective on the 5th day of April 1944.

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4784; Filed, April 4, 1944; 12:03 p. m.]

[MPR 254, Order 1]

O. F. MOSSBERG AND SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1379.4 of Maximum Price Regulation No. 254. New small firearms and firearm parts. Approval of maximum prices for sales of Model No. 44 US (a) rifle, manufactured by O. F. Mossberg and Sons, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and in accordance with § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) O. F. Mossberg and Sons, Incorporated, New Haven, Connecticut, is authorized to sell and deliver the Model No. 44 US (a) Rifle of its manufacture at prices no higher than those set forth below:

To distributors.....	$14.65 per unit, f. o. b. factory, exclusive of excise tax
To dealers east of Rocky Mountains.	$20.70 per unit, delivered, inclusive of excise tax
To dealers west of Rocky Mountains.	$21.30 per unit, delivered, inclusive of ex-

Sons, Incorporated, at net prices inclusive of federal excise taxes, no higher than $25.85 per unit delivered east of the Rocky Mountains, and $26.60 per unit, delivered west of the Rocky Mountains. These maximum prices are subject to the seller's customary discounts, allowances and price differentials other than freight.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1 for resales by the purchaser. This notice may be given in any convenient form.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective the 5th day of April 1944.

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4808; Filed, April 4, 1944; 4:47 p. m.]

[MPR 122, Amdt. 7 to Rev. Order 47]

ORANGE DISC ANTHRACITE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 7 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 be amended in the following respect:

New paragraph (f3) is added to read as follows:

(f3) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Orange Disc Anthracite" by no more than 30 cents per gross ton or 25

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4831; Filed, April 5, 1944; 11:49 a. m.]

Regional and District Office Orders.

[Region I G-42 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BENNINGTON, VT.

Amendment No. 2 to Order No. G-42 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Bennington, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, paragraph (b) (2) (b) of Region I Order No. G-42 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) The following amounts may be added to the foregoing base prices in Price Schedule I for deliveries of a quarter-ton or more to consumers whose bins or storage facilities are located in the following places, when delivery is made by a dealer whose yard is not located in the same township:

	Per net ton	Per ½ ton	Per ¼ ton
Glastenbury, Pownal, Shaftsbury and Woodford.....	$1.00	$0.50	[illegible]

This Amendment No. 2 to Order No. G-42 shall become effective April 1, 1944.

purchaser. This notice may be given in any convenient form.

(e) This Order No. 1467 may be revoked or amended by the Price Administrator at any time.

This Order No. 1467 shall become effective on the 5th day of April 1944.

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4784; Filed, April 4, 1944; 12:03 p. m.]

[MPR 254, Order 1]

O. F. MOSSBERG AND SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under § 1379.4 of Maximum Price Regulation No. 254. New small firearms and firearm parts. Approval of maximum prices for sales of Model No. 44 US (a) rifle, manufactured by O. F. Mossberg and Sons, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and in accordance with § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) O. F. Mossberg and Sons, Incorporated, New Haven, Connecticut, is authorized to sell and deliver the Model No. 44 US (a) Rifle of its manufacture at prices no higher than those set forth below:

To distributors	$14.65 per unit, f. o. b. factory, exclusive of excise tax
To dealers east of Rocky Mountains.	$20.70 per unit, delivered, inclusive of excise tax
To dealers west of Rocky Mountains.	$21.30 per unit, delivered, inclusive of excise tax
To consumers east of Rocky Mountains.	$25.85 per unit, delivered, inclusive of excise tax
To consumers west of Rocky Mountains.	$26.60 per unit, delivered, inclusive of excise tax

These maximum prices are subject to the discounts, allowances and price differentials other than freight customarily granted by the applicant to purchasers of these classes.

(b) Any person other than O. F. Mossberg and Sons, Inc., may sell to dealers and deliver the Model No. 44 US (a) rifle manufactured by O. F. Mossberg and Sons, Incorporated, at net prices inclusive of federal excise taxes, no higher than $20.70 per unit, delivered east of the Rocky Mountains and $21.30 per unit, delivered west of the Rocky Mountains. These maximum prices are subject to the seller's customary discounts, allowances and price differentials other than freight.

(c) Any person other than O. F. Mossberg and Sons, Inc., may sell to consumers and deliver the Model No. 44 US (a) rifle, manufactured by O. F. Mossberg and Sons, Incorporated, at net prices inclusive of federal excise taxes, no higher than $25.85 per unit delivered east of the Rocky Mountains, and $26.60 per unit, delivered west of the Rocky Mountains. These maximum prices are subject to the seller's customary discounts, allowances and price differentials other than freight.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1 for resales by the purchaser. This notice may be given in any convenient form.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective the 5th day of April 1944.

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4808; Filed, April 4, 1944; 4:47 p. m.]

[MPR 123, Amdt. 7 to Rev. Order 47]

ORANGE DISC ANTHRACITE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 7 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 be amended in the following respect:

New paragraph (f3) is added to read as follows:

(f3) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Orange Disc Anthracite" by no more than 30 cents per gross ton or 25 cents per net ton in the egg, stove, nut, pea, buckwheat and rice sizes; if:

(1) The dealer keeps "Orange Disc Anthracite" separate in storage and delivery, from any other kind of solid fuel; and

(2) The dealer keeps complete and accurate records of "Orange Disc Anthracite" for such time as this paragraph (f3) is in effect. The records shall show: the date he received the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer, and

(3) The "Orange Disc Anthracite" is produced by Payne Coal Company, Miners National Bank Building, Wilkes-Barre, Pennsylvania and is sold as "Orange Disc Anthracite" by the dealer.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment to Revised Order No. 47 shall become effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4831; Filed, April 5, 1944; 11:49 a. m.]

Regional and District Office Orders.

[Region I G-42 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BENNINGTON, VT.

Amendment No. 2 to Order No. G-42 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Bennington, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, paragraph (b) (2) (b) of Region I Order No. G-42 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) The following amounts may be added to the foregoing base prices in Price Schedule I for deliveries of a quarter-ton or more to consumers whose bins or storage facilities are located in the following places, when delivery is made by a dealer whose yard is not located in the same township:

	Per net ton	Per ½ ton	Per ¼ ton
Glastenbury, Pownal, Shaftsbury and Woodford	$1.00	$0.50	$0.25

This Amendment No. 2 to Order No. G-42 shall become effective April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4748; Filed, April 3, 1944; 3:44 p. m.]

[Region I, Order G-45 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WHITE RIVER JUNCTION AREA

Amendment No. 1 to Order No. G-45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; White River Junction Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-45 under Revised MPR No. 122 is hereby amended in the following respects:

1. Those portions of Price Schedule I in paragraph (b) (1) which list "Jeddo Highland or Greenwood" and "Silver Brook," and establish specific prices for listed sizes of those coals, are deleted.

2. Those portions of Price Schedule II in paragraph (c) (1) which list "Jeddo Highland or Greenwood" and "Silver Brook," and establish specific prices for listed sizes of those coals, are deleted.

3. Those portions of Price Schedule III in paragraph (e) (1) which list "Jeddo Highland or Greenwood" and "Silver Brook," and establish specific prices for listed sizes of those coals, are deleted.

4. Paragraph (g) is revoked, and a new paragraph (g) is inserted, to read as follows:

(g) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under RMPR No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	¼ ton	100 lbs.
Jeddo Highland: Broken, egg, stove, chestnut and pea	$0.25	$0.10	$0.05	$0.05
Greenwood: Egg stove, chestnut and pea	.25	.10	.05	.05
Silver Brook: Broken, egg, stove, chestnut and pea	.30	.15	.05	.05
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.10	.05	None

5. Subparagraphs (14) and (15) are added to paragraph (f), to read as follows:

(14) "Named Pennsylvania anthracite" means "Jeddo Highland," "Greenwood," "Silver Brook" and "Raven Run."

(15) "Raven Run" means that Pennsylvania anthracite which is produced by Hazel Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under MPR No. 112.

This Amendment No. 1 to Order No. G-45 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4749; Filed, April 3, 1944; 3:45 p. m.]

[Region IV Order G-8 Under RMPR 122, Amdt. 1]

SOLID FUELS IN COLUMBIA, S. C., AREA

Amendment No. 1 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum price for solid fuels in the City of Columbia and certain adjacent Territory in the State of South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (f) of Order No. G-8, it is hereby ordered that the first unnumbered subparagraph under section (c) (1) of Order No. G-8 be amended to read as set forth below:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Lump, chunk, or block	$10.20	$5.35	$2.80
Egg	10.20	5.35	2.80
Stoker	9.50	5.00	2.56
Nut and slack	7.45	3.98	2.06

The above prices include the increases permitted by Supplementary Order No. 1 and are the maximum prices in the above area on and after the effective date of this amendment unless later amended.

This Amendment No. 1 to Order No. G-8 shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 21, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4746; Filed, April 3, 1944; 3:44 p. m.]

[Region IV Order G-14 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DURHAM, N. C.

Amendment No. 2 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Durham in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (f) of Order No. G-14, *It is hereby ordered*, That the second unnumbered subparagraph under paragraph (c) (1) (i) be amended by adding thereto an additional classification of coal as follows:

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
3" x 5" Egg from Star Slope Mine Index No. 439	$10.65	$5.43	$2.05

This Amendment No. 2 to Order No. G-14 shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 21, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4747; Filed, April 3, 1944; 3:44 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1162]

GARDNER-DENVER CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of April, A. D. 1944.

In the matter of Gardner-Denver Company Common Stock, No Par Value; $3 Cumulative Convertible Preferred Stock, $20 Par Value.

The Gardner-Denver Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b), promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, and $3 Cumulative Convertible Preferred Stock, $20 Par Value, from listing and registration on The Chicago Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 17, 1944, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-4786; Filed, April 4, 1944; 3:05 p. m.]

[File No. 811-168]

TRUSCO SHARES, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of April, A. D. 1944.

An application having been filed by Trusco Shares, Inc. pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on April 10, 1944 at 10:00 o'clock a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania;

It is further ordered, That Allen McCullen, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-4790; Filed, April 4, 1944; 3:06 p. m.]

[File No. 66-39]

THOS. J. WALSH, ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of April, A. D. 1944.

In the matter of Thos. J. Walsh et al. as a protective committee for preferred stockholders of Scranton-Spring Brook Water Service Company.

Notice is hereby given that a declaration has been filed by Thos. J. Walsh, Fisher P. Weaver, and Homer Reed as a protective committee for Preferred stockholders of Scranton-Spring Brook Water Service Company, pursuant to the Public Utility Holding Company Act of 1935, which declaration designates Rule U-62 of the rules and regulations promulgated under said act as applicable to the transactions therein proposed. All interested persons are referred to said declaration, which is on file in the office of this Commission, for a statement of such proposed transactions, which are summarized as follows:

The declarants propose to solicit authorization from the holders of $6.00 Cumulative Preferred Stock and $5.00 Cumulative Preferred Stock of Scranton-Spring Brook Water Service Company to represent such stockholders before the Commission or other agency or court in all actions, proceedings, negotiations, sales, reorganizations, recapitalizations, etc., relating to such preferred stock.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter, under the applicable provisions of said act and the rules and regulations of the Commission, be held on April 17, 1944 at 10:00 a. m., e. w. t. at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with the proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before April 15, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That, without limiting the scope of issues presented by the aforesaid declaration and to be considered at the hearing, particular attention will be directed to the following matters and questions:

1. Whether such declaration as filed, or as it may be amended, should be permitted to become effective as consistent with the standards of section 12 (e) of the act and Rule U-62 promulgated thereunder.

2. Whether the statements proposed to be made in the solicitation literature, in the light of the circumstances under which such statements are intended to be made, are false or misleading or any material fact necessary in order to make the statements therein not false or misleading is omitted therefrom.

3. Whether the public interest or the interest of investors and consumers require the imposition of terms and conditions with respect to such proposed solicitation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-4788; Filed, April 4, 1944; 3:05 p. m.]

[File No. 59-59]

AMERICAN STATES UTILITIES CORP., ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of April, A. D. 1944.

The Commission having entered its order herein on April 9, 1943 pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935 directing that American States Utilities Corporation shall take such action as may be necessary to cause its liquidation and dissolution;

Notice is hereby given that on March 23, 1944 American States Utilities Corporation filed an application requesting the entry of an order by this Commission under section 11 (c) of the act, extending for six months the time within which to comply with the aforesaid order of April 9, 1943.

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 19th day of April 1944, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before April 17, 1944.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's order of April 9, 1943, and (2) whether an extension of time of six months for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to American States Utilities Corporation and that notice

shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4787; Filed, April 4, 1944; 3:05 p. m.]

[File No. 70-874]

ATLANTIC CITY ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of April, A. D. 1944.

American Gas and Electric Company, a registered holding company, and its subsidiary Atlantic City Electric Company having filed a joint application and declaration, and an amendment thereto, pursuant to sections 6 (b), 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 seeking (a) exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with Rule U-50 promulgated under said act, of 55,000 shares of $100 par value cumulative preferred stock at a dividend rate of not more than 4½% and a price to Atlantic City of not less than $100 per share, the proceeds of sale of said shares to be applied to the redemption of the publicly held 26,283 shares of its present issue of no par $6 Cumulative Preferred Stock at $120 per share and the purchase for cancellation of 30,592 shares of such stock presently held by American Gas and Electric Company at the stated cost to American Gas and Electric Company of $3,059,200; and (b) approval of reduction in the capital stock liability of Atlantic City Electric Company of $187,500 to reflect the retirement of the presently outstanding issue of Preferred Stock and the proposed issue and sale of new Preferred Stock; and (c) approval of the issue and sale of a promissory note to a commercial bank in the maximum amount of $5,500,000 which note, if issued, is to be discharged on the date of issuance; and

Atlantic City Electric Company having requested that the ten-day period for inviting bids, as provided by Rule U-50 (b), be shortened to a period of not less than seven days; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application and declaration, as amended, be and hereby is granted and permitted to become effective, except, however, as to the price to be paid for said preferred stock, the dividend rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions, as to which matters jurisdiction be and the same hereby is reserved.

It is further ordered, That the ten-day period for inviting bids, as provided by Rule U-30 (b), be shortened to a period or not less than seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4789; Filed, April 4, 1944; 3:06 p. m.]

[File Nos. 54-92, 59-14, 54-19]

NEW ENGLAND POWER ASSN., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING ON PLAN AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of April 1944.

In the matter of New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates.

Notice is hereby given that New England Power Association (NEPA), a registered holding company, and Massachusetts Power and Light Associates (MP&L), North Boston Lighting Properties (NOBO), The Rhode Island Public Service Company (RIPS), Massachusetts Utilities Associates Common Voting Trust (MUA Common Voting Trust) and Massachusetts Utilities Associates (MUA), subsidiary holding companies of NEPA, have filed an application for approval of a Plan of Simplification of the New England Power Association holding company system for the purpose of complying with the provisions of section 11 (b) (2) of the Public Utility Holding Company Act of 1935 and with the order of this Commission dated March 17, 1943 thereunder (Holding Company Act Release No. 4168). The order directed the applicants to take or cause to be taken such action as may be necessary for the liquidation and dissolution of MUA Common Voting Trust and for the elimination of MP&L, NOBO, MUA and RIPS, respectively, as holding companies in the NEPA holding company system, and to submit to this Commission a plan or plans for compliance with the foregoing and to take such further action as may be necessary or appropriate to effectuate the order;

All interested persons are referred to said plan, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed which may be summarized as follows:

1. MUA Common Voting Trust will be terminated and a single holding company (hereinafter called the Reorganized Holding Company) will be substituted for MP&L, NOBO, MUA, RIPS and NEPA to the end that all of the operating utility companies now in the NEPA holding company system, with certain exceptions, will be direct subsidiaries of the Reorganized Holding Company.

2. The Reorganized Holding Company will be a Massachusetts voluntary association, either a new association or one of the existing holding companies, and it will acquire all the assets and will assume all the obligations of MP&L, NOBO, MUA, RIPS and NEPA.

3. The capital structure of the Reorganized Holding Company will consist of funded debt, preferred shares and common shares as follows:

(a) $60,000,000 of funded debt consisting of obligations maturing not earlier than twenty years from the date of issue, with a sinking fund and secured by all, or a substantial part of, securities to be owned by the Reorganized Holding Company upon completion of the plan. The interest rate on the funded debt is anticipated by the applicants not to exceed four percent per annum. The funded debt is to be sold for cash and the proceeds used in discharging (at principal amount and accrued interest) the present funded debt of NEPA, MUA and NOBO, which debt will have been assumed by the Reorganized Holding Company;

(b) 2,594,423 shares of $2 Preferred having a par value of $27.50 per share, or an aggregate par value of $71,347,000, and being entitled to cumulative dividends at the rate of $2 per share per annum before dividends are paid on the Common Shares. Such $2 Preferred Shares will be entitled in liquidation to the par value and accrued dividends, and will be callable at any time on thirty days' notice at $33 per share and accrued dividends. If accrued dividends equal $2 per share, the $2 Preferred Shares may elect two directors, and if accrued dividends equal $4 per share, then the $2 Preferred Shares may elect a majority of the directors; and

(c) 5,227,368 shares of Common without par value, having a pro forma book value of $133,653,000. Subject to the rights of holders of $2 Preferred Shares, Common Shares will be entitled to one vote per share at all times and will be entitled to dividends when and as declared by the directors of the Reorganized Holding Company.

4. The $2 Preferred Shares and the Common Shares of the Reorganized Holding Company will be issued in exchange to the public holders (i. e., holders other than the applicant holding companies) of shares of said applicant holding companies. No fractional shares of the Reorganized Holding Company will be issued but fractional scrip exchangeable for whole shares will be delivered for such purpose. Fractionable scrip will become void six months after the date of issue. The proposed exchange will be on the following basis:

(a) As to the public shareholders of NEPA:

For each 6% Preferred Share of NEPA, including dividend arrearages thereon.	One and one-half shares of $2 Preferred and three and nine-tenths shares of Common.
For each $2 Dividend Preferred Share of NEPA, including dividend arrearages thereon.	One-half of a share of $2 Preferred and one and three-tenths shares of Common.
For each Common Share of NEPA.	One share of Common.

Outstanding fractional warrants of NEPA representing 14 of its 6% Preferred shares and 7 of its Common shares may be exchanged for whole shares (or for the new securities to be issued for such whole shares) if presented within 60 days following published notice by NEPA after a plan has become effective, and any not so presented will become void.

(b) As to the public shareholders of MP&L:

For each $2 Preferred Share MP&L, including dividend arrearages thereon.	One-half of a share of $2 Preferred and one and one-tenth shares of Common.
For each $2 Second Preferred Share of MP&L, including dividend arrearages thereon.	One-twentieth of a share of Common.
For each Common Share of MP&L.	One-fiftieth of a share of Common.

(c) As to the public shareholders of NOBO:

For each Preferred Share of NOBO.	One and one-half shares of $2 Preferred.
For each Common Share of NOBO.	Three shares of Common.

Outstanding scrip certificates representing 2¼ Preferred shares and 2⅛ Common shares of NOBO may be exchanged for whole shares (or for the new securities to be issued for such whole shares) if presented within sixty days following published notice by NOBO after a plan has become effective, and any not so presented will become void. Holders of Share Trust Certificates still outstanding of the NOBO Share Trust, which was terminated in 1931, will receive the shares of the Reorganized Holding Company issued in exchange for the shares of NOBO represented by such Share Trust Certificates.

(d) As to the public shareholders of MUA and MUA Trust:

For each Preferred Share of MUA.	One share of $2 Preferred and one share of Common.
For each Common Share of MUA.	One-fifth of a share of Common.

MUA Common Voting Trust will be terminated and liquidated and the public holders of Voting Trust Certificates will receive the shares of the Reorganized Holding Company issued in exchange for the common shares of MUA represented by such Voting Trust Certificates.

Outstanding fractional warrants representing 47 Preferred Shares of MUA and Voting Trust Certificates for 123 Common shares of MUA may be exchanged for whole shares (or for the new securities to be issued for such whole shares) if presented within sixty days following published notice by MUA after a plan has become effective, and any not so presented will become void.

(e) As to the public shareholders of RIPS:

For each Preferred Share of RIPS.	One share of $2 Preferred.
For each Class A Share of RIPS.	Two shares of $2 Preferred.

RIPS has outstanding warrants issued in 1926 providing for payments aggregating $6,190.10. These warrants will be paid if presented within sixty days following published notice by RIPS after a plan has become effective, and any not so presented will become void. In 1932 RIPS guaranteed principal and interest on certain serial promissory notes of Yellow Cab Company, a subsidiary company, maturing $15,000 a year until 1950 and $330,000 in 1951. The present holder of the notes is United Electric Railways Company, also a subsidiary company. RIPS agreed to purchase such notes at any time upon request of United Electric Railways Company on six months' notice. Under the Plan RIPS will purchase the notes at their principal amount and pay therefor through the surrender for cancellation of subordinated bonds of United Electric Railways Company now held by RIPS, said bonds to be applied to such purchase upon the basis of their then redemption price.

In 1928 RIPS agreed to deposit with a trustee annually to and including 1960, or until the earlier retirement of all of the General and Refunding Bonds of United Electric Railways Company, $100,000 plus an amount equal to interest paid on subordinated bonds. The obligations under this agreement to make future deposits and purchases will be cancelled under the plan but subordinated bonds will remain subordinated.

5. The consummation of the plan is subject to all necessary approvals by this Commission and to approval by a United States Court having jurisdiction with respect thereto, and upon such approvals having been obtained, the plan and each of the steps, terms and provisions thereof will be binding upon all security holders of NEPA, MP&L, NOBO, RIPS, MUA Common Voting Trust and MUA to the extent that their securities and their rights thereunder are affected by the plan.

Applicants request after due notice and opportunity for hearing:

1. That the Commission find said Plan and each of the steps, terms and provisions thereof fair and equitable to all persons affected thereby and appropriate and necessary to effectuate and ensure compliance with the provisions of subsection (b) of section 11 of said act, and enter an order approving said plan and requiring it to be carried out and each of the steps thereof to be taken, all in the manner therein set forth;

2. That the Commission's order herein contain the findings and recitals necessary to meet the requirements of section 371 and sub-section (f) of section 1808 of the Internal Revenue Code, as amended, and any other sections thereof providing exemptions or benefits with respect to transactions in obedience to or in compliance with orders of the Commission;

3. That for the purpose of effectuating the said plan and of causing its said order of March 17, 1943 to be enforced and complied with in the manner set forth in said Plan, the Commission make such further findings, issue such further orders and take such further action as may be appropriate.

By an order dated February 8, 1941 (Holding Company Act Release No. 2550) the Commission instituted proceedings pursuant to section 11 (b) (2) of the act involving NEPA, MP&L, NOBO, RIPS, MUA Common Voting Trust and MUA. By an order dated July 1, 1941 issued for the purpose of effecting an orderly and economic disposition of the aforesaid proceeding, the Commission specified that certain issues and matters relating to MP&L, NOBO, RIPS, MUA Common Voting Trust and MUA be taken up and considered for disposition and determination prior to other issues and matters relating to such companies and to NEPA.

In its findings, opinion and order of March 17, 1943, the Commission disposed of the issues and matters specified in its order of July 1, 1941, and reserved jurisdiction to consider any and all plans for compliance with the action ordered therein, to enter such further orders as may be necessary or appropriate to ensure that the action ordered is accomplished in a manner consistent with the public interest and with the provisions of the act, and to enter such further orders as may be necessary or appropriate with respect to any remaining issues and matters in the proceeding.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the Plan of Simplification of the New England Power Association Holding Company System; that said plan should not be approved except pursuant to further order of the Commission; that said plan should be considered under the reservation of jurisdiction of the aforesaid order dated March 17, 1943; that it is necessary presently to determine what further orders, if any, are necessary or appropriate to ensure that the action ordered to be taken in the order of March 17, 1943, be accomplished in a manner consistent with the public interest and with the provisions of the Act; and that it is appropriate in the public interest and the interest of investors and consumers that the issues and matters raised by the order of February 8, 1941 and heretofore undetermined be considered and determined in connection and together with the foregoing matters;

It further appearing to the Commission that the issues presented by said plan involve questions of law and fact common to the issues and matters with respect to which jurisdiction was reserved by the Commission in its order of March 17, 1943; that certain of the evidence in the proceedings in which said order of March 17, 1943, was entered is also relevant to the issues presented by said plan and to the issues and matters to which jurisdiction was reserved and that said plan and said proceedings should be consolidated and the issues and matters with respect thereto should be heard together; and

It further appearing appropriate, in view of the Commission's order of March 17, 1943, and of the provisions of section 11 (d) of said act with respect to court enforcement of such order, to provide opportunity for hearing, as part of such consolidated proceedings, as to whether the Commission should approve any plan of reorganization for the NEPA holding company system that may be hereafter proposed by the Commission in the first instance or by any person having a bona-fide interest in such reorganization:

It is therefore ordered, That the application for approval of the Plan of Simplification of New England Power Association Holding Company System (File No. 54–92) and the proceeding pursuant to section 11 (b) (2) of said act (File No. 59–14) instituted by the order of the Commission dated February 8, 1941, be and the same hereby are consolidated for the purpose of consideration and determination of the matters and issues with respect to which jurisdiction was reserved as aforesaid, the taking of evidence with respect to said matters and issues, and the taking of evidence with respect to said plan and any other plan or plans that may be filed by any duly qualified person or persons.

It is further ordered, That a hearing be held in the consolidated proceedings at 10:00 a. m., e. w. t., on the 3d day of May 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before April 28, 1944.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said consolidated proceeding or by any other plan which may be filed by any duly qualified person or persons, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan as proposed or as modified is necessary and appropriate to effectuate the provisions of section 11 (b) (2) of the act, fair and equitable to the persons affected thereby, and in conformity with the requirements of the Commission's order of March 17, 1943;

2. Whether the securities proposed to be issued by the Reorganized Holding Company meet the requirements of section 7 of the act;

3. Whether the acquisition by the Reorganized Holding Company of the assets of NEPA, MP&L, NOBO, RIPS and MUA is detrimental to the carrying out of the provisions of section 11 of the act;

4. Whether the acquisition by the Reorganized Holding Company of the assets of NEPA, MP&L, NOBO, RIPS, and MUA will serve the public interest by tending towards the economical and efficient development of an integrated public utility system;

5. Whether the proposed allocations of the Preferred Shares and Common Shares of the Reorganized Holding Company to the public shareholders of NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust are appropriate, or whether such allocations should be modified so as to provide a larger or smaller allocation of said Preferred Shares and Common Shares;

6. Whether the distribution of the Preferred Shares and Common Shares of the Reorganized Holding Company, as proposed or modified, to the public shareholders of NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust, is in all other respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder;

7. Whether it is appropriate under the circumstances and the applicable provisions of the act for NEPA to discharge its presently outstanding Debentures at principal amount and accrued interest without payment of any call premium thereon.

8. What, if any, action in addition to that directed in our order of March 17, 1943, and that proposed in the plan, is necessary and should be required to be taken to ensure that the corporate structure or the continued existence of NEPA, MP&L, NOBO, RIPS, MUA Common Voting Trust and MUA, and each of them, does not unduly or unnecessarily complicate the tructure or unfairly or inequitably distribute voting power among security holders of their holding company system;

9. Whether the plan contains provisions with respect to fees and expenses to be paid in connection with the plan and all transactions incidental thereto which are reasonable and appropriate and in the public interest;

10. Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission on its own motion and irrespective of request therefor on the part of NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust, to apply to a court for the enforcement of such plan pursuant to section 11 (d);

11. Whether, in the event that the Commission shall not approve said plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona-fide interest in the reorganization of NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust; and

12. Generally, whether the proposed transactions, including proposed accounting entries with respect thereto, are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given to NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust and to all other persons; such notice to be given to NEPA, MP&L, NOBO, RIPS, MUA and MUA Common Voting Trust by registered mail and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Holding Company Act, and by publication in the FEDERAL REGISTER.

It is further ordered, That NEPA, MP&L, NOBO, RIPS, MUA Common Voting Trust and MUA shall give notice of this hearing to their respective shareholders of record as of a date not earlier than the date of this order by mailing to each of said persons a copy of this notice and order for hearing at least twenty days prior to the date of this hearing, and that NEPA shall give notice of this hearing to the indenture trustee or trustees of its presently outstanding debentures and to the registered holders of such debentures by mailing to each of said persons a copy of this notice and order for hearing at least twenty days prior to the date of this hearing and shall cause to be published in daily newspapers of general circulation in New York City and Boston at least twenty days prior to the date of this hearing a notice directed to all holders of its presently outstanding debentures stating the manner in which such debentures are to be effected by the proposed plan; and

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said consolidated proceeding or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4811; Filed, April 5, 1944; 10:15 a. m.]

[File No. 54-43]

GREAT LAKES UTILITIES CO.

NOTICE OF FILING OF AMENDMENT AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of April 1944.

The Commission having by order dated March 31, 1942, pursuant to section 11 of

the Public Utility Holding Company Act of 1935, approved a section 11 (e) plan dated March 1, 1942, providing, among other things, for the liquidation of all the assets of Great Lakes Utilities Company ("Great Lakes"), a registered holding company, and for the subsequent dissolution of Great Lakes; and said order having provided that the maturity date of Great Lakes' outstanding First Lien Collateral Trust Gold Bonds, 5½% Series due 1942, be extended to May 1, 1943, and that upon a showing of due diligence and subject to the approval of the Commission and the court, Great Lakes should have the right to extend the maturity of said bonds from May 1, 1943 to May 1, 1944; and said order having further provided that Great Lakes apply to the Commission for the entry of such further orders as were necessary for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate; and

The Commission, upon application of Great Lakes, having by order dated April 28, 1943, approved the extension of the maturity of said bonds from May 1, 1943 to May 1, 1944, and the extension of the maturity of said bonds having also been approved by the United States District Court for the Eastern District of Pennsylvania;

Notice is hereby given that Great Lakes has filed an amendment to the section 11 (e) plan heretofore approved by the Commission, to postpone the maturity date of the bonds of Great Lakes from May 1, 1944 to May 1, 1945, during which time Great Lakes will attempt to formulate and consummate a plan to wind up the affairs of the company.

Upon the approval of the proposed amendment to the plan by this Commission, Great Lakes has requested this Commission to apply to the United States District Court for the Eastern District of Pennsylvania to enforce and carry out the terms and provisions of the plan as modified.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find after notice and opportunity for hearing that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that notice be given, and that a hearing be held upon the Amendment to afford all interested persons an opportunity to be heard in respect thereto;

It is ordered, That a hearing under the applicable provisions of the Act and Rules of the Commission thereunder be held on the 20th day of April 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All interested persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before April 18, 1944.

It is further ordered, That Charles S. Lobingier, or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by these proceedings, attention will be directed at the hearing to a consideration of the following matters and questions:

1. Whether the proposed Amendment is necessary to effectuate the provision of section 11 (b) of the act, and is fair and equitable to the persons affected thereby;

2. Whether an extension of the maturity date of the outstanding First Lien Collateral Trust Gold Bonds of Great Lakes Utilities Company from May 1, 1944 to May 1, 1945 is consistent with the public interest and the interests of investors and consumers;

3. Whether the proposed transactions comply with the requirements of the applicable provisions of the act;

4. What, if any, terms and conditions with respect to the proposed transactions should be prescribed in the public interest or for the interests of investors and consumers.

It is further ordered, That the Secretary of the Securities and Exchange Commission shall serve notice of the hearing aforesaid by mailing copies of this order by registered mail to Great Lakes Utilities Company and Bank of the Manhattan Company, and that notice be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER; and

It is further ordered, That Great Lakes Utilities Company give notice of this hearing to each holder of Great Lakes' First Lien Collateral Trust Gold Bonds, 5½% Series (insofar as the identity of such bondholders is known or available to Great Lakes Utilities Company) by mailing to each of said bondholders a copy of this notice at his last known place of address at least ten days prior to the date of the hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4810; Filed, April 5, 1944; 10:16 a. m.]

WAR MANPOWER COMMISSION.

FRONT ROYAL-WINCHESTER, VA.

MINIMUM WARTIME WORKWEEK

Designation of the Front Royal-Winchester, Virginia, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Front Royal-Winchester, Virginia, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Front Royal-Winchester, Virginia, Area shall include:

Frederick County, including Winchester City; Warren County, including the town of Front Royal; Clark County; Shenandoah County, districts of Madison, Stonewall, Davis and Johnson only; Loudoun County; Fauquier County, districts of Scott and Marshall only; Rappahannock County, districts of Wakefield, Hampton and Piedmont only; and Page County, districts of Springfield and Luray only.

II. The effective date of this designation is May 16, 1944.

III. Not later than the effective date, each employer in the Front Royal-Winchester, Virginia, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 17, 1944.

HENRY E. TREIDE, *Regional Director, Region IV.*

[F. R. Doc. 44-4785; Filed, April 4, 1944; 3:05 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 70

Washington, Friday, April 7, 1944

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

APPREHENSION OF ABSENTEES

Sections 36.30 and 36.40 (8 F.R. 2252) pertaining to the apprehension of absentees, are retained without change in revision of Army Regulations No. 615–360 dated 25 March 1944.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–4880; Filed, April 6, 1944; 11:26 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 11, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–515]

JOSEPH LORENZETTI AND SONS

Joseph Lorenzetti, doing business as Joseph Lorenzetti and Sons, is in the trucking business on Hollow Road, Stafford Springs, Connecticut. In July, 1943, he began construction of an addition to a garage owned by him in Stafford Springs and used by him to garage his own trucks employed in his trucking business at an estimated cost of $7,500, which exceeded the $1,000 limit permitted by Conservation Order L–41. Joseph Lorenzetti had filed a War Production Board form for this construction which was not allowed, and he was aware of the War Production Board order governing construction; his violations must be deemed wilful.

These violations of Conservation Order L–41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.515 *Suspension Order S–515.* (a) Deliveries of material to Joseph Lorenzetti, doing business as Joseph Lorenzetti and Sons, or under any other name, his and its successors or assigns, shall not, directly or indirectly, be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation including allotments shall directly or indirectly be made to Joseph Lorenzetti, doing business as Joseph Lorenzetti and Sons, or under any other name, his and its successors or assigns of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Joseph Lorenzetti, doing business as Joseph Lorenzetti and Sons, or under any other name, his and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 5, 1944, and shall expire on June 5, 1944.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4862; Filed, April 5, 1944; 4:44 p. m.]

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–8, with index.
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PART 1010—SUSPENSION ORDERS

[Suspension Order S–516]

CHENEY F. NEWTON

Cheney F. Newton, of Brimfield, Massachusetts, is a general building contractor. In July, 1943, he began construction of an addition to a garage owned by Joseph Lorenzetti, on Hollow Road, in Stafford Springs, Connecticut, and used by him to garage trucks used in his trucking business, at an estimated cost of $7,500, which exceeded the $1,000 limit permitted by Conservation Order L–41. This construction was begun with knowledge that it was in violation of Conservation Order L–41, and constitutes a wilful violation.

This violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.516 *Suspension Order S–516.* (a) Deliveries of material to Cheney F. Newton, his successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation including allotments shall directly or indirectly be made to Cheney F. Newton, his successors or assigns, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Cheney F. Newton, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 5, 1944, and shall expire on June 5, 1944.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4861; Filed, April 5, 1944; 4:44 p. m.]

PART 3293—CHEMICALS

[Allocation Order M–25, Revocation]

FORMALDEHYDE, HEXAMETHYLENETETRAMINE AND PENTAERYTHRITOL

Section 3293.56 *Allocation Order M–25* is hereby revoked. This revocation does not affect any liabilities incurred under the order. Formaldehyde, hexamethylenetetramine and pentaerythritol are subject to allocation under General Allocation Order M–300 as Appendix A materials, subject to Schedules 9, 10 and 11, respectively, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of these materials prior to May 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–25.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4875; Filed, April 6, 1944; 11:21 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 9]

FORMALDEHYDE AND PARAFORMALDEHYDE

§ 3293.1009 *Schedule 9 of General Allocation Order M–300*—(a) *Definitions.* (1) "Formaldehyde" means the chemical compound known by that name in

any form, except in dry form, and from whatever source derived. The term "formaldehyde" includes formaldehyde in solution form of any concentration including, but not limited to, solutions known as formalin and formol.

(2) "Paraformaldehyde" means the polymerized form of formaldehyde, also known as paraform, triformal, and trioxymethylene.

(b) *General instructions.* Formaldehyde and paraformaldehyde are subject to allocation under General Allocation Order M–300 as Appendix A materials. The initial allocation date is March 1, 1943, when these materials were first put under allocation by amendment of Order M–25 (revoked). The allocation period is the calendar month, and the small order exemption is 10,000 lbs. or less of 37% solution formaldehyde (or any other weight or solution containing the same amount of formaldehyde) and 3,000 lbs. or less of paraformaldehyde per person per month.

(c) *Special provisions.* Use, delivery and acceptance of delivery prior to May 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–25 (revoked).

(d) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 20th day of the month preceding the proposed delivery month. Separate sets of forms shall be filed for formaldehyde and paraformaldehyde. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–9. The unit of measure is pounds. Specify grade as "U. S. P." or in terms of percentage solution by weight. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' application on Form WPB–2945.* Each person seeking authorization to use or accept delivery, including suppliers seeking authorization to use, shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 15th day of the month preceding the requested allocation month when ordering from a producer, or the 10th day of the month when ordering from a supplier who is not a producer. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–9, one copy (reverse side blank) to the supplier, and retain one copy. File separate sets of forms for formaldehyde and paraformaldehyde, for each different supplier and for each receiving point. The unit of measure is pounds. Specify grade as "U. S. P." or in terms of percentage solution by weight. Fill in column 3 as follows:

For orders on hand:
Primary product.
Export (in original form).
Resale (in original form).

For anticipated orders:
Primary product.
Export (in original form).
Resale (in original form).

For inventory (in original form).
Primary products should be specified as follows:

(When allocation of formaldehyde is requested):
Allocated resins (specify type of resin).
Non-allocated resins (specify type of resin).
Adhesives.
Disinfectants and germicides (specify).
Drugs and pharmaceuticals (specify).
Dyes and intermediates.
Embalming fluid.
Ethylene glycol.
Fungicides and insecticides (specify).
Hexamethylenetetramine.
Leather.
Paper.
Paraformaldehyde.
Pentaerythritol.
Photographic chemicals.
Rubber.
Textiles.
Other (specify).

(When allocation of paraformaldehyde is requested):
Allocated resins (specify type of resin).
Non-allocated resins (specify type of resin).
Adhesives.
Disinfectants and germicides (specify).
Drugs and pharmaceuticals (specify).
Dyes and intermediates (specify).
Paper.
Textiles.
Other (specify).

In Column 4 specify end use (see paragraph (11) of Appendix E to Order M–300).

In Column 10 specify requested delivery dates. Fill in Tables II, III and IV as indicated, except that Column 14 of Table II should be broken down according to the amount of formaldehyde or paraformaldehyde used in the manufacture of each primary product during the month indicated in the heading of Column 14.

In Table V specify "Frozen Inventory on first of _____" (name first day of requested allocation month), in the heading of Column 23, and in the column enter the estimated quantity of formaldehyde or paraformaldehyde (whichever is being applied for) which at the beginning of the requested allocation month will be in inventory subject to further authorization before it can be used. Leave Columns 24 and 25 blank.

Applicants are requested to file WPB–2945 (formerly PD–600) applications each month, without skipping any month, so that accurate reports of the total consumption will be available.

(f) *Defense plant production exemption.* Formaldehyde and paraformaldehyde produced by any department or agency of the United States Government, or produced in any plant owned by any agency of the United States Government, and which is delivered to and consumed by any such department, agency or plant, may be so used and delivered without specific authorization under Order M–300, notwithstanding the provisions of paragraph (c) of the order.

(g) *Approval of reporting requirements.* Forms WPB–2945 and WPB–2946 and the instructions in this schedule and the appendices of M–300 for applications for formaldehyde and paraformaldehyde have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–9.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4877; Filed, April 6, 1944; 11:21 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 10]

HEXAMETHYLENETETRAMINE

§ 3293.1010 *Schedule 10 of General Allocation Order M–300*—(a) *Definition.* "Hexamethylenetetramine" means the reaction product of formaldehyde and ammonia known as hexamethylenemine, methenamine, hexamine, aminoform, urotropin, formin, cystamin, and cystogen.

(b) *General instructions.* Hexamethylenetetramine is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is March 1, 1943, when this material was first put under allocation by amendment of Order M–25 (revoked). The allocation period is the calendar month, and the small order exemption 10,000 lbs. or less per person per month.

(c) *Special provisions.* Use, delivery, and acceptance of delivery prior to May 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–25 (revoked).

(d) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–10. The unit of measure is pounds. Specify grade as "U. S. P.", "nitration" or "technical". An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery, including suppliers seeking authorization to use, shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 15th day of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–10, one copy (reverse side blank) to the supplier, and retain one copy. File separate sets of forms for each different supplier and for each receiving point. The unit of measure is pounds. Specify grade as "U. S. P.",

"nitration" or "technical". Fill in Column 3 as follows:

For orders on hand:
Primary product.
Export (in original form).
Resale (in original form).

For anticipated orders:
Primary product.
Export (in original form).
Resale (in original form).

For inventory (in original form).

Primary products should be specified as follows:

Allocated resins (specify type of resin).
Non-allocated resins (specify type of resin).
Processed oil.
Drugs and pharmaceuticals (specify).
Other (specify).

In Column 4 specify end use (see paragraph 11 of Appendix E to Order M-300).

In Column 10 specify requested delivery dates. Fill in Tables II, III and IV as indicated except that Column 14 of Table II should be broken down according to the amount of hexamethylenetetramine used in the manufacture of each primary product during the month indicated in the heading of Column 14.

In Table V specify "Frozen Inventory on first of ------" (name first day of requested allocation month), in the heading of Column 23, and in the column enter the estimated quantity of hexamethylenetetramine which at the beginning of the requested allocation month will be in inventory subject to further authorization before it can be used. Leave Columns 24 and 25 blank.

Applicants are requested to file WPB-2945 (formerly PD-600) applications each month, without skipping any month, so that accurate reports of the total consumption will be available.

(f) *Defense plant production exemption.* Hexamethylenetetramine produced by any department or agency of the United States Government, or produced in any plant owned by any agency of the United States Government, and which is delivered to and consumed by any such department, agency or plant, may be so used and delivered without specific authorization under Order M-300, notwithstanding the provisions of paragraph (c) of the order.

(g) *Approval of reporting requirements.* Forms WPB-2945 and WPB-2946 and the instructions in this schedule and the appendices of M-300 for applications for hexamethylenetetramine have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-10.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4878; Filed, April 6, 1944; 11:21 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 11]

PENTAERYTHRITOL

§ 3293.1011 *Schedule 11 of General Allocation Order M-300*—(a) *Definition.* "Pentaerythritol" means the reaction product of formaldehyde and acetaldehyde.

(b) *General instructions.* Pentaerythritol is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is March 1, 1943, when this material was first put under allocation by amendment of Order M-25 (revoked). The allocation period is the calendar month, and the small order exemption is 100 lbs. or less per person per month.

(c) *Special provisions.* Use, delivery, and acceptance of delivery prior to May 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-25 (revoked).

(d) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-11. The unit of measure is pounds. Specify grade as "technical" or "nitration". An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery, including suppliers seeking authorization to use, shall file application on Form WPB-2945 (formerly PD-600). The filing date is the 15th of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-11, one copy (reverse side blank) to the supplier, and retain one copy. File separate sets of forms for each different supplier and for each receiving point. The unit of measure is pounds. Specify grade as "technical" or "nitration". Fill in Column 3 as follows:

For orders on hand:
Primary product.
Export (in original form).
Resale (in original form).

For anticipated orders:
Primary product.
Export (in original form).
Resale (in original form).

For inventory (in original form).

Primary products should be specified as follows:

Allocated resins (specify type of resin).
Non-allocated resins (specify type of resin).
Processed oil.
Substituted drying oil.
P. E. T. N.
Other (specify).

In Column 4 specify end use (see paragraph (11) of Appendix E of Order M-300).

In Column 10 specify requested delivery dates. Fill in Tables II, III, and IV as indicated except that Column 14 of Table II should be broken down according to the amount of pentaerythritol used in the manufacture of each primary product during the month indicated in the heading of Column 14.

In Table V specify "Frozen Inventory on the first of ------" (name first day of requested allocation month), in the heading of Column 23, and in the column enter the estimated quantity of pentaerythritol which at the beginning of the requested allocation month will be in inventory subject to further authorization before it can be used. Leave Columns 24 and 25 blank.

Applicants are requested to file WPB-2945 (formerly PD-600) applications each month, without skipping any month, so that accurate reports of the total consumption will be available.

(f) *Approval of reporting requirements.* Forms WPB-2945 and WPB-2946 and the instructions in this schedule and the appendices of M-300 for applications for pentaerythritol have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-11.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4879; Filed, April 6, 1944; 11:21 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Correction to Limitation Order L-227, as Amended Apr. 1, 1944]

FOUNTAIN PENS AND MECHANICAL PENCILS

Section 3291.210 (Limitation Order L-227) should be corrected as follows:

In paragraph (5) (ii) of Schedule A the year "1940" should read "1941".

The lists assigning quotas for mechanical pencils and fountain pens are corrected according to the attached tables.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

FOUNTAIN PENS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Adler Pen & Pencil Co.	396 Broadway, New York City	25,000	Unlimited
Arnold, R. L. Pen Co., Inc.	143 E. Washington St., Petersburg, Va.	197,250	247,500
Associated Pen Co.	45 E. 20th St., New York City	128,250	Unlimited
Avon Products Co.	49 W. 23d St., New York City	206,250	Unlimited
Barret, C. E. & Co.	315 S. Peoria St., Chicago, Ill.	18,250	10,000
Camel Pen Co.	2300 Morris Ave., Union, N. J.	6,250	6,250
Cooper Pen & Pencil Co.	Northvale, N. J.	11,000	10,000
Eagle Pencil Co.	703 E. 13th St., New York City	224,500	Unlimited
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	170,750	Unlimited
Essex Corporation	Charlottesville, Va.	206,500	Unlimited
Esterbrook Steel Pen Mfg. Co.	Delaware Ave. and Cooper St., Camden, N. J.	142,000	61,000
Eversharp, Inc.	1800 Roscoe St., Chicago, Ill.	165,000	214,500
Frank Feldman	Nassau, N. Y.	81,500	Unlimited
Gilbert & Miller, Inc.	698 Broadway, New York City	6,750	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	16,500	Unlimited
Graphomatic Corporation	155 N. Clark St., Chicago, Ill.	1,500	1,500
Gregory Fount-O-Ink Co.	3501 Eagle Rock Blvd., Los Angeles, Cal.	11,000	11,000
Grodin Pen & Pencil Co.	344 Foster Ave., Brooklyn, N. Y.	25,000	Unlimited
J. Harris & Co.	115 E. 23d St. New York City	99,000	Unlimited
Hutcheon Bros.	241 Centre St., New York City	2,750	Unlimited
Inkograph Co.	200 Hudson St., New York City	96,500	Unlimited
David Kahn, Inc.	Grand Ave., N. Bergen, N. J.	993,750	19,000
Kerr Pen Co.	Tulsa, Okla.	12,750	Unlimited
Moore Pen Co.	29 Melcher St., Boston, Mass.	13,000	750
Bert M. Morris Co.	1015 S. LaCienga Blvd., Los Angeles, Calif.	11,250	11,250
New Diamond Point Pen Co., Inc.	236 5th Ave., New York City	77,500	Unlimited
No-Mek Pen Products	10855 Prospect Ave., Chicago, Ill.	2,250	2,250
Novelty Pen & Pencil Co.	318 Cliff Lane, Cliffside, N. J.	107,750	122,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	195,750	33,500
Parker Pen Co.	Janesville, Wisconsin	190,000	240,000
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	43,750	Unlimited
Preferred Products Co.	1728 W. 12th St., Toledo, Ohio	5,000	5,000
Reliable Pen & Pencil Co.	277 Broadway, New York City	7,500	Unlimited
Salz Bros., Inc.	44 W. 28th St., New York City	301,750	Unlimited
Sengbusch Self-Closing Inkstand Co.	2222 W. Clybourn St., Milwaukee, Wis.	11,000	500
W. A. Sheaffer Co.	311 Avenue H, Fort Madison, Iowa	190,500	290,750
Southern Pen Co.	16 N. Union St., Petersburg, Va.	76,250	3,500
Louis Tamis & Son	36 W. 47th St., New York City	500	Unlimited
J. Ullrich & Co.	161 Washington St., New York City	4,500	Unlimited
Union Ft. Pen Co., Inc.	79 5th Avenue, New York City	25,000	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
L. E. Waterman Co.	344 Hudson St., New York City	93,000	Unlimited
Weidlich Pen Co.	505 Elm St., Cincinnati, Ohio	1,500	Unlimited
Welsh Mfg. Co.	54 Troy, Providence, R. I.	80,000	1,000

MECHANICAL PENCILS

Autopoint Pencil Co.	1801 Foster Ave., Chicago, Ill.	83,500	315,750
C. E. Barrett & Co.	315 S. Peoria St., Chicago, Ill.	7,750	7,750
Cooper Pen & Pencil Co.	Northvale, N. J.	1,000	1,000
Dur-O-Lite Pencil Co.	1001 N. 25th St., Melrose Park, Ill.	35,250	35,250
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	109,250	Unlimited
Essex Corporation	Charlottesville, Va.	372,750	Unlimited
Eversharp, Inc.	1800 Roscoe St., Chicago, Ill.	50,000	147,750
Frank Feldman	Nassau, New York	13,500	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	15,000	Unlimited
Globe Pencil Advertising Co.	327 71st St., Guttenberg, N. J.	19,000	250
Guth Stern & Co., Inc.	159 W. 25th St., New York City	28,750	Unlimited
Hardtmuth, L. & C., Inc.	Bloomsbury, N. J.	6,250	6,250
David Kahn, Inc.	Grand Ave., N. Bergen, N. J.	240,250	15,750
Jos. Lipic Pen Co.	2201 Indiana Ave., St. Louis, Mo.	121,750	Unlimited
Liste Pencil Corp.	Alameda, Calif.	55,500	160,500
Mays Mfg. Co., Inc.	236 Chapman St., Providence, R. I.	20,000	5,500
Nichols Products Co.	Morristown, N. J.	2,000	2,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	58,000	15,000
Parker Pen Co.	Janesville, Wis.	56,250	69,750
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	25,000	Unlimited
Ritepoint Co.	116 S. Grand Ave., St. Louis, Mo.	109,500	Unlimited
Rite Rite Mfg. Co.	555 Rogers St., Downers Grove, Ill.	92,000	1,000
Salz Bros., Inc.	44 W. 28th St., New York City	178,000	Unlimited
Scripto Mfg. Co.	422 Houston St., Atlanta, Ga.	252,000	628,000
W. A. Sheaffer Co.	311 Avenue H, Fort Madison, Iowa	44,000	40,500
Southern Pen Co.	16 N. Union St., Petersburg, Va.	11,250	1,750
Louis Tamis & Son	36 W. 47th St., New York City	1,000	Unlimited
Tee Pencil Co.	414 S. Robertson Blvd., Los Angeles, Calif.	2,750	2,750
Union Ft. Pen Co., Inc.	79 5th Avenue, New York City	7,250	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	72,500	Unlimited
Waterman, L. E. Co.	344 Hudson St., New York City	43,000	Unlimited
Wonder Pen Co.	207 W. 26th St., New York City	19,750	Unlimited

[F. R. Doc. 44-4799; Filed, April 4, 1944; 4:34 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 26 as Amended Apr. 6, 1944]

WHEN ALLOTMENTS MAY BE RETURNED BY SECONDARY CONSUMER DIRECTLY TO CLAIMANT AGENCY OR INDUSTRY DIVISION

The following direction is issued pursuant to CMP Regulation 1:

(a) Paragraph (w) of CMP Regulation No. 1 requires a consumer to return allotments which he does not need to the person from whom he received them. In the case of a prime consumer making an A or a B product, the return is made directly to the Claimant Agency or Industry Division which made the allotment except in those cases where the return is to be made to a Field Office of the War Production Board, as explained in paragraph (d) below. In the case of a secondary consumer, the return is made to the prime or secondary consumer who made the allotment.

(b) In those cases where it is impractical for a secondary consumer to return an allotment to the person from whom he received it, he may make the return directly to the Claimant Agency whose symbol appears on the allotment or to the War Production Board in the case of allotments bearing the symbols B, F, G, J, K, S and V. This situation may occur where a secondary consumer produces the same product for a relatively large number of customers whose schedules are all identified by the same abbreviated allotment number. For example, a manufacturer of metal stampings receives orders from many manufacturers accompanied by allotments all bearing the allotment number N-6. As a practical matter, he places all of the allotments in a single allotment account designated N-6. If his requirements for the manufacture of metal stampings are reduced, for any reason, it will be very difficult for him to figure out what portion of the total allotment should be returned to each customer and furthermore the amount returned to each will probably be small. Under this direction, he is permitted to make a return directly to the Navy.

Form CMP-32, "Consumers Return of Allotments", available at all War Production Board offices, should be used in making returns under this direction, but if it is impractical to get this form, the return may be made by letter.

(d) Returns of allotments by secondary consumers under this direction bearing the symbols: B, F, (except F-5), G, J, and S should be mailed to the War Production Board, Washington 25, D. C. A prime consumer should also make returns under these symbols to Washington, unless he has been notified that his case has been transferred to a Field Office, when he should make his returns to the appropriate Field Office. In case of doubt, returns of allotments bearing these symbols should be mailed to Washington. Returns of allotments under this direction bearing the symbols listed below should be mailed to the addresses indicated:

Symbol	*Address*
A-1	Containers Division, Temporary S Building, Room 2320, Washington 25, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
A-2	Farm Machinery Division, Temporary S Building, Room H-385, Washington 25, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
A-3	Controlled Materials Officer, War Food Administration, Room 1419, South Agriculture Building, Washington, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
C	The Administrator, Aircraft Scheduling Unit, Wright Field, Dayton, Ohio. Attention: Captain W. D. Selby.
D	Material Control Officer, Canadian Division, Room B-129, Tempo S Building, Ottawa, Ontario, Canada.
E	Material Control Officer, Foreign Economic Administration, Room 2428 Tempo U, Washington, D. C.
F-5	Material Control Officer, Petroleum Administration for War, Room 1457, South Interior Building, Washington, D. C.

Symbol	Address
H	Material Control Officer, National Housing Agency, 1600 I St. NW., Washington, D. C.
L	Material Control Officer, Foreign Economic Administration, Room 2436, Temporary U Building, Washington, D. C.
M	Material Control Officer, % U. S. Maritime Commission, Room 4024 Commerce Building, Washington, D. C.
N	Material Control Officer, Office of Procurement & Material, Room 1211, Navy Department, Washington, D. C.
P	Material Control Officer, Petroleum Administration for War, Room 1457, South Interior Building, Washington, D. C.
R	Material Control Officer, Office of the Rubber Director, Room 6090 New Municipal Center Building, Washington, D. C.
T	Material Control Officer, Office of Defense Transportation, Room 2123 Interstate Commerce Commission Building, Washington, D. C.
U	Material Control Officer, Office of War Utilities, Room 2045, Tempo R Building, Washington, D. C.
V	Controlled Materials Officer, Office of Civilian Requirements, Room 2342, Social Security Building, Washington, D. C.
W or O	Army Service Forces, Production Service Branch, Production Division, Room 4-D-574, Pentagon Building, Washington 25, D. C.

(e) Attention is called to paragraph (w) (2) of CMP Regulation No. 1 which provides that a periodic check-up must be made by consumers of their allotments to see whether they have more than they need. Returns of allotments after the expiration of a quarter should always be made directly to the industry division or Claimant Agency which originated the allotment. However, where cases have been assigned to a Field Office, returns by prime consumers should be made to the Field Office.

(f) If a secondary consumer who has returned an excess allotment under this direction directly to a Claimant Agency, discovers he miscalculated and returned too much material, he may apply directly to the Claimant Agency to which the return was made for a reallotment. The Claimant Agency will reallot to him no more than the amount which he returned and only for the same quarter for which the return was made. If he needs more material than he returned, he should apply to his customer for the additional allotment, as is explained in paragraph (w) of CMP Regulation No. 1.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4869; Filed, April 6, 1944; 11:22 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 5 as Amended Apr. 6, 1944]

BUILDING MATERIALS DIVISION

§ 3208.6 *Table for Building Materials Division*—(a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns: Operations report	Shipping schedule	Application and authorization	Calendar months frozen
1. Marine fittings hardware		3002.17			
(a) Forged shackles—all types and sizes					
(b) Forged and fabricated rope sockets—all sizes					
(c) Thimbles, plow steel					
(d) Forged, fabricated and pipe turnbuckles—all styles and sizes (except aircraft)					
(e) Tackle blocks—all types, maximum lifting capacity 100 tons					
(f) Wire rope clips and clamps					
Purchase orders totaling $100 or more for items (a) to (f) inclusive (purchase orders shall not be subdivided for the purpose of evading this requirement)	Y			2683	

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4875; Filed, April 6, 1944; 11:21 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 11, as Amended April 6, 1944]

SHIPBUILDING DIVISION

§ 3208.12 *Table for Shipbuilding Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule (1)	3 Application and authorization	4 Calendar months frozen [1]
1. Boiler units, steel; marine shipboard use:					
a. Main propulsion and auxiliary boiler units	X	----------	3000	----------	6
2. Diesel engines; marine:					
a. Main propulsion, Diesel-generator sets and auxiliaries	X	578	3000	----------	10
b. All purchase orders placed on manufacturers for main propulsion and Diesel generator sets except the following:	Y	----------	----------	1819	----------
(1) Orders for engines for the construction of new vessels for the account of U. S. or Canadian Army or Navy, or the U. S. Maritime Commission or Wartime Shipbuilding Limited, or Trafalgar Shipbuilding Company, Limited, or					
(2) Orders for engines for the repair of vessels owned or operated by the U. S. or Canadian Army or Navy, or the U. S. Maritime Commission, or War Shipping Administration, or Wartime Shipbuilding Limited, or					
(3) Orders for engines for replacement in vessels over 1,000 gross tons or powered with engines over 1,000 horse power, under the jurisdiction of the War Shipping Administration or of United Nations Registry.					
3. Gears (marine):					
a. Main reduction gears (turbine propulsion)	X	----------	1836	----------	12
b. Main reduction and reverse gear units (Diesel and gasoline propulsion engine)	----------	3002.33	3000	----------	2
c. Speed reduction units (engine room auxiliary equipment)	----------	2678.00	3000	----------	2
4. Turbines, main marine propulsion	X	----------	1836	----------	12
5. Valves, piping systems, including all valves such as industrial, marine, hydrant, sluice gate, drilling, flow line, cocks, etc. except refrigeration, aircraft, automotive, instrument, regulating and control valves, air brake equipment, plumbing fixture fittings and trim:					
a. Steel valves:					
(1) Safety and relief	----------	3000.15	----------	----------	3
(2) Turbine (including astern, cross-over, maneuvering, manifold and throttle)	----------	3000.15	----------	----------	3
(3) All other steel valves	----------	3000.15	----------	----------	3
b. Iron valves:					
(1) Safety and relief	----------	3000.15	----------	----------	3
(2) All other iron body valves	----------	3000.15	----------	----------	3
c. Bronze valves:					
(1) Safety and relief	----------	3000.15	----------	----------	3
(2) Compressed gas and cylinder	----------	3000.15	----------	----------	3
(3) All other bronze valves 100 lbs. W. S. P. and over	----------	3000.15	----------	----------	3
6. Pipe fittings, except compression, flared, Parker type, bell and spigot:					
a. All steel fittings	----------	3000.15	----------	----------	3

[1] For explanation of time during which shipping schedule is frozen see paragraph (c) (3) of M-293.
[2] Form WPB-3401 may be used instead of WPB-3003.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4876; Filed, April 6, 1944; 11:21 a. m.]

PART 3285—LUMBER

[Order L-121, as Amended April 6, 1944]

LUMBER CONSERVATION

Paragraph (a) of § 3285.121 (§ 3285.121) is amended to read as follows:

(a) The provisions of this order as amended by Amendment 1 to this order which appears in the "Federal Register" and "either" are inserted in the part of a person's plant, branch or yard which a specific mill regularly manufactures.

(b) Paragraph (b) of § 3285.121 is amended by inserting "either" in paragraph (b) (1) (i) (a).

If a person's plant has two plants, departments or branches which regularly manufacture lumber inventories are maintained within the above limitations, the person may elect whether "Class I Consumer" or "Class II Consumer" has two plants, departments or branches which regularly manufacture lumber inventories are maintained less than 10,000 board feet in the larger of the two plants to consume lumber in each the second plant would be a "Class I Consumer" and if the second plant consumes more than 10,000 board feet of lumber during any quarter or expects to consume more than 10,000 board feet of lumber during the second or third quarter of the plant would be a "Class II Consumer" under this order and would be entitled to apply for the allotments provided for in this order.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4877; Filed, April 6, 1944; 11:21 a. m.]

PART 3285—LUMBER

[Conservation Order L-121, as Amended April 6, 1944]

DELIVERIES OF SPECIFIED LUMBER TO MANUFACTURERS OF RAILROAD ROLLING STOCK, CARRIERS AND TRUCK AND TRAILER BODIES

The following direction is issued pursuant to Conservation Order L-121, as amended:

(a) This direction applies to persons in accordance with Conservation Order L-121 who sell how many of the following types of railroad rolling stock, carriers and manufacturers of truck and trailer bodies may get delivery of yellow pine lumber without filing Form WPB-2720:

(b) Any person who is entitled to receive yellow pine lumber without filing Form WPB-2720 may receive delivery of yellow pine lumber without filing Form WPB-2720. It is not necessary to follow the procedure that is, either at the time to time a

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Amdt. 1]

LUMBER CONSUMERS REQUIREMENTS

Paragraph (b) (2) of Order L-335 (§ 3285.121) is hereby amended as follows:

(a) The first sentence of (b) (2) is amended by striking the word "who" which appears between the words "person" and "either" and inserting, "or any part of a person's operation (such as a plant, branch, or department) as to which a separate lumber inventory is regularly maintained, which".

(b) Paragraph (b) (2) is further amended by adding at the end of the paragraph the following:

If a person has two or more branches, plants, departments, or other divisions which regularly maintain separate lumber inventories and none of which comes within the above definition, then neither the person nor any of its divisions is a "Class I Consumer". Thus, if a company has two plants maintaining separate lumber inventories each of which consumed less than 50,000 board feet of lumber in the last quarter of 1943 and expects to consume less than 50,000 in each the second or third quarter of 1944 then neither of the plants nor the company is a "Class I Consumer". If either plant consumed over 50,000 board feet of lumber during the last quarter of 1943 or expects to consume more than 50,000 board feet of lumber during either the second or third quarter of 1944, such plant would be treated as a separate "Class I Consumer" for all purposes under this order. Inventories may not be split for the purpose of evading this order.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4881; Filed, April 6, 1944; 11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 4, as Amended Apr. 6, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER TO MANUFACTURERS AND REPAIRERS OF RAILROAD ROLLING STOCK AND PASSENGER CARRIERS AND MANUFACTURERS OF NEW TRUCK AND TRAILER BODIES

The following direction is issued pursuant to Conservation Order M-361:

(a) This direction which is issued in accordance with Order M-361, paragraph (g) tells how manufacturers and repairers of railroad rolling stock and passenger carriers and manufacturers of new truck and trailer bodies may get the restricted southern yellow pine lumber they need without having to file Form WPB 2720. The manufacturer or repairer may use either the procedure outlined in this direction or file on Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted southern yellow pine lumber under this direction for the production or repair of locomotives, cars, passenger carriers, or for the production of new truck or trailer bodies, must endorse the following certification on his purchase orders:

> All restricted southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of locomotives, cars and passenger carriers, or for their repair, or for the production of new truck or trailer bodies. Delivery may be made to me under Direction 4 to Order M-361, with the terms of which I am familiar.
>
> ---
> Purchaser
>
> By ---
> Duly authorized official

(c) Any producer may sell, ship, or deliver restricted southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to fulfill his authorized schedules for the production of locomotives, cars and passenger carriers, for repairs of locomotives, cars and passenger carriers, or for the production of new truck and trailer bodies. For example, no one may get lumber under this direction for such purposes as bridges, buildings, grain doors, and the like, or for the repair of truck bodies. This direction does not affect purchases from firms other than producers, and does not permit distribution yards to get lumber by certificate merely because they sell to railroads or car manufacturers.

(d) Manufacturers and repairers who get any part of their lumber through the use of the above certification shall report on Form WPB 3537 thirty days after the end of each calendar quarter, furnishing the information called for on the form. If you are a Class I Consumer under Order L-335 and file Form WPB 3640 under that order it will not be necessary for you to file Form WPB 3537 as required by this direction. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "locomotive", "car", "passenger carrier", and "truck and trailer body" mean the same thing they are defined as meaning in Orders L-97, L-97a, L-101, and L-253 respectively.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4883; Filed, April 6, 1944; 11:22 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 4, as Amended Apr. 6, 1944]

DELIVERIES OF HARDWOOD LUMBER TO MANUFACTURERS AND REPAIRERS OF RAILROAD ROLLING STOCK AND PASSENGER CARRIERS, AND MANUFACTURERS OF NEW TRUCK AND TRAILER BODIES

The following direction is issued pursuant to Conservation Order M-364:

(a) This direction which is issued in accordance with Order M-364, paragraph (g) tells how manufacturers and repairers of railroad rolling stock and passenger carriers and manufacturers of new truck and trailer bodies may get the restricted hardwood lumber they need without having to file Form WPB 2720. The manufacturer or repairer may use either the procedure outlined in this direction or file on Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted hardwood lumber under this direction for the production or repair of locomotives, cars, passenger carriers, or for the production of new truck or trailer bodies, must endorse the following certification on his purchase orders:

> All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of locomotives, cars and passenger carriers, or for their repair, or for the production of new truck or trailer bodies. Delivery may be made to me under Direction 4 to Order M-364, with the terms of which I am familiar.
>
> ---
> Purchaser
>
> By ---
> Duly authorized official

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to fulfill his authorized schedules for the production of locomotives, cars and passenger carriers, for repairs of locomotives, cars and passenger carriers, or for the production of new truck and trailer bodies. For example, no one may get lumber under this direction for such purposes as bridges, buildings, grain doors, and the like, or for the repair of truck bodies. This direction does not affect purchases from firms other than producers, and does not permit distribution yards to get lumber by certificate merely because they sell to railroads or car manufacturers.

(d) Manufacturers and repairers who get any part of their lumber through the use of the above certification shall report on Form WPB 3537 thirty days after the end of each calendar quarter, furnishing the information called for on the form. If you are a Class I Consumer under Order L-335 and file Form WPB 3640 under that order it will not be necessary for you to file Form WPB 3537 as required by this direction. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "locomotive", "car", "passenger carrier", and "truck and trailer body" mean the same thing they are defined as meaning in Orders L-97, L-97-a, L-101, and L-253 respectively.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4884; Filed, April 6, 1944; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 2]

PRODUCTION AND SALE OF GOATSKIN GLOVE AND GARMENT LEATHER FOR MILITARY PURPOSES

The following direction is issued pursuant to General Conservation Order M-310:

Pursuant to paragraphs (b) (1) and (b) (2) of General Conservation Order M-310, no tanner or converter of goatskins (including kidskins) shall produce, sell, deliver or use any leather unless he complies with the following requirements:

During the period from May 1, 1944, to July 31, 1944, inclusive, each tanner shall produce a quantity of military glove or garment leather, or both, equal to at least 15% of his total production of goatskin leather during that period. Production shall be calculated in square feet of finished goatskin leather produced for his account and for the account of others. In-process goatskins soaked by him and then delivered to another concern for further processing shall be considered part of his production, and may not be estimated at more than six square feet per skin.

After May 1, 1944, each tanner shall produce all goatskin garment leather into the color specified in "Army-Navy Aeronautical Specification—Leather; Goatskins—AN-L-24."

Effective immediately, no tanner or converter shall sell or deliver any goatskin glove or garment leather produced by him or for his account, except for filling military orders: *Provided, however,* That military rejects resulting unavoidably from such production, but not exceeding 12½% of the square footage of goatskin glove leather and 12½% of the square footage of goatskin garment leather delivered henceforth by him for filling military glove and garment leather orders, may be delivered for civilian purposes.

This direction does not apply to any tanner whose wettings of goatskins during the calendar year 1941 was less than 24,000 skins, or to any converter who had less than 24,000 goatskins processed for his account during the calendar year 1941.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4882; Filed, April 6, 1944; 11:22 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-c as Amended Apr. 6, 1944]

§ 4500.4 *Supplementary Utilities Order U-1-c—(a) Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of farm production equipment when all of the following conditions are satisfied:

NOTE: Former paragraphs (a) to (h), inclusive, redesignated (1) to (8) Apr. 6, 1944.

(1) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(i) Water pump for livestock.
(ii) Milking machine.
(iii) Milk cooler.
(iv) Incubator.
(v) Brooder.
(vi) Feed grinder.
(vii) Milk sterilizer.

(2) There is no other means of operating such equipment on the premises.

(3) The length of such extension, including any part built by or for the consumer, will not exceed 100 feet per animal unit, determined in accordance with Schedule I annexed hereto.

(4) The prospective consumer will use electric service to operate equipment for farm production and has livestock on hand aggregating not less than five animal units, determined in accordance with Schedule I of this order.

(5) Primary and secondary lines and service drops will be constructed of the following types and sizes of conductor:

(i) Any type or size having conductivity equal to or less than that of No. 6 AWG copper, or

(ii) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(6) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. _____, who has livestock on hand aggregating not less than five animal units is eligible for an electric connection of _____ feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this County Agricultural Conservation Committee this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

_____
(For County Agricultural Conservation Committee)

(7) The length of any continuous extension built in any calendar quarter, including any part built by or for the consumer, does not exceed 5,000 feet, and the cost of material for such extension, excluding the cost of material for any part built by or for the consumer, does not exceed $1500.

(8) No other producer can render the same service with lesser amounts of critical material.

(b) *Effect of amendment of this order on construction started.* Construction of extensions permitted by Supplementary Utilities Order U-1-c prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—EQUIVALENT ANIMAL UNITS

Livestock on hand:	
1 milk cow	One unit.
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	One unit.
20 cattle (in feed lot)	One unit.
30 breeding ewes	One unit.
160 lambs (in feed lot)	One unit.
3 brood sows	One unit.
30 feeder pigs	One unit.
75 laying hens	One unit.
600 chickens (broilers)	One unit.
250 chickens (not laying hens or broilers)	One unit.
40 turkeys or geese (in laying flock)	One unit.
125 turkeys or geese (not in laying flock)	One unit.
6 milk goats	One unit.
30 goats (other than milk goats)	One unit.
160 kids	One unit.

[F. R. Doc. 44-4885; Filed, April 6, 1944; 11:22 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-d, as Amended Apr. 6, 1944]

§ 4500.5 *Supplementary Utilities Order U-1-d.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve premises, which are being built or remodeled under authority of a specific authorization issued pursuant to Conservation Order L-41 (but not to premises, the building or remodeling of which is agricultural construction as defined in L-41), when all of the following conditions are satisfied:

(a) *Industrial or commercial consumers.* The extension is designed to use the smallest sizes and quantities of equipment, conductor, and pipe required to furnish service at minimum standards.

(b) *Domestic consumers.* The extension, including any part built by or for the consumer, can be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(c) *All consumers.* (1) The cost of material for any continuous extension built in any calendar quarter, excluding any part built by or for the consumer, does not exceed $1500.

(2) No other producer can render the same service with lesser amounts of critical material.

(3) The extension does not duplicate an adequate service already installed or constitute a standby service.

(4) The producer has completed Form WPB-3348 for filing with the builder's application under L-41.

(d) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4886; Filed, April 6, 1944; 11:22 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-f, as Amended Apr. 6, 1944]

§ 4500.7 *Supplementary Utilities Order U-1-f*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers when all of the following conditions are satisfied:

(1) If construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities is governed by Supplementary Utilities Orders U-1-d or U-1-h.

NOTE: Former subparagraphs (2) and (3) deleted; former subparagraphs (4) through (7) redesignated (2) through (5) Apr. 6, 1944.

(2) Extensions, including any part built by or for the consumer, can be built within the limits of the Utilities Construction Standards, shown in Schedule I of this order. In the case of extensions of natural gas facilities to serve lessors of property on which producing natural gas wells have been completed, the portion built by or for the consumer need not be included.

(3) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer, does not exceed $1,500.

(4) No other producer can render the same service with lesser amounts of critical material.

(5) The extension does not duplicate an adequate service already installed or constitute a stand-by service.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

(d) *Effect of amendment of this order on construction started.* Construction of extensions permitted by Supplementary Utilities Order U-1-f prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—UTILITIES CONSTRUCTION STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to the limitations set out in this Schedule I and must not exceed, in dollar value, the limits of paragraph (b) (5).

A. PERMITTED TYPES OF CONDUCTOR AND PIPE

I. *Domestic extensions.* a. *Electric conductor for primary, secondary, and service drop:*

(1) Any type or size of conductor having conductivity equal to or less than that of No. 6 AWG copper, or

(2) Any type or size of conductor which can be obtained from the excess inventory of any producer.

b. *Pipe.* Any type of pipe.

II. *Commercial and industrial extensions.* No limitation, except as shown below in B, II.

B. PERMITTED QUANTITIES OF CONDUCTOR AND METALLIC PIPE

I. *Domestic extensions.* a. *For electric service,* not more than 500 feet of extension per consumer including secondary and service drop. No extensions of primary and no new transformer installations except to replace transformers installed and in service.

b. *For water, gas or central steam heating service,* not more than 350 linear feet of main and service pipe for each consumer. However, if copper or copper base alloy pipe or tubing is used, the quantity of such pipe or tubing for each service may not exceed the amount required to reach from the main to the curb stop or to the consumer's property line, and such pipe or tubing must be obtained from the inventory of any producer.

c. *For water extensions,* not more than (1) 400 pounds of steel pipe or 1800 pounds of cast iron pipe or 1,000 pounds of lead or lead alloy pipe, or (2) one of the following combinations:

(1) 400 pounds of steel pipe and not more than 1800 pounds of cast iron pipe, this quantity of cast iron pipe to be diminished by twice the weight of steel pipe used. In addition, a lead goose-neck is permitted.

(2) 1,000 pounds of lead or lead alloy pipe and not more than 1800 pounds of cast iron pipe, this quantity of cast iron pipe to be diminished by the weight of any lead or lead alloy pipe used.

(3) 400 pounds of steel pipe and not more than 1,000 pounds of lead or lead alloy pipe, this quantity of lead or lead alloy pipe to be diminished by twice the weight of steel pipe used.

II. *Commercial and industrial extensions.* a. In the case of facilities to serve an industrial or commercial consumer who is (1) engaged in the manufacture of a product or in the conduct of a business or activity listed in Schedules I or II of CMP Regulation 5, as amended; or (2) an electric, water, gas, steam heat, telephone or telegraph utility; or (3) engaged in the petroleum industry, except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or (4) engaged in the business of mining, or of burning refractories, and has been assigned a serial number under Preference Rating Order P-56; or (5) engaged in the business of radio communication or radio broadcasting; or (6) a hospital, the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

b. In the case of facilities to serve an industrial or commercial consumer who is not engaged in a business or activity listed above, not more than 500 feet of extension per consumer. In electric extensions this length must include secondary and service drop. No extensions of primary and no new transformer installations may be made except to replace transformers installed and in service.

C. PERMITTED QUANTITIES OF NON-METALLIC PIPE

NOTE: Deleted April 6, 1944.

[F. R. Doc. 44-4887; Filed, April 6, 1944; 11:22 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEATING

[Supplementary Utilities Order U-1-h, as Amended Apr. 6, 1944]

§ 4500.9 *Supplementary Utilities Order U-1-h*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (j) of Utilities Order U-1, extensions of electric, gas, water, and central steam heat facilities may be made or connected by a producer, subject to the restrictions of paragraph (b) below, to serve the following types of consumer premises:

(1) Premises which are being built or remodeled under authority of a specific authorization issued pursuant to Conservation Order L-41, unless such building or remodeling is agricultural construction as defined in L-41, and

(2) Premises which will be occupied exclusively by the Army, Navy, Maritime Commission, War Shipping Administration or Civil Aeronautics Authority.

(3) [Deleted Apr. 6, 1944]

(b) *Restrictions on construction.* Extensions of the type permitted by paragraph (a) of this order may be built only if all of the following conditions are satisfied:

(1) The cost of material for any continuous extension built in any calendar quarter, excluding any part built by or for the consumer, exceeds $1500 but does not exceed $5000.

(2) The extension does not duplicate an adequate service already installed or constitute a stand-by service.

(3) No other producer can render the same service with lesser amounts of critical material.

(4) In the case of extensions to buildings which are to be used exclusively for dwelling purposes the extension (including service drop or service pipe and any portion built by or for the consumer) can be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(5) In the case of extensions to premises which are to be built or remodeled under authority of a specific authorization applied for pursuant to Conservation Order L–41, the producer has completed Form WPB–3348, and delivered it to the builder for attachment to the builder's application for L–41 approval.

(c) *Assignment of preference rating and CMP allotment number.* (1) The preference rating AA–3 is hereby assigned to orders for material other than controlled material, and the abbreviated CMP allotment number U–2 is hereby assigned to orders for controlled material, to be placed by a producer for use in the construction of extensions of facilities authorized by this supplementary order or to replace in inventory material so used.

(2) The preference rating and allotment number assigned above may be applied by a producer by using the certification provided in CMP Regulation 7.

(3) An order for controlled material bearing the CMP allotment number U–2 shall be deemed an authorized controlled materials order. This allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) *Acquisition of material.* The acquisition of material for extensions of facilities authorized by this supplementary order is subject to the following restrictions:

(1) It may be ordered only to the extent that it is not available in the producer's inventory in excess of a practical working minimum.

(2) If taken from such excess inventory it may not be replaced.

(3) If taken from practical working minimum inventory it may be replaced therein only in accordance with paragraph (b) of Utilities Order U–1.

(4) It may not be ordered until either

(i) The producer has been advised that the builder of the structure to be served has received L–41 approval, or

(ii) The producer has been advised by such builder that L–41 approval is not required and has received a written request from such builder to supply the utility service.

(e) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U–7 or Limitation Order L–174.

(f) *Effect of amendment of this order on construction started.* Construction of extensions permitted by Supplementary Utilities Order U–1–h prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4888; Filed, April 6, 1944; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 115]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (2) (v) is added to read as follows:

(v) To transport a person to enable him regularly to cultivate a garden, if an area of at least fifteen hundred (1500) square feet is devoted to the production of vegetables, and if his labor is necessary for such cultivation. The application shall state the location of the garden and the distance between the garden and the applicant's home. Any ration issued under this subdivision shall be subject to the following limitations:

(a) The applicant must show that a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will be regularly carried in the vehicle for the purpose for which the application is made, or that no such ride-sharing arrangement could reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which it is used.

(b) No ration may be issued which will provide mileage in excess of three hundred (300) miles for use during the six-month period immediately following the date of the application.

(c) No ration shall be issued unless the mileage provided by such ration, together with the mileage available in the basic ration, is adequate to permit travel to such garden an average of twice per week for the period during which the garden will be planted, cultivated and harvested.

(d) When more than one passenger automobile is used in the ride-sharing arrangement, all applications by members of such arrangement for such ration must be presented to the Board at the same time and the total ration issued for all vehicles in the group may not exceed three hundred (300) miles.

2. Section 1394.7851 (c) (4) is amended by substituting the words "or paragraph (b), (2) (i), (ii), (iii), (v), (vi) or (viii)" for the words "or paragraph (b) (2) (i), (ii), (iii), (vi) or (viii)."

This amendment shall become effective April 5, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 5th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4857; Filed, April 5, 1944; 4:15 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 86]

ADJUSTMENT OF MAXIMUM PRICES OF CERTAIN COTTON TEXTILES AND ADJUSTABLE PRICING THEREOF

A statement of the reasons for this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and with the approval of the Director of the Office of Economic Stabilization, it is hereby ordered, that:

§ 1305.114. *Adjustment of maximum prices of certain cotton textiles produced pursuant to War Production Board direction, and adjustable pricing thereof—*(a) *Who may apply.* An application for adjustment of the maximum price for a commodity subject to Schedule or Regulation Nos. 7, 11, 33, 35, 89, or 118[1] may

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

[1] Revised Price Schedule No. 7—Combed Cotton Yarns and the Processing Thereof, 7 F.R. 1221, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10469, 8 F.R. 972, 5755, 9285, 11870, 12611, 14004; Maximum Price Regulation No. 11—Fine Cotton Goods, 9 F.R. 2661; Maximum Price Regulation No. 33—Carded Cotton Yarns and the Processing Thereof, 7 F.R. 7557, 8948, 10070, 8 F.R. 2345, 3526, 9750, 13497; Revised Price Schedule No. 35—Carded Grey and Colored-Yarn Cotton Goods, 8 F.R. 1963, 5305, 15903, 16744, 9 F.R. 2020, 2237, 2477, 2790; Revised Price Schedule No. 89—Bed Linens, 7 F.R. 715, 1375, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8948, 8 F.R. 9070, 11245, 9 F.R. 1717; Maximum Price Regulation No. 118—Cotton Products, 8 F.R. 12180, 12934.

be filed by any person who is subject to a War Production Board direction pertaining to that commodity. The word "direction" here means any order to produce stated quantities within specified periods, excluding purchase orders or contracts bearing preference ratings.

(b) *Amount of adjustment.* An adjustment may be granted when and to the extent that, existing maximum prices are found by the Price Administrator to be (1) lower than the applicant's total unit cost of making and selling the commodity, or (2) lower than 102% of such cost if applicant's current net profit percentage before income taxes (computed in relation to reasonable net worth) realized from his total operations is either (i) less than twice the average percentage realized during the years 1936–1939 or (ii) in the case of woven goods less than 5.7%, or in the case of yarns less than 4.7%. Earnings of other companies owning, owned by, or under substantially the same ownership as the applicant may be included in comparing current profits with profits during 1936–1939. Where the War Production Board directs the production of a commodity in terms of a group of constructions or yarn counts, the adjustment will be based on the group taken as a whole.

(c) *Filing of applications.* Applications must be filed in accordance with Subpart B of Revised Procedural Regulation No. 1 and must contain, unless the data is on file with the Office of Price Administration:

(1) A designation or copy of the War Production Board direction;

(2) Balance sheets and profit and loss statements for the years 1936–1939, inclusive, the most recent calendar or fiscal year, and the most recent interim period; and

(3) A statement in detail of applicant's total unit cost of making and selling the commodity.

(d) *Adjustable pricing.* An applicant may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but he may not, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration upon his application after delivery. Such authorization may be given if it is necessary to promote production or distribution and if it will be in accordance with the principles of the directive issued by the Director of the Office of Economic Stabilization on November 16, 1943, and any supplements or amendments thereto. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending application or to give the authorization. The authorization may be given by order, letter, or telegram.

(e) *Denial of applications.* An application may be denied, notwithstanding the standards in paragraph (b), if price relief under an alternate method has been provided for the applicant or his industry or if the Price Administrator determines that granting the application would not accord with the purposes of the directive issued by the Director of the Office of Economic Stabilization on November 16, 1943, and any supplements or amendments thereto.

This supplementary order shall become effective April 12, 1944.

NOTE: The reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4696; Filed, April 6, 1944; 11:46 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 525]

JOBBER SALES OF STOCK MILLWORK

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.101 *Maximum prices for jobber sales of stock millwork.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 525 (Jobber Sales of Stock Millwork) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.101 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 525—JOBBER SALES OF STOCK MILLWORK

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Jobber sales of stock millwork at higher than maximum prices prohibited.
2. Coverage of the regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Maximum prices.
4. Cash discounts.
5. What the invoice must contain.
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ARTICLE III—MISCELLANEOUS

8. Applications for adjustment and petitions for amendment.
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14. Appendix B: Maximum prices for the Metropolitan New York area.
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17. Appendix E: Maximum prices for the Mid-Northern area.
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19. Appendix G: Maximum prices for the Southeastern area.
20. Appendix H: Maximum prices for the South Central area.
21. Appendix I: Maximum prices for the Texas area.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Jobber sales of stock millwork at higher than maximum prices prohibited.* (a) On and after April 12, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive any stock millwork under a "jobber's sale of stock millwork" covered by this regulation at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices, may of course, be charged or paid.

SEC. 2. *Coverage of the regulation.*—(a) *Definition of stock millwork.* The term "stock millwork" as it is used in this regulation refers to all items of millwork and mouldings which at the manufacturing level are subject to any of the following maximum price regulations: RPS 44—Douglas Fir Doors; RMPR 293—Stock Millwork; 2d. Rev. MPR 222—Northern Softwood Lumber (Table 8); MPR 253—Redwood Lumber and Millwork (Tables 12, 13, 27 and 28); MPR 402—Western Red Cedar Lumber (Table 14); and MPR 413—Tidewater Red Cypress Lumber (Tables 12 and 13).

(b) *Definition of the term "jobber's sale of stock millwork."* As used in this regulation the term "jobber's sale of stock millwork" means all sales out of jobbers' warehouses, and also the direct-mill sales that are specifically exempted by Revised Maximum Price Regulation No. 293. (Revised Maximum Price Regulation No. 293 covers direct-mill sales in quantities of 12,000 pounds or more by truck delivered to one place, or of 15,000 pounds or more by rail delivered to one or more places, no matter whether the buyer is a jobber, dealer, or anyone else.) Note that sales out of jobbers' warehouses which are situated in the same locality as a manufacturing plant and which are controlled by the plant, or control it, or are under common control with it, are on the same basis as sales direct from the factory.

(c) *Coverage of stock millwork items appearing on state or area stock lists.* All items of stock millwork which appear on a state or an area stock list designated by an appendix to this regulation are covered by this regulation when sold by anyone making a "jobber's sale of stock millwork" for delivery in the state or area

*Copies may be obtained from the Office of Price Administration.

to which the state or area stock list applies.

(d) *Coverage of stock millwork items appearing on individual stock lists.* All items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" are covered by this regulation when the product is sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Maximum prices*—(a) *Maximum prices in areas covered in the appendices*—(1) *Items specifically priced.* The maximum prices in any area covered by the appendices are those established in the appendix for the area in which delivery is made. If the seller's customary method of pricing is to use a list and discount sheet, he may adjust his discounts to the half point nearest to the maximum price for any item established by this regulation.

(2) *Items not specifically priced.* Any person whose stock list includes stock millwork items which are not shown on the stock lists specified in the appendix for the particular area in which the sale is to be made shall file with the Lumber Branch, Office of Price Administration in Washington, D. C., a copy of his stock list, indicating which stock millwork items in it are not included in the stock lists specified for the area, and may thereafter sell these items at the maximum prices established for that area unless notified to the contrary by the Office of Price Administration within thirty days of the receipt of the filing of the list.

(3) *Items not previously carried in stock.* In the case of a stock millwork item which is not included in the area stock list or in the 1941, 1942 or current stock list of the jobber who now wishes to sell it, such jobber may apply to the Office of Price Administration for permission to add the item to his stock list and to sell the item at a maximum price calculated by using the method prescribed for similar items in the appendix applying to his particular area. He must provide the following information:

(i) The requested price.

(ii) A complete description of the item to be priced.

(iii) The price differential between it and the most comparable item in the price tables, between October 1, 1941, and April 1, 1942, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential which can be used for comparison existed, a detailed analysis of the calculation of the price shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

(b) *Maximum prices in areas not included in the appendices.* The maximum prices in any area not included in the appendices are for each jobber his individual selling prices under the General Maximum Price Regulation increased by the amount (dollars and cents) by which his current net cost of the item exceeds his August 1, 1943, net cost of the same item; except that wherever the price so established for a sale out of the jobber's warehouse is lower than the price established for direct-mill shipments of carload quantities, the price for direct-mill shipments of carload quantities may be used for sales out of the jobber's warehouse.

(c) *How to figure inbound transportation.* (1) No inbound transportation is figured on products covered by Revised Maximum Price Regulation No. 293 since prices in that regulation are freight allowed.

(2) Inbound transportation on products covered by Revised Price Sechdule No. 44 is to be figured according to the manufacturers' zone delivered price system in effect December 10, 1941.

(3) For products covered by Maximum Price Regulations No. 222, 253, 402 and 412 shorten discounts one-half point for each four cents of freight rate including transportation tax from the following basing points:

(i) *RMPR 222 (Northern Softwood Lumber).* Wausau, Wisconsin.

(ii) *MPR 253 (Redwood Lumber and Millwork).*

Western area: Eureka, California.

Eastern area: Direct-mill maximum prices are not f. o. b. mill but are delivered on a 57 cents rate. Therefore, for inbound transportation add only the excess of the actual rate from Eureka, California, to the seller's warehouse over the 57 cents rate. If the rate is less than 57 cents deduct the resulting difference in transportation charges from the Eastern area prices in MPR 253.

(iii) *MPR 402 (Western Red Cedar Lumber).* Seattle, Washington.

(iv) *MPR 412 (Tidewater Red Cypress Lumber).*

Perry, Florida: Alabama, Connecticut, Delaware, District of Columbia, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin.

Ponchatoula, Louisiana: Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Mississippi, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. Jobbers with warehouses located in these states may make the additions allowed for Louisiana producers in calculating mill prices. (See section 24 of MPR 412.)

Albany, Georgia: Georgia and Tennessee.

Sumter, South Carolina: North Carolina and South Carolina.

SEC. 4. *Cash discounts.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. When a seller was not in business in August 1941, not less than two percent cash discount for payment in ten days shall be allowed. On specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms thirty days net may be used by the seller regardless of his established practice.

SEC. 5. *What the invoice must contain.* All invoices must contain a sufficiently complete description of the millwork to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description. The invoice must show whether the sale is a carload or less-than-carload sale, whether shipped by rail or truck, the total quantity and price of each item, the total value of the sale, origin and destination of the shipment, and any additions for packaging.

SEC. 6. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of up-grading, commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, changes in discount practices, and the like.

(b) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive, or pay a commission for the service of procuring (including buying, selling or locating stock millwork, or for any related service such as "expediting") which does not involve physical handling of stock millwork, if the commission plus the purchase price results in a total payment by the buyer of the stock millwork which is higher than the maximum price of the stock millwork. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of stock millwork. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as stock millwork procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the stock millwork in connection with which the service is rendered.

ARTICLE III—MISCELLANEOUS

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

SEC. 8. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6.[2]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

SEC. 9. *Records.* All sellers must keep for two years records which will show a complete description of the items of stock

[2] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[3] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11808.

millwork sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $200 or more of stock millwork in transactions which are covered by this regulation.

SEC. 10. *Enforcement.* Persons violating any provision of the regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 12. *Imports and exports*—(a) *Imports.* Sales, purchases, and deliveries of commodities covered by this regulation which originate outside of and are imported into the continental United States are governed by the Maximum Import Price Regulation.[5]

(b) *Exports.* The maximum prices for export sales of stock millwork are governed by the Second Revised Maximum Export Price Regulation.[6]

ARTICLE IV—APPENDICES

SEC. 13. *Appendix A: Maximum prices for the New England area*—(a) *Area definition.* The New England area includes the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the New England area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in section 2 (a) and

(ii) Regardless of trade name they are a size and kind of stock millwork included in "Book of Designs, B. N. 42" issued by the Brockway-Smith-Haigh-Lovell Company, Boston, Mass., which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the New England area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the New England area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the New England area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 13, paragraph (c) (1):

	Percentage mark-up
Inside door jambs, ¾ x 3⅝	44
Inside door jambs, ¾ x 5¼	43½
Outside frames, 801–827	42
Outside frames, all others	42½
Pine entrance doors—6 P. 1¾"	37
Other entrance panel doors 1¾"	37
Pine French doors 1⅜"	34½
Breakfast sets	33½
Drawer cases	33½
Louvre and gable openings	33½
Low cost entrance frames	33½
Screens not covered by MPR 381	32½
Entrances	38
Kitchen cabinets	38
Colonial cabinets	38
Glazed windows	44½
Sash doors 1⅜"	45
Sash doors 1¾"	43½
6 Panel doors 1⅜"	45
6 Panel doors 1¾"	46
4 Panel doors 1⅜"	45
4 Panel doors 1¾"	46
Cupboard doors	42½
Mitred door and window trim	42
Stair parts	42
Mantels	42
Storm sash	44½
Blinds	46½
Glazed sash	53
Paneled shutters	51
Slat shutters	60

(ii) All items covered by section 13, paragraph (c) (2) and (3):

	Percentage mark-up
Douglas fir house doors	48½
Douglas fir garage doors	48½

(d) *Maximum prices for quantity sales.* (1) For less-than-carload sales in the following quantities when shipped to one customer, accepted for shipment at one time to one place, the maximum price shall be 10 percent less than that computed according to paragraph (c) above:

Orders of not less than 50 assorted units (including specialties), regardless of the quantity of any individual unit, or any items shown in the price list, except:

Overhead garage doors
Window and door trim
Trade-marked window units
Metal cabinets
Open sash
Window weights and cord
Sash balances
Hardware
Lumber specialties
Mouldings
Panels

(2) For less-than-carload sales in the following quantities when shipped to one customer, accepted for shipment at one time to one place, the maximum price shall be 5 percent less than the maximum price computed according to paragraph (c) above:

5 or more of a size and kind:
Glazed windows and storm sash
Pine French doors
Pine room doors
Fir room or fir sash doors
Fir storm doors
10 or more of a size and kind:
Cellar sash and single sash
Cupboard doors
5 or more sets or pairs, assorted sizes:
Fir garage doors
10 or more frames or parts to equal:
Cellar frames
10 or more sets (full bundles):
Door jambs
Any assortment of 5 doors:
Pine front and rear doors
Any assortment of 5 pair:
Blinds and shutters

(3) For less-than-carload sales, when shipped to one customer, accepted for shipment at one time to one place, for specialties including front door entrances, kitchen cabinets, mantels, stairwork, on orders of $75.00 up to $149.99 net the maximum price shall be 10 percent less than the maximum price computed according to paragraph (c) above, and on orders of $150.00 net and over the maximum price shall be 10 percent and an additional 5 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the prices computed according to paragraph (c) above.

(f) *Delivery.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 200 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

SEC. 14. *Appendix B: Maximum Prices for the Metropolitan New York area*—(a) *Area definition.* The Metropolitan New York area includes the counties of Monmouth, Middlesex, Somerset, Morris, Union, Essex, Passaic, Sussex, Hunterdon, Warren, Bergen and Hudson in the

[4] 8 F.R. 13240.
[5] 9 F.R. 2350.
[6] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

State of New Jersey and the counties of Rockland, Westchester, Suffolk, Nassau, Queens, Kings, Orange, Richmond, Bronx and New York in the State of New York.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the Metropolitan New York area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in section 2 (a), and

(ii) Regardless of trade name they are a size and kind of stock millwork included in "Design Book and Price Guide Number 25" issued by C. R. Rudinger, Inc. of South Kearny, New Jersey, which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Metropolitan New York area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Metropolitan New York area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Metropolitan New York area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 14, paragraph (c) (1): 32 percent.

(ii) All items covered by section 14, paragraph (c) (2) and (3): 43⅛ percent.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer, accepted for shipment at one time to one place, the maximum prices shall be:

(1) On orders of less than $50.00—price computed according to paragraph (c) above; and

(2) On orders of $50.00 to $149.99 (except casement and window units, mouldings, and Douglas fir garage doors)—5 percent less than the maximum prices computed according to paragraph (c) above; and

(3) On orders of $150.00 or more (except casement units, mouldings, and Douglas fir garage doors)—10 percent less than the maximum prices computed according to paragraph (c) above; and

(4) On orders of casement units of $500.00 or more—10 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 200 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price:

Item	Number of size and kind in a full bundle	Broken bundle packing charge net per package
Check rail windows	5 Open; 5 Glazed	$0.35
Plain rail windows	5 Open; 5 Glazed	.30
Sash—1⅜" or 1¾"	10 Open; 12 Glazed	.35
Storm sash—1¾"	10 Open; 10 Glazed	.40
Window screens	10	.50
Softwood panel doors	6—1⅜"; 5—1¾"	.60
Open sash doors		
Open side lights		
Softwood doors or side lights, glazed	6—1⅜"; 5—1¾"	1.00
Hardwood doors, open or glazed	4—1⅜"; 3—1¾"	1.00
Garage doors	1 Pair or 1 Set	1.00
Columns, round or square	4—6" or 8"; 3—10"; 2—12"	.80
Blinds and shutters	5 Pair	.35

Sec. 15. *Appendix C: Maximum prices for the Eastern area*—(a) *Area definition.* The Eastern area includes that part of the State of New York north of the counties of Orange, Rockland and Westchester; that part of Pennsylvania east of the counties of Potter, Clinton, Centre, Huntingdon and Franklin; that part of New Jersey south of the counties of Hunterdon, Somerset, Middlesex and Monmouth; all of the states of Delaware, Maryland, Virginia and West Virginia, and the District of Columbia.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in each state in the Eastern area are the sizes and kinds of stock millwork (as that term is defined in section 2 (a)), regardless of trade name, which are included in the state stock list designated below for the state in which delivery is made:

(i) "Millwork Price Guide R-11, June 1940" issued by A. Roberson & Son, Inc., Binghamton, New York, is designated as the stock list for that part of the State of New York covered by this appendix.

(ii) "Price List 80, May 1940" issued by C. C. Coolbaugh & Son Co., Gloucester City, New Jersey, is designated as the stock list for those parts of Pennsylvania and New Jersey covered by this appendix.

(iii) "Radford Woodwork of Distinction Price Bulletin, September 1941" issued by Radford and Sanders, Inc., of Baltimore, Maryland, is designated as the stock list for the states of Delaware, Maryland and the District of Columbia.

(iv) "Design Book and Catalogue No. 129" issued by W. A. Wilson & Sons, Inc., Wheeling, West Virginia, is designated as the stock list for the State of West Virginia.

(v) "Handy Helper 941-R" issued by Huttig Sash and Door Company of Roanoke, Virginia, is designated as the stock list for the State of Virginia.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Eastern area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (3) of this regulation) to the jobber's warehouse from which deliveries are made to the Eastern area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Eastern area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 15, paragraph (c) (1)—for items in:

Bracket #1: 48 percent.
Bracket #2: 50⅓ percent.
Bracket #3: 56⅓ percent.

(ii) All items covered by section 15, paragraph (c) (2) and (3)—57⅓ percent.

Classification of Items Under RMPR 293

Bracket #1:
- Blinds and Shutters
- Baluster Stock
- Cabinetwork—Standard Designs
- Door Jambs—Inside
- Frames—Window, Casement and Door
- Garage Doors—Pine (except overhead)
- Glazed Windows
- Glazed Sash (except cupboard sash)
- Glazed Storm Sash
- Hardwood Panel Doors
- W. P. P. Mitred Trim
- Pine Panel Doors
- Pine French Doors
- Pine Sash Doors
- Window and Sash Screens

Bracket #2:
- Pine Front Doors
- Hardwood Front Doors
- Hardwood Sash Doors
- Hardwood Slab Doors
- Hardwood French Doors
- V-Grooved and Flush Doors (hardwood and softwood)

Bracket #3:
- Cupboard Doors
- Cupboard Sash—Open and Glazed
- Gable and Louvre Frames
- Stairwork
- Windows and Sash—Open

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer, accepted for shipment at one time to one place, the maximum prices shall be:

(1) On orders of less than $30.00—price computed according to paragraph (c) above; and

(2) On orders of $30.00 to $149.99—5 percent less than the maximum prices computed according to paragraph (c) above; and

(3) On orders of $150.00 or more—10 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 200 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price:

Item	Number of size and kind in a full bundle	Broken bundle packing charge net per package
Check rail windows	5 Open; 6 Glazed	$0.30
Plain rail windows	5 Open; 8 Glazed	.30
Sash—1⅜" or 1¾"	10 Open; 12 Glazed	.30
Storm sash—1⅛"	10 Open; 10 Glazed	.60
Window screens	10	.50
Softwood panel doors Open sash doors Open side lights	6—1⅜"; 5—1¾"	.60
Softwood doors or side lights, glazed	6—1⅜"; 5—1¾"	1.00
Hardwood doors, open or glazed	4—1⅜"; 3—1¾"	1.00
Garage doors	1 Pair or 1 Set	1.00
Columns, round or square	4—6" or 8"; 3—10"; 2—12"	.50
Blinds and shutters	5 Pair	.25

SEC. 16. *Appendix D: Maximum prices for the North Central area*—(a) *Area definition.* The North Central area includes that part of the State of Pennsylvania west of the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, Cumberland and Adams; the States of Ohio, Indiana and Kentucky, and Lower Michigan.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in each state in the North Central area are the sizes and kinds of stock millwork (as that term is defined in section 2 (a)), regardless of trade name, which are included in the state stock list designated below for the state in which delivery is made:

(i) "Dealers' Price List No. 207—June 1940" issued by Iron City Sash & Door Co., Pittsburgh, Pa., is designated as the stock list for western Pennsylvania.

(ii) "Millwork Design Book No. 112" issued by the Whitmer-Jackson Co., Cleveland, Ohio, is designated as the stock list for Ohio.

(iii) "Goshen Sales Manual" issued in 1942 by Goshen Sash & Door Co., Goshen, Indiana, is designated as the stock list for Indiana.

(iv) "Handy Helper No. 1140-L" issued by Huttig Sash & Door Co., Louisville, Kentucky, is designated as the stock list for Kentucky.

(v) "Buying Guide of Building Materials No. 840" issued by Grand Rapids Sash and Door Company, Grand Rapids, Michigan, is designated as the stock list for Lower Michigan.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the North Central area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the North Central area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the North Central area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 16, paragraph (c) (1):

	Percentage mark-up
Open windows and sash:	
Medium	47½
Slow	60½
Odd	64½
Glazed windows and sash:	
Fast	35
Medium	43½
Slow	52
Odd	64½
Pine panel doors:	
Fast	35
Medium	39
Slow	47½
Odd	64½
Hardwood panel doors and flush doors:	
Fast	39
Medium	47½
Slow	52
Odd	64½
Hollow core doors:	
Fast	35
Medium	39
Slow	47½
Odd	64½
Pine open sash doors:	
Fast	35
Medium	39
Slow	47½
Odd	64½
Glazed doors (glazing element)	77½
Veneered open sash doors:	
Fast	39
Medium	47½
Slow	52
Odd	64½
Pine French doors:	
Fast	35
Medium	39
Slow	47½
Odd	64½
W. P. P. garage doors:	
All	30½
Pine cupboard doors:	
All	47½
W. P. P. frames—window and door:	
All	35
Screens—window and sash:	
All	30½
Blinds and shutters:	
All	43½

	Percentage mark-up
W. P. P. porchwork:	
All	47½
W. P. P. inside door jambs:	
All	38
Sash and window units:	
All	35
Knocked-down sash parts:	
All	60½

(ii) All items covered by section 16, paragraph (c) (2):

	Percentage mark-up
Fir doors—panel, sash and French:	
Fast	48½
Medium	51
Slow	60½
Firs—doors garage:	
All	42

(5) *Designation of fast, medium and slow sizes.* (i) For all the states in this area, fast, medium and slow sizes are as shown in "Lumber Dealers' Price Book Number 10" issued by Williams & Hunting Company, Cedar Rapids, Iowa, and marked as follows:

Fast—designated by •
Medium—designated by ⁴
Slow—designated by –
Odd—no mark

(ii) Any item on a stock list in effect on January 1, 1944, classified as fast, medium or slow, shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer, accepted for shipment at one time to one place, the maximum prices for that part of Pennsylvania covered by this appendix and the states of Ohio and Kentucky, on orders amounting to $100.00 or over shall be 5 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 150 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price for delivery in that part of Pennsylvania covered by this appendix and the states of Ohio and Kentucky.

Item	Number of lins and kind in a full bundle	Broken bundle packing charge net per package
Check rail windows	5 Open; 6 Glazed	$0.10
Plain rail windows	5 Open; 8 Glazed	.10
Sash—1¼" or 1⅜"	10 Open; 12 Glazed	.20
Storm sash—1¼"	10 Open; 10 Glazed	.10
Window screens	16	.10
Softwood panel doors	6—1⅜"; 6—1¾"	.60
Open sash doors		
Open side lights		
Softwood doors or side lights, glazed	6—1⅜"; 6—1¾"	1.00
Hardwood doors, open or glazed	4—1⅜"; 4—1¾"	1.00
Garage doors	1 Pair or 1 Set	1.00
Columns, round or square	4—6" or 8"; 3—10"; 3—12"	.50
Blinds and shutters	5 Pair	.25

SEC. 17. *Appendix E: Maximum prices for the Mid-Northern area*—(a) *Area definition.* The Mid-Northern area includes the states of Iowa, Illinois, and Wisconsin; the Upper Peninsula of Michigan, and that part of Missouri east of a line starting in Schuyler County just east of Lancaster, and drawn straight south to the western end of the extreme southern line of Miller County and continuing on county lines between Miller and Pulaski, Maries and Pulaski, Phelps and Pulaski, Phelps and Texas, Dent and Texas, Dent and Shannon, Reynolds and Shannon, Reynolds and Carter, Carter and Wayne, Carter and Butler, Carter and Ripley, and Ripley and Oregon.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in each state in the Mid-Northern area are the sizes and kinds of stock millwork (as that term is defined in section 2 (a)), regardless of trade name, which are included in the state stock list designated below for the state in which delivery is made:

(i) The "Lumber Dealers' Price Book Number 10" issued by Williams & Hunting Company, Cedar Rapids, Iowa, is designated as the state stock list for Iowa.

(ii) "Bilt-Well Millwork Price Guide Number 75" issued by Carr & Johnston Company, Peoria, Illinois, is designated as the state stock list for Illinois.

(iii) "Vetter's Builders Woodwork Design Book Number 1141" issued by the Vetter Manufacturing Company, Stevens Point, Wisconsin, is designated as the stock list for Wisconsin and Upper Michigan.

(iv) "Huttig Handy Helper No. 740" issued by Huttig Sash and Door Co., St. Louis, Missouri, is designated as the stock list for that part of Missouri covered by this appendix.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used that stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Mid-Northern area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork", plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Mid-Northern area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Mid-Northern area, plus the percentage mark-ups in subparagraph (4) below:

(4) *Mark-ups.* (i) Items covered by section 17, paragraph (c) (1):

	Percentage mark-up
Open windows and sash:	
Medium	52
Slow	65½
Odd	70
Glazed windows and sash:	
Fast	38
Medium	47
Slow	56½
Odd	70
Pine panel doors:	
Fast	38
Medium	42½
Slow	52
Odd	70
Hardwood panel doors and flush doors:	
Fast	42½
Medium	52
Slow	56½
Odd	70
Hollow core doors:	
Fast	38
Medium	42½
Slow	52
Odd	70
Pine open sash doors:	
Fast	38
Medium	42½
Slow	52
Odd	70
Glazed doors (glazing element)	84
Veneered open sash doors:	
Fast	42½
Medium	52
Slow	56½
Odd	70
Pine French doors:	
Fast	38
Medium	42½
Slow	52
Odd	70
W. P. P. garage doors:	
All	33½
Cupboard doors:	
All	52
W. P. P. frames—window and door:	
All	38
Screens—window and sash:	
All	33½

	Percentage mark-up
Blinds and shutters:	
All	47
W. P. P. porchwork:	
All	52
W. P. P. inside door jambs:	
All	38
Sash and window units:	
All	38
Knocked-down sash parts:	
All	65½

(ii) All items covered by section 17, paragraph (c) (2):

	Percentage mark-up
Fir doors—panel, sash and French:	
Fast	50
Medium	55
Slow	65
Fir garage doors:	
All	45

(5) *Designation of fast, medium and slow sizes.* (i) For all of the states in this area fast, medium and slow sizes are as shown in "Lumber Dealers' Price Book Number 10" issued by Williams & Hunting Company, Cedar Rapids, Iowa and marked as follows:

Fast—designated by *
Medium—designated by *
Slow—designated by –
Odd—no mark

(ii) Any item on a stock list in effect on January 1, 1944, classified as fast, medium or slow shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 150 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means only the common carrier rate per 100 pounds must be deducted.

SEC. 18. *Appendix F: Maximum prices for the Minnesota and Western area*—(a) *Area definition.* The Minnesota and Western area includes the states of Minnesota, South Dakota, North Dakota and that part of Montana east of the counties of Toole, Chouteau, Cascade, Meagher and Gallatin.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the Minnesota and Western area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in section 2 (a), and

(ii) Regardless of trade name, they are a size and kind of stock millwork included in "Bilt-Well Woodwork Price Guide No. 10" issued by the Carr-Cullen Company, Minneapolis, Minnesota, which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Minnesota and Western area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Minnesota and Western area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Minnesota and Western area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 18, paragraph (c) (1):

	Percentage mark-up
Sash:	
Fast	38
Medium	42½
Slow	52
Odd	70
Pine softwood doors:	
Fast	38
Medium	42½
Odd	70
Veneered doors:	
Medium	42½
Odd	70
Frames:	
Fast	38
Medium	65½
Odd	93
Window screens:	
All	27
W. P. P. mitred trim	47
Cabinetwork	42½
Stairwork	47
Window and sash units	38

(ii) All items covered by section 18, paragraph (c) (2):

	Percentage mark-up
Douglas fir doors—panel, sash and French:	
Fast	50
Medium	55
Odd	85

(5) *Designation of fast, medium and slow sizes.* (i) For this area fast, medium and slow sizes are shown in "Bilt-Well Woodwork Price Guide No. 10" issued by the Carr-Cullen Company, Minneapolis, Minnesota, and marked as follows:

Fast—designated by *
Medium—designated by •
Slow—designated by §
Odd—no mark

(ii) Any item on a stock list in effect on January 1, 1944, classified as fast, medium or slow shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer, accepted for shipment at one time to one place, the maximum prices on orders of $100.00 of more shall be 5 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse, with freight equalized with the following competitive points: Duluth, Minnesota; St. Cloud, Minnesota; Minneapolis, Minnesota; St. Paul, Minnesota; La Crosse, Wisconsin; Sioux Falls, South Dakota; Watertown, South Dakota; Aberdeen, South Dakota; Fargo, North Dakota; Minot, North Dakota.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price:

Item	Number of size and kind in a full bundle	Broken bundle packing charge net per package
Windows glazed	6	$0.35
Storm sash glazed	10	.50
Cottage windows glazed	4	1.00
Cottage sash glazed	4	1.00
Cottage storm sash glazed	4	1.00
For more than 22 sq. ft. surface	per sq. ft.	.05

Softwood panel doors	5—1⅜"; 4—1¾"	$0.85
Hardwood panel doors up to 3-0 x 7-0	3	1.10
Panel doors over 3-0 x 7-0	per sq. ft.	.06
Glazed doors up to 3-0 x 7-0	5—1⅜"; 4—1¾"	1.10
Glazed doors over 3-0 x 7-0	per sq. ft.	.06
Cupboard doors	10	.40
Blinds	10 pieces	.40
Garage doors	1 Pair or Set	1.10
Window screens	12	.50
Porch screens	per sq. ft.	.03
Porch columns	1	.75

SEC. 19. *Appendix G: Maximum prices for the Southeastern area*—(a) *Area definition.* The Southeastern area includes the states of Tennessee, Alabama,

North Carolina, South Carolina, Georgia and Florida.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the Southeastern area are all the items which meet both the following tests:

(i) They are stock millwork items as defined in section 2 (a), and

(ii) Regardless of trade name, they are a size and kind of stock millwork included in the "Huttig Handy Helper No. 841-C" issued by the Huttig Sash and Door Company, Charlotte, North Carolina, which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Southeastern area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork", plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons, who during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Southeastern area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) of this regulation, to the jobber's warehouse from which deliveries are made to the Southeastern area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 19, paragraph (c) (1): 35½ percent.

(ii) All items covered by section 19, paragraph (c) (2) and (3): 47½ percent.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer accepted for shipment at one time to one place, the maximum prices shall be:

(1) On orders of less than $150.00—price computed according to paragraph (c) above; and

(2) On orders of $150.00 to $299.99—5 percent less than the maximum prices computed according to paragraph (c) above; and

(3) On orders of $300.00 or more—10 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order, the maximum prices shall be those computed according to paragraph (c) and (d) of this section.

(2) Where shipment weighing 200 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price.

Item	Number of size and kind in a full bundle	Broken bundle packing charge net per package
Check rail windows	5 Open; 5 Glazed	$0.30
Plain rail windows	5 Open; 5 Glazed	.30
Sash—1⅛" or 1¾"	10 Open; 12 Glazed	.30
Storm sash—1¾"	10 Open; 10 Glazed	.30
Window screens	10	.30
Softwood panel doors	6—1⅜"; 5—1¾"	.60
Open sash doors		
Open side lights		
Softwood doors or side lights, glazed	6—1⅜"; 5—1¾"	1.00
Hardwood doors, open or glazed	4—1⅜"; 3—1¾"	1.00
Garage doors	1 Pair or 1 Set	1.00
Columns, round or square	4—6" or 8"; 3—10"; 2—12"	.50
Blinds and shutters	5 Pair	.25

SEC. 20. *Appendix H: Maximum prices for the South Central area*—(a) *Area definition.* The South Central area includes the states of Arkansas, Mississippi and Louisiana.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in each state in the South Central area are the sizes and kinds of stock millwork (as that term is defined in section 2 (a)), regardless of trade name, which are included in the state stock list designated below for the state in which delivery is made.

(i) "Sash—Doors—Millwork" issued by Allen Manufacturing Company, Jackson, Mississippi, is designated as the state stock list for Mississippi.

(ii) "Dealers Handy Price Guide" issued by the Victoria Sash and Door Company, Shreveport, Louisiana, in 1942 is designated as the state stock list for Arkansas.

(iii) "Dealers Handy Price Guide L" issued by the Victoria Sash and Door Company, Shreveport, Louisiana, in 1942, is designated as the state stock list for Louisiana.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the South Central area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941 received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the South Central area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate calculated according to the provision of section 3 (c) (3) of this regulation to the jobber's warehouse from which deliveries are made to the South Central area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) Items covered by section 20, paragraph (c) (1):

	Percentage mark-up
Glazed sash and plain rail windows:	
Fast	18½
Medium	29½
Slow	41
Glazed check rail windows:	
Fast	21½
Medium	26
Slow	36½
Glazed transoms:	
All	41
W. P. P. doors:	
All	41
Outside frames, inside door jambs:	
All	39½
Window screens:	
All	39½
Ironing board cabinets	25½
Medicine cabinets	25½
Telephone cabinets	25½
All other cabinets (plus 50¢ cwt. freight)	29½
Breakfast nooks (plus 50¢ cwt. freight)	29½
Mantels	20
Colonial entrances	33½
Louvres (plus $2.00 cwt. freight)	28
Garage doors	45½
Blinds and shutters	45½
Slab doors	50

(ii) Items covered by section 20, paragraph (c) (2) and (3):

	Percentage mark-up
Douglas fir panel doors #2 and #3:	
Fast	34
Slow	48½
Douglas fir sash doors# 2 and #3:	
Fast	29
Slow	48½
Douglas fir doors #1:	
All	48½

(5) *Designation of fast, medium and slow sizes.* (i) *Arkansas.* For delivery in the State of Arkansas:

Glazed sash—1⅛" 8 light plain rail (Yellow Pine)

Fast

8 x 10—8 lt
10 x 12—8 lt
10 x 14—8 lt
12 x 14—8 lt

Medium

10 x 16—8 lt
12 x 16—8 lt
12 x 18—8 lt
14 x 16—8 lt
8 x 10—12 lt
10 x 12—12 lt
10 x 14—12 lt
10 x 16—12 lt
12 x 14—12 lt
12 x 16—12 lt
12 x 18—12 lt

Glazed sash—1⅜" 2 light check rail

Fast

24 x 16
24 x 24
24 x 26
24 x 28
26 x 26
26 x 28
28 x 28

Medium

Balance of 2 light sizes listed in price list—4 light, 8 light, 12 light, 16 light and 18 light.

Fir doors—1⅜" thick

Fast

5 X panel

Mill Run

2-0 x 6-0-1 ⅛"
2-6 x 6-6-1 ⅛"
2-8 x 6-8-1 ⅛"

5 X Panel

Grade #3

2-0 x 6-0-1 ⅜"
2-0 x 6-8-1 ⅜"
2-6 x 6-6-1 ⅜"
2-6 x 6-8-1 ⅜"
2-8 x 6-8-1 ⅜"

2 panel

Grade #2

2-0 x 6-8-1 ⅜"
2-6 x 6-8-1 ⅜"
2-8 x 6-8-1 ⅜"

Medium

5 X panel

Grade #3

1-6 x 6-8-1 ⅜"
2-0 x 6-6-1 ⅜"
2-6 x 7-0-1 ⅜"
2-8 x 7-0-1 ⅜"
2-10 x 6-10-1 ⅜"
3-0 x 7-0-1 ⅜"

2 panel

Grade #2

1-6 x 6-8-1 ⅜"
2-0 x 6-0-1 ⅜"
2-0 x 6-6-1 ⅜"
2-4 x 6-8-1 ⅜"
2-6 x 6-6-1 ⅜"
2-6 x 7-0-1 ⅜"
2-8 x 7-0-1 ⅜"
2-10 x 6-10-1 ⅜"
3-0 x 7-0-1 ⅜"

1 panel

Grade #1

All sizes as listed in price list.

Slow

All 6 panel colonial doors.
All 1¾" panel doors, all designs.

Fir glass doors

Fast

All 1⅜" sizes listed in designs F118, F318, and F918.

Slow

All 1¾" F118, F318 and F918.
All 1⅜" and 1¾" doors as listed in price list other than 1⅜" F118, F318, and F918.

(ii) *Louisiana.* For delivery in the State of Louisiana:

Glazed sash: 1⅛" P. R.

Fast

10 x 12—8 lt.
10 x 14—8 lt.
12 x 14—8 lt.

Medium

8 x 10—8 lt.
12 x 20—4 lt.
12 x 24—4 lt.
12 x 28—4 lt.
8 x 10—12 lt.
8 x 12—12 lt.
10 x 12—12 lt.
10 x 14—12 lt.

Slow

Balance of plain rail sizes shown on Louisiana stock list.

Glazed sash: 1⅜" Check Rail W. P. P.

Fast

24 x 16—2 lt.
24 x 24—2 lt.
24 x 26—2 lt.
24 x 28—2 lt.
26 x 26—2 lt.
26 x 28—2 lt.
28 x 28—2 lt.
12 x 24—4 lt.
12 x 28—4 lt.
8 x 10—12 lt.
8 x 12—12 lt.
9 x 14—12 lt.
10 x 12—12 lt.
10 x 14—12 lt.

Slow

Balance of check rail sizes shown on Louisiana stock list.

Fir doors: No. 2 and Mill Run.

Fast

2-0 x 6-8-1 ⅜"—2 Panel #2
2-0 x 6-8-1 ⅜"—5 X Panel #2
2-8 x 6-8-1 ⅜"—2 Panel #2
2-8 x 6-8-1 ⅜"—5 X Panel #2
2-6 x 6-6-1 ⅛"—5 X Panel Mill Run
2-8 x 6-8-1 ⅛"—5 X Panel Mill Run

Slow

Balance of sizes shown on Louisiana stock list.

Fir doors No. 3

Fast

2-0 x 6-8-1⅜"—5 X Panel
2-6 x 6-6-1⅜"—5 X Panel
2-8 x 6-8-1⅜"—5 X Panel

Slow

Balance of sizes shown on Louisiana stock list.

Fir doors No. 1

Slow

All sizes shown on Louisiana stock list.

Fir glass doors

Fast

2-6 x 6-6, 2-8 x 6-8 } F-118 and Divisions thereon
2-6 x 6-8, 2-8 x 6-8 } #1535

(iii) *Mississippi.* For delivery in the State of Mississippi:

Glazed sash—1⅛" P. R.

Fast

8 x 10— 8 lt.
10 x 12— 8 lt.
12 x 14— 8 lt.
8 x 10—12 lt.
8 x 12—12 lt.
8 x 14—12 lt.
9 x 12—12 lt.
9 x 14—12 lt.
10 x 12—12 lt.
10 x 14—12 lt.

Medium

8 x 12— 8 lt.
10 x 14— 8 lt.
10 x 16— 8 lt.
12 x 16— 8 lt.
10 x 16—12 lt.

Slow

Balance of sizes shown on Mississippi stock list.

Glazed Sash—1⅜" Check Rail W. P. P.

Fast

2 Lt. or Div. Top

24 x 16
24 x 24
24 x 26
24 x 28
26 x 28
28 x 28
28 x 30

4 Lt.

12 x 28
14 x 28
14 x 30
14 x 32

Medium

2 Lt. or Div. Top

20 x 16
20 x 18
20 x 20
20 x 24
20 x 26
20 x 28
20 x 30
24 x 18
24 x 20
24 x 30
26 x 16
26 x 18
26 x 26
26 x 30
28 x 16
28 x 18
28 x 26
28 x 32

4 Lt.

12 x 24
12 x 26
12 x 30
12 x 32
12 x 36
14 x 24
14 x 26
14 x 36

Fast

8 Lt.

12 x 14
12 x 16

12 Lt.

7 x 9
8 x 9
8 x 10
8 x 12
8 x 14
9 x 8
9 x 9
9 x 12
9 x 13
9 x 14
10 x 12
10 x 14

16 Lt.

9 x 14

Medium

8 Lt.

9 x 14
10 x 12
10 x 14
10 x 16
12 x 18

12 Lt.

8 x 8
9 x 15
10 x 9
10 x 10
10 x 16
12 x 14

16 Lt.

10 x 14

18 Lt.

10 x 12
10 x 14

Slow

Balance of sizes shown on Mississippi stock list.

Fir Doors, No. 2 and Mill Run

Fast

1-6 x 6-8-1⅜"—2 Panel #2 or 5 X Panel.
2-0 x 6-0-1⅜"—2 Panel #2 or 5 X Panel.
2-0 x 6-6-1⅜"—2 Panel #2 or 5 X Panel.
2-0 x 6-8-1⅜"—2 Panel #2 or 5 X Panel.
2-6 x 6-6-1⅜"—2 Panel #2 or 5 X Panel.
2-6 x 6-8-1⅜"—2 Panel #2 or 5 X Panel.
2-8 x 6-8-1⅜"—2 Panel #2 or 5 X Panel.
2-6 x 6-6-1⅛"—5 X Panel M. R.
2-8 x 6-8-1⅛"—5 X Panel M. R.

Slow

Balance of sizes shown on Mississippi stock list.

Fir Doors, No. 3

Fast

1-6 x 6-8-1⅜"—5 X Panel.
2-0 x 6-0-1⅜"—5 X Panel.
2-0 x 6-6-1⅜"—5 X Panel.
2-0 x 6-8-1⅜"—5 X Panel.
2-6 x 6-6-1⅜"—5 X Panel.
2-6 x 6-8-1⅜"—5 X Panel.
2-8 x 6-8-1⅜"—5 X Panel.

Slow

Balance of sizes shown on Mississippi stock list.

Fir Doors, No. 1 Grade 2 Panel and 5 X Panel

Slow

All sizes shown on Mississippi stock list.

Fir Doors—1⅜"—6 Rsd. Panel Colonial

Fast

1-6 x 6-8
2-0 x 6-0
2-0 x 6-6
2-0 x 6-8
2-6 x 6-6
2-6 x 6-8
2-8 x 6-8

Slow

Balance of sizes shown on Mississippi stock list.

(6) Any item on a stock list in effect on January 1, 1944, classified as fast, medium or slow shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped to one customer, accepted for shipment at one time to one place, the maximum prices shall be:

(1) For orders of twelve or more each of telephone cabinets, ironing board cabinets, medicine cabinets, mantels, breakfast nooks—10 percent less than the maximum prices computed according to paragraph (c) above; and

(2) For orders on assorted purchase of twelve or more telephone cabinets, ironing board cabinets, medicine cabinets, mantels, breakfast nooks—5 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraph (c) and (d) of this section.

(2) Where shipment weighing 150 pounds or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price.

Item	Number of size and kind in a full bundle	Broken bundle packing charge net per package
Check rail windows	5 Open; 6 Glazed	$0.20
Plain rail windows	5 Open; 5 Glazed	.20
Sash—1⅜" or 1¾"	10 Open; 12 Glazed	.20
Storm sash—1½"	10 Open; 10 Glazed	.30
Window screens	10	.60
Softwood panel doors	6—1⅜"; 5—1¾"	.60
Open sash doors		
Open side lights		
Softwood doors or side lights, glazed	6—1⅜"; 5—1¾"	1.00
Hardwood doors, open or glazed	6—1⅜"; 3—1¾"	1.00
Garage doors	1 Pair or 1 Set	1.00
Columns, round or square	4—6" and 8"; 3—10"; 3—12".	.60
Blinds and shutters	5 Pair	.20

Sec. 21. *Appendix I: Maximum prices for the Texas area*—(a) *Area definition.* The Texas area includes all of the State of Texas except the counties of El Paso, Hudspeth, Culberson, Jeff Davis, Presidio and Brewster.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the Texas area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in section 2 (a), and

(ii) Regardless of trade name, they are a size and kind of stock millwork included in "Ideal Products", issued by the Wm. Cameron & Company, Inc., Wholesale, Waco, Texas, which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Texas area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork", plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44 the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Texas area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation, plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Texas area, plus the percentage mark-up in subparagraph (4) below:

(4) *Mark-ups.* (i) All items covered by section 21, paragraph (c) (1):

	Percentage mark-up
Check rail windows, glazed:	
Fast	17½
Medium	31
Slow	40
Plain rail windows, glazed:	
Fast	17½
Slow	22
W. P. P. panel doors:	
Fast	16½
Medium	25½
Slow	38½
W. P. P. sash doors:	
Fast	24½
Medium	40
Slow	50
W. P. P. outside frames:	
All	26
W. P. P. inside door jambs:	
All	26
W. P. P. window screens:	
All	23
W. P. P. colonial entrances:	
All	26
W. P. P. blinds & shutters:	
All	35
W. P. P. window units:	
All	17
W. P. P. casement units:	
All	20
W. P. P. Louvres:	
All	20
Flush type doors	52
Breakfast sets, buffets, bathroom and linen cabinets	17
Ironing boards, bookcases, corner cabinets, mantels, telephone and medicine cabinets	20
Kitchen units	12½
W. P. pine stairwork	44

(ii) All items covered by section 21, paragraph (c) (2) and (3):

	Percentage mark-up
Fir panel doors:	
Fast	28
Medium	38
Slow	53
Fir sash doors:	
Fast	37
Medium	54
Slow	66
Fir garage doors:	
All	50

(5) Designation of fast, medium and slow sizes.

Glazed sash—1⅜" 2 light check rail

Fast

24 x 14 — 24 x 30
24 x 16 — 26 x 26
24 x 24 — 26 x 28
24 x 26 — 28 x 28
24 x 28

Medium

Balance of sizes shown on stock list.

1⅜" 6 light check rail

Medium

10 x 12 — 10 x 16
10 x 14 — 12 x 14

1⅜" 8 light check rail

Medium

All sizes shown on stock list.

1⅜" 12 light check rail

Fast

10 x 12 — 10 x 14

Medium

Balance of sizes shown on stock list.

1⅜" 16 light check rail

Medium

10 x 12 — 12 x 14
10 x 14

1⅜" 18 light check rail

Medium

All sizes shown on stock list.

1⅜" 1 light sash
1⅜" 4 light sash
1⅜" 1 light transoms

Slow

All sizes shown on stock list.

1⅜" 8 light plain rail
1⅜" 12 light plain rail

Fast

8 x 10 — 10 x 14
10 x 12 — 12 x 14

Slow

Balance of sizes shown on stock list.

Fir doors, panel

Fast

2-0 x 6-0—⅛" — 2-0 x 6-8—1⅛"
2-0 x 6-0—1⅛" — 2-6 x 6-6—1⅛"
2-0 x 6-6—1⅛" — 2-6 x 6-8—1⅛"

5 X Panel

2-0 x 6-0—1⅜" 2-6 x 6-8—1⅜"
2-0 x 6-8—1⅜" 2-8 x 6-8—1⅜"
2-6 x 6-6—1⅜"

Medium

Balance of sizes shown on stock list.

Slow

All 1¾" sizes shown on stock list.

1 and 2 panel
6 panel colonial

Fast

2-0 x 6-8—1⅜" 2-8 x 6-6—1⅜"
2-6 x 6-8—1⅜"

1 and 2 panel

Medium

Balance of 1⅜" sizes shown on stock list.

Slow

All 1¾" sizes shown on stock list.

W. P. P. doors, panel

Fast

3 X Panel
5 X Panel

2-0 x 6-0—⅞" 2-6 x 6-6—1⅜"
2-0 x 6-0—1⅜" 2-8 x 6-8—1⅜"
2-0 x 6-8—1⅜"
2-0 x 6-0—1⅜" 2-6 x 6-8—1⅜"
2-0 x 6-8—1⅜" 2-8 x 6-8—1⅜"
2-6 x 6-6—1⅜"

Medium

Balance of 1⅜" sizes shown on stock list.

Slow

All 1¾" sizes shown on stock list.

1 Panel 6 Panel colonial
2 Panel

Fast

2-0 x 6-8—1⅜" 2-8 x 6-6—1⅜"
2-6 x 6-8—1⅜"

Medium

Balance of 1⅜" sizes shown on stock list.

Slow

All 1¾" sizes shown on stock list.

W. P. P. and fir doors, sash and French

Fast

All 3 X and 1 light designs.

W. P. P. and fir doors, sash and French—Con.

Medium

All interior and exterior French designs.

Slow

All other designs shown on stock list.

(6) On a stock list in effect on January 1, 1944, any item classified as fast, medium or slow shall not be transferred to a higher mark-up column regardless of how marked in catalog or price list.

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 100 pounds or more is made by common carrier the exact amount of the freight charges paid by the consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted.

(3) Where shipment of a broken bundle of sash, windows or blinds is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price.

Item	Number in a full bundle
Plain rail windows	8
Check rail windows	6
Cottage windows	4
Single sash or transom 1⅜"	12
Single sash 1⅛"	16
Hot bed sash 1⅜"	5
Hot bed sash 1¾"	4
Pair of blinds	5
Broken bundle packing charge—	
Glazed sash, up to 60 united inches, glass measurement	$0.25
Glazed sash, over 60 and up to 100 united inches	.50
Glazed sash, over 100 united inches	1.00
Open sash, per package	.25
Blinds, per package	.25

Effective date. This regulation shall become effective April 12, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4899; Filed, April 6, 1944; 11:48 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[RPS 44,[1] Amdt. 4]

DOUGLAS FIR DOORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register*

Revised Price Schedule No. 44 (Douglas Fir Doors) is amended in the following respect:

Section 1312.160 *Addition for sales by jobbers* is deleted.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4894; Filed, April 6, 1944; 11:46 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7963, 8948; 8 F.R. 13246, 14843.

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 456,[1] Amdt. 1]

ALFALFA HAY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6 is amended to read as follows:

SEC. 6. *Increases for sacks.* The maximum price for the sale of domestic or imported alfalfa hay products, sacked or packaged, shall be the appropriate maximum price for a like sale in bulk, plus, where the seller has furnished the sacks or packages, the reasonable market value of the sacks or packages used, not exceeding any maximum price for such sacks or packages at the time of the sale or delivery.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4896; Filed, April 6, 1944; 11:46 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 116]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompany this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1394.7706 (z) is added to read as follows:

(z) (1) By a full-time compensated employee of a bona fide non-profit organization, chartered by the United States or by any State and organized principally for assisting farmers, having a membership of not less than one hundred persons with a majority of such membership primarily engaged in operating farms, for necessary travel to, from or between agricultural establishments, meetings of farmers or plants of farmers' cooperatives for one or more of the following purposes of such organization:

(i) Assisting farmers in increasing their production of food.

(ii) Organizing or assisting farmers' cooperatives engaged in cooperative marketing of the products of their farms or cooperative buying of supplies, livestock or equipment necessary for the operation of their farms.

[1] 9 F.R. 2068.
[2] 8 F.R. 15937.

(iii) Organizing or assisting farmers in the cooperative use of farm livestock, machinery or equipment.

(2) No preferred mileage shall be allowed under this paragraph to any person for travel between home and a fixed place of work or for travel while engaged in merchandising or sales activities or retail or wholesale delivery.

This amendment shall become effective April 11, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4997; Filed, April 6, 1944; 11:47 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 128]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 3.1 (c) is amended by substituting the words "OPA Forms R–1606 (Revised), R–1607, or R–1626" for the words "OPA Form R–1606".

2. Section 3.2 (a) (1) is amended by substituting the words "OPA Forms R–1606 (Revised) or R–1607" for the words "OPA Form R–1606".

3. The last sentence of section 3.4 (d) is amended to read as follows:

He must, within five days after the transfer, send one copy of the certification to the board named therein, and file the other with his report on OPA Forms R–1606 (Revised), R–1607 or R–1609 (Revised) for the reporting period in which the transfer was made.

4. The first sentence of section 3.4 (e) is amended by changing the words "OPA Form R–1609 or OPA Form R–1609 (Revised)" to read "OPA Form R–1609 (Revised)".

5. Section 4.11 (a) (1) is amended to read as follows:

(1) Every primary distributor must register with the Office of Price Administration. A primary distributor who is required to report on OPA Forms R–1606 (Revised), R–1607, or R–1626 must register by filing an additional copy of his first report along with that report. A primary distributor who is required to report on OPA Form R–1609 (Revised) is considered registered when he files his first report. A primary distributor who is already registered is not required to re-register when a change is made in the form on which he is required to report.

6. Section 4.11 (b) is amended to read as follows:

(b) *Reports.* (1) Every primary distributor must file a report covering the operation of his primary distributor establishment during each reporting period ending on or after April 30, 1943. His first report must include his operations from March 29, 1943, to the end of his reporting period. However, the first report of a primary distributor of an item which is added, after March 29, 1943, to the foods covered by this order, must include his operations with respect to that item from the date it is added, to the end of his reporting period. If he has more than one primary distributor establishment, he must file a separate report for each. However, if he has registered his establishments in one or more groups, in the way permitted by paragraph (a) (2) he may file a single report for all the establishments in each such group. A primary distributor who reports on OPA Form R–1609 (Revised) must file his report within fifteen days after the end of the reporting period it covers. A primary distributor who reports on OPA Form R–1606 (Revised) or OPA Form R–1607 must file his report within thirty days after the end of the reporting period it covers, but he may not file the report before the sixteenth day after the end of that period unless he has received all points due him for the transfers reported for that period and has paid all points owed by him for the acquisitions reported for that period. A primary distributor who reports on OPA Form R–1626 must file his report within ten days after the end of the reporting period it covers.

(2) A primary distributor who reports on OPA Form R–1606 (Revised) or OPA Form R–1607 may adopt any one of the following reporting periods:

(i) Calendar months; or

(ii) Consecutive four-week periods; or

(iii) A system which divides the fiscal year into either four or five periods of five consecutive weeks and either seven or eight periods of four consecutive weeks.

(3) A primary distributor who reports on OPA Form R–1609 (Revised) or OPA Form R–1626 must adopt calendar month reporting periods. If he has not been reporting on a calendar month reporting period basis, his first report on a calendar month reporting period basis on OPA Form R–1609 (Revised) or OPA Form R–1626 must include his operations from the end of the preceding reporting period to the end of the calendar month covered in the report.

(4) The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the day it is due.

7. Section 4.11 (c) is amended to read as follows:

(c) *Form to be used.* (1) A primary distributor who does not import foods covered by this order and who does not use points to acquire such foods, must report on OPA Form R–1609 (Revised), if his sales or transfers of such foods from the place where he produces them consist entirely of one or more of the following:

(i) Sales or transfers of meat he slaughtered under a War Food Administration Farm Slaughterer's Permit (including meat from his livestock which he has custom slaughtered);

(ii) Sales or transfers of lard he rendered from the carcasses of swine slaughtered for home consumption (or for consumption on his premises) or slaughtered under a War Food Administration Farm Slaughterer's Permit;

(iii) Sales or transfers of butter he made from cream (or milk) which he produced, if the cream (or milk) was not neutralized or pasteurized;

(iv) Sales or transfers of cheese he made from milk which he produced; or

(v) Sales or transfers of other foods covered by this order which he produced in an amount of not more than $200 during the month covered by the report.

(2) A primary distributor who is not required to report on OPA Form R–1609 (Revised) must report on OPA Form R–1626 for reporting periods beginning on or after March 1, 1944, for each of his primary distributor establishments from which he sells or transfers "rationed dairy products" only. ("Rationed dairy products" means any food covered by this order which is made from cow's milk or from another food made from cow's milk, as, for example, rationed cheeses, butter or canned milk.) If he is permitted to combine in a single report on OPA Form R–1626 his sales and transfers from more than one of his primary distributor establishments, he must report all those sales and transfers on OPA Form R–1626, even though some of those establishments meet the conditions described in subparagraph (1) of this paragraph (c).

(3) Any primary distributor who is not required to report on OPA form R–1609 (Revised) or OPA Form R–1626 may report on OPA Form R–1607 for each reporting period beginning on or after December 1, 1943, if he does not sell or transfer, during the period covered by the report, more than $2,000 worth of foods covered by this order, if he does not import foods covered by this order, and if his acquisitions of such foods for his primary distributor operations during that period do not constitute more than 10 percent by weight of his total sales and transfers of such foods during the period.

(4) Any primary distributor who is not required to report on OPA Form R–1609 (Revised) or OPA Form 1626 and who does not report on OPA Form R–1607 must report on OPA Form R–1606 (Revised) for each reporting period beginning on or after December 1, 1943. If he reports on OPA Form R–1606 (Revised) for an establishment from which he sells or transfers rationed dairy products, he must attach to his report for each reporting period ending after February 29, 1944, a copy of Dairy Products Report No. 1 covering his operations at that

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13900, 14399, 14622, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

establishment. In addition, a primary distributor who reports on OPA Form R–1606 (Revised) and who transfers canned fish, must, at the same time and in the same manner that he makes his report on OPA Form R–1606 (Revised), report on OPA Form R–1606A.

(5) A primary distributor who has more than one primary distributor establishment which are or will be registered together, may file a single report on OPA Form R–1609 (Revised) or OPA Form R–1607 for those establishments only if all of them combined meet the requirements set forth in this section for reporting on such forms; he may file a single report on OPA Form R–1626 for those establishments if all of them sell or transfer only rationed dairy products.

(6) A primary distributor need not file a report for any reporting period during which he made no transfers of foods covered by this order (other than loans permitted by section 3.1 (b)). However, once a primary distributor reports on OPA Form R–1606 (Revised), OPA Form R–1607 or OPA Form R–1626, he must continue to use one of those forms. He may not thereafter report on OPA Form R–1609 (Revised).

8. Section 4.11 (d) is amended by changing the words "OPA Form R–1606, OPA Form R–1606 (Revised) or OPA Form R–1607" to read "OPA Form R–1606 (Revised) or OPA Form R–1607."

9. Section 4.11 (f) is amended to read as follows:

(f) Place for filing report. A primary distributor who reports on OPA Form R–1606 (Revised) or OPA Form R–1607 must file it with the district office for the place where his establishment is located or, if it is a report covering a group of establishments, with the district office at which that group is registered. If he reports on OPA Form R–1609 (Revised) he must file it with the "board" for that place. If he reports on OPA Form R–1626 he must mail it with his Dairy Products Report No. 1 to Post Office Box 6910A, Chicago, Illinois.

10. Section 4.11 (g) is amended so that the first sentence shall read as follows:

A primary distributor who wishes to adopt reporting periods other than those which he is permitted to use under paragraph (b) of this section, or to change his reporting periods to conform to his accounting periods, may apply to the district office (or to the board) with which he is registered, for permission to do so.

11. Section 4.16 (d) is amended by changing the words "OPA Form R–1606 (Revised) or OPA Form R–1607" to read "OPA Form R–1606 (Revised), OPA Form R–1607 or OPA Form R–1626."

12. Section 9.2 (a) is amended by changing the words "OPA Form R–1606 or OPA Form R–1606 (Revised)" to read "OPA Form R–1606 (Revised) or OPA Form R–1626."

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4892; Filed, April 6, 1944; 11:45 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[RMPR 293,[1] Amdt. 5]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 293 is amended in the following respects:

1. Section 2 (b) (2) is amended to read as follows:

(2) *Sales by retailers.* This regulation covers all sales by retailers.

2. In section 3 a new paragraph (c) is added to read as follows:

(c) Each manufacturer of products covered by this regulation, shall submit to the Millwork Unit, Lumber Branch, Office of Price Administration a certified list of buyers of such products to whom he extended his maximum straight car service discounts or concessions during the last six months of 1943.

On sales by a manufacturer to any person to whom that manufacturer customarily granted his prevailing maximum service discounts or concessions during the last six months of 1943, the maximum prices for carload sales of stock millwork shall be the maximum prices established by paragraph (a) of this section, reduced by the jobbers' maximum straight car service discounts or concessions printed in the following publications:

Huttig Manufacturing Co., Muscatine, Iowa; Price File #15, March 4, 1941.

Anson & Gilkey Co., Merrill, Wisconsin; Schedule #5000, September 15, 1941.

Farley & Loetscher Mfg. Co., Dubuque, Iowa; Schedule #101, March 1, 1941.

Carr, Adams & Collier Co., Dubuque, Iowa; Carload price schedule #694, July 15, 1941.

Rock Island Sash & Door Works, Rock Island, Illinois; Schedule #504, September 9, 1941.

with the exception that the service discount or concession on combination doors set forth in the above publications shall be shortened two points for open doors and one point for glazed.

3. Section 8 is deleted.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4893; Filed, April 6, 1944; 11:46 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Corr. to Amdt. 27[1]]

GROCERY ITEMS, ETC., IN PUERTO RICO

Amendment 27 to Revised Maximum Price Regulation 183—Puerto Rico, is corrected by changing the headnote in section 40 Table 31a from "To wholesaler" to read "At wholesale".

This correction shall become effective as of March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4898; Filed, April 6, 1944; 11:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

CONTRACTS AND CONCESSIONS

The Commission on April 1, 1944, extended from April 7, 1944, to June 7, 1944, the time for compliance with the additional requirements of § 43.51, *Contracts and concessions*, added by the amendment of March 7, 1944. (9 F.R. 2793)

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 211 (b), 48 Stat. 1073; 47 U.S.C. 211 (b))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–4872; Filed, April 6, 1944; 11:06 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 180, Amdt. 3]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12694, 14346, 14314, 16199.

[1] 9 F.R. 2831.

office in Washington, D. C., on the 5th day of April, A. D. 1944.

Upon further consideration of Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, 49 C.F.R. § 95.330, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095) be, and it is hereby, further amended by striking out paragraph (e) from § 95.330.

It is further ordered, That:

Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, 49 C.F.R. § 95.330, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095) and as amended in the first ordering paragraph of this order be, and it is hereby, suspended until May 5, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

And it is further ordered, That this order shall become effective at 7: 00 a. m., April 6, 1944, except on refrigerator cars which have been set for unloading and which have not been made empty and released at that time, the provisions of Service Order No. 180 as amended shall continue to apply until such cars are unloaded and released; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4902; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 188, Amdt. 2]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of April, A. D. 1944.

Upon further consideration of Service Order No. 188 (9 F.R. 3098) of March 18, 1944, as amended (9 F.R. 3396) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 188 (9 F.R. 3098) of March 18, 1944, 49 C.F.R. § 95.334, as amended (9 F.R. 3396) be, and it is hereby suspended until May 5, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 7:00 a. m., April 6, 1944, except on refrigerator cars which have not been released empty at that time, the provisions of Service Order No. 188, as amended, shall continue to apply until such cars are released empty to the carrier; that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4910; Filed, April 6, 1944; 11:55 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order No. 1940]

PUBLIC LAND AND INDIAN MINES

INSPECTION BY BUREAU OF MINES

In order to avoid duplication of effort, on and after July 1, 1944, the Bureau of Mines will be responsible for all mine safety inspections of mining operations on public domain and Indian lands and other Government-lease mining operations. Those portions of statutes which require that the Secretary of the Interior make provision for the safety and welfare of miners engaged in such operations will hereafter be administered by the Bureau of Mines. Where the Geological Survey heretofore has made mine safety inspections of this character, the duty of inspection shall be performed by the Bureau of Mines. All regulations in conflict with this order are hereby superseded and such regulations shall be formally amended to reflect this change as expeditiously as possible. The Director of the Geological Survey and the Director of the Bureau of Mines shall be responsible for carrying out this order.

HAROLD L. ICKES, *Secretary of the Interior.*

APRIL 4, 1944.

[F. R. Doc. 44-4837; Filed, April 5, 1944; 1:17 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-21]

HUB CITY JOBBING CO.

FINDINGS REGARDING WAR CONTRACTS

In the matter of Hub City Jobbing Company, Marshfield, Wisconsin (Case No. S–791).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. no. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Hub City Jobbing Company, Marshfield, Wisconsin;

I find that the transportation of cheese by the Hub City Jobbing Company pursuant to contract with Armour & Company, Chicago, Illinois, for sale by Armour & Company pursuant to the provisions of an act entitled "An Act to promote the defense of the United States" is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 4th day of April 1944.

FRANCES PERKINS, *Secretary of Labor.*

[F. R. Doc. 44-4855; Filed, April 5, 1944; 3:38 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 208]

HOUSEHOLD GOODS MOTOR CARRIERS

REGISTRATION OFFICE AT BLUEFIELD, W. VA.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the motor carriers named in Appendix 1 hereto, pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6089, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), and good cause appearing therefor, *It is hereby ordered*, That:

1. The carriers and each of them, named in Appendix 1 hereto (hereinafter collectively called "carriers"), respectively, in the transportation of shipments of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at Bluefield, West Virginia, to facilitate the movement of such shipments, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 43 (9 F.R. 3261);

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the

approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation; and

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto; and

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereto. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same manner and degree as the carriers named in Appendix 1 hereto.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with district offices and obtaining clearance authorities as provided in General Order ODT 43, or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised–208," and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This supplementary order shall become effective on April 11, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April, 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

1. Bernard R. Aliff and Sherman T. Aliff (a co-partnership), doing business as Aliff Transfer Company, Bluefield, W. Va.
2. P. F. Wallace and Virginia B. Wallace (a co-partnership), doing business as P. F. Wallace Transfer, Bluefield, W. Va.
3. Lacy Sherman Burkett (an individual), doing business as Burkett Transfer, Bluefield, W. Va.
4. Service Storage & Transfer Company, Inc. (a corporation), Bluefield, W. Va.
5. Black Diamond Lines, Inc. (a corporation), Bluefield, W. Va.

[F. R. Doc. 44–4838; Filed, April 5, 1944; 1:35 p. m.]

[Supp. Order ODT 3, Rev.–216]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN FLORIDA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrange-

[1] Filed as part of the original document.

ments made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX

1. Great Southern Trucking Company (a corporation) Jacksonville, Fla.
2. D. E. Hunt (an individual), doing business as Hunt Truck Line, Tampa, Fla.

[F. R. Doc. 44-4839; Filed, April 5, 1944; 1:35 p. m.]

[Supp. Order ODT 6A-24]

COMMON CARRIERS

COORDINATED OPERATIONS IN SAN FRANCISCO, CALIF.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-24" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 11, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

F. A. Moseback, doing business as Rushmore Drayage Co., Jellins Drayage Co., F. A. Moseback Drayage Co., San Francisco, Calif.
N. Valva, doing business as N. Valva Drayage Co., San Francisco, Calif.
J. E. Bertoli, doing business as H. Matroni Drayage Co., San Francisco, Calif.
A. M. Devincenzi and A. J. Gidardo, a partnership, doing business as A. M. Devincenzi Drayage Co., San Francisco, Calif.

[F. R. Doc. 44-4840; Filed, April 5, 1944; 1:35 p. m.]

[Supp. Order ODT 20A-79]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN LITTLE FALLS, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Little Falls, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or ob ing the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-79" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Utica, New York.

8. This order shall become effective April 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

City Taxi, 687 E. Main Street, Little Falls, N. Y.
McGuire's Taxi, 546 E. John Street, Little Falls, N. Y.
Jimmie's Taxi, 9 Whitehead Street, Little Falls, N. Y.
Hall's Taxi, 8 Church Street, Little Falls, N. Y.

[F. R. Doc. 44-4841; Filed, April 5, 1944; 1:36 p. m.]

[Supp. Order ODT 20A-95]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AMARILLO, TEX., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Amarillo, Texas, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Amarillo, Texas, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-95" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Amarillo, Texas.

8. This order shall become effective April 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

F. L. Broaddus, d/b/a A. A. A. Taxi, Amarillo, Tex.
H. V. Lowrance, d/b/a City Taxicab Co., Amarillo, Tex.
C. D. Dewey, d/b/a Hammond Taxi & Baggage Co., Inc., Amarillo, Tex.
H. T. Benton, d/b/a Rainbow Taxi, 604 Tyler, Amarillo, Tex.
W. B. Hamilton, d/b/a Safe-Way Taxi Co., Amarillo, Tex.
L. M. Blackwell, d/b/a Yellow Cab & Baggage Co., Amarillo, Tex.

[F. R. Doc. 44-4842; Filed, April 5, 1944; 1:36 p. m.]

[Supp. Order ODT 20A-96]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ONEONTA, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Oneonta, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate

[1] Filed as part of the original document.

[1] Filed as part of the original document.

regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–96" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Utica, New York.

8. This order shall become effective April 11, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

B-Line Taxi, 29 Church St., Oneonta, N. Y.
Sherman Taxi, 6 Broad St., Oneonta, N. Y.
Van Deusen Taxi Co., 3½ Broad St., Oneonta, N. Y.

[F. R. Doc. 44–4843; Filed, April 5, 1944; 1:37 p. m.]

[Supp. Order ODT 20A–97]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORTSMOUTH, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portsmouth, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passanger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Cincinnati, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–97" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Cincinnati, Ohio.

8. This order shall become effective April 11, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

The 900 Cab Co., Inc., Portsmouth, Ohio.
The Safely Cab Co., Portsmouth, Ohio.

[F. R. Doc. 44–4844; Filed, April 5, 1944; 1:37 p. m.]

[Supp. Order ODT 3, Rev.–115, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WEST VIRGINIA

Upon consideration of a petition to substitute the Litman Motor Freight, Inc., a corporation, of Parkersburg, West Virginia, in lieu of B. C. Litman, an individual, doing business as Litman Motor Freight, of Parkersburg, West Virginia, as a party to Supplementary Order ODT 3, Revised–115 (8 F.R. 15997), and good cause appearing therefor, *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised–115 be, and it is hereby, amended by substituting Litman Motor Freight, Inc., in lieu of B. C. Litman, doing business as Litman Motor Freight, and

2. Litman Motor Freight, Inc., on and after the effective date of this amendment, shall perform, subject to the provisions of such order, the functions of B. C. Litman, doing business as Litman Motor Freight, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective April 6, 1944.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44–4890; Filed, April 6, 1944; 11:34 a. m.]

[Supp. Order ODT 20A–98]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORTSMOUTH, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portsmouth, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–98" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective April 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

APPENDIX 1

Lois P. Keen, Portsmouth, N. H.
Wade's Taxi Service, Inc., Portsmouth, N. H.
Henry Twombly, Portsmouth, N. H.
Andrew J. Barrett, Portsmouth, N. H.
Kay's Taxi, Portsmouth, N. H.
Lamb's Taxi, Portsmouth, N. H.
John Lukas, Portsmouth, N. H.
John's Taxi, Portsmouth, N. H.
Griffin's Taxi, Portsmouth, N. H.
Tucker's Taxi, Portsmouth, N. H.
Pauls Taxi, Portsmouth, N. H.
Mrs. Royce A. Tewksbury, Portsmouth, N. H.
Hislop Taxi, Portsmouth, N. H.

[F. R. Doc. 44–4891; Filed, April 6, 1944, 11:34 a. m.]

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[1] Filed as part of the original document.

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 670]

NORTH PRAIRIE MINING CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 670 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices for coals of North Prairie Mining Company, Inc.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The North Prairie Mine of the North Prairie Mining Company, Inc., is hereby asigned Mine Index No. 2007, and is classified in Price Group No. 9.

(b) Coals produced by North Prairie Mining Company, Inc., from its North Prairie Mine, Mine Index No. 2007, in District No. 11, for the indicated uses and movements, may be sold and purchased at per net ton prices not exceeding the following:

	Size Group No.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Rail shipments	$2.40	$2.40	$2.40	$2.40	$2.40	$2.40	$2.60	$2.40	$2.15	$2.15	$2.15	$2.15	$1.80	$1.80	$1.40	$1.10
Truck shipments	3.25	3.20	3.15	3.05	3.00	2.95	2.55	2.60	2.50	2.45	2.45	2.45	2.25	2.15	1.60	1.30

Chassis model number:	*List price, f. o. b. factory*
ED	$930
EH	2,530
EHT	2,575
LJ	5,305

(2) *Allowances.* (i) Allowance for extra, special and optional equipment which shall not exceed the allowance in effect on March 31, 1942, to the applicable class of purchaser, for such equipment when sold with the applicable chassis described in subparagraph (1).

(ii) Allowance to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942.

(iii) Allowance to cover railroad freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise tax and tire weight tax computed in accordance with the seller's method in effect on March 31, 1942.

(b) A reseller of Mack motor trucks may sell, f. o. b. place of business, each Mack truck containing a chassis described in subparagraph (1) below at a price not to exceed the total of the applicable list price in that subparagraph and applicable allowances in subparagraph (2) below, subject to the discounts the reseller had in effect on March 31, 1942, to the applicable class of purchaser:

(1) The following applicable list price, f. o. b. factory,

Chassis model number:	*List price, f. o. b. factory*
ED	$930
EH	2,530
EHT	2,575
LJ	5,305

(2) *Allowances.* (i) An allowance for extra, special and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942, to the applicable class of purchaser, for such equipment when sold in connection with the applicable chassis described in subparagraph (1).

(ii) Actual freight-in expense.

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge for handling and delivery in effect on March 31, 1942.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller who cannot establish a price in accordance with paragraph (b) because he was not in business on March 31, 1942 may apply for a price to the national office of the Office of Price Administration, Washington, D. C.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall be effective as of March 2, 1944.

Issued this 6th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4901; Filed, April 6, 1944; 11:45 a. m.]

[RMPR 131, Order 2]

MILLER RUBBER CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 2 under Revised Maximum Price Regulation 131. Camelback and tire and tube repair materials.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 6 (h) of Revised Maximum Price Regulation 131, *It is ordered:*

(a) The following maximum prices are established for sales by jobbers of "Mile-Saver" tire patches distributed by the Miller Rubber Company of Akron, Ohio:

Size:	*Maximum price*
71	$0.28
72	.41
73	.54
74	.79
75	.90

(b) "Jobber" means any seller, other than Miller Rubber Company, who buys Miller "Mile-Saver" tire patches exclusively for resale to persons other than individual consumers. However, a recapper or a vulcanizer is not considered an individual consumer.

(c) All provisions of Revised Maximum Price Regulation 131 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This order shall become effective April 7, 1944.

Issued this 6th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4900; Filed, April 6, 1944; 11:47 a. m.]

Regional and District Office Orders.

[Region I Order G-67 Under RMPR 122]

SOLID FUELS IN GARDNER, MASS., AREA

Order No. G-67 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Gardner, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered:*

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Gardner, Massachusetts, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-67 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-67. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-67 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this Order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "Direct Delivery" basis at any point in the Gardner, Massachusetts, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.00	$8.75	$4.50	$0.95
Pea	15.45	8.00	4.10	.85
Buckwheat	13.55	7.05	3.65	.80
Rice	11.95	6.25	3.25	.70
Coke:				
Egg, stove and chestnut	15.75	8.05	4.45	.90
Ambricoal	14.75	7.65	3.95	.80

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	½ ton	¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs:			
First flight	.20	.20	.15
Each flight thereafter	.25	.15	.10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers and unequipped dealers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Gardner, Massachusetts, Area to consumers or unequipped dealers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.00	$8.00	$4.00	$0.85
Pea	14.45	7.25	3.65	.75
Buckwheat	12.55	6.30	3.15	.70
Rice	10.95	5.50	2.75	.60
Coke: Egg, stove and chestnut	15.75	7.90	3.95	.85
Ambricoal	13.75	6.90	3.45	.75

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller:

Per net ton	$0.50
Per half ton	.25
Per quarter ton	.15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers other than unequipped dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Gardner, Massachusetts, Area to dealers in fuels who resell them, except sales to unequipped dealers which are governed by Price Schedule II.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove & chestnut	$15.50	$7.75	$3.90
Pea	13.95	7.00	3.50
Buckwheat	12.05	6.05	3.05
Rice	10.45	5.25	2.65
Coke: Egg, stove & chestnut	15.25	7.65	3.85
Ambricoal	13.25	6.65	3.35

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller:

Per net ton	$0.50
Per half ton	.25
Per quarter ton	.15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b), (c) and (d) shall be reduced by $1.00 per ton, or by 50 cents per half ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on any sales of less than a half ton. If payment is not required or made at the time of delivery or (except in the case of less than half-ton lots) within 10 days thereafter, terms shall be net thirty days.

(f) *Certain named Pennsylvania anthracite coals.* The specific prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.15	$0.05
Broken, pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Franklin:				
Broken	.75	.40	.20	.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.30	.15	.05	None
Rice	.10	.05	None	None
Greenwood: Egg, stove, chestnut, and pea	.25	.15	.05	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	.05
Buckwheat	.35	.20	.10	None
Rice	.25	.15	.05	None

(g) *Definitions.* When used in this Order G–67, the term:

(1) "Gardner, Massachusetts, Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Ashburnham, Athol, Barre, Gardner, Hubbardston, Orange, Petersham, Phillipston, Royalston, Templeton, Westminster, and Winchendon.

(2) "Specified solid fuels" shall include Pennsylvania anthracite, coke and ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill, and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" means Jeddo Highland, Franklin, Greenwood, and Legitts Creek and Black Stork.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

(7) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite."

(8) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112.

(9) "Broken," "egg," "stove," "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed) Chapter 94, section 239A (Chapter 382, Acts of 1926), "buckwheat," "rice" and "barley" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(10) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing Company at their plant located in Everett, Massachusetts.

Providence Gas Company, Providence, Rhode Island.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

(11) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(12) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(13) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuels for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of busi-

ness, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(14) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(15) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(16) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(17) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this Order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid, or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-67 shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 3, 1944.

REGION I

Augusta Rev. Order No. 12, filed 4:44 p. m.
Augusta Rev. Order No. 13, filed 4:42 p. m.
Augusta Rev. Order No. 14, filed 4:42 p. m.
Augusta Rev. Order No. 15, filed 4:31 p. m.
Boston Regional Order No. 2-F, filed 4:36 p. m.
Boston Regional Order No. G-2, filed 4:38 p. m.
Boston Regional Order No. G-2, Amendment No. 1, filed 4:41 p. m.
Boston Regional Order No. G-4, filed 4:39 p. m.
Providence Order No. 1-F, filed 4:36 p. m.

REGION II

Albany Order No. 1-F, filed 3:55 p. m.
Altoona Order No. 1-F, filed 3:59 p. m.
District of Columbia Order No. 1-F, filed 4:01 p. m.
Erie Order No. 1-F, filed 4:49 p. m.
Harrisburg Order No. 1-F, filed 4:33 p. m.
Newark Order No. 1-F, filed 4:46 p. m.
New York Order No. 1-F, Amendment No. 1, filed 4:50 p. m.
Scranton Order No. 1-F, filed 4:01 p. m.
Scranton Order No. 10, Amendment No. 1, filed 4:48 p. m.
Syracuse Order No. 1-F, filed 4:49 p. m.
Williamsport Order No. 1-F, filed 3:59 p. m.
Wilmington Order No. 1-F, filed 3:55 p. m.

REGION III

Cincinnati Order No. 1-F, Amendment No. 23, filed 4:48 p. m.
Cincinnati Order No. 2-F, Amendment No. 16, filed 4:49 p. m.
Cincinnati Order No. 3-F, Amendment No. 3, filed 3:50 p. m.
Columbus Order No. 3-F, Amendment No. 13, filed 4:01 p. m.
Columbus Order No. 3-F Amendment No. 14, filed 4:34 p. m.
Columbus Order No. 4-F, Amendment No. 4, filed 4:34 p. m.
Columbus Order No. 5-F, Amendment No. 5, filed 4:34 p. m.
Columbus Order No. 7-F, Amendment No. 13, filed 4:34 p. m.
Columbus Order No. 7-F, Amendment No. 12, filed 4:01 p. m.
Columbus Order No. 7-F, Amendment No. 14, filed 4:34 p. m.
Detroit Order No. 1-F, Amendment No. 8, filed 4:02 p. m.
Detroit Order No. 1-F, Correction to Amendment 8, filed 4:02 p. m.
Escanaba Order No. 9-F, Amendment No. 8, filed 3:56 p. m.
Escanaba Order No. 10-F, Amendment No. 8, filed 4:55 p. m.
Escanaba Order No. 11-F, Amendment No. 5, filed 3:56 p. m.
Escanaba Order No. 12-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 13-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 14-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 15-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 16-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 17-F, Amendment No. 3, filed 3:56 p. m.
Lexington Order No. 1-F, Amendment No.

ness, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(14) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(15) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(16) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(17) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this Order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid, or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended, or corrected at any time.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-67 shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4804; Filed, April 6, 1944; 4:48 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 3, 1944.

REGION I

Augusta Rev. Order No. 12, filed 4:44 p. m.
Augusta Rev. Order No. 13, filed 4:42 p. m.
Augusta Rev. Order No. 14, filed 4:42 p. m.
Augusta Rev. Order No. 15, filed 4:31 p. m.
Boston Regional Order No. 2-F, filed 4:38 p. m.
Boston Regional Order No. G-2, filed 4:38 p. m.
Boston Regional Order No. G-2, Amendment No. 1, filed 4:41 p. m.
Boston Regional Order No. G-4, filed 4:39 p. m.
Providence Order No. 1-F, filed 4:36 p. m.

REGION II

Albany Order No. 1-F, filed 3:55 p. m.
Altoona Order No. 1-F, filed 3:59 p. m.
District of Columbia Order No. 1-F, filed 4:01 p. m.
Erie Order No. 1-F, filed 4:49 p. m.
Harrisburg Order No. 1-F, filed 4:33 p. m.
Newark Order No. 1-F, filed 4:46 p. m.
New York Order No. 1-F, Amendment No. 1, filed 4:50 p. m.
Scranton Order No. 1-F, filed 4:01 p. m.
Scranton Order No. 10, Amendment No. 1, filed 4:48 p. m.
Syracuse Order No. 1-F, filed 4:49 p. m.
Williamsport Order No. 1-F, filed 3:59 p. m.
Wilmington Order No. 1-F, filed 3:55 p. m.

REGION III

Cincinnati Order No. 1-F, Amendment No. 23, filed 4:48 p. m.
Cincinnati Order No. 2-F, Amendment No. 16, filed 4:49 p. m.
Cincinnati Order No. 3-F, Amendment No. 3, filed 3:50 p. m.
Columbus Order No. 3-F, Amendment No. 13, filed 4:01 p. m.
Columbus Order No. 3-F Amendment No. 14, filed 4:34 p. m.
Columbus Order No. 4-F, Amendment No. 4, filed 4:34 p. m.
Columbus Order No. 5-F, Amendment No. 5, filed 4:34 p. m.
Columbus Order No. 7-F, Amendment No. 13, filed 4:34 p. m.
Columbus Order No. 7-F, Amendment No. 12, filed 4:01 p. m.
Columbus Order No. 7-F, Amendment No. 14, filed 4:34 p. m.
Detroit Order No. 1-F, Amendment No. 8, filed 4:03 p. m.
Detroit Order No. 1-F, Correction to Amendment 8, filed 4:02 p. m.
Escanaba Order No. 9-F, Amendment No. 5, filed 3:56 p. m.
Escanaba Order No. 10-F, Amendment No. 5, filed 4:55 p. m.
Escanaba Order No. 11-F, Amendment No. 5, filed 3:56 p. m.
Escanaba Order No. 12-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 13-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 14-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 15-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 16-F, Amendment No. 4, filed 3:56 p. m.
Escanaba Order No. 17-F, Amendment No. 3, filed 3:56 p. m.
Lexington Order No. 1-F, Amendment No. 23, filed 4:02 p. m.
Lexington Order No. 2-F, Amendment No. 16, filed 4:03 p. m.
Lexington Order No. 3-F, Amendment No. 14, filed 4:02 p. m.

Louisville Order No. 1-F, Amendment No. 24, filed 4:33 p. m.
Louisville Order No. 2-F, Amendment No. 13, filed 4:33 p. m.
Louisville Order No. 3-F, Amendment No. 11, filed 4:32 p. m.

REGION IV

Charlotte Order No. 2-F, Amendment No. 1, filed 3:57 p. m.
Jacksonville Order No. 1-F, Amendment No. 16, filed 3:54 p. m.
Jacksonville Order No. 2-F, Amendment No. 12, filed 3:58 p. m.
Jacksonville Order No. 3-F, Amendment No. 2, filed 3:58 p. m.
Savannah Order No. 1-F, Amendment No. 29, filed 3:57 p. m.
Savannah Order No. 2-F, Amendment No. 24, filed 3:57 p. m.
Savannah Order No. 3-F, Amendment No. 22, filed 3:57 p. m.
Savannah Order No. 4-F, Amendment No. 21, filed 3:58 p. m.
Savannah Order No. 5-F, Amendment No. 2, filed 3:56 p. m.
South Carolina, Rev. Order No. 2-F, filed 3:54 p. m.

REGION V

Arkansas Order No. 2-F, Amendment No. 6, filed 3:49 p. m.
Arkansas Order No. 3-F, Amendment No. 6, filed 3:49 p. m.
Arkansas Order No. 4-F, Amendment No. 8, filed 3:49 p. m.
Arkansas Order No. 5-F, Amendment No. 7, filed 3:49 p. m.
Arkansas Order No. 6-F, Amendment No. 8, filed 3:49 p. m.
Dallas Order No. G-17, filed 4:35 p. m.
Oklahoma City Order No. 3-F, Amendment No. 11, filed 3:51 p. m.
Shreveport Order No. 1-F, Amendment No. 4, filed 3:49 p. m.
Shreveport Order No. 2-F, Amendment No. 8, filed 3:51 p. m.
St. Louis Rev. Order No. 1-F, Amendment No. 1, filed 4:35 p. m.
St. Louis Rev. Order No. 2-F, Amendment No. 1, filed 4:36 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 10, filed 3:52 p. m.
Duluth-Superior Order No. 1-F, Amendment No. 10, filed 3:52 p. m.
Duluth-Superior Order No. 2-F, Amendment No. 2, filed 3:52 p. m.
Milwaukee Order No. 2-F, Amendment No. 8, filed 3:52 p. m.
Milwaukee Order No. 3-F, Amendment No. 8, filed 3:53 p. m.
Milwaukee Order No. 4-F, Amendment No. 3, filed 4:35 p. m.
Milwaukee Order No. 5-F, Amendment No. 7, filed 3:53 p. m.

REGION VII

New Mexico Order No. 5-W, filed 4:32 p. m.

REGION VIII

Phoenix Order No. 1-P, Amendment No. 4, filed 3:53 p. m.
Phoenix Order No. 4-F, Amendment No. 7, filed 4:31 p. m.
Portland Order No. 1-F, Amendment No. 9, filed 4:31 p. m.
Spokane Order No. 5-F, Amendment No. 1, filed 4:31 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-4856; Filed, April 5, 1944; 4:15 p. m.]

[Region I Order G-1 Under MPR 426, Correction]

LETTUCE IN BOSTON REGION

Correction to Order No. G-1, Article III, section 15, Appendix I (g) (2), Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (2) (i).

Through inadvertence this order was incorrectly numbered G-1. That number is changed and the order is hereby re-designated Order No. G-2 under Maximum Price Regulation No. 426, and the title thereof shall read as follows:

Order No. G-2 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (2) (i).

This correction shall become effective on March 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4791; Filed, April 4, 1944; 3:06 p. m.]

[Region I Order G-2 Under MPR 426, Amdt. 1]

CITRUS FRUIT IN BOSTON REGION

Amendment No. 1 to Order No. G-2, Article III, section 15, Appendix I (g) (2), Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (2) (i).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I, (g) (2) of Maximum Price Regulation No. 426, *It is hereby ordered,* That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged.

This order may be revoked, amended or corrected at any time. This order shall become effective on March 7, 1944, for a period of four weeks ending April 3, 1944.

This amendment to Order No. G-2 shall become effective March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution, Northeast Region.

[F. R. Doc. 44-4792; Filed, April 4, 1944; 3:06 p. m.]

[Region I Order G-2 Under MPR 426, Correction]

CITRUS FRUIT IN BOSTON, MASS.

Correction to Order No. G-2, Article III, section 15, Appendix I (g) (2), Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (i), Boston, Massachusetts.

Through inadvertence this order was incorrectly numbered G-2. That number is changed and the order is hereby re-designated Order No. G-3 under Maximum Price Regulation No. 426, and the title thereof shall read as follows:

Order No. G-3 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (i), Boston, Massachusetts.

This correction shall become effective on March 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4793; Filed, April 4, 1944; 3:06 p. m.]

[Region I Order G-3 Under MPR 426, Amdt. 1]

CITRUS FRUIT IN BOSTON REGION

Amendment 1 to Order No. G-3, Article III, section 15, Appendix I (g) (2), Maximum Price Regulation No. 426. Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (i).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I (g) (2) of Maximum Price Regulation No. 426, *It is hereby ordered,* That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on March 9, 1944, for a period of four weeks ending April 5, 1944.

This amendment to Order No. G-3 shall become effective March 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution, Northeast Region.

[F. R. Doc. 44-4795; Filed, April 4, 1944; 3:06 p. m.]

[Region I Rev. Order G-3 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN BOSTON REGION

Revised Order No. G-3 under Article III, section 15, Appendix H (f) (1) and Appendix I (g) (1) of Maximum Regulation No. 426.

For reasons set forth in an opinion accompanying this revised order and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix H (f) (1) and Appendix I (g) (1) of Maximum Price Regulation No. 426, *It is hereby ordered:*

1. The provisions of the second paragraph of Article III, section 15, Appendix H (e) (4) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

2. The provisions of the third paragraph of Article III, section 15, Appendix H (e) (5) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

The maximum price in each case for sales by service wholesalers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

3. The provisions of Article III, section 15, Appendix I (f) (4) (ii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

ii. The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

4. The provisions of Article III, section 15, Appendix I (f) (5) (iii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

iii. The maximum price in each case for sales by service wholesalers not on a delivered basis is the maximum price for sales on a delivered basis within the seller's customary free delivery zone.

5. Lower prices than those established by this order may be charged and paid.

6. This order may be revoked, amended or corrected at any time.

This revised order shall become effective on March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-4794; Filed, April 4, 1944; 3:07 p. m.]

[Region I Rev. Order G-3 Under MPR 426, Correction]

FRESH FRUITS AND VEGETABLES IN BOSTON REGION

Correction to Revised Order No. G-3 under Article III, section 15, Appendix H (f) (1) and Appendix I (g) (1) of Maximum Price Regulation No. 426.

Through inadvertence this order was incorrectly numbered Revised Order No. G-3. That number is changed and the order is hereby re-designated Revised Order No. G-4 under Maximum Price Regulation No. 426, and the title thereof shall read as follows:

Revised Order No. G-4 under Maximum Price Regulation No. 426. Adjustments under Article III, section 15, Appendix H (f) (1) and Appendix I (g) (1).

This correction shall become effective on March 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-4796; Filed, April 4, 1944; 3:07 p. m.]

[Region VII Order G-24 Under RMPR 122, Amdt. 7]

SOLID FUELS IN DENVER REGION

Order No. G-24 under Revised Maximum Price Regulation No. 122, Amendment No. 7. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.-250 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 7 is issued.

1. Subparagraph (10) of paragraph (d) is hereby re-designated (10) (i) and a new paragraph (ii) is added thereto to read as follows:

(ii) The flat increase of 20¢ per ton authorized by paragraph (i) above is hereby revoked pursuant to Order No. 608, under Maximum Price Regulation No. 120, issued by the Administrator on March 7, 1944, and in lieu thereof an increase of 20¢ per ton is authorized effective as of the date hereof only on size groups 10 to 15, both inclusive, which includes 1⅝" x 0 slack, 1" x 0 slack, 3/16" x 0 dust and resultant mine runs.

2. Subparagraph (19) of paragraph (d) which was added by Amendment No. 3, is hereby re-designated (19) (i) and a new paragraph (ii) is added to read as follows:

(ii) The flat increase of 38¢ per ton, authorized by paragraph (i) above, is hereby revoked pursuant to Order No. 613, under Maximum Price Regulation No. 120, issued by the Administrator on March 9, 1944, and in lieu thereof increases only on those size groups set forth below are hereby authorized as specified below, and then only when shipment is by rail.

Size	Increase per ton (cents)
#1—8" lump	30
#2—6" lump	40
#3—3" lump	40
#4—6 x 3 grate	40
#14—1 x 0 slack	10
#15—¾ x 0 screenings	15
#16—⅜ x 0 screenings	15
#17—Mine run	40
#19—6 x 0 Mod. mine run	40

Effective date. This Amendment No. 7 shall become effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-4797; Filed, April 4, 1944; 3:07 p. m.]

RECONSTRUCTION FINANCE CORPORATION.

War Damage Corporation.

WAR DAMAGE CORPORATION INSURANCE

NOTICE OF EXTENSION

War Damage Corporation hereby gives notice that all War Damage Corporation insurance duly in force on March 31, 1944 shall be considered by War Damage Corporation as having been automatically extended for an additional term of twelve months beginning with the respective date of expiration, without the payment of any premium or other charge in addition to the premium theretofore collected with respect to any such insurance, and that all applications for new or additional insurance to become effective on or after April 1, 1944 shall be in accordance with existing regulations, as amended and interpreted, and shall be accompanied by payment of the full premium based upon the established rules and rates.

JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 44-4845; Filed, April 5, 1944; 3:28 p. m.]

WAR FOOD ADMINISTRATION.

PRODUCERS STOCK YARDS, LEXINGTON, KY.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Lexington Live Stock Commission Company Stockyards, Lexington, Kentucky, posted on February 26, 1931, is now known as the Producers Stock Yards, Lexington, Kentucky. Therefore, the posted name of the stockyard is changed to Producers Stock Yards and notice of such fact is given to its owner, and to the public by

filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 6th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4873; Filed, April 6, 1944; 11:15 a. m.]

WAR SHIPPING ADMINISTRATION.

"KISKA" (214852)

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on February 14, 1942, title to the vessel *Kiska* (214852), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to Section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: April 5, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-4863; Filed, April 6, 1944; 9:48 a. m.]

"PRINCESS PAT" (219386)

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on April 4, 1942, title to the vessel *Princess Pat* (219386), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: April 5, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-4864; Filed, April 6, 1944; 9:48 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 71

Washington, Saturday, April 8, 1944

The President

EXECUTIVE ORDER 9433

EXTENDING THE LIMITS OF CERTAIN CUSTOMS PORTS OF ENTRY

By virtue of the authority vested in me by section 1 of the Act of August 1, 1914, 38 Stat. 609, 623 (U.S.C. title 19, sec. 2), it is ordered that the limits of the customs ports of entry of Durham, North Carolina, and Reidsville, North Carolina, in Customs Collection District Number 15 (North Carolina), and Friday Harbor, Washington, in Customs Collection District Number 30 (Washington), be, and they are hereby, extended as follows:

1. The limits of the customs port of entry of Durham, North Carolina, in Customs Collection District Number 15 (North Carolina), are extended to include the following territory: Beginning at the intersection of the eastern corporate limits of Durham and U. S. Highway No. 70, thence southeasterly along the south side of that highway a distance of .2 mile to Ellis Road; thence southerly along the west side of Ellis Road a distance of 1.1 miles to Cook Road; thence westerly along the north side of Cook Road a distance of .6 mile to Alston Avenue; thence northwesterly along the east side of Alston Avenue a distance of 1.2 miles to the corporate limits of Durham; thence along the corporate limits to the place of beginning.

2. The limits of the customs port of entry of Reidsville, North Carolina, in Customs Collection District Number 15 (North Carolina), are extended to include a strip of land ¾ mile in width beginning at the intersection of the northern corporate limits of Reidsville and U. S. Highway No. 29, and extending along the east side of such highway in a northeasterly direction a distance of 2 miles.

3. The limits of the customs port of entry of Friday Harbor, Washington, in Customs Collection District Number 30 (Washington), are extended to include all points on the body of water known as Roche Harbor, San Juan Island, State of Washington.

This order shall become effective on the thirtieth day following the date hereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 6, 1944.

[F. R. Doc. 44-4957; Filed, April 7, 1944; 10:22 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. Potato Reg. 7, Amdt. 6]

PART 321—RESTRICTED ENTRY ORDERS

IMPORTATION OF POTATOES INTO THE UNITED STATES

Introductory note. The sole purpose of the present revision of regulation 7 is to add the State of Tamaulipas to the list of Mexican States, listed in Amendment No. 5, from which potatoes may be imported under these regulations.

Pursuant to the authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 316; 7 U.S.C. 159), § 321.8 of the subpart entitled, "Foreign Potatoes" of Part 321, Chapter III, Title 7, Code of Federal Regulations (regulation 7 of the regulations governing the importation of potatoes into the United States, effective March 1, 1922, as amended, effective September 1, 1943), is hereby further amended to read as follows:

§ 321.8 *Special provision for the importing of potatoes from the Dominion of Canada and Bermuda, the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, Sonora, and Tamaulipas, Mexico, and the Northern Territory of Baja California, Mexico, into the United States.* Potatoes may be imported from the Dominion of Canada and Bermuda into the United States or any of its Territories or Districts, free of any restrictions whatsoever, until otherwise ordered, under the Plant Quarantine Act of August 20, 1912.

Importations from the State of Sonora, Mexico, will be permitted to enter through the ports of Douglas, Naco, and Nogales, Ariz., and such other ports as may be designated in the permit; importations from the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, and Tamaulipas, Mexico, will likewise be permitted to enter through these ports and, in addition, through the ports of Brownsville, Laredo, Eagle Pass, and El Paso,

(Continued on next page)

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $2.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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Tex., and such other ports as may be designated in the permit.

Importations from the Northern Territory of Baja California, Mexico, will be permitted to enter through the ports of Calexico and San Ysidro, Calif., and such other ports as may be designated in the permit.

Importations of potatoes thus authorized entry from Mexico shall be in compliance with the provisions of §§ 321.2 to 321.7 inclusive [Regulations 1 to 6], of the regulations governing the importation of potatoes into the United States.

This amendment shall be effective on and after April 15, 1944.

(Sec. 5, 37 Stat. 316; 7 U.S.C. 159; 7 CFR 321.1)

Done at the city of Washington this 6th day of April 1944.

Effective April 15, 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-4965; Filed, April 7, 1944; 11:04 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-43, Amdt. 6]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting from the description of the sales area in § 1401.74 (b) the following:

The cities and towns of Hopkinton, Hudson and Marlboro in Middlesex County, Massachusetts, and all the cities and towns listed as being in Worcester County, Massachusetts,

making the complete description of the sales area read as follows:

In Bristol County, Massachusetts, the towns of Easton and Mansfield.

In Middlesex County, Massachusetts, the towns and cities of:

Arlington, Ashland, Bedford, Belmont, Billerica, Burlington, Cambridge, Chelmsford, Concord, Dracut, Everett, Framingham, Holliston, Lexington, Lincoln, Lowell, Malden, Maynard, Medford, Melrose, Natick, Newton, N. Reading, Reading, Sherborn, Somerville, Stoneham, Sudbury, Tewksbury, Tyngsboro, Wakefield, Waltham, Watertown, Wayland, Weston, Wilmington, Winchester, and Woburn.

In Plymouth County, Massachusetts, the towns and cities of:

Abington, Bridgewater, Brockton, E. Bridgewater, Hanover, Hanson, Hingham, Hull, Norwell, Rockland, Scituate, W. Bridgewater, and Whitman.

In Norfolk County, Massachusetts, the towns and cities of:

Avon, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxborough, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, and Weymouth.

All the towns and cities in the counties of Essex and Suffolk, Massachusetts.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said Food Distribution Order No. 79–43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79–43, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 5th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4858; Filed, April 5, 1944; 4:22 p. m.]

[FDO 79-163]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG, FLA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.177 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the St. Petersburg, Florida, milk sales area, and is referred to hereinafter as the "sales area":

The city of St. Petersburg, and the election precincts numbered 1 to 21, inclusive, 21–A, and 22 to 47, inclusive, in Pinellas County, Florida.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts in the case of the base for milk as follows:

	Percent		Percent
January	110	July	80
February	120	August	80
March	130	September	85
April	110	October	90
May	100	November	100
June	90	December	105

And, in the case of the base for cream and milk byproducts as follows:

	Percent		Percent
January	82.50	July	60.00
February	90.00	August	60.00
March	97.50	September	63.75
April	82.50	October	67.50
May	75.00	November	75.00
June	67.50	December	78.75

(f) *Quotas for handlers who are also producers.* Quotas for each handler not a cooperative association and who delivers no milk, cream, or milk byproducts, other than that produced by him from his own cows located on the premises held by him on the effective date of this order shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quota shall not apply to any handler who is also a producer and who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts.

For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a

handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of $0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., April 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 5th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4850; Filed, April 5, 1944; 4:22 p. m.]

[FDO 79-144]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WORCESTER, MASS., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.178 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Worcester, Massachusetts, sales area, and is referred to hereinafter as the "sales area:"

The city of Marlboro and the towns of Hudson and Hopkinton in Middlesex County, Massachusetts.

In Worcester County, Massachusetts, the city of Worcester and the following towns: Auburn, Berlin, Boylston, Clinton, Grafton, Holden, Hopedale, Leicester, Mendon, Milford, Millbury, Northbridge, Northboro, Paxton, Shrewsbury, Southboro, Spencer, Upton, Uxbridge, Westboro, and West Boylston.

(c) *Base period.* The calendar month of June 1943, is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk, 100 percent; (ii) butterfat in milk, xxx percent; (iii) cream, 75 percent; (iv) butterfat in cream, 75 percent; (v) milk, byproducts other than cottage, pot, or baker's cheese, 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction, as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of $0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) *Effective date.* This order shall take effect at 12: 01 a. m., e. w. t., May 1, 1944.

(E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 5th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-4860; Filed, April 5, 1944; 4:22 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended Mar. 16, 1944, Amdt. 2]

CHEMICALS AND ALLIED PRODUCTS

Appendices A, B and C of § 3293.1000 *General Allocation Order M-300* are amended to read as follows:

NOTE: Appendices A, B and C are reissued and are to be reprinted as they appear in Amendment 1 issued March 22, 1944, with the following items added to Appendix A:

1	2	3	4	5	6	7
						Month
Formaldehyde Paraformaldehyde	9 (issued 4-6-44)	18th (10th if supplier is dealer).	20th	10,000 lbs. (37% sol.) 3,000 lbs	None	3-1-43
Hexamethylenetetramine.	10 (issued 4-6-44)	18th	20th	10,000 lbs	None	3-1-43
Pentaerythritol	11 (issued 4-6-44)	18th	20th	100 lbs	None	3-1-43

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4946; Filed, April 6, 1944; 4:26 p. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, as Amended April 7, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of liquefied petroleum gas and liquefied petroleum gas equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1167.1 *General Limitation Order L-86*—(a) *Applicability of other orders.* This order and all transactions are subject to all applicable orders and regulations of the War Production Board.

(b) *Definitions.* (1) "Liquefied petroleum gas equipment" means equipment (other than marine, rail, pipeline or truck facilities used in transportation of liquefied petroleum gas and other than equipment used in natural gasoline recovery or refining as these terms are defined in Order P-98-b), or parts thereof, used to contain, distribute or dispense propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Maintenance and repair" means (without regard to accounting practice) the upkeep of liquefied petroleum gas equipment in a sound working condition or the restoration or fixing of any liquefied petroleum gas equipment which has broken down or is worn out, damaged or destroyed.

"Maintenance and repair" shall not include either of the following: (a) the use of material for the improvement of liquefied petroleum gas equipment through the replacement of material in the existing installation, unless the equipment which is replaced is beyond economic repair or has been rendered unusable by fire or other hazard or natural cause and is scrapped or junked; or (b) the use of material for additions to or expansions of liquefied petroleum gas equipment.

(c) *Conservation of liquefied petroleum gas equipment.* Unless permitted by paragraph (d), no person shall install liquefied petroleum gas equipment or deliver or otherwise supply any such equipment for installation purposes.

(d) *Exceptions.* Liquefied petroleum gas equipment or parts may be installed:

(1) Where material is to be used by a person for the maintenance and repair of liquefied petroleum gas equipment;

(2) Where containers of equal capacity are exchanged (or a container replaced by one of lesser capacity) on the premises of any person in the normal course of distribution of liquefied petroleum gas;

(3) Where the equipment to be installed was installed and in actual use prior to April 1, 1942 and was withdrawn from such use on or subsequent to that date. However, such equipment may not be installed under this subparagraph if it is to be installed either for the purpose of burning or consuming liquefied petroleum gas in an internal combustion engine or for operating an additional gas consuming appliance or apparatus in connection with liquefied petroleum gas equipment currently installed or in use;

(4) Where the War Production Board or the Petroleum Administration for War has determined that the use of liquefied petroleum gas equipment is necessary and appropriate in the public interest and to promote the war effort. Application for such a determination shall be made on Form WPB-809 (Revised) and filed with the Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California or Petroleum Administration for War, Interior Building, Washington 25, D. C. whichever is appropriate, Ref: L-86. Only those persons who wish to install liquefied petroleum gas equipment for use in PAW District Five may file an application in Los Angeles, California.

(e) *Required certification.* Any person acquiring liquefied petroleum gas equipment shall endorse on all copies of each purchase order or contract for such equipment which are placed with any person, a statement in substantially the following form:

> The liquefied petroleum gas equipment which is ordered in this purchase order (or contract) is to be used in conformity with the provisions of General Limitation Order L-86, with the terms of which order the undersigned is familiar.

This certification, or any other applicable certification made available by Priorities Regulation No. 7, must be used in accordance with the provisions of that regulation. The regulation provides specifically that the certification must be signed manually or, under certain conditions, by use of a facsimile signature.

Where liquefied petroleum gas equipment is to be acquired for maintenance and repair purposes the one-time certification prescribed by Priorities Regulation No. 7 may be used.

No certification of any kind need be made where containers are replaced or exchanged as permitted by paragraph (d) (2) above.

(f) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Interpretation 1 is obsolete.

[F. R. Doc. 44-4971; Filed, April 7, 1944; 11:22 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, Direction 1]

PLACEMENT OF ORDERS FOR LIQUEFIED PETROLEUM GAS TANKS WITH TANK MANUFACTURERS

The following direction is issued pursuant to Limitation Order L-86.

(a) *What this direction covers.* This direction establishes rules governing the placement of orders for liquefied petroleum gas tanks with tank manufacturers. This direction shall not apply to the placement of orders for portable compressed gas cylinders of the type commonly used for domestic or household installations.

(b) *Original approval or authorization must be given to manufacturers.* Before certain installations or deliveries of liquefied petroleum gas tanks can be made it is required by Order L-86 that approval be requested by an application on Form WPB-809 revised (formerly PD-397). If approval of any such application is granted on Form WPB-809 revised, Form GA-855, or other written authorization, the original authorization received from the War Production Board or the Petroleum Administration for War must be submitted to the manufacturer together with a purchase order certified in accordance with paragraph (e) of Order L-86. No tank manufacturer shall deliver and no person shall accept delivery of a tank unless the original authorization and a certified purchase order are both submitted to the tank manufacturer.

After a purchase order is accepted by the tank manufacturer, he shall endorse on the original authorization his name and the number of tanks to be delivered on the basis of the authorization which has been sent to him. He must then return the endorsed authorization to the purchaser who has ordered the tank(s).

(c) *Order must be placed with tank manufacturer within 60 days:* An approved Form WPB-809 revised, Form GA-855 or other authorization must be used to purchase liquefied petroleum gas tanks covered by it within 60 days of the date of approval. Unless the authorization is mailed by the applicant (purchaser) within that 60 day period, the approval shall be void and of no effect, and it will be necessary to reapply for the tanks covered by such application or other authorization.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4972; Filed, April 7, 1944; 11:22 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, Direction 2]

RESTRICTIONS ON THE DELIVERY OF LIQUEFIED PETROLEUM GAS

The following direction is issued pursuant to Limitation Order L-86:

(a) *Definitions.* (1) "Motor vehicle" means any rubber tired self-propelled conveyance, the motor power for which is furnished by an internal combustion engine designed for operation by motor fuel and which is built primarily for the purpose of transporting persons or property.

(2) "Passenger automobile" means any motor vehicle, other than an ambulance, hearse, taxi cab or jitney, which is built primarily for the purpose of transporting persons on the highways and has a rated seating capacity of seven or less; and includes station wagons and suburban carryalls, irrespective of seating capacity, which are not available for hire or public rental.

(3) "Liquefied petroleum gas" means propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(b) *Restrictions on delivery of liquefied petroleum gas.* No person may deliver or otherwise supply, and no person may accept delivery of, liquefied petroleum gas for use as motor fuel in a passenger automobile.

(c) *Appeals.* Any person affected by this direction or any action taken hereunder who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the District Director in Charge, Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California, or to the Petroleum Administration for War, Interior Building, Washington 25, D. C., whichever is appropriate, setting forth pertinent facts and reasons why he considers himself entitled to relief.

Only those persons who reside or are affected in PAW District 5 by this direction shall appeal to the District Director in charge in Los Angeles.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4973; Filed, April 7, 1944; 11:22 a. m.]

PART 3175—REGULATIONS APPLICABLE TO CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 48]

PURCHASES OR SALES OF CONTROLLED MATERIALS THROUGH AN INTERMEDIARY

The following direction is issued pursuant to CMP Regulation 1.

(a) This direction explains how a person (who is called an "intermediary" in this direction) acting for either a seller or purchaser, can place purchase orders for steel, copper, or aluminum for delivery to the purchaser. It covers sales of idle or excess inventories as well as sales of controlled materials by a producer or a distributor.

(b) An intermediary receiving an order for controlled materials may order from the supplier the same quantity of material for delivery as directed by the customer, but he must furnish with his own purchase order a copy of the endorsement received from the customer, including the customer's name and CMP allotment number or symbol, or a copy of the specific permission for the purchase or sale of the material granted by the War Production Board.

(c) A purchase order so placed may, but need not, be accepted by the supplier. If accepted, it shall have the same status under War Production Board orders and regulations as if placed directly by the customer. If the supplier rejects such an order when he has material (or open space on his production schedule) available to fill it, he must immediately notify the intermediary in writing that he is prepared to fill the order direct from the customer or through another person.

(d) The intermediary may not, at any time during such a transaction, take title to the material. However, if under applicable laws the intermediary may pay the supplier and invoice his customer without himself taking title to the material, this direction permits him to do so.

(e) This direction does not apply to copper controlled material producers or warehouses when purchasing copper as intermediaries. The procedure to be followed by a copper controlled material producer or warehouse when purchasing copper as an intermediary is described in paragraph (f) (2) of CMP Regulation No. 4 and in Direction No. 9 to CMP Regulation No. 1.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4974; Filed, April 7, 1944; 11:21 a. m.]

PART 2290—TEXTILE, CLOTHING & LEATHER

[Conservation Order M-91, as Amended Apr. 7, 1944]

COTTON DUCK

Section 3290.56 *General Preference Order M-91* is hereby amended to read as follows:

Definitions

§ 3290.56 *Conservation Order M-91.* (a) (1) "Cotton duck" means cotton fabrics commonly known by that name, in any weight, 15 inches or wider, in the grey, bleached, dyed, printed or proofed state, including but not limited to the following types:

(1) Shelter tent duck
(2) Numbered (wide or sail) duck
(3) Narrow or naught duck
(4) Hose or belting duck
(5) Harvester duck
(6) Filter duck or twills, plied yarn
(7) Chafer duck (chafer fabric), single or plied yarn
(8) Army duck (including woven awning stripe)
(9) Single or double filling flat duck
(10) Shoe duck
(11) Gem duck
(12) Bootleg duck
(13) Ounce duck
(14) Enamelling duck
(15) Cover duck
(16) Apron duck

(2) "Producer" means a producer of cotton duck.

Restrictions

(b) No producer shall deliver cotton duck even though he receives a rated order, unless:

(1) It is to fill a direct order or contract (not including subcontracts) with the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or other persons pursuant to authorization by the Maritime Commission on Form WPB-646; or

(2) It is the product of looms which on April 7, 1944, were producing or were assigned to produce cotton duck for manufacture into items listed on Schedule A, and the purchaser states in writing that it will be used for that purpose; or

(3) The producer is authorized, after application by him on Form WPB-678 (formerly PD-329), to deliver it for specified purposes. Deliveries of cotton duck, when so authorized, shall be made by such producer as nearly as possible pro rata to purchasers of cotton duck from him for the specified purposes during the year 1943, and only to purchasers who certify that the cotton duck will be used only for the purposes specified in the authorizations; or

(4) The purchaser is authorized, after application by him on Form WPB-678 (formerly PD-329) to accept delivery of cotton duck. However, no purchaser needing cotton duck for direct or ultimate delivery to, or for incorporation into any material to be delivered directly or ultimately to the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, will be authorized to buy it unless, before filing his application with the WPB on Form 678, he has first made application for the necessary duck to the agency whose prime contract is to be filled or to the Office of the Quartermaster General, Washington, D. C., and accompanies his application to the WPB with a letter from such agency or the Office of the Quartermaster General refusing the delivery requested; or

(5) It has been rejected in writing by both the Army and Navy of the United States; or

(6) It is in lengths not exceeding ten yards produced in the ordinary course of manufacture; or

(7) To fill a subcontract entered into with the producer prior to April 7, 1944 for ultimate delivery to the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration; or

(8) The cotton duck is of the types above listed in subparagraphs (a) (8) to (a) (16) inclusive, and has been bleached, dyed, printed or proofed, prior to April 30, 1944 and is delivered to fill contracts or orders entered into prior to April 7, 1944.

(c) No producer who has any loom designated for but not needed to fill orders for cotton duck for manufacture into items listed on Schedule A, shall use such looms except for deliveries to the Army or Navy of the United States. Not withstanding any contract or purchase order made with the Army or Navy of the United States for the production of such looms, the War Production Board may at any time direct that the production of such looms shall be delivered solely or to the extent designated for manufacture into items listed on Schedule A.

(d) No industrial consumer shall:

(1) Accept delivery in a calendar month of cotton duck designated for Schedule A items, in excess of 1/12 of the yards or pounds (whichever is the standard unit of purchase) which such person put into process in 1941 for the manufacture of such items.

(2) Accept delivery of Schedule A items, unless required by him within sixty days after receipt for actual use or resale in the 48 states (or within ninety days after receipt for actual use or resale outside the 48 states) or to enable him to have minimum spare materials in stock as a reserve for emergency breakdown.

(e) No producer shall manufacture any cotton duck on looms which on April 7, 1944 were operating on or were assigned to produce cotton duck for incorporation into any item on Schedule A, except cotton duck for incorporation into Schedule A items, or for delivery to the Army or Navy of the United States to the extent permitted by paragraph (c).

General Provisions

(f) All communications concerning this order shall, unless otherwise directed in writing, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-91.

(g) Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Any person who wilfully violates any provision of this order, or who in

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PART 3270—CONTAINERS

[Conservation Order M-81, Direction 2]

CANS

The following direction is hereby issued with respect to Conservation Order M-81 (§ 3270.31):

Notwithstanding the provisions of paragraph (b) of this order putting packing quotas on an annual basis, no person shall, during the second quarter of 1944, purchase, accept delivery of or use for packing any product which is listed in Schedule III more cans than 25% of his annual packing quota for that product. This direction shall not apply in the case of the following commodities listed in Schedule III:

Item	Product
2	Alcohol—Pharmaceutical and chemically pure.
4	Antifreeze, ethylene glycol type.
14	Chloroform and ether.
21	Disinfectants and germicides, liquid.
26	Grain fumigant, liquid.
34	Insecticides and fungicides, liquid.
37	Nicotine sulphate.
46	Phenol.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4975; Filed, April 7, 1944; 11:21 a. m.]

connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using materials under priorities assistance by the War Production Board.

(i) This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided in this order.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

PART I—HOSE MANUFACTURED FROM HOSE DUCK AND CHAFER FABRICS

A. Air drill (2" size and over, only).
Butane and propane.
Cement gun (1½" size and over, only).
Chemical (including foamite) (1½" size and over only).
Flexible pipe (2" size and over, only).
Grouting, hydraulic, jetting.
Lubrication, high pressure (1" and over, only).
Pneumatic (2" size and over, only).
Railroad (car and engine equipment):
Air brake.
Air signal.
Railroad (shop and maintenance):
Air or pneumatic (2" size and over, only).
Steam (for uses involving pressure of 50 lbs. or more).
Rotary drilling.
Sand blast (1¼" size and over, only).
Steam hose (for uses involving pressures of 50 lbs. or more).
Suction (and/or discharge)—2" sizes and over, only.
Oil, and other petroleum products and molasses.
Sand.
Water.
Water (2" size and over, only).

B. Acid.
Air drill (sizes under 2").
Beverage.
Cement gun (sizes under 1½").
Chemical (sizes under 1½").
Creamery.
Divers air.
Dredging sleeves.
Dust.
Flexible pipe (sizes under 2").
Lubrication, high pressure (sizes under 1").
Pneumatic (sizes under 2").
Radiator.
Railroad (car and engine equipment):
Tender tank.
Railroad (shop and maintenance):
Air (sizes under 2") steam (for working pressures less than 50 lbs.).
Water, welding, and other essential types.
Sand blast (sizes under 1¼"),
Spray (industrial and agricultural).
Steam (for working pressures less than 50 lbs.).
Suction (and/or discharge) (sizes under 2"):
Oil, and other petroleum products and molasses.
Sand.
Water.

B. Acid—Continued.
Tank wagon, oil and other petroleum products.
Vacuum (industrial).
Ventilating.
Water (sizes under 2").
Welding.

PART II—BELTING, PACKING AND MISCELLANEOUS FABRIC PRODUCTS MANUFACTURED WITH OR WITHOUT RUBBER OR BALATA FROM BELTING OR OTHER COTTON DUCKS

A. Belting:
Conveyor (all types).
Elevator.
Hog-beater.
Power transmission, flat.
Power transmission, vee type, industrial and agricultural machinery.

B. Packings:
Sheet, strip, rod, coil and other mechanical packings.

C. Miscellaneous Products:
Band saw bands.
Card clothing.
Chute and tumbling barrel liners.
Cleats and bucket pads.
Draper and feed aprons.
Drop hammer pads.
Escalator hand rails.
Granite slings.
Laundry machine tapes.
Linoleum forming belts.
Linemen's straps.
Loom and harness strapping.
Polishing belts.
Printers and lithographers supplies.
Pulley lagging.
Round belts and belting.
Rut aprons and condenser tapes.
Screen diaphragms.
Street sweepers belts.
Tank and dam seals.

PART III—"COTTON DUCK" PRODUCTS PRODUCED FROM NUMBERED OR FILTER DUCK AND FILTER TWILLS

Chemical filters.
Cane and beet sugar industrial filters.
Oil and wax filters.
Paint filters.
Dyestuff filters.
Filters used in the processing of food products.
Mining, quarrying and smelting filters.
Filters used in the processing of ceramics.
Cement filters.

PART IV—CHAFER FABRICS

Chafer fabrics for use in pneumatic rubber tires.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

[F. R. Doc. 44-4977; Filed, April 7, 1944; 11:21 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT[1]

[General Limitation Order L-259, as Amended Apr. 7, 1944]

PHYSICAL THERAPY EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of physical therapy equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.91[1] *General Limitation Order L-259*—(a) *Definitions.* For the purposes of this order:

(1) "Physical therapy equipment" means apparatus, equipment, devices and appliances designed to produce, generate, apply or administer spectral rays (except X-rays), electrical currents, mechanical stimuli, heat, refrigerants, liquids, gases or vapors to man or other animals in a manner designed to produce therapeutic effect or to destroy body tissue. The term shall include only the following articles, as each is hereinafter defined: medical diathermy units; surgical diathermy units; fever cabinets; infra-red generators; galvanic generators; faradic generators; sinusoidal generators; low voltage generators; magnetic field generators; whirlpool baths; electric massagers; bath cabinets; passive vascular exercise apparatus; baldness treatment devices; ultra-violet radiation equipment; electric bakers; and heat applicators. The term shall not include any parts or materials for the repair or maintenance of existing equipment.

(2) "Medical diathermy unit" means any instrument designed to produce heat for therapeutic purposes within the body tissues by means of a high frequency electric current generated by a spark gap or a vacuum tube type of oscillator. The term shall include "conventional" or long wave diathermy, short wave diathermy, and ultra short wave diathermy.

(3) "Surgical diathermy unit" means a diathermy unit employing a high frequency electric current which is designed for the performance of surgical procedures by cutting, coagulation and/or dessication and which is not adaptable for medical diathermy treatment.

(4) "Fever cabinet" means a cabinet or bag designed to induce fever artificially by radiant or induced heat.

(5) "Infra-red generator" means a device consisting essentially of a heating element centered in a spherical, parabolic or similar concave reflector, which radiates infra-red rays and which is designed to produce therapeutic effect. The heating element may be either an incandescent bulb, a carbon, or a radiant cone, coil or disc. The term includes those devices commonly called "therapeutic lamps".

(6) "Galvanic generator" means a generator designed to deliver and apply direct current (galvanic current) to the body tissues or to deposit the ions of certain salts in solution into the body tissues.

(7) "Faradic generator" means a generator designed to deliver and apply induced electric current (faradic current) to the body tissues.

(8) "Sinusoidal generator" means a generator designed to deliver and apply sinusoidal current to the body tissues.

(9) "Low voltage generator" means a generator designed to deliver and apply

[1] Formerly Part 3187, § 3187.1.

two or all three of the following currents to the body tissues: faradic, galvanic and sinusoidal.

(10) "Magnetic field generator" means a device designed to produce therapeutic effect by creating a magnetic field in the body tissues. However, the term does not include "medical diathermy units" or "surgical diathermy units".

NOTE: Former subparagraph (9) redesignated (11) and former subparagraphs (10) and (11) deleted Apr. 7, 1944.

(11) "Whirlpool bath" means a container designed to circulate thermally controlled liquids around portions of the body to produce therapeutic effect. The term shall include, but not by way of limitation, arm and leg baths and underwater exercise tanks.

(12) "Passive vascular exercise apparatus" means apparatus designed to apply alternating negative and positive pressures to portions of the body, but the term shall not include "iron lungs" nor baldness treatment devices.

(13) "Baldness treatment device" means any device or equipment designed to check or treat baldness by applying alternating negative and positive pressures to the scalp.

(14) "Ultra-violet radiation equipment" means any generator designed to generate ultra-violet spectral energy to produce therapeutic effect. The term shall include both the carbon arc and quartz mercury types of generators.

(15) "Electric massager" means any device which is designed to massage the human body and which utilizes an electric motor, electronic tubes, oscillating tubes, or any combination thereof. The term shall include, but not by way of limitation, electric vibrators and reducing machines.

(16) "Bath cabinet" means a cabinet or box designed to enclose the body for the purpose of administering either moist or dry heat.

(17) "Electric baker" means a device designed for local and general application of radiant heat which utilizes a roof-like reflector and two or more incandescent light bulbs of electric heating elements, or in some cases both incandescent bulbs and electric heating elements.

(18) "Heat applicator" means any device, appliance or equipment which utilizes liquids, air, or any other substance or material and which is designed to apply heat to the body for therapeutic purposes, other than medical diathermy units, surgical diathermy units, fever cabinets, infra-red generators, whirlpool baths, paraffin baths, therapeutic lamps, bath cabinets, electric bakers, hot water bottles and chemical bags, and accessories used in connection with such articles.

(19) "Hospital" means any institution named on the list of hospitals listed by the American Medical Association, or any other institution for the care of the sick and disabled which has five or more beds for patients.

(20) "Licensed medical practitioner" means any person located in the United States, its territories or possessions, or the Dominion of Canada who is licensed by the competent legal authority to practice medicine or any of the healing arts and whose license permits him to use physical therapy equipment in his practice.

NOTE: Subparagraphs (21) and (22), formerly (20) and (21), redesignated Apr. 7, 1944.

(21) "Persons" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(22) "Distributor" means any person located in the United States, its territories or possesions, or the Dominion of Canada, who purchases physical therapy equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of physical therapy equipment.* No person shall manufacture or continue the manufacture of any physical therapy equipment except the permitted items listed on Schedule A, attached hereto.

(c) *Restrictions on sale and delivery of physical therapy equipment.* (1) No person shall sell, rent or deliver any fever cabinet, galvanic generator, low voltage generator, magnetic field generator, medical diathermy unit, passive vascular exercise apparatus, surgical diathermy unit, or whirlpool bath, except to or for the account of the following persons:

(i) The Army or Navy of the United States, the United States Maritime Commission and the War Shipping Administration;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Office of Economic Warfare or the Foreign Economic Administration;

(iv) Any hospital (as defined in paragraph (a) (19)), or any medical department of an industrial concern, for the use of such hospital or medical department;

(v) Any licensed medical practitioner (as defined in paragraph (a) (20)), for use in practicing his profession;

(vi) Any distributor, for delivery to persons to whom delivery is authorized to be made by the terms of this paragraph (c) (1).

(2) No person shall sell, rent or deliver any electric baker, infra-red generator, or ultra-violet radiation equipment, except to or for the account of:

(i) Any person listed in paragraphs (i) through (v) of paragraph (c) (1) above;

(ii) Any person who presents a written order or prescription, signed by a licensed medical practitioner, calling for such equipment; or

(iii) Any distributor, for delivery to persons to whom delivery is authorized to be made by the terms of this paragraph (c) (2).

(3) The restrictions of paragraphs (c) (1) and (c) (2) shall not apply to the sale, delivery or rental of rebuilt equipment or any equipment which has at any time been sold to an ultimate user. The restrictions do apply, however, to the sale, delivery or rental of equipment which has previously been rented but not sold.

(d) *Restriction on the purchase of physical therapy equipment.* No person shall purchase, rent or accept delivery of any physical therapy equipment, if he knows or has reason to believe that the sale, rental and delivery of such physical therapy equipment is prohibited by the terms of paragraph (c) of this order.

(e) *Reports.* On or before July 10, 1944, and on or before each October 10th, January 10th, April 10th and July 10th thereafter, each manufacturer of electric bakers, infra-red generators, or ultra-violet radiation equipment shall file with the War Production Board, Washington 25, D. C., 3 copies of a letter containing a report of shipments of these items made during the preceding calendar quarter. (The first report should show the shipments made from April 7, 1944, to July 1, 1944.) Shipments should be reported by dollar value, and dollar values should be calculated on the basis of the manufacturer's list price. One total figure should be given for shipments of electric bakers, infra-red generators and ultra-violet radiation equipment, and a separate figure for shipments of each of these items is not required. Shipments to the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration and Lend-Lease should not be included in the figure. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Violations.* Any person who wilfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-259.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

In accordance with the provisions of paragraph (b) of this order, no person is permitted to manufacture any physical therapy equipment except the items listed in this schedule.

Electric baker.
Fever cabinet.
Galvanic generator.
Infra-red generator.
Low voltage generator.
Magnetic field generator.
Medical diathermy unit.
Passive vascular exercise apparatus.
Surgical diathermy unit.
Ultra-violet radiation equipment.
Whirlpool bath (No metal other than sheet carbon steel, enameled, or alloy steel is permitted in the construction of the tank body).

[F. R. Doc. 44-4978; Filed, April 7, 1944; 11:21 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U-8, as Amended Apr. 7, 1944]

ORDER LIMITING THE MANUFACTURE OF TELEPHONES

The purpose of this order is to conserve materials and manufacturing capacity required for the prosecution of the war by restricting the manufacture of telephones. However, because of the prime necessity for maintaining telephone service, this order is not intended to prevent the maintenance, repair or conversion of telephone sets, nor is it intended to prevent the manufacture of parts to maintain, repair or convert telephone sets.

§ 4501.26 *Utilities Order U-8—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not.

(2) "Standard telephone set" means any telephone set except those on List B attached. It does not include any of the apparatus or wiring set forth on List A attached.

(3) "Wire intercommunicating telephone set" means any telephone set for use in a wire intercommunicating system which is not owned by a public telephone system and does not involve the use of substantial amounts of outside plant. Thus, it includes any telephone set for use in connection with a system contained within a building or within a group of buildings located nearby one another. It does not include a telephone set for use in a system employing large amounts of outside plant such as are required by the telephone lines of railroad or pipe line companies. Nor does it include a wire intercommunicating set which employs electronic tubes as an essential part of such set.

(b) *Restrictions.* (1) No person shall produce any standard telephone sets except:

(i) To fill orders of the kind shown on List C, or

(ii) To maintain an inventory specifically permitted by the War Production Board.

However, any person may maintain, repair or convert existing standard telephone sets.

(2) No person shall produce parts of standard telephone sets, except:

(i) For the maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) For another person who regularly produces or assembles telephones for sale.

Any person producing telephone parts may produce any part in a minimum production run whenever his inventory contains less than a 60 days supply.

(3) No person shall sell parts of standard telephone sets manufactured after November 15, 1942 unless the buyer certifies in writing to the seller and the War Production Board that the parts are to be used:

(i) For maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) To assemble telephone sets permitted by Order U-8, or

(iv) To assemble standard telephone sets permitted by a specific grant of relief from the restrictions of Order U-8 by the War Production Board.

However, parts manufactured and sold under a specific WPB permission to produce or assemble a complete telephone(s), may be resold without a certification as to use.

The requirement of this paragraph (b) (3) will be satisfied for all future purchase orders for telephone parts if the buyer makes a single written certification to his supplier and the War Production Board that all telephone parts ordered by him will be used only in ways described in this paragraph.

(4) No person shall produce or assemble any wire intercommunicating telephone sets except:

(i) To fill an order bearing a preference rating of AA-5 or higher for a maintenance replacement of an existing set or for additional stations within the designed capacity of an existing system.

(ii) To fill an order specifically authorized and rated by the War Production Board on Form WPB-1319 for telephones in connection with a new wire intercommunicating system or with an addition beyond the designed capacity of an existing wire intercommunicating system. Applications for such specific authorization shall be addressed to the Communications Division, Office of War Utilities, Washington (25), D. C.

(iii) To fill orders of the kinds shown on List C.

(iv) To maintain an inventory specifically permitted by the War Production Board.

(c) *Records.* All persons who produce telephone sets or parts shall keep and preserve for not less than two years accurate and complete records concerning production and sale of telephone sets and parts. Any person who sells telephone parts manufactured after November 15, 1942 for which a buyer's certification is required by paragraph (b) (3) shall keep and preserve the buyer's certification(s) for not less than two years.

(d) *Reports.* All persons who produce or assemble telephone sets or parts shall make such reports as shall be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from process or use of, materials under priority control, and may be deprived of priorities assistance.

(f) *Appeals.* Any person affected by this order may apply for relief by letter, specifying the particular provision involved and stating all the facts on which he relies.

(g) *Communications.* All reports required and all communications concerning this order shall be addressed to the Communications Division, Office of War Utilities, War Production Board, Washington (25), D. C., Reference: U-8.

Issued this 7th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ITEMS NOT AFFECTED BY THE ORDER

1. Jacks and plugs.
2. Switching keys.
3. Extension bells.
4. Loud-ringing bells.
5. Connecting blocks.
6. Protectors.
7. Station, drop and line wiring and cabling.
8. Battery boxes.
9. Dials or equivalent calling devices.

LIST B—TELEPHONES WHICH MAY BE MANUFACTURED

1. Head and chest telephone sets.
2. Telephone test sets for use in connection with the construction and maintenance of wire communication plant.
3. Any telephone set assembled in connection with a coin collecting device for use as a public pay station.
4. Outdoor and mine type telephone sets which are so designed as to employ a minimum of critical materials consistent with the essential service requirements.
5. Explosion proof sets for use in mines, and in locations in munitions plants and other essential industries where the use of a standard telephone set would give rise to danger of explosion.
6. Telephone sets, of special design, required for use on shipboard or in connection with underwater and flying operations and for gas masks.
7. Portable telephone sets (outdoor type) and sound powered telephone sets for use by railroads, pipe line companies, the Coast and Geodetic Survey, the Forest Service and the Alaska Highway.
8. Telephone sets for railroad train dispatching service or for railroad traffic control service, or for service with railway electric switch locks.
9. Push-to-talk handsets, that is, handsets having a selector device which permits the use of either the transmitter or the receiver or both, for use by the armed services.

LIST C—PERSONS FOR WHOM TELEPHONES MAY BE MANUFACTURED

1. Any telephone set or part ordered by, or for the account of, or for resale to, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, and the Civil Aeronautics Administration.
2. Any telephone set or part for use in combat or for combat equipment, ordered by, or for the account of, or for resale to, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its dominions, crown colonies and protectorates, and Yugoslavia, or any other country, including those of the Western Hemisphere, now or hereafter designated, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

[F. R. Doc. 44-4976; Filed, April 7, 1944; 11:21 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

AMERICAN DEFENSE SERVICE MEDAL

Paragraph (b) (1) of § 78.40 is amended to read as follows:

§ 78.40 *American Defense Service Medal.* * * *

(b) *Organizations in which service required.* (1) American Defense Service Medals are awarded for rendition of the prescribed service to persons inducted into the land forces of the United States under act 16 September 1940 (Public No. 783, 76th Cong.; Selective Training and Service Act of 1940), as amended, regardless of the component in which they served. The medal also is awarded to other personnel of the Army for rendition of the prescribed service in any one or more of the following only:

(i) Regular Army, including the Philippine Scouts and the Regular Army Reserve while serving on active duty.

(ii) Volunteer forces duly mustered into the Federal service.

(iii) National Guard called or ordered into the Federal service.

(iv) Organized Reserves, including the Enlisted Reserve Corps, while serving on active duty to which ordered or on which placed by the President.

(v) Philippine Army and Philippine Constabulary mustered into the service of the United States. (E.O. 8808 and 45 Stat. 500, 47 Stat. 158; 10 U.S.C. 1415a, 1415b) [Par. 6a, W.D. Cir. 27, 1944, as amended by W.D. Cir. 129, April 3, 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting the Adjutant General.

[F. R. Doc. 44-4951; Filed, April 7, 1944; 10:00 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENT TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167 (46 U.S.C. 375, 391a, 404, 481, 489, 367, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the regulations and approval of equipment are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

ABANDON-SHIP KIT

Section 153.14a is amended by changing the fourth item in the articles required in the abandon-ship kit in the first undesignated paragraph to read as follows:

§ 153.14a *Abandon-ship kit.* * * *

4 ounces of light mineral oil (liquid petrolatum U. S. P.) or 4 ounces of an approved cleansing solution in bottle having a screw cap.

ITEMS OF EQUIPMENT APPROVED

BUOYANT APPARATUS

20-person buoyant apparatus utilizing styrofoam as the buoyant material (Dwg. No. B. A. 2, dated 28 March, 1944), submitted by Leyde & Leyde, Falls Church, Virginia.

DAVITS

Schat davit, type M. D. 45–10.5 (Arrangement of F. H. A. davits, B. U. type for 22' lifeboats Dwg. No. B. A. 343, dated 20 January, 1944) (Maximum working load of 10,000 pounds per set), submitted by the Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

Schat davit, type R. D. 8–10 (Arrangement Dwg. No. C. A. 395, dated 10 January, 1944) (Maximum working load of 8,800 pounds per set), submitted by the Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

FLASHLIGHT

Watertight flashlight, model No. 3450 (Assembly Dwg. No. 3450, dated 11 November, 1943, and Material List No. 3450, dated 29 November, 1943), submitted by the Fulton Manufacturing Company, Wauseon, Ohio.

DISEMBARKATION-DEBARKATION LADDERS

"Viking" chain suspension, Type A, embarkation-debarkation ladder (Dwg. No. 561–S1604–2, dated 11 March, 1944), submitted by Ballard Rigging & Sailloft Co., 314 Colman Bldg., 311 Spring St., Seattle, Washington.

"Viking" wire rope suspension, Type B, embarkation-debarkation ladder (Dwg. No. 561–S–1604–3, dated 11 March, 1944), submitted by Ballard Rigging & Sailloft Co., 314 Colman Bldg., 311 Spring St., Seattle, Washington.

LIFE PRESERVER

Style No. LP–1 adult kapok life preserver, removable pads (Dwg. No. LP–1, dated 17 February, 1944) (For general use and for use in conjunction with rubber lifesaving suits), Approval No. B–215, manufactured by H. D. Gibon, Inc., 21 Muirhead Avenue, Trenton, New Jersey.

PORTABLE ELECTRIC MEGAPHONE

Portable electric megaphone (Assembly Dwg. dated 17 March, 1944), submitted by the National Scientific Products Company, Inc., 5013–25 N. Kedzie Avenue, Chicago, Illinois.

LIFE RAFTS

20-person, improved type, well deck life raft (Dwg. No. M765, dated 23 March, 1944), submitted by Roof Structures, Inc., 45 West 45th Street, New York, N. Y.

20-person, improved type, lift raft (General Arrangement Dwg. No. 6040–D–1, dated 24 March, 1944), submitted by Colvin-Slocum Boats, Inc., Amesbury, Mass.

SEA ANCHOR

Sea anchor, type GA–1 (U. S. Coast Guard Dwg. No. MMI–562, and specification dated 1 November, 1943), submitted by the Globe American Corp., Kokomo, Indiana.

R. R. WAESCHE,
Vice Admiral, USCG, Commandant.

APRIL 5, 1944.

[F. R. Doc. 44-4948; Filed, April 7, 1944; 9:26 a. m.]

Chapter III—War Shipping Administration

[G. O. 8, Supp. 10]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

BASIS FOR REDETERMINATION AND READJUSTMENT OF TIME CHARTER HIRE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Whereas: 1. The Administrator, War Shipping Administration, has chartered vessels on standard form of time Charter Agreement known as WARSHIPTIME (Form 101) or WARSHIPOILTIME (Form 102), and has requisitioned the use of other vessels for use on a time charter basis for which such forms shortly will be tendered.

2. The rates of time charter hire prescribed in the charters referred to above are subject to readjustment or redetermination as of December 1, 1943.

3. The Administrator desires by this Supplement to fix rates of hire for the purpose of such redetermination and also for the purpose of establishing time charter hire on vessels referred to above as to which no charters have as yet been tendered.

Now, therefore, the Administrator hereby establishes and adopts the following revised rates of time charter hire in conformity with the rules of the Advisory Board on Just Compensation announced on December 7, 1943.

§ 302.91 *Vessels included.* Time charter rates herein prescribed are applicable to all American-flag self-propelled ocean-going iron and steel dry cargo vessels, tankers and colliers chartered under terms and conditions of (1) charter parties tendered by the War Shipping Administration to owners of such vessels pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended, and (2) charter parties entered into between vessel owners and any other agency or department of the United States when such charters provide that the rates or conditions specified therein are subject to adjustment or alteration in accordance with orders, directions, rules or regulations of the United States Maritime Commission or the War Shipping Administration, except:

(a) Vessels with refrigerated capacity in excess of 50% total capacity.

(b) Combination passenger and freight vessels.

(c) Car ferries.

(d) Seatrains.

(e) Vessels of less than 8 knots of speed determined in accordance with the provisions of §§ 302.44 to 302.48, inclusive, of General Order 10, Supp. 2.

(f) Vessels of less than 1,000 tons deadweight.

(g) Other vessels excepted from this order by the Administrator from time to time.

§ 302.92 *Basic rates.* The rates of time charter hire for dry cargo vessels, tankers, and colliers shall be as provided in paragraphs (a), (b) and (c), respectively, of this section, subject to the adjustments provided in § 302.93.

(a) *Dry cargo vessels.* The time charter rate per deadweight ton per month for dry cargo vessels shall be:

Tonnage and Rate per Deadweight Ton per Month	
23,000 and over	$3.00
22,000–22,999	3.05
21,000–21,999	3.10
20,000–20,999	3.15
19,000–19,999	3.20
18,000–18,999	3.25
17,000–17,999	3.30
16,000–16,999	3.35
15,000–15,999	3.40
14,000–14,999	3.45
13,000–13,999	3.55
12,000–12,999	3.65
11,000–11,999	3.75
10,000–10,999	3.85
9,000–9,999	4.00
8,000–8,999	4.10
7,000–7,999	4.35
6,000–6,999	4.65
5,000–5,999	5.00
4,000–4,999	5.40
3,999 and under	Subject to special determination

(b) *Tankers.* The time charter rate per deadweight ton per month for tankers shall be:

Tonnage and Rate per Deadweight Ton per Month	
18,000 and over	$3.25
16,000–17,999	3.35
14,000–15,999	3.45
12,000–13,999	3.60
10,000–11,999	3.75
9,000–9,999	3.90
8,000–8,999	4.10
7,000–7,999	4.35
6,000–6,999	4.65
5,000–5,999	5.00
4,000–4,999	5.40
3,500–3,999	5.60
3,000–3,499	5.85
2,500–2,999	6.15
2,000–2,499	6.50
1,500–1,999	6.90
1,000–1,499	7.35

(c) *Colliers.* The time charter rate per deadweight ton per month for colliers shall be:

Tonnage and Rate per Deadweight Ton per Month	
8,000 and over	$3.85
7,000–7,999	4.10
6,000–6,999	4.40
5,000–5,999	4.75
4,000–4,999	5.15
3,500–3,999	5.35
3,000–3,499	5.60
2,500–2,999	5.90
2,000–2,499	6.25
1,500–1,999	6.65
1,000–1,499	7.10

(d) The rates provided in paragraphs (a), (b) and (c) of this section include an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34. This allowance for the month of December, 1943 shall also be taken into account for the purposes of applying the provisions of §§ 306.10 and 306.11 of General Order 12 in lieu of the allowance of $125.00 per day per vessel included in the rates previously prescribed.

§ 302.93 *Adjustments.* The rates provided in § 302.92 are subject to the following adjustments:

(a) *Adjustments for speed.* Adjustments for speed shall be made in accordance with the provisions of subparagraph (1) or (2) of this paragraph. The speed of a vessel shall be determined pursuant to Sections 302.44 and 302.48, inclusive, of General Order 10, Supp. 2. Speed added to the vessel at the cost of the United States shall be ignored for the purpose of this paragraph.

(1) *Allowances for speeds of 10½ knots or over.* With respect to vessels having a speed of 10½ knots or over, the amount shown in the following table shall be added to the rates of hire.

Speed		Additional hire per deadweight ton per month
Equal to or in excess of	But under	
10½ knots	12 knots	$0.05
12 knots	13 knots	.05
13 knots	14 knots	.10
14 knots	15 knots	.15
15 knots	16 knots	.20

(2) *Deductions for speeds of less than 9 knots.* With respect to a vessel having a speed equal to or in excess of 8 knots but under 9 knots $.06 per deadweight ton per month shall be deducted from the rate of hire.

(b) *Adjustments for refrigerated capacity.* Where vessels have refrigerated space available for cargo in excess of 6,000 cu. ft., 2¢ per cubic foot per month will be added with respect to such excess refrigerated space, except to the extent that the cost of such space has been paid or subsidized by the United States.

(c) *Adjustments for age of vessels not built under construction-differential subsidy agreements.* Vessels constructed in the United States subsequent to 1928 and not built under construction-differential subsidy agreements pursuant to the Merchant Marine Act, 1936, as amended, shall receive an additional sum per dwt per month computed in accordance with the following schedule:

Year of Construction and Additional Premium Per DWT Per Month	
1929	$0.05
1930	.10
1931	.15
1932	.20
1933	.25
1934	.30
1935	.35
1936	.40
1937	.45
1938	.50
1939	.55
1940	.60
1941 and subsequent years	.65

The date of delivery by the shipbuilder shall constitute the date of construction hereunder.

((d) *Adjustments for age of vessels built with construction-differential subsidy.* Vessels constructed pursuant to the Merchant Marine Act, 1936, as amended, with a construction-differential subsidy shall receive an additional sum per dwt per month as follows:

C–1 Class 10c per dwt per month.
C–2 Class 20c per dwt per month.
C–3 Class 30c per dwt per month.

Other subsidized vessels shall receive additional compensation to correspond with the foregoing amounts in accordance with the relation of the particular vessel's horsepower to that of the most comparable vessel of the three enumerated types. The adjustments provided in paragraph (c) of this section shall not apply to vessels covered by the adjustments provided in this paragraph (d).

(e) *Deadweight tonnage.* The rates provided in § 302.92 and adjustments provided in § 302.93, where appropriate, shall be calculated on the basis of deadweight determined in conformity with the provisions of the applicable charter party.

(f) *Adjustment for class.* The rates provided in § 302.92, as adjusted in accordance with the provisions of § 302.93, for vessels not classed A–1 American Bureau or equivalent shall be $0.25 per deadweight ton per month less in each instance than the appropriate rate applicable to a comparable vessel which is so classed.

§ 302.94 *Excluded vessels.* Time charter rates for vessels excluded under the terms of this Supplement shall be specially determined by the Administrator.

§ 302.95 *Basic terms and conditions.* The rates and adjustments provided in §§ 302.92 and 302.93 are based upon standard form of time charter agreement approved by the War Shipping Administrator and designated Warshiptime or Warshipoiltime, Forms 101 and 102, respectively, as amended by addenda made in conformity with the terms of the Administrator's notice of revised program of ship requisition, charter and operation dated November 24, 1943, and also the "Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions", General Order 11, Supplement 2, § 302.57. The rates also contemplate the full absorption by the Administrator of the costs of complying with Operating Regulations No. 64.

§ 302.96 *Operation of provisions of this supplement.* No provision of this supplement shall apply so as to provide more aggregate charter hire for a vessel coming within a given tonnage subdivision than the minimum aggregate charter hire for a vessel substantially similar but coming within the next higher tonnage subdivision.

§ 302.97 *The Administrator may modify this supplement.* The Administrator reserves the right to exempt specific vessels from the scope of this supplement, or to amend, modify, or terminate this supplement, but no such action shall apply to any charter tendered and executed prior to the date of any such action except where such action is in conformity with the provisions of the applicable charter.

§ 302.98 *Effective date.* Sections 302.91 to 302.97, inclusive, shall become effective as of December 1, 1943, except that in the case of a vessel as to which no charter has previously been tendered the effective date shall be as fixed by the Administrator, and, as of such effective dates, General Order 8 (Revised) and all previous supplements and amendments to such Order shall be superseded insofar as rates of hire are determined in accordance with the provisions of this supplement.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44–4985; Filed, April 7, 1944; 12:00 m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Supp. 3]

UNIFORM TIME CHARTER

Section 302.50 *Uniform time charter for requisitioned and other dry cargo vessels* (General Order 11) is amended to read:

§ 302.50 *Amended time charter for dry cargo vessels "Warshiptime (Rev.)".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters for dry cargo vessels heretofore entered into by the United States of America, acting by and through the Administrator, to be known as "WARSHIPTIME (Rev.)":

Contract No._____
Form No. 101 (Rev.) 4/4/44
Warshiptime (Rev.)

WAR SHIPPING ADMINISTRATION

AMENDED TIME CHARTER FOR DRY CARGO VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of_____, 1942, providing for the charter of the Vessel upon the terms and conditions therein set forth, and

WHEREAS, the Owner and Charterer have heretofore agreed by addendum to such Charter that the rate of hire and insurance valuation, if any, may be subject to readjustment to the extent therein provided, such readjustment to be effective as of December 1, 1943, with respect to the rate of hire, and

WHEREAS, the Charterer has tendered to the Owner a statement of the rate of hire which in the judgment of the Administrator will be just compensation for the use of the Vessel and the services required under the terms of the Charter for the period commencing from December 1, 1943, and terminating upon the effective date of this Addendum and proposes in this Addendum to tender a similarly determined rate of hire for the period commencing with the effective date of this Addendum and extending for the balance of the term of this Charter and likewise desires in the same manner to tender a valuation for the Vessel which in the opinion of the Administrator will constitute just compensation for the loss of or damage to the Vessel occurring after the effective date of this Addendum, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

Now, therefore, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:

Amended time charter, hereinafter sometimes referred to as the Charter, dated as of _____, 194__, between_____

Address _____

Owner of the SS/MS _____ (herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, CHARTERER, the terms of the Charter being as follows:

Part I (Revised)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

DEADWEIGHT capacity, as defined in Clause 5, Part II.
CLASSED
BALE CAPACITY of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer _____ cubic feet
YEAR BUILT

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this Amended Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Amended Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be $_____ per calendar month or pro rata for any

portion thereof, of which the sum of $_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter, as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed to include interest, if any, to which the Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30 day period, as the case may be, Option II shall apply. *Provided, however,* That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate revision (Option I only). At any time after July 1, 1944 but not more often than once every 120 days thereafter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. *Valuation.* The Owner shall elect betwen the following options, unless this is a Vessel subject to the provisions of Section 902 of the Merchant Marine Act 1936, as amended in which event the Owner shall not have the right to elect Option I, and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, E. W. T., April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____, but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1, 1945 or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, E. W. T., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 902 of the Merchant Marine Act of 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a valuation has not then been inserted in Option II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. *Port of delivery.*

CLAUSE F. *Time and date of delivery.*

CLAUSE G. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. *Notice of Redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. *Uniform terms.* This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Dry Cargo Vessels, published in the FEDERAL REGISTER of April 8, 1944. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. *Effective date of this amended charter.* Unless otherwise agreed this Amended Charter (Addendum) shall be effective upon completion of discharge of the Vessel in a port in the continental United States, excluding Alaska, on the voyage current on May 15, 1944, or if the Vessel be in a port in the continental United States, excluding Alaska, on May 15, 1944, then effective May 15, 1944, or if the Vessel has not returned to a port in the continental United States, excluding Alaska, prior to July 15, 1944 then effective July 15, 1944, if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

CLAUSE K. *Reservation as to just compensation.* Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however,* That all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE L. *Special provisions.*

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____ 19__, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19__.

_____

By: _____

UNITED STATES OF AMERICA,

By: E. S. LAND, *Administrator,*
War Shipping Administration.

By: _____

For the Administrator.

As to execution for Owner:

ATTEST:

_____

or if not incorporated
In the presence of:

_____

Witness

and

_____

Witness

Approved as to form:

_____

Assistant General Counsel.

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed

this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

_____

[CORPORATE SEAL] *Secretary.*

Form No. 101 (Rev.)
4.4.44
WARSHIPTIME (Rev.)

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR DRY CARGO VESSELS

(Part II)—(Revised)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery shall be ready to receive cargo with clean-swept holds and, as far as due diligence can make her so, tight, staunch, strong, and in every way fitted for normal commercial service for a vessel of her size, type, and description, having winches and power sufficient to run all the winches at one and the same time and a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying passengers (to the extent permitted by law and available accommodations) and lawful merchandise, including petroleum or its products in proper containers, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Charterer shall indemnify the Owner for any loss, damage, claims or expenses resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor, or if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks, and usual places of loading (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal, reserving only space proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores and fuel.

CLAUSE 3. A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Option I of Clause C, of Part I of this Amended Charter, or, if the Owner has not elected said Option I, make payments on account of just compensation as provided in Option II of Clause C, Part I of this Amended Charter, and in either case such hire or payments on account shall continue until the time of the redelivery of the Vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agree: *Provided, however,* That if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until Noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 31 of this Charter. Nothing in this Clause shall prohibit the Owner from instituting proceedings at any time after the effective date of this Amended Charter to recover just compensation when Option II of Clause C, Part I, is applicable.

CLAUSE 3. B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire or payments on account as herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II, subject to the provisions of Clause 11 D hereof.

CLAUSE 3. C. On the first day of each calendar month, the hire or payments on account of just compensation provided for in this Amended Charter, and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3. D. The Charterer or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplies and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 3. E. If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel under this Charter to make any payment to the United States by way of reimbursement for construction differential subsidy, then the Charterer shall pay to the Owner as additional charter hire, a sum equal to any amount so paid.

CLAUSE 4. In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease: *Provided, however,* That the Charterer shall indemnify and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and nothwithstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit: *Provided, however,* That on the written request of the Charterer, the Owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5. A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer or any other agency of the United States.

CLAUSE 5. B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation (if any) shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter:

(a) The Owner shall provide and pay for
(1) Wages of Master and crew;
(2) Subsistence;
(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel for any purpose);
(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;
(5) Sales or other taxes based on the foregoing items; and
(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other

persons covered by Clause 7 C hereof, and shall also include board and room allowances of Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, deck and engine room stores, supplies and equipment" shall mean those items referred to under the headings of "(15)" and "(24)" Stores, Supplies and Equipment", page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62–RO, 10–42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs", page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 23 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freights earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

Clause 7. A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation (paid to the master and crew (which term as used in this Clause 7 shall refer to the actual crew on board, even though in excess of the normal complement) in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating thereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port, (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other oceangoing trades.

(3) All wages, and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or discharging of cargo, or (c) to care for any persons covered by Clause 7 C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or persons for the purposes above set forth shall also be reimbursed to the Owner.

The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for off shore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this Charter (Charterer to have title to such extra clothing and effects).

Clause 7. B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the continental United States where suitable replacements are not readily available.

Clause 7. C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter, and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7 C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

Clause 8. A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

Clause 8. B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

Clause 8. C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) percent of the service rate, plus eighty (80) per cent of the actual savings in wages for Master and crew during the entire period of layup. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such layup.

Clause 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

Clause 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

Clause 11. A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

Clause 11. B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter required by sub-chapter O of Chapter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements. *Provided, however*, That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under this Clause 11-B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11 A of the Charter.

Clause 11. C. Any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

Clause 11. D. If, at the time of redelivery under this Charter, the Vessel shall require any work or repairs of any damage arising from risks insured against or assumed by the Charterer, or for which the Charterer is otherwise liable under this Clause, Clause 11 A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

Clause 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary and not less than once in every nine months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. All towage, pilotage, and other expenses incidental to such drydocking and all port charges incurred in connection therewith, shall be for the Owner's account regardless of whether Charterer's repairs are concurrently made.

Clause 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

Clause 14. Subject always to the directions of the Charterer the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for and ventilating the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages; and the Charterer shall load, stow, trim and discharge the cargo at its expense under the supervision of the Master who, if requested, is to sign bills of lading for cargo as presented, in conformity with Mate's or Tally Clerk's receipts. Bills of lading are to be signed in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

Clause 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its agents may direct, provided that the Vessel can safely lie afloat at any time of tide.

Clause 16. The Owner shall provide and maintain gear for all derricks and shall maintain the gear of the ship as fitted, and shall also provide ropes, falls and blocks customary in normal commercial operation. The Owner shall also provide on the Vessel lanterns and oil for night work, and give the use of electric lights when the Vessel is so fitted. The Charterer shall have the use of any gear on board the Vessel, including slings.

Clause 17. The vessel shall work night and day, if required by the Charterer, and all winches are to be at the Charterer's disposal during loading and discharging. Shore winchmen, when available and where required, shall be provided and paid by the Charterer.

Clause 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause paramount.* "This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-to-blame collision clause.* "If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or non-carrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General average clause.* "General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money."

(iv) *Amended "Jason" clause.* "In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers."

(v) *Liberties clauses.* "In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk or capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hasardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement im-

posed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or gen-

make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise however given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel. *Provided, however*, That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the

other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ per cent per annum on the then current valuation of the Vessel under valuation Option II, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to con-

posed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys: *Provided, however*, That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecuting of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

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CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise however given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel. *Provided, however*, That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained. *Provided further, however*, That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer (except as to matters affecting only the stability of the Vessel) shall be exclusively responsible for proper loading, stowage and discharge of goods of an inflammable, explosive or dangerous nature, and shall comply with all applicable regulations and furnish any necessary fittings.

CLAUSE 31. The Charterer shall reimburse the Owner for all expenses for wages, bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ per cent per annum on the then current valuation of the Vessel under valuation Option II, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other WARSHIPTIME or WARSHIPOILTIME Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 32 shall be applicable only from the effective date of this Amended Charter. Nothing in this Clause 32 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter: *Provided, however*, That all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 33. A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 33. B. The Owner shall not employ any person who advocates, or who is a member of an organization that advocates, the overthrow of the government of the United States by force or violence, to perform any work under this Charter. As a condition to the employment of any person for the performance of such work, the Owner shall, if the Charterer so directs, require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678, 77th Congress, or Public Law No. 23, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 33. C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any worker because of race, creed, color, or national origin.

CLAUSE 33. D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 33. E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 34. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 35. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 36. A. In the event that this form of time charter is modified by the Charterer at any time prior to July 1, 1944, the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charaterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 36. B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 37. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged, at all times during the currency of this Charter, the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel on the terms stated either in Plan I or Plan II below.

PLAN I. In the event the Owner has elected valuation Option I (just compensation):

Insurance on the Vessel under the terms and conditions of the full form of policy of War Shipping Administration (designated as Warshipreq, a copy of which is attached hereto) covering both marine and war risks. In the event of total or constructive total loss of the Vessel due to the operation of a risk insured against by said policy, the Charterer, as insurer, shall pay to the person entitled thereto just compensation for such loss to the extent that the person entitled thereto is not otherwise reimbursed through policies of insurance. The amount of just compensation shall be determined by the Administrator as soon as practicable after the loss, and if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum, as added to said 75 per centum, will make up such amount as will be just compensation for the Vessel; or the Owner may sue the Charterer, as insurer, under the policy for an amount equivalent to that which the Owner would be entitled to as just compensation under the laws and Constitution of the United States for the loss of the Vessel, in excess of 75 per centum of the amount determined by the Charterer to be just compensation, as hereinbefore provided, which 75 per centum, forthwith on the commencement of such suit, shall be paid the Owner by the Charterer on account of liability under said policy. The Charterer shall not, however, by reason of the operation of this Clause, be liable for any damage incurred prior to the attachment of this insurance.

PLAN II. In the event the Owner has elected valuation Option II (agreed value):

Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, (designated as Warshipreq, a copy of which is attached hereto) in the amount of the agreed value under this Charter, but subject to the limitations of that policy relating to this Plan II, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion). It is specially agreed, however:

(a) That the Owner, at its own expense except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of American Hull Form Revised (Requisitioned Vessels 1943) which insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above: *Provided, however*, Such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture of profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance, (without benefit of salvage, subrogation or right of contribution) above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisions of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the American Hull Form Revised (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for nonpayment of premium), or upon thirty (30) days written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq) for the amount set forth in valuation Option II.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the Vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this subparagraph (f), and not recoverable under insurance arranged pursuant to subparagraph (c) above. *Provided, however*, That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the

provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the Owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the FEDERAL REGISTER of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charterer's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language, or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and Members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment, and loss of function), detention, repatriation and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard War Risk Protection and Indemnity policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the Wartimepandi Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for non-payment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of land lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metal Reserves Company, Rubber Reserves Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the Wartimepandi Policy (Requisitioned Vessels 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by Wartimepandi Policy (Requisitioned Vessels 1943) to the extent that said Wartimepandi Policy (by reason of the insured amounts in said policy) does not provide the Owner with complete protection and indemnity: *Provided, however*, That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said Wartimepandi Policy.

(f) That the Owner (at its option and expense) may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard War Risk Protection and Indemnity Policy, and Wartimepandi Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or overcarriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills or Lading.

(4) Marine and war risk insurance covering the Owner's actual loss (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5,000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistence stores (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1960).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters, on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance; provided, however, that claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims or (3) under charter to the United States and insured under the terms of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer: *Provided, however*, That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore, except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims for salvage in excess of actual costs in connection therewith), and which is not recovered by the Owner under any other provision of this Charter: *Provided, however*, That if a valuation of the Vessel has been agreed to this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation, or if no valuation of the Vessel has been agreed to, in excess of the amount of compensation payable in the event of loss of the Vessel; and *Provided further*, That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 28 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or within the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is specially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not constituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss. *Provided, however*, If insurance Plan II is applicable and the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to Plan II of said Clause I of this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the American Hull Form Revised (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective simultaneously with the effective date of this Amended Charter (Addendum) to which it is affixed, and the insurance *to be provided* by the Charterer hereunder, shall attach as of Noon, (EWT) of such effective date.

If an Owner who has elected Valuation Option II thereafter elects Valuation Option I in accordance with the terms of the Amended Charter (Addendum), then the insurance provided by the Charterer under Insurance Plan II shall terminate as of the effective date and hour that Valuation Option I becomes effective and the insurance provided by the Charterer under Insurance Plan I shall attach simultaneously therewith.

Pending an election by the Owner of Valuation Option I or II, as the case may be, as provided in Clause D of Part I of this Amended Charter (Addendum), Insurance Plan I of this Schedule shall be effective unless and until the Owner shall thereafter, in accordance with the provisions of said Clause D, elect Valuation Option II and shall notify the Charterer of his election and of the placing of marine hull insurance with the Syndicate as provided in subparagraph (a) of Clause 1A of this Schedule, in which event Insurance Plan II shall be effective retroactively to Noon (EWT) of the effective date of this Amended Charter (Addendum), notwithstanding that prior to the date of said election the Vessel or its Owner may have sustained loss, damage, or expense covered by the insurance provided by the Charterer under said Insurance Plan I.

3/25/44 Warshipreq Policy

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Charter Number ------- No. H. ----------

Date ----------

By this policy of insurance does, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

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on the steamer (or Motor Vessel) called the ---------- (or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number -------

Loss, if any, payable to the person entitled thereto, or order.

In a sum as provided for in the Charter Party referred to above, or if no such sum be provided for in said Charter Party, in the amount of Just Compensation arrived at pursuant to the provisions of said Charter Party.

At and from ---------- to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS

A. The following conditions shall apply to all vessels insured hereunder:

1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein: *Provided, however*, Except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause I shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against hereunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. *Provided always* that a breach of this warranty shall not afford the assurers any defense to a claim by mortgagees or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses:

(a) With leave to sail or navigate with or without pilots, to go on trial trips and to

assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner, provided the vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Clause I of Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabilities covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement of the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to declare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. The following condition shall be effective only with respect to vessels to which insurance plan II of the Charter Party applies, but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. The following condition shall be effective only with respect to vessels to which insurance plan I of the charter party applies but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. This policy shall respond to claims for partial losses covered hereby and repaired by the Owner with the approval of the War Shipping Administration (subject to the franchise warranty) even though the cost of such repairs may exceed the sum insured hereby.

D. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above, or, if no such amount is set forth in said Charter Party, in the amount of just compensation arrived at pursuant to the provisions of said Charter Party.

Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack.

For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator

Countersigned at Washington, D. C., this ------ day of ----------, 19-----

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Beginning the Adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement, And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this Insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers; breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided*, Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York: *Provided always*, That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property. *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which a claim is made on this or the preceding policy.

No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the required value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured. *Provided always*, That their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision. *And it is further agreed*, That the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. *Provided always*, That this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and

similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury. *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that Warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include damage caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

WAR RISK PROTECTION AND INDEMNITY

Policy No. WPI Charter No. _____

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law _____ _____ Hereinafter called the Assured, in respect to the vessel called _____, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1960; or in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: PROVIDED, HOWEVER, that the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from _____ to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described.

Loss if any payable to_____ _____

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to override P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

CLAUSE A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or birth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

CLAUSE B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

CLAUSE C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation by the Government of the United States of America, or any state or political subdivision thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"F. AND I. CLAUSES"

(1) Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liabilities under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #267, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel; *provided, however, that the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner*, and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by *reason of* the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) Liability for loss or damage arising from collision of the insured vessel with an-

similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury. *And provided also,* That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

WAR RISK PROTECTION AND INDEMNITY

Policy No. WPI Charter No. ------

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law ---------- Hereinafter called the Assured, in respect to the vessel called ----------, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; or in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: PROVIDED, HOWEVER, that the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from ---------- to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described.

Loss if any payable to----------

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to override P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

CLAUSE A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or birth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

CLAUSE B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

CLAUSE C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any state or political subdivision thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1943.

"F. AND I. CLAUSES"

(1) Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liabilities under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #367, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel; *provided, however, that the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner,* and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by *reason of* the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured: *Provided always,* That our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. And in cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. *Provided always,* That this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled or adjusted without the written consent of the Assurer.

(4) Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft, caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) Liability for damage to any dock, pier, jetty, bridge, harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless elsewhere covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belong to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage: *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefore: *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate;

(c) *The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable, or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.*

(7) Liability for loss of or damage to or in connection with cargo or other property (except mail or parcels post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100. per person, to be carried, carried or which has been carried on board the insured vessel: *Provided, however,* That no liability shall exist hereunder for:

(a) Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, bank-notes, bonds or other negotiable documents, or similar valuable property.

(b) Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each round voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to insure specifically the liability therefore, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the continental United States, shall not be considered as knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) Loss, damage or expense arising *with respect to under deck cargo stowed on deck or with respect to* cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of order bills of lading;

(i) Freight on cargo short-delivered; whether or not prepaid or whether or not included in the claim and paid by the Assured; *And provided further,* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provision of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are *generally* in use in the particular trade;

(l) When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country or similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and

a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer on terms agreed, in writing.

(n) In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of los sof or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country, *Provided, however*, That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such person or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances*, nor costs of successfully defending claims elsewhere protected in this policy.

(10) Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers: *Provided, however*, That no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine;

(11) Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source: *Provided, however*, That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz.:

"In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy, provided, however, that the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) In no event shall suit on any claim be maintainable against the Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events, occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy; provided, however, that in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorised by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) Whenever required by the Assurer, the Assured shall aid in securing information and evidence, *subject to any governmental limitations as to the confidential character of* such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however*, That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however*, That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) If and when the Assured under this policy has any interest other than as an owner *or bare boat charterer* of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner *or bare boat charterer* and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Notwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the America Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice or expense;

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety: *Provided, however*, That this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C., this _____ day of _____, 19_____.

E. S. LAND,
Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44-4981; Filed, April 7, 1944; 11:27 a. m.]

[G. O. 11, Supp. 4]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTERS FOR TANK VESSELS

Sections 302.55 and 302.56 (General Order 11, Supplements 1, 1A, and 1B) are merged into one section, § 302.55, and revised to read:

§ 302.55 *Amended time charter for tank vessels "Warshipoiltime (Rev.)".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters for tank vessels heretofore entered into by the United States of America, acting by and through the Administrator, to be known as "Warshipoiltime (Rev.)":

Contract No. _____

Form No. 102 (Rev.) 4/4/44
Warshipoiltime (Rev.)

WAR SHIPPING ADMINISTRATION

AMENDED TIME CHARTER FOR TANK VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of _____, 1942, providing for the charter of the Vessel upon the terms and conditions therein set forth, and

WHEREAS, the Owner and Charterer have heretofore agreed by addendum to such charter that the rate of hire and insurance valuation, if any, may be subject to readjustment, to the extent therein provided, such readjustment to be effective as of December 1, 1943, with respect to the rate of hire, and

WHEREAS, the Charterer has tendered to the Owner a statement of the rate of hire which in the judgment of the Administrator will be just compensation for the use of the Vessel and the services required under the terms of the Charter for the period commencing from December 1, 1943, and terminating upon the effective date of this Addendum and proposes in this Addendum to tender a similarly determined rate of hire for the period commencing with the effective date of this Addendum and extending for the balance of the term of this Charter and likewise desires in the same manner to tender a valuation for the Vessel which in the opinion of the Administrator will constitute just compensation for the loss of or damage to the Vessel occurring after the effective date of this Addendum, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

Now, THEREFORE, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:

Amended Time Charter (hereinafter sometimes referred to as the Charter), dated as of _____, 19__, between _____ Address _____ Owner of the SS/MS _____ (herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

(Part I—Revised)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

Deadweight capacity, as defined in Clause 5, Part II _____
Classed _____
Bale capacity or refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer _____ cubic feet _____
Year built _____

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however*, That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this amended Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Amended Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be $_____ per calendar month or pro rata for any portion thereof, of which the sum of $_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed to include interest, if any, to which the Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30-day period, as the case may be, Option II shall apply: *Provided, however*, That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate revision (Option I only). At any time after July 1, 1944, but not more often than once every 120 days thereafter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the

a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer on terms agreed, in writing.

(n) In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country, *Provided, however,* That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such person or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances,* nor costs of successfully defending claims elsewhere protected in this same from any other source: *Provided, however,* That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz.:

"In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy, provided, however, that the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy; provided, however, that in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) Whenever required by the Assurer, the Assured shall aid in securing information and evidence, *subject to any governmental limitations as to the confidential character of* such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however,* That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however,* That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) If and when the Assured under this policy has any interest other than as an owner or *bare boat charterer* of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner *or bare boat charterer* and were entitled to all the rights of limita-

Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. *Valuation.* The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 902 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I, and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, E. W. T., April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____, but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1, 1945 or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, E. W. T., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national-defense features), less than depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a valuation has not then been inserted in Option II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. *Port of delivery.*

CLAUSE F. *Time and date of delivery.*

CLAUSE G. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. *Notice of redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. *Uniform terms.* This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Tank Vessels, published in the FEDERAL REGISTER of April 8, 1944. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. *Effective date of this amended charter.* Unless otherwise agreed this Amended Charter (Addendum) shall be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on May 15 1944, or if the Vessel be in a port in the Continental United States, excluding Alaska, on May 5, 1944, then effective May 15, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to July 15, 1944 then effective July 15, 1944, if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

CLAUSE K. *Reservation as to just compensation.* Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter, provided, however, that all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE L. *Special Provisions.*

IN WITNESS WHEREOF, the Owner has executed this Charter* in quadruplicate the _____ day of _____, 19___, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19___.

As to execution for Owner

_____

By: _____

UNITED STATES OF AMERICA,

By: E. S. LAND, *Administrator,*
War Shipping Administration.

By: _____
For the Administrator.

Attest:

_____

or if not incorporated

In the presence of:

_____
Witness

and

_____
Witness

Approved as to form:

_____
Assistant General Counsel

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

_____
[CORPORATE SEAL] *Secretary.*

Form No. 102 (Rev.) 4/3/44
Warshipoiltime (Rev.)

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR TANK VESSELS

(*Part II—Revised*)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe already dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery, as far as due diligence can make her so, shall be ready to receive cargo with pipe lines and pumps in good working condition, and tight, staunch, strong, and in every way fitted for normal service for a Vessel of her size, type and description, with a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a Vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying petroleum or its products in bulk, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Charterer shall indemnify the Owner for any loss, damage, claims or expenses, resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor or, if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks, and usual places of carriage (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal reserving only space proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores, and fuel. The Charterer shall have the option of shipping lawful merchandise in

cases, can or other packages in the Vessel's forehold, 'tween decks or other suitable space available, subject, however, to the Master's approval as to kind, character, amount and stowage, and to the extent that the Owner is not required thereby to obtain a certificate of convenience and necessity therefor under the Transportation Act of 1940. All expenses for dunnage, loading, stowing and discharging so incurred shall be paid by the Charterer, but the Owner is not to provide any equipment not already on board for handling such cargo, and such merchandise shall be shipped at the Charterer's risk and peril.

CLAUSE 3. A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Option I of Clause C, of Part I of this Amended Charter, or, if the Owner has not elected said Option I, make payments on account of just compensation as provided in Option II of Clause C, Part I of this Amended Charter, and in either case such hire or payments on account shall continue until the time of the redelivery of the vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agreed: *Provided, however,* That if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until Noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 30 of this Charter. Nothing in this Clause shall prohibit the Owner from instituting proceedings at any time after the effective date of this Amended Charter to recover just compensation when Option II of Clause C, Part I, is applicable.

CLAUSE 3. B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire or payments on account herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II; subject to the provisions of Clause 11 D hereof.

CLAUSE 3. C. On the first day of each calendar month, the hire or payments on account of just compensation provided for in this Amended Charter, and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3. D. The Charterer or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplies and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 3. E. If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel under this Charter to make any payment to the United States by way of reimbursement for construction differential subsidy, then the Charterer shall pay to the Owner as additional charter hire, a sum equal to any amount so paid.

CLAUSE 4. In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease: *Provided, however,* That the Charterer shall indemnity and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and notwithstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit: *Provided, however,* That on the written request of the Charterer, the Owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5. A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer, or any other agency of the United States.

CLAUSE 5. B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation (if any) shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweights or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter:

(a) The Owner shall provide and pay for
(1) Wages of Master and crew;
(2) Subsistence;
(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel for any purpose);
(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;
(5) Sales or other taxes based on the foregoing items; and
(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other persons covered by clause 7 C hereof, and shall also include board and room allowances to Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, desk, and engine room stores, supplies and equipment" shall mean those items referred to under the heading of "(15)" and "(24) Stores, Supplies and Equipment", page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62–RO, 10–42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs", page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 22 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freight earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

CLAUSE 7. A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation) paid to the master and crew (which term as used in this Clause 7 shall refer to the actual crew on board even though in excess of normal complement), in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating thereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port, (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other ocean-going trades.

(3) All wages and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or dis-

charging of cargo, or (c) to care for any persons covered by Clause 7 C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or other persons for the purposes above set forth shall also be reimbursed to the Owner.

The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for off shore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen, provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this Charter (Charterer to have title to such extra clothing and effects).

CLAUSE 7. B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the Continental United States where suitable replacements are not readily available.

CLAUSE 7. C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter, and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7 C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

CLAUSE 8. A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

CLAUSE 8. B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

CLAUSE 8. C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) per cent of the service rate, plus eighty (80) per cent of the actual savings in wages for Master and crew during the entire period of lay-up. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such lay-up.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

CLAUSE 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

CLAUSE 11. A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

CLAUSE 11. B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter required by sub-chapter O of Chapter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements. *Provided, however,* That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum To Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under the Clause 11-B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

CLAUSE 11. C. Any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and, upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

CLAUSE 11. D. If, at the time of redelivery under this Charter, the Vessel shall require any work or repairs of any damage arising from risks insured against or assumed by the Charterer, or for which the Charterer is otherwise liable under this Clause, Clause 11A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance, of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

CLAUSE 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary, but not less than once in every nine (9) months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. The Owner undertakes to put the Vessel in drydock for cleaning and painting the bottom as soon thereafter as the Vessel is at the Owner's disposal, clear of oil and gas, at the port having suitable accommodations for the purpose. The Owner is always and solely responsible for clearing the Vessel of oil and gas but the expense and time thereof shall be for Charterer's account. The expenses incidental to sending the Vessel to drydock for painting her bottom and all port charges incurred therein shall be for the Owner's account.

Except as otherwise provided herein the expense of clearing the Vessel of oil and gas as well as all other expenses incidental to sending the Vessel to drydock or repair yard and all port charges incurred therein shall be:

(1) For Owner's account when required primarily for Owner's repairs, or

(2) For Charterer's account when required primarily for Charterer's repairs, or

(3) For account of both Owner and Charterer when repairs under (1) and (2) above are carried out concurrently and such expense shall be apportioned in accordance with normal commercial practice.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer the Master shall prosecute his voyage with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages. Bills of lading are, if requested by the Charterer, to be signed by the Master in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its Agents may direct, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat.

CLAUSE 16. Neither the Owner nor the Vessel shall be responsible for any admixture, if more than one quality of oil is shipped nor for leakage, contamination or deterioration in quality of the cargo. No injurious cargoes, including acids that are injurious to the Vessel, are to be shipped, it being understood that gasoline, Ethyl gasoline, benzol, creosote, molasses, and the various vegetable oils, customarily carried in tank vessels, are not to be considered as injurious. Charterer undertakes in case it employs the Vessel to carry any other cargo than petroleum and its products in bulk to indemnify the Owner against any damage that may arise to such cargo owing to the Vessel having previously loaded oil, or to oil after having loaded other cargo. If the Vessel's tanks at the time of delivery are gas free and clean and fit for the transportation of clean products, such as refined petroleum or naphtha, the Vessel is to be redelivered in the same condition as on delivery. Similarly, if her tanks are soiled at the time of delivery the Vessel may be redelivered with tanks in like condition.

CLAUSE 17. No petroleum product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one-hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A. S. T. M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one-hundred twenty-two degrees Fahrenheit (122° F.) Note—The distillation test shall be made by A. S. T. M. Method identified as D-86 current at the time shipment is made. When products other than naphtha or gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one-hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.)).

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause paramount.* "This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-to-blame collision clause.* "If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General average clause.* "General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money."

(iv) *Amended "Jason" clause.* "In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers."

(v) *Liberties clauses.* "In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports or call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii) (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in per-

forming under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault of privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers of people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made a part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys: *Provided, however,* That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecuting of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master of the Vessel: *Provided, however,* That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however,* That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer shall reimburse the Owner for all expenses for bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel, or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ percent per annum on the then current valuation of the Vessel under valuation Option II, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 31. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 31 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other WARSHIPTIME or WARSHIPOPLTIME Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 31 shall be applicable only from the effective date of this Amended Charter. Nothing in this Clause 31 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter: *Provided, however,* That all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 32. A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 32. B. The Owner shall not employ any person who advocates, or who is a member of an organization that advocates, the overthrow of the government of the United States by force or violence, to perform any work under this Charter. As a condition to the employment of any person for the performance of such work, the Owner shall, if the Charterer so directs, require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678, 77th Congress, or Public Law No. 23, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 32. C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any

worker because of race, creed, color, or national origin.

CLAUSE 32. D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 32. E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 33. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 34. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 35. A. In the event that this form of time charter is modified by the Charterer at any time prior to July 1, 1944, the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 35. B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 36. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

3/23/44

WARSHIPREQ POLICY

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Charter Number .....No. H.....
Date .....

By this policy of insurance does, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

.....

On the steamer (or Motor Vessel) called the ..... (or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number .....

Loss, if any, payable to the person entitled thereto, or order.

In a sum as provided for in the Charter Party referred to above, or if no such sums be provided for in said Charter Party, in the amount of Just Compensation arrived at pursuant to the provisions of said Charter Party.

At and from .....
to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS

A. The following conditions shall apply to all vessels insured herennder.

1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein; provided, however, except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause 1 shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against hereunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. Provided always that a breach of this warranty shall not afford the assurers any defense to a claim by mortgagees or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses: (a) With leave to sail or navigate with or without pilots, to go on trial trips and to assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner, provided the vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Clause I of Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabilities covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement of the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to de-

clare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. The following condition shall be effective only with respect to vessels to which Insurance Plan II of the Charter Party applies, but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. The following condition shall be effective only with respect to vessels to which insurance plan I of the charter party applies but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. This policy shall respond to claims for partial losses covered hereby and repaired by the Owner with the approval of the War Shipping Administration (subject to the franchise warranty) even though the cost of such repairs may exceed the sum insured hereby.

D. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above, or, if no such amount is set forth in said Charter Party, in the amount of just compensation arrived at pursuant to the provisions of said Charter Party.

Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack.

For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator.

Countersigned at Washington, D. C. this ------ day of ----------, 19------

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Beginning the adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, of quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement. And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this Insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots; Provided such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York: *Provided always*, That when an adjustment according to the

laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property; *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately on or the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which a claim is made on this or the preceding policy.

No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the repaired value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurer's subscription hereto bears to the value of the Vessel hereby insured. *Provided always*, That their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding: *Provided always*, That this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury; *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

clare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. The following condition shall be effective only with respect to vessels to which Insurance Plan II of the Charter Party applies, but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. The following condition shall be effective only with respect to vessels to which insurance plan I of the charter party applies but with respect to such vessels it shall be paramount and shall override any other provision of this policy which may be in conflict therewith.

1. This policy shall respond to claims for partial losses covered hereby and repaired by the Owner with the approval of the War Shipping Administration (subject to the franchise warranty) even though the cost of such repairs may exceed the sum insured hereby.

D. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above, or, if no such amount is set forth in said Charter Party, in the amount of just compensation arrived at pursuant to the provisions of said Charter Party.

Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack.

For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator.

Countersigned at Washington, D. C. this ------ day of ----------, 19-----.

Beginning the adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, of quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement. And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots; Provided such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York: *Provided always*, That when an adjustment according to the

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

SCHEDULE A—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged at all times during the currency of this Charter the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel on the terms stated either in Plan I or Plan II below.

PLAN I: In the event the Owner has elected valuation Option I (just compensation):

Insurance on the Vessel under the terms and conditions of the full form of policy of War Shipping Administration (designated as Warshipreq, a copy of which is attached hereto) covering both marine and war risks. In the event of total or constructive total loss of the Vessel due to the operation of a risk insured against by said policy, the Charterer, as insurer, shall pay to the person entitled thereto just compensation for such loss to the extent that the person entitled thereto is not otherwise reimbursed through policies of insurance. The amount of just compensation shall be determined by the Administrator as soon as practicable after the loss, and if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum, as added to said 75 percentum, will make up such amount as will be just compensation for the Vessel; or the Owner may sue the Charterer, as insurer, under the policy for an amount equivalent to that which the Owner would be entitled to as just compensation under the laws and Constitution of the United States for the loss of the Vessel, in excess of 75 per centum of the amount determined by the Charterer to be just compensation, as hereinbefore provided, which 75 per centum, forthwith on the commencement of such suit, shall be paid the Owner by the Charterer on account of liability under said policy. The Charterer shall not, however, by reason of the operation of this Clause, be liable for any damage incurred prior to the attachment of this insurance.

PLAN II: In the event the Owner has elected valuation Option II (agreed value):

Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, (designated as Warshipreq, a copy of which is attached hereto) in the amount of the agreed value under this Charter, but subject to the limitations of that policy relating to this Plan II, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion.) It is specially agreed, however:

(a) That the Owner, at its own expense, except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of American Hull Form Revised (Requisitioned Vessels 1943) which insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above: *Provided, however,* such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture of profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance (without benefit of salvage, subrogation or right of contribution) above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisions of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the American Hull Form Revised (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for non-payment of premium), or upon thirty (30) days written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq) for the amount set forth in valuation Option II.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to sub-paragraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this sub-paragraph (f), and not recoverable under insurance arranged pursuant to sub-paragraph (c) above. *Provided, however,* That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the Owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the FEDERAL REGISTER of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charterer's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language, or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and Members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard War Risk Protection and Indemnity policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the Wartimepandi Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for non-payment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written

notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of lend lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metal Reserves Company, Rubber Reserves Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the Wartimepandi Policy (Requisitioned Vessels 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by Wartimepandi Policy (Requisitioned Vessels 1943) to the extent that said Wartimepandi Policy (by reason of the insured amounts in said policy) does not provide the Owner with complete protection and indemnity. *Provided, however,* That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said Wartimepandi Policy.

(f) That the Owner (at its option and expense), may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard War Risk Protection and Indemnity Policy, and Wartimepandi Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or overcarriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills of Lading.

(4) Marine and war risk insurance covering the Owner's actual loss (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistence stores (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1939).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters, on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance: *Provided, however,* That claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer, or otherwise for such claims or (3) under charter to the United States and insured under the terms of the American Hull Form Revised (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer: *Provided, however,* That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore, except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims for salvage in excess of actual costs in connection therewith), and which is not recovered by the Owner under any other provision of this Charter: *Provided, however,* That if a valuation of the Vessel has been agreed to this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation, or if no valuation of the Vessel has been agreed to, in excess of the amount of compensation payable in the event of loss of the Vessel; and *Provided further,* That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 28 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or within the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is specially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not con-

stituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss: *Provided, however,* If insurance Plan II is applicable and the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to Plan II of said Clause I of this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the American Hull Form Revised (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective simultaneously with the effective date of this Amended Charter (Addendum) to which it is affixed, and the insurance to be provided by the Charterer hereunder, shall attach as of Noon, (EWT) of such effective date.

If an Owner who has elected Valuation Option II thereafter elects Valuation Option I in accordance with the terms of the Amended Charter (Addendum), then the insurance provided by the Charterer under Insurance Plan II shall terminate as of the effective date and hour that Valuation Option I becomes effective and the insurance provided by the Charterer under Insurance Plan I shall attach simultaneously therewith.

Pending an election by the Owner of Valuation Option I or II, as the case may be, as provided in Clause D of Part I of this Amended Charter (Addendum), Insurance Plan I of this Schedule shall be effective unless and until the Owner shall thereafter, in accordance with the provisions of said Clause D, elect Valuation Option II and shall notify the Charterer of his election and of the placing of marine hull insurance with the Syndicate as provided in subparagraph (a) of Clause 1A of this schedule, in which event Insurance Plan II shall be effective retroactively to Noon (EWT) of the effective date of this Amended Charter (Addendum), notwithstanding that prior to the date of said election the Vessel or its Owner may have sustained loss, damage, or expense covered by the insurance provided by the Charterer under said Insurance Plan I.

War Risk Protection and Indemnity — Policy No. WPI Charter No._____

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

In consideration of the stipulations herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law_____ Hereinafter called the Assured, in respect to the vessel called _____, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; or in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: *Provided, however,* That the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from _____ to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described, _____ Loss if any payable to _____.

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to over-ride P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

CLAUSE A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or berth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

CLAUSE B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

CLAUSE C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any state or political sub-division thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"P. AND I. CLAUSES"

(1) Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200., where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any person or Persons carried on the insured vessel.

(a) Insurance hereunder, shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liability under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #267, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20) liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel; *provided, however, that the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner,* and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by reason of the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision

with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured, provided always that our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. Any in cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. Provided always that this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled or adjusted without the written consent of the Assurer.

(4) Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft, caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) Liability for damage to any dock, pier, jetty, bridge, harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless elsewhere covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage: *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefor: *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate;

(c) *The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable, or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.*

(7) Liability for loss of or damage to or in connection with cargo or other property (except mail or parcels post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100. per person, to be carried, carried or which has been carried on board the insured vessel: *Provided, however,* That no liability shall exist hereunder for:

(a) Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, banknotes, bonds or other negotiable documents, or similar valuable property.

(b) Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each *round* voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to insure specifically the liability therefore, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the continental United States, shall not be considered as knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) Loss, damage or expense arising *with respect to under deck cargo stowed on deck or with respect to* cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of *order* bills of lading;

(i) Freight on cargo short-delivered, whether or not prepaid or whether or not included in the claim and paid by the Assured: *And provided further,* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provision of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are *generally* in use in the particular trade;

(l) When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and a clause limiting the Assured's liability for total loss or damage to goods shipped to $500. per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, how-

ever, be waived or altered by the Assurer on terms agreed, in writing.

(n) In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country, *Provided, however*, That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such person or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances*, nor costs of successfully defending claims elsewhere protected in this policy.

(10) Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers; *Provided, however*, That no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine;

(11) Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source; *Provided, however* That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz:

"In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, *Provided* That the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy; *Provided, however*, That the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The Assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) In no event shall suit on any claim be maintainable against the Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events, occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy; *Provided, however*, That in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) Whenever required by the Assurer, the Assured shall aid in securing information and evidence, *subject to any governmental limitations as to the confidential character of* such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however*, That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however*, That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) If and when the Assured under this policy has any interest other than as an owner or *bare boat charterer* of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner or *bareboat charterer* and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Notwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the American Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice or expense.

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety; *Provided, however*, That this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C., this ------ day of ----------, 19----

E. S. LAND,
Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44-4982; Filed, April 7, 1944; 11:27 a. m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 13, Supp. 1]

REQUISITION BAREBOAT CHARTER FOR DRY CARGO AND TANK VESSELS

Sections 302.61 and 302.62 (General Order 13) are merged into one section, § 302.61, and revised to read:

§ 302.61 *Requisition bareboat charter for dry cargo and tank vessels "Warshipdemise (Rev.)".* The Adminstrator, War Shipping Administration, adopts the following standard form of bareboat charter for dry cargo and tank vessels chartered by the United States of America, acting by and through the Administrator, to be known as "WARSHIPDEMISE (Rev.)":

Form No. 103 (Rev.) 4/4/44 Contract No.... Warshipdemise (Rev.)

WAR SHIPPING ADMINISTRATION

REQUISITION BAREBOAT CHARTER FOR DRY CARGO AND TANK VESSELS

Whereas, pursuant to Section 902 of the Merchant Marine Act, 1936 as amended, and the President's Executive Order No. 9054, as amended, the Administrator, War Shipping Administration, has requisitioned the use of the Vessel:

Now, therefore, pursuant to said Section 902, the Administrator, War Shipping Administration, hereby transmits to the Owner this Charter, consisting of Part I and Part II, setting forth the terms which, in the Administrator's judgment, should govern the relations between the Charterer and the Owner and a statement of the rate of hire which, in the Administrator's judgment, will be just compensation for the use of the Vessel under the terms of this Charter:

Requisition bareboat charter, dated as of ----------, 194--, between----------

Address----------

Owner of the SS/MS ----------

(herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

PART I

The Vessel's particulars on which the rate of hire and valuation have been based, in part, by the Administrator are as follows:

Deadweight capacity, as defined in Clause 18, Part II. Classed----------

Bale capacity of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer----------

cubic feet----------

Year built----------

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941; *Provided, however*, That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner does not accept the rate of hire set forth in Option I, the right of the owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time after July 1, 1945. The right to modify or change the terms of the Charter is reserved where the Charter has not been executed by the Owner and delivered to the Charterer.

OPTION I. The hire shall be $----------per calendar month or pro rata for any portion thereof.

OPTION II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter, as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause B and elsewhere in this Charter shall be deemed to include interest, if any, to which the Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30-day period, as the case may be, Option II shall apply. *Provided, however*, That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate revision (Option I only). At any time after July 1, 1945 but not more often than once every 12 months thereafter, either party may request a redetermination of the rate of charter hire upon ninety (90) days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 90-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 90-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 90-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause B shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE C. *Valuation.* The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 802 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I, and Option II shall apply.

OPTION I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for the loss of or damage to the Vessel.

OPTION II. For the period commencing with the delivery of the Vessel under this Charter and ending noon, (EWT) April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and any insurance undertaken by the Charterer is the sum of $. For each subsequent twelve (12) month period the valuation, unless oth-

erwise agreed, shall be reduced by , but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1st of any year commencing April 1st, 1945, to elect Option I for the period commencing at noon (EWT) of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national-defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

Time of election between options. Except as otherwise provided in Valuation Option II above, the Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a valuation has not then been inserted in Option II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE D. *Port of delivery.*

CLAUSE E. *Time and date of delivery.*

CLAUSE F. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided however*, That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE G. *Notice of redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE H. *Uniform terms.* This Charter consists of this Part I and Part II, conforming to the Requisition Bareboat Charter for Dry Cargo and Tank Vessels, published in the FEDERAL REGISTER of April —, 1944. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE I. *Prior charter or requisition.* Execution and delivery of this Charter by the Owner shall not impair any rights or obligations of either the Charterer or the Owner existing at the time of delivery of the Vessel under this Charter and arising out of any prior Charter or out of any requisition of the Vessel other than the requisition pursuant to which this Charter is tendered, but with respect to any rights or obligations arising after delivery of the Vessel under this Charter, the terms of this Charter shall govern. The execution and delivery of this Charter shall be without prejudice to any rights which the Charterer may have to requisition the Vessel for title at any time or to requisition the Vessel for use upon termination of this Charter by the Owner. Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause B or Option I Clause C, or Clause 11 A, Part II, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however*, That all terms and conditions of this Charter other than those relating to the determination and payment of just compensation shall not be impaired or affected by the reservation contained in this sentence.

CLAUSE J. *Special provisions.*

In witness whereof, the Owner has executed this Charter in quadruplicate the ____ day of _____, 19__, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the ____ day of _____, 19__.

_____

By: _____

UNITED STATES OF AMERICA,

By: E. S. LAND,
Administrator,
War Shipping Administration.

By: _____
For the Administrator.

As to execution for Owner:
Attest:

_____

or if not incorporated
In the presence of:

_____
Witness.

and

_____
Witness.

Approved as to form:

_____
Assistant General Counsel.

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

_____

[CORPORATE SEAL] *Secretary.*

Form No. 103 (Rev.) 4/4/44
Warshipdemise (Rev.)

WAR SHIPPING ADMINISTRATION

REQUISITION BAREBOAT CHARTER FOR DRY CARGO AND TANK VESSELS

PART II

CLAUSE 1. A. Unless otherwise stated in Part I, the Vessel on her delivery shall be in Class A–1 American Bureau of Shipping or equivalent, tight, staunch and strong and in every respect seaworthy, serviceable and fitted for normal commercial service for a Vessel of her size, type and description. If the surveyor or surveyors, on the survey provided for in this Clause 1, recommend in the survey report that the performance of any repairs or work is necessary to place the Vessel on the date of delivery in the condition and class required in this paragraph, which recommendations shall include all deferred items of repairs or work, (as distinguished from postponed annual or periodical surveys), required by outstanding classification or steamboat inspection requirements for such normal service, the Owner shall, at its expense, make all repairs and do all work so recommended, except repairs or work waived by the Charterer or for which the Charterer is responsible under this or any prior Charter or requisition of the Vessel. The repairs or work for which the Owner is responsible, as above provided, shall be made before delivery unless deferred by the Charterer, but if, after reasonable opportunity, either before or after delivery, the Owner shall fail or if it shall become impracticable for the Owner to make such repairs or to do such work, the Charterer may have such repairs or work done at the expense of the Owner and may deduct the reasonable cost thereof from amounts due or owing under this or any other Charter. Except for the Owner's obligation to make repairs or do work for which the Owner is responsible as above provided, or to pay the cost thereof, the delivery of the Vessel by the Owner and the taking of the Vessel by the Charterer shall constitute a full performance by the Owner of all of the Owner's obligations under this Clause 1, and thereafter the Charterer shall not be entitled to make or assert any claim against the Owner on account of any agreements, representations or warranties, expressed or implied, with respect to the condition of the Vessel.

For the purpose of this Charter a Vessel shall be deemed to be in class, whether or not any requirements or recommendations of the Classification Society are outstanding at the time of delivery or redelivery, as the case may be, unless the time limit for the accomplishment of any such requirements or recommendations, including any extension or period of grace allowed, shall have expired.

If radio or other equipment is required to enable the Vessel to comply with this Clause 1 A and such equipment is leased by the Owner, it shall pay the rental charges therefor or, if such charges are paid by the Charterer, such charges may be deducted from the hire: *Provided, however*, That the Charterer shall be responsible for the maintenance of such equipment including any maintenance charges therefor.

CLAUSE 1. B. Before delivery under this Charter, the Vessel shall be surveyed jointly by representatives of the Charterer and the Owner, or by a surveyor satisfactory to both the Charterer and the Owner, to determine and state the condition of the Vessel and, if the Vessel is not in the condition and class required in Clause 1 A, to make recommendations as therein contemplated. Such survey shall include drydocking to determine the condition of the underwater parts, which survey and drydocking shall be the expense and on the time of the Charterer, except to the extent that such expense would be recoverable under the standard American hull form of marine insurance policy by reason of an occurrence prior to delivery of the Vessel to Charterer under this Charter. The joint findings and recommendations of the representatives of the Charterer and the Owner or the findings and recommendations of a surveyor satisfactory to both parties shall be conclusive except for items which the survey report notes or states have not been examined, and as to such items the provisions of Clause 1 D shall apply. In the event of dispute between the surveyors, such dispute shall be finally determined by a surveyor appointed by the American Bureau of Shipping.

CLAUSE 1. C. At or before the survey or, if not then made available, as soon as prac-

ticable, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of delivery, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. continental port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or, at Charterer's option, permit it to inspect such of the following documents as are available and have been made within or cover the period of one year immediately preceding delivery of the Vessel under this Charter: (a) all deck and engine room logs; (b) all survey reports; and (c) all casualty reports or repair requisitions made by the deck or engine room departments of the Vessel.

CLAUSE 1. D. The survey provided for in Clause 1 B may be postponed by the Charterer in whole or in part and in that event the survey shall be completed as soon as practicable thereafter. Repairs or classification or other work found to be necessary on such postponed survey shall be for the account of the Charterer under this Charter, unless upon the postponed survey the surveyors agree, or a surveyor satisfactory to both the Charterer and the Owner shall find, upon due consideration of any information furnished or made available to the surveyors or surveyor pursuant to Paragraph C of this Clause 1 or of other substantial evidence, that the necessity for the repairs or work arose before delivery of the Vessel under this Charter, and in such case the cost of such repairs or work shall be borne by the Owner or the Charterer accordingly as their respective obligations may have been at the time when the damage occurred. Where no survey was held prior to the delivery of the Vessel and the execution of this Charter, the survey shall be deemed to have been postponed pursuant to this Clause.

CLAUSE 1. E. If the survey required by Clause 1 B has been held prior to May 1, 1944, the Owner and the Charterer or their respective surveyors shall, as soon as possible, examine the survey report and determine jointly whether such report shows the Vessel to have been in the condition required in Clause 1 A as of the date of delivery, or, if not, what repairs or work should have been recommended to place the Vessel in such condition. In making such determination due consideration shall be given to the survey reports and any information furnished or made available pursuant to Clause 1 C or to other substantial evidence. In the event of dispute between the Owner and Charterer or their surveyors, such dispute shall be finally determined by a surveyor appointed by the American Bureau of Shipping, who, in view of the impracticability of making such retroactive determinations, shall resolve doubts in favor of the Owner. The recommendations, if any, so determined shall have the same effect as though the recommendations had been made upon an original survey pursuant to Clause 1 B hereof except that the repairs or work so recommended shall be deemed to have been deferred by the Charterer as provided in Clause 1 F. The procedure set forth in this Clause 1 E may be accomplished before this Charter is executed.

CLAUSE 1. F. If any repairs or work for the Owner's account are deferred by the Charterer, the extent and cost thereof shall be determined by the surveyors or surveyor as of the time of delivery, and any increase in the extent and cost thereof solely by reason of such deferment shall be for the Charterer's account.

CLAUSE 1. G. Fees charged by any surveyor appointed by the American Bureau of Shipping for services in connection with the settlement of any dispute referred to him under this or any other Clause of this Charter shall be borne equally by the Owner and the Charterer.

CLAUSE 2. The Charterer or any other agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament (including demagnetization by installed equipment or other process e. g. degaussing, wiping or deperming) and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or on the order or request of the Charterer or any other agency of the United States and restore the Vessel to her condition prior to any installations, alterations, additions or changes made by or on the order or request of the Charterer or any other agency of the United States, whether such installations, alterations, additions or changes were made under this Charter or at any time prior to delivery under this Charter.

CLAUSE 3. A. If the Owner elects hire Option I, the Charterer shall pay hire for the use of the Vessel at the rate provided in Option I of Clause B, Part I, per calendar month or pro rata for any portion thereof, and if the Owner elects hire Option II or such Option II becomes otherwise applicable, the Charterer shall similarly make payments to the Owner per month or pro rata for any portion thereof on account of just compensation in accordance with Option II, in either case for the period beginning with the time of the Vessel's delivery under this Charter and continuing until the time of her redelivery under this Charter to the Owner at the port of redelivery; or if the Vessel shall be lost as an actual total loss, hire shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained or if the Vessel is unreported, hire shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days; or if the Vessel is a constructive total loss under the terms of any insurance thereon or pursuant to the provisions of Clause 16, Part II, hire shall continue until noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in said Clause 16. Nothing in this Clause shall prohibit the Owner from instituting proceedings at any time after the execution of this Charter by the Charterer to recover just compensation when Option II of Clause B, Part 1, is applicable.

CLAUSE 3. B. Unless otherwise provided in this Charter, the hire and all monies accruing during the preceding month in favor of the Owner including payments on account of just compensation shall be due and payable on the first day of each calendar month; *Provided, however,* That no such hire or other monies shall accrue or become due and payable before execution of this Charter by the Charterer, except payments on account made before such execution.

CLAUSE 4. If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel under this Charter to make any payment to the United States by way of reimbursement for construction differential subsidy, then the Charterer shall pay to the Owner as additional charter hire a sum equal to any amount so paid.

CLAUSE 5. A. The Charterer at its own expense shall, if practicable, drydock the Vessel and clean and paint her underwater parts when necessary and not less than once in every nine (9) months. The Charterer shall, if practicable, give the Owner notice of the time and place of drydocking fifteen (15) days in advance thereof and afford the Owner an opportunity to inspect the Vessel while drydocked.

CLAUSE 5. B. In so far as practicable, the Charterer shall at its expense maintain the Vessel during the period of the Charter in the same condition as when delivered, ordinary wear and tear excepted. Nothing in this Clause 5 B shall impose any obligation on the Owner or Charterer to correct ordinary wear and tear. If the Charterer, while not recognizing any obligation to do such work, corrects any ordinary wear and tear during the period of use, the Owner shall not be liable for the cost of repairs or work done in connection therewith. Nothing in this Clause 5 B shall diminish nor enlarge the Charterer's obligations under Clause 6 hereof.

CLAUSE 6. A. Immediately before redelivery, the Charterer, at its own expense and on its time, shall restore the Vessel to at least as good condition and class as upon delivery to the Charterer under this Charter, ordinary wear and tear excepted, and shall perform all work required by Clause 2, Part II. "Ordinary wear and tear" as used in this Charter shall mean ordinary wear and tear which would occur in normal commercial trading notwithstanding good commercial maintenance practices. If the surveyor or surveyors, on the redelivery survey provided for in Clause 6 B, recommend that the performance of any repairs or work is necessary to place the Vessel on the date of redelivery in the condition and class required in this paragraph, which recommendations shall include all repairs or work, (as distinguished from postponed annual or periodical survey), required by outstanding classification or steamboat inspection requirements to place her in such condition, the Charterer shall, at its expense, make all such repairs and do all such work so recommended, or shall pay to the Owner in advance an amount for reconditioning sufficient to place the Vessel in such condition and class and to provide for the foregoing work and repairs, which amount shall also include compensation at the rate of hire payable under this Charter for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. The Charterer shall not be required to make any repairs or to satisfy any classification or steamboat inspection requirements which were for Owner's account under Clause 1 A but if such repairs were made or such requirements were satisfied after delivery under this Charter and paid for by the Owner they shall be considered as having been made at the time of delivery for the purpose of determining the Charterer's obligations under this Clause 6. The Charterer shall make any repairs which were for the Charterer's account under any prior Charter or requisition but were still uncompleted on delivery under this Charter. If the Charterer and the Owner agree, the Charterer's obligation under this Clause 6 and under Clause 2, Part II, may be discharged by a lump sum payment to the Owner or other mutually satisfactory agreement at the time of r delivery of the Vessel to the Owner.

CLAUSE 6. B. For the purpose of establishing the Charterer's obligation under this Clause 6, the Vessel shall, before redelivery, be surveyed jointly by representatives of the Charterer and the Owner or by a surveyor satisfactory to both the Charterer and the Owner to determine the condition of the Vessel and to make the recommendations contemplated in Clause 6 A. Such survey shall include drydocking to determine the condition of the underwater parts, which drydocking shall be at the expense and on the time of the Charterer if drydocking for cleaning and painting bottom is due, or if underwater damage is found, or if there is evidence that since the last drydocking the Vessel has been involved in a grounding or

underwater contact or a collision; otherwise such expense shall be paid by the Owner.

The joint findings and recommendations of the representatives of the Charterer and the Owner or the findings and recommendations of the surveyor satisfactory to both shall be conclusive except for items which the survey report notes or states have not been examined on such survey and the obligations of the Charterer as aforesaid with respect to such items shall be discharged by complying with such recommendations. In the event of a dispute between the surveyors, such dispute shall be finally determined by a surveyor appointed by the American Bureau of Shipping.

CLAUSE 7. At the time of delivery a complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts and of all unbroached consumable stores and fuel on board shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them as to items and as to price with respect to all unbroached consumable stores and fuel, but if it is impracticable to make such inventory, then the Charterer will accept the Owner's inventory or reasonable estimates as to items and as to reasonable prices where pricing is required, and a similar inventory shall be so jointly taken and mutually agreed upon at the time of redelivery.

CLAUSE 8. The Charterer shall accept and pay for all unbroached consumable stores and fuel on board at the time of delivery, and the Owner shall accept and pay for all unbroached consumable stores and fuel on board at the time of redelivery, at the market prices current at the ports and times of delivery and of redelivery, respectively; *Provided, however,* That the Owner shall not be required to accept and pay for such unbroached consumable stores and fuel in excess of the Vessel's normal peacetime requirements. "Consumable stores" within the meaning of this Clause shall mean all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A, and 7919A (Revised Forms 1939).

CLAUSE 9. The Charterer shall have the use of all outfit, equipment, furniture, furnishings, appliances, spare and replacement parts belonging to the Vessel, either on board the Vessel or ashore, from the time of delivery without extra cost and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, ordinary wear and tear excepted. Any such items lost, destroyed, damaged, or so worn in service as to be unfit for use in Owner's service shall be replaced or made good by the Charterer in kind or value at or before redelivery and any overages, accepted by the Owner, shall be paid for at the current market price at the port and time of redelivery. *Provided, further,* That any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed and stored by the Charterer at its expense. The Charterer shall have the right to use, sell, or otherwise dispose of any of such items removed, on condition, however, that the same or their substantial equivalent shall be returned aboard the Vessel on redelivery thereof in the same good order and condition as when removed, ordinary wear and tear excepted, and any such items lost, destroyed, damaged, or so worn in service as to be unfit for use are to be replaced or made good by the Charterer in kind before redelivery or in value at the time of redelivery. *Provided, further, however,* That the foregoing condition as to restoration shall not apply in the event of loss of or requisition of title to the Vessel.

CLAUSE 10. During the period of this Charter, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and except as otherwise provided herein repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident to the use and operation of the Vessel under this Charter. The Charterer and not the Owner shall have exclusive possession, control and command of the Vessel during the entire period of this Charter.

CLAUSE 11. A. Beginning with the delivery of the Vessel under this Charter and continuing until her redelivery, the Charterer, directly and also as insurer, assumes and hereby insures the Owner against all risks, of whatsoever nature or kind, of loss of or damage to the Vessel, and assumes and hereby insures the Owner against all liabilities, of whatsoever nature or kind, arising out of or in connection with the use of the Vessel by the Charterer, including, without limitation, all liabilities for breach of statute or contract, or for loss of or damage to property including cargo and other vessels, or for personal injuries or death of any persons whatsoever, and in addition, the Charterer shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter. The Charterer having assumed and insured the Owner against all risks of loss of or damage to the Vessel, then in the event of total or constructive total loss of the Vessel the Charterer shall pay to the person entitled thereto the agreed valuation of the Vessel or, if no avaluation of the Vessel has been agreed to, the Charterer shall pay just compensation for such loss to the extent the person entitled thereto is not otherwise reimbursed through policies of insurance. The amount of the just compensation shall be determined by the Administrator in accordance with the applicable laws and Constitution of the United States and paid by the Charterer as soon as practicable after the loss; but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for the Vessel. The Charterer shall not, however, by reason of this Clause be liable for any damage of an insurable nature incurred prior to delivery under this Charter and not repaired by, and at the expense of the Owner prior to the loss of the Vessel, except to the extent the Charterer may be liable for such damage under any prior requisition or Charter or insurance issued pursuant thereto: *Provided, however,* Any such liability of the Charterer shall be subject to the terms and conditions of Clause 17 A (c) hereof.

A binder of insurance in the form annexed as Schedule A to this Part II shall be issued by the Charterer against the risk of total and/or constructive total loss of the Vessel by marine or war perils, or both. The insurance protection provided by such binder shall be in addition to and not in lieu of the obligations of the Charterer under this Clause 11 A: *Provided, however,* That a recovery under the binder for the loss of the Vessel shall bar recovery for such loss under this Clause 11 A.

In the event the Vessel is covered by a mortgage or a lien held by the Charterer or any other agency of the United States then any sum or sums payable by virtue of the provisions of this Clause 11 shall be payable for distribution to such agency and/or the persons entitled thereto as their interests may appear.

CLAUSE 11. B. If the Owner has elected valuation Option II set forth in Part I hereof, or if such Option shall otherwise apply to the Vessel, the Owner may procure at its expense and for its account, but subject to the consent of the Administrator as to the amount thereof insurance in excess of such valuation: *Provided, however,* That such insurance shall be without benefit of salvage, subrogation or right of contribution and shall be subject to the terms and conditions of Clause 12 of this Charter.

CLAUSE 12. A. (1) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel: (a) owned by the United States; or (b) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims; or (c) under Charter to the United States and insured under the terms of the American Hull Form Revised (Requisitioned Vessels 1943).

(2) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (1) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(3) The waivers provided in this paragraph A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

CLAUSE 12. B. The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between The United States and the repairer: *Provided, however,* That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter. The Owner shall and does hereby also waive any claim for loss of or damage to the Vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore.

CLAUSE 12. C. The Charterer shall indemnify and hold the Owner harmless for and against any loss or damage suffered or liabilities incurred by the Owner for which claim is waived under the provisions of paragraphs A or B of this Clause 12 (except claims for salvage in excess of actual costs incurred in connection therewith), and which is not recovered by the Owner under any other provisions of this Charter; *Provided, however,* That if a valuation of the Vessel has been agreed to this indemnity shall not entitle the Owner to recover for loss of or damage to the Vessel an aggregate sum in excess of the agreed valuation, or if no valuation of the Vessel has been agreed to, in excess of the amount of compensation payable in the event

of loss of the Vessel as provided in paragraph A of Clause 11, Part II; and *provided further*, That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

CLAUSE 13. A. The Owner shall forever indemnify, hold harmless and defend the Charterer against any liens, claims, demands, or liabilities of whatsoever nature by whomsoever asserted (including costs and reasonable attorneys' fees paid or incurred in defending such lien, claim or demand, whether or not it shall be found to be valid, and also including reasonable compensation for loss of use resulting therefrom) upon the Vessel at the time of her delivery under this Charter, or arising out of the use or operation of the Vessel prior to her delivery under this Charter, unless the amount thereof is properly chargeable to the Charterer by reason of any pre-existing charter of the Vessel to or requisition of her by the Charterer. The Charterer shall forever indemnify, hold harmless and defend the Owner against any liens of whatsoever nature and against any claim of such lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid, and also including reasonable compensation for loss of use resulting therefrom), whenever and by whomsoever asserted, upon the Vessel at the time of her redelivery under this Charter, and for which the Owner is not responsible as aforesaid. The Charterer shall also indemnify, hold harmless and defend the Owner and the Vessel against any claims, demands, or liabilities against them or either of them (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer. Each party shall give to the other prompt notice of the assertion of any such lien, claim, demand or liability.

CLAUSE 13. B. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possession or operation of the Vessel by the Charterer, or any subcharterer, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the concurrence of the Attorney General of the United States.

CLAUSE 14. The Charterer in its use and operation of the Vessel shall abide by, and comply with, all applicable laws and governmental rules and regulations and the terms of any governmental preferred mortgage on the Vessel, and shall not use or operate the Vessel, or permit use or operation of the Vessel, except in full compliance with all such laws, rules and regulations, and shall indemnify the Vessel and the Owner against any loss, claim, liability, damage or expense on account of any such violation of law, rule, or regulation.

CLAUSE 15. The Charterer shall at all times have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfilment of this Charter in all its terms and conditions.

CLAUSE 16. A. If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, whether or not the Vessel is an actual or constructive total loss under Clause 11 hereof, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer, as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the provisions of Clause 11, Part II, as though the Vessel were an actual total loss. If the extent of such damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of Clause 11 hereof in the absence of such a declaration by the Charterer, then the Owner shall also be entitled to hire at the rate of 3½ percent per annum on the valuation of the Vessel computed in conformity with valuation Option II as of the date of such casualty, damage or injury, for the period commencing from the date of termination of hire pursuant to Clause 3 hereof and ending on the date of such declaration except that for any portion of such period covered by Clause 16 B hereof, the rate of hire shall be determined under the provisions of Clause 16 B. Against such payment the Owner will give the Charterer such releases and instruments granting the Vessel or the property of her remaining as the Charterer may require, if the Charterer elects to take title to the vessel.

B. If the Charterer delays declaring the Vessel a constructive total loss beyond four months after hire terminated under Clause 3, Part II, the Charterer shall pay full hire for such period in excess of four months.

CLAUSE 17. A. If immediately prior to delivery under this Charter the Vessel shall have been under charter pursuant to requisition or otherwise to the Charterer, then:

(a) The term of this Charter shall commence coincidentally with the termination of the prior charter and there shall not be an interval between the two.

(b) Except as may be otherwise provided in Clause 18, Part II, the Vessel's particulars as stated in Part I shall be understood to be her particulars as of the time of delivery to the Charterer under such prior charter.

(c) Any insurance provided by the Charterer under said prior charter shall terminate upon the commencement of the term of this Charter (without prejudice to any claim that may have arisen thereunder); *Provided, however*, That claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected, or if not so effected, until the time of redelivery hereunder, but in no case shall the Charterer be liable for such unrepaired damage in addition to a subsequent total or constructive total loss for which the Charterer is liable under this Charter or any insurance provided hereunder.

B. The Charterer shall reimburse the Owner for its actual out-of-pocket expenses, including all taxes with respect thereto, for which the Owner is responsible by reason of the Ship's Articles or collective bargaining agreements with the master, officers and crew, or the Owner's usual practice, for transportation, wages and subsistence, or payments in lieu thereof, incurred in returning the master, officers and crew to the port, place or area of signing off named in or contemplated by the terms of the Articles, if such expenses are incurred by reason of delivery of the Vessel under this Charter, pursuant to orders or directions of the Charterer or any other agency of the United States, at a port, place or area other than that named in or contemplated by the Articles for termination of the voyage during which delivery of the Vessel is made.

CLAUSE 18. A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation of equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer, or any other agency of the United States.

B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation (if any) shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic capacity in satisfactory form, heretofore or hereafter furnished by American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 19. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 20. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter, or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 21. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 22. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this agreement is in the nature of a lease contract and that the profits hereunder can now be determined with reasonable certainty, that the rate of hire and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter adequately prevent excessive profits, this Charter (including such rate of hire and agreed valuation (if any)) is hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause shall be construed as an admission by the Owner that this Charter

would otherwise be subject to the Renegotiation Act.

CLAUSE 23. A. In the event that this form of bareboat charter is modified by the Charterer at any time prior to July 1, 1944, the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 24. Notwithstanding any other provision of this Charter, the Charterer shall have a lien on the Vessel for all moneys paid by the Charterer for all repairs, work, or renewals to the Vessel which are for the Owner's account and for moneys paid and not earned or due to the Owner, and for all advances and other payments made to the Owner or on Owner's behalf and, upon redelivery, for the value of fuel, stores, appliances, equipment or machinery the Charterer may have on board or ashore which is for use on the Vessel and which the Owner has agreed to purchase or for which the Owner is liable under this Charter.

CLAUSE 25. This Charter consists of this Part II and Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

WARSHIPPREQ MARINE AND WAR RISK TOTAL LOSS INSURANCE BINDER

No. H.....
Date .....

By this binder of insurance does, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured:

.....
on the Steamer (or Motor Vessel) called the ..... (or by whatsoever name or names the said Vessel is or shall be called), under Charter to the War Shipping Administration pursuant to Charter No. ..... for the risk of Total and/or Constructive Total Loss only subject to the terms and conditions applicable to both Marine and War Risks of the Warshipreq Policy published in the FEDERAL REGISTER of April 8, 1944. Loss, if any, payable to the person entitled thereto, or order.

Insured for and valued at the agreed valuation of the Vessel stated in the Charter Party referred to above, or if no such valuation has been agreed in said Charter Party, then in an amount equivalent to that which the person entitled thereto would be entitled to as just compensation under the laws and Constitution of the United States for the loss of the Vessel. If the amount of just compensation arrived at pursuant to the provisions of said Charter Party is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so arrived at and shall be entitled to sue the United States under this binder for such further sum as added to said 75 per centum will make up such amount as will be just compensation.

At and from the time of delivery of the Vessel herein described under said Charter No. WSA ..... to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

In witness whereof, the War Shipping Administration has caused this Binder to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

.....
Administrator.

Countersigned at Washington, D. C. this ..... day of ....., 19.....

.....
Director of Wartime Insurance.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44-4980; Filed, April 7, 1944; 11:28 a. m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 37]

VALUES AND RATES OF CHARTER HIRE

SUBPART I—FINDINGS AND SCOPE OF ORDER

Sec.
302.101 Findings.
302.102 Scope of order.

SUBPART II—DRY CARGO VESSELS

302.103 Vessels built during or after 1935.
302.104 Vessels built during the period 1914–1934.

SUBPART III—TANKERS

302.105 Vessels built during or after 1935.
302.106 Vessels built during the period 1914–1934.

SUBPART IV—COLLIERS

302.107 Values and rates.

SUBPART V—GENERAL PROVISIONS

302.108 Adjustments for speed, equipment, up-keep and other considerations.
302.109 Definitions.
302.110 Operation of provisions of this order.
302.111 Vessels subject to section 902 (b) of the Merchant Marine Act, 1936.
302.112 The Administrator may modify this order.
302.113 Effective date and supersession of previous orders.

AUTHORITY: §§ 302.101 to 302.113, inclusive, issued under E.O. 9054, 7 F.R. 837.

SUBPART I—FINDINGS AND SCOPE OF ORDER

§ 302.101 *Findings.* Pursuant to section 902 of the Merchant Marine Act, 1936, as amended, the Administrator finds (a) that the values and rates of charter hire provided in this order constitute just compensation for the taking or use of the property to which they apply, and are without enhancement by reason of the causes necessitating the taking or use, within the meaning of section 902 (a) of said act, and (b) that said values and rates conform with the standards, rules and formulae of general application established by the Advisory Board on Just Compensation (Executive Order No. 9387, October 15, 1943, 8 F.R. 14105) in its report of December 7, 1943.

§ 302.102 *Scope of order*—(a) *Vessels included.* This General Order 37 (§§ 302.101 through 302.113) establishes values with respect to risks insured or assumed by the War Shipping Administration and rates of charter hire, for self-propelled ocean-going iron and steel vessels (other than vessels excluded pursuant to paragraph (b) of this section) requisitioned for use pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended, and chartered under the requisition bareboat charter for dry cargo and tank vessels (WARSHIPDEMISE (Rev.), General Order 13, Supp. 1, § 302.61), the uniform time charter for requisitioned and other dry cargo vessels (WARSHIPTIME (Rev.), General Order 11, Supp. 3, § 302.50), or the amended time charter for tank vessels ("WARSHIPOILTIME (Rev.), General Order 11, Supp. 4, § 302.55), as published in this issue of the FEDERAL REGISTER. The values and rates herein provided shall also apply to such charter parties entered into between vessel owners and any other agency or department of the United States when such charters provide that the rates or conditions specified therein are subject to adjustment or alteration in accordance with orders, directions, rules, or regulations of the United States Maritime Commission or the War Shipping Administration. The extent of the application of the values and rates provided in this order to vessels for which a warrant has been issued pursuant to Public Law No. 173, 77th Congress, approved July 14, 1941 (c. 297, 55 Stat. 591), will be covered by a separate order.

(b) *Vessels excluded.* The values and rates of charter hire established in this Order do not apply to passenger vessels, lumber schooners, car ferries, seatrains, cable ships, ore carriers, bulk cement carriers, vessels normally operated on the Great Lakes and inland water ways, fully refrigerated vessels, specially ventilated vessels, vessels of 1000 gross tons or under, vessels having speeds of less than 8 knots, vessels built prior to 1914, or any other vessel or class of vessels as to which the Administrator finds that this order would not be appropriate. Values and rates of charter hire for vessels exempted from the provisions of this Order shall be specially determined by the Administrator.

SUBPART II—DRY CARGO VESSELS

§ 302.103 *Vessels built during or after 1935.* With respect to a dry cargo vessel built during or after 1935, the value shall be determined in accordance with the provisions of paragraph (a) of this section, and the rate of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the adjustments provided in § 302.108 of this order.

(a) *Value.* The value shall be determined in accordance with the provisions of subparagraph (1) or (2) of this paragraph.

(1) *Vessels subject of section 902 (b) of the Merchant Marine Act, 1936.* The value of a vessel subject to section 902 (b) of the Merchant Marine Act, 1936, as amended, shall be determined as of the date of loss pursuant to the provisions of section 802 of the Merchant Marine Act, 1936, as amended.

(2) *Other vessels.* The value of a vessel not subject to section 902 (b) of the Merchant Marine Act, 1936, as amended, shall be:

(i) *With respect to a vessel built prior to January 1, 1942,* the reproduction cost of the vessel as determined by the Administrator, depreciated for the full life of the vessel to the effective date of the Administrator's determination, less a deduction annually thereafter representing depreciation computed at the rate of 5% per annum of such cost. The value so determined shall exclude any portion of such cost which the Administrator may find to constitute enhancement due to the causes necessitating the vessel's taking or use.

(ii) *With respect to a vessel built on or after January 1, 1942,* the construction cost of the vessel as determined by the Administrator as of the date of construction, depreciated for the full life of the vessel to the effective date of the Administrator's determination, less a deduction annually thereafter representing depreciation computed at the rate of 5% per annum of such cost.

(b) *Rate of bareboat charter hire.* The rate of bareboat charter hire shall be determined in accordance with the provisions of subparagraph (1) or (2) of this paragraph.

(1) *Vessels subject to section 902 (b) of the Merchant Marine Act, 1936.* The monthly rate of bareboat charter hire for a vessel subject to section 902 (b) of the Merchant Marine Act, 1936, as amended, shall be:

Year built	14.5 knots or less	Rate per deadweight ton per month for vessels having designed speeds of—	
		14.6–15 knots (both inclusive)	15 knots or over
1939	$1.30	$1.40	$1.55
1940	1.40	1.50	1.65
1941	1.50	1.60	1.75
1942	1.60	1.70	1.85
1943	1.70	1.80	1.95
1944	1.80	1.90	2.05

(2) *Other vessels.* The monthly rate of bareboat charter hire for a vessel not subject to section 902 (b) of the Merchant Marine Act, 1936, as amended, shall be one-twelfth of the sum of (i) an amount equal to 10% of the value as determined in accordance with the provisions of paragraph (a) of this section, plus (ii) an amount equal to 5% of said value to cover depreciation.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the rate of bareboat charter hire as determined for the vessel in accordance with the provisions of paragraph (b) of this section.

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	Rate per deadweight ton per month	But the aggregate monthly hire shall not exceed
14,500–14,999	$1.425	$21,000.00
14,000–14,499	1.45	20,663.00
13,500–13,999	1.475	20,300.00
13,000–13,499	1.50	19,912.00
12,500–12,999	1.55	19,500.00
12,000–12,499	1.60	19,375.00
11,500–11,999	1.65	19,200.00
11,000–11,499	1.70	18,975.00
10,500–10,999	1.75	18,700.00
10,000–10,499	1.80	18,375.00
9,500–9,999	1.85	18,000.00
9,000–9,499	1.925	17,575.00
8,500–8,999	2.00	17,325.00
8,000–8,499	2.10	17,000.00
7,500–7,999	2.20	16,800.00
7,000–7,499	2.30	16,500.00

The service rate includes an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

§ 302.104 *Vessels built during the period 1914–1934.* With respect to a dry cargo vessel built during the period 1914–1934 (both inclusive), the value shall be determined in accordance with the provisions of paragraph (a) of this section and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the adjustments provided in § 302.108 of this order.

(a) *Value.* The basic value as of the effective date of this order shall be $56.25 per deadweight ton. This value shall be reduced at noon E. W. T., April 20, 1945, and annually thereafter, by the sum of $9.375 per deadweight ton.

(b) *Rate of bareboat charter hire.* The basic rate of bareboat charter hire shall be $1.25 per deadweight ton per month. In cases where a vessel is, or was, delivered in a "where is, as is" condition the basic rate of bareboat charter hire shall not exceed $1.00 per deadweight ton per month, unless otherwise specifically agreed.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the rate of bareboat charter hire as determined for the vessel in accordance with the provisions of paragraph (b) of this section.

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	Rate per deadweight ton per month	But the aggregate monthly hire shall not exceed
14,500–14,999	$1.425	$21,000.00
14,000–14,499	1.45	20,663.00
13,500–13,999	1.475	20,300.00
13,000–13,499	1.50	19,912.00
12,500–12,999	1.55	19,500.00
12,000–12,499	1.60	19,375.00
11,500–11,999	1.65	19,200.00
11,000–11,499	1.70	18,975.00
10,500–10,999	1.75	18,700.00
10,000–10,499	1.825	18,375.00
9,500–9,999	1.90	18,250.00
9,000–9,499	2.00	18,050.00
8,500–8,999	2.10	18,000.00
8,000–8,499	2.20	17,850.00
7,500–7,999	2.30	17,600.00
7,000–7,499	2.40	17,250.00
6,500–6,999	2.50	16,800.00
6,000–6,499	2.65	16,250.00
5,500–5,999	2.85	15,900.00
5,000–5,499	3.05	15,675.00
4,500–4,999	3.25	15,250.00
4,000–4,499	3.45	14,625.00
3,500–3,999	3.65	13,800.00
3,000–3,499	3.90	12,775.00
2,999 and under	Subject to special determination.	

The service rate includes an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34 and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

SUBPART III—TANKERS

§ 302.105 *Vessels built during or after 1935.* With respect to a tank vessel built during or after 1935, the value shall be determined in accordance with the provisions of paragraph (a) of this section, and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (6) of this section, subject to the applicable adjustments provided in § 302.108 of this order. (If any tank vessel is built pursuant to Title V of the Merchant Marine Act, 1936, as amended, the value of such vessel shall be determined specially by the Administrator.)

(a) *Value.* The value shall be:

(1) *With respect to a vessel built prior to January 1, 1942,* the reproduction cost of the vessel as determined by the Administrator, depreciated for the full life of the vessel to the effective date of the Administrator's determination, less a deduction annually thereafter representing depreciation computed at the rate of 5% per annum of such cost. The value so determined shall exclude any portion of such cost which the Administrator may find to constitute enhancement due to the causes necessitating the vessel's taking or use.

(2) *With respect to a vessel built on or after January 1, 1942,* the construction cost of the vessel as determined by the Administrator as of the date of construction depreciated for the full life of the vessel to the effective date of the Administrator's determination, less a deduction annually thereafter representing

would otherwise be subject to the Renegotiation Act.

CLAUSE 23. A. In the event that this form of bareboat charter is modified by the Charterer at any time prior to July 1, 1944, the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 24. Notwithstanding any other provision of this Charter, the Charterer shall have a lien on the Vessel for all moneys paid by the Charterer for all repairs, work, or renewals to the Vessel which are for the Owner's account and for moneys paid and not earned or due to the Owner, and for all advances and other payments made to the Owner or on Owner's behalf and, upon redelivery, for the value of fuel, stores, appliances, equipment or machinery the Charterer may have on board or ashore which is for use on the Vessel and which the Owner has agreed to purchase or for which the Owner is liable under this Charter.

CLAUSE 25. This Charter consists of this Part II and Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

WARSHIPREQ MARINE AND WAR RISK TOTAL LOSS INSURANCE BINDER

No. H.....
Date .....

By this binder of insurance does, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured:

.....

on the Steamer (or Motor Vessel) called the ..... (or by whatsoever name or names the said Vessel is or shall be called), under Charter to the War Shipping Administration pursuant to Charter No. ..... for the risk of Total and/or Constructive Total Loss only subject to the terms and conditions applicable to both Marine and War Risks of the Warshipreq Policy published in the FEDERAL REGISTER of April 8, 1944. Loss, if any, payable to the person entitled thereto, or order.

Insured for and valued at the agreed valuation of the Vessel stated in the Charter Party referred to above, or if no such valuation has been agreed in said Charter Party, then in an amount equivalent to that which delivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

In witness whereof, the War Shipping Administration has caused this Binder to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

.....
Administrator.

Countersigned at Washington, D. C. this ..... day of ....., 19.....

.....
Director of Wartime Insurance.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44-4960; Filed, April 7, 1944; 11:28 a. m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 37]

VALUES AND RATES OF CHARTER HIRE

SUBPART I—FINDINGS AND SCOPE OF ORDER

Sec.
302.101 Findings.
302.102 Scope of order.

SUBPART II—DRY CARGO VESSELS

302.103 Vessels built during or after 1935.
302.104 Vessels built during the period 1914–1934.

SUBPART III—TANKERS

302.105 Vessels built during or after 1935.
302.106 Vessels built during the period 1914–1934.

SUBPART IV—COLLIERS

302.107 Values and rates.

SUBPART V—GENERAL PROVISIONS

302.108 Adjustments for speed, equipment, up-keep and other considerations.
302.109 Definitions.
302.110 Operation of provisions of this order.
302.111 Vessels subject to section 902 (b) of the Merchant Marine Act, 1936.
302.112 The Administrator may modify this order.
302.113 Effective date and supersession of previous orders.

AUTHORITY: §§ 302.101 to 302.113, inclusive, issued under E.O. 9054, 7 F.R. 837.

SUBPART I—FINDINGS AND SCOPE OF ORDER

§ 302.101 *Findings.* Pursuant to section 902 of the Merchant Marine Act, 1936, as amended, the Administrator finds (a) that the values and rates of charter hire provided in this order constitute just compensation for the taking (§§ 302.101 through 302.113) establishes values with respect to risks insured or assumed by the War Shipping Administration and rates of charter hire, for self-propelled ocean-going iron and steel vessels (other than vessels excluded pursuant to paragraph (b) of this section) requisitioned for use pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended, and chartered under the requisition bareboat charter for dry cargo and tank vessels (WARSHIPDEMISE (Rev.), General Order 13, Supp. 1, § 302.61), the uniform time charter for requisitioned and other dry cargo vessels (WARSHIPTIME (Rev.), General Order 11, Supp. 3, § 302.50), or the amended time charter for tank vessels ("WARSHIPOILTIME (Rev.), General Order 11, Supp. 4, § 302.55), as published in this issue of the FEDERAL REGISTER. The values and rates herein provided shall also apply to such charter parties entered into between vessel owners and any other agency or department of the United States when such charters provide that the rates or conditions specified therein are subject to adjustment or alteration in accordance with orders, directions, rules, or regulations of the United States Maritime Commission or the War Shipping Administration. The extent of the application of the values and rates provided in this order to vessels for which a warrant has been issued pursuant to Public Law No. 173, 77th Congress, approved July 14, 1941 (c. 297, 55 Stat. 591), will be covered by a separate order.

(b) *Vessels excluded.* The values and rates of charter hire established in this Order do not apply to passenger vessels, lumber schooners, car ferries, seatrains, cable ships, ore carriers, bulk cement carriers, vessels normally operated on the Great Lakes and inland water ways, fully refrigerated vessels, specially ventilated vessels, vessels of 1000 gross tons or under, vessels having speeds of less than 8 knots, vessels built prior to 1914, or any other vessel or class of vessels as to which the Administrator finds that this order would not be appropriate. Values and rates of charter hire for vessels exempted from the provisions of this Order shall be specially determined by the Administrator.

SUBPART II—DRY CARGO VESSELS

§ 302.103 *Vessels built during or after 1935.* With respect to a dry cargo vessel built during or after 1935, the value shall be determined in accordance with the provisions of paragraph (a) of this section, and the rate of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this

depreciation computed at the rate of 5% per annum of such cost.

(b) *Rate of bareboat charter hire.* The monthly rate of bareboat charter hire for a tank vessel of 15,999 deadweight tons or less and having a designed speed of 12.5–14.4 knots (both inclusive) shall be:

Year built:	*Rate per deadweight ton per month*
1935	$1.475
1936	1.55
1937	1.625
1938	1.70
1939	1.775
1940	1.85
1941	1.925
1942	2.00
1943	2.12
1944	2.25

For designed speeds below 12.5 knots there shall be deducted from the foregoing rates 10¢ per deadweight ton per month.

For designed speeds of 14.5–15.9 knots there shall be added to the foregoing rates 5¢ per deadweight ton per month.

For designed speeds of 16 knots and over there shall be added to the foregoing rates 10¢ per deadweight ton per month.

In the case of a tank vessel with a deadweight capacity exceeding 15,999 tons, the bareboat hire shall be 90% of the foregoing rates that are otherwise applicable, *Provided, however,* That in no event shall the aggregate monthly charter hire payable be less than the amount payable for a tank vessel of 15,999 tons.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the

The service rate includes an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

§ 302.106 *Vessels built during the period 1914–1934.* With respect to a tank vessel built during the period 1914–1934 (both inclusive), the value shall be determined in accordance with the provisions of paragraph (a) of this section, and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the applicable adjustments provided in § 302.108 of this order.

(a) *Value.* The basic value as of the effective date of this order shall be $56.25 per deadweight ton. This value shall be reduced at noon E. W. T., April 20, 1945, and annually thereafter, by the sum of $9.375 per deadweight ton. With respect to tank vessels built in the United States during the period 1929–1934 (both inclusive), the appropriate amount shown in the following table shall be added to the basic value provided in this paragraph.

Year built:	*Additional value per deadweight ton*
1929	$7.75
1930	16.75
1931	25.75
1932	34.75
1933	43.75
1934	52.75

(b) *Rate of bareboat charter hire.* The basic rate of bareboat charter hire shall be $1.15 per deadweight ton per month. With respect to tank vessels built in the United States during the period 1929–

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	*Rate per deadweight ton per month*	*But the aggregate monthly hire shall not exceed*
17,500 and over	$1.45	$25,650.00
17,000–17,499	1.475	25,375.00
16,500–16,999	1.50	25,075.00
16,000–16,499	1.525	24,750.00
15,500–15,999	1.55	24,400.00
15,000–15,499	1.575	24,025.00
14,500–14,999	1.60	23,625.00
14,000–14,499	1.625	23,200.00
13,500–13,999	1.65	22,750.00
13,000–13,499	1.675	22,275.00
12,500–12,999	1.70	21,775.00
12,000–12,499	1.725	21,250.00
11,500–11,999	1.75	20,700.00
11,000–11,499	1.775	20,125.00
10,500–10,999	1.825	19,525.00
10,000–10,499	1.85	19,162.00
9,500–9,999	1.90	18,500.00
9,000–9,499	1.95	18,050.00
8,500–8,999	2.00	17,550.00
8,000–8,499	2.10	17,000.00
7,500–7,999	2.20	16,800.00
7,000–7,499	2.30	16,500.00
6,500–6,999	2.40	16,100.00
6,000–6,499	2.55	15,600.00
5,500–5,999	2.75	15,300.00
5,000–5,499	2.95	15,125.00
4,500–4,999	3.15	14,750.00
4,000–4,499	3.35	14,175.00
3,500–3,999	3.55	13,400.00
3,000–3,499	3.80	12,425.00
2,999 and under	Subject to special determination.	

The service rate includes an allowance, which the Administration has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

SUBPART IV—COLLIERS

depreciation computed at the rate of 5% per annum of such cost.

(b) *Rate of bareboat charter hire.* The monthly rate of bareboat charter hire for a tank vessel of 15,999 deadweight tons or less and having a designed speed of 12.5–14.4 knots (both inclusive) shall be:

Year built:	Rate per deadweight ton per month
1935	$1.475
1936	1.55
1937	1.625
1938	1.70
1939	1.775
1940	1.85
1941	1.925
1942	2.00
1943	2.12
1944	2.25

For designed speeds below 12.5 knots there shall be deducted from the foregoing rates 10¢ per deadweight ton per month.

For designed speeds of 14.5–15.9 knots there shall be added to the foregoing rates 5¢ per deadweight ton per month.

For designed speeds of 16 knots and over there shall be added to the foregoing rates 10¢ per deadweight ton per month.

In the case of a tank vessel with a deadweight capacity exceeding 15,999 tons, the bareboat hire shall be 90% of the foregoing rates that are otherwise applicable, *Provided, however,* That in no event shall the aggregate monthly charter hire payable be less than the amount payable for a tank vessel of 15,999 tons.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the rate of bareboat charter hire as determined for the vessel in accordance with the provisions of paragraph (b) of this section.

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	Rate per deadweight ton per month	But the aggregate monthly hire shall not exceed
17,500 and over	$1.325	$23,400.00
17,000–17,499	1.35	23,187.00
16,500–16,999	1.375	22,860.00
16,000–16,499	1.40	22,687.00
15,500–15,999	1.425	22,400.00
15,000–15,499	1.45	22,087.00
14,500–14,999	1.475	21,750.00
14,000–14,499	1.50	21,337.00
13,500–13,999	1.525	21,000.00
13,000–13,499	1.55	20,987.00
12,500–12,999	1.575	20,150.00
12,000–12,499	1.60	19,987.00
11,500–11,999	1.625	19,200.00
11,000–11,499	1.65	18,987.00
10,500–10,999	1.675	18,150.00
10,000–10,499	1.70	17,987.00
9,500–9,999	1.75	17,000.00
9,000–9,499	1.80	16,625.00
8,500–8,999	1.85	16,200.00
8,000–8,499	1.95	15,723.00
7,500–7,999	2.05	15,600.00
7,000–7,499	2.15	15,375.00
6,999 and under	Subject to special determination.	

The service rate includes an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $85.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

§ 302.106 *Vessels built during the period 1914–1934.* With respect to a tank vessel built during the period 1914–1934 (both inclusive), the value shall be determined in accordance with the provisions of paragraph (a) of this section, and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the applicable adjustments provided in § 302.108 of this order.

(a) *Value.* The basic value as of the effective date of this order shall be $56.25 per deadweight ton. This value shall be reduced at noon E. W. T., April 30, 1945, and annually thereafter, by the sum of $9.375 per deadweight ton. With respect to tank vessels built in the United States during the period 1929–1934 (both inclusive), the appropriate amount shown in the following table shall be added to the basic value provided in this paragraph.

Year built:	Additional value per deadweight ton
1929	$7.75
1930	16.75
1931	25.75
1933	34.75
1933	43.75
1934	53.75

(b) *Rate of bareboat charter hire.* The basic rate of bareboat charter hire shall be $1.15 per deadweight ton per month. With respect to tank vessels built in the United States during the period 1929–1934 (both inclusive), the appropriate amount shown in the following table shall be added to the basic rate of bareboat charter provided in this paragraph:

Year built:	Additional hire per deadweight ton per month
1929	$0.03
1930	.06
1931	.09
1932	.13
1933	.15
1934	.18

In cases where a vessel is, or was, delivered in a "where is, as is" condition the basic rate of bareboat charter hire shall not exceed $1.00 per deadweight ton per month, unless otherwise specifically agreed.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the rate of bareboat charter hire as determined for the vessel in accordance with the provisions of paragraph (b) of this section.

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	Rate per deadweight ton per month	But the aggregate monthly hire shall not exceed
17,500 and over	$1.45	$25,650.00
17,000–17,499	1.475	25,375.00
16,500–16,999	1.50	25,075.00
16,000–16,499	1.525	24,750.00
15,500–15,999	1.55	24,400.00
15,000–15,499	1.575	24,025.00
14,500–14,999	1.60	23,625.00
14,000–14,499	1.625	23,200.00
13,500–13,999	1.65	22,750.00
13,000–13,499	1.675	22,275.00
12,500–12,999	1.70	21,775.00
12,000–12,499	1.725	21,250.00
11,500–11,999	1.75	20,700.00
11,000–11,499	1.775	20,125.00
10,500–10,999	1.625	19,525.00
10,000–10,499	1.85	19,162.00
9,500–9,999	1.90	18,500.00
9,000–9,499	1.95	18,050.00
8,500–8,999	2.00	17,550.00
8,000–8,499	2.10	17,000.00
7,500–7,999	2.20	16,800.00
7,000–7,499	2.30	16,500.00
6,500–6,999	2.40	16,100.00
6,000–6,499	2.55	15,600.00
5,500–5,999	2.75	15,300.00
5,000–5,499	2.95	15,125.00
4,500–4,999	3.15	14,750.00
4,000–4,499	3.35	14,175.00
3,500–3,999	3.55	13,400.00
3,000–3,499	3.80	12,425.00
2,999 and under	Subject to special determination.	

The service rate includes an allowance, which the Administration has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

SUBPART IV—COLLIERS

§ 302.107 *Values and rates.* With respect to a collier built during the period 1914–1928 (both inclusive) the values shall be determined in accordance with the provisions of paragraph (a) of this section, and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the adjustments provided in § 302.108 of this order. With respect to a collier built after 1928, the value and rate of hire shall be determined specially by the Administrator.

(a) *Value.* Where a value was specially determined and tendered by the Administrator during the calendar year 1942 in connection with a previous requisitioning, then, unless otherwise determined by the Administrator, the value as of April 20, 1944 shall be arrived at by deducting from said value as earlier determined an amount equal to 25% of such value for depreciation. Thereafter the value shall be depreciated annually by an amount equal to 12½% of the said value as earlier determined. In all other cases the value shall be specially determined by the Administrator.

(b) *Rate of bareboat charter hire.* The basic rate of bareboat charter hire shall be $1.00 per deadweight ton per month. In cases where a vessel is, or was, delivered in a "where is, as is" condition the basic rate of bareboat charter hire shall not exceed $0.75 per deadweight ton per month, unless otherwise specifically agreed.

(c) *Rate of time charter hire.* The monthly rate of time charter hire shall consist of the sum of the compensation payable for the use of the vessel (herein referred to as the "use rate"), plus the compensation payable for the services required of the owner under the charter (herein referred to as the "service rate").

(1) *Use rate.* The use rate shall be the rate of bareboat charter hire as determined for vessel in accordance with provisions of paragraph (b) of this section.

(2) *Service rate.* The service rate per deadweight ton per month shall be:

Tonnage	Rate per deadweight ton per month	But the aggregate monthly hire shall not exceed
14,500–14,999	$1.425	$21,000.00
14,000–14,499	1.45	20,663.00
9,000–9,499	2.00	18,050.00
8,500–8,999	2.10	18,000.00
8,000–8,499	2.20	17,650.00
7,500–7,999	2.30	17,600.00
7,000–7,499	2.40	17,250.00
6,500–6,999	2.50	16,800.00
6,000–6,499	2.65	16,250.00
5,500–5,999	2.85	15,900.00
5,000–5,499	3.05	15,675.00
4,500–4,999	3.25	15,250.00
4,000–4,499	3.45	14,625.00

The service rate includes an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34.

SUBPART V—GENERAL PROVISIONS

§ 302.108 *Adjustments for speed, equipment, upkeep, and other considerations.* The values and rates of bareboat and time charter hire provided in Subparts II, III and IV of this Order shall be adjusted for individual vessels with respect to speed, equipment, upkeep, and other considerations to the extent provided in paragraphs (a) through (f) of this section.

(a) *Speed.* With respect to vessels built during the period 1914–1934 (both inclusive), the values and the rates of bareboat and time charter hire shall be subject to the adjustments provided in subparagraphs (1) or (2) of this paragraph.

(1) *Allowances for speeds of 11 knots or over.* With respect to vessels having a speed of 11 knots or over there shall be added to the basic values provided in §§ 302.104 (a) and 302.106 (a), and to the rates of hire provided in §§ 302.104 (b) and 302.106 (b), the following amounts: (Since the bareboat rate is a component part of the time charter rate, the allowance will be reflected in the time charter rate.)

Speed		Additional value per deadweight ton	Additional hire per deadweight ton per month
Equal to or in excess of—	But under—		
11 knots	12 knots	$2.25	$0.03
12 knots	13 knots	5.00	.06
13 knots	14 knots	8.25	.10
14 knots	15 knots	12.00	.15
15 knots	16 knots	16.50	.20

(2) *Deductions for speeds of less than 9 knots.* With respect to a vessel having a speed equal to or in excess of 8 knots but under 9 knots, $5.00 per deadweight ton shall be deducted from the basic values provided in § 302.104 (a) and 302.106 (a), and $0.06 per deadweight ton per month shall be deducted from the rates of bareboat charter hire provided in §§ 302.104 (b) and 302.106 (b). (Since the bareboat rate is a component part of the time charter rate, the deduction will be reflected in the time charter rate.)

(b) *Refrigeration.* Subject to the provisions of paragraph (e) of this section, allowances for refrigerated space shall be made in the values and rates in accordance with subparagraphs (1) and (2) of this paragraph.

(1) *Allowances based on net average cubic capacity.* The net cubic capacity of each separately insulated refrigerated compartment of the vessel, exclusive of any refrigerated space ordinarily required for vessel's stores, shall be computed, and the average cubic capacity of all such compartments shall then be ascertained.

The number of net cubic feet of the sum of all the refrigerated compartments of the vessel, exclusive of the refrigerated space ordinarily required for the vessel's stores, shall then be multiplied by the amount shown opposite the range that includes the average capacity of the vessel's refrigerated compartments, in columns (A) or (B) in the table shown below, and the result shall be the amount to be added to the value or rate, as the case may be.

Column (A) shows the amount to be multiplied when determining the allowance to be added to the basic value provided in § 302.104 (a).

Column (B) shows the amount to be multiplied when determining the allowance to be added to the basic rates of bareboat charter hire provided in §§ 302.103 (b) (1) and 302.104 (b).

If average capacity of all compartments is—	Then multiply the total net capacity of all compartments by—	
	(A)	(B)
4,999 cubic feet and under	$2.55	$0.04
5,000–9,999 cubic feet	2.15	.035
10,000–19,999 cubic feet	1.90	.025
20,000–39,999 cubic feet	1.75	.03
40,000–59,999 cubic feet	1.60	.03
60,000–79,999 cubic feet	1.45	.025
80,000 cubic feet and over	1.35	.025

(2) *Allowances based on the deadweight capacity.* If the sum of all the refrigerated compartments of the vessel, exclusive of the refrigerated space ordinarily required for the vessel's stores, exceeds 5,000 cubic feet, there shall be added to the service rates provided in §§ 302.103 (c) and 302.104 (c), 5% of the applicable rate where said refrigerated capacity is between 5,000 and 9,999 cubic feet, and 10% of said rate where said refrigerated capacity is 10,000 cubic feet or over.

(c) *Penalty for a vessel of substandard condition.* For any marked deviation from the standard conditions required of vessels as provided in the charter forms mentioned in § 302.102 (a) of this order, penalties, in such amounts as the Administrator shall determine, shall be deducted from the values and rates of hire. This provision shall apply in all cases to a bareboat chartered vessel that is, or was, delivered in a "where is, as is" condition rather than in the standard condition required under said charter forms, unless otherwise specially agreed.

(d) *Special equipment.* For any special equipment of material utility in the handling of cargo or utilization of the vessel, not otherwise compensated for, if the depreciated reproduction cost less construction subsidy, if any, of such special equipment is in excess of $50,000.00, there shall be added to the basic rate of bareboat charter hire and to the value an allowance in such amount as the Administrator shall determine.

(e) *Government installations.* The owner shall not be entitled to receive additional compensation for either use or value as provided by this Order for any special installations or equipment the cost of which was borne by the United States.

(f) *Adjustments for arming and degaussing, etc.* Time lost in partially or entirely arming, degaussing or demagnetizing any vessel at any time prior to delivery to the Government and not previously compensated for by the Government shall be compensated for under the charter tendered and executed on one of the forms mentioned in § 302.102 (a) of this order. Such compensation shall be computed on the basis of the applicable rate of bareboat charter hire established by this order plus the owner's fair and reasonable expenses as determined by the Comptroller, War Shipping Administration, after audit, and shall constitute additional charter hire earned upon delivery and acceptance of the vessel under such charter. Time lost shall be determined in accordance with regulations to be issued by the Administration. The compensation provided in this paragraph (f) of this section shall not apply where the arming, degaussing, or demagnetizing was done prior to the delivery of the vessel by the builder to the owner.

§ 302.109 *Definitions*—(a) *Date vessel is built.* The date a vessel is built is the date upon which the vessel is delivered by the shipbuilder.

(b) *Deadweight tonnage.* The deadweight tonnage of a vessel shall be computed in the manner provided in the applicable charter.

(c) *Speed of vessel.* The speed of a vessel means the speed as stipulated by the Administrator, who may require the owners to file certificates of speed pur-

suant to Sections 302.44 to 302.48, inclusive, of General Order 10, Supp. 2.

(d) *Passenger vessel.* A passenger vessel is a vessel which was constructed or materially reconditioned prior to December 7, 1941, to accommodate at least fifty passengers.

(e) *Specially ventilated vessel.* A specially ventilated vessel is a vessel specially fitted with deck gratings, and hull battens or sheathing, and with heating equipment sufficient to maintain inside temperature of 50° when outside temperature is 20°.

§ 302.110 *Operation of provisions of this order.* No provision of this order shall apply so as to provide a higher value or more aggregate charter hire for a vessel coming within a given tonnage subdivision than the minimum value or minimum aggregate charter hire for a vessel substantially similar but coming within the next higher tonnage subdivision.

§ 302.111 *Vessels subject to section 902 (b) of the Merchant Marine Act, 1936.* Wherever a vessel is subject to section 902 (b) of the Merchant Marine Act, 1936, as amended, the provisions of section 802 of said Act shall apply and control in the determination of values with respect to risks insured or assumed by the War Shipping Administration, notwithstanding any contrary provisions of this order.

§ 302.112 *The Administrator may modify this order.* The Administrator reserves the right to exempt specific vessels from the scope of this General Order 37, or to amend, modify, or terminate said order, but no such action shall apply to any charter (mentioned in § 302.102 (a) of this order) tendered and executed prior to the date of any such action except where such action is in conformity with the provisions of the applicable charter.

§ 302.113 *Effective date and supersession of previous orders.* This General Order 37 shall become effective, (a) insofar as it provides rates of charter hire, as of the effective dates of the applicable charters executed on one of the forms mentioned in § 302.102 (a) of this order, and (b) insofar as it provides values, as of Noon E. W. T. April 20, 1944 and, as of such effective dates, General Orders 8, 9, and 10, and all supplements and amendments to such orders, shall be superseded insofar as values or rates are determined in accordance with the provisions of this order; *Provided, however,* That the values shall be applicable for the purpose of establishing insurance valuations under Form No. 1 and Form No. 3 attached to the notice of "Revised Program of Ship Requisition, Charter and Operation" dated November 24, 1943, and published in the FEDERAL REGISTER of November 27, 1943, from the earliest effective dates permissible in conformity with Paragraph Fourth of each such form, and the rates of bareboat charter hire described in this order shall be effective as of January 1, 1944, with respect to redeterminations of the rates effected by said notice of November 24, 1943.

[SEAL] E. S. LAND,
Administrator.

APRIL 7, 1944.

[F. R. Doc. 44-4979; Filed, Apr. 7, 1944; 11:27 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 17, Amdt. 1]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATIONS OF AUTHORITY

Pursuant to § 502.210 of General Order ODT 16A (9 F.R. 2749), Appendix A of Administrative Order ODT 17 (9 F.R. 2751), is hereby amended by changing the names of the port areas shown opposite the States of Louisiana, Oregon, and Washington so as to read as follows:

* * * * *

Louisiana: Belle Chasse, Braithwaite, Lake Charles, and New Orleans.

* * * * *

Oregon: Astoria, Linnton, Locoda, and Portland.

* * * * *

Washington: Aberdeen, Anacortes, Bellingham, Everett, Kalama, Longview, Mukilteo, Olympia, Seattle, Tacoma, Tulalip, and Vancouver.

This Amendment 1 to Administrative Order ODT 17 shall become effective April 7, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 16A, 9 F.R. 2749)

Issued at Washington, D. C., this 7th day of April 1944.

HENRY F. MCCARTHY,
Director,
Division of Traffic Movement,
Office of Defense Transportation.

[F. R. Doc. 44-4956; Filed, April 7, 1944; 10:22 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 333]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE NO. 3

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Ramon Ramos Casellas from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. John W. De Bruycker of San Juan, Puerto Rico.

Signed at Washington this 3d day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-4930; Filed, April 6, 1944; 2:59 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1327]

ALL AMERICAN AVIATION, INC.

NOTICE OF HEARING

In the matter of the application of All American Aviation, Inc., for amendment of its certificate of public convenience and necessity to include Athens, Ohio, as an intermediate point on route No. 49.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on April 18, 1944, at 10 o'clock a. m., (eastern war time) in the foyer of the Auditorium, Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before Examiner Albert F. Beitel.

Dated at Washington, D. C., April 4, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-4958; Filed, April 7, 1944; 10:43 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-533]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 6, 1944.

Notice is hereby given that on March 24, 1944, Northern Natural Gas Company (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to construct and operate approximately 0.7 mile of 4½-inch pipe line extending in a northerly direction from a point on Applicant's 10-inch Ames lateral line to a measuring station to be constructed near the city limits of Boone, Iowa. The application also requests authority to construct and operate the aforesaid measuring station.

Applicant states that the proposed facilities will enable it to deliver increased volumes of natural gas to Iowa Electric Light and Power Company pursuant to an existing contract between the parties. Applicant further states that "the proposed construction will enable the Iowa Electric Light and Power Company to use natural gas as boiler fuel during the summer months and at such other times as gas is available for delivery to this customer, thereby releasing approximately 40,000 tons of coal, and the transportation thereof, which would otherwise be required during such period."

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 22, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4952; Filed, April 7, 1944; 10:00 a. m.]

[Docket No. G-535]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 6, 1944.

Notice is hereby given that on March 29, 1944, Northern Natural Gas Company (hereinafter referred to as "applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to construct and operate a 5200-horsepower natural gas compressor station to be located in Beaver County, Oklahoma, on applicant's 24-inch main transmission pipeline, and an additional 1000-horsepower unit in applicant's existing Skellytown compressor station in Carson County, Texas.

The applicant states that the proposed facilities are required to maintain its present system capacity by increasing its deliveries of gas from the Texas Panhandle field and thereby offsetting a reduction in its withdrawals of gas from the rapidly depleting Otis or Rush County, Kansas, gas field.

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 22, 1944, file with the Federal Power Commission a petition or protest in accordance with the Rules of Practice and Regulations of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-4953; Filed, April 7, 1944; 10:00 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5062]

CHARLES W. WOLF, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of April, A. D. 1944.

In the matter of Charles W. Wolf, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 19, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4967; Filed, Apr. 7, 1944; 11:15 a. m.]

[Docket No. 5077]

TIGER YARN CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of April, A. D. 1944.

In the matter of Benjamin Goldman, individually and trading as Tiger Yarn Company, Minnette Yarn Company, Bengo Yarn Shop, and Goldman's Yarn Shop.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4966; Filed, April 7, 1944; 11:15 a. m.]

[Docket No. 5078]

HOUSE OF ROYALSUN

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of April, A. D. 1944.

In the matter of Samuel R. Israel and Al Goldstein, copartners trading as House of Royalsun.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 18, 1944, at two o'clock in the afternoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4969; Filed, April 7, 1944; 11:16 a. m.]

[Docket No. 5116]

GEORGES RIVER WOOLEN MILLS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1944.

In the matter of the Georges River Woolen Mills, a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 24, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 106, United States Court House, Portland, Maine.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-4970; Filed, April 7, 1944; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 155]

RECONSIGNMENT OF POTATOES AT DETROIT, MICH.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Detroit, Michigan, March 29 or 30, 1944, by E. H. Anderson Company of car NRC 19630, potatoes, now on the Canadian Pacific Railroad, to Stokeley Brothers, Indianapolis, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4911; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 156]

RECONSIGNMENT OF LETTUCE AT ATLANTA, GA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Atlanta, Georgia, March 30 or 31, 1944, by Fain Company, of car PFE 42073, lettuce, now on the N. C. & St. L. Railroad to Jacksonville, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4912; Filed, April 6, 1944; 11:53 a. m.]

[S.O. 70-A, Special Permit 157]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph § 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 30 or 31, 1944, by F. E. Baldwin Company of car PGE 51642, potatoes, now on the Wood Street Terminal to Denunzio Fruit Company, Louisville, Kentucky.

The waybill shall show reference to this special permit.

A copy of his special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4913; Filed April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 158]

RECONSIGNMENT OF CELERY AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 30 or 31, 1944, by Gridly Maxon Company of car URT 90702, celery, now on the Chicago Produce Terminal, to Ben Post, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4914; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 159]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 30 or 31, 1944, by S. Friedman Sons, of car PFE 28942, potatoes, now on the Wood Street Terminal, to R. H. Oswald, Evansville, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4915; Filed, April 6, 1944; 11:53 a. m.]

[S.O. 70-A, Special Permit 160]

RECONSIGNMENT OF POTATOES AT TOLEDO, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Toledo, Ohio, March 30 or 31, 1944, by Edw. H. Anderson Company of car ART 21280, potatoes, now on the Michigan Central Railroad to Miami, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4916; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 161]

RECONSIGNMENT OF POTATOES AT HOLLAND, MICH.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Holland, Michigan, March 30 or 31, 1944, by Edw. H. Anderson Company of cars PGE 52615, 52301, 32523, potatoes, now on the Pere Marquette Railway to Indianapolis, Indiana.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4917; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 162]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 31, 1944, by Dunn Jarson Company of car PFE 29359, lettuce, now on the C. B. & Q. Railroad, to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4918; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 163]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 31, 1944, by E. H. Anderson Company of cars WFE 63500 and ART 19117, potatoes, now on the Pere Marquette Railway at 13th Street, to Morganfield, Kentucky.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4919; Filed, April 6, 1944; 11:53 a. m.]

[S. O. 70-A, Special Permit 164]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 1 or 2, 1944, by F. E. Baldwin Company of car MDT 19562, potatoes, now on the Wood Street Terminal, to J. C. Grob, Seymour, Indiana. (Milw.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4920; Filed, April 6, 1944; 11:53 a. m.]

[S.O. 70-A, Special Permit 165]

RECONSIGNMENT OF POTATOES AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Buffalo, New York, April 1 or 2, 1944, by Edw. H. Anderson Company of cars WFE 67290, PFE 51799, and MDT 146365, potatoes, now on the New York Central Railroad, to Freemont, Ohio. (N. Y. C.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4921; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70-A, Special Permit 166]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, April 1 or 2, 1944, by Edw. H. Anderson Company, of car FGE 45611, potatoes, now on the Wabash Railroad, to Nashville, Tennessee.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4922; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70-A, Special Permit 167]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 1 or 2, 1944, by Schuman Company of car PFE 44305, lettuce, now on the Chicago Produce Terminal to G & B Fruit Company, Rockford, Illinois. (C. & N. W.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4923; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70-A, Special Permit 168]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 3 or 4, 1944, by Peter N. Skallerup, of car PGE 32243, potatoes, now on the Wood Street Terminal, to Springfield, Illinois.

The way bill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4924; Filed, April 6, 1944; 11:54 a. m.]

RECONSIGNMENT OF BROCCOLI AT CHICAGO, ILL.

[S.O. 70-A, Special Permit 169]

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 31, 1944, by Santa Clara Valley Fruit and Produce Company of car PFE 32374, broccoli, on the Chicago and North Western Railway Company to Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4925; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70-A, Special Permit 170]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 3 or 4, 1944, by Simon Siegel Company, of the following named cars of apples, now on the Chicago Produce Terminal as follows:

PFE 74818 to Decatur, Illinois.
MDT 17567 to Decatur, Illinois.
PFE 17616 to Springfield, Illinois.
NRC 10450 to Springfield, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4926; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70-A, Special Permit 171]

RECONSIGNMENT OF POTATOES AT GRAND RAPIDS, MICH.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Grand Rapids, Michigan, April 3 or 4, 1944, by Edw. H. Anderson Company of car URT 50171, potatoes, now on the Pennsylvania Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4927; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 70–A, Special Permit 172]

RECONSIGNMENT OF CELERY AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri–Kansas, April 4 or 5, 1944, by William S. Wright, Chula Vista, California, of car BREX 75122, celery, now on the C. R. I. & P. R. R., to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–4928; Filed, April 6, 1944; 11:54 a. m.]

[S. O. 103, Special Permit]

MOVEMENT OF CANADIAN MALTING BARLEY FROM DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 8,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company, Duluth, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–4903; Filed, April 6, 1944; 11:55 a. m.]

[S. O. 178, Special Permit 100]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of three refrigerator cars, with cheese in packages and glass and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the three cars so loaded from that point March 30 or 31, 1944, to Pittsburgh, Pennsylvania, Cincinnati, Ohio, and Cleveland, Ohio (C. M. St. P. & P.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–4905; Filed, April 6, 1944; 11:55 a. m.]

[S.O. 178, Special Permit 101]

LOADING OF CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese in glass and packages and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point March 31, 1944, to Charleston, W. Va. (C. M. St. P. & P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–4906; Filed, April 6, 1944; 11:55 a. m.]

[S.O. 178, Special Permit 102]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of three refrigerator cars with shortening by The Humko Company at Memphis, Tennessee, and the movement of the three cars so loaded from that point April 3 or 4, 1944, one to Buffalo, New York, and two to Long Island City, New York (I. C.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–4907; Filed, April 6, 1944; 11:55 a. m.]

[S. O. 178, Special Permit 103]

LOADING OF LARD AT OTTUMWA, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard in pound packages by Morrell Packing Company at Ottumwa, Iowa, and the movement of the one car so loaded from that point not later than April 5, 1944, to Houston, Texas, for export to Cuba (C. M. St. P. & P., Kansas City, M. K. T.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and

notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4908; Filed, April 6, 1944; 11:55 a. m.]

[S. O. 178, Special Permit 104]

LOADING OF LARD AT KANSAS CITY, KANS.-MO., AND OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of seven refrigerator cars with lard, two at Kansas City, Kansas-Missouri, and five at Omaha, Nebraska, by Cudahy Packing Company, and the movement of the seven cars so loaded, under refrigeration, from those points April 6, 1944, to Galveston, Texas, for export to Cuba (Mo.Pac.-K.O.&G.-T.&P.-I.G.N.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4909; Filed, April 6, 1944; 11:55 a. m.]

[S. O. 187, Special Permit 8]

TRANSPORTATION OF POTATOES AT BARNESVILLE, MINN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement March 31, 1944, of car SFRD 36536 containing 125 sacks below grade Ohio variety potatoes in addition to above grade potatoes from Wilcoh Company, Barnesville, Minnesota, to Elm Grove, Wisconsin (G. N.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of March 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4904; Filed, April 6, 1944; 11:55 a. m.]

[S. O. 70-A, Special Permit 173]

RECONSIGNMENT OF SEED POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 4 or 5, 1944, by Bacon Brothers, of car SFRD 20751, seed potatoes, now on the Wood Street Terminal, to Spring Valley, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4959; Filed, April 7, 1944; 11:12 a. m.]

[S. O. 70-A, Special Permit 174]

RECONSIGNMENT OF CELERY AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 3, 4 or 5, 1944, by Julius Berman, of car SFRD 33293, celery, now on the Chicago Produce Terminal, to Pittsburgh, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4960; Filed, April 7, 1944; 11:12 a. m.]

[S. O. 70-A, Special Permit 175]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 4 or 5, 1944, by M. Lapidus Sons, of car PFE 94332, lettuce, now on the Burlington lines, to Will County Produce Company, Joliet, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4961; Filed, April 7, 1944; 11:12 a. m.]

[S. O. 70-A, Special Permit 176]

RECONSIGNMENT OF POTATOES AT CLEVELAND, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cleveland, Ohio, April 4 or 5, 1944, by Edw. H. Anderson Company of car MDT 6101, potatoes, now on the N. Y. C. & St. L. Railroad, to Detroit, Michigan (D.T.&I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4962; Filed, April 7, 1944; 11:12 a. m.]

[S. O. 70-A, Special Permit 177]

RECONSIGNMENT OF POTATOES AT CLEVELAND, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cleveland, Ohio, April 4 or 5, 1944, by Edw. H. Anderson Company of car MDT 6456, potatoes, now on the New York Central Railroad, to Detroit, Michigan (N. Y. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4963; Filed, April 7, 1944; 11:12 a. m.]

[S. O. 178, Special Permit 105]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with cheese in packages and glass and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the two cars so loaded from that point April 5, 1944, to Pittsburgh, Pennsylvania, and to St. Louis, Missouri (C. M. St. P. & P.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-4964; Filed, April 7, 1944; 11:12 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-79]

SACCARDO, P. A., ET AL.

In re: Copyrights.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A. Por. 13480.....	Sylloge fungorum omnium hucusquecognitorum ... curante Alex. Trotter. Abelinni, esberedum Saccardo, 1821-1931. vol. 25 (Supplementum universale, part 10), 1082p.	P. A. Saccardo of Italy (Nationality: Italian).	Eredi Saccardo Napies, Italy (Nationality: Italian).	Author and Owner.

[F. R. Doc. 44-4865; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3320]

ANCIENS ETABLISSEMENTS BARBIER, BENARD ET TURENNE

In re: Patents and interest of Anciens Etablissements Barbier, Benard & Turenne in an agreement with Scialytic Corporation of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Anciens Etablissements Barbier, Benard & Turenne is a corporation organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Anciens Etablissements Barbier, Benard & Turenne;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, claiming a vested interest in the property vested hereby, and any person, except a national of a designated enemy country, asserting a claim against the property vested hereby, may, within the time and manner prescribed by the Alien Property Custodian, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 10, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A. For. 13480	Sylloge fungorum omnium hucusquecognitorum . . . curante Alex. Trotter. Abellinni, esberedum Saccardo, 1931–1931. vol. 25 (Supplementum universale, part 10), 1068p.	P. A. Saccardo of Italy (Nationality: Italian).	Eredi Saccardo Napies, Italy (Nationality: Italian).	Author and Owner.

[F. R. Doc. 44-4865; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3320]

ANCIENS ETABLISSEMENTS BARBIER, BENARD ET TURENNE

In re: Patents and interest of Anciens Etablissements Barbier, Benard & Turenne in an agreement with Scialytic Corporation of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Anciens Etablissements Barbier, Benard & Turenne is a corporation organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Anciens Etablissements Barbier, Benard & Turenne;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date, Inventor, and Title

1,806,384; 5-9-31; Henri L. M. Benard; Shadowless lighting apparatus.

1,842,855; 1-26-32; Henri L. M. Benard; Episcopic projecting apparatus.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Anciens Etablissements Barbier, Benard & Turenne by virtue of an agreement dated March 1, 1933 (including all modifications thereof and supplements thereto, if any) by and between Anciens Etablissements Barbier, Benard & Turenne and Scialytic Corporation of America, relating, among other things, to patent No. 1,806,384, dated May 19, 1931, inventor Henri L. M. Benard, for Shadowless Lighting Apparatus.

[F. R. Doc. 44-4866; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3321]

FRIEDRICH DESSAUER AND WALDEMAR PETERSEN

In re: Interests of Friedrich Dessauer and Waldemar Petersen in a patent and in agreements with Eduard Welter, Westinghouse Electric & Manufacturing Company and Westinghouse X-Ray Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Friedrich Dessauer and Waldemar Petersen are residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Friedrich Dessauer and Waldemar Petersen;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) An undivided two-thirds (⅔) interest, which stands of record in the United States Patent Office in the names of Friedrich Dessauer and Waldemar Petersen, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,732,715; 10-22-29; Friedrich Dessauer, Waldemar Petersen and Eduard Welter; Electromagnetic induction apparatus.

including all accrued royalties and all damages and profits recoverable at law or in equity

from any person, firm, corporation or government for past infringement thereof to which the owners of such interest are entitled,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Friedrich Dessauer and Waldemar Petersen by virtue of an agreement dated August 20, 1925 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company, Friedrich Dessauer, Waldemar Petersen and Eduard Welter, which agreement relates, among other things, to Patent No. 1,523,367,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Friedrich Dessauer and Waldemar Petersen by virtue of an agreement dated April 6, 1934 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse X-Ray Company, Friedrich Dessauer, Waldemar Petersen and Eduard Welter, which agreement relates, among other things, to Patent No. 1,523,367.

[F. R. Doc. 44-4867; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3322]

I. G. FARBENINDUSTRIE A. G.

In re: Patent and interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with E. I. du Pont de Nemours and Company, executed on October 9, 1933 and on December 29, 1933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

2,004,823; 6-11-35; Reinhold Fick; Aminocarboxylic acids and salts thereof.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours and Company, executed by I. G. Farbenindustrie Aktiengesellschaft on October 9, 1933 and executed by E. I. du Pont de Nemours and Company on December 29, 1933 (including all modifications thereof and supplements thereto, if any), which agreement relates, among other things, to Patent No. 1,790,824.

[F. R. Doc. 44-4868; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3359]

CHEMISCHE FABRIK SIEGFRIED KROCH A. G. AND I. H. EPSTEIN, A. G.

In re: Interests of Chemische Fabrik Siegfried Kroch Aktiengesellschaft and I. H. Epstein, A. G. in an agreement between American Cyanamid & Chemical Corporation and Chemische Fabrik Siegfried Kroch Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chemische Fabrik Siegfried Kroch Aktiengesellschaft and I. H. Epstein, A. G. are corporations organized under the laws of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Chemische Fabrik Siegfried Kroch Aktiengesellschaft and I. H. Epstein, A. G.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Chemische Fabrik Siegfried Kroch Aktiengesellschaft and I. H. Epstein, A. G., and each of them, in an agreement (dated September 30, 1932) executed by American Cyanamid & Chemical Corporation on September 30, 1932, and by Chemische Fabriok Siegfried Kroch Aktiengesellschaft on October 19, 1932 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated September 6, 1935, from American Cyanamid & Chemical Corporation to Chemische Fabrik Siegfried Kroch Aktiengesellschaft and two letters dated December 23, 1935, and May 15, 1939, respectively, from Chemische Fabrik Siegfried Kroch Aktiengesellschaft to American Cyanamid & Chemical Corporation) relating, among other things, to United States Letters Paent No. 1,968,905,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-4869; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 3372]

MICHIO ITO

In re: Motion picture film owned by Michio Ito.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Michio Ito is a resident of Japan and a national of a designated enemy country (Japan);

2. That Michio Ito is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

Two reels of 35 millimeter motion picture film of approximately 1,000 feet each of sound track in Cinecolor; presently stored at the laboratory of "Cinecolor," 2800 West Olive Street, Burbank, California.

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 31, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–4870; Filed, April 6, 1944; 10:53 a. m.]

[Vesting Order 629, Amdt.]

BRUNILDE MADDALENI

Whereas, pursuant to Vesting Order Number 629 of January 6, 1943 the undersigned vested certain shares of stock owned by "Brunilde Maddeleni".

Whereas, in describing such person in said vesting order the name "Brunilde Maddaleni" was as a result of a typographical error inadvertently spelled "Brunilde Maddeleni".

Now, therefore, Vesting Order No. 629 is hereby amended as follows and not otherwise:

By substituting the name "Brunilde Maddaleni" for the name "Brunilde Maddeleni" where it appears in said order.

All other provisions of said Vesting Order Number 629 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 31, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–4871; Filed, April 6, 1944; 10:53 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2, Rev. 189, Corr.]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ILLINOIS

Yellow Transit Company and Decatur Cartage Co. Coordinated operations between points in Missouri and Illinois.

The designation "U. S. Highway 50," which appears in the first line of subparagraph (c) of paragraph 7, captioned "Contemplated Action," of Appendix 2[1] to Supplementary Order ODT 3, Revised–189, is hereby corrected to read "U. S. Highway 51."

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44–4954; Filed, April 7, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 190, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MICHIGAN

Consolidated Freight Co. et al. Coordinated operations between points in Michigan.

Upon consideration of a petition for an amendment of Supplementary Order ODT 3, Revised–190 (9 F.R. 2963), filed with the Office of Defense Transportation by the parties subject thereto, and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 3, Revised–190 is amended as follows:

1. The reference "Appendix 2"[1] which appears in the order is changed to read "Appendix 2—Revised."[1]

2. Appendix 2 to Supplementary Order ODT 3, Revised–190 is cancelled and substituted therefor is a revised plan designated as "Appendix 2—Revised," a copy of which is attached hereto.

This amendment shall become effective April 5th, 1944.

Issued at Washington, D. C., this 5th day of April 1944.

C. D. YOUNG,
Acting Director,
Office of Defense Transportation.

[F. R. Doc. 44–4956; Filed, April 7, 1944; 10:23 a. m.]

[1] Appendix 2 filed as part of the original document and not published in the FEDERAL REGISTER.

[1] Appendix 2 and Appendix 2—Revised, filed as part of the original documents.

OFFICE OF PRICE ADMINISTRATION.

[Gen. Order 55]

DISCLOSURE OF INFORMATION

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to the Second War Powers Act of 1942, the following order is prescribed:

1. All official files, documents, reports, memoranda and other written material, whether in the regional or district offices, in any war price and rationing board, defense-rental area office, or in the National Office of the Office of Price Administration, shall be considered to be in the exclusive control and custody of the Office for the purpose of administering and effectuating the policies of the Emergency Price Control Act of 1942, as amended, and the Second War Powers Act of 1942. Officers or employees of the Office of Price Administration shall permit the inspection, examination, disclosure or other use of such material only to the extent required or authorized by an applicable regulation or order or in accordance with the provisions of this order.

2. No information obtained under the Emergency Price Control Act, as amended, or under the Second War Powers Act which has been declared to be confidential under the National War Agencies Appropriation Act of 1944, or which has been deemed and expressly designated as confidential by the Administrator, or with regard to which a request for confidential treatment is made by the person furnishing such information, shall be disclosed or published unless the Administrator has made a determination that the withholding of such information would be contrary to the interests of national defense and security.

3. Any Regional Administrator or District Director may, subject to such instructions as may be issued by the Administrator, authorize the disclosure of information obtain under the Emergency Price Control Act of 1942 or the Second War Powers Act of 1942, which is not governed by section 2 of this order, if he determines that such disclosure will be in the public interest.

4. Nothing in this order shall prevent the disclosure of information to another federal agency in any case in which the Director of the Budget is authorized under section 3 (e) of the Federal Reports Act to require such disclosure.

5. Any officer or employee of the Office of Price Administration who is directed by subpoena, subpoena duces tecum, or other process to disclose any official information or produce any official files, documents, reports, memoranda, or other papers or copies thereof, shall appear in court in response thereto, but shall, in the absence of express authorization to the contrary, respectfully decline to make any disclosure or produce any such files, documents, or other papers or testify with regard thereto, on the ground that such disclosure is prohibited by this order.

6. This order shall not apply to the obtaining, safe-keeping and disclosure of military information directly relating to the national defense. The treatment of such material is covered by Regulation No. 4 of the Office of War Information of September 28, 1942, as amended, and by Administrative Order No. 82 of the Office of Price Administration of June 19, 1943.

Issued and effective this 6th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4932; Filed, April 6, 1944; 3:52 p. m.]

[Gen. Order 56]

REGIONAL OFFICES FOR REGIONS I AND II

ASSUMPTION OF FUNCTIONS OF BOSTON AND NEW YORK CITY DISTRICT OFFICES

The Boston and New York City District Offices have been abolished and all their duties, powers, functions and responsibilities have been transferred to and vested in the Regional Offices for Regions I and II, respectively. Accordingly, *It is ordered:*

(a) The provisions of any price, rent or rationing regulation, amendment or order, heretofore or hereafter issued by the Price Administrator, Regional Administrators or District Directors, which require or authorize action to be taken by the Boston or New York City District Offices or by the District Directors of such Offices, or require or authorize any person to file or send any application, letter, report or other document, or to have any other communication with such District Offices or Directors, or require or authorize any person to perform any other act by reference to such District Offices or Directors, shall, for all purposes, mean the Regional Offices or Regional Administrators for Regions I and II, respectively, as the case may be.

(b) This order shall have no retroactive effect with regard to any determinations, orders, decisions and other acts heretofore made or done by any executives, officers, or employees of said District Offices.

Issued and effective this 6th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–4931; Filed, April 6, 1944; 3:52 p. m.]

Regional and District Office Orders.

[Region I Order G–66 Under RMPR 122]

SOLID FUELS IN FITCHBURG, MASS., AREA

Order No. G–66 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Fitchburg, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Fitchburg, Massachusetts, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G–66 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G–66. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G–66 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a delivered basis to consumers at any point in the Fitchburg, Massachusetts, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.75	$8.65	$4.45	$0.95
Pea	15.70	8.10	4.20	.90
Buckwheat	13.30	6.90	3.60	.80
Rice	12.20	6.35	3.30	.75
Coke: Egg, stove, and chestnut	16.00	8.25	4.25	.90
Ambricol	14.55	7.55	3.90	.85

(2) *Maximum authorized service and deposit charges.* (a) The foregoing maximum prices include any carrying or wheeling that may be necessary to effect delivery into consumer's bin or storage space, except for carries up or down flights of stairs of quarter-ton or larger quantities. If a carry up or down flights of stairs is necessary in order to effect delivery of a quarter-ton or larger quantity into consumer's bin or storage space and if the consumer requests such service of him, the dealer may make the following charges:

	Per net ton	Per ½ ton	Per ¼ ton
First flight (up or down)	$0.50	$0.25	$0.15
Each additional flight	.25	.15	.10

If the consumer does not request such service in such cases, the maximum price shall apply for delivery to that available point which is nearest and most accessible to the stairs.

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Fitchburg, Massachusetts, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.75	$7.90	$3.95	$0.85
Pea	14.70	7.35	3.70	.80
Buckwheat	12.30	6.15	3.10	.70
Rice	11.20	5.60	2.80	.65
Coke: Egg, stove, and chestnut	15.00	7.50	3.75	.80
Ambricol	13.55	6.80	3.40	.75

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 15 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c) shall be reduced by $1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the case of less than quarter-ton lots) within 15 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III; Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Fitchburg, Massachusetts, Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$14.25	$7.15	$3.60
Pea	13.20	6.60	3.30
Buckwheat	10.80	5.40	2.70
Rice	9.70	4.85	2.45
Coke: Egg, stove, and chestnut	13.80	6.75	3.40
Ambricoal	12.05	6.05	3.05

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, and chestnut	$0.30	$0.25	$0.10	None
Pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Franklin:				
Broken	.75	.40	.20	$.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.30	.15	.05	None
Rice	.10	.05	None	None
Colonial:				
Broken, egg, stove, chestnut, pea and buckwheat	.65	.35	.15	None
Rice	.55	.30	.15	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.30	.15	.05	None
Rice	.25	.15	.05	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.70	.35	.10	None
Buckwheat	.35	.20	.10	None
Rice	.25	.15	.05	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
East Bear Ridge: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None

(g) *Definitions.* When used in this Order G–66, the term:

(1) "Fitchburg, Massachusetts, Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Ashby, Fitchburg, Leominster, Lunenberg, Princeton, Sterling and Townsend.

(2) "Specified solid fuels" shall include Pennsylvania anthracite, coke and ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" means Jeddo Highland, Franklin, Colonial, Silver Brook, Legitts Creek and Black Stork, Raven Run, East Bear Ridge and Dial Rock.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal".

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(7) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(8) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(9) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112.

(10) "Raven Run" means that Pennsylvania anthracite which is produced by Hazlebrook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated Company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(11) "East Bear Ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

(12) "Dial Rock" means that Pennsylvania anthracite which is produced and prepared by Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112; *Provided, however*, That the additions provided for in paragraph (a) may be charged only when said coal is shipped from the mine by rail.

(13) "Broken," "egg," "stove," "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94 section 239A (Chapter 382, Acts of 1926). "Buckwheat" and "rice" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 19, 1941.

(14) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing company, at its plant in Everett, Massachusetts, Providence Gas Company, Providence, Rhode Island. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

(15) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(16) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(17) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(18) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended, or corrected at any time.

NOTE. The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–66 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law, 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–4852; Filed, April 5, 1944; 3:30 p. m.]

[Region I Order G–52 Under RMPR 122, Amdt. 1]

SOLID FUELS IN PUTNAM, CONN., AREA

Amendment No. 1 to Order No. G–52 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Putnam, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (g) of Region I Order G–52 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(g) *Definitions.* When used in this Order G–52, the term:

(1) "Putnam, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Ashford, Brooklyn, Canterbury, Eastford, Killingly, Hampton, Plainfield, Pomfret, Putnam, Sterling, Thompson, Union and Woodstock.

This Amendment No. 1 to Order G–52 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–4853; Filed, April 5, 1944; 3:30 p. m.]

[Detroit Order G–2 Under MPR 426, Amdt. 1]

CITRUS FRUITS IN WAYNE COUNTY, MICH.

Amendment 1 to Order No. G–2 under Maximum Price Regulation No. 426. Order adjusting maximum wholesale prices of citrus fruits sold in Wayne County, Michigan.

The approval of the Regional Director of Food Distribution to Order No. G–2 under Maximum Price Regulation 426 is added to read as follows:

Approved:

ERAL O. POLLACK,
Regional Director of Food Distribution.

Effective March 9, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

W. E. FITZGERALD,
District Director.

[F. R. Doc. 44–4846; Filed, April 5, 1944; 3:29 p. m.]

[Region V Order G–1 Under RMPR 122, Amdt. 5]

SOLID FUELS IN ST. LOUIS, MO.

Amendment No. 5 to Order No. G–1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of

Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Section (c) (Price Schedule) (1) (V), Coke, as amended, is amended to read as follows:

1. Furnace, by-product, top size 4", bottom size 1½" (produced in the area set forth in section (a) of this order), $11.65.
2. Chestnut, by-product, top size 1½", bottom size ¾" (based on furnace) (produced in the area set forth in section (a) of this order), $11.65.
3. Low temperature, produced in St. Clair and Franklin Counties, Illinois, top size no limit, bottom size ¾", $9.30.

(56 Stat. 23, 765, Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective at Dallas, Texas, this the 31st day of March 1944.

C. B. BROWN,
Acting Regional Administrator.

[F. R. Doc. 44-4854; Filed, April 5, 1944; 3:30 p. m.]

[Region VIII Order G-4 Under MPR 136]

FILTERING AND BOTTLING EQUIPMENT IN SANTA MONICA, CALIF.

Order No. G-4 under Maximum Price Regulation No. 136 as amended. Machines and parts and machinery services. Adjusted maximum prices for filtering and bottling equipment manufactured by Ogden Perfection Filter Co.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136 as amended, *It is hereby ordered:*

(a) The adjusted maximum prices at which any person may sell and deliver filtering and bottling machinery manufactured by Ogden Perfection Filter Co., Santa Monica, California, shall be:

16 plate Ogden Rough & Polish Filter—$1,350.00.
Ogden complete bottling unit—$430.00.

For other types and sizes the adjusted maximum prices shall be determined by applying customary differentials to the adjusted maximum prices for the items specified above.

(b) All discounts from list prices or other allowances for quantity purchases, prompt payment or otherwise, in effect when the original maximum prices were established, must be continued in effect in respect to the prices listed in paragraph (a).

(c) This order may be revoked, amended, or corrected at any time, and shall expire ninety days after its effective date.

This order shall become effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4847; Filed, April 5, 1944; 3:29 p. m.]

[Region VIII Order G-87 Under 18 (c)]

DELIVERY SERVICE IN SPOKANE, WASH.

Order No. G-87 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for carriers performing pick-up and delivery service in Spokane, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for pick-up and delivery service performed for rail line-haul carriers in the city of Spokane, Washington, shall be the rates for such service prescribed in section 6, item No. 6900, tariff No. 3 issued by the Department of Public Service of the State of Washington, as said tariff was amended effective March 20, 1944.

(b) This order may be amended, revoked or corrected at any time.

This order shall become effective March 20, 1944, and shall apply to services rendered on and after March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4848; Filed, April 5, 1944; 3:29 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 23]

FLUID MILK IN CERTAIN LOCALITIES IN CALIFORNIA

Amendment No. 23 to Order No. G-2 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-2 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Schedule B is hereby amended by striking out the heading "Siskiyou County except the towns of Weed, Mount Shasta, Dunsmuir, and Dorris" and substituting therefor the following, "Siskiyou County except the town of Dorris and the Mount Shasta area."

(b) Schedule B is hereby amended by striking out the heading "The Towns of Weed, Mount Shasta, Dunsmuir" and the schedule of prices thereunder, and by substituting therefor the following:

THE MOUNT SHASTA AREA

Quantity	Wholesale f. o. b. purchaser's plant	Wholesale delivered	Retail
Quart	$0.1225	$0.1325	$0.15
Half-pint		.045	

(c) Paragraph (3) is hereby amended by adding a new subparagraph (f) to read as follows:

(f) "The Mount Shasta area" shall mean all towns located on highway 99 from Castella on the south to Weed on the north, and all towns on highway 97 from Weed on the south and the town of Penoyer on the north and the town of Tennant and the area within ten miles of any of the above named points.

This amendment to Order No. G-2 shall become effective March 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4849; Filed, April 5, 1944; 3:29 p. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 41]

FLUID MILK IN WASHINGTON

Amendment No. 41 to Order No. G-3 under § 1499.18 (C), as amended, of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) (i) (*a*) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator, *It is hereby ordered*, That Order No. G-3 under § 1499.18 (c) as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by striking out from the schedule of prices under the heading, "The City of Davenport," the footnote, "When three or more quarters are sold in quart containers and delivered at the home at one time, the adjusted maximum price shall be $0.11 per quart."

(b) Section (4) is hereby amended to read as follows:

No seller affected by this order shall change his customary allowances, discounts, or other price differentials unless such change results in a lower price, except in the case of the City of Davenport, where the quantity discount formerly prevailing is hereby eliminated.

This amendment shall become effective April 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4850; Filed, April 5, 1944; 3:30 p. m.]

[Region VIII Order G-1 Under MPR 188, Amdt. 1]

DRAIN TILE IN SAN FRANCISCO REGION

Amendment No. 1 to Order No. G-1 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales of No. 1 common brick drain tile and concrete drain tile by certain persons in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188 and § 1499.18 (c), as amended, of the General Maximum Price Regulations, *It is hereby ordered*, That the order issued herein on December 3, 1943, be amended in the following particulars:

1. Paragraph (a) is amended to read as follows:

(a) The adjusted maximum prices at which persons producing the hereinafter described commodities within the limits of Seattle, Washington and Renton, Washington, may sell are the following:

Item	*Adjusted maximum price*
No. 1 common single brick	The individual producer's maximum price in effect on December 2, 1943, plus $2.50 per M.
No. 1 common double brick	The individual producer's maximum price in effect on December 2, 1943, plus $5.00 per M.
3", 4", 6", and 8" concrete or clay drain tile and fittings T-S and Y-S.	120% of the individual producer's maximum prices in effect on December 2, 1943.

2. Paragraph (e) is hereby amended to read as follows:

(e) This Order No. G-1 is issued subject to the following conditions:

(1) The amount by which the manufacturer's maximum prices are increased pursuant to the provisions of paragraph (a) hereof shall be stated separately on the manufacturer's invoice with the notation:

Increase permitted by OPA to maintain supply.

In addition, each of the manufacturers operating under this order shall furnish to each buyer for resale on or before he makes the first delivery at the adjusted price a written statement as follows:

The OPA has granted an adjustment in price to certain manufacturers of certain brick and drain tile products. The amount of the price increase is shown separately on the invoice. You are permitted to add the exact amount of the price increase to your existing maximum price provided you separately state the amount of the increase on your invoice.

This Amendment No. 1 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-4851; Filed, April 5, 1944; 3:30 p. m.]

[Region IV Order G-2 Under MPR 280]

FLUID MILK IN DAVIDSON COUNTY, TENN.

Order No. G-2 under Maximum Price Regulation No. 280. Fluid milk adjustment of certain wholesale bulk fluid milk prices in Davidson County, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1351.807 (b) (2) of Maximum Price Regulation No. 280, *It is hereby ordered:*

(a) On and after April 1, 1944, regardless of any contract, agreement or other obligation, no person shall sell or deliver within Davidson County, Tennessee, fluid milk at wholesale in bulk (other than in glass and paper containers) to stores, hotels, restaurants and institutions, and no person in the course of trade or business shall buy or receive fluid milk at wholesale in bulk within Davidson County, Tennessee, at a price higher than the maximum price permitted by this order. No person shall offer, solicit, or attempt to do any of the foregoing. Lower prices may be paid or offered.

(b) The maximum price for fluid milk sold and delivered by any person within Davidson County, Tennessee, at wholesale in bulk (other than glass or paper containers) to stores, hotels, restaurants and institutions shall be:

	Cents per gallon
Standard pasteurized	40
Homogenized pasteurized	43

(c) Unless the context otherwise requires, all transactions subject to this order remain subject to all provisions of Maximum Price Regulation No. 280 together with all amendments, supplementary regulations and orders which may have been heretofore or may be hereafter issued.

(d) This order may be revoked, amended or corrected at any time.

(e) This order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 31, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4920; Filed, April 6, 1944; 12:23 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-876]

WHEELING ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of April, A. D. 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named parties; and

Notice is further given that any interested person may, not later than April 20, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All persons interested are referred to said declaration which is on file in the office of said Commission for a statement of the transactions thereon proposed, which is summarized below:

Wheeling Electric Company ("Wheeling"), a West Virginia corporation, a subsidiary of American Gas and Electric Company ("American Gas") which in turn is a subsidiary of Electric Bond and Share Company, both registered holding companies, proposes to borrow from three New York City banks, Irving Trust Company, Bankers Trust Company and Guaranty Trust Company of New York, the sum of $2,000,000 and to issue notes therefor bearing 2% interest. Semi-annual payments on account of principal will be made which will liquidate the loan in six years. The proceeds of the loan, together with treasury funds of Wheeling to the extent necessary, are to be applied to:

(1) Redemption and cancellation of 24,856 shares of 6% prefered stock of Wheeling now in the hands of the public at the redemption price of $110 per share plus any dividends unpaid to the date of redemption;

(2) Purchase for cancellation of 972 shares of said 6% preferred stock from American Gas for $94,882.75 (stated to be American Gas' cost of such shares) plus accrued dividends thereon to the date of delivery.

The accrued dividends will be paid by Wheeling out of general funds. Upon the redemption or purchase and cancellation of all of the 7% preferred stock the capital of Wheeling will be reduced by $2,582,800. Wheeling will amend its charter to eliminate from its capital

structure the said preferred stock so that the authorized shares of Wheeling will consist solely of 150,000 shares of no par value common stock. Wheeling presently has no outstanding funded debt.

Applicants and declarants have designated sections 7, 12 (c) and 12 (d) and Rules U-42, U-43 and U-50 (a) (2) as applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4949; Filed, April 7, 1944; 10:00 a. m.]

[File Nos. 70-725, 59-11, 59-17, 54-25]

NORTHERN INDIANA PUBLIC SERVICE CO., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1944.

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17, 54-25, Application No. 15.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte), a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder, with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation), a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to sections 7 (b), 9 (a), 10, and 12 of the act and which the transactions might be consumated to April 5, 1944; and

A request having been made that the time, within which the transactions as set forth in the applications and declarations may be consummated, be further extended to June 5, 1944; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the conditions contained in the order of December 7, 1943, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to June 5, 1944.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4950; Filed, April 7, 1944; 10:01 a. m.]

UNITED STATES COAST GUARD.

POSTINGS UNDER GLASS ON OCEAN AND COASTWISE VESSELS

WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war; and

It appearing upon investigation that the efficient prosecution of the war would be impeded by the application to ocean and coastwise vessels of certain navigation and vessel inspection laws and regulations issued thereunder which require the posting of forms, notices, and other documents under glass in said vessels;

Now therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Vessel Inspection laws and the regulations issued thereunder administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the following extent and in the following manner:

of 21 March, 1942 (7 F.R. 2477), with respect to compliance with R. S. 4446 (46 U.S.C. 232).

Dated April 6, 1944.

R. R. WAESCHE, *Vice Admiral, U. S. Coast Guard, Commandant.*

[F. R. Doc. 44-4984; Filed, April 7, 1944; 11:55 a. m.]

WAR FOOD ADMINISTRATION.

Office of Distribution.

NORTH AMERICAN TRADING CORP.

DESIGNATION AS QUALIFIED DISTRIBUTOR

The designation of qualified distributors of tea pursuant to Food Distribution Order No. 21, as amended, issued by the Director of Food Distribution on February 5, 1944 (9 F.R. 1561), is amended by adding the following name and address to the list of persons designated therein as qualified distributors:

North American Trading Corporation, 26 Broadway, New York, New York.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 21, as amended, 8 F.R. 2077, 9 F.R. 150)

Issued this 6th day of April 1944.

LEE MARSHALL, *Director of Distribution.*

[F. R. Doc. 44-4966; Filed, April 7, 1944; 11:18 a. m.]

WAR PRODUCTION BOARD.

PERIOD CHAIRS, INC.

CONSENT ORDER

Period Chairs, Inc., a corporation, located at 250 Stone Avenue, Brooklyn, New York, engaged in the upholstery business, was charged by the War Production Board on February 25, 1944, with having wilfully and seriously violated Limitation Order L-135 as of September 30, 1942, in that during the period beginning on or about November 1, 1942, through November 15, 1943, it wilfully and in violation of Limitation Order L-135, processed, fabricated, worked on and assembled in excess of 341 pieces of

structure the said preferred stock so that the authorized shares of Wheeling will consist solely of 150,000 shares of no par value common stock. Wheeling presently has no outstanding funded debt.

Applicants and declarants have designated sections 7, 12 (c) and 12 (d) and Rules U-42, U-43 and U-50 (a) (2) as applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4949; Filed, April 7, 1944; 10:00 a. m.]

[File Nos. 70-726, 59-11, 59-17, 54-25]

NORTHERN INDIANA PUBLIC SERVICE CO., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1944.

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-726; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17, 54-25, Application No. 15.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte), a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder, with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation), a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to sections 6 (b), 9 (a), 10, and 12 of the act and Rule U-44 promulgated thereunder, with respect to the issue and sale by Northern of $1,400,000 principal amount of serial notes of a maturity of seven years or less, and by Heat Corporation of 3,750 shares of its common stock of the par value of $100 per share, and with respect to the acquisition by Northern of such common stock and the acquisition by Heat Corporation of the heat properties of La Porte; and

The Commission having by order dated December 7, 1943, granted the applications and permitted the declarations to become effective subject to the terms and conditions, among others, prescribed in Rule U-24; and having by order dated February 5, 1944 extended the time within which the transactions might be consumated to April 5, 1944; and

A request having been made that the time, within which the transactions as set forth in the applications and declarations may be consummated, be further extended to June 5, 1944; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the conditions contained in the order of December 7, 1943, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to June 5, 1944.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4950; Filed, April 7, 1944; 10:01 a. m.]

UNITED STATES COAST GUARD.

POSTINGS UNDER GLASS ON OCEAN AND COASTWISE VESSELS

WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war; and

It appearing upon investigation that the efficient prosecution of the war would be impeded by the application to ocean and coastwise vessels of certain navigation and vessel inspection laws and regulations issued thereunder which require the posting of forms, notices, and other documents under glass in said vessels;

Now therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Vessel Inspection laws and the regulations issued thereunder administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the following extent and in the following manner:

To the extent necessary to dispense with the requirements of any navigation and vessel inspection law or regulation issued thereunder applicable to ocean and coastwise vessels and administered by the United States Coast Guard requiring the posting of forms, notices, or other documents under glass.

Nothing contained herein shall be construed to effectuate waiver of compliance with any law or regulation requiring the posting of forms, notices, and other documents on ocean and coastwise vessels, except to the extent of waiving compliance with the requirement of posting under glass. Nothing herein contained shall be construed to impair or limit the waiver order of the Secretary of the Navy of 21 March, 1942 (7 F.R. 2477), with respect to compliance with R. S. 4446 (46 U.S.C. 232).

Dated April 6, 1944.

R. R. WAESCHE, *Vice Admiral, U. S. Coast Guard, Commandant.*

[F. R. Doc. 44-4984; Filed, April 7, 1944; 11:55 a. m.]

WAR FOOD ADMINISTRATION.

Office of Distribution.

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The designation of qualified distributors of tea pursuant to Food Distribution Order No. 21, as amended, issued by the Director of Food Distribution on February 5, 1944 (9 F.R. 1561), is amended by adding the following name and address to the list of persons designated therein as qualified distributors:

North American Trading Corporation, 26 Broadway, New York, New York.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 21, as amended, 8 F.R. 2077, 9 F.R. 150)

Issued this 6th day of April 1944.

LEE MARSHALL, *Director of Distribution.*

[F. R. Doc. 44-4966; Filed, April 7, 1944; 11:16 a. m.]

WAR PRODUCTION BOARD.

PERIOD CHAIRS, INC.

CONSENT ORDER

Period Chairs, Inc., a corporation, located at 250 Stone Avenue, Brooklyn, New York, engaged in the upholstery business, was charged by the War Production Board on February 25, 1944, with having wilfully and seriously violated Limitation Order L-135 as of September 30, 1942, in that during the period beginning on or about November 1, 1942, through November 15, 1943, it wilfully and in violation of Limitation Order L-136, processed, fabricated, worked on and assembled in excess of 341 pieces of wood upholstered furniture containing steel springs and coils, although Limitation Order L-135 provided that on and after November 1, 1942, no new wood upholstered furniture manufacturer should process, fabricate, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. It was further charged that Period Chairs, Inc., located at 250 Stone Avenue, Brooklyn, New York, failed to keep and preserve accurate and complete records of its inventories of material or materials subject to the rules, regulations and/or orders of the War Production Board as required by Priorities Regulation No. 1. In addition, it was further charged that Period Chairs, Inc., located at 250 Stone Avenue, Brooklyn, New York, wilfully falsified statements and records required to be kept by orders and regulations of the War Production Board, in violation of Priorities Regulation No. 1 issued by the War Production Board.

Period Chairs, Inc., admits the violations as charged except that it denies that it wilfully falsified statements and records required to be kept by orders and regulations of the War Production Board in violation of Priorities Regulation No. 1, issued by the War Production Board, and has consented to the issuance of this order. It agrees that any of its successors or assigns will be bound by any order which may be issued in this matter, and that not only it, but also any successors or assigns of it may and shall be bound by this order to which it consents.

Wherefore, upon the agreement and consent of Period Chairs, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Period Chairs, Inc., its successors or assigns, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than five per cent of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders); and during the three months period beginning July 1, 1944, and ending September 30, 1944, Period Chairs, Inc., its successors or assigns, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than seven and one-half per cent (7½%) of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve Period Chairs, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, *Recording Secretary.*

[F. R. Doc. 44-4947; Filed, April 6, 1944; 4:26 p. m.]

APR 12 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 72

Washington, Tuesday, April 11, 1944

The President

EXECUTIVE ORDER 9434

NAVAL RADIO STATION, SUMMIT, CANAL ZONE

By virtue of the authority vested in me by section 5 of title 2 of the Canal Zone Code, approved June 19, 1934, and as President of the United States, it is ordered as follows:

SEC. 1. *Setting apart of reservation; boundaries.* The following described area of land in the Canal Zone is hereby reserved and set apart as, and assigned to the uses and purposes of, a naval reservation, which shall be known as Naval Radio Station, Summit, Canal Zone, and which shall be under the control and jurisdiction of the Secretary of the Navy, subject to the provisions of section 2 of this order:

Beginning at monument No. 1, which is a corner post of a woven wire fence located southeasterly from the main entrance to the Naval Radio Station, Summit, Canal Zone, the geographic position of which is 9°02' plus 4602.5 feet North and 79°39' plus 926.7 feet West from Greenwich.

Thence through monuments No. 2 to No. 42, inclusive, which are corner posts of the said woven wire fence, along the following successive courses and distances to monument No. 43, which is a corner post at the most northwesterly corner of the said woven wire fence;

Monument to monument		Bearing	Distance (feet)
1	2	S. 43°47'40" W.	350.9
2	3	S. 5°41'50" E.	843.3
3	4	S. 13°32'10" E.	154.0
4	5	S. 5°32'20" W.	155.9
5	6	S. 1°47'00" W.	126.6
6	7	S. 18°28'00" E.	124.3
7	8	S. 24°27'40" E.	152.7
8	9	S. 57°29'00" E.	510.3
9	10	N. 26°07'10" E.	152.7
10	11	S. 86°29'00" E.	100.1
11	12	S. 36°14'10" E.	36.5
12	13	S. 78°09'30" E.	478.9
13	14	S. 55°12'40" E.	325.2
14	15	S. 44°06'00" E.	667.1
15	16	S. 53°38'40" E.	199.7
16	17	N. 40°34'10" E.	34.2
17	18	S. 48°26'20" E.	348.2
18	19	S. 45°21'30" E.	145.0
19	20	S. 70°39'10" E.	350.4
20	21	S. 57°39'30" E.	641.8
21	22	S. 3°09'00" E.	234.4
22	23	S. 34°20'50" W.	984.1
23	24	S. 73°27'50" W.	334.0
24	25	N. 54°39'20" W.	1,321.9
25	26	N. 37°11'10" W.	49.7
26	27	N. 74°38'50" W.	45.8
27	28	N. 54°39'20" W.	1,100.9
28	29	N. 31°10'30" W.	417.9
29	30	S. 81°12'30" W.	12.4
30	31	N. 5°03'40" W.	135.4
31	32	N. 7°04'40" E.	80.2
32	33	N. 7°09'20" W.	69.8
33	34	N. 64°24'20" W.	198.4
34	35	N. 43°29'00" W.	1,108.8
35	36	N. 89°08'50" W.	240.2
36	37	N. 58°57'30" W.	535.6
37	38	N. 34°24'50" W.	214.6
38	39	N. 30°55'40" W.	218.2
39	40	N. 49°17'00" W.	261.4
40	41	N. 69°15'00" W.	220.3
41	42	N. 61°26'00" W.	273.8
42	43	N. 66°18'20" W.	430.3

N. 49°35'50" W., 304.3 feet to monument No. 44, which is a 2½ inch galvanized iron pipe;

N. 49°37'40" W., 1746.1 feet to monument No. 45, which is a concrete post, 8 inches square, monument No. 44–1, which is a 2½ inch galvanized iron pipe, being in line 740.3 feet from the beginning of the course;

N. 45°58'30" W., 199.7 feet to monument No. 46, which is a 2½ inch galvanized iron pipe;

N. 45°59'20" W., 207.1 feet to monument No. 47, which is a concrete post, 8 inches square, monument 46–1, which is a 2½ inch galvanized iron pipe, being in line 148.5 feet from the beginning of the course;

N. 76°17'10" W., 574.0 feet to monument No. 48, which is a concrete post, 8 inches square;

N. 38°14'20" W., 607.1 feet, to monument No. 49, which is a concrete post, 8 inches square, monument No. 48–1, which is a 2½ inch galvanized iron pipe, being in line 155.3 feet from the beginning of the course;

N. 21°04'20" E., 606.7 feet to monument No. 50, which is a concrete post, 8 inches square;

N. 62°29'20" E., 579.2 feet to monument No. 51, which is a concrete post, 8 inches square;

S. 73°35'30" E., 683.6 feet to monument No. 52, which is a concrete post, 8 inches square, 2½ inch galvanized iron pipe monuments Nos. 51–1, 51–2, and 51–3 being in line the following successive distances from the beginning of the course: 184.1 feet, 147.7 feet, and 266.3 feet;

S. 8°44'15" E., 274.5 feet to monument No. 53, which is a concrete post, 8 inches square, monument No. 52–1, which is a 2½ inch galvanized iron pipe, being in line 202.3 feet from beginning of the course;

S. 47°42'45" E., 611.7 feet to monument No. 54, which is a concrete post, 8 inches square,

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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located 37½ feet southwesterly from the centerline of La Pita Road, the geographic position of which is 9°04' plus 806.2 feet North and 79°39' plus 4828.5 feet West from Greenwich, monument No. 53–1, which is a 2½ inch galvanized iron pipe, being in line 180.5 feet from the beginning of the course;

Southeasterly along a line parallel to and 37½ feet southwesterly from the centerline of La Pita Road to monument No. 55, which is a concrete post, 8 inches square, the direct bearing and distance from No. 54 to No. 55 being S. 60°50'50" E., 1261.7 feet;

S. 58°54'20" E., 902.7 feet to monument No. 56, which is a concrete post, 8 inches square;

S. 58°55'20" E., 616.0 feet to monument No. 57, which is a corner post of a woven wire fence that encloses the southern portion of the Naval Radio Station, Summit, Canal Zone;

S. 58°54'00" E., 1657.0 feet to monument No. 58, which is a corner post in a woven wire fence;

S. 69°09'30" E., 69.6 feet to monument No. 59, which is a corner post in a woven wire fence;

N. 81°59'30" E., 61.7 feet, to monument No. 60, which is a corner post in a woven wire fence;

S. 51°40'40" E., 52.1 feet to monument No. 1, which is the point of beginning.

The tract as described contains an area of 320.9 acres, more or less.

The directions of the lines refer to the true meridian. All geographic positions are referred to the Panama-Colon datum of the Canal Zone triangulation system.

The boundary of the above tract was surveyed by the Section of Surveys, The Panama Canal, in November 1943, and is as shown on Panama Canal drawing No. 6112–7, revision No. 1 dated February 1, 1944, entitled "Boundary Map of Naval Radio Station, Summit, Canal Zone", on file in the office of the Governor, The Panama Canal, and the Commandant, Fifteenth Naval District.

SEC. 2. *Conditions and limitations.* The reservation made by section 1 of this order shall be subject to the following conditions and limitations:

(a) The area comprising this reservation shall continue to be subject to the civil jurisdiction of the Canal Zone Government in conformity with the provisions of the Canal Zone Code as amended and supplemented.

(b) The naval authorities shall bear all the costs of the transfer of such area, including the cost of surveys and of cancelation of any agricultural licenses or other permits which may be in force in the area, and including the cost of any such relocations of Panama Canal installations or facilities in the said area as may be made at the request of the naval authorities.

(c) Personnel and equipment of The Panama Canal shall be permitted access to such area to carry out necessary Panama Canal operations in the area or vicinity in connection with drainage, sanitation, surveys, etc., and the protection, maintenance, and repair of Panama Canal power and communication lines.

SEC. 3. *Executive Orders superseded.* This order supersedes Executive Orders No. 7399 of June 23, 1936 and No. 9171 of May 21, 1942,[1] establishing and enlarging, respectively, the United States Naval Radio Station, Summit, Canal Zone.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 8, 1944.

[F. R. Doc. 44–5065; Filed, April 10, 1944; 11:09 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[3d Rev. FPO 9, Order 8]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR MAY, 1944

Pursuant to the authority vested in me by Food Production Order No. 9, Revision No. 3 (8 F.R. 16960), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.10 *Set aside requirements for processors of oilseed for May 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during May 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this Order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

_____ is authorized to purchase and accept delivery of _____ (tons–pounds) of oilseed meal from amounts set aside by _____ of _____
(Name of Processor)
_____, pursuant to the order
(Address of Processor)
of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

FOOD PRODUCTION ADMINISTRATION.

_____ Agricultural Conservation Committee of _____
(Address)

J. B. HUTSON, *Director.*
By _____
(Chairman)

Expiration Date _____

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during April 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during April 1944. A processor shall be entitled to credit such deliveries made in April 1944 against the quantity of oilseed meal which he is required to set aside in May 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer unless the designated buyer furnishes the processor or his agent, before midnight of May 20, 1944, with (1) shipping instructions, and, in the case of designated buyers other than feeders, (2) the statement required by paragraph (h) of Food Production Order No. 9, Revision No. 3. If a processor elects not to honor a Certificate of Designated Buyer under the provisions of this paragraph, he shall return such certificate to the issuing office and he may dispose of the oilseed meal covered by the certificate free from the restrictions of this order.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for April delivery for credit against May set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in April 1944 for credit against his set aside in May 1944, he must report to the Director in writing (or by telegraph) not later than April 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in April 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than June 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: FPO 9–8.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in ac-

[1] 7 F.R. 3842.

cordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 7th day of April 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-4997; Filed, April 7, 1944; 3:18 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 42, Amdt. 5]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

Food Distribution Order No. 42, as amended (9 F.R. 2971), § 1460.1, is amended as follows:

By inserting immediately after paragraph (a) (17) thereof the following:

(18) "Margarine" means any substance the manufacture of which is taxable as oleomargarine under the provisions of Chapter 16, of the Internal Revenue Code (53 Stat. 247, *et seq.*), and in addition thereto, any solid product which is comprised of fats and oils, is packaged in cartons containing not more than two pounds, net weight, is sold by the manufacturer thereof in combination with a coloring and butter flavoring agent, and is principally used in the home for the preparation of a table spread.

This amendment shall become effective at 12:01 a. m., e. w. t., April 11, 1944. However, with respect to violations of Food Distribution Order No. 42, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order No. 42, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4996; Filed, April 7, 1944; 3:16 p. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 3—AWARD OF FELLOWSHIPS IN METEOROLOGY

APPLICANTS FROM OTHER AMERICAN REPUBLICS

Pursuant to the authority contained in R. S. 161, 5 U.S.C. 22, and in section 6 of the President's Reorganization Plan IV, 5 U.S.C. 133t, and subject to appropriations available, fellowships in meteorology will be awarded to qualified applicants from other American Republics, and in accordance with the following authority:

(a) Public No. 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American Republics (See Resolution No. 81, adopted at the Eighth International Conference of American States held at Lima, Peru, December 9–27, 1938, recommending scientific and technical research by institutes, laboratories, and men of scence officially recommended by the American Governments) and

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for compensation, tuition, monthly allowances while not in travel status, and traveling expenses in the United States and abroad, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, and internes, who are citizens of the United States or the other American republics.

Fellowships will be awarded as follows:

Sec.
3.1 Type of fellowship.
3.2 Qualifications.
3.3 Award of fellowships.
3.4 Allowances and expenses.
3.5 Duration.
3.6 Official notification.

AUTHORITY: §§ 3.1 to 3.6 inclusive, issued under R.S. 161, 5 U.S.C. 22; sec. 6 of the President's Reorganization Plan IV, 5 U.S.C. 133t; 53 Stat. 1290, 22 U.S.C. 501, 502 and the Department of State Appropriation Act, 1944, approved July 1, 1943, Pub. Law 105, 78th Cong.

§ 3.1 *Type of fellowship.* Fellowships shall be of the interne-training type, comprising instruction for a period of 35 weeks or more at certain American universities including the University of California at Los Angeles, the California Institute of Technology, the University of Chicago, New York University, and the Massachusetts Institute of Technology, in synoptic, dynamic and physical meteorology, and in addition assignment to a Weather Bureau Station for a period of about 17 weeks for studying the organization and service work of the Weather Bureau.

§ 3.2 *Qualifications.* Applicants selected for these fellowships shall be:

(a) Bona fide citizens of any of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within sixty days of the date of application, describing the applicant's physical condition, and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or research or the performance of any activity incident to the fellowship;

(c) Able to speak, read, write and understand reasonably well the English language;

(d) Of good moral character and shall possess intellectual ability and suitable personal qualities; and shall have successfully completed their academic professional training in a recognized school in any one of the branches related to the science of meteorology, including among others, meteorology, climatology, physics, mathematics, engineering, physical geography, et cetera; and/or shall be a graduate of the Inter-American Meteorological Training School conducted by the Weather Bureau at Medellin, Colombia; and/or shall be a qualified employee of the official meteorological service of the American republic from which selected.

§ 3.3 *Award of fellowships.* Fellowships will be awarded by the Chief of the Weather Bureau, and with the approval of the Secretary of Commerce and of the Secretary of State or his duly authorized representative. No applicant therefor shall be approved unless his application shall have been transmitted by the Government of the country of which he is a citizen through the diplomatic mission of the United States of America located in the Republic concerned.

§ 3.4 *Allowances and expenses.* Applicants awarded fellowships may be entitled to any or all of the following upon approval of the Chief of the Weather Bureau:

(a) *Transportation expenses.* Transportation expenses from Medellin, Colombia, or from the home of the applicant to the place or places in the United States or its territories or possessions where the studies or research are to be pursued and return to the home of the applicant, including travel from the place of study or research to Washington, D. C., and such other places as may be approved by the Chief of the Weather Bureau, and return to his home, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for the following items:

(1) *Rail fare.* First class fare. If travel is performed on an extra-fare train expenses in excess of the first class fare must be borne by the traveler. No receipts are necessary.

(2) *Pullman fare.* Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash, the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.* Not exceeding the lowest minimum first class fare of the ship on which the travel is performed. American vessels must be used if available (Section 901 of the Merchant Marine Act of 1936, 49 Stat. (2015). No receipts are necessary.

(4) *Airplane fare.* Transportation by air will be allowed regardless of the cost when authorized by the Chief of the Weather Bureau. When air travel has not specifically been authorized the traveler may proceed by air with the understanding that he may claim reim-

bursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of the personal effects from the home to the station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling the bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be reimbursed.

In all cases round trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the United States Weather Bureau, Department of Commerce for collection of the refund.

(b) *Per diem while in a travel status.* Per diem in lieu of subsistence at not to exceed the following rates: $6.00 overland or by air within the continental limits of the United States; and $7.00 while outside such limits; $3.00 on vessels outside the United States when the price of passage includes meals.

(c) *Monthly allowance.* A monthly allowance of $135.00 during the period of studies at the university in the United States or its territories or possessions when the fellow is not in a travel status, and $180.00 when assigned to a Weather Bureau Station in cities of over 100,000 population and $150.00 in cities of less than 100,000 population.

§ 3.5 *Duration of fellowships.* Fellowships will be awarded for periods of not to exceed twelve months each.

§ 3.6 *Official notification.* Applicants recommended for fellowships by the Chief of the Weather Bureau and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of their award through diplomatic channels.

[SEAL] W. F. McDONALD,
Acting Chief, Weather Bureau.

Approved: August 27, 1943.

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

Approved: August 28, 1943.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-5041; Filed, April 8, 1944; 4:03 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51035]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

MISCELLANEOUS AMENDMENTS

Section 18.3, Customs Regulations of 1943 (19 CFR 18.3), is hereby amended as follows:

The title is amended to read "Transshipment; transfer by bonded cartman."

Paragraph (a) is amended to read:

(a) When bonded merchandise is to be transshipped under customs supervision at a place other than the port of origin, an additional copy of the manifest on customs Form 7512 shall be prepared by the carrier or shipper. Such additional copy shall be certified and given by the lading inspector to the conductor, master, or person in charge of the conveyance in a sealed envelope to be delivered to the collector at the place of transshipment.

A new paragraph, (d), is added:

(d) All transfers to or from the conveyance or warehouse of merchandise undergoing transportation in bond shall be made under the provisions of Part 21 of these regulations and at the expense of the parties in interest, unless the carrier's bond is liable for the safekeeping and delivery of the merchandise while it is being transferred. (Secs. 551, 565, 624, 46 Stat. 742, 747, 759; 19 U.S.C. 1551, 1565, 1624)

Section 18.7, Customs Regulations of 1943 (19 CFR 18.7), is hereby deleted. (Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

Section 18.19, Customs Regulations of 1943 (19 CFR 18.19), is hereby amended as follows:

Paragraph (b) (1) is amended by deleting the word "nine" and substituting therefor the word "eight."

Paragraph (b) (3) is amended by deleting the first sentence and by changing the comma after the word "exportation" where it appears the second time in the second sentence to a period and deleting the rest of that sentence. (Sec. 557, 46 Stat. 744, secs. 2, 22 (a), 23 (a), 52 Stat. 1077, 1087, 1088, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1624)

Section 18.20, Customs Regulations of 1943 (19 CFR 18.20), is hereby amended as follows:

Paragraph (a) is amended to read:

(a) When an importation is entered for transportation through the United States and exportation to a foreign country, except as provided for in § 5.11 (relating to merchandise in transit through the United States between two points in contiguous foreign territory), eight copies of Customs Form 7512 shall be required.

Paragraph (c) is deleted, and paragraph (d) is relettered as paragraph (c). (Sec. 553, 46 Stat. 742, sec. 21, 52 Stat. 1087, sec. 624, 46 Stat. 759; 19 U.S.C. 1553, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 5, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5001; Filed, April 7, 1944; 4:28 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 1, Apr. 7, 1944 to Rev. VII of Mar. 23, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.[1]

By direction of the President:

CORDELL HULL,
Secretary of State.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
LEO T. CROWLEY,
Administrator,
Foreign Economic Administration.
JOHN C. McCLINTOCK,
Acting Coordinator of
Inter-American Affairs.

APRIL 7, 1944.

[F. R. Doc. 44-5027; Filed, April 8, 1944; 12:15 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, as Amended April 8, 1944, Table 14]

PLUMBING AND HEATING DIVISION

§ 3208.15 *Table for Plumbing and Heating Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State

Type of M-293 Product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen[1]
1. Metal pipe fabricated beyond rolling mill shapes for resale to installers for incorporation into a piping system including but not limited to pipe which has been subjected to the following processes: bending, flanging, van stoning, welding, coiling, and leveling but not including pipe which has been threaded only or cut to a specific length only or which has been beveled by the manufacturer or welding fittings sold as such			3401 or 3003		2
2. Boilers and boiler units, exclusive of those for marine shipment or locomotive use, as follows:					
(a) Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch, all types	X		1700		2
(b) Steel boilers designed for steam pressures over 15 pounds per square inch, having less than 500 square feet of boiler heating surface, of the following types:[2]					
(i) Water tube (ii) Scotch marine (iii) Horizontal return tubular (iv) Refractory lined firebox	X		1700		2
(v) Oil country					
(c) Steel Boilers designed for steam pressure over 15 pounds per square inch all sizes, of the following types:					
(i) Steel Fire box (ii) Vertical (iii) Miniature	X		1700		2

[1] For explanation of time during which shipping schedule is frozen see paragraph (c) (3) of M-293.
[2] For all boilers of types listed above under (2b) having 500 square feet of boiler heating surface and more, and boilers of Dowthern, Mercury, Waste Heat and Electric types—see table #6 of this order.

Issued this 8th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5010; Filed, April 8, 1944; 11:19 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241-a, as Amended Apr. 8, 1944]

CONSERVATION OF PAPER AND PAPERBOARD

§ 3281.64 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) A "converted product" means any article or type of converted paper resulting from the processing of pulp, paper, or paperboard which alters the original form or characteristics of the pulp, paper, or paperboard. The terms includes all articles on any of the lists to this order, but shall not include:

(i) Paper or paperboard manufactured in the first instance by a paper or paperboard mill.

(ii) A "newspaper" as defined in General Limitation Order L-240.

(iii) "Wall paper" as defined in General Limitation Order L-177.

(iv) A "box" as defined in General Limitation Order L-239.

(v) A "magazine" as defined in General Limitation Order L-244.

(vi) A "book" as defined in General Limitation Order L-245.

(vii) A "greeting card" as defined in General Limitation Order L-289.

(viii) A "book match" as defined in General Limitation Order L-263.

(ix) A "paper shipping sack" as defined in General Limitation Order L-279.

(x) Fibre shipping containers, cans, drums, tubs, barrels, dividers, partitions and separators.

(xi) Cups, pails and nested food containers.

(xii) A "display" as defined in General Limitation Order L-294.

(xiii) A "grocery", "variety" and "notion bag" as defined in General Limitation Order L-261.

(xiv) Looseleaf binders.

(xv) Specialty bags.

(xvi) A "flashlight" as defined in General Limitation Order L-71.

(2) A "converter" is any person who, regardless of the identity or nature of his business, manufactures or assembles any converted product.

(b) *Computation of quotas for a portion of a calendar quarter.* Each converter whose quota provisions for a current calendar quarter are affected by this or any subsequent amendment to this order shall compute his permitted quota on a pro rata basis from the effective date of the order for the balance of the current calendar quarter.

(c) *Unrestricted consumption of pulp, paper and paperboard in the manufacture of certain converted products.* Any converter may consume any quantity of pulp, paper and paperboard in the manufacture and assembly of any converted product shown on List A of this order.

(d) *Restriction on consumption of pulp, paper and paperboard in the manufacture of certain named converted products.* (1) No converter shall consume in the manufacture or assembly of any converted product on List B, List C or List D of this order any quantity, in tons, of pulp, paper and paperboard greater than the quantity ascertained:

For the final quarter of 1943, and for each calendar quarter thereafter, by applying the entire percentage figure for each such converted product, as shown in paragraph (d) (2) of this order, to the quantity, in tons, of pulp, paper and paperboard consumed by such person in the manufacture or assembly of such product during the corresponding calendar quarter of 1942.

(2) The following percentage figures shall be used for the calculations described in the preceding paragraph (d) (1):

	Percent
(i) List B products	110
(ii) List C products	100
(iii) List D products	80

(3) [Deleted Oct. 5, 1943]

(e) *Restrictions on consumption of pulp, paper and paperboard in the manufacture of converted products not specifically listed.* (1) No converter shall during the final calendar quarter of 1943 or during any calendar quarter thereafter consume in the manufacture or assembly of any converted product not named on List A, List B, List C or List D of this order, any quantity, in tons, of pulp, paper and paperboard greater than 65 percent of the tonnage consumed in the manufacture or assembly of such converted product during the corresponding calendar quarter of 1942.

(2) In the instance of any converted products not named on any of the lists of this order, the following processes and operations shall not be considered as processing:

(i) Cutting, trimming or rewinding to a different size when such is performed as part of any established finishing room procedure and provided the paper or paperboard so processed is not intended for a use which serves to defeat the purpose of the order. (*Example:* the cutting of plain paper to a given size for use as a tray cover, the manufacture of which is curtailed by this order).

(ii) Punching or corner cutting.

(iii) Super-calendering.

(iv) Laminating.

(v) Coating, friction calendering, flint glazing, plating and embossing.

(vi) Collating and binding.

(vii) Printing, when such contributes to the functional value of the product to such a degree that the product would be incapable of performing the use intended if not printed, (*Examples:* advertising streamers, posters, menus, programs, timetables, sheet music, patterns, decalcomania transfers, checks), or when such printing is an intermediate process in the manufacture of an article or type of converted paper.

(viii) Printed wrappers (excluding gift wrappings) when printing is the only conversion operation other than cutting or trimming.

(ix) Embossing, corrugating, creping and crinkling for industrial and non-decorative uses.

(f) *Alternate method of calculating quotas.* As an alternate method of calculating quarterly quotas for any converted product, any person may, after the filing of a notice in writing with the War Production Board, elect to apply the percentages established by paragraphs (d) and (e) (1) of this order to one fourth of his total yearly consumption of pulp, paper and paperboard in such product during 1942. When such election has been made and the required notice in writing has been given to the War Production Board, the method of determining quotas may not thereafter be changed.

(g) *Converter's responsibility in determining coverage of this order.* It shall be the duty of each converter to determine in the first instance which of his products are included among the converted products referred to in this order. In case of doubt he may apply to the War Production Board in writing describing the product in question, for a specific ruling determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(h) *Inventory restrictions.*

(1) [Deleted Apr. 8, 1944]

(2) No person shall knowingly deliver to any converter and no converter shall accept delivery of, any quantity of any grade of pulp, paper or paperboard if the inventory of such grade in the hands of the converter accepting delivery is, or will by virtue of such acceptance become, either

(i) In excess of two carloads, or

(ii) If in excess of two carloads, greater than 30 days' supply, on the basis of either his average rate of consuming such grade of pulp, paper or paperboard for the preceding quarter or his average rate of consuming such grade of pulp, paper or paperboard as projected for the then current quarter.

(i) *Allocations.* The War Production Board may from time to time direct the production and delivery of specific quantities of any converted product included in this order. Such directions will be made to insure the satisfaction of war requirements both direct and indirect and essential civilian requirements and shall take precedence over any preference rating to the extent indicated by the War Production Board.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C. Ref: M-241-a.

Issued this 8th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—UNRESTRICTED PRODUCTION

Abrasive papers
Adding machine and business machine rolls
Air force emergency packs
Army ration containers
Automotive oil cartridges
Balloons (direct military only)
Blankets
Blueprints and direct line papers
Bomb fins
Bomb rings
Bombs
Building boards
Cable insulation
Calender rolls (for paper and other finishing machinery)
Camouflage paper
Caps for glass bottles and jars
Caps, pads, cushions and guards for fruit and vegetable packing
Carbon paper
Charts, rolls and tape for communication and recording instruments and machines
Cigarette paper books
Clock backs and cases
Clothing
Condensers—component parts thereof
Control knobs and dials
Cores and core plugs
Crepe cellulose wadding
Dental mouth wadding
Diaper linings
Diaphragms—pump and carburetor
Dust and dirt covers and seals for motors, journals, etc.
Dust masks
Egg case fillers and flats
Embalming, surgical and obstetrical sheets
Faces for gauges, clocks and weighing equipment.
Fibre conduit and fittings
Filters
Flare spacers
Friction pulleys and wheels
Fruit and vegetable wrappers for apples, lemons, peaches, pears, and tomatoes, in the instance of original shipment.
Fuses and component parts thereof
Garbage and utility cans
Gas detection armbands and similar products
Gas mask canisters and mask parts
Gas protection capes, tarpaulins & similar products
Gaskets
Gears
Grenades and grenade containers
Gummed sealing and corrugated tape
Gummed stay tape
Gun & rifle protection sleeves
Helmets and helmet accessories
Hospital wadding
Industrial receptacles such as tote boxes, cans, barrels and trucks
Instrument panels
Insulation boards
Impervious papers and specialty containers made therefrom, including waxed, for direct war use but limited to those grades covered by specifications issued by the U. S. Army, U. S. Navy, U. S. Marine Corps, or the Federal Standard Stock Catalog
Jettison tanks
Lens tissue
Lithomat and photomat paper
Milk bottles, milk bottle hoods and milk bottle caps
Mimeograph stencils
Nuts and screws
Paper base plastics
Parachutes and parachute spreaders
Photographic and photo copying papers
Plant protectors
Plates and mats—printing, lithographic, duplicating and reproduction
Poultry incubators, brooders and feeders
Prepared tracing
Pressure sensitive adhesive tape.
Ration bags
Roofing, shingles and building papers (treated)
Sanitary napkins
Seed packets for use by original growers or packers of seed
Shell containers
Shoes and component parts thereof
Shotshell and ignition cartridges
Surgical bandages
Surgical masks and caps
Tabulating cards
Tags, commercial and industrial only (unprinted)
Tank and transformer liners
Targets
Tea ball bags, but limited to bags for small broken leaf, fannings, siftings and dust
Telephones, component parts of
Textile cores, tubes and spools
Toilet seat covers
Twisted paper including but not limited to yarn, twine, cord, rope and strapping
Valves
Vegetable parchment
Veneer tape
V-mail blanks
Vulcanized fibre
Wall boards
Waterproof and moistureproof packaging papers (asphalt and resin impregnated and laminated)

LIST B—PRODUCTS PERMITTED AT 110% OF 1942

Envelopes, in all styles except expansion type
Fillers, looseleaf (except accounting)
Household waxed paper, all styles
Index cards, plain and ruled
Paper stationery and papeteries
Straws (soda and drinking)
Tablets, pads and notebooks
Toilet tissue, other than facial type of two ply or more
Towels for industrial use
Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A.

LIST C—PRODUCTS PERMITTED AT 100% OF 1942

NOTE: "Fruit and vegetable wrappers * * *" deleted Apr. 8, 1944.

Artificial leather
Buttons
Cake boards
Concrete forms
Dental pinafores
Dishes and plates
Facial tissue
File cabinets
Forks and spoons
Gummed flat paper
Hat and cap visors
Headrest rolls
Jacquard cards
Light shades and reflectors
Lunch boxes
Napkins, for industrial and institutional use (bulk and dispenser type)
Napkins for home use (retail packages)
Permanent wave pads
Photo mailers
Photo mounts
Sales tax tokens
Shirt bands
Stereotype mats
Tympan paper

LIST D—PRODUCTS PERMITTED AT 80% OF 1942

Barber's neck bands
Carpets and rugs
Expanding envelopes or pockets
File dividers and indexes
Fly paper
Fly ribbons
Folders (file)
Games and toys of all types (except playing cards)
Music and player piano rolls
Slippers
Snap, button, hook and eye and zipper cards
Soap wraps, including all component parts thereof except wax paper
Textile boards, excluding shirt boards
Toilet tissue, facial type of two or more ply
Towels for home use (Retail package)
Venetian blinds
Vertical file pockets
Window shades

LIST E [Deleted Oct. 5, 1943]

INTERPRETATION 1

WAXED PAPER CONVERSION

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M-241-a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the purpose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order. (Issued Feb. 15, 1944.)

INTERPRETATION 2

RETAIL UNITS

This interpretation of General Conservation Order M-241-a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores, the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M-241-a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter. (Issued Feb. 15, 1944.)

[F. R. Doc. 44-6011; Filed, April 8, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317,[1] as Amended Apr. 8, 1944]

COTTON TEXTILE DISTRIBUTION

§ 3290.115 *General Conservation Order M-317*—(a) *Definitions.* In this order:

(1) "Cotton textiles" means the following products, containing more than 50% by weight of cotton or cotton waste, or a combination of the two:

(i) Woven fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister spindles.

"Cotton textiles" does not include cotton duck as defined in Conservation Order M-91; or blankets containing 25 percent or more by weight of wool; or fabrics (other than blankets) or yarns, containing wool and produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means

tiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(*a*) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1;

(*b*) Use the ratings assigned by this order; and

(*c*) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[2] The preference ratings specified in the Preference Rating Schedules of this order are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III. The revocation of any rating and its effect is stated in the appropriate group of the Preference Rating Schedules.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB-2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he has applied or extended that rating or a rating assigned on Form WPB-2842. He may not purchase that cotton textile for the specified purpose with any other rating which he may have (whether higher or lower), nor may he purchase it without a rating for that purpose. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army,

LIST D—PRODUCTS PERMITTED AT 80% OF 1942

Barber's neck bands
Carpets and rugs
Expanding envelopes or pockets
File dividers and indexes
Fly paper
Fly ribbons
Folders (file)
Games and toys of all types (except playing cards)
Music and player piano rolls
Slippers
Snap, button, hook and eye and zipper cards
Soap wraps, including all component parts thereof except wax paper
Textile boards, excluding shirt boards
Toilet tissue, facial type of two or more ply
Towels for home use (Retail package)
Venetian blinds
Vertical file pockets
Window shades

LIST E [Deleted Oct. 5, 1943]

INTERPRETATION 1

WAXED PAPER CONVERSION

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M-241-a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the purpose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order. (Issued Feb. 15, 1944.)

INTERPRETATION 2

RETAIL UNITS

This interpretation of General Conservation Order M-241-a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores, the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M-241-a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper consumed during the base period. It is permitted to calculate an aggregate quota and to consume any grade or kind of paper, plain or printed, within the quota without regard to the maintenance of the same relationship of grade and kind that prevailed during the base period.

Any person who did not consume paper during the base period of the order in the conversion of such retail units of wrapping and other papers has no basis from which to calculate a quota and, therefore, cannot become a converter.

There is a distinction in the instance of printed wrapping paper as follows:

1. When printed wrapping paper is delivered by the printer in bulk form (not packaged) for further sale or further distribution the printer is the "converter" as defined in the order, and, therefore, subject to the restrictions of paragraph (e); but,

2. If the printer delivers the printed wrapping paper to a person for subsequent conversion into retail units, the final converter is the one subject to the restrictions of paragraph (e) and not the printer.

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter. (Issued Feb. 15, 1944.)

[F. R. Doc. 44-6011; Filed, April 8, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317,[1] as Amended Apr. 8, 1944]

COTTON TEXTILE DISTRIBUTION

§ 3290.115 *General Conservation Order M-317*—(a) *Definitions.* In this order:

(1) "Cotton textiles" means the following products, containing more than 50% by weight of cotton or cotton waste, or a combination of the two:

(i) Woven fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister spindles.

"Cotton textiles" does not include cotton duck as defined in Conservation Order M-91; or blankets containing 25 percent or more by weight of wool; or fabrics (other than blankets) or yarns, containing wool and produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1;

(b) Use the ratings assigned by this order; and

(c) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[2] The preference ratings specified in the Preference Rating Schedules of this order are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III. The revocation of any rating and its effect is stated in the appropriate group of the Preference Rating Schedules.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB-2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he has applied or extended that rating or a rating assigned on Form WPB-2842. He may not purchase that cotton textile for the specified purpose with any other rating which he may have (whether higher or lower), nor may he purchase it without a rating for that purpose. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

This rule does not change the rating on the finished product. For example, even though a manufacturer (processor), who is given a rating, according to the AA-2X Preference Rating Schedule, to obtain twills to make coated abrasive products, holds an AA-1 order for coated abrasive products, he must use the AA-2X rating given by the schedule to obtain the twills, and may not use the AA-1 rating for this purpose. The AA-1 rating, however, remains applicable to the finished coated abrasive product for all other purposes (such as to determine the sequence of deliveries).

[1] Limitation Order L-99 relates to cotton textile production.

[2] Conservation Order M-328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. In addition, the provisions of subparagraph (1) below shall be followed in the case of products which are to be exported in the form of cotton textiles, and the provisions of subparagraph (2) below are to be followed when cotton textiles are not to be exported.

(1) *Cotton textiles for export.* Except where the cotton textile is for direct or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, the purchaser shall place upon the purchase order an appropriate notation (with the blanks properly filled in), substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ---------- [In, the case of United States Treasury Procurement for Foreign Economic Administration];

The preference rating was applied in connection with Export License number---------, or Release Certificate number---------- [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration]

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number ---------- [In the case of exports to Canada.]

(This notation is to be used when the rating is for the export of a cotton textile, in the form of cotton textile as defined in this order. When this is done the requirements of M-328 are met and it is unnecessary to use any other notation.)

(2) *Cotton textiles for domestic use.* A person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. ---------- [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB ----------, Serial No. ---------- [Insert the War Production Board form number and its serial number.]

(This notation is to be used when the rating for a cotton textile, as defined in this order, is assigned by a Preference Rating Schedule or a War Production Board form. When this is done the requirements of M-328 are met and it is unnecessary to use any other notation.)

The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the specific notation of subparagraph (1) or (2) above must be added.

(e) *Restrictions on extension of rating to obtain fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable to fill that yarn order.

(f) *Obligations in respect of rated orders.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, in each calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of this order.

(2) No producer shall be required to fill rated orders in excess of the percentage of his production of each cotton textile as specified in the Distribution Schedules, computed by calendar quarters.

(3) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules.

(4) No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(g) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule or in Column VI of a Distribution Schedule of this order.

(h) *Exports.* No person shall purchase for export without a preference rating any of the cotton fabrics defined in paragraph (a) (1) (i), except woven or braided fabrics 12 inches or less wide; and rags (pieces shorter than two yards commonly sold by the pound).

(i) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(j) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(k) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control, and may be deprived of priorities assistance.

(n) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 8th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-1 Preference Rating Schedule

Preference rating AA-1 is assigned for each group to the intermediate processor, processor and merchant in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor.	Carded yarn. Combed yarn. Hawser cord (ring twisted only). Seine twine (ring twisted only).	Wire and cable insulation. Wire rope centers.
2	Processor. Merchant.	Fishing twine.	Commercial fishing gear, as defined in Limitation Order L-32. Twines for mending, repairing, and hanging commercial fish nets. Commercial hand fishing lines.
3	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.

AA-2X Preference Rating Schedule

(Schedule amended Apr. 8, 1944.)

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
4	Processor. Merchant.	Bagging fabrics, leno. Bagging fabrics, other special. Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers. See note.
5	Merchant. User.	Cord, filler. Thread. Twine (other than seine).	Bag closures.
6	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
7	Intermediate processor. Processor	Drill Jean. Print cloth of less than 80 sley Sheeting: Class C. Twill.	Coated abrasive products.
8	Processor.	Yarn, carded. Yarn combed.	Transmission belts, tapes and ropes. Polishing, grinding and rouging belts. Harvester webbing. Shuttle strap belt. See note.
9	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering. See note
10	Intermediate processor. Processor.	Covert. Denim. Drill Moleskin. Print cloth. Sateen Sheetings: Class A. Class B. Suede. Twill. Tobacco cloth. Thread, sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
11	Intermediate processor. Processor.	Drill. Flannel, ranton. Flannel outing. Meats cloth. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill.	Surgical dressings, meaning those products used in the cure, mitigation, treatment or prevention of traumatic or pathological conditions resulting from surgery, injury or disease, and which are commonly known and sold as surgical or medical products.

Note: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

AA-2X—Preference Rating Schedule—Continued

Group	Column I	Column II	Column III
12	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943. Schedule A. Code 18.
13	Intermediate processor. Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheeting: Class A. Class C. Twill. Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. See note.
14	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafer fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products. See note
15	Intermediate processor. Processor.	Lawn. Osnaburg. Print cloth. Sheetings: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape for industrial uses: Carton tape. Corrugated or fibreboard boxstay tape. Gummed cloth tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. Sealing tape. Supporting tape. Identifying tape.
16	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (see Group 12 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use)
17	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.
18	Intermediate processor. Processor	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics. See note.
19	Merchant. User.	Drill. Flannel, canton Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
20	User	Cord, solid braided.	Signal or control cords for use by common carriers.
21	Processor.	Yarn, carded. Yarn, combed.	Paper makers' blankets. Woven felts for industrial purposes.
22	Processor.	Yarn, carded. Yarn, combed.	Card clothing fabric.
23	Processor.	Print cloth of less than 80 sley. Yarn, carded.	Blasting caps and fuses.
24	Intermediate processor. Processor. Merchant. User.	Bagging leno. Drill. Flannel. Osnaburg. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill. Twine (other than seine). Yarn, carded.	Agricultural and food processing uses: Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils. See note.

Note: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
25	Processor.	Osnaburg.	Membrane waterproofing (asphalt saturated fabric).
26	Intermediate processor. Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidizing cloths, impregnated and laminated fabrics).
27	Intermediate processor. Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
28	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manufacturing plants
29	Intermediate processor. Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-4 PREFERENCE RATING SCHEDULE

(Schedule amended Apr. 8, 1944.)

Preference rating AA-4 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
30	Intermediate processor. Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Sateen, warp. Suede. Tobacco cloth. Twill, four leaf. Whipcord. Thread, sewing.	Men's and boys' work clothing, meaning any garments designed for male workers' wear while engaged in their occupations and of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes' or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers coats or apron sets. Cooks' coats. Shop and work caps. See note.
31	Intermediate processor. Processor.	Print cloth. Sheetings: Bed. Class B. Class C. Thread, sewing.	Oilskin jackets, coats, hats or apron overalls. Occupational protective clothing (i. e. black rubber clothing).
32	Intermediate processor. Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill. Thread, sewing.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
33	Intermediate processor. Processor.	Drill. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear, as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217. See note.
34	Processor.	Knitting yarns.	Knitted cotton linings to be used only in the manufacture of rubber footwear, as defined and limited in Rubber Order R-1.

NOTE: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

AA-4 PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
35	Intermediate processor. Processor.	Diaper cloths: Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Tobacco cloth.	Diapers or finished diaper cloth packaged for consumer distribution.
36	Intermediate processor. Processor.	Tobacco cloth.	Sanitary napkins.
37	Processor.	Yarn, carded.	Wicking for oil lamps and stoves.

AA-5 PREFERENCE RATING SCHEDULE

(Schedule amended Apr. 8, 1944.)

Preference rating AA-5 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
38	User.	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheeting: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Toweling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
39	Intermediate processor. Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths. See note.
40	Intermediate processor. Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheeting: bed. Sheeting: Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance uses. For manufacture into coated fabrics for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motorcycle seats. Instrument cases. Shoes. Infants' waterproof panties. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinettes. Water repellent sheeting or sheets. Play pen pads. High chair pads. N. b. This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacturers of the end products to obtain coated fabrics. See note.
41	User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies. See note.
42	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

NOTE: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE

(Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-656E (12-15-43).

Column II shows the cotton textiles covered by this schedule. The calendar quarter in 1943 in which a producer sold the largest percentage of his yarn production is his base period. Each producer must make available for distribution in accordance with the Distribution Schedule in each calendar quarter the same percentage of his yarn production as he sold in his base period. This yarn is called "sale yarn."

DISTRIBUTION SCHEDULE—FINE COTTON GOODS—Continued

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders. However, where the percentage in Column IV amounts to 100, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than the previously accepted rated order would result in having more rated orders than the Column V

Reference Nos.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Carded cotton sale yarn				
1	10 thru 18	Single machine knitting: Single (carded, coarse)	45	70		
2	1 thru 3, 22, 23, 26, 27, 29	20's and coarser	65	85		
3	4, 5, 29	Finer than 20's	50	70		
4	6 thru 18, 19, 21, 25 thru 30	Ply yarns	75	80		
5	20	Mop yarns		100		
		Combed cotton sale yarn				
6	51 thru 58	Single and ply machine knitting: 70's and coarser	35	80		
7	57 thru 60	Finer than 70's		100		
8	30 thru 33, 62	Single machine knitting: 40's and coarser	90	100		
9	33 thru 35, 62	Finer than 40's and coarser than 71's	45	60		
10	36 thru 39, 62	71's and finer	55	85		
		Ply yarn (other than machine knitting and thread yarn):				
11	40 thru 43, 60, 62	40's and coarser	90	100		
12	43 thru 45, 60, 62	Finer than 40's and coarser than 71's	70	85		
13	46 thru 50, 62	71's and finer	30	50		
14	61	Thread yarn		100		
15	74, 75	Seine twine and cable cords (including fish net twine and cords made from such twine)	90	100		
16	70 thru 73	Twines, other than seine twine and cable cords	60	80		

DISTRIBUTION SCHEDULE—FINE COTTON GOODS

(Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-653 (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filed only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI unless otherwise specified apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before January 1, 1944.

Reference Nos.	Column I	Column II	Column III	Column IV	Column V	Column VI
17	10, 11	Combed broadcloths 2/[illegible]-128 x 68 and 2/[illegible]-136 x 60	10	75	100	
18	12	All other combed broadcloths	10	20	100	
19	13	Basket cloth	10	10	100	
20	17	Fancy handkerchief fabrics			100	
21	19 thru 27	Lawns (Combed, part-combed and carded)	10	45	70	
22	28 thru 31	Mull muslins	7½	7½	100	
23	32	Dotted Swiss	10	10	100	
24	34	Ginghams			100	
25	37, 38	Poplins	10	60	80	
26	40	Combed poplins	10	20	70	
27	41, 42	Combed and part-combed sateens	10	20	70	
28		Carded sateens (average yarns finer than 36s)	10	20	100	
29	43	Combed sheeting, including bed sheeting and pillow cases	10	10	100	
30	44	Shirtings (jacquard gray-dobby and colored yarn)	10	10	100	
31	53, 55	Combed and part-combed twills	10	20	80	
32	54	Carded twills (yarns finer than 36s)	10	20	80	
33	56	Tracing cloth		20	100	
34	57	Typewriter ribbon cloth		20	100	
35	59	Voiles		10	100	
36	60, 61	Combination cotton and rayon fabrics (chiefly cotton)	10	10	100	
37	62	All other combed, part-combed and fine carded fabrics (yarns finer than 36s)	10	20	100	
38	63	Airplane fabrics and balloon cloth, combed cloth, sateen cloth (PQD-200), wind resistant poplins (PQD-200), wind resistant poplins—Type 11 (PQD-1A), wind resistant sateens, 9 oz. (PQD-24B-D), twills (combed), Army 6.0 oz. shirting twill (6-20-43), Army 8.5 oz. herringbone twill (6-20-b), Navy twills	3½	75	100	Seconds, shorts and remnants only may be delivered for export.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

(Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-653B (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filed only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI unless otherwise specified apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before January 1, 1944.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Sheeting and allied coarse and medium yarn fabrics (approx. 6's to 27's)				
40	1 thru 8	Osnaburgs	5	100	100	
41	9	Lens bag fabrics		100	100	
42	10	Special bag fabrics		100	100	
43	11	Bale coverings (for cotton, cloth, etc.)			100	
		Class A sheetings:				
44	14	36" 48 x 44 2.85 yd	[1] 5	100	100	At least 80% of each must, and not more than 90% may, be sold by the *producer* on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
45	15	40" 48 x 44 2.85 yd	[1] 5	100	100	
46	16	40" 48 x 44 2.50 yd	[1] 5	100	100	
		Class B sheetings:				
47	21	40" 48 x 40 3.25 yd	[1] 5	100	100	
48	22	40" 48 x 40 3.75 yd		100	100	These cotton textiles, as piece goods, may not be delivered for export except to Canada. At least 80% of each must, and not more than 90% may, be sold by the *producer* on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
49	23	37" 48 x 44 4.00 yd		100	100	
50	24	40" 44 x 40 4.25 yd	[1] 40	100	100	At least 90% of each must, and not more than 40% may, be sold by the *producer* on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
51	26	31" 48 x 44 5.00 yd		100	100	These cotton textiles, as piece goods, may be sold only on the ratings assigned under Group 4 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
52	17 thru 20	All other class A constructions	[1] 25	100	100	At least 65% of each group must, and not more than 70% may, be sold by the *producer* on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
53	26 thru 29	All other class B constructions	[1] 25	100	100	
54	30 thru 39, 41, 43	Class C sheetings, under 42"	10	70	100	
55	40, 42, 45	Class C sheetings	10	50	70	
56	44	Bandoleer and Navy mattress cover fabrics		80	100	
		Bed sheetings, 42" and wider (including made up sheets and pillow cases):				
57	46, 47	Sley of more than 64	10	30	50	
58	48, 49	Sley of 64 and less	10	20	50	
59	50	Pillow tubings			100	
60	50	Industrial tubings		100	100	
61	51	Carded poplins (sheeting yarns)	10	35	50	
62	52	Army 8.5 oz. herringbone twill (Army Spec. No. 6-20l)		75	100	
63	53 thru 60	Other three leaf herringbone twills, all drills and jeans	10	75	100	Jeans, as piece goods, may not be delivered for export.
64	61	Three leaf pocketing twills 30" 2.56 or 3.00 yd. (sheeting yarns)	10	25	40	
65	62	Three leaf silesia twills (sheeting yarns)		75	100	
66	63 thru 69	Four leaf twill fabrics	10	75	100	
		Warp and filling sateens (sheeting yarns):				
67	70	Narrow (under 42")	10	30	50	
68	71	Wide (42" and wider)		75	100	
69	72	Gabardines (carded)	10	20	50	
70	73	Birdseye diaper cloth		100	100	May not be used for industrial purposes.

[1] Shipments to Canada may not be counted as exports of these class A and class B sheetings.

[2] Effective as of April 1, 1944.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Print cloth yarn fabrics (approx. 28's to 42's)				
71	74	Print cloth yarn fabrics of window shade quality—all counts		80	80	
72	75, 81, 82	Plain print cloths, 80 sley and higher		100	100	These cotton textiles, as piece goods, may not be delivered for export.
73	76 thru 81, 83, 86	Other plain print cloths (including fancies, other than dobby weave), except bandage cloths	10	25	70	
74	84	Pajama checks		70	100	
75	85	Gauze diaper cloth		100	100	May not be used for industrial purposes.
76	87, 88	Bandage cloths (90 to 72 threads per square inch)	10	90	100	
		Tobacco and cheesecloths:				
77	89	All widths, 20 x 12 construction		80	100	
78	90	All widths, 17 to 18 sley, 12 to 14 pick		100	100	May be used only for sanitary napkins and milk filters.
79	91	All other constructions	5	80	100	
80	92 thru 95	Carded broadcloth, plain and fancy	10	25	50	
81	96	Carded poplins (print cloth warp yarns) plain and fancy	10	25	50	
82	97	Three Leaf Twills (print cloth yarns)	10	25	50	
		Colored yarn fabrics				
83	98 thru 100	Denims, pin stripes, pin checks, hickory stripes, etc.: 3.00 yd. and heavier (basis 28")		100	100	
84	103, 104	Lighter than 3.00 yd. (basis 28")	10	50	75	
85	107 thru 110	Cottonades and suiting coverts	10	90	100	
86	111	Whipcords and bedford cords	10	90	100	
87	112	Ginghams	10	10	100	
88	113, 114	Seersuckers	10	45	100	
89	115, 116	All other all cotton suitings	10	10	100	
90	117, 118	Cotton and rayon suitings (51% or more cotton)	10	10	100	
91	119 thru 121	Shirting coverts	10	75	100	
92	122	Chambrays (36" 3.90 yd.)		100	100	Except for shorts, remnants and prison-made goods, these cotton textiles, as piece goods, may not be delivered for export.
93	123	All other chambrays	10	10	100	
94	124	Bedtickings	10	10	100	
		Towels, toweling and dishcloths, washcloths and bath mats				
95	125	Turkish and terry woven	7½	20	50	
96	126	Huck	5	30	85	
97	126	Damask and jacquard woven (other than terry)	5	5	50	
98	127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon)	5	25	50	
99	128	Dishcloths			100	
		Napped fabrics				
100	129	Outing flannels	10	75	80	
101	130, 131	Work shirt flannels	5	70	90	
102	132	Canton flannels		90	100	At least 85% must be sold for the manufacture of work gloves.
103	134	Interlining flannels		10	100	
104	135	Moleskins and suedes	10	100	100	
105	133, 136	All other napped fabrics, except blankets	10	75	90	Neither gun patch flannel nor gun patches may be delivered for export.
		Soft filled sheetings for napping:				
106	12	Under 42"	10	10	100	
107	13	42" and wider	10	10	100	
108	137	Blankets and blanketing, crib			50	
109	138 thru 140	Blankets and blanketing, other than crib	5	10	50	
		Other woven cotton fabrics and specialties				
110	133	Corduroys, Men's Wear Weights 36"—12 to 13 oz. Thicksets	2½	100	100	
111	152, 154	All other corduroys	2½	15	100	
112	143, 144	Bedspread fabrics—woven style			100	
113	147	Flag bunting		80	100	
114	148 thru 151	Drapery, upholstery, tapestry, luggage and automobile seat cover fabrics	10	10	100	
115	155, 156	Velvets, velveteens, plushes and other pile fabrics	5	35	65	
116	157	Table damask	5	5	40	
117	145, 146, 158	All other carded fabrics, except ducks and tire fabrics	10	10	100	

NOTE: Interpretation 1 of M-317 is a question and answer interpretation.

[F. R. Doc. 44-5013; Filed, April 8, 1944; 11:20 a. m.]

[Limitation Order L-260, Revocation]

PART 3291—CONSUMERS DURABLE GOODS

FURNITURE

Limitation Order L-260 (§ 3291.65) is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Order L-260-a, as amended, simultaneously with this revocation.

Issued this 8th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5012; Filed, April 8, 1944; 11:19 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, as Amended Apr. 8, 1944]

FURNITURE AND FURNITURE PARTS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of wood and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3291.66 *General Limitation Order L-260-a*—(a) *What this order does.* This order governs the manufacture and distribution of furniture. It restricts the use of certain materials in the production of furniture both for civilian use, and for all other uses, including Army, Navy or other Governmental orders.

(b) *Definitions.* For the purposes of this order:

(1) The term "manufacturer" means any person who makes, assembles, finishes or upholsters any new furniture.

(2) "Furniture" as used in this order means all articles commonly known as furniture including, but not limited to, products shown on List I, but not including products shown on List II.

(3) "Wood" means furniture parts and all sawed lumber including round edge, of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. The term does not include veneer and all veneer constructed plywood, whether produced or purchased by a manufacturer. Neither does it include slabs, edgings, trims and off-falls less than 3 inches wide or less than 4 feet long when purchased in such form.

(4) "Veneer" means, for the purpose of this order and only for the purpose of this order, a layer of wood ⅜ inches or less in thickness whether sawn, sliced or rotary cut.

(5) "Furniture parts" as used in this order means parts, unassembled or assembled, intended for use in the production of furniture, including but not limited to, dimension parts whether or not cut to size, machined or partially machined, carvings, turnings, venetian blind slats, moldings, lumber cores used or purchased as such or in the form of plywood.

(6) "Pattern" means any piece of furniture, whether or not containing wood as defined in paragraph (b) (3), having its own identification mark and selling price, except that for the purpose of this order, two or more pieces of furniture identical in every respect other than color, finishing material, fabric, leather or other outer covering or cover, species of wood or veneer, spring construction, content of metal parts or method of joining shall be considered one pattern, whether or not they have the same selling price. A suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Upholstery springs" means any type of spring, intended for use in upholstered furniture, whether flat, coiled or otherwise formed, made of metal, including but not limited to, upholsterer's seat springs, spring cushion units, pillow springs, flat or formed under-constructions, spring constructions, spring supporting bars, edgewire and edgewire clips.

(8) "Upholstered furniture" means padded furniture whether or not containing upholstery springs.

(c) *Restrictions on use of wood.* During any calendar quarter, no manufacturer shall use in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these combined purposes in the calendar year 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which it was received or is first assembled, finished or upholstered. In computing the amount of wood used in items such as furniture parts or as assembled furniture, bought otherwise than by gross board-foot measurement, a manufacturer may convert it to board feet by any reasonable and consistent method.

(d) *Restrictions on receipt of wood.* No manufacturer shall accept any delivery of wood, which, added to all inventory on hand, including wood in dry kilns, will give him a supply greater than:

(1) 42% of the amount of wood (which requires kiln or air drying prior to use) consumed by him in the production of furniture in 1943.

(2) 21% of the amount of other wood, consumed by him in the production of furniture in 1943.

(e) *Restrictions on patterns.* (1) Until June 1st, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 35% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(2) On and after June 1, 1944, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 25% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(3) No manufacturer shall produce or offer for sale any pattern of furniture which had not been offered for sale by him prior to March 15, 1943, or any pattern which has not been specifically authorized in writing by the War Production Board.

(4) Request for specific authorization to make a change in patterns should be made by letter addressed to the War Production Board, Washington, 25, D. C., Ref: L-260-a.

(5) The provisions of this paragraph (e) do not apply to the manufacture of the following: (i) venetian blinds; (ii) furniture to fill any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Public Housing Authority.

(f) *Restrictions on the use of metal.* (1) No manufacturer shall use in the production of upholstered furniture in any calendar quarter more metal upholstery springs than 12½% by weight of the total weight of metal upholstery springs used by him in the year 1941.

(2) No manufacturer shall use in the production of furniture any steel sheet or strip which is 12 inches or more in width.

(g) *Small manufacturers excluded.* This order does not apply to any manufacturer in any quarter in which his sales of furniture are less than $5,000.00 provided that his sales did not exceed $20,000.00 in any of the years 1941, 1942, or 1943.

(h) *Equitable distribution to retailers.* It is the policy of the War Production Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections and also to the needs of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may issue directions with respect to sales to specified outlets or to outlets in specified areas.

(i) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or furniture part which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications, other than appeals, concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-260-a, as amended.

Issued this 8th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

This list includes certain items subject to this order. It is not intended to be all inclusive.

Item No.	Description
1	Household furniture.
2	Porch and lawn furniture including swings and gliders.
3	Camp furniture.
4	Juvenile furniture including baby cribs, high chairs, toilet chairs, nursery toilet seats, and juvenile bathinettes, play pens, and porch and stair gates, table and chair sets, desk sets.
5	Office furniture.
6	Restaurant furniture, portable.
7	Public building furniture (including furniture for schools, theaters, assembly halls, churches, libraries, hospitals.)
8	Office, store fixtures and show cases except refrigerated.
9	Venetian blinds.
10	Barber shop and beauty shop furniture except barber chairs.
11	Store display stands and cabinets.
12	Furniture frames.
13	Wooden filing cabinets.
14	Telephone booths.
15	Folding furniture such as tables, chairs, luggage racks.
16	Storage chests and utility cabinets other than permanent fixtures.
17	Step stools.
18	Reed and rattan furniture.

LIST II

This list includes certain items not covered by this order.

Item No.	Description
1	Metal office furniture and equipment subject to Limitation Order L-13-a.
2	Metal household furniture subject to Limitation Order L-62.
3	Bedding products subject to Limitation Order L-49.
4	Hospital, medical and surgical furniture and related equipment subject to Limitation Order L-214.
5	Laboratory equipment subject to Limitation Order L-144.
6	Refrigerators.
7	Wooden lockers, industrial and institutional.
8	Wooden shelving.
9	Wooden factory and industrial equipment.
10	Fixtures specifically designed to be built in or permanently attached.
11	Cafeteria and lunch counters.
12	Woodenware.
13	Drafting tables.
14	Luggage such as footlockers.

[F. R. Doc. 44-5014; Filed, April 8, 1944; 11:19 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 12]

INCREASED QUOTAS FOR SEASONAL BUSINESSES

The following interpretation is issued with respect to CMP Regulation 5:

(a) Paragraph (f) (4) of CMP Regulation No. 5 as amended on February 26, 1944, permits the use of a specific quota authorization as an increased quota for all following quarters. Thus if a particular company's quota has been increased by specific authorization during the fourth quarter of 1943 from $100,000 to $125,000 the company has a quota for each succeeding quarter of $125,000.

(b) In the case of a person operating under a seasonal quota under paragraph (f) (2), his quarterly quota varies from quarter to quarter based on the similiar quarter of 1942. Consequently, when a seasonal quota has been increased by specific authorization for any one quarter, that increase does not increase all succeeding quarters, but may only be used as an increased quota during the same quarter of the following year. Thus if a company operating on a seasonal basis had a quota during the third quarter of 1943 of $10,000, and during the fourth quarter of 1943 of $50,000 and received an increase of the fourth quarter's quota from $50,000 to $60,000, its quota for the third quarter of 1944 would remain at $10,000, although its fourth quarter quota of 1944 would become $60,000.

(c) Where a company has received succeeding special authorizations increasing a quota, and where it is not on a seasonal basis, the last special authorization determines the company's quota during each following quarter.

Issued this 10th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5099; Filed, April 10, 1944; 11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended Apr. 6, 1944 [1]]

LUMBER CONSUMERS' REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.121 *Order L-335*—(a) *What this order does.* This order requires large consumers of lumber to file application with the War Production Board stating their requirements for the second and third quarters of 1944 and prohibits them from receiving lumber after April 25, 1944, unless they file their applications. These applications will be used by the War Production Board as a basis for authorizing the applicants to receive lumber, during part of the second and all of the third quarters, under procedures which will replace existing procedures under other orders. These procedures will be described in a later revision of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed or hewed railway cross ties and switch ties, and any sawed lumber of any species, size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except:

(i) Dogwood, rattan, and aircraft grade of sitka spruce;

(ii) Shingles, lath, and slabs;

(iii) Edging, trim, and off-fall less than three inches wide or less than four feet long, unless produced for the purpose of evading this order;

(iv) Hardwood flooring;

(v) Items produced from lumber but not classified in the trade as "lumber" such as box shook, last blocks, and mill work;

(vi) Used lumber.

(2) "Class I Consumer" means any person or any part of a person's operation (such as a plant, branch, or department) as to which a separate lumber inventory is regularly maintained, which either received more than 50,000 board feet of lumber during the last quarter of 1943 or expects that he will need to receive more than 50,000 board feet of lumber during either the second or third quarters of 1944, for all purposes, except: (i) operations for which producers have been assigned serial numbers under Order P-56 (regarding mines and smelters); (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iii) resale by a sawmill or distributor; (iv) use outside the 48 states and the District of Columbia; and (v) construction jobs which have been expressly authorized by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission from the War Production Board for construction. This exception does not include those construction jobs which do not require the permission of the War Production Board or any Federal agency under Order L-41. If a person has two or more branches, plants, departments, or other divisions which regularly maintain separate lumber inventories and none of which comes within the above definition, then neither the person nor any of its divisions is a "Class I Consumer". Thus, if a company has two plants maintaining separate lumber inventories each of which consumed less than 50,000 board feet of lumber in the last quarter of 1943 and expects to consume less than 50,000 in each the second or third quarter of 1944 then neither of the plants nor the company is a "Class I Consumer". If either plant consumed over 50,000 board feet of lumber during the last quarter of 1943 or expects to consume more than 50,000 board feet of lumber during either the second or third quarter of 1944, such plant would be treated as a separate "Class I Consumer" for all purposes under this order. Inventories may not be split for the purpose of evading this order.

(3) "Sawmill" means:

(i) Any mill or plant, stationary or portable, which produces any lumber; and,

(ii) Any concentration yard or plant other than a mill if the yard or plant is located in a producing area and processes by drying, sawing, edging, planing, or some other comparable method, 25 percent or more of the total volume of logs and lumber which it receives.

(iii) The term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(4) "Sawmill stock" means any lumber in the possession of a "sawmill."

(5) "Distributor" means any person who buys lumber from a "sawmill" or from another distributor for resale either at wholesale or retail.

(6) "Distributor stock" means any lumber which a distributor has in his possession for resale, or for his own use.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *Acceptance of lumber in second quarter without filing application forbidden.* No "Class I consumer" may receive any lumber from any source after April 25, 1944 unless on or before April 25, he has filed with the War Production Board form WPB-3640. This means that if a "Class I consumer" does not file application he is forbidden to receive any lumber even though he has a preference rating for it or has been authorized to receive lumber under another order, regulation, or certificate of the War Production Board. The only exceptions are:

(1) A "Class I consumer" may receive the amount of lumber necessary for a construction job which has been authorized in writing by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission for construction from the War Production Board. He may not, under this exception, receive lumber for those construction jobs which do not require the permission of the War Production Board, or any other Federal agency under Order L-41.

(2) A "Class I consumer" who is also in the mining or smelting business may receive lumber for an operation which has been assigned a serial number under Order P-56.

(3) A "Class I consumer" who is also in the petroleum industry may receive lumber for operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(4) A "Class I consumer" who also has a sawmill or a distribution yard may receive lumber for resale.

(5) A "Class I consumer" may receive lumber if authorized in writing by the War Production Board and if the written authorization expressly refers to this order and grants an exception from it.

(d) *Receipt of lumber by Class I consumers who have filed applications.* Until otherwise notified by the War Production Board either through an amendment of this order or by action on his application, a "Class I consumer" who has filed his application may receive lumber to the extent he is authorized by other applicable orders and regulations of the War Production Board, and he may procure lumber under the procedures provided in such orders for delivery at any time in the future until otherwise provided.

(e) *Receipts from own sawmill stock or distribution stock included.* Under the definitions provided for in this order a person may find that his operations make him both a "sawmill" and a "Class I consumer" or both a "distributor", and a "Class I consumer", or he may be all three. Any person who finds that he is a "Class I consumer" as well as a "distributor" or a "sawmill" must file an application for permission to receive lumber for that part of his operation which makes him a "Class I consumer." For example, if a person has his own sawmill or distribution yard and also maintains his own cut-up plant, box factory or other plant where fabricated products are made from lumber or he uses lumber for purposes other than resale, he must apply for permission to use his "sawmill stock" or "distribution stock" in another piece of machinery, department, or plant which turns out products other than lumber, such as fabricated products or parts for fabricated products either for his own use or resale. The term "fabricated products" includes hardwood flooring but does not include softwood flooring which is included in the definition of lumber.

(f) *Existing lumber orders and procedures.* This order for the present in no way affects the manner in which lumber is controlled under other lumber orders and particularly orders L-218, L-290, M-361, and M-364. In other words, except for "Class I consumers" all transactions in lumber will continue to be handled as if this order did not exist. Even "Class I consumers" can make purchases and arrange for delivery of lumber in compliance with other applicable orders provided their applications on Form WPB-3640 are filed with the War Production Board by April 25, 1944. Before the end of the second quarter this order will be amended and new procedures will be established under which all consumers will be authorized to receive lumber.

(g) *Restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be used in violation of the provisions of this order, or any other order or regulation of the War Production Board.

(h) *Reports.* Any person shall execute and file with the War Production Board such other reports and questionnaires as the War Production Board may, from time to time, require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Application and communications.* Form WPB-3640 for use in filing applications under this order may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

Issued this 6th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5098; Filed, April 10, 1944; 11:35 a. m.]

[1] This document is a restatement of Amendment 1 to L-335, which appeared in the FEDERAL REGISTER of April 7, 1944, page 3731, and reflects the order in its completed form as of April 6, 1944.

Chapter XI—Office of Price Administration

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 2]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Appendix B of Revised Maximum Price Regulation 341 is amended to read as follows:

Appendix B: Form of Certificate of Transfer to be completed for a sale of a used vehicle.[2]

This amendment shall become effective April 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4989; Filed, April 7, 1944; 12:11 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[3] Amdt. 8]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.241, Schedule A, Table VII, is amended to read as follows:

TABLE VII—JAMS, JELLIES, PRESERVES, MARMALADES, AND FRUIT BUTTERS (INCLUDING IMITATIONS)

Product	Type of fruit	Quantity of sugar allowed, in pounds, per pound of finished product
Jams, jelly, preserves, or marmalade, including imitations (pounds).	Fresh or canned fruit, fruit juices, tomatoes, or fruit frozen without sugar.	0.67
	Fruit frozen at ratio of fruit to sugar of:	
	3 to 1	.50
	4 to 1	.54
	5 to 1	.57
	6 to 1	.59
	Not made with fruit, fruit juice, or tomatoes	(1)
Fruit butter, including imitations (pounds)	Fresh or dried fruit, or fruit frozen without sugar.	.32
All others		None

[1] For each pound of finished product the smaller of the two following amounts: (1) 100 per cent of average amount of sugar used per pound of same product during 1941; (2) 0.67 pounds of sugar.

This amendment shall become effective April 12, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4987; Filed, April 7, 1944; 12:11 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11176, 17036, 17414.

[2] Copies of the form may be obtained from the Office of Price Administration.

[3] 9 F.R. 1483, 1534, 2283.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 12]

INCREASED QUOTAS FOR SEASONAL BUSINESSES

The following interpretation is issued with respect to CMP Regulation 5:

(a) Paragraph (f) (4) of CMP Regulation No. 5 as amended on February 26, 1944, permits the use of a specific quota authorization as an increased quota for all following quarters. Thus if a particular company's quota has been increased by specific authorization during the fourth quarter of 1943 from $100,000 to $125,000 the company has a quota for each succeeding quarter of $125,000.

(b) In the case of a person operating under a seasonal quota under paragraph (f) (2), his quarterly quota varies from quarter to quarter based on the similar quarter of 1943. Consequently, when a seasonal quota has been increased by specific authorization for any one quarter, that increase does not increase all succeeding quarters, but may only be used as an increased quota during the same quarter of the following year. Thus if a company operating on a seasonal basis had a quota during the third quarter of 1943 of $10,000, and during the fourth quarter of 1943 of $50,000 and received an increase of the fourth quarter's quota from $50,000 to $60,000, its quota for the third quarter of 1944 would remain at $10,000, although its fourth quarter quota of 1944 would become $50,000.

(c) Where a company has received succeeding special authorizations increasing a quota, and where it is not on a seasonal basis, the last special authorization determines the company's quota during each following quarter.

Issued this 10th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5000; Filed, April 10, 1944; 11:38 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended Apr. 6, 1944 [1]]

LUMBER CONSUMERS' REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public

cedures which will replace existing procedures under other orders. These procedures will be described in a later revision of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed or hewed railway cross ties and switch ties, and any sawed lumber of any species, size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except:

(i) Dogwood, rattan, and aircraft grade of sitka spruce;

(ii) Shingles, lath, and slabs;

(iii) Edging, trim, and off-fall less than three inches wide or less than four feet long, unless produced for the purpose of evading this order;

(iv) Hardwood flooring;

(v) Items produced from lumber but not classified in the trade as "lumber" such as box shook, last blocks, and mill work;

(vi) Used lumber.

(2) "Class I Consumer" means any person or any part of a person's operation (such as a plant, branch, or department) as to which a separate lumber inventory is regularly maintained, which either received more than 50,000 board feet of lumber during the last quarter of 1943 or expects that he will need to receive more than 50,000 board feet of lumber during either the second or third quarters of 1944, for all purposes, except: (i) operations for which producers have been assigned serial numbers under Order P-56 (regarding mines and smelters); (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iii) resale by a sawmill or distributor; (iv) use outside the 48 states and the District of Columbia; and (v) construction jobs which have been expressly authorized by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission from the War Production Board for construction. This exception does not include those construction jobs which do not require

feet of lumber during the last quarter of 1943 or expects to consume more than 50,000 board feet of lumber during either the second or third quarter of 1944, such plant would be treated as a separate "Class I Consumer" for all purposes under this order. Inventories may not be split for the purpose of evading this order.

(3) "Sawmill" means:

(i) Any mill or plant, stationary or portable, which produces any lumber; and,

(ii) Any concentration yard or plant other than a mill if the yard or plant is located in a producing area and processes by drying, sawing, edging, planing, or some other comparable method, 25 percent or more of the total volume of logs and lumber which it receives.

(iii) The term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(4) "Sawmill stock" means any lumber in the possession of a "sawmill."

(5) "Distributor" means any person who buys lumber from a "sawmill" or from another distributor for resale either at wholesale or retail.

(6) "Distributor stock" means any lumber which a distributor has in his possession for resale, or for his own use.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *Acceptance of lumber in second quarter without filing application forbidden.* No "Class I consumer" may receive any lumber from any source after April 25, 1944 unless on or before April 25, he has filed with the War Production Board form WPB-3640. This means that if a "Class I consumer" does not file application he is forbidden to receive any lumber even though he has a preference rating for it or has been authorized to receive lumber under another order, regulation, or certificate of the War Production Board. The only exceptions are:

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 136]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 26.1 (a) is amended to read as follows:

(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" by dry rendering such fats in a closed fat melter or wet rendering such fats in a steam pressure tank to produce tallow, grease, tankage, fatty acids, or detergents is a "rendering establishment".

2. Section 26.4 (a) is amended by substituting the number "15" for the number "20" in the next to the last sentence.

This amendment shall become effective April 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4988; Filed, April 7, 1944; 12:11 p. m.]

PART 1449—CHARCOAL

[MPR 431,[2] Amdt. 8]

CHARCOAL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 431 is amended in the following respects:

1. The definition of "Dealer" in section 9 (a) is amended to read as follows:

"Dealer" means a person who purchases charcoal and resells it in substantially the same form, and includes a person who purchases charcoal and grinds it before reselling it, but does not include a person selling at retail.

2. A new definition is added to section 9 (a) between the definition of "Dealer" and "Person" as follows:

"Selling at retail" means selling to an ultimate consumer other than an industrial or commercial user.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14622, 14764, 14845, 15233, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16730, 16797, 16855, 17326; 9 F.R. 104, 106, 230, 403, 677, 695, 849, 1054, 1532, 1581, 1738, 1810, 1909, 2235, 2240, 2406.

[2] 8 F.R. 9626, 11444, 12444, 13069, 13745.

This amendment shall become effective April 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4986; Filed, April 7, 1944; 12:11 p. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 161,[1] Amdt. 12]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 161 is amended in the following respects:

1. Section 1381.153 (a) is amended so that the definition of "towable waters" contained in the second paragraph shall read as follows:

"Towable waters" means any year-round towable waters along the Coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. The Willamette River shall be considered towable from its mouth to a point one mile south of Albany, Oregon, and the Skagit River shall be considered towable from its mouth to Lyman's Ferry.

2. Tables A, C, D, E, F, and H of § 1381.154 are amended to read as follows:

§ 1381.154 *Tables of maximum prices.* The maximum delivered prices per 1,000 feet, log scale, for West Coast logs shall be as follows:

(A) DOUGLAS FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
	$	$	$	$
Pontoon logs	45.00	45.00	45.00	45.00
No. 1 peeler	40.00	40.00	40.00	39.00
No. 2 peeler	35.00	35.00	35.00	33.00
No. 3 peeler	27.00	27.00	27.00	25.00
No. 1 sawmill log	21.00	20.00	20.00	27.00
No. 2 sawmill log, old growth yellow fir	23.00	23.00	23.00	21.00
No. 2 sawmill log, all other types including second growth	22.00	22.00	22.00	20.00
No. 3 sawmill log—old growth—yellow fir	20.00	20.00	20.00	18.00
Camp-run (ungraded) and No. 3 sawmill, all other types	18.00	18.00	18.00	16.00

(C) WESTERN HEMLOCK

Suitable for peeling and better	$27.00	$27.00	$27.00	$25.00
No. 1	23.00	23.00	23.00	21.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(D) WESTERN WHITE PIR

Suitable for peeling	$27.00	$26.00	$26.00	$24.00
No. 1	23.00	22.00	22.00	20.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(E) SITKA SPRUCE

No. 1	$45.00	$45.00	$45.00	$43.00
No. 2 (of a texture which will produce aircraft lumber)	30.00	30.00	30.00	28.00
No. 2 (of a texture which will not produce aircraft lumber)	24.00	24.00	24.00	22.00
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(F) NOBLE FIR

Aircraft grade	$45.00	$45.00	$45.00	$43.00
Suitable for peeling	35.00	35.00	35.00	33.00
No. 1	28.00	23.00	25.00	21.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(H) WOOD LOGS

No. 1 Douglas fir wood logs	$16.00	$16.00	$16.00	$14.00
Wood logs—No. 2 fir and all other species except cedar	11.00	11.00	11.00	9.00

3. Section 1381.156 is amended so that the initial paragraph and paragraph (g) read as follows:

§ 1381.156 *The "overtime addition".* The following additions may be made by any seller to the maximum price of any West Coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	Addition per M feet, l. s.
48 to 53 hours	$1.00
54 to 59 hours	1.50
60 hours or more	2.00

[1] 8 F.R. 1117, 2092, 8878, 9619, 9381, 10660, 11509, 16603, 16608, 17827; 9 F.R. 694.

This addition is subject to all of the following conditions and provisions, except that operators claiming the 48 hour addition are not subject to the requirements of paragraphs (a) and (b) relating to applications for certifications and monthly reports:

* * * * *

(g) *Contract logging.* When figuring the ceiling price on contract logging services under Maximum Price Regulation No. 503, the overtime addition may not be included in estimating the value of the logs produced. However, where the contractor operates the required number of hours, the additions permitted by this Section may be separately paid to the contractor.

4. Appendix A is amended by the deletion of the grades of No. 1 and No. 2 Douglas Fir Wood logs under the heading "Douglas Fir and Spruce Sawmill Logs."

5. Appendix A is amended by the deletion of the paragraph headed "Wood Logs—All Species", and the substitution of the following:

WOOD LOGS—ALL SPECIES

No. 1 Douglas Fir Wood Logs shall be logs 20 inches and over in diameter, containing sound stain and/or worm holes, that otherwise would meet the requirements of a No. 2 Fir log.

No. 2 Douglas Fir Wood Logs shall be such logs that do not meet the requirements of the above grades but have a net scale lumber content after deductions as specified in the wood log scaling rules of at least 33⅓% of the gross scale.

Wood logs—all other species (except cedar) shall be logs which meet the minimum requirements of the No. 2 Douglas Fir Wood Log Grade.

Culls: Any logs failing to meet the minimum requirements for a No. 2 Fir Wood Log must be culled out.

6. Appendix A is amended by the insertion of the following immediately after the section headed "General Rules—Peeler Logs".

GENERAL RULES—WOOD LOGS

A log that in the judgment of the Scaler is a Wood Log as defined for the particular species shall be scaled for its net lumber content exclusive of bark, under the following deduction requirements:

Diameters: Take full diameter inside the bark or decayed sap at the top end of the log.

Lengths: Where logs have bucked ends, the standard gross lengths shall be used.

Where logs have badly broken or shattered ends, the lengths on such logs shall be taken inside the breakage to a point that will yield that longest, usable, standard length log or block.

Deductible defects: Any portion of a wood log that will not produce No. 4 or better lumber shall have the unsuitable portion of the log eliminated by sufficient deduction. Such defects are:

Hollow ends
Badly decomposed wood originating from Butt-rot, Top-rot or conk
Slab breaks
Shatter breaks
Saddle-burns
Rotted spots that penetrate beyond the normal sap
Excessive roughness or pitch-rings that will not permit the production of lumber.

Permissible defects:

Pitch-rings
Firm stain
Firm conk
Knots
Worm-holes
Straight splits
Heart checks
Cross checks

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–4998; Filed, April 7, 1944; 4:21 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1B,[1] Amdt. 6]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1B is amended in the following respects:

1. Section 2.2 (d) (1) (ii) is amended by inserting a comma after the word "midwife", and inserting immediately thereafter the words "minor surgeon".

2. Section 2.2 (d) (1) (iv) is added to read as follows:

(iv) Used by a regular practicing minister or practitioner of any religious faith who actually serves a congregation for giving religious comfort, assistance, advice or instruction, or by a bona fide farmer for transporting farm products and necessary farm supplies between farm and market, shipping or point of delivery, or between one farm establishment and another or for travel to, from, within or between farm establishments for purposes necessary to the operation or functioning of such establishments. For purposes of this provision, applicant need not establish that he must answer emergency calls which require him to operate a passenger automobile at high rates of speed.

3. The table in section 2.23 (b) is amended by deleting the dates "July 25–August 5" and "October 16–October 28" for subsequent inspections of S–1 and S–2 coupon books, and by substituting respectively the dates "July 31–August 12" and "October 23–November 4".

4. Section 2.33 (d) is amended to read as follows:

(d) *Transfers on vehicles.* Unless prohibited by an order or regulation issued by the Office of Price Administration or the War Production Board a person may, without a certificate, transfer a tire or tube as part of the equipment of a vehicle in conjunction with the transfer of such vehicle: *Provided, however,* That a tire or tube acquired in exchange for a certificate may be so transferred only after six (6) months of the acquisition of such tire or tube by the transferor and after said tire or tube has been used four thousand (4,000) miles or more, or after having obtained a written authorization from the Director of the Office of Price Administration for Puerto Rico. The Director may authorize a transfer in cases where in his judgment it shall not operate as an evasion of this Order. No person shall accept the transfer of such tire or tube unless in accordance with this paragraph.

This amendment shall become effective April 10, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Laws 421 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719. WPB Directive No. 1, Supp. Dir. No. 1–J, as amended, 7 F.R. 562, 5043, 8731; Supp. Dir. No. 1–Q, as amended, 8 F.R. 2013, Rev. General Order No. 20, 8 F.R. 2416)

Issued this 8th day of April 1944.

JORGE L. CORDOVA,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–5048; Filed, April 8, 1944; 4:41 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 4]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.1 is amended by adding to the list of products mentioned in such section the following:

Crude petroleum sold direct to consumers for use as fuel oil providing such crude petroleum meets commercial standard specifications for a particular grade of fuel oil.

2. In section 1.15 (a) the heading is amended to read as follows:

(a) *Prices of fuel oil and fuels (not including crude oil and waste or re-refined lubricating oil when any of these are sold for use as fuel oil).*

3. Section 1.15 (b) is amended to read as follows:

(b) *Prices of crude oil and waste or re-refined lubricating oil when any of*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9651, 12695.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 136]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 26.1 (a) is amended to read as follows:

(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" by dry rendering such fats in a closed fat melter or wet rendering such fats in a steam pressure tank to produce tallow, grease, tankage, fatty acids, or detergents is a "rendering establishment".

2. Section 26.4 (a) is amended by substituting the number "15" for the number "20" in the next to the last sentence.

This amendment shall become effective April 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4988; Filed, April 7, 1944; 12:11 p. m.]

This amendment shall become effective April 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4986; Filed, April 7, 1944; 12:11 p. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 161,[1] Amdt. 12]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 161 is amended in the following respects:

1. Section 1381.153 (a) is amended so that the definition of "towable waters" contained in the second paragraph shall read as follows:

"Towable waters" means any year-round towable waters along the Coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. The Willamette River shall be considered towable from its mouth to a point one mile south of Albany, Oregon, and the Skagit River shall be considered towable from its mouth to Lyman's Ferry.

2. Tables A, C, D, E, F, and H of § 1381.154 are amended to read as follows:

§ 1381.154 *Tables of maximum prices.* The maximum delivered prices per 1,000 feet, log scale, for West Coast logs shall be as follows:

(A) DOUGLAS FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Ponton logs	$45.00	$45.00	$45.00	$44.00
No. 1 peeler	40.00	40.00	40.00	39.00
No. 2 peeler	35.00	35.00	35.00	33.00
No. 3 peeler	27.00	27.00	27.00	25.00
No. 1 sawmill log	31.00	29.00	29.00	27.00
No. 2 sawmill log, old growth yellow fir	23.00	23.00	23.00	21.00
No. 2 sawmill log, all other types including second growth	22.00	22.00	22.00	20.00
No. 3 sawmill log—old growth—yellow fir	20.00	20.00	20.00	18.00
Camp-run (ungraded) and No. 3 sawmill, all other types	15.00	15.00	15.00	16.00

(C) WESTERN HEMLOCK

Suitable for peeling and better	$27.00	$27.00	$27.00	$25.00
No. 1	23.00	23.00	23.00	21.00
	21.50	21.50	21.50	19.50

these are sold for use as fuel oil. Read Article I for the various general provisions of the regulation then turn to Article VIII which provides that maximum prices for crude oil and waste or re-refined lubricating oil must be established by application to the Office of Price Administration. There is no other method of establishing or determining maximum prices for such products. Note that in the case of crude oil application must be made to a specified regional office while in the case of waste or re-refined lubricating oil application should be made to the Petroleum Branch at Washington, D. C.

4. Section 2.11 (f) is added to read as follows:

(f) *Chicago and adjacent circuits; Tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at Chicago, and the circuit points served from bulk plants at Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	For deliveries in quantities of less than 750 gallons
	Cents per gallon	*Cents per gallon*
30–800 seconds [1]	5.75	6.30
900–2,000 seconds	5.25	6.00
2,100 seconds and over	4.80	5.55

[1] Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

5. Section 2.12 (e) is added to read as follows:

(e) *East Chicago.* The maximum price for fuel oil in bulk lots with a maximum viscosity of 300 Saybolt Universal at 100° F. on sales to commercial and industrial users by blenders, except refiners, f. o. b. terminals in East Chicago, shall be 5.1 cents per gallon.

6. Section 2.12 (f) is added to read as follows:

(f) *East Chicago and adjacent circuits; tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at East Chicago, and the circuit points served from bulk plants at East Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	For deliveries in quantities of less than 750 gallons
	Cents per gallon	*Cents per gallon*
30–800 seconds [1]	5.75	6.30
900–2,000 seconds	5.25	6.00
2,100 seconds and over	4.80	5.55

[1] Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

7. Section 2.20 (b) (2) is renumbered section 2.20 (b) (3).

8. Section 2.20 (b) (2) is added to read as follows:

(2) *On shipments to destinations other than Petroleum Administration for War District One.* In Wayne County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. refineries for shipment to ultimate destinations other than Petroleum Administration for War District One shall be as follows:

Kerosene and distillate fuel oils:	*Cents per gallon*
46–49 API Gravity W. W. Kerosene	6.25
41–45 API Gravity W. W. Kerosene	6.05
No. 1 Prime White Distillate Fuel Oil	5.75
No. 2 Fuel Oil	5.50
No. 3 Fuel Oil	5.25
Range or Stove Oil	(*)

*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

9. Section 4.5 (a) is added to read as follows:

(a) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers shall be as follows:

Tank wagon area	Grade		
	Premium	Regular	Third grade
	Cents per gallon	*Cents per gallon*	*Cents per gallon*
Alamosa	12.5	11.0	9.5
Antonita	12.5	11.0	9.5
Blanca	12.5	11.0	9.5
Center	12.5	11.0	9.5
Creede	13.0	11.5	10.0
Del Norte	13.0	11.5	10.0
Jaroso	12.5	11.0	9.5
Monte Vista	12.5	11.0	9.5

10. Section 4.12 (b) is amended to read as follows:

(b) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark*—(1) *For shipment to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	*Cents per gallon*
80–82 Oct. ASTM and Ethyl grade	8.375
72–74 Oct. ASTM	7.375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	*Cents per gallon*
80–82 Oct. ASTM and Ethyl grade	8.25
72–74 Oct. ASTM	7.25

11. Section 4.15 (a) is amended to read as follows:

(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham.* (1) *For shipments to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	*Cents per gallon*
80–82 Oct. ASTM and Ethyl grade	8.375
72–74 Oct. ASTM	7.375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	*Cents per gallon*
80–82 Oct. ASTM and Ethyl grade	8.25
72–74 Oct. ASTM	7.25

12. Section 4.29 (b) is added to read as follows:

(b) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers in that part of northern New Mexico which is within the tank wagon areas of either Antonita, Colorado, or Jaroso, Colorado, shall be as follows:

Gasoline:	*Cents per gallon*
Premium grade	12.5
Regular grade	11.0
Third grade	9.5

13. In section 5.2 (c), footnote 1 thereto is amended to read as follows:

[1] Not including crude oil and waste or re-refined lubricating oil when any of these are sold for use as fuel oil.

14. Section 8.2 is amended to read as follows:

SEC. 8.2 *For a petroleum product, which is not fuel oil, or for crude oil, when either is sold for use as fuel oil*—(a) *For waste or re-refined lubricating oil sold for use as fuel oil.* When waste lubricating oil or re-refined lubricating oil is sold for use as fuel oil, a seller may not charge and a buyer may not pay a price therefor until a maximum price has been approved in writing by the Office of Price Administration. Applications for such approval must be made in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., and shall contain the same information as is required for an application under section 8.3 below.

(b) *For crude oil sold for use as fuel oil.* When crude oil (see section 1.1) is sold direct to the consumer for use as fuel oil a seller may not charge and a buyer may not pay a price therefor until the maximum price has been approved in writing by the Office of Price Administration's regional office having jurisdiction over the point at which the buyer's storage is located. Applications for such approval shall contain the same information as is required for an application under section 8.3 below. In general, a maximum price higher than the prevailing price for fuel oil at the same point will not be approved.

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5047; Filed, April 8, 1944; 4:42 p. m.]

PART 1340—FUEL

[MPR 436,[1] Amdt. 11]

CRUDE PETROLEUM AND PETROLEUM AND NATURAL GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *To what transactions and persons this regulation is applicable.* (a) This regulation covers all sales and deliveries of crude petroleum except when the crude petroleum is sold direct to consumers for use as fuel oil and meets commercial standard specifications for a particular grade of fuel oil, and petroleum and natural gas, either by producers, sellers, refiners, or by any other person, except that nothing in this price regulation shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration under the Emergency Price Control Act of 1942.

2. Section 8 (b) (2) is amended to read as follows:

(2) *Various designated fields.* The maximum prices at the receiving tank for crude petroleum of the gravities specified in the table below and produced in the fields designated therein shall be as follows:

[Dollars per 42-gallon barrel]

API gravity	Fields—see key below																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
8-8.9	----	----	0.71	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
9-9.9	----	----	.73	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
10-10.9	----	----	.75	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
11-11.9	----	0.92	.77	0.92	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
12-12.9	----	.94	.79	.94	----	----	0.94	----	----	----	----	----	----	----	----	----	----	----	----	----	----
13-13.9	----	.96	.81	.96	----	----	.96	----	----	----	----	----	----	----	----	----	----	----	0.91	----	----
14-14.9	0.96	.98	.83	.98	0.98	0.95	.98	----	0.98	0.96	----	----	0.97	0.95	0.95	0.95	0.95	----	.93	----	0.93
15-15.9	.98	.98	.85	.98	.98	.95	.98	0.94	.98	1.00	1.01	0.99	.97	.97	.97	.96	.97	0.93	.96	1.01	.95
16-16.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
17-17.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
18-18.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
19-19.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
20-20.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
21-21.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.00	1.01	.99	.97	.97	.97	.96	.97	.93	.96	1.01	.95
22-22.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.00	1.01	.91	.97	.97	.97	.96	.97	.96	.98	1.02	.95
23-23.9	.98	.98	----	.98	.98	.95	.98	.94	.98	1.02	1.01	.93	.97	.98	.97	.98	1.00	1.00	1.02	1.05	.95
24-24.9	.98	1.03	----	.98	.99	.95	.98	.95	.98	1.05	1.04	.99	.97	1.01	1.01	1.02	1.03	1.03	1.06	1.07	.95
25-25.9	.98	1.07	----	.98	1.01	.95	.98	.99	.98	1.08	1.07	1.02	.98	1.04	1.05	1.06	1.07	1.07	1.09	1.10	.95
26-26.9	.98	1.11	----	----	1.04	.95	.98	1.05	1.01	1.11	1.10	1.05	1.01	1.06	1.09	1.10	1.11	1.11	1.12	1.12	.95
27-27.9	1.01	1.15	----	----	1.07	.96	.98	----	1.04	1.14	1.14	----	1.05	1.11	1.13	----	1.15	1.15	1.15	1.15	.95
28-28.9	1.04	1.19	----	----	1.10	.99	1.00	----	1.07	1.17	1.17	----	1.08	1.14	1.17	----	----	1.18	1.18	1.17	.97
29-29.9	1.07	1.24	----	----	1.13	1.02	1.02	----	1.10	1.20	1.20	----	1.12	----	----	----	----	1.20	1.21	----	.99
30-30.9	1.10	1.28	----	----	1.16	1.05	1.04	----	----	1.23	1.22	----	1.15	----	----	----	----	1.23	1.24	----	1.02
31-31.9	1.14	----	----	----	1.17	1.07	1.06	----	----	----	1.24	----	1.19	----	----	----	----	----	----	----	1.04
32-32.9	1.17	----	----	----	1.18	1.10	1.09	----	----	----	----	----	1.23	----	----	----	----	----	----	----	1.07
33-33.9	----	----	----	----	1.19	1.12	1.11	----	----	----	----	----	1.27	----	----	----	----	----	----	----	1.09
34-34.9	----	----	----	----	1.20	1.15	1.13	----	----	----	----	----	1.31	----	----	----	----	----	----	----	1.12
35-35.9	----	----	----	----	1.21	1.17	----	----	----	----	----	----	1.35	----	----	----	----	----	----	----	1.14
36-36.9	----	----	----	----	1.22	1.20	----	----	----	----	----	----	1.39	----	----	----	----	----	----	----	1.17
37-37.9	----	----	----	----	1.23	1.24	----	----	----	----	----	----	1.43	----	----	----	----	----	----	----	1.20
38-38.9	----	----	----	----	1.24	----	----	----	----	----	----	----	1.47	----	----	----	----	----	----	----	----
39-39.9	----	----	----	----	1.25	----	----	----	----	----	----	----	1.51	----	----	----	----	----	----	----	----
40 and above	----	----	----	----	1.26	----	----	----	----	----	----	----	1.53	----	----	----	----	----	----	----	----

The price specified for the highest gravity crude oil in each column is the maximum price for crude oil of higher gravities.

Key to fields:

1. Edison.
2. Midway, Lake View Area, Elk Hills, Buena Vista Hills, Mountain View.
3. Los Flores, Casmalia, Oxnard, Cat Canyon, Santa Maria Valley, Gato Ridge.
4. Round Mountain, McKittrick, Newhall, Coffee Canyon, Mt. Poso, Poso, Kern River, Kern Front, Fruitvale.
5. Belridge, Lost Hills.
6. South Mountain, Santa Paula, Wheeler Ridge.
7. Coalinga.
8. Venice, Playa Del Ray.
9. Orcutt.
10. Huntington Beach.
11. Inglewood.
12. Aliso Canyon.
13. Montebello.
14. Olinda, Brea Canon.
15. Torrance.
16. Richfield.
17. La Habra, Whittier, East Coyote.
18. Signal Hill.
19. Wilmington.
20. El Segundo.
21. Oak Canyon.

3. Sections 8 (b) (3) and 8 (b) (4) are renumbered 8 (b) (4) and 8 (b) (5) and the following is inserted in lieu of section 8 (b) (3):

(3) *Capitan Field.* The maximum price at the receiving tank for crude petroleum produced in the Capitan Field, California, shall be as follows:

API gravity:	Price per barrel
14–14.9	$0.95
15–15.9	.95
16–16.9	.95
17–17.9	.95
18–18.9	.95
19–19.9	.95
20–20.9	.95
21–21.9	.95
22–22.9	.95
23–23.9	.95
24–24.9	.95
25–25.9	.95
26–26.9	.99
27–27.9	1.03
34–34.9	1.21
35–35.9	1.25
36–36.9	1.28
37–37.9	1.32
38–38.9	1.35
39–39.9	1.38

4. Section 8 (b) (4) is amended to read as follows:

(4) *Price based on posted price of one of fields designated in (2) or (3) above.* If crude petroleum produced at a pool which had no posted price was on the last delivery prior to March 26, 1943 sold to a particular purchaser on the basis of the posted price for another pool and at such price, the seller's maximum price for the crude petroleum produced at the former pool shall be the same as the posted price of the latter pool as shown in (2) or (3) above for the same gravity crude oil.

Any purchaser who pays for crude petroleum on the basis of this provision shall within 30 days from the effective date of this regulation, report the following information to the Office of Price Administration, Petroleum Branch, Washington, D. C.

(i) Copy of posted price bulletin of field on which purchase price is based, and the date effective.

(ii) The total production of the pool for the month of March, 1943.

(iii) The total amount purchased from the pool during March, 1943.

5. Section 8 (b) (5) is amended to read as follows:

(5) *Other fields than listed in (2), (3) and (4) above.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, sections 8 (b) (2) and (3) and other than those fields determining maximum prices under Article II, section 8 (b) (4) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

API gravity:	Increase per barrel
Below 15	$0.25
15–15.9	.25
16–16.9	.22
17–17.9	.19
18–18.9	.16
19–19.9	.13
20–20.9	.10
21–21.9	.07
22–22.9	.04
23–23.9	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11369, 12177, 12314, 13706, 1737, 9 F.R. 347, 945, 1532, 1882, 2946.

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5046; Filed, April 8, 1944; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Order 639 Under § 1499.3 (b)]

GULF OIL CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2162 *Authorization of maximum prices for sales of Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts.* The Gulf Oil Corporation of Pittsburgh, Pennsylvania, is hereby authorized to sell its Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts at prices not to exceed the following prices:

(a) To consumers at a retail price of 15¢ each; to dealers at a list price of $1.20 per dozen, subject to quantity delivery discounts to dealers as follows:

	Percent
½ gross, 1 delivery	5
1 gross, 1 delivery	10
2 gross, 1 delivery	15
3 gross, 1 delivery	20

to jobbers at a list price of $1.20 per dozen less 20% on single deliveries of one gross or more. These maximum prices are delivered prices in accordance with the company's established practice of quoting delivered prices or allowing limited freight absorption on prices of specialty products for delivery within the United States.

(b) Jobbers are authorized to sell these products to retailers at a maximum price of $1.20 per dozen f. o. b. sellers' shipping point.

(c) Retailers are authorized to sell these items to consumers at a price not in excess of 15¢ per bottle.

(d) The Gulf Oil Corporation shall mail or otherwise supply to jobbers and dealers of these items at time of or prior to the first delivery to such purchasers a written notice as follows:

The Office of Price Administration has authorized us to sell our Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles to jobbers at a price of $1.20 per dozen less 20% on single deliveries of one gross or more; likewise we are authorized to sell these products to dealers at $1.20 per dozen less the following quantity delivery discounts:

	Percent
½ gross, 1 delivery	5
1 gross, 1 delivery	10
2 gross, 1 delivery	15
3 gross, 1 delivery	20

Jobbers are authorized to sell these products to retailers at a maximum price of $1.20 per dozen f. o. b. sellers' shipping point. These maximum prices are delivered prices in accordance with the company's established practice of quoting delivered prices or allowing limited freight absorption on prices of specialty products for delivery within the United States. All sellers are required to maintain their customary discounts, allowances and price differentials, applying to the sales of comparable items. In the application of any existing differentials, the maximum prices mentioned herein shall not be exceeded.

(e) The Gulf Oil Corporation for a period of ninety days shall place in each case of Gulf Electric-Motor Oil and Gulf Penetrating Oil a notice to retailers as follows:

The Office of Price Administration has established maximum prices for retail sales of Gulf Penetrating Oil and Gulf Electric-Motor Oil in 4-ounce bottles with spouts at 15¢ per bottle. All sellers are required to maintain their customary discounts, allowances and price differentials applying to like sales of comparable items.

(f) This order may be revoked or amended at any time by the Office of Price Administration.

(g) This Order No. 639 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5049; Filed, April 8, 1944; 4:42 p. m.]

PART 1305—ADMINISTRATION

[Licensing Order 3,[1] Amdt. 1]

REQUIRING REGISTRATION OF DEALERS LICENSED TO SELL SECOND-HAND MACHINE TOOLS OR EXTRAS, SECOND-HAND MACHINES OR PARTS, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1305.105 (a) is amended to read as follows:

(a) "Dealer" means any person engaged in the business of selling, negotiating the sale of, or purchasing for resale second-hand machine tools or extras, second-hand machines or parts, used industrial sewing machines, or any other commodity to which this order is made applicable. Thus, the term "dealer" includes agents, auctioneers and brokers and manufacturers who sell any commodities to which this order is applicable. "Purchasing for resale" includes the purchase of any of the commodities to which this order is applicable for resale, whether or not they are repaired or rebuilt before resale.

This amendment shall become effective April 15, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13241.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5092; Filed, April 10, 1944; 11:39 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 56,[1] Amdt. 4]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.55 is amended to read as follows:

§ 1315.55 *Records.* Every person making sales or purchases of reclaimed rubber subject to this schedule shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date, the name and address of the buyer and seller, the quantity of each grade of reclaimed rubber purchased or sold, and the price.

This amendment shall become effective April 15, 1944.

NOTE: All record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5093; Filed, April 10, 1944; 11:37 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 97,[2] Amdt. 10]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1258 is amended to read as follows:

§ 1315.1258 *Records.* Every person making sales or purchases of scrap rubber subject to this schedule shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date, the name and address of the buyer and seller, the quantity of each grade of scrap rubber purchased or sold, and the price.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5094; Filed, April 10, 1944; 11:37 a. m.]

NOTE: All record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1313, 2000, 2133, 7069, 8946; 8 F.R. 120, 8843.

[2] 7 F.R. 4781, 5177, 6002, 8700, 8948; 8 F.R. 4028, 5986, 6844.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 526]

MALT DRIED GRAIN, DRIED BREWERS' GRAIN, MALT CLEANINGS, MALT HULLS AND MALT SPROUTS

In the judgment of the Price Administrator it is necessary and proper to establish uniform maximum prices for sales of certain dried brewers' products produced from the manufacture of wort or beer at levels of production and distribution.

Such specifications and statements as are used in this regulation were prior to such use in general use in the trade or industry affected. In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act as amended, and of E.O. 9250 and E.O. 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be covered by this regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1351.373 *Maximum prices for malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 526 (Malt Dried Grain, Dried Brewers' Grain, Malt Cleanings, Malt Hulls and Malt Sprouts), which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1351.373 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

MAXIMUM PRICE REGULATION 526—MALT DRIED GRAIN, DRIED BREWERS' GRAIN, MALT CLEANINGS, MALT HULLS AND MALT SPROUTS

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SECTION 1. *Applicability.* This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 States and the District of Columbia of the United States of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.

SEC. 2. *Prohibition against sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts at prices above the maximum price.* (a) Regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive malt dried grain, dried brewers' grain, malt cleanings, malt hulls or malt sprouts at prices above the maximum prices established by this regulation; nor shall any person agree, offer, solicit, or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* When used in this regulation the following terms shall have the following meanings:

"Dried brewers' grain" are the dried residue of by-products produced in the manufacture of wort for beer or for syrup.

"Malt dried grain", "malt cleanings", "malt hulls" and "malt sprouts" are the by-products from the manufacture of malt.

"Carload lots" means a shipment of 60,000 pounds or more or any smaller quantity which moves as a rail carload under Office of Defense Transportation or tariff requirements.

"Less than carload quantity" means a quantity of less than a carload. It includes truck quantities.

"Pool car lot" means a railroad car lot in which two or more buyers have combined for the purpose of obtaining a carload rail freight rate.

"Person" means an individual, corporation, partnership, or association or other organized groups of persons or legal successors or representatives of any of the foregoing, and includes the United States and any agencies thereof, any other government or any of its political subdivisions and any agency of any of the foregoing.

"Processor" means a person who produces malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.

"Jobber" is a person other than a processor, who, with respect to the lot in question, sells malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts to any person without unloading into a warehouse.

"Wholesaler" is a person who, with respect to the lot in question, buys malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts, unloads it into a warehouse and resells the same to any person other than a feeder. It includes a processor where he transports and unloads the aforesaid products into a warehouse operating as a place of business separate from the production plant and thereafter sells the same to the persons above mentioned.

"Retailer" is a person who, with respect to the lot in question, buys malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts, unloads it into a warehouse, and resells the same to a feeder. It includes a processor where he transports and unloads the aforesaid products into a store operated as a place of business separately from the production plant and thereafter sells the same to a feeder.

"Feeder" is a person who feeds any malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts to animals or poultry.

"Transportation cost" means the cost of transportation actually incurred by a person except that for movement other than by for hire carrier, the transportation cost shall be the reasonable value of the service, not exceeding any maximum price established therefor.

"Area A" includes the area east of the Illinois-Indiana state line, thence on or north of the Ohio River to Kenova, West Virginia, thence on and north of Norfolk and Western Railroad to Roanoke, Virginia, thence on or north of the Virginian Railroad from Roanoke, Virginia to Norfolk, Virginia.

"Area B" includes the area south of Area A east of the Mississippi River and the states of Arkansas, Louisiana, Oklahoma and Texas.

"Area C" includes the states of California, Washington and Oregon.

"Area D" includes the states of Minnesota and Wisconsin.

"Area E" includes the rest of the continental United States.

SEC. 4. *Maximum prices for sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by processors.* (a) The maxi-

mum price for the sale and delivery in carloads or pool car lots, bulk, by a processor (except as a wholesaler or retailer) at the basing points listed below shall be:

	Malt dried grain, malt cleanings, malt hulls, malt sprouts (24% protein or higher)	Dried brewer's grain, (24% protein or higher)
Chicago, Ill.	$32.00	$34.00
Milwaukee, Wis.	32.00	34.00
Davenport, Iowa	32.00	34.00
Peoria, Ill.	32.00	34.00
St. Louis, Mo.	32.00	34.00
Kansas City, Mo.	32.00	34.00
Minneapolis, Minn.	30.40	32.40
Duluth, Minn.	30.40	32.40
La Crosse, Wis.	30.40	32.40

(b) In Area A: The maximum f. o. b. plant price at any point in Area A not listed in paragraph (a) above shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products railroad rate from Chicago, Illinois, to the point where the plant is located, and the maximum carload delivered price at all points shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products rate from Chicago, Illinois, to destination except that when shipment is made from St. Louis, Missouri, the price may be increased by 80¢ per ton.

(c) In Area B: The maximum f. o. b. plant price and the maximum delivered carload price at any point in Area B not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, plus $1.20 per ton and plus the lowest proportional grain products railroad rate from St. Louis, Missouri, to the point where the plant is located or at which delivery is made, as the case may be.

(d) In Area C: The maximum f. o. b. plant price at any point in Area C shall be:

	Per ton
Dried brewers' grain, 24% protein or higher	$36.00
Malt cleanings, 24% protein or higher	34.00
Malt hulls, 24% protein or higher	34.00
Malt dried grain, 24% protein or higher	34.00
Malt sprouts, 24% protein or higher	34.00

and the maximum carload delivered price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(e) In Area D: The maximum f. o. b. plant price at any point in Area D not listed in paragraph (a) above shall be the maximum basing point price at Milwaukee, Wisconsin, or Minneapolis, Minnesota, whichever is closer by the shortest railroad route; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(f) In Area E: The maximum f. o. b. plant price at any point in Area E not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, or Minneapolis, Minnesota, plus the lowest applicable carload freight rate from the basing point to the point where the plant is located, whichever results in the lower f. o. b. plant price; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(g) The maximum delivered less than carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from the plant to destination plus $1.00 per ton.

(h) The foregoing maximum prices shall be decreased for the sale of bulk malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts containing less than 24% protein at the rate of 50¢ per ton for each 1% of protein or fraction thereof.

In explanation of the above:

The term "f. o. b. plant price", as used above in paragraph (b) for Area A and paragraph (c) for Area B shall apply only to deliveries made within the switching limits of the railroad point at which the plant is located; for deliveries of carload lots or pool car lots to all other destinations in Area A and Area B the maximum delivered price shall be used.

In paragraphs (d) for Area C, (e) for Area D, and (f) for Area E, the "f. o. b. plant price" applies to all sales and deliveries.

SEC. 5. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by jobbers.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a jobber shall be 75¢ per ton maximum markup for sales in carloads and less than carloads, and $1.00 per ton maximum markup for sales in pool cars over the maximum price which the processor could lawfully charge for the quantity and quality now being sold.

SEC. 6. *Maximum prices for the sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler shall be $2.50 per ton maximum markup over the maximum price he could lawfully have paid the processor or jobber for the quantity and quality now being sold delivered at his warehouse plus his transportation cost from his warehouse to the buyer's receiving point.

SEC. 7. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer shall be $5.50 per ton maximum markup over the maximum price which he could lawfully have paid the processor, jobber or wholesaler from whom he purchased the material for the quantity and quality now being sold delivered at his receiving point plus his transportation cost from his receiving point to his buyer's receiving point.

SEC. 8. *Maximum prices in other cases.* The maximum price for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by any other person of a class of sellers not herein specifically provided for shall be the maximum price which the person from whom he purchased could lawfully have charged for a like sale.

SEC. 9. *Maximum price for export sales.* The maximum prices for export sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be determined in accordance with the provisions of the Second Revised Export Price Regulation.[1]

SEC. 10. *Tagging and labeling.* Malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be sold only in accordance with a guaranteed protein analysis and, if sold in sacks, properly tagged or printed, or if sold in bulk, accompanied by a proper certificate of analysis.

SEC. 11. *Increase for sacks.* When malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts are sold in sacks furnished by the seller there may be added to the appropriate maximum prices the reasonable market value of the sacks used (not exceeding any maximum price established thereon).

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 13. *Evasion.* The provisions of this Maximum Price Regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodity covered by this regulation alone or in connection with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

SEC. 14. *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of malt dried grain,

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193.

mum price for the sale and delivery in carloads or pool car lots, bulk, by a processor (except as a wholesaler or retailer) at the basing points listed below shall be:

	Malt dried grain, malt cleanings, malt hulls, malt sprouts (24% protein or higher)	Dried brewer's grain, (24% protein or higher)
Chicago, Ill.	$32.00	$34.00
Milwaukee, Wis.	32.00	34.00
Davenport, Iowa	32.00	34.00
Peoria, Ill.	32.00	34.00
St. Louis, Mo.	32.00	34.00
Kansas City, Mo.	30.40	32.40
Minneapolis, Minn.	30.40	32.40
Duluth, Minn.	30.40	32.40
La Crosse, Wis.	30.40	32.40

(b) In Area A: The maximum f. o. b. plant price at any point in Area A not listed in paragraph (a) above shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products railroad rate from Chicago, Illinois, to the point where the plant is located, and the maximum carload delivered price at all points shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products rate from Chicago, Illinois, to destination except that when shipment is made from St. Louis, Missouri, the price may be increased by 80¢ per ton.

(c) In Area B: The maximum f. o. b. plant price and the maximum delivered carload price at any point in Area B not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, plus $1.20 per ton and plus the lowest proportional grain products railroad rate from St. Louis, Missouri, to the point where the plant is located or at which delivery is made, as the case may be.

(d) In Area C: The maximum f. o. b. plant price at any point in Area C shall be:

	Per ton
Dried brewers' grain, 24% protein or higher	$36.00
Malt cleanings, 24% protein or higher	34.00
Malt hulls, 24% protein or higher	34.00
Malt dried grain, 24% protein or higher	34.00
Malt sprouts, 24% protein or higher	34.00

and the maximum carload delivered price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(e) In Area D: The maximum f. o. b. plant price at any point in Area D not listed in paragraph (a) above shall be the maximum basing point price at Milwaukee, Wisconsin, or Minneapolis, Minnesota, whichever is closer by the shortest railroad route; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(f) In Area E: The maximum f. o. b. plant price at any point in Area E not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, or Minneapolis, Minnesota, plus the lowest applicable carload freight rate from the basing point to the point where the plant is located, whichever results in the lower f. o. b. plant price; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination plus $1.00 per ton.

(g) The maximum delivered less than carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from the plant to destination plus $1.00 per ton.

(h) The foregoing maximum prices shall be decreased for the sale of bulk malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts containing less than 24% protein at the rate of 50¢ per ton for each 1% of protein or fraction thereof.

In explanation of the above:

The term "f. o. b. plant price", as used above in paragraph (b) for Area A and paragraph (c) for Area B shall apply only to deliveries made within the switching limits of the railroad point at which the plant is located; for deliveries of carload lots or pool car lots to all other destinations in Area A and Area B the maximum delivered price shall be used.

In paragraphs (d) for Area C, (e) for Area D, and (f) for Area E, the "f. o. b. plant price" applies to all sales and deliveries.

SEC. 5. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by jobbers.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a jobber shall be 75¢ per ton maximum markup for sales in carloads and less than carloads, and $1.00 per ton maximum markup for sales in pool cars over the maximum price which the processor could lawfully charge for the quantity and quality now being sold.

SEC. 6. *Maximum prices for the sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler shall be $2.50 per ton maximum markup over the maximum price he could lawfully have paid the processor or jobber for the quantity and quality now being sold delivered at his warehouse plus his transportation cost from his warehouse to the buyer's receiving point.

SEC. 7. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer shall be $5.50 per ton maximum markup over the maximum price which he could lawfully have paid the processor, jobber or wholesaler from whom he purchased the material for the quantity and quality now being sold delivered at his receiving point plus his transportation cost from his receiving point to his buyer's receiving point.

SEC. 8. *Maximum prices in other cases.* The maximum price for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by any other person of a class of sellers not herein specifically provided for shall be the maximum price which the person from whom he purchased could lawfully have charged for a like sale.

SEC. 9. *Maximum price for export sales.* The maximum prices for export sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be determined in accordance with the provisions of the Second Revised Export Price Regulation.[1]

SEC. 10. *Tagging and labeling.* Malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be sold only in accordance with a guaranteed protein analysis and, if sold in sacks, properly tagged or printed, or if sold in bulk, accompanied by a proper certificate of analysis.

SEC. 11. *Increase for sacks.* When malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts are sold in sacks furnished by the seller there may be added to the appropriate maximum prices the reasonable market value of the sacks used (not exceeding any maximum price established thereon).

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 13. *Evasion.* The provisions of this Maximum Price Regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodity covered by this regulation alone or in connection with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

SEC. 14. *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 15. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 16. *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This regulation shall become effective April 15, 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-8097; Filed, April 10, 1944; 11:38 a. m.]

[1] 8 F.R. 4183, 5987, 7662, 9998, 15193.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 375,[1] Amdt. 2]

USED INDUSTRIAL SEWING MACHINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 375 is amended in the following respects:

1. Section 1390.61 (a) is amended to read as follows:

(a) *Reports of additions to stock and offering and selling prices*—(1) *Who shall file.* Reports of additions to stock and offering and selling prices must be filed by every person engaged in the business of selling used industrial sewing machines, either on his own behalf or on behalf of another. For example, these reports must be filed by agents, auctioneers, brokers, and dealers, and manufacturers who sell used industrial sewing machines.

(2) *Method of filing.* These reports shall be filed on Form OPA 2:10:P1 Revised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form). Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of a used industrial sewing machine by a person required to report under this paragraph (a), that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a used industrial sewing machine by a person required to report under this paragraph (a), that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(3) *Records of information filed.* Every person required to file reports under this paragraph (a) shall keep a complete and accurate record of the information contained in those reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. In § 1390.161 paragraphs (b), (c) and (d) are redesignated paragraphs (c), (d) and (e) respectively.

3. Section 1390.161 (b) is added to read as follows:

(b) *Rental*—(1) *Report of rentals.* Every lessor of industrial sewing machines shall file a report with the Office of Price Administration, Washington, D. C. within ten days after a lease. This report shall set forth:

(i) The name of the person making the report;

(ii) The name and address of the lessor;

(iii) The name and address of the lessee;

(iv) Identification of the machine by the manufacturer, style or model number, type and serial or other number;

(v) The rental price; and

(vi) The date of delivery.

These reports shall be filed in duplicate and shall be signed by the person reporting.

(2) *Reports of list price rentals for industrial sewing machines not listed in Appendix A.* Every lessor of industrial sewing machines which are not listed in Appendix A and for which there was a list price in effect on October 1, 1941, unless he has already done so, must file all his list prices in effect on October 1, 1941, for the rental of industrial sewing machines with the Office of Price Administration, Washington, D. C.

4. Section 1390.161a is added to read as follows:

§ 1390.161a *Notification of auction sales.* Every auctioneer shall file a written notice of every private or public auction sale of used industrial sewing machines at least one week before the sale. This notice shall be filed with the District Office of the Office of Price Administration, which is located in the district in which the auction is to be held. This notice shall include the place, date and time of the sale, the classes and types of used industrial sewing machines that are to be sold, and a copy of any announcements of the sale.

5. Section 1390.162a is amended to read as follows:

§ 1390.162a *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of used industrial sewing machines.* Every person engaged in the business of selling used industrial sewing machines, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with Licensing Order No. 3.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 10th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5090; Filed, April 10, 1944; 11:36 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,[1] Amdt. 4]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 465 is amended in the following respects:

1. Section 12a is added to read as follows:

SEC. 12a. *Reports of additions to stock and offering and selling prices*—(a) *Who shall file.* Reports of additions to stock and offering and selling prices must be filed by every person engaged in the business of selling used vessels, either on his own behalf or on behalf of another. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and manufacturers who sell used vessels.

(b) *Method of filing.* These reports shall be filed on Form OPA-2:10:P1 Re-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5887, 7114.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

[1] 8 F.R. 12625, 16170, 9 F.R. 2091, 257, 2092.

vised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form). Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of a used vessel by a person required to report under this section, that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a used vessel by a person required to report under this section, that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(c) *Records of information filed.* Every person required to file reports under this section shall keep a complete and accurate record of the information contained in those reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. Section 13 is amended to read as follows:

SEC. 13. *Notification of auction sales.* Every auctioneer shall file a written notice of every public or private auction sale of used vessels at least one week before the sale. This notice shall be filed with the District Office of the Office of Price Administration which is located in the district in which the auction is to be held. The notice shall include the place, date and time of the sale, the classes and types of used vessels that are to be sold, and a copy of any announcement of the sale.

3. Section 15 is amended to read as follows:

SEC. 15. *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of used vessels.* Every person engaged in the business of selling used vessels, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with Licensing Order No. 3.

This amendment shall become effec-

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMPR 125,[1] Amdt. 4]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1395.1 is amended by adding a new paragraph (b1) after paragraph (b) and before paragraph (c), to read as follows:

(b1) *Small orders.* Nothing in this regulation or in the General Maximum Price Regulation [2] shall apply to any sale, contract to sell, or delivery of nonferrous castings if all of the following conditions are met:

NOTE: If any one or more of the conditions are not met, the exclusion is not in effect.

(1) *Limits as to total weight and number.* The order for the castings must not exceed the following limits either in total weight or in total number of castings:

	(i) For the particular small order		(ii) For all small orders received from the same buyer within 30 days before the receipt of the particular order, plus the particular order	
	Weight	Number from one design of pattern	Weight	Number from one design of pattern
	Pounds		*Pounds*	
Copper base castings	100	25	400	80
Aluminum base castings	100	25	300	60
Magnesium base castings	100	25	300	80

The total weights are the weights, before machining, of all castings of each metal base, and the number of castings is the number of castings from each design of pattern. The number of castings from more than one design of pattern in a single order may, of course, be greater than the limit provided for each single design of pattern.

(2) *No pricing contract or list in effect.* The exemption does not apply to castings for which the prices are provided, at the time of the order, by a pricing contract or agreement, price list or schedule, such as, for example, a flat price for similar castings or groups of castings.

figured for the purpose of complying with pricing provisions of this regulation.

(4) *Statement on invoice and copy.* A statement must appear on the invoice for the castings and on at least one copy of the invoice in the records of the seller as follows: "Exempted from price control by RMPR 125, § 1395.1 (b1)."

(5) *Report of small orders.* The seller must report on January 15, April 15, July 15 and October 15 of each year the following information concerning castings sold by him during the preceding completed calendar quarter year:

(i) Total weight and dollar amount of castings of each metal base exempted from price control under this section.

(ii) Total weight and dollar amount of all nonferrous castings priced under RMPR 125.

The information shall be reported by a letter signed by the seller and filed with the Office of Price Administration, Washington, D. C.

This amendment shall become effective April 15, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5086; Filed, April 10, 1944; 11:38 a. m.]

PART 1405—FERRO ALLOYS

[MPR 248,[1] Amdt. 4]

MANGANESE ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 248 is amended in the following respects:

A new § 1405.56b is added as set forth below:

§ 1405.56b *Sales or deliveries of metallurgical manganese ores, quantities not in excess of 500 pounds.* Neither the provisions of this Maximum Price Regulation No. 248, other than § 1405.59, nor the provisions of the General Maximum Price Regulation,[2] shall apply to the sale or delivery of manganese ores when the sale or delivery does not exceed 500 pounds in weight.

This amendment shall become effective April 15, 1944.

vised—Form WPB–2574—(Used Equipment and Machinery Inventory and Sales Report Form). Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of a used vessel by a person required to report under this section, that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a used vessel by a person required to report under this section, that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(c) *Records of information filed.* Every person required to file reports under this section shall keep a complete and accurate record of the information contained in those reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. Section 13 is amended to read as follows:

SEC. 13. *Notification of auction sales.* Every auctioneer shall file a written notice of every public or private auction sale of used vessels at least one week before the sale. This notice shall be filed with the District Office of the Office of Price Administration which is located in the district in which the auction is to be held. The notice shall include the place, date and time of the sale, the classes and types of used vessels that are to be sold, and a copy of any announcement of the sale.

3. Section 15 is amended to read as follows:

SEC. 15. *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of used vessels.* Every person engaged in the business of selling used vessels, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with Licensing Order No. 3.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 10th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5096; Filed, April 10, 1944; 11:37 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMPR 125,[1] Amdt. 4]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1395.1 is amended by adding a new paragraph (b1) after paragraph (b) and before paragraph (c), to read as follows:

(b1) *Small orders.* Nothing in this regulation or in the General Maximum Price Regulation[2] shall apply to any sale, contract to sell, or delivery of nonferrous castings if all of the following conditions are met:

NOTE: If any one or more of the conditions are not met, the exclusion is not in effect.

(1) *Limits as to total weight and number.* The order for the castings must not exceed the following limits either in total weight or in total number of castings:

	(i) For the particular small order		(ii) For all small orders received from the same buyer within 30 days before the receipt of the particular order, plus the particular order	
	Weight	Number from one design of pattern	Weight	Number from one design of pattern
Copper base castings	*Pounds* 100	25	*Pounds* 400	80
Aluminum base castings	100	25	300	60
Magnesium base castings	100	25	300	60

The total weights are the weights, before machining, of all castings of each metal base, and the number of castings is the number of castings from each design of pattern. The number of castings from more than one design of pattern in a single order may, of course, be greater than the limit provided for each single design of pattern.

(2) *No pricing contract or list in effect.* The exemption does not apply to castings for which the prices are provided, at the time of the order, by a pricing contract or agreement, price list or schedule, such as, for example, a flat price for similar castings or groups of castings.

(3) *No pricing under the regulation within past 30 days.* The exemption does not apply to castings the same as castings that have been sold, contracted to be sold, delivered or offered for sale to the same buyer within 30 days before the receipt of the order, at a price figured for the purpose of complying with pricing provisions of this regulation.

(4) *Statement on invoice and copy.* A statement must appear on the invoice for the castings and on at least one copy of the invoice in the records of the seller as follows: "Exempted from price control by RMPR 125, § 1395.1 (b1)."

(5) *Report of small orders.* The seller must report on January 15, April 15, July 15 and October 15 of each year the following information concerning castings sold by him during the preceding completed calendar quarter year:

(i) Total weight and dollar amount of castings of each metal base exempted from price control under this section.

(ii) Total weight and dollar amount of all nonferrous castings priced under RMPR 125.

The information shall be reported by a letter signed by the seller and filed with the Office of Price Administration, Washington, D. C.

This amendment shall become effective April 15, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5086; Filed, April 10, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1271, 2597, 2721; 9 F.R. 376.

PART 1405—FERRO ALLOYS

[MPR 249,[1] Amdt. 4]

MANGANESE ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 248 is amended in the following respects:

A new § 1405.56b is added as set forth below:

§ 1405.56b *Sales or deliveries of metallurgical manganese ores, quantities not in excess of 500 pounds.* Neither the provisions of this Maximum Price Regulation No. 248, other than § 1405.59, nor the provisions of the General Maximum Price Regulation,[2] shall apply to the sale or delivery of manganese ores when the sale or delivery does not exceed 500 pounds in weight.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5088; Filed, April 10, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8894, 10017; 8 F.R. 2109, 12406.

[2] 9 F.R. 1385.

PART 1405—FERRO ALLOYS

[MPR 258,[1] Amdt. 4]

CHROME ORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 258 is amended in the following respects:

A new § 1405.104b is added as set forth below:

§ 1405.104b *Sales or deliveries of chrome ores, quantities not in excess of 500 pounds.* Neither the provisions of this Maximum Price Regulation No. 258, other than § 1405.108, nor the provisions of the General Maximum Price Regulation[2] shall apply to the sale or delivery of chrome ores when the sale or delivery does not exceed 500 pounds in weight.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5089; Filed, April 10, 1944; 11:39 a. m.]

PART 1416—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 17]

MAXIMUM PRICES IN THE VIRGIN ISLANDS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 395 is amended in the following respects:

1. Section 32 (a) (4) is added to read as follows:

(4) "Soup bones" means scrap soup bones only and does not include bones customarily sold as meat.

2. Section 37 is added to read as follows:

SEC. 37. *Maximum prices for laundry, dry cleaning or wet cleaning, and pressing services sold in the Municipality of St. Thomas and St. John*[4]—(a) *Definition.* When used in this section 37, the term:

(1) "Dry cleaning or wet cleaning" includes all customary pressing and finishing services.

(b) *Laundry services.* The maximum prices for laundry services sold by establishments, not including individual laundresses, located in the Municipality of St. Thomas and St. John shall be the applicable price set forth in the following table:

TABLE XXIV—MAXIMUM PRICES FOR LAUNDRY SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN

	Each
Aprons	$0.08
Bed spread covers	.08
Brassieres	.10
Bath mats	.10
Bath robes	.25
Bedspreads, plain and light chenille	.25
Bedspreads, heavy chenille	.35
Blankets	.25
Blouses, plain	.15
Blouses, fancy	.25
Caps, doctors'	.05
Caps, cooks,	.10
Coats, men's	[1].40
Collars, men's, hard	.06
Collars, men's, soft	.05
Comforts, except silk	.25
Comforts, silk	.50
Drawers (shorts), men's	[1].06
Drawers (unionsuits or B. V. D.'s) men's	.10
Dresses, plain	.25
Dresses, pleated	.50
Dresses, silk or sharkskin	.50
Dungarees, pants only, and work pants	.25
Dungarees, jackets only	.15
Dungarees, combination	.40
Gowns, doctors'	.20
Handkerchiefs	[1].02
Housecoats	.50
Laundry bags	.06
Mattress covers	.15
Mosquito nets	.25
Neckties	.05
Nightgowns, except silk	.15
Nightgowns, silk	.25
Overalls, one piece	.25
Overalls, combination (two pieces)	.40
Pads, bed	.25
Pajamas, pair	[1].22
Pajamas, coats	.10
Pajamas, trousers	.12
Panties, except silk	.08
Panties, silk	.15
Pants, work	.25
Pants, except work pants and riding trousers	[1].35
Pillow cases	.05
Rugs, rag	.25
Sheets, regular	.15
Sheets, half	.06
Shirts, sport	.15
Shirts, white	.18
Shirts, colored	.15
Shirts, starched dress	.25
Shorts, play or sport	.20
Shower curtains	.12
Skirts, plain	.25
Slacks, ordinary	.35
Slacks, other	.40
Slack suits	.60
Socks, white, pair	.05
Socks, colored, pair	.04
Suits, ladies' cotton	.60
Suits, men's, except stuff (as serge)	[1].75

[1] Hotels and resorts may charge the following maximum prices on the items listed below:

Coats, men's	$0.50
Drawers (shorts), men's	.10
Handkerchiefs	.03
Pajamas, silk only—otherwise as specified above	.35
Pants, men's, all	.50
Suits, men's	1.00

TABLE XXIV—MAXIMUM PRICES FOR LAUNDRY SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN—Continued.

	Each
Suits, men's, stuff (as serge)	$1.00
Sweaters, except wool	.30
Sweatshirts	.20
Tablecloths, ordinary only	.10
Table napkins	.03
Towels, bath	.06
Towels, face	.05
Towels, hand and kitchen	.04
Towels, roller	.06
Trousers, riding	.50
Undershirts	.06
Uniforms, maids' and nurses'	.50

NOTE: The maximum prices for laundering articles not specifically mentioned in this table shall be determined by the seller on the basis of the maximum prices for laundry services of comparable difficulty, and must be in line with the listed prices.

The seller may add a surcharge not in excess of 25 per cent of the total charge for laundering items on a 24-hour service basis, if such service is specially requested by the customer.

(c) *Dry cleaning or wet cleaning services.* The maximum prices for dry cleaning or wet cleaning services sold in the Municipality of St. Thomas and St. John shall be the applicable price set forth in the following table:

TABLE XXV—MAXIMUM PRICES FOR DRY CLEANING OR WET CLEANING SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN

	Each
Suits, men's	$1.25
Coats, men's	.75
Pants, except flannel	.50
Pants, flannel	1.00
Dresses, plain	1.00
Dresses, half pleated	1.25
Dresses, full pleated	1.50
Evening gowns	(1)

[1] Exempt from price control by the Office of Price Administration.

NOTE: The maximum prices for dry cleaning or wet cleaning articles not specifically mentioned shall be determined by the seller on the basis of maximum prices for dry cleaning services of comparable difficulty, and must be in line with the listed prices.

The seller may add a surcharge not in excess of 25 per cent of the total charge for dry cleaning or wet cleaning items on a 24-hour service basis, if such service is specially requested by the customer.

(d) *Pressing services.* The maximum prices for pressing only, or sponging and pressing only, garments in the Municipality of St. Thomas and St. John shall be 50 cents per garment, except that the total price per suit may not exceed 75 cents.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5091; Filed, April 10, 1944; 11:39 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9002; 8 F.R. 3371, 7196, 9767.

[2] 9 F.R. 1385.

[1] 8 F.R. 6621, 8673, 9996, 11438, 12661, 13345, 14144, 15865, 17062, 16296, 16793; 9 F.R. 1398.

[4] Maximum prices for laundry, dry cleaning and wet cleaning, and pressing services sold in the Municipality of St. Croix are governed by the General Maximum Price Regulation, as amended.

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 31]

BUILDING BRICK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

1. The list of commodities in § 1499.167, Appendix B, is amended by deleting the term "common brick", listed under the heading "Structural clay products" and adding the term "Building brick (common and unglazed face)", as set forth below:

Building brick (common and unglazed face)	

This Amendment No. 31 shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5087; Filed, April 10, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 24]

SERVICES OF CARRIER OTHER THAN COMMON CARRIER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1499.75 (a) (3), the fourth undesignated paragraph, including the subdivisions (a) through (j), is amended to read as follows:

Applications for adjustment under this subparagraph (3) shall be filed on and contain the information required by OPA Forms 644-602 and 603.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5095; Filed, April 10, 1944; 11:37 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 527, 1815, 1960, 3105, 3766, 3850, 4140, 4931, 5750, 8751, 8753, 9836, 10433, 10906, 11097, 13405, 13479, 13186, 13660, 14622, 14766, 16299, 17415; 9 F.R. 1912, 2556.

Chapter XIII—Petroleum Administration for War

[PAO 12, as Amended Apr. 8, 1944]

PART 1528—MATERIAL CONSERVATION; MARKETING

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of material for the marketing of petroleum for defense, for private account and for export; and the following order is deemed necessary in the public interest to promote the national defense and provide adequate supplies of petroleum for military and other essential uses.

§ 1528.1 *Petroleum Administrative Order No. 12*—(a) *Scope of order.* The provisions of this order shall be applicable to petroleum marketing operations in the United States, its territories or possessions and to the use of material for such operations.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Marketing" means the operation of all facilities (other than petroleum terminal or terminal storage facilities or marine, rail, pipeline or truck facilities used to transport petroleum) for distributing or dispensing petroleum (excluding natural or liquefied petroleum gas), including without limitation the operation of service stations, substations, bulk plants, warehouses, wholesale depots, or facilities operated by "consumer accounts".

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Structure" means any building, physical construction or portion thereof, used in marketing, but not including equipment used therein.

(5) "Equipment" means dispensing pumps, other than "drum" or "barrel" pumps as these terms are known to the trade, and storage tanks (including but not limited to skid tanks) having a capacity of more than 65 gallons used in marketing.

(6) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure or equipment in a sound working condition or the restoration or fixing of any structure or equipment which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost five hundred dollars ($500.00) for any one complete operation which has not been subdivided for the purpose of coming within this definition: *Provided*, That maintenance and repair shall not include (a) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes; or (b) the installation or replacement of any equipment.

(7) "Farm" means any plot of land at least 10 acres of which are used for agricultural purposes for profit.

(8) "Supplier" means any person, other than an ultimate consumer, supplying petroleum directly or indirectly.

(9) "Advertising material" means any material (other than non-metallic material) used for such display or advertising purposes as are incident to marketing.

(c) *Restrictions on use of material.* Subject to the exceptions in paragraph (d), no person shall:

(1) Construct, reconstruct, expand, alter or remodel any structure;

(2) Install equipment or advertising material;

(3) Construct, equip or locate any tank truck or tank trailer where such tank truck or tank trailer is used or is to be used to deliver petroleum into the fuel supply tanks of passenger motor vehicles.

(4) Use any (i) structure constructed, reconstructed, expanded, altered or remodelled in violation of this order; (ii) equipment installed in violation of this order; (iii) tank or tank trailer constructed, equipped or located in violation of this order.

(d) *Permitted uses of material.* The provisions of paragraph (c) shall not apply in the following instances:

(1) To any case where material is to be used by any person for the maintenance and repair of any structure or equipment.

(2) To any case where the structure or equipment is to be used exclusively for the official requirements of the armed forces of the United States.

(3) To any case where equipment is to be installed as a replacement of equipment the repair of which cannot be effected on the premises: *Provided*, That:

(i) In the case of storage tanks having a capacity of more than 65 gallons, the capacity of the tank which is to be installed does not exceed the capacity of the tank which is to be replaced;

(ii) In the case of dispensing pumps, the pump which is to be installed is of similar type and design as the pump which is to be replaced.

(4) To any case where any dispensing pump completely fabricated prior to January 14, 1942

(i) Is to be installed to replace a dispensing pump manufactured not less than five years prior to the date of such installation; or

(ii) Is to be installed by any person at any location from which such dispensing pump had been previously removed by such person for safe-keeping for a period of at least two months or is to be installed by any person as a replacement of a pump of the same type and design which had been removed by such person from such location for safe-keeping for a period of at least two months: *Provided*, That any person installing a dispensing pump pursuant to this paragraph (d) (4) (ii) shall keep a record showing the date and location of the removal, the type and design of the pump removed, the date of the installation and the type and design of the newly installed pump.

(5) To any case where equipment is to be installed to distribute petroleum to machinery or vehicles used directly in physical construction work on any project to which a preference rating of AA-4 or higher has been assigned: *Provided*, That such equipment shall be withdrawn from the location of the project upon the completion thereof and shall thereafter be subject to the provisions of this Order.

(6) To any case where equipment is to be installed to contain, distribute or dispense fuel oil, including grades Nos. 1, 2, 3, 4, 5 or 6, Bunker "C", kerosene, range oil or gas oils, to stationary consuming facilities: *Provided*, That such equipment is not installed at any structure for use in carrying out marketing functions regularly performed by a service station, substation, bulk plant, warehouse, or wholesale depot.

(7) To any case where equipment is to be installed on a farm and is to be used exclusively to dispense petroleum products to the machinery or vehicles used directly in operations on such farm.

(8) To any case where advertising material which was completely fabricated, but not necessarily assembled, on or before March 30, 1942, is to be installed.

(9) To any case where storage tanks are to be installed to augment the storage capacity at any location for a product presently stored at that location: *Provided*, That the installation results in an annual mileage saving of at least 25% in the mileage traveled by the transportation facilities used in making deliveries of such petroleum product to the location: *And provided further*, That the installation is not disapproved by the Petroleum Administration for War within ten days after a statement in triplicate is filed with the District Director of Distribution and Marketing, as directed in paragraph (e) hereof, advising the date and location of the proposed installation, the material and equipment to be used, and the estimated mileage traveled by the transportation facilities used in making deliveries of such petroleum product to the location before and after the proposed installation, such notice to be signed by a duly authorized representative of the person supplying the location with petroleum.

(10) To any case where an authorized official of the Petroleum Administration for War has determined that the construction, reconstruction, expansion or remodeling of any structure, the installation of equipment or advertising material, or the construction, equipping or locating of any tank truck or trailer, is necessary and appropriate in the public interest and contributes to the successful prosecution of the war. Application for such a determination shall be filed in triplicate on Form PAW 23.

(e) *Application and correspondence.* All correspondence and all applications filed under subparagraphs (d) (8) and (d) (9) shall, unless otherwise directed, be addressed to the District Director of Distribution and Marketing, Petroleum Administration for War at:

(1) 127 East 42d Street, New York, New York, if the material is to be used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(2) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the material is to be used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(3) 245 Mellie Esperson Building, Houston, Texas, if the material is to be used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(4) 320 First National Bank Building, Denver, Colorado, if the material is to be used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(5) 855 Subway Terminal Building, Los Angeles, California, if the material is to be used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of April 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-5060; Filed, April 10, 1944; 10:37 a. m.]

PART 1531—MARKETING NAPHTHA

[Petroleum Distribution Order 18, Amdt. 1]

QUARTERLY QUOTA

Section 1531.1 *Petroleum Distribution Order No. 18* is hereby amended by changing subparagraph (7) of paragraph (a) to read as follows:

(a) *Definitions.* • • •

(7) "Quarterly quota" means that amount of naphtha which any dealer or bulk consumer is entitled to obtain under the provisions hereof from his supplier or suppliers during any quota period and shall be determined by multiplying by 125% the number of gallons of naphtha delivered to such dealer or bulk consumer during the calendar quarter of 1942 corresponding to the quota period: *Provided*, That any naphtha or other petroleum product which was sold as a motor fuel during the corresponding calendar quarter of 1942 shall not be included in the number of gallons of naphtha upon which the quarterly quota of any dealer or bulk consumer is computed.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of April 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-5059; Filed, April 10, 1944; 10:37 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 7—UNITED STATES MARINE CORPS

PROMOTION; SEPARATION

Section 7.13–111 (c) is amended by adding at the end thereof: "(See § 7.13–66 (b) (3))"; §§ 7.13–66 (b) (3) and 7.13–111 (e) are amended to read as follows:

§ 7.13–66 *Failure to qualify for promotion.*[1] • • •

(b) *Failure on examination.* • • •

(3) *Professionally.* An officer who fails to qualify professionally may be honorably discharged or, in the discretion of the Commandant of the Marine Corps, be suspended from promotion for a period of 1 year from the date of his examination, with the loss of 1 year's numbers from the date he originally became due for promotion. Should he then qualify, his loss of numbers will be that of all officers of his rank, junior to him, who have been promoted during the year. At the end of 1 year, should he fail to qualify upon reexamination, he shall be honorably discharged (see § 7.13–111), placed on the honorary retired list (see § 7.13–113), or retained in the Marine Corps Reserve as an extra number in grade. While so serving as an extra number in grade, he may request reexamination and, if and when so qualified, may be reassigned to the regular lineal list with a consequent loss of numbers.

§ 7.13–111 *Discharge of officers.*[2] • • •

(e) When 40 years of age in grade of second lieutenant or first lieutenant; 46 years of age in grade of captain; 52 years of age in grade of major; or 58 years of age in grade of lieutenant colonel; unless, within the discretion of the Secretary of the Navy, he is retained on the active list or placed on the honorary retired list of the Marine Corps Reserve.

[1] 8 F.R. 16437.

[2] 8 F.R. 16440.

(R.S. 1621, 41 Stat. 787, 56 Stat. 10, 52 Stat. 1175, 55 Stat. 3, 56 Stat. 226, 739; 34 U.S.C. 715, 622, 853–856)

MAJ. GEN. D. PECK,
Acting Commandant of the U. S. Marine Corps.

Approved:

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 44-4983; Filed, April 7, 1944; 11:43 a. m.]

PART 1—GENERAL REGULATIONS AFFECTING THE PUBLIC COMMERCIAL ADVERTISING; PHOTOGRAPHS OF NAVAL SUBJECTS

Sections 1.3002[1] and 1.3005[2] (b) (5), (h) (1) are amended to read as follows:

§ 1.3002 *Commercial advertising.* (a) The Navy Department will not object to commercial firms advertising that their products are or have been supplied to, or used by the Navy, provided:

(1) That no information held as confidential by the Navy is divulged.

(2) That the advertising constitutes a statement of fact with no misleading or otherwise objectionable features.

(3) That no mention is made of the fact that a product has undergone or is undergoing test at the instance of or under the cognizance of the Navy Department, and that there are included no data derived from tests made in Government laboratories or on board naval vessels.

(4) That no statement is made that the product is used by the Navy to the exclusion of other similar products.

(5) That all copy, text, and photographs to appear are submitted for review prior to release.

(b) The following regulations govern the use of naval insignia, uniforms, and personnel in advertisements or publicity stories:

(1) *Insignia.* Reproductions of naval insignia may be used in advertising and publicity provided that the dignity of such insignia is not compromised.

(2) *Uniforms.* Actual uniforms may be used for illustrations, provided that the dignity of such uniforms is not compromised. There is no objection to the use of professional models photographed in naval uniforms provided that the foregoing regulations are observed.

(3) *Personnel.* Navy personnel may be used under the following conditions:

(i) The action may not in any way reflect discredit upon the Navy.

(ii) The action or pose shall in no way infer the products advertised are endorsed by the Navy to the exclusion of other products.

(iii) Testimonials from Navy personnel are not banned per se, but the person giving the testimonial cannot be specifically identified. The use of name, initials or rank of Navy personnel appearing in testimonial advertising is not permitted. However, it is permissible to use the expression "says a Navy captain," etc. Care should be taken to phrase testimonials from Navy personnel so as to make clear that the views expressed are those of individuals and not of the Navy Department.

(iv) Names and pictures of naval personnel shall not be used for advertising purposes without first obtaining the permission of the man in question and without submission of the advertisement, in completed form, to the Office of Public Relations for review and approval prior to publication.

(v) Should an advertiser contemplate the use of Navy heroes in a manner not covered by the foregoing, he should be requested to submit photographs and text material to the Office of Public Relations, Review Section, Washington, D. C., for review prior to publication.

(c) In each case in which any bureau or office of the Navy Department or other agency in the naval service receives an inquiry on this subject, it will reply in the sense of the foregoing.

(d) So far as practicable, the review of advertising copy by naval authority will be carried out by the commandant of the naval district within which the advertising company is located.

(e) When there is doubt as to the propriety of the copy or photographs, reference should be made to the Office of Public Relations, Review Section, Navy Department, Washington. D. C.

[G. O. 201, Oct. 16, 1943]

§ 1.3005 *Photographs of naval subjects.* * * *

(b) *Responsibility.* * * *

(5) *Reference to Navy Department in cases of doubt.* Where there is doubt as to the advisability of making or releasing any photograph for publication, reference, with recommendation, will be made to the Secretary of the Navy (Director of Public Relations). When an official Navy still photograph is referred to the Navy Department for review, the original negative and two prints will be forwarded to the Chief of Naval Operations. All copies of negatives and photographs of combat action against the enemy which show loss of or damage to U. S. combatant ships, or fleet operations knowledge of which must be kept in the limited distribution category, should be forwarded via the Commander in Chief, United States Fleet, who will take appropriate action as to further disposition. All still negatives and prints made by commercial photographers shall remain under naval jurisdiction until such negatives have been released. In the case of commercial photographers one additional print should be forwarded to the Secretary of the Navy (Director of Public Relations) for the Department files.

* * * * * *

(h) *General.* (1) Official Navy photographs of potential strategic or historic value without regard to release status, will be forwarded to the Chief of Naval Operations. [G.O. 204, Nov. 15, 1943]

(R.S. 1547; 34 U.S.C. 591)

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-5050; Filed, April 10, 1944; 9:43 a.m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 219]

ALASKA

RESERVING ADDITIONAL PUBLIC LANDS WITHIN CHUGACH NATIONAL FOREST FOR TOWNSITE PURPOSES

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914, 38 Stat. 305, 307 (U.S.C., title 48, sec. 303), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The reservation for townsite purposes made by Executive Order No. 1919½ of April 21, 1914, of a tract of public land at the head of Passage Canal (Portage Bay), within the Chugach National Forest, Alaska, is hereby enlarged, the reservation as so enlarged being described as follows:

Beginning at a point from which the highest point of the most northerly knob, about 50 feet high, on the well-defined glaciated spur between Passage Canal and Portage Glacier, about 1¼ miles southwest of Passage Canal, bears west one-quarter mile.

From the point of beginning,

South, 40 chains, to a point in approximate latitude 60°45'45" N., and longitude 148°45' W.;

East, 300 chains;

North, 140 chains;

West, 80 chains;

North, 100 chains;

West, 220 chains;

South, 200 chains, to the place of beginning.

The area described aggregates 6,400 acres, including land and water surface.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 28, 1944.

[F. R. Doc. 44-5005; Filed, April 8, 1944; 10:06 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

[Order 84-B]

MULTIPLE OWNERSHIP OF STANDARD BROADCAST STATIONS

At a meeting of the Commission held on April 4, 1944, the Commission gave consideration to the petitions pending before it for a suspension of § 3.35 (8 F.R. 16065) or for a postponement of the ef-

[1] 8 F.R. 7397.
[2] 8 F.R. 7398.

fective date of that regulation. The Commission thereupon adopted the following order:

I. Except as provided below the effective date of § 3.35 is hereby suspended.

II. On or before May 31, 1944, all licensees to whom § 3.35 is or may be applicable will be required to:

1. File an application which will effect compliance with § 3.35; or

2. Submit a petition for extension of license for such period as may be necessary to complete negotiations for an orderly disposition or otherwise to comply with the terms of the regulation, provided such petition sets forth:

(a) The determination of the licensee to proceed in good faith as expeditiously as may be to effectuate compliance with the regulation; and

(b) A statement of the steps which petitioner proposes to take in order to effect his compliance with the regulation, and the specific facts establishing due diligence in the effort to effect a compliance with the terms of the regulation and the licensee's inability to comply therewith; or

3. Submit a petition for a hearing to determine the applicability of § 3.35 to the petitioner, in which case the petition and the license renewal will be set for hearing.

III. The license renewals of all affected licensees, who do not take one of the foregoing steps or who are unsuccessful in obtaining an extension of time under subparagraph 2 above, will be designated for hearing.

IV. The Commission will insist upon a speedy determination of any proceeding hereunder and will require an expeditious compliance with its final order thereon within such reasonable time as may be fixed in such final order.

V. Upon compliance with § 3.35 the Commission will issue appropriate certificates pursuant to the provisions of section 123 of the Revenue Act of 1943.

Adopted this 4th day of April 1944.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5009; Filed, April 8, 1944; 11:16 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 173-A]

PART 97—ROUTING OF TRAFFIC

ROUTING OF CARLOAD FREIGHT FROM MONROE OR WEST MONROE, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April, A. D. 1944.

Upon further consideration of Service Order No. 173 (9 F.R. 222) of January 4, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 173 (9 F.R. 222) of January 4, 1944, 49 CFR 97.10, providing restrictions on routing of carload freight from Monroe or West Monroe, Louisiana, to destinations east of the Mississippi River be, and it is hereby, suspended until further order of the Commission. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That this order shall become effective at 12:01 a. m., April 10, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5075; Filed, April 10, 1944; 11:28 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 23]

PART 503—ADMINISTRATION

EXERCISE OF DELEGATED AUTHORITY

Pursuant to Executive Orders 8989, as amended, 9108, as amended, 9156, 9214, 9294, and 9341, and War Production Board Directive 21, it is hereby ordered:

§ 503.425 *Continuance of authority and functions.* Federal officers, departments, agents and agencies, and employees shall continue to exercise the authority and perform the functions heretofore conferred and imposed upon them by the Director and the Acting Director of the Office of Defense Transportation until otherwise ordered.

Administrative Order ODT 22 (9 F.R. 3040) be, and it hereby is, revoked.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9108, as amended, 7 F.R. 2201 and 8 F.R. 3687; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; E.O. 9341, 8 F.R. 6323; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 6th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5064; Filed, April 10, 1944; 11:17 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

UTAH

ESTABLISHMENT AND MODIFICATION OF GRAZING DISTRICTS

Establishing Utah Grazing District No. 11 and modifying Utah Grazing Districts Nos. 4 and 5.

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 4 and 5 are modified by eliminating therefrom the following-described lands, and Grazing District No. 11, embracing such lands, is hereby established:

UTAH

SALT LAKE MERIDIAN

From District No. 4

T. 43 S., R. 2 W.,
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 28 to 33, inclusive.
T. 44 S., R. 2 W.,
Secs. 3 to 10, inclusive.
T. 40 S., R. 3 W., unsurveyed,
Secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
T. 41 S., R. 3 W.,
Secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
Tps. 42, 43, and 44 S., R. 3 W.
T. 39 S., R. 4 W.,
Secs. 1 and 2;
Sec. 9, S½S½;
Sec. 10, S½;
Secs. 11 to 16, inclusive;
Sec. 17, E½;
Sec. 19, lots 6 to 20, inclusive, and E½;
Secs. 20 to 36, inclusive.
Tps. 40 to 44 S., R. 4 W.
T. 32 S., R. 4½ W.,
Secs. 6, 7, 18, 19, 30, and 31.
T. 33 S., R. 4½ W., partly unsurveyed,
Sec. 5, W½;
Secs. 6 and 7;
Sec. 8, W½;
Sec. 17, W½;
Secs. 18 and 19;
Sec. 20, W½;
Sec. 29, W½;
Secs. 30 and 31;
Sec. 32, W½.
T. 34 S., R. 4½ W., partly unsurveyed,
Sec. 5, W½;
Secs. 6 and 7;
Sec. 8, W½;
Sec. 17, W½;
Secs. 18 and 19;
Sec. 20, W½;
Sec. 29, W½;
Secs. 30 and 31.
T. 35 S., R. 4½ W., partly unsurveyed,
Sec. 5, W½;
Secs. 6 and 7;
Sec. 8, W½;
Sec. 17, W½;
Secs. 18 and 19;
Sec. 20, W½;
Sec. 29, W½;
Secs. 30 and 31.

T. 36 S., R. 4½ W.,
Sec. 4, lots 3, 4, 5, 6, 11, and 12, and S½NW¼;
Sec. 5, lots 1 to 10, inclusive, and S½NE¼.
T. 39 S., R. 4½ W.,
Secs. 25, 26, 27, 34, 35, and 36.
Tps. 40 to 44 S., R. 4½ W.
T. 32 S., R. 5 W., partly unsurveyed,
Sec. 1, S½NE¼, E½SW¼, SW¼SW¼, and SE¼;
Sec. 2, S½SE¼;
Sec. 10, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 11, NE¼, S½NW¼, and S½;
Secs. 12 to 15, inclusive;
Sec. 16, NE¼NE¼, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 20, SE¼;
Secs. 21 to 28, inclusive;
Sec. 29, NE¼, E½NW¼, SW¼NW¼, and S½;
Sec. 30, S½SE¼;
Sec. 31, NE¼ and SE¼SW¼;
Secs. 32 to 36, inclusive.
Tps. 33, 34, and 35 S., R. 5 W.
T. 36 S., R. 5 W.,
Secs. 1 to 24, inclusive;
Sec. 25, W½;
Secs. 26 to 35, inclusive.
T. 37 S., R. 5 W., partly unsurveyed,
Secs. 2 to 10, inclusive;
Sec. 11, W½NE¼ and W½;
Sec. 14, NW¼;
Secs. 15 to 22, inclusive;
Sec. 27, W½;
Secs. 28 to 33, inclusive;
Sec. 34, W½.
T. 38 S., R. 5 W.,
Secs. 3 to 10, inclusive, Secs. 16 to 22, inclusive, and Secs. 27 to 34, inclusive.
T. 39 S., R. 5 W.,
Sec. 4, lots 1 and 2, and S½NW¼;
Secs. 5 to 8, inclusive, Secs. 17 to 21, inclusive, and Secs. 26 to 36, inclusive.
Tps. 40 to 44 S., R. 5 W.
T. 33 S., R. 6 W.,
Secs. 24 to 27, inclusive, and Secs. 34, 35, and 36.
T. 34 S., R. 6 W.,
Secs. 1, 2, 3, Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 35 S., R. 6 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 36 S., R. 6 W.,
Secs. 1 to 4, inclusive, and Secs. 9 to 16, inclusive;
Secs. 24, 25, and 36.
T. 37 S., R. 6 W.,
Secs. 1, 12, 13, 24, 25, and 36.
T. 38 S., R. 6 W.,
Sec. 1;
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 39 S., R. 6 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive;
Sec. 15, SE¼;
Sec. 22, NE¼ and S½;
Secs. 23 to 28, inclusive, and Secs. 30 to 36, inclusive.
Tps. 40 to 44 S., R. 6 W., partly unsurveyed.
T. 39 S., R. 7 W.,
Sec. 19;
Secs. 25 to 36, inclusive.
Tps. 40 to 44 S., R. 7 W., partly unsurveyed.
T. 38 S., R. 8 W.,
Sec. 19;
Sec. 20, S½;
Secs. 29 to 32, inclusive;
Sec. 33, S½;
Sec. 34, SW¼.
T. 39 S., R. 8 W.,
Sec. 3, NW¼ and S½;
Secs. 4 to 10, inclusive, and Secs. 14 to 36, inclusive.

Tps. 40 to 44 S., R. 8 W., partly unsurveyed.
T. 38 S., R. 9 W.,
Secs. 3 to 10, inclusive;
Sec. 11, W½;
Sec. 13, S½;
Sec. 14, NW¼ and S½;
Secs. 15 to 36, inclusive.
Tps. 39 and 40 S., R. 9 W.
T. 41 S., R. 9 W.,
Secs. 1 to 6, inclusive, and Secs. 8 to 16, inclusive;
Secs. 21 to 28, inclusive, and Secs. 33 to 36, inclusive.
T. 42 S., R. 9 W.,
Secs. 1 to 4, inclusive, Secs. 9 to 16, inclusive, and Secs. 19 to 36, inclusive.
Tps. 43 and 44 S., R. 9 W.
T. 42 S., R. 9½ W., unsurveyed,
Secs. 17 to 20, inclusive, and Secs. 29 to 32, inclusive.
T. 43 S., R. 9½ W.
T. 41 S., R. 10 W., partly unsurveyed,
Sec. 25, N½ and SW¼;
Secs. 29, 31, and 33;
Sec. 33, W½.
T. 42 S., R. 10 W., partly unsurveyed,
Sec. 5, SW½;
Sec. 6, NW¼ and S½;
Secs. 8 to 9, inclusive;
Sec. 10, W½;
Secs. 13 to 36, inclusive.
T. 43 S., R. 10 W.
T. 43 S., R. 11 W.,
Secs. 1, 2, 3, Secs. 10 to 15, inclusive, and Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 43 S., R. 11 W.,
Secs. 1, 2, 3, secs. 10 to 15, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.

From District No. 5

T. 36 S., R. 1 W., unsurveyed,
Secs. 19 to 22, inclusive;
Sec. 23, S½;
Secs. 25 to 36, inclusive.
Tps. 37 to 44 S., R. 1 W., partly unsurveyed.
T. 33 S., R. 2 W.,
Sec. 1, W½;
Secs. 2 to 11, inclusive;
Sec. 12, NW¼;
Secs. 14 to 23, inclusive, and Secs. 26 to 35, inclusive.
T. 34 S., R. 2 W.,
Secs. 2 to 10, inclusive;
Sec. 11, W½;
Sec. 14, W½;
Secs. 15 to 22, inclusive;
Sec. 23, W½;
Secs. 27 to 33, inclusive.
T. 35 S., R. 2 W.,
Sec. 4, W½;
Secs. 5 to 8, inclusive.
T. 36 S., R. 2 W., partly unsurveyed,
Secs. 13 to 36, inclusive.
Tps. 37 to 43 S., R. 2 W., partly unsurveyed.
T. 43 S., R. 2 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 44 S., R. 2 W.,
Secs. 1, 2, 11, and 12.
T. 33 S., R. 3 W., partly unsurveyed,
Secs. 1, 12, and 13;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 34 S., R. 3 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 35 S., R. 3 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive, and Secs. 20 to 23, inclusive;
Secs. 27, 28, 29, 32, 33, and 34.

T. 36 S., R. 3 W., partly unsurveyed,
Sec. 3, N½ and N½S½;
Sec. 4, N½, SW¼, N½SE¼, and SW¼SE¼;
Secs. 5, 6, and 7;
Sec. 8, W½;
Sec. 13;
Sec. 14, E½;
Sec. 22, SE¼NE¼ and E½SE¼;
Sec. 23, NE¼, S½NW¼, and S½;
Secs. 24, 25, and 26;
Sec. 27, E½;
Sec. 34, NE¼, S½NW¼, and S½;
Secs. 35 and 36.
T. 37 S., R. 3 W.,
Secs. 1, 2, and 3;
Sec. 4, NE¼ and S½;
Sec. 5, E½SE¼;
Sec. 8, SE¼NE¼ and NE¼SE¼;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive, and secs. 31 to 36, inclusive.
Tps. 38 and 39, S., R. 3 W.
T. 40 S., R. 3 W., unsurveyed,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive, and secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 41 S., R. 3 W.,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive, and secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 36 S., R. 4 W.,
Secs. 1 to 4, inclusive, and secs. 9 to 12, inclusive.
T. 37 S., R. 4 W., unsurveyed,
Sec. 36.
T. 38 S., R. 4 W., unsurveyed,
Sec. 1;
Secs. 11 to 14, inclusive, and secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 35 S., R. 1 E.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive, and secs. 23 to 26, inclusive;
Sec. 33, SE¼;
Secs. 34, 35, and 36.
T. 36 S., R. 1 E., partly unsurveyed,
Secs. 1, 2, and 3;
Sec. 4, E½.
T. 37 S., R. 1 E.,
Secs. 12 to 36, inclusive.
Tps. 38 to 44 S., R. 1 E., partly unsurveyed.
T. 34 S., R. 2 E., unsurveyed,
Secs. 19 to 36, inclusive.
Tps. 35 to 44 S., R. 2 E., partly unsurveyed.
T. 34 S., R. 3 E., unsurveyed,
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive, and secs. 19 to 36, inclusive.
Tps. 35 to 44 S., R. 3 E., partly unsurveyed.
T. 33 S., R. 4 E.,
Secs. 25, 26, 35, and 36.
Tps. 34 to 44 S., R. 4 E., partly unsurveyed.
T. 33 S., R. 5 E.,
Secs. 21 to 36, inclusive.
Tps. 34 to 44 S., R. 5 E., partly unsurveyed.
T. 32 S., R. 6 E., unsurveyed,
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
Tps. 33 to 44 S., R. 6 E., partly unsurveyed.
Tps. 40½ to 42 S., R. 6½ E., unsurveyed.
T. 32 S., R. 7 E.,
Sec. 19, lot 4 and SE¼SW¼ and S½SE¼;
Sec. 20, SW¼SW¼;
Sec. 27, SW¼NW¼, NW¼SW¼, S½SW¼, and S½SE¼;
Secs. 28 to 34, inclusive;
Sec. 35, SW¼SW¼.
T. 33 S., R. 7 E., unsurveyed,
Sec. 2, W½SW¼;
Sec. 3, NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 4 to 10, inclusive;
Sec. 11, SW¼NE¼, W½ NW¼SE¼, and S½SE¼;
Sec. 13, SW¼NE¼, NW¼NW¼, S½NW¼, and S½;
Secs. 14 to 36, inclusive.
Tps. 34 to 42 S., R. 7 E., unsurveyed.

T. 33 S., R. 8 E., unsurveyed,
Sec. 18, SW¼SW¼;
Sec. 19, W½ and W½SE¼;
Sec. 20, W½SW¼;
Secs. 30 and 31;
Sec. 32, NW¼NW¼, S½NW¼, SW¼, and SW¼SE¼.
T. 34 S., R. 8 E., unsurveyed,
Sec. 5, NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 6, 7, and 8;
Sec. 9, NW¼NW¼, S½NW¼, SW¼, and SW¼SE¼;
Sec. 15, NW¼NW¼, S½NW¼, SW¼, and S½SE¼;
Secs. 16 to 22, inclusive;
Sec. 23, NW¼NW¼, S½NW¼, SW¼, and SW¼SE¼;
Sec. 25, SW¼SW¼;
Sec. 26, NW¼NE¼, S½NE¼, W½, and SE¼;
Secs. 27 to 35, inclusive;
Sec. 36, NW¼NW¼, S½NW¼, and SW¼.
T. 35 S., R. 8 E., unsurveyed,
Sec. 1, W½ and SW¼SE¼;
Secs. 2 to 11, inclusive;
Sec. 12, W½NE¼, W½ and W½SE¼;
Sec. 13, W½NE¼, W½, and SE¼;
Secs. 14 to 36, inclusive.
Tps. 36 to 42 S., R. 8 E., unsurveyed.
T. 35 S., R. 9 E., unsurveyed,
Sec. 19, SW¼NW¼, NW¼SW¼ and S½SW¼;
Sec. 30, SW¼NE¼, W½, and SE¼;
Sec. 31;
Sec. 32, W½W½ and SE¼SW¼.
T. 36 S., R. 9 E., unsurveyed,
Sec. 5, SW¼NE¼, W½, and W½SE¼;
Secs. 6, 7, and 8;
Sec. 9, W½SW¼;
Sec. 16, W½NW½ and SW¼;
Secs. 17 to 20, inclusive;
Sec. 21, W½ and W½SE¼;
Sec. 27, NW¼SW¼ and S½SW¼;
Secs. 28 to 33, inclusive;
Sec. 34, SW¼NE¼, W½, and SE¼.
T. 37 S., R. 9 E., unsurveyed,
Sec. 2, W½W½;
Secs. 3 to 11, inclusive;
Sec. 12, SW¼NW¼, NW¼SW¼, and S½SW¼;
Sec. 13, W½;
Secs. 14 to 23, inclusive;
Sec. 24, W½;
Sec. 25, W½ and W½SE¼;
Secs. 26 to 35, inclusive;
Sec. 36, NW¼NE¼, S½NE¼, W½, and SE¼.
Tps. 38 to 42 S., R. 9 E., unsurveyed.
Tps. 39 and 40 S., R. 9½ E., unsurveyed.
T. 37 S., R. 10 E., unsurveyed,
Sec. 31, SW¼SW¼.
T. 38 S., R. 10 E., partly unsurveyed,
Sec. 6, lots 4 to 7, inclusive, and SE¼NW¼, E½SW¼, and SW¼SE¼;
Sec. 7;
Sec. 8, S½NW¼ and S½;
Sec. 14, SW¼SW¼;
Sec. 15, SW¼NW¼ and S½;
Sec. 16, S½NE¼, W½, and SE¼;
Secs. 17 to 22, inclusive;
Sec. 23, W½NE¼, W½, and SE¼;
Sec. 25, W½NW¼, SW¼, and W½SE¼;
Secs. 26 to 36, inclusive.
Tps. 38½, 39, and 40 S., R. 10 E., unsurveyed.
T. 38 S., R. 11 E., unsurveyed,
Sec. 31, SW¼NW¼, NW¼SW¼, and S½SW¼.
Tps. 38½, 39 S., R. 11 E., unsurveyed.

UTAH

ESTABLISHMENT AND MODIFICATION OF GRAZING DISTRICTS

Establishing Utah Grazing District No. 10 and modifying Utah Grazing Districts Nos. 2 and 3.

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 2 and 3 are modified by eliminating therefrom the following-described lands and Grazing District No. 10, embracing such lands, is hereby established.

UTAH
SALT LAKE MERIDIAN
From District No. 2

Tps. 10 to 15 S., R. 1 W.
T. 16 S., R. 1 W.,
Secs. 1 to 29, inclusive;
Secs. 30 and 31, those parts north and east of Sevier River;
Secs. 32 and 33.
T. 17 S., R. 1 W.,
Sec. 6, that part north of Sevier River;
T. 15 S., R. 1½ W.
Tps. 10 to 13 S., R. 2 W., partly unsurveyed.
T. 14 S., R. 2 W.,
Secs. 1 to 30, inclusive;
Sec. 31, that part north of Sevier River;
Secs. 32 to 36, inclusive.
T. 15 S., R. 2 W., partly unsurveyed,
Secs. 1 to 5, inclusive;
Secs. 6, 7, and 8, those parts east of Sevier River;
Secs. 9 to 13, inclusive;
Secs. 14 to 17, inclusive, Secs. 22 and 23, those parts north and east of Sevier River;
Secs. 24 and 25;
Secs. 26, 27, and 34, those parts east of Sevier River;
Secs. 35 and 36.
T. 16 S., R. 2 W.,
Secs. 1 and 2;
Secs. 3, 10, and 11, those parts east of Sevier River;
Secs. 12 and 13;
Secs. 14, 15, 22, and 23, those parts east of Sevier River;
Secs. 24 and 25;
Secs. 26, 27, and 35, those parts east of Sevier River;
Sec. 36, that part north of Sevier River.
T. 17 S., R. 2 W.,
Secs. 1 and 2, those parts north of Sevier River.
T. 9 S., R. 3 W., that part in Juab County.
Tps. 10 to 13 S., R. 3 W., partly unsurveyed.
T. 14 S., R. 3 W.,
Secs. 1 to 32, inclusive;
Secs. 35 and 36.
T. 10 S., R. 4 W., that part in Juab County.
Tps. 11 to 14 S., R. 4 W., partly unsurveyed.
T. 10 S., R. 5 W.,
Secs 25 and 26;
Sec. 27, S½;
Secs. 32 to 36, inclusive.
T. 11 S., R. 5 W.,
Secs. 1 to 5, inclusive, and secs. 7 to 36, inclusive.
Tps. 12, 13, and 14 S., R. 5 W., partly unsurveyed.
T. 12 S., R. 6 W.,
Secs 25, 35, and 36.
T. 13 S., R. 6 W.,
Secs. 1, 2, 3, secs. 9 to 36, inclusive.
T. 14 S., R. 6 W.
T. 13 S., R. 7 W.,
Secs. 13 to 36, inclusive.
T. 14 S., R. 7 W.
T. 13 S., R. 8 W.,
Secs. 13 to 36, inclusive.
T. 14 S., R. 8 W.
T. 13 S., R. 9 W.,
Secs. 24 to 27, inclusive, and secs. 31 to 36, inclusive.
T. 14 S., R. 9 W.
T. 13 S., R. 10 W.,
Sec. 17, S½S½;
Sec. 16, SE¼SE¼;
Sec. 19, lots 2, 3, and 4, E½, and E½W½;
Sec. 20, and secs. 29 to 32, inclusive.
T. 14 S., R. 10 W.
T. 13 S., R. 11 W., unsurveyed,
Sec. 23, SE¼SW¼ and S½SE¼;
Sec. 24, S½NE¼ and S½;
Secs. 25 and 26;
Sec. 27, NE¼, E½NW¼, SW¼NW¼, and S½;
Sec. 28, SE¼NE¼, SW¼NW¼, and S½;
Sec. 29, S½N½ and S½;
Sec. 30, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼;
Secs. 31 to 36, inclusive.
T. 14 S., R. 11 W.
T. 13 S., R. 12 W.,
Sec. 25, S½SE¼;
Sec. 35, SE¼NE¼, SE¼SW¼, and SE¼;
Sec. 36.
T. 14 S., R. 12 W.,
Secs. 1 and 2;
Sec. 3, lot 1, S½NE¼, S½NW¼, and S½;
Sec. 4, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 5, SE¼SE¼;
Sec. 6, lots 6 and 7, SE¼SW¼;
Secs. 7 to 36, inclusive.
T. 14 S., R. 13 W., unsurveyed,
Sec. 1, SW¼NE¼, NW¼, and S½;
Sec. 2;
Sec. 3, NE¼, S½NW¼, and S½;
Sec. 4, S½N½ and S½;
Sec. 5, NE¼SW¼, S½SW¼, and SE¼;
Sec. 6, S½S½;
Secs. 7 to 36, inclusive.
T. 14 S., R. 14 W., unsurveyed,
Sec. 1, SE¼SE¼;
Sec. 10, SE¼NE¼, S½SW¼, and SE¼;
Sec. 11, S½N½ and S½;
Secs. 12 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34, 35, and 36.
T. 10 S., R. 1 E.
T. 11 S., R. 1 E.,
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
T. 12 S., R. 1 E.,
Secs. 4 to 8, inclusive;
Sec. 9, N½ and SW¼;
Sec. 16, NW¼, N½SW¼, and SW¼SW¼;
Secs. 17 to 20, inclusive;
Sec. 21, NW¼NW¼, S½NW¼, and SW¼;
Sec. 25, NW¼NW¼;
Sec. 26, NE¼, W½, and W½SE¼;
Secs. 27 to 34, inclusive;
Sec. 35, W½NE¼, SE¼NE¼, NW¼, and S½.
T. 13 S., R. 1 E.,
Secs. 1 to 12, inclusive;
Sec. 13, W½;
Secs. 14 to 23, inclusive;
Sec. 24, W½;
Sec. 25, W½;
Secs. 26 to 35, inclusive;
Sec. 36, W½ and W½E½.
T. 14 S., R. 1 E.,
Sec. 1, W½ and W½E½;
Secs. 2 to 11, inclusive;
Sec. 12, W½ and W½E½;
Sec. 13, W½ and W½E½;
Secs. 14 to 23, inclusive;
Sec. 24, W½ and W½E½;
Sec. 25, W½ and W½E½;
Secs. 26 to 35, inclusive;
Sec. 36, W½ and W½E½.

ABE FORTAS,
Acting Secretary of the Interior.

MARCH 30, 1944.

[F. R. Doc. 44-5002; Filed, April 8, 1944; 10:05 a. m.]

T. 15 S., R. 1 E.,
Sec. 5, W½;
Secs. 6 and 7;
Sec. 8, N½NW¼;
Secs. 18 and 19;
Sec. 27, W½;
Secs. 28 to 33, inclusive;
Sec. 34, W½.
T. 16 S., R. 1 E.,
Secs. 1 to 30, inclusive.
T. 10 S., R. 2 E.,
Secs. 6, 7, and 18.
T. 13 S., R. 2 E.,
Sec. 2, N½;
Secs. 3 to 6, inclusive;
Sec. 8, NE¼, E½NW¼, and N½SE¼;
Sec. 9;
Sec. 10, W½.

From District No. 3

T. 16 S., R. 1 W.,
Secs. 34, 35, and 36.
T. 17 S., R. 1 W.,
Secs. 1 to 4, inclusive;
Secs. 5 and 6, those parts east of Sevier River;
Secs. 9 to 15, inclusive;
Secs. 16, 17, and 21, those parts east of Sevier River;
Secs. 22 to 26, inclusive;
Secs. 27, 28, 34, and 35, those parts east of Sevier River;
Sec. 36.
T. 18 S., R. 1 W.,
Sec. 1;
Secs. 2, 3, and 11, those parts east of Sevier River;
Sec. 12;
Secs. 13, 14, 24, 25, 35, and 36, those parts east of Sevier River.
T. 19 S., R. 1 W.,
Sec. 1;
Secs. 2 and 11, those parts east of Sevier River;
Secs. 12 and 13;
Secs. 14, 23, 24, 25, and 36, those parts east of Sevier River.
T. 20 S., R. 1 W.,
Secs. 1, 24, 25, and 36, those parts east of Sevier River.
T. 21 S., R. 1 W.,
Secs. 1, 12, 13, 14, and 23, those parts east of Sevier River;
Secs. 24 and 25;
Secs. 26, 27, and 34, those parts east of Sevier River;
Secs. 35 and 36.
T. 15 S., R. 3 W.,
Sec. 6, lots 1 to 6, inclusive, and lots 8 to 11, inclusive.
T. 15 S., R. 4 W.,
Secs. 1 to 11, inclusive;
Sec. 12, N½ and SW¼;
Sec. 13, W½;
Secs. 14 to 23, inclusive;
Sec. 24, W½;
Sec. 25, NW¼NW¼;
Secs. 26 to 35, inclusive.
T. 16 S., R. 4 W., partly unsurveyed,
Sec. 2, N½, SW¼, NE¼SE¼, and W½SE¼;
Secs. 3 to 10, inclusive;
Sec. 11, W½NE¼, and W½;
Sec. 16, W½E½ and W½;
Secs. 17 to 20, inclusive;
Sec. 21, W½;
Sec. 28, W½;
Secs. 29 to 32, inclusive;
Sec. 33, NW¼.
T. 17 S., R. 4 W.,
Sec. 4, lot 8, SW¼NW¼, SW¼, and W½SE¼;
Secs. 5 and 6;
Sec. 7, N½;
Sec. 8, N½;
Sec. 9, N½.
Tps. 15 and 16 S., R. 5 W.
T. 17 S., R. 5 W.,
Secs. 1 to 11, inclusive;
Sec. 13, N½ and SW¼;
Sec. 13, W½;
Secs. 14 to 23, inclusive, and secs. 26 to 30, inclusive.
Tps. 15 and 16 S., R. 6 W.
T. 17 S., R. 6 W.,
Secs. 1 to 30, inclusive.
Tps. 15 and 16 S., R. 7 W.
T. 17 S., R. 7 W.,
Secs. 1 to 30, inclusive.
Tps. 15 and 16 S., R. 8 W.
T. 17 S., R. 8 W.,
Secs. 1 to 30, inclusive.
Tps. 15 and 16 S., R. 9 W.
T. 17 S., R. 9 W.,
Secs. 1 to 30, inclusive.
Tps. 15 and 16 S., R. 10 W.
T. 17 S., R. 10 W.,
Secs. 1 to 30, inclusive;
Sec. 31, lots 1 to 8, inclusive, and lot 16, NE¼, E½NW¼, NE¼SW¼, and NW¼SE¼;
Sec. 32, N½NW¼ and SW¼NW¼.
Tps. 15, 16, and 17 S., R. 11 W.
Tps. 15, 16, and 17 S., R. 12 W., partly unsurveyed.
T. 18 S., R. 12 W.,
Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive.
T. 19 S., R. 12 W.,
Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive.
T. 20 S., R. 12 W.,
Secs. 2 to 8, inclusive;
Sec. 9, NE¼NE¼, W½NE¼, NW¼, and NW¼SW¼;
Sec. 10, N½N½;
Sec. 11, NW¼NE¼ and N½NW¼;
Sec. 17, NE¼NE¼, W½NE¼, and W½;
Sec. 18;
Sec. 19, N½NE¼ and NW¼.
Tps. 15 to 19 S., R. 13 W., unsurveyed.
T. 20 S., R. 13 W., unsurveyed,
Secs. 1 to 23, inclusive;
Sec. 24, N½, NE¼SW¼, W½SW¼, and NW¼SE¼;
Sec. 26, N½NE¼ and NW¼;
Sec. 27, N½, N½SW¼, and NW¼SE¼;
Sec. 28, N½, SW¼, N½SE¼, and SW¼SE¼;
Secs. 29 and 30;
Sec. 31, NE¼, W½, and NW¼SE¼;
Sec. 32, N½N½;
Sec. 33, NW¼NW¼.
Tps. 15 to 19 S., R. 14 W., unsurveyed.
T. 20 S., R. 14 W., unsurveyed,
Secs. 1 to 30, inclusive;
Sec. 31, N½ and N½SE¼;
Sec. 32, N½ and N½S½;
Sec. 33, N½ and N½S½;
Sec. 34, N½, N½SW¼, SE¼SW¼, and SE¼;
Secs. 35 and 36.
T. 21 S., R. 14 W.,
Sec. 1, lots 1 to 4, inclusive, and N½SW¼;
Sec. 2, lots 1 and 2, NE¼SE¼.
Tps. 15 to 19 S., R. 15 W., unsurveyed.
T. 20 S., R. 15 W., unsurveyed,
Secs. 1 to 33, inclusive;
Sec. 34, N½N½;
Sec. 35, NE¼ and N½NW¼;
Sec. 36, N½, and NE¼SE¼.
T. 21 S., R. 15 W.,
Sec. 3, SW¼SW¼;
Secs. 4 to 7, inclusive;
Sec. 8, N½, SW¼, and NW¼SE¼;
Sec. 9, N½;
Sec. 10, NW¼;
Sec. 17, SW¼NE¼, W½, and W½SE¼;
Secs. 18 and 19;
Sec. 20, W½NE¼, SE¼NE¼, W½, NE¼SE¼, and W½SE¼;
Sec. 28, SW¼NW¼, SW¼, and S½SE¼;
Secs. 29 to 33, inclusive;
Sec. 34, SW¼NW¼, W½SW¼, and SE¼SW¼.
T. 22 S., R. 15 W.,
Sec. 3, lots 2, 3, and 4, SW¼, W½SE¼, and SE¼SE¼;
Secs. 4 to 10, inclusive;
Sec. 11, SW¼NW¼ and SW¼;
Sec. 14, N½, N½SW¼, SW¼SW¼, and NW¼SE¼;
Sec. 15, N½, N½SW¼, SW¼SW¼, and NE¼SE¼;
Secs. 16 to 21, inclusive;
Sec. 28, N½;
Sec. 29, N½ and N½SW¼;
Sec. 30, lots 1, 2, and 3, NE¼, E½NW¼, NE¼SW¼, and N½SE¼.
Tps. 15 to 21 S., R. 16 W., partly unsurveyed.
T. 22 S., R. 16 W.,
Secs. 1 to 35, inclusive;
Sec. 36, N½NW¼, SW¼NW¼, and SW¼.
T. 23 S., R. 16 W.,
Sec. 1, lots 3, 4, and 5, SW¼N½;
Secs. 2 to 10, inclusive;
Sec. 11, W½NE¼, W½, and SE¼;
Sec. 12, SW¼SW¼;
Sec. 13, NW¼ and NW¼SW¼;
Secs. 14 to 23, inclusive;
Sec. 26, NE¼NE¼, W½NE¼, W½, and W½SE¼;
Sec. 27;
Sec. 28, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 29, NE¼;
Sec. 30, lot 1, NE¼, and NE¼NW¼.
Tps. 15 to 22 S., R. 17 W., partly unsurveyed.
T. 23 S., R. 17 W.,
Secs. 1 to 16, inclusive;
Sec. 17, N½ and N½SE¼;
Sec. 18, NE¼ and NE¼NW¼;
Sec. 21, E½SE¼;
Secs. 22 to 27, inclusive;
Sec. 28, E½NE¼ and SE¼;
Sec. 33, E½, SE¼NW¼, and E½SW¼;
Secs. 34, 35, and 36.
Tps. 15 to 22 S., R. 18 W., partly unsurveyed.
T. 23 S., R. 18 W.,
Secs. 1 to 11, inclusive;
Sec. 12, NE¼, N½NW¼, SW¼NW¼, W½SW¼, and E½SE¼;
Sec. 14, NE¼NE¼ and NW¼NW¼;
Sec. 15, N½NE¼, SE¼NE¼, N½NW¼, and SW¼NW¼;
Sec. 16, N½N½, SE¼NE¼, and SW¼NW¼;
Secs. 17 and 18;
Sec. 19, lots 1 to 9, inclusive, NE¼NE¼, W½NE¼, and E½NW¼;
Sec. 20, NW¼NW¼.
Tps. 15 to 21 S., R. 19 W.
T. 23 S., R. 19 W.,
Sec. 13, E½SE¼;
Sec. 24, E½NE¼ and NE¼SE¼.
Tps. 15 to 21 S., R. 20 W., partly unsurveyed.
T. 23 S., R. 19 W.,
Sec. 13, E½SE¼;
Sec. 24, E½NE¼ and NE¼SE¼.
Tps. 15 to 21 S., R. 20 W., partly unsurveyed.
T. 16 S., R. 1 E.,
Secs. 31 to 36, inclusive.
Tps. 17, 18, and 19 S., R. 1 E.
T. 20 S., R. 1 E.,
Secs. 1 to 5, inclusive;
Secs. 6 and 7, those parts east of Sevier River;
Secs. 8 to 17, inclusive;
Secs. 18 and 19, those parts east of Sevier River;
Secs. 20 to 29, inclusive;
Secs. 30 and 31, those parts east of Sevier River;
Secs. 32 to 36, inclusive.
T. 21 S., R. 1 E., partly unsurveyed,
Secs. 1 to 5, inclusive;
Secs. 6 and 7, those parts east of Sevier River;
Secs. 8 to 12, inclusive, and secs. 14 to 21, inclusive;
Sec. 22, N½ and SW¼;
Sec. 28, N½ and SW¼;
Secs. 29 to 32, inclusive;
Sec. 33, NW¼.
T. 13 S., R. 2 E.,
Sec. 1;
Sec. 2, S½;
Sec. 10, E½;
Secs. 11 to 16, inclusive;
Sec. 21, E½;
Secs. 22 to 26, inclusive;
Sec. 27, N½, E½SW¼, and SE¼;
Sec. 34, NE¼ and E½NW¼;
Secs. 35 and 36.
T. 14 S., R. 2 E.,
Secs. 1, 2, secs. 11 to 14, inclusive;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 15 S., R. 2 E.,
Secs. 1 and 2;
Sec. 3, E½;

Sec. 10, E½;
Secs. 11 to 14, inclusive;
Sec. 15, E½;
Sec. 22, E½;
Secs. 23 to 26, inclusive;
Sec. 27, E½;
Sec. 34, E½;
Secs. 35 and 36.
Tps. 16, 17, and 18 S., R. 2 E.
T. 19 S., R. 2 E.,
Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive;
Sec. 36, SW¼.
T. 20, S., R. 2 E.,
Sec. 2, N½, W½SW¼, and SE¼SW¼;
Secs. 3 to 10, inclusive;
Sec. 11, NW¼;
Secs. 15 to 22, inclusive;
Sec. 23, S½;
Secs. 26 to 35, inclusive.
T. 21 S., R. 2 E.,
Sec. 6.
T. 12 S., R. 3 E.,
Secs. 1, 2, 3, secs. 10 to 16, inclusive, and secs. 19 to 36, inclusive.
Tps. 13 to 17 S., R. 3 E.
T. 18 S., R. 3 E.,
Secs. 4 to 8, inclusive;
Sec. 9, W½;
Sec. 17, NW¼NW¼;
Sec. 18, N½.
Tps. 12 to 15 S., R. 4 E.
T. 16 S., R. 4 E.,
Sec. 2, N½ and N½S½;
Sec. 3, N½ and SW¼;
Secs. 4 to 9, inclusive;
Sec. 10, W½;
Sec. 15, NW¼;
Secs. 16 to 20, inclusive;
Sec. 29, NW¼;
Sec. 30, lots 1, 2, 3, and 9, NE¼, E½NW¼, and NE¼SW¼.
T. 12 S., R. 5 E.,
Sec. 7, lots 3 and 4, E½SW¼;
Sec. 18, W½ and W½SE¼;
Sec. 19, W½E½ and W½;
Sec. 30, W½E½ and W½;
Sec. 31, W½E½ and W½.
T. 13 S., R. 5 E.,
Sec. 6, W½;
Sec. 7, W½;
Sec. 18, W½;
Sec. 19, W½ and SE¼;
Sec. 29, S½;
Secs. 30, 31, and 32;
Sec. 33, W½.
T. 14 S., R. 5 E.,
Sec. 3, W½;
Secs. 4 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
T. 15 S., R. 5 E.,
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.

ABE FORTAS,
Acting Secretary of the Interior.
MARCH 30, 1944.

[F. R. Doc. 44-5003; Filed, April 8, 1944; 10:05 a. m.]

CALIFORNIA

[Air-Navigation Site Withdrawal 216]

WITHDRAWAL OF LAND FOR USE OF WAR DEPARTMENT

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), it is ordered as follows:

So much as may be necessary of the following-described public land in California is hereby classified as suitable for the purpose and, subject to valid existing rights, is withdrawn from all forms of appropriation under the public land laws and reserved for the use of the War Department in the construction and maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 216:

SAN BERNARDINO MERIDIAN

T. 5 S., R. 20 E.,
Sec. 14, unsurveyed.
T. 6 S., R. 20 E.,
Secs. 11 and 14, unsurveyed.
The areas described aggregate 1,920 acres.

The jurisdiction granted by this order shall cease at the expiration of the six-months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The land, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.
MARCH 30, 1944.

[F. R. Doc. 44-5004; Filed, April 8, 1944; 10:06 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD—22]

DEEP ROCK OIL CO.

FINDING REGARDING WAR CONTRACT

In the matter of Deep Rock Oil Company, Des Moines, Iowa (Case No. S-818).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Deep Rock Oil Company, Des Moines, Iowa;

I find that transportation of petroleum products by the Deep Rock Oil Company, Des Moines, Iowa, pursuant to contracts for wholesale distribution and delivery of such products to service stations, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 7th day of April 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-5008; Filed, April 8, 1944; 11:21 a. m.]

Wage and Hour Division.

[A. O. 335]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. John W. De Bruycker from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Beniamino Suarez of Caguas, Puerto Rico.

Signed at Washington this 4th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5043; Filed, April 8, 1944; 4:27 p. m.]

CLYDE SHIRT COMPANY OF NORTHAMPTON, PA.

NOTICE OF DENIAL OF PETITION FOR REVIEW OF ORDER CANCELLING A SPECIAL LEARNER CERTIFICATE

Whereas, on March 26, 1943, pursuant to § 522.8 of the Regulations Applicable to the Employment of Learners Pursuant to section 14 of the Fair Labor Standards Act of 1938, Isabel Ferguson, duly authorized representative of the Administrator of the Wage and Hour Division, after notice and hearing, issued an order cancelling the special learner certificate of the Clyde Shirt Company of Northampton Pennsylvania (8 F.R. 3812), and filed her findings and determination upon the basis of which such order was issued; and

Whereas, upon application for reconsideration filed by the company pursuant to § 522.13 (1) of the regulations, such duly authorized representative reconsidered and affirmed such order of cancellation on April 21, 1943 (8 F.R. 5502); and

Whereas, pursuant to § 522.13 (2) of the regulations, a petition for review of such order was filed with the Administrator on May 6, 1943, by the company; and

Whereas, upon due examination and consideration of petitioner's request for review and the record of the proceedings in the matter of the cancellation I have determined that the findings of the presiding officer are supported by the evidence in the record and that petitioner was given a full hearing by my duly authorized representative:

Now, therefore, notice is hereby given that such petition for review is denied and that the company is required to reimburse persons employed under the

certificate in accordance with the order of my duly authorized representative.

Signed at New York, New York, this 1st day of April.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5042; Filed, April 8, 1944; 4:27 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 609, 1070, 969, 970, 1311, 1312, 1313, 1049, 1195, 1290, 1291, 1217, 1314]

AMERICAN AIRLINES, INC., ET AL.

NOTICE OF HEARING

American Airlines, Inc., Colonial Airlines, Inc., Eastern Air Lines, Inc., Hylan Flying Service, Page Airways, Inc., Pennsylvania-Central Airlines Corp., United Air Lines, Inc., Union Airways, Inc.

Applications for certificates and amendment of existing certificates of public convenience and necessity, between Washington, D. C., New York, N. Y., Ottawa, and Montreal, Canada.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 of said act, that a hearing in the above-entitled proceeding is assigned to be held on May 1, 1944, at 10:00 a. m. (eastern war time), in Conference Room B, Departmental Auditorium, Constitution Avenue between 14th Street and 12th Street NW., Washington, D. C., before Examiners William J. Madden and H. Heinrich Spang.

Dated Washington, D. C., April 7, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-5058; Filed, April 10, 1944; 10:10 a. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS FRIDAY, MARCH 31, 1944

The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears. The apportionment is observed in certifications except to low salaried positions; but as persons who receive appointments in the Departmental Service under the War Service Regulations do not thereby acquire a permanent classified civil service status, their appointments are not charged to the apportionment.

IN ARREARS

State	Number of positions to which entitled	Number of positions occupied
1. Virgin Islands	20	8
2. Puerto Rico	1,464	53
3. Hawaii	332	94
4. Alaska	97	33
5. California	5,410	1,366
6. Michigan	4,117	1,594
7. Louisiana	1,851	720
8. Arizona	391	192
9. Texas	5,024	2,566
10. Alabama	2,219	1,273
11. Kentucky	2,229	1,268
12. Georgia	2,847	1,424
13. Mississippi	1,710	1,035
14. Ohio	5,410	3,288
15. South Carolina	1,488	958
16. Oregon	853	846
17. Arkansas	1,537	1,034
18. Nevada	86	60
19. Indiana	2,685	1,894
20. Washington	1,360	960
21. New Jersey	3,238	2,346
22. New Mexico	417	315
23. Illinois	6,183	4,731
24. Wisconsin	2,457	1,930
25. North Carolina	2,707	2,213
26. Tennessee	2,284	1,838
27. Idaho	411	339
28. Connecticut	1,329	1,113
29. Florida	1,486	1,288
30. Rhode Island	589	503
31. Delaware	208	199
32. Missouri	3,904	3,821

QUOTA FILLED

33. Utah	431	431

IN EXCESS

34. Massachusetts	3,381	5,391
35. Pennsylvania	7,754	8,029
36. Maine	664	607
37. Vermont	281	295
38. New Hampshire	385	404
39. Oklahoma	1,830	1,989
40. West Virginia	1,490	1,675
41. Iowa	1,988	2,349
42. Montana	438	521
43. Colorado	880	1,039
44. Minnesota	2,187	2,085
45. Wyoming	196	243
46. New York	10,557	13,708
47. North Dakota	593	679
48. Kansas	1,411	1,956
49. South Dakota	504	662
50. Nebraska	1,031	1,837
51. Virginia	2,097	4,372
52. Maryland	1,426	4,641
53. District of Columbia	819	13,213

Gains	532
Losses	2,224
Total appointments	104,999

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under section 3, Rule VII, and the Attorney General's Opinion of August 26, 1934, 21,778.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director and Chief Examiner.

[F. R. Doc. 44-5007; Filed, April 8, 1944; 9:10 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6578]

TACOMA BROADCASTERS, INC.

NOTICE OF HEARING

In re application of Tacoma Broadcasters, Inc. (KTBI); date filed, November 10, 1943; for construction permit; class of service, broadcast; class of station, broadcast; location, Tacoma, Washington; operating assignment specified: frequency, 1220 kc.; power, 250 w., hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the provisions of Executive Agreement Series 196.

2. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942, or subsequent modifications thereof.

3. To determine the extent of any interference which would result from the simultaneous operation of Station KTBI as proposed and Station KTW.

4. To determine the areas and populations, if any, which would be deprived of primary service particularly from Station KTW as a result of the proposed operation of Station KTBI and what other broadcast services are available to these areas and populations.

5. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly with reference to the height of the antenna.

6. To determine the areas and populations which may be expected to gain primary service should Station KTBI operate as proposed, and what other broadcast services are available to these areas and populations.

7. To determine whether a grant of the application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

8. To determine whether a grant of the application would be consistent with the provisions of Commission Rule 3.25 (d).

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Tacoma Broadcasters, Inc., Radio Station KTBI, Puget Sound Bank Building, 1117 Pacific Avenue, Tacoma 2, Washington.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5061; Filed, April 10, 1944; 10:41 a. m.]

[Docket No. 6579]

COMMUNITY BROADCASTING SERVICE

NOTICE OF HEARING

In re application of Community Broadcasting Service (WABI); date filed November 17, 1942; for modification of C. P. (B1-P-2349) as modified, for change in type of transmitter and extension of construction and completion dates; class of service, broadcast; class of station, broadcast; location, Bangor, Maine; operating assignment specified (under C. P.): Frequency, 910 kc.; power, 5 kw.; hours of operation, unlimited (DA-night).

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in Permit No. B1-P-2349 and the financial outlay, if any, incurred in connection therewith by the applicant prior to April 27, 1942.

2. To determine when the construction heretofore authorized in Permit No. B1-P-2349 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by Permit No. B1-P-2349 and what additional materials and equipment, if any, will be necessary for the completion thereof.

4. To determine whether the granting of the application for modification of construction permit and extension of commencement and completion dates would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, as amended.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Community Broadcasting Service, Radio Station WABI, 57 State Street, Bangor, Maine.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5062; Filed, April 10, 1944; 10:41 a. m.]

[Docket No. 6580]

COMMUNITY BROADCASTING SERVICE

NOTICE OF HEARING

In re application of Community Broadcasting Service (WABI); date filed, January 4, 1943; for renewal of license; class of service, broadcast; class of station, broadcast; location, Bangor, Maine; operating assignment specified: frequency, 1230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially and otherwise qualified to continue the operation of Station WABI in the public interest.

2. To determine whether the applicant has complied with the provisions of the section 308 (b) of the Communications Act of 1934, as amended, with reference to furnishing information and written statement of facts as requested by the Commission in its communications to the applicant under date of August 11 and September 11, 1943.

3. To obtain full information respecting the character of service that has been and is now being rendered and that is proposed to be rendered by Station WABI.

4. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the granting of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Community Broadcasting Service, Radio Station WABI, 57 State Street, Bangor, Maine.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5066; Filed, April 10, 1944; 10:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-532]

INTERSTATE PIPE LINE COMPANY

NOTICE OF APPLICATION

APRIL 7, 1944.

Notice is hereby given that on March 23, 1944, Interstate Pipe Line Company (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to operate approximately 8½ miles of 2-inch to 6-inch pipe line extending from a point in Miami County, Kansas, in an easterly direction to the town border of Drexel, Missouri.

The application states that the aforesaid facilities were acquired by Applicant, a wholly-owned subsidiary of Interstate Gas Company, from its parent company on August 21, 1943.

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 25, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5006; Filed, April 8, 1944; 10:26 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

DRUGS AND DEVICES

PROPOSED AMENDMENTS TO THE GENERAL REGULATIONS

Notice is hereby given that by virtue of and pursuant to the provisions of sections 502 (f) and 701 (a) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 352 (f), 371 (a)] the Administrator proposes to amend the regulations heretofore promulgated under sections 502 (f) and 505 of the act. The proposed amendments are attached hereto.

All interested persons may submit written statements for consideration in determining the final action to be taken on these proposed amendments. Such statements should be submitted to the Hearing Clerk, General Counsel's Office, Food and Drug Division, Federal Security Agency, Washington 25, D. C., within thirty days after the date of the publication of the proposed amendments in the FEDERAL REGISTER. The proposed amendments may be adopted, rejected, or amended, in whole or in part, by the Administrator, without further notice.

Washington, D. C., April 7, 1944.

[SEAL] WATSON B. MILLER,
Acting Administrator.

Proposed Amendments

The regulation promulgated under section 502 (f) of the Federal Food, Drug, and Cosmetic Act, as published in the FEDERAL REGISTER of April 15, 1941 (6 F.R. 1920), is hereby amended by striking out

paragraphs (b) and (c), and promulgating the following:

§ 2.106 *Drugs and devices; directions for use.* • • •

(b) A shipment or other delivery of a drug or device shall be exempt from the requirements of section 502 (f) (1) of the act, if it complies with all of the following conditions:

(1) Such drug or device, because of its toxicity or other potentiality for harmful effect or the method of its use or the collateral measures necessary to its use, is not generally recognized among experts by scientific training and experience to evaluate its safety and efficacy, as safe and efficacious for use except by or under the supervision of a physician, dentist, or veterinarian.

(2) Such shipment or delivery is made for the purpose of exclusive use:

(i) By physicians, dentists, or veterinarians in their professional practice; or

(ii) Upon their prescriptions and under labeling bearing the directions for use specified in such prescriptions; or

(iii) In the manufacture of another drug or device.

(3) Adequate directions for the use of such drug or device by physicians, dentists, or veterinarians, as the case may be, are readily available.

(4) The label of such drug or device (other than surgical instruments and other devices to be used exclusively by physicians, dentists, or veterinarians in their professional practice) bears the statement "Caution: To be dispensed only by or on the prescription of a _____," or "Caution: To be dispensed only by a _____," the blank being filled in with one or more of the words "physician," "dentist," and "veterinarian," as the case may be.

(5) No representation with respect to the conditions for which a drug or device is to be used and no statement of dosage or other direction for use appears in its labeling except representations or directions:

(i) Referred to in paragraph (f);

(ii) In printed matter supplied to a physician, dentist, or veterinarian separately from such drug or device; and

(iii) Specified in the prescription of a physician, dentist, or veterinarian upon which such drug or device was dispensed.

(6) In the case of a drug which is not designated solely by a name recognized in an official compendium and which is fabricated from two or more ingredients, its label also bears a statement of the quantity or proportion of each active ingredient.

(c) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act if it complies with all the conditions set forth in paragraph (b) (3) and (6) and if such shipment or delivery is made to a physician, dentist, veterinarian, hospital, or clinic for the purpose of exclusive use by physicians, dentists, or veterinarians in their professional practice.

(d) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act, if it is made to a dealer or manufacturer for the purpose of exclusive use in the manufacture of another drug or device and its label bears the statement "For manufacturing use only."

(e) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act with respect to common uses, adequate directions for which are known by the ordinary individual.

(f) No shipment or other delivery of a new drug shall be exempt under paragraph (b) or (c) unless its labeling bears such directions for use as are contained in the labeling upon the basis of which an application under section 505 of the act is effective with respect to such new drug.

(g) No exemption under any provision of this regulation shall apply to any shipment or other delivery of:

(1) A drug if its advertising disseminated or sponsored by or on behalf of its manufacturer, packer, or other persons responsible for making such shipment or delivery, contains any representation not borne by its labeling and which, if so borne, would make it a new drug.

(2) A drug intended for administration by iontophoresis or by injection into or through the skin or mucous membrane.

(3) A drug or device if such shipment or delivery is made in the course of the conduct of a business of dispensing drugs or devices pursuant to diagnosis by mail.

(h) If a shipment or other delivery, or any part thereof, of a drug or device which is exempt under paragraph (b), (c), or (d) is disposed of for any purpose other than that of the exclusive uses specified in such paragraph, such exemption shall expire, with respect to such shipment or delivery or part thereof which is so disposed of, at the beginning of the act of such disposal. The causing of an exemption so to expire shall be considered to be an act which results in such drug or device being misbranded unless, prior to such disposal, it is relabeled to comply with the requirements of section 502 (f) (1) of the act, or it is disposed of for use otherwise than as a drug or device.

(i) For the purposes of this regulation:

(1) The term "dispense" includes, but the term "manufacture" does not include, the use of a drug as an ingredient in compounding any prescription issued by a physician, dentist, or veterinarian in his professional practice.

(2) The terms "physician," "dentist," and "veterinarian," as used in relation to the exemption of any drug or device, include only those physicians, dentists, and veterinarians who are licensed by law to administer or apply such drug or devices.

The regulations relating to section 505 of the act promulgated December 28, 1938 (3 F.R. 3168), as amended April 15, 1941 (6 F.R. 1921), are hereby further amended as follows:

I. By changing paragraph (b) of § 2.110 (relating to section 505 (b) of the act) and adding a new paragraph (d) thereto as follows:

(b) An application shall not be accepted for filing if only one copy is submitted or if it is incomplete on its face in that:

(1) It does not contain all the matter required by clauses (1), (2), (3), (4), and (6) of section 505 (b) of the act;

(2) It does not state the conditions under which the drug is to be used; or

(3) The specimens of labeling proposed for use upon or within the retail package do not expressly or by reference to a brochure or other printed matter prescribe, recommend, or suggest the use of such drug under such conditions.

The Food and Drug Administration shall notify the applicant of such nonacceptance and the reason therefor and, in case of incompleteness as to matter required by any clause of section 505 (b), shall specify such clause. Otherwise the date on which an application is received by the Agency shall be considered to be the date on which such application is filed, and the Food and Drug Administration shall notify the applicant of such date. If the applicant withdraws his application, such application shall be considered as not having been filed.

(d) After an application has become effective with respect to a drug the applicant may file a supplemental application with respect thereto setting forth any proposed change in the conditions under which such drug is to be used, in the labeling thereof, in any circumstance relating to its production, or in any other information contained in the effective application. Such supplemental application may omit statements made in the effective application concerning which no change is proposed.

II. By adding to such regulations a new section (relating to section 505 (d) of the act) as follows:

§ 2.112 The information contained in an application may be insufficient for the Administrator to determine whether a drug is safe for use if it fails to include (among other things) a statement showing whether the drug is to be exempt under § 2.106 (b) or (c) of the regulation under section 502 (f) of the act, as amended, from the requirement that its labeling bear adequate directions for use. If the drug is to be so exempt the information may also be insufficient if:

(1) The specimen label of the drug fails to incorporate by reference a specifically identified brochure or other printed matter containing adequate directions for use by physicians, dentists, or veterinarians, as the case may be, under all conditions under which the drug is to be used;

(2) Such label fails to state that the drug is to be used as shown in such brochure or printed matter and that such brochure or printed matter will be sent to physicians, dentists, or veterinarians, as the case may be, on request;

(3) The application fails to contain a copy of such brochure or printed matter; or

(4) The application fails to show that such brochure or printed matter is readily available to physicians, dentists, or veterinarians, as the case may be, or if

not that it is to be made so upon the application becoming effective.

III. By adding to such regulations a new section (relating to section 505 (e) of the act) as follows:

§ 2.113 Among the reasons why a statement contained in an application may be untrue are changes in:

(1) Conditions of use prescribed, recommended, or suggested by the applicant for the drug from the conditions of such use stated in the application;

(2) Articles used as components of the drug from those listed in the application;

(3) Composition of the drug from that stated in the application;

(4) Methods used in, or the facilities or controls used for, the manufacture, processing, or packing of the drug from such methods, facilities, and controls described in the application; and

(5) Labeling from the specimens contained in the application.

The numbers of §§ 2.110 (d), 2.111, and 2.1065 (relating respectively to sections 505 (c), 505 (i), and 502 (k) and 506 of the act) have been changed to 2.111, 2.114, and 2.115, respectively.

[F. R. Doc. 44-5074; Filed, April 10, 1944; 11:27 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4959]

WILLYS-OVERLAND MOTORS, ET AL.

AMENDED ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of April, A. D., 1944.

In the matter of Willys-Overland Motors, Inc., a corporation; United States Advertising Corporation, a corporation; Ward M. Canaday, individually and as Chairman of the Board of Directors of Willys-Overland Motors, Inc., and of United States Advertising Corporation; Joseph W. Frazer, individually and as President of Willys-Overland Motors, Inc.; George W. Ritter, individually and as Vice President and Secretary of Willys-Overland Motors, Inc., and as Vice President and Director of United States Advertising Corporation; Delmar G. Roos, individually and as Vice President in Charge of Engineering of Willys-Overland Motors, Inc.; Frank H. Canaday, individually and as a Director of United States Advertising Corporation. Minneapolis-Moline Power Implement Company, a corporation, Intervenor.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 18, 1944, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 207, Federal Building, Toledo, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the intervenor and the respondents, respectively. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5082; Filed, April 10, 1944; 11:35 a. m.]

[Docket No. 5112]

JOSEPH LEVY CLOTHING MFG. CO., INC., ET AL.

ORDER APPOINTING TRIAL EXMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of April, A. D. 1944.

In the matter of Joseph Levy Clothing Manufacturing Company, Inc., a corporation; Crawford Clothes, Inc., a corporation; Joseph Levy, David Levy, and Frank Seidenwurm, individually and as officers and directors of Joseph Levy Clothing Manufacturing Company, Inc., and Crawford Clothes, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, April 27, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 504, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5084, Filed, April 10, 1944; 11:35 a. m.]

[Docket No. 5119]

HOWARD CLOCK CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of April, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 14, 1944, at eleven o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5083; Filed, April 10, 1944; 11:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 178]

RECONSIGNMENT OF GRAPEFRUIT AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 3 or 4, 1944, by Rio Grande Valley Citrus Exchange, of car ART 73936, grapefruit, now on the Missouri Pacific Railroad to Salina, Kansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5018; Filed, April 8, 1944; 11:40 a. m.]

[S.O. 70-A, Special Permit 179]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, April 5 or 6, 1944, by Gus Relias of car PFE 94679, tomatoes, now on the Wabash Railroad, to Schofel Brothers, Newark, New Jersey.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5019; Filed, April 8, 1944; 11:40 a. m.]

[S.O. 70–A, Special Permit 180]

RECONSIGNMENT OF POTATOES AT KANKAKEE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kankakee, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of cars WFE 67193 and BRE 75465, potatoes, now on the Illinois Central Railroad, to Camp Selby, Mississippi.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5020; Filed, April 8, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 181]

RECONSIGNMENT OF POTATOES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, April 5 or 6, 1944, by Edw. H. Anderson Company of car DS 6252, potatoes, now on the C. M. St. P. & P. Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5021; Filed, April 8, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 182]

RECONSIGNMENT OF POTATOES AT DANVILLE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Danville, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of car WFE 60429, potatoes, now on the C. & E. I. Railroad, to St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5022; Filed, April 8, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 183]

RECONSIGNMENT OF POTATOES AT KANKAKEE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kankakee, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of car PGE 38264, potatoes, now on the Illinois Central Railroad, to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5023; Filed, April 8, 1944; 11:40 a. m.]

[S. O. 108, Special Permit 7]

TRANSPORTATION OF CANADIAN MALTING BARLEY FROM DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 27,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company, Duluth, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5025; Filed, April 8, 1944; 11:40 a. m.]

[S. O. 178, General Permit 6]

TRANSPORTATION AND REFRIGERATION OF FATS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening or animal tallow, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m., April 10, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5026; Filed, April 8, 1944; 11:41 a. m.]

[S. O. 178, Special Permit 106]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening or animal tallow, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m., April 10, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5015; Filed, April 8, 1944; 11:41 a. m.]

[S. O. 178, Special Permit 107]

LOADING OF LARD AT OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car ARL 11246 with lard by Armour & Company at Omaha, Nebraska, and the movement of that car so loaded from that point April 5, 1944, to Texarkana, Arkansas-Texas. (Mo. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5016; Filed, April 8, 1944; 11:41 a. m.]

[S. O. 178, Special Permit 108]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with shortening by the Humko Company at Memphis, Tennessee, and the movement of the two cars so loaded from that point, one April 7, 1944, to Philadelphia, Pennsylvania (Mo. Pac.) and one April 8, 1944, to New York, N. Y. (I. C.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5017; Filed, April 8, 1944; 11:41 a. m.]

[S. O. 187, 2d Amended General Permit 1]

MOVEMENT OF POTATOES FROM COLORADO, NEBRASKA AND WYOMING

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska and Wyoming, consigned to washing plants located at Center, Del Norte, Julesburg, La Jara or Monte Vista, Colorado; Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Mitchell, Nebraska; Huntley, Lingle, Pine Bluffs, Riverton, South Torrington or Torrington, Wyoming; for washing, sorting and grading purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44–5024; Filed, April 8, 1944; 11:41 a. m.]

[S. O. 196]

UNLOADING OF COAL AT HARRISBURG, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April, A. D. 1944.

It appearing, that two (2) cars containing coal, PRR 161143 and PRR 901728 on hand at Harrisburg, Pennsylvania, on The Pennsylvania Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered,* That:

Coal at Harrisburg, Pennsylvania, to be unloaded. (a) The Pennsylvania Railroad Company, its agents or employees, shall unload forthwith two (2) cars containing coal, PRR 161143 and 901728 on hand at Harrisburg, Pennsylvania.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. (40

Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Pennsylvania Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary*.

[F. R. Doc. 44-5077; Filed, April 10, 1944; 11:20 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR. 120, Order 675]

COMFORT RUN COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 675 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of Comfort Run Coal Company.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Comfort Run Mine of Comfort Run Coal Company in Clearfield County, Subdistrict No. 13 of District No. 1, is assigned Mine Index No. 5056.

(b) Coals produced by Comfort Run Coal Company from its Comfort Run Mine, Mine Index No. 5056 in Size Group 1 to 5, inclusive, for rail shipments, are hereby classified "D," and may be sold and purchased for rail and truck shipments at prices not exceeding the following:

	Size groups				
	1	2	3	4	5
Rail shipments	$3.60	$3.40	$3.40	$3.25	$3.25
Truck shipments	3.70	3.45	3.45	3.35	3.25
Railroad locomotive fuel	3.20	3.00	3.00	2.95	2.95

These prices are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(c) This order may be revoked or amended at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) All prayers of applicant not granted herein are hereby denied.

This order shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 6th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4937; Filed, April 6, 1944; 3:53 p. m.]

[MPR 120, Order 676]

RAMSEY AND SILER

AUTHORIZATION OF MAXIMUM PRICES

Order No. 676 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices and price classifications for coals of Ramsey and Siler.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Aileen Mine of Ramsey and Siler in McDowell County, West Virginia, Subdistrict No. 3 of District No. 7, is hereby assigned Mine Index No. 1023.

(b) Coals produced by Ramsey and Siler, Eckman, West Virginia, at its Aileen Mine, Mine Index No. 1023, in District No. 7, for the indicated uses and movements, are hereby classified as follows and may be sold and purchased at per net ton prices, not exceeding the following:

	Size groups								
	1	2	3	4	5	6	7	8	9
Classification	B	B	A	A	A	B	B	D	D
Rail shipments	$5.05	$4.95	$4.10	$3.35	$3.45	$3.80	$3.80	$3.10	$3.05
Truck shipments	4.50	4.40	4.15	3.30	3.20	3.15	3.15	3.10	3.05

RAILROAD LOCOMOTIVE FUEL

All lump and double screened coal	$3.65
Run of Mine	3.50
Resultant run of mine—larger than 1¼" x 0 but not exceeding 2½" x 0	3.35
Screenings 1¼" x 0 and smaller	3.10

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) All prayers of the applicant not granted herein are hereby denied.

This order shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 6th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4936; Filed, April 6, 1944; 3:53 p. m.]

[MPR 120, Order 677]

DARTMONT COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 677 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices for coals produced by the Dartmont Coal Company, Evart, Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Dartmont Mine operated by the Dartmont Coal Company, Evart, Kentucky, is hereby assigned Mine Index No. 7074 and is classified in Freight Origin Group No. 80.

(b) Coals produced by the Dartmont Coal Company, Evart, Kentucky at its Dartmont Mine, Mine Index No. 7074, in District No. 8 for shipment by rail and truck may be sold and purchased at prices not to exceed the following respective prices per ton f. o. b. the mine.

	Size group No.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	Q	Q	Q	Q	L	L	K	H	F	D	E	E	E	K	K	K	K
Rail shipments	$3.30	$3.25	$3.20	$3.20	$3.20	$3.20	$3.10	$3.10	$3.10	$3.70	$3.00	$3.00	$3.00	$2.85	$2.80	$2.80	$2.80
Railroad fuel shipments	3.30	3.25	3.20	3.20	3.20	3.20	3.10	3.10	3.10	3.70	3.00	3.00	3.00	2.85	2.80	2.80	2.80
Truck shipments	3.30	3.30	3.20	3.20	3.05	3.05	3.10	3.10	3.10	3.70	3.00	3.00	3.00	2.85	2.80	2.80	2.80

This Order No. 677 may be revoked or amended by the Administrator at any time.

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

All prayers of the applicant not granted herein are hereby denied.

This Order No. 677 shall become effective April 7, 1944.

Issued this 6th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4935; Filed, April 6, 1944; 3:53 p. m.]

[MPR 120, Order 678]

CONGRESS COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 678 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation plant. Establishing maximum prices for coals of the Congress Coal Company.

For the reasons set forth in an accompanying opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Cumberland Mine of The Congress Coal Company is hereby assigned Mine Index No. 4032 and classified in the Cambridge Freight Origin Group and Railroad Fuel Price Group No. 102.

(b) Coals produced by The Congress Coal Company, Zanesville, Ohio, Mine Index No. 4032, in District No. 4, for the indicated uses and movements, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments	$3.10	$3.05	$2.75	$2.75	$2.70	$2.60	$2.35	$2.25	$2.60	$2.10	.....	$2.60
Truck shipments	3.55	3.45	3.30	3.05	3.05	2.90	2.65	2.55	.....	.....	.....	.....
Railroad fuel	2.75	2.75	2.75	2.75	2.75	2.60	2.20	2.20	2.35	2.20	.....	2.60

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) All prayers of the applicant not granted herein are hereby denied.

(g) This order shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4934; Filed, April 6, 1944; 3:53 p. m.]

[MPR 120, Order 679]

DIAMOND "D" COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 679 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Diamond "D" Coal Company.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Barrie "D" Mine of Diamond "D" Coal Company in Somerset County, Pennsylvania, Subdistrict No. 40 of District No. 1, is hereby assigned Mine Index No. 5046.

(b) Coals produced by Diamond "D" Coal Company, Somerset, Pennsylvania, from its Barrie "D" Mine, Mine Index No. 5046, in District No. 1, for the indicated uses and movements are assigned the following classifications and may be sold and purchased at per net ton prices not exceeding the following:

	Size groups				
	1	2	3	4	5
Price classifications	H	H	H	H	H
Rail shipments	$3.30	$3.30	$3.10	$2.85	$2.85
Truck shipments	3.50	3.25	3.25	3.15	3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) All prayers of the applicant not granted herein are hereby denied.

This order shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4933; Filed, April 6, 1944; 3:52 p. m.]

[MPR 275, Order 1, Revocation]

H. J. HEINZ CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation 275. Extracted honey.

Authorization of maximum prices of "Lakeshore" brand extracted honey for H. J. Heinz Company, Pittsburgh, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) That Order No. 1 with amendments thereto issued pursuant to § 1351.1319 (g) of Maximum Price Regulation No. 275 be and is hereby revoked.

(b) This order of revocation shall be effective as of the 4th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

CHESTER BOWLES, *Administrator*.

[F. R. Doc. 44-4999; Filed, April 7, 1944; 4:21 p. m.]

[MPR 188, Order 1472]

STANDARD MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1472 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of new garden tools manufactured by Standard Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales of two new hoes, hay rake, level head rake and trowel manufactured by the Standard Manufacturing Company, 182½ East Jefferson Street, Los Angeles, California.

(1) For sales by the manufacturer, the maximum prices are those set forth below, f. o. b. Los Angeles, California:

Article	Model No.	To jobbers	To retailers
		Per doz.	*Per doz.*
Hoe	V12	$11.94	$14.92
Hoe	H12	4.90	6.53
Bow rake	V24	3.68	4.92
Rake	RO14	4.20	5.60
Trowel		.90	1.20

(2) For sales by jobbers to retailers, the maximum prices are those set forth below, f. o. b. seller's city:

Article	Model No.	Maximum prices
		Per doz.
Hoe	V12	$5.92
Hoe	H12	6.45
Bow rake	V24	4.92
Rake	RO14	5.60
Trowel		1.20

(3) For sales at retail, the maximum prices are those set forth below:

Article	Model No.	Maximum prices
		Each
Hoe	V12	$0.49
Hoe	H12	.88
Bow rake	V24	.62
Rake	RO14	.70
Trowel		.15

(b) To every garden tool shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. This order establishes maximum prices for sales by all jobbers to jobbers and retailers. Each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. The written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1472 may be revoked or amended by the Price Administrator at any time.

This Order No. 1472 shall become effective on the 10th day of April 1944.

Issued this 8th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5045; Filed, April 8, 1944; 4:41 p. m.]

[MPR 136, Amdt. 1 to Rev. Order 88]

GENERAL ELECTRIC CO. OF BRIDGEPORT, CONN.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Revised Order No. 88 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with § 1390.25a, Revised Order No. 88 under Maximum Price Regulation No. 136 is amended in the following respects:

1. Paragraph (a) is amended by adding the words "or manufactured" after the word "rebuilt."

2. Paragraph (a) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model:	*Maximum price for each unit*
FEA-2	$64.00

3. Paragraph (b) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model:	*Maximum price for each unit*
FEA-2	$71.00

4. Paragraph (c) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model:	*Maximum price for each unit*
FEA-2	$94.50

This amendment shall become effective February 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5057; Filed, February 17, 1944; 11:34 a. m.]

Regional and District Office Orders.

[Region III Order G-13 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TOLEDO, OHIO, AREA

Amendment No. 4 to Order No. G-13, as Amended, Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-13 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Part I under section (c) (1) is amended by adding paragraph E thereto as follows:

E. To the prices stated in paragraphs A, B, C, and D of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.

(b) The general description contained in the heading of Part III under Column I of section (c) (1) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southeastern West Virginia and Northwestern Virginia)".

This amendment to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4939; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-14 Under RMPR 122, Amdt. 5]

SOLID FUELS IN DESIGNATED LOCALITIES IN MICHIGAN

Amendment No. 5 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the cities of Saginaw, Carrollton and Zilwaukee and the townships of Kochville, Buena Vista, and Saginaw, all in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-14 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Sub-paragraphs 3 and 4 of paragraph B, Part I in section (c) are combined to constitute a new sub-paragraph 3 of paragraph B, Part I in section (c) to read as follows:

Column I	Column II	Column III
3. Size Groups No. 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size not exceeding 2") mine price classifications B through M	$9.10	$8.30

(b) Sub-paragraph 3 (d), paragraph A of Part I in section (c) is amended to read as follows:

Column I	Column II	Column III
(d) Glen Alum Mine, Index No. 219 of the Glen Alum Coal Company	$9.50	$8.75

(c) Part I in section (c) is amended by the addition of paragraph E thereto to read as follows:

E. To the prices stated in paragraphs A, B, C, and D of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.

(d) The general description contained in the heading of Part III under Column I of the price schedule in section (c) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 7 (Southeastern West Virginia and Northwestern Virginia)".

This Amendment No. 5 to Order No. G-14 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4940; Filed, April 6, 1944; 3:55 p. m.]

[Region III Order G-19 under RMPR 122, Amdt. 1]

SOLID FUELS IN WARREN, OHIO, AREA

Amendment No. 1 to Order No. G-19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Warren, Ohio Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-19 under Revised Maximum Price Regulation No. 122 be amended by adding Paragraph C to Part IV in section (c) to read as follows:

C. To the prices stated in paragraphs A and B of Part IV may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This amendment to Order No. G-19 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4941; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-20 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LANSING, MICH., AREA

Amendment No. 1 to Order No. G-20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lansing, Michigan, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-20 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Sub-paragraph 3, Paragraph 3, of Part I in section (e) is amended to read as follows:

Column I	Maximum prices per net ton: Column II	Column III	Column IV
3. Size Group No. 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller) Mine Price Classifications B through W	$8.80	$9.30	$7.55

(b) Paragraph C of Part I in section (c) is amended to read as follows:

Column I	Maximum prices per net ton: Column II	Column III	Column IV
C. Stove, Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price Classifications B through G	$8.75	$9.25	$7.50

(c) Part I in section (c) is amended by adding Paragraph F thereto as follows:

F. To the prices stated in paragraphs A, B, C, D, and E of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This Amendment No. 1 to Order No. G-20 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4942; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-21 under RMPR 122, Amdt. 1]

SOLID FUELS IN ALLIANCE, OHIO

Amendment No. 1 to Order No. G-21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Alliance in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-21 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The general description in subparagraph 1, paragraph A, Part I under Schedule I in section (c) (1) is amended by the addition of the following phrase "excepting Mine Index No. 413" so that the entire heading under said subparagraph 1 shall read as follows: "Mine Price Classification E through J, excepting Mine Index No. 413".

(b) Sub-paragraph 2, paragraph B, Part II under Schedule I in section (c) (1) is amended to read as follows:

	Maximum Gross Price per Net Ton
2. Size Group No. 3 (double screened; bottom size larger than 1¼" but not exceeding 2")	$6.30

(c) Part I under Schedule I in section (c) is amended by adding paragraph C thereto as follows:

C. To the prices stated in paragraphs A and B of Part I may be added 15¢ per ton provided the coal is mined in Sub-District 6 of Producing District 8. Sub-District 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This amendment to Order No. G-21 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-4943; Filed, April 6, 1944; 3:55 p. m.]

[Region III Order G-34 Under RMPR 122, Amdt. 1]

SOLID FUELS IN YOUNGSTOWN, OHIO, AREA

Amendment No. 1 to Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Youngstown, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional

Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G–34 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Paragraph A, Part V under section (c) (1) is amended to read as follows:

Column I	Column II	Column III
A. Lump, Size Group No. 2 (Bottom size larger than 3" but not exceeding 5") in Mine Price Classifications G through H:		
1. All coal mined in Sub-district 6 (that part of Tennessee in Producing District 8 and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne & Whitely	$9.00	$8.70
2. All other	8.55	7.95

(b) The general description contained in the heading of Part VI under Column I of section (c) (1) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part VI shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southeastern West Virginia and Northwestern Virginia)".

This amendment to Order No. G–34 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–4944; Filed, April 6, 1944; 3:54 p. m.]

[Region VIII Order G–86 Under 18 (c)]

TRANSPORTATION OF FRUITS AND VEGETABLES IN CALIFORNIA

Order No. G–86 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting by motor truck in truck lots any of the fruits and vegetables listed in paragraph (b) when the point of origin and the point of destination are within the State of California shall be the applicable rate specified in Appendix A attached hereto.

(b) This order shall apply to the hauling of potatoes.

(c) The rates specified in Appendix A shall include loading and unloading, except that unloading performed at the Los Angeles Produce Market or at the San Francisco Docks shall not be included but may be made the subject of a separate charge.

(d) In determining the distance between any two points for purposes of this order the Constructive Highway Mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938, in connection with its decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(e) Orders No. G–19 and No. G–20 under § 1499.18 (c) as amended of the General Maximum Price Regulation are hereby revoked.

(f) This order may be amended or revoked or corrected at any time. This order shall become effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

L. F. GENTNER,
Regional Administrator.

APPENDIX A

ADJUSTED MAXIMUM PRICES IN CENTS PER 100 POUNDS

Miles				
Over—	But not over—	12,000 lbs. or less	Over 12,000 lbs. but not over 24,000 lbs.	Over 24,000 lbs.
0	5	10	8.5	7.5
5	10	10.5	9	8
10	15	11	9.5	8.5
15	20	11.5	10	9
20	25	12	10.5	9.5
25	30	12.5	11.5	10
30	40	14	12.5	11
40	50	15.5	14	12
50	60		15	13
60	70		16	14
70	80		17.5	15
80	90		18.5	16
90	100		19.5	17
100	110		20.5	18
110	120		22	19
120	130		23.5	20.5
130	140		25	22
140	150		26.5	23.5
150	160		28	25
160	170		29.5	26
170	180		30.5	27
180	190		31.5	28
190	200		33	29
200	220		34.5	30.5
220	240		36.5	33
240	260		38.5	34.5
260	280		41	36
280	300		43	38.5
300	320		45.5	39
320	340		48	39.5
340	360		50.5	41
360	380		53	43.5
380	400		55.5	44
For distances over 400 miles add for each 20 miles or fraction.			2.5	2

[F. R. Doc. 44–4945; Filed, April 6, 1944; 3:55 p. m.]

[Region VIII Order G–7 Under MPR 280, Amdt. 2]

MILK IN BURLINGTON, WASH.

Amendment No. 2 to Order No. G–7 under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products (Milk).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, *It is hereby ordered*, That Order No. G–7 be amended as follows:

(a) Sub-paragraph (a) (2) is hereby amended to read as follows:

(2) For such sales of milk to purchasers who did not purchase milk from the particular farmer's cooperative during August 1943, the maximum price shall be the highest price which such farmer's cooperative charged during August 1943 to a purchaser of the same class.

(b) Paragraph (c) is hereby amended by adding a new sub-paragraph (c) (4) to read as follows:

(4) "Purchaser of the same class" refers to the practice followed by the seller during the base period, August 1943, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer, or any ordinarily recognized sub-group, or combination of the foregoing) or for purchasers located in different areas or for different quantities or, under different conditions of sale.

This amendment No. 2 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–4936; Filed, April 6, 1944; 3:55 p. m.]

[Region I Order G–48 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BRATTLEBORO-KEENE, VT.-N. H., AREA

Amendment No. 1 to Order No. G–48 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Brattleboro-Keene Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G–48 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Those portions of Price Schedule I in paragraph (b) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

2. Those portions of Price Schedule II in paragraph (c) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

3. Those portions of Price Schedule III in paragraph (d) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

4. Paragraph (f) is revoked and a new paragraph (f) is inserted, to read as follows:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.10	$0.05
Broken, pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove and chestnut	.50	.25	.10	.05
Pea	.25	.15	.05	None
Franklin:				
Broken	.75	.40	.20	.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.30	.15	.05	None
Rice	.10	.05	None	None

5. Subparagraphs (13) and (14) are added to paragraph (g), to read as follows:

(13) "Named Pennsylvania anthracite" means Jeddo Highland, Greenwood and Franklin.

(14) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

This Amendment No. 1 to Order G–48 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–4994; Filed, April 7, 1944; 12:20 p. m.]

[Region I Order G–16 Under SR 15, MPR 280, 329, Amdt. 13]

FLUID MILK IN MASSACHUSETTS

Amendment No. 13 to Order G–16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation 280, as amended, and by § 1351.408 of Maximum Price Regulation 329, as amended, *It is hereby ordered*, That subparagraphs (10) and (11) of paragraph (a) and subparagraph (3) of paragraph (b) be amended and subparagraph (13) of paragraph (i) be added to read as set forth below:

(a) • • •

(10) Massachusetts Milk Marketing Area 6B (the town of Hampden):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.16	$0.15	$0.13
Pint bottles			.075
10-ounce bottles			.055
Half-pint bottles			.0425
10-quart cans			1.25
Full 40-quart cans			5.00
Price to Producers	[1] 4.25		

[1] Per cwt.

(11) Massachusetts Milk Marketing Area 6C (the city of Westfield):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	$0.16	$0.15	$0.13
Pint bottles			.075
10-ounce bottles			.055
Half-pint bottles			.0425
10-quart cans			1.25
Full 40-quart cans			5.00
Price to Producers	[1] 4.25		

[1] Per cwt.

(b) • • •

(3) The above "Wholesale Delivered" sales shall include delivered sales to stores, hotels, restaurants and institutions in any quantity, sales to any person in glass or paper containers whose purchases in such containers average not less than eight quarts per day, and sales in any container to an ultimate consumer whose purchases average not less than eight quarts per day.

• • • • • •

(i) • • •

(13) Amendment No. 13 shall become effective at 12:01 a.m. on April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved March 31, 1944.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

[F. R. Doc. 44–5000; Filed, April 7, 1944; 4:21 p. m.]

[Region I] 2d Rev. Order G–1 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN MIDDLESEX COUNTY, N. J.

Second Revised Order No. G–1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Middlesex County, State of New Jersey, Coal Area VII.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New Jersey, Coal Area VII. Coal Area VII comprises all of Middlesex County in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area VII are set forth in Schedules 1, 11, and 111 hereafter.

(3) *To what this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area VII whether or not you are located in Coal Area VII.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of anthracite subject to this order, or

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher price than maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to sales on a "direct delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales." You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule for the size and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give as specified in the schedule. If the schedule makes no reference to any discount, you need give no discount. When a discount is required, you must state it separately on your invoice.

(4) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(d) *Schedule I: "Direct delivery" sales.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area VII.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$11.74	$7.13	$0.83
Pea	11.98	6.25	.75
Buckwheat	10.06	5.30	.70
Rice	8.95	4.75	
Screenings	4.20	2.15	

(2) *Required discounts.* You shall deduct from the prices set forth above in this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the fiftieth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite in certain specific quantities sold at the dealer's yard.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton (for sales of ½ ton or more)	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Broken, egg, stove, nut	$11.75	$0.70
Pea	10.30	.65
Buckwheat	8.75	.55
Rice	7.65	.50
Screenings	2.50	

(2) *Required discounts.* You shall deduct from the prices set forth in this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

(f) *Schedule III: "Sales of bagged coal".* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

MAXIMUM PRICES PER 50 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut	$0.37	$0.42	$0.47
Pea	.32	.37	.42

MAXIMUM PRICES PER 25 LB. PAPER BAG

Nut	$0.19	$0.21	$0.26

MAXIMUM PRICES PER 12 LB. PAPER BAG

Nut	$0.095	$0.105	$0.125

(g) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale", "yard sale", or a "sale of bagged coal", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex Parte 148—Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule Price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the tax imposed by Section 620 of the Revenue Act of 1942 if actually paid or incurred by you or by any of your prior suppliers and separately stated and collected from you by your supplier. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall reserve, keep, and make available for examination by the Office of Price Administration a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices: sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable schedule or schedules of this order in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you sell subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the maximum prices set hereby.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchase or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Trenton District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Revised Order No. G–1, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, and screenings shall refer to such sizes of anthracite as they were sold and designated in the State of New Jersey—Coal Area VII, during December 1941.

(6) "Direct delivery" means delivery to the buyer's bin or storage space.

(7) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(8) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(9) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., or 12 lb. bags, means deposit in that part of the store designated by the purchaser.

(10) "Sales to ultimate consumers" as applied to bagged coal in 50 lb., 25 lb., or 12 lb. bags, means sales by dealers other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(11) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(t) *Effect of order on Revised Order No. G–1 and on Order No. G–23.* Order No. G–1 under Revised Maximum Price Regulation No. 122, as issued on September 13, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23 issued under that regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Revised Order No. G–1.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This second Revised Order No. G–1 shall become effective December 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4991; Filed, April 7, 1944; 12:19 p. m.]

[Region II Rev. Order G–11 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN HUDSON COUNTY, N. J.

Revised Order No. G–11 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in that portion of Hudson County east of Hackensack River, State of New Jersey, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Coal Area II. Coal Area II includes all of Hudson County in the State of New Jersey east of the Hackensack River.

(2) *Schedules of prices, charges and discounts.* The applicable prices and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area II, are set forth in Schedules I, II, and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices and discounts, and by all other provisions of this order for all deliveries within Coal Area II, whether or not you are located in Coal Area II.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of anthracite subject to this order, or

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that the dealer may comply with requirements or standards with respect to deliveries which have been or may

be issued by an agency of the United States Government.

(iv) Using any other device by which a higher than the applicable maximum price is maintained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to "direct-delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) *For "direct-delivery" sales.* (i) Take the dollar-and-cents figure given in the applicable Schedule for the size and quantity you are selling.

(ii) Deduct from this figure the amount of the discount which you are required to give as specified in the schedule. (You will find discounts stated in paragraph (d) (2).) If the schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(iii) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(iv) You shall not impose any charges with respect to such sales.

(3) *For "yard sales".* (i) The dollars-and-cents figure set forth in the applicable schedule for the sizes and quantities specified shall be the maximum price for sales of those sizes and in those quantities at the yard. You shall not impose any charge, and you are required to give no discounts, in connection with such sales.

(4) *For "sales in 50 lb., 25 lb., and 12 lb. paper bags".* (i) The dollars-and-cents figure set forth in the applicable schedule for the size of anthracite and type of sale there specified, shall be the maximum price. You shall not impose any charges, and you are required to give no discounts, in connection with such sales.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area II.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than one-half ton
Broken, egg, stove, nut	$14.75	$7.65	$0.95
Pea	11.20	6.60	.75
Buckwheat	10.25	5.55	.70
Rice	9.45	5.00	
Barley	8.20	4.35	
Screenings	4.60	2.25	

(2) *Required discounts.* (i) You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net half ton, where payment is made on delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

(ii) In addition, you shall deduct a discount of 75¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(e) *Schedule II: "Yard sales".* (1) Maximum prices for certain sizes of anthracite sold at the dealer's "yard" within Coal Area II.

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. for 100 lbs. or more, but less than one-half ton	
		Dealers	Consumers
Broken, egg, stove, nut	$11.75	$0.62	$0.70
Pea	10.20	.55	.60
Buckwheat	7.60	.45	.55
Rice	6.95		
Barley	5.70		
Screenings	2.55		

(f) *Schedule III.* Schedule III establishes maximum prices for sales to dealers and to consumers within Coal Area II of the specified size of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

(1) *Maximum price per 50 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.38	$0.43	$0.52

(2) *Maximum price per 25 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.19	$0.21	$0.26

(3) *Maximum price per 12 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.095	$0.105	$0.125

(g) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the anthracite is sold. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in supplier's maximum price prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately. For convenience, in billing, you may use on your invoice a rubber stamp reading: "Above price includes Federal Transportation Tax of 4¢ per ton."

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Newark District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-11, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area II, with such designation during December 1941.

(6) "Coal Area II" includes that portion of Hudson County in the State of New Jersey which lies east of the Hackensack River.

(7) "Direct-delivery" means delivery to the buyer's bin or storage space.

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(t) *Effect of Order No. G-11 as originally issued and on Order No. G-23.* Order No. G-11 under Revised Maximum Price Regulation No. 122, as issued on August 16, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-11.

Effective date. This revised order shall become effective December 8, 1943.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4093; Filed, April 7, 1944; 12:19 p. m.]

[Region II Rev. Order G-13 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BRADFORD COUNTY, PA.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Bradford County Commonwealth of Pennsylvania, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania, Coal Area IV. Coal Area IV comprises all of Bradford County in the Commonwealth of Pennsylvania.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area IV are set forth in Schedules I and II hereafter.

(3) *To what this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area IV whether or not you are located in Coal Area IV.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes

and in the quantities set forth in the schedules herein at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Charging for any service which is not expressly requested by the buyer, or

(ii) Charging for any service for which a charge is not specifically authorized by this order, or

(iii) Charging a price for any service higher than the schedule price for such service, or

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(v) Using any other device by which a higher price than maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to sales on a "direct delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e).

(2) Take the dollars-and-cents figure set forth in the applicable schedule for the size and quantity you are selling.

(3) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the foregoing figure no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(4) If you deliver a fraction of a net ton, but not less than one-half ton, you shall add no more than a proportionate service charge, based on the per net ton charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 80¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: "Direct delivery" sales.* Schedule I established maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area IV.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton).
Broken, egg, stove, nut	$12.20	$3.40	$0.36
Pea	10.40	3.70	.75
Buckwheat	8.40	4.70	.65
Rice	7.70	4.10	
Screenings	8.50	1.75	

(2) *Maximum authorized service charges.*

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales in 100 lb. lots, amounting to less than one-half ton).	80¢ per net ton and 80¢ per ton ½ ton.
Carrying upstairs, for one full floor above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel".	75¢ per net ton.
Carrying upstairs for two full floors above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel".	$1.10 per net ton.

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite in certain specific quantities sold at the dealer's yard.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	For net ton, for sales of ½ ton or more	For 100 lbs. for 100 lbs. or more but less than ½ ton	For 50 lb. paper bag	For 30 lb. paper bag
Broken, egg, stove, nut	$11.75	$0.70	$0.37	$0.21
Pea	10.40	.60	.32	.....
Buckwheat	8.40	.60	.....	.....
Rice	7.20	.....	.....	.....
Screenings	8.00	.....	.....	.....

(f) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale" or "yard sale", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(g) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the tax imposed by section 620 of the Revenue Act of 1942 if actually paid or incurred by you or by any of your prior suppliers and separately stated and collected from you by your supplier. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable schedule or schedules of this order in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you sell subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added, to the maximum prices set hereby.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Williamsport District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G–13, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area IV, with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G–13 as originally issued and on Order No. G–23.* Order No. G–13 under Revised Maximum Price Regulation No. 122, as issued on September 20, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23 issued under that regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Order No. G–13.

This Revised Order No. G–13 shall become effective December 9, 1943.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4995; Filed, April 7, 1944; 12:20 p. m.]

[Region II G–22 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED COUNTIES IN PENNSYLVANIA

Order No. G–22 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Lancaster, Lebanon, Berks, Lehigh and Northampton Counties, Commonwealth of Pennsylvania, Coal Area V.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising Commonwealth of Pennsylvania, Coal Area V. That area consists of five zones, as follows:

Zone 1. Zone 1 includes all of Lancaster County.
Zone 2. Zone 2 includes all of Lebanon County.
Zone 3. Zone 3 includes all of Berks County.
Zone 4. Zone 4 includes all of Lehigh County except the City of Bethlehem and the Borough of Fountain Hill.
Zone 5. Zone 5 includes all of Northampton County including the Borough of Fountain Hill and that portion of the City of Bethlehem which lies in Lehigh County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, 4, and 5 are set forth in Schedules I, II, III, IV, and V respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, 4, and 5.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the five zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II, III, IV, and V apply to similar sales in Zones 2, 3, 4, and 5, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), and Schedule V in paragraph (h).

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.60	$6.65	$3.45	$0.80
Pea	11.10	5.80	3.05	.70
Buckwheat	9.45	5.00	2.65	.60
Rice	8.35	4.45	2.35	.55
Barley	7.05	3.90	2.05	----------
Screenings	3.30	1.75	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.60	$6.15	$3.20	$0.70
Pea	10.10	5.30	2.80	.60
Buckwheat	8.45	4.60	2.40	.50
Rice	7.35	3.95	2.10	.45
Barley	6.05	3.30	1.80	----------
Screenings	2.90	1.25	----------	----------

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.55	$6.65	$3.45	$0.80
Pea	10.65	5.70	3.00	.70
Buckwheat	9.25	4.90	2.60	.60
Rice	8.05	4.30	2.30	.55
Barley	6.65	3.70	2.00	----------
Screenings	3.00	1.75	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.55	$6.05	$3.15	$0.70
Pea	9.85	5.20	2.75	.60
Buckwheat	8.20	4.35	2.30	.50
Rice	7.10	3.80	2.05	.45
Barley	5.85	3.20	1.75	----------
Screenings	2.80	1.25	----------	----------

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.55	$6.55	$3.40	$0.80
Pea	10.65	5.70	3.00	.70
Buckwheat	9.20	4.80	2.55	.60
Rice	8.10	4.30	2.30	.55
Barley	6.65	3.70	2.00	----------
Screenings	3.00	1.75	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.55	$6.05	$3.15	$0.70
Pea	9.85	5.20	2.75	.60
Buckwheat	8.20	4.35	2.30	.50
Rice	7.10	3.80	2.05	.45
Barley	5.85	3.20	1.75	----------
Screenings	2.80	1.25	----------	----------

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "Direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.55	$6.55	$3.40	$0.80
Pea	10.65	5.70	3.00	.70
Buckwheat	9.20	4.80	2.55	.60
Rice	8.05	4.30	2.30	.55
Barley	6.80	3.65	1.95	----------
Screenings	2.90	1.75	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schcedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each floor above or below the ground floor except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.55	$6.05	$3.15	$0.70
Pea	9.85	5.20	2.75	.60
Buckwheat	8.20	4.35	2.30	.50
Rice	7.05	3.80	2.05	.45
Barley	5.80	3.15	1.70	----------
Screenings	2.50	1.35	----------	----------

(h) *Schedule V.* Schedule V establishes maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 5. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.70	$6.60	$3.45	$0.80
Pea	11.00	5.75	3.00	.70
Buckwheat	9.25	4.90	2.60	.60
Rice	8.10	4.30	2.30	.55
Barley	6.85	3.70	2.00	----------
Screenings	3.50	1.75	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:	
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.70	$6.10	$3.20	$0.70
Pea	10.00	5.25	2.75	.60
Buckwheat	8.25	4.40	2.35	.50
Rice	7.10	3.80	2.05	.45
Barley	5.85	3.20	1.75	----------
Screenings	2.80	1.25	----------	----------

(i) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(j) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(k) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(l) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(m) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition

shall be filed with the Regional Administrator and acted upon by him.

(o) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(p) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(q) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(r) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or of, during December 1941, you customarily gave purchasers such sales slips or receipts.

(s) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Harrisburg District Office of the Office of Price Administration for violations in Zones 1 and 2 (Lancaster and Lebanon Counties), and with the Philadelphia District Office of the Office of Price Administration for violations in Zones 3, 4, and 5 (Berks, Lehigh and Northampton Counties), or with the Price Panel of the appropriate War Price and Rationing Board.

(t) *Definitions and explanations.* When used in this Order No. G-22, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings, shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area V, with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(u) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective November 29, 1943.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-4990; Filed, April 7, 1944; 12:17 a. m.]

[Region IV Order G-7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KNOXVILLE, TENN., AREA

Amendment No. 1 to Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid Fuels Sold and Delivered by dealers. Maximum prices for solid fuels in the City of Knoxville and adjacent territory in the State of Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (g) of Order No. G-7, *It is hereby ordered*, That:

To the maximum prices for Bituminous Coals from Sub-district No. 6 (Southern Appalachian) of District No. 8 as established by Order No. G-7, as amended by any supplementary order thereto, may be added the sum of 15¢ per ton, 8¢ per ½ ton, and 4¢ per ¼ ton.

This Amendment No. 1 to Order No. G-7 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 1, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-4992; Filed, April 7, 1944; 12:20 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 8, 1944.

REGION II

Maryland Order No. 1-F, Amendment No. 1, filed 9:55 a. m.
Williamsport Order No. 1-F, Amendment No. 1, filed 9:56 a. m.

REGION III

Detroit Order No. 1-F, Amendment No. 9, filed 9:55 a. m.

REGION IV

Montgomery Order No. 1-W, Amendment No. 1, filed 10:06 a. m.
Montgomery Order No. 15, Amendment No. 1, filed 10:06 a. m.

REGION V

Fort Worth Order No. 6-F, Amendment No. 2, filed 10:16 a. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 8, filed 10:15 a. m.
Duluth-Superior Order No. 10, Amendment No. 1, filed 10:14 a. m.
Fargo-Moorhead Order No. 1-F, Amendment No. 3, filed 10:04 a. m.
Fargo-Moorhead Order No. 2-F, Amendment No. 3, filed 10:04 a. m.
Fargo-Moorhead Order No. 3-F, Amendment No. 3, filed 10:04 a. m.
Omaha Order No. 1-W, Amendment No. 1, filed 10:08 a. m.
Omaha Order No. 1-F, Amendment No. 10, filed 10:07 a. m.
Omaha Order No. 1-F, Amendment No. 11, filed 10:08 a. m.
Omaha Order No. 2-F, Amendment No. 8, filed 10:07 a. m.
Omaha Order No. 2-F, Amendment No. 9, filed 10:07 a. m.
Omaha Order No. 2-F, Amendment No. 10, filed 10:07 a. m.
Omaha Order No. 3-F, Amendment No. 2, filed 10:08 a. m.
Sioux Falls Order No. 1-W, filed 10:16 a. m.

REGION VII

Montana Order No. 25, Amendment No. 3, filed 10:05 a. m.
Montana Order No. 26, Amendment No. 3, filed 10:09 a. m.
Montana Order No. 29, Amendment No. 3, filed 10:09 a. m.
Montana Order No. 30, Amendment No. 3, filed 10:09 a. m.
Montana Order No. 31, Amendment No. 3, filed 10:09 a. m.
Montana Order No. 33, Amendment No. 3, filed 10:09 a. m.
Montana Order No. 34, Amendment No. 3, filed 9:55 a. m.
Montana Order No. 35, Amendment No. 1, filed 9:55 a. m.
Montana Order No. 38, Amendment No. 3, filed 10:05 a. m.
New Mexico Order No. F-1, Amendment No. 6, filed 10:03 a. m.
New Mexico Order No. 6-W, filed 10:04 a. m.
Wyoming Order No. 1-F, Amendment No. 3, filed 9:57 a. m.
Wyoming Order No. 2-F, Amendment No. 1, filed 10:03 a. m.
Wyoming Order No. 21, Amendment No. 2, filed 9:57 a. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 11, filed 9:56 a. m.
Los Angeles Order No. 1-F, Amendment No. 6, filed 10:10 a. m.
Portland Order No. 1-F, Amendment No. 10, filed 9:57 a. m.
San Diego Order No. 1-F, Amendment No. 30, filed 9:56 a. m.
San Diego Order No. 6, Amendment No. 7, filed 9:57 a. m.
Seattle Order No. 1-F, Amendment No. 10, filed 10:14 a. m.
Seattle Order No. 2-F, Amendment No. 8, filed 10:14 a. m.
Seattle Order No. 3-F, Amendment No. 10, filed 10:14 a. m.
Seattle Order No. 4-F, Amendment No. 10, filed 10:14 a. m.
Seattle Order No. 5-F, Amendment No. 8, filed 10:13 a. m.
Seattle Order No. 20, Amendment No. 4, filed 10:09 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5044; Filed, April 8, 1944; 4:40 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 8, 1944.

REGION II

District of Columbia Order No. 1-F, Amendment No. 1, filed 11:07 a. m.

REGION III

Indianapolis Order No. 4-F, Amendment No. 9, filed 11:14 a. m.
Indianapolis Order No. 5-F, Amendment No. 9, filed 11:14 a. m.
Indianapolis Order No. 6-F, Amendment No. 9, filed 11:13 a. m.
Indianapolis Order No. 8-F, Amendment No. 9, filed 11:13 a. m.
Indianapolis Order No. 9-F, Amendment No. 9, filed 11:07 a. m.
Indianapolis Order No. 10-F, Amendment No. 9, filed 11:07 a. m.
Indianapolis Order No. 11-F, Amendment No. 9, filed 11:06 a. m.
Lexington Order No. 4-F, Amendment No. 2, filed 11:08 a. m.
Lexington Order No. 12, Amendment No. 4, filed 11:07 a. m.

REGION IV

Jacksonville Order No. 1-W, Amendment No. 1, filed 11:08 a. m.
Jackson Order No. 3-F, Amendment No. 1, filed 11:10 a. m.
Memphis Order No. 4-F, Amendment No. 28, filed 11:13 a. m.
South Carolina Order No. 3-F, Amendment No. 4, filed 11:06 a. m.
South Carolina Rev. Order No. 1-F, filed 11:06 a. m.

REGION V

Arkansas Order No. 1-F, Amendment No. 3, filed 11:13 a.m.
Arkansas Order No. 2-F, Amendment No. 7, filed 11:05 a.m.
Arkansas Order No. 3-F, Amendment No. 7, filed 11:07 a.m.
Arkansas Order No. 4-F, Amendment No. 9, filed 11:05 a.m.
Arkansas Order No. 5-F, Amendment No. 8, filed 11:06 a.m.
Arkansas Order No. 6-F, Amendment No. 9, filed 11:05 a.m.
Houston Order No. 2-F, Amendment No. 3, filed 11:14 a.m.
San Antonio Order No. 1-F, Amendment No. 3, filed 11:08 a.m.
San Antonio Order No. 2-F, Amendment No. 3, filed 11:08 a.m.

REGION VI

La Crosse Order No. 3-F, Amendment No. 6, filed 11:14 a.m.
La Crosse Order No. 5-F, Amendment No. 6, filed 11:14 a.m.
Peoria Order No. 1-F, Amendment No. 2, filed 11:10 a.m.
Sioux City Order No. 1-W, filed 11:12 a.m.

REGION VII

Utah Order No. F-1, Amendment No. 6, filed 11:12 a.m.
Utah Order No. F-2, Amendment No. 5, filed 11:11 a.m.
Utah Order No. F-3, Amendment No. 4, filed 11:11 a.m.
Utah Order No. F-4, Amendment No. 4, filed 11:11 a.m.
Utah Order No. F-5, Amendment No. 4, filed 11:10 a.m.
Utah Order No. F-6, Amendment No. 4, filed 11:11 a.m.
Wyoming Order No. 20, Amendment No. 1, filed 11:12 a.m.

REGION VIII

Phoenix Order No. 8-F, Amendment No. 13, filed 11:10 a.m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5085; Filed, April 10, 1944; 11:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-39, 54-50, 59-10, 54-82]

NORTH AMERICAN LIGHT AND POWER CO., ET AL.

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of April 1944.

In the matter of North American Light & Power Company, Holding-Company System, and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10; and The North American Company, File No. 54-82.

The Commission having entered an order on October 28, 1943, providing, among other things, for a consolidated hearing in the above proceedings, and hearings having been held from time to time thereafter and having been adjourned on November 13, 1943, subject to call, and it appearing to the Commission that said hearings should be reconvened;

It is ordered, That hearings in said consolidated proceedings be reconvened on the 17th day of April, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such reconvened hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing by mailing a copy of this order by registered mail to Illinois Power Company, Illinois Traction Company, North American Light & Power Company, The North American Company and to Lawrence R. Condon, attorney for certain preferred stockholders of North American Light & Power Company; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5051; Filed, April 10, 1944; 9:44 a. m.]

shall be filed with the Regional Administrator and acted upon by him.

(o) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(p) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(q) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(r) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or of, during December 1941, you customarily gave purchasers such sales slips or receipts.

(s) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Harrisburg District Office of the Office of Price Administration for violations in Zones 1 and 2 (Lancaster and Lebanon Counties), and with the Philadelphia District Office of

with the Price Panel of the appropriate War Price and Rationing Board.

(t) *Definitions and explanations.* When used in this Order No. G–22, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings, shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area V, with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(u) *Effect of order on Revised Maximum Price Regulation No. 122.* This

sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective November 29, 1943.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–4990; Filed, April 7, 1944; 12:17 a. m.]

[Region IV Order G–7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KNOXVILLE, TENN., AREA

Amendment No. 1 to Order No. G–7 under Revised Maximum Price Regulation No. 122. Solid Fuels Sold and Delivered by dealers. Maximum prices for solid fuels in the City of Knoxville and adjacent territory in the State of Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (g) of Order No. G–7, *It is hereby ordered*, That:

To the maximum prices for Bituminous Coals from Sub-district No. 6 (Southern Appalachian) of District No. 8 as established by Order No. G–7, as amended by any supplementary order thereto, may be added the sum of 15¢ per ton, 8¢ per ½ ton, and 4¢ per ¼ ton.

This Amendment No. 1 to Order No. G–7 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 1, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–4992; Filed, April 7, 1944; 12:20 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 8, 1944.

REGION II

Maryland Order No. 1–F, Amendment No. 1, filed 9:55 a. m.

Williamsport Order No. 1–F, Amendment No. 1, filed 9:55 a. m.

REGION III

Detroit Order No. 1–F, Amendment No. 9, filed 9:55 a. m.

REGION IV

Montgomery Order No. 1–W, Amendment

[File No. 70-878]

UNION ELECTRIC COMPANY OF MISSOURI

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of April 1944.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Electric Company of Missouri, a registered holding company; and

Notice is further given that any interested person may, not later than April 18, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Union Electric Company of Missouri proposes (a) to issue and sell to commercial banks at private sale and not for resale to the public, notes in the principal amount of not more than $9,000,000 maturing not more than nine months, exclusive of days of grace, after date of issue thereof (the interest rate on the proposed notes will be supplied by amendment); and (b) to use the proceeds from such notes, together with other funds, (1) to repay the open account indebtedness in the approximate amount of $5,700,000 owing by Union Electric Company of Missouri to its subsidiary, Mississippi River Power Company and (2) to make a capital contribution to said subsidiary in the amount of approximately $9,500,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5052; Filed, April 10, 1944; 9:44 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of April, A. D. 1944.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company. All interested persons are referred to the said application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

Northern Indiana Public Service Company proposes to refinance its presently outstanding 220,078 shares of cumulative preferred stock (69,856 shares of the 7% series, 124,506 shares of the 6% series, and 25,715 shares of the 5½% series) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of presently held stock for one share of 5% cumulative preferred stock of the company, plus a cash payment in an amount not as yet determined. Any shares not exchanged will be called for redemption at the redemption prices ($115 per share for the 7%, $107.50 for the 6%, and $105 for the 5½%, cumulative preferred stock), plus accrued dividends. Northern Indiana Public Service Company also proposes to enter into an agreement with underwriters who have not as yet been designated in the application-declaration, providing for their services in furthering the exchanges and also providing that such underwriters will purchase from Northern Indiana Public Service Company such number of the 220,078 shares of the 5% cumulative preferred stock as have not been issued as a result of the exchanges. The exact terms of the proposed exchange offer, the price at which such shares not exchanged will be sold to underwriters, and the offering price of the underwriters upon sale to the public will be determined by an agreement to be entered into and subsequently to be filed as an amendment to the application-declaration.

The said application-declaration contains a request that the Commission enter an order finding that, with respect to the proposed issuance and sale of the 5% cumulative preferred stock, compliance with paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate.

Applicant-declarant has designated sections 6 (b) and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on April 21, 1944, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission on or before April 19, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of its 5% cumulative preferred stock by Northern Indiana Public Service Company is solely for the purpose of financing its business;

2. Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers;

3. Whether compliance with the requirements of paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate under the circumstances;

4. The propriety of the proposed accounting treatment of the proposed transactions on the books of the applicant-declarant;

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers; and

6. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5053; Filed, April 10, 1944; 9:44 a. m.]

[File Nos. 54-78, 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO. AND CENTRAL PUBLIC UTILITY CORP.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of April, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-53; and Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said act; the Commission having by order dated July 19, 1943, consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said trustees; and the Commission having by said order of July 19, 1943, set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on August 3, 1943; and said hearing having been postponed by subsequent orders of the Commission until April 18, 1944; and

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed for a period of not less than sixty days, stating in such request, among other things, that the company, since June 23, 1943, the date of the filing of its application for approval of the plan hereinabove first mentioned, has been actively engaged in a program of divestment of its investments in its subsidiary companies, and, since January 1, 1943, has effected dispositions of such investments in sixteen public utility companies, theretofore comprised within the Consolidated Electric and Gas holding company system, has contracted for the sale of its investment in a seventeenth such company (with relation to which a hearing was held before a trial examiner of this Commission on March 28, 1944), and has substantially completed negotiations for the sale of its investments in six additional subsidiary public utility companies, which last mentioned sales it is anticipated will be effected within sixty days from March 29, 1944; that the consummation of said sales and said proposed sales will serve to simplify the problems of said Consolidated Electric and Gas holding company system in effecting compliance with section 11 (b) of the act, reducing the number of public utility subsidiaries of the system operating in the United States to seven; that such divestments will require a substantial revision of the plan for such compliance filed with this Commission on June 23, 1943, which revision cannot be made until such further divestments are consummated; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on April 18, 1944, be further postponed;

It is ordered, That the hearing in this matter previously scheduled for April 18, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed to June 20, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to June 15, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5054; Filed, April 10, 1944; 9:44 a. m.]

[File No. 812-37]

BANKERS SECURITIES CORP.

ORDER DISMISSING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of April, A. D. 1944.

Bankers Securities Corporation having filed an application for an order declaring its status under section 3 (b) (2) of the Investment Company Act of 1940, or in the alternative for exemption pursuant to section 6 (c) of said act, and having requested declaratory orders under sections 3 (a) and 3 (c) of the said act;

A hearing having been held after appropriate notice, briefs having been filed and oral argument heard; and the Commission having fully advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to the applicable provisions of said act,

It is ordered, That said application be and hereby is dismissed in so far as it requests orders under sections 3 (a) and 3 (c), and be and hereby is denied in so far as it requests an order under section 3 (b) (2).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5055; Filed, April 10, 1944; 9:45 a. m.]

[File No. 70-877]

WEST PENN POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of April, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by West Penn Power Company (West Penn) a registered holding company and a subsidiary of American Water Works and Electric Company, Inc., a registered holding company.

All interested persons are referred to said declaration or application (or both), which is on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

West Penn proposes to reduce the amount of capital represented by its presently outstanding 2,935,000 shares of no par value common stock from $31,750,000 to $21,750,000 without reducing the number of such shares. The surplus created by such reduction of common capital amounting to $10,000,000 will be setup in a separate account designated "capital surplus". The transaction proposed is for the stated purpose of making available "capital surplus" in the said amount of $10,000,000 for use in connection with the reclassification of the accounts and the adjustment of books of West Penn under the Uniform System of Accounts prescribed by the Federal Power Commission and the Pennsylvania Public Utility Commission. The declaration or application (or both) states that the "capital surplus" so created, together with the earned surplus and reserves of West Penn, will be sufficient to cover any adjustments or write-offs which West Penn may be lawfully required to make by regulatory authorities in connection with the reclassification of its accounts. West Penn also proposes to call a special stockholders' meeting to obtain approval of the proposed reduction in capital and, in connection therewith, to solicit proxies from its stockholders.

It appearing to the Commission that it is appropriate, in the public interest and in the interest of investors and consumers, that a hearing be held with respect to said matter and that said declaration or application (or both), shall not become effective or be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter be held on April 24, 1944 at 10:00

a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th & Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 21, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder, and, particularly whether the proposed reduction of the Common Capital Stock account is detrimental to the public interest or the interests of investors or consumers.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Holding Company Act or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5056; Filed, April 10, 1944; 9:45 a. m.]

a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th & Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 21, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder, and, particularly whether the proposed reduction of the Common Capital Stock account is detrimental to the public interest or the interests of investors or consumers.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Holding Company Act or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5066; Filed, April 10, 1944; 9:45 a. m.]

APR 13 1944

FEDERAL REGISTER

VOLUME 9 NUMBER 73

Washington, Wednesday, April 12, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 9, Revocation]

PART 1450—TOBACCO

1942 CROP EASTERN FIRE-CURED, WESTERN FIRE-CURED, AND GREEN RIVER TOBACCO

Food Distribution Order No. 9 (8 F.R. 999), issued by the Secretary of Agriculture on January 20, 1943, is revoked as of 12:01 a. m., e. w. t., April 10, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 9, prior to the effective date of this revocation, all provisions of said Food Distribution Order No. 9 in effect prior to this revocation shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of April 1944.

ASHLEY SELLERS, *Assistant War Food Administrator.*

[F. R. Doc. 44-5100; Filed, April 10, 1944; 3:26 p. m.]

[FDO 23, as Amended, Revocation]

PART 1465—FISH

RESTRICTIONS ON THE SALE OF SPECIFIED CANNED FISH

Food Distribution Order No. 23 (8 F.R. 2230, 2529), issued by the Secretary of Agriculture on February 19, 1943, as amended, is revoked as of 12:01 a. m., e. w. t., April 10, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 23, as amended, prior to the effective date of this revocation, all provisions of said Food Distribution Order No. 23, as amended, in effect prior to this revocation, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of April 1944.

ASHLEY SELLERS, *Assistant War Food Administrator.*

[F. R. Doc. 44-5101; Filed, April 10, 1944; 3:26 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51036]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICES FOR VESSELS' SUPPLIES AND EQUIPMENT

Section 8.15 (a), Customs Regulations of 1943 (19 CFR 8.15 (a)), is hereby amended by adding thereto a new item numbered (21) reading as follows:

(21) Merchandise imported as supplies, stores, or equipment of the importing vessel and subsequently made subject to entry pursuant to the provisions of section 446, Tariff Act of 1930.

Section 8.15 (b), Customs Regulations of 1943 (19 CFR 8.15 (b)), is hereby amended by deleting item numbered (1) and the first three lines of item numbered (2); by inserting in line one after the word "below", the following: "imported from countries contiguous to the continental United States, when unconditionally free of duty or subject only to a specific rate of duty not depending on value";

and by numbering from (1) to (5), inclusive, the items listed,

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

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(Sec. 484, 46 Stat. 722, 759, sec. 12, 52 Stat. 1083, sec. 498, 46 Stat. 726; 19 U.S.C. 1484, 1498, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 7, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5102; Filed, April 10, 1944; 3:37 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[General License H–1]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

AUTHORIZATION OF TRANSACTIONS; NATIONALS OF BLOCKED COUNTRIES

SEPTEMBER 13, 1943.

General License No. H–1, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.3 *General License H–1.* (a) A general license is hereby granted authorizing any national of a blocked country to engage in transactions (including the importing of goods, wares and merchandise from the continental United States) incident to the normal conduct of the professional, commercial, or agricultural activities of such national in the Territory of Hawaii.

(b) With respect to any enterprise controlled by an enemy national or in which an enemy national has a substantial interest, this general license shall not be deemed to authorize:

(1) Any purchase, sale, transfer or other dealing in, or with respect to, securities or fixed assets;

(2) Any modification in capital structure;

(3) Any loan other than loans incident to the financing of an importation into the Territory of Hawaii;

(4) Any unusual accumulation of inventory;

(5) Any payment of dividends or bonuses other than bonuses to bona fide employees in an annual amount not exceeding the equivalent of one month's wages;

(6) Any payment or transfer of credit from a blocked account in any banking institution not within the Territory of Hawaii.

(c) Any person exercising the privileges of this general license shall file such reports as may from time to time be required by the Office of the Governor of Hawaii, Foreign Funds Control.

(d) This section shall not be deemed to authorize any transaction which could not be effected without a license if the person exercising the privileges of this section were not a national of a blocked country.

(e) Attention is directed to the provisions of Public Circular No. H–6, as amended.[1]

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5095; Filed, April 8, 1944; 2:55 p. m.]

[General License H–2]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

AUTHORIZATION OF PAYMENTS AND TRANSFERS OF CREDIT FROM BLOCKED ACCOUNTS

OCTOBER 20, 1943.

General License No. H–2, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.4 *General License H–2.* (a) A general license is hereby granted authorizing payments and transfers of credit in reasonable amounts from blocked accounts in any banking institution within the Territory of Hawaii in which a national of a blocked country residing in the Territory of Hawaii has an interest: *Provided*, That such payments and transfers of credit shall be used only for the living and personal expenses of such national and the members of his household.

[1] *Infra.*

(b) This section shall not be deemed to authorize any transaction in which any of the following has an interest:

(1) A civilian interned for the duration of the war;

(2) An enemy national;

(3) A national of a blocked country residing outside the Territory of Hawaii.

(c) Any banking institution making payments or transfers of credit pursuant to this section shall satisfy itself that the foregoing terms and conditions are complied with.

(d) Attention is directed to the provisions of Public Circular No. H–5, as amended.[1]

[SEAL] ERNEST K. KAI,
Acting Governor of Hawaii.

[F. R. Doc. 44–5086; Filed, April 8, 1944; 2:56 p. m.]

[General License H–9]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

TRANSACTIONS WITH RESPECT TO BLOCKED LIFE INSURANCE POLICIES

SEPTEMBER 7, 1943.

General License No. H–9, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.11 *General License H–9.* (a) A general license is hereby granted authorizing the following transactions with respect to any blocked life insurance policy in which the only blocked interest is that of one or more nationals of a blocked country residing in the Territory of Hawaii:

(1) The issuance, servicing or transfer of any such policy;

(2) Upon the death of the insured, the payment to any beneficiary of the benefit to which he is entitled under the terms of any such policy;

Provided, however, That this section shall not be deemed to authorize (i) any payment by the insurer to a national of a blocked country unless payment is made for deposit in a blocked account in a domestic bank in the Territory of Hawaii in the name of the national who is the ultimate beneficiary thereof; (ii) any transaction with respect to any blocked life insurance policy in which an internee has an interest; (iii) any payment to the insurer from any blocked account in which an enemy national or an internee has an interest, or from any other blocked account except a blocked account of the insured or beneficiary; or (iv) any transaction with respect to any blocked life insurance policy issued by a life insurance company or other insurer which is a national of a blocked country or which is not doing business or effecting insurance in the United States.

(b) As used in this section:

(1) The terms "blocked life insurance policy", "blocked interest", "servicing" and "transfer" shall have the respective meanings prescribed in paragraph (d) of General License No. 86 (§ 131.86 (d)).

(2) The term "internee" shall mean any civilian interned for the duration of the war.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5097; Filed, April 8, 1944; 2:56 p. m.]

[1] *Infra.*

[General License H–12]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

CERTAIN INDIVIDUALS, PARTNERSHIPS, ETC., DESIGNATED AS GENERALLY LICENSED NATIONALS

General License No. H–12, under Executive Order No. 8389, April 10, 1940, as amended, and regulations issued pursuant thereto, relating to transactions in foreign exchange, etc.

§ 132.14 *General License H–12.* (a) A general license is hereby granted licensing as a generally licensed national:

(1) Any individual residing in the Territory of Hawaii on February 23, 1942, who registered as a subject of Korea under the Alien Registration Act of 1940; and

(2) Any partnership, association, corporation, or other organization which is a national of Japan solely by reason of the interest therein of a person or persons licensed herein as generally licensed nationals.

(b) This section shall not be deemed to suspend, cancel, or otherwise modify in any way the requirements of the order or regulations relating to reports on Form TFR–300.

(c) This section shall not be deemed to license as a generally licensed national:

(1) Any individual who on or since the effective date of the order has acted or purported to act directly or indirectly for the benefit or on behalf of any blocked country, including the government thereof;

(2) Any individual who is a national of a blocked country by reason of any fact other than that such individual has been domiciled in, or a subject, citizen, or resident of a blocked country at any time on or since the effective date of the order; or

(3) Any individual who enters a blocked country after February 23, 1942.

[SEAL] J. B. POINDEXTER,
Governor of Hawaii.

[F. R. Doc. 44–5088; Filed, April 8, 1944; 2:56 p. m.]

[General License H–16]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER, NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

AUTHORIZATION OF PAYMENTS AND TRANSFERS OF CREDIT FROM BLOCKED ACCOUNTS

JUNE 28, 1943.

General License No. H–16, as amended, under Executive Order No. 8389, as amended, and section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.18 *General License H–16.* (a) A general license is hereby granted authorizing payments and transfers of credit not exceeding a total of $180 in any one calendar month from blocked accounts in any banking institution in the Territory of Hawaii in which a civilian internee in the Territory of Hawaii has an interest: *Provided*, That the following terms and conditions are complied with:

(1) Not more than $10 in any one calendar month shall be forwarded for credit to the internee's personal account in the internment camp;

(2) Not more than $20 in any one calendar month shall be used for purchases previously approved by the Commanding Officer of the internment camp for the personal benefit of the internee; and

(3) Not more than $150 in any one calendar month shall be used to support the members of the internee's household and to meet his current obligations outside the internment camp, such as insurance premiums and mortgage payments.

(b) No internee shall be entitled to the privileges of this section until he has completed and filed with the Commanding Officer of his internment camp an internee report on Form TFR–30.

(c) Checks or other withdrawal orders drawn pursuant to this section against an account in which an internee has an interest shall be signed by any person with signing authority against such account: *Provided, however*, That such checks or other withdrawal orders shall not be signed by the internee himself.

(d) Any banking institution making payments or transfers of credit pursuant to this section shall satisfy itself that the foregoing terms and conditions are complied with.

(e) Attention is directed to the provisions of Public Circular No. H–5.[1]

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5039; Filed, April 8, 1944; 2:56 p. m.]

[General License H–19]

PART 132—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED AND REGULATIONS ISSUED PURSUANT THERETO, BY THE GOVERNOR OF HAWAII

TRANSACTIONS WITH RESPECT TO REAL OR PERSONAL PROPERTY; NATIONALS OF BLOCKED COUNTRIES RESIDENT IN HAWAII

NOVEMBER 8, 1943.

General License No. H–19, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.210 *General License H–19.* (a) A general license is hereby granted authorizing all transactions incident to the purchase, sale, or transfer of real or personal property to or by any national of a blocked country resident in the Territory of Hawaii.

(b) Within ten days after any purchase, sale, or transfer herein authorized has been completed, any national of a blocked country exercising the privileges of this section shall file a report in duplicate on Report Form C with the Office of the Governor of Hawaii, Foreign Funds Control, containing all details pertinent to the transaction.

(c) This section shall not be deemed to authorize any transaction in which any of the following has an interest:

(1) A civilian interned for the duration of the war;

(2) An enemy national;

(3) A national of a blocked country residing outside the Territory of Hawaii.

[SEAL] ERNEST K. KAI,
Acting Governor of Hawaii.

[F. R. Doc. 44–5040; Filed, April 8, 1944; 2:56 p. m.]

[Public Circular H–1]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

JAPANESE IN TERRITORY OF HAWAII

DECEMBER 15, 1941.

Public Circular No. H–1, under Executive Order No. 8389, April 10, 1940, as amended, and regulations issued pursuant thereto, relating to transactions in foreign exchange, etc.

United States citizens in the Territory of Hawaii who have not expatriated themselves from Japan are regarded as having the same status under Executive Order No. 8389, as amended, as they would have if they had so expatriated themselves.

[SEAL] J. B. POINDEXTER,
Governor of Hawaii.

[F. R. Doc. 44–5029; Filed, April 8, 1944; 2:54 p. m.]

[Public Circular H–3]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

NATIONALS OF JAPAN

JANUARY 15, 1942.

Public Circular No. H–3 under Executive Order No. 8389, April 10, 1940, as amended, and regulations issued pursuant thereto, relating to transactions in foreign exchange, etc.

In view of the issuance of Public Circular No. 8A by the United States Treasury Department, Washington, D. C., General License No. H–4 and General License No. H–5 are hereby revoked. Notwithstanding the provisions of Public Circular No. 8A, General License No. 11 shall not be deemed to apply to nationals of Japan in the Territory of Hawaii.

[SEAL] J. B. POINDEXTER,
Governor of Hawaii.

[F. R. Doc. 44–5030; Filed, April 8, 1944; 2:54 p. m.]

[Public Circular H–4]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

U. S. WAR SAVINGS BONDS IN BLOCKED ACCOUNTS

NOVEMBER 21, 1942.

Public Circular No. H–4, under Executive Order No. 8389, as amended, and section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act 1941, relating to foreign funds control.

Any United States War Savings Bond heretofore deposited in a blocked account pursuant to General License No. H–8 may now be delivered to the owner named thereon, *Provided*, That the inscription "Subject to Executive Order No. 8389, as amended", is added to such bond in capital letters immediately above the name of the registered owner by a domestic bank, savings and loan association, or federal credit union which is an authorized issuing agent for such bonds, and *Provided further*, That the procedure authorized by the Treasury Department in such cases is followed in all other respects.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5031; Filed, April 8, 1944; 2:54 p. m.]

[Public Circular H–5]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

PAYMENTS AND TRANSFERS OF CREDIT TO NATIONALS OF BLOCKED COUNTRIES

OCTOBER 20, 1943.

Public Circular No. H–5, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) Reference is made to General License No. H–2, as amended on October 20, 1943.

(2) Any employer in the Territory of Hawaii is a "banking institution" within the meaning of General License No. H–2, insofar as such employer holds credits in the form of wages, salaries, commissions, or pensions for the account of his employees who are nationals of a blocked country. Accordingly, employers in the Territory of Hawaii may make payments and transfers of credit to their employees who are such nationals: *Provided*, That such payments and transfers of credit are effected in accordance with the terms and conditions of General License No. H–2.

(3) Reference is made to General License No. H–16 relating to the living and personal expenses of civilian internees in the Territory of Hawaii.

(4) The privileges of General Licenses Nos. 11, 12, 32, 33, 71, and 75 shall not be deemed applicable to any account in a banking institution in the Territory of Hawaii in which a civilian interned for the duration of the war has an interest. Attention is directed to the fact that by the terms of General Licenses Nos. 28 and 42 civilian internees are excluded from their provisions.

[SEAL] ERNEST K. KAI,
Acting Governor of Hawaii.

[F. R. Doc. 44–5034; Filed, April 8, 1944; 2:54 p. m.]

[Public Circular H–6]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

NATIONALS OF JAPAN AND ENTERPRISES CONTROLLED BY ENEMY NATIONALS

SEPTEMBER 13, 1943.

Public Circular No. H–6, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) Reference is made to General License No. H–1, as amended on September 13, 1943.

(2) Nationals of Japan engaging in professional, commercial or agricultural activities in the Territory of Hawaii may do so only pursuant to the provisions of General License No. H–1, as amended, or specific licenses issued by the Office of the Governor of Hawaii, Foreign Funds Control.

(3) Any enterprise controlled by an enemy national or in which an enemy national has a substantial interest, which is operating under the provisions of General License No. H–1, shall file reports with the Office of the Governor of Hawaii, Foreign Funds Control, under the following circumstances:

(a) An affidavit in response to Questionnaire Form TFBE–1 shall be filed by:

(i) Any individual or partnership having a current gross income of $5,000 or more per month;

(ii) Any association, corporation or other organization;

Provided, however, That any person who has filed an affidavit in response to Questionnaire Form TFBE–1 shall not be required to file an affidavit pursuant to this subdivision;

(b) An affidavit in response to Questionnaire Form HBE–1 shall be filed by any individual or partnership having a current gross income of $500 or more per month but less than $5,000 per month, *Provided, however*, That any person who has filed an affidavit in response to Questionnaire Form TFBE–1 shall not be required to file an affidavit pursuant to this subdivision;

(c) A balance sheet as of December 31 of the preceding calendar year and a profit and loss statement for the preceding calendar year shall be filed annually in triplicate, on or before March 1 by any person having a current gross income of $6,000 or more per year;

(d) A report on Form H–1R setting forth the details of the transactions engaged in during the preceding calendar month shall be filed monthly not later than the tenth day of the month by any person having a current gross income of $5,000 or more per month;

(e) A report on Form H–1R setting forth the details of the transactions engaged in during the preceding quarter-annual period shall be filed quarter-annually not later than the tenth day of the months of January, April, July and October by any person having a current gross income of $500 or more per month but less than $5,000 per month;

(f) A report on Form C shall be filed immediately after any order is placed for the importation of any goods, wares and merchandise into the Territory of Hawaii, stating:

(i) The name and address of the person from whom the goods, wares and merchandise have been ordered;

(ii) The name and address of the ultimate consignee;

(iii) The nature, quantity and value of the import;

(iv) The terms of payment;

(v) The method of shipment;

(vi) The disposition intended to be made of the import upon its arrival in the Territory of Hawaii; and

(vii) The full details of any loan incident to the financing of the import.

(4) Any person delivering goods, wares and merchandise imported by or for the account of any enterprise controlled by an enemy national or in which an enemy national has a substantial interest, and which is operating pursuant to General License No. H–1, shall release such goods, wares and merchandise only upon surrender by such enterprise of a copy of the report on Form C bearing a stamp noting the approval of the Office of the Governor of Hawaii.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5032; Filed, April 8, 1944; 2:55 p. m.]

[Public Circular H–7]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

FILING OF APPLICATIONS FOR LICENSES IN TERRITORY OF HAWAII

SEPTEMBER 16, 1943.

Public Circular No. H–7 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Notwithstanding Public Circular No. 23, applications for licenses under Executive Order No. 8389, as amended, should continue to be filed in triplicate in the Territory of Hawaii.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5033; Filed, April 8, 1944; 2:55 p. m.]

[General Ruling H–1, as Amended]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

SAFE DEPOSIT BOXES

SEPTEMBER 27, 1943.

General Ruling No. H–1, as amended under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General Ruling No. H–1 is hereby amended to read as follows:

The provisions of paragraph (2) (b) of General Ruling No. 16 shall not be deemed applicable with respect to safe deposit boxes in the Territory of Hawaii except to the extent that such boxes contain property in which any of the following has an interest:

(a) A civilian interned for the duration of the war;

(b) An enemy national;

(c) A national of a blocked country residing outside the Territory of Hawaii.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5028; Filed, April 8, 1944; 2:54 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–495, Amdt. 1]

HOPE WEBBING CO., INC.

Hope Webbing Company, Inc., Pawtucket, Rhode Island, is a manufacturer chiefly of cotton fabrics, and in addition it has made jute fabrics for a single customer. Suspension Order No. S–495, effective February 29, and expiring June 29, 1944, prohibits putting into process any cotton, rayon, jute or cotton, rayon or jute products except to fill orders rated AA–3 or higher.

It appears that Suspension Order S–495 has affected certain orders, which the company receives, in a manner not contemplated at the time Suspension Order S–495 was recommended. These facts were brought to the attention of the Chief Compliance Commissioner, who on April 4, 1944, directed that the restrictions contained in paragraph (a) of the suspension order should not apply to the putting into process of cotton yarn to manufacture wrapping tape for use as an operating supply for vulcanizing processes, or to manufacture products listed in General Conservation Order M–317 for which paragraph (b) of that order assigns a rating of AA–2X or higher for the delivery of cotton yarn.

In view of the foregoing, *It is hereby ordered*, That:

Section 1010.495 *Suspension Order S–495* issued February 29, 1944, be, and hereby is, amended by adding the following:

(d) The restrictions contained in paragraph (a) of Suspension Order S–495 shall not apply to the putting into process of cotton yarn to manufacture wrapping tape for use as an operating supply for vulcanizing processes, or to manufacture products listed in General Conservation Order M–317 for which paragraph (b) of that order assigns a rating of AA–2X or higher for the delivery of cotton yarn.

Issued this 10th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5104; Filed, April 10, 1944; 4:32 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–80, Interpretation 2]

ELEVATORS AND ESCALATORS; ORDERS FOR MATERIAL AND LABOR EXCEEDING $500

The following interpretation is issued with respect to General Conservation Order L–80:

Some question has arisen as to whether an order rated as AA–5 or higher pursuant to CMP Regulation 5 or 5A is an "approved order" as defined in paragraph (a) (4) (ii) of Order L–80 if material alone cost less than $500 but material and labor installation together exceed $500. An order for material costing less than $500, other than material to be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is an approved order, as defined in Order L–80, even though the cost of both material and labor exceeds $500 and even though installation is made by the seller of the material as a normal business practice under a single fee for both material and labor. However, an MRO order for material costing less than $500, which will be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is not an approved order, as defined in Order L–80, if the material and labor together amount to more than $500 and the installation is made by the seller of the material as a normal business practice under a single fee. (See Interpretations 8 and 11 to CMP Regulation 5.)

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5076; Filed, April 11, 1944; 11:53 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L–211, Schedule 15 as Amended Apr. 11, 1944]

HOT-ROLLED CARBON STEEL BARS

§ 3102.16 *Schedule 15 to Limitation Order L–211*—(a) *Definitions.* For the purpose of this schedule:

(1) "Hot-rolled carbon steel bars" means carbon steel bars in either straight bar or coil form produced from billets or blooms by hot-rolling, without subsequent processing for accuracy of cross-section or to impart special surface finishes. The term does not include tool steel bars or concrete reinforcement bars.

(2) "Bars" means rounds, squares, round-cornered squares, hexagons, ovals, half-ovals, half-rounds, flats ($13/64$ inch or over in thickness and 6 inches and under in width), and bar size shapes (angles, channels, and tees under 3 inches on both legs). Rounds, squares, hexagons and flats having dimensions in excess of those shown in Table 1 of this schedule are classified as forgings or plates and are not within the scope of this definition.

(3) "Carbon steel" means steel other than alloy steel as defined in Order M–21–a.

(b) *Restrictions on sizes.* No person shall produce or deliver hot-rolled carbon steel bars of any type listed in Table 1 within the range of sizes there listed, except in the sizes listed in that table.

(c) *Acceptance of delivery.* No person shall accept delivery of any hot-rolled carbon steel bars which he knows or has reason to believe have been produced or delivered in violation of the provisions of paragraph (b) of this schedule.

(d) *Exceptions.* The provisions of this schedule shall not prevent:

(1) Production, delivery, or acceptance of hot-rolled carbon steel bars for which an order was entered prior to September 30, 1943, provided shipment of the entire order is made on or before December 31, 1943.

(2) Delivery or acceptance of hot-rolled carbon steel bars which because of errors in manufacture do not conform to the requirements of this schedule, providing such requirements are waived by the purchaser.

(3) Production, delivery, or acceptance of hot-rolled carbon steel bars specifically permitted in writing by the War Production Board.

(e) *Records.* Each person owning or possessing hot-rolled carbon steel bars excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE 1—PERMISSIBLE NOMINAL SIZES AND TOLERANCES

Sizes (All dimensions in inches)

Rounds (including bolting materials):
¼ to $^{63}/_{64}$ incl., advancing by sixty-fourths.
$^{31}/_{32}$ to 2½ incl., advancing by thirty-seconds.
2$^{1}/_{16}$ to 4$^{1}/_{16}$ incl., advancing by sixteenths.
4⅛ to 6½ incl., advancing by eighths.
6¼ to 8¼ incl., advancing by fourths.

Bolt and rivet sizes:

0.365	0.865	1.235
0.445	0.912	1.297
0.490	0.990	1.360
0.615	1.047	1.422
0.680	1.110	1.485
0.740	1.172	

Heat treated stud rounds:

0.507	0.883	1.261
0.632	1.009	1.387
0.758	1.135	1.514

Squares:
¼ to 1$^{15}/_{32}$ incl., advancing by thirty-seconds.
1$^{17}/_{32}$ to 4$^{1}/_{16}$ incl., advancing by sixteenths.
4¼ to 5½ incl., advancing by fourths.

Round-corner squares: (sizes, face-to-face):
⅜ to ½ incl., advancing by thirty-seconds:
Nominal Corner Radii $^{1}/_{16}$.
$^{17}/_{32}$ to $^{15}/_{16}$ incl., advancing by thirty-seconds; Nominal Corner Radii $^{3}/_{32}$.
$^{33}/_{32}$ to 1$^{15}/_{32}$ incl., advancing by thirty-seconds; Nominal Corner Radii $^{1}/_{8}$.
1$^{1}/_{2}$ to 1$^{31}/_{32}$ incl., advancing by sixteenths; Nominal Corner Radii $^{1}/_{4}$.
2 to 2$^{15}/_{16}$ incl., advancing by sixteenths; Nominal Corner Radii $^{5}/_{16}$.
2½ to 2⅞ incl., advancing by sixteenths; Nominal Corner Radii ⅜.

Round-corner squares (sizes, face-to-face)—Continued
3 to 3$^{5}/_{8}$ incl., advancing by eighths; Nominal Corner Radii $^{7}/_{16}$.
3$^{1}/_{2}$ to 3$^{7}/_{8}$ incl., advancing by eighths; Nominal Corner Radii ½.
4 to 4¼ incl., advancing by fourths; Nominal Corner Radii $^{9}/_{16}$.
4½ to 5½ incl., advancing by fourths; Nominal Corner Radii $^{5}/_{8}$.

NOTE: Round-corner square bars shall be rolled to dimensions and dimensional tolerances, not to weights per linear foot.

Hexagons:
¼ to 2$^{1}/_{32}$ incl., advancing by thirty-seconds.
2$^{1}/_{16}$ to 4$^{1}/_{16}$ incl., advancing by sixteenths.

Square-edge flats:
Widths:
⅜ to 1 incl., advancing by sixteenths.
Over 1 to 3 incl., advancing by eighths.
Over 3 to 6 incl., advancing by fourths.
Thicknesses:
$^{13}/_{64}$ and $^{1}/_{32}$ incl., advancing by sixty-fourths.
Over $^{1}/_{32}$ to ½ incl., advancing by thirty-seconds.
Over ½ to 1¼ incl., advancing by sixteenths.
Over 1¼ to 4 incl., advancing by eighths.
Flats approaching square shall have an ordered difference between the two dimensions of at least:
$^{1}/_{8}$ inch for sizes up to and including 1 inch in width.
¼ inch for sizes over 1 inch to 2 inches incl., in width.
½ inch for sizes over 2 inches in width.

Round-edge flats:
Widths:
½ to 1 incl., advancing by eighths.
1¼ to 2½ incl., advancing by fourths.
3 to 6 incl. advancing by halves.
Thicknesses:
¼ to ½ incl., advancing by sixteenths.
⅝ to 1 incl., advancing by eighths.

NOTE: When intended for cold-drawing, the ordered sizes of flats (square-edge or round-edge) may be increased over the above listed sizes by $^{1}/_{32}$" or $^{1}/_{16}$" in width, thickness or both, and the rolling tolerances may be as agreed on between buyer and seller.

Round-edge flat spring steel:
Widths:
1¼ to 3 incl., advancing by fourths.
3½ to 8 incl., advancing by halves.
Thicknesses:
$^{13}/_{64}$ to ⅜ incl., advancing by sixty-fourths.
$^{29}/_{32}$ to 1 incl., advancing by thirty-seconds.

Automotive round-edge leaf-spring flats:
Widths:
1¼ to 2½ incl., advancing by fourths.
3 to 6 incl., advancing by halves.
Thicknesses:
S. A. E. standard thicknesses expressed in inch-decimals, as follows:

0.132	0.447
0.145	0.499
0.160	0.558
0.176	0.625
0.194	0.702
0.214	0.786
0.237	0.887
0.262	0.999
0.291	1.127
0.323	1.273
0.360	1.440
0.401	

NOTE: Automotive leaf-spring flats shall be specified to the S. A. E. standard cross-sections as described on page 102 of S. A. E. Handbook 1943, in which no concavity is required but a limited concavity is permitted.

Nut-steel flats:
Widths:
To 2⅛ incl., advancing by sixty-fourths.
2$^{9}/_{32}$ to 4 incl., advancing by thirty-seconds.
Thicknesses:
$^{13}/_{64}$ to 1¾ incl., advancing by sixty-fourths.
1$^{29}/_{32}$ to 2¼ incl., advancing by thirty-seconds.

Half rounds:
⅜ to 1 incl., advancing by eighths.
1¼ to 2 incl., advancing by fourths.
2½ and 3.

Sharp ovals:

2 x $^{5}/_{16}$	⅜ x $^{5}/_{16}$
1¾ x $^{5}/_{16}$	⅝ x $^{5}/_{16}$
1½ x $^{5}/_{16}$	⅝ x $^{5}/_{16}$
1¼ x $^{5}/_{16}$	½ x ⅝
1 x $^{5}/_{16}$	⅜ x $^{5}/_{16}$

Blunt ovals:

⅝ x ⅛	$^{15}/_{16}$ x ⅛
$^{5}/_{16}$ x ¼	⅝ x ⅛
⅜ x ¼	

Half ovals:
2⅛ x ⅛
2 x ¼
2½ x ⅝, ½
2¼ x ½, $^{15}/_{16}$
2 x ½, $^{15}/_{16}$, ⅝
1⅞ x $^{15}/_{16}$, ⅝, ¾
1¾ x $^{15}/_{16}$, ⅝, $^{13}/_{16}$, ¼
1⅝ x ⅝, $^{13}/_{16}$, ¾
1½ x ⅝, $^{13}/_{16}$, ¾, $^{15}/_{16}$
1¼ x ⅝, $^{13}/_{16}$, ¾, $^{15}/_{16}$
1 x ⅝, $^{13}/_{16}$, ¾, $^{15}/_{16}$
⅞ x $^{13}/_{16}$, ¾, $^{15}/_{16}$
¾ x ¾, $^{15}/_{16}$
⅝ x ¾, $^{15}/_{16}$, ⅛
½ x ¾, $^{15}/_{16}$, ⅛
⅜ x $^{15}/_{16}$

Double-bevel-edge flats:

Bottom Width	Top Width		Thickness
2½	1¾ x		$^{5}/_{16}$
2¼	1½ x		$^{5}/_{16}$
2	1⅜ x		$^{5}/_{16}$, ¼
1⅜	1¼ x		$^{5}/_{16}$, ¼
1½	1 x		$^{5}/_{16}$, ¼
1¼	1$^{15}/_{16}$ x		$^{5}/_{16}$, ¼
1	⅝ x		¼

Round-bevel-edge flats:

Width		Thickness		Corner radii
1⅝	x	½	x	½
1½	x	$^{7}/_{16}$	x	$^{7}/_{16}$
1¼	x	⅜	x	⅜
1	x	$^{5}/_{16}$	x	$^{5}/_{16}$
⅝	x	¼	x	¼

Equal leg fillet angles:

2½	x 2½	x	½, ⅝, $^{5}/_{16}$,	¼,	$^{3}/_{16}$	
2	x 2	x	⅝, $^{5}/_{16}$,	¼,	$^{3}/_{16}$,	⅛
1⅝	x 1⅝	x		¼,	$^{3}/_{16}$,	⅛
1½	x 1½	x		¼,	$^{3}/_{16}$,	⅛
1¼	x 1¼	x		¼,	$^{3}/_{16}$,	⅛
1	x 1	x			$^{3}/_{16}$,	⅛
⅞	x ⅞	x				⅛
¾	x ¾	x				⅛
⅝	x ⅝	x				⅛
½	x ½	x				⅛

Unequal leg fillet angles:

2½	x 2	x	⅝, $^{5}/_{16}$,	¼,	$^{3}/_{16}$	
2¼	x 1½	x		¼,	$^{3}/_{16}$	
2¼	x 1½	x		¼,	$^{3}/_{16}$	
2	x 1½	x		¼,	$^{3}/_{16}$,	⅛
2	x 1¼	x		¼,	$^{3}/_{16}$,	⅛
1¾	x 1¼	x		¼,	$^{3}/_{16}$,	⅛
1½	x 1	x			$^{3}/_{16}$,	⅛
1½	x 1⅛	x			$^{3}/_{16}$,	⅛
1⅛	x 1	x				⅛
1⅛	x ¾	x				⅛
1⅛	x ⅛	x			$^{3}/_{16}$,	⅛
1$^{1}/_{32}$	x $^{29}/_{32}$	x				$^{9}/_{32}$
1¼	x 1	x			$^{3}/_{16}$,	⅛
1	x ¾	x				⅛
1	x ⅝	x				⅛
⅞	x $^{5}/_{16}$	x				$^{5}/_{32}$

Equal leg square root angles:

2	x 2	x	⅛	
1⅝	x 1⅝	x	⅛,	$^{5}/_{16}$
1½	x 1½	x	¼,	$^{5}/_{16}$, ⅜
1¼	x 1¼	x		$^{5}/_{16}$, ⅜
1	x 1	x		⅜
⅛	x ⅛	x		⅜
⅝	x ⅝	x		⅜

Unequal leg square root angles:

2	x 1⅛	x	⅛	
2	x 1	x	$^{5}/_{16}$,	⅜

Square back channels:

Width	Flanges			Web
2½	x	⅝	x	$^{5}/_{16}$
2½	x	$1^{5}/_{32}$	x	⅜
2	x 1		x	$^{5}/_{16}$, ⅜
2	x	⅝	x	⅜
2	x	$^{5}/_{16}$	x	$^{5}/_{16}$
2	x	½	x	⅜
1¾	x	½	x	$^{5}/_{16}$
1½	x	¾	x $^{5}/_{16}$	⅜
1½	x	$1^{1}/_{16}$	x ¼	
1½	x	$^{5}/_{16}$	x	$^{5}/_{16}$
1⅛	x	½	x	⅜
1¼	x	½	x	⅜

Square back channels:

Width	Flanges			Web
1⅛	x	$^{5}/_{16}$	x	$^{5}/_{16}$
1	x	½	x	⅜
1	x	⅝	x	⅜
⅞	x	$^{5}/_{16}$	x	⅜
⅞	x	⅝	x	⅜
¾	x	⅝	x	#15 BWG (a)
¾	x	⅝	x	⅜
⅝	x	$^{5}/_{16}$	x	⅜
½	x	¼	x	⅜

(a) Birmingham wire gage.

NOTE: Dimensions in the above table are for width, flanges and web for each item. In a number of instances, however, more than one pattern is available and producers' lists should be consulted.

Box channel:
1½ x 1½ x $^{5}/_{16}$

Equal tees:

2½	x 2½	x	⅝,	$^{5}/_{16}$,	⅛
2¼	x 2¼	x		¼	
2	x 2	x	$^{5}/_{16}$,	¼	
1¾	x 1¾	x		⅜,	$^{5}/_{16}$
1½	x 1½	x		⅜,	$^{5}/_{16}$
1¼	x 1¼	x		⅜,	$^{5}/_{16}$, ⅛
1⅛	x 1⅛	x			⅛
1	x 1	x		$^{5}/_{16}$,	⅛
⅛	x ⅛	x			⅛
⅝	x ⅝	x			⅛

Unequal tees:

Flange Width	Stem Depth		Thickness
2½	x	$1^{25}/_{32}$	x ¼, $^{5}/_{16}$
2	x	1½	x ¼, $^{5}/_{16}$
1½	x	1¼	x ⅛

NOTE: Dimensions in above lists of equal tees and unequal tees are over-all measurements of flange and stem, and thickness of both flange and stem at outer ends, flange and stem to have the same thickness. Profiles as made by different mills may differ in detail and producers' lists should be consulted.

PERMISSIBLE VARIATIONS FOR DIMENSIONS AND WORKMANSHIP

Permissible size variations applicable to this schedule shall be those set forth as Standard Permissible Variations for Dimensions and Workmanship in Section 8, Hot, Rolled Carbon-Steel Bars, of the American Iron and Steel Institute Manual, Revision June 1943. Modification of the prescribed tolerances is not permissible; except that for bars purchased on Army, Navy or Federal Specifications, the tolerances set forth in such specifications may be applied.

INTERPRETATION 1

(a) The term "hot-rolled carbon steel bars" as used in the schedule does not include:
(1) Carbon file steel bars, which are considered to be tool steel bars.
(2) Wrought iron bars.

(b) The restrictions of the schedule apply generally to production and delivery, not to use. For example, although carbon steel bars in the dimensions listed under the heading "Nut–Steel Flats" are chiefly used for the manufacture of nuts, the schedule does not prohibit the production or use for other purposes of sizes permitted under this category.

(c) On the other hand, where a special quality or grade of steel is set forth in Table I, that type of steel may be furnished only in the dimensions listed. For example, the dimensions listed under the headings "Round Edge Flat Spring Steel" and "Automotive Round Edge Leaf Spring Flats" are applicable only to spring steel. Round edge flats in grades other than spring steel may not be produced in these dimensions, but must be produced only in the dimensions listed under the heading "Round Edge Flats." However, the rule stated in paragraph (b) of this interpretation is still applicable; spring steel purchased in accordance with the schedule may be used by the buyer for purposes other than the manufacture of springs.

(d) "Mill Edge" or "Strip Edge Flats" are not listed as such in this schedule but the dimensions listed under the heading "Square Edge Flats" also apply to "Mill Edge" or "Strip Edge Flats."

(e) Attention is called to the note at the end of Table 1, relating to permissible variations. This provides that modification of the prescribed tolerances is not permissible. Hence, an order calling directly or indirectly for a narrower tolerance than is prescribed must not be produced or delivered. The only exception is with respect to flats for cold drawing, and this exception is set forth in the note following the list of permitted sizes of flats in Table 1 of the schedule. (Issued Dec. 20, 1943; amended Feb. 3, 1944)

[F. R. Doc. 44–5114; Filed, April 11, 1944; 11:53 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Feb. 2, 1944, Amdt. 1]

Section 3175.1 *CMP Regulation No. 1* is amended as follows:

(1) Strike the period at the end of the first sentence of paragraph (j) (2) and add the following phrase: "and where he uses substantially the same trademark or trade name."

(2) Insert, "Ref: CMP Division" after "War Production Board" in the second sentence of paragraph (j) (2), strike the period at the end of the sentence and insert the following: "and furnishing one extra copy of such notification for each authorized production schedule that he has received from the War Production Board".

(3) Change the table in paragraph (L) (1) to read as follows:

Carbon steel (including wrought iron) and alloy steel	10 tons
Copper wire mill and brass mill products	1,000 lbs.
Copper and copper base alloy foundry products	300 lbs.
Aluminum	2,000 lbs.

(4) Add the following sentence to paragraph (s–1): "This paragraph (s–1)

does not change the restrictions of CMP Regulation No. 2 relating to the acceptance of delivery of controlled material."

(5) Strike paragraph (t) (3) (ii) and insert the following note:

NOTE: Paragraph (t) (3) (ii) relating to sample orders revoked April 11, 1944. Persons desiring controlled materials for testing and experimental purposes may obtain them under the provisions of Order P–43.

(6) Add the following subparagraph (iv) following paragraph (t) (3) (iii):

(iv) An order for steel which a distributor would be authorized to fill under paragraph (d) (4) of CMP Regulation No. 4, when the order is filled only from mill stock and the producer customarily sells steel from his own stock.

(7) Change the word "purchased" in paragraph (v) to "acquired".

(8) Change Interpretation 20 by changing paragraph (a) (5) from "Office of Lend-Lease Administration" to read "Foreign Economic Administration."

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5115; Filed, April 11, 1944; 11:53 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P–142, Direction 2]

AUTHORIZATION TO ORDER ADDITIONAL TRACK MATERIALS

The following direction is issued pursuant to Preferred Rating Order P–142:

Under this direction, railroad operators may use the rating of AA–1 to order additional amounts of track materials for delivery during the third and fourth quarters of 1944, subject to the following conditions:

(1) For each of these two quarters, the additional amount must not exceed 20% of the total dollar value amount of track material to accompany new rail already authorized for the operator under P–142 for the particular quarter. (For example, a railroad operator who has been authorized to place orders for $1,000 worth of track material to accompany new rail for delivery in the third quarter, and $1,100 worth in the fourth quarter, is authorized by this direction to increase the former amount to $1,200 and the latter amount to $1,320).

(2) This direction covers only track materials as listed in paragraph (b) (2) of Order P–142, and not rail and track accessories (which are controlled materials). Also, the above 20% figure may be applied only against specific authorizations already issued to the railroad operator for track material to accompany new rail, as distinguished from track material for maintenance or other purposes.

(3) This direction applies only to railroad operators under P–142 (serial numbers below 1,000), and not to transit or other operators.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5116; Filed, April 11, 1944; 11:53 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M–319–a, Revocation]

BONDED AND COATED ABRASIVE PRODUCTS

Section 3274.92 *Conservation Order M–319–a* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Conservation Order M–319–a.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5117; Filed, April 11, 1944; 11:53 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L–99 as Amended Apr. 11, 1944]

COTTON TEXTILE PRODUCTION

§ 3290.46 *Limitation Order L–99*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Operations of spindles and looms producing cotton textiles.* Except as otherwise specifically directed in writing by the War Production Board, no person shall operate spindles or looms, except in accordance with the following requirements: (column references apply only within each of the number groups in Column I of the schedules of this order).

(1) The percentages, as stated in Column III, of the number of spindles or looms operated on or assigned to the cotton textiles listed in Column II, at the time or times specified in the heading of Column II, may produce only the cotton textiles specified in Column IV.

(2) The restrictions of paragraph (b) (1) shall be effective on the dates specified in Column V.

(c) *Exceptions.* (1) The restrictions of paragraph (b) shall not prohibit the manufacture of any construction in any group of lower pick than the lowest pick specified in Column IV as to such group, unless the War Production Board hereafter specifically so directs in writing. Any person affected by this paragraph (c) (1) shall immediately report such fact in writing to the War Production Board.

(2) [Deleted Dec. 24, 1943]

(d) *Further restrictions.* (1) No producer or converter of cotton textiles shall produce, convert or deliver cotton textiles and no person shall accept delivery of cotton textiles from a producer or converter, contrary to any specific direction which may be issued from time to time by the War Production Board.

(2) No person in the business of producing cotton yarns shall operate in the calendar quarter beginning April 1, 1944 or in any subsequent calendar quarter at a rate of production which will result in a production of less cotton yarn than the greatest poundage of cotton yarn produced by him in any calendar quarter of 1943.

(e) [Deleted Dec. 24, 1943]

(f) *Reports and records.* All persons operating spindles or looms for the production of cotton textiles of any kind shall file with the War Production Board quarterly production reports on Form WPB 658–A, B, C, D and E. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

An appeal for suspension of the requirement of paragraph (d) (2) may be made on the ground that compliance will result in production at a loss, provided that an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, the requirement of that paragraph for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref., L–99.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below in the period from January 2, 1943, to March 6, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
1	Class A sheetings (constructions designated in lines 12 through 15 of Form WPB 658–B (12–31–42)).	100 percent	36″ 48 x 44 2.85 yd 40″ 48 x 44 2.85 yd 40″ 48 x 44 2.50 yd Pro rata widths of like count and weight.	Apr. 20, 1943
2	Class B sheetings (constructions designated in lines 16 through 21 of Form WPB 658–B (12–31–42)).	100 percent	40″ 48 x 40 3.25 yd 40″ 48 x 40 3.75 yd 37″ 48 x 44 4.00 yd 40″ 44 x 40 4.25 yd 31″ 48 x 44 5.00 yd Pro rata widths of like count and weight.	Apr. 20, 1943
3	Class C sheetings (constructions designated in lines 22 through 33 of Form WPB 658–B (12–31–42)).	100 percent	36″ 64 x 64 3.50 yd 36″ 60 x 52 or 56 x 56 4.00 yd 36″ 48 x 40 or 44 x 40 5.50 yd 36″ 44 x 40 or 40 x 40 6.05 to 6.15 yd 40″ 64 x 64 3.15 yd 40″ 60 x 52 or 56 x 56 3.60 yd 40″ 44 x 40 5.50 yd 40″ 56 x 48 4.30 yd 40″ 36 x 40 5.55 yd Pro rata widths of like count and weight. Bandoleer and Navy Mattress Cover Sheeting in lowest pickage consistent with specifications.	Apr. 20, 1943
4a	39″ 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658–B (12/31/42).	12½ per cent	39″ 80 x 80 4.00 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4b	39″ 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658–B (12–31–42)).	12½ percent	39″ 68 x 64 4.85 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4c	39″ 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of WPB 658–B (12–31–42)).	25 percent	38½″ 64 x 56 5.80 yd Pro rata widths of like count and weight.	June 4, 1943
5	39″ 68 x 72 4.75 yd. print cloth (constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB–658–B (12–31–42)).	100 percent	39″ 68 x 64 4.85 yd Pro rata widths of like count and weight.	Apr. 20, 1943
6	38½″ 64 x 60 5.35 yd. print cloth (constructions designated in line 77, and pro rata widths designated in lines 72, 73, 79 and 80 of Form WPB 658–B (12–31–42)).	100 percent	38½″ 64 x 56 5.50 yd Pro rata widths of like count and weight.	Apr. 20, 1943
7	38½″ 60 x 48 6.25 yd. print cloth (constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658–B (12–31–42)).	100 percent	38½″ 60 x 48 6.25 yd Pro rata widths of like count and weight.	May 1, 1943

SCHEDULE B

Col. I Group	Column II Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Column III Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Column IV Constructions to be produced by looms specified in column II	Column V Effective dates
8	Osnaburgs (constructions designated in lines 1 through 7 of Form WPB 658-B (3-25-43)).	100 percent	40" 28 or 40 sley, 24 to 28 pick, 2.11 yd 36" 28 or 40 sley, 24 to 28 pick, 2.35 yd 36" 33 x 26 2.85 yd 36" 24 to 28 sley, 16 to 20 pick, 3.30 yd 40" 28 or 32 sley, 24 to 28 pick, 3.66 yd 30" 28 or 40 sley, 28 pick, 2.33 yd. Pro rata widths of like count and weight.	Aug. 1, 1943
9	Window shade cloths (constructions designated in line 71 of Form WPB 658-B (3-25-43)).	100 percent	Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 44, 56 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
10	Pajama checks (constructions of which are designated in line 81 of Form WPB 658-B (3-25-43)).	100 percent	36¼" 80 x 80 4.27 yd 39½" 80 x 80 4.66 yd Pro rata widths of like count and weight. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 8, 12, 13, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
11				
12				
13	Carded broadcloths (constructions designated in lines 83 through 88 of Form WPB 658-B (3-25-43)).	100 percent	Any width broadcloth woven from print cloth yarns counting from 96 to 136 ends per inch and not in excess of 60 picks per inch. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 8, 10, 12, 14 and 15 or any other construction specified in column IV of Groups 23 and 23.	June 15, 1943
14	Carded poplins (constructions designated in line 89 of Form WPB 658-B (3-25-43)).	100 percent	Any width poplin woven with print cloth warp yarns in the following sley and pick per inch: 90 x 44, 100 x 64, 112 x 60. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
15	Gauze diaper cloth	100 percent	Gauze diaper cloth	May 1, 1943
16	All other fabrics woven from print cloth yarns not specified in column II of any other group in Schedule A, B or C (constructions designated in lines 73, 79, 80, 81 and 90 of Form WPB 658-B (3-25-43)).	100 percent	Any print cloth yarn fabric or fabrics specified in column II of this group (16), provided that the weighted average pick of the yardage in the constructions produced after the effective date specified in column V is reduced to 91 percent of the weighted average pick of the yardage in the constructions specified in column II produced during the quarterly period ending Apr. 3, 1943. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
17	Birdseye diaper cloth (constructions designated in line 70 of Form WPB 658-B (3-25-43)).	100 percent	Birdseye diaper cloth	May 1, 1943
18	Sheetings, 42" and wider, Classes A and B, except bed sheetings (constructions designated in lines 35 and 36 of Form WPB 658-B (3-25-43)).	100 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom. Any suitable construction not less than 72" wide nor of more than 54 picks per inch manufactured for laundry use.	Aug. 1, 1943

SCHEDULE B—Continued

Col. I Group	Column II Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Column III Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Column IV Constructions to be produced by looms specified in column II	Column V Effective dates
19a	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	50 percent	44" 48 x 48 4.00 yd. 52" 48 x 48 3.82 yd. 54" 40 sley, 36 to 38 pick, 5.25 yd. 60" 44 x 40 4.46 yd. 43" 36 x 40 5.80 yd. Any narrow Class C sheeting heretofore designated in this Column IV, Group 3. Pro rata widths of like count and weight.	Aug. 1, 1943
19b	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	80 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom.	Aug. 1, 1943
20	Twills, drills, jeans, sateens and gabardines (constructions designated in lines 45 through 69 of Form WPB 658-B (3-25-43)).	100 percent	*Drills:* 37" 64 x 56, 1.50 yd. 30" 72 sley, not over 48 pick, 2.35 yd to 2.55 yd. 30" 76 sley, not over 54 pick, 2.35 yd to 2.55 yd. Pro rata widths of like count and weight. Any drill, irrespective of width or weight, having not more than 68 sley and not more than 40 pick. *Jeans:* 38" 96 x 54 2.85 yd. 32" 96 x 64 3.28 yd. 31" 84 to 86 sley, 56 pick, 3.63 yd to 3.87 yd. Pro rata widths of like count and weight. *Twills:* 39" 68 x 70 2.58 yd or 3.00 yd. Silesia twill in lowest pickage consistent with U. S. Army Quartermaster Specification 618-C. 37" 84 to 88 sley, 40 pick, 1.75 yd to 2.55 yd. 37" 76 to 88 sley, 38 to 46 pick, 1.45 yd to 2.15 yd. 30" 88 sley, 50 to 52 pick, 1.90 yd to 2.45 yd. 32" 96 x 64 2.00 yd. 34½" 96 x 54 2.00 yd to meet U. S. Navy Specification 27-T-25A. 31" approx. 88 sley, 56 pick, 1.50 to 1.65 yd (manufactured to meet specifications of U. S. Army or Navy for tents). 8.2 oz. Type IV carded uniform twill in lowest pickage consistent with Federal specifications. 8.5 oz. herringbone in lowest pickage consistent with Federal specifications for U. S. Army or Navy. 9 oz. herringbone twill in lowest pickage consistent with specifications for U. S. Marine Corps. 54" 76 x 82 1.14 yd. 54" 84 x 64 99 yd. Pro rata widths of like count and weight. *Sateens:* 30½" 112 to 118 sley, 64 pick, 2.20 yd. 34" 108 x 56 3.00 yd. 53" 96 x 60 1.12 yd. 53" 96 x 64 1.32 yd. 54" 96 x 56 1.05 yd. 54" 96 x 56 1.55 yd. Pro rata widths of like count and weight. *Gabardines:* Not over 64 picks per inch.	June 15, 1943

SCHEDULE B

Col. I Group	Column II Looms producing or assigned to produce the constructions listed below in the period from April 3, 1944, to May 1, 1944, inclusive, and which may produce only the constructions specified in column IV	Column III Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Column IV Constructions to be produced by looms specified in column II	Column V Effective dates
8	Osnaburgs (constructions designated in lines 1 through 7 of Form WPB 658-B (3-25-43)).	100 percent	40" 28 or 40 sley, 24 to 28 pick, 2.11 yd 30" 28 or 40 sley, 24 to 28 pick, 1.35 yd 36" 32 x 26 2.86 yd 36" 24 to 28 sley, 16 to 20 pick, 1.30 yd 40" 28 or 32 sley, 24 to 26 pick, 2.05 yd 30" 28 or 40 sley, 28 pick, 2.35 yd. Pro rata widths of like count and weight.	Aug. 1, 1943
9	Window shade cloths (constructions designated in line 71 of Form WPB 658-B (3-25-43)).	100 percent	Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 40, 56 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72. Or any other construction specified in columnr IV of groups 4b, 4c, 5, 6, 7, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
10	Pajama checks (constructions of which are designated in line 81 of Form WPB 658-B (3-25-43)).	100 percent	36½" 80 x 80 4.27 yd 39½" 80 x 80 4.00 yd Pro rata widths of like count and weight. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 8, 12, 13, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
11				
12				
13	Carded broadcloths (constructions designated in lines 85 through 96 of Form	100 percent	Any width broadcloth woven from print cloth yarns counting from 80 to 136 ends per inch and not in excess of 80 picks per inch.	June 15, 1943

SCHEDULE C

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on July 3, 1943, and which may produce only the constructions specified in column IV	Percentages to be applied to the number of looms producing or assigned to produce the constructions specified in column II. Such percentage of looms shall produce constructions specified in column IV	Construction to be produced by looms specified in column II	Effective dates
21	Plain print cloth of 80 sley and higher (constructions designated in lines 77, 78, 82 and 83 of Form WPB-658B (9-17-43)).	100 percent	Plain print cloth of 80 sley and higher.	Dec. 24, 1943
22	38¼" 44 x 36 8.60 yd bandage cloth and pro rata widths (constructions designated in line 87 of Form WPB-658B (9-17-43)).	100 percent	38¼" 44 x 36 8.60 yd pro rata width of like count and weight.	July 3, 1943
23	Bandage cloth other than 38¼" 44 x 36 8.60 yd (constructions designated in line 88 Form WPB-658B (9-17-43)).	100 percent	38¼" 44 x 36 8.60 yd 38¼" 40 x 32 9.80 yd 38¼" 48 x 44 7.46 yd Pro rata widths of like count and weight.	July 3, 1943
24	Tobacco and cheesecloth (constructions designated in lines 89 and 91 of Form WPB-658B (9-17-43)).	100 percent	Any width fabric woven from print cloth yarns, in the following sley and pick per inch: 8 x 8, 14 x 10, 17 x 14, 18 x 12, 18 x 14, 20 x 12, 20 x 16, 24 x 20, 28 x 24, 32 x 28, 40 x 28.	Dec. 24, 1943
25	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick (constructions designated in line 90 of Form WPB-658B (9-17-43)).	100 percent	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick.	Dec. 24, 1943

SCHEDULE D

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentages of spindles shall produce yarn and twine of the descriptions and counts specified in column IV.	Descriptions and counts to be produced by spindles specified in column II	Effective dates
1	Carded single machine knitting yarn (items designated in lines 16 through 18 of Form WPB 658-E (9-17-43)).	100 percent	Carded single machine knitting yarn.	Dec. 24, 1943
2	Carded single yarn, other than machine knitting, 20's and coarser (items designated in lines 1 through 3, 22, 24, 27 and 28 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn other than machine knitting, 20's and coarser.	Dec. 24, 1943
3	Carded single yarn, other than machine knitting, finer than 20's (items designated in lines 4, 5, 27 and 29 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn, other than machine knitting, finer than 20's.	Dec. 24, 1943
4	Carded ply yarn of any description or count (items designated in lines 6 through 13, 19, 20, 25, 26 and 27 through 29 of Form WPB 658-E (9-17-43)).	100 percent	Carded ply yarns of any description or count.	Dec. 24, 1943
5	Combed single or ply machine knitting yarn, 70's and coarser (items designated in lines 51 through 55 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarn 70's and coarser.	Dec. 24, 1943
6	Combed single or ply machine knitting yarns, finer than 70's (items designated in lines 57 through 60 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarns, finer than 70's.	Dec. 24, 1943
7	Combed single yarn other than machine knitting, 40's and coarser (items designated in lines 30 through 32, and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
8	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's. (Items designated in lines 33 through 35 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943

SCHEDULE D—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 8, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV	Descriptions and counts to be produced by spindles specified in column II	Effective dates
9	Combed single yarn other than machine knitting, 71's and finer (items designated in lines 36 through 39 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
10	Combed ply yarn other than machine knitting, 40's and coarser (items designated in lines 40 through 42, 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
11	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's (items designated in lines 43 through 45, 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943
12	Combed ply yarn other than machine knitting, 71's and finer (items designated in lines 46 through 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
13	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.) items designated in lines 74 and 75 of Form WPB 658-E (9-17-43)).	100 percent	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).	Dec. 24, 1943
14	Twines other than those specified in Group 13 (items designated in lines 76 through 78 of WPB 658-E (9-17-43)).	100 percent	Twines other than those specified in Group 13.	Dec. 24, 1943

[F. R. Doc. 44-5120; Filed, April 11, 1944; 11:53 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, as Amended Apr. 11, 1944]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.196 *General Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof: *Provided*, That orders for U. S. Army or Marine Corps Post Exchanges or for U. S. Navy Ship's Service Departments shall not be deemed military orders within the terms of this definition, except orders by the U. S. Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service Department for cut sole leather for repair purposes which are endorsed as provided in Priorities Regulation No. 17.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) All trade terms shall have their usual trade significance unless otherwise specified.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to products manufactured:

(i) To fill military orders;

(ii) From vegetable tanned cattlehide flesh splits under 3½ ounces;

(iii) From scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k);

(iv) Under specific authorization in writing by the War Production Board. Any person may request such authorization by letter on his own behalf or on behalf of his customers, stating the proposed uses of the leather and the quantity, quality, weight and type involved.

(4) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference rating shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders; or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (4), (ii).

(5) In making sales or deliveries of hides, skins or leather, including sole leather cut stock, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers and his own consumption of said materials.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB–1323 or Form WPB–3507. Applications may be made on Form WPB–1328 (formerly PD–569) for the purchase of domestic cattlehides, and on Form WPB–1322 (formerly PD–569–a) for the purchase of domestic calfskins and kips: *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale;

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners; and

(ii) The contractor shall contract with the same tanners as in 1942 and shall divide his contracts between them in the same proportions as in 1942.

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition.* "Cattlehide, calfskin, or kip leather" means leather produced from such hides or skins, whether grain or split, including rawhide and leather produced from slunks.

(2) No tanner shall produce any bag, case, or strap leather from cattlehides of qualities meeting Federal Specifications KK–L–151a, KK–L–166 or KK–L–371a, unless the hides are split in a manner to yield:

(i) Grains of the weights required to meet his unfilled military orders; or

(ii) Grains of the maximum weights obtainable: *Provided*, That this restriction shall not require the production of grains in excess of 8 oz.

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be curried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be curried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers, or fillet leather: *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be curried and used only for welting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be curried and used for round belting.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK–L–261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) Except upon specific authorization of the War Production Board in writing, no tanner shall process any cattlehides to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole of good fiber of a grade not lower than No. 1 scratch grade, and of a substance 8½ iron to 11 iron, inclusive.

(ii) "Military quality innersole" means a sole of 6½ to 7 iron, inclusive, first quality full grain leather, of a quality and fiber adapted to the purpose.

(iii) "Military quality strip" means a strip 8½ iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(iv) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(v) "Bend piece" means the portion of a finders' bend remaining after a butt piece has been removed and after a belly slab has been removed from the belly edge of the bend by cutting in a line running from shoulder to butt, approximately parallel to the backbone, and not less than thirteen inches therefrom at any point.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) 20% of the quantity of manufacturers' bends, produced by him for his own account, or produced for his account by others, or such other percentage as may be fixed by the War Production Board in writing from time to time. Such bends are hereinafter referred to as "manufacturers'-bends-for-repair", and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers'-bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Except as otherwise specifically authorized in writing by the War Production Board, sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and no military quality cut stock produced in accordance with such schedule shall be sold, delivered or used except to fill military orders.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) [Deleted September 20, 1943]

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed 12½% of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan. 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any domestic, Canadian or New Zealand deer, except elk, moose, caribou skins, and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather, except:

(i) To produce suitable leather meeting United States Quartermaster Corps Tentative Specifications CQD–105, as amended from time to time, in all respects except as to country of origin; or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet the specification referred to in subparagraph (2) (i) above: *Provided*, That deviations from the specification as to color or country of origin shall not be considered cause for this exception within the meaning of this provision;

(ii) Deerskin leather rejected in writing by the United States Army Quartermaster Depot, Chicago, Illinois;

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943, or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M–194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

General Preference Order M–80
General Conservation Order M–94
Conservation Order M–114
General Conservation Order M–141
Conservation Order M–279
General Preference Order M–301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

NOTE: The first two items (referring to Forms WPB–1321 and 1324) deleted Apr. 11, 1944.

Tanners and converters of cattlehides	WPB–1325 formerly PD–560
Tanners and converters of calfskins and kips	WPB–1322 formerly PD–569A and WPB–2256 formerly PD–778
Tanners and converters of cattlehide side upper leather	WPB–2211 formerly PD–770
Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap, and upholstery leather	WPB–2177 formerly PD–772
Tanners and converters of sole leather	WPB–1304 formerly PD–598B
Tanners and converters of horsehides	WPB–1001 formerly PD–475
Tanners and converters of shearlings	WPB–894 formerly PD–421
Tanners and converters of goatskins, kidskins, cabretta, or India tanned goatskins	WPB–1437 formerly PD–373
Sole cutters	WPB–1303 formerly PD–598A
Non-sole cutting shoe manufacturers	WPB–2209 formerly PD–598C
Finishers and converters of cattlehide splits	WPB–2351
Tanners and converters of glove and garment cattlehide grain leather	WPB–1795

Failure to file any report shall constitute a violation of this order.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref. M–310.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE B

NOTE: Schedule III A amended Apr. 11, 1944.

	Type of sole leather whole stock				
	Finders' heels	Manufacturers' heels-for-repair	Manufacturers' heels	Shoulders, bellies and shanks
Block I. Persons permitted to cut each type subject to the provisions of Blocks II and III below.	Cutter for the repair trade only, except that any sole leather or cutter may cut to order heels, soles, midsoles and taplifts only in accordance with Block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.	Any sole leather cutter.
Method of cutting				
Block IIA. Except for deviation permitted in Block IIB below, each type shall be cut to yield maximum quantity of suitable quality cut stock shown in this block.	Bend pieces (which may not be further cut except in accordance with Block IIB).	Outersoles	Outersoles and innersoles.	Innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block, but only to the extent required to yield the maximum quantity of such military quality cut stock, and	Stripe and taps cut from bends or from bend pieces, to meet unfilled military order.	May not be cut except under Block IIA.	Midsoles, counters and toplifts to meet unfilled military order.	Counters and midsoles only to meet unfilled military order.
1. So to yield the maximum quantity of such military quality cut stock, and	Taplifts cut from bends, bend pieces, or other bend permissible to meet unfilled military order.			
2. To the extent required to meet unfilled military orders of the kinds indicated.	Outersoles and midsoles cut from bends or from bend pieces to meet military orders under Lend-Lease Act only.			
Cutting and disposition of remainder of each type (including the belly of bend pieces from finders' bends) after military quality cut stock has been obtained as provided in Block II.	To produce repair stock, other than outersoles, for sale only to finders for shoe repairing by persons repairing their own shoes.	To produce repair stock, other than outersoles, for sale only to finders for use by shoe-repairers or persons repairing their own shoes.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.
Block IIIA. Except as permitted in Block IIIB below, remainder of each type shall be cut and disposed of only as shown in this block.	Finders' taplifts and finders' pieces shall be used from which no tap can be obtained—unrestricted.	Butt pieces and finders' taplifts cut from bends or from which no tap can be obtained—unrestricted.	No exceptions.	No exceptions.
Block IIIB. Exceptions shall be only as shown in this block.	Non-military cutting permitted unavoidably in the course of cutting military outersoles—for sale only to shoe manufacturers.	Non-military cutting permitted unavoidably in the course of cutting military outersoles—for sale only to shoe manufacturers.		

[F. R. Doc. 44-5116; Filed, April 11, 1944; 11:54 a. m.]

SCHEDULE A

	All other leather may be incorporated in any product manufactured in this column	Horsehide or nonmilitary cattlehide not restricted to military orders or restricted otherwise in this order may be incorporated in any product manufactured in this column	Cattlehide, calfskin and kip leather not restricted to military orders or restricted otherwise in this order may be incorporated in any product manufactured in this column
Footwear	Permitted.	Permitted	Permitted except harness leather.
Transmission belts	Permitted.	Not permitted	Permitted
Hydraulic, packing and mechanical leather products	Permitted.	Not permitted	Permitted
Leather products for textile equipment, for roller, farm and industrial use, provided that lines are limited to 1 inch in width.	Permitted.	Not permitted	Permitted
Trunks	Permitted.	Permitted	Permitted
Surgical supports	Permitted.	Permitted	Permitted
Orthopedic products including arch supports	Permitted.	Permitted	Permitted
Cattle and drivers' whips and quirts	Permitted.	Not permitted	Not permitted
Laces and thongs	Permitted.	Permitted	Not permitted
Cap visors for military personnel	Permitted.	Permitted	Not permitted
Motor-cycle saddles	Permitted.	Not permitted	Not permitted
Welt chaps	Permitted.	Not permitted	Not permitted
Welt gloves	Permitted.	Not permitted	Not permitted
Welt aprons	Permitted.	Not permitted	Not permitted
Garments for heavy duty workers, made from leather normally used for purposes other than clothing, but which was rejected as not meeting military specifications.	Permitted.	Permitted	Not permitted
Leather clothing and equipment (excluding clothing of fine men's hide) duly to the extent essential for safety and protection in the performance of the workers' duties.	Permitted.	Not permitted	Not permitted
Furniture leather essential for repair and maintenance of non-commercial furniture.	Permitted.	Not permitted	Not permitted
Athletic goods (except golf bags)	Permitted.	Not permitted	Not permitted
Leather pattees for peace officers, transportation and industrial workers	Permitted.	Not permitted	Not permitted
Belts, holsters, cartridge belts, bandoleers and pistol belts when these items are to be sold to peace officers, guards, or cowboys.	Permitted.	Not permitted	Not permitted
Luggage handles and stitching pieces, welts, bindings, corners, and closures, for use in the manufacture of articles under Schedule III of General Limitation Order L-284, but only if made from the types of leather permitted by paragraph (b) (2) (iv) of said Schedule III.	Permitted.	Not permitted	Not permitted
Rawhide hammers and hammer faces	Permitted.	Not permitted	Not permitted
Functional parts of musical instruments (excluding straps, cases or containers).	Permitted.	Not permitted	Not permitted
Other products	Not permitted.	Not permitted	Not permitted

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, Interpretation 1]

EFFECT OF RATINGS ON EQUITABLE DISTRIBUTION

The following interpretation is issued with respect to General Conservation Order M-310:

Paragraph (b) (5) of this order, the so-called equitable distribution clause, does not excuse filling of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements, but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5119; Filed, April 11, 1944; 11:54 a. m.]

PART 3293 [1]—CHEMICALS

[General Preference Order M-307 as Amended Apr. 11, 1944]

CASEIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of casein for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.421 [1] *General Preference Order M-307*—(a) *Definitions.* (1) "Casein" means the protein components of skimmed milk which have been precipitated by the action of rennet, acid or sweet or sour whey and which have been washed, dried and ground. Precipitated components which have been washed and/or dried, but not ground, are not "casein" within the terms hereof, but "casein" does include "casein" as above defined where blended with other precipitated components, whether or not such other components are washed, dried or ground.

(2) "Producer" means any person who produces or imports casein and includes any person who produces casein for use in the manufacture by him of other products.

(3) "Distributor" means any person who purchases casein for the purpose of resale.

(4) "Supplier" means a producer or a distributor.

(b) *Restrictions on production.* War Production Board may at any time issue authorizations or directions to a producer respecting the grades or types of casein which he may produce.

(c) *Restrictions on deliveries and use.* (1) On and after May 1, 1943, no person shall deliver, accept delivery of, or use casein, except as specifically authorized or directed by War Production Board.

(2) Authorizations or directions with respect to deliveries or use in the two month period May 1, to June 30, 1943, and in each calendar quarter commencing with the third quarter of 1943, will so far as practicable be issued by War Production Board prior to the commencement of such period or quarter, but War Production Board may at any time in its discretion issue directions with respect to deliveries to be made or accepted, or with respect to use or uses which may or may not be made of casein to be delivered or then on hand. Such authorizations or directions may be made by War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to accept delivery of or use casein shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board. Casein allocated for inventory shall not be used except as specifically directed by War Production Board.

(4) Casein allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (c) (1) hereof, specific authorization of War Production Board shall not be required for:

(i) Delivery by any supplier to any person during any month of 2,000 lbs. or less of casein, but no producer shall deliver under this exemption during any calendar quarter in the aggregate more than 5% of the amount of casein which he has been specifically authorized to deliver during that calendar quarter.

(ii) Acceptance of delivery by any person during any calendar month of 2,000 lbs. or less of casein in the aggregate from all suppliers.

(iii) Use by any person during any calendar month of 2,000 lbs. or less of casein.

(2) Quantities of casein may not be accepted or used under the above exemption in addition to quantities of casein accepted or used pursuant to specific allocation if the total accepted or used would exceed 2,000 lbs. in any month.

(3) No supplier shall make any delivery during any such period or calendar quarter pursuant to paragraph (d) (1) if such delivery will prevent the completion of any delivery which has been specifically authorized for such period or quarter.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of casein in any calendar quarter commencing with the third quarter of 1943, whether for his own consumption or for resale (and every person requiring authorization to use casein in such quarter) shall file application therefor on or before the 15th day of the month preceding the commencement of such quarter. Applications respecting acceptance of delivery or use in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD-600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-307, one forwarded to the supplier with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy shall be sent to the supplier.

(iii) In the heading, under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M-307"; under "Indicate unit of measure", specify "pounds".

(iv) In heading at top of Table I and Table III, specify "Period May 1 to June 30, 1943" or "_____ quarter of 194__" (inserting "third", "fourth", etc.).

(v) In Columns 1, 11 and 19, specify grade, for example, "rennet", "acid".

(vi) In Columns 3, 20 and 22 (Primary Product), applicant will specify, in terms of the following, the product or products in the manufacture or preparation of which he will use casein:

Adhesives	Rubber
Coated paper (except wallpaper)	Wallpaper
Gypsum	Other products (specify)
Insecticides	Resale (as casein)
Leather finishes	Inventory (as casein)
Paint	
Plastics	

(vii) In Column 4 (Product End Use), applicant will specify with respect to each primary product the ultimate use to which such primary product will be put. For example, if the "primary product" called for in Column 3 is "adhesives", the ultimate use might be "furniture plywood". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for casein for resale or for inventory, leave Column 4 blank.

[1] Formerly Part 3226, § 3226.1.

SCHEDULE A

	Cattlehide, calfskin and kip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	Horsehide shank or non-military quality horsehide front leather may be incorporated in any product marked "Permitted" in this column	Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	All other leather may be incorporated in any product marked "Permitted" in this column
....f	Permitted except harness leather.	Permitted	Permitted	Permitted.
...sion belts	Permitted	Not permitted.	Not permitted	Permitted.
...ic, packing and mechanical ... products.	Permitted	Not permitted.	Not permitted	Permitted.
...products for textile equipment. ... horse collars, and saddlery ...lies, farm and industrial use, ...ed that lines are limited to 1 ... width.	Permitted Permitted	Not permitted. Not permitted.	Not permitted Not permitted	Permitted. Permitted.
... supports	Permitted	Permitted	Permitted	Permitted.
... limbs	Permitted	Permitted	Permitted	Permitted.
...dic products including arch ...rts.	Permitted	Permitted	Permitted	Permitted.
...nd drivers' whips and quirts	Permitted	Not permitted.	Not permitted	Permitted.
...d thongs	Permitted	Not permitted.	Not permitted	Permitted.
...ors for military personnel	Permitted	Not permitted.	Not permitted	Permitted.
...equipment	Permitted	Not permitted.	Not permitted	Permitted.
...cle saddles	Permitted	Not permitted.	Not permitted	Permitted.
...aps	Permitted	Not permitted.	Not permitted	Permitted.
...oves	Permitted	Permitted	Permitted	Permitted.
...rons	Permitted	Permitted	Permitted	Permitted.
...ts for heavy duty workers, ...from grain leather resulting un... ...bly from tanning or cutting for ...e military orders, but which ...jected as not meeting military ...cations.	Permitted	Permitted	Permitted	Permitted.
...al safety clothing and equip... (exclusive of linesmen's belts) ...o the extent essential for safety ...rotection in the performance of ...orkers' duties.	Permitted	Not permitted.	Not permitted	Permitted.
...re leather essential for repair ...maintenance of transportation ...ment, office and commercial ...ure.	Permitted Permitted	Permitted Not permitted.	Not permitted Not permitted	Permitted. Permitted.
... goods (except golf bags)	Permitted	Not permitted.	Not permitted	Permitted.
... puttees for peace officers, trans... ...ion and industrial workers.	Permitted	Not permitted.	Not permitted	Permitted.
...abbards, rifle slings, pistol hol... and pistol belts, when these ...are to be sold to peace officers, ..., or cowboys.	Permitted	Not perm tted.	Not permitted	Permitted.
... handles and attaching pieces, ... bindings, corners, and closures, ...pes of luggage permitted by ...ule I of General Limitation ... L-284, but only if made from ...ypes of leather permitted by ...raph (b) (1) (iv) of said Sched...				
...le hammers and hammer faces	Permitted	Not permitted.	Not permitted	Permitted.
...onal parts of musical instru... ... (excluding straps, cases or con... ...s).	Permitted	Not permitted.	Permitted	Permitted.
...roducts	Not permitted	Not permitted.	Not permitted	Permitted.

SCHEDULE B

NOTE: Block III A amended Apr. 11, 1944.

	Type of sole leather whole stock			
	Finders' bends	Manufacturers' bends-for-repair	Manufacturers' bends	Shoulders, bellies and shanks
Block I. Persons permitted to cut each type subject to the provisions of Blocks II and III below.	Cutter for the repair trade only, except that any sole leather cutter may cut to obtain outersoles, midsoles and toplifts only in accordance with Block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.	Any sole leather cutter.
Method of cutting				
Block IIA. Except for deviation permitted in Block IIB below, each type shall be cut to yield maximum quantity of military quality cut stock shown in this block.	Bend pieces (which may not be further cut except in accordance with Block IIB).	Outersoles	Outersoles and innersoles.	Innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only— 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated.	Strips and taps cut from bends or from bend pieces, to meet any unfilled military order. Toplifts cut from bends, bend pieces, or other bend portions, to meet any unfilled military order. Outersoles and midsoles cut from bends or from bend pieces to meet military orders under Lend-Lease Act only.	May not be cut except under Block IIA.	Midsoles, counters and toplifts, to meet any unfilled military order.	Counters and midsoles to meet any unfilled military order.
Cutting and disposition of remainder of each type (including belly slabs resulting from cutting of bend pieces from finders' bends) after military quality cut stock has been obtained as provided in Block II.				
Block IIIA. Except as permitted in Block IIIB below, remainder of each type shall be cut and disposed of only as shown in this block.	To produce repair stock, other than outersoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes. Finders' toplifts and finders' pieces from which no tap can be obtained—unrestricted. Non-military outersoles produced unavoidably in the course of cutting military outersoles—for sale only to shoe manufacturers.	To produce repair stock, other than outersoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes. Butt pieces, finders' toplifts and finders' pieces from which no tap can be obtained—unrestricted. Non-military outersoles produced unavoidably in the course of cutting military outersoles—for sale only to shoe manufacturers.	To produce cut stock for use by shoe manufacturers only. No exceptions.	To produce cut stock for use by shoe manufacturers only. No exceptions.
Block IIIB. Exceptions shall be only as shown in this block.				

[F. R. Doc. 44-5118; Filed, April 11, 1944; 11:54 a. m.]

PART 3293—LEATHER

[General Preference Order M-307, as Amended April 11, 1944]

EFFECTIVE DATE OF AMENDMENT

The following amendment to General Preference Order M-307 is issued in connection with respect to General Preference Order M-307, as amended April 11, 1944.

Paragraph (a) (2) of § 3293.4 (Limitations on use of certain leathers) is amended to read as follows:

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph (a), any person who is engaged in the tanning of hides or skins of cattle, calf, kip, horse, goat or kid into leather, may use any of the above-mentioned hides or skins in the tanning of leather for civilian purposes, provided that he has complied with all applicable provisions of the order, including the provisions of Schedule A, and provided that he has complied with all applicable provisions of the rated order regulations, including the provisions of Priorities Regulation 3 relating to the conditions under which rated orders may be used, and provided that he has given to orders for civilian leather a preference rating equal to the preference rating given to orders with which he complies.

The particular provisions of this preference order which he is complying with unless the tanner has complied with all of the hides or skins of cattle, calf, kip, horse, goat or kid into leather, this paragraph (a) (2) shall not apply to any person who meets each of the following requirements:

Issued this 11th day of April 1944.

[F. R. Doc. 44-5119; Filed, April 11, 1944; 11:54 a. m.]

§ 3293.4 *Limitations on use of certain leathers.* (a) *Restrictions.* (1) M-307—(General Preference Order M-307, as amended April 11, 1944) in" means any person who produces skimmed cattlehide, calfskin, kipskin, cipitated casein, or sweet cream buttermilk that has been washed and cipitated casein that is not "casein" as defined in this defined washed cipitated casein, other coagulated casein, or other ground.

(2) "Produces" means any person who produces any person who produces in the manufacture of products.

(viii) Applicant will fill out Tables II, III and IV in their entirety, except that Columns 15–a, 15–b, 15–c and 16 will be left blank. In the headings at the top of Columns 13, 14 and 15, he will substitute for the words "last month," the words "current quarter (estimated)." In the heading at the top of Table IV, "Inventory at end of last month," he will substitute "Inventory at end of current quarter." As used herein "current quarter" means the quarter in which the application will normally be filed; namely, the quarter preceding the quarter to which the application for authorization to accept delivery or use relates.

(2) Each supplier seeking authorization to make delivery of casein in any calendar quarter commencing with the third quarter of 1943, shall file application therefor on or before the 20th day of the month preceding the commencement of such quarter. Applications respecting delivery in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD–601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD–601 may be obtained at local field offices of the War Production Board.

(ii) Supplier will prepare an original and three copies of each set of Form PD–601 and will forward the original and two copies to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M–307, retaining the third copy for his files. A separate set of Form PD–601 shall be prepared by supplier to cover deliveries which he proposes to make in the applicable month to customers ordering casein for the manufacture or preparation of the same class of product. For the purposes of this requirement, the classes of product shall be those listed in paragraph (e) (1) (vi).

(iii) Each producer who has filed application on Form PD–600 specifying himself as his supplier, shall list his own name as customer on Form PD–601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M–307"; under "This schedule is for deliveries to be made during the month of _____", specify "Period May 1 to June 30, 1943", or "_____ quarter of 194__" (indicating "third", "fourth", etc.); under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. Supplier need not, however, specify names of customers to whom small order deliveries are to be made during the period or quarter pursuant to paragraph (d) (1), but he will insert in Column 1 "Total small order deliveries (estimated)", and in Column 4 will state the estimated quantity.

(vi) In Columns 3 and 8, supplier will specify grades, for example, "rennet", "acid".

(vii) The supplier may, if he wishes, leave Column 5 blank.

(viii) In Table II, supplier will substitute "quarter" for "month" wherever word "month" appears, except that in any application relating to deliveries in the period May 1 to June 30, 1943, the word "month" in Columns 11, 12 and 13 shall be left unchanged and that in Column 14, supplier will list estimated production for period May 1 to June 30, 1943.

(3) War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any such person with respect to preparing and filing Forms PD–600 and PD–601.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent therewith.

(2) *Notification of customers.* Each supplier shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–307.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6121; Filed, April 11, 1944; 11:53 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–340 as Amended Apr. 11, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340.

Issued this 11th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST–116" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades; no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.–78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS–673, 52–C–18 and AN–C–52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 200° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerisable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

APPENDIX B

NOTE: Item (15) added Apr. 11, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST–116	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.–78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W. Naphtha.	Gallons.	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	80 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the _____ (specify subject chemical) ordered for delivery in _____, 194__

Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s), on the basis of order(s)

filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(a)			
(b)			

Name of purchaser

By ---

Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of ---- or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD-602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44-5122; Filed, April 11, 1944; 11:54 a. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 35—VETERANS' REGULATIONS

INDUCTION OF TRAINEES AT SUBMINIMUM WAGE RATES

Instruction No. 9, Public No. 16, 78th Congress (Act of March 24, 1943). (1) The relationship of the Fair Labor Standards Act of 1938, Public No. 718, 75th Congress, and the Walsh-Healey Public Contracts Act, Public No. 846, 74th Congress, to Public No. 16, 78th Congress; (2) Authority to induct trainees in training-on-the-job at subminimum wage rates.

For the purposes of Public No. 16, 78th Congress, the following instruction is hereby issued:

1. The Fair Labor Standards Act of 1938, Public No. 718, 75th Congress, requires an employer, as a statutory obligation, to pay to any person, not specifically exempt, who is suffered or permitted to work in commerce or in the production of goods for commerce, without regard to other source of income, a minimum wage of 40¢ per hour,[1] or a subminimum hourly wage rate which the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, may approve for handicapped workers under section 14 of the act. Similarly, the Walsh-Healey Public Contracts Act, Public No. 846, 74th Congress, requires that all persons employed by a contractor on work subject thereto be paid not less than the applicable minimum wages as determined by the Secretary of Labor. When the hours of employment-training exceed 40 in any one work-week (or 8 in any 1 day, if the work performed is subject to the Public Contracts Act), the overtime provisions of the acts are applicable.

2. When a prospective employer-trainer, as a condition precedent to his acceptance of a trainee[2] for training-on-the-job, indicates he will not meet the minimum wage requirements of the Fair Labor Standards Act and the Walsh-Healey Public Contracts Act, the use of such training facility will not be favorably considered unless (1) other opportunities for the desired training neither exist nor are available in the veteran's community; and (2) the trainee's disabilities preclude initial entrance into training at the minimum wage otherwise applicable.

3. When, after investigation, the above conditions are found to exist, vocational rehabilitation officers are authorized to approve induction in training-on-the-job at subminimum rates. To accomplish this purpose, the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, has delegated to the vocational rehabilitation officers of the field stations having regional office activities authority to issue to a prospective employer a temporary certificate for each trainee valid for a period of not longer than 3 months from the date of issuance, authorizing the employment-training of a trainee at an hourly wage rate not less than 75% of the applicable minimum wage unless

[1] Under the Fair Labor Standards Act, most industries are already under 40¢ wage orders; all others will probably be so covered within a few weeks except in Puerto Rico.

[2] As used herein the term "trainee" has reference to a disabled veteran determined to be eligible for vocational training by the Veterans Administration in an occupation covered by either the Fair Labor Standards Act or the Walsh-Healey Public Contracts Act.

after investigation a different wage rate appears to be clearly justified. In exceptional and unusual cases, vocational rehabilitation officers may authorize employment-training at lower rates. A certificate, however, should not necessarily be issued at a rate as low as 75% of the minimum. In each case the rate should be set at a figure designed adequately to reflect the individual trainee's earning capacity.

4. Payments made on a piece rate basis to a trainee in training-on-the-job must be at the piece rate paid nonhandicapped employees in the same occupation but in no case less than the hourly wage rate set forth in the certificate.

5. The temporary certificate will be prepared in quadruplicate. The blue copy will be forwarded to the employer-trainer. The green copy will be given to the trainee. The white copy will be filed in the trainee's vocational rehabilitation record file and the buff copy will be forwarded within 10 days after issuance by the vocational rehabilitation officer to the appropriate regional director of the Wage & Hour and Public Contracts Divisions, U. S. Department of Labor, together with the vocational rehabilitation officer's recommendation covering the agreed subminimum rate or rates for the balance of the training period. The regional director of the Wage & Hour and Public Contracts Divisions, U. S. Department of Labor, will then issue a special certificate prior to the expiration of the temporary certificate covering such remaining period of training as may be required under the terms of the training agreement, but in no case for a period in excess of 9 months from the date of expiration of the temporary certificate. The effective date of the special certificate will follow consecutively the date of expiration of the temporary certificate and such certificate will authorize the employment-training of the affected trainee at the graduated wage scale recommended by the vocational rehabilitation officer.

6. When unusual conditions necessitate a period of employment-training at a subminimum rate in excess of one year, a renewal certificate may be issued by the Wage & Hour and Public Contracts Divisions, U. S. Department of Labor, upon the vocational rehabilitation officer's application and recommendation.

7. Vocational rehabilitation officers or the employee acting in that capacity will authenticate special certificates. (April 10, 1944) (57 Stat. 43-45)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 44-5103; Filed, April 10, 1944; 3:59 p. m.]

Notices

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-26]

CACAO PRODUCTS

DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of fixing and establishing definitions and standards of identity for cacao nibs; chocolate liquor; sweet chocolate (coating); milk chocolate (coating); skim milk chocolate (coating); buttermilk chocolate (coating); mixed milk, skim milk, buttermilk, malted milk chocolate (coating); cocoa; breakfast cocoa; low-fat cocoa; sweet cocoa and fat (other than cacao fat) coating; and sweet chocolate and fat (other than cacao fat) coating.

Proposed Order

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701 (e); 52 Stat. 1046, 1055; 21 U.S.C. 341, 371 (e), 1940 ed.); and upon the basis of evidence of record at the above-entitled hearings duly held pursuant to notice issued by the Acting Federal Security Administrator on October 11, 1940 (5 F.R. 4151), the following order be made:

Findings of Fact[1]*—Cacao Nibs*

1. The dried or cured cacao bean is the basic raw material from which cacao products are made. (R. pp. 22–23.)

2. The cacao product commonly and usually known as cacao nibs, cocoa nibs, or cracked cocoa is prepared by cleaning, heating, cracking, and removing the shell therefrom (see finding 4). (R. pp. 23–24, 42–43, 97–98, 265.)

3. The shell of the cacao bean is a hard, fibrous and unpalatable material of little nutritional value. It has only limited commercial uses, and sells at prices very much lower than the prices of cacao nibs. The presence of excess shell in nibs used in the manufacture of cacao products results in a coarse, gritty, and cheapened product; it has long been the practice of manufacturers to remove the shell as completely as is practicable. (R. pp. 23–25, 97–98, 333.)

4. The shell is removed from cacao nibs by sieving and winnowing the cleaned, heated, and cracked beans. The extent to which it is practicable to remove the shell from the nibs depends on several factors, including the equipment used, the variety of the cacao beans, the manner of curing, and the extent of heating. Although the shell is usually removed to such extent that the finished cacao nibs contain not more than about 1 percent by weight of shell, it is difficult to remove the shell of some cacao beans down to 1.5 percent. When good manufacturing practices are followed, a limit of not more than 1.75 percent by weight is a practicable and reasonable maximum for shell in the cacao nibs. (R. pp. 24–27, 36–37, 50, 74, 86–87, 90, 264, 332–333; Govt. Ex. No. 2.)

5. The quantity of shell in cacao nibs can be determined accurately by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940, beginning on page 208 under the heading "Shell in Cacao Nibs—Tentative". This publication, hereinafter referred to as "Methods of Analysis—A. O. A. C., 5th Ed.", is well known to and commonly used by food chemists. (R. pp. 39–40, 56, 71–73, 83–84, 91–92, 97–98, 106, 264, 275–276, 332–333.)

6. Sometimes manufacturers heat all or part of a given lot of cacao nibs, or the cacao beans from which such nibs are made, with one or more alkalis. The effect of such alkali processing is to darken the color of the nibs, to change their flavor, aroma, and perhaps other physical or chemical characteristics. These changed characteristics render the nibs more desirable for some uses, and appear in finished cacao products made from cacao nibs so processed. (R. pp. 131–134, 266–267, 272–273, 506, 1141.)

7. One or more of the following alkalis are used in the processing of cacao nibs and are suitable for such use in a quantity not greater than that specified in finding 9: ammonium carbonate, ammonium bicarbonate, ammonium hydroxide, magnesium carbonate, magnesium oxide, potassium carbonate, potassium bicarbonate, potassium hydroxide, sodium carbonate, sodium bicarbonate, and sodium hydroxide. They are added as such or in water solutions. (R. pp. 131–134, 266–267, 272, 436, 437.)

8. When used in reference to alkali-processed cacao products, the term "alkali" is the name whereby the substances specified in finding 7 are designated collectively, and such term is commonly used as an alternative to the specific common names of the individual substances. (R. pp. 134–135.)

9. When potassium carbonate is the alkali used, the quantity usually added to obtain the desired characteristics is not more than three parts (calculated as anhydrous potassium carbonate) to each one hundred parts by weight of the cacao nibs used for such processing. When other alkalis specified in finding 7 are used singly, or in any combination with each other or with potassium carbonate, the quantity usually added to obtain such characteristics is such that its neutralizing value is not greater than that of the maximum quantity above specified for potassium carbonate when it is the only alkali used. The neutralizing values of such other alkalis are calculated from their respective combining weights. Larger quantities of alkalis are unnecessary and when added in excess of such amount they begin to impart "soapiness" and other undesirable characteristics. (R. pp. 131–134, 266–273, 333–334.)

10. When alkalis are added to a cacao product they combine with the free acids and perhaps other acidic constituents of the product, so that the alkalis are neutralized and are not present as such in the finished product but are present in combined form. (R. pp. 131–135, 270–272, 319–321.)

11. The distinctive characteristics of cacao products which have been subjected to the alkali process serve as a basis upon which purchasers select such products for particular uses. (R. pp. 131, 134–135, 149–150, 270–272, 319–320.)

12. The process of treating cacao products with alkalis originated in Holland, and the term "Dutch Process" has been used in the trade and on some labels for years to indicate that a particular cacao product has been subjected to this process; however, few people outside the

[1] Page references to certain relevant portions of the record are for the convenience of the reader. However, the findings of fact are not based solely on that portion of the record to which reference is made but on a consideration of all the evidence of record.

filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

Name of purchaser

By ---

Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of ---- or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be deliv-

75th Congress, and the Walsh-Healey Public Contracts Act, Public No. 846, 74th Congress, to Public No. 16, 78th Congress; (2) Authority to induct trainees in training-on-the-job at subminimum wage rates.

For the purposes of Public No. 16, 78th Congress, the following instruction is hereby issued:

1. The Fair Labor Standards Act of 1938, Public No. 718, 75th Congress, requires an employer, as a statutory obligation, to pay to any person, not specifically exempt, who is suffered or permitted to work in commerce or in the production of goods for commerce, without regard to other source of income, a minimum wage of 40¢ per hour,[1] or a subminimum hourly wage rate which the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, may approve for handicapped workers under section 14 of the act. Similarly, the Walsh-Healey Public Contracts Act, Public No. 846, 74th Congress, requires that all persons employed by a contractor on work subject thereto be paid not less than the applicable minimum wages as determined by the Secretary of Labor. When the hours of employment-training exceed 40 in any one work-week (or 8 in any 1 day, if the work performed is subject to the Public Contracts Act), the overtime provisions of the acts are applicable.

2. When a prospective employer-trainer, as a condition precedent to his acceptance of a trainee [1] for training-on-the-job, indicates he will not meet the minimum wage requirements of the Fair

trade know the significance of that phrase. (R. pp. 131, 134–135, 270–272.)

13. A label statement of the presence of these optional alkali ingredients in cacao products which is informative and reasonable is a statement that the cacao product has been processed with alkali or processed with a specific alkali or alkalis, as, for example, "Processed With Alkali" or "Processed With Ammonia". (R. pp. 131–135, 271–272, 319–320, 549.)

Chocolate Liquor

14. The solid or semiplastic food prepared by finely grinding cacao nibs is commonly known by any of the several names "chocolate liquor", "chocolate", "bitter chocolate", "baking chocolate", "cooking chocolate", "chocolate coating", "bitter chocolate coating". (R. pp. 98, 107, 274, 336, 538–539, 1565.)

15. Different varieties and grades of cacao beans contain different percentages of cacao fat; the percentage of cacao fat in the ground cacao nibs varies with the variety, grade, or blend of cacao beans used and with other factors. (R. pp. 99, 103, 106–107, 129, 369; Govt. Ex. 3; O. P. Ex. 4.)

16. Cacao nibs seldom contain less than 50 percent or more than 58 percent by weight of cacao fat. In preparing chocolate liquor it is the normal practice to select or blend the nibs so that the finished product falls within this range, and these are practicable and reasonable limits for the cacao fat content of chocolate liquor. The quantity of cacao fat in chocolate liquor, other than that seasoned with butter, milk fat, or ground nut meats, can be determined accurately by the method prescribed in Methods of Analysis—A. O. A. C., 5th Ed., under "Fat Method I—Official" beginning on page 202. (R. pp. 98–106, 129, 274, 334–335, 369–370, 1273–1274; Govt. Ex. 3.)

17. Although chocolate liquor is extensively used in the home for culinary purposes, its principal use is as one of the basic ingredients in the manufacture of various chocolate products. (R. pp. 107–108, 110–111, 489–490.)

18. Various products in which chocolate liquor is used are manufactured according to formulae in which the percentage of cacap fat is an important factor (see finding 48). Manufacturers who purchase chocolate liquor for such purposes ordinarily do so on specifications as to its fat content. (R. pp. 107, 404–409, 540–541, 1018, 1139, 1144–1149, 1169.)

19. Different batches of chocolate liquor are adjusted to the desired percentage of cacao fat, within the limits of 50 percent to 58 percent, by adding to it either cacao fat or a cocoa (see findings 25 to 28, inclusive). If the chocolate liquor contains less cacao fat than desired, sufficient cacao fat is added to correct the deficiency; if it contains more, a cocoa is added to reduce the fat. The addition of both cacao fat and cocoa is not only unnecessary but is objectionable because such a mixture, even when it comes within the limits of fat content of chocolate liquor, is not chocolate liquor. (R. pp. 129–130, 193, 225, 334, 369, 403–407, 538, 1273–1274, 1529, 3467–3469.)

20. When alkali-processed chocolate liquor is desired, it is the general practice to add the alkalis specified in finding 7 to the cacao beans or nibs from which the chocolate liquor is prepared, as indicated in finding 6. However, manufacturers sometimes process the chocolate liquor itself with such alkalis. In either case findings 6 to 13, inclusive, are applicable to chocolate liquor, except that when the chocolate liquor itself is alkalized, the quantity of alkali used is calculated on the basis of the weight of cacao nibs used in preparing the chocolate liquor, including the nibs used in preparing any cocoa added thereto, and not on the basis of the weight of the finished chocolate liquor. (R. pp. 131, 506.)

21. Ingredients which are used to spice, flavor, or otherwise season chocolate liquor and which are suitable for such use are one or any combination of two or more of the substances listed in the following groups:

I. Ground spice.
II. Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.
III. Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.
IV. Butter, milk fat, dried malted cereal extract, ground coffee, ground nut meats.
V. Salt.

The use of such substances or combinations thereof is subject to the restrictions indicated in finding 22. (R. pp. 137–140, 218, 275–276, 421, 632, 700, 806–807, 1008, 1261–1262, 1537, 3424–3427, 3463–3464.)

22. Substances or combinations that impart a flavor which imitates the flavor of butter, milk, or chocolate are not generally regarded in the industry as legitimate ingredients of cacao products. It is cheaper to impart butter-like and milk-like flavors by such substances than by the use of butter and milk. The substances which impart chocolate-like flavors cause cacao products made from cheap, low-grade cacao beans to taste like those made from expensive, high-grade beans. The effect of the use of all such substances is to make the finished products appear better and more valuable than they are. Their use would tend to mislead or deceive consumers. (R. pp. 138, 276–277, 620, 1605–1606, 1621, 1626, 1648, 1672, 1687–1690, 3808, 3424–3427, 3463–3464.)

23. It is not the usual practice to add to chocolate liquor any of the seasoning ingredients specified in finding 21, except salt, and unless informed of such additions (other than salt) by appropriate labeling consumers generally do not expect chocolate liquor to contain such ingredients. (R. pp. 137–140, 1612–1613, 1643–1644.)

24. Label statements of the presence of such optional seasoning ingredients in chocolate liquor which are accurate and informative are those listed below for each of groups I to IV, inclusive, specified in finding 21:

Group I: "Spiced", "Spice Added", "With Added Spice"; or "Spiced With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the spice used.

Group II: "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With _____", "_____ Added", or "With Added _____", the blank being filled in with the specific common name of the flavoring used.

Group III: "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, an Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

Group IV: "Seasoned With _____", the blank being filled in with the specific common name of the substance used as seasoning. R. pp. 138–141, 276–278, 421, 1541, 1609–1613.)

Cocoas

25. The various cocoas are made by removing a portion of the cacao fat from ground cacao nibs and then pulverising the residual material. (R. pp. 117–120, 308–310, 337.)

26. The different kinds of cocoas are distinguished from each other on the basis of the range in the cacao fat content of each. (R. pp. 117–120, 308–310.)

27. Two kinds of cocoas are generally made and sold for use in the home; one contains not less than 22 percent, the other less than 22 but not less than 10 percent, by weight of cacao fat. The former is commonly and usually known as "breakfast cocoa" or "high fat cocoa", the latter as "cocoa" or "medium fat cocoa". (R. pp. 117–118, 309–310, 329.)

28. A kind of cocoa which contains less than 10 percent of cacao fat is also produced in large quantity for manufacturing use. In the trade this kind of cocoa, when it contains around 8 percent fat, has commonly been called "cocoa", and is usually sold on specifications as to fat content. The name "cocoa" unqualified is an inaccurate designation of this product and would not serve to distinguish it from household cocoa. When it contains around one percent fat it has been designated as low-fat cocoa or by fanciful names suggesting its low fat content. The name "low fat cocoa" is an informative and appropriate name for the kind of cocoa which contains less than 10 percent by weight of cacao fat. (R. pp. 119–120, 164, 310, 337–341, 455–458.)

29. When alkali-processed cocoas are desired, it is the general practice to make them from alkalized ground cacao nibs. However, manufacturers sometimes process the cocoas themselves with one or more of the alkalis specified in finding 7. In either case, findings 6 to 13, inclusive, are applicable, except that, when a cocoa itself is alkalized, the quantity of alkali used is calculated on the basis of the weight of the cacao nibs used in preparing such cocoa. (R. pp. 131–134, 266–268.)

30. Ingredients which are used to spice, flavor, or otherwise season cocoas and which are suitable for such use are one or any combination of two or more of the substances specified in groups I, II, III, and V in finding 21; finding 22 is applicable to the use of such substances. (R. pp. 137–140.)

31. It is not the usual practice to add to cocoas any of the seasoning ingredients specified in finding 21 except salt, and unless informed of such additions (other than salt) by appropriate labeling consumers generally do not expect cocoas to contain such ingredients. (R. pp. 137–140, 1591.)

32. Label statements of the presence of any such optional seasoning ingredient in any cocoa which are accurate and informative are those specified for such ingredient in finding 24. (R. pp. 137–140.)

33. The quantity of cacao fat in each kind of cocoa can be determined accurately by the method prescribed in Methods of Analysis—A. O. A. C., 5th Ed., under "Fat Method I—Official", beginning on page 202. (R. p. 274.)

Sweet Chocolate

34. The food commonly and usually known as "sweet chocolate" or "sweet chocolate coating" is the solid or semiplastic food composed basically of chocolate liquor intimately mixed and ground with one or more of the saccharine ingredients specified in findings 39 to 41, inclusive. (R. pp. 107–108, 458, 537–538, 640–641, 1167–8, 3313, 3315.)

35. Although sweetness is a characterising property of sweet chocolate, its principal characteristics are its chocolate taste, flavor, aroma, and color. These are derived from its chocolate liquor ingredient and may vary somewhat in strength with different kinds of cacao beans used and different degrees of roasting of such beans. When insufficient chocolate liquor is used, the finished product is excessively sweet and fatty and is deficient in chocolate characteristics. It is therefore necessary that sufficient chocolate liquor be used to insure the presence in the finished product of chocolate characteristics which are so substantial that the finished product is readily recognized by consumers as sweet chocolate. (R. pp. 108–109, 200, 358–359, 364–373, 518, 539–545, 993, 1017–1018, 1231, 3376–3378, 3413–3418, 3429, 3500–3501.)

36. It is customary in the trade to express the strength of the chocolate characteristics in sweet chocolate in terms of its chocolate liquor content. The components of chocolate liquor which give its outstanding characteristics of taste, flavor, aroma, and color are in the nonfat portion, which constitutes about 50 percent of the chocolate liquor. The percent of the nonfat portion varies somewhat in different chocolate liquors, depending on the percentage of cacao fat and whether or not alkali or other optional ingredients are added. In order to express the strength of chocolate characteristics in sweet chocolate with a fair degree of uniformity and precision, it is necessary that such strength be expressed as the percentage of chocolate liquor calculated as a nonalkalized, nonseasoned chocolate liquor containing 50 percent of cacao fat. A method for such calculation is as follows: Subtract from the weight of chocolate liquor used the weight of cacao fat therein and the weights of alkali and seasoning ingredients therein, if any. Multiply the remainder by 2, divide the result by the weight of the finished sweet chocolate, and multiply the quotient by 100. (R. pp. 130–131, 535, 570, 622, 628, 854, 899–901, 943–946, 993, 1017–1018, 1368, 3392–3394.)

37. To insure that the chocolate characteristics of the finished product are sufficient to be readily recognizable by consumers as sweet chocolate, it should contain not less than 15 percent by weight of cholocate liquor, calculated as indicated in finding 36. Most sweet cholocate contains substantially more than this quantity, and this is a reasonable minimum for the chocolate liquor content of sweet chocolate. (R. pp. 109, 360, 476, 517, 542, 678–679, 1038, 1278, 1342, 1652, 2404–2405, 2563, 2778–2779, 3377, 3392.)

38. Sweet chocolate of a relatively high chocolate liquor content and strong chocolate characteristics is frequently designated as "bittersweet chocolate", "bittersweet chocolate coating", "semisweet chocolate", "semisweet chocolate coating". The strong chocolate characteristics of sweet chocolate so designated result from the use in such product of not less than 35 percent by weight of chocolate liquor, calculated as indicated in finding 36; this minimum is necessary to insure such charactertistics. (R. pp. 154, 295, 317, 871, 1005, 1141–1142, 1176, 1210–1216, 1227–1230, 1253, 1276–1277, 2402, 2563, 3160.)

39. The sweetening ingredient traditionally used in sweet chocolate and most commonly used today is sugar, known chemically as sucrose, derived from sugar cane or sugar beets and refined to such extent that it free from perceptible color, odor, and flavor other than sweetness. (R. pp. 2226, 2813, 3587, 3757; O. P. Ex. No. 31.)

40. Sometimes partly refined cane sugar is also used, either alone or in combination with sugar. To be suitable for such purpose, raw cane sugar is subjected to some process of partial refinement, such as washing. (R. pp. 1517–1519, 2792–2803, 3581–3586, 3608–3609.)

41. Anhydrous dextrose or dried corn sirup or a mixture of these is sometimes used in a limited quantity (see finding 44), in combination with sugar or partly refined sugar or both, as part of the sweetening ingredient of sweet chocolate. Anhydrous dextrose suitable for such use is the refined anhydrous monosaccharide obtained from hydrolized starch. Dried corn sirup suitable for such use is the product prepared by incompletely hydrolyzing corn starch and is refined to such extent that, on a dry basis, it contains not less than 58 percent by weight of reducing sugars. (R. pp. 719, 962–968, 1637–1639, 2170–2180, 2391–2393, 2560–2562, 3158–3159, 3235–3237.)

42. The primary purpose of using saccharine substances in cacao products is to sweeten them. (R. pp. 1256, 2226.)

43. Anhydrous dextrose and dried corn sirup are less sweet than sugar, anhydrous dextrose being about two-thirds as sweet as sugar and dried corn sirup about one-half as sweet as sugar. (R. pp. 1993, 2029, 2214–2226, 2231, 2819, 3342–3344, 3352–3358; O. P. Exs. Nos. 23 to 26, incl.)

44. By reason of their lesser sweetness and other characteristics, neither anhydrous dextrose nor dried corn sirup nor any mixture of these is suitable for use as the sole sweetening ingredient of sweet chocolate; they are suitable ingredients only when used in combination with sugar or partly refined sugar or both. The quantity of anhydrous dextrous or dried corn sirup or mixture of these which is suitable for such use is a quantity so limited that there is no substantial difference in the sweetness, texture, and flavor of the sweet chocolate and the sweetness, texture, and flavor of a sweet chocolate of substantially the same composition (other than the kinds of saccharine ingredients present) in which sugar alone is used as the sweetening ingredient. Such quantity varies somewhat with the different kinds of cacao beans used in making the chocolate liquor. Generally manufacturers do not use more than one-third by weight of anhydrous dextrose in a mixture of anhydrous dextrose and sugar or partly refined sugar or both, and not more than one-fourth by weight of dried corn sirup in any such mixture. When both dried corn sirup and anhydrous dextrose are used in mixture with sugar or partly refined sugar or both, the quantities of anhydrous dextrose and dried corn sirup are so limited that twice the weight of the anhydrous dextrose used added to three times the weight of the dried corn sirup used is not more than the weight of the sugar, partly refined sugar, or combination thereof used, as the case may be. (R. pp. 721–723, 808, 962–964, 986–987, 1637–1639, 2393, 2561–2562, 3162, 3234–3237.)

45. There are slight differences in the cost of the various saccharine ingredients used in sweet chocolate. However, these are not sufficient to be reflected by differences in the retail prices of sweet chocolate and are not of material significance to consumers. (R. pp. 2663–2667, 3260.)

46. There is a theoretical difference in caloric value between anhydrous dextrose and sucrose and between dried corn sirup and sucrose. However, these differences are less than the variations in metabolism of the same carbohydrate in the same person on the same day, due to various factors, so that the caloric food values of these saccharine substances are not materially different. (R. pp. 1974–1992, 2123–2167.)

47. The sweetness of sweet chocolate varies widely between different brands and between different batches of the same brand because of the wide variation in the percentage of chocolate liquor used and the differences in flavor of such chocolate liquors. The sweetness of sweet chocolate is of secondary significance to its chocolate characteristics, and consequently the differences in sweetness which may result from the use of different saccharine ingredients in the proportions indicated in finding 44 is of no material significance to consumers. Nor does the use of different saccharine ingredients produce any significantly dif-

ferent physical characteristics in the finished product. (R. pp. 809–810, 965–968, 1639, 2393, 2563, 2856–2865, 3162–3165, 3240.)

48. The percentage of chocolate liquor in most sweet chocolate is too small to supply a sufficient quantity of fat to impart the plasticity or viscosity expected and necessary when the chocolate is used for eating as such or for coating confections. Cacao fat is therefore added in the preparation of most sweet chocolate. The quantity added depends on the particular use for which the sweet chocolate is intended. (R. pp. 407–408, 540, 1147.)

49. Uniformity of viscosity is particularly important in sweet chocolate used for enrobing confections in order to insure that uniformity of thickness of covering demanded by manufacturing confectioners. Adjustment to a specific fat content does not of itself insure the requisite uniformity of viscosity or that the viscosity will remain sufficiently uniform over any extended period of use of such sweet chocolate. This is due principally to unavoidable variations in the moisture content of the sweet chocolate, caused by differing atmospheric conditions, by the moisture content of the confections being enrobed, and by other factors. (R. pp. 1228–1236; O.P. Ex. No. 4; O.P. Ex. No. 5.)

50. By the use of small quantities of an emulsifying ingredient, the viscosity of different batches of sweet chocolate may be held within a narrow range. Lecithin, with or without related natural phosphatides, and the monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof, alone or mixed with lecithin, are suitable for use as such emulsifying ingredients. The quantity of these emulsifiers needed is not more than 0.5 percent by weight of the finished sweet chocolate. (R. pp. 142, 185, 295, 466, 821, 995, 1161, 1303, 1428–1429, 1796, 1802, 1835, 1889–1891, 1918–1922, 3045.)

51. Emulsifiers are commonly added to sweet chocolate mixed with a vegetable food fat which serves as a carrier for such emulsifiers. Vegetable food fat carriers which are used for this purpose, and which are suitable for such use, are cacao fat, soybean oil, corn oil, and others. The quantity of such fat necessary for such purpose is not more than 40 percent by weight of such mixture. (R. pp. 995, 1161, 1304, 1328, 1425, 1455, 2701, 2730, 2740–2741, 2745, 3049–3056, 3075, 3085.)

52. Incident to its desired effect of maintaining uniform viscosity of sweet chocolate coating, the use of such emulsifiers makes it possible to obtain a given viscosity with somewhat less cacao fat than would otherwise be required. Much sweet chocolate coating is produced without added emulsifier, but ordinarily such coatings contain a higher percentage of cacao fat than comparable coatings of equal viscosity which contain added emulsifier. Because sweet chocolate coatings containing emulsifiers have different characteristics as to viscosity and because they may contain lower quantities of cacao fat than a sweet chocolate of a similar viscosity which does not contain emulsifiers, it is in the consumer's interest to know when emulsifiers are present in sweet chocolate coating. R. pp. 143, 1169, 1302, 1865–1866, 1926–1928; O. P. Ex. Nos. 4, 5 and 6.)

53. The specific names of the emulsifiers used are not familiar to most consumers, but these substances are generally referred to by their collective common name "emulsifiers". The label statement "Emulsifier Added" or "With Added Emulsifier" is an informative and appropriate statement of the presence of such substances. (R. pp. 1901, 1769–1776, 1786–1792.)

54. When the characteristics resulting from processing with alkali are desired, sweet chocolate is made from chocolate liquor alkalized as described in finding 20. In such cases findings 11 to 13, inclusive, are applicable. (R. pp. 131–132.)

55. The spice, flavoring, and other seasoning ingredients which are used in sweet chocolate and which are suitable for such use (subject to the exception noted in finding 22) are one or more of the following: ground spice, ground vanilla beans, any natural food flavoring oil or oleoresin or extract, vanillin or ethyl vanillin or coumarin or any other artificial food flavor, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt (see finding 21). (R. pp. 631, 1512, 2226, 2836, 2838–2839, 3596).

56. Consumers ordinarily expect sweet chocolate to contain seasoning ingredients. However, when an artificial flavoring is used, it is of interest to consumers to know that the flavoring is not a natural flavoring. The label statements "Artificially Flavored" or "With Artificial Flavoring" or "Artificial Flavoring Added" are informative and reasonable statements of the presence of artificial flavoring in sweet chocolate. Other such label statements are those of which the following are examples: "Artificially Flavored with Coumarin", "With Vanillin, and Artificial Flavoring". (R. pp. 140, 276–278, 1492, 1609–1613.)

57. In order to modify somewhat the taste and flavor of sweet chocolate, the following dairy ingredients are frequently used and are suitable for such use: butter, cream, milk fat, milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated (condensed or evaporated) skim milk, sweetened condensed skim milk, nonfat dry milk solids[1] sweet cream buttermilk, concentrated sweet cream buttermilk, dried sweet cream buttermilk, and malted milk. The quantity of these ingredients usually used is such that the milk constituent solids in the finished sweet chocolate is substantially less than 12 percent by weight. In order to set sweet chocolate containing these ingredients apart from milk chocolate and other analogous cacao products, it is reasonable to require that such milk constituent solids in sweet chocolate be less than 12 percent by weight. (R. pp. 113–117, 135–137, 150, 221, 278–279, 295, 350–351, 386–388, 442, 505, 523, 814.)

Milk Chocolate

58. The food commonly and usually known as "Milk Chocolate", "Sweet Milk Chocolate", "Milk Chocolate Coating", and "Sweet Milk Chocolate Coating" is the solid or semiplastic food composed basically of chocolate liquor intimately mixed and ground with milk solids and one or more of the saccharine ingredients specified in findings 39, 40, and 41. Findings 35, 36, and 39 to 56, inclusive, are applicable to milk chocolate, except as indicated in finding 59. (R. pp. 109–112, 150, 297, 343, 1250, 2780.)

59. Compared with sweet chocolate, milk chocolate is characterized by its readily perceptible taste and flavor of milk and other characteristics resulting from the quantity of milk solids used. It is usually also characterized by somewhat less prominent chocolate characteristics, and it has been the general practice in the industry to use a relatively smaller percentage of chocolate liquor in milk chocolate than in sweet chocolate. (See finding 35.) (R. pp. 109–112, 360, 386–387.)

60. To insure that the finished product is adequately characterized by its chocolate ingredient, it is necessary that the quantity of chocolate liquor used be such that the finished milk chocolate contains not less than 10 percent by weight of chocolate liquor, calculated as indicated in finding 36. Most milk chocolate contains substantially more than this quantity and this is a reasonable minimum for the chocolate liquor content of milk chocolate. (R. pp. 110, 1010, 1217, 1247, 1280, 1653, 2780, 3392.)

61. The dairy ingredients which are used to supply the milk solids in milk chocolate and which are suitable for such use are milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, and reconstituted milk solids. When milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk or any mixture of these is used, the milk fat content may be increased through the addition of butter, cream, or milk fat for the purpose of enhancing the characteristics contributed by these substances, but the total milk fat content, after such increase, does not exceed the known limit of the ratio of fat to nonfat milk solids for whole milk, which is not more than 1 part of milk fat to 1.2 parts of nonfat milk solids. The dairy ingredients used to supply milk constituent solids in the reconstitution of milk solids are skim milk, concentrated (evaporated or condensed) skim milk, sweetened condensed skim milk, nonfat dry milk solids, or any two or more of these, combined with butter, cream, or milk fat, or any mixture of

[1] The record upon which these proposed findings of fact and proposed standards are based refers to this product as "dried skim milk." This term had been designated by the Federal Security Administrator as one of the common or usual names of this product. (5 F.R. 2848.) By Public Law No. 244, Ch. 77, 78th Cong., 2d Sess., approved March 2, 1944, Congress prescribed for the purposes of the Federal Food, Drug, and Cosmetic Act the names "nonfat dry milk solids" and "defatted milk solids" for this product. In this proposed order, therefore, the term "nonfat dry milk solids" has been used to designate the product referred to in the record as "dried skim milk."

two or all of these. The ratio of fat to nonfat solids in milk delivered to consumers averages 1 to 2.275, as determined by Nation-wide surveys. When the milk constitutent solids of milk chocolate are reconstituted, it is practicable and in the interest of consumers that such milk constituent solids be so adjusted that the ratio of milk fat to nonfat milk solids does not fall below such average ratio of fat to nonfat of the fluid milk sold to consumers nor exceed the known limits of such ratio, namely, 1 to 1.2, referred to above. (R. pp. 111–112, 150–152, 221, 296, 442, 505, 523, 549–551, 814, 3187–3197, 3229–3230.)

62. It has long been the practice of the industry to use not less than 12 percent by weight of milk solids in milk chocolate. This quantity is necessary to insure the milk characteristics expected by consumers. (R. pp. 109, 1249, 2780.)

Skim Milk Chocolate; Buttermilk Chocolate

63. The plastic or semiplastic foods commonly known as "skim milk chocolate" and "buttermilk chocolate" are of the same composition as milk chocolate, except that the only dairy ingredient solids in them are those of skim milk and sweet cream buttermilk, respectively. The skim milk solids are obtained by the use of skim milk, concentrated (evaporated or condensed) skim milk, sweetened condensed skim milk, nonfat dry milk solids, or any mixture of these. The buttermilk solids are obtained by the use of concentrated sweet cream buttermilk or dried sweet cream buttermilk or both. Fluid sweet cream buttermilk would also be suitable. To insure that the finished products possess the dairy ingredient characteristics expected by consumers, the quantity of skim milk solids in skim milk chocolate and of buttermilk solids in buttermilk chocolate is not less than 12 percent by weight. Except in the respects indicated in this finding, findings 35, 36, and 39 to 56, inclusive, and findings 59 and 60 are applicable to skim milk chocolate and buttermilk chocolate. Synonyms commonly used for skim milk chocolate are "sweet skim milk chocolate", "skim milk chocolate coating", and "sweet skim milk chocolate coating". A synonym commonly used for buttermilk chocolate is "buttermilk chocolate coating". (R. pp. 112–116, 221, 297, 342–343, 624.)

64. There are several kinds of cacao products which are of the same composition as milk chocolate, except that the milk constituent solids in them are those of mixtures of two or more of the following: milk, skim milk, sweet cream buttermilk, malted milk. Such solids are obtained by using dairy ingredients specified in findings 61 and 63, with or without malted milk. To insure that the milk constituent solids of each dairy ingredient used will impart its characteristics to the finished article, each such ingredient is used in such quantity as to contribute not less than one-third of the weight of milk constituent solids contributed by that dairy ingredient present in largest proportion. To insure that the finished product possesses the milk constituent characteristics expected by consumers, the quantity of any such mixture used is such that the finished article contains not less than 12 percent by weight of milk constituent solids. In order to distinguish such articles prepared with a mixture of milk solids and skim milk solids from milk chocolate, it is reasonable to require that the nonfat milk solids in such mixture be more than 2.275 times the quantity of milk fat therein. Findings 35, 36, and 39 to 56, inclusive, and findings 59 and 60 are applicable to these articles. (R. pp. 114–117, 342–343.)

65. These cacao products containing mixed dairy ingredients have not acquired common or usual names. Names for these foods which will distinguish them from other cacao products and which are accurate and informative are the names made up by "chocolate" or "chocolate coating" preceded by any two or more of the terms "milk", "skim milk", "buttermilk", "malted milk", as the case may be, and arranged in the order of predominance, if any, of the weight of milk constituent solids contributed by each such dairy ingredient. (R. pp. 115–117.)

Coatings Made From Sweet Chocolate or Sweet Cocoa and Fats Other Than Cacao Fat

66. Two kinds of chocolate flavored coatings, which are made with fats other than cacao fat, are produced and marketed for special uses. These coatings resemble sweet chocolate in taste and appearance but are separate identities. One kind of such coating is used as a coating for ice cream and other frozen desserts and the other as a coating for confections, bakery products, and other products held for retail sale under circumstances where they are exposed to relatively high temperatures. (R. pp. 614, 624–625, 653–655, 668–670, 837–838, 895–898, 924, 935, 939–940.)

67. Most sweet chocolate coating is not entirely suitable for use as a coating for ice cream and frozen desserts because the melting point of cacao fat is relatively high as compared to the temperature of such products; by reason of this fact sweet chocolate coating cannot be applied to frozen desserts with uniform thickness and after application such coating becomes brittle and is liable to crack and fall off in pieces. (R. pp. 608, 624–625, 837–838, 898.)

68. To overcome these difficulties a coating has been developed which remains plastic at temperatures of frozen desserts and which can be applied to such products with a more nearly uniform thickness. These physical characteristics are obtained by using in such coating, in lieu of added cacao fat, one or a mixture of two or more vegetable food oils or fats, other than cacao fat, which has a melting point lower than that of cacao fat. Except in the respects indicated in this finding and in finding 73, such coating conforms in composition to that of sweet chocolate coating and findings 35 to 37, and 39 to 57, inclusive, are applicable. (R. pp. 608, 625–628, 646, 655, 668–670, 729, 837–838, 895–896, 924, 939–940.)

69. Such low-melting-point coating is not generally known to consumers of coated frozen desserts by any particular name, because it has been sold as such only to manufacturers of such desserts. Such coating is ordinarily sold under such terms as "Ice Cream Coating", "Paddle Pop Paste", "Northern Lite Ice Cream Coating", and other similar designations. None of these designations identifies the product for what it is or differentiates it from other chocolate products which it resembles. A designation which is accurate and informative and which will distinguish this product from other coatings is a term which discloses the fact that it is a sweet coating containing chocolate and a fat other than cacao fat, as, for example, "Sweet Chocolate and Coconut Oil Coating". (R. pp. 120–123, 313, 837–840, 934, 951, 1043–1044, 1162, 1524, 2720.)

70. When sweet chocolate coating is used as a coating for confections, bakery products, and other products which are held for sale in warm places or under ordinary retail storage conditions during the summer months, particularly in the southern parts of the country, such coating will frequently melt since the melting point of cacao fat is relatively low as compared to such temperatures. Such melting will cause these coated products to become gray and unsightly. (R. pp. 566–567, 603, 614, 668–670, 729, 935–938, 998.)

71. To overcome the merchandising problem resulting from the melting of sweet chocolate coating on confectionery and such other products, a coating similar to sweet chocolate has been developed which will not ordinarily melt under such conditions of storage and sale. This results from the use, instead of chocolate liquor, of any one of the cocoas (usually low-fat cocoa) and a fat of a melting point higher than that of cacao fat. Such fats are any one or a mixture of two or more hardened or hydrogenated vegetable food oils and fats, other than cacao fat. Vegetable stearins are also used for this purpose. Except in the respects indicated in this finding and in findings 72 and 73, such coating conforms in composition to that of sweet chocolate coating and findings 35 to 37, and 39 to 57, inclusive, are applicable. (R. pp. 566–567, 586, 668–670, 729, 837–841, 935–940, 998.)

72. Because the characterizing cacao ingredient is a cocoa instead of chocolate liquor, it is appropriate that the minimum for such ingredient be expressed in terms of nonflavored, nonalkalized, fat-free cocoa which is a minimum of 7½ percent nonfat cacao solids. Such nonfat cacao solids are calculated by subtracting from the weight of cocoa used the weight of cacao fat therein and the weight therein of alkali and seasoning ingredients, if any, dividing the remainder by the weight of the finished coating, and multiplying the quotient by 100.

73. Because distinctions based on the quantities of dairy ingredients present have not developed in the uses of the low-melting-point and high-melting-point coatings and in the designations under which they are sold, there is no basis for

the maximum limit set forth in finding 57 for such ingredients.

74. The high-melting-point coating is not generally known to consumers by any particular name, because it has been sold as such only to confectioners, bakers, and other manufacturers. Such coating is ordinarily identified in the trade as "Cocoa Coating", "Summer Coating", "Sudan Summer Coating", "Supreme Coating", and perhaps other similar designations. None of these designations identifies the product for what it is or differentiates it from other chocolate products which it resembles. A designation which is accurate and informative and which will distinguish this product from other coatings is a term which discloses the fact that it is a sweet coating containing cocoa and a fat other than cacao fat, as, for example, "sweet cocoa and hardened coconut oil coating". (R. pp. 120–123, 313, 602–603, 632, 837–840, 879, 934, 951, 992, 1043–1044, 1159, 1162, 1624, 2722, 2784.)

On the basis of the foregoing findings of fact it is concluded that each of the following regulations fixing and establishing a definition and standard of identity for a cacao product will promote honesty and fair dealing in the interest of consumers:

§ 14.1 *Cacao nibs, cocoa nibs, cracked cocoa, identity; label statement of optional ingredients.* (a) Cocoa nibs, cocoa nibs, cracked cocoa is the food prepared by heating the cracked dried or cured and cleaned cocoa beans and removing shell therefrom. Cacao nibs or the cacao beans from which they are prepared may be processed by heating with one or more of the following optional alkali ingredients, added as such or in aquaous solution: bicarbonate, carbonate, or hydroxide of sodium, ammonium, or potassium; or carbonate or oxide of magnesium; but for each 100 parts by weight of cacao nibs used, as such or before shelling from the cacao beans, the total quantity of such alkalis used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than the neutralizing value of 3 parts by weight of anhydrous potassium carbonate. The cacao shell content of cacao nibs is not more than 1.75 percent by weight (calculated to an alakali-free basis if they or the cacao beans from which they were prepared have been processed with alkali), as determined by the method prescribed under "Shell in Cacao Nibs—Tentative" beginning on page 208 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," Fifth Edition, 1940.

(b) When cacao nibs or the cacao beans from which they are prepared are processed, in whole or in part, with any optional alkali ingredient specified in paragraph (a), the label shall bear the statement "Processed with Alkali"; but in lieu of the word "Alkali" in such statement the specified common name of the optional alkali ingredient may be used. Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, such statement shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 14.2 *Chocolate liquor, chocolate, baking chocolate, bitter chocolate, cooking chocolate, chocolate coating, identity; label statement of optional ingredients.* (a) Chocolate liquor, chocolate, baking chocolate, bitter chocolate, cooking chocolate, chocolate coating, bitter chocolate coating is the solid or semiplastic food prepared by finely grinding cacao nibs. To such ground cacao nibs either cacao fat or cocoa, but not both, may be added. (For the purposes of this section the term "cocoa" means breakfast cocoa, cocoa, low-fat cocoa, or any mixture of two or more of these.) Chocolate liquor may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients specified in subparagraphs (1), (2), or (3) which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice.

(2) Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.

(3) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

(4) Butter, milk fat, dried malted cereal extract, ground coffee, ground nut meats.

(5) Salt.

Any optional ingredient used with the cacao beans or cacao nibs from which such chocolate liquor is prepared, or used with any cocoa added in preparing such chocolate liquor, shall be considered to be an optional ingredient used with such chocolate liquor. The optional alkali ingredients specified for use with cacao nibs in § 14.1 (a) may be used as optional ingredients with chocolate liquor; but for each 100 parts by weight of cacao nibs used in preparing the chocolate liquor, the total quantity of such alkali used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than 3 parts by weight of anhydrous potassium carbonate. The finished chocolate liquor contains not less than 50 percent and not more than 58 percent by weight of cacao fat. Unless the chocolate liquor is seasoned with butter, milk fat, or ground nut meats, the percentage of cacao fat is determined by the method prescribed under "Fat Method I—Official" beginning on page 202 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(b) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter.

(1) When the food is seasoned with an optional ingredient specified in subparagraph (a) (1) the label shall bear the statement "Spiced", "Spice Added", "With Added Spice", "Spiced With ____", or "With Added ____", the blank being filled in with the specific common name of the spice used.

(2) When the food is flavored with an optional ingredient specified in paragraph (a) (2), the label shall bear the statement "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With ____", "____ Added", or "With Added ____", the blank being filled in with the specific common name of the flavoring used.

(3) When the food is flavored with an optional ingredient specified in paragraph (a) (3), the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With ____", or "With ____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(4) When the food is seasoned with an optional ingredient specified in paragraph (a) (4), the label shall bear the statement "Seasoned With ____", the blank being filled in with the specific common name of the substance used as seasoning.

(5) When any optional alkali ingredient specified in § 14.1 (a) is used, the label shall bear the statement "Processed with Alkali"; but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) to (4), inclusive, of this paragraph may be combined, as for example, "With Added Cinnamon, Vanilla, and Coumarin, An Artificial Flavoring."

§ 14.3 *Breakfast cocoa, high fat cocoa, identity; label statement of optional ingredients.* (a) Breakfast cocoa, high fat cocoa is the food prepared by pulverizing the residual material remaining after part of the cacao fat has been removed from ground cacao nibs. It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice.

(2) Ground vanilla beans; any natural food flavoring oil, oleoresin, or extract.

(3) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

(4) Salt.

Any optional ingredient used with the cacao beans, cacao nibs, or ground cacao nibs from which such breakfast cocoa is prepared shall be considered to be an optional ingredient used with such breakfast cocoa. The optional alkali ingredients specified for use with cacao nibs in § 14.1 (a) may be used as optional ingredients with breakfast cocoa; but for each 100 parts by weight of cacao nibs used in preparing the breakfast cocoa, the total quantity of such alkalis used is not greater in neutralizing value (calculated from the respective combining weights of such alkalis used) than 3 parts by weight of anhydrous potassium carbonate. The finished breakfast cocoa contains not less than 22 percent of cacao fat, as determined by the method prescribed under "Fat Method I—Official" beginning on page 202 of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940.

(b) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is seasoned with an optional ingredient specified in paragraph (a) (1), the label shall bear the statement "Spiced", "Spice Added", "With Added Spice", "Spiced With ____" or "With Added ____", the blank being filled in with the specific common name of the spice used.

(2) When the food is flavored with an optional ingredient specified in subparagraph (a) (2), the label shall bear the statement "Flavored", "Flavoring Added", "With Added Flavoring", "Flavored With ____", "____ Added", or "With Added ____", the blank being filled in with the specific common name of the flavoring used.

(3) When the food is flavored with an optional ingredient specified in paragraph (a) (3), the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring".

"Artificially Flavored With ____", or "With ____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(4) When any optional alkali ingredient specified in § 14.1 (a) is used, the label shall bear the statement "Processed With Alkali"; but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) to (4), inclusive, of this paragraph may be combined, as, for example, "With Added Cinnamon, Vanilla, and Coumarin, An Artificial Flavoring."

§ 14.4 *Cocoa, medium fat cocoa, identity; label statement of optional ingredients.* Cocoa, medium fat cocoa conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for breakfast cocoa by § 14.3, except that it contains less than 22 percent but not less than 10 percent of cacao fat, as determined by the method referred to in § 14.3 (a).

§ 14.5 *Low-fat cocoa, identity; label statement of optional ingredients.* Low-fat cocoa conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for breakfast cocoa by § 14.3, except that it contains less than 10 percent of cacao fat, as determined by the method referred to in § 14.3 (a).

§ 14.6 *Sweet chocolate, sweet chocolate coating, identity; label statement of optional ingredients.* (a) Sweet chocolate, sweet chocolate coating is the solid or semiplastic food the ingredients of which are intimately mixed and ground, prepared from chocolate liquor (with or without the addition of cacao fat) sweetened with one of the optional saccahrine ingredients specified in paragraph (b). It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice, ground vanilla beans, any natural food flavoring oil or oleoresin or extract, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt.

(2) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

One or a mixture of both of the following optional emulsifying ingredients may be added in a total quantity not more than 0.5 percent of the weight of the finished food (such ingredient or mixture may be added in combination with a vegetable food fat carrier, such combination containing not less than 60 percent by weight of the emulsifying ingredient or mixture):

(3) Lecithin, with or without related natural phosphatides.

(4) Monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof.

One or any mixture of two or more of the following optional dairy ingredients may be used in such quantity that the finished sweet chocolate contains less than 12 percent by weight of milk constituent solids:

(5) Butter, milk fat, cream, milk, concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, nonfat dry milk, solids, concentrated buttermilk, dried buttermilk, malted milk.

If chocolate liquor with any optional ingredient specified in § 14.2 (a) is used, such ingredient shall be considered to be an optional ingredient used with the sweet chocolate. The finished sweet chocolate contains not less than 15 percent by weight of chocolate liquor, calculated by subtracting from the weight of chocolate liquor used the weight of cacao fat therein and the weights therein of alkali and seasoning ingredients, if any, multiplying the remainder by 2, dividing the result by the weight of the finished sweet chocolate, and multiplying the quotient by 100. Bittersweet chocolate is sweet chocolate which contains not less than 35 percent by weight of chocolate liquor, calculated in the same manner.

(b) The optional saccharine ingredients referred to in paragraph (a) are:

(1) Sugar, or partly refined cane sugar, or both.

(2) Any mixture of dextrose and sugar or partly refined cane sugar or both in which the weight of the solids of the dextrose used is not more than one-third of the total weight of the solids of all the saccharine ingredients used.

(3) Any mixture of dried corn sirup and sugar or partly refined cane sugar or both in which the weight of the solids of the dried corn sirup used is not more than one-fourth of the total weight of the solids of all the saccharine ingredients used.

(4) Any mixture of dextrose, dried corn sirup, and sugar or partly refined cane sugar or both, in which three times the weight of the solids of the dextrose used plus four times the weight of the solids of the dried corn sirup used is not more than the total weight of the solids of all the saccharine ingredients used.

(c) For the purpose of this section:

(1) The term "dextrose" means the anhydrous refined monosaccharide obtained from hydrolyzed starch.

(2) The term "dried corn sirup" means the product obtained by drying incompletely hydrolyzed cornstarch; its solids contain not less than 58 percent by weight of reducing sugars.

(d) "Semisweet chocolate", "bittersweet chocolate", "semisweet chocolate coating", and "bittersweet chocolate coating" are alternate names for sweet chocolate which contains not less than the minimum quantity of chocolate liquor prescribed for bittersweet chocolate by paragraph (a).

(e) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is flavored with an optional ingredient specified in paragraph (a) (2), the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With ____", or "With ____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(2) When an optional ingredient specified in paragraph (a) (3) or (4) is used, the label shall bear the statement "Emulsifier Added" or "With Added Emulsifier".

(3) When any optional alkali ingredient specified in § 14.1 (a) is used the label shall bear the statement "Processed with Alkali", but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) and (2) of this paragraph may be combined, as, for example, "With Added Emulsifier and Coumarin, An Artificial Flavoring."

§ 14.7 *Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating, identity; label statement of optional ingredients.* (a)

Milk chocolate, sweet milk chocolate, milk chocolate coating, sweet milk chocolate coating is the solid or semiplastic food the ingredients of which are intimately mixed and ground, prepared from chocolate liquor (with or without the addition of cacao fat) and one of the eight optional dairy ingredients specified in paragraph (b), sweetened with one of the optional saccharine ingredients specified in § 14.6 (b) and (c). It may be spiced, flavored, or otherwise seasoned with one or more of the following optional ingredients, other than any such ingredient or combination of ingredients which imparts a flavor that imitates the flavor of chocolate, milk, or butter:

(1) Ground spice, ground vanilla beans, any natural food flavoring oil or oleoresin or extract, ground coffee, ground nut meats, honey, molasses, brown sugar, maple sugar, dried malted cereal extract, salt.

(2) Vanillin, ethyl vanillin, coumarin, or other artificial food flavoring.

One or a mixture of both of the following optional emulsifying ingredients may be added in a total quantity not more than 0.5 percent of the weight of the finished food (such ingredient or mixture may be added in combination with a vegetable food fat carrier, such combination containing not less than 60 percent by weight of the emulsifying ingredient or mixture):

(3) Lecithin, with or without related natural phosphatides.

(4) Monoglycerides and diglycerides of fat-forming fatty acids in combination with monosodium phosphate derivatives thereof.

If chocolate liquor with any optional ingredient specified in § 14.1 (a) is used, such ingredient shall be considered to be an optional ingredient used with the milk chocolate. The finished milk chocolate contains not less than 12 percent by weight of milk solids, and not less than 10 percent by weight of chocolate liquor as calculated by subtracting from the weight of chocolate liquor used the weight of cacao fat therein and the weights therein of alkali and seasoning ingredients, if any, multiplying the remainder by 2, dividing the result by the weight of the finished milk chocolate, and multiplying the quotient by 100.

(b) The optional dairy ingredients referred to in paragraph (a) are as follows:

(1) Milk.
(2) Concentrated milk.
(3) Evaporated milk.
(4) Sweetened condensed milk.
(5) Dried milk.
(6) Butter, milk fat, cream, or any two or all of these combined with any of the foregoing; but the quantity of nonfat milk solids in any such combination is not less than 1.2 times the quantity of milk fat therein.
(7) Skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, nonfat dry milk solids, or any two or more of these, combined with butter, milk fat, cream, or any two or all of these; but the quantity of nonfat milk solids in any such combination is not more than 2.275 times and not less than 1.2 times the quantity of milk fat therein.
(8) Any mixture of two or more of the foregoing.

(c) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements hereinafter prescribed showing the optional ingredients used shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter:

(1) When the food is flavored with an optional ingredient specified in paragraph (a) (2), the label shall bear the statement "Artificially Flavored", "Artificial Flavoring Added", "With Artificial Flavoring", "Artificially Flavored With _____", or "With _____, An Artificial Flavoring", the blank being filled in with the specific common name of the artificial flavoring used.

(2) When an optional ingredient specified in paragraph (a) (3) or (4) is used, the label shall bear the statement "Emulsifier Added" or "With Added Emulsifier."

(3) When any optional alkali ingredient specified in § 14.1 (a) is used the label shall bear the statement "Processed With Alkali", but in lieu of the word "Alkali" in such statement the specific common name of the optional alkali ingredient may be used.

Label statements prescribed by subparagraphs (1) and (2) of this paragraph may be combined, as, for example, "With Added Emulsifier and Coumarin, An Artificial Flavoring."

§ 14.8 *Skim milk chocolate, sweet skim milk chocolate, skim milk chocolate coating, sweet skim milk chocolate coating—identity; label statement of optional ingredients.* Skim milk chocolate, sweet skim milk chocolate, skim milk chocolate coating, sweet skim milk chocolate coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that instead of any dairy ingredient specified in § 14.7 (b), skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, nonfat dry milk solids, or any combination of two or more of these, is used in such quantity that the finished skim milk chocolate contains not less than 12 percent by weight of skim milk solids.

§ 14.9 *Buttermilk chocolate, buttermilk chocolate coating—identity; label statement of optional ingredients.* Buttermilk chocolate, buttermilk chocolate coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that instead of any dairy ingredient specified in § 14.7 (b), sweet cream buttermilk, concentrated sweet cream buttermilk, dried sweet cream buttermilk, or any combination of two or all of these, is used in such quantity that the finished buttermilk chocolate contains not less than 12 percent by weight of sweet cream buttermilk solids.

§ 14.10 *Mixed dairy product chocolates, mixed dairy product chocolate coatings—identity; label statement of optional ingredients.* (a) The articles for which definitions and standards of identity are prescribed by this section are the foods each of which conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that the dairy ingredient used in each such article is a mixture of two or more of the following four components:

(1) Any one of the eight dairy ingredients specified in § 14.7 (b).
(2) One or more of the five skim milk ingredients specified in § 14.8.
(3) One or more of the three sweet cream buttermilk ingredients specified in § 14.9.
(4) Malted milk.

For the purposes of paragraph (b), the designation of each of the foregoing components is respectively "Milk", "Skim Milk", "Buttermilk", and "Malted Milk". The quantity of each component used in any such mixture is such that no component contributes less than one-third of the weight of milk constituent solids contributed by that component used in largest proportion. When any such mixture is of components (1) and (2), the quantity of nonfat milk solids in such mixture is more than 2.275 times the quantity of milk fat therein. Each of the finished articles contains not less than 12 percent by weight of milk constituent solids.

(b) The name of each such article is "chocolate" or "chocolate coating" preceded by the designations prescribed by paragraph (a) for each component of the dairy ingredients used, such designations appearing in the order of predominance, if any, of the weight of milk constituent solids in each such component. (For example, "milk and skim milk chocolate".)

§ 14.11 *Sweet chocolate and vegetable fat (other than cacao fat) coatings—identity; label statement of optional ingredients.* (a) The articles for which definitions and standards of identity are prescribed by this section are the foods each of which conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for sweet chocolate by § 14.6, except that:

(1) In its preparation is added one or any combination of two or more vegetable food oils or vegetable food fats, other than cacao fat, which oil, fat, or combination has a melting point lower than that of cacao fat.

(2) The requirement of § 14.6 (a) that the milk constituent solids be less than 12 percent by weight does not apply.

(b) The name of each such article is "sweet chocolate", followed by the specific common name of each added oil and fat, followed by "Coating". (For example: "Sweet chocolate and cottonseed oil coating".) If two or more such

oils or fats are added, such names are arranged in the order of the predominance, if any, by weight of such oils and fats.

(c) The provisions of this section shall not be construed as applicable to any article by reason of the addition thereto of a vegetable food fat other than cacao fat as a carrier of emulsifying ingredients, as authorized and within the limit prescribed by § 14.6 (a).

§ 14.12 *Sweet cocoa and vegetable fat (other than cacao fat) coatings—identity; label statement of optional ingredients.* (a) The articles for which definitions and standards of identity are prescribed by this section are the foods each of which conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for sweet chocolate by § 14.6, except that:

(1) In its preparation cocoa is used, instead of chocolate liquor, in such quantity that the finished food contains not less than 7½ percent by weight of nonfat cacao solids, calculated by subtracting from the weight of cocoa used the weight of cacao fat therein and the weight therein of alkali and seasoning ingredients, if any, dividing the remainder by the weight of the finished food, and multiplying the quotient by 100. (For the purposes of this section the term "cocoa" means breakfast cocoa, cocoa, low-fat cocoa, or any mixture of two or more of these.)

(2) In its preparation is added one or any combination of two or more vegetable food oils, vegetable food fats, or vegetable food stearins, other than cacao fat, which oil, fat, stearin, or combination has a melting point higher than that of cacao fat. Any such oil or fat may be hydrogenated.

(3) The requirement of § 14.6 (a) that the milk constituent solids be less than 12 percent by weight does not apply.

(b) The name of each such article is "sweet cocoa", followed by the specific common name of each added oil, fat, and stearin (including the word "hardened" if any such oil or fat is hydrogenated), followed by "coating". (For example, "Sweet Cocoa and Hardened Coconut Oil Coating".) If two or more such oils, fats, or stearins are added, such names are arranged in the order of the predominance, if any, by weight of such oils, fats, and stearins.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 4148, South Building, 14th Street and Independence Avenue, S.W., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or brief should be submitted in quintuplicate.

[SEAL] WATSON B. MILLER,
Acting Administrator.

APRIL 8, 1944.

[F. R. Doc. 44-5110; Filed, April 11, 1944; 10:54 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 164]

RECONSIGNMENT OF ORANGES AT SAN FRANCISCO, CALIF.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at San Francisco, California, April 6 or 7, 1944, by California Fruit Growers Exchange of car PFE 51172, oranges, now on the Navy Provisions Pier 56, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5078; Filed, April 10, 1944; 11:28 a. m.]

[S. O. 70-A, Special Permit 165]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 6 or 7, 1944, by Dandee Produce Company of car PFE 70502, tomatoes, now on the Wabash Railroad, to New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5079; Filed, April 10, 1944; 11:28 a. m.]

[S. O. 178, Special Permit 110]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese in glass and packages and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point April 7, 1944, to Detroit, Michigan (C. M. St. P. & P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5080; Filed, April 10, 1944; 11:29 a. m.]

[S. O. 164, General Permit 15]

REFRIGERATION OF GRAPEFRUIT FROM FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit originating at any point or points in Florida moving direct, to destinations in Canada, or to destinations in the United States located west of the western boundaries of the states of Missouri, Iowa and Minnesota and north of the northern boundaries of the states of

Oklahoma, New Mexico and Arizona, without stop-off at intermediate points.

This general permit shall become effective at 12:01 p. m., April 7, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5061; Filed, April 10, 1944; 11:29 a. m.]

[S. O. 193-A]

REROUTING OF FREIGHT TRAFFIC BETWEEN YORK AND REFORM, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of April, A. D. 1944.

Upon further consideration of Service Order No. 193 of April 3, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 193 of April 3, 1944, directing the Alabama, Tennessee & its office in Washington, D. C., on the 10th day of April, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 194, and it appearing that five (5) cars containing coal ordered to be unloaded at Clearfield, Pa., were described as being billed to Louis Gullotta, Clearfield, Pa., on the New York Central Railroad Company, whereas such cars were actually billed to Louis Gullotta, Port Reading Piers, New Jersey, and were stopped and held at Clearfield on orders of Cassler Coal Sales Agency.

It is ordered, That:

Paragraph (a) of Service Order No. 194 be, and it is hereby, amended so as to describe the five (5) cars of coal ordered to be unloaded at Clearfield, Pa., on the New York Central Railroad Company as follows: Five (5) cars of coal billed to Louis Gullotta, Port Reading Piers, New Jersey, stopped and held at Clearfield, Pa., on orders of Cassler Coal Sales Agency. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective immediately and that a copy of this amendment shall be served upon the New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of April 1944.

R. S. BOOTH,
Acting Director.

[F. R. Doc. 44-5105; Filed, April 11, 1944; 11:07 a. m.]

[S. O. 178, General Permit 8]

REFRIGERATION OF PARAFFIN WAX

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with paraffin wax, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m. May 1, 1944, and shall expire at 12:01 a. m., September 20.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to

Oklahoma, New Mexico and Arizona, without stop-off at intermediate points.

This general permit shall become effective at 12:01 p. m., April 7, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5081; Filed, April 10, 1944; 11:29 a. m.]

[S. O. 193-A]

REROUTING OF FREIGHT TRAFFIC BETWEEN YORK AND REFORM, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of April, A. D. 1944.

Upon further consideration of Service Order No. 193 of April 3, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 193 of April 3, 1944, directing the Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee) to reroute traffic over its line because of high water on the Tombigbee River be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat., 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4)).

It is further ordered, That this order shall become effective at 6:00 p. m., April 10, 1944; that copies of this order and direction shall be served upon the Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5106; Filed, April 11, 1944; 11:07 a. m.]

[S. O. 194, Amdt. 1]

UNLOADING OF COAL AT CLEARFIELD, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of April, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 194, and it appearing that five (5) cars containing coal ordered to be unloaded at Clearfield, Pa., were described as being billed to Louis Gullotta, Clearfield, Pa., on the New York Central Railroad Company, whereas such cars were actually billed to Louis Guilotta, Port Reading Piers, New Jersey, and were stopped and held at Clearfield on orders of Cassler Coal Sales Agency.

It is ordered, That:

Paragraph (a) of Service Order No. 194 be, and it is hereby, amended so as to describe the five (5) cars of coal ordered to be unloaded at Clearfield, Pa., on the New York Central Railroad Company as follows: Five (5) cars of coal billed to Louis Gullotta, Port Reading Piers, New Jersey, stopped and held at Clearfield, Pa., on orders of Cassler Coal Sales Agency. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective immediately and that a copy of this amendment shall be served upon the New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5109; Filed, April 11, 1944; 11:09 a. m.]

[S. O. 178, General Permit 7]

REFRIGERATION OF DRIED OR EVAPORATED FRUITS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with dried or evaporated fruits, fig paste, fig powder, or fig pulp, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m., April 15, 1944, and shall expire at 12:01 a. m., September 26, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of April 1944.

R. S. BOOTH,
Acting Director.

[F. R. Doc. 44-5105; Filed, April 11, 1944; 11:07 a. m.]

[S. O. 178, General Permit 6]

REFRIGERATION OF PARAFFIN WAX

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with paraffin wax, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m. May 1, 1944, and shall expire at 12:01 a. m., September 20.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of April 1944.

R. S. BOOTH,
Acting Director.

[F. R. Doc. 44-5107; Filed, April 11, 1944; 11:07 a. m.]

[Ex Parte MC-37]

COMMERCIAL ZONES AND TERMINAL AREAS

NOTICE OF INVESTIGATION

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 31st day of March, A. D. 1944.

The Division having under consideration (1) the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, within municipalities, contiguous municipalities, and the zones adjacent to and commercially a part of such municipalities, (2) the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, in the performance of transfer, collection, and delivery service for motor carriers subject to part II of the Act within the terminal areas of such motor carriers, and (3) the transportation of property by motor vehicle, in interstate or foreign commerce, in the performance of transfer, collection, and delivery service by or for freight forwarders subject to part IV of the Act within the terminal areas of such freight forwarders; and good cause appearing therefor:

It is ordered, That an investigation be, and it is hereby, instituted into the transportation described in the next preceding paragraph (1) for the purpose of determining the municipalities, contiguous municipalities, and zones adjacent to and commercially a part of such municipalities throughout the United States (except those zones which have been determined heretofore in other proceedings) within which, under section 203 (b) (8) of the Act, transportation by motor vehicle, in interstate or foreign commerce, is conditionally exempt from the provisions of part II of the Act, except the provisions of section 204 relative to the qualifications and maximum hours of service of employees and safety of operation or standards of equipment; (2) for the purpose of determining the maximum terminal areas of motor carriers subject to part II of the Act within which transportation of passengers and property by motor vehicle, in interstate or foreign commerce, in the performance of transfer, collection, or delivery service for such motor carriers is exempt, under section 202 (c) (2) of the Act, from regulation under the provisions of part II of the Act except as a part of the service to which it is incidental; and (3) for the purpose of determining the maximum terminal areas of freight forwarders subject to part IV of the Act within which transportation of property by motor vehicle, in interstate or foreign commerce, in the performance of transfer, collection, or delivery service by or for such freight forwarders is exempt, under section 202 (c) of the act from regulation under the provisions of part II of the act.

It is further ordered, That the matters set forth in the next preceding paragraph be referred to an examiner for the preparation of a proposed report.

It is further ordered, That any person desiring a copy of any reports, orders, or notices which may hereafter be adopted, entered, or issued in the proceeding shall so inform the Interstate Commerce Commission, Washington, D. C., in writing.

And it is further ordered, That notice of this order be given by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5108; Filed, April 11, 1944; 11:07 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2908]

MAMIE WURR

In re: Bond and mortgage owned by Mamie Wurr.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Mamie Wurr is 144 Lange Street, Ottersberg, near Bremen, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Mamie Wurr is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

A certain mortgage executed by Fannie Busky, as mortgagor, in favor of Edna Otten, as mortgagee, on November 30, 1939, and recorded in the Recorder's Office, Kings County, New York in Liber 8419 of Mortgages, Page 515, which mortgage was assigned to Mamie Wurr by Edna Otten by an unrecorded Assignment of Mortgage dated December 12, 1939 and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforementioned mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5066; Filed, April 10, 1944; 11:23 a. m.]

[Supplemental Vesting Order 2954]

YOSHIHARU YOKOMIZO

In re: Household furnishings and personal effects, and property insurance policy owned by Yoshiharu Yokomizo.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 969, dated March 1, 1943, as amended, that Yoshiharu Yokomizo is a national of a designated enemy country (Japan);

2. Having vested, by said Vesting Order Number 969, as amended, certain real property particularly descibed therein, which property was owned by Yoshiharu Yokomizo on March 1, 1943;

3. Finding that Yoshiharu Yokomizo is the owner of the property described in subparagraph 4 hereof;

4. Finding that the property described as follows:

a. Those certain household furnishings and personal effects particularly described in Exhibit A[1] attached hereto and by reference made a part hereof, presently located in the premises known as 670 32d Street, Oakland, California, and

b. All right, title and interest of Yoshiharu Yokomizo in and to insurance policy number 291747 issued by the United States Fire Insurance Company of New York, which policy covers the real property referred to in subparagraph 2 hereof and the household furnishings and personal effects described in subparagraph 4 hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 4-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property referred to in subparagraph 2 hereof and that property described in subparagraph 4-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order.

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall

[1] Filed as part of the original document.

not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 18, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–5067; Filed, April 10, 1944; 11:23 a. m.]

[Supplemental Vesting Order 3172]

RICHARD C. NICKELSEN

In re: Securities, life insurance policy and compensation certificate, and bank account owned by Richard C. Nickelsen.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 1599, dated June 3, 1943, as amended, that Richard C. Nickelsen is a national of a designated enemy country (Germany);

2. Having vested, by said Vesting Order Number 1599, as amended, certain real property which was, on June 3, 1943, owned by Richard C. Nickelsen;

3. Finding that Richard C. Nickelsen is the owner of the property described in subparagraph 4 hereof;

4. Finding that the property described as follows:

a. 20 units composite fund, series A, Brooklyn Trust Company, evidenced by Certificate Number G–21; 5 shares capital stock, Brooklyn Trust Company, evidenced by Certificate Number 9421; 10 shares capital stock, Flatbush National Bank of Brooklyn, in New York, evidenced by Certificate Number 123; 38 shares stock, Irving Trust Company of New York, evidenced by Certificate Number 052407; Liquidation receipt dated January 25, 1938, representing an undivided 12/60,000 interest in the distribution of the proceeds of the liquidation of the Liberty National Bank and Trust Company of New York; 25 shares capital stock, Bullet Proof and Non-shatterable Glass Corporation, evidenced by Certificate Number 2080; 15 shares stock Durant Motors, Inc., evidenced by Certificate Number 194304;

b. United States Government Life Insurance Policy Number K21804, a 20 year endowment policy which matured July 1, 1939; United States of America Adjusted Service Certificate Number 2662765 maturing June 1, 1945;

c. That certain bank account with the Brooklyn Trust Company, Brooklyn, New York, the proceeds of which account is evidenced by check number AJ–97716; and

d. All dividends paid or payable thereon or other proceeds thereof from the time such property or any of it was taken into the possession of the Alien Property Custodian, all of which property was in the possession of the Brooklyn Trust Company, Brooklyn, New York, until it was taken into the possession of the Alien Property Custodian,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And further determining that the property described in subparagraph 4 hereof is necessary for the maintenance or safeguarding of the property referred to in subparagraph 2 hereof;

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which any of such property was taken into the possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–5068; Filed, April 10, 1944; 11:23 a. m.]

[Vesting Order 2237]

MARIE SOPHIE WILHELM AND HEINRICH WILHELM WELP

In re: Interests in real property and property insurance policies, and a claim owned by Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, is Barnsdorf, County of Diepholz, Province of Hanover, Germany, and that they are citizens and residents of Germany and nationals of a designated enemy country (Germany);

2. That Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest, identified as the interest which was inherited from Dorothy W. Schuette, also known as Dorothee W. Schuette, deceased, by Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, in and to the real property situated in the City of Pittsburgh, Allegheny County, Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, and each of them, in and to the fire, windstorm, and explosion policy No. 974827, issued by the American Insurance Company of Newark, New Jersey; the fire, windstorm, and explosion policy No. 892341, issued by the United Firemen's Insurance Company of Philadelphia, Pennsylvania; and the war damage insurance policy No. 261–60–254, issued by the War Damage Corporation, insuring the real property described in Exhibit A, attached hereto and by reference made a part hereof; and

c. All right, title, interest and claim of any name or nature whatsoever of Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Marie Sophie Wilhelm and Heinrich Wilhelm Welp, also known as Heinrich Wilhelm Schuette, by the Allegheny Trust Company of Pittsburgh, Pennsylvania, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property in subparagraph 3–a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (German);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot or piece of ground situate in the 26th Ward, City of Pittsburgh, County of Allegheny and State of Pennsylvania, being Lot Numbered One (1) and part of Lot Numbered Two (2) in the Plan of Miller and McCain, as recorded in Plan Book Vol. 11, page 8, and being bounded and described as follows, to wit:

Beginning at the northeasterly corner of Burgess Street and Merritt Avenue (formerly Maple Avenue); and extending thence along the Northerly line of said Burgess Street, North 79°41' East, eighty-nine and thirty-one one-hundredths (89.31) feet, to a point; thence North 57°13' West, eighty-five and seventy-four one-hundredths (85.74) feet, to the Easterly line of said Merritt Avenue; thence along said Merritt Avenue, South 32°47' West, ten (10) feet, to the dividing line common to said Lots Numbered One (1) and Two (2); and thence still along the line of said Merritt Avenue, South 10°52' West, fifty-five (55) feet to the place of beginning.

Having erected thereon a two-story and Mansard frame dwelling house.

Being the same premises which Edward Krebs, widower, by deed dated April 2, 1923, and recorded in the Recorder's Office of Allegheny County in Deed Book Volume 2142, page 506, granted and conveyed to Harry D. McRoberts and Alice J. McRoberts, his wife, parties of the first part hereto.

[F. R. Doc. 44–5069; Filed, April 10, 1944; 11:23 a. m.]

[Supplemental Vesting Order 3427]

AMEROP TRAVEL SERVICE, INC.

In re: Amerop Travel Service, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 144, dated September 8, 1942, that Amerop Travel Service, Inc., is a business enterprise within the United States and a national of a designated enemy country (Germany);

2. Finding that C. J. Duncker has a claim against Amerop Travel Service, Inc., which claim, as of January 25, 1944, amounted to $24,444.38, subject, however, to any accruals or deductions subsequent thereto, and represents an interest in Amerop Travel Service, Inc.;

3. Finding that C. J. Duncker, whose last known address is Germany, is a national of a designated enemy country (Germany):

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of C. J. Duncker in Amerop Travel Service, Inc., amounting to $24,444.38 and represented on the books and records of Amerop Travel Service, Inc., as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 5, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5070; Filed, April 10, 1944; 11:23 a. m.]

[Vesting Order 91, Amdt.]

KATAKURA CORPORATION

In re: Katakura Corporation.

Vesting Order 91, dated August 6, 1942, is hereby amended as follows and not otherwise:

By deleting the following paragraph thereof:

998 shares of $100 par value common capital stock of Katakura Corporation, a New York corporation, which is a business enterprise within the United States, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses	*Number of shares*
Katakura and Company, Ltd., a Japanese corporation, Tokyo, Japan	991
Buhichi Komura, Japan	1
Masuo Kobayashi, Japan	1
Yasuto Ariga, Japan	1
Senzo Usui, Japan	1
Eiki Yano, Japan	1
Takeshi Baba, Japan	1
Masumi Hanaoka (alien detention camp)	1
Total	998

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States,

and by substituting therefor the following paragraph:

998 shares of the outstanding $100 par value common capital stock of Katakura Corporation, a New York corporation, which is a business enterprise within the United States, and which are registered in the names of the persons listed below and are beneficially owned by Katakura & Co., Ltd., a Japanese corporation whose last known address is Tokyo, Japan:

Name	*Number of shares*
Katakura & Co., Ltd	991
Buhichi Komura	1
Masuo Kobayashi	1
Yasuto Ariga	1
Senzo Usui	1
Eiki Yano	1
Takeshi Baba	1
Masumi Hanaoka	1
Total	998

is property of a national, and represents control of said business which is a national of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

All other provisions of such Vesting Order Number 91 and all action taken on behalf of the undersigned in reliance thereon pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 5, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5071; Filed, April 10, 1944; 11:24 a. m.]

[Vesting Order 813, Amdt.]

FUJI TRADING CO.

In re: The Fuji Trading Company.

Vesting Order 813, dated February 2, 1943, is hereby amended as follows and not otherwise:

By deleting from the title and subparagraph 2 of said order the name "Fuji Trading Company, Inc." and substituting therefor the name "The Fuji Trading Company".

All other provisions of said Vesting Order Number 813 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5072; Filed, April 10, 1944; 11:24 a. m.]

ORDER FOR AND NOTICE OF HEARING

KARL FELLER-SCHLOEMANN ENGINEERING CO.

In the matter of Karl Feller-Schloemann Engineering Corporation.

Whereas, by Vesting Order No. 2933, dated January 15, 1944 (9 Fed. Reg. 915), the Alien Property Custodian vested, among other things, the following described property:

All the issued and outstanding capital stock of Schloemann Engineering Corporation, a corporation organized under the laws of the State of Delaware and a business enterprise within the United States and consisting of 5,000 shares of no par value stock, registered in the name of Karl Feller.

Whereas, Karl Feller has filed Notice of Claim No. 1931 which claim appears to assert that the said Karl Feller is the owner of said stock and that he is not a national of a designated enemy country.

Now therefore, *It is ordered*, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 Fed. Reg. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members thereof on Monday, April 24, 1944, at 10:00 a. m., eastern war time, at the office of the Alien Property Custodian, National Press Building, Room 633, Washington (25), D. C., to continue thereafter at such time and place as the Committee may determine.

It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notice of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington (25), D. C., on or before April 19, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

Dated: April 8, 1944.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

[F. R. Doc. 44-5073; Filed, April 10, 1944; 11:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-663]

BUFFALO, NIAGARA AND EASTERN POWER CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of April 1944.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Buffalo, Niagara and Eastern Power Corporation (Buffalo Niagara), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company.

Notice is further given that any interested person may, not later than April 25, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which is summarized below:

Buffalo Niagara has made cash advances from time to time, on open account, to its wholly-owned subsidiary, The Lockport and Newfane Power and Water Supply Company (Lockport) for additions and betterments to its electric plant and for other corporate purposes. Since 1939 the unpaid balance of such advances has been, and now is, $285,000, and it is stated that Lockport is not in a cash position to pay all or any substantial part of said balance. Buffalo Niagara now proposes, subject to a satisfactory closing agreement with the Commissioner of Internal Revenue, to forgive any and all obligations arising out of the indebtedness of $285,000 in order that Lockport may conserve its cash and strengthen its financial condition. Upon the elimination of said indebtedness as proposed, Buffalo Niagara further proposes to increase the carrying value of its investments in the common stocks of subsidiary companies by a like amount.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5113; Filed, April 11, 1944; 11:36 a. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

INDIANA AND TEXAS

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations.

A description of the localities and the determination of value for each follow:

REGION III—INDIANA

DEARBORN COUNTY

Locality I: Consisting of Caesar Creek Township; $4,288.

Locality II: Consisting of Center Township; $7,369.

Locality III: Consisting of Clay Township; $3,869.

Locality IV: Consisting of Harrison Township; $4,333.

Locality V: Consisting of Hogan Township; $5,192.

Locality VI: Consisting of Jackson Township; $3,178.

Locality VII: Consisting of Kelso Township; $3,386.

Locality VIII: Consisting of Lawrenceburg Township; $7,499.

Locality IX: Consisting of Logan Township; $3,719.

Locality X: Consisting of Manchester Township; $3,930.

Locality XI: Consisting of Miller Township; $4,432.

Locality XII: Consisting of Sparta Township; $3,129.

Locality XIII: Consisting of Washington Township; $6,365.

Locality XIV: Consisting of York Township; $4,618.

LAWRENCE COUNTY

Locality I: Consisting of the townships of Bono, Marion, and Shawswick; $4,496.

Locality II: Consisting of the townships of Guthrie, Indian Creek, Marshall, Perry, Pleasant Run, and Spice Valley; $2,843.

REGION VIII—TEXAS

HILL COUNTY

Locality I: Consisting of precincts 1, 2, 3, and 8; $7,144.

Locality II: Consisting of precincts 4, 6, and 7; $3,697.

Locality III: Consisting of precinct 5; $4,420.

The purchase price limits previously established for the counties abovementioned are hereby cancelled.

Approved April 4, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-5112; Filed, April 11, 1944; 11:22 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 74

Washington, Thursday, April 13, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATION

SUGARCANE IN PUERTO RICO

Determination of sugar commercially recoverable from sugarcane in Puerto Rico for the 1943–44 crop year, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.41f (a) *Sugar commercially recoverable from sugarcane in Puerto Rico.* The amount of sugar commercially recoverable from the sugarcane grown on a farm in Puerto Rico and marketed (or processed by the producer) for the extraction of sugar shall be obtained by multiplying the number of short tons of such sugarcane by the number of hundredweights of sugar raw value commercially recoverable per ton of such sugarcane computed in accordance with the applicable provisions of the determination of fair and reasonable prices for the 1943–44 crop of Puerto Rican sugarcane pursuant to the Sugar Act of 1937, as amended, and the quantity of 96° sugar thereby obtained shall be converted to raw value basis in accordance with the provisions of Title I of the Sugar Act of 1937, as amended.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 11th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-5141; Filed, April 11, 1944; 3:32 p. m.]

Chapter X—War Food Administration (Production Orders)

[FPO 14, Supp. Order 4, Rev. 2]

PART 1202—FARM MACHINERY AND EQUIPMENT

PRESSURE CANNERS

Supplementary Order No. 4 (8 F.R. 17463) to Food Production Order No. 14 (8 F.R. 17456), is hereby revised and amended in its entirety to read as follows:

Sec.
1202.401 Purpose of this supplementary order.
1202.402 Scope.
1202.403 Compliance with this supplementary order.
1202.404 Transfer of pressure canners by manufacturers.
1202.405 Transfers for use in canning food products in the continental United States.
1202.406 Transfers for use other than in canning food products.
1202.407 Transfers to a Federal agency.
1202.408 Transfers to territories and possessions of the United States.
1202.409 Transfers for use in the territories and possessions of the United States.
1202.410 Transfers for export.
1202.411 Records and reports.
1202.412 Communications.
1202.413 Incorporation into Food Production Order No. 14.

AUTHORITY: §§ 1202.401 to 1202.413, inclusive, issued under 54 Stat. 678, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 9322, 9334, 9392; 7 F.R. 10179, 8 F.R. 3807, 5423, 14783.

§ 1202.401 *Purpose of this supplementary order.* This supplementary order explains the procedure to be followed in distributing new pressure canners from manufacturers to retail outlets and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with Food Production Order No. 14 which establishes the general rationing program and which contains definitions of certain terms used herein.

§ 1202.402 *Scope.* This supplementary order deals only with new pressure

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–8, with index.
Book 3: Titles 10–17, with index.

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canners, which are rationed farm equipment as defined in Food Production Order No. 14. As used herein, "pressure canner" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, which has a capacity of 7 or 14 one-quart glass jars, and which is equipped with a dial, indicating or weighted gauge, a

80 percent of his scheduled production of pressure canners under War Production Board Order L–30–d, Direction 1.

(b) Twenty percent of each manufacturer's scheduled production of pressure canners under War Production Board Order L–30–d, Direction 1, shall constitute a reserve. The Director is hereby authorized, in his discretion, to direct the transfer of such reserve. In so doing, the Director may direct the transfer of a manufacturer's current production at any given time, or he may direct the transfer of the reserve from the inventory of pressure canners.

§ 1202.405 *Transfers for use in canning food products in the continental United States.* Notwithstanding any provision of Food Production Order No. 14, any person may make a transfer or accept a transfer, without a purchase certificate, of any pressure canners in the continental United States for use in the canning of food products, except that a Federal agency shall be subject to the provisions of § 1202.407 of this supplementary order.

§ 1202.406 *Transfers for use other than in canning food products.* No person shall make a transfer or accept a transfer of any pressure canner for use other than in canning food products, except pursuant to a written authorization from the Director.

§ 1202.407 *Transfers to a Federal agency.* No Federal agency may accept a transfer of any pressure canner, except pursuant to a written authorization from the Director.

§ 1202.408 *Transfers to territories and possessions of the United States.* No person shall make a transfer or accept a transfer of any pressure canner for shipment to Alaska, Hawaii, Puerto Rico, the Virgin Islands, or any other territory or possession of the United States, except pursuant to a written authorization from the Director.

§ 1202.409 *Transfers for use in the territories and possessions of the United States.* Notwithstanding any provision of Food Production Order No. 14, the Farm Rationing Committee for Alaska, Hawaii and for Puerto Rico and the Virgin Islands is hereby authorized, in its discretion, to direct the distribution of pressure canners and to prescribe the uses for which they may be transferred. The Farm Rationing Committee shall at

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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canners, which are rationed farm equipment as defined in Food Production Order No. 14. As used herein, "pressure canner" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, which has a capacity of 7 or 14 one-quart glass jars, and which is equipped with a dial, indicating or weighted gauge, a venting device, and a safety valve.

§ 1202.403 *Compliance with this supplementary order.* No person shall make a transfer or accept a transfer of any pressure canner, except pursuant to this supplementary order or pursuant to directions which may be issued by the Director.

§ 1202.404 *Transfers of pressure canners by manufacturers.* (a) Subject to the provisions of this supplementary order, a manufacturer may transfer in the continental United States (1) any pressure canners manufactured by him other than those manufactured pursuant to the authorization contained in War Production Board Order L–30–d (9 F.R. 1106), Direction 1 (9 F.R. 1108), and (2) 80 percent of his scheduled production of pressure canners under War Production Board Order L–30–d, Direction 1.

(b) Twenty percent of each manufacturer's scheduled production of pressure canners under War Production Board Order L–30–d, Direction 1, shall constitute a reserve. The Director is hereby authorized, in his discretion, to direct the transfer of such reserve. In so doing, the Director may direct the transfer of a manufacturer's current production at any given time, or he may direct the transfer of the reserve from the inventory of pressure canners.

§ 1202.405 *Transfers for use in canning food products in the continental United States.* Notwithstanding any provision of Food Production Order No. 14, any person may make a transfer or accept a transfer, without a purchase certificate, of any pressure canners in the continental United States for use in the canning of food products, except that a Federal agency shall be subject to the provisions of § 1202.407 of this supplementary order.

§ 1202.406 *Transfers for use other than in canning food products.* No person shall make a transfer or accept a transfer of any pressure canner for use other than in canning food products, except pursuant to a written authorization from the Director.

§ 1202.407 *Transfers to a Federal agency.* No Federal agency may accept a transfer of any pressure canner, except pursuant to a written authorization from the Director.

§ 1202.408 *Transfers to territories and possessions of the United States.* No person shall make a transfer or accept a transfer of any pressure canner for shipment to Alaska, Hawaii, Puerto Rico, the Virgin Islands, or any other territory or possession of the United States, except pursuant to a written authorization from the Director.

§ 1202.409 *Transfers for use in the territories and possessions of the United States.* Notwithstanding any provision of Food Production Order No. 14, the Farm Rationing Committee for Alaska, Hawaii and for Puerto Rico and the Virgin Islands is hereby authorized, in its discretion, to direct the distribution of pressure canners and to prescribe the uses for which they may be transferred. The Farm Rationing Committee shall at all times serve the objectives sought by the rationing program and allocate pressure canners in such manner as will afford the maximum contribution to agricultural production.

§ 1202.410 *Transfers for export.* No person shall make a transfer or accept a transfer of pressure canners for shipment, nor shall any person ship pressure canners, outside the continental United States, its territories and possessions, except pursuant to a written authorization from the Director.

§ 1202.411 *Records and reports.* Each manufacturer shall maintain records which will enable him upon request from time to time by the Director to report the total number of each size of pressure canners produced and the total number of each size distributed to each State. Each manufacturer shall also make such other reports as the Director may from time to time request, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. (The record keeping requirement of this section has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

§ 1202.412 *Communications.* All communications concerning this Supplementary Order No. 4 to Food Production Order No. 14, shall, unless otherwise directed, be addressed to the Director of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FPO 14, Supp. 4.

§ 1202.413 *Incorporation into Food Production Order No. 14.* This Supplementary Order No. 4 shall be added to and become a part of Food Production Order No. 14 and any violation of this Supplementary Order No. 4 shall be deemed to be a violation of Food Production Order No. 14.

Issued this 11th day of April 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–5142; Filed, April 11, 1944; 8:32 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4581]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GULF OIL CORP.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's "Gulf Livestock Spray," or any other similar product, representing, directly or by implication, (1) that respondent's product affords complete protection to livestock from insects; and (2) that the use of respondent's product will cause cows to be healthy or cause an increase in milk production; prohibited, subject to the provision, however, that the order shall not be construed as prohibiting respondent from representing that in those cases where an unhealthy condition of cows or a decrease in milk production is due to the presence of insects, respondent's product may be of benefit in affording a measure of protection against such insects. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gulf Oil Corporation, Docket 4581, April 4, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of April, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Gulf Oil Corporation, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's product designated "Gulf Livestock Spray," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondent's product affords complete protection to livestock from insects.

2. Representing, directly or by implication, that the use of respondent's product will cause cows to be healthy or cause an increase in milk production: *Provided, however,* That this order shall not be construed as prohibiting respondent from representing that in those cases where an unhealthy condition of cows or a decrease in milk production is due to the presence of insects, respondent's product may be of benefit in affording a measure of protection against such insects.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–5171; Filed, April 12, 1944; 11:40 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

PART 170—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL TEA ACT

TEA STANDARDS

Pursuant to the authority of sections 2 and 3 of the Federal Tea Act (29 Stat. 604; 35 Stat. 163; as amended 41 Stat. 712; 21 U.S.C. 41), the tea standards that were fixed and established by the Federal Security Administrator on February 17, 1942 (7 F.R. 1428, § 170.19 (b)) shall be in force and effect from May 1, 1944, until April 30, 1945.

[SEAL] WATSON B. MILLER,
Acting Administrator.

APRIL 11, 1944.

[F. R. Doc. 44–5160; Filed, April 12, 1944; 11:11 a. m.]

Chapter II—Bureau of Narcotics

[Narcotic Conservation Order 2]

PART 205—NARCOTIC DRUGS CONSERVATION

PURCHASES OR SALES OF DERIVATIVES OF OPIUM AND COCA LEAVES

The Bureau of Narcotics is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of narcotic drugs for defense, for private account or for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Pursuant to the authority vested in the Bureau of Narcotics by Directive No. 10 of the War Production Board, issued October 6, 1942, and supplementing Narcotic Conservation Order 1, issued May 25, 1943, *It is hereby ordered,* That:

Sec.
205.11 Establishment of retail dealers' quotas.
205.12 Limitation on purchase of derivatives of opium or coca leaves.
205.13 Determination of quotas.
205.14 Adjustment of quotas.
205.15 Definitions.
205.16 Records and returns.
205.17 Penalties.
205.18 Effective date.

AUTHORITY: §§ 205.11–205.18, inclusive, issued under WPB Directive No. 10, 32 CFR 903.16, 7 F.R. 7038.

§ 205.11 *Establishment of retail dealers' quotas.* Whenever it shall appear to the Commissioner of Narcotics, through investigation made by the Bureau of Narcotics, that purchases or sales of derivatives of opium and coca leaves, by one or more retail dealers therein located within any particular area, exceed bona fide medical requirements, he may assign purchase quotas for such derivatives to all retail dealers located within the particular area.

§ 205.12 *Limitation on purchase of derivatives of opium or coca leaves.* No person in any such area, to whom a retail dealer's quota has been thus assigned, shall purchase any quantity of such derivative in excess of the regular and supplementary quotas assigned to him, and no other person in any such area shall purchase, as a retail dealer, any quantity of such derivative until he shall have applied to the Bureau of Narcotics for, and shall have been assigned, a purchase quota or quotas for such derivative.

§ 205.13 *Determination of quotas.* (a) Quotas will be assigned in such numbers and amounts and upon such terms and conditions as the Bureau of Narcotics shall deem necessary or appropriate in the public interest and to promote the national defense.

(b) In the assignment of quotas under § 205.11 hereof, consideration will be given to estimated requirements based upon past business done, to the extent only that such past business is deemed to reflect bona fide medical needs. In case of a new applicant, consideration will be given to estimated requirements as determined by comparison of his facilities with those of other retail dealers already established in the area, all with due re-

gard to the current or anticipated medical needs.

(c) No purchase quota will be assigned (1) to a dealer whose sale or distribution of narcotic drugs has been marked by such lack of good faith, particularly in filling orders for narcotic drugs purporting to be prescriptions, as, in the opinion of the Bureau, renders assignment of a quota inadvisable in the interest of conservation, or (2) to a dealer who does not provide and maintain measures, deemed adequate by the Bureau of Narcotics, for the safeguarding and protection of narcotic drugs, or (3) to a dealer who fails to observe applicable licensing requirements, or regulatory restrictions upon the sale and distribution of narcotic drugs, imposed by the laws of his state, territory or district.

§ 205.14 *Adjustment of quotas.* All quotas assigned shall be subject to revision from time to time as the Bureau of Narcotics shall deem necessary to give full effect to the principle of this order and of Directive No. 10, and to supply all medical needs. For cause shown, the Commissioner of Narcotics may assign a supplementary quota or quotas.

§ 205.15 *Definitions.* The term "area" means any Federal internal revenue collection district or such limited portion thereof, as a county, city or town, as the Commissioner of Narcotics shall determine appropriate for the purpose of carrying into effect the intent and purpose of this order.

The term "narcotic drugs" means opium, coca leaves, cocaine, or any salt, derivative or preparation of opium, coca leaves, or cocaine.

The term "derivative" shall mean any form of opium obtained from crude opium; any of the phenanthrene alkaloids of opium or the ecgonine alkaloids of the coca leaf, or the salts of such alkaloids; and every substance obtained or obtainable from such alkaloids whether produced by a synthetic process or otherwise, excepting extracts of coca leaves which do not contain cocaine or ecgonine.

The term "supplementary quota" means a quota representing a quantity of a derivative additional to that of the regular quota assigned for the period.

§ 205.16 *Records and returns.* In addition to the records and returns required to be kept or submitted under the Federal narcotic laws and regulations pursuant thereto, such special reports of transactions in narcotic drugs shall be furnished as the Bureau of Narcotics may from time to time require.

§ 205.17 *Penalties.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. Any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, narcotic drugs.

§ 205.18 *Effective date.* This order shall become effective on and after April 20, 1944, and subject to the provisions of Directive No. 10 of the War Production Board, and of section 1501 of the Second War Powers Act, 1942, shall continue in effect until revoked by the Commissioner of Narcotics. The right is reserved to amend, modify or supplement this order by such further orders as the Commissioner of Narcotics may deem necessary or appropriate.

[SEAL] H. J. ANSLINGER,
Commissioner of Narcotics.

Approved: April 6, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5139; Filed, April 11, 1944; 3:09 p. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 38]

PART 202—INCORPORATION, CONVERSION, AND ORGANIZATION

VOTING RIGHTS OF MEMBERS

Authorizing an amendment to charter K clarifying the provisions governing voting rights of members.

Paragraph (d) of § 202.9 of the rules and regulations for the Federal Savings and Loan System is hereby amended, effective April 11, 1944, by adding the following new subparagraph at the end thereof:

(4) Amendment repealing the last sentence of section 4 and adding the following provisions in lieu thereof:

The members who shall be entitled to vote at any meeting of the members shall be those owning share accounts and borrowing members of record on the books of the association at the end of the calendar month next preceding the date of such meeting. The number of votes which each member shall be entitled to cast at any meeting of the members shall be determined from the books of the association as of the end of the calendar month next preceding the date of such meeting. Those who were members at the end of the calendar month next preceding the date of a meeting of members but who shall have ceased to be members prior to such meeting shall not be entitled to vote thereat.

(Sec. 5 (a), (c), 48 Stat. 132, Sec. 18, 49 Stat. 297; 12 U.S.C. 1464 (a), (c) and Sup.; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor and procedural character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

[SEAL] JAMES TWOHY,
Governor.

HAROLD LEE,
General Counsel.

ORMOND E. LOOMIS,
Executive Assistant to the Commissioner.

APRIL 10, 1944.

[F. R. Doc. 44-5143; Filed, April 11, 1944; 4:13 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-525]

LAUREHK RADIO MANUFACTURING CO.

Earl F. Rehklau, individually and doing business as Laurehk Radio Manufacturing Company of 3331 Monroe Avenue, Wayne, Michigan, is engaged in the business of dealing in radio tubes and the assembly and sale of both hearing aid devices and electronic stethoscopes. Between April 24 and September 1, 1943, he transferred about 7,500 radio tubes without the certificates, preferred order, or ratings required by General Limitation Order L-265 and in violation of that order. Between January 1 and September 30, 1943, he applied ratings to purchases in excess of quantities authorized by the War Production Board, in violation of Priorities Regulation No. 3. He failed to keep and preserve accurate and complete records of inventories and details of transactions in electronic equipment, in violation of Priorities Regulation No. 1. He misrepresented to the War Production Board his receipt of radio tubes during the period between January 1 and August 24, 1943. Earl F. Rehklau was so grossly negligent and indifferent to the orders and regulations of the War Production Board that these violations must be deemed wilful, and they have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.525 *Suspension Order No. S-525.* (a) Earl F. Rehklau, individually or doing business as Laurehk Radio Manufacturing Company, his or its successors or assigns, shall not directly or indirectly buy or sell radio tubes, as controlled by General Limitation order L-265, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing in this order shall be deemed to relieve Earl F. Rehklau, individually or doing business as Laurehk Radio Manufacturing Company, his or its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 11, 1944, and shall expire on August 11, 1944.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5144; Filed, April 11, 1944; 4:40 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-526]

VOISINE STEEL COMPANY

Voisine Steel Company, a corporation, operates a steel warehouse at 2423 McKinstry Avenue, Detroit, Michigan. In March, 1943, it delivered 7660 pounds of hot-rolled sheets upon an order bearing no preference rating, in violation of Supplementary Order M-21-b. It failed to reject orders for delivery and made delivery of steel, other than rails, as follows: 40,570 pounds on May 20, 1943; 41,110 pounds on August 5, 1943; and 60,660 pounds on August 6, 1943. Each order called for delivery and delivery was made to one person at one time at one destination in violation of CMP Regulation 4 restricting said deliveries to not more than 40,000 pounds. On May 10, 1943, it delivered 81,040 pounds of sheet steel to one customer, at one destination, and in one quarter, in violation of CMP Regulation 4 which limited such delivery to 6,000 pounds. It failed to keep and preserve accurate and complete records of inventories, of materials, and of details of transactions in those materials, in violation of Priorities Regulation 1. Voisine Steel Company made no attempt to comply with the orders and regulations of the War Production Board, and these violations must be deemed wilful.

These violations of Supplementary Order M-21-b, CMP Regulation 4, and Priorities Regulation 1 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.526 *Suspension Order No. S-526.* (a) Voisine Steel Company, its successors or assigns, shall not directly or indirectly, operate as a steel warehouse, as defined in General Preference Order M-21-b, or as defined in any order amending or superseding General Preference Order M-21-b-1, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Voisine Steel Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 11, 1944.

Issued this 4th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5145; Filed, April 11, 1944; 4:40 p. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L-42, Schedule XII, as Amended Apr. 12, 1944]

PLUMBING FIXTURES

§ 1076.14 *Schedule XII to Limitation Order L-42*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes or fabricates plumbing fixtures.

(2) "Plumbing fixture" means any bathtub, bidet, bath (foot sitz), drain pool (for a septic tank system), drain board, fountain (drinking, wash), lavatory, laundry tray, sink (except a scullery sink, with or without drain boards), sink and laundry tray combination, sink leg, shower receptor, shower stall and receptor combination, septic tank, water closet bowl (including frostproof bowl), urinal, urinal tank, water closet tank (other than a pressure tank for a frostproof closet); but it does not include any plumbing fixture trim not specifically named in this schedule:

(b) *Limitations.* Pursuant to Limitation Order L-42 the following limitations are established for the manufacture of plumbing fixtures:

No metal may be used in the manufacture of plumbing fixtures except that:

(1) Any person may incorporate into any plumbing fixture the minimum quantity of metal which is required for coating, nuts, bolts, screws, clamps, rivets and other items of joining hardware, excluding chair carriers, which are necessary for the construction, assembly or installation of the plumbing fixture, provided that such use is not prohibited by any other order of the War Production Board.

(2) In addition, any person may incorporate into any of the following named plumbing fixtures the metals specified in quantities not exceeding those designated, provided that such use is not prohibited by any other order of the War Production Board:

(i) Into any non-metallic wash fountain, (*a*) the maximum of one pound of copper or copper base alloy, (*b*) ferrous metal as required for reinforcement, trap, column, interior piping, foot rails and levers, and fixture trim.

NOTE: Subdivisions (ii) to (x) inclusive, formerly (v) to (xiii), redesignated and former subdivisions (ii) to (iv) inclusive deleted Apr. 12, 1944.

(ii) Into any cement or concrete laundry tray, one ounce of zinc for waste plug in each outlet and ferrous metal as follows: one compartment, one and a half pounds for reinforcement, one and a half pounds for cast-in waste fitting; two compartments, two pounds for reinforcement, two and a half pounds for cast-in twin waste fitting; three compartments, three pounds for reinforcement, four pounds for one single cast-in waste fitting and one cast-in twin waste fitting;

(iii) Into any cement or concrete shower receptor and cast-in drain, six pounds of ferrous metal;

(iv) Into any shower stall and receptor combination, twenty-four pounds of ferrous metal (only secondary quality of sheet steel, including the rejects and trimmings, may be used);

(v) Into any concrete septic tank, ferrous metal required for reinforcement only, inlet or outlet connection, internal syphon and internal syphon pipe connection;

(vi) Into any water closet bowl that is to be supplied with water through a diaphragm or a piston type flush valve or a pressure tank, one pound of ferrous metal for spud;

(vii) Into any water closet bowl that is to be supplied with water from a water closet tank, one pound of ferrous metal for spud;

(viii) Into any component working parts of any tank for water closet (other than a pressure tank for a frostproof closet), four pounds of metal;

(ix) Into any urinal, one pound of ferrous metal for spuds;

(x) Into any component working parts of any tank for urinal, having ¾" automatic flush valve, five pounds of metal; having 1" automatic flush valve, seven pounds of metal; having 1¼" or larger automatic flush valve, ten pounds of metal.

(3) The restrictions of this order shall not apply to the use of lead.

(c) *General exceptions.* The prohibitions and restrictions contained in this schedule shall not apply to the use of metal in the manufacture of any plumbing fixture or any part thereof which is being produced:

(1) Under a specific contract or subcontract for use in chemical plants, research laboratories or hospitals, where and to the extent that the physical, chemical and aseptic properties make the use of other materials impracticable. This exception, however, does not include any plumbing fixture used in private rooms or nurses' or attendants' quarters in any plant, laboratory or hospital.

(2) Under a specific contract or subcontract for use as part of the equipment of any aircraft or any vessel other than a pleasure craft where the use of other material is impracticable: *Provided, however,* That no monel metal shall be used in the manufacture of any trough urinal.

(3) Under a specific contract or subcontract specifying trough urinals for delivery to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use outside the continental United States (the several States and the District of Columbia): *Provided, however,* That no monel metal shall be used in the manufacture of any such trough urinal.

(d) [Deleted Apr. 12, 1944]

(e) [Deleted Apr. 12, 1944]

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5161; Filed, April 12, 1944; 11:35 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-193 as Amended Apr. 12, 1944]

CONVEYING MACHINERY AND MECHANICAL POWER TRANSMISSION EQUIPMENT

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of certain critical materials, and in the engineering and other facilities, used in the manufacture of conveying machinery and mechanical power transmission equipment, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.52 *General Limitation Order L–193*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Conveying machinery" means any new machinery (and any important component part thereof) used for the mechanical handling of materials, including pneumatic tube delivery systems; except (i) belting, (ii) farm machinery, (iii) machinery or parts used on board ship in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operating of aircraft, tanks, ordnance, or similar combat equipment, (iv) power and hand lift trucks, (v) cranes, hoists and platform elevators, (vi) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vii) cars and car dumpers, (viii) steel mill tables, (ix) sintering conveyors, (x) metal pig conveyors, (xi) underground mining machinery including slope conveyors, and (xii) portable conveyors as defined in Limitation Order L–287.

(3) "Mechanical power transmission equipment" means new equipment (and any important component part thereof) of the following kinds (except equipment or parts used in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operation of aircraft, tanks, ordnance or similar combat equipment):

(i) Open and enclosed gearing for transmitting more than ¼ horsepower; except marine propulsion gears, gears manufactured by a person for incorporation into other machinery also produced by him, gears built into turbines, and gears used on household, manually powered, automotive, or farm machinery;

(ii) Mechanical drives and parts thereof for transmitting more than ¼ horsepower; except belting, drives manufactured by a person for incorporation into other machinery also produced by him, and drives used on household, manually powered, automotive or farm machinery.

(4) "Order" includes any arrangement for the delivery of conveying machinery or mechanical power transmission equipment, whether by purchase and sale, lease, rental or otherwise.

(5) [Deleted Oct. 26, 1943]

(6) [Deleted Oct. 26, 1943]

(7) "Manufacture" means fabrication or shop assembly of conveying machinery or mechanical power transmission equipment, or any component part thereof; but does not include the making of engineering drawings, blue prints, designs, estimates, or surveys.

(8) [Deleted Oct. 26, 1943]

(9) "Anti-friction bearings" means all types of ball, needle and roller bearings.

(b) *Restrictions on acceptance of orders.*

(1) [Deleted Oct. 26, 1943]

(2) [Deleted Oct. 26, 1943]

(3) On and after May 15, 1943 no person shall accept any order for any conveying machinery or mechanical power transmission equipment unless the order is rated AA–5 or higher. This restriction shall not apply to orders under which unused machinery or equipment is returned to the person from whom it was purchased.

(4) [Deleted Oct. 26, 1943]

(c) *Restrictions on manufacture and delivery.*

(1) [Deleted Oct. 26, 1943]

(2) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall manufacture or deliver, and no person shall knowingly accept the delivery of, any conveying machinery or mechanical power transmission equipment, or parts therefor unless such machinery or equipment or parts are manufactured in accordance with the restrictions on the use of materials prescribed in Schedule A hereto: *Provided, however,* That parts fabricated or processed, prior to October 7, 1942 to the point where other use is impracticable, may be used in fulfillment of any order at any time.

(3) The limitations and restrictions of paragraph (c) shall not apply:

(i) To the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer prior to August 1, 1942.

(ii) For ninety days following October 7, 1942, to the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer on or after August 1, 1942 but prior to October 7, 1942.

(iii) For ninety days following October 7, 1942 to the manufacture or delivery in fulfillment of any order for the use of the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration, require construction, design, or materials not in accordance with the provisions of this order. As used herein, the terms "Army", "Navy", "Maritime Commission" or "War Shipping Administration" shall not include any privately operated plant or shipyard financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis. For the purposes of this paragraph (c) an order for machinery or equipment shall be deemed to have been in the process of manufacture on October 7, 1942 only if fabrication or assembly of a component part, in fulfillment of such order and not for inventory or stock, was begun prior to October 7, 1942.

(d) [Deleted Oct. 26, 1943]

(e) [Revoked May 10, 1943]

(f) *Miscellaneous provisions.*

(1) [Deleted Oct. 26, 1943]

(2) [Deleted Oct. 26, 1943]

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L, M, or R order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L, M or R order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing, with the Field Office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates, either Form WPB–1477 (formerly PD–500) or a letter in triplicate, referring to the provision appealed from and fully stating the grounds for the appeal.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref.: L–193.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—RESTRICTIONS AND LIMITATIONS ON THE USE OF MATERIALS IN CONVEYING MACHINERY OR MECHANICAL POWER TRANSMISSION EQUIPMENT

(a) As used in this schedule, "line shafting" means any shaft driving two or more machines or any single length or rigidly coupled lengths of shafting supported by three or more bearings.

(b) *Conveying machinery.* The materials listed below are restricted or prohibited in the construction of conveying machinery, as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Bins, bunkers, hoppers and tanks (when used as part of conveying machin-*

ery or equipment). No metal other than iron and steel shall be used in bins, hoppers, tanks, or bunkers having a capacity of more than 400 cubic feet level filled, except in clips, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars or mesh, washers, and hopper bottoms of less than 400 cubic feet capacity. No steel plate of a thickness in excess of ¼ inch shall be used in bins, tanks, or hoppers with a capacity of less than 400 cubic feet, level filled. No liner plates of steel shall be used in steel bins, steel tanks, or steel hoppers. Steel liners for wood bins or wood bunkers shall not exceed No. 10 U. S. gage in thickness.

(2) [Deleted Apr. 12, 1944]

(3) [Deleted Apr. 12, 1944]

(4) *Conveyor structures.* (i) No metal other than iron and steel shall be used in the following structural parts:

(A) Supports for fixed conveyor frames except supports for gravity, live roll and package conveyors.

(B) Fixed bulk material belt conveyor frames (including stringers).

(C) Conveyor galleries.

(D) Belt conveyor decking.

(E) Walkways, toe boards, handrails, stairways, and platforms.

(F) Guards or housing used only for protection, except those used for mechanical power transmission drives.

(G) [Deleted Jan. 21, 1944]

(H) [Deleted Jan. 21, 1944]

(I) [Deleted Jan. 21, 1944]

(ii) Trough linings for fixed conveyors shall not exceed No. 10 U. S. gage in thickness.

(iii) Steel for chutes and spouts shall not exceed 3/16 inch in thickness.

(iv) No steel liner plates shall be used in steel chutes or steel spouts.

(v) Steel linings for wood chutes or wood spouts shall not exceed No. 10 U. S. gage in thickness.

(vi) No copper bearing sheets or plates shall be used.

(vii) Steel troughing belt carriers and steel return belt idler rolls shall not exceed 5 inches nominal diameter on idlers up to 42 inches; and shall not exceed 6 inches on idlers 42 inches and over; provided that this limitation shall not apply to parts used for repair or replacement purposes.

(c) *Mechanical power transmission equipment.* The materials listed below are restricted or prohibited in the construction of mechanical power transmission equipment as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Anti-friction bearings.* (i) Anti-friction bearings shall not be used in hangers, pillow blocks, loose pulleys, and clutch pulleys for line shafting except for the following purposes, as certified by the purchaser:

(A) The reduction or elimination of fire hazards resulting from the combustible nature of the material being processed.

(B) Reduction or elimination of waste due to spoilage.

(C) Reduction of starting or running loads where the use of anti-friction bearings will correct an overload pertaining to the primary source of power.

(D) The repair or replacement of bearings for line shafting: *Provided, however,* That no anti-friction bearings shall be used for repair or replacement purposes for line shafting not previously equipped with such bearings.

The above mentioned certification by the purchaser shall be included in or shall accompany the purchase order, shall be signed by a duly authorized official of the purchaser, and shall be in the following form:

"The undersigned hereby certifies that the anti-friction bearings covered by order ------ (here give ----------
order number or other pertinent description) are for the following purposes as permitted by the provisions of Item (c) (1) of List A to Order L-193:

(here fill in the purposes for which the ----------
bearings will be used)

---------- Company
By ----------"

Such certification shall be deemed a representation to the War Production Board as well as to the supplier to whom the order is tendered.

(ii) [Deleted Apr. 12, 1944]

(2) [Deleted Apr. 12, 1944]

(3) [Deleted Apr. 12, 1944]

(4) [Deleted Apr. 12, 1944]

(5) [Deleted Apr. 12, 1944]

(6) [Deleted Apr. 12, 1944]

(d) *Rust proofing.* No metallic plating or coating shall be used in the rust proofing of conveyor machinery or mechanical power transmission equipment, except that galvanizing may be used to prevent contamination of food or in the case of anchor bolts set in concrete and subject to corrosive chemical action.

[F. R. Doc. 44-5165; Filed, April 12, 1944; 11:35 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-332, as Amended Apr. 12, 1944]

CONTAINER MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of material used in the production of container machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.135 *General Limitation Order L-332*—(a) *What this order does.* This order restricts deliveries of new, used, and reconditioned container machinery; it does not restrict deliveries of repair parts. The order requires manufacturers to file monthly operations reports.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Container machinery" means all new, used, and reconditioned machinery and equipment of the types listed in Schedule A of this order having a retail sales value of $500 or more (unless otherwise indicated).

(3) "Manufacturer" means any person engaged in the fabrication, assembly, reconditioning or rebuilding of container machinery.

(4) "Dealer" means any person engaged in the business of purchasing container machinery for resale.

(5) "Order" includes any arrangement for the delivery of container machinery or equipment, whether by purchase and sale, lease, rental or otherwise.

(c) *Restrictions on sales and deliveries.* After March 1, 1944, no person shall place an order for container machinery and no person shall accept such an order or deliver container machinery to fill an order received after March 1, 1944, unless the order bears a rating of AA-5 or higher. Neither shall any person make or accept delivery under any order placed or accepted before March 2, 1944, if delivery before that date would have violated Order L-83, as amended November 4, 1943.

(d) *Exemptions.* The limitations and restrictions of paragraph (c) shall not apply to the following transactions:

(1) The renewal of a lease for any container machinery if the original lease or any prior renewal was approved in accordance with this order (or Order L-83) and the machinery is still being used for the purpose approved.

(2) Any order for container machinery for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration.

(3) The seizure of container machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sales agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(4) The transfer of container machinery (but not subsequent disposition thereof) by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(5) The transfer of container machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and puchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(6) The transfer of container machinery, within a plant, or within a single corporate enterprise (including majority owned subsidiaries) from one plant or branch to another: *Provided, however,* That nothing in this subparagraph (6) shall be construed to permit transfers from a portion of an enterprise manufacturing, building or assembling new machinery to a portion using it.

(7) The transfer of container machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(8) Transfers of used container machinery to dealers.

(9) The delivery of container machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed three months pending the repair of the damaged machine.

(10) The transfer of container machinery to be scrapped for its material content.

(11) The unloading, from a vessel, of any imported container machinery.

(12) The transfer of any interest in any written instrument evidencing an interest in container machinery: *Provided, however,* That nothing in this subparagraph (12) shall be construed to permit the physical delivery or use of container machinery.

(13) The return of any leased container machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(14) The exchange of leased container machinery requiring factory repairing or rebuilding for new, reconditioned or rebuilt units fitted for the same size container, and of like model, size and capacity, provided the machinery to be replaced was approved in accordance with this order (or Order L–83) and the machinery to be acquired will be used for the purpose approved.

(e) *Operations reports.* Each manufacturer shall, on or before the 10th day of each month, commencing with March, 1944, file with the War Production Board an operations report on Form WPB–3551, in accordance with the instructions accompanying the form.[1]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. L–332.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE A

I. The following machinery and equipment are covered by this order, except as indicated below:

1. Bag making machinery and equipment, excluding textile bag forming and stitching machines.
2. Metal can and drum making machinery and equipment, including, but not limited to, sheet metal feeders, coaters and baking ovens.
3. Metal can and drum cleaning and reconditioning equipment.
4. Paper can, tube, box and carton making machinery.
5. Glass jar and bottle making machinery and equipment.
6. Metal cap and crown making machinery and equipment, including, but not limited to, sheet metal feeders, coaters and baking ovens.
7. Packaging machinery and equipment, including, but not limited to, fillers, labelers, wrappers, strappers, tying machines, case sealing machines, heavy duty staplers and stitchers, power driven for large and heavy cartons.
8. Screw capping machines.
9. Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of $25 or more inclusive of motors.

II. The following machinery and equipment are specifically excluded from the provisions of this order:

1. Filling, labeling, washing and casing machinery used in canning, freezing and fresh packing of meats, fruits, vegetables and fishery products (as covered in Order L–292).
2. Bottling, bottle capping, bottle labeling and bottle washing machinery used for dairy products, brewery and winery products or non-alcoholic beverages (as covered in Order L–292).
3. Wrapping machinery used for bakery, dairy or tobacco products (as covered in Order L–292).
4. Wood container manufacturing machinery (as covered in Order L–311).
5. Graphic arts machinery (as defined in Order L–226).

[F. R. Doc. 44–5166; Filed, April 12, 1944; 11:35 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–290, as Amended Apr. 12, 1944]

CONTAINERBOARD

§ 3270.1 *Conservation Order M–290*—(a) *Definitions.* For the purpose of this order:

(1) "Mill operator" means any person who operates a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(2) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB–514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product. The term shall not include any item which is defined in Order P–146 as a "fibre shipping container"—such as a solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging or otherwise protecting a product or material for shipment.

(3) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(4) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(5) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(6) "Sheet supplier" means any container-manufacturer who supplies corrugated or solid fibre sheets to sheet-plants, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Sheet plants and cleated box manufacturers who have been authorized to accept delivery of containerboard may place orders for corrugated or solid fibre sheets with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may obtain the amount of containerboard which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M–290. Date of authorization ----------, authorization number ----------.

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(e) *Authorizations.* (1) Authorizations for the purchase of containerboard in each calendar quarter will generally be issued by the War Production Board prior to the beginning of such quarter, but may be issued at any time. They will normally be issued on Form WPB 2492 which is to be filed by the prospective purchaser with the War Production Board as explained in paragraph (1) below. However, they may be issued by telegram or letter.

(2) Authorizations for the purchase of containerboard may specify the supplier with whom all or part of the

authorized orders may be placed and the date as of which said orders are to be shipped or delivered.

Exceptions for Small Deliveries

(f) *Purchasers.* A person who purchases less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

> The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may purchase containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(g) *Suppliers.* Any supplier of containerboard may sell it to a person purchasing in accordance with the preceding paragraph (f) regardless of the provisions of paragraph (d) of this order.

Directions

(h) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any mill operator's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M–93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any mill operator's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (h) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (h) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no mill operator or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(i) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e) or (h) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(j) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

Ratings

(k) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

Applications and Reports

(l) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB–2492 in the manner and at the time stated in the instructions on that Form.

(m) *Reports by manufacturers of V–boxes.* In addition to the report required by paragraph (l) above, each manufacturer of V–boxes shall, on or before the 10th of March, June, September and December in each year, report to the War Production Board on Form WPB–2492—Supplement No. 1, in accordance with the instructions on that Form.

(n) *Budget approval.* The reporting requirements set forth in paragraphs (l) and (m) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(p) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (h).

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(r) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(s) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M–290.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5168; Filed, April 12, 1944; 11:36 a. m.]

PART 3270—CONTAINERS

[Interpretation 1 to Conservation Order M–290]

The following interpretation is issued with respect to Conservation Order M–290:

Paragraph (b) of Order M–290 provides that no person shall accept delivery of containerboard except as authorized by the War Production Board in writing. This prohibition is not only applicable to container manufacturers, sheet plants, cleated box manufacturers, etc., but covers any person who requires the materials defined as containerboard by paragraph (a) (2) for any purpose. For instance, manufacturers of insulation, cedar closets, filing cabinets, and all other users of containerboard are barred from accepting delivery of this material without authorization. Pursuant to paragraph (d) a person who delivers containerboard to any person (not alone container manufacturers) except on an order certified as provided in that paragraph is in violation of Order M–290.

The material defined as containerboard in paragraph (a) (2) is any grade of paperboard classified under caption No. 211,000 through 219,000 in Form WPB–514 and any corrugated or solid fibre sheets of the kind used by sheet plants and cleated box manufacturers in making containers or any other product. If the sheets are of a kind used by sheet plants or cleated box manufacturers, they are covered by the order and cannot be acquired without authorization, regardless of whether

they are to be used for the fabrication of containers or not.

Cases falling within the "small deliveries" exceptions provided by paragraphs (f) and (g) of the order are an exception to this rule. In addition, attention is called to the fact that items which fall within the definition of "fibre shipping containers" in Order P-146 are excluded from the definition of "containerboard" in Order M-290.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5167; Filed, April 12, 1944; 11:35 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-261, Revocation]

STRAPPING FOR SHIPPING CONTAINERS

Section 3270.9 *Conservation Order M-261* is hereby revoked. This revocation does not affect any liability incurred under the order. The use of strapping on shipping containers remains subject to all applicable regulations and orders of the War Production Board.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5170; Filed, April 12, 1944; 11:35 a. m.]

PART 3284—BUILDING MATERIALS

[Interpretation 2 to Limitation Order L-161]

TIME DELAY NON-RENEWABLE CARTRIDGE FUSE

The following interpretation is issued with respect to Limitation Order L-161:

The term "time delay non-renewable cartridge fuse" as used in paragraph (b) (2) (iii) of Limitation Order L-161 means a non-renewable cartridge fuse employing a dual element, one of the elements being a fuse link which opens on a short circuit and the second element, in series with the first, acting as a thermal cutout to open the circuit on prolonged overloads only. The term does not include non-renewable cartridge fuses which do not employ a dual element.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5164; Filed, April 12, 1944; 11:35 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended Apr. 13, 1944]

automobiles, light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158*—(a) *Definitions.* For the purpose of this order: (1) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment means only the following enumerated items, and the components entering into such items, which are produced for use in the repair, maintenance or improvement of such vehicles, but does not include any parts specially designed for military vehicles:

(i) For all vehicles: (1) engines, less starting, ignition and fuel systems, (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, except spring covers and spring clip spacer tubes, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling system, including radiator shells supporting radiator cores, (19) fuel systems, but not locking-type gas caps, (20) bulk tubing other than copper for fuel, oil, brake and door-actuating lines, (21) lubricating system, including fittings, (22) electrical systems, including generators, motors, lamps (but not bulbs), signal horns, and bulk and spool (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum, (23) safety glass and channels, (24) hood, door, window and rear deck actuating mechanisms, (25) front fenders, but only types which house or hold headlights, (26) windshield defrosters (components only), (27) heater hose.

(ii) In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (28) power dividers and take offs, (29) governors, (30) transfer cases, (31) coupling devices, (32) trailer landing gears, (33) cabs and seats, (34) front fenders without limitation as to type, (35) hoods, (36) truck refrigeration units, (37) liquid measuring gauges, (38) body mechanical and hydraulic hoists (component parts only), (39) tachometers, (40) doors and door hardware, (41) marker, clearance and identification lamps, spot lamps (internally controlled only), fog lamps and back-up lamps, (42) fare boxes, (51) guards and grab rails, (52) door-operating mechanisms, (53) heating and ventilating equipment.

(2) "Rebuilt or reconditioned parts" means any replacement parts (defined in paragraph (a) (1) above) which have been used and restored for use through rebuilding or reconditioning operations.

(3) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(4) "Ignition contacts" means tungsten tipped parts such as screws, rivets, levers, arms or discs which are components of ignition circuit breaker assemblies.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck-tractor or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis therefor.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or component parts for the production or assembly of replacement parts.

(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in

they are to be used for the fabrication of containers or not.

Cases falling within the "small deliveries" exceptions provided by paragraphs (f) and (g) of the order are an exception to this rule. In addition, attention is called to the fact that items which fall within the definition of "fibre shipping containers" in Order P-146 are excluded from the definition of "containerboard" in Order M-290.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5167; Filed, April 12, 1944; 11:35 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-261, Revocation]

STRAPPING FOR SHIPPING CONTAINERS

Section 3270.9 *Conservation Order M-261* is hereby revoked. This revocation does not affect any liability incurred under the order. The use of strapping on shipping containers remains subject to all applicable regulations and orders of the War Production Board.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5170; Filed, April 12, 1944; 11:35 a. m.]

PART 3284—BUILDING MATERIALS

[Interpretation 2 to Limitation Order L-161]

TIME DELAY NON-RENEWABLE CARTRIDGE FUSE

The following interpretation is issued with respect to Limitation Order L-161:

The term "time delay non-renewable cartridge fuse" as used in paragraph (b) (2) (iii) of Limitation Order L-161 means a non-renewable cartridge fuse employing a dual element, one of the elements being a fuse link which opens on a short circuit and the second element, in series with the first, acting as a thermal cutout to open the circuit on prolonged overloads only. The term does not include non-renewable cartridge fuses which do not employ a dual element.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5164; Filed, April 12, 1944; 11:35 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended Apr. 13, 1944]

PRODUCTION OF REPLACEMENT PARTS FOR MOTOR VEHICLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel, and other materials required for the production of replacement parts for passenger automobiles, light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158*—(a) *Definitions.* For the purpose of this order: (1) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment means only the following enumerated items, and the components entering into such items, which are produced for use in the repair, maintenance or improvement of such vehicles, but does not include any parts specially designed for military vehicles:

(i) For all vehicles: (1) engines, less starting, ignition and fuel systems, (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, except spring covers and spring clip spacer tubes, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling system, including radiator shells supporting radiator cores, (19) fuel systems, but not locking-type gas caps, (20) bulk tubing other than copper for fuel, oil, brake and door-actuating lines, (21) lubricating system, including fittings, (22) electrical systems, including generators, motors, lamps (but not bulbs), signal horns, and bulk and spool (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum, (23) safety glass and channels, (24) hood, door, window and rear deck actuating mechanisms, (25) front fenders, but only types which house or hold headlights, (26) windshield defrosters (components only), (27) heater hose.

(ii) In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (28) power dividers and take offs, (29) governors, (30) transfer cases, (31) coupling devices, (32) trailer landing gears, (33) cabs and seats, (34) front fenders without limitation as to type, (35) hoods, (36) truck refrigeration units, (37) liquid measuring gauges, (38) body mechanical and hydraulic hoists (component parts only), (39) tachometers, (40) doors and door hardware, (41) marker, clearance and identification lamps, spot lamps (internally controlled only), fog lamps and back-up lamps, (42) fusees and flares, (43) signaling devices, (44) reflex reflectors, (45) windshield defrosters, (46) truck and bus traction sanders.

(iii) In addition, but only for passenger carriers and motorized fire equipment: (47) body structural repair parts, (48) sash, (49) destination signs, (50) fare boxes, (51) guards and grab rails, (52) door-operating mechanisms, (53) heating and ventilating equipment.

(2) "Rebuilt or reconditioned parts" means any replacement parts (defined in paragraph (a) (1) above) which have been used and restored for use through rebuilding or reconditioning operations.

(3) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(4) "Ignition contacts" means tungsten tipped parts such as screws, rivets, levers, arms or discs which are components of ignition circuit breaker assemblies.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck-tractor or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis therefor.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or component parts for the production or assembly of replacement parts.

(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (a) (1) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function including garages and service stations.

(15) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are required, or the user of such replacement parts for

any other purpose, not including the Army or Navy of the United States, the United States Maritime Commission, and other agencies listed in paragraph (p) (1) below.

(16) "Inventory" means a stock of new replacement parts held by a distributor for his own account. Inventory does not include any new replacement parts held on consignment or any "as is", rebuilt, reconditioned or reconditionable parts.

Provisions Relating to Production

(b) *Production of certain parts to be made as if orders were rated AA-1 and others AA-2X.* Notwithstanding the provisions of Priorities Regulation No. 1, Part 944, replacement parts, for medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment, enumerated in paragraph (a) (1), except items (41) to (46) inclusive, must be produced as if the orders therefor bore a preference rating of AA-1. Replacement parts, for passenger automobiles and light trucks, enumerated in paragraph (a) (1) and also items (41) to (46) inclusive, must be produced as if the orders therefor bore a preference rating of AA-2X.

(c) *Special provision for production of truck and bus replacement parts.* (1) To provide for production of automotive replacement parts (except parts for passenger automobiles) on orders for civilian use and on other orders to make automotive parts as Class B products, Priorities and CMP Regulations may be disregarded to the following extent: A producer of automotive parts whose facilities scheduled to produce a particular part are scheduled 95% or more for Class A production during a month, may schedule up to 5% of those facilities during the month for production of that part (or any other parts) to fill Class B orders for civilian or other use. In computing the 5% of the facilities referred to above, the term "facilities" means productive man-hours or productive machine-hours, or both. The calculation may be made on the basis of calendar months or of any successive periods of one month each beginning at any time.

(2) Whenever it appears to a producer that production under this paragraph (c) will result in serious interference with the production of orders for the Armed Services, he shall immediately notify the Automotive Division, War Production Board, in order that adjustments may be at once considered.

(3) No production under this paragraph (c) shall be allowed to interfere with any "frozen" schedule of Component Consumption Requirements issued under Order L-1-c or any other "frozen" schedule, as defined in Priorities Regulation No. 18.

(4) As the purpose of this paragraph (c) is primarily to secure additional critical replacement parts for commercial or civilian use, production must be made of those parts which are actually critical, against back orders where they exist.

NOTE: Paragraphs (d) through (n), formerly (c) through (r), redesignated April 12, 1944.

(d) *Correction of critical shortages.* Whenever the War Production Board determines that a critical shortage exists in respect to replacement parts, the Board may order any producer or supplier to schedule and deliver his production in such manner as will relieve the shortage; and in addition, may direct any producer or distributor to deliver or sell to any other person, at regularly established prices and terms, such quantities of replacement parts available for civilian distribution as the War Production Board may determine.

(e) *Production restricted to enumerated replacement parts; use of critical materials.* (1) No producer shall manufacture any parts for use in the repair, maintenance or improvement of passenger automobiles, light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles or motorized fire equipment except the items, and their components, enumerated in paragraph (a) (1) above as items (1) to (53) inclusive.

(2) In the production of such parts no materials shall be used which are prohibited by any orders, regulations or other restrictions on the use of critical materials now or hereafter issued by the War Production Board.

Standardization and Simplification Provisions

(f) *Pistons and bearings.* On and after November 15, 1943, producers shall make replacement pistons, piston pins, piston rings and engine bearings as components of engines, only according to the following standards:

(1) Pistons as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060 and semi-finished.

(2) Piston pins as components of engines only in standard sizes and the following oversizes: .003, .005, .010.

(3) Piston rings as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060; and in addition, for medium and heavy trucks and busses, .080, .100.

(4) Engine bearings as components of engines only in standard sizes and the following undersizes: .002, .010, .020, .030, .040, .060, .080 and semi-finished. In addition, connecting rod bearings with oversize outside diameter, and the "special length Ford main bearings".

(g) *Ignition contracts.* On and after December 1, 1943, all discs cut from tungsten contact rod for ignition contacts for all vehicles shall be cut to a thickness not exceeding .030 inch, plus a tolerance of .002 inch.

Provisions Relating to Distributors' Inventories

(h) *Restrictions on distributors' inventories.* (1) No distributor of replacement parts whose place of business is located in the eastern or central war time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding two months period.

(2) No distributor of replacement parts whose place of business is located in any other war time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding three months period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the eastern or central war time zones, and forty-five days in all other zones.

(i) *Return of new replacement parts.* New replacement parts, returned by a distributor to another distributor, if not included in the inventory of the person receiving the parts during the calendar quarter in which received shall be included in his inventory in the next succeeding calendar quarter.

(j) *Disposition of traded-in used parts.* No distributor may keep in his inventory, in his possession or under his control any used replacement parts which have been traded in and cannot be reconditioned for a period of more than thirty (30) days after they have been determined to be unserviceable, but he must dispose of them through customary disposal or scrap channels. Traded-in parts which can be reconditioned must be reconditioned, or returned to be reconditioned, as quickly as minimum quantities will permit.

(k) *Traded-in ignition contact points to be reclaimed.* As tungsten is a highly critical material, traded-in ignition contact points must be saved for possible reclamation. Therefore, they may not be scrapped. Where distributors can not reclaim the tungsten contacts for reuse, they must return them through normal trade channels to producers or suppliers for reclamation.

Provisions Relating to Distribution

(k) *No preference ratings required for delivery of replacement parts for resale.* No producer or distributor shall require any preference ratings for the purchase or the delivery of finished replacement parts for resale as such, except on Army, Navy, Maritime Commission and War Shipping Administration orders as provided in paragraph (m). All deliveries of such parts for resale or to consumers may be made as if the orders therefor bore the preference ratings assigned to their production in paragraph (b), and without regard to orders bearing a lower rating. In addition, the provisions of this paragraph are applicable to orders for finished parts required for rebuilding or reconditioning operations.

(l) *Parts for emergency repairs*—(1) *How to order parts.* Notwithstanding the provisions of paragraph (h) above, a distributor may order and accept delivery of replacement parts which he does not have in stock when required by a consumer for the emergency repair of a particular vehicle which cannot be operated without such parts. In such emergency, a distributor must file with his order to the producer a certificate in the following form:

CERTIFICATE FOR EMERGENCY REPAIR ORDER

AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that the replacement parts specified in the attached order are essential for the repair of the following vehicle, which cannot now be operated without such parts:

Make_____ Engine number_____

Signed_____
(Firm, partnership or corporation)

By_____
(Name and title of individual)

Dated: _____ _____
Address of firm, partnership or corporation.

A copy of the certificate must be retained by the distributor issuing it as a part of his records.

(2) *Emergency repair orders take preference.* A producer receiving an order accompanied by a Certificate for Emergency Repair must give such order precedence in shipment over other orders not of an emergency nature.

(3) *Use of certificate restricted.* The Certificate for Emergency Repair may be used only to secure essential replacement parts for emergency repairs as described in this paragraph (l). It must not under any circumstances be used by a distributor to replenish his stock.

(m) *Preference ratings of AA-2X or higher required on sales by distributors to army, navy and maritime commission.* Irrespective of the provisions of this order, no distributor shall sell or deliver any replacement parts, as enumerated in paragraph (a) (1) above, to the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration except upon receipt of an order bearing a preference rating of AA-2X or higher.

(1) *Additional provisions for army orders.* Purchase orders for replacement parts (except parts for "post exchange" vehicles) submitted to distributors by the Army must specify, in accordance with War Department instructions, the type, manufacturer, model and United States Army registration number of vehicles covered by the purchase order; and must carry a certification that such vehicles are "dead-lined" for emergency repair. Delivery by distributors of replacement parts against such orders for the Army must be limited to replacement parts in distributors' inventory available for immediate delivery.

(n) *Restrictions on sales to consumers*—(1) *No sale of new parts where old part can be rebuilt or reconditioned.* No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can rebuild or recondition by use of available local reconditioning facilities.

(2) *Used part to be turned in.* No producer or distributor shall sell or deliver any replacement part either new, used or rebuilt, to a consumer unless the consumer turns in to the producer or distributor, concurrently with his purchase, a used replacement part of similar kind and size for each such replacement part delivered to the consumer. However, a used replacement part need not be turned in in the following cases:

(i) Where the used part has been consumed in use, lost or stolen;

(ii) Where the used part is a cab assembly;

(iii) Where the consumer is a Federal or Territorial Department, Bureau or Agency, or a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts;

(iv) Where the new or rebuilt part is ordered by telephone, telegraph or mail, or is to be installed by the purchaser.

(v) Where the new part to be purchased by the consumer will improve the efficiency of the vehicle, its capacity or usefulness, such parts being as follows: for all vehicles—oil filters; for medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire and police equipment—auxiliary springs, trailer connections, brakes, fifth wheels, auxiliary fuel tanks, governors, landing gears, heavy duty generators, auxiliary transmissions, power take-offs, heavy duty trailer axles, wheels and rims which do not increase tire sizes, marker, clearance and identification lamps, spot lamps (internally controlled only), fog lamps and backup lamps, signaling devices, reflex reflectors, windshield defrosters, truck and bus traction sanders.

(3) *Use of consumer's certificates.* In any of the cases provided for in subparagraphs (2) (i), (ii), (iv), and (v) above, in which the consumer is not required to turn in a used part, he must sign and deliver to the producer or distributor concurrently with each purchase, or on the written confirmation thereof if the order is placed by telephone or telegraph, a Consumer's Certificate in the following form:

CONSUMER'S CERTIFICATE

AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that: (a) the replacement parts covered by this certificate are essential for the maintenance, repair or improvement of equipment he now owns or operates; (b) these parts will be used to replace parts which, to the best of his knowledge, cannot be rebuilt or reconditioned by use of available facilities; and (c) he will, within thirty days after receiving the parts, dispose of the old parts, if any through scrap channels.

(Signed)_____
Vehicle owner or operator.

Date: _____ Address _____

The foregoing Consumer's Certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

(4) *Emergency stocks for truck and passenger carrier fleet operators.* On and after December 31, 1943, any owner or operator of a fleet of twenty-five (25) or more medium or heavy trucks, passenger carriers or off-the-highway motor vehicles may, without turning in a similar used part or filing a Consumer's Certificate, purchase engines, less starting, ignition and fuel systems; transmission assemblies; and rear axle assemblies; in quantities not exceeding one each such part for every twenty-five (25) vehicles, or multiples of twenty-five (25) which he maintains in service currently licensed.

Miscellaneous Provisions

(o) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(p) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order, except as provided for in paragraph (d) and (m) above, shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development.

(2) The terms and restrictions of this order entitled Provisions Relating to Distributors' Inventories and Provisions Relating to Distribution shall not apply to any person located outside of the forty-eight (48) states and the District of Columbia.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using, materials under priority control and may be deprived of priorities assistance.

(r) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provision appealed from and stating fully the grounds for appeal.

(s) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: Order L-158.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

RESIZING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of resizing engine pistons and bearings in the field to sizes other than those specified in paragraphs (f) (1) and (f) (4), respectively, of § 3292.46. Limitation Order L-158, has been the subject of some uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to any intermediate sizes not specified in paragraphs (f) (1) and (f) (4), respectively, of Limitation Order L-158, when ordered from the factory branch by a customer for immediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-158, paragraph (l), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle. (Issued Oct. 1, 1943.)

INTERPRETATION 2

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (8), paragraph (a) (1) (i) of Limitation Order L-158, as amended November 18, 1943. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced. (Issued Dec. 29, 1943.)

[F. R. Doc. 44-5162; Filed, April 12, 1944; 11:35 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, Direction 1 as Amended Apr. 12, 1944]

ARMY ORDERS FOR REPLACEMENT PARTS

The following direction is issued pursuant to Limitation Order L-158:

Purchase orders for replacement parts submitted by the Army to distributors under paragraph (m) (1) of Order L-158 need include neither the registration number of the vehicle nor a certification that the vehicle is deadlined for emergency repair if the Army certifies instead that the registration number is unavailable and that a survey for the parts, necessary to effect immediate shipment to fill a shortage of essential items for an overseas theater, has been made on Army stocks under War Department Circular No. 209, dated September 13, 1943.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5163; Filed, April 12, 1944; 11:35 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-332, as Amended April 12, 1944]

OILS FOR PROTECTIVE COATINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of oils for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3293.466 *Conservation Order M-332*—(a) *Definitions.* (1) "Oils" means all the raw, crude, refined, and pressed oils, whether vegetable, animal, fish, or other marine animal, excepting mineral oil and tall oil.

(2) "Linseed oil" means the oil, crushed, pressed or otherwise extracted from flaxseed, whether raw, bodied or otherwise processed. The term includes linseed oil blended with other oils, whatever the proportion of linseed oil used.

(3) "Fish oil" means the oil produced by the reduction of the whole or any part, including the offal of the sardine, pilchard, and menhaden, whether raw, bodied or otherwise processed. The term includes fish oil blended with other oils, whatever the proportion of fish oil used.

(4) "Manufacturer" means a person who uses oils in the manufacture of any other product, but does not include a painter, householder or other person who uses oils as a reducer for paint or varnish.

(5) "Processor" means any person who blends, bodies or otherwise processes linseed oil or fish oil.

(6) "Crusher" means any person who presses, expels or extracts linseed oil from flaxseed or who presses, expels or extracts fish oil from the sardine, pilchard or menhaden.

(7) "Wholesaler" means a person who buys linseed or fish oil from a crusher or processor and without further processing resells such oils to manufacturers or retailers.

(8) "Retailer" is any person who sells linseed oil or fish oil to the ultimate consumer.

(b) *Restrictions on use.* (1) On and after July 1, 1943, no manufacturer shall use in the production of any of the following products more pounds of oils per gallon of such product than the following:

	Pounds
Class #1—Flats including interior emulsion paints	1.2
Class #2—Semi-gloss paints	1.75
Class #3—Interior gloss paints (except gloss mill-whites) interior enamels, combination interior-exterior floor enamels, combination interior-exterior household enamels, machinery enamels, and interior aluminum paints	3.0
Class #4—Gloss mill-whites for industrial maintenance	3.0
Class #5—Wall primers and undercoaters	2.0
Class #6—Interior varnishes, including clear floor sealers, and combination interior-exterior varnishes	2.3
Class #7—Exterior paints including aluminum paints (except black and graphite paints)	3.75
Class #8—Structural steel finishes (except black and graphite)	3.75
Class #9—All black paints and graphite paints	5.0
Class #10—Exterior enamels and exterior varnishes (intended exclusively for exterior work)	3.25
Class #11—Exterior emulsion paints	2.0

NOTE: The above classes include both paste and ready-mixed paints. Table amended April 12, 1944.

For the purposes of this paragraph (b) (1), all oils shall be considered interchangeable.

(2) The provisions of paragraph (b) (1) are not applicable to the use of oils in the manufacture of paints, varnishes and lacquers delivered or to be delivered to, or used on or incorporated in material and equipment delivered or to be delivered to, the Army, Navy, Marine Corps, or Coast Guard of the United States, the United States Maritime Commission or the War Shipping Administration, or delivered pursuant to the Act of March 11, 1941 (Lend-Lease Act), or for the military, naval or maritime requirements of the United Nations where the manufacturer claiming exemption receives from the Director of Food Distribution, War Food Administration, specific exemption pursuant to paragraph (b) (5) (iii) of Food Distribution Order No. 42 with respect to such use.

(c) *Restrictions on deliveries.* (1) On and after July 1, 1943, no crusher, processor, manufacturer or wholesaler, shall deliver to any other person linseed oil or fish oil having a non-volatile content of more than seventy per cent (70%), by weight.

(2) The restrictions of paragraph (c) (1) shall not apply to:

(i) Deliveries to another crusher, processor, manufacturer or wholesaler.

(ii) Deliveries for medicinal or pharmaceutical purposes or for human or animal consumption.

(iii) Deliveries of linseed oil or fish oil packaged in containers of one pint or less.

(iv) Deliveries by any person of linseed oil or fish oil which on July 1, 1943, and at the time of the delivery was packaged in unopened five-gallon cans or smaller owned by the person making delivery.

(v) Deliveries by any person of boiled linseed oil which on July 1, 1943, and at the time of delivery was packaged in 55-gallon drums or smaller containers and was on both such dates owned by him.

(vi) Deliveries by any wholesaler of raw linseed oil (in no case in a quantity exceeding 1375 gallons) which on July 1, 1943, was packaged in unopened drums or containers having a capacity of more than 8 gallons but not more than 55 gallons and was on both such dates either owned by him or in his possession on consignment from a crusher or processor.

(vii) Deliveries to the Army, Navy, Marine Corps or Coast Guard of the United States, the United States Maritime Commission, the War Shipping Administration, or pursuant to the Act of March 11, 1941 (Lend-Lease Act), or deliveries of such linseed oil or fish oil to be used on or incorporated in material and equipment delivered or to be delivered to the services or agencies mentioned in this subdivision (vii) or pursuant to the Act of March 11, 1941 (Lend-Lease Act).

(3) No person shall deliver or sell any material represented to be "linseed replacement oil" unless such material meets the requirements of Federal Specification TT-O-371 as amended from time to time.

(d) *Other orders.* The restrictions herein set forth are in addition to those imposed by Food Distribution Order No. 42 and such other orders as have been or may be issued by the War Food Administration with respect to oils.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-332.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5169; Filed, April 12, 1944; 11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 30]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 4 (b) is amended to read as follows:

(b) *Sale by a cash and carry wholesaler.* A sale by a cash and carry wholesaler is any sale by a person to an individual retail store or purveyor of meals other than a service and delivery sale as defined in section 4 (c).

2. Section 4 (c) is amended to read as follows:

(c) *Sale by a service and delivery wholesaler.* A sale by a service and delivery wholesaler is a sale of fresh fish or seafood to a retailer or purveyor of meals, which fish or seafood is delivered by means other than a common carrier from the seller's established place of doing business to the individual retail store or established place of doing business of the purveyor of meals.

3. Section 13 (c) is amended to read as follows:

(c) Every person making a sale of any fresh fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is fresh; the quantity, sizes, grades and styles of dressing of fresh fish and seafood, and the price charged therefor, including a separate statement of the container cost, if any, as provided in section 19, and transportation cost, if any, as provided in section 7. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of dressing, the maximum price which may be charged for the fresh fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of dressing of the species of fresh fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is fresh, and if a price is listed in Maximum Price Regulation No. 364 for the species in the particular style of dressing or processing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 364 and this Maximum Price Regulation No. 418: *Provided*, That this paragraph shall not apply to any sales made at prices listed in Table A in section 20.

4. In section 18, after the definition of "Round" the following definition is inserted:

"Saddles" means the pectoral fins and the connecting cartilaginous strip of a rajafish.

5. In section 18, after the definition of "Troll caught" the following definition is inserted:

"Wings" means the pectoral fins of a rajafish.

6. In section 20, Table A, Schedule Nos. 4 and 6 are amended and Schedule No. 65 is added to read as follows:

TABLE A—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound			
					Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed
					Apr.-Nov.		Dec.-Mar.	
4	Blackback (Pseudo-pleuronectes).[1]	1	Round	All sizes	$0.07	$0.08	$0.10	$0.11
					Apr.-Sept.		Oct.-Mar.	
5	Yellowtail (Limanda ferruginea).[1]	1	Round	All sizes	$0.04½	$0.05½	$0.06½	$0.07½
					Jan. through Dec.			
65	Rajafish (Skates) (Genus raja).	1	Round	All sizes	Bulk ex-vessel $0.01		Boxed	
		2	Saddles	All sizes	.02½		$0.03½	
		3	Wings	All sizes	.03½		.04½	

7. In section 20, Table B, the reference to footnote 37 is added to Item No. 2 of Schedule No. 13.

8. In section 20, Table B, the reference to footnote 37 is added to Item No. 2 of Schedule No. 14.

9. In section 20, Table B, Schedule Nos. 4, 5 and 6 are amended and Schedule No. 65 is added to read as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10066, 10513, 10969, 11794, 11687, 12468, 12233, 12696, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16181, 16293, 16296; 9 F.R. 90, 1325, 1532, 1575, 2133, 2406.

TABLE B—MAXIMUM PRICES FOR PRIMARY FISH SHIPPER SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					Apr.–Nov.	Dec.–Mar.
4	Blackback (Pseudopleuronectes Americanus).	1	Round	All sizes	$0.08	$0.11½
		2	Dressed	All sizes	.11½	.15½
		3	Fillets	All sizes	.24½	.31½
					Apr.–Sept.	Oct.–Mar.
5	Dab, sea (Hippoglossoides platessoides).	1	Round	All sizes	$0.05½	$0.07½
		2	Dressed	All sizes	.08½	.11
		3	Fillets	All sizes	.24½	.31½
6	Yellowtail (Limanda ferruginea)	1	Round	All sizes	.05½	.07½
		2	Dressed	All sizes	.08½	.11
		3	Fillets	All sizes	.24½	.31½
					Jan. through Dec.	
65	Rajafish (Skates) (Genus raja)	1	Round	All sizes	$0.02	
		2	Saddles	All sizes	.03½	
		3	Wings	All sizes	.04½	

10. Footnote 37 is added at the end of Table B in section 20 to read as follows:

[37] Ceiling prices listed for those fillets apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable ceiling prices are those listed for Item No. 3 of Schedule No. 6

11. In section 20, Table C, Schedules Nos. 4, 5 and 6 are amended and Schedule No. 65 is added to read as follows:

TABLE C—MAXIMUM PRICES FOR RETAILER-OWNED COOPERATIVE SALES AND SALES BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS TO OTHER WHOLESALERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					Apr.–Nov.	Dec.–Mar.
4	Blackback (Pseudopleuronectes Americanus).	1	Round	All sizes	$0.09	$0.12½
		2	Dressed	All sizes	.13	.17
		3	Fillets	All sizes	.26½	.34
					Apr.–Sept.	Oct.–Mar.
5	Dab, sea (Hippoglossoides platessoides).	1	Round	All sizes	$0.06½	$0.08½
		2	Dressed	All sizes	.09½	.12½
		3	Fillets	All sizes	.26½	.34
6	Yellowtail (Limanda ferruginea)	1	Round	All sizes	.06½	.08½
		2	Dressed	All sizes	.09½	.12½
		3	Fillets	All sizes	.26½	.34
					Jan. through Dec.	
65	Rajafish (Skates) (Genus raja)	1	Round	All sizes	$0.03	
		2	Saddles	All sizes	.04½	
		3	Wings	All sizes	.06½	

12. Footnote 15 following Table C in section 20 is amended to read as follows:

[15] All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28 and 29; and footnotes 21, 22, 27 and 37 made applicable to particular species of fish in Table B are also applicable to the same species in Table C in section 20.

13. In section 20, Table D, Schedules Nos. 4, 5 and 6 are amended and Schedule No. 65 is added to read as follows:

TABLE D—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					Apr.–Nov.	Dec.–Mar.
4	Blackback (Pseudopleuronectes Americanus).	1	Round	All sizes	$0.10	$0.12½
		2	Dressed	All sizes	.14	.18
		3	Fillets	All sizes	.27½	.35
					Apr.–Sept.	Oct.–Mar.
5	Dab, sea (Hippoglossoides platessoides).	1	Round	All sizes	$0.07½	$0.09½
		2	Dressed	All sizes	.10½	.13½
		3	Fillets	All sizes	.27½	.35
6	Yellowtail (Limanda ferruginea)	1	Round	All sizes	.07½	.09½
		2	Dressed	All sizes	.10½	.13½
		3	Fillets	All sizes	.27½	.35
					Jan. through Dec.	
65	Rajafish (Skates) (Genus raja)	1	Round	All sizes	$0.04	
		2	Saddles	All sizes	.05½	
		3	Wings	All sizes	.06½	

14. Footnote 16 following Table D in section 20 is amended to read as follows:

[16] All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28 and 29; footnotes 21, 22, 27 and 37 made applicable to particular species of fish in Table B; and footnote 30 made applicable to particular species of seafood in Table C are also applicable to the same species in Table D in section 20.

15. In section 20, Table E, Schedules Nos. 4, 5 and 6 are amended and Schedule No. 65 is added to read as follows:

TABLE E—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of Dressing	Size	Price per pound	
					Apr.-Nov.	Dec.-Mar.
4	Blackback (Pseudopleuronectes Americanus).	1	Round	All sizes	$0.12½	$0.16
		2	Dressed	All sizes	.16½	.20½
		3	Fillets	All sizes	.30	.37½
					Apr.-Sept.	Oct.-Mar.
5	Dab, sea (Hippoglossoides platessoides).	1	Round	All sizes	$0.10	$0.12
		2	Dressed	All sizes	.13	.16
		3	Fillets	All sizes	.30	.37½
6	Yellowtail (Limanda ferruginea)	1	Round	All sizes	.10	.12
		2	Dressed	All sizes	.13	.16
		3	Fillets	All sizes	.30	.37½
					Jan. through Dec.	
65	Rajafish (Skates) (Genus raja)	1	Round	All sizes	$0.06½	
		2	Saddles	All sizes	.08	
		3	Wings	All sizes	.09	

16. Footnote 17 following Table E in section 20 is amended to read as follows:

[17] All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28 and 29; footnotes 21, 22, 27 and 37 made applicable to particular species of fish in Table B; and footnote 30 made applicable to particular species of seafood in Table C are also applicable to the same species in Table E in section 20.

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5131; Filed, April 11, 1944; 12:10 p. m.]

PART 1365—HOUSEHOLD FURNITURE

[2d Rev. MPR 213,[1] Amdt. 1]

NEW COIL AND FLAT BEDSPRINGS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

(a) Section 17, Appendix A of Second Revised Maximum Price Regulation No. 213 is amended to read as follows:

APPENDIX A

This appendix sets forth the specifications and maximum prices for certain basic models of new coil and flat bedsprings. All weights, sizes and dimensions of the parts are minimum only and may be exceeded providing the resulting articles comply with orders of the War Production Board.

(a) *General construction specifications.* All specifications listed are for a full 4' 6" size bedspring: Other sizes shall be identical as to material specifications and shall be assembled with the same arrangement and spacing of parts as the 4' 6" size bedspring. The basic bedspring models set forth below shall be so constructed that:

All coils and helicals shall be high carbon spring steel wire.

All crimps, wire slats, and cable shall be Bessemer or low carbon steel wire.

All border wire shall be Bessemer steel rod or low carbon steel.

All angles, tubes, risers and flat stock shall be rerolled rail steel or secondary grade billets.

All wood frame members shall be of maple, oak, ash or wood of equivalent strength and serviceability.

All joints in coil bedspring wood frames shall be mortise and tenon, or notched and lap joint construction.

Flat bedspring wood frames shall be adequately braced and assembled with carriage bolts or other suitable fasteners.

(b) *Particular minimum specifications and maximum prices.* The F. O. B. factory L. C. L. maximum price, and the cash retail maximum price is set forth opposite the particular minimum specifications of each basic bedspring model contained in the table below:

	F. o. b. factory l. c. l. maximum price not 30 days[1]	Cash retail maximum price *
Class 101 steel frame, crimp top, coil bedspring. Coils—single deck 80, 81, 88 or 90, weight 11½ pounds. Top crimps #14½ ga. Border wire #9 ga. Border crimps #14½ ga. Bottom: Continuous angle or four piece angle type. Frame—1" x 1" x ⅛" angle. Slats—4–1" x #12 ga. flat stock, all others #9 ga. wire. or—2–1" x ⅛" x ¾" angle, all others #9 ga. wire. Lengthwise crimps—#11½ ga. under each row of coils. Finish: oil base paint.	$4.70	$6.00
Class 102 steel frame, helical top, coil bedspring. Coils—single deck 80, 81, 88, or 90, weight 11¾ pounds. Helicals #17 ga. Border wire #9 ga. Border crimps #14½ ga. Bottom Continuous angle or four-piece angle type. Frame—1" x 1" x ⅛" angle. Slats—4–1" x #12 ga. flat stock, all others #9 ga. wire. or—2–1" x ⅛" x ¾" angle, all others #9 ga. wire. Lengthwise crimps—#11½ ga. under each row of coils. Finish: Oil base paint.	$4.80	$6.00
Class 103 steel frame, helical top, coil bedspring. Coils—single deck 80, 81, 88, or 90, weight 11¾ pounds. Helicals #17 ga. Border wire #9 ga. Border crimps #14½ ga. Bottom Continuous angle or four-piece angle type. Frame—1" x 1" x ⅛" angle. Slats—4–1" x #12 ga. flat stock, all others #9 ga. wire. or—2–1" x ⅛" x ¾" angle, all others #9 ga. wire. Lengthwise crimps—#11½ ga. under each row of coils. Finish: Oil base paint.	$5.30	$10.00
Class 104 steel frame, cable fabric, flat bedspring. Fabric: 21 double lengths of 7 strand #22 ga. cable or a cable of equivalent weight, assembled by links, attached to end rails by helicals. Edge bands ¾" x .032" or four lengths of cable close connected. Frame: Sleigh runner type. Side rails—1¼" O. D. round tube. End rails—2" x 1¼" x ⅛" angle. Formed angle riser type. Side rails—1¼" x 1¼" oval tube, or 1¼" round tube. End rails—2" x 1¼" x ⅛" angle. Risers—Formed angle. One piece end rail and riser type. Side rails—1¼" round tube. End rails 2" x 1¼" x ⅛" angle. Finish: Oil base paint.	5.90	11.00
Class 105 steel frame, band top, flat bedspring. Fabric: 21 bands ¾" x .020", assembled by links or helicals, attached to frame by helicals. Edge Bands: ¾" x .032" Frame: Sleigh runner type. Side rails—1¼" O. D. round tube. End rails—2" x 1¼" x ⅛" angle. Formed angle riser type. Side rails—1¼" x 1¼" oval tube, or 1¼" round tube. End rails—2" x 1¼" x ⅛" angle. Risers—Formed angle. One piece end rail and riser type. Side rails—1¼" round tube. End rails—2" x 1¼" x ⅛" angle. Finish: Oil base paint.	6.30	12.00
Class 106 wood frame, crimp top, coil bedspring. Coils: 80, 81, 88 or 90, weight 11½ lbs. Top crimps: #14½ ga. Border wire: #9 ga. Border crimps: #14½ ga. Wood frame: Side rails—1⅜" x 1¾". Cross slats—⅝" x 1¾" under each row of coils. Bottom crimps: #14½ ga. Frame finish: Oil base paint.	5.40	9.50
Class 107 wood frame, helical top, coil bedspring. Coils: 80, 81, 88 or 90, weight 11½ lbs. Helicals: #17 ga. Border wire: #9 ga. Border crimps: #14½ ga. Wood frame: Side rails—1⅜" x 1¾". Cross slats—⅝" x 1¾" under each row of coils. Crimps: Minimum #14½ ga. Frame finish: Oil base paint.	6.00	10.50
Class 108 wood frame, link wire fabric, flat bedspring. Fabric: Standard 3" x 6" link wire, #14 ga., or an equivalent fabric, attached to frame by helicals. Edge bands: ¾" x .032". Frame: Side rails—1¾" x 3". End rails—1¾" x 3". Elevation blocks—Of a size to produce a rise of 3¼". Frame finish: Oil base paint.	85.45	99.00
Class 109 wood frame, cable fabric, flat spring. Fabric: 21 double lengths of 7 strand #22 ga. cable, or a cable of equivalent weight assembled by links, attached to end rails by helicals. Edge bands ¾" x .032" or four lengths of cable close connected. Frame: Side rails—1¾" x 3". End rails—1¾" x 3". Elevation blocks—Of a size to produce a rise of 2¼". Frame finish: Oil base paint.	7.60	12.80
Class 110 wood frame, band top, flat bedspring. Fabric: 21 bands ¾" x .020" assembled by links or helicals, attached to frame by helicals. Edge Bands: ¾" x .032". Frame: Side rails—1¾" x 3". End rails—1¾" x 3". Elevation blocks—Of a size to produce a rise of 2¼". Frame finish: Oil base paint.	7.30	13.00
Class 111 steel frame, helical top, double deck coil bedspring. Coils 88 or 90, double deck close wound or open centers, excepting border coils—weight 18 pounds. Center ties close wound center coils—#11½ ga. wire two-way tie or Open wound center coils—#14 ga. crimp wire four-way tie. Helicals #17 ga. Border wire #9 ga. Border crimps #14½ ga. wire, clips, or equivalent. Bottom: Continuous angle or four piece angle type. Frame—1¼" x 1½" x 3/16 ga. or equivalent. Slats—All 1" x #12 ga., 1½" drop. Lengthwise crimps—#11½ ga. Finish: Oil base paint.	8.90	15.75

[1] The f. o. b. factory maximum prices in the Far West Zone shall be determined by adding the following amounts to the corresponding prices as listed. "Far West Zone" for the purpose of this regulation means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves.

	F. o. b. factory l. c. l. maximum price
Class:	
101–108 inclusive bedspring	$0.30
108–110 inclusive bedspring	.30
111 bedspring	.75

[1] The cash retail maximum prices for sales in the Far West Zone shall be determined by adding the following amounts to the corresponding prices listed.

	Cash retail maximum price
Class:	
101–105 inclusive bedspring	$0.45
106–110 inclusive bedspring	.60
111 bedspring	1.25

(c) *Additions to maximum prices in (b) above—(1) Maximum prices for additional features.* There may be added to the F. O. B. factory L. C. L. maximum prices and the cash retail maximum prices of the coil bedsprings set forth in (b) above the following:

	F. o. b. factory l. c. l. maximum price not 30 days	Cash retail maximum price *
For a full platform top	$1.05	$1.75
For a partial platform top	.90	1.
For a pair of wire stabilizers or one band type stabilizer minimum 1" x 12 ga. or equivalent	.15	.25

(ii) *Definitions of additional features.* "Full platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to cover the entire coil area (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	Length bands
80 coil bedspring	8	6
81 coil bedspring	7	7
88 coil bedspring	9	6
90 coil bedspring	8	7

"Partial platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to extend full length of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands.

	Length bands
80 coil bedspring	6
81 coil bedspring	7
88 coil bedspring	6
90 coil bedspring	7

Or platform top to extend full width of coil surface (excepting border coils) and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands
80 coil bedspring	8
81 coil bedspring	7
88 coil bedspring	9
90 coil bedspring	8

Or platform top to cover ⅓ of the coil area of the spring and to consist of the following number of ⅝" x .020" steel bands:

	Cross bands	Short length bands
80 coil bedspring	4	6
81 coil bedspring	3	7
88 coil bedspring	5	6
90 coil bedspring	4	7

"Stabilizer" means a device fastened to and connecting the border frame to the base frame in a manner adequately to prevent sway.

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued the 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5132; Filed, April 11, 1944; 12:09 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12470.

[2] 8 F.R. 15985, 16252; 9 F.R. 2911.

[3] 8 F.R. 7384, 9458, 11088, 15704; 9 F.R. 604.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Corr. to Amdt. 2 to Rev. Supp. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

In § 1394.8401 (a) (1) the text of the last sentence is corrected to read as follows:

Two (2) gallons of gasoline with respect to Class B and C coupons, which do not bear the numeral "2" or a higher numeral on the face of the coupon, in the gasoline shortage area and in Area B except the States of Colorado, Idaho, Montana, Utah and Wyoming.

This correction shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 10, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5138; Filed, April 11, 1944; 12:11 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6A,[2] Amdt. 9]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 6A is amended in the following respects:

1. Section 2.17 is added to read as follows:

SEC. 2.17 *Manufacturers may apply to National Office for release of certain rubber footwear.* (a) Any manufacturer having rubber footwear of a kind described in paragraph (b) of this section which cannot reasonably be sold for certificates may be authorized by the National Office of the Office of Price Administration to transfer it as non-rationed in accordance with the provisions of this section.

(b) The only kinds of rubber footwear to which this section applies are:

(1) Culls (rubber footwear having manufacturing defects which require repair to make the rubber footwear salable as waterproof footwear or which prevent the sale of the rubber footwear as "seconds" or "factory rejects").

(2) Discontinued styles (rubber footwear remaining in the manufacturer's stock since April 1, 1942, of styles which the War Production Board has prohibited to be manufactured for civilian use).

(3) Government rejects of special styles (rubber footwear manufactured as government order items according to special specifications, not suitable for ordinary civilian use and rejected by the United States Government).

(4) Government rejects of large sizes (rubber footwear of size 13 and larger, manufactured as government order items and rejected by the United States Government).

(c) Application shall be made in writing to the Rubber Footwear Branch, Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C. The application need not be made on any prescribed form but must include three copies of a list of the rubber footwear proposed to be transferred as non-rationed, stating the following detailed information:

(1) With respect to culls, the type, quantity, and the nature of the defects.

(2) With respect to discontinued styles, the type, style, quantity, sizes, and a statement that they have remained in the manufacturer's stock since April 1, 1942.

(3) With respect to government rejects of special styles, the type, style, quantity, and a statement that they were manufactured as government order items according to special specifications and rejected by the United States Government, and the reasons they are not suitable for ordinary civilian use.

(4) With respect to government rejects of large sizes, the type, quantity, sizes, and a statement that they were manufactured as government order items and rejected by the United States Government.

(d) Only one application may be made for the release of discontinued styles described in paragraph (b) (2) of this section.

(e) The National Office, if it approves the application in whole or in part, shall indicate its approval in writing and shall attach thereto a copy of the list of rubber footwear submitted by the manufacturer on which it shall indicate the specific rubber footwear authorized to be transferred as non-rationed. The National Office shall issue to the applicant official Non-Rationed Stickers (OPA Form R–123 with the words "Non-Rationed Rubber Footwear" and the type number printed or stamped thereon) equal to the number of pairs of rubber footwear permitted to be transferred as non-rationed. The National Office (or the manufacturer if required by the National Office) shall write or print on each sticker the registration number of the manufacturing establishment to which it is issued.

(f) Before any of such rubber footwear may be transferred or offered for sale as non-rationed, the manufacturer shall attach to one boot of each pair an official non-rationed sticker supplied by the National Office. Such sticker may be affixed only to rubber footwear specifically released by the National Office and only to rubber footwear of the same type as that designated on the sticker.

(g) Rubber footwear to which official stickers have been affixed in accordance with this section may be transferred as non-rationed by and to any person at any time thereafter.

(h) The manufacturer shall attach to his inventory form (OPA Form R–601A) the written approval of the National Office together with the list of rubber footwear authorized to be transferred as

non-rationed. This shall be in lieu of any reporting requirement of section 2.2 (c).

2. Section 3.8 (d) is added to read as follows:

(d) Certificates may not be given, demanded or received for non-rationed rubber footwear nor may it be exchanged for rationed rubber footwear or a certificate pursuant to section 1.13 or section 3.7.

This amendment shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–N, 7 F.R. 7739; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5123; Filed, April 11, 1944; 12:14 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 57]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.8 is amended to read as follows:

SEC. 1.8 *How certificates may be used.* A person who, at any time, receives or has received a certificate (OPA Form R–1705A or Form R–1705B) in a way permitted by this order may use it any time after its date of issue to get the number of pairs of shoes of the type permitted by the certificate.

(Certificates that had expired before April 15, 1944, are validated by this provision). If issued to a consumer, a certificate may be used only by or for the consumer to whom it was issued. If it is sent by a consumer with a mail order, the shoes may be delivered only to the name and address written on the certificate.

2. Section 2.9 (a) is amended by deleting the first three sentences of the paragraph and substituting instead the following: "A stamp may not be deposited to an establishment's account later than 30 days after its expiration for consumer use. A ration check may be deposited at any time. A certificate (OPA Form R–1705A or 1705B), regardless of when issued, may be deposited at any time and shall be valid for consumer use at any time after its date of issue. (This includes certificates that had expired before April 15, 1944.)"

This amendment shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of April, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5124; Filed, April 11, 1944; 12:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 9]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

1. Section 1407.141 (c) is amended to read as follows:

(c) A certificate may be used at any time by the person to whom it is issued, if he is not a depositor nor required to be one, to take delivery of sugar. A certificate duly transferred by endorsement to a registering unit that is neither a depositor nor required to be one, may be used at any time by such registering unit to take delivery of sugar. A certificate issued or duly transferred to a depositor is valid for deposit in his account at any time. However, a certificate which expired before January 1, 1944, may not be transferred or deposited and does not authorize a delivery of sugar. (Any certificate expiring on or after that date is revalidated by this paragraph.)

This amendment shall become effective April 15, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5135; Filed, April 11, 1944; 12:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 24]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The first sentence of the undesignated paragraph following section 2.4 (d) is amended to read as follows: "The number of points a certificate is worth is shown on that certificate."

2. Section 3.4 (b) is amended to read as follows:

(b) *Certificates and ration coupons.* Any certificate issued on or after October 13, 1943, may be deposited at any time. Ration coupons may be deposited at any time.

3. The headnote to section 3.4 (c) is amended by deleting the words "or certificates" and section 3.4 (c) is amended by deleting the words "or certificate".

4. The second sentence of section 9.4 (f) is deleted.

5. The second sentence of section 9.4 (g) (1) is amended by deleting the words "or certificates".

6. Section 9.5 (d) (2) is amended by deleting the third and fourth sentences.

7. Section 15.1 (b) (3) is amended to read as follows:

(3) The word "after" in the upper right corner shall be changed to "before" and the date inserted there shall be the date of issue.

8. Section 15.2 is amended to read as follows:

SEC. 15.2 *Certificates may be used at any time.* (a) Certificates issued on or after November 2, 1943, may be used at any time for the acquisition of processed foods. A "retailer" who "transferred" processed foods for a certificate may use it to acquire processed foods, if he does not have and is not required to have a ration bank account.

9. The second sentence of section 15.7 (a) is amended to read as follows: "The date inserted in the upper right corner shall be the date of issue."

This amendment shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5134; Filed, April 11, 1944; 12:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 127]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The third sentence of section 2.3 (d) is amended to read as follows: "the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15334, 15605, 16906; 9 F.R. 92, 573.

[1] 9 F.R. 1433, 1584, 2233, 2626, 2838, 3031.

[1] 9 F.R. 8, 104, 574, 695, 849, 1207, 1727, 1817, 1908, 2233, 2234, 2240.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15259, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054.

number of points a certificate is worth is shown on that certificate."

2. Section 9.4 (b) is amended to read as follows:

(b) *Certificates and ration coupons.* Any certificate issued on or after October 13, 1943, may be deposited at any time. Ration coupons may be deposited at any time.

3. The headnote to section 9.4 (c) is amended by deleting the words "or certificates" and section 9.4 (c) is amended by deleting the words "or certificate."

4. The second sentence of section 10.4 (h) is deleted.

5. The second sentence of section 10.4 (i) (1) is amended by deleting the words "or certificates".

6. Section 10.5 (e) (2) is amended by deleting the third and fourth sentences.

7. Section 16.1 (b) (3) is amended to read as follows:

(3) The word "after" in the upper right corner shall be changed to "before" and the date inserted there shall be the date of issue.

8. Section 16.2 is amended to read as follows:

SEC. 16.2 *Certificates may be used at any time.* (a) Certificates issued on or after November 2, 1943, may be used at any time for the acquisition of foods covered by this order. A "retailer" who "transferred" foods covered by this order for a certificate may use it to acquire such foods, if he does not have and is not required to have a ration bank account.

11. The second sentence of section 16.7 (a) is amended to read as follows: "The date inserted in the upper right corner shall be the date of issue."

This amendment shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5133; Filed, April 11, 1944; 12:11 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 48]

LUGGAGE IN TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 373 is amended in the following respect:

Section 64 is added to read as follows:

SEC. 64. *Ceiling prices for sales of imported luggage at wholesale and retail—* (a) *Scope of this section.* This section applies to sales at wholesale and sales at retail of all leather and non-leather luggage which has been imported into the Territory of Hawaii. "Luggage" means any container commonly used for the transportation of personal effects on a journey; for example, furlough bags, zipper bags, utility kits, utility bags and cases, travel cases, buddy kits, overnight cases, travel packs, duffel bags, weekend cases, Pullman cases, men's wardrobes, foot lockers, suitcases and trunks. In addition, the term "luggage" includes physician's bags, sample cases, sample trunks, brief cases and school bags. Furthermore, the term "luggage" as used in this section includes only new luggage; used or reconditioned luggage is not covered by this section.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices for luggage in the following manner:

(1) For out of stock sales: First, multiply your manufacturer's or original importer's selling price by 1.25. Then to this amount add your landing costs. The resulting price is your ceiling price.

(2) For sales on a drop shipment basis: Multiply your manufacturer's or original importer's selling price by 1.17. The resulting price is your ceiling price.

(3) For sales of luggage purchased from a local wholesaler: If you purchased a luggage item from another local wholesaler whose ceiling price is established under subparagraphs (1) and (2) above, you must secure a written record of your supplier's ceiling price. Your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices in the following manner:

(1) For sales of articles purchased directly from your mainland manufacturer or original importer: First: multiply your manufacturer's or original importer's selling price by 1.87. To this amount add your landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(2) For sales of articles purchased directly from mainland wholesalers: First, multiply your wholesaler's selling price by 1.58. To this amount add your landing cost and the Federal excise tax and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(3) For sales of articles purchased from local wholesalers out of locally warehoused stock: First, multiply the wholesaler's selling price, less the landing cost, by 1.50. To this amount add the landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(4) For sales of articles purchased from local wholesalers on a drop shipment basis: First, multiply your manufacturer's or original importer's selling price by 1.87. To this amount add your landing cost and the Federal excise tax, and adjust to the nearest 5¢. The resulting price is your ceiling price, inclusive of Federal excise tax.

(d) *Inability to determine ceiling prices.* If you are unable to determine your ceiling price of any luggage item, you shall apply to the Office of Price Administration for the establishment of a ceiling price.

(e) *Landing cost—*(1) *Landing cost for articles imported from the mainland.* Landing cost, in the case of articles imported from the mainland, shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement; *Provided*, That the commodity is moved from a dock at the purchaser's expense.

(2) *Landing cost in cases of interisland shipments.* In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of divisions (iii), (iv) and (v), above.

(f) *Posting and marking of prices—* (1) *Posting.* On and after the effective date of this section, any person who sells or offers to sell any luggage item at retail shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in a department or portion of his premises

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14686, 15253, 15369, 15851, 15852, 15862, 16666, 16997, 17201; 9 F.R. 173, 393.

where such article is sold or offered for sale, a sign stating, "Each article of luggage in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* On and after the effective date of this section, every person who sells or offers for sale any luggage item at retail shall attach to the top or handle of the item a tag containing in easily readable lettering a statement of the retail ceiling price, retail selling price and the manufacturer's lot number and size. The statement shall be in the following form:

O. P. A. retail ceiling price including federal excise tax_____
Selling price_____
Stock or lot number_____
Size_____
Do not detach

The tag may not be removed until after the luggage has been delivered to the consumer.

Section 10 (b) of Maximum Price Regulation No. 373 shall not apply to this section.

(g) *Records and invoices.* In addition to such records as the seller is required to keep under section 10 (a) (1) of this regulation, every person making a sale of a luggage item other than at retail shall furnish the buyer at the time of the delivery of the article with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of article sold, manufacturer's lot number and size, the amount of the "landing cost" for each article if paid by the seller, the price charged and received therefor, and the retailer's ceiling price, inclusive of excise tax, for each article as calculated under paragraph (c).

(h) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all allowable discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.[2]

(2) "Original importer's selling price" means the price at which the mainland original importer of the article from outside continental United States sold and invoiced it, less all discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Wholesaler's selling price" means the price appearing on the wholesaler's stock, sells out of stock and which were invoiced and shipped to the establishment of the seller.

(5) "Sales on a drop shipment basis" means sales of articles which the seller does not carry in stock, which are not sold out of stock and which are not shipped to the establishment of the seller.

This amendment shall become effective as of April 1, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5136; Filed, April 11, 1944; 12:09 p. m.]

PART 1420—BREWERY, DISTILLERY, AND WINERY PRODUCTS

[MPR 250, as Amended, Corr. to Amdt. 4[1]]

DOMESTIC MALT BEVERAGES

In Table 2 of § 1420.63 (c) the specified permitted increase of "13 cents" per case of 24 12-ounce bottles is corrected to read "15 cents".

In subparagraph (2) of § 1420.66 (c) the specified permitted increase of "13 cents" per case of 12 24-ounce bottles is corrected to read "15 cents".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
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PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[3] Amdt. 8]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 1.2 (a) is amended to read as follows:

(a) There are eight "types" of equipment covered by this order: heating stoves of three fuel types: (1) coal or wood heating stoves, (2) oil heating stoves, (3) kerosene heating stoves, (4) gasoline heating stoves, (5) those using kerosene or gasoline as a fuel), (6) gas cooking stoves, (7) "combination stoves"; and (8) conversion burners. Whenever the word "stove" is used in this order, without referring to any particular type, all eight types are being referred to.

2. Section 1.3 (a) is amended by substituting for the last sentence the following: "'Persons' who sell stoves replenish their stocks by giving up to the persons from whom they acquire stoves, certificates which they get from their customers or from their boards."

3. Section 3.5 (a) (1) is amended to read as follows:

(1) In computing registered inventory, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination heating and cooking stoves are treated as gas cooking stoves. Conversion burners may not be included in registered inventory.

4. Section 3.6 (a) (1) is amended to read as follows:

(1) In computing his report of sales, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination cooking and heating stoves are treated as gas cooking stoves.

5. Section 3.7 (a) is amended to read as follows:

(a) *General*—(1) *Business started before January 1, 1943.* Every dealer or distributor is entitled to an operating inventory, called an "allowable inventory", for each establishment if stocks of stoves were kept at the establishment (or its predecessor) during either 1941 or 1942. The allowable inventory will cover each type of stove transferred in either year except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(2) *Business started after January 1, 1943.* If a business was started on or after January 1, 1943 (but before July 1, 1943), and stocks of stoves were kept, the establishment is entitled to an allowable inventory covering each type of stove which was transferred except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(3) *Business started after July 1, 1943.* If a business was started on or after July 1, 1943, the allowable inventory, if any, is determined under section 9.3.

(4) *Application under section 3.8 where particular type inventory not allowed.* If a dealer or distributor is not entitled to any allowable inventory for a particular type or types of stove, he may apply for relief under section 3.8.

6. Section 5.1 (b) is amended by deleting the parenthetical sentence "(Where

where such article is sold or offered for sale, a sign stating, "Each article of luggage in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* On and after the effective date of this section, every person who sells or offers for sale any luggage item at retail shall attach to the top or handle of the item a tag containing in easily readable lettering a statement of the retail ceiling price, retail selling price and the manufacturer's lot number and size. The statement shall be in the following form:

O. P. A. retail ceiling price including federal excise tax_____
Selling price_____
Stock or lot number_____
Size_____
Do not detach

The tag may not be removed until after the luggage has been delivered to the consumer.

Section 10 (b) of Maximum Price Regulation No. 373 shall not apply to this section.

(g) *Records and invoices.* In addition to such records as the seller is required to keep under section 10 (a) (1) of this regulation, every person making a sale of a luggage item other than at retail shall furnish the buyer at the time of the delivery of the article with a written invoice or sales memorandum, setting forth the date of sale, the name and address of the buyer and seller, quantity and description of article sold, manufacturer's lot number and size, the amount of the "landing cost" for each article if paid by the seller, the price charged and received therefor, and the retailer's ceiling price, inclusive of excise tax, for each article as calculated under paragraph (c).

(h) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all allowable discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.[2]

(2) "Original importer's selling price" means the price at which the mainland original importer of the article from outside continental United States sold and invoiced it, less all discounts and allowances except cash discounts up to 8%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all allowable discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charges permitted under the Second Revised Maximum Export Regulation.

(4) "Out of stock sales" means sales of articles which the seller carries in stock, sells out of stock and which were invoiced and shipped to the establishment of the seller.

(5) "Sales on a drop shipment basis" means sales of articles which the seller does not carry in stock, which are not sold out of stock and which are not shipped to the establishment of the seller.

This amendment shall become effective as of April 1, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, F.R. 7871, E.O. 9328, 8 F.R. 4681)

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PART 1420—BREWERY, DISTILLERY, AND WINERY PRODUCTS

[MPR 289, as Amended, Corr. to Amdt. 4[1]]

DOMESTIC MALT BEVERAGES

In Table 2 of § 1420.63 (c) the specified permitted increase of "13 cents" per case of 24 12-ounce bottles is corrected to read "15 cents".

In subparagraph (2) of § 1420.66 (c) the specified permitted increase of "13 cents" per case of 12 24-ounce bottles is corrected to read "15 cents".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5137; Filed, April 11, 1944; 12:10 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 8]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 1.2 (a) is amended to read as follows:

(a) There are eight "types" of equipment covered by this order: heating stoves of three fuel types: (1) coal or wood heating stoves, (2) oil heating stoves (including those using kerosene or gasoline as a fuel), (3) gas heating stoves; cooking stoves of the same three fuel types: (4) coal or wood cooking stoves, (5) oil cooking stoves (including those using kerosene or gasoline as a fuel), (6) gas cooking stoves, (7) "combination stoves"; and (8) conversion burners. Whenever the word "stove" is used in this order, without referring to any particular type, all eight types are being referred to.

2. Section 1.3 (a) is amended by substituting for the last sentence the following: "'Persons' who sell stoves replenish their stocks by giving up to the persons from whom they acquire stoves, certificates which they get from their customers or from their boards."

3. Section 3.5 (a) (1) is amended to read as follows:

(1) In computing registered inventory, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination heating and cooking stoves are treated as gas cooking stoves. Conversion burners may not be included in registered inventory.

4. Section 3.6 (a) (1) is amended to read as follows:

(1) In computing his report of sales, cooking stoves using coal and gas, or oil and gas, are treated as gas cooking stoves. Combination cooking and heating stoves are treated as gas cooking stoves.

5. Section 3.7 (a) is amended to read as follows:

(a) *General*—(1) *Business started before January 1, 1943.* Every dealer or distributor is entitled to an operating inventory, called an "allowable inventory", for each establishment if stocks of stoves were kept at the establishment (or its predecessor) during either 1941 or 1942. The allowable inventory will cover each type of stove transferred in either year except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(2) *Business started after January 1, 1943.* If a business was started on or after January 1, 1943 (but before July 1, 1943), and stocks of stoves were kept, the establishment is entitled to an allowable inventory covering each type of stove which was transferred except that combination stoves will be included in the allowable inventory for gas cooking stoves.

(3) *Business started after July 1, 1943.* If a business was started on or after July 1, 1943, the allowable inventory, if any, is determined under section 9.3.

(4) *Application under section 3.8 where particular type inventory not allowed.* If a dealer or distributor is not entitled to any allowable inventory for a particular type or types of stove, he may apply for relief under section 3.8.

6. Section 5.1 (b) is amended by deleting the parenthetical sentence "(Where a certificate is issued for a combination stove, it must so state.)"

7. Section 6.2 (a) is amended to read as follows:

(a) Stoves covered by this order may be transferred and "acquired" only if the transferee gives up to the seller or transferor "certificates" for the number and "type" of stoves transferred. (If the stove to be transferred to a "consumer" is a "combination stove," only a combination stove designed to use the fuel for heating specified on the certificate may be transferred to him.) However, if the stove is transferred to any "person" other than a consumer, the transferee may give up a combination stove certificate for a "gas cooking stove" or a gas cooking stove certificate for a combination stove. The certificates must be given up at the time stated in the next section. They must be endorsed on the back by the person to whom issued and by each person who later uses them to acquire stoves, or by someone authorized to sign for him.

8. Section 13.1 (a) (17) is amended by renumbering (vii) as (viii) and by inserting a new subdivision (vii) as follows:

(vii) A combination stove which is a combination heating and cooking stove, designed as a two-part stove to use gas in the cooking burners and coal or wood, or oil or gas in the heating burners; and,

9. Section 13.1 (a) (17) is further amended by deleting the phrase "a combination heating and cooking stove," in the undesignated paragraph following the subparagraph.

10. Section 13.1 (a) (19) is amended by changing the word "seven" to the word "eight".

This amendment shall become effective April 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-8, 8 F.R. 6018)

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5125; Filed, April 11, 1944; 12:12 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amdt. 31]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289 is amended in the following respect:

Section 1351.1526 (b) is amended to read as follows:

(b) *Sales by or through brokers, jobbers and other persons, in bulk or bulk packed.* (1) The maximum prices on sales of condensed milk products, in bulk and bulk packed, by or through brokers, jobbers and other persons to any class of purchasers shall not exceed the maximum prices set forth in paragraph (a) for processors, except that,

(i) In the case of a jobber, as defined in subdivision (iv), who resold condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum price (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business plus the appropriate markup (in cents per liquid pound) as follows:

	Cents
Plain condensed skim milk	3/5
Super-heated condensed skim milk	3/5
Plain condensed milk:	
When sold in original container	3/5
When repacked by jobber and sold in lots of less than 50 pounds	1/2
Super-heated condensed milk	3/5
Sweetened condensed skim milk	9/10
Sweetened condensed milk	9/10
Miscellaneous condensed product	9/10

(ii) In the case of a jobber, as defined in subdivision (iv), who did not resell condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum price (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business.

(iii) In the event a sale is made on a delivered basis by a jobber, as defined in subdivision (iv), his maximum price shall be increased by the cost of transportation (exclusive of icing cost, if any) from the jobber's place of business to the buyer's customary receiving point computed in the same manner as delivery charges by a processor are computed in paragraph (a) (4).

(iv) The term "jobber" as used in subdivision (i) (ii) and (iii) above means and is limited to a person who purchases from a processor all bulk condensed milk products he sells (for his own account) and customarily receives shipment, in large or carload lots, at a warehouse owned or leased and maintained by him and not owned or controlled by any processor of condensed milk products or by any of the jobber's customers and whose daily sale to any customer of any of the bulk condensed milk products listed in subdivision (i) above, does not exceed 1,350 pounds.

(v) "Jobber's place of business" means the place where the jobber's warehouse described in subdivision (iv) above, is located.

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5177; Filed, April 12, 1944; 12:00 m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 28]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 1.2 (b) is added to read as follows:

(b) Any item included in the definition of processed foods but having no point value assigned to it on the Official Table of Point Values, is deemed to have a point value of zero.

2. Appendix A is amended by striking the following items from the list:

Dry blackeye peas (otherwise known as dry blackeye beans)
Garbanzo beans

3. Appendix A is amended by adding, to the item "dry cow peas" the following parenthetical phrase: "(other than blackeye peas)".

This amendment shall become effective April 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 12th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5176; Filed, April 12, 1944; 12:00 m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 47]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 41 of Maximum Price Regulation No. 373 is amended in the following respects:

1. Paragraph (e) (2) (ii) is amended by adding the following sentence: "If the retailer is located on the Island of Lanai, no transportation allowance for freight or cartage may be included in 'net cost', as defined above."

2. Paragraph (f) (3) is amended by adding the following sentences: "Malted

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10990; 8 F.R. 490, 1456, 1885, 1972, 2252, 3327, 4335, 4337, 4338, 4513, 4918, 6440, 7566, 7593, 8276, 8751, 9330, 9229, 10667, 11245, 13227, 15428, 15455, 16524, 16842, 16836; 9 F.R. 2135, 2289.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12290, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15263, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

[1] 8 F.R. 4132, 5087, 7662, 9068, 15103; 9 F.R. 1036.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2392.

[1] 8 F.R. 11564, 12749, 13060, 14049, 15264; 9 F.R. 92, 848, 908, 3294.

milk (both chocolate and plain) when sold in grocery stores, shall be considered a beverage concentrate. Malted milk tablets are not covered by this section."

3. Paragraph (f) (10) is amended to read as follows:

(10) "Starches, edible", means any edible starches such as corn or potato starch.

4. Paragraph (f) (23) is amended by deleting the last sentence and inserting therefor the following sentence: "This category does not include butter, cheese, powdered skim milk and fresh milk."

5. Paragraph (f) (28) is amended to read as follows:

(28) "Pet foods" means all kinds of pet foods, packaged, bulk, canned or dry, and "pet supplies" includes, but is not limited to, such supplies as cuttle bone and gravel. Pet supplies sold in pet shops are not covered by this section.

6. Table A (b) (3) is amended by deleting the categories set forth therein for plain ovaltine and inserting the following categories to read as follows:

	Ceiling price per unit
Ovaltine, plain, 14 oz.	$0.82
Ovaltine, plain, 6 oz.	.43
Ovaltine, chocolate, 16 oz.	.82
Ovaltine, chocolate, 8 oz.	.43

7. Table A (b) (5) (i) is amended by deleting the description of the category "Tens, Assorted Kellogg" and inserting therefor the following description "Kellogg's, Assorted V–12."

8. Table A (b) (7) is amended by changing the caption, the prices of certain items, and the sentence contained at the end thereof, all to read as follows:

MUSTARD, VINEGAR, SOY, CATSUP, TOMATO SAUCE OR PASTE AND MISO

	Ceiling price per unit
Catsup:	
Sunstrand, 14 oz.	$0.18
Soya Sauce:	
Kikkoman, 10 oz.	.25
Vinegar:	
Cider, 16 oz.	.15
Cider, 32 oz.	.25
Distilled, 16 oz.	.15
Distilled, 32 oz.	.25
Wine, 16 oz.	.15
Wine, 32 oz.	.25

For all other baker's and family flour the maximum price shall be determined by multiplying the invoice cost by 1.2.

12. Table A (b) (17b) is amended by changing the prices of two items and adding one item to read as follows:

	Ceiling price per unit	
Fruit cocktail:		
Exquisite, 16 oz.	$0.22	
Stokely, 16 oz.	.22	
Oranges:		
Mandarin, 11 oz.	$0.13	2 for $0.25

13. Table A (b) (18) is amended by adding the words "FSCC only" to the last item.

14. Table A (b) (19) is amended by changing the prices of certain items and adding certain items to read as follows:

	Ceiling price per unit
Apricot nectar:	
Heart's Delight, 12 oz.	$0.12
Orange juice:	
Absopure, 12 oz.	.21
Papaia:	
Haley's Papaia Nectar, No. 2 can	.17
Tomato juice:	
All brands, No. 2 can	.13
All brands, No. 2½ can	.18
All brands, 13½ oz.	.10
All brands, 47 oz.	.31
All brands, 8 oz.	.07

15. Table A (b) (22a) is amended by deleting the category "Deviled Ham, Underwood, 3 oz." and substituting the following two items:

	Ceiling price per unit
Deviled Ham, Underwood, 3 oz. tin	$0.22
Deviled Ham, Underwood, 3 oz. glass	.24

16. Table A (b) (23) is amended by changing the price of Evaporated Milk, one 14½ oz. can from "12 cents" to "12½ cents".

17. Table A (b) (27) is amended by changing the price of one item and adding one item to read as follows:

	Ceiling price per unit
Eagle Brand:	
Round Fancy Maruba Noodles, 8 oz.	$0.15
Flat Fancy Maruba Noodles, 8 oz.	.15

21. Table A (b) (34) (ii) is amended by changing the caption to read: "*Oysters, barracuda, codfish, codfish cakes, fish flakes, squid and dried or shredded seafood*" and by changing the sentence at the end thereof to read: "For all other oysters, barracuda, codfish, codfish cakes, fish flakes, squid and dried or shredded seafood, the division factor is .80."

22. Table A (b) (37) is amended by changing three items to read as follows:

	Ceiling price per unit	
	Old style	New condensed
Campbell's Soups:		
Pea, No. 1		$0.14½ can
Asparagus, No. 1		.14½ can
Bean with Bacon, No. 1		.14½ can

23. Table A (b) (41) is amended by deleting the category reading "Granulated White Sugar All Brands, bagged or bulk" and substituting therefor the following:

	Ceiling price per unit
Granulated white sugar, 100 lbs.	$6.60
Granulated white sugar, 25 lbs.	1.70
Granulated white sugar, 10 lbs.	.69
Granulated white sugar, 5 lbs.	.35
Granulated white sugar, 1 lb.	.07

24. Table A (b) (42) is amended by changing one item to read as follows:

	Ceiling price per unit
Syrups:	
Log Cabin, 24 oz. glass	$0.47

25. Table A (b) (44) is amended by changing two items to read as follows:

	Ceiling price per unit
Asparagus:	
Rialto, All, No. 2 can	$0.33
Sauerkraut:	
Champion, 27 oz. glass	.26

milk (both chocolate and plain) when sold in grocery stores, shall be considered a beverage concentrate. Malted milk tablets are not covered by this section."

3. Paragraph (f) (10) is amended to read as follows:

(10) "Starches, edible", means any edible starches such as corn or potato starch.

4. Paragraph (f) (23) is amended by deleting the last sentence and inserting therefor the following sentence: "This category does not include butter, cheese, powdered skim milk and fresh milk."

5. Paragraph (f) (28) is amended to read as follows:

(28) "Pet foods" means all kinds of pet foods, packaged, bulk, canned or dry, and "pet supplies" includes, but is not limited to, such supplies as cuttle bone and gravel. Pet supplies sold in pet shops are not covered by this section.

6. Table A (b) (3) is amended by deleting the categories set forth therein for plain ovaltine and inserting the following categories to read as follows:

	Ceiling price per unit
Ovaltine, plain, 14 oz.	$0.62
Ovaltine, plain, 6 oz.	.43
Ovaltine, chocolate, 16 oz.	.62
Ovaltine, chocolate, 8 oz.	.43

7. Table A (b) (5) (i) is amended by deleting the description of the category "Tens, Assorted Kellogg" and inserting therefor the following description "Kellogg's, Assorted V–12."

8. Table A (b) (7) is amended by changing the caption, the prices of certain items, and the sentence contained at the end thereof, all to read as follows:

MUSTARD, VINEGAR, SOY, CATSUP, TOMATO SAUCE OR PASTE AND MISO

	Ceiling price per unit
Catsup:	
Sunstrand, 14 oz.	$0.18
Soya Sauce:	
Kikkoman, 1 gal.	5.14
Vinegar:	
Heinz Tarragon, 1 pt.	.35
Heinz Malt, 1 pt.	.30

For all other mustard, vinegar, soy, catsup, tomato sauce or paste and miso, the division factor is .80.

9. Table A (b) (10) is amended by changing the caption to read "Starch, edible" and the sentence contained at the end thereof to read: "For all other edible starches, such as corn or potato, the division factor is .80."

10. Table A (b) (13) is amended to read as follows:

(13) *Dessert preparations.* For all other dessert preparations, specifically fruit cake packaged or tinned, and puddings, the division factor is .75.

11. Table A (b) (14) is amended to read as follows:

(14) *Flour, baker's and family.*

	Ceiling price per unit
Flour, family, 4.9 lbs.	$0.38
Flour, family, 49 lbs.	2.74
Flour, family, 5 lbs.	.34
Flour, family, 50 lbs.	2.80

For all other baker's and family flour the maximum price shall be determined by multiplying the invoice cost by 1.2.

12. Table A (b) (17b) is amended by changing the prices of two items and adding one item to read as follows:

	Ceiling price per unit	
Fruit cocktail:		
Exquisite, 16 oz.	$0.22	
Stokely, 16 oz.	.22	
Oranges:		
Mandarin, 11 oz.	$0.13	2 for $0.25

13. Table A (b) (18) is amended by adding the words "FSCC only" to the last item.

14. Table A (b) (19) is amended by changing the prices of certain items and adding certain items to read as follows:

	Ceiling price per unit
Apricot nectar:	
Heart's Delight, 12 oz.	$0.12
Orange juice:	
Absopure, 12 oz.	.21
Papaia:	
Haley's Papaia Nectar, No. 2 can	.17
Tomato juice:	
All brands, No. 2 can	.13
All brands, No. 2½ can	.18
All brands, 13½ oz.	.10
All brands, 47 oz.	.31
All brands, 8 oz.	.07

15. Table A (b) (22a) is amended by deleting the category "Deviled Ham, Underwood, 3 oz." and substituting the following two items:

	Ceiling price per unit
Deviled Ham, Underwood, 3 oz. tin	$0.22
Deviled Ham, Underwood, 3 oz. glass	.24

16. Table A (b) (23) is amended by changing the price of Evaporated Milk, one 14½ oz. can from "12 cents" to "12½ cents".

17. Table A (b) (27) is amended by changing the price of one item and adding one item to read as follows:

	Ceiling price per unit
Eagle Brand:	
Round Fancy Maruba Noodles, 8 oz.	$0.15
Canton Poppy Noodles, 14 oz.	.15

18. Table A (b) (28) is amended by changing the caption to read "Pet Food and Supplies" and the sentence contained at the end thereof to read: "For all other pet foods and other pet supplies, the division factor is .80."

19. Table A (b) (31) is amended by changing one item to read as follows:

	Ceiling price per unit
Skippy Creamy Peanut Butter, 1½ lb. glass	$0.67

20. Table A (b) (32) is amended to read as follows:

(32) Rice (pounds)	U.S. No. 1	U.S. No. 2	U.S. No. 3 and Brown	U.S. No. 4	U.S. No. 5
100	$6.86	$6.70	$6.60	$6.17	$6.00
50	4.50	4.40	4.33	4.14	4.05
25	2.35	2.23	2.20	2.06	2.15
10	.96	.90	.89	.86	.86
5		.19			
1	.10	.10	.09	.09	.09

For all other rice the maximum price shall be determined by multiplying the invoice cost by 1.3.

21. Table A (b) (34) (ii) is amended by changing the caption to read: "*Oysters, barracuda, codfish, codfish cakes, fish flakes, squid and dried* or *shredded seafood*" and by changing the sentence at the end thereof to read: "For all other oysters, barracuda, codfish, codfish cakes, fish flakes, squid and dried or shredded seafood, the division factor is .80."

22. Table A (b) (37) is amended by changing three items to read as follows:

	Ceiling price per unit	
	Old style	New condensed
Campbell's Soups:		
Pea, No. 1		$0.14½ can
Asparagus, No. 1		.14½ can
Bean with Bacon, No. 1		.14½ can

23. Table A (b) (41) is amended by deleting the category reading "Granulated White Sugar All Brands, bagged or bulk" and substituting therefor the following:

	Ceiling price per unit
Granulated white sugar, 100 lbs.	$6.80
Granulated white sugar, 25 lbs.	1.70
Granulated white sugar, 10 lbs.	.69
Granulated white sugar, 5 lbs.	.35
Granulated white sugar, 1 lb.	.07

24. Table A (b) (42) is amended by changing one item to read as follows:

	Ceiling price per unit
Syrups:	
Log Cabin, 24 oz. glass	$0.47

25. Table A (b) (44) is amended by changing two items to read as follows:

	Ceiling price per unit
Asparagus:	
Rialto, All, No. 2 can	$0.38
Sauerkraut:	
Champion, Qt. glass	.26

26. The table following Table B (b) is amended to read as follows:

Definition No. (see par. (f))	Commodity	Size	Ceiling price
6	Carnation Wheat Flakes, Premium.	48 oz.	$0.47
8	Sperry Wheat Hearts	14 oz.	.18
7	Yoh Tomato Catsup	14 oz.	.19
7	Yoh Tomato Catsup	12 oz.	.17
7	French's Prepared Mustard.	6 oz.	.12
7	King's Shoyu	1 gal.	1.96
7	King's Shoyu	27 oz.	.43
7	King's Shoyu	11 oz.	.29
7	D. D. Shoyu	1 gal.	1.43
8	Kitchen Bouquet	4 oz. cont.	.51
12	Sunstrand Catsup	15 oz.	.18
17	V-B Apple Sauce	No. 2 can	.15
17	S & W Apple Sauce	No. 2 can	.21
17	Oak Compote Pears	32 oz.	.31
18	Absopure Orange Juice	12 oz.	.16
20	Durkee French Dressing	8 oz.	.20
22	FSCC Dried Beef	7 oz.	.48
22	V-B Sheep Tongue	No. 1 can	.26
23	V-B Sheep Tongue	No. ½ can	.25
23	Swift's Pork Brains	12 oz.	.16
24	Planters Peanuts	5 oz.	.10
26	Albers Friskies	2 lb.	.22
26	Albers Friskies	12 oz.	.11
44	Tuna, Blue Sea Fancy White Meat.	No. ½ can	.48

Definition No. (see par. (f))	Commodity	Size	Ceiling price
44	Tuna, All White Solid Pack.	No. ½ can	$0.48
44	Tuna, Halfhill Light Meat.	No. ½ can	.48
44	Tuna, Luxury grated	No. ½ can	.40
44	Sea View Barracuda	6 oz.	.40
44	Oysters, High Sea or Mississippi Miss.	7 oz.	.43
46	NuBora Granulated Soap.	Giant Size	.76
46	NuBora Granulated Soap.	Large Size	.30
41	Sugar, granulated white, bulk.	1 lb.	.07
41	Sugar, granulated white, bagged.	10 lbs.	.72
41	Sugar, granulated white, bagged.	5 lbs.	.37
42	Karo Red Label Syrup	24 oz. glass	.22
42	Karo Red Label Syrup	24 oz. tin	.20
44	Hearts Delight Asparagus.	No. 3 can	.28
44	Del Monte Diced Beets	No. 303 glass	.18
44	Del Monte Sliced Beets	No. 303 glass	.20

27. The table following Table C (b) is amended to read as follows:

Definition No. (see par (f))	Commodity	Size	Ceiling price
5	Albers Quick Oats and Regular, with premium.	48 oz.	$0.48
5	Albers Wheat Flakes, with premium.	48 oz.	.48
5	Sperry Wheat Hearts	14 oz.	.18
7	CHB Catsup	14 oz.	.22
7	CHB Soya	32 oz.	.55
7	Jan-U-Wine 6 Star Soya	1 gal.	2.11
7	Paradise Soya	1 gal.	1.73
7	Paradise Soya	1 qt.	.47
7	Pala Shoyu	1 gal.	2.10
7	Pala Shoyu	1 qt.	.56
7	Maui Shoyu	1 gal.	2.11
7	King Shoyu	1 gal.	1.96
7	King Shoyu	27 oz.	.43
7	King Shoyu	11 oz.	.29
7	Heinz Malt Vinegar	1 pt.	.35
7	Heinz Tarragon Vinegar	1 pt.	.40
12	Jello	3 oz.	.09 3 for .25
12	Royal Puddings	3¼ oz.	.09 3 for .25
18	Sperry Cornmeal (all types).	16 oz.	.13
17	Libby Fruit Cocktail	No. 2½ can.	.37
17	S & W Fruit Cocktail	No. 2½ can.	.43
17	Mandarin Oranges	11 oz.	.14
19	Martinelli Apple Juice	32 oz.	.30
19	Martinelli Apple Juice	12 oz.	.13
19	Olmite Grapefruit Juice	No. 2 can	.20
19	Absopure Orange Juice	12 oz.	.20
19	Libby's Orange Juice	12 oz.	.18
21	Lynden Twister Noodle Dinner.	16 oz.	.19
21	Lynden Minced Chicken.	4 oz.	.46
21	Lynden Boned Turkey	8 oz.	1.04
21	Lynden Chicken a la King.	16 oz.	.50
22	FSCC Dried Beef	7 oz.	.46
23	Underwood Deviled Ham.	3 oz.	.17
23	"V.-B." Sheep Tongue	No. ½ tin	.26
23	Armour's Star Lunch Tongue.	No. ½ tin	.23
27	Fontana Paste Products	8 oz. pkg.	.11
27	Royal Spaghetti and Macaroni.	8 oz. pkg.	.10
31	Mary Ellen Orange Marmalade.	2 lbs.	.47
34	Bolero Cuban Rock Lobster.	5¼ oz.	.67
35	Oxydol	Giant	.88
40	Clorox	1 qt.	.21
40	Sapolio	Cake	.12
42	Log Cabin Syrup	24 oz. glass	.48
44	T & M Asparagus Tips	1 Tall	.26
44	Libby Pumpkin	2½ glass	.21
44	Tru-Hawaiian Maui Soy Beans with Pork.	7 oz.	.13

28. The table following Table D (b) is amended to read as follows:

Definition No. (see par. (f))	Commodity	Size	Ceiling price
5	Cream O'Wheat	28 oz.	$0.33
5	Quaker Oats, regular	48 oz.	.47
5	Mother's Obina Oats	48 oz.	.46
7	Radcliffe Shoyu	1 gal.	2.29
7	Radcliffe Shoyu	1 qt.	.73
7	King Shoyu	1 gal.	1.96
7	King Shoyu	27 oz.	.43
7	King Shoyu	11 oz.	.29
8	A-1 Sauce	11 oz.	.64
12	Jello	3 oz.	.09 3 for .25
12	Royal Gelatin	3¼ oz.	.09 3 for .25
16	Gold Medal Softasilk Cake Flour.	44 oz.	.37
17	Mandarin Oranges	11 oz.	.14
19	MacComber's Apple Juice.	32 oz.	.32
19	MacComber's Orange Juice.	12 oz.	.14
19	Absopure Orange Juice	12 oz.	.17
19	Libby Orange Juice	12 oz.	.18
20	Durkee Mayonnaise	8 oz.	.28
20	Dinner Bell Salad Dressing.	16 oz.	.29
22	FSCC Dried Beef	7 oz.	.46
34	Halfhills Horse Mackerel	No. 1 can	.21
34	Oysters, Clipper, High Seas and Mississippi Miss.	7 oz.	.43
41	Sugar, white granulated, bulk.	100 lbs.	6.91
41	Sugar, white granulated, bulk.	2 lbs.	.15
41	Sugar, white granulated, bulk.	1 lb.	.08
41	Sugar, white granulated, bagged.	10 lbs.	.72
41	Sugar, white granulated, bulk.	5 lbs.	.37
41	Hawaiian washed sugar	100 lbs.	5.70
41	Hawaiian washed sugar	1 lb.	.06
42	Ewa Cane Syrup	24 oz.	.35

29. The table following Table E (b) is amended to read as follows:

Definition No. (see para. (f))	Commodity	Size	Ceiling price
5	Albers Quick Oats and Regular, without premium.	48 oz.	$0.40
14	Flour, family	5 lbs.	.32
14	Flour, family	50 lbs.	2.75
22	Dried Beef, FSCC	7 oz.	.47
23	Pork Luncheon Meat, FSCC; Prem, Treet, all brands.	12 oz.	.42
23	Evaporated Milk	No. 1 can	.13
23	Evaporated Milk	2 cans	.26
23	Evaporated Milk	12 cans	1.47

	Size	U.S. No. 3 and brown	U.S. No. 4	U.S. No. 5
32 Rice:				
	100 lbs.	$6.53	$6.39	$6.15
	50 lbs.	4.28	4.19	4.13
	25 lbs.	2.15	2.13	2.09
	10 lbs.	.88		
	1 lb.	.09	.09	.09

	Size	Ceiling price
41	Sugar, white granulated	100 lbs.	$6.96
41	Sugar, white granulated	10 lbs.	.72
41	Sugar, white granulated	5 lbs.	.37

30. Table F is amended to read as follows:

TABLE F—MAXIMUM PRICES FOR THE ISLAND OF LANAI

(a) This table shall apply to the Island of Lanai only.

(b) The specific dollars and cents ceiling prices listed in Table A for the Island of Oahu shall apply to the Island of Lanai. To these prices may be added the differentials permitted by paragraph (d) below.

(c) In all cases where a specific dollar and cent ceiling price is not provided in Table A, the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41, and the appropriate division factor or multiplication factor named in Table A. No transportation costs from the Islands of Oahu or Maui to the Island of Lanai shall be included in "net cost". To the prices thus computed may be added the differentials permitted by paragraph (d) below.

(d) All retail grocery stores on the Island of Lanai may add 2% to the maximum retail sales prices listed or computed in accordance with this Table. This addition must be made as a separate computation at the time of payment. Prior to the addition of the 2% differential, stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential.

This amendment shall become effective as of March 15, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5178; Filed, April 12, 1944; 12:00 m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 188,[1] Amdt. 31]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 188 is amended in the following respects:

1. Section 17 (a) (1) is amended by changing the word "resells" to read "sells."

2. Section 20, Table 3 is amended by adding new items and changing the prices of certain items to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Cherries, Royal Ann White Rose	6/#10 tins	$7.55	$8.20	$1.80
Figs, Kadota, Fancy F & P	48/#1 tins	7.80	8.60	.23
Fruit Cocktail:				
Hunt's Supreme	24/#2 ½ can	7.30	8.25	.45
Libby	12/#2 ½ glass	4.20	4.75	.51
Peaches, fancy sliced Elberta Star	24/#2 ½ tins	7.75	8.50	.46
Peaches, yellow cling Certified (checkers)	6/#10 tins	5.20	5.70	1.23
Peaches, halves, Libby	24/#2 ½ can	5.80	6.65	.36
Peaches, sliced standard:				
Libby	12/#2 ½ glass	3.55	4.05	.44
Libby	24/#2 ½ can	5.85	6.70	.36
Val-Vita	24/#2 ½ can	5.10	5.85	.32

3. Section 20, Table 3a is amended by adding new categories as follows:

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Peach jam:				
Del Monte	24/1# jars	$5.25	$6.00	$0.28
Del Monte	12/2# jars	4.85	5.55	.60
Plum jam:				
Del Monte	24/1# jars	5.45	6.25	.28
Del Monte	12/2# jars	5.05	5.80	.62
Del Monte	6/5# tin	4.70	5.40	1.17
Raspberry jam:				
Del Monte	24/1# jar	7.95	9.00	.49

4. Section 21, Table 4 is amended by adding a new item and changing the price of one item to read as follows:

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Pear nectar, fancy: Pacific Gold	48/12 ounce tins	$4.55	$5.05	{$0.14 or 2 for 27¢
Pear juice: Libby	24/12 ounce bottles	3.40	3.80	.20

5. Section 22, Table 6a is amended by adding new items to read as follows:

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Deviled ham:				
Libby	24/¼	$3.45	$3.75	$0.19
Lunch tongues:				
Libby	24/½	4.70	5.10	.28
Armour Spiced Ham	6/8 tins	Pound .45	Pound .47	Pound .61

6. Section 24, Table 8 is amended by adding new items and changing the prices of certain items to read as follows:

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Catchup: Libby	24/14 ounce bottle	$3.85	$4.40	$0.24
Puree: Gibbs	48/10½ ounce	3.00	3.40	.09
Sauce:				
Del Monte	72/8 ounce tins	4.10	4.60	.08
Hunt's Supreme	72/8 ounce tins	3.85	4.45	.08
Libby	72/8 ounce tins	3.85	4.45	.08
Val-Vita	72/8 ounce tins	3.60	4.10	.07
Chili Sauce: Libby	24/12 ounce	5.15	5.80	.31

7. Section 24, Table 9 is amended by adding new items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato juice: Hunts Supreme	24/18 ounce tins	$2.40	$2.60	$0.16
Tomato juice, fancy: Pacific Gold	24/#2 tins	2.40	2.65	.16

8. Section 25, Table 10 is amended by adding new items and changing the prices of certain items to read as follows:

Items and brand names	Unit in cases	Price to wholesaler	Price at wholesale	Retail price (per unit)
Asparagus: Libby	24/#2 tins	$7.10	$8.15	$0.44
Beans with tomato sauce: Gibbs	24/19 ounce tins	3.60	3.90	.16
Beans, deep brown:				
Libby	24/14 ounce tins	3.75	3.15	.17
Libby	24/17 ounce glass	3.75	4.30	.23
Beans, stringless: Libby	24/#2 tins	3.65	4.20	.23
Beets, diced: Del Monte	12/#303 glass	1.95	2.25	.24
Beets, sliced:				
Libby	24/#2 tins	2.95	3.40	.18
Del Monte	24/#2 tins	3.70	4.25	.23
Del Monte	12/#303 glass	2.20	2.50	.27
Beets, whole:				
Libby	24/#2 tins	3.10	3.55	.19
Del Monte	12/#303 glass	2.35	2.70	.20
Carrots, diced: Del Monte	12/#303 glass	2.00	2.30	.25
Corn, Squat Home Style Golden Sweet (Libby)	24/#2 tin	3.00	3.40	[1] .16
Corn:				
Niblets	24/12 ounce tins	3.60	4.60	.26
Mexican Niblets	24/12 ounce tins	4.15	4.80	.26
Lima beans, garden: Libby	24/#2 tins	3.90	4.50	.24
Mixed vegetables: Libby	24/#2 tins	3.60	4.05	.23
Peas: Green Giant	24/20 ounce	4.60	5.25	.27
Peas, sweet ungraded: Garden Patch	24/20 ounce	4.55	5.20	.26
Peas, No. 2 Sieve Alaskas: Le Seur Pearl	24/17 ounce	3.95	4.60	.23
Peas, Medium Small No. 2 April Showers	24/17 ounce	3.75	4.35	.21

[1] Or 2 for 35 cents.

9. Section 29, Table 15 is amended by adding new items and changing the prices of one item to read as follows:

Brand	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
National Biscuit Co.: Gem (small)	Ctns. 6/8# packages	$19.95	$21.95	$2.25
Burry:				
Van Highland Cream	Ctns. 1/8/4 doz. packages	10.15	11.20	[1] .95
Chocolate Nut Cooky	Ctns. 1/8/4 doz. packages	10.15	11.20	[1] .95
Varies: Vanilla sandwiches	Ctns. 8/160's packages	12.70	14.00	[2] 1.00

[1] Per dozen packages or 5 cents per package.
[2] Per tin or 1 cent per cracker.

10. Section 32, Table 18 is amended by changing the prices of one item to read as follows:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sale at retail (price per pound)
Pure egg noodles, fine:			
El Yunque	12/1# packages	$2.40	$2.75	$0.29
El Yunque	24/½# packages	2.50	2.85	.15

15. Section 39, Table 27 is amended by adding new items to read as follows:

		To wholesaler	At wholesale	At retail (per unit)
Pure egg noodles, fine:				
El Yunque	12/1# packages	$2.40	$2.75	$0.29
El Yunque	24/½# packages	2.50	2.85	.15

Del Monte	72/8 ounce tins	4.10	4.60	.08
Hunt's Supreme	72/8 ounce tins	3.85	4.45	.08
Libby	72/8 ounce tins	3.85	4.45	.08
Val-Vita	72/8 ounce tins	3.60	4.10	.07
Chili Sauce: Libby	24/12 ounce	5.15	5.80	.31

10. Section 32, Table 18 is amended by changing the prices of one item to read as follows:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sale at retail (price per pound)
Shortening, hydrogenated bulk	$0.175	$0.19	$0.24

11. Section 32, Table 18a is amended by adding new items to read as follows:

Brand	Container size and unit	To wholesaler	At wholesale	At retail (per unit)
Olive oils:				
Reumberto	Ctns. 24/6 ounce tins	$9.40	$10.00	$0.50
Reumberto	Ctns. 24/8 ounce tins	11.90	12.80	.65
Reumberto	Ctns. 12/16 ounce tins	11.75	12.65	1.25
Vegetable oils: San Genaro	Ctns. 6/1 gallon tins	12.00	13.20	2.75

12. Section 33a, Table 19a is amended by adding a new item to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Cohoe salmon	Ctns. 48/1# talls	$12.50	$13.75	$0.37

13. Section 36, Table 21 is amended to read as follows:

TABLE 21.—MAXIMUM PRICES FOR WHEAT FLOUR

Item and brand name	Price to wholesalers (price per pound)	Prices at wholesale (price per pound)	Retail price (price per pound)
All types of hard and soft wheat flour	$0.038	$0.042	$0.05

14. Section 36, Table 23 is amended by adding new items to read as follows:

Items and brand names	Unit (contains)—	Price to wholesaler	Price at wholesale	Retail price (per unit)
General Mills:				
Purity Oats	12/42 oz. packages	$3.00	$3.40	$0.37
Purity Oats	24/20 oz. packages	3.25	3.70	.20
Gold Medal: Oats	24/14 oz. packages	3.26	3.65	.19
Mother Hubbard: Golden Center Toasted: Wheat Germ	12/1# packages	3.15	3.50	.37
Pillsbury:				
Sno-Sheen Cake Flour	100# net cots		6.50	
Sno-Sheen Cake Flour	12/2½# package	3.45	3.80	.30
Farina	18/1½# package	2.95	3.25	.22
Pancake Flour	24/1½# package	3.00	3.30	.18
Buckwheat Pancake Flour	12/1½# package	2.10	2.30	.24
Yellow Cornmeal	24/1½# package	2.35	2.70	.18

15. Section 39, Table 27 is amended by adding new items to read as follows:

		To wholesaler	At wholesale	At retail (per unit)
Pure egg noodles, fine:				
El Yunque	12/1# packages	$2.40	$2.75	$0.20
El Yunque	24/½# packages	2.50	2.85	.15
Pure egg noodles, medium:				
El Yunque	12/1# packages	2.40	2.75	.20
El Yunque	24/½# packages	2.50	2.85	.15
Spaghetti (semolina):				
El Yunque	24/1# packages	2.55	2.90	.16
El Yunque	48/½# packages	2.70	3.10	.09
Messani:				
El Yunque	24/1# packages	2.60	3.00	.16
El Yunque	48/½# packages	2.80	3.20	.09

16. Section 40, Table 31a is amended by adding new items to read as follows:

Brand	At Wholesale	At Retail (per unit)
Avonet light cream, 36/½ pints	$10.50	$0.30
Avonet milk mix, 24/cylinders	11.10	.60

17. Section 42, Table 33 is amended by adding a new size to the category "Maizena Duryea Brand", to read as follows:

	Sales to wholesalers	Sales at wholesale	Sales at retail (per unit)
Maizena Duryea brand, Ctns. 40/1# package	$3.65	$4.00	$0.13

18. Section 42, Table 33a is amended by changing the price of "Inedible Laundry Starch" as follows:

	To wholesalers	At wholesale	At retail
	Hundredweight	*Hundredweight*	
Inedible laundry starch	$5.00	$5.45	[1] $0.07

[1] Per pound, or 2 pounds for 13 cents.

19. Section 42, Table 33g is added to read as follows:

TABLE 33g—MAXIMUM PRICES FOR LAUNDRY BLUING

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Laundry bluing: All brands	Cases 12/1 gross sq.	$12.00	$14.40	4 squares for 5¢.
	Cases 100 ctns. of 32 sqs. each.	22.25	26.00	

20. Section 42, Table 33h is added to read as follows:

TABLE 33h—MAXIMUM PRICES FOR CERTAIN BOTTLED OLIVES AND CAPERS

Item and brand names	Unit (case of)—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Olives:				
Silvia Brand:				
Stuffed Manzanilla	24/2 oz	$4.05	$2.55	$0.15
Stuffed Manzanilla	24/4 ½ oz	5.70	6.15	.33
Stuffed Queen	12/14 oz	7.15	7.75	.44
Stuffed Queen	12/21 oz	9.85	10.65	1.15
Plain Queen	24/3 oz	2.80	3.05	.17
Plain Queen	24/5 ½ oz	4.70	5.20	.30
Plain Queen	12/14 oz	4.55	5.00	.53
Plain Queen	12/21 oz	6.25	6.75	.73
Libby Brand:				
Stuffed Manzanilla	24/5 cyl. 3 oz. net	4.35	4.90	.26
Queen Olives, thrown	12/32 mason jar (21 oz. net)	6.80	7.35	.85
Rosedale Stuffed Manzanilla, thrown	24/5 oz	3.95	4.35	.24
Rosedale, Stuffed Manzanilla, thrown	12/12	4.10	4.50	.48
Iberia Brand: Stuffed Olives	48/3 ½ oz	6.50	7.00	.19
Olives and Capers:				
Silvia Brand	24/2 oz	2.30	2.50	.14
Iberia Brand	48/3 ½ oz	4.45	4.90	.16

21. Section 42, Table 33i, is added to read as follows:

TABLE 33i—MAXIMUM PRICES FOR FOOD DRINKS

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Thompson Chocolate: Malted Milk	Cs. 12/10 tin		$4.40	$0.45
Ovaltine:				
Plain (small)	12/6 oz. in glass		3.80	.40
Chocolate (small)	12/8 oz. in glass		3.80	.40
Plain (large)	12/14 oz. in glass		7.10	.75
Chocolate (large)	12/16 oz. in glass		7.10	.75
Chocolate (hospital)	12/50 in glass		22.80	2.40
Cocomalt	24/8 oz. in glass		5.50	.30
Cocomalt	12/16 oz. in glass		4.75	.50
Kresto	Cins. of 285 pkgs. of 3 envelopes of 15 grams.		10.00	1.08

[1] Package of 3 envelopes.

22. Section 43 (b) (13) is amended by adding the municipalities Aibonito after Aguas Buenas; Arroyo after Arecibo; Coamo after Ciales; and Guayama after Guarbo.

23. Section 43 (b) (14) is amended by deleting the municipalities "Aibonito", "Arroyo", "Coamo", and "Guayama".

24. Section 45, Table 37 is amended by adding new items to read as follows:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Pickled pig's feet	$0.055	$0.092	$0.11
Smoked slab bacon (packed 8/12's)		.3095	.42
Smoked slab bacon (packed 12/14's)		.3375	.42
Smoked pork tenderloin		.5140	.60

25. Section 46, Table 38 is amended by adding new items to read as follows:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Senrac skinless franks		$0.3015	$0.44
Gemco skinless franks		.2975	.44
Gemco pork sausages		.2890	.34
Gemco pure pork sausages		.4230	.59
Fresh liverwurst		.3335	.47
Smoked liverwurst		.3720	.52
Gemco long bologna		.3060	.42
Gemco thick bologna		.3060	.42
Senrac long bologna		.2775	.39
Senrac thick bologna		.2778	.39

26. Section 47, Table 39 is amended by adding new items to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Toilet:				
Lux	250/2 ounce cakes	$7.40	$6.14	$0.04
Ivory medium	100/5 ounce cakes	7.60	6.34	.10
Ivory large	100/M ounce cakes	12.15	12.90	.17

27. Section 56, Table 46 is amended by adding new items to read as follows:

Item and brand	Size (in cases)	Importer-wholesaler	Retail price (per unit)
Scotch whiskey, special blend:			
Peter Dawson	12/4/5 qts	$44.00	$5.00
American gin: Three Feathers	12/4/5 qts	21.00	2.45
Table wine: Vino Espumoso Chamart	12/1	25.00	3.40
Champagne, Emperator	12/1	47.00	5.75
Cider:			
La Praviana	12/23 oz. fl	14.50	1.90
Real Cima	12/23 oz. fl	14.25	1.75
Vermouth:			
Pagani (sweet)	12/1 qt	16.25	1.95
Remondini (sweet)	12/1 qt	16.25	1.95
Suza (dry)	12/1 qt	18.00	2.10

28. Section 56, Table 48 is amended by adding a new brand to read as follows:

Item and brand	Unit	Price to wholesalers	Price at wholesale	Retail price (per unit)
Monterrey	25/11.4 oz. bottles	$7.75	$8.50	$0.42

29. Section 64, Table 57 is amended by changing the prices to read as follows:

	Per 100 lb. bag
Oats (red or white):	
Sales to wholesalers	$3.60
Sales to other than wholesalers	4.00

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5172; Filed, April 12, 1944; 11:59 a. m.]

PART 1442—CORDAGE

[MPR 340, Amdt. 2]

JUTE AND ISTLE YARN, ROVE AND ROPE

Correction

In F.R. Doc. 44-4345, appearing at page 3393 of the issue for Wednesday, March 29, 1944, the differentials for carload shipments shown in paragraph (b) of Appendix E should read as follows:

Carload Shipments

Zone II—Zone I, l. c. l. price plus ¼¢
Zone III—Zone I, l. c. l. price plus ¾¢
Zone IV—Zone I, l. c. l. price plus 1¢
Zone V—Zone I, l. c. l. price plus 1¼¢

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Corr. to Amdt. 23[1]]

OLEOMARGARINE

Section 1499.75 (a) (13) is corrected to read § 1499.75 (a) (15).

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5174; Filed, April 12, 1944; 12:00 m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Corr. to Amdt. 22[2]]

PRIVATE BRANDS OF SMOKING TOBACCO

Section 1499.75 (a) (13) is corrected to read § 1499.75 (a) (14).

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5173; Filed, April 12, 1944; 11:59 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 1—GENERAL REGULATIONS AFFECTING THE PUBLIC

COMMERCIAL ADVERTISING; PHOTOGRAPHS OF NAVAL SUBJECTS

Correction

The headings for F.R. Doc. 44-5050, which appears on page 3860 of the issue for Tuesday, April 11, 1944, should read as set forth above.

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[Administrative Order, Amendment]

LANDS IN STATE OF IDAHO

TRANSFER FROM SOIL CONSERVATION SERVICE TO FOREST SERVICE

Transfer of lands in the State of Idaho from the Soil Conservation Service to the Forest Service for administration, protection, and management as lands of the Minidoka National Forest.

Administrative Order of February 4, 1944 (9 F.R. 1538, February 8, 1944) is hereby amended so as to read as follows:

By virtue of and pursuant to the authority vested in the Secretary of Agriculture by Title III of the Bankhead-Jones Farm Tenant Act, and in the War Food Administrator by Executive Order No. 9322, as amended by Executive Order No. 9334, the following described lands within the Southeastern Idaho Project, ID-LU-I, situated within Cassia County, Idaho, comprising approximately 4,497.97 acres within the Minidoka National Forest shall hereafter be administered by the Forest Service as a part of that national forest as established by proclamation of the President dated November 5, 1906 (34 Stat. 3247) and later modified by Executive Order No. 908 dated July 2, 1908, subject to the laws and the rules and regulations now in effect or hereafter enacted or promulgated governing the occupancy, use, protection and administration of the national forests.

BOISE MERIDIAN

T. 15 S., R. 29 E.,
Sec. 26, SE¼SE¼, E½SW¼SE¼;
Sec. 35, NE¼NE¼, E½NW¼NE¼, N½NE¼SW¼NE¼, SE¼NE¼SW¼NE¼, N½SE¼NE¼, NE¼SW¼SE¼NE¼, SE¼SE¼NE¼.
T. 16 S., R. 29 E.,
Sec. 7, S½S½;
Sec. 9, S½, S½N½;
Sec. 11, S½, S½N½;
Secs. 15, 17, 19, 21, 29, inclusive.

CLAUDE R. WICKARD,
Secretary of Agriculture.
WILSON COWEN,
Assistant War Food Administrator.

APRIL 8, 1944.

[F. R. Doc. 44-5111; Filed, April 11, 1944; 11:22 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Lisbon Company, Inc., 135 Main Street, Lisbon, New Hampshire; brush handles, brush blocks and special turned and flat shaped items; 11 learners (T); woodworking machine operations, finishing operations, inspecting operations for a learning period of 320 hours at 35 cents per hour; effective April 5, 1944, expiring October 5, 1944.

Susquehanna Glass Company, Alley H, Columbia, Pennsylvania; cutting and decorating glassware; 6 learners (T); glass cutting for a learning period of 520 hours at 35 cents per hour; effective April 10, 1944, expiring December 19, 1944.

Signed at New York, New York, this 8th day of April 1944.

MERLE D. VINCENT,
Authorized Representative, of the Administrator.

[F. R. Doc. 44-5146; Filed, April 11, 1944; 4:45 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certifi-

[1] 9 F.R. 3653.
[2] 9 F.R. 3460.

cates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Statler Clothing Company, 36 Pleasant Street, Watertown, Massachusetts; men's suits, overcoats and top coats; 5 learners (T); effective April 6, 1944, expiring April 5, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Aalfs-Baker Manufacturing Company, 1007 Fourth Street, Sioux City, Iowa; work clothing; 10 percent (T); effective April 6, 1944, expiring April 5, 1945.

Co-Ed Garment Company, Main Street, Festus, Missouri; women's washable outer apparel, industrial wear; 10 percent (T); effective April 4, 1944, expiring April 3, 1945.

Goldstein & Levin, 282 Lovergood Street, Johnstown, Pennsylvania; house dresses, cotton jackets; 10 percent (T); effective April 7, 1944, expiring April 6, 1945.

Klever Klad Frocks, Inc., 130 East Chestnut Street, Coatesville, Pennsylvania; cotton dresses, suits and house coats; 10 percent (T); effective April 10, 1944, expiring April 9, 1945.

La Follette Shirt Company, La Follette, Tennessee; Army and Navy shirts, civilian sport shirts; 10 percent (T); effective April 10, 1944, expiring April 5, 1945.

Lark Dress Company 5th and Walnut Streets, Shamokin, Pennsylvania; dresses; 10 percent (T); effective April 6, 1944, expiring April 5, 1945.

Phillips-Jones Corporation, Maple Avenue, Barnesboro, Pennsylvania; special khaki Army shirts, men's civilian sport shirts; 10 percent (T); effective April 6, 1944, expiring April 5, 1945.

Phillips-Jones Corporation, Sixth & Ruddle Streets, Coaldale, Pennsylvania; dress shirts; 10 percent (T); effective April 6, 1944, expiring April 5, 1945.

Phillips-Jones Corporation, Sunbury Street, Minersville, Pennsylvania; flannel shirts, O. D. special; 10 percent (T); effective April 6, 1944, expiring April 5, 1945.

Rice-Stix Factory #12, Waterloo, Illinois; ladies' work clothing, women's and children's slack suits; 34 learners (E); effective April 4, 1944, expiring October 3, 1944.

Seamprufe, Inc., 314 Depot Street, Scranton, Pennsylvania; silk and rayon slips; 10 percent (T); effective April 11, 1944, expiring April 10, 1945.

U. P. Dress Manufacturing Company, 119–131 Baraga Avenue, Marquette, Michigan; ready-to-wear dresses; 10 learners (T); effective April 10, 1944, expiring April 9, 1945.

The Undergarment Manufacturing Company, 121 East Main Street, Fort Wayne, Indiana; ladies' and misses' slips and sleeping wear; 5 learners (T); effective April 6, 1944, expiring April 5, 1945.

Waynesboro Garment Company, Waynesboro, Georgia; work clothing; 50 learners (E); effective April 3, 1944, expiring October 2, 1944.

GLOVE INDUSTRY

Aris Gloves, Inc., 29 Woodruff Street, Saranac Lake, New York; knit fabric gloves; 20 learners (E); effective April 3, 1944, expiring October 2, 1944.

Proper Maid Silk Mfg. Co., Inc., 3–5 Yeoman Street, Amsterdam, New York; knit fabric gloves; 15 learners (AT); effective April 3, 1944, expiring October 2, 1944.

HOSIERY INDUSTRY

Baker-Mebane Hosiery Mills, Inc., Plant No. 2, Depot Street, Boone, North Carolina; seamless hosiery; 90 learners (E); effective April 6, 1944, expiring October 5, 1944.

J. A. Cline & Son, Hildebran, North Carolina; seamless hosiery; 10 percent (AT); effective April 3, 1944, expiring October 2, 1944.

Ellis Hosiery Mills, Hickory, North Carolina; seamless hosiery; 33 learners (AT); effective April 6, 1944, expiring October 5, 1944.

Hickory Knitting Mills, Highland Avenue, Hickory, North Carolina; seamless hosiery; 10 learners (AT); effective April 3, 1944, expiring October 2, 1944.

John-Massey Hosiery Company, Valdese, North Carolina; seamless hosiery; 10 learners (AT); effective April 6, 1944, expiring October 5, 1944.

The Nolde & Horst Company of Tennessee, McMinnville, Tennessee; seamless hosiery; 10 percent (AT); effective April 3, 1944, expiring October 2, 1944.

Pickwick Hosiery Mills, Inc., Corinth, Mississippi; full-fashioned hosiery; 10 percent (AT); effective April 8, 1944, expiring October 7, 1944.

Pocomoke Textiles, Inc., Pocomoke City, Maryland; seamless and full-fashioned hosiery; 5 learners (T); effective April 5, 1944, expiring April 4, 1945.

KNITTED WEAR INDUSTRY

The Vogue Knitting Company, 2nd and Jefferson Streets, Womelsdorf, Pennsylvania; men's, women's and children's knit underwear; 4 learners (T); effective April 5, 1944, expiring April 4, 1945.

Signed at New York, N. Y., this 8th day of April 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44–5147; Filed, April 11, 1944; 4:45 p. m.]

FEDERAL POWER COMMISSION.

[Project No. 1417]

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

ORDER GRANTING REHEARING

APRIL 4, 1944.

Upon application filed March 16, 1944, by The Central Nebraska Public Power and Irrigation District for rehearing of the Commission's order of February 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1417 for the calendar year 1942;

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1417 for the calendar year 1942; *It is ordered*, That:

(A) The application for rehearing be and it is hereby granted, and the order of February 15, 1944, requiring the payment of annual charges for the year ended December 31, 1942, in the amount of $3,922.15 be and it is hereby stayed, pending the final determination of the application for exemption;

(B) A hearing be held on the questions presented at such time and place as may hereafter be fixed by the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–5148; Filed, April 12, 1944; 10:10 a. m.]

[Docket No. IT–5629]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING DATE OF HEARING

APRIL 10, 1944.

It appearing to the Commission that: The hearing heretofore set by Commission's order of March 6, 1944, in the above-entitled matter for April 17, 1944, may conflict with the hearing now being held by the Department of Public Utilities of the State of Arkansas and it is appropriate that the hearing be postponed;

The Commission orders that: The public hearing heretofore ordered to commence on April 17, 1944, at 9:45 a. m. (c. w. t.) in Little Rock, Arkansas, for the purpose of determining the issues raised by the order of June 15, 1943, in this case and the above company's response thereto, be and the same hereby is postponed to commence at the same time on May 17, 1944, in the hearing room of the State of Arkansas Department of Public Utilities, Little Rock, Arkansas.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–5149; Filed, April 12, 1944; 10:10 a. m.]

[Project No. 1256]

LOUP RIVER PUBLIC POWER DISTRICT

ORDER GRANTING REHEARING

APRIL 4, 1944.

Upon application filed March 14, 1944, by Loup River Public Power District for rehearing of the Commission's order of February 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1256 for the calendar year 1942;

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1256 for the calendar year 1942; *It is ordered*, That:

(A) The application for rehearing be and it is hereby granted, and the order of February 15, 1944, requiring the payment of annual charges for the year ended December 31, 1942, in the amount of $4,275.78 be and it is hereby stayed, pending the final determination of the application for exemption;

(B) A hearing be held on the questions presented at such time and place as may hereafter be fixed by the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–5150; Filed, April 12, 1944; 10:10 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70–A, Special Permit 186]

RECONSIGNMENT AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, April 7 or 8, 1944, by C. B. Wilde of car PFE 44140, now on the Rock Island Lines, to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44–5151; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 70–A, Special Permit 187]

RECONSIGNMENT OF POTATOES AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, April 7, 1944, by Smiling Jim Potato Company of car PFE 90662, potatoes, now on the Pennsylvania Produce Terminal (P. B. R.) to Thiel Brothers, Pennsylvania Produce Terminal, Baltimore, Md.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44–5152; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 70–A, Special Permit 188]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, April 8 or 9, 1944, by Julius Berman Company of car PFE 36796, lettuce, now on the Chicago Produce Terminal to Philadelphia, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44–5153; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 70–A, Special Permit 189]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, April 8 or 9, 1944, by C. H. Weaver Company of car PFE 73319, carrots, now on the Alton Railroad to Shilling Company at Green Bay, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44–5154; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 178, Special Permit 111]

LOADING OF SHORTENING AT ELMHURST CORONA, LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by Durkee's Famous Foods at Elmhurst Corona, Long Island, New York, and the movement of the one car so loaded April 7 or 8, 1944, to Columbus, Georgia (Long Island R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44–5155; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 178, Special Permit 112]

LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with lard by Agar Packing Company, at Chicago, Illinois, and the movement of the two cars so loaded from that point April 7, 1944, one to Bowling Green, Kentucky (CI&L–L&N) and one to Louisville, Kentucky (CI&L).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5156; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 178, Special Permit 113]

LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humko Company at Memphis, Tennessee, and the movement of the one car so loaded from that point April 8, 1944, to Minneapolis, Minnesota (I. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5157; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 178, Special Permit 114]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by Durkee's Famous Foods, at Berkeley, California, and the movement of the one refrigerator car so loaded from that point not later than April 10, 1944, to Durkee's Famous Foods, Seattle, Washington (S. N.-W. P.-C. N.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 44-5158; Filed, April 12, 1944; 11:22 a. m.]

[S. O. 178, Special Permit 115]

LOADING OF LARD AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car GARX 67990 with lard by Armour and Company at Kansas City, Missouri-Kansas, and the movement of that car from that point under refrigeration April 8, 1944, to Pineville, Kentucky (Mo. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5150; Filed, April 12, 1944; 11:22 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 692]

DE BARDELEBEN COAL CORP., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 692 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 13. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DISTRICT NO. 13

DE BARDELEBEN COAL CORPORATION, 2201 FIRST AVE. N., BIRMINGHAM 3, ALA., EMPIRE #6 (DE BARDELEBEN MINE BLACK CREEK SEAM, MINE INDEX NO. 2011, WALKER COUNTY, ALABAMA

Size group Nos.	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel-price Group 7	$5.50	$5.10	$5.00	$4.95	$4.25	$4.25	$4.15
Truck shipment-price Group 1	5.25	4.75	4.50	4.40	4.20	4.15	4.05

DE BARDELEBEN COAL CORPORATION, 2201 FIRST AVE. N., BIRMINGHAM 3, ALA., CORONA MINE #17 (COAL VALLEY) CORONA SEAM, MINE INDEX NO. 2012, WALKER COUNTY, ALA.

Size group Nos.	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel-price Group 4	$4.30	$4.10	$4.00	$4.00	$3.90	$3.90	$3.80
Truck shipment-price Group 5	4.55	4.60	4.50	4.15	4.05	4.10	3.90

BUSBY, J. H. c/o HAROLD MCDERMOTT, 617 FIRST NATIONAL BANK BLDG., BIRMINGHAM 3, ALA., AMERICA #6 MINE, AMERICA SEAM, MINE INDEX NO. 2010, WALKER COUNTY, ALA., DRIFT MINE

Size group Nos.	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22-23
Rail shipment and railroad fuel-price Group 4	$4.30	$4.10	$4.00	$4.00	$3.90	$3.90	$3.80
Truck shipment-price Group 6	4.30	4.25	4.15	3.95	3.85	4.00	3.80

ALABAMA FUEL & IRON CO., BIRMINGHAM 3, ALABAMA, OVERTON MINE, UPPER NUMNALLY SEAM, MINE INDEX NO. 2008, JEFFERSON COUNTY, ALABAMA, STRIP MINE

Size group Nos.	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel-price group 1	$3.50	$3.80	$3.40	$3.45	$3.35	$3.40	$3.30
Truck shipment-price group 7	4.20	4.25	4.15	3.80	3.70	3.75	3.60

FRANKLIN COAL MINING COMPANY, 806 PROTECTIVE LIFE BLDG., BIRMINGHAM 3, ALABAMA, BACK SLOPE MINE MARY LEE SEAM, MINE INDEX NO. 2013, WALKER COUNTY, ALABAMA, UNDERGROUND MINE

Size group Nos.	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel-price group 1	$3.50	$3.50	$3.40	$3.45	$3.35	$3.40	$3.30
Truck shipment-price group 7	4.20	4.25	4.15	3.80	3.70	3.75	3.60

This order shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5120; Filed, April 11, 1944, 12:12 p. m.]

[MPR 120, Order 693]

R & R COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 693 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompany opinion, and in accordance with § 1340.210 (a) (6) of maximum price regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and State. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

R. & R. COAL COMPANY, R. D. #4, LISBON, OHIO, ENDLY FARM MINE—NO. 6 SEAM, MINE INDEX NO. 4008, SUB-DISTRICT 4, COLUMBIANA COUNTY, OHIO, LISTONIA FREIGHT ORIGIN GROUP, STRIP MINE

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment and railroad fuel use	$3.30	$3.25	$3.00	$2.95	$2.90	$2.80	$2.50	$2.40	$2.80	$2.35	------	$2.60
Truck shipment	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60	------	------	------	------

GRANT COLLIERIES, INC., 1212 SWETLAND BLDG., CLEVELAND, OHIO, NEWELL MINE, NO. 6 SEAM, MINE INDEX NO. 4025, SUB-DISTRICT 1, JEFFERSON COUNTY, OHIO, OHIO NO. 8 FREIGHT ORIGIN GROUP—STRIP MINE

Size group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment	$2.10	$3.05	$2.75	$2.75	$2.70	$2.60	$2.35	$2.25	$2.60	$2.10	------	$2.60
Railroad fuel	2.75	2.75	2.75	2.75	2.60	2.30	2.20	2.35	2.20	------	------	2.60
Truck shipment	3.60	3.50	3.35	3.10	3.05	2.80	2.55	2.45	------	------	------	------

C. & R. COAL COMPANY, BOX 126, NEW WATERFORD, OHIO, C. & R. COAL CO., MINE, NO. 6 SEAM, MINE INDEX NO. 4030, SUB-DISTRICT 4, COLUMBIANA COUNTY, OHIO, STRIP MINE

Size group Nos.	1	2	3	4	5	6	7	8
Truck shipment	$3.85	$3.75	$3.60	$3.35	$3.30	$2.95	$2.70	$2.60

This order shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5129; Filed, April 11, 1944; 12:12 p. m.]

[MPR 188, Order 1493]

ANGEL NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1493 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a kitchen cabinet, Model No. 113 manufactured by Angel Novelty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) Angel Novelty Company, Fitchburg, Massachusetts, may sell and deliver the kitchen cabinet of its manufacture, Model No. 133, as described in its application at maximum prices no higher than $18.90 for sales to jobbers and $22.73 for sales to dealers. These maximum prices are f. o. b. factory and are subject to the seller's customary discounts, allowances, and other price differentials.

(b) Any person other than the Angel Novelty Company may sell to dealers and deliver the kitchen cabinet, Model No. 133 manufactured by Angel Novelty Company, at a maximum price no higher than $22.73 per unit, f. o. b. shipping point. This maximum price is subject to the seller's customary discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, Angel Novelty Company shall notify the purchaser for resale, of the maximum prices and conditions set by this Order No. 1493 for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1493 may be revoked or amended by the Price Administrator at any time.

This Order No. 1493 shall become effective on the 12th day of April 1944.

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5127; Filed, April 11, 1944; 12:12 p. m.]

[MPR 244, Amdt. 6 to Order 16]

LAKEY FOUNDRY AND MACHINE CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 6 to Order No. 16 under § 1421.157 (a) of Maximum Price Regulation 244. Gray iron castings; Docket No. 3244-102.

For the reasons set forth in the opinion issued simultaneously herewith: *It is hereby ordered*, That Order No. 16 under § 1421.157 (a) of Maximum Price Regulation 244 be, and it hereby is, amended as follows:

1. Paragraph (a) of Order No. 16, as amended, is amended by deleting therefrom the entire last proviso beginning with the words "and provided further," and by substituting in lieu thereof the following proviso:

And provided further, (1) On and after December 1, 1943, Lakey Foundry and Machine Company, Muskegon, Michigan, is hereby authorized to increase by 15% the maximum prices for gray iron castings hereinbefore provided in this paragraph, and (2) the maximum prices established by this paragraph shall not apply to cylinder blocks, Pattern No. H-324432, and cylinder heads, Pattern No. H-325094, sold to Hudson Motor Car Company or to any other cylinder blocks and cylinder heads sold to said purchaser which may bear different pattern num-

bers but which are substantially the same within the meaning of Maximum Price Regulation No. 244, as the cylinder blocks and cylinder heads made from said Pattern Nos. H-224432 and H-326094.

2. The undesignated paragraph in paragraph (a) of Order No. 16, as amended, beginning with the words "And it is further ordered," is amended to read as follows:

And it is further ordered, That Lakey Foundry and Machine Company, Muskegon, Michigan, shall, within 60 days from April 12, 1944, (1) refund to its purchasers through the making of actual cash payments or the giving of credits, any payments for gray iron castings delivered on and after December 1, 1943, which are in excess of the maximum prices specified in Order No. 16, as amended by this Amendment No. 6, and (2) file a statement with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., to the effect that, wherever necessary, such refunds have been made.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5178; Filed, April 12, 1944; 11:59 a. m.]

[Rev. RO 11, Administrative Exception Order 4]

UNITED STATES STEEL CORPORATION OF DELAWARE

AUTHORIZATION OF APPLICATION FOR REGISTRATION

Administrative Exception Order No. 4 under Revised Ration Order 11.[1] Fuel oil rationing regulations.

The United States Steel Corporation of Delaware on behalf of five of its affiliated companies, namely, Carnegie-Illinois Steel Corporation, National Tube Company, American Steel and Wire Company, American Bridge Company, and Oliver Iron Mining Company, has filed an application for an Administrative Exception Order, under General Ration Order 1, permitting them to register as primary suppliers under Revised Ration Order 11 and to operate thereafter as primary suppliers subject to all the provisions of Revised Ration Order 11 affecting or regulating primary suppliers. None of these companies meets the requirements for registration as a primary supplier set forth in Revised Ration Order 11.

[1] 9 F.R. 3247.

The following appears from the application: That the five named companies are consuming fuel oil at an aggregate annual rate of 467,073,000 gallons, based on current operating schedules. Each of these companies uses quantities in excess of 1,000,000 gallons annually; each operates four or more plants in which such fuel oil is used; and each purchases fuel oil through a central purchasing office. The large quantities of fuel oil required by the named companies compels them to obtain the product from many suppliers in order to assure an adequate and regular supply. Most of the suppliers are primary suppliers as defined in Revised Ration Order 11. These companies receive their fuel oil supply generally in tank car lots, and since their storage facilities are inadequate for their current fuel oil requirements, shipments are numerous. One plant receives an average of twenty tank cars per day. Fuel oil ration banking is carried on by each of these companies from a central office and ration checks for fuel oil are sent from there to suppliers after the invoices have been received and verified.

In view of the requirements of Revised Ration Order 11, that ration payment must be made at the time of or within 15 days after the fuel oil transfer (or within 15 days in advance), invoices received at the central offices of these companies in the ordinary course of business must, in order to comply with that order, be segregated from thousands of other documents for items purchased, verification expedited, and ration checks issued. It is claimed that despite all efforts on the part of these companies, compliance with these time limitations is extremely difficult and unreasonably burdensome in many instances because of the time interval between the date of shipment and the date the invoice is received at the central office. In support of this claim the application points out that when the supplier and place of delivery are located at points distant from the central office the difficulty of meeting the fifteen day requirement is increased. In addition, diversions of shipments from the plant for which they were originally destined to other units where supplies are dangerously low, or such diversions after shipment on order of the supplier or PAW, make verification of invoices within the 15 day period more difficult.

The granting of such an exception order will not constitute an exception to or waiver of or variance of any provisions setting forth standards of eligibility or need for fuel oil. Nor will the effectiveness or policy of Revised Ration Order 11 be defeated or impaired by permitting the above named companies and all companies similarly situated to register as primary suppliers (in the manner set forth in this exception order) and to operate thereafter as primary suppliers under the ration order.

It is therefore ordered:

(a) The five affiliates of the United States Steel Corporation of Delaware, namely, Carnegie-Illinois Steel Corporation, National Tube Company, American Steel and Wire Company, American Bridge Company and Oliver Iron Mining Company, may apply in the manner provided in this exception order, to the Office of Price Administration, Control and Audit Section, Fuel Oil Rationing Branch, Washington (25), D. C., for registration as "primary suppliers." Application shall be made by each on Form OPA R-1116 (Revised) in triplicate.

(b) The Control and Audit Section will assign to each of the above-mentioned companies a primary supplier registration number, and will return the original application to the applicant and a duplicate to the Board having jurisdiction.

(c) Upon receipt of the original application with the primary supplier registration number thereon, registration of the applicant as a primary supplier shall be deemed effected, and the applicant shall thereafter in all respects comply with the applicable provisions of Revised Ration Order 11, and amendments thereto.

This order shall become effective April 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421 and 429, 77th Cong.; W.P.B. Dir. 1, 7, F.R. 562; Supp. Dir. 1-9, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 12th day of April 1944.

BRYAN HOUSTON,
Deputy Administrator in Charge of Rationing.

[F. R. Doc. 44-5179; Filed, April 12, 1944; 11:59 a. m.]

WAR FOOD ADMINISTRATION.

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF PROTEIN MEAL AND ON USE OF SOYBEAN PRODUCTS

DELEGATION OF AUTHORITY

The authority vested in me by Food Production Order No. 9, Revision No. 3 (8 F.R. 16960), as amended, and the administration of said order and all orders issued thereunder by the Director of Production are hereby delegated to the Chief, Feed and Livestock Branch, Office of Production, War Food Administration.

(FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 11th day of April 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-5140; Filed, April 11, 1944; 3:32 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 75

Washington, Friday, April 14, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration (Agricultural Adjustment)

[Tobacco 813, Part I, Supp. 1]

PART 724—BURLEY TOBACCO

ACREAGE ALLOTMENTS FOR OLD FARMS, 1944-45 MARKETING YEAR

Section 724.615 of Part 1, Marketing Quota Regulations, Burley Tobacco—1944-45 Marketing Year, issued by the War Food Administrator on December 7, 1943, is amended to read as follows:

§ 724.615 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be the final 1943 marketing quota allotment for the farm times 120 percent, adjusted in accordance with §§ 724.616, 724.617 and 724.618 below: *Provided*, That no allotment established under this section for any farm having a 1943 allotment shall be less than one acre or 25 percent of the cropland on the farm, whichever is the smaller, except where such acreage allotment is adjusted downward below one acre in accordance with § 724.616. For purposes of this section, the final 1943 marketing quota allotment shall include any acreage by which the 1943 allotment for the farm was reduced because of a violation of the marketing quota regulations for a prior marketing year but shall not include any acreage allotted in 1943 from State pools unless the owner of the farm was dispossessed of another farm through acquisition thereof by a Federal agency for national defense purposes. No allotment shall be established under this section for any farm on which no tobacco was grown in any of the five years 1939 to 1943, inclusive.

(52 Stat. 38, 47, 54 Stat. 392, 53 Stat. 1261, 56 Stat. 51, 57 Stat. 387; 7 U.S.C. and Sup., 1301 (b), 1312 and 1313; 52 Stat. 66; 7 U.S.C. 1375; E.O. 9280 of December 5, 1942; E.O. 9322 of March 26, 1943, as amended by E.O. 9334 of April 19, 1943; 55 Stat. 838; and Pub. Law 276, 78th Cong., 2d Sess.)

Done at Washington, D. C., this 12th day of April 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-5244; Filed, April 13, 1944; 11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3270—CONTAINERS

[Order L-317, Direction 1]

INVENTORY AND EXCESSIVE ORDERING

The following direction is issued pursuant to Order L-317.

(a) *Purpose.* In view of the critical shortage of new fibre shipping containers, this direction is issued to explain applicable inventory restrictions and to prohibit the placing of excessive or duplicatory purchase orders.

(b) *Inventory restrictions.* Order L-317 prohibits the acceptance of more new fibre shipping containers than the "maximum permitted inventories" described in paragraphs (o), (p) and (q). This provision does not supersede § 944.14 of Priorities Regulation 1, which prevents the delivery or acceptance of material "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation." The most restrictive of these two provisions apply. Therefore a person is limited in his purchases of new fibre shipping containers to his "practicable minimum working inventory" under Priorities Regulation 1, or his permitted inventory under Order L-317, whichever is less.

(c) *Restrictions against placing excessive orders.* All persons are prohibited not only from accepting more new fibre shipping containers than their maximum permitted inventory, they are prohibited from placing orders for more of these containers than they would be entitled to receive within the inventory restrictions described in paragraph (b) of this direction. This does not mean that orders calling for delivery of containers

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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in installments cannot be placed if all installments could be accepted within inventory limitations at the times specified in the purchase order. It does mean that a person violates this direction if he places orders for more containers than he reasonably anticipates that he will be entitled to receive at the time delivery is called for by his purchase orders. This is true even if he intends to cancel or reduce some of his orders before delivery is received. (As to rated orders this is the rule already in effect under paragraph (c) (3) of Priorities Regulation 3).

(d) *Cancellation of excessive orders.* All persons shall immediately cancel or postpone all outstanding orders for new fibre shipping containers in excess of the quantity they are permitted to order under paragraph (c) of this direction.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5247; Filed, April 13, 1944; 11:35 a. m.]

PART 3281—PULP AND PAPER

[General Limitation Order L–83, as Amended Apr. 13, 1944]

PAPER MILL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of paper mill machinery for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3281.81 *General Limitation Order L–83*—(a) *Purpose of this order.* This order restricts delivery of new, used and reconditioned paper mill machinery.

(b) *Definitions.* For the purpose of this order "paper mill machinery" means all new, used and reconditioned machinery and equipment used in the production and processing of pulp, paper and paperboard, including containerboard and converted paper products. It includes parts for repair and maintenance, but does not include the following: Container machinery as defined in General Limitation Order L–332 or Graphic Arts machinery as defined in General Limitation Order L–226.

It must be noted that deliveries of parts for paper mill machinery are also subject to any applicable provisions of other limitation orders.

(c) *Restrictions on acceptance of orders and production and delivery of paper mill machinery.* No person shall purchase, lease, rent, or accept delivery of any paper mill machinery or parts without first obtaining approval and an assigned rating on Form WPB–1319 (formerly PD–556) or Form GA–1456. Form WPB–1319 is to be filed in triplicate with the Paper Division, War Production Board, Washington 25, D. C., in accordance with the instructions for the form, except that any application for the purchase of paper mill machinery or parts having a sales value less than $2,500.00 shall be filed in duplicate with the nearest Field Office of the War Production Board. For applications involving construction under Order L-41, approval and an assigned rating on GA-1456 must be obtained by filing Form WPB–617 (formerly PD–300) in accordance with WPB–617 instructions.

(d) *Items excluded from the provisions of this order.* The prohibitions of paragraph (c) shall not restrict any delivery (1) to fill any order or group of orders of less than $2,000.00 placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of this order, or (2) to fill any order of $2,000 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair or maintenance parts are not otherwise available.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(g) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on the same if required.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Paper Division, Washington 25, D. C., Ref.: L–83.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5246; Filed, April 13, 1944; 11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, as Amended Apr. 13, 1944]

LUMBER CONSUMERS' REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.121 *Order L–335*—(a) *What this order does.* This order requires large consumers of lumber to file application with the War Production Board stating their requirements for the second and third quarters of 1944 and prohibits them from receiving lumber after April 25, 1944, unless they file their applications. These applications will be used by the War Production Board as a basis for authorizing the applicants to receive lumber, during part of the second and all of the third quarters, under procedures which will replace existing procedures under other orders. These procedures will be described in a later revision of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed or hewed railway cross ties and switch ties, and any sawed lumber of any species, size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except:

(i) Dogwood, rattan, and aircraft grade of sitka spruce;

(ii) Shingles, lath, and slabs;

(iii) Edging, trim, and off-fall less than three inches wide or less than four feet long, unless produced for the purpose of evading this order;

(iv) Hardwood flooring;

(v) Items produced from lumber but not classified in the trade as "lumber" such as box shook, last blocks, and mill work;

(vi) Used lumber.

(2) "Class I consumer" means any person, or any part of a person's operation (such as a plant, branch, or department) as to which a separate lumber inventory is regularly maintained, which either received more than 50,000 board feet of lumber during the last quarter of 1943 or expects that he will need to receive more than 50,000 board feet of lumber during either the second or third quarters of 1944, for all purposes, except: (i) operations for which producers have been assigned serial numbers under Order P–56 (regarding mines and smelters); (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iii) resale by a sawmill or distributor; (iv) use outside the 48 states and the District of Columbia; and (v) construction jobs which have been expressly authorized by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission from the War Production Board for construction. This exception does not include those construction jobs which do not require the permission of the War Production Board or any Federal agency under Order L–41. A person in determining whether he is a Class I Consumer does not include, nor does he report on form WPB 3640, lumber used for construction work done for other persons. Construction means putting up or altering any sort of structure including a building, road, bridge, dam, sewer, or similar jobs, or the installation of equipment or fixtures.

If a person has two or more branches, plants, departments, or other divisions which regularly maintain separate lumber inventories and none of which comes within the above definition, then neither the person nor any of its divisions is a "Class I Consumer". Thus, if a company has two plants maintaining separate lumber inventories each of which consumed less than 50,000 board feet of lumber in the last quarter of 1943 and expects to consume less than 50,000 in each the second or third quarter of 1944 then neither of the plants nor the company is a "Class I Consumer". If either plant consumed over 50,000 board feet of lumber during the last quarter of 1943 or expects to consume more than 50,000 board feet of lumber during either the second or third quarter of 1944, such plant would be treated as a separate "Class I Consumer" for all purposes under this order. Inventories may not be split for the purpose of evading this order.

(3) "Sawmill" means:

(i) Any mill or plant, stationary or portable, which produces any lumber; and,

(ii) Any concentration yard or plant other than a mill if the yard or plant is located in a producing area and processes by drying, sawing, edging, planing, or some other comparable method, 25 percent or more of the total volume of logs and lumber which it receives.

(iii) The term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(4) "Sawmill stock" means any lumber in the possession of a "sawmill."

(5) "Distributor" means any person who buys lumber from a "sawmill" or from another distributor for resale either at wholesale or retail.

(6) "Distributor stock" means any lumber which a distributor has in his possession for resale, or for his own use.

(7) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(c) *Acceptance of lumber in second quarter without filing application forbidden.* No "Class I consumer" may receive any lumber from any source after April 25, 1944 unless on or before April 25, he has filed with the War Production Board form WPB–3640. This means that if a "Class I consumer" does not file application he is forbidden to receive any lumber even though he has a preference rating for it or has been authorized to receive lumber under another order, regulation, or certificate of the War Production Board. The only exceptions are:

(1) A "Class I consumer" may receive the amount of lumber necessary for a construction job which has been authorized in writing by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission for construction from the War Production Board. He may not, under this exception, receive lumber for those construction jobs which do not require the permission of the War Production Board, or any other Federal agency under Order L–41.

(2) A "Class I consumer" who is also in the mining or smelting business may receive lumber for an operation which has been assigned a serial number under Order P–56.

(3) A "Class I consumer" who is also in the petroleum industry may receive lumber for operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(4) A "Class I consumer" who also has a sawmill or a distribution yard may receive lumber for resale.

(5) A "Class I consumer" may receive lumber if authorized in writing by the War Production Board and if the written authorization expressly refers to this order and grants an exception from it.

(d) *Receipt of lumber by Class I consumers who have filed applications.* Until otherwise notified by the War Production Board either through an amendment of this order or by action on his application, a "Class I consumer" who has filed his application may receive lumber to the extent he is authorized by other applicable orders and regulations of the War Production Board, and he may procure lumber under the procedures pro-

vided in such orders for delivery at any time in the future until otherwise provided.

(e) *Receipts from own sawmill stock or distribution stock included.* Under the definitions provided for in this order a person may find that his operations make him both a "sawmill" and a "Class I consumer" or both a "distributor" and a "Class I consumer", or he may be all three. Any person who finds that he is a "Class I consumer" as well as a "distributor" or a "sawmill" must file an application for permission to receive lumber for that part of his operation which makes him a "Class I consumer." For example, if a person has his own sawmill or distribution yard and also maintains his own cut-up plant, box factory or other plant where fabricated products are made from lumber or he uses lumber for purposes other than resale, he must apply for permission to use his "sawmill stock" or "distribution stock" in another piece of machinery, department, or plant which turns out products other than lumber, such as fabricated products or parts for fabricated products either for his own use or resale. The term "fabricated products" includes hardwood flooring but does not include softwood flooring which is included in the definition of lumber.

(f) *Existing lumber orders and procedures.* This order for the present in no way affects the manner in which lumber is controlled under other lumber orders and particularly orders L–218, L–290, M–361, and M–364. In other words, except for "Class I consumers" all transactions in lumber will continue to be handled as if this order did not exist. Even "Class I consumers" can make purchases and arrange for delivery of lumber in compliance with other applicable orders provided their applications on Form WPB–3640 are filed with the War Production Board by April 25, 1944. Before the end of the second quarter this order will be amended and new procedures will be established under which all consumers will be authorized to receive lumber.

(g) *Restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be used in violation of the provisions of this order, or any other order or regulation of the War Production Board.

(h) *Reports.* Any person shall execute and file with the War Production Board such other reports and questionnaires as the War Production Board may, from time to time, require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Application and communications.* Form WPB–3640 for use in filing applications under this order may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L–335.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5250; Filed, April 13, 1944; 11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Interpretation 1]

LUMBER CONSUMERS REQUIREMENTS

The following official interpretation in question and answer form is issued with respect to § 3285.121, *Order L–335:*

1. Q. What is the purpose of the order?—A. To present a picture of the operations and requirements of "Class I consumers" of lumber which, together with data showing requirements for other claimants, will be used as a basis for authorizing applicants to receive delivery of lumber under procedures which will replace existing ones. The revised procedures will be described in a later revision of Order L–335.

2. Q. Does Order L–335 take the place of existing lumber orders such as L–218, L–290, M–361, and M–364?—A. This order, for the present, does not affect the manner in which lumber is controlled under other lumber orders (see paragraphs (d) and (f) of the order). Neither does Order L–335 affect in any way the operation of preference ratings.

3. Q. Is there any relation between Order L–335 and other lumber control orders?—A. Yes. A Class I consumer under L–335 cannot receive lumber under other lumber orders unless he has filed form WPB 3640 by April 25, 1944.

The definitions in Order L–335 of lumber and of producers differ somewhat from those given in other lumber orders. The definitions in other lumber orders under which receivers are now getting lumber, such as M–361, still remain applicable.

4. Q. Does paragraph (c) of the order (which forbids the receipt of lumber by a Class I consumer who has not filed form WPB 3640 by April 25) apply to lumber consumers who are not Class I consumers?—A. No, because there is no reporting requirement for such consumers.

5. Q. What lumber used on construction jobs should be reported on form WPB 3640?—A. Lumber for all construction jobs and maintenance repair work allowed under Order L–41 without express approval of the War Production Board or any other Federal agency, as provided in paragraphs (c) and (d) of that order. Paragraph (c) refers to exemptions permitted on the basis of the value of construction for which written approval by War Production Board is not required. Paragraph (d) refers to exemptions permitted on the basis of the kind of construction, with certain value limitations, for which written War Production Board approval is not required.

6. Q. What is meant by the term "expressly" authorized by the War Production Board or any other Federal agency as used in paragraph (b) (2) (v) of the order?—A. This means construction which has been authorized on one of the following forms under Order L–41. Forms GA–1456, WPB 2896, and WPB 2774 are now used to authorize construction under that order. In addition there are various other orders and authorizations which are not generally used today, but construction which has heretofore been authorized under them is still proceeding. These orders and authorizations are: CMPL–224; CMPL–127; GA–235; GA–236; PD–443; PD–654; orders in the P–19 series; orders in the P–55 series; orders in the P–14 series; P–41; P–110; PD–8, PD–9A; and WPB–542.

7. Q. A contractor is using lumber on a construction job for which he has received an express authorization under Order L–41. Should he consider lumber used on such projects in determining if he is a Class I consumer?—A. No. This is exempted under paragraph (b) (2) (v) of the Order L–335.

8. Q. A contractor is using lumber for a construction job for which he has received express authorization under Order L–41 and also is a manufacturer of millwork or other fabricated products used on this and other projects. Should he file under the provisions of Order L–335?—A. He should not report construction lumber for expressly authorized projects, but should report lumber to be consumed by him in the manufacture of millwork and other fabricated products, even though some of the millwork is used on the expressly authorized project.

9. Q. A person is using 50,000 feet of lumber per calendar quarter, manufacturing prefabricated houses. Should he consider himself a Class I consumer?—A. Yes. See answer to question 19 below.

10. Q. A person has received War Production Board authorization for certain construction under Order U–1 after filing form WPB 2774. Should the lumber for this project be reported under Order L–335?—A. No. See paragraph (b) (2) (v). However, construction done under Order U–1 and exempted under paragraph (c) (11) of Order L–41 should be reported under Order L–335 if the person doing the construction work is a "Class I consumer".

11. Q. A company has nine plants. Six of these plants maintain their individual inventories of lumber; the other three are served from a common inventory. How should the company report its lumber requirements?—A. It should make separate reports for each of the six plants having separate inventories if they are "Class I consumers" and one report covering the other three plants served by common inventory if the three combined constitute a "Class I consumer".

12. Q. A company has three plants each maintaining separate lumber inventories. No individual plants will require 50,000 feet of lumber per calendar quarter, but the combined requirements will exceed 50,000 feet. Should this company report its combined requirements?—A. No. See paragraph (b) (2) of the order as amended April 6, 1944 and paragraph (2) of Instructions, form WPB 3640.

13. Q. A plant stores lumber in three different places but all this lumber is used for maintenance and repair, crating or dunnage of the plant products. Should the plant file separate applications for each inventory maintained?—A. No. The plant should file only one report to include all lumber in inventory and complete plant requirements for lumber. See last sentence paragraph (2) of Instructions, form WPB 3640.

14. Q. A county buys lumber for highways and for maintenance of buildings. How should the county report?—A. A county should report on the basis of inventory units the same as an industrial company. If one inventory serves all county uses, file one report. If separate inventories and inventory records are maintained for separate departments, file separate reports for each department qualifying as a Class I consumer. The same will be true for any city, state, or governmental institution.

15. Q. A millwork plant or other fabricator does custom work for others who supply the lumber for fabrication. Should this fabricator include the lumber used for such custom fabricating in his report on form WPB 3640?—A. No. The person who holds title to the lumber and who supplies it to the mill for custom fabrication should report this lumber if he is a Class I consumer.

16. Q. A box plant operator in Indiana buys lumber in the South and stores it in the South. He also keeps a lumber inventory in his box plant in Indiana. How should he report on form WPB 3640?—A. He should report the inventory at his box plant and the quantity stored elsewhere for use in his box plant. These should be combined in one report.

17. Q. A "Class I consumer" uses lumber imported from Canada. Should such imported lumber be reported on form WPB 3640?—A. Yes. The intent of the order is to determine total lumber requirements of "Class I consumers" for the purposes listed in the order.

18. Q. A consumer uses hemlock lumber only. Since hemlock is not shown as one of the species on form WPB 3640, and since there is no space for reporting "all other softwoods" in column (e), should a person using over 50,000 feet of hemlock file on form WPB 3640?—A. Yes. He should file the information called for under item 10 in columns (f), (g), (h), and (i).

19. Q. How is a person to determine whether the item he uses is "lumber" controlled by the order or a lumber product which is not controlled by the order? Is Dimension stock lumber or a lumber product?—A. The purpose of Order L–335 is to get from large lumber users a picture of their consumption of lumber. Generally somewhere in the various processes by which a log is converted into a finished product the wood passes through the lumber stage. After the wood has reached the lumber stage and before it has been converted into an item which takes it out of the classification of lumber is the point at which it is to be used. The next step (the point at which the lumber is converted into a finished product or a part of a product) is the consumption in which the War Production Board is interested. It is the required receipts of lumber for this consumption that the Class I consumer reports on form WPB 3640. Normally there should be no difficulty in identifying the point at which lumber is consumed. For instance, lumber is consumed when a board is nailed into the framing of a house; a plank or board is cut into molding strips; a piece of softwood matched flooring is cut and nailed into either a house or an object such as a crate or a fence; a timber cut to specification is incorporated into a bridge or building. Also, lumber is consumed when cut to specification or otherwise processed for a particular use in a way which destroys its general usefulness. Generally, dimension stock is not lumber but dimension lumber is lumber. Dimension stock is considered an unfinished wooden item cut to specifications (usually less than 4 feet long and less than 3 inches square in cross sectional area) which can be converted into a finished product by some further operation. For instance, a manufacturer of furniture might purchase dimension stock measuring 3 x 3 x 18 inches for use in manufacturing legs for chairs. This dimension stock being unfinished has not reached its final fabrication stage but it is not lumber because its size limits its usefulness to a very narrow field. On the other hand, in the trade, dimension lumber is usually more than 4 feet long and although cut to specification its use is not limited and therefore it is still lumber. For instance, if a log has been cut to a particular specification for a particular use such as a 2 x 6 x 16 its general usefulness may not necessarily be destroyed. This lumber until incorporated into a structure can still be used in a different structure; it can be cut into smaller boards; it can be cut up for shipping and dunnage material; it can be cut into dimension stock or into boxing and crating material. Likewise, a cross arm blank, which is normally more than 6 feet long, when further processed is used to support wires on a telephone pole is considered lumber in the blank form. If, however, the cross arm blank has been roofed and holes have been bored in it the general utility has been destroyed and it is no longer lumber. In other words dimension lumber is lumber until it has been cut or used in such a way as to destroy its general usefulness.

20. Q. In referring to the above question and answer who reports the consumption of lumber?—A. The person who receives the lumber and converts it into an item which changes its classification from lumber into a lumber product is the person who reports on form WPB 3640.

21. Q. Should the use of poles, piling, and other material used in the round, or split or hewn from logs or bolts, be reported on form WPB 3640?—A. With the exception of hewed railway cross ties and switch ties, these items are not classed as lumber and should not be reported.

22. Q. Do staves, heads, and hoops used in cooperage come under Order L–335?—A. Staves and hoops are not considered lumber products and should not be reported on form WPB 3640 by either the user or the manufacturer. Heading is a fabricated product and should not be reported by the user. If heading is manufactured from heading bolts, it should not be reported by the manufacturer. But if heading is manufactured from lumber according to accepted definitions of lumber, the manufacturer should report such lumber on form WPB 3640 if he is a Class I consumer. Tobacco hogshead staves made from lumber should be reported by the stave manufacturer.

23. Q. Who should report the lumber used in the manufacture of matches?—A. This lumber should be reported by the person who buys match plank and who cuts it into match blocks. This interpretation is in accordance with the general principles of the answer to Question 19.

24. Q. I operate a sawmill and I also operate a box factory. In my box factory I use lumber produced in my sawmill and I use lumber that I get from other suppliers. Under paragraph (e) of the order is it necessary for me to file two application forms WPB 3640, one showing receipts from my sawmill and the other showing my receipts from other suppliers? Under paragraph (e) is it necessary for me to apply in any other way for permission to receive lumber from my sawmill than on form WPB 3640?—A. The answers to both questions is *No.* Receipts of lumber for your box factory regardless of the source should be consolidated and reported on one application form WPB 3640. This does not mean that you may not be required to get permission under some other order to transfer lumber from your "sawmill stock" to your fabricating plant (see orders L–290, M–361, and M–364).

25. Q. Should a manufacturer who makes small dimension stock direct from bolts or billets six feet or less in length report on form WPB 3640?—A. No. A manufacturer who makes small dimension stock from bolts or billets six feet in length or less should not report his wood requirements. However, if the small dimension stock is made from lumber see question and answer 19.

26. Q. Instruction 12 on form WPB 3640 asks applicants not to combine certain items listed. Item 24 is dimension stock. Should a manufacturer of dimension stock for a specific purpose such as furniture stock or farm implement stock indicate the special type of stock he is producing or simply include all his production under the general term "dimension stock"?—A. If the applicant can report the special purpose for which dimension stock is cut, he should do so.

27. Q. Should a furniture manufacturer who buys plywood panels report the lumber used as core stock for these panels?—A. No. Plywood panels are considered a fabricated product. The manufacturer of the panel should report the *lumber* used as core stock in manufacturing the panels.

28. Q. Is molding a fabricated product or lumber?—A. A fabricated product.

29. Q. Who should report lumber which has been treated with creosote or other preservative or fire retardant?—A. Treated lumber should be included in the report of the person using such lumber and should not be reported by a plant which merely treats the lumber. If any other processing, other than treating, is performed see question and answer 19.

30. Q. In reporting the dollar value of shipment, in sections I and II of form WPB 3640, should the F. O. B. plant price or delivered price be reported?—A. Report either one; whichever one can most conveniently be taken from your records.

31. Q. What should be reported as "Fabricated Wood Products" in section II of form WPB 3640?—A. Report sales of all products made entirely of lumber. For products made of both lumber and metal or other material, the dividing line must be arbitrary. If in doubt, apply the following rule: Products made of lumber (as reported in section III) and of other materials shall be considered as "Fabricated Wood Products" if such lumber constitutes by either weight or volume 50 percent or more of the total weight or volume of materials in the finished product. Report the value of the finished product, not merely the value of the lumber contained in it.

32. Q. Where should lumber used for operating supplies, be reported in section IV, form WPB 3640?—A. In column (d), with lumber for maintenance and repair. See paragraph 20 of the instructions to form WPB 3640.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5251; Filed, April 13, 1944; 11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M–361, Interpretation 2]

The following official interpretation in question and answer form is issued with respect to § 3285.101 *Conservation Order M–361:*

1. Q. What are the principal changes between the old and the amended M–361 and M–364 orders?—A. The principal changes are as follows:

(a) All edgings, trim and off-fall less than three inches wide or less than four feet long and all slabs which were, prior to the amendment of these orders, restricted lumber are no longer restricted and may be dealt with freely. Railway switch ties, mine ties, and used lumber are also free from control so far as these orders are concerned.

(b) In M–364 pecan and all birch except white birch produced in the New England States are now included in the species of hardwood which are now controlled under the order.

(c) "Producer" as now defined under the orders includes any sawmill which currently produces 5,000 board feet of lumber per day of any species of lumber, or any sawmill

which produced 5,000 board feet of lumber per day during the period from June 3 to December 3, 1943. In addition to sawmills any concentration yard or plant located in an area which produces restricted lumber is a "producer" if the yard or plant processes 25 percent or more of the lumber it receives and disposes of as lumber. Drying is now included as one of the activities classified as processing.

(d) Under the old orders sawmills located in areas not serviced by retail lumber yards were permitted to make retail sales without obtaining permission from the War Production Board. Under the orders as they are now written permission must be obtained from the War Production Board. Permission can be obtained for quarterly periods.

(e) The term "War Agency" has been defined in the order to denote what agencies may use the special certification provided for those agencies.

(f) Certificates to be used on purchases where the Central Procurement Agency has issued a purchase allocation have been revised. These certificates must now show the OPA Purchase Allocation Number. Certificates required to get lumber for use on War Agency contracts and purchase orders are also revised. These certificates must now show the particular contract or purchase order numbers, the name of the War Agency which issued the contract or purchase order, and the agency, contractor, or sub-contractor who will use the lumber.

(g) Direction 2 to Orders M-361 and M-364 has been revoked. The procedures provided for in those directions have been incorporated into the orders (see paragraphs (c) (5), (d) (3), and (e) (3).

(h) The orders have been rewritten and clarified to make them easier to interpret and to avoid misunderstandings which have arisen in the past. The term "sawmill stock" is used for the purpose of identifying the lumber belonging to a producer which cannot be moved without some kind of permission under paragraph (c) of the order, and paragraph (e) has been added to explain in detail the use of Form WPB 2720.

2. Q. How do the amendments to Order M-361 and M-364 affect certificates which have been issued under paragraphs (b) (1) and (b) (2) of the orders prior to their amendment?—A. After March 27, no lumber can be shipped on certificates based on paragraphs (b) (1) and (b) (2) of the old orders and new certificates as required by paragraphs (c) (1) and (c) (2) of the amended orders will have to be obtained from the purchaser or user. In order not to cause any delay in the shipment of lumber the information required on the certificates may be telegraphed to the producer," and this is sufficient authority for him to deliver the lumber. To keep a proper record, the purchaser must either sign his file copy of the telegram by a duly authorized official or promptly confirm the wire with a regular written certification.

3. Q. Except for Direction 2, are all other directions to Orders M-361 and M-364 still in effect?—A. All directions except Direction 2 to Orders M-361 and M-364 are still in effect. The references in the directions to the particular paragraphs of the orders are inaccurate, but amended versions of these directions are now being issued. For instance, the first clause of Direction 1 to Order M-361 refers to paragraph (d) of the order. The direction should refer to paragraph (g) instead of (d).

4. Q. Under the definitions of restricted southern yellow pine lumber and restricted hardwood lumber is lumber worked to standard patterns such as flooring, car-siding, or beaded ceiling considered restricted lumber?—A. Yes. Lumber worked to any pattern for which standard dimensions are given in any lumber grading rule book is considered lumber under the orders the same as boards, dimensions, planks, and timbers. A producer may manufacture these patterns without prior permission of the War Production Board, but must get permission to make delivery as provided for in paragraph (c) of the orders.

5. Q. Under the definitions of restricted southern yellow pine lumber and restricted hardwood lumber is lumber worked to special patterns, such as interior trim, cut stock for sash and doors, box shook, or special patterns of siding made from restricted lumber considered restricted lumber?—A. No. Lumber worked to any SPECIAL pattern or to any item other than standard sizes, and patterns is considered a fabricated product under these orders. A producer cannot use his sawmill stock to manufacture special patterns or other fabricated products without first obtaining permission to do so under paragraph (c) of the orders. After permission has been granted by the War Production Board for a producer to use his sawmill stock for these purposes, no further permission is required from the War Production Board for the producer to sell and deliver the special items. The procedure that must be followed in obtaining permission to use sawmill stock for these purposes is set forth in paragraph (c) (4) of the orders.

6. Q. Under the definitions of restricted southern yellow pine lumber and hardwood lumber is molding, including stock and special patterns, considered restricted lumber?—A. No. All molding including stock and special patterns are regarded as fabricated products and permission to use "sawmill stock" for the manufacture of these items must be had as in the case of lumber worked to special pattern.

7. Q. Under the definitions of restricted southern yellow pine lumber and restricted hardwood lumber, are blanks cut to size for the manufacture of wooden products (dimension stock and squares) for such items as handles, dowels, or other wood-turning uses, considered restricted lumber?—A. No. Blanks cut to size for wooden products, including dimension stock and squares are not restricted lumber but are fabricated products. Permission for a producer to use his sawmill stock must be obtained in the same way as in the case of lumber worked to special patterns. Slabs and off-fall of sizes excepted under the terms of paragraph (b) (1) may be used to make these items without permission of the War Production Board but such slabs and off-fall are not to be produced for the purpose of evading the orders.

8. Q. Under the definitions of restricted southern yellow pine lumber and restricted hardwood lumber are hewn wooden items including firewood and posts considered restricted lumber?—A. No. Hewn wooden items are not lumber and their manufacture or delivery is not restricted by these orders unless they are made from restricted lumber.

9. Q. Are such items as sawdust, shavings, chips, and ground wood products considered lumber?—A. No. Sawdust, shavings, chips, etc., are not lumber and may be sold or delivered without regard to these orders. If any of these items are made from restricted lumber permission to use the lumber for that purpose must be obtained from the War Production Board.

10. Q. Are poles and piling considered restricted lumber? A. If the poles and pilings are made from logs which have not been sawed lengthwise and are in their natural round shape they are not considered sawed lumber and may be sold or delivered without regard to the orders.

11. Q. Under the definitions of restricted southern yellow pine lumber and restricted hardwood lumber is hardwood flooring considered restricted lumber?—A. Yes. Under Order M-364 hardwood flooring is restricted lumber. Hardwood flooring in the hands of a producer is considered sawmill stock and can only be sold, shipped, and delivered, or used by the producer only after permission to do so has been obtained under paragraph (c) of the orders.

12. Q. A sawmill cuts an average of 500 feet of southern yellow pine and 300 feet of oak per day. It also cuts 4500 feet of gum lumber. Is the output of this mill controlled under the orders?—A. Yes, since it produces an average of more than 5,000 feet of all species of lumber per day. The southern yellow pine and oak are restricted species and therefore can only be delivered after permission has been obtained from the War Production Board under paragraph (c) of the orders. The gum lumber is not restricted and may be sold without authorization.

13. Q. How can a sawmill which produces as little as 500 board feet of lumber per day of the restricted species sell this small amount of lumber under the restrictions of the orders?—A. Any sawmill which produces very small quantities of restricted lumber and has difficulty in locating consumers who either have permission to use certificates on their orders or have Form 2720 approvals can sell this small output of lumber to another producer. Under paragraph (c) (4) of the orders you will note that sawmill stock can be exchanged between producers freely without prior authorization. Of course this means that it can only be sold to another producer whose output is controlled under the order and it cannot be sold to a sawmill or concentration yard whose stock is not controlled. Application might also be made to the War Production Board for authority to sell this amount of lumber at retail and/or essential uses in the local area. This application would be made on Form 2720 under paragraph (e) (4) of the orders.

14. Q. What is meant by "produces * * * over 5,000 feet, board measure, of any one or more species of lumber * * * per average day of eight hours of continuous operation?"—A. There are two tests that must be used in determining whether you are a "producer". (1) If you produced 5,000 board feet of lumber a day during the period from June 3, 1943 to December 3, 1943 you are a "producer" or (2) if you "currently" produce over 5,000 feet of lumber per day you are a "producer". To determine a sawmill's current production on an average eight-hour day it is necessary to take the total production of the mill including all sizes and grades of all species of lumber which the mill cuts for a given period. The number of days which the mill operated during that period should then be determined. If the mill ran more or less than eight hours in any day in the period take the total number of hours that the mill operated in the given period and divide by 8 to get the number of eight-hour days of continuous operation and then divide the total quantity of lumber produced by the number of eight-hour days of continuous operation and you will have the average daily production.

15. Q What is meant by "produces currently?"—A. "Currently" means the most recent period of operation of a mill for which production figures are available. However, this period must be long enough (not less than 64 hours of operation) to exclude temporary fluctuation in production caused by weather, break-downs, or other short-term factors affecting production. Do not compute the number of hours spent in falling timbers, logging, and skidding. Only the hours spent in milling operation are to be used in computing production.

16. Q. What is meant by "an area where restricted * * * lumber is produced?"—A. Concentration yards and plants engaged in drying, sawing, edging, planing, and other forms of processing lumber generally serve the needs of several sawmills and are located in an area where timber is felled and logs are cut into lumber. This area is the production area or the area where the lumber is produced. The function of concentration yards and plants engaged in processing lumber are distinguished from the distribution

yards which generally are located near the ultimate consumer of the lumber.

17. Q. A concentration yard located in a producing area receives lumber from mills producing less than 5,000 feet per day, and processes 25 percent or more of this lumber before selling it. The concentration yard handles only 4,000 feet per day. Is it a producer?—A. Yes. The exemption for sawmills producing less than 5,000 feet per day applies only to sawmills and not to concentration yards. If a yard is both a mill and a concentration yard located in a producing area and it processes more than 25 percent of the lumber it receives it is a producer.

18. Q. Suppose a sawmill produces an average of 2,000 feet per day and buys from other sawmills in the area an average of 1,000 feet of restricted lumber per day, what part of its lumber would be restricted?—A. You will note that this mill processes more than 25% of the lumber it handles and since it buys restricted lumber from other sawmills it is also a concentration yard so all of the lumber it handles of the restricted species would be restricted lumber.

19. Q. If a plant processes logs or lumber to standard lumber specifications for other persons, but does not buy or sell, or ever takes title to the logs or lumber which it processes, what is the status of this plant under the orders?—A. Any plant located in a producing area which processes logs or lumber for other persons is a producer and all lumber passing through that mill becomes restricted lumber. If the lumber which this mill processes belongs to a producer it may be returned to the producer since lumber can be exchanged freely between producers under paragraph (c) (4) of the orders. A retail yard located in a producing area may take lumber it has been authorized to receive to a mill and have it processed and get it back without further authorization from the War Production Board However, if the retail yard has not received a prior authorization to receive the lumber (since it may have come from a mill whose output is not restricted) and it takes the lumber to a mill who is a producer it cannot get the lumber back from that mill without a prior authorization from the War Production Board even though it retains title to the lumber. For example: a mill engaged in custom milling may not receive restricted species of lumber from a sawmill cutting less than 5,000 feet per day, process the lumber, and deliver it to a distributor or user without first securing permission under paragraph (c) to make delivery, even though the distributor or user may have previously purchased the lumber from a small sawmill and may hold title to the lumber before the processor received it.

20. Q. Is a plant, or yard located in a producing area, a "producer" if it buys rough green lumber of the restricted species from sawmills, dries it, sorts and grades it, and then sells the lumber in the rough without planing or otherwise working it?—A. Yes. A plant or yard located in a producing area which handles any amount of restricted lumber and dries 25 percent or more of the lumber it receives and sells or otherwise disposes of lumber without fabricating it into other products is a producer. Drying means air drying or kiln drying, either partial or complete.

21. Q. Before the orders were recently amended a sawmill located in an area not serviced by retail yards was permitted to make sales for local needs without obtaining permission from the War Production Board. Under the amended orders has there been any change?—A. Yes. If a sawmill or other producer, whether in an area served by retail yards or not, has been supplying local retail needs, the producer may apply on Form WPB 2720 for permission to sell a certain quantity of lumber at retail. The application should be made out from the standpoint of retail sales only, supplying information on past and future requirements for such sales, and indicating ratings and intended uses of lumber for these sales. The producer will be given authorization for such sales just as though he were a retail yard serving the same demands in the same area, and he may transfer lumber from his sawmill stock for such sales up to the amount authorized. See paragraph (c) (4) of the orders.

22. Q. Under what circumstances may the provisions of paragraph (c) (1) be used?—A. Paragraph (c) (1) may be used to obtain deliveries of lumber for projects requiring lumber for which the Central Procuring Agency has issued a purchase allocation.

23. Q. If a purchase allocation has been issued to a producer and a copy has been sent to the receiver of the lumber is a certification required?—A. No. The certification provided for in paragraph (d) (1) which is required by paragraph (c) (1) of the order can only be used by a supplier other than a producer who is getting lumber from a producer for delivery to someone else on a CPA allocation. In this case there is no supplier other than the producer and the lumber may be delivered on the basis of the purchase allocation issued to the producer.

24. Q. If the purchase allocation has been issued to a supplier who is not a producer and a copy of the purchase allocation has been sent to the ultimate receiver of the lumber is a certification required?—A. If the supplier who may be either a wholesaler, retailer, or an agent intends to use the purchase allocation to obtain lumber from a producer for delivery to someone other than himself he must use the certification prescribed in paragraph (d) (1) of the order. If the supplier is going to deliver the lumber from his own inventory no certification is required but the supplier cannot use a certaification to get lumber to replace lumber in his inventory.

25. Q. If the purchase allocation was issued to a retailer and the retailer issued a certification to a supplier who is not a producer can the supplier extend or issue a new certification on the basis of the certification which he received from the retailer?—A. No. The supplier may ship lumber to the retailer on the basis of the certification which he has received from the retailer but he may not extend that certification for the purpose of replacing lumber in his inventory. The supplier cannot originate a new certificate as he was not the person who received the purchase allocation. If the supplier does not wish to deplete his inventory he should have the retailer address his purchase order to a producer and affix the (d) (1) certification to that purchase order.

26. Q. Under what circumstances may the provisions of paragraph (c) (2) be used?—A. The provisions of paragraph (c) (2) should be used only for deliveries of lumber which will be used for the purposes listed in that paragraph on particular war agency contracts or purchase orders. Any "war agency" named in paragraph (b) (4) may obtain lumber for its own use under these provisions. Any contractor or sub-contractor of such an agency who has a contract, subcontract or purchase order entered into or issued by a "war agency", and who needs lumber for any of the purposes listed in the paragraph in order to fulfill his contract or purchase order, may obtain the lumber needed under the provisions of the paragraph.

In obtaining lumber under paragraph (c) (2), the certification provided in paragraph (d) (2) must be used.

No contractor or subcontractor may use the "war agency" certification to obtain lumber for replacement in inventory of lumber used on "war agency" orders or contracts, or for use on anticipated orders or contracts. No contractor shall use this certification to obtain more lumber than is actually required for use on the "war agency" contracts or orders.

No person other than a "war agency" or a contractor or subcontractor of a "war agency" may originate a "war agency" certification as provided under paragraph (c) (2). A lumber dealer, wholesaler, and agent may obtain lumber under the provisions of paragraph (c) (2) and use the certificate provided for in paragraph (d) (2) if he has first received a certified order from a "war agency", or a contractor or subcontractor of a "war agency." Furthermore, all of the lumber received by a dealer on any order on which he placed the certification indicated in paragraph (d) (2) must be delivered only to the "war agency" or contractor indicated in such certification. If for any reason any lumber delivered on this "war agency" certification cannot be used in accordance with the purpose stated in the certification, the person who has received the lumber must apply on Form WPB 2720 for permission to use the lumber for any other purpose.

27. Q. Is the Federal Housing Administration a "war agency" in contracting for war housing? What is meant by "war agency"?—A. No. Federal Housing Administration is not a "war agency." Only those agencies specifically listed in paragraph (b) (4) are war agencies and lumber may be secured on a "war agency" certification provided for in paragraph (d) (2) only for contracts and purchase orders of those listed agencies and agencies buying lumber for Lend-Lease requirements. It should be noted that the definition of "war agency" does not include all of the agencies named in paragraph (b) (1) and (b) (2) of § 944.1 of Priorities Regulation 1.

28. Q. Are the agencies specifically named in paragraph (b) (4) of the orders the only agencies that can use the certification provided for such agencies?—A. No. Although other agencies of the government not specifically mentioned in paragraph (b) (4) are not for all purposes war agencies. Some may be war agencies for the purpose of "placing orders for material or equipment to be delivered to or for the account of" any country other than the United States under the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" (Lend-Lease Act). For instance when the Department of Agriculture places an order for lumber to ship food to Russia under the Lend-Lease Act it would be a "war agency" for that purpose, but if it placed an order for lumber for shipping a commodity which was to be used by the United States and not for lend-lease purposes it would not be a "war agency."

29. Q. In the certificate indicated in paragraph (d) (2) of the orders, what is meant by "prime contract (or purchase order) number"?—A. "Prime contract (or purchase order) number" means the contract or purchase order number issued by a war agency to identify the contract between the war agency and the contractor. If the lumber is required by a subcontractor, he should ascertain the correct number of the original or prime contract or order issued to his prime contractor, and should enter that number. If lumber is ordered on this certification for more than one prime contract or purchase order, the numbers of all the contracts or orders on which the lumber will be used must be inserted or attached.

30. Q. What should be inserted in the space "_____"?—A. Give in the space

(War Agency)

for "War Agency" the name of the war agency who entered into the contract, or issued the purchase order, indicated by number in the space above.

31. Q. What should be inserted in the space "_____

(War Agency, Contractor, or Subcon-

_____"?—A. Give in this space the name

tractor)

of the war agency, contractor, or subcontractor who is placing an order for lumber, and who will receive and use the lumber for the prime contract or order indicated in the certification.

32. Q. What is the procedure for making application to get restricted lumber under

these orders?—A. Where a person is not authorized to use one of the forms of certifications provided for in the orders or in directions issued pursuant to the orders and he wants to obtain lumber from a producer he should use form WPB 2720 to obtain authority and if the application on this form is approved delivery may be made under paragraph (c) (5) of the order. The procedure in using this form is set forth in paragraph (c) of the order.

33. Q. Must a person who needs restricted lumber always have placed an order for the lumber before he makes an application?—A. Yes. Any person making application on form WPB 2720 must first get in touch with a supplier and find out whether the supplier can fill the order if and when delivery is authorized. It is desirable but not necessary for the person to place an order with the supplier and have it accepted before filing application on form WPB 2720. The order may be placed with any supplier who is either a producer, a wholesaler or an agent. The name and address of the supplier who has accepted the order, whether he is a producer or a wholesaler, must be indicated on the form in the space provided for a "producer".

34. Q. May a purchaser of restricted lumber make application for more than one order on the same WPB 2720 form?—A. Yes, provided that the same supplier will deliver all of the lumber applied for. If deliveries are to be made by more than one supplier, separate applications must be made for each supplier.

35. Q. Who should make the application required on form WPB 2720?—A. The person who needs the lumber should in every instance make out the application on form WPB 2720. Intervening sellers such as wholesalers or other lumber dealers who buy lumber for direct delivery to other persons and not for resale from their yards should not make the application. Lumber dealers who need lumber for resale or inventory should also apply on form WPB 2720. Intervening persons such as wholesalers and lumber dealers may assist a person needing the lumber in making out his form and sending it to the War Production Board for approval.

36. Q. Should preference ratings be applied or extended for deliveries of restricted lumber under these orders?—A. Yes. Preference ratings should be applied or extended for restricted lumber just as for any other material.

37. Q. What effect do preference ratings have on orders which carry a certification or which are authorized on form WPB 2720?—A. Preference ratings have the same effect on these orders that they would have on any other orders on which ratings are used.

It should be noted that no order for restricted lumber may be delivered by producer prescribed in Direction 2 to Orders M–361 and M–364 if the certificate was placed on the purchase order prior to the revocation of either one of those directions?—A. Yes. Direction 2 has been incorporated into Orders M–361 and M–364 and the certificate now prescribed in the orders is the same as the one prescribed in what was formerly Direction 2. Orders placed after the date of the revocation of the direction should bear certificates prescribed in the orders and should not refer to the direction.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5246; Filed, April 13, 1944; 11:36 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M–364, Interpretation 2]

NOTE: Interpretation 2 is issued jointly with respect to Conservation Orders M–361 and M–364, and appears supra.

[F. R. Doc. 44–5252; Filed, April 13, 1944; 11:35 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–79, Interpretation 3]

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The following interpretation is issued with respect to Limitation Order L–79:

The restrictions of paragraph (f) (3) of Limitation Order L–79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5249; Filed, April 13, 1944; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RMPR 122, Amdt. 20]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 122, Solid Fuels Sold and Delivered by Dealers, is amended in the following respects:

1. Section 1340.1021 (a) (1) is amended to read as follows:

(1) The maximum prices for anthracite sold by dealers in the Pennsylvania anthracite district shall be the prices established by the Office of Price Administration for the sale of anthracite by producers in the Pennsylvania anthracite district, plus the following amounts per net ton for the various sizes of anthracite (including Virginia anthracite) f. o. b. transportation facilities at the mine:

(1)

Size	Price per net ton to and including Mar. 31, 1945	Price per net ton on and after Apr. 1, 1945
Egg, stove, and nut	$4.80	$4.70
Pea	3.55	3.35
Buckwheat	2.05	1.85
Rice	2.30	2.10
Culm	1.10	1.10
Special prepared ¼" by ⅜" crusher run of mine	4.05	3.85

(2) For truck or wagon shipment there may be added to the maximum prices established by subparagraph (1) above the sum of 25 cents per net ton on all sizes except special prepared ⅛" by ⅜" crusher run of mine.

(3) For rail shipment, a discount of 10 cents per net ton for cash payment or payment within 15 days from date of invoice must be deducted from the maximum prices established by subparagraph (1) above.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5189; Filed, April 12, 1944; 4:41 p. m.]

these orders?—A. Where a person is not authorized to use one of the forms of certifications provided for in the orders or in directions issued pursuant to the orders and he wants to obtain lumber from a producer he should use form WPB 2720 to obtain authority and if the application on this form is approved delivery may be made under paragraph (c) (5) of the order. The procedure in using this form is set forth in paragraph (e) of the order.

33. Q. Must a person who needs restricted lumber always have placed an order for the lumber before he makes an application?—A. Yes. Any person making application on form WPB 2720 must first get in touch with a supplier and find out whether the supplier can fill the order if and when delivery is authorized. It is desirable but not necessary for the person to place an order with the supplier and have it accepted before filing application on form WPB 2720. The order may be placed with any supplier who is either a producer, a wholesaler or an agent. The name and address of the supplier who has accepted the order, whether he is a producer or a wholesaler, must be indicated on the form in the space provided for a "producer".

34. Q. May a purchaser of restricted lumber make application for more than one order on the same WPB 2720 form?—A. Yes, provided that the same supplier will deliver all of the lumber applied for. If deliveries are to be made by more than one supplier, separate applications must be made for each supplier.

35. Q. Who should make the application required on form WPB 2720?—A. The person who needs the lumber should in every instance make out the application on form WPB 2720. Intervening sellers such as wholesalers or other lumber dealers who buy lumber for direct delivery to other persons and not for resale from their yards should not make the application. Lumber dealers who need lumber for resale or inventory should also apply on form WPB 2720. Intervening persons such as wholesalers and lumber dealers may assist a person needing the lumber in making out his form and sending it to the War Production Board for approval.

36. Q. Should preference ratings be applied or extended for deliveries of restricted lumber under these orders?—A. Yes. Preference ratings should be applied or extended for restricted lumber just as for any other material.

37. Q. What effect do preference ratings have on orders which carry a certification or which are authorized on form WPB 2720?—A. Preference ratings have the same effect on these orders that they would have on any other orders on which ratings are used.

It should be noted that no order for restricted lumber may be delivered by producers unless delivery of the order has been permitted under the provisions of paragraph (c). However, a producer may receive more orders which he is permitted to deliver than he can fill. In that case, he shall deliver the orders he received in accordance with the preference ratings applied or extended on them. Therefore, a preference rating may be necessary to get delivery of an order, even though delivery of the order is permitted under paragraph (c).

Preference ratings may also be necessary to secure acceptance of orders by suppliers before permission for delivery can be applied for on form WPB 2720.

It should be noted that no restricted deliveries may be made solely on the basis of a preference rating, however high the rating may be. All such deliveries require specific permission under paragraph (c) in addition to a rating.

38. Q. Can a lumber producer ship lumber on the purchase order bearing a certificate prescribed in Direction 2 to Orders M-361 and M-364 if the certificate was placed on the purchase order prior to the revocation of either one of those directions?—A. Yes. Direction 2 has been incorporated into Orders M-361 and M-364 and the certificate now prescribed in the orders is the same as the one prescribed in what was formerly Direction 2. Orders placed after the date of the revocation of the direction should bear certificates prescribed in the orders and should not refer to the direction.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5246; Filed, April 13, 1944; 11:36 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Interpretation 2]

NOTE: Interpretation 2 is issued jointly with respect to Conservation Orders M-361 and M-364, and appears supra.

[F. R. Doc. 44-5252; Filed, April 13, 1944; 11:36 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-79, Interpretation 3]

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The following interpretation is issued with respect to Limitation Order L-79:

The restrictions of paragraph (f) (3) of Limitation Order L-79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5249; Filed, April 13, 1944; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 121, Amdt. 30]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1340.249 (h) is amended to read as follows:

(h) Notwithstanding the provisions of paragraphs (a) and (b) of this section the following maximum prices are established for semi-anthracite produced in the State of Virginia (also known as Virginia anthracite) f. o. b. transportation facilities at the mine:
(1)

Size	Price per net ton to and including Mar. 31, 1945	Price per net ton on and after Apr. 1, 1945
Egg, stove, and nut	$4.80	$4.70
Pea	3.55	3.35
Buckwheat	2.95	2.85
Rice	2.30	2.10
Culm	1.10	1.10
Special prepared ¼" by ⅞" crusher run of mine	4.05	3.85

(2) For truck or wagon shipment there may be added to the maximum prices established by subparagraph (1) above the sum of 25 cents per net ton on all sizes except special prepared ¼" by ⅞" crusher run of mine.

(3) For rail shipment, a discount of 10 cents per net ton for cash payment or payment within 15 days from date of invoice must be deducted from the maximum prices established by subparagraph (1) above.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5189; Filed, April 12, 1944; 4:41 p. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 20]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In § 1340.256 (c) (1) and (2) an undesignated paragraph is added to read as follows:

During the period April 15, 1944, to and including June 30, 1944, the specific amounts set forth above as an addition to the rule 1A price may be increased by an amount not to exceed 25 cents per net ton.

2. Section 1340.256 (c) (3) is amended to read as follows:

(3) In the case of Pennsylvania anthracite, the amount per net ton for the sizes and for the time specified, as follows:

*Copies may be obtained from the Office of Price Administration.

Size	To and including May 31, 1944	On and after June 1, 1944, to and including June 30, 1944	On and after June 30, 1944
Egg, stove and nut	$1.25	$0.95	$0.85
Pea	1.20	.90	.80
Buckwheat	1.05	.75	.65
Rice	.95	.70	.65
Barley	.70	.55	.35
Smaller than barley	.65	.50	.30

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

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CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5190; Filed, April 12, 1944; 4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR. 373,[1] Amdt. 46]

MEATS, POULTRY AND CERTAIN DAIRY PRODUCTS IN TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 373 is amended in the following respects:

1. Section 19a is amended in the following respects:

a. The caption to section 19a is amended to read as follows:

SEC. 19a. *Sales at retail of Island meats, poultry, and certain dairy products.*

b. Paragraph (d) is revoked.

c. Paragraph (h) is amended to read as follows:

(h) The maximum prices of wholesale cuts of Island meats sold by retailers shall be the same as those prescribed for wholesalers in section 19 of this regulation. It is the purposes of this provision to enable the retailer to compute his maximum prices on those carcasses or portions of carcasses from which are derived the retail cuts.

d. Tables A through J inclusive are revoked, and Tables K, L, M, N, O, P, Q, and R are redesignated A, B, C, D, E, F, G, and H, respectively.

2. Section 19b is added to read as follows:

SEC. 19b. *Ceiling prices for sales at retail of mainland meats, meat products, poultry, eggs and certain dairy products*—(a) *What is covered by this section.* Ceiling prices for sales at retail of all mainland meats, meat products, poultry, eggs and certain dairy products are fixed in paragraph (h). The only mainland beef, veal, pork, lamb and mutton cuts and variety meats which you may sell or offer to sell at retail are those described in paragraph (e). Certain additional charges are permitted in paragraph (f) to cover transportation differentials existing in certain localities of the outer Islands. These localities are:

(1) "Zone 2 on the Island of Hawaii", which comprises the districts of North Hilo, Hamakua and Kau, as defined by section 7620 of Revised Laws of Hawaii, 1935.

(2) "Zone 3 on the Island of Hawaii", which comprises the districts of North Kahala, South Kahala, North Kona and South Kona, as defined by section 7620 of Revised Laws of Hawaii, 1935.

(3) "Zone 2 on the island of Maui", which comprises the districts of Hana and that portion of the district of Makawao lying south of the south boundary of ahupuaa Kamaole, as defined by section 7620 of Revised Laws of Hawaii, 1935.

(b) *What beef, veal, pork, lamb and mutton cuts or variety meats or edible by-products you may sell.* On and after effective date of this section, the only beef, veal, pork, lamb, and mutton items you may sell are:

(1) Those cuts—fresh, frozen, cured or smoked—which are described and given dollar-and-cents ceiling prices under this section.

(2) Those variety meats and edible by-products which are described and given dollar-and-cents ceiling prices under this section.

(3) Fresh and smoked sausage and ready-to-eat items which are given dollar-and-cents ceiling prices or margins under this section.

(c) *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are ceiling prices fixed by section 19 of this regulation (Maximum Slaughterers' and Wholesalers' Prices for Mainland Meat Products and Certain Mainland Dairy Products, and Maximum Prices for Island Meats, Hogs, Rabbits, Poultry and Eggs Sold by Slaughterers, Wholesalers and Producers). Nevertheless, you may during any month use the ceiling prices fixed by this section in selling to eating places if 80% or more of your total dollar sales of the items covered by this section during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(d) *Grades.* Mainland beef, veal, lamb and mutton must be graded as required under Maximum Price Regulation No. 169 (Beef and Veal Carcasses and Wholesale Cuts), Revised Maximum Price Regulation No. 280 (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail) and Office of Economic Stabilization Regulation No. 1 (Grading and Grade Labeling of Meats).

The grades applicable to this section are these:

(1) Beef, veal and lamb grades:

Choice	or	AA
Good	or	A
Commercial	or	B
Utility	or	C

(2) Mutton grades:

Good	or	S
Commercial	or	M
Utility	or	R

Under the requirements of Office of Economic Stabilization Regulation No. 1, grade marks placed on mainland beef, veal, lamb and mutton carcasses and wholesale cuts in conformance with that regulation may not be removed before selling.

Mainland poultry must be classified by grades as set forth in Revised Maximum Price Regulation No. 269 (Poultry). The grades are:

Grade A
Grade B
Grade C

(e) *Description of the mainland retail beef, veal, pork, lamb and mutton cuts you may make.* This paragraph describes the different retail cuts of beef, veal, pork, lamb and mutton which you may sell and how they are to be cut. If you have on hand a carcass, side, quarter or combination cut of mainland beef, veal, pork, lamb or mutton you must first cut it into the standard wholesale cuts set forth in section 19 of this regulation (Maximum Slaughterers' and Wholesalers' Prices for Mainland Meat Products and Certain Mainland Dairy Products, and Maximum Prices for Island Meats, Hogs, Rabbits, Poultry and Eggs Sold by Slaughterers, Wholesalers and Producers), before you make the retail cuts.

All mainland wholesale cuts of beef, veal, pork, lamb and mutton sold in the Territory of Hawaii must comply either with the cutting specifications set forth in Maximum Price Regulation No. 169 (Beef and Veal Carcasses and Wholesale Cuts), Revised Maximum Price Regulation No. 239 (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail), Revised Maximum Price Regulation No. 148 (Dressed Hogs and Wholesale Pork Cuts), and Office of Economic Stabilization Regulation No. 1 (Grading and Grade Labeling of Meats), or with section 19 of this regulation.

All retail cuts covered in the following specifications shall be trimmed as described before the cuts may be weighed or sold to the customer. No fat shall be added to any of the cuts before they are weighed or sold to the customer.

(1) *Retail beef cuts*—(i) *Steaks.* (a) Flank steak is made from a standard wholesale beef flank. All membrane shall be removed from this steak. This steak shall not be cut into more than two pieces before selling.

(b) Porterhouse, T-bone and Club Steaks are made from the standard primal short loin. Porterhouse steaks contain a large portion of the tenderloin; T-bone steaks contain a small portion of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6640, 7200, 7457, 8064, 8530, 10270, 10666, 10984, 11247, 11437, 11840, 12299, 12703, 13028, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16306, 16997, 17201, 9 F.R. 173, 393.

the tenderloin; Club steaks contain no tenderloin. All fat exceeding 1" in thickness shall be trimmed from these steaks.

(c) Rib steaks are 10" and 7" cuts made from the standard primal rib after the blade bone or blade cartilage has been removed. The rib bone or bones in these cuts shall measure no longer than 10" or 7", respectively, in a straight line from the protruding edge of the chine bone.

(d) Round steak (bone in), full cut, includes a part of the top round, the bottom round, and the eye of the round and round bone. Round steaks (full cut) shall contain the round bone but no part of the knee cap or knuckle bone. All fat exceeding 1" in thickness shall be trimmed from this steak. It may be cut into two or more pieces before selling.

(e) Shoulder steak (blade bone) is made from the blade bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any blade bone shoulder steak. All fat exceeding 1" in thickness shall be removed from this steak.

(f) Shoulder steak (round bone or arm cut) is made from the shoulder round bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any round bone shoulder steak.

(g) Sirloin or pinbone (bone in) is made from the standard primal sirloin (loin end). All fat exceeding 1" in thickness shall be trimmed from this steak.

(iii) *Stew and other cuts.* (a) Lean meat (boneless) is made from fresh, lean, muscle beef including skirt, brisket, flank, shank, neck, plate, heel of round, or other beef trimmings.

(b) Brisket (bone in) is made from the standard primal brisket without removing the bones. All fat exceeding 1" thickness shall be removed from this cut.

(c) Brisket (boneless) is the boneless meat of the primal brisket after all bone, gristle, cartilage and excess fat have been removed.

(d) Flank meat (boneless) is the meat remaining after the flank steak, bone, gristle, membrane and cod fat have been removed from the primal cut.

(e) Ground beef or hamburger means ground or chopped fresh, lean, muscle beef including skirt, flank, shank, neck, plate, brisket, heel of round or lean beef trimmings, and must not contain more than 28% beef fat by chemical analysis. Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind or any other ingredient shall not be put into ground beef.

(f) Knuckle bones (closely trimmed) shall include rump knuckle, arm bone knuckle, shoulder knuckle, and stifle joints, but shall not include knee caps or other bone.

(g) Shin bones (meaty), hind or fore, center cuts, are made from the standard wholesale fore shank after the tongue piece, knee bone, and knuckle end has been removed, and hind shank after the heel of round and hock and stifle joint have been removed.

over 6" in length on the inside from the protruding edge of the chine bone to the rib end of the chop and include the 6th and 12th ribs.

(d) Shoulder chops (blade or arm) mean any chops cut from the square cut shoulder. They shall not contain any part of the neck or shank or shoulder knuckle bone.

(e) Leg steaks or cutlets (round bone) are cut from the leg of veal "rump off". The portion known as the heel of round may not be included but may be used either as a boneless roast, boneless stewing veal, or ground veal.

(ii) *Roasts.* (a) Leg of veal (whole) means that portion of the hindquarter remaining after the severance of the loin at the pin bone. The hock joint must be removed before selling.

(b) Leg (shank half) means the whole leg as described, which has been cut in half. This must be sold without removing any round steaks (cutlets). The hock joint must be removed before selling.

(c) Rump of veal means the rump cut from the leg by placing the knife 1" from the knob at the aitch bone, continuing the cut close to the edge of the aitch bone perpendicular to the outside or skin surface.

(d) Sirloin roast (bone in) means the entire hip or sirloin of veal cut from the whole leg of veal.

(e) Chuck or shoulder (square cut) (bone in) means the forequarter of veal

the tenderloin; Club steaks contain no tenderloin. All fat exceeding 1" in thickness shall be trimmed from these steaks.

(c) Rib steaks are 10" and 7" cuts made from the standard primal rib after the blade bone or blade cartilage has been removed. The rib bone or bones in these cuts shall measure no longer than 10" or 7", respectively, in a straight line from the protruding edge of the chine bone.

(d) Round steak (bone in), full cut, includes a part of the top round, the bottom round, and the eye of the round and round bone. Round steaks (full cut) shall contain the round bone but no part of the knee cap or knuckle bone. All fat exceeding 1" in thickness shall be trimmed from this steak. It may be cut into two or more pieces before selling.

(e) Shoulder steak (blade bone) is made from the blade bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any blade bone shoulder steak. All fat exceeding 1" in thickness shall be removed from this steak.

(f) Shoulder steak (round bone or arm cut) is made from the shoulder round bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any round bone shoulder steak.

(g) Sirloin or pinbone (bone in) is made from the standard primal sirloin (loin end). All fat exceeding 1" in thickness shall be trimmed from this steak.

(h) Sirloin tip or butt steak (boneless) is made from the sirloin tip or butt roast.

(ii) *Roasts.* (a) Chuck or shoulder (round bone) roast is made from the shoulder round bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any chuck or shoulder (round bone) roast.

(b) Chuck or shoulder (blade bone) roast is made from the blade bone portion of the standard primal chuck. No portion of the knuckle shall be included in any blade bone roast.

(c) Heel of round (boneless) roast is separated from the hind shank according to the usual practice in each locality. It shall not include the front muscle of the shin bone and it shall be entirely boneless.

(d) Rib roast. This roast is made in 10" and 7" cuts from the standard primal rib. The rib bone shall measure no longer than 10" and 7", respectively, in a straight line from the protruding edge of the chine bone. The blade bone or cartilage shall be removed from this roast.

(e) Rump roast (trimmed, bone in) shall contain part of the aitch bone but no rump knuckle bone. Not more than 1" of fat shall be left on the outside or within the pelvic cavity of this cut.

(iii) *Stew and other cuts.* (a) Lean meat (boneless) is made from fresh, lean, muscle beef including skirt, brisket, flank, shank, neck, plate, heel of round, or other beef trimmings.

(b) Brisket (bone in) is made from the standard primal brisket without removing the bones. All fat exceeding 1" thickness shall be removed from this cut.

(c) Brisket (boneless) is the boneless meat of the primal brisket after all bone, gristle, cartilage and excess fat have been removed.

(d) Flank meat (boneless) is the meat remaining after the flank steak, bone, gristle, membrane and cod fat have been removed from the primal cut.

(e) Ground beef or hamburger means ground or chopped fresh, lean, muscle beef including skirt, flank, shank, neck, plate, brisket, heel of round or lean beef trimmings, and must not contain more than 28% beef fat by chemical analysis. Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind or any other ingredient shall not be put into ground beef.

(f) Knuckle bones (closely trimmed) shall include rump knuckle, arm bone knuckle, shoulder knuckle, and stifle joints, but shall not include knee caps or other bone.

(g) Shin bones (meaty), hind or fore, center cuts, are made from the standard wholesale fore shank after the tongue piece, knee bone, and knuckle end has been removed, and hind shank after the heel of round and hock and stifle joint have been removed.

(h) Plate (bone in) is made from the standard primal plate without removing the bones. The diaphragm or skirt muscle may or may not be removed, but the membrane on each side of the skirt and on the inside of the plate and all loose fat shall be removed.

(i) Plate (boneless) is the boneless meat of the primal plate after all bone, gristle, cartilage, membrane and excess fat have been removed.

(j) Short ribs are the part of the ribs which are removed when making a 7" rib cut from the standard 10" primal rib.

(k) *Suet.* Suet means the fat covering around the kidney and on the inside of the loin and pelvic cavities and does not include cod or other beef fats.

(iv) *Beef variety meats.* Beef variety meats means brains, heart, liver, sweetbreads, tongue, tripe, kidneys and tails.

(2) *Retail Veal Cuts*—(i) *Steaks and chops.* (a) Loin chops (small) (without kidney) means chops cut from the loin after removing the flank and the kidney. The fat may not be in excess of ½" on either side.

(b) Loin chops (large) means the large end of the veal loin or sirloin including the hip or pin bone.

(c) Rib chops means chops cut from the forequarter of veal and may include seven ribs. These chops shall not be over 6" in length on the inside from the protruding edge of the chine bone to the rib end of the chop and include the 6th and 12th ribs.

(d) Shoulder chops (blade or arm) mean any chops cut from the square cut shoulder. They shall not contain any part of the neck or shank or shoulder knuckle bone.

(e) Leg steaks or cutlets (round bone) are cut from the leg of veal "rump off". The portion known as the heel of round may not be included but may be used either as a boneless roast, boneless stewing veal, or ground veal.

(ii) *Roasts.* (a) Leg of veal (whole) means that portion of the hindquarter remaining after the severance of the loin at the pin bone. The hock joint must be removed before selling.

(b) Leg (shank half) means the whole leg as described, which has been cut in half. This must be sold without removing any round steaks (cutlets). The hock joint must be removed before selling.

(c) Rump of veal means the rump cut from the leg by placing the knife 1" from the knob at the aitch bone, continuing the cut close to the edge of the aitch bone perpendicular to the outside or skin surface.

(d) Sirloin roast (bone in) means the entire hip or sirloin of veal cut from the whole leg of veal.

(e) Chuck or shoulder (square cut) (bone in) means the forequarter of veal minus the rib, shank, breast and neck.

(f) Loin roast (without kidney) means that portion of the hindquarter of veal remaining after severance of the legs at the hip or pin bone. The kidney and 3" of flank must be removed.

(g) Rib roast means the 6th to 12th ribs, inclusive, cut from the foresaddle. The ribs shall not be over 6" in length on the inside from the protruding edge of the chine bone to the end of the rib.

(h) Rump and sirloin (bone in) means a combination of the rump and the sirloin cuts as defined under each of those headings.

(iii) *Stews and other cuts.* (a) Breast (bone in) means all or any part of the breast cut into one or more pieces.

(b) Neck (bone in) means the entire neck and veal. This cut may also be sold boneless or as ground veal.

(c) Shank (hind or fore) (knee removed) means the shank cut from the forequarter or from the hindquarter after the round steak, heel of round and stifle joints have been removed. Knee caps must also be removed from this cut. Shank meat may also be sold boneless or in ground veal or patties.

(d) Trimmings means fresh pieces of veal including skirt, flank, shank, neck, breast or heel of round after all gristle, cartilage and sinews have been removed.

(e) Ground veal or patties means any part of the veal boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient shall not be put into ground veal or veal patties.

(iv) *Variety meats.* Variety meats means brains, heart, liver, sweetbreads, tongue, tails, tripe and kidneys, from veal or calves.

(v) *Fabricated veal cuts.* Fabricated veal cuts are standard wholesale cuts from which at least 25% of the bone has been removed. They include the following cuts:

(a) Shoulders (boned, rolled and tied) means the whole veal shoulder, boneless, as prepared by mainland packers.

(b) Legs (boned, rolled and tied) means the leg of veal with all bone removed, rolled and tied.

(c) Legs (oven prepared) means leg of veal partially boned with the rump and shank bones removed.

(d) Breast (boneless) means the entire breast of veal with all bone, gristle and excess fat removed.

No fabricated veal cut may be sold at retail unless it is imported as such and it is properly identified at the place where it is offered for sale with a tag or sign attached stating "Fabricated veal".

(3) *Pork*—(i) *Retail pork cuts.* Retail cuts of mainland pork are made from carcasses or standard wholesale cuts of pork imported from the mainland. They include the following:

(a) "Regular ham" includes hams cut from the hog carcass not less than 2¼" nor more than 2¾" from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose fat and gut fat removed from the face and pelvic cavity with the cushion side well rounded and no excessive fat.

(b) "Skinned ham" includes hams cut as regular hams but with the skin removed to leave a collar covering not more than 40% of the length of the ham, with the fat beveled back at least 3" from the lean meat at the butt, neatly rounded and beveled on flank and cushion, with not over 1¼" of fat left on any portion of the ham from which the skin has been removed.

(c) "Regular picnic, shank on", includes picnics cut from the shoulders 2 ribs wide in such manner as to leave not less than 1" or more than 2½" of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with the fat properly beveled on the butt end.

(d) "Regular picnic, shankless" includes regular picnics from which the shank has been cut off close to the breast and parallel to the knee joint.

(e) "Regular shoulder" includes shoulders cut two ribs wide, with the breast flap taken off and the neck removed close to the body of the shoulder, and with the foot cut off at the knee joint.

(f) "Skinned shoulders" includes shoulders cut as regular shoulders, but with skin taken off within 4" of the base of the shank, neatly beveled on the edges, and with not over ¾" of fat left on any portion of the shoulder from which the skin has been removed.

(g) "Regular or skinned shoulder, shank off" includes regular or skinned shoulders from which the shank has been cut off close to the breast and parallel to the knee joint.

(h) "Boston butt" includes butts the surplus fat of which has been removed to within ½" of the lean meat on all portions of the butt and which are neatly beveled on the edges.

(i) "Regular pork loins" includes loins from which all excess fat over the tenderloin has been removed and the fat on the back of which does not exceed approximately ½" in thickness.

(j) "Boneless pork loins, or Canadian bacon" means the boneless eye muscle only, which has been separated from the other parts of the pork loin at the natural muscle seam. The fat shall not exceed ¼" in thickness.

(k) "Fat back pork" includes pork derived from the fat back of well finished hogs and cut into pieces about 6" square.

(l) "Virginia cured" includes products dry salted cured, washed, peppered and hung from 10 to 30 days before smoking, smoked and hung until product is at least 5 months old.

(m) "Pork bellies, fresh or cured" means bellies reasonably square cut without excessive bootjack and boneless.

(n) "Pork sausage, bulk, type 2" means sausage made from pork which has a fat content not in excess of 50% and contains no extender or cereals.

(o) "Variety meats" includes brains, hearts, kidneys, liver and tongues.

(p) "Leg steaks, center cuts" are made from a skinned leg of pork and must not exceed 20% of the weight of the entire leg from which it is derived.

(q) "Pork chops, center cuts" are made from regular pork loins and shall not exceed 50% of the weight of the entire pork loin from which it is derived.

(r) "Shoulder steaks or roasts, bone in and boneless" are slices or roasts cut from a skinned shoulder. No fat in excess of ¾" may be left on these steaks or roasts.

(ii) *Fabricated pork cuts.* Fabricated pork cuts are standard wholesale cuts of pork from which at least 25% of the bone has been removed. (Typical items are boneless or semi-boneless pork loins.) No fabricated pork cut may be sold at retail unless it is imported as such and it is properly identified at the place where it is offered for sale with a tag or sign stating "Fabricated Pork."

(4) *Retail lamb and mutton cuts*—(i) *Steaks and chops.* (a) Loin chops (large) are cut from the large end of the full loin or sirloin, including the entire hip or pin bone.

(b) Loin chops (small) are cut from the small end of the loin after removing the flank and kidney. The back fat, or suet, must not be in excess of ½" on either side.

(c) Shoulder (blade or arm chops) are cut from the square cut shoulder. They shall not contain any part of the shank or neck.

(d) Rib chops are cut from the hotel rack by cutting between the ribs. All chops that contain any segments of shoulder blade or cartilage shall be sold as shoulder lamb chops.

(ii) *Roasts.* (a) Leg means the whole leg of lamb after the loin has been removed at the hip or pin bone. (A short leg may also be sold by removing the sirloin or leg chops from the hip bone to the aitch bone).

(b) Chuck or shoulder (square cut, neck off) means the whole or any part of the lamb shoulders with neck, flank and breast removed.

(c) Sirloin roast (bone in) means the large or leg chops removed from the leg in one piece from the hip to the aitch bone.

(d) Rib roast means all or part of the hotel rack. The ribs shall not be more than 5" long from the hollow of the chine bone on the inside of a lamb or mutton carcass.

(e) Yoke or triangle (bone in) means the fore saddle minus the hotel rack. It consists of the neck, breast, flank, shank and 5-rib shoulder.

(iii) *Stews and other cuts.* (a) Breast or flank means all or any part of the breast or flank cut in one or more pieces.

(b) Neck (bone in) means all or any part of the neck cut in one or more pieces.

(c) Shanks (bone in) means shanks cut from the shoulder of lamb The shin bone or trotters must be removed.

(d) Ground lamb or patties means any part of lamb boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cereal of any kind, or any other ingredient except seasoning, shall not be put into ground lamb or lamb patties or ground mutton or mutton patties.

(iv) *Variety meats.* Variety meats means brains, heart, liver, sweetbreads, tongues, fries, and kidneys from lamb or mutton.

(f) *Additional charges.* Retailers whose stores are located in Zone 2 on the Island of Hawaii or in Zone 2 on the Island of Maui may add 2%, and retailers whose stores are located in Zone 3 on the Island of Hawaii may add 3% to the ceiling prices established by this section, provided sales slips are given to the buyers. Such sales slips shall list the prices charged for each commodity sold and the applicable additional charges as separate items.

(g) *Post your ceiling prices.* You must not later than March 1, 1944, post at your store your "Official OPA List of Retail Ceiling Prices of Mainland Meats, Meat Products, Poultry, Eggs and Certain Dairy Products". You may use an extra copy of the OPA list as long as the printing is just as legible and at least as large. The list should be put on or at the counter of the meat department of the store in one or more places where your customers may easily examine and read it. You must get your official copies of your price list for posting or copying from your War Price and Ration Board

or from your district Office of Price Administration office. If you display any cut of beef, veal, pork, lamb or mutton or any variety meat or edible by-product, you must put on it your selling price for that cut. Section 10 (b) of this regulation shall not apply to this section.

(h) *Ceiling prices.*

TABLE A—MAINLAND BEEF AT RETAIL[1]

	Choice or Grade AA	Good or Grade A	Commercial or Grade B	Utility or Grade C
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*
Steaks:				
Porterhouse, T-bone or club	$0.68	$0.63	$0.58	$0.53
Rib, 7" cut	.52	.48	.45	.40
Rib, 10" cut	.48	.45	.42	.37
Sirloin or pin bone	.66	.61	.55	.50
Round (bone in) (full cut)	.57	.53	.50	.45
Sirloin tip or butt (boneless)	.57	.53	.50	.45
Shoulder (round bone)	.42	.40	.39	.37
Shoulder (blade bone)	.42	.40	.39	.37
Flank	.42	.40	.39	.37
Roasts:				
Tip or butt (boneless)	.52	.52	.47	.47
Rib standing 10" cut (chine bone in)	.48	.45	.42	.42
Rib standing 7" cut (chine bone in)	.52	.48	.45	.42
Rump (trimmed) (knuckle cut)	.40	.39	.37	.34
Chuck—pot roast—(round bone)	.40	.39	.37	.34
Chuck—pot roast—(blade bone)	.40	.39	.37	.34
Heel (boneless) pot roast	.40	.40	.37	.37
Stews and other cuts short ribs:				
Short ribs	.30	.30	.27	.27
Plate (bone in)	.23	.27	.23	.23
Plate (boneless)	.30	.30	.29	.29
Brisket (bone in) (fresh or cured)	.30	.30	.29	.29
Brisket (boneless) (cured)	.49	.49	.44	.44
Flank meat (boneless)	.37	.37	.35	.35
Lean meat (boneless)	.40	.40	.37	.37
Meaty shinbone (hind or fore) (center cut)	.20	.20	.15	.15
Knuckle bones (closely trimmed)	.06	.06	.06	.06
Suet	.05	.05	.05	.05
Ground beef	.35	.35	.35	.35
Variety meats:				
Brains	.20			
Hearts	.30			
Kidneys	.20			
Liver A (unblemished)	.47			
Liver B (blemished)	.42			
Sweetbreads	.45			
Tails	.20			
Tongues	.45			
Tripe (cooked)	.24			
Tripe (fresh)	.15			
Smoked tongues	.53			

TABLE B—MAINLAND VEAL AT RETAIL[1]

	Choice or Grade AA	Good or Grade A	Com'l. or Grade B	Utility or Grade C
	Per pound	*Per pound*	*Per pound*	*Per pound*
Steaks and chops:				
Loin Chops (small) (without kidney)	$0.67	$0.58	$0.57	$0.55
Loin Chops (large)	.67	.60	.59	.57
Rib Chops	.67	.53	.53	.51
Shoulder Chops (blade or arm)	.43	.40	.39	.37
Leg Steaks (cutlets)	.70	.70	.68	.65
Roasts:				
Leg (whole)	.45	.40	.39	.37
Leg (shank half)	.45	.40	.37	.37
Rump	.45	.43	.42	.42
Sirloin roast (bone in)	.67	.60	.59	.57
Chuck or shoulder (square cut)	.43	.40	.39	.37
Loin	.67	.58	.57	.55
Rib	.60	.53	.53	.51
Rump and sirloin (bone in)	.50	.50	.49	.47
Stews and other cuts:				
Breast	.23	.23	.19	.19
Neck (bone in)	.23	.23	.19	.19
Shank (hind or fore) (knee removed)	.23	.23	.19	.19
Trimmings	.30	.30	.30	.30
Ground veal or patties	.35	.35	.35	.35
Fabricated veal cuts:				
Shoulders, boned, rolled and tied	.53	.52	.49	.48
Legs, boned, rolled and tied	.60	.57	.52	.47
Legs, oven prepared	.56	.53	.50	.44
Breast (boneless)	.38	.35	.35	.35
Variety meats:				
Brains	.28			
Hearts	.30			
Kidneys	.37			
Livers, type A	.55			
Livers, type B	.50			
Sweetbreads	.68			
Tongues	.45			
Tails	.23			

[1] The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Paragraph (e) of this section, and he must not sell such ground meat at prices higher than those listed above. If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, but no additional charge may be made to the customer for grinding it.

TABLE E—MAINLAND MUTTON AT RETAIL

	Grade A or good	Grade A or commercial	Grade B or utility
	Per lb.	*Per lb.*	*Per lb.*
Chops:			
Loin chops (large)	$0.29	$0.28	$0.27
Loin chops (small)	.35	.32	.30
Shoulder (blade or arm)	.30	.28	.27
Ribs	.30	.28	.27
Roasts:			
Leg	.29	.28	.27
Chuck or shoulder (square cut, neck off)	.29	.28	.27
Sirloin (bone in)	.35	.32	.30
Rib	.30	.29	.27
Yoke or triangle (bone in)	.30	.30	.30
Stews and other cuts:			
Breast	.27	.15	.15
Neck (bone in)	.15	.15	.15
Shanks	.15	.15	.15
Ground mutton or patties	.35	.35	.35
Variety meats:			
Brains	.25		
Hearts	.30		
Kidneys (fat removed)	.30		
Liver	.43		
Lower breads	.43		
Tongues	.35		

TABLE F—MAINLAND POULTRY AT RETAIL[1]

	Grade A frozen eviscerated	Grade A frozen dressed	Grade B frozen eviscerated	Grade B frozen dressed	Grade C frozen eviscerated	Grade C frozen dressed
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*	*Per lb.*	*Per lb.*
Chickens:						
Broilers	$0.83	$0.60	$0.81	$0.58	$0.78	$0.56
Fryers	.83	.60	.81	.58	.78	.56
Roasters	.83	.60	.81	.58	.78	.56
Capons:						
Heavy	.81	.64	.79	.62	.76	.60
Light	.70	.60	.68	.58	.65	.56
Stags and old roosters	.69	.55	.67	.53	.64	.51
Fowl	.72	.60	.70	.57	.67	.54
Geese	.65	.49	.65	.47	.60	.44
Ducks	.65	.49	.65	.47	.60	.44
Turkeys:						
Young turkeys:						
Light	.80	.66	.78	.64	.75	.61
Medium	.80	.63	.78	.61	.75	.59
Heavy	.74	.61	.72	.59	.69	.56
Old turkeys:						
Light	.77	.63	.75	.61	.72	.59
Medium	.74	.61	.72	.59	.69	.56
Heavy	.70	.59	.68	.57	.65	.54

[1] No additional charge may be made for drawing or otherwise preparing dressed frozen poultry. The classifications and weight specifications of poultry items in this table must conform to those set forth in Maximum Price Regulation No. 269.

TABLE C—MAINLAND PORK AT RETAIL[1]

	Cents per pound
Steaks and chops:	
Leg steaks (center cut)	.40
Shoulder steaks (bone in)	.45
Shoulder steaks (boneless)	.50
Boston butts (sliced) (bone in)	.47
Boston butts (boneless) (sliced)	.50
Pork chops (semi-boneless)	.52
Pork chops (boneless)	.57
Pork chops (center cuts) (bone in)	.49
Pork chops (end cuts (rib or loin))	.40
Roasts:	
Leg (regular) (bone in) (whole or half)	.42
Leg (skinned) (bone in) (shank or butt)	.45
Shoulder (bone in) (shank off)	.45
Shoulder (boneless)	.50
Pork loin (semi-boneless)	.53
Pork loin (boneless)	.57
Pork loin (whole or half) (or end cuts)	.40
Pork loin (center cuts) (bone in)	.49
Boston butts (bone in)	.47
Picnics (shank on—whole)	.42
Picnics (shankless) (whole or half)	.45

[1] Ceiling prices for sales of mainland smoked or ready-to-eat meat items are fixed in Table H.

TABLE D—MAINLAND LAMB AT RETAIL[1]

	Choice or Grade AA	Good or Grade A	Commercial or Grade B	Utility or Grade C
	Per lb.	*Per lb.*	*Per lb.*	*Per lb.*
Chops:				
Loin chops (large)	$0.59	$0.50	$0.49	$0.45
Loin chops (small)	.65	.63	.60	.53
Shoulder (blade or arm chops)	.52	.50	.48	.43
Rib chops	.56	.52	.48	.45
Roasts:				
Leg	.52	.50	.49	.45
Chuck or shoulder (square cut, neck off)	.52	.50	.48	.43
Sirloin (bone in)	.52	.50	.49	.45
Rib	.53	.52	.48	.45
Yoke or triangle (bone in)	.50	.37	.35	.19
Stews and other cuts:				
Breast or flank	.19	.19	.17	.17
Neck (bone in)	.19	.19	.17	.17
Shanks	.19	.19	.17	.17
Ground lamb or patties	.35	.35	.35	.35
Variety meats:				
Brains	.27			
Hearts	.31			
Kidneys (fat removed)	.35			
Livers	.43			
Sweetbreads	.47			
Tongues	.35			

[1] The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Paragraph (e) of this section, and he must not sell such ground meat at prices higher than those listed above. If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, but no additional charge may be made to the customer for grinding it.

	Cents per pound
Fat back (fresh or cured)	.25
Spare ribs (fresh or cured)	.30
Pork shanks or hocks (pickled)	.30
Pork shanks or hocks (fresh)	.26
Pigs feet (pickled)	.25
Pigs feet (fresh)	.20
Pork tails	.25
Pork bellies (fresh or cured)	.33
Tenderloin	.55
Sausage (bulk) (Type 2)	.40
All other pork or breakfast sausage	(1)
Variety meats:	
Brains	.27
Hearts	.29
Kidneys	.27
Liver	.32
Tongues	.37

[1] If your "net cost" of the item being priced is under 40¢ per lb. add 12¢ per lb. to the "net cost". If your "net cost" of such item is 40¢ per lb. or more add 18¢ per lb. to your "net cost". "Net cost" is the amount you paid your supplier after deducting all discounts and allowances.

TABLE G—MAINLAND EGGS AND DAIRY PRODUCTS AT RETAIL

	Maximum price per pound
Cheese:	
Wheel cheese, natural, cheddar or granular type except Jack, Mount Hope, Chantelle, New York Martin and other cheeses aged 18 months or over	$0.50
Jack, Mount Hope and Chantelle	.52
New York Martin	.60
Loaf: 5 pound processed American, Pimento, Swiss, brick and Neopolitan	.50
Wisconsin Swiss, wheel or loaf	.60
1 pound package, processed	.50 per pkg.
2 pound package, processed	.93 per pkg.
½ pound package, processed	.28 per pkg.
Old English, ½ pound	.30 per pkg.
Butter: Butter, salted	.06 per lb. added to "net cost." [1]
Eggs:	
Shell eggs, loose or delivered to retailer in cartons	.07 per doz. added to "net cost." [1]
Shell eggs, cartoned by retailer	.09 per doz. added to "net cost." [1]
Powdered whole eggs, 8 oz. jar	.60 per jar.
PSCC powdered whole eggs, 8 oz. pkg.	.50 per pkg.

[1] Your "net cost" is the amount you paid your supplier for the item being priced after deducting all discounts and allowances. If you purchase from another retailer you must secure a written record of that retailer's "net cost" and his "net cost" shall be your "net cost" for determining your ceiling price.

TABLE H—MAINLAND SMOKED OR READY-TO-EAT MEATS AT RETAIL

	Per pound
Ham:	
Regular (whole or half) (shank or butt end) (bone in) [1]	$0.47
Skinned (whole or half) (shank or butt end) (bone in) [1]	.50
Center slices (skinned)	.70
Ready-to-eat (regular) (whole or half) (shank or butt end) (bone in)	.50
Ready-to-eat (skinned) (whole or half) (shank or butt end) (bone in)	.53
Ready-to-eat (center slices) (skinned)	.75
Ham hocks (less than 4 lbs.)	.30
Virginia ham (whole, half or part)	.65
Cooked or boiled ham (sliced)	.65
Cooked or boiled ham (whole, half, or by the slice)	.75
Picnics:	
Whole or half (bone in)	.47
Ready-to-eat (bone in)	.56
Boston butts (bone in)	.50
Boston butts (boneless)	.64
Canadian style bacon:	
Whole, half or part	.72
Sliced	.74
Bacon:	
Grade A (whole, half or part)	.47
Grade B (whole, half or part)	.45
Grade A (sliced, rind on)	.47

[1] Butt or shank ends may be sliced and sold at prices not to exceed the price of the whole piece from which it is cut.

TABLE H—MAINLAND SMOKED OR READY-TO-EAT MEATS AT RETAIL—Continued

	Per pound
Bacon—Continued.	
Grade B (sliced, rind on)	$0.45
Grade A (packaged or store sliced, de-rined)	.55
Grade B (packaged or store sliced, de-rined)	.52
Grade C (packaged or store sliced, de-rined)	.46
Miscellaneous:	
All other ready-to-eat or delicatessen meat items: Typical items are: all meat loaves, bologna, liver sausage, fresh, smoked and cooked sausage, frankfurters, salami, spiced luncheon meats, etc.	If your "net cost" of the item being priced is under 40¢ per lb. add 12¢ per lb. to the "net cost". If your "net cost" of such item is 40¢ per lb. or more, add 15¢ per lb. to your "net cost". "Net cost" is the amount you paid your supplier after deducting all discounts and allowances.

(i) *Inability to determine ceiling prices.* If you are unable to determine your ceiling prices for sales at retail of any mainland products covered by this section, you shall apply to the Office of Price Administration for the establishment of a ceiling price.

This amendment shall become effective as of March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5187; Filed, April 12, 1944; 4:42 p. m.]

PART 1410—WOOL

[MPR 163,[2] Incl. Amdts. 1-15]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

Sections 1410.102 (a) (1) (ii), 1410.102 (f) (3), 1410.103 (a), 1410.103 (e) (1) and (3), and 1410.103 (f) (2) are amended by Amendment 15,[2a] effective April 19, 1944, so that Maximum Price Regulation No. 163 shall read as follows:

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of woolen and worsted civilian apparel fabrics. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.[3] A statement of the considerations[4] involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act and in accordance with Procedural Regulation No. 1,[5] issued by the Office of Price Administration, Maximum Price Regulation No. 163 is hereby issued.

Sec.

1410.101 Prohibition against dealing in woolen or worsted apparel fabrics above maximum prices.
1410.102 Maximum prices for woolen and worsted apparel fabrics sold by the manufacturer.
1410.102a Maximum prices for manufacturer's special sales to retail stores.
1410.103 Maximum prices for woolen and worsted apparel fabrics sold by jobbers.
1410.104 Sales at retail.
1410.105 Sales for export.
1410.106 Applicability of the General Maximum Price Regulation.
1410.107 Less than maximum prices.
1410.108 Evasion.
1410.109 Adjustment of maximum prices.
1410.110 Records.
1410.111 Reports.
1410.112 Licensing.
1410.113 Enforcement.
1410.114 Petitions for amendment.
1410.115 Definitions.
1410.116 Effective date.
1410.117 Effective dates of amendments.
1410.118 Adjustable pricing.
1410.119 Maximum prices for woolen or worsted apparel fabrics which cannot be priced under § 1410.102 or § 1410.103.
1410.120 Maximum prices for sales of woolen or worsted apparel fabrics by converters.

AUTHORITY: §§ 1410.101 to 1410.120, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1410.101 *Prohibition against dealing in woolen or worsted apparel fabrics above maximum prices.* On and after June 22, 1942, regardless of any contract, or obligation:

(a) No person shall sell or deliver any woolen or worsted apparel fabrics at a price higher than the maximum prices established by this Maximum Price Regulation No. 163.

(b) No person in the course of trade or business shall buy or receive any woolen or worsted apparel fabrics at a price higher than the maximum prices established by this Maximum Price Regulation No. 163.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1410.102 *Maximum prices for woolen and worsted apparel fabrics sold by the manufacturer.* Except as provided in § 1410.102a, the maximum prices for sales of woolen or worsted apparel fabrics by the manufacturer thereof shall be:

[Above sentence added by Am. 12, 8 F.R. 8505, effective 6-23-43]

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[4] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 4513.

[2a] The text which is amended by Am. 15 is underscored.

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

[5] Revised, 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

(a) *Fabrics sold by the manufacturer during the applicable base period.* (1) Except as provided in paragraph (b) of this § 1410.102, the maximum price for a woolen or worsted apparel fabric which was sold by the manufacturer during the applicable base period shall be the manufacturer's standard opening price for such fabric in such period plus the applicable percentage of such standard opening price set forth below:

(i) *Classification No. 1.* The applicable base period for all stock-dyed woolen or worsted apparel fabrics sold for the spring season only or for both the spring and fall seasons, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 12½%.

(ii) *Classification No. 2.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics sold for the spring season only or for both the spring and fall seasons, and for all necktie interlining fabrics, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 10%.

[Subparagraph (ii) amended by Am. 15, effective 4–19–44]

(iii) *Classification No. 3.* The applicable base period for all stock-dyed woolen or worsted apparel fabrics sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 22½%.

(iv) *Classification No. 4.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics, other than the types enumerated in subdivision (v) of this subparagraph, sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 20%.

(v) *Classification No. 5.* The applicable base period for manipulated piece-dyed ski or snow cloth (all wool, cotton warp or cotton filling) and piece-dyed cotton warp or cotton filling meltons shall be the selling period for the fall season of 1941 and the applicable percentage shall be 30%: *Provided,* That in no case shall the maximum price for such fabrics exceed $1.50 per yard.

(2) For the purposes of this paragraph (a), the "standard opening price" for a fabric shall be determined as follows: The gross selling prices at which sales of the fabric were made during the applicable base period shall be converted to "standard prices" by deducting from the gross selling prices the amount of all term discounts in excess of 1% offered by the manufacturer. The "standard opening price" shall be the "standard price," determined in accordance with the preceding sentence, at which the largest quantity of the fabric was sold by the manufacturer during the applicable base period.

[Paragraph (a) amended by Am. 4, 7 F.R. 6973, effective 9–8–42 and as otherwise noted]

(b) *Meltons.* The maximum price per yard for manipulated all wool meltons, 31–34 ozs., shall be the aggregate of (1) the actual cost per yard of raw materials, but in no case higher than $0.975, and (2) $0.875 per yard.

[Paragraph (b) amended by Am. 11, 8 F.R. 4733, effective 4–15–43]

(c) *Comparable fabrics.* (1) Except as provided in paragraph (i) of this § 1410.102, the maximum price for a woolen or worsted apparel fabric comparable to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this § 1410.102, increased or decreased by the difference in the cost of raw materials used therein: *Provided,* That raw material costs for both the comparable fabric and the fabric to which it is compared shall be calculated at the highest cost which the manufacturer would have incurred for such raw material if purchased from his customary source of supply for delivery during March 1942.

(2) One fabric shall be deemed "comparable" to another fabric if the first has the same weave as the second, contains substantially the same total number of ends and picks per finished inch, substantially the same yarn sizes, weight per yard, width and finish, and belongs to the same classification,[4] but is manufactured from different blends of raw material: *Provided,* That one fabric shall not be deemed "comparable" to another fabric if the first differs from the second in respect to any one or more of the following elements of construction in excess of the amount of variance allowed:

Elements of construction:	*Amount of variance allowed, percent*
The sum of ends and picks per finished inch	10
Weight per finished yard	10
Yarn sizes	10
Finished width	4

[Paragraph (c) amended by Am. 4, 7 F.R. 6973, effective 9–8–42]

(d) *New woolen or worsted apparel fabrics.* (1) The maximum price for a woolen or worsted apparel fabric for which a maximum price cannot be determined pursuant to paragraphs (a), (b), (c) or (i) of this § 1410.102 shall be computed by multiplying the sum of (i) the cost of the raw materials used in the fabric and (ii) the manufacturing cost thereof, by the 1941 ratio of the manufacturer's weighted average selling price to his weighted average manufacturing cost of all woolen or worsted apparel fabrics, but excluding, in computing such ratio, pre-shrunk fabrics sold to retail stores in lengths of 30 yards or less at a price higher than the manufacturer's prevailing price for sales of such fabrics to jobbers or cutters.

(2) For the purposes of this paragraph (d):

(i) The cost of raw materials and the manufacturing cost shall not exceed such costs, determined in accordance with the customary accounting practice of the manufacturer, which the manufacturer would have incurred if the raw materials had been purchased from his customary source of supply for delivery during March 1942 and the fabric manufactured during such month;

(ii) The weighted average selling price shall be determined by dividing the total amount received by the manufacturer during 1941 from the sale of woolen and worsted apparel fabrics by the total number of yards thereof sold during 1941, excluding, in making such determination, the amount received from and the yardage of pre-shrunk fabrics sold to retail stores in lengths of 30 yards or less at a price higher than the manufacturer's prevailing price for sales of such fabrics to jobbers or cutters;

(iii) The weighted average manufacturing cost shall be determined by dividing the total manufacturing costs, including the cost of raw materials, of all woolen or worsted apparel fabrics manufactured during 1941 by the total number of yards thereof manufactured during 1941, excluding, in making such determination, the manufacturing costs and the yardage of pre-shrunk fabrics sold to retail stores in lengths of 30 yards or less at a price higher than the manufacturer's prevailing price for sales of such fabrics to jobbers or cutters.

[Paragraph (d) amended by Am. 4, 7 F.R. 6973, effective 9–8–42 and Am. 12, 8 F.R. 8505, effective 6–23–43]

(e) *Premiums permitted in certain cases.* Any manufacturer of woolen or worsted apparel fabrics who, during the period between January 1, 1940 and June 22, 1942, neither produced nor sold any blended fabric composed of mixtures of wool and other fibers, shall be permitted to increase his maximum prices for such fabric, determined in accordance with paragraphs (c) and (d) of this section, by an amount equal to 10% of the cost of the raw materials from which such fabric is manufactured: *Provided,* That such amount may be added only (1) where at least 25% by weight of the new or comparable fabric is composed of fibers other than wool, (2) on sales or contracts of sale entered into prior to January 3, 1943 and (3) if it is separately shown on an invoice or similar document delivered to the purchaser.

(f) *Customary discounts, trade practices, and transportation costs.* (1) Every manufacturer of woolen or worsted apparel fabrics shall continue his customary terms of sale, allowances, discounts and other price differentials to different purchasers and different classes of purchasers: *Provided,* That in no case need the terms of sale be more favorable to the purchaser than a discount of 1% for payment within ten days of the date of invoice, the gross amount payable within sixty days of such date.

[Subparagraph (1) amended by Am. 4, 7 F.R. 6973, effective 9–8–42]

(2) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabrics, than the manufacturer required purchasers of the same class to pay during

[4] As set forth in § 1410.102 (a).

the applicable base period on sales of woolen or worsted apparel fabrics of the same classification.

(3) Every manufacturer making sales or deliveries of woolen or worsted apparel fabrics shall adjust his maximum prices to the closest 2½ cents per yard, except in the case of a fabric for which the maximum price calculated under the other provisions of this § 1410.102 is less than $1.00 per yard, in which case he shall adjust his maximum price to the closest ½ cent per yard. Such adjustments shall be made after all other calculations required by this § 1410.102 have been made.

[Subparagraph (3) amended by Am. 4, 7 F.R. 6973, effective 9-8-42; Am. 5, 7 F.R. 7454, effective 9-25-42; and Am. 15, effective 4-19-44]

(g) *Invoice requirements.* On and after June 22, 1942, every manufacturer making sales of woolen or worsted apparel fabrics shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

(h) *Decorations.* In any case where a manufacturer adds decorations to a fabric the maximum price for which is determined pursuant to paragraphs (a), (c), (d) or (i) of this § 1410.102, the maximum price for such fabric shall be increased or decreased by the difference between the actual cost of the decorations added and the cost of the yarn replaced: *Provided*, That in computing the maximum price for a comparable, new or similar fabric pursuant to paragraphs (c), (d) or (i) of this § 1410.102, respectively, the cost of the decorations added to such fabric shall not be included in the cost of the raw materials used therein: *Provided further*, That in the case of sales of woolen or worsted apparel fabrics to which decorations have been added, the invoice or similar document required by paragraph (g) of this § 1410.102 shall also set forth a statement of the amount by which the maximum price for the fabric was increased or decreased by the addition of the decorations.

(i) *Similar fabrics.* (1) The maximum price for a woolen or worsted apparel fabric similar to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this § 1410.102, increased or decreased by (i) the difference in the cost of the raw materials used therein and (ii) by the difference in the manufacturing cost thereof: *Provided*, That the raw material and manufacturing costs for both the fabric priced under this paragraph (i) and the fabric to which it is similar shall be calculated at the highest costs which the manufacturer would have incurred if the OPA [illegible] factured during such month: *Provided further*, That in any case in which the maximum price for a fabric which was not sold by the manufacturer during a base period can be determined pursuant to either this paragraph (i) or paragraph (c) of this § 1410.102, the maximum price therefor shall be determined in accordance with that paragraph which results in the lower maximum price.

(2) One fabric shall be deemed "similar" to another fabric if the first is used for the same purpose as, and is regarded as a satisfactory substitute for, the second, affords fairly equivalent serviceability, has approximately the same "handle," finish and appearance, and belongs to the same classification: [illegible] *Provided*, That one fabric in which the blend contains other than woolen fibers shall not be deemed "similar" to a fabric in which the blend is made entirely of woolen fibers: *Provided further*, That one fabric shall not be deemed "similar" to another fabric if the first differs from the second in respect to any one or more of the following elements of construction in excess of the amount of variance allowed:

Elements of construction:	*Amount of variance allowed, percent*
Ends per finished inch	17⅓
Picks per finished inch	17⅓
Weight per finished yard	12
Yarn sizes	17⅓
Finished width	4
Cost of raw materials used in the blend	20

[Paragraphs (h) and (i) added by Am. 4, 7 F.R. 6973, effective 9-8-42]

§ 1410.102a *Maximum prices for manufacturer's special sales to retail stores.* The term "special sales to retail stores" means sales of pre-shrunk woolen or worsted apparel fabrics, ready for the needle, in lengths of 30 yards or less, to retail stores.

(a) The maximum price for a manufacturer's special sales to retail stores shall be the sum of:

(1) The manufacturer's maximum price for sales of the particular fabric to jobbers or cutters, determined pursuant to § 1410.102; plus

(2) The amount resulting from multiplying the maximum price for sales of the fabric to jobbers or cutters by the percentage figure representing the amount by which the manufacturer's average selling price for special sales to retail stores exceeded his average selling price for other sales during the calendar year 1941: *Provided*, That in no event shall the manufacturer's maximum price for special sales to retail stores exceed his maximum price for sales of the fabric to jobbers or cutters, determined pursuant to § 1410.102, divided by the division factor .85.

The percentage figure representing the amount by which the manufacturer's average selling price for special sales to retail stores exceeded his average selling price for other sales during the calendar year 1941 shall be determined with reference only to those woolen or worsted apparel fabrics of which the manufacturer, during that period, made special sales to retail stores as well as sales to jobbers or cutters, and shall be computed in the following manner:

STEP 1: Segregate from total 1941 sales of woolen and worsted apparel fabrics, all sales of those styles of fabrics with respect to which special sales to retail stores as well as sales to jobbers or cutters were made during the calendar year 1941.

STEP 2: Determine the total amount received for each individual style of fabric from special sales to retail stores during the calendar year 1941 and divide by the number of yards of such style sold in special sales to retail stores during that period.

STEP 3: Add together the results obtained by applying Step 2 to each individual style and divide by the total number of individual styles sold.

STEP 4: Determine the total amount received for each individual fabric from sales other than special sales to retail stores during the calendar year 1941 and divide by the total number of yards of such style sold in sales other than special sales to retail stores during that period.

STEP 5: Add together the results obtained by applying Step 4 to each individual style and divide by the total number of individual styles sold.

STEP 6: Subtract the result obtained in Step 5 from the result obtained in Step 3.

STEP 7: Divide the result obtained in Step 6 by the result obtained in Step 5.

[Paragraph (a) amended by Am. 13, 8 F.R. 9569, effective 7-10-43]

(b) *Customary discounts, trade practices, and transportation costs.* Every manufacturer making special sales to retail stores shall continue his customary terms of sale, allowances, discounts, and other price differentials to different purchasers and different classes of purchasers: *Provided*, That in no case need the terms of sale be more favorable to the purchaser than a discount of 1% for payment within ten days of the date of invoice, the gross amount payable within 60 days of such date.

(c) *Invoice requirements.* Every manufacturer making special sales to retail stores shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price for such sale determined in accordance with this section.

[§ 1410.102a added by Am. 12, 8 F.R. 8505, effective 6-23-43]

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers*—(a) *Piece lots, less than piece lots and cut lengths.* (1) Except as provided by paragraphs (b), (d), (f), (h) and (i) of this § 1410.103 and subparagraph (2) of this paragraph (a), the maximum price for a sale or delivery of a woolen or worsted apparel fabric by a jobber in piece lots, less than piece lots and cut lengths shall be the quotient of the sum

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the applicable base period on sales of woolen or worsted apparel fabrics of the same classification.

(3) Every manufacturer making sales or deliveries of woolen or worsted apparel fabrics shall adjust his maximum prices to the closest 2½ cents per yard, except in the case of a fabric for which the maximum price calculated under the other provisions of this § 1410.102 is less than $1.00 per yard, in which case he shall adjust his maximum price to the closest ½ cent per yard. Such adjustments shall be made after all other calculations required by this § 1410.102 have been made.

[Subparagraph (3) amended by Am. 4, 7 F.R. 6973, effective 9-8-42; Am. 5, 7 F.R. 7454, effective 9-26-42; and Am. 15, effective 4-19-44]

(g) *Invoice requirements.* On and after June 22, 1942, every manufacturer making sales of woolen or worsted apparel fabrics shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

(h) *Decorations.* In any case where a manufacturer adds decorations to a fabric the maximum price for which is determined pursuant to paragraphs (a), (c), (d) or (i) of this § 1410.102, the maximum price for such fabric shall be increased or decreased by the difference between the actual cost of the decorations added and the cost of the yarn replaced: *Provided*, That in computing the maximum price for a comparable, new or similar fabric pursuant to paragraphs (c), (d) or (i) of this § 1410.102, respectively, the cost of the decorations added to such fabric shall not be included in the cost of the raw materials used therein: *Provided further*, That in the case of sales of woolen or worsted apparel fabrics to which decorations have been added, the invoice or similar document required by paragraph (g) of this § 1410.102 shall also set forth a statement of the amount by which the maximum price for the fabric was increased or decreased by the addition of the decorations.

(i) *Similar fabrics.* (1) The maximum price for a woolen or worsted apparel fabric similar to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this § 1410.102, increased or decreased by (i) the difference in the cost of the raw materials used therein and (ii) by the difference in the manufacturing cost thereof: *Provided*, That the raw material and manufacturing costs for both the fabric priced under this paragraph (i) and the fabric to which it is similar shall be calculated at the highest costs which the manufacturer would have incurred if the raw material had been purchased from his customary source of supply for delivery during March 1942, and the fabrics manufactured during such month: *Provided further*, That in any case in which the maximum price for a fabric which was not sold by the manufacturer during a base period can be determined pursuant to either this paragraph (i) or paragraph (c) of this § 1410.102, the maximum price therefor shall be determined in accordance with that paragraph which results in the lower maximum price.

(2) One fabric shall be deemed "similar" to another fabric if the first is used for the same purpose as, and is regarded as a satisfactory substitute for, the second, affords fairly equivalent serviceability, has approximately the same "handle," finish and appearance, and belongs to the same classification:[1] *Provided*, That one fabric in which the blend contains other than woolen fibers shall not be deemed "similar" to a fabric in which the blend is made entirely of woolen fibers: *Provided further*, That one fabric shall not be deemed "similar" to another fabric if the first differs from the second in respect to any one or more of the following elements of construction in excess of the amount of variance allowed:

Elements of construction:	Amount of variance allowed, percent
Ends per finished inch	17½
Picks per finished inch	17½
Weight per finished yard	12
Yarn sizes	17½
Finished width	4
Cost of raw materials used in the blend	20

[Paragraphs (h) and (i) added by Am. 4, 7 F.R. 6973, effective 9-8-42]

§ 1410.102a *Maximum prices for manufacturer's special sales to retail stores.* The term "special sales to retail stores" means sales of pre-shrunk woolen or worsted apparel fabrics, ready for the needle, in lengths of 30 yards or less, to retail stores.

(a) The maximum price for a manufacturer's special sales to retail stores shall be the sum of:

(1) The manufacturer's maximum price for sales of the particular fabric to jobbers or cutters, determined pursuant to § 1410.102; plus

(2) The amount resulting from multiplying the maximum price for sales of the fabric to jobbers or cutters by the percentage figure representing the amount by which the manufacturer's average selling price for special sales to retail stores exceeded his average selling price for other sales during the calendar year 1941: *Provided*, That in no event shall the manufacturer's maximum price for special sales to retail stores exceed his maximum price for sales of the fabric to jobbers or cutters, determined pursuant to § 1410.102, divided by the division factor .85.

The percentage figure representing the amount by which the manufacturer's average selling price for special sales to retail stores exceeded his average selling price for other sales during the calendar year 1941 shall be determined with reference only to those woolen or worsted apparel fabrics of which the manufacturer, during that period, made special sales to retail stores as well as sales to jobbers or cutters, and shall be computed in the following manner:

STEP 1: Segregate from total 1941 sales of woolen and worsted apparel fabrics, all sales of those styles of fabrics with respect to which special sales to retail stores as well as sales to jobbers or cutters were made during the calendar year 1941.

STEP 2: Determine the total amount received for each individual style of fabric from special sales to retail stores during the calendar year 1941 and divide by the number of yards of such style sold in special sales to retail stores during that period.

STEP 3: Add together the results obtained by applying Step 2 to each individual style and divide by the total number of individual styles sold.

STEP 4: Determine the total amount received for each individual fabric from sales other than special sales to retail stores during the calendar year 1941 and divide by the total number of yards of such style sold in sales other than special sales to retail stores during that period.

STEP 5: Add together the results obtained by applying Step 4 to each individual style and divide by the total number of individual styles sold.

STEP 6: Subtract the result obtained in Step 5 from the result obtained in Step 3.

STEP 7: Divide the result obtained in Step 6 by the result obtained in Step 5.

[Paragraph (a) amended by Am. 13, 8 F.R. 9569, effective 7-10-43]

(b) *Customary discounts, trade practices, and transportation costs.* Every manufacturer making special sales to retail stores shall continue his customary terms of sale, allowances, discounts, and other price differentials to different purchasers and different classes of purchasers: *Provided*, That in no case need the terms of sale be more favorable to the purchaser than a discount of 1% for payment within ten days of the date of invoice, the gross amount payable within 60 days of such date.

(c) *Invoice requirements.* Every manufacturer making special sales to retail stores shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price for such sale determined in accordance with this section.

[§ 1410.102a added by Am. 12, 8 F.R. 6505, effective 6-23-43]

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers*—(a) *Piece lots, less than piece lots and cut lengths.* (1) Except as provided by paragraphs (b), (d), (f), (h) and (i) of this § 1410.103 and subparagraph (2) of this paragraph (a), the maximum price for a sale or delivery of a woolen or worsted apparel fabric by a jobber in piece lots, less than piece lots and cut lengths shall be the quotient of the sum of the fabric manufacturer's net invoice price (whether or not the purchaser has taken advantage of any term discounts offered, but in no case higher than the fabric manufacturer's maximum price), and the allowable infreight charges, divided by the applicable division factor set forth below. The allowable infreight charges are, in the case of a shipment direct to the jobber from the fabric manufacturer, the amount actually paid by the jobber for the transportation of the fabric from the fabric manufacturer's shipping point to the jobber's place of business or, in any other case, the freight charges actually paid by the purchaser from the fabric manufacturer for the transportation of the fabric from the fabric manufacturer's shipping point to such purchaser's place of business, plus the freight charges actually paid by the jobber for the transportation of the fabric from his supplier's shipping point to his place of business. The applicable division factors are:

(i) Men's wear fabrics sold in piece lots, 0.90.

(ii) Women's wear fabrics sold in piece lots, 0.875.

(iii) Men's and women's wear fabrics sold in less than piece lots to all persons except as set forth in subdivisions (iv), (v) and (vi) below, 0.85.

(iv) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, 0.80.

(v) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, 0.60.

(vi) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, 0.56.

(vii) Necktie interlining fabrics sold in piece lots, less than piece lots and cut lengths, 0.80.

(2) *Sales of sponged or shrunk full-pieces purchased by jobbers from manufacturers of apparel.* The maximum price for a sale by a jobber of a full-piece purchased from a manufacturer of apparel who has sponged or shrunk the fabric shall be the price determined under subparagraph (1), above, plus the amount paid to the apparel manufacturer as the cost of sponging or shrinking the fabric but not to exceed the amount permitted by paragraph (e) (1) of this section. The maximum price per yard determined in the above manner, after adjustment in accordance with paragraph (f) (2) of this section, shall be multiplied by the original mill yardage of the piece to determine the permissible charge for the full-piece.

The invoice or similar document delivered by the jobber to the purchaser shall state, in addition to the information required by paragraph (g) of § 1410.103, the original mill yardage and the yardage after shrinking or sponging for each full-piece and the amount added for sponging or shrinking.

In order to be considered a "full-piece" for the purpose of this subparagraph (2), the fabric must have the original mill ends and mill marks or punches thereon at the time of delivery by the jobber.

[Paragraph (a) amended by Am. 15, effective 4-19-44]

(b) *Mill ends, etc.* (1) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by jobbers shall be the manufacturer's maximum price therefor, determined in accordance with Maximum Price Regulation No. 163;

(2) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by secondary jobbers shall be the quotient of the sum of (i) his supplier's net invoice price, whether or not the secondary jobber has taken advantage of any term discounts offered and (ii) the freight charges actually paid by the secondary jobber for the transportation of the fabric from his supplier's shipping point to his place of business, divided by the applicable division factor set forth below:

(*a*) Men's and women's wear fabrics sold in less than piece lots to manufacturers of apparel, $0.85.

(*b*) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.80.

(*c*) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, $0.60.

(*d*) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, $0.56.

(c) *Sales by secondary jobbers.* Except as provided in paragraph (b) of this section, the maximum price for sales and deliveries of a woolen or worsted apparel fabric by a secondary jobber shall be the quotient of the sum of (1) the manufacturer's net invoice price, whether or not the purchaser from the manufacturer has taken advantage of any term discount offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, (2) the freight charges actually paid by the purchaser from the manufacturer for the transportation of the fabric from the manufacturer's shipping point to such purchaser's place of business and (3) the freight charges actually paid by the secondary jobber for the transportation of the fabric from his supplier's shipping point to his place of business, divided by the applicable division factor set forth below:

(i) Men's and women's wear fabrics sold in less than piece lots to manufacturers of apparel, $0.78.

(ii) Men's and women's wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.74.

(iii) Men's and women's wear fabrics sold in less than piece lots to custom or merchant tailors, $0.57.

(iv) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments or manufacturers of apparel and retail establishments, $0.53.

In cases of sales and deliveries covered by subdivisions (ii), (iii) and (iv) where a secondary jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer's net invoice prices of all the styles in the range does not exceed $0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

(d) *Optional maximum price for jobbers and secondary jobbers.* In cases where a jobber or a secondary jobber sold or delivered the same fabric during the period between December 1, 1940 and November 30, 1941, such jobber or secondary jobber may, at his option, use as the maximum price for such fabric the highest price at which it was sold or delivered during said period: *Provided*, That such optional maximum price shall not exceed the quotient of the sum of (1) the manufacturer's maximum price for the fabric determined in accordance with § 1410.102 and (2) the freight charges which would be paid for the transportation thereof to the seller's place of business, divided by the applicable division factor provided for by paragraphs (a) or (c) of this section, as the case may be.

(e) *Sales of fabrics by manufacturers of apparel*—(1) *Maximum prices for sales by manufacturers of apparel.* The maximum price for a sale or delivery of a woolen or worsted apparel fabric by a manufacturer of apparel shall be the sum of the following:

(i) The actual price paid for the fabric by him, but not to exceed his supplier's maximum price;

(ii) Freight charges actually paid for transporting the fabric from his supplier's shipping point to his place of business; and

(iii) In the case of sales of full-pieces which have been sponged or shrunk by the manufacturer of apparel, the actual cost of sponging or shrinking, subject to the limitations stated below: *Provided*, That the invoice or similar document delivered to the purchaser shall state, in addition to the information required by paragraph (e) (3) of this section, the original mill yardage and the yardage after sponging or shrinking for each full-piece and the amount added for shrinking or sponging.

In the case of sales of full-pieces which have been sponged or shrunk by the

[1] As set forth in § 1410.102 (a).

manufacturer of apparel the "actual price paid for the fabric" means the amount actually paid to his supplier for the full-piece based upon the original mill yardage.

The "actual cost of sponging or shrinking" means the amount actually paid to the sponger or shrinker for such service (including examination, inspection and measuring if done as a part of the sponging or shrinking operation), after deducting all discounts and rebates, but in no event to exceed 4¢ per yard for steam sponging or shrinking or 7¢ per yard for cold water sponging or shrinking. If the manufacturer of apparel sponges or shrinks the fabric himself, the "actual cost of sponging or shrinking" shall be 4¢ per yard for steam sponging or shrinking and 7¢ per yard for cold water sponging or shrinking. For the purpose of this subparagraph the process of decating, when not performed as part of the cold water sponging or shrinking process, shall be considered steam sponging or shrinking. These maximum charges of 4¢ and 7¢ shall cover all processes and services performed in connection with the sponging or shrinking process and in no event may more than one such charge be added.

In order to be considered a "full-piece", the fabric must have the original mill ends and the mill marks or punches thereon at the time of delivery by the apparel manufacturer.

[Subparagraph (1) amended by Am. 15, effective 4-19-44]

(2) *Optional maximum price for sales in cut-lengths of 11 yards or less to retail stores or custom tailors.* In the case of sales of fabrics in cut-lengths of 11 yards or less by a manufacturer of apparel to retail stores or custom tailors, the maximum price, at the option of the seller, shall be the quotient of the sum of (i) the fabric manufacturer's net invoice price, whether or not advantage has been taken of any term discounts offered, and (ii) the freight charges actually paid for transporting the fabric from the manufacturer's shipping point to the apparel manufacturer's place of business, divided by .80.

(3) *Optional maximum price for sales by jobbers.* The maximum price for sales and deliveries of woolen or worsted apparel fabrics by a jobber shall be the quotient of the sum of (i) the manufacturer's net invoice price, whether or not the jobber has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, and (ii) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the jobber's place of business, divided by .80.

(4) *Invoice requirements.* On and after January 20, 1943, every person making sales of woolen or worsted apparel fabrics subject to this paragraph shall with respect to each such sale, deliver to the purchaser an invoice or similar document, setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for under this section and showing the division factor in figures.

[Paragraph (h) added by Am. 9, 8 F.R. 608, effective 1-30-43]

(i) *Optional maximum price for sales of fabrics in cut-lengths of 11 yards or less to retail stores or custom tailors.* (1) In the case of sales of fabrics in cut-lengths of 11 yards or less by a manufacturer of apparel to retail stores or custom tailors, the maximum price, at the option of the seller, shall be the quotient of the sum of (a) the fabric manufacturer's net invoice price for the fabric; (b) the freight charges actually paid in bringing the fabric from his supplier's shipping point to the apparel manufacturer's place of business; and (c) the division factor used by the manufacturer of apparel in determining his maximum price.

[Subparagraph (1) amended by Am. 15, effective 4-19-44]

(2) Every person, except a manufacturer of apparel, making sales or deliveries of woolen or worsted apparel fabrics subject to this § 1410.103 shall determine his maximum prices to the closest 2½ cents per yard, except in the case of a fabric for which the maximum price calculated under the other provisions of this section is less than $1.00 per yard, in which case he shall determine his maximum price to the closest ½ cent per yard. Such adjustments shall be made after all other calculations required by this § 1410.103 have been made.

[Subparagraph (2) amended by Am. 15, effective 4-19-44]

(3) Every person making sales of woolen or worsted apparel fabrics subject to this § 1410.103 shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the fabric manufacturer's net invoice price for the fabric; (ii) the freight charges actually paid for transporting the fabric from his supplier's shipping point to the apparel manufacturer's place of business; and (iii) the division factor, if any, used by his supplier in determining his maximum price; or

(ii) In the case of sales for which the optional maximum price is determined under subparagraph (2) of this paragraph (e), (a) the fabric manufacturer's net invoice price for the fabric; (b) the freight charges actually paid in bringing the fabric from his supplier's shipping point to the apparel manufacturer's place of business; and (c) the division factor used by the manufacturer of apparel in determining his maximum price.

[Subparagraph (3) amended by Am. 15, effective 4-19-44]

[Paragraph (e) amended by Am. 8, 8 F.R. 262, effective 1-11-43 and as otherwise noted]

(f) *Customary discounts, trade practices and transportation costs.* (1) Every person making sales of woolen or worsted apparel fabrics subject to this section, except in the case of sales to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments shall continue his customary quantity discounts and price differentials to different purchasers and different classes of purchasers.

(2) On and after July 31, 1942, every person making sales of woolen or worsted apparel fabrics to retail stores, custom or merchant tailors and special order departments of manufacturers of apparel shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for by this section, showing such division factor in figures.

(h) *Sales of fabrics to religious institutions and members thereof*—(1) *Maximum prices.* The maximum price for sales and deliveries of woolen or worsted apparel fabrics by a jobber to a religious institution or to a member of a religious institution for ecclesiastical use shall be the quotient of the sum of (i) the manufacturer's net invoice price, whether or not the jobber has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, and (ii) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the jobber's place of business, divided by .80.

(2) *Invoice requirements.* On and after January 20, 1943, every person making sales of woolen or worsted apparel fabrics subject to this paragraph shall with respect to each such sale, deliver to the purchaser an invoice or similar document, setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for under this section and showing the division factor in figures.

[Paragraph (h) added by Am. 9, 8 F.R. 608, effective 1-30-43]

manufacturer of apparel the "actual price paid for the fabric" means the amount actually paid to his supplier for the full-piece based upon the original mill yardage.

The "actual cost of sponging or shrinking" means the amount actually paid to the sponger or shrinker for such service (including examination, inspection and measuring if done as a part of the sponging or shrinking operation), after deducting all discounts and rebates, but in no event to exceed 4¢ per yard for steam sponging or shrinking or 7¢ per yard for cold water sponging or shrinking. If the manufacturer of apparel sponges or shrinks the fabric himself, the "actual cost of sponging or shrinking" shall be 4¢ per yard for steam sponging or shrinking and 7¢ per yard for cold water sponging or shrinking. For the purpose of this subparagraph the process of decating, when not performed as part of the cold water sponging or shrinking process, shall be considered steam sponging or shrinking. These maximum charges of 4¢ and 7¢ shall cover all processes and services performed in connection with the sponging or shrinking process and in no event may more than one such charge be added.

In order to be considered a "full-piece", the fabric must have the original mill ends and the mill marks or punches thereon at the time of delivery by the apparel manufacturer.

[Subparagraph (1) amended by Am. 15, effective 4-19-44]

(2) *Optional maximum price for sales in cut-lengths of 11 yards or less to retail stores or custom tailors.* In the case of sales of fabrics in cut-lengths of 11 yards or less by a manufacturer of apparel to retail stores or custom tailors, the maximum price, at the option of the seller, shall be the quotient of the sum of (i) the fabric manufacturer's net invoice price, whether or not advantage has been taken of any term discounts offered, and (ii) the freight charges actually paid for the transportation of the fabric from the supplier's shipping point to the apparel manufacturer's place of business, divided by the division factor .84.

(3) *Invoice requirements.* On and after April 19, 1944, every manufacturer of apparel making sales of fabrics subject to this paragraph (c) shall with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof, the following:

(i) In the case of sales for which a maximum price is determined by subparagraph (1) above, (a) the actual price paid by the manufacturer of apparel for the fabric; (b) the fabric manufacturer's net invoice price for the fabric; (c) the freight charges actually paid for transporting the fabric from his supplier's shipping point to the apparel manufacturer's place of business; and (d) the division factor, if any, used by his supplier in determining his maximum price; or

(ii) In the case of sales for which the optional maximum price is determined under subparagraph (2) of this paragraph (c), (a) the fabric manufacturer's net invoice price for the fabric; (b) the freight charges actually paid in bringing the fabric from his supplier's shipping point to the apparel manufacturer's place of business; and (c) the division factor used by the manufacturer of apparel in determining his maximum price.

[Subparagraph (3) amended by Am. 15, effective 4-19-44]

[Paragraph (c) amended by Am. 8, 8 F.R. 262, effective 1-11-43 and as otherwise noted]

(f) *Customary discounts, trade practices and transportation costs.* (1) Every person making sales of woolen or worsted apparel fabrics subject to this section, except in the case of sales to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments shall continue his customary quantity discounts and price differentials to different purchasers and different classes of purchasers.

(2) Every person, except a manufacturer of apparel, making sales or deliveries of woolen or worsted apparel fabrics subject to this § 1410.103 shall determine his maximum prices to the closest 2½ cents per yard, except in the case of a fabric for which the maximum price calculated under the other provisions of this section is less than $1.00 per yard, in which case he shall determine his maximum price to the closest ½ cent per yard. Such adjustments shall be made after all other calculations required by this § 1410.103 have been made.

[Subparagraph (2) amended by Am. 15, effective 4-19-44]

(3) No such seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabrics than he required purchasers of the same class to pay during March 1942.

(4) Sales of fabrics to religious institutions and members thereof for ecclesiastical use shall be excepted from the provisions of this paragraph (f).

[Subparagraph (4) added by Am. 9, 8 F.R. 606, effective 1-30-43]

(g) *Invoice requirements.* (1) On and after June 22, 1942, every person making sales of woolen or worsted apparel fabrics subject to paragraphs (a), (b) or (c) of this § 1410.103, except sales to retail stores, custom or merchant tailors, and special order departments of manufacturers of apparel, shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the manufacturer's net invoice price, (ii) the freight charges paid, and (iii) the division factor used; or (iv) in the case of mill ends, close outs, seconds and irregular pieces, the manufacturer's maximum price therefor determined in accordance with this Maximum Price Regulation No. 163.

(2) On and after July 31, 1942, every person making sales of woolen or worsted apparel fabrics to retail stores, custom or merchant tailors and special order departments of manufacturers of apparel shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for by this section, showing such division factor in figures.

(h) *Sales of fabrics to religious institutions and members thereof.*—(1) *Maximum prices.* The maximum price for sales and deliveries of woolen or worsted apparel fabrics by a jobber to a religious institution or to a member of a religious institution for ecclesiastical use shall be the quotient of the sum of (i) the manufacturer's net invoice price, whether or not the jobber has taken advantage of any term discounts offered, but in no case higher than the manufacturer's maximum price determined in accordance with § 1410.102, and (ii) the freight charges actually paid for the transportation of such fabric from the manufacturer's shipping point to the jobber's place of business, divided by .80.

(2) *Invoice requirements.* On and after January 20, 1943, every person making sales of woolen or worsted apparel fabrics subject to this paragraph shall with respect to each such sale, deliver to the purchaser an invoice or similar document, setting forth, in addition to the terms thereof, a statement that the division factor used in computing the selling price was not lower than the applicable division factor provided for under this section and showing the division factor in figures.

[Paragraph (h) added by Am. 9, 8 F.R. 606, effective 1-30-43]

(i) *Sales by jobbers or manufacturers of apparel who purchase from converters.* For the purpose of determining the maximum prices for jobbers, secondary jobbers or manufacturers of apparel who purchase woolen or worsted apparel fabrics from converters, the term "manufacturer" shall be construed to mean converter and the manufacturer's net invoice price and maximum price shall be construed accordingly.

[Paragraph (i) added by Am. 10, 8 F.R. 1682, effective 2-11-43]

[§ 1410.103 amended by Am. 1, 7 F.R. 4733, effective 6-23-42 and Am. 2, 7 F.R. 5827, 6667, effective 7-31-42 and as otherwise noted]

§ 1410.104 *Sales at retail.* The provisions of this Maximum Price Regulation No. 163, shall not apply to sales at retail.

§ 1410.105 *Sales for export.* The maximum price at which a person may export woolen or worsted apparel fabrics shall be determined in accordance with the provisions of the Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1410.106 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 163 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of woolen and worsted apparel fabrics for which maximum prices are established by this regulation.

§ 1410.107 *Less than maximum prices.* Lower prices than those set forth in §§ 1410.102 and 1410.103 may be charged, demanded, paid or offered.

§ 1410.108. *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 163, shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woolen or worsted fabrics, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1410.109 *Adjustment of maximum prices.* (a) In the event that the maximum price of any manufacturer determined in accordance with § 1410.102 is abnormally high in relation to the maximum prices of other manufacturers for the same or a comparable woolen or worsted apparel fabric, the Office of Price Administration may, upon its own motion, adjust such maximum price by the issuance of an appropriate order.

(b) Any manufacturer may apply for adjustment of his maximum price for a woolen or worsted civilian apparel fabric which, in the judgment of the Administrator, is essential to a standard of living consistent with the prosecution of the war. Such application will be granted if it is found by the Office of Price Administration that:

(1) The maximum price for the fabric is low in relation to the maximum prices of competitive manufacturers for the same or similar fabrics;

(2) The maximum price for the fabric is less than the manufacturer's total costs of manufacturing and selling the fabric; and

(3) The entire operations of the manufacturer are being conducted at a loss or will be conducted at a loss within ninety days.

Any adjustment made will establish as the maximum price for the fabric a price equal to the manufacturer's total costs of manufacturing and selling the fabric, but in no case will such adjusted maximum price exceed a price which is in line with the prices generally prevailing in the market for the same or similar fabrics.

Applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

[§ 1410.109 amended by Am. 6, 7 F.R. 7609, effective 9-29-42; Am. 7, 7 F.R. 9941, effective 11-4-42 and Am. 14, 8 F.R. 16699, effective 12-10-43]

§ 1410.110 *Records.* (a) Every manufacturer of woolen or worsted apparel fabrics shall prepare for inspection by the Office of Price Administration his opening price for each fabric sold by him during the applicable base period setting forth the number of yards of each fabric sold during such period and the price at which each lot was sold.

(b) Every person making a purchase or sale of woolen or worsted apparel fabrics in the course of trade or business, or otherwise dealing therein after June 21, 1942, shall keep records of each such purchase and sale showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, and the quantity of each fabric purchased or sold.

§ 1410.111 *Reports.* (a) Within 10 days after a manufacturer has determined his maximum price for a comparable, new or similar fabric, pursuant to paragraphs (c), (d) or (i) of § 1410.102, he shall file with the Office of Price Administration, Washington, D. C.:

(1) With respect to comparable fabrics, a report on Form No. 666–533a furnished by the Office of Price Administration.

(2) With respect to new fabrics, a report on Form No. 666–533b furnished by the Office of Price Administration.

(3) With respect to similar fabrics, a report on Form No. 666–533c furnished by the Office of Price Administration.

[Paragraph (a) amended by Am. 5, 7 F.R. 7454, effective 9-25-42]

(b) Every person making a purchase or sale of woolen or worsted apparel fabrics in the course of trade or business shall submit such further reports as the Office of Price Administration shall, from time to time, require.

§ 1410.112 *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1410.112 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1410.113 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 163 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 163 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1410.114 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 163 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1410.114 amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 26 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to procurement agencies of the United States.]

§ 1410.115 *Definitions.* (a) When used in this Maximum Price Regulation No. 163, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means the producer of the woolen or worsted apparel fabric and includes his agent and any person controlling, controlled by or under common control with the manufacturer.

(3) "Woolen or worsted apparel fabrics" means domestic, men's, women's, children's and infants' suitings, dress goods, topcoatings, overcoatings, cloakings, ski or snow cloths, mackinaws, bathrobe fabrics, necktie fabrics, shirtings and meltons, containing 25% or more of woolen fiber by weight and woven on looms; the term is applicable only to such fabrics for civilian use and does not include pile fabrics.

[Subparagraph (3) amended by Am. 3, 7 F.R. 5827, effective 7-31-42 and Am. 4, 7 F.R. 6973, effective 9-8-42]

(4) [Revoked]

[Subparagraph (4) revoked by Am. 4]

(5) "New woolen or worsted apparel fabric" means a woolen or worsted apparel fabric not sold by the seller during

[1] Second Revision: 8 F.R. 4132, 5967, 7662, 9998, 15193; 9 F.R. 1036.

[2] 7 F.R. 8961; 8 F.R. 3313, 8533, 6173, 11806; 9 F.R. 1594, 3075.

[3] 8 F.R. 13240.

the applicable base period and neither comparable nor similar to any such fabric.

[Subparagraph (5) as amended by Am. 4]

(6) [Revoked]

[Subparagraph (6) revoked by Am. 4]

(7) "Sale at retail" means a sale to an ultimate consumer, other than an industrial or commercial user; the term shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, penal institution, hospital, library or any agency of the foregoing.

[Subparagraph (7) amended by Am. 2, 7 F.R. 5827, effective 7-31-42]

(8) "Custom or merchant tailor" means a tailor who makes clothes for a person's individual measurements; the term shall not include special order departments of manufacturers of apparel and retail establishments.

(9) "Jobber" means a person who purchases woolen or worsted apparel fabrics for the purpose of resale; the term shall not include a tailor or a manufacturer of apparel.

(10) "Secondary jobber" means a jobber who purchases woolen or worsted apparel fabrics in piece lots or half piece lots from another jobber and who in turn sells such fabric in less than piece lots to retail stores, manufacturers of apparel or custom or merchant tailors.

[Subparagraphs (8), (9), and (10) added by Am. 3, 7 F.R. 5827, effective 7-31-42]

(11) "Pile fabric" means a three dimensional fabric composed of backing warp, filling, and pile warp woven at right angles to the backing warp and filling.

(12) "Decorations" means silk, rayon, worsted or cotton threads added to a fabric to enhance its style value.

[Subparagraphs (11) and (12) added by Am. 4, 7 F.R. 6973, effective 9-8-42]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1410.116 *Effective date.* This Maximum Price Regulation No. 163, (§§ 1410.101 to 1410.116, incl.) shall become effective June 22, 1942.

[MPR 163 originally issued June 16, 1942]

§ 1410.117 *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1410.118 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application or his own motion, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[§ 1410.118 added by Am. 3, 7 F.R. 5872, effective 7-30-42]

§ 1410.119 *Maximum prices for woolen or worsted apparel fabrics which cannot be priced under § 1410.102 or § 1410.103.* The maximum price for a woolen or worsted apparel fabric sold by a person who cannot determine the maximum price therefor under § 1410.102 or § 1410.103 shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provision of this § 1410.119, shall file with the Office of Price Administration in Washington, D. C. an application setting forth (a) a description in detail of the fabric for which a maximum price is sought, and (b) a statement of the reasons why such fabric cannot be priced under § 1410.102 or § 1410.103 of this Maximum Price Regulation No. 163. If such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Office of Price Administration in Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

[§ 1410.119 added by Am. 4, 7 F.R. 6973, effective 9-8-42]

§ 1410.120 *Maximum prices for sales of woolen or worsted apparel fabrics by converters*—(a) *How to determine maximum prices.* The maximum prices for sales and deliveries by a converter of woolen and worsted apparel fabrics dyed and finished by him, or for his account, shall be determined in accordance with the provisions of the General Maximum Price Regulation.

(b) *To what sellers this section applies.* For the purpose of this section, the term "converter" means a person who during the calendar year 1942 was engaged in the business of purchasing fabrics in the grey (undyed) state and converting them, or causing them to be converted for his account, to the dyed and finished state.

A person who sells fabrics converted by him from the grey (undyed) state but who was not a converter during 1942 shall be classified as a jobber and his maximum price shall be determined in accordance with § 1410.103 of this regulation.

(c) *Invoices.* On and after February 11, 1943, every converter making sales of fabrics subject to this section shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

[§ 1410.120 added by Am. 10, 8 F.R. 1682, effective 2-11-43]

NOTE: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of April 1944.

JAMES P. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5355; Filed, April 13, 1944; 11:56 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

[U. S. Quarantine Regs., Amdt. 22]

PART 11—FOREIGN QUARANTINE

BILLS OF HEALTH AND QUARANTINE INSPECTION FOR VESSELS

Obtaining of bills of health by and quarantine inspection of vessels plying between foreign ports on or near the frontiers of the United States and ports of the continental United States, its possessions, dependencies, and Alaska.

Pursuant to the authority contained in sections 2 and 3 of the Act of February 15, 1893, 27 Stat. 450, as amended (42 U.S.C. 82, 92), paragraph 3 of the quarantine regulations of the United States (42 CFR 11.11), is hereby further amended to read as follows:

§ 11.11 *Bill of health required; exceptions.* * * *

(c) Vessels operating exclusively between ports in Canada, Newfoundland, and the Islands of St. Pierre and Miquelon and ports in the continental United States and Alaska are exempted from obtaining consular bills of health at ports in Canada, Newfoundland, and the Islands of St. Pierre and Miquelon and from quarantine inspection upon arrival at ports in the continental United States and Alaska. Vessels operating exclusively between ports on the West Coast of Lower California and ports in the State of California are exempted from obtaining consular bills of health at ports on the West Coast of Lower California and from quarantine inspection upon arrival at ports in the State of California. Vessels operating exclusively between ports in the Republic of Cuba, in the Bahama Islands and in the Bermuda Islands and ports in the United States, its possessions or dependencies are exempted from obtaining consular bills of health from ports in Cuba, the Bahama Islands and the Bermuda Islands and from quarantine inspection upon arrival at ports in the United States, its possessions or dependencies. *Provided*, That all such vessels enumerated above may be subjected to inspection to determine rat infestation and, when found rat infested, to deratization measures. *And provided further*, That during the prevalence of any of the quarantinable diseases at any of the aforementioned foreign ports of departure or call, all vessels shall obtain at any such infected port or ports from the consular officer of the United States, or from the medical officer of the United States, when such officer has been detailed by the President, a bill of health, in duplicate, in the form prescribed by the Federal Security Administrator, and such vessels shall be subject to quarantine inspection upon arrival at any port in the continental United States, its possessions, dependencies, or Alaska.

[SEAL] WATSON B. MILLER,
Acting Administrator.

APRIL 11, 1944.

[F. R. Doc. 44-5242; Filed, April 13, 1944; 11:29 a. m.]

[U. S. Quarantine Regs. Amdt. 23]

PART 11—FOREIGN QUARANTINE

QUARANTINE INSPECTION SERVICE IN CERTAIN U. S. PORTS

Pursuant to the authority contained in section 14 of the Act of February 15, 1893, as added March 3, 1931, 46 Stat. 1492 (42 U.S.C. 94a), paragraph 36 of the quarantine regulations of the United States (42 CFR 11.63) is amended to read as follows:

§ 11.63 *To be made between sunrise and sunset; exceptions.* The inspection of vessels required by the regulations in this part shall be made between sunrise and sunset, except in case of vessels in distress, vessels carrying perishable cargoes, and regular line vessels. The inspection of vessels at New York shall be made at any time during the night or day and at New Orleans between the hours of 6 a. m. and 10 p. m.

[SEAL] WATSON B. MILLER,
Acting Administrator.

APRIL 10, 1944.

[F. R. Doc. 44-5243; Filed, April 13, 1944; 11:29 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order No. 1942]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN THE PUGET SOUND AREA, WASHINGTON

Whereas, by Executive Order No. 9280 of December 8, 1942, the President conferred upon the Secretary of Agriculture full responsibility and control over the Nation's food program in order to assure an adequate supply and efficient distribution of food to meet war and essential civilian needs; and

Whereas, by Food Directive No. 2 of February 8, 1943 (CFR Title 7, Chapter 11, Part 1400), the Secretary of Agriculture delegated to me among other things, the right to exercise all of the powers conferred upon him by paragraph (b) of section 1 of Executive Order No. 9280, in so far as it relates to the production of fishery commodities and products; and

Whereas, by Food Directive No. 2, the Secretary of Agriculture authorized me to exercise these powers through such agencies and officers of the Department of the Interior or of the office established by Executive Order No. 9204 of July 21, 1942, as I may designate; and

Whereas, it is deemed imperative to effectuate a program designed to facilitate the production of an adequate supply of canned salmon in the Puget Sound Area, State of Washington, with a minimum utilization of critical material, manpower and shipping facilities; and

Whereas, representatives of practically the entire salmon canning industry in the Puget Sound Area, State of Washington, have indicated their willingness to join in such cooperative agreements as may be practicable and feasible in order to pool their operating facilities, and allocate available manpower on an equitable basis in an industry concentration program designed to minimize factors that tend to affect production adversely; and

Whereas, in the exercise of the powers conferred upon me, I have designated the Office of Fishery Coordination, established by Executive Order No. 9204, to execute, administer, regulate, and enforce the provisions of this order affecting the salmon canning industry in the Puget Sound Area, State of Washington;

Now therefore, it is hereby ordered:

§ 401.3 *Salmon canning industry in the Puget Sound Area, State of Washington*—(a) *Jurisdiction.* Complete control and authority over the salmon canning industry in the Puget Sound Area, State of Washington, solely for the purpose herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Salmon" means any fish of the following species: Red or sockeye (Oncorhynchus nerka); pink or humpback (Oncorhynchus gorbuscha); silver, medium red, or coho (Oncorhynchus kisutch); chum or keta (Oncorhynchus keta); king, chinook, or spring (Oncorhynchus tschawytscha).

(3) "Line" means the assembly of canning machinery operated in connection with each filling machine. The filling of cans by hand shall be construed to be a line.

(4) "Fishery Coordinator" means the Secretary of the Interior.

(5) "Nucleus plant" means a plant for the canning of salmon for commercial purposes which may be operated during the year 1944 under the terms of this order.

(6) "Canning salmon for commercial purposes" means the process of packing salmon for the purpose of sale in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(c) *Salmon canning for commercial purposes prohibited in the Puget Sound Area, State of Washington, except as herein provided.* No person shall engage in canning salmon for commercial purposes in the Puget Sound Area, State of Washington, including all coastal and tributary waters thereof over which the United States has jurisdiction, after the effective date of this order and prior to January 1, 1945, unless specifically authorized by this order or by the order of the Fishery Coordinator, and upon compliance with such directives, orders, and regulations as he may from time to time prescribe. Unless otherwise ordered by the Fishery Coordinator, any person named in Schedule A hereof may engage in canning salmon, during the period herein prescribed, in the nucleus plant set forth opposite his name in the Schedule. No person named in Schedule A, unless otherwise ordered by the Fishery Coordinator, shall operate either singly or in conjunction with any other person, in the nucleus plant so assigned to such person or persons more than the number of lines set forth in the schedule opposite the name of such nucleus plant.

SCHEDULE A

SALMON CANNERY OPERATING SCHEDULE—1944

Nucleus plant	Lines to operate	Name of person
(1) Fishermen's Packing Corp. Anacortes.	2—1 lb.	Fishermen's Packing Corp. Sebastian-Stuart Fish Co. Anacortes Canning Co. Farwest Fishermen, Inc. Astoria & Puget Sound Canning Co. Alaska Packers Association Friday Harbor Canning Co. Beach Packing Company Drexel-Collins Fish Co.
(2) Sebastian-Stuart Fish Co. Anacortes[1]		
(3) Deer Harbor Packing Co. Deer Harbor	2—½ lb.	Deer Harbor Packing Co.
(4) Whiz Fish Products Co. LaConner.	(1—1 lb. (1—½ lb.	Whiz Fish Products Co.

[1] Standby plant for emergency use.

(d) *Agreements between persons named in Schedule A.* (1) Duplicate copies of all agreements entered into between persons named in Schedule A providing for the use in common of nucleus plants, lines, and other facilities, must be filed with the Office of Fishery Coordination, Department of the Interior, when required by the Fishery Coordinator. The Fishery Coordinator may

review any agreement and shall have the right to disapprove it if its terms and conditions are deemed not to be in the public interest.

(2) Where any persons named in Schedule A are unable to reach a mutually fair and equitable agreement providing for the use in common of nucleus plants, lines, and other facilities, the Fishery Coordinator shall have the right, after reviewing all of the pertinent facts submitted by the interested persons and other available information, to prescribe joint operations on a basis which will protect adequately the rights of the persons affected thereby.

(e) *Petition for relief.* (1) Any person subject to this order who finds that compliance herewith is impracticable and would tend to create an unreasonable burden without facilitating the production of canned salmon in the Puget Sound Area, State of Washington, may file with the Fishery Coordinator a petition in writing for appropriate relief. Such petition should be filed in triplicate and contain a full showing of all the pertinent facts and the nature of the relief sought. The Fishery Coordinator shall thereupon take such action on the petition as he may deem appropriate, and any decision rendered shall be final and binding upon the petitioner.

(2) Any person not named in Schedule A of this order who believes that his name should properly be included therein may file with the Fishery Coordinator a petition in writing for appropriate relief. The petition should conform with the requirements prescribed in the preceding paragraph (1) and any decision rendered by the Fishery Coordinator shall likewise be final and binding upon the petitioner.

(f) *Custom canning.* Any person, owning salmon, who hires a person designated in Schedule A to can the salmon for commercial purposes shall not be deemed to be engaged in canning salmon for commercial purposes within the meaning of this order, but the person who performs such services shall be deemed to be so engaged.

(g) *Audits and inspections.* Every person subject to this order shall, upon the request of the Fishery Coordinator or his duly authorized representative, permit inspections at all reasonable times of the stocks of canned salmon and the facilities used in his business, and shall also make available for inspection and audit all of his books, records, and accounts.

(h) *Records and reports.* Every person subject to this order shall maintain the books, records, and accounts of his business for at least two years after December 31, 1944 (or for such other periods of time as the Fishery Coordinator may provide), and shall execute and file such reports and submit such information as the Fishery Coordinator may deem necessary to accomplish the purpose of this order.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or Agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation, and such further action may be taken against him as the Fishery Coordinator deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. sec. 80) under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Office of Fishery Coordination, United States Department of the Interior, Washington 25, D. C.

(k) *Fishing regulations.* The provisions of this order are not to be construed as permitting fishing for salmon in violation of any order or regulation promulgated by the State.

(l) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be considered a violation of this order. For the purposes of this order the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(m) *Designated representative.* The Area Coordinator for Area I is hereby designated as the representative of the Fishery Coordinator to perform any of the functions authorized in this order. In the performance of these functions, he may designate any members of his staff to carry out any specific functions that may be assigned. In any situation where, in the judgment of the Area Coordinator for Area I, the circumstances do not permit the delay which would otherwise result, Schedule A may be amended or extended, or any item thereof altered or deleted by the Area Coordinator for Area I, in such manner as he shall deem reasonable and advisable to secure maximum production with a minimum expenditure of critical materials and services. Any person claiming to be adversely affected by such amendment may file with the Fishery Coordinator a petition for relief as set out in paragraph (f); pending action on such petition, the amendment by the Area Coordinator for Area I shall become and remain effective according to its terms.

(n) *Effective date.* This order shall become effective immediately. Issued this 8th day of April 1944.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-5239; Filed, April 13, 1944; 11:02 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-23]

DETROIT AND CLEVELAND NAVIGATION CO.

FINDING IN REGARD TO WAR CONTRACT

In the matter of Detroit and Cleveland Navigation Co. (Case No. S-830).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Detroit and Cleveland Navigation Company, Detroit, Michigan;

I find that the transportation of war materials by the Detroit and Cleveland Navigation Company pursuant to contracts with General Motors Corporation, Ford Motor Company, the Hudson Motor Car Company, etc., is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 12th day of April 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-5254; Filed, April 13, 1944; 11:58 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5948]

KOMA, INC.

ORDER SUPPLEMENTING HEARING ISSUES

In re application of KOMA, Inc. (KOMA), Oklahoma City, Oklahoma, for construction permit.

It appearing from the technical data filed by KOMA, Inc., March 2, 1944, relating to the above-entitled application, as amended, that public interest would be served by supplementing the hearing notice heretofore issued in the above-entitled matter;

It is ordered, This 11th day of April 1944, that said hearing notice be, and it is hereby, supplemented by the addition of the following issues:

To determine whether the operation of Station KOMA, as proposed, would protect the Canadian border as required by the North American Regional Broadcasting Agreement.

To determine whether Station KOMA, operating as proposed, would provide primary service to the business and factory areas of Oklahoma City as contemplated by the Standards of Good Engineering Practice.

To determine whether the proposed radiating system meets the minimum specifications of the Standards of Good Engineering Practice particularly with reference to the antenna height.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5245; Filed, April 13, 1944; 11:38 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2195]

AMAND, ENGELBERT, AND JOSEFA HONEL

In re: Real property held in trust for, bank accounts and a fire insurance policy owned by Amand Honel, Engelbert Honel, and Josefa Honel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the respective last known addresses of Amand Honel, Engelbert Honel and Josefa Honel are: Brokersdorf 3, Baern or Nurnberg 27, Germany; Altendorf 8, near Bautsch, Germany; and Nurnberg 27, near Liebau or Brokersdorf 4, Germany; and that these individuals, and each of them, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Amand Honel, Engelbert Honel, and Josefa Honel, and each of them, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows: All right, title, interest and claim of Amand Honel, Engelbert Honel and Josefa Honel, and each of them, in and to that certain trust estate being administered by the Chicago Title and Trust Company of Chicago, Illinois, as Trustee, pursuant to a trust agreement dated September 9, 1940, between Amand Honel, Engelbert Honel, Josefa Honel, and the Chicago Title and Trust Company, together with all rights and powers of revocation or of modification of said agreement, and any rights of management, supervision and control of the trust property reserved by the said Amand Honel, Engelbert Honel and Josefa Honel,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals, or any one of them, are persons not within a designated enemy country, the national interest of the United States requires that such person or persons be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5200; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 2348]

BEATRICE AND AUGUST T. GAUSEBECK

In re: Household effects and an automobile owned by Beatrice Gausebeck and August T. Gausebeck.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Beatrice Gausebeck and August T. Gausebeck, her husband, are residents of Germany and nationals of a designated enemy country (Germany);

2. That said Beatrice Gausebeck and August T. Gausebeck are the owners of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. All the household effects belonging to Beatrice Gausebeck and August T. Gausebeck, her husband, and presently in the custody of Mrs. Otis Kise, and stored upon the premises known as the "Gausebeck Farm," in the Township of Blairstown, County of Warren, State of New Jersey, including but not limited to the effects particularly described in Exhibit A attached hereto and by reference made a part hereof,[1] and

b. One Mercedes-Benz four door sedan automobile presently in the custody of Mrs. Herman Kise, and stored upon the premises known as the "Gausebeck Farm" in the Township of Blairstown, County of Warren, State of New Jersey,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any persons, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5201; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 2171]

HILDEGARD KALCIC

In re: Real property, a claim, and a fire insurance policy owned by Hildegard Kalcic, also known as Hildegard Daniels, and Hildegard Daniella.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hildegard Kalcic, also known as Hildegard Daniels, and as Hildegard Daniella, is Ferdinand Plats No. 15, Mediaș, Roumania, and that she is a resident of Roumania and a national of a designated enemy country (Roumania);

2. That Hildegard Kalcic is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property held of record in the name of Mike Daniels, also known as Mike Daniella, now deceased, situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property,

b. All right, title, interest and claim of any name or nature whatsoever of Hildegard

[1] Filed as part of the original document.

Kalcie in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Hildegard Kalcie by The Cleveland Trust Company, Cleveland, Ohio, and represented on the books of the Rental Department of The Cleveland Trust Company as a credit balance due Hildegard Kalcie, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and

c. All right, title, and interest of Hildegard Kalcie in and to a fire insurance policy No. 139007, issued by The American Insurance Company, insuring the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Roumania);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Roumania);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9095, as amended.

Executed at Washington, D. C., on February 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain tract of land and premises situated in the City of Cleveland, in the County of Cuyahoga and State of Ohio

Being Sublot No. 69 in The Walton Realty Company's "Jefferson Park" Subdivision of part of original Rockport Township Section No. 11, as shown by the recorded plat in Volume 50 of Maps, Page 20 of Cuyahoga County Records, and being a parcel of land 40 feet front on the Westerly side of Settlement Road, and extending back of equal width 150 feet deep, as appears by said plat.

[F. R. Doc. 44-5211; Filed, April 13, 1944; 10:34 a. m.]

[Vesting Order 3238]

HERBERT AND GABRIELE DIETRICH

In re: Interests of Herbert Dietrich and Gabriele Dietrich in an agreement with Karl Lieberknecht, G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Herbert Dietrich and Gabriele Dietrich are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Herbert Dietrich and Gabriele Dietrich;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Herbert Dietrich and Gabriele Dietrich, and each of them, by virtue of an agreement dated August 1, 1936 (including all modifications thereof or supplements thereto, if any) by and between Herbert Dietrich, Gabriele Dietrich and Karl Lieberknecht, G. m. b. H., relating, among others, to patent number 1,998,361,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, or sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5202; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 3239]

KARL RICHARD LIEBERKNECHT AND KARL LIEBERKNECHT G. M. B. H.

In re: interests of Karl Richard Lieberknecht and Karl Lieberknecht G. m. b. H. in certain patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Karl Richard Lieberknecht is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That Karl Lieberknecht, G. m. b. H. is a corporation organized under the laws of and has its principal place of business in Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is property of Karl Richard Lieberknecht and/or Karl Lieberknecht, G. m. b H.;

4. That the property described as follows:

All right, title and interest of Karl Richard Lieberknecht and Karl Lieberknecht G. m. b. H., and each of them, in and to the following patents:

Patent Number, Date, Inventor and Title

2,140,366; 12-13-38; Karl Richard Lieberknecht; knitting machine.

2,176,911; 10-24-39; Karl Richard Lieberknecht; knitting machine.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5203; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 3240]

MASCHINENFABRIK EINSIEDEL, G. M. B. H.

In re: Interest of Maschinenfabrik Einsiedel, G. m. b. H. in an agreement between Robert Reiner, Inc., and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Maschinenfabrik Einsiedel is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Maschinenfabrik Einsiedel;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Maschinenfabrik Einsiedel, G. m. b. H. by virtue of an agreement dated November 12, 1937 (including all modifications thereof or supplements thereto, if any) by and between Kallo, Inc., Robert Reiner, Inc. and Julius Kayser and Co., relating, among other things, to patent application serial number 99,830, filed September 8, 1936, and patent number 1,998,361.

is property payable or held with respects to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 26, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5204; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 3366]

FRITZ WAGNER AND CO.

In re: Patents and interest of Fritz Wagner & Company in an agreement with The Bradford Patents Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Fritz Wagner & Company is a partnership organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Fritz Wagner & Company;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patents:

Patent Number, Date of Issue, Inventor, and Title

1,877,542; 9-13-32; Fritz Wagner; balanced valve.

2,085,487; 6-29-37; Fritz Wagner; balanced scheme inlet valve.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fritz Wagner & Company by virtue of a license agreement dated September 13, 1937, by and between Fritz Wagner & Company and The Bradford Patents Corporation (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to certain United States Patents.

[F. R. Doc. 44-5205; Filed, April 13, 1944; 10:33 a. m.]

[Vesting Order 3369]

FRITZ SINGER

In re: Interests of Fritz Singer and the heirs of Neumeyer in patents and in an agreement between Fritz Singer and Aluminum Company of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Fritz Singer and the heirs of Neumeyer are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Fritz Singer and the heirs of Neumeyer;

3. That the property described as follows:
Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Schedule A attached hereto and made a part hereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Tubus A. G. by virtue of an agreement dated December 2, 1933 (including all modifications thereof or supplements thereto, if any) by and between Tubus A. G. and LaSalle Steel Company, relating, among others, to patent number 1,912,015.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kelly Steel Corporation by virtue of an agreement dated February 24, 1938 (including all modifications thereof or supplements thereto, if any) by and between Kelly Steel Corporation and LaSalle Steel Company, relating, among others, to patent number 2,102,099.

(d) An undivided two-thirds interest remaining in Fritz Singer and the heirs of Neumeyer, after the assignment to Richard Spencer of an undivided one-third interest therein, in and to the patents identified in Schedule B attached hereto and made a part hereof, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owners of such interest are entitled.

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fritz Singer and the heirs of Neumeyer, and each of them, by virtue of an agreement dated October 29, 1940 (including all modifications thereof or supplements thereto, including, but without limitation, extensions dated October 21, 1942 and October, 1943 and a letter dated December 21, 1943, from Aluminum Company of America to Richard Spencer) by and between Fritz Singer and Aluminum Company of America, relating, among others, to patent No. 1,982,544.

SCHEDULE A

Patent Number, Date, Inventor, and Title

1,714,483; 5–21–29; Franz Schneider and Fritz Singer; headlight for small-sized motor cars and motor-cycles.

1,773,464; 8–19–30; Alfred Liebergeld and Fritz Singer; press for extruding seamless tubes from unbored billets of metals and alloys.

1,802,785; 4–28–31; Fritz Singer; method of extruding long seamless tubing.

1,802,849; 4–28–31; Fritz Singer; process for producing closed-end tubular bodies.

1,825,017; 9–29–31; Fritz Singer; extrusion press.

1,836,763; 12–15–31; Alfred Liebergeld; extrusion press.

1,836,831; 12–15–31; Fritz Singer; heat and pressure resisting tools.

1,839,421; 1–5–32; Fritz Singer; extrusion press.

1,840,472; 1–12–32; Fritz Singer; matrix die for extruding solid and hollow articles.

1,842,693; 1–26–32; Fritz Singer; apparatus for removing extrusion residue.

1,878,722; 9–20–32; Fritz Singer; method of extrusion.

Re. 19,474; 2–19–35; Fritz Singer; hot extrusion method.

1,912,015; 5–30–33; Fritz Singer; method of treating billets prior to extrusion.

1,925,823; 9–5–33; Fritz Singer; manufacture of casings.

1,955,243; 4–17–34; Alfred Liebergeld and Fritz Singer; method of producing seamless tubes by extrusion.

1,960,832; 5–29–34; Fritz Singer; method of producing wrought iron.

1,966,953; 7–17–34; Alfred Liebergeld; extrusion press.

1,984,603; 12–18–34; Fritz Singer and Alfred Liebergeld; extrusion press.

1,989,948; 2–5–35; Fritz Singer; extrusion apparatus.

2,006,080; 6–25–35; Adolf Wefing; extrusion press.

2,023,776; 12–10–35; Adolf Wefing; production of seamless tubes and other elongate articles.

2,096,182; 3–31–36; Fritz Singer; extrusion method.

SCHEDULE B

1,982,544; 11–27–34; Fritz Singer; method and apparatus for elongating metal articles.

2,102,099; 12–14–37; Fritz Singer; enlarging the diameter of hollow metal articles.

2,105,015; 1–11–38; Fritz Singer; mechanically working metal article.

2,110,966; 3–15–38; Fritz Singer; Reducing the diameter of hollow metal articles.

2,116,954; 5–10–38; Fritz Singer; mechanically working metal article.

2,153,839; 4–11–39; Alfred Liebergeld; metalworking.

2,218,459; 10–15–40; Fritz Singer; Manufacture of articles from light metal alloys.

2,218,460; 10–15–40; Fritz Singer and Alfred Liebergeld; stretching machine.

2,221,228; 2–11–41; Fritz Singer; cooling and lubricating means for the working metals.

[F. R. Doc. 44–5206; Filed, April 13, 1944; 10:34 a. m.]

[Vesting Order 3370]

PENAG A. G.

In re: Patent of Penag A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Penag A. G. is a corporation business organization organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Penag A. G;

3. That the property identified as follows:
All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,714,483; 5-21-29; F. Schneider & F. Singer; Headlight for small-sized motor cars and motor-cycles.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5207; Filed, April 13, 1944; 10:34 a. m.]

[Vesting Order 3371]

ALFRED EICKHOFF

In re: Interest of Alfred Eickhoff in contracts with Hendrick Manufacturing Company and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Alfred Eickhoff is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Alfred Eickhoff;

3. That the property described as follows:
Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 31, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Alfred Eickhoff by virtue of an agreement dated August 27, 1934 (including all modifications thereof and supplements thereto, if any) by and between Alfred Eickhoff, doing business as Eickhoff Brothers, and Hendrick Manufacturing Company, which agreement relates, among other things, to Patent No. 1,735,137,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described together with the right to sue therefor) created in Alfred Eickhoff by virtue of an agreement dated June 29, 1934 (including all modifications thereof, and supplements thereto, if any) by and between Alfred Eickhoff, doing business as Eickhoff Brothers, and Vulcan Iron Works, Wilkes-Barre, Pa., which agreement relates, among other things, to Patent No. 1,735,137,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Alfred Eickhoff by virtue of an agreement dated August 20, 1934 (including all modifications thereof, and supplements thereto, if any) by and between Alfred Eickhoff, doing business as Eickhoff Brothers, and Vulcan Iron Works, Wilkes-Barre, Pa., which agreement relates, among other things, to Patent No. 1,735,137,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Alfred Eickhoff by virtue of an agreement dated August 28, 1940 (including all modifications thereof and supplements thereto, if any) by and between Alfred Eickhoff, doing business as Eickhoff Brothers, and La-Del Conveyor & Manufacturing Co., which agreement relates, among other things, to Patent No. 1,735,137,

(e) All right, title, interest and claim of any name or nature whatsoever of Alfred Eickhoff in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to said Alfred Eickhoff by the First National Bank of Scranton, Pennsylvania, representing property payable or held with respect to certain United States patents including, but without limitation, Patent No. 1,735,137.

[F. R. Doc. 44–5208; Filed, April 13, 1944; 10:34 a. m.]

[Vesting Order 3373]

CAROLINE BRUEGGER

In re: Estate of Caroline Bruegger, deceased; File D–28–8555; E. T. sec. 10121.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by H. P. Blace, Administrator, acting under the judicial supervision of the Court of the County Judge, Pinellas County, Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johanna Schenk, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johanna Schenk in and to the Estate of Caroline Bruegger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5219; Filed, April 13, 1944; 10:37 a. m.]

[Vesting Order 3374]

JOHN N. CHARNOCK, ET AL.

In re: (a) John N. Charnock, Trustee in Bankruptcy of the Miner-Edgar Chemical Corporation vs. National Bank of New Jersey, et als. (b) William F. Sellers, et als. vs. National Bank of New

Jersey, et als.; File D–28–7549; E. T. sec. 7913.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles H. Weelans, Special Master, acting under the judicial supervision of the United States District Court, District of New Jersey, Trenton, New Jersey,

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz Dressel, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Dressel, in and to the sum of $1250.00 in the possession of Charles H. Weelans, Special Master, pursuant to a Decree of the United States District Court for the District of New Jersey, entered in the proceedings entitled John N. Charnock, Trustee in Bankruptcy of the Miner-Edgar Chemical Corp. vs. National Bank of New Jersey, et als. and William F. Sellers, et als. vs. National Bank of New Jersey, et als. on July 11, 1941,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5220; Filed, April 13, 1944; 10:37 a. m.]

[Vesting Order 3376]

GEORGE H. ECKMANN

In re: Estate of George H. Eckmann, deceased; File D–28–6336; E.T. sec. 2127.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Davenport Bank and Trust Company, Davenport, Iowa, Administrator, and Clerk of the District Court of Scott County, Court House, Davenport, Iowa, Depositary, acting under the judicial supervision of the District Court of the State of Iowa, in and for Scott County, Davenport, Iowa;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Eckmann, Germany.
Abeline Oltschwager, Germany.
Anna Eckmann, Germany.
Martha Eckmann, Germany.
Issue, names unknown, of Catharina Diedrich, deceased, (half-sister of Timm Eckmann, father of the decedent, George H. Eckmann), Germany.
Issue of Henry Eckmann, deceased (full brother of Timm Eckmann, father of the decedent, George H. Eckmann), with the exception of Claus Eckmann and Henry Eckmann, who are residents of the United States, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hans Eckmann, Abeline Oltschwager, Anna Eckmann, Martha Eckmann, issue, names unknown, of Catharina Diedrich, deceased (half-sister of Timm Eckmann, father of the decedent, George H. Eckmann) and issue of Henry Eckmann, deceased (full brother of Timm Eckmann, father of the decedent, George H. Eckmann), with the exception of Claus Eckmann and Henry Eckmann, who are residents of the United States, and each of them, in and to the estate of George H. Eckmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5221; Filed, April 13, 1944; 10:37 a. m.]

[Vesting Order 3376]

MARIE L. FEIGENSPAN-STENGEL

In re: Estate of Marie L. Feigenspan-Stengel, deceased; File No. D–66–419; E. T. sec. 2785.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Federal Trust Company, Edwin C. Feigenspan, Lewis B. Ballantyne, Johanna C. Euser and Eleanor F. Ballantyne, as Executors, acting under the judicial supervision of the Surrogate's Court, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frl. Karoline Senft, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frl. Karoline Senft, in and to the estate of Marie L. Feigenspan-Stengel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5222; Filed, April 13, 1944; 10:37 a. m.]

[Vesting Order 3377]

LENA BERTHA JEFFERSON

In re: Estate of Lena Bertha Jefferson, deceased; File D–28–8435; E. T. sec. 9635.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by American Trust Company and Alexander McCulloch, Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lucia Hobrecht, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lucia Hobrecht in and to the estate of Lena Bertha Jefferson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5223; Filed, April 13, 1944; 10:38 a. m.]

[Vesting Order 3378]

LOUIS JUCHZS

In re: Estate of Louis Juchzs, deceased; File D–28–7962; E. T. sec. 8359.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William V. Elliott, Public Administrator, as Administrator of the Estate of Louis Juchzs, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Karoline Louise Roedenberger, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karoline Louise Roedenberger in and to the Estate of Louis Juchzs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5224; Filed, April 13, 1944; 10:38 a. m.]

[Vesting Order 3379]

ALBERT KARPI

In re: Estate of Albert Karpi, deceased; File D–34–651; E. T. sec. 7550.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joe Sinko, Administrator c. t. a., acting under the judicial supervision of the County Court of Logan County, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Elizabeth Karpi, Hungary.
Madge Karpi, Hungary.
Bert Karpi, Jr., Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consulation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Karpi, Madge Karpi and Bert Karpi, Jr., and each of them, in and to the estate of Albert Karpi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an

appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated, April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3226; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3380]

FRANK KIRSHTEN

In re: Estate of Frank Kirshten, also known as Frank Xavier Kirschten, deceased; File D–28–7891; E. T. sec. 8614.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by James E. Whalen, Esq., as Administrator of the Estate of Frank Kirshten, also known as Frank Xavier Kirschten, deceased, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dr. Rudolf Kirschten, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Dr. Rudolf Kirschten in and to the Estate of Frank Kirshten, also known as Frank Xavier Kirschten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return shoud be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3226; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3381]

RAIKICHI KOREYADA

In re: Estate of Raikichi Koreyada, also known as Raikichi Koreyeda, deceased; File D–39–1884; E. T. sec. 7206.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Japan, namely,

National and Last Known Address

Yoshi Baba, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Yoshi Baba, also known as Raikichi Koreyada, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3227; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3382]

GERHARD KROMMINGA, ET AL.

In re: Partition proceedings—Gerhard Krommings vs. Leonard Nassen, et al.: File D–28–1568; E. T. sec. 402.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the District Court in and for Hardin County, Eldora, Iowa, Depositary, acting under the judicial supervision of the District Court of Hardin County, Eldora, Iowa;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Krommings, Germany.
Helen Boskhoff, Germany.
Wilhelmina Albers, Germany.
Person or persons, names unknown, heirs at law of William Krommings, Helen Boskhoff and Wilhelmina Albers, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $3,706.40 which is in the possession and custody of the Clerk of the District Court in and for Hardin County, Eldora, Iowa, Depositary, pursuant to the order of the District Court in and for Hardin County, Eldora, Iowa, entered on the 14th day of April, 1943, in the cause entitled Gerhard Krommings vs. Leonard Nassen, et al., No. 49–228; also, all right, title, interest and claim of any kind or character whatsoever of William Krommings, Helen Boskhoff, Wilhelmina Albers, and person or persons, names unknown, heirs at law of William Krommings, Helen Boskhoff and Wilhelmina Albers, and each of them, in and to the proceeds derived from the sale of real estate, by decree of the District Court in and for Hardin County, Eldora, Iowa, in the cause entitled Gerhard Krommings vs. Leonard Nassen, et al., No. 49–228,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3228; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3383]

RICHARD KUNZE

In re: Estate of Richard Kunze, deceased; File D–28–3751; E. T. sec. 6349.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harry L. Hedger, County Treasurer of Nassau County, Public Administrator, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hildegarde Kunze, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hildegarde Kunze, in and to the Estate of Richard Kunze, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3229; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3384]

LOUISE MEISE

In re: Estate of Louise Meise, deceased; File No. D–28–2506; E. T. sec. 3676.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, as administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, Hudson County, Jersey City, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Friedrich Kohler, Germany.
Hermann Kohler, Germany.
Eberhardt Kohler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friedrich Kohler, Herman Kohler and Eberhardt Kohler, and each of them, in and to the Estate of Louise Meise, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5230; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3385]

ANNA OESTERREICH

In re: Trust under the will of Anna Oesterreich, deceased; File F–28–9737; E.T. sec. 1231–A.

appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated, April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3226; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3380]

FRANK KIRSHTEN

In re: Estate of Frank Kirshten, also known as Frank Xavier Kirschten, deceased; File D–28–7891; E. T. sec. 8614.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return shoud be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3226; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3381]

RAIKICHI KOREYADA

In re: Estate of Raikishi Koreyada, also known as Raikichi Koreyeda, deceased; File D–28–1884; E. T. sec. 7205.

Under the authority of the Trading

All right, title, interest, and claim of any kind or character whatsoever of Yoshi Baba, in and to the estate of Raikishi Koreyada, also known as Raikichi Koreyeda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, to to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–3227; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3382]

GERHARD KROMMINGA, ET AL.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, 100 South Broad Street, Philadelphia, Pennsylvania, Substituted Trustee, and Ernest Richard Junghans, 7325 Central Avenue, Philadelphia, Pennsylvania, Co-trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Alma Franke, Germany.
Clara Guenther, Germany.
Emil Herbert Lasche, Germany.
Gertrude Johanna Glaeser, Germany.
Karl Gustav Lasche, Germany.
Helmuth Franke, Germany.
Paul E. Franke, Germany.
Bruno Gerhard Franke, Germany.
Else J. Franke, Germany.
Alma H. Franke, Germany.
Person or persons, names unknown, children or issue of deceased children of Alma Franke, Germany.
Paul E. Franke, Germany.
Ilsa Guenther, Germany.
Gerhard Guenther, Germany.
Ursula Guenther, Germany.
Rita Guenther, Germany.
Person or persons, names unknown, children or issue of deceased children of Clara Guenther, Germany.
Alfred Guenther, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alma Franke, Clara Guenther, Emil Herbert Lasche, Gertrude Johanna Glaeser, Karl Gustav Lasche, Helmuth Franke, Paul E. Franke, Bruno Gerhard Franke, Else J. Franke, Alma H. Franke, person or persons, names unknown, children or issue of deceased children of Alma Franke; Paul E. Franke, Ilsa Guenther, Gerhard Guenther, Ursula Guenther, Rita Guenther, person or persons, names unknown, children or issue of deceased children of Clara Guenther; and Alfred Guenther; and each of them, in and to the trust created under Item Seventh of the Will of Anna Oesterreich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5231; Filed, April 13, 1944; 10:39 a. m.]

[Vesting Order 3386]

ANNA OESTERREICH

In re: Trust under the will of Anna Oesterreich, deceased; file F–28–9737; E.T. sec. 1231–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, 100 South Broad Street, Philadelphia, Pennsylvania, Substituted Trustee, and Ernest Richard Junghans, 7325 Central Avenue, Philadelphia, Pennsylvania, Co-trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helmuth Franke, Germany.
The issue of Helmuth Franke, Germany.
The heirs at law of Helmuth Franke, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helmuth Franke, the issue of Helmuth Franke, the heirs at law of Helmuth Franke, and each of them, in and to the trust created under Item Eighth of the Will of Anna Oesterreich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5232; Filed, April 13, 1944; 10:40 a. m.]

[Vesting Order 3387]

ANNA OESTERREICH

In re: Trust under the will of Anna Oesterreich, deceased; File F–28–9737; E. T. sec. 1231–C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, 100 South Broad Street, Philadelphia, Pennsylvania, Substituted Trustee, and Ernest Richard Junghans, 7325 Central Avenue, Philadelphia, Pennsylvania, Co-trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Wolf, Germany.
Helene Suschke, Germany.
Elisabeth Lange, Germany.
Rudolf Junghans, Germany.
Max Pleisner, Germany.
Helene Aurich, Germany.
Lotte Aurich, Germany.
Carl Lange, Germany.
Irmgard Lange, Germany.
Phekla Pleisner, Germany.
Martha Pleisner, Germany.
Person or persons, names unknown, heirs at law of Elisabeth Lange, Germany.
Person or persons, names unknown, children or issue of deceased children of Helene Aurich, Germany.
Person or persons, names unknown, children or issue of deceased children of Lotte Aurich, Germany.
Person or persons, names unknown, children or issue of deceased children of Max Pleisner, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Wolf, Helene Suschke, Elisabeth Lange, Rudolf Junghans, Max Pleisner, Helene Aurich, Lotte Aurich, Carl Lange, Irmgard Lange, Phekla Pleisner, Martha Pleisner, person or persons, names unknown, heirs at law of Elisabeth Lange, person or persons, names unknown, children or issue of deceased children of Helene Aurich, person or persons, names unknown, children or issue of deceased children of Lotte Aurich, and person or persons, names unknown, children or issue of deceased children of Max Pleisner, and each of them, in and to the trust created under Item Ninth of the Will of Anna Oesterreich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian to return such not be deemed to limit the powers of the Alian Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5233; Filed, April 13, 1944; 10:40 a. m.]

[Vesting Order 3388]

RUDOLPH KARL EMIL PRAGER

In re: Trust under the will of Rudolph Karl Emil Prager, deceased; File D–28–6554; E.T. sec. 4243.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bankers Trust Company, 16 Wall Street, New York City, Trustee, acting under the judicial supervision of the Surrogate's Court, Nassau County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gertrude Prager, Germany.
Margarete Prager, Germany.
Minna Klaehn, Germany.
Antonia S. Klaehn, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gertrude Prager, Margarete Prager, Minna Klaehn and Antonia S. Klaehn, and each of them, in and to the trust created under the Last Will and Testament of Rudolph Karl Emil Prager, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5234; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3389]

HERTA B. PRITZL AND EMMERICH PRITZL

In re: Mortgage Participation Certificate No. 26 of Series 101,488, issued by Lawyers Mortgage Company, of New York City, to Herta B. Pritzl and Emmerich Pritzl, as Joint Tenants.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William F. Thomas, Benjamin Antin and Henry G. McDonough, as Trustees, acting under the judicial supervision of the Supreme Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herta B. Pritzl, Germany.
Emmerich Pritzl, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herta B. Pritzl, Emmerich Pritzl, and each of them, in and to Mortgage Participation Certificate No. 26 of Series 101,488, issued by Lawyers Mortgage Company, of New York City,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5213; Filed, April 13, 1944; 10:35 a. m.]

[Vesting Order 3390]

JOHN PRZYGODDA

In re: Estate of John Przygodda, deceased; File D-28-3159; E. T. sec. 9113.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Michael Przygodda, brother of decedent, Germany.

—— Przygodda (first name unknown), nephew of decedent, Germany.

—— Przygodda (first name unknown), nephew of decedent, Germany.

—— Przygodda (first name unknown), niece of decedent, Germany.

—— Przygodda (first name unknown), niece of decedent, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $1,352.20 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on July 19, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered July 15, 1943, in the matter of the estate of John Przygodda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5214; Filed, April 13, 1944; 10:35 a. m.]

[Vesting Order 3391]

LOUIS R. PULLMAN

In re: Estate of Louis R. Pullman, deceased; File D-28-3737; E.T. sec. 6307.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Otto Pullman, Damgarten, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $720.11 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on September 14, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered September 13, 1943, in the matter of the estate of Louis R. Pullman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5215; Filed, April 13, 1944; 10:35 a. m.]

[Vesting Order 3392]

HENRIETTA D. SCHNEIDER

In re: Trust under the will of Henrietta D. Schneider, deceased; File D-28-2474; E.T. sec. 3695.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Trust Company of New Jersey, as substituted trustee, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Bernhardt, Germany.
Ludwig Bernhardt, Germany.
Elisabeth Bernhardt Richter, Germany.
Philip Bernhardt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Bernhardt, Ludwig Bernhardt, Elisabeth Bernhardt Richter and Philip Bernhardt, and each of them, in and to the trust under the Will of Henrietta D. Schneider, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5216; Filed, April 13, 1944; 10:35 a. m.]

[Vesting Order 3393]

ANTON AUGUST SCHOENEGG

In re: Trust created under the will of Anton August Schoenegg, otherwise known as A. Schoenegg; File D-28-2485; E. T. sec. 5351.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of California National Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Joseph Schoenegg, Germany.
Lorenz Schoenegg, Germany.
Frans Schoenegg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Schoenegg, Lorenz Schoenegg, Franz Schoenegg and each of them, in and to the Trust created under the will of Anton August Schoenegg, otherwise known as A. Schoenegg,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5217; Filed, April 13, 1944; 10:35 a. m.]

[Vesting Order 3394]

CARRIE SCHUSTER

In re Estate of Carrie Schuster, deceased; File D-28-8226; E.T. sec. 9347.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Nazareth National Bank and Trust Company, Nazareth, Pennsylvania, Administrator d. b. n. c. t. a., acting under the judicial supervision of the Orphans' Court of Northampton County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Daughter (name unknown) of F. M. Klein, or her heirs (names unknown), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the daughter (name unknown) of F. M. Klein, or her heirs (names unknown) in and to the estate of Carrie Schuster, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5218; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3395]

JOSEF SEEMANN

In re: Estate of Josef Seemann, deceased; File D-6-178; E.T. sec. 5098.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, Executor, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Franz Fink, Germany.
Hermann Fink, also known as Johann Fink, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frans Fink and Hermann Fink, also known as Johann Fink, and of each of them, in and to the Estate of Josef Seemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5234; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3296]

ALFRED F. H. STREULI

In re: Estate of Alfred F. H. Streuli, deceased; File No. D-28-4016; E. T. sec. 5372.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Caroline F. Tracy, as Executrix, acting under the judicial supervision of the Union County Orphans' Court, Union County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martha Streuli, and the Issue of Martha Streuli, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Streuli and the issue of Martha Streuli, whose names are unknown, and each of them, in and to the estate of Alfred F. H. Streuli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof ,or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5235; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3297]

BERTHA SUTHER

In re: Estate of Bertha Suther, deceased; File No. D-28-8232; E. T. sec. 9350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Suther, as executor, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Jacob Schmitz, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jacob Schmitz in and to the estate of Bertha Suther, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5236; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3298]

WILLIAM J. ZILCHER

In re: Estate of William J. Zilcher, deceased; File D-28-2389; E. T. sec. 4330.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frans Fink and Hermann Fink, also known as Johann Fink, and of each of them, in and to the Estate of Josef Seemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5234; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3396]

ALFRED F. H. STREULI

In re: Estate of Alfred F. H. Streuli, deceased; File No. D-28-4016; E. T. sec. 5372.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Caroline F. Tracy, as Executrix, acting under the judicial supervision of the Union County Orphans' Court, Union County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martha Streuli, and the Issue of Martha Streuli, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Streuli and the issue of Martha Streuli, whose names are unknown, and each of them, in and to the estate of Alfred F. H. Streuli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5235; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3397]

BERTHA SUTHER

In re: Estate of Bertha Suther, deceased; File No. D-28-8232; E. T. sec. 9350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Suther, as executor, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Jacob Schmitz, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jacob Schmitz in and to the estate of Bertha Suther, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5236; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3398]

WILLIAM J. ZILCHER

In re: Estate of William J. Zilcher, deceased; File D-28-2389; E. T. sec. 4330.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by Minnie S. Walsh, as Administratrix, c. t. a., acting under the judicial supervision of the Court of Probate, District of Middlestown, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Oscar Zilcher, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Oscar Zilcher in and to the Estate of William J. Zilcher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5237; Filed, April 13, 1944; 10:36 a. m.]

[Vesting Order 3426]

MARIA A. MARSDEN

In re: Estate of Maria A. Marsden, deceased; File D-28-7683; E. T. sec. 8223.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. W. Sims, Executor, acting under the judicial supervision of the County Court of Beaver County, Oklahoma;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Brothers and sisters and their heirs, names unknown, of Maria A. Marsden, deceased, Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the brothers and sisters and their heirs, names unknown, of Maria A. Marsden, deceased, and each of them, in and to the estate of Maria A. Marsden, deceased, and

All that real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in Beaver County, State of Oklahoma, and particularly described as follows:

ESTATE OF MARIA A. MARSDEN, DECEASED

Southwest Quarter of Section Seventeen (17) in Township One (1) North of Range Twenty-one (21) East of the Cimarron Meridian, located in Beaver County, Oklahoma,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 5, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5238; Filed, April 13, 1944; 10:37 a. m.]

[Vesting Order 2195, Amdt.]

AMAND HONEL, ET AL

In re: Real property held in trust for, bank accounts and a fire insurance policy owned by Amand Honel, Engelbert Honel, and Josefa Honel.

Vesting Order Number 2195, dated September 18, 1943, is hereby amended as follows and not otherwise:

By deleting the date "September 9, 1940" where such date appears in subparagraph 3 of said Vesting Order and substituting therefor the date "September 19, 1940".

All other provisions of said Vesting Order Number 2195 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 13, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5209; Filed, April 13, 1944; 10:34 a. m.]

[Vesting Order 2637, Amdt.]

CARLOTA DAMON

Whereas, pursuant to Vesting Order Number 2637 of November 24, 1943, the Alien Property Custodian purported to vest all right, title, interest and claim of any kind or character whatsoever of "Carlota O. Roehr" and "Aubertine W. Damon Herzog" in and to the trust under the will of Carlota Damon, deceased; and

Whereas, through clerical error the names "Carlota O. Roehr" and "Aubertine W. Damon Herzog" appear in such vesting order as "Carlota Damon Roche" and "Aubertine W. Damon Hazog";

Now, therefore, Vesting Order Number 2637 is hereby amended by substituting the name "Carlota O. Roehr" for "Carlota Damon Roche" and "Aubertine W. Damon Herzog" for "Aubertine W. Damon Hazog" in such vesting order.

All other provisions of said Vesting Order Number 2637 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5210; Filed, April 13, 1944; 10:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Amdt. 2 to Rev. Order 88]

GENERAL ELECTRIC CO. OF BRIDGEPORT, CONN.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to Revised Order No. 88 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, Revised Order No. 88 under Maximum Price Regulation No. 136 is amended in the following respects:

1. Paragraph (a) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	*Maximum price for each unit*
FEA–1	$60.75

2. Paragraph (b) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	*Maximum price for each unit*
FEA–1	$67.25

3. Paragraph (c) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	*Maximum price for each unit*
FEA–1	$89.50

This amendment shall become effective on the 12th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5126; Filed, April 11, 1944; 12:11 p. m.]

[MPR 188, Order 1470]

NEW METAL COTS AND DOUBLE DECK BEDS

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1470 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Manufacturers' and jobbers maximum prices for sales of new metal cots and double deck beds.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by

tially changing its form to any person other than the ultimate consumer.

(c) *Relationship of this order to Maximum Price Regulation No. 188.* This order replaces the pricing provisions (§§ 1499.153, .154, .155, .156, .157, .158, and .159a) of Maximum Price Regulation No. 188 as to manufacturers and the pricing provisions (§§ 1499.2 and 1499.3) of the General Maximum Price Regulation for all sales and deliveries other than at retail of new metal cots (folding and rollaway) and double deck beds after the effective date of this order. All other sections of Maximum Price Regulation No. 188 and the General Maximum Price Regulation remain applicable to sales and deliveries of articles covered by this order.

(d) *Manufacturers' maximum prices for sales of new metal cots (folding and rollaway) and double deck beds.* (1) The table below lists the minimum specifications and the manufacturer's f. o. b. factory l. c. l. maximum prices for certain basic models of new metal cots and double deck beds. These prices shall be subject to the discounts, allowances and other price differentials which the manufacturer made from his regularly quoted f. o. b. factory l. c. l. prices to retailers on sales of the most comparable new metal cots or double deck beds during March 1942. The "most comparable" new metal cot means the new metal cot for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal cot to which the discounts, allowances or other price differentials will apply. The "most comparable" new metal double deck bed means the new metal double deck bed for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal double deck bed to which the discounts, allowances or other price differentials will apply. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries to retailers of new metal cots or double deck beds during March 1942.

		F. o. b. fact. l. c. l. maximum price
Metal rollaway cot (Automatic)	2'6" size	$4.75
	3'3" size	5.25
Frame:		
Ends—⅛" O. D. rail steel tube.		
End rails—1¼" x 1¼" x #11 ga. angle.		
Side rails—1¼" x 1¼" x #11 ga. angle.		
End braces—1" x #12 ga. bands or equivalent.		
Spring fabric: Standard 2" x 4" link, #14 ga. wire or an equivalent fabric, attached to frame by helicals.		
Finish: Oil base enamel.		
Tubular end folding cot	2'6" size	$3.65
Frame:		
Ends—⅛" O. D. rail steel tube.		
End rails—1¼" x 1¼" x #11 ga. angle.		
Side rails—1¼" x 1¼" x #11 ga. angle.		
End braces—1" x #12 ga. bands or equivalent.		
Spring fabric: Standard 2" x 4" link, #14 ga. wire or an equivalent fabric, attached to frame by helicals.		
Finish: Oil base enamel.		
Angle end Folding cot	2'6" size	3.25
Frame:		
Ends—⅞" x ⅞" x #11 ga. angle.		
End rails—1¼" x 1¼" x #11 ga. angle.		
Side rails—1¼" x 1¼" x #11 ga. angle.		
End braces—⅝" x #12 ga. band or equivalent.		
Spring fabric: Standard 2" x 4" link, # 14 ga. wire or an equivalent fabric, attached to frame by helicals.		
Finish: Oil base enamel.		
Metal double deck bed	3' size	5.10
Frame:		
End stands—Posts 1¼" x 1⅛" x # 11 ga. angle; Top rail 1¼" x 1¼" x # 11 ga. angle.		
Side rails—1½" x 1½" x #11 ga. angle.		
End rails—1½" x 1½" x #11 ga. angle.		
Corner braces—1" x #11 ga. band or equivalent.		
End scissor braces—1" x #12 ga. bands.		
Spring fabric: Standard 2" x 4" link, # 14 ga. wire or an equivalent fabric, attached to frame by helicals.		
Finish: Oil base enamel.		

(2) *New manufacturers, different models and new classes of purchasers.* Maximum prices for manufacturers who

order means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas; El Paso, Hudspeth, Culverson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, Revised Order No. 88 under Maximum Price Regulation No. 136 is amended in the following respects:

1. Paragraph (a) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	Maximum price for each unit
FEA–1	$60.75

2. Paragraph (b) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	Maximum price for each unit
FEA–1	$67.25

3. Paragraph (c) is amended by adding the following model number and maximum price under the heading, "Monitor top sealed units":

Model:	Maximum price for each unit
FEA–1	$69.50

This amendment shall become effective on the 12th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5126; Filed, April 11, 1944; 12:11 p. m.]

[MPR 188, Order 1470]

NEW METAL COTS AND DOUBLE DECK BEDS

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1470 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Manufacturers' and jobbers maximum prices for sales of new metal cots and double deck beds.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* The purpose of this order is to establish manufacturers' and jobbers' maximum prices for the sales of new metal cots (folding and rollaway) and double deck beds.

(b) *What this order covers.* This order covers all sales by manufacturers, jobbers and all other sales other than at retail of all types of new metal cots (folding and rollaway) and double deck beds. As used in this order the term "wholesaler" or "jobber" means a person who buys a new metal cot or double deck bed and resells it without substantially changing its form to any person other than the ultimate consumer.

(c) *Relationship of this order to Maximum Price Regulation No. 188.* This order replaces the pricing provisions (§§ 1499.153, .154, .155, .156, .157, .158, and .159a) of Maximum Price Regulation No. 188 as to manufacturers and the pricing provisions (§§ 1499.2 and 1499.3) of the General Maximum Price Regulation for all sales and deliveries other than at retail of new metal cots (folding and rollaway) and double deck beds after the effective date of this order. All other sections of Maximum Price Regulation No. 188 and the General Maximum Price Regulation remain applicable to sales and deliveries of articles covered by this order.

(d) *Manufacturers' maximum prices for sales of new metal cots (folding and rollaway) and double deck beds.* (1) The table below lists the minimum specifications and the manufacturer's f. o. b. factory l. c. l. maximum prices for certain basic models of new metal cots and double deck beds. These prices shall be subject to the discounts, allowances and other price differentials which the manufacturer made from his regularly quoted f. o. b. factory l. c. l. prices to retailers on sales of the most comparable new metal cots or double deck beds during March 1942. The "most comparable" new metal cot means the new metal cot for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal cot to which the discounts, allowances or other price differentials will apply. The "most comparable" new metal double deck bed means the new metal double deck bed for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal double deck bed to which the discounts, allowances or other price differentials will apply. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries to retailers of new metal cots or double deck beds during March 1942.

	F. o. b. fact. l. c. l. maximum price [1]
Metal rollaway cot (Automatic)	2'6" size $4.75 3'3" size 5.25
Frame: Bedspring frame 1" x 1" x #11 ga. angle. Stand arches 1" x 1" x #11 ga. angle. Folding legs ¾" x ¾" x #11 ga. angle. Operating braces 1" x #12 bands. Spring fabric: Standard 2" x 4" link, #14 ga. wire or an equivalent fabric, attached to frame by helicals. Hardware: Casters or glides.	

[1] F.o.b. factory l.c.l. maximum prices in the Far West Zone shall be determined by adding $.40 per cot and $1.00 per double deck bed. "Far West Zone" for the purpose of this order means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culverson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves.

	F. o. b. fact. l. c. l. maximum price
Tubular end folding cot	2'6" size $3.65
Frame: Ends—⅞" O. D. rail steel tube. End rails—1¼" x 1¼" x #11 ga. angle. Side rails—1¼" x 1¼" x #11 ga. angle. End braces—1" x #12 ga. bands or equivalent. Spring fabric: Standard 2" x 4" link, #14 ga. wire or an equivalent fabric, attached to frame by helicals. Finish: Oil base enamel.	
Angle end Folding cot	2'6" size 3.25
Frame: Ends—⅞" x ⅞" x #11 ga. angle. End rails—1¼" x 1¼" x #11 ga. angle. Side rails—1¼" x 1¼" x #11 ga. angle. End braces—⅞" x #12 ga. band or equivalent. Spring fabric: Standard 2" x 4" link, # 14 ga. wire or an equivalent fabric, attached to frame by helicals. Finish: Oil base enamel.	
Metal double deck bed	3' size 8.10
Frame: End stands—Posts 1¼" x 1¼" x # 11 ga. angle; Top rail 1¼" x 1¼" x # 11 ga. angle. Side rails—1½" x 1½" x #11 ga. angle. End rails—1¼" x 1½" x #11 ga. angle. Corner braces—1" x #11 ga. band or equivalent. End scissor braces—1" x #12 ga. bands. Spring fabric: Standard 2" x 4" link, # 14 ga. wire or an equivalent fabric, attached to frame by helicals. Finish: Oil base enamel.	

(2) *New manufacturers, different models and new classes of purchasers.* Maximum prices for manufacturers who were not in the business of manufacturing and selling new metal cots and double deck beds during March 1942 shall be established by paragraph (f) of this order. Maximum prices for models not covered by paragraph (1) above and maximum prices for sales or deliveries by manufacturers of any new metal cot or double deck bed to classes of purchasers to whom they did not make sales during March 1942 shall also be established by paragraph (f) of this order.

(e) *Maximum prices for sales by jobbers.* Subparagraph (1) below sets maximum prices for wholesalers and jobbers who sold the same manufacturer's new metal cots and double deck beds in March 1942. Subparagraph (2) sets the maximum prices for sales by wholesalers and jobbers who cannot determine maximum prices under subparagraph (1) below.

(1) If you are a wholesaler or jobber who sells a new metal cot or double deck bed made by a manufacturer whose new metal cot or double deck bed you sold during March 1942, you determine your maximum price as follows:

First you calculate the dollars and cents difference between your selling price in March 1942 for the most comparable metal cot or double deck bed made by the same manufacturer and the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers for that article in March 1942. You then add this dollars and cents difference to the manufacturer's f. o. b. factory l. c. l. maximum price set by this order for the article you are pricing. The resulting sum is your maximum price for sales to the same class of customer and on the same terms and conditions of sale as in the case of the March 1942 sale which you used in making your calculation. For sales to other classes of customers or on other terms and conditions, you must adjust this maximum price by making the same discounts, allowances or other price differentials which you made in March 1942. The "most comparable" new metal cot means the new metal cot for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal cot you are pricing. The "most comparable" new metal double deck bed means the new metal double deck bed for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price to retailers established under this order for the new metal double deck bed you are pricing.

(2) If you are a jobber and cannot determine your maximum price under subparagraph (1) above, you shall determine your maximum price for a new metal cot or double deck bed by adding to the manufacturer's f. o. b. factory l. c. l. maximum price set by this order, the freight cost actually incurred by you for shipment of the article from the manufacturer's factory to the point of delivery to your customer; but the freight cost which you may add shall not exceed the freight charges for direct shipment of the new metal cot or double deck bed from the manufacturer's factory to the point of delivery to you customer by the least expensive readily available public carrier.

(f) *Maximum prices which cannot be established under another paragraph of this order (such as other models and other classes of purchasers).* The maximum price for any sale or delivery of a new metal cot or metal double deck bed which cannot be determined under any other paragraph of this order shall be a price fixed by order of the Price Administrator, in line with the level of maximum prices established by this order. No person may sell, offer to sell or deliver an article for which a maximum price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of the preceding sentence, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application by a manufacturer for the establishment of a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

1. Identifying number or trade name of article to be priced.

2. The reasons why the article to be priced cannot be priced under any other paragraph of this order.

3. Detailed specifications and an illustration of the article to be priced.

4. An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. For the purpose of this order, unit direct costs include direct labor and direct material costs but do not include factory burden (sometimes called factory overhead or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and dye cost and items of administrative, general and selling expenses. Also, state the number of units of production upon which the unit direct costs were based.

5. An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model in paragraph (d) of this order which is most nearly comparable to the article being priced.

6. Price lists in effect during March 1942 showing:

The article most nearly comparable to the article being priced, with illustrations;

The article most nearly comparable to the basic model mentioned in (4), with illustrations;

All price differentials covering variations in these constructions.

If the manufacturer was not making and selling new metal cots and double deck beds in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

7. A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of new metal cots and double deck beds during March 1942, or if the manufacturer was not making and selling new metal cots and double deck beds during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

8. Requested maximum price of the article to be priced and reasons.

(g) *Sales slips, receipts, and invoices.* After the effective date of this order, every seller (other than at retail) making a sale of a new metal cot or double deck bed covered by this order shall furnish the purchaser with a sales slip, receipt, invoice or other similar written evidence of purchase showing the type of article (metal rollaway cot, tubular end folding cot, etc.), the size of the article and the manufacturer's or seller's item number, date of sale, price charged for the article, nature and amount of any additional charges, and the name and address of the purchaser. This sales slip, receipt or invoice or other written evidence of purchase shall be kept by the purchaser and a carbon copy of it kept by the seller for inspection by the Office of Price Administration.

(h) This Order No. 1470 may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of April 1944.

NOTE: The reporting and record-keeping provisions in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5130; Filed, April 11, 1944; 12:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54–91]

ELECTRIC POWER & LIGHT CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of April, A. D. 1944.

In the matter of Electric Power & Light Corporation, United Gas Corporation, Houston Gulf Gas Company, Union Producing Company, United Gas Pipe Line Company.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Electric Power & Light Corporation, a registered holding company, United Gas Corporation ("United"), a subsidiary of Electric, and United Gas Pipe Line Company ("Pipe Line"), Houston Gulf Gas Company ("Houston Gulf"), and Union Producing Company ("Union"), subsidiary companies of United for approval of a series of transactions designed to eliminate Houston Gulf as a separate corporate entity. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed which is summarized as follows:

Houston Gulf proposes to sell to Union all of its production properties located

within the States of Texas for a cash purchase price of $3,049,155.09 plus an amount equal to the cost of net additions to such properties for construction and development expenditures made since December 31, 1943 to the date of transfer.

Houston Gulf proposes to apply a portion of the proceeds derived from the sale of its production properties described above to the payment of the remaining principal amount of $1,800,000 plus accrued interest on a note issued by Houston Gulf to the First National Bank of Boston dated August 29, 1940, pursuant to an order of this Commission (Holding Company Act Release No. 4232).

After consummation of the transactions previously described Pipe Line proposes to acquire by merger all of the remaining properties of Houston Gulf consisting of natural gas gathering and transmission properties and other assets pertaining thereto, all located in the State of Texas, and other assets and to assume all of the obligations of Houston Gulf.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint declaration or application (or both) and that said joint declaration or application shall not become effective or be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the act and the rules of the Commission thereunder be held on April 24, 1944 at 2:00 p. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the

the public interest or the interest of investors or consumers.

(2) Whether the proposed sale, acquisition and merger will be detrimental to the carrying out of the provisions of Section 11 of the Act.

(3) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the act and the rules promulgated thereunder.

(4) What, if any, terms and conditions with respect to such acquisitions and disposition should be prescribed in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-6180; Filed, April 12, 1944; 12:18 p. m.]

[File Nos. 54-25, 59-39, 54-50]

UNITED LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of April 1944.

In the matter of The United Light and Power Company, the United Light and Railways Company, Continental Gas & Electric Corporation, Maryville Electric Light and Power Company, Missouri Power & Light Company, File Nos. 54-25; and in the matter of North American Light & Power Company, File Nos. 59-39, 54-50.

Notice is hereby given that The United Light and Power Company ("Power"), The United Light and Railways Com-

value, consisting of 75,000 shares and for $329,800 in cash, subject to closing adjustments, 3,296 shares (50,000 shares outstanding) of $6 cumulative preferred stock, without par value, of Missouri;

(b) On completion of the foregoing transaction, Continental agrees to sell and Missouri to buy for $1,271,289 in cash all of Continental's investment in Maryville consisting of 4,000 shares, all of the outstanding common stock, par value $100 per share, a 6% demand note in the principal amount of $328,720 and an open account indebtedness aggregating $542,569;

(c) On completion of transaction (b) Missouri proposes to cause Maryville to be liquidated and dissolved;

(d) As soon as possible after completion of all the foregoing transactions, Missouri proposes to call for redemption 10,000 shares of its outstanding $6 cumulative preferred stock held by the public at the redemption price of 105, plus dividends accrued and unpaid thereon to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the declarations and applications of Light & Power (File Nos. 59-39 and 54-50) and by Power, et al, (File No. 54-25) involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the proceedings in both matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions

within the States of Texas for a cash purchase price of $3,049,155.09 plus an amount equal to the cost of net additions to such properties for construction and development expenditures made since December 31, 1943 to the date of transfer.

Houston Gulf proposes to apply a portion of the proceeds derived from the sale of its production properties described above to the payment of the remaining principal amount of $1,800,000 plus accrued interest on a note issued by Houston Gulf to the First National Bank of Boston dated August 29, 1940, pursuant to an order of this Commission (Holding Company Act Release No. 4232).

After consummation of the transactions previously described Pipe Line proposes to acquire by merger all of the remaining properties of Houston Gulf consisting of natural gas gathering and transmission properties and other assets pertaining thereto, all located in the State of Texas, and other assets and to assume all of the obligations of Houston Gulf.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint declaration or application (or both) and that said joint declaration or application shall not become effective or be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the act and the rules of the Commission thereunder be held on April 24, 1944 at 2:00 p. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the applicants or declarants herein; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other persons desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before April 22, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by the joint declaration or application (or both) particular attention will be directed at the hearings to the following matters and questions:

(1) Whether the proposed sale, acquisition and merger will be detrimental to the public interest or the interest of investors or consumers.

(2) Whether the proposed sale, acquisition and merger will be detrimental to the carrying out of the provisions of Section 11 of the Act.

(3) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the act and the rules promulgated thereunder.

(4) What, if any, terms and conditions with respect to such acquisitions and disposition should be prescribed in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5180; Filed, April 12, 1944; 12:18 p. m.]

[File Nos. 54-25, 59-39, 54-50]

UNITED LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of April 1944.

In the matter of The United Light and Power Company, the United Light and Railways Company, Continental Gas & Electric Corporation, Maryville Electric Light and Power Company, Missouri Power & Light Company, File Nos. 54-25; and in the matter of North American Light & Power Company, File Nos. 59-39, 54-50.

Notice is hereby given that The United Light and Power Company ("Power"), The United Light and Railways Company ("Railways"), a subsidiary of Power, Continental Gas & Electric Company ("Continental"), a subsidiary of Railways, all registered holding companies, Maryville Electric Light and Power Company ("Maryville"), a wholly-owned subsidiary of Continental, North American Light & Power Company ("Light & Power"), a subsidiary of The North American Company, both registered holding companies, and Missouri Power & Light Company ("Missouri"), a subsidiary of Light & Power, have filed with this Commission applications and declarations pursuant to sections 9, 10, 11 and 12 of the act and Rules U-42, U-43, U-44, U-45 and U-50 and any other applicable sections of the act or rules thereunder with respect to various proposed transactions, all as more particularly hereinafter described.

All interested persons are referred to said documents, which are on file in the office of this Commission, for a full statement of the transactions therein proposed which are summarized as follows:

(a) Pursuant to an agreement dated January 14, 1944, Light & Power agrees to sell and Continental to buy as of January 1, 1944 for $3,400,000 in cash, subject to closing adjustments, all the outstanding common stock, without par value, consisting of 75,000 shares and for $329,800 in cash, subject to closing adjustments, 3,296 shares (50,000 shares outstanding) of $6 cumulative preferred stock, without par value, of Missouri;

(b) On completion of the foregoing transaction, Continental agrees to sell and Missouri to buy for $1,271,289 in cash all of Continental's investment in Maryville consisting of 4,000 shares, all of the outstanding common stock, par value $100 per share, a 6% demand note in the principal amount of $328,720 and an open account indebtedness aggregating $542,569;

(c) On completion of transaction (b) Missouri proposes to cause Maryville to be liquidated and dissolved;

(d) As soon as possible after completion of all the foregoing transactions, Missouri proposes to call for redemption 10,000 shares of its outstanding $6 cumulative preferred stock held by the public at the redemption price of 105, plus dividends accrued and unpaid thereon to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the declarations and applications of Light & Power (File Nos. 59-39 and 54-50) and by Power, et al, (File No. 54-25) involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the proceedings in both matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on April 27th, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Commission on or before April 24, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under the Commission's rules of practice; and

It is further ordered, That without limiting the scope of the issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be given in connection with each transaction is reasonable and bears a fair relation to the sums invested in the utility assets underlying the securities proposed to be acquired and to the earning capacity of the utility assets to be acquired;

2. Whether the acquisitions will serve the public interest by tending toward the economical and efficient development of an integrated public utility system;

3. Whether any of the acquisitions will unduly complicate the capital structure of the holding company system of Railways or Continental or be detrimental to the proper functioning of such systems or the carrying out of the provision of section 11 of the act;

4. Whether the proposed accounting entries are in accord with sound and accepted accounting principles and consistent with the standards of the act;

5. Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby;

6. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in respect of the proposed transactions and, if so, what these terms and conditions should be;

7. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of the hearing aforesaid be given to the declarants and applicants and to all other persons; said notice to be given to the declarants and applicants and to the Missouri Public Service Commission, by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to the subject matter of this proceeding, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5185; Filed, April 12, 1944; 12:18 p. m.]

[File No. 70-879]

UNITED GAS IMPROVEMENT CO. AND HAROLD C. PAYSON

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of April 1944.

Notice is hereby given that a joint application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Gas Improvement Company ("U. G. I."), a registered holding company, and Harold C. Payson ("Payson"), an affiliate of Lewiston Gas Light Company, a public utility company.

All interested persons are referred to said joint application or declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

U. G. I. owns and proposes to sell, and Payson proposes to buy, for $33,000 cash, 840 shares of 7% Cumulative Preferred Stock, $100 par value, and 4,200 shares of Common Stock, $100 par value, of Manchester Gas Company, such stock representing all of U. G. I.'s holdings of securities of Manchester Gas Company.

The applicants-declarants consider sections 9, 10 and 12 of the act and Rules U-23, U-44 and U-50 thereunder as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matter and that said joint application shall not be granted, nor said declaration become effective except pursuant to further order of this Commission;

It is hereby ordered, That a hearing under the applicable provisions of the act and the rules of the Commission thereunder be held on April 26, 1944, at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318. At such hearing, cause shall be shown why such joint application-declaration shall be granted and shall become effective. All persons desiring to be heard, or otherwise wishing to participate in the proceeding, shall notify the Commission in a manner designated by Rule XVII of the Commission's rules of practice.

Notice shall be given of said hearing to the above-named applicants and declarants and to all interested persons. Said notice is to be given to said applicants-declarants and to Manchester Gas Company by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing and he is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the considerations to be paid, including all fees, commissions or other remunerations to whomsoever paid in connection with the proposed transaction, are fair and reasonable;

(2) Whether the proposed acquisitions of securities comply with the requirements of the applicable provisions of section 10 of the act and particularly with the provisions of subsection 10 (c) (2) thereof;

(3) Whether the imposition of terms and conditions is necessary in the public interest or for the protection of investors and consumers, or is necessary to insure compliance with the act and rules; regulations and orders promulgated thereunder and, if so, what those terms and conditions should be.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5181; Filed, April 12, 1944; 12:18 p. m.]

[File No. 70-875]

LOUISIANA POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of April, A. D. 1944.

Louisiana Power & Light Company, a subsidiary of Electric Power & Light Corporation, a registered holding company, having filed an application or declaration (or both) and an amendment thereto, proposing the issue and sale, in accordance with Rule U-50 promulgated under the Act, of $17,000,000 principal amount of First Mortgage Bonds to mature April 1, 1974 and the application of the proceeds from the sale of said bonds to the redemption of its presently outstanding $17,500,000 principal amount of First Mortgage Gold Bonds, 5% Series due 1957, at 102½% of the principal amount thereof plus accrued interest to the date of redemption and

Louisiana having requested that the ten-day period for inviting bids, as provided in our Rule U-50 (b), be shortened to a period of not less than 9 days and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein:

It is ordered, That, subject to the terms and conditions contained in Rule U-24, said application and declaration (or both), as amended, be, and the same hereby is, granted and permitted to become effective forthwith, except, however, as to the price to be paid for said bonds, the underwriters' spread and its allocation and all legal fees and expenses to be paid in connection with the proposed transaction, as to which matters jurisdiction be, and the same hereby is, specifically reserved.

It is further ordered, That the 10-day period for inviting bids as provided by Rule U-50 (b), be shortened to a period of not less than 9 days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5182; Filed, April 12, 1944; 12:18 p. m.]

[File No. 70-880]

CONNECTICUT RIVER CONSERVATION CO., ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of April 1944.

In the matter of Connecticut River Conservation Company, Essex Storage Electric Company, Inc., and Mascoma River Improvement Company.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Connecticut River Conservation Company (Conservation), a sub-holding company of New England Power Association, (NEPA) a registered holding company, and its two subsidiaries, Essex Storage Electric Company, Inc. (Essex) and Mascoma River Improvement Company (Mascoma); and

Notice is further given that any interested person may, not later than April 28th, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application-declaration which is on file in the office of said Commission for a statement of the transactions therein proposed; which are summarized below:

Essex is an inactive company whose total assets consist of cash and of accounts receivable from an associate company aggregating $96,845. Essex proposes to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to Conservation, its sole stockholder.

Mascoma is a water storage company with reservoirs and water sites on the Mascoma River in New Hampshire. Conservation proposes to surrender to Mascoma its holdings (about 75%) of the capital stock of Mascoma, which stock will be retired and cancelled. Thereafter, Mascoma proposes to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to its sole remaining stockholder, Granite State Electric Company, a public utility subsidiary of NEPA.

After the above transactions have been consummated, Conservation will have $113,829 of cash and $404 of accounts receivable, an aggregate of $114,233. Conservation proposes then to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to NEPA.

The proposed transactions are stated by the applicants-declarants to be steps in the simplification of the NEPA holding company system. Applicants-declarants have designated Rules U-45 and U-46 as applicable thereto.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5183; Filed, April 13, 1944; 12:18 p. m.]

[File Nos. 54-65, 59-6, 70-856]

UNITED GAS IMPROVEMENT CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of April 1944.

In the matters of The United Gas Improvement Company, File No. 54-65; The United Gas Improvement Company and subsidiary companies, respondents, File No. 59-6; and Philadelphia Electric Company, File No. 70-856.

The Commission having issued its order dated March 18 1943, approving the plan submitted by The United Gas Improvement Company and Philadelphia Electric Company pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and

The Commission's order of March 18, 1943, approving such plan of reorganization having reserved jurisdiction to the Commission to pass upon the reasonableness of fees and expenses incurred or to be incurred in connection with said plan and related transactions, in respect of the services of attorneys, agents and financial advisors; and

The United Gas Improvement Company having filed applications for approval of the payment by it of certain fees and expenses incurred in connection with the said plan in the following amounts:

Financial advisory services of Drexel & Co.	$75,000.00
Services, charges and expenses of Drexel & Co.	33,908.24
Counsel fee of Morgan, Lewis & Bockius (exclusive of expenses and disbursements, to be supplied by amendment)	100,000.00

and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held on said applications,

It is hereby ordered, That the record in the proceedings on the said plan be reopened and that the hearings be reconvened on April 26, 1944, at 11 a. m., e. w. t., for the purpose of considering said applications of The United Gas Improvement Company for approval of fees and expenses incurred in connection with said plan, such hearings to be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room to be designated by the hearing room clerk in room 318.

It is further ordered, That Willis E. Monty, an officer of the Commission, be, and hereby is, designated to preside at such hearing and is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise to participate in said proceeding shall, on or before April 22, 1944, file a written application with the Secretary of the Commission in accordance with the provisions of Rule XVII of the Commission's rules of practice.

It is further ordered, That notice of this hearing be given to The United Gas Improvement Company, Morgan, Lewis & Bockius, and Drexel & Co. by mailing a copy of this notice to them by registered mail, and that notice to all other persons be given by publication of this notice in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said applications to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

Whether the fees and expenses proposed to be paid by The United Gas Improvement Company to Drexel & Co. and Morgan, Lewis & Bockius in connection with the section 11 (e) plan are for necessary services and are reasonable in amount.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5184; Filed, April 12, 1944; 12:18 p. m.]

SELECTIVE SERVICE SYSTEM.

[S. O. 7-A]

CONSOLIDATION OF OFFICES

ORDER OF THE DIRECTOR

Under and by virtue of the authority vested in me by the Selective Training and Service Act of 1940, as amended, I hereby:

(1) Consolidate the Offices of Deputy Director—Operations and Deputy Director—Administration into the Office of the Deputy Director, which office is hereby created.

(2) Direct that during the absence, disability, or incapacity of the Director, the Deputy Director shall act for the Director.

(3) Appoint Carlton S. Dargusch, Colonel, JAGD, as Deputy Director of Selective Service.

(4) Direct that in the absence of the Deputy Director, the Chief of the Manpower Division will act for the Deputy Director.

This order shall be effective as of March 15, 1944.

LEWIS B. HERSHEY, *Director.*

MARCH 15, 1944.

[F. R. Doc. 44-5186; Filed, April 12, 1944; 2:41 p. m.]

WAR MANPOWER COMMISSION.

[G. O. 12]

COTTON TEXTILE INDUSTRY

MINIMUM WARTIME WORKWEEK

Designation of cotton textile industry as subject to Executive Order No. 9301.

By virtue of authority vested in me as Chairman of the War Manpower Commission by Executive Order No. 9301 (8 F.R. 1625), establishing a minimum wartime workweek of 48 hours, and pursuant to the provisions of § 903.2 of War Manpower Commission Regulation No. 3 (8 F.R. 7225), I hereby designate the cotton textile industry as an activity subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation the cotton textile industry includes the manufacturing or processing of the following products containing more than 50 per cent by weight of cotton or cotton waste or a combination of the two:

(a) Woven fabrics over 12 inches in width, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets (but only if containing less than 25 per cent wool), towels, diapers, face cloths and table "linens;" and

(b) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, or cabled, including threads, twines and cordage (e. g., tying, sail, seine, etc., twine, rope, sash cord, etc.) and including any of the foregoing which may be spun on speeder, ring, mule or converted twister spindles.

2. For the purposes of this designation a worker shall be deemed engaged in the cotton textile industry if

(a) He is employed at a mill in which any portion of the industry is carried on, and

(b) He devotes more than half of his time while so employed to work (including maintenance, service, production, clerical, or administrative work) in connection with the cotton textile industry.

3. The effective date of this designation is May 14, 1944.

4. Not later than the effective date each employer employing workers engaged in the cotton textile industry shall, in accordance with §§ 903.1 to 903.8, inclusive, of War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any such worker whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any such workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in the cotton textile industry in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Dated: April 10, 1944.

PAUL V. MCNUTT, *Chairman.*

[F. R. Doc. 44-5241; Filed, April 13, 1944; 11:01 a. m.]

ROCHESTER AREA, N. Y.

MINIMUM WARTIME WORKWEEK

Designation of the Rochester Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. II by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Rochester Labor Market Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Rochester Labor Market Area shall comprise Monroe County in the State of New York.

II. The effective date of this designation is May 1, 1944.

III. Not later than the effective date, each employer in the Rochester Labor Market Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 30, 1944.

ANNA M. ROSENBERG, *Regional Director, Region II.*

[F. R. Doc. 44-5240; Filed, April 13, 1944; 11:01 a. m.]

WAR SHIPPING ADMINISTRATION.

VESSEL "JENNIE AND LUCIA"

DETERMINATION AS TO OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas on May 5, 1942, title to the vessel *Jennie and Lucia* (235811) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *.

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND, *Administrator.*

APRIL 12, 1944.

[F. R. Doc. 44-5353; Filed, April 13, 1944; 11:42 a. m.]

APR 17 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 76

Washington, Saturday, April 15, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 75-2, Amdt. 6]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

Director Food Distribution Order No. 75-2, as amended (9 F.R. 2200), is further amended as follows:

1. By striking the figure "50" in (b) (1) (i) and (b) (1) (ii) and inserting in lieu thereof the figure "40".

2. By striking the figure "35" in (b) (1) (iii) and inserting in lieu thereof the figure "30."

3. By striking the figure "80" in (b) (2) and inserting in lieu thereof the figure "90".

4. By suspending, from 12:01 a. m., e. w. t., April 30, 1944, until further order of the Director, the provisions of (c) requiring cutter and canner beef to be set aside.

This order shall become effective at 12:01 a. m., e. w. t., April 16, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75-2, as amended, prior to the effective date of this amendment, all provisions of Food Distribution Order No. 75-2, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 75, 8 F.R. 11119)

Issued this 14th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-5320; Filed, April 14, 1944; 11:26 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

WIND RIVER INDIAN IRRIGATION PROJECT, WYO.

MARCH 25, 1944.

Section 130.95, Part 130 of Title 25 CFR, Indians, as amended March 4, 1940, 5 F.R. 1213, is hereby further amended as follows:

In § 130.95 *Charges.* Substitute "$1.25" for "$0.80" as the rate of assessment on the ceded Wind River Project.

(38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387) [Regs. Asst. Sec. Int. as amended March 4, 1940, 5 F.R. 1213, as further amended, Asst. Sec. Int. March 25, 1944]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-5292; Filed, April 14, 1944; 9:39 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO SUPPLIERS OF GOVERNMENT AGENCIES

Notice of direction: To all persons who supply solid fuels to the War Department, Navy Department or other agency of the Federal Government.

Pursuant to Executive Order No. 9332 (8 F.R. 5355) and Solid Fuels Administration for War Regulation No. 1 (8 F.R. 5832) you are hereby directed to ship such solid fuels (anthracite, semi-anthracite, bituminous, subbituminous or lignitic coals or coke, including packaged and processed fuels such as briquettes) as may be required during the period commencing on the effective date of this

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

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notice and ending July 1, 1945, under any contract which has been or may hereafter be entered into between you and the War Department, Navy Department or other agency of the Federal Government, subject to such modifications or cut-backs as the Solid Fuels Administration may hereafter require.

Any direction which may hereafter be issued by the Solid Fuels Administration for War requiring the shipment of solid fuels to any person or group of persons does not authorize you to divert such solid fuels from shipments required by your contracts with the War Department, Navy Department or other agency of the Federal Government, unless such direction specifically permits or requires such diversions.

This direction, however, does not take precedence over or otherwise modify the preferences established under SFAW Regulation No. 20 (9 F.R. 3487).

This direction has been issued at the request of the War Department, Navy Department and other agencies of the Federal Government, each of which has expressed its willingness to do all that it can to cooperate with SFAW in its program in respect to such matters as conservation, purchasing of the less scarce solid fuels and making purchases at such time and in such manner as will give assurance of maximum running time to the mines.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, 9 F.R. 64;

sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 13th day of April 1944.

C. J. POTTER,
Deputy Administrator.

[F. R. Doc. 44-5328; Filed, April 14, 1944; 11:40 a. m.]

[Order 3, Amdt. 2]

PART 602—GENERAL ORDERS AND DIRECTIVES

MAINTENANCE OF RECORDS AND FILING OF REPORTS

Pursuant to the powers conferred by Executive Order No. 9332 (8 F.R. 5355), Solid Fuels Administration for War Order No. 3, as amended (8 F.R. 11714; 8 F.R. 14277) is hereby amended as follows:

1. Section 602.61 *Definitions.* A new paragraph (f) is hereby added to this section to read as follows:

(f) "Receiver" means any commercial dock operator and any industrial consumer, or railroad, to the extent that he or it receives coal by vessel or barge at a dock or other unloading facility located on the Great Lakes.

2. Section 602.62 *Information and reports to be filed.* Paragraph (b) of this section is amended to read as follows:

(b) Each person who directs or orders the dumping of coal into vessels for transshipment via tidewater, or for vessel or bunker fuel use other than on the lakes, shall maintain appropriate records and shall file with the Solid Fuels Administration for War, Washington, D. C., on or before the first day of each calendar month, a copy of the cargo manifest consist report or dumping sheet issued to him in regard to each shipment of coal made during the second preceding calendar month, and shall attach to and file with such copy a statement, which may be a copy of the invoice covering the coal dumped, showing the producing district (where such district is District No. 7 or 8 there shall be an indication as to whether the coal involved was low or high volatile bituminous coal), tonnages by size groups, consumer use, destination of the vessel, and, if the coal involved is for railroad fuel use or is for by-product use, the name of the vendee or purchaser.

A new paragraph (c) is hereby added to this section to read as follows:

(c) Each person who directs or orders the dumping of coal into vessels for transshipment via lake, or for vessel or bunker fuel use on the lakes, shall maintain appropriate records and shall file with the Solid Fuels Administration for War, Washington, D. C., within seven days following dumping of the coal into the vessel, a copy of the cargo manifest consist report, or dumping sheet issued to him in regard to each of such shipments of coal, and shall attach to and file with such copy a statement, which may be a copy of the invoice covering the coal dumped, showing the producing district (if such district is District No. 7 or 8 there shall be an indication as to whether the coal involved was low or high volatile bituminous coal), tonnages by size groups, consumer use, destination of vessel, and the name of the receiver, *Provided, however,* That the first report required to be filed by this paragraph shall cover the period from March 1, 1944 to the effective date of this amendment.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 13th day of April 1944.

C. J. POTTER,
Deputy Administrator.

[F. R. Doc. 44-5329; Filed, April 14, 1944; 11:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-452, Revocation]

SAMUEL HELLER LEATHER COMPANY, INC.

Suspension Order No. S-452 was issued against Samuel Heller Leather Company, Inc., effective December 22, 1943. A petition for rehearing was filed by respondent, and on January 7, 1944, the Chief Compliance Commissioner directed that the case be reopened for further hearing and the admission of additional evidence, and the Chief Compliance Commissioner ordered a stay of execution of the suspension order. A further hearing was held before E. Merrick Dodd, Compliance Commissioner, as a result of which he recommended that the case be closed by a warning letter. On April 6, 1944, the Chief Compliance Commissioner directed that Suspension Order S-452 be revoked forthwith.

In view of the foregoing, *It is hereby ordered,* That: § 1010.452 *Suspension Order S-452* be revoked.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5283; Filed, April 13, 1944; 4:19 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Feb. 2, 1944, Amdt. 2]

Correction

The bracket heading for F.R. Doc. 44-5115, which appears on page 3897 of the issue for Wednesday, April 12, 1944, should read as set forth above.

PART 944—REGULATIONS APPLICABLE TO THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 7, as Amended Apr. 14, 1944]

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

The following interpretation is issued with respect to Priorities Regulation 1:

(a) *Applicable provisions of the regulations.* Section 944.14 of Priorities Regulation No. 1 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (b) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum required amounts".

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation No. 1 or his "minimum required amounts" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells, as explained in Interpretation 3 of Priorities Regulation No. 1. This means that if he regularly sells not less than a certain minimum production run, he does not have to accept orders which either total less than the run or which call for individual deliveries of less than the run.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the Redistribution Division of the War Production Board for permission, stating the facts and why it is not practicable to satisfy the conditions of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in CMP Regulation No. 2, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months,

this interpretation does not obligate the buyer to accept 800 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b).

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5821; Filed, April 14, 1944; 11:40 a. m.]

PART 1269—ISOPROPYL ALCOHOL

[Allocation Order M-168, Revocation]

Section 1269.1 *Allocation Order M-168* is hereby revoked. This revocation does not affect any liabilities incurred under the order, and any authorization or direction which has been issued by the War Production Board pursuant to the order shall remain effective in accordance with its terms unless specifically revoked or modified. Isopropyl alcohol is subject to allocation under General Allocation Order M-300 (Appendix A, Schedule 12), issued simultaneously with this revocation.

Delivery and use of isopropyl alcohol by producers and distributors prior to May 1, 1944, will be authorized on the basis of applications filed in accordance with the requirements of Order M-168. Use, delivery and acceptance of delivery by any person after May 1, 1944, will be authorized on the basis of applications filed in accordance with the terms of General Allocation Order M-300 and Schedule 12 of that order.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5825; Filed, April 14, 1944; 11:39 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-290, Direction 1]

DISPOSITION OF CONTAINERBOARD IN TRANSIT AT MIDNIGHT ON MARCH 31, 1944

The following direction is issued pursuant to Conservation Order M-290:

(a) Despite the provisions of paragraph (b) of Order M-290, containerboard which was in transit to a person prior to April 1, 1944, may be accepted by that person on and after April 1, 1944, without authorization from the War Production Board. Such containerboard need not be charged against the amount the consignee is authorized to receive during the second quarter of 1944.

(b) Containerboard which was in transit to a person prior to April 1, 1944, may be delivered to that person even though his order is not accompanied by the certificate required by paragraph (d) of Order M-290.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5826; Filed, April 14, 1944; 11:39 a. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L-78, as Amended Apr. 14, 1944]

FLUORESCENT LIGHTING FIXTURES

Section 3284.36 *General Limitation Order L-78* is hereby amended to read as follows:

§ 3284.36 *General Limitation Order L-78*—(a) *Purpose of this order.* This order places certain limitations on the manufacture and assembly of fluorescent lighting fixtures. It also restricts the sale and delivery of new fixtures and parts.

Restrictions on Manufacture and Assembly

(b) *Rectified fluorescent lighting fixtures.* No person may manufacture or assemble a rectified fluorescent lighting fixture.

(c) *Parts for rectified fluorescent lighting fixtures.* No person may manufacture or assemble any part for a rectified fluorescent lighting fixture except for purposes of maintenance or repair.

(d) *Use of non-ferrous metal.* No person may incorporate any non-ferrous metal in any fluorescent lighting fixture or part except as permitted by Orders M-1-i (aluminum), M-6-b (nickel), M-9-c (copper), M-11-b (zinc), M-18-b (chrome), M-43 (tin), M-65 (cadmium) and any other applicable orders of the War Production Board.

(e) *Prohibited uses of metal in hot cathode fixtures.* Unless specific written authorization is granted by the War Production Board, after application as required in paragraph (j), no person may incorporate any metal in a fluorescent lighting fixture designed for:

(1) One tube of any wattage, unless the fixture is an industrial portable or an industrial attachable model;

(2) A continuous row of single tubes of any wattage;

(3) Two tubes rated 30 watts per tube or less, unless the fixture is an industrial portable or an industrial attachable model;

(4) Three or more tubes rated 30 watts per tube or less;

(5) Five or more rows of tubes of any wattage in either an individual fixture or in a continuous row section.

Restrictions on Sale and Delivery

(f) *Preference ratings.* No person may sell or deliver any new fluorescent lighting fixture or part except on an order or contract bearing a preference rating. (An order or contract bearing a rating lower than AA-3 must be regarded as an unrated order or contract, if the supplier knows or has reason to believe that the rating is a blanket MRO rating. The term "blanket MRO rating" is defined in Priorities Regulation 3.)

(g) *Exceptions to paragraph (f).* There are five exceptions to the rule stated in the preceding paragraph. No preference rating is necessary for:

(1) The delivery of a fixture or part to an established laboratory for testing purposes only;

(2) The delivery of a fixture or part to a potential customer for demonstration but not for stock;

(3) The sale or delivery of a part to be used solely for maintenance or repair of an existing fixture;

(4) The sale and delivery of a fixture or part to a manufacturer or wholesaler on a special sale under Priorities Regulation 13; or

(5) The delivery (for inventory purposes only) of a fixture or part from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(h) *Release of fixtures held in inventory.* Upon specific authorization of the War Production Board, after application as required in paragraph (j), a manufacturer, assembler, wholesaler or retailer may sell or deliver from his inventory on unrated orders any completely assembled fluorescent lighting fixture which was manufactured before June 2, 1942, and which was reported to the War Production Board on Forms PD-499 or WPB-1066. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Definitions

(i) *Meaning of terms used in this order.* For the purpose of this order:

(1) The term "fluorescent lighting fixture" includes hot cathode, cold cathode, and rectified equipment designed or constructed for the purpose of illumination. In addition to its ordinary meaning, the term also includes Cooper-Hewitt and 3000 watt mercury vapor equipment. The term "fluorescent lighting fixture" does not include:

(i) Tubes or bulbs covered by Order L-28, or replaceable fluorescent starters;

(ii) Incandescent lighting fixtures, as defined in Order L-212 (that definition of "incandescent lighting fixtures" includes fixtures designed for use with 250 watt and 400 watt mercury vapor tubes);

(iii) Any portable or attachable lamp or fixture designed to be plugged into an electric outlet, other than "industrial portable" or "industrial attachable" fluorescent lighting fixtures, as defined in this order;

(iv) Fixtures designed to accommodate germicidal lamps;

(v) Aviation ground lighting equipment covered by Order L-235;

(vi) Aircraft lighting equipment, as defined in Order L-327; or

(vii) Photographic lighting equipment and accessories covered by Order L-267.

(2) An "industrial portable" fluorescent lighting fixture is one which is designed for use in the operation of some piece of factory equipment (such as an industrial machine or tool) or in the assembly, inspection or servicing of a product, but which is not permanently attached to the equipment or the product. Such fixtures are designed to be plugged into an electric outlet and are usually equipped with either a handle, a hook, or a base fitted with free rolling casters.

(3) An "industrial attachable" fluorescent lighting fixture is one which is designed to be used with some piece of factory equipment (such as an industrial machine, tool, or assembly bench) and is so constructed that it may be permanently affixed by screws to the equipment or to an adjoining wall. Such fixtures are designed to be plugged into an electric outlet.

(4) A "continuous row" of tubes consists of two or more placed end to end.

(5) A "new" fluorescent lighting fixture or part is one which has never been used by an ultimate consumer.

Miscellaneous Provisions

(j) *Requests for authorizations.* Requests for specific authorization under paragraphs (e) and (h) shall be made by letter, in duplicate, giving the following information:

(1) Where authorization is requested under the provisions of paragraph (e), the letter shall state the government contract number and item number (if any), the name and address of the project where the lighting fixtures will be used, the preference rating used on the contract or order, a full description of the fixtures, and an explanation as to why permitted types cannot be used.

(2) Where a request is made under the provisions of paragraph (h) to sell fixtures (on unrated orders) which have been held in inventory, the letter shall state whether the fixtures are industrial or non-industrial types, the quantity of each type of fixture, the number of tubes per fixture, the wattage per tube and the voltage and frequency (cycles) on which the fixtures are designed to operate.

Letters requesting authorizations under paragraphs (e) and (h) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: Administrator of L-78. These provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of regulations.* This order and all transactions affected by it are subject to all regulations of the War Production Board as amended from time to time.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (formerly PD-500) or a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(m) *Routing of correspondence.* Reports to be filed, requests for specific authorization and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L-78.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Effective date.* This amended order shall become effective on April 21, 1944, and until that date Order L-78, as amended April 3, 1944, remains in effect.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5822; Filed, April 14, 1944; 11:39 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-50, as Amended Apr. 14, 1944]

JEWEL BEARINGS

Whereas, national defense requirements have created a shortage of jewel bearings (as hereafter defined) for the combined needs of defense and private account, and the supply of jewel bearings now is and will be insufficient for defense and essential civilian requirements, unless the supply of jewel bearings and jewel bearing material (as hereinafter defined) is conserved and their use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest to promote the defense of the United States, to conserve the supply and direct the distribution and use thereof.

Now, therefore, it is hereby ordered, that:

§ 3286.6 *Conservation Order M-50*—(a) *Definitions.* For the purpose of this order:

(1) "Jewel bearing material" means any natural sapphire or ruby of industrial quality, any synthetic sapphire, ruby, or spinel, or any other material of similar chemical composition and physical properties. Natural spinel is not included.

(2) "Jewel bearing" means any jewel bearing material which has been processed in any manner for use where friction occurs, including vees, rings, cups, endstones, pallet stones, and roller pins. Watt-hour meter cups are not included.

(3) "Substitute jewel bearing" means a metal, agate, garnet, glass, or other bearing designed to replace or to substitute for a large ring bearing or a vee bearing of sapphire, ruby, or synthetic spinel.

(4) "Large ring bearing" means any jewel bearing through which a hole has been pierced from one parallel face to the other which has the following dimensions:

Outside diameter greater than	0.050 inch (1.270 mm.)
Thickness greater than	0.012 inch (.305 mm.)
Hole diameter greater than	0.006 inch (.152 mm.)

(5) "Vee bearing" means any jewel bearing which has a conically shaped cavity in one of the parallel faces.

(6) "Supplier" means any person who has engaged in the importation or processing of jewel bearings, substitute jewel bearings, or jewel bearing material, since January 14, 1942.

(7) "Consumer" means any person who uses jewel bearings in the manufacture of any article. A person is not a consumer who uses jewel bearings only in the repair of watches and instruments.

(8) "Processing" means manufacturing, fabricating, polishing, or modifying in any manner jewel bearing material.

(9) "Blank" means preparage, rondel, cylinder, or prism made from jewel bearing material for the purpose of fabrication of a jewel bearing but which has not been drilled or formed.

(10) "Use" of a jewel bearing means to mount the jewel bearing in a screw or other setting, or to incorporate physically the mounted or unmounted bearing in a device where its normal bearing surface may be subjected to friction from a moving part or object.

(11) "Semi-fabricated jewel bearing" means any jewel bearing processed beyond the blank stage but on which addi-

tional processing is necessary before it is ready to be used by a consumer.

(12) "'Finished bearing" means any jewel bearing which has been processed to a point where it can immediately be used by a consumer.

(13) [Deleted Dec. 24, 1943]

(b) *Restrictions on delivery, processing, use, and sale.* (1) On and after December 24, 1943 each supplier shall set aside his entire stock, receipts, and production of finished jewel bearings, jewel bearing material, other than natural sapphire or natural ruby; semi-fabricated jewel bearings, and blanks as a reserve for the fulfillment of present and future defense orders, and such other orders and uses as may be authorized from time to time by the War Production Board.

(2) No supplier shall make deliveries or withdrawals from such reserve either to his customers or for purposes of his own use, except as authorized by the War Production Board. The War Production Board will from time to time allocate the supply of finished jewel bearings, of semi-fabricated jewel bearings, of blanks, and of jewel bearing material, other than natural sapphire or natural ruby; and may specifically direct the manner and quantities in which deliveries to or by particular persons or for particular uses shall be made or withheld. It may also direct, limit, or prohibit processing of jewel bearing material blanks and semi-fabricated jewel bearings. It may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of jewel bearings in the hands of consumers. Such allocations and directions will be made to insure the satisfaction of the defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the War Production Board, without regard to any preference ratings assigned to particular contracts or purchase orders.

(3) Unless specifically directed or authorized by the War Production Board, no person shall sell or deliver to any person for any purpose vee bearings or large ring bearings of sapphire or ruby, except:

(i) That any person may sell such bearings to the person from whom he originally acquired them; and

(ii) That a wholesaler or distributor (but not a supplier) may sell or deliver large ring bearings to persons who will use such large ring bearings solely in the repair of watches or instruments.

(c) [Deleted Dec. 24, 1943]

(d) *General exception.* The prohibitions and restrictions contained in this order shall not apply to any jewel bearing which on or after November 2, 1942, without violating any order of the War Production Board, had been physically incorporated in a device in which, without further assemblage, its normal bearing surface was subjected to friction from a moving part or object.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(f) *Reports*—(1) *Suppliers.* Each supplier shall file with the War Production Board, Reference: M–50, Form WPB–482 (formerly PD–235) on or before the dates therein prescribed; provided, that a person who is not engaged in the processing of jewel bearings or jewel bearing material, and who imports jewel bearings only for use in the repair of watches, shall not be required to file Form WPB–482, but within 15 days after receipt by him of each imported shipment, he shall file with the War Production Board, Reference: M–50, a written report giving the quantity, type, diameter, thickness, and hole size of each item received in such shipment, and he shall not sell or deliver any of such imported jewel bearings until he has received the written authorization of the War Production Board.

(2) *Consumers.* (i) Each consumer who uses 10,000 or more jewel bearings or substitute jewel bearings, or both kinds of bearings, per quarter shall file monthly with the War Production Board, Reference: M–50, Form WPB–465 (formerly PD–236) on or before the dates therein prescribed; (ii) each consumer who uses less than 10,000 and more than 500 bearings, jewel, substitute, or both kinds, per quarter shall file quarterly with the War Production Board, Reference: M–50, Form WPB–465 on or before the dates therein prescribed; (iii) each consumer who uses 500 or less bearings, jewel, substitute, or both kinds, per quarter need not file with the War Production Board any reports on Form WPB–465.

(3) *Producers of jewel bearing material.* Any person producing or offering for sale jewel bearing material other than natural sapphire or natural ruby shall file with the War Production Board, Reference: M–50, Form WPB–675 (formerly PD–338) on or before the dates therein prescribed.

(4) *Specific exemptions.* The War Production Board may from time to time issue a written exemption to any supplier or consumer, or to any producer of jewel bearing material, in cases where production and requirement records together with other circumstances show such uniformity of production or requirements as to indicate that the filing of such reports no longer need be required.

(5) *Federal Reports Act of 1942.* The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Ref.: M–50.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5324; Filed, April 14, 1944; 11:39 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–275]

ALARM CLOCKS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alarm clocks and materials and facilities for producing them; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3291.205 *Limitation Order L–275*—(a) *What this order does.* This order governs the manufacture and distribution of new alarm clocks.

(b) *Definitions.* For the purposes of this order: "Manufacturer" means any person who produces or assembles, or who produced or assembled during the period 1936 to 1941, inclusive, any new alarm clocks, either spring driven or electrically operated.

(c) *Who may produce alarm clocks; how many may be made.* (1) After May 10, 1944, no manufacturer may produce, assemble, or deliver any new alarm clocks, either spring driven or electrical-

ly operated, except according to quarterly quotas authorized in writing by the War Production Board pursuant to an application on Form WPB–3719 (formerly PD–880), which each manufacturer must file with the War Production Board on or before the 10th day of May, and thereafter on or before the 15th day of June, September, December, and March, showing his proposed production and delivery for the next quarter.

(2) The War Production Board will assign production quotas to meet approved requirements. Total production which would exceed such requirements will not be authorized. No person will be authorized to produce alarm clocks if that production would interfere with his other war production. Production will be authorized so as to avoid increased labor requirements in labor shortage areas. The War Production Board will give notice to each manufacturer of the total and individual authorizations.

(3) In order to secure proper distribution of the supply of alarm clocks authorized to be produced under this order, the War Production Board may require manufacturers, as a condition to the right to produce alarm clocks, to sell specified quantities of those produced to other manufacturers who are presently found to be in a position to facilitate the distribution of these alarm clocks. In general, the number of alarm clocks required to be sold to such other manufacturers will be in relation to their volume of production in the period 1936 to 1941, inclusive. Manufacturers authorized to distribute alarm clocks under this paragraph may be required to distribute them in a manner required by the War Production Board.

(4) Alarm clocks may be delivered without regard to preference ratings. No person shall apply or extend any rating to get any alarm clocks and no person selling alarm clocks shall require a rating as a condition of sale. Any rating purporting to be applied or extended to delivery of alarm clocks shall be void and no person shall give any effect to it in filling an order.

(d) *What type of alarm clocks may be made.* Only alarm clocks authorized in writing by the War Production Board as to type of movement and style of case may be manufactured. In general, no manufacturer will be authorized to produce more than one type of spring wound, and one type of electrically operated, alarm clock. Approval of models will be based largely on economy of production and a minimum use of critical materials.

(e) *Reports.* The reporting and application requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of alarm clocks to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–275.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5323; Filed, April 14, 1944; 11:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 12]

ISOPROPYL ALCOHOL

§ 3293.1012 *Schedule 12 to General Allocation Order M–300*—(a) *Definition.* "Isopropyl alcohol" means isopropyl alcohol, dimethyl carbinol, pseudopropyl alcohol, pseudo propanol, isopropanol, secondary propanol, or secondary propyl alcohol of any grade and from whatever source derived.

(b) *General provisions.* Isopropyl alcohol is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is July 1, 1942, the date when isopropyl alcohol was first put under allocation by Order M–168 (revoked). Delivery and use by producers and distributors prior to May 1, 1944, will be authorized on the basis of applications filed in accordance with the requirements of Order M–168 (revoked). Delivery, acceptance of delivery and use by any person after May 1, 1944 will be authorized on the basis of applications filed in accordance with the requirements of this order: *Provided*, That any authorization or direction which has been issued by the War Production Board pursuant to Order M–168 shall remain effective in accordance with its terms unless specifically revoked or modified. The allocation period is the calendar month. The small order exemption is 270 gallons per person per month.

(c) *Suppliers' applications on Form WPB–2946.* (1) Each supplier seeking authorization to use or deliver isopropyl alcohol shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 20th day of the month preceding the month in which delivery or use is proposed.

(2) Form WPB–2946 should be completely filled in. The unit of measure is gallons. Grade should be specified as 91%, 95% or 99%. List on the form the name of each customer ordering more than the quantity permitted by the small order exemption. Include an item for "small orders" without specifying the names of individual customers and specify the aggregate quantity requested to fill such orders.

(3) Normally the War Production Board will issue its authorizations and directions for delivery by returning Form WPB–2946 to the supplier, showing the amounts which may be delivered to each customer and the aggregate amount which may be delivered to fulfill small orders.

(d) *Customers' applications on Form WPB–2945.* (1) Each person seeking authorization to use or accept delivery of isopropyl alcohol shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 15th day of the month preceding the month in which acceptance of delivery or use is proposed. Form WPB–2945 should be completely filled in. The unit of measure is gallons. Grade should be specified as 91%, 95% or 99%. Three copies (one certified) should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–12, one copy (reverse side blank) should be sent to the supplier and one copy should be retained.

(2) Normally the War Production Board will issue its authorizations for acceptance of delivery or use by returning Form WPB–2945, showing the amount of isopropyl alcohol which may be accepted or used during the month.

(e) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this schedule shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M–300, Schedule 12.

NOTE: Forms WPB–2945 and 2946, and the instructions in this schedule and the appendices of Order M–300 for applications for isopropyl alcohol have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5327; Filed, April 14, 1944; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 14]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 11 is amended in the following respects:

1. Section 1.2 (a) is amended by substituting the words "Office of Distribution of War Food Administration" for the words "Food Distribution Administration", and by substituting the words "the American National Red Cross and the United Service Organizations, Inc., with respect to their acquisitions", for the words "the American National Red Cross, with respect to its acquisitions".

2. Section 2.1 (a) is amended by inserting after the words "Department of Justice" within the first parenthetical statement, the words "and the United Service Organizations, Inc."; and by changing the period at the end of the first sentence to a comma and adding the words "or which are acquired on or after April 1, 1944, by the United Service Organizations, Inc., for consumption by members of the armed forces of the United States outside the United States."

3. Section 4.1 (f) is added to read as follows:

(f) The United Service Organizations, Inc., may open one or more ration bank accounts for each rationed food for which it receives an allocation to make replacements or advances under this order.

This amendment shall become effective April 18, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5263; Filed, April 13, 1944; 11:58 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 90]

DISTILLED SPIRITS, ETC.

Correction

In F.R. Doc 44–4217, which appears on page 3338 of the issue for Tuesday, March 28, 1944, the price per pint of distilled spirits 100 proof shown in § 1305.112 (a) (5) should read $0.38.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16640, 17511.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 119]

ORIGINAL EQUIPMENT TIRES AND TUBES

Maximum Price Regulation 119 is redesignated Revised Maximum Price Regulation 119 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

§ 1315.1451 *Maximum prices for original equipment tires and tubes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 119 (Original Equipment Tires and Tubes), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1315.1451 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 119—ORIGINAL EQUIPMENT TIRES AND TUBES

Sec.

1. Prohibition against dealing in original equipment tires and tubes at prices above the maximum.
2. Maximum prices.
3. Reports under section 2 (b).
4. Adjustable pricing.
5. Records.
6. Licensing.
7. Evasion.
8. Enforcement.
9. Definitions.
10. Petitions for amendment.
11. Applications for adjustment.
12. Geographical applicability.

Appendix A—Tables of maximum prices for original equipment tires and tubes.

SECTION 1. *Prohibition against dealing in original equipment tires and tubes at prices above the maximum.* On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver original equipment tires or tubes and no person shall buy or receive original equipment tires or tubes in the course of trade or business, at prices higher than the maximum prices, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may, of course, be charged.

SEC. 2. *Maximum prices.* (a) The maximum delivered prices for sales of original equipment tires and tubes shall be the prices set forth in Appendix A, except as otherwise provided in the succeeding paragraphs of this section.

(b) The maximum prices set forth in Appendix A shall not apply:

(1) To sales by a seller of a particular type and size of natural rubber original equipment tire or tube to a particular buyer, if that seller sold that item to that buyer at a price at least 5 percent less than the price set forth in Appendix A for that size and type of natural rubber tire or tube during January 1944 (or if no sale was made during January 1944 to that buyer, on the most recent date on which such a sale was made between April 27, 1942, and January 1, 1944). If a tire and a tube are sold as an assembly, the comparison to be made under this subparagraph shall be between the assembly prices.

(2) To sales by a seller of a particular type and size of synthetic rubber original equipment tire or tube to a particular buyer, if sales by that seller to that buyer of the natural rubber tire or tube of the same size and type fall within subparagraph (1) above.

(3) To sales by a seller of a particular type and size of natural or synthetic rubber original equipment tire or tube to a particular buyer, if that seller made no sales of that item of natural rubber original equipment to that buyer during the period April 27, 1942, to January 31, 1944.

(4) To sales of original equipment tires or tubes of sizes and types not specifically listed in Appendix A.

(5) To sales by any seller of truck and bus tires, sizes 8.25 inch cross-section and larger, until and unless approved by the Office of Price Administration.

(c) In all cases listed in paragraph (b), the maximum price shall be a price, consistent with general industry practices and consistent with the level of maximum prices set by this regulation, authorized upon specific application to the Office of Price Administration. In each case coming under paragraph (b), the seller must file with the Office of Price Administration the report required by section 3 and have his maximum price approved by the Office of Price Administration before receiving payment for the original equipment tires or tubes.

(d) *Differential for tires of rayon construction.* (1) On sales of synthetic rubber tires of rayon construction, a seller may add to the maximum prices otherwise fixed by this section, an amount not exceeding the amount by which the factory costs of the tire in rayon construction exceed the factory costs of the same tire in cotton construction.

(2) In all cases covered by this paragraph (d), the seller must file a report with the Office of Price Administration, Washington, D. C., containing the following information:

(i) A description of the tire, including type, brand name, size, number of plies, and construction.

(ii) A detailed statement of the factory costs of the tire in rayon construction and of the same tire in cotton construction. Factory costs shall be figured as of the same date for both types of construction.

(iii) The amount proposed to be added to the maximum price otherwise fixed by this section.

(3) The seller may not receive payment of the amount which may be added under this paragraph (d) until it has been approved by the Office of Price Administration. The proposed addition, however, shall be deemed to be approved unless, within 20 days after mailing of the report (or within 20 days after the mailing of all additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed addition has been disapproved or that action thereon has been deferred pending receipt of further information.

(4) The Office of Price Administration may approve or disapprove and may at any time after approval correct additions proposed or established under this paragraph.

SEC. 3. *Reports under section 2 (b).* (a) In the case of all sales subject to paragraph (b) of section 2, before receiving payment for the original equipment tires or tubes, the seller must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(1) A description of the tire or tube for which a maximum price is sought, including the type, brand name, size, number of plies, and construction. If, however, between April 27, 1942, and January 31, 1944, the seller sold all or a group of sizes or types of original equipment natural rubber tires or tubes to a particular buyer at assembly prices which represented a uniform percentage discount from the assembly prices set forth in Appendix A, he may in his report describe the group or groups of tires and tubes for which reports are required and need not list each tire or tube separately.

(2) The name and address of the equipment vehicle manufacturer to whom such original equipment tires and tubes are to be sold.

(3) The specific subparagraph of section 2 (b) under which the report is filed.

(4) If the report is filed under subparagraph (1), (2), or (5) of section 2 (b), the price previously charged on sales, if any, to the particular buyer for the natural rubber tire or tube. In addition, if the report is under subparagraph (5), the prices previously charged on sales, if any, to the particular buyer for sizes 7.50 inch cross-section or smaller. These prices may be stated either as specific dollar-and-cent amounts or as percentages of the prices set forth in Appendix A.

(5) The proposed maximum price, and a description of the pricing method used in calculating such price. The proposed price may be stated either as a specific dollar-and-cent amount or as a percentage of the prices set forth in Appendix A.

(6) The reasons why the seller believes that such price is consistent with general industry practices and consistent with the level of maximum prices set by this regulation.

(b) No seller required to report a maximum price under this section may accept payment for the original equipment tires or tubes (unless specifically authorized to do so by the Office of Price Administration) until the proposed maximum price is approved by the Office of Price Administration. The proposed maximum price, however, shall be deemed to be approved unless, within 20 days after mailing of the report (or within 20 days after the mailing of all additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum price has been disapproved or that action thereon has been deferred pending receipt of further information.

(c) The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices proposed or established under this section so as to bring them into proper relationship with the level of maximum prices otherwise established by this regulation.

SEC. 4. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 5. *Records.* Every person making sales or purchases of original equipment tires or tubes subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase, showing the date, the name and address of the buyer and seller, the price paid or received, the quantity of each type, size, and brand name of tires or tubes sold or purchased, and whether made of natural or synthetic rubber.

SEC. 6. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 7. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to original equipment tires or tubes, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 8. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 9. *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or its agencies, other governments their political subdivisions and their agencies.

(2) "Original equipment tires and tubes" means new rubber tires and tubes sold for the original equipment of automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment and motorcycles, but does not include tires or tubes sold directly to any agency of the United States Government.

(3) "Rubber" means substitute rubber and all forms and types of rubber, including scrap, synthetic, balata, and reclaimed rubber.

(4) "Synthetic rubber original equipment tires or tubes" means original equipment tires or tubes which contain any synthetic rubber and which are marked with the symbols designated by the War Production Board, Office of Rubber Director, to identify them as containing synthetic rubber.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 10. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 11. *Applications for adjustment.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that a maximum price established by this regulation impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is, or will be, the subject of such contract or subcontract, may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6,[3] issued by the Office of Price Administration.

SEC. 12. *Geographical applicability.* This regulation shall be effective in the District of Columbia and the 48 states of the United States.

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[1] 8 F.R. 13240.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

[3] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT TIRES AND TUBES

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS

1. PASSENGER CAR

Size	Ply	Tire	Tube	Assembly
Regular tread				
4.50-12	4	$4.34	$0.66	$4.99
5.25-20	4	8.38	.81	9.19
5.25-20	6	9.78	.81	10.59
5.50-16	4	6.55	.77	6.12
5.50-16	6	6.40	.77	7.17
5.25/5.50-17	4	5.93	.90	6.83
5.25/5.50-17	6	8.40	.90	9.30
5.25/5.50-18	4	7.37	.98	8.35
5.25/5.50-18	6	9.89	.98	10.78
6.00-16	4	6.48	.90	7.38
6.00-16	6	7.66	.90	8.56
6.00-18	4	8.00	.94	8.80
6.00-18	6	10.51	.94	11.55
6.00-20	6	10.90	1.08	11.98
6.25-16	4	7.26	.90	8.16
6.25-16	6	8.15	.90	9.05
6.50-18	4	7.39	1.04	8.43
6.50-18	6	9.09	1.04	10.04
6.50-16	4	7.67	1.07	8.74
6.50-16	6	9.35	1.07	10.42
7.00-18	4	8.39	1.06	9.45
7.00-18	6	9.72	1.06	10.78
7.00-16	4	8.03	1.10	10.03
7.00-16	6	10.40	1.10	11.50
7.00-18	6	10.46	1.34	11.80
7.50-18	6	12.34	1.34	13.68
7.50-16	4	10.78	1.36	12.14
7.50-16	6	12.68	1.36	14.04
Special tread, mud and snow				
4.40/4.50/4.75-21	4	7.18	.78	7.96
4.75/5.00-19	4	7.30	.83	8.13
5.50-16	4	6.63	.78	6.43
5.25/5.50-17	4	6.50	.97	7.17
5.25/5.50-17	6	8.99	.97	9.76
5.25/5.50-18	4	7.78	.89	8.67
6.00-16	4	6.85	.90	7.75
6.00-16	6	8.09	.90	8.99
6.25/6.50-16	4	8.11	1.07	9.18
6.25/6.50-16	6	9.87	1.07	10.94
7.00-16	6	10.98	1.10	12.08

2. TRUCK AND BUS

Size	Ply	Tire	Flap	Tube	Assembly
Regular tread					
6.00-16	6	$8.55		$0.90	$9.55
6.00-17	6	9.08	$0.29	.98	10.32
6.00-20	6	9.57	.30	1.06	10.93
6.00-20/30 x 5	8	13.70	.30	1.06	14.06
6.50-19	6	11.35		.99	12.34
6.50-16	6	10.43		1.14	11.57
6.50-17	6	11.56	.29	1.11	12.96
6.50-20	6	11.99	.30	1.43	13.72
6.50-20/32 x 6	8	14.31	.30	1.43	16.04
1900	6	10.43		1.10	11.53
1600	8	12.66		1.10	13.76
7.00-16	6	11.29		1.37	12.66
7.00-17	6	13.84	.29	1.37	15.50
7.00-17	8	16.78	.29	1.37	18.41
7.00-20	8	17.14	.35	1.95	19.44
7.00-20/32 x 6	10	21.98	.35	1.95	24.28
7.00-24/36 x 6	10	26.85	.40	2.54	29.79
7.50-16	6	13.74		1.73	15.47
7.50-18	8	15.24		1.73	16.97
7.50-17	8	17.50	.29	1.37	19.16
7.50-18	8	20.02	.41	2.07	24.50
7.50-18/32 x 7	10	30.02	.41	2.07	32.49
7.50-20	8	21.37	.45	3.08	24.90
7.50-20/34 x 7	10	31.25	.45	3.08	34.78
7.50-20/34 x 7	12	29.00	.45	3.08	32.53
7.50-24	8	25.26	.55	3.52	29.33

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

2. TRUCK AND BUS—continued

Size	Ply	Tire	Flap	Tube	Assembly
Regular tread					
7.50-24/36 x 7	10	$35.44	$0.55	$3.52	$39.51
8.25-18	10	29.47	.41	2.90	32.78
8.25-20	10	30.42	.45	3.07	33.94
8.25-20	12	35.05	.45	3.07	38.57
9.00-18	8	30.02	.49	3.46	33.97
9.00-18	10	34.72	.53	3.47	38.72
9.00-20	10	34.92	.53	3.59	39.04
9.00-20/36 x 8	12	41.73	.58	3.59	45.90
9.00-22	10	37.66	.53	3.76	41.94
9.00-24	10	40.05	.68	3.97	44.70
9.00-24/40 x 8	12	47.85	.68	3.97	52.50
10.00-18	12	46.06	.78	4.66	51.50
10.00-20	12	46.18	.86	4.03	51.07
10.00-20/40 x 9	14	62.73	.86	4.03	67.61
10.00-22	12	48.91	.93	4.36	54.20
10.00-24	12	51.23	1.00	4.66	56.91
10.00-24/42 x 9	14	67.13	1.00	4.66	72.81
10.50-18	8	40.83	.49	4.36	45.76
10.50-16	10	44.97	.49	4.36	49.84
10.50-16	12	49.06	.49	4.36	53.90
11.00-18	12	51.61	.78	4.39	56.78
11.00-20	12	51.70	.86	4.79	57.35
11.00-22	12	55.13	.93	5.13	61.19
11.00-24	12	58.51	1.00	5.41	64.92
11.00-24	14	68.26	1.00	5.41	74.67
12.00-20	14	68.42	.86	6.00	75.28
12.00-22	14	73.58	.93	7.82	82.33
12.00-24	14	81.39	1.00	7.38	89.87
12.00-24/44 x 10	16	92.09	1.00	7.38	101.66
13.00-20	16	96.77	.86	8.96	106.59
13.00-24	16	107.61	1.00	10.62	119.33
14.00-20	16	112.61	1.00	11.09	124.70
14.00-24	16	121.28	1.17	11.99	134.44
Rayon					
7.00-20	8	19.28	.35	1.95	21.58
7.00-20/32x6	10	24.64	.35	1.95	26.94
7.50-20	8	24.10	.45	3.03	27.58
7.50-20/34x7	10	33.08	.45	3.03	36.56
8.25-20	10	34.15	.45	3.07	37.67
8.25-20	12	39.39	.45	3.07	42.91
9.00-18	10	38.98	.53	3.47	42.98
9.00-20	10	39.23	.58	3.59	43.40
9.00-20/36x8	12	46.78	.58	3.59	50.95
10.00-20	12	51.83	.86	4.03	56.69
10.00-20	14	70.46	.86	4.03	75.05
10.00-22	13	54.69	.93	4.36	59.98
11.00-20	12	58.01	.86	4.79	63.66
11.00-22	12	61.86	.93	5.13	67.92
11.00-24	12	65.65	1.00	5.41	72.06
Special tread, mud and snow					
5.00-16	8	9.44		.90	10.34
6.00-20	8	10.12	.30	1.06	11.48
6.00-20/32x6	8	13.40	.30	1.06	14.76
6.50/6.50-16	6	11.01		1.14	12.15
6.50-16	8	11.01		1.14	12.15
6.50-20	6	12.68	.30	1.43	14.41
6.50-20/32x6	8	15.11	.30	1.43	16.84
7.00-18	8	11.01		1.10	12.11
7.00-18	8	13.35		1.10	14.45
7.00-16	8	11.92		1.37	13.29
7.00-17	8	14.42	.29	1.37	16.08
7.00-17	8	17.07	.29	1.37	19.33
7.00-20	8	18.11	.35	1.95	20.41
7.00-20/32 x 6	10	23.19	.35	1.95	25.49
7.50-16	6	14.51		1.73	16.24
7.50-16	8	16.09		1.73	17.82
7.50-17	8	16.24	.29	1.37	17.90
7.50-17	8	18.25	.29	1.37	19.91
7.50-20	8	22.91	.45	3.03	26.39
7.50-20/34 x 7	10	33.99	.45	3.03	36.47
8.25-20	10	33.12	.45	3.07	35.64
9.00-18	8	36.09		2.32	38.02
9.00-16	8	31.72	.49	3.46	35.67
9.00-18	10	35.90	.49	3.46	39.85
9.00-18	10	38.68	.53	3.47	42.68
9.00-20	10	36.87	.58	3.59	41.04
9.00-20	12	44.03	.58	3.59	48.20
9.00-22	12	46.73	.63	3.76	51.12
10.00-20	12	48.73	.86	4.03	53.62
10.00-20	14	66.10	.86	4.03	70.99
10.00-22	12	48.73	.93	4.36	54.02
10.00-22	14	66.10	.93	4.36	71.39
10.00-24	12	51.42	.98	4.28	56.68
10.00-24	13	54.09	1.00	4.66	59.76

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

2. TRUCK AND BUS—continued

Size	Ply	Tire	Flap	Tube	Assembly
Special tread, mud and snow					
10.00-18	10	$47.46	$0.49	$4.36	$52.31
10.50-16	12	51.76	.49	4.36	56.61
11.00-20	12	54.57	.58	4.79	60.29
11.00-20	14	74.02	.58	4.79	79.47
12.00-20	14	72.65	.58	6.90	80.41
12.00-24	14	85.89	1.00	7.38	94.27
14.00-20	16	118.85	1.00	11.09	130.94
14.00-24	16	131.94	1.00	11.09	144.03
14.00-20	20	138.85	1.00	11.09	150.94
14.00-24	16	126.10	1.17	11.99	139.26
16.00-24	16	255.70	2.33	18.20	276.23
18.00-24	20	280.49	2.33	18.20	301.11
18.00-40	28	422.68	2.50	22.89	447.97
21.00-24	16	327.61	2.14	25.19	355.94
21.00-24	20	361.13	2.14	25.19	388.46
24.00-32	24	666.07	2.46	36.38	704.91
30.00-40	28	1,338.69	14.40	117.42	1,467.71
30.00-40	34	1,662.34	14.40	117.42	1,794.16
Trailer service, low platform					
7.50-18	8	19.23	.40	2.49	22.11
7.50-15	10	30.90	.40	3.49	34.79
7.50-15	12	35.05	.40	3.49	37.94
7.50-18/32 x 7	10	30.02	.41	3.07	33.49
7.50-18/32 x 7	12	34.46	.41	3.07	37.94
7.50-18/32 x 7	14	38.27	.41	3.07	41.75
8.25-15	10	28.90	.40	3.08	32.38
8.25-15	12	33.05	.40	2.66	36.11
8.25-15	14	36.67	.40	2.66	39.73
9.00-15	10	34.56	.48	3.36	38.40
9.00-15	12	39.09	.48	3.36	42.93
10.00-15	12	40.34	.65	3.76	44.75
10.00-15	14	45.43	.65	3.76	49.84
10.00-15	16	51.17	.65	3.76	55.58
10.00-15	20	72.93	.65	3.76	77.33
14.00-24	20	136.23	1.17	11.99	149.39
14.00-24	24	155.44	1.17	11.99	168.60
Door-to-door delivery					
10 (6.00-16)	8	9.32		.90	10.22
11 (5.25/5.50-17)	6	8.73		.90	9.63
12 (5.25/5.50-18)	6	9.07		.89	9.96
13 (6.50-16)	6	11.26		1.14	12.40
14 (7.00-16)	6	13.48		1.37	14.85
15 (7.00/7.50-18)	6	14.65		1.10	15.75
17 (30 x 5/6.50-20)	8	16.52	.30	1.43	18.25
18 (7.50-18)	8	17.98		1.73	19.71
19 (32 x 6/7.00-20)	8	21.37	.30	1.95	23.62
22 (32 x 6/7.50-20)	10	25.93	.35	3.03	29.31
23 (34 x 7/8.25-20)	10	33.34	.45	3.07	36.76
25 (34 x 7/8.25-20)	12	45.00	.45	3.07	48.52
34 (9.00-20)	10	40.02	.58	3.59	44.19
39 (9.00-20)	12	51.68	.58	3.59	55.85
40 (10.00-20)	12	58.14	.86	4.03	63.03
40 (10.00-20)	14	68.50	.86	4.03	73.39
42 (10.00-22)	12	56.34	.93	4.28	61.55
Rayon					
22 (32 x 6/7.50-20)	10	26.57	.35	3.03	29.95
23 (34 x 7/8.25-20)	10	36.20	.45	3.07	39.72
34 (9.00-20)	10	41.13	.58	3.59	45.30
39 (9.00-20)	12	53.64	.58	3.59	57.81
40 (10.00-20)	12	60.14	.86	4.03	65.03
42 (10.00-22)	12	60.14	.93	4.36	65.43
44 (10.00-24)	13	63.21	1.00	4.66	68.87
48 (11.00-20)	12	63.82	.86	4.79	69.47
50 (11.00-22)	12	69.14	.93	5.13	74.20
Desert type					
9.00-13	4	14.03		2.32	16.35
9.00-13	6	15.78		2.32	18.11
10.50-16	8	40.89	.49	4.36	45.74
10.50-16	10	44.97	.49	4.36	49.84
11.00-18	10	49.84	.58	4.39	54.81
13.50/14.00-20	6	34.73	1.00	11.09	46.82
13.50/14.00-20	8	95.41	1.00	11.09	107.50
13.50/14.00-20	12	106.11	1.00	11.09	118.20

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

2. TRUCK AND BUS—continued

Size	Ply	Tread type	Tire	Tube	Flap	Beadlock	Assembly (excluding beadlock)
Combat and run-flat							
5.50-18	8	Reg.	$20.88	$1.16	$0.23	$4.66	$21.97
6.00-16	6	Reg.	16.51	1.18		.62	17.00
6.00-16	6	M&S	17.39	1.18		.62	18.57
6.00-20	8	Reg.	27.81	1.30	.31	1.60	29.12
7.50-16	8	Reg.	28.25	2.20	.48	1.15	30.93
7.50-16	8	M&S	29.80	2.20	.48	1.15	32.48
7.50-20	10	Reg.	45.58	2.84	.48	1.18	49.20
7.50-20	10	M&S	45.24	2.84	.48	1.18	51.05
7.50-24	10	Reg.	85.00	3.52	.98		89.00
7.50-24	10	M&S	86.80	3.52	.98		90.80
8.00-16	8	Reg.	28.16	3.29	.50	1.20	30.95
8.00-16	8	M&S	29.71	2.29	.50	1.20	32.50
8.25-20	12	Reg.	55.54	3.17	.61	1.18	60.32
8.25-20	12	M&S	59.96	3.17	.61	1.18	63.24
9.00-16	8	M&S	51.65	3.58	.68	1.18	55.84
9.00-20	12	Reg.	62.47	3.43	.61	1.18	66.51
9.00-20	12	M&S	65.80	3.43	.61	1.18	69.84
10.00-20	14	M&S	93.04	4.25	.91		98.20
10.00-22	14	Reg.	94.18	4.17	.98	1.77	99.33
10.00-22	14	M&S	99.15	4.17	.98	1.77	104.30
11.00-20	14	Reg.	99.60	4.90	.91		105.41
11.00-20	14	M&S	104.57	4.90	.91		110.68
12.00-20	16	Reg.	118.91	5.32	.91	2.42	125.14
12.00-20	16	M&S	125.17	5.32	.91	2.42	131.40
14.00-20	18	Reg.	169.00	9.24	1.06	2.42	179.30
14.00-20	18	M&S	177.96	9.24	1.06	2.42	188.26
14.00-24	20	Reg.	194.12	10.06	1.24	3.02	205.42
14.00-24	20	M&S	204.39	10.06	1.24	3.02	215.69

3. SPECIAL SERVICE (Rock service, logger, etc.)

Size	Ply	Tire	Flap	Tube	Assembly
7.00-20/32 x 6	10	$23.19	$0.35	$1.95	$25.49
7.50-20/34 x 7	10	32.15	.45	3.03	35.63
8.25-18	10	31.11	.41	2.90	34.42
8.25-20	10	32.12	.45	3.07	35.64
8.25-20	12	36.96	.45	3.07	40.50
9.00-18	10	36.66	.53	3.47	40.66
9.00-20	10	36.87	.58	3.59	41.04
9.00-20	12	44.03	.58	3.59	48.20
9.00-24/40 x 8	12	50.48	.68	3.97	55.13
10.00-20	12	48.73	.86	4.03	53.62
10.00-20	14	66.10	.86	4.03	70.99
10.00-24	12	54.08	1.00	4.66	59.76
11.00-20	12	54.57	.86	4.79	60.22
11.00-20	14	70.08	.86	4.79	75.70
11.00-22	12	58.18	.93	5.13	64.24
11.00-24	12	61.76	1.00	5.41	68.17
11.00-24	14	71.99	1.00	5.41	78.40
12.00-20	14	72.65	.86	6.90	80.41
12.00-24	14	85.89	1.00	7.38	94.27
12.00-24	16	98.17	1.00	7.38	106.75
13.00-20	16	104.23	.86	9.66	114.75
13.00-24	14	91.55	1.00	10.62	103.17
14.00-24	16	107.04	1.00	10.62	118.66
14.00-24	18	140.64	1.17	11.99	153.70
14.00-24	20	145.78	1.17	11.99	158.64
16.00-24	16	168.25	1.86	14.36	184.80
16.00-24	20	187.18	1.86	14.36	203.40
18.00-24	12	210.66	2.33	18.20	230.99
18.00-24	16	255.70	2.33	18.20	276.23
18.00-24	20	280.49	2.33	18.20	301.11
18.00-24	24	327.66	2.33	18.20	348.22
21.00-24	16	327.61	2.14	25.19	355.94
21.00-24	20	361.13	2.14	25.19	388.46
21.00-24	24	445.43	2.14	25.19	474.76
24.00-32	24	666.07	2.46	36.38	710.91
24.00-32	36	930.24	2.46	36.38	975.08

4. EARTH MOVER

7.50-20	8	$20.26	$0.45	$3.03	$23.74
8.25-20	8	19.61	.45	3.07	23.13
8.25-20	8	24.63	.45	3.07	28.15
8.25-20	10	28.85	.45	3.07	32.37
9.00-20	10	33.96	.58	3.59	37.13
10.00-20	12	43.11	.86	4.03	48.00
11.00-20	12	47.85	.86	4.79	53.50
12.00-20	14	64.96	.86	6.90	72.74
13.00-20	16	58.85	.86	9.66	69.37
13.00-20	14	67.43	.86	9.66	77.95
14.00-20	16	61.04	1.00	11.09	73.13
14.00-20	12	71.08	1.00	11.09	83.17
14.00-20	16	96.71	1.00	11.09	108.80
14.00-20	20	113.03	1.00	11.09	125.12
16.00-20	16	144.30	1.61	11.14	157.05
16.00-24	16	192.89	1.89	14.36	210.14
18.00-24	12	190.62	2.33	18.20	211.34
18.00-24	16	221.99	2.33	18.20	242.61
18.00-24	20	240.16	2.33	18.20	260.78

5. GRADER

Size	Ply	Tire	Flap	Tube	Assembly
For flat base rims					
6.00-20	6	$9.37	$0.30	$1.06	$10.73
6.50-20	8	14.18	.30	1.43	15.91
7.00-20	8	18.11	.35	1.95	20.41
7.00-20/32 x 6	10	20.46	.35	1.95	22.76
7.00-24	10	31.65	.40	2.54	34.59
7.50-15	4	10.42		1.38	11.80
7.50-24	10	25.51	.55	3.52	29.58
8.25-20	10	26.57	.45	3.07	30.09
8.25-24	10	31.40	.55	3.51	35.36
9.00-24	8	27.69	.68	3.97	32.34
9.00-24	10	37.84	.68	3.97	42.49
9.00-24	12	41.51	.68	3.97	46.16
10.00-24	10	42.73	1.00	4.66	48.41
For drop center rims					
9.00-24	8	$28.37	$0.97	$3.97	$32.34
9.00-24	10	35.51	1.97	3.97	39.48
10.00-24	8	34.41	4.66	3.97	39.49
11.00-24	8	38.21	5.41	4.03	43.62
12.00-24	6	32.32	4.45	3.77	36.77
12.00-24	8	42.78	4.45	4.03	47.23
12.00-24	10	46.03	4.45	4.03	50.48
12.00-26	6	38.73	5.04	4.03	41.77
13.00-20	8	47.76	5.76	4.03	53.52
13.00-20	10	51.28	5.76	4.03	57.04
13.00-24	6	40.15	6.05	4.03	46.20
13.00-24	8	50.46	6.05	4.03	60.51
13.00-24	10	54.16	6.05	4.03	60.21
13.00-26	6	45.65	5.04	4.03	52.69
13.00-32	8	62.74	7.79	4.03	70.56
14.00-20	10	69.28	5.64	4.03	74.92
14.00-20	12	78.72	5.64	4.03	84.36
14.00-24	8	53.74	6.11	4.03	59.85
14.00-24	10	72.46	6.11	4.03	79.57
14.00-28	8	63.49	5.94	4.03	73.46
14.00-32	8	67.28	7.79	4.03	75.08

6. SWAMP BUGGY

14.00-24	8	$55.55	$8.49	$4.03	$67.07

7. AGRICULTURAL

Size	Ply	Tire	Flap	Tube	Assembly
Farm tractor, conventional base					
4.00-12	2	$2.98	$0.52		$3.50
4.00-15	4	3.55	.55		4.09
4.00-18	2	3.46	.69		4.15
4.00-19	4	4.61	.69		5.30
5.00-12	2	3.65	.70		4.35

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

7. AGRICULTURAL—continued

Size	Ply	Tire	Tube	Assembly
Farm tractor, conventional base—Con.				
5.00-15	4	$4.28	$0.76	$5.02
5.00-16	2	3.65	.77	4.42
5.00-16	4	4.69	.77	5.46
5.25-21	4	7.33	.82	8.15
5.25-21	6	8.82	.82	9.64
5.50-16	2	4.08	.80	4.88
5.50-16	4	4.80	.80	5.60
5.50-16	6	6.27	.80	7.07
6.00-12	4	5.76	.75	6.51
6.00-16	4	4.99	.83	5.82
6.00-16	6	6.78	.83	7.61
6.00-20	4	7.66	.93	8.59
6.00-22	2	7.35	.99	8.34
6.00-22	4	8.56	.99	9.55
6.50-16	4	7.43	1.05	8.48
6.50-16	6	9.01	1.05	10.06
7.00-22	4	10.98	1.66	12.64
7.50-10	4	12.27	1.30	13.57
7.50-10	6	14.36	1.30	15.66
7.50-10	10	18.43	1.30	19.73
7.50-10	16	24.03	1.30	25.33
7.50-16	2	7.80	1.21	9.01
7.50-16	4	10.10	1.21	11.31
7.50-16	6	12.23	1.21	13.44
7.50-18	4	10.33	1.30	11.63
7.50-18	6	12.68	1.30	14.15
7.50-20	4	10.58	1.62	12.57
7.50-20	6	11.75	2.02	13.77
7.50-22	2	10.51	2.33	12.84
7.50-40	4	23.93	4.63	28.43
9.00-10	6	19.20	2.39	21.85
9.00-10	8	21.72	2.39	24.31
9.00-10	10	28.08	2.59	30.67
9.00-24	4	20.71	3.72	24.43
9.00-36	6	32.88	4.78	37.36
9.00-40	4	27.00	5.62	32.22
9.00-40	6	35.50	5.62	41.12
10.00-36	6	36.47	5.98	42.36
10.00-40	6	39.61	5.40	45.91
11.25-24	6	31.53	4.32	35.85
11.25-24	8	34.81	4.32	39.33
11.25-28	6	34.74	5.04	39.78
11.25-28	8	38.47	5.04	43.51
11.25-40	4	40.98	6.42	47.40
12.75-20	6	36.67	6.13	42.80
12.75-24	6	42.62	6.13	48.95
12.75-28	6	44.39	6.89	51.28
12.75-28	8	48.92	6.89	55.81
12.75-32	6	48.14	7.79	55.93
13.50-24	6	38.92	6.11	45.03
13.50-24	8	46.13	6.11	52.25
13.50-28	6	45.30	6.98	52.28
13.50-28	8	52.28	6.98	59.26
13.50-32	6	50.72	7.82	58.54
13.50-32	8	57.42	7.82	65.24
Rice or cornfield				
9.00-36	6	62.64	4.87	67.71
10.00-36	6	60.88	5.89	66.77
10.00-40	6	67.53	6.40	73.93
11.25-38	6	68.11	5.89	74.00
13.50-28	6	72.01	6.94	78.95
Wide base				
4-19	4	4.51	.69	5.20
6-30	4	10.47	1.36	11.83
8-44	4	14.22	1.68	15.90
6-12	4	5.66	.85	6.51
7-28	4	11.72	1.60	13.32
7-32	4	12

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

7. AGRICULTURAL—continued

Size	Ply	Tire	Tube	Assembly
Wide base—Con.				
11–38	10	$50.00	$5.50	$55.50
11–40	10	34.55	5.81	40.36
12–24	4	27.99	4.90	32.89
12–26	6	33.39	5.20	38.59
12–30	6	36.90	6.10	43.00
12–38	6	42.46	6.83	49.29
13–26	6	37.59	5.67	43.26
13–30	6	38.94	7.30	46.24
13–34	6	43.88	8.00	51.88
14–30	6	44.10	10.90	55.00
14–34	6	49.10	11.50	60.60
15–30	8	59.29	14.80	74.09
Industrial tractor				
4.00–15	4	3.35	.65	4.00
5.00–15	4	4.26	.76	5.02
5.50–16	4	4.80	.80	5.60
6.00–16	4	4.99	.83	5.82
6.00–16	6	6.78	.83	7.61
6.50–16	6	9.01	1.05	10.06
7.50–16	6	12.23	1.21	13.44
7.50–18	6	12.95	1.20	14.15
7.50–20	6	11.75	2.02	13.77
9.00–36	6	32.56	4.78	37.36
12.00–24	6	31.26	4.49	35.85
12.00–28	6	34.74	5.04	39.78
13.00–24	6	36.89	6.11	43.00
13.00–28	6	44.34	6.94	51.28
13.00–32	8	60.58	7.79	68.33
14.00–24	8	50.89	6.11	57.00
14.00–28	8	59.71	6.94	66.65
14.00–32	8	63.71	7.79	71.50
Farm implement				
3.00–7	2	1.54	.43	1.97
3.50–12	4	2.42	.48	3.00
4.00–7	4	2.50	.59	3.09
4.00–9	4	3.53	.49	3.82
4.00–12	4	3.38	.54	3.02
4.00–12	6	3.80	.54	4.34
4.00–18	2	2.74	.69	3.43
4.00–18	4	3.44	.69	4.13
4.00–30	4	7.84	1.18	9.02
4.00–36	4	8.51	1.35	9.86
5.00–15	4	3.80	.76	4.56
5.00–16	4	4.21	.77	4.98
5.00–21	4	5.00	.832	5.832
5.00–36	4	9.72	1.47	11.19
5.00–40	4	10.30	1.58	11.88
5.50–16	4	4.17	.80	4.97
5.50–16	6	5.44	.80	6.24
6.00–9	4	5.34	.98	7.32
6.00–9	8	8.27	.98	9.25
6.00–16	4	4.27	.83	5.10
6.00–16	6	5.45	.83	6.28
6.00–20	4	6.08	.93	7.01
6.00–20	6	7.62	.93	8.55
6.50–16	4	4.93	1.05	5.98
6.50–16	6	5.75	1.05	6.80
6.50–16	8	7.30	1.05	8.35
6.50–16	10	7.83	1.05	8.88
6.50–24	4	8.94	1.96	10.90
6.50–24	6	10.18	1.96	12.14
6.50–36	4	11.32	2.32	13.64
6.50–36	6	13.30	2.32	15.62
7.00–16	4	6.16	1.05	7.21
7.00–16	6	7.22	1.05	8.27
7.50–16	4	6.74	1.21	7.95
7.50–16	6	7.93	1.21	9.14
7.50–16	8	8.87	1.21	10.08
7.50–18	4	7.49	1.30	8.79
7.50–18	6	8.60	1.30	9.90
7.50–18	8	9.59	1.30	10.89
7.50–24	4	10.91	2.43	13.34
7.50–24	6	13.38	2.43	15.81
7.50–24	8	16.07	2.45	18.52
7.50–28	4	15.00	2.56	17.56
7.50–28	6	19.07	2.56	20.63
7.50–36	4	16.78	3.89	20.67
7.50–36	6	19.89	3.89	23.78
8.25–24	[1]4	16.28	2.43	18.71
9.00–16	10	17.22	3.73	19.95
9.00–24	6	18.17	3.72	21.89
9.00–24	8	20.64	3.72	24.36
9.00–36	4	21.28	4.78	26.06
9.00–36	6	25.07	4.78	29.85
9.00–40	8	32.54	5.80	38.34
11.25–24	6	24.12	4.52	28.64
11.25–24	8	27.30	4.52	31.82
11.25–24	10	32.93	4.52	36.85
11.25–28	6	26.73	5.04	31.77
11.25–28	8	30.09	5.04	35.13
11.25–36	10	47.77	5.89	53.66
12.75–32	6	36.73	7.79	44.52
12.75–32	8	41.00	7.79	48.79

[1] 2 rib comb.
[2] Rice binder.

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

7. AGRICULTURAL—continued

Size	Ply	Tire	Tube	Assembly
Traction implement				
4.00–24	4	[2]$8.22	$0.77	$8.99
5.00–15	4	4.03	.76	4.79
5.00–21	4	5.44	.82	6.26
5.50–16	4	4.80	.80	5.60
5.50–20	4	10.07	1.20	12.26
6.00–16	4	4.99	.83	5.82
7.50–18	4	8.15	1.30	9.45
7.50–20	4	9.14	1.66	11.20
7.50–22	4	11.31	2.33	13.64
7.50–24	4	11.91	2.45	14.36

8. MOTORCYCLE

3.30–18	2	$1.18	$0.52	$1.70
3.50–18	2	3.66	.62	4.28
4.00–18	2	3.82	.67	4.49
4.00–18	4	4.31	.67	4.98
4.50–18	2	4.25	.67	4.92
4.50–18	4	4.67	.67	5.34
5.00–16	4	4.79	.71	5.50

9. INDUSTRIAL & WHEELBARROW PNEUMATIC

Size	Ply	Tire
Single tube		
5 x 1.75	2	$1.25
6 x 2.00	2	1.29
6 x 2.00	4	1.80
8 x 2.00	2	1.34
8 x 2.00	4	1.94
10 x 2.00	2	1.45
12 x 2.00	2	1.58
8 x 2.50	4	2.05
10 x 2.50	2	1.45
10 x 3.00	2	1.72
10 x 3.00	4	2.33
12 x 3.00	2	2.00
12 x 3.00	4	2.84
11 x 3.25	4	2.48
12 x 3.50	2	2.21
12 x 3.50	4	2.80
13 x 4.00	4	3.11
14 x 4.00	2	2.69
14 x 4.00	4	3.24
16 x 4.00	2	3.00
16 x 4.00	4	3.47
18 x 4.00	2	3.68
18 x 4.00	4	4.16
20 x 4.00	2	4.10
20 x 4.00	4	4.65
15 x 4.50	4	3.45
10 x 2.75	[3]2	.82
10 x 2.75	[3]2	1.05
16 x 2.00	2	1.32
16 x 4.00	2	2.88
16 x 4.00	4	3.35
16 x 4.00	[1]2	3.89
16 x 4.00	[1]4	4.19

[1] Sealomatic. [2] Plain base. [3] Lug base.

Size	Ply	Tire	Tube	Assembly
Straight side				
2.50–4	2	$1.24	$0.40	$1.64
2.50–4	4	1.66	.40	2.06
3.00–5	2	1.37	.42	1.79
3.00–5	4	1.81	.42	2.23
3.00–7	2	1.53	.44	1.97
3.00–7	4	2.11	.44	2.55
3.00–8	4	2.31	.42	2.73
3.50–5	2	1.69	.44	2.13
3.50–6	2	1.77	.44	2.21
3.50–6	4	2.37	.44	2.81
3.50–7	2	2.02	.46	2.48
4.00–4	4	2.23	.71	2.93
4.00–4	6	3.56	.71	4.27
4.00–7	2	2.16	.53	2.69
4.00–7	4	2.72	.53	3.25
4.00–8	[2]2	2.42	.59	3.01
4.00–8	[4]4	2.88	.59	3.47
4.00–8	4	3.35	.76	4.11
4.00–8	6	4.07	.76	4.83
4.00–9	2	2.05	.63	2.69
4.00–12	4	3.47	.65	4.12
4.00–12	6	4.16	.65	4.81
4.25–12	4	3.41	.65	4.06
4.50–7	2	2.44	.57	3.01
4.50–7	4	2.90	.57	3.47
4.50–12	4	3.74	1.00	7.74
4.50–12	8	5.01	1.00	9.01

[4] Stud & S6.

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

9. INDUSTRIAL & WHEELBARROW PNEUMATIC—con.

Size	Ply	Tire	Tube	Assembly
Straight side—Con.				
4.00–4	2	$2.10	$0.41	$2.51
4.00–4	[5]4	3.52	.41	3.93
4.00–4	[6]6	3.86	.41	4.27
5.00–4	4	8.69	2.50	11.19
6.00–9	4	7.73	1.00	8.73
6.00–9	6	9.16	1.00	10.16
6.00–9	8	10.62	1.00	11.62
6.00–9	10	12.71	1.00	13.71
7.50–10	4	12.94	1.41	14.35
7.50–10	6	15.04	1.41	16.45
7.50–10	10	19.46	1.28	20.74
7.50–10	16	35.92	1.28	37.20
9.00–10	10	29.46	2.74	32.20
4.00–8	[5]2	2.28	.60	2.88
4.00–8	[5]4	2.70	.60	3.30
20 x 4	4	3.42	.69	4.11
26 x 4	2	3.65	.69	4.44
30 x 3½	4	3.26	.60	3.86
7.50–15	6	9.08	1.26	10.34
Hand lawn mower pneumatic				
10.50 x 1.75		.75		
12½ x 3	4	[7]11.88		
5.00–6 (13 x 5)	4	[7]13.45		

[5] Wheelbarrow.
[6] Compression tire—airless.
[7] RNS tread.

10. SOLID AND CUSHION TIRES

Size	Tire	Size	Tire
Molded on wheels—solid tire		*Molded on wheels—solid tire*	
4 x 1½	$0.64	16 x 3	$3.09
5 x 1½	.70	18 x 3	3.49
6 x 1½	.79	20 x 3	3.81
6 x 1¾	.88	24 x 3	4.49
7 x 1¾	.96	12 x 3½	2.36
7½ x 1¾	1.09	18 x 3½	4.10
5 x 1¾	.79	28 x 3½	6.20
6 x 1¾	.88	5½ x 4	2.13
5 x 2	.83	6 x 4	1.93
6 x 2	.98	6½ x 4	2.42
7 x 2	1.05	7 x 4	2.05
8 x 2	1.16	8½ x 4	2.98
9 x 2	1.31	9 x 4	2.34
12 x 2	1.79	10 x 4	2.79
4 x 2¼	1.05	11 x 4	3.00
6 x 2¼	1.10	12 x 4	3.06
7 x 2¼	1.18	14 x 4	3.29
4 x 2½	1.16	16 x 4	3.90
5 x 2½	1.18	24 x 4	5.47
6 x 2½	1.30	28 x 4	6.74
7 x 2½	1.30	5½ x 4½	2.26
8 x 2½	1.37	6 x 4½	2.68
9 x 2½	1.70	6½ x 4½	2.69
10 x 2½	1.64	8 x 4½	3.00
11 x 2½	1.76	6 x 5	2.90
13 x 2½	1.91	6½ x 5	3.30
14 x 2½	2.42	7 x 5	3.79
16 x 2½	2.66	9 x 5	3.99
18 x 2½	3.06	8½ x 5	2.76
6 x 2¾	1.31	10 x 5	3.73
7 x 2¾	1.40	11 x 5	3.97
10 x 2¾	1.69	12 x 5	4.14
5 x 2¾	1.32	14 x 5	4.52
6 x 2¾	1.37	16 x 5	4.44
6 x 3	1.32	18 x 5	4.67
7 x 3	1.40	20 x 5	4.26
8 x 3	1.59	6 x 6	3.78
9 x 3	1.66	7 x 6	5.97
10 x 3	1.68	9 x 6	4.33
11 x 3	2.00	10 x 6	4.38
12 x 3	2.15	11 x 6	4.83
14 x 3	2.64	14 x 6	5.83

Size	Type	Tire
Solid industrial tires pressed on type		
9 x 2¼ x 6	FB	$5.26
11 x 2½ x 8	FB	5.63
32 x 2½ x 26	CB	11.74
34 x 2½ x 30	CB	12.17
44 x 2½ x 40	CB	15.30
9 x 3 x 6	FB	5.46
10 x 3 x 6¼	FB	5.62
15 x 3 x 11¼	FB	8.31

[1] Semi Pneuf.
[2] Dem A.
[3] RMC Low.

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

10. SOLID AND CUSHION TIRES—continued

Size	Type	Tire
16 x 3 x 12	FB	$6.83
16 x 3 x 12½	FB	6.68
18 x 3 x 14	FB	6.97
20 x 3 x 16	FB	7.68
24 x 3 x 20	CB & FB	8.18
32 x 3 x 26	CB	10.59
10 x 3½ x 6	FB	6.45
12 x 3½ x 8	CB & FB	6.58
14 x 3½ x 10	CB	7.03
15 x 3½ x 11¼	FB	7.01
16 x 3½ x 12	FB	7.34
16 x 3½ x 12½	CB & FB	6.91
20 x 3½ x 15	FB	9.98
20 x 3½ x 16	FB	8.19
20½ x 3½ x 6¾	FB	8.69
22 x 3¼ x 17¾	FB	9.01
22 x 3½ x 17¾	CB	10.61
24 x 3½ x 18	FB	11.42
24 x 3½ x 20	CB & FB	9.66
24 x 3½ x 20		[1] 10.10
24 x 3½		[2] 10.35
25 x 3½ x 18	CB	[3] 9.16
25 x 3½ x 18	CB	[4] 10.41
27 x 3½ x 23½	FB	10.59
28 x 3½ x 22		12.78
28 x 3½ x 24	FB	9.47
30 x 3½		14.59
30 x 3½ x 23	CB	16.19
8½ x 4 x 4	FB	5.85
10 x 4 x 5⅞	FB	7.15
10 x 4 x 6½	FB	6.88
12 x 4 x 8	FB	7.37
14 x 4 x 10	FB	8.15
15 x 4 x 11¼	FB	8.19
16 x 4 x 12	FB	8.20
16 x 4 x 12½	CB & FB	8.33
18 x 4 x 14	FB	9.39
20 x 4 x 16	FB	9.75
22 x 4 x 17¾	FB	10.96
24 x 4 x 20	FB	11.04
28 x 4 x 23½	CB	12.05
32 x 4 x 28	CB	14.57
34 x 4 x 30	CB	15.13
27¾ x 4¼ x 23½	FB	14.06
16 x 4½ x 12	FB	9.73
22 x 4½ x 17¾	FB	12.11
9 x 5 x 5	FB	8.56
10 x 5 x 6½	FB	8.61
10½ x 5 x 6½	FB	8.25
15 x 5 x 11¼	FB	9.17
17 x 5 x 12½	CB & FB	10.09
18 x 5 x 14	FB	10.28
20 x 5 x 16	FB	11.40
21 x 5 x 15	CB & FB	[1] 13.35
21 x 5 x 15½	FB	13.39
24 x 5 x 18	FB	13.93
24 x 5 x 20	CB & FB	14.40
29 x 5 x 23½	CB	16.98
32 x 5 x 28	CB	17.71
10 x 6 x 6½	FB	9.49
10½ x 6 x 6½	FB	9.66
15 x 6 x 11¼	FB	12.06
17 x 6 x 12½	FB	13.02
20 x 6 x 16	FB	14.82
22 x 6 x 17¾	FB	15.10
10 x 7 x 6¼	FB	9.75
10½ x 7 x 6½	FB	9.90
12 x 7 x 8	FB	11.85
15 x 7 x 11¾	FB	14.40
18 x 7 x 14	FB	16.75
20 x 7 x 16	FB	17.57
22 x 7 x 17¾	FB	15.50
24 x 7 x 18½	FB	23.33
24 x 7 x 20	FB	18.20
28 x 7 x 22	CB	34.68
28 x 7 x 23½	CB	20.98
15 x 8 x 11¼	CB & FB	16.34
20 x 8 x 16	CB & FB	19.56
22 x 8 x 17¾	FB	25.97
28 x 8 x 22	CB	40.93
15 x 9 x 11¼	CB & FB	18.87
20 x 9 x 14	FB	35.49
20 x 9 x 16	CB & FB	24.34
15 x 10 x 11¼	CB & FB	23.26
20 x 10 x 16	CB & FB	30.08
22 x 10 x 16	CB & FB	47.79
22 x 10 x 17¾	CB	35.43
28 x 10 x 20		50.87
28 x 10 x 22	CB	52.93
22 x 12 x 16	CB & FB	54.49
18 x 12 x 14	FB	29.45
28 x 12 x 22	CB	63.98
18 x 14 x 14	FB	40.32
22 x 14 x 16	CB & FB	61.05
28 x 14 x 22	CB	76.09
22 x 16 x 16	CB	74.05
28 x 16 x 22	CB	94.92
22 x 18 x 16	CB	92.03
27 x 3½	FB	7.67
21 x 5	FB & CB	[5] 16.66
21 x 6		[6] 19.96

[1] Semi Pneuf.
[2] Dem A.
[3] RMC Low.
[4] RMC High.
[5] Zero pressure.

TABLE I—NATURAL RUBBER TIRES, TUBES AND FLAPS—Continued

10. SOLID AND CUSHION TIRES—continued

Size	Tire
Solid Truck Tire:	
32 x 3	$10.80
32 x 4	20.20
34 x 4	21.94
36 x 4	25.03
32 x 5	27.13
34 x 5	29.01
36 x 5	30.59
40 x 5	33.74
36 x 6	36.98
40 x 6	40.82
36 x 7	46.37
40 x 7	50.33
34 x 8	50.35
36 x 8	52.74
40 x 8	57.05
36 x 10	67.59
40 x 10	74.05
36 x 12	84.43
40 x 12	92.58
40 x 14	113.35
40 x 16	154.86
Tractor-Trailer:	
28 x 10	52.03
28 x 12	63.08
28 x 14	76.09

Size	Tire
Lug Base Industrial Cushion:	
6 x 2.00	$0.90
8 x 2.00	1.11
10 x 2.00	1.47
12 x 2.00	1.61
16 x 2.00	1.99
8 x 2.50	1.53
10 x 2.75	1.99
12 x 3.00	2.89
Zero Pressure:	
6 x 2.00	.81
8 x 2.00	1.00
10 x 2.00	1.35
12 x 2.00	1.46
16 x 2.00	1.71
8 x 2.50	1.44
10 x 2.75	1.73
12 x 3.00	2.64
16 x 4.00	4.34
Lug Base Mower Service:	
6 x 2.00	.62
10 x 2.00	.64
8 x 2.50	1.00
10.50 x 1.75	.55

11. INDUSTRIAL

Size	Tire
Bogies:	
12 x 4½	$6.27
14 x 4½	8.20
10½ x 7 x 6½	15.90
Bogies—Con.	
18 x 7 x 14	$23.40
20 x 6 x 16	21.20
20 x 9 x 16	26.00

12. INNER TUBES

Size	Tire
Dual Tubes:	
Passenger Car:	
6.00-16	$3.78
6.50-15	4.06
6.25/6.50-16	4.06
7.00-15	4.56
7.00-16	4.56
7.50-16	5.02
Motorcycle:	
4.00/4.50-18	3.09
5.00-16	3.53
Puncture Proof and Puncture Sealing:	
Passenger Car:	
5.50-16	4.13
5.50-16	4.71
6.00-16	4.27
6.00-18	4.85
6.25-16	4.73
6.50-15	4.97
6.50-16	5.09
6.25/6.50-16	5.09
7.00-15	5.26
7.00-16	5.53
7.50-16	6.05
Truck and Bus:	
5.50-20/6.00-20/30 x 5	5.61
6.50-16	5.09
6.50-20/32 x 6	5.97
7.00-15	5.32
7.00-16	5.53
7.00-17	5.86
7.00-20/32 x 6	6.04
Comm. 15	5.26
7.50-16	6.05
7.50-17	6.49
7.50-20/34 x 7	8.24
7.50-15	5.65
7.50-18	6.86
7.50-24/38 x 7	9.67
8.25-18	9.04
8.25-20	9.70
9.00-18	10.26
9.00-18	10.90
9.00-20/36 x 8	11.27
9.00-22	12.29
9.00-24/40 x 8	13.28
10.00-18	12.62
9.75-20/10.00-20/38 x 9	12.89
9.75-22/10.00-22	13.69
9.75-24/10.00-24/42 x 9	14.47
10.50-20/11.00-20/40 x 10	14.76
11.00-22	15.36

Size	Tire
Puncture Proof and Puncture Sealing—Con.	
Truck and Bus—Continued.	
10.50-24/11.00-24/44 x 10	$15.76
12.00-20	15.98
12.00-24	17.70
Farm Tractor, Implement and Industrial Tubes:	
4.00-12	1.93
4.00-15	3.37
5.00-15	3.79
5.50-16	4.12
6.00-9	2.61
6.50-20/7.00-20	5.06
7.00-24	7.33
7.50/8.25-24	8.72
8.25-24	11.20
9.00-10	5.79
9.00-24	11.25
9.75-24	12.44
10.00-24	12.44
10.50-24	13.79
11.00-24	15.44
11.25-24	15.44
12.00-24	15.44
12.75-20	15.03
12.75-24	17.07
12.75-28	19.50
13.00-24	17.07
13.50-20	15.03
13.50-24	17.07
13.50-28	19.50
14.00-24	17.07
8-24	8.47
9-24	9.61
Bullet Sealing Tubes:	
5.50-16	10.98
5.50-18	11.52
6.00-16	11.75
6.00-20	13.13
7.00-20 (32 x 6)	14.03
7.50-16	15.55
7.50-17	16.17
7.50-20 (34 x 7)	17.63
7.50-24 (38 x 7)	19.75
8.25-20	18.98
9.00-20 (36 x 8)	22.95
10.00-22	24.14
11.00-20	24.00
13.00-24	30.77
14.00-20	38.43
14.00-24	40.53

TABLE II—SYNTHETIC RUBBER TIRES, TUBES AND FLAPS

1. PASSENGER CAR

Size	Ply	Tire	Tube	Assembly
Regular tread				
5.50-16	4	$6.55	$1.32	$7.87
5.50-16	6	7.83	1.32	9.15
6.00-16	4	7.94	1.58	9.52
6.00-16	6	9.38	1.58	10.96
6.25/6.50-16	4	9.18	1.85	11.03
6.25/6.50-16	6	11.04	1.85	12.89
6.50-15	4	9.07	1.74	10.81
6.50-15	6	11.04	1.74	12.78
7.00-15	4	10.51	1.81	12.32
7.00-15	6	11.89	1.81	13.70
7.00-16	4	10.93	1.66	12.61
7.00-16	6	12.72	1.66	14.69
7.50-15	4	12.80	2.29	15.09
7.50-15	6	15.10	2.29	17.39
7.50-16	6	15.49	2.36	17.85

Special Tread, Mud-and-Snow: Mud-and-Snow Tread prices same as regular tread for synthetic tires.

2. TRUCK AND BUS

Size	Ply	Tire	Tube	Flap[1]	Assembly
Regular tread					
6.00-16	6	$11.09	$1.58		$12.67
6.00-17	6	10.96	1.67	$0.29	12.92
6.00-20	6	11.58	1.79	.30	13.67
6.00-20/30 x 5	8	15.48	1.79	.30	17.57
6.50-10	6	15.46	1.20		16.66
6.50-16	6	13.24	1.85		15.09
6.50-17	8	15.11	1.80	.29	17.20
6.50-20	6	16.00	1.91	.30	18.21
6.50-20/32 x 6	8	19.00	1.91	.30	21.21
7.00-15	6	13.38	1.81		15.09
7.00-15	8	15.45	1.81		17.26
7.00-16	6	13.80	1.64		15.08
7.00-17	6	16.21	1.90	.29	18.40
7.00-17	8	19.70	1.90	.29	21.89
7.00-18	8	20.35	2.30	.33	22.98
7.00-20	8	20.59	2.36	.35	23.30
7.00-20/32 x 6	10	26.23	2.36	.35	28.96
7.50-16	6	16.43	2.36		18.79
7.50-16	[2] 6	17.42	2.36		19.78
7.50-16	8	18.42	2.36		20.78
7.50-16	[2] 8	19.51	2.36		21.87
7.50-17	8	20.70	1.90	.29	22.89
7.50-18	8	25.87	3.03	.41	28.31
7.50-20	8	24.83	3.19	.45	28.47
7.50-20	[2] 8	26.33	3.19	.45	29.97
7.50-20/34 x 7	10	32.50	3.19	.45	36.14
7.50-20/34 x 7	12	37.86	3.19	.45	41.50
7.50-24	8	26.17	3.74	.55	30.46
7.50-24/38 x 7	10	37.00	3.74	.55	41.29
8.25-18	10	32.94	3.10	.41	36.45
8.25-20	10	36.33	3.43	.45	40.20
8.25-20	12	40.23	3.43	.45	44.11
8.25-24	10	42.20	3.85	.55	46.60
9.00-13	6	17.94	2.55		20.49
9.00-13	8	19.02	2.55		21.57
9.00-16	8	23.90	3.51	.49	27.90
9.00-16	[2] 8	35.47	3.51	.49	39.47
9.00-16	10	39.03	3.51	.49	43.03
9.00-18	10	38.94	3.75	.53	43.22
9.00-20	10	40.53	4.07	.58	45.18
9.00-20/36x8	12	46.03	4.07	.58	51.28
9.00-22	10	42.07	4.16	.63	46.86
9.00-24	10	45.67	4.53	.68	50.88
9.00-24/40x8	12	53.46	4.53	.68	58.67
10.00-18	12	55.30	4.67	.78	60.75
10.00-20	12	55.59	4.84	.86	61.29
10.00-22	12	56.86	5.26	.93	63.07
10.00-24	12	61.67	5.62	1.00	68.29
10.00-24/42 x 9	14	80.75	5.62	1.00	87.37
10.50-16	8	49.17	5.26	.49	54.92
10.50-16	10	54.06	5.26	.49	59.81
10.50-16	12	58.97	5.26	.49	64.72
11.00-18	12	62.08	5.27	.78	68.13
11.00-20	12	62.21	5.75	.56	68.52
11.00-20	14	72.55	5.75	.86	79.16
11.00-22	12	66.35	6.16	.93	73.44
11.00-24	12	70.41	6.49	1.00	77.90
11.00-24	14	82.11	6.49	1.00	89.60
12.00-20	14	82.75	8.28	.86	91.89
12.00-22	14	88.54	9.38	.93	99.15
12.00-24	14	97.87	9.10	1.00	107.97
12.00-24/44x10	16	111.89	9.10	1.00	121.99
13.00-20	10	115.72	11.11	.86	125.69
13.00-24	10	123.91	12.21	1.00	137.12
14.00-20	16	129.66	12.75	1.00	143.41
14.00-20	20	151.73	12.75	1.00	165.48
14.00-24	16	139.77	13.67	1.17	154.61
14.00-24	20	159.13	13.67	1.17	173.97

[1] On items where no separate prices are set forth for flaps, the prices set forth for tires apply to tires including flaps in all cases where tire flaps would be delivered with the tires under normal business practice.
[2] Two caps.

TABLE II—SYNTHETIC RUBBER TIRES, TUBES AND FLAPS—Continued

2. TRUCK AND BUS—continued

Size	Ply	Tire	Tube	Flap	Assembly
Trailer service—low platform					
7.50–15	8	$24.18	$2.67	$0.40	$27.25
7.50–15	10	26.40	2.67	.40	29.47
7.50–15	12	31.48	2.67	.40	34.55
7.50–18/32 x 7	10	37.87	3.03	.41	41.31
7.50–18/32 x 7	12	42.43	3.03	.41	46.87
7.50–18/32 x 7	14	48.49	3.03	.41	52.90
8.25–15	10	23.90	2.91	.46	26.27
8.25–15	12	37.64	2.91	.40	40.95
8.25–15	14	41.74	2.91	.40	45.05
9.00–15	10	39.38	3.63	.48	43.51
9.00–15	12	44.54	3.63	.48	48.67
10.00–15	10	46.58	4.51	.65	51.09
10.00–15	12	54.64	4.51	.65	59.80
10.00–15	14	61.53	4.51	.65	66.69
10.00–15	20	87.63	4.51	.65	92.79
Desert type					
9.00–13	4	15.95	2.55	-------	18.50
9.00–13	6	17.94	2.55	-------	20.49
10.50–16	8	49.17	5.25	.49	54.91
10.50–16	10	54.05	5.25	.49	59.81
11.00–18	10	59.45	5.27	-------	64.72
13.50/14.00–20	8	97.59	13.75	1.00	111.34
13.50/14.00–20	8	109.88	12.75	1.00	123.63
13.50/14.00–20	12	122.18	12.75	1.00	135.93
Combat					
6.00–16	-----	19.46	1.17	-------	20.63
6.00–20	-----	32.15	1.49	-------	33.64
8.00–16	-----	37.66	1.89	-------	39.55
8.25–20	-----	74.36	3.20	-------	77.56
9.00–16	-----	81.19	3.43	-------	84.84
9.00–20	-----	84.06	3.71	-------	87.79

Special Tread, Mud-and-Snow: Mud-and-Snow Tread prices same as regular tread for synthetic tires.

3. GRADER

Size	Ply	Tire	Tube	Flap	Assembly
For flat base rims:					
6.00–20	6	$11.75	$1.79	$0.30	$13.84
6.50–20	8	19.43	1.81	.30	21.64
7.00–20	8	22.02	2.36	.35	24.73
7.00–20/32 x 6	10	24.89	2.36	.25	27.50
7.00–24	10	26.53	2.84	.40	29.77
7.50–15	4	12.34	1.39	-------	14.53
7.50–24	10	31.36	3.74	.55	35.67
8.25–20	10	30.17	3.43	.45	34.05
8.25–24	10	38.46	3.85	.55	43.06
9.00–24	10	45.67	4.53	.68	50.88
9.00–24	12	52.12	4.53	.68	57.33
10.00–24	10	51.47	5.62	1.00	58.09

Size	Ply	Tire	Tube	Assembly
For drop center rim				
9.00–24	8	$32.28	$4.32	$36.60
9.00–24	10	40.40	4.52	44.92
10.00–24	8	42.70	4.80	47.50
11.00–24	8	47.24	5.10	52.34
12.00–24	8	39.78	5.34	44.12
12.00–24	8	51.34	5.34	56.68
12.00–24	10	55.24	5.34	60.58
12.00–28	8	44.06	5.05	49.13
13.00–20	8	54.92	5.62	61.54
13.00–20	10	59.97	5.62	65.59
13.00–24	8	46.17	6.96	53.13
13.00–24	8	58.03	6.96	64.99
13.00–24	10	62.29	6.96	69.24
13.00–28	8	52.50	7.98	60.48
13.00–32	8	72.15	8.96	81.11
14.00–20	10	79.67	6.49	86.16
14.00–20	12	90.53	6.49	97.02
14.00–24	8	81.80	7.03	88.83
14.00–24	10	84.50	7.03	91.53
14.00–28	8	73.01	7.98	80.99
14.00–32	8	77.36	8.96	86.34

4. FARM TRACTOR

TABLE II—SYNTHETIC RUBBER TIRES, TUBES AND FLAPS—Continued

3. AGRICULTURAL

Size	Ply	Tire	Tube	Assembly
Farm tractor				
Fronts				
4.00–15	4	$4.85	$1.16	$6.01
4.00–19	4	5.51	1.46	6.97
5.00–15	4	5.98	1.34	7.32
5.50–16	4	6.92	1.36	8.28
6.00–12	6	9.88	1.27	11.15
6.00–16	4	7.44	1.57	9.01
6.00–16	6	8.92	1.57	10.49
7.50–10	8	10.35	1.32	11.67
7.50–16	4	10.93	1.72	12.65
7.50–18	4	12.15	1.88	14.03
7.50–18	6	13.15	1.88	15.03
7.50–20	6	13.87	1.96	15.83
9.00–10	8	22.40	2.82	25.22
Rear				
9–24	4	19.53	3.39	22.72
9–32	4	25.31	4.62	29.93
9–36	4	27.31	4.66	32.07
10–28	4	28.15	4.31	32.46
10–38	4	33.03	5.17	38.20
10–38	6	37.75	5.17	42.92
11–26	4	27.98	4.89	32.85
11–28	4	32.63	5.05	37.68
11–28	6	39.87	5.05	44.92
11–38	6	49.20	5.23	54.73
12–38	6	53.35	5.40	59.75
13–26	6	44.98	6.31	51.19
13–40	6	67.43	5.96	73.39
14–30	6	65.68	7.72	73.40
15–30	6	63.47	9.31	72.78
15–38	8	79.68	9.31	88.99
Farm implement				
4.00–9	4	4.57	.78	5.35
4.00–12	4	4.63	.86	5.49
4.00–18	4	4.68	1.10	5.78
5.00–16	4	5.72	1.25	6.97
5.50–16	4	5.64	1.32	6.96
5.50–16	6	7.55	1.33	8.88
6.00–9	4	8.80	1.44	10.24
6.00–16	4	5.86	1.28	7.14
6.00–16	6	7.21	1.58	8.79
6.50–16	4	5.81	1.67	7.48
6.50–16	6	6.83	1.67	8.50
6.50–16	8	8.77	1.67	10.44
7.50–16	6	9.71	1.72	11.43
7.50–16	8	10.85	1.72	12.60
7.50–18	6	10.50	1.88	12.38
7.50–24	4	13.70	3.00	16.70
9.00–24	6	22.07	5.29	27.36
9.00–24	8	25.04	5.29	30.33
9.00–30	6	30.51	6.69	37.31
11.25–24	8	34.39	5.39	39.78
12.75–32	8	53.17	8.57	61.74

6. MOTORCYCLE

3.50–18	4	$4.43	$1.00	$5.07
4.00–18	2	4.80	1.14	5.94
4.00–18	4	5.27	1.14	6.41
4.50–18	2	5.20	1.14	6.34
4.50–18	4	5.71	1.14	6.85
5.00–16	4	5.86	1.21	7.07

This regulation shall become effective April 18, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5256; Filed, April 13, 1944; 11:55 a. m.]

TABLE A—MARK-UP FIGURES TO BE USED BY WHOLESALERS IN FIGURING CEILING PRICES FOR ITEMS COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Figures to be multiplied by net cost			
	Class 1—Retailer-owned cooperatives	Class 2—Cash and carry	Class 3—Service and delivery	Class 4—Institutional
5. Corn meal and hominy	1.051	1.054	1.12	1.165

1316—COTTON TEXTILES

[RPS 35, Amdt. 19]

CARDED GREY AND COLORED-YARN COTTON GOODS

Correction

In F.R. Doc. 44-4188, appearing on page 3339 of the issue for Tuesday, March 28, 1944, the third description of length of denim and price quoted in the fourth paragraph of the footnote to Table IV should read "10 to 24.99 yards, 1 cent."

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[1] Corr. to Amdt. 7]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

In Item 3 of Amendment 7 to MPR 285, the reference to § 1351.1254 (a) is corrected to read § 1351.1254a (a).

This correction shall be effective as of March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5261; Filed, April 13, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[2] Amdt. 9]

CORN MEAL AND HOMINY SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 421 is amended in the following respect:

In section 32 (a) item 6, "Corn meal and hominy", is amended to read as follows:

TABLE II—SYNTHETIC RUBBER TIRES, TUBES AND FLAPS—Continued

2. TRUCK AND BUS—continued

Size	Ply	Tire	Tube	Flap	Assembly
Trailer service—low platform					
7.50–15	8	$34.18	$2.67	$0.40	$37.25
7.50–15	10	36.40	2.67	.40	39.47
7.50–15	12	31.48	2.67	.40	34.55
7.50–18/32 x 7	10	37.87	3.03	.41	41.31
7.50–18/32 x 7	12	42.43	3.03	.41	45.87
7.50–18/32 x 7	14	46.49	3.03	.41	49.93
8.25–15	10	33.96	2.91	.40	37.27
8.25–15	12	37.64	2.91	.40	40.95
8.25–15	14	41.74	2.91	.40	45.05
9.00–15	10	39.76	3.65	.45	43.51
9.00–15	12	44.54	3.65	.45	48.67
10.00–15	10	46.54	4.51	.65	51.69
10.00–15	12	54.64	4.51	.65	59.80
10.00–15	14	61.53	4.51	.65	66.69
10.00–15	20	87.63	4.51	.65	92.79
Desert type					
9.00–13	4	15.95	2.55	------	18.50
9.00–13	6	17.94	2.55	------	20.49
10.50–16	8	49.17	5.26	.49	54.92
10.50–16	10	54.06	5.26	.49	59.81
11.00–18	10	59.45	5.27	------	64.72
13.50/14.00–20	8	97.50	12.75	1.00	111.34
13.50/14.00–20	8	109.88	12.75	1.00	123.63
13.50/14.00–20	12	122.19	12.75	1.00	135.93
Combat					
6.00–16	------	19.46	1.17	------	20.63
6.00–20	------	32.15	1.49	------	33.64
8.00–16	------	37.66	1.29	------	39.95
8.25–20	------	74.36	3.20	------	77.56
9.00–16	------	61.19	3.65	------	64.84
9.00–20	------	84.08	3.71	------	87.79

Special Tread, Mud-and-Snow: Mud-and-Snow Tread prices same as regular tread for synthetic tires.

3. GRADER

Size	Ply	Tire	Tube	Flap	Assembly
For flat base rims:					
6.00–20	6	$111.75	$1.79	$0.30	$113.84
6.50–20	8	19.45	1.91	.30	21.64
7.00–20	8	22.02	2.36	.35	24.73
7.00–20/32 x 6	10	24.80	2.36	.35	27.50
7.00–24	10	26.53	2.84	.40	29.77
7.50–18	6	12.24	1.29	------	14.53
7.50–24	10	31.26	3.74	.55	35.47
8.25–20	10	30.17	3.43	.45	34.05
8.25–24	10	30.48	3.55	.55	34.58
9.00–24	10	45.67	4.53	.68	50.88
9.00–24	12	52.13	4.53	.68	57.34
10.00–24	10	51.47	5.62	1.00	58.09

Size	Ply	Tire	Tube	Assembly
For drop center rim				
9.00–24	8	$32.28	$4.52	$36.80
9.00–24	10	40.40	4.52	44.92
10.00–24	8	42.89	4.80	47.69
11.00–24	8	47.24	5.10	52.34
12.00–24	8	38.76	5.24	44.12
12.00–24	8	51.34	5.24	56.68
12.00–24	10	55.24	5.24	60.58
12.00–28	8	44.06	6.03	50.13
13.00–20	8	56.92	6.62	63.64
13.00–20	10	68.67	6.62	75.39
13.00–24	6	46.17	6.96	53.13
13.00–24	8	58.06	6.96	64.95
13.00–24	10	62.28	6.96	69.24
13.00–28	8	52.50	7.98	60.48
12.00–32	8	72.15	8.96	81.11
14.00–20	10	76.67	8.49	85.16
14.00–20	12	80.52	8.49	97.02
14.00–24	8	61.80	7.03	68.83
14.00–24	10	84.50	7.03	91.53
14.00–28	8	73.01	7.98	80.99
14.00–32	8	77.36	8.96	86.34

4. SWAMP BUGGY

14.00–24	8	$75.42	$7.46	$82.88

TABLE II—SYNTHETIC RUBBER TIRES, TUBES AND FLAPS—Continued

5. AGRICULTURAL

Size	Ply	Tire	Tube	Assembly
Farm tractor				
Fronts				
4.00–15	4	$4.85	$1.16	$6.01
4.00–19	4	5.51	1.40	6.97
5.00–15	4	6.08	1.24	7.32
5.50–16	4	6.92	1.36	8.28
6.00–12	6	9.88	1.27	11.15
6.00–16	4	7.44	1.57	9.01
6.00–16	6	8.92	1.57	10.49
7.50–10	6	10.25	1.33	11.67
7.50–16	4	10.03	1.73	12.65
7.50–18	4	12.15	1.88	14.03
7.50–18	6	13.15	1.88	15.03
7.50–20	6	13.87	1.96	15.83
9.00–10	8	22.40	2.82	25.22
Rear				
9–24	4	19.83	2.89	22.72
9–32	4	25.31	4.62	29.93
9–36	4	27.21	4.86	32.07
10–28	4	28.15	4.31	32.46
10–38	4	33.03	5.17	38.20
10–38	6	37.75	5.17	42.92
11–28	4	27.98	4.89	32.85
11–28	4	22.63	5.03	27.66
11–28	6	39.87	5.03	44.92
11–38	6	49.30	5.23	54.73
12–38	6	57.30	6.40	63.70
13–36	6	44.88	6.31	51.19
13–40	6	67.43	5.96	73.39
14–30	6	55.68	7.72	63.40
15–30	6	65.47	9.31	72.78
18–30	6	79.68	9.31	88.99
Farm implement				
4.00–9	4	4.57	.78	5.35
4.00–12	4	4.63	.86	5.49
4.00–18	4	4.68	1.10	5.78
5.00–16	4	5.72	1.25	6.97
5.50–16	4	5.64	1.32	6.96
5.50–16	6	7.55	1.32	8.88
6.00–9	4	8.80	1.44	10.24
6.00–16	4	5.86	1.28	7.14
6.00–16	6	7.21	1.58	8.79
6.50–16	4	5.81	1.67	7.48
6.50–16	6	6.83	1.67	8.50
6.50–16	8	8.77	1.67	10.44
7.50–16	6	9.71	1.72	11.43
7.50–16	8	10.88	1.72	12.60
7.50–18	6	10.50	1.88	12.38
7.50–24	4	11.70	3.00	14.70
9.00–24	6	22.07	5.29	27.36
9.00–24	8	25.04	5.30	30.33
9.00–30	6	30.51	6.60	37.11
11.25–24	8	34.29	5.30	39.78
12.75–32	8	55.17	6.57	61.74

6. MOTORCYCLE

3.50–19	4	$4.48	$1.09	$5.57
4.00–18	2	4.80	1.14	5.94
4.00–18	4	5.27	1.14	6.41
4.50–18	3	5.20	1.14	6.34
4.50–18	4	5.71	1.14	6.85
5.00–16	4	5.88	1.21	7.07

This regulation shall become effective April 18, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5258; Filed, April 13, 1944; 11:55 a. m.]

1316—COTTON TEXTILES

[RPS 35, Amdt. 19]

CARDED GREY AND COLORED-YARN COTTON GOODS

Correction

In F.R. Doc. 44–4188, appearing on page 3339 of the issue for Tuesday, March 28, 1944, the third description of length of denim and price quoted in the fourth paragraph of the footnote to Table IV should read "10 to 24.99 yards, 1 cent."

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[1] Corr. to Amdt. 7]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

In Item 3 of Amendment 7 to MPR 285, the reference to § 1351.1254 (a) is corrected to read § 1351.1254a (a).

This correction shall be effective as of March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5261; Filed, April 13, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[2] Amdt. 9]

CORN MEAL AND HOMINY SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 421 is amended in the following respect:

In section 32 (a) item 6, "Corn meal and hominy", is amended to read as follows:

TABLE A—MARK-UP FIGURES TO BE USED BY WHOLESALERS IN FIGURING CEILING PRICES FOR ITEMS COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Figures to be multiplied by net cost			
	Class 1—Retailer-owned cooperatives	Class 2—Cash and carry	Class 3—Service and delivery	Class 4—Institutional
6. Corn meal and hominy	1.083	1.083	1.12	1.165

[1] 8 F.R. 3050, 10059, 10629; 9 F.R. 210, 1121, 3038.
[2] 8 F.R. 9368, 10569, 10967, 13263, 15250, 15607, 17367, 17368; 9 F.R. 2562, 3647.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5265; Filed, April 13, 1944; 12:00 m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 14]

CORN MEAL AND HOMINY; CEILING PRICES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respect:

In section 38 (a) item 6, "Corn meal and hominy," is amended to read as follows:

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over net cost	
	Group 3—Retailer other than independent, with annual volume under $250,000	Group 4—Any retailer with annual volume of $250,000 or more
6. Corn meal and hominy	*Percent* 25	*Percent* 21

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5266; Filed, April 13, 1944; 12:00 m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[2] Amdt. 15]

CORN MEAL AND HOMINY; CEILING PRICES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respect:

In section 27 (a), item 6, "Corn meal and hominy," is amended to read as follows:

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over "net cost"	
	Independent retailers with annual volumes	
	Group 1—under $50,000	Group 2—$50,000 but less than $250,000
6. Corn meal and hominy	*Percent* 29	*Percent* 29

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5267; Filed, April 13, 1944; 12:00 m.]

PART 1356—COOKERS AND HEATERS

[MPR 527]

USED DOMESTIC GAS COOKING RANGES

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generaly fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Numbers 9250 and 9328. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1356.41 *Maximum prices for used domestic gas cooking ranges.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 527 (Used Domestic Gas Cooking Ranges), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1356.41 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9395, 10569, 10967, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17370; 9 F.R. 95.

[2] 8 F.R. 9407, 10570, 10988, 12449, 12611, 13294, 14854, 15587, 15608, 15031, 17371; 9 F.R. 95.

MAXIMUM PRICE REGULATION NO. 527—USED DOMESTIC GAS COOKING RANGES

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SECTION 1. *What articles are covered by this regulation.* This regulation covers sales and purchases of used domestic gas cooking ranges. A used range is one which has been in the possession of an ultimate consumer. For the purpose of this regulation, a domestic gas cooking range (hereafter referred to as a "range") is an integral unit with cooking top and oven, which is commonly used in homes for preparing food with the use of natural, manufactured, or liquefied petroleum gas fuel; and which falls within any of the following classifications customarily recognized by the trade:

(a) *Cooker.* A cooker is a range having the oven under the cooking top, and having no storage compartment or top work surface.

(b) *Console or cabinet.* A console or cabinet is a range having the oven on the side of and usually extending above the level of the cooking top, and having leg supports which are more than four inches high. For the purpose of this regulation, this classification includes any range other than a cooker or bungalow range having legs more than four inches high.

(c) *Table top.* A table top is a range with full porcelain enamel finish, having a flat top, concealed manifold, oven, broiler, and either storage compartment or additional cooking facilities.

(d) *Refrigerator model.* A refrigerator model is a range designed for installation on top of a kitchen cabinet or apartment-size refrigerator, having the oven elevated above or on the side of the cooking top and having no storage compartment.

(e) *Bungalow range.* A bungalow range is a range which has a built-in coal and wood or oil burning unit alongside the gas unit, the gas-fired oven of which does not utilize any of the heat produced in the coal and wood or oil unit.

SEC. 2. *What transactions are covered by this regulation.* This regulation covers all sales and purchases of used do-

mestic gas cooking ranges by any person to any other person, including sales by a consumer who is selling his own range, and sales by dealers and auctioneers.

Regardless of any contract or other obligation, no person shall sell or deliver a used domestic gas cooking range to any other person, and, in the course of trade or business, no person shall buy or accept delivery of a used range, at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Prices lower than the maximum prices may be charged and paid.

SEC. 3. *What persons are covered by this regulation.* This regulation applies to all persons. The word "person" includes: an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any government, or any political sub-division or agency of the foregoing.

SEC. 4. *Relation between this regulation and other regulations.* (a) On and after the effective date of this regulation, the provisions of the General Maximum Price Regulation[1] shall not apply to sales and deliveries for which maximum prices are established by this regulation. However, the registration provision of § 1499.15 of the General Maximum Price Regulation shall apply to every person selling any range covered by this regulation at retail.

(b) The provisions of Maximum Price Regulation No. 429[2] (Certain Used Consumer Durable Goods) apply to sales and deliveries of all gas cooking stoves which are not covered by this regulation.

(c) The maximum price at which a person may sell any used range for export is established by the Second Revised Maximum Export Price Regulation.[3]

SEC. 5. *What prices are established by this regulation.* This regulation divides all ranges, accessories and extra equipment into two major groups based upon condition and serviceability, and establishes different dollars-and-cents maximum prices for each group. These groups are designated "Reconditioned" and "As-is".

(a) *Reconditioned ranges.* As used below in Appendix A and Appendix B, a used range is reconditioned if it meets the following specifications:

(1) All parts must be in proper working condition.

(2) All porcelain enamel surfaces must be reasonably free from chips, dents, or other damage.

(3) All rust must be removed and a rust resistant finish applied.

(4) The entire range must be cleaned and checked throughout. All gas valves must be properly lubricated; all gas leaks must be repaired; all essential parts which are defective or missing must be replaced; insulation must be intact or replaced where necessary; and oven doors and racks must be free from warping or sagging.

(5) Where additions to the price are made for accessories and extra equipment, in accordance with Appendix B, such accessories and extra equipment must be in proper working condition; otherwise no charge may be added.

(6) The entire range, including accessories and extra equipment for which a charge is made, must be guaranteed for a period of 90 days for proper working condition and against defective parts. In the case of consumer to consumer sales, this requirement may be satisfied by giving a written agreement to pay for all repairs needed to fulfill the guarantee.

(b) *"As-is" ranges.* As used below in Appendix A and Appendix B an "as-is" used range is one which does not meet the specifications for a reconditioned range; but, when sold to a consumer, it must be equipped with all parts necessary for preparing food and must have top burners and oven burner in safe working condition. Where additions to the price are made for accessories and extra equipment installed on "as-is" used range in accordance with Appendix B, such accessories and extra equipment must be in proper working condition or repairable.

SEC. 6. *Maximum prices for sales of used domestic gas cooking ranges by all persons*—(a) *Prices set forth in Appendix A.* The maximum prices for sales of used ranges are set forth below in Appendix A.

(b) *Prices set forth in Appendix B.* The maximum prices which may be added to the prices set forth in Appendix A, for the addition of accessories and extra equipment, are set forth below in Appendix B.

(c) *Sales in the western states.* An amount equal to 10% of the prices set forth in Appendix A and Appendix B may be added to those prices for sales in the following states: Arizona, New Mexico, California, Washington, Oregon, Idaho, Nevada, Utah, Colorado, Wyoming, and Montana.

(d) *Prices for special used ranges.* A special used range is one of 1940 or later year model meeting the specifications for a reconditioned range, which, when new, sold at retail for more than $175.00, and which is equipped with a retained heat oven or a built-in deep well cooker. Notwithstanding the prices in Appendix A and Appendix B, the maximum price for a special used range is 75% of the price of the range when new.

(e) *Prices for consumer to consumer sales of certain late model used ranges.* Notwithstanding the prices in Appendix A and Appendix B, the maximum price for the sale by a consumer to another consumer of his own range which meets the specifications for a reconditioned range, and which he purchased new not more than two years previously at a price higher than $150.00, shall be 75% of the original purchase-price actually paid: *Provided,* That the seller has a receipted purchase invoice showing that he paid more than $150.00 for the range.

(f) *Prices for all other used ranges.* The maximum price for the sale of a used domestic gas cooking range which cannot be priced by reference to this section, Appendix A and Appendix B, shall be the price, in line with the prices established in this regulation, specifically approved in writing by the Office of Price Administration, Washington, D. C.

SEC. 7. *Maximum prices for delivery, connection, credit, and other services.* Any charge which is not quoted and billed separately or which otherwise does not conform to this section shall, for the purpose of this regulation, be considered to be part of the price charged for the article sold.

(a) *Delivery and connection.* No charge for delivery may be added to the maximum prices for sales to a consumer established in this regulation. The maximum price which may be added by the seller of the range as a separate charge for installation, and gas line, flue, and water line connection services and materials, is as follows:

(1) For a cooker, or refrigerator model range	$3.50
(2) For a console, cabinet, or table top range	5.50
(3) For a bungalow range (gas line and flue only)	7.00
(4) For a bungalow range (gas line, flue and water line)	8.50

Any connection charge must be separately quoted and billed. No seller may require as a condition of sale that he perform the connection service. If more than six feet of gas piping is required, an additional amount may be charged for the extra material at prevailing ceiling prices.

(b) *Credit charges.* Credit charges for the extension of credit may be added to the retail ceiling prices established by this regulation only to the extent permitted by this section.

(1) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of used ranges or similar types of articles, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(2) All charges for the extension of credit shall be quoted and stated separately.

(3) No seller may require as a condition of sale, that the purchaser must buy on credit.

(c) *Other services.* Charges for other services may be added to the maximum prices set forth in this regulation, only if: (1) the seller, during March 1942, made a separate charge for those services, the amount of which was separately quoted and billed to the purchaser, (2) the amount charged for those services is not in excess of the charge in effect during March 1942 upon sales of used ranges, and (3) such charges are quoted and billed separately. No seller may require the acceptance of any services as a condition of sale.

SEC. 8. *Taxes.* Any tax upon or incident to the sale of a used range, imposed by any statute or ordinance, may be added to the maximum prices established by this regulation, provided that it is quoted and billed separately.

SEC. 9. *Tagging.* No person shall sell or offer to sell a used domestic gas cooking range to a consumer in the course of trade or business unless a tag is attached to the range, which states whether the range is offered for sale "as-is" or "reconditioned," the type of range as shown in Appendix A of this regulation, the delivered maximum price established by this regulation and the delivered selling price. The tag must not be removed before delivery to the purchaser. A tag in the following form is satisfactory:

Type of range: (Cook, table top, etc.).
Condition: ("Reconditioned" or "as-is").
OPA ceiling price delivered:
Selling price delivered:
Installation charge:
Do Not Detach

SEC. 10. *Posting of ceiling prices.* Every person who, in the course of trade or business, sells any used domestic gas cooking range covered by this regulation to consumers, must post a copy of both Appendix A and Appendix B to this regulation, or a sign setting forth the ceiling prices for sales to consumers, at a place in the business establishment where used ranges are offered for sale, so as to be permanently and clearly visible to all customers for used ranges. If a seller installs and connects ranges, he must also post the maximum prices established by this regulation for those services. Copies of Appendix A and Appendix B and a schedule of installation and connection charges, suitable for posting, are available from the nearest office of the Office of Price Administration.

SEC. 11. *Sales slips, receipts, and invoices.* Every person selling a used domestic gas cooking range in the course of trade or business shall furnish the purchaser with a sales slip, receipt, or invoice, or other writing, giving the names and addresses of both the seller and purchaser and the date of the sale; stating that the range sold is "reconditioned", unless it is sold "as-is"; the class in which the range belongs as set forth in this regulation; the price charged; the extra equipment included in the price of the range; and the nature and amount of any other charges. A copy of such sales slip, receipt, invoice, or other writing shall be retained by the seller for inspection by the Office of Price Administration. Any charge which is not quoted and billed separately shall, for the purposes of this regulation, be considered to be part of the price charged for the article sold.

SEC. 12. *Prohibited practices.* (a) Any practice or device which has the effect of getting a higher than maximum price without actually raising the dollars and cents price, is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation, arrangements, tying agreements, tying requirements, trade understandings, and the like.

(b) The following practices are expressly forbidden:

(1) Selling or offering to sell a used domestic gas cooking range only on the condition that the buyer agree to pay for repairs, parts, installation, or other services.

(2) Representing a range as part of one's own household effects for purposes of section 6 (e), when it is not in fact part of the seller's household effects.

SEC. 13. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension make any sale for which his license has been suspended.

SEC. 15. *Petitions for amendment.* Persons seeking any modification of this regulation or an exception not provided for herein, may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 16. *Geographical applicability.* The provisions of this Maximum Price Regulation apply to the forty-eight states, and the District of Columbia.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective April 19, 1944.

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

APPENDIX A—CEILING PRICES FOR USED DOMESTIC GAS COOKING RANGES

[Exclusive of accessories and extra equipment listed in Appendix B]

Class	Type	Specifications: Number of top burners	Specifications: Manifold[1]	Specifications: Finish	Specifications: Width of range	Ceiling prices: Reconditioned	Ceiling prices: As is: To consumers	Ceiling prices: As is: To dealers
A	Cooker	2 or 3	Open	Any finish	Any width[3]	$14.50	$6.25	$4.35
B		2 or 3	Closed	Full porcelain[2]	do	17.50	9.25	6.45
C		4	Open	Any finish	do	20.50	9.75	6.80
D		4	Closed	Full porcelain, but black or marbleized top and side panels	do	29.50	18.75	13.00
E		4	Closed	Full porcelain with light color top and side panel	do	33.00	22.75	15.50
F	Refrigerator model	2 or 4	Open	Any finish	do	20.50	9.75	6.80
G		2 or 4	Closed	Full porcelain	do	30.50	19.75	13.75
H	Console or cabinet (including any range other than a cooker or bungalow range with legs more than 4" high).	4	Open	Any finish	do	23.50	12.75	8.85
I		4	Closed	Full porcelain	Under 37"	32.50	21.75	15.10
J		4	Closed	Full porcelain	37" or Over	37.50	26.75	18.60
K	Table-top	4	Closed	Full porcelain	Under 37"	41.50	30.75	21.40
L		4	Closed	Full porcelain	37" to 39"	51.00	40.25	28.00
M		4	Closed	Full porcelain	40" or over	63.50	52.75	36.70
N	Bungalow range: With coal and wood or oil unit.	4	Open	Any finish	Any width	41.00	23.00	16.25
O	With coal and wood unit.	4	Closed	Full porcelain	do	62.00	44.00	30.75
P	With oil unit	4	Closed	Full porcelain	do	72.50	53.00	37.00

[1] "Manifold" means the gas feed pipe across the front of the range to which the gas valves are attached and from which the gas is fed to the burners. A closed manifold is one in which the gas feed pipe and the valves are hidden from view. An open manifold is one in which the gas feed pipe is exposed to view.

[2] "Full porcelain finish" means vitreous enamel coating on the top, all front panels, all oven linings, and at least one end panel. Semi-porcelain, japan, and all synthetic enamel finishes are not considered full porcelain finish.

[3] Width of range is measured at the level of the cooking top.

[1] 9 F.R. 1386.
[2] 8 F.R. 9677, 13742.
[3] 8 F.R. 4132, 8987, 7602, 9008, 15199.
[4] 8 F.R. 13240.

APPENDIX B—CEILING PRICES FOR ACCESSORIES AND EXTRA EQUIPMENT INSTALLED IN A USED RANGE *

Item	Reconditioned. (Prices in this column may be added only if the items are "reconditioned".)	Add'l To consumers. (Prices in this column may be added only if the range is sold "as is".)	Add'l To dealers. (Prices in this column may be added only if the range is sold "as is".)
1. Automatic oven heat control	$6.25	$5.00	$3.10
2. Full oven insulation (No amount may be added for semi-insulation, i. e., top and oven door, or oven door only)	1.25	.85	.60
3. High back splasher (For a high back splasher or high shelf (18 inches or higher), and with porcelain finish, add to Classes A, B, C, D, and E cooker models only)	1.80	1.00	.70
4. Dual burner: ᵇ Complete with two-way valve, each	1.00	.65	.45
5. Additional top burners: For ranges with more than four top burners, add for each additional standard size or giant size top burner	3.60	2.65	2.35
6. Built-in griddle: ᵇ (Only if equipped with a special burner or burners)	6.75	4.50	3.00
7. Additional baking and roasting ovens:			
(a) With heat control: Add for a second oven if equipped with automatic heat control	14.50	7.25	5.00
(b) Without heat control: Add for a second oven not equipped with automatic heat control	7.00	4.65	3.25
8. Additional broilers: Add for a second broiler. ᶠ	6.25	4.15	2.90
9. High broiler: ᵇ (On classes K, L, and M table top models only)	8.75	5.55	4.10
10. Automatic oven burner lighter: ᵇ	5.75	2.85	2.00
11. Automatic oven time control: ᵇ (Including the automatic oven burner lighter)	13.75	9.85	6.85
12. Kitchen heater: ᵇ Add for a built-in gas kitchen space heater	20.00	12.50	8.70

* No amounts may be added for any accessories or extra equipment for which a price is not stated in this Appendix B. Specifically, but not exclusively, additions may not be made for lamps, condiment sets, time reminders, cover tops, automatic or manual top lighters, glass windows in oven door panels, warming ovens, oven electric lights, oven thermometers, or clocks.

ᵇ *Definitions:* "Dual burner" means a top burner in which the gas is fed to an inner ring of burner ports independently of the gas fed to an outer ring of burner ports. The separate control of the inner (simmer) ring is automatically indicated in the manual operation of a two-way valve. "Hi-lo" valves are not included.

"Built-in griddle" means a polished metal plate with raised edges or grease trough, built into the top of the range for grilling or frying food, and equipped with a special burner or burners.

"Automatic oven time control" means an electrical device which automatically ignites and extinguishes the oven burner at predetermined times.

"High broiler" means "waist-high" broiler. It differs from the conventional broiler (which is below the oven and uses the oven burner for broiling) in that the high broiler is alongside the oven and uses a separate gas burner. An additional charge for a high broiler may be made only on a table top range.

"Automatic oven burner lighter" means an attachment which automatically ignites the oven burner when the oven valve is turned to "on" position, so that a match or taper is not needed.

"Kitchen heater" means a built-in gas-fired space heating unit located alongside the oven chamber of the range.

[F. R. Doc. 44-5360; Filed, April 13, 1944; 12:01 p. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429,[1] Amdt. 3]

DOMESTIC COOKING AND SPACE HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 429 is amended in the following respect:

Section 1 (c) is amended to read as follows:

(c) All kinds of domestic cooking and space heating stoves except those gas cooking stoves which are subject to the provisions of Maximum Price Regulation No. 527.

This amendment shall become effective on the 19th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5264; Filed, April 13, 1944; 11:58 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[2] Amdt. 114]

SECOND HAND MACHINES AND PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.26a is added to read as follows:

§ 1390.26a *Reports of additions to stock and offering and selling prices of certain second-hand machines and parts*—(a) *Who shall file.* Reports of additions to stock and offering and selling prices of the second-hand machines and parts listed in the form set forth in Appendix F must be filed by every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and machinery manufacturers who sell second-hand machines or parts.

(b) *Method of filing.* These reports shall be filed on Form OPA-2:10:PL Revised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form) which is set forth in Appendix F of this regulation. Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of such a second-hand machine or part by a person required to report under this section, that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a second-hand machine or part listed in Appendix F by a person required to report under this section, that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(c) *Records of information filed.* Every person required to file reports under this section shall keep a complete and accurate record of the information contained in these reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. Section 1390.26b is added to read as follows:

§ 1390.26b *Notification of auction sales.* Every auctioneer shall file a written notice of every public or private auction sale of second-hand machines or parts at least one week before the sale. This notice shall be sent to the District Office of the Office of Price Administration which is located in the district in which the auction is to be held. The notice shall include the place, date and time of the sale, the classes and types of machines and parts that are to be sold, and a copy of any announcement of the sale.

3. Section 1390.29a is amended to read as follows:

§ 1390.29a *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of second-hand machines or parts.* Every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with the provisions of Licensing Order No. 3.

4. Section 1390.37 Appendix F is added to read as follows:

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9677, 13742; 9 F.R. 966, 3084.

[2] 8 F.R. 16132; 9 F.R. 1523, 2092, 2130, 2701, 3084, 3085.

§ 1390.37 *Appendix F: Used equipment and machinery inventory and sales report*—(a) *Form.*

Form OPA 2:10:P1 Rev. WPB-2574 — Form Approved Budget Bureau No. 12-R1014-3

UNITED STATES OF AMERICA
Office of Price Administration
War Production Branch

Used Equipment and Machinery Inventory and Sales Report

READ CAREFULLY INSTRUCTIONS ON REVERSE SIDE

If this report is in response to a "Want Call," give the "Want Call" number _____

DATE _____ CODE NO. (Leave Blank) _____

NAME OF REPORTING COMPANY _____

STREET ADDRESS _____

CITY _____ STATE _____

IS THIS REPORT SUBMITTED BY A DEALER ☐ YES ☐ NO

1. Kind of machinery or equipment — 2. Manufacturer

3. Mfr's Model or Style No. — 4. Mfr's Serial No. — 5. Year Built — 6. Capacity — 7. Equipment Identification No.

8. Description (including type of work for which machine is now adapted)

9. Powered by: ☐ None ☐ Electricity ☐ Steam ☐ Gas ☐ Gasoline ☐ Diesel ☐ Air ☐ Other

10. Method of Drive: Individually driven? ☐ Yes ☐ No ☐ Flat-belt ☐ V-belt ☐ Gear ☐ Coupling ☐ Clutch ☐ Other

11. Electrical equipment (Specify manufacturer and name plate rating) — TYPE SPEED H-P VOLTAGE PHASE CYCLES

12. Auxiliaries and Accessories (List and give descriptions. Use back of sheet if necessary)

13. Present condition of machine:
☐ Rebuilt and guaranteed
☐ Other _____ (State as per instructions)

14. Offering price: Dollars
a. Rebuilt and guaranteed
b. Other condition
Failure on the part of the OPA to object to an offering price does not imply its approval of such price.

15. Indicate approximate time required to deliver this machine rebuilt and guaranteed:
☐ 10 days or less ☐ 30 days ☐ 90 days ☐ Over 90 days

16. Maximum price of equivalent new machine (Identify by manufacturer's name and model or style number)
$_____

WHEN MACHINE IS SOLD, COMPLETE AND SIGN FORM BELOW

17. Sold to (Name and address) — Price — Date of Sale — Previously reported as inventory? ☐ Yes ☐ No

18. Sold by — OPA License No.

Name of Reporting Company — By Pen Signature of Authorized Official — Title

(b) *Instructions for filling out inventory and sales report form.*

(1) *Who must file.* Every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another, is required to report on this form additions to stock and offering and selling prices of the second-hand machines and parts listed on the attached sheet. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and machinery manufacturers who sell second-hand machines and parts. These reports must cover all second-hand machines and parts listed on the attached sheet.

Dealers, brokers, agents and manufacturers are also requested, though not required, to report specific items or classes of items, known to be available though not owned by them, in response to "Want Calls" sent out by the the War Production Board for urgently needed items.

Persons not required to file, who desire aid in disposing of used equipment and machinery, may report such items on this form.

(2) *Method of filing.* Four copies are to be made of the inventory report. Three of these copies must be filed with the District Office of the War Production Board which is located in the district in which the person's place of business is located. These copies must be filed within five days after the acquisition of the machine or part. Inventory is reported by filling in items 1 to 16, inclusive, of the form. The remaining copy of the inventory report must be completed by the person required to file when the item is sold or otherwise disposed of. Within five days of the sale or other disposition of the item, this completed form must also be filed by the person required to file with the District Office of the War Production Board which is located in the district in which the seller's place of business is located. This filing constitutes the sales report. Only one piece of equipment may be reported on a single form, except in the case of identical items. These reports are forwarded to the Office of Price Administration by the War Production Board. Complete and accurate records of the information contained in the reports must be kept by the person filing for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(3) *Item 7.* Under "Equipment Identification No." the person filing the report is to show his stock inventory number for easy reference to any particular piece of equipment or machinery. If there is no stock inventory number, this item does not have to be filled in.

(4) *Item 8.* Give full details on type of equipment or machine and work for which it is adapted.

(5) *Item 13.* Give present condition of machine in detail. The term "rebuilt and guaranteed" is defined in the regulation which covers the machine or part. Under "Other" describe by terms defined as follows:

"Unused" means a machine or part which has been transferred for use but which has never been used. Such a machine or part may be priced as new.

"Serviceable" means that the machine or part is ready for service requiring no maintenance work or repairs before installing.

"Repairable" means that the machine or part can be made ready for service by normal maintenance or minor repairs.

"Poor" means that the machine or part requires major repairs or complete rebuilding before it would be ready for service.

Machines and parts which can not qualify as "rebuilt and guaranteed" under the applicable regulation are priced as "as is" machines or parts.

(6) *Item 15.* If it is necessary to rebuild the machine or part, check approximate time required after receipt of order.

(7) *Item 17.* If the machine or part is not sold but "other disposition" is made, state in item 17 what the disposition was.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED

Machine or part:	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Air-conditioning equipment (25 tons' capacity and over).	Appendix A—October 1, 1941.
Asphalt mixing plants	Appendix A—October 1, 1941.
Automotive testing and maintenance equipment, mechanical and electrical (except portable tools or machine or hand tools).	Appendix B—March 31, 1942.
Battery chargers (except motor generator sets).	Appendix B—March 31, 1942.
Boilers, industrial and marine.	Appendix A—October 1, 1941.
Capacitors (except fixed capacitors of the type and sizes used for military radio and radar equipment).	Appendix A—October 1, 1941.
Car and locomotive parts and specialties, including:	Appendix A—October 1, 1941.
Bearings, truck side.	
Boilers, fireboxes, front ends, and cabs fittings, fixtures, devices or appliances mounted thereon.	
Brakes and brake gear.	
Coupler devices or attachments.	
Devices and appliances mounted on locomotives for treatment, distribution and control of water fuel, steam, sand and electricity.	
Doors and fixtures (except those subject to Revised Price Schedule No. 40—Builders' Hardware and Insect Screen Cloth).	
Draft gears, buffers, and attachments.	
Driving, foundation and running gear.	
Heating, lighting, ventilating and air conditioning equipment.	
Journal Boxes, assembled.	
Lubricating devices.	
Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on cars or locomotives (not including artillery or other exclusively military or naval equipment designed for mounting on cars or locomotives).	
Safety appliances and warning devices.	

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Car and locomotive parts and specialties, including—Continued.	Appendix A—October 1, 1941.
Sides, roofs, ends, running boards, brake steps.	
Spring, rigging, snubbers, shock absorbers.	
Steel tires.	
Train control apparatus.	
Trucks, complete.	
Underframes.	
Wheels, cast iron and spun steel.	
Cement-making machinery.	Appendix A—October 1, 1941.
Ceramics machinery	Appendix A—October 1, 1941.
Chemical processing machinery.	Appendix A—October 1, 1941.
Circuit breakers	Appendix A—October 1, 1941.
Coal preparation equipment.	Appendix A—October 1, 1941.
Concrete mixing, placing and finishing equipment.	Appendix A—October 1, 1941.
Condensers, synchronous	Appendix A—October 1, 1941.
Control equipment, industrial (except control devices for domestic installations).	Appendix A—October 1, 1941.
Converters, synchronous	Appendix A—October 1, 1941.
Core drilling machinery	Appendix A—October 1, 1941.
Cotton-ginning machinery.	Appendix A—October 1, 1941.
Cranes (overhead, crawler and locomotive) hoists and derricks.	Appendix A—October 1, 1941.
Crawler and non-agricultural tractors.	Appendix A—October 1, 1941.
Cutting tools, including the following illustrative list:	Appendix B—March 31, 1942.
Augers, machine.	
Bits, machine.	
Blades, hacksaw—all types.	
Blades, power driven saw.	
Blades, machine, shear, etc.	
Broaches.	
Chasers.	
Chisels, machine.	
Counterbores.	
Countersinks, machine.	
Cutters, machine.	
Dies, cutting and threading.	
Drills, twist.	
Dressers, abrasive wheel (except diamond dressers).	

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Cutting tools, including the following illustrative list—Con.	Appendix B—March 31, 1942.
Extractors.	
Files, rasps and burrs.	
Form tools.	
Hobs.	
Knives, machine.	
Knurling tools.	
Punches, machine.	
Reamers.	
Rules, creasing, cutting, perforating.	
Scraper blades, machine.	
Taps.	
Tips, tool, tungsten carbide, stellite, etc.	
Die-casting machinery	Appendix A—October 1, 1941.
Diesel engines (except aircraft Diesel engines).	Appendix A—October 1, 1941.
Distribution boards, electrical.	Appendix A—October 1, 1941.
Dredging machinery	Appendix A—October 1, 1941.
Dust collecting equipment, industrial.	Appendix A—October 1, 1941.
Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.	Appendix A—October 1, 1941.
Elevators and conveyors	Appendix A—October 1, 1941.
Fans and blowers (except pedestal, portable and ceiling household and office fans).	Appendix A—October 1, 1941.
Floor surfacing and floor maintenance machinery industrial.	Appendix A—October 1, 1941.
Food and beverage machinery, including baking, canning, bottling, confectionery, brewing, grain-milling, meat packing, edible oil, sugar and dairy machinery and equipment (except dairy farm equipment).	Appendix A—October 1, 1941.
Foundry machinery, including ladles not over ladles not over 40 ton capacity.	Appendix A—October 1, 1941.
Freight cars, including all types and sizes of flanged wheel mining and industrial cars.	Appendix A—October 1, 1941.
Gas engines and gas generators.	Appendix A—October 1, 1941.
Gas welding and cutting equipment.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Gasoline and kerosene engines for marine, tractor railway and stationery use (except portable outboard motors).	Appendix A—October 1, 1941.
Gears, pinions, sprockets, and speed reducers, but not including the following: (1) automotive or tractor transmissions, transfer cases, power take-offs, differentials or axle assemblies; and (2) any items designed for use in private or commercial motor vehicles or any items specially designed for use in vehicles, aircraft, or equipment used primarily for military purposes.	Appendix A—October 15, 1941.
Generators (except automotive).	Appendix A—October 1, 1941.
Glass-making machinery	Appendix A—October 1, 1941.
Gyroscopes	Appendix A—October 1, 1941.
Hat-making machinery	Appendix A—October 1, 1941.
Heat exchange equipment, industrial.	Appendix A—October 1, 1941.
Heaters, stove, sand or bitumen.	Appendix A—October 1, 1941.
Heating units and devices, electrical, industrial.	Appendix A—October 1, 1941.
Hydraulic turbines and hydraulic turbine governors.	Appendix A—October 1, 1941.
Industrial furnaces and ovens (except space heating furnaces and stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron or steel).	Appendix A—October 1, 1941.
Industrial power operating devices for applying protective coatings on for the application of metals by spraying methods.	Appendix A—October 1, 1941.
Instruments, electrically or magnetically actuated, for measuring, testing, recording or indicating electrical or nonelectrical quantities (except automotive).	Appendix A—October 1, 1941.
Laundry, dry cleaning and clothes pressing machinery (except domestic).	Appendix A—October 1, 1941.
Leather-working machinery.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Lighting equipment, electrical:	Appendix A—October 1, 1941.
Airports.	
Airways.	
Commerical.	
Floodlighting.	
Industrial.	
Marine.	
Seadromes.	
Street and highway.	
Locomotives and tenders, including mining and industrial.	Appendix A—October 1, 1941.
Lubricating systems and devices, industrial.	Appendix A—October 1, 1941.
Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance, and protection of tracks, yards, signals, rolling stock, and motive power.	Appendix A—October 1, 1941.
Machine and machine tool attachments and accessories (except those subject to Maximum Price Regulation 1). The term machine and machine tool attachments and accessories means all devices used with, but not an integral part of, machines or machine tools and includes the following illustrative list:	Appendix B—March 31, 1942.
Adapters.	
Arbors.	
Blocks, machine tool.	
Brakes, spindle.	
Centers, bench.	
Centers, lathe.	
Chucks, all types.	
Clamps.	
Collets.	
Cutter heads.	
Die heads.	
Die dets.	
Dogs, work driving.	
Edges, straight.	
Electric etchers and demagnetizers.	
Fingers, feeding.	
Glasses, level.	
Grinders.	
Guides, adjustable.	
Heads, universal dividing.	
Holders, tool.	
Holders, work.	
Mandrels, all types.	
Plates, angle.	
Plates, bench.	
Plates, brick liner.	
Plates, face.	
Plates, lapping.	
Plates, surface.	
Plates, wearing	
Posts, tool.	
Saw accessories (sets, swages, guides, clamps, bracing tools).	
Sockets.	
Stops, machine.	
Templates.	
Wheels.	
Magnets, lifting, industrial.	Appendix A—October 1, 1941.
Material handling equipment, including skid platforms, cars and trucks (except those equipped with flanged wheels) and racks (except shelving and stationary storage racks).	Appendix A—October 1, 1941.
Mechanical instruments for measuring, testing, recording or indicating, including aircraft, marine, scientific, laboratory and precision instruments (except special gages manufactured pursuant to the customer's drawings, carpenters' tools, or surgical optical and dental instruments).	Appendix A—October 1, 1941.
Military searchlights, completely assembled.	Appendix B—March 31, 1942.
Mining machinery, including mine cars and trucks.	Appendix A—October 1, 1941.
Motors, electrical	Appendix A—October 1, 1941.
Motor generator sets	Appendix A—October 1, 1941.
Oil burners, industrial and marine burning not less than No. 6 oil.	Appendix A—October 1, 1941.
Oil well equipment	Appendix A—October 1, 1941.
Open tanks and vessels, made of metal, not over 12BWG gauge, (except field erected tanks or vessels: domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, non-returnable shipping containers, refuse receptacles, drip and waste receivers).	Appendix B—March 31, 1942.
Ore crushing and concentrating machinery.	Appendix A—October 1, 1941.
Packaging, wrapping, filling and labelling machinery.	Appendix A—October 1, 1941.
Paint making machinery	Appendix A—October 1, 1941.
Panelboards, electrical	Appendix A—October 1, 1941.
Petroleum refining machinery.	Appendix A—October 1, 1941.
Pharmaceutical machinery.	Appendix A—October 1, 1941.
Pile drivers	Appendix A—October 1, 1941.
Pipe and tube tools, manually operated including beading, belling, bending, cleaning, cutting, expanding, and flaring and wrenches for operating.	Appendix B—March 31, 1942.
Plastics molding and fabricating machinery.	Appendix A—October 1, 1941.
Portable heating, melting, burning and thawing equipment for industrial and transportation uses (except mechanic's fire pots and blow torches).	Appendix A—October 1, 1941.
Portable power driven tools, which in normal use are held or guided by hand and not customarily attached to a permanent support.	Appendix A—October 1, 1941.
Power cylinders, hydraulic, pneumatic and hydro-pneumatic.	Appendix B—March 31, 1942.
Power driven tools primarily designed for use on a bench and for the working of wood, plastics, etc. (except bench tools specially designed for metal working which are subject to Maximum Price Regulation 1).	Appendix A—October 1, 1941.
Power operated industrial and marine soot blowers and tube cleaners.	Appendix A—October 1, 1941.
Pressure tanks, made of metal not over 12BWG gauge; erected tanks; high pressure cylinders not over 1000 pounds water capacity for shipping or storing liquids or gasses at pressures up to 3000 pounds per square inch: range boilers or expansion tanks (not over 192 gal. capacity).	MPR 465. Appendix B—March 31, 1942.
Printing machinery	Appendix A—October 1, 1941.
Public address apparatus	Appendix B—March 31, 1942.
Pulp, paper and paper products machinery.	Appendix A—October 1, 1941.
Pumps and compressors (except automotive, hand operated and farm pumps).	Appendix A—October 1, 1941.
Rectifiers, power, industrial.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Refrigerating equipment, 25 H. P. and over.	Appendix A—October 1, 1941.
Regulators, feeder voltage.	Appendix A—October 1, 1941.
Road building and maintenance machinery, including graders, pavers, rollers, etc.	Appendix A—October 1, 1941.
Rock crushers	Appendix A—October 1, 1941.
Rod and wire working machinery.	Appendix A—October 1, 1941.
Rolling mill machinery and equipment.	Appendix A—October 1, 1941.
Rubber and allied products machinery.	Appendix A—October 1, 1941.
Rubber tire and tube machinery, including retreading and recapping machinery.	Appendix A—October 1, 1941.
Searchlights, electrical	Appendix A—October 1, 1941.
Sewing machines, industrial.	MPR 375.
Shoe manufacturing and repairing machinery.	Appendix A—October 1, 1941.
Snow plows	Appendix A—October 1, 1941.
Spreaders	Appendix A—October 1, 1941.
Springs (except furniture and bed springs)	Appendix B—March 31, 1942.
Spring winding and forming machinery.	Appendix A—October 1, 1941.
Steam cleaning and degreasing equipment and parts washing and cleaning equipment.	Appendix B—March 31, 1942.
Stokers, industrial and marine, feeding capacity of 1200 lbs. per hour or more.	Appendix A—October 1, 1941.
Substations, unit	Appendix A—October 1, 1941.
Surveying and drafting instruments, and engineering reproduction equipment (except school, art and office supplies).	Appendix A—October 1, 1941.
Switchgear and switchgear accessories.	Appendix A—October 1, 1941.
Testing sets for electronic equipment.	Appendix B—March 31, 1942.
Textile preparatory and finishing machinery and equipment, including accessories designed exclusively for use with such machinery.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Tobacco working machinery.	Appendix A—October 1, 1941.
Tools, manually operated, for the cutting, forming and punching of metals.	Appendix B—March 31, 1942.
Transformers	Appendix A—October 1, 1941.
Turbine generator sets	Appendix A—October 1, 1941.
Valves, automatic	Appendix A—October 1, 1941.
Vises, all types; vise mounts, stands and supports.	Appendix B—March 31, 1942.
Water softening and purifying equipment, industrial.	Appendix A—October 1, 1941.
Weighing scales, industrial and platform.	Appendix A—October 1, 1941.
Welding apparatus and supplies, electrical.	Appendix A—October 1, 1941.
Well drilling equipment	Appendix A—October 1, 1941.
Woodworking machinery.	Appendix A—October 1, 1941.
X-ray and electro-therapeutic apparatus.	Appendix B—March 31, 1942.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 10th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5257; Filed, April 13, 1944; 11:56 a. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[2d Rev. MPR 339,[1] Amdt. 1]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 339 is amended in the following respects:

1. In paragraph (a) of section 1, the word "finished" is deleted from the first sentence of the second unnumbered paragraph.

2. Section 1 (b) is amended to read as follows:

(b) *Full fashioned women's rayon hosiery in the greige.* The ceiling prices for any sale of full fashioned women's rayon hosiery in the greige are fixed at $1.25 per dozen less than the manufacturers' ceiling prices set forth in Appendix B for first quality finished full fashioned unbranded hosiery.

3. Section 2 (a) (1) is amended to read as follows:

(1) *"Chain stores"*—(i) *Who are "chain stores."* Certain sellers at retail are classified as "chain stores." As used in this regulation a chain store means a group of five or more commonly owned or controlled retail stores which, as a group, had in any calendar year since 1938 an "average percentage of initial markup" of 34% or less on women's full length hosiery. To determine this markup the chain must:

(a) Compute the total of the initial retail prices at which all purchases of this hosiery were marked during a given year.

(b) Compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions and including all transportation costs).

(c) Subtract the total secured in (b) from the total secured in (a) and

(d) Divide the remainder by the total obtained in (a).

(ii) *Exceptions for certain sales.* Any group of stores classified under this section as "chain stores" may file an application for permission to sell and deliver at the ceiling prices specified in column (g) of Table 1, Appendix B, such full fashioned women's rayon hosiery as it purchases at the ceiling prices specified in column (d) of Table 1, Appendix B, from establishments making sales at wholesale if it can establish that more than 50% (in dozens) of all the women's full-fashioned full length hosiery which was delivered to it during each of the years 1941, 1942 and 1943 (or during each of the years 1941, 1942 and 1943 in which it has been engaged in the business of selling women's full fashioned full length hosiery) was purchased by it from establishments making sales at wholesale. Such application must be filed in writing with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., and shall contain the following information:

(a) The name and address of the applicant, and the number of stores in its group;

(b) The date on which applicant first engaged in the business of selling women's full fashioned full length hosiery;

(c) Facts showing that applicant is a "chain store" under the provisions of section 2 (a) (1) (i) of this regulation;

(d) The number of dozens of pairs of women's full fashioned full length hosiery which was delivered to it during each of the years 1941, 1942 and 1943 (or during each of the years 1941, 1942

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 207.

and 1943 in which it was in the business of selling women's full fashioned, full length hosiery);

(*e*) The number of dozens of pairs of women's full fashioned full length hosiery, as specified in subdivision (d), which were delivered to it by establishments making sales at wholesale and the number of dozens of pairs which were delivered to it by manufacturers during each of the years 1941, 1942 and 1943 (or during each of the years 1941, 1942 and 1943 in which it was in the business of selling women's full fashioned full length hosiery);

(*f*) The names and addresses of each establishment making sales at wholesale which delivered women's full fashioned full length hosiery to applicant during each of the years 1941, 1942 and 1943 (or during each of the years 1941, 1942 and 1943 in which it was in the business of selling women's full fashioned full length hosiery) and the number of dozens of pairs delivered to applicant by each such establishment during each of those years.

No sales or deliveries may be made by "chain stores" at the ceiling prices specified in column (g) of Table 1 until specific authorization is granted in writing by the Office of Price Administration pursuant to this subdivision.

4. In section 3, paragraph (c) is amended to read as follows:

(c) *Limitation on amount of hosiery to be sold at "branded" ceiling prices.* (1) No manufacturer shall deliver "branded" rayon hosiery in any calendar quarter-year at prices above those specified for unbranded hosiery in Appendix B to a greater percentage of his total deliveries in dozens of pairs than his "branded percentage". A manufacturer's "total deliveries" for the purpose of this computation shall consist of only his deliveries of first quality finished full fashioned women's rayon hosiery (excluding irregulars, seconds and thirds) and his deliveries of full fashioned women's rayon hosiery in the greige of all grades. However, a manufacturer may add to the number of dozens of hosiery which he is permitted to deliver at "branded" ceilings in any calendar quarter-year the number of dozens by which he has fallen short of delivering his "branded percentage" in any previous calendar quarter or quarters of the same calendar year.

For example: A manufacturer has a "branded percentage" of 80. In the first calendar quarter, his total deliveries of full fashioned women's rayon hosiery (including only hosiery in the greige and first quality finished hosiery) is 50,000 dozen. With a "branded percentage" of 80, he would be permitted to deliver up to 40,000 dozens at "branded" ceilings in this quarter. Actually, however, he delivers only 38,000 dozen (2,000 less than his limit). In the second quarter, this manufacturer arranges for delivery of 40,000 dozens (including only hosiery in the greige and first quality finished hosiery). Since his "branded percentage" is 80, he would normally be entitled to deliver 32,000 dozens at "branded" ceilings. However, he may add to this amount of "branded" hosiery the 2,000 dozens by which he has fallen short in the previous calendar quarter. [The previous quarter must have been in the same calendar year.] Accordingly, out of the 40,000 dozen which he delivers in this quarter year, he may deliver 34,000 dozens (32,000 + 2,000) at "branded" ceilings.

(2) A manufacturer's "branded percentage" is the percentage that his deliveries in 1941 of women's "branded" full length full fashioned hosiery of all fibres bore to his total deliveries in 1941 of both women's first quality finished full fashioned full length hosiery of all fibres and of women's full fashioned full length hosiery of all fibres and grades in the greige. The ceiling price for all sales in excess of the "branded percentage" is the ceiling price for unbranded hosiery.

(3) On or before April 20, 1944, and on or before the 20th day of each July, October, January and April thereafter, every manufacturer who has delivered branded women's rayon hosiery in the previous calendar quarter year shall file with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., a signed statement showing for the previous calendar quarter year each of the following:

(i) His total volume delivered (by dozens of pairs) of first quality finished full fashioned women's rayon hosiery;

(ii) His total volume delivered (by dozens of pairs) of full fashioned women's rayon hosiery in the greige of all grades; and

(iii) His total volume (by dozens of pairs) of full fashioned women's rayon hosiery (broken down by the brands) delivered at ceiling prices above those specified for unbranded hosiery.

5. In section 3, paragraph (d), subparagraphs (1) and (2) and the text immediately preceding subparagraph (1) are amended to read as follows:

(d) *Report which must be filed before selling "branded" hosiery.* Before commencing to sell any hosiery as branded hosiery a manufacturer must complete and file with the Consumer Goods Price Division of the Office of Price Administration, Washington 25, D. C., a signed statement setting forth the information specified below in this paragraph. Manufacturers who previous to April 13, 1944, have furnished this information accurately and in full need not re-file and manufacturers who prior to April 13, 1944, have furnished this information in part need furnish only such further information as is required to fulfill the requirements of this paragraph. The statement must show:

(1) The total number of dozen pairs of women's full fashioned full length hosiery in the greige of all fibres and grades and the total number of dozen pairs of women's first quality finished full fashioned full length hosiery of all fibres which he delivered in the year 1941.

(2) The trade names and trademarks owned and used by him in each of the years 1941, 1942 and 1943 on women's first quality full fashioned full length hosiery of all fibres which he delivered directly to retail establishments serviced out of his own finished stock kept on hand for that purpose.

6. In section 5 (a) the first two undesignated paragraphs of subparagraph (8) are amended to read as follows:

(8) The word "irregulars" on all irregulars; the word "seconds" on all seconds; and the word "thirds" on all thirds. This marking of substandard hosiery must be placed on each stocking of the pair.

Information required by subparagraphs (1) and (3) above must be marked on the welt within an outlined space or block having dimensions no less than ¾" x 1½" in the case of a transfer or no less than ⅜" x ¾" in the case of a label or ticket. No other printing or lettering is permitted within the space or block except that the person who first sells the hosiery in a completely finished state may include his name, brand, or OPA registration number. Two examples are set forth below:

Ceiling 81¢ 45 Gauge O. P. A. No. 999

Ceiling–W–36¢ 260 Ndls.

7. Section 5 (d) is amended to read as follows:

(d) *Exceptions for certain hosiery in stock with wholesalers and retailers.* The ceiling prices and marking provisions contained in the former Revised Maximum Price Regulation 339 (issued August 23, 1943) shall apply to sales at retail and at wholesale in the following cases:

(1) Hosiery which sellers at wholesale and at retail had in stock prior to and on the effective date of this Second Revised Maximum Price Regulation 339, which was classified as "Grade B" hosiery under Revised Maximum Price Regulation 339;

(2) Hosiery, the production of which was formerly, but is no longer, authorized by War Production Board;

(3) Hosiery which sellers at wholesale and at retail had in stock prior to and on the effective date of this Second Revised Maximum Price Regulation 339, for which specific ceiling prices were established at wholesale and at retail under the provisions of the former Revised Maximum Price Regulation 339 and not specifically established by this regulation.

8. In Appendix A, paragraph (a) (2) is amended to read as follows:

(2) *Circular knit hosiery.* Circular knit hosiery containing any of the defects listed in Columns (1) and (2) cannot be considered first quality, but must be considered irregulars. Hosiery containing any of the defects listed in Column (3) must be considered as of a grade not higher than seconds.

9. In the table of Appendix A, item (2) in Column 3 is amended to read as follows:

(2) Leg defects:
(i) Menders or seamers in excess of ¼".

10. In Appendix B, Table 1, Column (d), the ceiling price for full fashioned thirds of 39–42 and 45 gauge is corrected to read "$3.55" instead of "$5.55".

11. In Appendix B, Table 1, in each of the brackets of permissible additions for special constructions, an additional item is specified and priced as follows:

(a)	(b)	(c)	(d)	(e)	(f)	(g)
PERMISSIBLE ADDITIONS FOR SPECIAL CONSTRUCTIONS OF FIRST QUALITY						
Jacquard construction	2.50	2.50	2.98	.30	.34	.35
PERMISSIBLE ADDITIONS FOR SPECIAL CONSTRUCTIONS OF IRREGULARS						
Jacquard construction	2.10	----	2.50	.25	.28	.30
PERMISSIBLE ADDITIONS FOR SPECIAL CONSTRUCTIONS OF SECONDS						
Jacquard construction	1.50	----	1.80	.18	.20	.21

12. In Appendix B, Table 1, the note entitled "Premium heels and soles" is amended to read as follows:

Premium heels and soles are those reinforced with cotton, spun rayon, silk, nylon or combination yarn.

13. In Appendix B, Table 1, the note entitled "Lace and mesh stockings" is amended to read as follows:

Lace and mesh stockings are those with a distinctive lace or mesh pattern throughout the leg portion, knit with full lace or modified lace tackle on a full-fashioned knitting machine. No lace or mesh premium may be applied to gauges finer than 49 if such premium results in a price greater than the corresponding lace or mesh price for 45 gauge.

14. In Appendix B, Table 1, the last sentence of the note entitled "Outsize hosiery," is amended to read as follows:

No outsize premium may be applied to gauges finer than 45 if such premium results in a price greater than the corresponding outsize price of 45 gauge.

15. In Appendix B, Table 1, there is added to the notes entitled "Description of premium value referred to in Table 1," the following note:

Jacquard constructions are those made with a distinctive ornamental pattern or design on a full fashioned knitting machine using a full Jacquard tackle. No Jacquard premium may be applied to gauges finer than 51 if such premium results in a price greater than the corresponding price for 51 gauge Jacquard stocking.

16. In Appendix B, Table 2, the caption "Circular Knit Seconds" is changed to read "Circular Knit Seconds and Lower" and the caption "Permissible Additions for Special Constructions of Seconds" is changed to read "Permissible Additions for Special Constructions of Seconds and Lower."

17. In Appendix B, Table 2, the description of the construction, "Leg of rayon plaited with cotton with premium welt—280 needle and coarser" appearing under the headings of "Permissible Additions for Special Constructions of First Quality," "Permissible Additions for Special Constructions of Irregulars" and "Permissible Additions for Special Constructions of Seconds and Lower," and the ceiling prices specified therefor are changed to read as follows:

(a)	(b)	(c)	(d)	(e)
Needle count	By manufacturers per dozen	At wholesale per dozen (drop shipments 5 per cent below these prices)	At retail (per pair)	
			By retailers buying from manufacturers	By retailers buying from wholesalers
	Permissible additions for special constructions of first quality			
Rayon plaited over cotton leg with a rayon plaited outer and inner welt or with a cotton inner welt	70	70	08	07
	Permissible additions for special constructions of irregulars			
Rayon plaited over cotton leg with a rayon plaited outer and inner welt or with a cotton inner welt	37½	45	05	06
	Permissible additions for special constructions of seconds and lower			
Rayon plaited over cotton leg with a rayon plaited outer and inner welt or with a cotton inner welt	25	30	03	04

18. In Appendix B, Table 2, a paragraph is added to note "2", reading as follows:

Premium welts are welts made of cotton, silk, spun rayon, blended, combination or plied rayon yarn.

19. In Appendix B, Table 3, the ceiling price for first quality 33 and 36 gauge full fashioned made of combination yarn, as stated in Column (b) is corrected to read "$5.80" instead of "$5.50."

This Amendment No. 1 shall become effective April 13, 1944.

NOTE: The records and reports provisions of this amendment have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5260; Filed, April 13, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 25]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The first sentence of section 3.1 (a) (2) is amended by inserting ", for the purposes of this section," between the words "fruits is" and "considered to".

2. The sentence in the parenthesis at the end of section 9.10 (a) is amended to read as follows: "(Exceptions to this rule are set forth in sections 10.17 and 26.9.)"

3. Section 24.9 (a) is amended by adding the following at the end thereof: "(An exception to this rule is set forth in section 26.9.)"

4. The headnote to section 26.2 is amended by inserting the words "or use" between the words "consume" and "home".

5. The first sentence of section 26.2 (a) is amended by substituting the word "consumer" for the word "person".

6. Section 26.2 (c) is added to read as follows:

(c) *Industrial user may use home processed foods produced by him.* An industrial user may, without giving up points, use, at his industrial user establishment, home processed foods produced by him. (However, he must report his use of such home processed foods in the way required by section 6.6 (f) of this order.)

7. Section 26.9 is redesignated section 26.10, and a new section 26.9 is added to read as follows:

SEC. 26.9 *Person may consume or use dry beans, peas, or lentils, or dried prunes or raisins produced by him and may give away limited amounts*—(a) *Points need not be given up for use.* A consumer may consume dry beans, peas, or lentils, or dried prunes or raisins which he produces primarily for consumption in his household or on a farm he operates, and he may let members of his family unit, and others who eat at his table or on a farm he operates, consume them, without giving up points.

(b) *Points need not be given up for gifts in limited amounts.* He and the members of his family unit may give (but not sell) such processed foods to any

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 785, 848, 1397, 1727, 1817, 1908.

other person without receiving points, but no more than two hundred (200) pounds of such food per member may be given away point-free by the family unit in any calendar year.

(c) *He may sell only for points.* A person may not sell or transfer dry beans, peas, or lentils, or dried prunes or raisins which he produces primarily for consumption in his household or on a farm he operates (except for those he is permitted to give away point-free under paragraph (b) of this section) unless he gets points equal to the point value of the foods so transferred. He must also get points for any gifts made in excess of the two hundred (200) pounds permitted by paragraph (b) of this section. For this purpose he need not make reports or register, but must keep a record of any transfer he makes, showing the amount and date of the transfer, and the name and address of the person to whom the transfer is made. He must give up the points he receives for such transfers in the way required by sections 9.10 (b) and 24.9 (b) of this order.

(d) *Industrial user may use dry beans, peas, or lentils, or dried prunes or raisins produced by him.* An industrial user may, without giving up points, use, at his industrial user establishment, dry beans, peas, or lentils, or dried prunes or raisins produced by him. (However, he must report his use of such processed foods in the way required by section 6.6 (f) of this order.)

8. The first sentence of section 27.1 (a) (12) (ii) is amended by inserting ", for the purposes of this subparagraph," between the words "fruits is" and "considered to".

9. The third sentence of section 27.1 (a) (16) is amended by inserting the words "produced or" between the words "which he" and "holds for sale or transfer".

This amendment shall become effective April 18, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 13th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5262; Filed, April 13, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 13]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15587, 15663; 9 F.R. 1532, 2290.

Section 11 (c) (2) is amended by adding the following sentence:

Separate "largest single purchases" shall be determined for potatoes and onions of different crop years.

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved April 8, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-5311; Filed, April 14, 1944; 11:23 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amdt. 44]

MALTED MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 280 is amended in the following respect:

Section 1351.806 is added to read as follows:

§ 1351.806 *Adjustment of maximum prices of malted milk.* (a) The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Procedural Regulation No. 1[3] or on its own motion, by letter order adjust the maximum price or prices of a processor or manufacturer of malted milk where it appears that:

(1) The processor's or manufacturer's maximum price or prices are below the general price level prevailing for the same quantities of malted milk sold by other processors or manufacturers; and

(2) The processor's or manufacturer's prevailing ceiling prices subject him to such a degree of hardship as to prevent or threaten to prevent his continued production of malted milk; and

(3) An increase in his maximum price or prices will enable him to continue production; and

(4) The loss of his production would result in consumers having to pay higher prices for malted milk produced by other processors or manufacturers; and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would under all circumstances be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328.

(b) The adjusted maximum price granted to a processor or manufacturer under the provisions of this section shall in no event exceed the general price level prevailing for the same quantities of malted milk produced by other manufacturers or processors. Subject to this limitation, an increased price may be granted a processor or manufacturer not to exceed the total cost of the product based upon a cost to him of $2.65 per cwt. for 3½% butterfat milk; or if the manufacturer's or processor's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to encourage production, an increased price estimated to yield such a profit margin based again upon a cost for 3½% butterfat milk of $2.65 per cwt. may be allowed.

(c) The Price Administrator may also grant an upward adjustment, limited to an amount not in excess of the actual increase granted the processor or manufacturer, in the price or prices which any particular, or all, distributors may charge for malted milk purchased from a processor or manufacturer who has been granted an increase in his price for that product under the provisions of this section. No increase will be granted in the price or prices any distributor may charge for such product, however, unless the Price Administrator is of the opinion that the distributor cannot reasonably be expected to absorb the increased cost out of his prevailing distributive margin of profit realized on the resale of that product. Furthermore, the adjusted maximum price granted to any distributor under the provisions of this section shall in no event exceed the general price level prevailing for the same quantities of malted milk sold by other distributors of the same class.

(d) *Definitions*—(1) *Representative peace time period.* A "representative peace time period" means the period of the years 1936–1939 inclusive. When 1936–1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used but its use must be positively justified.

(2) *Malted milk.* "Malted milk" means the product made by combining whole milk with the liquid separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, and potassium bicarbonate, in such a manner as to secure the full enzymic action of the malt extract, and by removing water. The resulting product may contain not less than 7.5% of butterfat and not more than 3.5% of moisture.

This amendment shall become effective April 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5287; Filed, April 13, 1944; 4:44 p. m.]

[1] 8 F.R. 5165, 7566, 6367, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9683, 10518, 11811, 13060, 13721, 16597, 16795; 9 F.R. 343, 753, 1622, 2238, 2176.

[3] 7 F.R. 8961, 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 21]

PRIORITY-CONSTRUCTED HOUSING

Rent Regulation for Housing is amended in the following respects:

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. Section 5 (a) (10) is amended to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6314; Filed, April 14, 1944; 11:23 a. m.]

[1] 8 F.R. 14663, 14815, 15585, 16082, 16208, 16427, 17297; 9 F.R. 206, 972, 2176, 2289, 3231, 3423.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, Miami Area,[1] Amdt. 4]

PRIORITY-CONSTRUCTED HOUSING

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 4 (c) is amended to read as follows:

(c) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on September 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (c) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (c) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. Section 5 (a) (9) is amended to read as follows:

(9) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (c), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on September 1, 1943, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

This paragraph (a) (9) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6312; Filed, April 14, 1944; 11:24 a. m.]

[1] 8 F.R. 13118, 14047, 16093; 9 F.R. 3423.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, N. Y. C. Area,[1] Amdt. 7]

PRIORITY-CONSTRUCTED HOUSING

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to March 1, 1943, or, if the accommodations were not rented on that date, prior to the

[1] 8 F.R. 13914, 14614, 15686, 16219; 9 F.R. 2087, 3423.

first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on March 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to March 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. Section 5 (a) (10) is amended to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to March 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable accommodations on March 1, 1943, giving due consideration to general increases in costs of construction, if any, in the Defense-Rental Area since March 1, 1943.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5313; Filed, April 14, 1944; 11:23 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SILK SYNTHETICS AND ADMIXTURES

[MPR 127,[1] Amdt. 20]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1400.82 (s) (1) (ii) of Maximum Price Regulation No. 127 is amended by deleting the phrase "through April 15, 1944."

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5315; Filed, April 14, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[2] Amdt. 22]

MACARONI AND NOODLE PRODUCTS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.363 (w) Table XXIII is added to read as follows:

(w) Table XXIII: Maximum retail prices for macaroni and noodle products.

Brand	Unit	Ketchikan	Wrangel, Petersburg	Juneau, Douglas	Skagway Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Nome
Egg noodles:												
Plain—Sunset, Regal, Creamona	1#—bulk	$0.12	$0.13	$0.13	$0.13	$0.13	$0.14	$0.15	$0.15	$0.15	$0.17	$0.16
Napoli Semolina	1#—bulk	.18	.18	.18	.18	.18	.20	.20	.20	.20	.22	.22
Rose Chinese	1#—bulk	.23	.23	.23	.23	.23	.25	.25	.25	.26	.28	.27
Mission, Sunrise, S. B. Brand, Golden Grain.	1#—bulk	.25	.25	.25	.25	.25	.27	.27	.27	.27	.29	.24
Amocat	16-ounce cello	.26	.29	.29	.29	.30	.31	.32	.30	.30	.32	.30
Big Value	12-ounce cello	.18	.18	.18	.19	.19	.20	.20	.18	.19	.20	.22
Creamette	5-ounce carton	.12	.12	.12	.13	.13	.14	.14	.14	.14	.14	.15
Fontana	8-ounce carton	.17	.17	.17	.17	.17	.19	.19	.17	.18	.18	.21
Fontana	16-ounce carton	.30	.30	.30	.30	.30	.32	.33	.31	.32	.34	.35
Fould's	5-ounce cello	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.14
Golden Grain Chinese	12-ounce cello	.17	.17	.18	.18	.18	.21	.22	.17	.17	.18	.25
Manchu Chinese	8-ounce cello	.13	.13	.13	.13	.13	.14	.14	.14	.14	.15	.15
Mission	5-ounce cello	.12	.12	.12	.13	.13	.14	.14	.14	.14	.14	.15
Mission	8-ounce cello	.16	.16	.16	.17	.17	.18	.18	.17	.17	.18	.20
Mission	16-ounce cello	.28	.28	.28	.29	.29	.30	.31	.30	.30	.32	.34
Missionette	8-ounce cello	.18	.18	.18	.18	.18	.19	.19	.19	.19	.20	.20
Quaker	5-ounce carton	.12	.12	.12	.12	.12	.13	.13	.12	.13	.13	.14
R & W Krinkled	16-ounce carton	.30	.30	.31	.31	.32	.31	.35	.30	.31	.35	.39
Reliance	8-ounce cello	.16	.16	.16	.17	.17	.18	.18	.17	.17	.18	.20
Reliance	16-ounce cello	.29	.29	.30	.30	.30	.32	.32	.31	.31	.33	.35
Reliance Chinese	8-ounce cello	.13	.13	.13	.14	.14	.14	.14	.14	.15	.15	.15
Reliance egg twisters	16-ounce cello	.31	.31	.31	.32	.32	.35	.35	.31	.32	.33	.40
Reliance Krinkled Noodle-Ettes	16-ounce cello	.32	.33	.33	.33	.34	.36	.36	.33	.33	.35	.41
Rose Chinese	8-ounce cello	.12	.12	.12	.12	.12	.13	.13	.13	.14	.15	.14
Spaghetti and macaroni:												
Regal, Sunset and Creamona long and elbow.	1#—bulk	.12	.13	.13	.13	.13	.14	.15	.15	.15	.17	.16
Mission and S. B. Brands—long and elbow, Salad Mac, alphabets.	1#—bulk	.17	.17	.17	.18	.18	.19	.19	.19	.20	.21	.21
Napoli (Semolina) Paste—long and elbow, Salad Mac, alphabets.	1#—bulk	.18	.18	.18	.19	.19	.20	.20	.20	.21	.22	.22
Buitoni gluten spaghetti	8-ounce carton	.19	.19	.19	.20	.20	.20	.21	.21	.22	.23	.22
Creamettes—elbow macaroni	8-ounce carton	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.14
Fontana—elbow and Salad Mac	8-ounce cello	.12	.12	.12	.13	.13	.14	.14	.13	.13	.14	.15
Fould's—long and elbow	8-ounce carton	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.14
Gil-Yo-No spaghetti—cut	16-ounce carton	.26	.26	.27	.27	.27	.30	.31	.28	.28	.29	.35
Golden Grain—elbow macaroni	8-ounce carton	.12	.12	.12	.12	.12	.13	.16	.13	.13	.14	.14

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2464, 3031.

[2] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3644, 8184, 12549, 13166, 13305, 16514, 16626, 16627, 16665, 16986, 16789; 9 F.R. 301, 840, 1715.

Brand	Unit	Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Nome
Spaghetti and macaroni—Continued.												
Golden Grain—Long Mac, alphabet seashells.	16-ounce cello	$0.19	$0.19	$0.19	$0.20	$0.20	$0.23	$0.22	$0.20	$0.20	$0.22	$0.24
Golden Grain—coil	16-ounce cello	.20	.20	.21	.21	.21	.23	.23	.21	.21	.23	.27
Golden Grain—sphagetti	27-ounce cello	.28	.28	.29	.29	.29	.30	.30	.32	.32	.35	.33
Golden Grain—spaghetti dinner	8-ounce carton	.26	.26	.27	.27	.27	.28	.28	.28	.29	.29	.30
Kraft macaroni and cheese	7½-ounce carton	.13	.14	.14	.14	.14	.15	.15	.14	.14	.15	.16
M & C spaghetti dinner	7-ounce carton	.30	.30	.30	.31	.31	.32	.32	.31	.31	.32	.34
Merlino	16-ounce carton	.21	.22	.22	.22	.22	.24	.24	.23	.24	.26	.27
Mission—long and elbow, alphabets, small seashell, salad macaroni.	8-ounce cello	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.14
Mission—long and elbow, salad macaroni, alphabets, small seashells, soya elbow.	16-ounce cello	.20	.20	.21	.21	.21	.23	.23	.21	.22	.23	.23
Mission—long and elbow, salad macaroni	27-ounce cello	.30	.30	.31	.31	.31	.33	.34	.34	.34	.37	.36
Mission Best Bet	2½ #—cello	.32	.33	.33	.33	.34	.36	.36	.36	.39	.43	.40
Mother's spaghetti	8-ounce cello	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.14
Quaker—long and elbow	8-ounce carton	.13	.13	.13	.13	.13	.14	.14	.14	.14	.15	.15
Reliance long and elbow, salad and small seashells, alphabets, coiled vermicelli.	8-ounce cello	.12	.12	.12	.12	.13	.13	.13	.13	.13	.14	.15
Reliance long and elbow, salad and small seashells, alphabets, coiled vermicelli.	16-ounce cello	.20	.20	.21	.21	.21	.23	.23	.21	.23	.23	.25
Reliance long and elbow, salad and small seashells, alphabets, coiled vermicelli.	27-ounce cello	.30	.30	.31	.31	.31	.33	.34	.34	.34	.37	.36
Ronzoni macaroni—bologna style	16-ounce carton	.23	.23	.23	.24	.24	.26	.26	.26	.26	.28	.28
Van Camp's Tenderoni	8-ounce carton	.12	.12	.12	.12	.12	.13	.13	.13	.13	.13	.15

This amendment shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5316; Filed, April 14, 1944; 11:22 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 22]

CUCUMBERS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. Column 4 of table 7 of Appendix H, Article III, section 15 is amended to read as follows:

Col. 4
Season
Nov. 1-Dec. 31 Jan. 1-Apr. 30 May 1-May 31 June 1-Oct. 31
Nov. 1-Dec. 31 Jan. 1-Apr. 30 May 1-May 31 June 1-Oct. 31
Nov. 1-Dec. 31 Jan. 1-Apr. 30 May 1-May 31 June 1-Oct. 31
Nov. 1-Dec. 31 Jan. 1-Apr. 30 May 1-May 31 June 1-Oct. 31

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493.

This amendment shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 11, 1944.

GROVER B. HILL,
Assistant War Food Administrator.

[F. R. Doc. 44-5188; Filed, April 12, 1944; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 46]

LEASING OF TRUCKS BETWEEN CARRIERS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph (146) is added to § 1499.46 (b) to read as follows:

(142) Leasing of trucks between carriers pursuant to directions of the Office of Defense Transportation under the provisions of its Administrative Order ODT 10, issued March 10, 1944, General Order ODT 3, Revised, as amended March 10, 1944 and General Order ODT 17, as amended March 10, 1944. This exemption applies only to the compensation charged between carriers for the rental of the truck, and does not extend to any other type of truck rental or to the rates which the lessee may charge the shipper.

The exemption granted by this paragraph shall remain in effect only until July 13, 1944.

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 7 F.R. 4681)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5318; Filed, April 14, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 115]

NEW COMMERCIAL MOTOR VEHICLES; MODIFICATION OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.3 of Revised Supplementary Regulation 14 is amended in the following respects:

1. The undesignated subparagraph in paragraph (a) which precedes subparagraph (1) is amended to read as follows:

The maximum price of a new commercial motor vehicle shall be a price determined in accordance with § 1499.2, or § 1499.3 when § 1499.2 cannot be applied, of the General Maximum Price Regulation, to which may be added an allowance (called increment) permitted by subparagraph (1), (2) or (3), below, whichever is applicable, for each calendar month or greater part thereof within the period from March 1, 1942, up to and including, whichever is earlier, April 30, 1944, or the date of sale of the new commercial motor vehicle. However, the increment may be added only if the seller complies with the conditions in subparagraph (4), (5), (6) or (7), below, and at the time of delivery the seller executes and delivers to the purchaser and to the Office of Price Administration, Washington, D. C., the certification set forth in paragraph (e). Such increment shall not include any provision for extra, special or optional equipment until such equipment

is part of the vehicle. Where a reseller of a new and unused commercial motor vehicle who purchased the vehicle for use cannot determine a price under § 1499.2 of the General Maximum Price Regulation, he may either charge a price not to exceed the price, including increment, which he paid for such vehicle less 75 percent of the retail price of each piece of equipment he removed from the vehicle, regardless of the conditions in subparagraph (4), (5), (6) or (7), below, and the furnishing of the certification in paragraph (e), or like other resellers who cannot establish a price under § 1499.2 of the General Maximum Price Regulation, he may obtain a price under § 1499.3 of that regulation.

2. Subparagraph (3) in paragraph (a) is amended to read as follows:

(3) In the case of trailers stored outdoors at any time on or after October 31, 1942, the lower of the following two amounts; (i) ½ of 1 per cent of the list price of such trailer, and of the list price of any extra, special or optional equipment built into or installed on such trailer, or if there is no such list price, ½ of 1 per cent of the price at which such trailer or extra, special or optional equipment was last contracted to be sold between January 1, 1942, and March 31, 1942, or (ii) $15.

3. Subparagraph (1) in paragraph (f) is amended by deleting from the first sentence the words "and has not been transferred to any person other than a sales agency for the purpose of resale" and substituting therefor the words "has not been used except for the purpose of sale".

This amendment shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5317; Filed, April 14, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 121]

PACKAGED ROLLED OATS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1.27 is added to read as follows:

SEC. 1.27 *Packaged rolled oats*—(a) *Definitions.* (1) "Packaged rolled oats" means oats rolled and packaged for human consumption in containers holding three pounds or less.

(b) *Maximum prices.* Any seller whose maximum prices for sales of packaged rolled oats are on April 13, 1944, established by the General Maximum Price Regulation may adjust his maximum prices therefor to an amount not in excess of:

(1) His maximum price as established by the General Maximum Price Regulation to the same class of purchasers for the same variety, brand (if any) and container type and size of packaged rolled oats; plus

(2) $0.013 per pound of net weight of rolled oats.

(c) *Notification to wholesalers and retailers of authorized change in maximum price.* With the first delivery after April 18, 1944, of an item of packaged rolled oats, in any case where a seller establishes his maximum price pursuant to this section, he shall supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by variety, brand, if any, container type and size) has been established by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on or after April 19, 1944. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after the seller has established his maximum price under this section, and with his first shipment after the 60-day period to each purchaser who has not made a purchase within that time, the seller shall include the notice set forth above in each case or carton containing the item, or securely attach it to the case or carton, or insert it on or attach it to the invoice accompanying the shipment.

This amendment shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5288; Filed, April 13, 1944; 4:44 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 220]

NEW MEXICO AND TEXAS

ORDER ESTABLISHING THE MESILLA NATIONAL WILDLIFE REFUGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, including the use of the lands for grazing or other purposes under any lease made under the provisions of the act of August 27, 1935, 49 Stat. 906, (U.S.C., title 22, sec. 277e), all public land within the following-described area in Dona Ana County, New Mexico, is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and such land, and all other lands and waters owned or controlled by the United States within the said area and the hereinafter-described area in El Paso County, Texas, are hereby reserved and set apart for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife.

NEW MEXICO

NEW MEXICO PRINCIPAL MERIDIAN

T. 28 S., R. 3 E., parts of secs. 26, 35, and 36;
T. 29 S., R. 3 E., parts of secs. 1 and 12;
T. 29 S., R. 4 E., parts of secs. 6, 7, and 8;
Part of the Santa Teresa Grant.

TEXAS

Parts of Tracts 3A and 3B, Block 3, Upper Valley.

The lands above referred to are more particularly described by metes and bounds as follows:

Beginning at Boundary Monument No. 75 on the line between the State of New Mexico and the State of Texas, on the easterly boundary of the Santa Teresa Grant, on the east side of the Rio Grande, approximately 135 feet southeast of the easterly end of Country Club Bridge, south of Country Club Road, and about 40 feet west of the center line of the East Levee:

Thence from said initial point, along the boundary between New Mexico and Texas, part of the easterly boundary of the Santa Teresa Grant,

S. 61°08'41" E., 114.68 ft. to a point on said boundary, from which point Boundary Monument No. 76 bears S. 61°08'41" E., 995.10 ft. distant;

Thence in the State of New Mexico and the Santa Teresa Grant;

S. 19°38'42" E., 662.49 ft. to a point;
S. 17°37'27" E., 102.77 to a point;
S. 10°57'29" E., 477.23 ft. to a point;
S. 7°33'21" E., 499.11 ft. to a point, from which point Boundary Monument No. 77 bears S. 44°07'32" E., 757.65 ft. distant;
S. 7°33'21" E., 207.10 ft. to a point;
S. 0°05'31" E., 23.60 ft. to a point;
S. 7°43' E., 54.98 ft. to a point;
S. 12°06' W., 94.60 ft. to a point;
S. 0°05'31" E., 12.20 ft. to a point;
S. 10°46'47" W., 246.20 ft. to a point;
S. 18°28'18" W., 280.00 ft., approximate, to a point on the easterly boundary of the Santa Teresa Grant;

Thence in General Land Office Tract 38 in secs. 26 and 35, T. 28 S., R. 3 E.,

S. 18°28'18" W., 138.23 ft., approximate, to a point;
S. 32°28' W., 671.81 ft. to a point on the north boundary of the Montoya Spur Drain, from which point Boundary Monument No. 78 bears N. 61°18'30" E., 805.02 ft. distant;

Thence along the north boundry of the Montoya Spur Drain, S. 89°56' W., 51.45 ft. to a point;

Thence crossing said Drain, S. 6°55'44" W., 196.24 ft. to a point on the south boundary of said Drain;

Thence along said south boundary, N. 89°49' E., 35.27 ft. to a point;

Thence, S. 6°55'44" W., 741.88 ft. to the P. C. of a curve; With a 2831.22 foot radius curve to the left, 1674.02 feet to a point on the curve, on the boundary common to New Mexico and Texas, from which point Boundary Monument No. 80 bears N. 13°50'15" E., 1048.72 ft. distant;

Thence continuing with said curve in Texas, 387.75 ft. to a point on the curve;

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*Copies may be obtained from the Office of Price Administration.

N. 89°49'20" E., 6.08 ft. to a point;
S. 36°00'45" E., 112.98 ft. to a point;
S. 37°09'21" E., 995.22 ft. to the P. C. of a curve;
With a 2824.54 foot radius curve to the left, 600.43 ft. to a point on the boundary common to New Mexico and Texas, on the north boundary of General Land Office Tract 37 in secs. 35 and 36, T. 28 S., R. 3 E., from which point Boundary Monument No. 81B bears S. 37°13'26" W., 593.25 ft. distant;
Continuing with said curve, in New Mexico and in General Land Office Tract 37, in secs. 35 and 36, T. 28 S., R. 3 E., 451.24 ft., approximate, to a point in General Land Office Tract 37, on the line between secs. 35 and 36;
Continuing with said curve 145.00 ft., approximate, to the P. T. of said curve;
S. 61°25'50" E., 875.61 ft. to a point on the line between General Land Office Tract 37 and the Santa Teresa Grant;
Thence in the Santa Teresa Grant,
S. 61°25'50" E., 321.92 ft. to the P. C. of a curve;
With a 2904.00 foot radius curve to the right, 911.16 ft., the P. T. of said curve;
S. 43°27'12" E., 3321.75 ft. to the P. C. of a curve;
With a 2904.79 foot radius curve to the right, 217.54 ft. to a point on the south boundary of the Santa Teresa Grant and the north boundary of lot 1, sec. 1, T. 29 S., R. 3 E., from which point the southeast corner of the Santa Teresa Grant bears S. 89°56'30" E., 308.00 ft. distant;
Thence in lot 1, sec. 1,
Continuing with said curve, 231.10 ft. to a point on the line between lot 1 and General Land Office Tract 53 in sec. 1;
Thence in General Land Office Tract 53,
Continuing with said curve 416.29 ft. to the P. T. of said curve;
S. 26°23'34" E., 749.84 ft. to a point on the line between General Land Office Tracts 53 and 56;
Thence in General Land Office Tract 56,
S. 26°23'34" E., 560.00 ft., approximate, to a point on the line between sec. 1, T. 29 S., R. 3 E., and sec. 6, T. 29 S., R. 4 E., in General Land Office Tract 56;
Thence in sec. 6,
S. 26°23'34" E., 616.42 ft., approximate, to a point on the line between secs. 6 and 7, from which the corner common to secs. 1 and 12, T. 29 S., R. 3 E., and secs. 6 and 7, T. 29 S., R. 4 E., bears West 275.00 ft., approximate, distant;
Thence in sec. 7,
S. 26°23'34" E., 110.23 ft., approximate, to a point;
S. 28°28' E., 204.00 ft. to a point;
S. 32°36' E., 204.00 ft. to a point;
S. 36°44' E., 204.00 ft. to a point;
S. 40°53' E., 204.00 ft. to a point;
S. 45°01' E., 204.00 ft. to a point;
S. 49°09' E., 204.00 ft. to a point;
S. 53°18' E., 204.93 ft. to a point on the line between General Land Office Tracts 56 and 59;
Thence in General Land Office Tract 58,
S. 57°09' E., 173.89 ft. to a point on the line between General Land Office Tract 58 and lot 1;
Thence in lot 1,
S. 63°56' E., 494.57 ft. to a point;
S. 68°57'14" E., 974.33 ft. to a point on the center line of the old river bed of the Rio Grande, from which point the corner common to secs. 5, 6, 7, and 8, T. 29 S., R. 4 E., bears N. 54°23'49" E., 3132.32 ft. distant;
Thence,
S. 68°57'14" E., 913.02 ft. to the P. C. of a curve;
With a 5669.58 foot radius curve to the left, 1738.92 ft. to a point on a curve on the line between secs. 7 and 8, from which point the corner common to secs. 5, 6, 7, and 8 bears N. 00°02' E., 2520.17 ft. distant;
Thence in sec. 8,
Continuing with said curve, 17.56 ft. to the P. T.;
S. 86°38'32" E., 2953.68 ft. to the P. C. of a curve;
With a 2824.79 foot radius curve to the left, 1020.60 ft. to a point on the line between lots 1 and 2;
Thence in lot 1,
Continuing with said curve 943.16 ft. to a point on the center line of the old river bed of the Rio Grande.
Thence in the Rio Grande,
S. 63°55' E., 116.08 ft. to a point;
S. 76°54' E., 176.71 ft. to a point;
S. 88°21' E., 203.11 ft. to a point on the line between secs. 8 and 9;
Thence along the line between secs. 8 and 9,
S. 0°02' W., 50.21 ft. to a point on a curve in the southeasterly right-of-way boundary of the Rio Grande Canal, in the Rio Grande, from which point the quarter-section corner on the west boundary of sec. 9 bears S. 0°02' W., 355.79 ft. distant;
Thence in sec. 8, with the southeast right-of-way boundary of the Rio Grande Canal,
With a 2954.93 foot radius curve to the right, 1530.36 ft. to a point on the line between lots 1 and 2, sec. 8;
Thence with part of the line between lots 1 and 2,
S. 0°02' W., 695.87 ft. to a point, from which point the southeast corner of lot 2 bears S. 0°02' W., 215.26 ft. distant;
Thence S. 57°22' W., 148.50 ft. to the P. C. of a curve; With a 402.80 foot radius curve to the right, 196.10 ft. to the P. T.;
S. 85°16' W., 58.10 ft. to the P. C. of a curve;
With a 479.00 foot radius curve to the right, 235.00 ft. to the P. T.;
N. 66°38' W., 289.00 ft. to the P. C. of a curve;
With a 142.10 foot radius curve to the right, 50.90 ft. to the P. T.;
N. 46°07' W., 92.60 ft. to the P. C. of a curve;
With a 247.30 foot radius curve to the left, 168.60 ft. to the P. T.
N. 85°11' W., 553.30 ft. to a point;
N. 83°46' W., 33.98 ft. to a point;
S. 30°27' W., 148.08 ft. to a point;
S. 46°24' W., 76.85 ft. to a point;
S. 47°57' W., 46.28 ft. to a point;
S. 71°41' W., 489.84 ft. to a point;
S. 86°20' W., 125.26 ft. to a point;
N. 63°26' W., 158.76 ft. to a point;
S. 78°34' W., 58.85 ft. to a point;
S. 72°53' W., 31.73 ft. to a point;
S. 44°14' W., 104.66 ft. to a point;
S. 23°12' W., 42.52 ft. to a point;
S. 23°08' W., 115.18 ft. to a point;
N. 81°09' W., 91.08 ft. to a point;
N. 55°11' W., 160.46 ft. to a point;
N. 51°07' W., 38.87 ft. to a point;
N. 74°16' W., 147.53 ft. to a point;
S. 83°02' W., 80.05 ft. to a point;
S. 76°12' W., 231.73 ft. to a point;
N. 87°34' W., 229.27 ft. to a point;
N. 70°15' W., 279.45 ft. to a point on the line between secs. 7 and 8, from which point the corner common to secs. 5, 6, 7, and 8, T. 29 S., R. 4 E., bears N. 0°02' E., 2743.24 ft. distant;
Thence in sec. 7,
N. 45°34' W., 175.05 ft. to a point;
N. 84°29' W., 139.61 ft. to a point;
S. 84°46' W., 252.05 ft. to a point;
N. 57°43' W., 113.36 ft. to a point;
N. 42°45' W., 251.92 ft. to a point;
N. 12°18' W., 112.59 ft. to a point;
N. 70°01' W., 58.52 ft. to a point;
N. 78°19' W., 161.81 ft. to a point;
S. 60°12' W., 116.61 ft. to a point;
S. 0°02' W., 26.75 ft. to a point;
S. 60°12' W., 62.49 ft. to a point;
S. 66°28' W., 128.26 ft. to a point;
S. 61°53' W., 33.06 ft. to a point;
N. 0°02' E., 28.31 ft. to a point;
S. 61°53' W., 29.49 ft. to a point;
N. 07°41' W., 110.02 ft. to a point;
N. 80°41' W., 279.86 ft. to a point;
N. 81°54' W., 181.05 ft. to a point;
N. 56°03' W., 777.39 ft. to a point;
N. 46°43' W., 637.66 ft. to a point;
N. 88°31' W., 653.99 ft. to a point;
N. 70°41' W., 601.85 ft. to a point;
N. 46°09' W., 360.70 ft. to a point;
N. 36°11' W., 438.60 ft. to a point;
N. 33°25' W., 457.60 ft. to a point;
N. 57°13' W., 333.24 ft. to a point on the line between sec. 12, T. 29 S., R. 3 E., and sec. 7, T. 29 S., R. 4 E., from which point the corner common to secs. 1 and 12, T. 29 S., R. 3 E., and secs. 6 and 7, T. 29 S., R. 4 E., bears N. 0°02' E., 1015.73 ft. distant;
Thence in sec. 12,
N. 45°19' W., 694.57 ft. to a point;
N. 27°04' W., 241.55 ft. to a point;
N. 10°31' W., 325.00 ft., approximate, to a point on the line between secs. 1 and 12;
Thence in sec. 1,
N. 10°31' W., 14.71 ft., approximate, to a point;
N. 21°31' W., 578.26 ft. to a point;
N. 38°09' W., 142.44 ft. to a point;
N. 7°17' W., 260.10 ft. to a point;
N. 46°38' W., 422.31 ft. to a point;
North 106.00 ft. to a point;
N. 17°23' W., 689.49 ft. to a point;
N. 47°07' W., 267.47 ft. to a point;
N. 35°29' W., 152.47 ft. to a point;
N. 57°11' W., 284.35 ft. to a point;
N. 18°18' W., 82.06 ft. to a point on the north boundary of sec. 1, T. 29 S., R. 3 E., and south boundary of the Santa Teresa Grant, from which point the southeast corner of the Santa Teresa Grant bears S. 89°56'30" E., 1537.58 ft. distant;
Thence in the Santa Teresa Grant,
N. 15°29' W., 278.16 ft. to a point;
N. 79°49' W., 396.23 ft. to a point;
N. 41°10' W., 422.38 ft. to a point;
N. 26°18' W., 177.13 ft. to a point;
N. 87°06' W., 356.46 ft. to a point;
N. 47°28' W., 230.73 ft. to a point;
N. 72°35' W., 213.81 ft. to a point;
N. 16°48' W., 311.29 ft. to a point;
N. 47°12' W., 183.99 ft. to a point;
S. 88°17' W., 100.05 ft. to a point;
N. 20°33' W., 487.01 ft. to a point;
N. 54°12' W., 150.43 ft. to a point;
N. 19°55' W., 457.20 ft. to a point;
N. 61°27' E., 154.83 ft. to a point;
N. 26°34' W., 160.99 ft. to a point;
N. 75°20' W., 239.64 ft. to a point;
N. 68°29' W., 386.99 ft. to a point;
N. 57°40' W., 560.91 ft. to a point;
N. 49°13' W., 655.13 ft. to a point;
N. 65°21' W., 374.06 ft. to a point;
N. 26°55' W., 355.31 ft. to a point;
N. 73°14' W., 76.24 ft. to a point;
N. 32°18' W., 125.40 ft. to a point;
N. 46°45' W., 324.01 ft. to a point;
N. 29°24' W., 289.25 ft. to a point;
N. 51°37' W., 165.86 ft. to a point;
N. 65°36' E., 94.43 ft. to a point;
N. 21°27' W., 361.00 ft. to a point;
N. 51°07' W., 318.60 ft. to a point;
N. 66°02' W., 295.47 ft. to a point;
N. 27°31' W., 320.25 ft. to a point;
N. 5°17' W., 347.48 ft. to a point;
N. 29°32' W., 339.75 ft. to a point;
S. 56°33' E., 360.00 ft. to a point on the center line of the Rio Grande;
Thence in the Rio Grande, along the center line thereof,
N. 23°33' W., 92.47 ft. to a point;
N. 13°48' W., 176.08 ft. to a point;
N. 7°55' W., 195.68 ft. to a point;
N. 10°49' W., 234.36 ft. to a point;
N. 7°33' W., 182.58 ft. to a point;
N. 2°28' E., 163.15 ft. to a point;
N. 13°47' E., 159.59 ft. to a point;
N. 26°14' E., 235.24 ft. to a point;
N. 37°00' E., 269.20 ft. to a point;
N. 33°28' E., 275.61 ft. to a point;
N. 21°13' E., 115.94 ft. to a point;
N. 7°13' E., 160.35 ft. to a point;
Thence leaving the Rio Grande,
N. 64°57' W., 234.70 ft. to a point on the south right-of-way boundary of the Nemexas Drain;

Thence crossing said drain,
N. 56°30′ E., 168.29 ft. to a point;
N. 19°03′11″ E., 248.83 ft. to a point;
N. 15°04′44″ E., 208.94 ft. to a point;
N. 69°32′ W., 35.16 ft. to a point;
N. 15°04′44″ E., 607.69 ft. to a point;
N. 12°22′58″ E., 342.75 ft. to a point;
N. 6°22′22″ E., 223.97 ft. to a point;
N. 3°15′57″ E., 185.14 ft. to a point;
N. 2°25′ W., 191.98 ft. to a point;
N. 9°18′ W., 192.66 ft. to a point;
N. 16°12′ W., 192.67 ft. to a point;
N. 19°38′57″ W., 1155.98 ft. to a point on the boundary between New Mexico and Texas, from which point Boundary Monument No. 74 bears N. 77°06′01″ W., 567.30 ft. distant;

Thence along the boundary between New Mexico and Texas,

S. 77°06′01″ E., 704.36 ft. to the place of beginning.

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of the refuge or for any person other than personnel of the U. S. Section of the International Boundary Commission, United States and Mexico, to enter thereon, except under such rules and regulations as may be prescribed by the Secretary of the Interior.

As to the lands which have been acquired or are controlled by the International Boundary Commission, their reservation as the Mesilla National Wildlife Refuge is subject to their use for the purposes of the Rio Grande Canalization Project, including but not limited to the right of ingress and egress, of clearing, grubbing, and leveling the floodway areas and borrowing earth therefrom, of maintaining and building levees and river channels, including the installation of revetments or other control works along the banks thereof, of constructing and maintaining or the licensing of the construction or maintenance of all types of structures, including bridges, grade controls, culverts, diversion works, pipe lines, and transmission or communication lines across or along the river channel, the levees, the floodways or any part of the area; and no fences or structures are to be erected, plantings made, or any other work performed prior to submission of plans to and approval thereof by the United States Commissioner of the International Boundary Commission.

This reservation shall be known as the Mesilla National Wildlife Refuge.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 6, 1944.

[F. R. Doc. 44-5290; Filed, April 14, 1944; 9:38 a. m.]

[Public Land Order 221]

UTAH

ORDER WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 37 S., R. 21 E.,
Sec. 3, SW¼, unsurveyed;
Sec. 10, NW¼, unsurveyed.
The areas described aggregate approximately 320 acres.

This order shall take precedence over but not modify the order of June 22, 1935, of the Secretary of the Interior, establishing Utah Grazing District No. 6, so far as such order affects the above-described lands.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 7, 1944.

[F. R. Doc. 44-5291; Filed, April 14, 1944; 9:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 187-A]

PART 95—CAR SERVICE

REFRIGERATION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of April, A. D. 1944.

Upon further consideration of Service Order No. 187 (9 F.R. 2949-50) of March 16, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 187 (9 F.R. 2949-50) of March 16, 1944, 49 CFR § 95.335, prohibiting the use of refrigerator cars for transporting potatoes, other than sweet, below prescribed minimum grade, from various states named therein be, and it is hereby vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., April 21, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5300; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 197]

PART 95—CAR SERVICE

TRANSPORTATION OF LOW GRADE POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of April, A. D. 1944.

It appearing, that Marvin Jones, War Food Administrator of the War Food Administration has certified to the Office of Defense Transportation that an emergency exists in the marketing of old potatoes, other than sweet, and that the transportation and movement of low grade and cull potatoes, other than sweet, for other than manufacturing and livestock feed will result in a wasteful transportation; and the Office of Defense Transportation recommends that this Commission cooperate with it to prevent such wasteful transportation; the Commission is of the opinion that an emergency exists requiring immediate action to prevent wasteful transportation and congestion of traffic: *It is ordered*, That:

§ 95.336 (a) *Use of railroad box cars or refrigerator cars prohibited for transporting potatoes, other than sweet, below prescribed grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any railroad box car or refrigerator car loaded with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality from any point in the States of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont, or Wisconsin, nor shall accept for transportation or move any railroad box car or refrigerator car loaded with potatoes, other than sweet, grading below U. S. No. 2 grade 1⅞″ minimum, from any point in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, except as provided in paragraph (b) hereof.

(b) (1) *Use of refrigerator cars for transporting potatoes, other than sweet, of the prescribed minimum grade or above the prescribed minimum grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section from any point in the states set forth therein unless or until the shipper or consignor thereof surrenders with the bill of lading to the carrier's agent a Federal State Inspection Certificate or, in the event a Federal State Shipping Point Inspection Certificate is not procurable, a written assurance that such shipment of potatoes is of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section.

(2) *Use of railroad box cars for transportating potatoes, other than sweet, below the prescribed minimum grade.* No common carrier by railroad subject to the Interstate Commerce Act shall ac-

cept for transportation or move any railroad box car loaded with potatoes, other than sweet, grading below the minimum grade prescribed in paragraph (a) of this section from any point in the states set forth therein unless such shipment is consigned to a manufacturing plant for manufacturing purposes only or to livestock feeders or feed processors for use as livestock feed and unless or until the shipper or consignor thereof endorses upon the bill of lading a written endorsement "For manufacturing only" or "For livestock feed only", as the case may be.

(c) *Exemption.* The provisions of this order shall not be construed to prohibit the acceptance for transportation or movement from any point in the states set forth in paragraph (a) of this section of any railroad freight cars, including refrigerator cars, loaded with potatoes, other than sweet, of any grade, for seed purposes provided the sacks containing the potatoes are tagged with the respective state certified or war approved seed tags and provided further that the state certified seed certificate or war approved seed certificate is surrendered with the bill of lading to the carrier's agent.

(d) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) The provisions of this order shall not apply to railroad box cars or refrigerator cars completely loaded, or accepted for transportation or moving prior to the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 7:00 a. m., April 21, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5210; Filed, April 14, 1944; 11:13 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

OKANOGAN PROJECT, WASH.

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWALS

MARCH 13, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Okanogan project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by Departmental Orders of April 20, 1903, August 23, 1905 and February 17, 1908, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked, *Provided,* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

OKANOGAN PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 33 N., R. 26 E.
Sec. 3, Lot 4, W½NW¼, SE¼NW¼, NW¼SW¼;
Sec. 4;
Sec. 5, S½N½, SE¼;
Sec. 6, NE¼, N½SE¼, SW¼SE¼;
Sec. 9, NW¼NE¼, NW¼SW¼, NW¼.
T. 34 N., R. 26 E.
Sec. 1, SE¼NE¼, E½SE¼;
Sec. 10, W½E½;
Sec. 12, E½, S½SW¼;
Sec. 13;
Sec. 14, S½NE¼, S½;
Sec. 15, E½;
Sec. 21, NE¼SW¼, S½SW¼, SE¼;
Sec. 22, E½, S½NW¼, SW¼;
Sec. 23, E½, NW¼, W½SW¼, NE¼SW¼;
Sec. 24, N½NE¼, SW¼NE¼, W½, N½SE¼;
Sec. 25, Lots 1, 2, W½NE¼, NW¼, NE¼SW¼, S½SE¼;
Sec. 26, Lot 2, NE¼, NW¼NW¼, SE¼NW¼;
Secs. 27, 28;
Sec. 29, SE¼NE¼, NE¼SE¼;
Sec. 33, E½, E½W½, SW¼SW¼;
Sec. 34, W½NE¼, W½.
T. 34 N., R. 27 E.
Sec. 6, Lots 2, 3, 4, 6, 7;
Sec. 7, Lot 6, S½SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 31, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Okanogan project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 6, 1940.

[F. R. Doc. 44-5293; Filed, April 14, 1944; 9:30 a. m.]

PRIEST RAPIDS PROJECT, WASH.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

MARCH 11, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Priest Rapids project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental Orders of July 29 and November 10, 1904, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked, *Provided,* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

PRIEST RAPIDS PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 13 N., R. 24 E.
Sec. 16 N½NW¼;
Sec. 17, N½N½;
Sec. 18, N½NE¼.
T. 15 N., R. 25 E.
Secs. 19 to 35, inclusive.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 24, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Priest Rapids project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation in con-

nection with the Priest Rapids project shall cease upon the date of the signing of this order, but the Departmental Order of April 26, 1937, withdrawing Lots 1 and 2 and the E½NW¼ of section 30, Township 15 North, Range 25 East, Willamette Meridian, Washington, in connection with the Columbia Basin project, shall not be affected hereby.

This order, however, shall not otherwise become effective to change the status of the balance of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 4, 1944.

[F. R. Doc. 44-5294; Filed, April 14, 1944; 9:38 a. m.]

HASSAYAMPA PROJECT, ARIZ.

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 3, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 28, 1934 (48 Stat. 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the act of June 17, 1902 (32 Stat. 388), and that Departmental Order of July 30, 1941 establishing Arizona Grazing District No. 3 be modified and made subject to the withdrawal effected by this order.

HASSAYAMPA PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 5 N., R. 4 W.,
Sec. 2, Lots 1, 2, S½NE¼, SE¼.
T. 6 N., R. 4 W.,
Sec. 3, Lots 9, 10;
Sec. 14, W½;
Sec. 15, NE¼NE¼.
T. 7 N., R. 4 W.,
Sec. 19, W½NE¼;
Sec. 20, NE¼NW¼, S½SW¼, E½SE¼;
Sec. 28, SW¼SW¼;
Sec. 29, SW¼NE¼;
Sec. 33, E½NE¼, NE¼SE¼;
Sec. 34, NE¼SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: March 27, 1944.

ARCHIE D. RYAN,
Acting Director of the Grazing Service.

I concur: March 29, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 7, 1944.

[F. R. Doc. 44-5295; Filed, April 14, 1944; 9:36 a. m.]

HASSAYAMPA PROJECT, ARIZ.

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 3, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388):

HASSAYAMPA PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 8 N., R. 5 W.,
Sec. 23, NE¼NW¼, NW¼SW¼.

Respectfully,

F. W. BASHORE,
Commissioner.

I concur: March 29, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

APRIL 7, 1944.

[F. R. Doc. 44-5296; Filed, April 14, 1944; 9:39 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 336]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE NO. 3

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Beniamino Suarez from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Miss Maria Luisa Arcelay of Mayaguez, Puerto Rico.

Signed at New York, New York, this 10th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5289; Filed, April 13, 1944; 4:56 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-539]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 12, 1944.

Notice is hereby given that on April 10, 1944, Northern Natural Gas Company (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under Section 7 of the Natural Gas Act, as amended, to construct and operate a regulator station and approximately 1600 feet of 8⅝-inch pipe line. The proposed line would connect at a point in Pottawattamie County, Iowa, with an existing 8⅝-inch line of Applicant and extend in a northwesterly direction to the eastern end of the Douglas Street Bridge, crossing the Missouri River between Omaha, Nebraska, and Council Bluffs, Iowa, where the proposed line would connect with Applicant's 14- and 16-inch lines extending across such bridge to the American Smelting and Refining Company's plant in Omaha, Nebraska.

Applicant states that the proposed facilities will enable it to transport gas to the American Smelting and Refining Company entirely through its own facilities instead of having the Council Bluffs Gas Company participate in such transportation as at present. The Applicant further states that the proposed facilities will provide an additional connection with the Council Bluffs' distribution system for emergency use.

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 29, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5207; Filed, April 14, 1944; 9:38 a. m.]

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[1] Filed as part of the original document.

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 99, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ILLINOIS

Upon consideration of a petition for the amendment of Appendix 2[1] to Supplementary Order ODT 3, Revised 99, filed with the Office of Defense Transportation, and good cause appearing therefor, *It is hereby ordered*, That:

Paragraph 6, captioned "Contemplated action," and paragraph 10, captioned "Effect of proposed action," of Appendix 2 to Supplementary Order ODT 3, Revised–99 are amended to read as shown in the "Statement" appended hereto.

Issued at Washington, D. C., this 14th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5302; Filed April 14, 1944; 10:48 a. m.]

[Supp. Order ODT 3, Rev. 217]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

The Mason and Dixon Lines, Incorporated, Kingsport, Tenn.

Georgia Highway Express, Inc., Atlanta, Ga.

[F. R. Doc. 44-5299; Filed, April 14, 1944; 10:48 a. m.]

[Supp. Order ODT 3, Rev. 218]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations gov-

[1] Filed as part of the original document.

erning such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Elmer G. Warne and Harold P. Gibson (a co-partnership), doing business as International Motor Company, Zanesville, Ohio.
2. The Z. C. W. Transportation Co. (a corporation), Zanesville, Ohio.

[F. R. Doc. 44-5300; Filed, April 14, 1944; 10:48 a. m.]

[Supp. Order ODT 3, Rev. 219]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS, IOWA AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Ezra Knaus and Mary Jane Knaus, doing business as Knaus Truck Lines (lessee and operator of Knaus Truck Lines, Inc.), Kansas City, Mo.
2. Watson Bros. Transportation Co., Inc., Omaha, Nebr.
3. The Rock Island Motor Transit Company, Chicago, Ill.
4. Burlington Transportation Company, Galesburg, Ill.
5. Loris Worden, doing business as Worden Transfer, Leon, Iowa.
6. Bos Freight Lines, Incorporated, Marshalltown, Iowa.
7. Merchants Motor Freight, Inc., St. Paul, Minn.

[F. R. Doc. 44-5301; Filed, April 14, 1944; 10:48 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, 2d Rev. Order A-3]

CERTAIN LISTED BUILDING MATERIALS AND CONSUMERS' GOODS

ADJUSTMENT OF MAXIMUM PRICES

2d Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Applications for absorbable adjustment of maximum prices for manufacturers of particular articles under Maximum Price Regulation No. 188.

Revised Order No. A-3 is revised and amended to read as follows:

An opinion accompanying this 2d Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the purpose of removing price impediments to supply in certain cases where the cost of living is not affected because an adjustment will clearly and equitably be absorbed at a subsequent level of production or trade, the Price Administrator, Washington, D. C., may adjust maximum prices for particular articles established under Maximum Price Regulation No. 188 as hereinafter provided. Applications for adjustment may be made by the seller or by the buyer on the seller's behalf and shall be filed in accordance with Revised Procedural Regulation No. 1.

The provisions of this order apply only to sellers of the articles listed below, under the circumstances and to the extent specified.

(a) *Who may apply.* An application for adjustment will be entertained in the case of any manufacturer of any of the commodities listed below if:

(1) His operating position and his ceiling price or prices for the article are such that he would qualify for relief under (b) below; and

(2) An increase in his ceiling price will not threaten an increase in established retail ceiling prices either for the article he sells, or for any commodity or service sold by those who use his article.

This latter condition is satisfied if either one of the following situations is found to exist:

(i) The article is not sold to household consumers in any form (as a finished good or as a component part or material of a finished good), but on the contrary is finally sold to persons, such as professional, institutional, industrial, or commercial consumers, who use it in the conduct of their business or profession. Its adjusted price to the user will be an inconsequential cost factor that can readily be absorbed by him.

(ii) The article is sold to a very small number of purchasers, who are purchasers for resale and not ultimate consumers. One of them accounts for at least one-third of the manufacturer's entire output of the article. The purchasers are ready to absorb the adjustment requested in the manufacturer's price without either changing their own resale price or prices for the article (if their selling prices are less than their maximum prices) or using the adjustment as a basis for increasing their maximum prices. Letters from them to this effect must accompany the application.

(b) *Amount of manufacturer's adjustment.* Any adjustment of a manufacturer's maximum price made under this order will not exceed the following:

(1) If the manufacturer's entire operation is profitable, an amount sufficient to cover the unit manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized;

(2) If the manufacturer's entire operation is being conducted at a loss (or will be so within 30 days), an amount sufficient to cover his total unit cost to make and sell the article.

In the case of any manufacturer who qualifies under paragraph (a) (2) (ii) above, no adjustment will be made under this order in an amount greater than his customers have agreed to absorb.

(c) *Purchasers for resale.*—(1) *Adjustment of resale prices to business users.* In the case of any manufacturer who qualifies under paragraph (a) (2) (i) above, if a purchaser for resale handles the article in the course of its distribution from the manufacturer to the user, an order making an adjustment in the manufacturer's maximum price or prices may also adjust the maximum prices for subsequent sales of the article. Such adjustments will be made only if it is found that purchasers for resale would not otherwise receive their normal peacetime dollar margins on the article; and the adjustments will in no event exceed the dollar amount of the manufacturer's adjustment.

(2) *Absorption by purchasers for resale in other cases.* In the case of any manufacturer who qualifies under paragraph (a) (2) (ii) above, the amount of any adjustment made in the manufacturer's maximum price under this provision shall not hereafter be considered by the customer in calculating his maximum price for the article when resold by him; nor will any petition or application for amendment, adjustment, exception or other relief made by any wholesaler or retailer of the article be entertained by the Office of Price Administration to the extent that such petition or application is based, directly or indirectly, upon the increase in price granted to the manufacturer under this provision.

(d) *Definitions.* The term "unit manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to each unit of the article.

The term "total unit cost" means the total of unit manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding income and excess profits taxes.

Depreciation included in cost shall be at rates which do not exceed those approved by the Bureau of Internal Revenue. Expenses not related to the manufacture and sale of the article will be excluded.

(e) *Articles covered.* This 2d Revised Order No. A-3 applies only to the following commodities:

(1) *Building materials:*

Clay silo staves.

(2) *Consumers' goods:*

Dental supplies.
Household furniture (as defined in Appendix A under Maximum Price Regulation No. 188).
Optical supplies.
Freehand blown glassware.
Illuminating glassware.
Insecticide dusters and sprayers.
Combs for personal use.
Embossed wood top cork closures.
Gas mantle rings.
Scientific glass apparatus.
Brooms for industrial use.
Brushes for industrial use.
Woodenware (Except turned or shaped wood products covered by MPR 196).
Artists' supplies.
Commercial kitchen utensils.
Laboratory, hospital and professional fixtures and equipment (except those covered by MPR No. 126, as amended).
Office fixtures and safes.
Office machines and equipment.
School and office supplies, including carbon paper, but no other paper.
Store machines, fixtures and equipment, including:
Store displays and display fixtures.
Dispensers.
Measuring devices for yard goods, screens, linoleums, etc.
Signs, electric, mechanical, etc.
Bulletin boards.
Tool cases.
Wire baskets for commercial use.

This 2d Revised Order No. A-3 shall become effective April 14, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5258; Filed, April 13, 1944; 11:56 a. m.]

Regional and District Office Orders.

[Region I Order G-38 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MILFORD, MASS., AREA

Amendment No. 1 to Order No. G-38 under Revised Maximum Price Regulation #122. Solid fuels sold and delivered by dealers. Specified solid fuels, Milford and Hopedale, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order G-38 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

(1) The title of the order is amended to read "Specified solid fuels, Milford, Massachusetts, Area".

(2) The words "In the towns of Milford and Hopedale, Massachusetts" in paragraph (a) are amended to read "In the Milford, Massachusetts, Area".

(3) The words "In Milford and Hopedale" in paragraphs (b) (1) and (c) (1) are amended to read "In the Milford, Massachusetts, Area".

(4) A new paragraph (f) is inserted, to read as follows:

(f) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who received delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(5) A new subparagraph (11) is added to paragraph (g), to read as follows:

(11) "Milford, Massachusetts, Area" shall mean the following cities and towns in the Commonwealth of Massachusetts: Hopedale, Milford and Upton.

This Amendment No. 1 to Order G-38 shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5191; Filed, April 12, 1944; 4:42 p. m.]

[Region II Order G-36 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN SALEM, CUMBERLAND, AND CAPE MAY COUNTIES, N. J.

Order No. G-36 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Salem County, Cumberland County, and Cape May County, State of New Jersey, Coal Area X.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.*—(1) *Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey, Coal Area X.

Zone 1. Zone 1 includes all of Salem County in the State of New Jersey.

Zone 2. Zone 2 includes all of Cumberland County in the State of New Jersey.

Zone 3. Zone 3 includes all of Cape May County in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2 and 3 are set forth in Schedules I, II and III, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2 and 3.

You shall determine the maximum price for "Direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the three zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of anthracite subject to this order, or

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II and III apply to similar sales in Zones 2 and 3, respectively. You will find Schedule II in paragraph (e) and Schedule III in paragraph (f).)

(2) Take the dollars-and-cents figure set forth in the applicable table of the schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If you deliver a fraction of a net ton, but more than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of anthracite of the sizes and in the quantities specified

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$14.25	$7.40	$0.90	$0.50
Pea	12.70	6.60	.80	.45
Buckwheat	10.60	5.55	.70	.....
Rice	9.00	4.75	.....	.....
Barley	8.60	4.25	.....	.....
Screenings	5.95	2.00	.....	.....

Required discounts. You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, 2d Rev. Order A-3]

CERTAIN LISTED BUILDING MATERIALS AND CONSUMERS' GOODS

ADJUSTMENT OF MAXIMUM PRICES

2d Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Applications for absorbable adjustment of maximum prices for manufacturers of particular articles under Maximum Price Regulation No. 188.

Revised Order No. A-3 is revised and amended to read as follows:

An opinion accompanying this 2d Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the purpose of removing price impediments to supply in certain cases where the cost of living is not affected because an adjustment will clearly and equitably be absorbed at a subsequent level of production or trade, the Price Administrator, Washington, D. C., may adjust maximum prices for particular articles established under Maximum Price Regulation No. 188 as hereinafter provided. Applications for adjustment may be made by the seller or by the buyer on the seller's behalf and shall be filed in accordance with Revised Procedural Regulation No. 1.

The provisions of this order apply only to sellers of the articles listed below, under the circumstances and to the extent specified.

(a) *Who may apply.* An application for adjustment will be entertained in the case of any manufacturer of any of the commodities listed below if:

(1) His operating position and his ceiling price or prices for the article are such that he would qualify for relief under (b) below; and

(2) An increase in his ceiling price will not threaten an increase in established retail ceiling prices either for the article he sells, or for any commodity or service sold by those who use his article.

This latter condition is satisfied if either one of the following situations is found to exist:

(i) The article is not sold to household consumers in any form (as a finished good or as a component part or material of a finished good), but on the contrary is finally sold to persons, such as professional, institutional, industrial, or commercial consumers, who use it in the conduct of their business or profession. Its adjusted price to the user will be an inconsequential cost factor that can readily be absorbed by him.

(ii) The article is sold to a very small number of purchasers for resale and not ultimate consumers. One of them accounts for at least one-third of the manufacturer's entire output of the article. The purchasers are ready to absorb the adjustment requested in the manufacturer's price without either changing their own resale price or prices for the article (if their selling prices are less than their maximum prices) or using the adjustment as a basis for increasing their maximum prices. Letters from them to this effect must accompany the application.

(b) *Amount of manufacturer's adjustment.* Any adjustment of a manufacturer's maximum price made under this order will not exceed the following:

(1) If the manufacturer's entire operation is profitable, an amount sufficient to cover the unit manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized:

(2) If the manufacturer's entire operation is being conducted at a loss (or will be so within 30 days), an amount sufficient to cover his total unit cost to make and sell the article.

In the case of any manufacturer who qualifies under paragraph (a) (2) (ii) above, no adjustment will be made under this order in an amount greater than his customers have agreed to absorb.

(c) *Purchasers for resale*—(1) *Adjustment of resale prices to business users.* In the case of any manufacturer who qualifies under paragraph (a) (2) (i) above, if a purchaser for resale handles the article in the course of its distribution from the manufacturer to the user, an order making an adjustment in the manufacturer's maximum price or prices may also adjust the maximum prices for subsequent sales of the article. Such adjustments will be made only if it is found that purchasers for resale would not otherwise receive their normal peacetime dollar margins on the article; and the adjustments will in no event exceed the dollar amount of the manufacturer's adjustment.

(2) *Absorption by purchasers for resale in other cases.* In the case of any manufacturer who qualifies under paragraph (a) (2) (ii) above, the amount of any adjustment made in the manufacturer's maximum price under this provision shall not hereafter be considered by the customer in calculating his maximum price for the article when resold by him; nor will any petition or application for amendment, adjustment, exception or other relief made by any wholesaler or retailer of the article be entertained by the Office of Price Administration to the extent that such petition or application is based, directly or indirectly, upon the increase in price granted to the manufacturer under this provision.

(d) *Definitions.* The term "unit manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to each unit of the article.

The term "total unit cost" means the total of unit manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding income and excess profits taxes.

Depreciation included in cost shall be at rates which do not exceed those approved by the Bureau of Internal Revenue. Expenses not related to the manufacture and sale of the article will be excluded.

(e) *Articles covered.* This 2d Revised Order No. A-3 applies only to the following commodities:

(1) *Building materials:*

Clay silo staves.

(2) *Consumers' goods:*

Dental supplies.
Household furniture (as defined in Appendix A under Maximum Price Regulation No. 188).
Optical supplies.
Freehand blown glassware.
Illuminating glassware.
Insecticide dusters and sprayers.
Combs for personal use.
Embossed wood top cork closures.
Gas mantle rings.
Scientific glass apparatus.
Brooms for industrial use.
Brushes for industrial use.
Woodenware (Except turned or shaped wood products covered by MPR 196).
Artists' supplies.
Commercial kitchen utensils.
Laboratory, hospital and professional fixtures and equipment (except those covered by MPR No. 136, as amended).
Office fixtures and safes.
Office machines and equipment.
School and office supplies, including carbon paper, but no other paper.
Store machines, fixtures and equipment, including:
Store displays and display fixtures.
Dispensers.
Measuring devices for yard goods, screens, linoleums, etc.
Signs, electric, mechanical, etc.
Bulletin boards.
Tool cases.
Wire baskets for commercial use.

This 2d Revised Order No. A-3 shall become effective April 14, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6259; Filed, April 13, 1944; 11:56 a. m.]

(2) *Yard sales.*

For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers

Size	Per net ton for sales of ½ ton or more: To dealers	Per net ton for sales of ½ ton or more: To consumers	Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.25	$13.75	$0.80	$0.45
Pea	11.70	12.20	.70	.40
Buckwheat	9.60	10.10	.60	
Rice	8.00	8.50		
Barley	7.00	7.50		
Screenings	2.20	2.20		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "Direct-delivery" sales and "Yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of anthracite of the sizes and in the quantities specified

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$14.05	$7.30	$0.80	$0.50
Pea	12.60	6.55	.80	.45
Buckwheat	10.45	5.30	.70	
Rice	8.40	4.95		
Barley	8.40	4.45		
Screenings	2.95	2.00		

Required discounts. You shall deduct from the prices set forth in table (1) above, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

(2) *Yard sales.*

For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers

Size	Per net ton for sales of ½ ton or more: To dealers	Per net ton for sales of ½ ton or more: To consumers	Per 100 lbs. for 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.05	$13.05	$0.80	$0.45
Pea	10.60	11.60	.70	.40
Buckwheat	8.45	9.45	.60	
Rice	7.40	8.40		
Barley	6.40	7.40		
Screenings	2.20	2.20		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "Direct-delivery" sales and "Yard sales."

(1) *Sales on a "direct-delivery" basis.*

For sales of anthracite of the sizes and in the quantities specified

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$15.10	$7.80	$0.90	$0.50
Pea	13.15	6.85	.80	.45
Buckwheat	10.70	5.60	.70	
Rice	9.70	5.10		
Barley	8.70	4.60		
Screenings	3.95	2.00		

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(2) *Yard sales.*

For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers

Size	Per net ton for sales of ½ ton or more: To dealers	Per net ton for sales of ½ ton or more: To consumers	Per 100 lbs. for 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.10	$14.10	$0.80	$0.45
Pea	11.15	12.15	.70	.40
Buckwheat	8.70	8.70	.60	
Rice	7.70	8.70		
Barley	6.70	7.70		
Screenings	2.20	2.20		

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(g) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex Parte 148, Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occuring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New Jersey or any political subdivision thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Camden District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-36, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey—Coal Area X with such designation during December 1941.

(6) "Direct-delivery" means delivery to the buyer's bin or storage space.

(7) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(8) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This order shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5198; Filed, April 12, 1944; 4:44 p. m.]

[Atlanta Order G-1 Under MPR 285]

FRESH BANANAS IN NORTH GEORGIA DISTRICT AREA

Order No. G-1 under Maximum Price Regulation No. 285, as Amended. Imported fresh bananas, sales except at retail. Adjustment of maximum price for the sale of bananas by wholesalers, other than carlot receivers, to retailers and institutional users located in the North Georgia District Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by § 1351.1254a (a) of Maximum Price Regulation No. 285, as amended, and Regional Delegation Order No. 25, *It is hereby ordered*, That:

(A) On and after the effective date of this order, the maximum price which may be charged on the sale of bananas delivered to the premises of individual retail stores or institutional users located within the "North Georgia District Area" (except those located within the municipalities of Atlanta, Macon, and Columbus, Georgia, or the "free delivery zones" thereof) by any "wholesaler" who buys the lot of bananas from which the particular sale is made in less than carload quantities shall be the maximum price calculated in accordance with Maximum Price Regulation No. 285, as amended, plus 35¢ per cwt.

(B) *Definitions.* (1) "Free delivery zone" of Macon, Georgia, means Bibb County, Georgia.

(2) "Free delivery zone" of Columbus, Georgia, means Muscogee County, Georgia.

(3) "Free delivery zone" of Atlanta, Georgia, means the "Metropolitan Atlanta-Decatur Trade Area," located in Fulton and DeKalb Counties, consisting of the territory within the corporate limits of the municipalities of Atlanta, East Point, College Park, Hapeville, Decatur, and Avondale Estates, and all of the territory lying within the following militia districts: Buckhead (722 GM), Collins District (1328 GM), Center Hill District (1511 GM), Adamsville District (1289 GM), Poole District (1762 GM), Blackhall District (530 GM), East Point District (1332 GM), Cooks District (469 GM), Peachtree District (1362 GM), Bryant's District (479 GM), Hapeville District (1589 GM), and Southbend District (1348 GM), all in Fulton County, and Decatur District (531 GM) in DeKalb County. The following points and landmarks are within the territory included and lie near or on the outside boundaries of the "Metropolitan Atlanta-Decatur Trade Area:" On the north, Fulton Park; on the northwest, the Chattahoochee River; on the southwest, Ben Hill; on the south, the southern limits of the Cities of College Park and Hapeville; on the southeast, the Fulton County-DeKalb County boundary line, the eastern limits of the City of Avondale; and on the northeast, Emory University.

(4) The "North Georgia District Area" means the territory located within the Counties of Lincoln, Wilkes, Taliaferro, Hancock, Washington, Johnson, Laurens, Dodge, Wilcox, Crisp, Lee, Terrell, Randolph, Quitman, or any county north or northwest of the named counties in the State of Georgia.

(5) "Wholesaler" shall be defined in the same manner as defined in Maximum Price Regulation No. 285, as amended.

(6) "Less than carload quantities" shall be any lot or quantity of bananas delivered at one time by rail or other

means of transportation which is less than 20,000 pounds.

(C) This order may be revoked, amended, or corrected at any time by the district director.

(D) This order shall become effective on the 3d day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-5199; Filed, April 12, 1944; 4:44 p. m.]

[Region IV Order G-5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN CHARLOTTE, N. C.

Amendment No. 4 to Order No. G-5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the city of Charlotte in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (g) of Order No. G-5, *It is hereby ordered*, That:

The third unnumbered subparagraph under paragraph No. (c) (1) of said Order No. G-5 is amended by adding to the list of prices under the caption "High Volatile Bituminous Coals from District No. 8" the following sizes and classifications:

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Lump coal from Mine Index No. 481, Benedict Coal Corporation, Mine Index No. 433, Southern Collieries, Incorporated	$10.45	$5.40	$2.91
Stoker size group from Mine Index No. 213 of Gatliff Coal Co.	9.90	5.20	2.78

This Amendment No. 4 to Order No. G-5 shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 6, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-5196; Filed, April 12, 1944; 4:44 p. m.]

[Region IV Order G-15 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WINSTON-SALEM, N. C.

Amendment No. 1 to Order No. G-15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the city of Winston-Salem in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (f) of Order No. G-15, *It is hereby ordered*, That:

The first unnumbered sub-paragraph under paragraph No. (c) (1) (i) of said Order No. G-15 is amended by adding to the list of prices under the caption "High volatile bituminous coals from District No. 8" the following sizes and classifications:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump coal size group No. 5 from Mine Index Nos. 27 and 728, Pruden Coal and Coke Co., and lump coal size group No. 2 from Mine Index No. 368, Pioneer Coal Co.	$5.85	$3.18	$2.66
Egg coal size group No. 3 from Mine Index No. 316, Harlan-Wallins Coal Co.	10.10	5.30	2.70

This Amendment No. 1 to Order No. G-15 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 6, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-5197; Filed, April 12, 1944; 4:44 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 12]

SOLID FUELS IN ROME, GA., AREA

Amendment No. 12 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix III, maximum prices for solid fuels in the City of Rome and certain adjacent territory in the State of Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, *It is hereby ordered*, That:

Paragraph (m) (3) (i) of said Order No. G-17 be amended by adding to the list of prices under the caption "High volatile bituminous coals from District No. 8" the following sizes and classifications:

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg from Sub-district No. 6 (Southern Appalachian)	$5.25	$3.38	$2.21
Block from Sub-district No. 6 (Southern Appalachian)	5.80	4.95	3.45

This Amendment No. 12 to Order No. G-17 shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 6, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-5195; Filed, April 12, 1944; 4:43 p. m.]

[Region VII Order G-2 Under SR 15]

MILK IN IDAHO AND MALHEUR COUNTY, OREG.

Order No. G-2 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas of the State of Idaho and Malheur County in the State of Oregon.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) (*a*) (3) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *What this order does.* This order supersedes Order No. G-1 under § 1499.75 (a) (2) (ii) of the General Maximum Price Regulation, issued November 25, 1942, and all amendments thereto, but leaves unaffected Order No. G-29 under § 1499.18 (c) of the General Maximum Price Regulation; divides Malheur County in the State of Oregon and all that part of the State of Idaho contained within this Region VII, except the City of Boise, into two districts, and establishes specific maximum prices in each district for fluid milk when sold at wholesale or at retail for human consumption; maintains present maximum prices that are higher than the specific maximum prices named herein; and in general adjusts prices upward, both at wholesale and at retail, ½¢ per quart to enable distributors to compete with processors in the purchase of milk from producers.

(b) *Relation to other orders.* This Order No. G-2 supersedes Order No. G-1 under § 1499.75 (a) (2) (ii) of the General Maximum Price Regulation, issued November 25, 1942, and all amendments thereto, but leaves unaffected to continue in full force and effect, Order No. G-29 under § 1499.18 (c) of the General Maximum Price Regulation, and leaves in full force and effect all maximum prices established under the General Maximum Price Regulation that are higher than the specific maximum prices named herein.

(c) *Two districts created.* For the purpose of this order, the area covered hereby is divided into two districts, to be known as District No. 1 and District No. 2, each of which said districts shall be as defined in paragraph (j) hereof.

(d) *Maximum prices for fluid milk when sold at wholesale and at retail in Districts 1 and 2.* The maximum prices

for fluid milk sold at wholesale or at retail in glass bottles or paper containers, in a quantity of one gallon or less, in Districts No. 1 and No. 2 as defined herein, shall upon and after the effective date of this order be as follows:

DISTRICT No. 1

Size of glass or paper container	Grade A milk		Ungraded milk	
	Wholesale	Retail	Wholesale	Retail
	Cents	*Cents*	*Cents*	*Cents*
½ pint	3½		3½	
Pint	6½	8	5	6
Quart	10½	12½	9½	11½
½ gallon	19	23	17	21
Gallon	37	43	33	39

DISTRICT No. 2

½ pint	4½		3½	
Pint	6	7	6½	6
Quart	11½	13½	10½	12½
½ gallon	21	25	19	23
Gallon	41	47	37	43

(e) *Higher established maximum prices may be maintained.* Any seller whose established maximum prices under § 1499.2 of the General Maximum Price Regulation or any applicable price regulation thereto or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Marketing Agreeemnt Act, as amended, that are higher than the prices fixed by this Order No. G–2 may continue to sell at such higher established maximum prices, and the same shall not be modified or superseded by this order.

(f) *Customary discounts, allowances, and differentials need not be maintained.* Upon and after the effective date of this Order No. G–2, it shall not be obligatory upon any seller of fluid milk hereunder to maintain or continue any customary allowance, discount, quantity discount, or differential heretofore established by him: *Provided, however,* That any seller may sell at a price lower than the maximum prices established by this order if he so desires.

(g) *Exempt sales.* This order does not apply to or in any manner affect sales of fluid milk made by one distributor or wholesaler to another distributor or wholesaler, or to purchases made from producers under Maximum Price Regulation No. 329.

(h) *Fractional price adjustments.* If the computed price for any sale includes a half-cent, the price shall be adjusted upward to the next cent.

(i) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(j) *Definitions.* (1) "District No. 1" means all that area in the State of Idaho contained within the Counties of Boise, Lemhi (except the community of Salmon), Custer (except the communities of Mackay and Challis), Butte (except the community of Arco), Clark, Teton, Camas, and Owyhee.

(2) "District No. 2" means all of that area in the State of Idaho contained within the Counties of Adams, Valley, Washington, Payette, Gem, Fremont, Jefferson, Madison, Bonneville, Bingham, Blaine, Elmore, Ada (except the City of Boise), Gooding, Lincoln, Minidoka, Jerome, Twin Falls, Cassia, Power, Oneida, Bannock, Franklin, Bear Lake, Caribou, and Canyon, and the communities of Salmon in Lemhi County, Mackay and Challis in Custer County, and Arco in Butte County, and the County of Malheur in the State of Oregon.

(3) "Grade A Milk" means milk produced and sold under conditions which qualify it for sale and delivery in glass or paper containers at wholesale and at retail under municipal regulation which by ordinance incorporates therein all of the material and substantial terms and provisions of the police regulation commonly referred to as "Standard Milk Ordinance", and milk which has been produced by one having a Grade A producer's certificate or license duly issued by the Public Health Department of the State of Idaho in accordance with the law of that state regulating the production and sale of Grade A milk when sold and delivered at wholesale or at retail in glass bottles or paper containers for human consumption.

(4) "Ungraded milk" means all milk produced and sold and distributed in glass bottles or paper containers for human consumption as fluid milk, and which does not meet the requirements specified for "Grade A milk" as set forth in the preceding subparagraph (3).

(5) "Producer" means a farmer or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm or dairy lot on which milk is produced for sale and distribution in glass bottles or paper containers for human consumption.

(k) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(l) *Effective date.* This Order No. G–2 shall become effective on the 4th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–5193; Filed April 12, 1944; 4:43 p. m.]

[Region VII Rev. Order G–6 Under MPR 329]

FLUID MILK IN IDAHO

Revised Order No. G–6 under Maximum Price Regulation No. 329. Purchases of fluid milk from producers in certain areas of the State of Idaho.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.406 (a) (1) (iii) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, Order No. G–6 Under Maximum Price Regulation No. 329 is hereby redesignated Revised Order No. G–6 Under Maximum Price Regulation No. 329, and made to read as follows:

(a) *Relation to former orders.* This Revised Order No. G–6 supersedes Order No. G16 under Maximum Price Regulation No. 329, issued under date of March 27, 1943.

(b) *State of Idaho divided into two districts.* For the purpose of this Revised Order No. G–6, the State of Idaho is hereby divided into two districts, to be known as District No. 1 and District No. 2, as hereinafter defined.

(c) *Maximum prices for milk purchased from producers in the several districts of the State of Idaho.* The maximum prices for milk purchased from producers in the several districts of the State of Idaho for resale as fluid milk shall, upon and after the effective date hereof, be the maximum producer's price established under the provisions of the Agricultural Marketing Agrement Act of 1937, as amended, or the specific maximum prices set forth below when sold f. o. b. the producer's farm or place of production, whichever is higher.

In District No. 1:
Grade A milk—78¢ per pound of butterfat content.
Ungraded milk—72¢ per pound of butterfat content.

In District No. 2:
Grade A milk—84¢ per pound of butterfat content.
Ungraded milk—78¢ per pound of butterfat content.

(d) *Fractional price adjustments.* Computations of the butterfat content of milk shall be carried out to the second decimal place, and fractions of a cent in price shall be adjusted upward to the next cent if the fraction is one-half or more, and shall be adjusted downward to the next cent if the fraction is less than one-half cent.

(e) *Exempt sales.* (1) This order shall not apply to sales and deliveries of milk at retail, whatever the container, or to sales at wholesale, except when made by a producer to a purchaser who bottles the same in glass or paper containers for resale for human consumption as fluid milk.

(2) This order shall not apply to purchases of bulk milk from producers for use in manufacturing dairy products such as butter, cheese, evaporated or condensed milk, casein, ice cream, or any other commercial or industrial milk product.

(f) *Applicability of other price regulations.* Except insofar as the same is contradictory of or inconsistent with the terms and provisions of this revised order, Maximum Price Regulation No. 329 shall remain in full force and effect and be applicable to all purchases of milk made under this order.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license

may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Definitions.* (1) "Grade A milk" means milk produced under conditions which qualify it for sale and delivery under municipal regulation which by ordinance incorporates therein all of the material and substantial terms and provisions of the police regulation commonly referred to as "Standard Milk Ordinance", and milk when sold and delivered by a producer having a Grade A producer's certificate or license duly issued by the Public Health Department of the State of Idaho in accordance with the law of that state regulating the production and sale of Grade A milk.

(2) "Ungraded milk" means all milk produced and sold and distributed for human consumption as fluid milk, and which does not meet the requirements specified for "Grade A milk" in the preceding paragraph (1).

(3) "Producer" means a farmer or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm or dairy lot on which milk is produced.

(4) "Purchaser" means any person who buys milk from a producer for resale.

(5) "District No. 1" means all that area in the State of Idaho contained within the Counties of Boise, Lemhi (except the community of Salmon), Custer (except the communities of Mackay and Challis), Butte (except the community of Arco), Clark, Teton, Camas, and Owyhee.

(6) "District No. 2" means all of that area in the State of Idaho contained within the Counties of Adams, Valley, Washington, Payette, Gem, Fremont, Jefferson, Madison, Bonneville, Bingham, Blaine, Elmore, Ada (except the City of Boise), Gooding, Lincoln, Minidoka, Jerome, Twin Falls, Cassia, Power, Oneida, Bannock, Franklin, Bear Lake, Caribou, and Canyon, and the communities of Salmon in Lemhi County, Mackay and Challis in Custer County, and Arco in Butte County, and the County of Malheur in the State of Oregon.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(j) *Effective date.* This Revised Order No. G-6 shall become effective on the 4th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-5194; Filed, April 12, 1944; 4:43 p. m.]

[Region VIII Order G-70 Under 18 (c), Amdt. 2]

ALFALFA MEAL IN NEVADA

Amendment No. 2 to Order No. G-70 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of alfalfa meal in the State of Nevada.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, and Order No. G-70 under such section, Order No. G-70 under § 1499.18 (c), as amended, of the General Maximum Price Regulation is amended to read as follows:

(1) Paragraph (e) is amended to read as follows:

The adjusted maximum price for sales of alfalfa meal by any other person, whose place of business, including warehouses, if any, is in Nevada, including any person who sells to feeders, shall be the applicable maximum prices as specified in paragraphs (a) and (c) above, plus the actual transportation cost from the processor's mill located "nearest freightwise" to the seller's business location, plus the following markups:

	Per ton
Less than one ton	$7.50
One ton and less than three tons	7.00
Three tons or more	6.50

(2) Paragraph (g) is amended to read as follows:

Definitions. (1) "Alfalfa meal" means the product obtained from the grinding of the entire alfalfa hay, without the addition of any alfalfa stems, alfalfa straw, or foreign material, or the abstraction of leaves. It must be reasonably free from other crop plants and weeds, and must not contain more than 33 per cent of crude fibre.

(2) "Alfalfa stem meal" means the ground product remaining after the separation of the leafy material from alfalfa hay or meal. It must be reasonably free from other crop plants and weeds.

(3) "Alfalfa leaf meal" means the product from the grinding of alfalfa hay consisting chiefly of leafy materials separated from alfalfa hay or meal, of a minimum protein content of 20% and a maximum fibre content of 18%.

(4) "Processor" means any person who produces alfalfa meal for sale.

(5) "Feeder" means any person who buys alfalfa meal to feed livestock or poultry.

(6) "Nearest freightwise" means the alfalfa meal mill, whether or not the actual supplier, with the lowest freight rate from said mill to buyer's customary receiving point.

(7) "Actual transportation cost" means lowest common or contract carrier rate from the processor's mill to the seller's business location.

This amendment shall become effective upon its issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-5192; Filed, April 12, 1944; 4:42 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 11, 1944.

REGION I

Concord Order No. 12, filed 2:23 p. m.
Connecticut Order No. 2-F, Amendment No. 1, filed 2:21 p. m.
Connecticut Order No. 2-F, Amendment No. 2, filed 2:22 p. m.
Connecticut Order No. 3-F, Amendment No. 1, filed 2:21 p. m.
Providence Order No. W-1, Correction, filed 2:21 p. m.
Providence Order No. 1-F, Correction, filed 2:21 p. m.
Providence Order No. 2-F, filed 2:21 p. m.

REGION II

Altoona Order No. 1-F, Amendment No. 1, filed 2:26 p. m.
Binghamton Order No. 1-F, Amendment No. 1, filed 2:10 p. m.
Buffalo Order No. 1-F, Amendment No. 1, filed 2:24 p. m.
Buffalo Order No. 2-F, Amendment No. 1, filed 2:26 p. m.
Maryland Order No. 17, Amendment No. 2, filed 2:09 p. m.
Newark Order No. 2-F, filed 2:07 p. m.
New York Order No. 1-F, Amendment No. 2, filed 2:12 p. m.
Philadelphia Order No. 1-F, Amendment No. 1, filed 2:14 p. m.
Scranton Order No. 3-F, filed 2:09 p. m.
Syracuse Order No. 1-F, Amendment No. 1, filed 2:14 p. m.
Wilmington Order No. 1-F, Amendment No. 1, filed 2:13 p. m.

REGION III

Cincinnati Order No. 1-F, Amendment No 24, filed 2:10 p. m.
Cincinnati Order No. 2-F, Amendment No. 17, filed 2:10 p. m.
Columbus Order No. 3-F, Amendment No. 15, filed 2:26 p. m.
Columbus Order No. 7-F, Amendment No. 15, filed 2:25 p. m.
Lexington Order No. 1-F, Amendment No. 24, filed 2:12 p. m.
Lexington Order No. 2-F, Amendment No. 17, filed 2:11 p. m.
Lexington Order No. 3-F, Amendment No. 15, filed 2:11 p. m.

REGION IV

Jacksonville Order No. 1-F, Amendment No. 19, filed 2:14 p. m.
Jacksonville Order No. 3-F, Amendment No. 3, filed 2:13 p. m.
Memphis Order No. 5-F, Amendment No. 3, filed 2:24 p. m.
Montgomery Order No. 5-F, Amendment No. 4, filed 2:16 p. m.
Montgomery Order No. 3-F, Amendment No. 5, filed 2:16 p. m.
Montgomery Order No. 9-F, Amendment No. 1, filed 2:14 p. m.
Montgomery Order No. 10-F, filed 2:16 p. m.
Montgomery Order No. 15, Amendment No. 2, filed 2:19 p. m.
Savannah Order No. 1-F, Amendment No. 30, filed 2:30 p. m.
Savannah Order No. 2-F, Amendment No. 25, filed 2:30 p. m.
Savannah Order No. 3-F, Amendment No. 23, filed 2:29 p. m.
Savannah Order No. 4-F, Amendment No. 22, filed 2:29 p. m.
Savannah Order No. 5-F, Amendment No. 3, filed 2:27 p. m.

REGION V

Arkansas Order No. 2-F, Amendment No. 8, filed 2:13 p. m.
Arkansas Order No. 3-F, Amendment No. 8, filed 2:13 p. m.
Arkansas Order No. 4-F, Amendment No. 10, filed 2:18 p. m.
Arkansas Order No. 5-F, Amendment No. 9, filed 2:18 p. m.
Arkansas Order No. 6-F, Amendment No. 10, filed 2:18 p. m.
Dallas Order No. 1-W, filed 2:12 p. m.
Fort Worth Order No. 5-F, Amendment No. 11, filed 2:30 p. m.
Oklahoma City Order No. 2-F, Amendment No. 3, filed 2:27 p. m.

REGION VI

Duluth-Superior Order No. 1-F, Amendment No. 11, filed 2:24 p. m.
La Crosse Order No. 1-F, Amendment No. 10, filed 2:04 p. m.
La Crosse Order No. 2-F, Amendment No. 3, filed 2:05 p. m.
North Platte Order No. 3-F, filed 2:26 p. m.
Peoria Order No. 12, filed 2:09 p. m.
Sioux City Order No. 2-F, Amendment No. 9, filed 2:07 p. m.
Sioux City Order No. 1-F, Amendment 8, filed 2:24 p. m.
Springfield Order No. 3-F, filed 2:19 p. m.

REGION VIII

Fresno Order No. 10, Amendment No. 1, filed 2:09 p. m.
Fresno Order No. 11, Amendment No. 2, filed 2:07 p. m.
Los Angeles Order No. L. A.-5, Amendment No. 12, filed 2:05 p. m.
Los Angeles Order No. L. A.-6, Amendment No. 12, filed 2:05 p. m.
Los Angeles Order No. L. A.-7, Amendment No. 12, filed 2:06 p. m.
Los Angeles Order No. L. A.-8, Amendment No. 12, filed 2:06 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5259; Filed April 13, 1944, 11:55 a. m.]

[Region III Rev. Order G-5 Under RMPR 122, Amdt. 1]

SOLID FUELS IN AKRON, BARBERTON, AND CUYAHOGA FALLS, OHIO

Amendment No. 1 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in the municipalities of Akron, Barberton, and Cuyahoga Falls, in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122 *It is hereby ordered*, That Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 be amended by adding paragraph C to Part I in section (c) (1) to read as follows:

C. To the prices stated in paragraphs A and B of Part I may be added 15¢ per ton provided the coal is mined in Sub-District 6 of Producing District 8. Sub-District 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This amendment to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued March 29, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5272; Filed, April 13, 1944; 1:42 p. m.]

[Region III Order G-8 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LOUISVILLE, KY.

Amendment No. 1 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Louisville, Kentucky, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-8 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Subparagraphs 3 and 4, paragraph A of Part I, in Schedule (c) (1) have been amended and combined so that both subparagraphs 3 and 4 now appear as subparagraph 3, paragraph A of Part I, in section (c) (1) to read as follows:

Column I	Column II	Column III	Column IV
• •	•	•	•
3. Mine price classifications J and lower	$7.05	$7.70	$7.45

• • • • •

(b) Subparagraph 2, paragraph A of Part I, in section (c) (1) is amended to read as follows:

Column I	Column II	Column III	Column IV
• •	•	•	•
2. Mine price classifications G and H	$6.95	$7.60	$7.55
• •	•	•	•

(c) Subparagraph 2b (1), paragraph B of Part I, in section (c) (1) is amended to read as follows:

Column I	Column II	Column III	Column IV
• •	•	•	•
(1) The Fourseam Mine, Index 207, of the Fourseam Coal Corporation	$7.95	$7.70	$7.45

• • • • •

(d) Subparagraph 3, paragraph B of Part I, in section (c) (1) is amended to read as follows:

Column I	Column II	Column III	Column IV
• •	•	•	•
3. Size Group No. 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller) Mine price classifications B through M	$7.65	$7.40	$7.15

• • • • •

(e) Part I in section (c) (1) is amended by adding paragraph E thereto to read as follows:

E. To the prices stated in paragraphs A, B, C, and D may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.

This Amendment No. 1 to Order No. G-8 under Revised Maximum Price Regulation No. 122 shall become effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 5, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5270; Filed, April 13, 1944; 1:42 p. m.]

[Region III Order G-9 Under MPR 329, Amdt. 1]

FLUID MILK IN FRANKLIN COUNTY, OHIO

Amendment No. 1 to Order No. G-9 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk, County of Franklin in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.406 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Section (a) of Order No. G-9 under Maximum Price Regulation No. 329, (Purchases of Milk from Producers for Resale), be, and the same is, hereby amended to read as follows:

SECTION (a). Any milk distributor in the County of Franklin in the State of Ohio may pay producers an amount not in excess of $3.55 per cwt. for "milk" of 4% butterfat content, plus 5¢ per cwt. for each $\frac{1}{10}$ of 1% butterfat variation over 4% and minus 5¢ per cwt. for each $\frac{1}{10}$ of 1% under 4%, *Provided*, That such milk distributors shall also be subject to the express restrictions and provisions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 1, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5271; Filed, April 13, 1944; 1:43 p. m.]

[Region III Order G-36 Under MPR 329]

FLUID MILK IN MIDLAND COUNTY, MICH.

Order No. G-36 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.-408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in Midland County in the State of Michigan may pay producers an amount not in excess of $3.07 per cwt. for "milk" of 3½% butterfat content, plus 5¢ for each 1/10 of 1% butterfat variation over 3½% and minus 5¢ for each 1/10 of 1% butterfat variation under 3½%: *Provided, however,* That such milk distributor shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be modified, amended or revoked at any time.

This order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 1, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5273; Filed, April 13, 1944; 1:43 p. m.]

[Louisville Order G-1 Under MPR 418, Amdt. 1]

FISH WHOLESALERS IN JEFFERSON COUNTY, KY., FLOYD AND CLARK COUNTIES, IND.

Louisville District Order No. G-1 under section 7 (b) of Maximum Price Regulation No. 418, as amended, Amendment No. 1. An order establishing fixed transportation allowances for fish wholesalers in Jefferson County, Kentucky, Floyd County, Indiana, and Clark County, Indiana. Fresh fish and sea food.

For reasons set forth in an opinion issued simultaneously herewith, and under the authority delegated to the District Director of the Louisville District by the Regional Administrator of Region III by virtue of Delegation Order 1-A, Revised, it is hereby ordered that said Order No. G-1 be amended to read as follows:

SECTION 1. *Exclusive transportation allowances.* In determining maximum prices under the provisions of Maximum Price Regulation No. 418 for sales of the hereinafter designated species of fresh fish and sea food at wholesale, every person making such sales to retail establishments shall substitute in lieu of actual costs of transportation the following exclusive transportation allowances:

(a) On fish from the Atlantic Ocean, including whiting, wolf, haddock, pollock, cod, cusk, and ocean pout—$3.50 per hundredweight.

(b) On fish from the Pacific Ocean, including halibut and silver salmon—$5.52 per hundredweight.

(c) On fresh shrimp—$4.39 per hundredweight.

No additions may be made for local hauling, icing, or handling.

SEC. 2. *Effective date and geographical application.* This order shall be effective on April 13, 1944, and shall apply to all sales made by wholesalers in the Greater Louisville Area to retailers in the Greater Louisville Area, which includes Jefferson County, Kentucky, Floyd County, Indiana, and Clark County, Indiana.

This order may be revised, revoked, or amended at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

GEO. H. GOODMAN,
District Director.

[F. R. Doc. 44-5274; Filed, April 13, 1944, 1:43 p. m.]

[Montgomery Order G-1 Under MPR 426]

ICEBERG LETTUCE IN MONTGOMERY DISTRICT, ALA.

Order No. G-1 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use; sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than truckiot quantities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montgomery District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, *It is hereby ordered:*

(A) On and after the effective date of this order, no person shall make a sale of iceberg lettuce in less than carlot or less than truckiot quantities at a price higher than the maximum prices hereinafter established.

(1) The maximum price for a sale of iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads with a minimum net weight of 60 pounds shall be:

(i) On a sale by an intermediate seller whose selling establishment is located in the free delivery zones of Montgomery or Mobile, Alabama, to another intermediate seller:

(a) When sold f. o. b. seller's platform or delivered to the purchaser's establishment when it is located within one of the named cities or free delivery zones thereof, $5.13 per crate.

(b) When delivered to the premises of the purchaser not located in one of the named cities or free delivery zones thereof, (1) $5.38 per crate; or (2) $5.13 per crate plus 25¢ "freight" from the nearest city at which lettuce is customarily received in carlot quantities and which has a carlot freight rate from Salinas, California (for example, Montgomery or Mobile, Alabama), located in the free delivery zone, to the purchaser's receiving point.

(ii) On a sale by any seller delivered to a "retailer" or institutional user or procurement agency of the United States or of any state within the free delivery zones of Montgomery or Mobile, Alabama, $5.43 per crate.

(iii) On a sale by any seller delivered to a "retailer" or institutional user or procurement agency of the United States or of any state outside of a free delivery zone, the higher of the following:

(a) $5.68 per crate; or

(b) $5.43 per crate plus 25¢ "freight" from the nearest city at which lettuce is customarily received in carlot quantities and which has a carlot freight rate from Salinas, California (for example, Montgomery or Mobile, Alabama), located in the free delivery zone, to the purchaser's receiving point; or

(c) The maximum price established for such sale by Maximum Price Regulation No. 426, as amended.

(2) The maximum price per pound for a sale of a type covered in paragraph (1) above, of iceberg lettuce in any container except L. A. or Salinas crates, or if sold in a L. A. crate or Salinas crate containing less than 48 heads or with a net weight of less than 60 pounds, shall be the price per crate established in paragraph (1) above for the particular type of sale involved divided by 60.

(B) *Definitions.* (1) "Free delivery zone" means all of the territory embraced in the Cities of Montgomery and Mobile, Alabama, and all of the territory embraced in this order which is 10 miles or less from any one of the named cities.

(2) "Retailer" means a person other than an intermediate seller who makes sales and deliveries to ultimate consumers.

(3) "Freight" as used in this order means "freight" as defined in section 8 (a) (7) of Maximum Price Regulation No. 426, as amended.

(4) "Intermediate seller" means any person who purchases fresh fruits and vegetables and who resells them in less than carlot or less than truckiot quantities to any person who is not an ultimate consumer.

(5) Unless the context otherwise requires, the definitions set forth in section 8 of Maximum Price Regulation No. 426, as amended, shall apply to the words and terms used herein.

(C) *Geographical applicability.* This order applies only to sales made either f. o. b. or delivered within the territory located in the Counties of Sumter, Greene, Hale, Perry, Chilton, Coosa, Tallapoosa and Chambers, in the State of Alabama, and all of the remaining counties of the State of Alabama lying and being situated south of said counties.

(D) *Exempt sales.* Sales to chain store warehouses or to any person acting as a purchasing agent for chain stores shall not be subject to this order, but shall remain subject to the provisions of Maximum Price Regulation No. 426, as amended, or any other applicable regulation heretofore or hereafter issued by the Office of Price Administration.

(E) *Applicability of Maximum Price Regulation No. 426, as amended.* All sales for which maximum prices are adjusted by this order shall remain subject to all of the provisions of Maximum Price Regulation No. 426, as amended, or as it may hereafter be amended, which are not inconsistent with the provisions of this adjustment order. All sales for which the maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

(F) This order may be revoked, amended, or corrected at any time by the District Director.

(G) This order shall become effective on the 6th day of April, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

A. H. COLLINS,
District Director.

[F. R. Doc. 44-5275; Filed, April 13, 1944; 1:43 p. m.]

[Region VII Order G-26 Under RMPR 122]

SOLID FUELS IN SPECIFIED TRADE AREAS IN DENVER REGION

Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G-26 is issued.

General statement. This order brings together and integrates into a single order over twenty area pricing orders previously issued by this Regional Office. it also affords a simple method for extending area pricing of solid fuels to additional communities.

(a) *What this order does.* This order establishes area ceiling prices for certain solid fuels sold within various trade areas within Region VII. The general provisions applicable to all solid fuels and in all trade areas covered by this order are contained in the paragraphs that immediately follow. The special provisions and dollars-and-cents prices applicable in the individual trade areas are contained in separate appendices in paragraph (q). If any special provision is contrary to or inconsistent with any of the general provisions, the special provision shall be controlling in the area covered by the appendix containing that special provision. This order applies only to the solid fuels for which specific maximum prices are provided and only in the trade areas covered by the various appendices. As area pricing is extended new appendices will be added by amendment to paragraph (q).

(b) *To what sales this order applies.* If you sell coal of the kind specified in any one or more of the appendices set forth in paragraph (q) hereof and make delivery thereof either by truck direct from the mine or from or at your yard to any person within a trade area covered by the applicable appendix, the maximum prices which you may charge therefor and the customary discounts and allowances which you must give are those set forth in such appendix.

(c) *Determination of mixed coal prices.* If you mix sizes or kinds of coal, your maximum prices shall be the proportionate sum of the applicable maximum price per net ton established in this order for each of the coals so mixed, adjusted to the nearest five cents.

(d) *When transportation tax may be collected.* If on any purchase of coal made by you, you are required to pay the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in the appendix applicable to your trade area, collect from the buyer the amount of such tax actually incurred or paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket, or other memorandum, the amount of such tax so collected by you. But on sales to the United States or any agency thereof, or any state government or any political subdivision thereof, such tax need not be separately stated.

(e) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into, you shall not:

(1) Sell or in the course of trade or business buy solid fuels of the kinds and sizes covered by this order at prices higher than the maximum prices set forth in the applicable appendix; but you may sell or buy such coal at lower prices than such specific maximum prices.

(2) Obtain from a buyer anything of value over and above the applicable maximum price by:

(i) Changing or withdrawing your customary discounts, differentials, or allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the areas for which the maximum prices are herein set forth or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December, 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained, either directly or indirectly.

(f) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. These specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator, whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(g) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(h) *Petition for amendment.* If you desire an amendment of any provision of this order, you may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the Regional Administrator and acted upon by him.

(i) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons

who make sales under price control, are applicable to all sellers subject to this order, regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(j) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, as stated in paragraph (k) of this order, shall apply to all dealers selling and delivering coal in the areas covered hereby with like force and effect as though the same were rewritten herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(k) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their District OPA Office as previously required in § 1340.262 (c). However, prices for coals not specifically covered by this order shall be filed as required by that section.

(l) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical condition of the premises is such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by rehandling the same for the purpose of filling the bin; and applies only to the amount of coal actually rehandled.

(3) "Carrying up or down stairs" means generally the labor involved in carrying the coal up or down stairs for depositing in customer's bin or storage space.

(4) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting, or shovelling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(5) "Dealer" means any person selling solid fuels of any kind or size for which a maximum price is established by an appendix to this order for sales and deliveries made in the area covered by such appendix, but does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(6) "Bituminous coal" means coal produced in Districts 16 to 20, both inclusive, and 22, and any sub-districts thereof, as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior and in effect as of midnight, August 23, 1943.

(m) *Additional charges for delivering beyond trade area.* For a delivery made to a place beyond the trade area as specified in the appendix applicable to you, you may make an additional charge not in excess of any such additional delivery charge you regularly made in December, 1941. If you are a dealer who was not in business in December, 1941, or if you were in business then but made no such deliveries, you may take for your additional delivery charge the charge of your nearest competitor who was established in business and did make such delivery charge in December, 1941.

(n) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per-net-ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(o) *Bureau of the Budget approval.* The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Right to revoke or amend.* This order and any amendment or appendix hereto may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(q) *Appendices establishing specific maximum prices for certain trade areas in Region VII.*

Appendix I—Albuquerque Trade Area

(1) *To what sales this Appendix I applies.* This Appendix I applies only to sales made by dealers and licensed or unlicensed trucker-dealers in the Albuquerque Trade Area of the State of New Mexico, which means all of that area contained within a radius of seven miles from the intersection of West Central Avenue with North and South Fourth Streets in the City of Albuquerque.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix I thereto supersede Order No. G–2 and Order No. G–18 and Amendment No. 1 thereto, insofar as the same apply to the Albuquerque Trade Area.

(3) *"Licensed trucker-dealer"* means a person duly licensed in accordance with a local law to engage in the business of purchasing solid fuel for resale and making delivery thereof by truck or other conveyance to his customers, and who does not have or maintain a coal yard or coal storage facilities.

(4) *Specific maximum prices.* If you are a dealer and sell in the Albuquerque Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix I, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Cerrillos anthracite produced at Madrid, New Mexico:				
(A)	Chestnut	$12.65	$6.30	$11.85
(B)	#1, #2, #3 grate, egg, stove and base burner.	13.90	7.20	13.00
(C)	#7 pea	10.80	5.65	10.00
(D)	#8 buckwheat and duff	7.05	3.90	6.50
Bituminous coal produced in District 17:				
Sub-district 1, Walsenburg (E)	#6—3" lump	12.20	6.20	11.70
Sub-district 9, New Mexico No. 1 (F)	#5—6 x 3 grate	10.95	5.75	10.40
Bituminous coal produced in District 18:				
Sub-district 1, Gallup:				
(G)	#1—4" lump	11.15	5.85	10.60
(H)	#3—1¼" lump	11.35	5.95	10.80
(I)	#4—6 x 3 egg	11.20	5.90	10.75
(J)	#6—3 x 1½ nut	10.75	5.65	10.25
(K)[1]	#11—1½ x 0 slack	7.85	4.20	7.35
(L)[1]	#12—1 x 0 slack	7.55	4.05	7.05
Sub-district 2, Cerrillos:				
(M)	#1—4" lump	10.90	5.70	10.40
(N)	#3—3" nut	10.00	5.25	9.50
(O)	#7—2½ x 1½ nut	9.25	4.90	8.75
(P)	#8—1½ x 1 walnut	7.75	4.15	7.25
(Q)	#9—1 x ⅜ pea			

	Part 1—Delivered price: 1 Ton	½-Ton	¼-Ton	280#	200#	150#	100#
Sub-districts 8 and 9, La Ventana and Rio Puerco:							
(R) #1—3" lump	$5.50	$3.00	$2.75	$1.80		$1.00	$0.70
(S) #9—1 x ⅜ pea	3.50	2.00	2.00	1.10	$1.00		.50

	Delivered sales by licensed or unlicensed trucker-dealers to dealers	Delivered sales by licensed trucker-dealers to consumers
(R) #1—3" lump	$7.50 per ton	$8.50 per ton.
(S) #9—1 x ⅜ pea	4.50 per ton	5.50 per ton.

[1] The prices hereinabove established for sizes #11 and #12 slack coal are for commercial deliveries of one ton or more.

Note.—Unlicensed trucker-dealers can sell to dealers only, and must not sell to consumers.

(5) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(6) *Special service charges.* If, in connection with the sale and delivery of coal made

(5) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(6) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Albuquerque Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

Appendix II—Santa Fe Trade Area

(1) *To what sales this Appendix II applies.* This Appendix II applies only to sales made by dealers in the Santa Fe Trade Area of the State of New Mexico, which means all that area contained within the corporate boundaries of the municipality of Santa Fe, New Mexico.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix II thereto supersede Order No. G-19 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Santa Fe Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix II, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 17:				
Sub-district 3, Canon No. 2: (A)	#9—3 x 1½ nut	$10.95	$6.75	$10.20
Bituminous coal produced in District 18:				
Sub-district 2, Cerrillos:				
(B)	#1—4" lump	11.60	6.65	10.85
(C)	#5—6 x 3 egg	11.50	6.60	10.75
(D)	#7—2½ x 1½ nut	10.55	5.55	9.80
(E)	#9—1 x ⅜ pea	7.20	3.85	6.45
Sub-district 3, La Ventana: (F)	#2—2" lump	10.85	5.70	10.10
Cerrillos anthracite produced in Madrid, New Mexico:				
(G)	#1 Grate	15.45	8.00	14.70
(H)	#2 & #3—egg and stove	15.20	7.85	14.45
(I)	Baseburner	14.70	7.60	13.95
(J)	#7 pea	9.80	5.15	9.05

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Santa Fe Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

Appendix III—Las Vegas Trade Area

(1) *To what sales this Appendix III applies.* This Appendix III applies only to sales made by dealers in the Las Vegas Trade Area of the State of New Mexico, which means all that area contained within the corporate boundaries of the municipality of Las Vegas, New Mexico, and a distance of one mile beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix III thereto supersede Order No. G-18 and Amendment No. 1 thereto, insofar as the same apply to the Las Vegas Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Las Vegas Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix III, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 17:				
Sub-district 9, New Mexico No. 1:				
(A)	#4—6 x 3 grate [1]	$9.30	$4.90	$8.90
(B)	#9—3 x 1½ nut [1]	8.95	4.75	8.45
(C)	#10—1¼ x 1 chestnut [1]	7.45	4.10	6.95
(D)	#13—1½ x 0 slack	5.60	3.05	5.10
(E)	#14—1 x 0 slack	5.20	2.85	4.70
Bituminous coal produced in District 18:				
Sub-district 6, Cerrillos:				
(F)	#1—4" lump	11.15	5.85	10.65
(G)	#3—6 x 3 egg	10.30	5.40	9.80
(H)	#9—1 x ⅜ pea	7.80	4.15	7.30
Cerrillos anthracite produced at Madrid, New Mexico:				
(I)	#3—stove	16.05	8.30	15.55
(J)	#7—pea	9.10	4.80	8.60

[1] If washed, add 10c per net ton.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Las Vegas Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

Appendix IV—Pueblo Trade Area

(1) *To what sales this Appendix IV applies.* This Appendix IV applies only to sales made by dealers in the Pueblo Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City of Pueblo, Colorado, and extending a distance of three miles beyond at all points.

(2) *Relations to other orders.* This Order No. G-26 and this Appendix IV thereto supersede Order No. G-5 and Amendment No. 1 thereto, insofar as the same apply to the Pueblo Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Pueblo Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix IV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 17:				
Sub-district 2, Canon #1:				
(A)	#2—6" lump	$8.90	$4.70	$8.40
(B)	#3—3" lump	8.70	4.60	8.20
(C)	#7—6" x 1½" egg	8.05	4.30	7.55
(D)	#9—3" x 1½" nut	7.60	4.05	7.10
(E)	#10—1½" x 1" range	6.80	3.65	6.30
(F)	#11—1½" x ¾" pea	6.50	3.50	6.00
(G)	#13—1½" x 0" slack	5.50	3.00	5.00
Sub-district 3, Canon #2:				
(H)	#2—6" lump	8.40	4.45	7.90
(I)	#3—3" lump	8.20	4.35	7.70
(J)	#7—6" x 1½" egg	7.80	4.15	7.30
(K)	#9—3" x 1½" nut	7.45	4.00	6.95
(L)	#10—1½" x 1" range	6.80	3.65	6.30
(M)	#11—1½" x ¾" pea	6.50	3.50	6.00
(N)	#13—1½" x 0" slack	5.50	3.00	5.00

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Pueblo Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.25
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix V—Colorado Springs Trade Area

(1) *To what sales this Appendix V applies.* This Appendix V applies only to sales made by dealers in the Colorado Springs Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City of Colorado Springs, and the nearby community of Broadmoor, the Stratton Home and the Printer's Home.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix V thereto supersede Order No. G-5 and Amendment No. 1 thereto, insofar as the same apply to the Colorado Springs Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Colorado Springs Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix V, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 17:				
Sub-district 2, Canon #1:				
(A)	#2—6" lump	$9.65	$5.10	$9.15
(B)	#3—3" lump	9.45	5.00	8.95
(C)	#7—6" x 1½" egg	8.80	4.65	8.30
(D)	#9—3" x 1½" nut	8.35	4.45	7.85
(E)	#10—1¼" x 1" range	7.55	4.05	7.05
(F)	#11—1¼" x ¾" pea	7.25	3.90	6.75
(G)	#13—1½" x 0" slack	6.25	3.40	5.75
Sub-district 3, Canon #2:				
(H)	#2—6" lump	9.15	4.85	8.65
(I)	#3—3" lump	8.95	4.75	8.45
(J)	#7—6" x 1½" egg	8.85	4.65	8.05
(K)	#9—3" x 1½" nut	8.30	4.35	7.70
(L)	#10—1¼" x 1" range	7.55	4.05	7.05
(M)	#11—1½" x ¾" pea	7.25	3.90	6.75
(N)	#13—1½" x 0" slack	6.25	3.40	5.75

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Colorado Springs Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.25
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix VI—Denver Metropolitan Trade Area

(1) *To what sales this Appendix VI applies.* This Appendix VI applies only to sales made by dealers in the Denver Metropolitan Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City and County of Denver, the Towns of Englewood and Aurora, and the suburban areas of Lakewood, Edgewater, Wheatridge, and Mountainview.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix VI thereto supersede Order No. G-8 and Amendments Nos. 1, 2, and 3 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Denver Metropolitan Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix VI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices (per ton): To dealers	Part 2—Yard prices (per ton): To others
Bituminous coal produced in District 17:					
Sub-districts 1, 2, and 4, Walsenburg, Canon #1 and Oak Hills:					
(A)	#2—9" lump and egg	$8.45	$4.95	$8.20	$9.05
(B)	#6—3 x 1½ nut (raw)	8.20	4.40	7.95	7.20
(C)	#6—3 x 1½ nut (washed)	8.40	4.45	7.15	7.90
Sub-districts 1, 2, 4, and 5, Walsenburg, Canon #1, Oak Hills and Mt. Harris:					
(D)	#11—1¼ x ¾ pea	6.85	3.70	6.35	
(E)	#13—1¼ x 0 slack	6.65	3.10	5.15	
Sub-district 5, Mt. Harris:					
(F)	#1—9" lump	9.00	4.75	7.75	8.50
(G)	#2—9" lump or egg	8.85	4.70	7.65	8.35
(H)	#4—3 x 3 grate	8.95	4.75	7.70	8.45
(I)	#6—3 x 1½ nut (raw)	8.00	4.25	6.75	7.50
(J)	#6—3 x 1½ nut (washed)	8.10	4.30	6.85	7.60
Sub-districts 7 and 8, Trinidad Nos. 1 and 2, (coking coals):					
(K)	#10—1¼ x ¾ pea	7.10	3.80	6.60	
(L)	#13—1½ x 0 slack	6.35	3.45	5.35	
Sub-bituminous coal produced in District 16:					
Sub-districts, 1, 2, & 4, Louisville, Lafayette and Marshall No. 4:					
(M)	#2, #3, & #5—6" lump, 2¼" lump & egg & 3 x 2½ grate.	8.05	4.30	7.05	7.85
(N)	#6—4 x 2½ nut	7.45	4.00	6.45	6.85
Sub-district 4, Marshall #3, and Sub-district 6, Erie: (O).	#2 & #5—6" lump & 2¼" lump & egg.	7.45	4.00	6.45	6.85
Sub-districts 8 & 9, Frederick and El Paso: (P).	#2, #3, and #5—6" lump, 2¼" lump & egg & 2½ x 8 grate.	7.05	3.80	6.05	6.85
Sub-district 9, El Paso: (Q)	#6—4 x 2½ nut	5.90	3.20	5.40	
Sub-district 10, Jefferson:					
(R)	#3 & #5—2¼" lump & 3 x 2½ grate	6.70		5.70	6.50
(S)	#6—4 x 2½ nut	6.25		5.35	
All sub-districts:					
(T)	#8—2½ x 1½ nut	6.10	3.30	5.10	5.90
(U)	#9—1½ x ¾ pea	5.85		5.00	
(V)	#10—2½ x 0 slack	4.85		4.05	
(W)	#11—1½ x 0 slack	4.45		4.05	
(X)	#12—¾ x 0 slack	4.30		3.80	

Note: (1) Pea and slack prices per net ton are based on sales for commercial use in lots of two tons or more. On sales of pea or slack for domestic use in lots of two tons or more and on commercial sales of pea or slack in lots of less than two tons, the maximum price shall be the above-listed price, plus 25¢. On sales of pea or slack for domestic use in lots of less than two tons, the maximum price shall be the above-listed price plus 50¢.

(2) When you sell coal at your yard by the sack, in sacks filled by you, your maximum price per sack shall not exceed the number of pounds per sack times your maximum yard price per ton to dealers for the same coal reduced to cents per pound, times two.

(3) "Sub-bituminous coal" means coal produced in District 16 and any sub-district thereof, as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior. This "sub-bituminous coal" produced in District 16 is commonly referred to as "lignite".

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Denver Metropolitan Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15
Labor involved for requested special services	$0.75 per hour	

Appendix VII—Rocky Ford Trade Area

(1) *To what sales this Appendix VII applies.* This Appendix VII applies only to sales made by dealers in the Rocky Ford Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the municipality of Rocky Ford, Colorado, and a distance of five miles beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix VII thereto supersede Revised Order No. G-9 and Amendments Nos. 1 and 2 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Rocky Ford Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix VII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in district 17:				
Sub-district 2, Canon #1:				
(A)	#2—6" lump	$9.45	$5.00	$8.95
(B)	#3—3" lump	9.25	4.90	8.75
(C)	#7—6" x 1½" egg	8.60	4.55	8.10
(D)	#9—3" x 1½" nut	8.35	4.45	7.85
(E)	#10—1¼" x 1" range	7.40	3.95	6.90
(F)	#11—1½" x ¾" pea	7.15	3.85	6.65
(G)	#13—1½" x 0" slack	6.15	3.35	5.65
Sub-district 3, Canon #2:				
(H)	#2—6" lump	8.95	4.75	8.45
(I)	#3—3" lump	8.75	4.65	8.25
(J)	#7—6" x 1½" egg	8.35	4.45	7.85
(K)	#9—3" x 1½" nut	8.20	4.35	7.70
(L)	#10—1¼" x 1" range	7.40	3.95	6.90
(M)	#11—1½" x ¾" pea	7.15	3.85	6.65
(N)	#13—1½" x 0" slack	6.15	3.35	5.65

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Rocky Ford Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix VIII—Canon City—Florence Trade Area

(1) *To what sales this Appendix VIII applies.* This Appendix VIII applies only to sales made by dealers in the Canon City-Florence Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the Cities of Canon City and Florence, Colorado, and the area contained within a five-mile strip on either side of Highway 50 from the east line of Fremont County to a point five miles beyond the west boundary of Canon City, Colorado.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix VIII thereto supersede Order No. G-11 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Canon City-Florence Trade Area of the State of Colorado, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix VIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: From mine	Part 1—Delivered prices: From yard	Part 2
Bituminous coal produced in District 17:				
Sub-district 2, Canon #1:		*Per ton*	*Per ton*	
(A)	#2—6" lump	$6.90	$7.40	
(B)	#3—3" lump and #4—8" x 3" egg	6.70	7.20	
(C)	#9—3" x 1½" nut	5.60	6.10	
(D)	#10—1¼" x 1" range	5.05	5.55	
(E)	#13—1½" x 0" slack	3.90	4.40	
Sub-district 3, Canon #2:				
(F)	#2—6" lump	6.40	6.90	
(G)	#3—3" lump and #4—8" x 3" egg	6.20	6.70	
(H)	#9—3" x 1½" nut	5.45	5.95	
(I)	#10—1¼" x 1" range	5.05	5.55	
(J)	#13—1½" x 0" slack	3.90	4.40	

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Canon City-Florence Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix IX—Grand Junction Trade Area

(1) *To what sales this Appendix IX applies.* This Appendix IX applies only to sales made by dealers in the Grand Junction Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City of Grand Junction, Colorado, and a distance of three miles beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix IX thereto supersede Order No. G-13 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Grand Junction Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix IX, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices to dealers only, per ton
Bituminous coal produced in District 17:				
Sub-district 12, Somerset:				
(A)	#2—3" lump and 8" x 3" stove	$7.20	$3.85	$6.70
(B)	#9—3" x 1½" nut	6.50	3.50	6.00
(C)	#13—1¼" x 3" slack	4.95	2.75	4.45
Sub-district 15, Grand Junction #1:				
(D)	#2—3" lump	6.80	3.65	6.30
(E)	#5—4" x 1½" nut	6.15	3.35	5.65
(F)	#10—1¼" x ½" pea	5.65	3.05	5.15
(G)	#11—1" x ⅜" pea	5.30	2.90	4.80
Sub-district 16, Grand Junction #2:				
(H)	#2—3" lump	5.95	3.25	5.45
(I)	#9—3" x 1½" nut	5.70	3.10	5.20
Bituminous coal produced in District 20:				
Sub-district 1, Castlegate:				
(J)	#2—10" lump and #5—8" x 3" stove	7.20	3.85	6.70
(K)	#7—9" x 1⅝" nut	6.40	3.45	5.90

APPENDIX V—COLORADO SPRINGS TRADE AREA

(1) *To what sales this Appendix V applies.* This Appendix V applies only to sales made by dealers in the Colorado Springs Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City of Colorado Springs, and the nearby community of Broadmoor, the Stratton Home and the Printer's Home.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix V thereto supersede Order No. G–5 and Amendment No. 1 thereto, insofar as the same apply to the Colorado Springs Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Colorado Springs Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix V, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

MAXIMUM PRICES

Size	Part 1—Delivered prices		Part 2—Yard prices per ton
	Per ton	Per ½ ton	
...p	$9.65	$5.10	$9.15
...p	9.45	5.00	8.95
..." egg	8.80	4.65	8.30
..." nut	8.35	4.45	7.85
1" range	7.55	4.05	7.05
¾" pea	7.25	3.90	6.75
0" slack	6.25	3.40	5.75
...p	9.15	4.85	8.65
...p	8.95	4.75	8.45
..." egg	8.55	4.55	8.05
..." nut	8.20	4.35	7.70
1" range	7.55	4.05	7.05
¾" pea	7.25	3.90	6.75
0" slack	6.25	3.40	5.75

APPENDIX VI—DENVER METROPOLITAN TRADE AREA

(1) *To what sales this Appendix VI applies.* This Appendix VI applies only to sales made by dealers in the Denver Metropolitan Trade Area of the State of Colorado, which means all that area contained within the corporate boundaries of the City and County of Denver, the Towns of Englewood and Aurora, and the suburban areas of Lakewood, Edgewater, Wheatridge, and Mountainview.

(2) *Relation to other orders.* This Order No. G–28 and this Appendix VI thereto supersede Order No. G–8 and Amendments Nos. 1, 2, and 3 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Denver Metropolitan Trade Area of the State of Colorado, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix VI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices (per ton)	
		Per ton	Per ½ ton	To dealers	To others
Bituminous coal produced in District 17:					
Sub-districts 1, 2, and 4, Walsenburg, Canon #1 and Oak Hills:					
(A)	#2—3" lump and egg	$8.45	$4.95	$8.20	$8.95
(B)	#9—3 x 1½ nut (raw)	8.30	4.40	7.05	7.80
(C)	#9—3 x 1½ nut (washed)	8.40	4.45	7.15	7.90
Sub-districts 1, 2, 4, and 5, Walsenburg, Canon #1, Oak Hills and Mt. Harris:					
(D)	#11—1¼ x ¾ pea	6.85	3.70	6.35	----------
(E)	#13—1¼ x 0 slack	5.65	3.10	5.15	----------
Sub-district 5, Mt. Harris:					
(F)	#1—6" lump	9.00	4.75	7.75	8.50
(G)	#2—3" lump or egg	8.85	4.70	7.60	8.35
(H)	#4—6 x 3 grate	8.95	4.75	7.70	8.45
(I)	#9—3 x 1½ nut (raw)	8.00	4.25	6.75	7.50
(J)	#9—3 x 1½ nut (washed)	8.10	4.30	6.85	7.60
Sub-districts 7 and 8, Trinidad Nos. 1 and 2, (coking coals):					
(K)	#10—1¼ x ¾ pea	7.10	3.80	6.60	----------
(L)	#13—1¼ x 0 slack	6.25	3.45	5.85	----------
Sub-bituminous coal produced in District 16:					
Sub-districts, 1, 2, & 4, Louisville, Lafayette and Marshall No. 4:					
(M)	#2, #3, & #5—6" lump, 2½" lump & egg & 3 x 2½ grate.	8.05	4.30	7.05	7.85
(N)	#9—4 x 2½ nut	7.45	4.00	6.45	6.95
Sub-district 5, Marshall #8, and Sub-district 6, Erie: (O).	#2 & #3—6" lump & 2½" lump & egg.	7.45	4.00	6.45	6.95
Sub-districts 8 & 9, Frederick and El Paso: (P).	#2, #3, and #5—6" lump, 2½" lump & egg & 2½ x 3 grate.	7.05	3.80	6.05	6.85
Sub-district 9, El Paso: (Q)	#9—4 x 2½ nut	5.90	3.20	5.40	----------
Sub-district 10, Jefferson:					
(R)	#3 & #5—2½" lump & 3 x 2½ grate.	6.70	----------	5.70	6.50
(S)	#9—4 x 2½ nut	6.25	----------	5.25	----------
All sub-districts:					
(T)	#8—2½ x 1½ nut	6.10	3.30	5.10	5.80
(U)	#9—1½ x ¾ pea	5.85	----------	5.60	----------
(V)	#10—2½ x 0 slack	4.55	----------	4.05	----------
(W)	#11—1½ x 0 slack	4.45	----------	4.05	----------
(X)	#12—¾ x 0 slack	4.30	----------	3.80	----------

NOTE: (1) Pea and slack prices per net ton are based on sales for commercial use in lots of two tons or more. On sales of pea or slack for domestic use in lots of two tons or more and on commercial sales of pea or slack in lots of less than two tons, the maximum price shall be the above-listed price, plus 25¢. On sales of pea or slack for domestic use in lots of less than two tons, the maximum price shall be the above-listed price plus 50¢.

(2) When you sell coal at your yard by the sack, in sacks filled by you, your maximum price per sack shall not exceed the number of pounds per sack times your maximum yard price per ton to dealers for the same coal reduced to cents per pound, times two.

(3) "Sub-bituminous coal" means coal produced in District 16 and any sub-district thereof, as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior. This "sub-bituminous coal" produced in District 16 is commonly referred to as "lignite".

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Denver Metropolitan Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15
Labor involved for requested special services	$0.75 per hour	

sede Revised Order No. G–9 and Amendments Nos. 1 and 2 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Rocky Ford Trade Area of the State of Colorado, either f. o. b.

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1	Part 2
		Delivered prices	

(6) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Grand Junction Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
Oil or chemical treatment	.25	.15

Appendix X—Northern Colorado Trade Area

(1) *To what sales this Appendix X applies.* This Appendix X applies only to sales made by dealers in the Northern Colorado Trade Area of the State of Colorado, which means all that area contained within the County of Adams (except all of that area lying within the municipal boundaries of the Town of Aurora, which is excluded herefrom), and all of Weld County, and the eastern portion of Boulder County lying between its eastern boundary and a line ten miles west of and parallel to its eastern boundary, and the eastern portion of Larimer County lying between its eastern boundary and a line ten miles west of and parallel to its eastern boundary, in the State of Colorado.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix X thereto supersede Order No. G-15 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Northern Colorado Trade Area of the State of Colorado, delivered by truck direct from the mine or from your yard, may one or more of the kinds and sizes of coal named in this Appendix X, your maximum prices therefor are those set forth in the following:

Table of Maximum Prices

[Per net ton, delivered]

Kind and letter designation	Sub-district #1, Louisville	Sub-district #2, Lafayette	Sub-district #4, Marshall #2	Sub-district #6, Erie	Sub-district #8, Frederick	All Sub-districts
Sub-bituminous coal produced in District 16:						
(A) #2—6" lump	$7.90	$7.65	$7.25	$7.15	$7.05	----------
(B) #3—2½" lump	7.90	7.65	7.25	7.15	7.05	----------
(C) #4—6 x 4 grate	7.90	----------	----------	----------	----------	----------
(D) #5—6 x 2½ egg	7.65	7.65	7.25	7.15	7.05	----------
(E) #6—4 x 2½ nut	7.25	7.25	6.85	6.75	6.65	----------
(F) #8—2½ x 1¼ pea	6.25	6.25	6.10	6.10	5.95	----------
(G) #9—1¼ x ¾ Mod. pea	5.80	5.80	5.55	5.55	----------	----------
(H) #10—2½ x 0 slack	----------	----------	----------	----------	----------	[1] 4.50
(I) #11—1½ x 0 slack	----------	----------	----------	----------	----------	[1] 4.40

[1] Slack prices per net ton are based on load lots of 2 tons or more. For deliveries of less than 2 tons, add 25¢ to the per net ton price.

NOTE: "Sub-bituminous coal" means coal produced in District 16 and any sub-district thereof, as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior. This "sub-bituminous coal" produced in District 16 is commonly referred to as "lignite".

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Northern Colorado Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix XI—Cheyenne Trade Area

(1) *To what sales this Appendix XI applies.* This Appendix XI applies only to sales made by dealers in the Cheyenne Trade Area of the State of Wyoming, which means all that area contained within the corporate boundaries of the City of Cheyenne, Wyoming, and a distance of 1½ miles beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XI thereto supersede Order No. G-16 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Cheyenne Trade Area of the State of Wyoming, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 19:				
Sub-district 2, Rock Springs:				
(A)	#1—8" lump	$10.98	$6.85	$9.95
(B)	#7—6" x 1¼" nut	9.75	5.15	8.75
(C)	#6—3" x 1½" nut	9.45	5.00	8.45
(D)	#15—1¼" x 0" slack	7.05	3.80	6.55
Sub-district 3, Hanna-Rawlins, (Elk Mountain and Burn Right Coals by truck only):				
(E)	#1—8" lump	9.85	5.20	8.85
(F)	#6—3" x 1½" nut	9.40	4.95	8.40
(G) [1]	#15—1¼" x 0" slack	7.00	3.75	6.50
Bituminous coal produced in District 17:				
Sub-district 4, Oak Hills:				
(H)	#3—3" lump	11.85	6.20	10.85
(I)	#1—8" lump	11.65	6.10	10.65
(J)	#4—6" x 3" grate	11.45	6.00	10.45
(K)	#6—3" x 1½" nut	10.80	5.65	9.90
Sub-district 6, Mt. Harris:				
(L)	#3—3" lump	11.25	5.90	10.25
(M)	#1—8" lump	11.10	5.80	10.10
(N)	#6—3" x 1½" nut	10.30	5.40	9.30
Bituminous coal produced in District 16:				
Sub-districts 1, 2, and 4, Louisville, Lafayette, and Marshall #4:				
(O)	#2—6" lump	10.40	5.45	9.40
(P)	#5—6" x 2½" egg	10.15	5.35	9.15
(Q)	#6—2½" x 1½" nut	7.80	4.00	7.00
(R) [1]	#8—1½" x ¾" pea	7.30	3.85	6.70
(S) [1]	#11—1½" x 0" slack	6.80	3.50	6.00
Sub-districts 6 and 8, Erie and Frederick:				
(T)	#2—6" lump	9.70	5.10	8.70
(U)	#5—6" x 2½" egg	9.70	5.10	8.70
(V)	#6—2½" x 1½" nut	7.40	3.90	6.60
(W) [1]	#8—1½" x ¾" pea	7.15	3.85	6.50
(X) [1]	#11—1½" x 0" slack	6.80	3.50	6.00

[1] Pea and slack prices per net ton are based on sales in lots of 2 tons or more. On sales of pea or slack of less than 2 tons the maximum price shall be the listed price per net ton plus 25¢.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Cheyenne Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix XII—Billings Trade Area

(1) *To what sales this Appendix XII applies.* This Appendix XII applies only to sales made by dealers in the Billings Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Billings, Montana.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XII thereto supersede Order No. G-17 and Amendment No. 1 thereto, insofar as the same apply to the Billings Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Billings Trade Area of the State of Montana, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 19:				
Subdistrict 7, Sheridan:				
(A)	#2—7" lump	$7.45	$4.25	$6.45
(B)	#3—5" lump and 10" x 3" egg	7.05	4.05	6.06
(C)	#5—6" x 3" stove, #6—3" x 1¼" nut	7.35	4.15	6.25
Bituminous coal produced in District 22:				
Subdistrict 2, Red Lodge:				
(D)	#1—8" lump 12" x 4" egg, 6" x 6" grate, #6—6" x 2" grate	8.65	4.85	7.65
(E)	#7—2" x 1¼" nut	6.40	3.70	5.40
(F)	#9—1¼" x ¼" pea	5.65	3.20	4.65

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Billings Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix XIII—Butte Trade Area

(1) *To what sales this Appendix XIII applies.* This Appendix XIII applies only to sales made by dealers in the Butte Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Butte, Montana, and the suburban areas of Walkerville, Centerville, Meterville, Rocker, Green Addition, and Ramsey.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XIII thereto supersede Order No. G-17 and Amendment No. 1 thereto, insofar as the same apply to the Butte Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Butte Trade Area of the State of Montana, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XIII, your maximum prices therefor are those set forth in the following:

Table of Maximum Prices

Kind and letter designation	Size	Delivered prices: Per ton	Delivered prices: Per ½ ton
Bituminous coal produced in District 19:			
Sub-district 2, Rock Springs:			
(A)	#1—10" x 5" grate, #3—10" x 3" grate, #5—8" x 3" egg	$11.45	$6.25
(B)	#15—1¼" x 0" slack	7.65	4.35
Sub-district 5, Gebo-Kirby:			
(C)	#1—8" lump	12.50	6.75
(D)	#3—10" x 3" grate, #5—8" x 3" egg	11.95	6.20
(E)	#6—3" x 1¼" nut	10.35	5.70
(F)	#9—1⅝" x ¼" pea	8.85	4.95
Sub-district 7, Sheridan:			
(G)	#3—10" x 3" grate, #5—7" x 3" stove	9.20	5.10
(H)	#6—3" x 1¼" nut	8.70	4.85
Bituminous coal produced in District 22:			
Sub-district 1, Roundup:			
(I)	#1—6" lump	10.50	5.75
(J)	#2—6" x 6" furnace	10.25	5.65
(K)	#5—6" x 2" stove	10.10	5.55
(L)	#7—2" x 1¼" nut	8.70	4.85
(M)	#8—1¼" x 1" pea	8.15	4.60
(N)	#9—1½" x ¼ pea	7.10	4.05
(O)	#10—1¼" x 0" slack	6.00	3.50
Sub-district 2, Red Lodge: (P)	#5—6" x 2" stove	10.35	5.70

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Butte Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.75	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix XIV—Great Falls Trade Area

(1) *To what sales this Appendix XIV applies.* This Appendix XIV applies only to sales made by dealers in the Great Falls Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Great Falls, Montana.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XIV thereto supersede Order No. G-17 and Amendment No. 1 thereto, insofar as the same apply to the Great Falls Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Great Falls Trade Area of the State of Montana, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XIV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

Table of Maximum Prices

Kind and letter designation	Size	Part 1—Delivered prices: Per ton	Part 1—Delivered prices: Per ½ ton	Part 2—Yard prices per ton
Bituminous coal produced in District 19:				
Subdistrict 7, Sheridan:				
(A)	#1—10" lump	$8.85	$4.95	$8.10
(B)	#3—10" x 3" grate	8.45	4.75	7.70
(C)	#6—2½" x 1½" nut	8.20	4.60	7.46
Bituminous coal produced in District 22:				
Sub-district 1, Roundup:				
(D)	#1—9" lump	9.30	5.15	8.65
(E)	#3—9" x 6" furnace, #5—6" x 2" stove	8.75	4.90	8.00
(F)	#7—2" x 1¼" nut	8.25	4.65	7.50
(G)	#9—1¼" x ½" pea	7.35	4.20	6.60
Sub-district 2, Red Lodge:				
(H)	#5—6" x 2" stove	9.35	5.20	8.60
(I)	#7—2¼" x 1¼" nut	8.30	4.65	7.65
Sub-district 9, Bull Mountain:				
(J)	#5—6" x 2" stove	9.00	5.00	8.25
Sub-district 7, Great Falls #1:				
(K)	#2—2" lump, #3—9" x 6" egg	7.25	4.15	6.50
(L)	#6—3" x 2" nut	5.80	3.40	----------
(M)	#10—1¼" x 0" slack	3.20	2.10	----------

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Great Falls Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.75	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

Appendix XV—Missoula Trade Area

(1) *To what sales this Appendix XV applies.* This Appendix XV applies only to sales made by dealers in the Missoula Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Missoula, Montana, and a distance of five miles beyond the center of the city at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XV thereto supersede Order No. G-17 and Amendment No. 1 thereto, insofar as the same apply to the Missoula Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Missoula Trade Area of the State of Montana, delivered by truck direct from the mine or from your yard,

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XI thereto supersede Order No. G–16 and Amendment No. 1 thereto.

(3) *Specific maximum prices.* If you are a dealer and sell in the Cheyenne Trade Area of the State of Wyoming, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 10:				
Sub-district 2, Rock Springs:				
(A)	#1—6" lump	$10.95	$5.85	$9.95
(B)	#7—6" x 1½" nut	9.75	5.15	8.75
(C)	#8—3" x 1½" nut	9.45	5.00	8.45
(D) [1]	#15—1½" x 0" slack	7.05	3.80	6.55
Sub-district 3, Hanna-Rawlins, (Elk Mountain and Burn Right Coals by truck only):				
(E)	#1—6" lump	9.85	5.20	8.85
(F)	#8—3" x 1½" nut	9.40	4.95	8.40
(G) [1]	#15—1½" x 0" slack	7.00	3.75	6.30
Bituminous coal produced in District 17:				
Sub-district 4, Oak Hills:				
(H)	#2—6" lump	11.85	6.30	10.85
(I)	#1—6" lump	11.65	6.10	10.65
(J)	#4—6" x 3" grate	11.45	6.00	10.45
(K)	#9—3" x 1½" nut	10.80	5.65	9.80
Sub-district 5, Mt. Harris:				
(L)	#2—6" lump	11.25	5.95	10.25
(M)	#1—6" lump	11.10	5.80	10.10
(N)	#9—3" x 1½" nut	10.80	5.65	9.80
Bituminous coal produced in District 16:				
Sub-districts 1, 2, and 4, Louisville, Lafayette, and Marshall #4:				
(O)	#2—6" lump	10.40	5.45	9.40
(P)	#5—6" x 2¾" egg	10.15	5.25	9.15
(Q)	#8—2¾" x 1½" nut	7.60	4.00	7.00
(R) [1]	#9—1½" x ¾" pea	7.30	3.85	6.70
(S) [1]	#11—1½" x 0" slack	6.80	3.50	6.00
Sub-districts 6 and 8, Erie and Frederick:				
(T)	#2—6" lump	9.70	5.10	8.70
(U)	#5—6" x 2¾" egg	9.70	5.10	8.70
(V)	#8—2¾" x 1½" nut	7.40	3.95	6.90
(W) [1]	#9—1½" x ¾" pea	7.15	3.85	6.65
(X) [1]	#11—1½" x 0" slack	6.80	3.80	6.00

[1] Pea and slack prices per net ton are based on sales in lots of 2 tons or more. On sales of pea or slack of less than 2 tons the maximum price shall be the listed price per net ton plus 25¢.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Cheyenne Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

APPENDIX XII—BILLINGS TRADE AREA

(1) *To what sales this Appendix XII applies.* This Appendix XII applies only to sales made by dealers in the Billings Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Billings, Montana.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XII thereto supersede Order No. G–17 and Amendment No. 1 thereto, insofar as the same apply to the Billings Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Billings Trade Area of the State of Montana, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made

APPENDIX XIV—GREAT FALLS TRADE AREA

(1) *To what sales this Appendix XIV applies.* This Appendix XIV applies only to sales made by dealers in the Great Falls Trade Area of the State of Montana, which means all that area contained within the corporate

any one or more of the kinds and sizes of coal named in this Appendix XV, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Delivered prices	
		Per ton	Per ½ ton
Bituminous coal produced in District 22:			
Sub-district 2, Red Lodge:			
(A)	#2—9" x 6" furnace	$11.85	$6.45
(B)	#6—6" x 2" grate	11.70	6.35
(C)	#7—2" x 1¼" nut	9.60	5.20
Sub-district 1, Roundup:			
(D)	#3—9" x 6" furnace	11.50	6.25
(E)	#6—6" x 2" stove	11.15	6.05
(F)	#7—2" x 1¼" nut	9.70	5.35
(G)	#9—1¼" x ¾" pea	8.35	4.65
(H)	#10—1¼" x 0" slack	7.15	4.10
Bituminous coal produced in District 20:			
Sub-district 1, Castlegate-Hiawatha:			
(I)	#11—1" x 0" slack	9.55	5.30
(J)	#3—10" x 3" stove	12.75	6.90
Bituminous coal produced in District 19:			
Sub-district 7, Sheridan:			
(K)	#6—9" x 1¼" nut	10.10	5.55
(L)	#5—10" x 3" stove	10.10	5.55
(M)	#15—1¼" x 0" slack	7.85	4.45
Sub-district 5, Gebo-Kirby:			
(N)	#1—6" lump #3—9" lump, and 10" x 3" stove	13.35 11.05	7.15 6.50
(O)	#6—9" x 1¼" nut		
Sub-district 3, Rock Springs:		11.90	6.45
(P)	#6—9" x 1¼" nut	9.80	5.25
(Q)	#15—1¼" x 0" slack		

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Missoula Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.75	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

APPENDIX XVI—HELENA TRADE AREA

(1) *To what sales this Appendix XVI applies.* This Appendix XVI applies only to sales made by dealers in the Helena Trade Area of the State of Montana, which means all that area contained within the corporate boundaries of the City of Helena, Montana.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XVI thereto supersede Order No. G–17 and Amendment No. 1 thereto, insofar as the same apply to the Helena Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Helena Trade Area of the State of Montana, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XVI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 22: Sub-districts 1 & 2, Roundup and Red Lodge:				
(A)	#1—6" lump	$10.20	$5.85	$9.20
(B)	#3—9" x 6" furnace	9.90	5.70	8.90
(C)	#6—6" x 2" stove	9.60	5.55	8.60
(D)	#7—2" x 1¼" nut	8.20	4.85	7.20
(E)	#9—1¼" x ¾" pea	6.30	3.90	
(F)	#10—1¼" x 0" slack	5.25	3.40	

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Helena Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.75	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
Oil or chemical treatment	.25	.15

APPENDIX XVII—BOISE TRADE AREA

(1) *To what sales this Appendix XVII applies.* This Appendix XVII applies only to sales made by dealers in the Boise Trade Area of the State of Idaho, which means all that area contained within the original townsite of Boise City as filed for record in the Office of the County Recorder of Ada County, Idaho,[1] and all that area contained within a radius of three miles from the perimeter boundaries of the original townsite of Boise City.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XVII thereto supersede Order No. G–13 and Amendment No. 1 thereto, insofar as the same apply to the Boise Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Boise Trade Area of the State of Idaho, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XVII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 20: Sub-district 1, Castlegate:				
(A)	#2—10" lump	$12.75	$6.65	$11.75
(B)	#3—9" x 10" stove	12.70	6.60	11.70
(C)	#7—2" x 1¼" nut	11.80	6.15	10.80
(D) [1]	#6—1¼" x 1" pea	10.90	5.70	9.90
(E) [1]	#9—1" x ¾" slack	10.00	5.40	9.25
(F) [1]	#10—1¼" x 0" slack #11—1" x 0" slack	9.65	5.20	8.90

[1] Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price and 10¢ from above ½-ton price for untreated sales.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Boise Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.80	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
"Planking" [1]	$0.75 per load	

[1] "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose o protecting the buyer's property.

APPENDIX XVIII—POCATELLO TRADE AREA

(1) *To what sales this Appendix XVIII applies.* This Appendix XVIII applies only to sales made by dealers in the Pocatello Trade Area of the State of Idaho, which means all that area contained within the corporate boundaries of the City of Pocatello, Idaho, and a distance of two miles beyond at all points.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XVIII thereto supersede Order No. G–13 and Amendment No. 1 thereto, insofar as the same apply to the Pocatello Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Pocatello Trade Area of the State of Idaho, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XVIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 20: Sub-district 1, Castlegate:				
(A)	#2—10" lump	$10.55	$5.60	$9.55
(B)	#3—9" lump	10.25	5.45	9.25
(C)	#5—9" x 3" and 10" x 3" stove	10.20	5.40	9.20
(D)	#7—3" x 1½" nut	9.35	5.00	8.35
(E) [1]	#9—1" x ⅜" slack	8.35	4.50	7.35
(F) [1]	#10—1¼" x 0" slack #11—1" x 0" slack	7.95	4.40	7.20

[1] Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price and 10¢ from above ½-ton price for untreated sales.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Pocatello Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
"Planking" [1]	$0.75 per load	

[1] "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose of protecting the buyer's property.

APPENDIX XIX—TWIN FALLS TRADE AREA

(1) *To what sales this Appendix XIX applies.* This Appendix XIX applies only to sales made by dealers in the Twin Falls Trade Area of the State of Idaho, which means all of that area contained within the corporate boundaries of the City of Twin Falls, Idaho, and a distance of two miles beyond at all points, and all that area contained within the corporate boundaries of the Towns of Filer and Buhl, Idaho.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XIX thereto supersede Order No. G–12 and Amendment No. 1 thereto, insofar as the same apply to the Twin Falls Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Twin Falls Trade Area of the State of Idaho, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XIX, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 20: Sub-district 1, Castlegate:				
(A)	#2—10" lump	$11.50	$6.25	$10.75
(B)	#3—9" lump	11.05	6.05	10.30
(C)	#5—10" x 3" and 9" x 3" stove	10.80	5.90	10.05
(D)	#7—3" x 1¼" nut	9.20	5.10	8.45
(E) [1]	#6—1¼" x 1" pea	9.00	5.00	8.25
(F) [1]	#9—1 x ⅜" sc'd slack #10—1¼" x 0" slack	8.40	4.70	7.65
(G) [1]	#11—1" x 0" slack			

[1] Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price and 10¢ from above ½-ton price for untreated sales.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Twin Falls Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
"Planking" [1]	$0.75 per load	

[1] "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose of protecting the buyer's property.

APPENDIX XX—NAMPA TRADE AREA

(1) *To what sales this Appendix XX applies.* This Appendix XX applies only to sales made by dealers in the Nampa Trade Area of the State of Idaho, which means all that area contained within the corporate boundaries of the City of Nampa, Idaho.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XX thereto supersede Order No. G–12 and Amendment No. 1 thereto, insofar as the same apply to the Nampa Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Nampa Trade Area of the State of Idaho, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XX, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½-ton	
Bituminous coal produced in District 20: Sub-district 1, Castlegate:				
(A)	#2—10" lump	$12.25	$6.40	$11.25
(B)	#3—9" lump	12.20	6.35	11.20
(C)	#5—3" x 8" & 9" x 10" stove	12.10	6.30	11.10
(D)	#7—3" x 1½" nut	11.30	5.90	10.30
(E) [1]	#6—1¼" x 1" pea	10.40	5.45	9.40
(F) [1]	#9—1" x ¾ sc'd slack	10.00	5.35	9.00
(G) [1]	#10—1¼" x 0" slack #11—1" x 0" slack	9.65	5.30	8.85

[1] Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price and 10¢ from above ½-ton price for untreated sales.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Nampa Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
"Planking" [1]	$0.75 per load	

[1] "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose of protecting the buyer's property.

APPENDIX XXI—IDAHO FALLS TRADE AREA

(1) *To what sales this Appendix XXI applies.* This Appendix XXI applies only to sales made by dealers in the Idaho Falls Trade Area of the State of Idaho, which means all that area contained within the corporate boundaries of the City of Idaho Falls, Idaho, and a distance of one mile beyond at all points.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XXI thereto supersede Order No. G–12 and Amendment No. 1 thereto, insofar as the same apply to the Idaho Falls Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Idaho Falls Trade Area of the State of Idaho, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices		Part 2—Yard prices per ton
		Per ton	Per ½ ton	
Bituminous coal produced in District 20:				
Sub-district 1, Castlegate:				
(A)	#2—10" lump	$10.80	$5.65	$9.75
(B)	#3—3" lump	10.20	5.50	9.45
(C)	#4—10" x 3" and 8" x 3" stove	9.55	5.15	8.80
(D)	#7—3" x 1¼" nut	8.90	4.95	8.40
(E) [1]	#8—1¼" x 1" pea	7.65	4.25	7.15
	#10—1¼" x 0" slack			
	#11—1" x 0" slack			

[1] Price includes oil or chemical treatment. Deduct 20¢ from the above per net ton price and 10¢ from above ½-ton price for untreated sales.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Idaho Falls Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$0.50	$0.35
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60
"Planking" [1]	$0.75 per load	

[1] "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose of protecting the buyer's property.

APPENDIX XXII—PARK CITY TRADE AREA

(1) *To what sales this Appendix XXII applies.* This Appendix XXII applies only to sales made by dealers in the Park City Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of Park City, Utah, and a distance of two miles beyond at all points.

(2) *Relations to other orders.* This Order No. G-26 and this Appendix XXII thereto supersede Adjustment Order No. VII-18(a)-U-17 issued to Pagana Brothers Coal Company of Park City, Utah, on January 27, 1943.

(3) *Specific maximum prices.* If you are a dealer and sell in the Park City Trade Area of the State of Utah, delivered by truck from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXII, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Delivered prices per ton
Bituminous coal produced in District 20:		
Sub-district 1, Castlegate:		
(A)	#2—10" lump	$8.65
(B)	#6—10" x 3" grate, 8" x 3" stove, 3" lump	8.45
(C)	#4—1¼" lump	8.10
(D)	#7—3" x 1¼" nut	7.70
(E)	#10—1¼" x 0" slack:	
	Treated	6.30
	Untreated	6.05

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Park City Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton
"Wheel-in"	$1.00
"Pull-back" or "trimming"	0.25
"Carrying up or down stairs"	1.00

APPENDIX XXIII—LOGAN TRADE AREA

(1) *To what sales this Appendix XXIII applies.* This Appendix XXIII applies only to sales made by dealers in the Logan Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the City of Logan, Utah, and a distance of five miles beyond at all points and including the suburban areas of Benson Ward, Providence, and College Ward.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXIII thereto supersede Order No G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Logan Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Logan Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 delivered prices per ton	Part 2 Yard prices	
			To dealers per ton	To others per ton
Bituminous coal produced in District 20:				
Sub-district 1, Castlegate:				
(A)	#2—10" lump	$8.80	$7.80	$8.00
(B)	#6—10" x 3" stove	8.35	7.35	7.85
(C)	#7—3" x 1¼" nut	8.05	7.05	7.55
(D)	#8—1¼" x 1" pea:			
	Treated	7.15	6.15	6.65
	Untreated	7.05	6.05	6.55
(E)	#10—1¼" x 0" slack:			
	Treated	6.65	5.65	6.15
	Untreated	6.40	5.40	5.90
(F)	#11—1" x 0" slack:			
	Treated	6.65	5.65	6.15
	Untreated	6.40	5.40	5.90

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Logan Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXIV—PROVO TRADE AREA

(1) *To what sales this Appendix XXIV applies.* This Appendix XXIV applies only to sales made by dealers in the Provo Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the City of Provo, Utah.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXIV thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Provo Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Provo Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXIV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices per ton
Bituminous coal produced in District 20:			
Sub-district 1, Castlegate:			
(A)	#2—10" lump	$7.95	$7.45
(B)	#3—10" x 3" and 8" x 3" stove and 3" lump	7.80	7.30
(C)	#7—1¼" x 3" nut	7.05	6.55
(D)	#8—1¼" x 1" pea	6.35	5.85
(E)	#10—1¼" x 0" slack:		
	Treated	5.85	5.35
	Untreated	5.60	5.10
(F)	#11—1" x 0" slack:		
	Treated	5.85	5.35
	Untreated	5.60	5.10

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Provo Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXV—OGDEN TRADE AREA

(1) *To what sales this Appendix XXV applies.* This Appendix XXV applies only to sales made by dealers in the Ogden Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the City of Ogden, Utah, and a distance of two miles beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXV thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Ogden Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Ogden Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices	
			To dealers per ton	To others per ton
Bituminous coal produced in District 20:				
Sub-district 1, Castlegate:				
(A)	#2—10" lump	$8.80	$7.55	$8.05
(B)	#3—3" lump and 10" x 3" grate			
	#5—8" x 3" stove			
(C)	#7—3" x 1¼" nut	8.05	6.80	7.30
(D)	#8—1¼" x 1" pea	7.15	5.90	6.40
(E)	#11—1" x 0" slack:			
	Treated	6.65	5.65	6.15
	Untreated	6.40	5.40	5.90

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Ogden Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXVI—SALT LAKE CITY TRADE AREA

(1) *To what sales this Appendix XXVI applies.* This Appendix XXVI applies only to sales made by dealers in the Salt Lake City Trade Area of the State of Utah, which means all that area bounded by the northern boundary line of the City of Salt Lake City, on the east by the foot of the mountains, on the south by 33rd South Street and on the west by Redwood Road.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXVI thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Salt Lake City Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Salt Lake City Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXVI, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices	
			To dealers	To others
			Per ton	Per ton
Bituminous coal produced in District 20:				
Sub-district 1, Castlegate:				
(A)	#2—8" x 10" lump	$8.20	$6.75	$7.00
(B)	#3—3" lump and 8" x 10" egg	8.10	6.60	6.85
(C)	#5—8" x 3" nut			
(D)	#7—3" x 1½" nut	7.70	6.25	7.60
(E)	#8—1¼" x 1" pea treated	7.10	6.15	6.40
(F) [1]	#9—1" x ¾" slack treated	6.65	5.90	6.15
(G) [1]	#10—1¼" x 0" slack treated	6.40	5.65	5.90
(H) [1]	#11—1" x 0" slack treated			

[1] Slack listed prices are for sales to domestic users. On sale for commercial use the maximum price for treated slack shall be the listed price less 25¢; on sales for commercial use the maximum price for untreated slack shall be the listed price less 50¢; on sales of untreated slack for domestic use the maximum price shall be the listed price less 25¢.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Salt Lake City Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXVII—SPRINGVILLE TRADE AREA

(1) *To what sales this Appendix XXVII applies.* This Appendix XXVII applies only to sales made by dealers in the Springville Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the Town of Springville, Utah, and a distance of three miles beyond at all points.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXVII thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Springville Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Springville Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXVII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices per ton
Bituminous coal produced in District 20:			
Sub-district 1, Castlegate:			
(A)	#2—10" lump	$7.80	$7.20
(B)	#3—10" x 3" and 8" x 3" stove and 3" lump	7.65	7.15
(C)	#7—1½" x 3" nut	6.90	6.40
(D)	#8—1½" x 1" pea	6.20	5.70
(E)	#10—1½" x 0" slack:		
	Treated	5.70	5.20
	Untreated	5.45	4.95
(F)	#11—1" x 0" slack:		
	Treated	5.70	5.20
	Untreated	5.45	4.95

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Springville Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ¼ ton
"Wheel-in"	$1.00	$0.30
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXVIII—DAVIS COUNTY TRADE AREA

(1) *To what sales this Appendix XXVIII applies.* This Appendix XXVIII applies only to sales made by dealers in the Davis County Trade Area of the State of Utah, which means all that area contained within Davis County and that portion of Weber County lying south of a line drawn east and west through a point two miles south of the most southern point in the corporate boundary of the City of Ogden, Utah.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXVIII thereto supersede Order G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Davis County Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Davis County Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXVIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices per ton
Bituminous coal produced in District 20:			
Subdistrict 1, Castlegate:			
(A)	#2—8" and 10" lump	$8.50	$7.75
(B)	#3—lump	8.45	7.70
	10" x 3" grate		
	8" x 3" stove		
(C)	#4—1½" lump	8.40	7.65
(D)	#7—3" x 1½" nut	7.90	7.15
(E)	#8—1½" x 1" pea	7.15	6.40
(F)	#10—1½" x 0" slack—Treated	6.50	6.00
	Untreated	6.25	5.75
(G)	#11—1" x 0" slack—Treated	6.50	6.00
	Untreated	6.25	5.75

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Davis County Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ¼ ton
"Wheel-in"	$1.00	$0.30
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXIX—MAGNA-GARFIELD TRADE AREA

(1) *To what sales this Appendix XXIX applies.* This Appendix XXIX applies only to sales made by dealers in the Magna-Garfield Trade Area of the State of Utah, which means all of the areas contained within the corporate boundaries of the municipalities of Magna and Garfield, Utah, and all of the area lying between those municipalities and within a distance of two miles on either side of United States Highway No. 50.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXIX thereto supersede Order No. G-22.

(3) *Specific maximum prices.* If you are a dealer and sell in the Magna-Garfield Trade Area of the State of Utah, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXIX, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton	Per ½-ton	Per ¼-ton	Per 100#
Bituminous coal produced in District 20:					
Sub-district 1, Castlegate:					
(A)	#2—10" lump	$8.35	$4.00	$2.30	$0.30
(B)	#3—10" x 3" stove	8.20	4.80	2.25	.95
(C)	#8—8" x 3" stove				
(D)	#7—3" x 1½" nut	7.95	4.35	2.20	.45
(E)	#8—1½" x 1" pea—treated	7.15	3.95	1.95	.80
	Untreated	7.00	3.85	1.90	.80
(F) [1]	#11—1" x 0" slack—treated	6.40	3.50	1.75	.35
	Untreated	6.15	3.40	1.70	.35

[1] Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 2½¢

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Magna-Garfield Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ¼ ton
"Wheel-in"	$1.00	$0.30
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXX—TOOELE-TOD TOWN TRADE AREA

(1) *To what sales this Appendix XXX applies.* This Appendix XXX applies only to sales made by dealers in the Tooele-Tod Town Trade Area of the State of Utah, which means all of the area contained within the corporate boundaries of the municipality of Tooele, Utah, and all of the area covered by or included in the Tooele Ordnance Depot housing project, locally known as Tod Town, and all that area lying between Tooele and Tod Town.

(2) *Relation to other orders.* This Order No. G-26 and this Appendix XXX thereto supersede Order No. G-22.

(3) *Specific maximum prices.* (1) If you are a dealer and sell in the Tooele portion of the Tooele-Tod Town Trade Area of the State of Utah delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXX, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton	Per ½-ton	Per ¼-ton	Per 100#
Bituminous coal produced in District 20:					
Sub-district 1, Castlegate:					
(A)	#2—10" lump	$8.35	$4.00	$2.30	$0.30
(B)	#3—10" x 3" stove	8.20	4.80	2.25	.95
(C)	#8—8" x 3" stove				
(D)	#7—3" x 1½" nut	7.95	4.35	2.20	.45
(E)	#8—1½" x 1" pea—treated	7.15	3.95	1.95	.80
	Untreated	7.00	3.85	1.90	.80
(F) [1]	#11—1" x 0" slack—treated	6.40	3.50	1.75	.35
	Untreated	6.15	3.40	1.70	.35

[1] Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 2½¢

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Tooele-Tod Town Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ¼ ton
"Wheel-in"	$1.00	$0.30
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

TABLE A OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton	Per ½-ton	Per ¼-ton	Per 100#
Bituminous coal produced in district 20: Sub-district 1, Castlegate:					
(A)	#2—10" lump	$8.35	$4.00	$2.30	$0.30
(B)	#3—10" x 3" stove	8.20	4.80	2.25	.95
(C)	#8—8" x 3" stove				
(D)	#7—3" x 1½" nut	7.95	4.35	2.20	.45
(E)	#8—1½" x 1" pea—treated	7.15	3.95	1.95	.80
	Untreated	7.00	3.85	1.90	.80
(F) [1]	#11—1" x 0" slack—treated	6.40	3.50	1.75	.35
	Untreated	6.15	3.40	1.70	.35

[1] Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 2½¢

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made

APPENDIX XXXII—PANGUITCH TRADE AREA

(1) *To what sales this Appendix XXXII applies.* This Appendix XXXII applies only to sales made by dealers in the Panguitch Trade Area of the State of Utah, which means all of the area contained within the cor-

TABLE A OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton	Per ½-ton	Per ¼-ton	Per 100#
Bituminous coal produced in district 20: Sub-district 1, Castlegate:					
(A)	#2—10" lump	$8.40	$4.60	$2.30	$0.50
(B)	#3—10" x 3" stove	8.30	4.25	2.20	.50
(C)	#5—8" x 3" stove				
(D)	#7—3" x 1¼" nut	7.90	4.15	2.20	.45
(E)	#8—1¼" x 1" pea—Treated	7.20	3.85	2.00	.40
	Untreated	7.05	3.80	1.95	.40
(F)[1]	#11—1" x 0" slack—Treated	6.50	3.60	1.80	.35
	Untreated	6.25	3.45	1.70	.35

[1] Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 25¢.

(ii) If you are a dealer and sell in the Tooele Ordnance Depot housing project known as Tod Town or in any other place in the Tooele-Tod Town Trade Area other than the Tooele portion thereof, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXX, your maximum prices therefor are those set forth in the following

TABLE B OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton	Per ¼-ton
Bituminous coal produced in District 20: Sub-district 1, Castlegate:			
(A)	#2—10" lump	$8.70	$4.75
(B)	#3—10" x 3" stove	8.60	4.70
(C)	#5—8" x 3" stove		
(D)	#7—3" x 1¼" nut	8.20	4.80
(E)	#8—1¼" x 1" pea:		
	Treated	7.50	4.10
	Untreated	7.35	4.05
(F)[1]	#11—1" x 0" slack:		
	Treated	6.80	3.75
	Untreated	6.55	3.60

[1] Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 25¢.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Tooele-Tod Town Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXXI—NEPHI TRADE AREA

(1) *To what sales this Appendix XXXI applies.* This Appendix XXXI applies only to sales made by dealers in the Nephi Trade Area of the State of Utah, which means all of the area contained within the corporate boundaries of the municipality of Nephi, Utah.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XXXI thereto supersede Order No. G–28.

(3) *Specific maximum prices.* If you are a dealer and sell in the Nephi Trade Area of the State of Utah, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXI, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Per ton
Bituminous coal produced in District 20: Sub-district 1, Castlegate:		
(A)	#3 and #5—3" lump, 10" x 3" and 6" x 3" stove.	$8.50
(B)	#7—3" x 1¼" nut	7.80
(C)	#10—1¼" x 0" slack and #11—1" x 0" slack:	
	Treated	6.60
	Untreated	6.15

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Nephi Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

APPENDIX XXXII—PANGUITCH TRADE AREA

(1) *To what sales this Appendix XXXII applies.* This Appendix XXXII applies only to sales made by dealers in the Panguitch Trade Area of the State of Utah, which means all of the area contained within the corporate boundaries of the Town of Panguitch, Utah, and a distance of ten miles beyond at all points.

(2) *Relation to other orders.* This Order No. G–26 and this Appendix XXXII thereto supersede Order No. G–25.

(3) *Specific maximum prices.* If you are a dealer and sell in the Panguitch Trade Area of the State of Utah, delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXII, your maximum prices therefor are those set forth in the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Delivered at any place in said trade area	
		Per ton	Per ½-ton
Bituminous coal produced in District 20: Sub-district 1, Castlegate:			
(A)	#2—8" and 10" lump	$9.25	$4.90
(B)	#3 and #5—10" x 3" and 8" x 3" stove	8.35	4.45
(C)	#10—1¼" x 0" slack:		
	Treated	8.00	4.25
	Untreated	7.65	4.10

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Panguitch Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

(r) *Effective date.* This Order No. G–26 shall become effective on the 15th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–5276; Filed, April 12, 1944; 1:44 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 811–264]

COMMUNITY STATE CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 12th day of April, A. D. 1944.

An application having been filed by Community State Corporation, pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act, or in the alternative, pursuant to section 3 (b) (2) of the Investment Company Act of 1940 for an order declaring the applicant to be excepted from the definition of an investment company as contained in said act on the ground that it is primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on April 24, 1944 at 10:00 o'clock a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5279; Filed, April 13, 1944; 3:28 p. m.]

[File No. 70-861]

CINCINNATI, NEWPORT AND COVINGTON RAILWAY CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of April 1944.

The Cincinnati, Newport and Covington Railway Company, a subsidiary of Columbia Gas & Electric Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder with respect to the following transaction:

The Cincinnati, Newport and Covington Railway Company proposes to declare and pay from the unrestricted portion of its special capital surplus a cash dividend of $30.08 per share on its 10,000 shares of outstanding common stock, aggregating $300,800. The payment of this dividend is contingent upon the prior or simultaneous disposition and sale to Bayou Interests, Inc. (stated to be a nonaffiliate) by Columbia Gas & Electric Corporation of all its interest in The Cincinnati, Newport and Covington Railway Company, consisting of 9,734$\frac{4}{7}$ shares of the common stock and $1,304,596.68 principal amount of 6% Income Demand Notes, being all the outstanding securities of The Cincinnati, Newport and Covington Railway Company except 265$\frac{4}{7}$ shares of common stock held by other holders. The amount of the purchase price to be paid to Columbia Gas & Electric Corporation is tentatively fixed at $1,520,000, which, together with interest and dividends to be received by Columbia Gas & Electric Corporation, will aggregate approximately $1,900,000.

Said declaration having been filed on February 11, 1944, and the last amendment thereto having been filed on April 1, 1944, and notice of said filing having been duly given in the form and manner provided by Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (c) of the Act and Rule U-46 (a) promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder, and deeming it appropriate, in the public interest and in the interests of investors and consumers, to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions in Rule U-24, that the aforesaid declaration be, and hereby is, permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5280; Filed, April 13, 1944; 3:28 p. m.]

[File No. 70-874]

ATLANTIC CITY ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of April, A. D. 1944.

The Commission having on April 1, 1944, issued its order herein under section 6 (b) of the Public Utility Holding Company Act of 1935 granting and permitting to become effective a joint application and declaration, as amended, of American Gas & Electric Company, a registered holding company, and its subsidiary Atlantic City Electric Company, with respect, inter-alia, to the issuance and sale by Atlantic City of 55,000 shares of Cumulative Preferred Stock, to purchasers selected by competitive bidding in conformity with Rule U-50 promulgated under the act; and

The Commission having in said order reserved jurisdiction over the price to be paid to the company for such preferred stock the dividend rate thereon, the underwriters spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions; and

Atlantic City Electric Company having filed a further amendment to the declaration and application setting forth that Atlantic City Electric Company has accepted, pursuant to an invitation for competitive bids, the proposal of Shields & Co. and White Weld & Co. as representatives and on behalf of a group of underwriters, to purchase said Cumulative Preferred Stock at a price of 101.6899 at a dividend rate of 4% and that said preferred stock is to be resold to the public at 102.5 representing a spread to the underwriters of .8101; and

The Commission having examined said amendment and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriters spread and its allocation, the dividend rate on said preferred stock or the expenses other than legal fees to be paid in connection with the proposed transaction.

It is ordered, That, subject to the terms and conditions prescribed by Rule U-24, said application and declaration as amended be and the same hereby is granted and permitted to become effective forthwith, and that jurisdiction heretofore reserved over the expenses other than legal fees, be released, and that the reservation of jurisdiction over the legal fees to be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5281; Filed, April 13, 1944; 3:28 p. m.]

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO. AND AMERICAN GAS AND POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING ON AMENDMENT TO PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of April, A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof, File No. 59-55, respondents.

Notice is hereby given that Community Gas and Power Company ("Commu-

nity"), a registered holding company, and American Gas and Power Company ("American Gas"), a registered holding company and a subsidiary company of Community, have filed with this Commission Amendment No. 6 to their amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effecting compliance with section 11 (b) of the act.

All interested persons are referred to said Amendment No. 6, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

American Gas has contracted to sell all its interest in St. Augustine Gas Company ("St. Augustine") consisting of 2,771 shares of Common Stock of the par value of $100 each (including five directors' qualifying shares) to H. Hansell Hillyer of St. Louis, Missouri, for the sum of $100,000 plus the net earnings of St. Augustine from January 31, 1944, to the date of closing, pursuant to the terms and provisions of a contract of sale date April 3d, 1944. The proceeds to be derived by American Gas will be deposited with the Trustee under its Debenture Agreement, 5% and 6% Series, pursuant to the provisions of such agreement.

American Gas was directed to dispose of its interest in St. Augustine by this Commission's Order dated July 2, 1943 (entered in File No. 59–55 proceedings) pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935. The amended plan of American Gas pending before the Commission under section 11 (e) of the act provides for the sale of American Gas' interest in St. Augustine.

It appearing to this Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said Amendment No. 6 to the amended plan of Community and American Gas; *It is ordered*, That a hearing on such matters under the applicable provisions of the Act and Rules of this Commission thereunder be held on April 28, 1944, at 11:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such Amendment No. 6 shall be approved.

It is further ordered, That Allen MacCullen or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether and to what extent it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed sale having particular regard for the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters.

2. Generally, whether the proposed transaction is in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

3. Whether the proposed transaction is fair and equitable to the persons interested and is necessary to effectuate the provisions of section 11 (b).

Any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before April 25, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–5282; Filed, April 13, 1944; 8:28 p. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

IDAHO COUNTY, IDAHO

DAIRY FEED PAYMENTS IN MARCH AND APRIL 1944

Amendment to announcement of dairy feed payments for March and April, 1944.

In order to correct an erroneous omission of Idaho County, Idaho, from the list of counties to which a 60-cent rate of payment is applicable, the Schedule "C" attached to and a part of the Commodity Credit Corporation's announcement of Dairy Feed Payments for March and April, 1944 (9 F.R. 2871, 2872), is hereby amended by the inclusion of Idaho County, Idaho, among the counties of Idaho for which the rate of payment per hundredweight of milk delivered shall be 60 cents and by the exclusion of such county from the counties of Idaho for which the rate of payment per hundredweight of milk delivered is 50 cents.

This amendment shall be effective as of March 1, 1944.

Dated: April 13, 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
J. B. HUTSON,
President.

Attest:
BETTY S. MORROW,
Assistant Secretary.

[F. R. Doc. 44–5277; Filed, April 13, 1944; 8:15 p. m.]

Office of Distribution.

DIRECTOR OF DISTRIBUTION

ORDER DELEGATING CERTAIN AUTHORITY

By virtue of the authority contained in the Grain Standards Act (7 U.S.C. 71 et seq.) and vested in the War Food Administrator by Executive Orders 9322 (8 F. R. 3807), and 9334 (8 F. R. 5423), the Director of Distribution and such employees of the Office of Distribution as he may designate are hereby authorized, subject to the exceptions hereinafter provided, to perform all functions, under the Grain Standards Act, the performance of which is the duty of the War Food Administrator under the executive orders referred to: *Provided, however*, That this authorization shall not be deemed to authorize (1) the making of new regulations or the amending of existing regulations, or (2) the performance of regulatory functions as that term is defined in the Act of April 4, 1940 (5 U.S.C. 516a et seq.).

The authority hereby delegated shall be in addition to and not in lieu of any authority now vested in the Director of Distribution.

Done at Washington, D. C., this 13th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–5278; Filed, April 13, 1944; 8:15 p. m.]

WAR PRODUCTION BOARD.

GRANICK FURNITURE CO.

CONSENT ORDER

Arthur Granovsky and Nicholas Chascione, doing business as Granick Furniture Co., a partnership located at 235 East 42nd Street, New York, New York, engaged in the upholstery business, were charged by the War Production Board, on February 21, 1944, with having wilfully and seriously violated Limitation Order L–135, as of September 30, 1942, in that during the period beginning November 1, 1942, through May 22, 1943, they wilfully and in violation of Limitation Order L–135, processed, fabricated, worked on and assembled in excess of 300 pieces of wood upholstered furniture containing steel springs or coils, although Limitation Order L–135 provided that on and after November 1, 1942, no new wood upholstered furniture manufacturer should process, fabricate, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. Arthur Granovsky and Nicholas Chascione, doing business as Granick Furniture Co., admit the violation as charged and have consented to the issuance of this order. They agree that any of their successors or assigns will be bound by any order which may be issued in this matter and that not only they, but also their successors or assigns may and shall be bound by this order to which they consent.

Wherefore, upon the agreement and consent of Arthur Granovsky and Nicholas Chascione, doing business as Gran-

ick Furniture Co., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Arthur Granovsky and Nicholas Chascione, doing business as Granick Furniture Co., their successors and assigns, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than five per cent (5%) of the total cost value of essential metal parts consumed by them in the production of furniture during their metal parts base period (other than for preferred orders); and during the three months period beginning July 1, 1944, and ending September 30, 1944, they, their successors and assigns, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than five per cent (5%) of the total cost value of essential metal parts consumed by them in the production of furniture during their metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve Arthur Granovsky and Nicholas Chascione, doing business as Granick Furniture Co., their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5284; Filed, April 13, 1944; 4:19 p. m.]

M. MITTMAN & CO., INC.

CONSENT ORDER

M. Mittman & Co., Inc., a corporation located at 316 East 53d Street, New York, New York, engaged in the upholstery business was charged by the War Production Board on February 25, 1944, with having wilfully and seriously violated Limitation Order L-135, as of September 30, 1942, in that during the period beginning November 1, 1942, through February 17, 1943, it wilfully and in violation of Limitation Order L-135 processed, fabricated, worked on and assembled in excess of 200 pieces of wood upholstered furniture containing steel springs and coils although Limitation Order L-135 provided that on and after November 1, 1942, no new wood upholstered furniture manufacturer should process, fabricate, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. It was further charged that M. Mittman & Co., Inc., located at 316 East 53d Street, New York, New York, wilfully failed to maintain accurate and adequate records as required by Priorities Regulation No. 1. It was further charged that M. Mittman & Co., Inc., wilfully violated Limitation Order L-49 during the period beginning September 1, 1942, and ending November 30, 1942, by using in excess of 6,000 pounds of steel springs in the production of box spring units, thereby exceeding its legal quota. In addition, it was charged that during the period beginning November 1, 1942, through March 20, 1943, M. Mittman & Co., Inc., wilfully violated Limitation Order L-49 by manufacturing more than 256 studio couches, sofa beds, and lounges designed for dual sleeping and seating purposes which contained iron and steel other than joining hardware.

M. Mittman & Co., Inc., admits the violations as charged and has consented to the issuance of this order. It agrees that any of its successors or assigns will be bound by any order which may be issued in this matter, and that not only it, but also any successors or assigns of it may and shall be bound by this order to which it consents.

Wherefore, upon the agreement and consent of M. Mittman & Co., Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) M. Mittman & Co., Inc., its successors and assigns, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than three per cent (3%) of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders); and during the three months' period beginning July 1, 1944, and ending September 30, 1944, M. Mittman & Co., Inc., its successors and assigns, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than three per cent (3%) of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve M. Mittman & Co., Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5285; Filed, April 13, 1944; 4:19 p. m.]

LEATHER LOUNGE COMPANY

CONSENT ORDER

William Milgrom, doing business as Leather Lounge Company, sole owner, located at 125 Prince Street, New York, New York, engaged in the upholstery business, was charged by the War Production Board on February 25, 1944, with having wilfully and seriously violated Limitation Order L-135, issued by the War Production Board, in that during the period beginning on or about November 1, 1942, through March 1, 1943, he and it wilfully and in violation of Limitation Order L-135 processed, fabricated, worked on and assembled upholstered furniture containing steel springs and coils; and further, and during the same time and in wilful and serious violation of Priorities Regulation No. 1 of the War Production Board, he and it obtained springs by the use of a preference rating, and thereafter diverted such springs to uses other than those for which the preference rating was extended to him or it. William Milgrom, doing business as Leather Lounge Company, admits that he violated Limitation Order L-135 by processing, fabricating, working on and assembling new wood upholstered furniture containing iron and steel other than joining hardware, but does not desire to contest any of the other charges, including wilfulness, contained in a letter sent by the War Production Board to him and his company on February 25, 1944, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of William Milgrom, doing business as Leather Lounge Company, the Regional Compliance and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) William Milgrom, doing business as Leather Lounge Company, during the two quarters of the year 1944, and the six months period, beginning April 1, 1944, and ending September 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than three per cent of the total cost value of essential metal parts consumed by him and it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve William Milgrom, doing business as Leather Lounge Company, his or its successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 13th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5286; Filed, April 13, 1944; 4:19 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 77

Washington, Tuesday, April 18, 1944

The President

EXECUTIVE ORDER 9435

AUTHORIZING THE SECRETARY OF THE NAVY TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF JENKINS BROTHERS, INCORPORATED, AT BRIDGEPORT, CONNECTICUT

WHEREAS after investigation I find and proclaim that there is a threatened interruption of the operation of the plant of Jenkins Brothers, Incorporated, located at Bridgeport, Connecticut, as a result of a labor disturbance, and that the war effort will be unduly impeded or delayed by such interruption:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of the Navy is hereby authorized and directed, through and with the aid of such person or persons or instrumentality as he may designate, to the extent that he may deem necessary, to take possession of the plants and facilities of Jenkins Brothers, Incorporated, located at Bridgeport, Connecticut, together with any real or personal property, and other assets, wherever situated, used in connection with the operation thereof; and to operate or arrange for the operation of such plants and facilities in such manner as he deems necessary for the successful prosecution of the war, and to do all things necessary for, or incidental to, the production, sale, and distribution of the products thereof. The Secretary of the Navy is further authorized to exercise any contractual or other rights of the Corporation and to take such other steps as he deems necessary to carry out the provisions and purposes of this Order and the directive Order of the National War Labor Board dated February 9, 1944.[1]

2. The Secretary of the Navy shall operate the plants and facilities of the Corporation under the terms and conditions of employment which are in effect at the time the possession of the plants and facilities mentioned herein is taken, and, during his operation of the plants and facilities, shall observe the terms and conditions of the directive order of the National War Labor Board, dated February 9, 1944.

3. The Secretary of the Navy is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control and operation of any plant or facility, or part thereof, taken under this order, shall be terminated by the Secretary of the Navy within sixty days after he determines that the productive efficiency of the plant, facility, or parts thereof has been restored to the level prevailing prior to the threatened interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 13, 1944.

[F. R. Doc. 44-6333; Filed, April 15, 1944; 10:06 a. m.]

[1] Not filed with the Division of the Federal Register.

EXECUTIVE ORDER 9436

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF KEN-RAD TUBE AND LAMP CORPORATION AND KEN-RAD TRANSMITTING TUBE CORPORATION AT OWENSBORO, KENTUCKY

WHEREAS after investigation I find and proclaim that there is a threatened interruption of the operation of the plants and facilities of Ken-Rad Tube and Lamp Corporation and Ken-Rad Transmitting Tube Corporation, located at Owensboro, Kentucky, as a result of a labor disturbance, and that the war effort would be unduly impeded or delayed by such interruption:

NOW, THEREFORE, by virtue of the power and authority vested in me by the

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
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Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of such person or persons or instrumentality as he may designate, to the extent that he may deem necessary, to take possession of the plants and facilities of Ken-Rad Tube and Lamp Corporation and Ken-Rad Transmitting Tube Corporation, located at Owensboro, Kentucky, together with any real or personal property, and other assets, wherever situated, used in connection with the operation thereof; and to operate or arrange for the operation of such plants and facilities in such manner as he deems necessary for the successful prosecution of the war, and to do all the things necessary for, or incidental to, the production, sale, and distribution of the products thereof. The Secretary of War is further authorized to exercise any contractual or other rights of the corporations and to take such other steps as he deems necessary to carry out the provi-

sions and purposes of this Order and the directive order of the National War Labor Board, dated March 31, 1944.[1]

2. The Secretary of War shall operate the plants and facilities of the Corporations under the terms and conditions of employment which are in effect at the time the possession of the plants and facilities mentioned herein is taken, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order of the National War Labor Board, dated March 31, 1944.[1]

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order, shall be terminated by the Secretary of War within sixty days after he determines that the productive efficiency of the plant, facility, or parts thereof has been restored to the level prevailing prior to the threatened interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 13, 1944.

[F. R. Doc. 44-5332; Filed, April 15, 1944; 10:06 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 92-1]

PART 1401—DAIRY PRODUCTS

REPORTS RELATIVE TO CHEESE AND CHEESE FOODS

Pursuant to the authority vested in me by Food Distribution Order No. 92 (9 F.R. 1082), issued by the Assistant War Food Administrator on January 27, 1944, and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1401.19 *Reports*—(a) *Definitions.* Unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term used in Food Distribution Order No. 92 shall, when used herein, have the same meaning as is set forth for such term in said Food Distribution Order No. 92.

(b) *Monthly reports.* (1) Each person who produced cheese or cheese food in February or March 1944 shall (i) correctly complete form "Dairy Products Report No. 1, Revised" for each such calendar month, and (ii) correctly complete form "Dairy Products Report No. 6" for said February or March if he claims quota exemption sales in the respective calendar month. Each of the aforesaid reports shall be completed and mailed to the United States Department of Agriculture, Box 6910, Chicago, Illinois, on or before April 15, 1944.

(2) Each person who produces cheese or cheese food in April 1944 or who produces cheese or cheese food during any calendar month after April 1944 shall (i) correctly complete form "Dairy Products Report No. 1, Revised" for each such calendar month and each succeeding calendar month, and (ii) correctly complete form "Dairy Products Report No. 6" for each such calendar month in which he claims quota exemption sales. Each of the aforesaid reports shall be completed and mailed to the United States Department of Agriculture, Box 6910, Chicago, Illinois, on or before the 10th calendar day of the calendar month next succeeding the one for which the report is required to be submitted.

(c) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 13, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 92, 9 F.R. 1082)

Issued this 12th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-5269; Filed, April 13, 1944; 1:37 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

SAFEGUARDING MILITARY INFORMATION

Sections 5.4, 5.5, 5.7 to 5.9, 5.11 to 5.19 and 5.21 are retained without change in revision of Army Regulations No. 380-5 dated 15 March 1944; § 5.6 is rescinded, the regulations therein having been omitted in revision, and §§ 5.1, 5.2, 5.3, 5.10 and 5.20 (c) are amended to read as follows:

§ 5.1 *Definitions*—(a) *Classified military information.* Classified military information includes all information concerning documents, cryptographic devices, development projects and matériel falling in the categories of top secret, secret, confidential, or restricted.

(b) *Documents.* Any form of recorded information. The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprintes, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

(c) *Engineering data.* The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

(d) *Foreign government.* The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

(e) *Matériel.* Any article, substance, or apparatus. The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, design, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

(f) *Mock-up.* A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

(g) *Photomap.* A photomap is a reproduction of an aerial mosaic, composite, or single vertical used in place of or to supplement a map.

(h) *Reserved area.* A reserved area is an area on the surface of the land or water designated and set apart by Executive order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

(i) *Troop movements.* The term "troop movement" applies to the moving of units or organized detachments even though temporarily organized as such for the purpose of the movement. Movements of prisoners of war, sick and wounded, and all similar groups under military control are included in the term. A movement may be overseas (from the United States); intertheater, intratheater, or returns (to the United States).

(j) *Visitor.* As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except:

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project. [Par. 2.]

§ 5.2 *Right to possess classified military information*—(a) *Dissemination of classified matter.* No person is entitled solely by virtue of his grade or position to knowledge or possession of classified matter. Such matter is entrusted only to those individuals whose official duties require such knowledge or possession.

(b) *Responsibility.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein. [Pars. 11 and 14]

§ 5.3 *Photographs of certain classified matter.* Photographs of classified features of military equipment or of other

[1] Not filed with the Division of the Federal Register.

classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made may be developed or printed in commercial establishments that have established a specific procedure for handling classified film, which procedure has been approved by the Provost Marshal General. Such film or prints will not be retained in the possession of commercial establishments so utilized. [Par. 18.]

§ 5.6 *Dissemination of restricted matter.* [Rescinded.]

§ 5.10 *Dissemination of classified technical information.* Classified information concerning technical projects or developments may be imparted only to those individuals whose official duties require such knowledge or possession and to accredited representatives of foreign nations in accordance with the provisions of § 5.5 (b). [Par. 59]

§ 5.20 *Responsibility of Government contractors.* * * *

(c) War Department contractors will submit to the commanding general of the service command, chief of technical service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, immediately upon completion of the visit, a report of all visitors, except United States citizens and Canadian nationals, who have gained information concerning the classified work or projects. The reports will include the following information:

(1) Name, official position, and nationality.

(2) Authority for visit.

(3) Matters in which the visitors showed the greatest interest.

(4) General nature of questions asked.

(5) Expressed object of the visit.

(6) Estimate of the real object of the visit.

(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.

(8) A brief list of what was shown and explained. [Par. 72c]

(R.S. 161; 5 U.S.C. 22)

PART 9—SECRECY SURROUNDING TROOP MOVEMENTS

TROOP MOVEMENTS AND INDIVIDUAL TRAVEL

Sections 9.1, 9.2 and 9.3 are amended and §§ 9.4 and 9.5 are retained without change in revision of Army Regulations No. 380–5 dated 15 March 1944.

§ 9.1 *General.* (a) Commanding officers of troops or individuals affected by the provisions of this part are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in the spreading of information concerning troop movements.

(b) Movement of troops or individuals, or any group or class of such movements, will be classified as secret, confidential, or restricted by, or by authority of, any officer authorized to make or authorize secret classifications.

(c) (1) Officers and men will avoid talk or discission of military movements with civilians and will view with suspicion any person asking questions about such movements or discussing topics pertaining thereto.

(2) All persons connected with the military service who receive information concerning movements of organizations, detachments, or individuals, classified in accordance with Army Regulations, are forbidden to make public or to inform unauthorized persons concerning the classified elements of such movements.

(3) When it is necessary to advise relatives or other persons of approaching departure, individuals connected with the military service will not disclose any classified information. [Pars. 76 and 77]

§ 9.2 *Rail and motor movements.* (a) Rail and motor movements of troops in the United States, including those to Mexico and Canada, will normally be classified restricted.

(b) When rail or motor movements are made preliminary to an oversea movement from the United States, cars, baggage and impedimenta will not be marked in the clear to show destination, date of departure, name of ship, or other classified elements of information.

(c) During the progress of a movement by rail or motor within the United States, individuals participating therein will not communicate classified information to unauthorized persons. [Par. 78]

§ 9.3 *Embarkation.* (a) Troop movements will be made so far as practicable without attracting undue attention.

(b) All persons not on official business will be excluded from the piers at all times.

(c) Members of families, relatives, or friends of those sailing will not be allowed at the piers or thereabouts on the day of sailing. Any such persons found there will be ordered away summarily by the guard and report will be made to the appropriate authority of the officer or enlisted man with whom they were seen or with whom they attempted to communicate. [Par. 80]

(R.S. 161; 5 U.S.C. 22)

PART 11—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

EFFECTS OF DECEASED PERSONNEL

Sections 11.1 to 11.4, 11.5 and 11.7 are retained without change in revision of Army Regulations No. 600–550 dated 28 March 1944. Section 11.6 is corrected to read as follows:

§ 11.6 *Effects of deceased civilian employees not subject to military law—(a) Within continental limits of United States, excluding Alaska.* The foregoing provisions in §§ 11.4 and 11.5 do not apply in the case of deceased civilian employees with the Army when they are not subject to military law. In such cases the officer under whom the decedent was serving, or such representative of the service in which the decedent has been employed as said officer may designate, will secure the decedent's effects and deliver them to the legal heirs or their representatives. If the effects are not claimed within a reasonable period of time, said officer, or the person designated by him, will deliver the effects, with all available useful information concerning the decedent, to the person designated by the judicial officer of the local civil government having jurisdiction over the estates of deceased persons. In all cases receipts will be obtained and forwarded through chiefs of arms and services to The Adjutant General with complete report of action taken.

(b) *Outside continental limits of United States, including Alaska.* Outside the continental limits of the United States, including Alaska, local pertinent laws will be complied with.

(R.S. 161; 5 U.S.C. 22) [Par. 29, AR 600–550, 28 March 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–5334; Filed, April 15, 1944; 10:14 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 1, 2, 3, 5, 6, 9, 10, 12, 13, and 15]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 81 and 88 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 32, 7 April 1944,[1] the particular regulations amended being Nos. 1, 2, 3, 5, 6, 9, 10, 12, 13 and 15.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601–622.

[1] For previous changes see 7 F.R. 9268, 10184, 10906; 8 F.R. 3339, 5210, 6576, 7526, 8639, 8918, 9908, 11609, 12043, 13088, 13791, 14512, 16009, 16100, 17464; 9 F.R. 1344, 2975.

[Procurement Reg. 1]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL INSTRUCTIONS

Section 81.106 is amended as follows:

§ 81.106 *Distribution of procurement regulations.* (a) All communications pertaining to the distribution of procurement regulations including:

(1) Requests for complete sets;

(2) Requests for increase or decrease in the number of copies of revisions to be furnished;

(3) Requests for copies of particular revisions;

(4) Requests for missing pages or tab cards;

(5) Requests for change of address to which revisions are to be forwarded should be sent to:

Legal, Branch,
Office, Director of Matériel,
Headquarters, Army Service Forces,
Room 5C 659 The Pentagon,
Washington 25, D. C.

(b) Any request which involves any increase or decrease in the number of copies of revisions to be furnished should specify not only the new number of copies desired but also the number of copies currently being furnished. In addition, any such request and any request for a change of address should specify the mailing address (as appearing on the envelope or package in which revisions are received) to which revisions currently are being forwarded.

(c) Communications (including request mentioned in this § 81.106 pertaining to the distribution of Procurement Regulations may be by letter or memorandum. Such requests need not be in the form of formal requisitions.

[Procurement Reg. 2]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL PURCHASE POLICIES

In § 81.223 paragraphs (a) to (f), inclusive, are amended:

§ 81.223 *Factors governing placement of contracts.* The selection of a contractor for a particular contract from among the available qualified producers depends on a number of factors. In making such selections effect must be given to various policies expressed by the Office of War Mobilization, by the War Production Board (see Directive No. 2, 18 September 1942; 8 F.R. 12968), by the War Manpower Commission in its directives and by Congress, as in the Smaller War Plants Act. These policies, their relation and relative importance are discussed in the following paragraphs, which are applicable both to the placement of new business and to the revision or reduction of existing programs:

(a) *Ability to perform.* Primary emphasis shall be placed upon securing performance or deliveries at the time, in the quantity, and of the quality required by the war program. As indicated in paragraph (a) of § 81.222, the objective is to insure delivery in time to avoid delays in the war program, but to avoid creation of unnecessary inventories.

(b) *War Manpower Commission labor areas.* The War Manpower Commission has divided the country into twelve regions and from time to time classifies localities in each region according to their labor supply conditions and on this basis designates them as:

Group I—Areas of current acute labor shortage.

Group II—Areas of labor stringency and those anticipating a labor shortage within six months.

Group III—Areas in which a slight labor surplus will remain after six months.

Group IV—Areas in which labor supply is and will continue to be adequate to meet all known labor requirements.

The Industrial Personnel Division, Headquarters, Army Service Forces, will advise the technical services monthly, or more often if conditions warrant, of the designations of the War Manpower Commission.

(c) *Area Production Urgency Committee areas.* Effective 15 September 1943 the Office of War Mobilization announced a program for dealing with the acute labor shortage problem in certain localities of the West Coast. On 5 October 1943 the War Production Board announced a program for the placement of contracts in the States of Washington, Oregon, and California. The War Production Board announced a similar program for the Hartford, Connecticut, Akron, Ohio, and Detroit, Michigan, areas on 15 October 1943, and for the Cleveland, Ohio, and Buffalo, New York, areas on 14 December 1943. Area Production Urgency Committees have been appointed for and are functioning in respect of these unusually critical labor areas. Similar programs may be adopted for other such labor areas, in which event any necessary directives will be issued prescribing the procedures to be followed for complying therewith. The policies stated in paragraphs (d) to (h) of this section and in § 81.224 will be subject to the requirements of such directives.

(d) *Policy with respect to placing of contracts in labor shortage areas.* The following policies will be observed with respect to the placing of contracts in the labor shortage areas:

(1) *Group I areas for which Area Production Urgency Committees have been appointed—(i) Contracts not requiring clearance of Committee; reporting as to intended placement.* (a) Except to the extent provided in any directive issued after 1 February 1944 as to any Group I Area for which an Area Production Committee has been appointed, the provisions of which directive will control as to the placement of contracts in that area until revoked,[1] the following types of contracts may be placed in these areas without clearance with, or approval of, the appropriate Committee:

(*1*) New and continuation contracts which cannot be placed elsewhere with adequate assurance of obtaining satisfactory performance and timely deliveries and which will not increase employment in the contractor's plant; and

(*2*) New and continuation contracts with independent contractors (those not subsidiaries of larger concerns) that employ no more than 100 persons (excluding office and sales personnel) which will result in no increase whatsoever in the number of persons so employed; for example, an independent concern employing 30 persons, if performance of the contract will not require it to increase the number above 30: *Provided,* That such contracts may be placed with independent contractors in the States of Washington, Oregon or California only if they employ no more than 50 such persons.

(*b*) Although such contracts may be placed in any such area without approval of the appropriate Committee, nevertheless before such placement of an unclassified contract of a total value in excess of $50,000, there will be transmitted to the Appropriate Committee four copies of form GA–861, duly completed, which will have endorsed thereon the proposed contract number and the legend "For Information Only". These will be transmitted through the Army representative on the Committee, or in the case of the Army Air Forces the Army Air Forces representative on the Committee, at least seven days before placement of the contract, unless this will unduly delay production, in which case they will be transmitted as far before placement as is practicable.

(*ii*) *Contracts requiring clearance of Committee; application for such clearance.* (*a*) The following types of contracts must be cleared with the appropriate Area Production Urgency Committee before placement in any Group I area for which a Committee has been appointed and may be placed in these areas only if such placement has been approved by the Committee:

(*1*) New and continuation contracts which cannot be placed elsewhere with adequate assurance of obtaining satisfactory performance and timely deliveries but which will increase employment in the contractor's plant;

(*2*) New contracts which can be placed elsewhere with adequate assurance of obtaining satisfactory performance and timely deliveries but which the technical service believes should be placed in the area, as, for example, to effect a substantial saving in transportation;

(*3*) Continuation contracts which can be placed elsewhere with adequate assurance of obtaining satisfactory performance and timely deliveries but which the technical service desires to continue in the area, as, for example, to prevent an undue hardship to the contractor which might result from withholding continuation orders.

(*b*) Since the Committee areas are the most critical of all the Group I areas, the technical services will not request Committee approval under subdivisions (2) or (3) above for any contract which the technical services are not authorized to place in non-Committee Group I areas under paragraph (d) (2) of this section.

(*c*) Applications for clearance by the Committee will be made to the Committee for the area in which the facilities of the contractor at which the work, or a major part of the work, will be done are situated. Applications, which may seek approval of a single contract or an entire program, will be submitted in four copies on Form GA–861 and will be transmitted through the Army, or in the case of the Army Air Forces the Army Air Forces, representative on the Committee.

(2) *Group I areas for which no Area Production Committee has been appointed.* It is the intent to avoid so far as possible the placement of contracts

[1] Special restrictions upon the placement and continuation of contracts in the Hartford, Connecticut, area are stated in Army Service Forces Circular No. 38 of 3 February 1944, to which reference is made for the policy governing placement in that area so long as the provisions of such circular are in effect.

in these areas. The only contracts which may be placed in these areas are those:

(i) Which cannot be placed elsewhere with adequate assurance of obtaining satisfactory performance and timely deliveries; or

(ii) For which established special facilities exist and for which labor has been specially trained; or

(iii) Which, in the considered judgment of the chief of the technical service concerned, or of any person or persons to whom he may delegate his authority in this respect, it is impracticable to place elsewhere.

(3) *Group II areas.* The following types of contracts may be placed in Group II areas:

(i) Continuation contracts which will require no labor in addition to that currently employed by the contractor and

(ii) New and continuation contracts which cannot be placed in a Group III, IV or an unclassified area with adequate assurance of satisfactory performances and timely deliveries.

(4) *Exceptions as to restrictions applying to Group I and Group II areas.* (i) The foregoing restrictions upon the placement of contracts contained in subparagraphs (1) to (4) of this paragraph (d) do not apply to contracts with originating manufacturers for newly developed articles placed in accordance with § 81.224. The provisions of subparagraph (1) (i) (b) of this paragraph (d), with respect to reporting placement to the Area Production Urgency Committee, however, apply in the event such contracts are placed in a Group I area for which a Committee has been appointed.

(ii) The restrictions contained in subparagraphs (2) and (3) do not apply with respect to contracts with firms which currently employ less than 100 wage earners and which will not employ more than 100 wage earners during the performance of the contract.

(5) *Group III and unclassified areas.* There are no restrictions upon the placement of contracts in Group III and unclassified areas.

(e) *Policy with respect to placing of contracts in labor surplus areas.* It is the policy of the War Department to make every effort to place a substantial amount of its business with concerns located in Group IV areas, to the extent placement there is consistent with other procurement objectives and satisfactory performance and timely deliveries can be assured.

(f) *Subcontracting in labor shortage areas.* (1) Prime contractors holding the bulk of War Department contracts have received a request from the Under Secretary of War to apply principles similar to those described in paragraphs (d) and (e) of this section, in placing their subcontracts for the fabrication of products required by their prime contracts. When new prime contracts which may involve subcontracting are made, the prime contractors will be advised of these principles by contracting officers and will be strongly urged to apply them in placing subcontracts.

(2) Where to give effect to changes in the classification of labor supply areas occurring after the execution of a particular prime contract would decrease the efficiency or increase the cost of placing recurring subcontracts thereunder, the chief of a technical service or his duly authorized representative is authorized, pursuant to the First War Powers Act, 1941, to enter into and approve supplemental agreements to provide for the payment of any increased price to the prime contractor to cover increased costs resulting from such changes in subcontracting, in the same manner as provided in paragraph (f) (3) of § 81.225. It is hereby determined that supplemental agreements entered into for this purpose will facilitate the prosecution of the war.

(3) Many prime contractors are regularly receiving the monthly classification of labor market areas issued by the War Manpower Commission. Arrangements may be made to have additional prime contractors supplied with them by communicating directly with the Division of Procurement Policy, War Production Board, Washington, D. C.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

In § 81.304 (a) lists of contract forms are amended as follows:

§ 81.304 *Definitions*—(a) *Standard forms of contract.* • • •

(3) • • •

Office of the Chief of Engineers. [Forms added] • • •

Engineer Form No. 520—Contract for Reconditioning Construction and Maintenance Equipment.

Contract for Boiler Inspection Service.

Office of the Chief of Ordnance. [Forms added] • • •

Letter Order for Emergency Supplies (O.P.C. No. 12–44).

Contract for Spare Parts and Military Publications (O.P.C. No. 67–44).

Office of the Quartermaster General. [Form added] • • •

Contract for Procurement of Dehydrated Foods.

Office of the Surgeon General.

S. G. Form No. 1–F—Supply Contract.

S. G. Form No. 2–B—Long Form Supply Contract.

S. G. Form No. 3–B—Purchase Order.

Contract with Universities for Courses of Instruction.

Contract with Universities for Research in Prevention of Epidemic Diseases.

Contract for Blood Plasma Processing.

Supplemental Agreement for Use of Cellular Residue.

• • • • •

In § 81.323 paragraphs (b) and (c) are added:

§ 81.323 *Covenant against contingent fees.* (a) Every contract regardless of subject material or amount (except contracts of sale, see § 83.726) will contain the following clause without deviation:

• • • • •

(b) As to Contracts of Sale, see the specified provision set out in § 83.726.

(c) Also see § 81.1181.

In § 81.326 (a) subparagraph (2) is added:

§ 81.326 *Disputes concerning questions of fact.* (a) (1) Every contract, regardless of subject matter, for an amount of $20,000 or more will, and every contract for an amount of less than $20,000 may (at the option of the contractor), contain the following article without deviation:

• • • • •

(2) Where a contract has no definite termination date, or where a termination date is expressed but the contract is subject to renewal (e. g., through failure of the Government to take action to terminate or through the Government's exercise of a right to renew), it may be difficult to determine whether the contract is for an amount of $20,000 within the meaning of subparagraph (1) of this paragraph. The following rule of thumb is prescribed to resolve the difficulty in such cases: It will be assumed for the purpose of making the determination that the contract will run for a period of three years from its starting date, and the aggregate charge will be estimated on this basis. If the aggregate charge, so estimated, is $20,000 or more, the Disputes article will be included in the contract; if less than $20,000 the article may be included at the option of the contractor.

(b) In all contracts which contain a definition of "his duly authorized representative" in relation to the head of the department, as "any person authorized to act for him other than the contracting officer," the words "or board" will be inserted between the word "person" and the word "authorized".

Section 81.342 is amended as follows:

§ 81.342 *Articles governing statutory renegotiation.* The following articles dealing with statutory renegotiation will be used in accordance with Procurement Regulation No. 12 (§ 81.1202; § 81.1207).

(a) *Form I.*

[Form I] Renegotiation pursuant to the Renegotiation Act: Form for general use.

ARTICLE • • • *Renegotiation.* (a) This contract shall be deemed to contain all the provisions required by subsection (b) of the Renegotiation Act as amended by section 701 of the Revenue Act of 1943 (Public Law No. 235, 78th Congress, enacted February 25, 1944).

(b) In compliance with said subsection (b) of the Renegotiation Act, the Contractor shall insert in the subcontracts specified in said subsection (b) either the provisions of this Article or the provisions required by said subsection (b).

(b) *Form II.*

[Form II] Renegotiation pursuant to the Renegotiation Act: Form for contracts exempt under discretionary exemption.

ARTICLE • • • *Renegotiation.* (a) The Contractor agrees to insert in the subcontracts specified in subsection (b) of the Renegotiation Act as amended by section 701 of the Revenue Act of 1943 (Public Law No. 235, 78th Congress, enacted February 25, 1944), either the provisions required by said subsection (b) or the following:

ARTICLE • • • *Renegotiation.* (a) This contract shall be deemed to contain all the provisions required by subsection (b) of the

Renegotiation Act as amended by section 701 of the Revenue Act of 1943 (Public Law No. 235, 78th Congress, enacted February 25, 1944).

(b) In compliance with said subsection (b) of the Renegotiation Act, the Contractor shall insert in the subcontracts specified in said subsection (b) either the provisions of this Article or the provisions required by said subsection (b).

(b) The Contractor agrees that there may be retained by the United States from amounts otherwise due the Contractor or that the Contractor will repay to the United States, as the Secretary of War or his duly authorized representative may direct, any amounts which under subsection (b) of the Renegotiation Act he is directed to withhold from a subcontractor and which are actually unpaid at the time the Contractor receives such direction.

[*Form II*] *Renegotiation pursuant to the Renegotiation Act: Form for supplemental agreements.*

ARTICLE * * * *Renegotiation.* (a) This contract shall be deemed to contain all the provisions required by subsection (b) of the Renegotiation Act as amended by section 701 of the Revenue Act of 1943 (Public Law No. 235, 78th Congress, enacted February 25, 1944).

(b) In compliance with subsection (b) of the Renegotiation Act, the Contractor shall insert in the subcontracts specified in said subsection (b) and made by the Contractor after the date of this instrument either provisions similar to paragraphs (a) and (b) of this Article or the provisions prescribed by said subsection (b) of the Renegotiation Act.

(c) This Article applies only to the supplemental agreement by which it was added and to any supplemental agreement or change orders hereafter executed except that the Contractor may discharge any obligation under the basic contract to insert renegotiation provisions in subcontracts, by inserting therein either the provisions of paragraphs (a) and (b) of this Article or the provisions prescribed by subsection (b) of the Renegotiation Act.

In § 81.347 paragraphs (c) and (e) of contract article are amended as follows:

§ 81.347 *Advance payments with interest.* A clause substantially as follows will be included in fixed-price contracts when it is contemplated that advance payments with interest will be made thereon:

Advance payments. * * *

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with ---------- percent (----------%) (Insert percent to be deposited which shall be not less than 85%) of all other cash payments under this contract, shall be deposited in a special bank account or * * *.

* * * * *

(e) Except as otherwise provided herein, liquidation of the principal of any advance payment or advance payments made to the Contractor hereunder shall be made by deductions of ---------- percent (-----%) from any and all payments made by the Government under the terms of the contract or by means of direct repayment by the Contractor from his own free funds or from the special account or accounts: *Provided*, That if at any time, as a result of amendments to the contract or otherwise, the unliquidated balance of the principal of advance payments made exceeds ---------- percent (----%) of the balance of the total contract price then unpaid, the amount of such excess which has not then been expended or obligated shall upon demand of the ---------- (Chief of ----------, or his duly authorized representative Technical service) be promptly returned to the Government by withdrawal from the special account or accounts or otherwise, and that portion of the excess which has been expended or obligated may, at the option of the Contractor, be so returned and if not so returned, shall, together with any unexpended or unobligated portion of the excess not otherwise returned to the Government, be deducted from any and all payments to be made by the Government under the contract; *Provided further*, That, if and when the contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the contractor and shall therefrom be relieved of any further obligation to the Government on account thereof.

In § 81.348 paragraphs (c) and (e) of contract article are amended as follows:

§ 81.348 *Advance payments without interest.* A clause substantially as follows will be included in fixed price contracts when it is contemplated that advance payments without interest will be made thereon:

Advance payments. * * *

(c) Until all advance payments hereunder are liquidated, all funds received as advance payments under this contract together with ---------- per cent (------%) (insert per cent to be deposited which shall be not less than 85%) of all other cash payments under this contract, shall be deposited in a special bank account or * * *.

* * * * *

(e) Except as otherwise provided herein, liquidation of any advance payment or advance payments made to the Contractor hereunder shall be made by deductions of ---------- per cent (--------%) from any and all payments made by the Government under the terms of the contract or by means of direct repayment by the Contractor from his own free funds or from the special account or accounts: *Provided*, That if at any time, as a result of amendments to the contract or otherwise, the unliquidated balance of the principal of advance payments made exceeds ---------- per cent (--------% of the balance of the total contract price then unpaid, the amount of such excess which has not then been expended or obligated shall upon demand of the ---------- (Chief of technical service) or his duly authorized representative be promptly returned to the Government by withdrawal from the special account or accounts or otherwise, and that portion of the excess which has been expended or obligated may, at the option of the Contractor, be so returned and if not so returned, shall, together with any unexpended or unobligated portion of the excess not otherwise returned to the Government, be deducted from any and all payments to be made by the Government under the contract: *Provided further*, That, if and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

In § 81.348a the last proviso in paragraph (b) of contract form is amended:

§ 81.348a *Advance payments: cost-plus-a-fixed-fee contracts; with interest.* * * *

Advance payments. * * *

(b) * * * *Provided further:* That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

In § 81.348b the last proviso in paragraph (b) of contract form is amended:

§ 81.348b *Advance payments; cost-plus-a-fixed-fee contracts; without interest.* * * *

Advance payments. * * *

(b) * * * *Provided further*, That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

In § 81.360 contract articles designated as Form I and Form II are amended by the addition of paragraph (g):

§ 81.360 *Periodic adjustment of price and exemption from renegotiation.* * * *

(FORM I) ARTICLE ---.—PERIODIC ADJUSTMENT OF PRICE

* * * * *

(g) *Termination.* For the purposes of paragraph (d) of Article -------- hereof. (Termination at the Option of the Government), the following provisions shall govern:

(1) The prices payable for completed articles under paragraph (d) (1) of that Article shall be (i) the prices agreed upon for the price period in which the completed articles were delivered or ready for delivery, if adjusted prices have been agreed upon for that period, or (ii) such estimated prices as the Contracting Officer deems reasonable under all the circumstances, if adjusted prices have not been agreed upon for that period.

(2) The "total contract" shall be computed on the basis of the prices actually paid or payable for completed articles and, for the remaining articles covered by the contract, shall be based on (i) the prices agreed upon for the price period in which the notice of termination takes effect, if adjusted prices have been agreed upon for that period, or (ii) such estimated prices as the Contracting Officer deems reasonable under all the circumstances, if adjusted prices have not been agreed upon for that period. The "contract price of work not terminated" shall also be computed on the basis of (i) and (ii) above.[1]

(FORM II) ARTICLE --- —PERIODIC ADJUSTMENT OF PRICE

* * * * *

(g) *Termination.* For the purposes of paragraph (d) of Article ------ hereof, (Termination of the Option of the Government), the following provisions shall govern:

(1) The prices payable for completed articles under paragraph (d) (1) of that Article shall be (i) the prices agreed upon for the price period in which the completed articles were delivered or ready for delivery, if adjusted prices have been agreed upon for that period or (ii) such estimated prices as the Contracting Officer deems reasonable under all the circumstances, if adjusted

[1] Paragraph (g) is to be included in the article whenever the contract contains the uniform termination article (§ 81.324).

prices have not been agreed upon for that period.

(2) The "total contract price" shall be computed on the basis of the prices actually paid or payable for completed articles and, for the remaining articles covered by the contract, shall be based on (i) the prices agreed upon for the price period in which the notice of termination takes effect, if adjusted prices have been agreed upon for that period, or (ii) such estimated prices as the Contracting Officer deems reasonable under all the circumstances, if adjusted prices have not been agreed upon for that period. The "contract price of work not terminated" shall also be computed on the basis of (i) and (ii) above.[1]

In § 81.394 paragraphs (b), (c), (d) and (e) are amended and subparagraph (3) is added to paragraph (a).

§ 81.394 *Contracts for electric power*—(a) *Presidential directives.* • • •

(3) The following memorandum was attached to the 22 October 1942 letter from the President to Mr. Leland Olds, Chairman, Federal Power Commission.

OUTLINE OF PROCEDURE FOR PURCHASE OF POWER FOR WAR PLANTS AND ESTABLISHMENTS

(1) Each agency directly or indirectly responsible for power procurement to designate a Power Procurement Officer to handle all contracts and arrangements for electric power as hereinafter provided.

(2) Each agency to direct its representatives to report promptly to the Power Procurement Officer each proposed procurement of power, in excess of a reasonable minimum, which involves Government approval or any Government obligation. Such reports to include all essential facts in accordance with forms approved by the Federal Power Commission.

(3) Power Procurement Officers to refer such reports promptly to the Federal Power Commission, together with proposed contracts, for determination whether cheaper power supply is available and, if so, how it can be delivered. Federal Power Commission to issue necessary orders after consultation with War Production Board as to priorities and allocations.

(4) Federal Power Commission to determine whether proposed rates and conditions are reasonable and, if unreasonable, to fix proper terms and otherwise cooperate with Power Procurement Officers in effectuating arrangements necessary for securing power on best possible terms.

(5) Review and renegotiation of existing contracts to be in accordance with above procedure.

(b) *War Department Power Procurement Officer.* Pursuant to the directives from the President, set forth in paragraph (a) of this section, Colonel R. C. Kuldell, Office, Chief of Engineers, has been designated by the Secretary of War as the War Department Power Procurement Officer with the following responsibilities for contracts of 1,000 kilowatts or over for electric service to all installations where the War Department has an interest in the cost of electric service:

(1) Review of all existing contracts and initiation of such modifications or changes as are considered to be required to comply with the principles expressed in the President's directives.

(2) Review of proposed contracts and of proposed supplements to existing contracts, if such supplements extend the time, alter the contract price, or make any other substantial change in the contract terms, to assure that such contracts and supplements are consistent with the principles expressed in the President's directives.

(c) *Representatives of War Department Power Procurement Officer.* The Repairs and Utilities Divisions of the Service Command Engineer Offices are designated as representatives of the War Department Power Procurement Officer. These representatives will carry out, under his direction, such field activities as may be necessary in connection with contracts and supplements to contracts for electrical service to all establishments within the geographical boundaries of the Service Commands, where the War Department has an interest in the cost of electric service. Commanding Officers at all such establishments will cooperate with these representatives by making available such information as is required for their review of existing and proposed contracts and supplements.

(d) *Liaison with War Department Power Procurement Officer.* The Commanding General, Army Air Forces, and the chiefs of the technical services are directed to designate an officer or civilian representative to maintain liaison with the War Department Power Procurement Officer on matters pertaining to contracts for electric service. The latter should be notified of such appointment and of the address and telephone number of the person designated.

(e) *Required provision in contracts and supplements.* All contracts and supplements of the character referred to in paragraph (b) of this section, will contain a statement that the contract or supplement is subject to the approval of the War Department Power Procurement Officer and will not be binding until so approved. Such contracts and supplements will then be forwarded through the Repairs and Utilities Division of the Service Command Engineer Office to the War Department Power Procurement Officer, Office of the Chief of Engineers, for such approval.

[1] Paragraph (g) is to be included in the article whenever the contract contains the uniform termination article (§ 81.324).

[Procurement Reg. 5]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FOREIGN PURCHASES

In § 81.506 paragraph (c) is amended and paragraph (d) is rescinded.

§ 81.506 *Drawback.* • • •

(c) *Purchase price to include custom duties.* Whenever the Government purchases articles, with respect to which there might arise a claim to a drawback, the price paid shall include the customs duties, and accordingly the manufacturer will have no claim to a drawback.

(d) *Right to drawback under standard tax articles.* [Rescinded]

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

In § 81.608 (c) subparagraph (5) is added:

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice.* • • •

(c) *General clearance.* • • •

(5) Amendment dated 17 February 1944—Under date of 17 February 1944 Clearance C-23445 was amended to read as follows so far as canvas goods are concerned:

Canvas goods: Shell covers, barrack bags, shower curtains, bandoleers.

In § 81.610 (c) (1) subparagraph (iv) is added and paragraph (f) is amended.

§ 81.610 *Purchases from Government Printing Office.* • • •

(c) (1) • • •

(iv) By field plants, Justice Department, described under paragraph (i) of this section.

• • • • •

(f) Pursuant to the Provisions of AR 30-2120, The Quartermaster General is charged with the responsibility of coordinating all Army field printing. Questions concerning policies and propriety of field contract printing will be referred to the Office of The Quartermaster General.

The final paragraph of § 81.612 is amended as follows:

§ 81.612 *Purchase of property pursuant to Public Law 670.* • • •

The chiefs of the technical services are authorized, pursuant to the foregoing statute, to purchase property from other Federal agencies on payment of the estimated or actual cost thereof, but proper adjustment on the basis of the actual cost of the material, supplies, or equipment furnished, paid for in advance, shall be made as may be agreed upon mutually. This may not be done, however, if the property has been reported to the Procurement Division, Treasury Department as surplus by the holding agency or if the property has been declared surplus to the needs of the holding agency by the Director of the Bureau of the Budget pursuant to subparagraph (c) of Executive Order No. 9235.

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR

In § 81.917 (b) subparagraph (5) as previously published is deleted. The subparagraphs now remaining are renumbered, a new subparagraph (10) being added:

§ 81.917 *Applicability.* • • •

(b) The following changes and additions to the regulations referred to in paragraph (a) of this section have been published:

(1) Individuals, corporations, or other organizations, not manufacturers or regular dealers as defined by the act, but acting at the instance of Defense Production Associations certified by the War Production Board, are exempt from the representation and stipulation required by section 1 (a) of the act.

(2) All Emergency Plant Facilities Contracts executed on an approved form are exempt from the act.

(3) Ice has been held to be a nonperishable commodity and thus contracts therefor are subject to the act.

(4) Contracts awarded to any railroad or other carrier are excepted from the representations and stipulations required by section 1 of the act.

(5) Contracts awarded for preserved or processed butter during the period from February 3, 1943, to the termination of the present war and three months thereafter are excepted from the representations and stipulations of section 1 of the act (8 F. R. 1652).

(6) Contracts awarded during the present war for the production of training films are excepted from the representations and stipulations required by section 1 of the act.

(7) Contracts awarded for certain canned and dehydrated fruits and vegetables are excepted from the representations and stipulations of section 1 of the act until 31 December 1944 (7 F.R. 10794; 9 id. 405).

(8) Contracts awarded for orange marmalade are excepted from the representations and stipulations of Section 1 of the Act until 31 December 1944 (8 F.R. 14353; 9 id. 405).

(9) Contracts awarded for dehydrated rutabagas are excepted from the representations and stipulations of section 1 of the act until 31 December 1944 (8 F.R. 14353; 9 id. 405).

(10) Contracts awarded for evaporated milk and powdered skim milk are excepted from the representations and stipulations of section 1 of the act until 31 May 1944 (9 F.R. 2805).

(11) Stipulation (c) of Article 1 of the contract stipulations (page 39 of the regulations) has been amended so as to add a colon at the end thereof and the following provisos:

* * * * *

(12) Article 103 (Overtime) of the Administrative Regulations (page 42 of the regulations) has been amended so as to add the following paragraph:

* * * * *

(13) Articles 601, 602, 1101 and 1201 of the Administrative Regulations (pages 43 to 45 of the regulations) have been amended as follows:

* * * * *

(14) The following Article has been added to the aforementioned rulings and interpretations:

ART. 1102 (Tolerance for handicapped workers)

* * * * *

(15) By order dated September 2, 1942, the Secretary of Labor excepted from the requirements of section 1 of * * *.

[Procurement Reg. 10]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

PLANT FACILITIES EXPANSIONS

Section 81.1004a is added:

§ 81.1004a *Use of War Department owned machine tools and other industrial equipment for other than War Department production*—(a) *Use by contractor under other contracts or for commercial production.* To promote the most effective possible use of Government owned machine tools and other industrial equipment which have been furnished to private concerns under War Department facilities contracts, the chief of each technical service, or his duly authorized representative, is authorized hereby to permit the use of such machine tools or equipment by the contractor under the conditions hereinafter set forth: *Provided*, That the War Department does not for the time being require such machine tools and equipment for its own production at the contractor's plant. Such use may be permitted:

(1) Where such machine tools and equipment are to be used by the contractor for the performance of other war contracts, either as a prime contractor with any Government department or agency or as a subcontractor.

(2) Where such machine tools and equipment are to be used by the contractor for the production of items determined by the Director, Production Division, Headquarters, Army Service Forces or by the chief of the technical service, or by the duly authorized representative of either of them, to be of importance in some direct and immediate manner to the prosecution of the war or to the national defense. In such cases instruments authorizing the use shall provide for a limitation of such use to a definite period of time or to a definite quantity of production.

(3) Where such machine tools and equipment are to be used by the contractor for other commercial production not directly connected with war procurement and not of the type mentioned in subparagraph (2) above: *Provided*, That the instrument permitting such use expressly states that such permission is granted subject to termination at any time by the chief of the technical service or his duly authorized representative upon written notice to the contractor.

(b) *Lease agreement.* In all instances a fair and reasonable rental will be charged for the use of such machine tools and equipment in an amount determined by the chief of the technical service or his duly authorized representative to be adequate to protect the Government's interest. The lease agreement must make provision for proper repair and maintenance of such machine tools and equipment.

(c) *Quarterly summary report.* A summary report will be made by the chief of each technical service quarterly (as of 31 March, 30 June, 30 September and 31 December) to the Director, Production Division, Headquarters, Army Service Forces, giving a summary statement of the approximate value of such machine tools and equipment so leased or used and the number of units involved.

(d) *Statutory authority for lease.* Each instrument authorizing the lease or use of such machine tools and equipment in accordance with these regulations will be made pursuant to Public Law 703, 76th Congress (as amended by Public Law 580, 77th Congress, section 13) and to Title II of the First War Powers Act and Executive Order No. 9001.

(e) *Determination as to benefits from permitted use of machine tools and other industrial equipment.* It is hereby determined that the use to full advantage of Government owned machine tools and other industrial equipment which have been furnished to War Department contractors under facilities agreements, when such machine tools and equipment would otherwise be idle or unproductive:

(1) Will increase production required for war purposes and for the national economy, thereby promoting the interest of national defense and facilitating the prosecution of the war, and

(2) Will tend to reduce the cost to the Government of the war procurement program by obtaining fair compensation for the use of such machine tools and equipment, when idle, much of which is rapidly depreciating in value, and

(3) Will tend to enable war contractors to maintain their plants and working forces in efficient standby condition in intervals between the performance of contracts related to war procurement.

(f) *Authorized procedures not to delay circularization of idle property or declaration as surplus.* It is War Department policy to dispose promptly, in accordance with existing regulations, of all machine tools and equipment which the War Department no longer needs. The procedures authorized by the preceding paragraphs (especially paragraph (a) (3)) will not delay circularization to all Government agencies of idle machine tools and other equipment (excessive at the point of use) or its declaration as surplus. The primary purpose of the authority granted by paragraph (a) (3) is to provide for the effective use of machine tools and other equipment (1) during the period of circularization and pending determination of its appropriate disposition, and (2) during intervals in war production in the plant of the contractor having custody of such machine tools and equipment.

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT; CONTRACT ARTICLES FOR STATUTORY RENEGOTIATION

Sections 81.1207 to 81.1210, inclusive, are amended as follows:

§ 81.1207 *Articles authorized.* Standard forms of contract articles approved

for use in accordance with this procurement regulation No. 12 (§§ 81.1200–81.1292) are set forth in paragraphs (a) (Form I), (b) (Form II), and (c) (Form III) of § 81.342. Except as expressly authorized in this procurement regulation No. 12 or subsequent instructions, deviations from the standard articles will not be used.

§ 81.1208 *Use of articles.* (a) Form I will be used in all fixed price or cost-plus-a-fixed-fee contracts made after 26 March 1944 involving an estimated amount of more than $100,000 unless such contract is exempt under subsection (i) (1) of the 1943 Act (§ 81.1204) or is exempted pursuant to subsection (i) (4) (§ 81.1205).

(b) If a contract involving an estimated amount of more than $100,000 and made after 26 March 1944 is exempted pursuant to subsection (i) (4) of the 1943 Act (§ 81.1205), Form I will not be used and Form II will be inserted, unless all subcontracts thereunder are also exempt. If the contract is exempt under subsection (i) (1) of the 1943 Act (paragraphs (a) to (e) of § 81.1204), no renegotiation article will be inserted.

(c) Form III will be inserted (in addition to any renegotiation article contained in the original contract as amended) in each supplemental agreement (including change orders) involving an estimated amount of more than $100,000 unless such supplemental agreement is exempt under subsection (i) (1) contract as amended contains Form I or Form II. If the supplemental agreement is exempt under subsection (i) (1) of the 1943 Act (paragraphs (a) to (e) of § 81.1204), no renegotiation article need be inserted. If the supplemental agreement has been exempted pursuant to subsection (i) (4) of the 1943 Act (§ 81.1205 et seq.), Form II will be used, unless all subcontracts thereunder are also exempt, and section (c) of Form III will be added.

§ 81.1209 *Optional provisions in subcontracts.* Where a contractor with the War Department or a subcontractor under a prime contract with the War Department is required by his contract or subcontract to insert a renegotiation article in his subcontracts, and there is doubt (a) whether an agreement or order which he proposes to make or place is a subcontract under the Renegotiation Act, or (b) whether it is exempt from renegotiation under subsection (i) of the Renegotiation Act, he should insert the prescribed renegotiation article in the agreement or order, but may add the following additional provision at the end of the article:

This article shall apply to this contract only if it is a "subcontract" subject to renegotiation under the Renegotiation Act.

§ 81.1210 *Use of other articles.* Statutory renegotiation under the contract articles discussed in this section is for the purpose of eliminating excessive profits and is handled by the War Contracts Price Adjustment Board, the War Department Price Adjustment Board and Price Adjustment Sections. As authorized by the 1943 Act, it is conducted on an over-all basis for the contractor's fiscal year rather than by individual contracts, although the Board may renegotiate by individual contracts at the request of the contractor or subcontractor. Various other articles discussed in the following sections designed to provide for adjustment of the price of the specific contract to meet various types of conditions, may be used in addition to the contract articles for statutory renegotiation.

Section 81.1245 is rescinded:

§ 81.1245 *Changes in termination article.* [Rescinded].

See paragraph (g) of articles contained in paragraphs (a) and (b) of § 81.360.

[Procurement Reg. 13]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FORMS OF CONTRACTS

In § 81.1307 paragraph 6 (c) of contract form is amended:

§ 81.1307 *W. D. Contract Form No. 7.* * * *

6. * * *

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.*[1] Any such negotiated settlement shall be embodied in a Supplemental Agreement.

In § 81.1308 paragraph 6 (c) of contract form is amended:

§ 81.1308 *W. D. Contract Form No. 8.* * * *

6. * * *

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the unit price above specified for all completed supplies, the costs incurred by you with respect to the uncompleted portion of this order, and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made with respect to such uncompleted portion of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.*[1] Any such negotiated settlement shall be embodied in a Supplemental Agreement.

In § 81.1309 paragraph 6 (c) of contract form is amended:

§ 81.1309 *W. D. Contract Form No. 9.* * * *

6. * * *

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.*[1] Any such negotiated settlement shall be embodied in a Supplemental Agreement.

In § 81.1310 paragraph 6 (c) of contract form is amended:

§ 81.1310 *W. D. Contract Form No. 10.* * * *

6. * * *

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.*[1] Any such negotiated settlement shall be embodied in a Supplemental Agreement.

In § 81.1320 Article 3 of contract form is changed to show percentage to be deposited in special account as 85% and Article 5 is amended as follows:

§ 81.1320 *W. D. Contract Form No. 20.* * * *

ARTICLE 3. Until all advance payments hereunder are liquidated, all funds received as advance payments under this supplemental contract together with_____
(Insert percent to be _____
deposited which shall be not less than 85%) percent (_____%) of all other cash payments under the principal contract (or principal contracts), shall * * *

* * * * *

ARTICLE 5. Except as otherwise provided herein, liquidation of the principal of any advance payment or advance payments made to the Contractor hereunder shall be made by deductions of _____ percent (_____%) from any and all payments made by the Government under the terms of the principal contract (or principal contracts) or by means of direct repayment by the Contractor from his own free funds or from the special account or accounts: *Provided,* That if at

---

[1] The italicized words will be omitted where existing letter orders and letters of intent are amended to contain the standard termination provisions as authorized by subparagraph (2) of § 88.15–107 (b). The italicized words will be included in new letter orders and letters of intent only in compliance with § 81.303a (b).

any time, as a result of amendments to the principal contract (or principal contracts) or otherwise, the unliquidated balance of the principal of advance payments made exceeds _____ percent (_____%) of the balance of the total contract price then unpaid, the amount of such excess which has not then been expended or obligated shall upon demand of the _____
(Chief of technical service)
or his duly authorized representative be promptly returned to the Government by withdrawal from the special account or accounts or otherwise, and that portion of the excess which has been expended or obligated may, at the option of the Contractor, be so returned and if not so returned, shall, together with any unexpended or unobligated portion of the excess not otherwise returned to the Government, be deducted from any and all payments to be made by the Government under the principal contract (or principal contracts): *Provided further*, That if and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

In § 81.1321 Article 2 of contract form is amended as follows:

§ 81.1321 *W. D. Contract Form No. 21.* * * *

ARTICLE 2. As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe; *Provided*: That, if other security is not prescribed, the terms of this supplemental contract shall be considered adequate security for such advance payments; and *Provided further*: That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

In § 81.1323 Article 3 of contract form is amended to show percentage to be deposited in special account as 85% and Article 5 is amended as follows:

§ 81.1323 *W. D. Contract Form No. 23.* * * *

ARTICLE 3. Until all advance payments hereunder are liquidated, all funds received as advance payments under this supplemental contract together with_____
(Insert % to be _____percent (_____%) deposited which shall be not less than 85%) of all cash payments under the principal contract (or principal contracts), shall be deposited in a special bank account or accounts at a member bank or banks * * *

* * * * *

ARTICLE 5. Except as otherwise provided herein, liquidation of any advance payment or advance payments made to the Contractor hereunder shall be made by deductions of_____per cent (_____%) from any and all payments made by the Government under the terms of the principal contract (or principal contracts) or by means of direct repayment by the Contractor from his own free funds or from the special account or accounts: *Provided*: That if at any time, as a result of amendments to the principal contract (or principal contracts) or otherwise, the unliquidated balance of the principal of advance payments made exceeds _____ per cent (_____%) of the balance of the total contract price then unpaid, the amount of such excess which has not then been expended or obligated shall upon demand of the_____;
(Chief of the technical service)
or his duly authorized representative be promptly returned to the Government by withdrawal from the special account or accounts or otherwise, and that portion of the excess which has been expended or obligated may, at the option of the Contractor, be so returned and if not so returned, shall, together with any unexpended or unobligated portion of the excess not otherwise returned to the Government, be deducted from any and all payments to be made by the Government under the principal contract (or principal contracts); *Provided further;* That, if and when the Contractor has, by means of deductions or otherwise, reimbursed the Government in full for payments made, any money remaining in the special bank account or accounts shall be free and clear of any lien hereunder and the bank or banks concerned shall have authority to pay same to the Contractor and shall thereupon be relieved of any further obligation to the Government on account thereof.

In § 81.1324 Article 2 of contract form is amended as follows:

§ 81.1324 *W. D. Contract Form No. 24.* * * *

ARTICLE 2. As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such adequate security as the Under Secretary of War or the person to whom authority has been delegated to make advance payments shall prescribe: *Provided*, That, if other security is not prescribed, the terms of this supplemental contract shall be considered adequate security for such advance payments; and *Provided further*, That if at any time the Under Secretary of War deems the security furnished by the Contractor inadequate, the Contractor shall furnish such additional security as shall be satisfactory to the Under Secretary of War.

[Procurement Reg. 15]

PART 88—TERMINATION OF CONTRACTS

TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

In § 88.15–325 paragraphs (a) and (b) are amended, paragraph (c) is redesignated (d) and a new paragraph (c) is added:

§ 88.15–325 *Termination and settlement of subcontracts*—(a) *Duty to terminate.* Paragraph (b) (3) of the uniform termination article (§§ 81.324 and 88.15–901) for lump sum supply contracts[1] requires that the prime contractor "terminate all orders and subcontracts to the extent that they relate to the performance of any work terminated by the Notice of Termination", except as otherwise directed by the contracting officer. This obligation of the contractor should be performed immediately upon receipt of the notice of termination. Settling with the subcontractors and suppliers then becomes an obligation and responsibility of the contractor, subject to the approval (when required) of settlements by the contracting officer.

(b) *Rights of subcontractors.* Under uniform termination article (§§ 81.324 and 88.15–901) for lump sum contracts,[2] subcontractors and suppliers have no direct rights against the Government upon the termination of a prime contract for the convenience of the Government. The rights of such subcontractors and suppliers are against the prime contractor or intermediate subcontractor who is directly obligated to them on the subcontract or purchase order which they hold. The extent of these rights will generally depend upon the terms of the subcontract or purchase order in question.

(c) *Settlement of subcontracts.* (1) Paragraph (b) (5) of the uniform termination article (§§ 81.324 and 88.15–901) for lump sum supply contracts[3] provides that after receipt of a Notice of Termination, the contractor shall terminate all orders and subcontracts to the extent that they relate to the performance of work terminated and shall "settle all claims arising out of such termination of orders and subcontracts with the approval or ratifications of the Contracting Officer to the extent that he may require, which approval or ratification shall be final for all the purposes of" such article.

(2) The contracting officer in his discretion may authorize the prime contractor to make settlements of subcontracts within some stated figure, where the contracting officer has confidence that such authority will be exercised fairly and reasonably. The contracting

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[1] A similar provision is found in paragraph (a) (1) of the old standard termination article (§ 88.15–901a) formerly authorized for lump sum supply contracts and in paragraph (b) (2) of the standard termination article (§ 81.324 (b)) for lump sum construction contracts.

[2] Subcontractors also have no direct rights against the Government in the event of termination under the old standard termination article (§ 88.15–901a) formerly authorized for lump sum supply contracts under the standard termination article (§ 81.324 (b)) for lump sum construction contracts.

[3] The old standard termination article (§ 88.15–901a) formerly authorized for lump sum supply contracts and the standard termination article (§ 81.324 (b)) for lump sum construction contracts contain no requirement that subcontract settlements be approved or ratified by the contracting officer where settlement of the prime contract is on a negotiated basis. However, because such articles provide that the contractor will be reimbursed for such of his costs, expenditures, liabilities, commitments and work as was "reasonably necessary", many contractors requested approval of contracting officers before making subcontract settlements. In addition, such articles require approval by the contracting officer of such settlements as a condition of reimbursing the contractor in a settlement by formula.

officer ordinarily should not require that settlements made by subcontractors with second tier and more remote subcontractors and suppliers be submitted for his prior approval, although he may do so and he may give such approval in any proper case when it is requested. Such settlements should usually be approved after they have been made unless in particular instances the settlements appear to have been made in bad faith. The contracting officer in requiring and granting approval of settlements of subcontracts, particularly those made with second tier and more remote subcontractors, should act reasonably, without unnecessary formality and with recognition of the fact that, as a practical matter, it is impossible for him to attempt to scrutinize such settlements in detail, except in cases where he had cause to doubt the good faith or reliability of the contractor (or other person claiming through him) making the settlement.

(d) *Action to be taken by prime contractor with respect to settlement of subcontracts.* * * *

In § 88.15–350 (d) subparagraph (3) is amended:

§ 88.15–350 *Sale of property.* * * *

(d) *Protection of the rights of assignees and the Government.* * * *

(3) Where the Government has made advance payments, or partial payments pursuant to §§ 88.15–500 to 88.15–506, or participated in guaranteed loans, related to the contract in process of termination, the interest of the Government in preserving adequate security or obtaining payment where property is to be retained by the contractor or in the proceeds of the property which is to be sold or retained for sale by the contractor should be protected by proper coordination, in advance, with the officers or Branch charged with the administration of such advance payments, partial payments, or loans.

Section 88.15–353 is amended to read as follows:

§ 88.15–353 *Where contractor or subcontractor is willing to forego reimbursement for the cost of any property.* Frequently as to certain property (e. g. standard materials and parts) the contractor will be willing to retain or take over property at cost and agree not to include such property in any request for reimbursement. Unless in rare instances where the contracting officer wants the specific property transferred to the Government (as, for example, because it is a critical material or because it has risen sharply in value) it will be normal procedure for the contracting officer to notify the contractor, at the time of serving the termination notice or by subsequent written instructions (see par. 7a of suggested instructions to contractor, § 88.15–936), that, without further authority of the contracting officer, the contractor may retain any property to which he has title if he agrees to make no request for reimbursement. The contracting officer should direct the contractor similarly to advise subcontractors and suppliers. However, in any case where there is an advance payment or partial payment outstanding with respect to the contract, or a guaranteed loan outstanding to the contractor, subcontractor or supplier, no such blanket authority will be given by the contracting officer without proper coordination in advance with the officers or branch charged with the administration of advance payments, partial payments, or guaranteed loans, as provided in § 88.15–350 (d) (3). Where such blanket authority has previously been granted, it should appropriately be limited or conditioned, if the interests of the Government so require, before an advance or partial payment is thereafter made.

In § 88.15–501 paragraph (b) is amended as follows:

§ 88.15–501 *Partial payments to prime contractors.* * * *

(b) *Criteria.* Partial payments are authorized to be made wherever:

(1) The contractor represents that at least the amount of the proposed partial payment is due;

(2) The contracting officer is satisfied that such amount is clearly within the amount due to the contractor in connection with the termination; and

(3) Such amount is payable without prejudice to the determination of any of the other items involved in the termination. Subject to the provisions of §§ 88.15–504 to 88.15–506 partial payment in the agreed amount may be made as soon as these two determinations have been made.

In § 88.15–806 paragraph (a) is amended as follows:

§ 88.15–806 *Instructions with respect to report form*—(a) *Successive partial terminations.* (1) In the event that successive partial terminations are effected in regard to one prime contract, each such termination will be treated as a separate transaction (see paragraph (d) (1) of this section) unless it is intended to settle all partial terminations in one supplemental agreement.

(2) When a further termination is made against a contract which has already been partially terminated, and it is intended to settle all partial terminations in one supplemental agreement, the previous partial termination or terminations should be listed in the "Rescinded" section of the Monthly Status Report with an appropriate explanation. The total terminations "to date" against the contract would then be picked up as a single authorized case under the date of one latest current termination.

In § 88.15–912 (a) a footnote is added in connection with paragraph 8 of notice to prime contractor;

§ 88.15–912 *Lump sum supply or construction contracts*—(a) *Letter notice to prime contractor.* * * *

8. Please acknowledge receipt of this notice by signing the original and one copy and returning them to this office not later than ----------, 1943. The other copy is for your files.[1]

JOHN DOE,
Major, A. C., Contracting Officer.

Accepted: ----------, 1943.
(Contractor)

Section 88.15–922 is amended to read as follows:

§ 88.15–922 *Form of supplemental agreement for partial payments pending final determination of amount payable by Government in connection with termination.*

Supplemental agreement entered into this -------- day of ----------, 194--, by the United States of America, hereinafter called "the Government", represented by the contracting officer executing this agreement, and ---------- hereinafter called the "Contractor",

Witnesseth that: Whereas, on ------ day of ----------, 194--, the parties hereto entered into Contract No. -------, and

Whereas, notice of termination of said contract has been given pursuant to Article ------ thereof, and

Whereas, under the terms of the said contract, under the First War Powers Act, 1941, and Executive Orders Numbers 9001 and 9112, payments may be made to the contractor in advance of final determination of the amount of which the contractor will be entitled by reason of such termination, and

Whereas, the contractor hereby represents to the Government that at least the sum of $-------- is due the contractor by reason of the termination of said contract and the Government desires to make a payment to the contractor pending the final determination of the amount payable by reason of such termination, and

Whereas, it is deemed that the execution of this agreement will facilitate the prosecution of the war or that the contractor is engaged in a business or operation which is necessary, appropriate or convenient for the prosecution of the war:

ARTICLE I. Upon the execution of this supplemental agreement by the parties hereto, and upon the contractor's submission of a proper voucher therefor, the Government will pay to the contractor the sum of $----------

ARTICLE II. The payment provided for herein, together with any prior payments received by the contractor in connection with such termination, shall be without prejudice to the right to receive any additional amounts to which the contractor may be entitled as a result of such termination.

ARTICLE III. Said payments shall be applied against the amount finally determined to be payable by the Government to the contractor in connection with such termination. If such payments exceed the amount finally determined to be payable to the contractor in connection with such termination, the contractor agrees to repay the excess to the Government on demand together with interest thereon at the rate of 6% per annum from the date of receipt of such excess payment by the contractor to the date of the repayment of such excess. In the event that an excess payment results from credits arising in favor of the Government by reason of the retention or disposition of property by

[1] In lieu of including paragraph 8 of the above form of notice, the notice may be sent by registered mail with a request for a return receipt. In this event paragraph 9 and the indorsement of acceptance need not be called for. When the returned receipt is signed by or in behalf of the contractor and received by the procurement office initiating the notice, the receipt will be attached to one signed copy of the original notice which will be preserved in the files of the procurement office.

the contractor, the amount of such excess payment shall bear interest at the rate of 6% only from the date when such credits resulted in an excess payment.

In witness whereof, the parties hereto have executed this agreement as of the day and year first above written.

THE UNITED STATES OF AMERICA,
By ----------
Title

Contractor
By ----------
Title

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–5296; Filed, April 14, 1944; 9:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 304]

MILITARY CONTACT FLIGHT OPERATIONS

SPECIAL CIVIL AIR REGULATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of April 1944.

The following Special Civil Air Regulation is made and promulgated to become effective April 11, 1944:

Military airplanes of the United States making ferry flights over civil airways in compliance with all other contact flight rules, may: (1) Take off from or fly over airports where the local visibility conditions are below the minimum visibility requirements for operation under contact flight rules, if the visibility elsewhere along the civil airways to be flown is above the minimum required by contact flight rules; and (2) be dispatched to fly in the clear above an overcast if the ceiling at both the point of departure and at point of intended landing is unlimited and a contact flight plan has been filed in accordance with § 60.1330.

This regulation shall terminate at the end of the war.

Regulation Serial Number 267 is hereby repealed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–5395; Filed, April 17, 1944; 10:11 a. m.]

TITLE 19—CUSTOMS BUREAU

Chapter I—Bureau of Customs

[T. D. 51041]

PART 3—DOCUMENTATION OF VESSELS

SURRENDER OF DOCUMENT OF VESSEL COVERED BY PREFERRED MORTGAGE

APRIL 13, 1944.

Subsection O (a) of the Ship Mortgage Act, 1920, requiring approval of United States Maritime Commission to surrender of documents of vessel covered by preferred mortgage, construed.

The following resolution of the United States Maritime Commission construing subsection O (a) of the Ship Mortgage Act, 1920 (46 U.S.C. 961 (a)) was published in the FEDERAL REGISTER of March 29, 1944 (9 F. R. 3410):

BE IT RESOLVED, That the United States Maritime Commission construes section O (a) of the Ship Mortgage Act, 1920, which is contained in section 30 of the Merchant Marine Act, 1920, as not applying to a case in which a vessel owner merely renews the license or changes the document incident to change of trade where the ownership and home port remain the same, or changes to a permanent document on arrival of the vessel at her home port under temporary document.

In view of the foregoing, footnote 19 to § 3.30 (a) of the Customs Regulations of 1943 (19 CFR 3.30 (a)) is hereby amended to read as follows:

"The requirement of subsection O (a) of the Ship Mortgage Act, 1920 (46 U.S.C. 961 (a)), that the document of a vessel covered by a preferred mortgage may not be surrendered without the approval of the United States Maritime Commission and the mortgagee, does not apply to a renewal of license or change of document incident to change of trade where the ownership and home port remain the same, nor to a change to a permanent document on arrival of a vessel at its home port under a temporary document.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved:

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5337; Filed, April 15, 1944; 11:44 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1944 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

SECOND QUARTER OF 1944

APRIL 1, 1944.

§ 129.7 *Calendar year 1944*—(a) *Quarter beginning April 1, 1944.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning April 1, 1944, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 552, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	$1.6235	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	3.2207	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium	Belga	.1690	By Decree of Mar. 31, 1936. One belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176,625 francs for £1 sterling.
Bolivia	Boliviano	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro (Milreis)	.3023	Decree law of October 6, 1942, established the cruzeiro as the unit of currency, replacing the milreis. Official rate for cruzeiro in terms of the dollar, announced by the Bank of Brazil, is 90.0000. Conversion of Stabilization-Office notes into gold suspended November 22, 1930.
British Honduras	Dollar	1.0031	Conversion of notes suspended.
Bulgaria	Lev	.0123	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.0051	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.2060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for one gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan	----------	Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for yuan fixed at 20 to the U. S. dollar by Stabilization Board of China, July 10, 1942.
Hong Kong	Dollar	----------	Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .66424 grams of gold 9/10 fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938.
Costa Rica	Colon	.7679	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)—Continued

Country	Monetary unit	Value in terms of U. S. money	Remarks
Czechoslovakia	Koruna	[illegible]	Conversion of notes into gold suspended Sept. 29, 1931.
Denmark	Krone	[illegible]0.4537	U. S. money is principal circulating medium.
Dominican Republic	Dollar	1.0000	Conversion of notes into gold suspended Feb. 9, 1932.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Sept. 21, 1931.
Egypt	Pound (100 piasters)	[illegible]2.9602	Conversion of notes into gold suspended June 28, 1933.
Estonia	Kroon	.4537	Conversion of notes into gold suspended Oct. 12, 1931.
Finland	Markka	.0426	Provisions of monetary law of Oct. 1, 1936, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
France	Franc	[illegible]	
Germany	Reichsmark	[illegible]4012	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	[illegible]4.2387	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.0000	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.5000	Gold exports prohibited Mar. 27, 1931; lempira circulates at equivalent of half of U. S. dollar.
Hungary	Pengo	.2961	Exchange control established July 17, 1931.
India [British]	Rupee	.3780	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster	[illegible]	Piaster pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	[illegible]4.0387	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.3440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat	[illegible]	Currency pegged to sterling Sept. 28, 1936, at 2,522 lati=£100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.0000	U. S. money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso	[illegible]	Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	[illegible]4020	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by Act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.00 guilders for £1 sterling. By act of Sept. 20, 1940, the Netherlands Indies Volksraad decided, subject to later ratification by law that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
Newfoundland	Dollar	1.0091	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	[illegible]4.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.0933	Embargo on gold exports Nov. 18, 1931.
Norway	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Guarani	[illegible]	New unit established by decree law Oct. 5, 1943, effective 30 days later; not tied to gold. Certain prior dated obligations, etc., expressed in the gold peso (oro sellado) are converted as equivalent to 1¼ Guaranis. Initial exchange rate fixed by Bank of the Republic of Paraguay at 1 Guarani equals U. S. $0.3355. Exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1982; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Phillipine Islands	Peso	.5000	By act approved Mar. 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	[illegible]4000	Conversion of notes into gold suspended Oct. 7, 1931.
Spain	Peseta	[illegible]	
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc	[illegible]	Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 100 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	[illegible]4.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonetz	5.7123	One chervonetz equals 10 rubles. Notes not convertible into gold.
Uruguay	Peso	.6583	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .595018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.
Yugoslavia	Dinar	.0298	Exchange control established Oct. 7, 1931.

[F. R. Doc. 44-5338; Filed, April 15, 1944; 11:44 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE NEAR MILLVILLE, N. J.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following regulations are prescribed to govern the operation of the swing span of the New Jersey State Highway Department bridge crossing Manantico Creek, near Millville, New Jersey:

§ 203.223 *Manantico Creek, N. J.; New Jersey State Highway Department bridge near Millville, N. J.* (a) The owner of or agency controlling the bridge will not be required to keep a draw tender in constant attendance.

(b) Whenever a vessel, unable to pass under the closed bridge, desires to pass through the draw, at least 12 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner or agency controlling the bridge.

(c) Upon receipt of such advance notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can be easily read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable

condition, and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation. (28 Stat. 362; 33 U.S.C. 499) [Regs. 11 April 1944, CE 823 (Manantico Creek—Millville—Port Elizabeth, N. J.—Mile 0.5)—SPEWR]

[SEAL] EDWARD F. WITSELL,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-5398; Filed, April 17, 1944; 10:18 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 220]

NEW MEXICO AND TEXAS

ORDER ESTABLISHING THE MESSILLA NATIONAL WILDLIFE REFUGE

Correction

In F. R. Doc. 44-5290, appearing on page 4031 of the issue for Saturday, April 15, 1944, the 26th line under the heading "Texas" should read: "S. 17°37'-27" E., 102.77 ft. to a point;". In the first column on page 4032, the 20th line should read: "S. 61°25'50" E., 873.61 ft. to a point on the".

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 13]

DIPENTENE

§ 3293.1013 *Schedule 13 to General Allocation Order M-300—(a) Definition.* "Dipentene" means certain terpene solvents, consisting largely or entirely of mono cyclic terpene hydrocarbons of the empirical formula $C_{10}H_{16}$, having a distilling range and solvent power above that of turpentine.

(b) *General provisions.* Dipentene is subject to allocation under General Allocation Order M-300, as an Appendix B material. The initial allocation date is May 1, 1944. The allocation period is the calendar month. The small order exemption is 5 gallons per person per month.

(c) *Suppliers' applications on Form WPB-2947.* (1) Each supplier seeking authorization to use or deliver dipentene shall file application on Form WPB-2947 (formerly PD-602) on or before the 20th day of the month preceding the proposed delivery month.

(2) Form WPB-2497 should be completely filled in. The unit of measure is gallons. No grade need be specified.

(3) List, individually, the names of customers who have ordered more than the quantity permitted for small orders. No such orders shall be listed or filled unless the customer has filed with the supplier the required end use certificate. An aggregate quantity may be requested for "small orders" without listing the names of the individuals placing the small orders.

(4) Normally the War Production Board will issue its authorizations and directions for delivery by returning Form WPB-2947 to the supplier showing the amount which may be delivered to each customer and the aggregate amount which may be delivered to fill small orders.

(d) *Customers' certificate of end use.* (1) Each person ordering for delivery in any month more than the quantity permitted by the small order exemption shall furnish to each supplier with whom an order is placed a certified statement, in the form and subject to the instructions set forth in Appendix D of General Allocation Order M-300, specifying each separate proposed use to be made of the dipentene and the quantity desired for each such use. Customers' orders accompanied by such certifications should be in the hands of suppliers not later than the 15th day of the month preceding the period during which delivery is sought.

(2) No supplier shall deliver dipentene to any person when he knows or has reason to believe such person's certificate to be false; but in the absence of such knowledge or reason to believe, the supplier may rely on the certificate.

(e) *Customer's one-time report.* (1) Each person (excluding government departments or agencies) who orders for delivery in any month more than the exempt quantity of dipentene shall file with the War Production Board—one time only—a report on Form WPB-3442. The report shall be filed not later than the 20th day of the month during which delivery of dipentene is sought for the first time, but in any case the report need not be filed before May 20, 1944.

(2) Copies of Form WPB-3442 may be obtained at local field offices of the War Production Board. One copy shall be forwarded to the War Production Board. In section I, above Column (c), specify "calendar year, 1943"; Columns (d) to (g) may be left blank. In section II, Column (b) the date to be specified is December 31, 1943; in Column (c) the date to be specified is the last day of the month preceding the month in which the report is filed. Column (d) may be left blank.

(f) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this Schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-Schedule 13.

NOTE: Forms WPB-2947 and 3442 and the instructions in this schedule and the appendices of Order M-300 for applications and reports regarding dipentene have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5433; Filed April 17, 1944; 11:16 a. m.]

PART 3087—ELECTRICAL INDICATING INSTRUMENTS

[General Limitation Order L-203, Revocation]

Section 3087.1 *General Limitation Order L-203* is revoked. This revocation does not affect any liability incurred under the order. Manufacturers of electrical indicating instruments must, however, continue to observe any frozen schedules or specific directions which they have received under Order L-203 until they expire by their terms (See Direction 1 to General Scheduling Order M-293). Such manufacturers should also observe carefully the provisions of General Scheduling Order M-293 (and especially Table 9 to Order M-293) which now supersedes Order L-203 with respect to screening purchase orders and scheduling these instruments.

Issued this 15th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5341; Filed, April 15, 1944; 11:27 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, as Amended Apr. 15, 1944]

PARTS AND MATERIALS FOR REPAIRMEN

§ 3175.9a *CMP Regulation 9A—(a) What repairmen can buy materials and parts under this regulation.* Anyone in the business of making repairs may buy materials and parts under this regulation. This includes such persons as farm machinery repair shops, blacksmiths shops, electricians, radio repair shops, plumbers, refrigeration repair shops,

boiler repair shops, motor rewinders, electrical contractors, automotive repair shops, upholstery repair shops, bicycle repair shops, and carpenters. It also includes repair shops which are owned by the persons for whom the repair work is done if that person can segregate the purchases of his repair shop from his other purchases. It also includes persons who recondition or rebuild damaged or used items for resale.

(b) *How much materials a repairman can buy.* Each calendar quarter a repairman may buy, under this regulation, up to 20 tons of carbon and alloy steel, a total of 500 pounds of copper and copper base alloy brass mill and foundry products, and 200 pounds of aluminum, in the forms listed in Schedule I. In addition, refrigeration repairmen, domestic appliance repairmen, electricians, electrical contractors, and radio repairmen may buy $150 worth of copper wire, or one-eighth of what they used in making repairs in 1941 (figured as accurately as possible by dollar value), whichever is more. A repairman may buy as much other material and repair parts as he needs for his maintenance and repair work.

(c) *How to buy materials under this regulation.* (1) When buying materials and parts under this regulation a repairman must put on his order a certification in substantially the following form:

CMP Allotment Symbol V–3; Preference Rating AA–3

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the items ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

He must sign the certification himself, or as described in Priorities Regulation No. 7. An order for controlled materials bearing this certification is an authorized controlled material order under all CMP regulations.

(2) If a repairman does repair work for persons who have the right to use a preference rating higher than AA–3 to buy non-controlled materials and parts for their own maintenance, and repair, the repairman may use that rating to buy what he needs to do their work or to replace in inventory what he has already used for that purpose.

(d) *How a repairman can get more controlled materials.* (1) The War Production Board may authorize repairmen who do work primarily of an industrial nature to buy up to 2000 pounds of copper wire and a total of 2000 pounds of copper and copper base alloy brass mill and foundry products, and to use the preference rating AA–2. To get this authority, a repairman must apply to the War Production Board, Reference CMP Regulation No. 9A, Washington (25), D. C., by letter giving information showing what kind of work he is doing, and what kind of customers he has.

(2) If a repairman needs to buy more controlled materials a quarter than he can get under this regulation including what an industrial repairman can get under paragraph (1), he should fill out and send Form CMP–4B to the War Production Board, Washington (25), D. C. The War Production Board may allot him controlled materials and assign him a preference rating. If he gets an allotment, he may not buy any controlled materials or non-controlled materials or parts under this regulation.

(e) *What kind of work a repairman may do with materials or parts bought under this regulation.* A repairman may use what he buys under this regulation only to do maintenance and repair work. He may not use what he buys to make products, such as repair parts, which he does not expect to use himself in making repairs.

A repairman may use what he buys under this regulation to recondition or rebuild a damaged or used item which he plans to sell, but he may not use it to replace material or parts which are still usable, nor to replace material or parts solely to improve it from its original design.

(f) *Restrictions on inventory.* A repairman may not accept delivery of any item of parts or materials bought under this regulation if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance service for a 60-day period, according to his current method of operation. A repairman may not accept delivery of any item of copper wire if his inventory of that item is or would by accepting delivery become more than he needs for a 15-day period. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(g) *Effect of other orders and regulations.* (1) Repairmen buying and using parts and materials under this regulation are subject to all applicable provisions of the other orders and regulations of the War Production Board as amended from time to time. Attention is specifically called to the provisions of Conservation Order M–9–c and M–9–c–4 which limit the use of copper, Order M–1–i which limits the use of aluminum, Order M–126 which limits the use of steel, and Order L–41 which forbids construction (including wiring and piping) except under certain conditions. Information concerning these orders can be secured from the nearest War Production Board field office.

(2) No item appearing on List A or B of Priorities Regulation No. 3, (such as automotive repair parts) may be bought under this regulation.

(3) Certain orders of the War Production Board require special applications for some materials and parts. An example of this type of order is M–328, Textiles. A repairman will not be able to buy these materials and parts under this regulation. Generally his supplier can tell him if a special application is needed.

(g–1) *Certain items may not be rated by a repairman.* No repairman may use the AA–3 rating assigned by this regulation to buy any of the following items. These items are made available to repairmen and retailers on a pro-rata basis without the use of ratings, and a repairman does not need a rating to get his fair share.

The following radio repair items:

Capacitors (CMP Code No. 500).
Microphones and loudspeakers (CMP Code No. 505).
Resistors (CMP Code No. 508).
Transformers (CMP Code No. 510).
Tubes (CMP Code No. 511).

Paint.

(h) *Communications.* Any communications or appeals under this regulation should be made by writing a letter to the War Production Board, Reference CMP Regulation 9A, Washington (25), D. C.

Issued this 15th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I[1]

STEEL

Carbon steel (including wrought iron):
Bars, cold finished.
Bars, hot rolled or forged.
Ingots, billets, blooms, slabs, die blocks, tube rounds, skelp, and sheet and tin bar.
Pipe, including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
Plates.
Rails and track accessories.
Sheets and strip.
Steel castings.
Structural shapes and piling.
Tin plate, terne plate, and tin mill black plate.
Tubing.
Wheels, tires, and axles.
Wire rods, Wire and wire products.

Alloy steel (including stainless):
Bars, cold finished.
Bars, hot rolled or forged.
Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet bar.
Pipe including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
Plates, all plates (including rolled armor plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.
Track accessories.
Sheets and strip.
Structural shapes.
Steel castings.
Tubing.
Wheels, tires and axles.
Wire rods, wire, and wire products.

[1] This schedule is identical in substance with Schedule I of CMP Regulation 1.

COPPER AND COPPER-BASE ALLOY PRODUCTS

NOTE: Item III, "Powder * * *" deleted Apr. 15, 1944.

I. *Brass mill products* (for the purpose of this regulation):

Alloy sheet and strip:
Alloy plate, sheet, and strip (including strip equivalent of ammunition cups and discs).
Alloy rods, bars and wire including extruded shapes:
Alloy rods, bars and wire (including extruded shapes and ammunition slugs).
Alloy seamless tubing and pipe:
Alloy seamless tubing and pipe.
Brass mill copper products:
Plate, sheets, and strip.
Rods, bars, and wire including extruded shapes (not including wire bars and ingot bars, or rod and wire for electrical conduction).
Tube and pipe.

II. *Wire mill copper products:*
Wire and cable (bare, insulated, armored, and copper-clad steel) for electrical conduction.

III. *Foundry copper and copper-base alloy products:*
Castings (before machining).

ALUMINUM

Rod, bar, wire and cable:
Rod and bar.
Wire (wire covers maximum diameter under ⅜" in rounds, ovals, squares, hexagonals, octagonals, and rectangles).
Cable (electrical transmission only).
Rivets:
Rivets.
Forgings, pressings and impact extrusions:
Forgings and pressings (before machining).
Impact extrusions.
Castings:
Cylinder head castings for air-cooled engines.
Heat treated sand castings, except cylinder heads.
Non-heat treated sand castings.
Heat treated permanent mold castings.
Non-heat treated permanent mold castings.
Cold-chamber die castings.
Gooseneck die castings.
Other castings (including rotor, centrifugal, plaster, etc.).
Shapes, rolled or extruded:
Rolled structural shapes (angle, channels, zees, tees, etc.).
Extruded shapes.
Sheet, strip, plate and foil:
Sheet, strip and plate.
Foil (0.005" and thinner).
Tubing and tube blooms:
Tubing.
Tube blooms (tube redraw stock).
Ingot and powder:
Powder (including atomized, granular, flake, paste and pigment).
Ingot, pig, billets, slabs, etc.

INTERPRETATION 1

REPAIR PARTS

Paragraph (b) of CMP Regulation 9A assigns a preference rating of AA-3 to a repairman to buy repair parts and materials for carrying on his repair work. The term "repair parts and materials" does not include any complete item ordinarily used by itself. For instance, a repairman can use the rating to buy grates which he requires in repairing furnaces, but cannot buy a complete furnace by use of the rating. Similarly, an industrial repairman could buy a gear needed to repair a lathe but could not buy a complete lathe. (Issued Dec. 15, 1943.)

[F. R. Doc. 44-5339; Filed, April 15, 1944; 12:06 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Interpretation 2]

RESPONSIBILITIES OF DISTRIBUTORS OF MATERIALS AND PARTS TO REPAIRMEN

The following interpretation is issued with respect to CMP Regulation 9A:

(a) A distributor who receives an order under CMP Regulation No. 9A is entitled to rely upon the customer's certification that he is entitled to place the order, and is not required to find out whether his customer is complying with the regulation, unless he knows or reasonably believes otherwise. However, in the case of copper tubing which a distributor bought under Direction 1, the distributor must know or reasonably believe that his customer is a refrigeration, automotive, or gas or oil burner repairman. If he delivers materials or parts under those circumstances in good faith, he is not responsible even though in fact his customer was not entitled to buy the materials or parts, or used them to do work not permitted by paragraph (e) of the regulation.

(b) Sometimes a distributor will receive both MRO orders and V-3 orders from the same customer. Paragraph (g-1) of CMP Regulation 5, and paragraph (c) (2) of CMP Regulation 9A, allow a repairman to use his customer's MRO symbol and rating to get materials needed for repair, in addition to materials bought with the rating and symbol assigned by CMP Regulation 9A. Hence, unless he knows or has reason to believe that his customer does not have the right to use both symbols and the related preference ratings, the distributor may rely upon the customer's certification that he is entitled to use them.

Issued this 15th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5340; Filed, April 15, 1944; 12:06 p. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 9, as Amended Apr. 15, 1944]

RADIO AND RADAR DIVISION

§ 3208.10 *Table for Radio and Radar Division.* The following amended table is issued pursuant to the provisions of General Scheduling Order M-293. Paragraph (f) of General Scheduling Order M-293 does not apply to products on this Table 9. Wherever the designation "Y" on this table applies to purchase orders for more than a certain amount, or more than a certain number of units, no person shall avoid the provisions of the order which relate to "Y" products by subdividing his purchase orders.

Type of scheduled products M-293	Designation	Applicable forms column 1	2	3	4*
1. Capacitors (fixed)		3002.17	3401		2 mos.
a. Ceramic capacitors		3002.17	3401		2 mos.
b. Electrolytic capacitors		3002.17	3401		2 mos.
c. Mica capacitors		3002.17	3401		2 mos.
d. Paper capacitors		3002.17	3401		2 mos.
e. Capacitors for power factor correction (rated in K. V. A.)		3002.17	3401		2 mos.
2. Coaxial cable—radio frequency		3002.16	3401		2 mos.
a. Solid-dielectric synthetic-insulation		3002.16	3401		2 mos.
b. Gas- or air-filled rigid lines		3002.16	3401		2 mos.
3. Resistors, fixed and variable		3002.18	3401		2 mos.
4. Transformers		3002.31	3401		2 mos.
a. Transformers, reactors, and chokes for non-power (electronic) applications only.		3002.31	3401		2 mos.
b. Transformers, specialty		3002.31	3401		2 mos.
5. Vibrapacks & vibrators, electronic		3002.73	3401		2 mos.
6. Microphones & loud speakers		3002.72	3401		2 mos.
7. Switches, radio & radar		3002.74	3401		2 mos.
a. High frequency circuit switches (1 Ampere maximum)		3002.74	3401		2 mos.
b. Jack switches		3002.74	3401		2 mos.
c. Anti-capacity switches		3002.74	3401		2 mos.
8. Electrical instruments (including test instruments and test equipment). A measuring mechanism the indicator of which responds to a change in an electrical quantity. This shall not include: (1) Any polarized vane instrument made with metal bearings and normally used in automotive vehicles and mobile construction machinery; or (2) any electrical aircraft self-synchroneous indicator or transmitter; or (3) test equipment made for his own use by a manufacturer who does not offer a similar type of test equipment for sale commercially.					
a. Panel indicating instruments.** An electrical instrument for switchboard or panel mounting and normally connected to a circuit for continual measurement. This definition includes instrument mechanisms and instrument relays made therefrom; also, small panel, switchboard, and electrical aircraft instruments.	X	1685	1685		1 mo.
(i) Any order for 500 or more identical panel indicating instruments.	Y			1682	
(ii) Any order for any type of panel indicating instrument having a full scale deflection resulting from a current of 150 microamperes or less.	Y			1682	
b. Integrating instruments. Electrical instruments which indicate the value of an electrical function with respect to time. This includes domestic and commercial watt-hour meters, demand meters, total hour meters, and ampere-hour meters.		1685	1685		1 mo.
c. Graphic instruments. (Panel and portable types.) Electrical instruments which record the present value of an electrical quantity with respect to time by means of a moving chart. This includes only electrical graphic instruments designed and used primarily for the measurement of electrical quantities. This does not include temperature or pressure recording and controlling graphic instruments.		1685	1685		1 mo.
d. Electrical test instruments. An electrical instrument of the general types listed below which is normally connected to the circuit under test for a temporary reading. The model number designations below apply to the instruments which are given that identification by the manufacturer, and the provisions of this order apply to those instruments regardless of any different identification given them on purchase orders or otherwise. No person shall avoid the provisions of this order by changing any model number designation specified below.		3002.21	3001.21		3 mos.

*Where a product is designated "XY" on this table, the freeze interval in Column 4 does not in any way change or limit frozen schedules which have been established for longer periods on purchase orders approved under the "Y" procedure on Forms 3243, 1682, or 1319.

**All purchase orders for panel indicating instruments, except purchase orders of the kinds stated in items 8a. (i) and 8a. (ii), may now be placed without prior approval on Forms WPB-1682.

Type of scheduled products M-293	Designation	Applicable forms column 1	2	3	4
8. Electrical instruments—Continued.					
d. Electrical test instruments—Continued.					
(i) Testers:					
(a) Electronic testers—includes Vacuum Tube Voltmeters, electronic (all models):	.....	3002. 21	3001. 21	.....	1 mos.
Hewlett Packard Company: Model 400-A	XY	3002. 21	3001. 21	3243	3 mos.
Ballantine Laboratories: Model 300-A	XY	3002. 21	3001. 21	3243	3 mos.
Alfred Barber Laboratories: Model VM-27	XY	3002. 21	3001. 21	3243	3 mos.
General Radio Company: Model 726-A	XY	3002. 21	3001. 21	3243	3 mos.
Hickok Elect. Instr. Co.:					
Model 110	XY	3002. 21	3001. 21	3243	3 mos.
Model 202	XY	3002. 21	3001. 21	3243	3 mos.
Radio City Products:					
Model 663-A	XY	3002. 21	3001. 21	3243	3 mos.
Model 664	XY	3002. 21	3001. 21	3243	3 mos.
Precision Apparatus Co.:					
Model EV-10	XY	3002. 21	3001. 21	3243	3 mos.
Model I-107	XY	3002. 21	3001. 21	3243	3 mos.
Radio Corp. of America: Model 165-A	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	
(b) High sensitivity (20,000 ohms per volt and over, not electronic) Volt-ohmmeters, and Volt-Ohm-Milliammeters, including instruments with decibel and capacity ranges.	.....	3002. 21	3001. 21	.....	1 mos.
Hickok Elect. Instr. Co.: Model 122-B	XY	3002. 21	3001. 21	3243	3 mos.
Precision Apparatus Co.: Model 856	XY	3002. 21	3001. 21	3243	3 mos.
Simpson Electric Company: Model 260	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.: Model 592	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.: Model 1600-E	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.:					
Model 663	XY	3002. 21	3001. 21	3243	3 mos.
Model 772	XY	3002. 21	3001. 21	3243	3 mos.
Model 785 (all types)	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	
(c) Medium sensitivity (5,000 to 19,000 ohms per volt sensitivity) Volt-Ohmmeter, Volt-Ohm-Milliammeters, including instruments with decibel and capacity ranges.	.....	3002. 21	3001. 21	.....	1 mos.
Simpson Electric Company: Model 215	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.: Model 542	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.: Model 666-S	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	
(d) Low sensitivity (below 5,000 ohms per volt sensitivity) Volt-Ohmmeter, Volt-Ohm-Milliammeter, including instruments with decibel and capacity ranges.	.....	3002. 21	3001. 21	.....	1 mos.
Precision Apparatus Company: Model 844	XY	3002. 21	3001. 21	3243	3 mos.
Simpson Electric Company:					
Model 230	XY	3002. 21	3001. 21	3243	3 mos.
Model 240	XY	3002. 21	3001. 21	3243	3 mos.
Model 443	XY	3002. 21	3001. 21	3243	3 mos.
Model 324	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.:					
Model 537	XY	3002. 21	3001. 21	3243	3 mos.
Model 543	XY	3002. 21	3001. 21	3243	3 mos.
Model 543-S (TE-30)	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.:					
Model 666	XY	3002. 21	3001. 21	3243	3 mos.
Model 666-H	XY	3002. 21	3001. 21	3243	3 mos.
Model 1200-A	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.:					
Model 564	XY	3002. 21	3001. 21	3243	3 mos.
Model 665	XY	3002. 21	3001. 21	3243	3 mos.
Model 697	XY	3002. 21	3001. 21	3243	3 mos.
Purchase oders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(ii) Electronic tube checkers (all types including combination tube checkers and set testers):	.....	3002. 21	3001. 21	.....	3 mos.
General Communications Co.: Electronic Tube Tester	XY	3002. 21	3001. 21	3243	1 mos.
Hickok Elect. Instr. Co.:					
Model 510-X	XY	3002. 21	3001. 21	3243	3 mos.
Model 530	XY	3002. 21	3001. 21	3243	3 mos.
Model 540	XY	3002. 21	3001. 21	3243	3 mos.
Model 545 (I-177)	XY	3002. 21	3001. 21	3243	3 mos.
Model 550-X (Navy OZ)	XY	3002. 21	3001. 21	3243	3 mos.
Model 560	XY	3002. 21	3001. 21	3243	3 mos.
Precision Apparatus Company:					
Model 910	XY	3002. 21	3001. 21	3243	3 mos.
Model 920	XY	3002. 21	3001. 21	3243	3 mos.
Supreme Instruments Corp.: Model 504-A	XY	3002. 21	3001. 21	3243	3 mos
Triplett Elect. Instr. Co.:					
Model 1213	XY	3002. 21	3001. 21	3243	3 mos.
Model 1612	XY	3002. 21	3001. 21	3243	3 mos.
Model 1613	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	.....
(iii) Output meters	.....	3002. 21	3001. 21	.....	1 mos.
Daven Company:					
Model D-160	XY	3002. 21	3001. 21	3243	3 mos.
Model I-61	XY	3002. 21	3001. 21	3243	3 mos.
Model I-83	XY	3002. 21	3001. 21	3243	3 mos.
General Radio Company:					
Model 483-F	XY	3002. 21	3001. 21	3243	3 mos.
Model 583-A	XY	3002. 21	3001. 21	3243	3 mos.
Simpson Electric Company: Model 427	XY	3002. 21	3001. 21	3243	3 mos.
Triplett Elect. Instr. Co.: Model 650-SC	XY	3002. 21	3001. 21	3243	3 mos.
Weston Elect. Instr. Corp.:					
Model 571	XY	3002. 21	3001. 21	3243	3 mos.
Model 605 (all types)	XY	3002. 21	3001. 21	3243	3 mos.
Purchase orders for 5 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002. 21	.....	3243	

Type of scheduled products M-293	Designation	Applicable forms column 1	2	3	4
8. Electrical instruments—Continued.					
d. Electrical test instruments—Continued.					
(iv) Ohmmeters, Megohmmeters, and Megger Testers	------	3002.21	3001.21	------	3 mos.
Associated Research, Inc.: All Models	XY	3002.21	3001.21	3243	3 mos.
Biddle, James G., Company:					
Model 7671	XY	3002.21	3001.21	3243	3 mos.
Model 7672	XY	3002.21	3001.21	3243	3 mos.
Model 7673	XY	3002.21	3001.21	3243	3 mos.
Model 7674	XY	3002.21	3001.21	3243	3 mos.
Model 7675	XY	3002.21	3001.21	3243	3 mos.
Model 7676	XY	3002.21	3001.21	3243	3 mos.
Model 7679	XY	3002.21	3001.21	3243	3 mos.
Model 703	XY	3002.21	3001.21	3243	3 mos.
Model 704	XY	3002.21	3001.21	3243	3 mos.
Model 705	XY	3002.21	3001.21	3243	3 mos.
Herman Sticht & Co.: All Models	XY	3002.21	3001.21	3243	3 mos.
Weston Elect. Instr. Corp.: Model 796	XY	3002.21	3001.21	3243	3 mos.
Purchase orders for 2 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002.21	------	3243	
(v) Portable electrical indicating instruments	------	3002.21	3001.21	------	3 mos.
Rawson Elect. Instr. Co.: All Models	XY	3002.21	3001.21	3243	3 mos.
Sensitive Research Instr. Co.: All Models	XY	3002.21	3001.21	3243	3 mos.
Weston Elect. Instr. Corp.: Model 622	XY	3002.21	3001.21	3243	3 mos.
Purchase orders for 100 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002.21	------	3243	
(vi) "Q" meters and "QX" checkers: All Models	XY	3002.21	3001.21	3243	3 mos.
(vii) Bridges:					
(a) Wheatstone bridges	XY	3002.21	3001.21	3243	3 mos.
(b) Megohm bridges	------	3002.21	3001.21	------	3 mos.
General Radio Company: Model 544-B	XY	3002.21	3001.21	3243	3 mos.
(c) Kelvin bridges	X	3002.21	3001.21	------	3 mos.
(d) Resistance limit bridges	X	3002.21	3001.21	------	3 mos.
(e) Impedance bridges	------	3002.21	3001.21	------	3 mos.
General Radio Company:					
Model 650-A	XY	3002.21	3001.21	3243	3 mos.
Model 821	XY	3002.21	3001.21	3243	3 mos.
Oregon Electronics All Models	XY	3002.21	3001.21	3243	3 mos.
(f) Capacitance bridges	------	3002.21	3001.21	------	3 mos.
Clough-Brengle Co.:					
Model 230	XY	3002.21	3001.21	3243	3 mos.
Model CLB-60007	XY	3002.21	3001.21	3243	3 mos.
General Radio Company:					
Model 716-B	XY	3002.21	3001.21	3243	3 mos.
Model 740-B	XY	3002.21	3001.21	3243	3 mos.
Model 740-BG	XY	3002.21	3001.21	3243	3 mos.
(g) Capacitance limit bridges	XY	3002.21	3001.21	3243	3 mos.
(h) Inductance bridges	------	3002.21	3001.21	------	3 mos.
General Radio Company: Model 667-A	XY	3002.21	3001.21	3243	3 mos.
(i) Vacuum tube bridges	XY	3002.21	3001.21	3243	3 mos.
Purchase orders for 2 or more units of all other models of the above manufacturers and of all models of other manufacturers.	Y	3002.21	------	3243	
e. Electrical test equipment	------	3002.21	3001.21	------	3 mos.
(i) Radio frequency generators:					
(a) Standard laboratory type (below 50 MC)	XY	3002.21	3001.21	3243	3 mos.
(b) FM standard laboratory type (below 50 MC)	XY	3002.21	3001.21	3243	3 mos.
(c) Ultra high frequency type (below 500 MC)	XY	3002.21	3001.21	3243	3 mos.
(d) FM ultra high frequency type (below 500 MC)	XY	3002.21	3001.21	3243	3 mos.
(e) Very high frequency type	XY	3002.21	3001.21	3243	3 mos.
(f) Test oscillator type	XY	3002.21	3001.21	3243	3 mos.
(ii) Audio frequency generators	------	3002.21	3001.21	------	3 mos.
(a) Variable frequency type	XY	3002.21	3001.21	3243	3 mos.
(b) Square wave type	------	3002.21	3001.21	------	3 mos.
(c) Fixed frequency type	------	3002.21	3001.21	------	3 mos.
(iii) Radio frequency measuring equipment	------	3002.21	3001.21	------	3 mos.
(a) Wave-meter-absorption type	XY	3002.21	3001.21	3243	3 mos.
(b) Wave-meter-heterodyne type	XY	3002.21	3001.21	3243	3 mos.
(c) RF noise meter	XY	3002.21	3001.21	3243	3 mos.
(d) Field strength meter	XY	3002.21	3001.21	3243	3 mos.
(e) Calibrator	------	3002.21	3001.21	------	3 mos.
(f) Modulation monitor	------	3002.21	3001.21	------	3 mos.
(g) Interpolation oscillator	XY	3002.21	3001.21	3243	3 mos.
(iv) Audio frequency measuring equipment	------	3002.21	3001.21	------	3 mos.
(a) Audio frequency meters, electronic	XY	3002.21	3001.21	3243	3 mos.
(b) Analyzer, wave or harmonic	XY	3002.21	3001.21	3243	3 mos.
(v) Universal measuring equipment	------	3002.21	3001.21	------	3 mos.
(a) Laboratory oscilloscope	XY	3002.21	3001.21	3243	3 mos.
(b) Service oscilloscope	XY	3002.21	3001.21	3243	3 mos.
(c) Signal tracer	------	3002.21	3001.21	------	3 mos.
(vi) Miscellaneous electronic equipment	------	3002.21	3001.21	------	3 mos.
(a) Stroboscopes	XY	3002.21	3001.21	3243	3 mos.
(b) Laboratory audio frequency amplifiers	------	3002.21	3001.21	------	3 mos.
(c) Sound and vibration meters	XY	3002.21	3001.21	3243	3 mos.
(d) Direct current amplifiers	------	3002.21	3001.21	------	3 mos.
(e) Precision variable condensers	XY	3002.21	3001.21	3243	3 mos.
(f) Primary frequency standards	XY	3002.21	3001.21	3243	3 mos.
9. Vacuum tubes, electronic (excluding X-ray tubes and tungar type rectifiers).	------	1093	(***)	------	
10. Vacuum tube production machinery (all types)	------	------	3401	------	3 mos.
a. Glass lathes	X	------	3401	------	3 mos.
b. Grid winding lathes	X	------	3401	------	3 mos.
c. Stem machines	X	------	3401	------	3 mos.
d. Exhaust machines	X	------	3401	------	3 mos.
e. Sealing machines	X	------	3401	------	3 mos.
f. Any combination of sealing and exhaust machines	X	------	3401	------	3 mos.

***Order boards are not required on any tube types and, therefore, no form is indicated in this column.

Type of scheduled products M-293	Designation	Applicable forms column 1	2	3	4
11. Industrial and mechanical instruments		3002.40	3607		4 mos.
a. Pyrometers:					
(i) Potentiometer pyrometers		3002.40	3607		4 mos.
(ii) Millivoltmeter pyrometers		3002.40	3607		4 mos.
(a) Diesel engine type pyrometers		3002.40	3607		4 mos.
b. Pressure instruments		3002.41	3607		4 mos.
(i) Dial pressure gauges		3002.41	3607		4 mos.
(a) Drawn case gauges, bourdon tube		3002.41	3607		4 mos.
(b) Drawn case gauges, diaphragm element		3002.41	3607		4 mos.
(c) Approved navy gauge, Spec. 45GI, bronze tube element		3002.41	3607		4 mos.
(d) Approved navy gauge, Spec. 45GI, steel tube element		3002.41	3607		4 mos.
(e) Approved navy gauge, Spec. 45GI, duplex type		3002.41	3607		4 mos.
(f) Heavy duty and refinery type industrial gauges, bronze tube element.		3002.41	3607		4 mos.
(g) Heavy duty and refinery type industrial gauge, steel tube element.		3002.41	3607		4 mos.
(h) Airborne oxygen gauges		3002.41	3607		4 mos.
(i) Railroad type gauges		3002.41	3607		4 mos.
(ii) Recording and/or controlling pressure instruments		3002.40	3607		4 mos.
c. Temperature tube system instruments		3002.40	3607		4 mos.
(i) Recording temperature controllers, air operated		3002.40	3607		4 mos.
(ii) Recording thermometers		3002.40	3607		4 mos.
(iii) Dial thermometers, 4" and over		3002.40	3607		4 mos.
d. Flow metering instruments		3002.40	3607		4 mos.
(i) Differential type flow (including differential liquid level)		3002.40	3607		4 mos.
(ii) Area flow instruments (rotameters)		3002.40	3607		4 mos.
e. Industrial thermometers		3002.40	3607		4 mos.
(i) 7" and 9" scales		3002.40	3607		4 mos.
(ii) 5" scale		3002.40	3607		4 mos.
f. Complete combustion control systems		3002.40	3607		4 mos.
g. Metallic bellows and bellows assemblies (Manufacturers who file order boards on this product are required to list only those purchase orders which are identifiable as for the account of the Army, Navy, Maritime Commission, or Petroleum Administration for War.		3002.40	3607		4 mos.
12. Regulation equipment		3002.70	3607		4 mos.
a. Control valves		3002.70	3607		4 mos.
(i) Purchase orders of $5,000 or more	Y			1319	
b. Liquid level mechanisms		3002.70	3607		4 mos.
(i) Purchase orders of $5,000 or more	Y			1319	
c. Control valves and liquid level mechanisms		3002.70	3607		4 mos.
(i) Purchase orders of $5,000 or more	Y			1319	
d. Regulators		3002.70	3607		4 mos.
(i) Self-operated temperature regulators		3002.70	3607		4 mos.
(ii) Pilot operated pressure regulators (employing the controlled fluid as a valve positioning medium).		3002.70	3607		4 mos.
(iii) Pilot operated pressure regulators (employing external fluid; compressed air, oil, or water as valve operating medium)		3002.70	3607		4 mos.
(iv) Weight loaded pressure regulators, balanced pressure regulators, differential pressure regulators.		3002.70	3607		4 mos.

NOTES. For explanation of period for which schedule is frozen, see paragraph (c) (3) of M-293.

All the products in this table are exempt from the provisions of paragraph (f) of M-293. WPB-3003 may be used in place of WPB-3401.

Issued this 15th day of April, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5342; Filed, April 15, 1944; 11:27 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, Interpretation 2]

OFRA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

The following interpretation is issued with respect to General Conservation Order M-310:

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts.

Issued this 15th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5343; Filed, April 15, 1944; 11:27 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended Apr. 15, 1944]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Nylon

§ 3290.326 *General Conservation Order M-356*—(a) *Definitions.* (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. "Nylon" also means fibers, yarn, thread and fabrics made of nylon.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon.* (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste.* No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

Export of Fine Rayon Yarn and Rayon Fabrics

(d) *Definitions.* (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Fabric producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (e), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" means, with respect to fine rayon yarns as defined in General Preference Order M-37-d, orders bearing a preference rating of AA-3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA-5 or higher, for material which is covered by or the subject of one of the following:

(i) An export license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration under the Act of March 11, 1941, (Lend-Lease).

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

Deliveries to or for the United States Army, Navy, Maritime Commission or War Shipping Administration are not exports for the purpose of this order.

(e) (1) No preference rating applied or assigned in connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation 3 and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(i) The goods hereby ordered will be exported under export license No. _____ issued (fill in)
by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported under release certificate No. _____ (fill in)
issued by or pursuant to the authority of Foreign Economic Administration.

(iii) The goods hereby ordered are the subject of United States Treasury Procurement Division Contract No. _____ (fill in)

(iv) The goods hereby ordered will be delivered to or for the account of The Canadian Commodity Prices Stabilization Corporation.

(When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d) (4), except rags or pieces of fabric shorter than ten yards commonly sold by the pound.

NOTE. Paragraphs (f), (g) and (h), formerly (e), (f) and (g), redesignated April 15, 1944.

(f) *Establishment of export quotas for fine rayon yarn.* (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M-37-d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. Until further notice from the War Production Board, each producer of fine rayon yarn shall, regardless of preference ratings, each day set aside an amount of such yarn equal to the production of 4% of his active spindles producing viscose or cuprammonium yarn and 4% of his active spindles producing acetate yarn. The number of active spindles producing high tenacity tire-type rayon yarn shall not be included in computing the above percentages. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn under export license granted by the Foreign Economic Administration in excess of the export quota so established for him: *Provided*, That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered.* All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (f) (1) and which has not been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(3) [Deleted Feb. 8, 1944]

(g) *Establishment of export quota for rayon fabrics.* (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board. Until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter four per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) *Unfilled export quota to be carried over to next quarter.* If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion shall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

Miscellaneous Provisions

(h) *Miscellaneous provisions* — (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form WPB-658-C within the time specified on said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-356.

Issued this 15th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5344; Filed, April 15, 1944; 11:27 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P-149]

CAN ENAMELS

For the purpose of facilitating the acquisition of can enamels for the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of materials necessary for the manufacture of such can enamels upon the following terms:

§ 3293.621 *Preference Rating Order P-149*—(a) *Purpose.* The purpose of this order is to make it easier for producers of can enamels to obtain materials necessary for the production of such enamels required as coatings for containers to be used for certain limited purposes defined in the order.

(b) *Definitions.* (1) "Can enamels" mean any organic enamels, protective coatings and linings usable for coatings for containers.

(2) "Containers" mean any unused cans or other receptacles made in whole or in part of tinplate, terneplate or

blackplate, and which are suitable for packing any product, and include any metal closure, fiber-base closure liner and any other device made of metal for sealing, covering, or closing a receptacle of any kind.

(3) "Producer" means any person who produces or manufactures can enamels.

(4) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the producer.

(c) *Assignment of preference rating.* Subject to the terms of this order, the preference rating of AA-2 is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into can enamels.

(d) *Application and extension of ratings.* The rating assigned by paragraph (c) of this order shall be applied and extended only in accordance with Priorities Regulation No. 3, as amended from time to time. Any person applying or extending such rating shall add to the required certification the notation "P-149, Can Enamels."

(e) *Limitation on use of preference ratings.* No producer shall sell or deliver any can enamels incorporating any material acquired by him under a purchase order or contract to which he shall have applied the rating which this order permits except where:

(1) Such can enamels are to be sold or delivered by the producer to container manufacturers for application to containers which are to be used only for the packaging of (i) products purchased by or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration or (ii) food, drugs, pharmaceuticals and insecticides; and

(2) The manufacturer of containers ordering the can enamels shall have furnished to the producer a signed certificate, in substantially the following form:

The can enamels hereby ordered will be used only for containers which will be sold to persons ordering them for one of the purposes specified by War Production Order P-149.

(Name of purchaser)

By ---
(Authorized official)

Certificates need not be filed with the War Production Board, but should be retained by each producer for at least two years.

(f) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P-149.

Issued this 15th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5345; Filed, April 15, 1944; 11:27 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Schedule III, as Amended Apr. 17, 1944]

REQUIRED SPECIFICATIONS FOR COIL OR TUBE ASSEMBLIES FOR REFRIGERATION CONDENSERS OR COOLERS

§ 1071.5 *Schedule III to Limitation Order L-126*—(a) *Definitions.* For the purpose of the schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles any coil or tube assemblies for refrigeration condensers or coolers.

(2) A "coil or tube assembly for condensers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is removed from the vaporized refrigerant.

(3) A "coil or tube assembly for coolers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is absorbed by either a volatile refrigerant or a non-volatile medium such as water.

(4) "Protective coating" means a surface coating applied to any or all parts of a "coil or tube assembly for condensers or coolers" for the purpose of retarding or preventing corrosion.

(5) "Integral fin tubing" means finned tubing, the fins and tubes of which are formed from the same piece of metal by extrusion or by any machine operation.

(6) "Metallic fin bond" means a tie between tubing and fins obtained through the use of a metallic base substance usually applied with heat. The fin surface of integral fin tubing shall be considered as having a metallic fin bond.

(7) "Mechanical fin bond" means a tie obtained between tubing and fins by physical contact and without the use of a metallic base substance.

(8) "Fin height" means the distance from the outside of a pipe or tube to the nearest outside edge of the fin.

(9) [Deleted Apr. 17, 1944]

(10) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications.* Pursuant to Limitation Order No. L-126, the following required specifications are hereby established for coil or tube assemblies for condensers or coolers:

(1) In the manufacture of any coil or tube assembly for condensers or of any coil or tube assembly for coolers, no producer shall, except for use aboard ship,

(i) Use any non-ferrous metals, except

(*a*) For soldering or brazing materials, or

(*b*) For protective coatings, or

(*c*) For any coil or tube assembly for water cooled condensers as referred to in paragraph (b) (3) of this schedule, or

(*d*) For coolers which come in direct contact with dairy or egg products (whether or not the coolers have a protective coating).

(*e*) For coil or tube assemblies for coolers of the finned type only, or

(*f*) For coil or tube assemblies to be used in farm milk coolers of the immersion type, or

(*g*) For pipe or tubing to be used in water or brine coolers of the shell and tube type.

(ii) [Deleted Apr. 17, 1944]

(iii) [Deleted Apr. 17, 1944]

(2) In the manufacture of any coil or tube assembly for air-cooled condensers no producer shall

(i) Except for use aboard ship, use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller;

(ii) Except for use aboard ship, use a metallic protective coating (other than paint) where a mechanical fin bond is employed;

(iii) Use a protective coating containing more than 7% tin where a metallic fin bond is employed;

(3) In the manufacture of any coil or tube assembly for water-cooled condensers, no producer shall, except for use aboard ship

(i) Use more than 7 lbs. of non-ferrous metals per condensing unit nominal horse power for all self-contained refrigeration condensing units: *Provided, however,* That where, for the purpose of simplification, one condenser is designed to be used with either of two or more self-contained condensing units, not more than 9.0 lbs. of non-ferrous metals per condensing unit nominal horse power of the smaller unit may be used.

(ii) Use more non-ferrous metals per ton of refrigeration, for other than self-contained condensing unit condenser assemblies, than the following:

7 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures above 30° F.

8 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures from 0° to 30° F., inclusive.

9 lbs. per ton of refrigeration for systems having saturated refrigerant vapor suction temperatures below 0° F.

"Ton of refrigeration", as here used, means the removal of heat, at the low side, at the rate of 12,000 B. T. U. per hour; total tons to be based on the design operating load of the low side connected to the condensing unit or units with which the condenser is used.

(4) In the manufacture of any coil or tube assembly for evaporatively cooled condensers, no producer shall:

(i) Use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller; or

(ii) Use a combination protective coating and metallic fin bond containing more than 7% tin.

(5) In the manufacture of any cooler coil or tube assembly for air-cooling, no producer shall:

(i) Use a metallic protective coating containing more than 7% tin, except that when the coil is used in food storage and the air passing over the coil is in direct contact with the food a hot-dipped galvanized coating or a coating containing not more than 35% tin may be used, and except also that for use aboard ship in connection with food storage the use of protective metallic coatings is not restricted by this paragraph; or

(ii) [Deleted Jan. 11, 1944]

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) to (5) inclusive, shall not prohibit:

(i) The production, fabrication, delivery, acceptance, or installation of coil or tube assemblies, the plans of which had on September 2, 1942, been drawn and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, or Lend-Lease countries, or

(ii) The use (in the production or fabrication of, or the delivery, acceptance, or installation of coil or tube assemblies for condensers or coolers) of any of the following materials in a producer's possession or control or in transit to a producer on September 2, 1942:

(*a*) Steel tubing.

(*b*) Coil or tube assemblies which on said date were in finished form or the parts for which had on said date been cast, machined or otherwise processed in such manner that the manufacture of such assemblies in conformance with this Schedule III would be impractical.

(iii) The use (in coil or tube assemblies for condensers or coolers) of non-ferrous metals where the assembly is to replace an existing assembly of like metal.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5431; Filed, April 17, 1944; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-298, as Amended Apr. 17, 1944]

RESISTANCE WELDING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities used in the manufacture of resistance welding equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.107 *General Limitation Order L-298*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Resistance welding" means that process for the localized consolidation or joining of metals under pressure and heat, wherein the heat is generated within the metallic parts to be consolidated or joined by the resistance of those parts to the passage of an electric current.

(3) "Resistance welding equipment" means equipment manufactured for use in the operation of joining metals by the resistance welding process and includes resistance welding machines, resistance welding controls, and resistance welding electrodes.

(4) "Manufacturer" means any person engaged in the business of producing, fabricating or assembling resistance welding equipment, and shall include sales and distribution outlets owned by any such person.

(5) "Dealer" means any person engaged in the business of purchasing resistance welding equipment for resale.

(6) "Order" means any commitment or other arrangement for the delivery of resistance welding equipment whether by purchase, lease, rental or otherwise.

(7) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies or operated on a cost-plus-fixed-fee basis.

(8) "Used resistance welding equipment" means resistance welding equipment that has been delivered to an ultimate consumer.

(b) *Operations reports.* Each manufacturer shall, on or before the 15th day of each month, commencing with the month of August, 1943, file with the War Production Board an operations report on Form WPB-2830, showing orders for new and rebuilt resistance welding equipment and repair parts unfilled, received, shipped and cancelled during the preceding month, in accordance with instructions accompanying the form: *Provided,* That this paragraph (b) shall not apply to orders for electrical circuit breakers or indicating or recording apparatus used with resistance welding equipment, or repair parts for such circuit breakers or indicating or recording apparatus.

(c) *Authorization of purchase orders required.* (1) No manufacturer or dealer shall accept an order for, or deliver any new resistance welding equipment unless the order or delivery is specifically authorized by the War Production Board on Form WPB-1319 (or Form WPB-2752). Application for an authorization, and for a preference rating if none has been previously assigned, is to be made by the purchaser by filing Form WPB-1319, with the War Production Board in accordance with the current instructions for the form. (Applications on Form WPB-2752 will continue to be accepted by the War Production Board until March 15, 1944 only.) The delivery restrictions of this paragraph (c) (1) do not apply to orders received prior to July 27, 1943.

(2) The provisions of paragraph (c) (1) shall not apply to (i) any order of $200 or less for resistance welding equipment; (ii) any order for resistance welding electrodes; (iii) any order for resistance welding equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any resistance welding equipment to be used directly by such agencies; (iv) any purchase order bearing a preference rating assigned on Form CMPL-224, Form GA-1456 or under any order in the P-19 series; *Provided,* That the certificate applying or extending such rating shall state the source of the rating; or (v) any order placed by a manufacturer of, or dealer in, resistance welding equipment.

(d) [Deleted Apr. 17, 1944]

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise expressly provided herein.

(2) *Reporting provisions.* The reporting requirement of paragraph (b) and the form of application prescribed in paragraph (c) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communication.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board General Industrial Equipment Division, Washington 25, D. C., Ref.: L-298.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5432; Filed, April 17, 1944; 11:16 a. m.]

blackplate, and which are suitable for packing any product, and include any metal closure, fiber-base closure liner and any other device made of metal for sealing, covering, or closing a receptacle of any kind.

(3) "Producer" means any person who produces or manufactures can enamels.

(4) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the producer.

(c) *Assignment of preference rating.* Subject to the terms of this order, the preference rating of AA-2 is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into can enamels.

(d) *Application and extension of ratings.* The rating assigned by paragraph (c) of this order shall be applied and extended only in accordance with Priorities Regulation No. 3, as amended from time to time. Any person applying or extending such rating shall add to the required certification the notation "P-149, Can Enamels."

(e) *Limitation on use of preference ratings.* No producer shall sell or deliver any can enamels incorporating any material acquired by him under a purchase order or contract to which he shall have applied the rating which this order permits except where:

(1) Such can enamels are to be sold or delivered by the producer to container manufacturers for application to containers which are to be used only for the packaging of (i) products purchased by or for the account of the United States

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Schedule III, as Amended Apr. 17, 1944]

REQUIRED SPECIFICATIONS FOR COIL OR TUBE ASSEMBLIES FOR REFRIGERATION CONDENSERS OR COOLERS

§ 1071.5 *Schedule III to Limitation Order L-126*—(a) *Definitions.* For the purpose of the schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles any coil or tube assemblies for refrigeration condensers or coolers.

(2) A "coil or tube assembly for condensers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is removed from the vaporized refrigerant.

(3) A "coil or tube assembly for coolers" means an assembly used in a refrigerating or air conditioning "system" as defined in paragraph (a) (1) of Limitation Order No. L-126 consisting of any arrangement of pipes, tubing, pressure vessels, or plates by means of which heat is absorbed by either a volatile refrigerant or a non-volatile medium such as water.

(4) "Protective coating" means a surface coating applied to any or all parts of a "coil or tube assembly for condensers or coolers" for the purpose of retarding or preventing corrosion.

(i) Use any non-ferrous metals, except

(*a*) For soldering or brazing materials, or

(*b*) For protective coatings, or

(*c*) For any coil or tube assembly for water cooled condensers as referred to in paragraph (b) (3) of this schedule, or

(*d*) For coolers which come in direct contact with dairy or egg products (whether or not the coolers have a protective coating).

(*e*) For coil or tube assemblies for coolers of the finned type only, or

(*f*) For coil or tube assemblies to be used in farm milk coolers of the immersion type, or

(*g*) For pipe or tubing to be used in water or brine coolers of the shell and tube type.

(ii) [Deleted Apr. 17, 1944]

(iii) [Deleted Apr. 17, 1944]

(2) In the manufacture of any coil or tube assembly for air-cooled condensers no producer shall

(i) Except for use aboard ship, use finned tubing (other than integral fin tubing) having an average fin thickness to the nearest U. S. standard gauge in excess of 4% of the fin height, or a maximum of 0.023", whichever is smaller;

(ii) Except for use aboard ship, use a metallic protective coating (other than paint) where a mechanical fin bond is employed;

(iii) Use a protective coating containing more than 7% tin where a metallic fin bond is employed;

(3) In the manufacture of any coil or tube assembly for water-cooled condensers, no producer shall, except for use

Chapter XI—Office of Price Administration

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 23]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. Paragraph (b) of Appendix H is amended as follows:

a. In footnote 3 to Table 1 the word "cents" before the phrase "per pound" is amended to read "cent".

b. Item 3 in column 6 of Table 4 is amended to read as follows:

> $3.25 plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for protective services, for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.[2]

c. Item 4 in column 6 of Table 4 is amended to read as follows:

> $2.70 plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for protective services for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.[2]

2. Paragraph (c) of Appendix H is amended as follows:

a. The letter "B" in the heading of the Table is amended to read "b".

b. The word "bushesls" in footnote 3 to the Table is amended to read "bushels".

3. Paragraph (d) of Appendix H is amended as follows:

a. Paragraph (d) (2) (i) is amended by adding the phrase "in Column 6" after the words "maximum delivered price".

b. Paragraphs (d) (2) (ii) and (d) (2) (iii) are amended by adding, in each case, the words "Column 6 of" before the words "the applicable table in paragraph (b)".

c. Paragraph (d) (2) (iv) is amended to read as follows:

> (iv) For sales by growers or country shippers delivered from the country shipping point in conveyances owned by the seller to government procurement agencies, institutional buyers, or retail stores where resale is made to ultimate consumers, the maximum price in each case is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b). (For deliveries made in a conveyance not owned by growers or country shippers when sales are made by growers or country shippers through brokers, shippers' sales agents, commission merchants or terminal auctions, see subdivisions (i), (ii) and (iii) above; for all other deliveries made in conveyances not owned by growers or country shippers the price named in Column 6 of the applicable table in paragraph (b) applies.) For sales by growers or country shippers to ultimate consumers the maximum price is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b) multiplied by 1.30.

4. Paragraph (e) of Appendix H is amended as follows:

a. Paragraph (e) (1) is amended by adding the phrase "in Column 6" after the words "maximum delivered price".

b. Paragraphs (e) (2), (e) (3), (e) (4), and (e) (5) are amended by adding, in each case, the words "Column 6 of" before the words "the applicable table in paragraph (b)".

c. The last undesignated paragraph of paragraph (e) (5) is amended to read as follows:

> "Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, repacking and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or institutional buyers.

d. Paragraph (e) (6) is amended by adding the word "applicable" before the words "markup named in Columns 8, 9 or 10".

e. Paragraphs (e) (7) and (f) (4) are revoked.

5. In paragraph (b) (1) (i) of Appendix I the phrase "of the standard orange box is amended to read "of the standard orange box, standard grapefruit box".

6. Paragraph (b) (1) (ii) of Appendix I is amended to read as follows:

> (ii) For Florida and Texas citrus fruits, "standard" or "legal" container means 1⅗ bushel containers (wooden nailed boxes or wirebound crates) conforming to the specifications for citrus boxes and as published in Freight Container Bureau Tariffs No. 2B, ICC No. 14, and No. 3A, ICC No. 15, as amended, packed and lidded in conformity with the requirements of the Florida Citrus Commission for Florida fruit and in accordance with the requirements of the Texas Commission of Agriculture for Texas fruit. The term, "standard" or "legal" container, also includes two "half boxes" or two "half strap boxes" packed and lidded in conformity with the requirements of the Agricultural Codes of these states, or a "full box bag" or two "half box bags" or four "quarter box bags" or eight "one-eighth box (10 lbs.) bags" or ten "one-tenth box (8 lbs.) bags" or sixteen "one-sixteenth box (5 lbs:) bags", containing a quantity of citrus fruit equivalent to that contained in a 1⅗ bushel container as described above.

7. The last sentence of the first paragraph of paragraph (c) of Appendix I is amended to read "(For other transactions by these sellers, see the table in paragraph (d) and the provisions of paragraphs (e), (f) and (g).)"

8. Table 1 of paragraph (c) of Appendix I is amended as follows:

a. The letter "x" between the figure 6 and 18 in footnote 1 is deleted.

b. The last sentence of footnote 1 is amended to read "(See footnote 2 below)".

c. A footnote designation "5" is inserted after the word "freight" in item 1 column 6 and footnote 5 is added to read as follows:

> [5] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

d. A footnote designation "6" is inserted after the word "tax" in item 1 column 6 and footnote 6 is added to read as follows:

> [6] The amount of tax to be included shall be figured on freight and the protective service allowance.

9. Table 2 of paragraph (c) of Appendix I is amended as follows:

a. In item 1 column 6 the word "homestead" is amended to read "Homestead".

b. The last sentence of footnote 3 is amended to read "(See footnote 4 below.)".

c. In footnote 4 the letter "E" is amended to read "e".

d. Footnote 5 is amended to read

> [5] Maximum prices named in this table do not apply to fruit produced in Florida that is marked "Indian River". (See Table 3.)

e. Footnote 6 is amended to read as follows:

> [6] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Val Verde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Col. 5 price shall be 25 cents per standard container of 1 3/5 bushel contents.

f. A footnote designation "8" is inserted after the word "freight" in item 1 column 6 and footnote 8 is added to read as follows:

> [8] The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wirebound crate (container 5004) shipped in refrigerator cars.

g. A footnote designation "9" is inserted after the word "tax" in item 1 column 6 and footnote 9 is added to read as follows:

> [9] The amount of tax to be included shall be figured on freight and the protective service allowance.

10. Table 3 of paragraph (c) of Appendix I is amended as follows:

a. The last sentence of footnote 3 is amended to read "(See footnote 4 below.)".

b. Footnote 5 is amended to read:

> [5] Maximum prices named in this table do not apply to fruit produced in Florida and not marked "Indian River". (See Table 2.)

c. Footnote 6 is amended to read as follows:

> [6] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas includ-

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16294, 16400, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493.

ing and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Val Verde, the total allowance for the freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

d. A footnote designation "8" is inserted after the word "freight" in item 1 column 6 and footnote 8 is added to read as follows:

⁸The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wirebound crate (container 5004) shipped in refrigerator cars.

e. A footnote designation "9" is inserted after the word "tax" in item 1 column 6 and footnote 9 is added to read as follows:

⁹The amount of tax to be included shall be figured on freight and the protective service allowance.

11. Table 4 of paragraph (c) of Appendix I is amended as follows:

a. In items 3 and 4 of column 2 a comma is inserted after the word "points" and before the word "except".

b. In items 5 and 6 of column 2 the footnote designation "4" is amended to read "1."

c. In items 7 and 8 of column 2 the semicolon, after the word "sale" and before the word "in", is deleted.

d. In items 1 and 2 of column 6 the comma, after the word "Utah" and before the word "and", is deleted and a semicolon substituted therefor.

e. In items 7, 8, 9, 10, 11, 12, 13 and 14 of column 2 the phrase "in California-Arizona", in each case, is amended to read "in California and Arizona".

f. In footnote 1 to Table 4 of paragraph (c) the sign "&" is deleted, and the last sentence is amended to read "(See footnote 2 below.)"

g. In footnote 2 to Table 4 the letter "E" is amended to read "e".

h. A footnote designation "5" is inserted after the word "freight" in item 1 column 6 and footnote 5 is added to read as follows:

⁵The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

i. A footnote designation "6" is inserted after the word "tax" in item 1 column 6 and footnote 6 is added to read as follows:

⁶The amount of tax to be included shall be figured on freight and the protective service allowance.

12. Table 5 paragraph (c) of Appendix I is amended as follows:

a. In item 3 of column 2 a comma is inserted after the word "points" and before the word "except".

b. In items 3, 4, 5, 6, and 7 the phrase "in California-Arizona", in each case, is amended to read "in California and Arizona".

c. In item 1 of column 6 of Table 5 the colons after the word "Utah" and after the word "States" are deleted and semicolons substituted therefor.

d. The last sentence of footnote 1 is amended to read "(See footnote 2 below.)".

e. In footnote 2 the letter "E" is amended to read "e".

f. A footnote designation "5" is inserted after the word "freight" in item 1 column 6 and footnote 5 is added to read as follows:

⁵The freight to be added as determined in accordance with section 8 (a) (7), shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

g. A footnote designation "6" is inserted after the word "tax" in item 1 column 6 and footnote 6 is added to read as follows:

⁶The amount of tax to be included shall be figured on freight and the protective service allowance.

13. Table 6 of paragraph (c) of Appendix I is amended as follows:

a. The last sentence of footnote 3 is amended to read "(See footnote 4 below.)".

b. Footnote 5 is amended to read:

⁵Maximum prices named in this Table do not apply to fruit produced in Florida that is marked "Indian River". (See Table 7.)

c. Footnote 6 is amended to read as follows:

⁶For all wholesale receiving points in the State of Florida and from October 1 to May 1 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

d. A footnote designation "8" is inserted after the word "freight" in item 1 column 6 and footnote 8 is added to read as follows:

⁸The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels nailed box shipped in refrigerator cars.

e. A footnote designation "9" is inserted after the word "tax" in item 1 column 6 and footnote 9 is added to read as follows:

⁹The amount of tax to be included shall be figured on freight and the protective service allowance.

14. Table 7 of paragraph (c) of Appendix I is amended as follows:

a. In item 1 column 6 the word "homestead" is amended to read "Homestead".

b. The last sentence of footnote 3 is amended to read "(See footnote 4 below.)".

c. Footnote 5 is amended to read:

⁵Maximum prices named in this Table do not apply to fruit produced in Florida and not marked "Indian River". (See Table 6.)

d. Footnote 6 is amended to read as follows:

⁶For all wholesale receiving points in the State of Florida and from October 1 to May 1 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Valverde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

e. A footnote designation "8" is inserted after the word "freight" in item 1 column 6 and footnote 8 is added to read as follows:

⁸The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 6, on the basis of the published estimated weight and rate for the 1⅗ bushels wirebound crate shipped in refrigerator cars.

f. A footnote designation "9" is inserted after the word "tax" in item 1 column 6 and footnote 9 is added to read as follows:

⁹The amount of tax to be included shall be calculated on freight and the protective service allowance.

15. Table 8 of paragraph (c) of Appendix I is amended as follows:

a. The last sentence of footnote 2 is amended to read "(See footnote 3 below.)".

b. In footnote 3 the letter "E" is amended to read "e".

c. In footnote 4 the word "Walco" is amended to read "Waller" and the phrase "for freight and protective services" is amended to read "for freight (including 3% transportation tax) and protective services."

d. A footnote designation "6" is inserted after the word "freight" in item 1, column 6, and footnote 6 is added to read as follows:

⁶The freight to be added, as determined in accordance with section 8 (a) (7), shall be figured in each case, except as provided in footnote 4, on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

e. A footnote designation "7" is inserted after the word "tax" in item 1, column 6, and footnote 7 is added to read as follows:

⁷The amount of tax to be included shall be figured on freight and the protective service allowance.

16. Table 9 of paragraph (c) of Appendix I is amended as follows:

a. In items 7 and 8 of column 2 the comma and the word "except" are deleted.

b. In items 5 and 6 of column 6 the word "items" in each case is amended to read "item".

c. The last sentence of footnote 1 is amended to read "(See footnote 2 below)".

d. A footnote designation "5" is inserted after the word "freight" in item 1, column 6, and footnote 5 is added to read as follows:

⁵The freight to be added, as determined in accordance with section 8 (a) (7) shall be figured in each case on the basis of the published estimated weight and rate for the standard 1⅗ bushels nailed box shipped in refrigerator cars.

e. A footnote designation "6" is inserted after the word "tax" in item 1, col-

umn 6, and footnote 6 is added to read as follows:

[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

17. Table 10 of paragraph (c) of Appendix I is amended as follows:

a. In item 3 of column 2 the comma after the word "washed" and before the word "graded" is deleted and the word "and" is substituted therefor.

b. In item 1 column 6 the word "homestead" is amended to read "Homestead".

c. A footnote designation "7" is inserted after the word "freight" in item 1 column 6 and footnote 7 is added to read as follows:

[7] The freight to be added, as determined in accordance with section 8 (a) (7) shall be figured in each case, except as provided in footnote 5, on the basis of the published estimated weight and rate for two ⅘ bushel nailed boxes shipped in refrigerator cars.

d. A footnote designation "8" is inserted after the word "tax" in item 1 column 6 and footnote 8 is added to read as follows:

[8] The amount of tax to be included shall be figured on freight and the protective service allowance.

e. Footnote 5 is amended to read as follows:

[5] For all wholesale receiving points in the State of Florida and from October 1 to March 15 for that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards and Valverde, the total allowance for freight (including 3% transportation tax) and protective services to be added to the Column 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

18. Table 11 of paragraph (c) of Appendix I is amended as follows:

a. In item 6 of column 2 of Table 11 of paragraph (c) the comma after the word "washed" and before the word "graded" is deleted and the word "and" is substituted therefor.

b. The last sentence of footnote 1 of Table 11 is amended to read "(See footnote 2 below.)".

c. A footnote designation "5" is inserted after the word "freight" in item 1 column 6 and footnote 5 is added to read as follows:

[5] The freight to be added, as determined in accordance with section 8 (a) (7) shall be figured in each case on the basis of the published estimated weight and rate of the standard 1⅗ bushel nailed box shipped in refrigerator cars.

d. A footnote designation "6" is inserted after the word "tax" in item 1 column 6 and footnote 6 is added to read as follows:

[6] The amount of tax to be included shall be figured on freight and the protective service allowance.

19. The table in paragraph (d) of Appendix I is amended as follows:

a. In footnote 1 the word "ahall" is amended to read "shall".

b. Footnote 2 is corrected to read:

[2] Column 13 does not apply to sales made in bulk. Bulk sales of any quantity by a service wholesaler shall be priced under column 12.

20. In paragraph (e) (2) (iv) of Appendix I the sentence "(For deliveries made in conveyances not owned by the seller, see paragraphs (i), (ii) and (iii) above.)" is amended to read "(For deliveries made in conveyances not owned by growers or country shippers when sales are made by country shippers or growers through brokers, shippers' sales agents, commission merchants or terminal auctions, see paragraphs (i), (ii) and (iii) above; for all other deliveries made in conveyances not owned by growers or country shippers the price named in Column 6 of the applicable table in paragraph (c) applies."

21. Paragraph (f) of Appendix I is amended as follows:

a. Paragraph (f) (3) (i) is amended to read as follows:

(i) The maximum price in each case for sales by persons other than growers and country shippers through a terminal auction is the maximum delivered price, as named in Column 6 of the applicable table in paragraph (c), plus (1) the markup named in Column 9 of the table in paragraph (d), plus (2) any actual unloading charges in the terminal market. All charges incurred in the making of the sale are included in the named markup and shall not be added to it.

b. Paragraph (f) (5) (iv) is amended to read as follows:

(iv) "Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who maintains at such store or warehouse facilities for cold storage, sorting, repacking, and other handling of the fruit, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or institutional buyers.

c. The first sentence of paragraph (f) (5) (v) is amended to read:

The maximum price for sales by secondary jobbers or service wholesalers delivered to the premises of any purchaser located outside of the free delivery zone is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the applicable markup named in Columns 11, 12 and 13 of the table in paragraph (d), plus the cost of transportation, beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation, from the seller's place of business to the premises of the purchaser.

This amendment shall become effective April 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 13, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5380; Filed, April 14, 1944; 4:28 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 24]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.[*]

Maximum Price Regulation 426 is amended in the following respects:

1. Paragraph (g) of Appendix I in section 15 is amended to read as follows:

(g) *Adjustments by regional and district offices.* The authority delegated by sections 2 (a) and 2 (b) of this regulation to the regional and district offices does not apply to citrus fruits. For citrus fruits, the regional offices of the Office of Price Administration, and such district offices as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones, at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders announcing the maximum amounts which carlot or trucklot receivers may add to their maximum prices for deliveries made within the free delivery zone at that wholesale receiving point.

(3) To adjust upwards or downwards the maximum markups established for sales by growers or country shippers through commission merchants in less-than-carlots or less-than-trucklots ex car, ex truck, ex dock, or terminal sales platform, and for sales by carlot or trucklot receivers ex car, ex truck, ex dock, or ex terminal sales platform or through a terminal auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup established for sales ex store or ex warehouse, by a grower or country shipper though a commission merchant in less-than-carlots or less-than-trucklots or by a carlot or trucklot receiver.

2. In items 7 and 8 of Column 2 of Table 9 of paragraph (c) of Appendix I the sentence "Lemons packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona," is amended to read "Lemons packed in

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1501, 2000, 2023.

standard containers of 1⅘ bushel contents for sale in all wholesale receiving points in California and Arizona."

3. In item 7 of Column 5 of Table 9 of paragraph (c) of Appendix I the figure $5.80 is amended to read $5.08.

This amendment shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 13, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5331; Filed, April 14, 1944; 4:28 p. m.]

PART 1302—ALUMINUM

[MPR 2,[1] Amdt. 4]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 2 is amended in the following respect:

1. Section 15 (c) is amended to read as follows:

(c) *Maximum prices for primary grade ingot.*

	Maximum price (Cents per pound)
142	15
355	15
356	15
195	14½

To be sold at this price, these alloys must meet the following specifications:

No.	Cu	Si	Fe	Mg	Mn	Zn	Ni	Cr	Ti	Total others	Each	Al
142	3.5-4.5	0.50	0.50	1.3-1.8	0.1	0.1	1.7-2.3	0.25	0.20	0.15	0.05	Rem.
355	1.0-1.5	4.5-5.5	0.35	0.4-0.6	0.1	0.1	----------	0.25	0.20	0.1	0.05	Rem.
356	0.20	6.50-7.50	0.40	.20-.40	0.1	0.1	----------	0.1	0.20	0.1	0.05	Rem.
195	4.0-5.0	1.2	0.65	.03	0.5	0.1	----------	----------	0.20	0.15	0.05	Rem.

This amendment shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5352; Filed, April 15, 1944; 12:10 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 224,[1] Amdt. 6]

CEMENT

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a), § 1346.104, is amended and a new paragraph (d) is added to § 1346.105, all to read as set forth below:

§ 1346.104 *Maximum prices for sales and deliveries of cement by manufacturers*—(a) *Maximum prices for cement sold by a manufacturer and shipped within its normal market area.* • The maximum price for American Society for Testing Materials Types 1 and 2 Portland cement sold by a manufacturer and shipped within its normal market area, whether the shipment is made f. o. b. mill or on a delivered price basis, shall be such that the cost to the purchaser at the destination for like quantities and classifications of cement similarly packaged is not in excess of what it was or would have been to such purchaser for a delivery to such purchaser completed between March 1 to 15, 1942. Such price shall be calculated upon the basis of the prices, pricing practices, freight practices, trade discounts, charges (including package charges), allowances, and deposits (other than deposits on cloth bags which may be required in a reasonable amount so long as the refund equals the deposit) most favorable to purchasers in effect, published, listed, or quoted by the seller during the period March 1 to 15, 1942, but upon the basis of the freight rates in effect at the time of any shipment made subsequent to September 23, 1942, except that:

(1) The maximum price determined pursuant to the above pricing method may be increased by a manufacturer by an amount not in excess of $0.20 per barrel when the following conditions are met:

The sale is made f.o.b. a mill located within the geographical area defined herein; or

The sale is made on a delivered basis and the delivered destination point is within the geographical area defined herein.

The geographical area referred to herein is defined to be the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey; the Counties of Potter, Clinton, Center, Huntington, Franklin, in the State of Pennsylvania and all counties east thereof located in that State; the States of Maryland and Delaware; the Counties of Loudoun, Arlington, Fairfax, Prince William, and Stafford, and the City of Alexandria in the State of Virginia; and the District of Columbia.

(2) The dollars-and-cents differentials from the Price of American Society for Testing Materials Types 1 and 2 Portland cement which prevailed on March 15, 1942, with respect to American Society for Testing Materials Type 3 Portland cement (high early strength cement), white cement, oil-well cements, masonry cement, and other cement, shall be added to or subtracted from, as the case may be, the maximum selling prices established under this paragraph for American Society for Testing Materials Types 1 and 2 Portland cement, to determine the maximum prices for such other cements: *Provided*, That the provisions of paragraph (a) (1) shall not be used to increase the maximum prices of white Portland cement, alumina cement, natural cement, puzzolan (slag-lime) cement, or masonry cement (whether of a Portland cement or Natural cement base).

(3) The maximum prices established under paragraph (a) of this section shall be subject to cash discounts under conditions as favorable as were offered by the seller during the period March 1 to 15, 1942: *Provided*, That during the period of the war emergency a reasonable period of grace sufficient to permit routine handling shall be allowed to every war procurement agency within which to avail itself of the cash discount.

§ 1346.105 *Maximum prices for sales and deliveries of cement by dealers.* The maximum prices for sales and deliveries of cement by dealers shall be prices established in accordance with the provisions of §§ 1499.2 or 1499.3 of the General Maximum Price Regulation, except that:

• • • • •

(d) Any person purchasing cement for resale in the same form may add to a maximum price established on or prior to April 20, 1944, under § 1346.105 an amount not exceeding the dollars-and-cents increase in cost to him resulting from the increase in maximum prices permitted manufacturers of cement under § 1346.104 (a) (1).

This Amendment No. 6 shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5353; Filed, April 15, 1944; 12:10 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 276,[1] Amdt. 4]

ASPHALT TILE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 276 is amended in the following respects:

1. Paragraph (d) of § 1346.315 is hereby amended to delete from the column

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7396, 8650, 8944, 9495; 8 F.R. 8275; 9 F.R. 287, 540.

[1] 8 F.R. 8495, 9330, 10699, 16963.

[1] 7 F.R. 10009, 10471; 8 F.R. 12136, 16407.

headed Hood Rubber Company in Table III—Freight Charges—the numeral "(1)" wherever it appears, and to substitute the numeral "(6)" in its place. A footnote "6" is hereby added to Table No. III—Freight Charges—to read as follows:

"Freight allowance required up to and including 10 percent of the invoice, except that no allowance is required on shipments under 100 pounds.

2. Footnote "5" to Table No. III—Freight Charges—in paragraph (d) of § 1346.315 is amended to remove from it the list of shipping points therein contained and to place such list directly under footnote "6", to read as follows:

NOTE: The shipping points applicable to the foregoing footnotes are: New York, N. Y., Lincoln, N. J., Manville, N. J., Lancaster, Pa., Chicago, Ill., Waukegan, Ill., Houston, Texas, and Southgate, Calif.

This amendment shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5346; Filed, April 15, 1944; 12:08 p. m.]

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 268[1] incl. Amdts. 1-8]

CERTAIN TISSUE PAPER PRODUCTS

Section 1347.508 (d) is added by Amendment No. 8,[1a] effective April 20, 1944, so that Maximum Price Regulation No. 266 shall read as follows:

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for certain tissue paper products by a separate Maximum Price Regulation. The Price Administrator has ascertained and given due consideration to the prices of certain tissue paper products prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

[1] 7 F.R. 9336. [1a] The text which is added by Am. 8 is underscored.

[2] Statements of considerations are also issued simultaneously. Copies may be obtained from the Office of Price Administration.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above paragraph added by Supplementary Order 64, 8 F.R. 12554, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 266 is hereby issued.

Sec.

1347.501 Prohibition against dealing in toilet tissue and paper towels at prices above the maximum prices.
1347.502 Adjustable pricing.
1347.503 Export sales.
1347.503a Application to import transactions.
1347.504 Less than maximum prices.
1347.505 Federal and State taxes.
1347.506 Applicability of the General Maximum Price Regulation.
1347.507 Evasion.
1347.507a Enforcement.
1347.508 Records and reports.
1347.509 Licensing.
1347.510 [Revoked].
1347.511 Petitions for amendment and applications for adjustment.
1347.512 Definitions.
1347.513 Applicability.
1347.514 Effective date.
1347.515 Appendix A: Maximum prices for toilet tissue 4½" wide.
1347.516 Appendix B: Maximum prices for paper towels.

AUTHORITY: §§ 1347.501 to 1347.516, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681.

§ 1347.501 *Prohibition against dealing in toilet tissue and paper towels at prices above the maximum prices.* On and after November 26, 1942, regardless of any contract, agreement or other obligation, no person shall sell or deliver any toilet tissue or paper towels, and no person in the course of trade or business shall buy or receive any toilet tissue or paper towels at prices higher than those set forth in Appendices A and B hereof, incorporated herein as § 1347.515 and § 1347.516; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of toilet tissue or paper towels to a purchaser, if, prior to November 26, 1942, such toilet tissue and paper towels have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

The basic pricing provisions of this regulation, for different types of sellers, are as follows:

Toilet paper

For manufacturers. § 1347.515 (a) and (b).
For distributors.... § 1347.515 (c).
For retailers..... § 1347.515 (d).

Paper towels

For manufacturers... § 1347.516 (a) and (b).
For distributors..... § 1347.516 (c).
For retailers..... § 1347.516 (d).

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404, 14073) permits, under special conditions, the addition of extra packing expenses to procurement agencies of the United States.]

§ 1347.502 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.503 *Export sales.* The maximum prices at which a person may export tissue products covered by this Maximum Price Regulation No. 266 shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1347.503a *Application to Import Transactions.* This regulation applies to transactions in commodities to be imported into the continental United States.

[1347.503a added by Supplementary Order 70, 8 F.R. 14811, effective 11-4-43]

§ 1347.504 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 266 may be charged, demanded, paid or offered.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

§ 1347.505 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of tissue products covered by this Maximum Price Regulation No. 266, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto.

(a) As to a tax in effect prior to October 15, 1941 (1) if the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during October 1-15, 1941 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount

[1] 7 F.R. 8861; 8 F.R. 8513, 8533, 6173, 11806; 9 F.R. 1594, 3075.

[4] 2d revision: 8 F.R. 4132, 7662, 9998, 15193; 9 F.R. 1036.

in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 266. (2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately, from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount or tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 266.

(b) As to a tax or increase in a tax which becomes effective after October 15, 1941, if the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum prices, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1347.506 *Applicability of the General Maximum Price Regulation.*[5] The provisions of this Maximum Price Regulation No. 266 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of tissue products for which maximum prices are established by this Maximum Price Regulation No. 266.

§ 1347.507 *Evasion.* The price limitations established by this Maximum Price Regulation No. 266 shall not, directly or indirectly, be circumvented or evaded by modifying, discontinuing, or altering any customary trade practice of the seller, or by increasing terms for the extension of credit, or by splitting orders, or by deteriorating the quality of any commodity, or by changing the selection or style of processing or the wrapping or packaging of tissue products covered by this Maximum Price Regulation No. 266, or by any other means.

§ 1347.507a *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 266 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 266 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1347.507a added by Am. 1, 7 F.R. 10716, effective 12-24-42]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that War Procurement Agencies and Governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1347.508 *Records and reports.* (a) Every person, except retailers, making sales or purchases of toilet tissue and paper towels in the course of trade or business after November 25, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the purchaser or seller, the price received, and the amount of toilet tissue and paper towels in each case bought or sold.

(b) Within twenty-one (21) days after the effective date of this regulation, each manufacturer shall file under oath with the Office of Price Administration, Washington, D. C., the maximum price established by the regulation for each product or grade which he manufactures, setting forth for each such product or grade the manner in which such maximum price has been determined. In the case of a product or grade wherein the manufacturer determines his maximum price under the provisions of § 1347.515 (a) (1) (iii), § 1347.515 (b) (1) (i), § 1347.516 (a) (1) (iii), and/or § 1347.516 (b) (1) (i), establishing the maximum price at 95% of the highest carload price which he charged for such product or grade during the period of October 1 to 15, 1941, he shall state the maximum price charged for such product or grade between October 1 and 15, 1941, indicating the calculation and the resulting maximum price.

In the case of a product or grade wherein the manufacturer determines his maximum price by the formula set forth in § 1347.515 (a) (1) or § 1347.516 (a) (1), he shall state for each such product or grade the furnish, sheet size, sheet count, method of handling freight, and other relevant factors, indicating the calculation and the resulting maximum price.

(c) Where a manufacturer applies under § 1347.515 (b) (3) or § 1347.516 (b) (2) for approval of a price on shipments of other than carload lots to one consignee, he shall define the practice employed, together with a statement of the date upon which the practice was instituted and the reason therefor; including the costs involved in such practice during the year 1941 and the current year. Such application must be made within 21 days of the effective date of this regulation.

[NOTE: Revised Supplementary Order No. 23 (8 F.R. 6175) provides that no document filed pursuant to any price regulation or procedural regulation issued by the Office of Price Administration before May 17, 1943 need be sworn to or affirmed, except that protests and documents filed in support thereof shall continue to be sworn to or affirmed as provided in Revised Procedural Regulation No. 1.]

(d) Any manufacturer who reduces or has reduced the chemical pulp content or basis weight of a product under the provisions of § 1347.515 (a) (1) (v) or (vi), or § 1347.516 (a) (1) (viii) or (ix) shall file the following data with the Office of Price Administration, Washington, D. C.:

(1) The chemical pulp content and basis weight on November 26, 1942.

(2) All subsequent changes in the chemical pulp content and basis weight, and the dates of these changes.

(3) These data shall be filed within 21 days after April 20, 1944, except that data relating to changes made subsequent to April 20, 1944, shall be filed within 21 days after the date of such change.

[Paragraph (d) added by Am. 8, effective 4-20-44]

§ 1347.509 *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1347.509 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1347.510 [Revoked]

[§ 1347.510 amended by Am. 2, 8 F.R. 531, effective 1-12-43; revoked by Am. 5, 8 F.R. 12468, effective 9-14-43]

§ 1347.511 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) Under the following conditions a manufacturer of any of the commodities covered by this Maximum Price Regulation No. 266 may apply for adjustment of his maximum prices where the maximum price causes him substantial hardship and where the War Production Board certifies by letter to the Office

[5] 9 F.R. 1385.

[6] 8 F.R. 13240.

of Price Administration that the commodity involved is necessary, in the quantity actually to be supplied by the applicant, to meet a military or essential civilian need. The amount of adjustment which may be granted will be determined by the Office of Price Administration and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the commodity in question, in the light of the applicant's costs of production and his over-all financial condition.

(i) *Form of application for adjustment.* Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, with the Office of Price Administration, Code 695, Washington, D. C. In addition the applicant shall set forth the following data:

(i) Statement of the applicant's maximum price, the section of Maximum Price Regulation No. 266 under which such price is determined, the proposed adjusted maximum price, and the complete specifications of the commodity.

(ii) Statement as to the length of time the applicant has been producing the commodity, and the actual production in cases per month for the last six months, preceding the date of filing of the application.

(iii) A record of the applicant's actual costs involved in the manufacture and sale of the commodity is to be given in full detail. These costs are to be given for the total production during each of the last two quarterly accounting periods.

(iv) Statement of the seller's over-all financial condition, including the information required by OPA Form A (Annual Financial Report) for the fiscal year next preceding the filing of the application, and the information required by OPA Form B (Interim Financial Report) for each quarterly period subsequent to the period covered by the A report: *Provided*, That for cause shown this latter requirement may be waived in whole or in part at the discretion of the Administrator.

(v) A complete statement of the reasons why the applicant believes that he will be unable to maintain his production of the commodity at his established maximum price.

[§ 1347.511 amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5865; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1347.512 *Definitions.* (a) When used in this Maximum Price Regulation No. 266, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Manufacturer" means any person who converts tissue for use as toilet tissue or paper towels and includes the agents of such person.

[Subparagraph (2) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(3) "Distributor" includes any person, other than a manufacturer or a retailer, the major portion of whose sales are to retailers, industrial and institutional users, or other distributors.

(4) "Wholesale grocer" includes distributors, the major portion of whose sales are to retail grocery stores.

(5) "Retailer" includes all persons, the major portion of whose sales are resale items sold to the ultimate consumer.

(6) "Paper merchant" includes any person other than a retailer, wholesale druggist, or wholesale grocer (as herein defined) who buys any commodity listed in this regulation in any quantity from a manufacturer or other seller and who resells such commodity.

(7) "Wholesale druggist" includes distributors, the major portion of whose sales are to retail drug stores.

(8) "Industrial, institutional and commercial user" includes all users who purchase toilet tissue and paper towels for general use by their employees, inmates, and guests, and do not resell any of these items.

(9) "Most closely competitive seller of the same class." "Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities or services, and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (a) is selling the same or a similar commodity, ferences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

(11) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(12) "Toilet tissue" includes all tissue papers having a basis weight of 8 to 16 pounds, inclusive, (24 x 36—500), a square inch area per sheet of 16 to 41 inches, inclusive, made from either chemical pulp or mechanical pulp or a combination of the two and designed for toilet use.

[Subparagraph (12) amended by Am. 2, 8 F.R. 531, effective 1-12-43]

(13) "Paper towels" includes all absorbent, creped or embossed papers having a basis weight between 22 and 40 pounds (24 x 36—500), a square inch area per sheet of 80 to 220 inches, made from chemical pulp or mechanical pulp or a combination of the two and designed principally for drying purposes.

(14) "Facial type toilet tissue" includes two or three ply toilet tissue manufactured on a type of paper machine where paper is creped, and adhering to the dryer with a moisture range not exceeding 10%.

[Subparagraph (14) amended by Am. 4, 7 F.R. 7383, effective 9-7-43]

(15) "Wet-strength paper towel" refers to one that has a wet-tensile strength of at least 1.5 pounds per inch width when tested according to TAPPI Method No. T404 M-41 with the tensile load applied ten seconds after the specimen, clamped in the testing machine, has been streaked transversely along a path at least one-quarter inch wide with an excess of water at room temperature, providing the toweling is capable of becoming at least 80% saturated' when submerged 10 seconds in water at room temperature and provided the ratio of the wet-tensile to the dry-tensile strength is at least 20 percent.

(16) "Basis weight" refers to the weight of a 500 sheet ream of paper 24 x 36 inches per sheet.

(17) "Chemical pulp" refers to the chemical fibre content which must be

of Price Administration that the commodity involved is necessary, in the quantity actually to be supplied by the applicant, to meet a military or essential civilian need. The amount of adjustment which may be granted will be determined by the Office of Price Administration and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the commodity in question, in the light of the applicant's costs of production and his over-all financial condition.

(i) *Form of application for adjustment.* Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1, with the Office of Price Administration, Code 695, Washington, D. C. In addition the applicant shall set forth the following data:

(i) Statement of the applicant's maximum price, the section of Maximum Price Regulation No. 266 under which such price is determined, the proposed adjusted maximum price, and the complete specifications of the commodity.

(ii) Statement as to the length of time the applicant has been producing the commodity, and the actual production in cases per month for the last six months, preceding the date of filing of the application.

(iii) A record of the applicant's actual costs involved in the manufacture and sale of the commodity is to be given in full detail. These costs are to be given for the total production during each of the last two quarterly accounting periods.

(iv) Statement of the seller's over-all financial condition, including the information required by OPA Form A (Annual Financial Report) for the fiscal year next preceding the filing of the application, and the information required by OPA Form B (Interim Financial Report) for each quarterly period subsequent to the period covered by the A report: *Provided*, That for cause shown this latter requirement may be waived in whole or in part at the discretion of the Administrator.

(v) A complete statement of the reasons why the applicant believes that he will be unable to maintain his production of the commodity at his established maximum price.

[§ 1347.511 amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6173) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1347.512 *Definitions.* (a) When used in this Maximum Price Regulation No. 266, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Manufacturer" means any person who converts tissue for use as toilet tissue or paper towels and includes the agents of such person.

[Subparagraph (2) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(3) "Distributor" includes any person, other than a manufacturer or a retailer, the major portion of whose sales are to retailers, industrial and institutional users, or other distributors.

(4) "Wholesale grocer" includes distributors, the major portion of whose sales are to retail grocery stores.

(5) "Retailer" includes all persons, the major portion of whose sales are resale items sold to the ultimate consumer.

(6) "Paper merchant" includes any person other than a retailer, wholesale druggist, or wholesale grocer (as herein defined) who buys any commodity listed in this regulation in any quantity from a manufacturer or other seller and who resells such commodity.

(7) "Wholesale druggist" includes distributors, the major portion of whose sales are to retail drug stores.

(8) "Industrial, institutional and commercial user" includes all users who purchase toilet tissue and paper towels for general use by their employees, inmates, and guests, and do not resell any of these items.

(9) "Most closely competitive seller of the same class." "Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities or services, and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (a) is selling the same or a similar commodity, and (b) is closely competitive in the sale of such commodities, and (c) is located nearest to the seller.

(10) "Similar". One commodity shall be deemed "similar" to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such commodities would ordinarily have been sold, shall not be taken into account.

(11) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(12) "Toilet tissue" includes all tissue papers having a basis weight of 8 to 16 pounds, inclusive, (24 x 36—500), a square inch area per sheet of 16 to 41 inches, inclusive, made from either chemical pulp or mechanical pulp or a combination of the two and designed for toilet use.

[Subparagraph (12) amended by Am. 2, 8 F.R. 531, effective 1-12-43]

(13) "Paper towels" includes all absorbent, creped or embossed papers having a basis weight between 22 and 40 pounds (24 x 36—500), a square inch area per sheet of 80 to 220 inches, made from chemical pulp or mechanical pulp or a combination of the two and designed principally for drying purposes.

(14) "Facial type toilet tissue" includes two or three ply toilet tissue manufactured on a type of paper machine where paper is creped, and adhering to the dryer with a moisture range not exceeding 10%.

[Subparagraph (14) amended by Am. 4, 7 F.R. 7383, effective 9-7-43]

(15) "Wet-strength paper towel" refers to one that has a wet-tensile strength of at least 1.5 pounds per inch width when tested according to TAPPI Method No. T404 M-41 with the tensile load applied ten seconds after the specimen, clamped in the testing machine, has been streaked transversely along a path at least one-quarter inch wide with an excess of water at room temperature, providing the toweling is capable of becoming at least 80% saturated[1] when submerged 10 seconds in water at room temperature and provided the ratio of the wet-tensile to the dry-tensile strength is at least 20 percent.

(16) "Basis weight" refers to the weight of a 500 sheet ream of paper 24 x 36 inches per sheet.

(17) "Chemical pulp" refers to the chemical fibre content which must be either virgin chemical fibre or 100% chemical fibre wastepaper properly deinked.

(18) "Zone 1" includes Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, New Jersey, Rhode Island, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, Kentucky, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota—East of Grand Forks and Fargo, South Dakota—East of and including Watertown and Sioux Falls, Nebraska—East of and including Grand Island and Kansas—East of and including Topeka.

(19) "Zone 2" includes North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas—except Laredo and El Paso, Kansas—West of Topeka, and Nebraska—West of Grand Island, South Dakota—West of Watertown and Sioux Falls, North Dakota—West of Grand Forks and Fargo.

(20) "Zone 3" includes Arizona, Utah, Nevada—excluding Reno, Idaho—South of Panhandle and East of Boise, Montana, Wyoming, New Mexico, Laredo and El Paso in Texas, Colorado.

(21) "Zone 4" includes Washington, Oregon, California, Reno, Nevada and Idaho (including Boise), except that part of Idaho in Zone 3.

(22) "Case" refers to the shipping container in which toilet tissue or 3750 paper towels are packed.

(23) "Mark-up" refers to that percentage of cost, exclusive of cash discount which is taken to arrive at the selling price.

(24) "Prices charged for deliveries during March, 1942", shall have the same meaning as the phrase "highest price charged during March, 1942" in the General Maximum Price Regulation.

[Subparagraph (24) added by Am. 2, 8 F.R. 531, effective 1-12-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.513 *Applicability.* The provisions of this Maximum Price Regulation No. 266 shall be applicable within the continental limits of the United States.

§ 1347.514 *Effective date.* This Maximum Price Regulation No. 266 (§§ 1347.501 to 1347.516, inclusive) shall become effective November 26, 1942. [MPR 266 originally issued November 12, 1942]

[Effective dates of amendments are shown in the notes following the parts affected]

§ 1347.515 *Appendix A: Maximum prices for toilet tissue 4½" wide*[2]—(a) *Manufacturers maximum prices for sales on a uniform nationally delivered basis.* Where a manufacturer sells on a uniform nationally delivered basis his maximum prices shall be computed as follows:

(1) *Toilet tissue.*

Basis weight 24 x 36—500 classes [1]	Chemical pulp content [2]		
	100% bleached price factor X	75%–99% price factor Y	Less than 75% price factor Z
1. Less than 11.00	$1.09	$1.05	$1.00
2. 11.0 to 11.99	1.15	1.10	1.05
3. 12.0 to 12.99	1.20	1.15	1.10
4. 13.0 and over	1.26	1.20	1.15

[1] The classes are established on the weight of a ream of 500 sheets of paper 24" x 36". A manufacturer is permitted a 5% tolerance per case, but in no event can the basis weight vary plus or minus from the stated basis weight by more than 5% on any case.

[2] The groups are established on a basis of chemical pulp content. Products in Group X shall have 100% bleached chemical pulp; products in Group Y shall have 75%–99% chemical pulp; products in Group Z shall have less than 75% chemical pulp.

The maximum basis weight to be used in computing the manufacturer's maximum price shall be either:

(i) The basis weight ascribed by the manufacturer for the same item from January 1, 1942 to the issuance of this regulation, or

(ii) The actual basis weight of the same item from January 1, 1942 to the issuance of this regulation, whichever is lower. In no case shall the price as calculated above exceed the price which was charged for deliveries during March, 1942.

The case price shall be computed by multiplying the applicable price factor (derived from column X, Y or Z) by the number of linear inches of paper in the case divided by 100,000, as illustrated below:

$$\frac{\text{Number of Linear Inches in the Case (Length of Sheet x Sheets per Case)}}{100{,}000}$$

(iii) In the event that the maximum price as calculated above is less than the highest carload price which was charged, on a uniform nationally delivered basis, by the manufacturer during the period of October 1 to October 15, 1941, the maximum price shall be such October 1 to 15, 1941, carload price. Freight practices which were employed by the manufacturer during such period may be continued: *Provided*, That the manufacturer shall not require the purchaser to pay a larger proportion of transportation costs incurred in the delivery of the toilet tissue than the manufacturer required purchasers of the same class to pay during the period of October 1 to 15, 1941.

[Subparagraph (iii) amended by Am. 4, 8 F.R. 7383, effective 6-7-43, and Am. 6, 9 F.R. 1573, effective 2-14-44]

(iv) The manufacturer's maximum price for a product not manufactured, sold or offered during the period of October 1–15, 1941, or during March, 1942, shall be determined by referring to the maximum price established by him for the most nearly comparable product which he manufactured, sold or offered during either of such base periods, and adjusting this price to reflect the actual differences in the physical specifications, including basis weight, finish, sheet area per case, upon which the formula in paragraph (a) (1) is based. Any manufacturer desiring to establish a maximum price for such product shall submit to the Office of Price Administration, Washington, D. C., the physical specifications of the product for which a maximum price is desired, the name and physical specifications of the most nearly comparable product for which a maximum price is established by this regulation, the amount of the adjustment desired because of such difference in specifications, and the maximum price requested for the product.

The Office of Price Administration may approve, disapprove, or adjust the proposed maximum price by letter, and the proposed maximum price may not be charged prior to such approval.

[Subparagraph (iv) added by Am. 4, 8 F.R. 7383, effective 6-7-43]

(v) The manufacturer may reduce the chemical pulp content by not more than 15% of the chemical pulp content upon which the present maximum price for his product established by this regulation is based, without revising such maximum price.

(vi) The manufacturer may reduce the basis weight by not more than 5% of the basis weight upon which the present maximum price for his product established by this regulation is based, without revising such maximum price.

[Subparagraphs (v) and (vi) added by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) *Facial type toilet tissue.* The maximum price for facial type toilet tissue shall be computed in accordance with the provisions of paragraph (a) (1) of this section, except that $0.23 may be added to the price factor in Class 1, Group X. In no event may the price of any facial type toilet tissue exceed the price which was charged by the manufacturer for deliveries during March 1942.

(3) *Special products.* (i) Special small diameter rolls of toilet tissue packaged for use on Pullman cars are excluded from this Maximum Price Regulation No. 266, and are covered by the General Maximum Price Regulation.

(ii) Toilet tissue put up to conform with the new specification for the armed

[1] $\frac{B-A}{C-A}=80\%$ where A is weight of two single ply specimens each 5 inches square weighed in air dry condition (45 to 50 percent relative humidity). B is weight after being submerged in distilled water at 70 degrees Fahrenheit for 10 seconds and then drained freely for 10 seconds. C is weight after being submerged in distilled water at 70 degrees Fahrenheit for 24 hours and then drained freely for 10 seconds.

[2] Widths greater than 4½" take a proportionately increased price; widths less than 4½" take a proportionately reduced price, except that in the case of interfolded toilet tissue the maximum price per case for such tissue 4" wide shall be calculated by deducting from the maximum price established by this regulation for a case of 100,000 sheets 4½" wide that differential customarily employed by the manufacturer during the period October 1–15, 1941, or 35¢ per case of 100,000 sheets, whichever is greater.

[Footnote 2 amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

forces in special waterproof envelopes each containing 100 sheets is excluded from this Maximum Price Regulation No. 266, and is covered by the General Maximum Price Regulation.

(iii) In special cases in which test runs of toilet tissue are made at the request of the War Production Board, such runs to be of limited quantities only, and for a limited period of time, and to be made only to discover improved methods of conserving materials, and for cost-finding purposes, the Administrator may, if he deems such procedure to be in the interest of the successful prosecution of the war, authorize by letter appropriate temporary maximum prices for such test runs of toilet tissue. The temporary maximum price or prices may in no event exceed the maximum price for that product for which the substitution is made. Any manufacturer desiring to obtain such temporary maximum prices for such purposes may request permission by letter, setting forth fully the reasons for such test-run, its duration and scope, the temporary maximum price or prices requested, and any other pertinent information.

[Subparagraph (iii) added by Am. 3, 8 F.R. 4131, effective 4-5-43]

(b) *Manufacturers' maximum prices for sales not on a uniform nationally delivered basis*—(1) *Zone basis.* Where a manufacturer does not sell on a nationally delivered basis, his maximum prices, which in no event shall exceed the prices charged by the manufacturer for deliveries during March, 1942, shall be computed in accordance with the procedure of paragraph (a) (1) (i) (ii) of this section, with the adjustments as shown in the following table:

Location of manufacturing plant	Point of delivery	Addition to or subtraction from applicable price factor
1. Zone 1	Zone 1	Deduct $0.03
2. Zone 1	Zone 2	Add $0.01
3. Zone 1	Zone 3	Add $0.03
Zone 4.		
4. Zone 1	Zone 4	Add $0.03
5. Zone 2	Anywhere in continental United States (subject to (3) above)	No addition or deduction.
Zone 3.		
Zone 4.		

(i) In the event that the maximum price as calculated in accordance with the provisions of paragraph (b) of this section is less than the highest carload price which was charged by the manufacturer on sales into any particular zone during the period of October 1 to October 15, 1941, the maximum price shall be such October 1 to October 15, 1941, price for sales into the same zone.

[Subparagraph (1) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) *F. o. b. mill basis.* Where shipments of toilet tissue are made on an f. o. b. mill basis the manufacturer's maximum price, which in no event may exceed the prices charged by the manufacturer during March 1942, shall be computed in accordance with the provisions of paragraph (a) (1) of this section, except that $0.12 must be deducted from the applicable price factor. Freight charges to the point of delivery may be added to the resulting f. o. b. price: *Provided*, That, except on shipments to the Army, Navy or Lend-Lease Administration, such maximum price (including freight charges) may not exceed the maximum zone price which would apply at the given destination.

[Subparagraph (2) amended by Am. 2, 8 F.R. 531, effective 1-12-43; and Am. 7, 9 F.R. 3079, effective 3-27-44]

(3) *Manufacturers' maximum price for shipments of other than carload lots to one consignee.* (i) On shipments of other than carload lots (excepting less-than-carload shipments) to one consignee, the manufacturer may add to the maximum carload price established by this regulation the established differentials which he had in effect during the period of October 1 to October 15, 1941.

(ii) On shipments of less-than-carload lots, the manufacturer may add to the maximum carload price established by this regulation the lesser of the following:

(*a*) That differential between his carload and his less-than-carload price which he employed during the period of October 1 to October 15, 1941, or

(*b*) 5.05%, plus the difference between the carload and the less-than-carload rate of freight.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12468, 12795, effective 9-14-43]

(4) [Revoked]

[Subparagraph (4) revoked by Am. 5, 8 F.R. 12468, effective 9-14-43]

(5) *Manufacturers' maximum prices for sales made directly to industrial, institutional and commercial users, and to purchasers other than distributors.* On sales made directly to industrial, institutional and commercial users, and to purchasers other than distributors, a manufacturer who, during the period of October 1 to October 15, 1941, had an established practice of selling to such purchasers at prices in excess of those established for other classes of purchasers, may compute the maximum price for such sales by multiplying the manufacturers' maximum price, as established by this regulation, by the lesser of the following amounts:

(i) The highest markup which the manufacturer applied to sales of toilet tissue of a given grade to a purchaser of the same class during the period of October 1 to October 15, 1941 or

(ii) The markups permitted paper merchants in § 1347.515 (c) (2).

In no event may the resulting maximum price exceed the highest price charged for such sales made during March 1942.

[Subparagraphs (4) and (5) added by Am. 2, 8 F.R. 531, 2431, effective 1-12-43]

(c) *Distributors' maximum prices.* The distributor's maximum price, which may, in no event, exceed the highest price charged for deliveries during March 1942 or, if no sales were made, the highest offering price during March 1942, is to be computed by multiplying the manufacturer's maximum price by the lesser of the following amounts:

(1) The highest mark-up* which the distributor applied to sales of toilet tissue of a given grade to a purchaser of the same class during March, 1942, or

(2) On sales by

	Paper merchants	Wholesale druggists	Wholesale grocers
	Percent	*Percent*	*Percent*
1. 1 to less than 3 cases	145	120½	117½
2. 3 to less than 10 cases	127½	120½	117½
3. 10 to less than 25 cases	125	120½	117½
4. 25 to less than 100 cases	123½	120½	117½
5. 100 to less than C/L	117½	120½	117½
6. Carload	105	120½	117½

[Paragraph (c) and subparagraphs (1) and (2) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(i) Where a distributor purchases toilet tissue from a manufacturer whose petition under § 1347.510 has not been denied by the Office of Price Administration, such distributor, upon receipt of the notice provided for in such section, need not be restricted by his own March 1942 price for sales to such toilet tissue, except that the resulting maximum price shall not be in excess of the March 1942 price charged for deliveries of the same or similar commodity by his most closely competitive seller of the same class.

(ii) In the event that the mark-up as determined under paragraph (c) (2) above, (mark-up table), is less than 85% of the mark-up set forth in paragraph (c) (1) above, (March 1942 mark-up), the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1) above.

[Subparagraphs (1) and (ii) added by Am. 2, 8 F.R. 531, effective 1-12-43, subparagraph (ii) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(iii) Wholesale grocers and wholesale druggists who, during the period of October 1 to October 15, 1941, operated wholesale paper departments and had an established practice of selling toilet tissue to industrial, institutional and commercial users at mark-ups approximating those set forth in paragraph (c) (2) for paper merchants during such period, may compute their maximum prices for sales on such products to such purchasers in accordance with the mark-ups provided for paper merchants in paragraph (c) (2), or in accordance with their mark-ups applied to sales to a purchaser of the same class during March 1942, whichever is lower.

[Subparagraph (iii) added by Am. 4, 8 F.R. 7383, effective 6-7-43]

(3) Paper merchants, wholesale druggists, and wholesale grocers who purchase toilet tissue from other merchants or distributors may not charge a price in excess of the maximum price which would be applicable if the purchase had been made directly at the manufacturer's ceiling price computed in accordance with paragraphs (a), (b) and (c) of this section: *Provided*, That on less-than-case sales by recognized service distributors, a mark-up may be charged not in excess of 165%, and that on less-than-case sales by wholesale druggists and grocers, the mark-up may exceed the mark-ups specified in paragraphs (c) (1) and (c) (2) of this section by an amount not in excess of the differential between one case and less-than-case lots which was charged on deliveries made during March 1942.

(4) For sales in carload lots involving shipment from the manufacturer to a person purchasing from a merchant or distributor where local delivery by the merchant or distributor from a warehouse or rail siding is required, there may be added to the maximum price established herein the actual delivery expense (except that no rail freight shall be included), which in no event shall exceed the applicable local common carrier rate. Such expense shall be separately noted in the invoice or other evidence of sale.

(5) Where a merchant or distributor supplies cabinets or other fixtures for the dispensing of toilet tissue in connection with the sale of such product, he may make a charge for the sale of such cabinet or fixture at a price not exceeding 150 percent mark-up of the cost to him of such cabinet or fixture. Such charge shall be set forth in the invoice or other evidence of sale, and may be amortized over a definite period of time.

[Last sentence added by Am. 2, 8 F.R. 531, effective 1-12-43]

(6) On sales of less-than-carload lots to points outside his recognized free delivery zones or areas, the merchant or distributor may add to his maximum price the lesser of the following differentials:

(i) The amount which he charged on such sales made during the period of October 1 to October 15, 1941, or, if he made no such sale, the amount which he would have charged on such sales to purchasers of the same class; or

(ii) The actual freight.

(7) On sales of toilet tissue purchased from a manufacturer who determined his maximum price on an f.o.b. mill basis as outlined in paragraph (b) (2) above, the distributor may base his maximum mark-up upon the sum of such f.o.b. mill maximum price and freight charges (not exceeding carload rate of freight) to the point of delivery, or upon the maximum zone price which would apply at the given destination, whichever is lower.

[Subparagraph (7) added by Am. 4, 8 F.R. 7383, effective 6-7-43]

(d) *Retailer's maximum prices.* The retailer's maximum price for toilet tissue which may in no event exceed the ceiling price in effect on November 30, 1943, as established under this regulation, is to be calculated as follows (for unit and multiple sales separately):

[Paragraph (d) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(1) *The maximum price rule.* The retailer shall first find his "net cost" of the brand he is pricing. He must then multiply that "net cost" by his "March 1942 percentage mark-up." The meanings of "net cost" and "March 1942 percentage mark-up" are explained in (2) and (3) which follow.

(2) *The meaning of "net cost."* "Net cost" as used in the maximum price rule above means the amount the retailer paid for the brand delivered at his customary receiving point, less all discounts and all allowances allowed him, except the discount for prompt payment. "Net cost" should be based on the first sale of such brand of toilet tissue delivered to the retailer in which there has been inserted a copy of this paragraph (d). "Net cost" refers to a customary quantity from a customary supplier and by the customary mode of transportation.

[Subparagraph (2) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(3) *The meaning of "March 1942 percentage mark-up."* The percentage which the retailer shall use as his "March 1942 percentage mark-up" depends upon whether or not in March, 1942 he sold such brand of toilet tissue:

(i) If the retailer did sell such brand of toilet tissue in March 1942, he shall:

(*a*) Take the highest price at which he made sales of such toilet tissue during March 1942, and,

(*b*) Divide this price by his "net cost" of such brand which appeared on his last invoice in March 1942.

The resulting figure is the retailer's "March 1942 percentage mark-up." This is the figure by which the retailer should multiply his new cost to arrive at his ceiling price.

(ii) If the retailer did not sell such brand of toilet tissue during March 1942, he shall use his "March 1942 percentage mark-up," calculated as in (d) (3) above, on the largest volume brand of toilet tissue which he sold during March 1942.

(4) *Fractions of cents.* If the calculation of a maximum price for a customary unit of sale under this regulation results in a fraction of less than one-half cent, the maximum price shall be reduced to the nearest lower cent; if the calculation results in a fraction one-half cent or more, it should be increased to the nearest higher cent. Calculations shall be made separately for multiple sales and for unit sales of such products.

(5) *Examples:* A retailer purchases from his supplier a case of X brand of toilet tissue at a net cost of $4.87 in December 1942. His last March 1942 purchase of X brand was made at a net cost of $5.00 per case. His highest March 1942 price was 7 cents per roll. He shall find his ceiling price for X brand toilet tissue as follows:

1. (i) He shall divide 7 cents (his highest March 1942 retail price) by 5 cents (his last net cost in March 1942).

1.40
5/7.00
5
20
20

The resulting figure of 1.40 is his "March 1942, percentage mark-up."

(ii) He multiplies $4.87 (his net cost) by 1.40 (his "March, 1942 percentage mark-up").

$4.87
1.4
1948
487
$6.818

(iii) $6.818 per case of 100 rolls or 7 cents per roll is the retailer's ceiling price.

2. A retailer purchases from his supplier a case of Y Brand of toilet tissue at a net cost of $4.60 in December 1942. Assume the "March 1942 percentage mark-up" on Y brand of toilet tissue was 1.32. The calculations are as follows:

$4.60
1.32
920
1380
460
$6.0720

The retailer's ceiling price is $6.07 per case of 100 rolls or 6 cents per roll.

[Example 2 amended by Am. 2, 8 F.R. 531, effective 1-12-43]

3. Assume the retailer's March 1942 selling price was 3 for 19 cents, the new cost is $4.77, and his last March 1942 invoice was $5.00. His "March 1942 percentage mark-up" is calculated as follows:

1.266
5/6.330
5
13
10
33
30
30
30

The resulting figure of 1.266 is his "March 1942 percentage mark-up" over net cost. His ceiling price is determined as follows:

Multiply $4.87 (his net cost) by 1.266 (his "March 1942 percentage mark-up"). The retailer's ceiling price is 3 for 18 cents or $6.04 per case of 100 rolls.

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Supplementary Order No. 29 (7 F.R. 9616) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

(e) *Marking of products and notices.* (1) [Revoked]

[Subparagraph (1) amended by Am. 4, 8 F.R. 7383, effective 6-7-43; revoked by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) The manufacturer shall insert a copy of paragraph (d) of this section in each case of resale toilet tissue shipped before January 31, 1943, except that no such notice need be inserted in cases already prepared for shipment on the effective date of this regulation. The manufacturer shall also attach to all billings on sales made to distributors be-

*See definition of mark-up, § 1347.512 (a) (23).

fore January 31, 1943, paragraph (c) of this section.

On both these notifications, the manufacturers shall add the following statement: "Cessation of this notification will not constitute revocation thereof."

(f) The provisions governing retailer's maximum prices on toilet tissue shall become effective with respect to all brands and grades which the retailer carries in stock as soon as he receives a copy of paragraph (d), or in any event not later than June 25, 1943.

[Paragraph (f) added by Am. 4, 8 F.R. 7363, effective 6-7-43]

§ 1347.516 *Appendix B: Maximum prices for paper towels*—(a) *Manufacturers' maximum prices for sales on a uniform nationally delivered basis.* Where a manufacturer sells on a uniform nationally delivered basis, his maximum prices shall be as follows:

TOWELS DISPENSED IN SINGLE THICKNESS

(1) Towel area for interfolded towels (sq. in.)	Less than 250 (V)	Basic weight classes [1] 24" x 36"—500: 250-279 (W)	280-309 (X)	310-339 (Y)	340 and over (Z)
1. 85 to 108.9	$1.65	$1.85	$2.30	$2.45	$2.70
2. 109 to 119.9	1.80	2.00	2.30	2.55	2.65
3. 120 to 134.9	1.95	2.15	2.45	2.70	2.80
4. 135 to 147.9	2.05	2.25	2.55	2.80	2.90
5. 148 and over	2.15	2.35	2.65	2.90	3.00
6. Household Roll [2]	2.60	2.90	3.20	3.50	3.65

TOWELS DISPENSED IN DOUBLE THICKNESS

7. 70 to 84.9	$2.60	$2.80	$3.25	$3.45	$3.55
8. 85 to 99.9	2.80	3.00	3.45	3.70	3.80
9. 100 to 109.9	3.00	3.20	3.65	3.95	4.10
10. 110 and over	3.20	3.45	3.90	4.20	4.35

[1] The classes are established on basis weights of 24 x 36—500. A manufacturer is permitted a 5% tolerance per case, but in no event may the basis weight vary plus or minus from the stated basis weight by more than 5% of any case.

[2] The maximum prices for household rolls are for cases of 7,500 towels, 7¼" x 11". Where the case count or sheet size varies, a directly proportionate adjustment in price shall be made.

These maximum prices are for cases of towels made from furnish containing less than 65% chemical pulp.[3] Where the chemical pulp content is between 65% and 90%, 4% may be added to the case price; where the chemical pulp content is over 90%, 8% may be added to the case price.

The maximum basis weight to be used in computing the manufacturer's maximum price shall be either:

(i) The basis weight ascribed by the manufacturer for the same item from January 1, 1942 to the issuance of this regulation, or

(ii) The actual basis weight of the same item from January 1, 1942 to the issuance of this regulation, whichever is lower. In no case shall the price as calculated above exceed the price which was charged for deliveries during March, 1942.

[3] The groups are defined as follows:
N—Less than 65% chemical pulp.
O—65% to 90% chemical pulp.
P—Over 90% chemical pulp.

(iii) In the event that the maximum price as calculated above is less than highest carload price which was charged, on a uniform nationally delivered basis, by the manufacturer during the period of October 1 to October 15, 1941, the maximum price shall be such October 1 to 15, 1941, carload price. Freight practices which were employed by the manufacturer during such period may be continued: *Provided*, That the manufacturer shall not require the purchaser to pay a larger proportion of transportation costs incurred in the delivery of the toilet tissue than the manufacturer required purchasers of the same class to pay during the period of October 1 to 15, 1941.

[Subparagraph (iii) amended by Am. 4, 8 F.R. 7383, effective 6-7-43; and Am. 6, 9 F.R. 1573, effective 2-14-44]

(iv) Where towels are made from 100% chemical pulp, and where the following minimum strength and absorbency tests are met, the maximum price, calculated in accordance with the provisions of paragraphs (a) and (b) of this section, may be exceeded by not more than 65¢ per case.

Delivery from dispenser	Basis weight	Strength [1]	Absorbency [2]
Single	Under 320	30#	200 seconds.
Single	320—379	25#	175 seconds.
Single	380 and over	20#	145 seconds.
Double	Under 320	40#	30 seconds.
Double	320—379	60#	15 seconds.
Double	380 and over	60#	19 seconds.

[1] Pounds per square inch, as measured by the Mullen test.

[2] Seconds required for the absorption of one-half cubic centimeter of water placed on the top of the sheet, according to Bureau of Standards test UU-T-591.

Manufacturer's maximum prices for wet-strength paper towels shall not exceed those in the (X) basis weight class, the group to be determined by the sheet size.

(v) Continuous roll towels take a proportionate price on an area basis, to household roll towels, except that continuous unsheeted roll towels for use in special controlled-delivery dispensers and containing special cores or ends of metal, wood or both may take a differential of 20¢ a case in excess of the maximum price established by this regulation.

[Subparagraph (v) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(vi) Household folded paper towels shall be priced on the same basis as industrial folded towels.

(vii) The manufacturer's maximum price for a product not manufactured, sold or offered during the period of October 1-15, 1941, or during March, 1942, shall be determined by referring to the maximum price established by him for the most nearly comparable product which he manufactured, sold or offered during either of such base periods, and adjusting this price to reflect the actual differences in the physical specifications, including basis weight, furnish, sheet area per case, upon which the formula in paragraph (a) (1) is based. Any manufacturer desiring to establish a maximum price for such product shall submit to the Office of Price Administration, Washington, D. C., the physical specifications of the product for which a maximum price is desired, the name and physical specifications of the most nearly comparable product for which a maximum price is established by this regulation, the amount of the adjustment desired because of such difference in specifications, and the maximum price requested for the product.

The Office of Price Administration may approve, disapprove, or adjust the proposed maximum price by letter, and the proposed maximum price may not be charged prior to such approval.

[Subparagraphs (vi) and (vii) added by Am. 4, 8 F.R. 7383, effective 6-7-43]

(viii) The manufacturer may reduce the chemical pulp content by not more than 15% of the chemical pulp content upon which the present maximum price for his product established by this regulation is based, without revising such maximum price.

[Subparagraph (viii) added by Am. 6, 9 F.R. 1573, effective 2-14-44]

(ix) The manufacturer may reduce the basis weight by not more than 10% of the basis weight upon which the present maximum price for his product established by this regulation is based, without revising such maximum price.

[Subparagraph (ix) added by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) *Special products.* (i) Paper towels sold through coin-operated vending machines are excluded from this Maximum Price Regulation No. 266, and are covered by the General Maximum Price Regulation.

[Subparagraph (2) added by Am. 2, 8 F.R. 531, effective 1-12-43]

(ii) In special cases in which test runs of paper towels are made at the request of the War Production Board, such runs to be of limited quantities only, and for a limited period of time, and to be made only to discover improved methods of conserving materials, and for cost-finding purposes, the Administrator may, if he deems such procedure to be in the interest of the successful prosecution of the war, authorize by letter appropriate temporary maximum prices for such test runs of paper towels. The temporary maximum price or prices may in no event exceed the maximum price for that product for which the substitution is made. Any manufacturer desiring to obtain such temporary maximum prices for such purposes may request permission by letter, setting forth fully the reasons for such test-run, its duration and scope, the temporary maximum price or prices requested, and any other pertinent information.

[Subparagraph (ii) added by Am. 3, 8 F.R. 4131, effective 4-5-43]

(b) *Manufacturers maximum prices for sales not on a uniform nationally delivered basis.* (1) Where a manufacturer does not sell on a nationally delivered basis, his maximum prices, which in no event may exceed the prices charged for deliveries made during March 1942, shall be computed in accordance with the procedure of paragraph (a) (1) (i) (ii) of this section, with the adjustments as shown in the following table:

Location of manufacturing plant	Point of delivery	Addition to or subtraction from applicable case price
1. Zone 1	Zone 1	Deduct $0.10
2. Zone 1	Zone 2	Add $0.05
3. Zone 1	Zone 3	Add $0.20
Zone 4		
4. Zone 1	Zone 4	Add $0.30
5. Zone 2	Anywhere in continental United States (subject to (3) above).	No addition or deduction.
Zone 3		
Zone 4		

(i) In the event that the maximum price as calculated in accordance with the provisions of paragraph (b) of this section is less than the highest carload price which was charged by the manufacturer on sales into any particular zone during the period of October 1 to October 15, 1941, the maximum price shall be such October 1 to October 15, 1941, price for sales into the same zone.

[Subparagraph (i) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) *Manufacturers' maximum prices for shipments of other than carload lots to one consignee.* (i) On shipments of other than carload lots (excepting less-than-carload shipments) to one consignee, the manufacturer may add to the maximum carload price established by this regulation the established differentials which he had in effect during the period October 1 to October 15, 1941.

(ii) On shipments of less-than-carload lots, the manufacturer may add to the maximum carload price established by this regulation the lesser of the following:

(a) That differential between his carload and the less-than-carload price which he employed during the period of October 1, to October 15, 1941, or freight.

(b) 5.05% plus the difference between the carload and the less-than-carload rate of freight.

[Subparagraph (2) amended by Am. 5, 8 F.R. 12468, 13117, effective 9-14-43]

(3) *F. o. b. mill basis.* Where shipments of paper towels are made on an f. o. b. mill basis the manufacturers' maximum price, which in no event may exceed the prices charged by the manufacturer for deliveries during March 1942, shall be computed in accordance with the provisions of paragraph (a) (1) of this section, except that $0.70 per cwt. shall be deducted from the price. Freight charges to the point of delivery may be added to the resulting f. o. b. mill price: *Provided*, That in no event shall such maximum price, including freight charges, exceed the maximum zone price which would apply at the given destination.

(4) *Maximum prices for sales to industrial, institutional and commercial users and to purchasers other than distributors.* On sales made directly to industrial, institutional and commercial users or to purchasers other than distributors a manufacturer who, during the period of October 1 to October 15, 1941, had an established practice of selling to such purchasers at prices in excess of those established for other classes of purchasers, may compute the maximum price for such sales by multiplying the manufacturer's maximum price as established by this regulation by the lesser of the following amounts:

(i) The highest mark-up which the manufacturer applied to sales of paper towels of a given grade to a purchaser of the same class during the period of October 1 to October 15, 1941; or

(ii) The mark-ups permitted paper merchants in § 1347.516 (c) (2).

In no event may the resulting maximum price exceed the highest price charged for such sales made during March, 1942.

[Subparagraph (3) and (4) added by Am. 2, 8 F.R. 531, effective 1-12-43]

(c) *Distributors' maximum prices.* The distributors' maximum price, which may, in no event, exceed the highest price charged for deliveries during March 1942 or, if no sales were made, the highest offering price during March 1942, is to be computed by multiplying the manufacturer's maximum price by the lesser of the following amounts:

(1) The highest mark-up which the distributor applied to sales of paper towels of a given grade to a purchaser of the same class during March 1942, or

(2) On sales by

	Paper merchants	Wholesale druggists	Wholesale grocers
	Percent	*Percent*	*Percent*
1. 2 cases or less	165	120½	117½
2. 3 to less than 6 cases	140	120½	117½
3. 6 to less than 25 cases	127½	120½	117½
4. 25 to less than 200 cases	122½	120½	117½
5. 200 cases to less than C/L	117½	120½	117½
6. Carload	105	120½	117½

[Paragraph (c) and subparagraphs (1) and (2) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(i) Where a distributor purchases paper towels from a manufacturer whose petition under § 1347.510 has not been denied by the Office of Price Administration, such distributor, upon receipt of the notice provided for in such section, need not be restricted by his own March 1942 price for sales of such paper towels, except that the resulting maximum price shall not be in excess of the March 1942 price charged for deliveries of the same or similar commodity by his most closely competitive seller of the same class.

(ii) In the event that the mark-up as determined under paragraph (c) (2) above (mark-up table), is less than 85% of the mark-up set forth in paragraph (c) (1) above (March 1942 mark-up), the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1) above.

[Subparagraphs (i) and (ii) added by Am. 2, 8 F.R. 531, effective 1-12-43. Subparagraph (ii) amended by Am. 5, 8 F.R. 12468, effective 9-14-43]

(iii) Wholesale grocers and wholesale druggists who, during the period of October 1 to October 15, 1941, operated wholesale paper departments and had an established practice of selling paper towels to industrial, institutional and commercial users at mark-ups approximating those set forth in paragraph (c) (2) for paper merchants during such period, may compute their maximum prices for sales on such products to such purchasers in accordance with the mark-ups provided for paper merchants in paragraph (c) (2), or in accordance with their mark-ups applied to sales to a purchaser of the same class during March 1942, whichever is lower.

[Subparagraph (iii) added by Am. 4, 8 F.R. 7383, effective 6-7-43]

(3) Paper merchants, wholesale druggists, and wholesale grocers who purchase paper towels from other merchants or distributors may not charge a price in excess of the maximum price which would be applicable if the purchase were made directly from the manufacturer, computed in accordance with paragraphs (a), (b), and (c) of this section: *Provided*, That on less-than-case sales by wholesale druggists and grocers, the mark-up may exceed the mark-ups specified in paragraphs (c) (1) and (c) (2) of this section by an amount not in excess of the differential between one case and less-than-case lots which was charged on deliveries made during March 1942.

(4) For sales in carload lots involving shipment from the manufacturer to a person purchasing from a merchant or distributor where local delivery by the merchant or distributor from a warehouse or rail siding is required, there may be added to the maximum price established herein the actual delivery expense (except that no rail freight shall be included), which in no event shall exceed the applicable local common carrier rate. Such expense shall be separately noted in the invoice or other evidence of sale.

(5) Where a merchant or distributor supplies cabinets or other fixtures for the dispensing of paper towels in connection with the sale of such products, he may make a charge for the sale of such cabinet or fixture at a price not exceeding 150 per cent mark-up of the cost to him of such cabinet or fixture. Such charge shall be set forth in the invoice or other evidence of sale, and may be amortized over a definite period of time.

[Subparagraph (5) amended by Am. 2, 8 F.R. 531, effective 1-12-43]

(6) On sales of less than carload lots to points outside his recognized free delivery zones or areas, the merchant or distributor may add to his maximum price the lesser of the following differentials:

(i) The amount which he charged during the period of October 1 to October 15, 1941, or if he made no such sale, the amount which he would have charged on such sales to purchasers of the same class; or

(ii) The actual freight.

(7) On sales of paper towels purchased from a manufacturer who determined his maximum price on an f. o. b. mill basis as outlined in paragraph (b) (2) above, the distributor may base his maximum mark-up upon the sum of such f. o. b. mill maximum price and freight charges (not exceeding carload rate of freight) to the point of delivery, or upon the maximum zone price which would apply at the given destination, whichever is lower.

[Subparagraph (7) added by Am. 4, 8 F.R. 7268, effective 6-7-43]

(d) *Retailer's maximum prices.* The retailer's maximum price for paper towels, which may in no event exceed the ceiling price in effect on November 30, 1943, as established under this regulation, is to be calculated as follows (for unit and multiple sales separately):

[Paragraph (d) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(1) *The maximum price rule.* The retailer shall first find his "net cost" of the brand he is pricing. He must then multiply that "net cost" by his "March 1942 percentage mark-up." The meanings of "net cost" and "March 1942 percentage mark-up" are explained in (2) and (3) which follow.

(2) *The meaning of "net cost."* "Net cost" as used in the maximum price rule above means the amount the retailer paid for the brand delivered at his customary receiving point, less all discounts and all allowances allowed him, except the discount for prompt payment. "Net cost" should be based on the first sale of such brand of paper towels delivered to the retailer in which there has been inserted a copy of this paragraph (d). "Net cost" refers to a customary quantity from a customary supplier and by the customary mode of transportation.

[Subparagraph (2) amended by Am. 6, 9 F.R. 1573, effective 2-14-44]

(3) *The meaning of "March 1942 percentage mark-up."* The percentage which the retailer shall use as his "March 1942 percentage mark-up" depends upon whether or not in March 1942 he sold such brand of household roll towels:

(i) If the retailer did sell such brand of household roll towels in March 1942, he shall:

(a) Take the highest price at which he made sales of such household roll towels during March 1942, and,

(b) Divide this price by his "net cost" of such brand which appeared on his last invoice in March 1942.

The resulting figure is the retailer's "March 1942 percentage mark-up." This is the figure by which the retailer should multiply his new cost to arrive at his ceiling price.

(ii) If the retailer did not sell such brand of household roll towels during March 1942, he shall use his "March 1942 percentage mark-up" calculated as in (d) (3) above, on the largest volume brand of household roll towels which he sold during March 1942.

(4) *Fractions of cents.* If the calculation of a maximum price for a customary unit of sale under this regulation results in a fraction of less than one-half cent, the maximum price shall be reduced to the nearest lower cent; if the calculation results in a fraction one-half cent or more, it should be increased to the nearest higher cent. Calculations shall be made separately for multiple sales and for unit sales of such products.

(5) *Example:* A retailer purchases from his supplier a case of X brand of household roll towels at a net cost of $3.90 in December 1942. His last March 1942 purchase of X brand was made at a net cost of $4.20 per case. His highest March 1942 price was 10 cents per roll. He shall find his ceiling price for X brand of household roll towels as follows:

(i) He shall divide 10 cents (his highest March 1942 retail price) by 8.4 cents per roll (his last net cost in March, 1942).

1.1905
8.4/10.000
84
160
84
760
756
400
420

The resulting figure of 1.19 is his "March 1942 percentage mark-up."

(ii) He multiplies 7.8 cents (his net cost per roll) by 1.19 (his "March 1942 percentage mark-up")

$1.19
.078
952
833
$.09282

(iii) His ceiling price is $.09282 or 9 cents per roll.

(e) *Marking of products and notices.*
(1) [Revoked.]

[Subparagraph (1) revoked by Am. 6, 9 F.R. 1573, effective 2-14-44]

(2) The manufacturer shall insert a copy of paragraph (d) of this section in each case of resale paper towels shipped before January 31, 1943, except no such notice need be inserted in cases already prepared for shipment. The manufacturer shall also attach to all billings on sales made to distributors before January 31, 1943, paragraph (c) of this section.

On both these notifications, the manufacturers shall add the following statement: "Cessation of this notification will not constitute revocation thereof."

(f) The provisions governing retailer's maximum prices on paper towels shall become effective with respect to all brands and grades which the retailer carries in stock as soon as he receives a copy of paragraph (d), or in any event not later than June 25, 1943.

[Paragraph (f) added by Am. 4, 8 F.R. 7883, effective 6-7-43]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5954; Filed, April 15, 1944; 12:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 444,[1] Correction]

COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; AND COTTONSEED HULLS AND HULL BRAN

Section 13 (a) is corrected to read as follows:

(a) The basic maximum price, f. o. b. the port of entry, for the sale (within the 48 states and the District of Columbia of the United States) of any imported cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls shall be the maximum price for a sale by a processor of a like quantity and quality of the domestic product, f. o. b. production plant located nearest the port of entry: *Provided*, That:

(1) If the port of entry is located in Oregon or Washington said maximum price for such sale thereof shall be the maximum price for a sale by a processor of a like quantity and quality of the domestic product f. o. b. production plant at San Francisco, California; or

(2) If the port of entry is not located in a state specifically named in section 4 (a) hereof or in Oregon or Washington said basic maximum price for such sales thereof shall be the maximum price for a like sale by a processor of a like quantity and quality of the domestic product f. o. b. production plant at Memphis, Tennessee.

This correction shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5347; Filed, April 15, 1944; 12:08 p. m.]

PART 1362—CERAMICS PRODUCTS

[MPR 416,[1] Amdt. 4]

BASIC REFRACTORY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.6 is amended to read as set forth below:

SEC. 6.6 *Maximum prices for magnesite hearth ramming mix.* The maximum prices for shipments of magnesite hearth ramming mix per net ton in sacks shall be:

Brand	Producers	Price per net ton
H-W Magnamix	Harbison-Walker Refractories Co.	$54.00
Magnehearth	General Refractories Co.	54.00
Ramix	Basic Refractories, Inc.	56.00
Basimix	Do.	[1] 66.50
Basiplast	Do.	[1] 66.50

[1] Packed in 100 lb. bags. Applicable only to sales by Basic Refractories, Incorporated, to its dealers and distributors.

The maximum prices set forth above for Ramix, Basimix, and Basiplast produced by Basic Refractories, Inc., shall be f. o. b. Nario, Ohio. The maximum prices for H-W Magnamix, produced by Harbison-Walker Refractories Company, and Magnehearth, produced by General Refractories Company, shall be f. o. b. Chester, Pennsylvania, and Baltimore, Maryland, respectively, with freight equalized from either Chester or Baltimore, whichever has the lowest transportation charge to the point of destination.

This Amendment No. 4 shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5351; Filed, April 15, 1944; 12:09 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148,[1] Amdt. 17]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Section 1364.32 (b) (7) is amended by deleting therefrom the words "and Capicolli butts" appearing therein.

2. Sections 1364.32 (c) (39) and 1364.32 (c) (40) are redesignated §§ 1364.32 (c) (38) and 1364.32 (c) (39) respectively.

3. Section 1364.32 (c) (40) is added to read as follows:

(40) "Cappicola butt": a pork product made from whole cured boneless shoulder butts, cellar trimmed, spiced and stuffed in natural casings, (i) which has been heated for sufficient time to assume the characteristics of a cooked product; (ii) which is ready to serve without further heating; (iii) and which has a finished weight not in excess of 85 percent of the green weight of the boneless butts used and the moisture content of which does not exceed 3.2 times the weight of the protein minus the weight of the sodium chloride as chemically tested.

4. Schedule I (d) of § 1364.35 is amended by deleting Item 7 therefrom.

5. Item 18 of Schedule I (f) of § 1364.35 is added to read as follows:

Item	Fresh or frozen	Cured		Smoked
		Not packed in tierces	Packed in tierces	
18. Cappicola butts		$1.00		

This amendment shall become effective April 15, 1944, except that § 1364.32 (b) (7) and Schedule I (d) of § 1364.35 shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5363; Filed, April 15, 1944; 12:05 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 2]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5347 (a) is amended by deleting the phrase "to residential premises" in the first sentence of the paragraph.

This amendment shall become effective on April 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5364; Filed, April 15, 1944; 12:05 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 129]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.7 (a) is amended by substituting for the word "eggs" in the first sentence the words "such other products as the Washington Office may designate,".

2. Section 2.7 (b) (1) is amended by inserting the words ", and the current occupation of each of them" after the words "covered by the application".

3. Section 2.7 (b) (2) and (3) are amended by substituting for the word "eggs" therein the words "such other products as the Washington Office may designate".

4. Section 2.7 (b) (7) is amended to read as follows:

(7) The amounts of fresh fish and poultry, fresh milk, and such other products as the Washington Office may designate which will be available to them during this period;

5. The third sentence of section 2.7 (d) is amended by substituting for the word "eggs" the words "such other products as the Washington Office may designate"; and by inserting before the period at the end of the sentence the words ", and to the applicant's occupation".

This amendment shall become effective April 20, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5365; Filed, April 15, 1944; 12:07 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 10]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.76 is added to read as follows:

§ 1407.76 *Consumers who must have more sugar for their subsistence may apply for evidences.* (a) Consumers (including those who eat in Group I institutional user establishments, as defined

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 208, 1121.

[1] 8 F.R. 6940, 13391, 15790, 16984.

[1] 9 F. R. 1996, 3083.

[1] 9 F.R. 2357, 3353.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14523, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16268, 16424, 16527, 16606, 16695, 16789, 16798, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579.

in General Ration Order 5) may apply for ration evidences to obtain sugar (in addition to that which they can get with their stamps) if (1) they can obtain additional points under section 2.7 of Ration Order 16 because of the isolated nature of the place where they live or the conditions of their work; (2) they work in industries or occupations designated by the "Washington Office" of the Office of Price Administration pursuant to section 31.1 of General Ration Order 5; and (3) they do not eat at a Group IV institutional user establishment.

(b) Any consumer eligible to get evidences under paragraph (a), may apply to his Board, in person or by mail, on OPA Form R-315. One application may be made covering more than one consumer, but the name of each shall be listed on the application. (If the consumer applies for points under section 2.7 of Ration Order 16, he shall make application under this section at the same time.) The application must state:

(1) Where each consumer included in the application will live and work during the period covered by the application;

(2) The current occupation of each consumer included in the application;

(3) How many pounds of sugar he will need; and

(4) For how long a period.

The applicant must also submit with his application the War Ration Book currently used to acquire foods covered by Ration Order 16, of each person for whom application is made.

(c) All Regional Offices are authorized to rule on applications under this section, and to authorize Boards or District Offices, to rule on them. A Board or District Office may rule on such an application only if the Regional Office for the area where it is located has given it such authority. If the Board has not been given such authority, it shall forward the application with its recommendation to the District Office. If the District Office has been given such authority, it shall indicate what action is to be taken, and return the file to the Board. If the District Office has not been given such authority, it shall forward the file to the Regional Office. The Regional Office shall then indicate what action is to be taken, and return the file to the Board. All certificates to be issued under this section shall be issued by Boards.

(d) The Regional Office, or Board or District Office which is authorized to rule on such applications, may issue or authorize the issuance of one or more certificates for the amount of sugar that it finds should be allowed. No Board or District or Regional Office shall issue or authorize the issuance of a certificate unless it finds that the applicants meet the test set out in paragraph (a), and then only under the conditions and in the amounts authorized by instructions issued by the "Washington Office".

(e) Any Board which issues evidences under this section shall enter a notation on the front cover of the book submitted with the application showing:

(1) Its address;

(2) The date it issued evidences under this section;

(3) The amount of sugar authorized to be delivered by such evidences; and

(4) The period for which the supplemental ration was given.

This amendment shall become effective April 20, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5366; Filed, April 15, 1944; 12:08 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 301,[1] Amdt. 9]

RECORDS AND REPORTS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 301 is amended in the following respects:

1. Section 1418.106 (a) is amended to read as follows:

§ 1418.106 *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation 301 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged by the seller, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation 301 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, complete and accurate records of the mark-up charged by the seller, each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, and the quantity purchased by the seller.

2. Paragraph (c) (3) of § 1418.106 is amended to read as follows:

(3) Supplementary statements shall be filed by the seller within three days after offering any such commodity for sale whenever his price is lower or higher than the price previously submitted under paragraph (c) (1) (ii) of this § 1418.106.

3. Paragraph (c) (5) of § 1418.106 is amended to read as follows:

(5) The statements required under this § 1418.106 shall be kept up to date by the seller from time to time by including therein all unreported commodities newly received. Supplementary statements shall be filed as to all such newly received commodities within three days after offering such commodities for sale. Such statements shall contain the information set forth in paragraph (c) (1) of this § 1418.106.

This amendment shall become effective April 20, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5367; Filed, April 15, 1944; 12 m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 116]

TRANSPORTATION SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Services Regulation 14 is amended in the following respects:

The following paragraph is added as a new paragraph (d) to section 7.3 and as a new paragraph (f) to section 7.11.

The types of carriers described in paragraph (a) of this section are not precluded from the alternative of seeking adjustment under the provisions of § 1499.78 (a) (3) of Supplementary Regulation 15 to the General Maximum Price Regulation, on the basis of substantial hardship and other factors as set forth therein.

This amendment shall become effective April 20, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6269, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1800, 10984; 9 F.R. 2176, 2747.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5368; Filed, April 15, 1944; 12:08 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 117]

MAXIMUM RATES FOR CHARTER OF TUGBOATS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7.19 of Revised Supplementary Regulation No. 14 is added to read as follows:

SEC. 7.19 *Maximum rates for the charter of tugboats.* Maximum rates for the charter of tugboats and towboats on a bare basis shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation. The maximum rates for the charter on a fully manned and supplied basis of heavy-duty Diesel and steam-powered tugboats, for use in transportation service (other than salvage, deep-sea and harbor towage) for the movement of any and all commodities, either in tank barges or otherwise, on the Gulf Intracoastal Waterway and the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and their tributary waterways shall be as follows:

Description:	Rate per hour
59 horsepower and under	$3.50
60 horsepower to 100	5.00
101 horsepower to 150	7.00
151 horsepower to 164	8.00
165 horsepower to 230	9.00
231 horsepower to 355	11.00
356 horsepower to 475	15.00
476 horsepower to 650	18.50
651 horsepower to 750	20.00
751 horsepower and over	21.00

(a) *Definition.* The "Gulf Intracoastal Waterway" and the "Atlantic Intracoastal Waterway" as used herein are the waterways defined in subparagraphs (4) and (6), respectively, of section 7.6 (a) of Revised Supplementary Regulation No. 14.

(b) *Rules and regulations applicable to the charter of tugboats.* (1) In determining the horsepower of Diesel tugboats, for purposes of this section, the rated horsepower at maximum revolutions per minute shall be used and the indicated horsepower shall be used in determining the horsepower of steam powered tugboats.

(2) The maximum price for the charter of a tugboat for less than 5 hours shall be the maximum price for a charter period of 5 hours computed on the basis of the rates set forth in the above table.

(3) In determining maximum prices for charter periods of less than seventy-two (72) hours but more than five (5) hours, ten percent (10%) may be added to the maximum prices computed on the basis of the rates set forth in the above table and, for charter periods of more than 30 consecutive days, ten percent (10%) shall be deducted.

(4) The above rates include the furnishing of full crew, subsistence for the crew, necessary supplies, fuel, maintenance, and insurance customarily provided by the owner. They do not include charges for wharfage, dockage, lockage or cargo insurance.

This amendment shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5349; Filed, April 15, 1944; 12:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 118]

TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS BY BARGE ON DESIGNATED WATERWAYS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7.6 is amended to read as follows:

SEC. 7.6 *Rates for transportation of petroleum and petroleum products in bulk by barge and charter rates therefor on the Gulf Intracoastal Waterway, the Atlantic Intracoastal Waterway south of Norfolk, Virginia, the Mississippi River, including their tributary waterways, and the Gulf of Mexico*—(a) *Definitions.* (1) "Barge" means all non-self-propelled water craft licensed by the U. S. Coast Guard, Bureau of Inspection and Navigation, and used, for the transportation of petroleum or petroleum products in bulk.

(2) "Petroleum" and "petroleum products" mean products of Grade B and lower as defined in the Code of Federal Regulations, Title 46, Chapter I, Subchapter D, Part 30. "Tank Vessels" (Bureau of Marine Inspection and Navigation, U. S. Coast Guard) Rates and charges for the transportation of Grade A petroleum products in bulk by barge shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation.

(3) "Ton" and "net ton" mean two thousand (2,000) pounds avoirdupois.

(4) "Points on the Gulf Intracoastal Waterway" mean all points which are or may be served with barge transportation by use of the Gulf Intracoastal Waterway and all its navigable and connecting tributary waterways, except points on the Mississippi River and its tributaries north of North Baton Rouge, Louisiana, and except points on the Mobile-Warrior-Tombigbee Rivers north of Mobile, Alabama.

(5) "Points on the Gulf of Mexico" mean all points in the United States which are or may be served with barge transportation conducted wholly or in principal part on the Gulf of Mexico.

(6) "Points on the Atlantic Intracoastal Waterway" mean all points which are or may be served with barge transportation by use of the Atlantic Intracoastal Waterway south of, and including, Norfolk, Virginia, and all points on the tributaries of the Atlantic Intracoastal Waterway south of Norfolk, Virginia.

(7) "Points on the Mississippi River and its tributaries" mean all points which are or may be served with barge transportation by use of the rivers in Group A, Group B and Group C, as hereinafter defined.

(8) "Group A" and "Group B" mean:

Group A	*Group B*
Lower Mississippi River	Tennessee River
Ohio River	Cumberland River
Kanawha River	Green River
Illinois River	Barren River
Allegheny River	Kentucky River
St. Croix River	Ouachita River
Stillwater River	Missouri River
Monongahela River	Licking River

(9) "Group C" means the Upper Mississippi River and its tributaries (except the Illinois and Missouri Rivers) north of St. Louis, Missouri, including all loading stations located within a radius of 25 miles of St. Louis.

(b) *Maximum rates for transportation on the Gulf Intracoastal Waterway.* Maximum rates for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf Intracoastal Waterway, for distances of 75[1] miles or more, shall be as set forth in the table below. (See proviso in paragraph (e) of this section 7.6.)

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow			
	500 tons	1,000 tons	2,000 tons	3,000 tons
75 to, but not including, 100 miles	7.00	6.50	6.00	5.50
100 to, but not including, 150 miles	6.50	6.25	5.80	5.00
150 miles and over	6.00	5.70	5.30	4.25

Rules and Regulations Applicable to the Gulf Intracoastal Waterway

(1) *Distances.* Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, except that three miles may be added in

*Copies may be obtained from the Office of Price Administration.

[1] Rates and charges for distances less than 75 miles and for harbor towage and towage within harbor district areas are exempt from maximum price regulation under § 1499.48 (b) (125) and (126) of Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation.

the case of movements having one terminus east of Canal Street, New Orleans, Louisiana, and the other west of Harvey Canal Lock.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum rates for furnishing towing services only shall not exceed 75% of the maximum rates herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for a cargo in tow of less than 500 tons for distances over 75 miles shall be either (i) the charge determined by agreement between the parties, or (ii) the maximum charge for a cargo of 500 tons computed at the 500-ton rate for the applicable distance. Charges determined under subdivision (i) of this subparagraph which exceed the maximum charges computed in accordance with the terms of subdivision (ii) shall be reported by the carrier within 10 days of the date of the agreement to the District Office of the Office of Price Administration, Canal Building, New Orleans, Louisiana.

The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 500 tons but less than 1,000 tons shall be computed at the rate established in the above table for minimum cargoes of 500 tons, unless the charge thus computed exceeds the charge for a cargo of 1,000 tons computed at the 1,000-ton rate, in which event the latter charge shall prevail.

The maximum charge for a voyage shall not in any case exceed the maximum charge for the transportation of the same cargo a greater distance.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Tolls and port charges.* Canal tollage, lock charges, and port charges are included in the rates set forth in the above table for tugs and barges but are not included in the rates for towing only.

(5) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges but is not included in the rates for towing only.

(6) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, a charge of three-quarters (¾) or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates specified above include free time of three hours at loading point and three hours at unloading point plus one hour in each case for each barge in excess of three in the tow. Loading and discharge rates shall be determined by agreement between the parties, or, in the absence of such agreement, the loading rate shall be 2,500 barrels per running hour and the discharge rate shall be 1,500 barrels per running hour day and night, Saturdays, Sundays and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of three cents per hour per indicated or rated horsepower, as the case may be, with a minimum charge of $10.00 per tug per hour or fraction thereof and $2.50 per barge per hour or fraction thereof.

(9) *Additional charge for operating on the Gulf of Mexico.* When operating conditions on the Gulf Intracoastal Waterway between Panama City and Port St. Joe, Florida necessitate operation on the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a minimum cargo of 2,000 tons or less and 24¢ per ton when the maximum rate is based on a minimum cargo of 3,000 tons.

(10) *Split deliveries.* When a tow consists of more than one delivery, the total maximum charge for the services shall be the lower of the charges resulting from the following methods of computation: (1) the total of the charges for each delivery computed separately as if it were unaccompanied in the same tow by other deliveries; or, (2) the charge for the total tonnage of the tow at the rate appropriate for the distance to the farthest port of discharge, as if such total tonnage were transported to such farthest port of discharge.

(c) *Maximum rates for transporta-*

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow		
	1,000 tons	2,000 tons	3,000 tons
Under 180 miles	6.30	5.00	5.50
180 to, but not including, 300 miles	6.25	5.60	4.50
300 to, but not including, 700 miles	5.00	5.30	4.25
700 miles and over	5.70	5.00	4.00

Rules and Regulations Applicable to the Gulf of Mexico

(1) *Distances.* Distances shall be determined in accordance with United States Coast and Geodetic Survey Charts, from the bar of the port of loading to the bar of the port of discharge, to which may be added actual mileage from the bar to the dock at each port.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing service only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for a cargo in tow of less than 1,000 tons shall be the maximum charge for a cargo of 1,000 tons computed at the 1,000-ton rate. The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 1,000 tons but less than 2,000 tons shall be computed at the rate established in the above table for minimum cargoes of 1,000 tons, unless the charge thus computed exceeds the charge for a cargo of 2,000 tons computed at the 2,000-ton rate, in which event, the latter charge shall prevail.

The maximum charge for a voyage shall not in any case exceed the maximum charge for the transportation of the same cargo a greater distance.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Port charges.* Port charges on vessels are included in the rates set forth in the above table.

(5) *Insurance and crew's bonus payments.* Cargo insurance is not included in the rates set forth in the above table, but insurance and war risk insurance on vessels, war risk insurance on crews and bonus payments to crew members are included.

the case of movements having one terminus east of Canal Street, New Orleans, Louisiana, and the other west of Harvey Canal Lock.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum rates for furnishing towing services only shall not exceed 75% of the maximum rates herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for a cargo in tow of less than 500 tons for distances over 75 miles shall be either (i) the charge determined by agreement between the parties, or (ii) the maximum charge for a cargo of 500 tons computed at the 500-ton rate for the applicable distance. Charges determined under subdivision (i) of this subparagraph which exceed the maximum charges computed in accordance with the terms of subdivision (ii) shall be reported by the carrier within 10 days of the date of the agreement to the District Office of the Office of Price Administration, Canal Building, New Orleans, Louisiana.

The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 500 tons but less than 1,000 tons shall be computed at the rate established in the above table for minimum cargoes of 500 tons, unless the charge thus computed exceeds the charge for a cargo of 1,000 tons computed at the 1,000-ton rate, in which event the latter charge shall prevail.

The maximum charge for a voyage shall not in any case exceed the maximum charge for the transportation of the same cargo a greater distance.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Tolls and port charges.* Canal tollage, lock charges, and port charges are included in the rates set forth in the above table for tugs and barges but are not included in the rates for towing only.

(5) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges but is not included in the rates for towing only.

(6) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, a charge of three-quarters (¾) of one cent per barrel may be made for use of carrier's pumps. In addition, if the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for the transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates specified above include free time of three hours at loading point and three hours at unloading point plus one hour in each case for each barge in excess of three in the tow. Loading and discharge rates shall be determined by agreement between the parties, or, in the absence of such agreement, the loading rate shall be 2,500 barrels per running hour and the discharge rate shall be 1,500 barrels per running hour day and night, Saturdays, Sundays and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of three cents per hour per indicated or rated horsepower, as the case may be, with a minimum charge of $10.00 per tug per hour or fraction thereof and $2.50 per barge per hour or fraction thereof.

(9) *Additional charge for operating on the Gulf of Mexico.* When operating conditions on the Gulf Intracoastal Waterway between Panama City and Port St. Joe, Florida necessitate operation on the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a minimum cargo of 2,000 tons or less and 24¢ per ton when the maximum rate is based on a minimum cargo of 3,000 tons.

(10) *Split deliveries.* When a tow consists of more than one delivery, the total maximum charge for the services shall be the lower of the charges resulting from the following methods of computation: (1) the total of the charges for each delivery computed separately as if it were unaccompanied in the same tow by other deliveries; or, (2) the charge for the total tonnage of the tow at the rate appropriate for the distance to the farthest port of discharge, as if such total tonnage were transported to such farthest port of discharge.

(c) *Maximum rates for transportation on the Gulf of Mexico.* Maximum rates for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf of Mexico shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation, except that, for distances of 75 miles and over, maximum prices shall be as follows:

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow		
	1,000 tons	2,000 tons	3,000 tons
Under 150 miles	6.30	5.00	5.50
150 to, but not including, 300 miles	5.25	5.00	4.50
300 to, but not including, 700 miles	6.00	5.30	4.25
700 miles and over	5.70	5.00	4.00

Rules and Regulations Applicable to the Gulf of Mexico

(1) *Distances.* Distances shall be determined in accordance with United States Coast and Geodetic Survey Charts, from the bar of the port of loading to the bar of the port of discharge, to which may be added actual mileage from the bar to the dock at each port.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing service only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for a cargo in tow of less than 1,000 tons shall be the maximum charge for a cargo of 1,000 tons computed at the 1,000-ton rate. The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 1,000 tons but less than 2,000 tons shall be computed at the rate established in the above table for minimum cargoes of 1,000 tons, unless the charge thus computed exceeds the charge for a cargo of 2,000 tons computed at the 2,000-ton rate, in which event, the latter charge shall prevail.

The maximum charge for a voyage shall not in any case exceed the maximum charge for the transportation of the same cargo a greater distance.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Port charges.* Port charges on vessels are included in the rates set forth in the above table.

(5) *Insurance and crew's bonus payments.* Cargo insurance is not included in the rates set forth in the above table, but insurance and war risk insurance on vessels, war risk insurance on crews and bonus payments to crew members are included.

(6) *Pumping out by carrier.* Use of the carrier's pumps for discharging and the service of pumping out cargo are included in the rates set forth in the above table.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates set forth in the above table include free time of three hours at loading point and three hours at unloading point for minimum cargoes in tow of less than 2,000 tons and six hours at loading point and six hours at unloading point for minimum cargoes in tow of 2,000 tons and over. Loading and discharge rates shall be determined by agreement between the parties or, in the absence of such agreement, they shall be the maximum loading and discharge rates of the available pumping equipment. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of $35.00 per running hour or fraction thereof for tugs having minimum cargoes of 2,000 tons and over and $25.00 per running hour or fraction thereof for tugs having minimum cargoes in tow of less than 2,000 tons. The following demurrage rates for barges may be charged:

	Per running hour or fraction thereof
Under 3,000 tons capacity [1]	$7.50
3,000 to, but not including, 4,000 tons capacity	10.00
4,000 to, but not including, 5,000 tons capacity	12.50
5,000 tons capacity and over	15.00

[1] Capacity shall be the full cubical capacity of the barge as allowed in its certificate without regard to the density of the cargo.

(9) *Split deliveries.* When a tow consists of more than one delivery, the total maximum charge for the services shall be the lower of the charges resulting from the following methods of computation: (1) the total of the charges for each delivery computed separately as if it were unaccompanied in the same tow by other deliveries; or, (2) the charge for the total tonnage of the tow at the rate appropriate for the distance to the farthest port of discharge, as if such total tonnage were transported to such farthest port of discharge.

(d) *Maximum rates for transportation on the Atlantic Intracoastal Waterway.* Maximum rates for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and its tributaries, shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation, except that the maximum rates for distances of 25 miles or more shall be as follows:

[Rate in mills per net ton per mile]

Distance in miles	Minimum cargoes in tow			
	750 tons	1,000 tons	2,000 tons	3,000 tons
25 to, but not including, 150 miles	9.60	9.00	7.60	6.50
150 to, but not including, 300 miles	9.40	8.60	6.80	5.50
300 miles and over	9.20	8.30	6.30	5.25

Rules and Regulations Applicable to the Atlantic Intracoastal Waterway

(1) *Distances.* Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, and, to the extent that distances are not thus ascertainable, in accordance with actual mileage.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges by the carrier. Maximum prices for furnishing towing services only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges.

The rates set forth in the above table are based on the specified minimum cargoes in tow. The maximum charge for cargoes in tow of less than 750 tons shall be the charge for a cargo of 750 tons computed at the 750-ton rate. The maximum charge for a particular cargo shall not, in any case, exceed the maximum charge for a cargo of the next higher minimum tonnage computed at the rate applicable thereto. For example, the maximum charge for a cargo in tow of more than 750 tons but less than 1,000 tons shall be computed at the rate established in the above table for minimum cargoes of 750 tons, unless the charge thus computed exceeds the charge for a cargo of 1,000 tons computed at the 1,000-ton rate, in which event the latter charge shall prevail.

The maximum charge for a voyage shall not in any case exceed the maximum charge for the transportation of the same cargo a greater distance.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Tolls and port charges.* Canal tollage, lock charges and port charges are included in the rates set forth in the above table for tugs and barges but are not included in the rates for towing only.

(5) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges but is not included in the rates for towing only.

(6) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps, a charge of three-quarters (¾) of one cent per barrel may be made for use of carrier's pumps. In addition, if the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(7) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(8) *Demurrage.* The rates set forth above include free time of three hours at loading point and three hours at unloading point. Loading and discharge rates shall be determined by agreement between the parties, or, in the absence of such agreement, the loading rate shall be 1,250 barrels per running hour and the discharge rate shall be 750 barrels per running hour, day or night, Saturdays, Sundays and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at the rate of $10.00 per running hour or fraction thereof per tug, and $2.50 per running hour or fraction thereof per barge.

(9) *Split deliveries.* When a tow consists of more than one delivery, the total maximum charge for the services shall be the lower of the charges resulting from the following methods of computation: (1) the total of the charges for each delivery computed separately as if it were unaccompanied in the same tow by other deliveries; or, (2) the charge for the total tonnage of the tow at the rate appropriate for the distance to the farthest port of discharge, as if such total tonnage were transported to such farthest port of discharge.

(e) *Maximum rates on the Mississippi River.* Maximum rates for the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Mississippi River and its tributaries, shall continue to be determined under the provisions of § 1499.2 of the General Maximum Price Regulation, except that the maximum prices for distances of 150 miles or more shall be as set forth below: *Provided*, That the provisions of paragraph (b) of this section 7.6, governing transportation on the Gulf Intracoastal Waterway, shall apply to transportation which originates on the Gulf Intracoastal Waterway and terminates at a point on the Mississippi River south of, and including, North Baton Rouge, Louisiana, and also to movements on the Mississippi River wholly between points south of, and including, North Baton Rouge, Louisiana, and, with respect to movements originating on the

Gulf Intracoastal Waterway which are transferred or interchanged at a point on the Mississippi River south of, and including, North Baton Rouge for further transportation beyond North Baton Rouge, to that part of the transportation performed prior to such transfer or interchange.

[Rate in mills per net ton per mile]

Group A

150 to, but not including, 300 miles	4.00
300 miles and over	3.75

Group B

150 to, but not including, 300 miles	4.10
300 miles and over	3.90

Group C

150 to, but not including, 300 miles	3.75
300 miles and over	3.50

Rules and Regulations Applicable to the Mississippi River

(1) *Distances.* Distances shall be determined in accordance with the 1942 U. S. Coast Guard Light List, with no deductions for cut-offs.

(2) *Application of rates to cargoes in tow.* The rates set forth in the above table are for the furnishing of tugs and barges or towboats and barges by the carrier. Maximum prices for furnishing towing services only shall not exceed 75% of the maximum prices herein provided for furnishing tugs and barges or towboats and barges.

The rates set forth above are based on minimum cargoes of 500 tons per barge. The maximum charge for cargoes of less than 500 tons per barge shall be the charge for a cargo of 500 tons.

(3) *Wharfage and dockage.* Wharfage and dockage charges are not included in the rates set forth in the above table.

(4) *Insurance.* Cargo insurance is not included in the rates set forth in the above table. Insurance on barges is included in the rates for tugs and barges and towboats and barges but is not included in the rates for towing only.

(5) *Pumping out by carrier.* When cargo is discharged by use of carrier's pumps installed on barges, an additional charge of three-quarters (¾) of one cent per barrel may be made for use of carrier's pumps. If the carrier performs discharging service, at the request of the shipper, an additional charge therefor may be made, which shall not exceed the actual cost to the carrier of furnishing such service.

(6) *Cleaning of equipment.* Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the parties: *Provided*, That the amount which may be added to the maximum prices herein specified shall not exceed the actual cost of such cleaning. In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost incurred for the cleaning necessary to render such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. In addition, the carrier may charge for all time necessarily consumed for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage.

(7) *Demurrage.* The rates specified above include free time of three hours at loading point and three hours at unloading point plus one hour in each case for each barge in excess of three in the tow. Loading and discharge rates shall be determined by agreement between the parties or, in the absence of such agreement, the loading rate shall be 2,500 barrels per running hour and the discharge rate shall be 1,500 barrels per running hour, day or night, Saturdays, Sundays, and holidays not excepted. Demurrage for all time in addition to the free time and the loading and discharge time may be charged at rates for barges which shall not exceed three-tenths (3/10) of one mill per barrel of 42 gallons per hour, based on barge capacity, size of barge to be determined by Barge Calibration Table, and at rates for tugboats which shall not exceed three (3) cents per indicated or rated horsepower, as the case may be, per hour.

(8) *Split deliveries.* When a tow consists of more than one delivery, the total maximum charge for the services shall be the lower of the charges resulting from the following methods of computation: (1) the total of the charges for each delivery computed separately as if it were unaccompanied in the same tow by other deliveries; or, (2) the charge for the total tonnage of the tow at the rate appropriate for the distance to the farthest port of discharge, as if such total tonnage were transported to such farthest port of discharge.

(f) *Maximum rates for the charter of tank barges.* Maximum rates for the charter of tank barges for use in the transportation of petroleum and petroleum products between points on the Gulf Intracoastal Waterway, the Atlantic Intracoastal Waterway south of Norfolk, Virginia, and the Mississippi River, and their tributary waterways, shall be as follows:

Capacity of barge	Rate per barge per month
Under 750 barrels	$187.50.
750–1,499 barrels	25 cents per barrel.
1,500–2,999 barrels	22 cents per barrel.
3,000–5,999 barrels	$570, plus 11 cents per barrel over 3,000.
6,000 barrels and over	$900, plus 9 cents per barrel over 6,000.

Rules and Regulations Applicable to the Charter of Tank Barges

(1) Capacity shall be the full cubical capacity of the barge as allowed in its certificate without regard to the density of the cargo.

(2) The maximum charge for a particular barge shall not, in any case, exceed the maximum charge for a barge of the next greater capacity group computed at the rate applicable thereto. For example, the maximum charge for a barge of more than 750 barrels capacity but less than 1,500 barrels shall be computed at the rate established in the above table for barges of 750 to, but not including, 1,500 barrels, unless the charge thus computed exceeds the charge for a barge of 1,500 barrels capacity computed at the 1,500 barrel rate, in which event the latter charge shall prevail.

(3) The rates set forth in the above table may be increased by twenty percent (20%) for barges equipped with pumps.

(4) The rates set forth in the above table are for a period of one month extending from the date on which the charter commences to, but not including, the same date in the next calendar month, but, if there be no corresponding date in the next succeeding calendar month, it shall extend to and include the last day of that month. Fractions of a month shall be computed on the basis of one-thirtieth (1/30) of the monthly rate for each twenty-four hour period or fraction thereof.

(5) The rates set forth in the above table include hull insurance to be carried at the owner's expense for the benefit of the owner and the charterer as their interests may appear. The cost of P and I insurance shall be borne by the owner or the charterer as they may agree. All other insurance carried for the benefit of the charterer shall be at his expense.

(6) The rates set forth herein contemplate that the barge shall be returned to the owner in the same condition as when received, ordinary wear and tear excepted.

This amendment shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: Record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5350; Filed, April 15, 1944; 12:09 p. m.]

PART 1312—LUMBER & LUMBER PRODUCTS

[MPR 348, Amdt. 45]

LOGS AND BOLTS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 348 is amended in the following respects:

The sentences following the effective date provisions of Amendments 23, 26, 27, 30, 31 and 34 are amended to read as follows:

Regardless of any other provisions of this regulation, any buyer purchasing logs in the area covered by this amendment who had prices in effect on or after January 12, 1944, higher than those set forth in this amendment, may continue to purchase the same grades and species then being bought at those same prices for an additional period until May 15, 1944. These prices may have been established either by a contract, firm commitment, by a standing offer to buy at stated prices, or by purchases under Maximum Price Regulation 313. New contracts or commitments may be entered into at the same prices fixed by existing contracts, or commitments, or standing offers. The qualification in the preceding sentences will terminate prior to May 15, 1944, on any species or grades included in any amendments or regulations affecting this area hereafter issued which are effective prior to that date.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-5390; Filed, April 15, 1944; 4:42 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 302, 343, 402, 460, 536, 574, 682, 792, 1317, 1571, 1572, 1717, 2088, 2135, 2561, 2856, 3245, 3385, 3387, 3577.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 504]

CERTAIN COTTON RUG MATERIALS

Maximum Price Regulation No. 504[1] is redesignated Revised Maximum Price Regulation No. 504 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

§ 1347.805 *Maximum prices for certain cotton rug materials.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Revised Maximum Price Regulation No. 504, Certain Cotton Rug Materials, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.805 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 504—CERTAIN COTTON RUG MATERIALS

CONTENTS

1. Prohibition against dealing in certain cotton rug materials at prices above the maximum.
2. Less than maximum prices.
3. Geographical applicability.
4. The relation of this regulation to other regulations.
5. Federal and state taxes.
6. Export sales.
7. Imports.
8. Evasion.
9. Enforcement.
10. Licensing.
11. Records and reports.
12. Petitions for amendment.
13. Adjustable pricing.
14. Definitions.

Appendix A—Maximum prices for certain cotton rug materials.

SECTION 1. *Prohibition against dealing in certain cotton rug materials at prices above the maximum.* On and after April 15, 1944, regardless of any contract or other obligation:

(a) No person shall sell or deliver any cotton rug materials listed in Appendix A at higher prices than those set forth in such appendix.

(b) No person shall in the course of trade or business buy or receive cotton rug materials listed in Appendix A at prices higher than those set forth in such appendix.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states and to the District of Columbia.

SEC. 4. *The relation of this regulation to other regulations.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation[1] and of Maximum Price Regulation No. 344,[2] New Cotton, Linen and Underwear Cuttings, with respect to sales and deliveries for which maximum prices are established by this regulation. Since the term "certain cotton rug materials," as defined in section 14 (a) (2), does not include any material used for any purpose other than the making of cotton rugs, Maximum Price Regulation No. 344 continues to apply to sales of any of the materials listed in Appendix A of this regulation when sold for such other purposes.

SEC. 5. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of cotton rug materials listed in Appendix A imposed by any statute of the United States or statute or ordinance of any state or any subdivision thereof, shall be treated as follows in determining the seller's maximum price for such cotton rug materials and in preparing the records of such seller with respect thereto:

If, at the time the seller determines his maximum price the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

SEC. 6. *Export sales.* The maximum price at which a seller may export or sell for export the cotton rug materials listed in Appendix A shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation* issued by the Office of Price Administration.

SEC. 7. *Imports.* No person importing cotton rug materials listed in Appendix A shall pay a total price for such materials including United States custom duties, paid directly or indirectly by him, which exceeds the maximum price applicable to a domestic sale established under this regulation.

SEC. 8. *Evasion.* (a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to any of the cotton rug materials listed in Appendix A alone or in connection with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited if used as a means of evading the price limitations imposed by this regulation: modifying, discontinuing or altering any customary trade practice of the seller, or deteriorating the quality or changing the identity of any grade.

SEC. 9. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 452.

[1] 8 F.R. 3096, 3819, 4347, 4486, 4724, 4848, 4976, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

[2] 8 F.R. 8196, 6109.

[1] 8 F.R. 4132, 5987, 7662, 9998, 15198.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Records and reports.* (a) Every person making sales or purchases of 10 tons or more per month of the cotton rug materials listed in Appendix A shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each such sale or purchase, showing the following:

(1) Date of purchase or sale.
(2) Name and address of the buyer or seller.
(3) Grade of cotton rug materials purchased or sold.
(4) Quantity of each grade purchased or sold.
(5) Prices paid or received.
(6) Warranties, if any, given or received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale. Such records may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase, providing the invoice contains the information specified above.

(b) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 14. *Definitions:* (a) When used in this regulation the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Certain cotton rug materials" consist of the knitted cotton or mercerized material used in making cotton rugs.

(3) "Rugmaker" means a person who makes cotton rugs.

(4) "Foreign materials" includes all material which cannot be used in making cotton rugs.

(5) "Tare" means the covering on a carton or bale.

(6) "Collector" is a person who sells and delivers any of the cotton rug materials listed in Appendix A and who delivers such materials to a rugmaker at his customary receiving point.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

APPENDIX A—MAXIMUM PRICES FOR CERTAIN COTTON RUG MATERIALS

(a) The maximum prices set forth below are established for the listed grades of cotton rug materials. These maximum prices are per pound, delivered to buyer's usual receiving point, except that delivery shall be to Asheville, North Carolina, in all cases where buyer's place of business is located in the Asheville area. Sales may be made upon an f. o. b. basis, in which case, however, there must be deducted from the maximum price as listed below an amount at least equal to the transportation cost seller would have incurred if the sale had been upon a delivered basis, which amount shall not be less than the lowest established transportation rate.

All grades as defined herein must consist of clean, dry material free of thread waste and other foreign materials, unless otherwise specified. Mixtures of grades may be sold, providing the price for the mixture does not exceed the maximum price established by this regulation for the lowest-priced grade contained in the assortment. Tare weight in excess of 3 percent must be deducted from the weight of the bale in computing the maximum price for the bale.

	Maximum prices, cents per pound
White tubing and white ribbed leg pieces consists of full length leg pieces of children's hosiery, from which the feet of the stockings have been removed. The pieces must be of lightweight cotton material at least 10 inches long	13.00
White sock tops consists of the defective tops of white knitted socks or stockings. The tops must be of soft, lightweight cotton or mercerized material and at least 5 inches in length. The packing must be free of leg waste, threads and other foreign material	9.00
White sock tops with leg waste consists of the defective tops and leg waste of white knitted socks or stockings. The tops must be of soft, lightweight cotton or mercerized material	5.00
Lightweight colored tops and/or spring covers, repacked consists of lightweight colored sock tops and tubular knitted containers of lightweight material, free of thread waste and other foreign material. Sock tops and/or spring covers must be at least 8 inches long	7.00
Heavyweight sock tops and/or spring covers, containing thread waste consists of heavyweight white or colored sock tops and tubular knitted containers which may contain thread waste	3.00
Anklet and leg waste consists of waste pieces of socks or stockings. Heavyweight short pieces and thread waste may be included in the packing	3.00
Looper clips consists of circular pieces of cotton or mercerized material which has been clipped from the toe of a sock, free of rubber	5.50

(b) *Maximum prices to collectors.* Upon sales to collectors, an amount not in excess of 3¢ per pound may be added to the maximum prices set forth in paragraph (a) above: *Provided, however,* That no such addition may be made upon sales of looper clips.

(c) *Maximum prices to rugmakers.* Any collector making sales to a rugmaker may add an amount not in excess of 3¢ per pound to the maximum price established by paragraphs (a) and (b) above. Any other person making sales to a rugmaker may add an amount not in excess of 3¢ per pound to the maximum price set forth in paragraph (a) above. In the case of looper clips, however, the addition upon sales to rugmakers shall in no event exceed the maximum prices set forth in paragraph (a) by more than 2¢ per pound.

All maximum prices to the rugmaker are per pound delivered to the rugmaker's customary receiving point.

(d) *Special packing, packaging or services.* There may not be added to any maximum price established herein any additional amount or differential for any special packing, packaging or services.

This Revised Maximum Price Regulation No. 504 shall become effective April 15, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-5389; Filed, April 15, 1944; 4:43 p. m.]

[1] 8 F.R. 13240.
[2] 7 F.R. 8061; 8 F.R. 3913, 3983, 6173, 11806.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 131]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.6 (i) is added to read as follows:

(i) *Reduction of allotment and adjustment of excess inventory based on shortening or cooking and salad oils.* (1) The allotment for the second allotment period of 1944 of any industrial user who used shortening or cooking and salad oils during the second quarter of his base period, shall be reduced by five-sixths of the amount which represents that use. The amount of the reduction shall be treated as excess inventory. He may not, after April 15, 1944, use foods covered by this order which have a point value, if, before that date, he used such foods up to the amount of that reduced allotment plus any unused parts of his prior allotments or if such use of foods covered by this order would cause his total use, in points, during the second allotment period to exceed that reduced allotment plus any unused parts of his prior allotments.

(2) An industrial user who acquired shortening or cooking and salad oils for points after March 15, 1944, from points issued to him for the second allotment period, may apply for an adjustment of his excess inventory. (An industrial user who, on March 15, 1944, had points on hand or in his ration bank account is considered to have acquired shortening or cooking and salad oils from points issued to him for his second allotment period only to the extent that the point value of shortening or cooking and salad oils he acquired after March 15, 1944, exceeds the points he had on hand and in his ration bank account on that date.) Application shall be made on OPA Form R-315 to the board with which he is registered and must state, with respect to each such acquisition:

(i) The point value of shortening and cooking and salad oils acquired for points after March 15, 1944, from points issued to him for the second allotment period;

(ii) The types and quantities of shortening and cooking and salad oils acquired with these points;

(iii) The dates on which such foods were acquired; and

(iv) The names and addresses of the persons from whom such feeds were acquired.

(3) If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the number of such points which he used between March 16 and April 15, 1944, inclusive, to acquire shortening or cooking and salad oils.

2. Section 11.19 is added to read as follows:

SEC. 11.19 *Restriction on industrial and institutional users' inventory of rationed fats or oils having a zero point value.* (a) On or after April 16, 1944, an industrial or institutional user may not acquire rationed fats or oils having a zero point value at the time he acquires them if he already has in his inventory a 30-day supply (at his current rate of use) of such rationed fats or oils. An industrial or institutional user also may not acquire such rationed fats or oils if such acquisition would bring his inventory of these foods above a 30-day supply. However, if he has less than a 30-day supply on hand, he may acquire an amount of such foods equal to the smallest amount he customarily acquires in a single transaction. In no event, however, may any industrial or institutional user acquire such rationed fats or oils in an amount which would bring his inventory of them above a 45-day supply, at his current rate of use. Notwithstanding any provision in this paragraph, an industrial or institutional user may accept delivery of any rationed fats or oils which were in transit to him on April 15, 1944.

This amendment shall become effective 12:01 a. m., April 16, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of April 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-5392; Filed, April 15, 1944; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 25 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Tables of Consumer and Trade Point Values (No. 13), referred to in § 1407.3027 (a) are amended in the following respects:

1. The point value of "Shortening" is reduced to zero.

2. The point value of "Salad and cooking oils" is reduced to zero.

This amendment shall become effective at 12:01 a. m., April 16, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of April 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-5393; Filed, April 15, 1944; 4:43 p. m.]

PART 1420—BREWERY, DISTILLERY, AND WINERY PRODUCTS

[MPR 259, as Amended,[1] Amdt. 5]

DOMESTIC MALT BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 259, as amended, is amended in the following respects:

1. The headnote of § 1420.53 is amended to read as follows:

§ 1420.53 *Applicability of the General Maximum Price Regulation and other regulations or orders.*

2. Paragraph (a) of § 1420.53 is amended to read as follows:

(a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of domestic malt beverages for which maximum prices are established by this regulation. However, this regulation shall not apply to sales of domestic malt beverages at retail in any area in which maximum prices for such sales have been or are hereafter fixed by the Regional Administrator or District Director of the Office of Price Administration in that area by special order issued under General Order No. 50,[2] or by any restaurant maximum price regulation.

3. Paragraphs (a) and (b) of § 1420.63 are amended by adding at the end of the second paragraph of the notice a sentence to read as follows:

If, however, maximum prices for domestic malt beverages sold at retail have been fixed by the Regional Administrator or District Director of the Office of Price Administration for your district by special order issued under General Order No. 50 or by any restaurant maximum price regulation, you are not permitted to recalculate your prices for those sales but must continue to sell at prices no higher than those stated in the special order, or any restaurant maximum price regulation.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1726, 1816, 1909, 2235, 2240, 2406, 2568.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830, 2948.

[1] 7 F.R. 8950, 9495; 8 F.R. 10902, 16835; 9 F.R. 3392, 3946.
[2] 8 F.R. 4808.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-5391; Filed, April 15, 1944; 4:42 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 2, Corr.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM ADDENDUM TO TIME CHARTER COVERING ADJUSTMENTS OF CERTAIN DISPUTED QUESTIONS

Paragraph Third in Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions as prescribed by § 302.87, published in the FEDERAL REGISTER for Friday, March 31, 1944 at page 3464 is corrected by striking out the words "accrue or" wherever such words appear in said paragraph, so that said paragraph will read:

THIRD: Any other provisions of this Charter or any amendments thereto to the contrary notwithstanding, no hire or other moneys which the Charterer or the Owner is obligated to pay to the other under this Charter or any amendment thereto, shall become due and payable before the execution of this Charter which occurred on _____ 1942, and no hire or other moneys which the Charterer or the Owner is obligated to pay to the other under this Addendum shall become due and payable before the date of this Addendum.

[SEAL] A. J. WILLIAMS,
Secretary.

APRIL 17, 1944.

[F. R. Doc. 44-5400; Filed, April 17, 1944; 10:56 a. m.]

[G. O. 41]

PART 304—LABOR

EMPLOYMENT CARDS FOR ISSUANCE TO SEAMEN EMPLOYED OR TO BE EMPLOYED ON PANAMANIAN FLAG VESSELS OWNED BY OR UNDER CHARTER TO WAR SHIPPING ADMINISTRATION

Whereas a substantial number of vessels registered under the laws of Panama are owned by or under bareboat or time charter to the War Shipping Administration and manned by officers and seamen of various nationalities.

The successful operation and complete utilization of such vessels are vital to the interests of the United States and the United Nations in the successful prosecution of the war.

An investigation has demonstrated that the conduct and efficiency of some of the personnel aboard such vessels during voyages has been of such a nature that the contribution of such vessels to the successful prosecution of the war had been diminished; that such performance and conduct are definitely prejudicial to the interests of the United States and the United Nations in the prosecution of the war; that such conditions will be reduced to a minimum and better performance and proper discipline and morale among personnel will be brought about by the establishment and administration, with the cooperation of the United States Coast Guard, acting as agent of the War Shipping Administration, of a system of more complete control over the employment of personnel aboard such vessels.

Now, therefore, it is ordered: That:

Sec.
304.61 Employment card.
304.62 United States Coast Guard to issue.
304.63 Application for card.
304.64 Master to retain card during voyage.
304.65 Duty of Master upon offenses of seaman.
304.66 Duties and authority of United States Coast Guard with respect to complaints against card holders; hearings.
304.67 Decisions of United States Coast Guard; exoneration, revocation of card, restrictive endorsement.
304.68 Revocations and suspensions barring issuance of card.
304.69 Unlawful use of card; penalty.
304.70 Waiver of requirements of General Order 41.
304.71 Delegation of authority to the Commandant, United States Coast Guard.
304.72 Other disciplinary measures not affected.

AUTHORITY: §§ 304.61 to 304.72, inclusive, issued under E.O. 9054, 7 F.R. 837.

§ 304.61 *Employment card.* Effective as to all voyages commencing in a port in continental United States, inclusive of Alaska, on or after 12:01 a. m. of May 21, 1944, no seaman, master or officer shall be permitted to sign articles or be employed for a foreign voyage aboard a vessel registered under the laws of Panama, owned by or under bareboat or time charter to the War Shipping Administration, unless he holds in his possession an employment card[1] issued by the United States Coast Guard. Such card shall be in the form prescribed by the War Shipping Administration and shall bear a serial number and the official seal of the United States Coast Guard and show the name and address of the seaman, his nationality, weight, height, color of hair and eyes, photograph and his thumb print, and shall contain the following statements:

1. The holder of this card may be employed on board vessels of Panamanian registry owned by or under bareboat or time charter to the War Shipping Administration.

2. This card is issued subject to all the agreements and representations of the holder's application, and may be revoked or suspended for any violation thereof.

3. Upon signing articles, this card must be deposited with the Master who shall return it upon completion of the voyage unless complaint of any violation of the agreements or representations of the holder's application has been made, or the holder has been requested to appear before the United States Coast Guard. In such case, the Master shall deliver this card to the United States Coast Guard.

4. Each use of this card constitutes a representation to the United States that the same was duly issued to the user, and is valid, subsisting, unrevoked, unsuspended and unrestricted for the purpose for which used. Violation of that representation will constitute a violation of section 35 (A) of the Criminal Code (18 U.S.C. 80) punishable by fine and imprisonment. Possession or use of this employment card, in any way not authorized by the War Shipping Administration's General Order 41, and sale, transfer or imitation thereof, are prohibited and constitute an offense punishable by fine and imprisonment under Title 18 U.S.C. secs. 76a and 76b.

Failure to Appear and Testify at a Hearing When Requested in Writing by the United States Coast Guard May Result in Suspension or Revocation of This Card Without Further Notice.

§ 304.62 *United States Coast Guard to issue.* Except as otherwise herein provided, the United States Coast Guard shall issue an employment card to any seaman, master or officer, who makes application in writing on the form prescribed by the War Shipping Administration and who furnishes satisfactory proof of past employment on board Panamanian flag vessels owned by or under charter to the War Shipping Administration, or shall issue such card to any seaman, master or officer, whether or not previously so employed, upon request in writing by the Recruitment and Manning Organization of the War Shipping Administration and upon completion of the required application.

§ 304.63 *Application for card.* The application for an employment card[1] shall contain representations and agreements by the applicant as follows:

(a) That all representations made by him in the application are true.

(b) That he is competent for employment as a seaman, master, or officer, in the ratings or capacities set forth in the statement of his qualifications.

(c) That during his employment he will faithfully and diligently perform all the duties customarily required of a seaman, master or officer, similarly employed on a vessel of United States registry.

(d) That during such employment he will conduct himself in the same manner as required of a seaman, master or officer, similarly serving on vessels of United States registry by all the laws, rules, and regulations of the United States.

(e) That during such employment he will commit no act of misconduct detrimental to the interests of the United States or the United Nations in the prosecution of the war.

(f) That he will attend on written request all investigations or hearings conducted by the United States Coast Guard concerning his or any other employment card.

(g) That no license or certificate issued to the applicant under the laws of the United States or any employment card issued by the United States Coast Guard is presently revoked or suspended without probation; that subsequent revocation or suspension of any license or certificate issued under the laws of the United States shall be grounds for similar action against his employment card.

(h) That the United States Coast Guard shall hear and determine all complaints of violation of the agreements and representations hereof and all questions relating to the revocation, suspension or restriction of the employment card applied for, and every such determination made by it shall be binding and conclusive.

(i) That for any violation of the agreements and representations set forth in the application, his card may be revoked or suspended or restricted as to rating.

(j) That the applicant's privilege to retain and use the employment card is in all respects subject to War Shipping Administration's General Order 41.

(k) That each use of the employment card by the applicant shall constitute a representation to the United States that the same was duly issued to the user and is valid, subsisting, unrevoked, unsuspended and unrestricted for the purpose for which used.

§ 304.64 *Master to retain card during voyage.* Upon signing Articles each seaman and officer shall surrender the employment card to the Master, and such card shall be retained by the Master with the Articles and other ship's papers until the end of the voyage, except as provided in this section and in § 304.65. At the end of the voyage the Master shall return the employment card to each seaman and officer and shall furnish each seaman and officer a certificate of discharge in the form prescribed by Operations Regulation No. 90, or by any other form customarily in use on the vessel. The Master shall deliver the employment card to any seaman or officer who, during the course of the voyage, is paid off by mutual consent, or who becomes physically incapacitated during the voyage, or who is left ashore during the voyage for any reason other than one specified in § 304.65.

§ 304.65 *Duty of Master upon offenses of seamen.* If the Master finds that a seaman or officer during the voyage has been incompetent, negligent, inattentive to duty, or guilty of misconduct, or that his acts or omissions have been prejudicial to the interests of the United States or the United Nations in the successful prosecution of the war, or that he has otherwise violated the agreements and representations evidenced by his application, the Master shall insert in the official log a complete statement thereof, furnish a copy of such statement to the offender, and enter in the log such reply as he may make. The Master shall deliver the offender's card to the United States Coast Guard officer in the port in which the offense was committed or in the first port where a Coast Guard officer is stationed in which the vessel shall arrive after the commission of the offense. In addition to the offender's card, the Master shall likewise deliver a certified copy of the official log entry and the employment cards of all witnesses, including those of the witnesses requested by the offender. At the conclusion of the voyage, the cards of all offenders and witnesses in cases which have not been concluded at some interim port, together with certified copies of the official log entries, shall be delivered by the Master to the United States Coast Guard.

§ 304.66 *Duties and authority of United States Coast Guard with respect to complaints against card holders; hearings.* The United States Coast Guard shall investigate all complaints against the holders of employment cards, whether made as required by § 304.65 or otherwise reported, in accordance with such rules and regulations as it may deem necessary and appropriate to carry out its functions hereunder. If it is found that no reasonable grounds for complaint exist, the United States Coast Guard shall return all employment cards theretofore delivered by the Master in connection with the complaint. Whenever it is determined that there are reasonable grounds to believe that the offense complained of has been committed by the holder of an employment card, a proceeding to suspend or revoke the right to use such card shall be instituted by the United States Coast Guard. The procedure in such cases, including procedures for appeal, shall conform as near as may be to the procedures established under R.S. 4450 (46 U.S.C. 239) for the revocation and suspension of licenses and certificates. Written charges and specifications shall be prepared and served upon the alleged offender with a written request for appearance specifying the time and place of a hearing to be held on such charges. All witnesses, including witnesses desired by the alleged offender, shall be served with a notice in writing, whether or not their employment cards may have been delivered to the Coast Guard by the Master, requesting them to appear at the hearing, which notice shall also provide that if a witness fails to appear and testify under oath his employment card may be suspended or revoked.

§ 304.67 *Decisions of United States Coast Guard: exoneration, revocation of card, restrictive endorsement.* At the conclusion of the hearing, the United States Coast Guard shall make an appropriate decision, based upon the evidence produced at the hearing. If the alleged offender is exonerated, his employment card shall be returned to him. If the charges are sustained, and the United States Coast Guard determines that his right to use his employment card should be suspended, the same shall be retained by the United States Coast Guard during the period of suspension, and shall be returned to the holder at the expiration of such period of suspension. If the United States Coast Guard determines that his right to use the employment card should be revoked, the same shall be canceled. If incompetency or other violation is found, not requiring suspension or revocation, a restrictive endorsement may be placed on the employment card specifying the highest rating or capacity in which the seaman or officer may thereafter serve. In such cases, the holder shall not thereafter be eligible for employment in any higher rating than the one so specified unless upon further hearing, granted upon request at any time after expiration of six months from the date of the restrictive endorsement, the endorsement shall be modified or removed.

§ 304.68 *Revocations and suspensions barring issuance of card.* The United States Coast Guard shall not issue an employment card to any applicant whose license or certificate issued by the Bureau of Marine Inspection and Navigation or the United States Coast Guard has been revoked on or after May 21, 1944, or during any period when the use thereof has been suspended by the United States Coast Guard, or to any applicant who has theretofore received an employment card which has been revoked by the United States Coast Guard or while the right to the use of such employment card has been suspended.

§ 304.69 *Unlawful use of card; penalty.* Each use of the employment card constitutes a representation by the user to the United States that the same was duly issued to the user and is valid, subsisting, unrevoked, unsuspended and unrestricted, for the purpose for which used. Violation of that representation will constitute a violation of section 35 (A) of the Criminal Code (18 U.S.C. 80) punishable by fine and imprisonment. Possession or use of the employment card except in accordance with the terms of this Order, and sale, transfer or imitation thereof, are prohibited and constitute an offense punishable by fine and imprisonment under Title 18 U.S.C. secs. 76a and 76b.

§ 304.70 *Waiver of requirements of General Order 41.* In emergency cases when it may not be possible to obtain from the United States Coast Guard the employment card provided for herein, the several District Marine Superintendents of the Division of Operations of the War Shipping Administration are authorized to waive the requirements of this general order.

§ 304.71 *Delegation of authority to the Commandant, United States Coast Guard.* For the purpose of carrying out the functions delegated to the United States Coast Guard by this order, the Commandant thereof and such other officers of the Coast Guard as he may designate are authorized to exercise on behalf of the Administrator, War Shipping Administration, all powers vested in the Administrator as may be necessary for such purpose, including the power to issue subpoenas and subpoenas duces tecum pursuant to Title 46 U.S.C. 1124.

§ 304.72 *Other disciplinary measures not affected.* Nothing contained in this order shall limit or affect the jurisdiction of the representatives of the Government of Panama, or of the Master of any vessel during the course of any voyage, with respect to discipline aboard any vessel, or the obligation of the Master to enforce such penalties as the laws of Panama may permit or require.

[SEAL] E. S. LAND,
Administrator.

APRIL 14, 1944.

Upon request of the Administrator, War Shipping Administration, the delegation of functions and powers to the United States Coast Guard, and the Commandant thereof, as set forth in the foregoing General Order 41, is accepted.

Dated: April 15, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-5390; Filed, April 17, 1944; 10:56 a. m.]

[1] Filed as part of the original document.

[G. O. 42]

PART 306—GENERAL AGENTS AND AGENTS

MANDATORY CLAUSES IN AGENTS' CONTRACTS

The provisions of this general order are promulgated in order:

(a) To promote uniformity in the execution and form of all contracts made by agents of the War Shipping Administration for the account of the United States; and

(b) To insure compliance with all provisions of law applicable to such contracts.

Sec.

306.111 Contracts to be made in name of War Shipping Administration.
306.112 Clauses to be included in contracts in name of War Shipping Administration.
306.113 Short form compliance.
306.114 Definitions.
306.115 Date effective.

AUTHORITY: §§ 306.111 to 306.115, inclusive, issued under E.O. 9054 as amended by E.O. 9244, 7 F.R. 867, 7327.

§ 306.111 *Contracts to be made in name of War Shipping Administration.* (a) Except when the Administrator shall hereafter otherwise and in writing expressly direct, all contracts for facilities, equipment, services or supplies that are for the account of the United States (whether in the form of purchase orders, letters of intent, confirmation, or otherwise) entered into pursuant to the several service agreements by Agents, General Agents and Berth Agents must be executed in the name of the United States of America, War Shipping Administration. Any authorizations to the contrary hitherto granted by the Administrator are hereby withdrawn.

(b) Letterheads, recitals, and forms of signature shall be employed appropriate to indicate that contracts executed for the account of the United States are government contracts made through agents of the War Shipping Administration. The following form of signature should be used:

United States of America,
War Shipping Administration,
By: .....
Agent

Contractors should be instructed to render bills for all types and kinds of goods and services as follows:

United States of America,
War Shipping Administration,
% .....
Agent

Under no circumstances, however, shall this form of signature or identification of any other indicating an agency relation with the War Shipping Administration be employed by Agents, General Agents or Berth Agents when acting for their own account as owners of or in connection with

expressly ordered that they shall be included in all contracts (whether for food, supplies, fuel, ship ceiling, wharfage and dockage, towage, stevedoring, repairs or otherwise, and whether in the form of purchase orders, letters of intent or confirmation, or otherwise) into which Agents, Berth Agents and General Agents are authorized by the service agreements to enter for the account of the United States and which are to be performed any where in the United States, its territories, or possessions. Commercial clauses not in conflict with these or other regulations of the Administrator may also be used where usual and desirable.

(a) *Warranty against contingent fees:*

The contractor warrants that he has not employed any person to solicit or secure this contract upon any agreement for commission, percentage, brokerage or contingent fees. Breach of this warranty shall give the Administrator the right to annul the contract, or in his discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

(b) *Labor provisions—(1) Copeland Act (Kickback Act).*

The contractor shall comply with the regulations of the Secretary of Labor pursuant to the Act of June 13, 1934 (48 Stat. 948, 40 U.S.C. sec. 276 b, c), and any amendments and modifications thereof, and shall cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all the subcontractors subject thereto, and shall be responsible for the submission of affidavits required of the subcontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitations, variations, tolerances, and exemptions from the requirements thereof.

(2) *Eight Hour Law.* The following clause is applicable only to contracts involving employment of laborers and mechanics:

No laborer or mechanic doing any part of the work contemplated by this contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work at the site thereof except upon the condition that compensation is paid to such laborer or mechanic in accordance with the provisions of this paragraph. The wages of every laborer or mechanic employed by the contractor or any subcontractor engaged in the performance of this contract shall be computed on a basis of not less than one day and work in excess of eight hours per day is permitted only upon the condition that every such laborer shall be compensated for all hours worked in excess of eight hours per day at not less than one

(3) *Walsh-Healey Act.* The following clause is applicable only to contracts involving $10,000 or more for materials, supplies, articles and equipment:

The representations and stipulations required by sec. 1 of the Act of June 30, 1936 (Walsh-Healey Act, Public No. 846, 74th Cong.) to be included in all contracts therein specified are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract. Such representations and stipulations shall be subject to all applicable regulations, determinations and exemptions of the Secretary of Labor now or hereafter in effect.

(4) *Convict labor.*

No convict labor will be employed in the performance of the work under this contract.

(5) *Nondiscrimination.*

The contractor, in performing work under this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor shall include a similar provision prohibiting such discrimination in all subcontracts.

(c) *Member or delegate.*

No member of or Delegate to Congress and no Resident Commissioner is or shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom except to the extent allowed by 18 U.S.C. sec. 206.

(d) *Assignment of claims.*

No sale, transfer or assignment of this contract or any interest therein or of moneys due or to become due thereunder shall be made directly, or indirectly, or through any reorganization, merger or consolidation without the prior obtained written consent of the Administrator and in accordance with the Assignment of Claims Act, 1940.

(e) *Tax exemption.*

The contractor or vendor warrants and certifies that the amount of the invoice or purchase price charged to the Agent does not include any state or local sales, use or other similar taxes from which the United States is exempt or from which the contractor or vendor is exempt because the sale is to the United States. If any such taxes have been so included or charged and are paid by the Agent, the contractor shall on demand refund the amount thereof to the Agent or to the Administrator.

(f) *Audit and accounts.*

The contractor shall keep complete and accurate records and books of account showing details of all income and expenses incident to or derived from the performance of this contract. The method of accounting employed by the contractor shall be subject to the approval of the Administrator but no material change will be made therein if the same conforms to good accounting practice and is sufficient for the purposes of this contract.

The Administrator and his employees shall at all times have free and unrestricted access to the premises of the contractor [illegible] inspect, examine, audit and make [illegible]

vouchers, memoranda, and reports of every description in this paragraph referred to for at least three years from the date upon which final payment for any operation under this contract is made.

(g) *Compliance with applicable laws and regulations.*

In performing this contract the contractor shall abide by and comply with all applicable statutes, ordinances, laws, and regulations of the United States (including Executive orders of the President), any state, or any public authority, now or hereafter in force, including but not limited to price ceilings set by the Office of Price Administration, and statutes and executive orders relating to wages and hours of labor.

(h) *Renegotiations.*

This contract shall be deemed to contain all the provisions required by subsection (b) of the Renegotiation Act, as amended by the Revenue Act of 1943. In compliance with the said subsection (b) of the Renegotiation Act, the contractor shall insert in all subcontracts specified in the said subsection (b) the provision of this paragraph.

(i) *Repricing.*

This contract and any subcontracts hereunder are subject to Title VIII of the Revenue Act of 1943, P. L. 235, 78th Congress, enacted February 25, 1944 (Repricing of War Contracts).

§ 306.113 *Short form compliance.* Contracts shall be deemed sufficiently to comply with the requirements of § 306.112 if the following language, incorporating by reference all applicable provisions thereof, shall be conspicuously stamped or printed thereon:

The contractor agrees that this contract is subject to and includes all applicable clauses set out in § 306.112 of General Order 42, issued by the War Shipping Administration on ....., 1944. All such clauses, to the extent that the same are applicable, are expressly incorporated by this reference, and shall have the same force and effect as if herein fully set forth.

§ 306.114 *Definitions.* As used in this order:

(a) A General Agent is a person, firm or corporation designated as "General Agent" under a form of GAA agreement approved by the Administrator, War Shipping Administration.

(b) An Agent is a person, firm or corporation designated as "Agent" under a form of TCA agreement approved by the Administrator, War Shipping Administration.

(c) A Berth Agent is a person, firm or corporation designated as "Berth Agent" under a form of BA agreement approved by the Administrator, War Shipping Administration.

(d) Unless otherwise indicated, agent means General Agent, Berth Agent and Agent as herein respectively defined.

(e) A contract is any agreement, [illegible] in the form of purchase order, letter of [illegible] or confirmation, formal [illegible] or otherwise.

[illegible] Date effective. This Order

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 816]

ALLOCATION OF FUNDS FOR LOANS

APRIL 3, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
New York 4-301981 Otsego	$20,000
Virginia 4-304381 Hot Springs	25,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5434; Filed, April 17, 1944; 11:17 a. m.]

[A. O. 817]

ALLOCATION OF FUNDS FOR LOANS

APRIL 3, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Colorado 4-3015D1 Morgan	$150,000.00
Georgia 4-3051C3 Newton	20,000.00
Illinois 4-3018E2 Pike	70,000.00
Indiana 4-3044A3 Allen	35,000.00
Iowa 4-2079A5 Clarke*	90,000.00
Nebraska 4-3054C2 Cuming District Public	85,000.00
New Mexico 4-3009C2 Curry	10,000.00
North Carolina 4-3055A3 Craven	20,000.00
Texas 4-3107C1 Martin	49,631.00
Texas 4-7107C2 Martin	369.00
Texas 4-3114A3 Tom Green	29,023.68
Texas 4-R3114A3 Tom Green	976.32
Vermont 4-3007F1 Orleans	85,000.00
Vermont 4-3008B4 Washington	50,000.00
Virginia 4-3030B3 Bath	24,131.14
Virginia 4-1030B4 Bath	868.86
Wisconsin 4-3040F2 Dunn	40,000.00
Wisconsin 4-3031E2 St. Croix	65,000.00
Wisconsin 4-3052C2 Crawford	80,000.00

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5435; Filed, April 17, 1944; 11:17 a. m.]

[A. O. 818]

ALLOCATION OF FUNDS FOR LOANS

APRIL 3, 1944.

I hereby amend [illegible] Order No. 817, dated April 3, 1944, by changing the project designation therein given as "Virginia 4-1030B4 Bath" to read "Virginia 4-1030D4 Bath".

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5436; Filed, April 17, 1944; 11:17 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the fair labor standards act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4263).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3828).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3983), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2440), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4262).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 30, 1941 (6 F.R. 3722).

The employment of learners under [illegible] Certificate is limited to the terms and conditions therein contained and to the provisions of the applicable [illegible]

[G. O. 42]

PART 306—GENERAL AGENTS AND AGENTS

MANDATORY CLAUSES IN AGENTS' CONTRACTS

The provisions of this general order are promulgated in order:

(a) To promote uniformity in the execution and form of all contracts made by agents of the War Shipping Administration for the account of the United States; and

(b) To insure compliance with all provisions of law applicable to such contracts.

Sec.

306.111 Contracts to be made in name of War Shipping Administration.
306.112 Clauses to be included in contracts in name of War Shipping Administration.
306.113 Short form compliance.
306.114 Definitions.
306.115 Date effective.

AUTHORITY: §§ 306.111 to 306.115, inclusive, issued under E.O. 9054 as amended by E.O. 9244, 7 F.R. 837, 7327.

§ 306.111 *Contracts to be made in name of War Shipping Administration.* (a) Except when the Administrator shall hereafter otherwise and in writing expressly direct, all contracts for facilities, equipment, services or supplies that are for the account of the United States (whether in the form of purchase orders, letters of intent, confirmation, or otherwise) entered into pursuant to the several service agreements by Agents, General Agents and Berth Agents must be executed in the name of the United States of America, War Shipping Administration. Any authorizations to the contrary hitherto granted by the Administrator are hereby withdrawn.

(b) Letterheads, recitals, and forms of signature shall be employed appropriate to indicate that contracts executed for the account of the United States are government contracts made through agents of the War Shipping Administration. The following form of signature should be used:

United States of America,
War Shipping Administration,
By: ----------,
Agent

Contractors should be instructed to render bills for all types and kinds of goods and services as follows:

United States of America,
War Shipping Administration,
% ----------,
Agent

Under no circumstances, however, shall this form of signature or identification or any other indicating an agency relation with the War Shipping Administration be employed by Agents, General Agents or Berth Agents when acting for their own account as owners or in connection with their private business.

(c) Invoices for freight shall be signed as "Agent", and payment by check shall be accepted payable to the agent's special account.

§ 306.112 *Clauses to be included in contracts in name of War Shipping Administration.* Except as otherwise herein provided, the following clauses are required to be included and it is hereby expressly ordered that they shall be included in all contracts (whether for food, supplies, fuel, ship ceiling, wharfage and dockage, towage, stevedoring, repairs or otherwise, and whether in the form of purchase orders, letters of intent or confirmation, or otherwise) into which Agents, Berth Agents and General Agents are authorized by the service agreements to enter for the account of the United States and which are to be performed any where in the United States, its territories, or possessions. Commercial clauses not in conflict with these or other regulations of the Administrator may also be used where usual and desirable.

(a) *Warranty against contingent fees:*

The contractor warrants that he has not employed any person to solicit or secure this contract upon any agreement for commission, percentage, brokerage or contingent fees. Breach of this warranty shall give the Administrator the right to annul the contract, or in his discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

(b) *Labor provisions*—(1) *Copeland Act (Kickback Act).*

The contractor shall comply with the regulations of the Secretary of Labor pursuant to the Act of June 13, 1934 (48 Stat. 948, 40 U.S.C. sec. 276 b, c), and any amendments and modifications thereof, and shall cause appropriate provisions to be inserted in subcontracts to insure compliance therewith by all the subcontractors subject thereto, and shall be responsible for the submission of affidavits required of the subcontractors thereunder, except as the Secretary of Labor may specifically provide for reasonable limitations, variations, tolerances, and exemptions from the requirements thereof.

(2) *Eight Hour Law.* The following clause is applicable only to contracts involving employment of laborers and mechanics:

No laborer or mechanic doing any part of the work contemplated by this contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work at the site thereof except upon the condition that compensation is paid to such laborer or mechanic in accordance with the provisions of this paragraph. The wages of every laborer or mechanic employed by the contractor or any subcontractor engaged in the performance of this contract shall be computed on a basic day rate of eight hours per day, and work in excess of eight hours per day is permitted only upon the condition that every such laborer and mechanic shall be compensated for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. For each violation of the requirements of this paragraph, a penalty of five dollars shall be imposed upon the contractor for each laborer or mechanic for every calendar day in which such employee is required or permitted to labor more than eight hours upon said work without receiving compensation computed in accordance with this paragraph, and all penalties thus imposed shall be withheld for the use and benefit of the Government.

(3) *Walsh-Healey Act.* The following clause is applicable only to contracts involving $10,000 or more for materials, supplies, articles and equipment:

The representations and stipulations required by sec. 1 of the Act of June 30, 1936 (Walsh-Healey Act, Public No. 846, 74th Cong.) to be included in all contracts therein specified are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract. Such representations and stipulations shall be subject to all applicable regulations, determinations and exemptions of the Secretary of Labor now or hereafter in effect.

(4) *Convict labor.*

No convict labor will be employed in the performance of the work under this contract.

(5) *Nondiscrimination.*

The contractor, in performing work under this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor shall include a similar provision prohibiting such discrimination in all subcontracts.

(c) *Member or delegate.*

No member of or Delegate to Congress and no Resident Commissioner is or shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom except to the extent allowed by 18 U.S.C. sec. 206.

(d) *Assignment of claims.*

No sale, transfer or assignment of this contract or any interest therein or of moneys due or to become due thereunder shall be made directly, or indirectly, or through any reorganization, merger or consolidation without the prior obtained written consent of the Administrator and in accordance with the Assignment of Claims Act, 1940.

(e) *Tax exemption.*

The contractor or vendor warrants and certifies that the amount of the invoice or purchase price charged to the Agent does not include any state or local sales, use or other similar taxes from which the United States is exempt or from which the contractor or vendor is exempt because the sale is to the United States. If any such taxes have been so included or charged and are paid by the Agent, the contractor shall on demand refund the amount thereof to the Agent or to the Administrator.

(f) *Audit and accounts.*

The contractor shall keep complete and accurate records and books of account showing details of all income and expenses incident to or derived from the performance of this contract. The method of accounting employed by the contractor shall be subject to the approval of the Administrator but no material change will be made therein if the same conforms to good accounting practice and is sufficient for the purposes of this contract.

The Administrator and his employees shall at all times have free and unrestricted access to the premises of the contractor and to the work, and shall have the right to inspect, examine, audit and make copies of the contractor's books, records, correspondence, vouchers, and memoranda of every description pertaining to the work. The contractor shall make such reports to the Administrator concerning the work, this contract, and the contractor's financial operations and standing as the Administrator may determine or from time to time require. The contractor shall, without charge to the Administrator and without receiving additional remuneration or payment, keep and preserve all books, records, correspondence, vouchers, memoranda, and reports of every description in this paragraph referred to for at least three years from the date upon which final payment for any operation under this contract is made.

(g) *Compliance with applicable laws and regulations.*

In performing this contract the contractor shall abide by and comply with all applicable statutes, ordinances, laws, and regulations of the United States (including Executive orders of the President), any state, or any public authority, now or hereafter in force, including but not limited to price ceilings set by the Office of Price Administration, and statutes and executive orders relating to wages and hours of labor.

(h) *Renegotiations.*

This contract shall be deemed to contain all the provisions required by subsection (b) of the Renegotiation Act, as amended by the Revenue Act of 1943. In compliance with the said subsection (b) of the Renegotiation Act, the contractor shall insert in all subcontracts specified in the said subsection (b) the provision of this paragraph.

(i) *Repricing.*

This contract and any subcontracts hereunder are subject to Title VIII of the Revenue Act of 1943, P. L. 235, 78th Congress, enacted February 25, 1944 (Repricing of War Contracts).

§ 306.113 *Short form compliance.* Contracts shall be deemed sufficiently to comply with the requirements of § 306.112 if the following language, incorporating by reference all applicable provisions thereof, shall be conspicuously stamped or printed thereon:

The contractor agrees that this contract is subject to and includes all applicable clauses set out in § 306.112 of General Order 42, issued by the War Shipping Administration on ---------- 1944. All such clauses, to the extent that the same are applicable, are expressly incorporated by this reference, and shall have the same force and effect as if herein fully set forth.

§ 306.114 *Definitions.* As used in this order:

(a) A General Agent is a person, firm or corporation designated as "General Agent" under a form of GAA agreement approved by the Administrator, War Shipping Administration.

(b) An Agent is a person, firm or corporation designated as "Agent" under a form of TCA agreement approved by the Administrator, War Shipping Administration.

(c) A Berth Agent is a person, firm or corporation designated as "Berth Agent" under a form of BA agreement approved by the Administrator, War Shipping Administration.

(d) Unless otherwise indicated, agent means General Agent, Berth Agent and Agent as herein respectively defined.

(e) A contract is any agreement, whether in the form of purchase order, letter of intent or confirmation, formal writing, or otherwise.

§ 306.115 *Date effective.* This General Order 42 (§ 306.111 to 306.115, inclusive) shall become effective on May 1, 1944, at 12:01 a. m.

[SEAL] E. S. LAND,
Administrator.

APRIL 17, 1944.

[F. R. Doc. 44-5421; Filed, April 17, 1944; 11:10 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 816]

ALLOCATION OF FUNDS FOR LOANS

APRIL 3, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
New York 4–3019S1 Otsego	$20,000
Virginia 4–3043S1 Hot Springs	25,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–5434; Filed, April 17, 1944; 11:17 a. m.]

[A. O. 817]

ALLOCATION OF FUNDS FOR LOANS

APRIL 3, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Colorado 4–3015D1 Morgan	$150,000.00
Georgia 4–3051C3 Newton	20,000.00
Illinois 4–3018E2 Pike	70,000.00
Indiana 4–3044A3 Allen	35,000.00
Iowa 4–2079A5 Clarke*	90,000.00
Nebraska 4–3054C2 Cuming District Public	85,000.00
New Mexico 4–3009C2 Curry	10,000.00
North Carolina 4–3055A3 Craven	20,000.00
Texas 4–3107C1 Martin	49,631.00
Texas 4–7107C2 Martin	369.00
Texas 4–3114A2 Tom Green	29,023.68
Texas 4–R9114A3 Tom Green	976.32
Vermont 4–3007F1 Orleans	85,000.00
Vermont 4–3008B4 Washington	50,000.00
Virginia 4–3030B3 Bath	34,131.14
Virginia 4–1030B4 Bath	868.86
Wisconsin 4–3049F2 Dunn	40,000.00
Wisconsin 4–3051B2 St. Croix	65,000.00
Wisconsin 4–3052C2 Crawford	50,000.00

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–5435; Filed, April 17, 1944; 11:17 a. m.]

[A. O. 818]

ALLOCATION OF FUNDS FOR LOANS

APRIL 4, 1944.

I hereby amend:

(a) Administrative Order No. 817, dated April 3, 1944, by changing the project designation therein given as "Colorado 4–3015D1 Morgan" to read "Colorado 4–3015T1 Morgan;"

(b) Administrative Order No. 817, dated April 3, 1944, by changing the project designation therein given as "Virginia 4–3030B3 Bath" to read "Virginia 4–3030D3 Bath;"

(c) Administrative Order No. 817, dated April 3, 1944, by changing the project designation therein given as "Virginia 4–1030B4 Bath" to read "Virginia 4–1030D4 Bath".

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–5436; Filed, April 17, 1944; 11:17 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the fair labor standards act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3962), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions therein contained and to the provisions of the applicable Determination and Order or Regulations cited above. The applicable Determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the

required to be included and it is hereby

issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, JOBBE AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

William Atkin Company, 7th & Allen Streets, Allentown, Pennsylvania; men's shirts; 10 percent (T); effective April 13, 1944, expiring April 12, 1945.

Michael Berkowitz Company, Inc., Frostburg, Maryland; men's pajamas; 10 percent (T); effective April 13, 1944, expiring April 12, 1945.

Michael Berkowitz Company, Inc., Uniontown, Pennsylvania; men's shirts, women's pajamas, WAC waists; 10 percent (T); effective April 10, 1944, expiring April 9, 1945.

Brookfield-Garrison Manufacturing Company, Warrensburg, Missouri; work clothing; 20 percent (AT); effective April 13, 1944, expiring October 12, 1944.

J. Freezer & Son, Inc., Floyd, Virginia; men's cotton dress shirts, Navy blue chambray shirts, Navy khaki utility shirts; 10 percent (T); effective April 15, 1944, expiring April 14, 1945.

J. Freezer & Son, Inc., Radford (East End), Virginia; men's cotton dress shirts; 10 percent (T); effective April 15, 1944, expiring April 14, 1945.

J. Freezer & Son, Inc., Rural Retreat, Virginia; men's cotton dress shirts; 10 percent (T); effective April 15, 1944, expiring April 14, 1945.

M. Hoffman & Company, 183 Orleans Street, East Boston, Massachusetts; work clothing; 10 percent (T); effective April 13, 1944, expiring April 12, 1945.

Leask Manufacturing Company, Inc., 109–115 West First Street, Oswego, New York; slacks and slack sets, overalls, bathrobes, house coats, assorted lounging robes; 5 learners (T); effective April 12, 1944, expiring April 12, 1945.

Rice-Stix Dry Goods Company, Factory #14, Hillsboro, Illinois; dresses; 10 percent (AT); effective April 12, 1944, expiring October 11, 1944.

Salant and Salant, Inc., Parsons, Tennessee; pants; 10 percent (T); effective April 11, 1944, expiring June 30, 1944.

Valley Garment Company, 701 Marshall Street, McMechen, West Virginia; ladies' dresses and sportswear; 10 percent (T); effective April 10, 1944, expiring April 9, 1945.

Wilson Shirt Company, 180 Whitehall Street, S. W. Atlanta, Georgia; shirts; 10 percent (T); effective April 10, 1944, expiring April 9, 1945.

HOSIERY INDUSTRY

W. B. Davis & Son, Inc., Fort Payne, Alabama; seamless hosiery; 10 percent (AT); effective April 11, 1944, expiring October 10, 1944.

Unrivaled Hosiery Mill, S. Tunnel Street, Williamstown, Pennsylvania; seamless hosiery; 12 learners (AT); effective April 13, 1944, expiring October 12, 1944.

Walnut Hosiery Mills, Incorporated, 5th & Walnut Streets, Shamokin, Pennsylvania; full-fashioned hosiery; 5 learners (T); effective April 13, 1944, expiring April 12, 1945.

TELEPHONE INDUSTRY

Hooper Telephone Company, Hooper, Nebraska; to employ learners as commercial switchboard operators at its Hooper exchange, located at Hooper, Nebraska; effective April 13, 1944, expiring April 12, 1945.

TEXTILE INDUSTRY

Avondale Mills, Alexander City, Alabama; cotton cloth; 8 percent (T); effective April 13, 1944, expiring April 12, 1945.

Avondale Mills, Birmingham, Alabama; cotton cloth; 3 percent (T); effective April 13, 1944, expiring April 12, 1945.

Avondale Mills, Lafayette, Alabama; cotton yarns; 3 percent (T); effective April 13, 1944, expiring April 12, 1945.

Avondale Mills, Pell City, Alabama; cotton cloth; 6 percent (AT); effective April 13, 1944, expiring October 12, 1944.

Avondale Mills, Stevenson, Alabama; cotton yarns; 6 percent (AT); effective April 13, 1944, expiring October 12, 1944.

Avondale Mills, Sycamore, Alabama; cotton yarns; 6 percent (AT); effective April 13, 1944, expiring October 12, 1944.

Avondale Mills, Sylacauga, Alabama; cotton yarn and cloth; 3 percent (T); effective April 13, 1944, expiring April 12, 1945.

W. A. Forsyth Silk Company, First Street, Eynon, Pennsylvania; rayon; 19 learners (E); effective April 14, 1944, expiring October 13, 1944.

Richmond Hosiery Mills—Spinning Department, Rossville, Georgia; cotton yarn; 3 percent (T); effective April 13, 1944, expiring April 12, 1945.

Signed at New York, N. Y., this 15th day of April 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44–5437; Filed, April 17, 1944; 11:46 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 190]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, April 11 or 12, 1944, by Liberty Brokerage Company of cars PFE 35019 and SFRD 20588, oranges, now on the Chicago Produce Terminal to Altman and Schwartz, Buffalo, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44–5805; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 178, Special Permit 116]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542; of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point April 11, 1944, to Philadelphia, Pennsylvania. (C. M. St. P. & P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44–5809; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 178, Special Permit 117]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point April 12, 1944, to Cambridge, Massachusetts. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44–5804; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 187, Special Permit 9]

TRANSPORTATION OF POTATOES FROM GLYNDON, MINN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement, not later than April 17, 1944, of one refrigerator car containing potatoes grading below eighty percent (80%) U. S. No. 1 quality from Glyndon, Minnesota, where they are now stored in transit, to Minneapolis, Minnesota. (N. P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5306; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 197, Gen. Permit 1]

TRANSPORTATION OF POTATOES FROM COLORADO, NEBRASKA, AND WYOMING

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska, and Wyoming, consigned to washing plants located at Center, Del Norte, Julesburg, La Jara or Monte Vista, Colorado; Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Mitchell, Nebraska; Huntley, Lingle, Pine Bluffs, Riverton, South Torrington or Torrington, Wyoming; for washing, sorting and grading purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

This general permit shall become effective at 7:00 a. m., April 21, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5307; Filed, April 14, 1944; 11:13 a. m.]

[S. O. 197, Gen. Permit 2]

TRANSPORTATION OF POTATOES FROM CERTAIN WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, or Visalia, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, Lebanon, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

This general permit shall become effective at 7:00 a. m., April 21, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5308; Filed, April 14, 1944; 11:13 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 11A]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN OHIO

Upon consideration of an amended plan for joint action filed with the Office of Defense Transportation by Commercial Motor Freight, Inc., Columbus, Ohio, and The Cleveland, Columbus & Cincinnati Highway, Inc., Cleveland, Ohio, herein called Commercial and C. C. C. respectively, to facilitate compliance with requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is esential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Commercial shall suspend the transportation of shipments in less-than-truckload lots moving between its terminal at Marion, Ohio, or through that terminal, on the one hand, and points of delivery and collection at Cardington and Mt. Gilead, Ohio, on the other; and in respect of such shipments moving between its terminal at Mansfield, Ohio, or through that terminal, on the one hand, and points of delivery and collection at Loudonville, Polk and Sullivan, Ohio, on the other; and shall divert such shipments to C. C. C. for transportation between those points.

2. C. C. C. shall suspend the transportation of shipments in less-than-truckload lots moving between its terminal at Mansfield, or through that terminal, and points of delivery and collection at Wellington, Ohio; and shall divert such shipments to Commercial for transportation between those points.

3. C. C. C. shall perform the pickup and delivery at Cardington, Mt. Gilead, Loudonville, Polk and Sullivan, in respect of shipments diverted to it pursuant hereto; and Commercial shall perform the pickup and delivery at Wellington in respect of shipments diverted to it pursuant hereto.

4. Whenever transportation service is performed by one carrier in lieu of service by another carrier by reason of a diversion pursuant hereto, the rates, charges, rules and regulations governing such service shall be those that would have applied except for such diversion.

5. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

6. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

7. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

8. Contractual arrangements made by the carriers to effectuate the terms of this order shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This Supplementary Order ODT 3, Revised–11A shall become effective, and shall supersede Supplementary Order ODT 3, Revised–11, on April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–5401; Filed, April 17, 1944; 10:53 a. m.]

[Supp. Order ODT 3, Rev. 220]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DENVER AND GREELEY, COLO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. A. T. Burbridge (an individual), Greeley, Colo.
2. A. W. Hancock (an individual), doing business as Colorado Truck Line, Greeley, Colo.
3. Ivan Miller and Dwight Miller (a copartnership), Greeley, Colo.

[F. R. Doc. 44–5402; Filed, April 17, 1944; 10:53 a. m.]

[Supp. Order ODT 3, Rev. 221]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FAYETTEVILLE AND SUMMERS, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Frisco Transportation Company, St. Louis, Mo.
2. Arkansas Motor Freight Lines, Inc., Fort Smith, Ark.

[F. R. Doc. 44–5403; Filed, April 17, 1944; 10:53 a. m.]

[Supp. Order ODT 3, Rev. 222]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ST. LOUIS, MO., AND INDIANAPOLIS, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Brashear Freight Lines, Inc., St. Louis (3), Mo.
2. Decatur Cartage Company, Chicago, Ill.
3. Rim & Company, Inc., Chicago, Ill.
4. St. Louis-Indianapolis Freight Lines, Inc., St. Louis, Mo.

[F. R. Doc. 44–5404; Filed, April 17, 1944; 10:53 a. m.]

[1] Filed as part of the original document.

6. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

7. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

8. Contractual arrangements made by the carriers to effectuate the terms of this order shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This Supplementary Order ODT 3, Revised-11A shall become effective, and shall supersede Supplementary Order ODT 3, Revised-11, on April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to per-

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 17th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. A. T. Burbridge (an individual), Greeley, Colo.
2. A. W. Hancock (an individual), doing business as Colorado Truck Line, Greeley, Colo.
3. Ivan Miller and Dwight Miller (a copartnership), Greeley, Colo.

[F. R. Doc. 44-5402; Filed, April 17, 1944; 10:53 a. m.]

[Supp. Order ODT 3, Rev. 221]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FAYETTEVILLE AND SUMMERS, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 694]

DOMESTIC COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 694 under maximum price regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 2. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DOMESTIC COAL COMPANY, THE, STONEBORO, PA., WOLF CREEK #2 MINE, KITTANING SEAM, MINE INDEX NO. 4020, VENANGO COUNTY, PA., RAILROAD FUEL PRICE GROUP 15, SUB-DISTRICT 1, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	D	D	C	C	D	D	D	----------	----------
Rail shipments	$3.10	$3.10	$3.00	$3.00	$3.10	$3.00	$2.70	$2.70	$2.45	----------	----------
R. R. fuel shipments	3.10	3.10	3.00	3.00	3.10	3.00	2.70	2.70	2.45	$2.45	----------
Truck shipments, price group 3	4.35	4.35	4.35	4.00	3.95	3.95	3.95	3.20	2.65	2.65	$2.45

DOMESTIC COAL COMPANY, THE, STONEBORO, PA., WOLF CREEK #3 MINE, KITTANING SEAM, MINE INDEX NO. 4064, VENANGO COUNTY, PA., RAILROAD FUEL PRICE GROUP 15, SUB-DISTRICT 1, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	E	E	D	D	C	C	D	D	D	----------	----------
Rail shipments	$3.10	$3.10	$3.00	$3.00	$3.10	$3.00	$2.70	$2.70	$2.45	----------	----------
R. R. fuel shipments	3.10	3.10	3.00	3.00	3.10	3.00	2.70	2.70	2.45	$2.45	----------
Truck shipments, price group 3	4.35	4.35	4.35	4.00	3.95	3.95	3.95	3.20	2.65	2.65	$2.45

FORD COAL COMPANY, 112 BEN LOMOND STREET, UNIONTOWN, PA., LATROBE MINE, PITTSBURG SEAM, MINE INDEX NO. 4074, WESTMORELAND COUNTY, PA., RAILROAD FUEL PRICE GROUP 16, SUB-DISTRICT 5, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	G	G	G	G	H	H	G	G	G	----------	----------
Rail shipments	$2.85	$2.85	$2.75	$2.75	$2.70	$2.60	$2.45	$2.45	$2.30	----------	----------
R. R. fuel shipments	2.85	2.85	2.85	2.85	2.70	2.65	2.45	2.45	2.30	$2.35	----------
Truck shipments, price group 8	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.35

FORD COAL COMPANY, 112 BEN LOMOND STREET, UNIONTOWN, PA., LYCIPPUS MINE, PITTSBURG SEAM, MINE INDEX NO. 4066, WESTMORELAND COUNTY, PA., RAILROAD FUEL PRICE GROUP 1, SUB-DISTRICT 3, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	E	E	C	C	C	D	D	D	D	----------	----------
Rail shipments	$3.10	$3.10	$3.10	$3.10	$3.10	$2.90	$2.70	$2.70	$2.45	----------	----------
R. R. fuel shipments	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	$2.45	----------
Truck shipments, price group 8	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.55	$2.35

FORD COAL COMPANY, 112 BEN LOMOND STREET, UNIONTOWN, PA., MCCLERMAN MINE, PITTSBURG SEAM, MINE INDEX NO. 4060, FAYETTE COUNTY, PA., RAILROAD FUEL PRICE GROUP 7, SUBDISTRICT 3, STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	E	E	C	C	C	D	D	D	D	----------	----------
Rail shipments	$3.10	$3.10	$3.10	$3.10	$3.10	$2.90	$2.70	$2.70	$2.45	----------	----------
Railroad fuel shipments	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	$2.40	----------
Truck shipments, price group 7	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.40

KLEIN, S. COAL COMPANY, 2551 BRADDOCK AVENUE, SWISSVALE, PA., KLEIN NO. 8 MINE, PITTSBURG SEAM, MINE INDEX NO. 4018, ALLEGHANY COUNTY, PA., RAILROAD FUEL PRICE GROUP 1, SUBDISTRICT 9, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	D	D	C	C	C	C	C	C	C	----------	----------
Rail shipments	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	----------	----------
Railroad fuel shipments	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.45	----------
Truck shipments, price group 5	4.25	4.25	4.25	3.90	3.60	3.60	3.60	2.95	2.85	2.85	$2.45

MELLETT, D. D., 3424 LIBERTY AVENUE, PITTSBURGH, PA., THREE M. MINE, PITTSBURG SEAM, MINE INDEX NO. 4017, FAYETTE COUNTY, PA., RAILROAD FUEL PRICE GROUP 6, SUB-DISTRICT 3, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	E	E	D	D	E	D	E	E	E		
Rail shipments	$3.10	$3.10	$3.00	$3.00	$2.80	$2.90	$2.80	$2.50	$2.35		
Railroad fuel shipments	3.10	3.10	3.00	3.00	2.90	2.90	2.80	2.50	2.45	$2.45	
Truck shipments, price group 7	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

MOROCCO & WARREN COAL COMPANY, 629 6TH STREET, TRAFFORD, PA., HILDA NO. 3 MINE, PITTSBURG SEAM, MINE INDEX NO. 4032, WESTMORELAND COUNTY, PA., RAILROAD FUEL PRICE GROUP 2, SUB-DISTRICT 9, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	D	D	C	C	C	F	G	G	G		
Rail shipments	$3.10	$3.10	$3.10	$3.10	$2.75	$2.65	$2.45	$2.45	$2.30		
Railroad fuel shipments	3.10	3.10	3.10	3.10	2.90	2.75	2.45	2.45	2.45	2.45	
Truck shipments, price group 8	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

PAUL, R. W., CONSTRUCTION COMPANY, 530 WEST HALCOMB STREET, CLAIRTON, PA., PAUL MINE, PITTSBURG SEAM, MINE INDEX NO. 4068, ALLEGHENY COUNTY, PA., RAILROAD FUEL PRICE GROUP 1, SUBDISTRICT 9, STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	D	D	C	C	C	C	C	C	C		
Rail shipments	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55		
Railroad fuel shipments	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.45	
Truck shipments, price group 5	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

ROBEL & ZIANTS COAL COMPANY, 309 MCMILLEN STREET, JOHNSTOWN, PA., FORT PALMER #1 MINE, PITTSBURG SEAM, MINE INDEX NO. 4077, WESTMORELAND COUNTY, PA., RAILROAD FUEL, SUBDISTRICT 6, STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipments, price group 8	$4.15	$4.15	$4.15	$3.95	$3.65	$3.65	$3.65	$3.05	$2.85	$2.85	$2.55

SASSO, LEONARD, 2902 A. GRANT BLDG., PITTSBURGH, PA., SASSO #6 STRIP MINE, PITTSBURG SEAM, MINE INDEX NO. 4015, WASHINGTON COUNTY, PA., RAILROAD FUEL PRICE GROUP 4, SUB-DISTRICT 7, STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	L	L	J	J	J	J	K	K	K		
Rail shipments	$2.75	$2.75	$2.50	$2.50	$2.50	$2.40	$2.20	$2.20	$2.10		
Railroad fuel shipments	2.75	2.75	2.65	2.65	2.65	2.50	2.25	2.25	2.25	$2.25	
Truck shipments, price group 6	4.25	4.25	4.25	3.85	3.75	3.75	3.75	3.25	2.90	2.90	$2.65

SCOTT HAVEN COAL COMPANY, P. O. BOX 22, BLYTHEDALE, PA., MARTIN MINE, SEWICKLEY SEAM, MINE INDEX NO. 4022, WESTMORELAND COUNTY, PA., DRIFT MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipments, price group 8	$4.15	$4.15	$4.15	$3.95	$3.65	$3.65	$3.65	$3.05	$2.85	$2.85	$2.55

TAYLOR, C. I., EAST MCKEESPORT, PA., TAYLOR MINE, PITTSBURG SEAM, MINE INDEX NO. 4045, ALLEGHENY COUNTY, PA., RAILROAD FUEL PRICE GROUP #2, SUBDISTRICT 9, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	D	D	C	C	G	F	G	G	G		
Rail shipments	$3.10	$3.10	$3.10	$3.10	$2.75	$2.65	$2.45	$2.45	$2.30		
Railroad fuel shipments	3.10	3.10	3.10	3.10	2.90	2.75	2.45	2.45	2.35	$2.35	
Truck shipments, price group 5	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

WUNDERLEY, JOHN M., 508 LOCUST STREET, MCKEESPORT, PA., STOOPS MINE, PITTSBURG SEAM, MINE INDEX NO. 4027, ALLEGHENY COUNTY, PA., SUB-DISTRICT 9, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipments, price group 5	$4.25	$4.25	$4.25	$3.90	$3.60	$3.60	$3.60	$3.25	$2.85	$2.85	$2.70

This order shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5355; Filed, April 15, 1944; 12:06 p. m.]

[Order 33 Under GMPR]

U. S. COMMERCIAL CO.

APPROVAL OF MAXIMUM PRICE

Order No. 33 under § 1499.3 (c) of the General Maximum Price Regulation. Approval of maximum price for sales of portable hand wound phonographs originally purchased by U. S. Commercial Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and in accordance with § 1499.3 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) Any person may sell and deliver at wholesale and to the United States Government, the portable hand wound phonographs described in the application of the United States Commercial Company, Washington, D. C., at a maximum price f. o. b. shipping point no higher than $8.50 per unit for "Model No. 64 Special" (with Swiss motor) and $7.00 per unit for "Model No. R" (Rebuilt with American motors). These maximum prices are subject to the seller's customary discounts, allowances, and other price differentials.

(b) Any person may sell to consumers, other than industrial, governmental, or commercial users, and deliver the portable hand wound phonographs described in the application of the United States Commercial Company, Washington, D. C., at maximum prices delivered no higher than $14.25 per unit for Model No. 64 Special (with Swiss motor) and $11.75 per unit for Model No. R (Rebuilt with American motor). These maximum prices are subject to the seller's customary discounts, allowances, and other price differentials.

(c) Before selling or offering for sale any hand wound phonograph pursuant to paragraph (b) of this order, the seller must attach securely to such phonograph, so that it is clearly visible, a durable tag containing, in easily readable lettering, the following statement containing the correct price and model number:

The O. P. A. has established a retail ceiling price of $_____ (inserting correct figure) for this phonograph Model _____ (inserting correct Model No.). Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 33. This notice may be given in any convenient form.

(e) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 33 shall become effective on the 17th day of April, 1944.

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5359; Filed, April 15, 1944; 12:01 p. m.]

[MPR 193, Order 7]

AMERICAN DISTILLING CO.

ESTABLISHMENT OF CEILING PRICES FOR DOMESTIC DISTILLED SPIRITS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1420.13 (c) of Maximum Price Regulation 193 and § 1499.3 (b) (3) of the General Maximum Price Regulation, it is ordered that:

SECTION 1. *Explanation of this order*—(a) *Purpose.* This order is issued to establish (where necessary) and to gather into a single document the most important provisions relative to ceiling prices of sellers of certain packaged whiskey to be sold under the brand names "Special Privilege" and "Special Prerogative" as the result of a transfer of whiskey by The American Distilling Company (a Maryland corporation) to Gilbert B. Geiger, Trustee under Trust Indenture dated December 11, 1943; to establish ceiling prices for "clearing" that whiskey ("clearing" being defined in section 10 of this order); to require certain sellers of that whiskey to make reports to the Office of Price Administration, and to afford a convenient means of directing attention to and giving notice of those ceiling prices and requirements.

(b) *Certain definitions.* "Trustee" as used in this order means Gilbert B. Geiger as Trustee under Trust Indenture made and executed December 11, 1943 by The American Distilling Company (a Maryland corporation) and includes his successors in trust.

"Special Privilege whiskey" as used in this order means a blend of straight whiskeys 80.6° proof, 25% straight whiskey four years old, 27% straight whiskey three years old, and 48% straight whiskey two years old, in packages each containing 4/5 quart thereof, bearing the brand name "Special Privilege" or "Privilege Brand Special" on their front labels. A case of that whiskey means twelve of such packages in an individual shipping container.

"Special Prerogative whiskey" as used in this order means rye or bourbon whiskey 100° proof, bottled in bond, in packages each containing one quart thereof and bearing the brand name "Special Prerogative" or "Prerogative Brand Special" on their front labels. A case of that whiskey means twelve of such packages in an individual shipping container.

"Price" as used in this order means the consideration requested or received in connection with the sale of merchandise or supplying of a service.

"Ceiling price" as used in this order means the highest price that may be charged, demanded, paid or received.

(c) *April 1, 1944 increase in Federal excise taxes.* The ceiling prices provided in sections 2 through 6 of this order include Federal excise taxes at rates in effect prior to April 1, 1944. On that date the Federal excise tax applicable to "Special Privilege" whiskey increases $5.63 per case and the tax applicable to "Special Prerogative" increases $9.00 per case. By the use of footnotes, provision is made in this order for adding the April 1, 1944, Federal excise tax increase to ceiling prices on all whiskey with respect to which the seller pays the increase. A seller may add only the exact amount of that tax increase applicable without markup thereon or other addition thereto. On and after April 1, 1944, every seller must state on each invoice to any customer that the prices in the invoice include the increase effective April 1, 1944, in United States excise taxes and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this provision:

Our invoice prices include the increase effective April 1, 1944, in United States excise taxes. OPA regulations prohibit a markup on the amount thereof.

SEC. 2. *Ceiling prices for sales of "Special Privilege" and "Special Prerogative" whiskey by special sellers.* "Special seller" means a person (regardless of whether a stockholder of The American Distilling Company) not customarily engaged in the business of buying and selling distilled spirits as a wholesaler, retailer, primary distributing agent or monopoly state, who sells or offers for sale "Special Privilege" or "Special Prerogative" whiskey in accordance with a special license or permit authorizing him to receive and dispose of that whiskey issued under applicable state laws or regulations. It also includes a person who sells or offers to sell such whiskey without license or permit.

(a) *Prices.* The ceiling prices of a special seller for a sale of "Special Privilege" or "Special Prerogative" whiskey shall be as follows:

(1) *Sales to wholesalers and monopoly states.* Ceiling prices per case f. o. b. special seller's shipping point are the total of the following:

(i) $18.62 [1] per case of "Special Privilege" or $28.37 [2] per case of "Special Prerogative" whiskey; plus

(ii) Freight per case from the bottling plant to the special seller's receiv-

[1] $5.63 may be added to this amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

[2] $9.00 may be added to this amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

ing point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes imposed on and paid by the special seller with respect to the whiskey being priced.

(2) *Sales to retailers and to all other persons except wholesalers and monopoly states.* Ceiling prices per case f. o. b. special seller's shipping point are the total of the following:

(i) $18.62 per case of "Special Privilege" or $28.37 per case of "Special Prerogative" whiskey; plus

(ii) Freight per case from the bottling plant to the special seller's receiving point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes at rates in effect on November 2, 1942, imposed on and paid by the special seller with respect to the whiskey being priced; plus

(iv) 15% of the total of (i), (ii) and (iii) immediately above[4]; plus

(v) The applicable amount of any new state or local excise tax first imposed by statute effective after November 2, 1942, and the applicable amount of any increase effective after November 2, 1942, in state or local excise taxes on that date, imposed on and paid by the special seller with respect to the whiskey being priced.

(3) *Sales of individual packages.* A special seller's ceiling price for sales of one or more individual packages of "Special Privilege" or "Special Prerogative" whiskey to a purchaser of any class shall be one-twelfth of his ceiling price per case to a purchaser of that class, multiplied by the number of individual packages being priced.

(b) *Reports.* A special seller selling or transferring (by gift or otherwise) any "Special Privilege" or "Special Prerogative" whiskey shall file a report of the sale or transfer with the District Office of the Office of Price Administration having jurisdiction over the territory in which he resides. The report shall be in writing, signed by the special seller, shall be filed within five days after the sale or transfer has been made and shall contain statements showing:

(1) The name and address of the special seller filing the report.

(2) The name and address of the buyer or transferee.

(3) The date of the sale or transfer.

(4) The quantity (in terms of cases) of each brand of the whiskey sold or transferred in the transaction reported.

(5) The special seller's ceiling price for the sale or transfer of the whiskey described in the report and his computation thereof.

(6) The total price which the buyer paid or contracted to pay for each brand of the whiskey sold or transferred, or if the transfer was made as a gift, a statement to that effect.

(7) The amount of all clearance charges which the special seller has paid with respect to the quantity of whiskey described in the report and the name and address of the persons to whom they were paid.

(8) Whether to the knowledge of the special seller, the buyer or transferee has paid or contracted to pay any commission, brokerage or fee in connection with the sale or transfer reported, and if known to the special seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made. If the special seller has no knowledge of such commission, brokerage or fee which the buyer paid or contracted to pay, the report shall so state.

The report required by this paragraph need not be filed if the quantity of such whiskey sold or transferred by the special seller to the buyer or transferee (in all transactions with that buyer or transferee) totals less than one case.

SEC. 3. *Ceiling prices for sales of "Special Privilege" and "Special Prerogative" whiskey by wholesalers*—(a) *Initial ceiling prices.* The ceiling prices of a wholesaler for sales of "Special Privilege" or "Special Prerogative" whiskey to customers of a particular class shall be the appropriate amounts[4] determined in accordance with section 5.4 (b) of Maximum Price Regulation 445 using $18.62 per case for "Special Privilege" and $28.37 per case for "Special Prerogative" whiskey, respectively, as his supplier's selling price (exclusive of state or local excise taxes) for purposes of determining his net cost for such whiskey he purchases from the trustee.

(b) *Changes in ceiling prices.* Wholesalers who receive purchases of either "Special Privilege" or "Special Prerogative" whiskey after receipt of their first purchase thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices[4] shall become their ceiling prices therefor, all as provided in section 5.4 (c) of Maximum Price Regulation 445. For purposes of refiguring ceiling prices, any purchase of "Special Privilege" or "Special Prerogative" whiskey, but no purchase of any whiskey of a different brand name shall be deemed a "base purchase" thereof within the meaning of that section.

SEC. 4. *Ceiling prices for sales of "Special Privilege" and "Special Prerogative" whiskey by monopoly states*—(a) *Initial ceiling prices.* The initial ceiling prices of a monopoly state for sales of "Special Privilege" or "Special Prerogative" whiskey to customers of a particular class shall be the appropriate amounts[4] determined in accordance with section 5.6 (b) of Maximum Price Regulation 445, using $18.62 per case for "Special Privilege" and $28.37 per case for "Special Prerogative" whiskey, respectively, as its supplier's selling price (exclusive of state excise taxes) for purposes of determining its net cost for such whiskey it purchases from the Trustee.

(b) *Changes in ceiling prices.* Monopoly states who receive purchases of either "Special Privilege" or "Special Prerogative" whiskey after receipt of their first purchases thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices[4] shall become their ceiling prices therefor, all as provided in section 5.6 (c) of Maximum Price Regulation 445. For purposes of refiguring ceiling prices, any purchase of "Special Privilege" or "Special Prerogative" whiskey, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of that section.

SEC. 5. *Ceiling prices for sales of "Special Privilege" and "Special Prerogative" whiskey by retailers*—(a) *Prices.* The ceiling prices of a retailer for sales of "Special Privilege" or "Special Prerogative" whiskey per case shall be as follows:

(1) *Sales to consumers*—(i) *Initial ceiling prices.* The initial ceiling prices of a retailer for sales of "Special Privilege" or "Special Prerogative" whiskey to customers of a particular class shall be the appropriate amounts[4] determined in accordance with section 5.5 (b) of Maximum Price Regulation 445 using $18.62 per case for "Special Privilege" and $28.37 per case for "Special Prerogative" whiskey, respectively, as his supplier's selling price (exclusive of state and local excise taxes) for purposes of determining his net cost for such whiskey he purchases from the Trustee.

(ii) *Changes in ceiling prices.* Retailers who receive a purchase of either "Special Privilege" or "Special Prerogative" whiskey after receipt of their first purchase thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices[4] shall become their ceiling prices for "Special Privilege" or "Special Prerogative" whiskey, respectively, all as provided in section 5.5 (c) of Maximum Price Regulation 445, except that a retailer shall use his "running weighted average net cost" instead of his "net cost for his most recent purchase" in determining his refigured ceiling prices for that whiskey. For purposes of refiguring ceiling prices, any purchase of "Special Privilege" or "Special Prerogative" whiskey, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of that section.

A retailer's "running weighted average net cost" means the amount obtained by:

(*a*) Determining his net cost exclusive of the April 1, 1944 increase in Federal excise tax for each case of "Special Privilege" or "Special Prerogative" whiskey, respectively, in his stock on the date of his computation. If the retailer has received two or more shipments of the whiskey to be priced (exclusive of his most recent shipment) he shall use as his net cost for any of that whiskey remaining in his stock on the date of computation, his most recent running average weighted net cost for that whiskey.

(*b*) Adding together the resulting figures obtained at (*a*); and

(*c*) Dividing the sum obtained at (*b*) by the total number of cases of "Special Privilege" or "Special Prerogative" whiskey, respectively, he has in his stock.

(2) *Sales to wholesalers, monopoly states and other retailers.* The ceiling price of a retailer for sales of "Special

[4] For "Special Privilege" $5.83 and for "Special Prerogative" whiskey $9.00 may be added to this resulting amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

Privilege" or "Special Prerogative" whiskey to wholesalers, monopoly states and other retailers shall be his "running weighted average net cost"[3] for "Special Privilege" or "Special Prerogative" whiskey, respectively, at the date of sale.

(b) *Records.* Any retailer selling "Special Privilege" or "Special Prerogative" whiskey shall, for so long as the Emergency Price Control Act of 1942 remains in effect, keep available for inspection by the Office of Price Administration, records of the same kind as he customarily keeps and in addition thereto (unless his customary records so show) records showing separately for "Special Privilege" and "Special Prerogative" whiskey the date of each of his purchases of such whiskey, the name and address of the seller, the number of cases purchased, his net cost for the purchase and his computations of his running weighted average net cost for that whiskey.

SEC. 6. *Ceiling prices for sales of packaged domestic whiskey by the Trustee.* The appropriate ceiling prices[3] provided by Appendix E, Article III, Maximum Price Regulation 445, are and shall be applicable to all sales of "Special Privilege" or "Special Prerogative" whiskey by the Trustee.

SEC. 7. *Persons unable to determine ceiling prices.* A person who cannot determine his ceiling price for a particular sale of "Special Privilege" or "Special Prerogative" whiskey under other provisions of this order shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a ceiling price be established for that sale. The letter shall contain statements setting forth:

(1) The name and address of the person making application.

(2) The quantity and brand name of the whiskey to be sold.

(3) The reason why a ceiling price for the sale cannot be determined under other provisions of this order.

After receipt of the application, the Office of Price Administration will by order authorize a ceiling price for the applicant or for sellers of the whiskey generally including purchasers for resale, or for a class of such sellers. Until a ceiling price is authorized, the applicant may make the sale and deliver the whiskey but he may not receive any payment for it.

SEC. 8. *Reports by the Trustee—Trustee's report of sales of "Special Privilege" and "Special Prerogative" whiskey.* Within 15 days after his first shipment of "Special Privilege" or "Special Prerogative" whiskey pursuant to any purchase, and bi-monthly thereafter, until 15 days after his last shipment, the Trustee shall report all his shipments of "Special Privilege" and "Special Prerogative" whiskey during the preceding period to the Office of Price Administration, Washington, D. C. Such reports shall be in writing, signed by the Trustee and shall contain statements showing, with respect to each shipment:

(1) The name and address of the purchaser.

(2) The name and address of the consignee.

(3) The date on which shipment was made.

(4) The quantity (in cases) of each brand of whiskey.

SEC. 9. *Notice of this order to be given by the Trustee.* At or prior to his first shipment of any "Special Privilege" or "Special Prerogative" whiskey pursuant to a particular purchase order, and to a particular consignee, the Trustee shall notify the purchaser (and the consignee if he be a person other than the purchaser) of the provisions of this order, by delivering or mailing a copy thereof to such persons. Only one such notice need be given to a particular purchaser or consignee.

SEC. 10. *Ceiling prices for clearing—*(a) *Prices.* Ceiling prices for clearing "Special Privilege" and "Special Prerogative" whiskey shall be as follows:

(1) *Clearing by wholesalers or retailers.* A wholesaler's or retailer's ceiling price for clearing "Special Privilege" or "Special Prerogative" whiskey shall be $1.00 per case.

(2) *Clearing by monopoly states.* A monopoly state's ceiling price for clearing "Special Privilege" or "Special Prerogative" whiskey shall be the amount produced by subtracting from $18.62 per case for "Special Privilege" or $28.37 per case for "Special Prerogative" whiskey the sum of $3.91 or $6.00 respectively, and multiplying the resulting figure by the highest percentage in use during March 1942 for the monopoly state's sales of domestic whiskey to a customer of the same class as the purchaser, according to the statute, ordinance or regulation then prescribing its markup.

(3) *Prohibition.* No consideration or markup in excess of the appropriate amounts stated in subparagraphs (1) and (2) of this paragraph may be charged, received or paid for clearing.

(b) *No charge for clearing in certain instances.* No wholesaler, retailer or monopoly state purchasing "Special Privilege" or "Special Prerogative" whiskey which he has cleared shall charge, or retain a payment previously received for clearing the whiskey so purchased. If a clearing charge has been made or received by the purchasing wholesaler, retailer or monopoly state with respect to the whiskey so purchased, such charge shall be cancelled, or if paid, shall be refunded to the seller or his nominee.

"Clearing" means the service performed by a wholesaler, retailer or monopoly state in receiving "Special Privilege" or "Special Prerogative" whiskey sold by the Trustee to a person exercising an option to purchase that whiskey under the Trust Indenture under which the Trustee acts, and delivering the whiskey to or for the account of that person, his nominee or his successor in interest. The term also includes handling incident to receipt or delivery. Receiving and delivering such whiskey as a nominal purchaser, for accommodation of another, shall be deemed "clearing."

SEC. 11. *License, brokerage and other fees.* No person may add to or increase his ceiling prices for "Special Privilege" or "Special Prerogative" whiskey provided in this order, because of any sum paid for licenses, permits, clearing service, brokerage, finder's fees, shares of stock, stock transfer taxes, assignments of purchase privileges or orders or for other expense not specifically provided for under sections 2 through 6 of this order.

SEC. 12. *Terms of sale.* If a seller directly or indirectly requires a purchaser to make or furnish any payment in advance of delivery of "Special Privilege" or "Special Prerogative" whiskey, or the rendition of a service for which a ceiling price is established by this order, whether to the seller or to another person, the seller's ceiling price for that whiskey or service shall be reduced by an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the service supplied, or the payment is refunded to the purchaser.

SEC. 13. *Miscellaneous.* (a) To the extent consistent with this order, the applicable provisions of Maximum Price Regulation 445 are incorporated herein and shall apply to sales of "Special Privilege" and "Special Prerogative" whiskey by the sellers described herein.

(b) The provisions of this order shall not operate to make lawful or to permit any sale or transfer, or handling or dealing in "Special Privilege" or "Special Prerogative" whiskey otherwise prohibited or controlled by Federal, state or local laws, ordinances or regulations, and shall not be deemed a recognition of the validity of the Trust Indenture under which the Trustee acts, or a determination of his relationship to The American Distilling Company.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 17, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5361; Filed, April 15, 1944; 12:02 p. m.]

[MPR 445, Order 69]

AMERICAN DISTILLING CO.

ESTABLISHMENT OF CEILING PRICES FOR BULK WHISKEY

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with section 2.2 (c) of Maximum Price Regulation 445 and § 1499.3 (b) (3) of the General Maximum Price Regulation, It is ordered that:

SECTION 1. *Explanation of this order.* This order is issued to establish (where necessary) and to gather into a single document the most important provisions

relative to ceiling prices for certain sales of bulk whiskey transferred by The American Distilling Company (a Maryland corporation) to Gilbert B. Geiger, Trustee under Trust Indenture dated December 11, 1943; to require certain sellers of that bulk whiskey to make reports to the Office of Price Administration; and to afford a convenient means of directing attention to and giving notice of those ceiling prices and requirements.

"Trustee" as used in this order means Gilbert B. Geiger, as Trustee under Trust Indenture made and effective December 11, 1943, by The American Distilling Company (a Maryland corporation) and includes his successors in trust.

"Price" as used in this order means the consideration requested or received in connection with the sale of merchandise or supplying of a service.

"Ceiling price" as used in this order means the highest price that may be charged, demanded, paid or received.

SEC. 2. *Ceiling prices for sales of bulk whiskey.* The appropriate ceiling prices [1] established by section 2.3 of Maximum Price Regulation 445 are and shall be applicable to sales of bulk whiskey (whether on an original or regauged proof gallon basis) made by the Trustee or any other person to any purchaser, whether or not made by transfer of warehouse receipts or other evidence of title.

SEC. 3. *Terms of sale.* If any seller of such bulk whiskey directly or indirectly requires a purchaser thereof to make or furnish any payment, whether to the seller or to another person in advance of delivery of the bulk whiskey (or warehouse receipt or other evidence of title thereto), the seller must reduce his ceiling price for that sale by an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the payment is made to the date on which the bulk whiskey (or warehouse receipt or other evidence of title thereto) is delivered, or the payment is refunded to the purchaser.

SEC. 4. *License, brokerage and other fees.* No seller of such bulk whiskey may add to or increase his ceiling prices provided in section 2.3 of Maximum Price Regulation 445 because of any sums paid for licenses, permits, brokerage, finder's fees, shares of stock, stock transfer taxes, assignments of purchase privileges or orders or other expense not specifically provided for in section 2.3 of Maximum Price Regulation 445.

SEC. 5. *Reports by the Trustee and certain other sellers*—(a) *Trustee's reports of sales and transfers of bulk whiskey.* Within 15 days after his first sale of bulk whiskey (whether or not made by transfer of warehouse receipt or other evidence of title) and bimonthly thereafter, until 15 days after his last sale or transfer, the Trustee shall report all his sales and transfers of bulk whiskey (whether or not made by transfer or warehouse receipt or other evidence of title) to the Office of Price Administration, Washington, D. C. Such reports shall be in writing signed by the Trustee and shall contain statements showing:

(1) The name and address of the purchaser.

(2) The date on which the sale was made.

(3) A description of the sale showing whether the sale was made in bond or Federal excise tax paid, on an original proof gallon or regauged proof gallon basis, the ages of the whiskey at date of sale and the quantity of each age involved in the sale.

(4) The total price which the purchaser paid or contracted to pay for the whiskey.

(5) Whether warehouse receipts or other evidence of title to that whiskey, or the whiskey in bulk have been or will be delivered to the purchaser by the seller.

(6) The amount of any commission, brokerage or fee which the seller has contracted to pay in connection with the sale and the name and address of each person to whom payment thereof is to be or has been made.

(7) Whether to the seller's knowledge, the purchaser or transferee has paid or contracted to pay any commission, brokerage or fee in connection with the sale, and if known to the seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made. If the seller has no knowledge of such commission, brokerage or fee which the purchaser has paid or contracted to pay, the report shall so state.

(b) *Reports of sales or transfers of bulk whiskey by any purchaser from the Trustee.* Every person purchasing bulk whiskey from the Trustee, who thereafter sells or transfers all or any part of such whiskey in bulk (whether by transfer of warehouse receipts or other evidence of title) shall file a report of that sale or transfer with the District Office of the Office of Price Administration having jurisdiction over the territory in which he resides. The report shall be in writing; signed by the seller, shall be filed within 10 days after the sale or transfer is made and shall contain the same information as required under paragraph (b) of this section for sales of bulk whiskey by the Trustee.

SEC. 6. *Miscellaneous.* (a) To the extent consistent with this order, the applicable provisions of Maximum Price Regulation 445 are incorporated herein and shall apply to sales of such bulk whiskey by all sellers.

(b) The provisions of this order shall not operate to make lawful or to permit any sale or transfer, or handling or dealing in bulk whiskey otherwise prohibited or controlled by Federal, state or local laws, ordinances or regulations and shall not be deemed a recognition of the validity of the Trust Indenture under which the Trustee acts, or a determination of his relationship to the American Distilling Company.

(c) This order does not apply to a sale of bulk whiskey made by the trustee if prior to or at the date of sale the Trustee and the purchaser agree in writing that the Trustee is to bottle and the purchaser may sell the whiskey in packages under the brand names "Special Privilege" or "Special Prerogative," unless such agreement is thereafter cancelled.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 17, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5362; Filed, April 15, 1944; 12:02 p. m.]

ORDER REQUIRING INFORMATION FROM PROCESSORS AND PACKERS OF CERTAIN PROCESSED FOODS

In order that the Administrator may obtain information with regard to certain processed foods to assist him in prescribing maximum price regulations under the Emergency Price Control Act of 1942, as amended, and pursuant to the authority vested in him by said Act and Executive Orders 9250 and 9328, and in accordance with section 202 (a) of said act, *It is hereby ordered*, That:

Processors, packers, salters, briners and final processors of the food products covered by the maximum price regulations hereinafter listed shall file with the Price Administrator, Washington, D. C. the specific information set forth in this order for each named regulation.

SECTION 1. *Definitions of terms used in this order*—(a) *General Definitions.* When used in this order the term:

(1) "Weighted average price" means the total gross sales dollars charged for each variety, style of pack, grade, size and container type and size during a "base period" divided by the number of dozen of containers or other units of sale sold of such variety, style, grade, size and container type and size. All sales made in the regular course of business during the base period shall be included, regardless of the date of delivery, except sales made to the armed forces of the United States. Sales contracts made at times other than during the base period shall not be included even though delivery was during the base period. "Weighted average prices" figured under this order shall be on an f. o. b. factory basis. Where more than one "brand" within a grade is packed, the "weighted average price" shall include all brands within a grade.

(2) "Base period" means the particular period of sales specified in this order for each commodity or group of commodi-

[1] For sales Federal excise taxes paid, the seller may add to these ceiling prices the applicable amount of the April 1, 1944, increase in Federal excise taxes as provided in section 7.3 of Maximum Price Regulation 445.

ties, such as "first 60 days after the beginning of the 1941 pack."

(3) "Processor", "packer", "salter" and "briner" and "final processor", as the case may be, means the person respectively defined as such in the particular regulation covering that person's sales of the particular product.

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this order.

SEC. 2. *When reports must be filed and form of reports.* The reports required to be filed under this order shall be filed with the Price Administrator, Washington, D. C., on or before April 30, 1944. The information shall be filed in the form specified for each regulation named herein. A separate report form shall be filed for each commodity for which a processor or other seller is required to report his weighted average price. For example, if a processor made sales during the base period of peas, beans and corn, of different styles of pack, grades, etc., he shall file a separate report for all peas, one for all beans and one for all corn sold during the base period. Likewise if the processor both cans and freezes, he shall file separate reports under each specified regulation. Forms on which to file reports will not be furnished due to the administrative difficulties involved in supplying the needed number of forms and the necessity for securing the information at the earliest possible date.

SEC. 3. *Reports to be filed by processors of the products covered by Maximum Price Regulation No. 306*[1] *(Certain Packed Food Products).* (a) Each processor of any product covered by Maximum Price Regulation No. 306 shall file a report showing his weighted average price per dozen containers f. o. b. factory, for each commodity by variety, style, including sieve size or count where applicable except as to fruits, commercial grade, and container type and size, of such commodity sold during the "base period". The base period for the purpose of this order for all products covered by Maximum Price Regulation No. 306 shall be the first 60 days after the beginning of the 1941 pack, except that as to the following commodities the base period shall be:

Product:	Base period
Dried prunes in juice and prune product	March 1942.
Cocktail cherries	July 1, through Sept. 30, 1940; July 1, through Sept. 30, 1941.
Maraschino and glace cherries.	January 1, through March 31, 1942.
Brined cherries	September 1, through Nov. 30, 1941.
Sauerkraut	December 1, 1941 through March 31, 1942.
Mushrooms	October 10, through Dec. 10, 1941.

(b) If any processor packed any product covered by Maximum Price Regulation No. 306 during two seasons in the calendar year 1941 at the same factory he shall report separately his weighted average price for the first 60 days of each pack. The report shall clearly indicate the period to which it applies, and the report for the second 60-day period shall be stated immediately following the report for the first 60-day period.

(c) The reports covering products named in Maximum Price Regulation No. 306 shall be submitted in the form indicated in the example below. Each processor shall indicate the commercial grade of the product, and the AMA grade within which his grade falls as to all items for which the United States Department of Agriculture has specified grades. Where a processor packs more than one brand within a grade his weighted average price shall include all brands within a grade.

Example

Name and address of processor.....
Commodity. Peas, 1941 Pack. Date of beginning of pack June 20.
(Two-pack processors indicate beginning date of each pack).

Variety and style of pack	Commercial grade	AMA grade	Container type and size	Pricing unit	Base period sales: Number of units sold	Base period sales: Dollars	Weighted average price
Alaska:							
3 sieve	Top fancy	A	No. 2 tin	doz	5,000	$3,300	$1.10
4 sieve	Low fancy	B	No. 2 tin	doz	5,000	4,750	.95

SEC. 4. *Reports to be filed by packers of the products covered by Maximum Price Regulation No. 409*[2] *(Frozen Fruits, Berries & Vegetables—(1943 Pack and After)) and Maximum Price Regulation No. 207*[3] *(Frozen Fruits, Berries & Vegetables).* (a) Each packer of any product now covered by Maximum Price Regulation No. 409 or 207 shall file a report of his weighted average price per dozen or other unit f. o. b. factory, revised to reflect no more than seven months' storage in the case of quick-frozen fruits, berries and vegetables and no more than thirty days' storage in the case of cold-packed fruits, berries and vegetables, for each commodity, commercial grade, variety and style of pack and container type and size of such product, sold during the "base period". The "base period" for the purpose of this order for all products covered by Maximum Price Regulation 409 or 207 shall be the first 60 days after the beginning of the 1941 pack.

(b) If any packer froze and packed any product now covered by Maximum Price Regulation 409 or 207 during two seasons in the calendar year 1941 at the same factory he shall report separately his weighted average price for the first 60 days of each pack. The report shall clearly indicate the period to which it applies, and the report for the second 60-day period shall be stated immediately following that for the first 60-day period.

(c) The report for products covered by Maximum Price Regulation 409 and 207 shall be submitted in the form indicated in the example below. Where a packer freezes and packs more than one brand of the product his weighted average price shall include all brands of the product.

Example

Name and address of packer.....
Commodity. Strawberry 1941 pack. Date of beginning of pack May 15 (Two-pack packers indicate beginning date of each pack).

Variety and style of pack	Commercial grade (where applicable)	Container type and size	Pricing unit	Base period sales: No. of units sold	Base period sales: Dollars	Weighted average price unadjusted for storage	Weighted average price adjusted for storage
Sliced	Fancy	16 oz. carton	Doz	1,000	$1,750	$1.75	$1.80

[1] 8 F.R. 16896, 17224, 17295, 17482, 9 F.R. 287, 96, 1710, 2237.

[2] 8 F.R. 5858, 9296, 11034, 11080, 11952, 16204, 16207, 16995, 16825, 17299; 9 F.R. 97, 1596.

[3] 8 F.R. 2977, 17224.

The base period for apple butter shall be the months of October and November, 1941.

(b) The report for apple butter shall be submitted in the form indicated below. Where the packer sells more than one brand within a grade his weighted average price shall include all brands within a grade.

Example

Name and address of packer.....
Commodity. Apple butter, 1941 pack. Period covered October–November 1941

Grade (if any)	Container type and size	Pricing unit	Base period sales: Number of units sold	Base period sales: Dollars	Weighted average price
Fancy	28 oz. glass	doz	10,000	$14,500	$1.45

SEC. 5. *Reports to be filed by packers of products covered by Maximum Price Regulation No. 488*[1] *(Dried and Processed Apples and Apple Products, 1943 and Other Specified Crops).* (a) Each processor of any product covered by Maximum Price Regulation 493 shall file a report showing his weighted average price per dozen containers or other unit f. o. b. factory, for each kind, style of pack, commercial grade and container pack, commercial grade and container type and size of such product sold during the "base period". The base period for the purpose of this order shall be the first sixty days after the beginning of the 1941 pack for packed apples, applesauce, apple juice, and sweet cider and the period October 1 to November 30, 1941 as to all other apple products listed in that regulation.

(b) The reports covering products named in Maximum Price Regulation 493 shall be submitted in the form indicated in the example below. Each processor shall indicate the commercial grade of the product and the AMA grade within which each such commercial grade falls as to all products for which the United States Department of Agriculture has specified grades. Where a processor packs more than one brand with a grade his weighted average price shall include all brands within a grade.

Example

Name and address of processor.....
Commodity. Apples, 1941 pack. Date of beginning of pack, September 30

Variety and style of pack	Commercial grade	AMA grade	Container type and size	Pricing unit	Base period sales: Number of units sold	Base period sales: Dollars	Weighted average price
Sold pack	Standard	C	No. 10 tin	doz	500	$2,250	$4.50

SEC. 6. *Reports to be filed by packers of products covered by Maximum Price Regulation No. 473*[2] *(Maximum Prices for Packers and Certain Other Sellers of Fruit Preserves, Jams and Jellies) and Maximum Price Regulation No. 226*[3] *(Fruit Preserves, Jams and Jellies).* (a) Each packer of any product covered by Maximum Price Regulation No. 473 or Maximum Price Regulation No. 226 shall file a report showing his weighted average price per dozen or other unit f. o. b. factory for each kind, flavor, grade (if any) and container type and size of such product sold during the "base period." The "base period" for each flavor shall be that listed as "the applicable base period" in § 1341.302 of Maximum Price Regulation 226 for such flavor, to-wit:

Kind	Flavor	Grade (if any)	Container type and size	Pricing unit	Base period sales: Number of units sold	Base period sales: Dollars	Weighted average price
Jam	Strawberry	Fancy	16-ounce glass	doz	1,000	$2,100	$2.10

Flavor

Apricot, black raspberry, cherry currant, guava, Pineapple, raspberry and strawberry.
Blackberry, boysenberry, elderberry, loganberry, peach, plum, tomato and youngberry.
Apple; boiled cider, crab-apple, grape and quince.
Mixed flavors

Base period
June & July 1941.
Aug. & Sept. 1941.
Oct. & Nov. 1941.
Base period indicated above for flavor which predominates by weight in the fruit mixture.

(b) The report for products covered by Maximum Price Regulation Nos. 473 and 226 shall be submitted in the form indicated in the example below.

Example

Name and address of packer.....
Commodity. Jam, 1941 Pack. Period of sales covered.

[1] 8 F.R. 15697, 16664, 9 F.R. 99, 1121, 1597, 2268.
[2] 8 F.R. 13104, 13846, 15257, 16139, 98, 9 F.R. 292, 1596.
[3] 9 F.R. 3981, 9201.

SEC. 7. *Reports to be filed by packers of products covered by Maximum Price Regulation No. 488*[1] *(Maximum Prices for Packers and Certain Others Sellers of Apple Butter).* (a) Each packer of apple butter shall file a report of his weighted average price per dozen or other unit f. o. b. factory, for each grade, (if any), and container type and size of the product sold during the "base period."

Variety and style of pack	Commercial grade	Count	Style of pack	Container type and size	Pricing unit	Base period sales: No. of units sold	Base period sales: Dollars	Weighted average price
Sweet whole	Fancy	24–28	2 row placed	Qt. glass	Doz	2,000	$4,800	$2.40
Salt stock		1,200		50 gal. lb	Lb	800	4,000	5.00

SEC. 8. *Reports to be filed by salters, briners and final processors of the products covered by Maximum Price Regulation No. 488*[1] *(Pickles and Certain Pickle Products).* (a) Each salter or briner and final processor of any product covered by Maximum Price Regulation No. 488 shall file a report showing his weighted average price per dozen or other unit f. o. b. factory, for each variety, commercial grade, count, style of pack and container type and size of such product sold during the "base period". The base period for all products covered by Maximum Price Regulation No. 488 shall be submitted in the example below. Where a processor packs more than one brand in a grade his weighted average price shall include all brands within a grade.

(b) The report covering products named in Maximum Price Regulation No. 488 shall be submitted in the form indicated in the example below. Where the packer sells more than one brand within a grade his weighted average price shall include all brands within a grade.

Example

Name and address of salter, briner or final processor.....
Commodity. Pickles, 1941 pack. Period covered October 1–November 30

Variety	Commercial grade	Count	Style of pack	Container type and size	Pricing unit	Base period sales: No. of units sold	Base period sales: Dollars	Weighted average price
Sweet whole	Fancy	24–28	2 row placed	Qt. glass	Doz	2,000	$4,800	$2.40
Salt stock		1,200		50 gal. lb	Lb	800	4,000	5.00

This order shall become effective April 18, 1944.

NOTE: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5356; Filed, April 15, 1944; 12:00 m.]

[1] 8 F.R. 16603; 9 F.R. 1597.
[1] 8 F.R. 16603; 9 F.R. 98, 1597.

[RPS 60, Rev. Order 10]

American Sugar Co., et al.

Establishment of Maximum Prices

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that Order No. 10, issued under § 1334.51 (a) (6) (i) of Revised Price Schedule 60 is hereby amended to read as follows:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to add a differential of 50 cents per 100 lbs. net to their maximum basis price in order to determine their maximum price for 60 lbs. net of granulated sugar packed 10 lbs. net in each of 6 cotton bags and enclosed in a 5 ply multi-wall kraft paper sack conforming to the following specifications or to specifications producing a package of equivalent construction:

60 lb. paper sack:
5 Walls:
1—50 lb. Natural Kraft.
1—75 lb. Duplex asphalt laminated.
1—50 lb. Natural Kraft.
1—75 lb. Duplex asphalt laminated.
1—60 lb. Highly sized.
Size—13½" x 6" x 31". Self forming and staggered gussets.
Top and bottom closure—90 lb. crepe Kraft tape, sewed with 6 ply No. 12 white thread and standard filter cord, approximately 3½ stiches per inch—wax dipped.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

Chester Bowles,
Administrator.

[F. R. Doc. 44-5357; Filed, April 15, 1944; 12:05 p. m.]

Regional and District Office Orders.

List of Community Ceiling Price Orders

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 12, 1944.

Region I

Boston Order No. 2-F, Amendment No. 1, filed 3:16 p. m.
Boston Order No. G-4, Correction, filed 3:16 p. m.

Region III

Grand Rapids Order No. F-14-A, Amendment No. 12, filed 3:32 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 12, filed 3:32 p. m.
Indianapolis Order No. 1-W, filed 3:18 p. m.
Indianapolis Order No. 2-W, filed 3:18 p. m.
Indianapolis Order No. 3-W, filed 3:20 p. m.
Indianapolis Order No. 4-W, filed 3:21 p. m.
Indianapolis Order No. 5-W, filed 3:21 p. m.
Indianapolis Order No. 6-W, filed 3:22 p. m.
Indianapolis Order No. 7-W, filed 3:17 p. m.
Indianapolis Order No. 8-W, filed 3:24 p. m.
Lexington Order No. 1-W, Amendment No. 1, filed 3:13 p. m.
Louisville Order No. 1-W, filed 3:18 p. m.
Louisville Order No. 2-W, filed 3:15 p. m.

Region IV

Birmingham Order No. 14, Amendment No. 2, filed 3:33 p. m.
Birmingham Order No. 15, Amendment No. 2, filed 3:33 p. m.
Jackson Order No. 2-F, Amendment No. 5, filed 3:34 p. m.
Jacksonville Order No. 4-F, Amendment No. 1, filed 2:55 p. m.
Jacksonville Order No. 5-F, Amendment No. 1, filed 2:55 p. m.
Jacksonville Order No. 17, Amendment No. 1, filed 2:55 p. m.
Jacksonville Order No. 18, Amendment No. 1, filed 2:57 p. m.
Jacksonville Order No. 19, Amendment No. 1, filed 3:12 p. m.
Jacksonville Order No. 20, Amendment No. 1, filed 3:12 p. m.
Jacksonville Order No. 21, Amendment No. 1, filed 3:13 p. m.
Montgomery Order No. 9-F, filed 3:34 p. m.

Region V

Dallas Order No. 1-F, Amendment No. 10, filed 2:45 p. m.
Dallas Order No. 2-F, Amendment No. 8, filed 2:55 p. m.
Dallas Order No. 3-F, Amendment No. 8, filed 2:54 p. m.
Fort Worth Order No. 1-F, Amendment No. 11, filed 2:54 p. m.
Fort Worth Order No. 2-F, Amendment No. 11, filed 2:53 p. m.
Fort Worth Order No. 3-F, Amendment No. 11, filed 2:53 p. m.
Fort Worth Order No. 4-F, Amendment No. 11, filed 2:53 p. m.
Kansas City Order No. 1-F, Amendment No. 3, filed 3:30 p. m.
Kansas City Order No. 2-F, Amendment No. 6, filed 3:29 p. m.
New Orleans Order No. 2-F, Amendment No. 11, filed 3:29 p. m.

Region VII

Wyoming Order No. B-1, filed 3:17 p. m.
Wyoming Order No. 1-F, Amendment No. 2, filed 3:31 p. m.
Wyoming Order No. 2-F, filed 3:31 p. m.
Wyoming Order No. 20, filed 3:31 p. m.
Wyoming Order No. 21, filed 2:31 p. m.
Wyoming Order No. 21, Amendment No. 1, filed 3:29 p. m.
Wyoming Order Uo. 22, filed 3:28 p. m.
Wyoming Order No. 23, filed 3:17 p. m.
Wyoming Order No. 23, Amendment No. 1, filed 3:18 p. m.
Wyoming Order No. 24, filed 3:18 p. m.
Wyoming Order No. 24, Amendment No. 1, filed 3:19 p. m.
Wyoming Order No. 25, filed 3:19 p. m.
Wyoming Order No. 26, filed 3:09 p. m.
Wyoming Order No. 27, filed 3:20 p. m.
Wyoming Order No. 28, filed 3:24 p. m.
Wyoming Order No. 29, filed 3:26 p. m.
Wyoming Order No. 30, filed 3:27 p. m.
Wyoming Order No. 31, filed 3:30 p. m.

Region VIII

San Francisco Order No. G-8, Amendment No. 3, filed 3:27 p. m.
San Francisco Order No. G-9, Amendment No. 3, filed 3:27 p. m.
San Francisco Order No. G-10, Amendment No. 3, filed 3:26 p. m.
San Francisco Order No. G-11, Amendment No. 3, filed 3:26 p. m.
San Francisco Order No. G-12, Amendment No. 3, filed 3:32 p. m.

Copies of these orders may be obtained from the issuing offices.

Ervin H. Pollack,
Secretary.

[F. R. Doc. 44-5312; Filed, April 14, 1944; 11:[illegible] a. m.]

Securities and Exchange Commission.

[File Nos. 54-45, 59-48]

Southern Union Gas Co.

Order Granting Extension of Time

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of April, A. D. 1944.

The Commission having by order dated September 19, 1942, directed, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, that Southern Union Gas Company, formerly a registered holding company, divest itself of all its interest in, and of all ownership and control of, certain companies and certain properties designated in said order, and the said order having provided that such divestment should be effected within one year of said date, unless such time should be further extended by the Commission; and

The Commission, pursuant to an application filed under section 11 (e) of the act by Southern Union Gas Company, having previously granted an extension of six months from September 19, 1943, within which to comply with the provisions of the said order of September 19, 1942, without prejudice, however, to the respondent to apply for an additional extension if the circumstances warranted; and

Southern Union Gas Company now having filed an application requesting an additional extension of time of six months within which to comply with the divestment provisions of said order of September 19, 1942; and

The Commission having found that Southern Union Gas Company has been unable in the exercise of due diligence to comply with the divestment provisions of said order within the initial statutory period of one year from the date thereof and the six months extension previously granted; and that an additional extension of six months is necessary and appropriate in the public interest and for the protection of investors and consumers;

It is therefore ordered, That Southern Union Gas Company be and it is hereby granted an additional period of six months from March 19, 1944 within which to comply with the said provisions of said order of September 19, 1942.

By the Commission.

[SEAL] Orval L. DuBois,
Secretary.

[F. R. Doc. 44-5335; Filed, April 15, 1944; 11:37 a. m.]

[File Nos. 54-50, 59-27]

International Utilities Corp., and Dominion Gas and Electric Co.

Order Approving Amended Plan for Recapitalization

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of April, A. D. 1944.

In the matters of International Utilities Corporation, Dominion Gas and Electric Company, File No. 54-59; and International Utilities Corporation, File No. 59-27.

Proceedings having been instituted by the Commission pursuant to section 11 (b) (2) and other applicable sections of the Public Utility Holding Company Act of 1935 with respect to International Utilities Corporation, a registered holding company, and declarations and applications for approval of a plan for recapitalization having been filed by International Utilities Corporation and its subsidiary, Dominion Gas and Electric Company, also a registered holding company, under section 11 (e) and other applicable sections of said act;

All the foregoing proceedings having been duly consolidated by order of the Commission; hearings having been held after appropriate notice; and the Commission having been fully advised and having entered its findings, opinion and order on April 27, 1943, its findings and opinion on February 15, 1944, and its supplemental findings approving amended plan for recapitalization this day:

Said amended plan providing, among other things, for the following transactions:

(a) The transfer to, and acquisition and receipt by International Utilities Corporation of all stock, securities, assets, and properties belonging to Dominion Gas and Electric Company and the concurrent assumption by International Utilities Corporation of the liabilities of said Dominion Gas and Electric Company;

(b) The issuance by International Utilities Corporation of 95,946 shares of $3.50 Preferred Stock, $50 par value, in place of 95,946 shares of presently outstanding Prior Preferred Stock, $3.50 Series of 1931;

(c) The issuance by International Utilities Corporation of 126,639.864 shares of new Common Stock, $15 par value, in place of 66,652.56 shares of presently outstanding Preferred Stock, $1.75 Series of 1931, and all unpaid dividend accumulations thereon;

(d) The issuance by International Utilities Corporation of 123,376.4 shares of new Common Stock, $15 par value, in place of 88,126 shares of presently outstanding Class A Stock and all unpaid dividend accumulations thereon;

(e) The issuance by International Utilities Corporation of 12,522,652 shares of new Common Stock, $15 par value, in place of 1,252,265.25 shares of presently outstanding Class B stock;

(f) The issuance by International Utilities Corporation of 2.06 shares of new Common Stock, $15 par value, in place of 2 93/1500 shares of Dominion Gas and Electric Company's presently outstanding Common Stock in the hands of the public;

(g) The issuance, transfer, and exchange of scrip of International Utilities Corporation to the extent necessary to carry out the plan, as amended; and

International Utilities Corporation and Dominion Gas and Electric Company having requested that the Commission enter herein its order approving said plan, as amended, and that the Commission's order conform to, and set forth the recitals specified in, sections 371 and 1808 (f) of the Internal Revenue Code, as amended; and having further requested, pursuant to the provisions of section 11 (e) of the act, that the Commission apply to a court in accordance with the provisions of section 18 (f) of the act to enforce and carry out the terms and provisions of the plan.

The Commission finds that the foregoing transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the Commission's order herein and are fair and equitable to the persons affected thereby, and

It is hereby ordered, Subject to the terms and conditions enumerated below:

(1) That, pursuant to section 11 (e) of said act, said plan as amended be, and it hereby is, approved; and

(2) That the issuance, transfer, and exchange of securities above specified and itemized are necessary or appropriate to effectuate the provisions of section 11 (b) of said Act;

(3) That the transfer by Dominion Gas and Electric Company to International Utilities Corporation of 53 shares 6% Cumulative Preference Stock ($100 par value) and 76,423 Ordinary shares ($100 par value) of Canadian Western Natural Gas, Light, Heat and Power, Ltd., 10,000 shares 7% Cumulative Preferred Stock ($100 par value) and 465,150 Common shares (no par value) of Canadian Utilities, Limited, 240 shares 6% Cumulative Preferred Stock ($100 par value) and 80,000 Ordinary shares (£25 par value) of Northwestern Utilities, Limited, 403 Common shares ($100 par value) of North West Fidelity Trust Company, Limited, 221,568 shares of Capital Stock (no par value) and $44,500 principal amount 6% debentures, due May 1, 1943, of Domalta Petroleum, Limited, 2,900 shares of Common Stock of Philadelphia Dairy Products Company, Inc., and 3½ shares of Capital Stock of Asuncion Company are necessary or appropriate to effectuate the provisions of section 11 (b) of said act.

This order is subject to the following terms and conditions:

1. That the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission:

2. That jurisdiction be, and it hereby is, reserved to the Commission to approve or disapprove the amounts at which the 4,255 shares of $3 Preferred Stock of General Water Gas & Electric Company, 100,000 shares of Common Stock of Lehigh Coal and Navigation Company, and certain miscellaneous investments, all to be owned by the resulting company, are recorded on the books of the resulting company;

3. That jurisdiction be, and it hereby is, reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action, as it may deem appropriate in connection with the plan, the transactions incident thereto, and the consummation thereof, including the nomination and election of directors and the right to approve or require an arrangement whereby the resulting company shall transmit to security holders proxies and solicitation material submitted on behalf of particular candidates for director, and, in the event the plan be not consummated, to enter such further orders as it may deem appropriate under sections 11 (b) (2), 15 (f) and 20 (a) of the act; and

4. That this order shall not be operative to authorize the consummation of transactions proposed in the plan, except the proposed capital contribution by International Utilities Corporation to Dominion Gas and Electric Company and the proposed redemption of Dominion's bonds, which transactions may be consummated forthwith, until an appropriate federal district court shall, upon application thereto, enter an order enforcing such plan.

It is further ordered, That within 30 days after the final effectuation of the plan, the applicants shall file a Certificate of Notification advising the Commission of the steps which have been taken to consummate the plan.

By the Commission.

[SEAL] Orval L. DuBois,
Secretary.

[F. R. Doc. 44-5336; Filed, April 15, 1944; 11:37 a. m.]

[File No. 70-873]

Consolidated Electric and Gas Co.

Order Permitting Declaration to Become Effective

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of April, A. D. 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 12 (d) and 12 (c) thereof, and the rules of this Commission promulgated thereunder, whereby Consolidated seeks authorization for: (a) The sale by it, to Scott, Horner & Mason, Inc., a corporation organized under the laws of Virginia and having its principal place of business in Lynchburg, Virginia, of all the capital stock of Roanoke Gas Company (all such stock being owned by Consolidated), consisting of 47,900 shares without par value, for a basic cash consideration of $831,271; and (b) the sale by Consolidated to the same prospective purchaser of the $144,000 principal amount of the First Mortgage 5½% Collateral Trust Bonds of said Roanoke Gas Company owned by Consolidated, for a cash consideration of 101% of the principal amount of said bonds plus accrued interest thereon to the date of the consummation of said proposed sale; and (c) the application by Consolidated of

the proceeds to be received by it from said proposed sales in the acquisition, in the open market through brokers, of Consolidated's own Collateral Trust Bonds, and the retirement of the bonds so acquired;

A public hearing having been held upon said declaration, after appropriate notice, and the Commission having considered the record and made and filed its findings herein;

It is hereby ordered, That said declaration be, and the same is hereby, permitted to become effective forthwith, subject to the terms and conditions set forth in Rule U-24, and, in respect of the proposed acquisition and retirement by Consolidated of its own bonds, subject to the following additional terms and conditions:

(1) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any bonds to the company;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(3) That Consolidated shall furnish to the Commission, promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

Consolidated having requested that this order conform to the requirements of sections 373 (a), 371 (b), 371 (f) and 1808 (f) of the Internal Revenue Code, as amended:

It is further ordered and recited, That the transactions authorized and permitted by this order, are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, said transactions being as follows:

(1) The sale to Scott, Horner & Mason, Inc., a Virginia corporation, by Consolidated Electric and Gas Company of the securities owned by the latter company of Roanoke Gas Company, hereby specified and itemized as (a) 47,900 shares of Common Stock (without par value) of said Roanoke Gas Company, and (b) First Mortgage 5½% Bonds, due February 1, 1951, of said Roanoke Gas Company, in the aggregate principal amount of $144,000;

(2) The application by Consolidated Electric and Gas Company of the proceeds of the sale by it of said securities of the Roanoke Gas Company in the acquisition and retirement of certain bonds issued by Consolidated Electric and Gas Company, hereby specified and itemized as Consolidated Electric and Gas Company Collateral Trust Bonds, due August 1, 1957, and August 1, 1962.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5396; Filed, April 17, 1944; 10:18 a. m.]

[File No. 812-31]

HUDSON TRADING & INVESTING CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of April, A. D. 1944.

An application having been filed by the Hudson Trading & Investing Corporation, an unregistered company, for an order granting an exemption from all of the provisions of the act under section 6 (c) of the Investment Company Act of 1940,

It is ordered, That a hearing on the matter of the application of the above named applicant under the applicable provisions of said act and the rules of the Commission for exemption from all of the provisions of the Investment Company Act of 1940 be held on April 24, 1944 at 10:30 o'clock, eastern war time, in the forenoon of that date in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated for that purpose, shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's rules of practice.

Notice of such Hearing is hereby given to the above named applicant and to any other person or persons concerned or to any person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5397; Filed, April 17, 1944; 10:18 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following items of equipment are approved:

FIRING ATTACHMENTS FOR LINE-THROWING GUNS

Firing attachment for line-throwing gun, Type A (Dwg. No. C-32 revised 28 March 1944), submitted by the Coston Supply Co., 31 Water St., New York, N. Y.

Firing attachment for line-throwing gun, Model VK-LS (Dwg. No. F 325, dated 2 April 1944), submitted by the Van Karner Chemical Arms Corp., 202 East 44th Street, New York, N. Y.

LIFE PRESERVER LIGHT

Life preserver light, Type "Dutch Admiral Junior" (Revision of changes Dwg. dated 18 March 1944), submitted by Henry A. S. Van Daalen, 17 East 42nd Street, New York, N. Y.

LIFE RAFT

20-person, improved type, metallic reversible life raft (General Arrangement Dwg. No. 5GR-896, dated 13 March 1944), constructed by the Globe American Corp., Kokomo, Ind.

SEA ANCHOR

Sea anchor, type A-1 (U. S. Coast Guard Specification and Dwg. No. MMI-562, dated 1 November 1943), submitted by Eveready Canvas Corp., 20 Fulton St., New York, N. Y.

R. R. WAESCHE, *Commandant.*

APRIL 14, 1944.

[F. R. Doc. 44-5366; Filed, April 15, 1944; 12:50 p. m.]

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Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

[Civil Service Rule VII, Amendment]

PART 7—CERTIFICATION

POSITIONS FOR WHICH PROBATIONARY PERIOD EXTENDED TO ONE YEAR

§ 7.2 *Original appointment and competitive promotion procedure.* * * *

(3) *Probationary appointment.* A person selected for appointment shall be duly notified by the appointing officer and upon accepting and reporting for duty shall receive from such officer a certificate of probational appointment. The first 6 months of service under this appointment shall be a probationary period, but the Commission and the department concerned may by regulation fix a longer probationary period for any specified positions. If and when, after a full and fair trial, the conduct or capacity of the probationer is not satisfactory to the appointing officer, the probationer may at any time thereafter during this period be so notified in writing, with a full statement of reasons, and this notice shall terminate his service. Efficiency-rating reports of all probationers shall be filed periodically within the department at such times and in such form as the regulations of the Commission shall provide. If at the end of the probationary period the probationer's service rating has been satisfactory, to the extent required by regulation, a certificate to that effect filed within the department and his retention in the service shall confirm his absolute appointment. If, however, his service rating has been unsatisfactory as so provided, his service shall be terminated at the end of the probationary period.

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR

Position	*Effective date*
Agriculture:	
Positions in grades CAF-6 and above.	Feb. 6, 1941
Positions in grades SP-6 and above.	Do.
Positions in grades P-1 and above.	Jan. 15, 1941

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	*Effective date*
Civil Service Commission:	Jan. 15, 1941
Actuary, grades P-3 and P-5, Retirement Division.	
Adjudicator, P-1, Retirement Division.	Do.
Junior administrative assistant (statistician), CAF-7, Retirement Division.	Do.
Civil service adviser, CAF-9, Retirement Division.	Do.
Claims examiner, grade CAF-5, Retirement Division.	Do.
Claims reviewer, grade CAF-6, Retirement Division.	Do.
Field civil service examiner, grades CAF-5 through CAF-11, Office of Associate Chief, Investigation Division.	Do.
Investigator, Hatch Act Investigation and Enforcement Section, Office of Associate Chief, Investigations Division.	Do.
Legal adviser, grades P-4 and P-5, Retirement Division.	Do.
Legal reviewer, CAF-7 and CAF-9, Retirement Division.	Do.
Librarian, P-3, Library	Feb. 28, 1941
Research assistant, P-2, Library.	Do.
Medical Director, P-7	Apr. 21, 1941
Medical Division, all positions classified in the professional service, including that of associate medical officer in the regional offices.	Jan. 6, 1942
Junior and Senior rating board members, grades CAF-7 through CAF-10, Office of Chief, Investigations Division.	Do.
Professional and technical examiners, grades P-1 or CAF-5 and above, Board of Appeals and Review, Examining and Personnel Utilitisation Division, and Research Division (this includes civil service examiners, appeals examiners, and oral examiners).	Do.

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POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Civil Service Commission—Continued.	
Reviewing examiner, P–3, Retirement Division.	Jan. 15, 1941
Statistician, grades P–1 through P–3, Statistical Division.	Do.
Trainee rating examiner, CAF–4, field service.	Do.
Commerce, National Bureau of Standards:	
Positions in the professional and scientific service.	Do.
Commerce, Patents Office:	
Junior patent examiner	Do.
Employees' Compensation Commission:	
Attorney	Mar. 13, 1941
Claims examiner	Do.
Investigator	Do.
Federal Deposit Insurance Corporation:	
Junior bank examiner, P–1	Jan. 15, 1941
Federal Security Agency, Food and Drug Administration:	
Positions in the professional and scientific service.	Do.
Federal Security Agency, Office of Education:	
Positions in the professional and scientific service.	Do.
Federal Security Agency, St. Elizabeths Hospital:	
Attendant	Mar. 27, 1941
Federal Security Agency, Social Security Board, Bureau of Accounts and Audits:	
Accountant, CAF–11	Jan. 22, 1941
Assistant constructive accountant, CAF–9.	Do.
Federal Security Agency, Social Security Board, Bureau of Old Age and Survivors Insurance:	
Field Assistant, CAF–4	Do.
Junior field assistant, CAF–3.	Do.
Federal Security Agency, Social Security Board, Office of the Executive Director, Field Operations Division:	
Executive assistant, CAF–12 and 13.	Do.
Regional director, CAF–14	Do.
Territorial director, CAF–12 and 13.	Do.

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Federal Security Agency, Social Security Board, Office of the Executive Director, State Technical Advisory Service:	
Chief of division, CAF–14	Jan. 22, 1941
Assistant Chief of division CAF–13.	Do.
Junior examination assistant, CAF–5.	Do.
Senior personnel methods consultant, CAF–12.	Do.
Personnel methods consultant, CAF–11.	Do.
Associate personnel methods consultant, CAF–9.	Do.
Assistant personnel methods consultant, CAF–7.	Do.
Junior personnel methods analyst, CAF–5.	Do.
Senior personnel research technician, P–5.	Do.
Associate personnel research technician, P–3.	Do.
Junior personnel research technician, P–1.	Do.
Personnel research technician, P–4.	Apr. 28, 1941
Personnel research assistant, P–2.	Do.
Interior:	
Special agents, Division of Investigations.	Jan. 28, 1941
Interior, Fish and Wildlife Service:	
Professional positions	Do.
Land negotiator series	Do.
Junior refuge managers	Do.
Fishery marketing agent series.	Do.
Fishery marketing specialist series.	Do.
Engineering aide	Do.
Interior, Geological Survey:	
Professional, scientific and engineering field aid positions.	Do.
Interior, Grazing Service:	
Professional, scientific, grazier, and range examiner positions.	Do.
Interior, Indian Service:	
Advisers	Do.
Agricultural extension agent	Do.
Dairyman	Do.
Dentist	Do.
Dietitian	Do.
Education field agent	Do.
Farm agent	Do.
Farmer	Do.
Field nurse	Do.
Home extension agent	Do.
Medical technician	Do.
Nurse	Do.
Physician	Do.
Principals	Do.
Social workers	Do.
Special officers	Do.
Teacher	Do.
Teachers and instructors	Do.
Interior, Bureau of Mines:	
Professional and scientific positions.	Do.
Interior, National Park Service:	
Park policemen	Do.
Interstate Commerce Commission:	
Inspector of locomotives	Jan. 15, 1941
Justice, Federal Prison Service:	
Senior cook	Do.
Junior custodial officer	Do.
Junior farmer	Do.
Farm manager	Do.
Assistant farm manager	Do.

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Justice, Federal Prison Service—Continued.	
Junior officer-mechanic	Jan. 15, 1941
Warden	Do.
Associate warden	Do.
Justice, Immigration and Naturalization Service:	
Immigrant Inspector	Do.
Immigration patrol inspector.	Do.
Naturalization examiner	Do.
Labor:	
Positions in grades CAF–9 and above.	Do.
Positions in grades P–3 and above.	Do.
Labor, Bureau of Labor Statistics:	
Assistant economist (field representative) P–2.	Do.
Junior field representative, P–1.	Do.
Labor Children's Bureau:	
Assistant accountant and auditor, CAF–7.	Do.
Assistant child labor inspector, P–2.	Do.
Assistant in child labor inspection, P–2.	Do.
Assistant in employment certification, P–2.	Do.
Labor, Division of Labor Standards:	
Assistant field representative, CAF–7 (apprenticeship standards).	Do.
Labor, Division of Public Contracts:	
Assistant investigator, CAF–7.	Do.
Junior investigator, CAF–5.	Do.
Labor, Wage and Hour Division:	
Inspector, CAF–7	Do.
Junior inspector, CAF–5	Do.
Labor, Women's Bureau:	
Assistant economic analyst (Division of Field Investigation), P–2.	Do.
Junior investigator, CAF–5.	Do.
Labor, Office of the Director of Personnel:	
Assistant personnel clerk as a trainee position, CAF–3.	Do.
Maritime Commission:	
Construction inspection trainee (machinery) P–1.	Mar. 13, 1941
Construction inspection trainee (naval architect), P–1.	Do.
Junior marine engineer, P–1.	Do.
Junior naval architect, P–1.	Do.
National Labor Relations Board:	
Secretary, $4600 and above	Aug. 7, 1941
Chief administrative examiner, $4600 and above.	Do.
Special examiners, $4600 and above.	Do.
Administrative examiners, $3800 and above.	Do.
Election examiners, $3200 and above.	Do.
Trial examiners, $4600 and above.	Do.
Associate general counsels, $4600 and above.	Do.
Assistant general counsels, $4600 and above.	Do.
Attorneys, $2000 and above	Do.
Regional directors, $4600 and above.	Do.
Field examiners, $2000 and above.	Do.

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Post Office Department:	
Laborers at railway terminals or transfer offices.	Apr. 1, 1941
State Department:	
Junior geographer	Apr. 15, 1941
Tariff Commission:	
Commercial policy analyst, grades P–4 and above.	Jan. 15, 1941
Commodity specialist, grades P–4 and above.	Do.
Economist, grades P–4 and above.	Do.
Executive positions, grades P–4 and above.	Do.
Treasury:	
Economic analyst (all grades).	Do.
Economist (all grades)	Do.
Treasury, Bureau of Internal Revenue:	
Engineer revenue agent (all grades).	Do.
Junior inspector, CAF–4, Alcohol Tax Unit.	Do.
Internal revenue agent (all grades).	Do.
Investigator, Alcohol Tax Unit, CAF–7.	Do.
Special agent (junior and senior grades).	Do.
Storekeeper-gauger, CAF–5	Do.
Chief, Field Division, Office of Collector of Internal Revenue.	Oct. 1, 1941
Assistant chief, Field Division, Office of Collector of Internal Revenue.	Do.
Deputy Collector of Internal Revenue (field).	Do.
Treasury, Bureau of Narcotics:	
Narcotic agent, CAF–7	Jan. 15, 1941
Junior narcotic agent, CAF–5.	Do.
Narcotic inspector, CAF–7	Do.
Treasury, U. S. Secret Service:	
Agent, grades CAF–5 to CAF–8, inclusive.	Do.
Veterans' Administration:	
Aide (all grades)	Do.
Attendant (all grades)	Do.
Bio-chemist	Do.
Clinical laboratorian expert.	Do.
Clinical photographer	Do.
Dental assistant	Do.
Dental mechanic	Do.
Dentists (all grades)	Do.
Dietitian (all grades)	Do.
Headwaiter	Do.
Laboratorian (all grades)	Do.
Laboratory assistant	Do.
Librarian (all grades)	Do.
Medical Statistician	Do.
Nurse (all grades)	Do.
Oral hygienist	Do.
Orthopedic mechanic	Do.
Pharmacist (all grades)	Do.
Physical director	Do.
Physician (all grades)	Do.
Social worker (all grades)	Do.
Undertaker	Do.
Assistant dental mechanic	Apr. 23, 1941
War Department, Air Corps Technical Training Command:	
Instructors (all types)	Jan. 2, 1942
War Department, Military Intelligence Division, Information Control Branch:	
Positions in the mail censorship program.	Dec. 27, 1941
War Department, Signal Corps:	
Cryptanalyst (all grades)	Mar. 18, 1941

NOTE: For appointments made on and after January 16, 1940, and before November 7, 1940, the probationary period was regarded as having been completed on January 18, 1941, or upon the completion of six months service, whichever was later, unless the probation for the position had been fixed for a longer period by regulation.

When an employee had served only a portion of the probationary period and was granted a furlough or leave without pay, the probationary period was extended for the period of time the employee was in a nonpay status, which means that an employee must have served in a pay status for the total period prescribed as probationary.

NOTE: Except as provided above and in 39 U.S.C., 614, the period of probation of substitute employees in the postal field service was based on hours of service and not on calendar months. Such employees completed their probationary periods after 1224 hours were actually served. Those substitute employees who served 1224 hours or more but less than 2448 hours from the date of appointment to January 15, 1941, had completed their probation. (Appointments to positions in the postal service except Postmaster were by Executive Order No. 9378 of September 23, 1943, made subject, effective October 23, 1943, to the War Service Regulations which appear in Part 18 of this Title.)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 44–5464; Filed, April 18, 1944; 10:10 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *infra*.

TITLE 13—BUSINESS CREDIT

Chapter I—Reconstruction Finance Corporation

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *infra*.

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

PREMIUM COMPENSATION IN BUILDING AND CONSTRUCTION TRADES

Amendment of Determination of September 30, 1942, as amended, on premium compensation in the building and construction trades.

The determination of the Secretary of Labor issued September 30, 1942 (7 F.R. 7801), pursuant to Executive Order 9248, provides that the terms of Executive Order 9240 entitled "Regulations Relating to Overtime Wage Compensation" shall not apply to work on construction projects which is subject to the Wage Stabilization Agreement of July 22, 1941,

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POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Civil Service Commission—Continued.	
Reviewing examiner, P–3, Retirement Division.	Jan. 15, 1941
Statistician, grades P–1 through P–3, Statistical Division.	Do.
Trainee rating examiner, CAF–4, field service.	Do.
Commerce, National Bureau of Standards:	
Positions in the professional and scientific service.	Do.
Commerce, Patents Office:	
Junior patent examiner	Do.
Employees' Compensation Commission:	
Attorney	Mar. 13, 1941
Claims examiner	Do.
Investigator	Do.
Federal Deposit Insurance Corporation:	
Junior bank examiner, P–1	Jan. 15, 1941
Federal Security Agency, Food and Drug Administration:	

POSITIONS FOR WHICH THE PROBATIONARY PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Federal Security Agency, Social Security Board, Office of the Executive Director, State Technical Advisory Service:	
Chief of division, CAF–14	Jan. 22, 1941
Assistant Chief of division CAF–13.	Do.
Junior examination assistant, CAF–5.	Do.
Senior personnel methods consultant, CAF–12.	Do.
Personnel methods consultant, CAF–11.	Do.
Associate personnel methods consultant, CAF–9.	Do.
Assistant personnel methods consultant, CAF–7.	Do.
Junior personnel methods analyst, CAF–5.	Do.
Senior personnel research technician, P–5.	Do.
Associate personnel research technician, P–3.	Do.
Junior personnel research technician, P–1.	Do.
Personnel research technician, P–4.	Apr. 28, 1941
Personnel research assistant, P–2.	Do.
Interior:	
Special agents, Division of Investigations.	Jan. 28, 1941
Interior, Fish and Wildlife Service:	
Professional positions	Do.
Land negotiator series	Do.
Junior refuge managers	Do.
Fishery marketing agent series.	Do.
Fishery marketing specialist series.	Do.
Engineering aide	Do.
Interior, Geological Survey:	
Professional, scientific and engineering field aid positions.	Do.
Interior, Grazing Service:	
Professional, scientific, grazier, and range examiner positions.	Do.
Interior, Indian Service:	
Advisers	Do.

FEDERAL REGISTER

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

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Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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POSITIONS FOR WHICH THE PREFERENCE PERIOD WAS BY REGULATION EXTENDED TO ONE YEAR—Continued

Position	Effective date
Civil Service Commission—Continued.	
Reviewing examiner, P–2, Retirement Division.	Jan. 15, 1941
Statistician, grades P–1 through P–3, Statistical Division.	Do.
Trainee rating examiner, CAF–4, field service.	Do.
Commerce, National Bureau of Standards:	
Positions in the professional and scientific service.	Do.
Commerce, Patents Office:	
Junior patent examiner	Do.
Employees' Compensation Commission:	
Attorney	Mar. 18, 1941
Claims examiner	Do.
Investigator	Do.
Federal Deposit Insurance Corporation:	
Junior bank examiner, P–1	Jan. 15, 1941
Federal Security Agency, Food and Drug Administration:	
Positions in the professional and scientific service.	Do.
Federal Security Agency, Office of Education:	
Positions in the professional and scientific service.	Do.
Federal Security Agency, St. Elizabeths Hospital:	
Attendant	Mar. 27, 1941
Federal Security Agency, Social Security Board, Bureau of Accounts and Audits:	
Accountant, CAF–11	Jan. 22, 1941
Assistant constructive accountant, CAF–9.	Do.
Federal Security Agency, Social Security Board, Bureau of Old Age and Survivors Insurance:	
Field Assistant, CAF–4	Do.
Junior field assistant, CAF–3.	Do.
Federal Security Agency, Social Security Board, Office of the Executive Director, Field Operations Division:	
Executive assistant, CAF–12 and 13.	Do.
Regional director, CAF–14.	Do.
Territorial director, CAF–12 and 13.	Do.
Federal Security Agency, Social Security Board, Office of the Executive Director, State Technical Advisory Service:	
Chief of division, CAF–14	Jan. 22, 1941
Assistant Chief of division CAF–13.	Do.
Junior examination assistant, CAF–5.	Do.
Senior personnel methods consultant, CAF–12.	Do.
Personnel methods consultant, CAF–11.	Do.
Associate personnel methods consultant, CAF–9.	Do.
Assistant personnel methods consultant, CAF–7.	Do.
Junior personnel methods analyst, CAF–5.	Do.
Senior personnel research technician, P–3.	Do.
Associate personnel research technician, P–2.	Do.
Junior personnel research technician, P–1.	Do.
Personnel research technician, P–4.	Apr. 29, 1941
Personnel research assistant, P–2.	Do.
Interior:	
Special agents, Division of Investigations.	Jan. 28, 1941
Interior, Fish and Wildlife Service:	
Professional positions	Do.
Land negotiator series	Do.
Junior refuge managers	Do.
Fishery marketing agent series.	Do.
Fishery marketing specialist series.	Do.
Engineering aide	Do.
Interior, Geological Survey:	
Professional, scientific and engineering field aid positions.	Do.
Interior, Grazing Service:	
Professional, scientific, grazier, and range examiner positions.	Do
Interior, Indian Service:	
Advisers	Do.
Agricultural extension agent	Do.
Dairyman	Do.
Dentist	Do.
Dietitian	Do.
Education field agent	Do.
Farm agent	Do.
Farmer	Do.
Field nurse	Do.
Home extension agent	Do.
Medical technician	Do.
Nurse	Do.
Physician	Do.
Principals	Do.
Social workers	Do.
Special officers	Do.
Teacher	Do.
Teachers and instructors	Do.
Interior, Bureau of Mines:	
Professional and scientific positions.	Do.
Interior, National Park Service:	
Park policemen	Do.
Interstate Commerce Commission:	
Inspector of locomotives	Jan. 15, 1941
Justice, Federal Prison Service:	
Senior cook	Do.
Junior custodial officer	Do.
Junior farmer	Do.
Farm manager	Do.
Assistant farm manager	Do.

Position
Justice, Federal
ice—Contin
Junior officer-
Warden
Associate ward
Justice, Immig
Naturalizati
Immigrant In
Immigration
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Naturalizatio
Labor.
Positions in
and above.
Positions in
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Labor, Bureau
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Assistant ec
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Junior field
P 1.
Labor, Children'
Assistant ac
auditor, CA
Assistant ch
rector, P–3
Assistant in
spection, P
Assistant in
certificatio
Labor, Divisio
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CAF–7.
Junior inves
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P–1.
National L
Board:
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Administra
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Election
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Trial exam
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Associate
$4600 an
Assistant
$4600 an
Attorneys,
Regional d
above.
Field exa
above.

Position	Effective date
Justice, Federal Prison Service—Continued.	
Junior officer-mechanic	Jan. 15, 1941
Warden	Do.
Associate warden	Do.
Justice, Immigration and Naturalization Service:	
Immigrant Inspector	Do.
Immigration patrol inspector.	Do.
Naturalization examiner	Do.
Labor.	
Positions in grades CAF-9 and above.	Do.
Positions in grades P-3 and above.	Do.
Labor, Bureau of Labor Statistics:	
Assistant economist (field representative) P-2.	Do.
Junior field representative, P-1.	Do.
Labor Children's Bureau:	
Assistant accountant and auditor, CAF-7.	Do.
Assistant child labor inspector, P-2.	Do.
Assistant in child labor inspection, P-2.	Do.
Assistant in employment certification, P-2.	Do.
Labor, Division of Labor Standards:	
Assistant field representative, CAF-7 (apprenticeship standards).	Do.
Labor, Division of Public Contracts:	
Assistant investigator, CAF-7.	Do.
Junior investigator, CAF-5.	Do.
Labor, Wage and Hour Division:	
Inspector, CAF-7	Do.
Junior inspector, CAF-5	Do.
Labor, Women's Bureau:	
Assistant economic analyst (Division of Field Investigation), P-2.	Do.
Junior investigator, CAF-5	Do.
Labor, Office of the Director of Personnel:	
Assistant personnel clerk as a trainee position, CAF-3.	Do.
Maritime Commission:	
Construction inspection trainee (machinery). P-1.	Mar. 13, 1941
Construction inspection trainee (naval architect), P-1.	Do.
Junior marine engineer, P-1.	Do.
Junior naval architect, P-1.	Do.
National Labor Relations Board:	
Secretary, $4600 and above	Aug. 7, 1941
Chief administrative examiner, $4600 and above.	Do.
Special examiners, $4600 and above.	Do.
Administrative examiners, $3800 and above.	Do.
Election examiners, $3200 and above.	Do.
Trial examiners, $4600 and above.	Do.
Associate general counsels, $4600 and above.	Do.
Assistant general counsels, $4600 and above.	Do.
Attorneys, $2000 and above	Do.
Regional directors, $4600 and above.	Do.
Field examiners, $2000 and above.	Do.
Post Office Department:	
Laborers at railway terminals or transfer offices.	Apr. 1, 1941
State Department:	
Junior geographer	Apr. 15, 1941
Tariff Commission:	
Commercial policy analyst, grades P-4 and above.	Jan. 15, 1941
Commodity specialist, grades P-4 and above.	Do.
Economist, grades P-4 and above.	Do.
Executive positions, grades P-4 and above.	Do.
Treasury:	
Economic analyst (all grades).	Do.
Economist (all grades)	Do.
Treasury, Bureau of Internal Revenue:	
Engineer revenue agent (all grades).	Do.
Junior inspector, CAF-4, Alcohol Tax Unit.	Do.
Internal revenue agent (all grades).	Do.
Investigator, Alcohol Tax Unit, CAF-7.	Do.
Special agent (junior and senior grades).	Do.
Storekeeper-gauger, CAF-5	Do.
Chief, Field Division, Office of Collector of Internal Revenue.	Oct. 1, 1941
Assistant chief, Field Division, Office of Collector of Internal Revenue.	Do.
Deputy Collector of Internal Revenue (field).	Do.
Treasury, Bureau of Narcotics:	
Narcotic agent, CAF-7	Jan. 15, 1941
Junior narcotic agent, CAF-5.	Do.
Narcotic inspector, CAF-7	Do.
Treasury, U. S. Secret Service:	
Agent, grades CAF-5 to CAF-8, inclusive.	Do.
Veterans' Administration:	
Aide (all grades)	Do.
Attendant (all grades)	Do.
Bio-chemist	Do.
Clinical laboratorian expert.	Do.
Clinical photographer	Do.
Dental assistant	Do.
Dental mechanic	Do.
Dentists (all grades)	Do.
Dietitian (all grades)	Do.
Headwaiter	Do.
Laboratorian (all grades)	Do.
Laboratory assistant	Do.
Librarian (all grades)	Do.
Medical Statistician	Do.
Nurse (all grades)	Do.
Oral hygienist	Do.
Orthopedic mechanic	Do.
Pharmacist (all grades)	Do.
Physical director	Do.
Physician (all grades)	Do.
Social worker (all grades)	Do.
Undertaker	Do.
Assistant dental mechanic	Apr. 23, 1941
War Department, Air Corps Technical Training Command:	
Instructors (all types)	Jan. 2, 1942
War Department, Military Intelligence Division, Information Control Branch:	
Positions in the mail censorship program.	Dec. 27, 1941
War Department, Signal Corps:	
Cryptanalyst (all grades)	Mar. 18, 1941

NOTE: For appointments made on and after January 16, 1940, and before November 7, 1940, the probationary period was regarded as having been completed on January 15, 1941, or upon the completion of six months tion of the probationary period and granted a furlough or leave without pay, the probationary period was extended for the period of time the employee was in a nonpay status, which means that an employee must have served in a pay status for the total period prescribed as probationary.

NOTE: Except as provided above and in 39 U.S.C., 614, the period of probation of substitute employees in the postal field service was based on hours of service and not on calendar months. Such employees completed their probationary periods after 1224 hours were actually served. Those substitute employees who served 1224 hours or more but less than 2448 hours from the date of appointment to January 15, 1941, had completed their probation. (Appointments to positions in the postal service except Postmaster were by Executive Order No. 9278 of September 23, 1942, made subject, effective October 23, 1942, to the War Service Regulations which appear in Part 18 of this Title.)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 44-5464; Filed, April 18, 1944; 10:10 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *infra*.

TITLE 13—BUSINESS CREDIT

Chapter I—Reconstruction Finance Corporation

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *infra*.

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

PREMIUM COMPENSATION IN BUILDING AND CONSTRUCTION TRADES

Amendment of Determination of September 30, 1942, as amended, on premium compensation in the building and construction trades.

The determination of the Secretary of Labor issued September 30, 1942 (7 F.R. 7801), pursuant to Executive Order 9248, provides that the terms of Executive Order 9240 entitled "Regulations Relating to Overtime Wage Compensation" shall not apply to work on construction projects which is subject to the Wage Stabilization Agreement of July 22, 1941,

entered into between certain Government agencies engaged in defense construction and the Building and Construction Trades Department of the American Federation of Labor. This stabilization agreement applies to any contract work done for or through any federal agency for defense purposes within the continental limits of the United States and the Panama Canal Zone. Executive Order 9240, however, applies to all work relating to the prosecution of the war in the United States, its territories and possessions.

Upon investigation I have determined that the differences in the definition of work subject to the Executive Order, the Determination, and the Stabilization Agreement have created operating problems in the industry and that the nature and exigencies of operations in this industry make it necessary and advisable for the successful prosecution of the war that my Determination of September 30, 1942, as amended, be amended to provide for more uniform application of the rules on the payment of premium and overtime wage compensation.

Now, therefore, by virtue of the power vested in me by Executive Order 9240, *It is ordered*, for the duration of the war, that the Determination of the Secretary of Labor, issued September 30, 1942, which provides that Executive Order 9240 shall not apply to any contract work done for or through any federal agency for defense purposes within the continental limits of the United States and the Panama Canal Zone is extended to exempt from Executive Order 9240 all other work in the Building and Construction Industry performed by employees at the site of construction, provided that such work is performed under the following conditions, which are now in effect for all construction work exempted from Executive Order 9240 by my Determination of September 30, 1942, as amended:

Where a single shift is worked, eight hours of continuous employment, except for lunch periods, shall constitute a day's work beginning on Monday and through Friday of each week. Where work is required in excess of eight hours on any one day or during the interval from 5:00 p. m. Friday to 7:00 a. m. Monday, or on holidays, such work shall be paid for at 1½ times the basic rate of wages.

Where two or more shifts are worked, five days of 7½ hour shifts from Sunday midnight to Friday midnight, shall constitute a regular week's work. The pay for a full shift period shall be a sum equivalent to eight times the basic hourly rate and for a period less than the full shift shall be the corresponding proportional amount which the time worked bears to the time allocated to the fall shift period. Any time worked from Friday midnight to Sunday midnight or in excess of regular shift hours shall be paid for at 1½ times the basic rate of wages.

Any work not subject to the provisions of Executive Order 9240 pursuant to this order shall be subject to the amendment of my Determination of September 30, 1942, issued May 22, 1943, which limits holidays in this industry to New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and Memorial Day.

All questions of interpretation and application arising hereunder shall be referred for determination to the Wage Adjustment Board for the Building and Construction Industry.

This order shall become effective April 17, 1944.

Dated: April 11, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-5480; Filed, April 18, 1944; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), as amended, §§ 301.2 (b) and (c), 301.3 (b) (1), 301.20 (d) and 301.24 (a) of the regulations under the Federal Explosives Act heretofore promulgated[1] are hereby amended.

Sections 301.2 (b) and (c) and 301.3 (b) (1) shall read as follows:

§ 301.2 *Definitions.* * * *

(b) The terms "explosive" and "explosives" mean any of the following chemical compounds or mechanical mixtures:

Amatol (mixture of ammonium nitrate and trinitrotoluene).
Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients).
Azides.
Black powder—all forms (except in completely assembled cartridges for small arms or shotguns).
Caps, blasting (fuse and electric types), detonating—all classes except percussion caps and small arms primers.
Detonators.
Dynamites.
Fireworks—all kinds.
Fulminates.
Fuse of all varieties, used in connection with setting off explosives.
Guncotton (see "nitrocellulose").
Gunpowder and gunpowder mixtures (except in completely assembled cartridges for small arms or shotguns).
Hexanitrodiphenylamine (dipicrylamine, hexamine).
Nitrocellulose exceeding 12.2 percent nitrogen.
Nitroglucose.
Nitroglycerine (except in pharmacopoeia solution, or in form of pills, or granules, containing not more than one-fiftieth of a grain each, for pharmaceutical purposes).
Nitroglycol (dinitroglycol, ethyleneglycol dinitrate).
Nitromannite (mannitolhexanitrate, except in form of pills or granules containing not over three-fourths of a grain each of nitromannite, for pharmaceutical purposes).
Nitrostarch.
Nitrosugar.
Permissible explosives.
Pentaerythritetetranitrate (penthrite or pentrite, PETN).
Picrates.
Picric acid (except in solutions not exceeding 1.25 percent at normal or room temperature, for medicinal use, in quantities not exceeding 8 fluid ounces of such solution).
Potassium nitrate powders (black saltpeter powder and nitre).
Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).
Smokeless powder (except in completely assembled cartridges for small arms or shotguns.
Sodium nitrate powders (black soda powder).
Squibs.
Styphanates.
Tetryl (trinitrophenylmethylnitramine, tetranitromethylaxilins, tetralite, pyronite).
Tetranitroaniline (TNA).
Tetranitronaphthalalene.
Trimethylenetrinitramine (hexogen, T, cyclonite).
Trinitroanisol (methyl picrate, trinitrophenylmethyl ether).
Trinitrocresol (cryalite).
Trinitrotoluene (triton, TNT).
Trinitroxylene (TNX).

(c) The terms "ingredient" and "ingredients" mean any of the following chemicals (except in tablet, capsule or liquid form for medicinal purposes):

Chlorates:
Ammonium.
Barium.
Potassium.
Sodium.
Liquid air.
Liquid oxygen.
Nitrates:
Ammonium.
Potassium.
Sodium.
Perchlorates:
Perchloric acid and salts.
Phosphorus.

§ 301.3 *Application of act and regulations; exceptions.* * * *

(b) *Explosives and ingredients excepted*—(1) *Ingredients in small quantities.* Ingredients in small quantities and not used or intended to be used in the manufacture of explosives. The meaning of the term "small quantities" as used in this section is dependent upon the type of the ingredient and the classification of the person acquiring it, according to the following table:

TYPE OF INGREDIENT (OF EACH) AND CLASSIFICATION OF PERSON ACQUIRING INGREDIENT	*Meaning of "small quantity"*
Chlorate:	
Industrial users	225 lbs.
Colleges, universities	50 lbs.
Wholesalers	25 lbs.
High schools, hospitals, industrial research laboratories	10 lbs.
Druggists	2 lbs.
Others	¼ lb.
Nitrate:	
Industrial users	200 lbs.
Colleges, universities, wholesalers	50 lbs.
High schools, druggists	10 lbs.
Others	5 lbs.
Perchlorate:	
Industrial users, industrial research laboratories	140 lbs.
Colleges, universities	70 lbs.
Wholesalers	10 lbs.
Druggists, high schools, hospitals	2 lbs.
Others	¼ lb.
Phosphorus:	
Industrial users	50 lbs.
Wholesalers, colleges, universities	10 lbs.
Industrial research laboratories, high schools, hospitals	2 lbs.
Others	¼ lb.

[1] 7 F.R. 308, 1103, 1976, 3876, 4758, 6001, 8175, 9606; 8 F.R. 1849, 2080, 4141, 15813; 9 F.R. 1502, 8006.

(c) The terms "ingredient" and "ingredients" mean any of the following chemicals (except in tablet, capsule or liquid form for medicinal purposes):

Chlorates:
Ammonium.
Barium.
Potassium.
Sodium.
Liquid air.
Liquid oxygen.
Nitrates:
Ammonium.
Potassium.
Sodium.
Perchlorates:
Perchloric acid and salts.
Phosphorus.

§ 301.3 *Application of act and regulations; exceptions.* * * *

(b) *Explosives and ingredients excepted*—(1) *Ingredients in small quantities.* Ingredients in small quantities and not used or intended to be used in the manufacture of explosives. The meaning of the term "small quantities" as used in this section is dependent upon the type of the ingredient and the classification of the person acquiring it, according to the following table:

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Chlorate:	
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Wholesalers	25 lbs.
High schools, hospitals, industrial research laboratories	10 lbs.
Druggists	2 lbs.
Others	¼ lb.
Nitrate:	
Industrial users	200 lbs.
Colleges, universities, wholesalers	50 lbs.
High schools, druggists	10 lbs.
Others	5 lbs.
Perchlorate:	
Industrial users, industrial research laboratories	140 lbs.
Colleges, universities	70 lbs.
Wholesalers	10 lbs.
Druggists, high schools, hospitals	2 lbs.
Others	¼ lb.
Phosphorus:	
Industrial users	50 lbs.
Wholesalers, colleges, universities	10 lbs.
Industrial research laboratories, high schools, hospitals	2 lbs.
Others	¼ lb.

Section 301.20 (d) is amended by changing the reference "§ 301.17 (a)" in the seventh sentence to "§ 301.24 (c)."

Section 301.24 (a) is amended by deleting the words "and percussion" in the second sentence.

R. R. SAYERS,
Director.

Approved: April 10, 1944.

MICHAEL W. STRAUS,
Assistant Secretary,
Department of the Interior.

[F. R. Doc. 44-5469; Filed, April 18, 1944; 10:24 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3690; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-483]

RALEIGH COCA-COLA BOTTLING WORKS

Raleigh Coca-Cola Bottling Works is a corporation engaged, among other things, in the bottling and distribution of non-alcoholic beverages, at Beckley, West Virginia, with a branch at Mullens, West Virginia. The company used 27,612 gross of new closures made of restricted materials for the period from June 1, 1942 to June 30, 1943, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. The company failed to keep and preserve accurate and complete records of closures used which were subject to the limitations of Order M-104. This constituted a violation of Priorities Regulation No. 1.

The responsible officers of the company were familiar with the provisions of the orders and regulations of the War Production Board, which govern the operations of the company, and its conduct constituted grossly negligent violations of Order M-104 and Priorities Regulation No. 1. As the result of these violations scarce materials have been diverted from the war effort to uses not authorized by the War Production Board, and the war effort of the United States has been hampered and impeded. In view of the foregoing, *it is hereby ordered*, That:

§ 1010.483 *Suspension Order No. S-483.* (a) Raleigh Coca-Cola Bottling Works, its successors and assigns, shall during the calendar year of 1944, reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 27,612 gross, under the quota it would otherwise be entitled to use in such a period, as defined by Limitation Order L-103-b, which on January 4, 1944, superseded Conservation Order M-104, controlling the use of such closures. Any exceptions to this reduction in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Raleigh Coca-Cola Bottling Works, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 17, 1944, and shall expire on December 31, 1944.

Issued this 10th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5457; Filed, April 17, 1944; 4:25 p. m.]

PART 990—CHLORINE IN PULP, PAPER AND PAPERBOARD

[General Limitation Order L-11, Interpretation 1]

The following interpretation is issued with respect to General Limitation Order L-11:

Meaning of specific restrictions relating to pulp. Paragraphs (c) (2) and (c) (3) of Order L-11 are interpreted to mean that the brightness of any individual batch, where a batch system is used, or the average of any eight-hour period, where a continuous system is used, shall not exceed 74 for bleached sulphite, bleached sulphate or waste paper when used for conversion into bleached papers, or 70 for bleached soda pulp.

Meaning of specific restrictions relating to paper and paperboard. In the tabulation under paragraph (d) (1), "gumming" grade of paper and paperboard, listed under "Book" Division of Industry, may be made not to exceed brightness of 68. There is no restriction against using any type of bleached pulp in this grade.

Listed under Sulphite and Bleached Kraft Division of Industry, "M. F. and M. G. Waxing" may be made not to exceed brightness of 67. There is no restriction against using any type of bleached pulp in this grade.

Effect of elimination of certain pulps from specified grades of paper and paperboard. The terms of paragraph (e) provide that pulp bleached with Chlorine shall be eliminated from gummings and tape, and waxings, under "Kraft" Division of Industry. This restriction is interpreted as referring only to "unbleached" grades, as distinguished from "Book," "Sulphite" or "Bleached Kraft" grades.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5479; Filed, April 18, 1944; 11:14 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 24]

RECORDS OF EXPORTERS

The following interpretation is issued with respect to CMP Regulation 1:

Paragraph (7) (8) of CMP Regulation No. 1 requires each prime consumer to retain for two years all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have since the institution of the Controlled Materials Plan made allotments of controlled materials to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other Government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments and preference ratings on export licenses are not in a position to retain the original of the export license, and thus are not required to do so by paragraph (7) (3) except only in those cases where other Government regulations do not require the surrender to the Government of the documents referred to.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5477; Filed, April 18, 1944; 11:14 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 13]

STAVES, HEADING, AND HOOPS

The following interpretation is issued with respect to CMP Regulation 5:

(a) Persons manufacturing wooden staves, heading, and hoops for barrels are included under the item "logging operations, saw mills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with saw mills" appearing in Schedule I of the regulation. They are, therefore, entitled to use the allotment symbol MRO and the preference rating AA-1 in buying MRO.

(b) Persons who make barrels as such are engaged in manufacturing "containers, all types except fibre containers, gas cylinders and ton containers, and nailed wooden boxes and crates", which appears in Schedule II of CMP Regulation 5. They may use, therefore, the MRO symbol and preference rating AA-2 in buying MRO. A person who makes both staves and barrels must segregate his purchases, unless impracticable to do so as explained in paragraph (e) of the regulation.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5478; Filed, April 18, 1944; 11:14 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-260-a, Interpretation 1]

FURNITURE AND FURNITURE PARTS; REMODELING BY INCLUSION OF SPRINGS

The following interpretation is issued with respect to General Limitation Order L-260-a:

Since the revocation of Order L-135 on January 14, 1944, some question has arisen in connection with the remodeling of padded or upholstered furniture produced prior to that date without springs.

A person who remodels such a completely finished and upholstered item of padded fur-

entered into between certain Government agencies engaged in defense construction and the Building and Construction Trades Department of the American Federation of Labor. This stabilization agreement applies to any contract work done for or through any federal agency for defense purposes within the continental limits of the United States and the Panama Canal Zone. Executive Order 9240, however, applies to all work relating to the prosecution of the war in the United States, its territories and possessions.

Upon investigation I have determined that the differences in the definition of work subject to the Executive Order, the Determination, and the Stabilization Agreement have created operating problems in the industry and that the nature and exigencies of operations in this industry make it necessary and advisable for the successful prosecution of the war that my Determination of September 30, 1942, as amended, be amended to provide for more uniform application of the rules on the payment of premium and overtime wage compensation.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, *It is ordered*, for the duration of the war, that the Determination of the Secretary of Labor, issued September 30, 1942, which provides that Executive Order 9240 shall not apply to any contract work done for or through any federal agency for defense purposes within the continental limits of the United States and the Panama Canal Zone is extended to exempt from Executive Order 9240 all other work in the Building and Construction Industry performed by employees at the site of construction, provided that such work is performed under the following conditions, which are now in effect for all construction work exempted from Executive Order 9240 by my Determination of September 30, 1942, as amended:

Where a single shift is worked, eight hours of continuous employment, except for lunch periods, shall constitute a day's work beginning on Monday and through Friday of each week. Where work is required in excess of eight hours on any one day or during the interval from 5:00 p. m. Friday to 7:00 a. m. Monday, or on holidays, such work shall be paid for at 1½ times the basic rate of wages.

Where two or more shifts are worked, five days of 7½ hour shifts from Sunday midnight to Friday midnight, shall constitute a regular week's work. The pay for a full shift period shall be a sum equivalent to eight times the basic hourly rate and for a period less than the full shift shall be the corresponding proportional amount which the time worked bears to the time allocated to the fall shift period. Any time worked from Friday midnight to Sunday midnight or in excess of regular shift hours shall be paid for at 1½ times the basic rate of wages.

Any work not subject to the provisions of Executive Order 9240 pursuant to this order shall be subject to the amendment of my Determination of September 30, 1942, issued May 22, 1943, which limits holidays in this industry to New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and Memorial Day.

All questions of interpretation and application arising hereunder shall be referred for determination to the Wage Adjustment Board for the Building and Construction Industry.

This order shall become effective April 17, 1944.

Dated: April 11, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-5480; Filed, April 18, 1944; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), as amended, §§ 301.2 (b) and (c), 301.3 (b) (1), 301.20 (d) and 301.24 (a) of the regulations under the Federal Explosives Act heretofore promulgated [1] are hereby amended.

Sections 301.2 (b) and (c) and 301.3 (b) (1) shall read as follows:

§ 301.2 *Definitions.* * * *

(b) The terms "explosive" and "explosives" mean any of the following chemical compounds or mechanical mixtures:

Amatol (mixture of ammonium nitrate and trinitrotoluene).
Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients).
Azides.
Black powder—all forms (except in completely assembled cartridges for small arms or shotguns).
Caps, blasting (fuse and electric types), detonating—all classes except percussion caps and small arms primers.
Detonators.
Dynamites.
Fireworks—all kinds.
Fulminates.
Fuse of all varieties, used in connection with setting off explosives.
Guncotton (see "nitrocellulose").
Gunpowder and gunpowder mixtures (except in completely assembled cartridges for small arms or shotguns).
Hexanitrodiphenylamine (dipicrylamine, hexamine).
Nitrocellulose exceeding 12.2 percent nitrogen.
Nitroglucose.
Nitroglycerine (except in pharmacopoeia solution, or in form of pills, or granules, containing not more than one-fiftieth of a grain each, for pharmaceutical purposes).
Nitroglycol (dinitroglycol, ethyleneglycol dinitrate).
Nitromannite (mannitolhexanitrate, except in form of pills or granules containing not over three-fourths of a grain each of nitromannite, for pharmaceutical purposes).
Nitrostarch.
Nitrosugar.
Permissible explosives.
Pentaerythritetetranitrate (penthrite or pentrite, PETN).
Picrates.
Picric acid (except in solutions not exceeding 1.25 percent at normal or room temperature, for medicinal use, in quantities not exceeding 6 fluid ounces of such solution).
Potassium nitrate powders (black saltpeter powder and nitre).
Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).
Smokeless powder (except in completely assembled cartridges for small arms or shotguns.
Sodium nitrate powders (black soda powder).
Squibs.
Styphanates.
Tetryl (trinitrophenylmethylnitramine, tetranitromethylaniline, tetralite, pyronite).
Tetranitroaniline (TNA).
Tetranitronaphthalalene.
Trimethylenetrinitramine (hexogen, T, cyclonite).
Trinitroanisol (methyl picrate, trinitrophenylmethyl ether).
Trinitrocresol (cryxylite).
Trinitrotoluene (triton, TNT).
Trinitroxylene (TNX).

(c) The terms "ingredient" and "ingredients" mean any of the following chemicals (except in tablet, capsule or liquid form for medicinal purposes):

Chlorates:
  Ammonium.
  Barium.
  Potassium.
  Sodium.
Liquid air.
Liquid oxygen.
Nitrates:
  Ammonium.
  Potassium.
  Sodium.
Perchlorates:
  Perchloric acid and salts.
Phosphorus.

§ 301.3 *Application of act and regulations; exceptions.* * * *

(b) *Explosives and ingredients excepted—(1) Ingredients in small quantities.* Ingredients in small quantities and not used or intended to be used in the manufacture of explosives. The meaning of the term "small quantities" as used in this section is dependent upon the type of the ingredient and the classification of the person acquiring it, according to the following table:

TYPE OF INGREDIENT (OF EACH) AND CLASSIFICATION OF PERSON ACQUIRING INGREDIENT	Meaning of "small quantity"
Chlorate:	
Industrial users	225 lbs.
Colleges, universities	50 lbs.
Wholesalers	25 lbs.
High schools, hospitals, industrial research laboratories	10 lbs.
Druggists	2 lbs.
Others	¼ lb.
Nitrate:	
Industrial users	200 lbs.
Colleges, universities, wholesalers	50 lbs.
High schools, druggists	10 lbs.
Others	5 lbs.
Perchlorate:	
Industrial users, industrial research laboratories	140 lbs.
Colleges, universities	70 lbs.
Wholesalers	10 lbs.
Druggists, high schools, hospitals	2 lbs.
Others	¼ lb.
Phosphorus:	
Industrial users	50 lbs.
Wholesalers, colleges, universities	10 lbs.
Industrial research laboratories, high schools, hospitals	2 lbs.
Others	¼ lb.

[1] 7 F.R. 308, 1103, 1976, 3876, 4756, 8901, 8175, 9606; 8 F.R. 1348, 3080, 4141, 15813; 9 F.R. 1502, 3006.

Section 301.20 (d) is amended by changing the reference "§ 301.17 (a)" in the seventh sentence to "§ 301.24 (c)."

Section 301.24 (a) is amended by deleting the words "and percussion" in the second sentence.

R. R. SAYERS,
Director.

Approved: April 10, 1944.

MICHAEL W. STRAUS,
Assistant Secretary,
Department of the Interior.

[F. R. Doc. 44-5469; Filed, April 18, 1944; 10:24 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 6 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-483]

RALEIGH COCA-COLA BOTTLING WORKS

Raleigh Coca-Cola Bottling Works is a corporation engaged, among other things, in the bottling and distribution of non-alcoholic beverages, at Beckley, West Virginia, with a branch at Mullens, West Virginia. The company used 27,612 gross of new closures made of restricted materials for the period from June 1, 1942 to June 30, 1943, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. The company failed to keep and preserve accurate and complete records of closures used which were subject to the limitations of Order M-104. This constituted a violation of Priorities Regulation No. 1.

The responsible officers of the company were familiar with the provisions of the orders and regulations of the War Production Board, which govern the operations of the company, and its conduct constituted grossly negligent violations of Order M-104 and Priorities Regulation No. 1. As the result of these violations scarce materials have been diverted from the war effort to uses not authorized by the War Production Board, and the war effort of the United States has been hampered and impeded. In view of the foregoing, *it is hereby ordered*, That:

§ 1010.483 *Suspension Order No. S-483.* (a) Raleigh Coca-Cola Bottling Works, its successors and assigns, shall during the calendar year of 1944, reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 27,612 gross, under the quota it would otherwise be entitled to use in such a period, as defined by Limitation Order L-103-b, which on January 4, 1944, superseded Conservation Order M-104, controlling the use of such closures. Any exceptions to this reduction in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Raleigh Coca-Cola Bottling Works, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 17, 1944, and shall expire on December 31, 1944.

Issued this 10th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5457; Filed, April 17, 1944; 4:25 p. m.]

PART 990—CHLORINE IN PULP, PAPER AND PAPERBOARD

[General Limitation Order L-11, Interpretation 1]

The following interpretation is issued with respect to General Limitation Order L-11:

Meaning of specific restrictions relating to pulp. Paragraphs (c) (2) and (c) (3) of Order L-11 are interpreted to mean that the brightness of any individual batch, where a batch system is used, or the average of any eight-hour period, where a continuous system is used, shall not exceed 74 for bleached sulphite, bleached sulphate or waste paper when used for conversion into bleached papers, or 70 for bleached soda pulp.

Meaning of specific restrictions relating to paper and paperboard. In the tabulation under paragraph (d) (1), "gumming" grade of paper and paperboard, listed under "Book" Division of Industry, may be made not to exceed brightness of 68. There is no restriction against using any type of bleached pulp in this grade.

Listed under Sulphite and Bleached Kraft Division of Industry, "M. F. and M. G. Waxing" may be made not to exceed brightness of 67. There is no restriction against using any type of bleached pulp in this grade.

Effect of elimination of certain pulps from specified grades of paper and paperboard. The terms of paragraph (e) provide that pulp bleached with Chlorine shall be eliminated from gummings and tape, and waxings, under "Kraft" Division of Industry. This restriction is interpreted as referring only to "unbleached" grades, as distinguished from "Book," "Sulphite" or "Bleached Kraft" grades.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5479; Filed, April 18, 1944; 11:14 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 24]

RECORDS OF EXPORTERS

The following interpretation is issued with respect to CMP Regulation 1:

Paragraph (y) (3) of CMP Regulation No. 1 requires each prime consumer to retain for two years all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have since the institution of the Controlled Materials Plan made allotments of controlled materials to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other Government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments and preference ratings on export licenses are not in a position to retain the original of the export license, and thus are not required to do so by paragraph (y) (3) except only in those cases where other Government regulations do not require the surrender to the Government of the documents referred to.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5477; Filed, April 18, 1944; 11:14 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 13]

STAVES, HEADING, AND HOOPS

The following interpretation is issued with respect to CMP Regulation 5:

(a) Persons manufacturing wooden staves, heading, and hoops for barrels are included under the item "logging operations, saw mills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with saw mills" appearing in Schedule I of the regulation. They are, therefore, entitled to use the allotment symbol MRO and the preference rating AA-1 in buying MRO.

(b) Persons who make barrels as such are engaged in manufacturing "containers, all types except fibre containers, gas cylinders and ton containers, and nailed wooden boxes and crates", which appears in Schedule II of CMP Regulation 5. They may use, therefore, the MRO symbol and preference rating AA-2 in buying MRO. A person who makes both staves and barrels must segregate his purchases, unless impracticable to do so as explained in paragraph (e) of the regulation.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5478; Filed, April 18, 1944; 11:14 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-260-a, Interpretation 1]

FURNITURE AND FURNITURE PARTS; REMODELING BY INCLUSION OF SPRINGS

The following interpretation is issued with respect to General Limitation Order L-260-a:

Since the revocation of Order L-135 on January 14, 1944, some question has arisen in connection with the remodeling of padded or upholstered furniture produced prior to that date without springs.

A person who remodels such a completely finished and upholstered item of padded fur-

niture by the mere inclusion of upholstery springs is not engaged in the production of upholstered furniture within the meaning of Order L–260–a, nor is he a "reconditioner" or "repairman" under CMP Regulation No. 9A. However, if a person adds springs to an item of furniture which had not been completely finished and upholstered prior to that date, he is a manufacturer and subject to the restrictions of that order.

Only a limited number of springs are available for this purpose. To the extent that a spring distributor has upholstery springs available which are not required to fill rated orders, he may sell them on unrated orders.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5470; Filed, April 18, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300
Schedule 14]

PINE TAR

§ 3293.1014 *Schedule 14 to General Allocation Order M–300.* (a) *Definition.* "Pine tar" means the liquid pine tar and tar oil, of all grades and weights which is obtained by distillation of pine wood by the retort or kiln process.

(b) *General provisions.* Pine tar is subject to allocation under General Allocation Order M–300, as an Appendix A material. The initial allocation date is May 1, 1944. The allocation period is the calendar month. The small order exemption is five gallons per person per month.

(c) *Special exemption.* Any producer who produces less than 500 gallons in any month after the initial allocation date, except by toll arrangement, and any person who purchases pine tar from such a producer shall be exempt for that month from the requirement of obtaining authorization from the War Production Board for the delivery, acceptance of delivery or use of any pine tar so produced or of any stocks of pine tar in the hands of such producer on the initial allocation date.

(d) *Suppliers' applications on Form WPB–2946.* (1) Each supplier seeking authorization to use or deliver pine tar shall file application on Form WPB-2946 (formerly PD–601) on or before the 20th day of the month preceding the month in which delivery or use is proposed.

(2) Form WPB–2946 should be completely filled in. The unit of measure is gallons.

(3) List individually the names of customers who have ordered more than the quantity permitted for small orders. No such order shall be listed or filled unless the customer has filed with the supplier the required Form WPB–2946. An aggregate quantity may be requested for "small orders" without listing the names of the individuals placing the small orders.

(4) Normally the War Production Board will issue its authorizations and directions for delivery by returning Form WPB–2946 to the supplier showing the amount which may be delivered to each customer and the aggregate amount which may be delivered to fill small orders.

(e) *Customers' applications on Form WPB–2945.* (1) Each person seeking authorization to use or accept delivery of pine tar shall file application on Form WPB–2945 (formerly PD–600) on or before the 15th day of the month preceding the month in which acceptance of delivery or use is proposed. Form WPB–2945 should be completely filled in. The unit of measure is gallons. Three copies (one certified) should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–Schedule 14; one copy should be sent to the supplier; and one copy should be retained.

(2) Normally the War Production Board will issue its authorizations and directions for acceptance of delivery or use by returning Form WPB–2945 showing the amount of pine tar which may be accepted or used during the month.

(f) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300, Schedule 14.

NOTE: Forms WPB–2945 and WPB–2946 and the instructions in this schedule and in the appendices of Order M–300 for applications and reports regarding pine tar have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5475; Filed, April 18, 1944; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 73]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.503 (a) is amended to read as follows:

(a) *Determination of uses of vehicle.* (1) The Board shall determine the purposes for which the applicant uses his vehicle as a basis for ruling on the applicant's tire eligibility.

(2) The applicant must establish the same facts as are required by § 1394.7704 (a) of Ration Order No. 5C for the allowance of occupational mileage.

(3) In the case of gasoline-operated vehicles, the Board shall reconsider the gasoline ration issued for use with the passenger automobile, pursuant to § 1394.8110 of Ration Order No. 5C.

2. Section 1315.503 (b) (1) (iii) is added to read as follows:

(iii) To an applicant who obtains gasoline for his vehicle against an Acknowledgment of Delivery (Form OPA R–544 revised), pursuant to § 1394.7952 of Ration Order No. 5C, if he establishes that the vehicle for which application is being made will be operated for one or more of the purposes described in § 1394.7706 of Ration Order No. 5C. Application hereunder must be made within one month of the issuance of the Acknowledgment of Delivery Form to the applicant.

3. Section 1315.503 (b) (2) exclusive of the paragraph listing the obsolete size tires, is amended to read as follows:

(2) *Obsolete size and motorcycle tires.* A certificate for a Grade I tire of an obsolete size or a motorcycle tire (new or used at applicant's option) may be issued to replace an obsolete size tire or a motorcycle tire which cannot be recapped either because of its physical condition or the lack of recapping facilities, but only if:

(i) In the case of a passenger automobile, a valid supplemental gasoline ration is outstanding;

(ii) In the case of a motorcycle, any of the purposes for which the vehicle is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Ration Order No. 5C;

(iii) In the case of a passenger automobile operated on a non-highway ration or with a fuel other than gasoline, any of the purposes for which the vehicle is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Ration Order No. 5C.

4. Section 1315.504 (b) is amended to read as follows:

(b) *Importance to war effort, public health or safety, and community welfare.* When application is made for a tire other than the sizes and types of tires for which eligibility is provided under § 1315.505 (b) (1), the functions to be performed by the use of the tire are essential to the war effort, the public health or the public safety; when application is made for any other tire for a commercial motor vehicle, the functions to be performed by the use of the tire will contribute to the welfare of the community. The applicant's need alone, no matter how pressing, shall not be a basis for granting a certificate; and

5. The proviso following § 1315.505 (a) (14) (v) is amended to read as follows:

Provided, however, That no certificate shall be issued under § 1315.505 (a) for a commercial motor vehicle used:

First: for transportation to the ultimate consumer of the property described in subdivisions (iv) and (v) for personal, family, or household use;

Second: for transportation to any person of alcoholic beverages, soft drinks and similar beverages, tobacco products, ice cream, confections, candy, flowers, toys, novelties, jewelry, furs, radios, phonographs, musical instruments, or any luxury goods; or

Third: for furnishing transportation for incidental maintenance service or for the purpose of installing or repairing any such effects, equipment, furniture or machines as are portable, or for the purpose of providing materials or service solely for landscaping or beautification of any construction project or other establishment; except when such transportation is accomplished either without diverting an otherwise eligible vehicle from the route or schedule required in transportation exclusively for any of the purposes described in § 1315.505 (a), or by a common carrier which meets the requirements of § 1315.505 (a) (13).

6. Section 1315.505 (b) is amended to read as follows:

(b) *List B.* (1) A certificate for a new or used truck tire of a size smaller than 7.50–20 except a new truck tire of the size 7.00–20/32 x 6 (ten-ply), for any grade of passenger tire, or for a new tube may be granted for a commercial motor vehicle which meets the applicable conditions of §§ 1315.501 and 1315.504 and which is used exclusively by medical or dental laboratories, or for the transportation of apparel by dry cleaners, or for the transportation of laundry, drugs, medicinal supplies or essential food. The incidental transportation of other property simultaneously with any of the aforesaid commodities shall not remove eligibility if it involves no diversion from the vehicle's normal route or schedule.

(2) A certificate for a used truck tire of a size smaller than 7.50–20, a Grade III tire, a Grade I obsolete tire or a new tube may be granted for any commercial motor vehicle which meets the applicable requirements of §§ 1315.501 and 1315.504.

7. Section 1315.505 (c) is amended to read as follows:

(c) *Replacement of recappable tire carcass.* In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for the tire to which he would otherwise be eligible under paragraphs (a) or (b) of this section, even though the tire to be replaced is recappable.

8. Section 1315.506 (a) (1) is amended to read as follows:

(1) A farm tractor or other farm implement.

(i) A certificate for a rear-wheel tractor tire, for a front-wheel tractor or implement-type tire, or for a Grade III tire may be issued for farm tractors or other farm implements. However, if a tire of the types which may be purchased on this certificate is not available, the Board may issue a certificate for a Grade I tire or a used truck-type tire.

(ii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a front-wheel tractor or farm implement or Grade III tire, even though the tire to be replaced is recappable.

9. The text of § 1315.611 (c) is amended by substituting a comma for the period at the end of the text and adding the following phrase: "except that the following variances are permitted:"

10. Section 1315.611 (c) (1) is hereby revoked.

11. Section 1315.611 (c) (3) is amended to read as follows:

(3) Any dealer may, in exchange for a certificate for a Grade III tire, transfer to the holder thereof a Grade III tire of any size suitable for use on the vehicle for which the certificate was issued.

12. Section 1315.611 (c) (5) is amended to read as follows:

(5) A dealer may, in exchange for a certificate for a front-wheel tractor or implement-type tire, transfer to the holder thereof a front-wheel tractor, implement-type, industrial-type or Grade III tire.

13. Section 1315.611 (c) (6) is added to read as follows:

(6) Any dealer may, in exchange for a certificate for a passenger-type tire of sizes 4.25–12 or 4.50–12, transfer to the holder thereof a new 4.00–12 implement-type tire.

This amendment shall become effective April 21, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5439; Filed, April 17, 1944; 11:07 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 511,[1] Amdt. 1]

OATS, BARLEY AND GRAIN SORGHUMS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 511 is amended in the following respects:

1. The following section 1a is added to read as follows:

Sec. 1a. Any contract for the sale or purchase of oats made and entered into prior to the effective date of this amendment which complies with provisions of Maximum Price Regulation 511 may be performed according to its terms until August 1, 1944.

2. Section 2 (a) is amended to read as follows:

(a) Except as provided in paragraph (b) of this section and in sections 1 and 1a, this regulation shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of imported and domestic oats, barley and grain sorghums; also to all purchases in the course of trade or business of Canadian Oats to be imported into the continental United States.

3. Section 4a is added to read as follows:

Sec. 4a. The maximum price per bushel, bulk, for the first purchase of any Canadian Oats grading No. 1 Feed Oats or better, Canadian Inspection, which are located in Canada and to be imported into the continental United States shall be as follows:

For vessel shipment from Canada via the Great Lakes: Basis Cif Buffalo, New York	$0.90¾
For rail shipment from Canada to Middlewest or East: Basis on track Duluth, Minn	.84½
For rail shipment from Canada to West: Basis on track Portland, Oregon	.84

The maximum price per bushel, bulk, for any subsequent sale of such Canadian Oats imported or to be imported into the continental United States shall be:

(a) The appropriate price basis Cif Buffalo, New York, or on track at Duluth, Minnesota or Portland, Oregon, adjusted to reflect the transportation differential between the cost of delivering such oats from the Canadian point of origin to the first destination in the United States on the one hand, and the cost of delivering them Cif Buffalo, New York, or on track at Duluth, Minnesota or Portland, Oregon as the case may be, on the other hand, plus

(b) Additions normal to the trade for further transportation expenses, handling and service charges incurred in excess of those included in the above basic prices at first destination in the United States, and plus

(c) Markups normal to the trade.

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 15, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44–5448; Filed, April 17, 1944; 11:07 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9752, 1079, 10065, 10364, 10490, 10733, 11480, 11481, 11852, 11866, 13018, 13711, 13947, 13292, 1337, 13845, 13706, 13846, 13896, 14049, 14737, 15523, 15745, 16246, 16265, 16294, 17336; 9 F.R. 89, 692, 1317, 1395, 1710, 1817, 2476, 2790, 3340.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1519.

niture by the mere inclusion of upholstery springs is not engaged in the production of upholstered furniture within the meaning of Order L-260-a, nor is he a "reconditioner" or "repairman" under CMP Regulation No. 9A. However, if a person adds springs to an item of furniture which had not been completely finished and upholstered prior to that date, he is a manufacturer and subject to the restrictions of that order.

Only a limited number of springs are available for this purpose. To the extent that a spring distributor has upholstery springs available which are not required to fill rated orders, he may sell them on unrated orders.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5476; Filed, April 18, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300
Schedule 14]

PINE TAR

§ 3293.1014 *Schedule 14 to General Allocation Order M-300.* (a) *Definition.* "Pine tar" means the liquid pine tar and tar oil, of all grades and weights which is obtained by distillation of pine wood by the retort or kiln process.

(b) *General provisions.* Pine tar is subject to allocation under General Allocation Order M-300, as an Appendix A material. The initial allocation date is May 1, 1944. The allocation period is the calendar month. The small order exemption is five gallons per person per month.

(c) *Special exemption.* Any producer who produces less than 500 gallons in any month after the initial allocation date, except by toll arrangement, and any person who purchases pine tar from such a producer shall be exempt for that month from the requirement of obtaining authorization from the War Production Board for the delivery, acceptance of delivery or use of any pine tar so produced or of any stocks of pine tar in the hands of such producer on the initial allocation date.

(d) *Suppliers' applications on Form WPB-2946.* (1) Each supplier seeking authorization to use or deliver pine tar shall file application on Form WPB-2946 (formerly PD-601) on or before the 20th day of the month preceding the month in which delivery or use is proposed.

(2) Form WPB-2946 should be completely filled in. The unit of measure is gallons.

(3) List individually the names of customers who have ordered more than the quantity permitted for small orders. No such order shall be listed or filled unless the customer has filed with the supplier the required Form WPB-2946. An

(4) Normally the War Production Board will issue its authorizations and directions for delivery by returning Form WPB-2946 to the supplier showing the amount which may be delivered to each customer and the aggregate amount which may be delivered to fill small orders.

(e) *Customers' applications on Form WPB-2945.* (1) Each person seeking authorization to use or accept delivery of pine tar shall file application on Form WPB-2945 (formerly PD-600) on or before the 15th day of the month preceding the month in which acceptance of delivery or use is proposed. Form WPB-2945 should be completely filled in. The unit of measure is gallons. Three copies (one certified) should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-Schedule 14; one copy should be sent to the supplier; and one copy should be retained.

(2) Normally the War Production Board will issue its authorizations and directions for acceptance of delivery or use by returning Form WPB-2945 showing the amount of pine tar which may be accepted or used during the month.

(f) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300, Schedule 14.

NOTE: Forms WPB-2945 and WPB-2946 and the instructions in this schedule and in the appendices of Order M-300 for applications and reports regarding pine tar have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5475; Filed, April 18, 1944; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 78]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.503 (a) is amended to read as follows:

(a) *Determination of uses of vehicle.* (1) The Board shall determine the purposes for which the applicant uses his vehicle as a basis for ruling on the applicant's tire eligibility.

(2) The applicant must establish the same facts as are required by § 1394.7704 (a) of Ration Order No. 5C for the allowance of occupational mileage.

(3) In the case of gasoline-operated vehicles, the Board shall reconsider the gasoline ration issued for use with the passenger automobile, pursuant to § 1394.8110 of Ration Order No. 5C.

2. Section 1315.503 (b) (1) (iii) is added to read as follows:

(iii) To an applicant who obtains gasoline for his vehicle against an Acknowledgment of Delivery (Form OPA R-544 revised), pursuant to § 1394.7952 of Ration Order No. 5C, if he establishes that the vehicle for which application is being made will be operated for one or more of the purposes described in § 1394.7706 of Ration Order No. 5C. Application hereunder must be made within one month of the issuance of the Acknowledgment of Delivery Form to the applicant.

3. Section 1315.503 (b) (2) exclusive of the paragraph listing the obsolete size tires, is amended to read as follows:

(2) *Obsolete size and motorcycle tires.* A certificate for a Grade I tire of an obsolete size or a motorcycle tire (new or used at applicant's option) may be issued to replace an obsolete size tire or a motorcycle tire which cannot be recapped either because of its physical condition or the lack of recapping facilities, but only if:

(i) In the case of a passenger automobile, a valid supplemental gasoline ration is outstanding;

(ii) In the case of a motorcycle, any of the purposes for which the vehicle is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Ration Order No. 5C;

(iii) In the case of a passenger automobile operated on a non-highway ration or with a fuel other than gasoline, any of the purposes for which the vehicle is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Ration Order No. 5C.

4. Section 1315.504 (b) is amended to read as follows:

(b) *Importance to war effort, public health or safety, and community welfare.* When application is made for a tire other than the sizes and types of tires for which eligibility is provided under § 1315.505 (b) (1), the functions to be performed by the use of the tire are essential to the war effort, the public health or the public safety; when application is made for any other tire for a commercial motor vehicle, the functions to be performed by the use of the tire will contribute to the welfare of the community. The applicant's need alone, no matter how pressing, shall not be a basis

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9752, 1079, 10065, 10264, 10430,

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 115]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.5 (e) is revoked.

2. Section 1390.6 is added to read as follows:

§ 1390.6 *Maximum manufacturers' prices for modified machines or parts*—(a) *Pricing formula.* This section is applicable to any machine or part for which the manufacturer either had a published list price or an established price in effect on the base date, or for which he has established a list price in accordance with § 1390.13. For any such machine or part in which a substantial change in design, specifications, or equipment has been made and for which machine or part as modified a new maximum price has not been previously approved by the Office of Price Administration, the manufacturer's maximum price for the machine or part as modified shall be calculated as follows:

(1) The net increase or decrease in factory costs attributable to the change in design, specifications or equipment shall first be computed by using:

(i) Direct material cost determined by using material and parts prices which are not in excess of maximum prices established by the Office of Price Administration for such materials or parts. Where materials or parts are added and eliminated, prices in effect as of the same date shall be used both for the materials or parts added and the materials or parts eliminated.

(ii) Direct labor cost determined by using labor rates in effect on October 3, 1942. If after October 3, 1942, the manufacturer voluntarily or involuntarily for price determining purposes in the month which includes the base date, whichever is lower.

(2) The net increase or decrease in factory costs so calculated shall then be added to or subtracted from the maximum price to the class of purchasers commanding the lowest net price for the machine or part before modification. This computation provides the new maximum price for the machine or part as modified when sold to the class of purchasers commanding the lowest net price.

(3) The maximum price to every other class of purchasers shall then be calculated by applying to the new lowest net price the same percentage price differential as was in effect between the former lowest net maximum price and the former net maximum price to such other class of purchasers.

(b) *Reports.* Prior to, or within ten days after first quoting a price for any such modified machine or part, the manufacturer shall file a report with the Office of Price Administration, Washington 25, D. C., containing the following:

(1) The maximum price for the machine or part prior to modification.

(2) The maximum prices to jobbers, dealers, industrial users, government purchasers, and all other classes of purchasers as computed in accordance with paragraph (a).

(3) A detailed statement describing the changes in design, specifications or in equipment and explaining the calculation of the proposed maximum prices. The change in direct material costs, direct labor costs, and factory overhead costs due to the modification must be specified separately.

(c) *Approval of prices.* If the Office of Price Administration approves the proposed maximum prices or fails to disapprove them within thirty days after receiving such report, the proposed maximum prices shall become the maximum prices applicable to all subsequent sales and deliveries. However, if the Office of Price Administration later determines that such prices were not calculated in accordance with this section, such prices

the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation, and it shall apply to all sales or deliveries of the machine or part to which such price applies made after April 18, 1944.

(d) *Interim pricing.* Prior to receipt of approval by the Office of Price Administration of any proposed price, or prior to the expiration of the thirty-day period after filing the report required in paragraph (b) of this section, the proposed price may be tentatively quoted and/or charged, but no more than 75% of the proposed price may be paid or received until a maximum price has been established, and final settlement shall be made in accordance with the maximum price approved by the Office of Price Administration.

3. In § 1390.7 the text preceding paragraph (a) is amended to read as follows:

This section is applicable to any machine or part for which the manufacturer had no published list price or established price in effect on the base date, and is not a modified machine or part covered by § 1390.6. The maximum manufacturers' price for the sale of any such machine or part to any purchaser shall be computed on the basis of the following:

4. In § 1390.10 (c) (1) the text preceding subdivision (i) is amended to read as follows:

This paragraph is applicable to any machine or part which either has been modified since the base date or for which the seller had no published list price or established price in effect on October 1, 1941. The maximum price for the sale of any such machine or part by a seller other than a manufacturer to any purchaser shall be the net price determined by applying a margin determined pursuant to subparagraph (2) of this paragraph to:

5. Section 1390.13 (c) is added to read as follows:

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 115]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.5 (e) is revoked.

2. Section 1390.6 is added to read as follows:

§ 1390.6 *Maximum manufacturers' prices for modified machines or parts*—(a) *Pricing formula.* This section is applicable to any machine or part for which the manufacturer either had a published list price or an established price in effect on the base date, or for which he has established a list price in accordance with § 1390.13. For any such machine or part in which a substantial change in design, specifications, or equipment has been made and for which machine or part as modified a new maximum price has not been previously approved by the Office of Price Administration, the manufacturer's maximum price for the machine or part as modified shall be calculated as follows:

(1) The net increase or decrease in factory costs attributable to the change in design, specifications or equipment shall first be computed by using:

(i) Direct material cost determined by using material and parts prices which are not in excess of maximum prices established by the Office of Price Administration for such materials or parts. Where materials or parts are added and eliminated, prices in effect as of the same date shall be used both for the materials or parts added and the materials or parts eliminated.

(ii) Direct labor cost determined by using labor rates in effect on October 3, 1942. If after October 3, 1942, the manufacturer voluntarily or involuntarily granted a wage increase which was approved by the National War Labor Board, the manufacturer may use that higher wage rate. Also, if the manufacturer's establishment is exempted by the National War Labor Board, he may use current wage rates.

(iii) Factory overhead allocable to such direct material and/or direct labor costs, determined in accordance with the manufacturer's method of accounting and charged at the actual rate or rates in effect in his plant on the base date, or at the standard rate or rates, if any, consistently used by the manufacturer for price determining purposes in the month which includes the base date, whichever is lower.

(2) The net increase or decrease in factory costs so calculated shall then be added to or subtracted from the maximum price to the class of purchasers commanding the lowest net price for the machine or part before modification. This computation provides the new maximum price for the machine or part as modified when sold to the class of purchasers commanding the lowest net price.

(3) The maximum price to every other class of purchasers shall then be calculated by applying to the new lowest net price the same percentage price differential as was in effect between the former lowest net maximum price and the former net maximum price to such other class of purchasers.

(b) *Reports.* Prior to, or within ten days after first quoting a price for any such modified machine or part, the manufacturer shall file a report with the Office of Price Administration, Washington 25, D. C., containing the following:

(1) The maximum price for the machine or part prior to modification.

(2) The maximum prices to jobbers, dealers, industrial users, government purchasers, and all other classes of purchasers as computed in accordance with paragraph (a).

(3) A detailed statement describing the changes in design, specifications or in equipment and explaining the calculation of the proposed maximum prices. The change in direct material costs, direct labor costs, and factory overhead costs due to the modification must be specified separately.

(c) *Approval of prices.* If the Office of Price Administration approves the proposed maximum prices or fails to disapprove them within thirty days after receiving such report, the proposed maximum prices shall become the maximum prices applicable to all subsequent sales and deliveries. However, if the Office of Price Administration later determines that such prices were not calculated in accordance with this section, such prices may be disapproved at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval. If the proposed maximum prices are at any time disapproved by the Office of Price Administration, the manufacturer shall file revised prices computed in accordance with paragraph (a), and the provisions of this section shall apply in all respects to such revised prices. In the event that the Office of Price Administration finds that the manufacturer's production experience does not yet warrant the establishment of a permanent maximum price, it may give temporary approval to a proposed maximum price and require further filing under this section at a later date. If the manufacturer does not file the report required by paragraph (b), the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation, and it shall apply to all sales or deliveries of the machine or part to which such price applies made after April 18, 1944.

(d) *Interim pricing.* Prior to receipt of approval by the Office of Price Administration of any proposed price, or prior to the expiration of the thirty-day period after filing the report required in paragraph (b) of this section, the proposed price may be tentatively quoted and/or charged, but no more than 75% of the proposed price may be paid or received until a maximum price has been established, and final settlement shall be made in accordance with the maximum price approved by the Office of Price Administration.

3. In § 1390.7 the text preceding paragraph (a) is amended to read as follows:

This section is applicable to any machine or part for which the manufacturer had no published list price or established price in effect on the base date, and is not a modified machine or part covered by § 1390.6. The maximum manufacturers' price for the sale of any such machine or part to any purchaser shall be computed on the basis of the following:

4. In § 1390.10 (c) (1) the text preceding subdivision (i) is amended to read as follows:

This paragraph is applicable to any machine or part which either has been modified since the base date or for which the seller had no published list price or established price in effect on October 1, 1941. The maximum price for the sale of any such machine or part by a seller other than a manufacturer to any purchaser shall be the net price determined by applying a margin determined pursuant to subparagraph (2) of this paragraph to:

5. Section 1390.13 (c) is added to read as follows:

(c) This section is not applicable to manufacturers' maximum prices for any machine or part that must be priced under § 1390.6.

6. Section 1390.18 (c) is revoked.

7. In § 1390.18 paragraphs (d) to (g), inclusive, are redesignated paragraphs (c), (d), (e) and (f), respectively.

This amendment shall become effective April 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6488; Filed, April 18, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132; 9 F.R. 1523, 2032, 2138, 2791, 3064, 3576, 4020.

Chapter XIV—War Contracts Price Adjustment Board

MARCH 24, 1944.

The Renegotiation Regulations have been adopted by the War Contracts Price Adjustment Board and control the renegotiation of contracts and subcontracts pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, with respect to renegotiation for fiscal years ending after June 30, 1943. These regulations are subject to revision and amendment and the addition of rulings on subjects not covered.

RENEGOTIATION REGULATIONS

Part
1601 Authority and organization for renegotiation.
Subpart A. Summary of Renegotiation Act of 1943 and related statutes.
Subpart B. Preliminary material.
Subpart C. Organization and functions of the Price Adjustment Boards and Sections.
Subpart D. Relation of Renegotiation Act and Royalty Adjustment Act concerning patents.
1602 Procedure for renegotiation.
Subpart A. Assignments for renegotiation and cancellations.
Subpart B. Preliminary information required of contractors.
Subpart C. Preparation for renegotiation.
Subpart D. Conduct of renegotiation.
1607 Forms for renegotiation.
Subpart A. Forms relating to identification, assignment and cancellation of cases.
Subpart B. Forms relating to operation of renegotiation.
Subpart I. Addresses.
1606 Text of statutes, orders, joint regulations and directives.
Subpart A. Statutes and Executive orders.
Subpart B. Delegations of authority.
Subpart E. Other orders and directives.

NOTE: In order to conform the Renegotiation Regulations to the numbering system used in the Code of Federal Regulations, the following changes have been made: Chapters in the original regulations have been treated as parts, sections as subparts, and paragraphs as sections. Thus Chapter I becomes Part 1601, Chapter II becomes Part 1602, section 1 of any chapter becomes Subpart A, section 2 becomes Subpart B, etc. Paragraphs in the original regulations become sections, with the number to the right of the decimal point corresponding to the original paragraph number, except that paragraphs containing a decimal point appear as "(a)", "(b)", "(c)", etc. The original paragraph numbers appear in brackets following text affected.

For an explanation of the numbering and arrangement of the original renegotiation regulations see § 1601.123.

PART 1601—AUTHORITY AND ORGANIZATION FOR RENEGOTIATION

SUBPART A—SUMMARY OF RENEGOTIATION ACT OF 1943 AND RELATED STATUTES

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1601.102 War Contracts Price Adjustment Board.
1601.103 Coverage.
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1601.112 Applicable and related statutes.
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SUBPART D—RELATION OF RENEGOTIATION ACT AND ROYALTY ADJUSTMENT ACT CONCERNING PATENTS

1601.140 Scope of subpart.
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SUBPART A—SUMMARY OF RENEGOTIATION ACT OF 1943 AND RELATED STATUTES

§ 1601.101 *Scope of subpart.* The summary of the Renegotiation Act of 1943 in this subpart is designed to provide only a general outline of its structure and basic provisions. The detailed discussion of these provisions and of their interpretation and application is contained under the appropriate subparts of subsequent parts of this chapter. [RR 101]

§ 1601.102 *War Contracts Price Adjustment Board.* Subsection (d) of the 1943 act creates the War Contracts Price Adjustment Board, which, for convenience, is referred to in these regulations as the War Contracts Board. Authority with respect to renegotiation is vested in this Board subject, however, to being delegated, in the Board's discretion, to the Secretaries of the Departments, with right of redelegation. The Board is composed of six members, one each from the War Department, the Navy Department, the Treasury, the Maritime Commission or the War Shipping Administration, the Reconstruction Finance Corporation, and the War Production Board. The War Contracts Board, its powers, duties and functions, and its authority to delegate its duties and functions are described more fully in § 1601.130 and following. [RR 102]

§ 1601.103 *Coverage.* (a) In general, the 1943 act applies to amounts received or accrued in fiscal years ending after June 30, 1943 under all contracts with the Departments and subcontracts, with the exceptions stated under § 1601.104 (subsection (c) (6)).

(b) Subcontracts include purchase orders or agreements to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract but do not include any purchase order or agreement to furnish office supplies. A contract or arrangement to procure a contract with a Department is also a subcontract. Subcontracts are not limited to those made by a prime contractor but include those made by a subcontractor or sub-subcontractor down through the various tiers (subsection (a) (5)).

(c) The coverage of the 1943 act is discussed in detail in Part 1603 (RR Chapt. III). [RR 103]

§ 1601.104 *Exclusions and exemptions*—(a) *Mandatory.* The 1943 act does not apply to:

(1) Contracts between the Departments and other Governmental agencies (subsection (i) (1) (A));

(2) Contracts or subcontracts for certain raw materials (subsection (i) (1) (B));

(3) Contracts or subcontracts for agricultural commodities in a certain form or state (subsection (i) (1) (C));

(4) Contracts or subcontracts with tax exempt charitable, religious or educational institutions (subsection (i) (1) (D));

(5) Construction contracts with a Department let under competitive bidding (subsection (i) (1) (E)); or

(6) Subcontracts under prime contracts or other subcontracts of the types listed above which are exempted by subsection (i) (1) (subsection (i) (1) (F)). [RR 104.1]

(b) *Permissive.* The War Contracts Board may, in its discretion, exempt from any or all of the provisions of the 1943 act:

(1) Any contract or subcontract:

(i) To be performed outside of the continental United States or in Alaska (subsection (i) (4) (A));

(ii) Under which the profits can be determined with reasonable certainty when the contract price is established (subsection (i) (4) (B));

(iii) During a specified period or periods, to the extent that the contract provisions are adequate to prevent excessive profits (subsection (i) (4) (C));

(iv) For a standard commercial article if competitive conditions are such as will reasonably protect the Government (subsection (i) (4) (D));

(v) If competitive conditions affecting the making of such contract or subcontract are likely to result in effective competition with respect to the contract price (subsection (i) (4) (E));

(2) Any subcontract or group of subcontracts, if it is not administratively feasible to segregate the renegotiable from the non-renegotiable business (subsection (i) (4) (F)).

The Board may make such exemptions by individual contracts or by general classes or types of contracts (subsection (i) (4)). [RR 104.2]

(c) *Exemption measured by volume of business.* Subsection (c) (6) provides that renegotiation shall not apply to any contractor or subcontractor unless the aggregate of the amounts received or accrued by the contractor or subcontractor (and all persons under the control of or controlling or under common control with the contractor or subcontractor) under contracts with the Departments and subcontracts, not including subcontracts for procuring contracts or subcontracts, exceed $500,000. In the case of subcontracts for the procuring of contracts or subcontracts, this figure is $25,000. [RR 104.3]

(d) *Profits from increment in value of excess inventories.* The 1943 act excludes from renegotiation that portion of the profits derived from contracts with the Departments and subcontracts attributable to the increment in value of excess inventories of certain raw materials and agricultural commodities (subsection (i) (3)). [RR 104.4]

§1601.105 *Renegotiation clauses in contracts.* (a) The 1943 act directs each Secretary to insert in each contract made by his Department, involving more than $100,000, terms under which the contractor agrees (1) to renegotiation, (2) to the withholding or recovery of excessive profits by the United States and (3) that he will insert like terms in all subcontracts made by him involving more than $100,000, and will require the subcontractor to insert like terms in contracts entered into by him. In the case of subcontracts for procuring contracts with the Departments these terms are to be placed in all such subcontracts for more than $25,000 (subsection (b)).

(b) The 1943 act permits these terms to be incorporated in contracts and subcontracts by reference and each contract or subcontract is made subject to such terms whether or not they are incorporated either physically or by reference. [RR 105]

§1601.106 *Determination of excessive profits*—(a) *Costs.* In determining the profits from renegotiable business, the 1943 act requires the War Contracts Board to allow costs determined in accordance with the method of cost accounting regularly employed by the contractor or if such method does not properly reflect such costs, the Board is authorized by regulations to prescribe the method under which such costs shall be determined. No item of cost shall be allowed which is unreasonable or which is not properly chargeable to the contract or subcontract. Notwithstanding these provisions, all items estimated to be allowable as deductions or exclusions for income tax purposes, to the extent they are allocable to renegotiable business, are to be allowed as items of cost in determining excessive profits. State income taxes, to the extent they are attributable to the portion of the contractor's profits determined to be excessive, however, are not allowable (subsection (a) (4) (B)). [RR 106.1]

(b) *Unused amortization deduction.* The 1943 act provides for the repayment by the United States to a contractor or subcontractor, without interest, of the amount of the net renegotiation rebate determined in accordance with procedures and principles set forth in the 1943 act in the event of a recomputation of the amortization deduction provided for in section 124 (d) of the Internal Revenue Code (subsections (a) (4) (C) and (D)). [RR 106.2]

(c) *Fair cost allowance in the exempted state for raw materials and agricultural commodities in the case of integrated producers.* In order to provide for equitable treatment of the integrated producer, the 1943 act provides for the allowance of a fair amount of cost in the exempted state for certain raw materials and agricultural commodities in the case of integrated producers who produce or acquire such materials or commodities below such state and process them up to and beyond such state (subsection (i) (3)). In this connection attention is also directed to § 1601.104 (d), which in effect gives the contractor or subcontractor who acquires the exempted raw materials and agricultural commodities at the exempt stage the benefit of a similar special cost allowance to the extent that such products constitute excess inventory of such a contractor or subcontractor. [RR 106.3]

(d) *Factors in determining excessive profits.* The 1943 act defines excessive profits to be the portion of the profits from the renegotiable business of the contractor or subcontractor which in the light of a list of factors set out in subsection (a) (4) (A) of the act is determined to be excessive. These factors cover such matters as efficiency, costs, capital, risk, contribution to the war effort, character of business, and such other factors as the public interest and fair and equitable dealing may require. [RR 106.4]

§ 1601.107 *Renegotiation by fiscal years.* The 1943 act applies to fiscal years ending after June 30, 1943, and requires that renegotiation be conducted on an over-all fiscal year basis. Renegotiation may relate to any period other than a full fiscal year only with the consent of the contractor or subcontractor. The 1943 act requires that renegotiation must relate to the aggregate of the contractor's war business for the year unless the contractor consents to the renegotiation of separate contracts (subsection (c) (1)). [RR 107]

§ 1601.108 *Renegotiation procedure*—(a) *Mandatory filing of statement.* The 1943 act requires every contractor or subcontractor not specifically exempted from renegotiation to file with the Board on or before the first day of the fourth month following the close of the fiscal year, or after the date of the enactment of the Revenue Act of 1943, which ever is the later, a statement containing such information as the Board may by regulations prescribe (subsection (c) (5) (A), discussed in § 1602.220 and following). In addition to this statement, which is considered to be the statement for the purposes of the beginning of the statute of limitations, the War Contracts Board may require from the contractor or subcontractor any other data, information or records deemed desirable. [RR 108.1]

(b) *Commencement of renegotiation proceedings.* The contractor or subcontractor will be given reasonable notice of the time and place for a conference with respect to renegotiation. The mailing of such notice by registered mail to the contractor or subcontractor constitutes the commencement of the renegotiation proceedings (subsection (c) (1), discussed in § 1602.241). [RR 108.2]

(c) *Statute of limitations.* Renegotiation proceedings must be commenced within twelve months from the close of the fiscal year or within twelve months of the date of the filing of the statement referred to in § 1601.108 (a), whichever is the later. If such proceedings are not completed or if an agreement or order determining the amount of excessive profits is not made within one year from the commencement of the renegotiation proceedings, the liability of the contractor or subcontractor under the 1943 act will be discharged. However, this one year period may be extended by mutual agreement (subsection (c) (3)). [RR 108.3]

(d) *Agreement or order determining excessive profits.* Upon the mailing of the notice and the commencement of the renegotiation, the Board will endeavor to make a final or other agreement with the contractor or subcontractor with respect to the elimination of excessive profits. If such an agreement is not made, the act authorizes the Board to issue an order determining the amount of the excessive profits (subsection (c) (1)). [RR 108.4]

(e) *Statement to the contractor or subcontractor.* Whenever a determination is made as to the amount of excessive profits, whether by order or by agreement, the Board or its authorized agency, at the request of the contractor or subcontractor, will furnish a statement setting out the determination of excessive profits made in his case, the facts used as a basis therefor, and the reasons for such determination (subsection (c) (1)). [RR 108.5]

(f) *Eliminating excessive profits.* When the excessive profits have been determined either by agreement or order, the War Contracts Board shall forthwith direct the secretaries to eliminate such excessive profits (1) by reductions in price and other contract revisions; (2) by withholding from amounts otherwise due the contractor or subcontractor; (3) by directing a contractor to withhold from amounts otherwise due to a subcontractor; (4) by recovery from the contractor by repayment, credit or suit; or (5) by any combination of these methods. In eliminating such excessive profits there is allowed a credit for Federal income and excess profits taxes in accordance with section 3806 of the Internal Revenue Code (subsection (c) (2)). [RR 108.6]

§ 1601.109 *Delegation and review*—(a) *Delegation.* The War Contracts Board may delegate in whole or in part any of its powers, functions or duties to the Secretary of a Department and such Secretary may, in turn, redelegate such powers, functions or duties to such officers or agencies of the United States as he may designate. He may authorize successive redelegations (subsection (d) (4)). [RR 109.1]

(b) *Review by the War Contracts Board.* The determination by any person or agency exercising the delegated powers of the War Contracts Board may be reviewed by the Board either upon its own motion, or, in its discretion, at the request of the contractor or subcontractor. The Board's determination may be less than, equal to, or greater than the determination reviewed. Unless the War Contracts Board upon its own motion initiates a review of the prior determination within sixty days from the date of such determination, or at the request of the contractor or subcontractor made within sixty days from the date of such determination initiates a review of such determination within sixty days from the date of such request, such determination becomes the determination of the War Contracts Board (subsection (d) (5)). [RR 109.2]

§ 1601.110 *Redetermination of excessive profits by The Tax Court of the United States.* The Renegotiation Act provides that any contractor or subcontractor aggrieved by a unilateral determination of excessive profits by the War Contracts Board (under the Renegotiation Act of 1943), or by the Secretary of a Department (under the Renegotiation Act of 1942), may petition The Tax Court of the United States for a redetermination of such excessive profits. Proceedings before The Tax Court are de novo. The Court may find an amount of excessive profits less than, equal to, or greater than the amount found by the Board. The petition for a redetermination must be made to The Tax Court within ninety days after the entry of the order or the date of the enactment of the Revenue Act of 1943 (February 25, 1944), whichever is the later (subsection (e)). [RR 110]

§ 1601.111 *Applicability*—(a) *Applicability of the 1943 act in general.* In general, the provisions of the 1943 act apply to all fiscal years ending after June 30, 1943. Prior fiscal years are covered by the Renegotiation Act of 1942 (section 701 (d) of the Revenue Act of 1943 cited in § 1608.801 and § 1601.122 (j) and (k)). [RR 111.1]

(b) *Applicability in special cases.* There are several exceptions to the general rule set forth in § 1601.111 (a).

(1) Provisions of the 1943 act made retroactive:

(i) Subsections (a) (4) (C) and (a) (4) (D) relating to the adjustment of excessive profits for any year on account of the recomputation of the amortization deduction;

(ii) Subsection (i) (3) which provides for a fair cost allowance in the exempted state for certain raw materials and agricultural commodities in the case of integrated producers and which excludes from renegotiation the profits realized because of the increment in value of excess inventories of raw materials and agricultural products acquired in the exempted state;

(iii) Subsection (i) (1) (C) which exempts from renegotiation contracts or subcontracts for certain agricultural commodities;

(iv) Subsection (i) (1) (D) which exempts contracts or subcontracts with tax exempt charitable, religious or educational organizations;

(v) Subsection (i) (1) (F) which exempts subcontracts under prime contracts or other subcontracts exempted by subsection (i) (1); and

(vi) Subsection (l) which provides a short title (see § 1601.122 (l)).

(2) Provisions of the 1943 act made effective from the date of the enactment of the Revenue Act of 1943, February 25, 1944:

(i) Subsection (d) which creates the War Contracts Price Adjustment Board and sets out its organization, powers, and duties (discussed in § 1601.131); and

(ii) Subsection (e) (2) which provides for the redetermination of excessive profits by the Tax Court in the case of unilateral determinations by the Secretaries under the provisions of the Renegotiation Act of 1942. [RR 111.2]

(c) *Termination of renegotiation.* The 1943 act provides that amounts received or accrued after December 31, 1944, will not be subject to renegotiation unless the President finds and proclaims before December 1, 1944, that competitive conditions have not been restored; in which case renegotiation would extend to amounts received or accrued up to any date specified in such proclamation which is not later than June 30, 1945. The 1943 act also provides that in case the President finds and proclaims on or before June 30, 1945, that competitive conditions have been restored as of any date within 6 months prior to such proclamation, renegotiation will not apply to amounts received or accrued after such termination of the statute. A special provision is made in the case of long term contracts which are begun before and completed after the termination date (subsection (h)). [RR 111.3]

§ 1601.112 *Applicable and related statutes*—(a) *Renegotiation Act of 1943.* The Renegotiation Act of 1943 is cited in full in § 1608.801 of these regulations. [RR 112.1]

(b) *Section 3806 of the Internal Revenue Code.* Section 3806 of the Internal Revenue Code, referred to in subsection (a) (4) (D) and subsection (c) (2) of the Renegotiation Act of 1943, is cited in § 1608.802. Under that section the amount of Federal income and excess profits taxes assessed with respect to any excessive profits for a prior taxable year is credited against the amount of such profits in computing the amount to be refunded by the contractor or otherwise recovered. [RR 112.2]

(c) *Title XIII of Second War Powers Act.* Under subsection (c) (5) (B), the War Contracts Board is given the powers of inspection and audit of an agency designated by the President to exercise powers under Title XIII of the Second War Powers Act, 1942. For convenience, Title XIII is cited in § 1608.803. [RR 112.3]

(d) *Repricing of War Contracts.* Title VIII of the Revenue Act of 1943 provides that in cases in which the Secretary of a Department considers the price of any article or service required by his Department to be unreasonable or unfair he may fix by agreement, if possible, a fair and reasonable price therefor. If no agreement can be reached, the Secretary is authorized to fix, by order, a fair and reasonable price for deliveries after the date of such order and to prescribe the period during which such price shall be effective and such other terms and conditions as he deems

appropriate. Contractors or subcontractors aggrieved by such an order may sue the United States for fair and just compensation. Repricing under Title VIII applies to both prime and subcontractors and applies without exemption or restriction until the end of the war. The statutory provisions relating to repricing are cited in § 1608.804. [RR 112.4]

SUBPART B—PRELIMINARY MATERIAL

§ 1601.120 *Scope of subpart.* This subpart refers to the application and arrangement of the Renegotiation Regulations and the definitions used therein. [RR 120]

§ 1601.121 *Applicability of Renegotiation Regulations*—(a) *Years to which applicable.* The Renegotiation Regulations cover all renegotiation proceedings by the War Contracts Board or under its authority pursuant to the Renegotiation Act of 1943. They are effective only with respect to the fiscal years ending after June 30, 1943. [RR 121.1]

§ 1601.122 *Definitions of terms*—(a) *Statutory definitions.* Various terms are defined in the 1943 act including the following terms which are defined in subsection (a) thereof:

(1) "Department".
(2) "Secretary".
(3) "Renegotiate" and "renegotiation".
(4) (A) "Excessive profits".
(4) (B) "Profits derived from contracts with the Departments and subcontracts".
(4) (D) "Gross renegotiation rebate" and "net renegotiation rebate".
(5) "Subcontract".
(6) "Article".
(7) "Standard commercial article".
(8) "Fiscal year".
(9) "Received or accrued" and "paid or incurred".

[RR 122.1]

(b) *Chief of a Service.* The term "Chief of a Service" means the Commanding General, Army Air Forces, and the Chief of a Technical Service of the Army Service Forces. [RR 122.2]

(c) *Contract.* The term "contract" is generally used to include a subcontract, except where the distinction between them is clear from the context. [RR 122.3]

(d) *Contractor.* The term "contractor" is generally used to include both a contractor and a subcontractor, except where distinction between them is clear from the context. [RR 122.4]

(e) *Department.* The term "Department" means "Department" as defined in subsection (a) of the Renegotiation Act of 1943 as follows:

(1) The term "Department" means the War Department, the Navy Department, the Treasury Department, the Maritime Commission, the War Shipping Administration, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation, and Rubber Reserve Company, respectively.

[RR 122.5]

(f) *Departmental Board.* The term "Departmental Board" means, respectively, the War Department Price Adjustment Board, the Navy Department Price Adjustment Board, the Treasury Department Price Adjustment Board, the Maritime Commission Price Adjustment Board, the War Shipping Administration Price Adjustment Board, and the RFC Price Adjustment Board established by Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company. [RR 122.6]

(g) *Joint Board.* The term "Joint Board" means the Joint Price Adjustment Board established by the Departments under date of September 24, 1943, having jurisdiction of certain matters relating to the 1942 act. [RR 122.7]

(h) *Mandatory financial statement.* The term "mandatory financial statement" means the statement required by the regulations of the War Contracts Board pursuant to subsection (c) (5) (A) of the 1943 act (see § 1602.220 and following). [RR 122.8]

(i) *Renegotiation Act.* The term "Renegotiation Act" means the 1942 act and the 1943 act in view of subsection (i) of the 1943 act and its retroactive application. [RR 122.9]

(j) *Renegotiation Act of 1943; 1943 act.* The terms "Renegotiation Act of 1943" and "1943 act" mean section 403 of the Sixth Supplemental National Defense Appropriation Act, 1943, as amended by section 701 of the Revenue Act of 1943 (Public Law 235, 78th Congress, enacted February 25, 1944), and expressed to be effective only with respect to the fiscal years ending after June 30, 1943 as provided in subsection (d) of said section 701 of the Revenue Act of 1943 (see § 1608.801). [RR 122.10]

(k) *Renegotiation Act of 1942; 1942 act.* The terms "Renegotiation Act of 1942", and "1942 act", mean section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, 77th Congress, approved April 28, 1943), as amended by section 801 of the Revenue Act of 1942 (Public Law 753, 77th Congress, approved October 21, 1942), by section 1 of the Military Appropriations Act, 1944 (Public Law 108, 78th Congress, approved July 1, 1943), and by Public Law 149 (78th Congress, approved July 14, 1943), and as further amended by section 701 (b) of the Revenue Act of 1943 (Public Law 235, 78th Congress, enacted February 25, 1944) to the extent that section 701 (d) of the Revenue Act of 1943 makes the amendments made by section 701 (b) effective as if they had been a part of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, on the date of its enactment, April 28, 1942. [RR 121.11]

(l) *Renegotiable business, renegotiable sales, and non-renegotiable business.* The terms "renegotiable business" and "renegotiable sales" mean the aggregate business of a contractor or subcontractor under contracts with the Departments and subcontracts which are subject to statutory renegotiation. The term "non-renegotiable business" means any business of a contractor other than "renegotiable business". [RR 122.12]

(m) *Secretary.* The term "Secretary" means the Secretary of a Department and means "Secretary" as defined in subsection (a) of the Renegotiation Act of 1943 as follows:

(2) In the case of the Maritime Commission, the term "Secretary" means the Chairman of such Commission, in the case of the War Shipping Administration, the term "Secretary" means the Administrator of such Administration, and in the case of Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation, and Rubber Reserve Company, the term "Secretary" means the board of directors of the appropriate corporation.

[RR 122.13]

(n) *Section.* The term "Section" means a Price Adjustment Section of the War Department, except where a different meaning appears from the context. [RR 122.14]

(o) *Service.* The term "Service" means the Army Air Forces and the Technical Services of the Army Service Forces. [RR 122.15]

(p) *Statutory renegotiation.* The term "statutory renegotiation" means renegotiation pursuant to the 1943 act. [RR 122.16]

(q) *War Contracts Board.* The term "War Contracts Board" means the War Contracts Price Adjustment Board established under the 1943 act. [RR 122.17]

§ 1601.123 *Arrangement of Renegotiation Regulations*[1]—(a) *Organization.* For convenience these regulations are divided into chapters, each of which deals with a specified topic. Each chapter is divided into several sections, each of which contains a series of numbered paragraphs dealing with the same subject. [RR 123.1]

(b) *Numbering.* The numbering of individual paragraphs is not consecutive, and is designed to permit additional paragraphs to be inserted later within the appropriate chapter and section. The number of a particular paragraph shows the chapter and section where it is found and also whether it is subordinate to a preceding paragraph. The first digit of the number indicates the chapter and the second digit the section in which the paragraph is found. Thus, paragraphs in Chapter I run from 100 to 199; those from 101 to 119 are under section 1, those from 120 to 129 are under section 2, etc. Where the number of a paragraph ends with a digit preceded by a decimal point (as 123.2), this indicates that it is part of the general subject covered by the basic paragraph (as 123). [RR 123.2]

(c) *Citations.* Since the number of any paragraph indicates its place in these regulations, a paragraph may be referred to by citing its number only, and it is not necessary to refer to the chapter or section or page in these regulations where it appears. These regulations will be called the Renegotiation Regulations, which may be abbreviated as RR in referring to paragraphs; thus this paragraph may be cited as RR 123.3. [RR 123.3]

[1] See note following table of contents of chapter.

§ 1601.124 *Amendments and additions.* (a) When amendments or supplements to these regulations are adopted by the War Contracts Board, they will become effective at once unless otherwise specified, but will not affect the validity of any determination theretofore made in accordance with prior regulations. [RR 124]

§ 1601.125 *Changes in interpretations.* The regulations and interpretations of the statute in this document reflect the present judgment of the War Contracts Board and are subject to such revision as from time to time may appear desirable. [RR 125]

§ 1601.126 *Federal Register.* These regulations are being published in the Federal Register. In the discretion of the War Contracts Board, changes and additions will be so published periodically. From time to time there will be published in this paragraph or in supplements hereto references to the copies of the Federal Register in which the Renegotiation Regulations and any changes and additions thereto may have been published. [RR 126]

§ 1601.127 *Official copies.* Official copies of the statutes referred to herein may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C. Official copies of Executive orders cited herein are set out in the Federal Register, which may also be procured from the Superintendent of Documents. [RR 127]

SUBPART C—ORGANIZATION AND FUNCTIONS OF THE PRICE ADJUSTMENT BOARDS AND SECTIONS

§ 1601.130 *Statutory authority.* The authority and discretion to administer the Renegotiation Act of 1943 is conferred upon the War Contracts Board with power of delegation (see subsection (d) of the 1943 act. [RR 130]

§ 1601.131 *War Contracts Price Adjustment Board*—(a) *Functions.* The War Contracts Price Adjustment Board has authority to administer the Renegotiation Act of 1943, including authority over agreements, unilateral determinations of excessive profits and exemptions. The Board has 6 members, of whom 4 constitute a quorum, and the Board may act by a majority of a quorum. [RR 131.1]

(b) *Seal.* The seal of the Board shall be judicially noticed. [RR 131.2]

(c) *Delegations.* The Board has power to delegate any of its authority to the Secretary of a Department, who may redelegate to such officers or agencies of the United States as he may designate, with right of redelegation. There is set forth below the organization for renegotiation in the various Departments having renegotiation authority. Delegations by the War Contracts Board to the Secretaries of the various Departments are set forth in § 1608.821 (a). [RR 131.3]

(d) *Jurisdiction.* The Board may, by regulation, or otherwise determine the character of cases to be conducted initially by the Board itself, those to be conducted by its officers or the officers utilized by it, and those to be conducted by the various officers and agencies to which the Board's powers have been delegated. (Subsection (d) (5) of the 1943 act.) Renegotiation will initially be conducted by the Departments in all cases, except for instances, if any, in which the Board may determine otherwise. (See § 1602.200 and following.) (The powers, duties and discretion of the Board to conduct renegotiation were delegated to the Secretaries of the Departments on February 26, 1944. (See § 1608.821 (a) [RR 131.4]

(e) *Review by the Board.* The Board may, in its discretion, either upon its own motion or at the request of the contractor or subcontractor, review any determination by order made by any officer or agency to which its powers have been delegated. The Board's determination may be less than, equal to, or greater than the determination reviewed. (Subsection (d) (5) of the 1943 Act.) [RR 131.5]

§ 1601.132 *War Department organization*—(a) *Organization and functions of War Department Price Adjustment Board.* The Renegotiation Division has been established by the Commanding General, Army Service Forces, as a Staff Division under the supervision of the Director of Matériel. The War Department Price Adjustment Board has been organized within the Division. The Chairman and members of the Board are appointed by the Commanding General, Army Service Forces, with the approval of the Under Secretary of War. The Chairman serves also as Director of the Renegotiation Division. [RR 132.1]

(b) *Organization and functions of War Department Price Adjustment Sections.* There has been established a Price Adjustment Section in each of the Technical Services of the Army Service Forces and in the Army Air Forces. The Army Service Forces have sections in the Technical Services of Chemical Warfare, Engineers, Ordnance, Quartermaster, Signal Corps, Surgeon General, and Transportation. With the exception of the Price Adjustment Section of Chemical Warfare, located in Baltimore, the main sections of the other Technical Services are located in Washington. Headquarters for renegotiation in the Army Air Forces are shared by Washington and Wright Field, Dayton, Ohio. District Price Adjustment Sections have been established by the Technical Services and the Army Air Forces at various procurement centers, and this decentralization allows renegotiation to be conducted close to the location of the company involved. [RR 132.2]

§ 1601.133 *Navy Department Price Adjustment Board.* The Navy has established a Price Adjustment Board with divisions at New York and Washington, and Regional Price Adjustment Boards at Chicago and San Francisco to conduct the renegotiation of contracts. In the Procurement Legal Division of the Navy Department in Washington, there has been set up a Services and Sales Renegotiation Section which specializes in the renegotiation of brokers. This section has divisional offices in Washington, New York, Chicago and Los Angeles. [RR 133]

§ 1601.134 *Treasury Department Price Adjustment Board.* The Treasury Department has established the Treasury Department Price Adjustment Board in the Procurement Division. The office of the Board is located in Washington. [RR 134]

§ 1601.135 *Maritime Commission Price Adjustment Board.* The Maritime Commission has established the Price Adjustment Board of the Maritime Commission. The office of the Board is located in Washington. [RR 135]

§ 1601.136 *War Shipping Administration Price Adjustment Board.* The Administrator of the War Shipping Administration created a Price Adjustment Board within the War Shipping Administration and charged the Board with responsibility of conducting renegotiations. The office of the Board has been established in New York City, since this location is in close proximity to the great majority of the contractors of the War Shipping Administration. [RR 136]

§ 1601.137 *RFC Price Adjustment Board.* The boards of directors of Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company have established the RFC Price Adjustment Board. [RR 137]

§ 1601.138 *Joint Price Adjustment Board.* The Joint Price Adjustment Board has authority, delegated by the Secretaries, to adopt statements of purposes, principles, policies, and interpretations, under the Renegotiation Act of 1942. The Joint Price Adjustment Board has no authority with respect to renegotiation for fiscal years ending after June 30, 1943. [RR 138]

§ 1601.139 *Addresses.* Addresses of the various Price Adjustment Boards and Sections dealing with renegotiation under the Renegotiation Act of 1943 are set forth in § 1607.791 and following. [RR 139]

SUBPART D—RELATION OF RENEGOTIATION ACT AND ROYALTY ADJUSTMENT ACT CONCERNING PATENTS

§ 1601.140 *Scope of subpart.* This subpart deals briefly with the Royalty Adjustment Act (Public Law 768, 77th Congress, approved October 31, 1942). [RR 140]

§ 1601.141 *Royalty Adjustment Act.* (a) Under Public Law 768, 77th Congress, approved October 31, 1942, whenever an invention, patented or unpatented, is manufactured or used for the

United States, with license from the owner, and such license provides for the payment of royalties at rates or amounts "believed to be unreasonable or excessive by the head of the Department or agency of the Government which has ordered such manufacture, use," etc., the head of the Department concerned shall so notify the licensor and licensee. Within a reasonable time thereafter he shall "fix and specify such rates or amounts of royalties, if any, as he shall determine are fair and just, taking into account the conditions of wartime production" and shall authorize the payment thereof by the licensee to the licensor. Under the statute the licensee must not thereafter pay to the licensor or charge to the United States a royalty in excess of that specified in the order, and the licensor's sole and exclusive remedy for royalties in excess thereof is by suit in the Court of Claims or in such district courts as have concurrent jurisdiction.

(b) The statute further provides that: "Nothing herein contained shall be deemed to preclude the applicability of section 403 of Public Law 528, 77th Congress (the Renegotiation Act of 1942), as the same may be heretofore or hereafter amended so far as the same may be applicable." [RR 141]

§ 1601.142 *Patent licenses subject to renegotiation.* Patent licenses granted to the United States and those granted to Departmental contractors or subcontractors are subject to renegotiation. [RR 142]

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

Sec.

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SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

§ 1602.201 *In general*—(a) *Necessity for assignment.* No Department or Service will conduct renegotiation proceedings with any contractor or subcontractor unless and until an assignment for that purpose has been issued on behalf of or is confirmed by the War Contracts Board. This provision is designed to promote orderly procedure through avoidance of duplication of activities as well as by assuring to the extent possible that renegotiation proceedings are conducted by the appropriate Department or Service. Notwithstanding the foregoing, in the absence of specific action by way of disaffirmance by the War Contracts Board, a renegotiation proceeding, conducted by a Department to which a general delegation of authority has been issued by the War Contracts Board, shall not be invalidated by reason of the fact that an assignment of the particular case had not been duly or properly issued. Assignments issued after the conclusion of a renegotiation proceeding shall be of the same force and effect as if issued at any time prior thereto. [RR 201.1]

(b) *Effect of assignment.* The issuance of an assignment shall evidence the authority and duty of the Department or Service to which the assignment is issued to conduct statutory renegotiation with the contractor thereby assigned on an overall basis with respect to the aggregate of the amounts received or accured during the fiscal year to which the assignment relates: *Provided, however,* That, upon request of the contractor, pursuant to subsection (c) (1) of the 1943 act, the Department or Service to which the assignment is issued may, in its discretion, agree to renegotiate with respect to amounts received or accrued under one or more contracts or subcontracts. In such event, the Department or Service will so report to the Assignments and Statistics Branch, Renegotiation Division, A. S. F., which will confirm the assignment upon such basis unless compelling reasons dictate otherwise. [RR 201.2]

(c) *Effect of assignments issued on behalf of the Joint Board.* All assignments for renegotiation heretofore or hereafter issued in the name of the Joint Price Adjustment Board, through the Assignments and Statistics Branch of the Renegotiation Division, A. S. F., are hereby ratified, approved and confirmed with the same force and effect as if they had been originally issued by the War Contracts Board. [RR 201.3]

(d) *Authority in assignment matters.* The Assignments and Statistics Branch, Renegotiation Division, A. S. F., has been authorized by the War Contracts Board to act on its behalf in the issuance of assignments, reassignments, and cancellations of assignments. The Assignments and Statistics Branch will discharge its functions subject to such policies as may be established and directions given from time to time by the War Contracts Board but no assignment, reassignment or cancellation of assignment issued by the Assignments and Statistics Branch shall be deemed unauthorized or invalid unless specifically revoked by action of the War Contracts Board. The authority mentioned herein as conferred upon the Assignments and Statistics Branch is deemed to extend not only to the permanent staff of said Branch but also to persons who may from time to time be detailed by any Departmental Board to work with the staff of the Branch. [RR 201.4]

(e) *Control of assignments.* A system for the recording and control of assignments will be maintained by the Assignments and Statistics Branch. It will operate with relation to the number of individual contractors assigned, each company whether or not a subsidiary or affiliate of another being represented by a separate assignment and assignment number. Joint ventures will be represented by a single assignment; separate assignments will not be issued for the individual members of a joint venture unless they hold, independently of the joint venture, other contracts subject to renegotiation. Statistical reports of the final results of renegotiation will, however, be based on the number of completed agreements regardless of how many assignments may be represented thereby. As a part of the system established for the recording and control of assignments, the Departments and Services will use the forms appearing in §§ 1607.705 and 1607.706. [RR 201.5]

(f) *Communications.* Communications relating to administrative matters in connection with assignments, reassignments and cancellation of assignments should be addressed to War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3D 573, The Pentagon, Washington 25, D. C. [RR 201.6]

§ 1602.202 *Basis of assignment*—(a) *In general.* Assignments will ordinarily be made to the Department or Service believed to have the predominant interest in the assigned contractor's renegotiable business, but assignments will be made on the basis of industry or product classification in those cases where it is believed that such action will promote efficiency of renegotiation procedure. Assignments may also be determined by the existence of intercompany affiliations or transactions and, in exceptional instances, by considerations of geographic convenience. [RR 202.1]

(b) *Product classification.* The War Contracts Board recognizes that in many cases it is advantageous to assign concerns which produce the same or similar products to the same Department or Service. Assignments on the basis of product classification are authorized particularly with respect to concerns producing products as to which one or more of the Departments or Services have the principal overall procurement interest or have acquired specialized experience in renegotiation. Departments and Services should suggest reassignment of contractors when, because of the nature of their products, it appears that efficiency of renegotiation procedure would be promoted thereby. Such reassignments should be suggested notwithstanding the fact that the predominant interest in the particular contractor's business may lie with the Department or Service suggesting the reassignment (see § 1602.205 (a) and form in § 1607.703 (c)). [RR 202.2]

(c) *Brokers and agents.* Brokers and agents subject to renegotiation by virtue of subsection (a) (5) (B) of the 1943 act and machine tool dealers will ordinarily be assigned to the Services and Sales Renegotiation Section, Procurement Legal Division, Office of the Under Secretary of the Navy, with the exception of those engaged in the sale of textiles and food stuffs, who will ordinarily be assigned to the Price Adjustment Section of The Quartermaster General. [RR 202.3]

§ 1602.203 *Selection of contractors for assignment*—(a) *Contractors previously assigned.* Generally contractors who were assigned for 1942 fiscal years have been assigned for 1943 fiscal years to the same Department or Service which held the 1942 assignment. Those assignments which were issued prior to the effective date of the 1943 act on behalf of the Joint Board have been confirmed by the War Contracts Board. Such assignments are subject to reassignment on the basis of industry or product classification or because of substantial change in predominant interest. [RR 203.1]

(b) *Contractors not previously assigned.* In order that unnecessary assignments may be avoided, initial assignments will not ordinarily be made without the prior receipt and consideration by the Assignments and Statistics Branch on behalf of the War Contracts Board of the information required in the "Standard Form of Contractor's Report" (see § 1607.701). Exceptions to this rule will be made at the request of any Agency authorized to conduct renegotiation upon an indication of urgency in point of time, lack of necessity for preliminary review, or other considerations deemed appropriate. Unless the required preliminary information is available through mandatory filing or otherwise, it will be obtained by the Assignments and Statistics Branch on behalf of the War Contracts Board by causing to be sent to the contractor a "Letter of Preliminary Inquiry" together with the "Standard Form of Contractor's Report" (see §§ 1607.702 (a) and 1607.701). In the event that the contractor fails to make satisfactory response within a reasonable time to the "Letter of Preliminary Inquiry," the case may be assigned for renegotiation to the Department or Service believed appropriate. Should the information required by the "Standard Form of Contractor's Report" be received by the War Contracts Board subsequent to the issuance of the assignment, the assignment may be reassigned or cancelled if such action be found by the War Contracts Board to be appropriate; otherwise, the information will be transmitted to the assignee Department or Service. [RR 203.2]

(c) *Identification of contractors not previously assigned.* The identification of contractors not previously assigned will be accomplished principally through their filing mandatory financial statements in conformity with the requirements of the first sentence of subsection (c) (5) (A) of the 1943 act (see § 1602.222). The War Contracts Board may use other sources of information. The Departments and Services may suggest to the War Contracts Board, by means of Form 101 (see § 1607.703 (a)), names of contractors to be considered for assignment at a time earlier than that at which the mandatory financial statements may be received. Such suggestions should be limited to cases as to which there is substantial reason to believe that early institution of renegotiation proceedings is advisable or required. [RR 203.3]

(d) *Reports as to brokers and agents.* Information coming to the attention of a Department or Service indicating that commissions or other compensation may have been or might be paid or accrued to a broker or agent subject to renegotiation under subsection (a) (5) (B) of the 1943 act or (a) (5) (ii) of the 1942 act will be reported to the Services and Sales Renegotiation Section, Procurement Legal Division, Navy Department, Washington 25, D. C., and to the War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3D 573, The Pentagon, Washington 25, D. C. (see § 1602.202 (c)). [RR 203.4]

§ 1602.204 *Form of assignments.* Assignments will be issued on Form 102 (shown in § 1607.703 (b)) or by endorsements on Form 101 (see § 1607.703 (a)) or by other written notification to the assignee Department or service. [RR 204]

§ 1602.205 *Reassignment of cases*—(a) *When cases reassigned.* The War Contracts Board will reassign a case to another Department or Service if it appears that efficiency of renegotiation procedure will be promoted thereby. Such reassignments may be based upon inter-company affiliations or transactions, substantial predominance of interest or the principle of assignment by product classification. Reassignments may be suggested by the Departments, Services, or other Agencies. The use of the form set forth at § 1607.703 (c) is recommended for this purpose. Reassignments may also be initiated by the War Contracts Board or by the Assignments and Statistics Branch of its own motion. A case will not be withdrawn from any Department without that Department's approval except by express direction of the War Contracts Board, nor will a reassignment become effective if objection to such reassignment is filed in writing by a Department with the Assignments and Statistics Branch within 10 days following receipt of such reassignment unless such objection is overruled by action of the War Contracts Board. The Assignments and Statistics Branch may withdraw an assignment from a War Department Service without its approval. [RR 205.1]

(b) *Transfer of information on reassignments.* Upon notice that a case has been reassigned, there will be transmitted directly to the Department or Service holding the reassignment all information obtained from the contractor relating to the fiscal period subject to renegotiation. [RR 205.2]

§ 1602.206 *Cancellation of assignment*—(a) *General.* (1) The War Contracts Board will cancel the assignment of any contractor on the ground that the contractor is not subject to renegotiation or on the ground that it clearly appears that the profits realized by the contractor were not excessive or when clearly appropriate under other circumstances disclosed. Ordinarily, assignment will not be cancelled except upon the recommendation or concurrence of the Department or Service to which the assignment was issued.

(2) Cancellations will not be issued in doubtful cases or in the absence of sufficient information in writing upon which an intelligent determination can be based. Representations of fact by contractors, however, will be accepted at full value in the absence of contradictory evidence, and if not obviously subject to question or doubt.

(3) Unless and until a cancellation is issued by the War Contracts Board, the assignee Department or Service is charged with the responsibility of the assignment. Accordingly, pending action upon an application for cancellation, the assignee Department or Service should take any action which may be necessary to preserve the Government's rights against the contractor.

(4) Cancellation of assignment does not constitute a formal clearance of a contractor's responsibilities under the Act. If a contractor desires such a clearance, renegotiation must be completed and a clearance issued in the manner hereinafter provided. [RR 206.1]

(b) *Form for submission of request.* The Department or Service submitting to the War Contracts Board a request for cancellation will accompany such request with a statement in substantially the following form:

The information submitted herewith has been obtained from the subject contractor. It has been considered and it is believed by this office to be substantially representative of the operations of the contractor for the fiscal period referred to. This office is of the opinion that [1] (excessive profits within the sense of the Renegotiation Act and the principles applicable thereto have not

[1] Insert applicable clause.

been realized by the contractor during the said period)[1] (aggregate sales by the contractor, and by all persons under the control of or controlling or under common control with the contractor, under contracts with the Departments (as defined in the Renegotiation Act) and subcontracts thereunder, did not exceed the statutory minimum).[1] (Other Reason:) Cancellation of the assignment of the contractor for renegotiation is recommended and requested. The Contractor's fiscal year ended.....

[RR 206.2]

(c) *When not subject to act; evidence required.* When cancellation of assignment is sought on the ground that the aggregate sales of the contractor for the fiscal year did not exceed the statutory minimum prescribed by subsection (c) (6) of the 1943 act, the Department or Service requesting the cancellation may:

(1) Submit a statement to that effect on its own responsibility, or

(2) Submit a statement by the contractor in the form appearing in § 1607.704 (a), or

(3) Submit a statement of the fact that the contractor has not filed a mandatory financial statement in conformity with subsection (c) (5) (A) of the 1943 act, and a statement of the Department or Service to the effect that the requirements of subsection (c) (5) (A) were called to the attention of the contractor preceding the application for the cancellation. [RR 206.3]

(d) *When no excessive profits; evidence required.* When the cancellation of assignment is sought on the ground that no excessive profits have been realized on renegotiable business, the minimum information required for consideration by the War Contracts Board will ordinarily be that called for by the "Standard Form of Contractor's Report" (see § 1607.701 (a)) including section B thereof. When necessary, information will be required as to the proper allocation of costs and expenses applicable to renegotiable and other sales. [RR 206.4]

(e) *Notification.* If the Assignments and Statistics Branch, acting for the War Contracts Board, finds that the evidence submitted is sufficient, notice of cancellation of the assignment will be sent to the Department or Service to which the case is assigned. If there is any difference of opinion concerning the sufficiency of the evidence submitted in connection with an application for cancellation the matter shall be referred to the War Contracts Board for decision. Use of the form set forth at § 1607.704 (b) is authorized for the purpose of advising the contractor of the cancellation of his assignment. [RR 206.5]

(f) *Reinstatement.* Any case, the assignment of which has been cancelled, may be reinstated if at any later time such action appears appropriate. Such reinstatement may be made by the War Contracts Board on its own motion or at the suggestion of any Department or Service. [RR 206.6]

SUBPART B—PRELIMINARY INFORMATION REQUIRED OF CONTRACTORS

§ 1602.220 *Scope of subpart.* This subpart deals with mandatory filing of financial statements required of the contractor and other preliminary information. [RR 220]

§ 1602.221 *Statutory provision.* Subsection (c) (5) (A) of the 1943 act provides as follows:

(5) (A) Every contractor and subcontractor who holds contracts or subcontracts, to which the provisions of this subsection are applicable, shall, in such form and detail as the Board may by regulation prescribe, file with the Board on or before the first day of the fourth month following the close of the fiscal year (or if such fiscal year has closed on the date of the enactment of the Revenue Act of 1943, on or before the first day of the fourth month following the month in which such date of enactment falls) a financial statement setting forth such information as the Board may by regulations prescribe as necessary to carry out this section. In addition to the statement required under the preceding sentence, every such contractor or subcontractor shall, at such time or times and in such form and detail as the Board may by regulations prescribe, furnish the Board any information, records, or data which is determined by the Board to be necessary to carry out this section. Any person who willfully fails or refuses to furnish any statement, information, record, or data required of them under this subsection, or who knowingly furnishes any such statement, information, records, or data containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than two years, or both.

[RR 221]

§ 1602.222. *Filing of mandatory financial statement.* In accordance with the requirements of the first sentence of subsection (c) (5) (A) of the Renegotiation Act of 1943:

(1) The "Standard Form of Contractor's Report" (as set forth in § 1607.701 (a)) is hereby prescribed as the form of mandatory financial statement generally required to be filed by contractors and subcontractors.

(2) The "Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers)" (as set forth in § 1607.701 (c)) is hereby prescribed as the form of mandatory financial statement required to be filed by contractors and subcontractors principally engaged in the construction business.

(3) The "Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers)" (as set forth in § 1607.701 (e)) is hereby prescribed as the mandatory form of financial statement required to be filed by sales agents and others whose principal business falls within the definition of subcontracts as set forth in subsection (a) (5) (B) of the 1943 act.

(a) *Sufficiency of contents.* Except as hereinafter stated, the forms of "Standard Form of Contractor's Report" are required to be prepared in duplicate in accordance with the instructions which relate to them respectively and which appear in § 1607.701 (b), (d) and (f). The reports are required to comprise all the information and exhibits specified by the forms and the instructions. However, if all the information called for by the appropriate "Standard Form of Contractor's Report" has been furnished by the contractor to an Agency authorized to conduct renegotiation proceedings under the 1943 act, the contractor may complete the "Standard Form of Contractor's Report" by incorporating by reference the information so furnished and making a specific statement of the time and place of such filing. In such case, the fact that the information has been received will be certified to by the renegotiating Agency on the copy of the "Standard Form of Contractor's Report" which it will forward to the War Contracts Board within sixty days after the date of receipt of the report by such Agency. A "Standard Form of Contractor's Report" so prepared and filed will be deemed to constitute a sufficient compliance with the mandatory filing requirements of this section in the absence of a notice of insufficiency sent to the contractor within 90 days after the report has been filed. [RR 222.1]

(b) *Time for filing.* The mandatory financial statements hereby prescribed shall be filed on or before the first day of the fourth month following the close of the fiscal year of the contractor (or if such fiscal year had been closed on February 25, 1944, on or before the first day of June, 1944), whether or not any demand has been made by the War Contracts Board or by any person on its behalf. [RR 222.2]

(c) *Place for filing.* Except as stated herein, the mandatory financial statements hereby prescribed shall be filed in duplicate with the War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3D 573, The Pentagon, Washington 25, D. C. Where the contractor has received a "Letter of Preliminary Inquiry" (see § 1602.223) and the "Standard Form of Contractor's Report" from a renegotiating Agency, the mandatory financial statements hereby prescribed shall be filed in duplicate with that Agency. The renegotiating Agency will forward one copy to the War Contracts Board within sixty days after receipt of the report by the Renegotiating Agency. [RR 222.3]

(d) *Availability of forms.* Copies of the forms above mentioned may be obtained upon request to the Assignments and Statistics Branch. Efforts will be made to have the forms available for distribution through various channels in addition to the Price Adjustment Boards and Sections of the several Departments authorized to conduct renegotiation proceedings. [RR 222.4]

(e) *Effect of filing mandatory financial statements.* The filing of a mandatory financial statement in accordance with the provisions of this section will not relieve any contractor or subcontractor of the duty to furnish such other information, records or data which are determined by the War Contracts Board or its representatives to be necessary to carry out its responsibilities under the act. [RR 222.5]

§ 1602.223 *Letter of preliminary inquiry*—(a) *Unassigned contractors.* The War Contracts Board, through the Assignments and Statistics Branch, may send to contractors and subcontractors who are identified by it as probably subject to renegotiation proceedings (excepting those who have been previously assigned) a "Letter of Preliminary Inquiry" (see § 1607.702 (a)). Such "Letter of Preliminary Inquiry" will require the recipient to file the appropriate "Standard Form of Contractor's Report" within 30 days from the date of the letter. The "Letter of Preliminary Inquiry" sent by the Assignments and Statistics Branch, will be to determine whether or not the contractor should be assigned for renegotiation and to what Department or Service, if any, such assignment should be made. The filing of the "Standard Form of Contractor's Report" will constitute compliance with the requirement for mandatory filing under § 1602.222, if filed within the time prescribed by the 1943 act. [RR 223.1]

(b) *Assigned contractors.* The Departments and Services may send to contractors who have been assigned to them for 1943 renegotiation the "Letter of Preliminary Inquiry" and the appropriate Standard Form of Contractor's Report. In such cases, the filing of the Standard Form of Contractor's Report will constitute compliance with the requirements of mandatory filing under § 1602.222 if filed within the time prescribed by the 1943 act and, with respect to assigned cases, will enable a determination to be made as to whether further renegotiation proceedings will be necessary. [RR 223.2]

§ 1602.224 *Contractor's information and work sheet for renegotiation.* The War Contracts Board, through the Department or Service to which any contractor or subcontractor is assigned, may send to such contractor or subcontractor the form "Contractor's Information and Work Sheet for Renegotiation". (See § 1607.722). The contractor's work sheet will ordinarily be used to assist the contractor in preparing information where it is contemplated that formal renegotiation proceedings will be carried to conclusion. [RR 224]

SUBPART C—PREPARATION FOR RENEGOTIATION

§ 1602.230 *Scope of subpart.* This subpart contains instructions relating to preparation for renegotiation. [RR 230]

§ 1602.231 *Negotiators*—(a) *Disqualification of negotiator.* Renegotiation will not be carried on by a negotiator on behalf of the Government, who is, or within the preceding five years has been, an officer, director, partner, employee or in control of the contractor being renegotiated. A member of a price adjustment board who is, or within the preceding five years has been, an officer, director, partner, employee or in control of the contractor being renegotiated, will not sit as a member of such board while it is passing on the case of such contractor. Each negotiator, or member of a price adjustment board, will determine whether these provisions bar him from acting in a case. Other circumstances may exist which would make it inadvisable for a negotiator or member of a price adjustment board to act in a case and such situations can best be determined by the negotiator or member involved. Accordingly, a negotiator or member of a price adjustment board has the responsibility of determining whether he should refrain from acting in a particular case under the circumstances. [RR 231]

SUBPART D—CONDUCT OF RENEGOTIATION

§ 1602.240 *Scope of subpart.* This subpart includes instructions on the conduct of renegotiation. [RR 240]

§ 1602.241 *Commencement of renegotiation.* Renegotiation proceedings are commenced by mailing by registered mail reasonable notice of the time and place of a conference to be held with respect to the renegotiation. A form which may be used for such purpose is set forth in § 1607.721. Such notice shall be given in all cases of renegotiations with respect to fiscal years ending after June 30, 1943. In any case where a further conference is unnecessary by reason of the progress which has been made in renegotiation prior to the sending out of the formal notice, the notice should be sent, but the conference can be waived by agreement with the contractor. [RR 241]

§ 1602.242 *Data presented by contractor.* The contractor should be prepared to present all the factual data pertinent to the consideration of his case. In this connection, reference is made to the information required in the mandatory financial statement (§ 1602.220 and following) and to other parts hereof. A Contractor's Information and Work Sheet for Renegotiation is set forth at § 1607.722 and the use of such form is not mandatory but should prove helpful to the contractor in assembling data pertinent to his case. (See § 1602.224.) [RR 242]

PART 1607—FORMS FOR RENEGOTIATION[1]

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

Sec.
1607.701 Forms for mandatory filing of financial statements under subsection (c) (5) (A).
- (a) Standard Form of Contractor's Report.
- (b) Instructions for Preparation of Standard Form of Contractor's Report.
- (c) Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers).
- (d) Instructions for Preparation of Standard Form of Contractor's Report (For Construction Contractors, Architects, and Engineers).
- (e) Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers).
- (f) Instructions for Preparation of Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers).

[1] The reporting requirements in this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Sec.
1607.702 Letters of preliminary inquiry.
- (a) Letter of Preliminary Inquiry (For Use by Assignments and Statistics Branch).
- (b) Letter of Preliminary Inquiry (For Use in Assigned Cases).

1607.703 Assignment forms.
- (a) Form No. 101 (Suggestion for Assignment).
- (b) Form No. 102 (Assignment Notice).
- (c) Form No. 103 (Suggestion for Reassignment).

1607.704 Forms for cancellation of assignment.
- (a) Statement by Contractor of Non-applicability.
- (b) Notice to Contractor of Cancellation of Assignment.
- (c) Request by Renegotiating Agency for Cancellation.

1607.705 Transmittal forms to and from Departments.
- (a) Form No. SPRA I–1 (Assignment Transmittal to Departments).
- (b) Form No. SPRA 1–2a5d1 (Reassignment Request; Cancellation Request).
- (c) Form No. SPRA I–2ax5d1x (Disapproved Reassignments; Disapproved Cancellations).
- (d) Form No. SPRA I–2b5d2 (Approved Reassignment; Approved Cancellation).
- (e) Form No. SPRA I–5a (Completed Settlements).
- (f) Form No. SPRA I–5b (Impasse Unilateral Determination; Department Transmittal Report).
- (g) Form No. SPRA I–5c (Completed Clearances; Department Transmittal Report).
- (h) Form No. SPRAE–8 (Identification, Tabulation Form).
- (i) Instructions for Preparation of Identification, Tabulation Form (SPRAE–8).

1607.706 Transmittal forms to and from Services.
- (a) Form No. SPRA I–1 (Assignment Transmittal to Services).
- (b) Form No. SPRA I–2a5d1 (Reassignment Request; Cancellation Request).
- (c) Form No. SPRA I–2ax5d1x (Disapproved Reassignments; Disapproved Cancellations).
- (d) Form No. SPRA I–2b5d2 (Approved Reassignment; Approved Cancellation).
- (e) Form No. SPRA I–5abc (Completed Settlements; Impasses; Completed Clearances).
- (f) Form No. SPRA I–5abcx (Returned Settlements, Impasses or Clearances).

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

1607.721 Notice of Commencement of Renegotiation Proceeding.

1607.722 Contractor's Information and Work Sheet for Renegotiation.

SUBPART I—ADDRESSES

1607.791 War Contracts Price Adjustment Board.
- (a) Principal office.
- (b) Chairman.
- (c) Office of General Counsel.
- (d) Assignment office.
- (e) Pentagon office.

1607.792 Departmental Price Adjustment Boards.

1607.793 War Department Price Adjustment Sections.
- (a) Headquarters.
- (b) Field Offices of Price Adjustment Sections.

1607.794 Navy Department Price Adjustment Boards.
(a) Navy Department Price Adjustment Board.
(b) Regional Price Adjustment Boards.
(c) Services and Sales Renegotiation Section.
1607.795 Related offices.

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

§ 1607.701 *Forms for mandatory filing of financial statements under subsection (c) (5) (A)—(a) Standard Form of Contractor's Report.*

Refer to LFI.....

STANDARD FORM OF CONTRACTOR'S REPORT

(To be filed in duplicate)

From: .....
.....
.....

To the WAR CONTRACTS PRICE ADJUSTMENT BOARD OR THE JOINT PRICE ADJUSTMENT BOARD:

SECTION A

I. Attached hereto are two copies of our Financial Statements, consisting of Balance Sheet, Income and Profit and Loss Statement and Surplus Statement for the calendar year 1943, or for our latest complete fiscal year. (See Instruction No. 1)

II. We estimate that our total business, exclusive of that under cost-plus-fixed-fee (CPFF) contracts, during our latest complete fiscal year (ended....., 194...) consisted of the following: (See Instruction No. 2)

A. *Subject to renegotiation:*	
1. Direct sales (prime contracts and purchase orders) (See Instructions Nos. 3, 6).....	$.....
2. Indirect sales for war end use (subcontracts of any tier, purchase orders, etc., except those shown in 3 and 4) (See Instructions Nos. 4, 5, 6).....	.....
3. Commissions and other income, within the meaning of Sec. 403 (a) (5) of the Renegotiation Act (See Instruction No. 7)...	.....
4. Other (See Instruction No. 8)...	.....
5. Subtotal of business subject to renegotiation (Exclusive of CPFF).....	.....
B. *Not subject to renegotiation* (See Instruction No. 9)	
1. Sales, direct or indirect to the Departments and other Agencies named in the Act, but exempt from renegotiation.....	.....
2. Sales, direct or indirect to other Departments and Agencies.....	.....
3. Sales, direct or indirect to private customers.....	.....
4. Subtotal of business not subject to renegotiation.....	.....
C. Total business (exclusive of CPFF).....	.....

V. We believe that the Governmental Agency which had the greatest financial interest in our business (direct and indirect *including CPFF*) subject to the provisions of the Renegotiation Act was (See Instruction No. 12)

....., ...
(Department or Agency) (Service or Bureau or Reconstruction Finance Corporation subsidiary)

VI. Listed below, in order of importance, are the *three* principal products sold or services rendered entering into renegotiable business for our latest complete fiscal year, and the functions performed by us with respect to each, such as manufacturing, assembling, distributing, etc.

Product or Service:	*Function*
1.	
2.	
3.	

VII. Salaries and other compensation (including commissions, bonuses and other forms of extra compensation) to our highest paid officers and employees (not exceeding five in number) who received $10,000 or more per annum for our latest complete fiscal year were as follows:

Name and Title:	*Amount*
1.	
2.	
3.	
4.	
5.	

VIII. The *estimated* cost of facilities furnished or financed by the United States Government as of the close of our latest complete fiscal year was $.....

IX. Profit before Federal taxes on income, shown by financial statements submitted in accordance with Item I above (does) (does not) differ by more than 5 percent from net income shown by Federal income tax returns filed or to be filed for the year. (If difference is in excess of 5 percent, explanation of major components of difference is attached in duplicate.)

X. Charges for post-war conversion or reconversion, inventory reserves, contingencies or other items not deductible for tax purposes (are) (are not) included in costs and expenses in the statements for our latest complete fiscal year submitted herewith. (If statement is affirmative, a schedule showing details is attached, in duplicate.)

XI. There (were) (were no) changes in the form or control of our organization (including reorganizations, dissolutions, acquisition and/or disposal of subsidiaries, etc.) during our latest complete fiscal year. (If statement is affirmative, an explanation is attached, in duplicate.)

(B) A statement (in duplicate) showing names and addresses of our parent, subsidiary and affiliated companies or organizations with a brief description of the character of their business and the nature and extent of their affiliation. Included also is a statement as to whether or not we believe that the operations of such companies or organizations should be consolidated with those of this company for renegotiation on an over-all basis if such renegotiation be required.

XIV. Condensed income data for prior years, exclusive of charges for extraordinary reserves and other items not allowed as deductions for tax purposes, are shown below (in thousands of dollars) (See Instruction No. 15):

Years ended.....	1942	1939	1938	1937	1936
(1) Net sales.....					
(2) Taxable net income per Federal tax return.....					
(3) Net fees on CPFF contracts (included in line 2).....					

XV. Salaries and other compensation (including commissions, bonuses and other forms of extra compensation) to our highest paid officers and employees (not exceeding five in number) who received $10,000 or more per annum for any of our fiscal years indicated below, as follows:

Name and Title	1942	1941	1940	1939
1.				
2.				
3.				
4.				
5.				

.....
(Exact name of contractor—not abbreviated)

.....
(State of incorporation)

By .....
(Authorized corporate officer, partner or proprietor)

.....
(Title)

Date.....

I, the undersigned, ...
(Title of signer and name of contractor)

..... certify that the representations and supporting data hereby submitted are true and correct and in accordance with instructions furnished with this form to the best of my knowledge and belief, subject to such qualifications as are specifically set forth.

.....
(Signature)

[RR 701.1]

(b) *Instructions for Preparation of*

1607.794 Navy Department Price Adjustment Boards.
(a) Navy Department Price Adjustment Board.
(b) Regional Price Adjustment Boards.
(c) Services and Sales Renegotiation Section.
1607.795 Related offices.

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

§ 1607.701 *Forms for mandatory filing of financial statements under subsection (c) (5) (A)—(a) Standard Form of Contractor's Report.*

Refer to LPI.

STANDARD FORM OF CONTRACTOR'S REPORT

(To be filed in duplicate)

From: _____
_____
_____

To the WAR CONTRACTS PRICE ADJUSTMENT BOARD OR THE JOINT PRICE ADJUSTMENT BOARD:

SECTION A

I. Attached hereto are two copies of our Financial Statements, consisting of Balance Sheet, Income and Profit and Loss Statement and Surplus Statement for the calendar year 1943, or for our latest complete fiscal year. (See Instruction No. 1)

II. We estimate that our total business, exclusive of that under cost-plus-fixed-fee (CPFF) contracts, during our latest complete fiscal year (ended_____, 194__) consisted of the following: (See Instruction No. 2)

A. *Subject to renegotiation:*	
1. Direct sales (prime contracts and purchase orders) (See Instructions Nos. 3, 6)	$_____
2. Indirect sales for war end use (subcontracts of any tier, purchase orders, etc., except those shown in 3 and 4) (See Instructions Nos. 4, 5, 6)	_____
3. Commissions and other income, within the meaning of Sec. 403 (a) (5) of the Renegotiation Act (See Instruction No. 7)	_____
4. Other (See Instruction No. 8)	_____
5. Subtotal of business subject to renegotiation (Exclusive of CPFF)	_____
B. *Not subject to renegotiation* (See Instruction No. 9)	
1. Sales, direct or indirect to the Departments and other Agencies named in the Act, but exempt from renegotiation	_____
2. Sales made neither directly nor indirectly to the Departments and other Agencies named in the Act	_____
3. Subtotal of business not subject to renegotiation	_____
C. *Total Business for Period* (Exclusive of CPFF)	_____

III. We (did) (did not) have CPFF contracts during our latest closed fiscal year. If answer is affirmative statement in duplicate of total billings, costs, and net fees applicable thereto is attached. (See Instruction No. 10)

IV. Our over-all cost of *manufacture* was divided approximately as follows: (See Instruction No. 11)

Materials used (including parts and sub-assemblies purchased)	_____%
Salaries and wages	_____%
Other costs	_____%
Total	100 %

V. We believe that the Governmental Agency which had the greatest financial interest in our business (direct and indirect *including CPFF*) subject to the provisions of the Renegotiation Act was (See Instruction No. 12)

_____, _____
(Department or Agency) (Service or Bureau or Reconstruction Finance Corporation subsidiary)

VI. Listed below, in order of importance, are the *three* principal products sold or services rendered entering into renegotiable business for our latest complete fiscal year, and the functions performed by us with respect to each, such as manufacturing, assembling, distributing, etc.

Product or Service:	*Function*
1.	
2.	
3.	

VII. Salaries and other compensation (including commissions, bonuses and other forms of extra compensation) to our highest paid officers and employees (not exceeding five in number) who received $10,000 or more per annum for our latest complete fiscal year were as follows:

Name and Title:	*Amount*
1.	
2.	
3.	
4.	
5.	

VIII. The *estimated* cost of facilities furnished or financed by the United States Government as of the close of our latest complete fiscal year was $_____

IX. Profit before Federal taxes on income, shown by financial statements submitted in accordance with Item I above (does) (does not) differ by more than 5 percent from net income shown by Federal income tax returns filed or to be filed for the year. (If difference is in excess of 5 percent, explanation of major components of difference is attached in duplicate.)

X. Charges for post-war conversion or reconversion, inventory reserves, contingencies or other items not deductible for tax purposes (are) (are not) included in costs and expenses in the statements for our latest complete fiscal year submitted herewith. (If statement is affirmative, a schedule showing details is attached, in duplicate.)

XI. There (were) (were no) changes in the form or control of our organization (including reorganizations, dissolutions, acquisition and/or disposal of subsidiaries, etc.) during our latest complete fiscal year. (If statement is affirmative, an explanation is attached, in duplicate.)

XII. We (have) (have not) entered into a formal agreement or received an authorized clearance notice under the Renegotiation Act with respect to any of our past fiscal years. If answer is affirmative, name and address of Price Adjustment Board or Section is given below:

SECTION B

(Items XIII, XIV, and XV, comprising Section B of this report are not required to be filled out by contractors or subcontractors who have entered into formal agreements or received authorized clearance notices under the Renegotiation Act with respect to any past fiscal years. However, the data, if furnished, will expedite the disposition of the case and should be presented if readily available.)

XIII. Attached hereto are the following:

(A) A brief statement (in duplicate) of the nature of our pre-war business and the extent and approximate date of its conversion to the war effort; also a brief description of our principal peacetime products.

(B) A statement (in duplicate) showing names and addresses of our parent, subsidiary and affiliated companies or organizations with a brief description of the character of their business and the nature and extent of their affiliation. Included also is a statement as to whether or not we believe that the operations of such companies or organizations should be consolidated with those of this company for renegotiation on an over-all basis if such renegotiation be required.

XIV. Condensed income data for prior years, exclusive of charges for extraordinary reserves and other items not allowed as deductions for tax purposes, are shown below (in thousands of dollars) (See Instruction No. 15):

Years ended_____	1942	1939	1938	1937	1936
(1) Net sales					
(2) Taxable net income per Federal tax return					
(3) Net fees on CPFF contracts (included in line 2)					

XV. Salaries and other compensation (including commissions, bonuses and other forms of extra compensation) to our highest paid officers and employees (not exceeding five in number) who received $10,000 or more per annum for any of our fiscal years indicated below, as follows:

Name and Title	1942	1941	1940	1939
1.				
2.				
3.				
4.				
5.				

_____
(Exact name of contractor—not abbreviated)

_____
(State of incorporation)

By _____
(Authorized corporate officer, partner or proprietor)

_____
(Title)

Date_____

I, the undersigned, _____
(Title of signer and name of contractor) certify that the representations and supporting data hereby submitted are true and correct and in accordance with instructions furnished with this form to the best of my knowledge and belief, subject to such qualifications as are specifically set forth.

_____
(Signature)

[RR 701.1]

(b) *Instructions for Preparation of Standard Form of Contractor's Report.*

INSTRUCTIONS FOR PREPARATION OF STANDARD FORM OF CONTRACTOR'S REPORT

Be sure to use the correct form of report

Three separate Standard Forms of Contractor's Report have been prescribed by the War Contracts Price Adjustment Board, for the following types of business covered by the Renegotiation Act:

1. Persons principally engaged in manufacturing and general business other than (2) and (3) below. (Form entitled "Standard Form of Contractor's Report.")

2. Persons principally engaged on construction projects, including those operating under architect-engineer contracts. (Form entitled "Standard Form of Contractor's Report (For Construction Contractors, Architects, and Engineers).")

3. Brokers, sales agents, etc., as defined in subsection (a) (5) of the Renegotiation Act. (Form entitled "Standard Form of Contractor's Report (For Agents, Brokers, and Sales Engineers).")

Filing of the Appropriate "Standard Form of Contractor's Report" in satisfactory form is required to comply with the statutory filing provision in subsection (c) (5) (A) of the 1943 Renegotiation Act. If the attached is not the appropriate form, copies of the proper form can be obtained by writing to War Contracts Price Adjustment Board, Assignments and Statistics Branch, Renegotiation Division, Room 3D 573, The Pentagon, Washington 25, D. C., or the office from which this document was received.

1. *Item I.* Copies of audit reports by independent public accountants should be submitted if available. If such audit reports have not been prepared, in lieu thereof there should be submitted in duplicate financial statements for the latest closed fiscal year, consisting of (A) a balance sheet, as of the close of such fiscal year, and (B) a statement of income and surplus for such fiscal year. These statements must be in reasonable detail; the balance sheet must show the gross plant account and related allowance for depreciation; each reserve must be stated separately; and the income statement must show sales and cost of sales. Unaudited statements may be filed if they are in accord with the contractor's records and if the contractor certifies that the statements are correct to the best of his knowledge and belief. All deviations from the contractor's records should be noted and explained.

2. *Item II.* For the purpose of this report, a careful estimate by the contractor as to the segregation of his renegotiable and non-renegotiable business will be accepted and received without prejudice. Attention is directed to Instruction No. 5, relative to the inclusion of renegotiable subcontracts.

3. *Item II–A–1. Direct sales* subject to renegotiation should include the total amount of contractor's net billings for his latest complete fiscal year on direct sales (under prime contracts and purchase orders except those based on cost-plus-fixed-fee contracts) to the War, Navy and Treasury Departments, Maritime Commission, War Shipping Administration and the following subsidiaries of the Reconstruction Finance Corporation, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation, and Rubber Reserve Company; sales under lend-lease contracts may be classified according to the Agency through which the contracts were negotiated.

4. *Item II–A–2. Indirect sales* for war end use should include the total amount of contractor's net billings for his latest complete fiscal year on indirect sales (under subcontracts of any tier, as interpreted below) except those to be entered as II–A–3 and –4, and those based on cost-plus-fixed-fee contracts.

5. *Interpretation of subcontract:* Under the statutory definition of "subcontract" (Sec. 403 (a) (5)), profits on the production and sale, or the sale, of articles required for the performance of another contract or subcontract are subject to renegotiation, as well as profits on the production or sale of all materials, down to and including raw materials, except certain specified products exempted under subsection (1) of the Act. This definition is interpreted to include contracts not only with prime contractors but also with other subcontractors, if such contracts are—

a. for the sale or processing of an end product or of an article incorporated therein,

b. for the sale, furnishing or installation of machinery, equipment or materials used in the processing of an end product or of an article incorporated therein,

c. for the sale, furnishing or installation of machinery used in the processing of other machinery to be used in the processing of an end product or of an article incorporated therein,

d. for the sale, furnishing or installation of component parts of or subassemblies for machinery included in (c) above and machinery, equipment and materials included in (b) above, and

e. for the performance of services directly required for the performance of contracts or subcontracts included in (a), (b), (c), and (d) above.

The term "*component part*" shall be deemed to include materials and ingredients.

With respect to machinery, equipment or materials "used in processing",

(1) In general it is intended to include as subject to statutory renegotiation the sale of all machinery, equipment, materials and other articles which contribute directly to the actual production of an end item or an article incorporated therein, in connection with the physical handling of the item from the time of entry of the component materials to departure of the item from the plant in question and to include all machinery which similarly contributed directly to the actual production of other machinery so used.

(2) It is intended to exclude the sale of articles which contribute only indirectly to the actual manufacturing process, such as (a) products used for general plant maintenance, including fuel and equipment to produce light, heat and power, (b) equipment needed for general office maintenance, including all types of office machinery and supplies, (c) safety equipment and clothing.

(3) It is not intended, however, to exclude from renegotiation any articles otherwise subject to renegotiations which are sold directly to a Department, or to a contractor when the items are to be ultimately resold to a Department either as end products or as component parts included therein.

The term "*articles*" in the statutory definition of subcontract is interpreted to include commercial products as well as equipment fabricated for particular uses or purposes.

The fact that *commercial products* are sold for industrial uses, either directly or through jobbers or other commercial channels, does not exclude such articles from this definition. The same tests are applied to both ordinary commercial products and equipment fabricated for special uses and purposes.

The fact that articles are sold under *price ceilings* fixed by OPA or as the result of *competitive bidding* does not exclude the sale of such articles from renegotiation.

6. *Contracts subject to profit limitations:* If the contractor made deliveries under contracts or subcontracts subject to profit limitations, the total billings under such contracts should be included as part of renegotiable sales, but should also be shown in a separate schedule, in duplicate, in which should be stated the amount so included.

7. *ITEM II–A–3. "Commissions and other income, within the meaning of Sec. 403 (a) (5) of the Renegotiation Act"* refers to income as recorded on the contractor's books, from the execution of any contract or arrangement (a) to procure one or more contracts with a Department or one or more war end use subcontracts when the amount of such income was contingent upon such procurement, or was determined with reference to the amount of such contracts or subcontracts or (b) under which any part of the services performed or to be performed, consisted of the soliciting, attempting to procure or procuring one or more contracts with a Department or one or more war end use subcontracts.

A contract or arrangement for this purpose does not exist when one of the contracting parties is a bona fide executive officer, partner, or full-time employee of the other contracting party.

8. *Item II–A–4. Other renegotiable business.* Any income, receipts, or accruals, such as royalties, management fees, etc.; (except from cost-plus-fixed-fee contracts), not included in II–A–1, –2, or –3, which are subject to renegotiation, should be entered on this line.

9. *Item II–B. Business not subject to renegotiation.* Certain direct and indirect sales exempted from renegotiation by subsection (i) of the Act and administrative rulings thereunder, should be entered at II–B–1. Other sales, excluded because they were not made, directly or indirectly, to Departments and Agencies named in the Act, should be entered as II–B–2.

Since the difficulty of making an accurate segregation between sales "Subject to Renegotiation" and those "Not Subject to Renegotiation", is recognized, contractors should take care to report as "Subject to Renegotiation" all business except that which is clearly not renegotiable as a matter of law or of administrative ruling. Such a report will be received without prejudice.

10. *Item III. Cost-plus-fixed-fee (CPFF) contracts.* If the contractor performed under one or more cost-plus-fixed-fee direct contracts or subcontracts subject to the Renegotiation Act, during his latest closed fiscal year, he should report in a separate statement in duplicate, the total of his billings, costs, and net fees thereunder. If he is unable to report costs, an explanation of the reasons therefor should be submitted.

11. *Item IV.* The percentages to be entered in IV relate to the cost of manufacturing products sold under fixed price contracts or in the regular course of business, but not to cost-plus-fixed-fee contracts. The percentages should be based on manufacturing costs only, and should not relate to amounts which include selling and administrative expenses. If the information requested cannot be readily obtained or estimated, a statement outlining the difficulties involved must be submitted.

12. *Item V.* There should be entered on the first blank line the names of the renegotiating Department or Agency (e. g. Navy, Reconstruction Finance Corporation) and on the second blank line the name of the related Service, Bureau or R. F. C. subsidiary (e. g. Bureau of Ordnance, Defense Supplies Corporation) which the contractor believes (without detailed analysis) purchased the largest proportion of his war end use output during the latest complete fiscal year, both under direct contracts and as components of products acquired from other contractors.

The Governmental Agencies which conduct renegotiation proceedings are:

1. War Department.
2. Navy Department.
3. Maritime Commission.
4. War Shipping Administration.
5. Treasury Department.
6. Reconstruction Finance Corporation, on behalf of its subsidiaries: Defense Plant Corporation; Defense Supplies Corporation; Metals Reserve Company; Rubber Reserve Company.

The interested Services included in the War Department are:

Army Air Forces.
Chemical Warfare Service.
Corps of Engineers.
Ordnance Department.
Quartermaster Corps.
Signal Corps.
Surgeon General.
Transportation Corps.

The interested Bureaus included in the Navy Department are:

Bureau of Aeronautics.
Bureau of Ordnance.
Bureau of Ships.
Bureau of Supplies and Accounts.
Bureau of Yards and Docks.

13. *Section B.* Items XIII, XIV and XV, comprising Section B of this report are not required to be filled out by contractors or subcontractors who have entered into formal agreements, or received authorized clearance notices under the Renegotiation Act with respect to any past fiscal years. However, the data, if furnished, will expedite the disposition of the case and should be presented if readily available.

14. *Item XIII–B.* By "affiliated companies or organizations" is meant all persons under the control of or controlling or under common control with the contractor or subcontractor.

15. *Item XIV.* The information as to operations of the contractor for the indicated taxable years is necessary for the proper consideration of the effect of war business on the volume of sales and amount of profits. If the profits for any of the fiscal years relate to operations under cost-plus-fixed-fee contracts, the amount of the *net fees* on such contracts should be shown on line (3) of Item XIV as a memorandum, and should also be included in "Taxable net income per Federal tax return" (line 2). Gross billings and costs under such contracts should not be included.

16. *If information previously filed.* If all of the information called for by this form has been furnished the Price Adjustment Agency to which the contractor has been assigned, this Standard Form of Contractor's Report can be completed by reference, stating specifically the place and date of filing. When certified by the appropriate Price Adjustment Agency that it has received such information, this report will be accepted by the War Contracts Price Adjustment Board as having complied with mandatory filing under the first sentence of subsection (c) (5) (A) of the 1943 Act.

[RR 701.2]

(c) *Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers).*

Refer to LPI _____

STANDARD FORM OF CONTRACTOR'S REPORT

(FOR CONSTRUCTION CONTRACTORS, ARCHITECTS AND ENGINEERS)

(To be filed in duplicate)

From: _____

To: The War Contracts Price Adjustment Board or the Joint Price Adjustment Board:

SECTION A

I. Attached hereto are copies of our Federal Income Tax and Excess Profits Tax Returns for the calendar year 1943, or for our latest completed fiscal year. The method of reporting for Income Tax purposes is: (a) Cash _____, (b) Accrual _____, (c) Completed job basis _____, (d) Percentage of Completion basis _____. If the Tax Return does not disclose gross contract earnings and job costs, a schedule of these items is attached hereto.

II. Our method of accounting employed for book purposes is the _____ basis, and we estimate that our total business during our latest completed fiscal year (ended _____, 194..) consisted of the following: (See Instruction No. 1)

A. *Subject to renegotiation.* (See Instruction No. 1.)

1. Construction work (prime contracts and subcontracts):	
Lump sum or unit price work	$_____
Cost-plus-fixed-fee work (reimbursables plus fixed fee and any other earnings	_____
Contractor's proportionate share of total joint venture business (See Instruction No. 2) Other (describe briefly)	_____
Total construction work	$_____
2. Rental income from owned equipment not included in construction business	_____
3. Sales for war end use and other earnings	_____
4. Total of business subject to renegotiation	$_____

B. *Not subject to renegotiation.* (See Instruction No. 3.)

1. Construction work, rentals, sales and other gross business directly or indirectly with the Departments and other Agencies named in the Act, but exempt from renegotiation	$_____
2. Other business neither directly or indirectly with the Departments and other Agencies named in the Act	_____
3. Total of business not subject to renegotiation	_____
C. Total business during latest completed fiscal year	$_____

III. Our total business listed above was divided as follows:

	Completed business	Uncompleted business	Total business
Subject to renegotiation	$_____	$_____	$_____
Not subject to renegotiation	$_____	$_____	$_____
Total business	$_____	$_____	$_____

IV. We believe that the Governmental Department or Agency which had the greatest financial interest in the above business (direct and indirect) subject to the provisions of the Renegotiation Act was (see Instruction No. 5) _____

(Department or Agency)

_____

(Approximate percent of total business)

V. Commissions within the meaning of Section 403 (a) (5) of the Renegotiation Act (were) (were not) received or accrued by us. If answer is affirmative, a statement in duplicate showing the amount and an explanation thereof is attached. (See Instruction No. 6.)

VI. There (were) (were not) changes in the form or control of organization (including reorganizations, dissolutions, acquisition and/or disposal of subsidiaries, etc.) during the latest completed fiscal year. (If statement is affirmative, an explanation in duplicate is attached.)

SECTION B

(Items VII through XII, comprising Section B of this report, are not required to be filled out by contractors or subcontractors in the event that their estimate of business subject to the Renegotiation Act as shown in Item II A *and* Item II B–1 together does not exceed the statutory minimum)

VII. We are organized as a: Corporation _____ Partnership_____ Individual_____ Joint Venture_____. Attached hereto is a statement in duplicate of the information required by Instruction No. 7.

VIII. There (were) (were not) during the period under review partners or persons having an interest in our Government contracts or other Government business who were not signatories to the contracts or agreements. If answer is affirmative, a full explanation in duplicate is attached hereto.

IX. We (are) (are not) directly or indirectly interested in any of the subcontractors or any of the firms or corporations from whom we have purchased or rented materials or equipment for this contract. If answer is affirmative, an explanation in duplicate is attached.

X. Attached hereto are the following:

A. A brief statement in duplicate of the history of our organization and operations.

B. A list in duplicate of the names and addresses of all subsidiaries, affiliated companies, and organizations or persons under the control or controlling, or under common control with the contractor, with an explanation of the relationships.

XI. Attached hereto is a schedule in duplicate of contract data showing the information required by Instruction No. 8 for each contract and subcontract in excess of $50,000 as reported in Item II A. All contracts less than $50,000 are reported in total only.

XII. Attached hereto is a schedule in duplicate of contract data showing the information required by Instruction No. 9 for each contract and subcontract in excess of $50,000 as reported in Item II B. All contracts less than $50,000 are reported in total only.

_____

(Exact name of contractor—not abbreviated)

By _____

(Authorized corporate officer, partner or proprietor)

_____

(Title)

Date _____

I, the undersigned, _____

(Title of signer and name of contractor)

certify that the representations and supporting data hereby submitted are true and correct and in accordance with instructions furnished with this form to the best of my knowledge and belief, subject to such qualifications as are specifically set forth.

_____

(Signature)

[RR 701.3]

(d) *Instructions for Preparation of Standard Form of Contractor's Report (For Construction Contractors, Architects and Engineers).*

INSTRUCTIONS FOR PREPARATION OF STANDARD FORM OF CONTRACTOR'S REPORT

(For Construction Contractors, Architects, and Engineers)

BE SURE TO USE THE CORRECT FORM OF REPORT

Three separate Standard Forms of Contractor's Report have been prescribed by the War Contracts Price Adjustment Board, for the following types of business covered by the Renegotiation Act:

1. Persons principally engaged in manufacturing and general business other than (2) and (3) below. (Form entitled "Standard Form of Contractor's Report.")

2. Persons principally engaged in construction projects, including those operating under architect-engineer contracts. (Form entitled "Standard Form of Contractor's Report (For Construction Contractors, Architects, and Engineers).")

3. Brokers, sales agents, etc., as defined in subsection (a) (5) of the Renegotiation Act. (Form entitled "Standard Form of Contractor's Report (For Agents, Brokers, and Sales Engineers).")

Filing of the Appropriate "Standard Form of Contractor's Report" in satisfactory form is required to comply with the statutory filing provision in subsection (c) (5) (A) of the 1943 Renegotiation Act. If the attached is not the appropriate form, copies of the proper form can be obtained by writing to War Contracts Price Adjustment Board, Assignments and Statistics Branch, Renegotiation Division, Room 3D 573, The Pentagon, Washington 25, D. C., or the office from which this document was received.

1. *Item II.* Total business should include the aggregate of the amounts received or accrued in the latest completed fiscal year (according to the method of accounting employed by the contractor or subcontractor in keeping his books) from construction contracts, equipment rentals, sales and other business. The method of accounting employed for book purposes should be stated.

For the purpose of this report, it is not necessary to have an exact segregation of business as to renegotiable and non-renegotiable, if such would require detailed accounting analysis. For the present, if necessary, the contractor's best estimate will be accepted and received without prejudice. However, a more accurate analysis may have to be made if the contractor's representation of renegotiable business approaches the statutory minimum. Also, if renegotiation proceedings are to be continued, a request for more accurate segregation and allocation may be made.

2. *Item II–A–1.* In reporting contractor's porportionate share of joint venture business, gross contract and other earnings of each joint venture, including reimbursements in the case of cost-plus-a-fixed-fee joint venture contracts, should be taken into account.

3. *Item II–B. Sales not subject to renegotiation.* Certain direct and indirect sales have been exempted from renegotiation by subsection (i) of the Act and administrative rulings thereunder. Since the difficulty of making an accurate segregation between sales "Subject to Renegotiation" and those "Not Subject to Renegotiation", is recognized, contractors should report as "Subject to Renegotiation" all business except that which is clearly not renegotiable as a matter of law or of administrative ruling. Should a continuance of renegotiation proceedings be required, necessary corrections in the segregation on the Standard Form of Contractor's Report (for Construction Contractors, Architects and Engineers) will be made.

4. *Item II–B. Construction contracts awarded as a result of competitive bidding.* The War Contracts Price Adjustment Board has adopted the following interpretation of the exemption under the Renegotiation Act of construction contracts awarded as a result of competitive bidding: The exclusion from renegotiation of construction contracts with a Department awarded as a result of competitive bidding applies only to contracts for the construction of buildings, structures, improvements and other similar facilities let to the lowest qualified bidder and which were entered into after advertisement and for which bids have been received from two or more independent, responsible and qualified contractors in actual competition with each other. This section of the Act is applicable only to amounts received or accrued under such contracts for fiscal years ending after June 30, 1943, and applies regardless of the date when the contracts were made. Contracts for the furnishing of materials or supplies or for the lease or sale of machinery or equipment are not deemed to be within the scope of this provision of the Act.

The Board has found that competitive conditions affecting the making of construction contracts and subcontracts entered into subsequent to June 30, 1943, were such as to result in effective competition with respect to the contract or subcontract price where all of the following conditions exist:

(1) The contract or subcontract is one for the construction of buildings, structures, improvements or other similar facilities. Contracts and subcontracts for the furnishing of materials or supplies or for the lease or sale of machinery or equipment are not within the scope of this exemption.

(2) The contract was entered into subsequent to June 30, 1943, and did not constitute a substitute for or a revision or extension of an existing contract entered into on or before June 30, 1943.

(3) The work covered by the contract was substantially the same as the work for which the bids were requested.

(4) Bids were received from two or more responsible and qualified contractors, who were independent of each other and were in actual competition with each other for the work for which bids were requested.

(5) The contract price was not in excess of the low bid received.

5. *Item IV.* There should be entered on the first blank line the name of the renegotiating Department or Agency (e. g. Navy, Reconstruction Finance Corporation) which during the contractor's latest completed fiscal year had the largest proportionate interest in his war end use business both under direct contracts and as components of products acquired from other contractors.

The Governmental Agencies which conduct renegotiation proceedings are as follows:

1. War Department
2. Navy Department
3. Maritime Commission
4. War Shipping Administration
5. Treasury Department
6. Reconstruction Finance Corporation, on behalf of its subsidiaries:
   - Defense Plant Corporation.
   - Defense Supplies Corporation.
   - Metals Reserve Company.
   - Rubber Reserve Company.

6. *Item V.* "Commissions within the meaning of Sec. 403 (a) (5) of the Renegotiation Act" refers to income as recorded on the contractor's books, from the execution of any contract or arrangement (a) to procure one or more contracts with a Department or one or more war end use subcontracts when the amount of such income was contingent upon such procurement, or was determined with reference to the amount of such contracts or subcontracts, or (b) under which any part of the services performed or to be performed, consists of the soliciting, attempting to procure or procuring one or more contracts with a Department or one or more war end use subcontracts.

A contract or arrangement for this purpose does not exist when one of the contracting parties is a bona fide executive officer, partner, or full-time employee of the other contracting party.

7. *Item VII.* If a Corporation, give date of incorporation and state in which incorporated. Also give names, addresses of officers together with their respective percentages of stock ownership.

If a Partnership, state the date of formation, and give names and addresses of all partners and their respective percentages of interest in its income.

If a Joint Venture, give date of formation, and names and addresses of all participants together with their respective percentages of interest in its income.

Where two or more parties enter into an arrangement for the performance jointly of one or more projects the combination resulting from such arrangement is commonly referred to as a "Joint Venture". Such a Joint Venture is regarded as an entity which, with respect to its contracts or subcontracts within the scope of the Renegotiation Act of 1943, is a "contractor" or "subcontractor" within the meaning of the Act. Therefore, each Joint Venture is renegotiated separately with respect to its renegotiable contracts and subcontracts.

8. *Item XI.* Submit the following information for each contract and subcontract in excess of $50,000 as reported in Item II–A. No detail is required for contracts of less than $50,000. The total sum of all such contracts may be reported as one amount.

A. Contract number of each contract or subcontract. Show under this Item the Government or other prime contract number and, if a subcontract the Government or other number assigned to the related prime contract.

B. Type of contract advertised or negotiated; lump sum unit price or cost-plus-a-fixed-fee; prime contract or subcontract; architect-engineer, construction or combination).

C. If a prime contract, with what Department made (War, Navy, Treasury Departments, Maritime Commission, War Shipping Administration, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company).

D. If a subcontract, name and address of prime contractor, and Department with which he made contract, if available.

E. Total contract price, including amendments. In the case of cost-plus-a-fixed-fee contracts, show separately the estimated cost, final cost, and fee.

F. Brief description of work.

G. Location of work.

H. Amounts and percentages completed at beginning and end respectively of fiscal year.

I. Approximate percent and types of work subcontracted to others. List each subcontract let in excess of $50,000, showing the name and address of the subcontractor, type and amount of work subcontracted.

J. Date work was commenced and completed, or estimated completion date.

K. State year or years in which income was reported for tax purposes and, if reported in more than one year, the amount reported in each year.

L. If a joint venture contract, list the names and addresses of all joint venturers.

9. *Item XII.* Submit information showing for each contract and subcontract in excess of $50,000 as reported in Item II–B the details as shown in A through G of Item XI above. No detail is required for contracts of less than $50,000. The total sum of all such contracts may be reported as one amount.

10. *If information previously filed.* If all of the information called for by this form has been furnished the Price Adjustment Agency to which the contractor has been assigned, this Standard Form of Contractor's Report can be completed by reference, stating specifically the place and date of filing. When certified by the appropriate Price Adjustment Agency that it has received such information, this report will be accepted by the War Contracts Price Adjustment Board as having complied with mandatory filing under the first sentence of subsection (c) (5) (A) of the 1943 Act.

[RR 701.4]

(e) *Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers).*

Refer to: LPI _____

STANDARD FORM OF CONTRACTOR'S REPORT

(FOR AGENTS, BROKERS AND SALES ENGINEERS)

(To be filed in duplicate)

From: _____

_____

_____

To: WAR CONTRACTS PRICE ADJUSTMENT BOARD OR THE JOINT PRICE ADJUSTMENT BOARD

I. Attached hereto are copies of our Federal Income Tax and Excess Profits Tax returns, financial statements or annual report to stockholders covering our latest completed fiscal year. (See Instruction No. 1).

II. We estimate the total business during our latest completed fiscal year (ended _____, 194..) consisted of the following: (See Instruction No. 2).

A. *Subject to renegotiation:*
Commissions and other income receivable to sales made or services rendered directly or indirectly to Departments and other Agencies named in the Renegotiation Act. $------

B. *Not subject to renegotiation:* (See Instruction No. 3.)
1. Commissions and other income receivable to sales made or services rendered directly or indirectly to Departments and other Agencies named in the Act, but exempt from renegotiation. ------
2. Commissions and other income receivable to sales made neither directly nor indirectly to the Departments and other Agencies named in the Renegotiation Act. ------
3. Other business income, if any. (Explain sources and nature of such income). ------

C. *Total business income for year.* $------

D. *Our basis for estimate of non-renegotiable income is explained below:* (or on attached sheet).

III. On a separate sheet, with respect to each of the concerns represented by us is the following information pertinent to our latest fiscal year:

(a) Name and address of principal.

(b) Products handled or services rendered by us. (See Instruction No. 4.)

(c) Amounts paid or accrued to us.

IV. Condensed income data for prior years: (See Instruction No. 5.)

Year	Gross Business Income (1)	Business Expenses (2)	Net Income Before Taxes (3)	Federal Taxes on Income (4)
1943				
1942				
1941				
1940				
1939				
1938				
1937				
1936				

V. Salaries and other compensation including commissions, bonuses and other forms of extra compensation paid by us to our ten highest paid officers, salesmen and employees, who received therefrom in excess of $5,000.00 for our latest completed fiscal year, were as follows: (See Instruction No. 6.)

Name	Position	1943	1942	1941	1940
----------	----------	$----	$----	$----	$----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----
----------	----------	----	----	----	----

(Exact name of agent or broker—not abbreviated)

By ----------
(Authorized corporation officer, partner or proprietor)

Date ----------

I, the undersigned ----------
(title of signer)
certify that the representations and supporting data hereby submitted are true and in accordance with instructions furnished with this form to the best of my knowledge and belief, subject to such qualifications as are specifically set forth.

(Signature)

[RR 701.5]

(f) *Instructions for Preparation of Standard Form of Contractor's Report (For Agents, Brokers and Sales Engineers).*

INSTRUCTIONS FOR PREPARATION OF STANDARD FORM OF CONTRACTOR'S REPORT

(FOR AGENTS, BROKERS AND SALES ENGINEERS)

BE SURE TO USE THE CORRECT FORM OF REPORT

Three separate Standard Forms of Contractor's Report have been prescribed by the War Contracts Price Adjustment Board, for the following types of business covered by the Renegotiation Act:

1. Persons principally engaged in manufacturing and general business other than (2) and (3) below. (Form entitled "Standard Form of Contractor's Report.")

2. Persons principally engaged on construction projects, including those operating under architect-engineer contracts. (Form entitled "Standard Form of Contractor's Report (For Construction Contractor's Architects, and Engineers).")

3. Brokers, sales agents, etc., as defined in subsection (a) (5) of the Renegotiation Act. (Form entitled "Standard Form of Contractor's Report (For Agents, Brokers, and Sales Engineers).")

Filing of the appropriate "Standard Form of Contractor's Report" in satisfactory form is required to comply with the statutory filing provision in subsection (c) (5) (A) of the 1943 Renegotiation Act. If the attached is not the appropriate form, copies of the proper form can be obtained by writing to War Contracts Price Adjustment Board, Assignments and Statistics Branch, Renegotiation Division, Room 3D 573, The Pentagon, Washington 25, D. C., or the office from which this document was received.

1. *If a financial statement or stockholders' report has not already been prepared, it need not be especially prepared for this purpose.*

2. *Contracts and Subcontracts within the Scope of the Act:*

Subject to certain specific exemptions, the Renegotiation Act applies to contracts involving articles or services acquired by, or having an end-use with the War Department, the Navy Department, the Treasury Department, the Maritime Commission, War Shipping Administration, and the following subsidiaries of the Reconstruction Finance Corporation: Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation, and Rubber Reserve Company. Lend-Lease contracts negotiated with the above Agencies are also included.

The income of agents, manufacturers' representatives and sales engineers is subject to renegotiation if derived from a "subcontract", as the term is defined in subsection (a) (5) of the Act.

Subsection (a) (5) defines as a "subcontract" any contract or arrangement (other than a contract or arrangement between two contracting parties, one of which parties is found to be a bona fide executive officer, partner or fulltime employee of the other contracting party),

(a) any amount payable under which is contingent upon the procurement of a contract with a Department, or a subcontract thereunder, or determined with reference to such a contract or subcontract, or

(b) under which any part of the services performed or to be performed consists of the soliciting, attempting to procure, or procuring a contract with a Department, or a subcontract thereunder.

Subsection (a) (5) of the Act also defines a subcontract as "—any purchase order or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract—"

In general, the Act covers not only sales and engineering services rendered in connection with the sale of an end product purchased by one of the agencies covered by the Act, and any article incorporated therein, but also the sale or installation of machinery, equipment or materials used in processing an end product.

3. *Segregation of Renegotiable and Non-renegotiable Income:*

Although the Act prescribes the type of contract subject to renegotiation, as a matter of practice, it is often difficult to trace the source of a contractor's income with exactness, especially when the ultimate Departmental end-use results from a remote subcontract.

No single method of determining a proper segregation can be prescribed. Any method of segregation adapted to produce a reasonably accurate result may be used.

Any of your income referable to sales made in your name as contractor to the Government, or made directly by your principal to the Government, should be included as income derived from prime contracts (direct business). Income referable to other sales under Government subcontracts (indirect business) is also renegotiable, and should be included as such. Income referable to all other types of sales is non-renegotiable, and should be so stated. State in each case the rate of commission or other basis on which income in each of these classes was calculated. If several rates prevailed, state all of them, and show the volume of sales affected by each rate.

Whenever the end-use of the articles with respect to which the services were rendered is known or can be determined with reasonable effort, a specific segregation of individual sales should be made and compensation referable to such articles as are found to have a Departmental end-use should be included under income "Subject to Renegotiation."

In many instances, the number of separate sales or contracts will be so large that it will be impracticable to consider each one separately, and some arbitrary method of segregation of income must be used. Ordinarily this will also be true, where the contractor's services are rendered in connection with articles initially sold to wholesalers, jobbers or others engaged in both war and commercial business.

In such cases, it may be necessary to classify sales and contracts by principal, customer or customer group, end-use classification of articles as shown on War Production Board reports, or some other suitable classification. Segregation may then be made, depending on,

(a) the proportionate part of the business of the principal or principals represented which is found to have a Departmental end-use, or

(b) the proportionate part of the customer business found to have a Departmental end-use or

(c) a percentage developed by spot check of the end-use of the articles during a given period.

4. *Principals Represented and Products Handled:*

Under Section III (b), merely indicate the nature of the chief products handled for each principal and the type of services rendered (e. g., sales and solicitation, sales engineering, factoring, expediting servicing). If any income was derived from a factoring service, describe the nature of the service and the rates charged.

5. *Condensed Income Data for Prior Years:*

Depending upon whether your books for the respective period were kept on a cash or accrual basis, report either income received or income accrued during each period. This data should be in agreement with Federal tax returns.

6. *Salaries and Other Compensation Paid:*

The names of officers, salesmen and employees who, during the latest completed fiscal year received from the contractor, aggregate payments in excess of $5,000 should be listed, together with the positions held, and the amounts paid each in 1943, 1942, 1941 and 1940. If more than ten (10) persons have received over $5,000, list the ten (10) who have received the largest amounts during the latest completed fiscal year.

7. *If Information Previously Filed:*

If all of the information called for by this form has been furnished the Price Adjustment agency to which the contractor has been assigned, this Standard Form of Contractor's Report can be completed by reference, stating specifically the place and date or filing. When certified by the appropriate Price Adjustment agency that it has received such information, this report will be accepted by the War Contracts Price Adjustment Board as having complied with mandatory filing under the first sentence of subsection (c) (5) (A) of the 1943 Act.

[RR 701.6]

§ 1607.702 *Letters of preliminary inquiry*—(a) *Letter of Preliminary Inquiry (For Use by Assignments and Statistics Branch).*

In reply refer to:
LPI No.----------

WAR CONTRACTS PRICE ADJUSTMENT BOARD
JOINT PRICE ADJUSTMENT BOARD
Room 3D 573, The Pentagon
Washington 25, D. C.

GENTLEMEN:

Price Adjustment Boards and Sections have been established for the conduct of statutory proceedings for the renegotiation of contracts and subcontracts. Renegotiation with respect to contractors whose fiscal years ended on or before June 30, 1943 is controlled by the Renegotiation Act of 1942 as amended by the retroactive provisions of the Renegotiation Act of 1943. Renegotiation with respect to fiscal years ended after June 30, 1943 is controlled by the Renegotiation Act of 1943. Copies of both Acts are enclosed herewith.

Unless the amount of your business during your latest complete fiscal year was less than the statutory minimum as defined by subsection (c) (6) of the Act applicable to your business for that year, you are required by law to furnish the information called for by the "Standard Form of Contractor's Report." On the basis of the information thus presented a determination will be made as to whether or not further renegotiation proceedings will be necessary.

To assist you in determining whether or not your business exceeded the statutory minimum as defined in the statutes referred to, your attention is invited to the "Instructions for Preparation of Standard Form of Contractor's Report," which accompany this communication.

The enclosed "Standard Form of Contractor's Report" is requested pursuant to the statutory power to obtain information deemed necessary under the Act. Your filing of this "Standard Form of Contractor's Report" in satisfactory form will be deemed a compliance with the statutory provision requiring the filing by contractors and subcontractors of a financial statement under the first sentence of subsection (c) (5) (A) of the 1943 Act if filed within the time prescribed in such Act.

The "Standard Form of Contractor's Report" is to be filed, in duplicate, within thirty days of the date of this letter. It is to be sent to the undersigned, Room 3D 573, The Pentagon, Washington 25, D. C. If your concern reports on a fiscal year basis for federal income tax purposes, the Report prepared should cover the same period.

A separate letter or statement, in duplicate, containing any comments which you believe pertinent with respect to statutory renegotiation as it affects you will be appreciated.

CLEARANCE AND ASSIGNMENT OFFICER,
ON BEHALF OF WAR CONTRACTS PRICE ADJUSTMENT BOARD JOINT PRICE ADJUSTMENT BOARD

Enclosures:
Standard Form of Contractor's Report (3)
Instructions for Preparation of Standard Form of Contractor's Report Pamphlet containing Renegotiation Act of 1942 and 1943

[RR 702.1]

(b) *Letter of Preliminary Inquiry (For Use in Assigned Cases).*

(For use in cases already assigned)

In reply refer to:
LPI–A No.----------

(LETTERHEAD OF APPROPRIATE DEPARTMENT OR SECTION)

GENTLEMEN:

Price Adjustment Boards and Sections have been established for the conduct of statutory proceedings for the renegotiation of contracts and subcontracts. Renegotiation with respect to contractors whose fiscal years ended on or before June 30, 1943 is controlled by the Renegotiation Act of 1942 as amended by the retroactive provisions of the Renegotiation Act of 1943. Renegotiation with respect to fiscal years ended after June 30, 1943 is controlled by the Renegotiation Act of 1943. Copies of both Acts are enclosed herewith.

The matter of conducting your statutory renegotiation proceedings has been assigned to this office.

Unless the amount of your business during your latest complete fiscal year was less than the statutory minimum as defined by subsection (c) (6) of the Act applicable to your business for that year, you are required by law to furnish the information called for by the "Standard Form of Contractor's Report." On the basis of the information thus presented, a determination will be made as to whether or not further renegotiation proceedings will be necessary.

To assist you in determining whether or not your business exceeded the statutory minimum as defined in the statutes referred to, your attention is invited to the "Instructions for Preparation of Standard Form of Contractor's Report" which accompany this communication.

The enclosed "Standard Form of Contractor's Report" is requested pursuant to the statutory power to obtain information deemed necessary under the Act. Your filing of this "Standard Form of Contractor's Report" in satisfactory form will be deemed a compliance with the statutory provision requiring the filing by contractors and subcontractors of a financial statement under the first sentence of subsection (c) (5) (A) of the 1943 Act, if filed within the time prescribed in such Act.

The "Standard Form of Contractor's Report" is to be filed with the undersigned, in duplicate, within thirty days of the date of this letter. If your concern reports on a fiscal year basis for federal income tax purposes, the Report prepared should cover the same period.

If all of the information called for by this form has been furnished the Price Adjustment Agency to which the contractor has been assigned, refer to the final paragraph of instructions.

A separate letter or statement, in duplicate, containing any comments which you believe pertinent with respect to statutory renegotiation as it affects you will be appreciated.

(Appropriate Authorized Signature)

Enclosures:
Standard Form of Contractor's Report (3)
Instructions for Preparation of Standard Form of Contractor's Report Pamphlet containing Renegotiation Act of 1942 and 1943

[RR 702.2]

§ 1607.703 *Assignment forms*—(a) *Form No. 101 (Suggestion for Assignment).*

SUGGESTION FOR ASSIGNMENT

(To be submitted in triplicate)

To: Assignments and Statistics Branch
War Contracts Price Adjustment Board
Room 3D 573, The Pentagon
Washington 25, D. C.

---------- Date

Subject: ----------
Name of Contractor

Street Address City and State

1. The concern named above is suggested for assignment for renegotiation.
2. It is recommended that
☐ a letter of preliminary inquiry be sent by your office prior to assignment.
☐ assignment be issued to ---------- without sending of a letter of preliminary inquiry.
3. Information regarding the subject concern (if available):
Subsidiary or affiliate of----------
Parent of ----------
Principal product ----------
Department or Service believed to have predominant interest in contracts ----------
Extent of known contracts with this Department or Service ----------
Fiscal year ends ----------
Remarks:

PRICE ADJUSTMENT BOARD (SECTION)

1st Ind.

To: Price Adjustment Board (Section)
☐ Assignment of the above contractor is hereby issued to ---------- as number ----------
☐ Assignment withheld—reason:
For the Director of the Renegotiation Division:
Chief, Assignments and Statistics Branch

SPRAE—101
1/15/44

24-6092-35

[RR 703.1]

(b) *Form No. 102 (Assignment Notice).*

SPRAE

1943 ASSIGNMENT NOTICE

_____
Date

To:
Subject: _____
Name of Contractor

_____
Street Address City and State

1. The above contractor is hereby assigned to your Board or Section for 1943 statutory renegotiation as No. _____-43.
2. It was identified through
   - ☐ suggestion by _____
   - ☐ filing of mandatory financial statement _____
   - ☐
3. Its corporate relations are believed to be
   - ☐ parent of _____
   - ☐ subsidiary of _____
   - ☐ affiliated with _____
4. A letter of preliminary inquiry (was) (was not) sent by this office.
5. Fiscal year ends _____
6. Remarks:

For the War Contracts Price Adjustment Board:

Chief, Assignments and Statistics Branch.

SPRAE-102
1/2/44

[RR 703.2]

(c) *Form No. 103 (Suggestion for Reassignment).*

To Be Submitted in Quadruplicate

To: Assignments and Statistics Branch
War Contracts Price Adjustment Board
Room 3D 573, The Pentagon
Washington, D. C.

Subject:

1. The above contractor has been assigned to this office for renegotiation of its 1943 fiscal year. Reassignment is suggested for the following reason(s):
   - ☐ Principal war product _____
   - ☐ Substantial predominance of interest in contracts held by _____
   - ☐
2. The above contractor (has) (has not) been consulted with respect to proposed reassignment and (has) (has not) indicated approval.

PRICE ADJUSTMENT BOARD (SECTION)

1st Ind.

To: Price Adjustment Board (Section)

- ☐ The above contractor is hereby reassigned to _____
- ☐ It is deemed inappropriate to reassign the above contractor.

For the Director of the Renegotiation Division:

Chief, Assignments and Statistics Branch.

34-64951

[RR 703.3]

§ 1607.704 *Forms for cancellation of assignment*—(a) *Statement by Contractor of Non-applicability.*

To the War Contracts Price Adjustment Board:

We acknowledge receipt of a copy of the pamphlet entitled "Renegotiation" containing the text of the Renegotiation Act of 1943 and have noted particularly the provisions of subsections (a) (5), (c) (5) (A) and (e) (6) of that Act.

We certify that the aggregate receipts or accruals of the undersigned and of all persons, firms or corporations under the control of or controlling or under common control with the undersigned under contracts with the War Department, Navy Department, Treasury Department, Maritime Commission, War Shipping Administration, Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Company and Rubber Reserve Company and under subcontracts as defined in the Act, *including* those which are exempted under subsection (1) of the Act or which expressly provide that they are not subject to renegotiation pursuant to the authority granted by said subsection (1) (but not including commissions and other income within the meaning of subsection (a) (5) (B) of the Act), did not exceed $500,000 for the fiscal year ended _____ 194..; and we further certify that commissions and other income within the meaning of subsection (a) (5) (B) of the Renegotiation Act of 1943 received or accrued by the undersigned and by all persons, firms or corporations under the control of or controlling or under common control with the undersigned under contracts and subcontracts above referred to did not exceed $25,000 for the same fiscal year.

In making this certification recognition is given to the fact that in order to qualify for exemption it is necessary that both of the above conditions should be met; i. e., that the total of receipts and accruals under contracts with the above-named Departments or agencies and subcontracts as defined in the Act (excluding commissions and other income below mentioned) does not exceed $500,000 *and* that the total of commissions and other income within the meaning of subsection (a) (5) (B) of the Act does not exceed $25,000. Accordingly, we do not intend to file a financial statement in conformity with the provisions of the first sentense of subsection (c) (5) (A) of the Act. If we have been assigned for statutory renegotiation, we request that such assignment be cancelled.

Very truly yours,

_____
Name of Contractor

By _____
(Principal officer, partner or proprietor)

_____
Title of officer

_____
Address of Contractor

Date _____ 194..

In preparing this form, there will be printed on reverse side, subsections (c) (5) (A), (c) (6) and (a) (5) of the 1943 Act.

[RR 704.1]

(b) *Notice to Contractor of Cancellation of Assignment.*

NOTICE TO CONTRACTOR OF CANCELLATION OF ASSIGNMENT

Date _____

Contractor's Name
Address

DEAR SIR: Upon review of the information submitted by you in connection with renegotiation under the Renegotiation Act, as amended, this office recommended to the War Contracts Price Adjustment Board that your assignment to this office for renegotiation be cancelled for your fiscal year ending _____.

This office is advised that such assignment has been cancelled in accordance with its recommendation.

While such cancellation does not operate as a release of liability under the Renegotiation Statute, nevertheless, in the absence of further developments no further action is contemplated.

Very truly yours,

_____
(Name of Renegotiating Department or Service)

[RR 704.2]

(c) *Request by Renegotiating Agency for cancellation.* See § 1602.206 (b).

[RR 704.3]

§ 1607.705 *Transmittal forms to and from Departments*—(a) *Form No. SPRA I-1 (Assignment Transmittal to Departments).*

SPRA I-1 Assignment Transmittal WDPAB Transmittal Report No. _____
From: Assignments and Statistics Branch WDPAB—Statistics & Progress Section
To _____
(Department or Service)

_____
(Date)

The following 1943 Assignments are transmitted to you as indicated below:

1943 Assignment Number	Name

Previous total delivered to WDPAB:

_____

Cumulative total gross assignments delivered to date:
(Submit in duplicate)

[RR 705.1]

(b) *Form No. SPRA I-2a5d1 (Reassignment Request; Cancellation Request).*

SPRA I-2a5d1 {Reassignment Request or Cancellation Request
Service Transmittal Report No. _____
From _____
(Department or Service)

_____
(Date)

To: Assignments and Statistics Branch WDPAB—Statistics & Progress Section

The following 1943 Assignments are returned to you for reassignment or cancellation as indicated below:
(Do Not Combine. Transmit Each Type Separately)

1943 Assignment Number	Name	Reassignments Requested	Cancellations Requested

Previous total requested:

_____

Cumulative Total to date:
(Submit in duplicate)
Rev 3/24/44.

[RR 705.2]

(c) *Form No. SPRA I-2a2x5d1x (Disapproved Reassignments; Disapproved Cancellations)*

SPRA I-2a5d1x {Disapproved Reassignments or Disapproved Cancellations
WDPAB Transmittal Report No. _____
From: Assignments and Statistics Branch WDPAB—Statistics & Progress Section
To _____ _____
(Department or Service) (Date)

We are returning the following 1943 assignments for which reassignment or cancellation has been disapproved as indicated below:
(Do Not Combine. Transmit Each Type Separately)

1943 Assignment Number	Name	(2a) Disapproved Reassignment	(5d1) Disapproved Cancellation

Previous total disapproved to Service:

_____

Cumulative Total to date:
(Submit in duplicate)
Rev 3/24/44.

[RR 705.3]

(d) *Form No. SPRA I-2b5d2 (Approved Reassignment; Approved Cancellation).*

SPRA I-2b5d2 {Approved Reassignment or Approved Cancellation

WDPAB Transmittal Report No. _____
From: Assignments and Statistics Branch WDPAB—Statistics & Progress Section
To _____ _____
(Department or Service) (Date)

The reassignment or cancellation of the following 1943 assignments is approved as indicated below:

(Do not combine. Transmit each type separately)

1943 Assignment Number	Name	(2b) Approved Reassignments	(5d2) Approved Cancellations

Previous total confirmed to Service:

_____

Cumulative total to date:
(Submit in duplicate)
Rev 3/24/44

[RR 705.4]

(e) *Form No. SPRA I-5a (Completed Settlements).*

SPRA I-5a Completed Settlements.
Department Transmittal Report No. _____
From: _____ _____
(Department) (Date)
To: Assignments and Statistics Branch WDPAB—Statistics & Progress Section

Following is a report on Completed Settlements for the War Contracts Price Adjustment Board as evidenced by the attached Tabulation Forms SPRAE-8 covering each Settlement:

1943 Assignment Number	Name	Tabulation Forms SPRAE-8 Attached

Reconciliation

Previous Completed Settlements data delivered to WDPAB _____
Plus—Above Settlements _____

Cumulative Total, Completed Settlements data in hands of WDPAB _____

(Submit in duplicate)

[RR 705.5]

(f) *Form No. SPRA I-5b (Impasse Unilateral Determination; Department Transmittal Report)*

SPRA I-5b Impasse Unilateral Determination
Department Transmittal Report No. _____
From: _____ _____
(Department) (Date)
To: Assignments and Statistics Branch WDPAB—Statistics & Progress Section

Following is a report on Impasse Cases that have resulted in *final* Unilateral Determinations for the War Contracts Price Adjustment Board as evidenced by attached Tabulation Forms SPRAE-8 covering each case:

1943 Assignment Number	Name	Tabulation Forms SPRAE-8 Attached

Reconciliation

Previous Impasse Unilateral data delivered to WDPAB _____
Plus—Above _____

Cumulative Total—Impasse Unilateral Determination data in hands of WDPAB

(Submit in duplicate)

[RR 705.6]

(g) *Form No. SPRA I-5c (Completed Clearances; Department Transmittal Report)*

SPRA I-5c Completed Clearances
Department Transmittal Report No. _____
From: _____ _____
(Department) (Date)
To: Assignments and Statistics Branch WDPAB—Statistics & Progress Section

Following is a report on Completed Clearances for the War Contracts Price Adjustment Board as evidenced by attached Tabulation Forms SPRAE-8 covering each Clearance:

1943 Assignment Number	Name	Tabulation Forms SPRAE-8 Attached

Reconciliation

Previous Completed Clearances data delivered to WDPAB _____
Plus—Above _____

Cumulative Total—Completed Clearances in hands of WDPAB

(Submit in duplicate)

[RR 705.7]

(h) *Form No. SPRAE-8 (Identification, Tabulation Form)*

TABULATION FORM

Identification (all cards):

1. Case Number ( ) ( ) ( ) ( ) ( )
2. Corporation, Partnership or Owner ( )
3. Assignment & Location ( ) ( ) ( )
4. Based on Approved or Final Figures ( )
5. Fiscal Year ends, Month ( ) ( )
6. Fiscal Year ends, Year ( )

Card No. 1

7. Fixed Price Net Sales (After Adjustment) _____
8. Fixed Price Basic Profit Before Taxes (After Adjustment) _____
9. Amount Recovered _____
10. CPFF Net Sales (After Adjustment) _____
11. CPFF Basic Profit Before Taxes (After Adjustment) _____
12. CPFF Amount Recovered _____
13. % Basic Profit on Fixed Price Sales (After Adjustment) _____
14. % CPFF Basic Profit Before Taxes (After Adjustment) _____

Card No. 2

15. Non-Renegotiable Net Sales _____
16. Non-Renegotiable Basic Profit (Before Taxes) _____

Card No. 2—Continued

17. Total Business (Except CPFF) Net Sales After Adjustment _____
18. Total Business (Except CPFF) Basic Profit Before Taxes, After Adj. _____
19. Net Profit After Federal Income Taxes (Including EPT Credit) _____
20. _____
21. % Basic Profit (Before Taxes) on Non-Renegotiable Sales _____
22. % Basic Profit Before Taxes on Total Business After Adj. (Exc. CPFF) _____
23. % Profit on Net Worth _____

Card No. 3

24. 1941 Total Net Sales _____
25. 1941 Basic Profit Before Taxes _____
26. 1940 Total Net Sales _____
27. 1940 Basic Profit Before Taxes _____
28. Total Business 1936–39 Average Net Sales _____
29. Total Business 1936–39 Average Basic Profit Before Taxes _____
30. 1941 % Basic Profit Before Taxes _____
31. 1940 % Basic Profit Before Taxes _____
32. % Basic Profit on Sales 1936–39 Average (Before Taxes) _____

Card No. 4

33. Govt. Fac. fix price _____
34. Govt. Fac. CPFF _____
35. Govt. Fac. Advances _____
36. Cert. of Necessity _____
37. V Loans _____
38. Net Plant _____

Card No. 5

39. 1940 No. Persons _____
40. Compensation 1940 _____
41. 1941 No. Persons _____
42. Compensation 1941 _____
43. 1942 No. Persons _____
44. Compensation 1942 _____

Card No. 6

Product	State	City

Card No. 7

Company Name

(_____)

Card No. 8

Address

(_____)

Assignment No. and name of all subsidiaries and/or affiliates included in above agreement.

SPRAE-8		
12-20-43		24-65739

[RR 705.8]

(i) *Instructions for Preparation of Identification, Tabulation Form (SPRAE-8)*

INSTRUCTIONS FOR PREPARING TABULATION FORM SPRAE-8

Items:

1. Insert PAB Assignment Number
2. Insert "C", "P", or "O"
3. Leave Blank
4. Insert "A" or "F"
5. Show month by numeral (For periods more or less than a year, show number of months)

6. Show year by last numeral (For periods more or less than a year, leave blank)
33–35. Indicate only Net Balance of Facilities and Advances outstanding at the time of renegotiation
36. Show Certificates of Necessity obtained only.
37. Show V-Loan *part*, in use.
39–44. *Main* compensation only. (Disallowances actual, to be marked X. Show Corporate Compensation only)
Card 6 Leave blank
Card 7 Limit or abbreviate company to 24 letters (including spaces)
Card 8 Limit as in Card 7

GENERAL

A. Omit *000* for all dollar amounts and adjust figures to nearest thousand.
B. All percentage figures must be calculated to 1/10 (one-tenth) of 1%, i. e., 14.1, 13.8, 15.0.
C. All deficit figures to be marked (on right) by X.
D. At bottom of page, describe *function, main product, material used.*

[RR 705.9]

§ 1607.706 *Transmittal forms to and from Services*—(a) *Form No. SPRA I–1 (Assignment Transmittal to Services).* (This form is set out in § 1607.705 (a)) [RR 706.1]

(b) *Form No. SPRA I–2a5d1 (Reassignment Request; Cancellation Request).* (This form is set out in § 1607.705 (b) [RR 706.2]

(c) *Form No. SPRA I–2ax5d1x (Disapproved Reassignments; Disapproved Cancellations).* (This form is set out in § 1607.705 (c) [RR 706.3]

(d) *Form No. SPRA I–2b5d2 (Approved Reassignment; Approved Cancellation).* (This form is set out in § 1607.705 (d)) [RR 706.4]

(e) *Form No. SPRA I–5abc (Completed Settlements; Impasses; Completed Clearances).*

SPRA I–5abc { Completed Settlement or / Impasse or / Completed Clearances

Service Transmittal No. _____

From _____
(Service)

_____
(Date)

To: Assignments and Statistics Branch
WDPAB—Statistics & Progress Section

The following Completed Settlements, Impasses or Clearances are delivered to you for necessary action as indicated below:

(Do not combine. Transmit each type of required action separately)

		Required Action by WDPAB				
		Settlements			Clearances	
1941 Assignment Number	Name*	(5a–1) Review	(5a–2) Approval	(5b) Impasse	(5c–1) Review	(5c–2) Approval
Previous total delivered to WDPAB:						
Cumulative Total to date:						

* NOTE: List parent company and indent under it all subsidiaries and/or affiliates included in the agreement whether or not previously assigned to your Service by WDPAB. Request for Assignment Form No. 101 should be attached for each unassigned subsidiary or affiliate contained in the agreement.

Each Settlement for Review—Should be accompanied by SPRAS 13S
Each Settlement for Approval—Should be accompanied by SPRAS 11S
Each Clearance for Review—Should be accompanied by SPRAS 13S
Each Clearance for Approval—Should be accompanied by SPRAS 11SA
(Submit in duplicate)

Rev. 3/24/44.

[RR 706.5]

(f) *Form No. SPRA I–5abcx (Returned Settlements, Impasses or Clearances)*

SPRA I–5abcx { Returned Settlement / Returned Impasse / Returned Clearance

WDPAB Transmittal Report No. _____

From: Assignments and Statistics Branch WDPAB—Statistics & Progress Section
To: _____
(Service)

_____
(Date)

The following Settlements, Impasses or Clearances are returned to you for further action as indicated by Memorandum attached to each return:

(Do not combine. Transmit each type of required action separately)

		Action of WDPAB previously requested				
		Settlements			Clearances	
1941 Assignment Number	Name	(5a–1) Review	(5a–2) Approval	(5b) Impasse	(5c–1) Review	(5c–2) Approval
Previous total returned by WDPAB:						
Cumulative total to date:						

(Submit in duplicate)

Rev 3/24/44

[RR 706.6]

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

§ 1607.721 *Notice of Commencement of Renegotiation Proceeding.*

(Assignee Department or Service)

Date _____

_____

_____

_____

GENTLEMEN: The War Contracts Price Adjustment Board has determined that renegotiation proceedings under the Renegotiation Act (Title VII of the Revenue Act of 1943) for your fiscal year ended _____ shall be conducted initially by this office.

A conference with you with respect to this matter is hereby set for _____ at _____. If that time is not convenient, kindly advise us promptly in order that a continuance may be arranged.

This notice, sent by registered mail, constitutes commencement of the renegotiation proceedings in conformity with the provisions of subsection (c) (1) of the Renegotiation Act.

Very truly yours,

[RR 721]

§ 1607.722 *Contractor's Information and Work Sheet for Renegotiation.*

CONTRACTOR'S INFORMATION AND WORK SHEET FOR RENEGOTIATION

NOTE: Construction contractors, architects, engineers, agents and brokers should not use this form, but should obtain the forms designed for their specific use by writing to:

_____
(Name)

_____ _____
(Address) (City and State)

Information indicated in Sections A to K, inclusive, and the Exhibits attached thereto, is required for renegotiation under the Renegotiation Act, as amended. Any part of this information which the contractor has submitted, either in the "Standard Form of Contractor's Report" or in connection with a previous renegotiation, may be omitted, provided reference is made to the manner, time and place of its submission. If any statements or information designated are inapplicable in a particular case, the contractor should so state and give the reason therefor. If the preparation of the data specified would impose an unreasonable burden or expense, the contractor may supply such information as is available in his regularly prepared financial and operating reports, provided he explains the reason for the substitution. In financial statements all cents may be omitted. The contractor should so indicate if he prefers to discuss with the renegotiation authorities the methods of segregation of sales and allocation of costs and expenses (Section E). In such case, the contractor should submit the Contractor's Information and Work Sheet for Renegotiation, completed in all other respects.

At the end of each section are specific instructions or comments pertinent thereto.

The contractor should certify that all information and data (subject to qualifications, if any, specifically set forth) are true and correct to the best of his knowledge and belief.

SECTION A

One copy each of the following for the year under review:

1. Published annual report
2. Detailed or long form audit report
3. Federal income and excess profit tax returns filed

8. Show year by last numeral (For periods more or less than a year, leave blank)
33–35. Indicate only Net Balance of Facilities and Advances outstanding at the time of renegotiation
36. Show Certificates of Necessity obtained only.
37. Show V-Loan *part*, in use.
38–44. *Main* compensation only. (Disallowances actual, to be marked X. Show Corporate Compensation only)
Card 6 Leave blank
Card 7 Limit or abbreviate company to 24 letters (including spaces)
Card 8 Limit as in Card 7

GENERAL

A. Omit *000* for all dollar amounts and adjust figures to nearest thousand.
B. All percentage figures must be calculated to 1/10 (one-tenth) of 1%, i. e., 14.1, 13.8, 15.0.
C. All deficit figures to be marked (on right) by X.
D. At bottom of page, describe *function, main product, material used.*

[RR 705.9]

§ 1607.706 *Transmittal forms to and from Services—(a) Form No. SPRA I–1 (Assignment Transmittal to Services).* (This form is set out in § 1607.705 (a)) [RR 706.1]

(b) *Form No. SPRA I–2a5d1 (Reassignment Request; Cancellation Request).* (This form is set out in § 1607.705 (b) [RR 706.2]

(c) *Form No. SPRA I–2ax5d1x (Disapproved Reassignments; Disapproved Cancellations).* (This form is set out in § 1607.705 (c) [RR 706.3]

(d) *Form No. SPRA I–2b5d2 (Approved Reassignment; Approved Cancellation).* (This form is set out in § 1607.705 (d)) [RR 706.4]

(e) *Form No. SPRA I–5abc (Completed Settlements; Impasses; Completed Clearances).*

SPRA I–5abc { Completed Settlement or / Impasse or / Completed Clearances
Service Transmittal No. ------
From ----------
(Service)

(Date)
To: Assignments and Statistics Branch WDPAB—Statistics & Progress Section

The following Completed Settlements, Impasses or Clearances are delivered to you for necessary action as indicated below:

(*Do not combine. Transmit each type of required action separately*)

Required Action by WDPAB

1941 Assignment Number	Name*	Settlements (5a–1) Review	(5a–2) Approval	(5b) Impasse	Clearances (5c–1) Review	(5c–2) Approval
Previous total delivered to WDPAB:						
Cumulative Total to date:						

* NOTE: List parent company and indent under it all subsidiaries and/or affiliates included in the agreement whether or not previously assigned to your Service by WDPAB. Request for Assignment Form No. 101 should be attached for each unassigned subsidiary or affiliate contained in the agreement.

Each Settlement for Review—Should be accompanied by SPRAS 13B
Each Settlement for Approval—Should be accompanied by SPRAS 11B
Each Clearance for Review—Should be accompanied by SPRAS 13B
Each Clearance for Approval—Should be accompanied by SPRAS 11BA
(Submit in duplicate)

Rev. 3/24/44.

[RR 706.5]

(f) *Form No. SPRA I–5abcx (Returned Settlements, Impasses or Clearances)*

SPRA I–5abcx { Returned Settlement / Returned Impasse / Returned Clearance
WDPAB Transmittal Report No. ------
From: Assignments and Statistics Branch WDPAB—Statistics & Progress Section
To: ----------
(Service)

(Date)

The following Settlements, Impasses or Clearances are returned to you for further action as indicated by Memorandum attached to each return:

(*Do not combine. Transmit each type of required action separately*)

Action of WDPAB previously requested

1941 Assignment Number	Name	Settlements (5a–1) Review	(5a–2) Approval	(5b) Impasse	Clearances (5c–1) Review	(5c–2) Approval
Previous total returned by WDPAB:						
Cumulative total to date:						

(Submit in duplicate)

Rev 3/24/44

[RR 706.6]

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

§ 1607.721 *Notice of Commencement of Renegotiation Proceeding.*

(Assignee Department or Service)

Date ----------

GENTLEMEN: The War Contracts Price Adjustment Board has determined that renegotiation proceedings under the Renegotiation Act (Title VII of the Revenue Act of 1943) for your fiscal year ended ---------- shall be conducted initially by this office.

A conference with you with respect to this matter is hereby set for ---------- at ----------. If that time is not convenient, kindly advise us promptly in order that a continuance may be arranged.

This notice, sent by registered mail, constitutes commencement of the renegotiation proceedings in conformity with the provisions of subsection (c) (1) of the Renegotiation Act.

Very truly yours,

[RR 721]

§ 1607.722 *Contractor's Information and Work Sheet for Renegotiation.*

CONTRACTOR'S INFORMATION AND WORK SHEET FOR RENEGOTIATION

NOTE: Construction contractors, architects, engineers, agents and brokers should not use this form, but should obtain the forms designed for their specific use by writing to:

(Name)

(Address) (City and State)

Information indicated in Sections A to K, inclusive, and the Exhibits attached thereto, is required for renegotiation under the Renegotiation Act, as amended. Any part of this information which the contractor has submitted, either in the "Standard Form of Contractor's Report" or in connection with a previous renegotiation, may be omitted, provided reference is made to the manner, time and place of its submission. If any statements or information designated are inapplicable in a particular case, the contractor should so state and give the reason therefor. If the preparation of the data specified would impose an unreasonable burden or expense, the contractor may supply such information as is available in his regularly prepared financial and operating reports, provided he explains the reason for the substitution. In financial statements all cents may be omitted. The contractor should so indicate if he prefers to discuss with the renegotiation authorities the methods of segregation of sales and allocation of costs and expenses (Section E). In such case, the contractor should submit the Contractor's Information and Work Sheet for Renegotiation, completed in all other respects.

At the end of each section are specific instructions or comments pertinent thereto.

The contractor should certify that all information and data (subject to qualifications, if any, specifically set forth) are true and correct to the best of his knowledge and belief.

SECTION A

One copy each of the following for the year under review:

1. Published annual report
2. Detailed or long form audit report
3. Federal income and excess profit tax returns filed
4. Latest brochure, catalog or other material setting forth the company's business and products
5. Form 10–k (or 1–MD) if such is filed with Securities and Exchange Commission

Instructions: If annual reports to stockholders or audit reports by independent public accountants are not prepared, the contractor should so state and, in lieu thereof, furnish financial statements, consisting of (a) a balance sheet as of the close of the year under review and (b) a statement of income and surplus for such year. Those statements must be in reasonable detail. The balance sheet must show, in addition to the usual analysis of current assets and current liabilities, the gross plant account and related allowance for depreciation and amortization and all major reserves stated as separate amounts. The income statement must show sales, an analysis of cost of sales, and a classified list of expenses and miscellaneous items. It is essential that a reconciliation between income per books and income for Federal Tax purposes be provided.

SECTION B

1. A statement showing the names and addresses of the contractor's parent, subsidiary and affiliated companies and organizations, with a brief description of the character of their business, the nature and extent of their affiliation, and an expression of the contractor's opinion as to whether or not, during the year under review, they had business subject to the Renegotiation Act.
2. A list of the companies and organizations which, in the opinion of the contractor, should be consolidated for purposes of renegotiation.
3. If the financial statements are submitted on a consolidated basis, similar financial statements for each major subsidiary included in such consolidation.

Instructions: The terms "affiliates" and "affiliated companies and organizations" mean all persons under the control of or controlling or under common control with the contractor. Indicate any changes during the year under review, in the form or control of his organization (including reorganizations, dissolutions, acquisitions and/or disposal of subsidiaries, etc.)

SECTION C

1. A statement showing Government assistance received, including:
a. approximate value of machinery loaned;
b. approximate value of plants provided;
c. approximate value of materials received;
d. loans under Regulation V of Federal Reserve Board;
e. approximate advances on contracts;
f. description and approximate amount of other financial assistance.
2. A statement showing the type and approximate cost of privately financed facilities for which Certificates of Necessity have been issued or for which applications were pending at the end of the year under review.
3. Character, cost and method of acquisition of any other major additions to plant and equipment during the year under review.

Instructions: Significant changes in any of the above during the year under review should be described. Detailed lists need not be prepared. It will be sufficient to show only classifications, such as buildings, machinery, etc. If the annual rate of amortization allowed under Certificates of Necessity varies from the standard annual rate of 20%, the reasons therefor should be fully explained.

SECTION D

Income statement of the contractor for the year under review, separated as to renegotiable and non-renegotiable business as defined under the Renegotiation Act, as amended.

Instructions: The attached Exhibits 1 and 1a are provided for the contractor's use in this connection. Should he submit in some other form his income data separated as between renegotiable and non-renegotiable business, Exhibits 1 and 1a should be used as guides, in order that proper consideration to the items thereon will be given.

Sales and cost of sales should be stated net of discounts and other pertinent allowances. Supporting schedules of items requiring further analysis should be provided.

For an interpretation of items entering into renegotiable and non-renegotiable business refer to Standard Form of Contractor's Report, Instructions 3 to 10, both inclusive.

Specific instructions relative to the preparation of Exhibits 1 and 1a are set forth on page 4158.

SECTION E

1. Description of the method followed in segregating renegotiable and non-renegotiable sales, as shown in Exhibits 1 and 1a.
2. Description of the method followed (direct labor hours, cost of goods sold, etc.) in allocating costs, expenses and other income and deductions applicable to renegotiable and non-renegotiable business, as shown in Exhibits 1 and 1a.
3. A statement or schedule with respect to each of the following:
a. the effect of raw material exemptions and "excess inventory" calculations provided for in subsection (i) of the Act;
b. the nature and approximate dollar amount of "free issue" materials (those provided without cost to the contractor by the Government or others);
c. sales to subcontractors, of materials entering into repurchases from them;
d. sales to and purchases from subsidiaries and affiliates, if not eliminated in a consolidated statement;
e. interdepartmental sales not eliminated;
f. any basic changes during the year under review in accounting methods, depreciation rates, and/or methods of inventory valuation;
g. list of contracts and subcontracts (including identification number) subject to specific profit limitations other than cost-plus-fixed-fee contracts;
h. volume of direct renegotiable sales to the subsidiaries of Reconstruction Finance Corporation, and the amount of profits therefrom. If profits on such sales are not segregated on the books, best estimate should be given.

Instructions: Adequate explanations are essential.

SECTION F

1. List for the year under review of the principal products sold or the principal services rendered and the approximate amount of sales, both in quantity and dollars, of each principal type of product (or group of products) included in renegotiable business, and the functions performed with respect to each of the above (such as manufacturing, assembling, distributing, etc.)
2. List of the approximate dollar unit prices of important products and services included in renegotiable business, together with any recent (1943 or later) unit price reductions; with identification of those resulting from specific prior renegotiation agreements.
3. List of the principal products prior to 1941.
4. List of the principal commercial products during the year under review.

Instructions: In the case of contractors making a large number of different products, only the principal product of each major type should be listed. The term "quantity" refers to the customarily used unit of measurement.

SECTION G

1. Statement of salaries and all other compensation (including commissions, bonuses, royalties and other forms of extra compensation) paid or accrued to the ten highest officers and employees, or to those who received in excess of $10,000 per annum (whichever is the lesser in number) for the year under review.
2. A brief description of any bonus, pension trust, or other employee compensation plans now in effect or contemplated, with comment as to how they are applicable to personnel listed under item 1 preceding, and showing the dates that such plans were adopted.
3. Statement of compensation (fees, commissions, etc.) paid or accrued to other individuals or organizations, for services aggregating $10,000 or more during the year under review.

Instructions. The statements of compensation should show for each individual or organization: name, title or relationship and total compensation. If any portion of the compensation to any of the individuals listed has been disallowed by the Bureau of Internal Revenue as a taxable deduction, in any year, the facts should be stated.

SECTION H

A statement of provisions for reserves (other than shown on line 17 of Exhibit 1) for inventory losses, post-war reserves or other contingencies (of a nature not allowed as a deduction for Federal income tax purposes) included in costs and expenses, except as specifically set forth.

Instructions. The statement should contain a list of the purposes of the provisions, and the amounts not deductible in computing net income for Federal taxes, but provided for various contingencies and which are not specifically set forth on Exhibits 1, 1a or related schedules. If the contractor made no such provisions, he should so state.

SECTION J

A statement relating to contracts terminated or settled during the year under review and in process of termination or settlement at its close.

Instructions. It is suggested that reasonably full information be furnished with regard to terminated contracts. This information should include: (a) an adequate description of the method of pricing work in process and finished goods inventories at the year end, with particular regard to the classes of overhead expenses included therein and the consistency of method with that used at the beginning of the year; (b) the total number and approximate dollar amount of contracts terminated and termination settlements closed during the year under review and terminations in process of settlement at its close, classified as to year in which terminated, prime and subcontracts, those with or without claims, and the interested Department and Service; (c) a brief description of the five largest contracts referred to in (b); (d) the total amount of the cost of terminated contracts for the year under review.

SECTION K

A statement relative to each of the following:

1. The latest taxable year examined by the Bureau of Internal Revenue and any significant changes made in taxable income or invested capital as a result of examinations made by the Bureau since January 1, 1942.
2. Any changes in excess profits tax credit claimed or to be claimed under Section 721 or 722 of the Internal Revenue Code.

9. List of states to which taxes (including franchise taxes) measured by income, and the amounts for the year under review.

4. If royalties in excess of $25,000 were paid or accrued during the year under review, the names of significant payees and amounts of payments. Similarly, if the company received royalties in excess of $25,000, the names of licensees and amounts paid by each.

5. A brief description of technical assistance received (such as use of patents owned by others; instruction in technical procedures; aid in accounting methods, etc.).

6. Any revaluation of assets or recapitalization during the year under review.

7. Stockholders owning over 10% of voting stock and stockholdings of officers and key executives.

8. The types of escalator clauses in contracts subject to renegotiation.

9. An estimate of the dollar value of production from government furnished facilities.

10. The basis of setting inter-company prices where affiliates or subsidiaries are not consolidated.

11. If a subcontractor, a list of major customers for renegotiable business and types of products or services furnished to them.

12. A list of principal subcontractors, including suppliers of significant raw materials and subassemblies, and nature and approximate dollar value of items or services (management, engineering, etc.) purchased from each, with comments as to handling, with reference to materials furnished, supervision, inspection and financing.

13. Average number of shifts run; approximate average number of employees; wage increases; labor relations insofar as they may affect costs.

14. Any other matters, with particular reference to those factors set forth in section (a) (4) (A) of the 1943 Act.

Instructions. Since each of the subjects listed above requires developments in some detail for purposes of renegotiation, in order that full value can be given to the contractor's contribution to the conduct of the war, the contractor should give careful consideration to the preparation of his statements relative thereto. While such statements may be amplified at a meeting with representatives of the War Contracts Price Adjustment Board, it is desirable that they be presented in writing before such meeting.

Instructions For Preparation of Exhibits

Exhibit 1

Line 1. Enter as renegotiable business (Column A) the total amount of contractor's net billings on sales directly or indirectly to the War, Navy and Treasury Departments, Maritime Commission, War Shipping Administration, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company. All sales, whether subject to OPA regulations, or obtained on competitive bids, or otherwise, should be included as renegotiable if they were under prime (i. e., direct) contracts and purchase orders with one of the above-named Departments or Agencies, with the exception of exempted materials and articles. The term "sales", as noted herein, includes compensation for services rendered as well as for material provided. Sales under subcontracts of any tier, or purchase orders falling within the definition of "subcontracts" should likewise be included in renegotiable business. (See Section D.).

Lines 2, 4, 5 and 6. In allocating costs and expenses between renegotiable and non-renegotiable business, the contractor's cost system, if adequate, should be employed. Otherwise, percentages or other formulae may have to be used, either on individual products or groups of products, or by departments, divisions, etc. Each major item of selling and general expenses should be allocated in accordance with the most equitable method in view of the particular situation. The types of items generally excluded from costs and expenses in renegotiation are:

a. Provision for reserves for contingencies.

b. Provision for reserves for post-war adjustments.

c. Life-insurance premiums not deductible under the Internal Revenue Code.

d. Refundable bond deposits.

e. Discount or premiums on bonds retired.

f. Profit or loss on disposal of capital assets.

g. Provision for future inventory shrinkage.

h. Profit or loss on sale of investments.

i. Depreciation on appreciation of capital assets.

j. Accelerated depreciation, unless entered on company's books and claimed as a deduction for income tax purposes.

k. Any other expenditures which are clearly unwarranted in connection with war business.

l. As fines and penalties are considered to represent a reduction in sales, they are not includable in costs.

Lines 8b, 8c, 11b, and 12b. Amounts representing non-operating expenses and income, which in the light of circumstances are wholly or partially applicable to renegotiable business, should be entered on lines 8b and 8c, respectively. Nonoperating items not applicable to renegotiable business should be entered on lines 11b and 12b. Examples of these are profit and loss on disposal of fixed assets, adjustments applicable to prior years, interest and dividends received, write-off of intangibles, etc.

Line 11a. Enter on this line only the net fees applicable to cost-plus-fixed-fee contracts, and in the space for the Analysis of Cost-Plus-Fixed-Fee Contracts at the bottom of Exhibit 1, the pertinent costs and profit as indicated. These contracts are considered separately for renegotiation purposes. The contractor should also provide any further data in connection with such contracts that may be considered pertinent. The gross sales or billings under contracts of this nature should not be included in Net Sales (line 1).

Other applicable deductions and income (line 20, a to f, inclusive). Significant items should be inserted in the spaces provided. Care should be taken that the allocation of each item between renegotiable and non-renegotiable business be properly made, as the nature of these items may be such that allocation should be made on a basis different from that used for other classes of expense.

Depreciation (line 22, a to d, inclusive). The total amount of depreciation expense (including depletion) should be accumulated under this caption, regardless of the accounts to which it may be charged on the contractor's books.

Other charges (line 29, a, b). The total amount of amortization may be entered on line 29a. Any amortization in excess of the standard 20% rate should be explained. (See Section C.)

Exhibit 1

Name of contractor

Address of contractor

Income Statement for the fiscal year ended..... 194..., separated as to renegotiable and non-renegotiable business as defined under the Renegotiation Act (cents omitted).

	Column A, Renegotiable business	Column B, Non-renegotiable business	Column C, Total business
1. Net sales (excluding sales or billings under cost-plus-fixed-fee contracts)	$	$	$
2. Cost of sales			
3. Gross profit			
4. Selling and advertising expenses			
5. General and Administrative Exp.			
6. Operating profit			
7. Percent margin (ratio line 6 to line 1)	%	%	%
8. Other applicable items:			
a. Interest paid or accrued			
b. Other applicable deductions			
c. Other applicable income			
9. Basic profit on fixed price business			
10. Percent margin (ratio line 9 to line 1)	%	%	%
11. Other income:			
a. Net fees earned under CPFF contracts (See detail below)			
b. Other			
12. Other deductions:			
a. State taxes measured by income			
b. Other			
13. Net profit before provisions for Federal taxes on income and for extraordinary reserves	$	$	$
14. Provision for Federal taxes on income—gross			$
15. Post-war refund of excess profits taxes (credit)			
16. Net profit before extraordinary reserve			
17. Percent of net worth at start of period			%
18. Provision for extraordinary reserves			
19. Net income per books			$

Analysis of cost-plus-fixed-fee contracts:

a. Total incurred or accrued costs	$
b. Fees received or accrued	
c. Total of lines a. and b.	
d. Non-reimbursable costs	
e. Net fees or profit (b minus d) per line 11a above	
f. Percent margin (ration of e to c)	%

Exhibit 1a

(Detail of Exhibit 1)

	Column A	Column B	Column C
Analysis of sales:			
19. Prime contracts and purchase orders	$		
20. Subcontracts of any tier and purchase orders			
21. Total (per Col. A, Line 1, Exhibit 1)	$		
22. Cost of sales:			
a. Materials	$	$	$
b. Goods purchased for resale			
c. Direct labor			
d. Maintenance and repairs			
e. Rents			
f. Royalties			
g. Other, including depreciation			
h.			
i. Inventory variations			
j. Total (per Col. C, Line 2, Exhibit 1)	$	$	$
23. Approximate amount of work subcontracted, included in cost of sales	$		
24. Selling and advertising expenses:			
a. Salaries	$	$	$
b. Product advertising			
c. Institutional advertising			
d. Commissions paid to outsiders			
e. Branch office expenses			
f. Other, including depreciation			
g. Total (per Line 4, Exhibit 1)	$	$	$
25. General and administrative expenses:			
a. Officers' salaries	$	$	$
b. Other office salaries			
c.			
d.			
e.			
f.			
g. Total (per Line 5, Exhibit 1)	$	$	$
26. Other applicable deductions:			
a.	$	$	$
b.			
c.			
d.			
e.			
f. Total (per Line 8b, Exhibit 1)	$	$	$
27. Other applicable income:			
a.	$	$	$
b.			
c.			
d.			
e. Total (per Line 8c, Exhibit 1)	$	$	$
28. Depreciation included above:			
a. Normal	$	$	$
b. Accelerated			
c. On idle plant			
d. Total depreciation	$	$	$

Exhibit 1a—Continued

	Column A	Column B	Column C
Analysis of sales—Con.			
29. Other charges included above:			
a. Amortization of emergency facilities	$	$	$
b. Total Executive salaries	$	$	$

Exhibit 2

Name of contractor

Address of contractor

COMPARATIVE STATEMENT OF INCOME

[This form and accompanying data are to be submitted only by contractors who have not been previously renegotiated]

Years ended .....

[In even thousands of dollars]

	19..	19..	19..	19..	19..	19..
1. Net sales (excluding sales or billings under cost-plus-fixed-fee contracts)	$	$	$	$	$	$
2. Cost of sales						
3. Gross profit						
4. Selling and advertising expenses						
5. General and administrative expenses						
6. Operating profit						
7. Percent margin (ratio of line 6 to line 1)	%	%	%	%	%	%
8. Other applicable items:						
a. Interest paid						
b. Other applicable deductions						
c. Other applicable income						
9. Basic profit on fixed price contracts						
10. Percent margin (ratio of line 9 to line 1)	%	%	%	%	%	%
11. Other income:						
a. Net fees earned under CPFF contracts						
b. Other						
12. Other deductions:						
a. State taxes measured by income						
b. Other						
13. Net profit before provision for Federal taxes on income and extraordinary reserves						
14. Provision for Federal taxes on income—gross						
15. Post war refund of excess profits tax (credit)						
16. Net profit before extraordinary reserves						
17. Percent of net worth at start of period	%	%	%	%	%	%
18. Provisions for extraordinary reserves						
19. Net income per books	$	$	$	$	$	$

INSTRUCTIONS

1. This schedule is to be prepared for each of the seven years immediately prior to that under review.

2. Insofar as practicable, the amounts appearing under the various line captions should reflect items similar to those shown on Exhibit 1, so that true comparisons may be made.

3. If regular annual statements contain the information listed above, such statements may be submitted in lieu of this form.

(See Reverse of Form for Supplemental Information Required.)

SUPPLEMENTAL INFORMATION

To be submitted only by contractors who have not been previously renegotiated.

1. If a corporation, state in which incorporated and date of incorporation; if a partnership or proprietorship, date of inception.

2. A brief history of the business, at least since 1936.

3. Balance sheets, as at the close of each of the contractor's fiscal years ended in 1936 to 1942, inclusive, or at the close of each year for which income data are submitted.

4. Comparative statement of income for each of the contractor's fiscal years ended in 1936 to 1942, inclusive, or for such of those years as he was in business. (Exhibit 2)

5. A statement of cost of sales and selling and administrative expenses for the three latest prior years, similar in form to items 22 and 24 of Exhibit 1–a. (See Instructions for Exhibit 1–a).

6. A statement of salaries and other compensation of officers and employees for the three latest prior years (similar to that in Section G–1).

7. Copy of Federal Income and Excess Profits Tax Return for the contractor's latest prior year, and a summary of any significant changes in taxable income since 1936, made as a result of examinations by the Bureau of Internal Revenue.

8. Explanation of any differences between the subsidiaries and affiliates, consolidated in Exhibit 2, and those which are consolidated in the financial statements for the current year.

9. A statement relative to each of the following:

a. basic changes in accounting methods since 1936;

b. revaluation of assets or recapitalization since 1936.

[RR 722]

SUBPART I—ADDRESSES

§ 1607.791 *War Contracts Price Adjustment Board.*

(a) *Principal office:* 718 18th Street NW., Washington 6, D. C., Tel. Republic 7400, Ext. 4785.

[RR 791.1]

(b) *Chairman.* War Contracts Price Adjustment Board, Attention: Mr. Joseph M. Dodge, Chairman, Room 3D 634, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 73173.

[RR 791.2]

(c) *Office of General Counsel.* War Contracts Price Adjustment Board, Attention: Mr. W. James MacIntosh, General Counsel, Room 3D 630, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 72191.

[RR 791.3]

(d) *Assignment Office.* Assignments and Statistics Branch, Renegotiation Division, Room 3D 573, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 73678; or, Clearance and Assignment Officer, Post Office Box 2707, Washington 25, D. C., Tel. Republic 6700, Ext. 73678.

[RR 791.4]

(e) *Pentagon Office.* Room 3E 565, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 73696.

[RR 791.5]

§ 1607.792 *Departmental Price Adjustment Boards.*

War Department Price Adjustment Board, Attention: Lt. Col. W. H. Coulson, Executive Officer, Room 3D 573, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 5672.

Navy Department Price Adjustment Board, Attention: Mr. Laird Bell, Chairman, 718 18th Street NW., Washington 6, D. C., Tel. Republic 7400, Ext. 6189 or 62729.

Treasury Department Price Adjustment Board, Attention: Captain H. C. Maull, Jr., Chairman, 8304 Procurement Building, 7th and D Streets NW., Washington 25, D. C., Tel. District 8700, Ext. 2105.

Maritime Commission Price Adjustment Board, Attention: Commander A. G. Bydstrom, Room 512, Electrical Workers Building, 1200 13th Street NW., Washington 25, D. C., Tel. Executive 3040, Ext. 606 or 607.

War Shipping Administration Price Adjustment Board, Attention: Mr. James L. Murphy, Chairman, 39 Broadway, New York 6, New York, Tel. Whitehall 3-6000.

Reconstruction Finance Corporation Price Adjustment Board, Attention: Mr. Charles T. Fisher, Jr., Chairman, Lafayette Building, 811 Vermont Avenue NW., Washington 25, D. C., Tel. Executive 3111, Ext. 8 or 48.

[RR 792]

§ 1607.793 *War Department Price Adjustment Sections.*

(a) *Headquarters.* Price Adjustment Branch, Control Office, AC/AS M. M. & D. Army Air Forces, Room 5C 964, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Exts. 72329, 4490, 4577.

Price Adjustment Office, Matériel Command, Army Air Forces, Wright Field, Dayton, Ohio, Tel. Kenmore 7111, Exts. 23135, 23202, 23224.

The Chief of Chemical Warfare, Attention: Major Robert M. Estes, Purchase Policies Branch, Baltimore Sub-Office, OC CWS, 200 West Baltimore Street, Baltimore 1, Maryland, Tel. Lexington 0710.

The Chief of Engineers, Attention: Mr. H. W. Loving, Price Adjustment Section, Room 5160, New War Department Building, Washington 25, D. C., Tel. Republic 6700, Ext. 76235.

The Chief of Ordnance, Attention: Major John M. Marble, Purchase Policy Section, Room 5D 400, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 2283.

The Quartermaster General, Attention: Lt. Col. H. F. Colt, Price Adjustment Section, Room 2327, Tempo. B., 2nd and Q Streets SW., Washington 25, D. C., Tel. Republic 6700, Ext. 2744 or 6485.

The Chief Signal Officer, Attention: Mr. Wilfred Goodwyn, Price Adjustment Section, Room 2C 265, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 73278.

The Surgeon General, Attention: Lt. Col. Lee I. Park, Renegotiation Division, Room 518, Maritime Building, 1518 H Street NW., Washington 25, D. C., Tel. Republic 6700, Ext. 76455.

The Chief of Transportation, Attention: Col. James F. Mitchell, Jr., Price Adjustment Section, Room 3A 670, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 4505.

[RR 793.1]

(b) *Field Offices of Price Adjustment Sections*—(1) *Army Air Forces:* 80 South La Salle Street, Chicago 3, Illinois, Tel. Randolph 9720.

Enquirer Building, 617 Vine Street, Cincinnati, Ohio, Tel. Cherry 5820.

4814 Prospect Avenue, Cleveland 3, Ohio, Tel. Endicott 7200.

3505 West Warren Avenue, Detroit 32, Michigan, Tel. Hogarth 8730.

3686 Beverly Boulevard, Los Angeles 54, California, Tel. Drexel 7061.

67 Broad Street, New York 4, New York, Tel. Whitehall 4-1600.

430 West Douglas Avenue, Wichita 1, Kansas, Tel. Wichita 5-4621.

(2) *Corps of Engineers:* 80 Whitehall Street, Atlanta 2, Georgia, Tel. Jackson 6180.

101 East Fayette Street, Baltimore 2, Maryland, Tel. Plaza 3060.

73 Federal Street, Boston 10, Massachusetts, Tel. Hubbard 8100.

20 North Wacker Drive, Chicago 6, Illinois Tel. Randolph 1311.

1130 Huntington Bank Building, Columbus 15, Ohio, Tel. Main 7341.

Santa Fe Building, 1114 Commerce Street, Dallas 2, Texas, Tel. LD 630.

270 Broadway, New York 7, New York, Tel. Barclay 7-1616.

Farm Credit Building, 19th and Douglas, Omaha 1, Nebraska, Tel. Webster 3966.

351 California Street, San Francisco, California, Tel. Garfield 6900.

(3) *Ordnance Department:* 700 Frank Nelson Building, Birmingham 1, Alabama, Tel. Birmingham 4-7511.

140 Federal Street, Boston 10, Massachusetts, Tel. Hubbard 9600.

38 South Dearborn Street, Chicago 3, Illinois, Tel. Franklin 4900.

Big Four Building, Cincinnati 1, Ohio, Tel. Cherry 3800.

1006 Terminal Tower Building, Cleveland 13, Ohio, Tel. Main 0670.

1533 National Bank Building, Detroit 32, Michigan, Tel. Randolph 9860.

Room 1515—80 Broadway, New York 5, New York, Tel. Hanover 2-7300.

180 South Broad Street, Philadelphia, 2, Pennsylvania, Tel. Locust 4020.

1202 Chamber of Commerce Building, Pittsburgh 9, Pennsylvania, Tel. Grant 5966.

1238 Mercantile Building, Rochester 4, New York, Tel. Stone 3203.

3663 Lindell Boulevard, St. Louis 8, Missouri, Tel. Jefferson 7380.

403 Hotel Empire, San Francisco 1, California, Tel. Underhill 3300.

95 State Street, Springfield 8, Massachusetts, Tel. 7-0211.

(4) *The Quartermaster General:* 1 State Street, Boston 9, Massachusetts, Tel. Lafayette 9712.

333 North Michigan Avenue, Chicago 1, Illinois, Tel. Franklin 8910.

521 Fifth Avenue, New York 17, New York, Tel. Murray Hill 2-3622.

520 Kohl Building, Montgomery and California Streets, San Francisco 4, California, Tel. Exbrook 7467.

16th Floor Woodside Building, Greenville, South Carolina, Tel. 7140.

(5) *Signal Corps:* 1 North La Salle Street, Chicago 2, Illinois, Tel. State 9180.

17th and Sansom Streets, Architects Building, Philadelphia 3, Pennsylvania, Tel. Rittenhouse 5950.

(6) *Surgeon General:* 52 Broadway, New York 4, New York, Tel. Hanover 2-8200.

Room 1425, Civic Opera Building, 20 North Wacker Drive, Chicago 6, Illinois, Tel. Randolph 1311.

[RR 793.2]

§ 1607.794 *Navy Department Price Adjustment Boards.*

(a) *Navy Department Price Adjustment Board.* (1) Washington Division, 718 18th Street, N. W., Washington 6, D. C., Tel. Republic 7400, Ext. 62729.

(2) New York Division, Room 810, 500 Fifth Avenue, New York 20, New York, Tel. Columbus 5-3851.

[RR 794.1]

(b) *Regional Price Adjustment Boards.* 21st Floor, 100 West Monroe Street, Chicago 3, Illinois, Tel. Andover 3740.

727 Financial Center Building, 405 Montgomery Street, San Francisco 4, California. Tel. Exbrook 1161.

[RR 794.2]

(c) *Services and Sales Renegotiation Section.* (1) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Washington 25, D. C., Tel. Republic 7400, Ext. 61468.

(2) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Washington Divisional Office, Washington 25, D. C., Tel. Republic 7400, Ext. 61263.

(3) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, New York Divisional Office, Room 310, 630 Fifth Avenue, New York 20, New York, Tel. Columbus 5-3851.

(4) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 916, 610 South Canal Street, Chicago 7, Illinois, Tel. Wabash 2900, Ext. 373-3.

(5) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 907, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, California, Tel. Trinity 1432.

[RR 794.3]

§ 1607.795 *Relative Offices.*

General Accounting Office, Washington 25, D. C., Tel. Executive 4621.

Chief, Contract Review Branch, Procurement Policy Division, War Production Board, 4th and Independence Avenue SW., Washington 25, D. C., Tel. Republic 7500, Ext. 6261.

[RR 795]

PART 1608—STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART A—STATUTES AND EXECUTIVE ORDERS

Sec.
1608.801 Renegotiation Act of 1943.
1608.802 Section 3806 of the Internal Revenue Code (as amended by Section 701 (c) of the Revenue Act of 1943).
1608.803 Title XIII of Second War Powers Act, 1942.
(a) Statutory Provision.
(b) Section 310 (1) of Title 10, Chapter 18, U. S. Code.
(c) Executive Order No. 9127.
1608.804 Repricing of War Contracts.
1608.805 Executive Orders Relating to the War Shipping Administration.

SUBPART B—DELEGATIONS OF AUTHORITY

1608.821 Delegations from War Contracts Price Adjustment Board.

SUBPART E—OTHER ORDERS AND DIRECTIVES

1608.851 Salary Stabilization Regulations.
1608.852 Treasury Rulings and Decisions.
(a) Treasury Rulings on Tentative Tax Returns.
(b) I. T. 3577.
(c) I. T. 3611.

SUBPART A—STATUTES AND EXECUTIVE ORDERS

§ 1608.801 *Renegotiation Act of 1943.* Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (56 Stat. 245; 50 U. S. C. App. Sup. 1191), approved April 28, 1942, as amended by Section 801 of the Revenue Act of 1942 (56 Stat. 982; 50 U. S. C. App. Sup. 1191), approved October 21, 1942; by Section 1 of the Military Appropriation Act, 1944 (57 Stat. 347), approved July 1, 1943; by 57 Stat. 564, approved July 14, 1943; and as amended in full by Section 701 (b) of the Revenue Act of 1943 (Public 235, 78th Congress) enacted February 25, 1944. [RR 801]

§ 1608.802 *Section 3806 of the Internal Revenue Code (as amended by Section 701 (c) of the Revenue Act of 1943, Public 235, 78th Congress).* Sec. 3806. Mitigation of Effect of Renegotiation of War Contracts or Disallowance of Reimbursement. [RR 802]

§ 1608.803 *Title XIII of Second War Powers Act, 1942*—(a) *Statutory provision.* Second War Powers Act, March 27, 1942, Title XIII (56 Stat. 185; 50 U.S.C. App. Sup. 643). [RR 803.1]

(b) *Section 310 (1) of Title 10, Chapter 18, U. S. Code.* (44 Stat. 787) [RR 803.2]

(c) *Executive Order No. 9127, April 10, 1942.* Regulations Under Title XIII of the Second War Powers Act, 1942. (7 F.R. 2753) [RR 803.3]

§ 1608.804 *Repricing of war contracts.* Title VIII of the Revenue Act of 1943, enacted February 25, 1944 (Public 235, 78th Congress). [RR 804]

§ 1608.805 *Executive Orders Relating to the War Shipping Administration.* Executive Order No. 9054 issued February 7, 1942 (7 F.R. 837) as amended by Executive Order No. 9244, issued September 16, 1942 (7 F.R. 7327), establishing a War Shipping Administration in the Executive Office of the President and defining its functions and duties. [RR 805]

SUBPART B—DELEGATIONS OF AUTHORITY

§ 1608.821 *Delegations from War Contracts Price Adjustment Board—(a) Delegation Dated February 26, 1944, to the Secretaries.*

Delegation by the War Contracts Price Adjustment Board of Powers, Functions and Duties under the Renegotiation Act

FEBRUARY 26, 1944.

1. For the purpose of this delegation, the terms "Board," "Department" and "Secretary" shall have the same meaning as when used in the Renegotiation Act (hereinafter referred to as "the Act").

2. Pursuant to the provisions of subsection (d) (4) of the Act, the Board hereby delegates to each Secretary:

(a) All of the powers, functions and duties conferred upon the Board by subsections (a) (4) (B); (a) (4) (C); (a) (4) (D); (a) (5) (B); (c) (1); (c) (2); (c) (3); (c) (4); (c) (5) (B) and (b) (1) of the Act;

(b) All of the powers, functions and duties conferred upon the Board to require the furnishing of information, records and data pursuant to the provisions of subsection (c) (5) (A) of the Act, except the financial statement provided for in the first sentence of said subsection; and

(c) All of the powers, functions and duties conferred upon the Board to interpret and apply the exemptions provided for in subsection (i) (1) (A), (B), (C), (E) and (F), the definition contained in subsection (a) (7) and the provisions of subsection (i) (3) pursuant to such interpretations thereof and regulations relating thereto as may be prescribed by the Board from time to time.

The foregoing delegation of powers, functions and duties, however, shall be effective, as to each Secretary, only as to contractors and subcontractors assigned by the Board, or pursuant to its authority, to such Secretary or his Department for renegotiation.

3. Pursuant to the provisions of subsection (d) (4) of the Act, the Board hereby delegates to each Secretary the power conferred upon the Board by subsection (i) (4) of the Act to exempt, in his discretion, from some or all of the provisions of the Act, individual contracts entered into pursuant to his authority or the authority of his Department; excepting from such delegation, however, any power to exempt from any of the provisions of the Act any such contracts or subcontracts by general classes or types.

4. The powers, functions and duties hereby delegated to each Secretary may be delegated in whole or in part by him to such officers or agencies of the United States as he may designate, and he may authorize successive redelegations of such powers, functions or duties.

5. Without intending to limit the powers, functions and duties hereby delegated, nevertheless, each Secretary and each officer or agency of the United States to whom any power, function or duty is delegated or redelegated hereunder, shall exercise such power, function and duty, and all authority and discretion thereunder, in accordance with such interpretations of the Act and such regulations relating thereto as are issued or adopted by the Board and in accordance with the principles, policies and procedures established by the Board. Where a determination with respect to the amount of excessive profits of a contractor or subcontractor is embodied in an agreement between the contractor or subcontractor and a duly authorized representative of the Board such agreement shall be conclusive according to its terms and shall not be subject to review by the Board or any representative of the Board. Nothing herein contained, however, shall be construed to limit the right of the Board to review determinations with respect to the amount of excessive profits made by order and not embodied in an agreement with the contractor or subcontractor concerned.

6. This delegation is subject to revocation or modification in whole or in part at any time.

7. The powers, functions and duties delegated hereby shall be effective immediately and shall be retroactive to the effective date of the Revenue Act of 1943.

By direction of the Board.

JOSEPH M. DODGE,
Chairman, War Contracts Price Adjustment Board.

[RR 821.1]

SUBPART E—OTHER ORDERS AND DIRECTIVES

§ 1608.851 *Salary stabilization regulations.* (8 F.R. 11962, 12238; 32 CFR, Cum. Supp., 4001.10) [RR 851].

§ 1608.852 *Treasury Ruling and Decisions—(a) Treasury Ruling on tentative tax returns.*

Office of Commissioner of Internal Revenue.
IT:P:CA
CAA

TREASURY DEPARTMENT,
WASHINGTON, *April 17, 1943.*

CHIEF OF ORDNANCE,
War Department,
Washington, D. C.

Attention: Major ROBERT P. DOOLITTLE,
Room 5-D-384,
Pentagon Building.

SIR: Advice has been requested as to the application of I. T. 3577 (IRB 1942 No. 37) in a case where a taxpayer has been granted an extension of time for filing his return; has filed a "tentative return"; and thereafter is preparing to file a complete return on the date due under the extension of time.

A "tentative return" is a procedural device which enables a taxpayer who has secured an extension of time for filing his return, to file on the original due date, an incomplete return which enables the payment on an estimated basis of the installment of tax which is due on such date. Thereafter on or before the date to which the extension is granted the taxpayer is required to file a complete return.

The particular paragraph of I. T. 3577 which is involved in this consideration provides as follows:

"In cases of renegotiation agreements with respect to years for which income and excess profits tax returns have not been filed and income and excess profits taxes not assessed and paid, the reduction in gross income may be made, or the deduction may be taken in computing net income, as the case may be, although the renegotiating agreement has not been completed, provided at the time of filing the return the negotiations have progressed to such a stage that the amount of the reduction in gross income, or the amount of the repayment in lieu thereof, is certain, and in filing the income and excess profits tax return such reduction is made or such deduction is taken."

The complete return is the return referred to in I. T. 3577 and the provisions of I. T. 3577 are unaffected by the fact that a tentative return has previously been filed for the purpose and under the circumstances indicated.

Respectfully,

T. MOONEY,
Deputy Commissioner.

[RR 852.1]

(b) *I. T. 3577—Statement of policy of the Bureau of Internal Revenue as to the tax effect in cases in which Government war contracts are renegotiated, or in cases where, pursuant to action by the Comptroller General, an item for which a taxpayer has been reimbursed is disallowed as an item of cost chargeable to a cost-plus-a-fixed-fee contract.*

Advice is requested as to the policy of the Bureau of Internal Revenue with respect to the adjustment of income and excess profits taxes in cases in which Government war contracts are renegotiated and it is determined by the renegotiating department or agency that excessive profits have been, or are likely to be, paid to the contractor or subcontractor, and in cases where, pursuant to action by the Comptroller General, an item for which a taxpayer has been reimbursed is disallowed as an item of cost chargeable to a cost-plus-a-fixed-fee contract, the taxpayer being required to repay to the Government the amount of such disallowance.

Under Title IV of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, Seventy-seventh Congress, second session), certain Government departments or agencies are authorized and directed to require contractors or subcontractors to renegotiate the contract price with respect to designated contracts and subcontracts in case any amounts of excessive profits have been, or are likely to be, realized therefrom and to recover such excessive profits paid, or to withhold payment if the profits have not been paid.

The determination of the amount of the excessive profits and the making of an agreement with the contractor or subcontractor in regard to the method by which repayment to the Government of the excessive profits is to be effected are matters within the jurisdiction of the particular renegotiating department or agency. The Bureau of Internal Revenue has no authority to function in the determination or collection of these excessive profits. The Bureau, however, upon request of the parties to the renegotiation will advise them of the manner in which the renegotiation will affect the contractor's Federal income and excess profits taxes.

The determination of tax liabilities and the collection thereof are under the administration of the Bureau, together with the making of rulings and closing agreements, under Section 3760 of the Internal Revenue Code, with the taxpayer with respect to either actual tax liability for any taxable year or prospectively with respect to proposed transactions.

In case the renegotiating agreement provides for reduced contract prices to be retroactively applied to *prior taxable years for which returns have been filed and the income and excess profits taxes paid or assessed*, repayment to the Government of the excessive profits *on which such taxes have been paid or assessed* will be involved in the settlement. This raises the question, "If the contractor or subcontractor repays the entire amount of such excessive profits to the Government, should the Bureau be required to refund the income and excess profits taxes paid on such excessive profits?" The position of the Bureau is that only the amount of *such profits in excess of the Federal income and excess profits taxes paid or assessed thereon* should be repaid by the contractor or subcontractor, and no refund or abatement of such taxes should be made, since the taxes should be considered as a recapture of a portion of the excessive profits and as such a proper offset against the total excessive profits. The remainder of the excessive profits would be recaptured through repayment thereof to the Government by the contractor or subcontractor. The repayment should not be allowed as a deduction in the income and excess profits tax returns of the taxpayer for any taxable year. To do so would result in a double tax benefit where the income and excess profits taxes have been offset against the excessive profits. Even though the right to such offset is foregone by the taxpayer and the offset is not made, the repayment should not be allowed as a deduction in the taxpayer's returns, since the taxpayer should not be permitted to forego the right to the offset for the sake of obtaining a deduction for a year for which the deduction will result in a greater tax benefit. This may be illustrated by the following example:

Example. The M Corporation filed a return for the calendar year 1941 on March 15, 1942, reporting therein an amount of $1,000,000, which was subsequently in the year 1942 held by one of the designated renegotiating agencies to be excessive profits realized in performance of a contract, on which excessive profits income and excess profits taxes aggregating $400,000 were paid. The $400,000 taxes should not be refunded and the remainder of the excessive profits, or $600,000, should be repaid by the corporation to the Government. The amount of $600,000 repaid to the Government will not constitute an allowable deduction from gross income for any taxable year. This produces the correct result. Excessive profits, before Federal taxes, of $1,000,000 would have been recaptured by the Government, $400,000 through the medium of taxes and $600,000 by direct repayment to the Government, with no aftermath affecting Federal taxes. To hold otherwise, for instance, to hold that the $1,000,000 should be repaid to the Government and allow such repayment as a deduction for income tax purposes for the year 1942, when the effective rate of tax, for example, is 75 per cent, would produce the following incorrect result: The tax benefit in 1942 would be $750,000. The taxpayer would have paid $1,400,000 to the Government and derived a tax benefit of $750,000. The taxpayer, therefore, would have paid only $650,000 net to the Government, whereas the excessive profits admittedly were $1,000,000. Different results would be obtained in other cases depending upon the factors of income and effective rates of taxes being different from those in this example.

In case the renegotiating agreement determines reduced contract prices to be charged during the year of the agreement or subsequent thereto, or a repayment is to be made in lieu thereof which is not applicable to profits for a year for which an income tax return has been filed, and on which profits income and excess profits taxes have not been assessed or paid, gross income to be reported in the returns for such years should be reduced to conform with the reduced prices, or in case of repayment, a deduction may be taken in computing net income: *Provided*, Excessive profits determined to have been realized and received by the taxpayer are repaid to the Government. Likewise, in case the reduced contract prices are determined for the immediately preceding taxable year or a repayment is to be made in lieu thereof, and the income and excess profits tax returns for such year have not been filed at the time of such determination, the gross income for such preceding year may be reported to conform with the reduced prices agreed upon, or a deduction may be taken in computing net income, as the case may be: *Provided*, The taxpayer repays to the Government the excessive profits determined to have been realized. No deduction from gross income will be allowed for any other taxable year for the amount of such excessive profits so repaid. This may be illustrated by the following example:

Example. The X Corporation filed a return for the calendar year 1942 on March 15, 1943. In February, 1943, it was determined that the taxpayer had realized during 1942 excessive profits in the amount of $1,000,000 and the parties agree that during 1943 repayment of such excessive profits will be made to the Government in designated amounts per month until the entire amount of $1,000,000 excessive profits is repaid. The gross income to be reported by the corporation in its return for 1942 should not include the $1,000,000, and no tax attributable to excessive profits will thus be assessed or paid. No deduction from gross income will be allowed for any year for the amount of the excessive profits excluded from gross income and repaid to the Government.

In cases of renegotiation agreements with respect to years for which income and excess profits tax returns have not been filed and income and excess profits taxes not assessed and paid, the reduction in gross income may be made, or the deduction may be taken in computing net income, as the case may be, although the renegotiating agreement has not been completed: *Provided*, At the time of filing the return the negotiations have progressed to such a stage that the amount of the reduction in gross income, or the amount of the repayment in lieu thereof, is certain, and in filing the income and excess profits tax return such reduction is made or such deduction is taken.

The Bureau, upon request of the parties to the renegotiation, in any case will advise them relative to the amount of excessive profits previously recaptured through the medium of income and excess profits taxes paid thereon.

In addition to the above stated considerations for the basis of the position of the Bureau that refunds of income and excess profits taxes should not be allowed in such cases, it may be stated that if the Bureau should be required to make refunds of the taxes paid on excessive profits repaid to the Government because such excessive profits have been determined before the taxes, instead of after the taxes, entirely ignoring the previous recapture of a portion of the excessive profits through the medium of such taxes, an appropriation from Congress to provide funds for such refunds would be necessary. The estimate of the sum necessary for such purpose logically would be based upon information from the negotiating agencies relative to the income and excess profits taxes paid on the excessive profits recaptured by such agencies without reducing the excessive profits by the amount of such taxes previously paid thereon.

What has been said above applies with equal force to cases involving a cost-plus-a-fixed-fee contract where an item for which the taxpayer has been reimbursed is disallowed as an item of cost chargeable to such contract and the taxpayer is required to repay to the United States the amount disallowed.

[RR 852.2]

(c) *I. T. 3611—Section 3806.—Mitigation of Effect of Renegotiation of War Contracts or Disallowance of Reimbursement*

INTERNAL REVENUE CODE

Effect for Federal income and excess profits tax purposes of the renegotiation of Government contracts or subcontracts thereunder to eliminate excessive profits for a particular year, and the allowance, in mitigation of the effect of such renegotiation, of a credit against the excessive profits, under section 3806 of the Internal Revenue Code, as added by section 506 of the Revenue Act of 1942, for Federal income and excess profits taxes attributable to such excessive profits. Practice of Bureau (I. T. 3577, C. B. 1942-2, 163) restated.

Advice is requested as to the effect for Federal income and excess profits tax purposes of the renegotiation of Government contracts or subcontracts thereunder to eliminate excessive profits for a particular year, and the allowance, in mitigation of the effect of such renegotiation of a credit against the excessive profits, under section 3806 of the Internal Revenue Code, as added by section 506 of the Revenue Act of 1942, for Federal income and excess profits taxes attributable to such excessive profits.

Under Title IV of the Sixth Supplemental National Defense Appropriation Act of 1942 (Public law 528, Seventy-seventh Congress, second session), as amended by section 801 of the Revenue Act of 1942 (Public law 753, Seventy-seventh Congress, second session), certain Government departments or agencies are authorized and directed to require contractors or subcontractors to renegotiate the contract price with respect to designated contracts and subcontracts in case any amounts of excessive profits have been or are likely to be realized therefrom and recover such excessive profits paid, or to withhold payment if the profits have not been paid.

In case the renegotiating agreement provides that excessive profits have been realized under contracts in effect during *prior taxable years for which returns have been filed and the income and excess profits taxes paid or assessed*, elimination of the excessive profits *on which such taxes have been paid or assessed* is involved in the settlement. The question was raised whether the contractor or subcontractor should repay the entire amount of such excessive profits to the Government and the Bureau of Internal Revenue be required to refund the income and excess profits taxes paid on such excessive profits, or whether only the amount of such profits in excess of the Federal income and excess profits taxes paid or assessed thereon should be repaid by the contractor or subcontractor and no refund or abatement of such taxes be made, the taxes being considered as a recapture of a portion of the excessive profits, and as such a proper offset against the total excessive profits, and the remainder of the excessive profits being recaptured through payment thereof to the Government by the contractor or subcontractor. The question was also raised whether the excessive profits eliminated give rise to a deduction in the income and excess profits tax returns of the taxpayer for any other taxable year, since to do so would result in a double tax benefit where the income and excess profits taxes have been offset against the excessive profits. These questions have now been resolved by section 3806 of the Code, as indicated below.

Section 3806 (a) 1 of the Code requires that a payment or repayment within a taxable year ending after December 31, 1941, of excessive profits pursuant to a renegotiation, shall be treated as a reduction of the price of the contracts or subcontracts for the taxable year for which such price was received or accrued. Section 3806 (b) of the Code *requires* that the decrease in Federal income and excess profits taxes resulting from such contract price reductions be *credited against the amount of the excessive profits* eliminated through renegotiation. Consequently the taxpayer will, on account of the renegotiation, pay or repay to the United States only the net amount of excessive profits of a prior taxable year which remain after there has been credited against the excessive profits the amount of Federal income and excess profits taxes attributable to such excessive profits. If the amount allowed as such credit against the excessive profits is less than the amount allowable, the difference is to be treated as an overpayment of the tax to be refunded or credited to the taxpayer as provided in section 3806 (c) of the Code. Also, the credit allowed against the amount of excessive profits, for Federal income tax purposes, including computation of post-war refund of excess profits taxes under section 780 of the Code, is treated the same as if such credit were a refund of the taxes forming the basis of the credit.

In view of the provisions of section 3806, it is the opinion of this office that the taxpayer's net income for Federal income and excess profits tax purposes is required to be, in effect, determined upon the basis of, and by giving effect to, the renegotiation. No refund of tax for any taxable year shall include any amount of tax which, pursuant to section 3806 (b), is credited against excessive profits eliminated for such year. However, for the purpose of determining the correct amount of the tax after a renegotiation has been made for a taxable year, the amount credited against the excessive profits eliminated is to be treated as an amount previously credited to the taxpayer in respect of the tax for such year. Also, the amount of the post-war refund, under sections 780 and 781 of the Code, of excess profits tax shall be reduced to reflect the amount of such tax which is credited against the excessive profits eliminated. Furthermore, where excessive profits eliminated and repaid to the Government are treated as a reduction of gross income, the amount of such excessive profits is not an allowable deduction from the gross income of the taxpayer for any taxable year. (See section 3806 (a) (3) of the Code.) This may be illustrated by the following example:

Example. The A Corporation, which makes its income and excess profits tax returns on the calendar year basis, filed its returns for 1942 on March 15, 1943. As a result of a renegotiation consummated on May 1, 1943, it was determined that in 1942 the A Corporation realized excessive profits of $1,000,000 in the performance of its Government contracts. On such amount of $1,000,000, the A Corporation was assessed Federal income and excess profits taxes aggregating $700,000, of which $10,000 represented declared value excess-profits taxes and $270,000 represented excess profits taxes imposed by Subchapter E of Chapter 2 of the Code. Such taxes were credited against the $1,000,000 of excessive profits eliminated for 1942, and on May 1, 1943, the A Corporation paid to the United States the net amount of $300,000 ($1,000,000 less $700,000). The gross income of the A Corporation for 1942 is to be reduced by the $1,000,000 in excessive profits eliminated. The A Corporation is not entitled in computing its net income for 1942 or any subsequent taxable year to deduct any portion of such $1,000,000 excessive profits. No part of the $700,000 Federal income and excess profits taxes shall be refunded or credited to the taxpayer under sections 321 and 322 of the Code. However, for the purpose of determining the correct tax for 1942, the amount of tax shown by the A Corporation on its return for such year shall be decreased by the $700,000 credit allowed against excessive profits. The post-war refund of excess profits tax is reduced by $27,000 (10 percent of $270,000).

In giving effect to the principles applied by section 3806 of the Code in case the renegotiating agreement determines reduced contract prices to be charged during the year of the agreement or subsequent thereto, or a repayment is to be made in lieu thereof which is not applicable to profits for a year for which an income tax return has been filed, and on which profits income and excess profits taxes have not been assessed or paid, the practice of the Bureau has been to permit the taxpayer to reduce the gross income to be reported in the returns for such years to conform with the reduced price or, in case of repayment, to permit a deduction to be taken in computing net income, provided, excessive profits determined to have been realized and received by the taxpayer are repaid to the Government. Likewise, in case the reduced contract prices are determined for the immediately preceding taxable year or a repayment is to be made in lieu thereof, and the completed income and excess profits tax returns for such year have not been filed at the time of such determination, the taxpayer has been permitted to report the gross income for such preceding year to conform with the reduced prices agreed upon or to take a deduction in computing net income, as the case may be, provided the taxpayer repays to the Government the excessive profits determined to have been realized. No deduction from gross income is allowed for any other taxable year for the amount of such excessive profits so repaid. This method of treatment will continue to be followed, subject to the condition that the excessive profits be paid or repaid to the United States or credited against amounts due and payable from the United States, and no deduction from gross income will be allowed for any other taxable year for the amount of such excessive profits so repaid. (See I. T. 3577, C. B. 1942-2, 163.)

The above statements apply with equal force to (1) disallowance of items of cost for which a contractor has been previously reimbursed under a cost-plus-a-fixed-fee contract (see section 3806 (a) 2 of the Code), and (2) contracts involving any renegotiation within the meaning of that term as it is defined in section 3806 (a) 1 (A) of the Code, including, but not limited to, (a) any modification of one or more contracts with the United States or any agency thereof when such modification effects a voluntary elimination of excessive profits (as defined in section 3806 (a) 1 (B) of the Code) for a prior year, or a price reduction made retroactive for a prior year pursuant to express provision for price adjustment contained in the contract, and (b) any agreement with the United States or any agency thereof in respect of one or more such contracts or subcontracts thereunder.

[RR 852.3]

By order of the War Contracts Price Adjustment Board.

[SEAL] JOSEPH M. DODGE,
Chairman.

[F. R. Doc. 44-5474; Filed, April 18, 1944; 11:03 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *supra*.

TITLE 37—PATENTS AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

[Order 302]

PART 2—REGISTER OF GOVERNMENT INTERESTS IN PATENTS

Pursuant to Executive Order No. 9424, of February 18, 1944 (9 F.R. 1959), the following rules and regulations are hereby promulgated, viz:

§ 2.1 *Requirements.* The Executive order requires the several departments and other executive agencies of the Government, including Government-owned or Government-controlled corporations, to forward promptly to the Commissioner of Patents for recording all licenses, assignments, or other interests of the Government in or under patents of applications for patents.

§ 2.2 *Assignments.* The original of an assignment or other instrument which conveys to the Government only the title to a patent or to an application for patent shall be forwarded to the Commissioner of Patents. The instrument will be recorded, endorsed, and returned.

§ 2.3 *Licenses.* A copy of any license or instrument other than an assignment which conveys to or gives the Government any interest in or under a patent or an application for patent shall be forwarded for recording. The copy will be retained by the Patent Office but, when desired, the original will be endorsed and returned.

§ 2.4 *Abbreviated copy.* If an instrument deals with matters in addition to rights and interests in patents or in applications for patents, or in inventions disclosed therein, a copy of only those portions of the instrument dealing with such rights and interests need be forwarded. In such case, a statement giving the general nature of the entire instrument, the parties involved, the date of the instrument, the place where it is usually filed, and any docket or identifying number, must be attached to the copy.

§ 2.5 *Instruments already on record.* Instruments which have been recorded prior to the adoption of these rules and are on the general assignment records of the Patent Office need not be forwarded again for recording.

§ 2.6 *Access to register.* The register will not be open to public inspection. It will be available for examination and inspection by duly authorized representatives of the Government, subject to the provisions of § 2.7 hereof. Public examination will be restricted to those instru-

ments which the department or agency of origin has so authorized in writing.

§ 2.7 *Secret register.* Any instrument to be recorded will be placed on a secret record or register at the request of the department or agency submitting the same. No information will be given concerning any instrument in such record or register, and no examination or inspection thereof or of the index thereto will be permitted, except on the written authority of the head of the department or agency which submitted the instrument and requested secrecy, and the approval of such authority by the Commissioner of Patents. No instrument or record other than the one specified may be examined, and the examination must take place in the presence of a designated official of the Patent Office. When the department or agency which submitted an instrument no longer requires secrecy with respect to that instrument, it will be recorded or registered anew in the appropriate part of the register which is not secret.

§ 2.8 These rules will take effect upon approval.

[SEAL] CONWAY P. COE,
Commissioner of Patents.

Approved: April 17, 1944.

JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 44-5468; Filed, April 18, 1944; 11:47 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *supra*.

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Chapter III—War Shipping Administration

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, *supra*.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLUMBIA RIVER PROJECT, WASHINGTON

PARTIAL REVOCATION OF SECOND FORM WITHDRAWAL

MARCH 7, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Columbia River project, the withdrawal of the hereinafter described lands, withdrawn in the second form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental order of April 20, 1904, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

COLUMBIA RIVER PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 13 N., R. 24 E.,
Secs. 11 to 14, inclusive.
T. 11 N., R. 25 E.,
Secs. 1 and 2;
Sec. 3, N½N½, S½.
T. 13 N., R. 25 E.,
Secs. 1 to 5, inclusive;
Sec. 8, W½;
Sec. 9;
Secs. 11 to 16, inclusive;
Sec. 17, E½;
Sec. 20, E½;
Secs. 21 to 28, inclusive;
Secs. 34, 35, 36.
T. 13 N., R. 26 E.,
Secs. 21 to 27, inclusive;
Sec. 35, E½;
Sec. 36.
T. 10 N., R. 28 E.,
Secs. 1, 12, 13;
Sec. 25, N½,NE¼.
T. 11 N., R. 28 E.,
Secs. 3 to 6, inclusive;
Sec. 8, E½;
Secs. 9 to 14, inclusive;
Sec. 15, N½;
Sec. 16, NE¼;
Sec. 20, NE¼;
Sec. 22, W½NE¼, SE¼NE¼, W½, SE¼;
Secs. 24, 25;
Sec. 26, N½, SW¼, E½SE¼;
Sec. 34, NE¼.
T. 12 N., R. 28 E.,
Sec. 19;
Sec. 26, S½SW¼;
Sec. 27, S½;
Sec. 28, S½N½, S½;
Sec. 29, S½N½, S½;
Secs. 30 to 34, inclusive;
Sec. 35, W½NE¼, SE¼NE¼, W½, SE¼;
Sec. 36, SW¼.
T. 10 N., R. 27 E.,
Sec. 3, Lots 1, 2, NE¼SE¼;
Sec. 4, Lots 1, 2, 3, S½SW¼;
Sec. 6;
Sec. 11, Lots 1, 2, 4, 5, 8, E½SE¼;
Sec. 13, W½, SE¼;
Sec. 14, Lots 1, 4, 5, 8;
Sec. 22, Lots 1, 8, 6;
Sec. 24;
Sec. 25, Lots 1, 2, 8.
T. 11 N., R. 27 E.,
Sec. 4, SW¼;
Sec. 6, E½, NW¼;
Sec. 18, SW¼;
Sec. 19;
Sec. 20, NE¼, SW¼;
Secs. 29, 30;
Sec. 31, NE¼;
Sec. 32, N½;
Sec. 33, W½.
T. 12 N., R. 27 E.,
Sec. 25, Lot 1.
T. 11 N., R. 28 E.,
Secs. 5, 17, 21;
Sec. 33, N½, SW¼.
T. 12 N., R. 28 E.,
Secs. 7, 19, 31.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur March 31, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Columbia River project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

APRIL 10, 1944.

[F. R. Doc. 44-5470; Filed, April 18, 1944; 10:24 a. m.]

[No. 81]

NOTUS AND PAYETTE DIVISIONS, BOISE PROJECT, IDAHO

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES[1]

APRIL 6, 1944.

1. Announcement is hereby made that water will be furnished during the irrigation season of 1944 (April to October, both inclusive), and thereafter until further notice, for the irrigation of project lands hereinafter described, upon a water rental basis at rates and upon terms following:

(a) For the 300 acres of land, or any part thereof, referred to in article 24 of the contract of October 3, 1927, between the United States and the Black Canyon Irrigation District and being in the Notus division of the Boise project the minimum water rental charge for the irrigation season of 1944 and for each irrigation season thereafter until further notice, for water delivered to or for the farms by Government forces, will be four hundred and eighty dollars ($480) per irrigation season, which amount will permit the delivery of not to exceed 900 acre-feet of water. Such amount will be payable by the District in advance of the delivery of water. Additional water for the said part of the Notus division will be furnished during each irrigation season at the rate of seventy cents ($0.70) per acre-foot, and shall be payable by the District to the United States on or before December 31st of each year. Water for these lands of the Notus division will be delivered and measured into the Notus Canal through feeders in Conway Gulch and near Sand Hollow.

(b) For lands served by gravity canals in the Payette division of the Boise project the minimum rental charge for the irrigation season of 1944 and for each season thereafter until further notice, for water delivered to or for the farms by Government forces, will be one dollar and sixty cents ($1.60) per irrigable acre, payable by all landowners to the District and by the District to the United States in advance of the delivery of water, said payment to be made by each landowner for his total irrigable area. The said minimum charge of one dollar and sixty cents ($1.60) per irrigable acre shall be payable whether water is used or not and will entitle the water user to three (3) acre-feet of water per irrigable acre for each irrigation season. Additional water will be furnished during each irrigation season at the rate of seventy cents ($0.70) per acre-foot, and shall be payable by each landowner to the Black Canyon Irrigation District on or before December 30th of each year. Charges for such excess water shall be payable by the District to the United States on or before December 31st of each year: *Provided*, That, for lands which do not receive water and the owners of which do not pay the minimum charge of one dollar and sixty cents ($1.60) per irrigable acre during the irrigation season 1944 and thereafter, the District shall assess the amount of said minimum charge against such lands during the year for which said charge is made and the amount thereof shall be paid by the District to the United States on or before December 31st of the year following the year during which such assessment is made.

2. Water for Payette division lands will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

3. If the charges or any part thereof are not paid on or before the due date, there shall be added on the following day a penalty of one-half of one per centum of the amount unpaid, and a like penalty of one-half of one per centum of the amount unpaid on the first day of each calendar month thereafter, so long as such default shall continue.

4. Individual landowners in the Payette division will make their applications for water and the payments required by this public notice direct to their irrigation district office. Applications by the Irrigation District for water and payments by the District to the United States on the basis of this public notice will be received at the office of the Assistant Regional Director, Bureau of Reclamation, Boise, Idaho.

(Departmental Order No. 1903 of November 17, 1943, 8 F.R. 15872, issued under the act of December 19, 1941, 55 Stat. 842)

[SEAL] H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-5471; Filed, April 18, 1944; 10:23 a. m.]

[1] Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.

DEPARTMENT OF LABOR.

Wage and Hour Division.

INDUSTRIES IN SAINT THOMAS AND SAINT JOHN, VIRGIN ISLANDS

MINIMUM WAGE HEARING

Notice of public hearing before the special industry committee for the municipality of Saint Thomas and Saint John, Virgin Islands, for the purpose of receiving evidence to be considered in recommending minimum wage rates for employees in said municipality.

Whereas, by Administrative Order No. 335 published in the FEDERAL REGISTER on April 4, 1944, the meeting of the special industry committee for the Municipality of Saint Thomas and Saint John, Virgin Islands, was postponed pending further notice by the Chairman of said committee; and

Whereas, the public hearing scheduled to be held by the special industry committee for the Municipality of Saint Thomas and Saint John, Virgin Islands, was on March 31, 1944 postponed by the Chairman of said committee pending further notice by him.

Now, therefore, notice is hereby given to all interested persons that the special industry committee for the Municipality of Saint Thomas and Saint John, Virgin Islands will convene and hold a public hearing beginning on April 24, 1944 at 10:00 a. m. at the Municipal Council Hall in Charlotte Amalie, Saint Thomas, Virgin Islands, for the purpose of receiving evidence to be considered by the special industry committee for the Municipality of Saint Thomas and Saint John, Virgin Islands, in determining the highest minimum wage rates for all employees in said municipality who, within the meaning of the Fair Labor Standards Act of 1938, are "engaged in commerce or in the production of goods for commerce" which, having due regard to economic and competitive conditions will not substantially curtail employment and will not give any industry in the Virgin Islands a competitive advantage over any industry in the United States outside of the Virgin Islands.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations as the special industry committee for the Municipality of Saint Thomas and Saint John may make.

The hearing will be conducted in accordance with the notice of the hearing heretofore published in the FEDERAL REGISTER on March 10, 1944, and in accordance with such rules of procedure as the committee may adopt.

Signed at San Juan, Puerto Rico, this 14th day of April 1944.

JOHN A. LAPP,
Chairman, Special Industry Committee for the Municipality of Saint Thomas and Saint John, Virgin Islands.

[F. R. Doc. 44-5465; Filed, April 18, 1944; 10:30 a. m.]

INDUSTRIES IN SAINT CROIX, VIRGIN ISLANDS

MINIMUM WAGE HEARING

Notice of public hearing before the special industry committee for the municipality of Saint Croix, Virgin Islands, for the purpose of receiving evidence to be considered in recommending minimum wage rates for employees in said municipality.

Whereas, by Administrative Order No. 335 published in the FEDERAL REGISTER on April 4, 1944, the meeting of the special industry committee for the Municipality of Saint Croix, Virgin Islands, was postponed pending further notice by the Chairman of said committee; and

Whereas, the public hearing scheduled to be held by the special industry committee for the Municipality of Saint Croix, Virgin Islands, was on March 31, 1944 postponed by the Chairman of said committee pending further notice by him.

Now, therefore, notice is hereby given to all interested persons that special industry committee for the Municipality of Saint Croix, Virgin Islands, will convene and hold a public hearing beginning on May 1, 1944 at 10:00 a. m. at the District Court Room, Christiansted, Saint Croix, Virgin Islands, for the purpose of receiving evidence to be considered by the special industry committee for the Municipality of Saint Croix, Virgin Islands, in determining the highest minimum wage rates for all employees in said municipality who, within the meaning of the Fair Labor Standards Act of 1938, are "engaged in commerce or in the production of goods for commerce" which, having due regard to economic and competitive conditions will not substantially curtail employment and will not give any industry in the Virgin Islands a competitive advantage over any industry in the United States, outside of the Virgin Islands.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations at the special industry com-

mittee for the Municipality of Saint Croix may make.

The hearing will be conducted in accordance with the notice of the hearing heretofore published in the FEDERAL REGISTER on March 10 1944, and in accordance with such rules of procedure as the committee may adopt.

Signed at San Juan, Puerto Rico, this 14th day of April, 1944.

JOHN A. LAPP,
Chairman, Special Industry Committee for the Municipality of Saint Croix, Virgin Islands.

[F. R. Doc. 44-5466; Filed, April 18, 1944, 10:30 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6586]

GOVERNMENT TELEGRAPH COMMUNICATIONS BETWEEN U. S. AND TURKEY

ORDER OF SUSPENSION AND INVESTIGATION

In the matter of increased charges for Government telegraph communications between the United States and Turkey.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of April 1944;

It appearing that The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company have filed with the Commission tariff schedules, to become effective April 15, 1944, stating new increased charges for United States, British, and Turkish Government telegraph messages from the United States to Turkey via the so-called London-Eastern and London-Wireless routes; said tariff schedules being designated as follows:

The Commercial Cable Company: F. C. C. No. 2; 7th Revised Page 70.

Mackay Radio and Telegraph Company: F. C. C. No. 2; 11th Revised Page 103, 9th Revised Page 123.

The Western Union Telegraph Company: F. C. C. No. 180; 8th Revised Page 45.

It further appearing that said tariff schedules state increased charges for United States, British, and Turkish Government communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said schedules, insofar as they relate to increased charges for telegraph communications from the United States to Turkey should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, shall enter upon a hearing concerning the lawfulness of the charges set forth in the above-cited tariff schedules, insofar as such charges relate to United States, British, and Turkish Government telegraph communications from the United States to Turkey;

It is further ordered, That the operation of the above-cited tariff schedules, insofar as they provide for increased charges for and in connection with United States, British, and Turkish Government telegraph communications from the United States to Turkey, be suspended; that the use of the charges therein stated as applicable to such communications be deferred until July 15, 1944, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices, and services of all the United States carriers furnishing telegraph communication service between the United States and Turkey, for and in connection with United States, British, and Turkish Government telegraph communication service between the United States and Turkey;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company, and all other carriers subject to the Commission's jurisdiction participating in the service provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected, or received by reason of any increase in charges effected thereby; that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid; and The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company, and each of the other participating carriers referred to above shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing August 10, 1944, showing the amounts accounting for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order shall be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., The Western Union Telegraph Company, R. C. A. Communications, Inc., and the said carrier parties to such tariff schedules be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent, and upon the Office of Price Administration;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing beginning at 10:00 a. m. on the 18th day of May, 1944 at the offices of the Federal Communications Commission, in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5462; Filed, April 18, 1944; 11:40 a. m.]

[Docket Nos. 6587, 6588]

AMERICAN HOTEL ASSN. AND BOWMAN-BILTMORE HOTELS CORP., ET AL.

ORDER SETTING HEARING DATE

American Hotel Association and Bowman-Biltmore Hotels Corporation, Complainants, v. American Telephone and Telegraph Company et al., Defendants, Docket No. 6587; Hotel Association of Washington, D. C., Inc., Complainant, v. American Telephone and Telegraph Company and The Chesapeake and Potomac Telephone Company, Defendants, Docket No. 6588.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of April, 1944;

The Commission, having under consideration a complaint filed on February 26 by the American Hotel Association and Bowman-Biltmore Hotels Corporation, and a complaint filed on February 28, 1944, by the Hotel Association of Washington, D. C., Inc., against the American Telephone and Telegraph Company and Associated Companies, regarding a tariff regulation filed with the Commission by the defendant telephone companies, effective February 15, 1944, prohibiting the collection by any hotel, apartment house, or club of any charge for use of interstate and foreign message toll telephone service other than the message toll charges of the telephone companies specified in their filed tariffs; and having also under consideration answers to the above complaints filed on April 1 and 3, 1944, by defendant telephone companies;

It is ordered, That a hearing be, and the same is hereby directed to be held with respect to the above complaints, beginning at 10:00 a. m. on the 17th day of May, 1944, at the offices of the Commission in Washington, D. C.:

It is further ordered, That Commissioners Walker and Wakefield, or either of them, be, and they are hereby authorized to conduct the proceedings herein, and to submit appropriate reports thereon.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5481; Filed, April 18, 1944; 11:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437, G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING DATE OF HEARING

APRIL 15, 1944.

It appearing to the Commission that:

Good cause exists for postponement of the hearing in the above entitled matters;

mittee for the Municipality of Saint Croix may make.

The hearing will be conducted in accordance with the notice of the hearing heretofore published in the FEDERAL REGISTER on March 10 1944, and in accordance with such rules of procedure as the committee may adopt.

Signed at San Juan, Puerto Rico, this 14th day of April, 1944.

JOHN A. LAPP,
Chairman, Special Industry Committee for the Municipality of Saint Croix, Virgin Islands.

[F. R. Doc. 44-5466; Filed, April 18, 1944, 10:30 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6586]

GOVERNMENT TELEGRAPH COMMUNICATIONS BETWEEN U. S. AND TURKEY

ORDER OF SUSPENSION AND INVESTIGATION

In the matter of increased charges for Government telegraph communications between the United States and Turkey.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of April 1944;

It appearing that The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company have filed with the Commission tariff schedules, to become effective April 15, 1944, stating new increased charges for United States, British, and Turkish Government telegraph messages from the United States to Turkey via the so-called London-Eastern and London-Wireless routes; said tariff schedules being designated as follows:

The Commercial Cable Company: F. C. C. No. 2: 7th Revised Page 70.

Mackay Radio and Telegraph Company: F. C. C. No. 2: 11th Revised Page 103, 9th Revised Page 128.

The Western Union Telegraph Company: F. C. C. No. 180: 8th Revised Page 45.

It further appearing that said tariff schedules state increased charges for United States, British, and Turkish Government communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said schedules, insofar as they relate to increased charges for telegraph communications from the United States to Turkey should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, shall enter upon a hearing concerning the lawfulness of the charges set forth in the above-cited tariff schedules, insofar as such charges relate to United States, British, and Turkish Government telegraph communications from the United States to Turkey;

It is further ordered, That the operation of the above-cited tariff schedules, insofar as they provide for increased charges for and in connection with United States, British, and Turkish Government telegraph communications from the United States to Turkey, be suspended; that the use of the charges therein stated as applicable to such communications be deferred until July 15, 1944, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices, and services of all the United States carriers furnishing telegraph communication service between the United States and Turkey, for and in connection with United States, British, and Turkish Government telegraph communication service between the United States and Turkey;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company, and all other carriers subject to the Commission's jurisdiction participating in the service provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected, or received by reason of any increase in charges effected thereby; that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid; and The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., and The Western Union Telegraph Company, and each of the other participating carriers referred to above shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing August 10, 1944, showing the amounts accounting for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order shall be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that The Commercial Cable Company, Mackay Radio and Telegraph Company, Inc., The Western Union Telegraph Company, R. C. A. Communications, Inc., and the said carrier parties to such tariff schedules be, and they are hereby, each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent, and upon the Office of Price Administration;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing beginning at 10:00 a. m. on the 16th day of May, 1944 at the offices of the Federal Communications Commission, in Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5462; Filed, April 18, 1944; 11:40 a. m.]

[Docket Nos. 6587, 6588]

AMERICAN HOTEL ASSN. AND BOWMAN-BILTMORE HOTELS CORP., ET AL.

ORDER SETTING HEARING DATE

American Hotel Association and Bowman-Biltmore Hotels Corporation, Complainants, v. American Telephone and Telegraph Company et al., Defendants, Docket No. 6587; Hotel Association of Washington, D. C., Inc., Complainant, v. American Telephone and Telegraph Company and The Chesapeake and Potomac Telephone Company, Defendants, Docket No. 6588.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of April, 1944;

The Commission, having under consideration a complaint filed on February 26 by the American Hotel Association and Bowman-Biltmore Hotels Corporation, and a complaint filed on February 28, 1944, by the Hotel Association of Washington, D. C., Inc., against the American Telephone and Telegraph Company and Associated Companies, regarding a tariff regulation filed with the Commission by the defendant telephone companies, effective February 15, 1944, prohibiting the collection by any hotel, apartment house, or club of any charge for use of interstate and foreign message toll telephone service other than the message toll charges of the telephone companies specified in their filed tariffs; and having also under consideration answers to the above complaints filed on April 1 and 3, 1944, by defendant telephone companies;

It is ordered, That a hearing be, and the same is hereby directed to be held with respect to the above complaints, beginning at 10:00 a. m. on the 17th day of May, 1944, at the offices of the Commission in Washington, D. C.;

It is further ordered, That Commissioners Walker and Wakefield, or either of them, be, and they are hereby authorized to conduct the proceedings herein, and to submit appropriate reports thereon.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-5481; Filed, April 18, 1944; 11:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437, G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING DATE OF HEARING

APRIL 15, 1944.

It appearing to the Commission that:

Good cause exists for postponement of the hearing in the above entitled matters;

The Commission orders that:

The public hearing heretofore set for April 19, 1944, in Docket Nos. G-437 and G-521 be and the same is hereby postponed to May 17, 1944, at 9:45 a. m. in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5468, Filed, April 18, 1944; 10:23 a. m.]

[Docket No. G-537]

KANSAS CONSOLIDATED GAS CORP.

NOTICE OF APPLICATION

APRIL 17, 1944.

Notice is hereby given that on April 8, 1944, Kansas Consolidated Gas Corporation (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to construct and operate the following facilities:

(i) A gas compressor station of 5,600 horsepower capacity to be located in Stevens County, Kansas, in the Hugeton gas field, together with various compressor station structures;

(ii) Approximately 215 miles of 18-inch natural gas main transmission pipe line extending from the aforesaid compressor station in a northeasterly direction to a point approximately one mile west of Wichita, Kansas;

(iii) Approximately 3 miles of 14-inch pipe line comprising two lines connecting the eastern terminus of the aforesaid 18-inch line with the Consolidated Gas Utilities Corporation's Wichita Town Border Station and Wichita Compressor Station;

(iv) A dehydration plant to be located at a strategic point on the aforesaid main transmission pipe line;

(v) Approximately 12 miles of telephone line extending from the compressor station referred to in (i) above to either Hugoton or Liberal, Kansas;

(vi) Requisite meters, regulators, valves, fittings, connections, tools and equipment and structures for use in connection with the proposed facilities.

The Applicant states that a considerable portion of the gas supplied through the proposed facilities will be delivered to Consolidated Gas Utilities Corporation and thereby permit that company to meet the retail and wholesale demands upon its system extending from Wheeler County, Texas, north to Wichita and Lyons, Kansas. In addition, it is proposed to sell gas to other companies to assist them in meeting their demands.

Any person desiring to be heard or to make any protest with reference to this application should, on or before May 6, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5467; Filed, April 18, 1944; 10:23 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Maximum Import Price Reg., Order 13]

NATURAL MENTHOL

PURCHASES BEFORE IMPORTATION

Order No. 13 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, It is ordered:

(a) *Effect of this order.* This order establishes maximum prices for all purchases of natural menthol before importation and maximum prices for all sales of natural menthol produced outside the continental United States.

(b) *Purchases of natural menthol before importation.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after April 17, 1944, regardless of any contract, agreement or other obligation, no person in the course of trade or business shall buy or receive any natural menthol U. S. P., to be imported into the continental United States at a price that will result in a cost in excess of $15.00 per pound, f. o. b., duty paid, any U. S. port of entry: *Provided, however*, That any purchase contract previously made at a higher price, for which an irrevocable letter of credit has been established prior to April 17, 1944, may be completed and delivery taken after April 17, 1944, at the contract price.

(c) *Sales of natural menthol.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after April 17, 1944, regardless of any contract, agreement or other obligation, no person in the continental United States in the course of trade or business shall sell or deliver natural menthol, U. S. P., produced outside the continental United States, and no person in the course of trade or business shall buy or receive such menthol from such person, at prices higher than the maximum prices set forth below:

(1) Sales by importers to industrial users or to repackagers:

Sold in quantities of	*Maximum prices, per pound, f. o. b., duty paid, any U. S. port of entry*
500 lb. lots or over in original containers	$16.50
100 up to 500 lbs. in original containers	16.75
10 up to 100 lbs. in original containers	16.90

(2) Sales by repackagers to wholesalers and industrial users (excluding retail druggists):

Repackaged container size	Sold in quantities of—	
	10 pounds or more	Less than 10 pounds
	Per lb.	*Per lb.*
1 pound	$20.82	$20.87
½ pound	20.92	20.97
¼ pound	21.00	21.05
1 ounce	22.10	22.10

(3) Sales by wholesalers to industrial users and retail druggists:

Repackaged container size:	*Maximum prices*
1 lb.	$27.13 per lb.
½ lb.	$13.63 per ½ lb.
¼ lb.	$6.94 per ¼ lb.
1 oz.	$1.80 per oz.

(d) *Sales in other sized containers.* The maximum prices for sales in container sizes for which no maximum prices are listed in this order, shall be the maximum prices applicable to the next larger container size.

(e) *Discounts, credit terms and transportation charges.* Each seller shall apply to the maximum prices established by this order the same discounts, credit terms, and practices relating to the payment of freight charges which he used on or about October 15, 1941, on sales of natural menthol, U. S. P.

(f) *Brokers or agents commissions.* The maximum prices established in this order may not be increased by any commission paid to any broker or to any buying or selling agent.

(g) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

(h) *Definitions.* As used in this order the term:

"Importer" means the person in the continental United States who purchases natural menthol, U. S. P., from the foreign seller whose place of business is located outside the continental United States.

"Repackager" means any person who removes natural menthol from its original container and repackages it in smaller units for resale. An importer who repackages natural menthol in this manner shall be included within the term "repackager."

"Wholesaler" means any person who sells repackaged natural menthol, U. S. P., directly to industrial users or retail druggists. A repackager who sells directly to retail druggists shall be included within the term "wholesaler."

"Industrial user" means any person who subjects natural menthol to a process or processes that result in the production of a new and different article having a distinctive name, character or use, or who uses it as an ingredient or a component part of such an article.

(i) *Current records.* Every person making a sale in any quantity of natural menthol, U. S. P., for which maximum prices are established by this order shall prepare and preserve complete and accurate records of each sale for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect. Such records shall include:

1. Name and address of the buyer.
2. The date of the sale.
3. The quantity sold and the size of the container.
4. The price charged.
5. The cash discount or credit terms.
6. Any transportation charges.

This Order No. 13 shall become effective April 17, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5856; Filed, April 15, 1944; 12:07 p. m.]

[MPR 193, Order 6]

AMERICAN DISTILLING CO.

ESTABLISHMENT OF CEILING PRICES FOR DOMESTIC DISTILLED SPIRITS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1430.13 (c) of Maximum Price Regulation 193 and § 1499.3 (b) (3) of the General Maximum Price Regulation, it is ordered that:

SECTION 1. *Explanation of this order*—(a) *Purpose.* This order is issued to establish (where necessary) and to gather into a single document the most important provisions relative to ceiling prices of sellers of certain packaged whiskey to be sold under the brand names "Privilege" and "Prerogative" as the result of a transfer of whiskey by The American Distilling Company (a Maryland corporation) to Gilbert B. Geiger, Trustee under Trust Indenture dated December 11, 1943; to establish ceiling prices for "clearing" that whiskey ("clearing" being defined in section 10 of this order); to require certain sellers of that whiskey to make reports to the Office of Price Administration, and to afford a convenient means of directing attention to and giving notice of those ceiling prices and requirements.

(b) *Certain definitions.* "Trustee" as used in this order means Gilbert B. Geiger as Trustee under Trust Indenture made and executed December 11, 1943 by The American Distilling Company (a Maryland corporation) and includes his successors in trust.

"Privilege Whiskey" as used in this order means a blend of straight whiskeys 80.6° proof, 25% straight whiskey four years old, 27% straight whiskey three years old, and 48% straight whiskey two years old, in packages each containing 4/5 quart thereof, bearing the brand name "Privilege" on their front labels. A case of that whiskey means twelve of such packages in an individual shipping container.

"Prerogative Whiskey" as used in this order means rye or bourbon whiskey 100° proof, bottled in bond, in packages each containing one quart thereof and bearing the brand name "Prerogative" on their front labels. A case of that whiskey means twelve of such packages in an individual shipping container.

"Price" as used in this order means the consideration requested or received in connection with the sale of merchandise or supplying of a service.

"Ceiling price" as used in this order means the highest price that may be charged, demanded, paid or received.

(c) *April 1, 1944 increase in Federal excise taxes.* The ceiling prices provided in sections 2 through 6 of this order include Federal excise taxes at rates in effect prior to April 1, 1944. On that date the Federal excise tax applicable to "Privilege" whiskey increases $5.83 per case and the tax applicable to "Prerogative" increases $9.00 per case. By the use of footnotes provision is made in this order for adding the April 1, 1944 Federal excise tax increase to ceiling prices on all whiskey with respect to which the seller pays the increase. A seller may add only the exact amount of that tax increase applicable without markup thereon or other addition thereto. On and after April 1, 1944 every seller must state on each invoice to any customer that the prices in the invoice include the increase effective April 1, 1944 in United States excise taxes and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this provision:

> Our invoice prices include the increase effective April 1, 1944 in United States excise taxes. OPA regulations prohibit a markup on the amount thereof.

SEC. 2. *Ceiling prices for sales of "Privilege" and "Prerogative" whiskey by special sellers.* "Special seller" means a person (regardless of whether a stockholder of The American Distilling Company) not customarily engaged in the business of buying and selling distilled spirits as a wholesaler, retailer, primary distributing agent or monopoly state, who sells or offers for sale "Privilege" or "Prerogative" whiskey in accordance with a special license or permit authorizing him to receive and dispose of that whiskey issued under applicable state laws or regulations. It also includes a person who sells or offers to sell such whiskey without license or permit.

(a) *Prices.* The ceiling prices of a special seller for a sale of "Privilege" or "Prerogative" whiskey shall be as follows:

(1) *Sales to wholesalers and monopoly states.* Ceiling prices per case f. o. b. special seller's shipping point are the total of the following:

(i) $15.17 [1] per case of "Privilege" or $23.25 [2] per case of "Prerogative" whiskey; plus

(ii) Freight per case from the bottling plant to the special seller's receiving point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes imposed on and paid by the special seller with respect to the whiskey being priced.

(2) *Sales to retailers and to all other persons except wholesalers and monopoly states.* Ceiling prices per case f. o. b. special seller's shipping point are the total of the following:

(i) $15.17 per case of "Privilege" or $23.25 per case of "Prerogative" whiskey; plus

(ii) Freight per case from the bottling plant to the special seller's receiving point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes at rates in effect on November 2, 1942 imposed on and paid by the special seller with respect to the whiskey being priced; plus

(iv) 15% of the total of (i), (ii) and (iii) immediately above; [3] plus

(v) The applicable amount of any new state or local excise tax first imposed by statute effective after November 2, 1942 and the applicable amount of any increase effective after November 2, 1942 in state or local excise taxes on that date, imposed on and paid by the special seller with respect to the whiskey being priced.

(3) *Sales of individual packages.* A special seller's ceiling price for sales of one or more individual packages of "Privilege" or "Prerogative" whiskey to a purchaser of any class shall be one-twelfth of his ceiling price per case to a purchaser of that class, multiplied by the number of individual packages being priced.

(b) *Reports.* A special seller selling or transferring (by gift or otherwise) any "Privilege" or "Prerogative" whiskey shall file a report of the sale or transfer with the District Office of the Office of Price Administration having jurisdiction over the territory in which he resides. The report shall be in writing, signed by the special seller, shall be filed within five days after the sale or transfer has been made and shall contain statements showing:

(1) The name and address of the special seller filing the report.

(2) The name and address of the buyer or transferee.

(3) The date of the sale or transfer.

(4) The quantity (in terms of cases) of each brand of the whiskey sold or transferred in the transaction reported.

(5) The special seller's ceiling price for the sale or transfer of the whiskey described in the report and his computation thereof.

(6) The total price which the buyer paid or contracted to pay for each brand of the whiskey sold or transferred, or if the transfer was made as a gift, a statement to that effect.

(7) The amount of all clearance charges which the special seller has paid with respect to the quantity of whiskey described in the report and the name and address of the persons to whom they were paid.

(8) Whether to the knowledge of the special seller, the buyer or transferee has paid or contracted to pay any commission, brokerage or fee in connection with the sale or transfer reported, and if known to the special seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made. If the special seller has no knowledge of such commission, brokerage or fee which the buyer paid or contracted to pay, the report shall so state.

[1] $5.83 may be added to this amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

[2] $9.00 may be added to this amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

[3] For "Privilege" $5.83, and for "Prerogative" $9.00 may be added to this resulting amount if the April 1, 1944 increase in Federal excise tax is paid with respect to the whiskey being priced.

The report required by this paragraph need not be filed if the quantity of such whiskey sold or transferred by the special seller to the buyer or transferee (in all transactions with that buyer or transferee) totals less than one case.

SEC. 3. *Ceiling prices for sales of "Privilege" and "Prerogative" whiskey by wholesalers*—(a) *Initial ceiling prices.* The ceiling prices of a wholesaler for sales of "Privilege" or "Prerogative" whiskey to customers of a particular class shall be the appropriate amounts [4] determined in accordance with section 5.4 (b) of Maximum Price Regulation 445 using $15.17 per case for "Privilege" and $23.25 per case for "Prerogative" whiskey, respectively, as his supplier's selling price (exclusive of state or local excise taxes) for purposes of determining his net cost for such whiskey he purchases from the trustee.

(b) *Changes in ceiling prices.* Wholesalers who receive purchases of either "Privilege" or "Prerogative" whiskey after receipt of their first purchase thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices [4] shall become their ceiling prices therefor, all as provided in section 5.4 (c) of Maximum Price Regulation 445. For purposes of refiguring ceiling prices, any purchase of "Privilege" or "Prerogative" whiskey, but no purchase of any whiskey of a different brand name shall be deemed a "base purchase" thereof within the meaning of that section.

SEC. 4. *Ceiling prices for sales of "Privilege" and "Prerogative" whiskey by monopoly states*—(a) *Initial ceiling prices.* The initial ceiling prices of a monopoly state for sales of "Privilege" or "Prerogative" whiskey to customers of a particular class shall be the appropriate amounts [4] determined in accordance with section 5.6 (b) of Maximum Price Regulation 445, using $15.17 per case for "Privilege" and $23.25 per case for "Prerogative" whiskey, respectively, as its supplier's selling price (exclusive of state excise taxes) for purposes of determining its net cost for such whiskey it purchases from the Trustee.

(b) *Changes in ceiling prices.* Monopoly states who receive purchases of either "Privilege" or "Prerogative" whiskey after receipt of their first purchases thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices [4] shall become their ceiling prices therefor, all as provided in section 5.6 (c) of Maximum Price Regulation 445. For purposes of refiguring ceiling prices, any purchase of "Privilege" or "Prerogative" whiskey, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of that section.

SEC. 5. *Ceiling prices for sales of "Privilege" and "Prerogative" whiskey by retailers*—(a) *Prices.* The ceiling prices of a retailer for sales of "Privilege" or "Prerogative" whiskey per case shall be as follows:

(1) *Sales to consumers*—(i) *Initial ceiling prices.* The initial ceiling prices of a retailer for sales of "Privilege" or "Prerogative" whiskey to customers of a particular class shall be the appropriate amounts [4] determined in accordance with section 5.5 (b) of Maximum Price Regulation 445 using $15.17 per case for "Privilege" and $23.25 per case for "Prerogative" whiskey, respectively, as his supplier's selling price (exclusive of state and local excise taxes) for purposes of determining his net cost for such whiskey he purchases from the Trustee.

(ii) *Changes in ceiling prices.* Retailers who receive a purchase of either "Privilege" or "Prerogative" whiskey after receipt of their first purchase thereof from any seller shall refigure their ceiling prices for the particular brand, and such refigured ceiling prices [4] shall become their ceiling prices for "Privilege" or "Prerogative" whiskey, respectively, all as provided in section 5.5 (c) of Maximum Price Regulation 445, except that a retailer shall use his "running weighted average net cost" instead of his "net cost for his most recent purchase" in determining his refigured ceiling prices for that whiskey. For purposes of refiguring ceiling prices, any purchase of "Privilege" or "Prerogative" whiskey, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of that section.

A retailer's "running weighted average net cost" means the amount obtained by:

(a) Determining his net cost exclusive of the April 1, 1944 increase in Federal excise tax for each case of "Privilege" or "Prerogative" whiskey, respectively, in his stock on the date of his computation. If the retailer has received two or more shipments of the whiskey to be priced (exclusive of his most recent shipment) he shall use as his net cost for any of that whiskey remaining in his stock on the date of computation, his most recent running average weighted net cost for that whiskey.

(b) Adding together the resulting figures obtained at (a); and

(c) Dividing the sum obtained at (b) by the total number of cases of "Privilege" or "Prerogative" whiskey, respectively, he has in his stock.

(2) *Sales to wholesalers, monopoly states and other retailers.* The ceiling price of a retailer for sales of "Privilege" or "Prerogative" whiskey to wholesalers, monopoly states and other retailers shall be his "running weighted average net cost" [4] for "Privilege" or "Prerogative" whiskey, respectively, at the date of sale.

(b) *Records.* Any retailer selling "Privilege" or "Prerogative" whiskey shall, for so long as the Emergency Price Control Act of 1942 remains in effect, keep available for inspection by the Office of Price Administration, records of the same kind as he customarily keeps and in addition thereto (unless his customary records so show) records showing separately for "Privilege" and "Prerogative" whiskey the date of each of his purchases of such whiskey, the name and address of the seller, the number of cases purchased, his net cost for the purchase and his computations of his running weighted average net cost for that whiskey.

SEC. 6. *Ceiling prices for sales of packaged domestic whiskey by the Trustee.* The appropriate ceiling prices [4] provided by Appendix E, Article III, Maximum Price Regulation 445, are and shall be applicable to all sales of "Privilege" or "Prerogative" whiskey by the Trustee.

SEC. 7. *Persons unable to determine ceiling prices.* A person who cannot determine his ceiling price for a particular sale of "Privilege" or "Prerogative" whiskey under other provisions of this order shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a ceiling price be established for that sale. The letter shall contain statements setting forth:

(1) The name and address of the person making application.

(2) The quantity and brand name of the whiskey to be sold.

(3) The reason why a ceiling price for the sale cannot be determined under other provisions of this order.

After receipt of the application, the Office of Price Administration will by order authorize a ceiling price for the applicant or for sellers of the whiskey generally including purchasers for resale, or for a class of such sellers. Until a ceiling price is authorized, the applicant may make the sale and deliver the whiskey but he may not receive any payment for it.

SEC. 8. *Reports by the Trustee—Trustee's report of sales of "Privilege" and "Prerogative" whiskey.* Within 15 days after his first shipment of "Privilege" or "Prerogative" whiskey pursuant to any purchase, and bi-monthly thereafter, until 15 days after his last shipment, the Trustee shall report all his shipments of "Privilege" and "Prerogative" whiskey during the preceding period to the Office of Price Administration, Washington, D. C. Such reports shall be in writing, signed by the Trustee and shall contain statements showing, with respect to each shipment:

(1) The name and address of the purchaser.

(2) The name and address of the consignee.

(3) The date on which shipment was made.

(4) The quantity (in cases) of each brand of whiskey.

SEC. 9. *Notice of this order to be given by the Trustee.* At or prior to his first shipment of any "Privilege" or "Prerogative" whiskey pursuant to a particular purchase order, and to a particular consignee, the Trustee shall notify the purchaser (and the consignee if he be a person other than the purchaser) of the provisions of this order, by delivering or mailing a copy thereof to such persons. Only one such notice need be given to a particular purchaser or consignee.

SEC. 10. *Ceiling prices for clearing*—(a) *Prices.* Ceiling prices for clearing "Privilege" and "Prerogative" whiskey shall be as follows:

(1) *Clearing by wholesalers or retailers.* A wholesaler's or retailer's ceiling price for clearing "Privilege" or "Prerogative" whiskey shall be $1.00 per case.

(2) *Clearing by monopoly states.* A monopoly state's ceiling price for clearing "Privilege" or "Prerogative" whiskey

[4] Footnote on p. 4167.

shall be the amount produced by subtracting from $15.17 per case for "Privilege" or $22.25 per case for "Prerogative" whiskey the sums of $3.91 or $6.00 respectively, and multiplying the resulting figure by the highest percentage in use during March 1942 for the monopoly state's sales of domestic whiskey to a customer of the same class as the purchaser, according to the statute, ordinance or regulation then prescribing its markup.

(2) *Prohibition.* No consideration or markup in excess of the appropriate amounts stated in subparagraphs (1) and (2) of this paragraph may be charged, received or paid for clearing.

(b) *No charge for clearing in certain instances.* No wholesaler, retailer or monopoly state purchasing "Privilege" or "Prerogative" whiskey which he has cleared shall charge, or retain a payment previously received for clearing the whiskey so purchased. If a clearing charge has been made or received by the purchasing wholesaler, retailer or monopoly state with respect to the whiskey so purchased, such charge shall be cancelled, or if paid, shall be refunded to the seller or his nominee.

"Clearing" means the service performed by a wholesaler, retailer or monopoly state in receiving "Privilege" or "Prerogative" whiskey sold by the Trustee to a person exercising an option to purchase that whiskey under the Trust Indenture under which the Trustee acts, and delivering the whiskey to or for the account of that person, his nominee or his successor in interest. The term also includes handling incident to receipt and delivery. Receiving and delivering such whiskey as a nominal purchaser, for accommodation of another, shall be deemed "clearing."

SEC. 11. *License, brokerage and other fees.* No person may add to or increase his ceiling prices for "Privilege" or "Prerogative" whiskey provided in this order, because of any sum paid for licenses, permits, clearing service, brokerage, finder's fees, shares of stock, stock transfer taxes, assignments of purchase privileges or orders or for other expense not specifically provided for under sections 2 through 6 of this order.

SEC. 12. *Terms of sale.* If a seller directly or indirectly requires a purchaser to make or furnish any payment in advance of delivery of "Privilege" or "Prerogative" whiskey, or the rendition of a service for which a ceiling price is established by this order, whether to the seller or to another person, the seller's ceiling price for that whiskey or service shall be reduced by an amount equal to interest at the rate of 6% per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the service supplied, or the payment is refunded to the purchaser.

SEC. 13. *Miscellaneous.* (a) To the extent consistent with this order, the appropriate provisions of Maximum Price Regulation 445 are incorporated herein and shall apply to sales of "Privilege" and "Prerogative" whiskey by the sellers described herein.

(b) The provisions of this order shall not operate to make lawful or to permit any sale or transfer, or handling or dealing in "Privilege" or "Prerogative" whiskey otherwise prohibited or controlled by Federal, state or local laws, ordinances or regulations, and shall not be deemed a recognition of the validity of the Trust Indenture under which the Trustee acts, or a determination of his relationship to The American Distilling Company.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 17, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5360; Filed, April 15, 1944; 12:02 p. m.]

WAR FOOD ADMINISTRATION.

[License No. 32]

MILK IN TWIN CITIES, MINN., SALES AREA

ORDER TERMINATING LICENSE

The license for milk in the Twin Cities, Minnesota, sales area, issued by the Secretary of Agriculture on February 12, 1934, pursuant to the powers vested in him by the terms and provisions of Public Act No. 10, 73d Congress, May 12, 1933, is hereby terminated effective as of the date of the execution hereof.

Done at Washington, D. C., this 18th day of April 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-5430; Filed, April 18, 1944; 11:16 a. m.]

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VOLUME 9 NUMBER 79

Washington, Thursday, April 20, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS GENERALLY

CONSOLIDATED BONDS

Part 10 of Chapter I, Title 6, Code of Federal Regulations is hereby amended by adding §§ 10.530–50 and 10.530–51, to read as follows:

§ 10.530–50 *Method of calling consolidated Federal farm loan bonds.* When any Federal land bank shall desire to call for redemption any consolidated Federal farm loan bonds outstanding on its behalf, it shall, pursuant to appropriate authorization of the 12 Federal land banks, file with the Farm Credit Administration, at least 20 days prior to the date on which the call is to become effective, a certified copy of a resolution of its board of directors authorizing such call. The Land Bank Commissioner shall, at least 15 days prior to the date on which the call is to become effective, approve or disapprove the call and, if the call is approved, shall cause formal notice thereof to be published, at least 15 days prior to the effective date of the call, in the FEDERAL REGISTER and through any other facilities that the Farm Credit Administration may elect. Such notice shall describe the bonds so called for redemption and shall designate the place or places where and the date on and after which they will be payable. Approval of the call and publication of notice as herein required shall be deemed a complete call. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

§ 10.530–51 *Call for less than entire issue of consolidated Federal farm loan bonds.* In any case in which it is desired to call for redemption less than all of the outstanding bonds of any issue or issues, the bonds to be so called shall be selected in such manner as the Land Bank Commissioner shall prescribe.

(Sec. 20, 39 Stat. 377, 12 U.S.C. 862)

[SEAL] W. E. REA,
Land Bank Commissioner.

[F. R. Doc. 44-5547; Filed, April 19, 1944; 11:26 a. m.]

PART 27—THE FEDERAL LAND BANK OF SAINT PAUL

FEES

Sections 27.2, 27.4 and 27.5 of Title 6, Code of Federal Regulations, are hereby revoked. (Res. Bd. Dir., March 24, 1944.)

[SEAL] THE FEDERAL LAND BANK, OF ST. PAUL,
W. R. FANKHANEL,
Vice President.

[F. R. Doc. 44-5516; Filed, April 18, 1944; 4:54 p. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Determinations)

PART 802—SUGAR DETERMINATIONS

1944 WAGE RATES FOR LOUISIANA SUGARCANE

Amendment to determination of fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1944.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, paragraph (b) of the "Determination of Fair and Reasonable Wage Rates for Persons Employed in the Production and Cultivation of Sugarcane in Louisiana during the Calendar Year 1944", issued March 10, 1944, is hereby amended to read as follows:

§ 802.24 *Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1944.* * * *

(b) *On a piece rate basis.* For all classes of work performed on a piece rate basis the earnings per hour or per day shall be not less than the applicable rates per hour or per day specified under (a) above: *Provided, however,* That minimum earnings per hour or per day shall not apply to prisoners of war but they

(Continued on p. 4169)

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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shall be paid at the same piece rate as other laborers.

(50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 9334; 8 F.R. 3807; 5423)

Done at Washington, D. C., this 19th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–5548; Filed, April 19, 1944; 11:25 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

MUSTERING-OUT PAYMENTS

Section 36.75 is added as follows:

§ 36.75 *Claims of surviving spouse, child or children, or parents for mustering-out payment*—(a) *General.* (1) The Mustering-Out Payment Act of 1944, Public Law 225—78th Congress, provides for payment of a mustering-out payment to each member of the armed forces who shall have been engaged in active service in the present war, and who is discharged or relieved from active service under honorable conditions on or after 7 December 1941, with certain exceptions stated in the Act.

(2) If any member of the armed forces, after his discharge or relief from active service, dies before receiving any portion or the full amount of his mustering-out payment, the balance of the amount due him will be payable, on appropriate application therefor, to the surviving spouse, if any; and if there is no surviving spouse, then in equal shares to his child or children, if any; and if there is no surviving spouse, child or children, then in equal shares to the surviving parents, if any. Mustering-out payment will not be made to any person other than the surviving spouse, child or children, or parents in the order stated. The term "spouse" means a lawful wife or husband. The term "child" includes a legitimate child; a child legally adopted; and a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household. The term "parent" includes father and mother, stepfather and stepmother, and father and mother through adoption.

(b) *Payments to survivors*—(1) *General*—(i) *By whom made.* All mustering-out payments to survivors will be made by the Finance Officer, U. S. Army, Washington 25, D. C.

(ii) *Necessity for application.* No mustering-out payment shall be made to any survivor without an appropriate written application therefor.

(iii) *Definition of "balance of amount due".* The words, "balance of amount due," contained in section 4 of the above-mentioned act shall be construed to mean the full sum remaining unpaid to the veteran at the time of his death, and such sum shall be payable to a qualified survivor in a lump sum and not on an installment basis. For example, if a veteran entitled to a mustering-out payment of $300 shall die after receipt of the initial installment of $100, the sum of $200 shall be payable immediately to the qualified survivor.

(iv) *Payments to personal representatives not authorized.* No mustering-out payment shall be made to the executor, administrator, or other person representing the veteran or any survivor, except as provided in subdivision (v) of this subparagraph.

(v) *Payments to guardians and committees of survivors.* Where a survivor otherwise entitled to mustering-out payment is prevented from applying for and/or receiving such payment because of minority or mental incompetency, an application may be received from and payment made to the guardian or committee of such survivor. In such case, the check covering the payment will name the payee thereof as follows: "Richard Roe, Guardian for John Doe," or "Richard Roe, Committee for John Doe," as appropriate. All mustering-out payments to the guardians and committees of survivors will be made by the Finance Officer, U. S. Army, Washington 25, D. C.

(2) *Payments to a spouse.* Mustering-out payment shall be made to the spouse of a deceased veteran who is otherwise entitled thereto only if such spouse shall have survived the veteran, and have submitted an appropriate application therefor.

(3) *Payments to a child or children.* Mustering-out payment shall be made to the child (or children) of a deceased veteran who is otherwise entitled thereto, only if such child (or children) shall have survived the veteran, have submitted an appropriate application therefor, and the veteran shall not have been survived by a spouse.

(4) *Payment to a parent or parents.* (i) The word "parents" as used in section 4 of the act shall be construed to mean either the sole surviving parent or the surviving parents of the deceased veteran. Mustering-out payment shall be made to the parent (or parents) of a deceased veteran who is otherwise entitled thereto, only if such parent (or parents) shall have survived the veteran, have submitted an appropriate application therefor, the veteran shall not have been survived by a spouse, and the veteran shall not have been survived by a child (or children).

(ii) Natural parents of the veteran are not entitled to mustering-out payments where the veteran had been legally adopted to his death. Payments may be made by the designated disbursing officer to natural parents, step-parents where natural parents are deceased, and to adoptive parents even though natural parents may be living, if otherwise entitled thereto. Where payments to two parents are to be made, separate checks will be drawn in favor of each parent, or the guardian or committee of such parent, if appropriate.

(iii) Persons who stood in loco parentis to the deceased veteran are not entitled to mustering-out payment. (Act of 3 February 1944, Public Law 225—78th Congress) [Pars. 1 and 6, W. D. Cir. 50, 4 February 1944, and Par. 4, W.D. Cir. 138, 11 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–5519; Filed, April 18, 1944; 4:54 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amdt. 60–5]

PART 60—AIR TRAFFIC RULES

RANGE APPROACH CHANNEL

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 17th day of April 1944.

Effective April 17, 1944, § 60.115 of the Civil Air Regulations is amended to read as follows:

§ 60.115 *Range approach channel.* A standard range approach channel as designated by the Administrator is the air space above the ground or water below 17,000 feet above sea level located within 2 miles of the center line of the on-course signal of any leg of a radio range station and extending along such leg between points 2 and 15 miles from the radio range station, exclusive of control zones: *Provided*, That such range approach channels may be modified or extended by the Administrator when he deems it necessary in the interest of safety.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-5524; Filed, April 19, 1944; 11:03 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

PRESERVATION OF RECORDS, BOOKS AND OTHER DOCUMENTS BY REGISTERED INVESTMENT COMPANIES, ETC.

Adoption of rules relating to period or periods for which records, books, and other documents shall be preserved by registered investment companies and others.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 31 (a) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and the purposes fairly intended by the policy and provisions o fthe act, hereby adopts § 270.31 a–1 [Rule N-31A–1] and § 270.31a–2 [Rule N-31A–2] to read as follows:

§ 270.31a–1 *Records to be preserved by registered investment companies and certain majority-owned subsidiaries thereof.* (a) Every registered investment company, and every underwriter, broker, dealer or investment adviser which is a majority-owned subsidiary of such a company, shall maintain and preserve, for the period hereinafter specified, such records, books, and other documents as constitute the record forming the basis for financial statements required to be filed pursuant to section 30 of the Investment Company Act of 1940 (54 Stat. 836; U.S.C. 80a–30), and of the auditor's certificate relating thereto.

(b) Every such company or majority-owned subsidiary enumerated in paragraph (a) shall:

(1) Preserve permanently (i) all general and auxiliary ledgers (or other records reflecting asset, liability, reserve, capital, income and expense accounts); (ii) all general and special journals (or other records forming the basis for entries in such ledgers); and (iii) all minute books; and

(2) Preserve for a period of not less than six years all vouchers, memoranda, correspondence, and other documents required by paragraph (a) to be maintained and not enumerated in paragraph (b) (1).

(c) Notwithstanding the provisions of paragraph (b):

(1) After a record, book or other document has been preserved for three years, a photograph or film thereof may be substituted therefor for the balance of the required time; and

(2) Any record, book or other document may be destroyed in accordance with a plan previously submitted to and approved by the Commission. A plan shall be deemed to have been approved by the Commission if notice to the contrary has not been received within 90 days after submission of the plan to the Commission.

§ 270.31a–2 *Records to be preserved by other persons having transactions with registered investment companies.* (a) Every investment adviser not a majority-owned subsidiary of, and every depositor of any registered investment company, and every principal underwriter for any registered investment company other than a closed-end company, shall maintain and preserve for a period of not less than six years such records, books, and other documents as are necessary or appropriate to record such person's transactions with such registered company.

(b) Notwithstanding the provisions of paragraph (a):

(1) After a record, book or other document has been preserved for three years, a photograph or film thereof may be substituted therefor for the balance of the required time; and

(2) Any record, book or other document may be destroyed in accordance with a plan previously submitted to and approved by the Commission. A plan shall be deemed to have been approved by the Commission if notice to the contrary has not been received within 90 days after submission of the plan to the Commission.

(Sec. 31, 54 Stat. 836; 15 U.S.C. 80a–31; sec. 38, 54 Stat. 841; 15 U.S.C. 80a–38) [General Rules and Regulations, Rules N-31A–1 and N-31A–2 effective April 17, 1944]

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5531; Filed, April 19, 1944; 11:27 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 3]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN POTATOES IN SAN JOAQUIN AND CUYAMA VALLEYS, CALIF.

§ 1102.3 *Wages of workers engaged in the picking up of early potatoes in the San Joaquin and Cuyama Valleys, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the picking up of early potatoes in those portions of the counties of Kern, Kings, Tulare, Fresno, Madera and Merced, State of California, which lie within the San Joaquin Valley proper and in those portions of the counties of Santa Barbara, San Luis Obispo, Ventura and Kern counties, State of California, which lie within the Cuyama Valley proper, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for harvesting early potatoes.* (1) Wage rates for picking up of early potatoes:

(i) Picking up early potatoes:

(a) Piece-work rate—12¢ per hundred pounds net weight of potatoes

(b) Hourly rate—70¢ per hour

(c) *Definitions.* (1) When used in this specific wage ceiling the term "early potatoes" means potatoes normally harvested during the months of April, May, June and July in the area described in paragraph (a) hereof.

(2) The term "net weight" means the weight of the potatoes after deducting the weight of the sack or other container, and other extraneous matter.

(d) *Administration.* The California WFA Wage Board located at 2286 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the Specific Wage Ceiling Regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 3 shall be deemed to be a part of the Specific Wage Ceiling Regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and any violation of this specific wage ceiling regulation No. 3 shall constitute a violation of such Specific Wage Ceiling Regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 18th day of April 1944.

WILSON R. BUIE, *Acting Director, Office of Labor, War Food Administration.*

[F. R. Doc. 44-5551; Filed, April 19, 1944; 11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 161]

PART 811—BLANKET LICENSE "BLT"

Subchapter B—Export Control is hereby amended by adding thereto Part 811 as follows:

§ 811.1 *Definitions.* When used in this part:

(a) "Blanket license" shall mean a document issued by the Requirements and Supply Branch authorizing the exportation by the licensee of the commodities described in such document to two or more consignees or purchasers in a single country.

§ 811.2 *General provisions.* (a) Applications for blanket licenses shall be made on the form or forms and in the manner prescribed by the Requirements and Supply Branch. Each application for such a license shall bear the following legend:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the quantity given: *Provided* That the aggregate quantity of all such exports to the purchasers and consignees named therein does not exceed the total quantity for which the license is granted. This will certify that we have firm orders on hand from the purchasers listed at least equal to the quantity applied for on this license.

(b) When an application for blanket license is submitted, permission to export to one or more of the consignees and purchasers named may be refused by blocking out the name of the consignee and purchaser with respect to whom the application has been denied. In such case the license shall be valid only for shipments to the remaining approved consignees and purchasers.

(c) When duly validated or approved by the Requirements and Supply Branch, a blanket license authorizes the exportation to any of the consignees and purchasers named therein, or in a list attached and made a part thereof, the commodity or commodities therein described, provided that the aggregate quantity of all exports under such license to the consignees and purchasers named therein, or in a list made a part thereof, does not exceed the total quantity for which the license has been granted. Such exportation shall be permitted notwithstanding any conflicting provisions in the terms, conditions or provisions of the form on which the application for a blanket license has been made.

(d) Insofar as consistent with the provisions of this part, all of the provisions of Part 804—Individual Licenses, shall apply equally to applications filed for blanket licenses and blanket licenses issued under the provisions of this Part.

(e) A person exporting any commodity pursuant to any blanket license shall enter the symbol "BLT" and the number of the license on each Shipper's Export Declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license.

(f) The blanket license procedure shall apply only to the following commodities for export to destinations in general license country group V, as set forth in § 802.3 (a) of this Subchapter.

Commodity	*Schedule B No.*
Abrasives:	
Steel wool	5413.00
Brass and bronze:	
Blow torches	6479.98
Bolts, machine screws, nuts, washers (except railroad)	6479.98
Pipe fittings	6454.30
Wood screws (whether or not plated)	6458.00
Electrical machinery and apparatus:	
Airport beacons and searchlights (exclude anti-aircraft searchlights)	7066.00
Batteries, dry, multiple cells, except flashlight batteries (include earphone batteries)	7017.00
Batteries, flashlight batteries	7016.00
Batteries, No. 6 dry-cell batteries	7015.00
Batteries, other dry-cell primary batteries (exclude wet cell batteries)	7018.00
Capacitors	7079.01, 7079.98, 7081.98, 7076.98
Electric soldering irons	7074.90
Flashlight cases	7060.00
Floodlights	7067.00
Fuse plugs under 2300 volts, containing mica	7034.05
Fuse plugs under 2300 volts, other	7034.98
Radio receiving tubes	7078.05 7078.98
Resistors	7079.98 7076.98
Iron and steel manufactures—cutlery:	
Pruning, grass, hedge and sheep shears, machetes and cane knives	6119.00
Razors, safety	6112.00
Razor blades, safety	6113.00
Scissors, shears & snips (report tinners snips in 6170.00)	6114.00
Table cutlery, including forks (report table cutlery made of or plated with precious metals in 6955.00–6958.00)	6115.00
Iron and steel manufactures—nails and bolts:	
Bolts, machine screws, nuts, rivets and washers (except railroad)	6099.00
Iron and steel manufactures—stoves:	
Coal and wood cooking and room-heating stoves	6139.00
Gas stoves, ranges, and room and water heaters	6143.00
Gasoline stoves and room and water heaters	6146.00
Kerosene cooking stoves	6144.00
Kerosene room and water heaters	6145.00
Parts of gas, kerosene, and gasoline stoves and heaters (include cabinets, ovens, mounted wicks, etc.)	6147.98
Iron and steel manufactures—Tools:	
Augers, bits, gimlets, gimlet bits, and countersinks, woodworking	6157.10
Axes (Broad and hand)	6158.00
Band, pit, drag and mill saws (woodworking)	6155.30
Circular saws, except diamond (not metalworking)	6155.18
Crosscut, hand, hack and other saws and parts (include saw teeth, hack saw frames and coping saw blades)	6156.98
Files and rasps	6158.10, 6158.50
Hand hoes, rakes and forks	6161.00
Hand operated bit braces and parts woodworking	6157.10
Hand tools and parts n. e. s. (include heavy forged tools, non-electric soldering irons, metal measuring tapes and rules, trowels and other tools n. e. s.)	6178.98
Hammers: carpenters, caulking, claw, blacksmiths, stonecutting (exclude mechanics hand service hammers)	6160.00
Hatchets	6160.00
Hay and manure forks	6159.00
Planes, chisels, gauges, and other hand operated cutting tools and parts (report metal-cutting tools in 6170.00)	6178.10
Shovels, spades, scoops and drainage tools	6162.00
Vises, household and woodworkers	6163.00
Iron and steel manufacturers—Tubular products:	
Pipe fittings—steel	6077.98
Iron and steel manufacturers—Miscellaneous:	
Blow torches	6209.98
Wood screws	6200.00
Machinery—Industrial:	
Fluid milk shipping containers, commercial	7593.00
Machinery—Printing and bookbinding:	
Repair parts for bookbinding machinery	7793.00
Repair parts for printing and typesetting machinery	7795.00
Miscellaneous:	
Beverage crowns, metal	9680.00
Office supplies, miscellaneous:	
Fountain and stylographic pens of plastic materials (cellulose, acetate, nitro-cellulose and synthetic resins)	9309.00
Fountain and stylographic pens, other, n. e. s.	9310.00
Pen points, metallic (report gold in 6997.00)	9315.00
Pencils, mechanical, of plastic materials (cellulose acetate, nitro-cellulose and synthetic resins)	9301.00
Pencils, mechanical, of other materials, n. e. s.	9302.00
Pencils, not mechanical, of black lead	9304.10
Pencils, not mechanical, other n. e. s.	9304.20
Precious metals:	
Silver plated knives, forks, and steak sets	6958.00
Silver plated ware, others, including tableware, ornamental silverware and manufactures, n. e. s.	6959.00
Sterling and other solid silverware knives, forks and steak sets	6955.00
Sterling and other solid silverware; others, including tableware, ornamental silverware, silver solder and manufacturers, n. e. s.	6956.00
Valves:	
Aluminum valves 4" or larger, piping system	6309.07
Brass or bronze valves 4" or larger, piping system	6454.57
Brass or bronze valves under 4", piping system	6454.58
Copper valves 4" or larger, piping system	6439.07

Commodity	*Schedule B No.*
Valves—Continued.	
Iron or steel body valves for steam, water, oil and gas	7745.98
Steel valves, piping system	7745.08
Vehicles, miscellaneous:	
Wheelbarrows	7991.00

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 19, 1944.

S. H. LEIBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-5520; Filed, April 19, 1944; 9:47 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-487, Amdt. 1]

SUGARMAN-MOORE CO., INC.

Sugarman-Moore Company, Inc. has appealed from the suspension order upon the grounds of hardship. The Chief Compliance Commissioner has reviewed the case, and has concluded that undue hardship will result unless the suspension order is modified. He therefore, on April 11, 1944, directed that the suspension order be amended to expire on April 17, 1944, instead of May 17, 1944.

In view of the foregoing, it is hereby ordered, that § 1010.487 *Suspension Order S-487*, issued February 10, 1944, be, and hereby is, amended by the substitution of the following paragraph (d) for the present paragraph (d):

(d) This order shall take effect on February 17, 1944, and shall expire on April 17, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5458; Filed, April 17, 1944; 4:25 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41 as Amended Apr. 19, 1944]

§ 1075.1 *Conservation Order L-41*—(a) *What this order does.* This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection will be required (electricity, gas, water, steam or telephone), it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained *before* beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) $200 for a house, including the entire residential property.

(2) $1,000 for a farm including the farm houses. However not more than $200 of this sum may be spent on any farm house on the farm. A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(3) $1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) $200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is $1,000 for a unit containing more than five establishments of this kind.

(5) $1,000 for a church, hospital, school, college, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) $1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal or for a railroad or street railway building or group of buildings.

(7) $1,000 for an irrigation or drainage system serving more than one farm.

(8) $1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes.

(9) $1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) $1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) $1,000 for a building or group of buildings which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1, and which will be owned by a utility producer as defined in that paragraph, or which will be used directly in furnishing communication services and which will be owned by an operator as defined in paragraph (a) (1) of Order U-2, or in paragraph (a) (1) of Order U-6, or which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) $5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is $200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) $200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating buildings with materials such as storm windows and doors, pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation, and weather stripping.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe.

(10) Various kinds of construction connected with farms, public roads, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities and laboratories, as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not know about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, except that the cost of used material or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them, their value must be included as part of the cost.

(3) The cost of processing machinery or equipment need not be included but the cost of installing it and the cost of plumbing, heating, and air conditioning equipment and of all other equipment not used directly in the processing of materials must be included.

(4) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included but architects' and engineers' fees need not be.

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is $200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, razors, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, barroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order L-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction on structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order issued by the Petroleum Administrator for War. (Construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order.)

3. Construction of telephone and telegraph facilities or equipment, other than buildings, if authorized or permitted under the terms of Order U-2 (§ 4501.1) or Order U-6 (§ 4501.21).

4. Laying of railroad tracks, together with the construction of necessary railroad operating facilities; also the construction of tunnels, overpasses, underpasses or bridges where the cost of material to be incorporated (excluding labor costs) is $2,500 or less. The above types of construction are controlled by Order P-142. The construction of tunnels, overpasses, underpasses, or bridges where the material cost is more than $2,500 and the construction of railroad stations, warehouses, loading platforms and other similar structures are not excepted by this paragraph.

5. Construction of facilities (other than buildings) which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1 and which will be owned by a utility "producer" as defined in that paragraph.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P-141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certifi-

cation, also the erection of farm silos which have been manufactured by a producer as defined in Order L-257.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

10. Construction which is given priorities assistance under Order P-89 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities assistance under Order P-46 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities and equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted under P-133 for such work.

13. Construction which is given priorities assistance under Order P-43 (relating to laboratories).

14. Construction of public highways and public streets owned by a Government Agency (construction of this kind is controlled by Order L-41-e).

SCHEDULE C

NOTE: Schedule C amended in its entirety Apr. 19, 1944.

Application forms to be used in obtaining permission to begin construction under L-41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Types of construction	Application form	Where filed
Farm construction, including farm dwellings	WPB-617 (formerly PD-200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing, except farm housing and hotels	WPB-2866 (formerly PD-105).	FHA Field Office having jurisdiction over the site.
Public roads	PR 1 PA	State Highway Department having jurisdiction over the site.
Water, gas, steam, electricity, telegraph or telephone facilities for use by public.	WPB-2774	WPB, Washington, D. C.
All other construction restricted under L-41	WPB-617 (formerly PD-200).	Consult instruction form WPB-617.

In cases where Tax Amortization privileges or Defense Plant Corporation financing are requested the application to begin construction, together with the application for Certificate of Necessity, should be filed with the War Production Board, Washington, D. C., rather than as designated above. "Total cost" as used in Schedule C includes the cost or value of used materials and fixtures, processing machinery and equipment and architects' and engineers' fees, although these are not included in "cost" for the purpose of determining how much construction may be done under paragraphs (c) and (d) of L-41 without getting permission under that order.

NOTE: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE D

NOTE: Schedule D amended Apr. 19, 1944.

The following preference rating orders or certificates are referred to in paragraph (g). If you have received or are entitled to use one of these orders or certificates for your construction, the construction is permitted by the WPB:

P-19-h, CMPL-224, CA-1456	Relating to projects important to the war effort or essential civilian needs.
P-55-c	Housing.
WPB-2774	Relating to utility facilities.
WPB-542, PD-3A	Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
P-14-a, P-14-b, P-19, P-19-a, P-19-d, P-19-e, P-19-g, P-19-i, P-41, P-55-b, P-55-amended, P-110, PD-8, CMPL-127	These orders and certificates are no longer used, but jobs which were authorized by them may go on.

INTERPRETATION 1

[Superseded by L-41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

INTERPRETATION 2

Conservation Order L-41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 13, 1943)

INTERPRETATION 3

EARTH-MOVING OPERATIONS

Under the provisions of paragraph (d) § 1075.1 *Conservation Order L-41* it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion. (Issued Nov. 23, 1943)

INTERPRETATION 4

PORTABLE STRUCTURES ON SKIDS

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L-41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction. (Issued Mar. 24, 1944.)

INTERPRETATION 5

MAINTENANCE AND REPAIR OF SIDINGS

Paragraph (d) (1) of L-41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L-41-d. (Issued Apr. 4, 1944.)

DIRECTION 1

[Superseded by Schedule C, as amended, which gives instructions for filing applications]

[F. R. Doc. 44-5534; Filed, April 19, 1944; 11:38 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 2, as Amended Apr. 19, 1944]

INSTALLATION OR RELOCATION OF MACHINERY AND EQUIPMENT

The following direction is issued pursuant to Conservation Order L-41:

(a) *Installing processing machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to install any piece of processing machinery or equipment, if the materials needed to install it cost less than $500 and it is to be installed in a factory, plant or other industrial unit having a productive floor area of 10,000 square feet or more and the processing machinery or equipment is to be used for manufacturing, processing, or assembling goods which are not listed in Schedule A of the order. It does not make any difference how much the processing machinery or equipment costs. The term "processing machinery or equipment" as used in this paragraph means machinery or equipment which is directly used in the manufacture, processing or assembling of a product. It does not include such equipment as plumbing, heating or air conditioning equipment, which is not used directly in the manufacture, processing or assembling of the product.

(b) *Relocating machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to relocate any piece of machinery or equipment (whether used for processing or not) in a factory, plant or other industrial unit which does not manufacture, process or assemble goods listed in Schedule A of the order and which has a productive floor area of 10,000 square feet or more, if the machinery or equipment has previously been used in the same plant, and the materials needed to relocate it cost less than $500. It does not make any difference what the value of the machinery or equipment is. This paragraph does not give a person the right to install a piece of machinery or equipment (whether new or second-hand) which he is installing in his plant for the first time as distinct from relocating machinery or equipment previously used in the same plant.

(c) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L-41.

(d) This direction does not apply to the installation or relocation of machinery or equipment:

(1) For use in the future manufacture of items which at the time of installation is prohibited by an outstanding order of the War Production Board.

(2) In connection with construction of a kind which is limited by Order L-41. If permission under Order L-41 is required for the job the materials to install any equipment to be installed as part of the job must be obtained under the project authorization and not under this direction.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5537; Filed, April 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 3, as Amended Apr. 19, 1944]

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

The following direction is issued pursuant to Conservation Order L-41:

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (12) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (i) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPB-617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol P-6 and the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-43 (formerly PDL-362).

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5535; Filed, April 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 5, as Amended Apr. 19, 1944]

DISTINCTION BETWEEN RESIDENTIAL AND FARM CONSTRUCTION

The following interpretation is issued with respect to Conservation Order L-41:

Under the terms of paragraph (c) (1) of L-41 not more than $200 may be spent on a house, including the entire residential property, over a year's period. Under paragraph (c) (2) of that order not more than $1,000 may be spent on a farm, "including the farm houses," and no more than $200 on any farm house on the farm. A property is not necessarily a "farm" because farm products are produced on it but only if it is used primarily for the raising of crops, livestock, dairy products, poultry, etc., for the market.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5536; Filed, April 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41-e]

PUBLIC HIGHWAYS AND STREET CONSTRUCTION

§ 1075.16 *Conservation Order L-41-e*—(a) *What this order does.* The basic order, Conservation Order L-41, limits all types of construction work. This order, L-41-e, is a special adaptation written to apply specifically to public highway and street construction in attaining the objective of the basic order L-41; namely, the conservation of materials, construction equipment, labor and transportation. The governmental agency responsible for the proposed construction must get permission from the War Production Board to begin the work, unless it is of a kind which does not require permission, as described below in paragraphs (c) and (d). This permission, generally known as an "authorization to begin construction", should not be confused with preference ratings or priorities. If a road project is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings and allotments for certain materials which will be required. On the other hand, if preference ratings have been obtained or if materials are on hand, it may still be necessary to get permission to begin construction of the project.

(b) *What is meant by the construction of a public highway or street.* A public highway or street is one which is open to the public and which is constructed and maintained by any Federal, State, territorial, county, city, district or other governmental agency. Construction of a highway or street includes the grading, draining and surfacing of the highway or street; erecting of bridges, grade separation structures, culverts, storm drains and similar structures; installing safety and control devices; and constructing curbs, gutters, sidewalks and other appurtenances.

(c) *Maintenance or repair of highways or streets does not require authorization.* It is not necessary to get permission from the War Production Board to perform maintenance and repair work on highways and streets. The kind of work which may be classed as maintenance and repair is as follows:

(1) Maintenance includes only the usual operations necessary from time to time to keep surfaces, shoulders, embankments, slopes, structures, rights-of-way and all appurtenances of a public highway or street in a safe and serviceable condition, such as blading and shaping surfaces and shoulders, cleaning ditches and waterways, patching, and the like.

(2) Repair consists of work necessary to make serviceable a damaged or deteriorated portion of a highway or structure or to restore it to its original condition or the equivalent. It does not mean reconstruction or even replacement. Repair does not include work which represents an improvement or departure from original types of construction. Examples of work which may be classed as repair include the replacement of damaged members or parts of highway bridges or grade separation structures; rehabilitation of deteriorated surfaces on graveled or earth roads, on existing line and grade, by the application of dust palliatives and bituminous preservative treatments; the rehabilitation of deteriorated surfaces on bituminous-surfaced roads, on existing line and grade, to restore such surfaces to their original condition or equivalent, including resurfacing not over 1½ inches in thickness; the rehabilitation of deteriorated surfaces on concrete or brick roads, on existing line and grade, by the application of wearing courses not to exceed 4" in nominal thickness for non-rigid types, or 5" in nominal thickness for rigid types; widening of surfaces where necessary to reduce serious traffic hazard or excessive shoulder maintenance when such widening does not provide additional traffic lanes, or require increase in the width of roadbed. Examples of work which may not be classed as repair include changes in line or grade; reconstruction of foundation, base and surface, except as may be incidental to patching preliminary to resurfacing; widening for the purpose of providing additional traffic lanes, reconstruction or replacement of bridges destroyed by fire or flood or other cause. Maintenance and repair are to be considered in terms of the kind of work to be done and not in terms of the method

of doing it or of financing it. For example, the repair of a bridge floor is a repair operation even though it is done by a contractor and financed from the construction budget. On the other hand, the replacement of an old bridge with a new one is construction, not repair, even though the work is done with repair maintenance forces and is financed with maintenance funds.

(d) *Size and kind of highway and street construction which does not require authorization.* Highway and street construction may be started without specific War Production Board project authorization if the work consists of one or more of the following classes:

(1) A project costing $5,000 per mile or less providing the aggregate cost of the project does not exceed $25,000.

(2) A project costing $10,000 or less.

(3) A project providing access to sources of raw materials as provided for in section 6 of the Defense Highway Act of 1941 (55 Stat. 765, as amended) when such project is certified as essential to the war effort by the War Production Board.

(4) Highway construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civilian Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(e) *All other public highway and street construction forbidden without War Production Board permission.* No person shall do any construction on a public highway or street which has not been permitted by the War Production Board, unless it is of a kind described in paragraphs (c) or (d) above. This prohibition applies to a Governmental Agency which does its own construction work, to one who gets others to do the work for it, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for authorization.* The governmental agency responsible for the construction should file an application through the State Highway Department. This application also covers the matter of preference ratings and controlled materials allotments if these are required for the construction. The form is called "Application for Authority to Construct Public Highway or Street, Form PR.1-PA", and copies are obtainable from the State Highway Department or the U. S. Public Roads Administration. Authorizations for road construction will be made on Form GA-1456.

(g) *How to figure cost.* (1) For the purpose of determining whether construction may be started on a highway or street without permission of the War Production Board, cost means the cost of the whole job as estimated at the time of beginning construction, except that the cost of used materials or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them their value must be included as part of the cost.

(3) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included, but architects' and engineers' fees need not be, nor need the cost of administration.

(4) The cost of the right-of-way, that is, the amount paid for the land, whether by purchase or condemnation, need not be included.

(5) All construction on the same project must be included. The word "project" includes all contiguous construction. It also includes all jobs on a street or highway between principal intersecting highways or streets. No project may be split into a number of projects to avoid the provisions of this order.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5538; Filed, April 19, 1944; 11:33 a. m.]

PART 1079—HEMP SEED

[General Preference Order M-82, Revocation]

Section 1079.1 *General Preference Order M-82* is hereby revoked. This revocation does not affect any liabilities incurred under the order. Delivery, acceptance of delivery and the use of hemp seed shall remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5539; Filed, April 19, 1944; 11:33 a. m.]

PART 1242—TANTALUM

[General Preference Order M-156, as Amended Apr. 19, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tantalum for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1242.1 *General Preference Order M-156*—(a) *Definition.* For the purpose of this order:

(1) "Tantalum" means and includes: (i) Ores and concentrates containing tantalum (commercially recognized), and tantalum compounds for further purification or refining; (ii) The element tantalum in pure form, ferro-tantalum, potassium tantalum fluoride, tantalum oxide, and tantalum carbide; (iii) All scrap or secondary material containing commercially recoverable tantalum as defined in (i) and (ii) above, excluding tantalum—and columbium-bearing iron and steel scrap.

(b) *Restrictions on deliveries.* No person, other than Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation, shall deliver or accept delivery of tantalum unless specifically authorized by the War Production Board.

(c) *Exceptions.* Any person may, without authorization from the War Production Board:

(1) Deliver tantalum to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or to any duly authorized agent of such corporation.

(2) Deliver during any calendar month not more than 3 kilograms of contained tantalum per person, and any person may accept delivery of such amount. However, the aggregate quantity which any person may deliver in any calendar month without War Production Board authorization shall not exceed 125 kilograms. No person may accept delivery during any calendar month of more than 3 kilograms of contained tantalum from all sources without authorization from the War Production Board.

(d) *Special directives.* The War Production Board may, notwithstanding the other provisions of this order, issue special directives from time to time, as to the quantities of tantalum which may be delivered and the manner in which such deliveries may be made or accepted, as well as special directives as to the quantities of tantalum which may be processed for particular purposes or end uses and the manner in which such processing may be done. The War Production Board may also issue special directives requiring any person seeking to place a purchase order for tantalum to place that order with one or more particular suppliers.

(e) *Applications for authorization for delivery of tantalum.* On or before April 20, 1944, each person desiring to accept delivery of tantalum during May, 1944, shall file application for authorization to do so with the War Production Board on Forms WPB-1097 and 1102 (formerly PD-487 and 486 respectively). Applications for delivery during the months of June and July, 1944, shall be filed on the same forms (WPB-1097 and 1102) on or before May 7, 1944. Applications for delivery during any month after July, 1944, shall be made on or before the 7th day of the second month before the month in which delivery is requested. The War Production Board will return one copy of Form WPB-1097 to the applicant and forward another to the applicant's supplier, on which will be indicated the quantity of tantalum authorized for delivery.

(f) *Reports for processors.* Each person who processes tantalum ores or concentrates shall, on or before the 15th day of May, 1944, and thereafter on the 15th day of each succeeding month, file with the War Production Board, Washington, D. C., a report on Form WPB-1098 (formerly PD-489) stating separately:

(1) His past production, receipts, consumption and shipments of materials and ores or concentrates during the previous calendar month, and

(2) His expected production, receipts, consumption and shipments of materials and ores or concentrates during the second month following the month in which the report is filed.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Bureau of the Budget approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *General Imports Order M-63 unaffected.* The provisions of General Imports Order M-63 applicable to tantalum are in no way affected by this Order M-156.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed to the Mica-Graphite Division, War Production Board, Washington 25, D. C., Reference M-156.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5543; Filed, April 19, 1944; 11:34 a. m.]

PART 3208—SCHEDULED PRODUCTS

[Table 11 to General Scheduling Order M-293, Direction 1]

RESCHEDULING OF ORDERS FOR VALVES AND PIPE FITTINGS FOR DESTROYER ESCORT PROGRAM

The following direction is issued pursuant to table 11 to General Scheduling Order M-293:

Shipments of valves and pipe fittings in advance of the required delivery dates have resulted in delays in filling orders for other equally urgent or more urgent programs. In order to effect a more balanced distribution of valves and pipe fittings to the various war programs, this direction is issued.

(1) Manufacturers of valves and pipe fittings are directed to reschedule shipments under all purchase orders for valves and pipe fittings which are identifiable as intended for use in destroyer escort vessels in accordance with the "Schedules of Required Shipping Dates for Ship Piping Systems" issued by the Bureau of Ships, Navy Department, through the Office of the Inspector of Naval Material, now in effect or as they may be revised. These schedules will be made available by the cognizant resident Inspector of Naval Material.

(2) The directions for scheduling given under paragraph (1) above are subject to the following conditions:

(a) This direction does not apply to manufacturers whose schedules are now frozen under General Scheduling Order M-293. Regional scheduling officers who are administering the frozen schedules will be instructed to issue official schedule changes following the terms of this direction so as to change officially the frozen schedules to correspond to the "Schedules of Required Shipping Dates for Ship Piping Systems", in effect from time to time.

(b) In rearranging his schedules according to the "Schedules of Required Shipping Dates for Ship Piping Systems" a manufacturer whose schedules have not been frozen under M-293 shall be governed by the provisions of Priorities Regulation No. 1. Nothing shall be done which will interfere with the schedule of shipments on other purchase orders not identified with the Destroyer Escort Program which bear equal or higher preference ratings.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5541; Filed, April 19, 1944; 11:33 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended Apr. 19, 1944]

§ 3216.1 *Preference rating order P-142.* This order explains how "operators" of transportation systems, as defined below, get materials to carry on their operations, and it must be used by them in place of CMP Regulation 5. With a few exceptions, this order gives preference ratings for up to 110% per quarter of each item or group of items specifically authorized for the operator for the first quarter of 1944. Controlled materials (except aluminum and rail and track accessories) are allotted on the same basis. This means that, in most cases, quarterly applications on Form WPB-2585 are no longer necessary, but material may be scheduled for delivery on the new basis only three quarters in advance. Use of the ratings and allotments is explained in the order.

Definitions

(a) *Definitions.* For the purpose of this order:

(1) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(2) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (k) (1); such person must continue to operate under the provisions of CMP Regulation 5 and all other applicable regulations.

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Controlled material" means steel, copper and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation 1.

(5) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary (i) to keep the unit usable for the purpose intended in its existing design, (ii) to restore parts of the unit to their original usefulness, or (iii) to renew parts to restore the unit to its usefulness for the purpose intended in its existing design. The term also includes "heavy repair of locomotives" and "heavy repair of railroad cars," as those terms are defined in paragraphs (a) (8) and (a) (9) below.

(6) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith.

(7) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(8) "Heavy repair of locomotives" includes only:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileare (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair); or

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(9) "Heavy repair of railroad cars" includes only:

(i) Program repair for any group of cars, or, if the operator does not program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

Ratings and Allotment Symbol

(b) *Preference ratings for materials other than controlled materials.* Subject to the provisions of this order, preference ratings are hereby assigned to deliveries of material to be made to an operator after March 31, 1944, as follows:

(1) *Quotas.* Each operator may use the rating assigned for the purchase of each item or group of items under sections D and E of his authorization on Form WPB-2585 (original and supplements) for the first calendar quarter of 1944, to order for delivery to him during any calendar quarter not more than his

quota for that item or group of items for uses permitted under paragraphs (f) and (g) of this order. This quota is in each case 110% of the amount authorized for him in column (k) of the above form, with the exception of the items listed in paragraph (b) (2) below, which are handled on a special basis. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB–2585 for the second calendar quarter of 1944 or later quarters for any item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(2) *Special items and track material.* The ratings assigned above in paragraph (b) (1) may not be used to order the following items:

Steam injectors.
Mechanical lubricators.
Roller bearings (driving box, tender truck, and engine truck).
Stokers.
Superheaters and headers.
Air brakes—AB.
Hand brakes—power.
Brake beams.
Car bolster springs.
Couplers and coupler bodies.

Track material of the following kinds:

Frogs.
Crossings.
Switches.
Switch stands.
Rail anchors.
Rail braces.
Guard rails.
Guard rail clamps.
Gauge rods.
Clip bolts.
Rail clips.
Nut locks.

The amounts of these items which an operator can get for permitted uses and the proper ratings will be authorized from time to time on Form WPB–2585. Application for such authorization should be made by the operator as explained under paragraph (k) (3) of this order.

(3) *Emergency repairs.* The War Production Board may also assign in writing preference ratings to deliveries of specific materials essential for emergency repairs, application for which should be made as explained in paragraph (k) (2) of this order.

(4) Use of the ratings for advance quarters is subject to paragraph (e).

(c) *Assignment of allotment symbol for controlled materials.* Each operator may use the CMP allotment symbol T–7 to order controlled material for delivery to him after March 31, 1944, for a use authorized by paragraph (f) or (g) of this order, in amounts per quarter as follows:

(1) Aluminum to the extent required for maintenance, repair and operating supplies, excluding heavy repairs of locomotives and cars as defined in paragraphs (a) (8) and (a) (9). Any amounts of aluminum required for such heavy repairs or any other purpose may be applied for as explained in paragraph (k) (4).

(2) Steel and copper (except rail and track accessories) up to 110% per quarter of the respective amounts authorized for the operator for each item or group of items under section C of Form WPB–2585 (original and supplements) for the first calendar quarter of 1944. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB–2585 for the second calendar quarter of 1944 or later quarters for any such item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(3) Rail and track accessories (Code No. 2026) in amounts authorized for each quarter by the War Production Board upon Form WPB–2585. Application should be made by the operator only as required under paragraph (k) (3). (Note that the items of track material listed in paragraph (b) (2) are no longer controlled materials).

Use of these authorizations for advance quarters is subject to paragraph (e).

(d) *How to use the ratings and allotment symbol*—(1) *Certification.* An operator may use the above ratings and allotment symbol T–7 to get materials under this order by placing on his purchase orders a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7:

Preference rating—(specify rating if necessary); CMP allotment symbol T–7; P–142, serial No. _____

The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order; to receive, for transportation MRO under P–142, the item(s) ordered; and to use any preference rating or allotment symbol which the undersigned has placed on this order.

However, the certifications provided in CMP Regulation 7 and Priorities Regulation 7 may be used instead of the above, if they include the following identification:

Preference rating—(specify rating if necessary); CMP allotment symbol T–7; P–142, serial No. _____

(2) An order for controlled materials which bears the above certification and allotment symbol is an authorized controlled material order, except that, when placed with a producer, the order must conform to paragraph (s) (4) of CMP Regulation 1 relating to content of the order and time for placing it. On orders for controlled materials, no preference rating should be shown.

(3) The ratings applied by operators under paragraph (d) (1) may be extended in the manner provided in Priorities Regulation 3.

(4) The ratings assigned under this order may not be used to get items shown on List A or B of Priorities Regulation 3.

(e) *Advance authorizations.* Neither the preference ratings nor the allotment symbol assigned by this order may be used by an operator to place orders for delivery farther ahead than the three calendar quarters following the quarter during which the order is placed, unless otherwise indicated with respect to any authorization issued on Form WPB–2585. For example, during the second quarter of 1944, orders may be placed for delivery during that quarter and in each of the last two quarters of 1944 and the first quarter of 1945 to the full extent authorized per quarter under the above paragraphs; during the third quarter of 1944, orders may be placed in corresponding amounts for delivery in the second quarter of 1945, and so on. Any special authorization, unless otherwise indicated, is valid only for the quarter for which issued.

Permitted Uses of Materials and Inventories

(f) *Maintenance, repair, etc.* No operator shall acquire any material under the provisions of this order, nor make withdrawals from inventory of any material acquired with priorities assistance of any kind, except for the following purposes:

(1) Maintenance, repair and operating supplies (including materials required for MRO by the operator for its own use in carrying out authorized construction projects and in manufacturing transportation equipment);

(2) Heavy repair of locomotives;

(3) Heavy repair of railroad cars;

(4) Minor items of productive capital equipment not exceeding $500 per unit (excluding cost of labor);

(5) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice;

(6) Construction to the extent permitted by paragraph (g) below; or

(7) For any other use when specifically authorized in writing by the War Production Board.

(g) *Construction.* Any operator may acquire materials under this order, or make withdrawals from inventory of materials acquired with priorities assistance, for the following kinds of construction:

(1) Laying of railroad tracks or the construction of necessary operating facilities (including tunnels, overpasses, underpasses or bridges), but only to the extent that the total cost of such materials for anyone project is $2,500 or less (excluding cost of labor). If the total cost of such material is over $2,500, the project is covered by Conservation Order L–41 in the case of tunnels, overpasses, underpasses or bridges, and the operator must get permission to construct under that order. Even in the case of projects exempted by L–41, the operator must apply to the Transportation Equipment Division on Form WPB–617 for specific authorization if he needs priorities assistance to get any materials over the above $2,500 limit, or if he wants to withdraw more than this amount from his inventory of materials acquired with priorities assistance.

(2) Construction of railroad stations, warehouses, loading platforms and similar structures, where the construction is within the annual cost limits set forth in Order L–41.

With respect to any project costing over the above limits, after the operator gets specific authorization in writing from the War Production Board (under L–41 or otherwise as indicated above), he may withdraw amounts over those limits from his inventory of materials acquired with priorities assistance. However, replacement in inventory of any additional materials so withdrawn may be made only by using the ratings and allotments assigned by the specific authorization (CMPL–224, GA–1456, or other applicable form). Furthermore, with respect to any project specifically authorized by the War Production Board (under L–41 or otherwise), acquisition or withdrawal from inventory of materials by the operator is limited to those which may be permitted by the authorization.

Inventory Control; Resales

(h) *Inventory control.* Notwithstanding the provisions of any other order or regulation of the War Production Board (including CMP Regulation 2), an operator's inventory of material for uses permitted under this order shall be subject to the following restriction only:

No operator shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations.

However, this does not prevent the operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. The foregoing inventory control also does not apply to printed matter.

(i) *Permitted resale of materials.* An operator may resell material (whether or not obtained with the assistance of this order):

(1) To any other operator;

(2) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property: *Provided,* That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order;

(3) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries; or

(4) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

Any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation 13: *Provided,* That nothing in this paragraph (i) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(j) *Other resales.* Any other resale of materials by an operator is subject to Priorities Regulation 13.

Procedure

(k) *How to make application under this order*—(1) *Serial numbers.* No operator shall be entitled to any assistance under the provisions of this order until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an "operator" under all the provisions of this Order P–142.

(2) *Application for special or additional authorizations.* In order to get authorization or exemption under paragraph (b) (1), (b) (3), (c) (2) or (f) (7) of this order, an operator must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify the operator in writing whether, and to what extent, his application is approved.

Requests for additional authorizations for any quarter under paragraph (b) (1) or (c) (2) must be made by letter, giving the above information. In acting upon such a request, the War Production Board may at the same time authorize all or part of the additional amount for future quarters. For example, if it was shown that the operator's authorizations on Form WPB–2585 for the first quarter of 1944 were not a reasonable indication of his quarterly needs of any item or group of items, his "base" (against which to apply the 110% quota) might be increased. The War Production Board may also direct in writing that the "base" be reduced.

(3) *Application for special items and track material.* Application for track material under paragraph (b) (2) and for rail and track accessories under paragraph (c) (3) should be made by an operator only if called for by specific instructions of the War Production Board. Application for special items (other than track material) listed in paragraph (b) (2) should be made on Form WPB–2585 at least 45 days before the beginning of each calendar quarter, in accordance with the instructions on the form and any supplemental instructions that may be issued.

(4) *Aluminum.* Any operator requiring aluminum in the form of controlled material for heavy repairs, as defined in paragrsphs (a) (8) and (a) (9), must apply by letter for an allotment for the required amounts to the War Production Board, Aluminum and Magnesium Division, Ref.: M–1–i, giving substantially the information described in paragraph (d) of Supplementary Order M–1–i.

NOTE: The reporting requirements in this paragraph (k) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous Provisions

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* (1) This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) None of the provisions of CMP Regulations 5 or 5A shall apply to operators as defined in paragraph (a) (2) of this order, and no operator shall obtain any material under the provisions of either of those regulations. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedule I or II of CMP Regulation 5 shall be considered as applicable to operators under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation 5 as an "approved user". Operators under this order P–142 are in the same position providing that certification clauses and all other provisions of those other orders are complied with.

(o) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: PF–142.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5546; Filed, April 19, 1944; 11:35 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Order P-142, Interpretation 1, Revocation]

Interpretation 1 to Order P-142 is revoked, since it appears that the situation it was designed to clarify no longer exists.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5545; Filed, April 19, 1944; 11:35 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Supplementary General Limitation Order L-23-c as Amended Apr. 19, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

§ 3288.66 *Supplementary General Limitation Order No. L-23-c*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic cooking appliances" means gas ranges, cook stoves, and hot plates for household use; coal and wood ranges and cook stoves (including laundry stoves except water jacketed and permanently built-in coil types) for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) except electrical, for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any above the floor devices (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts, and includes, but is not limited to, circulating, radiant and portable heaters and trailer and caboose stoves. Domestic heating stoves shall not include floor or wall furnaces.

(3) "New domestic cooking appliances and domestic heating stoves" means any such appliances or stoves which have never been used by an ultimate consumer.

(4) "Accessories" means aprons, thermostats, high closets, high shelves, clocks, broiler pans other than iron or steel, thermometers, and any other instruments, attachments, or appurtenances (except top-burner lighters and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal of the unit.

(6) "Fuel oil" means any liquid petroleum product commonly known as fuel oil including Numbers 1, 2, 3, 4, 5, and 6, Bunker C, Diesel oil, kerosene, range oil, gas oil or any other liquid petroleum product used for the same purposes as the above designated grades.

(7) "Base period" means the 12 months period from July 1, 1940 to June 30, 1941.

(8) "Factory sales value" means the aggregate value of shipments of domestic cooking appliances and domestic heating stoves.

(9) "Class A producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was $2,000,000 or more.

(10) "Class B producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than $2,000,000 and who are located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(11) "Class C producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than $2,000,000 and who are not located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(12) "Producer" means any person who during the base period manufactured, fabricated or assembled any domestic cooking appliances or domestic heating stoves.

(b) *General restrictions.* (1) No person except a producer shall manufacture, fabricate or assemble any domestic cooking appliances or any domestic heating stoves.

(2) No person shall manufacture, fabricate or assemble any domestic cooking appliance or domestic heating stove except from materials in inventory on July 29, 1943, or the acquisition and use of which is specifically authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise. In authorizing the manufacture of domestic cooking appliances and domestic heating stoves the War Production Board, will in general, authorize Class C producers to produce the types they normally fabricate up to 100% of their base period unit production before authorizing the manufacture of any of the same types by Class A and Class B producers; *Provided, however,* That during the period from July 1, 1943 to June 30, 1944 the total number of units of each type authorized for production by all producers will not exceed the percentages of total unit production specified in Schedule A attached.

(3) No producer shall manufacture, fabricate or assemble any domestic cooking appliances (other than combination ranges) or domestic heating stoves, except in those fuel types which he manufactured, fabricated or assembled during the base period; but this provision shall not apply to such appliances or stoves manufactured, fabricated or assembled for delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration of the United States, or for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55 or any Order in the P-19 series.

(4) No producer shall manufacture, fabricate, or assemble any domestic cooking appliances, except those listed in Schedule B attached and then only in accordance with the numbers of models or sizes and description of types set forth in such table; and no person shall manufacture, fabricate or assemble any accessories or incorporate them into any domestic cooking appliances.

(5) No person shall manufacture, fabricate or assemble any domestic heating stoves except those listed in Schedule B attached, and then only in accordance with the numbers of models and BTU capacities set forth therein.

(6) No producer shall

(i) Use any iron or steel in the production of cover tops or lids to cover the cooking surfaces of domestic cooking appliances when not in use; or

(ii) Produce or assemble any domestic cooking appliances equipped with such cover tops or lids containing any iron or steel; or

(iii) Use any "bright work", "bright finish", metal finish, or trim containing copper, nickel, chrome, or aluminum or other alloy in the production of domestic cooking appliances or domestic heating stoves.

(iv) [Deleted Mar. 23, 1944]

(7) No producer shall substitute steel for cast iron in the manufacture, fabrication of assembly of ahy model of domestic cooking appliance or domestic heating stove which he manufactured, fabricated or assembled prior to July 29, 1943.

(8) No producer shall manufacture, fabricate or assemble any steel coal or wood range or cook stove who did not manufacture, fabricate or assemble such ranges or stoves during the period July 1, 1940 to July 29, 1943.

(c) *Exceptions.* (1) Nothing in paragraph (b) (4) or (b) (5) shall restrict the manufacture, fabrication or assembly of trailer or caboose stoves.

(2) Domestic cooking appliances or domestic heating stoves which do not conform to the provisions of paragraph (b) (4) or (b) (5) may be manufactured, fabricated or assembled to specifications for the account of or for delivery to the Army, Navy, Maritime Commission or War Shipping Administration of the United States, or to specifications for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55, or any Order in the P-19 series; *Provided,* That a prior request be made to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., by letter, and approved in writing.

(3) [Deleted Apr. 19, 1944]

(d) [Deleted Jan. 15, 1944]

(e) *Repair parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for domestic cooking appliances or domestic heating stoves.

(f) *Reports.* Manufacturers of domestic cooking appliances and domestic heating stoves shall report on or before the tenth day of each month on Form WPB-3249, following the instructions on that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of domestic cooking appliances or domestic heating stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-23-c.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
5. Coal and wood laundry stoves	100
6. Gas hot plates	75
7. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100

SCHEDULE B

NOTE: Item 4 under "Stoves" amended Apr. 19, 1944.

Appliance	Maximum number of models or sizes permitted	Types
1. Gas ranges	3	One to have 3 top burners, broiler optional. One to have 4 top burners with broiler and bake oven.
2. Gas hot plates	3	1—1 burner, 1—2 burner, 1—3 burner.
3. Coal or wood ranges and cook stoves.	6	2 steel ranges or cook stoves. 3 cast iron ranges. 3 cast iron cook stoves (At least one steel range or cook stove, one cast iron range and one cast iron cook stove manufactured by any producer shall be the lightest of each in his line).
4. Gas and coal or wood combination ranges.	1	
5. Bungalow or kitchen heater range (gas and coal or wood).	1	
6. Fuel oil ranges	3	1-3 top burner range with bake oven. 1-2 top burner range with bake oven.
7. Fuel oil stoves	3	1-2 burner stove. 1-3 burner stove.
8. Fuel oil table stoves.	3	1-1 burner stove. 1-2 burner stove. 1-3 burner stove.
9. Laundry stoves	6	4-2 hole stoves. 2-4 hole stoves. (1-2 hole stove and 1-4 hole stove manufactured by any producer shall be the lightest of each in his line.)
10. Portable ovens	2	1 single oven. 1 double oven.
11. Drum ovens	1	

Stoves	Number of models or sizes permitted	Maximum of models or sizes permitted in B. t. u. capacities per hour
1. Gas radiant	10	2-12,000 or less input. 2-12,001 to 20,000 input. 2-20,001 to 30,000 input. 2-30,001 to 45,000 input. 2-over 45,000 input.
2. Gas circulating	6	2-30,000 or less input. 2-30,001 to 80,000 input. 2-over 80,000 input.
3. Fuel oil portable (ball type).	-------	
4. Fuel oil circulating.	5	2-30,000 or less output. 1-30,000 to 40,000. 1-40,000 to 55,000. 1-over 55,000.
5. Cast iron or steel coal and/or wood.	10	
6. Sheet steel wood stoves.	6	

INTERPRETATION 1

STOVE TOP WORK SPACE NOT "ACCESSORIES"

Production of stoves with top work space is not prohibited by Limitation Order L-23-c. "Accessories" as defined in paragraph (a) (4) of the order does not include top work space. (Issued Apr. 1, 1944.)

[F. R. Doc. 44-5544; Filed, April 19, 1944; 11:34 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-126, as Amended Mar. 31, 1944, Amdt. 1]

Section 3294.63 *General Conservation Order M-126* is hereby amended as follows:

1. By changing the items on List A which now read:

Awning frames and supports—except that no person shall process during the year 1944, in the manufacture of all awning frames and supports more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board.

Bed pans—except when made with iron or steel other than stainless steel and in accordance with Schedule 1 of Limitation Order L-214.

Beds—(i) except hospital beds; and (ii) except other beds when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to paragraph (g) (8) of this order.

Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except to fill other orders when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series and L-257.

Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260.

Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, L-135, Schedule 3 of L-214, L-226, L-249, L-254, and L-260, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.

Furniture hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260.

Swivel chairs—except castors.

Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.

Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling hot materials, forgings and castings.

to read as follows:

Awning frames and supports—except that a person may process during the year 1944, in the manufacture of all awning frames and supports not more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, or must be scrap.

Bed pans—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-30-b.

Beds—(i) except hospital beds; and (ii) except other beds as may be permitted under Limitation Order L-49.

Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series, L-214, L-257 and Schedule IV of L-292 to fill other orders.

Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260-a.

Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, L-135,

Schedule 3 of L-214, L-226, L-249, L-284, and L-260-a, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.

Furniture hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260-a.

Swivel chairs—except castors and upholstery springs.

Vending machines for sanitary napkins*—except as may be permitted under Limitation Order L-27.

Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling chemicals, hot materials, forgings and castings.

2. By deleting the following item:

Fountain pens—except as may be permitted under Limitation Order L-227.

Helmets—except as may be permitted under Limitation Order L-105.

3. By changing the last clause of the item on "Wire racks" of List A which now reads:

(v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Order L-30-d.

to read as follows:

(v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Orders in the L-30 series.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5542; Filed, April 19, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1364—PRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 16]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *How processors' maximum prices are fixed.* Section 14 lists the various species of frozen fish and seafood for which maximum prices are fixed by this regulation. The base price, in cents per pound, is listed for each species according to the style of processing and the size. The listed base prices in section 14 are base prices per pound for frozen fish and seafood as packed in the container size and kind customary for the species and for the industry. Section 13 sets out the amount which may be added to, or which must be subtracted from, the listed base price when the frozen fish or seafood is packed in other kinds or sizes of containers. The listed base price, with any adjustment for kind of package, and transportation allowance for freezing at a point which is not a port of entry, is the processor's maximum price f. o. b. the shipping point nearest the freezer. If the processor freezes the fish or seafood in any place other than that port where the species is landed ex-vessel or shipped in by a producer, he may add as transportation allowance to the listed base price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, where such rate is available, from the port of entry to the freezing point, excluding any charges for local trucking, hauling and handling. A processor who performs the functions of a primary wholesaler and employs two or more full-time employees who are stationed at and engaged in making sales and performing services solely for the processor at a warehouse other than and remote from the original freezer shall establish his maximum price for sales from such warehouse by adding the mark-up provided for a primary wholesale sale to the base price, plus or minus any package differential as listed in section 13, plus the allowable transportation to the warehouse from which the sale is made. Sales to wholesalers by persons not qualifying as primary wholesalers as defined in section 3 (d) (1) shall be at prices no higher than those fixed for sales by processors. A processor who performs the function of a cash-and-carry or service-and-delivery wholesaler, as specified in section 3, shall establish his maximum price by adding the mark-up provided for the particular class of sale to the base price, plus or minus any package differential as listed in section 13, plus allowable transportation cost.

2. Section 3 (b) is amended to read as follows:

(b) *Net cost.* The wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any package differentials listed in section 13, less all discounts allowed him except the discount for prompt payment, and excluding any charges for local trucking, hauling and handling. Except that for sales of halibut, the wholesaler's "net cost" shall not exceed the lowest amount determined by the application of section 3 (b) and 3 (b) (1). After April 30, 1944, the wholesaler's "net cost" must not exceed the sum of the following: (1) the base price listed for the species in the table of base prices in section 14 on April 22, 1944, plus or minus (2) any package differentials listed in Section 13 added or subtracted by previous handlers of the fish or seafood, plus (3) allowable transportation costs added by previous handlers of the fish or seafood, plus (4) the appropriate mark-up allowed his supplier in section 3 (d) (1) if his supplier is a primary wholesaler, plus or minus (5) any package differentials listed in section 13 for packaging changes, if any, made by the wholesaler, plus (6) allowable transportations costs for delivery of the frozen fish or seafood to the established place of doing business of the wholesaler from his supplier's place of business, exclusive of local trucking, hauling and handling. Any wholesaler who buys frozen fish or seafood and processes it by a style of processing for which a price is listed in the table of base prices in section 14 may include as part of his "net cost" the difference between the price listed in the table for the frozen fish or seafood in the condition in which it is purchased by the wholesaler and the price listed in the table for the fish or seafood in the condition it is after processing by the wholesaler.

3. Subparagraph (1) is added to section 3 (b) to read as follows:

(1) *Net cost on sales of halibut.* The wholesaler's "net cost" in sales of frozen halibut shall not exceed the lowest amount determined by the application of (i), (ii) and section 3 (b). (i) The appropriate base price for frozen halibut landed or frozen on the Pacific Coast of the United States, plus or minus any package differentials listed in section 13 added or subtracted by previous handlers of the fish, plus the rail rate for the type of shipment used for frozen fish from Seattle to the established place of doing business of the primary wholesaler of that fish, if there is a primary wholesaler involved, plus the primary wholesaler's mark-up, if a primary wholesaler is involved, plus or minus any package differentials listed in section 13 for packaging changes made by the wholesaler, if any, plus transportation costs for delivery of the fish to the wholesaler from his supplier, not to exceed the rail rate for the type of shipment used for frozen fish from Seattle to his established place of doing business; or (ii) the appropriate base price for frozen halibut landed or frozen on the Pacific Coast of Canada, plus or minus any package differentials listed in section 13 added or subtracted by previous handlers of the fish, plus the rail rate for the type of shipment used for frozen fish from Prince Rupert, British Columbia, to the established place of doing business of the primary wholesaler of that fish, if there is a primary wholesaler involved, plus the primary wholesaler's mark-up, if a primary wholesaler is involved, plus or minus any package differentials listed in section 13 for packaging changes made by the wholesaler, if any, plus transportation costs for delivery of the fish to the wholesaler from his supplier, not to exceed the rail rate for the type of shipment used for frozen fish from Prince Rupert, British Columbia, to his established place of doing business.

4. Section 3 (d) (1) is amended to read as follows:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of base prices in Section 14 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused, the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up.

5. Section 3 (e) is amended to read as follows:

(e) *Imported frozen fish and seafood.* (1) The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any imported frozen fish or seafood listed in section 14 shall be the base price listed in the table of base prices in section 14 for the species in the style of processing and size sold, plus or minus the differential for packaging provided in Section 13, plus transportation allowance as provided in section 3 (e) (1) (i). To this amount may be added the mark-up provided for the class of sale in paragraphs (c) and (d) of section 3.

(i) *Transportation allowance for imported fish.* Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 70–77, inclusive, in the table of base prices in section 14 may add as a transportation allowance to the appropriate table price in section 14 the lowest amount determined on the following three bases:

(*a*) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point;

(*b*) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the frozen fish or seafood entered the United States or the carload rail rate for frozen fish or seafood from the point in the United States nearest the foreign shipper's shipping point, whichever is designated on the invoice by the seller.

(*c*) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped. However, with respect to the species listed hereinafter, the cost of transportation shall not exceed the cost for the type of shipment used from the ports listed for that species.

Species: Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, mackerel, rosefish. Port: Boston, Mass.

Where frozen Atlantic Coast smelts are imported for resale in the United States, the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, if such rate is available, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 70–77, inclusive, in the table of base prices in section 14 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

A buyer of imported frozen fish or seafood from an importer-wholesaler, including any agent of a foreign shipper, may add the transportation from the shipper to his established place of doing business, exclusive of local trucking, hauling and handling charges.

In determining the transportation allowance, common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they in turn record it on an invoice to their customers.

6. Section 7 (e) is amended to read as follows:

(e) Every person making a sale of any frozen fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date of the sale; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is frozen; the quantity, sizes, grades and styles of processing of frozen fish or seafood where price differences exist in the table of base prices in section 14 because of these factors, and the prices charged therefor, including a separate statement of the container differentials, if any, as provided in section 13, and allowable transportation cost, if any. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of processing, where price differences exist in the table of base prices in section 14 because of these factors, the maximum price which may be charged for the frozen fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of processing of the species of frozen fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is frozen, and if a price is listed in Maximum Price Regulation No. 418 for the species in the particular style of processing or dressing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 418 and this Maximum Price Regulation No. 364.

7. In section 12, after the definition of "Government agency" the following definition is inserted:

"Grade" means any qualification of the name of the fish or seafood listed in the table of base prices in section 14.

8. In section 12, after the definition of "Round" the following definition is inserted:

"Saddles" means the pectoral fins and the connecting cartilaginous strip of a rajafish.

9. In section 12, after the definition of "Tail cut" the following definition is inserted:

"Wings" means the pectoral fins of a rajafish.

10. In the table of base prices in section 14, Schedule Nos. 5, 7, 11 (a), 11 (b), 11 (c), 11 (e), 11 (f), 13, 14, 27, 39 and 48 are amended, reference to footnote 10 is added to the name of Schedule No. 15 and reference to footnote 11 is added to Item No. 2 of Schedule Nos. 11 (e) and 11 (f) and Item Nos. 6 and 7 are added to Schedule No. 15 to read as follows:

Schedule No.	Nam	Item No.	Style of processing	Size	Base price per pound
5	Cod—Atlantic Coast (Gadus callarias)	1	Gutted	Under 2½ lbs	$0.09
		2	Gutted	2½ lbs. and over	.09½
		3	Headed and gutted	2½ to 10 lbs	.12
		4	Headed and gutted	10 to 25 lbs	.12¾
		5	Headed and gutted	25 lbs. and over	.12
		6	Steaks (sliced)		.18
		7	Fillets	All sizes	.22¾
7	Cusk (Brosme brosme)	1	Fillets	All sizes	.21
11	(a) Blackback (Winter Flounder) (Pseudopleuronectes).	1	Round	All sizes	.09½
		2	Fillets	All sizes	.25
	(b) Dab (Sea)	3	Headed and gutted	All sizes	.13
		1	Round	All sizes	.07
		2	Fillets	All sizes	.23
		3	Headed and gutted	All sizes	.10
	(c) Dab (Yellowtail) (Limanda ferruginea).	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
		3	Headed and gutted	All sizes	.10
	(e) Sole, gray (Glyptocephalus Cynoglossus).	1	Round	All sizes	.11
		11 2	Fillets	All sizes	.35
	(f) Sole, lemon (Pseudopleuronectes dignabilis).	1	Round	All sizes	.12
		11 2	Fillets	All sizes	.39
13	Haddock (Melanogramus aeglefinus)	1	Gutted	2½ lbs. and over	.10½
		2	Gutted scrod	Under 2½ lbs	.10
		3	Fillets	All sizes	.24½
		4	Headed and gutted	2½ lbs. and over	.12¾
14	Hake—Atlantic Coast (Urophycis species).	1	Fillets	All sizes	.20½
16	Halibut, Pacific (Hippoglossus hippoglossus) 11.	5	Round	All sizes	.14
		7	Drawn	All sizes	.16¼

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4949, 5506, 7393, 11178, 12023, 12446, 12792, 14079, 15191, 15862, 16990; 9 F.R. 182, 946, 2023.

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
37	Rosefish (Sebastes marinus)	1	Fillets	All sizes	$0.23
39	Skate (Raja fish)	1	Wings	All sizes	.06
		2	Saddles	All sizes	.05
48	Wolffish (Anarhichas lupus)	1	Chunks	All sizes	.20
		2	Fillets	All sizes	.22½

11. Footnote 10 is added at the end of the table of base prices in section 14 to read as follows:

[10] The base prices listed for halibut apply to frozen halibut landed or frozen on the Pacific Coast of the United States. For frozen halibut landed or frozen in Canada or Alaska, deduct the following amounts from the listed prices:

Style of dressing	Deductions Cents
Dressed	2½
Steaks	3¼
Fillets	4
Round	2½
Drawn	2½

For frozen halibut landed or frozen on the Atlantic Coast of the United States, add ½ cent to the listed prices.

12. Footnote 11 is added at the end of the table of base prices in section 14 to read as follows:

[11] The base price listed for these fillets apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable base price is that listed for Item No. 2 of Schedule No. 11 (c), Deb (Yellowtail).

This amendment shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5460; Filed, April 17, 1944; 4:40 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 368,[1] incl. Amdts. 1–7]

NORTHEASTERN HARDWOOD LUMBER

Section 1 (b) is deleted; Sec. 23, Tables 1–13, 15, 16, 18 are amended, Table 20 is redesignated 19 and amended; Sec. 24, Tables 21 and 22 are redesignated 20 and 21 and amended; Sec. 25, Table 23 is redesignated 22 and amended; Sec. 30, Table 24 is redesignated 23; Sec. 31, Table 25 is redesignated 24 and amended by Amendment No. 7, effective April 22, 1944, so that Maximum Price Regulation No. 368 shall read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above paragraph added by Supplementary Order 61, 8 F.R. 12552, effective 9–11–43]

§ 1382.301 *Maximum prices for Northeastern hardwood lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 368 (Northeastern Hardwood Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1382.301, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 368—NORTHEASTERN HARDWOOD LUMBER

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37. Air-dried, worked.
38. Kiln-dried.

ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Over-ceiling prices prohibited.* (a) On and after April 21, 1943, regardless of any contract or other obligations, no person shall sell or deliver, and no person shall buy in the course of trade or business, any Northeastern hardwood lumber for direct mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) [Deleted]

[Paragraph (b) deleted by Am. 7; effective 4–22–44]

SEC. 2. *Less than maximum prices.* Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3. *Lumber in transit.* If lumber has been received before April 21, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation.[3]

SEC. 4. *What transactions are covered*—(a) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, concentrator, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(b) *How to tell a mill from a distribution yard*—(1) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (i), a typical sawmill or planing mill; the second, (ii), a typical concentration yard; and the third, (iii), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(i) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells Northeastern hardwood lumber.

(ii) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Northeastern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(iii) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(2) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after April 21, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

SEC. 5. *What products are covered.* (a) This regulation covers all Northeastern hardwood lumber, whether the grades, sizes and specifications are specifically named in the price tables or not. All grade terms have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January, 1943.

(b) This regulation covers, under the name of "Northeastern hardwood lumber", all lumber produced from the following botanical species, and processed into lumber at mills located in the Northeastern hardwood area: tough white ash (Fraxinus americana), beech (Fagus americana), hard maple (Acer saccharum), yellow poplar (Liriodendron tulipifera), and the commercial species of the genera basswood (Tilia), birch (Betula), soft elm (Ulmus), soft maple (Acer), chestnut (Castanea dentata), hickory (Hicoria), cherry (Prunus), oak (Quercus), and all other hardwood species.

[Paragraph (b) as amended by Am. 1, 8 F.R. 8541, effective 6–24–43]

(c) The "Northeastern hardwood area" includes the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, all of the state of Maryland except the counties of Garrett, Allegany, Washington, and Frederick, and the Dominion of Canada east of the 85th meridian.

SEC. 6. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any Government, or any of their political subdivisions, or any agencies of the foregoing.

SEC. 7. *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by Maximum Price Regulation No. 368 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[4] The maximum price for export sales of Northeastern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

ARTICLE II—HOW TO FIGURE MAXIMUM F. O. B. MILL AND DELIVERED PRICES

SEC. 8. *Basic prices.* The maximum f. o. b. mill prices for domestic Northeastern hardwood lumber are set forth in Appendices A and B and for imported Northeastern hardwood lumber, in Appendix C.

SEC. 9. *Deductions for cash.* If cash is paid, the maximum price must be reduced by the seller's October, 1941, cash discount. For example, if this discount was 2% and the maximum price without cash discount is $30, the maximum price when cash is paid is $29.40. Exception: on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 10. *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form. "Retail type" direct-mill sales remain subject to the General Maximum Price Regulation.

SEC. 11. *Transportation additions: Domestic and imported*—(a) *Private truck.* Where a domestic shipment is exclusively by motor vehicle owned or controlled by the seller, the addition to the f. o. b. mill prices for transportation may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the rail carload rate for the most nearly comparable haul applied to the quantity actually shipped.

[Section heading as amended by Am. 2, 8 F.R. 10660, effective 8–4–43]

(b) *Common or contract carrier.* For common or contract carrier shipments, the maximum transportation addition shall be either the rate times the estimated weights in Appendix D, or the actual amount paid to the carrier. When estimated weights are used, the delivered price shall be evened out to the nearest quarter-dollar per 1,000 feet.

(c) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery.

(d) *Trucking to rails.* Where a truck haul precedes a rail shipment as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases, a mill may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C. for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where a mill's rail connection has been abandoned since September 5, 1941.

[Paragraph (d) as amended by Am. 5, 8 F.R. 17414, effective 1–3–44]

(e) *Transportation to planing mill.* Where the lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(1) Where the hurricane of September, 1938, damaged and destroyed a substantial portion of the timber near which the joint sawmill and planing mill operation had been located, so that the operator has been compelled to rely primarily on more distant sources of timber and has moved the sawmill near the source of supply; and

(2) Where it has not been practicable to move the planing mill because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

SEC. 12. [Revoked]

[Sec. 12 revoked by Am. 2, 8 F.R. 10660, effective 8–4–43]

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[1] 8 F.R. 4068, 8541, 10660, 15672, 16701, 17414; 9 F.R. 1594.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 1386.

[4] Second revision; 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1086.

SEC. 13. *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	Addition per M
3,000 to 4,000 ft.	$1.00
2,000 to 2,999 ft.	2.00
1,000 to 1,999 ft.	3.50
999 ft. and less	5.00

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 14. *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic maximum prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not. Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, (if estimated weights are used; otherwise the actual amount added for transportation); and in the case of the sales of imported lumber, the method of calculation of the freight addition;

(4) The words "direct-mill shipment".

(d) *Delivery and custom milling or kiln drying charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Truck delivery after rail haul, or trucking to railhead.

(2) Custom milling or kiln drying. The invoice of the custom mill or kiln must be attached to the lumber invoice of the seller.

(e) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge. Where this practice is adopted, the seller must observe all of the following conditions:

(1) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(2) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is lower.

(3) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 15. *Records.* All sellers of Northeastern hardwood lumber must keep records which show a complete description of items of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 feet board measure or more of Northeastern hardwood lumber. They must be kept for two years for inspection by the Office of Price Administration.

SEC. 16. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

(b) *Specific practices.* The following are some of the specific practices prohibited.

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used.

(2) Refusing, without good reason, to ship lumber in standard grades and on grade-rule range widths and lengths.

(3) Breaking up a transaction into small orders or small deliveries in an attempt to take it out of this regulation.

(4) Grading as a special grade lumber which can be graded as a standard grade; wrongly or falsely grading or invoicing lumber in any way.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(8) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(9) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered except where the items ordered and delivered are non-standard sizes not specifically priced in the tables.

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

[Paragraph (c) as amended by Supplementary Order 77, 8 F.R. 14310, effective 10-26-43]

SEC. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Sec. 17 as amended by Supplementary Order 80, 8 F.R. 10568, 14310, effective 7-27-43]

ARTICLE IV—MISCELLANEOUS

SEC. 18. *Petitions for adjustment or amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[9] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) as amended by Supplementary Order 83, 9 F.R. 973, effective 2-1-44]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1,[4] issued by the Office of Price Administration.

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation 161 (West Coast Logs),[7] or Maximum Price Regulations 313 (Prime Grade Hardwood Logs) [8] and 348 (Logs and Bolts),[9] or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[Paragraph (c) added by Supplementary Order 47, 8 F.R. 5808, effective 5-8-43]

[NOTE: Supplementary Order No. 26 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 19. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies, however, are subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1,[10] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 20 as amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 21. *Grades, specifications, and extras not specifically priced.* (a) Northeastern hardwood lumber in grades, specifications, and extras not specifically priced in Appendices A, B, and C is nevertheless subject to this regulation. The maximum price shall be a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 675-1 given in paragraph (d) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report it is approved.

Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (1) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (2) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

[Paragraph (a) as amended by Am. 5, 8 F.R. 17414, effective 1-8-44]

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) For the purposes of this section the term Northeastern hardwood lumber shall include all items of lumber in the species set forth in paragraph (b) of section 5, but shall not include the following items: (The term "items" includes specifications, workings, services, and/or extras.)

(1) Glued stock.
(2) Moulding.
(3) Shiplap.
(4) Risers, step treads, thresholds, handrails.
(5) Bevel drop siding.
(6) Flooring.
(7) Switch, cross, and mine ties.
(8) Mine material.
(9) Small dimension stock.
(10) Lath.
(11) Navy oak ship stock (see Maximum Price Regulation 281).

[Subparagraph (11) added by Am. 1, 8 F.R. 8541, effective 6-24-43]

(d) OPA Form 675-1 is as follows:

OPA Form 675-1
4-43

Form Approved
Budget Bureau No. 08-R207

OFFICE OF PRICE ADMINISTRATION

LUMBER BRANCH

Hardwood Section

Report of Sales of Northeastern Hardwood Lumber in Special Grades (other than Combination Grades) or Specifications, or sold with special services or other extras.

Company _____
Address _____
Mill location _____

Sales of Special Stocks of Lumber

(As defined in section 21 of Maximum Price Regulation No. 368)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Northeastern hardwood lumber in a special grade (other than a combination grade) or specification, or with special services or other extras.

Date of order _____
Origin of shipment _____
Order No _____
Destination of shipment _____
Purchaser _____
(Name and address)

F. o. b. mill price _____
(Including discounts or commissions, if any)

_____
(Species) (Thickness) (Widths) (Lengths)

_____
(Designation of grade, specification, special services, or other extras)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1-15, 1941 _____

_____

Most comparable standard grade or item to which differential is applied _____

_____

Complete description of special grade, specification, special services, or other extras (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green) _____

_____

_____

Detailed explanation of how maximum price was computed or built up _____

_____

_____

_____ _____
(Name) (Office or title)

[7] 7 F.R. 5067, 5665; 8 F.R. 6173, 6174.

[4] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1504.

[7] 8 F.R. 1117, 2992, 5678, 6619, 9361, 11509, 17327.

[8] 8 F.R. 1453, 2208, 2992, 5564, 6350, 10625.

[9] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 973, 1317, 1571, 1572, 1717, 2068, 2135.

[10] 8 F.R. 13240.

ARTICLE V—APPENDIX A: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON STANDARD OR NEAR-STANDARD GRADES

SEC. 22. *Application of Appendix A.* Appendix A applies to all domestic Northeastern hardwood lumber, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or in specified average widths or specified average lengths which are substantially run-of-the-log.

SEC. 23. *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northeastern hardwood lumber in standard or near-standard grades in a rough air dried condition shall be as follows:

TABLE 1—TOUGH WHITE ASH

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3 common
1	$93.50	$76.50	$61.50	$36.50	$24.50
1¼	91.00	70.50	52.50	41.50	25.50
1½	96.50	78.00	60.00	44.00	28.50
2	101.50	83.50	64.00	48.00	32.00
2½	112.50	94.00	80.50	52.50	----------
3	123.00	104.00	91.00	59.00	----------
4	134.00	115.50	101.50	64.00	----------

TABLE 2—BASSWOOD

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3 common
¾	$80.00	$67.50	$56.50	$37.00	----------
4/4	68.50	61.00	44.00	31.00	----------
5/4	77.00	68.50	52.50	34.00	----------
1	91.00	81.00	59.00	40.50	$28.50
1¼	96.50	86.50	62.00	44.00	34.50
1½	101.50	91.00	64.00	46.00	34.50
2	107.00	94.00	69.50	47.00	34.50
2½	112.50	99.50	77.00	----------	----------
3	123.00	108.00	83.00	----------	----------
4	139.00	122.00	93.00	----------	----------

TABLE 3—BIRCH

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 1 common	No. 2A common	No. 3 common
¾	$92.50	$58.50	$38.50	$17.00	----------
4/4	60.00	40.50	28.00	20.50	----------
5/4	69.50	46.00	31.00	22.50	----------
6/4	80.50	54.50	36.50	27.00	$23.50
1¼	83.50	60.00	37.50	29.00	23.50
1½	85.50	62.00	38.50	29.00	23.50
2	98.50	73.00	41.50	33.00	27.00

TABLE 4—BIRCH

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 2A common	No. 3 common
¾	$85.50	$75.00	----------	----------	----------	----------
4/4	97.50	84.50	----------	----------	----------	----------
1	174.50	90.50	$67.50	$46.00	$34.00	$27.00
1¼	120.00	104.00	73.00	48.00	37.50	28.00
1½	123.50	107.00	77.00	51.50	39.50	30.00
2	128.50	115.50	83.50	53.00	40.50	31.00
2½	134.00	121.00	93.00	54.00	----------	----------
3	144.50	130.50	105.00	60.50	----------	----------
4	156.00	140.50	121.00	75.00	----------	----------

TABLE 5—CHERRY

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	$112.50	$78.00	$46.00	$24.50
1¼	117.50	80.50	51.50	27.00
1½	123.00	85.50	54.00	30.00
2	134.00	91.00	64.00	33.50
2½	144.50	96.50	----------	----------
3	150.00	101.50	----------	----------

TABLE 6—CHESTNUT—WHAD

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
¾	$84.50	$55.50	----------	----------
4/4	64.00	42.00	----------	----------
5/4	72.00	48.50	----------	----------
1	128.00	90.50	$25.00	$21.50
1¼	134.00	95.50	32.00	23.50
1½	134.00	95.50	32.00	23.50
2	136.00	91.00	32.00	23.50
2½	----------	----------	32.00	----------
3	----------	----------	32.00	----------

TABLE 7—CHESTNUT—WHND

Thickness (inch)	FAS	No. 1 common and better	No. 1 common	Sound wormy
¾	$40.50	$34.00	$22.00	$20.00
4/4	46.00	36.50	26.50	22.00
5/4	51.50	42.00	30.00	24.00
1	62.00	52.50	38.00	42.00
1¼	64.00	55.50	52.50	47.00
1½	67.50	56.00	55.50	48.00
2	73.00	63.00	59.00	53.00
2½	----------	----------	----------	56.00
3	----------	----------	----------	62.00

TABLE 8—SOFT ELM

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	$64.00	$43.00	$24.00	$20.50
1¼	69.50	48.00	26.50	21.50
1½	73.00	52.50	26.50	21.50
2	78.00	55.50	40.50	22.50
2½	83.50	60.00	44.00	26.00
3	91.00	65.50	47.00	30.00

TABLE 9—HICKORY

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common	Log run
1	$80.50	$43.00	$25.50	$21.50	$40.50
1¼	91.00	45.00	28.00	23.50	43.00
1½	91.00	48.00	33.50	23.50	46.00
2	102.50	53.50	33.50	23.50	51.50

TABLE 10—HARD MAPLE

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 2A common	No. 3 common
¾	$62.50	$55.00	$43.00	$27.00	----------	----------
4/4	80.50	67.50	50.50	31.00	----------	----------
5/4	91.00	75.00	56.50	34.00	----------	----------
1	107.00	90.00	66.50	40.50	$28.00	$24.50
1¼	112.50	94.00	71.50	44.00	33.00	27.00
1½	117.50	98.00	77.00	46.00	33.00	28.00
2	123.00	104.00	82.50	51.50	37.50	28.00
2½	139.00	117.50	98.50	55.50	----------	----------
3	150.00	125.00	109.00	62.00	----------	----------
4	171.00	158.00	130.50	68.50	----------	----------

TABLE 11—SOFT MAPLE

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
¾	$59.00	$55.50	$23.50	----------
4/4	67.50	44.00	26.00	----------
5/4	76.00	50.50	31.00	----------
6/4	90.00	59.00	36.50	$21.50
1¼	95.00	64.00	40.50	23.50
1½	97.50	66.50	43.00	23.50
2	102.50	74.00	48.00	27.00
2½	117.50	85.50	----------	----------
3	128.50	95.50	----------	----------
4	147.50	112.50	----------	----------

TABLE 12—OAK

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 2A common	No. 3 common
1	$93.50	$83.50	$53.50	$41.50	$30.00	$16.50
1¼	94.00	78.00	62.00	45.00	31.00	20.50
1½	98.50	81.50	66.50	48.00	31.00	20.50
2	110.00	93.00	74.00	52.50	33.00	21.50
2½	131.50	105.00	85.50	----------	----------	----------

TABLE 13—YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	Saps	No. 1 common and selects or No. 1 common	No. 2A common	No. 2B common	No. 3 common
¾	$59.00	$47.00	$38.50	$28.00	$22.50	----------
4/4	67.50	54.50	44.00	32.00	27.00	----------
5/4	76.00	62.00	50.50	36.50	30.00	----------
6/4	89.00	73.00	59.00	43.00	34.00	$21.50
1¼	95.00	77.00	64.00	47.00	36.50	22.50
1½	96.50	78.00	65.50	48.00	37.50	22.50
2	111.50	85.50	68.50	51.50	38.50	22.50
2½	131.50	101.50	82.50	55.50	----------	----------
3	144.50	114.50	95.00	60.00	----------	----------
4	160.50	130.50	108.00	----------	----------	----------

[Tables 1–13 amended by Am. 7, effective 4–22–44]

TABLE 14—MIXED HARDWOODS

Damage or No. 4 Common. Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common $30.00

[Table 14 as amended by Am. 3, 8 F.R. 15673, effective 11–22–43]

TABLE 15—1" HARDWOOD TIE SIDES

Species	FAS	No. 1 common	No. 2 common	No. 2A common	No. 3B common
Birch	$57.50	$35.50	$28.50	$27.00	$21.50
Maple	60.00	36.50	34.00	31.50	18.00
Oak	63.00	46.00	35.50	34.50	17.00
Beech	64.00	46.00	31.00	25.50	15.50

NOTES ON TIE SIDES

For 1¼" and thicker items in each species, add to the above prices the same amount by which the prices for these thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

TABLE 16—HARDWOOD HEARTS

Size (inches)	Length (feet)	No. 3 common	Crossing plank
2 x 4	6 to 16	$25.50	$31.00
2 x 5	6 to 16	27.00	31.00
2 x 6	6 to 16	25.50	31.00
2 x 8	6 to 16	25.50	31.00
2 x 8 and wider	6 to 16	25.50	31.00
3 x 3	6 to 16	27.00	36.00
3 x 4	6 to 16	25.50	36.00
3 x 6	6 to 16	25.50	36.00
3 x 8	6 to 16	28.00	32.00
3 x 10	6 to 16	32.00	37.50
3 x 12	6 to 16	28.50	46.00

TABLE 16—HARDWOOD HEARTS—Continued

Size (inches)	Length (feet)	No. 3 common	Crossing plank
4 x 4	6 to 16	$27.00	$30.00
4 x 6	6 to 16	27.00	31.00
4 x 8	6 to 16	32.00	36.50
6 x 6	6 to 16	27.00	31.00
6 x 8	6 to 16	32.00	36.50
8 x 8	6 to 16	37.50	47.00

NOTES ON HARDWOOD HEARTS

For all one length, 8' or longer, add $2.00.
For all 10' to 16', add $0.50.
For all 12' to 16', add $1.00.
For all 14' to 16', add $1.50.

[Tables 15 and 16 amended by Am. 7, effective 4–22–44]

[Table 17 revoked by Am. 1, 8 F.R. 8541, effective 6–24–43]

TABLE 17A—WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	143	$46	$50	$54	$59	$65	$73
2 x 8	43	46	50	54	59	65	73
2 x 10	45	48	52	56	61	67	75
2 x 12	49	52	56	60	65	71	79
2 x 14	53	56	60	64	69	75	83
2 x 16	58	61	65	69	74	80	88
3 x 4	43	46	50	54	59	65	73
3 x 6	43	46	50	54	59	65	73
3 x 8	45	48	52	56	61	67	75
3 x 10	49	52	56	60	65	71	79
3 x 12	53	56	60	64	69	75	83
3 x 14	58	61	65	69	74	80	88
3 x 16	43	46	50	54	59	65	73
4 x 6	43	46	50	54	59	65	73
4 x 8	45	48	52	56	61	67	75
4 x 10	49	52	56	60	65	71	79
4 x 12	53	56	60	64	69	75	83
4 x 14	58	61	65	69	74	80	88
4 x 16	43	46	50	54	59	65	73
6 x 6	45	48	52	56	61	67	75
6 x 8	47	50	54	58	63	69	77
6 x 10	49	52	56	60	65	71	79
6 x 12	53	56	60	64	69	75	83
6 x 14	58	61	65	69	74	80	88
6 x 16	45	48	52	56	61	67	75
8 x 8	47	50	54	58	63	69	77
8 x 10	49	52	56	60	65	71	79
8 x 12	53	56	60	64	69	75	83
8 x 14	58	61	65	69	74	80	88
8 x 16	47	50	54	58	63	69	77
10 x 10	49	52	56	60	65	71	79
10 x 12	53	56	60	64	69	75	83
10 x 14	58	61	65	69	74	80	88
10 x 16	63	66	70	74	79	85	93
10 x 18	59	53	57	61	66	72	80
12 x 12	55	58	62	66	71	77	85
12 x 14	60	63	67	71	76	82	90
12 x 16	66	69	73	77	82	88	96
12 x 18	72	75	79	83	88	94	102
12 x 20	56	59	63	67	72	78	86
14 x 14	62	65	69	73	78	84	92
14 x 16	68	71	75	79	84	90	98
14 x 18	75	78	82	86	91	97	105
14 x 20	83	86	90	94	99	105	113
14 x 22	92	95	99	103	108	114	122
14 x 24	102	105	109	113	118	124	133
14 x 26	113	116	120	124	129	135	143
14 x 28	69	72	76	80	85	91	99
16 x 16	78	79	83	87	92	98	106
16 x 18	84	87	91	95	100	106	114
16 x 20	92	95	99	103	108	114	122
16 x 22	101	104	108	112	117	123	131
16 x 24	111	114	118	122	127	133	141
16 x 26	122	125	129	133	138	144	152
16 x 28	83	86	90	94	99	105	113
18 x 18	91	94	98	102	107	113	121
18 x 20	100	103	107	111	116	122	130
18 x 22	110	113	117	121	126	132	140
18 x 24	121	124	128	132	137	143	151
18 x 26	133	136	140	144	149	155	163
18 x 28							

NOTES ON WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Random widths; in 2", 3" and 4" thicknesses—$43.00.

Free of heart; in 2", 3" and 4" thicknesses—add $6.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For mixed hardwoods—structural stock or sound square edge, deduct $4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size as shown in above table.

[Above paragraph added by Am. 5, 8 F.R. 17414, effective 1–3–44]

TABLE 17B—WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	$50	$55	$61	$67	$74	$82	$95
2 x 8	50	55	61	67	74	83	95
2 x 10	53	57	63	69	77	86	98
2 x 12	56	63	69	75	82	91	103
2 x 14	64	66	74	80	88	97	109
2 x 16	70	75	81	87	95	104	118
3 x 6	50	55	61	67	74	83	95
3 x 8	50	55	61	67	74	83	95
3 x 10	53	57	63	69	77	86	98
3 x 12	56	63	69	75	82	91	103
3 x 14	64	66	74	80	88	97	109
3 x 16	70	75	81	87	95	104	118
4 x 6	48	55	60	66	71	78	88
4 x 8	48	55	60	66	71	78	88
4 x 10	50	56	62	67	73	80	90
4 x 12	53	62	67	72	78	85	95
4 x 14	59	67	72	77	83	90	100
4 x 16	65	73	78	83	89	96	108
6 x 6	48	55	60	65	71	78	88
6 x 8	50	56	62	67	73	80	90
6 x 10	53	60	65	70	76	83	92
6 x 12	55	62	67	72	78	85	95
6 x 14	59	67	72	77	83	90	100
6 x 16	65	73	78	83	89	96	108
8 x 8	50	56	62	67	73	80	90
8 x 10	53	60	65	70	76	83	92
8 x 12	55	62	67	72	78	85	95
8 x 14	59	67	72	77	83	90	100
8 x 16	65	73	78	83	89	96	108
10 x 10	53	60	65	70	76	83	92
10 x 12	55	62	67	72	78	85	95
10 x 14	59	67	72	77	83	90	100
10 x 16	65	73	78	83	89	96	108
10 x 18	71	79	84	89	95	102	112
12 x 12	56	64	68	73	79	86	96
12 x 14	62	70	74	79	85	92	102
12 x 16	67	76	80	85	91	98	108
12 x 18	74	83	88	92	98	106	118
12 x 20	81	90	95	100	106	113	132
14 x 14	63	71	76	80	86	94	105
14 x 16	69	78	83	88	94	101	116
14 x 18	76	85	90	96	101	108	118
14 x 20	84	94	98	103	109	119	135
14 x 22	93	103	108	113	119	126	136
14 x 24	103	114	119	124	130	137	146
14 x 26	114	126	131	136	142	149	156
14 x 28	127	139	144	149	155	162	172
16 x 16	77	86	91	96	102	109	119
16 x 18	85	95	100	104	110	118	127
16 x 20	94	104	109	114	120	127	137
16 x 22	103	114	119	124	130	137	146
16 x 24	113	125	130	134	140	148	157
16 x 26	124	137	142	146	152	160	169
16 x 28	137	150	155	160	166	173	182
18 x 18	93	103	108	113	119	126	136
18 x 20	102	113	118	122	128	136	145
18 x 22	113	124	128	133	139	146	156
18 x 24	123	136	140	145	151	158	163
18 x 26	136	149	154	158	164	172	181
18 x 28	149	162	168	173	179	186	196

NOTES ON WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Random widths; in 2" and 3" thicknesses—$50.00.

Free of heart; in 2" and 3" thicknesses—add $8.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For mixed hardwoods—freight car stock, common dimension, mine car lumber deduct $4.00 from the maximum prices for white oak or red oak—freight car stock, common dimension, mine car lumber in the same size as shown in the above table.

[Above paragraph added by Am. 5, 8 F.R. 17415, effective 1–3–44]

[Tables 17–A and 17–B added by Am. 1, 8 F.R. 6541, effective 6–24–43]

TABLE 17C—MIXED HARDWOODS NO. 1 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$27.50	$27.50	$34.50	$35.50	$34.50	$34.50	$35.50	$36.50	$38.00	$39.00	$44.50
2 x 3	26.50	26.50	32.50	34.50	35.50	36.50	34.50	35.50	37.00	38.00	43.50
2 x 4	25.50	25.50	31.50	33.50	32.50	33.50	33.50	34.50	36.00	37.00	42.50
2 x 5	30.00	30.00	36.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
2 x 6	25.50	25.50	31.50	33.50	32.50	33.50	33.50	34.00	36.00	37.00	42.50
2 x 8	25.75	25.50	32.50	33.50	32.50	33.50	33.50	34.00	36.00	37.00	42.50
2 x 10	28.00	32.00	36.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	48.00
2 x 12	31.00	31.00	36.00	40.50	39.50	39.50	39.50	40.50	44.00	46.00	50.50

TABLE 17D—MIXED HARDWOODS NO. 2 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$25.50	$25.70	$31.50	$32.50	$31.50	$31.00	$32.50	$33.00	$35.00	$36.00	$41.50
2 x 3	24.50	24.50	30.50	31.50	30.50	30.50	31.50	32.50	34.00	35.00	40.50
2 x 4	23.50	23.50	29.50	30.50	29.50	30.00	30.50	31.50	33.00	34.00	39.50
2 x 5	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.00	37.00	43.00
2 x 6	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 8	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 10	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.00	37.50	43.00
2 x 12	26.00	26.00	32.00	34.00	33.00	33.00	35.00	34.00	37.50	38.50	44.00

[Tables 17C and 17D added by Am. 3, 8 F.R. 15672, effective 12–18–43]

[Table 17E added by Am. 3; revoked by Am. 6, 9 F.R. 1534, effective 2–5–44]

TABLE 18—GRAIN AND COAL DOOR BOARDS

	6'	7'
Grain door boards	$18.00	$18.00
Coal door boards	16.00	16.00

[Table 18 amended by Am. 7, effective 4–22–44]

TABLE 19—1" ROUND EDGE HARDWOODS

Species	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common	Mill run	Log run
Ash	$70.50	$46.00	$34.00	$22.50	$33.00	$40.50
Basswood	78.00	53.50	35.50	21.50	35.50	46.00
Beech	67.50	47.00	31.00	19.50	31.00	39.50
Birch	101.50	62.00	40.50	24.50	41.50	55.50
Soft elm	51.50	35.50	29.00	18.00	25.50	32.00
Hard maple	94.00	61.00	35.50	22.50	38.50	51.50
Soft maple	77.00	51.50	31.00	19.50	32.00	43.00
Oak	70.50	50.50	36.50	17.00	32.00	44.00

NOTES ON 1" ROUND EDGE HARDWOODS

These maximum prices for "log run" and "mill run" shall be applicable only in case the seller guarantees to the buyer that the shipment shall meet the following requirements:

Log run: Not more than 40% No. 2 Common and not less than 15% FAS.

Mill run: Not more than 40% No. 2 Common, not more than 20% No. 2 Common, and not less than 10% FAS.

The maximum price of round-edge mixed hardwoods sold on a "log run" or "mill run" basis shall be the "log run" or "mill run" price of the lowest-priced species included.

For items thicker than 1" in each species, add to the above prices the same amounts by which the prices for those thicknesses, in square-edge lumber grades, exceed the prices for 1" stock in the same square-edge lumber grades.

[Table 19, formerly Table 20, redesignated and amended by Am. 7, effective 4–22–44; former Table 19 revoked by Am. 4, 8 F.R. 16791, effective 12–18–43]

Where the item is of a thickness for which no prices are listed in the square edge lumber tables for the same species, for example, 2¼ inches or 2¾ inches, the amount of addition shall be proportioned, according to the thickness of the item, between the amount of addition for the next lower thickness and the amount of addition for the next greater thickness over the one inch price in the same square edge lumber species and grade.

Example: F. A. S. Hard Maple 2¾ inch thick.

Maximum price for 1" F. A. S. Hard Maple (square edge)	$107.00
Maximum price for 2½" F. A. S. Hard Maple (square edge)	139.00
Maximum price for 3" F. A. S. Hard Maple (square edge)	150.00
Addition for 2½" stock	32.00
Addition for 3" stock	43.00
Proportionate addition for 2¾" stock	37.50

[Above example and preceding paragraph added by Am. 2, 8 F.R. 10660, effective 8–4–43. Example corrected to conform with Am. 3]

SEC. 24. *Kiln-drying additions*—(a) *To 8 percent.*

TABLE 20

The following additions per 1,000 feet may be made for kiln-drying the lumber to a moisture content not exceeding 8 percent as of the time the lumber leaves the kiln:

Species	5/4" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood	$6.50	$7.50	$8.50	$9.50	$10.50	$12.50	$14.50
Soft elm							
Soft maple							
Poplar							
Ash							
Birch							
Beech							
Cherry	7.00	9.00	10.50	13.00	14.50	17.50	22.00
Chestnut							
Hickory							
Hard maple							
Oak							

[Table 20, formerly Table 21, redesignated and amended by Am. 7, effective 4–22–44]

(b) *To 12 percent.*

TABLE 21

The following additions per 1,000 feet may be made for kiln-drying the lumber to a moisture content greater than 8 percent but not exceeding 12 percent as of the time the lumber leaves the kiln.

Species	5/4", 6/4" thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood	$5.50	$6.50	$7.50	$8.50	$9.00	$11.00	$12.00
Soft elm							
Soft maple							
Poplar							
Ash							
Beech							
Birch							
Cherry	6.00	8.00	9.00	10.50	12.50	15.00	19.00
Chestnut							
Hickory							
Hard maple							
Oak							

[Table 21, formerly Table 22, redesignated and amended by Am. 7, effective 4–22–44]

(c) *To 20 percent.* The following additions per 1000 feet may be made for kiln drying the lumber to a moisture content greater than 12 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (a) above, except that a minimum of $4.00 per 1000 feet may be charged.

(d) *For inspecting, grading and measuring after kiln drying.* Where, at the request of the purchaser, the seller inspects, grades and measures the lumber after kiln drying, an addition may be made of 5 percent of the f. o. b. mill rough air dried price of the lumber.

(e) *Custom kiln drying.* Where Northeastern hardwood lumber is kiln dried for the seller through a custom kiln and such custom kiln is not owned or operated by, or connected with, the saw mill, the seller may add the actual cost of this custom kiln drying. The amount added may not be higher than the custom kiln's maximum price established by Maximum Price Regulation No. 165, as amended [11]—Services—for such kiln drying.

[11] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

SEC. 25. *Millworking.*

TABLE 22

The following additions per 1,000 feet may be made for millworking:

Species	Surfacing 1 or 2 sides	Surfacing 1 or 2 sides and resawing 1 cut	Surfacing 1 or 2 sides and resawing 2 cuts	Surfacing 4 sides or S1E or S2E	Dressed and matched	Resawing 1 cut	Resawing each additional cut	Ripping per cut	Bundling
Ash, Beech, Birch, Cherry, Chestnut, Soft elm, Hickory, Hard maple, Soft maple, Oak, Poplar, Basswood	$2.50	$5.00	$7.00	$5.00	$5.00	$3.00	$3.00	$1.50	$1.50
	1.00	4.00	5.50	4.00	4.00	2.50	2.00	1.00	1.00

NOTE: Where Northeastern hardwood lumber is milled for the seller by a custom milling establishment, and such custom milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of the custom milling. The amount added may not be higher than the custom milling establishment's maximum price established by Maximum Price Regulation No. 165, as amended, Services for such milling.

[Table 22, formerly Table 23, redesignated and amended by Am. 7, effective 4-22-44]

SEC. 26. *Anti-stain treatment.* An addition of 50 cents per MBM may be made when lumber is anti-stain treated.

SEC. 27. *National Hardwood Lumber Association inspection certificate.* Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

SEC. 28. *Green lumber.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix A, 10 per cent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, tough ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Sec. 28 amended by Am. 1, 8 F.R. 8541, effective 6-24-43; and Am. 5, 8 F.R. 17414, effective 1-3-44]

SEC. 29. *Combination grades or species*—(a) *General.* For Northeastern hardwood lumber sold on "Log run", "Mill run", or "No. 1 Common and better" grade for which no specific maximum price has been established in the price tables, the maximum price shall be the maximum price established in the table for the lowest grade of lumber contained in the stock that is sold on the special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in the special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this regulation for the respective standard grades.

(b) *No. 1 Common and selects.* If lumber subject to this regulation is sold on a grade of No. 1 Common and selects, and if no specific maximum price has been established for this grade in the tables, $2.00 may be added to the maximum price for No. 1 Common.

(c) *Mixed hardwoods.* The maximum price for mixed hardwoods in a specified grade and thickness shall be the price of the same grade and thickness for the lowest-priced species included.

ARTICLE VI—APPENDIX B: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON "STANDARD SPECIAL" ITEMS

SEC. 30. *Standard special widths and lengths: all hardwood species.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern hardwood lumber in the standard special widths and lengths listed below shall be as follows:

TABLE 23—STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES

(Except as shown in section 31 Table 25)

Width and/or Length	Grade	Maximum additions to maximum prices established in § 23 to 25 for lumber in corresponding standard grade and thickness
8" or 9" and wider; 8' and longer	No. 1 Common and No. 2 Common	$2.00
10' and longer or 12' and longer	No. 2 Common	3.00
7" and wider; standard lengths	No. 1 Common and Better	8.00
8" and wider; standard lengths	No. 1 Common and Better	12.00
9" and wider; standard lengths	No. 1 Common and Better	25.00
9" and wider; standard lengths	No. 1 Common and Better	30.00
10" and wider; standard lengths	No. 1 Common and Better	35.00
12" and wider; standard lengths	Step Plank	[1] 35.00
11" and wider; standard lengths	Step Plank	[1] 40.00
12" and wider; standard lengths	Step Plank	[1] 40.00

[1] Add to FAS price.
For all one width, same price as for the same width and wider, except where otherwise specifically provided for.
For 6' and shorter, deduct $3.00 except where otherwise specifically provided for.

[Table 23, formerly Table 24, redesignated by Am. 7, effective 4-22-44]

SEC. 31. *Standard special grades, specified widths, and specified lengths: In basswood, birch, and hard maple.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern basswood, birch, and hard maple in the standard special grades, specified widths, and specified lengths listed below shall be as follows, except where a different price has been provided in section 23 above:

TABLE 24—STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS

[In specified hardwood species]

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1000 feet BM	Maximum additions to maximum price established in §23 to 25 for lumber in corresponding standard grade and thickness
Basswood	No. 2 common and better	1	Regular	4 and 6	$41.50	
	No. 2 common	1	3¼ to 5½	Regular	$38.50	
	No. 2 common	1	Regular	10 and 12		$5.00.
	All	1¼ and thicker	Regular	10 and 12		$5.00.
	All	All	7 and wider	Regular		$7.00.
	No. 1 common and better		10 and wider	Regular		$15.00.
	No. 1 common and better		12 and wider	Regular		$30.00.
	No. 1 common and better			8 and longer (long cutting).		$4.00.
	No. 1 common and No. 2 common	1				$5.00.
	Venetian blind stock	1 and 1¼			$112.50	
	FAS key stock	1			$96.50	
	No. 1 common and selects key stock	1			$117.50	
	FAS key stock	1¼			$100.50	
	No. 1 common and selects key stock	1¼			$81.50	
	1 and 2 face clear	1	4	6 to 16	$89.00	
	1 and 2 face clear	1 and 1¼	5	6 to 16	For each 10 percent of 8" and wider in excess of 45 percent.	$2.50.
	Selects and better	1 and 1¼	45 percent 8 and wider (10 percent to 15 percent 10 and wider).	45 percent 14 and 16.	For each 10 percent of 14' and 16' in excess of 45 percent.	$2.00.
	Selects and better	1 and 1¼	45 percent 8 and wider (10 percent to 15 percent 10 and wider).	45 percent 14 and 16.		$20.00.
	Straight-grained, free from cross-grained or curly stock.					
Birch	Knotty	1	4 to 8	8 to 16	$85.50	
	No. 1 common and better	1	4 and wider	4 and 6	$67.50	
	No. 2 common and better	1	4 and wider	4 and 6	$51.50	
	No. 2 common	1	4 and wider	4 and 6	$46.00	
	No. 2 common and better	1¼	4 and wider	4 and 6	$55.50	
	1 and 2 face clear	1	4	6 to 16	$92.00	
	1 and 2 face clear	1	5	6 to 16	$96.50	
	2 face clear	1	4	6 to 16	$101.50	
	2 face clear	1	5	6 to 16	$107.00	
	No. 1 common	1	4	Any	$67.50	
	No. 2 common	1	4	Any	$46.00	
	No. 3 common	1	4	Any	$27.00	
	No. 1 common	1	6	Any	$68.50	
	No. 2 common	1	6	Any	$48.00	
	No. 3 common	1	6	Any	$28.00	$30.00.
	Selected red birch		4	6 to 16	$106.00	
	1 and 2 face clear	1	5	6 to 16	$112.50	
	1 and 2 face clear	1	6	6 to 16	$111.50	
	1 and 2 face clear	1¼	4	6 to 16	$182.00	
	No. 1 common and better—Curly	1 and thicker	Regular	Regular		$25.00.
	FAS birdseye	1 and thicker	Regular	Regular		$10.00.
	No. 1 common and better heel stock	1¼ to 2¼	Regular	Regular		
	No. 1 common flooring stock	1	4 and wider	4 and longer	$55.50	
	No. 2 common flooring stock	1	4 and wider	4 and longer	$37.50	
	No. 3 common flooring stock	1	4 and wider	4 and longer	$27.00	
	No. 3A common flooring stock	1	4 and wider	4 and longer	$30.00	
	No. 1 common flooring stock	1¼	4 and wider	4 and longer	$39.50	
	No. 2 common flooring stock	1¼	4 and wider	4 and longer	$32.00	
	No. 3A common flooring stock	1¼				$20.00.
Hard maple	No. 1 white					$15.00.
	No. 1 and No. 2 white					$10.00.
	No. 2 white					$7.00.
	Sap 1 face					$20.00.
	Straight grain (except in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white).					$10.00.
	Straight grain (in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white).					

[Table 24, formerly Table 25, redesignated and amended by Am. 7, effective 4-22-44]

SEC. 32. *Additions and adjustments.* The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, millworking, anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to the price schedules in sections 30 and 31.

ARTICLE VII—APPENDIX C: CANADIAN NORTHEASTERN HARDWOOD LUMBER DELIVERED IN THE UNITED STATES

SEC. 33. *Application of Appendix C.* This appendix applies to Northeastern hardwood lumber produced in Canada east of the 85th meridian and delivered in the United States.

SEC. 34. *Maximum prices for Canadian lumber*—(a) *Maximum f. o. b. mill price.* The maximum f. o. b. mill price for 1000 feet of Northeastern hardwood lumber produced in Canada east of the 85th meridian, and shipped to the United States, shall be the maximum price established in section 23 (Appendix A) minus $3.50.

(b) *Import taxes and duties.* Import taxes and duties may be added to the maximum f. o. b. mill prices.

(c) *Additions and adjustments.* The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, mill working, and anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to this section.

[Sec. 34 as amended by Am. 2, 8 F.R. 10660, effective 8-4-43]

ARTICLE VIII—APPENDIX D: ESTIMATED WEIGHTS

SEC. 35. *Square-edge, green or rough air-dried.* The estimated average weights for Northeastern square-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	*Pounds per 1000 feet BM*
Ash	3,800
Basswood	2,500
Beech	4,000
Birch	4,000
Cherry	3,900
Chestnut	2,800
Soft elm	3,200
Hickory	4,500
Hard maple	4,300
Soft maple	3,700
Oak	4,000
Poplar	2,800

The estimated average weight for Northeastern square-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

SEC. 36. *Round-edge, green or rough air-dried.* The estimated average weights for Northeastern round-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	*Pounds per 1000 feet BM*
Ash	4,900
Basswood	3,200
Beech	5,200
Birch	5,200
Soft elm	4,200
Hard maple	5,600
Soft maple	4,800
Oak	5,200

The estimated average weight for Northeastern round-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

SEC. 37. *Air-dried, worked.* The estimated average weights for Northeastern hardwood lumber in an air-dried condition worked as indicated shall be as follows in pounds per 1000 feet BM:

Species	8/8 or 8/2S	8/8 or 2S & resawn one cut	8/8 or 2S & resawn two cuts	Rough resawn one cut	Rough resawn two cuts	D & M or 8/4S
Ash	2200	1100	2000	1500	2200	3000
Basswood	2000	1800	1700	2200	2000	1800
Beech	1800	2300	3100	3700	2300	2500
Birch	1500	2300	3100	3700	2300	2200
Cherry	2400	2200	3000	3600	2400	2100
Chestnut	2400	2200	2000	2900	2400	2000
Soft elm	2700	2300	2300	3500	2700	2300
Hickory	3900	3700	3500	4200	3900	3600
Hard maple	2600	2600	3400	4000	2800	3500
Soft maple	2200	2000	2800	3400	2200	2800
Oak	2500	2300	3100	3700	2500	2200
Poplar	2400	2200	3000	3300	2400	3000

SEC. 38. *Kiln-dried.* The estimated average weights for Northeastern hardwood lumber in a kiln-dried condition shall be the average weights established in sections 35, 36, and 37, decreased by the average difference in weight between air-dried lumber and kiln-dried lumber in the particular species and in the condition shipped. This average difference shall be calculated on the basis of the experience during the year 1941 of the mill which produced the lumber shipped.

Effective date. This regulation shall become effective April 21, 1943. [MPR 368 originally issued April 16, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5459; Filed, April 17, 1944; 4:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Correction]

LITTLE ROCK, ARK.

Item 23 of the Rent Regulation for Hotels and Rooming Houses is corrected to read as follows:

(23) Little Rock, Arkansas	Arkansas	Lonoke and Pulaski	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
		Saline	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

This correction is effective as of March 1, 1944.

(56 Stat. 23, 765)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5461; Filed, April 17, 1944; 11:56 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 50]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 19b (c) (3) (i) (s) is added to read as follows:

(s) "Sausage, pork and veal (bulk) (type 3)" means sausage containing not more than 70% ground veal as defined in (c) (2) (iii) (c) and not less than 30% pork trimmings and fat.

2. Section 19b Table C is amended by adding a new item under the category "Miscellaneous pork cuts" to read as follows:

Miscellaneous pork cuts:	*Cents per pound*
Sausage, pork and veal (bulk) (type 3)	$0.35

3. Section 19b Table G is amended by changing the item "Butter, salted" to read as follows:

Butter, salted:	*Maximum price (Cents per pound)*
U. S. Grade AA or U. S. 93 score	$0.60
U. S. Grade A or U. S. 92 score	.60
U. S. Grade B or U. S. 90 score	.59
U. S. Grade C or U. S. 89 score	.59

4. Section 52 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers, and sales by manufacturing-retailers of women's and girl's wear set forth in paragraph (a) (1). This section does not apply to sales by custom tailors or dressmakers of garments which are manufactured to the individual measurements of the ultimate consumer.

5. Section 53 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and sales by manufacturing-retailers of men's and boys' wear set forth in paragraph (a) (1). This section does not apply to sales by custom or merchant tailors of garments which are manufactured to the individual measurements of the ultimate consumer.

6. Section 61 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and manufacturing-retailers, of children's and infants' wear as set forth in paragraph (a) (1). This section does not apply to sales by custom tailors or dressmakers of garments which are manufactured to the individual measurements of the ultimate consumer.

This amendment shall become effective as follows:

(a) As to section 19b, as of March 13, 1944.

(b) As to sections 52, 53, and 61, as of March 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5462; Filed, April 17, 1944; 4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 18]

PIECE GOODS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 395 is amended in the following respects:

1. Section 24 Table XII item 3 is amended to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
3. All types of animal and poultry feed.	*Pounds* 2	$0.025	$0.025	$0.03

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2165, 2290, 3231, 3421.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15952, 15962, 16966, 16997, 17201; 9 F.R. 173, 393.

[1] 8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15865, 17052, 16298, 16793; 9 F.R. 1398.

2. Section 25 Table XIII is amended to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
	Lb.			
1. Natural American Cheddar	1	$0.43	$0.44	$0.46
2. Processed Cheddar, loaves weighing 2 pounds and over	1	.47	.48	.50

NOTE: The maximum prices for all types, grades or varieties of cheese, other than those listed above shall be established in accordance with the requirements of Maximum Price Regulation No. 201.

3. Section 38 is added to read as follows:

SEC. 38 *Maximum prices for imported piece goods sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 38, the term:

(1) "Piece goods" means all unused finished piece goods, yard goods and pound goods, 12 inches or more in width, consisting basically of wool or other animal fibre, cotton, rayon, silk, linen, oilcloth or synthetic textile fibre by whatever process manufactured, whether commonly used for dress or other garment making or for industrial, utility or household purposes.

(2) "Imported piece goods" means piece goods not actually manufactured or produced in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the territories and possessions of the United States.

(4) "Class of piece goods items" means a group of piece goods products having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Piece goods directly imported from foreign places.* The maximum prices at retail and at wholesale of piece goods directly imported from a foreign place shall be governed by Maximum Price Regulation No. 201.[1]

(2) *All other imported piece goods.* (i) Maximum retail prices for imported piece goods, except those directly imported from a foreign place, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXVI below:

TABLE XXVI—IMPORTED PIECE GOODS

	Sales in the Municipalities of St. Thomas and St. John	Sales in the Municipality of St. Croix
Multiplier	$1.35	$1.50

(ii) The wholesale prices for such imported piece goods are subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

[1] 7 F.R. 6269, 6744, 9996, 9847, 10231, 10790; 8 F.R. 1860, 10984.

(iii) No sales at retail of such imported goods in excess of the retail price computed in accordance with the method stipulated in sub-division (b) (2) (i) herein shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than two weeks after the effective date a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of piece goods items in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of piece goods items subsequently acquired by him within three days after placing such class of piece goods items on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of piece goods items: type, brand, size, supplier's stock number if available.

(ii) The date of receipt (applicable only when filing the supplementary price list).

(iii) The name and address of the supplier.

(iv) The direct cost to the importer.

(v) The applicable multiplier (or markup).

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale.* Any person, including the importer, who sells or transfers imported piece goods (except those subject to Maximum Price Regulation No. 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such piece goods items to the importer, and shall certify this information to be true and correct.

This amendment shall become effective April 22, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5461; Filed, April 17, 1944; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 119]

LABORATORY REAGENT SPECIALTY SOLUTIONS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.25 is added to read as follows:

SEC. 4.25 *Laboratory reagent specialty solutions*—(a) *Definition.* Laboratory reagent specialty solutions are solutions of dyes, chemicals or other substances sold for the following purposes: scientific and medical research; analytical, educational and clinical laboratory uses; and quality control of industrial products.

(b) *Maximum prices*—(1) *Manufacturers.* Manufacturers of laboratory reagent specialty solutions which contain U. S. tax-paid ethyl alcohol and for which no Treasury drawback is obtainable under law, may add to their maximum prices established under this General Maximum Price Regulation without the use of this section 4.25 for sales of such solutions the exact amount of the tax in excess of $4.00 per proof gallon paid on the alcohol contained therein. The added amount permitted to be charged shall be separately stated by the seller on an invoice furnished the buyer prior to payment.

(2) *Resellers.* Resellers of laboratory reagent specialty solutions may add to their maximum selling prices the amount of the increase in their buying prices permitted by the preceding subparagraph (1) and shall separately show such amount on an invoice furnished their buyers prior to payment.

This amendment shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5442; Filed, April 17, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 120]

MUSSEL SHELLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended by adding a new section 6.45 to read as follows:

SEC. 6.45 *Mussel shells.* Diggers of mussel shells used in the production of pearl buttons, may sell and deliver "Pigtoe" shells and "Washboard" shells secured along the banks of the Tennessee River and Ohio River at prices not to exceed the following maximum prices:

For "Pigtoe" shells: 125% of the maximum prices established under the General Maximum Price Regulation, or $40.00 per ton, whichever is lower, f. o. b. river bank.

For "Washboard" shells: 125% of the maximum prices established under the General

*Copies may be obtained from the Office of Price Administration.

Maximum Price Regulation, or $18.75 per ton, whichever is lower, f. o. b. river bank.

This section shall expire on December 31, 1944.

This amendment shall become effective on the 22d day of April 1944.

(56 Stat. 23, 765, Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5443; Filed, April 17, 1944; 11:58 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 57]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 18.2 (f) is added to read as follows:

(f) An institutional user who has no meal service base is not required to keep the records described in paragraph (b) or (c). He must, however, keep a record of the amount of rationed food he acquired and the amount of rationed food he used in each allotment period.

This amendment shall become effective April 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2985, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively),

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5490; Filed, April 18, 1944; 11:44 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 8,[1] Amdt. 7]

GENERAL PROHIBITIONS AND PENALTIES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order 8 is amended in the following respects:

1. The title of the order is amended to read, "General Prohibitions, Penalties and Conditions".

2. Section 1305.53 is amended to read as follows:

§ 1305.53 *General prohibitions, penalties and conditions.* Under the authority vested in the Administrator by Executive Order No. 9125, Directive No. 1 of the War Production Board and Food Directive No. 3 issued by the Secretary of Agriculture, General Ration Order No. 8 (General Prohibitions, Penalties and Conditions) which is annexed hereto and made a part hereof, is hereby issued.

3. Section 1.1 is amended to read as follows:

SEC. 1.1 *Scope of order.* This order sets forth certain uniform prohibitions, penalties and conditions which shall apply to all ration orders.

4. Section 2.10 is revoked.

5. Section 4.1 is amended by inserting after the second word in the first sentence the following: "who sells or transfers, or in the course of trade or business buys or receives, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration or".

This amendment shall become effective April 22, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5489; Filed, April 18, 1944; 11:44 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 291,[1] Corr. to Amdt. 3]

CERTAIN SYRUPS AND MOLASSES

Amendment No. 3 to Revised Maximum Price Regulation 291 is corrected in the following respect:

The paragraph denoted by the use of (b) for the second time in section 11a is corrected to read (c) and the reference in that paragraph to (a) is corrected to read (b).

This correction shall become effective as of April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5488; Filed, April 18, 1944; 11:43 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 375,[1] Corr. to Amdt. 2]

USED INDUSTRIAL SEWING MACHINES

In paragraph 1 the phrase "Section 1390.61a is amended to read as follows:", is corrected to read "Section 1390.161 (a) is amended to read as follows:".

This correction to Amendment 2 shall become effective as of April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5487; Filed, April 18, 1944; 11:43 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 117]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.7706 (x) (5) is amended to read as follows:

(5) A States War Inspection Service Volunteer of the Office of Civilian Defense who is certified by a Regional Industrial Protection Officer of the Office of Civilian Defense to be a States War Inspection Service Volunteer for travel in the performance of his official duties. Such certification shall also state the estimated number of inspections to be made by the applicant during the three month period following the date of application and the estimated mileage required for such inspection work.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official duties.

This amendment shall become effective April 22, 1944.

NOTE: All reporting and/or record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5491; Filed, April 18, 1944; 11:45 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12402, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 699, 1610, 2212, 2287, 2262, 2476.

[1] 8 F.R. 8783, 8677, 9626, 12455; 9 F.R. 403, 1325, 2746.

[1] 8 F.R. 16808; 9 F.R. 795, 2662, 3642.

[1] 8 F.R. 5887, 7114, 9 F.R. 3855.

[1] 8 F.R. 15037, 16250, 16420, 9 F.R. 104, 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 206, 90, 1181, 1180, 972, 1326, 1397, 1712, 2033, 2087, 2239, 2654, 2902, 2567, 2655, 2829, 2791, 3078, 2909, 3232, 3784, 3745.

PART 1406—GLASS AND GLASS CONTAINERS

[MPR 382,[1] Amdt. 5]

WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 382 is amended in the following respects:

1. Section 5.1 (a) is amended to read as follows:

SEC. 5.1 *Base prices for the Eastern area—(a) Standard glass containers.*

TABLE FOR STANDARD GLASS CONTAINERS

[Quantities listed below are for shipments at one time and are for GOA #400 finish]

Capacity in ounces	Finish M/M	Packed C, or R/S cartons 1 dozen	Over 1,000 case lots	800-1,000 case lots	100-400 case lots	Less than 100 cases	Shipping weight per gross in pounds
4½	63	1	$1.70	$1.80	$1.90	$2.15	375
6¾	63	2	2.00	2.10	2.20	2.45	350
8¾	63	2	2.10	2.20	2.30	2.55	375
8¾	63	2	2.10	2.20	2.30	2.55	250
8¾ and 8¾	63	2	2.10	2.20	2.30	2.55	250
11½	63	2	2.20	2.30	2.40	2.75	225
11½	63	2	2.20	2.30	2.40	2.75	300
12½	63	2	2.20	2.30	2.40	2.75	300
12½	63	2	2.20	2.30	2.40	2.75	375
12½	63	2	2.20	2.30	2.40	2.75	450
16½	63	2	2.30	2.40	2.50	2.85	375
16½	63	2	2.30	2.40	2.50	2.85	450
22½	63	2	2.30	2.40	2.50	2.85	450
22½	63	2	2.30	2.40	2.50	2.85	600
24½	63	2	2.30	2.40	2.50	2.85	600
34	63	1	2.30	2.40	2.50	2.85	750

[1] As defined in paragraph (b) immediately following. When A or B style cartons are used, there may be added to the prices specified in this table the dollars-and-cents amount by which the Add to Bulk Carton Price Per Gross in the O style carton differential in the Table of Case Lots Add to Bulk Carton Price Per Gross in paragraph (b) immediately following, in accordance with section 4.3 (b) above.

For other standard finishes interchangeable with GOA #400, the following minimum quantities, ordered for shipment as soon as made, may be required:

	Gross
4¼ ounce	375
6¾ ounce	350
8¾ and 8¾ ounce	375
11½ ounce to 12½ ounce inclusive	250
16½ ounce to 22¾ ounce inclusive	225
24½ ounce to 34 ounce inclusive	300

[1] 8 F.R. 6275, 8939, 10618, 11613, 16251.

PART 1396—FATS, CHEMICALS, DRUGS AND COSMETICS

[MPR 472,[1] Amdt. 2]

CERTAIN ESSENTIAL OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 472 is amended in the following respects:

1. Section 1 is amended by adding the following oils to the list contained therein:

Oil of cedarleaf.
Oil of spruce.

2. Section 7 (a) is amended by substituting the expression "Appendices A and B" for the expression "Appendix A," wherever it occurs.

3. Section 11 (a) (5) is amended to read as follows:

(5) "Producer" means:

(i) In the case of natural oil of peppermint and natural oil of spearmint, a person who sells natural oil of peppermint or natural oil of spearmint distilled from plants grown by him or distilled by him from plants grown by others.

(ii) In the case of oil of cedarleaf and oil of spruce, a person who produces these oils from plant material.

4. Section 11 (a) (6) (iv) is added to read as follows:

(iv) In the case of oil of cedarleaf and oil of spruce, a person other than a producer or drug wholesaler who sells oil of cedarleaf or oil of spruce. A person may be a producer as to oils produced by him, and a dealer as to oils produced by others.

5. Section 11 (a) (9) is added to read as follows:

(9) "Oil of cedarleaf" means oil of cedarleaf U. S. P. and all other types and grades of oil of cedarleaf.

6. Section 11 (a) (10) is added to read as follows:

(10) "Oil of spruce" means the volatile oil distilled with steam from species of *Picea* and known commercially as oil of spruce.

7. Appendix B is added to read as follows:

Appendix B—Maximum prices for oil of cedarleaf and oil of spruce

(a) *Sales by producers.* The maximum prices for sales by producers of oil of cedarleaf or oil of spruce in any quantity and any container, f. o. b. producer's shipping point, shall be $2.26 per pound.

(b) *Sales by dealers.* The maximum prices per pound for sales by dealers of oil of cedarleaf or oil of spruce are set forth below:

Quantity per container:	*Sales by dealers per lb.*
Over 50 lbs.	$2.66
50 lbs.	2.73
25 lbs.	2.75
10 lbs.	2.76
5 lbs.	2.78
1 lb.	2.85
8 oz.	$0.181
4 oz.	.189
1 oz.	.200

The quantities specified above refer to the quantity contained in a single container. It shall be an evasion of the regulation, however, for a seller to require a buyer to purchase a given quantity in a number of small containers in order to obtain a higher price.

Where the container in which the oil is sold contains a quantity not specifically listed, the price which is applicable is the price for a sale in the next larger quantity which is specifically listed.

Each dealer shall apply to the maximum prices listed above the same credit terms as

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13126; 9 F.R. 3426.

2. Section 5.2 (a) is amended to read as follows:

Sec. 5.2 *Base prices for the Western area*—(a) *Standard glass containers.*

TABLE FOR STANDARD GLASS CONTAINERS

[Quantities listed below are for shipments at one time and are for GCA #400 finish]

Capacity in ounces	Finish M/M	Packed C, or #13 cartons[1] dozen	Over 1,000 case lots	500–1,000 case lots	100–499 case lots	Less than 100 cases	Shipping weight per gross in pounds
4¼	48	4	$1.90	$2.09	$2.19	$2.44	40
6¼	63	2	2.34	2.44	2.54	2.79	45
8¼	63	2	2.51	2.61	2.71	2.96	55
8¾	58	2	2.51	2.61	2.71	2.96	55
9¼	58	2	2.51	2.61	2.71	2.96	55
11½	58	2	2.81	2.91	3.01	3.26	70
12½	58	2	2.88	2.98	3.08	3.33	75
12¼	58	2	2.88	2.98	3.08	3.33	75
15½	63	2	3.06	3.16	3.28	3.53	80
16½	63	1	3.34	3.44	3.54	3.79	90
17	63	1	3.34	3.44	3.54	3.79	90
18¼6	63	1	3.68	3.78	3.88	4.13	100
22¾	63	1	3.81	3.91	4.01	4.26	110
24½	63	1	3.89	3.99	4.09	4.34	115
27½	63	1	3.96	4.06	4.16	4.41	125
31	63	1	4.04	4.14	4.24	4.49	130
32¾	63	1	4.11	4.21	4.31	4.56	130
34	63	1	4.11	4.21	4.31	4.56	135

For other standard finishes interchangeable with GCA #400, the following minimum quantities, ordered for shipment as soon as made, may be required:

	Gross
4¼ ounce	675
6¼ ounce	350
8¼ and 8¾ ounce	275
11½ ounce to 12½ ounce, inclusive	250
15½ ounce to 22¾ ounce, inclusive	225
24½ ounce to 34 ounce, inclusive	200

[1] As defined in paragraph (b) immediately following.

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5494; Filed, April 18, 1944; 11:46 a. m.]

PART 1412—SOLVENTS

[MPR 28,[1] Amdt. 6]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 28 is amended in the following respects:

1. The introductory paragraph of § 1412.263 is amended by changing the colon after "specified" to a period and adding the following sentences:

The maximum prices established herein do not apply to sales to persons other than Defense Supplies Corporation of ethyl alcohol produced in whole or in part from potatoes where any part of the cost of such potatoes is borne by the United States or any agency thereof. Maximum prices for such sales shall be prices in line with the level of maximum prices established herein adjusted to reflect the portion of raw material cost borne by the government, and specifically authorized by the Office of Price Administration, Washington, D. C., pursuant to written application by the manufacturer. No delivery of such ethyl alcohol may be made to any person other than Defense Supplies Corporation prior to obtaining authorization of a maximum price covering such delivery. Deliveries of such alcohol to Defense Supplies Corporation may be made only at or below the maximum price established for such deliveries under paragraph (h) below.

2. The heading of § 1412.263 (h) is amended to read as follows:

(h) *Sales of certain ethyl alcohol to the Defense Supplies Corporation.*

3. Section 1412.263 (h) (1) is amended by changing in the first paragraph the colon following the words "following formula" to a period, the words "following formula" to "formula below" and adding the following sentence:

The maximum price for the sale by any plant to Defense Supplies Corporation of ethyl alcohol of 190 proof produced in whole or in part from potatoes, where any part of the cost of such potatoes is borne by the United States Government or any agency thereof, shall be the maximum price computed pursuant to the following formula:

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5496; Filed, April 18, 1944; 11:46 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2339, 4256, 4852, 6016, 12879; 9 F.R. 2008, 2220.

PART 1412—SOLVENTS

[MPR 295,[1] Amdt. 7]

WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 295 is amended in the following respects:

1. The introductory paragraph § 1412.165 is amended by changing the colon following the word "specified" to a period and adding the following sentences:

The maximum prices established herein do not apply to sales to persons other than the United States Government or any agency thereof of West Coast ethyl alcohol produced in whole or in part from potatoes where any part of the cost of such potatoes is borne by the United States or any agency thereof. Maximum prices for such sales shall be prices in line with the level of maximum prices established herein adjusted to reflect the portion of raw material cost borne by the government, and specifically authorized by the Office of Price Administration, Washington, D. C., pursuant to written application by the manufacturer. No delivery of such West Coast ethyl alcohol may be made to any person other than the United States Government or any agency thereof prior to obtaining authorization of a maximum price covering such delivery. Deliveries of such alcohol to the United States Government or any agency thereof may be made only at or below the maximum price established for such deliveries under paragraph (g) below.

2. Section 1412.165 (g) is amended by changing in the first paragraph, the words "following formula" to "formula below" the colon after the words "following formula" to a period, and adding the following sentence:

The maximum prices for the sale to the United States Government or its agencies of West Coast ethyl alcohol produced in whole or in part from potatoes, where any part of the cost of such potatoes is borne by the United States Government or any agency thereof, shall be only those computed in accordance with the following formula:

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5495; Filed, April 18, 1944; 11:46 a. m.]

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[1] 7 F.R. 11115; 8 F.R. 129, 2589, 4030, 15431; 9 F.R. 2666, 3330.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 388,[1] Amdt. 23]

MEAT AND POULTRY PRODUCTS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 388 is amended in the following respects:

1. Section 1418.354a is added to read as follows:

§ 1418.354a *Territorial adjustment of maximum prices.* The Territorial Director of the Office of Price Administration in Alaska may issue an order adjusting the maximum price of any item for any locality listed in the Tables of maximum prices in § 1418.363 whenever such action is necessary to correct an error or to prevent substantial hardship caused by an unanticipated increase in the maximum wholesale price or costs of shipment. An order issued pursuant to this section shall remain in effect until superseded by an appropriate amendment.

2. Section 1418.363 (x) Table XXIV is added to read as follows:

(x) Table XXIV.—Maximum retail prices for canned beef, pork and poultry products.

Item	Container	Ketchikan	Wrangell	Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova	Valdez	Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Nome
Chicken and turkey:															
Lynden boned chicken	3½-oz. glass	$0.54	$0.54	$0.54	$0.54	$0.54	$0.54	$0.53	$0.55	$0.55	$0.55	$0.55	$0.53	$0.55	$0.58
Lynden diced chicken	4-oz. glass	.50	.50	.50	.50	.50	.50	.51	.51	.51	.51	.52	.53	.54	.52
Lynden chicken a la king	17-oz. glass	.49	.49	.49	.49	.49	.49	.51	.51	.51	.51	.54	.55	.56	.53
Lynden minced chicken	4-oz. glass	.47	.45	.45	.47	.47	.47	.48	.48	.48	.48	.47	.47	.51	.49
Lynden egg noodles and chicken	1-lb. glass	.39	.39	.39	.39	.39	.39	.41	.41	.41	.41	.42	.43	.46	.43
Lynden sliced chicken	5½-oz. glass	.80	.75	.75	.80	.80	.80	.82	.82	.82	.82	.77	.77	.84	.84
Lynden Twistee noodle dinner	1-lb. glass	.19	.19	.19	.19	.19	.19	.20	.20	.20	.20	.23	.23	.24	.22
Lynden boned turkey	5½-oz. glass	.75	.75	.75	.75	.76	.76	.77	.77	.77	.77	.78	.78	.79	.79
Lynden chunk turkey	1-lb. glass	1.44	1.44	1.44	1.45	1.43	1.45	1.48	1.48	1.48	1.48	1.50	1.51	1.54	1.51
Lynden egg noodles and turkey	1-lb. glass	.39	.37	.37	.40	.40	.40	.41	.41	.41	.41	.41	.42	.45	.43
Chili:															
Armour's chili con carne	1-lb. tin	.42	.42	.42	.42	.42	.42	.44	.44	.44	.44	.45	.46	.48	.46
Cerretelli with beans	8-oz. glass	.16	.16	.16	.16	.16	.16	.17	.17	.17	.17	.18	.18	.19	.18
Cerretelli with beans	16-oz. glass	.29	.29	.29	.30	.30	.30	.31	.31	.31	.31	.34	.35	.38	.33
Cerretelli with beans	24-oz. glass	.39	.39	.39	.39	.39	.39	.41	.41	.41	.41	.42	.43	.45	.44
Dennison's with beans	15¾-oz. tin	.30	.30	.30	.31	.31	.31	.33	.32	.32	.32	.34	.35	.37	.34
Morrell's	11-oz. tin	.25	.25	.25	.25	.25	.25	.26	.26	.26	.26	.27	.29	.31	.27
Wilson's	12-oz. tin	.27	.27	.27	.27	.27	.27	.28	.28	.28	.29	.31	.32	.34	.30
Deviled ham:															
Armour	3-oz. tin	.22	.22	.22	.23	.22	.22	.23	.23	.23	.23	.23	.24	.24	.23
Cudahy	3-oz. tin	.22	.22	.22	.23	.22	.22	.23	.23	.23	.23	.23	.25	.24	.23
Libby's	3-oz. tin	.22	.22	.22	.23	.22	.22	.23	.23	.23	.23	.23	.24	.24	.23
Swift	3-oz. tin	.22	.22	.22	.23	.22	.22	.23	.23	.23	.23	.23	.24	.24	.23
Underwood	3-oz. tin	.26	.26	.26	.26	.26	.26	.27	.27	.27	.27	.27	.28	.28	.26
Underwood	3-oz. glass	.28	.28	.28	.28	.28	.28	.29	.29	.29	.29	.30	.30	.31	.30
Wilson's certified	3-oz. tin	.18	.19	.19	.19	.19	.19	.19	.19	.19	.19	.20	.20	.21	.20
Deviled meat:															
Armour	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.11	.11	.12	.11
Armour	5½-oz. tin	.15	.15	.15	.15	.15	.15	.16	.16	.16	.16	.16	.17	.18	.16
Libby's	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.11	.11	.12	.11
Libby's	5½-oz. tin	.15	.15	.15	.15	.15	.15	.16	.16	.16	.16	.16	.17	.18	.16
Morrell's	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.11	.11	.12	.11
Morrell's	5½-oz. tin	.15	.15	.15	.15	.15	.15	.16	.16	.16	.16	.16	.17	.18	.16
Swift Premium	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.11	.11	.11	.12	.11
Wilson's certified	3¼-oz. tin	.08	.08	.08	.08	.08	.08	.08	.08	.08	.09	.09	.09	.09	.09
Wilson's certified	5-oz. tin	.12	.12	.12	.12	.13	.13	.13	.13	.13	.13	.14	.14	.16	.14
Luncheon meats:															
Armour's lunch tongue	12-oz. tin	.55	.55	.55	.55	.55	.55	.56	.56	.56	.57	.57	.57	.58	.58
Armour's pressed ham	12-oz. tin	.50	.50	.50	.50	.50	.50	.51	.51	.51	.51	.53	.54	.55	.53
Armour's Treet	12-oz. tin	.48	.45	.45	.48	.48	.48	.49	.49	.49	.49	.49	.49	.52	.51
CAP corned beef	12-oz. tin	.48	.47	.47	.49	.49	.49	.50	.50	.50	.50	.50	.50	.54	.51
CAP corned beef	12-oz glass	.50	.49	.49	.50	.50	.50	.52	.52	.52	.52	.53	.53	.56	.53
Cudahy's Puritan lunch tongue	12-oz. tin	.64	.64	.64	.65	.65	.65	.66	.66	.66	.66	.66	.66	.70	.68
Cudahy's Rex lunch tongue	12-oz. tin	.55	.55	.55	.55	.56	.56	.57	.57	.57	.57	.59	.59	.61	.58
Cudahy's Puritan chopped pressed ham	12-oz. tin	.56	.56	.56	.56	.56	.56	.57	.57	.57	.57	.59	.59	.61	.58
Hormel's bacon	12-oz. tin	.56	.56	.56	.56	.56	.56	.57	.58	.57	.58	.59	.59	.61	.60
Hormel's Spam	12-oz. tin	.49	.46	.46	.49	.49	.50	.51	.51	.51	.51	.51	.52	.55	.52
Mor luncheon meat	12-oz. tin	.47	.47	.47	.47	.47	.47	.48	.48	.48	.48	.50	.51	.52	.50
Morrell's E-Z Serve corned beef	12-oz. tin	.44	.44	.44	.44	.44	.44	.45	.45	.45	.45	.47	.47	.49	.47
Morrell's E-Z Serve ham loaf	12-oz. tin	.63	.63	.63	.63	.63	.63	.65	.65	.65	.65	.67	.67	.69	.65
Morrell's savory ham, chopped, pressed	24-oz. tin	1.21	1.21	1.21	1.22	1.22	1.22	1.24	1.24	1.24	1.24	1.26	1.27	1.30	1.27
Morrell's E-Z Serve liver loaf	10½-oz. tin	.34	.35	.35	.35	.35	.35	.36	.36	.36	.36	.37	.38	.40	.38
Morrell's Pride, spiced	6-lb. tin	3.29	3.29	3.29	3.30	3.30	3.30	3.38	3.38	3.38	3.38	3.46	3.49	3.58	3.46
Morrell's pure pork	6-lb. tin	3.18	3.30	3.30	3.30	3.22	3.22	3.28	3.28	3.28	3.30	3.44	3.48	3.62	3.34
Morrell's Snack	12-oz. tin	.52	.52	.52	.52	.52	.52	.54	.54	.54	.54	.55	.56	.58	.55
Morrell's E-Z Serve tongue loaf	11¼-oz. tin	.50	.51	.51	.51	.51	.51	.52	.52	.52	.52	.53	.54	.56	.53
Morrell's E-Z Serve veal loaf	11½-oz. tin	.45	.43	.43	.45	.45	.45	.47	.47	.47	.47	.48	.48	.50	.49
Rath's luncheon meat	12-oz. tin	.50	.50	.50	.50	.51	.51	.52	.52	.52	.52	.54	.54	.56	.53
Swift's Prem	12-oz. tin	.50	.46	.46	.50	.50	.50	.51	.51	.51	.51	.51	.52	.55	.52
Swift's Prem	12-oz. glass	.50	.47	.47	.50	.50	.50	.52	.52	.52	.52	.53	.53	.57	.53
Pigs' feet:															
Armour's	14-oz	.38	.36	.36	.38	.38	.38	.40	.40	.40	.40	.41	.41	.46	.43
Armour's	28-oz	.60	.58	.58	.61	.62	.62	.64	.64	.64	.65	.64	.65	.73	.68
Carsten	14-oz	.36	.35	.35	.37	.37	.37	.39	.39	.39	.39	.40	.40	.45	.41
Carsten	28-oz	.60	.58	.58	.61	.61	.62	.65	.65	.65	.65	.64	.65	.73	.70
Fidelity	9-oz	.23	.22	.22	.23	.23	.23	.25	.25	.25	.25	.24	.25	.28	.27
Fidelity	14-oz	.29	.28	.28	.29	.29	.29	.31	.31	.31	.31	.32	.33	.36	.34
Hormel	1-lb	.37	.36	.36	.37	.38	.38	.39	.39	.39	.40	.42	.43	.45	.42
Hormel	28-oz	.60	.58	.58	.61	.61	.62	.64	.64	.64	.65	.63	.65	.72	.68
Morrell's	9-oz	.24	.23	.23	.25	.25	.25	.26	.26	.26	.26	.26	.26	.30	.28
Morrell's	14-oz	.33	.31	.31	.33	.33	.33	.35	.35	.35	.35	.36	.37	.41	.37
Morrell's	28-oz	.63	.60	.60	.63	.64	.64	.67	.67	.67	.68	.66	.67	.75	.72
Rath's	1-lb	.36	.35	.35	.37	.37	.37	.38	.38	.38	.39	.38	.40	.45	.41
Rath's	28-oz	.62	.60	.60	.63	.63	.64	.66	.66	.66	.67	.66	.67	.74	.71
Swift's	14-oz	.39	.38	.38	.39	.40	.40	.41	.41	.41	.42	.42	.43	.48	.44
Swift's	28-oz	.61	.59	.59	.62	.62	.62	.65	.65	.65	.65	.67	.69	.73	.70
Wilson's certified	14-oz	.31	.29	.29	.31	.32	.32	.33	.33	.33	.33	.34	.35	.40	.36
Wilson's certified	28-oz	.50	.48	.48	.51	.51	.52	.54	.55	.54	.55	.54	.55	.62	.56

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10681, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 8044, 8184, 12549, 13166, 14305, 16514, 16626, 16627, 16865, 16986, 16793; 9 F.R. 301, 849, 1715.

Item	Container	Ketchikan	Wrangell	Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova	Valdez	Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Notes
Pork and sausage:															
Armour's pork sausage meat	1¼-lb. tin	$0.75	$0.75	$0.75	$0.75	$0.75	$0.79	$0.81	$0.81	$0.81	$0.81	$0.88	$0.94	$0.87	$0.83
Armour's Vienna sausage	4-oz. tin	.19	.19	.19	.19	.19	.19	.20	.20	.20	.20	.21	.21	.22	.21
Libby's Vienna sausage	4-oz. tin	.18	.18	.18	.18	.18	.18	.19	.19	.19	.19	.20	.20	.21	.21
Ravioli:															
Lynden Ravioli	1-lb. glass	.26	.26	.26	.27	.27	.27	.28	.28	.28	.29	.30	.31	.34	.31
Stripe's Ravioli	1-lb. glass	.21	.21	.21	.21	.21	.21	.23	.23	.23	.23	.25	.25	.29	.25
Tamales:															
Armour's	10¼-oz. glass	.26	.26	.26	.26	.27	.27	.28	.28	.28	.28	.30	.31	.33	.29
Stidd's	7-oz. glass	.35	.35	.35	.35	.35	.35	.36	.36	.36	.36	.37	.37	.38	.37
Wilson's certified	9¼-oz. glass	.16	.17	.17	.17	.17	.17	.18	.18	.18	.18	.19	.20	.21	.19

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5402; Filed, April 18, 1944; 11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53[1] incl. Amdts. 1–19]

FATS AND OILS

The Table in sec. 9.1 and the Table and preceding text in sec. 9.2 are amended; sec. 9.2 (d) is added by Amendment 19, effective April 24, 1944, so that Maximum Price Regulation No. 53 shall read as follows:

The Administrator has deemed it necessary to establish maximum prices for fats and oils under this Maximum Price Regulation No. 53. A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

§ 1351.151 *Maximum prices for fats and oils.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 53 (Fats and Oils), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.151 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 53—FATS AND OILS

ARTICLE I—GENERAL PROVISIONS

Sec.
1.1 Prohibition against dealing in fats and oils at prices above the maximum.
1.2 Exempt sales.
1.3 Exempt governmental purchases of foreign fats and oils.
1.4 Application for determination of a maximum price.
1.5 Imports and exports—adjustment of maximum prices caused by variances in freight and insurance charges.
1.6 Brokers' commissions paid by buyers.
1.7 Adjustable pricing.
1.8 Petitions for amendment.
1.9 Evasion.
1.10 Enforcement.
1.11 Records and reports.
1.12 Geographic applicability of the regulation.
1.13 Definitions.
1.14 Licensing

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

2.1 Maximum prices.
2.2 Inclusion of transportation and other charges in maximum prices.
2.3 Evasion.

ARTICLE III—COTTONSEED OIL

3.1 Maximum prices.
3.2 Refined cottonseed oil produced from the 1942–1943 cotton crop and sold for industrial use.
3.3 Cottonseed oil futures contracts.
3.4 Purchases of cottonseed oil by the Commodity Credit Corporation.

ARTICLE IV—PEANUT OIL

4.1 Maximum prices.
4.2 Refined peanut oil produced from the 1942–1943 peanut crop and sold for industrial use.

ARTICLE V—SOYBEAN OIL

5.1 Maximum prices.
5.2 Refined soybean oil produced from the 1942–43 soybean crop and sold for industrial use.

ARTICLE VI—CORN OIL

6.1 Maximum prices.

ARTICLE VII—LINSEED OIL

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ARTICLE VIII—OLIVE OIL

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ARTICLE I—GENERAL PROVISIONS

SECTION 1.1 *Prohibition against dealing in fats and oils at prices above the maximum.* No person shall sell, offer to sell, deliver, or transfer, and no person in the course of trade or business shall buy or receive, fats or oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941, providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commissions and all other charges. Lower prices than the maximum prices established by this Maximum Price Regulation No. 53 may be charged, demanded, paid, or offered.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1212, 2782) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 1.2 *Exempt sales.* Sales of fats and oils products in the finished form, sales of refined fats and oils (except coconut oil) destined for use or consumption without further processing or packing by the buyer, and sales of lard destined for human consumption without further processing are exempt from the operation of this Maximum Price Regulation No. 53, unless a maximum price for such fats or oils product, or refined fat or oil, or lard, is enumerated in terms of dollars and cents, or a method for computing a maximum price for such fats or oils product, or refined fat or oil, or lard, is set forth in Article III or any subsequent article of this regulation.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 1.3 *Exempt Governmental purchases of foreign fats and oils.* All purchases of fats and oils so purchased to the United States Government or any agency thereof, or by an agent, broker or other representative purchasing for the account of the United States Government or any agency thereof, shall be exempt from the operation of this Maximum Price Regulation No. 53, whether the purchase is made directly in the foreign country or through an agent, broker or other representative of the foreign seller located in the United States. Where fats and oils located in a foreign country are purchased by an agent, broker or other representative of the United States Government or any agency thereof who has a contract to resell the fats and oils so purchased to the United States or any agency thereof, such resale shall be exempt from the operation of this Maximum Price Regulation No. 53. This provision shall have no application to purchases by the United States Government or any agency thereof of fats and oils located in the United States which have been imported into this country without a contract to resell the fats and oils so imported to the United States Government or any agency thereof.

SEC. 1.4 *Application for determination of a maximum price.* If the maximum price on a particular fat or oil covered by this Maximum Price Regulation No. 53 cannot be determined under the provisions of this Maximum Price Regulation No. 53, the affected party shall file an application with the Office of Price Administration in Washington, D. C., containing:

(a) A description of the fat or oil and showing wherein it is impossible to determine a maximum price therefor;

(b) A statement of the facts of all transactions since January 1, 1941, of the applicant and all information he may have obtained concerning transactions of others from said date in the fat or oil in question in any form or state of processing including transactions in the oil bearing material, raw product, and crude oil.

(c) (1) An itemized statement of the applicant's total cost of said fat or oil (including any manufacturing or processing costs), (2) the applicant's maximum price for that commodity presently sold by the applicant that has a maximum price presently determinable and that is most nearly similar to the fat or oil for which a maximum price is sought and (3) an itemized statement of the applicant's total cost of such most nearly similar commodity (including any manufacturing or processing costs).

Upon receipt of such application the Office of Price Administration will proceed to fix a maximum price or instruct the applicant as to the method of determining the same and for reporting the price he may determine. Any price fixed or determined under this paragraph shall be subject to adjustment at any time by the Office of Price Administration.

SEC. 1.5 *Imports and exports: Adjustment of maximum prices caused by variances in freight and insurance charges.* The maximum prices hereinafter established by this Maximum Price Regulation No. 53 for fats and oils shipped into or out of the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increases in such charges may be added only if such charges have been actually incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices hereinafter established by this Maximum Price Regulation No. 53.

SEC. 1.6 *Brokers' commissions paid by buyers.* (a) Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by this Maximum Price Regulation No. 53, (1) the maximum total price that the buyer may pay for the fats or oils and as such commission or other contingent compensation, shall be the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53, and (2) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53.

(b) *Exception.* The provisions of paragraph (a) of this section 1.6 shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in this Maximum Price Regulation No. 53.

SEC. 1.7 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 1.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 53 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[3]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[1] 8 F.R. 11150.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1894, 3075.

SEC. 1.9 *Evasion*—(a) *General.* The price limitations set forth in this Maximum Price Regulation No. 53 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding or by any other means.

(b) *By purchasing oil-bearing materials and paying for processing.* The purchase of oil-bearing materials from a processor who is to process the oil-bearing materials for the purchaser is forbidden, if the combined cost of (1) the oil-bearing materials and (2) the processing toll exceeds the maximum price established by this Maximum Price Regulation No. 53 for the type and quantity of oil produced from the oil-bearing materials. If the meal or other by-products produced from the oil-bearing materials are to be retained by the processor, the value of the meal or other by-product retained must be considered in determining the cost of the processing toll.

SEC. 1.10 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 53 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 1.11 *Records and reports.* Every person making any sale of fats or oils, except sales exempted under sections 1.2 and 1.3 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality and amount sold.

Every person affected by this Maximum Price Regulation No. 53 shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 1.12 *Geographic applicability of the regulation.* This Maximum Price Regulation No. 53 shall apply in, and only in, the District of Columbia and the forty-eight states of the United States.

SEC. 1.13 *Definitions.* When used in this Maximum Price Regulation No. 53, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products and derivatives, and greases, except "essential oils", mineral oils, butter, cocoa butter, and poultry fat.

[Paragraph (b) amended by Am. 18, 9 F.R. 2067, effective 2-15-44.]

(c) "Fats and oils products in the finished form" means those products the whole or substantial part of which are manufactured from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, or deodorizing, or splitting, or dividing into component parts, for example, shortening, soap, paint, margarine, salad dressing, and mayonnaise.

(d) "Refined fats and oils" means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, margarine oil, salad oil, prime summer yellow, and/or bleachable cottonseed oil, oleo oil, and oils used for the technical and protective coating trades.

(e) In the phrase, "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.

SEC. 1.14 *Licensing.* The provisions of Licensing Order No. 1[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 1.14 added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43.]

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

SEC. 2.1 *Maximum prices.* (a) The maximum price for any kind, grade or quality of fat or oil for which a maximum price is not specifically provided in any of the following articles of this Maximum Price Regulation No. 53, shall be the highest price at which the seller sold such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days.

(b) If the maximum price of such fat or oil cannot be determined under paragraph (a) of this section 2.1, the maximum price shall be the highest price at which the seller sold the same kind of fat or oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941.

(c) If the maximum price cannot be determined under either paragraphs (a) or (b) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for delivery within sixty days.

(d) If the maximum price cannot be determined under paragraphs (a), (b) or (c) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made on October 1, 1941, making adjustments for the customary differential between the price in such markets and the price in the locality of the seller's shipping point.

(e) If the maximum price determined under the above paragraphs of this section 2.1 is less than 111 percent of the price at which the same kind of fat or oil of the same grade and quality was sold by the seller, or was sold in the locality of the seller's shipping point, or in the nearest market, as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 111 percent of such November 26 price.

SEC. 2.2 *Inclusion of transportation and other charges in maximum prices.* The maximum prices for both domestic and imported fats and oils determined under section 2.1 hereof, shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

SEC. 2.3 *Evasion.* The price limitations set forth in section 2.1 hereof, shall not be evaded by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other direct or indirect means.

ARTICLE III—COTTONSEED OIL

SEC. 3.1 *Maximum prices.* The maximum prices of cottonseed oil shall be the following prices:

(a) *Crude cottonseed oil.* F. o. b. mill, in tank cars in cents per pound, as follows:

California (except Los Angeles)	13.125
Los Angeles, California	13.40
Arizona	12.875
Illinois, North Carolina, South Carolina, Tennessee, Crittenden and Mississippi Counties, Arkansas, New Madrid and Scott Counties, Missouri, Morgan County, Alabama	12.75
Alabama (except Morgan County), Arkansas (except Crittenden and Mississippi Counties), Florida, Georgia, Louisiana, Mississippi, Missouri (except New Madrid and Scott Counties), New Mexico, Muskogee and Tulsa Counties, Oklahoma, Bowie, Dallas, El Paso and Tarrant Counties, Texas	12.625
Oklahoma (except Muskogee and Tulsa Counties), Texas (except Bowie, Dallas, El Paso and Tarrant Counties)	12.50

(1) These crude cottonseed oil maximum prices shall be adjusted on a 9% settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

(2) Where (i) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to price control it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the maximum price shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to price control.

[Paragraph (a) amended by Am. 6, 8 F.R. 12542, effective 9-10-43.]

(b) Refined cottonseed oil and bleachable cottonseed oil stearine, produced from cottonseed obtained from the 1942-1943 cotton crop, delivered in tank cars, as follows:

[Cents per pound]

	Bleachable cottonseed oil stearine	Bleachable prime summer yellow oil	Refined bleached and winterized oil	Refined deodorized and unbleached oil	Cooking or deodorized white bleached summer oil	Salad or winterized oil	Hydrogenated or marine oil	High titre hydrogenated oil
Albany, N. Y.	14.75	14.00	14.32	14.25	14.67	15.05	15.30	15.40
Atlanta, Ga.	13.87	13.87	14.23	14.25	14.29	14.67	14.92	15.02
Baltimore, Md.	13.91	13.91	14.23	14.25	14.33	14.71	14.96	15.06
Boston, Mass.	13.74	13.74	14.31	14.33	14.33	14.71	14.96	15.06
Buffalo, N. Y.	13.79	13.79	14.33	14.35	14.39	14.77	15.02	15.12
Charlotte, N. C.	13.74	13.74	14.23	14.25	14.34	14.72	14.97	15.07
Chattanooga, Tenn.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Chicago, Ill.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Cincinnati, Ohio	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Columbus, Ohio	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Omaha, Nebr.	14.01	14.01	14.45	14.47	14.56	14.94	15.19	15.29
Dallas, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Denver, Colo.	14.04	14.04	14.48	14.50	14.59	14.97	15.22	15.32
Detroit, Mich.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
El Paso, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Fort Worth, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Houston, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Indianapolis, Ind.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Jacksonville, Fla.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Kansas City, Mo.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Los Angeles, Calif.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Louisville, Ky.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Macon, Ga.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Memphis, Tenn.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
New Orleans, La.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
New York, N. Y.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Oklahoma City, Okla.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Philadelphia, Pa.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Pittsburgh, Pa.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
St. Louis, Mo.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
San Antonio, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
San Francisco, Calif.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Savannah, Ga.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Seattle, Wash.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Sherman, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Terre Haute, Ind.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (b) amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

(c) Refined cottonseed oil and bleachable cottonseed oil stearine produced from cottonseed obtained from the 1943-1944 cotton crop, or any subsequent cotton crop, delivered in tankcars, as follows:

[Cents per pound]

	Bleachable cottonseed oil stearine	Bleachable prime summer yellow oil	Refined bleached and winterized oil	Refined deodorized and unbleached oil	Cooking or deodorized white bleached summer oil	Salad or winterized oil	Hydrogenated or marine oil	High titre hydrogenated oil
Albany, N. Y.	13.75	14.00	14.32	14.25	14.67	15.05	15.30	15.40
Atlanta, Ga.	13.87	13.87	14.23	14.25	14.29	14.67	14.92	15.02
Baltimore, Md.	13.91	13.91	14.23	14.25	14.33	14.71	14.96	15.06
Boston, Mass.	13.74	13.74	14.31	14.33	14.33	14.71	14.96	15.06
Buffalo, N. Y.	13.79	13.79	14.33	14.35	14.39	14.77	15.02	15.12
Charlotte, N. C.	13.74	13.74	14.23	14.25	14.34	14.72	14.97	15.07
Chattanooga, Tenn.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Chicago, Ill.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Cincinnati, Ohio	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Columbus, Ohio	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Omaha, Nebr.	14.01	14.01	14.45	14.47	14.56	14.94	15.19	15.29
Dallas, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Denver, Colo.	14.04	14.04	14.48	14.50	14.59	14.97	15.22	15.32
Detroit, Mich.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
El Paso, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Fort Worth, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Houston, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Indianapolis, Ind.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Jacksonville, Fla.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Kansas City, Mo.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Los Angeles, Calif.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Louisville, Ky.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Macon, Ga.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Memphis, Tenn.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
New Orleans, La.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
New York, N. Y.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Oklahoma City, Okla.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Philadelphia, Pa.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Pittsburgh, Pa.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
St. Louis, Mo.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
San Antonio, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
San Francisco, Calif.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Savannah, Ga.	13.74	13.74	14.18	14.20	14.29	14.67	14.92	15.02
Seattle, Wash.	14.10	14.10	14.54	14.56	14.65	15.03	15.28	15.38
Sherman, Tex.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12
Terre Haute, Ind.	13.84	13.84	14.28	14.30	14.39	14.77	15.02	15.12

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (b) amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

[4] 8 F.R. 13240.

SEC. 3.3 *Cottonseed oil futures contracts.* The maximum prices established in sections 3.1 and 3.2 hereof, shall be the maximum prices for cottonseed oil futures contracts traded after May 11, 1942 on the New York Produce Exchange and on the New Orleans Cotton Exchange.

SEC. 3.4 *Purchases of cottonseed oil by the Commodity Credit Corporation.* The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

ARTICLE IV—PEANUT OIL

SEC. 4.1 *Maximum prices.* The maximum price of peanut oil shall be the following prices:

(1) The usual or normal differentials, above or below these prices established in sections 3.1 and 3.2 hereof, shall be the maximum prices for cottonseed oil futures contracts traded after May 11, 1942 on the New York Produce Exchange and on the New Orleans Cotton Exchange.

SEC. 3.4 *Purchases of cottonseed oil by the Commodity Credit Corporation.* The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

ARTICLE IV—PEANUT OIL

SEC. 4.1 *Maximum prices.* The maximum price of peanut oil shall be the following prices:

(a) Crude peanut oil—in tank cars:

	Cents per pound
F. o. b. Southeastern mills	12.00
F. o. b. Texas and Oklahoma mills	12.675

(1) These crude peanut oil maximum prices shall be adjusted on a 5% settlement basis as provided in Rule 142 of the 1942–1943 Rules of the National Cottonseed Products Association, Inc.

(b) Refined peanut oil produced from the 1942–43 peanut crop—delivered in tank cars, as follows:

[Above paragraph amended by Am. 16, 9 F.R. 1862, effective 2–21–44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.58	14.70	14.72	15.05	15.62	15.78
Atlanta, Ga.	14.00	14.38	14.33	14.67	15.25	15.40
Baltimore, Md.	14.29	14.61	14.64	14.98	15.54	15.69
Boston, Mass.	14.57	14.69	14.73	15.04	15.62	15.77
Buffalo, N. Y.	14.41	14.73	14.76	15.08	15.66	15.81
Charlotte, N. C.	14.12	14.44	14.47	14.79	15.37	15.52
Chattanooga, Tenn.	14.17	14.49	14.52	14.84	15.42	15.57
Chicago, Ill.	14.26	14.58	14.61	14.93	15.51	15.66
Cincinnati, Ohio	14.26	14.58	14.61	14.93	15.51	15.66
Columbus, Ohio	14.31	14.63	14.66	14.98	15.56	15.71
Cudahy, Wis.	14.26	14.60	14.63	14.95	15.53	15.68
Dallas, Tex.	13.85	14.17	14.20	14.52	15.10	15.25
Denison, Tex.	13.89	14.21	14.24	14.56	15.14	15.29
Denver, Colo.	14.31	14.63	14.66	14.98	15.56	15.71
El Paso, Tex.	14.18	14.50	14.53	14.85	15.43	15.58
Fort Worth, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Houston, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
Indianapolis, Ind.	14.33	14.65	14.68	14.90	15.48	15.63
Jacksonville, Fla.	14.16	14.43	14.45	14.77	15.35	15.50
Kansas City, Mo.	14.12	14.44	14.47	14.79	15.37	15.52
Los Angeles, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Louisville, Ky.	14.22	14.54	14.57	14.89	15.47	15.62
Macon, Ga.	14.00	14.32	14.35	14.67	15.25	15.40
Memphis, Tenn.	14.02	14.34	14.37	14.69	15.27	15.42
New Orleans, La.	14.09	14.41	14.44	14.76	15.34	15.49
New York, N. Y.	14.33	14.65	14.68	15.00	15.58	15.73
Oklahoma City, Okla.	14.00	14.32	14.35	14.67	15.25	15.40
Philadelphia, Pa.	14.31	14.63	14.66	14.98	15.56	15.71
St. Louis, Mo.	14.17	14.49	14.52	14.84	15.42	15.57
San Antonio, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
San Francisco, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Savannah, Ga.	14.08	14.40	14.43	14.75	15.33	15.48
Seattle, Wash.	14.54	14.86	14.89	15.20	15.78	15.93
Sherman, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Terre Haute, Ind.	14.21	14.53	14.56	14.88	15.46	15.61

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

(c) Refined peanut oil produced from the 1943–44 peanut crop or any subsequent peanut crop—delivered in tank cars, as follows:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.69	14.83	14.99	15.06	15.78	15.93
Atlanta, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Baltimore, Md.	14.66	14.74	14.83	14.97	15.69	15.74
Boston, Mass.	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.	14.72	14.86	14.96	15.09	15.81	15.86
Charlotte, N. C.	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.	14.58	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.	14.16	14.30	14.39	14.53	15.23	15.30
Denison, Tex.	14.20	14.34	14.43	14.57	15.28	15.34
Denver, Colo.	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.	14.49	14.63	14.72	14.86	15.58	15.63
Fort Worth, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.	14.23	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.	14.34	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.	14.43	14.57	14.66	14.80	15.53	15.57
Los Angeles, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.	14.62	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.	14.39	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Terre Haute, Ind.	14.52	14.66	14.75	14.89	15.61	15.66

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 16, 9 F.R. 1862, effective 2–21–44.]

SEC. 4.2 *Refined peanut oil produced from the 1942–1943 peanut crop and sold for industrial use.* When refined peanut oil produced from the 1942–1943 peanut crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½ cent per pound to the maximum prices established for such oil by section 4.1 (b) hereof.

[Sec. 4.2 amended by Am. 16, 9 F.R. 1862, effective 2–21–44.]

ARTICLE V—SOYBEAN OIL

SEC. 5.1 *Maximum prices.* The maximum prices of soybean oil shall be the following prices:

(a) Crude soybean oil—in tank cars:

	Cents per pound
F. o. b. mills located in:	
California, Oregon and Washington	12.50
Arizona	12.125
Edgewater, New Jersey; Houston, Texas; New Orleans, Louisiana; Savannah, Georgia	12.00
Michigan, New Jersey (except Edgewater), New Mexico, New York, North Carolina, Ohio, Pennsylvania, Virginia	11.875
Alabama, Arkansas, Florida, Georgia (except Savannah), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana (except New Orleans), Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, South Carolina, Tennessee, Texas (except Houston), Wisconsin	11.75

(1) The maximum price of crude soybean oil that does not meet the standard specifications set forth in Rule 102 of the Year Book and Trading Rules 1941–1942 of the National Soy Bean Processors Association, is the price set forth above, less the allowances provided in said Rule 102 for crude soybean oil of the kind and quality being delivered.

[Table amended by Am. 14, 9 F.R. 1522, effective 2–11–44.]

(b) Refined soybean oil produced from the 1942–43 soybean crop—in tank cars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 13, 9 F.R. 1054, effective 2–3–44 and Am. 17, 9 F.R. 2030, effective 2–26–44]

(c) Refined soybean oil produced from the 1943–1944 soybean crop, or any subsequent soybean crop—in tankcars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 17, 9 F.R. 2030, effective 2–26–44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
F. o. b. Decatur, Ill.	12.90	12.57	12.80	12.57	13.00	12.45	12.60

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
F. o. b. Decatur, Ill.	12.89	12.73	12.89	12.64	13.40	12.80	12.95

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 13, 9 F.R. 1054, effective 2–3–44.]

SEC. 5.2 *Refined soybean oil produced from the 1942–43 soybean crop and sold for industrial use.* Where refined soybean oil produced from the 1942–43 soybean crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½ cent per pound to the maximum prices established for such oil by section 5.1 (b) hereof.

[Sec. 5.2 amended by Am. 13, 9 F.R. 1054, effective 2–3–44.]

ARTICLE VI—CORN OIL

SEC. 6.1 *Maximum prices.* The maximum prices of corn oil shall be the following prices:

(a) Crude corn oil—in tank cars:

	Cents per pound
F. O. B. Midwestern Mills	12.75

(b) Refined corn oil—in tank cars, basis f. o. b. Chicago:

[Cents per pound]

	Deodorized bleached corn oil	Winterized corn oil	Hydrogenated margarine corn oil	High titre hydrogenated corn oil
F. o. b. Chicago, Ill.	14.37	14.80	14.95	15.10

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

(a) *Raw linseed oil and linseed oil products, delivered in Zone 1.* Linseed oil and linseed oil products, in tank cars, delivered in Zone 1, as follows:

	Color	Acid value	Iodine value	Saponification value	Specific gravity	Viscosity	Cents per pound
Linseed oil	11–13	4 max.	170–190	188–196	.931–.935	A	14.5
ORDINARY OILS							
Raw plus 10% bodied oil	10–13	1–1	165–187	189–196	.934–.937	A–B	14.5
Cobalt-manganese drier	9–11	2–4	170–190	189–196	.931–.936	A	15.0
Semi-refined and bleached varnish and grinding oil	4–8	2–6	170–190	188–196	.931–.935	A	15.5
Mechanically refined grinding oil (no chemicals used)	4–7	1–7	170–190	188–196	.931–.935	A	15.6
Alkali refined, refined + 10% polymerized oil	5–7	1–7	165–190	192–206	.934–.944	A–D	15.5
Alkali refined grinding oil	5–7	2–7	170–190	188–196	.931–.935	A	15.6
Acid refined grinding oil	5–6	3–9	170–190	188–196	.931–.935	A	15.5
Acid refined grinding oil	5–7	8–15	170–190	188–196	.930–.935	A	15.5
Acid refined grinding oil	5–7	12–10	170–190	188–196	.930–.935	A	15.5
VARNISH OILS							
Dispersed-brea oil	10–14	2–9	170–190	188–196	.931–.935	A	15.0
Semi-refined varnish and grinding	10–14	2–9	170–190	188–196	.931–.935	A	15.0
Alkali refined, not refrigerated	9–11	1.5–3	170–190	188–196	.931–.935	A	15.0
Alkali refined, refrigerated	4–7	0–0.6	170–190	188–196	.931–.935	A	15.0
Alkali refined, neutral-refrigerated	5–6	0–0.3	170–190	188–196	.931–.934	A	15.5
Alkali refined, neutral-refrigerated catalyst	5–6	0–0.4	170–190	188–196	.931–.934	A	15.5
Alkali refined, refrigerated	4–6	0–0.4	170–190	188–196	.931–.935	A	15.7
Bleached cold pressed	4–6	0.5–2.0	170–190	188–196	.931–.935	A	15.7
Bleached cold pressed, oxidized	5–6	1.5–4.0	166–185	190–202	.944–.950	C–E	15.7
Slightly oxidized raw	5–6	2–6	160–178	194–200	.946–.955	C–E	15.7
Semi-oxidized oil	7–10	4–9	160–178	194–200	.946–.955	C–D	15.7
	9–12	4–9	165–178	192–196	.946–.949	B–D	14.9
BODIED OILS							
Raw driers bodied oil	11–13	3–6	165–190	188–196	.934–.941	B–D	14.9
Old style boiled	12–18	6–7.5	165–185	188–196	.936–.943	B–D	15.1
Slightly oxidized raw driers	12–15	5–7	165–185	188–196	.936–.940	B	15.3
Raw Cobalt drier	12–16	5–6	165–185	188–196	.931–.934	A	15.7
Acid refined, refrigerated	6–8	2–4.5	165–190	188–196	.931–.935	A	15.7
Acid refined, neutral refrigerated	5–8	2–4.5	165–190	188–196	.931–.935	A	15.7
Partially oxidized acid refined + driers	5–8	2–5	165–190	188–196	.932–.939	A	15.7
OXIDIZED OILS							
X-22 oxidized with and without driers	8–13	4–8	115–155	205–220	.970–.986	X–Z2	15.0
Z2–23 oxidized with and without driers	7–11	4–8	115–140	210–230	.964–.980	Z2–Z3	15.0
Z1–23 oxidized acid refined	4–12	4–12	115–140	210–230	.964–.980	Z1–Z3	15.6
Polymerized + oxidized	7–9	6–9	120–130	200–210	.964–.980	Z3–Z3	15.6
POLYMERIZED OIL							
Polymerized high acid	5–7	12–22	115–120	190–198	.948–.971	Q–Z4 (Poises (20–1000))	15.5
Polymerized low acid	5–7	12–22	115–160	190–196	.930–.976		20.5
FATTY ACID							
Linseed fatty acids	10–14	180–198	175–190	194–200	.900–.914	A–	17.2
Distilled linseed fatty acids	2–4	194–205	175–195	194–209	.900–.913	A–	19.5
MISCELLANEOUS							
Sulphur chloride treated + 80% thinner	6–8	0–70	60–70	123–132	.878–.904	A	15.5
Alkali refined edible oil base	7½–9	4–7	110–120	200–210	.960–.994	Z–Z3	17.0
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Raw, 40%–50% polymerized linseed oil + 60%–50% raw linseed oil	11 max.	0–3	170–190	188–196	.931–.935	A	15.8
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Boiled, 40%–50% polymerized linseed oil + 60%–50% raw linseed oildriers	8–10	4–8	140–160	190–196	.940–.960	N–P	17
	8–12	4–8	140–160	190–196	.940–.960	N–P	17.5

[Table corrected, 8 F.R. 12673; amended by Am. 4, 9 F.R. 11739, effective 8–28–43.]

(1) *Discounts for prompt payment.* The above prices are before any discounts for prompt payment. Sellers shall continue to allow the same discounts for prompt payment as those they customarily allowed prior to May 21, 1943.

[Subparagraph (1) added by Am. 9, 8 F.R. 15670, effective 11-23-43; former (1), (2) and (3) redesignated (2), (3) and (4) respectively by Am. 9.]

(2) *Grade differentials.* The usual or normal differential for types or grades with specifications other than those listed above shall continue to apply.

(3) *Crushers' container and quantity differentials*—(i) *Returnable drums, carlots.* The maximum delivered prices of the above linseed oil products delivered by crushers in Zone 1, in returnable drums, carlot quantities, shall be the prices set forth above, plus .4¢ per pound.

(ii) *Returnable drums in less than carlot quantities*—(a) *Delivered by crushers in city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 within the corporate limits of a city in which the seller has a warehouse, shall be the prices set forth in section 7.1 (a) above, plus the differentials hereinafter set forth for the particular quantity sold:

Quantity sold (returnable drums):	*Differential to be added to specified prices (Cents per pound)*
Carlots, in more than one delivery of 10 drums each	0.6
5 to 9 drums, one delivery	1.0
1 to 4 drums, one delivery	1.4

(b) *Delivered by crushers outside city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products, delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 outside of the corporate limits of the city in which the seller's nearest warehouse is located, shall be the maximum prices provided in the preceding subparagraph hereof (section 7.1 (a) (3) (ii) (a)), plus the actual cost of transporting said linseed oil products from the seller's nearest warehouse to the buyer.

(iii) *Other containers.* When linseed oil products are sold by crushers in containers other than tank cars or returnable drums, the maximum delivered prices for such oil products in such other containers, delivered in Zone 1, shall be the tank car price specified above, plus the usual or normal differential for the type of container in which the oil is sold.

(iv) *Other quantities.* When linseed oil products are sold by crushers in quantities other than those listed in section 7.1 (a) (3) above, the usual or normal differential for the particular quantity sold shall continue to apply.

[Subparagraph (3), formerly (2), amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) *Container and quantity differentials for sellers who are not crushers.* The maximum delivered prices of the above linseed oil products sold by sellers who are not crushers, shall be the tank car prices set forth above, plus the seller's usual and normal differential for such linseed oil products when delivered in the container and quantity that is being delivered. In and only in those cases where sellers who are not crushers customarily sold on an f. o. b. basis, there may also be added the actual cost of delivery to the buyer.

[Subparagraph (4), formerly (3), added by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(b) *Raw linseed oil and linseed oil products, delivered in zones 2 to 9, inclusive.* To determine his maximum delivered price for the above enumerated linseed oil products delivered in Zones 2 to 9, inclusive, the seller shall,

(1) Calculate his maximum price for such linseed oil products under the preceding paragraphs of this Article VII—(section 7.1 (a)), assuming for the purpose of such calculation that the delivery is being made in Zone 1.

(2) Add to the maximum price thus arrived at the differentials hereinafter set forth for the particular zone in which the oil actually is being delivered:

Zone:	*Differentials to be added Cents per pound*
2	0.2
3	.4
4	.6
5	.5
6	.5
7	.6
8	.5
9	None

(3) In those cases, and only those cases, where such linseed oil products are being delivered by crushers, in returnable drums in less than carlot quantities, within the corporate limits of the cities of Los Angeles, Calif., San Francisco, Calif., Portland, Ore., Seattle, Wash., and Spokane, Wash., add the actual cost of transporting such linseed oil product from the seller's nearest warehouse to the buyer.

The total thus arrived at shall be the seller's maximum delivered price at the place where delivery actually is made.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(c) *Sales to agencies of the United States that require prices on an f. o. b. basis.* Where, and only where, linseed oil products are sold to any agency of the United States that specifies that bids to, and contracts with, it shall be made on an f. o. b. basis, the maximum price of such linseed oil shall be on an f. o. b. basis. The maximum price of such linseed oil product, f. o. b. producer's plant, shall be equal to the maximum delivered price of a similar linseed oil product, in similar containers, sold in similar quantities to any other purchaser in the city in which the seller has his plant, minus .3 cents per pound.

(d) *Definitions.* When used in this Article VII, the following terms shall have the following meanings:

(1) "Zone 1" means the area included in the states of Minnesota, Iowa, Missouri, Illinois and Wisconsin.

(2) "Zone 2" means the area included in the states of Michigan, Indiana, Ohio and West Virginia, in all that portion of New York west of and including the counties of Niagara, Erie, and Cattaraugus, and in that portion of Pennsylvania west of and including the counties of McKean, Cameron, Clearfield, Cambria and Somerset.

(3) "Zone 3" means the area included in the states of Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware and Maryland, in all that portion of New York east of and including the counties of Orleans, Genesee, Wyoming, Allegany, and in all that portion of Pennsylvania east of and including the counties of Potter, Clinton, Centre Blair and Bedford and in the District of Columbia.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) "Zone 4" means the area included in the state of Florida, and also the following port cities: Charleston, South Carolina; Savannah, Georgia; Brunswick, Georgia, and Mobile, Alabama.

(5) "Zone 5" means the area included in the states of Kentucky, Virginia, Tennessee, North Carolina, Mississippi, Alabama (except Mobile), Georgia (except Savannah and Brunswick), and South Carolina (except Charleston).

(6) "Zone 6" means the area included in the states of Montana, North Dakota, Wyoming, South Dakota, Nebraska, Colorado and Kansas.

(7) "Zone 7" means the area included in the states of New Mexico, Oklahoma, Arkansas, Texas, and Louisiana.

(8) "Zone 8" means the area included in the states of Washington, Oregon, Idaho, Nevada, Utah and Arizona.

(9) "Zone 9" means the area included in the state of California.

ARTICLE VIII—OLIVE OIL

SEC. 8.1 *Maximum prices of domestic olive oil.* The maximum prices of the following described domestic olive oils shall be the following prices:

(a) *Pure pressed edible domestic olive oil, f. o. b. producer's plant in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (Max.):	*Dollars per gallon*
.50	4.80
1.00	4.70
1.41 (U. S. P.)	4.60
1.50	4.575
1.75	4.55
2.00	4.50
2.25	4.45
2.50	4.40
2.75	4.35
3.00	4.30

(b) *Pure pressed domestic olive oil, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (range):	*Dollars per gallon*
3.01 to 3.50	4.25
3.51 to 4.00	4.20
4.01 to 5.00	4.15
5.01 to 6.00	4.10
6.01 to 7.00	4.05
7.01 to 8.00	4.00
8.01 or more	4.00, less 12¢ for each 1% or fraction of 1% of F. F. A. over 8%.

(c) *Refined, bleached, and deodorized domestic olive oil, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (max.):	*Dollars per gallon*
.50	4.75

SEC. 8.2 *Differentials.* The maximum prices of domestic olive oil when sold in the following described containers, shall be the prices set forth above for such oil in returnable drums, plus not more than, or minus at least, the differentials set forth below:

Container:	*Differential*
Tankcars	6½¢ per gallon less than olive oil in returnable drums.
Wooden barrels	10¢ per gallon more than olive oil in returnable drums.
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than olive oil in returnable drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than olive oil in returnable drums.

SEC. 8.3 *Maximum prices of imported olive oil.* The maximum price of imported olive oil, in drums with duties and taxes paid, f. o. b. port of entry, shall be the maximum price, in returnable drums at the producer's plant, of domestic olive oil of the same F. F. A., plus 61½¢ per gallon.

SEC. 8.4 *Differentials.* The maximum price of imported olive oil when sold in the following described containers, shall be the price set forth above for such oil in drums, plus the differentials set forth below:

Container:	*Differential*
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than such oil in drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than such oil in drums.

SEC. 8.5 *Limitation.* The maximum prices for domestic olive oil and for imported olive oil established by this Article VIII are the maximum prices for such olive oils when sold in containers holding more than one gallon; they are not the maximum prices for such olive oils when sold in containers holding one gallon or less.

ARTICLE IX—IMPORTED VEGETABLE OILS

SEC. 9.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, bulk, in cents per pound;

	c. i. f. New York	c. i. f. Pacific Coast ports	c. i. f. Gulf ports
Coconut oil:			
Crude, Manila	8.35	8.00	------
Crude, Ceylon	8.85	8.50	------
Cochin type	9.35	9.00	------
	f. o. b. New York	f. o. b. Pacific Coast ports	
Refined edible coconut oil, ex tax	9.85	9.50	------
	c. i. f. New York	c. i. f. Pacific Coast ports	
Palm oil—African:			
Soft, basis 12% F. F. A	5.25	------	------
Semi, basis 35% F. F. A	5.25	------	------
Niger, or hard, basis over 45% F. F. A	5.25	------	------
Congo Plantation, basis 10% F. F. A	5.32	------	------
Malayan and Sumatra, basis 5% F. F. A	5.50	------	------
Palm kernel oil, crude	8.35	------	------
Rapeseed oil, denatured	11.50	11.50	11.50
Teaseed oil, crude, in drums	30.00	------	------

[Table amended by Am. 19, effective 4-24-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

SEC. 9.2 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, f. o. b. ports shown below, duties and taxes paid, in cents per pound.

	New York		Pacific coast ports		Gulf ports	
	Tankcars	Drums, carlots	Tankcars	Drums, carlots	Tankcars	Drums, carlots
Andiroba	11.10	11.00	11.10	------	11.10	------
Babassu oil						
Castor oil:						
No. 1	13.05	------	13.80	------		
No. 3	12.75	------	13.20	------		
Dehydrated, bodied	17.85	------				
Chiaseed oil		24.00		------		
Cohune oil	11.10	------			11.10	------
Coyol oil	11.10	------	11.10	------	11.10	------
Garcia nutsea oil				20.00		
Muru-muru oil	14.05	------			14.05	------
Oiticica oil:						
Commercial grade, liquid	24.50	------	25.00	------	24.50	------
Condensed, crude, solid		20.00		20.50		20.00
Ouricuri oil	11.10	------			11.10	------
Patana oil	40.00	------				
Perilla oil, crude	24.50	------				
Sesame oil	14.50	------	15.15	------		
Sunflower seed oil, semi-refined	14.50	------			14.05	------
Tucum oil	12.68	------			12.68	------
Tung oil (Chinawood oil)		20.00		20.00		20.00
Ucuhuba crude vegetable tallow, barrels or drums, carlots		8.75		------		8.75

[Table and text preceding table amended by Am. 19, effective 4-24-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) *Tung oil in less than carlot quantities.* Where tung oil is sold in less than carlot quantities, the seller may add to the carlot price set forth above, the differentials hereinafter set forth for the particular quantity sold:

Quantity sold (returnable drums):	*Differential to be added (cents per pound)*
Carlots, in more than one delivery of 10 drums each	1.00
5 to 9 drums, one delivery	1.50
1 to 4 drums, one delivery	2.00

If the oil is shipped in non-returnable drums, the cost of the drums may also be added to the above prices.

[Paragraph (d) added by Am. 19, effective 4-24-44]

ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

SEC. 10.1 *Maximum prices of processors.* The maximum prices of processors for the following shortenings and cooking and salad oils shall be the following prices:

(a) *Standard shortening.* The maximum delivered prices of Swift's Jewel" and "Sanco"; Armour's "Vegetole"; Lookout's "Domino"; Wilson's "Advance"; Atlantic Lard's "Royal Aster"; Procter and Gamble's "Flakewhite" and "Fluffo"; Southern's "Scoco" and "Kneedit"; South Texas' "Crustene"; Gulf and Valley's "Blue Plate"; Interstate's "Mrs. Tucker"; Lever Brothers' "Hydora" and Humko's "Humko" and

all other brands of standard shortening manufactured or distributed by the processors of these brands shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 16.50	*Cents* 16.25	*Cents* 16.75
Cartons:	*Dollars*	*Dollars*	*Dollars*
(1) 12/4 lbs. (per case)	8.10	8.00	8.20
(2) 48/1 lbs. (per case)	8.25	8.15	8.35

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(b) *Hydrogenated shortening.* (1) The maximum delivered prices of Procter and Gamble's "Primex"; Lever Brothers' "Cove"; Southern's "Heavy Duty MFB"; Swift's "Vream"; Armour's "Kremit"; and Wilson's "Bakerite" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 17.75	*Cents* 17.75	*Cents* 17.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(2) The maximum delivered prices of Procter and Gamble's "Sweetex"; Lever Brothers' "Covo Super Mix"; Southern's "Quik Blend"; Swift's "Vreamay"; Armour's "Kremor"; and Wilson's "Bakerite 140" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 18.75	*Cents* 18.75	*Cents* 18.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(3) The maximum delivered prices of Lever Brothers' "Spry" and Procter and Gamble's "Crisco" shall be the following prices:

	North	South	Pacific coast
Three and six pound airtight containers (per case)	$7.74	$7.74	$7.74

(c) *Salad oil.* The maximum delivered prices of Southern's "77" and "Angela Mia"; Gulf and Valley's "Blue Plate"; Procter and Gamble's "Puritan" and "Fluffo"; Swift's "Jewel"; Armour's "Star"; Wilson's "Certified"; South Texas' "Crustene"; Interstate's "Mrs. Tucker" and Humko's "Humko" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound)	16.50¢	16.50¢	17.00¢
(2) 1/5 gal. can (per can)	$6.65	$6.55	$6.75
(3) 6/1 gal. can (per case)	$8.20	$8.10	$8.30

The maximum delivered prices of Southern's "Wesson Oil" shall be the following prices:

	North	South	Pacific coast
(4) 12/1 qt. cans (per case)	$5.40	$5.35	$5.30
(5) 24/1 pint cans (per case)	5.60	5.60	5.65

(d) *Cooking oil.* The maximum delivered prices of Procter and Gamble's "Marigold"; Southern's "88"; Gulf and Valley's "Clarola"; Swift's "Golden West"; Armour's "Supreme"; Wilson's "Laurel"; South Texas' "Magnolia" and Interstate's "White Beauty" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound)	16.00¢	16.00¢	16.50¢
(2) 1/5-gal. can (per can)	$6.45	$6.35	$6.55
(3) 6/1-gal. cans (per case)	$7.95	$7.85	$8.25

SEC. 10.2 *Differentials*—(a) *Quantity.* The maximum delivered prices of hydrogenated and standard shortenings, established in section 10.1 above, are the maximum delivered prices for hydrogenated and standard shortenings when shipped in (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists. When hydrogenated and standard shortenings are shipped in less than (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential for such a quantity shall continue to apply.

(b) *Quantity.* The maximum delivered prices of salad and cooking oils, established in section 10.1 above, are the maximum prices for salad and cooking oils when shipped in the quantities usually named in the processor's published lists. When salad and cooking oils are shipped in carlots on which a refining in transit privilege is applicable the usual or normal discount (if any) from the maximum prices established in the schedule shall continue to apply. When shipped in a quantity less than the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential over the maximum prices established in this schedule shall continue to apply.

(c) *Container.* When hydrogenated and standard shortenings and salad and cooking oils are sold in containers of different sizes from the container sizes named in section 10.1, the usual or normal differential for size of container shall continue to apply.

(d) *Cash discounts.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are the maximum prices before cash discounts. The usual or normal discount for the receipt of payment within the period usually specified in the processor's published lists shall continue to apply.

(e) *Area.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are basic prices for the three areas named (North, South, and Pacific Coast). The usual or normal differentials which have applied in the past over base prices to some points within these areas shall continue to apply.

(f) *Limitation.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in this Article X are the maximum prices on sales made by processors. These prices are not the maximum prices on sales made by wholesalers and retailers.

(g) The maximum prices established in section 10.1, shall apply to sales to any person.

(h) The usual or normal differentials for type of purchaser shall continue to apply.

(i) *Branch houses and car routes.* Where a processor sells a brand of standard or hydrogenated shortening enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (i) the amount that he bills his branch house or car route for the shortening so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the shortening so sold.

(j) *Branch houses and car routes.* Where a processor sells a brand of salad or cooking oil enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (i) the amount that he bills his branch house or car route for the oil so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the oil so sold.

SEC. 10.3 *Maximum prices of brands for which maximum prices are not established in section 10.1.* (a) The maximum price of a brand of shortening, the maximum price of which is not established in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(b) The maximum price of a brand of salad or cooking oil, which is not specifically named in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation,[1] except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

SEC. 10.4 *Applications for adjustment of maximum prices by processors.* If the processor of a brand of shortening, or of a brand of salad or cooking oil, the maximum price of which is not established in section 10.1, feels that his brand should command the same maximum price as those brands for which a maximum price is established in section 10.1, or if he feels that the maximum price for his brand, as computed under section 10.3, is unduly low in relation to the maximum prices of those brands the maximum prices of which are established in section 10.1, he should file an application for adjustment with the Office of Price Administration in accordance with the procedure set forth in Revised Procedural Regulation No. 1. Such application should set forth in detail the reasons why the applicant believes his brand should command the maximum price requested by the applicant in his application. The application should also set forth in detail the price relationship between the applicant's brand and one of the brands specifically named in section 10.1.

SEC. 10.5 *Sales of bulk shortening to government agencies.* On sales of standard or hydrogenated shortening in drums or tierces holding 300 pounds or more, to the Army, Navy, Lend-Lease Administration, or any other government agency, the maximum price shall be the maximum price as determined under the preceding sections of this Article X, plus in the case of standard shortening, .4¢ per pound for each pound of vegetable oil contained in such standard shortening and, in the case of hydrogenated shortening, .2¢ per pound for each pound of hydrogenated shortening so sold.

[Sec. 10.5 added by Am. 12, 9 F.R. 795, effective 1-26-44. Former 10.5 redesignated 10.6 by Am. 12.]

SEC. 10.6 *Definitions.* When used in this Article X, the following terms shall have the following meanings:

(a) "Standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat and/or hardened marine animal oils. It must conform with the following specifications:

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method: King, Roschen and Irwin; Oil and Soap, 10, 105, June, 1933).

Plasticity: The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.3% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

(b) "Hydrogenated shortening" means a shortening made entirely from vegetable oils, each of which has been hydrogenated to some extent. It must conform with the following specifications:

No free oils: The shortening must contain no free oils.

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap 10, 105, June, 1933).

Plasticity: The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.12% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

Iodine number: The iodine number must not exceed 80 (Hanus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

(c) The term "North" includes the following states:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

The term "South" includes the following states:

Delaware, Maryland, Washington, D. C., West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, New Mexico.

The term "Pacific Coast" includes the following states:

Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

(d) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

[1] 9 F.R. 1385.

ARTICLE XI—LARD

SEC. 11.1 *Maximum prices.* The maximum prices of lard shall be the prices computed as follows:

(a) *Chicago and East St. Louis basing points area.* This area shall include that part of the continental United States east of the Mississippi River and north of the northern boundaries of Tennessee and North Carolina, except Minnesota. Chicago and East St. Louis basing points maximum prices:

(1) Loose lard 12.80 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.55 cents per pound, in tierces, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 12.80 cents per pound, plus the tankcar freight rate per pound on loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.55 cents per pound, plus the packing house product freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

(b) *Kansas City basing point area.* This area shall include that part of the continental United States east of the Mississippi River and south of the southern boundaries of Kentucky and Virginia. Kansas City basing point maximum prices:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of Kansas City.

(2) Base or standard commercial refined lard, 14.30 cents per pound, in tierces, delivered within corporate limits of Kansas City.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area shall be 12.55 cents per pound, plus the tank-car freight rate per pound on loose lard from the basing point for this area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area shall be 14.30 cents per pound, plus the packing house product freight rate, tare added, between the basing point and the community of sale. No other charges may be added to this delivered price.

(c) *Multiple basing point area.* This area shall include that part of the continental United States west of the Mississippi River and all of the State of Minnesota. Basing points shall be as follows:

Iowa: Cedar Rapids, Davenport, Des Moines, Dubuque, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.
Minnesota: Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.
Missouri: Joplin, Kansas City, South St. Joseph, Springfield.
Nebraska: South Omaha, Omaha.

Maximum prices at each of these basing points shall be as follows:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.30 cents per pound, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 12.55 cents per pound, plus the tank-car freight rate per pound or loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.30 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

SEC. 11.2 *Quality differentials.* To determine his maximum price for lard other than loose lard or base or standard commercial refined lard in tierces, the processor should determine his maximum price for base or standard commercial refined lard in tierces, in accordance with this schedule, and to this figure add no more than, or, subtract at least the quality differentials hereinafter set forth for the appropriate type of lard, irrespective of area, quantity or type of package:

Prime steam	¾ cent per pound under base or standard commercial refined lard.
Rendered pork fat	1 cent per pound under base or standard commercial refined lard.
Refined rendered pork fat.	⅛ cent per pound under base or standard commercial refined lard.
Base or standard commercial refined lard.	None.
Special refined hardened lard.	¼ cent per pound over base or standard commercial refined lard.
Open kettle rendered lard.	½ cent per pound over base or standard commercial refined lard.
Neutral lard	1 cent per pound over base or standard commercial refined lard.
Edible lard oil	1½ cents per pound over base or standard commercial refined lard.
Lard flakes	1½ cents per pound over base or standard commercial refined lard.
Rendered pork fat flakes.	1½ cents per pound over rendered pork fat.
Swift and Company's Bland lard.	4/10 cent per pound over base or standard commercial refined lard.

SEC. 11.3 *Container differentials.* (a) To determine his maximum price for lard sold in other than tierces, the processor should first compute his maximum price for the particular type of lard involved, in accordance with the above provisions of this schedule, than, to this figure he may add a sum equal to, but no more than, the differential hereinafter set forth for the appropriate type of package, irrespective of area, quantity or quality:

	Cents per lb.
Tierces	None
400 pound non-returnable steel drums	None
120 pound non-returnable steel drums	None
57 pound tubs	None
65 pound hardwood tubs	⅛
50 pound tins	¼
25 pound tins	⅛
20 pound tins	1
16 pound tins	1
20 pound wooden pails	1
8 pound tins	1
4 pound tins	1¼
3 pound tin or fibre containers	1¼
8 pound cartons	¼
4 pound cartons	¼
2 pound cartons	¼
1 pound cartons	¼

(b) If a processor sells lard in a type of package not listed in section 11.3 (a) above, his maximum price for lard sold in such type of package shall be his maximum price for the particular type of lard involved, in accordance with this schedule plus the usual or normal differential for such type of package.

SEC. 11.4 *Quantity differentials.* (a) The maximum prices for processors, established by sections 11.1 to 11.3 of this schedule, are maximum prices for carload sales of a lard commodity or combination of lard commodities where such carload is sold to one buyer and shipped in one shipment whether a through car shipment, single destination, or a stop-over joint car shipment, more than one destination.

(b) The processor's maximum price for less than carload sales shall be the processor's maximum delivered price at the community of sale, as established by section 11.1 to 11.3 of this schedule, plus ¾ cent per pound.

(c) Section 11.4 shall apply whether the sale is made direct or through branch house or car route activity or similar form of selling, so long as such selling unit is processor-owned or operated.

SEC. 11.5 *Cash lard.* The maximum price for cash lard shall be 13.80 cents per pound, Chicago basis, and the maximum price for lard futures contracts traded on the Chicago Board of Trade shall be 13.80 cents per pound.

SEC. 11.6 *F. S. C. C. lard.* The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

SEC. 11.7 *Lard flakes.* Where a Chicago processor sells lard flakes to another processor who is to use such lard flakes in the manufacture of war lard and the purchasing processor's maximum selling price on base or standard commercial refined lard, as established under this Article XI, is lower than the maximum price on base or standard commercial refined lard, as established for the corporate limits of Chicago under section 11.1 (a), the maximum price on such lard flakes shall be the maximum price on lard flakes, as established for the corporate limits of Chicago under section 11.1 (a), plus the actual cost of freight from the seller's plant to the buyer's plant. Where the maximum price on lard flakes is computed under this section 11.7, the maximum selling price of the purchasing processor on war lard, in whose manufacture such lard flakes are used, shall be the maximum price on war lard, as established for the corporate limits of Chicago under section 11.1 (a), plus ⅛ cent per pound.

SEC. 11.8 *Lard or pork fat sold for inedible use by certain sellers.* Where an edible pork fat or lard product is sold by a seller who sold a similar pork fat or lard product prior to January 1, 1943, and who, prior to said January 1, 1943 customarily sold over 75% of his production of such pork fat or lard product for inedible use, the maximum price of such pork fat or lard product shall be:

(a) On sales of such pork fat or lard product for edible use, the maximum prices for such products set forth in this Article XI.

(b) On sales of such pork fat or lard product for inedible use, the maximum price established by Article XIV hereof for the type and grade of inedible grease that the seller designated such product as being when he sold such product for inedible use prior to January 1, 1943, or, if no such designation was then made, the maximum price established by Article XIV hereof for that type and grade of inedible grease to which the product being sold would be most similar if it were inedible.

[Sec. 11.8 added by Am. 8, 8 F.R. 15523, effective 11-17-43. Former 11.8 and 11.9 redesignated 11.9 and 11.10 respectively by Am. 8.]

SEC. 11.9 *Definitions.* When used in this Article XI, the term:

(a) "Loose lard" means lard conforming with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture regardless of rendering method and not refined or packaged.

(b) "Prime steam lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in steam tanks.

(c) "Cash lard" means prime steam lard in tierces conforming with the requirements of paragraph 1479, pages 183-184, of the rules and regulations of Board of Trade of City of Chicago, March 8, 1941.

(d) "Rendered pork fat" means those rendered edible pork fats, regardless of rendering method, not eligible for lard as such, in accordance with paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(e) "Refined rendered pork fat" means rendered pork fat, as defined above, regardless of rendering method used in processing such pork fats, refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists.
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Not to exceed 0.5% as tested by method of the Association of Official Agricultural Chemists.
Taste and odor: Shall be mild, sweet and normal.
Stability: Not less than three hours, as determined by active oxygen method. (King, Roschen & Irwin, Oil and Soap 10, 105, June, 1933.)

(f) "Base or standard commercial refined lard" means that kind of lard produced from loose lard, regardless of rendering method used in making the loose lard, and refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Not to exceed 0.5%. (Same test as above.)
Taste and odor: Shall be mild, sweet and normal for pure lard.
Stability: Not less than three hours as determined by active oxygen method.
Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(g) "Special refined hardened lard" means lard which conforms to the requirements of base or standard commercial refined lard, as above defined, with the addition of a minimum of 8% lard flakes which have a minimum titre of 57° C. and shall conform to the following specifications:

Moisture: Not to exceed 0.2%. (Same test as above).
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Not to exceed 0.5%. (Same test as above.)
Taste and odor: Shall be mild, sweet and normal for pure lard.
Stability: Not less than three hours as determined by active oxygen method.
Melting point: Not less than 45° C., as tested by Wiley Method of the Association of Official Agricultural Chemists.

(h) "Open kettle rendered lard" means that kind of lard which is produced from 100% leaf fat or any mixture of leaf fat and back fat down to a minimum of 40% leaf fat, and is kettle rendered in a regular commercial manner to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Shall be less than 0.5%. (Same test as above.)
Taste and odor: Shall have a characteristic kettle rendered flavor.
Stability: Not less than five hours as determined by active oxygen method.
Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(i) "Neutral lard" means that kind of lard from fresh chilled leaf fat only, rendered at a temperature not exceeding 130° F., to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Not to exceed 0.5%. (Same test as above.)
Taste and odor: Shall be neutral in flavor.
Stability: Not less than ten hours as determined by active oxygen method.

(j) "Lard flakes" means hydrogenated lard which conforms with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture. The titre shall not be less than 57° C. and free fatty acid shall not exceed 0.2%.

(k) "Rendered pork fat flakes" means hydrogenated rendered pork fat conforming to paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(l) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard that has a minimum stability of seven hours measured by the active oxygen method and that has been previously conditioned by seeding under controlled temperatures, which oil conforms to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.
Suspended matter: Shall be free from any appreciable amount of suspended matter.
F. F. A.: Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 426.
Taste and odor: Shall be mild, sweet, and normal for pure lard.
Viscosity: At 100° F., Saybolt Method, shall be not more than 200 seconds.

(m) "Tare" means 15% of the packing house product freight rate, whether carload sale or less than carload sale and regardless of package or type of lard.

(n) "Packing house product freight rate" means the packing house product freight rate, published in public tariffs for minimum 30,000 pound weight packing house products (except canned meats) or if no rate for 30,000 pound minimum weight same class is available the nearest minimum weight carload established for same class shall apply in computing maximum prices under this Article XI.

(o) *Community of sale.* (1) Except as otherwise provided in sections 11.8 (o) (2) and 11.8 (o) (3), "community of sale" means that point at which the purchaser from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

(2) Where the purchaser of the lard is the owner of four or more retail stores at which the lard ultimately will be resold by him, and has the lard delivered by the seller to a warehouse for storage until he (the purchaser) reships it to his retail stores for resale, or to another warehouse for storage and subsequent reshipment to his retail stores for resale, and is unable to determine, at the time the lard is delivered by the seller to such warehouse, the particular retail stores from which the lard will be resold by him, then, in such case, and only in such case, "community of sale" means the place where the warehouse to which the lard is delivered by the seller is located.

(3) Where lard is sold for use in the manufacture of an inedible product, then in such case, and only in such case, "community of sale" is the place where is located the buyer's plant in which the lard is used in the manufacture of such inedible product.

[Paragraph (o) amended by Am. 2, 8 F.R. 11508, effective 8-24-43.]

(p) "The maximum price delivered" means the maximum price delivered at the community of sale, as established by section 11.1 (a) (b) and (c), regardless of the method of shipment and regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place. It also means the actual dollars and cents figure, as computed decimally under this Article XI, and no higher price may be charged, although the processor may adjust this maximum price downward to the next nearest eighth of a cent or lower figure, if he so desires.

SEC. 11.10 *Denatured edible lard.* Where (a) denatured edible lard is sold for use in making an inedible product, and (b) where such lard is delivered by the seller on or before the 31st day of October 1943, the maximum price of such denatured edible lard shall be the same as the maximum price set forth above for similar edible lard that is not denatured.

[Sec. 11.10, formerly 11.9 added by Am. 3, 8 F.R. 11290, effective 8-14-43.]

SEC. 11.11 *Loose prime steam lard sold to processors located in basing points.* Where loose prime steam lard is sold and delivered by rail in tank cars to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad's actual charge for delivering the loose prime steam lard to the buyer.

[Sec. 11.11 added by Am. 11, 9 F.R. 540, effective 1-18-44.]

ARTICLE XII—OLEO

SEC. 12.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Oleo—Packed in used drums or barrels, f. o. b. Chicago:	*Cents per pound*
Extra oleo stock	12.75
Prime oleo stock	13.50
Extra oleo oil	13.04
Prime oleo oil	12.75
Prime oleo stearine	10.61

(a) The usual or normal differentials for grade, quantity, container and type of purchaser, above or below these prices for basic grades, shall continue to apply.

(b) The usual or normal differentials, above or below these f. o. b. Chicago prices, shall continue to apply for all other shipping points.

ARTICLE XIII—WOOL GREASE

SEC. 13.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Wool grease: f. o. b. producer's plant, in returnable drums, carlots.	*Cents per pound*
U. S. P. lanolin, anhydrous cosmetic grade	35
U. S. P. lanolin, pharmaceutical type	33
U. S. P. lanolin, hydrous	32
Technical lanolin, bleached and deodorized, ash maximum 1/10 of 1%, moisture maximum ¾ of 1%, acid maximum ¾ of 1%, 1½% loss with petroleum ether extraction, color 3½ A. S. T. M. standard	31
Neutral wool grease, fully refined, acid maximum 2%, ash maximum 1/10 of 1%, moisture maximum 1%	29
Neutral wool grease, fully refined, over 2% acid, ash maximum 1/10 of 1%, moisture maximum 1%	27½
Crude centrifugal wool grease, known as dry, moisture maximum 2½%, ash maximum ¾ of 1%, maximum 1½ F. F. A.	20
Crude centrifugal wool grease, known as wet, over 5% moisture, maximum 2½ F. F. A., not refined, anhydrous grease basis	17
Common Degras, moisture maximum 2½%, ¼ to 1% ash, maximum 11% F. F. A.	12
Common Degras, moisture maximum 2½%, ¼ to 1% ash, maximum 20% F. F. A.	11
Common Degras, moisture maximum, 2½%, ¼ to 1% ash, maximum 30% F. F. A.	10

(a) The usual or normal differential for type of container shall continue to apply.

(b) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

(c) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(d) The maximum price of an imported wool grease, duties and taxes paid, shall be the maximum price established above for the closest grade of domestic wool grease.

ARTICLE XIV—TALLOWS AND GREASES

SEC. 14.1 *Maximum prices.* The maximum prices of the following tallows and greases shall be the following prices:

Tallows and greases. F. o. b. producer's plant, in tank cars or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots:

	Titre minimum	F. F. A. maximum	M. I. U. basis (percent)	F. A. C. maximum untreated and unbleached	Cents per pound
TALLOWS					
Edible	41.5	1	1	5	9¼
Fancy	41.5	4	1	7	8¾
Choice	41	8	1	9	8½
Prime, renderers prime, prime packers, or extra	40.5	6	1	13 or 11B	8¼
Special	40.5	10	1	19 or 11C	8¼
No. 1	40.5	15	2	23	8¼
No. 2	40.5	20	2	37	8¼
No. 3	40	25	2	No color	8¼
Naphtha extracted bone	40	30	3	No color	7½
GREASES					
Choice white	37	4	1	13 or 11B	8¼
A. white	37	8	1	15	8¼
B. white	36	10	2	19 or 11C	8¼
Yellow	36	18	2	37	8¼
House	37.5	20	2	39	8¼
Brown	38	30	2	No color	7¾
Fleshing and/or Glue grease No. 1	36	15	1	15	8¼
Fleshing and/or Glue grease No. 2	36	40	2	21	8
No. 1 pig skin & Pigsfoot	34	2	1	9	9¼
Garbage grease	34	60	3	No color	7

(a) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the maximum prices set forth above for tallows.

(b) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in section 14.1 for such type or grade.

(c) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(d) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(e) When any of the above named tallows or greases are sold in drums, barrels or tierces (1) to a buyer who has obtained a priority rating or priority order for such tallows or greases from the Food Distribution Administration, (2) by a seller who customarily has charged a premium for tallows or greases when sold in drums, barrels or tierces to a person engaged in a business similar to that in which the buyer is engaged, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallows or greases are shipped:

Container	*Differentials to be added in cents per pound*
Returnable drums, barrels or tierces	½
Non-returnable drums, barrels, or tierces	1

(f) The maximum prices for sales of the above tallows and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth in section 14.1 above, plus 1¢ per pound.

SEC. 14.2 *Imported tallows and greases.* The maximum prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

SEC. 15.1 *Maximum prices of raw soapstocks.* The maximum prices of the following raw soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW SOAPSTOCKS—BASIS 80% T. F. A.

[Cents per pound]

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Cottonseed foots	8.625	8.50	8.50
Corn foots	8.50	8.375	8.375
Soybean foots	8.50	8.375	8.375
Peanut foots	8.675	8.75	8.75

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

[Sec. 15.1 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.2 *Maximum prices of recovered or acidulated soapstocks.* The maximum prices of the following recovered or acidulated soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW OR ACIDULATED SOAPSTOCKS

[Cents per pound

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Acidulated cottonseed foots (black grease), basis 95% T. F. A.	7.375	7.25	7.25
Corn oil, basis 95% T. F. A.	7.25	7.00	7.00
Soybean oil, basis 95% T. F. A.	7.25	7.00	7.00
Peanut oil, basis 95% T. F. A.	8.00	7.75	7.75
Coconut oil, 95% saponifiable	10.125	10.125	10.125

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point

to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(c) The usual or normal differential for type of container shall continue to apply.

[Sec. 15.2 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.3 *Maximum prices of distilled fatty acids.* The maximum prices of the following distilled fatty acids shall be the following prices:

	Cents per lb. delivered, tank cars	Cents per lb. delivered, carloads, in returnable drums or nonreturnable packages
Tallow:		
East	12	12¾
Texas and Oklahoma	12½	13¼
West of Rockies	13	13¾
Cottonseed, single distilled:		
East	11¾	12
Texas and Oklahoma	11¾	12⅛
West of Rockies	12⅛	13
Cottonseed, double distilled:		
East	11⅝	12⅛
Texas and Oklahoma	12⅛	13
West of Rockies	12⅝	13⅛
Coconut, undistilled, #2 grade	12⅞	
Coconut, distilled, #1 grade		15⅛
Coconut, triple distilled, special light color		10⅝

	Cents per lb. f. o. b. producer's plant, tankcars	Cents per lb. f. o. b. producer's plant, carloads, in returnable drums or nonreturnable packages
Soya bean oil, from foots	11	11¾
Soya bean oil, from crude	15⅛	16⅛
Corn oil, from foots	11	11¾
Peanut oil, from foots	11¾	12

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grade above or below the listed grades shall continue to apply.

(d) The maximum prices of fractionated fatty acids shall be computed in accordance with the provisions of Article II of this Maximum Price Regulation No. 53.

SEC. 15.4 *Maximum prices of split fatty acids*—(a) *Tolling charge for splitting fats and oils.* The maximum toll which may be charged for splitting fats and oils shall be (in addition to the retention of the glycerin for the account of the splitter) 75c. per 100 pounds in tankcar lots for all material testing under 20 F. F. A. and $1.00 per 100 pounds in tankcar lots for all material testing 20 F. F. A. and over. All freight shall be for the account of the owner. The normal premium for less than tankcar lots shall continue to apply.

(b) *Maximum prices for split fatty acids.* The maximum price of split fatty acids, tankcars, f. o. b. seller's plant, shall be the cost, on a tankcar basis, of the raw materials from which the split fatty acids are made, delivered the seller's plant, plus 75c. per 100 pounds for raw materials testing under 20 F. F. A., or plus $1.00 per 100 pounds for raw materials testing 20 F. F. A. and over.

(1) When shipped in less than carload lots, the usual or normal premium for fatty acids so shipped shall continue to apply.

(2) When shipped in containers other than tankcars, the usual or normal differential for fatty acids when shipped in such other type of container shall continue to apply.

SEC. 15.5 *Maximum prices of stearic acid and oleic acid.* The maximum prices of the following stearic acids and oleic acids shall be the following prices:

	Cents per lb. del'd east of Rockies	Cents per lb. del'd Texas and Oklahoma	Cents per lb. del'd west of Rockies
Stearic acid, carloads, in bags:			
Single pressed	15⅜	15⅞	16⅛
Double pressed	15⅞	16⅜	16⅝
Triple pressed	18⅝	19⅛	19⅝
Oleic acid:			
Tankcars	12½	13	13⅛
Carloads, in returnable drums or barrels	13⅛	13⅝	14⅛
Double distilled oleic acid:			
Carloads, in returnable drums	15⅞	16⅜	16⅞
Carloads, in special drums or barrels (packages included)	16⅜	17⅛	17⅝
Hydrogenated fish oil fatty acid, 52° titre, carloads, in bags	14⅜	15⅛	15⅞

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

ARTICLE XVI—MARINE ANIMAL OILS

SEC. 16.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Marine animal oils—tank cars, all duties and taxes paid:

	Cents per pound
Whale oil, crude, No. 1, f. o. b. American ports	11.25
Sperm oil, crude, No. 1, f. o. b. American ports	7.75
Seal oil, No. 1, f. o. b. American ports	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast	10.90
Light, cold pressed fish oil (Menhaden and Sardine), fair average quality, delivered	12.25
Herring oil, crude, f. o. b. Seattle	8.90

(a) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a Maximum Price Regulation.

(d) *Sales by FDA or FSCC.* On sales of any of the above oils by the Food Distribution Administration or Federal Surplus Commodities Corporation, which oils have actually been stored by the Food Distribution Administration or Federal Surplus Commodity Corporation, there may be added to the maximum prices specified in section 16.1 above, the following storage charges:

(1) On oil stored on the East Coast, .0735¢ per pound for the first month's, or fraction of a month's, storage, plus .0275¢ per pound for each additional month's, or fraction of a month's, storage.

(2) On oil stored on the West Coast, .0750¢ per pound for the first month's, or fraction of a month's, storage plus .0250¢ per pound for each additional month's, or fraction of a month's, storage.

In determining the length of time for which the particular oil being sold has been stored, the "first-in, first-out" method of inventory accounting shall be used.

[Paragraph (d) added by Am. 15, 9 F.R. 1574, effective 2-14-44.]

ARTICLE XVII—LINSEED OIL SHORTENING AND HYDROGENATED LINSEED MARGARINE OIL

SEC. 17.1 *Temporary exemption for linseed oil shortening and hydrogenated linseed margarine oil*—(a) *Linseed oil shortening.* Sales of shortening produced wholly from linseed oil, or from a blend of fats and oils containing 30% or more linseed oil, made to the Food Distribution Administration prior to the earlier of the following dates:

(1) The effective date on which maximum prices in terms of dollars and cents are fixed for such shortening, or

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12559, effective 9-11-43.]

(b) *Hydrogenated linseed margarine oil.* Sales of hydrogenated linseed margarine oil made to margarine manufacturers, for use in making linseed oil margarine for sale to the Food Distribution Administration, which sales to mar-

garine manufacturers are made prior to the earlier of the following dates:

(1) The effective date on which maximum prices in terms of dollars and cents are fixed for such hydrogenated linseed margarine oil, or

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12560, effective 9-11-43.]

Effective date. This regulation shall become effective August 14, 1943. [MPR 53 originally issued August 9, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5513; Filed, April 18, 1944; 3:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 15]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What stores are covered.* Your store is covered by this regulation if it is a Group 3 or 4 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

2. Section 8 (b) is amended to read as follows:

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

3. Section 8 (c) is amended to read as follows:

(c) *Ceiling price.* — (1) *Percentage mark-ups.* If the item has been given a percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

4. Section 20 (a) is amended to read as follows:

(a) *Fresh bananas bought from importers f. o. b. port of entry, or imported directly by retailers.* If you import bananas directly, or if you buy fresh bananas directly from an importer f. o. b. port of entry, figure your "net cost" by the following procedure.

First, increase the importer's maximum price per hundredweight f. o. b. port of entry (as fixed by Maximum Price Regulation No. 285[2]) by either $1.25 or by 29 percent, whichever is greater. To the resulting figure add the cost of getting the bananas to your usual receiving point, which may include costs you have to pay for freight, icing, heating and messenger service, but which may not include costs for local trucking or local unloading (figure your freight costs at the lowest available common carrier rates, and if you import directly, these freight costs are to be figured from the United States port of entry). Divide this total by 100 and you will get your net cost per "selling unit" (1 pound). This is the net cost you will use in figuring your ceiling prices and to which you add the mark-up in Table B for your group of stores.

5. A new section 20 (k) is added to read as follows:

(k) *Coconuts imported by you.* If you import coconuts, your "net cost" per pound may not exceed the ceiling price per pound ex dock any United States port of entry duty paid, as fixed by Maximum Price Regulation No. 505[3] for sales by importers, plus transportation charges paid by you (except local trucking or local unloading) from the United States port of entry to your usual receiving point.

6. Section 22 is amended to read as follows:

SEC. 22. *Additions for delivery from your warehouse to your store.* If your store is located at a distance of 125 miles or more from your warehouse which is your usual receiving point, you may, in determining your ceiling price for an item delivered from the warehouse to your store, use whichever of the following provisions applies:

(a) *In the case of percentage mark-ups.* Where a percentage mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 to your mark-up figure. (Example: If your mark-up figure on sugar in Table A is 7 percent, you change it to 8 percent.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 to your mark-up figure.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 to your mark-up figure.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 to your mark-up figure.

(b) *In the case of dollars-and-cents mark-ups.* Where a dollars-and-cents mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 percent to the cost of the delivery or deliveries on which your net cost per "selling unit" is based. You must then figure the "net cost" on the basis of the "selling unit", in accordance with the rules in section 8. (Example: If you are figuring your ceiling price for green peas and your largest delivery during the preceding week was of 5 bushel baskets at $3.00 per basket, you may add 1 percent, that is, $0.15, to the $15.00 cost, and then reduce the resulting figure to the "net cost" of one pound, the "selling unit" for green peas.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 percent and figure your ceiling price in accordance with (1) above.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 percent and figure your ceiling price in accordance with (1) above.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 percent and figure your ceiling price in accordance with (1) above.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9895, 10569, 10987, 12443, 12611, 13294, 13551, 14883, 15566, 15607, 17369, 17870; 9 F.R. 95.

[2] 8 F.R. 3050, 10659, 16639; 9 F.R. 219, 1121.

[3] 9 F.R. 524, 1940.

7. In section 39 (a), Table B is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COSTS" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost: Group 3. Retailer other than independent with annual volume under $250,000	Allowed mark-ups over net cost: Group 4. Any retailer with annual volume of $250,000 or more	"Selling unit" in which ceiling price must be calculated
	Percent	*Percent*	
(1) Dairy products:			
Butter	8	8	1 pound.
Cheese	24	22	1 pound or 1 package.
Eggs, shell	14	13	1 dozen.
(2) Fresh fruits:			
Apples	33	33	2 pounds.
Bananas, bought on the stem	24	24	1 pound.
Bananas, bought in hands	25	25	1 pound.
Berries	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits	36	36	1 dozen or 8 pound-(Grapefruit, 1 grapes fruit or 1 pound).
Grapes	40	40	1 pound.
Red sour cherries	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage	40	40	2 pounds.
Lettuce	40	40	1 head or 1 pound.
Onions, dry	40	35	3 pounds.
Potatoes, sweet	40	40	2 pounds.
Potatoes, white	30	28	5 pounds.
Tomatoes	40	40	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack).	20	20	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	36	36	1 pound.
Turkey bought live and sold live	20	20	1 pound.
Turkey bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack).	17	15	1 pound.
(5) Fish: Frozen fish and seafood	26	26	1 pound.

II. Food commodities	Allowed dollars and-cents mark-ups per "selling unit": Group 3. Retailer other than independent with annual volume under $250,000	Allowed dollars and-cents mark-ups per "selling unit": Group 4. Any retailer with annual volume of $250,000 or more	"Selling unit" in which ceiling price must be calculated.
	Dollars-and-cents	*Dollars-and-cents*	
(1) Dairy products:	$0.01½	$0.01½	1 pound.
(2) Fresh fruits: Coconuts			
(3) Fresh vegetables:			
Beans, green and wax	.040	.040	1 pound.
Carrots, bunched	.02½	.02½	1 bunch.
Carrots, other than bunched	.020	.020	1 pound.
Cucumbers, except hothouse cucumbers	.02½	.02½	1 pound.
Eggplant	.030	.030	1 pound.
Peas, green	.050	.030	1 pound.
Spinach	.030	.030	1 pound.
(4) Poultry:			
(5) Fish:			

8. Section 39 (b) (2) is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands", means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, and youngberries. Each of these seven kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. Coconuts in husks means the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. Coconuts in shells means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart.

9. Section 39 (b) (3) and (4) are redesignated section 39 (b) (4) and (5) respectively, and a new section 39 (b) (3) is added to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered as a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall

be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes). Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

10. Section 40 (b) is amended to read as follows:

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 3 and Group 4 retailers in figuring their ceiling prices. Table B gives the same information for "perishables". However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables". For a detailed list of the items in each commodity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from ½¢ to 50¢. Percentage mark-ups over net cost are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables, your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example (1). A Group 3 retailer wishes to figure a new ceiling price for "XX" Brand, No. 2 can tomatoes, 1942 pack, which he must put into effect by August 5, 1943, in accordance with section 3. His most recent purchase of a customary quantity of this item from a customary type of supplier delivered to his usual receiving point was a carload purchased from a packer and delivered at a cost of $2.00 a case (24 cans) on July 30, 1943. He must first figure, to the nearest half-cent, his "net cost" on a single unit basis (sec. 4 (a) (2)), that is, for a single can. He therefore divides the cost for the case, $2.00, by the number of single units in the case, 24, and gets a result of $0.0833, before rounding. Rounding to the nearest half-cent, this becomes $0.085. (If the figure had been $0.0821 before rounding, he would have rounded to $0.080.) He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned tomatoes this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on that line, he will find his mark-up for the item in the column for Group 3 retailers. In this case, his mark-up is 21 percent. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, $0.085. Going down this $0.085 column until he comes to the figure on the same line as his percentage mark-up of 21 percent listed in the column at the extreme left of Table C he will find his ceiling price for the item to be 10 cents per can.

Example (2). A Group 3 retailer wishes to figure a ceiling price for California yellow globe dry onions, U. S. #1, which he must use during the period, August 19, 1943, (Thursday) to August 26, 1943 (Wednesday), inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 250 bags of 50 pounds each of California yellow globe dry onions, U. S. #1, at a delivered cost of $2.98 per bag, a purchase of 150 bags of the same grade and variety of onions at a delivered cost of $3.02 a bag, and another purchase of the same item of 200 bags at a delivered cost of $2.97 a bag. His largest purchase, therefore, was the purchase of the 250 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for onions is 3 pounds. He divides his cost per 50-pound bag in his largest purchase, $2.98, by 50, to get a result of $0.0596, which would be his cost per pound. Multiplying this by 3 he gets, before rounding, a figure of $0.1788, his cost for 3 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to $0.180. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C in the same way as he did in Example (1) above. Going to Table C, he will find that 25 cents is the ceiling price for an item with a net cost of $0.180 and a mark-up of 40 percent.

Example (3). A Group 3 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at $4.05 per basket. His selling unit for green peas, given in Table B, is 1 pound. He therefore divides his cost per basket ($4.05) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in $0.144, which is rounded to 14½ cents. He then looks in Table B for the mark-up for green peas, which is $0.050. This mark-up, 5 cents, added to the net cost per selling unit of 1 pound, 14½ cents, gives him 19½ cents. Therefore his ceiling price per pound of California green peas for the period May 4th through May 10th is 19½ cents. In selling 1 pound, he may charge 20 cents. However, if he sells 2 pounds, he may charge no more than 39 cents (2×19½¢).

This amendment shall become effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5515; Filed, April 18, 1944; 8:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 16]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What stores are covered.* Your store is covered by this regulation if it is a Group 1 or 2 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

2. Section 8 (b) is amended to read as follows:

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

3. Section 8 (c) is amended to read as follows:

(c) *Ceiling price*—(1) *Percentage mark-ups.* If the item has been given a percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. (For example, if your ceiling price for an item of potatoes is 20 cents for 5 pounds, the "selling unit", and you make a sale of 3 pounds of these potatoes, take three-fifths of your ceiling price for 5 pounds, 20 cents, and the resulting figure of 12 cents would be your ceiling price for the 3-pound sale. If you make a sale of 10 pounds, multiply 20 cents by 2, and the resulting figure of 40 cents would be your ceiling price for the 10-pound sale.) If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

4. Section 18 (c) is amended to read as follows:

(c) Section 20 *How to figure your "net cost" in certain cases.* (Applies to you if you import fresh bananas or purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; if you buy poultry live, dressed or drawn and sell it cut-up or in parts; or if you import coconuts.)

5. In section 28 (a), Table B is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost: Independent retailers with annual volumes — Group 1. Under $50,000	Group 2. $50,000 but less than $250,000	"Selling unit" in which ceiling price must be calculated
	Percent	*Percent*	
(1) Dairy products:			
Butter	10	10	1 pound.
Cheese	27	27	1 pound or 1 package.
Eggs, shell	17	15	1 dozen.
(2) Fresh fruits:			
Apples	33	33	2 pounds.
Bananas, bought on the stem	43	43	1 pound.
Bananas, bought in hands	34	34	1 pound.
Berries	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits	39	39	1 dozen or 5 pounds (grapefruit, 1 grapefruit or 1 pound).
Grapes	40	40	1 pound.
Red sour cherries	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage	40	40	2 pounds.
Lettuce	40	40	1 head or 1 pound.
Onions, dry	40	40	3 pounds.
Potatoes, sweet	40	40	2 pounds.
Potatoes, white	33	30	5 pounds.
Tomatoes	40	40	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack)	21	21	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	36	38	1 pound.
Turkey bought live and sold live	21	21	1 pound.
Turkey bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack)	17	17	1 pound.
(5) Fish: Frozen fish and seafood	28	28	1 pound.

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit": Independent retailers with annual volumes — Group 1. Under $50,000	Group 2. $50,000 but less than $250,000	"Selling unit" in which ceiling price must be calculated
	Dollars-and-cents	*Dollars-and-cents*	
(1) Dairy products:			
(2) Fresh fruits: Coconuts	$0.020	$0.020	1 pound.
(3) Fresh vegetables:			
Beans, green and wax	$0.04½	$0.04½	1 pound.
Carrots, bunched	$0.02½	$0.02½	1 bunch.
Carrots, other than bunched	$0.020	$0.020	1 pound.
Cucumbers, except hothouse cucumbers	$0.02½	$0.02½	1 pound.
Eggplant	$0.03½	$0.03½	1 pound.
Peas, green	$0.05½	$0.05½	1 pound.
Spinach	$0.03½	$0.03½	1 pound.
(4) Poultry:			
(6) Fish:			

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95.

6. Section 28 (b) (2) is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands," means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, and youngberries. Each of these seven kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. "Coconuts in husks" mean the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. "Coconuts in shells" means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart.

7. Section 28 (b) (3) and (4) are redesignated section 28 (b) (4) and (5) respectively, and a new section 28 (b) (3) is added to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to, Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes). Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

8. Section 29 (b) is amended to read as follows:

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 1 and Group 2 retailers in figuring their ceiling prices. Table B gives the same information for "perishables." However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables". For a detailed list of the items in each commodity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from ½¢ to 50¢. Percentage mark-ups over net costs are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables, your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example 1. A Group 1 retailer wishes to figure a new ceiling price for "XX" Brand, No. 2 can, golden bantam cream style corn, 1942 pack. Section 2 requires a Group 1 or 2 retailer to keep his present ceiling price for a "dry grocery" item until he puts into effect a new ceiling price for the item based on the first delivery of the item to him after August 5, 1943. This new ceiling price must be put into effect not later than 5 days after receiving such delivery. In figuring this new ceiling price, his "net cost" must be based on a purchase of a customary quantity from a customary type of supplier delivered to his "usual receiving point" by a customary means of delivery. Therefore, if on August 7, 1943, a Group 1 retailer receives at his usual receiving point 5 cases of "XX" Brand, No. 2 can, golden bantam cream style corn, 1942 pack, which he has purchased from a wholesaler (his customary type of supplier), at a delivered cost of $2.37 a case (24 cans) he must under Sections 3 and 4 figure and put into effect a new ceiling price for the item by August 12, 1943. This is the first delivery of a customary quantity of the item he has received since August 5, 1943 (from his customary type of supplier delivered to his usual receiving point by a customary means of delivery). He must first figure, to the nearest half-cent, his "net cost" on a single unit basis, Sec. 4 (b) (2), that is, for a single can. He therefore divides the cost for the case, $2.37, by the number of single units in the case, 24, and gets a result of $0.0987, before rounding. Rounding to the nearest half-cent, this becomes $0.10. (If the figure had been $0.0967 before rounding, he would have rounded to $0.095.)

He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned corn, this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on that line, he will find his mark-up for the item in the column for Group 1 retailers. In this case his mark-up is 25%. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, $0.10. Going down this $0.10 column until he comes to the figure on the same line as the 25% mark-up listed in the column at the extreme left of Table C, he will find his ceiling price for the item to be 13¢ per can.

Example 2. A Group 1 retailer wishes to figure a ceiling price for round white potatoes to use during the period August 19, 1943, (Thursday) to August 26, 1943, (Wednesday) inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 3 bags of 100 pounds each of white round U. S. No. 1 potatoes at a delivered cost of $4.12 per bag, and another purchase of the same item of 1 bag at a delivered cost of $4.33 per bag. His largest purchase, therefore, was the purchase of the 3 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for potatoes is 5 pounds. He divides his net cost per 100 pound bag in his largest purchase, $4.12, by 100 to get a result of $0.0412, which would be his net cost per pound. Multiplying this by 5 he gets, before rounding, a figure of $0.2060, his cost for 5 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to $.205. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C the same way as he did in example (1) above. Going to Table C, he will find that 27 cents is the ceiling price for an item with a net cost of $.205 and a mark-up of 33 percent.

Example 3. A Group 1 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at $4.45 per basket. His selling unit for peas, given in Table B, is 1 pound. He therefore divides his cost per basket ($4.45) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in $0.158, which is rounded to 16 cents. He then looks in Table B for the mark-up for green peas, which is $0.05½. This mark-up, 5½ cents, added to the net cost per selling unit of 1 pound, 16 cents, gives him 21½ cents. Therefore, his ceiling price per pound of California green peas for the period May 4th through May 10th is 21½ cents. In selling 1 pound, he may charge 22 cents. However, if he sells 2 pounds, he may charge no more than 43 cents (2 x 21½¢).

This amendment shall become effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5516; Filed, April 18, 1944; 4:00 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 95]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.214 (b) (1) is amended to read as follows:

(1) *Maximum prices for coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses.

Price classifications	Prices and size group numbers				
	1	2	3	4	5
	Lump and double-screened coals bottom size larger than 2"	Lump and double-screened coals bottom size 2" and smaller	Mine Run and resultants larger than 2" x 0	Screenings top size over ¾" x 0 but not exceeding 2" x 0	Screenings top size ¾" and smaller
A	365	345	325	310	310
D and E[1]	285	280	270	250	240
F[1]	275	275	260	270	265
G	275	275	270	270	240
H	265	260	250	250	230
I	260	260		245	
All mines in Preston County, West Virginia, except as stated hereinafter	300	300	290	285	285

[1] If a mine is classified "DF" in any size group, the "D" classification shall apply to all coals from such mine having a sulphur content of 1.35% or under, irrespective of the use for which they are sold. If the sulphur content of the coals in any size group from such a mine is in excess of 1.35%, the "F" classification indicated in the applicable minimum price schedule for that particular size group shall apply.

Exceptions: (Letters appearing in this table instead of prices designate price classifications; in these instances, the maximum prices are those set forth in subparagraph (1) above for the classification stated).

Mine Index	Producer	Mine name	Prices, classifications and size group numbers				
			1	2	3	4	5
[1] 136	Bethlehem-Fairmont Coal Co.	Scott No. 2	295	290	290	270	270
7	Buckhannon River Coal Co.	Adrian	305	305	295	275	265
247-1578	Clark Coal Co.	Junior Nos. 4 and 7	300	290	290	275	270
82	Fallon, John T.	Junior	J	J	285	H	H
682	Jones, Doy M.	Miller	285	280	270	265	260
1226	McCartney Coal Co.	Mon-Ark	F	F	270	F	F
52	Miller Todd Coal Co.	Ella	F	F	270	F	F
5	Pardee & Curtin Lumber Co.	Arthur No. 1	290	290	270	260	250
[1] 119	Puraglove Coal Mining Co.	No. 15	295	295	285	265	255
133	Rose Valley Coal Co.	Rosemont	290	290	275	260	260
59	Simpson Creek Colliery Co.	Galloway No. 2	280	280	265	255	[2] 245
58	Virginia & Pittsburgh Coal & Coke Co.	Kingmont	295	290	285	270	260
108	Virginia & Pittsburgh Coal & Coke Co.	Morgan	295	295	290	265	255
48	Waddell Fuel Co.	Delmar No. 1	305	305	295	275	275
112	West Virginia Coal and Coke Corporation.	Norton	J	J	285	H	H

[1] The exception for Mine Index No. 136 shall be void on and after July 1, 1944. Maximum prices for price classification K for Size Groups 1, 2, and 3 and classification F for Size Groups 4 and 5 will govern thereafter.

[2] The exception for Mine Index No. 119 shall be void on and after October 1, 1944. Maximum prices for price classification F will govern thereafter.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14560, 15256, 15456, 16419, 16738, 16808; 9 F.R. 396, 573, 693, 794, 1161, 1395, 1454, 1721, 1905, 2008, 2127.

Exceptions for Sewell Seam mines in price classification A in West Virginia.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
635	Alpena Coal Co.	Alpena No. 1	420	380	380	345	345
1276–1277	Bowden Coal Co.	Big Knob Nos. 1 and 2	420	380	380	345	345
137	Green, W. H. (Green Smokeless Coal Co.).	Shaver	420	380	380	345	345
180	Harnick, Jesse	Faulkner	420	380	380	345	345
723	Hiner, R. M. (Alpena Coal Co.)	Alpena	420	380	380	345	345
705	Martin Sewell Coal Co.	Martin No. 1	420	380	380	345	345
700	Roda Coal Co.	Roda No. 2	420	380	380	345	345
945	Shavers Mountain Coal Co.	Coberly	420	380	380	345	345
19	Walker Coal Mining Co.	Big Sewell No. 1	420	380	380	345	345
1272	Walker Coal Mining Co.	Big Sewell No. 2	420	380	380	345	345
795	Roaring Creek Coal Co.	Hart No. 1	410	370	380	335	335
91	Lilly Coal Co.	Lilly	485	445	425	410	410

Exceptions for No. 8 Block seam mines in Nicholas County, West Virginia, price classification D.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
173	Tioga Coal Corporation	Tioga No. 1	310	290	290	275	275
1226–207	R. C. Catlette	Brown No. 2 Catlette	310	290	290	275	275
200	Nicholas-Webster Coal Corporation	Tioga No. 8	310	290	290	275	275

Exceptions for mines in Preston County, West Virginia.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
188	Albright Coal Co.	Vivian	325	325	325	325	325
608	George-Kelover Coal Co.	Kelover No. 1	320	300	310	285	305
1101	Hartman Coal Co.	Maplewood	320	300	305	285	305
195	Marrara, Domenick	Miller No. 3	310	305	305	295	305
204	Marrara, Domenick	Marrara	335	320	320	305	305
39–72–1285	Preston County Coke Co.	Cascade Hawley No. 1 Bull Run.	300	300	300	300	305
1238	Princess Pat Coal Co.	Princess Pat	335	325	325	325	325
47–1332–1334	Ruthbell Coal Co.	Deep Hollow Nos. 1, 2 and 3.	305	305	305	305	305
189–205–213	Shay Coal Co.	Shay Nos. 2, 4 and 5	300	300	300	300	300
10–11	Stanley Coal Co.	Banner Nos. 1 and 2	300	300	300	300	305

2. In § 1340.214 (b), subparagraph (3) is revoked; subparagraph (2) is redesignated subparagraph (3) and new subparagraph (2) is added to read as follows:

(2) Adjustments computed on Form OPA No. 653–638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to April 24, 1944, shall be void as of April 24, 1944, insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5514; Filed, April 18, 1944; 3:59 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5–4]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DALLAS DISTRICT

In the judgment of the District Director of the Dallas District Office, the prices of food and beverages sold for immediate consumption in the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Smith, Titus, Upshur, Van Zandt and Wood, Texas, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the District Director of the Dallas District gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, as amended, the District Director of the Dallas District Office hereby redesignates and amends Restaurant Maximum Price Regulation No. 5–4 as Revised Restaurant Maximum Price Regulation 504, which revised regulation, as amended, establishes maximum prices for food and drink sold for immediate consumption in the counties mentioned above.

§ 1448.404 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the Dallas District Office by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, Executive Order No. 9328, and General Order No. 50 issued by the Office of Price Administration, Revised Restaurant Maximum Price Regulation No. 5–4 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.404 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5–4—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food items" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

"Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The highest price at which you offered the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at $1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is $1.50.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without re-figuring your ceiling price provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offering.* You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example: If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, $1.00, $1.10, $1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. *Evasion.* (a) You must not evade or avoid the provisions of this regulation by an scheme or device whatsoever. Some, but not all practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover charge or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at $1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at $1.10.

Example 2. If you offered table d'hote dinners during the base period at 85¢ to $1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to $1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less may be given if required by your available supply.

You may not however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business subsequent to the seven-day period and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor would have been had he continued to operate the business.

(1) If your acquisition was subsequent to the seven-day period but prior to the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. You may not, however, make such application after April 15, 1944.

(2) Prior to acquiring another's business after the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section.

If you are granted permission to price under paragraph (b) of this section, it will be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed as too high and threaten to have an inflationary effect on the price of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. *Seasonal eating and drinking places.*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the District Director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3, and 4.

(2) If the place was not in operation during the base period from April 4 to 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the Office of Price Administration District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours. You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or prices of items or meals.

SEC. 12. *Records.* (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-days period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order No. 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning September 25, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below.

By Office of Price Administration Order, our ceiling prices are based on our highest prices from April 4, 1943 to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* Except as to Maximum Price Regulation No. 259, Domestic Malt Beverages, the provisions of this regulation shall not supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places.

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–4 applies to the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Titus, Smith, Upshur, Van Zandt and Wood, Texas.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation.

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, peddlers aboard railroad cars traveling from station to station, and newstand located on the premises of a railroad station.

(d) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating and drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club within the meaning of this paragraph unless its members pay dues (more than merely nominal in amount) are elected to membership by a governing board, membership committee or other body, and otherwise is operated as a private club.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with the nearest State or District Office of the Office of Price Administration, furnishing such information as may be required, and has received communications from such office authorizing exemption as a private club.

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution, that is, where no part of the net earnings inures to the benefit of any private individual, which sells food items or meals on a non-profit or cost basis or as near thereto as reasonable accounting methods will permit, and substantially all sales of which are made to students, faculty members and employees of such institutions. For the purpose of this section, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered as students.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant services or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.) classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[1] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your income tax (last) return if one was filed separately for your restaurant business.

(7) Any other information requested by the Dallas District Office.

Applications for adjustment under this section shall be acted upon by the District Director of the Dallas District Office.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and include the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20):

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loin, chops, steaks and roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts; cakes, cookies, pies, pastries and other baked goods.

[1] In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
24a. Desserts: seasonal dessert specialties such as water melon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. All other food items served in a meal including mints and preserves.
28. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

29. Non-alcoholic beverages, including sparkling and mineral waters.
30. Alcoholic malt beverages, including beer and ale.
31. Wines, including sparkling wines.
32. Liquors, including whiskeys, gins and brandies.
33. Cordials, including fruit liquors.
34. All other alcoholic beverages.

(b) *The classes of meals.* For the purpose of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective at 12:01 a. m. central war time, April 1, 1944.

Issued this 29th day of March 1944.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 44-5517; Filed, April 18, 1944, 4:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Corr. to Amdt 9]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

Section 1351.1754 is corrected to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be $2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products shall be $3.21 per hundredweight at the basing point of Kansas City, Missouri.

(c) The maximum base point price for degerminated corn meal and corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products as the case may be, plus an increase at the rate of 13 and 18 cents per 100 pounds, respectively: *Provided*, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks and each such sack or container bears a tag or label stating that its contents have been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall be priced under paragraph (a) or (b) of this section.

This correction shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5460; Filed, April 17, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 319,[2] Correction]

CERTAIN BAKERY PRODUCTS

Revised Maximum Price Regulation No. 319 is corrected in the following respect:

The reference, in the first sentence of section 9, thereof, to "section 15" is corrected to read "section 13."

This correction shall become effective on April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5449; Filed April 17, 1944; 11:56 a. m.]

[1] 8 F.R. 1069, 2601, 3178, 5705, 5816, 6177, 6440, 7567, 16297, 16790.
[2] 9 F.R. 3705.

PART 1499—COMMODITIES AND SERVICES

[Order 108 Under 3 (b), Amdt. 4]

HIGH WINES PRODUCED FROM POTATOES

For the reasons set forth in an opinion issued simultaneously herewith, the first paragraph of § 1499.972 (a) is amended by changing the colon after the word "thereof" to a period and adding the following sentence after such period:

Such authorization shall also apply to sales to the United States Government or any agency thereof of high wines produced in whole or in part from potatoes all or part of whose cost is borne by the United States Government or its agencies.

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5497; Filed, April 18, 1944; 11:47 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 74]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (11) is amended to read as follows:

(11) "Grade I", as applied to tires, means a new passenger-type tire other than one included within the definition of a Grade III tire.

2. Section 1315.201 (a) (13) is amended to read as follows:

(13) "Grade III", as applied to tires, means:

(i) A used passenger-type tire;

(ii) A new passenger-type tire manufactured principally from reclaimed rubber as specified by the War Production Board; or

(iii) A new passenger-type tire which the manufacturer has found to be imperfect in his final inspection and upon which he has placed a special identifying mark or from which he has removed the brand name.

3. Sections 1315.508 and 1315.602 (d) are revoked.

4. Section 1315.804 (c) (3) is amended by deleting the phrase "subparagraphs (1) and (9)" and inserting in lieu thereof the phrase "subparagraph (1)."

5. Section 1315.806 (p) (1) is amended to read as follows:

[1] 8 F.R. 9752, 10179, 10985, 10264, 10430, 10733, 11480, 11481, 11952, 11846, 12013, 12711, 13247, 13293, 13372, 13846, 13395, 14049, 14737, 15523, 16246, 16695, 16894, 17326; 9 F.R. 89, 692, 1317, 1396, 1710, 1817, 2476, 2790, 3340.

(1) Any person may, without certificate or authorization, transfer, acquire, mount, use, or change the physical location of the following tires and tubes:

(i) New or used solid tires;
(ii) Used implement tires;
(iii) Used tractor tires;
(iv) Used tubes;
(v) New passenger tubes which the manufacturer has found to be imperfect in his final inspection and upon which he has placed a special identifying mark or from which he has removed the brand name.

This amendment shall become effective April 17, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5440; Filed, April 17, 1944; 11:58 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 164,[1] Amdt. 8]

RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 164 is amended in the following respects:

1. In § 1381.9 (a), subparagraphs (2), (4) and (5) are amended and subparagraphs (6), (7) and (8) are added, to read as follows:

(2) "Red cedar shingles" means all types of shingles and accessory items made from Western red cedar (Thuya plicata). For purposes of this regulation, the term includes all products (other than wastes) resulting from further refinement or processing of red cedar shingles. Thus, all red cedar shingles, shakes, hip and ridge units, et cetera, are covered whether or not those products are stained, grooved, or otherwise specially processed.

(4) "Mill" means a manufacturing plant which produces red cedar shingles directly from logs or bolts, by sawing or other methods.

(5) "Distribution yard" means a wholesale or retail lumber yard which gets lumber and shingles from mills or other yards; unloads, sorts, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of shingles and many different items of lumber; and which has been located at its particular site in order to be near a lumber and shingle consuming area.

(6) "Jobber" means any seller at wholesale who is not a "mill" nor a "distribution yard" and who continuously since March 1943 has maintained a stock of red cedar shingles and other building materials, and been engaged in selling less-than-carload quantities of red cedar shingles from stock to distribution yards or other retail outlets.

(7) "Manufacturing jobber" means one whose operation is confined to the further processing of red cedar shingles.

(8) "Direct-mill retail sale" means a sale by a mill of 35 squares or less directly to a buyer who purchases for his own use and not for resale in any form, and which is loaded on trucks at the mill for delivery direct to job-site.

2. In § 1381.11, paragraphs (f), (g), (h), and (j) are added, to read as follows:

(f) *Jobbers' sales.* The jobber's maximum price f. o. b. his yard on less-than-carload sales of red cedar shingles is (1) the price set out in paragraph (a), or approved under this regulation, plus (2) transportation additions figured on the Seattle, Washington carload freight rate to jobber's yard, at estimated weights given in, or approved under, this regulation, plus (3) a mark-up of 10 percent on the total of (1) and (2). Sales in carload quantities carry no mark-up.

(g) *Manufacturing jobbers' sales.* The manufacturing jobber's maximum price f. o. b. his plant on less-than-carload sales of "red cedar shingles" processed by him is the carload price approved for him by the Office of Price Administration plus 10 percent.

(h) *Weights.* The following estimated weights may be used in figuring permitted transportation additions:

	Pounds
Stained shingles, carton or bundle pack:	
5/2—16" per square of 5" exposure	152
5/2—18" per square of 5½" exposure	152
5/2¼—18" per square of 5½" exposure	168
4/2—24" per square of 7½" exposure	200
Stained machine processed shakes: 5/2¼—18" per square of 14" exposure	60
Unstained machine processed shakes: 5/2¼—18" per square of 14" exposure	60
Hip and ridge units:	
Dry per bundle of 40 units	15
Green per bundle of 40 units	22

(j) *Direct-mill retail sales.* On direct retail sales [See § 1381.9 (a) (3)], a mark-up of 15 percent over the prices set out in paragraph (a) is permitted, but only if the buyer, at the time of loading-out at the mill, furnishes the seller a written statement, in duplicate, that the shingles are for the buyer's use and not for resale and showing also (1) the date, (2) the quantity of shingles, and (3) the location and nature of the job or use for which the shingles are intended.

The mill may make up its own form of this statement so long as it contains the information required.

The mill must keep one copy of each such statement, and it must send the duplicates to the Portland, Oregon, office of the Office of Price Administration.

Unless the mill complies with these requirements it may not charge or receive more than the prices set out in paragraph (a) even though the sale may be a "direct-mill retail sale".

This amendment shall become effective April 22 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5441; Filed, April 17, 1944; 11:58 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 393,[1] Amdt. 4]

PACKAGED COSMETICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 393 is amended in the following respect:

Section 24 is amended to read as follows:

SEC. 24. *Gift sets*—(a) *Definitions.* When used in this section the term:

(1) "Gift set" means a package containing one or more packaged cosmetics, with or without one or more accessories, in a container such as is customarily used for gift merchandise; which is to be sold under the brand name of the manufacturer of one or more of the packaged cosmetics contained therein; and for which the sum of the retail prices of the packaged cosmetics contained therein is at least equal to 80 per cent of the sum of the packager's acquisition costs for the accessories and gift set container. A package containing only a single packaged cosmetic and no accessories will not, however, be considered a gift set unless the gift set container is of a type which has an independent and substantial use of its own and the packager continues to give purchasers an opportunity to buy the packaged cosmetic separately at prices at or below the maximum prices established therefor according to the applicable one of sections 5 through 10 of this regulation.

(2) "Gift set container" means the container or packaging used to enclose the contents of a gift set.

(3) "Packager" means a person who markets a gift set under his brand name and is the manufacturer of one or more of the packaged cosmetics contained therein.

(4) "Acquisition cost" means the net delivered cost to the packager of an accessory or gift set container, but not in excess of its maximum price delivered to him. Where the gift set consists only of a single packaged cosmetic, the acquisition cost of the gift container means

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 6268, 12478, 13661; 9 F.R. 2440.

its net delivered cost to the packager less the net delivered cost to him of any containers, closures, cartons, or other packing customarily used by him for such packaged cosmetic and which is not used in preparing the gift set.

(5) "Accessory" means any merchandise other than packaged cosmetics included in a gift set, such as scissors, nailfile, comb, mirror, powder puff, face tissues, and the like.

(6) "The retail price for a packaged cosmetic" means:

(i) The uniform maximum retail price established under Maximum Price Regulation No. 393 or, if none,

(ii) The manufacturer's suggested retail price in effect on May 12, 1943, or, if none,

(iii) The retail price generally charged.

(7) "The price for sales of a packaged cosmetic by wholesalers to retailers in the smallest quantity" means:

(i) The uniform maximum price for such sales established under Maximum Price Regulation No. 393 or, if none,

(ii) The manufacturer's suggested price for such sales in effect on May 12, 1943, or, if none,

(iii) The price generally charged by wholesalers on such sales.

(8) Unless the context otherwise requires, the definitions set forth in section 1 of this regulation shall apply to other terms used in this section.

(b) *Old gift sets.* (1) Where a packager, prior to April 22, 1944, has established maximum prices for a gift set including uniform maximum prices for sales by resellers, under the provisions of this regulation, the packager's maximum prices shall be those so established, and resellers' maximum prices shall be determined under paragraph (d) using the uniform maximum prices for resellers established by the packager.

(2) Where a packager, prior to April 22, 1944, has established maximum prices for his own sales of a gift set, but has not established uniform maximum prices for resellers under this regulation, all sellers' maximum prices for the gift set shall be determined under the maximum price regulation which would be applicable in the absence of this section 24.

(c) *New gift sets.* The maximum prices for a gift set which is not identical with one sold under the same name as a gift set for which the packager established maximum prices prior to April 22, 1944 shall be established as follows:

(1) *Maximum retail price.* The packager of such a gift set shall determine a uniform maximum retail price therefor, subject to the approval of the Office of Price Administration, Washington, D. C. Such uniform maximum retail price shall be determined as follows: *

(i) Multiply the cost of the accessories by 1.33.

(ii) Add thereto the cost of the gift container and the direct labor cost of assembling the gift set.

(iii) Multiply the resulting sum by a mark-up factor computed as follows:

(a) Determine the trade discount the manufacturer would have applied to the retail prices of the packaged cosmetics of his manufacture contained in the gift set to arrive at his maximum prices therefor to that class of purchasers to whom he gives the largest trade discount. If different trade discounts are applicable on sales to a purchaser of that class for the different packaged cosmetics of his manufacture contained in the gift set, the average of such discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used as the trade discount applicable to a purchaser of that class.

(b) Subtract that trade discount from 100 and divide into 100,

$$\text{Mark-up factor} = \frac{100}{100 - \text{trade discount}}$$

Example: trade discount is 40%

$$\text{Mark-up factor} = \frac{100}{100-40} = 1.667$$

(iv) Add to the resulting product the sum of the retail prices of the packaged cosmetics contained in the gift set. The resulting sum, or any lower figure which the packager may select, is the uniform maximum retail price.

(2) *Wholesalers' maximum price for sales to retailers.* The packager of such a gift set shall determine, subject to the approval of the Office of Price Administration, Washington, D. C., a uniform maximum price for sales thereof by wholesalers to retailers where the gift set is to be distributed through wholesalers. Such maximum price shall be the price obtained by applying to the uniform maximum retail price determined under subparagraph (1) the same trade discount as the packager would apply to the retail prices for the packaged cosmetics of his manufacture contained in the gift set to arrive at the prices for sales of such packaged cosmetics by wholesalers to retailers in the smallest quantity. If different trade discounts are applicable to the different packaged cosmetics of his manufacture contained in the gift set, the average of such trade discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used.

(3) *Packager's maximum prices.* The maximum prices for sales of such a gift set by the packager to any class of purchasers shall be the price obtained by applying the same trade discount to the uniform maximum retail price determined in subparagraph (1) above as he would apply to the retail prices for the packaged cosmetics of his manufacture contained therein to arrive at his maximum prices for sales thereof to a purchaser of the same class, or any lower price selected by the packager. If different trade discounts are applicable on sales to a purchaser of the same class for the different packaged cosmetics of his manufacture contained in the gift set, the average of such discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used as the trade discount applicable to a purchaser of that class.

The above maximum prices shall be subject to the customary discounts other than trade discounts, allowances and trade practices which the packager applied on his sales of gift sets to a purchaser of the same class during November 1943.

(4) *Packager's adjustment to lower maximum prices.* The packager of a gift set for which a uniform maximum retail price has been established under paragraph (c) (1) may at any time establish a lower uniform maximum retail price if at the same time proportionately lower maximum prices are established for all prior sellers in the chain of distribution. The new maximum prices shall apply to all sales by resellers of gift sets marked with the new uniform maximum retail price and to the packagers' sales after mailing the report required by paragraph (g) (2).

(d) *Resellers' maximum prices for new gift sets*—(1) *Wholesalers.* The maximum price for sales by a wholesaler to any class of purchasers of a gift set for which a uniform maximum price for sales by wholesalers to retailers has been established under paragraph (c) above shall be the price obtained by applying to such uniform maximum price for sales by wholesalers to retailers the customary discounts, allowances and trade practices which the wholesaler applied on his sales of gift sets to a purchaser of the same class during November 1943.

(2) *Retailers.* The maximum price for sales by a retailer to any class of purchasers of a gift set for which a uniform maximum retail price has been established under paragraph (c) above shall be such uniform maximum retail price.

(e) *Notification.* (1) The packager of a gift set for which a uniform maximum retail price has been established under the provisions of paragraphs (c) (1) or (c) (4) and which is to be distributed through wholesalers shall, with or prior to the first delivery of any such gift set to a wholesaler, furnish such wholesaler with a notice containing the following information:

(i) The packager's maximum price for sales to the wholesaler.

(ii) Wholesalers' uniform maximum price to retailers.

(iii) Uniform maximum retail price.

(iv) A statement that the wholesaler's uniform maximum price to retailers is subject to the customary discounts, allowances and trade practices in effect on the seller's sales of gift sets to a purchaser of the same class during November 1943.

(v) A statement that the Office of Price Administration requires the notice of the maximum prices for sales by the purchaser to be kept for inspection by any buyer during ordinary business hours.

(2) The provisions of section 13 (b) and (c) shall apply to gift sets.

(f) *Marking.* The packager of a gift set for which a uniform maximum retail price has been established under paragraph (c) above shall mark such uniform maximum retail price on the package in accordance with the provisions of section 14.

(g) *Reports.* (1) A packager of a gift set who has determined maximum prices therefor under subparagraphs (1), (2) and (3) of paragraph (c) above shall, before offering the gift set for sale or making any delivery thereof, submit by registered mail to the Office of Price Administration in Washington, D. C., a report required by OPA Form No. 692–419.

The packager may offer such gift set for sale at prices not in excess of those proposed in the report subsequent to mailing the report to the Office of Price Administration. If at the expiration of twenty days from the date of mailing the report, the packager has not received from the Office of Price Administration written disapproval of the proposed maximum prices, the proposed maximum prices may be considered as approved. No deliveries of the gift set may be made prior to the expiration of said twenty days unless the packager earlier receives specific notice from the Office of Price Administration that he may consider the proposed prices as approved.

(2) A packager of a gift set who has determined maximum prices therefor under paragraph (c) (4) shall submit by registered mail to the Office of Price Administration in Washington, D. C., a report showing the original and lower maximum prices for sales by all sellers of such gift set.

If, at the expiration of twenty days from the date of mailing the report, the packager has not received from the Office of Price Administration written disapproval of the proposed maximum prices, the proposed maximum prices shall be considered as approved.

(3) The Price Administrator may by letter or otherwise adjust (but not retroactively) any such reported prices which he finds are not in conformity with the provisions of this regulation or which he determines to be excessively high. Unless a written disapproval of the reported prices is mailed to the packager not more than twenty days after the mailing of the report by him, any such adjustment may only be made after giving the packager notice and a reasonable opportunity to present additional evidence.

(h) *Applicability of other sections of this regulation.* The provisions of Maximum Price Regulation No. 393 (other than the pricing provisions of sections 5 through 10, and 15; the reporting provisions of sections 11 and 23, and the notification provision of section 13 (a)) shall apply to gift sets, and for the purposes of such provisions the gift set shall be considered a packaged cosmetic and the packager the manufacturer.

This amendment shall become effective April 22, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5438; Filed, April 17, 1944; 11:57 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 26,[1] Amdt. 7]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 5, a new paragraph (c) is added, to read as follows:

(c) *Temporary adjustments in maximum prices on construction grades.* (1) On and after April 18, 1944, and until July 18, 1944, regardless of other provisions of this regulation, the maximum prices for certain specifications of lumber sold under Tables 1, 2, 3 and 4 are adjusted as follows:

TABLE 1—BOARDS AND SHIPLAP

Increase base prices in table	$4.50 per M
Increase addition for dry	1.00 per M
Footnote 1, No. 3 green, change deduction to	5.50 per M
Footnote 1, No. 3 dry, change deduction to	8.50 per M
Footnote 4, Paragraph 285, change addition to	5.50 per M
Footnote 4A, Paragraph 289, change addition to	15.50 per M
Footnote 10, No. 3 5/4 and 6/4 change deduction to	4.50 per M
Footnote 2, No. 4 rough or surfaced green or dry increase price to	21.50 per M

Table additions for Select Merchantable and paragraph 185 apply unchanged to amended base prices.

All other footnotes are unchanged.

TABLE 2—DIMENSION

Increase base prices in table	$1.00
Footnote 5, No. 3, 2 x 2 to 2 x 8 green, change deduction to	6.00
Footnote 6, No. 3, 2 x 10 and 2 x 12 green, change deduction to	7.00
Footnote 8, No. 3, 2 x 2 to 2 x 8 dry change deduction to	8.00
Footnote 9, No. 3, 2 x 10 and 2 x 12 dry change deduction to	9.00
Footnote 11, No. 4 dry or green, rough or surfaced, increase price to	18.00

Table additions and all other footnotes are unchanged.

NOTE: Increase hemlock to same price as fir.

TABLE 3—PLANK AND SMALL TIMBERS

All sizes, all grades (including No. 4) reduce $1.00

TABLE 4—TIMBERS

6 x 6", 6 x 8": All lengths, all grades (incl. No. 4) reduce $1.00

All other sizes: All lengths, all grades (incl. No. 4) reduce $2.00

(2) This section shall be effective only until July 18, 1944; and it shall be automatically revoked on that date unless, on or before July 3, 1944, it shall have been continued in effect by express amendment.

This amendment shall become effective April 18, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7570, 9519, 11508, 12315, 12406, 16249; 9 F.R. 1016, 2513.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5511; Filed, April 18, 1944; 3:50 p. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,[1] Amdt. 4]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 13 is amended by deleting the last phrase "except as provided in paragraph (e) of this section" from paragraph (a) and by deleting paragraph (e) in its entirety.

This amendment shall become effective May 3, 1944.

[1] 8 F.R. 14145; 9 F.R. 221, 2553, 2946.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–5510; Filed, April 18, 1944; 3:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, Supp. Service Reg. 27]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

A statement of the considerations involved in the issuance of this Supplementary Service Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Supplementary Service Regulation No. 27 is hereby issued.

§ 1499.2258 *Custom milling of Western softwood lumber.* On and after May 3, 1944, all sales of "custom milling services" performed by "custom mills" on western softwood lumber shall be subject exclusively to the provisions of this Supplementary Service Regulation 27; and neither Maximum Price Regulation 165, nor any other maximum price regulation shall apply to these services.

AUTHORITY: § 1499.2258 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SUPPLEMENTARY SERVICE REGULATION No. 27—CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

CONTENTS

Sec.
1. What is Western softwood lumber.
2. What is "custom milling service".
3. What is a custom mill.
4. Invoicing and records.
5. Services not listed.
6. No quantity limitations.
7. Transportation and demurrage charges.
8. Enforcement.
9. Licensing.
10. Geographical applicability.
11. Maximum prices.

SEC. 1. *What is Western softwood lumber.* "Western softwood lumber" under this regulation means any lumber which on sales by the sawmill is subject to RMPR 26[1] (Douglas Fir and other West Coast Lumber), MPR 94[2] (Western Pine and Associated Species of Lumber), MPR 253[3] (Redwood Lumber), MPR 290[4] (Sitka Spruce Lumber), or MPR 402[5] (Western Red Cedar Lumber).

SEC. 2. *What is "custom milling service."* Under this regulation "custom milling" means only the operations specifically included under section 11 performed, as a service for others, upon lumber in which the person performing these services has no financial interest.

SEC. 3. *What is a custom mill.* Even though the services you perform may meet the definition of "custom milling" above, this regulation does not apply to you unless you qualify as a custom mill under this section.

(a) *General.* A custom mill is one which performs custom milling services upon lumber subject at mill level to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, and which:

(1) Does not operate as a "mill" under the definitions contained in RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402.

(2) Does not own or control, is not owned or controlled by and is not under common control with a "mill" producing the species covered by RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, wherever located.

(b) *Operation not qualifying under paragraph (a) may get special permission.* If you do not qualify as a "custom mill" under paragraph (a) above, you may under certain special conditions get authority to operate under this regulation. The rules covering this are as follows:

(1) An application must be filed with the OPA Regional Office nearest the operation. This application must show:

(i) The location of the plant, with a description of the physical lay-out of operations in relation to any other activities relating to forest products carried on by the applicant wherever located.

(ii) The extent of ownership or control of or by any other operations relating to forest products, or of common ownership or control, giving name, location, and nature of the other operations.

(iii) Applicant's milling facilities, and the capacity thereof in MBM per day, together with a statement of total footage in rough boards and dimension and rough or surfaced plank and timbers, and green or partially dry lumber in these sizes, sold during the 30 day period preceding date of application.

(iv) Any other information the applicant may wish to submit.

(2) Special authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or dimension or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 2".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

In granting the authority, the Regional Office may make such limitations and conditions as to duration of the authority, quantity or lumber to be milled, etc., as may be appropriate and consistent with the above findings. The authorization may be granted, or the application denied, by letter or telegram.

(c) Unless the operation qualifies, or is specially authorized, as a "custom mill" under paragraphs (a) or (b) above, its maximum prices for custom milling of western softwood lumber are the charges set forth as additions for workings in the appropriate lumber price regulation.

SEC. 4. *Invoicing and records.* Invoices must show the species, size, condition, and workings of the lumber before and after milling, with a detailed description of all services performed thereon for which a charge is made. Copies of invoices, or similar records, must be kept at the place where the custom milling is performed, available for examination by the Office of Price Administration. These records must be kept for two years.

SEC. 5. *Services not listed.* If a custom mill is required to perform a service for which prices are not specifically provided, these services are still under Maximum Price Regulation 165.

SEC. 6. *No quantity limitations.* The maximum prices set forth in this regulation apply to all transactions regardless of the quantity of lumber involved.

SEC. 7. *Transportation and demurrage charges.* No charge may be made by a custom mill for demurrage on railroad cars at its plant, nor for the arrangement of transportation of lumber or advancement of freight charges thereon.

SEC. 8. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Geographical applicability.* This supplementary service regulation applies in the 48 states and the District of Columbia.

SEC. 11. *Maximum prices.* The maximum prices per one thousand feet board measure for "custom milling" of lumber which on mill sales is subject to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402 shall be as follows:

TABLE 1

CUSTOM MILLING BOARDS AND DIMENSION

	1 x 3	1 x 3	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12	2 x 2	2 x 3	2 x 4	2 x 6	2 x 8	2 x 10	2 x 12
Resawing—1 line	$7.50	$6.50	$5.00	$4.00	$3.00	$3.00	$2.50	$5.00	$4.00	$3.00	$2.50	$2.00	$2.00	$2.00
Add for each additional line	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
Ripping—1 line	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
Ripping each additional line	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
S1E, S2E, S1S or S2S	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
S1S1E, S1S2E, S2S1E, S2S2E, S4S or S/L	10.50	9.50	6.50	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
D. and M., rustic & siding (all patterns) add to S4S	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50
5/4 & 6/4 same prices as set up for 4/4" Grooved for splines add to S4S								1.00	1.00	1.00	1.00	1.00	1.00	1.00
Bundling, add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00					
Grading, marking and tallying (applicable only when all three services performed) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading,* add	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

*May not be added more than once on any order.

[1] 9 F.R. 1016, 3513.
[2] 7 F.R. 10848; 8 F.R. 850, 1138, 4118, 7852, 8009, 8756, 11040, 12136, 12296, 12678, 16199; 9 F.R. 206, 789, 1162.
[3] 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479.
[4] 8 F.R. 19, 2270, 6959.
[5] 8 F.R. 7662.

TABLE 2

CUSTOM MILLING—PLANK AND TIMBERS

	3 x 4	3 x 6	3 x 8	3 x 10	3 x 12	4 x 4	4 x 6	4 x 8	4 x 10	4 x 12	6 x 6	6 x 8 and larger
Resawing—1 line	$3.00	$3.00	$2.50	$2.50	$2.50	$3.00	$3.00	$2.50	$2.50	$2.50	$2.50	$2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	.50
Ripping—Line	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	.50
S1E, S2E, S1S or S2S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	2.00
S1S1E, S1S2E, S2S1E or S4S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	
D & M or S/L add to S4S	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Grooved for Splines add to S4S	1.00	1.00	1.00	2.00	2.00	1.00	1.00	2.00	2.00	2.00	3.00	3.00
Grading, marking and tallying (applicable only when all three services performed) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading,[1] add	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

[1] May not be added more than once on any order.

TABLE 3

Custom kiln drying. Kiln drying including all handling (unloading from cars, handling through kilns and reloading cars, etc.)

Thinner than 10/4 ..... $10.00
10/4 & 12/4 inc $12.00

General notes. 1. Charges for additional lines of both resawing and ripping are based on original size of piece ripped or resawn.

2. Where surfacing is done following resawing and/or ripping, surfacing charges shall be based on size or sizes of stock resulting from the resawing and/or ripping operation.

3. Fractional or odd thickness: price at next thinner even size. Compute on actual rough measure.

4. Fractional or odd widths not listed: price at next even width, either wider or narrower, whichever is cheaper, compute on actual rough measure.

5. For quantities of less than 1,000' of any size, or operation, minimum charge of 1,000' applies.

6. Services not specifically covered are to be priced under maximum price regulation 165.

Effective date. This regulation shall become effective May 3, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5512; Filed, April 18, 1944; 3:58 p. m.]

PART 1301—MACHINE TOOLS

[MPR 1,[1] Amdt. 4]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 1 is amended in the following respects:

1. In section 1 (a) the second sentence thereof is revoked.

2. In section 3 (a) a sentence is added to the text preceding the table to read as follows: "Where the seller can demonstrate that a second-hand machine tool or extra was purchased new after March 1, 1941, the price at which the machine tool or extra was purchased new may be substituted for the March 1, 1941, price of that machine tool or extra."

3. Section 6 is amended to read as follows:

SEC. 6. *Maximum prices for rentals and leases*—(a) *Price.* The maximum price for the lease or rental of any new machine tool, attachment or extra shall be determined as follows:

(1) *Annual rental.* The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract, for the sale of the second-hand machine tool, attachment or extra by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
	Percent	*Percent*	*Percent*
General use	25	30	35
Outdoor use of tools designed for indoor use	35	45	55

(2) *Monthly, weekly and daily rental.* The maximum rental shall be the amount determined by multiplying the maximum annual rental by the applicable factor set forth below;

Period of time:	*Factor*
Month	0.10
Week	.025
Day or fractional part thereof	.005

However, where the machine tool or attachment is rented for a specific period of time which results in a maximum total rental of less than $5.00, the maximum total rental for that period of time shall be $5.00.

(b) *Rates most favorable to the lessee.* Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any lease or rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) *Additional charges.* Charges for installation, dismantling, loading, transportation, maintenance and power supplied by the lessor may be made in addition to the maximum rental but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

4. In section 9 (c) (1) a sentence is added to read as follows: "Selling prices need be reported only on the forms that are filed with the Office of Price Administration".

5. In section 10 the definition of "portable machine tool" is amended to read as follows:

"Portable machine tool" means a machine tool which in normal use is held or guided by hand and not customarily attached to a permanent support.

6. In the list of trade names appearing in Appendix A the manufacturer of the Index Mills machine is changed from "Blank and Buxton Machinery Co., Jackson, Mich.," to "Index Machine and Tool Co., Jackson, Mich."

7. In Appendix A the following companies are added to the list of companies appearing under the heading "Equivalents": The Heald Machine Co., Baker Bros., Inc., and Lucas Machine Tool Co.

8. In Appendix A under the heading "Automatics" the name "Gridley (single spindle)" appearing under the heading "Obsolete Machines" is amended to read "Gridley (single spindle), model J only".

9. In Appendix A the material appearing under the heading "Boring mill (vertical)" is amended to read as follows:

BORING MILLS (VERTICAL) SINGLE HEAD[2]

All plain or turret type machines with or without side head to be compared to the Rogers, Base price $4,850, except—

Bullard Rapid Production vert. turret lathe
Bullard New Era Type vert. turret lathe
} Must be compared to Bullard Standard Type

BORING MILLS (VERTICAL) RAIL TYPE[1][2]

For all 36" mills use base price $7,000.
For 42" (including Bullard Rapid Production) use base price $8,500.
On Mills ranging between 48" and 73" use base prices of General—
Over 73" and up to 120", use base prices of King.
Over 120" add $10,000 for each additional 10" of table.

[1] Prices or equivalents shown above do not include electrical equipment.
[2] For Bullard Maximil use Bullard Standard.

10. In Appendix A the material appearing under the heading "Drills (Upright)" is amended to read "Drills (Standard) Upright", and the material appearing thereunder is amended to read as follows:

DRILLS (STANDARD) UPRIGHT

Additional listings are shown herein under DRILLS (SENSITIVE), DRILLS (HEAVY DUTY BOX COLUMN), and DRILLS (HORIZONTAL).

American
Aurora
Hamilton
Kokomo
Prentice
Snyder
Superior
Weigel
} Use Cincinnati-Bickford Machine Tool Co., up to and including 28" sizes.

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 10116.

For standard upright drills shown as equivalent to Cincinnati-Bickford in sizes 30" and larger use base prices given below:

30"	Use base price of $3,850.
32"	Use base price of $3,100.
34"	Use base price of $3,350.
36"	Use base price of $3,600.
40"	Use base price of $4,100.

Barnes, W. P. & J. / Cleveland / Garvin / Hoefer / Kern / Lindgren / Lodge & Davis / Mechanics / Milwaukee / New Haven / Pratt & Whitney / Rockford / Silver	Use Sibley Machine & Foundry Corporation up to and including 30" sizes.

For standard upright drills shown as equivalent to Sibley in sizes 32" and larger use base prices given below:

32"	Use base price of $1,000.
34"	Use base price of $1,200.
36"	Use base price of $1,500.
40"	Use base price of $2,000.
42"	Use base price of $2,500.

DRILLS (SENSITIVE)

Albany / Barr / Burke / Cincinnati / Dwight Slate / Kern / Pierle / Washburn / Woodward & Rogers.	Allen.
Sipp (Obsolete)	Foote-Burt.

DRILLS (HORIZONTAL)

Garvin Duplex (all sizes)	to Prew.
Detroit (5 spindles)	$1,200.
Acme (6 spindle)	$1,500.

DRILLS (HEAVY DUTY BOX COLUMN)

Colburn D2	to price set $2,136.
Colburn D3	to price set $2,809.
Colburn D5	to price set $3,240
Defiance	to Baker.
Hoosier	to Barnes.
Minster	to Barnes.

11. In Appendix A under the heading "Drills (Mult.)", the equivalents for Boley (drill press) and Buhr are amended to read "Use base price of $1,164."

12. In Appendix A under the heading "Grinders (Cylindrical)" the listing for Greenfield #1-5x12 is amended to read as follows:

Greenfield # 1 (5x12) mechanical	Use base price $1,250

13. In Appendix A under the heading "Grinders (Cylindrical)" a new item is added as follows:

Greenfield #1 (5x12) hydraulic	Use base price $1,750

14. In Appendix A under the heading "Grinders (Internal)" the equivalent for Greenfield Hydroil #51 is amended to read "Use base price $3,200."

15. In Appendix A under the heading "Grinders (Internal)" an item is added to read as follows:

Bright	Base price set $2,500

16. In Appendix A under the heading "Grinders (Surface)" an item is added to read as follows:

Wilmarth & Morman #78 Automatic (8x22)	Base price $8,500

17. In Appendix A under the heading "Iron Workers" the item Pels is revoked and the following items are added:

Pels #10	Use base price of $1,750
Pels #13	Use base price of $2,800
Pels #16	Use base price of $3,750
Pels #20	Use base price of $4,750

18. In Appendix A under the heading "Lathes (Engine)" the item "Pittsburgh" is revoked and the equivalent for "Simplex Cone" is amended to read as follows:

Simplex Cone—To and including 14½"	South Bend
Simplex Cone—To and including 16" and over	Nebel

19. In Appendix A the following items are added under the heading "Lathes (Engine)":

Berkeley flywheel, vertical	$1,500.
Carroll, A. V. up to and incl. 14"	South Bend.
16" and over	Nebel.
Cleveland Simplex	Nebel.
Crawford	Nebel.
Dalton	See price list 1 below.
Davis & Egan	Nebel.
Filsmith	D & M (if cone deduct 20%).
Fosdick, Q. C.	Nebel.
Harrington	Nebel.
McCabe double spindle 24" x 48" x 10'	$5,000, plus $150 for each 2' of bed over 10'.
Miami up to 14"	South Bend.
14" and over	Nebel.
Monarch 9" x 11"	Sheldon.
Muile Gap Lathe	Nebel.
Perkins	South Bend.
Porter-Cable	W. C. Lipe.
Prentice (Geared)	Reed-Prentice (8 speed head).
Sheppard	See price list 2 below.
South Bend over 16"	Nebel.
Hendey 24" x 10' (Q. C. G.) Cone	$9,750.

PRICE LIST 1. *Dalton engine lathes:*

Bench type:	
7" — 30" bed	$296
7" — 36" bed	324
8" — 3' bed	440
9" — 3' bed	520
9" — 4' bed	570
Mounted with plain floor legs and chip pan:	
7"—30" bed	$340
7" — 36" bed	370
8" — 3' bed	486
9" — 3' bed	568
9" — 4' bed	620
Taper turning attachment:	
7' Lathe	74
8' Lathe	78
9' Lathe	80

PRICE LIST 2. *Sheppard screw cutting engine lathes:*

	4'3"	5'3"	6'3"	8'
10" B. G.—Quick change				
Cone head	$588	M19		
Cone—arr. m/d (less motor)	660	724		
All steel gr. hd. single pulley dr.	871	901		
All steel gr. hd. m/d on hd.	904	955		
All steel gr. hd. m/d on leg	924	966		
13" B. G.—Quick change				
Cone head	714	745	$777	
Cone—arr. m/d	840	871	903	
All steel gr. hd. single pulley dr.	997	1, 029	1, 060	
All steel gr. hd. m/d on hd.	1, 050	1, 081	1, 113	
All steel gr. hd. m/d on leg	1, 050	1, 081	1, 113	
14" B. G.—Quick change				
Cone head		924	955	$1, 018
Cone head arr. m/d		1, 050	1, 081	1, 144
All steel gr. hd. single pulley dr.		1, 207	1, 239	1, 302
All steel gr. hd. m/d on hd.		1, 260	1, 291	1, 354
All steel gr. hd. m/d on leg		1, 260	1, 291	1, 354

NOTE: Prices on motor driven lathes do not include motor. Friction clutch on drive pulley geared head lathes furnished as standard. If not desired, deduct $25. Prices on cone head lathe include double friction countershaft. Hollow spindle, large and small face plates, feed reversing lever in headstock, quick change attachment, steady rest, power feeds, wrenches, etc.

Extras and attachments:	Price
Taper attachment	$147
Milling attachment	115
Turret on carriage	126
Turret on bed	336
Draw-in attachment	52
Collets, each	6
Weights of lathes:	*Pounds*
10" x 4'3"	500
12" x 5'3"	775
14" x 5'3"	1200

20. In Appendix A the following item is added under the heading "Lathes (Turret)":

Welles #2 Hand Screw	To #2 Bardons & Oliver.

21. In Appendix A the following items are added under the heading "Mills (Horizontal)":

Cincinnati #1 plain or universal mill.	Compared to Cincinnati L Type Model E. L. No. 2
Cincinnati #1½ plain or universal mill.	Compared to Cincinnati M. H. Type Model E. D. No. 2

22. In Appendix A under the heading "Mills (Hand)" the items Steptoe, Fox #1 and #2 and Fox #3, and Garvin #1 and #2 and Garvin #3 are revoked and the following items are added:

Fox #1—24" long feed, cone dr., incl. power feed	$575
Fox #1A as above, incl. back gears	950
Fox #1B—18" long feed, cone dr. & power feed	600
Fox #1C as above, incl. back gears	675
Fox 3½"—24" long feed, cone dr. & power feed	875
Fox 3½" as above, incl. back gears	950

NOTE: If Fox Mill is not equipped with power feed, deduct $150.

Garvin #1	To Standard #1.
Garvin #2	To Standard #1½.
Garvin #3	To Prew.
Steptoe #0—with hand lever feed—to Standard #1	$550
Steptoe #0—with screw elevation & longitudinal feeds—to Standard #2	750

Model	Drive	2/1/41 Price	Weight	Feeds Long	Feeds Cross	Work. surf. of table	P. power
			Pounds				
8D	Gear box	$16,500	17,800	44"	20¼"	40" dia	Rotary 40" dia. table (inc.).
B1	Cone	6,000	6,200	44"	14"	56" x 12"	With rotary table (inc.).
C	Gear box	8,000	9,400	52"	18¼"	55" x 14"	Rotary 24" dia. table (inc.),
C8	Gear box	8,400	8,800			25" dia	With rotary table (inc.).
8B	Gear box	4,000	4,900	42"	10"	42" x 14"	

25. In Appendix A the instructions under the heading "Planers" are amended to read as follows:

For double housing type use prices of Cincinnati Planer Co. and for open-side type use prices of Cleveland Planer Co. in order to arrive at the base price, with the exception of those planers shown on the list below which have an asterisk * placed before them.

The base price of planers (shown with an asterisk *, as well as any others of obsolete type not listed here) is determined by taking 50% of the sum obtained in using the equivalent given above. For example, an American 24 x 24 x 6 double housing planer would have as a base price $3,770, while the base price of an Ames of similar size would be $1,885.

On obsolete double housing planers, the dimensions of which are smaller than 24 x 24 x 6, the following base prices are to be used:

Up to and including 14"	$1,000
15" to 17", inclusive	1,600
18" to 23", inclusive	2,000

On obsolete open-side planers, the dimensions of which are smaller than 26 x 26 x 6, 50% of the base price of the Cleveland 26 x 26 x 6 open-side planer is to be used (regardless of whether an asterisk * is shown or not).

26. In Appendix A under the heading "Slotters" the equivalents for Garvin and Hanson-Whitney are amended to read "to Stevens base price $2,400."

27. In Appendix A the serial numbers of the Landis Tool Co. for the years 1929 and 1935 are amended to read 16000 and 17000, respectively, and serial numbers are added for the following companies:

AMERICAN CHAIN & CABLE CO., INC., BRIDGEPORT, CONN.

1919	1929	1935
	#0 Nibbler Serial No. 214	#20 Machine Serial No. 185.
	#1 Nibbler Serial No. 704	#202 Machine Serial No. 161.
	#1A Nibbler Serial No. 210	#202 Machine Serial No. 106.
	#1B Nibbler Serial No. 306	#302 Machine Serial No. 103.
	#2 Nibbler Serial No. 378	#1 HudorkutSerial No. 102.
		#30 Machine Serial No. 60.
		#0 Nibbler Serial No. 369.
		1# Nibbler Serial No. 723.
		#1A Nibbler Serial No. 257.
		#1B Nibbler Serial No. 409.
		#2 Nibbler Serial No. 412.

AUTOMETRIC MACHINE TOOL CO., BERKELEY, CALIF.

No machines manufactured prior to 1930.

BAIRD MACHINE CO., STRATFORD, CONN.

Last serial number for year:

1919	None.
1929	#158 (7" 6-spindle horiz. auto. lathe).
1935	#250.

BAKEWELL MANUFACTURING CO., LOS ANGELES, CALIF.

Not in business prior to 1935.

BARBER-STOCKWELL CO., CAMBRIDGE, MASS.

Last serial number for year:

1919	[1] 19121—[2] 1688
1929	[1] 2922—[2] 1824
1935	[1] 3505—[2] 1834

Beaudry Champion—Dupont Beaudry Utility

[1] The first two numbers indicate the year of manufacture, while those numbers following the first two indicate the number of the machine in that particular year.

[2] Numbered consecutively with #1 many years ago.

CHARLES H. BESLY & CO., CHICAGO, ILL.

Machine	1919	1929	1935
#0 Omniversal milling machine			12
#1½ Universal milling machine	1795		
#1A Universal milling machine standard type		2999	3048
#2 Universal milling machine power feed	4263		
#2 Universal milling machine light type			6222
#2A Universal milling machine power type	4451		
#2A Universal milling machine standard type		8855	8781
#2A Universal milling machine special			5071
#3 Universal milling machine	1625		
#3A Universal milling machine	1675	2141	
#3A Universal milling machine standard type		2170	2191
#3A Universal milling machine high speed			2207
#3A Universal milling machine heavy	1703		
#4A Universal milling machine	983	1008	
#4A Universal milling machine standard type		1011	1019
#00 Plain milling machine	626	626	
#0 Plain milling machine	2270	2704	2283
#0Y Plain milling machine	2409	3166	3393
#0B Plain milling machine			2226
#0YB Plain milling machine	2557		
#1YB Plain milling machine		2047	
#1 Plain milling machine	1674		
#1B Plain milling machine		2017	
#1B Plain milling machine standard type		2054	2101
#1Y Plain milling machine	1749	2042	
#2Y Plain milling machine		3980	4181
#2YB Plain milling machine			4141
#2 Plain milling machine power feed	3225		
#2 Plain milling machine light type			4262
#2 Plain milling machine		4072	
#2B Plain milling machine hand feed	3, 270		
#2B Plain milling machine standard type		4, 044	4, 228
#2B Plain milling machine special			4, 160
#2B Plain milling machine high speed			4, 217
#3 Plain milling machine hand feed	1, 347	1, 548	
#3B Plain milling machine hand feed	1, 383	1, 617	1, 772
#3B Plain milling machine		1, 733	1, 769
#3B Plain milling machine high speed		1, 778	
#3B Plain milling machine heavy		1, 637	
#4B Plain milling machine	813	936	987
#5B Plain milling machine heavy	#24	427	
#12 Plain milling machine	2, 336	2, 661	
#13 Plain milling machine			919
#21 Plain milling machine			216
#22 Plain milling machine			50
#33 Plain milling machine		82	
#45 Plain milling machine	10	15	
#1 Vertical spindle milling machine	900	1, 078	1, 126
#2 Vertical spindle milling machine std. type	773	979	1, 038
#2 Vertical spindle milling machine high speed			1, 033
#6 Vertical spindle milling machine	575	706	

CHARLES H. BESLY & CO., CHICAGO, ILL.—Con.

Machine	1919	1929	1935
#131 Vertical spindle grinder		131-021	
#140 Roller bearing grinder			140-013
#141 Roller bearing grinder		141-046	141-055
#151 Roller bearing grinder		151-018	151-027
#189 Vertical spindle grinder		189-010	189-013
#202 Spec. duplex vertical spindle grinder			202-020
#208 Single spindle grinder			208-20-23-011
#218 Double spindle grinder			218-034-20
#226 Double spindle grinder			226-023
#309 Vertical spindle grinder		309-022	
#253 Double spindle grinder			253-73-010
#912 Vertical spindle grinder		912-010	

BRITSCH & CO., CAMBRIDGE CITY, IND.

Last serial number for the year:

1919	4840
1929	6073
1935	6341

BROWN & SHARPE MANUFACTURING CO.

MILLING MACHINES

	Serial numbers		
	1919	1929	1935
#0 Omniversal milling machine			12
#1½ Universal milling machine	1795		
#1A Universal milling machine standard type		2999	3048
#2 Universal milling machine power feed	4263		
#2 Universal milling machine light type			6222
#2A Universal milling machine power type	4451		
#2A Universal milling machine standard type		8855	8781
#2A Universal milling machine special			5071
#3 Universal milling machine	1625		
#3A Universal milling machine	1675	2141	
#3A Universal milling machine standard type		2170	2191
#3A Universal milling machine high speed			2207
#3A Universal milling machine heavy	1703		
#4A Universal milling machine	983	1008	
#4A Universal milling machine standard type		1011	1019
#00 Plain milling machine	626	626	
#0 Plain milling machine	2270	2704	2283
#0Y Plain milling machine	2409	3166	3393
#0B Plain milling machine			2226
#0YB Plain milling machine	2557		
#1YB Plain milling machine		2047	
#1 Plain milling machine	1674		
#1B Plain milling machine		2017	
#1B Plain milling machine standard type		2054	2101
#1Y Plain milling machine	1749	2042	
#2Y Plain milling machine		3980	4181
#2YB Plain milling machine			4141
#2 Plain milling machine power feed	3225		
#2 Plain milling machine light type			4262
#2 Plain milling machine		4072	
#2B Plain milling machine hand feed	3, 270		
#2B Plain milling machine standard type		4, 044	4, 228
#2B Plain milling machine special			4, 160
#2B Plain milling machine high speed			4, 217
#3 Plain milling machine hand feed	1, 347	1, 548	
#3B Plain milling machine hand feed	1, 383	1, 617	1, 772
#3B Plain milling machine		1, 733	1, 769
#3B Plain milling machine high speed		1, 778	
#3B Plain milling machine heavy		1, 637	
#4B Plain milling machine	813	936	987
#5B Plain milling machine heavy	#24	427	
#12 Plain milling machine	2, 336	2, 661	
#13 Plain milling machine			919
#21 Plain milling machine			216
#22 Plain milling machine			50
#33 Plain milling machine		82	
#45 Plain milling machine	10	15	
#1 Vertical spindle milling machine	900	1, 078	1, 126
#2 Vertical spindle milling machine std. type	773	979	1, 038
#2 Vertical spindle milling machine high speed			1, 033
#6 Vertical spindle milling machine	575	706	

BROWN & SHARPE MANUFACTURING CO.—Con.

MILLING MACHINES—con.

	Serial numbers		
	1919	1929	1935
#2 Vertical spindle milling machine std. type		716	730
#6 Vertical spindle milling machine	1, 703		
#1 Universal grinding machine	2, 775	3, 385	3, 627
#2 Universal grinding machine	2, 461	3, 156	3, 292
#3 Universal grinding machine	2, 039	2, 417	2, 480
#4 Universal grinding machine	1, 297	1, 395	1, 432
#00 Automatic thread grinding machine		5	
#10 Plain grinding machine	881		
#11 Plain grinding machine	1, 776	2, 130	2, 241
#12 Plain grinding machine	410		
#14 Plain grinding machine	411		
#16 Plain grinding machine	294		
#20 Plain grinding machine	40		
#20A Plain grinding machine	32	56	
#20B Plain grinding machine	28		
#32 Plain grinding machine	18		
#32A Plain grinding machine	20		
#33 Plain grinding machine	11		
#35 Plain grinding machine	2		
#2 Disc grinding machine	84		
#1 Surface grinding machine	44		
#2 Surface grinding machine power feed	8098	9128	10067
#2B Surface grinding machine, hand feed			10049
#5 Surface grinding machine			11
#0 Tool grinding machine	1847	2347	
#1 Tool grinding machine	1254	1479	
#2 Cutter grinding machine	1119	1270	
#3 Universal cutter and reamer grinding machine	1973	2236	2269
#3 Universal cutter and reamer grinding machine, belt drive			2275
13 Univ. & tool grinding machine	1499	2376	2730
3 Auto. gear cutting machine	1623	1813	
3 Auto. gear cutting machine heavy	1636		
4 Auto. gear cutting machine	752	823	
5 Auto. gear cutting machine		258	
6 Auto. gear cutting machine	260		
13 Auto. gear cutting machine	903	1046	
13 Auto. gear cutting machine heavy	753	1052	
24 Spur gear hobbing machine		80	
44 Spur gear hobbing machine		91	101
#0 Wire feed screw machine	1021	1417	1549
1 Wire feed screw machine	1195	1648	1732
2 Wire feed screw machine	1588	2060	2208
2F Wire feed screw machine		1064	
4 Wire feed screw machine	809	1002	
5 Wire feed screw machine		794	
OO High speed automatic screw machine	8896	11345	12774
OOG High speed automatic screw machine	8907	11369	12702
O High speed automatic screw machine	4304	7214	7787
OG High speed automatic screw machine	4464	7135	7820
2 High speed automatic screw machine	4423	6441	6889
2G High speed automatic screw machine	4355	6426	6876
4 High speed automatic screw machine	2	124	199
6 High speed automatic screw machine		221	289

BOYAR-SCHULTZ CORP., CHICAGO, ILL.

Not manufactured until 1938.

BRIDGEPORT MACHINES, INC., BRIDGEPORT, CONN.

Turret Mill placed on market in 1938.

C. C. BRADLEY CO., SYRACUSE, N. Y.

Last serial numbers of Power Hammers manufactured:

Kind	1919	1929	1935
Compact	530	641	653
Upright	1, 816	2, 087	2, 113
Cushioned Helve	3, 052	3, 284	3, 294
Beaudry	327		

BURKE MACHINE TOOL CO., CONNEAUT, OHIO

Year of manufacture cannot be determined prior to 1939. After that—numbers assigned as follows:

#4–400–39 ..... the 4 means size.
400 means serial number.
39 means year of manufacture.

BUFFALO FORGE CO., BUFFALO, N. Y.

Last serial number for the year:

1919	55837–Z
1929	Z–23308
1935	35–Y–17409

CHISHOLM-RYDER CO., NIAGARA FALLS, N. Y.

Did not manufacture any machines during 1919, 1929, and 1935.

CINCINNATI PLANER CO., CINCINNATI, OHIO

Last serial number for the year:

1919	4242
1929	5139
1935	5230

CLEEREMAN MACHINE TOOL CO., GREEN BAY, WIS.

Not in business prior to 1935.

JAMES COULTER MACHINE CO., BRIDGEPORT, CONN.

Serial numbers start in 1936.

CLEVELAND CRANE & ENGINEERING CO., WICKLIFFE, OHIO

1935 M–130 (not manufactured in 1929, 1919)

THE CROSS CO., DETROIT, MICH.

Last serial number manufactured in the year:

1919	138
1929	484
1935	554

D. & M. MACHINE WORKS, TORRANCE, CALIF.

Started in business in 1941.

DOUGLAS MACHINERY CO., INC., NEW YORK, N. Y.

No machine tools manufactured prior to 1936. Started in 1939.

DALTON TOOL CORP., NEW YORK, N. Y.

Went out of business in 1936 or 1927—LATHES.

FOX ENGINEERING CO., ROCKFORD, MICH.

Drilling machine, 1919	616
Multi. machine, 1929	2059
Drilling machine, 1935	2199

FITCHBURG ENGINEERING CORP., FITCHBURG, MASS.

Began business in January, 1920 ..... Serial number #1
Last December 1935 ..... Serial number #61

FRAY MACHINE TOOL CO., GLENDALE, CALIF.

Were not manufacturing machine tools prior to 1938.

GENERAL MANUFACTURING CO., DETROIT, MICH.

First press, serial #501, mfg. and shipped	1920
Last press, serial #1571	1929
Last press, serial #1777	1935

E. O. GRABO MACHINE WORKS, NEW YORK, N. Y.

No serial numbers.

S. S. HEPWORTH CO., NEW YORK, N. Y.

Last machine manufactured in:

1929	#4099
1935	#5062

HEALD MACHINE CO.

Machine No.	Last serial Nos. for years—			Machine discontinued—	
	1919	1929	1935	Year	Serial No.
70A	9728	3930	3468	1943	15727
75A	774	3682	4906	1943	22990
60	1048	2267		1931	
65	116	591		1927	
200	199	397		1921	
255	266			1919	
210	905			1919	
200	990			1920	993
20	97	3617		1929	
80		3762	3763	1931	
85	8	3686	4905	1933	
55		3903	4932	1942	18867

HILL-ACME CO., ACME MACHINERY DIVISION, CLEVELAND, OHIO

Last serial number for the year:

1919	M–13025
1929	M–16090
1935	M–16488

HIRSH-WOLF MACHINE CO., CINCINNATI, OHIO

Write direct to manufacturer.

JACKSON MACHINE & TOOL CO., JACKSON, MICH.

No machine tools manufactured prior to 1936.

JEFFERSON MACHINE TOOL CO., CINCINNATI, OHIO

No milling machines manufactured prior to 1940.

LE MAIRE TOOL & MANUFACTURING CO., DEARBORN, MICH.

Serial numbers start in 1938.

LOCOMOTIVE FINISHED MATERIAL CO., ATCHISON, KANS.

No machine tools manufactured prior to 1936.

MODERN MACHINE TOOL CO., JACKSON, MICH.

Serial numbers before 1919 destroyed. Between 1920 and 1936 only four or five machines a year were built. In 1936 numbers were assigned:
2B—for #2 machine, cap. 2½".
3B—for #3 machine, cap. 3½".
4B—for #4 machine, cap. 4⅝".
(Machines shipped before August, 1922, had no roller feed nor automatic stock stop. Between 1922 and 1935 all machines were built with this feed).

MIDWAY MACHINE CO., ST. PAUL, MINN.

No machine tools manufactured prior to 1936.

NATIONAL AUTOMATIC TOOL CO., RICHMOND, IND.

Has no consecutive serial number record.

W. H. NICHOLS & SONS, WALTHAM, MASS.

Hand mill production started in 1935, 1–A–6.

RANSOM GRINDING MACHINE CO., OSHKOSH, WIS.

Last serial number for year 1919:

Direct current	21389
Alternating current	1502040

Last serial number for year 1929:

Direct connected	123
HS and RW types	121

Last serial number for year 1935:

Direct connected	226
HS and RW types	149

RASMUSSIN MACHINE CO., RACINE, WIS.

No machine tools manufactured prior to 1935.

REID BROTHERS CO., INC., BEVERLY, MASS.

Serial of first machine built in 1936 was #1558. All previous records destroyed by fire.

SOMERSFELD MACHINE CO., BRADDOCK, PENN.

Last machine built in year:	Serial No.
1919	669
1929	711
1935	711

No lathes manufactured between 1920 and 1935.

U. S. TOOL CO., INC., AMPERE, N. J.

All milling machines manufactured after December 31, 1935.

Multi-slide machine manufactured since December 31, 1929.

The sizes #28 and #44 have been manufactured since December 31, 1935.

Manufactured in 1935:

MS–22	#105
MS–26	#23
MS–23	#17

UNIVERSAL BORING MACHINE CO., HUDSON, MASS.

#0–A, #3½	2" heavy duty	3" light and heavy duty	4" and 4½"	8"
1919	571	T–3034	T–2493	T–455
1929	642	T–3089	T–24116	T–503
1935				T–4021

No floor type machines manufactured.

28. In Appendix A the following items are added under the heading "Baker Bros., Inc.—Toledo, Ohio":

OBSOLETE MACHINES

	Base price
Drills, No.:	
125	$2, 500
220	3, 500
310	2, 000
315	3, 550
413	3, 195
416	3, 195
417	4, 600
425	5, 070
525	6, 160
513	3, 760
Keyseaters, No.:	
00	1, 000
5	5, 900
3½	6, 100

29. In Appendix A under the heading "Bardons & Oliver, Incorporated, Cleveland, Ohio" the following items are added under the heading "Compare old style machines as shown below":

#1	Price set $1,630.
4½"—hollow hex	Price set $8,750.
4½"—hand screw	to Bardons & Oliver #5.
#8	to Bardons & Oliver #7.

30. In Appendix A the heading "Blank & Buxton Machinery Company, Jackson, Michigan" is amended to read "Index Machine & Tool Company, Jackson, Michigan".

31. In Appendix A under the heading "The Bradford Machine Tool Company, Cincinnati, Ohio" a note is added to read as follows:

Any obsolete lathes over 16" are to be compared to Springfield (standard quick change gear).

32. In Appendix A under the heading "Brown & Sharpe Manufacturing Co., Providence, R. I." the following items are amended to read as follows:

Plain mills:	
#2 Light	$3, 245
#2 Light, with power fast travel	3, 410
Universal mills:	
#2 Light	3, 900
#2 Light, with power fast travel	4, 070
Vertical mills:	
#2 Light	4, 015
#2 Light with high speed spindle	4, 265
#2 Light with power fast travel	4, 180
#2 Light with power fast travel and high speed spindle	4, 430
Automatic turret forming machines:	
#00 Geared for motor drive	2, 845
#0 Geared for motor drive	3, 500
#G Geared for motor drive	3, 900
#00 Countershaft	3, 200
#0 Countershaft	2, 880
#G Countershaft	3, 565
Automatic cut-off machines:	
#00 Geared for motor drive	$3, 710
#0 Geared for motor drive	3, 355
#G Geared for motor drive	3, 810
#00 Countershaft	2, 090
#0 Countershaft	2, 725
#G Countershaft	3, 225

NOTE: The letter "G" appearing after the various model numbers of automatic screw machines, turret forming and cut-off machines, denotes geared head machines and prices shown under the column "geared for motor drive" are to be used.

Automatic screw machines:

#1 to Brown & Sharpe #2	$3, 695
#19 to Brown & Sharpe #00	2, 420
Grinders (cylindrical):	
#14 Plain to Brown & Sharpe #22	7, 510
#30A Plain to Brown & Sharpe #20A	6, 642
Mills (plain):	
#00 to Standard #1	550
#1½ to Brown & Sharpe #2 light	3, 245
#0	865
Mills (universal):	
#1A to Brown & Sharpe #2 Univ. light type	3, 900
#1½ to Brown & Sharpe #2 Univ. light type	3, 900
Mills (vertical):	
#1 to Brown & Sharpe #2 light	4, 015
#2 to Brown & Sharpe #2 light	4, 015
#3 to Brown & Sharpe #2 standard	6, 540

33. In Appendix A under the heading "Brown & Sharpe Manufacturing Co., Providence, R. I." the following items are added to read as follows:

Grinders (tool and cutter):	
#3 Cutter and Reamer to Gallmeyer & Livingston #2 (pl.)	$623.50
#12 Universal to Gallmeyer & Livingston #4 (univ.)	1, 675.00
Mills (vertical):	
#5 to Cincinnati #4 vert. dial type, medium speed	9, 180.00

34. In Appendix A under the heading "Chisholm-Ryder Co., Inc., Niagara Falls, N. Y." the item "3" bar horizontal boring and milling machine" is amended to read as follows:

4" bar horizontal boring and milling machine	$12, 500
3" bar optional. This price is for the base machine only.	

35. In Appendix A under the heading "Cincinnati-Gilbert Machine Tool Co., Cincinnati, Ohio" the price for floor type bed plates more than 60 square feet is amended to read $30.

36. In Appendix A under the heading "Fellow Gear Shaper Co., Springfield, Vt." the price for #6M Involute Measuring Machine with recording device is amended to read "$3,500."

37. In Appendix A under the heading "General Machinery Corporation, Hamilton, Ohio" the headings "A. C. Equipment" and "D. C. Equipment" are amended to read "A. C. Drive" and "D. C. Drive", respectively, and the following items are added under the heading "Radial Drills":

4' plain	Use base price $5, 000
5'–6' plain	Now appears in book

NOTE: For 4' Universal add $900. For 5'–6' Universal add $1000. None of the prices listed include electrical equipment.

38. In Appendix A under the heading "The Heald Machine Co., Worcester, Mass." the following items are added under the heading "Internal Grinding Machines":

#70	Compared to #70A.
#75	Compared to #75A.
#80	Use base price of $4,000.
#85	Use base price of $1,500.
#200	Use base price of $1,700.
#210	Use base price of $1,875.
#260	Use base price of $5,000.

39. In Appendix A under the heading "International Machine Tool Corporation, Foster Div., Elkhart, Ind." the heading "Automatic chuck and bar feed when purchased separately" is amended to read "Automatic chuck when purchased separately".

40. In Appendix A under the heading "W. B. Knight Machinery Co., St. Louis, Mo." the prices for #20 and #40 machines are amended to read "$3,520." and "$5,170.", respectively.

41. In Appendix A under the heading "R. K. Leblond Machine Tool Co., Cincinnati, Ohio" the following items are added:

HEAVY DUTY RAPID PRODUCTION LATHES

Size	11"(1)	11"(2)	11"(3)	11"(4)	11"(5)	16"(6)	19"(7)
Base	13"	12¼"	18½"	18½"	18½"	16"	23"
Bed length	4'	4'	5'	5'	6'	8'	10'
Swings over ways	14¼"	14¼"	14¼"	14¼"	14¼"	17¾"	20¼"
Swing over pl. block rest	8¼"	8¼"	8¼"	8¼"	8¼"	10¾"	11⅞"
Base price includes lathe as listed above and standard equipment (screw operated tailstock, lever operated type optional-small face plate, plain block rest, No. 1 tool post, centers and wrenches)[1]	$1, 524	$1, 630	$1, 620	$1, 835	$1, 985	$2, 260	$3, 000

[1] 11" Lathes gets single automatic length stop to carriage, 19" No. 2 tool post instead of No. 1.
(1) 6-speed Timken headstock, multiple vee belt motor drive with motor on hinged plate in headstock cabinet leg.
(2) 6-speed Timken three bearing spindle headstock with ground gears vee belt motor drives motor in cabinet leg.
(3) Single speed motor head lathe, otherwise same as four speed. Any speed up to 3600 r. p. m.
(4) 2-speed motor head lathe, with motor, speed selector, controls witches and dynamic brake control. 450 & 900—600 & 1200—1800 & 3600 or any combination between 450 & 3600 r. p. m.
(5) 4-speed motor head lathe, with motor, speed selector, control switches, and dynamic brake control. 600—1200—1800—3600 or any other desired combination under 3600 r. p. m.
(6) 6-speed Timken headstock, feed changes in headstock, multiple vee belt motor drive, motor on hinged plate in cabinet leg.
(7) 6-speed Timken headstock, feed changed in headstock, multiple vee belt motor drive, motor on hinged plate in cabinet leg.
Domestic shipping weight: 11", 2,125 lbs .;16", 3,000 lbs. 19", 4,300 lbs.

42. In Appendix A the following items are added under the heading "Lucas Machine Tool Co., Cleveland, Ohio":

OBSOLETE MACHINES

#31—3" cap	Compared to #41
#32—3¾" cap	Compared to #42
#33—4½" cap	Use as base price $15,000
#43—5" cap	Use as base price $18,500

43. In Appendix A under the heading "The National Acme Co., Cleveland, Ohio" the following items are added under the heading "Obsolete Machines":

#51	Use base price $2, 500
#54	Use base price $4, 000

In addition, base prices are given below (according to size) on obsolete 4-spindle Gridleys regardless of whether they are designated as models B–F–G–GA–or R.

9/16"	$6, 325	2⅜"	$11, 975
¾"	6, 950	2⅞"	12, 775
⅞"	7, 575	3"	12, 950
1"	8, 700	3 3/16"	13, 300
1¼"	10, 075	3⅜"	14, 000
1¾"	10, 825	4"	14, 350

49. In Appendix A under the heading "The Warner & Swasey Co., Cleveland, Ohio" the following information is added to the various models listed below:

	Capacity	Speeds
	Jaws	
#1—Electric	1¼	4
#2—all geared head	1¼	6
#2—universal	2½	12
#3—all geared head	2½	12
#3—universal	2½	12
#1A		12
#2A		12
#2A		12
#2A		12
#2A		12
#3A		12
#3A		12

Note: Prices now shown in books are for machines with equipment selected by Army or other equipment, equipment ordered by Office of Price Administration, National Office.

#1—Electric includes complete electrical equipment, automatic chuck and bar feed and lever collet chuck, bar feed, 3-way universal cross slide with power feed and power feed to turret.

#2—All geared head includes feed to turret.

#2—Universal machines include automatic chuck, bar feed, universal cross slide with power feed and power feed to turret.

#1A-2A-3A-4A Machines include power feed to universal cross slide, power feed to turret.

49. In Appendix A under the heading "The Warner & Swasey Co., Cleveland, Ohio" the material appearing under the heading "Machines No Longer Manufactured" is amended to read as follows:

MACHINES NO LONGER MANUFACTURED

Note: The machines listed below represent discontinued models and the base prices shown less deductions (where noted) are to be used as equivalents in arriving at ceiling prices.

#1 Plain head ⅝" (cone drive)	¹$2,190
#1 Electric head ⅝"	2,190
#2 Plain head 1" (cone drive)	¹3,100
#2 Geared friction head 1" (cone drive)	¹3,335
#2 All geared head 1"	3,335
#2 Electric 1"	2,895
#14 Plain head 1" (cone drive)	¹3,100
#14 Plain head 1½" (cone drive)	¹3,800
#14 Friction geared head 1" (cone drive)	¹3,100
#4 Geared friction head 1⅝" (cone drive)	¹3,800
#4 Universal geared head 1½" (cone drive)	¹4,030
#4 Universal 6 speed all geared head 1½"	4,000
#4 Universal 12 speed all geared head 1½"	4,030
#3 Universal 6 speed all geared head 1½"	4,030
#4 Universal 12 speed all geared head 1⅝"	4,030
#4 Universal 12 speed all geared head 2" (cone drive)	¹4,715
#16 Plain head 1¼" (cone drive)	¹3,100
#6 Geared friction head 2¼" (cone drive)	¹4,715
#16 Geared friction head 1¼" (cone drive)	¹3,500
#6 Double back geared friction head 2¼" (cone drive)	¹4,715
#6 12 speed all geared head 2¼" (cone drive)	4,940
#3 12 speed all geared head 2½" (cone drive)	4,940
#1A Universal hollow hex. 2½"	5,050
#2A Universal hollow hex. 2½"	5,050
#2A Universal hollow hex. 3¼"	¹7,395
#2A Universal hollow hex. 3½"	7,395
#2A Universal hollow hex. 3½"	¹7,395
#3A Universal hollow hex. 4½"	9,150
#3A Universal hollow hex. 6"	9,150
#6 Universal hollow hex. #2A (cone drive)	¹7,395

¹ Less 20 percent.

50. In Appendix A a note is added under the heading "South Bend Lathe Works, South Bend, Ind." to read as follows:

NOTE: South Bend Lathes, cone—10" and over use LeBlond Regal, deduct 20% to get base price.

51. In Appendix A the material appearing under the heading "Storm Manufacturing Co., Inc., Minneapolis, Minn." is amended to read as follows:

Storm DB-3 cap. 6¾" x 9¾"	$1,000
Storm P cap. 7½" x 16"	1,600

52. In Appendix A a note is added under the heading "Whitney Metal Tool Co., Rockford, Ill." to read as follows:

NOTE: Models 190 and 190 were in production on March 1, 1941, and are not to be considered as discontinued.

53. In Appendix A under the heading "Van Norman Machine Tool Co., Springfield, Mass." an item is added under the heading "Duplex mills" to read as follows:

#20 Duplex Ram Type Miller, compare to Van Norman #22L, base price $4,060.

54. In Appendix A under the heading "Zeh & Hahnemahn Company, Newark, N. J." the price for a #10 mechanical control listed under the heading "Mechanical Power Presses" is amended to read $2,760.

55. The following is added to Appendix A:

FOOT SQUARING SHEARS

Number (series F)	Capacity	Size	Weight	Price
	Gallons	Inches	Pounds	
12-F	10	36	900	$1,000.00
14-F	10	36	1,000	1,110.00
16-F	10	36	1,100	1,220.00
17-F	10	36	1,200	1,330.00
19-F	10	36	1,300	1,440.00
12-G	10	36	1,000	1,110.00
14-G	10	36	1,100	1,220.00
16-G	10	36	1,200	1,330.00
17-G	10	36	1,300	1,440.00

The model C 5-spindle machines are to be compared to the National Acme Model RA 6-spindle of corresponding size.

44. In Appendix A the heading "Pope Machinery Co., Haverhill, Mass." is amended to read "Pope Machine Co., Seattle, Wash."

45. In Appendix A under the heading "Pratt & Whitney, West Hartford, Conn." the prices for #2 and #3 die sinkers are amended to read $1,500, and $2,000., respectively, the item #2-½" turret lathe is amended to read #2-(⅝" cap.), and the following items are added:

2" x 36" hollow hex.	Base price $6,501
Full automatic lathe	Base price $4,650
1" x 18"	Base price $1,200
¾" precision lathe	Base price $1,200

46. In Appendix A under the heading "Niagara Machine & Tool Co. Buffalo, N. Y." the price for the No. 612D double geared double crank press is amended to read $3570., and the following items are added:

ALL WEIGHTS NET. ALL FOR MATERIAL DOMESTIC CRATE 125 LBS. ADD FOR OCEAN SHIPMENTS 240 LBS.

	Net weight (pounds)	Price
No. 1 Standard hand milling machine, complete with countershaft—crated	900	$500.00
No. 1 Standard hand milling machine, complete with oil pump equipment and countershaft—crated	945	610.00
No. 1 Standard hand milling machine, complete with oil pump equipment and longitudinal power feed to table—crated	997	775.00
No. 1 Standard hand milling machine, complete with countershaft, oil pump equipment and longitudinal power feed to table—crated	1,052	835.00
No. 1½ Standard hand milling machine, complete with countershaft—crated	1,000	675.00
No. 1½ Standard hand milling machine, complete with countershaft and oil pump equipment—crated	1,045	685.00
No. 1½ Standard hand milling machine, complete with countershaft and power longitudinal feed to table—crated	1,097	800.00
No. 1½ Standard hand milling machine, complete with oil pump equipment, longitudinal power feed to table—crated	1,152	860.00
No. 2 Standard hand milling machine, complete with countershaft—crated	1,145	760.00
No. 2 Standard hand milling machine, complete with oil pump equipment and countershaft—crated	1,245	810.00
No. 2 Standard hand milling machine, complete with longitudinal power feed, attachment and countershaft—crated	1,315	1,050.00
No. 2 Standard hand milling machine, complete with countershaft, oil pump, equipment and longitudinal power feed to table—crated	1,200	1,110.00
No. 2 Standard hand milling machine, arranged for motor—crated	1,205	960.00
No. 2B Standard hand milling machine, and longitudinal power feed to table, arranged for motor—crated	1,345	1,160.00
No. 2 Standard hand milling machine with oil pump equipment, arranged for motor—crated	1,295	960.00
No. 2 Standard hand milling machine with oil pump equipment and longitudinal power feed arranged for motor—crated	1,435	1,160.00
No. 2 Power feed attachment only	130	265.00
Oil pump equipment only for No. 1, No. 1½, No. 2 Millers	67	225.00
Longitudinal power feed only for No. 1, No. 1½ Millers	223	30.00
Horizontal V vise without chip-pans	83	80.00
Horizontal V vise with chip-pans	83	80.00
Flat vise with steel crank handle, width of jaws, 6", depth of jaws, 1⅝", vise opens 3¼"	3	14.00
Arbors for milling cutters with ⅝" hole, No. 9 B. & S. taper	3	14.00
Arbors for milling cutters with ½" hole, No. 9 B. & S. taper	3½	14.00
Spring collets for holding straight shank cutters, ½" diameter, No. 9 B. & S. taper	125	75.00
Motor drive arrangement only for No. 1, No. 1½ Millers	40	20.00
No. 2 motor drive arrangement only	35	250.00
Universal vertical milling attachment		
Vise jaws for No. 1 and No. 2 Millers	1	10.00

47. In Appendix A the material appearing under the heading "The Standard Engineering Works, Pawtucket, R. I." is amended to read as follows:

ATLAS MACHINE SHOP EQUIPMENT

ATLAS PRESS CO.

F-Series Atlas lathes with vertical countershaft

Order number	Length of bed	Between centers	Over-all length	Boxed weight less motor	Code word	Price less motor
	In.	In.	In.	Lb.		
V30	36	15	49	249	YEKIJ	$107
V42	42	24	46	261	YEKKO	114
V48	48	30	52	269	YEKMY	123
V54	54	36	58	274	YEKOK	132

F-Series Atlas lathes with horizontal countershaft

H36	36	15	40	259	YEKUL	$112
H42	42	24	46	271	YELAH	119
H48	48	30	52	279	YELHA	128
H54	54	36	58	284	YELIK	137

Atlas Timken-equipped F-Series 10" lathes with vertical countershaft

TV30	36	15	40	249	YENON	$124
TV42	42	24	46	261	YENUP	131
TV48	48	30	52	269	YEOXY	140
TV54	54	36	58	274	YEPAL	149

Atlas Timken-equipped F-Series 10" lathes with horizontal countershaft

TH36	36	15	40	259	YEPEM	$129
TH42	42	24	46	271	YEPLA	136
TH48	48	30	52	279	YEPME	145
TH54	54	36	58	284	YEPOP	154

No. 2480 ½ H. P. 1740 R. P. M. single phase motor—110 volt, 60 cycle, has ball bearing double-end shaft (½" diameter), Code word WYLJL, weight 28 lbs., $14.25.

10 ft. SJ approved extension cord and plug.

No. 2490 ½ H. P. 1740 R. P. M. single phase motor—110 volt, 60 cycle, has ball bearing double-end shaft (½" diameter), Code word WYILN, weight 35 lbs., $17.50.

10 ft. SJ approved extension cord and plug.

No. 10–420 Reversing Switch with mounting bracket, cable connections, and installation diagram (see page 26). Code word YELJE, weight 3½ lbs., $4.50.

Milling machines

No. MI–G New Atlas Milling Machine, complete with safety belt guards and hand-operated table controls, less motor. Code word ZEVNE, net weight 179 lbs., shipping weight 220 lbs., $216.50.

No. MH–G New Atlas Milling Machine, complete with safety belt guards and rapid-production lever controls, less motor. Code word ZEVUR, net weight 183 lbs., shipping weight 243 lbs., $221.50.

No. MF–G New Atlas Milling Machine, complete with safety belt guards and "Change-O-Matic" power feeds, less motor. Code word ZEVSY, net weight 190 lbs., shipping weight 240 lbs., $236.50.

NOTE: belt guard not furnished, deduct $11.

Shapers

No. 7B New Atlas Shaper complete as shown including safety guards, less motor. Shipping weight, 360 lbs., net weight 260 lbs. Code word ZEIBT, $265.

No. 7AB New Atlas Shaper as shown but without safety guards and less motor. Shipping weight, 355 lbs., net weight 255 lbs. Code word ZEIFY, $250.

Furnished with Atlas Shaper: Vise, Countershaft, Complete V-belt drive, Crank Handle and Extension, Wrenches, Instruction Booklet.

No. 87–442C floor stand for New Atlas Shaper (Page 48). Weight 135 lbs. Code word ZEHEZ, $20.

BERTSCH & CO., CAMBRIDGE CITY, IND.

#6 STYLE DEEP GAP SPLITTING SHEARS WITH 18" GAP IN FRAME

#14 Ga.		#10 Ga.		5/16" Cap.		¼" Cap.	
	Price		Price		Price		Price
5'	$1,185	4'	$1,485	4'	$1,675	4'	$2,410
6'	1,380	5'	1,555	5'	1,815	5'	2,670
8'	1,910	6'	1,665	6'	1,960	6'	2,905
10'	2,080	8'	2,465	8'	2,985	8'	3,575
		10'	2,620	10'	3,175	10'	3,825
		12'	3,115	12'	3,725	12'	4,435

#4 STYLE SHALLOW GAP SQUARING SHEARS

	Price		Price		Price		Price
4'	$985	4'	$1,335	4'	$1,545	4'	$2,175
5'	1,000	5'	1,410	5'	1,680	5'	2,430
6'	1,205	6'	1,525	6'	1,795	6'	2,680
8'	1,785	8'	2,310	8'	2,605	8'	3,335
10'	1,910	10'	2,465	10'	2,985	10'	3,575
		12'	2,990	12'	3,535	12'	4,185

JARECKI MACHINE & TOOL CO., GRAND RAPIDS, MICH.

SCREW PRESSES (4-POST)

Type AA, with capacity of 25 tons	$395
Area of bed—F. to B. 13"—R. to L. 25".	
Space between standards 18¼".	
Area of ram—F. to B. 9¼"—R. to L. 16¾".	
Diameter of punch shank 1½" x 2½".	
Max. height from bed to ram 13¼".	
Diameter of screw 2".	
Diameter of hand wheel 15".	
Net weight 690 lbs.	
Type BB, 26" between uprights, cap. 80 tons	725
Area of bed—F. to B. 20"—R. to L. 36".	
Space between standards 26".	
Area of ram—F. to B. 12¾"—R. to L. 24".	
Diameter of punch shank 1⅛" to 3".	
Max. height from bed to ram 18".	
Diameter of screw 3".	
Diameter of hand wheel 23".	
Net weight 2,270 lbs.	
Special BB, 36" between uprights—cap. 80 tons	925
Area of bed—F. to B. 20"—R. to L. 46".	
Space between standards 36".	
Area of ram—F. to B. 13"—R. to L. 34".	
Diameter of punch shank 1⅛" to 3".	
Max. height from bed to ram 18".	
Diameter of screw 3½".	
Diameter of hand wheel 32½".	
Net weight 2,450 lbs.	

LOGAN ENGINEERING CO., CHICAGO, ILL.

Back geared screw cutting lathes, with countershaft assembly less motors

#210—10" x 24" Bench Model, shipping weight 390 lbs	[1] $200
#200—10" x 24" Floor Model, shipping weight 520 lbs	[1] 225

[1] Equipment included: 1–6" face plate, 2–60" centers, 17 change gears, 1 threading dial, 1 threading chart, 1–#3, #2 Morse Taper Adaptor, 1 tool post holder and wrench, 1 tailstock wrench, 1 motor control, reversing switch and cord.

Extras:

6" 4-jaw Independent Chuck	$17.50
5" 3-jaw Universal Chuck	21.95
Draw-in collet chuck attachment	21.00
Split holding collet (each)	3.75

MOREY MACHINERY COMPANY, INC., NEW YORK, N. Y

TURRET LATHES

[Geared head, ram type, back geared, wire feed, and automatic chuck]

Machine	Net weight (pounds)	Price arr. m/d less motors, controls
#2G Plain—1"	2,200	$2,350
#3 Plain—1½"-power feed to turret	3,900	3,250
#8 Universal—1½"	4,000	3,725

VERTICAL SHAPERS

Stroke of ram	Diameter of rotary table	Weight	Price
9"	20"	6,450	$5,100
12"	26"	10,400	6,700
14"	26"	10,900	7,750

MOREY SHIELDS THREAD MILLERS (EXTERNAL)

Hole through spindle 4¼6".

Machine	Price: Standard model	Price: Heavy duty	Net weight standard	Net weight heavy
			Pounds	Pounds
12 x 30"	$7,200	$8,000	6,500	7,900
12 x 60"	7,580	9,350	7,500	8,900
12 x 90"	8,100	9,650	8,500	9,900
12 x 120"	8,450	9,950	9,600	11,000
12 x 160"	8,900	10,950	11,000	12,900
Internal attachment	385	475	-------	-------

MOREY SHIELDS THREAD MILLERS (INTERNAL) (LESS TAILSTOCK)

12 x 30"	$7,510	$8,310	6,200	7,600
12 x 60"	7,810	9,610	7,200	8,600

MOREY MACHINE COMPANY, INC., NEW YORK, N. Y.—Continued

VERTICAL PROFILERS AND MILLING MACHINES

Machine	Spindles	Net weight (pounds)	Price apx. m/d less motors, controls
#12-M	single	3,350	$5,150
#12-M	two	3,900	5,375

SEMI-AUTOMATIC LATHES (HYDRAULIC FEED)

#27-SD	single geared	16,000	$11,800
#27-SG	back geared	16,000	12,100
#27-G2	two-speeds	16,000	12,000

MOREY MATTHEWS TURNING LATHE (SEMI-AUTOMATIC HYDRAULIC FEED)

Model A	Max. diameter 8", max. length 120".	30,000	$24,150

DEEP HOLE DRILLING MACHINES (HYDRAULIC FEED)

Machine	Spindles	Cap. bars	Drill. length	Pounds	Price as above
			Inches		
#1½ D	single	3"	76	11,600	$10,750
#1½ DS	single	3"	120	12,750	12,000
#1½ D	duplex	1⅝"	76	12,150	11,500
#1¾ DS	duplex	1⅝"	120	13,150	12,750

POPE MACHINE CORP., HAVERHILL, MASS.

Pope Milling Machine with high speed universal head—base price $2,885

Specifications

Longitudinal table travel	20".
Cross feed travel	10".
Spindle travel	4".
Vertical travel of column	15".
Maximum distance spindle to column	13".
Maximum distance spindle to table	19".
Size of table	10" x 32".
Thickness of table	4½".
Spindle capacity	#2 B. & S.

Hand wheel and lever feed

Weight complete, approximately 2,750 lbs.
Two speed ranges are available: 250 to 3,000 R. P. M., and 375 to 4,500 R. P. M.

This amendment shall become effective April 25, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5570; Filed, April 19, 1944; 11:44 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 75]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.502 (b) is amended to read as follows:

(b) *Tire inspection record.* That he has a tire inspection record for the automobile and that either the serial numbers of the tires mounted on the automobile have been entered upon the record or he has Parts D of certificates authorizing acquisition of such tires for the automobile. The provisions of this paragraph shall not apply to motorcycles, passenger automobiles operating only on special rations, passenger automobiles not propelled by gasoline, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations.

2. Section 1315.601 (c) is amended to read as follows:

(c) *Presentation of tire inspection record.* Any applicant for a tire who is required to have a tire inspection record under Ration Order No. 5C shall present it to the Board at the time of filing his application. If the serial number of any tire listed in the OPA Inspector's Report on OPA Form R-1 is different from that entered on the record, the applicant shall produce the Part D of a certificate authorizing the acquisition of such tire. However, the presentation of a tire inspection record is not required of applicants for tires for motorcycles, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations.

3. The proviso in § 1315.603 (a) (1) is amended to read as follows:

Provided, however, That if an application is made for a tire for a passenger automobile, other than a passenger automobile operating on a non-highway ration, all the tires mounted on the automobile shall be inspected and their condition certified to by an authorized inspector.

4. Preceding § 1315.701 the undesignated headnote "Inspection of Passenger Automobile Tires" is deleted.

5. Sections 1315.701, 1315.702, 1315.703, 1315.704 and 1315.705 are revoked.

6. Section 1315.801 (b) is amended to read as follows:

(b) *Removal of tires by automobile dealer.* (1) No automobile dealer shall remove a tire or new tube mounted on a passenger automobile which he holds for sale, except for repair or recapping or unless it is being removed:

(i) As part of the process of scrapping the passenger automobile; or

(ii) Pursuant to a certificate issued under § 1315.516 or an authorization granted under § 1315.802 (a) (4); or

(iii) From a passenger automobile which he has contracted to sell without tires.

(2) A tire or new tube which an automobile dealer has removed for repair or recapping from a passenger automobile which he holds for sale must be remounted on such automobile.

7. Section 1315.802 (a) (6) is amended to read as follows:

(6) A person mounting a tire upon a passenger automobile under subparagraph (3) or (4) must surrender the tire inspection record issued for the passenger automobile to the Board having jurisdiction over it, except in the case of motorcycles, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations. The Board shall issue a new tire inspection record for the passenger automobile upon being satisfied that the conditions of subparagraphs (3) or (4) have been complied with.

8. Section 1315.901 (h) is amended to read as follows:

(h) *Inspection of tires on commercial motor vehicles.* No person shall use or permit the use of tires or tubes on a commercial motor vehicle unless he has had the tires mounted on the vehicle inspected, and has kept records of such inspections as required by the Office of Defense Transportation.

9. Section 1315.1101 is amended by deleting the phrase "§ 1315.704" and substituting for it the phrase "§ 1315.802 (a) (3) or (4)".

This amendment shall become effective April 20, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5564; Filed, April 19, 1944; 11:47 a. m.]

PART 1340—FUEL

[MPR 69, Amdt. 5]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Sections 2.6 (b) (2), 2.6 (e) (2) and 2.6 (f) (2) are revoked.

2. Section 2.6 (g) is added to read as follows:

(g) In the State of Connecticut within the areas designated and described below or in the townships and cities listed below, maximum prices for Nos. 2 and 3 fuel oil shall be as follows:

[Cents per gallon]

(1) Areas	Loaded into transport trucks or tank cars	Loaded into tank wagons
Danbury	7.2	7.6
Bridgeport	7.2	7.4
Derby	7.1	7.3
Hartford	7.3	7.5
Essex	7.3	7.5
Middletown	7.3	7.5
Rockville		7.8
New London-Norwich	7.2	[2]7.4
Putnam		7.6
New Haven	7.1	[2]7.4
Greenwich-Norwalk	7.1	7.3

[1] This 7.4 price applies only in Cities of New London and Norwich.
[2] At tanker and barge terminal operators' yards deduct 0.1.

The Danbury area comprises the townships and cities of: Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, and Danbury City.

The Bridgeport area comprises the townships and cities of: Bridgeport City, Easton, Fairfield, Monroe, Stratford, Weston, Westport, and Trumbull.

The Derby area comprises the township of Derby.

The Hartford area comprises the townships and cities of: Weathersfield, Windsor, Windsor Locks, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, East Windsor, Glastonbury and Hartford City.

The Essex area comprises the townships and cities of: Chester, Clinton, Essex, Killingsworth, Lyme, Madison, Old Lyme, Old Saybrook, Saybrook, Westbrook.

The Middletown area comprises the townships and cities of: Marlboro, Middlefield, Middletown City, Portland, Salem, Colchester, Cromwell, Durham, East Haddam, East Hampton, Haddam, and Hebron.

The Rockville area comprises the townships and cities of: Ashford, Ellington, Tolland, Vernon, Rockville City and Willington.

The New London-Norwich area comprises the townships and cities of: East Lyme, Waterford, New London City, Groton, Stonington, North Stonington, Ledyard, Montville, Norwich City, Norwich, Preston, Bozrah, Franklin, Sprague, Lisbon, Griswald and Voluntown.

The Putnam area comprises the townships and cities of: Woodstock, Pomfret, Putnam, Thompson, Eastford and Putnam City.

The New Haven area comprises the townships and cities of: Bethany, Branford, Cheshire, East Haven, Guilford, Hamden, Milford, New Haven, North Branford, North Haven, Orange, Prospect, Wallingford, West Haven and Woodbridge.

The Norwalk-Greenwich area comprises the townships and cities of: Stamford, Greenwich, Stamford City, New Canaan, Darien, Norwalk City and Wilton.

(2) *For tank wagon deliveries*—(i) *For single lot deliveries of 100 gallons or more:*

	Cents per gallon
Andover	9.2
Ansonia	9.1
Ashford	9.3
Avon	9.2
Barkhamsted	9.6
Beacon Falls	9.1
Berlin	9.4
Bethany	9.0
Bethel	9.1
Bethlehem	9.3
Bloomfield	9.2
Bolton	9.2
Bozrah	9.1
Branford	9.0
Bridgeport	9.0
Bridgewater	9.2
Bristol	9.4
Brookfield	9.1
Brooklyn	9.1
Burlington	9.4
Canaan	8.3
Canterbury	9.1
Canton	9.2
Chaplin	9.2
Cheshire	9.0
Chester	9.2
Clinton	9.2
Colchester	9.2
Colbrook	9.6
Columbia	9.2
Cornwall	9.3
Coventry	9.2
Cromwell	9.2
Danbury	9.1
Darien	9.0
Derby	9.1
Durham	9.2
East Granby	9.2
East Haddam	9.2
East Hampton	9.2
East Hartford	9.2
East Haven	9.0
East Lyme	9.1
East Windsor	9.2
Eastford	9.3
Easton	9.0
Ellington	9.3
Enfield	9.3
Essex	9.2
Fairfield	9.0
Farmington	9.4
Franklin	9.1
Glastonbury	9.2
Goshen	9.6
Granby	9.3
Greenwich	9.0
Griswald	9.1
Groton	9.1
Guilford	9.0
Haddam	9.2
Hamden	9.0
Hampton	9.2
Hartford	9.2
Hartland	9.3
Harwinton	9.6
Hebron	9.2
Kent	9.2
Killingly	9.1
Killingworth	9.2
Lebanon	9.2
Ledyard	9.1
Lisbon	9.1
Litchfield	9.6
Lyme	9.2
Madison	9.2
Manchester	9.2
Mansfield	9.2
Marlboro	9.2
Meriden	9.4
Middlebury	9.3
Middlefield	9.2
Middletown	9.2
Milford	9.0
Monroe	9.0
Montville	9.1
Morris	9.6
Naugatuck	9.3
New Britain	9.4
New Canaan	9.0
New Fairfield	9.1
New Hartford	9.6
New Haven	9.0
New London	9.1
New Milford	9.2
Newington	9.2
Newtown	9.1
Norfolk	9.3
North Branford	9.0
North Canaan	9.3
North Haven	9.0
North Stonington	9.1
Norwalk	9.0
Norwich	9.1
Old Lyme	9.2
Old Saybrook	9.2
Orange	9.0
Oxford	9.1
Plainfield	9.1
Plainville	9.4
Plymouth	9.3
Pomfret	9.3
Portland	9.2
Preston	9.1
Prospect	9.0
Putnam	9.3
Redding	9.1
Ridgefield	9.1
Rocky Hill	9.2
Roxbury	9.2
Salem	9.2
Salisbury	9.3
Saybrook	9.2
Scotland	9.2
Seymour	9.1
Sharon	9.3
Shelton	9.1
Sherman	9.2
Simsbury	9.2
Somers	9.3
South Windsor	9.2
Southbury	9.1
Southington	9.4
Sprague	9.1
Stafford	9.4
Stamford	9.0
Sterling	9.1
Stonington	9.1
Stratford	9.0
Suffield	9.3
Thomaston	9.3
Thompson	9.3
Tolland	9.3
Torrington	9.6
Trumbull	9.0
Union	9.4
Vernon	9.3
Voluntown	9.1
Wallingford	9.0
Warren	9.2
Washington	9.2
Waterbury	9.3
Waterford	9.1
Watertown	9.3
West Hartford	9.2
West Haven	9.0
Westbrook	9.2
Weston	9.0
Westport	9.0
Wethersfield	9.2
Willington	9.3
Wilton	9.0
Winchester	9.6
Windham	9.2
Windsor	9.2
Windsor Locks	9.2
Wolcott	9.3
Woodbridge	9.0
Woodbury	9.2
Woodstock	9.3

(ii) For single lot deliveries of less than 100 gallons the maximum price at each point stated in subdivision (i) above shall be increased by .5¢ per gallon.

This amendment shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5576; Filed, April 19, 1944; 11:46 a. m.]

PART 1340—FUEL

[MPR 436,[1] Amdt. 12]

CRUDE PETROLEUM AND PETROLEUM AND NATURAL GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 436 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 9752, 10079, 10085, 10264, 10430, 11489, 11481, 11963, 11966, 12013, 12711, 13241, 13247, 13282, 13372, 13949, 13706, 13966, 14069, 14737, 15523, 16246, 16695, 16894, 17326; 9 F.R. 89, 692, 1317, 1396, 1710, 2476, 3790, 3940.

[1] 8 F.R. 11369, 12177, 13706, 17327, 9 F.R. 347, 945, 1532, 1882, 2946, 3851.

1. Section 8 (a) (5) is added to read as follows:

(5) *Stephens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Stephens Field in Nevada, Ouachita and Columbia Counties, Arkansas, shall be $1.18 per barrel with the customary differentials for lower gravity crudes.

2. Section 8 (b) (2) is amended by adding "Beverly Hills" to Item 19 after the word "Wilmington".

3. Section 8 (e) (9) is added to read as follows:

(9) *Anse La Butte Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Anse La Butte Field in St. Martin Parish, Louisiana, shall be $1.30 per barrel with the customary differentials for lower gravity crudes.

4. Section 8 (g) (1) is amended by adding a sentence at the end of the paragraph to read as follows:

Such maximum price is effective as of May 22, 1943 except that where a buyer agreed that prices for deliveries made during the pendency of his petition for amendment should be determined in accordance with the disposition of such petition he may pay and the seller may charge a price in accordance with such agreement.

5. Section 8 (m) (2) is amended to read as follows:

(2) *Lance Creek Field, Salt Creek Field, Iron Creek Field and G. P. Lease.* The maximum price at the receiving tank for crude petroleum produced in the Lance Creek Field, Niobrara County, Salt Creek Field, Natrona County, Iron Creek Field, Natrona County, and G. P. Lease, Carbon County, all in the State of Wyoming except crude petroleum produced from the Tensleep Sand shall be as follows:

API gravity:	Dollars per 42 barrels
Below 21°	$0.85
21–21.9	.87
22–22.9	.89
23–23.9	.91
24–24.9	.93
25–25.9	.95
26–26.9	.97
27–27.9	.99
28–28.9	1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

This amendment shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5572; Filed, April 19, 1944; 11:45 a. m.]

PART 1351—FEED AND FOOD PRODUCTS

[MPR 490,[1] Amdt. 4]

EDIBLE TREE NUTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 490 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) This regulation establishes maximum prices for sales of all edible tree nuts. Fruit pits and coconuts are not edible tree nuts for the purposes of this regulation.

2. In section 2, paragraph (b) is redesignated (c) and a new paragraph (b) is added to read as follows:

(b) No grower, country dealer, packer, processor, or sheller shall be classified in any other category because he purchases, or has purchased, some of the particular kind of nuts being priced and resells them in the same condition in which he purchased them. For example, suppose you are a sheller of pecans and you also buy shelled pecans from another. You are a sheller of all the shelled pecans you sell, including those you purchased already shelled.

3. Section 8 (b) is amended in the following respects:

a. The headnote and text preceding Table 1 are amended to read as follows:

(b) *Maximum prices for certain sales.* (All figures are cents per pound. All packaging and processing allowances are to be applied to net weight.)

b. The headnote to subparagraph (1) of Tables 1, 2, 3, and 4 is amended to read as follows:

(1) *Maximum prices for sales by growers, country dealers, packers, processors, and shellers to all persons except ultimate consumers.* (See exception in section 1 (b)).

c. In subparagraph (1) of Table 3, the table under the heading "Shelled," is amended to read as follows:

SHELLED

Grade A—Whole almonds graded: (Count to the ounce; lower figure included, higher figure excluded)		
16–18	95	97
18–20	93	95
20–22	92	94
22–24	90½	92½
24–26	89½	91½
26–28	90½	92½
28–30	94	96
30 and more	95	97
Grade B—Sheller run	88	90
Grade C—Whole and broken	87	89
Grade D—Pieces	86	88

d. In subparagraph (2), of Table 3, the table under the heading "Shelled," is amended to read as follows:

SHELLED

Grade A—Whole almonds graded: (Count to the ounce; lower figure included, higher figure excluded)		
16–18	95	97
18–20	93	95
20–22	92	94
22–24	90½	92½
24–26	89½	91½
26–28	90½	92½
28–30	94	96
30 and more	95	97
Grade B—Sheller run	88	90
Grade C—Whole and broken	87	89
Grade D—Pieces	86	88

e. In subparagraph (4) of Table 3, the list of items is amended to read as follows:

Roasted and roasted salted	3
Diced or ground roasted	4
Diced or halved natural	2
Blanched	11
Sliced natural	½

f. Subparagraph (6) of Table 3 is amended to read as follows:

(6) The term "grade" as used above applies only to shelled almonds as follows:

(i) "Grade A—Whole almonds, graded" means whole meats assorted to size, containing not more than 15 percent meats, the skins of which have been nicked in the course of shelling.

(ii) "Grade B—Sheller run" means meats graded or ungraded as to size, containing in either case not more than 15 percent, by weight, broken or split meats.

(iii) "Grade C—Whole and broken" means meats ungraded as to size, containing whole meats with not more than 30 percent, by weight, broken or split meats.

(iv) "Grade D—Pieces" means meats not otherwise graded or classified.

g. In subparagraph (1) of Table 4, the tables are amended to read as follows:

IN-SHELL

Grades	Column 1	Column 2
	(See explanation in section 8 (a))	
U. S. No. 1:		
Oversize	40½	42
Extra large	39½	41
Large	36	37½
Medium	29½	31
Small	22½	24
Commercial:		
Oversize	37	38½
Extra large	36	37½
Large	33½	34
Medium	26	27½
Small	20½	24
Improved, cleaned and culled but not graded as to size	32½	34

SHELLED

Halves	91	93
Pieces	89	91
Ambers	77	79

h. In subparagraph (2) of Table 4, the tables are amended to read as follows:

IN-SHELL

Grades	Column 1	Column 2
	(See explanation in section 8 (a))	
U. S. No. 1:		
Oversize	36½	38
Extra large	35½	37
Large	32½	34
Medium	26½	28
Small	20	21½
Commercial:		
Oversize	33½	35
Extra large	32½	34
Large	29½	31
Medium	23½	25
Small	20	21½
Orchard run:		
Improved	27	28½
Seedlings	20	21½
Improved, cleaned and culled but not graded as to size	29½	31

SHELLED

Halves	82½	84½
Pieces	80½	82½
Ambers	70	72

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14979, 15289; 9 F.R. 304.

1. In Table 4, subparagraphs (9) and (10) are added to read as follows:

(9) "Orchard run" means nuts as gathered from the grove or orchard without having been subjected to cleaning, culling, or grading. They may be either in containers or in bulk.

(10) "Cleaned and culled" means removing dirt, hulls, twigs, and other foreign material, as well as removing certain unshelled pecans from orchard run nuts, to the extent that the remainder will meet the standards of U. S. No. 1 or U. S. Commercial grade, as specified by the U. S. Department of Agriculture.

4. Section 8 (d) is amended to read as follows:

(d) *Sales by certain sellers to ultimate consumers.* The maximum price, which any seller, except a wholesaler, wagon wholesaler, or retailer, may charge to ultimate consumers is, in each case, the price for the item set forth in Column 1 of paragraph (1), multiplied by 1.35, plus actual delivery costs incurred, regardless of the zone in which delivery is made.

5. In section 10 the headnote and paragraph (a) are amended, both to read as follows:

SEC. 10. *Maximum prices for all other sales of all edible tree nuts.* (a) For all sales of any item of edible tree nuts, other than sales or items specified in section 1 (b) and section 8, the maximum price to a class of purchasers in each case shall be the highest price charged by the seller for the item being priced to a purchaser of the same class during the period October 25 to October 30, 1943, inclusive. (For the meaning of "highest price charged" see section 8 (c).)

This amendment shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 11, 1944.

GROVER B. HILL,
Assistant War Food Administrator.

[F. R. Doc. 44-5573; Filed, April 19, 1944; 11:45 a. m.]

No. 79——10

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 119]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (d) is amended to read as follows:

(d) If application is made for a special ration for use with a motorcycle or a passenger automobile for which a basic, supplemental, fleet or official ration or ration issued pursuant to § 1394.7757 or § 1394.7758 is currently outstanding, the applicant shall present to the Board the tire inspection record for the vehicle for which the ration is sought.

2. Section 1394.8004 (d) (2) (i) is revoked.

3. In § 1394.8007 the headnote preceding paragraph (a) is amended to read, *"Restoration of coupon books, coupons, folders or tire inspection records: Replenishment of gasoline by bulk consumers,"* and paragraph (d) is added to read as follows:

(d) *Tire inspection records.* Any person who has lost a tire inspection record issued for use with a passenger automobile shall apply to a Board for a new record. If the Board is satisfied that the serial numbers of the tires shown on such new record are those which were entered on the lost record or that discrepancies are accounted for by Parts D of tire certificates issued in accordance with Ration Order No. 1A, it shall issue to the applicant a new record,

4. Section 1394.8010 is amended to read as follows:

§ 1394.8010 *Presentation and maintenance of tire inspection records.* (a) After December 12, 1942, no supplemental, official or fleet ration or ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 shall be issued or renewed and no Basic A ration shall be renewed unless the applicant presents to the Board a tire inspection record for each vehicle for which the ration is sought. Such record must be kept with the vehicle when in operation, unless its removal is permitted by order or authorization of the Office of Price Administration.

(b) In the case of a renewal application for a fleet or official ration the Board may renew such ration without the presentation of the tire inspection records if the applicant submits to the Board his signed statement setting forth that it would impose undue hardship upon him to present tire inspection records because of the number or location of the vehicles involved or for other good reasons.

(c) Any person who transfers a passenger automobile shall deliver to the transferee the tire inspection record issued for use with such vehicle, and Parts D of tire certificates issued in accordance with Ration Order No. 1A, for any tires that have been mounted on such vehicle since the issuance of the tire inspection record.

(d) When application for a new ration is necessary as a result of a change in ownership of a passenger automobile, the transferee of such vehicle must submit to the Board the existing tire inspection record together with Parts D of tire certificates issued in accordance with Ration Order No. 1A and the Board shall issue a new record for the vehicle. When the transferee is unable to present the tire inspection record, the Board, before issuing a new record, shall be satisfied that no tire inspection record has been issued for the vehicle, or that the transferee has made a diligent effort to obtain the tire inspection record.

5. In § 1394.8102 (f) (1) the period at the end of the last sentence is deleted and the following phrase is added: "and, in addition, when the vehicle transferred is a passenger automobile, the transferee shall present the existing tire inspection record in accordance with § 1394.8010 (d)."

This amendment shall become effective April 20, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5571; Filed, April 19, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[GMPR for Hawaii,[1] Amdt. 3]

SALE AT WHOLESALE OF FLUID MILK, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 20 (a) (15) is amended to read as follows:

(15) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that:

(i) For the purposes of section 3 of this General Maximum Price Regulation for Hawaii, a sale at wholesale shall include any sale by such person to an industrial or commercial user.

(ii) "Sold at wholesale" refers to a sale by any person, of fluid milk or cream in bottles or paper containers, ice cream mix whose butterfat content is reduced to not less than 8% included in 14% or more (by weight) of milk solids, and ice cream to any person, including an in-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 16845, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1326, 1397, 2083, 2087, 2289, 2854, 2302, 2567, 2655, 2629, 2791, 3078, 2909, 3282, 3734, 3745.

[1] 8 F.R. 5307, 6362, 14765, 15585.

dustrial or commercial user, other than the ultimate consumer.

(iii) A sale to the War Department, the Department of the Navy, the United States Maritime Commission, or any agency thereof, when the commodity is not to be resold, or a sale to any religious, educational or charitable institution, any institution for the sick, deaf, disabled, aged or insane, or any school, hospital, library or agency of the foregoing in an amount not in excess of $50.00, when the commodity is not to be resold, may, at the option of the seller, be considered a sale at retail.

This amendment shall become effective as of April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5574; Filed, April 19, 1944; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 49]

GROCERY ITEMS IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 21 (e) is amended to read as follows:

(e) *Maximum prices for sales in the Territory of Hawaii of island-grown produce.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended November 15, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii, or at the District Offices of the Office of Price Administration, or from the County Agents on each island. "Commercial quality" (CQ) means that stock is of generally good quality and condition, and that size and appearance are acceptable to consumers. Generally good quality means that approximately 85% is desirable quality. Stock must not contain more than 10% serious damage nor more than 2% soft rot. "Merchantable quality" (MQ) means produce having not more than 15% serious damage and not more than ½ of this, or 5%, shall be soft rot. Size and appearance are not considered as important factors in this classification.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) "Sale at wholesale" means a sale by a person who customarily distributes island-grown produce to any person other than the ultimate consumers, and shall include sales to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing: *Provided*, That any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing, which during the period September 23, 1942, to December 23, 1942, purchased island-grown produce in an average gross amount not in excess of $100.00 per week, may purchase island-grown produce from licensed retailers at prices not in excess of the maximum prices for sales at retail. Any such purchaser exercising this permission shall file with the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu, T. H., not later than ten days after the first purchase from a licensed retailer, a statement setting forth the average weekly gross amount paid for island-grown produce during the period September 23, 1942, and December 23, 1942. Any licensed retailer shall be entitled to rely on a purchaser's statement that such purchaser has complied with this paragraph.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

(5) Maximum prices for island-grown produce. (i) On the Island of Oahu:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.31
Asparagus, fresh	B	.23	.23
Asparagus, fresh	C	.23	.19
Avocado, butter pears	A	.15	.20
Avocado	B and MQ	.10	.14
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem).	CQ	.0475	
Bananas, hands	CQ	.0625	$0.085
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking.	CQ	.06	
Bananas, hands, cooking	CQ	.10	.14
Beans, snap, green, string, yellow wax and other unclassified varieties.	A	.12	.16
	MQ	.10	.14
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Bean sprouts-elcsned		.10	.15
Beet tops (tubers not to exceed 1 inch)	CQ	.10	.15
Beets, bunched	CQ	.055	.08
Beets, topped	A	.05	.07
Beets, topped	MQ	.04	.055
Bitter melon	CQ	.15	.20
Broccoli	CQ	.15	.20
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili and swamp (Ung Choy).	CQ	.07	.10
Cabbage, head, Jan. 1-June 30.	AA and A	.05	.07
Cabbage, head, Jan. 1-June 30.	MQ	.035	.06
Cabbage, head, July 1-Dec. 31.	AA and A	.06	.09
Cabbage, head, July 1-Dec. 31.	MQ	.05	.06
Carrots, bunched	CQ	.06	.09
Carrots, topped	A	.07	.09
Carrots, topped	MQ	.055	.06
Cauliflower, trimmed	CQ	.18	.25
Celery	CQ	.18	.25
		Per dozen	*Per dozen*
Corn, green, sweet	A	.45	.60
Corn, green, sweet	B	.30	.45
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.03	.04
Cucumbers	A	.12	.16
Cucumbers	MQ	.10	.14
Dasheen (Japanese Taro) (#1).	CQ	.07	.10
Dasheen (Japanese Taro) (#2).	MQ	.055	.05
Egg plant, long (Molokai type).	CQ	.07	.10
Eggplant, round and half long	CQ	.05	.06
Ginger	CQ	.10	.15
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.13	.20
Lettuce, all types, July 1-Dec. 31.	CQ	.17	.25
Lotus root or lily root	CQ	.12	.16
Okra, Chinese, or See Qua	CQ	.15	.20
Okra, English	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.12	.16
Onions, Lailua bulb bunching.	CQ	.15	.20
Papaya, solo	A	.0425	.06
Papaya, solo and common	MQ	.035	.05
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.60	.70
Peppers, sweet, (bell)	CQ	.18	.25
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.025	.04
Potatoes, Irish	AA and A	.055	.07
Potatoes, Irish	MQ	.035	.045
Pumpkin (Japanese)	CQ	.05	.07
Pumpkin, mainland varieties and Kona Crepe.	CQ	.065	.09
Radish, red (per bunch of not less than 12).	CQ	*Per doz. bunch* $0.50	*Per bunch* $0.06
NOTE: For white radish, see turnips.			
		Per pound	*Per pound*
Rhubarb	CQ	.10	.15
Soybeans, edible, green, including vines.	CQ	.08	.12
Soybeans, edible, green, in pods.	CQ	.20	.30
Spinach, all types	CQ	.10	.15
Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large, (2½ lbs. or over).	CQ	.08	.07
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.10	.14
Squash, banana	CQ	.065	.09
Squash, Hubbard	CQ	.065	.09
Squash, Italian	A	.10	.15
Squash, Italian	MQ	.08	.12
Squash summer	CQ	.10	.12
Squash, queen or acorn	CQ	.08	.11
Sweet potatoes, (specified varieties).	AA	.07	.096
Sweet potatoes, yellow	A	.06	.07
Sweet potatoes, yellow and red.	B	.04	.055
Sweet potatoes	MQ	.03	.04
Swiss chard, bunched or loose.	CQ	.05	.075
Taro, Hawaiian and Chinese (bunched and not for manufacture).	CQ	.095	.08
Taro tops or lua, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.15	.21
Tomatoes, large (2" minimum diam.).	A	.14	.21
Tomatoes, large (2" minimum diam.).	B	.12	.18
Tomatoes, large or small	MQ	.08	.12
Tomatoes, egg or plum	CQ	.08	.12
Turnip tops (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.045	.06
Turnips, rutabagas, topped.	CQ	.05	.07
Watercress (tied in 1-pound bunch).	CQ	.08	.10
Watermelon	CQ	.08	.10
Yam (Chop Sui), or Farn Quat.	CQ	.10	.14
Yam, Mountain or Dai See.	CQ	.05	.07

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6389, 6949, 7200, 7457, 8064, 8850, 10270, 10666, 10994, 11247, 11437, 11849, 12299, 12708, 13023, 13342, 13500, 14139, 14305, 14668, 15253, 15360, 15851, 15862, 15869, 16066, 16997, 17201; 9 F.R. 173, 393.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Bananas, hands, Chinese and others.	CQ	$0.035	$0.06
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking.	CQ	.06	
Bananas, hands, cooking	CQ	.08	.11
	A	.09	.12
Beans, snap, green, string and yellow wax.	MQ	.07	.10
Beans, snap, green, string, yellow wax, and other unclassified varieties.			
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Beet tops (tubers not to exceed one inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.08	.12
Broccoli	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Chong).	CQ	.05	.07
Cabbage, head, Jan. 1-June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1-June 30.	MQ	.02	.03
Cabbage, head, July 1-Dec. 31.	AA and A	.04	.06
Cabbage, head, July 1-Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Carrots, topped	CQ	.15	.20
Celery			
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.02	.03
Cucumbers	A	.08	.13
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.045	.06
Dasheen, (Japanese Taro) (#2).	MQ	.03	.04
Eggplant, long (Molokai type).	CQ	.07	.10
Eggplant, round and half long.	CQ	.05	.06
Ginger	CQ	.07	.10
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types Jan. 1-June 30.	CQ	.08	.11
Lettuce, all types July 1-Dec. 31.	CQ	.10	.15
Okra	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo	A	.04	.055
Papaya, solo and common.	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green pod	CQ	.15	.22
Peppers, sweet (Bell)	CQ	.12	.17
Peppers, hot and chile	CQ	.25	.35
Pineapples	CQ	.05	.07
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.035	.05
Pumpkin, mainland varieties and Kona Crepe.	CQ	.05	.07
		Per dozen bunch	*Per bunch*
Radish, red (per bunch or not less than 12).	CQ	.50	.06
NOTE: For white radish see turnips.			
Rhubarb	CQ	.08	.11
Soybeans, edible, green, including vines.	CQ	*Per dozen bunch* $0.05	*Per pound* $0.08
Soybeans, edible, green, in pods.	CQ	.15	.22
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickley Winter, other mainland types.	CQ	.07	.10
Squash, Chinese (Tung Qua, Poo Qua, Long Squash), large (2½ pounds or over).	CQ	.08	.05
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.06	.09
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.05	.07
Sweet potatoes (specified varieties).	AA	.05	.055
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.0328	.04
Sweet potatoes	MQ	.026	.03
Swiss chard, bunched or loose.	CQ	.035	.05
Taro, Hawaiian and Chinese (bunched and not for manufacture).	CQ	.065	.05
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diam.).	A	.12	.18
Tomatoes, large (2" minimum diam.).	A	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.03	.04
Turnips, rutabagas, topped.	CQ	.08	.04
Watercress (tied in 1 pound bunch).	CQ	.045	.07
Watermelon	CQ	.03	.06
Yam (Chop Sui) or Farn Quat.	CQ	.02	.04
Yam, Mountain or Dai See.	CQ	.02	.03
Figs	CQ	.06	.125
		Each	*Each*
Grapefruit (local)	CQ	.07	.085
Grapefruit (local)	MQ	.06	.065
		Per dozen	*Per dozen*
Limes, Tahitian	CQ	.22	.30
Limes, Tahitian	MQ	.18	.24
Limes, Mexican	CQ	.10	.12
Limes, Mexican	MQ	.08	.10
		Per pound	*Per pound*
Limes, Kusae	CQ	.06	.08
Limes, Kusae	MQ	.05	.07
Oranges, Navel	CQ	.06	.08
Oranges, Navel	MQ	.05	.07
Oranges, Valencia	CQ	.05	.07
Oranges, Valencia	MQ	.04	.06
Poha	CQ	.07	.09
Tangerines	CQ	.10	.125
Tangerines	MQ	.08	.105

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(ii) On the Island of Hawaii:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.15	.23
Asparagus, fresh	A	.10	.15
Avocado, butter pears	B and MQ.	.07	.10
Avocado	CQ	.04	
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Bluefield.	CQ	.08	.07
Bananas, hands, Bluefield.	CQ	.025	
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others.	CQ	.06	.11
Beans, snap, green, string and yellow wax.	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.16	.25
Beet tops (tubers not to exceed one inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.08	.12
Broccoli	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Chong).	CQ	.05	.07
Cabbage, head, Jan. 1-June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1-June 30.	MQ	.02	.03
Cabbage, head, July 1-Dec. 31.	AA and A	.04	.06
Cabbage, head, July 1-Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Carrots, topped	CQ	.15	.20
Celery			
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.02	.03
Cucumbers	A	.08	.13
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.045	.06
Dasheen, (Japanese Taro) (#2).	MQ	.03	.04
Eggplant, long (Molokai type).	CQ	.07	.10
Eggplant, round and half long.	CQ	.05	.06
Ginger	CQ	.07	.10
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types Jan. 1-June 30.	CQ	.08	.11
Lettuce, all types July 1-Dec. 31.	CQ	.10	.15
Okra	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo	A	.04	.055
Papaya, solo and common.	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green pod	CQ	.15	.22
Peppers, sweet (Bell)	CQ	.12	.17
Peppers, hot and chile	CQ	.25	.35
Pineapples	CQ	.05	.07
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.035	.05
Pumpkin, mainland varieties and Kona Crepe.	CQ	.05	.07
		Per dozen bunch	*Per bunch*
Radish, red (per bunch or not less than 12).	CQ	.50	.06
NOTE: For white radish see turnips.			
Rhubarb	CQ	.08	.11
Soybeans, edible, green, including vines.	CQ	*Per dozen bunch* $0.05	*Per pound* $0.08
Soybeans, edible, green, in pods.	CQ	.15	.22
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickley Winter, other mainland types.	CQ	.07	.10
Squash, Chinese (Tung Qua, Poo Qua, Long Squash), large (2½ pounds or over).	CQ	.08	.05
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.06	.09
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.05	.07
Sweet potatoes (specified varieties).	AA	.05	.055
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.0328	.04
Sweet potatoes	MQ	.026	.03
Swiss chard, bunched or loose.	CQ	.035	.05
Taro, Hawaiian and Chinese (bunched and not for manufacture).	CQ	.065	.05
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diam.).	A	.12	.18
Tomatoes, large (2" minimum diam.).	A	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.03	.04
Turnips, rutabagas, topped.	CQ	.08	.04
Watercress (tied in 1 pound bunch).	CQ	.045	.07
Watermelon	CQ	.03	.06
Yam (Chop Sui) or Farn Quat.	CQ	.02	.04
Yam, Mountain or Dai See.	CQ	.02	.03
Figs	CQ	.06	.125
		Each	*Each*
Grapefruit (local)	CQ	.07	.085
Grapefruit (local)	MQ	.06	.065
		Per dozen	*Per dozen*
Limes, Tahitian	CQ	.22	.30
Limes, Tahitian	MQ	.18	.24
Limes, Mexican	CQ	.10	.12
Limes, Mexican	MQ	.08	.10
		Per pound	*Per pound*
Limes, Kusae	CQ	.06	.08
Limes, Kusae	MQ	.05	.07
Oranges, Navel	CQ	.06	.08
Oranges, Navel	MQ	.05	.07
Oranges, Valencia	CQ	.05	.07
Oranges, Valencia	MQ	.04	.06
Poha	CQ	.07	.09
Tangerines	CQ	.10	.125
Tangerines	MQ	.08	.105

NOTE: All sales invoices must show the unit specified in the table for each commodity. Where repacking and delivery are done at the buyer's request, sellers making sales to the United States or any of its political subdivisions, any religious, educational, or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, an industrial or commercial user, or any agency of the foregoing, may add an additional charge, not to exceed 10% of the maximum wholesale price, for this service.

(iii) On the Island of Kauai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.22	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	B and MQ	.08	.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem).	CQ	.04	
Bananas, hands	CQ	.055	.075
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking.	CQ	.06	
Bananas, hands, cooking	CQ	.10	.14
Beans, snap, green, string, and yellow wax.	A	.12	.16
Beans, snap, green, string, yellow wax, and other unclassified varieties.	MQ	.10	.135
Beans, green lima (pod)	CQ	.07	.10
Beans, green limas (shelled)	CQ	.18	.25
Bean sprouts—cleaned		.10	.15
Beet tops (tubers not to exceed 1 inch).	CQ	.10	.15
Beets, bunched	CQ	.055	.08
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.14	.18
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.06	.08
Cabbage, head, Jan. 1–June 30.	AA and A	.05	.07
Cabbage, head, Jan. 1–June 30.	MQ	.025	.05
Cabbage, head, July 1 to Dec. 31.	AA and A	.06	.08
Cabbage, head, July 1 to Dec. 31.	MQ	.06	.07
Carrots, bunched	CQ	.055	.08
Carrots, topped	A	.07	.09
Carrots, topped	MQ	.044	.06
Cauliflower	CQ	.15	.21
Celery	CQ	.15	.20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.60
Corn, green, sweet	B	.30	.45
		Per pound	*Per pound*
Corn, green, including field corn.	MQ	.03	.04
Cucumbers	A	.09	.12
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.06	.09
Dasheen, (Japanese Taro) (#2).	MQ	.033	.05
Eggplant, long (Molokai type).	CQ	.05	.08
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.08	.12
Gobo, medium and long stem.	CQ	.13	.17
Gobo, small and short stem.	MQ	.09	.12
Gobo, large stem	MQ	.09	.13
Kohlrabi, bunched or topped.	CQ	.06	.08
Lettuce, all types, Jan. 1–June 30.	CQ	.12	.16
Lettuce, all types, July 1–Dec. 31.	CQ	.15	.20
Lotus root or lilly root	CQ	.11	.14
Okra	CQ	.09	.14
Onion, dry	CQ	.07	.09
Onions, bunching green	CQ	.12	.16
Papaya, solo	A	.0425	.06
Papaya, solo & common	MQ	.035	.05
Peanuts, cured, in shell	CQ	.12	.16
Peas, Chinese	CQ	.50	.70
Peas, green pod	CQ	.15	.20
Peppers, sweet, (bell)	CQ	.13	.18
Peppers, hot and chile	CQ	.25	.30
Pineapples	CQ	.025	.04
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.035	.05
Radish, red (per bunch of not less than 12).	CQ	*Per dozen bunches* $0.60	*Per bunch* $0.06
Note: For white radish see turnips.			
Rhubarb	CQ	*Per pound* .07	*Per pound* .10
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese, (Tung Qua, Poo Qua, Long Squash) large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small (below 2½ pounds).	CQ	.08	.12
Squash, banana	CQ	.055	.08
Squash, Hubbard	CQ	.055	.08
Squash, Italian	A	.09	.14
Squash, Italian	MQ	.07	.11
Squash, summer	CQ	.09	.14
Squash, queen or acorn	CQ	.07	.10
Sweet potatoes, (specified varieties).	AA	.05	.085
Sweet potatoes, yellow and red.	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes	NQ	.025	.03
Swiss chard, bunched or loose.	CQ	.04	.06
Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.065	.08
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diam.)	A	.12	.16
Tomatoes, large (2" minimum diam.)	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops, (tuber not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.035	.045
Turnips, rutabagas, topped.	CQ	.04	.055
Watercress (tied in 1 pound bunch).	CQ	.09	.12
Watermelon	CQ	.07	.09
Yam, (Chop Sui) or Farn Quat.	CQ	.09	.13
Yam, Mountain or Dai See.	CQ	.05	.07

Note: All sales invoices must show the unit specified in the table for each commodity.

(iv) On the Island of Lanai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.22	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	B and MQ	.07	.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Bluefield.	CQ	.04	
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others.	CQ	.03	
Bananas, hands, Bluefield.	CQ	.04	.055
Bananas, hands, Chinese and others.	CQ	.06	
Bananas, hands, cooking	CQ	.08	.11
Beans, snap, green, string	A	.09	.12
Beans, snap, green, string, yellow wax, and other unclassified varieties.	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.19	.25
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.12	.16
Broccoli	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.05	.09
Cabbage, head, Jan. 1–June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1–June 30.	MQ	.02	.03
Cabbage, head, July 1–Dec. 31.	AA and A	.04	.06
Cabbage, head, July 1–Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Celery	CQ	.15	.20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1).	CQ	.045	.06
Dasheen, (Japanese Taro) (#2).	MQ	.03	.04
Eggplant, long (Molokai type)	CQ	.05	.08
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.10	.15
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1–June 30.	CQ	.10	.15
Lettuce, all types, July 1–Dec. 31.	CQ	.15	.20
Lotus root or lilly root	CQ	.07	.10
Okra	CQ	.09	.14
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo and common.	MQ	.05	.06
Papaya, solo	A	.04	.06
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green-pod	CQ	.15	.22
Peppers, sweet (bell)	CQ	.15	.20
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.025	.04
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.035	.05

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Avocado	Band MQ	$0.07	$0.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), Bluefield.	CQ	.04	
Bananas, hands, Bluefield.	CQ	.05	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others.	CQ	.03	
Bananas, hands, Chinese and others	CQ	.04	.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), cooking.	CQ	.06	
Bananas, hands, cooking.	CQ	.08	.11
Beans, snap, green, string	A	.09	.12
Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili and swamp (Ung Choy).	CQ	.05	.07
Cabbage, head, Jan. 1–June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1–June 30.	MQ	.02	.03
Cabbage, head, July 1–Dec. 31.	AA and A	.04	.06
Cabbage, head, July 1–Dec. 31.	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Cauliflower	CQ	.15	.20
Celery	CQ	.15	.20
		Per dozen	*Per dozen*
Corn, green, sweet	A	.35	.47
Corn, green, sweet	B	.25	.35
		Per pound	*Per pound*
Corn, green	MQ	.03	.05
Corn, green, field corn	CQ	.04	.06
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen (Japanese Taro), (#1).	CQ	.045	.06
Dasheen (Japanese Taro), (#2).	MQ	.03	.04
Eggplant, long (Molokai type).	CQ	.05	.08
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.10	.15
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1–June 30.	CQ	.10	.15
Lettuce, all types, July 1–Dec. 31.	CQ	.15	.20
Lotus root or lilly root	CQ	.07	.10
Okra	CQ	.06	.14
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo and common.	MQ	.05	.06
Papaya, solo	A	.04	.06
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green pod	CQ	.15	.22
Peppers, sweet (bell)	CQ	.15	.20
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.025	.04
Potatoes, Irish	AA	.055	.07
Potatoes, Irish	A	.05	.055
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.035	.05
Radish, red (per bunch of not less than 12).	CQ	*Per dozen bunches* .50	*Per bunch* .06
Note: For white radish, see turnips.			
Rhubarb	CQ	*Per pound* .07	*Per pound* .10
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese (Tung Qua, Poo Qua, Long Squash) large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small (below 2½ pounds).	CQ	.08	.12
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes (specified varieties).	AA	.05	.065
Sweet potatoes, yellow and red.	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes	MQ	.025	.03
Taro, Hawaiian and Chinese (bunched and not for manufacture).	CQ	.035	.05
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diameter).	A	.12	.18
Tomatoes, large (2" minimum diameter).	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops, (tubers not to exceed 1 inch).	CQ	.035	.045
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.04	.055
Turnips, rutabagas, topped.	CQ	.03	.05
Watercress (tied in 1 lb. bunch).	CQ	.07	.09
Watermelon	CQ	.03	.04
Yam, Mountain or Dai See.	CQ	.02	.03

Note: All sales invoices must show the unit specified in the table for each commodity.

(v) On the Island of Maui:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	*Per pound*
Asparagus, fresh	A	$0.25	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.14	.18

Note: All sales invoices must show the unit specified in the table for each commodity.

(vi) On the Island of Molokai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per pound	Per pound
Asparagus, fresh	A	$0.23	$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.16	.23
Avocado, butter pears	A	.12	.16
Avocado	B and MQ	.08	.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem).	CQ	.04	
Bananas, hands	CQ	.06	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), cooking.	CQ	.08	
Bananas, hands, cooking	CQ	.08	.12
Beans, snap, green, string	A	.11	.15
Beans, snap, green, string, and other unclassified varieties.	MQ	.09	.12
Beans, yellow wax	CQ	.055	.08
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.23
Bean sprouts, cleaned		.10	.15
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched	CQ	.045	.06
Beets, topped	A	.04	.06
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.14	.18
Broccoli	CQ	.14	.18
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy).	CQ	.065	.08
Cabbage, head, Jan. 1-June 30.	AA and A	.04	.06
Cabbage, head, Jan. 1-June 30.	MQ	.03	.045
Cabbage, head, July 1-Dec. 31.	AA and A	.04	.07
Cabbage, head, July 1-Dec. 31.	MQ	.04	.055
Carrots, bunched	CQ	.04	.06
Carrots, topped	A	.06	.08
Carrots, topped	MQ	.045	.06
Celery	CQ	.15	.20
		Per dozen	Per dozen
Corn, green, sweet	A	.40	.55
Corn, green, sweet	B	.30	.40
Corn, green, including field corn.	MQ	.03	.04
Cucumbers	A	.10	.14
Cucumbers	MQ	.08	.12
Dasheen, (Japanese Taro) (#1).	CQ	.06	.08
Dasheen, (Japanese Taro) (#2).	MQ	.05	.07
Eggplant, long (Molokai type).	CQ	.05	.07
Eggplant, round and half long.	CQ	.04	.06
Ginger	CQ	.08	.12
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Okra	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.09	.12
Onions, Kailua Bulb, bunching.	CQ	Per pound $0.12	Per pound $0.16
Papaya, solo	A	.04	.055
Papaya, solo and common	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.25	.30
Peppers, sweet (bell)	CQ	.15	.20
Pineapples	CQ	.023	.04
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.04	.055
		Per dozen bunches	Per bunch
Radish, red (per bunch of not less than 12).	CQ	.10	.06
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, all types	CQ	.06	.12
Squash, Chinese (Tung Qua, Foo Qua, Long Squash) large, (2½ lbs or over).	CQ	.04	.06
Squash, Chinese, young, small (below 2½ lbs.).	CQ	.06	.12
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.08
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes, (specified varieties).	AA	.05	.055
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red.	B	.025	.04
Sweet potatoes	MQ	.025	.03
Swiss chard (bunched or loose).	CQ	.055	.06
Taro tops or luau, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2" minimum diameter).	A	.12	.18
Tomatoes, large (2" minimum diameter).	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish, and similar types.	CQ	.04	.06
Watercress, (tied in 1 pound bunch).	CQ	.07	.10
Watermelon	CQ	.04	.06
Yam, Mountain or Dai See.	CQ	.05	.07

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(6) *Records and reports*—(i) *Records to be kept.* Notwithstanding the provisions of section 11 of this Maximum Price Regulation No. 373, every person making sales of any of the commodities covered by this section 21 shall on and after the date any such produce becomes subject to this paragraph keep for inspection by the Office of Price Administration for a period of not less than one year records as follows:

(a) *Persons making sales at wholesale.* Copies of the invoices or sales memoranda given to purchasers as required by subdivision (iii) below. Purchase records showing the date of purchase, name and address of supplier, kind and grade purchased, number of pounds or other unit of purchase, price per unit, total price paid and the quantity of each kind and grade on hand or order at the close of each calendar month.

(b) *Persons making sales at retail.* Copies of the invoices and sales memoranda received from suppliers.

(ii) *Prices to be marked and posted.* On and after the date any island-grown produce becomes subject to this paragraph (e) every person offering to sell such produce at retail shall mark the maximum price of such produce in a manner plainly visible to and understandable by the purchasing public.

The maximum price shall be marked on each item of produce itself or on the shelf, bin, rack, or other holder or container upon or in which the produce may be kept for purposes of sale. The maximum price shall be indicated in the form "Ceiling price $_____", or "Our Ceiling $_____."

(iii) *Sales slips and receipts.* (a) Every person selling at wholesale shall give the purchaser an invoice or a sales memorandum, showing the date of sale, name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold the following: the kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

(b) Every person selling at retail who has customarily given purchasers sales slips or receipts or similar evidences of purchase shall continue to do so. However, upon request from a purchaser every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the purchaser, and with reference to each item of produce sold the following: the kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

This amendment shall become effective as of November 20, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5563; Filed, April 19, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 51]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation No. 373 is amended in the following respects:

1. Section 12 (a) (2) is amended to read as follows:

(2) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer, except that:

(i) A sale to the War Department, the Department of the Navy, the United States Maritime Commission, or any agency thereof, when the commodity is not to be resold, or

(ii) A sale to any religious, educational or charitable institution, any institution for the sick, deaf, disabled, aged or insane, or any school, hospital, library or agency of the foregoing in an amount not in excess of $50.00, when the commodity is not to be resold, may, at the option of the seller, be considered a sale at retail.

2. Section 57 (e), (f), (f) (1) and (2), are amended to read as follows:

(e) *Maximum prices for used cars.* To figure the maximum price for the sale of a used car, the seller must:

(1) Find the base price according to paragraph (f); and

(2) Add to it the allowance in Table C for any piece of equipment listed there which is sold attached to the car; and

(3) If the car is a warranted car (as defined in paragraph (g)), add $100.00 or, if it is higher, add 20% of the total of the base price and any equipment allowance.

(f) *How to find the base price.* In figuring his maximum price, the seller shall first determine his base price of the car he is selling as follows:

(1) *For a complete car listed in Table B.* His base price shall be the base price listed in Table B for that car.

(2) *For a complete car not listed in Table B.* (i) If its body and chassis were made by different manufacturers, his base price shall be the base price listed in Table B of the most comparable car of the same make, model, year, body type, passenger capacity and wheel base.

(ii) If its make is not listed in Table B, his base price shall be the base price listed in Table B of the most comparable car as to model, year, body type, passenger capacity and wheel base.

(iii) If its year model is 1934 or before, and the make is listed in Table B, his base price shall be the base price listed in Table B for the 1935 year model of the same make, body type, passenger capacity and wheel base less 5% of that amount for each year that the year of the model being sold antedates the year 1935.

(iv) If its year model is 1934 or before and the make is not listed in Table B, his base price shall be the base price listed in Table B for the 1935 year model car which is most comparable as to model, year, body type, passenger capacity and wheel base less 5% of that amount for each year that the year of the model being sold antedates the year 1935.

3. Section 57, Table A is amended to read as follows;

TABLE A—TAGS TO BE AFFIXED BY DEALERS

The labels or tags prescribed in paragraph (j) hereof shall identify the used passenger automobile not less fully than by setting forth the make, year, model, series, if any; body type, "in-built" equipment or radio, if any; amount of allowance for "in-built" equipment or radio, if any; and the maximum price warranted, if the vehicle is sold with the written warranty as provided in paragraph (g) hereof; or the maximum price without warranty if sold without warranty; and further, each tag must show the statement: "The prices itemized do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection."

An example of such tag is set forth below:

Make—Chevrolet.	Maximum price (warranted) $1,275.60
Year—1941.	
Model—A H.	Maximum price (without warranty) -----
Series—Spec. deluxe.	
Equipment—Radio.	Price of equipment (Included in maximum price) $30.00

The prices itemised do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection.

This amendment shall become effective as follows:

(a) As to section 12, as of April 11, 1944.

(b) As to section 57 (e) and (f), as of March 31, 1944.

(c) As to section 57, Table A, as of April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5575; Filed, April 19, 1944; 11:45 a. m.]

[1] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388; 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

PART 1418—TERRITORIES AND POSSESSIONS

EGG NOODLES IN ALASKA

[MPR 288, Corr. to Amdt. 22]

Amendment 22 to Maximum Price Regulation 288, Specific Maximum Prices in Alaska, is corrected in the following respect:

Section 1418.363 (w) Table XXIII is corrected by changing certain prices to read as follows:

Brand	Unit	Ketchikan	Wrangell Petersburg	Juneau Douglas	Skagway Haines	Sitka	Cordova Valdez Seward	Kodiak	Anchorage	Palmer	Fairbanks	Nome
Egg Noodles:												
Rose Chinese	8 oz.—cello	$0.13	$0.13	$0.13	$0.13	$0.13	$0.13	$0.14	$0.14	$0.14	$0.15	$0.15
Mission	16 oz.—cello	.31	.31	.32	.32	.32	.35	.36	.32	.32	.34	.40
Reliance	16 oz.—cello	.31	.31	.31	.32	.32	.35	.35	.31	.32	.33	.40
Reliance	8 oz.—cello				.16	.16						
R & W Krinkled	16 oz.—carton										.35	

This correction shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 44-5562; Filed, April 19, 1944; 11:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

SERVICE REQUIREMENTS

§ 2.1001 *Persons included in the acts in addition to commissioned officers and enlisted men.* * * *

(e) *Medical officers, Public Health Service.* Officers of the Public Health Service who were detailed for duty with the Army or Navy are included as officers in the active service. On or after November 11, 1943, commissioned officers of the Public Health Service, regular and reserve, who are (1) detailed for duty with the Army, Navy or Coast Guard; (2) serving in time of war outside the continental limits of the United States or Alaska; or (3) who serve in time of war and following the issuance of an Executive order declaring the Commissioned Corps of the Public Health Service a part of the military forces of the United States, are also included. (57 Stat. 587; 42 U.S.C. Sup. 3, Sec. 1 (g)-(j))

* * * * *

(l) *Cadets and midshipmen.* Cadets and midshipmen suffering from disabilities incurred in the line of duty while assigned to duties constituting war service, which includes practice cruises at sea but excludes practice maneuvers at West Point, during the period of one of the hostilities enumerated in § 35.011, are entitled to a pension for such disability at the rate provided in § 35.011, if otherwise en-

titled. Cadets and midshipmen who are disabled by reason of a wound or injury received or a disease contracted while pursuing the prescribed course of instruction at the academies and in line of duty are entitled to a pension at the rate prescribed in § 35.012, if otherwise entitled. Midshipmen assigned to practice cruises or cadets or midshipmen otherwise actually assigned to active duty for a total of at least ninety days during a period of hostilities enumerated in § 35.011, who are now suffering from a disability permanent and total in degree, but which is not connected with any period of service, are entitled to a pension at the rate prescribed in § 35.013, if otherwise entitled. (A. D. 227, 242.) Service as a cadet at the United States Military Academy or as a midshipman at the United States Naval Academy or as a cadet at the United States Coast Guard Academy on or after December 7, 1941, and before termination of hostilities incident to the present war as determined by proclamation of the President or by concurrent resolution of the Congress shall be considered active military or naval service in World War II for the purposes of laws administered by the Veterans' Administration. (57 Stat. 554–560; 38 U.S.C. 730)

* * * * *

(q) *Commissioned or enlisted members of the Women's Reserve of the Navy, Marine Corps or Coast Guard.* On or after November 8, 1943, commissioned or enlisted members of the Women's Reserve of the Navy or Marine Corps, and on or after December 23, 1943, commissioned or enlisted members of the Women's Reserve of the Coast Guard are entitled to pension for disability incurred in or aggravated by active service in the Navy, Marine Corps or Coast Guard in line of duty. (A. D. 556) (57 Stat. 586, 609; 14 U. S. C. Sup. 3, secs. 382, 387, 388; 34 U.S.C. Sup. 3, sec. 857 (a), 857 (e))

§ 2.1009 *Revision of Rating Board Decisions.* * * *

(e) When the reduction of an award for a service-connected disability is considered warranted by a change in physical condition, the rating agency will prepare an appropriate rating extending the present evaluation sixty days from the date of rating, followed by the reduced evaluation, and in view of the time limitation the veteran will be promptly notified in writing of the proposed action and that unless he submits evidence showing the proposed reduction to be unwarranted within sixty days from the date on which the notice is mailed to him, the reduction will be effected as indicated without further correspondence with him. Evidence received within sixty days from the date of notice will be referred to the rating agency for rating. If the veteran fails to submit evidence within sixty days from the date of notice, the reduction of the award will be effected without further rating action, in accordance with the provisions of § 35.021 (c) (2). The rating sheet will bear the following notation: "R. & P. R–1009 (E), as amended." (57 Stat. 554–560; 38 U.S.C. 727)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 44–5498; Filed, April 18, 1944; 12:23 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 30—UNIFORM AND INSIGNIA OF THE UNITED STATES CADET NURSE CORPS

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, and Public Law 248, 78th Congress, approved March 4, 1944, authorizing the Surgeon General to prescribe uniforms and distinctive insignia for the United States Cadet Nurse Corps, the following regulations are hereby prescribed:

§ 30.1 *Prescribed uniforms.* The uniform of the student nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war, shall consist of the following items:

(a) *Winter suit.* Jacket and skirt of all-wool gray flannel with silver buttons. Jacket shall have red shoulder epaulets.

(b) *Summer suits (2).* Styled exactly as the winter suit, but made of gray and white striped cotton fabric with removable silver buttons. Jacket shall have removable red shoulder epaulets.

(c) *Reefer coat.* All-wool gray flannel, made in same contour as winter suit and with a half belt at the back waistline, red shoulder epaulets and silver buttons.

(d) *Raincoat.* Made of gray water-repellent material. Single-breasted with inside patch pockets and all-round belt, the shoulder straps shall be gray in color and trimmed with silver buttons.

(e) *Blouse.* White tucked rayon crepe, peter pan collar, and short sleeves.

(f) *Winter hat.* Gray fur felt beret, side drape.

(g) *Summer hat.* Official gray felt hat, with red band ⅞ of an inch wide.

(h) *Handbag.* Oval-shaped with shoulder strap, made of all-wool flannel to match reefer coat, for winter, and in modified form for summer.

(i) *Gloves.* Short black leather or fabric; plain. Short white fabric, plain.

(j) *Shoes.* Plain black leather, low or medium heel, closed toes and heels. White shoes are optional for summer wear.

(k) *Stockings.* Neutral beige in color, without clocks or decorations.

§ 30.2 *Prescribed distinctive insignia.* Student nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war shall wear the following insignia on their uniforms:

(a) *Beret emblem.* Large size metal cap device of the United States Public Health Service, to be worn either directly at the front of the beret or at the left-front.

(b) *Lapel insignia.* Two pairs of silver insignia pins bearing corps device of the United States Public Health Service. One pair of insignia pins is for the right and left lapels of the suit jacket, one pair for the reefer coat lapels. The winged caduceus should be vertical, and the anchor ring ¾ of an inch from the point of the lapel. Silver lapel insignia pins may be removed from outdoor uniform and used on collar tips of school uniform, if the institution shall so determine.

(c) *Shoulder epaulet markings.*

Pre-Cadet Nurse: Plain epaulets.

Junior Cadet Nurse: One silver Maltese cross centered on each epaulet.

Senior Cadet Nurse: Two silver Maltese crosses on each epaulet placed ¾ of an inch front and back of shoulder seam.

Graduate Cadet Nurses Engaged in Essential Civilian Nursing Services: Three silver Maltese crosses spaced evenly on each epaulet.

(d) *Sleeve markings.* (1) Sleeve markings to show the United States Cadet Nurse Corps insignia which is a white Maltese cross on a red oval with the letters U. S. imposed bordered by the words "Cadet Nurse," in white. This insignia is to be worn on the left sleeve three inches below the seam. The sleeve marking for winter uniform shall be made of matching all-wool gray flannel. The sleeve marking for summer uniform shall be made of washable white cotton duck.

(2) The sleeve insignia may also be worn on front or left of bib or at any other appropriate place on indoor uniform designated by the school.

(3) Graduate Cadet Nurses engaged in essential civilian nursing services for the duration of the present war shall wear sleeve insignia bearing the word "Graduate" above the word "Cadet."

(e) *Buttons.* Buttons are marked with the corps device of the United States Public Health Service.

§ 30.3 *Patent on design of uniforms.* The approved design for the United States Cadet Nurse Corps uniform is subject to a patent which has been assigned to the National Nursing Council for War Service, Inc.

§ 30.4 *Institution to supply uniform.* The institution shall supply all items of uniform above-mentioned and all designated distinctive insignia to student nurses under approved plans, with the exception of the following items of wearing apparel:

(1) Gloves.
(2) Shoes.
(3) Stockings.

§ 30.5 *Purchase of additional items of equipment.* Persons authorized to wear the uniform may purchase additional items of equipment or insignia at their own expense.

§ 30.6 *Wearing of the uniform.* All uniforms shall be kept neat and clean at all times. The wearing of the uniform shall be optional except that the school may prescribe the occasions when the wearing of the uniform and the designated distinctive insignia shall be mandatory. Schools shall also prescribe the periods when summer uniforms shall be worn and the periods when the winter uniforms shall be worn. When the uniform is worn, it must be complete except that the reefer coat or the raincoat may be worn with the indoor uniform of the school.

§ 30.7 *Persons eligible to wear the prescribed uniform and the designated distinctive insignia.* Cadet nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war are authorized to wear the uniform and insignia designated in §§ 30.1 and 30.2.

§ 30.8 *Persons eligible to wear the uniform without the designated distinctive insignia under § 30.2 (d).* Nurses receiving post-graduate instruction under Public Law 74, 78th Congress, graduate nurses who are employed in the training of U. S. Cadet Nurses, and persons employed in connection with the administration of Public Law 74, 78th Congress, and any amendments thereto, and who have been authorized by the Surgeon General may wear the uniform and insignia designated or prescribed in these Regulations without the designated distinctive insignia under § 30.2 (d): *Provided, however,* That they shall purchase the uniforms at their own expense: *And further provided,* That they shall replace the words "Cadet Nurse" with the words "Nurse Education" on the sleeve markings and shall wear shoulder epaulets containing three silver Maltese crosses spaced evenly on each epaulet.

Dated: April 15, 1944.

[SEAL] THOMAS PARRAN, *Surgeon General.*

Approved: April 17, 1944.

PAUL V. MCNUTT, *Federal Security Administrator.*

[F. R. Doc. 44–5560; Filed, April 19, 1944; 10:56 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office[1]

[Public Land Order 222]

IDAHO

PARTIAL REVOCATION OF LAND WATHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking in part Executive Order No. 8932 of November 5, 1941, withdrawing public lands for use of the War Department as practice bombing ranges.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 8932 of November 5, 1941, withdrawing public lands for the use of the War Department as practice bombing ranges is hereby revoked so far as it affects the following-described public lands:

BOISE MERIDIAN

T. 2 S., R. 2 E.,
Secs. 31 and 32.
T. 3 S., R. 2 E.,
Secs. 5 and 6.
T. 3 S., R. 3 E.,
Secs. 26, 27, 34, and 35.
The areas described aggregate 5,187.17 acres.

The jurisdiction over and use of such lands granted to the War Department by Executive Order No. 8932 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over the administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1941, 43 L.D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS, *Acting Secretary of the Interior.*

APRIL 10, 1944.

[F. R. Doc. 44–5472; Filed, April 18, 1944; 10:23 a. m.]

[1] Appendix.

[Public Land Order 223]

MONTANA

PARTIAL REVOCATION OF LAND WITHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking in part Public Land Order No. 83 of January 23, 1943, withdrawing public lands for use of the War Department as a maneuver area.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 83 of January 23, 1943, withdrawing public lands for the use of the War Department as a maneuver area is hereby revoked so far as it affects the following-described public lands:

PRINCIPAL MERIDIAN

T. 10 N., R. 4 W.,
Sec. 7, N½NE¼ and NE¼NW¼;
Sec. 8, W½W½;
Sec. 20, NE¼NW¼;
Sec. 29, lots 2, 3, 4, and 9, S½SW¼;
Sec. 30, E½SE¼.
T. 10 N., R. 5 W.,
Sec. 12, lots 14, 16, and 17, NE¼NE¼;
Sec. 24, lots 8, 9, 13, and 14, S½SW¼;
Sec. 25, N½NW¼, SW¼NW¼, and NW¼SW¼.
The areas described aggregate 966.34 acres.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 83 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS, *Acting Secretary of the Interior.*

APRIL 10, 1944.

[F. R. Doc. 44–5473; Filed, April 18, 1944; 10:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Special Direction ODT 18A–2A, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, Special Direction ODT 18A–2A is hereby amended by cancelling items numbered 5, 15, 20, 25, 30, 85, 195, and 200 appearing therein, and by incorporating therein, in numerical sequence, the following new items:

6. *Dairy products and related commodities.* (Items 6 to 86, inclusive).

* * * * *

16. *Butter.* Fresh, in bulk, in tubs; in containers, fibreboard; or in prints, shall be loaded to a weight not less than 30,000 pounds.

31. *Oleomargarine.* (a) Fresh, in bulk, in containers, fibreboard; in boxes; or in tubs, shall be loaded to a weight not less than 45,000 pounds.

32. (b) Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds.

33. *Butter and oleomargarine.* Mixed carloads, fresh, in bulk, in tubs; in boxes; in containers, fibreboard; or in prints, shall be loaded to a weight not less than 40,000 pounds.

* * * * * *

86. *Butter, cheese, shell eggs, and poultry, dressed.* In straight or in mixed carloads, for transportation to a processing plant, or packing plant, or to a warehouse for consolidation, which processing plant, packing plant or warehouse is located within 350 miles of original point of production, may be loaded to a weight which equals or exceeds the applicable tariff carload minimum weight only when such commodities are to be subsequently reshipped in straight or in mixed carloads to a destination located 350 miles or more from original point of production. When such commodities are reshipped from such processing plant, packing plant, or warehouse, the loading requirements prescribed for such commodities in individual

items contained in this Special Direction ODT 18A-2A, as amended, shall apply.

* * * * *

101. *Butter fat or cream, frozen.* In any type of container, shall be loaded to a weight not less than 35,000 pounds.

103. *Butter, eggs, and poultry, frozen.* Mixed carloads, in any type of container, shall be loaded to a weight not less than 30,000 pounds.

* * * * *

196. *Cabbage, fresh harvested, new.*

201. (a) In bulk, or in cloth or burlap sacks, shall be loaded to a weight not less than 28,000 pounds.

* * * * *

361. *Cherries, in brine.* In barrels, shall be loaded on end, two tiers high, covering the entire floor space of the car.

* * * * *

This Amendment 1 to Special Direction ODT 18A-2A shall become effective April 19, 1944.

(E.O. 8989, as amended, 6 F.R. 6726, 8 F.R. 14183; Gen. Order ODT 18A, as amended, 8 F.R. 14477, 9 F.R. 116)

Issued at Washington, D. C., this 19th day of April 1944.

HENRY P. MCCARTHY,
Director,
Division of Traffic Movement,
Office of Defense Transportation.

[F. R. Doc. 44-5522; Filed, April 19, 1944; 11:05 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. S-30]

PART 221—TIMBER

ESTABLISHMENT OF SUSTAINED YIELD UNITS

By virtue of the authority vested in the Secretary of Agriculture by the Act of March 29, 1944, I, Claude R. Wickard, Secretary of Agriculture, do make and publish the following regulation, to be designated Regulation S-30 and which constitutes § 221.30, Part 221, Chapter II, Title 36, Code of Federal Regulations:

§ 221.30 *Establishment of sustained yield units.* The Chief of the Forest Service is authorized to establish sustained yield units on the national forests under the Act of March 29, 1944 and may delegate such of the authority granted hereunder to others as he may consider desirable.

(Pub. Law 273, 78th Congress)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 19th day of April 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-5561; Filed, April 19, 1944; 11:25 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

NEWTON AND HILL EXPLOSIVES CORP.

PROCEEDINGS FOR REVOCATION OF LICENSES

Order revoking licenses, directing surrender of licenses and requiring records to be furnished.

To: Newton and Hill Explosives Corporation, Fort Edward, New York.

Based upon the records in this matter, including all communications received from you, I make the following findings of fact:

1. On March 4, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from March 4, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 40 days have elapsed since March 4, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Fort Edward, New York, does not exceed 3 days. The only communications received from you have been your replies dated March 9, 1944, and March 21, 1944, the latter including certain records. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, April 30, 1944.

2. That prior to midnight, April 30, 1944, you shall sell or otherwise dispose of to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you, or consigned to you, or which are in your custody.

3. That after having sold or otherwise disposed of all of the explosives and ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, April 30, 1944, deliver or mail to A. D. Lock, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York, a sworn statement of your transactions in and destructinons of explosives and ingredients of explosives, beginning with March 17, 1944, and ending with the final sale or other disposition, or with the final destruction, of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on March 17, 1944, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, April 30, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to A. D. Look, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 17th day of April 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-5525; Filed, April 19, 1944; 11:03 a. m.]

General Land Office.

[Air-Navigation Site Withdrawal 217]

CALIFORNIA

WITHDRAWAL OF PUBLIC LANDS FOR USE OF CIVIL AERONAUTICS ADMINISTRATION

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (49 U.S.C. 214), *It is ordered* as follows:

Subject to valid existing rights, the following-described public lands in California are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 217:

MOUNT DIABLO MERIDIAN

T. 31 N., R. 15 E.,
Sec. 22, that part of the NE¼NE¼ described by metes and bounds as follows:
Beginning at the northeast corner of said sec. 22, thence
S. 0°12'00" E., 1323.6 ft.;
N. 89°44'49" W., 853.2 ft.;
N. 9°35'00" E., along the east right-of-way line of U. S. Highway No. 395, 1341.4 ft.;
S. 89°40'34" E., 795.4 ft. to the point of beginning.
Sec. 22, NW¼ and S½.
The areas described aggregate 504.13 acres.

This order shall take precedence over, but shall not modify, the order of the Secretary of the Interior of April 8, 1935, establishing California Grazing District No. 2, so far as it affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six-months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 12, 1944.

[F. R. Doc. 44-5532; Filed, April 19, 1944; 11:26 a. m.]

Office of the Secretary.

DELEGATION OF AUTHORITY TO DIRECTOR OF UNITED STATES BOARD ON GEOGRAPHICAL NAMES

Pursuant to the provisions of section 161, Revised Statutes (5 U.S.C. sec. 22), Executive Orders No. 27-A, dated September 4, 1890; No. 399, dated January 23, 1906; No. 493, dated August 10, 1906; No. 3206, dated December 30, 1919; and No. 6680, dated April 17, 1934; and Departmental Order No. 1010, dated December 10, 1935, it is hereby ordered as follows:

I. The Director of the United States Board on Geographical Names may hereafter act in relation to the following classes of matters without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, and subject in any event to an appeal to the Secretary in appropriate cases:

(a) Approve and promulgate geographical names which conform to principles and policies approved by the Secretary, in the United States, its territories and possessions, international waters, and in lands or waters to which the United States has not formally recognized the sovereignty of a foreign nation.

(b) Request advice and recommendations from the Advisory Committee or its members.

(c) Appoint special committees to consider questions affecting large numbers of names in a single country, language, or other category.

(d) Approve and promulgate foreign geographical names derived by approved rules for treatment.

(e) Approve and promulgate foreign geographical names to which rules for treatment do not apply.

II. All general rules, regulations and instructions must be approved by the Secretary, except directions to Government agencies for the treatment of geographical names in foreign regions or countries. This order does not affect the responsibility of the Solicitor for the review of legal questions.

III. This order is effective immediately.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 17, 1944.

[F. R. Doc. 44-5583; Filed, April 19, 1944; 11:27 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 819]

ALLOCATION OF FUNDS FOR LOANS

APRIL 10, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Kansas 4-3044A1 Grant	$226,550
Kansas 4-3044G1 Grant	28,450

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5549; Filed, April 19, 1944; 11:25 a. m.]

[Administrative Order 820]

ALLOCATION OF FUNDS FOR LOANS

APRIL 10, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Colorado 4-3015C2 Morgan	$100,000
Georgia 4-3084C2 Cobb	25,000
Kentucky 4-3050E2 Graves	50,000
Michigan 4-3040C3 Allegan	50,000
Mississippi 4-3021F2 Coahoma	20,000
Mississippi 4-3039B3 Jackson	50,000
New Jersey 4-3004D2 Monmouth	31,500
New York 4-3020B1 Delaware	135,000
North Carolina 4-2040C3 Brunswick	30,000
North Carolina 4-2049A2 Surry	25,000
Oklahoma 4-2015H1 Tillman	100,000
Oklahoma 4-2021C2 Washita	120,000
Oregon 4-3025B3 Deschutes	10,000
Texas 4-2054D2 Wood	40,000
Texas 4-2083D1 Fisher	50,000
Washington 4-3037A5 Lincoln	10,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5550; Filed, April 19, 1944; 11:25 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-24]

BARKER-FOWLER CO., ET AL.

FINDING IN REGARD TO CONTRACT

In the matter of Barker-Fowler Company, F. D. Hayes Electric Company, Reed Tyler Electric Company, East Lansing Electric Company, Lansing, Michigan, Case No. S-840.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. no. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Barker-Fowler Company, F. D. Hayes Electric Company, Reed Tyler Electric Company and East Lansing Electric Company, Lansing, Michigan, all members of the Electrical Contractors Association of Lansing, Michigan;

I find that the services of electrical contractors for General Motors Forge, Olds Motor Works, and Lansing Paint and Color Company are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 18th day of April 1944.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 44-5540; Filed, April 19, 1944; 11:36 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 875]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., for approval of the acquisition of control of Aeronaves de Mexico, S. A.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said act, that a hearing in the above-entitled proceeding is hereby assigned to be held on May 8, 1944, at 1 p. m. (eastern war time) in the Foyer of the Department of Commerce Auditorium, 14th and Constitution Avenue NW., Washington, D. C., before Examiner Ross I. Newmann.

Dated Washington, D. C., April 18, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-5523; Filed, April 19, 1944; 11:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5836]

POTOMAC ELECTRIC POWER CO.

ORDER POSTPONING HEARING

APRIL 17, 1944.

It appearing to the Commission that:

(a) By order dated March 18, 1944, the Commission directed that a public hearing in this matter be held commencing April 18, 1944.

(b) On April 15, 1944, Potomac Electric Power Company requested the Commission to postpone such hearing because it would conflict with certain proceedings in which Potomac Electric Power Company is now involved before the Public Utilities Commission of the District of Columbia.

(c) The Public Utilities Commission of the District of Columbia has meanwhile advised the Commission that the hearing in such proceedings may not be completed for some time, and has suggested the advisability of postponing the hearing in this matter.

The Commission orders that:

The public hearing in this matter heretofore ordered to commence on April 18, 1944, be and the same hereby is postponed to such date as may hereafter be set by order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5527; Filed, April 19, 1944; 11:26 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 101]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 12 or 13, 1944, by Simon Siegel Company of car NP 94501, cabbage, now on the Chicago Produce Terminal, to David Schulman, Cleveland, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5422; Filed, April 17, 1944; 11:06 a. m.]

[S.O. 70-A, Special Permit 102]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 12 or 13, 1944, by Gus Relias Company, of car PFE 51710, tomatoes, now on the Wabash Railroad to M. Degaro, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5423; Filed, April 17, 1944; 11:06 a. m.]

[S. O. 70-A, Special Permit 103]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas April 18, 1944, by Gust Relias Company of car PFE 20235, tomatoes, now on the Rock Island Lines, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5434; Filed, April 17, 1944; 11:07 a. m.]

[S. O. 70-A, Special Permit 104]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 13 or 14, 1944, by Al Kaiser Brothers of car SFRD 23383, lettuce, now on the Chicago Produce Terminal, to Peter Martori, New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5425; Filed, April 17, 1944; 11:07 a. m.]

[S. O. 70-A, Special Permit 105]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 13 or 14, 1944, by J. Trankina Company of cars PFE 90593 and WFE 67074, tomatoes, now on the Chicago Produce Terminal, to Gargiulo & Amendola, New York, New York, and car PFE 44625, tomatoes, now on the Chicago Produce Terminal, to Wolf & Cohen, Philadelphia, Pennsylvania.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5426; Filed, April 17, 1944; 11:07 a. m.]

[S. O. 178, Special Permit 118]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point April 13, 1944, to Jersey City, New Jersey. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5427; Filed, April 17, 1944; 11:07 a. m.]

[S. O. 167, Special Permit 10]

TRANSPORTATION OF POTATOES FROM GLYNDON, MINN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2940) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement, not later than April 19, 1944, of three refrigerator cars containing potatoes grading below eighty percent (80%) U. S. No. 1 grade, from Glyndon, Minnesota, where they are now stored in transit consigned by Bert-Offutt Company to Chicago, Illinois. (N. P.-C. N. W.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5428; Filed, April 17, 1944; 11:07 a. m.]

[S. O. 187, Special Permit 11]

TRANSPORTATION OF POTATOES FROM PRESQUE ISLE, MAINE

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation or movement of two refrigerator cars loaded with mixed shipments of certified seed potatoes and smaller size seed potatoes grading U. S. No. 1 grade except for size, shipped by Ben Marks Company, Presque Isle, Maine, to Frank Barney, Sherman, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5429; Filed, April 17, 1944; 11:08 a. m.]

[S.O. 198]

FURNACE SLAG

UNLOADING AT MEMPHIS, TENN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of April, A. D. 1944.

It appearing that one (1) car containing furnace slag, L&N 72143, on hand at Memphis, Tennessee, on the Louisville and Nashville Railroad Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Furnace slag at Memphis, Tennessee, to be unloaded. (a) The Louisville and Nashville Railroad Company, its agents or employees, shall unload forthwith one (1) car containing furnace slag, L&N 72143, on hand at Memphis, Tennessee.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washingtons, D. C., when such carload of furnace slag has been completely unloaded. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Louisville and Nashville Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5556; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 199]

FREIGHT TRAFFIC

REROUTING BETWEEN ST. FRANCISVILLE, ILL, AND VINCENNES, IND.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of April, A. D. 1944.

It appearing that, due to damage to bridge abutments caused by flood conditions at Vincennes, Indiana, on The New York Central Railroad Company, this carrier by railroad is unable to transport the traffic offered to it; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people; it is ordered, that:

(a) *Flood conditions; rerouting of freight traffic.* Effective at once and until further order of the Commission The New York Central Railroad Company is hereby directed to forward freight traffic routed over its lines between St. Francisville, Illinois, and Vincennes, Indiana, by routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made; *Provided,* That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That copies of this order and direction shall be served upon The New York Central Railroad Company, the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5559; Filed, April 19, 1944; 11:41 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 6]

AMBER MINES, INC.

Whereas, by Vesting Order No. 43, dated July 1, 1942, (7 F.R. 5104, July 7, 1942) the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Amber Mines, Inc., a New York corporation; and

Whereas, by Vesting Order No. 350, dated November 11, 1942, (7 F.R. 9799, November 25, 1942) as amended, the Alien Property Custodian vested a certain claim against Amber Mines, Incorporated, in the sum of $26,446.84, owned by Preussische Bernstein Manufactur and/or Staatliche Bernstein Manufactur, which claims were thereafter subordinated by the Alien Property Custodian to the claims of other creditors of and claimants against Amber Mines, Inc.; and

Whereas, Amber Mines, Inc. has been substantially liquidated under the supervision of the Alien Property Custodian,

Now, under the authority of the Trading with the Enemy Act, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all claims of known creditors, except the claims owned by the Alien Property Custodian, have been paid; and
2. Finding that a certificate of dissolution of the corporation has been duly filed with the Secretary of State of New York; and
3. Finding that Gregory F. Coleman, E. W. Hardy, L. V. McLean, D. W. Pratt, and Herbert D. Weiser, are the directors of Amber Mines, Inc. and that its officers are Gregory F. Coleman, President, L. V. McLean, Secretary, and D. W. Pratt, Treasurer; and
4. Determining that it is in the national interest of the United States to complete the dissolution of the said corporation and to distribute the remaining assets thereof,

It is ordered, That the officers and directors of Amber Mines, Inc., abovenamed, wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then pay to the Alien Property Custodian his reasonable charges for direct expense incurred in connection with service rendered to the corporation; and

(d) They shall then distribute and pay over to the Alien Property Custodian as the owner of the claim against said corporation, as above set forth, all of the funds and property remaining in their hands after the payment as aforesaid;

It is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York; and

It is ordered, That all actions taken and acts done by the officers and directors of Amber Mines, Inc., above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., on April 13, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5420; Filed, April 17, 1944; 10:49 a. m.]

[Vesting Order 2705]

YAMASHITA DAIRY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yamashita Dairy, doing business at Honolulu, T. H., is a sole proprietorship owned by Daizo Yamashita and is a business enterprise within the United States;
2. That Daizo Yamashita, whose last known address is Fukuoka, Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Yamashita Dairy is controlled by Daizo Yamashita and is a national of a designated enemy country (Japan);
4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Daizo Yamashita in Yamashita Dairy, a sole proprietorship, and all property of whatever nature situated in the United States and owned or controlled by, payable or deliverable to or held on behalf of or on account of or owing to Yamashita Dairy, herein described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 2, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5405; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 2950]

POLDI STEEL WORKS

In re: Gages for tool joints owned by Poldi Steel Works, also known as Poldihutte, Poldihuette, and as Poldina Hut.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Poldi Steel Works, also known as Poldihutte, as Poldihuette, and as Poldina Hut, is a corporation organised under the laws of Czechoslovakia, with its principal place of business at Praha 11, Lutnewova 37, Czechslovakia;
2. That Poldi Steel Works, also known as Poldihutte, as Poldihuette, and as Poldina Hut, is acting or purporting to act directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) and that it is a national of a designated enemy country (Germany);
3. That Poldi Steel Works, also known as Poldihutte, as Poldihuette, and as Poldina Hut, is the owner of the property described in subparagraph 4 hereof;
4. That the property described as follows:

Nine cases or boxes and the contents thereof, believed to consist of nine pieces or sets of API Reference Master gages for tool joints as particularly described in Exhibit A attached hereto and by reference made a part hereof, stored in the name of Poul Kruger in the warehouse of Werner Storage and Transfer Company, 4624-26 North Clark Street, Chicago, Illinois, and identified as Lot Number 2468-205-N,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that Poldi Steel Works, also known as Poldihutte, as Poldihuette, and as Poldina Hut, is controlled by or acting for or on behalf of a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The following API Reference Master gages for tool joints:

Size and gage number	*Pieces*
2⅞" R. H. Rotary; 1442	1
3½" R. H. Rotary; 1443	1
4½" R. H. Rotary; 1444	1
5⅝" R. H. Rotary; 1445	1
6⅝" R. H. Rotary; 1446	1
3½" Full Hole Rotary; 3078	1
4½" Full Hole Rotary; 3079	1
5⅝" Full Hole Rotary; 3080	1
6⅝" Full Hole Rotary; 3081	1

[F. R. Doc. 44-5411; Filed, April 17, 1944; 10:49 a. m.]

[Supp. Vesting Order 3057]

SCHWAN-BLEISTIFT-FABRIK A. G.

In re: Merchandise owned by Schwan-Bleistift-Fabrik A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 2053, dated September 1, 1943, that Schwan-Bleistift-Fabrik A. G. is a national of a designated enemy country (Germany);
2. Finding the Schwan-Bleistift-Fabrik A. G. is the owner of the property described in subparagraph 3 hereof;
3. Finding that the property described as follows:

The merchandise belonging to Schwan-Bleistift-Fabrik A. G., particularly described in Exhibit A, attached hereto and by reference made a part hereof, presently stored at 27 Cliff Street, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Item, Style No., Name and Quantity

Colored chalks; 6661; Stabilo; 1 gross.
Colored chalks; 6664; Stabilo; 17 gross.
Point protectors; 2360; Swan; 10 gross.
Fixatives; 7701; Swan; 22 boxes,[1] 1 set.
Fixatives; 7702; Swan; 4 boxes.
Empty cases; 6767; Stabilo; 2 pieces.

[F. R. Doc. No. 44-5412; Filed, April 17, 1944; 10:49 a. m.]

[1] 8 sets of fixatives to each box.

[Vesting Order 2339]

CHINOIN CHEMICAL & PHARMACEUTICAL WORKS CO., LTD.

In re: Chinoin Chemical & Pharmaceutical Works Co., Ltd., Ujpest, Hungary.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chinoin Chemical & Pharmaceutical Works Co., Ltd., whose principal place of business is Ujpest, Hungary, is a corporation organized under the laws of Hungary and is a national of a designated enemy country (Hungary);
2. That Chinoin Chemical & Pharmaceutical Works Co., Ltd., of Ujpest, Hungary, has a claim against The Treemond Company in the sum of $69,179.86 as of March 31, 1943, which is represented on the books and records of The Treemond Company as an account payable, subject, however, to any accruals or deductions subsequent thereto, and this claim is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the claim of Chinoin Chemical & Pharmaceutical Works Co., Ltd., against The Treemond Company, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5413; Filed, April 17, 1944; 10:49 a. m.]

[Vesting Order 3347]

CHOY MINORS

In re: Guardianship estate of Choy Minors, also known as Park Soon Choi (w) and Tong Soo Choi, also known as John Kim, Minors; File: D-66-1512; E. T. Sec. 9622, (H-110).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Park Soon Choi, also known as Park Soon Choy, (Korea) Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Park Soon Choi, also known as Park Soon Choy, in and to the Guardianship estate of Choy Minors, also known as Park Soon Choi (w) and Tong Soo Choi, also known as John Kim, Minors, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5414; Filed, April 17, 1944; 10:49 a. m.]

[Vesting Order 3350]

ALBERT TOKIMASA HAMASAKI

In re: Estate of Albert Tokimasa Hamasaki, deceased; File: D-39-17414; E. T. sec. 9671 (H-123).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Florence H. Hamasaki, Administratrix, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Kenzo Hamasaki, Japan.
Asano Hamasaki, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kenzo Hamasaki and Asano Hamasaki, and each of them, in and to the Estate of Albert Tokimasa Hamasaki, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5415; Filed, April 17, 1944; 10:50 a. m.]

[Vesting Order 3351]

TATSUKICHI KOBAYASHI

In re: Guardianship Estate of Tatsukichi Kobayashi, Minor; File: D-39-17074; E. T. sec. 9592, (H-138).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Trutomu Nishi, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tatsukichi Kobayashi, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tatsukichi Kobayashi in and to the Guardianship Estate of Tatsukichi Kobayashi, Minor, in the possession of Tsutomu Nishi, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5416; Filed April 17, 1944; 10:51 a. m.]

[Vesting Order 3356]

SEKI SHISHIDO

In re: Guardianship Estate of Seki Shishido, an insane person; File: D-39-17413; E.T. sec. 9670, (H-112).

Under the authority of the Trading with the enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Iwa Ogawa, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Seki Shishido, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Seki Shishido, in and to the Guardianship Estate of Seki Shishido, an insane person, in the possession of Iwa Ogawa, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5417; Filed, April 17, 1944; 10:51 a. m.]

[Vesting Order 3361]

YOICHI ABESHIMA AND HIROTSUGU ABESHIMA

In re: Guardianship of Yoichi Abeshima and Hirotsugu Abeshima, Minors; File: D-66-1531; E.T. sec. 9679, (H-152).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Dr. Sadaichi Kasamoto, Successor Guardian, acting under the judicial supervision of the Circuit Court of the Third Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Yoichi Abeshima, Japan.
Hirotsugu Abeshima, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yoichi Abeshima and Hirotsugu Abeshima, and each of them, in and to the Guardianship Estate of Yoichi Abeshima and Hirotsugu Abeshima, Minors, in the possession of Dr. Sadaichi Kasamoto, Successor Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5418; Filed, April 17, 1944; 10:51 a. m.]

[Vesting Order 3365]

HERMANN WOLTERS, ET AL.

In re: Trust established pursuant to an agreement between Hermann Wolters and Carl Wolters, and Free and Hansa Town of Bremen, Germany, and Bremer Handels Museum of Germany, dated September 3, 1926; File: D-28-8376; E.T. sec. 9689, (H-32).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jose Castano, C. C. Von Hamm, and William Wolters, Trustees, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a political subdivision of a designated enemy country, Germany, namely, Free and Hansa Town of Bremen, Germany

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the Free and Hansa Town of Bremen, Germany, in and to the Trust Estate established pursuant to an agreement between Hermann Wolters and Carl Wolters, and Free and Hansa Town of Bremen, Germany, and Bremer Handels Museum of Germany, dated September 3, 1926, filed in the Probate proceeding entitled In the Matter of the Estate of H. Wilhelm Wolters, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the

Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–5419; Filed, April 17, 1944; 10:51 a. m.]

[Vesting Order 3401]

MINNIE MARIE ALBERTINE FRITZSCHE

In re: Real property and bank account owned by Minnie Marie Albertine Fritzsche.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Minnie Marie Albertine Fritzsche is Greussen, Province of Thuringen, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Minnie Marie Albertine Fritzsche is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of Norfolk, State of Nebraska, particularly described as Lots 1 and 2, Block 2, Baer's Addition to Norfolk, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Minnie Marie Albertine Fritzsche in and to the sum of $1,000, constituting a portion of that certain bank account with the National Bank of Norfolk, Norfolk, Nebraska, which is due and owing to and held for Minnie Marie Albertine Fritzsche in an account entitled "Minnie Fritzsche, by Donald D. Mapes, attorney, Norfolk, Nebraska," including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5406; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3402]

JOHANN GEORG GELDNER

In re: Bond and mortgage, fire insurance policy, and claim owned by Johann Georg Geldner and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of the persons named in Exhibit A, attached hereto and by reference made a part hereof, are as set forth in said Exhibit, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons named in said Exhibit A are the owners of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. A first mortgage executed on December 6, 1924, by Antonio Caracciolo and Maria Caracciolo, his wife, and recorded on December 17, 1924, in the County Clerk's Office of Queens County, New York, in Liber 2521 of Mortgages, page 342, which was assigned on January 1, 1938 by Alfred J. Kennedy, as Administrator of the Estate of Ursula Geldner, deceased, to the German Society of the City of New York, as attorney in fact for the persons named in Exhibit A, by instrument of assignment recorded June 2, 1938 in the Register's Office of Queens County, New York in Liber 4434 of Mortgages, page 245, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid first mortgage), for any or all of such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations,

b. All right, title and interest of the persons named in Exhibit A, in and to fire insurance policy No. F 471128, issued by Orient Insurance Company, Hartford, Connecticut, insuring the premises covered by the mortgage described in subparagraph 3–a hereof, and

c. All right, title, interest and claim, of any name or nature whatsoever, of the persons named in Exhibit A, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to said named persons by The German Society of the City of New York, 147 Fourth Avenue, New York, New York, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a above) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name, Last Known Address and Interest

Johann Georg Geldner; Nuremberg, Germany; share 1/6.

Georg Kohler; Wiesenstr. 100, Nuremberg, Germany; share 1/12.

Johann Kohler; Elisabethenstr. 2, Nuremberg, Germany; share 1/12.

Maria Naumann, nee Kohler; Elisabethenstr. 2, Nuremberg, Germany; share 1/12.

Andreas Geldner; Nuernbergerstr., Bamberg, Germany; share 1/20.

Heinrich Geldner, Nuernbergerstr., Bamberg, Germany; share 1/20.

Johann Geldner, Nuernbergerstr., Bamberg, Germany; share 1/20.

Kunigunda Geldner, Nuernbergerstr., Bamberg, Germany; share 1/20.

Johann Saal; Vorbach, Germany; share 1/3.

Franziska Einberger, nee Geldner; Augustenstr. 26, Munich, Germany; share 1/10.

Andreas Geldner; Maxplatz 2, Bamberg, Germany; share 1/10.

[F. R. Doc. 44–5407; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3403]

MANTARO KUGA

In re: Interest in note and mortgage, and claims owned by M. Kuga, also known as Mantaro Kuga.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of M. Kuga, also known as Mantaro Kuga, is 25 Kogashiramachi, 1-chome, Kurume, Fukuoka Ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That M. Kuga, also known as Mantaro Kuga, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest in a mortgage executed on January 1, 1930 by R. S. Haseltine and Maud M. Haseltine, his wife, as mortgagors, in favor of M. Kuga and R. Kiyokawa, as mortgagees, and recorded in the Clerk's Office of Hood River County, Oregon in Book 25 of Mortgage Records at Page 93, and any and all obligations secured by the interest in said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations,

b. All right, title, interest and claim of any name or nature whatsoever of M. Kuga in and to any and all obligations, contingent or otherwise and whether or not matured, owing to M. Kuga by R. Kiyokawa, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations, and including particularly any and all claims against R. Kiyokawa arising out of the collection of proceeds from the mortgage described in subparagraph 3–a hereof, and those arising out of the purchase by R. Kiyokawa of M. Kuga's interest in the partnership enterprise now known as Kiyokawa-Yasui, and

c. All right, title, interest and claim of any name or nature whatsoever of M. Kuga in and to any and all obligations, contingent or otherwise and whether or not mature, owing to M. Kuga by the Apple Growers Association, Hood River, Oregon, and represented on the books of the Apple Growers Association as a credit balance due M. Kuga, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations.

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the to extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5408; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3407]

FREDA KAUFFMANN

In re: Real property, bank accounts, and property insurance policies owned by Freda Kauffmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Freda Kauffmann is Holzminden, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Freda Kauffmann is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Counties of Galveston, Montgomery and Colorado, State of Texas, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property,

b. All right, title, and interest of Freda Kauffmann in and to fire and windstorm insurance policy No. DFT 37431, issued by the North British and Mercantile Insurance Company; fire and windstorm insurance policy No. DC 871883, issued by The Century Indemnity Company, and fire and windstorm insurance policy No. CD 494295 issued by the National Fire Insurance Company, insuring the improvements to a portion of the premises described in subparagraph 3–a hereof, and

c. All right, title, interest and claim of Freda Kauffmann in and to those certain bank accounts in the First National Bank of Galveston, Galveston, Texas, which are due and owing to, and held for and in the name of Freda Kauffmann, Principal Account, Income Account, and Freda Kauffmann, Principal Account, including but not limited to all security rights in and to any and all collateral for any and all of such accounts or portion thereof, and the right to enforce and collect the same.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. That lot or parcel of land situated in the County of Montgomery, State of Texas, particularly described as:

317.6 acres of land, more or less, a part of the Kenneth Hyman Survey, Abstract No. 249, and being all of the tract conveyed by J. W. Jockusch to Julius Kauffmann by deed dated August 27, 1873, recorded in Volume Z, Page 562, Deed Records of Montgomery County, Texas, particularly described as:

1. The tract originally patented to William C. C. Lynch, situated on the East Bank of San Jacinto River and containing Five Labors and eight hundred and six thousand six hundred and seventy square varas—or one thousand and seventy eight acres, be the same more or less being the same tract conveyed to John W. Jockusch by Robert Mills and David G. Mills by Deed bearing date May 18, 1871 and recorded in the Records of Montgomery County in Book "Y" pages 5 and 6;

2. The lower or southern half of the one-third of league originally patented to Kenneth Hyman: the said one-sixth of a League containing seven hundred and thirty-eight acres, be the same more or less, and being the same tract conveyed to John W. Jockusch by Robert Mills and David G. Mills by deed bearing date May 15, 1871 and recorded in the Records of Montgomery County in Book "Y" pages 8 and 6;

Save and except: (a) 25 acres conveyed by Clara Kauffmann to A. J. Madeley by deed dated September 10, 1898, recorded in Volume 18 at Page 421, Deed Records of Montgomery County;

(b) 200 acres conveyed by Clara Kauffmann by Attorney, to William Wheatley by deed dated March 5, 1902, recorded in Volume 29 at Page 618, Deed Records of Montgomery County;

(c) 100 acres conveyed by Freda Kauffmann to Henry Wiltten by deed dated December 20, 1920, recorded in Volume 101, Page 273, Deed Records, Montgomery County;

(d) 81.1 acres conveyed by Freda Kauffmann, et al., to Henry Wiltten by deed dated April 4, 1928, recorded in Volume 108, Page 271, Deed Records, Montgomery County;

(e) The right of way of the I. & G. N. R. R. Conveyed by William J. Hutchins to H. & G. N. R. R. Company by deed dated March 7, 1870, recorded in Volume X, Page 571, Deed Records, Montgomery County, Texas, containing 14.3 acres more or less; EXCEPT a sixty-foot right of way deeded to the County of Montgomery State of Texas, containing 6.369 acres more or less.

Second parcel of land. That lot or parcel of land situated in the County of Galveston, State of Texas, particularly described as:

All that certain property being Lots Numbers Eight (8) to Thirteen (13) inclusive, in the South half of Block Four Hundred and Twenty-five (425), in the City and County of Galveston, State of Texas, according to the maps and plan of said city to which reference is made.

Third parcel of land. That lot or parcel of land particularly described as:

All the following lots or parcels of land situated in Galveston County, Texas, on Galveston Island, known according to the Trimble and Lindsay Survey of said Island as Lots Numbers Four Hundred and Fifty-six (456), Four Hundred and Sixty-seven (467), Four Hundred and Sixty-six (466), Four Hundred and Seventy-seven (477), Four Hundred Eighty-six (486), Four Hundred and Ninety-seven (497), Four Hundred and Forty-six (446), Four Hundred and Forty-seven (447), Four Hundred and Fifty-seven (457), Four Hundred and Seventy-six (476), Four Hundred and Eighty-seven (487), Four Hundred and ninety-six (496), Four Hundred and Ninety-seven (497) in Section One (1) of said Island. Also Lots Five (5), Sixteen (16), Twenty-five (25), Thirty-six (36), Forty-five (45), Forty-six (46), Six (6), Fifteen (15), and ½ of Lot Twenty-six (26) in Section Two (2) of said Island.

Fourth parcel of land. That lot or parcel of land containing 390⅝ acres situated in Colorado County, Texas, particularly described as:

That certain tract or parcel of land granted by the State of Texas to James Nelson December 8, 1849, containing 640 acres, lying & situate in Colorado County, Texas, about Eleven miles N NE from Columbus on the headwaters of St. Bernard River—Beginning at a stake the NE cor. of Jno. Weigil's 640 acre survey from which a black Jack mkd X bears N 79° W. 9¾ vrs. another mkd W bears S 45° W 6½ vrs Thence North 44° E 496½ varas to a stake from which a black Jack mkd J bears S 48¾° E 6⅗ varas, a post Oak mkd N bears N 71¾° W 9⅗ varas. Thence North 48° West crossing a branch 1056 varas to a point from which a black Jack mkd J bears N 32½ E. 9⅗ varas, another marked N. bears N 60¼° E 9⅗ varas, thence North 44°30' East at 191 varas a creek at 123½ varas a stake from which a postoak mkd J bears S 25° 30' W 13⅗ varas, another bears S 76°30' W 15 varas, mkd N. Thence South 48° East with the SW line of Jas Rylee's 26 labor survey 2260 varas to his corner, on the NW cor of a 19¾ labor survey for the heirs of Dunlavy, a stake from which a Hickory mkd J brs. N 41°30' E 15 varas. Thence S 44°30' W with Dunlavy's line at 983 vs. a branch at 989 vs. a black Jack mkd JT from which another mkd J brs. S 81°30' W 26 vs. Thence North 45°30' W at 600 varas a branch at 987 vs. a stake in Weigel's E line from which a post oak mkd J brs. S 84°30' W 37 vs. another bears N 52°30' W 30½ vs. Thence N with said line 331–vs. to the beginning, excepting from this conveyance 259⅜ acres of land heretofore sold by me out of the aforesaid 640 acre tract of land as follows to wit: to H. F. Dittmar 37½ acres, to Maine Dittmar 37½ acres to Roman Blaschke 37½ acres to Rudolph Blaschke 45⅝ acres, to Carl Brast 45⅝ acres and to Mr. Wolters 45⅝ acres together with all and singular the rights, members, improvements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining.

[F. R. Doc. 44–5409; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3409]

EMMA M. T. VON SCHIRACH

In re: Real property, a mortgage, a claim, and property insurance policies owned by Emma M. T. Von Schirach.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Emma M. T. Von Schirach is Blumenstrasse 5, Wiesbaden, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Emma M. T. Von Schirach is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property located in the City and County of Philadelphia, State of Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. A mortgage executed on May 1, 1893 by Houston Smith, as mortgagor, in favor of David E. Dallam, as mortgagee, and recorded on June 5, 1893 in the Office of the Recorder of Deeds in and for the City and County of Philadelphia, State of Pennsylvania in Mortgage Book TG No. 266, Page 474, which was assigned to Emma M. T. Von Schirach on January 11, 1926 by instrument of assignment recorded in the above Recorder's Office on January 16, 1926 in Assignment of Mortgage Book No. 991, page 596, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

c. All right, title and interest of Emma M. T. Von Schirach in and to the following insurance policies insuring a portion of the premises described in subparagraph 3–a hereof, and the premises securing the mortgage described in subparagraph 3–b hereof:

(1) Fire Insurance Policy No. 136746 issued by the Franklin Fire Insurance Company of Philadelphia, Pennsylvania;

(2) Fire Insurance Policy No. F89652 issued by the Mercantile Insurance Company of America, 150 William Street, New York City;

(3) Fire Insurance Policy No. 28076 issued by the Mechanic Insurance Company of Philadelphia, Pennsylvania.

d. All right, title, interest and claim of any name or nature whatsoever of Emma M. T. Von Schirach in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Emma M. T. Von Schirach by The Pennsylvania Company, and represented on the books of The Pennsylvania Company as a credit balance due Emma M. T. Von Schirach, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–c and 3–d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3–a and 3–b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b, 3–c and 3–d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the Three Story Brick Messuage or Tenement thereon erected situate on the West side of Warnock Street at the distance of Three hundred and seventy feet Northward from the North side of Berks Street in the Twentieth Ward of the City of Philadelphia, containing in front or breadth on the said Warnock Street Sixteen feet and extending of that width in length or depth Westward Fifty six feet to a certain four feet wide alley extending from the said Berks Street to Norris Street Bounded Northward and Southward by ground now or late of Joseph D. Thornton Eastward by the said Warnock Street and Westward by the four feet wide alley aforesaid.

Together with the free and common use, right, liberty, and privilege of the aforesaid four feet wide alley as and for a passageway and water course at all time hereafter forever.

Second parcel of land. That lot or parcel or land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground situate on the west side of Warnock Street Beginning at the distance of Sixty Eight feet Northward from the North side of York Street in the Twenty Eighth Ward of the city of Philadelphia containing in front or breadth on the said Warnock Street Fourteen feet and extending of that width in length or depth Westward between lines parallel with said York Street Forty Eight feet to a certain Four feet wide alley extending Southward and Communicating with another Four feet wide alley extending from said Warnock Street to Eleventh Street being No. 2402.

Together with the free and common use right Liberty and privilege of the aforesaid alleys as and for passage ways and water Courses at all times forever.

Third parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the building, and improvement, thereon erected situate on the West side of Warnock Street at the distance of Two Hundred and Thirty-six feet Southward from the South side of Cumberland Street in the Twenty-eighth Ward of the City of Philadelphia, containing in front or breadth on said Warnock Street Fourteen feet and extending of that width in length or depth Westward between parallel lines at right angles with said Warnock Street Forty-eight feet to a certain four feet wide alley running Northward and Southward and communicating with two other Four feet wide alleys leading Eastwardly into the said Warnock Street Being No. 2428.

Together with the free and common use right liberty and privilege of the aforesaid alleys as and for passage ways and water courses at all times hereafter forever.

Fourth parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the buildings and improvements thereon erected described according to a survey thereof made by F. Bloch Esq. Surveyor and regulator of the Fourth District on the eighteenth day of October A. D. 1923 as follows to wit; situate on the West side of Twenty-eighth Street No. 840 at the distance of three hundred and six feet eleven inches Northward from the North side of Brown Street in the Fifteenth Ward of the City of Philadelphia.

Containing in front or breadth on the said Twenty-eight Street fifteen feet nine inches and extending of that width in length or depth westward sixty-two feet six inches to the middle of a certain three feet eight inches wide alley leading Northward into Parrish Street and communicating at its Southern end with a certain four feet wide alley leading Eastward into Twenty-eighth Street and Westward into Newkirk Street.

Together with the free and common use, right libery and privilege of the aforesaid alleys as and for passage-ways and water courses at all times hereafter forever.

[F. R. Doc. 44–5410; Filed, April 17, 1944; 10:48 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 223]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

[1] Filed as part of the original document.

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 24, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Perry A. Brooks, doing business as Brooks Truck Company, Marshall, Missouri.
2. Orscheln Bros. Truck Lines, Inc., Moberly, Missouri.
3. Toedebusch Transfer, Inc., 10th & Cass, St. Louis, Missouri.
4. Wallace O. Gallatin, Higginsville, Missouri.

[F. R. Doc. 44-6521; Filed, April 19, 1944; 11:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 135]

AUTOMATIC RANGE CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 135 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of Model No. 190 Gas Ranges manufactured by Automatic Range Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) J. Rose and Company, Inc., 68 Jay Street, Brooklyn, New York, may sell and deliver the Model No. 190 Gas Range, without heat control, manufactured by the Automatic Range Corporation, at prices no higher than the following, f. o. b. Brooklyn, New York:

	Per unit
To distributors	$26.81
To dealers	31.92
To real estate trade	35.47

There may be added to these maximum prices the following additional amounts per unit provided such amounts are separately stated on the invoice:

When equipped to burn liquid petroleum gas:	
To distributors	$1.00
To dealers	1.10
To real estate trade	1.20
For Federal excise tax:	
On Model No. 190	2.19
On Model No. 190 when equipped to burn liquid petroleum gas	2.26

(b) Any wholesale distributor may sell and deliver to dealers the Model No. 190 Gas Range, without heat control, manufactured by the Automatic Range Corporation, at prices no higher than the following; f. o. b. distributor's city:

	Per unit
Zone 1	$36.69
Zone 2	37.23
Zone 3	38.10
Zone 4	39.09

There may be added to these maximum prices the following additional amounts per unit, provided such amounts are separately stated on the invoice:

When equipped to burn liquid petroleum gas	$1.25
For Federal tax on Model No. 190	2.19
For Federal excise tax on Model No. 190 when equipped to burn liquid petroleum gas	2.36

(c) Any person may sell and deliver at retail the Model No. 190 gas range, without heat control, manufactured by Automatic Range Corporation at prices no higher than the following, delivered:

	Per unit
Zone 1	$59.95
Zone 2	60.95
Zone 3	61.95
Zone 4	62.95

These maximum prices include the Federal excise tax. There may be added to these maximum prices an additional amount of $2.00 per unit when equipped to burn liquid petroleum gas, provided such amount is separately stated on the invoice.

(d) At the time of or prior to the first invoice to each purchaser for resale, J. Rose and Company, Inc., shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition, J. Rose and Company, Inc., shall, before delivering any Model No. 190 gas range, attach securely to such gas range a label listing the maximum retail selling prices by zones as established by this order. This label shall be attached to the inside of the oven door.

(e) For the purposes of this order, Zones 1, 2, 3, and 4 shall comprise the following states:

Zone 1: Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, Ohio, West Virginia, Virginia, North Carolina, South Carolina.

Zone 2: Wisconsin, Michigan, Iowa, Illinois, Indiana, Missouri, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Louisiana, Florida.

Zone 3: North Dakota, Minnesota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas, Arkansas.

Zone 4: Washington, Oregon, California, Idaho, Nevada, Montana, Wyoming, Utah, Arizona, New Mexico.

(f) This Order No. 135 may be revoked or amended by the Price Administrator at any time.

This Order No. 135 shall become effective on the 18th day of April 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5444; Filed, April 17, 1944; 11:59 a. m.]

[MPR 64, Order 136]

KOL-GAS HEATER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 136 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of magazine type coal heaters manufactured by Kol-Gas Heater Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Any wholesale distributor may sell and deliver to dealers the following models of magazine type coal circulating heaters manufactured by Kol-Gas Heater Company, Nashville, Tennessee, and shipped from Albert Lea, Minnesota, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3
224-LR	$52.47	$54.34	$56.10
424-DR	55.60	57.50	61.20
524-SD	60.60	63.50	67.20
624-DR	61.20	64.00	67.70

These prices are f. o. b. distributors' cities.

(b) Any person may sell and deliver at retail the following models of magazine type coal circulating heaters manufactured by Kol-Gas Heater Company, Nashville, Tennessee, shipped from Albert Lea, Minnesota, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3
224-LR	$83.95	$88.95	$92.95
424-DR	93.95	91.95	97.95
524-SD	96.95	101.80	107.50
624-DR	97.95	102.80	108.80

(c) At the time of or prior to the first invoice to each purchaser for resale, Kol-Gas Heater Company, Nashville, Tennessee, shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition Kol-Gas Heater Company, shall, before delivering any of the magazine type coal heaters for which maximum prices are established by this order, attach securely to each coal heater, a tag or label which plainly states the maximum retail selling prices established by this order for sales in each zone. This tag or label shall be attached to the front of the heater.

(d) For the purposes of this order, Zones 1, 2, and 3, shall comprise the following states:

Zone 1: North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio and Kentucky.

Zone 2: Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Louisiana, Florida, Colorado, Oklahoma, Texas, Arkansas, Montana, Wyoming, Utah, New Mexico.

Zone 3: California, Oregon, Washington, Idaho, Nevada, and Arizona.

(e) This Order No. 136 may be revoked or amended by the Price Administrator at any time.

This Order No. 136 shall become effective on the 18th day of April 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5445; Filed, April 17, 1944; 11:59 a. m.]

[MPR 120, Order 699]

KENTUCKY STRIP MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 699 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 9. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DISTRICT NO. 9

KENTUCKY STRIP MINING CO., DAWSON SPRINGS, KY., KENTUCKY STRIP #6, NO. 6 SEAM, MINE INDEX NO. 2001, PRICE GROUP NO. 2, HOPKINS COUNTY, KY., STRIP MINE, SHIPPING POINT: CHARLESTON, KY.

	Size group Nos.					
	1 to 6 inc.	7	8 to 12 inc.	13, 14	26, 27, 28, 29	15, 16
Rail shipments and R. R. fuel	$2.70	$2.25	$2.10	$2.45	$2.80	$1.40

J. F. MULLIGAN COAL CO., GREENVILLE, KY., MULLIGAN MINE, STRAY SEAM, MINE INDEX NO. 2002, PRICE GROUP NO. 1, MUHLENBERG COUNTY, KY., STRIP MINE, SHIPPING POINT: GREENVILLE, KY.

	Size group Nos.								
	1 to 6 inc.	7	8 to 12 inc.	17 to 22 inc.	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and R. R. fuel	$2.45	$2.25	$2.20	$2.30	$1.85	$2.00	$1.90	$1.25	$1.75

NORTON COAL CORPORATION, NORTONVILLE, KY., CRABTREE STRIP MINE, NO. 9 SEAM, MINE INDEX NO. 2005, PRICE GROUP NO. 3, HOPKINS COUNTY, KY., STRIP MINE, SHIPPING POINT: ILSLEY, KY.

	Size group Nos.								
	1 to 6 inc.	7	8 to 12 inc.	17 to 22 inc.	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and R. R. fuel	$2.20	$2.10	$2.00	$2.30	$1.75	$2.30	$1.80	$1.25	$1.65

Maximum truck or wagon prices for the above named mines:
All single-screened lump coals, bottom size larger than 1¼" and all double-screened raw, washed or air-cleaned coals, bottom size larger than 1¼", $2.80.
All single-screened lump coals, bottom size 1¼" and smaller, and all double-screened coals, bottom size 1¼" and smaller, $2.45.
Mine run, modified mine run and mine run resultants larger than 2", $2.25.
Screenings, top size not exceeding 2", $2.00.

This order shall become effective April 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9926, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5450; Filed, April 17, 1944; 12:01 p. m.]

[MPR 188, Amdt. 1 to Order 1156]

WARREN TELECHRON CO.

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1156 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two electric alarm clocks manufactured by Warren Telechron Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

Paragraph (a) of Order No. 1156 issued under § 1499.158 of Maximum Price Regulation No. 188 is amended to read as set forth below:

(a) This Order No. 1156 establishes maximum prices for sales of two new electric alarm clocks manufactured by Warren Telechron Company, Ashland, Massachusetts, and described in an application dated December 7, 1943.

(1) For sales by the manufacturer, the maximum price is $2.60 per clock, f. o. b. Ashland, Massachusetts.

(2) For sales at wholesale, the maximum price is $3.08 per clock, f. o. b. seller's city.

(3) For sales at retail, the maximum price is $4.95 per clock.

This amendment shall become effective on the 18th day of April 1944.

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5452; Filed, April 17, 1944; 11:56 a. m.]

[MPR 188, Order 1503]

FRANK FELDMAN

APPROVAL OF MAXIMUM PRICES

Order No. 1503 under § 1499.158 of Maximum Price Regulation No. 188.

Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for resales of two new fountain pens and one new fountain pen and mechanical pencil set, manufactured by Frank Feldman.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 1503 establishes maximum prices for resales of two new fountain pens and one new fountain pen and mechanical pencil set, manufactured by Frank Feldman, Nassau, New York. This order applies to all sales of the new fountain pens and fountain pen and pencil set in the 48 states and the District of Columbia.

(1) For sales by jobbers to retailers, and all sales at wholesale other than sales by the manufacturer, the maximum prices are those set forth below, f. o. b. seller's city:

Article	Model No.	Maximum price (per gross)
Fountain pen	27	$141.30
Fountain pen	200	73.44
Fountain pen and mechanical pencil set	37	216.00

(2) For sales at retail, the maximum prices are those set forth below:

Article	Model No.	Maximum price
		(*Per unit*)
Fountain pen	27	$1.75
Fountain pen	200	.85
Fountain pen and mechanical pencil set	37	2.50

(b) To every fountain pen and every fountain pen and pencil set shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify, in writing, every purchaser for resale, and every jobber shall notify, in writing, every retailer who buys the articles listed above, of the maximum prices established by this order for resales by the purchaser. This notice shall be given at or prior to the first invoice to each such purchaser, and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1503 may be revoked or amended by the Price Administrator at any time.

This Order No. 1503 shall become effective April 18, 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5446; Filed, April 17, 1944; 11:59 a. m.]

[MPR 188, Order 1509]

UPHOLSTERED SOFA BEDS, ETC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1509 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Manufacturers' and jobbers' maximum prices for sales of upholstered sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is ordered:

(a) *Purpose of this order.* The purpose of this order is to establish maximum prices for all sales by manufacturers and jobbers of upholstered sofa beds, studio couches, and all other upholstered dual purpose sleeping equipment.

(b) *What articles are covered by this order.* This order covers all upholstered dual purpose sleeping equipment and includes any article of furniture built up with filling materials and a steel spring inner construction, upholstered with a woven fabric and which can be opened (as on hinges or slides) into a bed; as for example, studio couches, sofa beds, bed lounges, and chair beds. This order covers articles made of new materials and articles made in whole or in part of used materials.

(c) *What articles this order does not cover.* This order does not cover any mattress-bedspring combination which does not open into a bed, such as single divans, boxsprings on legs, or metal bedsprings on legs.

(d) *Relationship of this order to Maximum Price Regulation No. 188.* This order replaces the pricing provisions (§§ 1499.153, .154, .155, .156, .157, .158, and .159a) of Maximum Price Regulation No. 188 as to manufacturers and the pricing provisions (§§ 1499.2 and 1499.3) of the General Maximum Price Regulation for all sales and deliveries other than at retail of upholstered sofa beds, studio couches and all other upholstered dual purpose sleeping equipment with steel spring construction after the effective date of this order. All other sections of Maximum Price Regulation No. 188 and the General Maximum Price Regulation remain applicable to sales and deliveries of articles covered by this order.

(e) *How to determine manufacturers' maximum prices for sales of articles covered by this order.* (1) The following paragraphs list the minimum specifications and the manufacturers' f. o. b. factory l. c. l. maximum prices for certain basic models of upholstered dual purpose sleeping equipment with steel spring construction when made with all new materials. These prices shall be subject to the discounts, allowances, and other price differentials which the manufacturer made from his regularly quoted f. o. b. factory l. c. l. prices to retailers on sales of the most comparable article during March 1942. The "most comparable" article means that article of upholstered dual purpose sleeping equipment with steel spring construction for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturers' f. o. b. factory l. c. l. maximum price to retailers for the article to which the discounts, allowances or other price differentials will apply. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries to retailers of an article of upholstered dual purpose sleeping equipment with steel spring construction.

(2) Maximum prices for manufacturers who were not in the business of manufacturing and selling articles covered by this order during March 1942 shall be established under paragraph (p) of this order. Maximum prices for models for which specific dollar-and-cents prices are not listed below and maximum prices for sales or deliveries by manufacturers of articles covered by this order to classes of purchasers to whom they did not make sales during March 1942 shall also be established under paragraph (p) of this order.

(3) Maximum prices for articles made in whole or in part of used materials shall be established under paragraph (p) of this order.

(f) *General specifications for articles made with new materials.* All specifications set forth in this order are for new materials only. All frame lumber must be properly seasoned, sound, and of such grade as to give adequate serviceability. All joints must be properly blocked, or reinforced where necessary. Wood arms and other show wood must be of sound stock, well sanded and finished. All upholstered arms must be padded on top, front, and inside.

(g) *Upholstered arm sofa bed minimum specifications.*

Steel spring construction:
40 coils in seat, 30 coils in back, or equivalent.
Hinged or two piece.
Crimp or helical tie.
Minimum steel weight 22 pounds.
Operating hinges—steel.
Wood frame—Pine, gum, birch, poplar, or equivalent.
Spring construction frame 13/16" dressed.
Bedding box—Frame 13/16" dressed. Bottom 3/16" cardboard.
Spring cover fabric—Osnaberg, or equivalent, not lighter than 4 ounces per square yard.
Filling—Seat and back, 24 lb. cotton felt, #3 linters or equivalent.
Cover—Base grade $0.20 to $0.25 cost per yard, 54" width.
Outside back facing—denim or equivalent.
Tailoring—French seams or cord trim.
Arms—Modern type, or equivalent, minimum 4" finished width.
Plain square legs or equivalent.
Inside arm to have backing board or equivalent.
Filling—3 lb. cotton felt #3 linters or equivalent.

(h) *Upholstered arm sofa bed maximum prices for sales by manufacturers f. o. b. factory l. c. l.*

Cost of upholstery fabric per yard 54" width	Outside back in facing cloth	Outside back [1] in same fabric
Over $0.20 to $0.25	$27.25	$27.60
Over $0.25 to $0.35	27.85	28.15
Over $0.35 to $0.45	29.00	29.60
Over $0.45 to $0.55	30.15	30.85
Over $0.55 to $0.65	31.30	32.20
Over $0.65 to $0.75	32.45	33.55
Over $0.75 to $0.85	33.60	34.90
Over $0.85 to $0.95	34.75	36.25
Over $0.95 to $1.05	35.90	37.60
Over $1.05 to $1.15	37.05	38.95
Over $1.15 to $1.25	38.20	40.30
Over $1.25 to $1.35	39.35	41.65
Over $1.35 to $1.45	40.50	43.00
Over $1.45 to $1.55	41.65	44.35
Over $1.55 to $1.65	42.80	45.70
Over $1.65 to $1.75	43.95	47.05
Over $1.75 to $1.85	45.10	48.40
Over $1.85 to $1.95	46.25	49.75
Over $1.95 to $2.05	47.40	51.10

[1] "Outside back in same fabric" means upholstery fabric on outside of the back section, rear of seat section, and bedding box back frame.

NOTE: See paragraph (r) for meaning of "cost of upholstery fabric" for determining maximum price.

For sofa beds in fabrics which cost more than $2.05 per yard you may add the following maximum extra charge for each $0.10 increase in cost per yard:

1. Outside back in facing cloth..... $1.15
2. Outside back in same fabric..... 1.80

(i) *Upholstered arm sofa bed additional charges.* You may add the following extra charges to the prices set forth in (h) above:

1. For innerspring type construction with no sag or zigger wire base, or equivalent $1.00
   Minimum specifications:
   Innerspring unit:
   90 coils in seat, 72 coils in back, or equivalent.
   Hinged or two piece.
   Minimum steel weight 18 pounds.
   Base—18 strands for seat and back.
2. For innerspring type construction with band and helical base..... .50
   Minimum specifications:
   Innerspring unit:
   90 coils in seat, 72 coils in back, or equivalent.
   Hinged or two piece.
   Minimum steel weight 18 pounds.
   Base—Bands 3/4" x .020, helicals 1 end.
3. For self welts—seat, back and sectional 1.25
   Minimum requirements:
   Seat—front and sides and two dividing welts.
   Back—top and sides and two dividing welts.
   Arms—edge seams.
4. For self welts—seat and back only. .75
   Minimum requirements:
   Seat—front and sides.
   Back—top and sides.
   Arms—edge seams.

(j) *Wood arm sofa bed minimum specifications.*

Steel spring construction:
40 coils in seat, 30 coils in back, or equivalent.
Hinged or two piece.
Crimp or helical tie.
Minimum steel weight 22 pounds.
Operating hinges—steel.
Wood frame—pine, gum, birch, poplar, or equivalent.
Spring construction frame 13/16" dressed.
Bedding box—Frame 13/16" dressed.
Bottom 3/16" cardboard.
Spring cover fabric—Osnaberg or equivalent, not lighter than 4 oz. per sq. yd.
Filling—seat and back 24-pound cotton felt, #3 linter or equivalent.
Upholstery fabric—base grade $.20 to $.25 cost per yd., 54" width.
Tailoring—French seams or cord trim.
Arms—Bentwood or 3 piece arm, minimum 2" x 13/16".

(k) *Wood arm sofa bed maximum prices for sales by manufacturers f. o. b. factory l. c. l.*

Cost of upholstery fabric per yard 54" width	Outside back in facing cloth	Outside back [1] in same fabric
Over $0.20 to $0.25	$25.90	$26.15
Over .25 to .35	26.35	26.70
Over .35 to .45	27.25	27.75
Over .45 to .55	28.15	28.85
Over .55 to .65	29.05	29.95
Over .65 to .75	29.95	31.05
Over .75 to .85	30.85	32.15
Over .85 to .95	31.75	33.25
Over .95 to $1.05	32.65	34.35
Over 1.05 to 1.15	33.55	35.45
Over 1.15 to 1.25	34.45	36.55
Over 1.25 to 1.35	35.33	37.65
Over 1.35 to 1.45	36.25	38.75
Over 1.45 to 1.55	37.15	39.85
Over 1.55 to 1.65	38.05	40.95
Over 1.65 to 1.75	38.95	42.05
Over 1.75 to 1.85	39.85	43.15
Over 1.85 to 1.95	40.75	44.25
Over 1.95 to 2.05	41.65	45.35

[1] "Outside back in same fabric" means upholstery fabric on outside of the back section, rear of seat section, and bedding box back frame.

NOTE: See paragraph (r) for meaning of "cost o upholstery fabric" for determining maximum price

For sofa beds in fabrics which cost more than $2.05 per yard you may add the following maximum extra charge for each $0.10 increase in cost per yard:

1. Outside back in facing cloth..... $0.90
2. Outside back in same fabric..... 1.15

(l) *Wood arm sofa bed additional charges.* You may add the following extra charges to the prices set forth in (k) above:

1. For wood arm with panel..... $1.25
   Minimum specifications:
   Posts 1 3/4" x 1 3/4" or 8" x 13/16" or equivalent.
   Arm rest—not less than 3 1/2" in widest part.
   Panels—16" wide 1/4" plywood or 13/16" solid.
2. For wood arm, 3 piece..... .50
   Minimum specifications:
   Post 2" x 13/16".
   Arm rest—not less than 3 1/8" at widest part.
3. Self welts—seat, back and sectional.. 1.25
   Minimum requirements:
   Seat—front and sides and two dividing welts.
   Back—top and sides and two dividing welts.
4. For self welts—seat and back only.... .75
   Minimum requirements:
   Seat—front and sides.
   Back—top and sides.

(m) *Studio couch minimum specifications.*

Coil seat section with drop back or under-section.
Construction:
Seat—40 coil, crimp or helical tie, skeleton type, angle back bottom rail or equivalent.[1]
Back or under section—angle frame, link fabric or band and helical type or equivalent.
Casters.
Minimum steel weight—29 lbs. rail steel, 18 lbs. wire.[1]
Wood frame—pine, gum, birch, poplar or equivalent, 15/16" dressed.
Base:
Spring cover—Osnaberg or equivalent, not lighter than 4 ounces per square yard.
Filling 10 pound—cotton felt #3 linters or equivalent.
Upholstery fabric—To cover front and sides and 4" in on three sides of platform.
Insert—3.50 sheeting or equivalent.
Mattress:
Filling—32 pound cotton felt #3 linters or equivalent.
Button tufted or equivalent.
Upholstery fabric—to cover top and sides and 2" in on all sides of underside.
Insert—3.50 sheeting or equivalent.
Roll edge or two row side stitch.
Pillows:
3—16 x 24 box edge.
Filling—cotton felt, #3 linters or equivalent, 4 pounds each pillow.
Upholstery fabric—base grade 20¢ to 24¢ per yard, 54" width.
Tailoring—cord welt.
Minimum specifications on welt:
Top and bottom of pad.
Box edges of pillows.
1 welt all around base.

(n) *Studio couch maximum prices for sales by manufacturers f. o. b. factory l. c. l.*

Cost of upholstery fabric per yard, 54" width	Maximum price cord welt	Maximum price self welt
Over $0.20 to $0.25	$24.75	$25.50
Over $0.25 to $0.35	25.35	26.05
Over $0.35 to $0.45	26.80	27.40
Over $0.45 to $0.55	27.75	28.75
Over $0.55 to $0.65	29.00	30.10
Over $0.65 to $0.75	30.25	31.45
Over $0.75 to $0.85	31.50	32.80
Over $0.85 to $0.95	32.75	34.15
Over $0.95 to $1.05	34.00	35.50
Over $1.05 to $1.15	35.25	36.85
Over $1.15 to $1.25	36.50	38.20
Over $1.25 to $1.35	37.75	39.55
Over $1.35 to $1.45	39.00	40.90
Over $1.45 to $1.55	40.25	42.25
Over $1.55 to $1.65	41.50	43.60
Over $1.65 to $1.75	42.75	44.95
Over $1.75 to $1.85	44.00	46.30
Over $1.85 to $1.95	45.25	47.65
Over $1.95 to $2.05	46.50	49.00

NOTE: See paragraph (r) for meaning of "cost of upholstery fabric" for determining maximum price.

For studio couches in fabrics which cost more than $2.05 per yard you may add the following maximum extra

[1] An alternate construction of equivalent strength and serviceability with a minimum weight of 22 lbs. of rail steel in which an adequate wood rail is used to replace the back angle rail in the seat section may be used upon written authorization from the Office of Price Administration, Washington, D. C.

charges for each $0.10 increase in cost per yard:

1. In cord welt..... $1.25
2. In self welt..... 1.35

(o) *Studio couch additional charges.* You may add the following charges to the prices set forth in (n) above:

1. For arms—bentwood, with arm rest.
   min 2" x 1⅜16"..... $2.75
   Three piece—posts 2" x 1⅜16"..... 3.25
   Arm 3½ at widest part.
2. For reversible mattress:
   Fabrics up to 40¢ per yd.
   54"..... No extra charge
   Fabrics 40¢ to $1.00 per yd. 54"..... $0.50
   Fabrics over $1.00 per yd. 54"..... 1.00
3. For upholstery fabric on Top Deck of Base Section:
   Fabrics up to 40¢ per yd.
   54"..... No extra charge
   Fabrics 40¢ to $1.00 per yd. 54"..... $0.50
   Fabrics over $1.00 per yd. 54"..... 1.00.
4. For covered buttons..... .50

(p) *Manufacturers' maximum prices which cannot be determined under another paragraph of this order (such as other models and other classes of purchasers).* The maximum price for any sale or delivery of an article covered by this order which cannot be determined under any other paragraph of this order shall be a price fixed by order of the Price Administrator, in line with the level of maximum prices established by this order. No person may sell, offer to sell or deliver an article for which a maximum price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of the preceding sentence, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application by a manufacturer for the establishment of a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

1. Identifying number or trade name of article to be priced.
2. The reasons why the article to be priced cannot be priced under any other paragraph of this order.
3. Detailed specifications and an illustration of the article to be priced.
4. An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. For the purpose of this order, unit direct costs include direct labor and direct material costs but do not include factory burden (sometimes called factory overhead or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and die cost and items of administrative, general and selling expenses. Also, the number of units of production upon which the unit direct costs were based.
5. An itemized breakdown of the manufacturer's (4) above) of the basic model, specifically turers' current unit direct cost (as described priced in this order, which is most nearly comparable to the article being priced.
6. Price lists in effect during March 1942 showing:

   the article most nearly comparable to the article being priced, with illustrations;
   the article most nearly comparable to the basic model mentioned in (4), with illustrations;
   all price differentials covering variations in these constructions.

If the manufacturer was not making and selling upholstered dual purpose sleeping equipment in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

7. A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of upholstered dual purpose sleeping equipment during March 1942, or if the manufacturer was not making and selling upholstered dual purpose sleeping equipment during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.
8. Requested maximum price of the article to be priced and reasons for same.

(q) *Differentials for sales in the Far West Zone.* F. o. b. factory l. c. l. maximum prices in the Far West zone shall be determined by adding $0.50 to the prices set forth in paragraphs (h) and (k) and $0.75 to the prices in paragraph (n) above. Far West zone for purposes of this order means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves.

(r) *Definition of "cost of upholstery fabric".* This paragraph defines the amount you may include as your "cost of upholstery fabric" for the purpose of determining your maximum prices as a manufacturer of an article covered by this order. Maximum Price Regulation No. 39—Woven Decorative Fabrics, fixes maximum prices for sales by manufacturers and jobbers of upholstery fabrics. Within the limits of Maximum Price Regulation No. 39, you determine your "cost of upholstery fabric" in accordance with the following rules:

1. If you have a single supplier of a particular fabric, your "cost of upholstery fabric" is your supplier's (i. e., mill, converter, or jobber) maximum price for the fabric to your class of customer which he has filed with the Office of Price Administration in Washington, D. C., as required by Maximum Price Regulation No. 39.

2. If you purchase the same fabric from more than one supplier, or if you change your source of supply for a fabric, your cost of that fabric is the properly established and filed maximum price of the original supplier or any subsequent supplier whichever is lower.

3. If you purchase your upholstery fabric from a seller whose maximum price to you was not properly established and filed under Maximum Price Regulation No. 39, (or is not covered by Maximum Price Regulation No. 39) then your cost of upholstery fabric may not exceed the highest properly established maximum price for sales of that fabric by your supplier or by a jobber in the same market area to your class of purchaser, whichever is lower. If you cannot ascertain what this price is, write to the Consumer Durable Goods Branch of the Office of Price Administration in Washington, D. C., who will supply you with that information.

4. If you use covers other than 54" width, your "cost of upholstery fabric" shall be determined by converting the cost per yard of the fabric to a 54" width basis in the direct ratio between 54" and the width of the fabric you are using. For example, if you use a 36" fabric with a properly determined cost of $0.50 per yard you convert it to a 54" basis by dividing 54 by 36 which gives you 1.5 and multiplying that figure by $0.50 which gives you a cost of upholstery fabric on a 54" basis of $0.75 per yard.

5. You may not include in your "cost of upholstery fabric" any freight charges which you incur on shipments from your supplier to your plant. Allowance for freight has been made in the maximum prices established in this order.

(s) *Upholstery fabric reports.* If you are a manufacturer, you may not sell any article governed by this order in any upholstery fabric until you have first filed with the Consumer Durable Goods Price Branch, Office of Price Administration in Washington, D. C., a list of all the upholstery fabrics which you will use. This report shall give the supplier's name, the supplier's fabric identification, a sample swatch 3" x 3" in size, the approved maximum price to you, and your own grade designation for that fabric. You must keep this report up to date by filing the same data on additional fabrics before selling or delivering any article with such fabric. Furthermore, if your "cost of upholstery fabric" already reported by you is reduced as a result of a change in your supplier, you must report the change. You must retain for inspection by the Office of Price Administration all purchase invoices for upholstery fabrics used in the manufacture of articles covered by this order with a notation on each purchase invoice of your own grade number or letter for each fabric on the invoice.

(t) *Maximum prices for sales by jobbers.* Subparagraph (1) below sets maximum prices for jobbers who sold upholstered studio couches, sofa beds, and other dual purpose sleeping equipment in March 1942. Subparagraph (2) below sets maximum prices for sales by jobbers who cannot determine their maximum prices under subparagraph (1) below. A jobber is a person who purchases an article covered by this order and resells it to a person other than the ultimate consumer without substantially changing its form.

(1) The maximum price for a jobber who sold upholstered studio couches, sofa beds and other dual purpose sleeping equipment in March 1942, shall be determined by adding to the manufacturer's f. o. b. factory l. c. l. maximum price established under this order the amount by which the jobber's March 1942 selling price exceeded the manufacturer's March 1942 regularly quoted f. o. b. factory l. c. l. price to retailers, for sales of the most comparable article to the same class of customer and on the same terms and conditions of sale. The "most comparable" article means that article of upholstered dual purpose sleeping equipment with steel spring construction for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price established under this order for the article being priced. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries of the most comparable article during March 1942.

(2) The maximum price for a jobber for any sale or delivery of an article covered by this order which cannot be determined under subparagraph (1) above shall be a price fixed by order of the Price Administrator, in line with the level of prices established by this order. No person may sell, offer to sell or deliver an article for which a price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of the preceding sentence, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application for a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and contain the following information:

1. Reason why the article cannot be priced under subparagraph (1) above.
2. Identification and the manufacturer's ceiling price of the article to be sold.
3. Name and address of supplier.
4. Discount allowed by supplier and your net cost.
5. A statement from your supplier setting forth his discounts to jobbers during March 1942.
6. Names of nearest competitive jobbers.
7. Suggested maximum price and reasons.

(u) *Sales slips, receipts and invoices.* After the effective date of this order, every seller (other than at retail) making a sale of an article covered by this order shall furnish the purchaser with a sales slip, receipt, invoice or other similar written evidence of purchase showing the name and address of the seller and purchaser, the date of sale, the manufacturer's or seller's style name or number, type of article, type of arm (e. g., upholstered or wood), the manufacturer's own fabric grade number or letter, type or trim (e. g., self welt, cord trim, or french seam) and the price charged. This sales slip, receipt or invoice or other written evidence of purchase shall be kept by the purchaser and a carbon copy of it kept by the seller for inspection by the Office of Price Administration.

This Order No. 1509 may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 18th day of April 1944.

NOTE: The reporting and record-keeping provisions in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5447; Filed, April 17, 1944; 12 m.]

[MPR 188, Amdt. 33 to Order A-1]

SHALE AND CLAY BUILDING BRICK

MODIFICATION OF MAXIMUM PRICES

Amendment No. 33 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simutaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (26) to Order A-1 is amended to read as follows:

(a) *Modification of maximum prices under Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto, are modified in accordance with § 1499.159b of Maximum Price Regulation No. 188 as hereinafter provided.

(26) *Modification of maximum prices for shale and clay building brick produced in the State of Ohio, except Cuyahoga County.* (i) On and after March 20, 1944, any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick (smooth, sanded, or wire cut) may increase his maximum prices on standard size brick established by Maximum Price Regulation No. 188 and in effect on June 14, 1943, by an amount not in excess of $3.00 per thousand on sales f. o. b. plant or delivered to destination; except, however, if the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick he may convert the adjustment granted herein for standard size brick, to non-standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(ii) On and after March 20, 1944, any person who purchases shale and clay building brick for the purpose of resale from any manufacturer located in the State of Ohio, except Cuyahoga County, whose maximum price has been adjusted pursuant to subdivision (i), may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation and in effect on June 14, 1943, by an amount not in excess of the dollars-and-cents increase in cost to him resulting from the adjustment permitted herein to producers.

(iii) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity, and other discounts, transportation allowances, and the same rendition of transportation and other services as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iv) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick, are hereby revoked insofar as such orders are applicable to shale and clay building brick.

(v) Any adjustment granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for the resale of shale and clay building brick purchased from manufacturers located in the State of Ohio, except Cuyahoga County, are hereby revoked insofar as such orders are applicable to shale and clay building brick.

This Amendment No. 33 shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5484; Filed, April 18, 1944; 11:44 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 13, 1944.

REGION II

Camden Order No. 11, Amendment No. 1, filed 2:03 p. m.
Camden Order No. 12, Amendment No. 1, filed 2:03 p. m.
Maryland Order No. 13, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 14, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 15, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 17, Amendment No. 1, filed 2:04 p. m.
New York Order No. 1-F, filed 2:02 p. m.

REGION III

Cincinnati Order No. 2-F, Amendment No. 14, filed 2:28 p. m.
Columbus Order No. 3-F, Amendment No. 11, filed 2:09 p. m.
Columbus Order No. 3-F, Amendment No. 12, filed 2:09 p. m.
Columbus Order No. 7-F, Amendment No. 10, filed 2:09 p. m.
Columbus Order No. 7-F, Amendment No. 11, filed 2:09 p. m.
Columbus Order 8, Amendment No. 5, filed 2:07 p. m.
Columbus Order No. 9, Amendment No. 4, filed 2:07 p. m.
Escanaba Order No. 12-F, filed 2:19 p. m.
Escanaba Order No. 12-F, Amendment No. 1, filed 2:18 p. m.
Escanaba Order No. 13-F, filed 2:18 p. m.
Escanaba Order No. 13-F, Amendment No. 1, filed 2:17 p. m.
Escanaba Order No. 14-F, filed 2:17 p. m.
Escanaba Order No. 14-F, Amendment No. 1, filed 2:17 p. m.
Grand Rapids Order No. F-1, Amendment No. 27, filed 2:21 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 10, filed 2:16 p. m.
Grand Rapids Order No. F-1, Revocation, filed 2:23 p. m.
Indianapolis Order No. 10, Revocation, filed 2:24 p. m.
Indianapolis Order No. 11, Revocation, filed 2:24 p. m.
Indianapolis Order No. 12, Revocation, filed 2:25 p. m.
Indianapolis Order No. 13, Revocation, filed 2:24 p. m.
Indianapolis Order No. 18, filed 2:12 p. m.
Indianapolis Order No. 19, filed 2:11 p. m.
Indianapolis Order No. 20, filed 2:11 p. m.
Indianapolis Order No. 21, filed 2:11 p. m.
Lexington Order No. 1-W, filed 2:16 p. m.
Lexington Order No. 1-F, Amendment No. 22, filed 2:05 p. m.
Lexington Order No. 2-F, Amendment No. 15, filed 2:05 p. m.
Lexington Order No. 3-F, Amendment No. 13, filed 2:06 p. m.

REGION V

New Orleans Order No. G-17, filed 2:26 p. m.
New Orleans Order No. G-18, filed 2:26 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 9, filed 1:58 p. m.
Green Bay Order No. 2-F, Amendment No. 9, filed 1:51 p. m.
Green Bay Order No. 2-F, Amendment No. 10, filed 1:51 p. m.
Green Bay Order No. 2-F, Amendment No. 8, filed 1:51 p. m.
Green Bay Order No. 3-F, Amendment No. 4, filed 1:52 p. m.
Milwaukee Order No. 2-F, Amendment No. 7, filed 1:56 p. m.
Milwaukee Order No. 3-F, Amendment No. 7, filed 1:56 p. m.
Milwaukee Order No. 4, filed 2:27 p. m.
Milwaukee Order No. 5-F, Amendment No. 6, filed 1:57 p. m.
Sioux City Order No. 2-F, Amendment No. 7, filed 1:56 p. m.

REGION VII

Utah Order No. F-2, Amendment No. 4, Filed 2:09 p. m.

REGION VIII

Los Angeles Order No. 1-F, amendment No. 4, filed 1:56 p. m.
Los Angeles Los Angeles-5, amendment No. 11, filed 2:00 p. m.
Los Angeles Los Angeles-6, amendment No. 11, filed 2:03 p. m.
Los Angeles Los Angeles-7, amendment No. 11, filed 2:00 p. m.
Los Angeles Los Angeles-8, amendment No. 11, filed 2:01 p. m.
Los Angeles Los Angeles-10, amendment No. 1, filed 1:58 p. m.
Nevada Order No. 1-F, filed 1:56 p. m.
Nevada Order No. 1-F, amendment No. 1, filed 1:55 p. m.
Nevada Order No. 1-F, amendment No. 2, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 3, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 4, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 5, filed 1:45 p. m.
San Francisco Order No. 1-F, amendment No. 8, filed 1:52 p. m.
San Francisco Order No. 2-F, amendment No. 1, filed 1:52 p. m.
San Francisco Order No. 3-F, filed 1:53 p. m.
Seattle Order No. 1-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 2-F, amendment No. 9, filed 1:48 p. m.
Seattle Order No. 3-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 4-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 5-F, amendment No. 9, filed 1:48 p. m.

Copies of these orders may be secured from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5370; Filed, April 15, 1944; 12:30 p. m.]

[Region I Order G-6 Under RMPR 122, Amdt. 6]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 6 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, Hartford, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (4) of paragraph (b) of Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended by striking out the words "fifty (50) cents" and inserting in place thereof the words "seventy-five (75) cents".

This amendment shall become effective April 17, 1944.

(56 Stat. 23, 765 Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5373; Filed, April 15, 1944; 12:31 p. m.]

[Region I Order G-64 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW BEDFORD, MASS., AREA

Amendment No. 1 to Order No. G-64 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, New Bedford, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (15) of paragraph (d) of Region I Order No. G-64 is amended to read as follows:

(d) *Definitions.* When used in this Order No. G-64, the term:

* * * * *

(15) *Definitions of and specifications for bituminous coals.* The bituminous coals which are listed subparagraphs (1) and (2) of paragraph (c) of this order shall conform to the following specifications:

(a) "Domestic run of mine": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, which was defined by the Bituminous Coal Division as "domestic, dealer, modified or screened run of mine" or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(b) "Straight run of mine": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, which was defined by the Bituminous Coal Division as "straight run of mine", or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(c) "Nut and slack": Bituminous coal screenings from the low volatile section of Producing District #7, price classification C or D, which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(d) "Slack": Bituminous coal screenings from the low volatile section of Producing District #7, price classification C or D, which, at the mine, have passed through a screen with openings of three-quarters (¾) of an inch or smaller.

(e) "Nut": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, double screened at the mines, with a top size larger than three-quarters (¾) of an inch but not exceeding one and one-quarter (1¼) inches, and a bottom size smaller than one and one-quarter (1¼) inches.

(f) "Pea": Bituminous coal from the low volatile section of Producing District #7, price classification A, double screened at the mines, with a top size not exceeding three-quarters (¾) of an inch and a bottom size smaller than three-quarters (¾) of an inch.

(g) "Lump, egg and stove": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, single screened or double screened at the mines, with a bottom size larger than one and one-quarter (1¼) inches.

(h) "Blacksmith": Low volatile, low sulphur bituminous coal which is suitable for use in forge work.

This Amendment No. 1 to Order No. G-64 shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5274; Filed, April 15, 1944; 12:31 p. m.]

[Region II Rev. Order G-26 Under RMPR 122, Amdt. 2]

ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-26 is amended in the following respect:

1. Paragraph (c) is amended by adding the following orders to the list of orders there enumerated:

Order No. G-36 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 to Revised Order No. G-26 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5269; Filed, April 15, 1944; 12:30 p. m.]

[Region II Order G-34 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in Maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-34 is amended in the following respect:

1. Paragraph (d) is amended by adding the following orders to the list of orders there enumerated:

Order No. G-36 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 to Order No. G-34 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5369; Filed, April 15, 1944; 12:30 p. m.]

[Region II Order G-38 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED NEW YORK AREA

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in all of Broome County except the Towns of Barker, Lisle, Nanticoke and Triangle, State of New York, Coal Area VII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New York—Coal Area VII. Coal Area VII includes all of Broome County except the towns of Barker, Lisle, Nanticoke, and Triangle.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area VII are set forth in Schedule I hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area VII, whether or not you are located in Coal Area VII.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the Schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Refer to Schedule I which contains a separate table of prices for "direct-delivery" sales and "yard sales" of anthracite. (You will find Schedule I in paragraph (d).)

(2) Take the dollar-and-cents figure set forth in the applicable table of the Schedule for the size and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure derived as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area VII. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ¼ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.90	$3.65	$3.60	$0.85	$0.45
Pea	11.50	3.25	3.20	.75	.40
Buckwheat	5.45	4.90	2.70	.60	------
Rice	5.30	4.35	2.45	.60	------
Barley	7.30	3.85	2.20	------	------
Screenings	3.80	1.75	------	------	------

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than one-quarter ton). — 40¢ per net ton. / 40¢ per net ½ ton. / 80¢ per net ¼ ton.

Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than one-quarter ton). This charge shall be in addition to any charge for "carry" or "wheel". — 60¢ per net ton. / 40¢ per net ½ ton. / 30¢ per net ¼ ton.

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ¼ ton or more		Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$11.40	$12.30	$0.75	$0.40
Pea	10.00	10.90	.65	.35
Buckwheat	7.80	8.50	.50	------
Rice	6.80	7.70	.50	------
Barley	5.80	6.70	------	------
Screenings	2.50	2.80	------	------

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 60¢ per net ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

(e) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(f) *Ex Parte 148 Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that a petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the increase. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices, sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable table and schedule of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Binghamton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order No. G-38, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller" "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area VII with such designations during December 1941.

(6) "Direct delivery" except with respect to sales in 100 lb. and 50 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. and 50 lb. lots shall mean depositing in buyer's bin or other storage space designated by the buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(q) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This Order No. G-38 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5372; Filed, April 15, 1944; 12:30 p. m.]

[Regions V and VII Joint Order 1 Under 18 (c)]

COTTONSEED HAULING SERVICES IN TEXAS AND NEW MEXICO

Joint Order No. 1 of Regional Administrators of Region V and Region VII under section 18, paragraph (c), of the General Maximum Price Regulation. Maximum prices for cottonseed hauling services supplied by contract carriers operating between certain points in El Paso County and Hudspeth County in Texas, and Dona Ana County and Luna County in New Mexico.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrators of Region V and Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (c) of the General Maximum Price Regulation, it is hereby jointly ordered by the Regional Administrators of Region V and Region VII:

(a) Maximum prices which may be charged or received for cottonseed hauling services when supplied by contract carriers between points hereinafter named, located within El Paso County and Hudspeth County, Texas, and Dona Ana County and Luna County, New Mexico, are to be established as follows:

(1) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the El Paso Cotton Industries, Inc., El Paso, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Yaleta Gin Co., Yaleta, Tex	$1.25
E. P. C. I. Gin "F", Yaleta, Tex	1.25
Buford Operating Co., Yaleta, Tex	1.75
Farmers Gin Co., San Elisario, Tex	1.75
Clint Farmers Gin, Clint, Tex	1.75
Clint Long Staple Gin, Clint, Tex	1.75
E. P. C. I. Gin "G", Clint, Tex	1.75
E. P. C. I. Gin "J", Fabens, Tex	2.00
Farmers Gin Co., Fabens, Tex	2.25
Fabens Long Staple Gin, Fabens, Tex	2.25
Farmers Island Gin Co., Fabens, Tex	2.25
Tornillo Gin Co., Tornillo, Tex	2.00
Tornillo Long Staple Gin, Tornillo, Tex	2.00
E. P. C. I. Gin "N", Tornillo, Tex	2.00
Acala Farmers Gin Co., Acala, Tex	2.50
E. P. C. I. Gin "H", Ft. Hancock, Tex	2.50
Esperanza Gin Co., Esperanza, Tex	3.75
Esperanza Long Staple Gin, Esperanza, Tex	3.75
Dave Gill Gin, Ft. Quitman, Tex	4.75
Borderland Farmers Gin Co., El Paso, Tex	1.25
Borderland Long Staple Gin, El Paso, Tex	1.25
White Gin Assn.—Short Staple, Canutillo, Tex	1.25
White Gin Assn.—Long Staple, Canutillo, Tex	1.25
La Union Gin Coop. Assn., La Union, N. Mex	1.50
Producers Gin Co., La Union, N. Mex	1.50
Anthony Farmers Gin Co., Anthony, Tex	1.75
Mid Valley Long Staple Gin, Vado, N. Mex	2.25

(2) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the El Paso Cotton Industries, Inc., Las Cruces, New Mexico, are to be as follows:

Name of gin and location	Maximum new rate per ton
J. N. Williams Gin, Deming, N. Mex	$3.50
Garfield Coop. Gin, Garfield, N. Mex	3.25
Hatch Coop. Gin, Hatch, N. Mex	2.75
Picacho Coop. Gin, Fairacres, N. Mex	1.25
B. E. Harvey Gin Co., Las Cruces, N. Mex	.75
E. P. C. I. Gin "L", Las Cruces, N. Mex	.75
Long Staple Coop., Las Cruces, N. Mex	.75
Coop. Gin Co., Mesilla Park, N. Mex	1.25
Santo Tomas Gin Co., Mesquite, N. Mex	1.75
La Mesa Gin Co., La Mesa, N. Mex	1.75
Mid Valley Long Staple, Vado, N. Mex	1.75
Chamberino Gin Co., Chamberino, N. Mex	$2.25
Berino Gin Co., Berino, N. Mex	2.25
Dona Ana Gin Co., Dona Ana, N. Mex	1.25

(3) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Farmers Cooperative Oil Mill, El Paso, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Borderland Farmers Coop. Assn., El Paso, Tex	$1.25
Buford Operating Co., Yaleta, Tex	1.75
Clint Farmers Coop Ginning Co., Clint, Tex	2.25

Name of gin and location	Maximum new rate per ton
El Paso Cotton Ind. Gin, Yaleta, Tex.	$1.75
Farmers Gin Co., San Elizario, Tex.	2.25
Farmers Gin Co., Fabens, Tex.	2.75
Farmers Island Gin Co., Fabens, Tex.	2.75
Lee Moor Gin, Clint, Tex.	2.25
White Farmers Coop Assn., Canutillo, Tex.	1.25
Yaleta Gin Co., Yaleta, Tex.	1.75
Anthony Farmers Gin, Anthony, N. Mex.	1.75
Berino Cotton Gin Assn., Berino, N. Mex.	2.25
Chamberino Coop. Gin Assn., Chamberino, N. Mex.	2.25
Coperative Gin Assn., Mesilla, N. Mex.	2.75
Dona Ana Cotton Gin Coop Assn., Dona Ana, N. Mex.	2.25
B. E. Harvey Gin Co., Las Cruces, N. Mex.	2.75
Hatch Coop Gin Co., Hatch, N. Mex.	4.25
La Mesa Coop Gin Assn., La Mesa, N. Mex.	2.50
La Union Gin Coop Assn., La Union, N. Mex.	1.50
Long Staple Coop Assn., Las Cruces, N. Mex.	2.75
Mid-Valley Staple Gin Co., Vado, N. Mex.	2.25
Picacho Coop Assn., Fair Acres, N. Mex.	3.25
Producers Coop Assn., La Union, N. Mex.	1.50
Santo Tomas Gin Assn., Mesquite, N. Mex.	2.25

(4) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Rio Grande Valley Cotton Oil Co., Clint, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
El Paso Cotton Industries, Clint, Tex.	$ .75
Lee Moore, Clint, Tex.	.75
Farmers Cooperative, Clint, Tex.	.75
Farmers Long Staple Gins, Clint, Tex.	.75
Farmers Gin Co., San Elizario, Tex.	1.00
Buford Operating Co., Buford, Tex.	1.50
El Paso Cotton Industries, Yaleta, Tex.	1.75
Yaleta Gin, Yaleta, Tex.	1.75
El Paso Cotton Industries, Fabens, Tex.	1.25
Farmers Gin Co., Fabens, Tex.	1.25
Fabens Cooperative, Fabens, Tex.	1.25
Fabens Long Staple Gin Co., Fabens, Tex.	1.25
Farmers Island Gin Co., Island, Tex.	1.75
Tornillo, Tex.	2.00
El Paso Cotton Industries, Fort Hancock, Tex.	2.25
Acala Farmers Gin Co., Fort Hancock, Tex.	2.25
Ben Harvey Gin Co., Las Cruces, N. Mex.	2.75

(5) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Tornillo Cotton Oil Company, Tornillo, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Acala Farmers Gin, Acala, Tex.	$1.25
Buford Gin, Buford, Tex.	1.60
Fabens Long Staple Gin, Fabens, Tex.	.95
Farmers Gin, Fabens, Tex.	.95
Farmers-Island Gin, Island, Tex.	1.00
Lee Moor Gin, Clint, Tex.	1.25
Farmers Gin, Clint, Tex.	$1.25
Farmers Gin, Clint, Tex.	1.25
Tornillo Gin Co., Tornillo, Tex.	.60
San Elizario Gin, San Elizario, Tex.	1.25
Yaleta Gin, Yaleta, Tex.	1.75

(b) Maximum prices hereinabove established are hereby made retroactive to September 1, 1943. Nothing in this order, however, shall impose any liability upon any person to charge or pay more than his agreed or contract price if less than prices herein established.

(c) Sellers of cottonseed hauling services subject to this regulation must continue to supply the same services which they supplied during the period from September 1, 1941, to February 28, 1942, and must in no way change their business practices which were in effect during this period. Sellers are specifically prohibited from discontinuing loading and unloading services as well as all the services supplied during the above named period in connection with such cottonseed hauling services.

(d) This order is subject to revocation or amendment by joint action of the Regional Administrators, or by individual action of the Regional Administrators at any time hereafter, either by special order or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) Except as specifically provided by this order, the provisions of the Maximum Price Regulation, as amended, are in no way effected and shall continue in full force and effect.

(f) Lower prices for any services covered by this order may be charged, offered, demanded or paid.

This order shall become effective on the 10th day of April 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this the 5th day of April 1944.

MAX MCCULLOUGH,
Regional Administrator, Region V.
RICHARD Y. BATTERTON,
Regional Administrator, Region VII.

[F. R. Doc. 44-5370; Filed, April 18, 1944; 12:35 p. m.]

[Region VI Order G-32 Under MPR 329]

MILK IN PEKIN, ILL.

Order No. G-32 under § 1351.408 (b) of Maximum Price Regulation No. 329. Purchases of milk from producer for resale as fluid milk. Producers' milk prices in Pekin, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form for resale on contract to Camp Ellis, a United States military camp located near Pekin, Illinois, shall be $2.90 per cwt. for 4% milk meeting Type II Number II milk standards, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply only to purchases of milk meeting Type II Number II standards by distributors whose bottling plants are located within the corporate limits of Pekin, Illinois, and to purchases of such milk for resale on contract to Camp Ellis located near Pekin, Illinois. Maximum prices provided in paragraph (a) of this order shall apply only to such purchases from producers from whom the distributors covered by this order purchased during December 1943 and January 1944 and are not applicable to any purchases from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* 1. Type II Number II milk is milk defined by regulation of the Quartermaster Corps of the United States Army by that designation.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this Order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

RAE E. WALTERS
Regional Administrator.

[F. R. Doc. 44-5378; Filed, April 15, 1944; 12:34 p. m.]

[Region VI Order G-37 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN OSHKOSH, WIS.

Order No. G-37 under § 1499.75 (a) (9) of the Supplementary Regulation 15 to the General Maximum Price Regulation, under § 1351.807 (a) of Maximum Price Regulation 280 and under § 1351.408 (b) of Maximum Price Regulation 329. Adjustment of fluid milk prices for Oshkosh, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and by § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.00 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% to and including 4.49%, plus not more than 6¢ for each 1/10 of a pound of butterfat 4.5% or more, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the city of Oshkosh, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Oshkosh, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or Maximum Price Regulation 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

	Wholesale	Retail
Standard milk:		
Gallon in bulk	$0.42	
Gallon in containers	.43	$0.46
Quart	.11	.12½
Pint	.06½	.07½
Half pint	.03½	.04
Chocolate milk:		
Quart	.11	.12½
Pint	.06½	.07½
Half pint	.03½	.04
Buttermilk:		
Gallon in bulk	.20	.24
Quart	.06	.07
Special Guernsey Milk	.11½	.13
Homogenized—V. D.	.11½	.13
Walden, Grade A	.12	.13

Maximum prices for all other special or premium milks shall be the maximum prices established under General Maximum Price Regulation or Maximum Price Regulation 280, plus the same differential for such special and premium milks which the distributors who sold such milks during March 1942 added to the prices of standard milk on other sales of the various types of special and premium milks during that base period.

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportional amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Oshkosh, Wisconsin area shall mean:

1. All sales made within the city limits of Oshkosh, Wisconsin and all sales at or from an establishment located in Oshkosh, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Oshkosh, Wisconsin.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation 280, and Maximum Price Regulation 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by these regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5376; Filed, April 15, 1944; 12:31 p. m.]

[Region VI Order G-38 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN PRESTON, MINN.

Order No. G-38 under § 1499.75 (a) (9) of the Supplementary Regulation No. 15 to the General Maximum Price Regulation, under § 1351.807 (a) of Maximum Price Regulation 280 and under § 1351.408 (a) of Maximum Price Regulation 329. Adjustment of fluid milk prices for Preston, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and by § 1351.408 (a) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 74¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the city of Preston, Minnesota or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Preston, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation or Maximum Price Regulation 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

Container sizes	Wholesale	Retail
Gallon, in bulk	$0.37	
Gallon	.37	$0.45
Quart	.10	.12
Pint	.05½	.06½
½ Pint	.03	.05

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of

fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this Order, sales and deliveries within the Preston, Minnesota area shall mean:

1. All sales made within the city limits of Preston, Minnesota and all sales at or from an establishment located in Preston, Minnesota.
2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Preston, Minnesota.

(f) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(2) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective March 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5381; Filed, April 15, 1944; 12:31 p. m.]

[Region VI Order G-39 Under SR 15 to GMPR, MPR 280, 329]

MILK IN MONTICELLO AND BEMENT, ILL.

Order No. G-39 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280. Maximum prices for specific food products and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Monticello, Illinois and Bement, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk with a butterfat content of 4% sold for human consumption in fluid form shall be $2.95 per cwt., plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this Order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the village of Monticello, Illinois and of the village of Bement, Illinois, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this Order shall apply only to purchases from producers from whom distributors covered by this Order purchased from August 1, 1943 to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in the villages of Monticello, Illinois and Bement, Illinois.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Monticello, and Bement, Illinois, shall be the maximum price determined under Maximum Price Regulation No. 280 and under the General Maximum Price Regulation, whichever is appropriate for the type of sale being made or the following prices, whichever shall be the higher:

Standard butterfat content milk and chocolate milk:	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.05
Special Milk:		
Gallon (in bulk)	.41	.49
Gallon	.41	.49
Quart	.11	.13
Pint	.06	.07
Half pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Monticello, Illinois, and Bement, Illinois area shall mean:

1. All sales made within the city limits of Monticello, Illinois, and Bement, Illinois, and all sales at or from an establishment located in Monticello, Illinois, and Bement, Illinois;
2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Monticello, Illinois, and Bement, Illinois.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Special milk shall mean cows' milk having a butterfat content of not less than 4% and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

4. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ship's stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5383; Filed, April 15, 1944; 12:32 p. m.]

[Region VI Order G-40 Under SR 15 to GMPR and MPR 280]

MILK IN EUREKA, ILL.

Order No. G-40 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Eureka, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Eureka, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Raw		Pasteurized	
	Wholesale	Retail	Wholesale	Retail
Gallons in bulk	$0.34		$0.38	
Gallons	.34	$0.42	.38	$0.46
Half gallons	.18	.24	.22	.26
Quarts	.09	.12	.11	.13
4-qt. containers at one delivery		.44		.49

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Eureka, Illinois area shall mean:

1. All sales made within the city limits of Eureka, Illinois and all sales at or from an establishment located in Eureka, Illinois.
2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Eureka, Illinois.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ship's stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the General Maximum Price Regulation and Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5383; Filed, April 15, 1944; 12:32 p. m.]

[Region VI Order G-41 Under SR 15]

FLUID MILK IN TOMAH, WIS.

Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Tomah, Wisconsin, distributors for sales in Kendall and Camp Douglas, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Tomah, Wisconsin, to purchasers located in Camp Douglas, Wisconsin, and in Kendall, Wisconsin, and by retailers located in Camp Douglas and Kendall, Wisconsin, of fluid milk supplied by distributors located in Tomah, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon	$0.38	$0.43
½ gallon	.20	.23
Quart	.10½	.11½
Pint	.05	.07
½ pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration regulations.* Except as modified by this Order the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during that month.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5394; Filed, April 15, 1944; 4:42 p. m.]

[Region VI Order G-41 Under SR 15 to GMPR, Amdt. 1]

TOMAH, WIS., MILK SALES IN KENDALL AND CAMP DOUGLAS, WIS.

Amendment No. 1 to Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Tomah, Wisconsin, distributors for sales in Kendall and Camp Douglas, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, *It is ordered,* That section (a) of Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation be amended to read as follows:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Tomah, Wisconsin to purchasers located in Camp Douglas, Wisconsin and in Kendall, Wisconsin and by retailers

located in Camp Douglas and Kendall, Wisconsin of fluid milk supplied by distributors located in Tomah, Wisconsin shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon	$0.43	$0.45
½ gallon	.21	.23
Quart	.11	.12
Pint	.06	.07
½ pint	.03½	.05

This amendment No. 1 to Order No. G-41 shall become effective April 7, 1944, and may be revoked or further amended by the Office of Price Administration at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this fourth day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5384; Filed, April 15, 1944; 12:32 p. m.]

[Region VI Order G-42 Under SR 15 to GMPR]

SHAWANO, WIS., MILK SALES IN KESHENA AND NEOPIT, WIS.

Order No. G-42 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Shawano, Wisconsin, distributors for sales in Keshena, Wisconsin, and Neopit, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of standard butterfat content fluid milk for human consumption at wholesale and retail by distributors located in Shawano, Wisconsin, to purchasers located in Keshena, Wisconsin, and in Neopit, Wisconsin, and by retailers located in Keshena, Wisconsin, and Neopit, Wisconsin, of fluid milk supplied by distributors located in Shawano, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher: 10¢ per quart at wholesale and 12¢ per quart at retail.

(b) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration Regulations.* Except as modified by this order the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base period established by that regulation.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5385; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-43 Under SR 15 to GMPR and MPR 280, 329]

MILK IN WISCONSIN RAPIDS, NEKOOSA, AND PORT EDWARDS, WIS.

Order No. G-43 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation 280, and under Maximum Price Regulation 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Wisconsin Rapids, Nekoosa, and Port Edwards, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation by § 1351.807 (a) of Maximum Price Regulation 280, and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 80¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Wisconsin Rapids, Wisconsin, and of the City of Nekoosa, Wisconsin and of the Village of Port Edwards, Wisconsin, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from February 1 to March 31, 1944, and are not applicable to purchasers from producers who did not in that period sell to distributors located in the cities of Wisconsin Rapids, Wisconsin, or Nekoosa, Wisconsin, or the village of Port Edwards, Wisconsin.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Wisconsin Rapids, Nekoosa, and Port Edwards, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

WISCONSIN RAPIDS, WISCONSIN

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.44	
Gallon	.44	$0.50
½ gallon	.23	.26
Quart	.12	.13½
Pint	.06½	.07½
½ Pint	.03½	.04

NEKOOSA, WISCONSIN

Gallon (in bulk)	$0.44	
Gallon	.41	$0.45
½ gallon	.21	.23
Quart	.11	.12
Pint	.06	.06½
½ pint	.03	.03½

PORT EDWARDS, WISCONSIN

Gallon (in bulk)	$0.39	
Gallon	.39	$0.45
½ Gallon	.20	.23
Quart	.10½	.12
Pint	.06	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin area shall mean:

1. All sales made within the city limits of Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin and Port Edwards, Wisconsin, and all sales at or from an establishment located in Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Regulation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5386; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-44 Under SR 15 to GMPR]

MILK IN RUTLAND, ILL.

Order No. G-44 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices for Rutland, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Rutland, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Quart	$0.10	$0.12
Pint	.05½	.06½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5387; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-45 Under SR 15 to GMPR and MPR 280]

MILK IN BLACK RIVER FALLS, WIS.

Order No. G-45 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Black River Falls, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Black River Falls, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
Half gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Black River Falls, Wisconsin area shall mean:

1. All sales made within the city limits of Black River Falls, Wisconsin and all sales at or from an establishment located in Black River Falls, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Black River Falls, Wisconsin.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5380; Filed, April 15, 1944; 12:34 p. m.]

[Region VI Order G-46 Under SR 15 to GMPR and MPR 280; 329]

MILK IN MORRIS, MINN.

Order No. G-46 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280. Maximum prices for specific food products, and under Maximum Price Regulation No. 329, purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Morris, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Morris, Minnesota, or who sell within that city 50% or more of the milk sold by them. Prices provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period during January, February and March 1944 and are not applicable to purchases from producers who did not in those months sell to any Morris, Minnesota distributor covered by this order.

(c) *Maximum distributor prices to civilian purchasers.* (1) The maximum price for the sale and delivery of fluid milk at wholesale and retail in Morris, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation and under Maximum Price Regulation 280 whichever is appropriate for the type of sale being made or the following prices, whichever shall be higher:

	Wholesale	Retail
	Cents	Cents
Gallon (In Bulk)	37	
Gallon	37	45
Quart	10	12
Pint	5½	6½
Half Pint	3	5

(2) Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each purchaser to buy two units for which the maximum price shall be twice the single unit. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor price for sale to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of section (c) of this order, sales and deliveries in Morris, Minnesota shall mean:

(1) All sales made within the city limits of Morris, Minnesota and all sales at or from an establishment located in Morris, Minnesota;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located in Morris, Minnesota.

(f) *Definitions.* (1) Fluid milk means cows' milk having a butterfat content or not less than 3.2%, or the legal minimum established by statute or municipal ordinance, distributed and sold for human consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(3) Army and Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than be paid during January 1943. Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280 and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in customary business or trade practices.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall become effective April 6, 1944.

(56 Stat. 23, 765 Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5877; Filed, April 15, 1944; 12:34 p. m.]

[Region VII Order G-24 Under RMPR 122, Amdt. 8]

SOLID FUELS IN DENVER REGION

Order No. G-24 Under Revised Maximum Price Regulation No. 122, Amendment No. 8. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 8 is issued.

1. Subparagraph (5) of paragraph (d), Appendix A, as amended by Amendment No. 3, is hereby redesignated (5) (i) and a new subparagraph (ii) is added thereto to read as follows:

(ii) The flat increase of 35¢ per ton authorized by subparagraph (i) above for Moffat Mines Nos. 1 and 2 is hereby revoked pursuant to Order No. 629 under Maximum Price Regulation No. 120 issued by the Administrator on March 16, 1944, and in lieu thereof an increase of 10¢ per ton is hereby authorized, effective as of the date hereof, for sizes 1 to 9, and an increase of 20¢ per ton for sizes 10 to 18 produced from said Moffat Mines Nos. 1 and 2, and no change whatever is made as to Arrowhead Mine.

2. Subparagraph (13) of paragraph (d), Appendix A, is hereby redesignated (13) (i) and a new subparagraph (ii) is added thereto, to read as follows:

(ii) The flat increase of 33¢ per ton authorized by subparagraph (i) is hereby revoked pursuant to Order No. 634 under Maximum Price Regulation No. 120 issued by the Administrator on March 16, 1944, and in lieu thereof increases are hereby authorized, effective as of the date hereof, on size groups of coal produced from Western Coal Mining Company's Western Mine, as follows:

	Cents per ton
Size groups 1 to 9	20
Size groups 10 to 12	50
Size group 13	75
Size groups 14 to 15	50

3. *Effective date.* This Amendment No. 8 shall become effective on the 1st day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-5380; Filed, April 15, 1944; 12:35 p. m.]

[Region VIII Order G-89 Under 18 (c)]

CEDAR TOW IN WASHINGTON

Order No. G-89 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Adjusted maximum prices for sales of cedar tow at retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices for sales at retail by sellers in the state of Washington who purchase cedar tow manufactured by Washington Cedar Tow Manufacturing Company, E. J. Waldorf, both of Chehalis, Washington, and S. A. Agnew Lumber Company of Centralia, Washington, shall be determined by adding a 30¢ markup per bale to landed costs.

(b) Landed cost as used in this order means the cost of acquisition not to exceed 60¢ per bale plus transportation to retailer's place of business.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-5375; Filed, April 15, 1944; 12:31 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 14, 1944.

REGION I

Connecticut Order No. 2-F, Amendment No. 3, filed 3:32 p. m.

REGION III

Charleston Order No. 9-F, filed 3:38 p. m.
Charleston Order No. 10-F, filed 3:38 p. m.
Escanaba Order No. 1-W, filed 3:34 p. m.
Escanaba Order No. 2-W, filed 3:34 p. m.
Escanaba Order No. 3-W, filed 3:36 p. m.
Escanaba Order No. 6-W, filed 3:35 p. m.
Escanaba Order No. 7-W, filed 3:34 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 13, filed 3:34 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 13, filed 3:33 p. m.
Grand Rapids Order No. F-14-C, Amendment No. 4, filed 3:33 p. m.
Grand Rapids Order No. F-14-D, Amendment No. 4, filed 3:33 p. m.
Louisville Order No. 7-F, Amendment No. 1, filed 3:32 p. m.

REGION IV

Atlanta Order No. 4-F, Amendment No. 2, filed 3:30 p. m.
Birmingham Order No. 1-W, Amendment No. 1, filed 3:30 p. m.
Nashville Order No. 10-F, filed 3:38 p. m.

REGION V

Houston Order No. 1-F, Amendment No. 6, filed 3:38 p. m.
San Antonio Order No. 1-W, Amendment No. 1, filed 3:37 p. m.
Tulsa Order No. 5-F, filed 3:32 p. m.
Tulsa Order No. 5-F, Amendment No. 1, filed 3:36 p. m.
Tulsa Order No. 5-F, Amendment No. 2, filed 3:37 p. m.
Tulsa Order No. 6-F, filed 3:36 p. m.
Tulsa Order No. 6-F, Amendment No. 2, filed 3:37 p. m.
Tulsa Order No. 6-F, Amendment No. 1, filed 3:36 p. m.

REGION VI

Sioux City Order No. 3-F, Amendment No. 3, filed 3:32 p. m.
Sioux City Order No. 4-F, Amendment No. 3, filed 3:32 p. m.

REGION VIII

Portland Order No. 1-F, Amendment No. 11, filed 3:30 p. m.
Sacramento Order No. 1-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 3-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 6-F, Amendment No. 5, filed 3:30 p. m.
Sacramento Order No. 5-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 7-F, Amendment No. 5, filed 3:30 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5454; Filed, April 17, 1944; 11:56 a. m.]

[Region I Order G-2 Under MPR 426, Amdt. 2]

CITRUS FRUIT IN BOSTON REGION

Amendment No. 2 to Order No. G-2 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III section 15 Appendix I (f) (2) (i).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I, (g) (2) of Maximum Price Regulation No. 426, *It is hereby ordered*, That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on March 7, 1944, for a period of six weeks ending April 17, 1944.

This Amendment to Order No. G-2 shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

GEORGE H. LOUIS,
Acting Regional Director, Food Distribution.

[F. R. Doc. 44-5455; Filed, April 17, 1944; 12:46 p. m.]

[Region I Order G-3 Under MPR 426, Amdt. 2]

CITRUS FRUIT IN BOSTON REGION

Amendment No. 2 to Order No. G-3 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (i), Boston, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I (g) (2) of Maximum Price Regulation No. 426, *It is hereby ordered*, That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended, or corrected at any time. This order shall become effective on March 9, 1944 for a period of six weeks ending April 19, 1944.

This Amendment to Order No. G-3 shall become effective April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

GEORGE H. LOUIS,
Acting Regional Director, Food Distribution.

[F. R. Doc. 44-5456; Filed, April 17, 1944; 12:46 p. m.]

[San Francisco Order 1 Under Rev. Restaurant MPR 8-1]

FOOD AND DRINK IN SAN FRANCISCO REGION

Order No. 1 under Revised Restaurant Maximum Price Regulation No. 8-1. Food and drink sold for immediate consumption. Community dollar and cents prices for certain restaurant food items.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Francisco District Office of the Office of Price Administration by section 19 of Revised Restaurant Maximum Price Regulation No. 8–1 and Order of Delegation No. 30 issued thereunder by the Regional Administrator of Region VIII, it is hereby ordered:

SECTION 1. *Purpose of the order.* It is the purpose of this order to establish specific maximum prices for certain food items, beverages, and meals sold by eating or drinking places.

SEC. 2. *Geographical applicability.* The provisions of this order extend to eating and drinking places located within the corporate limits of the City and County of San Francisco, and the cities of Alameda, Albany, Berkeley, Daly City, El Cerrito, Emeryville, Oakland, Piedmont, Richmond, San Leandro, and South San Francisco.

SEC. 3. *Ceiling prices.* On and after March 31, 1944, no person operating an eating or drinking place regulated by this order shall sell or offer for sale any of the food items, meals, or beverages listed in Appendix A at prices higher than the prices set forth in Appendix A, which apply to his group of eating or drinking place determined pursuant to section 4. Lower prices may be charged at all times.

NOTE: Maximum prices for food items, meals, or beverages for which no specific price has been set forth in Appendix A must be determined under the applicable provisions of Revised Restaurant Maximum Price Regulation 8–1.

SEC. 4. *How to determine group.* (a) Eating or drinking places regulated by this order are divided into eight groups. The proprietor of an eating or drinking place must determine his group as follows:

(1) He adds together the "prices charged" for the following three (3) items: Ham sandwich, American cheese sandwich, and ham and two eggs.

(2) He then selects the applicable paragraph (i) to (vii) inclusive which tells him his group.

The term "prices charged" shall mean the highest prices at which the three (3) food items were sold during the period of April 4 to April 10, 1943.

If the eating or drinking place was not in operation during the period of April 4 to April 10, 1943, the term "prices charged" shall mean the prices correctly established as ceiling prices under the applicable provisions of Revised Restaurant Maximum Price Regulation 8–1 and filed with the appropriate War Price and Rationing Board.

If more than one type of the three (3) food items were sold during that period, the total of the "prices charged" for the lowest priced types of item shall be taken. For example, if two types of ham sandwich were sold during the period of April 4 to April 10, 1943, one type at 25¢ and the other type at 40¢, the 25¢ price must be used in the above calculation.

(i) *Group A.* If the total of the "prices charged" for the above items is 79¢ or less, the eating or drinking place shall be in Group A.

(ii) *Group B.* If the total of the "prices charged" for the above items is not less than 80¢ nor more than 94¢, the eating or drinking place shall be in Group B.

(iii) *Group C.* If the total of the "prices charged" for the above items is not less than 95¢ nor more than $1.09, the eating or drinking place shall be in Group C.

(iv) *Group D.* If the total of the "prices charged" for the above items is not less than $1.10 nor more than $1.24, the eating or drinking place shall be in Group D.

(v) *Group E.* If the total of the "prices charged" for the above items is not less than $1.25 nor more than $1.64, the eating or drinking place shall be in Group E.

(vi) *Group F.* If the total of the "prices charged" for the above items is not less than $1.65 nor more than $1.89, the eating or drinking place shall be in Group F.

(vii) *Group G.* If the total of the "prices charged" for the above items is equal to $1.90 or more, the eating or drinking place shall be in Group G.

(viii) *Group H.* If the proprietor of an eating or drinking place has no established price for ham sandwich and no established price for American cheese sandwich and no established price for ham and two eggs, he shall be in Group H. Such person may apply for a reclassification under section 5 hereof or the War Price and Rationing Board may, on its own motion, recommend to the San Francisco District Office of the Office of Price Administration a reclassification of his eating or drinking place in accordance with section 6 of this order.

(b) If, in determining his group under (a) above, the proprietor of an eating or drinking place does not have an established price for one (1) or two (2) of the three (3) items listed in (a), he must use the price or prices for such items provided by the tables set forth in Appendix B to arrive at his total. The proprietor cannot use the prices determined by means of the tables in Appendix B if he has a price for the item already correctly determined under Restaurant Maximum Price Regulation 8–1 or any order issued thereunder.

(c) *Filing of group determination.* The proprietor of an eating or drinking place who has determined his group under the provisions of paragraphs (a) or (b) above, must, on or before March 31, 1944, file a Restaurant Grouping Form with his War Price and Rationing Board containing a list of the "prices charged" which he has used to arrive at his group, together with a statement of his group so determined.

SEC. 5. *Review of classification.* A proprietor of an eating or drinking place who believes that he is not properly grouped under section 4 may apply to the Local War Price and Rationing Board for a review of his group determination.

In order for a person to be reclassified under this section it must be shown that his prices for the food items listed in section 4 (a) above are not indicative of his correct group. Application should be made to his War Price and Rationing Board.

The War Price and Rationing Board shall process the application, and recommend the grant or denial of reclassification to the San Francisco District Office of the Office of Price Administration. The San Francisco District Office shall grant or deny the reclassification subject to the review of the San Francisco Regional Office of the Office of Price Administration.

SEC. 6. *Classification on own motion.* The appropriate War Price and Rationing Board may on its own motion recommend to the San Francisco District Office a classification or reclassification of a particular eating or drinking place. The San Francisco District Office of the Office of Price Administration shall grant or deny such classification or reclassification of the particular eating place, subject to review by the San Francisco Regional Office of the Office of Price Administration.

SEC. 7. *Posting.* (a) The proprietor of an eating or drinking place must post in either of the two following manners:

(1) *Sign.* On or before March 31, 1944, a proprietor of an eating or drinking place, in lieu of the posting required by section 12 of Revised Restaurant Maximum Price Regulation 8–1, must post by means of a sign, plainly visible to all patrons, his group as determined under section 4, or 5, or 6 of this order. The sign may be obtained at the War Price and Rationing Board.

(2) *Menu.* If the proprietor of an eating or drinking place furnishes a menu, he must mark with an asterisk the prices of the food items listed in Appendix A which are contained on his menu. His menu must also have clearly and plainly written on or attached to it the following statement, inserting his proper group letter:

Our community prices for the basic food items marked with an asterisk are the prices set forth in Order No. 1 for Group ------ establishments for the items specified. Our ceiling prices on other items are the highest prices charged during April 4 to April 10, 1943.

SEC. 8. *Rules for new proprietors.* If a person acquires the eating or drinking place of another person and continues the business in an establishment, separate from any establishment, previously owned or operated by him, then that person is in the same group and subject to the same ceiling prices, and the same duties under this order as the previous proprietor.

A person who opens an eating or drinking place after the effective date of this order must establish his group, and ceiling prices under this order, by taking the group and ceiling prices of the nearest eating or drinking place of the same type as his.

When the person has so taken the group and ceiling prices of an eating or drinking place of the same type as his, he must file with his War Price and Rationing Board a statement setting forth the name, address, and group of the eating or drinking place which he has so chosen.

If the group and ceiling prices which he has taken are not representative of the type of establishment which he is operating or intends to operate, the War Price and Rationing Board may recommend that an order be issued establishing his correct group and ceiling prices. Such order shall be issued by the San Francisco District Office of the Office of Price Administration subject to the review of the San Francisco Regional Office of the Office of Price Administration.

SEC. 9. *Definitions.*—(a) *Prices charged.* The definition of the term "prices charged" is set forth in section 4 (a).

(b) *Person or proprietor.* "Person" or "proprietor" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government or any of its political subdivisions, and any agencies of any of the foregoing.

(c) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, in the General Maximum Price Regulation, and in Revised Restaurant Maximum Price Regulation 8–1, issued by the Office of Price Administration shall apply to other terms used herein.

SEC. 10. *Exempt sales.* Sales of items of food or drink by the following eating or drinking places are specifically exempt from the provisions of this order:

(a) An eating or drinking place which supplies both food and lodging and which in making the charge for food, includes it in a single charge for food and lodging.

NOTE: Such an eating or drinking place is regulated by Revised Restaurant Maximum Price Regulation 8–1.

(b) Industrial plant cafeterias or restaurants.

NOTE: Such an eating or drinking place is regulated by Revised Restaurant Maximum Price Regulation 8–1.

(c) Eating or drinking places which are exempt from the provisions of Revised Restaurant Maximum Price Regulation 8–1 by section 20 thereof.

SEC. 11. *Relation to other regulation.* All provisions of Revised Restaurant Maximum Price Regulation 8–1 shall be applicable to the eating or drinking places regulated by this order, except that the provisions of Revised Restaurant Maximum Price Regulation 8–1 shall not apply, and the provisions of this order shall apply, upon the specific matters set forth in this order.

This order shall become effective the 31st day of March 1944.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 24th day of March 1944.

FRANCIS CARROLL,
District Director.

No. 70——15

APPENDIX A

Basic food items	Group A—Up to $0.79	Group B—$0.80–$0.94	Group C—$0.95–$1.09	Group D—$1.10–$1.24	Group E—$1.25–$1.64	Group F—$1.65–$1.89	Group G—$1.90 and up	Group H
1. Ham and eggs	$0.40	$0.55	$0.60	$0.70	$0.75	$0.90	$1.20	----------
2. Bacon and eggs	.40	.50	.60	.65	.75	.90	1.20	----------
3. 2 eggs, any style	.20	.25	.30	.35	.40	.50	.70	----------
4. Hot cakes	.15	.15	.20	.25	.30	.40	.60	----------
5. Ham sandwich	.10	.10	.15	.15	.20	.30	.50	----------
6. American cheese sandwich	.10	.10	.15	.20	.25	.30	.50	----------
7. Hamburger sandwich	.10	.10	.15	.20	.25	.30	.50	----------
8. Hot roast beef sandwich	.20	.25	.30	.35	.40	.60	.75	----------
9. Fried chicken	.40	.50	.60	.70	.75	1.05	1.50	----------
10. Liver and bacon or liver and onions	.30	.35	.40	.50	.55	.90	1.00	----------
11. Pork chops	.35	.45	.55	.60	.70	1.00	1.20	----------
12. Filet of sole	.25	.30	.35	.45	.50	.65	.85	----------
13. Halibut	.25	.30	.35	.45	.50	.65	.85	----------
14. Salmon	.25	.30	.35	.45	.50	.65	.85	----------
15. Roast beef	.35	.45	.60	.60	.70	1.00	1.20	----------
16. Combination salad	.15	.20	.25	.30	.35	.45	.75	----------
17. Vegetable soup	.10	.10	.10	.15	.15	.25	.35	----------
18. Pie	.10	.10	.10	.10	.15	.20	.30	----------
19. Coffee (per cup)[1]	.05	.05	.05	.05	.10	.10	.15	$0.05
20. Club breakfast—Definition: Juice or fruit or cereal; 2 eggs, any style; toast and coffee	.40	.50	.60	.65	.75	1.05	1.10	----------

[1] Coffee is to include sugar and cream if requested.

The quantity of the portion and quality of the portion of each food item or beverage listed above shall be the same quantity of portion and the same quality of portion as was served during the period April 4 to April 10, 1943, by each particular eating or drinking place.

If the food item listed above when sold by a particular eating or drinking place during the period April 4 to April 10, 1943, included bread and butter, or a vegetable or vegetables, or some other food item, or items, at no extra charge, then when the particular food item or beverage is sold under this order, it must be served with the same food item or items at the price listed above.

Prices for food items or beverages for which no specific price has been set in this Appendix must be determined under the applicable provision of Revised Restaurant Maximum Price Regulation 8–1.

APPENDIX B

(i) If the proprietor has a price for a ham sandwich, but no price for either American cheese sandwich or ham and eggs or both, he determines a price for either or both of these items use use of Table 1.

(ii) If the proprietor has no price for a ham sandwich but has a price for ham and eggs, he determines a price for either a ham sandwich or an American cheese sandwich or both by the use of Table 2.

(iii) If the proprietor has no price for a ham sandwich and no price for ham and eggs, he determines his prices for these items by use of Table 3.

TABLE 1

If the proprietor has a price for ham sandwich as follows—	And no price for American cheese sandwich, his price for American cheese sandwich shall be the price below set opposite his price for ham sandwich	And/or no price for ham and eggs, his price for ham and eggs shall be the price below set opposite his price for ham sandwich
Up to $0.14	$0.10	$0.40
$0.15 to $0.24	.15	.50
$0.25 to $0.29	.20	.60
$0.30 to $0.34	.20	.65
$0.35 to $0.44	.30	.80
$0.45 to $0.49	.35	.90
$0.50 and Up	.40	1.00

TABLE 2

If the proprietor has no price for ham sandwich but has a price for ham and eggs as follows—	His price for a ham sandwich shall be the price in this column set opposite his price for ham and eggs	If he also has no price for American cheese sandwich, his price for American cheese sandwich shall be the price set opposite his price for ham and eggs
Up to $0.49	$0.10	$0.10
$0.50 to $0.59	.20	.15
$0.60 to $0.64	.25	.20
$0.65 to $0.69	.30	.20
$0.70 to $0.89	.35	.25
$0.90 to $0.99	.45	.35
$1.00 and up	.50	.40

TABLE 3

If the proprietor has no price for either ham sandwich or ham and eggs, but has a price for American cheese sandwich as follows—	His price for ham sandwich shall be the price in this column set opposite his price for American cheese sandwich	And his price for ham and eggs shall be the price in this column set opposite his price for American cheese sandwich
Up to $0.14	$0.10	$0.40
$0.15 to $0.19	.20	.50
$0.20 to $0.24	.25	.60
$0.25 to $0.29	.30	.65
$0.30 to $0.34	.40	.80
$0.35 to $0.39	.45	.90
$0.40 and up	.50	1.00

[F. R. Doc. 44–5463; Filed, April 17, 1944; 4:41 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 17, 1944:

REGION II

Delaware Order No. 9, filed 9:45 p. m.
Delaware Order No. 10, filed 9:45 p. m.

REGION III

Cincinnati Order No. 10, filed 9:54 p. m.

REGION IV

Memphis Order No. 2–W, Amendment No. 2, filed 9:55 p. m.
Memphis Order No. 4–F, Amendment No. 24, filed 9:56 p. m.
Memphis Order No. 15, Amendment No. 2, filed 9:55 p. m.

REGION V

Dallas Order No. 3–F, Amendment No. 6, filed 9:47 p. m.
Fort Worth Order No. 1–F, Amendment No. 8, filed 9:50 p. m.
Fort Worth Order No. 2–F, Amendment No. 8, filed 9:49 p. m.
Fort Worth Order No. 3–F, Amendment No. 8, filed 9:49 p. m.

Fort Worth Order No. 4–F, Amendment No. 8, filed 9:48 p. m.
Fort Worth Order No. 5–F, Amendment No. 8, filed 9:57 p. m.
Houston Order No. G–1W, filed 9:44 p. m.
Houston Order No. 13, filed 9:54 p. m.
New Orleans Order No. G–19, filed 9:57 p. m.
New Orleans Order No. G–20, filed 9:56 p. m.
Oklahoma City Order No. 1–W, filed 9:53 p. m.
Oklahoma City Order No. 3–F, Amendment No. 8, filed 9:47 p. m.
Shreveport Order No. 2–F, Amendment No. 5, filed 9:54 p. m.

REGION VI

Green Bay Order No. 2–F, Amendment No. 6, filed 9:50 p. m.
Green Bay Order No. 2–F, Amendment No. 7, filed 9:42 p. m.
Green Bay Order No. 3–F, filed 9:52 p. m.
Green Bay Order No. 3–F, Amendment No. 1, filed 9:42 p. m.
Moline Order No. 1–W, filed 9:51 p. m.
Moline Order No. 3–F, Amendment No. 1, filed 9:50 p. m.
Sioux City Order No. 2–F, Amendment No. 6, filed 9:44 p. m.
Twin Cities Order No. 1–W, filed 9:43 p. m.
Twin Cities Order No. 2–W, filed 9:43 p. m.

REGION VII

New Mexico Order No. 2–W, filed 9:41 p. m.

REGION VIII

Fresno Order No. 12, filed 9:46 p. m.
Fresno Order No. 13, filed 9:46 p. m.
Nevada Order No. 14, filed 9:42 p. m.
Nevada Order No. 15, filed 9:41 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–5485; Filed, April 18, 1944; 11:43 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59–39, 54–50]

NORTH AMERICAN LIGHT AND POWER CO., ET AL.

NOTICE OF FILING OF AMENDMENT TO APPLICATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April 1944.

In the matter of North American Light & Power Company Holding-Company System and The North American Company, File No. 59–39; North American Light & Power Company, File No. 54–50.

North American Light & Power Company ("Light & Power"), a registered holding company, and Illinois Traction Company ("Traction"), a registered holding company and a subsidiary of Light & Power, having heretofore filed an application designated as application No. 9 in the above-styled and numbered proceedings, pursuant to the Public Utility Holding Company Act of 1935, relating to the retirement by Traction of its publicly-held preferred stock as a step in the program of liquidation of Light & Power as directed by the order of the Commission dated December 30, 1941;

Notice is hereby given that an amendment to the aforesaid application No. 9 has been filed by Light & Power and Traction pursuant to the applicable sections of the Act. All interested persons are referred to the said amendment which is on file in the office of the Commission for a statement of the transactions proposed therein, which may be summarized as follows:

In addition to the retirement by Traction of its publicly-held preferred stock, Traction proposes to retire all of its publicly-owned common stock, consisting of 56½ shares, by payment of $50 per share to the holders thereof. After the publicly-held preferred and common stock is retired, it is proposed that Traction transfer its assets to Light & Power and that Traction thereafter be dissolved;

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing on application No. 9 be reconvened for the purpose of considering such amendment;

It is ordered, That a hearing on such matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, on the 27th day of April, 1944, at 2:00 p. m., e. w. t., in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner approved in Rule XVII of the Commission's rules of practice on or before April 24, 1944;

It is further ordered, That Henry C. Hunt or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing ordered herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That the Secretary of this Commission shall serve notice of this hearing by mailing a copy thereof by registered mail to Illinois Traction Company, North American Light & Power Company, and Illinois Power Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER;

It is further ordered, That without limiting the scope of the issues presented by said joint application, as amended, particular attention shall be directed at said hearing to the question whether the proposed acquisition at the stipulated price is fair and equitable to the persons affected thereby and otherwise consistent with the applicable standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–5529; Filed, April 19, 1944; 11:27 a. m.]

[File Nos. 34–9, 34–41, 70–28]

FEDERAL WATER SERVICE CORP., ET AL.

ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April, A. D. 1944.

In the matter of Federal Water Service Corporation, Utility Operators Company, Federal Water and Gas Corporation, File Nos. 34–9, 34–41, 70–28.

Federal Water and Gas Corporation having filed an application for the Commission's approval of an amendment to a plan of reorganization of the applicant's predecessor, Federal Water Service Corporation, under the Public Utility Holding Company Act of 1935;

A hearing having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to the provisions of sections 7 (d) (6), 7 (e) and 11 (e) of said act,

It is ordered, That said application be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–5530; Filed, April 19, 1944; 11:27 a. m.]

[File No. 70–888]

NEW JERSEY POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April 1944.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Jersey Power & Light Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company.

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized below:

1. New Jersey Power & Light Company proposes to issue and sell at competitive bidding, pursuant to Rule U–50, $9,000,000 principal amount of its First Mortgage Bonds, due March 1, 1974, and 30,000 shares of its Cumulative Preferred Stock, par value $100 per share, the interest rate of the Bonds and the dividend rate of the Preferred Stock to be determined by competitive bidding, the filing indicating that no bids less than par will be considered for these securities, and further, that the interest rate on the Bonds must not exceed 3½% per annum and the dividend on the Preferred Stock must not exceed 5% per annum.

2. The proceeds from the sale of the above-described securities, together with such amounts from the general funds of New Jersey Power & Light Company as may be required, are to be applied to the redemption at 105% of the principal amount thereof plus accrued interest to the date of redemption of all of the company's outstanding First Mortgage Gold Bonds, 4½% Series, due 1960, which, as at February 29, 1944 were outstanding in the principal amount of $9,000,000, and to redeem at $110 per share, plus accrued dividends to the date of redemption, all of the company's outstanding $6 Cumulative Preferred Stock. As at February 29, 1944, there were outstanding 33,060 shares of this stock.

3. New Jersey Power & Light Company also proposes to donate to its wholly-owned subsidiary, New Jersey Northern Gas Company, an inactive company, $16,000 principal amount of First Mortgage 5% Bonds, due 1952, of that company; whereupon these bonds are to be retired and cancelled.

4. The applicant-declarant proposes in connection with the instant transactions to charge to earned surplus an amount of $1,650,000 to create a reserve for electric and gas plant adjustments for the purpose of absorbing the write-off of the excess amount over original cost of utility plant as the same may finally be determined and has not previously been provided for; to charge to earned surplus an amount of $1,267,589.22 representing unamortized debt discount and expense of $486,989.22 relating to bonds now outstanding and premium on bonds and preferred stock proposed to be redeemed in the amounts of $450,000 and $330,600 respectively; to transfer from stated value for common stock to capital surplus the amount of $2,535,000; and to transfer the deficit of earned surplus in the amount of $2,587,461.62 to capital surplus. All of these undertakings are to be as at February 29, 1944 and will result in the elimination of all earned surplus as at that date and leave a balance of $273,700.41 remaining in capital surplus. It is stated in the filing that this balance is to be available for the absorption of any and all losses not otherwise provided for which may be inherent in the stated amounts of applicant-declarant's assets, liabilities and reserves immediately prior to February 29, 1944.

The application-declaration indicates that NY PA NJ Utilities Company, the owner of the entire common stock of New Jersey Power & Light Company, also owns 12,068 shares of $6 Cumulative Preferred Stock of New Jersey Power & Light Company, this stock being carried at $1,197,080.81, purporting to be the cost to NY PA NJ Utilities Company of said stock.

The application-declaration has designated sections 6 (a), 6 (b), 7, 12 (c), and 12 (f), and Rules U–42, U–45, and U–50 as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said application-declaration should not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and the rules of this Commission thereunder be held on May 1, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, Eighteenth and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 27, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed transactons are appropriate and in the public interest and the interest of investors and consumers;

2. The propriety of the proposed accounting treatment on the books of New Jersey Power & Light Company in connection with the proposed transactions;

3. Whether, and if so, to what extent, NY PA NJ Utilities Company as a holder of preferred stock of New Jersey Power & Light Company should be permitted to participate in the proceeds of the refunding;

4. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder; and

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–5528; Filed, April 19, 1944; 11:27 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 201]

SHELL DEVELOPMENT CO., ET AL.

APPROVAL OF PROPOSAL FOR CROSS LICENSE AND LICENSING ARRANGEMENT

The ATTORNEY GENERAL:

I submit herewith a proposal for a cross license and licensing arrangement in connection with catalytic refining, between Shell Development Company, Standard Oil Development Company, Texaco Development Corporation, Standard Oil Company (Indiana), Universal Oil Products Company and the M. W. Kellogg Company. The proposal is detailed in the following instruments, attached hereto:

(1) Copy of the proposed agreement between the companies above-named, dated as of August 7, 1942.[1]

(2) Copies of a letter from the President of the Texaco Development Corporation to the Chief Counsel of the Petroleum Administration for War dated January 6, 1944,[1] amending the agreement referred to in (1) above in certain respects, and letters bearing various dates directed to the Chief Counsel of the Petroleum Administration for War by the other parties to the agreement concurring in the amendment described in the letter of the Texaco Development Corporation.[1]

(3) Copies of a letter from the President of Texaco Development Corporation dated July 14, 1943,[1] a letter from the President of Texaco Development Corporation dated November 12, 1943,[1] and letters from the other parties to the agreement,[1] all directed to the Chief Counsel of the Petroleum Administration for War, giving certain information concerning the patent position of the licensor group within the field of catalytic refining.

(4) A memorandum to me from the Petroleum Administrator for War dated November 4, 1943,[1] in which the Petroleum Administrator states that he believes the course of conduct proposed in the cross license and licensing agreement to be requisite to the prosecution of the war and that the royalties set forth in the agreement are reasonable. This memorandum is supplemented by a copy of a memorandum from the Chief Counsel of the Petroleum Administration for War dated October 12, 1943,[1] approving the proposed cross license and licensing agreement, and a summary of the agreement, undated.

(5) Copies of a letter from the Defense Plant Corporation dated October 6, 1943,[1] a letter from the Defense Supplies Corporation dated October 6, 1943,[1] and a letter from the War Department dated August 9, 1943,[1] directed to the Petroleum Administration for War, concerning the agreement referred to in (1) above.

It is my understanding that, with respect to catalytic refining patents, if any, which are vested in the Alien Property Custodian pursuant to Vesting Order No. 1, licenses will be available under the provisions of the final judgment entered March 25, 1942, and the supplemental judgment entered April 7, 1943, in the matter of United States of America v. Standard Oil Company (New Jersey),

[1] Filed with the Division of the Federal Register.

et al., in the United States District Court for the District of New Jersey.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the proposal; and after consultation with you I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war.

Nothing in my approval of the above proposal is to be construed as derogating from, or in any way modifying, rights and obligations under the final judgment entered March 25, 1942, and the supplemental judgment entered April 7, 1943, in the matter of United States of America *v.* Standard Oil Company (New Jersey), et al., in the United States District Court for the District of New Jersey.

Nothing in this approval, furthermore, is to be construed as authorizing or requiring the doing of any act or thing, or the omission to do any act or thing, in violation of the Antitrust laws of the United States or the Federal Trade Commission Act after the termination of the present war and an additional period of six months thereafter.

DONALD M. NELSON,
Chairman.

APRIL 14, 1944.

[F. R. Doc. 44-5536; Filed, April 19, 1944; 11:12 a. m.]

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VOLUME 9 NUMBER 80

Washington, Friday, April 21, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1943–44 WAGE RATES FOR FLORIDA SUGARCANE

Determination of fair and reasonable wage rates for persons employed in the harvesting of sugarcane in Florida during the period September 1, 1943, to June 30, 1944.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.240 *Fair and reasonable wage rates for persons employed in the harvesting of sugarcane in Florida during the period September 1, 1943 to June 30, 1944.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the harvesting of sugarcane in Florida during the period from September 1, 1943, to June 30, 1944, if all persons employed on the farm during that period in the harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer: *Provided, however,* That the producer shall furnish to the laborer without charge the customary perquisites, such as a habitable house, medical attention, and other customary incidentals, and shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined herein.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 19th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-5623; Filed, April 20, 1944; 11:26 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial No. 2782]

PART 202—ACCOUNTS, RECORDS AND REPORTS

[Amendment 2 to Uniform System of Accounts for International Air Carriers]

UNIFORM SYSTEM OF ACCOUNTS FOR INTERNATIONAL AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C., on the 13th day of April 1944.

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said act, and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for International Air Carriers (CAB Form 2380 Manual), as amended, be and the same is further amended in its entirety as set forth in CAB Form 2380 Manual 1–1–43 attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-5624; Filed, April 20, 1944; 11:35 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices: Department of the Treasury

[Public Circular H-3]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII, APPENDIX

NATIONALS OF JAPAN

FEBRUARY 9, 1944.

Public Circular No. H-3, as amended under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy

[1] On file with the Division of the Federal Register.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

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Act, as amended by the First War Powers Act, 1941, relating to Foreign Funds Control.

In view of the issuance of Public Circular No. 8A by the United States Treasury Department, General License A, General License B, General License No. H–4 and General License No. H–5 are hereby revoked.

Notwithstanding the provisions of Public Circular No. 8A, General License No. 11 shall not be deemed to apply to nationals of Japan in the Territory of Hawaii.

[SEAL] INGRAM M. STAINBACK,
Governor of Hawaii.

[F. R. Doc. 44–5625; Filed, April 20, 1944; 11:38 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDER

[Suspension Order S–528]

AETNA OIL BURNER COMPANY

Aetna Oil Burner Company is a corporation located in Hartford, Connecticut, controlled by Gabriel Levine, who with his wife, Anna V. Levine, owns substantially all of its capital stock. Its business was the production and sale of oil burners and stoves, but recently it has been principally, although not wholly, engaged in defense work.

Subsequent to June 20, 1942, Aetna Oil Burner Company transferred and delivered a boiler, valves, circulator, and radiators, constituting new metal heating equipment, to Mrs. Levine, who installed the equipment in her home. This transfer and delivery of new metal heating equipment, at a total cost of more than $10, without a preference rating, was a violation of Conservation Order L–79. The War Production Board conducted an investigation of the violation, and in the course of the investigation Mr. Levine misrepresented facts and furnished a spurious invoice to representatives of the War Production Board with intent to mislead them. Aetna Oil Burner Company was engaged in the manufacture of heating equipment, and knew or should have known of Order L–79, and the violation must therefore be deemed wilful. As a result of the violation, critical materials were diverted to uses not authorized by the War Production Board and the war effort of the United States has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.528 *Suspension Order No. S–528.* (a) Aetna Oil Burner Company, its successors and assigns, shall not produce or assemble any oil cooking stoves or oil heating stoves except to fill orders rated AA–3 or higher, unless specifically authorized in writing by the Regional Director of the Boston, Massachusetts, Regional Office of the War Production Board, and specific authority to act on applications for exceptions is hereby delegated to the Regional Director of the Boston, Massachusetts, Regional Office.

(b) Nothing contained in this order shall be deemed to relieve Aetna Oil Burner Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 19, 1944, and shall expire on August 19, 1944.

Issued this 12th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5584; Filed, April 19, 1944; 4.38 p. m.]

PART 3256—ZEIN

[General Preference Order M–320, Revocation]

Section 3256.1 *General Preference Order M–320* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M–320.

Issued this 20th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5590; Filed, April 20, 1944; 10:57 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-74, as Amended Apr. 20, 1944]

OIL BURNERS

§ 3288.71 *General Limitation Order L-74*—(a) *Definitions.* For the purpose of this order:

(1) "Oil burner" means any devise which is designed for burning fuel oil for furnishing heat. It includes, but is not limited to the following types:

(i) Mechanical, steam or air atomizer oil burner.

(ii) Vertical or horizontal rotary oil burner.

(iii) Mechanical vaporizing oil burner.

(iv) Pot type vaporizing oil burner.

It shall include any oil burner for any boiler burner unit or for any furnace burner unit, any oil burner used as part of any water heater and any combination oil and gas burner, but does not include any oil burner used as a part of any domestic cooking appliance or of any domestic heating stove as defined in L-23-c, or any oil burner used in connection with any locomotive scheduled under L-97, or any oil burner used as a part of any commercial cooking and food and plate warming equipment as defined in L-182.

(2) "Class A oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 5, No. 6 or heavier fuel oil, or which regardless of what grade fuel oil it burns, is designed or manufactured specifically for shipboard use or for heat processing. An oil burner will be considered as designed or manufactured specifically for heat processing if it is produced for use in connection with devices intended for the application of heat for purposes other than for space heating or hot water supply systems. Heat processing will, therefore, include, but is not limited to rendering sea water drinkable, melting tar or asphalt for road or roof use, dehydrating milk, sterilizing, and the like.

(3) "Class B oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 (except a Class C oil burner), No. 2, No. 3, or No. 4 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(4) "Class C oil burner" means any pot type vaporizing oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(5) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Numbers 1, 2, 3, 4, 5, and 6, bunker C, diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as the above designated grades.

(6) "Replacement" means replacement of any oil burner by another oil burner.

(7) "New installation" includes an oil burner installed in a new heating plant or an oil burner installed as a conversion from any other fuel.

(8) "Producer" means any person who manufactures, fabricates or assembles oil burners.

(b) *Restrictions on producers of Class B oil burners.* No producer shall manufacture or assemble a Class B oil burner or deliver such a burner either assembled or in sets of parts except to fill an order already received, which has been approved on Form WPB-1319. He may produce or assemble such burners only to the extent necessary to fill orders on hand which he cannot fill from his inventory of completely assembled burners. Any person who wants to buy a Class B oil burner from a producer should file Form WPB-1319 in triplicate with the War Production Board, Plumbing and Heating Division, Washington 25, D. C.

(c) *Restrictions on delivery of Class B oil burners for installation; restrictions on installation.* No dealer or distributor may deliver a Class B oil burner for installation, either assembled or in sets of parts, and no person may install a Class B oil burner, except as follows:

(1) *Replacement.* A dealer may deliver any Class B oil burner from his stock for installation as a replacement, and the installation may be made, if the owner of the premises has applied for and obtained the approval of the appropriate War Production Board District office on Form WPB 1319. The dealer may deliver and the installation may be made without approval from any source, if the burner to be replaced is over ten years old, or has actually broken down and is beyond repair during the season in which it is in use. No installation may be made for replacement unless the installer arranges to have the old burner scrapped or dismantled, but this requirement does not mean that the installer is entitled to take the old burner without the owner's consent or without crediting him with its value.

(2) *New installations.* Any person may deliver a Class B burner from a dealer's inventory for a new installation if the Petroleum Administration for War has specifically approved in writing the delivery of fuel oil for a Class B oil burner on the premises in question.[1] The authorization of a local War Price and Rationing Board to accept delivery of fuel oil will not be sufficient.

(3) *Food processing installations.* Any person may deliver a Class B burner from a dealer's inventory for use in raising and preparing crops, poultry, livestock and other agricultural products for market.

(4) *Bureaus assembled in other products.* If the War Production Board has approved the delivery of a Class B oil burner on Form WPB-1319 for physical incorporation in or assembly with another product, such as a water heater, further authority under this order is not required for delivery of the assembled unit, but the restrictions of L-79 (prohibiting delivery except to fill a rated order) must be complied with.

(5) *Sales to dealers.* Any dealer or distributor may sell or deliver any Class B oil burner to another dealer or distributor for resale.

(6) *Oversea shipment.* Any dealer or distributor may deliver a Class B burner to fill a rated order for shipment to a foreign country or a territory or overseas possession of the United States.

(d) Restrictions on sale of Class A and Class C oil burners:

(1) Class A oil burners may be delivered only on orders bearing a preference rating of AA-5 or higher. (In case of a new installation in the continental United States, application for preference rating must be accompanied by copy of authorization from the Petroleum Administration for War, permitting the delivery of fuel oil.)

(2) Class C oil burners may be delivered without a preference rating. (However, authorization for delivery of fuel oil must be obtained from the Petroleum Administration for War in accordance with its order PDO-13.)

(e) *General exception.* Regardless of the terms of this order, any Class B oil burner (as defined by this order as in force prior to June 28, 1943) authorized under an appeal from L-74 as in force prior to June 28, 1943, may be manufactured, fabricated, assembled and delivered.

(f) *Appeals.* Any appeals from the provisions of this order shall be filed on Form WPB-1477, formerly PD-500, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-74.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

[1] Under PDO-13, as amended or supplemented from time to time. At present applications to the P. A. W. for approval are made by letter, which must be submitted in quadruplicate.

(i) *Bureau of the Budget.* The Bureau of the Budget has approved the use of Form WPB-1319 and other reporting requirements of this order, in accordance with the Federal Reports Act of 1942.

Issued this 20th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5595; Filed, April 20, 1944; 10:57 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 143]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

Maximum Price Regulation 143 is redesignated Revised Maximum Price Regulation 143 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 143 (Wholesale Prices for New Rubber Tires and Tubes), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1315.1501 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 143—WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

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Appendix I.

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all wholesale sales of new rubber tires and tubes for automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, and motorcycles. "Rubber" means substitute rubber and all forms and types of rubber, including scrap, synthetic, balata, and reclaimed rubber. A tire or tube is "new" if it has been used less than 1,000 miles. "Wholesale sale" means a sale to a buyer who purchases for resale and not for his own use.

(b) *Certain transactions not covered.* (1) Maximum Price Regulation 415[1] covers sales to any agency of the United States Government.

(2) The Second Revised Maximum Export Price Regulation[2] covers export sales and sales to exporters.

(c) *Relation to other regulations.* This regulation supersedes any other regulation issued by the Office of Price Administration, as to transactions covered by this regulation.

(d) *Geographical applicability.* This regulation applies in the 48 states of the United States, the District of Columbia, and the territories and possessions of the United States. However, as to sales in Puerto Rico, all references in this regulation to March 1942 shall be changed to April 10 to May 10, 1942, inclusive.

SEC. 2. *Prohibition against sales at prices above the maximum.* On and after the effective date of this regulation, no person shall sell or deliver new rubber tires or tubes at wholesale, and no person shall buy or receive such tires or tubes in the course of trade or business, at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may, of course, be charged.

SEC. 3. *Sales by manufacturers and private brand owners*—(a) *What this section covers.* This section covers all wholesale sales by manufacturers and private brand owners, except sales of factory seconds, and sales by manufacturers to brand owners and other sales under cost-plus contracts. (Sales of factory seconds are covered by section 6; sales by manufacturers to brand owners and other sales under cost-plus contracts are covered by section 5.)

(b) *Method of quoting or computing prices.* This regulation does not require sellers and buyers to quote or compute wholesale selling prices by any particular method. The only restriction resulting from this regulation is that the net wholesale selling price, expressed in dollars and cents, when computed or quoted by the seller and buyer by the method chosen by them, shall not exceed the net wholesale price, expressed in dollars and cents, resulting from the application of the provisions of this regulation. (For example, a buyer and seller may agree to compute wholesale prices for synthetic rubber passenger car tires by applying discounts to the maximum retail prices fixed by Appendix A of Maximum Price Regulation 528 for such tires: *Provided*, That wholesale prices so computed do not exceed those determined under this section.) Prices lower than the maximum prices may, of course, be offered, demanded, charged or paid at all times and under any circumstances.

(c) *Exhibit C tires and tubes.* The maximum wholesale price for a new natural rubber tire or tube listed in Exhibits C filed by manufacturers or distributors in March 1942 with the Office of Price Administration, shall be determined by deducting a discount of 30 percent for tires and 35 percent for tubes from the retail price of the tire or tube set forth in such exhibits.

(d) *Reclaimed rubber passenger war tires.* The maximum price for a reclaimed rubber war tire shall be determined by deducting a discount of 30 percent from the maximum retail price fixed by Appendix A of Maximum Price Regulation 528. A "reclaimed rubber war tire" means a passenger car tire which has been manufactured primarily of reclaimed rubber under restrictions of the War Production Board and which has the words "War Tire" branded on the sidewall.

(e) *All other tires and tubes.* (1) The maximum wholesale price shall be determined by using the percentage discount which the seller had in effect to buyers of the same class during March 1942 on sales of each particular size, type, and brand of tire or tube. Each discount used shall be expressed as a percentage of the maximum retail price in effect during March 1942, and shall be determined by computing the dollar and cent difference between the highest net wholesale price charged the particular class of buyer on deliveries made during March 1942 (if no delivery was made during March 1942 to a particular class, use the highest net wholesale price offered to that class during March 1942), and the maximum retail price in effect during March 1942 on that size, type, and brand of tire or tube.

"Maximum retail price" as used in this regulation does not include the 16 percent increase resulting from the Dealer Tire Return Plan.

For any size which the brand owner did not deliver or offer for delivery during March 1942 to a buyer of a particular class, he shall use the discount computed as provided above for the most comparable size in the same brand and type.

(2) The discounts under (1) above shall be used as follows to determine the applicable maximum wholesale prices:

(i) *Natural rubber passenger car and motorcycle tires and tubes.* The discount to be used shall be the discount computed under (1) above for the same size, type, and brand of tire or tube as the tire or tube being priced. The discount so determined shall be applied to the maximum retail price (excluding any add-on) fixed by Appendix A of Maximum Price Regulation 528 for the tire or tube being priced. After deducting the percentage discount, the seller, in the case of passenger car tires and tubes, may add an amount not exceeding 16 percent of the maximum retail price. No add-on is permitted for motorcycle tires or tubes.

(ii) *Synthetic rubber passenger car and motorcycle tires.* The discounts to be used shall be the discounts computed under (1) above for each size in the seller's 100-level brand which he sold during March 1942. "100-level brand" means the seller's brand which during March 1942 had a retail maximum price for the 6.00–16, four ply, passenger car tire nearest $14.75, for a manufacturer's brand, or $13.25 for a private brand, and in the case of motorcycle tires, the seller's brand which had a retail maximum price for the 4.50–18 four ply tire nearest $10.80. To determine the maximum wholesale price for each size of tire, the 100-level discounts shall be applied to the prices listed in Appendix I of this regulation. However, until October 15, 1944, the maximum wholesale price may be increased by an amount not to exceed the amount specified in Appendix I of this regulation for each size and ply of tire.

(iii) *Synthetic rubber passenger car and motorcycle tubes.* The discounts to be used shall be the discounts computed under (1) above for each size in the seller's brand whose maximum retail price, in the case of passenger car tubes, was nearest $3.65 for the 6.00–16 size, and in the case of motorcycle tubes, was nearest $2.20 for the 4.50–18 size. To determine the wholesale maximum price, these discounts shall be applied to the maximum retail prices fixed by Appendix A of Maximum Price Regulation 528 for such tubes.

(iv) *Tires and tubes other than passenger car and motorcycle.* The discounts to be used shall be the discounts determined under (1) above for the same size, type, and brand of tire or tube as the tire or tube being priced. To determine the maximum wholesale price these discounts shall be applied to the maximum retail price fixed by Appendix A of Maximum Price Regulation 528 for the tire or tube being priced. However, in the case of such tires (except farm tractor and implement tires), until October 15, 1944, the maximum wholesale price may be increased by an amount not to exceed 6½ percent of the maximum retail price. (No adjustment resulting in a higher wholesale price may be made in the case of tubes or farm tractor and implement tires.)

(v) *Definition of synthetic tires and tubes.* Synthetic rubber tires and tubes means tires and tubes which contain any synthetic rubber and which are marked with the symbols designated by the War Production Board, Office of Rubber Director, to identify them as containing synthetic rubber. These symbols are an "S3" in the case of tires, and a colored circumferential band in the case of tubes.

SEC. 4. *Sales by sellers other than brand owners*—(a) *What this section covers.* This section covers all wholesale sales by sellers other than brand owners, except sales of factory seconds. (Sales of factory seconds are covered by section 6.)

(b) *Method of quoting or computing prices.* This regulation does not require sellers and buyers to quote or compute wholesale selling prices by any particular method. The only restriction resulting from this regulation is that the net wholesale selling prices, expressed in dollars and cents, when computed or quoted by the seller and buyer by the method chosen by them, shall not exceed the net wholesale price, expressed in dollars and cents, resulting from the application of the provisions of this regulation. (For example, a buyer and seller may agree to compute wholesale prices for synthetic rubber passenger car tires by applying discounts to the maximum retail prices fixed by Appendix A of Maximum Price Regulation 528 for such tires, provided that wholesale prices so computed do not exceed those determined under this section.) Prices lower than the maximum prices may, of course, be offered, demanded, charged or paid at all times and under any circumstances.

(c) *Minimum discounts.* The maximum wholesale prices for sales by sellers other than brand owners shall be determined by deducting the following discounts from the prices listed in Appendix I of this regulation for synthetic rubber passenger car and motorcycle tires and from the maximum retail prices fixed by Appendix A of Maximum Price Regulation 528 for all other tires and for all tubes:

	Percent
All tires except farm tractor	30
All tubes except farm tractor	35
Farm tractor tires and tubes	25

These maximum wholesale prices may be increased as follows:

(1) In the case of natural rubber passenger car tires and tubes other than Exhibit C, the seller may add an amount not to exceed 16 percent of the maximum retail price.

(2) In the case of synthetic rubber passenger car and motorcycle tires, until October 15, 1944, the maximum wholesale price may be increased by an amount not to exceed the amount specified in Appendix I of this regulation for each size and ply of tire.

(3) In the case of all tires except passenger car, motorcycle and farm tractor and farm implement, until October 15, 1944, the maximum wholesale price may be increased by an amount not to exceed 6½ percent of the maximum retail price.

(d) *Other discounts.* (1) A seller who, prior to the effective date of this revised regulation, had established under Maximum Price Regulation 143 a maximum wholesale price to a particular buyer which represented a smaller discount (excluding any add-on) than the applicable minimum discount set forth in (c) above, may determine maximum wholesale prices to that buyer for any brand by using such lower discount instead of the discount specified in (c), provided he files with the District Office of the Office of Price Administration for the district in which he is located, within fifteen days after the effective date of this regulation, a report including the following information:

(i) The name and address of the buyer.

(ii) The smallest discount or discounts that he proposes to give the particular buyer on future purchases of tires and tubes.

(iii) The smallest legal discount given this buyer prior to the effective date of this regulation, and the date of the last such sale.

(iv) The largest discount that he was required, under Maximum Price Regulation 143, to give to this particular buyer on any brand of tires and on any brand of tubes actually sold to him prior to the effective date of this revised regulation.

(v) A statement that the discount reported under (iii) above was properly determined under Maximum Price Regulation 143 prior to the effective date of this revised regulation.

(2) The Price Administrator or any Regional Administrator, or any District Director so authorized by his Regional Administrator, may disapprove or adjust discounts reported under this paragraph upon a determination that such discounts were not properly established under Maximum Price Regulation 143 prior to the effective date of this revised regulation, or that the discounts reported yield higher maximum prices than those applicable to the bulk of the seller's sales to the particular buyer prior

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5923, 10558, 10725, 14984, 16580.

[2] 8 F.R. 4132, 8867, 7062, 9090, 13193; 9 F.R. 1086.

to the effective date of this revised regulation.

SEC. 5. *Manufacturers' sales to brand owners and other cost-plus sales*—(a) *Applicability of this section.* This section covers sales of new rubber tires or tubes (whether they are made of natural, synthetic, or reclaimed rubber) by the manufacturer to the brand owner of the tires or tubes, even though the purchasing brand owner may also be a tire or tube manufacturer. This section also covers sales to any buyer to whom the seller was selling tires or tubes pursuant to a cost-plus contract during March 1942. This section does not cover factory second tires and tubes, which are covered by section 6.

(b) *Maximum prices.* A manufacturer may determine maximum prices under this section for sales to a particular buyer pursuant to any one of the methods set forth in subparagraphs (1) to (3) below. However, after selecting any one of these methods for determining maximum prices for sales to a particular buyer, the manufacturer may not use another method for determining maximum prices to that buyer without written permission to do so from the Office of Price Administration, Washington, D. C.

(1) *Fixed price per tire or tube.* The maximum wholesale prices under this subparagraph shall be determined upon the manufacturer's first sale or delivery of each size and type of tire or tube to the particular buyer by applying to the cost (determined according to subparagraph (5)) of the particular size and type of tire or tube the percentage mark-up (determined according to subparagraph (6)) applicable to that buyer. The price so established shall be the maximum wholesale price for all deliveries of that size and type of tire or tube to that buyer for a period, agreed upon by the seller and buyer, of not less than three months or more than six months. The manufacturer must report such prices to the Office of Price Administration, Washington, D. C., as required by paragraph (c). At least thirty days before the end of the first period agreed upon by the seller and the buyer, and at least thirty days before the end of each subsequent period, the manufacturer must file another report containing the information required by paragraph (c) (1) (vi), and must determine his maximum prices for each subsequent period on the basis of the unit costs filed in such report.

(2) *Aggregate prices for all sales during an accounting period.* The aggregate maximum prices for all sales during an accounting period agreed upon by the buyer and seller (not less than three months nor more than one year) of all types and sizes of tires or tubes to that buyer during that period, shall be determined by applying to the aggregate costs (determined according to subparagraph (5)) the percentage mark-up (determined according to subparagraph (6)) applicable to that buyer. The seller must file a report with the Office of Price Administration in accordance with paragraph (c) and thereafter the seller may not change the accounting period without written permission to do so from the Office of Price Administration, Washington, D. C.

(3) *Freeze of March 1942 cost-plus contracts.* If during March 1942, the seller had in effect with a particular buyer a written cost-plus contract, he may file a copy of such contract with the Office of Price Administation for approval. Such contract, if approved by the Office of Price Administration, shall determine his maximum prices for sales to that buyer. The Office of Price Administration will approve such a contract if it is consistent with the requirements of this regulation in regard to costs, mark-up and accounting period.

(4) *Limitation on prices determined under (1) to (3) above.* Notwithstanding the provisions of (1) to (3) above, a maximum price determined under this section may not exceed the maximum price of the seller to his lowest price class of buyer on sales of his own (manufacturer's) brand unless the seller receives written permission from the Office of Price Administration, Washington, D. C., to apply subparagraphs (1) to (3) without this limitation. Such permission will be granted only if the seller shows that such action is consistent with the normal relationship between the seller's prices on sales of his own brand to his lowest price class of buyer and his prices to the particular buyer for whom a price is being determined under this section. If the seller has elected to determine his price under (1) above, no individual size or type of tire or tube may be sold at a price which exceeds the limitations imposed by this subparagraph (4). If the seller has elected to determine his maximum prices under (2) or (3) above, the aggregate amount collected during the accounting period may not exceed the aggregate price resulting from the limitation imposed by this subparagraph.

If the buyer receives from the seller a written statement that the price charged does not exceed the maximum price permitted by this subparagraph, the buyer shall be deemed to have complied with this subparagraph.

(5) *Computation of cost.* The cost of any particular size or type of tire or tube or the aggregate costs for all types and sizes delivered to a particular buyer shall be the sum total of direct labor cost, direct material cost including waste, factory overhead, warehousing and shipping expense, administrative expense, and other commercial expense. The method of computing costs shall be the same method actually used during the ninety day period selected under subparagraph (6). If the seller elects to determine his maximum price under (1) above, the cost shall be the actual costs of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report required by this section. If the seller made no sales to the particular buyer during the last complete quarter prior to the filing of such report, he shall use estimated current costs of producing and selling the tires or tubes to the particular buyer rather than actual costs. However, within sixty days after the first three months of actual production of the tires or tubes for the particular buyer, the seller must file the report required by paragraph (c) using actual costs for the three-month period. If the seller elects to determine his maximum price under (2) above, the cost shall be the aggregate actual costs of producing and selling all tires and tubes sold to the particular buyer during the accounting period for which a maximum aggregate price is being determined.

(6) *Computation of mark-up.* The percentage mark-up to be applied under (1) or (2) above shall be the average mark-up on all sales of tires and tubes to the particular buyer during any ninety-day period between July 1, 1941, and December 31, 1941. The mark-up shall be determined by subtracting from the total aggregate net sales of tires and tubes to the particular buyer during the period selected, the total actual aggregate costs as described in subparagraph (5) above, and expressing the remainder as a percentage of the total aggregate costs. If the seller made no sales to the particular buyer between July 1, 1941, and December 31, 1941, he shall use a percentage mark-up consistent with percentage mark-ups determined under this section.

(c) *Reports and approvals of prices.* (1) A manufacturer who determines any maximum prices under paragraph (b) (1) of this section shall file the report required by this paragraph with the Office of Price Administration, Washington, D. C., within thirty days after the effective date of this regulation or within ten days after the particular buyer first agrees to buy tires or tubes for which a maximum price must be determined under this section, whichever is later.

A manufacturer may not accept payment for any such tires or tubes (unless specifically authorized to do so by the Office of Price Administration) until the reported maximum prices are approved by the Office of Price Administration. The reported maximum prices, however, shall be deemed to be approved unless within twenty days after the mailing of the report (or within twenty days after the mailing of any additional information which may have been requested), the Office of Price Administration notifies the manufacturer that his reported

maximum prices have been disapproved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices reported under this section so as to make them consistent with the level of maximum prices established by this section.

The report to be filed by the manufacturer shall contain the following information:

(i) Name and address of the brand owner, and the brand or brands of tires or tubes being priced.

(ii) Total aggregate net sales of tires and tubes to the particular brand owner during any ninety-day period between July 1, 1941, and December 31, 1941 (specifying the ninety-day period used).

(iii) Total actual aggregate costs applicable to sales reported in (ii) above showing as separate sub-totals:

(a) Total factory costs.
(b) Total warehousing and shipping expense.
(c) Total administrative expense.
(d) Total other commercial expense, if any.

(iv) A description of the method used in determining items (b), (c), and (d) under (iii) above.

(v) The percentage mark-up on cost resulting from sales during period selected in (ii) above. (If the seller made no sales to the particular buyer between July 1, 1941, and December 31, 1941, he shall report the mark-up requested and state why it is consistent with other mark-ups determined to this section.)

(vi) Unit costs (showing same subtotals required in (iii) above) for each size and type of tire or tube for which a maximum price is being determined. The costs reported shall be actual costs of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report, computed by the same method of computing costs as the method actually used during the ninety-day period reported under (ii). If no sales were made to the particular buyer during that quarter, estimated current production and sales expenses shall be reported for each size. If estimated costs must be used, the information required by this subdivision (vi) shall be refiled with the Office of Price Administration not later than sixty days after the first three months of production and sales to the particular buyer. At the time of refiling, actual costs for the three-month period shall be reported for each size and type of tire or tube, and new prices must be reported based on such actual costs.

(2) A manufacturer who determines any maximum prices under subparagraph (b) (2) of this section shall submit reports as required under subparagraph (1) above, but need not include the information required by subdivision (vi).

(d) *Records required by this section.* Any manufacturer who determines any maximum prices under paragraph (b) (2) or (b) (3) of this section shall keep for inspection by the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records for each particular buyer whose maximum prices are determined under this section. The records shall include total aggregate costs showing sub-totals for factory costs, warehousing and shipping expense, administrative expense, and other commercial expense, computed by the same method of computing costs as the method actually used during the ninety-day period reported under (c). The requirements of this paragraph (d) are in addition to the record requirements set forth in section 10 for all sellers at wholesale.

SEC. 6. *Factory seconds.* The maximum price for any factory second tire or tube shall be determined by deducting from the maximum wholesale price (including any increase permitted by section 3 or 4) which would apply if the tire or tube were not a factory second, the following percentage discounts:

	Percent
Passenger car tires	25
All other tires	20
All tubes	25

"Factory second" means a new tire or tube from which the brand name has been removed by the manufacturer or brand owner or upon which the manufacturer or brand owner has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

SEC. 7. *Tires and tubes which cannot be priced under any other section.* (a) The maximum wholesale price for sales of tires or tubes which cannot be priced under any other section shall be a price consistent with the level of maximum wholesale prices fixed by this regulation, specifically authorized by the Office of Price Administration or calculated by the seller after specific authorization from the Office of Price Administration. In each case covered by this section, the seller must file with the Office of Price Administration, Washington, D. C., a report containing the following information before offering the tires or tubes for sale:

(1) A description of the tire or tube for which a maximum price is sought, including the type, brand name, size, number of plies, and construction.

(2) A statement of the reasons why such tires or tubes cannot be priced under any other section.

(3) A proposed maximum retail price, and proposed maximum wholesale prices for all classes of buyers for whom maximum wholesale prices are to be established.

(4) A description of the proposed pricing method and a statement of the reasons why he believes that the use of this method will result in maximum prices which are consistent with the level of maximum wholesale prices fixed by this regulation.

(b) No seller required to report a maximum price under this section may offer the tires or tubes for sale (unless specifically authorized to do so by the Office of Price Administration) until the proposed maximum price is approved by the Office of Price Administration. The proposed maximum price, however, shall be deemed to be approved unless, within twenty days after mailing of the report (or within twenty days after the mailing of all additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum price has been disapproved or that action thereon has been deferred pending receipt of further information.

(c) The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum wholesale prices proposed or established under this section so as to bring them into proper relationship with the level of maximum wholesale prices otherwise established by this regulation, and in connection with the approval or correction of such prices may issue orders establishing maximum prices for retail sales as well.

SEC. 8. Federal and State taxes. The Federal excise tax on new tires and tubes, if stated separately by the seller, may be added to the maximum wholesale prices of any new tires and tubes. Any other tax upon, or incident to, the sale, delivery, or processing or use of a tire or tube, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, de-

liver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 10. *Records.* Every person making a sale or purchase subject to this regulation, of new rubber tires or tubes, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase showing the date, the name and address of the buyer and seller, the price paid or received, the quantity of each brand, type, and size of new rubber tires or tubes sold or purchased, and whether made of natural or synthetic rubber.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of this license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 12. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any tire or tube, alone or with any other commodity, or by way of commission, service, transportation or other charge, or by tying agreement or other trade understanding, or by making the terms and conditions of sale more burdensome to buyers than those available or in effect during March 1942, or by any other means.

SEC. 13. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

SEC. 15. *Applications for adjustment.* This section applies to a brand owner whose wholesale maximum prices are out of line with the level of maximum wholesale prices established for brand owners generally. Notwithstanding any other provisions of this regulation, the maximum wholesale prices for sales by such a brand owner may be determined under section 7 of this regulation. The brand owner must make application to the Office of Price Administration, Washington, D. C., as required by section 7.

[4] 8 F.R. 13240.

APPENDIX I: TABLES FOR DETERMINATION OF MAXIMUM WHOLESALE PRICES FOR SYNTHETIC RUBBER PASSENGER CAR AND MOTORCYCLE TIRES

TABLE 1—SYNTHETIC RUBBER PASSENGER CAR TIRES

Size	4 ply tire[1] discount base	Maximum wholesale increase	6 ply tire[2] discount base	Maximum wholesale increase
3.75-18	$23.20	$0.78		
4.00-18	7.80	.70		
4.25-12	8.00	.80		
4.40-21	8.98	.87	$12.35	$1.10
4.40/4.50-21	11.04	.98	13.49	1.21
4.40/4.50/4.75-21	11.04	.98	13.49	1.21
4.50-12	9.10	.80		
4.50-17	10.66	.94		
4.50-20	11.48	1.00	14.35	1.33
4.50-21	11.04	.98	13.49	1.21
4.50/4.75-20	11.48	1.00		
4.50/4.75-21	11.04	.98		
4.50/4.75/5.00-20	12.25	1.10	14.80	1.30
4.50/5.00-20	12.28	1.10		
4.75-19	11.05	1.00	14.15	1.25
4.75-20	12.28	1.10	14.55	1.30
4.75-21	11.04	.98		
4.75/5.00-19	11.05	1.00	14.15	1.25
4.75/5.00-20	12.28	1.10		
4.75/5.00/5.25-21	13.55	1.40		
5.00-15	10.80	.95		
5.00-16	10.70	.93		
5.00-17	11.70	1.05		
5.00-19	11.38	1.00	14.16	1.28
5.00-20	12.25	1.10	15.30	1.34
5.00-21	11.04	.98		
5.00-22	11.43	1.03		
5.00/5.25-20	15.10	1.35		
5.00/5.25-21	15.65	1.40		
5.25-12			15.60	1.65
5.25-17	13.55	1.20	15.90	1.60
5.25-18	12.35	1.10	15.45	1.39
5.25-19	14.50	1.30	18.10	1.60
5.25-20	15.10	1.35	19.00	1.70
5.25-21	13.55	1.40	19.40	1.75
5.25/5.50-17	13.55	1.20	16.90	1.50
5.25/5.50-18	13.35	1.10	15.45	1.20
5.25/5.50-19	15.65	1.40	20.45	1.85
5.25/5.50-20	16.75	1.50	19.80	1.70
5.50-16	13.15	1.15	18.45	1.45
5.50-17	13.55	1.20	16.90	1.50
5.50-18	14.15	1.25	15.45	1.40
5.50-19	15.55	1.40	20.45	1.85
5.50-20	16.75	1.50	20.85	1.85
5.50/6.00-17	13.55	1.20		
5.50/6.00-18	14.15	1.25		

Size	4 ply tire[1] discount base	Maximum wholesale increase	6 ply tire[2] discount base	Maximum wholesale increase
5.50/6.00-19	$15.65	$1.40		
5.50/6.00-20	16.75	1.50		
6.00-16	14.75	1.30	$18.43	$1.63
6.00-17	14.00	1.40	20.48	1.83
6.00-18	17.35	1.55	21.60	1.95
6.00-19	17.65	1.57	21.97	1.95
6.00-20	18.00	1.60	21.05	1.85
6.00-21	18.00	1.66	23.25	2.05
6.00-22			23.95	2.13
6.00-23			24.75	2.20
6.00/6.25-16	14.75	1.30	18.45	1.65
6.00/6.50-17	16.00	1.40	20.48	1.83
6.00/6.50-18	17.35	1.55	21.60	1.93
6.00/6.50-19			21.97	1.95
6.00/6.50-20			21.05	1.85
6.25-16	15.60	1.50	20.85	1.85
6.25/6.50-16	17.90	1.60	22.45	2.05
6.50-15	17.50	1.55	21.90	1.95
6.50-16	17.90	1.60	22.45	2.00
6.50-17	16.45	1.44	20.48	1.83
6.50-18	17.70	1.60	21.60	1.93
6.50-19	17.65	1.55	21.97	1.95
6.50-20			23.10	1.94
6.50/7.00-17			24.35	2.13
6.50/7.00-18			22.95	2.07
6.50/7.00-19			24.80	2.20
7.00-15	19.80	1.75	24.75	2.20
7.00-16	20.30	1.80	25.40	2.25
7.00-17	21.94	1.96	27.30	2.45
7.00-18	22.00	1.95	25.80	2.35
7.00-19	23.45	2.10	26.25	2.40
7.00-20	24.30	2.18	30.95	2.70
7.00-21			30.70	2.75
7.00/7.50-15	24.85	2.20	31.00	2.80
7.00/7.50-17			27.30	2.45
7.00/7.50-18			25.80	2.35
7.00/7.50-19			29.25	2.60
7.00/7.50-20			30.25	2.70
7.50-15	24.85	2.20	31.00	2.80
7.50-16	25.75	2.30	32.25	2.85
7.50-17			27.15	2.35
7.50-18			40.77	3.63
7.50-19			41.00	3.65
8.25-15	28.15	2.50		
8.25-16			37.25	3.30
30 x 3	6.60	.61		
30 x 3½	9.30	.86	10.50	.94
31 x 4	11.88	.90		
32 x 4	11.85	1.05		
32 x 4½			22.65	1.98
33 x 4½			23.85	2.10
14" Jumbo			28.25	2.96
15" Jumbo			26.65	2.28

[1] The discount base of a 5 ply tire shall be 118% of the discount base of a 4 ply tire of the same size.

[2] The discount base of a 7 ply tire shall be 107% of the discount base of a 6 ply tire of the same size.

[5] 7 F.R. 8961; 8 F.R. 2313, 3533, 6178, 11806; 9 F.R. 1394, 3075.

TABLE 2—SYNTHETIC RUBBER MOTORCYCLE TIRES

Size	2 ply tire discount base	Maximum wholesale increase	4 ply tire discount base	Maximum wholesale increase
3.50-18	$8.60	$0.71	$8.48	$0.77
3.85-18	9.17	.68	9.61	.88
4.00-18	9.40	.85	9.85	.90
4.00-19	9.58	.87	10.15	.93
4.50-18	10.15	.90	10.90	.96
4.50-19	10.58	.92	11.04	.96
5.00-16	11.40	1.00	11.98	1.05

This regulation shall become effective in the District of Columbia and the 48 states of the United States May 1, 1944.

This regulation shall become effective in the territories and possessions June 14, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5627; Filed, April 20, 1944; 11:59 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 528]

TIRES AND TUBES, RECAPPING AND REPAIRING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined that no practicable alternative exists for securing effective price control with respect to the commodities and services subject to this regulation.

§ 1315.1603 *Maximum prices for tires and tubes, recapping and repairing.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 528 (Tires and Tubes, Recapping and Repairing), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1315.1603 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 528—TIRES AND TUBES, RECAPPING AND REPAIRING

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SECTION 1. *What this regulation covers*—(a) *Transactions covered*—(1) *New tires and tubes.* This regulation applies to all retail sales of new rubber tires and tubes for automobiles, trucks, busses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, and motorcycles. A tire or tube is "new" if it has been used less than 1,000 miles. "Retail sale" means a sale to a buyer for his use and not for resale. This regulation, however, does not apply to sales to any agency of the United States Government; such sales are covered by Maximum Price Regulation 415.[1] Neither does this regulation apply to sales at wholesale; such sales are covered by Revised Maximum Price Regulation 143.

(2) *Used tires and tubes.* This regulation applies to all sales of used rubber tires and tubes of a size and type listed in Appendix B, except sales for a purpose other than use on a wheel of a vehicle. A tire or tube is "used" if it has been used 1,000 miles or more, or if it is a recapped tire that has been used 1,000 miles or more after latest recapping.

(3) *Recapped tires and recapping.* This regulation applies to all recapping and all sales of newly recapped tires, in sizes listed in Appendix C, at both the retail and wholesale level. "Recapping" includes retreading and means any process of tread renewal in which rubber is applied to the tread surface of a tire. "Newly recapped tire" means any rubber tire which has been used less than 1,000 miles after latest recapping.

(4) *Tire and tube repairing.* This regulation applies to all vulcanized repairs to tires of the sizes and types listed in Appendix D, and all repairs, including cold repairs, to tubes (except special purpose tubes), at both the retail and wholesale level. "Vulcanized" refers to repairing by applying external heat. This regulation does not apply to temporary or emergency repairs to tire casings, such as cold patches applied with cement and not vulcanized. Neither does this regulation apply to repairs to special purpose tubes; "special purpose tubes" are tubes defined as such in Table B–VII of Appendix B. (Maximum Price Regulation 165,[2] as amended, covers emergency repairs to tire casings and repairs to special purpose tubes.)

(5) *Definition of rubber.* "Rubber" means substitute rubber and all types and forms of rubber, including scrap, synthetic, balata, and reclaimed rubber.

(b) *Transactions not covered*—(1) *Sales for export.* The Second Revised Maximum Export Price Regulation[3] covers export sales and sales to exporters of any tires or tubes.

(2) *Leasing or renting.* Maximum Price Regulation 414[4] covers any supplying of tire mileage at stated prices per mile of service. Maximum Price Regulation 165, as amended, covers any other leasing or renting of tires or tubes.

(3) *Termination sales under tire mileage contracts.* Maximum Price Regulation 414 covers any termination sale or transfer of tires or tubes under a tire mileage contract.

(c) *Relation to other regulations.* This regulation supersedes any other regulation issued by the Office of Price Administration, including Revised Price Schedules 63[5] and 66,[6] as amended, Maximum Price Regulations 107,[7] and 165, as amended, and the General Maximum Price Regulation,[8] as to transactions covered by this regulation.

(d) *Geographical applicability.* This regulation applies in the 48 States of the United States, the District of Columbia, and the territories and possessions of the United States.

SEC. 2. *Prohibition against dealing in tires and tubes, recapping and repairing at prices above the maximum.* On and after the effective date of this regulation, no person shall sell or deliver, or recap or repair any tire or tube, and no person shall buy or receive any tire or tube or any recapping or repairing service in the course of trade or business, at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may, of course, be charged.

"Person" means an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, its agencies, other governments, their political subdivisions, and their agencies.

SEC. 3. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any tire or tube, alone or with any other commodity, or in connection with the recapping or repairing of any tire or tube, or by way of commission, service, transportation or other charge, or by tying agreement or other trade

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8933, 10558, 10725, 14264, 16280.

[2] 7 F.R. 6428, 6966, 8239, 8431, 8796, 8943, 9197, 9342, 9343, 9785, 9971, 9948, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5631, 5755, 5993, 6964, 8506, 8872, 10671, 10939, 11784, 12623, 12710, 13302, 13472, 14990; 9 F.R. 1319.

[3] 8 F.R. 4132, 5987, 7662, 9966.

[4] 7 F.R. 8854.

[5] 8 F.R. 2110, 2663, 4332, 5746, 7597, 8960, 11947, 12234, 16684.

[6] 8 F.R. 11472, 21793, 15736.

[7] 7 F.R. 1836, 1981, 2394, 3601, 4177, 7365, 8686, 8799, 8802, 8948; 8 F.R. 1564, 2206, 6854, 8943, 8976.

[8] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4987, 4948, 6047, 6962, 8511, 9025, 9991, 11955, 13724; 9 F.R. 1385.

understanding, or by making the terms and conditions of sale more onerous to buyers than they were during March 1942 (except as specifically permitted by this regulation).

SEC. 4. *Trade in allowance.* The seller must deduct from the maximum price of the tire or tube being sold a fair allowance for any tire or tube traded in to the seller by the buyer in connection with the sale. The "fair allowance" shall be the market price of the traded tire or tube in the seller's locality. If the traded tire or tube has no market value in the seller's locality, no allowance is required.

SEC. 5. *Extra charges for repairs*—(a) *Used tires and tubes and recapped tires.* No extra charge for repairs may be added to the maximum price of a sound used tire or tube or to the maximum price of a newly recapped tire when the tire carcass is furnished by the seller.

(b) *Recapping.* Where necessary repairs are made to a tire carcass furnished by the buyer for recapping, the seller may add to the maximum recapping price an amount not exceeding the maximum price for the repairs, provided he bills it separately in accordance with section 10.

SEC. 6. *Extra charges for extra services other than repairs*—(a) *Meaning of extra service and extra charge.* "Extra charge" means a charge which may be added to the applicable maximum price when an extra service is actually supplied in connection with a tire or tube sale or a recapping or repairing job. "Extra service" means a service (other than repairs) that is generally recognized as giving the buyer something in addition to the tire or tube or to the completed recapping or repairing job. The chief examples of such extra services are: extension of credit, mounting and demounting, loaning tires, and pick-up and delivery between the seller and buyer.

(b) *Extra services offered during March 1942.* This paragraph (b) states the rules for figuring maximum extra charges which apply to extra services offered during March 1942.

(1) No extra charge may be made for a service if the seller customarily supplied or offered that service during March 1942, and did not have a separate extra charge then in effect for it.

(2) A seller may charge the maximum price for tires or tubes or for recapping or repairing only if he continues to supply all services which he customarily supplied or offered and included in his price with no separate extra charge during March 1942. For any service which he discontinues, he must deduct from his maximum price the highest charge made for that service during March 1942 by his most closely competitive seller who had a separate extra charge in effect for that service.

(3) A seller who supplies an extra service for which he had an extra charge in effect during March 1942, may add an amount not exceeding his highest price then in effect for that extra service to the maximum price for tires or tubes or for recapping or repairing. He must bill such extra charge separately.

(4) Maximum extra charges shall be figured under paragraph (c) for any extra service which the seller did not supply or offer during March 1942.

(5) This subparagraph (5) applies if the business, assets, or stock in trade are sold or otherwise transferred after March 1942 and the transferee carries on the business, or continues to deal in the same type of commodities or service in an establishment separate from any other such establishment previously owned or operated by him. In such a case, the rules for extra services and for adding extra service charges which apply to the transferee shall be the same as those which would apply to his transferor if no such transfer had taken place.

(c) *Extra services not offered during March 1942.* This paragraph (c) states the rules for figuring maximum extra charges which apply to extra services not offered during March 1942. The maximum extra charge which the seller may add to the maximum price for tires or tubes or for recapping or repairing shall be the same as the maximum extra charge for the the same extra service of his most closely competitive seller who had a separate extra charge in effect during March 1942 for that service. The seller must bill such extra charge separately.

(d) No seller may require as a condition of sale that the buyer must receive any service for which the seller makes an extra charge, other than necessary repairs to the tire carcass in connection with recapping.

SEC. 7. *Federal and State taxes.* The Federal excise tax on new tires and tubes, if stated separately by the seller, may be added to the maximum prices of new tires and tubes. Any tax upon or incident to, the sale, delivery, or processing or use of a tire or tube or recapping or repairing, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 8. *Posting of prices.* Every person engaged in the business of selling tires or tubes at retail, in the business of recapping tires, or in the business of repairing tires or tubes, shall keep posted at each place of business in a manner plainly visible to the purchasing public, the following, clearly identified as such:

(a) A list of the maximum retail prices for the tires and tubes sold by him.

(b) A list of the maximum retail prices for his recapping services, and the additional charges that may be made for a tire carcass furnished by the seller.

(c) A list of the maximum retail prices for his tire and tube repair services.

(d) A list of the maximum prices which this regulation permits him to charge for extra services.

SEC. 9. *Sales slips and receipts.* If more than one article is included in one transaction, only one sales slip or receipt is required provided that it contains the specified information for each article. The name and address of the seller must appear on every sales slip or receipt.

(a) *New tires and tubes.* Every seller of new tires or tubes at retail shall give every buyer a sales slip listing: (1) the type, size, ply and brand name of the new tire or tube; and (2) the price.

(b) *Used tires and tubes.* Every person engaged in the business of selling used tires or tubes shall give every buyer a sales slip listing: (1) the type and size of tire or tube; (2) in the case of a tire, whether it is sound, unrepaired, or unsound, and whether it is a tire with a continuous tread design, a smooth tire, or a basic tire carcass; (3) in the case of a tube, whether it is sound or unrepaired; (4) the price; and (5) in the case of unsound tires sold with repairs, the price charged for the tire carcass and the price charged for each repair itemized separately.

(c) *Recapped tires and recapping.* Every person engaged in the business of recapping tires or of selling recapped tires shall give every buyer a sales slip listing: (1) the size of the tire; (2) the type of tread applied, specifying whether it is passenger car, conventional truck and bus, stop-start, ground-grip, road grader, earth mover, rock service, farm tractor, rice and cane special service, or motorcycle; (3) the grade of camelback used; and (4) the price.

(d) *Repairing.* Every person engaged in the business of repairing tires shall give every buyer a sales slip listing: (1) the type, ply and size of tire; (2) the type of repair (spot, sectional or reinforcement); and (3) the price.

SEC. 10. *Records.*—Every person engaged in the business of selling, recapping or repairing tires or tubes shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of every sale of tires or tubes and of every recapping and repairing operation performed showing all of the items listed under (a) and the appropriate items listed under (b) for the commodity or service involved. If more than one article is included in a transaction, only one record is required for that transaction provided that it contains the specified information for each article.

(a) *General items for each record.* (1) Date of sale.

(2) Name and address of buyer.

(3) Size, type and quantity of tires or tubes.

(4) Price.

(b) *Particular items for each record.* (1) New tires or tubes: brand name and ply.

(2) Used tires and tubes: whether the tire is sound, unrepaired or unsound; whether it is a tire with a continuous tread design, a smooth tire, or a basic tire carcass; and whether the tube is sound or unrepaired.

(3) Recapped tires or recapping: grade of camelback used and type of tread applied, specifying whether it is passenger car, conventional truck and bus, stop-start, ground-grip, road grader, earth mover, rock service, farm tractor, rice and cane special service, or motorcycle.

(4) Repairing of tires: type of repair (spot, sectional, or reinforcement).

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

APPENDIX A—MAXIMUM RETAIL PRICES FOR NEW TIRES AND TUBES

(a) *Passenger car and motorcycle tires and tubes*—(1) *Synthetic rubber tires and tubes.* The prices set forth in Tables A–I and A–II are the maximum retail prices for new synthetic rubber passenger car and motorcycle tires and tubes of the sizes and plies listed in those tables. A "synthetic rubber" tire or tube means a tire or tube which contains any synthetic rubber and which is marked with the symbol designated by the War Production Board, Office of Rubber Director, to identify it as containing synthetic rubber. This symbol is an "S3" in the case of tires, and a colored circumferential band in the case of tubes.

(2) *Natural rubber tires and tubes other than Exhibit C.* The prices set forth in brand owners' retail price lists in effect on February 1, 1944, shall be the maximum retail prices for the new natural rubber passenger car and motorcycle tires and tubes listed in such price lists. If the prices set forth in such lists for passenger car tires and tubes do not include the 16 percent increase resulting from the Dealer Tire Return Plan, that amount may be added to such prices.

(3) *Exhibit C tires and tubes.* The retail prices set forth in Exhibit C, filed by manufacturers or distributors in March 1942 with the Office of Price Administration, shall be the maximum retail prices for the new natural rubber passenger car tires or tubes listed in such exhibits. Information concerning these prices can usually be obtained from the brand owner of the tire or tube, or it will be furnished upon request by the Office of Price Administration, Washington, D. C.

(4) *Reclaimed rubber war tires.* The prices set forth in Table A–III are the maximum retail prices for new passenger car reclaimed rubber war tires of a size and ply listed in that table. A "reclaimed rubber war tire" means a passenger car tire which has been manufactured primarily of reclaimed rubber under restrictions of the War Production Board and which has the words "War Tire" marked on the sidewall.

(b) *Tires and tubes other than passenger car and motorcycle.* (1) The prices set forth in Tables A–IV and A–V are the maximum retail prices for new tires and tubes (other than passenger car and motorcycle) of a type, size and ply listed in such tables, whether constructed from natural, synthetic or reclaimed rubber.

(2) For tires or tubes not listed in Tables A–IV and A–V, the prices set forth in brand owners' retail price lists in effect on February 1, 1944, shall be the maximum retail prices for new tires and tubes (other than passenger car and motorcycle) of the types, sizes and plies listed in such price lists.

(c) *Factory second tires and tubes.* Notwithstanding the provisions of paragraphs (a) and (b), the maximum retail prices for factory second tires and tubes shall be determined by deducting the following minimum discounts from the maximum retail price which would apply if the tire or tube were not a factory second:

	Percent
All tubes	25
Passenger car tires	25
All other tires	20

"Factory second" means a new tire or tube from which the brand name has been removed by the manufacturer or brand owner or upon which the manufacturer or brand owner has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

(d) *Tires and tubes which cannot be priced under paragraphs (a), (b) or (c).* The maximum retail price for a new tire or tube which can not be priced under paragraphs (a), (b) or (c), shall be a price consistent with the level of maximum prices otherwise fixed by this regulation, specifically authorized by the Office of Price Administration. No seller may offer for sale a tire or tube covered by this paragraph until a maximum retail price has been approved by the Office of Price Administration. Applications for maximum retail prices under this paragraph may be filed by any seller, including the manufacturer or distributor of a tire or tube. Such applications must be filed with the Office of Price Administration, Washington, D. C., and must contain the following information:

(1) A description of the tire or tube for which a maximum retail price is sought, including the type, brand name, size, number of plies and construction.

(2) A statement of the reasons why the tire or tube cannot be priced under paragraphs (a), (b), or (c) of this Appendix A.

(3) A proposed maximum retail price, a description of the proposed pricing method, and a statement of the reasons why the seller believes that the use of this method will result in a maximum retail price which is consistent with the level of maximum prices fixed by this regulation.

The Price Administrator may approve or disapprove, and may at any time after approval correct maximum retail prices proposed or established under this paragraph so as to make them consistent with the level of prices otherwise established by this regulation. If approval of a maximum wholesale price is required, application must be made in accordance with the provisions of section 7 of Revised Maximum Price Regulation 142, and in connection with the approval or correction of maximum wholesale prices under Revised Maximum Price Regulation 143, the Price Administrator may issue orders establishing maximum retail prices.

(e) *Definitions.* (1) "Truck and bus type of tire" means a tire of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

(2) "Stop-start type of tire" means a tire having an extra heavy tread of a type generally recognized as designed primarily for city commercial use on trucks or busses.

(3) "Mud and snow type of tire" means a tire having a tread of a deep-cut, cleated type generally recognized as designed primarily for "on the road" use on trucks for traction through mud, snow, sand, or soft earth.

(4) "Farm implement type of tire" means a tire which has the word "implement" or the name of a type of farm equipment, other than a tractor or combine, molded into the sidewall of the tire by the manufacturer.

(5) "Farm tractor type of tire" means a tire of a type generally recognized as designed primarily for use on the front or rear wheel of a farm tractor, including rear tires designed for use on either wide or narrow base rims.

TABLE A-I—MAXIMUM RETAIL PRICES FOR NEW SYNTHETIC RUBBER PASSENGER CAR TIRES AND TUBES

Tire and tube size [4]	4 ply tire price [5]	6 ply tire price [5]	Tube price	
2.75–18	$ 9.05	----------	$2.70	
4.00–15	8.60	----------	2.40	
4.25–12	9.80	----------	2.60	
4.40–20	----------	----------	2.60	
4.40–21	10.80	$13.45	2.80	
4.40/4.50–21	12.00	14.70	2.80	
4.40/4.50/4.75–21	12.00	14.70	2.80	
4.50–12	8.90	----------	2.60	
4.50–17	11.60	----------	----------	
4.50–20	12.45	15.50	2.80	
4.50–21	12.00	14.70	2.80	
4.50/4.75–20	12.45	----------	2.80	
4.50/4.75–21	12.00	----------	2.80	
4.50/4.75/5.00–20	13.35	15.80	2.80	
4.50/5.00–20	13.35	----------	2.80	
4.75–19	12.05	15.40	2.95	
4.75–20	12.85	15.80	2.60	
4.75–21	12.00	----------	2.60	
4.75/5.00–19	12.05	15.40	2.95	
4.75/5.00–20	13.35	----------	2.80	
4.75/5.00/5.25–21	16.85	----------	2.95	
5.00–15	11.75	----------	2.80	
5.00–16	11.65	----------	2.65	
5.00–17	12.75	----------	2.75	
5.00–19	12.35	15.40	3.95	
5.00–20	13.35	16.65	2.80	
5.00–21	12.00	----------	3.95	
5.00–22	12.45	----------	3.95	
5.00/5.25–20	16.45	----------	3.90	
5.00/5.25–21	16.95	----------	3.95	
5.25–12	----------	20.15	----------	
5.25–17	14.75	18.40	3.30	
5.25–18	12.45	16.85	2.75	
5.25–19	15.60	19.70	3.50	
5.25–20	16.45	20.50	3.90	
5.25–21	16.95	21.15	3.95	
5.25/5.50–17	14.75	18.40	3.30	
5.25/5.50–18	12.45	16.85	2.75	
5.25/5.50–19	17.05	22.30	3.50	
5.25/5.50–20	16.25	20.50	3.90	
5.50–16	14.30	17.90	3.05	
5.50–17	14.75	18.40	3.30	
5.50–18	14.40	16.85	DC 2.75 FB 3.50	
5.50–18	----------	----------		
5.50–19	17.05	22.30	3.50	
5.50–20	16.25	22.70	3.90	
5.50/6.00–17	14.75	----------	3.30	
5.50/6.00–18	15.40	----------	FB 3.50	
5.50/6.00–19	17.05	----------	3.50	
5.50/6.00–20	16.25	----------	3.90	
5.75–16	----------	----------	3.05	
6.00–16	16.05	20.10	3.65	
6.00–17	17.40	22.30	3.30	
6.00–18	18.80	23.70	DC 3.30 FB 3.50	
6.00–18	----------	----------		
6.00–19	19.25	23.60	3.50	
6.00–20	19.60	23.90	3.90	
6.00–21	20.35	25.50	3.90	
6.00–22	----------	26.10	3.90	
6.00–23	----------	26.95	3.90	
6.00–6.50–16	16.05	20.10	3.65	
6.00/6.50–17	17.40	22.30	3.30	
6.00/6.50–18	18.80	23.70	3.30	
6.00/6.50–19	----------	23.95	3.50	
6.00/6.50–20	----------	23.95	3.90	

See footnotes at end of table.

[1] 8 F.R. 13240.

[2] 7 F.R. 6961; 8 F.R. 3313, 9533, 9175, 11809; 9 F.R. 1594, 3076.

TABLE A–IV—MAXIMUM RETAIL PRICES FOR NEW TRUCK AND BUS, STOP-START AND MUD AND SNOW TRUCK TIRES AND TUBES—Continued

Tire and tube size	Stop-start size No.	Ply	Truck and bus tire price	Stop-start tire price	Mud and snow tire price	Tube price
6.50–16	11	6	$15.70	$22.05		$1.65
6.50–17	10	6	15.70	22.10	$22.00	1.65
6.00–16		6	14.80			1.65
6.00–17		6	15.80			1.65
6.00–20	14	6	19.10	26.75	26.60	1.65
6.00–20	17	10	24.00	34.40		2.75
6.50–20		6	24.80		26.60	1.65
6.50–20	13	8	24.80	34.80		2.75
7.50–20		10	34.80		36.60	2.75

[1] The maximum price of a combination size tube shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

[2] The maximum price of a 10-ply tire shall be 112½% of the maximum price of a 6-ply tire of the same size.

[3] The maximum price of a 6-ply tire shall be 107% of the maximum price of a 6-ply tire of the same size.

TABLE A–IV—MAXIMUM RETAIL PRICES FOR NEW TRUCK AND BUS, STOP-START AND MUD AND SNOW TRUCK TIRES AND TUBES

Tire and tube size	Stop-start size No.	Ply	Truck and bus tire price	Stop-start tire price	Mud and snow tire price	Tube price
6.00–24		10	$46.20		$47.80	$2.75
6.00–24		12	47.80		49.45	2.75
6.00–24		14	62.45		64.60	2.75
6.00–24		16	73.80		76.35	2.75
6.00–24		18	77.90		80.60	2.75
6.00–24		20	80.15		82.95	2.75
6.00–24		22	86.75		89.75	2.75
6.00–24		24	90.75		93.90	2.75
6.00–24		26	94.80		98.05	2.75
6.00–24		28	102.35		105.90	2.75
6.00–24		30	107.25		110.95	2.75
6.00–24		32	109.05		112.80	2.75
6.00–24		34	111.20		115.05	2.75
6.00–24		36	114.80		118.80	2.75
6.00–24		38	118.30		122.40	2.75
6.00–24		40	122.30	156.25	126.50	2.75
6.00–24		42	127.60	163.15	132.00	2.75
6.00–24		44	132.80	169.80	137.40	2.75
6.00–24		46	137.90	176.40	142.70	2.75
6.00–24		48	143.00	183.00	148.00	2.75
6.00–24		50	148.10	189.60	153.30	2.75
6.00–24		52	153.20	196.20	158.60	2.75
6.00–24		54	158.30	202.80	163.90	2.75
6.00–24		56	163.40	209.40	169.20	2.75
6.00–24		58	168.50	216.00	174.50	2.75
6.00–24		60	173.60	222.60	179.80	2.75
6.50–24		10	52.80		54.45	3.30
6.50–24		12	54.45		56.10	3.30
6.50–24		14	71.50		73.70	3.30
6.50–24		16	84.15		86.75	3.30
6.50–24		18	88.80		91.55	3.30
6.50–24		20	91.45		94.25	3.30
6.50–24		22	98.95		102.00	3.30
6.50–24		24	103.55		106.70	3.30
6.50–24		26	108.15		111.50	3.30
6.50–24		28	116.75		120.35	3.30
6.50–24		30	122.35		126.10	3.30
6.50–24		32	124.45		128.30	3.30
6.50–24		34	127.05		130.95	3.30
6.50–24		36	131.00		135.00	3.30
6.50–24		38	135.00		139.15	3.30
6.50–24		40	139.55	178.05	144.00	3.30
6.50–24		42	145.60	186.20	150.05	3.30
6.50–24		44	151.50	193.70	156.20	3.30
6.50–24		46	157.35	201.20	162.25	3.30
6.50–24		48	163.15	208.65	168.25	3.30
6.50–24		50	169.00	216.15	174.25	3.30
6.50–24		52	174.85	223.60	180.25	3.30
6.50–24		54	180.70	231.10	186.25	3.30
6.50–24		56	186.55	238.55	192.25	3.30
6.50–24		58	192.40	246.05	198.25	3.30
6.50–24		60	198.25	253.50	204.25	3.30
7.00–20	19	8	46.20	59.10	47.80	2.75
7.00–20	23	10	47.80	61.40	49.45	2.75
7.00–20		12	62.45		64.60	2.75
7.00–20		14	73.80		76.35	2.75
7.00–20		16	77.90		80.60	2.75
7.00–20		18	80.15		82.95	2.75
7.00–20		20	86.75		89.75	2.75
7.00–20		22	90.75		93.90	2.75
7.00–20		24	94.80		98.05	2.75
7.00–20		26	102.35		105.90	2.75
7.00–20		28	107.25		110.95	2.75
7.00–20		30	109.05		112.80	2.75
7.00–20		32	111.20		115.05	2.75
7.00–20		34	114.80		118.80	2.75
7.00–20		36	118.30		122.40	2.75
7.00–20		38	122.30	156.25	126.50	2.75
7.00–20		40	127.60	163.15	132.00	2.75
7.00–20		42	132.80	169.80	137.40	2.75
7.00–20		44	137.90	176.40	142.70	2.75
7.00–20		46	143.00	183.00	148.00	2.75
7.00–20		48	148.10	189.60	153.30	2.75
7.00–20		50	153.20	196.20	158.60	2.75
7.00–20		52	158.30	202.80	163.90	2.75
7.00–20		54	163.40	209.40	169.20	2.75
7.00–20		56	168.50	216.00	174.50	2.75
7.00–20		58	173.60	222.60	179.80	2.75
7.00–20		60	178.70	229.20	185.10	2.75
7.50–20	22	8	52.80	67.80	54.45	3.30
7.50–20	24	10	54.45	70.00	56.10	3.30
7.50–20		12	71.50		73.70	3.30
7.50–20		14	84.15		86.75	3.30
7.50–20		16	88.80		91.55	3.30
7.50–20		18	91.45		94.25	3.30
7.50–20		20	98.95		102.00	3.30
7.50–20		22	103.55		106.70	3.30
7.50–20		24	108.15		111.50	3.30
7.50–20		26	116.75		120.35	3.30
7.50–20		28	122.35		126.10	3.30
7.50–20		30	124.45		128.30	3.30
7.50–20		32	127.05		130.95	3.30
7.50–20		34	130.95		135.00	3.30
7.50–20		36	135.00		139.15	3.30
7.50–20		38	139.55	178.05	144.00	3.30
7.50–20		40	145.60	186.20	150.05	3.30
7.50–20		42	151.50	193.70	156.20	3.30
7.50–20		44	157.35	201.20	162.25	3.30
7.50–20		46	163.15	208.65	168.25	3.30
7.50–20		48	169.00	216.15	174.25	3.30
7.50–20		50	174.85	223.60	180.25	3.30
7.50–20		52	180.70	231.10	186.25	3.30
7.50–20		54	186.55	238.55	192.25	3.30
7.50–20		56	192.40	246.05	198.25	3.30
7.50–20		58	198.25	253.50	204.25	3.30
7.50–20		60	204.10	261.00	210.25	3.30
8.25–20	28	10	70.40	90.10	72.60	4.40
8.25–20	29	12	72.60	92.95	74.80	4.40
8.25–20		14	94.60		97.50	4.40
8.25–20		16	105.60		108.90	4.40
8.25–20		18	110.00		113.30	4.40
8.25–20		20	114.40		117.90	4.40
8.25–20		22	121.00		124.70	4.40
8.25–20		24	126.50		130.35	4.40
8.25–20		26	132.00		136.00	4.40
8.25–20		28	143.00		147.40	4.40
8.25–20		30	150.70		155.30	4.40
8.25–20		32	153.00		157.70	4.40
8.25–20		34	157.40		162.20	4.40
8.25–20		36	162.00		166.90	4.40
8.25–20		38	167.00	214.50	172.10	4.40
8.25–20		40	174.80	224.50	180.10	4.40
8.25–20		42	182.00	233.70	187.50	4.40
8.25–20		44	189.50	243.30	195.20	4.40
8.25–20		46	196.80	252.70	202.80	4.40
8.25–20		48	204.00	261.90	210.20	4.40
8.25–20		50	211.20	271.20	217.60	4.40
8.25–20		52	218.40	280.40	225.00	4.40
8.25–20		54	225.60	289.70	232.40	4.40
8.25–20		56	232.80	298.90	239.80	4.40
8.25–20		58	240.00	308.20	247.20	4.40
8.25–20		60	247.20	317.40	254.60	4.40
9.00–20	33	10	84.70	108.75	87.30	5.50
9.00–20	34	12	87.30	112.20	90.00	5.50
9.00–20		14	113.30		116.80	5.50
9.00–20		16	126.50		130.35	5.50
9.00–20		18	132.00		136.00	5.50
9.00–20		20	137.50		141.70	5.50
9.00–20		22	145.80		150.30	5.50
9.00–20		24	152.40		157.10	5.50
9.00–20		26	159.00		163.90	5.50
9.00–20		28	172.20		177.50	5.50
9.00–20		30	181.50		187.10	5.50
9.00–20		32	184.80		190.50	5.50
9.00–20		34	190.30		196.20	5.50
9.00–20		36	195.80		201.80	5.50
9.00–20		38	201.30	258.50	207.50	5.50
9.00–20		40	210.50	270.40	217.00	5.50
9.00–20		42	219.30	281.60	226.00	5.50
9.00–20		44	228.30	293.20	235.20	5.50
9.00–20		46	237.10	304.50	244.30	5.50
9.00–20		48	245.80	315.60	253.30	5.50
9.00–20		50	254.50	326.80	262.30	5.50
9.00–20		52	263.20	338.00	271.20	5.50
9.00–20		54	271.90	349.10	280.20	5.50
9.00–20		56	280.60	360.30	289.10	5.50
9.00–20		58	289.30	371.50	298.10	5.50
9.00–20		60	298.00	382.70	307.10	5.50
10.00–20	36	12	113.30	145.50	116.80	7.15
10.00–20	37	14	126.50	162.40	130.35	7.15
10.00–20		16	132.00		136.00	7.15
10.00–20		18	137.50		141.70	7.15	

repairs needed by the tubes being sold. In the case of unrepaired used special purpose tubes, the seller shall deduct the total of his maximum prices for the repairs needed by the tube being sold. However, the maximum prices of unrepaired tubes shall in no case be less than the prices set forth in Table B–VIII.

(f) *Maximum prices where minimum quality specifications are not met.* (1) The maximum prices for sound used tires and tubes which have been made sound by repairs, apply only when the repairing complies with the minimum quality specifications set forth in Appendix E.

(2) If any such repair does not comply with the minimum quality specifications in Appendix E, then as to the repair which does not so comply, the tire or tube shall be considered an unrepaired used tire or tube and shall be priced as such under paragraph (b) or (e).

(g) *Sales on a per ton basis.* (1) The maximum prices fixed by the other paragraphs of this appendix are on a per tire or tube basis. Used tires and tubes may not be sold at a bulk price unless the seller has applied for and received approval under this paragraph (g) to make sales of used tires or tubes at per ton prices.

(2) A seller who wishes to sell used tires on a per ton basis, or used tubes on a per ton basis, must file with the Office of Price Administration, Washington, D. C., an application for approval of his proposed per ton price. (NOTE: This paragraph applies only to used tires or tubes and no applications will be approved under this paragraph for sales of mixed lots of used and scrap tires or tubes. Sales of mixed lots of scrap and used tires or tubes shall be considered sales of scrap tires or tubes if the used tires or tubes are not segregated from the scrap.) The application must include the following information:

(i) A statement as to whether his application covers used tires or used tubes, and the source of supply of the used tires or tubes.

(ii) The number of tons involved, and the number and percent in weight of passenger car tires or tubes, and the number and percent in weight of truck and bus tires or tubes.

(iii) For passenger car sizes, the percent usable as is, and the percent which can be made usable with repairs.

(iv) For truck and bus sizes, the range of sizes, the predominating size or sizes, the percent usable as is, and the percent which can be made usable with repairs.

(v) The proposed per ton price, and the reasons why the seller believes such price is consistent with the level of maximum prices fixed by this appendix.

(3) The maximum per ton price under this paragraph shall be a price consistent with the level of maximum prices fixed by this appendix, specifically approved by the Office of Price Administration. The seller may not offer to sell used tires or used tubes at a per ton price (unless specifically authorized to do so by the Office of Price Administration) until the Office of Price Administration has approved a maximum per ton price. The proposed maximum price, however, shall be deemed to be approved unless within twenty days after the mailing of the application (or within twenty days after the mailing of any additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum per ton price has been disapproved or that action thereon has been deferred pending receipt of further information. Within this period, the Office of Price Administration may, if it is deemed necessary, have an inspection of the used tires or used tubes made by one of its representatives. The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices proposed or established under this paragraph so as to make them consistent with the level of maximum prices fixed by this appendix.

(h) *Definitions.* (1) "Tires with continuous tread design" mean tires not worn smooth for four or more consecutive inches in any direction, except regrooved and remolded tires.

(2) "Smooth tires" mean tires worn smooth for four or more consecutive inches in any direction, but not worn to the breaker strip at any point, and regrooved and remolded tires.

(3) "Basic tire carcasses" mean tires which should be recapped. Tires that should be recapped are:

(i) Worn to breaker strip at any point.

(ii) If passenger car tires, not worn through more than one body ply at any point. Moreover, if worn into body ply, the worn spot must not exceed a total length of four inches in any direction.

(iii) If truck or bus tires, not worn through more than two body plies at any point. Moreover, if worn into body plies, the worn spot must not exceed a total length of four inches in any direction.

(4) "Unsound tires" include tires which have any of the following:

(i) Fly separation.

(ii) Broken or exposed bead wires.

(iii) Breaks in the bead reinforcement plies.

(iv) Breaks or cuts in the carcass longer than half the width of the tire cross section.

(5) "Spot repair" means a vulcanized repair which in accordance with recognized commercial practice is applied to such tire damage as: surface blisters, cuts, and other injuries which can be satisfactorily repaired without fabric reinforcement, small injuries to not more than one ply in a four ply tire and to not more than two plies in a six ply tire; small injuries to not more than one-fourth of the total plies in heavier tires.

(6) "Reinforcement repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as worn tread spots or other injuries which involved ply damage exceeding that to which a spot repair should be applied but where as least two of the plies are sound and uninjured.

(7) "Sectional repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as breaks or cuts through the entire tire casing, nail holes enlarged by prolonged neglect, or other injuries which do not leave two of the plies sound and uninjured and thus involve ply damage exceeding that to which a reinforcement repair should be applied.

TABLE B-I—USED PASSENGER CAR TIRES, OTHER THAN BASIC TIRE CARCASSES, THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size[1]	Maximum prices for sound tires		Deductions required on unrepaired tires	
	Tires with continuous tread design	Smooth tires	Each spot repair needed	Each sectional or reinforcement repair needed
3.75–18	$3.65	$2.75	$1.50	$2.25
4.00–18	3.90	2.75	1.50	2.25
4.00–19	4.05	2.75	1.50	2.25
4.25–12	3.65	2.75	1.50	2.25
4.40–21	4.05	3.00	1.50	2.25
4.50–12	4.10	2.75	1.50	2.25
4.50–20	4.05	3.00	1.50	2.25
4.50–21	4.05	3.00	1.50	2.25
4.75–19	4.05	3.00	1.50	2.25

[1] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

TABLE B-II—USED PASSENGER CAR BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size[1]	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses	
		Each spot repair needed	Each sectional or reinforcement repair needed
3.75–18	$2.75	$0.90	$1.70
4.00–18	2.75	.90	1.70
4.00–19	2.75	.90	1.70
4.25–12	2.75	.90	1.70
4.40–21	2.75	.90	1.70
4.50–12	2.75	.90	1.70
4.50–20	2.75	.90	1.70
4.50–21	2.75	.90	1.70
4.75–19	3.20	.95	2.00
4.75–20	3.20	.95	2.00
4.75–21	3.20	.95	2.00
5.00–15	3.20	.95	2.00
5.00–16	3.20	.95	2.00
5.00–17	3.20	.95	2.00
5.00–19	3.20	.95	2.00
5.00–20	3.20	.95	2.00
5.00–21	3.20	.95	2.00
5.00–22	3.20	.95	2.00
5.25–17	3.20	.95	2.00
5.25–18	3.20	.95	2.00
5.25–19	3.20	.95	2.00
5.25–20	3.20	.95	2.00
5.25–21	3.20	.95	2.00
5.50–16	3.20	.95	2.00
5.50–17	3.20	.95	2.00

[1] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

TABLE B-I—USED PASSENGER CAR TIRES, OTHER THAN BASIC TIRE CARCASSES, THAT ARE SOUND OR THAT CAN BE MADE SOUND—Continued

Tire size	Maximum prices for sound tires		Deductions required on unrepaired tires	
	Tires with continuous tread design	Smooth tires	Each spot repair needed	Each sectional or reinforcement repair needed
4.75–20	$4.05	$3.00	$1.50	$2.50
4.75–21	4.05	3.00	1.50	2.50
5.00–15	4.05	3.25	1.50	2.75
5.00–16	4.00	3.20	1.50	2.75
5.00–17	5.25	3.50	1.50	2.75
5.00–19	4.05	3.20	1.50	2.75
5.00–20	4.05	3.20	1.50	2.75
5.00–21	4.05	3.20	1.50	2.75
5.00–22	5.20	3.45	1.50	2.75
5.25–17	5.25	3.45	1.50	2.95
5.25–18	5.55	3.70	1.50	2.95
5.25–19	5.75	4.55	1.50	2.95
5.25–20	6.00	4.55	1.50	2.95
5.25–21	6.75	4.50	1.50	2.95
5.50–16	5.90	3.65	1.50	3.20
5.50–17	6.10	4.05	1.50	3.20
5.50–18	5.55	3.70	1.50	3.20
5.50–19	6.75	4.50	1.50	3.20
5.50–20	6.00	4.55	1.50	3.20
6.00–16	6.65	4.45	1.50	3.50
6.00–17	7.30	4.90	1.50	3.50
6.00–18	7.75	5.30	1.50	3.50
6.00–19	6.60	5.75	1.50	3.50
6.00–20	9.05	6.45	1.50	3.50
6.00–21	6.60	5.75	1.50	3.50
6.00–22	8.60	5.85	1.50	3.50
6.00–23	9.00	6.00	1.50	3.50
6.25–16	7.45	5.00	1.70	3.75
6.50–15	7.90	5.25	1.70	3.85
6.50–16	8.05	5.35	1.70	3.85
6.50–17	8.70	5.80	1.70	3.85
6.50–18	7.75	5.20	1.70	3.85
6.50–19	8.60	5.75	1.70	3.85
6.50–20	9.05	6.45	1.70	3.85
7.00–15	8.95	5.95	1.70	4.35
7.00–16	9.15	6.10	1.70	4.35
7.00–17	12.20	8.20	1.70	4.35
7.00–18	10.45	7.00	1.70	4.35
7.00–19	12.35	8.20	1.70	4.35
7.00–20	10.60	7.05	1.70	4.35
7.00–21	9.05	6.00	1.70	4.35
7.50–14	10.00	7.05	2.00	5.10
7.50–15	11.10	7.40	2.00	5.10
7.50–16	11.60	7.75	2.00	5.10
7.50–17	16.70	11.15	2.00	5.10
7.50–18	10.45	7.00	2.00	5.10
7.50–19	12.35	8.20	2.00	5.10
8.25–15	13.65	8.45	2.90	6.55
8.25–16	16.75	11.20	2.90	6.55

TABLE B-II—USED PASSENGER CAR BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND—Continued

Tire size[1]	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses	
		Each spot repair needed	Each sectional or reinforcement repair needed
5.50–18	$3.20	$0.95	$2.00
5.50–19	3.20	.95	2.00
5.50–20	3.20	.95	2.00
6.00–16	3.20	.95	2.00
6.00–17	3.20	.95	2.00
6.00–18	3.20	.95	2.00
6.00–19	3.20	.95	2.00
6.00–20	3.20	.95	2.00
6.00–21	3.20	.95	2.00
6.00–22	3.20	.95	2.00
6.00–23	3.20	.95	2.00
6.25–16	3.20	.95	2.00
6.50–15	3.20	.95	2.00
6.50–16	3.20	.95	2.00
6.50–17	3.20	.95	2.00
6.50–18	3.20	.95	2.00
6.50–19	3.20	.95	2.00

TABLE B–II—USED PASSENGER CAR BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND—Continued

Tire size	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses	
		Each spot repair needed	Each sectional or reinforcement repair needed
5.50–16	$3.30	$0.95	$2.00
5.50–19	3.30	.95	2.00
5.50–20	3.30	.95	2.00
6.00–16	3.50	1.00	2.20
6.00–17	3.50	1.00	2.20
6.00–18	3.50	1.00	2.20
6.00–19	3.50	1.00	2.20
6.00–20	3.50	1.00	2.20
6.00–21	3.50	1.00	2.20
6.00–22	3.50	1.00	2.20
6.00–23	3.50	1.00	2.20
6.25–16	4.00	1.15	2.45
6.50–15	4.00	1.15	2.45
6.50–16	4.00	1.15	2.45
6.50–17	4.00	1.15	2.45
6.50–18	4.00	1.15	2.45
6.50–19	4.00	1.15	2.45

TABLE B–II—USED PASSENGER CAR BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND—Continued

Tire size	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses	
		Each spot repair needed	Each sectional or reinforcement repair needed
6.00–20	$4.00	$1.15	$2.45
7.00–15	4.55	1.25	2.80
7.00–16	4.55	1.25	2.80
7.00–17	4.55	1.25	2.80
7.00–18	4.55	1.25	2.80
7.00–19	4.55	1.25	2.80
7.00–20	4.55	1.25	2.80
7.00–21	4.55	1.25	2.80
7.50–14	5.25	1.40	3.25
7.50–15	5.25	1.40	3.25
7.50–16	5.25	1.40	3.25
7.50–17	5.25	1.40	3.25
7.50–18	5.25	1.40	3.25
7.50–19	5.25	1.40	3.25
8.25–15	6.55	1.60	4.25
8.25–16	6.55	1.60	4.25

TABLE B–IV—USED TRUCK AND BUS BASIC TIRE CARCASSES THAT ARE SOUND OR THAT CAN BE MADE SOUND.

Tire size	Ply	Maximum prices for sound basic tire carcasses	Deductions required on unrepaired basic tire carcasses		
			Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
6.00–16	6	$4.50	$1.20	$2.80	$1.65
6.00–17	6	4.50	1.20	2.80	1.65
6.00–20	6	4.50	1.20	2.80	1.65
6.00–20 (30 x 5)	8	6.00	1.30	3.50	2.35
6.50–16	6	4.75	1.30	2.90	1.95
6.50–17	6	4.75	1.30	2.90	1.95
6.50–20	6	4.75	1.30	2.90	1.95
6.50–20 (32 x 6)	8	6.00	1.30	3.65	2.55
7.00–15	6	5.00	1.50	3.10	2.05
7.00–16	6	5.00	1.50	3.10	2.05
7.00–17	6	5.00	1.50	3.10	2.05
7.00–17	8	6.00	1.50	4.10	2.75
7.00–18	8	6.00	1.50	4.10	2.75
7.00–20	8	6.00	1.50	4.10	2.75
7.00–20 (32 x 6)	10	8.40	1.50	5.15	3.45
7.00–24 (36 x 6)	10	7.75	1.50	5.15	3.45
7.50–15	10	7.75	1.70	5.45	3.65
7.50–16	6	5.50	1.70	3.25	2.15
7.50–16	8	6.50	1.70	4.25	2.85
7.50–17	8	6.50	1.70	4.25	2.85
7.50–18	8	6.50	1.70	4.25	2.85
7.50–18 (32 x 7)	10	8.00	1.70	5.45	3.65
7.50–20	8	7.20	1.70	4.25	2.85
7.50–20 (34 x 7)	10	9.60	1.70	5.45	3.65
7.50–20 (34 x 7)	12	10.20	1.70	6.45	4.30
7.50–24 (38 x 7)	10	8.00	1.70	5.45	3.65
8.25–15	10	9.00	2.00	6.40	4.25
8.25–18	10	10.80	2.00	6.40	4.25
8.25–20	10	10.80	2.00	6.40	4.25
8.25–20	12	10.80	2.00	6.85	4.55
8.25–22	10	10.80	2.00	6.40	4.25
8.25–24	10	10.80	2.00	6.40	4.25
9.00–13	6	6.50	2.30	3.75	2.30
9.00–15	12	12.00	2.30	7.20	4.80
9.00–18	10	12.00	2.30	6.85	4.55
9.00–20	10	12.00	2.30	6.85	4.55
9.00–20 (36 x 8)	12	12.00	2.30	7.20	4.80
9.00–22	10	12.00	2.30	6.85	4.55
9.00–24	10	12.00	2.30	6.85	4.55
9.00–24 (40 x 8)	12	12.00	2.30	7.20	4.80
10.00–15 (9.75–15)	12	13.20	2.90	7.70	5.15
10.00–18 (9.75–18)	12	13.20	2.90	7.70	5.15
10.00–20 (9.75–20)	12	13.20	2.90	7.70	5.15
10.00–20 (38 x 9)	14	13.20	2.90	8.95	5.95
10.00–22 (9.75–22)	12	13.20	2.90	7.70	5.15
10.00–24 (9.75–24)	12	13.20	2.90	7.70	5.15
11.00–20 (10.50–20)	12	14.40	3.10	8.40	5.60
11.00–20	14	14.40	3.10	9.25	6.15
11.00–22 (10.50–22)	13	14.40	3.10	8.40	5.60
11.00–24 (10.50–24)	12	14.40	3.10	8.40	5.60
12.00–20 (11.25–20)	14	16.80	3.50	11.20	7.45
12.00–20 (40 x 10)	16	16.80	3.50	11.65	7.90
12.00–24 (11.25–24)	14	16.80	3.50	11.20	7.45
12.00–24 (44 x 10)	16	18.00	3.50	11.65	7.90
13.00–20 (12.75–20)	16	18.00	3.80	12.80	8.35
13.00–24 (12.75–24)	16	18.00	3.80	12.80	8.34
14.00–20 (13.50–20)	16	19.20	4.25	13.00	8.65
14.00–24 (13.50–24)	16	19.20	4.25	13.00	8.65

TABLE B–III—USED TRUCK AND BUS TIRES, OTHER THAN BASIC TIRE CARCASSES, THAT ARE SOUND OR THAT CAN BE MADE SOUND

Tire size	Ply	Maximum prices for sound tires		Deductions required on unrepaired tires		
		Tires with continuous tread design	Smooth tires	Each spot repair needed	Each sectional repair needed	Each reinforcement repair needed
6.00–16	6	$9.45	$6.30	$2.05	$4.05	$2.95
6.00–17	6	10.45	7.00	2.05	4.05	2.95
6.00–20	8	10.80	7.20	2.05	4.05	4.85
6.00–20 (30 x 5)	8	12.45	8.30	2.05	5.05	4.00
6.50–16	6	10.90	7.25	2.75	5.75	4.00
6.50–17	6	11.90	7.90	2.75	5.75	4.00
6.50–20	6	12.60	8.40	2.75	5.75	4.00
6.50–20 (32 x 6)	8	15.90	10.60	2.75	7.80	6.00
7.00–15	6	12.80	8.50	3.00	6.95	5.55
7.00–16	6	13.05	8.70	3.00	6.95	5.55
7.00–17	6	14.85	9.90	3.00	6.95	5.55
7.00–17	8	16.00	10.65	3.00	8.15	6.50
7.00–18	8	16.10	10.75	3.00	8.15	6.50
7.00–20	8	16.40	10.90	3.00	8.15	6.50
7.00–20 (32 x 6)	10	21.40	14.25	3.00	9.25	7.40
7.00–24 (36 x 6)	10	24.80	16.55	3.00	9.25	7.40
7.50–15	10	24.90	16.60	4.15	10.70	8.55
7.50–16	6	16.30	10.90	4.15	8.05	6.40
7.50–16	8	17.95	11.95	4.15	9.05	7.25
7.50–17	8	19.50	13.00	4.15	9.05	7.25
7.50–18	8	20.80	13.90	4.15	9.05	7.25
7.50–18 (32 x 7)	10	27.95	18.65	4.15	10.70	8.55
7.50–20	8	21.40	14.30	4.15	9.05	7.25
7.50–20 (34 x 7)	10	28.55	19.00	4.15	10.70	8.55
7.50–20 (34 x 7)	12	32.80	21.85	4.15	11.95	9.55
7.50–24 (38 x 7)	10	32.00	21.35	4.15	10.70	8.55
8.25–15	10	30.85	20.55	5.50	11.80	9.20
8.25–18	10	29.60	19.75	5.50	11.80	9.20
8.25–20	10	30.45	20.30	5.50	11.80	9.20
8.25–20	12	35.05	23.35	5.50	12.75	10.20
8.25–22	10	32.60	21.70	5.50	11.80	9.20
8.25–24	10	34.40	22.90	5.50	11.80	9.20
9.00–13	6	15.45	10.25	5.75	10.05	8.05
9.00–15	12	33.65	25.75	5.75	13.75	11.00
9.00–18	10	35.15	23.45	5.75	12.45	9.95
9.00–20	10	36.35	24.25	5.75	12.45	9.95
9.00–20 (36 x 8)	12	42.55	28.35	5.75	15.75	11.00
9.00–22	10	38.15	25.45	5.75	12.45	9.95
9.00–24	10	39.05	26.45	5.75	12.45	9.95
9.00–24 (40 x 8)	12	45.45	30.30	5.75	13.75	11.00
10.00–15 (9.75–15)	12	43.60	29.05	7.80	15.75	12.60
10.00–18 (9.75–18)	12	44.80	29.95	7.80	15.75	12.60
10.00–20 (9.75–20)	12	46.05	30.70	7.80	15.75	12.60
10.00–20 (38 x 9)	14	55.45	36.95	7.80	16.35	13.10
10.00–22 (9.75–22)	12	48.55	32.35	7.80	15.75	12.60
10.00–24 (9.75–24)	12	49.90	33.25	7.80	15.75	12.60
11.00–20 (10.50–20)	12	54.25	36.15	7.80	16.25	13.00
11.00–20	14	65.30	43.55	7.80	18.00	14.40
11.00–22 (10.50–22)	12	57.40	38.25	7.80	16.25	13.00
11.00–24 (10.50–24)	12	59.50	39.65	7.80	16.25	13.00
12.00–20 (11.25–20)	14	71.15	47.45	8.60	22.65	18.10
12.00–20 (40 x 10)	16	82.45	55.00	8.60	27.80	21.85
12.00–24 (11.25–24)	14	76.20	50.80	8.60	22.65	18.10
12.00–24 (44 x 10)	16	88.40	58.95	8.60	27.80	21.85
13.00–20 (12.75–20)	16	98.55	65.70	9.40	30.45	24.35
13.00–24 (12.75–24)	16	107.65	71.80	9.40	30.45	24.35
14.00–20 (13.50–20)	16	108.65	72.45	9.95	33.80	26.80
14.00–24 (13.50–24)	16	115.25	76.85	9.95	33.80	26.80

TABLE B–V—UNBOUND USED TIRES

Type and size	Maximum Price
Passenger car:	
All sizes	$0.25
Truck and bus:	
7.00–18 and smaller	.50
7.00–20 (32x6) through 8.25–18	.75
8.25–20 through 10.00–18 (9.75–18)	1.25
10.00–20 (9.75–20) through 11.00–24 (10.50–24)	1.50
12.00–20 (11.25–20) through 13.00–24 (12.75–24)	2.00
14.00–20 through 14.00–24	3.00

TABLE B-VI—USED TUBES, OTHER THAN SPECIAL PURPOSE TUBES

Type and size	Maximum prices for sound tubes	Deductions required on unrepaired tubes	
		For each repair of one inch or less, including pin and nail holes	Additional deduction for each lineal inch of repair over one inch
Passenger car:			
7.00 and smaller	$1.50	$0.50	$0.25
7.50 and larger	1.50	1.00	.50
Truck and bus:			
6.00-16	2.00	.50	.25
6.00-17/6.50-17	2.00	.50	.25
6.00-20/30 x 5	2.00	.50	.25
6.50-16	2.00	.50	.25
6.50-20/32 x 6-6"	2.00	.50	.25
7.00-15	2.00	.50	.25
7.00-16	2.00	.50	.25
7.00-17/7.50-17	2.00	.50	.25
7.00-18	2.00	.50	.25
7.00-20/32 x 6-6"	2.70	.50	.25
7.00-24/36 x 6	2.70	.50	.25
7.50-15	2.70	1.00	.50
7.50-16	2.80	1.00	.50
7.50-18/32 x 7	2.90	1.00	.50
7.50-20/34 x 7	2.95	1.00	.50
7.50-24/38 x 7	2.95	1.00	.50
8.25-15	3.90	1.00	.50
8.25-16	4.00	1.00	.50
8.25-20	4.05	1.00	.50
8.25-22	4.25	1.00	.50
8.25-24	4.45	1.00	.50
9.00-15	4.70	1.00	.50
9.00-16	4.70	1.00	.50
9.00-18	4.70	1.00	.50
9.00-20/36 x 8	4.70	1.00	.50
9.00-22	4.90	1.00	.50
9.00-24/40 x 8	5.15	1.00	.50
10.00-15	4.75	1.00	.50
10.00-18	4.90	1.00	.50
10.00-20 (9.75-20)/38 x 8	5.00	1.00	.50
10.00-22 (9.75-22)	5.20	1.00	.50
10.00-24 (9.75-24)	5.35	1.00	.50
11.00-20 (10.50-20)	5.00	1.00	.50
11.00-22 (10.50-22)	6.40	1.00	.50
11.00-24 (10.50-24)	7.10	1.00	.50
12.00-20 (11.25-20)	5.00	1.00	.50
12.00-24 (11.25-24)	5.00	1.00	.50
13.00-20 (12.75-20)	10.80	1.00	.50
13.00-24 (12.75-24)	11.90	1.00	.50
14.00-20 (13.50-20)	12.80	1.00	.50
14.00-24 (13.50-24)	14.00	1.00	.50

TABLE B-VII—USED SPECIAL PURPOSE TUBES[1]

Tube size:	Maximum prices
4.00-18	$2.00
4.00-19	3.10
4.50-18	3.30
4.50-19	3.40
4.75-19	4.15
4.40/4.50/4.75-21	4.60
5.00-16	3.40
4.75/5.00/5.25-19	4.75
5.00/5.25-17	4.50
5.25-17	4.80
5.25-18	4.95
5.50-16	4.70
5.50-17	5.05
5.50/6.00-17	5.45
5.50/6.00-18	5.60
5.50/6.00-19	5.65
5.50/6.00-20 (30 x 5)	8.05
6.00-16	5.45
6.00-20 (30 x 5)	6.70
6.25-16	6.00
6.00-6.25-16	5.45
6.50-15	6.40
6.50-16	6.60
6.50-20 (32 x 6 TT)	7.70
6.25/6.50-16	6.00
7.00-15	6.40
7.00-16	6.70
7.00-17	6.90
7.00-18	7.05
7.00-20 (32 x 6)	8.60
7.00-24	10.25
6.50/7.00-17	7.15
6.50/7.00-18	7.15

[1] Special purpose tube means any rubber tube of the following brands produced by the following manufacturers:

TABLE B-VII—USED SPECIAL PURPOSE TUBES—Continued

Tube size—Continued	Maximum prices
7.50-15	$7.05
7.50-16	7.20
7.50-17	7.50
7.50-18 (32 x 7)	7.75
7.50-20 (34 x 7)	11.55
7.50-24 (38 x 7)	12.45
7.00/7.50-17	8.55
8.25-16	8.30
8.25-18	11.60
8.25-20	12.25
8.25-22	13.45
8.25-24 (40 x 8)	14.45
9.00-18	14.00
9.00-20 (36 x 8)	14.25
9.00-22	15.50
9.00-24 (40 x 8)	16.70
9.75-20	14.60
9.75-22	15.50

TABLE B-VII—USED SPECIAL PURPOSE TUBES—Continued

Tube size—Continued	Maximum prices
9.75-24	$16.70
9.75/10.00-20 (36 x 9)	14.60
9.75/10.00-22	15.50
9.75/10.00-24 (42 x 9)	16.70
10.50-20	16.30
10.50-22	17.40
10.50-24	18.10
10.50/11.00-18	15.45
10.50/11.00-20 (40 x 10)	16.40
10.50/11.00-22	17.50
10.50/11.00-24 (44 x 10)	18.20
11.25-24	18.50
11.25/12.00-18	17.00
11.25-12.00-24	19.00
12.00-24	20.00
12.75-24	21.75
13.00-24	23.00
12.75/13.00-24	23.00

Brand name	Manufacturer
Puncture Proof	The Firestone Tire & Rubber Co.
Life Protectors	The Firestone Tire & Rubber Co.
Puncture Proof	The General Tire & Rubber Co.
Retain-Air	The General Tire & Rubber Co.
Seal-O-Matic	The B. F. Goodrich Co.
Air Container	The B. F. Goodrich Co.
Quick Seal	The B. F. Gobdrich Co. (Brunswick tires and tubes).
Quick Seal	The B. F. Goodrich Co. (Diamond tires and tubes).
Quick Seal	The B. F. Goodrich Co. (Hood tires and tubes).
Quick Seal	The B. F. Goodrich Co. (Miller tires and tubes).
Puncture Seal	The Goodyear Tire & Rubber Co.
Life Guards	The Goodyear Tire & Rubber Co.
Air-Core	The Kelly-Springfield Tire Co.
Puncture Sealing	The Polson Rubber Co.
Sealed-Air	Seiberling Rubber Co.
Master Seal	United States Rubber Co.

TABLE B-VIII

Size	Special purpose tubes	All tubes other than special purpose
Passenger car:		
All sizes	$0.75	$0.30
Truck and bus:		
7.00-15 and smaller	.90	.35
7.00-20 (32 x 6) through 9.25-18	1.50	.60
9.25-20 through 10.00-18 (9.75-18)	2.25	.75
10.00-20 (9.75-20) through 11.00-24 (10.50-24)	2.75	.95
12.00-20 (11.25-20) through 13.00-24 (12.75-24)	3.50	1.15
14.00-20 through 14.00-24		1.50

APPENDIX C—MAXIMUM PRICES FOR RECAPPED TIRES AND RECAPPING

(a) *Retail sales (to a buyer for his use and not for resale)*—(1) *By seller who actually did the recapping*—(i) *Recapping (tire carcass furnished by buyer.)* The maximum prices for recapping tires are the prices set forth in Tables C-I to C-VI, inclusive, for the applicable recapping operations.

(ii) *Recapped tires (tire carcass furnished by seller.)* The maximum price for the sale of a recapped tire is the sum of the maximum price for the applicable recapping operation plus the maximum price set forth in Tables C-I to C-VI, inclusive, for the particular tire carcass which is furnished by the seller.

(2) *By seller who did not do the recapping*—(i) *Recapping (tire carcass furnished by buyer).* The seller may add to the maximum price fixed by (1) above for this type of sale, the actual transportation expense paid by him in having the tire recapped. If the seller transports the tire himself, he may add to the maximum price fixed by (1), an amount not exceeding the cost of transportation by the common carrier having the lowest rate between the seller's and the actual recapper's shipping points. Where more than one tire is involved in a shipment, each tire may be charged only with its proportionate share of the total transportation expense incurred by the seller, and the total of the amounts added for transportation of all the tires in a shipment shall not exceed the total transportation expense of the seller for that shipment. The amount added for transportation expense must be stated separately from the maximum price.

(ii) *Recapped tires (tire carcass furnished by the seller).* The maximum prices are those fixed by (1) for this type of sale, and no additional charge may be made for transportation expenses.

(b) *Wholesale sales (to a buyer for resale)*—(1) *Discounts*—(i) *Recapping (tire carcass furnished by buyer).* The maximum wholesale price for recapping a tire shall be determined by deducting from the applicable maximum prices set forth in Tables C-I to C-VI, inclusive, a discount of at least 20 percent. If the seller had in effect on February 1, 1944, to a buyer of the same class for the same type of recapping a percentage discount greater than 20 percent, he must deduct a percentage discount at least as large as he had in effect on February 1, 1944, to that class of buyer. However, in no case is a discount greater than 35 percent required. If the seller did not have any percentage discount in effect on February 1, 1944, to a buyer of the same class for the same type of recapping, he must determine his percentage discount under subparagraph (2) below.

(ii) *Recapped tires (tire carcass furnished by seller).* The maximum wholesale price for a recapped tire shall be the maximum price for the recapping service supplied as calculated under (i) above, plus the maximum price set forth in Tables C-I to C-VI, inclusive, for the particular tire carcass which is furnished by the seller. The discount required under (i) above shall not apply to the maximum price for the tire carcass.

(2) *Transportation expenses.* No seller shall require any buyer and no buyer shall be permitted to pay a larger proportion of transportation expense than the seller required buyers of the same class to pay during February 1944 in connection with the delivery of tires for recapping and of recapped tires.

(3) *Sellers who cannot apply (1) or (2) above.* The percentage discounts to be deducted under (1) above, and the proportion of transportation expense to be borne under (2) above, by a seller who cannot make these determinations in accordance with (1) and (2), shall be consistent with those established by this regulation for competitive sellers in the same locality, specifically approved upon application by the seller to the appropriate District Office of the Office of Price Administration. The Price Administrator or any Regional Administrator, or any District Director so authorized by his Regional Administrator, may approve or disapprove and may, at any time after approval, correct discount and transportation provisions proposed or established under this subparagraph (3) so as to bring them into line with the level of such provisions otherwise fixed by this regulation.

(c) *Maximum prices where minimum quality specifications are not met.* (1) The maximum prices fixed by paragraphs (a) and (b) apply only when the recapping of a tire carcass furnished by the buyer of the recapped tire (tire carcass furnished by the seller) comply with the minimum quality specifications set forth in Appendix E.

(2) No charge may be made for recapping a tire carcass furnished by the buyer when the recapping does not comply with the minimum quality specifications in Appendix E.

(3) The maximum price for a recapped tire which does not comply with the minimum quality specifications in Appendix E shall be the maximum price which that tire would have as a used tire under Appendix B if it had not been recapped.

(d) *Definitions.* (1) "Grades A, C, and F camelback" mean camelback which complies with the specifications issued by the War Production Board for Grades A, C, and F camelback, respectively.

(2) "Passenger car type of tread" includes any tread of a type generally recognized as designed primarily for use on passenger automobiles.

(3) "Studded ground-grip type of tread" is a passenger car type of tread and includes any such tread designed for traction through mud, snow, sand, or soft ground.

(4) "Stop-start type of tread" must have at least 1⅔₂ inch tread design depth at the center circumference of the tire and must contain at least as much rubber in the undertread as, and a tread design depth at the center circumference of the tire which is at least ⅔₂ inch deeper than, the conventional truck and bus type of tread of the same recapper for the same size of tire. Stop-start type of tread includes any such extra heavy tread of a type generally recognized as designed primarily for city commercial use on trucks or busses.

(5) "Conventional truck and bus type of tread" includes any tread of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

(6) "Ground-grip type of tread" must contain at least as much rubber in the undertread and have a tread design depth at the center circumference of the tire which is at least ⅔₂ inch deeper than the conventional truck and bus type of tread of the same recapper for the same size of tire. Ground-grip type of tread includes any such tread of a deep-cut, cleated type generally recognized as designed primarily for use on trucks for traction through mud, snow, sand, or soft ground.

(7) "Road grader type of tread" includes any tread of a type generally recognized as designed primarily for "off the pavement" use on the power driven wheels of highway maintenance and road construction machinery for traction through mud, snow, sand, or soft earth.

(8) "Earth mover type of tread" includes any tread of a type generally recognized as designed primarily for providing flotation in soft earth for "off the road" use on earth moving vehicles.

(9) "Rock service type of tread" includes any extra heavy tread of a type generally recognized as designed primarily for heavy duty service on rocks or gravel in such work as earth hauling, quarrying, logging, and road building.

(10) "Farm tractor type of tread" includes any tread of a type generally recognized as designed primarily for use on farm tractors.

(11) "Rice and cane special service type of tread" includes any deep-cut, high cleated tread of a type generally recognized as designed primarily for use in muck and water.

(12) "Motorcycle type of tread" includes any tread of a type generally recognized as designed primarily for use on motorcycles.

TABLE C-I—PASSENGER CAR TYPE OF TREAD, INCLUDING STUDDED GROUND GRIP

Tire size [1]	Maximum prices for recapping, when the tire carcass is furnished by the buyer			Maximum price for a tire carcass furnished by the seller
	When applying Grade A Camelback	When applying Grade C Camelback	When applying Grade F Camelback or any rubber other than Grade A or Grade C Camelback	
4.75-18	$4.85	$4.35	$4.25	$2.75
4.25-12	4.50	4.30	4.20	2.75
4.40-21	4.75	4.55	4.45	2.75
4.50-20	4.85	4.60	4.50	2.75
4.50-21	5.20	5.00	4.85	2.75
4.75-19	5.30	5.10	4.95	3.20
4.75-20	5.50	5.25	5.10	3.20

[1] The maximum price for a combination size shall be the same as the maximum price of that size in the combination which has the highest maximum price as an individual size.

TABLE C-I—PASSENGER CAR TYPE OF TREAD, INCLUDING STUDDED GROUND GRIP—Continued

Tire size	Maximum prices for recapping, when the tire carcass is furnished by the buyer			Maximum price for a tire carcass furnished by the seller
	When applying Grade A Camelback	When applying Grade C Camelback	When applying Grade F Camelback or any rubber other than Grade A or Grade C Camelback	
5.00-16	$5.40	$5.20	$5.00	$3.20
5.00-17	5.60	5.40	5.20	3.20
5.00-19	6.05	5.80	5.60	3.20
5.00-20	6.25	6.00	5.80	3.20
5.00-21	6.45	6.20	6.00	3.20
5.25-17	6.00	5.75	5.60	3.20
5.25-18	6.25	6.10	5.90	3.20
5.25-19	6.40	6.15	5.95	3.20
5.25-20	6.70	6.45	6.25	3.20
5.25-21	6.90	6.60	6.40	3.20
5.50-16	6.45	6.20	6.00	3.20
5.50-17	6.55	6.30	6.10	3.20
5.50-18	7.15	6.85	6.65	3.20
5.50-19	7.40	7.05	6.85	3.20
5.50-20	7.50	7.15	6.95	3.20
6.00-16	7.00	6.70	6.50	3.50
6.00-17	7.90	7.60	7.35	3.50
6.00-18	8.50	8.15	7.90	3.50
6.00-19	8.80	8.45	8.20	3.50
6.00-20	8.95	8.55	8.45	3.50
6.00-21	9.45	9.05	8.75	3.50
6.25-16	7.70	7.40	7.15	4.00
6.50-15	8.05	7.70	7.45	4.00
6.50-16	8.15	7.80	7.55	4.00
6.50-17	9.45	9.05	8.75	4.00
6.50-18	9.60	9.20	8.90	4.00
6.50-19	9.70	9.30	9.00	4.00
6.50-20	9.80	9.35	9.10	4.00
7.00-15	9.50	9.10	8.80	4.55
7.00-16	9.70	9.30	9.00	4.55
7.00-17	10.75	10.30	9.95	4.55
7.00-18	10.85	10.40	10.05	4.55
7.00-19	11.05	10.55	10.20	4.55
7.00-20	11.25	10.75	10.45	4.55
7.00-21	11.85	11.35	11.00	4.55
7.50-14	10.50	10.05	9.75	5.25
7.50-15	10.75	10.30	9.95	5.25
7.50-16	10.90	10.45	10.10	5.25
7.50-17	11.35	10.85	10.55	5.25
7.50-18	11.45	10.95	10.65	5.25
7.50-19	11.70	11.20	10.90	5.25
8.25-15	13.45	12.90	12.50	6.55
8.25-16	14.55	13.90	13.50	6.55

TABLE C-II—TRUCK AND BUS TYPES OF TREAD, WHEN APPLYING GRADE A CAMELBACK

Tire size [1]	Stop-start tire size No. [2]	Ply	Maximum prices for recapping, when the tire carcass is furnished by the buyer						Maximum price for a tire carcass furnished by the seller
			Conventional truck and bus	Stop-start	Ground grip	Road grader	Earth mover	Rock service	
5.25-5.50-17	11	6	$8.20	$7.60	$8.60				$4.50
6.00-16	10	6	7.15	7.75	8.75				4.50
6.00-17		6	8.10		9.25				4.50
6.00-20		6	9.00		11.30	$10.55			6.00
6.00-20 (30 x 5)		8	9.00		11.30	10.55			6.00
6.25-16		6	7.55		9.05				4.75
6.50-16	13	6	8.25	8.55	9.60				4.75
6.50-17		6	9.60		10.70				4.75
6.50-20		6	10.55		14.40	13.40			6.00
6.50-20 (32 x 6)	17	8	10.55	14.00	14.40	13.40			6.00
7.00-15		6	9.65		10.30				5.00
7.00-16	15	6	9.95	10.20	11.95				5.00
7.00-17		6	10.85		12.45				6.00
7.00-17		8	10.85		12.45				6.00
7.00-18		8	11.05		13.45				6.00
7.00-20	19	8	11.50	17.50	18.35	22.05		$22.45	8.40
7.00-20 (32 x 6)		10	11.80		18.35	22.05		22.45	7.75
7.00-24 (36 x 6)		10	12.30		19.70	20.50			8.00
7.50-15	16	6	10.85	11.70	11.20				7.75
7.50-15		10	10.85		11.20				5.50
7.50-16		6	11.10		16.05				6.50
7.50-16	18	8	11.10	15.85	16.05				

[1] For any size where no maximum price is listed under the particular heading for Ground grip, Road grader, Earth mover or Rock service types of tread, the maximum price is that set forth for such size under the heading for Conventional Truck and Bus type of tread.

[2] Maximum prices for Stop-start type of tread apply only when such treads are applied to tires of a listed stop-start size or of a size generally recognized as equivalent to one of such stop-start sizes.

TABLE C-III—TRUCK AND BUS TYPES OF TREAD, WHERE APPLYING GRADE C CAMELBACK OR ANY RUBBER OTHER THAN GRADE A CAMELBACK

Tire size	Stop-start tire size No.[1]	Ply	Maximum prices for recapping, when the tire carcass is furnished by the buyer					Maximum price for a tire carcass furnished by the seller
			Conventional truck and bus	Stop-start	Ground grip	Road grader	Earth mover	Rock service
6.25–4.50–17	11	6	$11.90	$17.25	$17.70			$4.25
6.00–16	10	6	11.90		17.70			4.25
6.00–17		6	12.25		15.80			4.25
6.00–20 (32 x 6)		8	12.25	20.10	20.60	$10.00	$17.80	7.25
6.00–20 (32 x 6)		10	13.50		20.60	10.00	17.80	7.25
6.25–16	13	6	13.50		21.35			4.25
6.50–17		6	13.50		23.35			4.25
6.50–20 (34 x 6)	17	8	13.50	34.55	25.35	13.70	22.75	7.25
6.50–20 (34 x 6)		10	14.25	28.15	27.60	13.70	22.75	7.25
7.00–15	16	6	14.25		27.60			4.25
7.00–16		6	14.25		29.40			4.25
7.00–17		6	14.25		31.20			4.25
7.00–18		6	14.25		31.20			4.25
7.00–20	19	6	14.25		31.20			4.25
7.00–20 (32 x 6)		8	14.25		31.20			7.25
7.00–20 (36 x 6)		10	14.25		31.20			7.25
7.00–24	16	6	14.25		31.20			4.25
7.00–24		8	14.25		31.20			7.25
7.50–15	20	6	14.25		31.20			4.25
7.50–16		6	14.25		31.20			4.25
7.50–18		6	14.25		31.20			4.25
7.50–20		6	14.25		31.20			4.25
7.50–20		8	14.25		31.20			7.25
7.50–20 (34 x 7)	22	10	14.25	34.55	31.20	13.70	22.75	7.25
7.50–20 (34 x 7)		12	15.00	28.15	34.10	13.70	22.75	7.25
7.50–24	20	6	14.25		31.20			4.25
7.50–24		8	14.25		31.20			7.25
8.25–15	24	6	14.25		31.20			4.25
8.25–16		6	14.25		31.20			4.25
8.25–20		6	14.25		31.20			4.25
8.25–20		8	14.25		31.20			7.25
8.25–20		10	14.25		31.20			7.25
8.25–20		12	15.00		34.10			7.25
8.25–24	24	6	14.25		31.20			4.25
8.25–24		8	14.25		31.20			7.25
9.00–13	24	6	14.25		31.20			4.25
9.00–14		6	14.25		31.20			4.25
9.00–15		6	14.25		31.20			4.25
9.00–16		6	14.25		31.20			4.25
9.00–20		6	14.25		31.20			4.25
9.00–20 (36 x 8)		8	14.25		31.20			7.25
9.00–20 (36 x 8)		10	14.25		31.20			7.25
9.00–20 (36 x 8)		12	15.00		34.10			7.25
9.00–24 (40 x 8)	24	6	14.25		31.20			4.25
9.00–24 (40 x 8)		8	14.25		31.20			7.25
10.00–15	24	6	14.25		31.20			4.25
10.00–16 (9.75–16)		6	14.25		31.20			4.25
10.00–20 (9.75–20)		8	14.25		31.20			7.25
10.00–20 (9.75–20)		10	14.25		31.20			7.25
10.00–20 (9.75–20)		12	15.00		34.10			7.25
10.00–22 (9.75–22)	40	8	14.25		31.20			7.25
10.00–24 (9.75–24)		8	14.25		31.20			7.25
10.00–24 (9.75–24)		10	14.25		31.20			7.25
10.00–24 (9.75–24)		12	15.00		34.10			7.25
10.00–24 (9.75–24)		14	15.75		37.00			7.25
10.00–24 (9.75–24)		16	16.50		39.90			7.25
11.00–20 (10.50–20)	44	8	14.25		31.20			7.25
11.00–20 (10.50–20)		10	14.25		31.20			7.25
11.00–20 (10.50–20)		12	15.00		34.10			7.25
11.00–20 (10.50–20)		14	15.75		37.00			7.25
11.00–20 (10.50–20)		16	16.50		39.90			7.25
11.00–22 (10.50–22)	48	8	14.25		31.20			7.25
11.00–22 (10.50–22)		10	14.25		31.20			7.25
11.00–22 (10.50–22)		12	15.00		34.10			7.25
11.00–22 (10.50–22)		14	15.75		37.00			7.25
11.00–22 (10.50–22)		16	16.50		39.90			7.25
11.00–24 (10.50–24)	48	8	14.25		31.20			7.25
11.00–24 (10.50–24)		10	14.25		31.20			7.25
11.00–24 (10.50–24)		12	15.00		34.10			7.25
11.00–24 (10.50–24)		14	15.75		37.00			7.25
11.00–24 (10.50–24)		16	16.50		39.90			7.25
12.00–20 (11.25–20)	48	8	14.25		31.20			7.25
12.00–20 (11.25–20)		10	14.25		31.20			7.25
12.00–20 (11.25–20)		12	15.00		34.10			7.25
12.00–20 (11.25–20)		14	15.75		37.00			7.25
12.00–20 (11.25–20)		16	16.50		39.90			7.25
12.00–24 (11.25–24)	48	8	14.25		31.20			7.25
12.00–24 (11.25–24)		10	14.25		31.20			7.25
12.00–24 (11.25–24)		12	15.00		34.10			7.25
12.00–24 (11.25–24)		14	15.75		37.00			7.25
12.00–24 (11.25–24)		16	16.50		39.90			7.25
13.00–20 (12.25–20)	48	8	14.25		31.20			7.25
13.00–20 (12.25–20)		10	14.25		31.20			7.25
13.00–20 (12.25–20)		12	15.00		34.10			7.25
13.00–20 (12.25–20)		14	15.75		37.00			7.25
13.00–20 (12.25–20)		16	16.50		39.90			7.25
13.00–24 (12.25–24)	48	8	14.25		31.20			7.25
13.00–24 (12.25–24)		10	14.25		31.20			7.25
13.00–24 (12.25–24)		12	15.00		34.10			7.25
13.00–24 (12.25–24)		14	15.75		37.00			7.25
13.00–24 (12.25–24)		16	16.50		39.90			7.25

[1] For any size where no maximum price is listed under the particular heading for Ground grip, Road grader, Earth mover or Rock service types of tread, the maximum price is that set forth for such size under the heading for Conventional Truck and Bus type of tread.

[1] Maximum prices for Stop-start type of tread apply only when such treads are applied to tires of a listed stop-start size or of a size generally recognized as equivalent to such stop-start sizes.

TABLE C-II—TRUCK AND BUS TYPES OF TREAD, WHERE APPLYING GRADE A CAMELBACK—Continued

Tire size	Stop-start tire size No.[1]	Ply	Maximum prices for recapping, when the tire carcass is furnished by the buyer					Maximum price for a tire carcass furnished by the seller
			Conventional truck and bus	Stop-start	Ground grip	Road grade	Earth mover	Rock service
7.00–17	20	6	$11.90	$17.25	$17.70			$4.25
7.00–17		8	11.90		17.70			4.25
7.00–18		6	12.25		15.80			4.25
7.00–20		6	12.25	20.10	20.60		$17.80	7.25
7.00–20		8	13.50		20.60		17.80	7.25
7.50–20 (34 x 7)	22	8	13.50	34.55	23.35			4.25
7.50–20 (34 x 7)		10	14.25	28.15	25.35			4.25
7.50–24 (38 x 7)		10	14.25		27.60			4.25
6.25–16	13	6	14.25		29.40			4.25
6.50–20	17	6	14.25		31.20			4.25
6.50–20 (34 x 6)		8	14.25		31.20			7.25
6.50–20 (34 x 6)		10	14.25		31.20			7.25
7.00–15	16	6	14.25		31.20			4.25
7.00–16		6	14.25		31.20			4.25
7.00–17		6	14.25		31.20			4.25
7.00–18		6	14.25		31.20			4.25
7.00–20	19	6	14.25		31.20			4.25
7.00–20 (32 x 6)		8	14.25		31.20			7.25
7.00–20 (36 x 6)		10	14.25		31.20			7.25
7.00–24	16	6	14.25		31.20			4.25
7.00–24		8	14.25		31.20			7.25
7.50–15	20	6	14.25		31.20			4.25
7.50–16		6	14.25		31.20			4.25
7.50–18		6	14.25		31.20			4.25
7.50–20		6	14.25		31.20			4.25
7.50–20		8	14.25		31.20			7.25
7.50–20 (34 x 7)	22	10	14.25	34.55	31.20	13.70	22.75	7.25
7.50–20 (34 x 7)		12	15.00	28.15	34.10	13.70	22.75	7.25
7.50–24	20	6	14.25		31.20			4.25
7.50–24		8	14.25		31.20			7.25
8.25–15	24	6	14.25		31.20			4.25
8.25–16		6	14.25		31.20			4.25
8.25–20		6	14.25		31.20			4.25
8.25–20		8	14.25		31.20			7.25
8.25–20		10	14.25		31.20			7.25
8.25–20		12	15.00		34.10			7.25
8.25–24	24	6	14.25		31.20			4.25
8.25–24		8	14.25		31.20			7.25
9.00–13	24	6	14.25		31.20			4.25
9.00–14		6	14.25		31.20			4.25
9.00–15		6	14.25		31.20			4.25
9.00–16		6	14.25		31.20			4.25
9.00–20		6	14.25		31.20			4.25
9.00–20 (36 x 8)		8	14.25		31.20			7.25
9.00–20 (36 x 8)		10	14.25		31.20			7.25
9.00–20 (36 x 8)		12	15.00		34.10			7.25
9.00–24 (40 x 8)	24	6	14.25		31.20			4.25
9.00–24 (40 x 8)		8	14.25		31.20			7.25
10.00–15	24	6	14.25		31.20			4.25
10.00–16 (9.75–16)		6	14.25		31.20			4.25
10.00–20 (9.75–20)		8	14.25		31.20			7.25
10.00–20 (9.75–20)		10	14.25		31.20			7.25
10.00–20 (9.75–20)		12	15.00		34.10			7.25
10.00–22 (9.75–22)	40	8	14.25		31.20			7.25
10.00–24 (9.75–24)		8	14.25		31.20			7.25
10.00–24 (9.75–24)		10	14.25		31.20			7.25
10.00–24 (9.75–24)		12	15.00		34.10			7.25
10.00–24 (9.75–24)		14	15.75		37.00			7.25
10.00–24 (9.75–24)		16	16.50		39.90			7.25
11.00–20 (10.50–20)	44	8	14.25		31.20			7.25
11.00–20 (10.50–20)		10	14.25		31.20			7.25
11.00–20 (10.50–20)		12	15.00		34.10			7.25
11.00–20 (10.50–20)		14	15.75		37.00			7.25
11.00–20 (10.50–20)		16	16.50		39.90			7.25
11.00–22 (10.50–22)	48	8	14.25		31.20			7.25
11.00–22 (10.50–22)		10	14.25		31.20			7.25
11.00–22 (10.50–22)		12	15.00		34.10			7.25
11.00–22 (10.50–22)		14	15.75		37.00			7.25
11.00–22 (10.50–22)		16	16.50		39.90			7.25
11.00–24 (10.50–24)	48	8	14.25		31.20			7.25
11.00–24 (10.50–24)		10	14.25		31.20			7.25
11.00–24 (10.50–24)		12	15.00		34.10			7.25
11.00–24 (10.50–24)		14	15.75		37.00			7.25
11.00–24 (10.50–24)		16	16.50		39.90			7.25
12.00–20 (11.25–20)	48	8	14.25		31.20			7.25
12.00–20 (11.25–20)		10	14.25		31.20			7.25
12.00–20 (11.25–20)		12	15.00		34.10			7.25
12.00–20 (11.25–20)		14	15.75		37.00			7.25
12.00–20 (11.25–20)		16	16.50		39.90			7.25
12.00–24 (11.25–24)	48	8	14.25		31.20			7.25
12.00–24 (11.25–24)		10	14.25		31.20			7.25
12.00–24 (11.25–24)		12	15.00		34.10			7.25
12.00–24 (11.25–24)		14	15.75		37.00			7.25
12.00–24 (11.25–24)		16	16.50		39.90			7.25
13.00–20 (12.25–20)	48	8	14.25		31.20			7.25
13.00–20 (12.25–20)		10	14.25		31.20			7.25
13.00–20 (12.25–20)		12	15.00		34.10			7.25
13.00–20 (12.25–20)		14	15.75		37.00			7.25
13.00–20 (12.25–20)		16	16.50		39.90			7.25
13.00–24 (12.25–24)	48	8	14.25		31.20			7.25
13.00–24 (12.25–24)		10	14.25		31.20			7.25
13.00–24 (12.25–24)		12	15.00		34.10			7.25
13.00–24 (12.25–24)		14	15.75		37.00			7.25
13.00–24 (12.25–24)		16	16.50		39.90			7.25

[1] For any size where no maximum price is listed under the particular heading for Ground grip, Road grader, Earth mover or Rock service types of tread, the maximum price is that set forth for such size under the heading for Conventional Truck and Bus type of tread.

[1] Maximum prices for Stop-start type of tread apply only when such treads are applied to tires of a listed stop-start size or of a size generally recognized as equivalent to such stop-start sizes.

TABLE C-III—TRU

Tire size
12.00–20 (12.75–20)
13.00–24 (12.75–24)
13.00–24 (12.75–24)
14.00–20 (13.50–20)
14.00–20
14.00–20
14.00–24 (13.50–24)
16.00–20
16.00–20
16.00–24
16.00–24
18.00–24
18.00–24
18.00–24
18.00–40
21.00–24
21.00–24
24.00–32
24.00–32
28.00–40
28.00–40
28.00–40

TABLE C-IV—

Tire size
Fronts:
4.00–9
4.00–15
4.00–19
4.75–15
5.00–15
5.25–21
5.50–16
6.00–9
6.00–12
6.00–16
6.00–20
6.25–16
6.50–16
7.50–10
7.50–16
7.50–18
7.50–20
9.00–10
Backs:
4.00–22
7-32
6.50–32
6.50–40
7-36
7-40
7-44
7.00–22
7.00–24, 8-24
8-32
8-36
8-38
7.00–40, 8-40
7.50–22
7.50–24, 9-24
9-28
9-32
7.50–28, 9-36
9-38
7.50–40, 9-40
8.25–24, 10-24
10-28
10-32
8.25–36, 10-36
10-38
9.00–24, 11-24
11-28
9.00–28, 11-28
9.00–36, 11-36
11-38
9.00–40, 11-40
12-24
12-28
12-32

TABLE C-III—TRUCK AND BUS TYPES OF TREAD, WHEN APPLYING GRADE C CAMELBACK OR ANY RUBBER OTHER THAN GRADE A CAMELBACK—Continued

Tire size	Stop-start tire size No.	Ply	Maximum prices for recapping, when the tire carcass is furnished by the buyer						Maximum price for a tire carcass furnished by the seller
			Conventional truck and bus	Stop-start	Ground grip	Road grader	Earth mover	Rock service	
12.00-20 (12.75-20)		16	$45.00		$71.55	$39.55	$56.10		$18.00
13.00-24 (12.75-24)		8				42.85			9.00
13.00-24 (12.75-24)		16	53.30		76.15			$87.60	18.00
14.00-20 (13.50-20)		16	57.00		95.00	50.75	63.00		19.20
14.00-20		18	57.00		95.00	50.75	63.00		20.20
14.00-20		20	57.00		95.00	50.75	63.00		21.40
14.00-20		16	62.55		98.75			114.20	19.20
14.00-24 (13.50-24)		16			164.95		132.90		22.00
16.00-20		16			164.95		132.90		24.80
16.00-20		18			177.20		145.20	223.60	30.00
16.00-24		16			177.20		145.20	223.60	33.00
16.00-24		18			203.70		168.25	263.00	42.00
18.00-24		12			205.25		166.25	262.00	50.00
18.00-24		16			205.25		166.25	263.00	55.00
18.00-24		20			454.00				55.00
18.00-40		20			319.80		319.80	333.90	72.50
21.00-24		16			352.15				93.50
21.00-24		20			809.25		809.25		137.50
24.00-32		24			1,000.90				192.50
24.00-32		36			1,586.05				250.00
30.00-40		28			1,929.50				330.00
36.00-40		34			2,477.25				440.00
36.00-40		34							

TABLE C-IV—FARM TRACTOR TYPE OF TREAD

Tire size	Maximum prices for recapping, when the tire carcass is furnished by the buyer			Maximum price for a tire carcass furnished by the seller
	When applying grade A camelback	When applying grade C camelback	When applying grade F camelback or any rubber other than grade A or grade C camelback	
Fronts:				
4.00-9	$5.05	$4.85	$4.75	$2.75
4.00-15	5.45	5.25	5.10	2.75
4.00-19	5.75	5.55	5.35	2.75
4.75-15	6.80	6.60	6.35	3.20
5.00-15	7.15	6.85	6.70	3.20
5.25-21	8.00	7.65	7.45	3.20
5.50-16	7.90	7.60	7.35	3.20
6.00-9	12.10	11.60	11.30	3.50
6.00-12	8.05	8.35	8.35	3.50
6.00-16	9.05	8.70	8.45	3.50
6.00-20	9.85	9.45	9.20	3.80
6.25-16	9.40	9.05	8.80	4.00
6.50-16	10.30	9.90	9.60	4.00
7.50-10	13.30	12.75	12.40	5.25
7.50-16	11.50	11.05	10.75	5.25
7.50-18	12.35	11.85	11.50	5.25
7.50-20	13.70	13.15	12.80	5.25
9.00-10	16.95	16.30	15.90	6.55
Backs:				
4.00-22	10.05	9.35	8.95	4.00
7-32	18.70	17.35	16.40	4.00
6.50-32	20.45	19.05	18.00	4.50
6.50-40	25.65	23.85	22.50	4.50
7-36	22.55	20.95	19.85	4.50
7-40	23.60	21.95	20.75	4.50
7-44	25.60	23.75	22.45	4.60
7.00-22	14.95	13.75	13.05	5.00
7.00-24, 8-24	18.70	17.35	16.40	5.00
8-32	24.40	22.70	21.45	5.00
8-36	26.40	26.40	24.95	5.00
8-38	26.55	26.50	25.10	5.00
7.00-40, 8-40	30.20	28.05	26.50	5.00
7.50-22	15.45	14.35	13.55	5.50
7.50-24, 9-24	21.35	19.85	18.75	5.50
9-28	27.20	25.25	23.90	8.00
9-32	33.15	30.80	29.15	8.00
7.50-36, 9-36	36.00	34.00	32.10	8.00
9-38	39.25	36.45	34.45	8.00
7.50-40, 9-40	41.60	38.70	36.55	8.00
8.25-24, 10-24	29.45	27.35	25.90	9.45
10-26	30.55	28.40	26.85	9.45
10-28	31.60	29.35	27.95	9.45
8.25-36, 10-36	38.30	35.60	33.65	9.45
10-38	42.00	39.05	36.90	9.45
9.00-24, 11-24	35.35	32.85	31.10	10.00
11-26	35.60	33.10	31.25	10.00
9.00-28, 11-28	38.00	35.30	33.35	10.00
9.00-36, 11-36	39.35	36.55	34.55	10.00
11-38	40.00	37.20	35.15	10.00
9.00-40, 11-40	40.70	37.85	35.75	10.00
12-24	37.60	34.95	33.05	10.00
12-26	39.00	36.25	34.25	10.00
12-30	41.05	38.10	36.05	10.00

TABLE C-IV—FARM TRACTOR TYPE OF TREAD—Continued

Tire size	Maximum prices for recapping, when the tire carcass is furnished by the buyer			Maximum price for a tire carcass furnished by the seller
	When applying grade A camelback	When applying grade C camelback	When applying grade F camelback or any rubber other than grade A or grade C camelback	
Backs—Continued.				
10.00-36, 12-36	$49.50	$46.00	$43.50	$11.00
12-38	51.60	47.95	45.30	11.00
10.00-40, 12-40	53.25	49.50	46.80	11.00
10.00-44	56.50	52.50	49.65	11.00
11.25-24, 13-24	43.90	40.80	38.55	12.20
11.25-28, 13-28	47.95	44.55	42.10	12.65
13-30	49.55	46.05	43.55	12.65
11.25-36, 13-36	54.20	50.40	47.65	13.30
11.25-40, 13-40	60.70	56.40	53.30	13.75
12.75-24, 14-24	53.20	49.45	46.75	14.30
12.75-28, 14-28	58.85	54.70	51.70	14.85
14-30	61.80	57.45	54.30	14.85
12.75-32, 14-32	64.75	60.15	56.85	15.40
13.50-24, 15-24	59.40	55.20	52.15	15.40
13.50-28, 15-28	66.00	61.30	57.95	15.95
13.50-32, 15-32	71.10	66.10	62.45	16.50

TABLE C-V—RICE AND CANE SPECIAL SERVICE TYPE OF TREAD

Tire size	Maximum prices for recapping, when the tire carcass is furnished by the buyer		Maximum price for a tire carcass furnished by the seller
	When applying grade A camelback	When applying grade C camelback or any rubber other than grade A camelback	
8-24	$20.25	$21.65	$5.00
9.00-36	45.25	44.90	10.00
10.00-36	54.30	50.85	11.00
10.00-40	57.35	52.70	11.00
10.00-44	57.90	53.20	11.00
11.25-36	56.05	51.30	13.20
12.75-28	59.85	54.55	14.85
13.50-28	77.80	72.40	15.95

TABLE C-VI—MOTORCYCLE TYPE OF TREAD

Tire size	Maximum prices for recapping, when the tire carcass is furnished by the buyer			Maximum price for a tire carcass furnished by the seller
	When applying grade A camelback	When applying grade C camelback	When applying grade F camelback or any rubber other than grade A or grade C camelback	
4.00-18	$5.20	$4.90	$4.70	$2.75
4.00-19	5.30	5.00	4.80	2.75
4.50-18	5.65	5.30	5.10	2.75
4.50-19	5.85	5.50	5.30	2.75
5.00-16	6.35	6.00	5.75	3.20

APPENDIX D—MAXIMUM PRICES FOR TIRE AND TUBE REPAIRING

(a) *Retail sales (to a buyer for his use and not for resale)*—(1) *By seller who actually did the repairing.* Maximum prices for repairing tires or tubes are the prices set forth for such repairing in Tables D-I to D-IV, inclusive.

(2) *By seller who did not do the repairing.* The seller may add to the maximum price fixed by (1) above, the actual transportation expense paid by him in having the tire or tube repaired. If the seller transports the tire or tube himself, he may add to the maximum price fixed by (1), an amount not exceeding the cost of transportation by the common carrier having the lowest rate between the seller's and the actual repairer's shipping points. Where more than one tire or tube is involved in a shipment, each tire or tube may be charged only with its proportionate share of the total transportation expense incurred by the seller, and the total of the amounts added for transportation of all the tires or tubes in a shipment shall not exceed the total transportation expense of the seller for that shipment. The amount added for transportation expense must be stated separately from the maximum price.

(b) *Wholesale sales (to a buyer for resale)*—(1) *Discounts.* The maximum wholesale price for repairing a tire or tube shall be determined by deducting from the applicable maximum prices set forth in Tables D-I to D-IV, inclusive, a discount of at least 20 percent. If the seller had in effect on February 1, 1944, to a buyer of the same class for the same type of repairing a percentage discount greater than 20 percent, he must deduct a percentage discount at least as large as he had in effect on February 1, 1944, to that class of buyer. However, in no case is a discount greater than 35 percent required. If the seller did not have any percentage discount in effect on February 1, 1944, to a buyer of the same class for the same type of repairing, he must determine his percentage discount under subparagraph (3) below.

(2) *Transportation expenses.* No seller shall require any buyer and no buyer shall be permitted to pay a larger proportion of transportation expense than the seller required buyers of the same class to pay during February 1944 in connection with the delivery of tires or tubes for repairing and of repaired tires or tubes.

(3) *Sellers who cannot apply (1) or (2) above.* The percentage discounts to be deducted under (1) above, and the proportion of transportation expenses to be borne under (2) above, by a seller who cannot make these determinations in accordance with (1) and (2), shall be consistent with those established by this regulation for competitive sellers in the same locality, specifically approved upon application by the seller to the appropriate District Office of the Office of Price Administration. The Price Administrator or any Regional Administrator, or any District Director so authorized by his Regional Admin-

istrator, may approve or disapprove and may, at any time after approval, correct discount and transportation provisions proposed or established under this subparagraph (3) so as to bring them into line with the level of such provisions otherwise fixed by this regulation.

(c) *Maximum prices where minimum quality specifications are not met.* The maximum prices fixed by paragraphs (a) and (b) apply only when the repairing complies with the minimum quality specifications set forth in Appendix E. No charge may be made for repairing which does not comply with the minimum quality specifications in Appendix E.

(d) *Definitions.* (1) Tire sizes are given in cross-sectional markings. Each size includes all tires in that cross-sectional group regardless of the rim diameter.

(2) "Spot repair" means a vulcanized repair which in accordance with recognized commercial practice is applied to such tire damage as: surface blisters, cuts, and other injuries which can be satisfactorily repaired without fabric reinforcement; small injuries to not more than one ply in a four ply tire and to not more than two plies in a six ply tire; small injuries to not more than one-fourth of the total plies in heavier tires.

(3) "Reinforcement repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as worn spots or other injuries which involved ply damage exceeding that to which a spot repair should be applied but where at least two of the plies are sound and uninjured.

(4) "Sectional repair" means a vulcanized repair requiring fabric reinforcement which in accordance with recognized commercial practice is applied to such tire damage as breaks or cuts through the entire tire casing, nail holes enlarged by prolonged neglect, or other injuries which do not leave two of the plies sound and uninjured and thus involve ply damage exceeding that to which a reinforcement repair should be applied.

TABLE D-I—PASSENGER CAR AND MOTORCYCLE TIRES

Tire size	Maximum prices for repairing	
	Sectional or reinforcement repair	Spot repair
3.50	$2.35	$1.40
4.00	2.55	1.80
4.40	2.35	1.80
4.50	2.55	1.80
4.75	2.50	1.80
5.00	2.75	1.80
5.25	2.95	1.80
5.50	3.20	1.80
6.00	3.50	1.80
6.25	3.75	1.70
6.50	3.95	1.70
7.00	4.35	1.70
7.50	5.10	2.00
8.25	6.35	2.00

TABLE D-II—TRUCK AND BUS TIRES

Tire size	Ply	Sectional repair	Reinforcement repair	Spot repair
6.00	6	$4.95	$3.95	$2.05
6.00-9"	8	6.25	4.55	2.05
6.50	6	5.75	4.60	2.75
6.50-9"	8	7.30	5.00	2.75
7.00	6	6.65	5.55	3.00
7.00	8	8.15	5.80	3.00
7.00-9"	10	9.35	7.40	3.00
7.50	6	6.60	6.60	4.15
7.50	8	9.05	7.25	4.15
7.50-7"	10	10.70	8.85	4.15
7.50-7"	12	11.90	9.65	4.15
8.25	6	9.60	7.20	4.85
8.25	8	11.20	8.40	4.85
8.25	10	12.80	9.60	4.85
8.25	12	14.40	10.80	4.85
8.25	14	16.00	12.00	4.85
9.00	8	12.30	9.25	5.35
9.00	10	14.10	10.60	5.35
9.00	12	15.90	11.90	5.35
9.00-9"	14	17.70	13.25	5.35
10.00	8	14.10	10.60	7.20
10.00	10	16.15	12.10	7.20
10.00-9.75	12	18.15	13.60	7.20
10.00-9"	14	19.95	15.00	7.20
11.00	8	16.20	12.15	7.20
11.00-10.50	12	20.25	15.20	7.20
11.00	14	22.50	16.90	7.20
12.00	8	17.55	13.15	8.00
12.00	10	19.75	14.80	8.00
12.00	12	21.95	16.45	8.00
12.00-11.25	14	24.15	18.10	8.00
12.00-10"	16	26.35	19.75	8.00
13.00	8	18.95	14.20	9.40
13.00	10	21.30	15.95	9.40
13.00	12	23.70	17.75	9.40
13.00	14	26.05	19.55	9.40
13.00-12.75	16	28.45	21.35	9.40
14.00	8	20.35	15.25	9.95
14.00	8	22.80	17.10	9.95
14.00	10	25.30	18.95	9.95
14.00	12	27.80	20.85	9.95
14.00-13.50	16	32.80	24.60	9.95
14.00	18	35.95	26.95	9.95
14.00	20	41.55	31.15	9.95
16.00	16	43.75	32.80	13.75
16.00	18	45.95	34.45	13.75
16.00	20	48.10	36.10	13.75

TABLE D-III—TRACTOR AND IMPLEMENT TIRES

Size	Maximum prices for repairing		
	Sectional repair	Reinforcement repair	Spot repair
4.00-6.00	$2.40	$1.70	$1.35
6.00/9	5.45	4.35	1.80
6.00	5.75	5.00	1.80
6.50/16	4.25	3.40	2.10
6.50/20	7.35	5.90	2.10
7.00	4.75	3.80	2.45
7.50/16	10.25	8.20	2.65
7.50/16-18-20-24	8.00	6.80	2.65
9 or 7.50/26-30	9.65	7.70	4.80
10 or 8.25	10.65	8.70	5.95
11 or 9.00	11.50	9.20	5.95
12 or 10.00	13.30	10.65	7.25
13 or 11.25-12.00	14.05	11.25	7.90
14 or 12.75-13.00	14.75	11.80	10.10
15 or 13.50-14.00	19.25	15.90	11.80

TABLE D-IV—TUBES (EXCEPT SPECIAL PURPOSE TUBES)

Tube	Maximum price for repairing	
	Any repair of one inch or less, including pin and nail holes	Add this amount for each additional lineal inch of repair
Any tube with 7.00 inch diameter or smaller	$1.50	$1.25
Any tube over 7.00 inches in diameter	1.00	.50

APPENDIX E—MINIMUM QUALITY SPECIFICATIONS

(a) *Used tires and tubes.* Sound used tires and tubes which have been made sound by repairs must have been repaired in compliance with the minimum quality specifications for repairing set forth in paragraphs (d) and (e).

(b) *Recapping (tire carcass furnished by buyer).* The recapping of a tire carcass furnished by the buyer must comply with the following minimum requirements:

(1) Tire casing must be uniformly buffed.

(2) Tire casing and all materials must be moisture free and free of dirt.

(3) Camelback must be applied to completely cemented and dried surface and stitched down thoroughly.

(4) Curing must be in full circle molds or steam kettle in accordance with instructions of the manufacturer of the camelback used.

(5) Finished tire must be usable as a tire, and finished tire tread must adhere uniformly, must be a circle without bulges or sunken areas, and must be completely filled out and free of porosity and imperfections.

(c) *Recapped tires (tire carcass furnished by the seller).* A recapped tire (tire carcass furnished by the seller) must comply with the following minimum requirements:

(1) The tire carcass must have been at least a sound basic tire carcass as defined in Appendix E.

(2) If the tire carcass was made sound by repairs, the repairing must comply with the minimum quality specifications for repairing set forth in paragraphs (d) and (e).

(3) The recapping must be performed in compliance with the minimum quality specifications for recapping set forth in paragraph (b).

(d) *Tire repairing.* Tire repair means a vulcanized spot, reinforcement, or sectional repair, which is accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions so that the tire when repaired will be in a safe condition for service.

(1) A vulcanized spot repair must meet at least the following conditions:

(i) Loose portions of tread and sidewall rubber must be removed.

(ii) Surfaces must be skived, roughened, cemented.

(iii) Tire casing and repair materials must be moisture free.

(iv) Rubber must be applied after cement is dry.

(v) Curing must be in accordance with instructions of the manufacturer of the repair materials used.

(2) A vulcanized sectional or reinforcement repair must meet at least the following conditions:

(i) Injured rubber and fabric must be removed.

(ii) Area around injury must be skived at an angle to give maximum bonding surface and stress resistance (usually 45 degrees).

(iii) Tire casing and repair materials must be moisture free.

(iv) Surface must be buffed, cemented, and allowed to dry; then cemented again, and allowed to dry again.

(v) Skived portion of the inner casing must be filled with cushion gum level with the inner body ply.

(vi) Ready-built patch or built-in cord fabric must be applied in accordance with the manufacturer's instructions regarding number of plies, size of patch, ply direction, and application.

(vii) Tread portion of skive must be lined with skim coating of cushion gum or tie gum and filled with tread gum slightly above level of the tread.

(viii) Curing must be in accordance with instructions of the manufacturer of the repair materials being used. Proper pressure must be maintained during cure.

(ix) Repaired portions must present smooth surfaces inside and out; tread, buttress, and sidewall designs must be restored to match those on the rest of the tire; and exterior contour must be maintained.

(x) Finished repair must be free of porosity and other imperfections.

(e) *Tube repairing.* Tube repair means a repair which is accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating

conditions so that the tube when repaired will be in a safe condition for service.

This regulation shall become effective May 1, 1944, in the 48 States of the United States and the District of Columbia. This regulation shall become effective June 14, 1944, in the territories and possessions of the United States.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5640; Filed, April 20, 1944; 12:07 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended, Amdt. 115]

MACHINES AND PARTS, AND MACHINERY SERVICES

Correction

The FEDERAL REGISTER document number for Amendment 115 to MPR 136, appearing on page 4134 of the issue for Wednesday, April 19, 1944, should read "44-5486" instead of "44-5488".

Chapter XIII—Petroleum Administration for War

[PAO 11, Supp. Order 5, as Amended Apr. 19, 1944]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

PETROLEUM PRODUCTION OPERATIONS IN ILLINOIS BASIN

Section 1515.11, Supplementary Order No. 5, as amended April 19, 1944, to Petroleum Administrative Order No. 11, as amended January 1, 1944.

(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended January 1, 1944, or by the provisions of any specific exception or other grant of authority as provided for by Petroleum Administrative Order No. 11, as amended January 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in drilling, deepening, completing, and providing additions to, oil wells in the Illinois Basin, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended January 1, 1944, shall apply in this supplementary order. In addition:

(1) "Illinois Basin" means the areas included within the State of Illinois and within the following counties in the States of Indiana and Kentucky:

Indiana: Clay, Daviess, Dubois, Gibson, Greene, Knox, Martin, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo, and Warrick.

Kentucky: Breckenridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Ohio, Logan, McLean, Muhlenberg, Todd, Union, and Webster.

(2) "One-half of a quarter-quarter section" means a regular half (north, south, east, or west half) of a "quarter-quarter section", as the term "quarter-quarter section" is used in Petroleum Administrative Order No. 11, as amended January 1, 1944.

(3) A "quarter of a quarter-quarter section" means a regular quarter (northeast, southeast, southwest, or northwest quarter) of a "quarter-quarter section", as the term "quarter-quarter section" is used in Petroleum Administrative Order No. 11, as amended January 1, 1944.

(c) *Authorized uses of material in oil development drilling operations in the Illinois Basin.* Material may be used to drill, deepen, complete, and provide additions to, any oil well in the Illinois Basin, if the material is used in accordance with the following provisions:

(1) Where the oil well is drilled or deepened to and completed in any pool above the base of the Aux Vases formation,

(i) The well must be located on a drilling unit, no portion of which is attributable to any other well drilling to or producible from any pool above the base of the Aux Vases formation;

If the well is located on sectionalized land, the drilling unit must consist of a quarter of a quarter-quarter section upon which no other drilling or producible well is located; or

If the well is located on non-sectionalized land, the drilling unit must consist of at least 10 contiguous surface acres, no portion of which falls within 200 feet of any other drilling or producible well located on the same lease or property, and the distance between any two points farthest apart on the drilling unit must not exceed a distance of 1100 feet; and

(ii) All separate property interests, with respect to all pools above the base of the Aux Vases formation, in the drilling unit upon which the well is located must first be consolidated; and

(iii) The well must be located at least 500 feet from every other drilling or producible well; and

(iv) The well must be located at least 300 feet from every lease line, property line, and subdivision line separating unconsolidated property interests with respect to all pools above the base of the Aux Vases formation.

(2) Where the oil well is drilled or deepened to and completed in any pool below the base of the Aux Vases formation but above the base of the Fredonia formation,

(i) The well must be located on a drilling unit upon which no other well drilling to or producible from any pool below the base of the Aux Vases formation and above the base of the Fredonia formation is located, and no portion of which drilling unit is attributable to any other well drilling to or producible from any pool below the base of the Aux Vases formation and above the base of the Fredonia formation;

If the well is located on sectionalized land, the drilling unit must consist of one-half of a quarter-quarter section, and the well must be located on a quarter of the quarter-quarter section upon which no other drilling or producible well is located; or

If the well is located on non-sectionalized land, the drilling unit must consist of at least 20 contiguous surface acres, no portion of which falls within 300 feet of any other well on the same lease or property drilling to or producible from any pool below the base of the Aux Vases formation and above the base of the Fredonia formation, and the distance between any two points farthest apart on the drilling unit must not exceed a distance of 1,500 feet. At least 10 contiguous surface acres which surround the well and which are included within the drilling unit shall not fall within 200 feet of any other drilling or producible well located on the same lease or property; and

(ii) All separate property interests, with respect to all pools below the base of the Aux Vases formation and above the base of the Fredonia formation, in the drilling unit upon which the well is located must first be consolidated; and

(iii) The well must be located at least 500 feet from every other well drilling to or producible from any pool above the base of the Aux Vases formation, and at least 900 feet from every other well drilling to or producible from any pool below the base of the Aux Vases formation; and

(iv) The well must be located at least 300 feet from every lease line, property line, and subdivision line separating unconsolidated property interests with respect to all pools below the base of the Aux Vases formation and above the base of the Fredonia formation.

(3) Where the oil well is drilled or deepened to and completed in any pool below the base of the Fredonia formation,

(i) The well must be located on a drilling unit upon which no other well drilling to or producible from any pool below the base of the Fredonia formation is located, and no portion of which drilling unit is attributable to any other well drilling to or producible from any pool below the base of the Fredonia formation;

If the well is located on sectionalized land, the drilling unit must consist of a quarter-quarter section, and the well must be located on a quarter of the quarter-quarter section upon which no other drilling or producible well is located; or

If the well is located on non-sectionalized land, the drilling unit must consist of at least 40 contiguous surface acres, no portion of which falls within 300 feet of any other well on the same lease of property drilling to or producible from any pool below the base of the Fredonia formation, and the distance between any two points farthest apart on the drilling unit must not exceed a distance of 2,100 feet. At least 10 contiguous surface acres which surround the well and which are included within the drilling unit shall not be attributable to or fall within 200 feet of any other drilling or producible well located on the same lease or property; and

(ii) All separate property interests, with respect to all pools below the base of the Fredonia formation, in the drilling unit upon which the well is located must first be consolidated; and

(iii) The well must be located at least 500 feet from every other well drilling to or producible from any pool above the base of the Aux Vases formation, and at least 900 feet from every other well drilling to or producible from any pool below the base of the Aux Vases formation; and

(iv) The well must be located at least 300 feet from every lease line, property line, and subdivision line separating unconsolidated property interests with respect to all pools below the base of the Fredonia formation.

For all purposes of this paragraph (c) any well spudded prior to the effective date of this supplementary order and located on sectionalized land approximately in the center of a quarter-quarter section or approximately in the center of one-half of a quarter-quarter section may be deemed to be located at the nearest center of a quarter of a quarter-quarter section attributed or attributable to the well, provided no other drilling or producible well is located on that quarter of a quarter-quarter section.

(d) *Computation of acreage attributable to oil wells in the Illinois Basin.* (1) The acreage attributable to any oil well in the Illinois Basin spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. The acreage attributed to any well, however, need not be greater than that required for a new well drilled to and completed in the same horizon pursuant to this supplementary order.

(2) The acreage attributable to any oil well in the Illinois Basin spudded after December 23, 1941, need not be greater than that required for a new well drilled to and completed in the same horizon pursuant to this supplementary order.

(e) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(f) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091, E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of April 1944.

RALPH K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 44-5617; Filed, April 20, 1944; 11:21 a. m.]

[PAO 1, Amdt. 8]

PART 1545—PETROLEUM SUPPLY

INVENTORY RESTRICTIONS

Section 1545.1 (Petroleum Administrative Order No. 1, as amended February 1, 1943) is hereby amended by changing paragraph (g) thereof to read as follows:

(g) *Inventory restrictions.* No person may deliver or otherwise supply motor fuel to any storage location (other than a refinery or bulk terminal) owned, operated or controlled by such person or by any other person, and no person may accept delivery of motor fuel at such a storage location where the amount of motor fuel at such storage location is equal to or exceeds the amount of motor fuel which would normally be withdrawn from such storage location to meet rationed demands during the 10 days next following the date upon which the delivery is made: *Provided,* (i) That any single delivery of motor fuel by means of a transportation facility generally used in such delivery, which brings the amount of motor fuel at such a storage location to an amount equal to or in excess of the foregoing amounts, may be completed, and (ii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any agency referred to in paragraph (h) (i), and (iii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any retail filling station.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of April 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-5618; Filed, April 20, 1944; 11:21 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 12, Supp. 1]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

REQUISITION BAREBOAT CHARTER FOR DRY CARGO AND TANK VESSELS

Clause 3.B. of Part II of the Requisition Bareboat Charter for Dry Cargo and Tank Vessels as prescribed by § 302.61, published in the FEDERAL REGISTER for Saturday, April 8, 1944 (9 F.R. 3801), is corrected by striking out the words "accrue or", so that said clause will read:

Clause 3.B. Unless otherwise provided in this Charter, the hire and all monies accruing during the preceding month in favor of the Owner including payments on account of just compensation shall be due and payable on the first day of each calendar month; PROVIDED, HOWEVER, That no such hire or other monies shall become due and payable before execution of this Charter by the Charterer, except payments on account made before such execution.

Reference hereafter to Part II of the above-mentioned Requisition Bareboat Charter for Dry Cargo and Tank Vessels shall be deemed to refer to said Part II as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

APRIL 19, 1944.

[F. R. Doc. 44-5626; Filed, April 20, 1944; 11:39 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 897]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE NO. 3

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Messrs. P. J. Rosaly and Jose Antonio Canals and Miss Maria Luisa Arcelay from Special Industry Committee No. 3 for Puerto Rico and do appoint in their stead as representatives for the employers on such Committee, Messrs. Filipo L. de Hostos, James R. Beverley, and Nathaniel F. Pasarell of San Juan, Puerto Rico.

Signed at Washington, D. C., this 13th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5585; Filed, April 19, 1944; 4:50 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-236 and G-536]

WISCONSIN SOUTHERN GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

APRIL 18, 1944.

Upon consideration of the application and supplements thereto in Docket No. G-236 filed by Wisconsin Southern Gas Company on February 24, April 18 and April 24, 1942, and March 17, 1944, respectively, for an order pursuant to section 7 (a) of the Natural Gas Act directing the Natural Gas Pipe Line Company of America to extend its transmission pipe line facilities to a point in the State of Wisconsin, at or near Genoa City, Walworth County, Wisconsin, and establish a physical connection of its transportation facilities with the proposed facilities of the Applicant, and to sell and deliver natural gas to meet the demands on Applicant's system; and

Upon consideration of the application in Docket No. G-536 filed by Wisconsin Southern Gas Company on March 29, 1944, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of a 4-inch gas pipe line approximately 50,000 feet in length, extending from the city of Lake Geneva, Walworth County, Wisconsin, to the Wisconsin-Illinois state line at or near the town of Genoa City, Wisconsin, for the purpose of connecting the gas distribution system of the Applicant with the natural gas pipe line facilities of the Natural Gas Pipe Line Company of America; and

It appearing to the Commission that:

(a) The matters concerned in the aforesaid applications may involve similar issues and facts;

(b) Good cause exists for consolidating the above matters for the purpose of hearing;

The Commission orders that:

(A) The matters involved in the above-docketed applications be and they are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on May 11, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented in these proceedings;

(C) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5586; Filed, April 20, 1944; 10:26 a. m.]

[Docket No. G-536]

WISCONSIN SOUTHERN GAS CO.

NOTICE OF APPLICATION

APRIL 17, 1944.

Notice is hereby given that on March 29, 1944, an application was filed by the Wisconsin Southern Gas Company, a Wisconsin corporation having its principal place of business in Burlington, Wisconsin, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The Applicant asserts that it is now engaged in the manufacture and distribution of manufactured gas in a number of municipalities in Racine and Walworth Counties, Wisconsin, including Burlington, Lake Geneva, Williams Bay, Delavan, Elkhorn and adjoining areas.

The proposed construction consists of a 4-inch gas pipe line approximately 50,000 feet in length extending from the city of Lake Geneva, Walworth County, Wisconsin, to the Wisconsin-Illinois state line, at or near the town of Genoa City, Wisconsin, for the purpose of connecting the gas distribution system of the Applicant with the natural-gas pipe-line facilities of the Natural Gas Pipe Line Company of America.

It appears from the application that the Wisconsin Southern Gas Company, upon completion of the proposed facilities, expects to interconnect such facilities with the natural-gas transmission system of the Natural Gas Pipe Line Company of America, and thereby obtain an adequate supply of natural gas which the Applicant proposes to substitute for manufactured gas for distribution in the communities and area which it presently serves in the State of Wisconsin.

Applicant asserts that the proposed facilities will make it possible to furnish industrial customers engaged in War work with gas from an adequate and reliable source, and supply several of its industrial customers with additional quantities of gas, enabling them to increase their War production work.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 8th day of May 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5587; Filed, April 20, 1944; 10:26 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5151]

CARADINE HAT CO.

COMPLAINT AND NOTICE OF HEARING

Complaint

Pursuant to the provisions of an act of Congress approved October 15, 1914, entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" (the Clayton Act), as amended by an act approved June 19, 1936, entitled "An Act to amend section 2 of the act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes' approved October 15, 1914, as amended (U.S.C., Title 15, section 13) and for other purposes" (the Robinson-Patman Act), the Federal Trade Commission having reason to believe that Caradine Hat Company, a corporation, is violating and has been violating the provisions of the said Clayton Act as amended, hereby issues its complaint, stating its charges in that respect as follows:

PARAGRAPH 1. The respondent, Caradine Hat Company, is a corporation organized and existing under the laws of the State of Missouri, with its principal office and place of business located at 8 South 4th Street, St. Louis, Missouri. The respondent is directly engaged, and is also indirectly engaged through its various subsidiaries, in the business of importing, manufacturing, distributing, and selling various types, styles, and grades of hats, and has sold and sells such products to four groups of customers: jobbers; retail chain stores; independent retailers; and retailers who are members of, or affiliated with, certain buying organizations.

The respondent facilitates its sales by the use of a staff of traveling salesmen who travel in various states of the United States soliciting and securing orders. Many additional orders are secured from customers through the mails after solicitation by salesmen and others.

The respondent owns in their entirety a number of subsidiaries, some of which are listed below. Each of said subsidiaries has its principal office located at 18 South 4th Street, St. Louis, Missouri.

The Superior Hat Company.
William T. Christmas Company.
Cardinal Hat Company.
The Independent Hat Company.
Richard Van Lier, Inc.
Fitwell Hat Company.
Helmet Corporation of America.

PAR. 2. Since June 19, 1936, in the course and conduct of its business the respondent has been and is now importing, manufacturing, selling and distributing various types, styles and grades of hats, and has sold, shipped, and does now sell and ship, such products, in commerce between and among the various states of the United States, from the state in which respondent's principal office, factories and warehouses are located, across state lines to purchasers thereof located in states other than the state in which respondent's principal office, plants and warehouses are located.

PAR. 3. The respondent in the course and conduct of its business since June 19, 1936, has been and is now in substantial competition with other corporations, individuals, partnerships and firms engaged in the business of manufacturing, selling and distributing various types, styles and grades of hats in commerce.

PAR. 4. In the course and conduct of its business as aforesaid, since June 19, 1936, the respondent has been, and is now, in the course of such commerce, directly and indirectly discriminating in price between different purchasers of its hats of like grade and quality, which products are sold for use, consumption, and resale within the several states of the United States, in that the respondent has been, and is now, selling such hats to some purchasers at a higher price than the price at which such hats are sold to other purchasers generally competitively engaged with the favored purchasers.

Respondent effects said discriminations in prices by granting and allowing larger discounts from list prices to its favored customers, and also by selling to some of such favored purchasers at lower net prices than to other competing purchasers. The extent of said discriminations in price varies from differentials of approximately fifteen percent to differentials of approximately thirty percent, depending upon the type and grade of product sold and the purchaser, and also depending upon whether the customer is, or is not, a member of a favored buying organization.

The favored customers generally are affiliated with, or are members of, certain

buying organizations, representative of which are the following:

Twin City Wholesale Grocery Co., Minneapolis, Minn.
Allied Clothiers, Kansas City, Mo.
Allied Clothiers, St. Paul, Minn.
Northwestern Buyers and Jobbers, St. Paul, Minn.
Midwest Stores, Inc., Minneapolis, Minn.
Northwestern Purchasing Co., St. Paul, Minn.
Egyptian Retailers' Association, Ramsey, Ill.

The respondent customarily sells its products by having its salesmen call on its customers and solicit their orders. Its favored customers are usually certain retailers who are members of, or affiliated with, certain buying organizations; and its unfavored customers are customarily neither members of, nor affiliated with, such buying organizations.

The method of soliciting and receiving orders from either type of customer is the same. The respondent's salesmen call on such retailers and solicit their orders individually, and transmit such orders to the respondent, who invoices and ships the merchandise to the retailer. The only difference in the method of sale is that the respondent bills and collects from the respective buying organization for the purchase price of the hats purchased by its preferred customer while the nonpreferred customer is billed and pays the respondent direct. Such salesmen, however, call on such preferred and unpreferred customers at their respective and geographically separated places of business, solicit and receive their respective orders, and the respondent delivers its hats, when purchased, to both the favored and unfavored purchasers at their respective places of business.

Each of said preferred firms is a separate, distinct, and independent legal and business entity doing business with respondent as aforesaid, yet the basis upon which respondent grants the preferred net prices, discounts, and other allowances to each of said firms is that respondent considers and treats all the purchasers who are members of or affiliated with each favored buying organization collectively, as constituting the purchases of a single customer, and grants to each of said customers the preferred net prices, discounts, and other allowances which respondent has determined are applicable to a single purchaser who purchases approximately the amount purchased by all collective members of each of the respective buying organizations.

PAR. 5. The effect of the discriminations in prices as hereinbefore set forth may be substantially to lessen competition in the sale and distribution of the said products in the respective lines of commerce in which respondent and its customers are engaged, and has been, and may be, to injure, destroy or prevent competition in the sale and distribution of said products with the respondent and with its customers who receive the benefits of such discriminatory prices.

PAR. 6. Such discriminations in prices by respondent between different purchasers of hats of like grade and quality in interstate commerce in the manner and form aforesaid are in violation of the provisions of section 2 (a) of the act described in the preamble hereof.

Wherefore, the premises considered, the Federal Trade Commission on this 15th day of April, A. D. 1944, issues its complaint against said respondent.

Notice

Notice is hereby given you, Caradine Hat Company, a corporation, respondent herein, that the 19th day of May, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 15th day of April, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-5504; Filed, April 20, 1944; 10:41 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 197]

RECONSIGNMENT OF LEMONS AT BIRMINGHAM, ALA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Birmingham, Alabama, April 14, 1944, by The American Fruit Growers Inc., of car SFRD 34070, lemons, now on the St. Louis-San Francisco Railway to Atlanta, Georgia (Sou. Ry.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5554; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 198]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 15, 1944, by National Produce Company of car WFE 49151, potatoes, now on the Wood Street Terminal, to Ben Post, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5555; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 199]

RECONSIGNMENT OF CAR AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 15, 1944, by Harry Finerman Company of car ART 15878, now on the Wabash Railroad, to Evansville, Indiana (I. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5557; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 200]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment on April 17, 1944 by J. Trankina Company, of car PFE 30971, tomatoes, now on the Wabash Railroad at Chicago, Illinois, to Garguilo Amendola Inc., New York, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5558; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 187, General Permit 3]

TRANSPORTATION OF POTATOES FROM IDAHO AND OREGON

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, or any grade, from origins in the State of Idaho or Malheur Country, Oregon, consigned to washing plants located at Blackfoot, Burley, Caldwell, Firth, Idaho Falls, Jerome, Kimberly, Nampa, Rexburg, Rigby, Rupert, St. Anthony, or Twin Falls, Idaho, for washing and grading purposes, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director Division of the Federal Register.

Issued at Washington, D. C., this 17th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5552; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 197, General Permit 3]

TRANSPORTATION OF POTATOES FROM IDAHO AND OREGON

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the State of Idaho and Malheur County, Oregon consigned to washing plants located at Blackfoot, Burley, Caldwell, Firth, Idaho Falls, Jerome, Kimberly, Nampa, Rexburg, Rigby, Rupert, St. Anthony, or Twin Falls, Idaho, for washing and grading purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing and grading purposes only.

This general permit shall become effective at 7:00 a. m., April 21, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5553; Filed, April 19, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 201]

RECONSIGNMENT OF LETTUCE AT FT. WORTH, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Fort Worth, Texas, April 18, 1944, by Tri State Produce Company on ART 22359 and ART 17725, lettuce now on the Texas and Pacific Railroad to Simon Siegel Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5588; Filed, April 20, 1944; 10:39 a. m.]

[S. O. 70-A, Special Permit 202]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provision of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 18, 1944, Charles Abbate Company, of car PFE 36186, lettuce, now on the Chicago Produce Terminal to Bova Fruit Company, Indianapolis, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5588; Filed, April 20, 1944; 10:30 a. m.]

[S. O. 70-A, Special Permit 203]

RECONSIGNMENT OF ASPARAGUS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment on April 18, 1944, by M. Lapidus Sons of car RD 25804, asparagus, now on hand at Chicago Produce Terminal, Chicago, Illinois, to A. J. Sweet Company, Madison, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5590; Filed, April 20, 1944; 10:30 a. m.]

[S. O. 70-A, Special Permit 204]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 17, 1944, by Caldwell Fruit Company, Montreal, Canada, of car FGE 52204, tomatoes, now on hand at Chicago Produce Terminal, to Montreal, Canada.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5591; Filed, April 20, 1944; 10:30 a. m.]

[S. O. 164, Special Permit 28]

REFRIGERATION OF CITRUS FRUIT AT AUBURNDALE, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to FGE 51491, a mixed car of grapefruit and oranges from the Adams Packing Company, Auburndale, Florida, consigned to the Great Bend Army Air Base, Great Bend, Kansas, with stop off for partial unloading at Kansas City, Missouri-Kansas. Originating carrier Seaboard Air Line.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5592; Filed, April 20, 1944; 10:30 a. m.]

[S. O. 178, Special Permit 121]

MOVEMENT OF CHEESE FROM FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the movement of one refrigerator car of cheese in glass via C. M. St. P. & P. from Kraft Cheese Company, Freeport, Illinois, to Omaha, Nebraska.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5593; Filed, April 20, 1944; 10:30 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-99]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN WASHINGTON, N. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Washington, North Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-99" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina.

8. This order shall become effective April 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Bonner Cleve, 620 Respass Street, Washington, N. C.
Herman Barnes, 530 West Fourth St., Washington, N. C.
Vandy Cleve, 620 Respass Street, Washington, N. C.

[1] Filed as part of the original document.

Joe McCleod, 301 Sparrow Alley, Washington, N. C.
Joe Barnes, Washington, N. C.

[F. R. Doc. 44-5619; Filed, April 20, 1944; 11:18 a. m.]

[Supp. Order ODT 20A-100]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN GOLDSBORO, N. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Goldsboro, North Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-100" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina.

8. This order shall become effective April 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William Hamilton, 806 North John Street, Goldsboro, N. C.
Thedy Moses, 911 Deveraux Street, Goldsboro, N. C.
Isaac Hamilton, 909 North Center Street, Goldsboro, N. C.
McKinley Best, 708 Deveraux Street, Goldsboro, N. C.

[F. R. Doc. 44-5620; Filed, April 20, 1944; 11:18 a. m.]

[Supp. Order ODT 20A-101]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN SCRANTON, PA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Scranton, Pennsylvania, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the

[1] Filed as part of the original document.

following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Scranton, Pennsylvania, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–101" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Scranton, Pennsylvania.

8. This order shall become effective April 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Independent Taxi Service, D. L. & W. Station, Scranton, Pa.
Public Service Taxi Co., 233 Wyoming Ave., Scranton, Pa.
Laurel Line Taxicab Co., Laurel Line Station, Scranton, Pa.
Lackawanna Taxicab Co., Inc., 100 S. Washington Ave., Scranton, Pa.
Tom Ford, 207 N. Washington Ave., Scranton, Pa.
Flanagan Taxicab Co., 501 Linden St., Scranton, Pa.

[F. R. Doc. 44–5621; Filed, April 20, 1944; 11:18 a. m.]

[Supp. Order ODT 20A–102]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HOLLAND, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Holland, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–102" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan.

8. This order shall become effective April 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Tulip City Cab Company, Holland, Michigan.
A. Cook, d/b/a Yellow Checker Cab Company, Holland, Michigan.

[F. R. Doc. 44–5622; Filed, April 20, 1944; 11:16 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I G–7 Under RMPR 122, Amdt. 7]

BITUMINOUS COAL IN METROPOLITAN BOSTON, MASS., AREA

Amendment No. 7 to Order No. G–7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G–7 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the Table of Prices in subparagraph (1) of paragraph (b):

Kind of coal	Classes of purchasers		
	Classes AA and A	Class B	Class C
Premier nut or pea	$8.19	$8.37	$8.64

2. The following is added to the Table of Prices in subparagraph (1) of paragraph (c):

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Premier nut or pea	$10.50	$10.25	$10.00	$9.85	$9.38

3. Subparagraph (6) of paragraph (f) is amended to read as follows:

(6) "Low Volatile Pea" is bituminous coal, double screened at the mines, with a top size smaller than two (2) inches and a bottom size one-quarter (¼) inch or larger, produced in the low volatile sections of Producing Districts 7 or 8, except "Premier Pea" when "Premier Pea" is stored and delivered separately from any other coal except "Premier Nut."

4. Subparagraph (17) is added to paragraph (f), to read as follows:

(17) "Premier Nut or Pea" means the following bituminous coals of Consumers Mining Corporation, produced at its Premier Mine, Mine Index No. 377 in the low volatile section of Producing District No. 8:

"Pea"—Size group 5, Price Classification A.
"Nut"—Size group 4, Price Classification D.

or any mixture of the foregoing.

This Amendment No. 7 shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–5504; Filed, April 18, 1944; 3:00 p. m.]

[Region I Order G–21 Under RMPR 122, Amdt. 2]

SPECIFIED SOLID FUELS IN NASHUA, N. H., AREA

Amendment No. 2 to Order No. G–21 Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Nashua, New Hampshire Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (f) of Region I Order No. G–21 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(f) *Definitions.* When used in this Order G–21, the term:

(1) "Nashua, New Hampshire Area" shall include the following cities and towns in the State of New Hampshire: Amherst, Brookline, Derry, Greenville, Hampstead, Hollis, Hudson, Litchfield, Mason, Merrimac, Milford, Nashua, New Ipswich, Sandown, Temple, Wilton and Windham.

This Amendment No. 2 to Order No. G–21 shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–5503; Filed, April 18, 1944; 3:00 p. m.]

[Region II Rev. Order G–15 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MARYLAND

Amendment No. 1 to Revised Order No. G–15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–15 is amended in the following respects:

1. Paragraph (d) is amended by revising the "Direct-Delivery" prices for Virginia anthracite as follows:

(d) • • •

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
• •	•	•	•
Virginia Anthracite:			
Egg, stove, nut	$11.35	$6.20	$0.65
Pea	9.70	5.35	.55

(Required discounts and maximum authorized service charges remain unchanged.)

2. Paragraph (e) (1) is amended by revising the prices for "Yard Sales" of Virginia anthracite as follows:

(e) (1) • • •

Kind and size of coal	Per net ton (for sales of ½ ton or more)	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
• •	•	•
Virginia Anthracite:		
Egg, stove, nut	$10.35	$0.60
Pea	8.70	.50

(Required discounts remain unchanged.)

This Amendment No. 1 to Revised Order No. G–15 shall become effective as of April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–5490; Filed, April 18, 1944; 2:59 p. m.]

[Region III Order G–2 Under MPR 188]

CONCRETE BLOCKS IN MARION COUNTY, IND., AREA

Order No. G–2 under Maximum Price Regulation No. 188. Manufacturer's maximum prices for specified building materials and consumer's goods other than apparel. Order adjusting maximum prices for concrete blocks in the Marion County, Indiana, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) Any manufacturer of concrete blocks may sell such blocks, in the Marion County, Indiana, area, at prices not exceeding,

(1) Its present legally established maximum prices, or

(2) The maximum prices hereinafter set forth.

(b) Any such seller shall, however, maintain all customary discounts, allowances, or price differentials.

(c) The schedule of adjusted maximum prices for concrete blocks permitted by this order is as follows:

COMMODITY, CONCRETE BLOCKS

Size and shape	Adjusted maximum price [1]
3 x 8 x 16, Solid	$0.12
3 x 8 x 12, Solid	.09
3 x 8 x 8, Solid	.06
3 x 8 x 4, Plugs	.03½
4 x 8 x 16, Hollow	.09
4 x 8 x 16, Solid Spls	.11
4 x 8 x 12, Solid	.09
4 x 8 x 8, Solid Spls	.06
4 x 8 x 4, Plugs	.03½
6 x 8 x 16, Plain	.11

[1] Prices quoted are on a delivered basis. Yard prices shall be equal to delivered prices on quantities less than $100.00. On quantities amounting to $100.00 or more, yard sales shall be subject to a discount of 5% of above prices.

COMMODITY, CONCRETE BLOCKS—continued

Size and shape	*Adjusted maximum price*
6 x 8 x 16, Headers	$0.13
6 x 8 x 16, Spls	.13
6 x 8 x 8, Spls	.06½
8 x 8 x 16, Plain	.12
8 x 8 x 16, Spls	.14
8 x 8 x 8, Spls	.07
8 x 8 16, Headers	.14
8 x 8 x 16, Angle-block, Handmade	.25
8 x 8 x 16, Vent-block, Handmade	.80
8 x 8 x 12, Three-quarters	.14
8 x 8 x 16, Rock Face	.14
8 x 8 x 16, Rock Face Spls	.16
8 x 8 x 8, Rock Face Spls	.08
10 x 8 x 16, Plain	.15
10 x 8 x 16, Spls	.17
10 x 8 x 8, Spls	.08½
10 x 8 x 18, Corners	.20
12 x 8 x 16, Plain	.18
12 x 8 x 16, Spls	.20
12 x 8 x 8, Spls	.10
12 x 8 x 12, Bull-nosed Column	.25
5 x 8 x 16, Plain	.12
5 x 8 x 16, Spls	.14
5 x 12 x 16, Plain	.16
5 x 12 x 16, Spls	.18
7 x 16 x 16, Chimney Block 9" flue	.65
7 x 16 x 16, Chimney Block Thimble Unit	.80
4 x 8 x 9, Flue-block	.08
4 x 8 x 3, Flue-block	.10
4 x 8 x 17, Flue-block	.12
4 x 8 x 13, Flue-block Thimble Unit	.30
1⅓ x 8 x 16, Furring-block	.06

(d) This order shall apply to all sales of concrete blocks pursuant to which actual physical delivery occurs within the limits of Marion County, Indiana.

(e) This order may be amended, modified, or revoked at any time by the Office of Price Administration.

This order shall become effective April 13, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9328, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 13, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5502; Filed, April 18, 1944; 3:00 p. m.]

[Region III Order G-8 Under RMPR 122, Corr. to Amdt. 1]

SOLID FUELS IN LOUISVILLE, KY., AREA

Correction of Amendment No. 1 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Louisville, Kentucky, area.

On April 5, 1944, Amendment No. 1 to Order No. G-8 was issued. By inadvertence, the maximum price appearing under Column III in subparagraph 2, paragraph A of Part I in section (c) (1), was shown as $7.60. The correct figure is $7.80.

Accordingly, section (b) of Amendment No. 1 to Order No. G-8 is hereby corrected to read as follows:

(b) Subparagraph 2, paragraph A of Part I in section (c) (1) is amended to read as follows:

	Column I	Column II	Column III	Column IV
2. Mine Price Classifications G and H	$6.05	$7.80	$7.55	

This correction shall be effective as of April 5, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 12, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5509; Filed, April 18, 1944; 3:01 p. m.]

[Region III Order G-13 Under RMPR 122, Corr. to Amdt. 4]

SOLID FUELS IN TOLEDO, OHIO, AREA

Correction of Amendment No. 4 to Order No. G-13, as amended, under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, Area.

On March 29, 1944, Amendment No. 4 to Order No. G-13, as amended, under Revised Maximum Price Regulation No. 122 was duly issued, effective on the same day. By inadvertence the reference to the Producing District contained in paragraph (b) of said amendment was to Producing District No. 8. The correct reference should have been Producing District No. 7.

Accordingly, paragraph (b) of said Amendment No. 4 is hereby corrected to read as follows:

(b) The general description contained in the heading of Part III under Column I of section (c) (1) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 7 (Southeastern West Virginia and Northwestern Virginia)".

This correction to Amendment No. 4 to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 7, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5508; Filed, April 18, 1944; 3:01 p. m.]

[Region III Order G-21 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ALLIANCE, OHIO

Amendment No. 2 to Order No. G-21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Alliance in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.254 and § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-21 under Revised Maximum Price Regulation No. 122, be amended in the following respects:

1. Section (a) is amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Alliance in the State of Ohio and all territory within ten miles of said corporate limits. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point within the corporate limits of the City of Alliance in the State of Ohio, and at or to any point within ten miles of the said corporate limits, and they are also the highest prices that any buyer in the course of trade or business may pay for them.

2. The general description contained in the heading of Part II of Schedule I in section (c) (1) is amended to read as follows:

II. High Volatile Bituminous coals from Producing District No. 4 (Ohio), excluding Mine Index Nos. 42 and 55.

3. Subparagraph 2 (c), paragraph A of Part II, Schedule I in Section (c) (1) is amended to read as follows:

SCHEDULE I

	Maximum gross price per net ton
(c) Size Group No. 3 (larger than 1¼" but not exceeding 2")	$6.35

4. Section (e) is amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealers invoice.

SERVICE SCHEDULE

Carrying or wheeling from curb	$0.50 per ton.
Carrying up or down one flight of stairs	$0.75 per ton.
One half ton deliveries	¼ of the ton price plus $0.25.
Trimming in bin	$0.35 per ton.
Use of double chute	$0.35 per ton.
Delivery within City of Alliance and all territory within one mile from the Alliance corporate limits	No charge.
Delivery outside the said one mile limit and within ten miles from said corporate limits	$0.50 per ton.

This Amendment No. 2 to Order No. G-21 under Revised Maximum Price Regulation No. 122 shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 12, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5505; Filed, April 18, 1944; 3:00 p. m.]

[Region III Order G-45 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BOONE, CAMPBELL, AND KENTON COUNTIES, KY.

Amendment No. 1 to Order No. G-45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Boone, Campbell, and Kenton Counties, Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-45 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Part I of the price schedule in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky) except from the Bull Creek, Clintwood, Splash Dam and Upper Banner Seams:		
A. Lump, size group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Elkhorn 1 and 2, No. 2 Gas, Dorothy, and Millers Creek Seams, in Mine Price Classifications E through J	$8.15	$7.90
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 413	7.60	7.35
B. Egg, size groups 6 & 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in Mine Price Classifications G and lower	7.30	7.05
C. Stoker, size group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger) in Mine Price Classifications B and lower:		
1. Treated	7.95	7.70
2. Untreated	7.85	7.60
D. Screenings, size group No. 20 (larger than ¾" x 0 but not exceeding 2" x 0), and yard screenings		5.45

(b) The general description contained in the heading of Part II in section (c) (1) is amended to read as follows:

II. Low volatile bituminous coals from producing District Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), excepting Mine Index Nos. 26 and 73.

This amendment No. 1 to Order No. G-45 under Revised Maximum Price Regulation No. 122 shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 12, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5506; Filed, April 18, 1944; 3:00 p. m.]

[Region III Order G-30 Under RMPR 122, Amdt. 1]

SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

Amendment No. 1 to Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Hamilton County, Ohio, and in the City of Milford, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-30 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. Part I of the price schedule in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District Nos. 7 and 8, (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky), except from the Bull Creek, Clintwood, Splash Dam and Upper Banner Seams:		
A. Lump, size Group Nos. 1 and 2 (bottom size larger than 3") excepting coals in Mine Price Classifications A through D:		
1. From the Harlan and Raven Rock, Harlan and Creech, Elkhorn 1 and 2, No. 2 gas, Dorothy, and Millers, Creek Seams, in Mine Price Classifications E through J	$8.15	$7.90
2. All other coals in Mine Price Classifications G and lower excepting coal from Mine Index No. 413	7.60	7.35
B. Egg, size groups 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 3" and smaller) in Mine Price Classifications G and lower	7.30	7.05
C. Stoker, size Group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger) in Mine Price Classifications B and lower:		
1. Treated	7.95	7.70
2. Untreated	7.85	7.60
D. Screenings, size Group No. 20 (larger than ¾" x 0 but not exceeding 2" x 0), and yard screenings		5.80

2. The general description contained in the heading of Part II in section (c) (1) is amended to read as follows:

II. Low volatile bituminous coals from producing District Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky, excepting Mine Index Nos. 26 and 73).

This amendment No. 1 to Order No. G-30 under Revised Maximum Price Regulation No. 122 shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 12, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5507; Filed, April 18, 1944; 3:01 p. m.]

[Region VII Order G-1 Under SR 15, Amdt. 1]

FLUID MILK IN MONTANA

Order No. G-1 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, Amendment No. 1. Adjusted maximum prices for fluid milk sold at wholesale and at retail in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (d) of Order No. G-1 is hereby amended by deleting from the price bracket for District No. 2 the wholesale price of 48¢ per gallon for milk sold in bulk and substituting therefor the wholesale price of 42¢ per gallon for milk sold in bulk in said District No. 2.

2. *Effective date.* This amendment shall become effective on the 10th day of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-5501; Filed, April 18, 1944; 2:59 p. m.]

[Region VII Rev. Order G-33 Under 18 (c)]

ANIMAL FEEDING SALT IN DENVER REGION

Revised Order No. G-33 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of retail prices for animal feeding salt in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, Order No. G-33 under § 1499.18 (c) of the General Maximum Price Regulation is hereby redesignated Revised Order No. G-33 under § 1499.18 (c) of the General Maximum Price Regulation and made to read as follows:

(a) *What this order does.* This order determines how sellers of animal feeding salt at retail shall establish their maximum prices in Region VII, which includes all of the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the

Counties of Mohave and Coconino in the State of Arizona, lying north of the Colorado River.

(b) *How maximum prices at retail are established.* If you are a seller of animal feeding salt any place in Region VII, you will determine your maximum prices in the following manner:

(1) To the purchase price paid your supplier f. o. b. point of origin, not, however, to exceed your supplier's maximum price as determined in accordance with the applicable regulation, you will add the cost of transportation to your railroad unloading point.

(2) If you do not unload direct from the railroad car into your warehouse or other storage place, you will also add the actual cost of local cartage or trucking, either by common carrier, contract carrier, or in your own conveyance, from the railroad car to your warehouse or other storage place, not, however, to exceed the lowest available cartage, contract carrier, or common carrier rate.

(3) If you buy salt in bulk and sell it in bags furnished by you, you may add the cost of the bags, not, however, to exceed the maximum price established under Maximum Price Regulation No. 55 for used bags or the maximum price established under Maximum Price Regulation No. 151 for new bags.

(4) To your laid-in cost, as determined in accordance with the foregoing paragraphs (1), (2), and (3), you will add a flat margin of 10¢ per cwt. for salt sold and delivered direct from the railroad car in which the shipment was received, and a flat rate of 15¢ per cwt. for salt sold and delivered f. o. b. your warehouse or other storage place; *Provided, however,* That for block salt sold in less than one-ton lots you will add 7¢ per block when the sale is made direct from the railroad car and 10¢ per block when the sale is made f. o. b. your warehouse or other storage place.

Your maximum price determined in accordance with the foregoing paragraphs (1), (2), (3), and (4) becomes your ceiling price, which must never be exceeded by you in making a sale of animal feeding salt, but you may sell below your ceiling price if you wish to do so.

(c) *Higher established maximum prices may be maintained.* If as a seller at retail of animal feeding salt you have established under the General Maximum Price Regulation a price that is higher than the price which you are able to establish under paragraph (b) of this Revised Order No. G–33, you may retain such higher maximum price and continue to sell in accordance therewith.

(d) *Relation to other regulations.* This Revised Order No. G–33 supersedes Order No. G–33 under § 1499.18 (c) of the General Maximum Price Regulation, issued on April 3, 1943, and Amendment No. 1 thereto, issued June 21, 1943, as of the effective date hereof; but except insofar as the same may be inconsistent with or contradictory of any one or more of the terms and provisions of this Revised Order No. G–33, all of the terms and provisions of the General Maximum Price Regulation remain in full force and effect and must be complied with by all persons selling animal feeding salt under this Revised Order No. G–33.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This Revised Order No. G–33 may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

(g) *Effective date.* This order shall become effective as of April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of April 1944.

—RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-5500; Filed, April 18, 1944; 2:59 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 17, 1944.

REGION I

Boston Order No. 2–F, Amendment No. 2, filed 2:20 p. m.

REGION II

District of Columbia Order No. 8, Amendment No. 1, filed 12:33 p. m.
Maryland Order No. 1–F, Amendment No. 2, filed 12:37 p. m.

REGION III

Charleston Order No. 1–F, Amendment No. 17, filed 2:45 p. m.
Charleston Order No. 3–F, Amendment No. 11, filed 2:44 p. m.
Charleston Order No. 3–F, Amendment No. 14, filed 2:43 p. m.
Charleston Order No. 5–F, Amendment No. 9, filed 2:43 p. m.
Charleston Order No. 6–F, Amendment No. 7, filed 2:37 p. m.
Charleston Order No. 7–F, Amendment No. 1, filed 2:37 p. m.
Cincinnati Order No. 1–F, Amendment No. 1, filed 12:37 p. m.
Cincinnati Order No. 3–F, Amendment No. 18, filed 12:36 p. m.
Escanaba Order No. 4–W, filed 2:45 p. m.
Indianapolis Order No. 4–F, Amendment No. 10, filed 2:33 p. m.
Indianapolis Order No. 5–F, Amendment No. 10, filed 2:33 p. m.
Indianapolis Order No. 6–F, Amendment No. 10, filed 2:33 p. m.
Indianapolis Order No. 8–F, Amendment No. 10, filed 2:33 p. m.
Indianapolis Order No. 9–F, Amendment No. 10, filed 2:31 p. m.
Indianapolis Order No. 10–F, Amendment No. 10, filed 2:31 p. m.
Louisville Order No. 1–F, Amendment No. 1, filed 12:32 p. m.
Louisville Order No. 2–F, Amendment No. 19, filed 12:33 p. m.
Louisville Order No. 3–W, filed 12:33 p. m.
Louisville Order No. 3–F, Amendment No. 13, filed 12:33 p. m.
Louisville Order No. 4–F, Amendment No. 1, filed 2:19 p. m.
Louisville Order No. 5–F, Amendment No. 1, filed 2:18 p. m.
Louisville Order No. 6–F, Amendment No. 1, filed 2:19 p. m.
Louisville Order No. 15, Amendment No. 1, filed 2:17 p. m.
Louisville Order No. 16, Amendment No. 1, filed 2:18 p. m.
Louisville Order No. 17, Amendment No. 1, filed 2:18 p. m.

REGION IV

Atlanta Order No. 1–F, Amendment No. 9, filed 2:34 p. m.
Atlanta Order No. 1–W, Amendment No. 1, filed 2:35 p. m.
Atlanta Order No. 5–F, Amendment No. 6, filed 2:34 p. m.
Atlanta Order No. 6–F, filed 2:35 p. m.
Atlanta Order No. 12, Amendment No. 1, filed 2:34 p. m.
Birmingham Order No. 1–F, Amendment No. 6, filed 12:31 p. m.
Birmingham Order No. 2–F, Amendment No. 3, filed 2:31 p. m.
Jackson Order No. 1–W, Amendment No. 1, filed 12:36 p. m.
Jackson Order No. 2–F, Amendment No. 6, filed 12:31 p. m.
South Carolina Rev. Order 1–F, Amendment No. 1, filed 12:32 p. m.
South Carolina Rev. Order 2–F, Amendment No. 1, filed 12:31 p. m.
South Carolina Order No. 3–F, Amendment No. 3, filed 12:31 p. m.

REGION V

Arkansas Order No. G–16, filed 2:28 p. m.
Fort Worth Order No. 1–F, Amendment No. 12, filed 2:29 p. m.
Fort Worth Order No. 2–F, Amendment No. 13, filed 2:29 p. m.
Fort Worth Order No. 3–F, Amendment No. 13, filed 2:29 p. m.
Fort Worth Order No. 4–F, Amendment No. 12, filed 2:29 p. m.
Fort Worth Order No. 5–F, Amendment No. 12, filed 2:29 p. m.
St. Louis Order No. 1–F, filed 2:36 p. m.
St. Louis Rev. Order No. 2–F, Amendment No. 2, filed 2:36 p. m.
St. Louis Rev. Order No. 3–F, Amendment No. 3, filed 2:36 p. m.
Wichita Order No. 1–W, Amendment No. 1, filed 12:37 p. m.
Wichita Order No. 2–F, Amendment No. 2, filed 12:31 p. m.
Wichita Order No. 3–F, Amendment No. 1, filed 2:28 p. m.
Wichita Order No. 3–F, Amendment No. 2, filed 2:26 p. m.
Wichita Order No. 3–F, Amendment No. 3, filed 2:28 p. m.
Wichita Order No. 3–F, Amendment No. 4, filed 2:27 p. m.

REGION VI

Chicago Order No. 2–F, Amendment No. 9, filed 12:26 p. m.
Duluth-Superior Order No. 1–F, Amendment No. 13, filed 12:36 p. m.
Des Moines Order No. 2–F, Amendment No. 2, filed 2:46 p. m.
Fargo-Moorhead Order No. 1–W, filed 2:37 p. m.
La Crosse Order No. 1–F, Amendment No. 11, filed 2:23 p. m.
La Crosse Order No. 1–W, filed 2:24 p. m.
La Crosse Order No. 3–W, filed 2:24 p. m.
La Crosse Order No. 3–F, Amendment No. 7, filed 2:22 p. m.
La Crosse Order No. 4–F, Amendment No. 7, filed 2:22 p. m.
La Crosse Order No. 5–F, Amendment No. 7, filed 2:22 p. m.

Milwaukee Order No. 2–F, Amendment No. 9, filed 2:21 p. m.
Milwaukee Order No. 3–F, Amendment No. 8, filed 2:21 p. m.
Milwaukee Order No. 5–F, Amendment No. 8, filed 2:21 p. m.
Moline Order No. 2–F, Amendment No. 6, filed 2:20 p. m.
Moline Order No. 3–F, Amendment No. 2, filed 2:46 p. m.
Twin Cities Order No. 1–F, Amendment No. 3, filed 2:46 p. m.
Twin Cities Order No. 2–F, Amendment No. 2, filed 2:24 p. m.

REGION VII

New Mexico Order No. F–1, Amendment No. 8, filed 2:25 p. m.
New Mexico Order No. 16, Amendment No. 3, filed 2:25 p. m.
New Mexico Order No. 17, Amendment No. 3, filed 2:26 p. m.
Utah Order No. 2–W, filed 2:26 p. m.
Wyoming Order No. 20, Amendment No. 2, filed 2:25 p. m.
Wyoming Order No. 23, Cor. to Amend. 1, filed 2:25 p. m.
Wyoming Order No. 24, Amendment No. 2, filed 2:25 p. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 12, filed 12:35 p. m.
Fresno Order No. 2–F, filed 12:35 p. m.
Los Angeles Order No. 1–F, Amendment No. 7, filed 12:34 p. m.
Phoenix Order No. 3–F, Amendment No. 14, filed 12:35 p. m.
Phoenix Order No. 6–F, Revocation, filed 12:35 p. m.
Phoenix Order No. 7–F, Revocation, filed 12:36 p. m.
San Diego Order No. 1–F, Amendment No. 21, filed 12:34 p. m.
San Francisco Order No. 1–F, Amendment No. 9, filed 12:34 p. m.
San Francisco Order No. 2–F, Amendment No. 2, filed 12:34 p. m.
San Francisco Order No. 3–F, Amendment No. 1, filed 12:35 p. m.
San Francisco Order No. 4–F, filed 12:35 p. m.
Seattle Order No. 20, Amendment No. 5, filed 12:33 p. m.
Seattle Order No. 21, Amendment No. 1, filed 12:33 p. m.
Seattle Order No. 23, Amendment No. 2, filed 12:33 p. m.
Spokane Order No. 1–F, Amendment No. 5, filed 2:27 p. m.
Spokane Order No. 2–F, Amendment No. 2, filed 2:27 p. m.
Spokane Order No. 18, Amendment No. 2, filed 12:35 p. m.
Spokane Order No. 19, Revocation, filed 2:27 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5566; Filed, April 19, 1944; 11:44 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 18, 1944.

REGION II

Binghamton Order No. P–1, Amendment No. 2, filed 9:42 a. m.
Newark Order No. 1–F, Amendment No. 2, filed 9:42 a. m.
New York Order No. 13, Amendment No. 2, filed 9:44 a. m.
Trenton Order No. W–1, filed 9:44 a. m.

REGION III

Charleston Order No. 1–F, Amendment No. 18, filed 9:41 a. m.
Charleston Order No. 3–F, Amendment No. 15, filed 9:41 a. m.
Charleston Order No. 6–F, Amendment No. 8, filed 9:40 a. m.
Charleston Order No. 8–F, Amendment No. 1, filed 9:40 a. m.
Charleston Order No. 30, Amendment No. 1, filed 9:41 a. m.
Charleston Order No. 31, Amendment No. 1, filed 9:41 a. m.
Charleston Order No. 32, Amendment No. 1, filed 9:42 a. m.
Escanaba Order No. 9–F, Amendment No. 6, filed 9:44 a. m.
Escanaba Order No. 10–F, Amendment No. 6, filed 9:43 a. m.
Escanaba Order No. 11–F, Amendment No. 6, filed 9:44 a. m.
Escanaba Order No. 12–F, Amendment No. 5, filed 9:43 a. m.
Escanaba Order No. 13–F, Amendment No. 5, filed 9:44 p. m.
Escanaba Order No. 14–F, Amendment No. 5, filed 9:44 a. m.
Escanaba Order No. 15–F, Amendment No. 5, filed 9:44 a. m.
Escanaba Order No. 16–F, Amendment No. 5, filed 9:43 a. m.
Escanaba Order No. 17–F, Amendment No. 4, filed 9:43 a. m.
Indianapolis Order No. 11–F, Amendment No. 10, filed 9:42 a. m.

REGION V

New Orleans Order No. 1–F, Amendment No. 4, filed 9:40 a. m.
New Orleans Order No. 2–F, Amendment No. 12, filed 9:40 a. m.
Oklahoma Order No. 3–F, Amendment No. 12, filed 9:40 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5565; Filed, April 19, 1944; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-89]

THE UNITED CORP.

NOTICE OF AND ORDER AFFORDING FURTHER OPPORTUNITY TO BE HEARD

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of April, 1944.

The United Corporation, a registered holding company, having heretofore filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a proposed plan involving the exchange of portfolio assets for outstanding shares of its $3 Cumulative Preference Stock; and

Hearings having been held in this matter and having been continued subject to call, and the Commission having issued its notice of and order reconvening hearing on April 20, 1944, at 10 a. m., e. w. t.; and it appearing to the Commission that said notice of and order reconvening hearing dated April 11, 1944, through inadvertence, was not published in the FEDERAL REGISTER.

It is hereby ordered, That any interested person who has failed to receive appropriate notice of the reconvening of the hearing on April 20, 1944, shall be given a further opportunity to be heard upon written request: *Provided,* That such request is addressed to the Secretary of the Commission on or before April 27, 1944, prior to which date the record shall not be closed;

It is further ordered, That notice of said further opportunity to be heard shall be given to such interested persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5577; Filed, April 19, 1944; 2:45 p. m.]

[File No. 30-202]

PUBLIC SERVICE COMPANY OF OKLAHOMA

FINDINGS AND ORDER CONCERNING REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of April, A. D. 1944.

Public Service Company of Oklahoma, a registered holding company, having filed a certificate of notification that it has acquired all the assets and properties and assumed the liabilities of its only public utility subsidiary, Southwestern Light & Power Company, which has been dissolved, and having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting an order declaring that it has ceased to be a holding company;

Appropriate notice having been given and a public hearing held, the Commission having considered the record; and

The Commission finding that Public Service Company of Oklahoma has ceased to be a holding company and that the registration of said company as a holding company should cease to be in effect, and that it is not necessary to impose any terms or conditions for the protection of investors in connection with the termination of such registration;

It is ordered and declared that Public Service Company of Oklahoma has ceased to be a holding company and that the registration of Public Service Company of Oklahoma as a holding company shall from the date of the entry of this order cease to be effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5578; Filed, April 19, 1944; 2:45 p. m.]

[File No. 70-867]

ENGINEERS PUBLIC SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of April 1944.

A declaration and amendments thereto having been filed by Engineers Public Service Company under section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, a hearing having been held after appropriate notice, and the Commission being fully advised and having this day made and filed its findings and opinion herein:

It is ordered, That said declaration, as amended, be and it hereby is permitted to become effective subject to the terms and conditions prescribed in Rule U-24, and subject to the conditions enumerated below:

(1) At least ten days before purchases are commenced, Engineers shall cause to be mailed to each holder of record of its preferred stocks a notice of its intention to make such purchases and the method to be employed, together with a copy of the findings and opinion in this matter, and also publish, not less than five days before beginning such purchases, a similar notice in daily newspapers of general circulation in New York, New York, and Boston, Massachusetts;

(2) Engineers shall not solicit or cause to be solicited the sale to it or for its account of any of its preferred stocks;

(3) Engineers shall not purchase its preferred stock knowingly, directly or indirectly, from any associate company or from any officer or director of Engineers or of any associate company;

(4) Engineers shall furnish to the Commission promptly after each week a schedule showing the number of shares of each series of preferred stock purchased during that week, the prices at which they were purchased and the names of the brokers through whom purchased;

(5) Engineers, promptly upon completion of the proposed purchase program, shall notify all of its preferred stockholders that such program has been completed, and such notification shall be given in the same manner as is provided in (1) above for notification of the commencement of the program;

(6) All purchases shall be effected on the New York Stock Exchange except that the Company may purchase large blocks of stock otherwise than on said Exchange provided that notice of intention to effect each such purchase together with a statement of the identity of the seller, the price proposed to be paid and any fees or commissions to be incurred in connection therewith shall have been given to the Commission and the Company shall not have been informed by the Commission that it intends to issue an order to show cause why such purchase should not be consummated;

(7) No purchases shall be made after four months from the date of the order herein subject, however, to the right of Engineers to apply for an extension or extensions of said period; and

(8) The Commission reserves the right to rescind or modify this order upon motion of Engineers or upon its own motion after notice to Engineers at any time prior to the expiration of said four-month period, such rescission or modification to be applicable only to such portion of the $4,000,000 as shall not have been previously expended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5579; Filed, April 19, 1944; 2:45 p. m.]

[File Nos. 70-846, 70-850]

VIRGINIA ELECTRIC AND POWER CO., ET AL.

NOTICE OF FILING OF AMENDED APPLICATIONS AND DECLARATIONS AND ORDER RECONVENING HEARING AND GIVING OPPORTUNITY FOR THE FILING OF BRIEFS AND FOR ORAL ARGUMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of April 1944.

In the matter of Virginia Electric and Power Company, Virginia Public Service Company, Engineers Public Service Company, File No. 70-846; and in the matter of General Gas & Electric Corporation, File No. 70-850.

Applications and declarations having heretofore been filed by Engineers Public Service Company ("Engineers"), a registered holding company, Virginia Electric and Power Company ("Vepco"), a subsidiary company of Engineers, General Gas & Electric Corporation ("Gengas"), a registered holding company, and Virginia Public Service Company ("VPS"), a subsidiary company of Gengas, regarding the acquisition by Engineers from Gengas of all of the common stock of VPS and a claim of Gengas to certain escrow funds, the merger of VPS into Vepco, the issuance by the merged company of bonds, serial notes and preferred stock and other related transactions; and

The Commission having ordered hearings on such matters and hearings having been held before a trial examiner and having been continued subject to the call of the examiner; and

Engineers, Vepco and VPS having now filed an amendment amending in certain respects their proposals, which amendments may be summarized as follows:

1. The merged company will issue and sell $23,000,000 principal amount of 3% bonds instead of $24,500,000 principal amount of 3½% bonds.

2. The merged company will issue $9,000,000 principal amount of 2¼% and 2⅝% ten-year serial notes instead of $5,000,000 principal amount of 2¼% five-year serial notes.

3. Each share of VPS preferred stock will receive one share of new Vepco $5 dividend preferred stock plus, for the 7% VPS preferred stock, $24.50 in cash and for the 6% VPS preferred stock, $19 in cash, together with accrued dividends from March 31, 1944, to the date of the merger. Under the previous proposals 1¼ shares of Vepco $5 dividend preferred stock were to go to each VPS preferred share plus $3.50 per share in cash for the 7% preferred stock, together with dividends accrued to the date of the merger.

4. The merged company will restrict dividend payments on its common stock to an extent which will leave in surplus $11,020,000 over a period of ten years as compared with the original proposal of $6,000,000 over a period of five years.

5. Accounting adjustments will be made to write off, at the time of the merger, the excess costs ($5,921,601) to Vepco of the assets acquired over their cost to VPS and the gas plant adjustments ($1,677,707) now included in Vepco plant account. In addition, a reserve of $7,947,076 will be provided for electric and common utility plant adjustments of Vepco in order to permit their elimination when the amounts have been finally determined. The present net acquisition adjustment costs of the two companies aggregating $9,136,339 will be amortised over a period of not exceeding fifteen years by charges to gross income.

6. Vepco has agreed with the State Corporation of Virginia to a reduction in rates of some $300,000 annually, based on present level of use, principally to residential and municipal customers in that part of the area served by VPS where such rates are higher than those now charged by Vepco; and

It appearing to the Commission that a further hearing should be held for the purpose of receiving such evidence as may be relevant and material to such amended proposals, and also that opportunity should be given to interested persons to file briefs and to present oral argument to the Commission:

It is ordered, That the hearing be reconvened at 10:00 a. m. on April 26, 1944, at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, before Richard Townsend, the trial examiner heretofore designated;

It is further ordered, That opportunity be given to any interested persons to appear before the Commission at 11:00 a. m. on the same day for the purpose of presenting oral argument to the Commission;

It is further ordered, That any person desiring to submit a brief shall file the same with the Commission not later than April 25, 1944, that any person desiring to present oral argument shall advise the Commission to that effect in writing not later than April 25, 1944; and

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing and oral argument aforesaid by mailing a copy of this order by registered mail to the companies hereinabove named and that notice be given to all other persons by publication of a copy hereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5580; Filed, April 19, 1944; 2:45 p. m.]

[File Nos. 70-866, 70-865]

INLAND POWER AND LIGHT CORP. AND WESTERN LIGHT AND TELEPHONE CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of April, A. D. 1944.

In the matter of John E. Dwyer, trustee of Inland Power & Light Corporation, File No. 70-866; and Western Light & Telephone Company File No. 70-865.

John E. Dwyer, Trustee of Inland Power & Light Corporation (Inland), and Western Light & Telephone Company (Western), both registered holding companies, having filed separate applications and declarations and amendments thereto pursuant to sections 10, 11 (e) and 12 (d) of the Public Utility Holding Company Act of 1935 and the applicable rules promulgated thereunder with respect to the sale by Inland to Western of all the outstanding shares (160,000 shares) of common stock of The Kansas Power Company for $1,360,000 in cash, plus certain adjustments; and

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its findings and opinion herein; and

Inland having requested an appropriate order and findings of the Commission to conform to the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended; and

The Commission having considered the record in the proceedings herein and having made and filed its findings and opinion as to the retainability by Inland of The Kansas Power Company;

It is hereby ordered, That the sale by Inland of its holdings of 160,000 shares of common stock of The Kansas Power Company to Western is necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

It is further ordered, Pursuant to the applicable provisions of said act, that the aforesaid applications and declarations, as amended, be granted and permitted to become effective forthwith subject to the following terms and conditions:

1. Within ninety days from the consummation of the transaction stated herein Western shall cause Kansas to submit (a) a summary analysis of its findings as to a certain original cost study incorporated in the record herein, and (b) a plan for the disposition of any amounts found to be applicable to accounts entitled Plant Acquisition Adjustments and Plant Adjustments, as defined in the Uniform System of Accounts promulgated by the Federal Power Commission.

2. Western will not permit Kansas to declare or pay any dividends upon its common stock except out of earnings accruing subsequent to the date of acquisition of such common stock by Western until further order of this Commission.

3. The terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5581; Filed, April 19, 1944; 2:45 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 105-A 3]

QUAD CITIES MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Quad Cities marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held in the Council Chambers, City Hall, Rock Island, Illinois, beginning at 10 a. m., c. w. t., April 28, 1944, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Quad Cities marketing area, which have been submitted by the Illinois-Iowa Milk Producers Association, Inc., of Davenport, Iowa, and Quality Milk Association, of Moline, Illinois. These amendments have not received the approval of the War Food Administrator.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below:

1. Add as (5) in § 944.3 (a) the following:

(5) One hundred percent of receipts of each handler with respect to milk purchased from producers which complies with the Grade A quality requirements of the Milk Ordinance of the city of Davenport, Iowa, and the minimum requirements adopted by the Davenport Board of Health for the interpretation and enforcement of such ordinance, or of the Grade A milk and Grade A Milk Products Law of the State of Illinois, and the minimum requirements adopted by the Director of the Illinois Department of Public Health for the interpretation and enforcement of said act, shall be considered as Class I and Class II utilization until such time as the receipts of such milk shall equal the total Class I and Class II utilization of the handler: *Provided*, That the provisions of this subparagraph (5) shall not apply to such milk delivered to a plant from which no milk is disposed of as Class I milk in the marketing area.

2. Delete § 944.4 (a) (4) and substitute therefor the following:

(4) *Class IV milk.* (i) The price for milk used for the manufacture of American type Cheddar cheese shall be determined as follows: Multiply by 2.4 the average weekly prevailing price per pound of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange, Plymouth, Wisconsin, and multiply such result by 3.5.

(ii) The Class IV price for milk from which the skim milk is manufactured into condensed skim milk shall be determined as follows: From the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period at plants set forth in § 944.4 (a) (3), subtract 20 cents.

(iii) The price for Class IV milk from which the skim milk is manufactured into dry skim milk powder shall be determined as follows: Multiply by 3.5 the average price per pound of 92 score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent: *Provided*, That such price shall be subject to the following adjustment: Add 3½ cents per hundredweight for each full one-half cent that the price of roller dried skim milk for human consumption is above 5½ cents per pound. For purposes of determining this adjustment, the price per pound of dry skim milk to be used shall be the price per pound of dry skim milk for human consumption, f.o.b. manufacturing plant, as published by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period.

(iv) The price for Class IV milk from which the skim milk is manufactured into casein shall be determined as follows: Multiply by 3.5 the average price per pound of 92 score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent: *Provided*, That to such price shall be added the following adjustment: Subtract 4 cents from the average price per pound of casein and multiply such result by 2.3. The price of casein to be used shall be the average price per pound f.o.b. the local market during the delivery period in which such milk was received.

(v) The lowest price resulting from calculations in (i), (ii), (iii), or (iv) of this subparagraph (5) with respect to Class IV milk shall apply to plant shrinkage not to exceed 3 percent of total receipts of milk from producers, and to milk from which the skim milk is disposed of to a non-handler.

3. Delete § 944.9 (c) (8) and substitute therefor the following:

(8) Any producer wishing to earn a new base may do so by notifying the

A declaration and amendments thereto having been filed by Engineers Public Service Company under section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, a hearing having been held after appropriate notice, and the Commission being fully advised and having this day made and filed its findings and opinion herein:

It is ordered, That said declaration, as amended, be and it hereby is permitted to become effective subject to the terms and conditions prescribed in Rule U-24, and subject to the conditions enumerated below:

(1) At least ten days before purchases are commenced, Engineers shall cause to be mailed to each holder of record of its preferred stocks a notice of its intention to make such purchases and the method to be employed, together with a copy of the findings and opinion in this matter, and also publish, not less than five days before beginning such purchases, a similar notice in daily newspapers of general circulation in New York, New York, and Boston, Massachusetts;

(2) Engineers shall not solicit or cause to be solicited the sale to it or for its account of any of its preferred stocks;

(3) Engineers shall not purchase its preferred stock knowingly, directly or indirectly, from any associate company or from any officer or director of Engineers or of any associate company;

(4) Engineers shall furnish to the Commission promptly after each week a schedule showing the number of shares of each series of preferred stock purchased during that week, the prices at which they were purchased and the names of the brokers through whom purchased;

(5) Engineers, promptly upon completion of the proposed purchase program, shall notify all of its preferred stockholders that such program has been completed, and such notification shall be given in the same manner as is provided in (1) above for notification of the commencement of the program;

(6) All purchases shall be effected on the New York Stock Exchange except that the Company may purchase large blocks of stock otherwise than on said Exchange provided that notice of intention to effect each such purchase together with a statement of the identity of the seller, the price proposed to be paid and any fees or commissions to be incurred in connection therewith shall have been given to the Commission and the Company shall not have been informed by the Commission that it intends to issue an order to show cause why such purchase should not be consummated;

(7) No purchases shall be made after four months from the date of the order herein subject, however, to the right of Engineers to apply for an extension or extensions of said period; and

(8) The Commission reserves the right to rescind or modify this order upon motion of Engineers or upon its own motion after notice to Engineers at any time prior to the expiration of said four-month period, such rescission or modification to be applicable only to such portion of the $4,000,000 as shall not have been previously expended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5579; Filed, April 19, 1944; 2:45 p. m.]

[File Nos. 70-846, 70-850]

VIRGINIA ELECTRIC AND POWER CO., ET AL.

NOTICE OF FILING OF AMENDED APPLICATIONS AND DECLARATIONS AND ORDER RECONVENING HEARING AND GIVING OPPORTUNITY FOR THE FILING OF BRIEFS AND FOR ORAL ARGUMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of April 1944.

In the matter of Virginia Electric and Power Company, Virginia Public Service Company, Engineers Public Service Company, File No. 70-846; and in the matter of General Gas & Electric Corporation, File No. 70-850.

Applications and declarations having heretofore been filed by Engineers Public Service Company ("Engineers"), a registered holding company, Virginia Electric and Power Company ("Vepco"), a subsidiary company of Engineers, General Gas & Electric Corporation ("Gengas"), a registered holding company, and Virginia Public Service Company ("VPS"), a subsidiary company of Gengas, regarding the acquisition by Engineers from Gengas of all of the common stock of VPS and a claim of Gengas to certain escrow funds, the merger of VPS into Vepco, the issuance by the merged company of bonds, serial notes and preferred stock and other related transactions; and

The Commission having ordered hearings on such matters and hearings having been held before a trial examiner and having been continued subject to the call of the examiner; and

Engineers, Vepco and VPS having now filed an amendment amending in certain respects their proposals, which amendments may be summarized as follows:

1. The merged company will issue and sell $23,000,000 principal amount of 3% bonds instead of $24,500,000 principal amount of 3½% bonds.

2. The merged company will issue $9,000,000 principal amount of 2¼% and 2¾% ten-year serial notes instead of $5,000,000 principal amount of 2¼% five-year serial notes.

3. Each share of VPS preferred stock will receive one share of new Vepco $5 dividend preferred stock plus, for the 7% VPS preferred stock, $24.50 in cash and for the 6% VPS preferred stock, $19 in cash, together with accrued dividends from March 31, 1944, to the date of the merger. Under the previous proposals 1⅛ shares of Vepco $5 dividend preferred stock were to go to each VPS preferred share plus $5.50 per share in cash for the 7% preferred stock, together with dividends accrued to the date of the merger.

4. The merged company will restrict dividend payments on its common stock to an extent which will leave in surplus $11,020,000 over a period of ten years as compared with the original proposal of $6,000,000 over a period of five years.

5. Accounting adjustments will be made to write off, at the time of the merger, the excess costs ($5,921,601) to Vepco of the assets acquired over their cost to VPS and the gas plant adjustments ($1,677,707) now included in Vepco plant account. In addition, a reserve of $7,947,076 will be provided for electric and common utility plant adjustments of Vepco in order to permit their elimination when the amounts have been finally determined. The present net acquisition adjustment costs of the two companies aggregating $9,126,339 will be amortized over a period of not exceeding fifteen years by charges to gross income.

6. Vepco has agreed with the State Corporation of Virginia to a reduction in rates of some $300,000 annually, based on present level of use, principally to residential and municipal customers in that part of the area served by VPS where such rates are higher than those now charged by Vepco; and

It appearing to the Commission that a further hearing should be held for the purpose of receiving such evidence as may be relevant and material to such amended proposals, and also that opportunity should be given to interested persons to file briefs and to present oral argument to the Commission:

It is ordered, That the hearing be reconvened at 10:00 a. m. on April 26, 1944, at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, before Richard Townsend, the trial examiner heretofore designated;

It is further ordered, That opportunity be given to any interested persons to appear before the Commission at 11:00 a. m. on the same day for the purpose of presenting oral argument to the Commission;

It is further ordered, That any person desiring to submit a brief shall file the same with the Commission not later than April 25, 1944, that any person desiring to present oral argument shall advise the Commission to that effect in writing not later than April 25, 1944; and

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing and oral argument aforesaid by mailing a copy of this order by registered mail to the companies hereinabove named and that notice be given to all other persons by publication of a copy hereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5580; Filed, April 19, 1944; 2:45 p. m.]

[File Nos. 70-866, 70-865]

INLAND POWER AND LIGHT CORP. AND WESTERN LIGHT AND TELEPHONE CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its

market administrator that he is relinquishing his base at the beginning of the delivery period during which notice is given. All milk delivered by such producer shall be considered as milk delivered in excess of base for a period of two full calendar months following such producer's relinquishment of his base. At the conclusion of two calendar months such producer shall be allotted a new base in the following manner: The market administrator shall determine the daily average deliveries of milk by such producer during the two full calendar months following his relinquishment of base. Such daily average deliveries of milk shall be multiplied by the percentage that base deliveries were to total deliveries of milk to the market during such two calendar months by all base-holding producers on the market during that period.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: April 19, 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-5582; Filed, April 19, 1944; 8:16 p. m.]

WAR PRODUCTION BOARD.

PARK PLACE MERCANTILE COMPANY, INC.

CONSENT ORDER

Park Place Mercantile Company, Inc., is a corporation engaged in the retail distribution of consumers' goods with a main store in Schoolfield, Virginia, and two branch stores in Schoolfield, Virginia, and one store in Elkin, North Carolina. The company is charged by the War Production Board with violation of Limitation Order L-219, in that during the period from December 1, 1943, to February 29, 1944, it had receipts of consumers' goods amounting to approximately $21,275, whereas the allowable receipts of the company during this period, under the terms of said order, amounted to $13,122. The company admits the excessive receipts as charged and consents to the issuance of the following order.

Wherefore, upon the agreement and consent of Park Place Mercantile Company, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the period from March 1, 1944, to April 30, 1944, inclusive, Park Place Mercantile Company, Inc., shall not receive physical delivery of any consumers' goods either at their stores or warehouses or any other place of storage, in excess of the value of $24,761, except as specifically authorized in writing by the War Production Board.

(b) During the period from March 1, 1944, to May 31, 1944, inclusive, Park Place Mercantile Company, Inc., shall not receive physical delivery of any consumers' goods either at their stores or warehouses or any other place of storage, in excess of the value of $35,522, except as hereafter specifically authorized in writing by the War Production Board.

(c) During the period from March 1, 1944, to May 31, 1944, inclusive, Park Place Mercantile Company, Inc., its successors and assigns, shall in all ways conduct its operations as if it were a controlled merchant, as defined in Limitation Order L-219, whose mercantile inventory is greater than its inventory limit at the beginning of the quarterly period.

(d) Nothing in this order shall be deemed to relieve Park Place Mercantile Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect as of the date of issuance, and shall expire on June 1, 1944.

Issued this 19th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5583; Filed, April 19, 1944; 4:38 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 81

Washington, Saturday, April 22, 1944

The President

EXECUTIVE ORDER 9437

REVOCATION OF EXECUTIVE ORDER No. 9165, PROVIDING FOR THE PROTECTION OF ESSENTIAL FACILITIES FROM SABOTAGE AND OTHER DESTRUCTIVE ACTS

By virtue of the authority vested in me by the Constitution and the statutes of the United States as President and as Commander in Chief of the Army and Navy, it is hereby ordered as follows:

Executive Order No. 9165 of May 19, 1942,[1] providing for the protection of essential facilities from sabotage and other destructive acts, is hereby revoked.

This order shall not be deemed to terminate any facility security functions of the War Department nor to preclude any necessary cooperative arrangement with respect to facility security between the War Department and any agency named in paragraph 3 of the said Executive Order No. 9165.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 18, 1944.

[F. R. Doc. 44-5664; Filed, April 20, 1944; 2:00 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

REDESIGNATION AND RENUMBERING OF ORDERS

1. The Food Production orders, the Food Distribution orders, the Commodity Credit orders, the Food directives, and the regulations listed in Column A below, including all amendments thereto, shall hereafter be known as War Food orders and are hereby assigned the War Food order numbers indicated in Column B below.

A	B War Food Order No.
FDO 1	1
FDO 2	2
FDO 3	3
FDO 4	4
FPO 5	5
FDO 6	6
FDO 7	7
FDO 8	8
FPO 9	9
FDO 10	10
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(20 unassigned.)	
FDO 21	21
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COO 3	23
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COO 6	27
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[1] 7 F.R. 3765.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $2.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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2. All orders issued by the Director of Distribution shall hereafter be known as War Food orders. The numbers previously assigned to such orders shall remain unchanged.

3. The directives issued by the Director of the Office of Materials and Facilities listed in Column A below shall hereafter be known as War Food orders, and are hereby assigned the numbers indicated in Column B below.

A	B War Food Order No.
Directive 4 (FPO 5)	5.4
Directive 5 (FPO 5)	5.5

4. The orders issued by the Director of Production listed in Column A below shall hereafter be known as War Food orders, and are hereby assigned the numbers indicated in Column B below.

A	B War Food Order No.
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Dir. Order 7 (FPO 9)	9.7
Dir. Order 8 (FPO 9)	9.8

Issued this 20th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–5690; Filed, April 21, 1944; 11:22 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79–1 to 79–33, inc.; 79–35; 79–36 to 79–101, inc.; 79–103 to 79–114, inc.; 79–116 to 79–139, inc.; 79–141, 79–142, and 79–144, Amdt.]

PART 1401—DAIRY PRODUCTS

GENERAL AMENDMENT TO CERTAIN DIRECTOR'S ORDERS ALLOCATING MILK, MILK BYPRODUCTS, AND CREAM PURSUANT TO FOOD DISTRIBUTION ORDER NO. 79, AS AMENDED

In the determination of quotas for milk, milk byproducts, and cream for the quota periods of May and June 1944, respectively, wherever the term "75 percent" appears in each of the following orders, substitute, for said term, the term "100 percent":

The following orders issued by the Director of Food Distribution in accordance with the provisions of Food Distribution Order No. 79 (8 F.R. 12426) dated September 7, 1943, as amended, and said orders issued by the Director are designated as Nos. 79.1 to 79.33, inclusive; 79.35; 79.38 to 79.101, inclusive; 79.103 to 79.114, inclusive; 79.116 to 79.139, inclusive; 79.141, 79.142, and 79.144.

This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 20th day of April 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–5662; Filed, April 20, 1944; 3:24 p. m.]

REDESIGNATION AND RENUMBERING OF ORDERS

CROSS REFERENCE: For the text of the order redesignating and renumbering Food Distribution orders, see Chapter X of this title, *supra*.

Chapter XII—War Food Administration (Commodity Credit Orders)

REDESIGNATION AND RENUMBERING OF ORDERS

CROSS REFERENCE: For the text of the order redesignating and renumbering certain orders of the Commodity Credit Corporation, see Chapter X of this title, *supra*.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Form 18, Amdt.]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

FOREIGN GOVERNMENTS AND POLITICAL SUBDIVISIONS THEREOF

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 12 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said act, hereby amends Form 18 by adding to the instructions thereof the following:

7. *Privilege of filing prospectus.* If the registrant has filed a registration statement under the Securities Act of 1933 which has become effective within the current fiscal year of the registrant or becomes effective within the current fiscal year of the registrant on or prior to the effective date of the registration of the securities covered by the application herein and is not subject to any proceeding under section 8 (d) of the act or to an order entered thereunder, the registrant may substitute for the information required by Items 1 to 12 inclusive (1) a copy of the registrant's prospectus filed with the registration statement under the Securities Act of 1933 and (2) a description of the securities being registered as required by Item 3 herein unless such description is contained in such prospectus. If this procedure is followed, the prospectus and the description shall be physically substituted for the items of this form and the answers thereto, and the text of the items shall be omitted from the application.

Effective April 20, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–5675; Filed, April 21, 1944; 10:06 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5369]

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

BAD DEBTS AND WORTHLESS SECURITIES

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.] and Regulations 101 [Part 9, Title 26, Code of Federal Regulations, 1939 Supp.] to the provisions of section 504 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.322–1 the following:

SEC. 504. RETROACTIVITY OF SEVEN-YEAR STATUTE OF LIMITATIONS RELATING TO BAD DEBTS. (Revenue Act of 1943.)

Section 169 (c) of the Revenue Act of 1942 (relating to the retroactive effect of section 322 (b) (5) of the Internal Revenue Code) is amended by striking out "after December 31, 1938" and inserting in lieu thereof "after December 31, 1937."

PAR. 2. There is inserted immediately preceding § 9.322–1 the following:

SEC. 169. STATUTE OF LIMITATIONS ON REFUNDS AND CREDITS. (Revenue Act of 1942.)

(a) *Limit on amount of credit or refund.* Section 322 (b) (2) [of the Internal Revenue Code] is amended to read as follows:

* * * * * * *

(5) *Special period of limitation with respect to bad debts and worthless securities.*—If the claim for credit or refund relates to an overpayment on account of

(A) the deductibility by the taxpayer, under section 23 (k) (1), section 23 (k) (4), or section 204 (c), of a debt as a debt which became worthless, or, under section 23 (g) (3) or (k) (2), of a loss from worthlessness of a security, or

(B) the effect that the deductibility of a debt or loss described in subparagraph (A) has on the application to the taxpayer of a carry-over or of a carry-back,

in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be 7 years from the date prescribed by law for filing the return for the year with respect

to which the claim is made. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (2) or paragraph (3), whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph.

* * * * *

(c) *Effective date of amendment.* The amendment inserting paragraph (3) of section 322 (b) shall be applicable to taxable years beginning after December 31, 1938.

SEC. 504. RETROACTIVITY OF SEVEN-YEAR STATUTE OF LIMITATIONS RELATING TO BAD DEBTS. (Revenue Act of 1943.)

Section 169 (c) of the Revenue Act of 1942 (relating to the retroactive effect of section 322 (b) (3) of the Internal Revenue Code) is amended by striking out "after December 31, 1938" and inserting in lieu thereof "after December 31, 1937".

PAR. 3. Section 9.322–7 is amended as follows:

(A) By amending the last sentence of paragraph (a) thereof to read as follows:

The provisions of this paragraph are subject to the exceptions provided in paragraphs (b) and (c) of this section.

(B) By inserting at the end thereof the following new paragraph:

(c) If the claim for credit or refund relates to an overpayment on account of:

(1) The deductibility by the taxpayer, under section 23 (k) (1), or section 204 (c), of a debt as a debt which became worthless, or, under section 23 (g) (2) or (k) (2), of a loss from the worthlessness of a security, or

(2) The effect that the deductibility of a debt or loss described in subparagraph (1) has on the application to the taxpayer of a carry-over, then in lieu of the three-year period from the date the return was filed in which the claim may be filed or credit or refund allowed or made, as prescribed in paragraph (a) of this section, the period shall be seven years from the date prescribed by law for filing the return (determined without regard to any extension of time for filing such return) for the taxable year for which the claim is made or the credit or refund allowed or made. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (a) of this section to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph. Such a credit or refund cannot exceed the sum of the following:

(i) The portion, if any, of the tax paid within the period provided in paragraph (a) of this section, and

(ii) The amount of overpayment due to the deductibility of items described in this paragraph.

The portion of an overpayment due to items described above in this paragraph shall be determined by treating the proper deduction of such items as the first adjustment to be made in computing such overpayment. Although claim for credit or refund is not filed and credit or refund is not allowed or made within the seven-year period described in this paragraph, credit or refund may nevertheless be allowed or made if claim therefor is filed or if such credit or refund is allowed or made within the two-year period prescribed in paragraph (a) of this section, subject to the provisions of (a) which limit the amount of credit or refund in the case of a claim filed within such period or, if no claim is filed, in the case of credit or refund allowed or made within such period. The seven-year statute of limitations does not apply to an overpayment due to the deductibility of a debt that became partially worthless during the taxable year, but only to an overpayment due to the deductibility of a debt which became entirely worthless during such year. The provisions of this paragraph with regard to an overpayment caused by the deductibility of a bad debt under section 23 (k) (1), or section 204 (c) or of a loss from the worthlessness of a security under section 23 (g) (2) or (k) (2) are likewise applicable to an overpayment caused by the effect that the deductibility of such a bad debt or loss has on the application to the taxpayer of a carry-over. For the limitation on the allowance of interest for an overpayment where credit or refund is subject to the provisions of section 322 (b) (5), see section 3771 (d) of the Internal Revenue Code, as added by section 124 (c) of the Revenue Act of 1942, and made applicable by section 504 of the Revenue Act of 1943.

(Sec. 504 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), section 169 of the Revenue Act of 1942 (56 stat. 876), and sections 62 and 322 of the Revenue Act of 1938 and of the Internal Revenue Code (52 Stat. 490, 544; 53 Stat. 32, 91; 26 U.S.C. 62, 322))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Assistant Secretary of the Treasury.

[F. R. Doc. 44-5660; Filed, April 20, 1944; 4:07 p. m.]

[T. D. 5355]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1944

RAILROAD ORGANIZATIONS

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] and Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.] to section 126 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.112 (b) (9)–1 the following:

SEC. 126. NONRECOGNITION OF LOSS ON CERTAIN RAILROAD REORGANIZATIONS MADE RETROACTIVE TO 1939. (Revenue Act of 1943, Title I.)

(a) *Amendment of section 112 (b) (9).* Section 112 (b) (9) (relating to nonrecognition of loss on certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938".

* * * * *

PAR. 2. There is inserted immediately preceding § 29.113 (a) (20)–1 the following:

SEC. 126. NONRECOGNITION OF LOSS ON CERTAIN RAILROAD REORGANIZATIONS MADE RETROACTIVE TO 1939. (Revenue Act of 1943, Title I.)

* * * * *

(b) *Amendment to section 113 (a) (20).* Section 113 (a) (20) (relating to basis of property acquired by railroad corporations in certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938".

* * * * *

PAR. 3. There is inserted immediately preceding § 19.112 (b) (9)–1, added by Treasury Decision 5230, approved February 13, 1943, the following:

SEC. 126. NONRECOGNITION OF LOSS ON CERTAIN RAILROAD REORGANIZATIONS MADE RETROACTIVE TO 1939. (Revenue Act of 1943, Title I.)

(a) *Amendment of section 112 (b) (9).* Section 112 (b) (9) (relating to nonrecognition of loss on certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938".

* * * * *

(c) *Amendment of section 142 (d) of the Revenue Act of 1942.* Section 142 (d) of the Revenue Act of 1942 (prescribing the taxable years to which such section is applicable) is amended by striking out "1939" and inserting in lieu thereof "1938".

PAR. 4. There is inserted immediately preceding § 19.113 (a) (20)–1, added by Treasury Decision 5230, the following:

SEC. 126. NONRECOGNITION OF LOSS ON CERTAIN RAILROAD REORGANIZATIONS MADE RETROACTIVE TO 1939. (Revenue Act of 1943, Title I.)

* * * * *

(b) *Amendment to section 113 (a) (20).* Section 113 (a) (20) (relating to basis of property acquired by railroad corporations in certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938".

(c) *Amendment of section 142 (d) of the Revenue Act of 1942.*—Section 142 (d) of the Revenue Act of 1942 (prescribing the taxable years to which such section is applicable) is amended by striking out "1939" and inserting in lieu thereof "1938".

(Sec. 126 of the Revenue Act of 1943 (Public Law 235, 78th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5664; Filed, April 20, 1944; 4:07 p. m.]

[T. D. 5356]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

RECOGNITION OF GAIN AND BASIS OF PROPERTY RECEIVED IN CERTAIN CORPORATE LIQUIDATIONS

Amending Regulations 111 to conform to section 120 of the Revenue Act of 1943, relating to recognition of gain and basis of property received in certain corporate liquidations.

In order to conform Regulations 111 [26 CFR, Cum. Supp., Part 29] to section 120 of the Revenue Act of 1943 (Public Law 235, 78th Congress) enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. Section 29.27 (g)–1 (a) is amended by inserting immediately before the period at the end of subparagraph (2) the following:

or the gain is taxed as provided in section 112 (b) (7)

PAR. 2. Section 29.112 (a)–1 is amended by inserting immediately after "112 (b) (6)", appearing in the first sentence of the sixth paragraph, "and (7)."

PAR. 3. There is inserted immediately after § 29.112 (b) (6)–5 the following:

SEC. 120. ELECTION AS TO RECOGNITION OF GAIN IN CERTAIN CORPORATE LIQUIDATIONS. (Revenue Act of 1943.)

(a) *In general.* Section 112 (b) (relating to certain exchanges of property) is amended by inserting after paragraph (6) the following:

(7) *Election as to recognition of gain in certain corporate liquidations.*

(A) *General rule.* In the case of property distributed in complete liquidation of a domestic corporation, if—

(i) the liquidation is made in pursuance of a plan of liquidation adopted after the date of the enactment of the Revenue Act of 1943, whether the taxable year of the corporation began on, before, or after January 1, 1944; and

(ii) the distribution is in complete cancelation or redemption of all the stock, and the transfer of all the property under the liquidation occurs within some one calendar month in 1944—then in the case of each qualified electing shareholder (as defined in subparagraph (C)) gain upon the shares owned by him at the time of the adoption of the plan of liquidation shall be recognized only to the extent provided in subparagraphs (E) and (F).

(B) *Excluded corporation.* The term "excluded corporation" means a corporation which at any time between December 10, 1943, and the date of the adoption of the plan of liquidation, both dates inclusive, was the owner of stock possessing 50 per centum or more of the total combined voting power of all classes of stock entitled to vote on the adoption of such plan.

(C) *Qualified electing shareholders.* The term "qualified electing shareholder" means a shareholder (other than an excluded corporation) of any class of stock (whether or not entitled to vote on the adoption of the plan of liquidation) who is a shareholder at the time of the adoption of such plan, and whose written election to have the benefits of subparagraph (A) has been made and filed in accordance with subparagraph (D), but—

(i) in the case of a shareholder other than a corporation, only if written elections have been so filed by shareholders (other than corporations) who at the time of the adoption of the plan of liquidation are owners of stock possessing at least 80 per centum of the total combined voting power (exclusive of voting power possessed by stock owned by corporations) of all classes of stock entitled to vote on the adoption of such plan of liquidation; or

(ii) in the case of a shareholder which is a corporation, only if written elections have been so filed by corporate shareholders (other than an excluded corporation) which at the time of the adoption of such plan of liquidation are owners of stock possessing at least 80 per centum of the total combined voting power (exclusive of voting power possessed by stock owned by an excluded corporation and by shareholders who are not corporations) of all classes of stock entitled to vote on the adoption of such plan of liquidation.

(D) *Making and filing of elections.* The written elections referred to in subparagraph (C) must be made and filed in such manner as to be not in contravention of regulations prescribed by the Commissioner with the approval of the Secretary. The filing must be within thirty days after the adoption of the plan of liquidation, and may be by the liquidating corporation or by the shareholder.

(E) *Noncorporate shareholders.* In the case of a qualified electing shareholder other than a corporation—

(i) There shall be recognized, and taxed as a dividend, so much of the gain as is not in excess of his ratable share of the earnings and profits of the corporation accumulated after February 28, 1913, such earnings and profits to be determined as of the close of the month in which the transfer in liquidation occurred under subparagraph (A) (ii), but without diminution by reason of distributions made during such month; but by including in the computation thereof all amounts accrued up to the date on which the transfer of all the property under the liquidation is completed; and

(ii) There shall be recognized, and taxed as short-term or long-term capital gain, as the case may be, so much of the remainder of the gain as is not in excess of the amount by which the value of that portion of the assets received by him which consists of money, or of stock or securities acquired by the corporation after December 10, 1943, exceeds his ratable share of such earnings and profits.

(F) *Corporate shareholders.* In the case of a qualified electing shareholder which is a corporation the gain shall be recognized only to the extent of the greater of the two following—

(i) The portion of the assets received by it which consists of money, or of stock or securities acquired by the liquidating corporation after December 10, 1943; or

(ii) Its ratable share of the earnings and profits of the liquidating corporation accumulated after February 28, 1913, such earnings and profits to be determined as of the close of the month in which the transfer in liquidation occurred under subparagraph (A) (ii), but without diminution by reason of distributions made during such month; but by including in the computation thereof all amounts accrued up to the date on which the transfer of all the property under the liquidation is completed.

* * * * *

(c) *Effective date.* The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years ending after December 31, 1943.

§ 29.112 (b) (7)–1 *Corporate liquidations in calendar month in 1944.*—(a) *General.* Section 112 (b) (7) provides a special rule, in the case of certain specifically described complete liquidations of domestic corporations occurring within some one calendar month in 1944, for the treatment of gain on the shares of stock owned by qualified electing shareholders at the time of the adoption of the plan of liquidation. The effect of such section is in general to postpone the recognition of that portion of a qualified electing shareholder's gain on the liquidation which would otherwise be recognized and which is attributable to appreciation in the value of certain corporate assets unrealized by the corporation at the time such assets are distributed in complete liquidation. Only qualified electing shareholders are entitled to the benefits of section 112 (b) (7). The determination of who is a qualified electing shareholder is to be made under section 112 (b) (7) (C) and § 29.112 (b) (7)–2. For the basis of property received on such liquidations, see section 113 (a) (18).

(b) *Type of liquidation.* The liquidation must be in pursuance of a plan of liquidation adopted after February 25, 1944. Such plan may be adopted at any time after February 25, 1944, and before the first distribution under the liquidation occurs. The Code also requires that the transfer of all the property, both tangible and intangible, of the corporation under the liquidation occur entirely within some one calendar month in 1944, but this requirement will be considered to have been complied with if cash is set aside under arrangements for the payment, after the close of such month, of unascertained or contingent liabilities and expenses, and such arrangements are made in good faith and the amount set aside is reasonable. Though it is not necessary that the corporation dissolve in the month of liquidation, it is essential that a status of liquidation exist at the time the first distribution is made under the plan and that such status continue to the date of dissolution of the corporation. A status of liquidation exists when the corporation ceases to be a going concern and its activities are merely for the purpose of winding up its affairs, paying its debts, and distributing any remaining balance to its shareholders.

If a transaction constitutes a distribution in complete liquidation within the meaning of the Code and satisfies the requirements of section 112 (b) (7), it is immaterial that it is otherwise described under the local law.

§ 29.112 (b) (7)–2 *Qualified electing shareholder.* No corporate shareholder may be a qualified electing shareholder if at any time between December 10, 1943, and the date of the adoption of the plan of liquidation, both dates inclusive, it is the owner of stock of the liquidating corporation possessing 50 percent or more of the total combined voting power of all classes of stock entitled to vote upon the adoption of the plan of liquidation. All other shareholders are divided into two groups for the purpose of determining whether they are qualified electing shareholders: (a) shareholders other than corporations, and (b) corporate shareholders. Any shareholder of either of such two groups, whether or not the stock he owns is entitled to vote on the adoption of the plan of liquidation, is a qualified electing shareholder if:

(1) His written election to be governed by the provisions of section 112 (b) (7), which cannot be withdrawn or revoked, has been made and filed as prescribed in § 29.112 (b) (7)–3; and

(2) Like elections have been made and filed by owners of stock possessing at least 80 percent of the total combined voting power of all classes of stock owned

by shareholders of the same group at the time of, and entitled to vote upon, the adoption of the plan of liquidation, whether or not the shareholders making such elections actually realize gain upon the cancellation of redemption of such stock upon the liquidation.

Example. The R Corporation has outstanding 20 shares of common stock on July 1, 1944, at the time of the adoption of a plan of liquidation within the provisions of section 112 (b) (7), each entitled to one vote upon the adoption of such plan of liquidation. At that time ten of such shares are owned by the S Corporation, two each by the X Corporation and the Y Corporation, one by the Z Corporation, and one each by A, B, C, D, and E, individuals. There are also outstanding at such time two shares of preferred stock, not entitled to vote on liquidation, one share being owned by F, an individual, and one share by the P Corporation. The S Corporation, being a corporate shareholder and the owner of 50 percent of the voting stock, may not be a qualified electing shareholder under any circumstances. In order for any other corporate shareholder to be a qualified electing shareholder, it is necessary that the X Corporation and the Y Corporation file their written elections to be governed by section 112 (b) (7). If this is done, the P Corporation will also be a qualified electing shareholder if it has filed a like election. Similarly, in the case of the individual shareholders, some combination of four of the individual holders of the common stock must have filed their written elections, before any individual shareholder may be considered a qualified electing shareholder, but if this is done, F will also be a qualified electing shareholder if he has filed a like election.

An election to be governed by the provisions of section 112 (b) (7) relates to the treatment of gain realized upon the cancellation or redemption of stock upon liquidation and can therefore be made only by or on behalf of the person by whom gains, if any, will be realized. Thus, the shareholder who may make such election must be the actual owner of stock and not a mere record holder, such as a nominee.

A shareholder is entitled to make an election relative to the gain only on stock owned by him at the time of the adoption of the plan of liquidation. The election is personal to the shareholder making it and does not follow such stock into the hands of the transferee.

§ 29.112 (b) (7)–3 *Making and filing of written elections.* An election to be governed by section 112 (b) (7) shall be made on Form 964 (revised) in accordance with the instructions printed thereon and with these regulations. The original and one copy shall be filed by the shareholder or by the liquidating corporation with the Commissioner of Internal Revenue, Washington 25, D. C., attention of the Income Tax Unit, Records Division, within 30 days after the adoption of the plan of liquidation. A copy shall also be attached to and made a part of the shareholder's income tax return for his taxable year in which the transfer of all the property under the liquidation occurs.

§ 29.112 (b) (7)–4 *Treatment of gain*—(a) *Computation of gain.* As in the case of shareholders generally, for the purpose of computing gain, amounts received by qualified electing shareholders are treated as in full payment in exchange for their stock, as provided in section 115 (c), and gain from the receipt of such amounts is determined as provided in section 111. Gain or loss must be computed separately on each share of stock owned by a qualified electing shareholder at the time of the adoption of the plan of liquidation. The limited recognition and special treatment accorded by section 112 (b) (7) applies only to the gain on such shares of stock upon which gain was realized and not to net gain computed by setting off losses realized on some shares against gain on others.

(b) *Recognition of gain.* Pursuant to section 112 (b) (7) only so much of the gain on each share of stock owned by a qualified electing shareholder at the time of the adoption of the plan of liquidation is recognised as does not exceed the greater of the following:

(1) Such share's ratable share of the earnings and profits of the corporation accumulated after February 28, 1913, computed as of the last day of the month of liquidation, without diminution by reason of distributions made during such month, and including in such computation all items of income and expense accrued up to the date on which the transfer of all the property under the liquidation is completed; or

(2) Such share's ratable share of the sum of the amount of money received by such shareholder on shares of the same class and the fair market value of all the stock or securities so received which were acquired by the liquidating corporation after December 10, 1943. The mere replacement after December 10, 1943, of lost or destroyed certificates or instruments acquired on or before December 10, 1943, or the mere conversion of certificates or instruments into certificates or instruments of larger or smaller denominations will not constitute an acquisition within the meaning of the phrase "acquired after December 10, 1943." Nor will such an acquisition result from the issuance after December 10, 1943, of certificates of stock in connection with a subscription made and accepted on or before December 10, 1943.

(c) *Treatment of recognized gain.* In the case of a qualified electing shareholder other than a corporation that part of the recognized gain on a share of stock owned at the time of the adoption of the plan of liquidation which is not in excess of his ratable share of the earnings and profits of the liquidating corporation accumulated after February 28, 1913, determined as provided in section 112 (b) (7) (E) (i) is treated and taxed to him as a dividend. It retains its character as a dividend for all tax purposes. The remainder of the gain which is recognized is treated and taxed to him as a short-term or long-term capital gain, as the case may be. In the case of a qualified electing shareholder which is a corporation, the entire amount of the gain which is recognized is treated and taxed as a short-term or long-term capital gain, as the case may be.

Example. The X Corporation has only one class of stock outstanding, owned in equal amounts by three shareholders. The basis of the stock owned by each shareholder is $50, each having bought his stock in a single bloc prior to the date of the adoption of a plan of liquidation conforming to the requirements of section 112 (b) (7). One of such shareholders is an individual and two are corporations and all are qualified electing shareholders. The X Corporation has earnings and profits accumulated after February 28, 1913 (computed as provided in section 112 (b) (7)), of $80, its assets consisting of property (other than stock or securities acquired after December 10, 1943, and money) with a fair market value of $340, cash of $75, and stock and securities acquired after December 10, 1943, with a fair market value of $90, all of which assets are distributed in October 1944 to the shareholders pro rata in complete liquidation of the corporation, as provided in section 112 (b) (7). Each shareholder, therefore, receives, in cash and property, $135 and his gain is $85.

In the case of each shareholder $55 of this gain is recognized, since such amount represents the sum of the cash received by him and the fair market value of the stock and securities received by him which were acquired by the X Corporation after December 10, 1943, and is greater than his ratable share of the earnings and profits ($20). In the case of the corporate shareholders this amount is treated as capital gain. In the case of the individual shareholder, however, $20, being the amount of the shareholder's ratable share of the earnings and profits, is taxable to him as a dividend, and $35, being the difference between the shareholder's ratable share of the earnings and profits and the sum of the cash and stock and securities received by him, is recognised and treated as a short-term or long-term capital gain, as the case may be. The remainder of each shareholder's gain, $30, is not recognised. If the basis of each shareholder's stock had been $100, instead of $50, the corporate shareholders would be taxed on only $35 as capital gain and the individual shareholder on $20 as a dividend but only on $15 as a capital gain, since the total amount taxed is limited by the amount of gain realised by the shareholder upon the cancellation or redemption of his stock.

§ 29.112 (b) (7)–5 *Records to be kept and information to be filed with return.* Permanent records in substantial form shall be kept by every qualified electing shareholder receiving distributions in complete liquidation of a domestic corporation. Such shareholder shall file with his income tax return for his taxable year in which the liquidation occurs a statement of all facts pertinent to the recognition and treatment of the gain realised by him upon the shares of stock owned by him at the time of the adoption of the plan of liquidation, including:

(a) A statement of his stock ownership in the liquidating corporation as of the date of the distribution, showing the number of shares of each class owned on such date and the cost or other basis of each such share;

(b) A list of all the property including money received upon the distribution, showing the fair market value of each item of such property other than money on the date distributed and stating what items, if any, consist of stock or securities acquired by the liquidating corporation after December 10, 1943;

(c) A statement of his ratable share of the earnings and profits of the liquidating corporation accumulated after February 28, 1913, computed without diminution by reason of distributions made during the month of liquidation; and

(d) A copy of such shareholder's written election to be governed by the provisions of section 112 (b) (7). (See § 29.112 (b) (7)–3.)

For information to be filed by the liquidating corporation, see section 148 (e).

PAR. 4. There is inserted immediately preceding § 29.113 (a) (18)–1 the following:

SEC. 120. ELECTION AS TO RECOGNITION OF GAIN IN CERTAIN CORPORATE LIQUIDATIONS. (Revenue Act of 1943.)

* * * * * *

(b) *Basis.* Section 113 (a) (18) (relating to basis of property received in certain corporate liquidations) is amended by inserting after "paragraph (7) of section 112 (b)" the following: "of this Chapter or", and by striking out the comma preceding "of the Revenue Act of 1938".

(c) *Effective date.* The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years ending after December 31, 1943.

PAR. 5. Paragraph (a) of § 29.113 (a) (18)–1 is amended to read as follows:

(a) *Property included.* Section 113 (a) (18) applies only to property, other than money, acquired:

(1) By a qualified electing shareholder;

(2) Upon a distribution in complete liquidation of a domestic corporation

(i) Pursuant to a plan of liquidation adopted after May 28, 1938, in accordance with which the distribution is in complete cancellation or redemption of all the stock and the transfer of all the property in the liquidation occurs within the month of December, 1936, or

(ii) Pursuant to a plan of liquidation adopted after February 25, 1944, in accordance with which the distribution is in complete cancellation or redemption of all the stock and the transfer of all the property in the liquidation occurs within some one calendar month of the calendar year 1944; and

(3) In cancellation or redemption of only those shares of stock which were owned by such qualified electing shareholder at the time of the adoption of the plan of liquidation and on which he realizes gain.

It applies to all the property, except money, so acquired, though such property may consist in whole or in part of stock or securities acquired by the liquidating corporation after April 9, 1936, if subdivision (i) is applicable, or after December 10, 1943, if subdivision (ii) is applicable.

PAR. 6. Paragraph (b) of § 29.113 (a) (18)–1 is amended as follows:

(A) By inserting before the period at the end of the first sentence thereof the following:

, or section 112 (b) (7) of the Internal Revenue Code, as the case may be

(B) By amending the example to read as follows:

Example. The X Corporation distributed all its property in complete liquidation during the month of October 1944, pursuant to the provisions of section 112 (b) (7) of the Code. A, an individual and a qualified electing shareholder, received, in cancellation or redemption of 100 shares of stock owned by him at the time of the adoption of the plan of liquidation, $1,000 in cash, property (other than stock or securities acquired by the corporation after December 10, 1943) with a fair market value of $12,000, and stock acquired by the liquidating corporation after December 10, 1943, with a fair market value of $4,000. The basis of the shares owned by A was $100 per share, or $10,000, A's ratable share of the earnings and profits of the X Corporation accumulated after February 28, 1913 (computed as provided in section 112 (b) (7) of the Code) was $2,500. His gain is $7,000, but under section 112 (b) (7) of the Code only $5,000 of this gain is recognised, $2,500 thereof being taxed as a dividend. The basis of all the property other than money received by A is $14,000, computed as follows:

Adjusted basis of stock canceled or redeemed	$10,000
Less money received	1,000
Remainder	9,000
Plus gain recognized	5,000
Basis of property acquired	14,000

This basis will be apportioned among the classes of property (other than money) received as follows: 12,000/16,000 of $14,000, or $10,500, to the property other than stock; 4,000/16,000 of $14,000, or $3,500, to the stock.

PAR. 7. Section 29.148–2 (b) is amended by renumbering subparagraph (2) as subparagraph (3) and by inserting immediately after subparagraph (1) the following new subparagraph:

(2) *Liquidation within one calendar month of 1944.* In the event that the corporation is a domestic corporation and the plan of liquidation, adopted after February 25, 1944, provides for a distribution in complete cancellation or redemption of all the capital stock of the corporation, and for the transfer of all the property of the corporation under the liquidation entirely within some one calendar month in the calendar year 1944, and any shareholder claims the benefit of section 112 (b) (7), such return shall, in addition to the information required by paragraph (b) (1) of this section, contain the following:

(i) A statement showing the number of shares of each class of stock outstanding at the time of the adoption of the plan of liquidation, together with a description of the voting power of each such class;

(ii) A list of all the shareholders owning stock at the time of the adoption of the plan of liquidation, together with the number of shares of each class of stock owned by each shareholder, the certificate numbers thereof, and the total number of votes to which entitled on the adoption of the plan of liquidation; and

(iii) A list of all corporate shareholders as of December 10, 1943, together with the number of shares of each class of stock owned by each such shareholder, the certificate numbers thereof, the total number of votes to which entitled on the adoption of the plan of liquidation, and a statement of all changes in ownership of stock by corporate shareholders between December 10, 1943, and the date of the adoption of the plan of liquidation, both dates inclusive.

PAR. 8. Section 29.148–3 is amended by adding at the end thereof the following sentence:

If the distribution is in complete liquidation of a domestic corporation pursuant to a plan of liquidation adopted after February 25, 1944, in accordance with which all the capital stock of the corporation is canceled or redeemed and the transfer of all the property under the liquidation occurs within some one calendar month in the calendar year 1944, and any shareholder claims the benefit of section 112 (b) (7), the return on Form 1096 shall show (1) the amount of earnings and profits of the corporation accumulated after February 28, 1913, determined as of the close of such calendar month, without diminution by reason of distributions made during such calendar month, but including in such computation all items of income and expense accrued up to the date on which the transfer of all the property under the liquidation is completed, (2) the ratable share of such earnings and profits of each share of stock canceled or redeemed in the liquidation, and (3) the date and circumstances of the acquisition by the corporation of any stock or securities distributed to shareholders in the liquidation.

(Sec. 120 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), sec. 62 I.R.C., 53 Stat. 32; 26 U.S.C. 62))

[SEAL] JOSEPH D. NUNAN, Jr.,

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5665; Filed, April 20, 1944; 4:07 p. m.]

[T. D. 5360]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

ALTERNATIVE TAX ON INDIVIDUALS WITH GROSS INCOME FROM CERTAIN SOURCES OF LESS THAN $3,000

Amending Regulations 111 to conform to section 102 of the Revenue Act of 1943, relating to alternative tax on individuals with gross income from certain sources of less than $3,000.

In order to conform Regulations 111 [26 CFR, Cum. Supp. Part 29] to section 102 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.400–1 the following:

SEC. 102. ALTERNATIVE TAX ON INDIVIDUALS WITH GROSS INCOME FROM CERTAIN SOURCES OF LESS THAN $3,000. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 400 (relating to optional tax) is amended to read as follows:

SEC. 400. IMPOSITION OF TAX.

In lieu of the tax imposed under sections 11, 12, and 450, an individual who makes his return on the cash basis may elect, for each taxable year, to pay the tax shown in the following table if his gross income for such tax-

able year is less than $3,000 and consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities:

SINGLE PERSONS (NOT HEAD OF FAMILY)

If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$0	$525	$0	$0	$0	$0	$0	$0	$0	$0
525	550	1	0	0	0	0	0	0	0
550	575	2	0	0	0	0	0	0	0
575	600	10	0	0	0	0	0	0	0
600	625	14	0	0	0	0	0	0	0
625	650	19	0	0	0	0	0	0	0
650	675	24	1	1	1	1	1	1	1
675	700	30	2	2	2	2	2	2	2
700	725	35	3	3	3	3	3	3	3
725	750	41	4	4	4	4	4	4	4
750	775	45	4	4	4	4	4	4	4
775	800	51	5	5	5	5	5	5	5
800	825	56	6	6	6	6	6	6	6
825	850	61	6	6	6	6	6	6	6
850	875	66	7	7	7	7	7	7	7
875	900	71	8	8	8	8	8	8	8
900	925	77	10	9	9	9	9	9	9
925	950	82	13	9	9	9	9	9	9
950	975	87	21	10	10	10	10	10	10
975	1,000	93	28	11	11	11	11	11	11
1,000	1,025	97	31	12	12	12	12	12	12
1,025	1,050	103	36	12	12	12	12	12	12
1,050	1,075	108	41	13	13	13	13	13	13
1,075	1,100	113	47	14	14	14	14	14	14
1,100	1,125	118	52	15	15	15	15	15	15
1,125	1,150	124	57	16	16	16	16	16	16
1,150	1,175	128	62	16	16	16	16	16	16
1,175	1,200	134	67	17	17	17	17	17	17
1,200	1,225	139	73	18	18	18	18	18	18
1,225	1,250	144	78	18	18	18	18	18	18
1,250	1,275	150	83	19	19	19	19	19	19
1,275	1,300	155	88	20	20	20	20	20	20
1,300	1,325	160	94	27	21	21	21	21	21
1,325	1,350	165	98	32	21	21	21	21	21
1,350	1,375	170	104	37	22	22	22	22	22
1,375	1,400	176	109	42	23	23	23	23	23
1,400	1,425	181	114	48	24	24	24	24	24
1,425	1,450	186	120	53	24	24	24	24	24
1,450	1,475	191	126	58	25	25	25	25	25
1,475	1,500	197	130	64	26	26	26	26	26
1,500	1,525	202	135	69	27	27	27	27	27
1,525	1,550	207	141	74	27	27	27	27	27
1,550	1,575	212	146	79	28	28	28	28	28
1,575	1,600	217	151	84	29	29	29	29	29
1,600	1,625	223	156	90	30	30	30	30	30
1,625	1,650	228	161	95	30	30	30	30	30
1,650	1,675	233	167	100	34	31	31	31	31
1,675	1,700	238	172	105	38	32	32	32	32
1,700	1,725	244	177	111	44	33	33	33	33
1,725	1,750	249	182	116	49	33	33	33	33
1,750	1,775	254	187	121	54	34	34	34	34
1,775	1,800	259	193	126	60	34	34	34	34
1,800	1,825	264	198	131	65	35	35	35	35
1,825	1,850	270	203	137	70	36	36	36	36
1,850	1,875	275	208	142	73	37	37	37	37
1,875	1,900	280	214	147	81	38	38	38	38
1,900	1,925	285	219	152	86	39	39	39	39
1,925	1,950	290	224	157	91	39	39	39	39
1,950	1,975	296	229	163	96	40	40	40	40
1,975	2,000	301	234	168	101	41	41	41	41
2,000	2,025	306	240	173	107	42	42	42	42
2,025	2,050	311	245	178	112	42	42	42	42
2,050	2,075	317	250	184	117	43	43	43	43
2,075	2,100	322	255	189	122	44	44	44	44
2,100	2,125	327	260	194	127	61	45	45	45
2,125	2,150	332	266	199	133	66	46	46	46
2,150	2,175	337	271	204	138	71	46	46	46
2,175	2,200	343	276	210	143	77	47	47	47
2,200	2,225	348	281	215	148	82	48	48	48
2,225	2,250	353	287	220	154	87	48	48	48
2,250	2,275	358	292	225	159	93	49	49	49
2,275	2,300	363	297	230	164	97	50	50	50
2,300	2,325	369	303	236	169	103	51	51	51
2,325	2,350	374	307	241	174	108	51	51	51
2,350	2,375	379	313	246	180	113	52	52	52
2,375	2,400	384	318	251	185	118	53	53	53
2,400	2,425	390	323	257	190	124	57	54	54
2,425	2,450	395	329	262	195	129	62	54	54
2,450	2,475	400	333	267	200	134	67	55	55
2,475	2,500	405	339	272	206	139	73	56	56
2,500	2,525	410	344	277	211	144	78	57	57
2,525	2,550	416	349	282	216	150	83	57	57
2,550	2,575	421	354	288	221	155	88	58	58
2,575	2,600	426	360	293	227	160	94	59	59
2,600	2,625	431	366	298	232	166	98	60	60
2,625	2,650	436	370	303	237	170	104	60	60
2,650	2,675	442	375	309	242	176	108	61	61
2,675	2,700	448	380	314	247	181	114	62	62
2,700	2,725	454	386	319	253	186	120	63	63
2,725	2,750	460	391	324	258	191	126	63	63
2,750	2,775	465	396	330	263	197	130	64	64
2,775	2,800	471	401	335	268	202	136	65	65
2,800	2,825	477	406	340	273	207	140	66	66

MARRIED PERSON MAKING SEPARATE RETURN

If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$0	$650	$0	$0	$0	$0	$0	$0	$0	$0
650	675	1	1	1	1	1	1	1	1
675	700	11	2	2	2	2	2	2	2
700	725	16	3	3	3	3	3	3	3
725	750	21	3	3	3	3	3	3	3
750	775	26	4	4	4	4	4	4	4
775	800	32	4	4	4	4	4	4	4
800	825	37	5	5	5	5	5	5	5
825	850	42	6	6	6	6	6	6	6
850	875	47	7	7	7	7	7	7	7
875	900	52	8	8	8	8	8	8	8
900	925	58	9	9	9	9	9	9	9
925	950	63	9	9	9	9	9	9	9
950	975	68	10	10	10	10	10	10	10
975	1,000	74	11	11	11	11	11	11	11
1,000	1,025	78	12	12	12	12	12	12	12
1,025	1,050	84	17	12	12	12	12	12	12
1,050	1,075	89	22	13	13	13	13	13	13
1,075	1,100	94	28	14	14	14	14	14	14
1,100	1,125	99	33	15	15	15	15	15	15
1,125	1,150	105	38	15	15	15	15	15	15
1,150	1,175	110	43	16	16	16	16	16	16
1,175	1,200	115	48	17	17	17	17	17	17
1,200	1,225	120	54	18	18	18	18	18	18
1,225	1,250	125	59	18	18	18	18	18	18
1,250	1,275	131	64	19	19	19	19	19	19
1,275	1,300	136	69	20	20	20	20	20	20
1,300	1,325	141	75	21	21	21	21	21	21
1,325	1,350	146	80	21	21	21	21	21	21
1,350	1,375	151	85	22	22	22	22	22	22
1,375	1,400	157	90	26	23	23	23	23	23
1,400	1,425	162	95	31	24	24	24	24	24
1,425	1,450	167	101	36	24	24	24	24	24
1,450	1,475	172	106	42	25	25	25	25	25
1,475	1,500	178	111	47	26	26	26	26	26
1,500	1,525	183	116	52	27	27	27	27	27
1,525	1,550	188	122	57	27	27	27	27	27
1,550	1,575	193	127	63	28	28	28	28	28
1,575	1,600	198	132	68	29	29	29	29	29
1,600	1,625	204	137	73	30	30	30	30	30
1,625	1,650	209	142	78	30	30	30	30	30
1,650	1,675	214	148	83	31	31	31	31	31
1,675	1,700	219	153	89	32	32	32	32	32
1,700	1,725	225	158	97	33	33	33	33	33
1,725	1,750	230	163	97	33	33	33	33	33
1,750	1,775	235	168	102	34	34	34	34	34
1,775	1,800	240	174	107	41	35	35	35	35
1,800	1,825	245	179	113	46	36	36	36	36
1,825	1,850	251	184	118	51	36	36	36	36
1,850	1,875	256	189	123	56	37	37	37	37
1,875	1,900	261	195	128	62	38	38	38	38
1,900	1,925	266	200	133	67	39	39	39	39
1,925	1,950	271	205	139	72	39	39	39	39
1,950	1,975	277	210	144	77	40	40	40	40
1,975	2,000	282	215	149	82	41	41	41	41
2,000	2,025	287	221	154	88	42	42	42	42
2,025	2,050	292	226	160	93	43	43	43	43
2,050	2,075	298	231	165	98	43	43	43	43
2,075	2,100	303	236	170	103	44	44	44	44
2,100	2,125	308	241	175	108	45	45	45	45
2,125	2,150	313	247	180	114	47	45	45	45
2,150	2,175	318	252	185	119	52	46	46	46
2,175	2,200	324	257	191	124	57	47	47	47
2,200	2,225	329	262	196	129	63	48	48	48
2,225	2,250	334	268	201	135	68	48	48	48
2,250	2,275	339	273	206	140	73	49	49	49
2,275	2,300	344	278	211	145	78	50	50	50
2,300	2,325	350	283	217	150	84	51	51	51
2,325	2,350	355	288	222	155	89	51	51	51
2,350	2,375	360	294	227	161	94	52	52	52
2,375	2,400	365	299	232	166	99	53	53	53
2,400	2,425	371	304	238	171	105	54	54	54
2,425	2,450	376	309	243	176	110	54	54	54
2,450	2,475	381	314	248	181	115	55	55	55

MARRIED PERSON MAKING SEPARATE RETURN—Continued

If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$2,475	$2,500	$386	$320	$253	$187	$120	$56	$56	$56
2,500	2,525	391	325	258	192	125	89	57	57
2,525	2,550	397	330	264	197	131	64	57	57
2,550	2,575	402	335	269	202	136	69	58	58
2,575	2,600	407	341	274	208	141	75	59	59
2,600	2,625	412	346	279	213	146	80	60	60
2,625	2,650	417	351	284	218	151	85	60	60
2,650	2,675	423	356	290	223	157	90	61	61
2,675	2,700	428	361	295	228	162	96	62	62
2,700	2,725	433	367	300	244	167	101	63	63
2,725	2,750	438	372	305	250	173	106	63	63
2,750	2,775	444	377	311	244	178	111	64	64
2,775	2,800	449	382	316	249	183	116	65	65
2,800	2,825	455	387	321	254	188	121	66	66
2,825	2,850	461	393	326	260	193	127	66	66
2,850	2,875	467	398	331	265	198	132	67	67
2,875	2,900	473	403	337	270	204	137	71	68
2,900	2,925	479	409	342	275	209	142	76	69
2,925	2,950	485	414	347	281	214	148	81	69
2,950	2,975	491	419	353	286	219	153	86	70
2,975	3,000	497	424	357	291	226	158	91	71

(1) MARRIED PERSON WHOSE SPOUSE HAS NO GROSS INCOME OR (2) MARRIED PERSON MAKING JOINT RETURN OR (3) HEAD OF FAMILY

If the gross income is—		And the number of dependents is—					
		0	1	2	3	4	5 or more
At least	But less than	The tax shall be—					
$0	$650	$0	$0	$0	$0	$0	$0
650	675	1	1	1	1	1	1
675	700	3	2	2	2	2	2
700	725	3	3	3	3	3	3
725	750	3	3	3	3	3	3
750	775	4	4	4	4	4	4
775	800	4	4	4	4	4	4
800	825	5	5	5	5	5	5
825	850	6	6	6	6	6	6
850	875	7	7	7	7	7	7
875	900	8	8	8	8	8	8
900	925	9	9	9	9	9	9
925	950	9	9	9	9	9	9
950	975	10	10	10	10	10	10
975	1,000	11	11	11	11	11	11
1,000	1,025	12	12	12	12	12	12
1,025	1,050	12	12	12	12	12	12
1,050	1,075	13	13	13	13	13	13
1,075	1,100	14	14	14	14	14	14
1,100	1,125	15	15	15	15	15	15
1,125	1,150	16	16	16	16	16	16
1,150	1,175	16	16	16	16	16	16
1,175	1,200	17	17	17	17	17	17
1,200	1,225	18	18	18	18	18	18
1,225	1,250	18	18	18	18	18	18
1,250	1,275	19	19	19	19	19	19
1,275	1,300	20	20	20	20	20	20
1,300	1,325	21	21	21	21	21	21
1,325	1,350	21	21	21	21	21	21
1,350	1,375	22	22	22	22	22	22
1,375	1,400	23	23	23	23	23	23
1,400	1,425	24	24	24	24	24	24
1,425	1,450	24	24	24	24	24	24
1,450	1,475	25	25	25	25	25	25
1,475	1,500	26	26	26	26	26	26
1,500	1,525	27	27	27	27	27	27
1,525	1,550	27	27	27	27	27	27
1,550	1,575	28	28	28	28	28	28
1,575	1,600	29	29	29	29	29	29
1,600	1,625	30	30	30	30	30	30
1,625	1,650	30	30	30	30	30	30
1,650	1,675	31	31	31	31	31	31
1,675	1,700	32	32	32	32	32	32
1,700	1,725	33	33	33	33	33	33
1,725	1,750	33	33	33	33	33	33
1,750	1,775	34	34	34	34	34	34
1,775	1,800	35	35	35	35	35	35
1,800	1,825	36	36	36	36	36	36
1,825	1,850	36	36	36	36	36	36
1,850	1,875	37	37	37	37	37	37
1,875	1,900	38	38	38	38	38	38
1,900	1,925	39	39	39	39	39	39
1,925	1,950	39	39	39	39	39	39
1,950	1,975	40	40	40	40	40	40
1,975	2,000	41	41	41	41	41	41
2,000	2,025	42	42	42	42	42	42
2,025	2,050	42	42	42	42	42	42
2,050	2,075	43	43	43	43	43	43
2,075	2,100	44	44	44	44	44	44
2,100	2,125	45	45	45	45	45	45
2,125	2,150	46	46	46	46	46	46
2,150	2,175	46	46	46	46	46	46
2,175	2,200	47	47	47	47	47	47
2,200	2,225	48	48	48	48	48	48
2,225	2,250	48	48	48	48	48	48
2,250	2,275	49	49	49	49	49	49
2,275	2,300	50	50	50	50	50	50
2,300	2,325	51	51	51	51	51	51
2,325	2,350	51	51	51	51	51	51
2,350	2,375	52	52	52	52	52	52
2,375	2,400	53	53	53	53	53	53
2,400	2,425	54	54	54	54	54	54
2,425	2,450	54	54	54	54	54	54
2,450	2,475	55	55	55	55	55	55

(1) MARRIED PERSON WHOSE SPOUSE HAS NO GROSS INCOME OR (2) MARRIED PERSON MAKING JOINT RETURN OR (3) HEAD OF FAMILY—Continued

If the gross income is—		And the number of dependents is—					
		0	1	2	3	4	5 or more
At least	But less than	The tax shall be—					
$2,475	$2,500	$199	$133	$66	$45	$45	$45
2,500	2,525	204	138	71	46	46	46
2,525	2,550	210	143	77	47	47	47
2,550	2,575	215	148	82	48	48	48
2,575	2,600	220	154	87	48	48	48
2,600	2,625	225	159	93	49	49	49
2,625	2,650	230	164	97	50	50	50
2,650	2,675	236	169	103	51	51	51
2,675	2,700	241	174	108	51	51	51
2,700	2,725	246	180	113	52	52	52
2,725	2,750	251	185	118	53	53	53
2,750	2,775	257	190	124	57	54	54
2,775	2,800	262	195	129	62	54	54
2,800	2,825	267	200	134	67	55	55
2,825	2,850	273	206	139	73	56	56
2,850	2,875	278	211	144	78	57	57
2,875	2,900	283	216	150	83	57	57
2,900	2,925	288	221	155	88	58	58
2,925	2,950	293	227	160	94	59	59
2,950	2,975	299	232	166	99	60	60
2,975	3,000	304	237	170	104	60	60
3,000	3,025	309	242	176	109	61	61
3,025	3,050	314	247	181	114	62	62
3,050	3,075	320	253	186	120	63	63
3,075	3,100	325	258	191	125	63	63
3,100	3,125	330	263	197	130	64	64
3,125	3,150	336	268	202	135	69	65
3,150	3,175	340	273	207	140	74	66
3,175	3,200	345	279	212	146	79	66
3,200	3,225	350	284	217	151	84	67
3,225	3,250	356	289	223	156	90	68
3,250	3,275	361	294	228	161	95	69
3,275	3,300	366	300	233	167	100	69
3,300	3,325	371	305	238	172	105	70
3,325	3,350	376	310	243	177	110	71

Joint returns.—If a joint return of husband and wife is filed, the amount of tax shown in the above table shall be reduced by 3 per centum of the smaller income of the two spouses, but not by more than $19.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 29.400–1 is amended to read as follows:

§ 29.400–1 *Scope and application of Supplement T.* For the calendar years 1942 and 1943, in lieu of the tax imposed under sections 11 and 12, an individual who makes his return on a cash basis may elect to pay the tax imposed under section 400, if his gross income does not exceed $3,000, and if his gross income consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities. For the calendar year 1944 and subsequent calendar years, in lieu of the tax imposed under sections 11, 12, and 450, an individual who makes his return on a cash basis may elect to pay the tax imposed under section 400, if his gross income is less than $3,000, and if his gross income consists wholly of one or more of the kinds of income enumerated in the preceding sentence. For the purposes of the $3,000 limitation in effect for the calendar years 1942 and 1943, and for the purposes of the limitation of less than $3,000 for the calendar year 1944 and subsequent calendar years, the amount of an individual's gross income shall be determined without subtracting any amount on account of such individual's dependents. For example, A, a single person who is not the head of a family, has a gross income, consisting of salary, of $3,200 for 1942. He has two dependents. For the purpose of the $3,000 limitation, his gross income is $3,200, not $2,430 ($3,200 minus $770), and consequently he may not compute his tax under Supplement T (sections 400 to 404, inclusive). An individual deriving any other kind of income, such as income from the conduct of a business or from a trust of which he is a beneficiary, or gains from the sale or exchange of property, may not compute his tax under Supplement T. If an individual derives income from a partnership of which he is a member or from a trust of which he is a beneficiary, and the partnership or trust previously derived the income distributed to him from, for example, interest, he will be considered to have received income from a partnership or trust, rather than from interest, and consequently will not be entitled to compute his tax under Supplement T.

If the taxable year is the calendar year 1942 or the calendar year 1943, a husband and wife living together on July 1 of such taxable year may file separate returns on Form 1040A, if the gross income of each is from the prescribed sources and does not exceed $3,000, or they may file a single joint return on such form if their combined gross income is from the prescribed sources and does not exceed $3,000. If the taxable year is the calendar year 1944 or a subsequent calendar year, a husband and wife living together on July 1 of such taxable year may file separate returns on Form 1040A, if the gross income of each is from the prescribed sources and is less than $3,000 or they may file a single joint return on such form if their combined gross income is from the prescribed sources and is less than $3,000. A married person living with husband or wife at any time during the calendar year may not compute the tax under Supplement T if the other spouse makes an income tax return without regard to such Supplement (see § 29.404–1).

If an individual dies before the close of the calendar year, his tax may not be determined under Supplement T. Nor may the tax of the surviving spouse of an individual who has gross income and who dies before the close of the calendar year be determined under Supplement T. (See sections 404 and 47 (g).)

If the taxable year is the calendar year 1942 or the calendar year 1943, the following paragraph is applicable in determining the amount of tax under section 400.

In order to determine the amount of his tax an individual merely ascertains the amount of his gross income, subtracts $385 for each dependent for whom a credit is allowable and refers to the schedule set forth in section 400, as amended by section 104 (a) of the Revenue Act of 1942, to find the amount of his tax. If the taxpayer is the head of a family only by reason of his having one or more dependents, he may subtract from his gross income $385 for all except one of such dependents (see example (4) in § 29.401–1). If the taxpayer is a single person who is not the head of a family, his tax is set forth in the third column of such schedule. If the taxpayer is a married person making a separate return, but not including a taxpayer whose spouse makes a return without regard to Supplement T, the tax is set forth in the second part of such schedule. If the taxpayer is (1) the head of a family, or (2) a married person whose spouse has no gross income, his tax is set forth in the third part of such schedule. If the taxpayer is (1) a married person whose spouse has no gross income, (2) a married person making a joint return, or (3) the head of a family, the tax is set forth in the fourth column of such schedule. If the taxpayer is a married person making a joint return, but not including a taxpayer whose spouse makes a return without regard to Supplement T, the tax is set forth in the fifth column of such schedule. Under such schedule no tax is imposed upon a single person whose gross income, less credit for dependents, does not exceed $525, or upon a married person making a separate return whose gross income (less credit for dependents) does not exceed $650, or upon (1) a married person whose spouse has no gross income, (2) a married person making a joint return, or (3) the head of a family, whose gross income (less credit for dependents) does not exceed $1,275.

If the taxable year is the calendar year 1944 or a subsequent calendar year, the following paragraph is applicable in determining the amount of tax under section 400.

In order to determine the amount of his tax an individual merely ascertains the amount of his gross income and refers to the schedule in section 400, as amended by section 102 (a) of the Revenue Act of 1943, to find the amount of his tax. If the taxpayer is a single person who is not the head of a family, his tax is set forth in the first part of such schedule. If the taxpayer is a married person making a separate return, but not including a taxpayer whose spouse makes a return without regard to Supplement T, the tax is set forth in the second part of such schedule. If the taxpayer is (1) the head of a family, or (2) a married person whose spouse has no gross income, his tax is set forth in the third part of such schedule. If the taxpayer is a married person making a joint return, the third part is also used, but in order to find the amount of his tax, the amount of tax shown in such part shall be reduced by 3 percent of the smaller of the incomes of the two spouses, but not by more than $19. Under the schedule contained in section 400, as amended by section 102 (a) of the Revenue Act of 1943, no tax is imposed upon a single person whose gross income is less than $525, or upon a person whose gross income is less than $650, if such person is (1) a married person making a separate return, (2) a married person whose spouse has no gross income, (3) a married person making a joint return, or (4) the head of a family.

PAR. 3. Section 29.401–1 is amended by inserting immediately preceding the last paragraph thereof the following:

Example (5). For the calendar year 1944, F, an unmarried person, has a gross income of $2,832 derived wholly from salary and interest. On July 1

determine the tax imposed upon him for the calendar year 1944 under section 400, as amended by section 102 (a) of the Revenue Act of 1943, F refers to the first part of the schedule therein, which is applicable to a single person who is not the head of a family, and finds that the tax imposed upon a taxpayer whose gross income is at least $2,825 but less than $2,850 (and the number of dependents is 0) is $483. Since $2,832 is within this bracket, F's tax is $483.

Example (6). For the calendar year 1944, G has a gross income of $2,312, derived wholly from salary and dividends, and H, his wife, has a gross income of $671, derived wholly from wages and an annuity. On July 1, 1944, they are living together and G is supporting two dependent children, both of whom are under the age of 18. G and H file separate returns under Supplement T. To determine his tax for the calendar year 1944, G refers to the second part of the schedule contained in section 400, as amended by section 102 (a) of the Revenue Act of 1943, applicable to married persons making separate returns, and finds that the tax imposed upon a taxpayer whose gross income is at least $2,300 but less than $2,325 (and the number of dependents is 2) is $217. Since $2,312 is within this bracket and G has two dependents, G's tax is $217. To determine her tax for such year, H also refers to such second part, which is applicable to a married person making separate return, and finds that the tax imposed upon a taxpayer whose gross income is at least $650 but less than $675 (and the number of dependents is 0) is $5. Since $671 is within this bracket, H's tax is $5. Under such facts, if G and H file a joint return under Supplement T, their combined gross income is $2,983. To determine their tax, they refer to the third part of the schedule contained in section 400, as amended by section 102 (a) of the Revenue Act of 1943, which is applicable to a married person making joint return, and find that the tax imposed upon a taxpayer whose gross income is at least $2,975 but less than $3,000 (and the number of dependents is 2) is $243. Since G and H are filing a joint return, the amount of tax shown in such part shall be reduced by 3 percent of the smaller income of the two spouses (3 percent of $671, or $20.13), but not more than $19. (See the note at the foot of such part.) Since 3 percent of $671 is more than $19, the reduction of the tax shown in such table is limited to $19. Since $2,983 is within the bracket above discussed, the combined tax of G and H is $243 less $19, or $224.

Example (7). For the calendar year 1944, J has a gross income of $1,860, derived wholly from wages. He was married on April 1, 1944, and he and his wife were living together on July 1, 1944. He has no dependents. His wife, who has no gross income in 1944, dies on December 1, 1944. To determine his tax for the calendar year 1944, J refers to the third part of the schedule contained in section 400, as amended by section 102 (a) of the Revenue Act of 1943, which is applicable to a married person whose spouse has no gross income, and finds that the tax imposed upon a taxpayer whose gross income is at least $1,850 but less than $1,875 (and the number of dependents is 0) is $142. Since $1,860 is within this bracket, J's tax is $142.

Example (8). For the calendar year 1944, K has a gross income of $2,965. His wife, who has no gross income in 1944, dies on May 15, 1944, and on July 1, 1944, he is supporting and maintaining a home for two dependent children both of whom are under the age of 18. Since K would not occupy the status of head of a family except for the fact that he maintains a home for such children, one of such children is not counted for the purpose of such table. To determine his tax for the calendar year 1944, K refers to the third table of the schedule contained in section 400, as amended by section 102 (a) of the Revenue Act of 1943, which is applicable to the head of a family, and finds that the tax in the case of a taxpayer whose gross income is at least $2,950 but less than $2,975 (and the number of dependents is 1) is $205. Since $2,965 is within this bracket and K can take credit for only one dependent, K's tax is $205. If the wife had had gross income, the tax of neither spouse could be determined under Supplement T.

PAR. 4. There is inserted immediately preceding § 29.404–1 the following:

SEC. 102. ALTERNATIVE TAX ON INDIVIDUALS WITH GROSS INCOME FROM CERTAIN SOURCES OF LESS THAN $3,000. (Revenue Act of 1943, Title I.)

* * * * * *

(b) *Technical amendment.* Section 404 (relating to certain taxpayers ineligible to compute tax under alternative method) is amended by inserting after "nonresident alien individual," the following: "to a citizen of the United States entitled to the benefits of section 251.".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 5. Section 29.404–1 is amended as follows:

(A) By striking out "or" immediately preceding subparagraph (4).

(B) By striking out the period at the end of subparagraph (4) and inserting in lieu thereof "; or".

(C) By inserting at the end thereof the following:

(5) For the calendar year 1944 and subsequent calendar years, a citizen of the United States entitled to the benefits of section 251.

(Sec. 102 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), sec. 62, I.R.C., 53 Stat. 32; 26 U.S.C. 62)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5667; Filed, April 20, 1944; 4:07 p. m.]

[T. D. 5357]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

NONRESIDENT ALIENS BROUGHT INTO THE UNITED STATES UNDER AUTHORITY OF WAR MANPOWER COMMISSION

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to the provisions of section 132 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.143–1 the following:

SEC. 132. NONRESIDENT ALIENS BROUGHT INTO UNITED STATES UNDER AUTHORITY OF WAR MANPOWER COMMISSION. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 143 (b) (relating to withholding tax at source on nonresident alien individuals) is amended by inserting at the end thereof the following: "In respect of the compensation for services performed by nonresident alien individuals brought into the United States under the authority of the War Manpower Commission for temporary employment essential to the war effort and subject to withholding under this subsection, the deduction and withholding shall be at the rate of 10 per centum, and there shall be no deduction or withholding under section 1622."

(b) *Effective date.* The amendment made by subsection (a) shall be applicable to all compensation paid on or after the tenth day after the date of the enactment of this Act.

PAR. 2. Section 29.143–1 is amended as follows:

(A) By inserting as the second sentence thereof the following:

See the second paragraph of this section for special rule with respect to compensation for services performed by a nonresident alien individual brought into the United States under the authority of the War Manpower Commission.

(B) By inserting as the second paragraph thereof the following:

On and after March 6, 1944, the rate of withholding provided with respect to compensation for services performed by a nonresident alien individual, or by a citizen of a possession of the United States not otherwise a citizen of the United States, brought into the United States under the authority of the War Manpower Commission for temporary employment essential to the war effort shall be at the reduced rate of 10 percent. In applying such reduced rate of withholding, however, to the compensation of a nonresident alien or other individual coming within the scope of this paragraph the proration of the personal exemption provided in § 29.143–3, is not applicable. The rate of 10 percent provided in this paragraph should, therefore, be applied against the gross amount of the compensation derived from labor or personal services by such an individual. The provisions of section 143 (b), as amended by section 132 of the Revenue Act of 1943, shall not be construed as cancelling or affecting any exemption from withholding in the case of any nonresident alien individual under existing law, regulations, or ruling, nor do such provisions affect the liability to tax of such a nonresident alien individual.

(Sec. 62 of the Internal Revenue Code (53 Stat., 32; 26 U.S.C., 1940 ed., 62) and sec. 132 of the Revenue Act of 1943 (Pub. Law 235, 78th Congress))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5666; Filed, April 20, 1944; 4:07 p. m.]

[T. D. 5361]

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

APPLICATION OF THE EXCESS PROFITS TAX TO CERTAIN PRODUCTION BONUS PAYMENTS

In order to conform Regulations 112 [Part 35, Title 26, Code of Federal Regulations, 1944 Supp.] to Public Law 172, approved October 26, 1943 (78th Congress, 1st session), such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 35.711 (a)–1 the following:

PUBLIC LAW 172 (78th Congress, 1st Session, approved October 26, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * * *

SEC. 2. Section 711 (a) (1) (I) of the Internal Revenue Code is amended to read as follows:

(I) *Nontaxable income of certain industries.* In the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, there shall be excluded nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735. In respect of nontaxable bonus income provided in section 735 (c), a corporation described in section 735 (c) (2) shall be deemed a producer of minerals for the purposes of this subparagraph.

SEC. 3. Section 711 (a) (2) (K) of the Internal Revenue Code is amended to read as follows:

(K) *Nontaxable income of certain industries.* In the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, there shall be excluded nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735. In respect of nontaxable bonus income provided in section 735 (c), a corporation described in section 735 (c) (2) shall be deemed a producer of minerals for the purposes of this subparagraph.

SEC. 4. The amendments made by this Act shall be effective as if they were a part of section 209 of the Revenue Act of 1942 on the date of its enactment.

PAR. 2. Section 35.711 (a)–2 is amended by striking the last sentence from the first paragraph immediately following the first example, and by inserting immediately after such paragraph the following new paragraph:

For the exclusion of nontaxable income from exempt excess output of mines and timber blocks and nontaxable bonus income provided in section 735 in the case of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in section 735, see section 711 (a) (1) (I), as amended by Public Law 172 (78th Congress, 1st session), approved October 26, 1943. For the purposes of the exclusion pursuant to the provisions of section 711 (a) (1) (I) of nontaxable bonus income provided in section 735 (c), a corporation described in section 735 (c) (2) as one which extracts or recovers a mineral product from mine tailings and which owns no economic interest in the mineral property from which the ore containing such tailings was mined shall be deemed to be a producer of the minerals so extracted or recovered.

PAR. 3. There is inserted immediately preceding § 35.735–1 the following:

PUBLIC LAW 172 (78th Congress, 1st Session), approved October 26, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 735 (c) of the Internal Revenue Code is amended to read as follows:

(c) *Nontaxable bonus income.* The term "nontaxable bonus income" means the amount of the income derived from bonus payments made by any agency of the United States Government on account of the production in excess of a specified quota of:

(1) A mineral product or timber, the exhaustion of which gives rise to an allowance for depletion under section 23 (m), but such amount shall not exceed the net income (computed with the allowance for depletion) attributable to the output in excess of such quota; or

(2) A mineral product extracted or recovered from mine tailings by a corporation which owns no economic interest in the mineral property from which the ore containing such tailings was mined, but such amount shall not exceed the net income attributable to the output in excess of such quota.

* * * * * *

SEC. 4. The amendments made by this Act shall be effective as if they were a part of section 209 of the Revenue Act of 1942 on the date of its enactment.

PAR. 4. Section 35.735–2 (a) is amended by inserting at the end thereof the following new paragraph:

For the purpose of the exclusion from excess profits net income of nontaxable bonus income on account of the production in excess of a specified quota of a mineral product extracted or recovered from mine tailings (see section 735 (c) (2)), a corporation which so extracts or recovers such a mineral product and which owns no economic interest in the mineral property from which the ore containing such tailings was mined shall be deemed to be a producer of minerals.

PAR. 5. Section 35.735–4 is amended by changing the first paragraph thereof to read as follows:

§ 35.735–4 *Nontaxable bonus income.* The term "nontaxable bonus income" means the amount of the income derived from bonus payments made by any agency of the United States Government on account of the production in excess of a specified quota of either of the following:

(a) A mineral product or timber, if the exhaustion of the mineral property or the timber block from which such product or timber was recovered gives rise to an allowance for depletion under section 23 (m). Such amount, however, shall not exceed the net income (computed with the allowance for depletion) attributable to the output in excess of the quota. Such net income so attributable shall be an amount which bears the same ratio to the net income from the mineral property, computed as provided in § 35.735–2 (i), or the net income from the timber block, computed as provided in § 35.735–2 (i), as the output in excess of the quota bears to the total number of mineral units or timber units produced for the taxable year. If two or more metals, coal, or nonmetallic substances are contained in the minerals recovered from a mineral property, nontaxable bonus income must be determined with respect to each such metal, coal, or nonmetallic substance, and net income from the property must be allocated fairly between each type of metal, coal, or nonmetallic substance. In the case of any such bonus paid with respect to any such type of metal, coal, or nonmetallic substance the nontaxable bonus income shall not exceed the net income attributable to the output in excess of the specified quota of such type. Such net income shall be an amount which bears the same ratio to the net income attributable to such type of metal, coal, or nonmetallic substance as the output in excess of the quota established for such type bears to the number of mineral units of such type produced for the taxable year.

(b) A mineral product extracted or recovered from mine tailings by a corporation which does not own an economic interest in the mineral property from which the ore containing such tailings was mined. Such amount, however, shall not exceed the net income attributable to the output in excess of the quota. Such net income so attributable shall be an amount which bears the same ratio to the net income computed with respect to the mineral product extracted or recovered from the tailings as the number of mineral units in the output of the mineral product recovered or extracted from the tailings in excess of the quota bears to the total number of mineral units in the mineral product recovered or extracted from the tailings in the taxable year. Net income computed with respect to the mineral product extracted or recovered from mine tailings shall be computed pursuant to § 35.735–2 (i), except with respect to the allowance for depletion, as if such mine tailings were a mineral property.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62) as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 999; 26 U.S.C., 729 (a)) and Public Law 172 (78th Cong.), approved Oct. 26, 1943)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: April 20 1944

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5676; Filed, April 21, 1944; 11:08 a. m.]

[T. D. 5358]

PART 36—RELIEF FROM DOUBLE PAYMENTS IN 1943

PROVISIONS RELATING TO INCREASED INCOME

In order to conform Treasury Decision 5300, approved October 1, 1943, as amended by Treasury Decision 5309, approved December 4, 1943, prescribing regulations under section 6 of the Current Tax Payment Act of 1943 [Part 36,

Title 26, Code of Federal Regulations, Cum. Supp.] to the provisions of section 506 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such Treasury decision is further amended as follows:

PARAGRAPH 1. The table of contents is amended by striking out the following:

36.6 Additional increase in 1943 tax where income substantially increased.
36.7 Treatment of income attributed to base year under section 107 of the Internal Revenue Code.
36.8 Partnership business formerly operated by corporation.

PAR. 2. The sentence immediately preceding § 36.1 is stricken out, and there is inserted in lieu thereof the following:

Section 506 of the Revenue Act of 1943 provides as follows:

SEC. 506. REPEAL OF CERTAIL PROVISIONS OF THE CURRENT TAX PAYMENT ACT OF 1943 RELATING TO INCREASED INCOME.

(a) *In General.* Section 6 (c), (d) (4), (d) (5), and (e) (2) of the Current Tax Payment Act of 1943 is repealed.

(b) *Technical amendments.* (1) Section 6 (d) (2) of the Current Tax Payment Act of 1942 is amended (A) by striking out "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)", and (B) by striking out "subsections (b) and (c)" and inserting in lieu thereof "subsections (a) and (b)."

(2) Section 6 (d) (3) and (7) of such Act is amended by striking out wherever appearing in each such paragraph "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)."

(3) Section 6 (d) (6) of such Act is amended by striking out "(a), (b) (2), or (c)" and inserting in lieu thereof "(a) or (b) (2)."

(c) *Effective date.* The amendments made by this section shall be effective with respect to taxable year beginning after December 31, 1942, and before January 1, 1944.

Pursuant to the above-quoted provisions of the Curent Tax Payment Act of 1943 and the Revenue Act of 1943, the following regulations are hereby prescribed:

PAR. 3. Section 36.1, as amended by Treasury Decision 5309, is further amended:

(A) By amending paragraph (a) as follows:

(1) By striking from the first paragraph the following:

, and by a smaller percentage where the surtax net income for 1942 or 1943 exceeds by more than $20,000 the surtax

(3) By striking from the third paragraph the following:

; and (3) if the surtax net income for the base year plus $20,000 is less than that for the taxable year 1943, an amount equal to the excess of 75 percent of the tax for the taxable year 1943 (determined without regard to section 6, interest or additions to the tax, and credits for tax withheld at source under sections 466 and 1622 of the Internal Revenue Code) over a tentative tax for the taxable year 1943 computed upon an amount equal to the surtax net income for the base year plus $20,000

(4) By striking out the fourth paragraph.

(5) By inserting "and" before "to compensation for services" in the fifth paragraph and by striking from such paragraph the following:

, and to income derived from a business formerly operated under the corporate form

(B) By amending the first sentence of paragraph (b) to read as follows:

For the purposes of section 6, the term "taxable year 1942" means the taxable year beginning in 1942, the term "taxable year 1943" means the taxable year beginning in 1943, and such terms shall not include any period of less than twelve months unless occasioned by the death of the taxpayer or unless there is no taxable year of twelve months beginning in 1942 or in 1943, as the case may be.

(C) By amending paragraph (c) as follows:

(1) By striking out "section 294 (a) (3), (4), and (5)" and inserting in lieu thereof "section 294 (d)".

(2) By striking out "and the additional increase under subsection (c)".

(3) By striking out "subsections (a), (b) (2) and (c) of section 6" and inserting in lieu thereof "subsections (a) and (b) (2) of section 6".

PAR. 4. Section 36.2, as amended by Treasury Decision 5309, is further amended by striking from the first sentence thereof ", without reference to the base year,".

PAR. 5. Section 36.3, as amended by Treasury Decision 5309, is stricken out.

PAR. 6. Section 36.5 is amended as follows:

(A) By striking from the first sentence "and whether the additional income in the tax for the taxable year

tion 6" and by changing the amount $40,000 to $30,000.

(C) By amending the second paragraph of paragraph (b) as follows:

(1) By striking out "section 6 (a), (b), and (c)" and inserting in lieu thereof "section 6 (a) or (b)".

(2) By striking out the last sentence thereof.

PAR. 8. Sections 36.7 and 36.8 are stricken out.

PAR. 9. Section 36.9 is amended as follows:

(A) By striking out the heading of paragraph (a), which reads as follows:

(a) *The 25 percent increase under subsection (a) or (b) of section 6.*

(B) By amending the third sentence of the second paragraph of paragraph (a) to read as follows:

Such election shall be made on the return and shall be conditioned upon the payment at such time of at least the tax shown on such return less (1) the amounts withheld at source or otherwise paid and (2) one-half of the increase made therein under section 6 (a) or (b) (2).

(C) By striking out paragraph (b).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), sec. 6 of the Current Tax Payment Act of 1943 (Pub. Law 68, 78th Cong.), approved June 9, 1943, and sec. 506 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 4-5668; Filed, April 20, 1944; 4:07 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 522—EMPLOYMENT OF LEARNERS

CIGAR INDUSTRY IN CONTINENTAL UNITED STATES

The following regulations, Part 522, §§ 522.200 to 522.211 (Regulations Applicable to the Employment of Learners in the Cigar Industry in the Continental United States) are hereby issued pursuant to section 14 of the Fair Labor

Title 26, Code of Federal Regulations, Cum. Supp.) to the provisions of section 506 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such Treasury decision is further amended as follows:

PARAGRAPH 1. The table of contents is amended by striking out the following:

36.5 Additional increase in 1943 tax where income substantially increased.
36.7 Treatment of income attributed to base year under section 107 of the Internal Revenue Code.
36.8 Partnership business formerly operated by corporation.

PAR. 2. The sentence immediately preceding § 36.1 is stricken out, and there is inserted in lieu thereof the following:

Section 506 of the Revenue Act of 1943 provides as follows:

SEC. 506. REPEAL OF CERTAIL PROVISIONS OF THE CURRENT TAX PAYMENT ACT OF 1943 RELATING TO INCREASED INCOME.

(a) *In General.* Section 6 (c), (d) (4), (d) (5), and (e) (2) of the Current Tax Payment Act of 1943 is repealed.

(b) *Technical amendments.* (1) Section 6 (d) (2) of the Current Tax Payment Act of 1942 is amended (A) by striking out "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)", and (B) by striking out "subsections (b) and (c)" and inserting in lieu thereof "subsections (a) and (b)."

(2) Section 6 (d) (3) and (7) of such Act is amended by striking out wherever appearing in each such paragraph "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)."

(3) Section 6 (d) (6) of such Act is amended by striking out "(a), (b) (2), or (c)" and inserting in lieu thereof "(a) or (b) (2)."

(c) *Effective date.* The amendments made by this section shall be effective with respect to taxable year beginning after December 31, 1942, and before January 1, 1944.

Pursuant to the above-quoted provisions of the Curent Tax Payment Act of 1943 and the Revenue Act of 1943, the following regulations are hereby prescribed:

PAR. 3. Section 36.1, as amended by Treasury Decision 5309, is further amended:

(A) By amending paragraph (a) as follows:

(1) By striking from the first paragraph the following:

, and by a smaller percentage where the surtax net income for 1942 or 1943 exceeds by more than $20,000 the surtax net income of the taxpayer for any one of the years 1937, 1938, 1939, and 1940 which he may select

(2) By striking from the second paragraph ": (1)" after "increased by" and the following:

; and (2) if the surtax net income for the base year plus $20,000 is less than that for the taxable year 1942, the excess of 75 percent of the tax for the taxable year 1942 (determined without regard to section 6 and without regard to interest and additions to the tax) over a tentative tax for the taxable year 1942 computed upon an amount equal to the surtax net income for the base year plus $20,000

(3) By striking from the third paragraph the following:

; and (3) if the surtax net income for the base year plus $20,000 is less than that for the taxable year 1943, an amount equal to the excess of 75 percent of the tax for the taxable year 1943 (determined without regard to section 6, interest or additions to the tax, and credits for tax withheld at source under sections 466 and 1622 of the Internal Revenue Code) over a tentative tax for the taxable year 1943 computed upon an amount equal to the surtax net income for the base year plus $20,000

(4) By striking out the fourth paragraph.

(5) By inserting "and" before "to compensation for services" in the fifth paragraph and by striking from such paragraph the following:

, and to income derived from a business formerly operated under the corporate form

(B) By amending the first sentence of paragraph (b) to read as follows:

For the purposes of section 6, the term "taxable year 1942" means the taxable year beginning in 1942, the term "taxable year 1943" means the taxable year beginning in 1943, and such terms shall not include any period of less than twelve months unless occasioned by the death of the taxpayer or unless there is no taxable year of twelve months beginning in 1942 or in 1943, as the case may be.

(C) By amending paragraph (c) as follows:

(1) By striking out "section 294 (a) (3), (4), and (5)" and inserting in lieu thereof "section 294 (d)".

(2) By striking out "and the additional increase under subsection (c)".

(3) By striking out "subsections (a), (b) (2) and (c) of section 6" and inserting in lieu thereof "subsections (a) and (b) (2) of section 6".

PAR. 4. Section 36.2, as amended by Treasury Decision 5309, is further amended by striking from the first sentence thereof ", without reference to the base year,".

PAR. 5. Section 36.3, as amended by Treasury Decision 5309, is stricken out.

PAR. 6. Section 36.5 is amended as follows:

(A) By striking from the first sentence "and whether the additional increase in the tax for the taxable year 1943 provided in subsection (c) of section 6 is applicable".

(B) By striking from the third sentence "subsection (a) or (b) or (c) of section 6" and inserting in lieu thereof "subsection (a) or (b) of section 6".

(C) By striking out the second, third, fourth, and fifth paragraphs thereof.

PAR. 7. Section 36.6 is amended as follows:

(A) By striking from the first sentence "subsections (a), (b), and (c) of section 6" and inserting in lieu thereof "subsections (a) and (b) of section 6".

(B) By striking from the second paragraph "and by $10,000 by reason of the application of subsection (c) (2) of section 6" and by changing the amount $40,000 to $30,000.

(C) By amending the second paragraph of paragraph (b) as follows:

(1) By striking out "section 6 (a), (b), and (c)" and inserting in lieu thereof "section 6 (a) or (b)".

(2) By striking out the last sentence thereof.

PAR. 8. Sections 36.7 and 36.8 are stricken out.

PAR. 9. Section 36.9 is amended as follows:

(A) By striking out the heading of paragraph (a), which reads as follows:

(a) *The 25 percent increase under subsection (a) or (b) of section 6.*

(B) By amending the third sentence of the second paragraph of paragraph (a) to read as follows:

Such election shall be made on the return and shall be conditioned upon the payment at such time of at least the tax shown on such return less (1) the amounts withheld at source or otherwise paid and (2) one-half of the increase made therein under section 6 (a) or (b) (2).

(C) By striking out paragraph (b).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), sec. 6 of the Current Tax Payment Act of 1943 (Pub. Law 68, 78th Cong.), approved June 9, 1943, and sec. 506 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 4-5668; Filed, April 20, 1944; 4:07 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 522—EMPLOYMENT OF LEARNERS

CIGAR INDUSTRY IN CONTINENTAL UNITED STATES

The following regulations, Part 522, §§ 522.200 to 522.211 (Regulations Applicable to the Employment of Learners in the Cigar Industry in the Continental United States) are hereby issued pursuant to section 14 of the Fair Labor Standards Act of 1938, and § 522.4 of regulations, Part 522, as amended, issued thereunder, and shall become effective upon my signing the original and upon the publication thereof in the FEDERAL REGISTER, and shall continue in force and effect until hereafter modified.

Sec.
522.200 Scope of the regulations.
522.201 Conditions upon which special learner certificates may be obtained.
522.202 Learner occupations.
522.203 Learning periods.
522.204 Subminimum rates.
522.205 Number or proportion of learners.
522.206 Effective period of certificates.
522.207 Removal of plant or transfer of production.
522.208 Employment of experienced workers as learners prohibited.
522.209 Employment of learners prohibited where experienced workers are available.
522.210 Definitions of terms.
522.211 Status of certificates issued under existing regulations.

AUTHORITY: §§ 522.200 to 522.211, inclusive, issued under sec. 14, 52 Stat. 1068; 29 U.S.C. 214.

§ 522.200 *Scope of the regulations.* The following provisions are applicable to the employment of learners in the cigar industry in the continental United States and are supplemental to Regulations, Part 522 (Regulations Applicable to the Employment of Learners Pursuant to section 14 of the Fair Labor Standards Act of 1938) as amended.

§ 522.201 *Conditions upon which special learner certificates may be granted.* Upon application to the Administrator of the Wage and Hour Division, special certificates authorizing the employment of learners at subminimum wage rates in the cigar industry may be issued, to the extent necessary in order to prevent curtailment of opportunities for employment, by the Administrator or his authorized representative under the following terms, when it appears that experienced workers are not available to an employer making application for a special learner certificate and that the issuance of a special certificate will not create unfair competitive labor cost advantages or impair or depress working standards established for experienced workers for work of a like or comparable character in the industry. For the duration of the war emergency an applicant for a learner certificate must also meet the conditions contained in section I (1) of Administrative Order 181. (8 F.R. 3079)

§ 522.202 *Learner occupations.* Special certificates may be issued authorizing the employment of learners in the cigar industry in the occupations of cigar machine operating; cigar packing; hand bunch making; hand rolling; making Italian stogies; hand stripping; and machine stripping.

§ 522.203 *Learning periods.* (a) The maximum learning period which may be authorized in special certificates issued in the Cigar Industry for cigar machine operating is 320 hours; for hand rolling, 960 hours; for hand bunch making, 960 hours; for making Italian stogies, 640 hours; for hand stripping, 160 hours; for machine stripping, 160 hours; for packing cigars retailing for more than six cents, 320 hours; and for packing cigars retailing for six cents or less, 160 hours: *Provided, however,* That a worker experienced in the packing of cigars retailing for six cents or less may be trained as a learner in packing cigars retailing for more than six cents for not more than 160 hours, and that a worker with 160 hours or more of experience in the packing of cigars retailing for more than six cents may not be restrained at subminimum wage rates for any period in packing cigars retailing for six cents or less.

(b) If a worker who is being trained in any machine occupation has been employed in that same occupation within the previous two years, the hours of such employment shall be deducted from the maximum learning period. If a worker who is being trained in any hand occupation has been employed in that same occupation within the previous five years, the hours of such employment shall be deducted from the maximum learning period for that occupation.

§ 522.204 *Subminimum rates.* (a) The subminimum rates which may be authorized in special certificates issued in the cigar industry shall be not less than 30 cents per hour in the occupations of cigar machine operating and cigar packing; not less than 30 cents per hour for the first 480 hours and 35 cents per hour thereafter in the occupations of hand rolling and hand bunch making; not less than 30 cents per hour for the first 320 hours and 35 cents per hour thereafter in the occupation of making Italian stogies; and not less than 30 cents per hour in the occupations of hand stripping and machine stripping.

(b) In establishments where experienced workers are paid on a piece rate basis, learners shall be paid the same piece rates that experienced workers engaged in the same occupation are paid and earnings shall be based on those piece rates if in excess of the subminimum rates established in paragraph (a) above.

§ 522.205 *Number or proportion of learners.* (a) Special certificates may be issued to meet normal labor turnover needs authorizing the employment of learners in any authorized learner occupation, not to exceed on any one work day more than ten percent of the total number of workers engaged in that occupation.

(b) Special certificates may be issued to new or expanding plants authorizing the employment of learners in authorized occupations to the extent of need.

(c) For the duration of the war emergency the provisions of section I (3) of Administrative Order No. 181 (8 F.R. 3079) relating to the issuance of certificates to meet abnormal labor turnover needs, shall be applicable to the employment of learners in authorized learner occupations in this industry.

§ 522.206 *Effective period of certificates.* (a) Special certificates issued to meet labor turnover needs may be issued for a period not longer than one year.

(b) Special certificates issued to new or expanding plants may be issued for a period not longer than necessary to complete the training of the total number of learners required by the new or expanding plant.

§ 522.207 *Removal of plant or transfer of production.* An applicant for a special learner certificate for expansion purposes, who is moving from a plant in another location or is transferring production from such plant, or who has recently so moved or transferred production, shall attach to his application a signed statement giving the following information for the purpose of enabling the Wage and Hour Division to determine whether there is satisfaction of the conditions prescribed by § 522.201:

(a) Name, location and products of the plant from which applicant is moving or is transferring production.

(b) Average and minimum wage rates paid at such plant.

(c) Reasons for removal or transfer of production.

§ 522.208 *Employment of experienced workers as learners prohibited.* No experienced worker shall be employed under the terms of a special learner certificate.

§ 522.209 *Employment of learners prohibited when experienced workers are available.* No learner shall be employed under a special learner certificate if at the time such employment begins an experienced worker who is capable of equaling the performance of a worker of ordinary or minimum skill is available for employment.

§ 522.210 *Definitions of terms.* (a) "New plant" means a plant which is newly established and is being operated for the first time, or which has not been operated more than eight months and in which a substantial number of workers must be trained for the manufacture of the products of the plant.

(b) "Expanding plant" means a plant which is being expanded by the installation of additional mechanical equipment or other production facilities, by again placing into operation machinery which has been idle for an appreciable period or by adding an additional shift.

(c) A learner in any machine occupation authorized in § 522.202 is a worker whose experience within the previous two years in that occupation is less than the learning period authorized for that occupation in § 522.203.

(d) A learner in any hand occupation authorized in § 522.202 is a worker whose experience within the previous five years in that occupation is less than the learning period authorized for that occupation in § 522.203.

(e) An experienced worker in any machine occupation authorized in § 522.202 is a worker whose experience within the previous two years in that occupation is equal to or greater than the learning period authorized for that occupation in § 522.203.

(f) An experienced worker in any hand occupation authorized in § 522.202 is a worker whose experience within the previous five years in that occupation is equal to or greater than the learning period authorized for that occupation in § 522.203.

(g) "Experienced worker available for employment" means an experienced worker residing within the area from which the employer customarily draws his labor supply or an experienced worker who has in fact made himself available to an employer at his plant or place of employment and has signified readiness to accept employment.

(h) For the purpose of these regulations the cigar industry is defined as consisting of:

1. The cigar manufacturing branch of the cigar industry; and
2. The leaf processing branch of the cigar industry, which are defined as follows:

(1) "The cigar manufacturing branch of the Cigar Industry" means the manufacturer of cigars, from any types of tobacco.

The term "cigar" wherever used in this definition comprehends all types of cigars, including cheroots, stogies, and little cigars.

The manufacture of cigars from non-cigar types of leaf tobacco and the scrap tobacco therefrom includes the preliminary processing of such tobacco which is performed in the manufacturing plant as an integral part of the manufacturing operation; and

(2) "The leaf processing branch of the Cigar Industry" means the preparation or marketing (including wholesaling) of cigar types of leaf tobacco (as defined by the Bureau of Agricultural Economics of the United States Department of Agriculture) and the scrap tobacco therefrom for use in the manufacture of cigars and other tobacco products.

The term "preparation" as used herein includes all operations involved in making cigar leaf tobacco and scrap tobacco therefrom suitable for use in the manufacture of cigars, whether performed by employees of warehousemen, manufacturers, leaf dealers, or others. It includes, but not by way of limitation, the operations of grading, sorting, packing, sweating, fermenting, stemming, and conditioning. It does not include, however, such preliminary processing of cigar types of tobacco or scrap tobacco therefrom as is performed in a manufacturing plant as an integral part of the manufacturing operations attending the production of tobacco products other than cigars, nor does it include operations performed by a farmer or on a farm as an incident to or in conjunction with farming operations.

§ 522.211 *Status of certificates issued under existing regulations.* Special certificates previously issued authorizing the employment of learners at subminimum wage rates in this industry, shall remain in effect until they expire.

Signed at New York, New York this 19th day of April 1944.

L. METCALF WALLING,
Administrator.

[F. R. Doc. 44-5656; Filed, April 20, 1944; 2:28 p. m.]

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

The following amendments to §§ 802.38, 802.39, and a new section, § 802.39a, have been adopted by the Board. These amendments apply to all rulings and directive orders issued on or after May 1, 1944.

§ 802.38 *Petitions for review.* Within fourteen days after an agent of the Board mails to a party a directive order in a dispute case or a ruling denying or modifying an application for approval of a voluntary wage or salary adjustment, such party may mail to the agent of the Board which issued the directive order or ruling an original and four copies of a petition, including supporting documents, seeking review by the National War Labor Board of such ruling or directive order. The petition shall (1) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (2) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (3) state that a copy of the petition has been served upon the other parties to the case, and the date of such service.

No such petition seeking review by the Board of a ruling or directive order of an agent of the Board shall be granted unless the petitioner has demonstrated by substantial proof that (1) the ruling or order exceeds the Board's jurisdiction, or (2) the ruling or order contravenes the established policies of the Board, or (3) a novel question is involved of such importance as to warrant national action, or (4) the procedure resulting in the ruling or order was unfair to the petitioner, and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding.

§ 802.39 *The answer.* Within fourteen days after a copy of such a petition for review is mailed by the petitioning party to any other party to the case, such other party may mail an answer to the petition to the agency of the Board which issued the directive order or ruling. An original and five copies of the answer shall be transmitted to such agent of the Board and a copy shall at the same time be served upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a request for review of an order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in § 802.38 above. Each answer should state fully but concisely the respondent's reasons for believing (1) that the petition ought not to be entertained, and (2) that, if the Board decides to entertain the petition, the petition should be denied on the merits.

§ 802.39a *Petitions for review of rulings or directive orders modified upon reconsideration.* If the ruling or directive order issued by an agent of the Board is modified by such agent in response to a petition for reconsideration or upon its own motion, the agent shall issue to the parties such ruling or order, as modified, in the same manner and with the same effect as is provided in § 802.37 above. The order or ruling as modified shall be subject to review in accordance with the provisions of §§ 802.38 and 802.39 above, except that the period prescribed therein for filing a petition for review or answer thereto shall be seven instead of fourteen days.

(E.O. 9017, 7 F.R. 237, E.O. 9250, 7 F.R. 7871, War Labor Disputes Act. P. L. 89, 78th Cong.)

Adopted April 7, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-5671; Filed, April 20, 1944; 5:11 p. m.]

PART 802—RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

The following sections or portions thereof have been amended as indicated:

§ 802.1 *The New Case Committee.*
* * *

(b) *Procedure.* The decision of the majority of the members of the New Case Committee with respect to the acceptance or assignment of a particular case shall be put into effect by the Committee on behalf of the Board, subject to the right of any member of the Committee to refer the matter to the Board, and the right of the Board to review the action of the Committee on its own motion.

§ 802.37 *Stay of order or ruling of an agent of the Board.* * * *

(b) *Directive orders in dispute cases.* (1) Agents of the Board shall issue their directive orders to the parties when made. The issuance of any provision of a directive order, however, which relates to a wage or salary adjustment, may be stayed if two or more public members of the agent dissent from the provision and request that its issuance be stayed. In such event a copy of the directive order and the request, for the stay, together with a statement of the reasons for such request, shall be immediately transmitted to the Board. The provision so sought to be stayed shall not be issued to the parties until the expiration of ten days after receipt in Washington of the request for the stay, unless (i) the issuance of such provision is earlier approved by the Board or (ii) within such ten-day period the Board sets the case down for review. In the latter event, the Executive Assistant to the Board shall communicate the Board's action to the agent of the Board, and the stay shall continue in effect until the case is finally disposed of.

(2) If after the issuance of a directive order by an agent of the Board, no timely petition for review is filed within the period prescribed in § 802.38, below, and if the Board within such a period does not review the agent's order on its own motion, the order shall on the day following the last day for filing such a petition, stand confirmed as the order of the Board and shall immediately be effective according to its terms: *Provided,* That the Board may at any time prior to the expiration of the time for the filing of a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings.

(3) If a timely petition for review of a directive order of an agent of the Board is filed by a party in accordance with the provisions of § 802.38, below, or if the Board reviews such an order on its own motion, the entire order shall be suspended, unless and until, the Board directs, or has directed, otherwise, or the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of an agent of the Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other provision of the order.

(4) If only a part of the order is sought to be reviewed, any party may petition the Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval.

§ 802.43 *Reconsideration of Board orders or rulings in appeals cases.* (a) When, pursuant to § 802.42, above, the Board has issued a directive order or ruling adopting as its own the order or ruling of its agent, the directive order shall, and the ruling may, immediately upon its issuance, be placed into effect in accordance with its terms. In such cases, a petition for reconsideration of the Board's action will not be entertained.

(b) (1) When, pursuant to § 802.42, above, the Board has issued a directive order or ruling reversing or modifying the order or ruling of its agent, the order or ruling of the Board shall be effective in accordance with its terms. A petition for reconsideration of any provision of the Board's order or ruling which effects a change in the order or ruling of the agent may be mailed to the Board by any party within fourteen days from the date that the order or ruling was mailed to such party. Such petition, if filed, shall be in writing and shall be accompanied by four copies, and additional copies thereof shall be served on the other parties to the case and upon the appropriate agent of the Board. The filing of such a petition shall not stay any provision of the Board's orders or rulings, unless the Board so directs.

RECONSIDERATION AND CLARIFICATION OF ORDERS AND RULINGS OF THE BOARD

§ 802.45 *Interpretation and clarification of Board directives in dispute cases (other than directives on appeals from directives of a Board agent).* (See § 802.12)

§ 802.46 *Reconsideration of Board directives in dispute cases (other than directives on appeals from directives of a Board agent).* (See § 802.13)

§ 802.47 *Requests for interpretation and clarification of Board rulings (other than rulings on appeal from rulings of a Board agent).* If, after the issuance by the Board of a ruling on an application for a voluntary wage or salary adjustment, a question arises concerning the interpretation of any provision of the ruling, any party to the application may file with the Board five copies of a request for clarification or interpretation of the ruling, provided that a copy of such request is at the same time transmitted by such party to all other parties to the application, and notice of the date of such transmittal is included in the request. Such other parties shall have ten days from the date of the receipt of a copy of the request in which to mail comments thereon to the Board. The request and the comments thereon shall be referred to the Post-Directive Committee (see § 801.12) which shall examine the same in the light of the record in the case. If the Committee reaches a unanimous decision as to the meaning of the Board's ruling, the decision shall be communicated to the parties. Where the decision of the Committee is not unanimous, or in any case where a member of the Committee so requests, the question shall be presented by the Chairman of the Committee to the Board for its determination.

§ 802.48 *Petitions for reconsideration of Board rulings (other than rulings on appeals from rulings of a Board agent).* A petition for reconsideration of a ruling of the Board on an application for approval of a voluntary wage or salary adjustment may be filed by any party to the application within fourteen days after the issuance of such ruling, provided that a copy of such petition is at the same time mailed by the petitioner to all other parties to the application, and notice of the date of mailing is included in the petition. Such petition shall be filed with five copies thereof, and shall set forth fully the reasons for requesting reconsideration of the application. The other parties to the application shall have ten days from the date of the receipt of a copy of the petition in which to mail to the Board comments thereon. The petition and the comments thereon shall be referred to the Post-Directive Committee, which shall examine the petition in the light of the record in the case and shall make a recommendation to the Board on the question involved. The Chairman of the Committee shall present the petition to the Board together with the recommendation of the Committee. The Board will either grant or deny the petition. If the petition is granted, the case will be reconsidered and such disposition made or further procedure ordered therein as the Board may determine.

§ 802.49 *Reconsideration of Board orders or rulings in appeals cases.* (See § 802.43)

(E.O. 9017, 7 F.R. 237, E.O. 9250, 7 F.R. 7871, War Labor Disputes Act, P.L. 89, 78th Cong.)

Adopted April 4, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-5672; Filed, April 20, 1944; 5:11 p. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 4]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE PICKING ORANGES IN CERTAIN CALIFORNIA COUNTIES

§ 1102.4 *Wages of workers engaged in tree picking oranges of Valencia variety in Fresno, Tulare and Kern counties, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in tree picking Valencia oranges in the counties of Fresno, Tulare and Kern, State of California, are agricultural labor as defined in § 4001.1 (a) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for tree picking oranges of Valencia variety.*—(1) Tree picking oranges of Valencia variety—15¢ per standard field box or equivalent cubic inch capacity.

Where other than standard field box is unit of measure the respective maximum rates shall be equivalent to standard field box rates specified herein.

(c) *Administration.* The California WFA Wage Board located at 2288 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the Specific Wage Ceiling Regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 4 shall be deemed to be a part of the Specific Wage Ceiling Regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), and any violation of this specific wage ceiling regulation No. 4 shall constitute a violation of such specific wage ceiling regulations.

(e) *Termination.* This specific wage ceiling regulation No. 4 shall expire at

11:59 p. m. Pacific war time July 31, 1944: *Provided, however,* That the provisions of this specific wage ceiling regulation No. 4, after that time, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding theretofore or thereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of those provisions of this specific wage ceiling regulation No. 4.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 631)

Issued this 20th day of April 1944.

WILSON R. BUIE,
Acting Director, Office of Labor.

[F. R. Doc. 44-6062; Filed, April 20, 1944; 3:24 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-j]

ALUMINUM DISTRIBUTORS

The fulfillment of requirements for the defense of the United States has created a shortage of aluminum for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.12 *Supplementary Order M-1-j*—(a) *Definitions.* For the purpose of this order:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1, except ingot, pig, slabs, billets, shot and similar other raw forms.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(3) "Producer" means any person who manufactures aluminum.

(4) "Delivery" includes deliveries received on consignment.

(b) *Acquisition of aluminum.* A distributor may obtain delivery of aluminum in any of the following ways:

(1) *Purchase of idle or excess inventories.* A distributor may obtain delivery of aluminum from a holder of idle or excess inventories by a "special sale" under Priorities Regulation No. 13. He no longer needs authorization of the War Production Board to make such a purchase, but the aluminum, once acquired, may only be disposed of as provided in CMP Regulation No. 4 dealing with distributors.

(2) *Purchase from a producer.* A distributor may obtain delivery of aluminum from a producer only after receiving the specific authorization in writing of the War Production Board to do so. The specific authorization of the War Production Board will include written authorization to the distributor to use on his purchase orders for aluminum placed with producers or other distributors an AM symbol in either the 9500 or 9600 series. Assignments of AM numbers made prior to the issuance of this order shall remain in effect and constitute authorization to obtain delivery of aluminum from a producer to the extent provided below. The use of these AM numbers is subject to any conditions imposed by the War Production Board.

Orders on a producer bearing the symbol AM and a number in the 9500 series must, within the limit specified in the CMP Regulation No. 1, paragraph (t) and Direction 23 to that regulation, be accepted and filled by the producer as if they were authorized controlled material orders. Orders on a producer bearing the symbol AM and a number in the 9600 series may, but need not, be accepted by a producer; but any part of the order which is accepted must be filled as if it were an authorized controlled material order.[1]

Applications for authorization to place orders for aluminum on a producer and other distributors shall be made by letter in duplicate setting forth the relevant facts.

(3) *Purchase from another distributor.* A distributor who has been issued an AM number in either the 9500 or 9600 series may place an order for aluminum with another distributor. The other distributor may, but need not, fill any such order.

(c) *Reports.* Each distributor shall file monthly Form WPB-2538 dealing with orders accepted by the distributor and Form WPB-2685 dealing with shipments and unfilled orders, and any other reports that may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(d) *General Provisions*—(1) *Communications to War Production Board.* All communications concerning this order should be addressed to the Warehouse Section, Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M-1-j.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

(4) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6066; Filed, April 21, 1944; 11:16 a. m.]

[1] It is the intention of the War Production Board to issue AM numbers in the 9600 series only to a distributor who was authorized to order aluminum from producers prior to April 1, 1944.

PART 1123—SHELLAC

[Allocation Order M-106, Revocation]

Section 1123.1 *Allocation Order M-106* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-106.

This revocation shall take effect April 26, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6068; Filed, April 21, 1944; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Conservation Order M-28-a]

MONOCHLORODIFLUOROMETHANE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for the production of monochlorodifluoromethane for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.28 *Conservation Order M-28-a*—(a) *Systems for which no deliveries of monochlorodifluoromethane (F-22 gas) are permitted.* No person (including users, dealers, and other suppliers and producers) shall knowingly deliver, or accept delivery of, any F-22 gas (monochlorodifluoromethane, sometimes called "Freon-22") for use in, or for resale for use in any new or used system which is of a type referred to in List A of Conservation Order M-28.

(The above restriction applies not only to systems used for ordinary civilian pur-

poses, but also to those owned, operated, or used within the continental United States by the Army, Navy, Maritime Commission or War Shipping Administration, including post exchanges and ships service stores, other than those used aboard ships.)

(b) *User's orders must be certified.* Whenever the owner of a system or any other user wishes to obtain F-22 gas for installation in a system or systems for which delivery and use of F-22 gas is not prohibited under (a) above, he may place his order with any supplier for the quantity needed in his current operations, and which will not cause the purchaser to have more than a minimum practicable working inventory, as defined in § 944.14 of Priorities Regulation 1. He must certify his order, or the vendor's delivery receipt, by a certificate endorsed on or attached to it, showing that the F-22 gas is to be used for such purposes only, in substantially the following form:

> The undersigned purchaser certifies to the seller and the War Production Board that the F-22 gas covered by this order will not be used or resold for any purposes prohibited by Order M-28-a.

Such certificate, which must be signed by the purchaser or his authorized official, will constitute a representation that what is stated in it is true. A supplier must not deliver any F-22 gas except under certified orders; and he must not make delivery under any order which is certified if he knows, or has any reason to believe that the certificate is untrue, incomplete, or inaccurate. In such a case the supplier must reject the order, and should explain why he is doing so, so that the prospective purchaser can comply with this order. The supplier must keep all accepted orders and certificates which he receives for a period of two years, for inspection by the War Production Board.

(c) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M-28-a.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5687; Filed, April 21, 1944; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Order L-193-a]

SPROCKET CHAIN, SPROCKET CHAIN ATTACHMENT LINKS AND SPROCKET CHAIN WHEELS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sprocket chain, sprocket chain attachment links and sprocket chain wheels for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.53 *Supplementary Limitation Order L-193-a*—(a) *Definitions.* The definitions in General Limitation Order L-193 do not apply to this order. For the purpose of this order "sprocket chain" means any chain, except ladder chain, designed for the purpose of operating over toothed sprocket wheels.

(b) *Inventory limitations.* No person shall in the course of his business accept delivery of any sprocket chain, sprocket chain attachment links or sprocket chain wheels if his total inventory will after acceptance, exceed what he reasonably expects to use in his authorized operations, or resell, during the succeeding 45 days. No person may deliver sprocket chain, sprocket chain attachment links, or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Exemptions.* The provisions of paragraph (b) do not apply to Army maintenance depots, Navy yards, bases, stations and depots.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(e) *Appeals.* Any producer or purchaser of sprocket chain, sprocket chain attachment links or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(f) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L-193-a.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5683; Filed, April 21, 1944; 11:16 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Feb. 10, 1944, Amdt. 1]

1. In the first unnumbered paragraph of paragraph (d) (4) (ii) insert "any kind or type of" between "cannot receive" and "steel from producers" in the second sentence. Add at the end of the second sentence of the same paragraph the following new sentence: "Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both".

2. Amend paragraph (g) (2) to read as follows:

(g) (2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

3. Amend paragraph (h) (1) to read as follows:

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill (i) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire, rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5682; Filed, April 21, 1944; 11:16 a. m.]

PART 3206—SCHEDULED PRODUCTS

[General Scheduling Order M-293, as Amended Apr. 21, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of

certain products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3208.1 *General Scheduling Order M–293*—(a) *Definitions.* For the purpose of this order:

(1) "M–293 product" means any item listed in the tables to this order except Table 1. These items are identified in the Tables as Class X; Class Y and undesignated. The same products may be designated X and Y and, if so, are subject to the provisions applying to each class. Class X, Class Y and undesignated products are subject to all other provisions of this order.

(2) "Manufacturer" means any person to the extent that he is engaged in making an M–293 product.

(b) *Operations reports.* Each manufacturer must file an operations report on the applicable form shown in Column 1 of the appropriate table in accordance with the instructions accompanying the form at the times there shown. If no form is designated in Column 1, no operations report need be filed.

(c) *Provisions covering Class X products*—(1) *Filing of shipping schedules of Class X products.* Each manufacturer of Class X products must file with the War Production Board each month his shipping schedule, beginning with shipments to be made on and after the first of the following month, and other information called for on the form shown in Column 2 of the appropriate table, at the time shown and in accordance with the instructions accompanying the form, except when he is excused from filing by the War Production Board. A manufacturer who is so excused from filing is not excused from complying with paragraph (f) or any of the other provisions of this order. A manufacturer who has been excused may, nevertheless, if he wishes, file the Column 2 form with the War Production Board just as if he had not been excused. In any case, unless otherwise directed by the War Production Board, the manufacturer in arranging the sequence of shipments on his shipping schedules shall be governed by Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which are already part of a frozen schedule must not be changed. In preparing the Column 2 form for filing each month the manufacturer shall include all purchase orders received up to the close of business on a date which is as near as practicable to the date the form is due to be filed. Orders received after the close of business on that date shall not be included on the form for that month.

(2) *Maintaining shipping schedules of Class X products when not filed.* Each manufacturer of a Class X product who is excused from filing his shipping schedule by the War Production Board, must maintain his proposed shipping schedule on the forms shown in Column 2 of the appropriate table if so instructed by the War Production Board, otherwise in such manner that they can be readily transferred to that form. In arranging the sequence of shipments on his shipping schedule, unless otherwise directed by the War Production Board, the manufacturer shall be governed by Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which are already part of a frozen schedule must not be changed.

(3) *Freezing of X product shipping schedules which are filed.* When a manufacturer who has not been excused from filing, or one who has been excused but still wishes to file, files his schedule, that schedule is automatically frozen under Priorities Regulation 18 on the date it is filed, for shipments to be made during the periods specified in Column 4 of the appropriate table. This period begins on the first day of the month after the schedule is filed. If a previously frozen schedule covers shipments to be made before the beginning of the period, those shipments remain part of the frozen schedule.

(4) *Freezing of X product shipping schedules of manufacturers who are excused from filing and do not file.* If a manufacturer is excused and does not file, his shipping schedule becomes frozen under Priorities Regulation 18 at the close of business on the date he would have had to file his schedule if he were not excused, and at the close of business on the same day of each month after that. The schedule is frozen for shipments to be made during a period of two months, unless a shorter period of time is specified in Column 4 of the appropriate table, in which case it is frozen for the shorter period. This period in either case begins on the first day of the month following the date on which he would have had to file his schedule if he were not excused. If a previously frozen schedule covers shipments to be made before the beginning of the period, those shipments remain part of the frozen schedule.

NOTE: Subparagraph (5), formerly (4), redesignated Apr. 21, 1944.

(5) *Production and shipment of X products.* When a shipping schedule has become frozen, the manufacturer must schedule his production and make his shipments so as to meet the schedule without regard to preference ratings or directions from any governmental agency, except that the schedule may be amended by the War Production Board as explained in Priorities Regulation 18 and paragraph (g) of this order.

(d) *Provisions covering Class Y products*—(1) *Authorization of orders required.* No person shall place a purchase order with a manufacturer and no manufacturer shall accept a purchase order for any Class Y product unless the purchase order is accompanied by specific authorization of the War Production Board obtained on the form shown in Column 2 of the appropriate table. If a time for shipment is specified in the authorization of the War Production Board, a manufacturer must not accept a purchase order specifying any other shipping time. He must not accept an order which will interfere with a previously frozen schedule or on which delivery cannot be made on the specified date because of the requirements of Priorities Regulation No. 1 or any other applicable order or regulation of the War Production Board.

(2) *Freezing of authorized orders for Y products.* All authorized purchase orders for Class Y products which the manufacturer accepts, automatically become a "frozen schedule" under Priorities Regulation No. 18, and the manufacturer must schedule his production and make his shipments so as to meet the schedule without regard to preference ratings or directions from any governmental agency, except that the schedule may be amended by the War Production Board as explained in Priorities Regulation 18 and paragraph (g) of this order.

(3) *Authorization of orders for Y products placed by distributors.* A distributor who places a purchase order for a Class Y product must accompany it by an authorization as provided in subparagraph (1) above. If he wants to buy for immediate resale, the information called for by the application for authorization must be given about the customer and not the distributor. The application may be filled out and filed either by the distributor or by the customer. In either case the distributor must forward the authorization with his purchase order to the manufacturer. If the distributor is buying for stock, he must say so on his application and give all information called for by the application form in terms of the type of customers to whom he expects to sell. A manufacturer must obtain authorization for the transfer of a Y product to a distribution outlet owned or controlled by him. The term "distributor" includes wholesalers, retailers, jobbers, sales agencies and consignees for sale.

(e) *Provisions covering undesignated products.* No manufacturer of an undesignated M–293 product need file the form shown in Column 2 of the appropriate table unless specifically directed to do so by the War Production Board or unless he chooses to do so. If the manufacturer is directed to file, the shipping schedule shown on the form becomes frozen in accordance with the direction. If the manufacturer is not directed, but chooses to file the form, the shipping schedule shown on it does not become a frozen schedule until the War Production Board specifically directs the manufacturer that it is one.

(f) *Special reporting provisions covering certain M–293 products*—(1) *Reports of requirements by purchasers of M–293 products.* Any claimant agency listed on Table 1 may instruct its prime contractor (or the prime contractor of a procuring agency which the claimant agency represents) who is purchasing M–293 products required in his prime contracts, or any other person purchasing M–293 products except for incorporation into other M–293 products manufactured by himself, to file with the claimant agency a report on Form WPB–3003 or other form approved for the purpose by the Bureau of the Budget. In such a case the person must file the form giving the information called for concerning the purchase orders which he has placed or will place for each specified M–293 product required under the Table 1 programs, except those which are indicated on the tables as being exempt from this paragraph. The report must state how many of each M–293 product will be used as spares.

(2) *Reports of shipping schedules.* A claimant agency listed on Table 1 may send to a manufacturer a Form WPB–3003, or other form approved for the purpose by the Bureau of the Budget, which shows the requirements of purchasers described in paragraph (f) (1) above covering all M–293 products for Table 1 programs, except those indicated on the tables as being exempt from the provisions of this paragraph. If a manufacturer receives such a form filled out and certified by the claimant agency in accordance with the accompanying instructions, he must fill in only the proposed shipping dates determined in accordance with Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which already are part of a frozen schedule must not be changed. He must file copies of the form with the claimant agency in accordance with the accompanying instructions and also with the War Production Board when requested to do so by the appropriate industry division. This schedule does not become a frozen schedule unless the War Production Board specifically directs the manufacturer that it is one.

(g) *Other scheduling provisions.* With respect to any M–293 product, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation (except Priorities Regulation 18) of the War Production Board, or of any other government agency:

(1) Revoke any authorization or approval to place a purchase order granted by it under paragraph (d) above;

(2) Direct the return or cancellation of any purchase order on the books of a manufacturer;

(3) Direct changes in the shipping schedule of a manufacturer;

(4) Cancel purchase orders placed with one manufacturer and direct that they be placed on another manufacturer;

(5) Take such other action as it deems necessary with respect to the production of, the placing of purchase orders for, or the shipment of M–293 products.

(h) *Deviations from a frozen schedule.* If a manufacturer is unable to fulfill on time a frozen schedule of any M–293 product, he must make shipments, so far as practicable, in the sequence required by the schedule. In any case where the manufacturer foresees an appreciable delay in or acceleration of production, the manufacturer must notify the War Production Board of the reason for the delay or acceleration and the revised dates on which he expects to be able to make shipments under each purchase order affected. The manufacturer shall notify the War Production Board, either by letter or telegram, at his option.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(j) *Reports and communications.* The list of M–293 products is arranged so that the name of the Industry Division appears at the top of the table covering M–293 products for which it is primarily responsible. All reports and forms required by the order and all appeals should be addressed to the War Production Board, Washington 25, D. C., attention of the appropriate Industry Division so listed. All reports and forms required in paragraphs (b), (c), (d), (e), (f), (g), and (h) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5877; Filed, April 21, 1944; 11:17 a. m.]

PART 3281—PULP AND PAPER

[General Limitation Order L–83, as Amended Apr. 20, 1944]

PAPER MILL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of paper mill machinery for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3281.81 *General Limitation Order L–83*—(a) *Purpose of this order.* This order restricts delivery of new, used and reconditioned paper mill machinery.

(b) *Definitions.* For the purpose of this order "paper mill machinery" means all new, used and reconditioned machinery and equipment used in the production and processing of pulp, paper and paperboard, including containerboard and converted paper products. It includes parts for repair and maintenance, but does not include the following: Container machinery as defined in General Limitation Order L–332 or Graphic Arts machinery as defined in General Limitation Order L–228.

It must be noted that deliveries of parts for paper mill machinery are also subject to any applicable provisions of other limitation orders.

(c) *Restrictions on acceptance of orders and production and delivery of paper mill machinery.* No person shall purchase, lease, rent, or accept delivery of any paper mill machinery or parts without first obtaining approval and an assigned rating on Form WPB–1319 (formerly PD–556) or Form GA–1456. Form WPB–1319 is to be filed in triplicate with the Paper Division, War Production Board, Washington 25, D. C., in accordance with the instructions for the form, except that any application for the purchase of paper mill machinery or parts having a sales value less than $2,500.00 shall be filed in duplicate with the nearest Field Office of the War Production Board. For applications involving construction under Order L–41, approval and as assigned rating on GA–1456 must be obtained by filing Form WPB–617 (formerly PD–300) in accordance with WPB–617 instructions.

(d) *Items excluded from the provisions of this order.* The prohibitions of paragraph (c) shall not restrict any deliveries which are obtainable with MRO ratings as defined under CMP Regulation 5 as follows: (1) to fill any order or group of orders of less than $2,000.00 placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of paragraph (b) (3) CMP Regulation 5, or (2) to fill any order of $2,000.00 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the essential repair or maintenance parts are not otherwise available.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(g) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, pro-

duction, purchases and sales, and shall make reports on the same if required.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Paper Division, Washington 25, D. C., Ref.: L–83.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5670; Filed, April 20, 1944; 4:40 p. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L–236, Schedule I as Amended Apr. 21, 1944]

BUILDERS' FINISHING HARDWARE, CABINET LOCKS AND PADLOCKS

§ 3284.82 *Schedule I to Limitation Order L–236—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, finishes, or otherwise processes builders' finishing hardware, cabinet locks or padlocks.

(2) "Builders' finishing hardware" means the following devices produced for supporting, guarding, operating, controlling, or securing various parts of a building or structure: butts, hinges, hasps and related items; checking floor hinges; cabinet hardware, including cabinet hinges, knobs, pulls, and catches; hydraulic door closers; hangers, track, pivots, guides, and related items; locks and door trim; sash, screen and shelf hardware; night latches and dead locks; spring hinges; lavatory door hardware; panic bolts; sash balances; door holding devices.

(3) "Cabinet lock" means a lock (exclusive of an entrance or communicating door lock, night latch, or padlock) operated by a key or combination, which is designed and constructed for the purpose of guarding, controlling, or securing the opening of a box, cabinet, cupboard, desk, drawer, locker, wardrobe or part of a building.

(4) "Padlock" means a portable locking device consisting of a case and shackle designed and constructed for the purpose of guarding, controlling or securing the access to any building, structure, container or article.

(b) *Simplified practices.* After November 30, 1943 no producer shall manufacture, put in process, assemble or otherwise complete any builders' finishing hardware, cabinet locks or padlocks which fail to conform with the sizes, types, grades, finishes and provisions set forth in Tables I through XV of this schedule.

(c) *Tolerance.* A tolerance is permitted in the sizes set forth in Tables I through XV of this schedule of 1/32" plus or minus.

(d) *Keys.* Locks and latches keyed alike shall be furnished with not more than one key per lock or latch. Other locks and latches shall be furnished with not more than two keys per lock or latch. Only three master keys may be furnished with each group of locks or latches when required to be master keyed.

(e) *Exceptions.* The following are excepted from the provisions of Tables I through XV of this schedule:

(1) Builders' finishing hardware and cabinet locks specifically designed for use in the operation of a railroad or street railway, except in the construction of a building.

(2) Builders' finishing hardware, cabinet locks or padlocks specifically designed to protect electrical equipment.

(3) Prison locks, time locks, locks for bank safe deposit boxes or vault door hardware.

(4) Special hardware required for aircraft hangar doors.

(5) Elevator door hardware.

(6) Parts produced for the repair of builders' finishing hardware, cabinet locks or padlocks.

(7) Locks required for fire doors bearing Underwriters' label.

(8) Marine joiner hardware as defined in Schedule II of Order L–236.

(f) *Records.* Each producer of builders' finishing hardware, cabinet locks and padlocks shall execute and file with the War Production Board such reports and questionnaires as shall be required from time to time.

(g) *Fabricated parts.* The use of fabricated parts of copper or copper base alloy in the production of builders' finishing hardware, cabinet locks and padlocks is permitted: *Provided,* Such fabricated parts were in the possession of the producer on the 30th day of November 1942.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—BUTTS, HINGES AND RELATED ITEMS

Materials permitted are ferrous metals, except that brass may be used where permitted under the terms of Conservation Order M–9–c, amended.

Finishes permitted are US1B, US18A unsanded, USP, US2G, US2H and lead.

Where tips are indicated by numbers shown, such tips shall be button type only. All items listed may be made to template when required.

Federal numbers are taken from Emergency Alternate Federal Specification E–FF–H–116B.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

Federal No.	Description	Size
E2014	Loose pin steel butt	3½" x 3½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5"
E2014C	Loose pin cast iron butt	2½", 3", 3½", 4", 4½", 5"
E2018	Loose pin light steel butt	2½" x 2", 2½" x 2½", 3" x 3"
E2022	Light narrow butt loose pin	1" x 1", 1½" x 1½", 2" x 1½", 2½" x 1½", 3" x 2"
E2022F	Light narrow butt fast pin	1" x 1", 1½" x 1½", 2" x 1½", 2½" x 1½", 3" x 2"
E2025	Steel transom butt	3" x 2", 3½" x 2½", 3" x 3", 3½" x 3½", 4" x 4"
E2026C	Cast iron transom butt	2½", 3", 3½"
E2031	Reversible butt hinge loose pin	2" x 2", 3½" x 3½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½"
E3040	Wide throw butt	3" x 6", 4" x 5", 4" x 6", 4" x 7", 4½" x 6", 5" x 7", 5" x 8"
E2060C	Cast iron hospital type butt	3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5"
EB2060	Half surface butts	3", 3½", 4", 4½"
E2064C	Cast iron half surface butts	4½", 5"
E2138	Garage hinge	12", 18", 24", 30"
E2140	Garage hinge	12", 18", 24", 30"
E2201	Light strap hinge	5", 6", 8", 10", 12"
E2202	Strap hinge	6", 8", 10", 12"
E2207	Light tee hinge	6", 8", 10", 12"
E2208	Heavy tee hinge	6", 8", 10", 12"
E2209	Extra heavy tee hinge	6", 8", 10", 12"
E2213	Extra heavy half surface tee hinge	6", 8", 10", 12"
E2010	Ball bearing butt	4" x 4", 4½" x 4½", 5" x 5", 6" x 6"
E2060	Ball bearing hospital butt	4" x 4", 4½" x 4½", 5" x 5"
E2080	Half surface ball bearing butt	4", 4½", 5"
Stanley No.		
1775	Hinged garage door set	With 10" hinges.
962	Bolt hook and strap hinges	6", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36"
961	Screw hooks and strap hinges	6", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36"
1664	Bolt hooks	¼" x 6", ¼" x 8", ¼" x 10", ¼" x 10"
1656	Screw hooks	¼" x 4", ¼" x 6", ¼" x 8", ¼" x 7"
BB862	Ball bearing butt hinge	3" x 6" x 3½"

TABLE II—CHECKING FLOOR HINGES

Materials permitted are ferrous metals only, except that brass may be used for regulating valve assemblies.

Finishes permitted are USP, US18A unsanded, US18A sanded and lead.

Checking floor hinges may be manufactured only for the following uses:

1. Where self-closing function is required by applicable fire regulations.
2. For exterior entrance and exterior exit doors of public and industrial buildings.
3. Where essential in hospitals.

Numbers have been taken from Emergency Alternate Federal Specification E–FF–H–121A.

Type Numbers:	*Sizes permitted*
E3500	III
E3510	I
E3520	II and III
E3020A	II and III

One type similar to "Unicheck" as manufactured by The Oscar C. Rixson Company, Chicago, Illinois.

TABLE III—CABINET HARDWARE INCLUDING CABINET HINGES

Materials permitted are ferrous metal, antimonial lead, glass, wood or plastic for all items except drawer pulls and knobs. Drawer pulls and knobs may be non-metallic only.

Finishes permitted are USP, US18A unsanded, US18A sanded, US2G, enamel and lead.

CABINET HINGES

Full surface type—(applied on outside of cabinet door) for flush and ⅜" offset doors. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

Semi-surface type—semi-concealed hinges for flush doors and doors with ⅜" offset. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

Half surface type—for flush doors only. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

KNOBS AND PULLS

Knobs—Each manufacturer limited to three (3) designs with sizes permitted from ⅞" to 1¼" inclusive.

Pulls—Each manufacturer limited to three (3) designs with sizes permitted from 2½" to 4½" inclusive.

NOTE: Knobs and pulls shall be applied by steel screw or bolt.

(No metal bushing or shoulder ferrule permissible.)

CABINET CATCHES

Friction catches—Each manufacturer limited to three (3) types.

Elbow catches—Each manufacturer limited to two (2) designs.

TABLE IV—HYDRAULIC DOOR CLOSERS AND DOOR CHECKS

Materials permitted are ferrous metals only, except that brass may be used for regulating valve assemblies.

Finishes permitted are USP or any lacquer finish.

Hydraulic door closers may be manufactured only for the following uses:

(1) Where self-closing function is required by applicable fire regulations.

(2) For exterior entrance and exterior exit doors of public and industrial buildings.

(3) Where essential in hospitals.

Numbers have been taken from Emergency Alternate Federal Specification E–FF–H–121A.

Standard Surface Type E–3004, Sizes 3 and 4.

Standard Surface Type E–3005, Sizes 3 and 4.

Underwriters' Laboratories approved type with fusible link (one type only) size 4.

DOUBLE ACTING SURFACE CHECK

(One size only) similar to Oscar C. Rixson Company's #44.

CLOSER BRACKETS

Soffit Type, sizes 3 and 4.

Corner Type, sizes 3 and 4.

TABLE V—HANGERS, TRACK AND RELATED ITEMS

Materials permitted are ferrous metals, except that zinc base die castings may be used where permitted by Conservation Order M–11–b.

Finishes permitted are US1B, US2G, US2H, and lead.

R–W numbers are taken from Catalog #90 of the Richards-Wilcox Manufacturing Company for use as a guide for comparable items of all manufacturers.

This table shall not affect the manufacture of rolling steel shutters.

Track or hangers may not be manufactured, assembled, or put in process for use on residential garage doors.

Each manufacturer is limited to the designs, sizes and quantities listed under the following sub-headings:

SLIDING DOOR HARDWARE

One type of hinged hangers for flat steel track in three sizes.

One type of rigid hangers for flat steel track in three sizes.

Flat steel track in the following three sizes: 1" x 3/16", 1¼" x 3/16", 2½" x ¾".

Trolley or formed track, rectangular or round, with removable brackets and hangers, in six sizes, suitable for the following door weights:

100 lbs.
to 300 lbs.
to 600 lbs.
to 800 lbs.
to 1200 lbs.
to 2000 lbs.

SLIDING DOOR STAY ROLLERS

Leg screw type, straight and bent. One type for light doors for side attachment, similar to R–W No. 53.

One type for light doors for floor attachment, similar to R–W No. 54.

One type for heavy doors for side attachment, similar to R–W No. 68.

Two types for heavy doors for floor attachment, similar to R–W Nos. 59 and 154.

SLIDING DOOR GUIDES

Single type for light doors, similar to R–W No. 372.

Double and triple type for parallel doors, similar to R–W Nos. 172 and 173.

One type for light center parting doors, similar to R–W No. 271.

One type for heavy center parting doors, similar to R–W No. 171.

One type used as end stop, similar to R–W No. 572.

One type for sliding-folding doors, similar to R–W No. 771.

SLIDING DOOR PULLS

Extra heavy cast pull, similar to R–W No. 470.

Cast iron or steel pulls in two sizes, similar to R–W Nos. 70–1 and 70–2.

Surface type pulls in two sizes.

BUMPER SHOES

One type, similar to R–W No. 435 x 72.

SLIDING DOOR BUMPERS

Each manufacturer limited to one design.

GARAGE DOOR HOLDER

Each manufacturer limited to one design.

DOOR LATCHES

Gravity type, reversible, in two sizes with two types of keepers.

Bar type, in two sizes with two types of keepers, similar to R–W No. 152.

Draw type for parallel doors, similar to Allith Prouty No. 396, Catalog #101.

Reversible flush type, similar to R–W No. 520.

Swinging Type, similar to Lawrence Bros. No. 122—Catalog #19.

Reversible type for light doors, similar to R–W No. 325.

SLIDING-FOLDING DOOR SETS

Using formed steel track for combination of from two to ten doors.

FOLDING PARTITION DOOR HARDWARE SETS

(a) Using hangers at top placed in center of door and no guide track at bottom, similar to R–W No. 135.

(b) Using door supporting rollers at bottom or top and guide track at bottom or top.

(c) With hangers at top placed in center of doors with special operating device, either manually or electrically controlled, similar to R–W No. 405.

OVERHEAD DOOR HARDWARE SETS

(a) One type of weight counterbalanced hardware, for each standard size of one piece overhead door.

(b) One type of spring counterbalanced hardware, for each standard size of one piece overhead door.

(c) One type of weight counterbalanced hardware in two sizes for sectional type overhead doors.

(d) One type of spring counterbalanced hardware in two sizes for sectional type overhead doors.

ONE OR MORE SECTION VERTICAL LIFT DOOR SETS

One type of counterbalanced hardware for each size of door.

JACKKNIFE DOOR SETS

One type of counterbalanced hardware for each size of door.

FIRE DOOR HARDWARE

(a) Automatic closing devices for sliding Fire Doors, shall be confined to one type, single fusible link, similar to R–W No. 301. If necessary to hang doors on level track, additional weights, chain and sheave may be furnished. Brass or bronze may be used for fusible link.

(b) Automatic closing devices for Single Swing Fire Doors shall be confined to one type, similar to R–W No. 406. Brass or bronze may be used for fusible link.

(c) Automatic closing devices for Double Swing Fire Doors shall be confined to one type, similar to R–W No. 506. Brass or bronze may be used for fusible link.

HEAVY INDUSTRIAL HINGES

Ten types similar to R–W 434–WA, B, C, CC, D, E, J, K, 1035 and 1036; all may have either disc or ball bearings.

TABLE VI—LOCKS AND LOCK TRIM

Materials permitted are ferrous metals, plastic, wood, pottery or glass.

Finishes permitted are US1B, US18, US18A unsanded, US18A sanded, US2G and lead.

Designs—Each manufacturer shall be limited to the number of designs designated under each sub-heading.

Numbers have been taken from Emergency Alternate Federal Specification E–FF–H–106.

DOOR KNOBS

Each manufacturer shall be limited to three designs of wrought metal knobs, in sizes not to exceed 2¼" diameter.

Glass, plastic, pottery or wood knobs—Each manufacturer limited to three designs and/or sizes of each type, sizes not to exceed 2⅛" diameter.

Closet spindles of not more than one design are permitted in lieu of knobs for inside of closet doors.

KNOB ROSES

Shall be plain design, approximate diameter 1¾", 2", 2⅛". Roses for cylindrical and tubular locks and latches may be 2½" in diameter.

KEY PLATES

Shall be limited to one type similar to Federal Number E361.

ESCUTCHEON PLATES

Each manufacturer limited to three designs of rectangular or pendant types, in sizes not to exceed that necessary for the spacing of the listed locks in this table.

TURN KNOBS

Each manufacturer limited to one design similar to Federal Number E362.

LOCKS AND LATCHES

Shall be limited to the following type numbers.

Mortise Latches and Bit Key Locks

Type E4 Mortise bit key knob lock (light).
Type E4A Mortise bit key knob lock.
Type E7 Mortise bit key knob lock (heavy).
Type E10 Mortise bit key school room lock.
Type E17A Mortise bathroom lock.
Type E17C Communicating door lock (same as E17A except split bolt operated by turn knob each side).
Type E22A Mortise bit key front door lock.
Type E25 Mortise knob latch (light).
Type E26 Mortise knob latch.
Type E36 Mortise bit key dead lock.
Type EA40 Mortise bit key asylum dead lock.

Rim Locks and Latches

Type E30 Rim knob lock.
Type E80 Rim knob latch.
Type E81 Rim knob latch with slide bolt.

MORTISE CYLINDER LOCKS

Type E86 Mortise cylinder front door lock.
Type E91 Mortise cylinder vestibule or office lock.
Type E91B Special purpose lock.
Type E91C Special purpose lock.
Type E96 Mortise cylinder office lock.
(May also be supplied with two cylinder operation.)
Type E97 Mortise cylinder office lock or front door lock.
(May also be supplied without auxiliary latch function.)
Type E102 Mortise cylinder fire door lock.
Type E105 Mortise cylinder class room lock.
Type E114 Mortise cylinder dead lock.
Type E114A Mortise cylinder dead lock—no thumb turn.
Type E115 Mortise cylinder dead lock—two cylinder.

MORTISE ASYLUM LOCKS

The limited number of asylum locks and trim catalogued by manufacturers may be produced with only those restrictions or limitations imposed by other orders.

TUBULAR LOCKS AND LATCHES

Type E150 Knob latch.
Type E150A Closet knob latch.
Type E151 Knob latch with stop on one side.
Type E153 Cylinder dead bolt lock—Pin or disc tumbler cylinder.
Type E153B Cylinder dead bolt lock—Pin or disc tumbler cylinders (2).
Type E153C Cylinder dead bolt lock—No turn knob.
Type E154 Cylinder night latch—Pin or disc tumbler.

CYLINDRICAL CASE LOCKS AND LATCHES

Type E161 Knob latch.
Type E161A Closet knob latch.
Type E162 Knob latch (stop one side).
Type E164 Cylinder vestibule or office lock.
Type E164W Wafer tumbler vestibule or office lock.
Type E165 Cylinder office or class room lock.

HEAVY DUTY CYLINDRICAL LOCKS AND LATCHES

Heavy duty cylindrical locks and latches may be manufactured provided they are limited to the same performance in operation and control as that required in the comparable mortise locks permitted. Trim shall compare as nearly as possible with that permitted for mortise locks.

TABLE VII—MISCELLANEOUS SASH, SCREEN AND SHELF HARDWARE

Materials permitted are ferrous metals, except as otherwise noted.

Finishes permitted are US1B, US18A unsanded, US3G, and lead, except as otherwise noted.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

SHELF ITEMS

Corner braces (unfinished only) Stanley Type No. 998:
½" x ¾".
½" x 1".
½" x 1½".
⅞" x 2".
⅞" x 2½".
¾" x 1".
¾" x 1½".
¾" x 2".
¾" x 2½".
¾" x 3".
Flat corner irons (unfinished only) Stanley No. 999:
⅜" x 1½".
⅜" x 2".
⅜" x 2½".
⅜" x 3½".
⅜" x 4".
⅜" x 3".
⅜" x 3½".
1" x 5".
½" x 2½".
½" x 3".
½" x 3½".
⅝" x 4".
⅝" x 5".
⅝" x 6".
1" x 6".
1½" x 8".
Corner braces (unfinished only) Stanley Type No. 997:
½" x 1".
½" x 1½".
⅝" x 2".
⅝" x 2½".
¾" x 3".
¾" x 3½".
⅞" x 4".
1" x 5".
1⅛" x 6".
1⅛" x 8".
Outside corner irons (unfinished only) Stanley Type No. 996:
¾" x 4½".
⅞" x 4½".
1" x 4½".
1⅛" x 4½".
1½" x 4½".
T plates (unfinished only) Stanley Type No. 995½:
2½" x 2⅛".
3" x 3".
4" x 4".
5" x 5".
6" x 6".
Mending plates (unfinished only) Stanley Type No. 995:
⅝" x 2".
⅝" x 2½".
⅝" x 3".
¾" x 3½".
⅞" x 4".
1" x 5".
1⅛" x 6".
1⅛" x 8".
1⅛" x 10".
1⅛" x 12".
Hook on plate staples (unfinished only) Stanley Type No. 975: 4", 5", 6".
Twisted hook and staple (unfinished only) Stanley Type No. 973: 4", 5", 6".
Diamond point staples (unfinished only) Stanley Type No. 976: 1", 1⅛", 1½", 2", 2½".
Heavy hinge hasp Stanley No. 941: 7½" (one size only).
Safety hinge hasp Stanley No. 925: 3", 4".
Hinge hasp Federal No. E1401: 3", 4½", 6", 8".
Safety hinge hasp Federal No. E1420: 2½", 3½", 4½", 6".
Staples on plates Stanley No. 913: 1⅛" x 1⅛", 2" x 1¼", 2⅛" x 1⅛".
Hooks and eyes Federal No. E1001: 1½", 2", 2½", 3", 4".
Door buttons Federal No. E1069: (Cast or wrought) 1¼".
Door fasteners with chain (cast or wrought) Federal No. E1116: 4".
Thumb latches, Federal No. E1188, Federal No. E1189.
House numbers (non-metallic only).
Shutter fasteners, Federal No. E1615—5".
Padlock eyes, Federal No. E1490.
Cellar window catch, Federal No. E1137.
Hand rail bracket, Federal No. 1064A.
Door stops (non-metallic only).
Hat and coat hooks: Federal No. A1162 (FF-H-111)—Steel wire.
Federal No. 1162B (FF-H-111)—Cast or malleable iron, for shipboard use only.

BOLTS

Fed. No.		
E1019	Wrought steel barrel bolt	2", 2½", 3", 4" and 5".
E1020	Cast iron barrel bolt	2", 2½", 3", 4" and 5".
E1022	Chain bolt	3", 6", 8" and 10".
E1049	Wrought steel foot bolt	3", 6", 8" and 10".
E1049C	Cast iron foot bolt	3", 6", 8" and 10".
E1044B	Extension lever flush bolts	9", 12", 18" and 24" rods.
E1051	Cane bolt	¾" x 20".
E1051A	Cane bolt	½" x 12", ⅝" x 18", ¾" x 24".
E1053A	Mortise bolt	1¼" and 1¾" backsets.
E1059	Wrought steel square bolt	6", 8".
E1059C	Cast iron square bolt	6", 8".
E1060	Surface bolt	2", 4", 6".
EA1029	Cremone bolts	(Not permitted for residential or private garage use).

DOUBLE HUNG WINDOW HARDWARE

Federal No.:
EA1060—3¾"—Window spring bolt.
Friction sliding springs similar in operation to Jiffy, Noiseless, etc.
E1139 Sash fasteners—2½" and 3⅜".
E1142 Sash fasteners—2¼".
E1201 Hook sash lift (cast or wrought).
E1349 Stop bead screw and washer.
E1364 Sash pole hook—8".
Sash socket as H. B. Ives 18008, Catalog #17.
Sashcord saddle—non-metallic.

Federal No.—Continued.
E1264 Sash weights (only from burnt cast iron, stove plate, grate bars, annealing pots, terneplate, slag iron, city dump scrap except tin can scrap; tin can scrap if permission is granted by Administrator of M-72A).
Sash balances permitted—see Table XII.

TRANSOM HARDWARE

Federal No.:
E1097 Transom catch.
E1100 Transom catch.
E1120A Transom chains—12", 15".
Rabbeted transom sash centers, similar to Sargent Co. J71-1½", 1¾", 2¼".
Sash centers, cast, similar to Corbin 1303, 1304.

DOOR

Federal No.:
E1274 Door pull.
E1274D Door pull.
E1276 Door pull.
Hospital arm pull, similar to Sargent 1526.
Push plates—non-metallic.
Kick plates—non-metallic.

SCREEN DOOR HARDWARE

Screen door latch—Limited to one type in one size for each manufacturer. Trim may be ferrous metals, glass or plastic.

Federal No.:
E1845 Perfection springs—#2 to #6 inclusive.
E1840 Coil spring.
E2300 Screen door hinge (full surface) one size only.
E2301 Spring hinge (full surface) one size only.
E2302 Spring hinge (half surface) one size only.
E2305 Spring hinge (full surface) one size only.
E2306 Spring hinge (half surface) one size only.
E2015 Pneumatic door closer—for hospital use only.

SCREEN WINDOW AND STORM SASH HARDWARE

Federal No.:
E1825 Hangers.
E1825B Hangers.
E1830 Hangers.
Hanger sets, similar to Stanley #1732.
EA1223 Screen lift.
E1650 Storm sash fasteners.
E1653 Storm sash fasteners.

CASEMENT WINDOW HARDWARE

Federal No.:
E1002 Casement adjuster—10" and 12".
E1002D Casement adjuster—12".
Friction stay, similar to Payson #39.
E1126 Casement pivot.
E1132 Casement fastener.
E1132A Casement fastener.
Hardware for industrial type sash (not to exceed 2½ lbs. per unit).

TABLE VIII—RIM NIGHT LATCHES AND DEADLOCKS

Materials permitted are ferrous metals except for cylinder assemblies which may be brass or zinc.

Finishes permitted are US1B and US18A unsanded.

All flat strikes shall be eliminated except when ordered separately. Numbers are taken from emergency alternate specification E-FF-H-106.

Federal No.:
E134 Cylinder rim night latch.
E134D Cylinder rim night latch (disc tumbler).
E136 Cylinder rim night latch.
E143 Cylinder rim dead lock.
One catalog number jimmy-resisting deadlocks without chain attachment, with rim strike only.
One catalog number jimmy-resisting deadlocks with double cylinders, with rim strike only.

TABLE IX—SPRING HINGES

Materials permitted are ferrous metals only.

Finishes permitted are US1B, US18A unsanded, USP and US2G.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-116B.

Federal No.:
E2330 Double acting, hanging strip or flush jamb type.
Sizes 3", 4", 6", 7", 8", 10".
Type with one clamp flange in sizes 8", 10", and 12".
Federal No.:
E2331 Single acting, hanging strip or flush jamb type.
Sizes 4", 6", 7", 8", 10".
E2334 Double acting floor hinge, horizontal or vertical type (not permitted for residential use).

TABLE X—LAVATORY DOOR HARDWARE AND LAVATORY STALL FITTINGS

Materials permitted are ferrous metals only.

Finishes permitted are US1B, US18A unsanded, USP and US3G.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-136.

Federal No.:
E4200 Gravity pivot hinge.
E4301 Swing latch (bar not more than 4" long).
E4309 Rim turn bolt.
Strikes and keepers similar to Bommer O-1053-1055-1056-1057 and 1073.

LAVATORY STALL FITTINGS

Numbers listed are taken from Catalog #63 of Bommer Spring Hinge Company for use as a guide for comparable items of all manufacturers.

1116	1153
1130	1155
1131	1156
1132	1158
1137	1159
1138	1160
1139	1161
1142	1162
1143	1163
1147—1¼" only	1170
1150	1171
1151	1172
1152	1173

TABLE XI—PANIC BOLTS

Materials permitted are ferrous metals.

Finishes permitted are US1B, US18A unsanded and US18A sanded.

Brass or die cast zinc may be used for cylinder assemblies.

Each manufacturer shall be limited to three designs in trim.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-106.

Federal No.:
E300
E301
E330
E330C
E351
E351C
Lock may be either rim or mortise type.

TABLE XII—SASH BALANCES

Materials permitted are ferrous metals.

Zinc may be used where permitted by Conservation Order M-11-b.

Finishes permitted are US2G, US2H, USP, lead and lacquer.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

Federal No.:
E1250
E1250A
EB1250

TABLE XIII—CABINET LOCKS

Materials permitted are ferrous metals.

Brass or zinc may be used for pin tumbler and disc tumbler cylinder assemblies and for tubes, centers and levers of secure lever locks.

Finishes permitted are US1B, US18, US18A unsanded, US18A sanded, US2G and lead.

Chest locks, flat key, secure lever. Each manufacturer limited to two designs, approximately 1½" x 2" for ¾" wood, 1¾" x 2½" for ⅞" wood.

Chest locks, double link, warded, barrel key. Each manufacturer limited to one design, approximately 2½" x 1⅜".

Chest locks, double link, pin or disc tumbler. Each manufacturer limited to one design.

Drawer locks, flat key, half mortise, secure lever, dead bolt. Each manufacturer limited to one design, approximately 1¾" x 1⅞".

Drawer locks, barrel key, half mortise, warded. Each manufacturer limited to one design, approximately 2½" x 1¾".

Drawer or cupboard locks, surface type, pin or disc tumbler. Each manufacturer limited to one design.

Drawer or cupboard locks, half mortise, pin or disc tumbler. Each manufacturer limited to one design.

Locker and wardrobe locks, surface type, flat key, secure lever. Each manufacturer limited to four designs, approximately 1⅜" x ⅞", 2" x 1⅜", 2¾" x 1¼", 2⅜ x 1¾".

Locker and wardrobe locks, surface type, barrel key. Each manufacturer limited to two designs, approximately 2½" x 1¼", 3" x 1¾".

Locker and wardrobe locks, surface type, pin or disc tumbler. Each manufacturer limited to one design, approximately 1⅝" x 1¼" with ⅞" or 1⅛" cylinder.

Cam type locks, pin, disc or blade tumbler. (Complete unit consisting of cylinder, lock nut, lock nut washer and cam.) Each manufacturer limited to not more than two tumbler types.

TABLE XIV—PADLOCKS

Materials permitted are ferrous metals, zinc and brass.

Brass may only be used for cylinders and keys, excepting for shipboard use and where sparkproof padlocks are required.

Finishes permitted are US18, US18A unsanded, US18A sanded, US2G and painted.

Each manufacturer shall be limited to the types and number of each type specified below, and they must come within the size range specified:

Pin tumbler padlocks—six only. Size range, 1⅛" to 2".

Warded or lever padlocks—five only. Size range, 1" to 1⅞".

Spring bolt padlocks—five only. Size range, ⅝" to 2".

Disc tumbler padlocks—five only. Size range, 1" to 2".

Secure lever padlocks—two styles in two sizes of each style.

Hose house padlocks—one style in one size.

Combination padlocks—two styles in one size of each style.

Ratchet shackle padlocks—one style in one size.

Special shackle padlocks may be furnished on order.

Chains may be furnished on order.

TABLE XV—DOOR HOLDING DEVICES

Materials permitted are ferrous metals.

Finishes permitted are USP, US18A unsanded, US1B and lead.

Numbers prefixed by G-J are taken from the catalog of Glynn-Johnson Co. (issued January 1941). Similar products of any other manufacturer will be permitted.

G-J 320 Friction door holder—not exceeding 1¾ lbs. average weight (in sizes required for various size doors in hospitals only).

The following items may be manufactured only for uses in schools, hospitals and industrial buildings:

G-J 70 Door holder—not exceeding 2¼ lbs. average weight.

G-J 40 Door holder—not exceeding 22 oz. in weight (with strikes suitable for floor or head installation).

Roller holder—Stanley No. 484 [ferrous metal only] Stanley Works catalogue No. 61. Similar item of other manufacturers will be permitted.

[F. R. Doc. 44-5685; Filed, April 21, 1944; 11:16 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-358, Revocation]

BLACK WALNUT LOGS

Section 3285.91 *Order M-358* is revoked. This revocation does not affect any liabilities incurred under the order. Delivery, acceptance of delivery, and use of black walnut logs remain subject to all other applicable regulations or orders of the War Production Board.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5679; Filed, April 21, 1944; 11:17 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 6]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER TO MINES AND SMELTERS

The following direction is issued pursuant to Conservation Order M-361.

(a) *What this direction does.* This direction, which is issued under Order M-361, paragraph (g), tells how a person who holds a serial number under Order P-56 (mines and smelters) may get the restricted southern yellow pine lumber he needs without having to file on form WPB 2720. He may use either the procedure outlined in this direction or file form WPB 2720. It is not necessary for him to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient.

(b) *Form of certification.* A person who holds a serial number under Order P-56 may receive restricted southern yellow pine lumber for the operation of a project for which the serial number has been assigned if he endorses substantially the following certificate on his lumber purchase orders:

All restricted southern yellow pine lumber covered by this purchase order or contract is required to conduct an operation for which I have been assigned serial number ——— by the War Production Board under Order P-56. Delivery may be made to me under Direction 6 to Order M-361, with the terms of which I am familiar, and the use of any rating shown on this purchase order is authorized.

Producer

By ———
Duly authorized official

The standard certificate described in Priorities Regulation 7 may not be used instead of the above certificate. Any producer may sell, ship, or deliver restricted southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above certificate is subject to the general provision of Order M-361 with respect to the certificates mentioned in the order.

(c) *Restriction on amount of lumber received.* No person shall use the certificate to get more lumber in a calendar quarter than he got in the corresponding quarter of 1943, nor shall any person use the certificate to get more lumber than the minimum required to enable him to carry on the operation for which he was issued a serial number under Order P-56, including maintenance and repair of his mine or plant and the boxing and crating of materials for shipment.

(d) *Reports.* Mine and smelter operators who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter, in duplicate, within 30 days after the end of each calendar quarter stating the entire amount of lumber, in board feet, delivered to them during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5680; Filed, April 21, 1944; 11:17 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 6]

DELIVERIES OF HARDWOOD LUMBER TO MINES AND SMELTERS

The following direction is issued pursuant to Conservation Order M-364.

(a) *What this direction does.* This direction, which is issued under Order M-364, paragraph (g), tells how a person who holds a serial number under Order P-56 (mines and smelters) may get the restricted hardwood lumber he needs without having to file on form WPB 2720. He may use either the procedure outlined in this direction or file form WPB 2720. It is not necessary for him to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient.

(b) *Form of certification.* A person who holds a serial number under Order P-56 may receive restricted hardwood lumber for the operation of a project for which the serial number has been assigned if he endorses substantially the following certificate on his lumber purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required to conduct an operation for which I have been assigned serial number ———by the War Production Board under Order P-56. Delivery may be made to me under Direction 6 to Order M-364, with the terms of which I am familiar, and the use of any rating shown on this purchase order is authorized.

Producer

By ———
Duly authorized official

The standard certificate described in Priorities Regulation 7 may not be used instead of the above certificate. Any producer may sell, ship, or deliver restricted hardward lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above certificate is subject to the general provision of Order M-364 with respect to the certificates mentioned in the order.

(c) *Restriction on amount of lumber received.* No person shall use the certificate to get more lumber in a calendar quarter than he got in the corresponding quarter of 1943, nor shall any person use the certificate to get more lumber than the minimum required to enable him to carry on the operation for which he was issued a serial number under Order P-56, including maintenance and repair of his mine or plant and the boxing and crating of materials for shipment.

(d) *Reports.* Mine and smelter operators who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter, in duplicate, within 30 days after the end of each calendar quarter stating the entire amount of lumber, in board feet, delivered to them during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5681; Filed, April 21, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, as Amended Apr. 21, 1944]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-317*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph §44.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running at a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944]

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser *which controls, is controlled by, or is subject to common control with, the manufacturer, then* the applicable price range shall be the retail price range.

(iii) Up to a net wholesale price of $1.75 a pair misses' and children's footwear (not including slippers) may be deemed one line, and youths' and boys' footwear (not including slippers) one line, but no production in new price ranges is authorized unless specifically approved under paragraph (i) (3) (vi), below.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) "Rubber soles" do not include tire carcass soles, when used on misses' and children's footwear (excluding all sizes over size 3), or soles made wholly from friction scrap.

(19) "Plastic soles" mean soles containing more than 25% by weight vinyl polymer as defined in General Preference Order M-10.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except on:

Prewelts in all sizes,
Stitchdowns in all sizes,
Children's shoes up to and including size 8, and
Safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-funo-

tional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(d) Design functional stitching on utility work cowboy boots.

(xix) Any strippings, braidings, pin-tuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅜ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2⅛ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Storm welting (except laminated split leather storm welting on work shoes) or caulk welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) Leather or part leather loops performing the function of eyelets.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge--	.045	minimum, 50 carbon steel.
21 gauge--	.032	minimum, 50 carbon steel.
19 gauge--	.040	minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however*, That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (c) (5) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942.

(iii) Shearling collars.

(iv) An additional color on tips or tongues of safety shoes as above defined.

(v) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings).

(5) Except as otherwise authorized in writing by the War Production Board on application by letter, no person shall put into process for the manufacture of any footwear any material for uppers (excluding linings) except material finished or dyed in the following colors:

Black
White (in other than cattlehide leather)
Army russet and Town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of United States, Inc.
Natural color

No person shall use any natural colored leather for the manufacture of any footwear except work shoes or safety shoes.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf), including upper leather splits, gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide leather (including splits) for uppers or any cattlehide grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less), for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam mocassin type vamps (including genuine moccasins utilising soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1⅛ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(11) No person shall manufacture any leather or part leather bows for use on footwear.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e–e) below. This provision does not apply to repair.

(13) No person shall utilize any upper leather or lining leather set aside by tanners pursuant to Conservation Order M–310 or directions issued thereunder, for the following types of footwear:

(i) Infants';

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3);

(iii) Footwear for the physically maimed and deformed manufactured on a custom-made basis and not for stock; except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942, except that:

(i) In the case of footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other non-skid or soundproofing features covering not more than 25% of the area of the bottom of the sole) designs and constructions utilised between September 1, 1940 and October 18, 1943 may be used:

(ii) Nothing in this paragraph shall prevent the correction of patterns to the extent necessary to remove features prohibited by this order, the use of one new last in one heel height during each six months' period beginning March 1 or September 1 in any year for each type of footwear as described in paragraph (b) (10), or the use of new patterns to fit such new lasts provided no changes are made in the design of the footwear.

(iii) The War Production Board may make exceptions in this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's evening slippers, except those using gold or silver upper leather finished prior to March 16, 1943 with split, head, belly, shin or shank outsoles of 5 iron or less.

(3) No person shall use special processes or materials at any stage of manufacturing footwear for the purpose of rendering such footwear more adaptable to retail display.

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather and without rubber or plastic soles where no two-tone effect is created. This exemption shall extend only to paragraph (c). However, shoes of multi-colored fabric (a single fabric containing more than one color) are permitted and may have bindings or other trimmings (not including tips, foxings, eye stays, platforms or heels) in one of the colors of the material.

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4.

(6) Footwear made wholly of shearlings, including soles.

(e–e) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply in respect to types, patterns, materials, method of construction, labelling and all other details with the American War Standards Specifications for Protective Occupational Footwear, published by the American Standards Association. These specifications are listed below and may be obtained from the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., or from the American Standards Association, 29 West 39th Street, New York, N. Y.

Men's Safety-Toe Shoes—Z41.1–1943 (2nd edition)—September 24, 1943
Men's Conductive Shoes—Z41.3–1943 (3rd edition)—September 24, 1943
Men's Explosives-Operations (Non-Sparking) Shoes—Z41.4–1943 (2nd edition)—September 24, 1943
Men's Electrical-Hazards Shoes—Z41.5–1943 (3rd edition)—September 24, 1943
Men's Foundry (Molders) Shoes—Z41.6–1943 (2rd edition)—September 24, 1943
Women's Safety-Toe (Oxford) Shoes—Z41.9–1943 (3rd edition)—September 24, 1943
Women's Safety-Toe (High) Shoes—Z41.7–1943 (2nd edition)—September 24, 1943
Women's Explosives-Operations (Non-Sparking) Shoes—Z41.8–1943—(2nd edition)—September 24, 1943
Women's Conductive Shoes—Z41.9–1943 (2nd edition)—September 24, 1943

Upon letter application the War Production Board may authorize deviations from the above mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) *Restriction on dyeing.* No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (c) (5) above.

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(5) No manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners pursuant to Conservation Order M–310, or directions issued thereunder, for the manufacture of the following types of footwear:

(i) Infants';

(ii) Misses' and children's;

(iii) Footwear for the physically maimed and deformed manufactured on the custom-made basis and not for stock; if his supply of leather suitable for such shoes and obtained on certificate pursuant to such directions shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within the following lines than the percentage of his civilian line quota for such line shown in the following schedule:

	Percent of each price range
Youths' and boys'	125
Infants'	125
Men's safety shoes	125
Men's work	115
Men's dress	100
Women's and growing girls'	100
House slippers	100
Athletic	100
Women's safety shoes	100

With respect to misses' and children's footwear, no manufacturer may exceed 125% of his aggregate quotas for all his lines of misses' and children's footwear, but his production may be distributed among his established lines of misses' and children's footwear in any manner desired: *Provided, however*, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs* (i) (1) *and* (i) (2). (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	*Percentage of unused quota permitted to be added*
Men's work	115
Youths' and boys'	125
Misses' and children's	125
Infants'	125

Provided, however, That in no event shall any unused quota be added to a higher priced line, *And provided further*, That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vi) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to manufacturers affiliated, as a subsidiary or otherwise, with another.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear made for the physically maimed or deformed on a custom-made basis and not for stock.

(vi) The War Production Board may authorize transfers of quotas from one type of footwear to another, and may authorize new or additional production in: (*a*) lines of which there is a critical civilian shortage, or (*b*) lines of reasonably durable footwear utilizing non-critical materials. However, it will be the general policy of the War Production Board not to authorize new or additional production in a plant located in a Group I or Group II labor area unless the manufacturer shows that he will not require additional labor otherwise available for war production.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price

range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Permission will not be granted to manufacture new lines unless the footwear to be made has been specifically priced by the Office of Price Administration and the certificate number of such action is furnished with the application.

(vii) [Deleted Mar. 9, 1944]

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Effective date.* This order as amended shall become effective March 9, 1944 with the exception of paragraph (c) (2) which shall become effective on March 15, 1944, and paragraphs (c) (5), (e) (1), (e) (6) and (f), which shall become effective on April 15, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F., when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.101, (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.101 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably, the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly, a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3

[Interpretation 3 issued Dec. 17, 1943. A question and answer interpretation.]

INTERPRETATION 4

DEFINITIONS

The definition of "price range" in paragraph (b) (11) of Conservation Order M-217 states that price range shall have the usual trade significance so long as the highest list price in the range does not exceed the lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (iii) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of $1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the $1.75 and consider all misses' and children's and youths' and boys' footwear up to $2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than $1.75. (Issued Feb. 28, 1944.)

[F. R. Doc. 44-5699; Filed, April 21, 1944; 11:17 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, Direction 2]

PARTS FOR BRITISH MILITARY VEHICLES

The following direction is issued pursuant to Limitation Order L-158:

Notwithstanding the provisions of Limitation Order L-158, which prohibit the production of automotive replacement parts specially designed for military vehicles, producers of automotive parts are hereby authorized to produce parts as ordered by the British Army Staff—British Ministry of Supply Mission, to maintain military vehicles classified as "Supply/Mech" of the models and made by the manufacturers described below:

Model of Vehicle and Manufacturer

American Bantam, B.R.C. ¼ Ton, 4 x 4, American Bantam Car Co., Butler, Penna.

Aqua-Cheetah, XAC-9-6 Amphibian, 4 x 4, Amphibian Car Corp, Buffalo, New York.

Auto Car, U-70, 1600 Gal. Refueller, 6 ton, 4 x 2, Auto Car Co., Ardmore, Penna.

Brockway, Model 156, 10 ton 4 x 2 with S/Trailer Model 145X, 1000 Gal. 3 ton 4 x 2 Gas Tanker, Model 166 S, 2000 Gal. 6 ton 4 x 2 Gas Tanker, Model 260s, 10 ton, 4 x 2 Dump, Brockway Motor Truck Co., Inc., 1939 Shira, Cortland, New York.

Clark Airdrome Tractors, 4 x 2, Code Mill 44, Clark Truck-tractor Division, Clark Equipment Co., Battle Creek, Michigan.

Case Co., Airdrome Tractors, 4 x 2, LA7, Case Co., 700 State Street, Racine, Wisconsin.

Chevrolet, ¼ ton Pick-up, Thornton, Tandem, 3 ton, 6 x 4, 1½ ton, 160" WB. Model 4408, 4 x 2, Chevrolet Motor Division, General Motors Corporation, General Motors Bldg., Detroit, Michigan.

Davis, Gas Tank 900 Gal., Davis Welding & Mfg. Co., 1110 Richmond Street, Cincinnati, Ohio.

Dodge, T-203-B 1½ ton, 4 x 4, VK-62-B, 3 ton, 4 x 2, WK-60 Wrecker, 6 x 4, 3 ton Fargo, WF-32, 1½ ton 4 x 4, Dodge Division, Chrysler Corporation, 7900 Jos. Campau Ave., Detroit, Michigan.

Federal, 89K-148-167, C.O.E. Fire Fighter, Federal Motor Truck Co., 5780 Federal Avenue, Detroit, Michigan.

Ford, 1½ ton, 4 x 2, 158" W. B. Model 118-T, 1½ ton, 4 x 2, 158" W. B. Model 198-T, 1½ ton, 4 x 2, 158" W. B. Model 198-W, 1½ ton, 4 x 2, 130" W. B. Model 11-T, 1½ ton, 4 x 2, 132" W. B. Model 11-D, 1½ ton, 4 x 2, 156" W. B. (R. H. D.) CKD, 1½ ton, 4 x 4, Cargo, Ford Motor Co., 3674 Schaefer Road, Dearborn, Michigan.

Carl H. Frink, 150-S snow plough, Carl H. Frink, Clayton, Thousand Islands, N. Y.

Fruehauf, Model 220, 2 Dual Wheels, 10 ton, 4 wheeled, 30 ton Low Loading, Fruehauf Trailer Co., 10940 Harper Avenue, Detroit, Michigan.

F. W. D., Timber Tractors, 4 x 4, C. U., S. U. Medium Artillery Tractor, 4 x 4, Timber Hauling Tractor C. U. 4 x 4, 126" W. B., 5-6 ton Truck 4 x 4, G. S., SU-COE, Four Wheel Drive Auto Co., Clintonville, Wisconsin.

G. M. C., AFW-809, 10 ton, 6 x 4, ACK-353, 1½ ton, 4 x 4 Cargo, ACK-304, 5 ton, 4 x 2, ADF-855 10 ton, G. S., 4 x 2, General Motors Truck & Coach Div., Yellow Truck & Coach Mfg. Co., 660 South Blvd., Pontiac, Michigan.

Heil Body Co., Semi-Trailers W/2000 Gal. Tanks, F2A, Heil Company, 3000 W. Montana Street, Milwaukee, Wisconsin.

Hug, 51-6, Hug Company, Highland, Illinois.

International, KR-8, 179" W. B. 4 x 2, 3 ton G. S. Dump, KR-10, 5 ton, cargo, 4 x 2, K-5, Gas Refueller, 550 Gal. 1½ ton 4 x 2, Tractor Truck with s/T 2½ ton 4 x 2, KR-3R, 161" W. B. 2½-3 ton Dump KR-5R, R. H. D. 137" W. B. 3 ton 4 x 2, K-8R, 140" W. B., 3 ton 4 x 2 Dump 19, 4 x 2 w/F. T. O. Tractor, K-8 Fire Tender, International Harvester Co., 180 N. Michigan Avenue, Chicago, Illinois.

Mack, EHT Tractor with S/T 10 ton 4 x 2, EXBX, 15 ton 6 x 4 (4800 Gal.), LMSW-23 Wrecker Truck, 6 x 2, 5 ton, LMSW-39, Wrecker Truck, 6 ton 6 x 4, FT, 10 ton Dump Truck, Mack Mfg. Corporation, 34th St. & 48th Ave., Long Island City, L. I., New York.

Rogers-Winter Weiss, 30 ton Tank Transport Trailer, H30-L-F-1, 12 Wheeled, H10-L-S4 "Low Bed" Tank Transport, Trailer, 10 ton, w Wheeled, Rogers Bros. Corp., Albion, Penna. and Winter Weiss Corporation, Denver, Colorado.

Snogo Plows, LTR, Klauer Mfg. Co., Dubuque, Iowa.

Studebaker, M. 15, 126" W/B, 4 x 4; M. 16, 196" W. B. 4 x 2; Studebaker Corporation, Main & Bronson Streets, South Bend, Indiana.

Trailer Co. of America, B44-HWF Special, 10 ton, 4 Wheeled, Trailer Co. of America, 31st & Robertson Avenues, Oakley, Cincinnati, Ohio.

Trask, Re-fuelling Trailers, E. L. Trask Equipment Co., 90 Brookline Ave., Boston, Mass.

Truck Engineering Corp., 5 P. T.-S. W. Trailer Trains, Truck Engineering Corp., 1285 W. 70th Street, Cleveland, Ohio.

White, 922, 10 ton 6 x 4, 920D, 920, 15 ton, 6 x 4, G. S. (920-4755 Gal. Tanker), 760, 10 ton, 4 x 2, 3430-Gal. Tanker, White Motor Co., 842 E. 79th Street, Cleveland, Ohio.

Willamette-Hyster Co., Fairlead D4, Logging Sulkies, Willamette-Hyster Co., Portland, Oregon.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5684; Filed, April 21, 1944; 11:16 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended Mar. 16, 1944, Amdt. 3]

CHEMICALS AND ALLIED PRODUCTS

Appendices A, B and C of § 3293.1000 *General Allocation Order M-300* are amended to read as follows:

APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMERLY PD-600 AND 601)

(NOTE: Materials under Schedules 8, 9, 10, 11, 12 and 14, added since Mar. 16, 1944)

Material	Schedule	Customers' filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule.)	Report on Form WPB-3442	Initial allocation date and allocation period. (*Indicates user's stocks frozen.)
1	2	3	4	5	6	7
Nicotinic acid	1 (Issued 3-11-44)	15th	20th	1 kilogram	None	5-4-43, month.
Anhydrous hydrofluoric acid	4 (Issued 2-11-44)	15th	20th	500 lbs.	None	3-1-44, month.
Benzaldehyde	7 (Issued 3-10-44)	15th	20th	50 lbs.	None	4-1-44, month.
Hide glue, extracted bone glue and green bone glue.	8 (Issued 3-22-44)	15th	20th	1200 lbs. of hide and extracted bone glue, and 6000 lbs. of green bone glue.	Yes	4-1-44, month.
Formaldehyde Paraformaldehyde	9 (Issued 4-6-44)	15th—(10th if supplier is dealer).	20th	10,000 lbs. (37% sol.) 3,000 lbs.	None	3-1-43, month.
Hexamethylene-tetramine	10 (Issued 4-6-44)	15th	20th	10, 000 lbs.	None	3-1-43, month.
Pentaerythritol	11 (Issued 4-6-44)	15th	20th	100 lbs.	None	3-1-43, month.
Isopropyl alcohol	12 (Issued 4-14-44)	15th	20th	270 gals.	None	7-1-42, month.
Pine tar	14 (Issued 4-18-44)	15th	20th	5 gals.	None	5-1-44, month.

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 (FORMERLY PD-602) WITH CUSTOMERS' USE CERTIFICATES

(NOTE: Dipentene, under Schedule 13, added since Mar. 16, 1944)

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required. ("u" indicates use restriction in schedule)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6
Riboflavin	2 (Issued 3-11-44)	20th	100 grams	None	4-1-43, month.
Peroxygen chemicals: Hydrogen peroxide Sodium peroxide Sodium perborate	5 (Issued 3-28-44)	20th	600 lbs. 75 lbs. 25 lbs.	Yes	4-1-44, month.
Dipentene	13 (Issued 4-17-44)	20th	5 gals.	Yes	5-1-44, month.

APPENDIX C—ALLOCATION USING FORM WPB-2947 (FORMERLY PD-602) FOR SUPPLIERS, AND CUSTOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

(NOTE: No additions since Mar. 15, 1944)

Material	Schedule	Customers' Applications: On Form WPB-2945, filing date and quantities per allocation period from all suppliers.	Customers' Applications: Use certificate quantities per allocation period from all suppliers	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "o" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report On Form WPB-2462	Initial allocation date and allocation period
1	2	3	4	5	6	7	8
Thiamine hydrochloride	3 (Issued 9-11-44)	1kb—more than 1,000 grams.	Between 150–1,000 grams.	100 grams	20th	None	3-4-43, month.
Citric acid	6 (Issued 3-23-44)	1st—15,000 pounds or more.	Between 440–15,000 pounds.	440 pounds per quarter.	10th	On Form WPB-2772 instead.	7-1-43, quarter.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5678; Filed, April 21, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 9,[1] Amdt. 5]

TEMPORARY FOOD RATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 9 is amended in the following respects:

1. Section 1305.65 (c) is amended by deleting the second sentence and substituting therefor the following:

The certificates or other ration evidences shall be for 8 points of processed foods and 8 points of foods covered by Ration Order 16 for each nine meals (or fraction thereof) which he will eat at such place during the period of time stated on the application. In addition the Board shall issue certificates or other ration evidences for one pound of sugar for each thirty-six meals (or fraction thereof) which the applicant will eat at such place during the period of time stated on the application.

2. The second sentence of § 1305.65a (c) is amended by amending the phrase "16 points of foods covered by Ration Order 16" to read "15 points of foods covered by Ration Order 16".

This amendment shall become effective April 24, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5634; Filed, April 20, 1944; 12:01 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 107,[2] Revocation]

USED TIRES AND TUBES

Maximum Price Regulation 107 (§§ 1315.1361 and 1315.1362, inclusive), Used Tires and Tubes, is hereby revoked in accordance with Supplementary Order No. 40.[3]

This order shall become effective in the District of Columbia and the 48 States May 1, 1944.

This order shall become effective in the territories and possessions of the United States June 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,

[F. R. Doc. 44-5638; Filed, April 20, 1944; 12:06 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 60,[4] Revocation]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

Revised Price Schedule 63 (§§ 1315.101 and 1315.113, inclusive), Retail Prices for New Rubber Tires and Tubes, is hereby revoked in accordance with Supplementary Order No. 40.[5]

This order shall become effective in the District of Columbia and the 48 States May 1, 1944.

This order shall become effective in the territories and possessions of the United States June 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5639; Filed, April 20, 1944; 12:06 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 66,[6] as Amended, Revocation]

RETREADED AND RECAPPED TIRES AND THE RETREADING AND RECAPPING OF RUBBER TIRES

Revised Price Schedule 66, as amended (§§ 1315.1201 and 1315.1216 inclusive), Retreaded and Recapped Tires and the Retreading and Recapping of Rubber Tires, is hereby revoked in accordance with Supplementary Order No. 40.[5]

This order shall become effective in the District of Columbia and the 48 States May 1, 1944.

This order shall become effective in the territories and possessions of the United States June 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5637; Filed, April 20, 1944; 12:06 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7107, 10079, 12796, 15878, 16115.

[2] 7 F.R. 1638, 1961, 2394, 3691, 5177, 7365, 8566, 8799, 8903, 8948; 8 F.R. 1694, 2206, 6854, 8943, 9675.

[3] 8 F.R. 4325.

[4] 8 F.R. 2110, 3663, 4232, 5745, 7597, 8860, 11947, 12334, 16694.

[5] 8 F.R. 4325.

[6] 8 F.R. 11472, 21793, 16736.

[7] 8 F.R. 4325.

PART 1336—RADIO, X-RAY AND COMMUNICATION APPARATUS

[RPS 84,[1] Amdt. 7]

RADIO RECEIVER AND PHONOGRAPH PARTS

A statement of the considerations involved in the issuance of this Amendment No. 7 to Revised Price Schedule No. 84 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 1336.101 (g) is added as follows:

§ 1336.101 *Maximum prices for radio receiving sets and phonograph parts.* * * *

(g) *Sales between manufacturers of radio receiving tubes pursuant to War Production Board scheduling programs.* Notwithstanding the provisions of paragraph (a) radio tube manufacturers may sell to other radio tube manufacturers and deliver civilian type radio receiver tubes pursuant to War Production Board scheduling programs at maximum prices no higher than the seller's maximum net prices for sales to distributors less 20% discount.

This amendment shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5635; Filed, April 20, 1944; 12:06 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[2] Amdt. 28]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.589 is added to read as follows:

§ 1341.589 *Permitted increases for secondary packers of certain specified packed food products.* (a) The secondary packer of maraschino and glace cherries, Concord grape juice and sauerkraut shall determine maximum prices per dozen containers or other unit for these products which are purchased by him in bulk, barrels or other large containers and further processed and repacked in smaller containers, by adding to his maximum prices for such products as established under section 2 of the General Maximum Price Regulation, the difference in each case between his customary supplier's maximum price under section 2 of the General Maximum Price Regulation and his maximum price for the product f. o. b. factory as computed under Maximum Price Regulation No. 306, converted to the same units and adjusted where necessary to include incoming freight.

(b) In the event that a secondary packer cannot establish his maximum price under paragraph (a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, as provided for processors in § 1341.563.

2. Section 1341.583 (g) (2) is amended to read as follows:

(2) Where the processor did not pack and sell the same variety, style, grade, size and container of brined cherries during the 1941 base period, the maximum price of his closest competitive seller for the same variety, style, grade, size and container of brined cherries of the 1943 pack shall be the processor's maximum price.

3. Section 1341.551 (n) is added to read as follows:

(n) "Secondary packer" means a person who purchases the kind of processed commodity being priced in bulk, barrels or other large containers and reprocessors or repacks it in smaller containers other than the original container in which the commodity was shipped to him.

This amendment shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5650; Filed, April 20, 1944; 12:08 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASONRY MATERIALS

[RMPR 206,[3] Amdt. 2]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Sections 4.1 and 5.3 are amended to read as set forth below:

SEC. 4.1 *Maximum prices for "pick-up basis" and for "less than carload shipments by rail".* (a) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis," except the St. Louis Metropolitan Area, and for "less than carload shipments by rail" shall be a price not in excess of the highest price charged for a delivery on a "pick-up basis," and for "less than a carload shipment by rail" during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class: Except that any manufacturer making sales on a "pick-up basis", f. o. b. factory, from a factory located within the Eastern Area, as defined in section 5.1 of this regulation, or any manufacturer making sales in "less than carload shipments by rail" delivered to a destination point within such area, may increase his established March 1942 maximum price by an amount not in excess of an amount determined in the following manner:

Reduce the discounts established during the month of March 1942 for sales of sewer pipe products covered by discount numbers 1 to 7, inclusive, by 3 points, those covered by discount numbers 8 to 16, inclusive, by 4 points, of the tables of list prices set forth in section 5.2 of this regulation.

(b) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis" and/or "delivered" for the St. Louis Metropolitan Area are established in section 5.4 (e) of this article.

The term "pick-up basis" when used in reference to a sale means a transaction in which a purchaser takes delivery of sewer pipe products at the factory and removes the sewer pipe products from the factory by conveyance provided by the purchaser.

The term "less than carload shipment" means a shipment or quantity of vitrified clay sewer pipe and allied products which totals less than the minimum weight as set forth in the tariffs of railroad carriers upon which the railroad carload rate from the point of shipment to the point of destination is based.

SEC. 5.3 *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any freight zone in the Eastern Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. The horizontal line of figures at the top of the table indicates various rail freight rate zones per cwt. from Akron, Ohio, to points of destination. After determining the proper freight zone within which the destination point occurs, the applicable percentage discount will be found at the junction of the vertical freight zone column and the horizontal line at which the predetermined discount number appears.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2000, 2132, 2169, 2303, 2512, 2543, 3821, 6771, 7902, 8946; 8 F.R. 3703, 5632, 15528.

[2] 8 F.R. 16896, 17224, 17295, 17462; 9 F.R. 287, 96, 1710.

[3] 8 F.R. 14201, 16995.

PERCENTAGE DISCOUNTS

Discount number	1–10[1]	11–13[1]	14–16[1]	17–19[1]	20–22[1]	23–25[1]	26–28[1]	29–31[1]	32–34[1]	35–37[1]	38–40[1]	41–43[1]	44–46[1]	47–49[1]	50–52[1]
1	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56
2	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53
3	67	66	64	63	61	60	59	57	56	54	53	51	49	48	46
4	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50
5	64	63	61	60	59	57	56	54	53	52	50	49	48	46	45
6	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48
7	61	61	59	58	56	55	54	53	52	50	49	47	46	44	43
8	60	59	58	57	56	55	54	53	52	51	50	49	48	47	46
9	60	58	57	56	55	54	53	52	51	50	49	48	47	46	45
10	58	57	56	55	54	53	52	51	50	49	48	47	46	45	44
11	58	57	55	54	52	51	49	48	46	45	43	43	40	39	37
12	54	54	53	51	50	49	48	46	45	43	42	40	39	37	36
13	53	52	51	50	49	48	47	46	45	44	43	42	41	40	39
14	53	52	50	49	47	46	44	43	41	40	38	37	35	34	32
15	53	52	51	50	49	48	47	46	45	44	43	42	41	40	39
16	48	47	46	44	43	41	40	38	36	35	33	32	30	29	27

[1] Fractional rates in excess of the highest rate in one zone fall within the next highest zone.

This Amendment No. 2 to Revised Maximum Price Regulation No. 206 shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5636; Filed, April 20, 1944; 12:08 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Corr. to Amdt. 29]

FRESH FISH AND SEAFOOD

In Amendment 29 to Maximum Price Regulation No. 418, the designation of the paragraph in section 7 entitled "Special rules affecting halibut" is incorrect. It is hereby corrected to read "(f)" instead of "(e)".

Footnotes 15, 16 and 17 are corrected by deleting the "and" before the number "37" and by inserting the phrase "and 39" after the number "37".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5647; Filed, April 20, 1944; 12:02 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[SMPR 162,[1] Amdt. 2]

CEILING PRICES FOR THE SALE AND RENTAL OF USED TYPEWRITERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 162 is amended in the following respects:

1. Section 3 (c) is hereby revoked.

2. Section 7 is amended to read as follows:

SEC. 7. *Determination of rental period.* The rental period is the period specified in the contract or other writing required by section 23.

3. Section 17 (d) is amended to read as follows:

(d) *Trade-in allowances.* In connection with the sale of a used typewriter, the seller may not accept another typewriter in trade at a value lower than the lowest valuation for the trade-in typewriter shown on the current allowance schedule of any typewriter manufacturer.

4. Section 20 is amended to read as follows:

SEC. 20. *Dealer-to-dealer sales.* This section applies to used typewriters sold by one dealer to another. Typewriters which were acquired for sale or rental may be sold to persons acquiring the typewriters for sale or rental at prices not exceeding ⅔ of the retail ceiling price.

5. Section 22 (a) is amended to read as follows:

(a) *Typewriter.* A "typewriter" is any portable, office, commercial, noiseless or standard type of manually or electrically operated writing machine designed to be used for writing or copying letters or other documents and does not include Braille typewriters, telegraphically controlled writing machines, composing machines, toll billers, toy typewriters, machines with inbuilt features for handling or collating continuous forms, or front feed, vertical feed, electric duplicating, proportional spacing or right-margin justifying machines. To determine ceiling prices for machines excluded by this definition, refer to the General Maximum Price Regulation or other specific Office of Price Administration price regulations.

This amendment shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5630; Filed, April 20, 1944; 12 m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11867, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14478, 14617, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1532, 1575, 2133, 2406.

[2] 9 F.R. 826.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 11]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.141a is added to read as follows:

§ 1407.141a *Certificates and checks to be issued only in whole numbers.* (a) In any case in which the weight value of a certificate or check to be issued under this order is not a whole number, the amount of the certificate or check is to be computed as follows:

(1) If the fraction is less than one-half pound, the fraction is to be dropped;

(2) If the fraction is one-half pound or more, the amount of the certificate or check is to be increased to the next whole number.

This amendment shall become effective April 24, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5633; Filed, April 20, 1944; 12:01 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[RO 4A,[1] Amdt. 9]

TYPEWRITERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 4A is amended in the following respects:

Section 1398.152 is amended to read as follows:

§ 1398.152 *Effective date of order.* Ration Order 4A shall become effective at 12:01 a. m., December 28, 1942, and shall expire at 12:01 a. m., April 22, 1944, subject to section 5.1 of General Ration Order 8; except that any person required by § 1398.132 to keep records, shall retain in his possession such records for one year after the expiration date of the order. Such records shall be available during such period for inspection by the Office of Price Administration. Also, a suspension order that prohibits any person from receiving any transfer or delivery of, or from selling, using, or otherwise disposing of typewriters covered by this order, which is in effect on the expiration date of this order is hereby terminated.

[1] 9 F.R. 1433, 1634, 2232, 2826, 2828, 3031, 3579.

[2] 8 F.R. 16155; 9 F.R. 602.

This amendment shall become effective April 22, 1944.

NOTE: The record-keeping requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; WPB Dir. 1; Supp. Dir. 1–D, Conversion Order No. L–54a; 7 F.R. 562, 1792, 2130; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5631; Filed, April 20, 1944; 12:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 26]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Appendix A is amended to include, in its proper alphabetical order, the following:

Citrus fruit juices concentrated to more than single strength.

This amendment shall become effective April 24, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5632; Filed, April 20, 1944; 12:01 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 52]

POTATOES IN TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Subparagraphs (1) and (2) and (i) of section 18 (h) are amended by deleting the word "Planters".

2. The tables following section 21 (e) (5) (ii), (e) (5) (iii), (e) (5) (iv), and (e) (5) (vi) are amended by changing the prices of one item to read as follows:

Item	Grade	Maximum price at wholesale per lb.	Maximum price at retail per lb.
Potatoes, Irish	AA & A	$0.055	$0.07

3. The table following section 21 (e) (5) (v) is amended by changing the price of one item to read as follows:

Item	Grade	Maximum price at wholesale per lb.	Maximum price at retail per lb.
Potatoes, Irish	A	$0.055	$0.07

This amendment shall become effective as follows:

(a) As to section 18, as of March 20, 1944.

(b) As to section 21, as of April 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5649; Filed, April 20, 1944; 12:02 p. m.]

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 488,[1] Amdt. 3]

PICKLES AND CERTAIN PICKLED PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 488 is amended in the following respects:

1. In section 2 (a) paragraph (7) is redesignated (8) and a new paragraph (7) is added to read as follows:

(7) "Secondary packer" means a person who purchases the listed commodity being priced in bulk, barrels or other large containers from final processors, and without further processing, repacks it in smaller containers other than the original container in which the commodity was shipped to him.

2. In section 3 (b), the headnote is amended by adding the words, "and secondary packers" and the text is amended by adding the words "and secondary packers" immediately after the words "In sales of any item by wagon wholesalers."

This amendment shall become effective April 26, 1944.

[1] 8 F.R. 15187, 15865; 9 F.R. 99, 1598.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5648; Filed, April 20, 1944; 12:02 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3–15]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN UPPER PENINSULA OF MICHIGAN

In the judgment of the District Director of the Escanaba District Office of Region III, the prices of food and beverages sold for immediate consumption in the counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft in the state of Michigan, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the Escanaba District Office of Region III, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as possible, the Regional Administrator of Region III gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the Escanaba District Office of Region III hereby issues this Restaurant Maximum Price Regulation No. 3–15, establishing as maximum prices for food and drink sold for immediate consumption the prices prevailing therefore during the seven-day period beginning April 4, 1943, and ending April 10, 1943, in the counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft in the state of Michigan.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2701.

[2] 8 F.R. 5386, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11457, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15858, 15862, 16666, 16997, 17201; 9 F.R. 173, 393.

§ 1448.215 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Regional Administrator of Region III by the Emergency Price Control Act of 1942 as amended, Executive Order 9250, Executive Order 9328 and General Order No. 50 issued by the Office of Price Administration, which authority has been delegated to the District Administrator by Regional Office Delegation Order No. 2A, Restaurant Maximum Price Regulation No. 3–15 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.215 issued under 56 Stat. 23, 765 Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808.

RESTAURANT MAXIMUM PRICE REGULATION NO. 3–15—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar delicatessen, soda fountain, boarding house, or any other eating or drinking establishments, you must not offer or sell any "food item" (including beverages) or "meal" within its proper class as set forth herein, at a price higher than the highest price at which you offered the same "food item" or "meal" in such class during the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. You must not sell or offer to sell any other "food item" or "meal" at a price higher than the ceiling price which you figure according to the provisions of sections 2, 3, and 4 herein. You may, of course, sell at less than the ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you did not sell in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer in the seven-day period, as follows:

(a) If you served the same food item or meal within thirty days prior to April 4, 1943, you may take as your ceiling price the highest price at which you offered the same food item or meal in its proper class during said thirty-day period. In any such case your records, as set forth in section 10 (c) herein, must include the menu or information showing the previous offering of such item or meal at the higher price.

(b) If you did not sell or offer to sell the food item or meal either during the seven-day period, or the thirty-day period, or if you do not have adequate records of prices charged during the thirty-day period, then you choose from the food items or meals for which a ceiling price has already been fixed, the food item or meal in the same class which is most similar to the food item or meal you are pricing and then proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal. The word "currently" as used herein means current at the time the pricing of the new food item or meal takes place.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. A food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed, except as may be expressly provided herein.

SEC. 3. *Class of food items and meals.*—(a) *Classes of meals.* (1) For the purpose of classification under this regulation there shall be thirteen classes of meals as follows: breakfast, lunch, tea, dinner and supper on week days; breakfast, lunch, tea, dinner and supper on Sundays; children's breakfast, lunch and dinner.

(2) Where you differentiated in price or otherwise between any of the above classes of meals during the period, April 4 to April 10, 1943, you shall continue to maintain such differential. A meal shall be further classified according to the food item category hereinafter listed in which the main dish of such meal is grouped.

Example. A week day roast pork dinner would be in a different class from a week day roast pork lunch or a Sunday roast pork dinner or a week day vegetable plate dinner, but would be in the same class as a week day pork chop dinner.

(b) *Classes of food items.* (1) For the purpose of this regulation food items as herein referred to shall be classified into the following categories:

FOOD ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Bread, rolls, buns, danish-pastries, etc., served at breakfast.
7. All other breakfast dishes including jam, jellies, and preserves.
8. Appetisers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef: steaks and roasts.
11. Veal: steaks, chops, and roasts.
12. Pork: loin, chops, steaks, roasts.
13. Lamb or mutton: chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetiser course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits, and nuts.
25. Desserts: seasonal dessert specialties including but not limited to watermelons, cantaloupes, fresh fruits, and fresh berries.
26. Desserts: all others, including fruits, puddings and cheese.
27. Cold sandwiches: including garnishings, salads, and vegetables.
28. Hot sandwiches: including garnishings, salads, and vegetables.
29. All other food items served in a meal including mints and preserves.
30. Beverage foods, including coffee, cocoa, chocolate, tea and milk.
31. Non-alcoholic beverages, including sparkling and mineral waters.
32. Alcoholic malt beverages, including beer and ale.
33. Wines, including sparkling wines.
34. Liquors, including whiskeys, gins, and brandies.
35. Cordials, including fruit liquors.
36. All other alcoholic beverages.

(2) Where you customarily, during the period April 4 to April 10, 1943, differentiated in price or otherwise as to the serving of the same a la carte food item between any two or more of the following: breakfast, lunch, tea, dinner, and supper on week days; breakfast, lunch, tea, dinner, and supper on Sundays and children's breakfast, lunch and dinner, you shall continue to maintain such differentials, and where such differentials exist such food items shall be deemed to be distinguished as to class.

Example. Mashed potatoes offered a la carte for weekday lunches would be in the same class of food items as potatoes au gratin offered a la carte for weekday lunches but would be in a different class than mashed potatoes offered a la carte for weekday dinners or Sunday suppers or in connection with other meal menus if during the base period they were customarily distinguished in price or otherwise.

(c) Your ceiling prices for food items or meals served on those designated legal holidays by Federal Law or by the Law of the State of Michigan, may be the same as your Sunday ceiling prices for such establishments.

If you customarily charged more than usual Sunday prices for meals and food items served on Easter, Thanksgiving, Christmas, New Year's Eve, or New Year's Day, you may, notwithstanding the provisions of sections 1 and 2 herein, continue to charge higher prices on those particular days, such higher prices however, in no event to exceed 115% of your Sunday ceiling prices, and then only if the fact of having charged such higher prices can be established by old menus, advertisements, or other similar evidence, covering the actual holidays in question, for the year 1942 or earlier.

SEC. 4. *No ceiling prices to be higher than the highest price in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or meal which you did not offer in the seven-day period than the highest price at which you offered a food item or meal under the same class during the seven-day period, except that, if, during the thirty-day period immediately prior to April 4, 1943, you served a food item or meal at a price higher than the highest price charged for food items or meals in the same class during the aforesaid seven-day period, then you may continue to sell that same food item or meal at the higher price. In any such case, your records, as set forth in section 11 herein, must include the menu or information showing the previous offering of such food item or meal at the higher price. The restriction of this section shall not apply to seasonal dessert specialties as specified in section 3, paragraph (b), Class 25.

Example. If, during the seven-day period, your highest price for a weekday dinner was $1.25, in general, that is the highest price you may charge for any weekday dinner. If, however, you served a chicken dinner at $1.50 on any weekday within 30 days prior to April 4, 1943, then you may continue to serve the same chicken dinner at $1.50 even though that is a higher price than any price charged for the same class during the seven-day period. But you may not add a new meal not served during the thirty-day period at a price in excess of $1.25. Observe the requirement that a supporting menu (or price list) be made available to justify such exception.

SEC. 5. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by sections 1 and 2.

SEC. 6. *Prohibition against discontinuing meals at certain prices.* You must not now discontinue offering meals or food items at prices comparable to those charged by you in the seven-day period if by your doing so your customers would actually have to pay more than they did in the seven-day period. You will be in violation of this rule unless:

(a) You continue to offer meals and food items at different prices representative of the range of prices at which you offered meals and food items of the same class during the seven-day period, and unless:

(b) You continue to offer on week days at least as many different meals and food items at or below the lowest price charged by you for meals or food items of the same class on any week day that you select in the seven-day period, as you did on that day.

(c) You continue to offer on Sundays and legal holidays at least as many different meals and food items at or below the lowest price charged by you for meals and food items of the same class on Sunday, April 4, 1943, as you did on that day.

Example. Thus, you may select any weekday in the seven-day period as the base day for weekday meals and food items.

If you select Friday, April 9, 1943, to determine the lowest price and the number of weekday meals and food items offered at the price, and if on that day you offered six weekday dinners, of which two were priced at 40¢, and one each at 50¢, 55¢, 60¢, and 75¢, you must continue to offer at least two weekday dinners at 40¢.

SEC. 7. *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device, including:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction.

(2) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal.

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking, or other special charges, or making such charges when they were not in effect in the seven-day period.

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals.

(5) Discontinuing a no tipping practime without a compensating reduction in your maximum prices.

(6) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hote price for the complete meal, or give your customers less value for their money.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of those things during the seven-day period:

(1) You may limit your customer to one pat of butter per meal, and when necessitated by the restrictions of the rationing program, you may vary the size of such pats of butter. In such case, however, you shall adjust the price of such servings of butter, whenever a separate charge is made therefor in direct proportion to the change in size of serving. The resulting figure, if it contains a fraction of a cent, shall be adjusted to the next lower cent if the fraction is less than one-half and to the next higher cent if the fraction is one-half greater.

(2) You may reduce the quantity or eliminate altogether, ketchup, chili sauce, and any other condiment which is rationed.

(3) You may reduce the amount of sugar served according to your available supply.

(c) You must not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these items at an additional charge.

Example. If during the seven-day period you furnished ketchup, you may not discontinue furnishing this item free and at the same time offer to furnish it for an additional charge.

SEC. 8. *Rules for new proprietors and new establishments.* (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to the commencement of business, however, you may apply to the nearest District Office of the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If you operate a concession in conjunction with a public event and were not in operation during the base period, you shall establish your prices in line with a similar type of eating or drinking place operating during the time of the base period. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the prices of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 10 and the posting requirements of section 11 immediately upon the opening of your place.

(c) *Changing type of service.* If you operated an eating or drinking establishment in the same establishment where you operated an eating or drinking place during the period April 4th to 10th, but changed your type of operation, you shall

apply to your nearest District Office of the Office of Price Administration for your proper maximum prices.

(d) *Seasonal eating and drinking establishments.* If you are the proprietor of a seasonal eating or drinking establishment you must figure your ceiling prices as follows:

(1) If your establishment was in operation during the base period from April 4–10, 1943, use the rules set forth in sections 2, 3, and 4 of this regulation.

(2) If your establishment was not in operation during the base period from April 4–10, but another establishment of the same type and within reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the provisions of section 8 paragraphs (a) and (b) herein.

(3) If you cannot price under subparagraphs (1) or (2) herein, and your establishment is not yet in operation, you shall apply for approval of maximum prices to the Office of Price Administration District Office for the area in which your establishment is located. Your application must be filed at least 10 days prior to the date on which you plan to commence operations and must include the following information:

(i) Your name and address and address of your establishment.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the present or coming season, differentiating between week day, and Sunday and Holiday prices.

(iv) The date on which you plan to commence operation.

(v) The names of two establishments similar to yours in your vicinity.

You may then charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. The Office of Price Administration may, at any time, after proper investigation and hearing, establish or re-establish such maximum prices for your business as it deems proper and equitable.

(4) If your establishment is already in operation and you cannot price under subparagraphs (1) or (2) herein, you shall, within 10 days of the effective date of this order, file application with the Office of Price Administration District Office for the area in which your establishment is located for approval of the prices which you are presently charging. Such application shall include the same information as set forth for applications under subparagraph (3) herein. Such listed prices shall be your maximum prices, but shall be subject to modification or adjustment at any time by the Office of Price Administration.

SEC. 9. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 10. *Records*—(a) *Filing of menus.* General Order No. 50 required you to file with your war price and rationing board on or before May 1, 1943, a signed copy of each menu or list of your prices in effect during the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. If you have not already filed, you must do so immediately. Failure to do so will also constitute a violation of this regulation.

(b) *Filing by proprietors not in operation during the seven-day period.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly opened places) shall file menus or a price list in accordance with paragraph (a) above, except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period from April 4–10, 1943, or if you are a new proprietor, in the seven-day period referred to in paragraph (b) above. If you did not use menus, or if your menus were incomplete, you must make available for such examination a list of the highest prices you charged in such seven-day period.

(d) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two copies of each menu used by you each day. If you do not use menus you must prepare, in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 11. *Posting.* (a) If you made menus available to customers in the seven-day period April 4 to 10, 1943, inclusive, you shall continue to make them available. All menus shall include prices for meals and food items offered.

(b) Within one week after the effective date of this order:

(1) Your menus must contain in clear and legible printing or writing the following statement:

All prices listed are at or below our ceiling price which by OPA regulation are the highest prices we charged for the same item or meal from April 4–10, 1943. Our records of prices for such period are available for your inspection.

(c) If you did not use menus during the April 4–10 period, you may either (1) institute the use of menus, abiding by the foregoing requirement, or (2) you must post a price list including prices for all meals and food items offered, near the cashier's desk, if any, or in such other location of your establishment that it may be easily seen and read by customers at the time of purchase. Such price list shall conform to the requirements of paragraph (b) above.

SEC. 12. *Operation of several places.* If you own or operate more than one eating and drinking place, you must do everything required by this regulation for each place separately.

SEC. 13. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the seven-day period of this regulation shall not become a maximum price under this regulation if it exceeded the maximum price established by another regulation applicable at that time. In such case the lawful maximum price applicable at that time shall be the maximum price hereunder.

SEC. 14. *Geographical applicability.* The provisions of this order shall be applicable to all eating and drinking places (as hereinafter defined in section 15 (e)) located in the counties of Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Menominee, Ontonagon, and Schoolcraft, in the state of Michigan.

SEC. 15. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association, or any organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

Food items, otherwise identical, are not the same for the purpose of establishing maximum prices under sections 1 and 2, if they are offered for sale in different classes. (See section 3 (b) for "classes of food items.")

Example. Lamb chops offered a la carte for dinner or lunch are in class 13 while if offered for breakfast, they are in class 4.

(e) "Eating and drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold, except those which are specifically exempted in section 17 hereof. It shall include by way of example, but not by way of limitation, such movable, places where food is dispensed as field kitchens, lunch wagons, "Hot Dog" carts, etc.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 16. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942 as amended.

SEC. 17. *Exemptions.* Sales by the following eating or drinking places are specifically exempted from the provisions of this regulation.

(a) Eating and drinking places operated in connection with special church, temple, synagogue, Sunday School, or other religious occasions.

(b) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(c) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or the Department of the Navy shall be considered students.

SEC. 18. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the reduction of the maximum price of any food item or items or meal or meals sold or offered for sale by a seller or sellers when, in the judgment of the Administrator, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office an application in duplicate. The application should contain the following information:

(1) Your name and address.

(2) A description of your eating establishment, including the type of service rendered, such as cafeteria, table service, etc.; classes of meals offered, such as breakfast, lunch and dinner; number of persons served per day during the most recent thirty-day period, (in counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served); and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operation.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and requested adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by the District Director of the Escanaba District who has been authorized to do so by order of the Regional Administrator.

SEC. 20. *Amendments.* You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order No. 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the Regional Administrator.

SEC. 21. *Licensing.* The provisions of Licensing Order No. 1 shall apply to every person making sales subject to this regulation. Licensing Order No. 1 provides, in brief, that a license is required of all persons selling under price control. The license is automatically granted and may be suspended for violation of any applicable maximum price regulation. Any person whose license is suspended must cease selling during the period of such suspension.

SEC. 22. *Revocation.* This regulation may be modified, amended, corrected, or revoked at any time by the Office of Price Administration.

This regulation shall become effective April 3, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 20th day of March 1944.

LAWRENCE L. FARRELL,
District Director.

[F. R. Doc. 44–5651; Filed, April 20, 1944; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 122]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.46 is added to read as follows:

SEC. 6.46 *Modification of maximum prices for vitrified clay sewer pipe and allied products sold by jobbers, dealers, and distributors.* (i) On and after April 26, 1944, any person purchasing vitrified clay sewer pipe and allied products, including extra strength vitrified clay sewer pipe, for the purposes of resale may increase his f. o. b. warehouse or delivered price, established by the General Maximum Price Regulation, by an amount not in excess of the actual dollars-and-cents increased cost to him resulting from the upward adjustment in maximum prices by the manufacturer pursuant to Amendment No. 2 to Revised Maximum Price Regulation No. 206 (Vitrified Clay Sewer Pipe and Allied Products) and Amendment No. 32 to Order A–1 under Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

(ii) The maximum prices fixed herein shall be subject to at least the same ex-

*Copies may be obtained from the Office of Price Administration.

tension of cash, quantity, and other discounts, transportation allowances, and the same rendition of transportation and other services as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iii) *Definitions.* When used in this amendment the term: "Vitrified clay sewer pipe and allied products" means any sewer pipe, sewer pipe fittings, flue lining, including chimney pipe and fittings, and wall coping made from surface clay, fire clay, shale or combinations of these materials.

"Extra strength vitrified clay sewer pipe" means a vitrified clay sewer pipe complying with the specifications set forth in War Production Board Order L-316, as amended. Prior to the issuance of War Production Board Order L-316 a similar product was known to the trade in the Eastern Area as triple strength pipe.

This Amendment No. 122 may be revoked or amended at any time.

This Amendment No. 122 shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5639; Filed, April 20, 1944; 12 m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355,[1] Amdt. 15]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 355 is amended in the following respect:

1. A new section 18 (d) is added to read as follows:

(d) Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this section, and may deny any application filed under this section or revoke any order granting adjustment under this section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.[1]

This amendment shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5697; Filed, April 21, 1944; 11:29 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 335,[1] Amdt. 13]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respect:

1. A new section 16 (d) is added to read as follows:

(d) Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this section, and may deny any application filed under this section or revoke any order granting adjustment under this section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.[1]

This amendment shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5698; Filed, April 21, 1944; 11:29 a. m.]

PART 1429—POULTRY AND EGGS

[MPR 269,[1] Amdt. 28]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1429.19 (h) (1) (iv) is amended to read as follows:

(iv) *Monthly adjustments in base prices for live and processed poultry items.* The above prices for live and processed poultry items shall be in force for the months of July, August, September, October, November and December. For from April 21, 1944 to the end of June 1944, and for the months of January through June of succeeding years, the following additions shall be made to each of the above prices for live and processed poultry items:

Month:	Cents per pound
January	0.5
February	1.0
March	1.4
April	1.8
May	2.2
June	1.0

These additions shall not be added cumulatively, but, rather, each addition establishes the total amount which may be added for sales and deliveries during the month indicated.

This amendment shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 18, 1944.

GROVER B. HILL,
Assistant War Food Administrator.

[F. R. Doc. 44-5696; Filed, April 21, 1944; 11:29 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4428, 4623, 6314, 6428, 7199, 7827, 8185, 8945, 9368, 11297, 12287, 12811, 14732, 9 F.R. 1157.

[1] 8 F.R. 10116, 12104. 9 F.R. 2186, 9076, 9359, 4268, 5817, 6034, 6312, 7822, 8044, 8368, 12480, 13181, 13670; 9 F.R. 167, 312.

[1] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 656, 878, 2269, 2816, 5419, 6782, 6736, 8280, 10940, 11691, 13808, 13808, 13818, 14018.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 238]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalf Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Nathaniel P. Pasarell from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. John W. De Bruycker of San Juan, Puerto Rico.

Signed at Washington, D. C. this 15th day of April 1944.

L. METCALF WALLING,
Administrator.

[F. R. Doc. 44-5655; Filed, April 20, 1944; 2:26 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-542]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 20, 1944.

Notice is hereby given that on April 11, 1944, an application was filed by the El Paso Natural Gas Company, a Delaware corporation having its principal place of business in El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The proposed construction consists of a 16-inch gas pipe line, approximately 31.5 miles in length commencing at the company's Eunice residue gas compressor station in Lea County, New Mexico, and running in a southerly direction to Applicant's gas treating plant located at Jal Plant No. 1 in Lea County, New Mexico; installation of five 800 hp. gas-driven compressor units and appurtenant facilities at the Eunice residue gas compressor station located near the town of Eunice, New Mexico; installation of four 24-inch gas scrubbing towers, together with additional pumping facilities at the Eunice and Jal gas treating plants, located near the towns of Eunice and Jal, New Mexico.

The Applicant asserts that the proposed facilities, upon their completion, will be used for the purpose of conserving natural gas in the Lea County field from which Applicant produces natural gas for its pipe line system, and for the additional purpose of utilizing a minimum of 20,000,000 cu. ft. of residue gas daily, which Applicant represents is being wasted and vented through the air for lack of market on account of its unsuitability for use without treatment and compression.

Any person desiring to be heard or to make any protest with reference to said application, should, on or before the 5th day of May 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5703; Filed, April 21, 1944; 11:33 a. m.]

[Docket Nos. G-541 and G-540]

MONTANA-DAKOTA UTILITIES CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

APRIL 20, 1944.

Upon consideration of the application filed on April 10, 1944, in Docket No. G-541 by Montana-Dakota Utilities Co., a Delaware corporation having its principal place of business at Minneapolis, Minnesota, for authorization pursuant to section 7 (b) of the Natural Gas Act for the abandonment of the following-described facilities, located wholly within Valley County, Montana:

A six-inch pipe line extending from a point in section 19, Township 31 North, Range 35 East, a distance of approximately 22 miles to a point in section 31, Township 30 North Range 36 East; and

Upon consideration of the application filed on the same date by said company in Docket No. G-540 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities located wholly within Valley County, Montana:

(a) A ten-inch pipe line extending Southeasterly from applicant's Saco Compressor Plant situated in Section 13, Township 31 North, Range 34 East, a distance of 22,094 miles to a point in Section 31, Township 30 North, Range 34 East, a distance of 22,094 proximately the route of the six-inch pipe line above described;

(b) One new 300 horsepower 8 X. V. G. Ingersoll Rand Compressor in applicant's Saco Compressor Plant and two 300 horsepower 8 X. V. G. Ingersoll Rand Compressors in applicant's Fort Peck Compressor Plant located in Section 26, Township 27 North, Range 41 East, Valley County, Montana; and

It appearing to the Commission that:

Good cause exists for consolidating the above-entitled proceedings;

The Commission orders that:

(A) The above-entitled proceedings, Docket Nos. G-541 and G-540, be and the same are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on May 8, 1944, at 10 o'clock a. m., in Court Room No. 3, Third Floor, U. S. Court House, Minneapolis, Minnesota, respecting the matters involved and the issues presented in such consolidated proceedings;

(C) Interested State Commissions may participate in such hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5702; Filed, April 21, 1944; 11:33 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 164, Amended General Permit 14]

REFRIGERATION OF GRAPEFRUIT IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit originating at any point or points in Texas moving direct to destinations in Canada without stop-off at intermediate points.

This permit shall become effective at 12:01 a. m., April 20, 1944, and shall expire at 12:01 a. m., May 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44-5691; Filed, April 21, 1944; 11:32 a. m.]

[S. O. 164, Amended General Permit 15]

REFRIGERATION OF GRAPEFRUIT AND MIXED CITRUS FRUIT IN FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit or loaded with mixed citrus fruits containing not less than 50 percent grapefruit originating at any point or points in Florida moving direct, to destinations in Canada, or to destinations in the United States located west of the western boundaries of the states of Missouri, Iowa and Minnesota and north of the northern boundaries of the states of Oklahoma, New Mexico and Arizona, without stop-off at intermediate points.

This general permit shall become effective at 12:01 a. m., April 20, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44-5693; Filed, April 21, 1944; 11:23 a. m.]

[S. O. 164, General Permit 16]

REICING OF GRAPEFRUIT IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at any points in the States of California, Oregon, Washington, Montana, Nevada, Utah, Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, Missouri, Nebraska, Iowa, or Illinois, or at Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with grapefruit originating in Arizona and California. This reicing shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 under Service Order No. 164.

This permit shall become effective at 12:01 a. m., April 20, 1944, and shall expire at 12:01 a. m., May 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the

general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. Booth,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5593; Filed, April 21, 1944; 11:23 a. m.]

[S. O. 104, General Permit 17]

REFRIGERATION OF MIXED CITRUS FRUITS IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 104 of November 10, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit or loaded with mixed citrus fruits containing not less than 50% grapefruit originating at any point or points in Texas moving direct, to destinations in Canada, or to destinations in the United States located west of the western boundaries of the States of Missouri, Iowa and Minnesota and north of the northern boundaries of the States of Oklahoma, New Mexico and Arizona, without stop-off at intermediate points.

This general permit shall become effective at 12:01 a. m., April 20, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. Booth,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5594; Filed, April 21, 1944; 11:23 a. m.]

[S. O. 70-A, Special Permit 205]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 21, 1944, by L. S. Taube & Company of car PFE 78269, potatoes, now on the Chicago Great Western to destination unknown.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. Booth,
Acting Director, Bureau of Service.

[F. R. Doc. 44-5595; Filed, April 21, 1944; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.-324]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MAYSVILLE AND FLEMINGSBURG, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plans; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1944.

J. M. Johnson,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Germann Bros. Motor Transportation, Inc. (a corporation), Ripley, Ohio.
2. Union Transfer & Storage Company (a corporation), Lexington, Ky.

[F. R. Doc. 44-5678; Filed, April 21, 1944; 10:16 a. m.]

[1] Filed as part of the original document.

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3437]

ALMA WEYCHARDT

In re: Trusts under the will of Alma Weychardt, deceased; File No. F-28-4000; E. T. sec. 3650).

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, as trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Weychardt, Germany.
Herman Weychardt, Germany.
Waldemar Schmidt, Germany.
Else Schmidt-Hayn, Germany.
Gertrud Schmidt, Germany.
Conrad Weychardt, Germany.
Ernst Weychardt, Germany.
Emmy Weychardt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest and claim of any kind or character whatsoever of Heinrich Weychardt, Herman Weychardt, Waldemar Schmidt, Else Schmidt-Hayn, Gertrud Schmidt, Conrad Weychardt, Ernst Weychardt and Emmy Weychardt, and each of them, in and to the trusts created under the Last Will and Testament of Alma Weychardt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-5597; Filed April 20, 1944; 11:05 a. m.]

[Vesting Order 3438]

MORITZ ARCHENHOLD

In re: Trust under the will of Moritz Archenhold, deceased, for the benefit of Helene T. Helb, File D-28-1785; E. T. sec. 1037.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York, as trustee, acting under the judicial supervision of the Supreme Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louis Archenhold, Germany.
Julie Archenhold Katz, Germany.
Salli Archenhold, Germany.
Siegmund Archenhold, Germany.
Julius Archenhold, Germany.
Selma Archenhold, Germany.
Alma Archenhold Hirschland, Belgium.
Richard Helb, Germany.

And determining that—

(3) Alma Archenhold Hirschland, a citizen or subject of a designated enemy country, Germany, and within an enemy-occupied country, Belgium, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louis Archenhold, Salli Archenhold, Siegmund Archenhold, Alma Archenhold Hirschland, Julius Archenhold, Julie Archenhold Katz, Selma Archenhold, and Richard Helb, and each of them, in and to the trust created under the Will of Moritz Archenhold, deceased, for the benefit of Helene T. Helb,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-5598; Filed, April 20, 1944; 11:05 a. m.]

[Vesting Order 3439]

MORITZ ARCHENHOLD

In re: Trust under the will of Moritz Archenhold, deceased, for the benefit of Julia Ikenberg, et al., File No. D-28-1785; E. T. sec. 1037.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Irving Trust Company, as trustee, acting under the judicial supervision of the Supreme Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida Sara Weil, sole heir of Julia Ikenberg, dec'd., Germany.
Louis Archenhold, Germany.
Julie Archenhold Katz, Germany.
Salli Archenhold, Germany.
Siegmund Archenhold, Germany.
Julius Archenhold, Germany.
Selma Archenhold, Germany.
Alma Archenhold Hirschland, Belgium.

And determining that—

(3) Alma Archenhold Hirschland, a citizen or subject of a designated enemy country, Germany, and within an enemy-occupied country, Belgium, is a national of a designated enemy country, Germany.

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ida Iters Weil, the sole heir of Julia Ikenberg, deceased, Louis Archenhold, Julia Archenhold Katz, Salli Archenhold, Siegmund Archenhold, Julius Archenhold, Selma Archenhold and Alma Archenhold Hirschland, and each of them, in and to the trust created under the Will of Moritz Archenhold, deceased, for the benefit of Julia Ikenberg and Johanna Ikenberg,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5599; Filed April 20, 1944; 11:05 a. m.]

[Vesting Order 3440]

MATHILDE ARNOLD

In re: Estate of Mathilde Arnold, deceased; File D–28–7843; E. T. sec. 8598.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henrietta B. Chamberlin, Executrix, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Pierce;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Arthur Starsonek, Germany.
Otto Starsonek, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Arthur Starsonek and Otto Starsonek, and each of them, in and to the estate of Mathilde Arnold, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5600; Filed April 20, 1944; 11:05 a. m.]

[Vesting Order 3441]

CHRISTIANE E. DAIBER

In re: Estate of Christiane E. Daiber, deceased; File D–28–1584; E.T. sec. 9910.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Minnie E. Pembel, Administratrix d. b. n. c. t. a., acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Luise Haas, Germany.
Carl Daiber, Germany.
Lydia Daiber, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Luise Haas, Carl Daiber and Lydia Daiber, and each of them, in and to the Estate of Christiane E. Daiber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive orders.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5601; Filed, April 20, 1944; 11:05 a. m.]

[Vesting Order 3442]

PAUL DELMAR

In re: Estate of Paul Delmar, deceased; File D–28–4115; E. T. sec. 7101.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph W. McInerney, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Susanna Grofs, Germany.
Johan Wollnik, Germany.
Mrs. Marie Hugel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Susanna Grofs, Johan Wollnik, Mrs. Marie Hugel, and each of them, in and to the Estate of Paul Delmar, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F.R. Doc. 44–5602; Filed, April 20, 1944; 11:07 a. m.]

[Vesting Order 3443]

THOMAS HARTWEIN

In re: Estate of Thomas Hartwein, deceased; File D–28–8000; E. T. sec. 8957.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Hartwein, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Jacob Smetzer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Jacob Smetzer, in and to the Estate of Thomas Hartwein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5603; Filed, April 20, 1944; 11:07 a. m.]

[Vesting Order 3444]

PETER HEIMERS

In re: Estate of Peter Heimers, deceased; File D–28–4290; E. T. sec. 7335.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Isidore Feigenberg, William M. Hosken, E. J. Callaghan, Executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Children, names unknown, of Rosenia Finger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of children, names unknown, of Rosenia Finger, and each of them, in and to the estate of Peter Heimers, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5604; Filed, April 20, 1944; 11:07 a. m.]

[Vesting Order 3445]

JOSEPH F. HEJTMANEK

In re: Estate of Joseph F. Hejtmanek, deceased; File D-28-7378; E.T. sec. 8075.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lulu Hejtmanek, executrix, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Antonie Trost, Germany.

Children of Antonie Trost, whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Antonie Trost, and her children whose names are unknown, and each of them, in and to the estate of Joseph F. Hejtmanek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5605; Filed, April 20, 1944; 11:08 a. m.]

[Vesting Order 3446]

JOHN JESCHKO

In re: Estate of John Jeschko, deceased; File D-6-113; E. T. sec. 188.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emmett E. Spink, administrator, acting under the judicial supervision of the Surrogate's Court, Cattaraugus County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Jeschko, Breuth bei Bleiberg ob Villach Karnten, Germany (Austria).

Hannah Schabel, Heindenrichstein, Germany (Austria.)

Mary Treschko, Wielansberg, Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Jeschko, Hannah Schabel and Mary Treschko, and each of them, in and to the estate of John Jeschko, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5606; Filed, April 20, 1944; 11:08 a. m.]

[Vesting Order 3447]

ANNA E. KOLL

In re: Trust under will of Anna E. Koll, deceased; File D-28-2554; E. T. sec. 4991.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Richter, as Trustee, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of Kings;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Friedrich Lübben, Baron Strasse 4, Rendsburg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Friedrich Lübben, in and to a trust created under the Last Will and Testament of Anna E. Koll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5607; Filed, April 20, 1944; 11:08 a. m.]

[Vesting Order 3448]

MARY MILLER

In re: Estate of Mary Miller, also known as Maria Mueller, deceased; filed D-28-8414; E. T. sec. 9815.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. M. Hayes, Administrator de bonis non, acting under the judicial supervision of the Probate Court of Brazoria County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

George Mueller, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of George Mueller in and to the estate of Mary Miller, also known as Maria Mueller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5608; Filed April 20, 1944; 11:08 a. m.]

[Vesting Order 3449]

PAUL MILLER

In re: Estate of Paul Miller, deceased; File D-28-2423; E. T. sec. 3707.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Clara;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Biesel, Germany.
Lotte Biesel, Germany.
Hedwig Miklisch, Germany.
Helene Schmidel, Germany.
Max Schmidel, Germany.
Paul Schmidel, Germany.
Otto Schmidel, Germany.
Lenka Schmidel, Germany.
Max Schneider, Germany.
Richard Schneider, Germany.
——— Schneider, first name unknown, child of Maria and August Schneider, Germany.
——— Schneider, first name unknown, child of Maria and August Schneider, Germany.
——— Schneider, first name unknown, child of Maria and August Schneider, Germany.
——— Schneider, first name unknown, child of Maria and August Schneider, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Biesel, Lotte Biesel, Hedwig Miklisch, Helene Schmidel, Max Schmidel, Paul Schmidel, Otto Schmidel, Richard Schneider and the four children, names unknown, of Maria and August Schneider, and each of them, in and to the Estate of Paul Miller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5609; Filed, April 20, 1944; 11:08 a. m.]

[Vesting Order 3450]

FRIEDA OPPENHEIMER

In re: Estate of Frieda Oppenheimer, deceased; File D-28-8209; E. T. sec. 9241.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by June Oppenheimer Frisch, Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(1) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Martin Kahn, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martin

Kahn, in and to the estate of Frieda Oppenheimer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5610; Filed, April 20, 1944; 11:09 a. m.]

[Vesting Order 3451]

JOHN SCHEEL

In re: Estate of John Scheel, deceased; File D–28–6391; E. T. sec. 9767.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna Gerlach, Administratrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Solano;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gurgen Scheel, Germany.
Rudolph Scheel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gurgen Scheel, Rudolph Scheel, and each of them, in and to the estate of John Scheel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5611; Filed, April 20, 1944; 11:09 a. m.]

[Vesting Order 3452]

FRITZ R. TEUTER

In re: Mortgage Participation Certificate #93687 in Mortgage F1195 (208556) issued by the Title Guarantee and Trust Company to Fritz R. Teuter; File D–28–3694; E. T. sec. 6085.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York, N. Y., Trustee, acting under the judicial supervision of the Supreme Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz R. Teuter, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz R. Teuter in and to the Mortgage Participation Certificate #93687 in Mortgage F1195 (208556) in the face amount of $200.00 issued by the Title Guarantee and Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5612; Filed, April 20, 1944; 11:10 a. m.]

JOSEPH EHRLICH AND WSEVOLODE GRUNBERG

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of Jósef Ehrlich, APC–16 re Patent Application Serial No. 213,843, now Patent No. 2,315,111, vested by V. O. No. 94; and Wsevolode Grunberg, APC–16 re Patent Application Serial No. 322,289, vested by V. O. No. 1032.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that he is the owner of the property described in each notice of claim respectively and that he is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F. Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 4, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 19, 1944.

[F. R. Doc. 44–5613; Filed, April 20, 1944; 11:10 a. m.]

tively and that he is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F. Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 4, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 19, 1944.

[F. R. Doc. 44–5614; Filed, April 20, 1944; 11:10 a. m.]

NIELS B. BACH, ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of Niels B. Bach, APC–16 re Patent Nos. 2,141,371 and 2,153,607, vested by V. O. No. 664; Leon M. DeKanski, APC–16 re Patent No. 2,309,171, vested by V. O. No. 721; Francis F. Foldes, APC–16 re Patent Application Serial No. 430,622, vested by V. O. No. 94; Friedrich Nettel, APC–16 re Patent Application Serial No. 330,801, vested by V. O. No. 63; and Willem L. J. Spoor, APC–16 re Patent Nos. 1,973,669 and 2,015,200, vested by V. O. No. 671.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that he is the owner of the property described in each notice of claim respectively and that he is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 4, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 19, 1944.

[F. R. Doc. 44–5615; Filed, April 20, 1944; 11:10 a. m.]

AMERICAN DIAGRID CORP., ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of American Diagrid Corporation, APC–17 re Patent No. 2,104,443, vested by V. O. No. 201; The Hoover Company, APC–17 re Patent No. 1,976,800, vested by V. O. No. 112; Reynolds Metals Company, APC–17 re Patent No. 2,162,094, vested by V. O. No. 16; and U. S. Industrial Chemicals, Inc., APC–17 re Patent No. 1,659,958, vested by V. O. No. 666.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that it is the owner of the property described in each notice of claim respectively and that it is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 4, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 19, 1944.

[F. R. Doc. 44–5616; Filed, April 20, 1944; 11:10 a. m.]

THE AMERICAN ROLLING MILL CO., ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of The American Rolling Mill Company, APC–17 re Patent No. 1,865,941 (now Reissue Patent No. 19,406), vested by V. O. No. 666; Aluminum Company of America, APC–17 re Patent No. 1,932,873, vested by V. O. No. 1; The Dorr Company, Inc., APC–17 re Patent Application Serial No. 243,687, vested by V. O. No. 314; Lewis Larsen, Trustee, APC–17 re Patent No. 1,978,024 (now Reissue Patent No. 20372), vested by V. O. No. 201; and United States Radium Corporation, APC–17 re Patent No. 1,718,899, vested by V. O. No. 201.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that it is the owner of the property described in each notice of claim respectively and that it is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 4, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 19, 1944.

[F. R. Doc. 44–5617; Filed, April 20, 1944; 11:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 702]

S. J. AZZARA, ET AL.

AUTHORIZATION OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 702 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DISTRICT NO. 1

S. J. AZZARA, 223 PARK AVE., CRESSON, PA., CAMBRIA COUNTY, PA., S. J. AZZARA No. 3 MINE, MINE INDEX No. 8071, UPPER KITTANNING C' SEAM, SUBDISTRICT 31, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classification	C	C	C	C	C
Rail shipments	$3.70	$3.65	$3.45	$3.30	$3.20
Truck shipments	3.75	3.50	3.30	3.40	3.20

BERCENUT COAL CO., 1118 GRAHAM AVE., WINDBER, PA., SOMERSET COUNTY, PA., BERCENUT COAL CO., No. 1 MINE, MINE INDEX No. 8027, B SEAM, SUBDISTRICT 33, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classification	A	A	A	A	C
Rail shipments	$3.95	$3.70	$3.60	$3.45	$3.20
Truck shipments	3.95	3.90	3.60	3.30	3.20

COAL RIVER COLLIERIES INC., 739 HANNA BLDG., CLEVELAND, OHIO, CLARION COUNTY, PA., BLUE CASTLE #1 MINE, MINE INDEX No. 8079, LOWER KITTANNING (B SEAM), SUBDISTRICT 4, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classification	G	G	G	H	H
Rail shipments	$3.30	$3.20	$3.15	$2.85	$2.85
Truck shipments	3.55	3.30	3.20	3.15	3.05

HELEN FURNACE COAL CO., HANNE BLDG., CLARION, PA., CLARION COUNTY, PA., #1 MINE, MINE INDEX No. 8075, A' (CLARION) SEAM, SUBDISTRICT 1, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipments	$3.30	$3.20	$3.15	$3.05	$3.05
Truck shipments	3.55	3.30	3.30	3.20	3.10

DISTRICT NO. 1—Continued

HELEN FURNACE COAL CO., HANNE BLDG., CLARION, PA., CLARION COUNTY, PA., #2 MINE, MINE INDEX No. 8076(LOWER KITTANNING), B SEAM, SUBDISTRICT 1, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	F	F	G	H	H
Rail shipments	$3.35	$3.35	$3.15	$2.85	$2.85
Truck shipments	3.60	3.35	3.35	3.20	3.15

FINEBRO COAL CO., BOX 114, PHILIPSBURG, PA., CLEARFIELD COUNTY, PA., ROBINSON MINE, MINE INDEX No. 8047, B SEAM, SUBDISTRICT 5, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	D	D	D	D	D
Rail shipments	$3.60	$3.40	$3.35	$3.25	$3.25
Truck shipments	3.70	3.45	3.45	3.35	3.25

POWELL COAL CO. (DENZIL G. POWELL), HOUTZDALE, PA., CENTRE COUNTY, PA., #1 STRIP MINE, MINE INDEX No. 8028, C SEAM, SUBDISTRICT 9, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	F	F	F	F	F
Rail shipments	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipments	3.60	3.35	3.35	3.25	3.15

SANDERS & FREY, C/O EDWARD T. KELLY, COURT HOUSE ANNEX, CLEARFIELD, PA., CLEARFIELD COUNTY, PA., SANDERS & FREY D SEAM MINE, MINE INDEX No. 8091, D SEAM, SUBDISTRICT 8, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	E	E	E	E	E
Rail shipments	$3.55	$3.35	$3.35	$3.15	$3.15
Truck shipments	3.65	3.40	3.40	3.30	3.20

SANDERS & FREY, C/O EDWARD T. KELLY, COURT HOUSE ANNEX, CLEARFIELD, PA., CLEARFIELD COUNTY, PA., SANDERS & FREY E SEAM MINE, MINE INDEX No. 8063, E SEAM, SUBDISTRICT 8, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	E	E	E	E	E
Rail shipments	$3.55	$3.35	$3.35	$3.15	$3.15
Truck shipments	3.65	3.40	3.40	3.30	3.20

UNION COAL CO., DU BOIS, PA., JEFFERSON COUNTY, PA., UNION #3 MINE, MINE INDEX No. 8094, C (UPPER KITTANNING) SEAM, SUBDISTRICT 6, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	F	F	F	F	F
Rail shipments	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipments	3.60	3.35	3.35	3.25	3.15

DISTRICT NO. 1—Continued

UNION COAL CO., DU BOIS, PA., JEFFERSON COUNTY, PA., UNION 1 MINE, MINE INDEX No. 8062, D (LOWER FREEPORT) SEAM, SUBDISTRICT 6, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	F	F	F	F	F
Rail shipments	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipments	3.60	3.35	3.35	3.25	3.15

V. WAROQUIER & SON, 131 WEST 5TH AVE., CLEARFIELD, PA., CLEARFIELD COUNTY, PA., WAROQUIER #2 MINE, MINE INDEX No. 8095, E SEAM, SUBDISTRICT 7, STRIP MINE

	Size groups				
	1	2	3	4	5
Price classifications	F	F	F	F	F
Rail shipments	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipments	3.60	3.35	3.35	3.25	3.15

Prices for railroad locomotive fuel from all mines included in this order, are as follows:

	Size group				
	1	2	3	4	5
Locomotive fuel	$3.20	$3.20	$3.05	$2.95	$2.95

This order shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7071; E.O. 9326, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8568; Filed, April 19, 1944; 11:48 a. m.]

[MPR 20, Order 703]

SEXTON AND BLANKENSHIP COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 703 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

FINLEY ROSE COAL COMPANY (ARTHUR ROSE), MANCHESTER, KY., CLAY COUNTY, KY., FINLEY & ROSE MINE, FREIGHT ORIGIN GROUP NO. 111, HOUSE CREEK SEAM, MINE INDEX NO. 7000, SUBDISTRICT NO. 6 DEEP MINE, RAIL SHIPPING POINT, MANCHESTER, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K			
Rail shipments and railroad fuel	$3.65	$3.65	$3.60	$3.60	$3.60	$3.60	$3.30	$3.25	$3.25	$3.10	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95			
Truck shipments	3.70	3.50	3.25	3.25	3.10	2.90	2.35	2.90	2.80	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

MOORE & SPICER, WHICK, KY., BREATHITT COUNTY, KY., GEORGES BRANCH MINE, FREIGHT ORIGIN GROUP NO. 109, RAIL SHIPPING POINT, WHICK, KY.

	Size Group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	O	O	O	O	N	N	M	K	H	K	F	F	M	M	M	M	M			
Rail shipments	$3.45	$3.40	$3.30	$3.25	$3.20	$3.15	$3.10	$2.95	$2.95	$2.95	$2.40	$2.95	$2.95	$2.95	$2.95	$2.55	$2.55			
Railroad fuel	3.45	3.40	3.25	3.25	3.15	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.95	2.95	2.60	2.55	2.55			
Truck shipments	3.70	3.50	3.15	3.15	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

CANNEL COAL

Rail, truck or wagon shipments:

Lump	$4.35
Egg	3.85
Nut	3.35
Mine run	2.35
Mining cutting	

MILLSTONE COAL COMPANY, C/O LOGAN MUSE, BECO, KY., LETCHER COUNTY, KY., MILLSTONE MINE, FREIGHT ORIGIN GROUP NO. 62, ELKHORN SEAM, MINE INDEX NO. 7089, SUBDISTRICT NO. 1, UNDERGROUND MINE, RAIL SHIPPING POINT, KOSE, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	K	K	K	K	K	K	J	G	E	G	D	D	D	J	J	J	J			
Rail shipments and railroad fuel	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90	$2.90			
Truck shipments	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90	2.90			

DIAMOND ELKHORN COAL CO., JARRETT, KY., FLOYD COUNTY, KY., DIAMOND ELKHORN MINE, FREIGHT ORIGIN GROUP NO. 61, ELKHORN NO. 1 SEAM, MINE INDEX NO. 7088, SUBDIST. NO. 1, DEEP MINE, RAIL SHIPPING POINT, BOSCO, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	H	H	H	H	H	H	H	O	K	C	E	C	C	H	H	H	H			
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.10	$3.15	$3.70	$3.00	$3.00	$3.00	$2.90	$2.85	$2.80	$2.80			
Truck shipments	3.90	3.70	3.30	3.25	3.20	2.95	2.45	2.40	2.40	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

This order shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7071; E.O. 9326, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8569; Filed, April 19, 1944; 11:48 a. m.]

SEXTON & BLANKENSHIP COAL CO., HITCHINS, KY., CARTER COUNTY, KY., LOST CREEK MINE, FREIGHT ORIGIN GROUP NO. 61, NO. 7 SEAM, MINE INDEX NO. 8309, SUBDISTRICT NO. 1, DRIFT MINE, RAIL SHIPPING POINT, HITCHINS, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	L	L	L	L			
Rail shipments and railroad fuel	$3.65	$3.60	$3.45	$3.45	$3.35	$3.10	$3.10	$3.10	$3.10	$3.45	$3.10	$3.10	$3.10	$3.00	$2.90	$2.87	$2.80			
Truck shipment	3.70	3.50	3.20	3.10	2.90	2.90	2.35	2.90	2.80	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

MILLER-GILLEY COAL COMPANY, TIP TOP, KY., MACOPIN COUNTY, KY., MILLER-GILLEY MINE, FREIGHT ORIGIN GROUP NO. 61, HINDMAN SEAM, MINE INDEX NO. 7087, SUBDISTRICT NO. 1, DRIFT MINE, RAIL SHIPPING POINT, TIP TOP, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	M	M	M	M	M	M	L	J	G	J	D	D	D	L	L	L	L			
Rail shipment	$3.50	$3.50	$3.45	$3.45	$3.20	$3.15	$3.10	$3.10	$3.10	$3.45	$3.10	$3.10	$3.10	$3.00	$2.90	$2.90	$2.90			
Railroad fuel	3.50	3.50	3.45	3.25	3.10	3.10	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.90	2.90	2.90	2.90			
Truck shipment	3.70	3.50	3.15	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

LLOYD WILSON, KENO, KY., PULASKI COUNTY, KY., KENO NO. 1 MINE, FREIGHT ORIGIN GROUP NO. 171, NO. 2 SEAM, MINE INDEX NO. 3868, SUBDISTRICT NO. 6, UNDERGROUND MINE, RAIL SHIPPING POINT, SLOANS VALLEY, KY.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K			
Rail shipments and railroad fuel	$3.65	$3.65	$3.60	$3.60	$3.60	$3.30	$3.25	$3.25	$3.25	$3.60	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95	$2.95			
Truck shipments	3.70	3.50	3.25	3.20	3.10	2.90	2.35	2.90	2.80	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

CABLE MOUNTAIN CO. (CHARLES CABLE), ISSOUL, KY., BELL COUNTY, KY., CABLE MINE, FREIGHT ORIGIN GROUP NO. 90, MASON SEAM, MINE INDEX NO. 7093, SUBDISTRICT NO. 4 DRIFT MINE

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	R	R	R	M	M	L	K	J	E	G	G	G	G	O	O	O	O			
Rail shipment	$3.45	$3.40	$3.35	$3.35	$3.30	$3.30	$3.10	$3.05	$3.05	$3.10	$3.10	$3.10	$3.10	$2.80	$2.75	$2.70	$2.70			
Railroad fuel	3.40	3.40	3.35	3.35	3.30	2.95	2.95	2.95	2.95	3.10	3.10	3.10	3.10	2.80	2.75	2.70	2.70			
Truck shipments	3.60	3.40	3.30	3.25	3.20	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95	2.95			

HARVEY BISHOP, GRAHN, KY., CARTER COUNTY, KY., LITTLE WABE NO. 1 MINE, NO. 7 SEAM, MINE INDEX 7092, SUBDISTRICT NO. 1, DRIFT MINE

	Size group Nos.								
	1	2	3	4	5	6	7	8	
Truck shipments	$3.70	$3.50	$3.15	$3.25	$3.10	$2.80	$2.80	$2.80	

[RMFR 122, Amdt. 8 to Rev. Order 47]

Virginia Anthracite

Authorization of Maximum Prices

Amendment No. 8 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 be amended in the following respects:

1. The table of prices for Virginia anthracite in paragraph (c) is amended to read as follows:

(c) *Direct delivery.*

Virginia anthracite	Per ton		Per ½ ton	
	Gross 2,240 lbs.	Net 2,000 lbs.	Gross 1,120 lbs.	Net 1,000 lbs.
Egg, stove, nut	$11.55	$10.23	$6.30	$5.95
Pea	8.75	8.71	5.40	5.00
No. 1 Buckwheat	8.15	7.25	4.60	4.14

2. The table of prices for Virginia anthracite in paragraph (d) is amended to read as follows:

(d) *Yard sales.*

Virginia anthracite	Consumer prices			Dealer prices	
	Gross 2,240 lbs.	Net 2,000 lbs.	Per 100 lbs.	Gross 2,240 lbs.	Net 2,000 lbs.
Egg, stove, nut	$10.56	$9.43	$0.78	$9.05	$8.05
Pea	8.76	7.82	.68	7.40	6.61
No. 1 Buckwheat	7.15	6.38	.....	6.00	5.36

This amendment to Revised Order No. 47 shall become effective as of April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. D. Doc. 44-5567; Filed, April 19, 1944; 11:47 a. m.]

[MPR 64, Order 138]

Stiglitz Furnace and Foundry Co.

Approval of Maximum Prices

Order No. 138 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for sales of three new models of magazine coal heaters manufactured by the Stiglitz Furnace and Foundry Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with sections 7 and 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Stiglitz Furnace and Foundry Company, Louisville, Kentucky, may sell and deliver the following new models of magazine type coal heaters which it manufactures, to wholesale distributors, at prices no higher than the following:

Model No. and brand:	Maximum price per unit
616, Kentucky Delight	$18.50
618, Kentucky Delight	21.20
4421, Warm Aire	32.50

These prices are f. o. b. factory, Louisville, Kentucky, and are subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable Model No. V-618 Warm Aire coal heater.

(b) Any wholesale distributor may sell and deliver to dealers the following new models of magazine type coal heaters manufactured by the Stiglitz Furnace and Foundry Company at prices no higher than the following:

Model No. and brand:	Maximum price per unit
616, Kentucky Delight	$24.40
618, Kentucky Delight	27.70
4421, Warm Aire	43.10

These prices are f. o. b. distributors' cities.

(c) Any person may sell and deliver at retail the following new models of magazine type coal heaters manufactured by Stiglitz Furnace and Foundry Company at prices no higher than the following:

Model No. and brand:	Maximum price per unit
616, Kentucky Delight	$30.50
618, Kentucky Delight	44.50
4421, Warm Aire	69.50

(d) At the time of or prior to the first invoice to each purchaser for resale, Stiglitz Furnace and Foundry Company shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition, Stiglitz Furnace and Foundry Company shall, before delivering any magazine type coal heater for which maximum prices are established in this order, attach securely to each coal heater a tag or label which plainly states the maximum retail selling price established by this order for the particular model. This tag or label shall be attached to the front of the heater.

(e) The maximum prices established by this order are for sales and deliveries in the 48 States and the District of Columbia.

(f) This Order No. 138 may be revoked or amended by the Price Administrator at any time.

This Order No. 138 shall become effective on the 21st day of April 1944.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5641; Filed, April 20, 1944; 12:06 p. m.]

[MPR 120, Order 705]

Ryan Bros., Inc., et al.

Establishment of Maximum Prices

Order No. 705 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

Ryan Bros., Inc., Clearfield, Pa., Buck Run #1 Mine, "D" Seam, Mine Index No. 5102, Clearfield County, Pa., Sub-District No. 7, Rail Shipping Point, Faunce, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipment	3.60	3.35	3.35	3.25	3.15
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

Ryan Bros., Inc., Clearfield, Pa., Buck Run #2 Mine, "E" Seam, Mine Index No. 5103, Clearfield County, Pa., Sub-District No. 7, Rail Shipping Point, Faunce, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipment	3.60	3.35	3.35	3.25	3.15
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

St. Clair Coal Company, Bolivar, Pa., St. Clair "D" Seam Mine, "D" Seam, Mine Index No. 3024, Indiana County, Pa., Sub-District No. 28, Rail Shipping Point, Bolivar, Pa., Drift Mine

	Size group numbers				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipment	3.60	3.35	3.35	3.25	3.15
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

W. A. Hill, 701 Main St., Reynoldsville, Pa., Mack Smith Mine, Upper Kittanning (C') Seam, Mine Index No. 5093, Jefferson County, Pa., Sub-District No. 6, Rail Shipping Point, Falls Creek, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Truck shipment	3.60	3.35	3.35	3.25	3.15
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

F. K. & G. Mining and Stripping Company, Box 35, Glen Campbell, Pa., F. K. & G. Mine, C' Seam, Mine Index No. 3052, Indiana County, Pa., Sub-District No. 12, Rail Shipping Point, Glen Campbell, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classifications	G	G	G	G	G
Rail shipment	$3.30	$3.30	$3.15	$3.05	$3.05
Truck shipment	3.55	3.30	3.30	3.20	3.10
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

Dehne Coal Company, 820 Grant Bldg, Pittsburgh, Pa., Dehne Mine, D Seam, Mine Index No. 5084, Somerset County, Pa., Sub-District No. 27, Rail Shipping Point, Dovey, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classifications	H	H	H	H	G
Rail shipment	$3.80	$3.70	$3.50	$3.40	$3.30
Truck shipment	3.90	3.55	3.55	3.45	3.30
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95

Eleanora Coal Company, P. O. Box 44, Punxsutawney, Pa., Lorenzo No. 4 Mine, Upper Freeport (E) Seam, Mine Index No. 5025, Jefferson County, Pa., Sub-District No. 6, Rail Shipping Point, Smicksburg, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classifications	G	G	G	G	G
Rail shipment	$3.30	$3.30	$3.15	$3.05	$3.05
Truck shipment	3.55	3.30	3.30	3.20	3.10
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95

Eleanora Coal Company, P. O. Box 44, Punxsutawney, Pa., Lorenzo No. 5 Mine, Lower Freeport (D) Seam, Mine Index No. 5070, Jefferson County, Pa., Sub-District No. 6, Rail Shipping Point, Walston, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.40	$3.30	$3.15	$3.15
Truck shipment	3.65	3.40	3.40	3.30	3.20
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95

Dunlo Coal Company, Solomon Bldg., 1200 Graham Ave., Windber, Pa., Trot #5 Mine, B Seam, Mine Index No. 5074, Cambria County, Pa., Sub-District No. 28, Rail Shipping Point, Dunlo & Beaverdale, Pa., Strip Mine

	Size group numbers				
	1	2	3	4	5
Price classification	A	A	A	A	C
Rail shipment	$3.85	$3.70	$3.60	$3.45	$3.30
Truck shipment	3.95	3.90	3.60	3.30	3.30
R. R. locomotive fuel	3.20	3.20	3.05	3.05	2.95

This order shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5643; Filed, April 20, 1944; 12:04 p. m.]

[MPR 120, Order 706]

Porter Elkhorn Coal Co., et al.

Establishment of Maximum Prices

Order No. 706 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

Porter Elkhorn Coal Co., Allen, Ky., Porter #7 Mine, Elkhorn #1 Seam, Mine Index No. 7014 Floyd County, Ky., Sub-District No. 1, Rail Shipping Points: Salisbury, Ky., F. O. G. 61, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	H	H	G	E	C	E	C	C	C	G	G	G	G
Rail shipments and R. R. fuel	$3.90	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.90	3.70	3.30	3.35	3.20	2.95	2.60	2.45	.....	.....	.....	.....	.....	.....	.....	.....	.....

Porter Elkhorn Coal Co., Allen, Ky., Porter #8 Mine, Elkhorn #1 Seam, Mine Index No. 7062, Floyd County, Ky., Sub-District No. 1, Rail Shipping Point: Salisbury, Ky., F. O. G. 61, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	H	H	G	E	C	E	C	C	C	G	G	G	G
Rail shipments and R. R. fuel	$3.80	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.90	3.70	3.30	3.35	3.20	2.95	2.50	2.45	.....	.....	.....	.....	.....	.....	.....	.....	.....

Porter Elkhorn Coal Co., Allen, Ky., Porter #9 Mine, Elkhorn #1 Seam Mine Index No. 7063, Floyd County, Ky., Sub-District No. 1, Rail Shipping Point: Salisbury, Ky., F. O. G. 61, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	H	H	G	E	C	E	C	C	C	G	G	G	G
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.90	3.70	3.30	3.35	3.20	2.95	2.50	2.45	.....	.....	.....	.....	.....	.....	.....	.....	.....

Acorn Coal Co., Inc., Acorn, Ky., Acorn #2 Mine, No. 3 Seam, Mine Index No. 7064, Pulaski County, Ky. Sub-District No. 6, Rail Shipping Point: Somerset, Ky., F. O. G. 171, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K
Rail shipments and R. R. fuel	$3.65	$3.65	$3.60	$3.60	$3.40	$3.30	$3.20	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.70	3.50	3.25	3.25	3.10	2.90	2.35	2.30	.....	.....	.....	.....	.....	.....	.....	.....	.....

Bransford Fuel Co., 1104 Stahlman Bldg., Nashville, Tenn., Ripple Stripper Mine, Bon Air #2 Seam, Mine Index No. 7099, Fentress County, Tenn., Sub-District No. 6, Rail Shipping Point: Highland Jct., Tenn., F. O. G. 210, Strip Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	P	P	P	P	M	M	L	K	J	M	G	G	G	G	G	G	G
Rail shipments and railroad fuel	$3.45	$3.40	$3.35	$3.35	$3.35	$3.30	$3.25	$3.10	$3.05	$3.35	$3.10	$3.10	$3.10	$2.80	$2.75	$2.70	$2.70
Truck shipment	3.45	3.40	3.35	3.35	3.35	3.30	3.25	3.10	3.10	3.35	3.10	3.10	3.10	2.90	2.75	2.70	2.70
	3.55	3.35	3.10	3.15	2.90	2.75	2.15	2.10	.....	.....	.....	.....	.....	.....	.....	.....	.....

Highland Construction Co., 644 Baxter Ave., Louisville (6), Ky., Highland Construction Co. Mine, Horse Creek Seam, Mine Index No. 7073, Laurel County, Ky., Sub-District No. 6, F. O. G. 111, Strip Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K
Rail shipments and R. R. fuel	$3.65	$3.65	$3.60	$3.60	$3.40	$3.30	$3.20	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.70	3.50	3.25	3.25	3.10	2.90	2.35	2.30	.....	.....	.....	.....	.....	.....	.....	.....	.....

J. E. Crumley & J. T. Poore, Tazewell, Tenn., Old Hornsyte Mine, Poplar Lick Seam, Mine Index No. 7000, Bell County, Ky., Sub-District No. 6, Rail Shipping Point: Kelox, Ky., F. O. C. 113, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	F	F	E	D	C	E	D	D	D	K	K	K	K
Rail shipments and R. R. fuel	$3.95	$3.90	$3.70	$3.75	$3.75	$3.70	$3.55	$3.55	$3.35	$3.30	$3.30	$3.05	$3.15	$3.15	$3.15	$3.00	$3.00	$3.00	$2.95
Truck shipments	3.90	3.70	3.25	3.45	3.20	2.90	2.25	2.35	2.30										

Maban-Cherry Coal Co., 1301 Hamilton Bank Bldg., Knoxville, Tenn., Maban-Cherry #1, Dean Seam, Mine Index No. 7097, Morgan County, Tennessee, Sub-District #6, Rail Shipping Point: Maban, Tenn., F. O. C. 70, Drift Mine.

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	R	R	R	R	M	M	L	K	J	M	G	G	G	G	G	G	G
Rail shipment	$3.45	$3.40	$3.55	$3.25	$3.60	$3.30	$3.25	$3.10	$3.10	$3.05	$3.10	$3.10	$3.10	$2.90	$2.75	$2.70	$2.70
R. R. fuel	3.45	3.40	3.55	3.25	3.35	3.30	3.25	3.10	3.10	3.05	3.10	3.10	3.10	2.90	2.75	2.70	2.70
Truck shipment	3.45	3.25	3.10	3.15	2.90	2.75	2.15	2.10									

Maban—Cherry Coal Company, 1301 Hamilton Bank Bldg., Knoxville, Tenn., Maban Cherry #2 Mine-Glen Mary Seam, Mine Index No. 7099, Morgan County, Tenn., Sub-District No. 6, Rail Shipping Point: Rock Creek, Tenn., F. O. C. 70, Strip Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	O	O	O	O	H	H	G	G	E	G	C	C	C	K	K	K	K
Rail shipments and and R. R. fuel	$3.60	$3.55	$3.40	$3.40	$3.60	$3.35	$3.20	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$2.95	$2.95	$2.95	$2.95
Truck shipments	3.60	3.40	3.20	3.35	3.10	2.95	2.35	2.20									

Christian Coal Company, c/o Arthur Christian, R. F. D. #1 Middlesboro, Ky., Christian Mine, Jack Rock Seam, Mine Index No. 7068, Bell County, Ky., Sub-District No. 6, Rail Shipping Point: Kelox, Ky., F. O. C. 113, Drift Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	F	F	E	E	C	E	D	D	D	K	K	K	K
Rail shipments and R. R. fuel	$3.95	$3.90	$3.75	$3.75	$3.75	$3.70	$3.55	$3.55	$3.35	$3.30	$3.30	$3.05	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipments	3.90	3.70	3.25	3.45	3.20	2.90	2.25	2.35	2.30										

Big Creek Winifrede Coal Company, 2308 Grant Bldg., Pittsburgh, Pa., Big Creek Taylor Seam Mine' Taylor Seam, Mine Index No. 7043, Martin County, Ky., Sub-District No. 8, Rail Shipping Point, Nolan W. Va., F. O. C. 120, Deep Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	G	G	G	G	G	G	F	G	E	G	F	F	F	M	M	M	M
Rail shipments and R. R. fuel	$3.85	$3.75	$3.60	$3.60	$3.45	$3.25	$3.20	$3.20	$3.10	$3.10	$3.05	$3.05	$2.95	$2.95	$2.75	$2.60	$2.55	$2.55	$2.55
Truck shipments	3.95	3.75	3.15	3.45	3.10	2.80	2.25	2.20											

Kimberling Collieries Company, 150 E. Broad St., Columbus, Ohio, Kimberling Alma Mine, Alma Seam, Mine Index No. 7072, Mingo County, W. Va., Sub-District No. 8, Rail Shipping Point: Kimberling, W. Va., F. O. C. 120, Deep Mine

	Size group numbers																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	O	O	O	O	L	L	K	G	E	G	B	B	B	O	C	C	C
Rail shipments and R. R. fuel	$3.45	$3.40	$3.25	$3.25	$3.20	$3.20	$3.10	$3.10	$3.10	$3.10	$3.05	$3.05	$3.05	$3.00	$3.00	$3.00	$3.00
Truck shipments	3.60	3.40	3.25	3.30	3.10	3.00	2.75	2.65									

This order shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5652; Filed, April 20, 1944; 12:03 p. m.]

[MPR 188, Amdt. 32 to Order A-1]

Extra Strength Vitrified Clay Sewer Pipe

Maximum Prices in Eastern Area

Amendment No. 32 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (27) is added to Order No. A-1 to read as set forth below:

(27) *Modification of maximum prices for extra strength vitrified clay sewer pipe produced in the Eastern Area.* (i) On and after April 26, 1944, any manufacturer located within the Eastern Area, as defined herein, producing "extra strength vitrified clay sewer pipe," may increase his maximum f. o. b. factory prices established for such products by Maximum Price Regulation No. 188 by an amount not in excess of 10 percent per short ton.

(ii) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity and other discounts and allowances as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iii) *Definitions.* When used in this amendment the term:

(a) "Eastern Area" means the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that part of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(b) *"Extra strength vitrified clay sewer pipe"* means a vitrified clay sewer pipe complying with the specifications set forth in War Production Board Order L-316, as amended. Prior to the issuance of War Production Board Order L-316 a similar product was known to the trade in the Eastern Area as triple strength pipe.

This paragraph (a) (27) may be revoked or amended at any time.

This Amendment No. 32 shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5626; Filed, April 20, 1944; 11:59 a. m.]

[MPR 188, Amdt. 34 To Order A-1]

Manufacturers of Insulated Bric or Stone Siding Products

Modification of Maximum Prices

Amendment No. 34 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices on sales between manufacturers of insulated bric or stone siding products.

An opinion accompanying Amendment No. 34 to Order A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new paragraph (a) (28) to read as follows:

(28) *Modification of maximum prices on sales between manufacturers of insulated bric or stone siding products.* Any manufacturer of insulated bric or stone siding products, as defined herein, may, subject to the filing provisions of subdivision (iv) below, offer to sell, sell, and deliver any such products to any other manufacturer, as defined herein, at a price agreed upon by the selling and buying manufacturers, when the price so agreed upon is in excess of the maximum price for the seller under Maximum Price Regulation No. 188, under the following conditions:

(i) Both the seller and the buyer must be "manufacturers" as that term is defined herein;

(ii) The buying manufacturer must resell the commodity in the same form as purchased from the selling manufacturer; and

(iii) Any increase in price resulting from the agreement under this subparagraph (28) must be absorbed by the buying manufacturer and may not be reflected, directly or indirectly, in the resale price nor may such increase be used as a basis for a request for an increase in price by way of an application for adjustment or petition for amendment under Maximum Price Regulation No. 188.

(iv) Before any sale or delivery may be made upon the basis of the price arrived at pursuant to this subparagraph (28), the buying manufacturer must submit a statement to the Office of Price Administration, Building Materials Price Branch, Washington, D. C., showing, for the first sale:

(a) The names of the selling and buying manufacturers;

(b) A specific statement from the buyer that the increase in price will not be passed on in the resale of the commodity and that such increase resulting from the agreement will not be made the basis for an application for adjustment or petition for amendment under Maximum Price Regulation No. 188.

(v) As used in this subparagraph (28), the term:

"Manufacturer" means any person who produces, by manufacture, any bric or stone siding product subject to this subparagraph (28) and includes any person who purchases, rather than produces, such commodity or commodities from a producer for resale in the same form and without further processing, usually under his own name or trade brand, to the same trade classifications through which original producers usually distribute such commodities. The designation also includes commission salesmen, manufacturers' representatives, and any other manufacturers' agents.

"Insulated bric or stone siding" means a siding material having a partially asphalt impregnated fiber insulation board base to which has been added a surfacing material of crushed stone, bric, or slate, which surface has been embossed or so marked that the finished products when applied to a building have the appearance of a brick or stone wall.

This Amendment No. 34 shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5653; Filed, April 20, 1944; 12:04 p. m.]

[MPR 188, Order 1526]

Micro-Lite Co., Inc.

Authorization of Maximum Prices

Order No. 1526 under § 1499.158 of Maximum Price Regulation No., 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328; *It is ordered:*

(a) Micro-Lite Co. Inc., 44 West 18th Street, New York 11, New York, may sell and deliver the flashlight cases of its manufacture, as described in its application, at maximum prices no higher than the following:

Article	Maximum price to jobbers	Maximum price to dealers
	Each	Each
Model #W50, D-size flashlight case, .090 gauge plastic water proof	$0.95	$1.27
Model #50, D-size flashlight case, .090 gauge plastic	.87½	1.17

These maximum prices are subject to a discount of 2% if paid within 10 days, net 30 days, and are f. o. b. factory in the case of sales in smaller than 100 lb. lots; all other sales are f. o. b. destination.

(b) Any person other than the Micro-Lite Co., Inc., may sell and deliver the D-size flashlight cases manufactured by Micro-Lite Co., Inc., at maximum prices no higher than the following, subject to the seller's customary discounts, allowances, and other price differentials:

Article	Maximum price to dealers	Maximum retail prices
	Each	Each
Model #W50, D-size flashlight case, .090 gauge plastic waterproof	$1.27	$2.12
Model #50, D-size flashlight case, .090 gauge plastic	1.17	1.95

(c) At the time of or prior to the first invoice to each purchaser for resale, Micro-Lite Co., Inc. shall notify the purchaser for resale of the maximum prices and the conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1526 may be revoked or amended by the Price Administrator at any time.

This Order No. 1526 shall become effective April 21, 1944.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5644; Filed, April 20, 1944; 12:05 p. m.]

[MPR 188, Order 1527]

C. L. Bradford and Associates

Approval of Maximum Prices

Order No. 1527 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of lawn chair manufactured by C. L. Bradford and Associates.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) C. L. Bradford and Associates, 222 W. North Bank Drive, Chicago 54, Illinois, may sell and deliver the lawn chair of its manufacture, as described in its application, at maximum prices no higher than $2.00 for sales to jobbers and $2.35 for sales to dealers. These maximum prices are f. o. b. factory.

(b) Any person other than C. L. Bradford and Associates may sell to dealers and deliver the lawn chair manufactured by C. L. Bradford and Associates, at a maximum price no higher than $2.35 per unit, f. o. b. shipping point. This maximum price is subject to the seller's customary discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, C. L. Bradford and Associates shall notify the purchaser for resale of the maximum prices and conditions set by this Order No. 1527 for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1527 may be revoked or amended by the Price Administrator at any time.

This Order No. 1527 shall become effective on the 21st day of April 1944.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5645; Filed, April 20, 1944; 12:05 p. m.]

[MPR 188, Order 1528]

AUTOMATIC ELECTRICAL DEVICE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1528 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of flashlight batteries and chargers manufactured by the Automatic Electrical Device Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders No. 9250 and 9250; *It is ordered:*

(a) Automatic Electrical Device Co., Cincinnati, Ohio, may sell the flashlight batteries and chargers as described in its application at maximum prices no higher than the following:

Article	Maximum prices to distributors	Maximum prices to dealers
Battery	$1.08	$1.44
Single A–C charger	1.80	2.40
Auto charger	.81	1.08
Six-gang charger	10.62	14.44

These maximum prices are f. o. b. factory and are subject to Automatic Electrical Device Company's customary discounts, allowances, and other price differentials.

(b) Any person other than the Automatic Electrical Device Company, may sell and deliver the flashlight batteries and chargers manufactured by the Automatic Electrical Device Company at maximum prices subject to the seller's customary discounts, allowances, and other price differentials, no higher than the following:

Article	Maximum prices to dealers	Maximum retail prices
Battery	$1.44	$1.80
Single A–C charger	2.40	3.00
Auto charger	1.08	1.35
Six-gang charger	14.44	18.06

(c) At the time of or prior to the first invoice for each purchaser for resale, the seller shall notify the purchaser for resale of the maximum prices and the conditions set by this order for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1528 may be revoked or amended by the Price Administrator at any time.

This Order No. 1528 shall become effective April 21, 1944.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5646; Filed, April 20, 1944; 12:06 p. m.]

[MPR 188, Order 1529]

SORKIN MUSIC CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1529 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of "Swank" combination Saxophone and Clarinet stands and component parts manufactured by Sorkin Music Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and in accordance with § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) Sorkin Music Company, 251–253 Fourth Avenue, New York 10, New York, may sell and deliver the "Swank" combination Saxophone and Clarinet stands and component parts of its manufacture at maximum prices no higher than the following:

Article	Maximum price to jobbers	Maximum price to dealers
Alto sax stand	$2.00	$3.00
Tenor sax stand	2.16⅔	3.25
Cross legs, alto	.42	.63
Brace, alto	.25	.38
Peg, each	.27	.40
Peg holder	.27	.40
Lower bell rest	.34	.50
Deluxe bag	.34	.50
Cross legs, tenor	.50	.75
Brace, tenor	.34	.50

These maximum prices are f. o. b. factory and are subject to the Sorkin Music Company's customary discounts, allowances, and other price differentials.

(b) Any person other than the Sorkin Music Company may sell and deliver the "Swank" combination saxophone and clarinet stands and component parts manufactured by Sorkin Music Company at maximum prices no higher than the following:

Article	Maximum price to dealers	Maximum retail prices
Alto sax stand	$3.00	$6.00
Tenor sax stand	3.25	6.50
Cross legs, alto	.63	1.25
Brace, alto	.38	.75
Peg, each	.40	.80
Peg holder	.40	.80
Lower bell rest	.50	1.00
DeLuxe bag	.50	1.00
Cross legs, tenor	.75	1.50
Brace, tenor	.50	1.00

These maximum prices are subject to the seller's discounts, allowances, and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser for resale of the maximum prices and the conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1529 may be revoked or amended by the Price Administrator at any time.

This Order No. 1529 shall become effective April 21, 1944.

Issued this 20th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5642; Filed, April 20, 1944; 12:04 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 18, 1944.

REGION II

Buffalo Order No. P–1, Amendment No. 3, filed 4:04 p. m.
Buffalo Order No. P–2, Amendment No. 2, filed 4:04 p. m.
Trenton Order No. P–1, Amendment No. 3, filed 4:06 p. m.

REGION III

Columbus Order No. 3–F, Amendment No. 16, filed 4:05 p. m.
Columbus Order No. 7–F, Amendment No. 16, filed 4:04 p. m.
Escanaba Order No. 9–F, Amendment No. 7, filed 4:09 p. m.
Escanaba Order No. 10–F, Amendment No. 7, filed 4:09 p. m.
Escanaba Order No. 11–F, Amendment No. 7, filed 4:09 p. m.
Escanaba Order No. 12–F, Amendment No. 6, filed 4:09 p. m.
Escanaba Order No. 13–F, Amendment No. 6, filed 4:09 p. m.
Escanaba Order No. 14–F, Amendment No. 6, filed 4:06 p. m.
Escanaba Order No. 16–F, Amendment No. 6, filed 4:06 p. m.
Escanaba Order No. 15–F, Amendment No. 6, filed 4:06 p. m.
Louisville Order No. 1–F, Amendment No. 25, filed 4:05 p. m.
Louisville Order No. 1–F, Amendment No. 26, filed 4:16 p. m.
Louisville Order No. 3–F, Amendment No. 13, filed 4:15 p. m.

REGION IV

Jacksonville Order No. 1–F, Amendment No. 20, filed 4:06 p. m.
Jacksonville Order No. 2–F, Amendment No. 13, filed 4:04 p. m.
Nashville Order No. 5–F, Amendment No. 12, filed 4:15 p. m.
Richmond Order No. 4–F, Amendment No. 1, filed 4:11 p. m.
Roanoke Order No. 1–F, Amendment No. 7, filed 4:06 p. m.
Roanoke Order No. 1–F, Amendment No. 8, filed 4:06 p. m.
Roanoke Order No. 1–F, Amendment No. 9, filed 4:06 p. m.
Roanoke Order No. 1–F, Amendment No. 9, filed 4:06 p. m.
Roanoke Order No. 1–F, Amendment No. 10, filed 4:05 p. m.
Roanoke Order No. 1–F, Amendment No. 11, filed 4:05 p. m.
Roanoke Order No. 2–F, filed 4:09 p. m.
Roanoke Order No. 2–F, Amendment No. 1, filed 4:11 p. m.
Roanoke Order No. 2–F, Amendment No. 2, filed 4:11 p. m.
Roanoke Order No. 2–F, Amendment No. 3, filed 4:11 p. m.
Roanoke Order No. 2–F, Amendment No. 4, filed 4:11 p. m.

REGION V

Lubbock Order No. 2–F, Amendment No. 2, filed 4:14 p. m.
Wichita Order No. 3–F, Amendment No. 8, filed 4:07 p. m.

REGION VI

Des Moines Order No. 1–F, Amendment No. 11, filed 4:06 p. m.
Des Moines Order No. 1–F, Amendment No. 12, filed 4:07 p. m.
Moline Order No. 2–F, Amendment No. 9, filed 4:14 p. m.

REGION VII

Montana Order No. 26–F, filed 4:12 p. m.
Montana Order No. 27–F, filed 4:12 p. m.
Montana Order No. 28–F, filed 4:12 p. m.
Montana, Order No. 30–F, filed 4:14 p. m.

REGION VIII

Seattle Order No. 1–P, Amendment No. 3, filed 4:07 p. m.

The following orders under Rev. General Order 51 were filed on April 19, 1944, with the Division of the Federal Register.

REGION VII

Montana Order 1–W, filed 3:24 p. m.
Montana Order 3–W, filed 3:25 p. m.
Montana Order No. 4–W, filed 3:26 p. m.
Montana Order No. 5–F, filed 3:26 p. m.
Montana Order No. 3–F, filed 3:27 p. m.
Montana Order No. 15–F, filed 3:21 p. m.
Montana Order No. 17–F, filed 3:22 p. m.
Montana Order No. 19–F, filed 3:22 p. m.
Montana Order No. 20–F, filed 3:22 p. m.
Montana Order No. 21–F, filed 3:23 p. m.
Montana Order No. 22–F, filed 3:23 p. m.
Montana Order No. 23–F, filed 3:23 p. m.
Montana Order No. 24–F, filed 3:24 p. m.
Montana Order No. 25–F, filed 3:24 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5699; Filed, April 21, 1944; 11:29 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 19, 1944.

REGION I

Boston Order No. 3–F, filed 10:15 a. m.
Trenton Order No. 1–F, Amendment No. 1, filed 10:14 a. m.

REGION II

District of Columbia Order No. 1–F, Amendment No. 2, filed 10:08 a. m.
New York Order No. 1–F, Amendment No. 3, filed 10:11 a. m.
Philadelphia Order No. 1–F, Amendment No. 2, filed 10:07 a. m.
Syracuse Order No. 16, Amendment No. 2, filed 10:09 a. m.
Syracuse Order No. 17, Amendment No. 2, filed 10:08 a. m.
Syracuse Order No. 18, Amendment No. 1, filed 10:08 a. m.
Syracuse Order No. 19, Amendment No. 1, filed 10:08 a. m.

REGION III

Detroit Order No. 1–F, Amendment No. 10, filed 10:10 a. m.
Escanaba Order No. 17–F, Amendment No. 5, filed 10:14 a. m.
Lexington Order No. 1–F, Amendment No. 25, filed 10:09 a. m.
Lexington Order No. 2–F, Amendment No. 16, filed 10:09 a. m.
Lexington Order No. 3–F, Amendment No. 16, filed 10:09 a. m.
Louisville Order No. 2–F, Amendment No. 20, filed 10:11 a. m.

REGION IV

Richmond Order No. 1–W, Amendment No. 2, filed 10:07 a. m.
Richmond Order No. 4–F, Amendment No. 2, filed 10:07 a. m.

REGION V

Arkansas Order No. 4–F, Amendment No. 11, filed 10:10 a. m.
Arkansas Order No. 6–F, Amendment No. 11, filed 10:10 a. m.

REGION VI

Milwaukee Order No. 4–F, Amendment No. 4, filed 10:07 a. m.
Moline Order No. 2–W, filed 10:12 a. m.
Springfield Order No. W–1, Amendment No. 1, filed 10:12 a. m.
Springfield Order No. W–2, Amendment No. 1, filed 10:12 a. m.
Springfield Order No. W–3, Amendment No. 1, filed 10:13 a. m.
Springfield Order No. W–4, Amendment No. 1, filed 10:13 a. m.
Springfield Order No. W–5, Amendment No. 1, filed 10:14 a. m.
Springfield Order No. W–6, Amendment No. 1, filed 10:14 a. m.

REGION VII

Montana Order No. 12–F, filed 10:15 a. m.
Montana Order No. 13–F, filed 10:15 a. m.
Montana Order No. 14–F, filed 10:15 a. m.
Wyoming Order No. 3–F, filed 10:11 a. m.
Wyoming Order No. 22, Amendment No. 1, filed 10:11 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5700; Filed, April 21, 1944; 11:29 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 18, 1944.

REGION I

Montpelier Order No. 12, filed 3:40 p. m.
Providence Order No. 1–F, Amendment No. 1, filed 3:48 p. m.
Providence Order No. 2–F, Amendment No. 1, filed 3:49 p. m.

REGION II

Altoona Order No. 1–F, Amendment No. 2, filed 3:45 p. m.
Binghamton Order No. 1–F, Amendment No. 2, filed 3:52 p. m.
Binghamton Order No. 9, Amendment No. 2, filed 3:52 p. m.
Newark Order No. 1–F, Amendment No. 3, filed 3:49 p. m.
Newark Order No. 3–F, filed 3:49 p. m.
Scranton Order No. 2–F, Amendment No. 1, filed 3:47 p. m.

REGION III

Cincinnati Order No. 1–F, Amendment No. 25, filed 3:45 p. m.
Escanaba Order No. 5–W, filed 3:43 p. m.
Escanaba Order No. 26, filed 3:41 p. m.
Escanaba Order No. 27, filed 3:43 p. m.
Grand Rapids Order No. F–14–A, Amendment No. 14, filed 3:51 p. m.
Grand Rapids Order No. F–14–B Amendment No. 14, filed 3:50 p. m.

REGION IV

Memphis Order No. 4–F, Amendment No. 29, filed 3:50 p. m.
Nashville Order No. 5–F, Amendment No. 11, filed 3:44 p. m.

REGION V

Arkansas Order No. 2–F, Amendment No. 9, filed 3:52 p. m.
Dallas Order No. 1–F, Amendment No. 11, filed 3:46 p. m.
Dallas Order No. 3–F, Amendment No. 9, filed 3:46 p. m.
Houston Order No. 1–F, Amendment No. 7, filed 3:52 p. m.
Kansas City Order No. 2–F, Amendment No. 7, filed 3:48 p. m.
Oklahoma City Order No. 2–F, Amendment No. 4, filed 3:52 p. m.
Oklahoma City Order No. 3–F, Amendment No. 13, filed 3:46 p. m.
Shreveport Order No. 2–F, Amendment No. 9, filed 3:45 p. m.

REGION VI

Omaha Order No. 1–F, Amendment No. 12, filed 3:47 p. m.
Omaha Order No. 2–F, Amendment No. 11, filed 3:47 p. m.
Omaha Order No. 2–W, Amendment No. 1, filed 3:50 p. m.
Sioux City Order No. 2–F, Amendment No. 10, filed 3:46 p. m.
Twin Cities Order No. 1–F, Amendment No. 9, filed 3:47 p. m.

REGION VIII

Phoenix Order No. 13, Amendment No. 1, filed 3:50 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5701; Filed, April 21, 1944; 11:29 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-875]

LOUISIANA POWER & LIGHT CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of April, A. D. 1944.

The Commission having on April 7, 1944, issued its order herein under section 7 of the Public Utility Holding Company Act of 1935 granting and permitting to become effective an application and declaration, as amended, of Louisiana Power & Light Company, a subsidiary of Electric Power & Light Corporation, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding com-

pany, with respect to the issuance and sale by Louisiana Power & Light Company of $17,000,000 principal amount of First Mortgage Bonds to mature April 1, 1974, to purchasers selected by competitive bidding in conformity with Rule U-50 promulgated under the act and

The Commission having in said order reserved jurisdiction over the price to be paid to the company for such bonds, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transaction; and

Louisiana Power & Light Company having filed a further amendment to the declaration and application setting forth that Louisiana Power & Light Company has accepted, pursuant to an invitation for competitive bids, the proposal of Halsey, Stuart & Co., Inc., as representatives and on behalf of a group of underwriters, to purchase said First Mortgage Bonds at a price of 101.5009 at a dividend rate of 2% and that said First Mortgage Bonds are to be resold to the public at 103 representing a spread to the underwriters of 1.0991; and

The Commission having examined said amendment and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriters' spread and its allocation, the dividend rate on said First Mortgage Bonds or the expenses or legal fees to be paid in connection with the proposed transaction:

It is ordered, That, subject to the terms and conditions prescribed by Rule U-24, said application and declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, and that the jurisdiction heretofore reserved over the expenses and legal fees be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5659; Filed, April 20, 1944; 2:54 p. m.]

[File No. 70-618]

AMERICAN POWER & LIGHT CO.

ORDER GRANTING APPLICATION FOR EXTENSION OF ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of April, A. D. 1944.

The Commission having on February 22, 1943 entered an order pursuant to sections 10 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder permitting American Power & Light Company ("American"), a registered holding company and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, to expend, over a period of four months, not in excess of $10,000,000 in cash to acquire by open market purchases part of its outstanding Gold Debenture Bonds, 6% Series, due 2016, and its assumed Southwestern Power & Light Company 6% Gold Debenture Bonds, Series A, due 2022, at prices of not less than 95% nor more than 100% of principal amount, said maximum having been fixed in American's application and declaration and said minimum having been fixed by a condition in said order; and

The Commission having on June 21, 1943 entered an order granting an extension of said order of February 22, 1943, without modification, pending the final disposition of the issues involved in an application by American for the modification of said order; and

The Commission having on August 10, 1943 entered an order pursuant to section 10 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder modifying and extending the said order of February 22, 1943, so as to permit American over a period of four months, ending December 9, 1943, to employ the unexpended portion of said $10,000,000 in purchasing said debenture bonds at prices not in excess of 106% of the principal amount; and

The Commission having on December 9, 1943, entered an order extending the time within which purchases of American's debenture bonds might be made under the modified order to and including April 10, 1944; and

American at March 31, 1944, having been unable to expend more than $7,294,379 in the purchase of said debenture bonds and having filed an application for an extension of the said order of February 22, 1943, as modified by the order of August 10, 1943 for an additional four months; and

The Commission finding that under all the circumstances the extension of time requested by American may appropriately be granted pursuant to the applicable provisions of the act and the rules and regulations thereunder;

It is ordered, That said application be, and hereby is, granted and the period within which purchases of American's debenture bond may be made pursuant to the Commission's order herein dated February 22, 1943, as modified by the Commission's order dated August 10, 1943, be, and hereby is, extended for a further period of four months to and including August 10, 1944, subject to all of the terms and conditions and reservations of jurisdiction set forth therein and subject to the further condition that American advise by letter each known holder of its debentures of said extension of time for its purchase program although it may make purchases hereunder during the intervening period prior to the actual giving of such notice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5660; Filed, April 20, 1944; 2:54 p. m.]

[File No. 70-673]

UNION ELECTRIC COMPANY OF MISSOURI

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of April 1944.

Union Electric Company of Missouri, a registered holding company, has filed an application and a declaration and amendment thereto pursuant to sections 6 (b) and 12 (f) of the Public Utility Holding Act of 1935 and Rule U-45 of the general rules and regulations promulgated thereunder, regarding a proposal (a) to issue and sell to commercial banks at private sale and not for resale to the public, notes in the principal amount of not more than $9,000,000 maturing not more than nine months, exclusive of days of grace, after date of issue thereof at one and one-half (1½%) per cent interest per annum; and (b) to use the proceeds from such notes, together with other funds, (1) to repay the open account indebtedness in the approximate amount of $5,700,000 owing by Union Electric Company of Missouri to its subsidiary, Mississippi River Power Company and (2) to make a capital contribution to said subsidiary in the amount of approximately $9,560,000. By amendment to said application and declaration, Union Electric Company of Missouri and Mississippi River Power Company have agreed that no charges will be made to the capital surplus to be created in the accounts of Mississippi River Power Company by the proposed capital contribution without the approval of this Commission, except charges made for the purpose of complying with the orders of the Federal Power Commission and the Illinois Commerce Commission with respect to the reclassification of accounts of Mississippi River Power Company.

Said application and declaration having been filed on the 30th day of March, 1944, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said amended application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

Union Electric Company of Missouri having requested that the Commission issue its order on or before April 20, 1944; and

The Commission finding that the requirements of section 6 (b) and Rule U-45 are satisfied, that no adverse findings are necessary thereunder, and that action upon said amended application and declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said amended application and to permit said amended declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said amended application be and the same is hereby granted and that said amended declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5661; Filed, April 20, 1944; 2:54 p. m.]

APR 28 '44

FEDERAL REGISTER

VOLUME 9 · NUMBER 82

Washington, Tuesday, April 25, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 5-6]

PART 1206—FERTILIZER

MAXIMUM RATE OF APPLICATION PER ACRE FOR STRAIGHT CHEMICAL NITROGEN MATERIALS FOR USE ON ANY CROP GROWN IN STATES EAST OF ROCKY MOUNTAINS

Pursuant to the authority vested in me by paragraph (h) (4) of § 1206.1, War Food Order No. 5 (8 F.R. 14649), it is hereby ordered, that:

§ 1206.106 *Maximum rate of application per acre for straight chemical nitrogen materials for use on any crop grown in States east of Rocky Mountains.* In North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and in all States lying east of such States, the maximum rate of application per acre for any person for straight chemical nitrogen materials for use on any crop shall be the rate of application per acre customarily used by such person for such crop, or customarily used on comparable farms in the same area for such crop, or the rate of application per acre recommended by the State Agricultural Experiment Station for such crop in the same area: *Provided, however,* That in no case shall the rate of application per acre exceed the rate of application per acre recommended by the State Agricultural Experiment Station for such crop in such area.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 5, 8 F.R. 14649)

Issued this 22d day of April 1944.

J. W. MILLARD,
Director, Office of Materials and Facilities.

[F. R. Doc. 44-5762; Filed, April 22, 1944; 8:17 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 97]

PART 1414—POULTRY

HEN TURKEYS AND PROCESSED TURKEYS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of hen turkeys and processed turkeys for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1414.4 *Restrictions with respect to hen turkeys and processed turkeys*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Director" means the Director of Distribution, War Food Administration.

(3) "Order Administrator" means the person designated by the Director to serve as Order Administrator pursuant to the provisions hereof.

(4) "Hen turkeys" means one or more live, female turkeys at least nine months of age, grown or located in a turkey area.

(5) "Turkey area" means Rockingham County, Virginia; and also, each of the following States is a "turkey area": Minnesota, Iowa, Illinois, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Oklahoma, Texas, California, Oregon, Washington, Colorado, and Utah.

(6) "Processed turkeys" means one or more hen turkeys killed, bled, plucked, dressed, quartered or otherwise cut up, or frozen. The term "processed turkeys" does not include feathers or other portions of the hen turkeys not fit for human consumption.

(7) "Authorized processor" means a person in a turkey area who holds a letter of authority issued to him by the Order Administrator to process hen turkeys pursuant to the provisions hereof.

(8) "Process" means to kill, bleed, pluck, dress, quarter or otherwise cut up, or freeze hen turkeys, or any combination of such processes.

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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(9) "Cold storage" means space equipped to be artificially cooled to a temperature of 10° F. or below, and in which food commodities are customarily stored (but not operated as a part of an established retail food business, hotel, or other establishment where persons are housed or fed, and not including a refrigerator storage compartment, usually called a locker, having a capacity of not more than 15 cubic feet).

(10) "Wholesale receiver" means a person who accepts delivery of processed turkeys from one or more authorized processors for the account of said processors, or who purchases processed turkeys from one or more authorized processors.

(11) "Turkey buyer" means a person who purchases hen turkeys for delivery to one or more authorized processors.

(12) "Governmental agency" means (i) the Armed Services of the United States (excluding for the purpose of this order, United States Army Post Exchanges, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges); (ii) the War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a food distribution regulation, is entitled to purchase hen turkeys or processed turkeys subject to this order.

(13) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(14) "U. S. Army Quartermaster Market Center" means:

(i) With respect to hen turkeys processed in Minnesota, Iowa, Illinois, North Dakota, South Dakota, or Nebraska, the

Officer in Charge, Field Headquarters, Perishable Section, Subsistence Branch, Office of the Quartermaster General, Attention: Poultry Section, 22 West Adams Street, Chicago 6, Ill.

(ii) With respect to hen turkeys processed in Kansas, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, Kansas City Food Terminal Building, Kansas City 15, Kans.

(iii) With respect to hen turkeys processed in Missouri, either the Officer in Charge in (a) (14) (ii) or the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 707 Market Street, St. Louis 1, Mo.

(iv) With respect to hen turkeys processed in Oklahoma, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 407 Savings Building, Oklahoma City, Okla.

(v) With respect to hen turkeys processed in Texas, either the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, Produce Terminal Building, 1201 Jones Street, Fort Worth 2, Tex.

or the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 409 Milan Building, 115 West Travis Street, San Antonio 5, Tex.

(vi) With respect to hen turkeys processed in Washington or Oregon, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 228 National Building, 1008 Western Avenue, Seattle 4, Wash.

(vii) With respect to hen turkeys processed in Utah, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, Produce Exchange Building, 426 S. W. Temple, Salt Lake City 1, Utah.

(viii) With respect to hen turkeys processed in California, either the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 111 West Seventh Street, P. O. Box 6480, Los Angeles 55, Calif.

or the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, 248 Battery Street, San Francisco 11, Calif.

(ix) With respect to hen turkeys processed in Colorado, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, Food Terminal Building, 177 Denargo Market, Denver 5, Colo.

(x) With respect to hen turkeys processed in Rockingham County, Virginia, the

Officer in Charge, Quartermaster Market Center, Attention: Poultry Section, Room 825, 165 Broadway, New York 6, N. Y.

(15) "State Supervisor" means the State supervisor of the Office of Distribution, War Food Administration, in one of the 16 States constituting or containing a turkey area. The address of the State supervisor for each turkey area is as follows:

(i) State Supervisor, Office of Distribution, War Food Administration, 110 Federal Courts Building, St. Paul, Minn.

(ii) State Supervisor, Office of Distribution, War Food Administration, 206 Old Colony Building, Des Moines, Iowa.

(iii) State Supervisor, Office of Distribution, War Food Administration, 5 South Wabash Ave., Chicago, Ill.

(iv) State Supervisor, Office of Distribution, War Food Administration, 716 South Seventh Street, Fargo, N. Dak.

(v) State Supervisor, Office of Distribution, War Food Administration, 347 Dakota Avenue, South, Huron, S. Dak.

(vi) State Supervisor, Office of Distribution, War Food Administration, Box 150, State House Station, Lincoln, Nebr.

(vii) State Supervisor, Office of Distribution, War Food Administration, 611 Central Building, Topeka, Kans.

(viii) State Supervisor, Office of Distribution, War Food Administration, 8th Floor—Civil Courts Building, St. Louis, Mo.

(ix) State Supervisor, Office of Distribution, War Food Administration, 408 Midwest Building, Oklahoma City, Okla.

(x) State Supervisor, Office of Distribution, War Food Administration, 603 Littlefield Building, Austin, Tex.

(xi) State Supervisor, Office of Distribution, War Food Administration, 714 Alaska Building, Seattle 4, Wash.

(xii) State Supervisor, Office of Distribution, War Food Administration, 416 Beneficial Life Building, Salt Lake City, Utah.

(xiii) State Supervisor, Office of Distribution, War Food Administration, 760 Market Street—Room 457, San Francisco, Calif.

(xiv) State Supervisor, Office of Distribution, War Food Administration, 810 Fourteenth Street, Denver, Colo.

(xv) State Supervisor, Office of Distribution, War Food Administration, 215 Mayer Building, Portland 5, Oreg.

(xvi) State Supervisor, Office of Distribution, War Food Administration, 203 North Jefferson Street, Richmond, Va.

(b) *Authorization of processors.* Any person who desires to process hen turkeys in a turkey area and to serve as an authorized processor may file with the Order Administrator an application by letter or by telegram followed by letter of confirmation. The application submitted to the Order Administrator shall contain (1) a statement with respect to the location of each plant in a turkey area or areas where he is to process hen turkeys pursuant to the provisions hereof, and (2) a representation that 100 percent of the processed turkeys will be handled only in accordance with the provisions of this order. Thereupon, the Order Administrator shall consider such application and may issue a letter of authorization to process hen turkeys if he determines that such authorization is appropriate to effectuate the provisions hereof. If the Order Administrator declines to approve the application, the application shall be forwarded to the Director. The Director may issue a letter of authorization to the applicant if he determines that the issuance of such authorization is necessary or appropriate in the public interest and to promote the national defense. No person shall serve as, or represent himself to be, an authorized processor unless he has received from the Order Administrator or the Director a letter of authorization, as aforesaid; and an authorized processor shall not process hen turkeys except in the turkey area or areas specified in the letter of authorization issued by the Order Administrator or the Director.

(c) *Restrictions.* (1) No person, except as hereinafter provided, shall (i) sell, contract to sell, give, or deliver hen turkeys or processed turkeys or (ii) purchase, contract to purchase, receive, or accept delivery of hen turkeys or processed turkeys.

(2) No person, other than an authorized processor, shall process hen turkeys within a turkey area or areas.

(3) No person shall ship or transport hen turkeys grown or located in a turkey area to any point outside of such area, except to an authorized processor in an adjoining turkey area.

(4) Notwithstanding the provisions of (c) (1) and (c) (3) hereof, hen turkeys may be sold and delivered to, and purchased and delivery accepted by, (i) a governmental agency, (ii) any person for such person's use in the fulfillment of an existing contract with a governmental agency, (iii) a turkey buyer, or (iv) an authorized processor. A turkey buyer may purchase and accept delivery of hen turkeys only in the event such hen turkeys are to be resold and delivered by him to an authorized processor.

(5) Each authorized processor shall set aside and thereafter hold 100 percent of the hen turkeys processed by him. The processed turkeys set aside or required to be set aside by an authorized processor may be sold or delivered by the authorized processor only to the United States Army Quartermaster Market Center, to a wholesale receiver, or such may be delivered to a cold storage warehouse. Each authorized processor who sells or delivers processed turkeys to a whole-

sale receiver, or who delivers processed turkeys to a cold storage warehouse, shall deliver, with each such shipment or delivery of processed turkeys, a certificate in duplicate, signed by him, in substantially the following language (with the appropriate information inserted in the blank spaces):

This is to certify that ____ pounds of processed turkeys hereby delivered are processed turkeys set aside pursuant to the provisions of War Food Order No. 97, issued by the War Food Administrator on April 20, 1944, and you are required, pursuant to the provisions of said order, to set aside and hold said processed turkeys in accordance with the provisions of said order.

(Signature of Authorized Processor)

This will acknowledge receipt of the above indicated quantity of processed turkeys set aside pursuant to War Food Order No. 97.

(*Signature of Wholesale Receiver or Cold Storage Owner or Operator*)

The aforesaid certificate shall be signed in duplicate by the person who accepts delivery, as aforesaid, of the processed turkeys, and such person shall return the original to the authorized processor, and shall retain the copy for one year after the date of receipt thereof.

(6) No person owning processed turkeys set aside or required to be set aside hereunder shall use such processed turkeys, in any manner whatsoever, or permit the use of such processed turkeys by another.

(7) A wholesale receiver purchasing or accepting delivery of processed turkeys shall set aside and hold such processed turkeys until such processed turkeys are (i) purchased or rejected by the U. S. Army Quartermaster Market Center, (ii) released by the U. S. Army Quartermaster Market Center for sale to another governmental agency, or (iii) released by the Director.

(8) Notwithstanding the provisions of (c) (1), (c) (5) and (c) (6) hereof, processed turkeys set aside or required to be set aside hereunder may be sold, delivered, used, or removed from storage, subject only to the provisions of (c) (9) hereof, if such processed turkeys are offered, in writing, for sale to the U. S. Army Quartermaster Market Center and rejected by said U. S. Army Quartermaster Market Center.

(9) The owner or operator of cold storage, wherein processed turkeys are set aside or required to be set aside, may permit the removal of processed turkeys, set aside or required to be set aside hereunder, from cold storage, owned or operated by him, only if he obtains a certificate from the owner of such processed turkeys stating that (i) such processed turkeys have been sold to a governmental agency; (ii) the processed turkeys have been rejected by the U. S. Army Quartermaster Market Center, or (iii) the processed turkeys have been released by the Director. The owner or operator of such cold storage shall, upon the Director's request, transmit any or all certificates, submitted as aforesaid, to the Director. All statements contained in or accompanying any such certificate shall be deemed to be representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it contains one or more false statements.

(10) Each owner or operator of cold storage shall, upon the request of the U. S. Army Quartermaster Market Center or the U. S. Army Veterinary Corps, make all processed turkeys, set aside or required to be set aside hereunder, in such cold storage, available for inspection by the U. S. Army Quartermaster Market Center or the U. S. Army Veterinary Corps.

(d) *Releases.* (1) Where an owner has less than 25 hen turkeys and no authorized processor is situated within 100 miles of the farm where the hen turkeys are located, and the owner makes written application to the State Supervisor, Office of Distribution, War Food Administration, for the release of the hen turkeys, said State Supervisor may release the hen turkeys for local consumption. If, however, the released hen turkeys are purchased by a turkey buyer or an authorized processor, such hen turkeys shall again become subject to the restrictions of this order.

(2) The Director may, notwithstanding the provisions hereof, release any hen turkeys or processed turkeys from the restrictions hereof, if the Director determines that such release is necessary or appropriate in the public interest and to promote the national defense.

(e) *Exemption.* The provisions of this order shall not apply to hen turkeys used for home consumption by the owner of the hen turkeys.

(f) *Records and reports.* (1) Each authorized processor shall notify the U. S. Army Quartermaster Market Center for the State where said authorized processor has processed hen turkeys that the processed turkeys are available for inspection at the authorized processor's plant, the cold storage warehouse, or the wholesale receiver's warehouse. The notification shall state where the processed turkeys will be available for inspection, when shipment is to be made to the cold storage warehouse or wholesale receiver, and to whom payment is to be made if the processed turkeys are sold to the U. S. Army Quartermaster Market Center.

(2) Each wholesale receiver who receives processed turkeys shall, upon receipt of said processed turkeys, notify the Office of the Quartermaster General at the address shown below. The notice of the arrival of the processed turkeys and that they are available for inspection at a given address shall be sent to the

Officer in Charge, Field Headquarters, Perishable Section, Subsistence Branch, Office of the Quartermaster General, Attention: Poultry Section, 22 West Adams Street, Chicago 6, Ill.

(3) The Director shall be entitled to obtain such information from, and require such reports and records by, any person as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(4) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in processed turkeys.

(g) *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records and other writings, premises or stock of processed turkeys of any person subject to this order.

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of the processed turkeys which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any governmental agency.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 97, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (i) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using hen turkeys or processed turkeys, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 97, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(m) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., April 21, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of April 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-5712; Filed, April 21, 1944; 1:16 p. m.]

[WFO 96 and 96-1]

PART 1468—GRAIN

SUSPENSION OF SET ASIDE REQUIREMENTS FOR CORN

With respect to all corn received after the effective date hereof, War Food Order No. 96 (9 F.R. 3253), and War Food Order No. 96-1 (9 F.R. 3628), are suspended until further order.

This order shall become effective at 12:01 a. m., c. w. t., April 25, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 96 prior to the effective date of this suspension, all provisions of said War Food Order No. 96 in effect prior to this suspension shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of April 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5790; Filed, April 24, 1944; 11:15 a. m.]

[WFO 96]

PART 1468—GRAIN

LIMITATIONS ON SALE, TRANSPORTATION, AND USE OF CORN

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.6 *Limitations on sale, transportation and use of corn*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, whole corn, ear corn, or snap corn, of the dent or flint varieties, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, and corn used for canning purposes.

(3) "Elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge or car loading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Chief of AAA" means the Chief of the Agricultural Adjustment Agency, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(6) "Designated area" includes the following:

Illinois, counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion, Will, and Woodford.

Indiana, counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa, counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawatamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, and Wright.

Minnesota, counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

Nebraska, counties of: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

(7) "Designated agent" means an elevator operator located in the designated area and authorized by Commodity to receive corn for the account of Commodity.

(8) "County committee" means the County Agricultural Conservation Committee.

(9) "Feeder" means any farmer or other person who acquires corn for the purpose of feeding livestock or poultry.

(10) "Authorized agent" means any employee of the United States, any State or local agency, whose services are utilized by the Agricultural Adjustment Agency pursuant to (k) hereof.

(11) "Mixed feed manufacturer" means any person who uses corn in the manufacture of mixed feed for sale.

(b) *Limitations on sale and transportation.* Except as hereinafter otherwise provided:

(1) No person shall sell or deliver corn located in the designated area to any person other than Commodity or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area.

(2) No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from any point within the designated area to another point within such area.

(3) No person shall transport corn from the designated area to any place outside of such area, except to Commodity or its designated agent.

(c) *Exemptions.* (1) Any feeder whose establishment is located in the designated area and who has less than a 30-day supply of corn for feeding requirements may, upon application to the County committee for the county in which his establishment is located, be authorized by the committee, in writing, to acquire and transport:

(i) From any person other than an elevator operator in the designated area either 50 bushels of corn located in such area or such amount as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater; or

(ii) From any elevator operator located in the designated area either 50 bushels of corn not subject to the set aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96-1 (9 F. R. 3628), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater.

(2) Upon the surrender to the seller of an authorization issued by the appropriate County committee in accordance with (c) (1) hereof:

(i) Any person other than an elevator operator in the designated area may sell and deliver to the person named in such authorization the amount of corn specified therein; and

(ii) Any elevator operator located in the designated area may sell and deliver to the person named in such authorization corn not subject to the set aside requirements of War Food Order No. 96, *supra*, or War Food Order No. 96-1, *supra*, in the amount specified in such authorization.

(3) Any feeder, upon application to the County committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to transport such corn to any point outside of the designated area for the purpose of feeding livestock or poultry owned by him.

(4) Any person who buys, sells, or transports corn in accordance with the provisions of any authorization issued by a County committee under this order shall comply with all directions contained in such authorization.

(d) *Transportation.* (1) Any person transporting corn within or from the

ministration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 97, Dairy and Poultry Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(m) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., April 21, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of April 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-5712; Filed, April 21, 1944; 1:16 p. m.]

[WFO 96 and 96-1]

PART 1468—GRAIN

SUSPENSION OF SET ASIDE REQUIREMENTS FOR CORN

With respect to all corn received after the effective date hereof, War Food Order No. 96 (9 F.R. 3253) and War Food Order No. 96-1 (9 F.R. 3628) are hereby suspended. Such suspension is necessary in order to avoid unnecessary hardship. It will result in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.6 *Limitations on sale, transportation and use of corn*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, whole corn, ear corn, or snap corn, of the dent or flint varieties, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, and corn used for canning purposes.

(3) "Elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge or car loading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Chief of AAA" means the Chief of the Agricultural Adjustment Agency, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(6) "Designated area" includes the following:

Illinois, counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion, Will, and Woodford.

Indiana, counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa, counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Em-

(b) *Limitations on sale and transportation.* Except as hereinafter otherwise provided:

(1) No person shall sell or deliver corn located in the designated area to any person other than Commodity or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area.

(2) No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from any point within the designated area to another point within such area.

(3) No person shall transport corn from the designated area to any place outside of such area, except to Commodity or its designated agent.

(c) *Exemptions.* (1) Any feeder whose establishment is located in the designated area and who has less than a 30-day supply of corn for feeding requirements may, upon application to the County committee for the county in which his establishment is located, be authorized by the committee, in writing, to acquire and transport:

(i) From any person other than an elevator operator in the designated area either 50 bushels of corn located in such area or such amount as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater; or

(ii) From any elevator operator located in the designated area either 50 bushels of corn not subject to the set aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96-1 (9 F. R. 3628), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply,

designated area by any means other than rail shall stop upon request by an authorized agent, shall identify the source and destination of such corn, and shall allow inspection of any shipping papers in his possession; and any authorized agent who has probable cause to believe that any person is transporting corn in violation of this order is authorized to stop such person and make the inspection herein provided for.

(2) Any person transporting corn within or from the designated area in accordance with an authorization issued under (c) hereof shall, while engaged in such transportation, carry a copy of such authorization which shall be submitted for inspection by an authorized agent upon request.

(e) *Limitations on use.* (1) Beginning May 1, 1944, no mixed feed manufacturer located in the designated area shall use during any month any quantity of corn in the manufacture of mixed feed which is in excess of the average quantity of corn used by him in the manufacture of mixed feed during the corresponding month of the calendar years 1942 and 1943.

(2) Every person who, under an authorization from Commodity, acquires corn from Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(f) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) The Chief of AAA shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Chief of AAA may designate), maintain an accurate record of his transactions in corn.

(3) Every elevator operator shall, prior to any sale or delivery of corn under the provisions of (c) hereof, report to the County committee for the county in which his elevator or other facility is located the amount of corn on hand on the effective date of this order which was not subject to the set aside requirements of War Food Order No. 96, *supra*, or War Food Order No. 96-1, *supra*.

(h) *Audits and inspections.* The Chief of AAA shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Request for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which the corn is located. The request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such request shall be acted upon by the Chief of AAA or any employee of the Agricultural Adjustment Agency designated by him.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Chief of AAA. The Chief of AAA is authorized to redelegate to any employee of the United States Department of Agriculture, or to any agency or employee of the United States, any or all of the authority vested in him by this order, and to utilize the services of any Federal, State, or local agency in the administration of this order.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Chief of AAA, be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 96.

This order shall be effective for 60 days beginning at 12:01 a. m., c. w. t., April 25, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of April 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5791; Filed, April 24, 1944; 11:15 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT; CONTRACT ARTICLES FOR STATUTORY RENEGOTIATION

Correction

In F.R. Doc. 44-5298, appearing at page 4065 of the issue for Tuesday, April 18, 1944, the eighth line of § 81.1205 (c) in the first column of page 4072, is corrected by changing the words "under section (i) (1)" to read "or unless the original".

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Rev. Reg. 10]

PART 602—GENERAL ORDERS AND DIRECTIVES

LIMITATION OF BITUMINOUS COAL DELIVERY

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of bituminous coal for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense:

Sec.
602.171 Definitions.
602.172 Limitations based on bituminous coal stocks of industrial consumers.
602.173 Voluntary efforts to level industrial consumers' stocks; information concerning non-cooperative consumers.
602.174 Restrictions on shipments to industrial consumers unless orders comply with § 602.172 and are submitted on time and contain certain information.
602.175 Reports by producers, commercial dock operators, and lake or tidewater forwarders.
602.176 Industrial consumer requests for assistance in securing and maintaining stocks.
602.177 Prohibited operating practices.
602.178 Joint responsibility of industrial consumer and producer to assure that production is in no event curtailed.
602.179 Representations.
602.180 Damages for breach of contract.
602.181 Violations.
602.182 Application for modification and exception; inquiries and communications.
602.183 Approval by Bureau of the Budget.
602.184 Action under other regulations.
602.185 Solid Fuels Administration for War Regulation No. 10 and amendments thereto superseded.

AUTHORITY: §§ 602.171 to 602.185, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.171 *Definitions.* For purposes of this regulation:

(a) "Coal" or "bituminous coal" means all bituminous and subbituminous coal produced in Districts 1–23, inclusive, except Districts Nos. 8 and 21, as described in the Annex to the Bituminous Coal Act of 1937, as amended.

(b) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(c) "Producer" means any person (except when engaged in retail dealer transactions) engaged in the business of mining or preparing bituminous coal (or the sales agent of such person).

(d) "Wholesaler" means any distributor, jobber, forwarder, commercial dock operator (river, lake, or tidewater), or other person (except when engaged in retail dealer transactions) who acts in the capacity of a seller in a transaction involving the resale of bituminous coal.

(e) "Industrial consumer" means any person who consumes bituminous coal and acts in the capacity of a buyer or consignee of such coal either in a transaction of purchase thereof from a producer or wholesaler, or pursuant to an order placed with a producer or wholesaler. "Industrial consumer" also means any person who consumes 10,000 tons or more bituminous coal per year irrespective of the source (producer, wholesaler or retail dealer) from which such coal is purchased or obtained.

(f) "Public utility" means an industrial consumer who renders a public service by supplying electricity, water, or gas to a community.

(g) "Retail dealer" means any person (including the retail outlet, branch or department of a person who is also a producer or wholesaler) who acts in the capacity of a seller of bituminous coal in a transaction involving the sale, or sale and delivery, of broken bulk bituminous coal, physically handled in less than carload lots without regard to quantity or frequency of delivery.

(h) "Order" means any contract, spot order, offer to purchase, shipping instruction, requisition or any other arrangement made by an industrial consumer or by a wholesaler, designed to purchase or secure bituminous coal.

(i) "Days' supply" means the total amount of coal (produced in Districts Nos. 1–23, inclusive, and Canada) that the purchaser estimates will be in storage, upon the last day of the calendar month in which he places an order for bituminous coal, at his bin, dock, pile, in railroad cars, or vessels, or at other storage facilities auxiliary to each of his plants (or railroad system) including the total amount of coal held in storage away from each plant (or railroad system) (exclusive of such coal in transit which is not expected to arrive at the purchaser's plant, railroad system, or storage facility by the end of the month in which the order is placed) for the purchaser's account or under his control, divided by the average number of tons that it is reasonably expected the plant (or railroad system) will consume each day, including Sundays and legal holidays, during the calendar month following the month of placing an order for coal. A railroad system, in computing days' supply, shall include coal in cars on its system for its own use.

When a storage facility is auxiliary to more than one plant (or railroad system), the tonnage in such facility shall be divided by the sum of the average number of tons that is reasonably expected each plant (or railroad system) will consume each day, including Sundays and legal holidays, during the calendar month following the month of placing an order for such coal and the result of this process of division shall be deemed to be the days' supply of each plant (or railroad system) contained in such common storage facility.

Days' supply shall be computed separately for those sizes and qualities of bituminous coal which are not substantially interchangeable in the operation of the plant (or railroad system).

The definition of "days' supply" is subject to the proviso that a railroad system which uses certain eastern coals (those produced in Districts 1–4, inclusive, 6, 7, 8 and 13) and also uses coals produced elsewhere may compute separately its days' supply of such eastern coals upon the basis of its estimated monthly consumption of such eastern coals, and its days' supply of such other coals upon the basis of its monthly consumption of such other coals.

(j) "Monthly consumption requirements" means requirements of a plant (or railroad system) for the month during which deliveries are requested and should be computed separately for those sizes and qualities of bituminous coal which are not substantially interchangeable in the operation of the plant (or railroad system); *Provided, however*, That a railroad system which uses certain eastern coals (those produced in Districts 1–4, inclusive, 6, 7, 8 and 13) and also uses coals produced elsewhere, may compute separately its monthly consumption requirements of such eastern coals (upon the basis of its monthly consumption of such eastern coals) and its monthly consumption requirements of such other coals (upon the basis of its monthly consumption of such other coals).

(k) "Special purpose coals" include those bituminous coals that are to be:

(1) Charged into coke ovens for the production of coke for metallurgical uses, production of gas, or for the recovery of by-products;

(2) Used for foundry or other metallurgical purposes in which the coal or its products of combustion come in direct contact with the metal during the processing;

(3) Used for foundry facings requiring special chemical or physical characteristics;

(4) Used for production of water gas;

(5) Charged into producers for the production of gas; or

(6) Used as a raw material because of special chemical or physical characteristics to form a component part of chemicals, or directly entering into the chemical processes.

§ 602.172 *Limitations based on bituminous coal stocks of industrial consumers*—(a) *Stock Limitation Table.* Except as provided by paragraphs (b) and (c) of this section and by §§ 602.178 and 602.182 of this regulation, no industrial consumer shall place an order for delivery, or receive during any calendar month, bituminous coal produced in Districts 1 to 13, inclusive, except Districts 5, 9, 10, 11 and 12 in amounts which exceed his monthly consumption requirements, except that in addition thereto he may order and receive during any calendar month not more than 20 percent of his estimated consumption requirements for November 1944 to the extent that such additional orders and receipts are necessary for the purpose of acquiring an inventory which, by November 1, 1944, will not exceed 30 days' supply calculated upon the basis of his estimated consumption requirements for November 1944: *Provided, however*, That no industrial consumer shall place an order for delivery, or receive, during any calendar month, bituminous coal produced in Districts 7 or 8 in amounts exceeding the maximum percentage (to the nearest carload or barge lot) of his monthly consumption requirements as specified in the following table:

Days' supply (see § 602.171 (i))	Maximum percentage of monthly consumption requirements[1]			
	Public Utilities		Other Industrial Consumers	
	Percent A[2]	Percent B[3]	Percent A[2]	Percent B[3]
Less than 15 days	150	150	115	115
15 to 20 days	130	150	100	110
21 to 25 days	110	120	95	105
26 to 35 days	105	110	65	100
36 to 40 days	100	105	65	95
41 to 50 days	65	105	65	65
51 to 55 days	65	100	65	65
56 to 69 days	50	65	50	50
70 days or more	50	50	50	50

[1] A railroad system which uses coal from Districts 9, 10 or 11 and from Districts 1 to 4, inclusive, 6, 7, 8 and 13, and which computes separately its days' supply of coal from each such group of districts upon the basis of its monthly consumption of coal from each such group of districts (as provided in §602.171 (i) and (j)) shall not order for delivery or receive in the aggregate during any calendar month from Districts 1 to 4, inclusive, 6, 7, 8 and 13, an amount of coal greater than its average monthly purchases of coal from that group of districts during January, February, March and April 1944.

[2] Applicable to purchasers of bituminous coal shipped from any mine, yard, dock or other place via any method of transportation and to any destination except those referred to in footnote 3. A public utility having more than 40 days' supply may order and receive in addition to the amount of coal it is permitted to order and receive by the Stock Limitation Table such additional coal as is necessary to maintain 40 days' supply; likewise, an industrial consumer having more than 20 days' supply may order and receive that additional amount of coal necessary to maintain 20 days' supply.

[3] Applicable to purchasers of bituminous coal shipped to Canada via any method of transportation and to purchasers of bituminous coal directly shipped via tidewater to any destination in New York Harbor or New England. A public utility having more than 55 days' supply may order and receive in addition to the amount of coal it is permitted to order and receive by the Stock Limitation Table such additional coal as is necessary to maintain 55 days' supply; likewise, an industrial consumer having more than 35 days' supply may order and receive that additional amount of coal necessary to maintain 35 days' supply.

(b) (i) No restrictions as to the amount of coal which may be purchased are imposed by this regulation upon orders for bituminous coal for vessel fuel or bunker fuel, or upon orders for bituminous coal produced in Districts Nos. 5, 12 or 14 to 23, inclusive.

(ii) No industrial consumer shall place an order for delivery, or receive, from all sources combined during the period May 1, 1944 to May 15, 1945, special purpose coal in excess of the amount representing the difference between his inventory of such coals as of May 1, 1944, and the amount of his consumption requirements for such coals for the period from May 15, 1944 to May 15, 1945, except that no such person is required to maintain less than a 30 days' supply of special purpose coals.

(iii) No industrial consumer who receives coal (other than special purpose coal) via the Great Lakes, or both via the Great Lakes and all-rail, shall place an order for delivery, or receive, from all sources combined during the period May 1, 1944 to May 15, 1945 coal in excess of

the amount representing the difference between his inventory as of May 1, 1944 and his consumption requirements for the period May 1, 1944 to May 15, 1945, except that no person who receives coal via the Great Lakes and also all-rail shall be required to maintain less than a 30 days' supply of coal.

No commercial dock operator shall ship, except upon specific direction of the Solid Fuels Administration for War, any surplus tonnage which results from the restrictions imposed by this paragraph with respect to the amount of coal permitted to be received by an industrial consumer (including a railroad system) from commercial dock operators. Commercial dock operators are required to observe the requirements of SFAW Regulation No. 20 and to spread the coal on their docks as of March 21, 1944 among their customers equitably so as to permit all of them to build reasonable stockpiles.

(c) (i) The Stock Limitation Table (paragraph (a) of this section) is not applicable to orders for coal produced in Districts Nos. 9, 10 and 11. No industrial consumer having 120 days' supply or more of bituminous coal shall order or receive from Districts Nos. 9, 10 and 11 more than 100% of his monthly consumption requirements unless he first obtains written permission so to do from the Solid Fuels Administration for War.

(ii) In order to encourage the building of stockpiles of Districts Nos. 9, 10 and 11 coals up to 90 days' supply, assurance is given that when it becomes necessary to reinstate a specific Stock Limitation Table for these coals so long as any industrial consumer has a stockpile containing not less than 40 nor more than 90 days' supply he will not be required to draw down at a greater rate than any other industrial consumer having a stockpile containing 40–90 days' supply; and that any industrial consumer who has less than 40 days' supply, or who has reduced his stockpile to less than 40 days' supply, may be required to draw down his stockpile at a different rate than those who continue to have in excess of a 40 days' supply.

When the specific Stock Limitation Table is reinstated, the rate of draw down on industrial consumers' stocks above 90 days may be and is likely to be considerably greater than the rate of draw down on stocks within the range of 40 to 90 days' supply.

Those industrial consumers who fail to utilize to the full existing facilities and opportunities to stock coal from these districts are likely to experience difficulty in obtaining an adequate fuel supply after the Stock Limitation Tables are reinstated.

(d) On or before the 10th day of each month, the Advisory Boards for the producing districts subject to this section, the Lake Dock Coal Advisory Committee and the Tidewater Dock Coal Advisory Committee shall recommend in writing to the Solid Fuels Administrator for War such variations in the Stock Limitation Table as they deem appropriate in order to meet production and distribution problems.

§ 602.173 *Voluntary efforts to level industrial consumers' stocks; information concerning non-cooperative consumers.* This section is suspended until further action by the Solid Fuels Administration for War.

§ 602.174 *Restrictions on shipment to industrial consumers unless orders comply with § 602.172 and are submitted on time and contain certain information.* (a) Except as provided or permitted by paragraphs (b), (c), and (d) of this section and by § 602.178 of this regulation, producers and wholesalers and retail dealers are prohibited from shipping bituminous coal to an industrial consumer on any order during any calendar month by any method or combined methods of transportation unless:

(1) The order for coal produced in Districts 1–13, inclusive, except District 12, has been received on or before the 24th day of the preceding calendar month, or the order for coal produced in Districts Nos. 12 and 14–23, inclusive, has been received on or before the 30th day of the preceding calendar month; and

(2) The order is not for an amount of coal in excess of the amount permitted to be ordered in accordance with the Stock Limitation Table contained in § 602.172 and other provisions of this regulation; and

(3) The written order or confirmation of the order contains or is amended to contain the following information and a statement that such information is correct:

(i) Separately by uses the specific number of tons ordered from the producer or wholesaler with whom the order is placed;

(ii) Separately by uses the estimated days' supply of the plant as of the last day of the calendar month during which the order is placed; and in the case of a railroad system, separately by uses, the estimated days' supply of coal produced in Districts 1 to 4, inclusive, 6, 7, 8 and 13; and the estimated days' supply of coal produced in all other districts and Canada.

(iii) Separately by uses the monthly consumption requirements of the plant; and in the case of a railroad system separately the monthly consumption requirements of coals produced in Districts Nos. 1 to 4, inclusive, 6, 7, 8 and 13 coals and the monthly consumption requirements of coals produced in other districts.

(iv) Separately by uses and groups of districts the total tonnage of coal ordered from Districts Nos. 1 to 4, inclusive, 6 and 13 (Group I); and from Districts Nos. 7 and 8 (Group II); and from all other districts and Canada (Group III) for delivery to the plant (or railroad system) during the same calendar month from all suppliers of bituminous coal.

(b) Any person who orders and receives from a commercial dock, in a retail dealer transaction, in excess of 2400 tons of coal per year shall indicate in his first order served upon each supplier of bituminous coal subsequent to May 1, 1944, separately by kinds and sizes his inventory of coal as of May 1, 1944. Such persons, as well as others, are required to comply with the provisions of Regulation No. 21.

(c) Compliance with the provisions of this section may be temporarily excused by any Area Distribution Manager only to the extent it appears necessary to permit the shipment or receipt of coal to meet emergency situations likely to result in hardship to any person who has not wilfully violated any of the provisions of this regulation.

(d) Notwithstanding the provisions of this section or of § 602.172, industrial consumers should make every reasonable effort to make known to producers and wholesalers that they are ready, willing and able to accept coal in addition to the amount ordered to the extent that such coal is available and offered in accordance with the provisions of § 602.178.

(e) The provisions of this section shall not apply to an order for vessel or bunker fuel, to an order from any purchaser who does not order for delivery during the calendar month and will not receive during the calendar month from all sources combined more than 50 tons or one carload of bituminous coal, or an order of the War Department, Navy Department, War Shipping Administration, Maritime Commission, Office of Lend-Lease Administration, or Office of Economic Warfare.

(f) Producers and wholesalers are prohibited from shipping bituminous coal on any order of a wholesaler unless the order contains the names and locations of the customers of the wholesalers and the information required to be submitted to the wholesaler by the wholesaler's customer (industrial consumer) under subparagraph (3) of paragraph (a) of this section; *Provided, however,* That the provisions of this paragraph shall not apply (i) to an order of a commercial dock operator with respect to coal not segregated and earmarked for a particular industrial consumer for shipment to the commercial dock by rail, lake, tidewater, or river, or (ii) to an order for shipment to a lower lake dumping port or to a tidewater dumping port if the coal is not segregated and earmarked for transshipment to a specific industrial consumer, or (iii) to an order received by a commercial dock operator located on Lake Superior, or on the west bank of Lake Michigan north of, and including Waukegan, Illinois.

§ 602.175 *Reports by producers, commercial dock operators, and lake or tidewater forwarders.* (a) Each producer in Districts Nos. 1 to 13, inclusive, except Districts Nos. 5 and 12, and each commercial dock operator, lake or tidewater forwarder shall report before the last day of each month preceding the calendar month of shipment and each producer in Districts Nos. 12 and 14 to 23, inclusive, shall report on or before the fifth day of the month of shipment on Form SFA No. 79 to be supplied by the Solid Fuels

Administration for War (with the cooperation of the Advisory Boards which have agreed to help make proper distribution of such form): (1) any information which has been furnished to him by industrial consumers, wholesalers or other persons pursuant to this regulation; (2) the tonnage which is expected to be shipped during the month on each order received; (3) separately, by sizes, the total tonnage expected to be produced; (4) separately, by sizes, the tonnage expected to be produced and for which the producer has no orders on hand; (5) separately, by sizes, the total tonnage to be shipped to Federal agencies or Departments; and (6) such other information as is required to be set forth on Form SFA 79 as revised by such amendments or instructions relating thereto as have been or may be issued, and approved by the Bureau of the Budget. Such reports as may be required from commercial dock operators, lake or tidewater forwarders shall be filed with the Solid Fuels Administration for War, Washington 25, D. C., and such reports as may be required from producers may be filed, at the address specified in Appendix A, annexed hereto and made part hereof, with the Area Distribution Manager of the Solid Fuels Administration for War for the district in which the mine is located.

(b) The Area Distribution Manager shall make available to designated representatives of the appropriate Bituminous Coal Producers Advisory Board any information contained in the reports required to be filed by producers and wholesalers under this section. Such information shall be deemed to be confidential and is not to be compiled, abstracted, or disclosed by the Area Distribution Manager, any member of the Advisory Board, or any other person, except in so far as is necessary to accomplish the purposes of this regulation, or as authorized by the Solid Fuels Administration for War.

§ 602.176 *Industrial consumer requests for assistance in securing and maintaining stocks.* Any consumer who has been informed by a producer or a wholesaler that an order cannot be filled to the extent permitted by § 602.172 of this regulation, shall endeavor to secure coal from other suppliers and may request assistance in obtaining coal by filing a request in writing with the Area Distribution Manager for the area from which the consumer normally obtains coal. The request for such assistance shall be filed in duplicate and shall be accompanied by a copy of the order or orders not expected to be filled and a copy of the order or orders, prepared in strict conformity with this regulation, which he desires to serve upon any producer or wholesaler designated by the Area Distribution Manager as having available a supply of coal. The Area Distribution Manager shall, upon receipt of an application pursuant to this section, transmit one copy thereof to the appropriate Bituminous Coal Producers Advisory Board, which shall forthwith consult with the Area Distribution Manager and shall transmit to him in writing its recommendation concerning the sources of supply which will be voluntarily available to the applicant in the event the applicant voluntarily places appropriate orders with such sources of supply. The Advisory Board and the Area Distribution Manager may recommend to the Solid Fuels Administrator for War the issuance of such directions as appear to be appropriate for the purpose of securing for any applicant, pursuant to this section, coal sufficient to meet such applicant's requirements, to the extent permitted by § 602.172 and other specified factors taken into account by the Advisory Board or the Area Distribution Manager.

A consumer who is doubtful as to which Area Distribution Manager or Managers he should apply, may request the Solid Fuels Administrator for War, Washington 25, D. C., for assistance.

§ 602.177 *Prohibited operating practices.* No preparation, sizing or crushing of coal shall be engaged in by any person in order to avoid fulfilling any order of an industrial consumer served in accordance with this regulation, or any order of a retail dealer.

§ 602.178 *Joint responsibility of industrial consumer and producer to assure that production is in no event curtailed.* Notwithstanding any other provision of this regulation, no producer is required to curtail his production by reason of this regulation. In the event a producer does not have adequate orders on which shipments may be made consistent with this regulation during any calendar week, he shall arrange to the exent necessary in order to permit operation of the mine without curtailment, for the distribution of surplus coal during that calendar week; and it is the joint responsibility of industrial consumers and producers to take all steps necessary to assure that the operation of no mine is curtailed for the lack of adequate orders. If a producer expects to have surplus coal which he cannot dispose of under voluntary arrangements with purchasers in accordance with this section, he shall forthwith notify the Area Distribution Manager for his district concerning the situation.

§ 602.179 *Representations.* (a) All statements required by this regulation to be contained in written orders and confirmations of orders, as well as those to be contained in reports to be filed with Area Distribution Managers, shall be deemed made to the Solid Fuels Administrator for War. Producers and wholesalers shall, on behalf of the Solid Fuels Administrator for War, keep and preserve for a period of not less than two years all written orders and confirmations of orders served upon them containing the statements required by this regulation. These orders and confirmations required to be kept by this regulation shall, upon request, be submitted for inspection, copy, and audit by the duly authorized representatives of the Solid Fuels Administrator for War.

(b) The producer, wholesaler or retail dealer may rely upon any statement made by a purchaser pursuant to this regulation.

§ 602.180 *Damages for breach of contract.* No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.181 *Violations.* Any person who violates any provision of this Regulation or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who wilfully certifies false or misleading information to the Solid Fuels Administrator for War, or any person who obtains a delivery of bituminous coal by means of a wilfully false or misleading statement, may be prohibited from delivering or receiving any material under priority control. The Solid Fuels Administration for War may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80) or under the Second War Powers Act (Public No. 507, 77th Cong., March 27, 1942).

§ 602.182 *Application for modification and exception; inquiries and communications.* (a) It is recognized that the Stock Limitation Table and other provisions of § 602.172 of this regulation indicating the maximum percentages of bituminous coal consumption requirements that may be ordered and received by industrial consumers should be deviated from because of conditions peculiar to an individual plant (or railroad system). Any industrial consumer who desires to order and receive a greater percentage of his consumption requirements of coal for certain uses at a plant (or railroad system) may submit an original and two copies of an application in writing to the Area Distribution Manager for the area from which the consumer normally obtains coal for permission properly to order and receive delivery of coal at such plant (or railroad system) in amounts in excess of those permitted by the Stock Limitation Table or other provisions of § 602.172 of this regulation. The application shall set forth all data, including, among other matters, the inability of the consumer efficiently to draw coal from stocks at the plant (or railroad system); the specific hazards involved in the transportation of coal from mines to his plant (or railroad system); the distance of the plant (or railroad system) from sources of supply; and climatic or other conditions relied upon by the consumer in support of his application. The application shall clearly state whether and in what respect the consumer believes his situation with respect to coal differs from that of other consumers in the same or in different localities. The Area Distribu-

tion Manager shall transmit one copy of such an application to the Bituminous Coal Producers Advisory Board for the district from which the consumer normally obtains coal. After consultation with the appropriate Advisory Board, the Area Distribution Manager shall make appropriate recommendations to the Solid Fuels Administrator concerning the action to be taken with respect to each application.

(b) Any application by any person, including a retail dealer, for modification of or exception from any provision of this regulation shall be filed in triplicate with the Washington Office of the Solid Fuels Administration for War. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such modification or exception.

§ 602.183 *Approval by Bureau of the Budget.* The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

§ 602.184 *Action under other regulations.* Nothing contained in this regulation shall be deemed to preclude the Solid Fuels Administrator for War from taking appropriate action under Solid Fuels Administration for War Regulation No. 1 or under any other regulation.

§ 602.185 *Solid Fuels Administration for War Regulation No. 10 and amendments thereto superseded.* All provisions (including § 602.174) of Solid Fuels Administration for War Regulation No. 10 (8 F.R. 15773) and amendments thereto are superseded by this regulation except that provisions governing permissible coal shipments or limitations upon coal shipments shall remain in effect until May 1, 1944.

This regulation shall become effective forthwith except that provisions governing permissible coal shipments or limitations upon coal shipments shall apply only in respect to shipments on or after May 1, 1944.

Issued this 20th day of April 1944.

HAROLD L. ICKES,
Administrator.

APPENDIX A—LOCATIONS OF OFFICES OF AREA DISTRIBUTION MANAGERS, SOLID FUELS ADMINISTRATION FOR WAR

District No.:	Area Distribution Manager
1	J. N. Geyer, Post Office Bldg., 11th Ave. and 12th St., Altoona, Pa.
2	Harry A. Sutter, 1512–23 Henry W. Oliver Bldg., Pittsburgh 22, Pa.
3	Frank C. Shriver, Monroe and Meredith Sts., Fairmont, W. Va.
4 and 6	Howard A. Smith, 501 Bulkley Bldg., Cleveland, Ohio.
7	Daniel J. Carroll, Law & Commerce Bldg., Bluefield, W. Va.
8	Wayne P. Ellis, 600 Transportation Bldg., Cincinnati 2, Ohio.
9	Harry Rightmire, 125 South Main St., Dulin Bldg., Madisonville, Ky.
10	J. C. Fitzpatrick, 1161 Merchandise Mart, 222 West North Bank Dr., Chicago, Ill.
11	William G. Stockton, Chamber of Commerce Bldg., 320 North Meridian St., Indianapolis 4, Ind.
12, 14, and 15	F. I. Halstead, New York Life Bldg., 16–24 West 9th St., Kansas City, Mo.
13	Howard J. Thomas, 803 Comer Bldg., 2026 Second Ave. No., Birmingham, Ala.
16, 17, 18, 19, 20, 22, and 23.	J. E. Parker, Salt Lake City, Utah.

[F. R. Doc. 44-5704; Filed, April 21, 1944; 12:04 p. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Public Circular 7B]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REMITTANCES TO SWITZERLAND UNDER GENERAL LICENSE NO. 32

APRIL 22, 1944.

Public Circular No. 7B under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers, Act, 1941, relating to foreign funds control.

(1) Reference is made to General License No. 32 relating to remittances for necessary living expenses.

(2) Notwithstanding the provisions of paragraph (1) (c) of General License No. 32, any remittance pursuant to such general license to a payee within Switzerland may be effected only by the payment of the dollar amount of the remittance to a domestic bank for credit to a blocked account in the name of a banking institution within Switzerland.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Sta. 179; 55 Stat. 838; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, Dec. 9, 1941, and Ex. Order 8998, Dec. 26, 1941; Ex. Order 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5729; Filed, April 22, 1944; 9:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

PART 301—CONTROL OF EXPLOSIVES AND THEIR INGREDIENTS IN TIME OF WAR OR NATIONAL EMERGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 18 of the act of December 26, 1941 (55 Stat. 863), as amended, §§ 301.2 (h), 301.9 (a), 301.10 (a), 301.10 (c), and 301.23 (a) of the regulations under the Federal Explosives Act heretofore promulgated[1] are hereby amended as follows:

Section 301.2 (h) is amended to read as follows:

§ 301.2 *Definitions.* • • •

(h) The term "regional officer" means any supervising engineer or any engineer in charge at any district or subdistrict office, respectively, of the Health and Safety Service of the Bureau of Mines.

Section 301.9 (a) is amended by deleting from the first and third sentences of the second paragraph the words "or a duplicate."

Section 301.10 (a) is revoked.

Section 301.10 (b) is amended by inserting the following sentence between the first and second sentences:

§ 301.10 *Copies of licenses.* • • •

(b) *Certificate copies of licenses.* • • •

If the original license has been lost, destroyed, or stolen, and the licensing agent who issued it has resigned, died, or been removed, the application shall be addressed to his successor, or, if his successor does not have the original records, to the Director.

Section 301.10 (c) is amended by changing the first sentence to read as follows:

§ 301.10 *Copies of licenses.* • • •

(c) *Photographic copies of licenses.* Copies of a license, clear and distinct, and of the same size as the license, may be made by licensees by any method of photographic reproduction and used by them in lieu of certified copies, without any application to or certification by any issuing officer.

Section 301.23 (a) is amended by changing the third sentence to read as follows:

§ 301.23 *Reissuance of expired licenses*—(a) *Applications for annual reissuances of licenses.* • • •

An application for a reissued license need not be accompanied by the qualification affidavits referred to in §301.7 (g) if the application is made prior to the expiration, termination, or revocation of the license sought to be reissued, unless the licensing agent or the Director, in his discretion, requests that qualification affidavits be again furnished.

R. R. SAYERS,
Director.

Approved: April 21, 1944.

MICHAEL W. STRAUS,
Assistant Secretary,
Department of the Interior.

[F. R. Doc. 44-5772; Filed, April 24, 1944; 10:54 a. m.]

[1] 7 F.R. 305 1103, 1976, 3876, 4758, 8001, 8175, 9606; 8 F.R. 1343, 3060, 4141, 15313; 9 F.R. 1502, 3006, 4130.

Chapter VI—Selective Service System

[Amendment 221, 2d Ed.]

PART 622—CLASSIFICATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.12 to read as follows:

§ 622.12 *Class I–A–O: Available for noncombatant military service; conscientious objector.* In Class I–A–O shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to combatant military service in which he might be ordered to take human life, but not conscientiously opposed to noncombatant military service in which he could contribute to the health, comfort, and preservation of others.

2. Amend the regulations by deleting § 622.13 in its entirety.

3. Amend the regulations by deleting § 622.14 in its entirety.

4. Amend § 622.15 to read as follows:

§ 622.15 *Class I–C: Member of land or naval forces of United States.* (a) In Class I–C shall be placed or retained:

(1) Every registrant who is, or who by induction, enlistment, or appointment becomes, a commissioned officer, warrant officer, field clerk, pay clerk, or enlisted man of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the federally recognized active National Guard, the Officers' Reserve Corps, the Army of the United States, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve (other than temporary), or any other branch or component of the land or naval forces; or

(2) Every registrant who is a cadet of the United States Military Academy, a midshipman of the United States Naval Academy, or a cadet of the United States Coast Guard Academy; or

(3) Every registrant who has been separated from the land or naval forces by death at any time; or

(4) Every registrant who has been separated from the land or naval forces by Honorable Discharge based on physical or mental disability; *Provided*, That if the local board finds that any such registrant is "making a contribution" to the war effort by reason of his occupation in support of the war effort, by reason of his occupation in war production, or by reason of being engaged in an agricultural occupation or endeavor, he shall not be classified in Class I–C but shall be classified in Class II–A under § 622.21, in Class II–B under § 622.22, or in Class II–C under § 622.25–1, as the case may be. The classification of such registrant classified in Class I–C may be reopened and he may be placed in a class immediately available for service under the provisions of Part 623.

(5) When the local board receives authentic information that a registrant is in the land or naval forces, he shall be classified in Class I–C without regard to the manner in which he entered such land or naval forces.

5. Amend §622.21 to read as follows:

§ 622.21 *Class II–A: Man supporting war effort.* (a) In Class II–A shall be placed any registrant found to be a "necessary man" in support of the war effort.

(b) In Class II–A shall be placed any registrant who by reason of his occupation is found to be "making a contribution" in support of the war effort and who is:

(1) Age 38 or over, or

(2) Age 18 through 37, and

(i) Who is found to be qualified for limited military service only, or

(ii) Who is found to be disqualified for any military service. (This shall be deemed to include every registrant who would be placed in Class I–C, Class IV–C, or in Class IV–F if it were not for the fact that he qualifies for classification in Class II–A under the provisions of this section.)

6. Amend § 622.22 to read as follows:

§ 622.22 *Class II–B: Man in war production.* (a) In Class II–B shall be placed any registrant found to be a "necessary man" in war production.

(b) In Class II–B shall be placed any registrant who by reason of his occupation is found to be "making a contribution" to war production and who is:

(1) Age 38 or over, or

(2) Age 18 through 37, and

(i) Who is found to be qualified for limited military service only, or

(ii) Who is found to be disqualified for any military service. (This shall be deemed to include every registrant who would be placed in Class I–C, Class IV–C, or in Class IV–F if it were not for the fact that he qualifies for classification in Class II–B under the provisions of this section.)

7. Amend § 622.22–1 to read as follows:

§ 622.22–1 *Certain procedure must be followed to entitle Federal Government employees to Class II–A or Class II–B deferment.* No registrant employed in or under the Federal Government shall be retained or placed in Class II–A or Class II–B unless a request for his deferment shall have been made in accordance with the provisions of (1) Public Law 23, 78th Congress, approved April 8, 1943, and (2) Executive Order No. 9309, dated March 6, 1943.

8. Amend the regulations by adding a new section to be known as § 622.22–2 to read as follows:

§ 622.22–2 *Length of deferments in Class II–A and Class II–B.* (a) Class II–A and Class II–B deferments shall be for a period of six months or less. If there is a change in the registrant's status during the period of deferment in Class II–A or Class II–B, his classification shall be reopened and considered anew.

(b) At the expiration of the period of a registrant's deferment in Class II–A or Class II–B, his classification shall be reopened and he shall be classified anew. The registrant should be continued in Class II–A or Class II–B for a further period of six month or less if such classification is warranted. A registrant, age 18 through 37 (other than a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only) shall not be continued in Class II–A or Class II–B unless the local board finds that his employer has made a reasonable but unsuccessful effort to secure or train a replacement for the registrant during the period of deferment. The same rules shall apply when again classifying a registrant at the end of each successive period for which he has been classified in Class II–A or Class II–B.

9. Amend § 622.24 to read as follows:

§ 622.24 *"Necessary man" defined.* A registrant shall be considered a "necessary man" only when all of these conditions exist: (1) He is, or but for a seasonal or temporary interruption would be, engaged in war production or in support of the war effort; (2) his removal would cause a serious loss of effectiveness therein; (3) he cannot be replaced; and (4) he meets such other conditions and qualifications as may be prescribed from time to time by the Director of Selective Service.

10. Amend the regulations by deleting § 622.25 in its entirety.

11. Amend § 622.25–1 to read as follows:

§ 622.25–1 *Class II–C: Man in agriculture.* (a) In Class II–C shall be placed any registrant who is found to be "necessary to and regularly engaged in" an agricultural occupation or endeavor essential to the war effort.

(b) In Class II–C shall be placed any registrant who by reason of being engaged in an agricultural occupation or endeavor is found to be "making a contribution" to the war effort and who is:

(1) Age 38 or over, or

(2) Age 18 through 37, and

(i) Who is found to be qualified for limited military service only, or

(ii) Who is found to be disqualified for any military service. (This shall be deemed to include every registrant who would be placed in Class I–C, Class IV–C, or in Class IV–F if it were not for the fact that he qualifies for classification in Class II–C under the provisions of this section.)

12. Amend the regulations by adding a new section to be known as § 622.25–2 to read as follows:

§ 622.25–2 *Length of deferments in Class II–C.* (a) Class II–C deferments shall be for a period of six months or less. If there is a change in the registrant's status during the period of deferment in Class II–C, his classification shall be reopened and considered anew.

(b) At the expiration of the period of a registrant's deferment in Class II–C, his classification shall be reopened. The registrant should be continued in Class II–C for a further period of six months or less if such classification is warranted. A registrant, age 18 through 37 (other than a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only), shall not be continued in Class II–C unless the local board is satisfied that a satisfactory replacement is not available. The same rules shall apply when again classifying registrant at the end of each successive period for which he has been classified in Class II–C.

(c) When a registrant in Class II–C leaves an agricultural occupation or endeavor essential to the war effort, he shall be reclassified in Class I–A, Class I–A–O, or Class IV–E unless, before leaving such agricultural occupation or endeavor, he requests a determination and a determination is made that it is in the best interest of the war effort for him to leave such agricultural occupation or endeavor for other work.

(d) Any registrant in Class II–C may file with his local board a written request for a determination required under paragraph (c) of this section. When the registrant's board has made a determination upon such request, it shall advise him thereof in writing.

Deferred by Reason of Hardship

13. Amend the regulations by deleting § 622.31 in its entirety.

14. Amend the regulations by deleting § 622.31–1 in its entirety.

15. Amend the regulations by deleting § 622.31–2 in its entirety.

16. Amend the regulations by deleting § 622.31–3 in its entirety.

17. Amend § 622.32 by adding a new paragraph (c) to read as follows:

§ 622.32 *Class III–D: Man deferred by reason of extreme hardship and privation to wife, child, or parents.* • • •

(c) The term "parent" includes a person who is supported in good faith by the registrant in a relationship similar to that of child and parent.

18. Amend the regulations by deleting § 622.33 in its entirety.

19. Amend the center heading preceding § 622.36 to read as follows:

Director's Authority

20. Amend paragraph (a) of § 622.42 to read as follows:

§ 622.42 *Class IV–B: Official deferred by law and men relieved from liability for training and service.* (a) In Class IV–B shall be placed any registrant who is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, a judge of a court of record of the United States or of a State; or who is a commissioned officer in the Coast and Geodetic Survey; or who is a commissioned officer of the Public Health Service or the Public Health Service Reserve, whether on active duty or in an inactive status, who is not a member of the land or naval forces; or who is a cadet of the advanced course, senior division, of the Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps; or who has been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as a cadet or to the United States Naval Academy as a midshipman or to the United States Coast Guard Academy as a cadet, but only during the continuance of such acceptance; or who has not entered the armed forces of the United States or of a cobelligerent government and who by reason of the belligerent status of the United States or of a cobelligerent country is taken into custody or interned by the enemy or by the government of another country.

21. Amend § 622.43 to read as follows:

§ 622.43 *Class IV–C: Registrants not acceptable for training and service because of nationality or ancestry, neutral aliens requesting relief from training and service, aliens not acceptable to the armed forces or to the Director of Selective Service, and aliens who have departed and are not residing in the United States.* In Class IV–C shall be placed any registrant:

(a) Who is an alien and, because of his nationality or ancestry, is within a class of persons not acceptable under any circumstances to the land or naval forces for training and service or to the Director of Selective Service for work of national importance under civilian direction. The Director of Selective Service will advise local boards which classes of registrants are not acceptable under any circumstances.

(b) Who is an alien and who is a citizen or subject of a neutral country (see § 601.2) and who, at any time prior to (1) his induction into the land or naval forces of the United States, or (2) his assignment to work of national importance under civilian direction, files with his local board an Application by Alien for Relief from Military Service (Form 301) executed in duplicate. The local board shall forward the original of such form to the Director of Selective Service through the State Director of Selective Service and shall retain the duplicate in the registrant's Cover Sheet (Form 53).

(c) Who because he is an alien or because of his ancestry is, under procedure prescribed by the Director of Selective Service, found by the land or naval forces to be unacceptable for training and service or by the Director of Selective Service to be unacceptable for work of national importance under civilian direction.

(d) Who is an alien and has departed from and is no longer residing in the United States. Such alien shall be classified in Class IV–C even though he is a delinquent, but this classification shall in no way relieve him from liability for prosecution for violation of the selective service law. If any registrant so classified under this paragraph returns to the United States to reside therein, his classification shall be reopened and he shall be classified anew;

Provided, That if the local board finds that any such registrant is "making a contribution" to the war effort by reason of his occupation in support of the war effort, by reason of his occupation in war production, or by reason of being engaged in an agricultural occupation or endeavor, he shall not be classified in Class IV–C but shall be classified in Class II–A under § 622.21, in Class II–B under § 622.22, or in Class II–C under § 622.25–1, as the case may be.

22. Amend the regulations by deleting § 622.45 in its entirety.

23. Amend the regulations by deleting § 622.52 in its entirety.

24. Amend § 622.61 to read as follows:

Deferred by Reason of Being Unfit

§ 622.61 *Class IV–F: Morally unfit.* (a) In Class IV–F shall be placed every registrant who, under procedures and standards prescribed by the land and naval forces, is found to be morally unacceptable for training and service or, under procedures and standards prescribed by the Director of Selective Service, is found to be morally unacceptable for assignment to work of national importance: *Provided*, That if the local board finds that any such registrant is "making a contribution" to the war effort by reason of his occupation in support of the war effort, by reason of his occupation in war production, or by reason of being engaged in an agricultural occupation or endeavor, he shall not be classified in Class IV–F but shall be classified in Class II–A under § 622.21, in Class II–B under § 622.22, or in Class II–C under § 622.25–1, as the case may be.

(b) The Director of Selective Service will keep the various elements of the Selective Service System advised of the procedures and standards referred to in paragraph (a) of this section.

25. Amend § 622.62 to read as follows:

§ 622.62 *Class IV–F: Physically or mentally unfit.* In Class IV–F shall be placed any registrant who is found to be physically or mentally unfit for service; *Provided*, That (1) if the local board finds that any such registrant is "making a contribution" to the war effort by reason of his occupation in support of the war effort, by reason of his occupation in war production, or by reason of being engaged in an agricultural occupation or endeavor, he shall not be classified in Class IV–F but shall be classified in Class II–A under § 622.21, in Class II–B under § 622.22, or in Class II–C under § 622.25–1, as the case may be, or (2) if the local board finds that such registrant has been separated from the land or naval forces by Honorable Discharge based on physical or mental disability and is not qualified for classification in Class II–A, Class II–B, or Class II–C, he shall not be classified in Class IV–F but shall be classified in Class I–C under § 622.15.

26. Amend § 622.81 to read as follows:

Certain Registrants Identified

§ 622.81 *Identifying classified registrants over 38 years of age and under 45 years of age.* Whenever a classified registrant has reached or hereafter reaches the thirty-eighth anniversary of the day of his birth and has not attained the forty-fifth anniversary of the day of his birth, he shall be identified in all records by following his classification with the letter "(H)." For example: If such registrant is in Clas I–A, he shall be identified thus, "Class I–A(H)." If such registrant is in Class II–B, he shall be identified thus, "Class II–B(H)." The identification "(H)" shall be used for each such registrant regardless of his classification.

27. Amend § 622.82 to read as follows:

§ 622.82 *Identifying registrants qualified for limited service only.* When a selected man in Class I–A or Class I–A–O has been found qualified for limited service at the induction station but is not immediately inducted, he shall be identified in all records by following his classification with the letter "(L)" so long as he remains classified in Class I–A or Class I–A–O. While such registrant is retained in Class I–A, he shall be identified thus, "Class I–A(L)." While such registrant is retained in Class I–A–O, he shall be identified thus "Class I–A–O (L).

28. Amend the regulations by adding a new section to be known as § 622.83 to read as follows:

§ 622.83 *Identifying certain registrants in Class II–A, Class II–B, and Class II–C.* When a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only is classified in Class II–A, Class II–B, or Class II–C, he shall be identified by following his classification in the "Remarks" column of the Classification Record (Form 100) and on the Local Board Action Report (Form 110) with the letter "(F)" if he has been found disqualified for any military service or with the letter "(L)" if he has been found to be qualified for limited military service only.

29. Amend the regulations by adding a new section to be known as § 622.84 to read as follows:

§ 622.84 *Identifying certain registrants in Class I–C.* Whenever a registrant is retained or placed in Class I–C because he has been separated from the land or naval forces by Honorable Discharge based on physical or mental disability, he shall be identified by following his classification in Class I–C in the "Remarks" column of the Classification Record (Form 100) and on the Local Board Action Report (Form 110) with the letter "(F)." While such registrant is retained in Class I–C, he shall be identified thus, "Class I–C (F)."

30. Amend the regulations by adding a new section to be known as § 622.85 to read as follows:

§ 622.85 *Identifying a man whose registration is canceled.* Whenever the registration of a registrant is canceled, the local board shall enter the abbreviation "Canc." on all of its records with reference to such registrant.

31. Amend the regulations by adding a new section to be known as § 622.86 to read as follows:

§ 622.86 *Identifying registrants who are deceased.* Whenever a registrant dies, the local board will enter the abbreviation "Dec." on all of its records with reference to such registrant except that a registrant in Class I–C who dies will not be shown on Local Board Action Report (Form 110) as "Dec."

32. Amend the regulations by adding a new section to be known as § 622.87 to read as follows:

§ 622.87 *Classes discontinued.* (a) The following classes have been discontinued effective on the date shown opposite each class:

Class I–B	August 18, 1942.
Class I–B–O	August 18, 1942.
Class I–D	August 31, 1941.
Class I–D–O	August 31, 1941.
Class I–E	August 31, 1941.
Class I–E–O	August 31, 1941.
Class I–H	November 19, 1942.
Class III–A	December 11, 1943.
Class III–B	April 12, 1943.
Class III–C	February 17, 1944.
Class IV–E–H	December 24, 1941.
Class IV–E–LS	August 18, 1942.
Class IV–E–S	August 31, 1941.
Class IV–H	March 6, 1943.

(b) The classification of all registrants who are in classes (other than Class III–A and Class III–C) which have been or are hereafter discontinued shall be immediately reopened and they shall be classified anew.

(c) The classification of all registrants who are in the discontinued classes of Class III–A and Class III–C shall be reopened and such registrants shall be classified anew at the time and in such manner as has been or will be prescribed by the Director of Selective Service.

(d) Until registrants in Class III–C have been reclassified, they shall be subject to the provisions of paragraphs (c) and (d) of § 622.25–2 to the same extent as though they were in Class II–C.

(54 Stat. 885; 50 U.S.C., App., 301–318)

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 30, 1944.

[F. R. Doc. 44–6707; Filed, April 21, 1944; 2:36 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 178; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–84 as Amended Apr. 5, 1944, Amdt. 1]

CORDAGE YARN, CORDAGE FIBER AND CORDAGE

Section 3290.221 *General Conservation Order M–84* is amended as follows:

In paragraph (d) (1), delete "and" which precedes subdivision (iii);

Change subdivision (iii) to (iv), and add as a new subdivision (iii):

(iii) Wrapping or tying twine from a blend of agave sisalana tow with palma or tula istle or with both; and

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5726; Filed, April 21, 1944; 4:58 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIAL PLAN

[CMP Reg. 5, Direction 2, as Amended Apr. 22, 1944]

STEEL SHOE WIRE

The following direction is issued pursuant to CMP Regulation 5.

Steel wire and staples used in making footwear shall be treated as an operating supply under CMP Regulation No. 5 regardless of whether, under the particular manufacturer's accounting practice, such steel wire and staples are charged to operating expenses. Accordingly, manufacturers of footwear should obtain steel wire and staples in the manner provided in CMP Regulation No. 5 and should not file applications for allotments of it or for a preference rating. This applies to steel toe lasting wire, steel staple wire, steel grip tacker wire, steel slugging wire, steel taper nail wire and steel wire used for similar purposes as well as all types of steel staples.

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5750; Filed, April 22, 1944; 11:53 a. m.]

PART 3302—SERVICE EQUIPMENT

[Conversion Order L–54–a as Amended Sept. 20, 1943, Amdt. 1]

TYPEWRITERS

Section 3302.6 *Conversion Order L–54–a*, as amended September 20, 1943, is further amended in the following respects:

By deleting paragraph (b) (3).

By deleting paragraph (g).

By inserting the words "from manufacturers only" in paragraph (h) (1) in place of the words "only as authorized by the Office of Price Administration in accordance with the terms of Supplementary Directive 1D, or".

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5764; Filed, April 22, 1944; 4:43 p. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 1]

CUT-AWAY DISCS

The following direction is issued pursuant to Limitation Order L-257:

(a) Until further notice, no disc producer may manufacture "cut-away" disc or coulter blades for farm machinery and equipment (including repair parts), except:

1. To the extent necessary to fill orders for cut-away disc blades over 20" diameter which the disc producer knows are needed for "brush and bog" harrows or repairs therefor, or which his customers certify to him are needed for this purpose; or

2. Any cut-away disc or coulter blades which are in the process of manufacture on April 24, 1944.

(b) If any order of a farm machinery producer for cut-away discs cannot be filled because of this direction, he may place a substitute order for an equivalent tonnage (or less) of standard discs without losing his place on the disc producer's schedule.

(c) As used in this direction, "disc producer" means any person who makes agricultural disc or coulter blades from primary forms or shapes of steel, such as billets or sheets.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5794; Filed, April 24, 1944; 11:32 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY

[Limitation Order L-217, as amended Apr. 24, 1944]

CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of construction machinery and equipment and repair parts for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.20[1] *Limitation Order L-217*—(a) *Issuance of schedules for simplification of lines and conservation of materials.* The War Production Board may from time to time issue schedules to this order establishing conservation of materials and simplified practices with respect to types, sizes, forms, specifications, or other qualifications for construction machinery and equipment or parts thereof. From and after the effective date of any such schedules, no such products or materials shall be produced, fabricated, processed or assembled except in conformity with the issued schedules and except as specifically permitted by any such schedules. Any schedule issued pursuant hereto may also contain any other restrictions concerning such materials and products that may be deemed necessary and appropriate, such as restrictions on the sale, purchase, transfer, delivery or uses thereof.

(b) *Applicability of priorities regulations.* This order and any schedules thereto and all transactions affected thereby are subject to all applicable priorities regulations of the War Production Board, as amended from time to time.

(c) *Records.* All persons affected by this order, or any schedule issued pursuant hereto, shall keep and preserve for not less than two years accurate and complete records concerning orders, inventories, production, sales and deliveries.

(d) *Audit and inspection.* All records required to be kept by this order, shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* All persons affected by this order, or any schedule issued pursuant hereto, shall file such reports as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Violations.* Any person who willfully violates any provision of this order, or any schedule thereto, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeal.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All reports to be filed and other communications concerning this order shall be addressed to War Production Board, Construction Machinery Branch, Washington 25, D. C., Ref: L-217.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5796; Filed, April 24, 1944; 11:32 a. m.]

[1] Formerly Part 3115, § 3115.1.

PART 1157—CONSTRUCTION MACHINERY[1]

[Limitation Order L-217, Schedule V, as Amended Apr. 24, 1944]

PORTABLE CONSTRUCTION CONCRETE MIXERS

§ 1157.25[1] *Schedule V to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule V:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable construction concrete mixers.

(3) "Portable construction concrete mixer" means any concrete mixer manufactured to mix concrete in batches of 3½ cubic feet to 14 cubic feet inclusive.

(4) "Repair part" means any part manufactured for use in the repair of portable construction concrete mixers.

(5) "Running gear" means the mounting for portable construction concrete mixers such as truck wheels or skids.

(6) "Accessories and attachments" means any equipment regularly sold by a producer to be used in conjunction with the operation of a portable construction concrete mixer, but shall not include power units.

(b) *Limitation on production.* (1) On and after March 15, 1943, no producer shall put into process any materials for the manufacture of portable construction concrete mixers, running gear, or accessories and attachments which do not conform to the sizes and types established in paragraphs (c), (d) and (e) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on that date.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of portable construction concrete mixers.* Producers are limited to the following sizes and types of portable construction concrete mixers:

(1) 3½ cubic feet, tilting drum type.

(2) 7 cubic feet, two opening drum type.

(3) 10 cubic feet, two opening drum type.

(4) 14 cubic feet, two opening drum type.

(d) *Limitation on sizes and types of running gear.* Producers are limited to the following sizes and types of running gear:

(1) Side discharge on two-wheel mounting for 3½ cubic feet size of portable construction concrete mixer.

(2) End discharge on two wheel mounting for 7 cubic feet and 10 cubic feet sizes of portable construction concrete mixers (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(3) End discharge on four wheel mounting for 14 cubic feet size of portable construction concrete mixer (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(4) Skid mounting for 7, 10 and 14 cubic feet sizes of portable construction concrete mixers.

(e) *Limitation on sizes and types of accessories and attachments.* Producers are limited to the following sizes and types of accessories and attachments:

(1) Power loading skip for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(2) Skip shaker for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(3) Water measuring tank for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(4) Batch meter for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(5) Auxiliary water pump for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(6) Gated batch-hopper for the 14 cubic feet portable construction concrete mixer only.

(7) Auxiliary hoist for the 14 cubic feet portable construction concrete mixer only.

(f) *Limitation on painting.* On and after March 15, 1943, no producer shall use striping or trimming on portable construction concrete mixers, nor use more than one color finish coat paint on any one mixer and its repair parts if painted. Nothing in this paragraph (f) shall be deemed to require the repainting of any mixers or repair parts in any such producer's inventory on March 15, 1943.

(g) *Limitation on mudguards and fenders.* On and after March 15, 1943, no producer shall put into process any metal in the manufacture of mudguards or fenders for portable construction concrete mixers except for supporting brackets, nor use any metal for streamlining except when required for structural strength or for safety. Nothing in this paragraph (g) shall be deemed to prohibit the use of any metal which may have been in transit to such producer or in process by him on that date.

(h) *Restrictions on producers.* No person, unless actively engaged in the current production of portable construction concrete mixers (as indicated by his January, 1943 filing of production and shipment schedules on form PD-697, pursuant to Limitation Order L-192) shall thereafter enter into the production thereof.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5797; Filed, April 24, 1944; 11:32 a. m.]

[1] Formerly Part 3115, § 3115.6.

PART 3270—CONTAINERS

[Order M-290, Direction 2]

PRODUCTION OF V-BOXES

The following direction is issued pursuant to Order M-290:

(a) *Purpose.* This direction is issued in order to insure timely production of V-boxes and to reduce the current excessive backlog of orders for these containers. V-boxes are defined in paragraph (g) of Order L-317 as amended March 23, 1944.

(b) *Restrictions on use of solid fibre container production equipment.* No person shall use solid fibre container production equipment to make anything but V-boxes at any time when he has any unfilled orders for V-boxes on hand.

(c) *Use of solid fibre container production equipment to produce V-boxes.* All persons are directed to use all of their solid fibre container production equipment to the fullest extent to fill all V-box orders which they may have on hand at any time, regardless of the preference ratings on other orders for solid fibre containers which they may then have on hand.

(d) *Scheduling of solid fibre container orders on which specifications are changed.* If a person has unfilled rated orders for solid fibre containers other than V-boxes, and the specifications on them are changed to call for corrugated rather than solid fibre containers, he shall not treat them as new orders, but as orders received on the date the original rated order for solid fibre containers was received.

(e) *Applicability of regulations.* All applicable provisions of the regulations of the War Production Board as amended from time to time remain fully applicable to the production of solid and corrugated fibre containers except as they are specifically modified by this direction.

(f) *Modification of this direction and requests for procurement of V-board.* This direction may be modified by the War Production Board from time to time with respect to specific container manufacturers. Any person who does not have sufficient V-board to run V-box orders which he has on hand should promptly advise the Fibre Box Section, Paperboard Division, War Production Board, Washington 25, D. C.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5795; Filed, April 24, 1944; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-138, as Amended Apr. 21, 1944]

ISTLE

§ 3290.261 *Conservation Order M-138*—(a) *Definitions.* For the purposes of this order:

(1) "Istle" means any raw istle and spinnable waste istle.

(2) "Raw istle" means unprocessed istle, including the types or grades commonly known as juamave, tula, palma, pita and yucca, and including all so-called selected grades of such istle or any type of crude istle or yucca which has not been hackled, cut or otherwise commercially prepared.

(3) "Spinnable waste istle" means hacklings and combings obtained from the hackling or combing of raw istle in the preparation of brush fiber, but excluding unspinnable waste istle.

(4) "Unspinnable waste istle" means the cuttings and trimmings not over three inches in length obtained in the cutting and trimming of istle for brush manufacture, hacklings or combings polished, dyed, or otherwise made unspinnable, the card waste and other waste obtained in spinning either raw istle or spinnable waste istle, and including used istle bale covering.

(5) "Istle product" means any product processed from raw istle, alone or in combination with other fibers, including but not limited to, dressed or hackled fiber, brush fiber, tow for upholstery or padding, rope form for upholstery or padding, yarn, roving, twine, rope or reinforcing materials, but it shall not mean unspinnable waste istle or istle bale covering when used us a packaging material to cover materials of any kind imported into the United States.

(6) "Processor" means any person who processes istle or any istle product.

(b) *Importation of istle.* The importation of istle and istle products is subject to the provisions of General Imports Order M-63 as amended from time to time.

(c) *Restrictions on processing of istle and istle products.* No person shall put into process any istle or istle product, except as follows:

(1) Juamave and pita istle, suitable for spinning over hard fiber machinery, for incorporation and use in rope, unless the War Production Board, in allocating the fiber, specifically permits other uses.

(2) Any other istle and istle product, for incorporation and use in any of the following products.

(i) Rope.
(ii) Twine.
(iii) Brushes.
(iv) Paper, as reinforcement only.
(v) Plastics.
(vi) Wire rope centers.
(vii) Any product for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States (including post exchanges and ship's service stores), the Maritime Commission or War Shipping Administration.
(viii) Any product, for the manufacture of which any istle or istle product is allocated in accordance with paragraph (d).

However, no processor shall use in any calendar month beginning May 1, 1944 more than 16⅔ per cent of the quantity of palma istle (Fair Average Quality) which he used in the period from January 1, 1944 through March 31, 1944, nor shall he produce any yarn containing more than 49 per cent of any type or types of palma istle.

(d) *Control and allocation.* On and after August 12, 1943, no processor shall make or accept delivery of, or use or process istle, or any istle product, in violation of orders of the War Produc-

tion Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of istle, and istle products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct, permit, or prohibit particular uses of raw istle, or istle products, by any processor, in connection with the allocation of such material to him. Any direction, prohibition or allocation, pursuant to this paragraph, must, to be valid, be in writing and in the name of the War Production Board.

(e) *Restrictions on deliveries.* No person shall accept delivery of, deliver, purchase, or sell any istle, or istle product, for any use not permitted by this order. No person shall sell or deliver any istle or istle product to any person whom he knows or has reason to believe is not entitled to receive the same, or to any person who he has reason to believe will put such material to a use not permitted by this order. Unless he knows or has reason to believe it to be false, any person may rely upon a certificate obtained from his customer indorsed on or attached to the purchase order or delivery receipt in substantially the following form:

This is to certify to you and to the War Production Board that delivery from you of ---------- quantity of istle ---------- (indicate whether istle, or istle product) on or about ----------, 1943, is in an amount and for a purpose permitted by WPB Order M-138, with the terms of which I am familiar. Materials referred to in this certificate will be used as permitted by the order.

(Purchaser)

By----------
(Duly authorized official)

A person selling or delivering istle need not require such certificate if he satisfies himself in any other reasonable manner that the facts exist which warrant him in making a delivery under this paragraph.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Reports.* Any person who acquires or puts into process any raw istle shall report on Form WPB-914, formerly PD-469-Part 1, as required on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Persons affected by this order shall file such other reports and questionnaires as may from time to time be required, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-138.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5727; Filed, April 21, 1944; 4:58 p. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 312,[1] Amdt. 1]

MAPLE SYRUP AND MAPLE SUGAR

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 312 is amended in the following respects:

1. A new subparagraph (5) is added to section 2 (a) to read as follows:

(5) Purchasers shall not pay to producers nor producers receive from purchasers any remuneration for transporting the maple syrup to the "loading point" unless the prices provided in Table A are reduced by an amount equal to the amount which the producer receives for such transportation.

2. Section 2 (e) is amended to read as follows:

(e) *Delivered prices.* The delivered price for any item of maple syrup subject to the provisions of this regulation shall in no case exceed the established maximum f. o. b. price for that item plus the actual transportation charges incurred from the point at which such f. o. b. price applies to the place of destination. Such charges shall, in no event exceed the cost of transporting an equal quantity of maple syrup from that f. o. b. point to that place of destination, computed at the lowest available transportation rate for the customary mode of transportation employed.

This amendment shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 20, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5715; Filed, April 21, 1944; 4:46 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 120]

MILEAGE RATIONING; GASOLINE REGULATIONS

A rational accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.8153 (b) (4) (iv) is added to read as follows:

(iv) The Deputy Administrator in Charge of Rationing issues an order permitting specified dealers or licensed distributors to accept Class R coupons for one or more kinds of bulk transfers. The Deputy Administrator must find that these dealers or licensed distributors are regulated in such a manner by state law applicable throughout the state that their acceptance of Class R coupons for such kinds of bulk transfers will not facilitate the unlawful acquisition of Class R coupons.

This amendment shall become effective April 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5714; Filed, April 21, 1944; 4:46 p. m.]

PART 1306—IRON AND STEEL

[RPS 49,[1] Amdt. 22]

RESALE OF IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1306.157 (a) is amended to read as follows:

(a) "The operations commonly known as the warehousing of iron or steel products" means the actual receipt and unloading of iron or steel products into premises, regularly maintained for such operation, equipped with facilities for performing such functions as receiving, stocking, sorting and grading, pipe threading or cutting, shearing, flame cutting or burning to size or shape, and shipping which functions are necessary or incidental to the resale and distribution of the particular products brought into such premises. In no case, however, will such operations be considered as having been performed unless the premises referred to are maintained and operated by the owner of the material at the time it was put through such operation and unless the iron or steel product was acquired by such owner under authority to purchase for delivery into his stock for resale in substantially the same form as received granted by the applicable regulations of the War Production Board.

This amendment shall be effective April 27, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5746; Filed, April 22, 1944; 11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 3]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5402 (e) is amended to read as follows:

(e) The allowable ration during the three (3) month period beginning with the date on which the ration is required,

(1) For the non-occupational use of a boat, shall be not more than one hundred and twenty-five (125) gallons or the number of gallons equal to four (4) times the manufacturer's rated horsepower of the motor or motors propelling the boat, whichever is less;

(2) For the occupational use of a boat for pleasure cruising, guiding or fishing parties, or sightseeing, shall be not more than one hundred and twenty-five (125) gallons or the number of gallons equal to four (4) times the manufacturer's rated horsepower of the motor or motors propelling the boat, whichever is less. However, where the application states that only No. 5 or No. 6 or Bunker "C" fuel oil (having an A. P. I. gravity of 20° or below) will be consumed for such use of the boat and the application is accompanied by a currently valid permit from the Office of Defense Transportation (under Administrative Order ODT 24 of that Office) approving the number of gallons of such fuel oil to be used for the operation of the boat during the three (3) month period for which the ration is needed, the allowable ration shall be the amount of fuel oil needed for such purpose during such three (3) month period, but in no event more than the amount approved by the Office of Defense Transportation in the permit. A ration issued upon such application may not be used to acquire or consume any grade of fuel oil other than No. 5 or No. 6 or Bunker "C" having an A. P. I. gravity of 20° or below.

(i) Upon recommendation by the Office of Defense Transportation that all or part of a ration issued under paragraph (e) (2) of this section, pursuant to a permit from that Office, be revoked, the Washington Office, or the Regional Administrator, District Director or Board having jurisdiction will revoke such ration or such part as may be recommended by the Office of Defense Transportation.

This amendment shall become effective on April 22, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5745; Filed, April 22, 1944; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 58]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.7 (a) (1) is amended by deleting the following:

Furthermore, a department of a State Government may apply to the District Office for the area where the state capitol is located for all shoe stamps or certificates needed to acquire shoes to be furnished to residents of any eligible institution under the supervision of the department. Separate applications shall be made for each institution. If application is made for an institution in this manner, it shall not make application to any other District Office.

2. Section 1.7 (a) (6) is added to read as follows:

(6) A department of a State Government may apply to the District Office for the area where the State capitol is located for all shoe stamps or certificates needed to acquire shoes to be furnished to residents of any eligible institution for which the department procures shoes. One application may be made for all such institutions but in such case, a list shall be attached to the application showing the number of residents who are furnished shoes by each institution for which application is made and the number of pairs of shoes owned by that institution. If application is made for an institution in this manner, it shall not make application to any other District Office. Any shoes which a state institution has in stock may be transferred to another state institution without the collection of ration currency and without registering the institutions as establishments if shoes are procured for the institutions by the same department of the State.

3. Section 1.16 is amended to read as follows:

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid.

War Ration Book number	Stamp number	Valid period (for men's, women's, and children's shoes)
One	17	First Tuesday after effective date of order to June 15, 1943, inclusive.
One	18	June 16, 1943, to Apr. 30, 1944, inclusive.
Three	Airplane #1	Nov. 1, 1943, to date to be announced by the Office of Price Administration.
Three	Airplane #2	May 1, 1944, to date to be announced by the Office of Price Administration.

This amendment shall become effective April 27, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5746; Filed, April 22, 1944; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR,[1] Incl. Amdts. 1-53,[2] Correction]

NATIVE OR ISLAND TWIST CHEWING TOBACCO

The compilation of Revised Supplementary Regulation No. 1, to the General Maximum Price Regulation, including

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3347.

[1] 8 F.R. 4808, 4842, 7287, 7895, 7769, 7909, 9750, 9530, 13553, 13880; 9 F.R. 604.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357, 3353.

[1] 8 F.R. 15899, 16605, 16996; 9 F.R. 92, 573, 704, 2232, 2947, 2629, 3240.

[1] 9 F.R. 1385.

[2] 9 F.R. 3581.

Amendments 1 through 53, is corrected in the following respects:

1. Section 4.2 (f) and the following note are corrected to read as follows:

(f) Clay pigeons, but this exemption shall expire July 1, 1944.

[Paragraph (f) added by Am. 26, 8 F.R. 12406, effective 9-11-43; amended by Am. 43, 9 F.R. 184, effective 1-1-44, and Am. 50, 9 F.R. 2692, effective 3-8-44]

2. Section 4.6 is corrected by adding paragraph (k) and the following note to read as follows:

(k) *Native or island twist chewing tobacco sold and delivered to the Federal Surplus Commodity Corporation.* "Native or island twist chewing tobacco" means twist chewing tobacco pressed flat and made of fire-cured or dark air-cured tobacco, or a combination of both; and treated with a casing mixture of molasses, syrup, glycerin, alcohol and such flavorings as are normally used on twist tobacco consumed by the natives of New Guinea, the Solomons, and other islands in the Southwest Pacific area.

Prior to the effective date of any contract for the sale of native or island twist chewing tobacco to the Federal Surplus Commodity Corporation (or, if the contract is already in effect, within ten days from March 25, 1944), a seller shall submit to the Office of Price Administration, Washington 25, D. C., a copy of such contract or a statement setting forth the date and terms of such contract, including the quantity of twist chewing tobacco sold or to be sold and the price paid or agreed to be paid therefor.

[Paragraph (k) added by Am. 51, 9 F.R. 3075, effective 3-25-44]

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5747; Filed, April 22, 1944; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR,[1] Amdt. 123]

EYEGLASSES AND SPECTACLES SOLD IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

1. A new paragraph (a) (4) is added in section 6.8 to read as follows:

(4) Notwithstanding Maximum Price Regulation No. 194[2] this section 6.8 shall be applicable in the Territory of Alaska.

This amendment shall become effective April 27, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385.

[2] 7 F.R. 8909, 9268, 9744, 9923, 9358, 9947, 9195, 10231, 10790, 11012; 8 F.R. 856.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5749; Filed, April 22, 1944; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under Order 375 of 3 (b)]

MASON, AU & MAGENHEIMER CONFECTIONERY MFG. CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2163 *Authorization of maximum prices governing sales of "Vita-Snak Bar" a confectionery item manufactured by Mason, Au & Magenheimer Confectionery Mfg. Co., Brooklyn, New York.* (a) The maximum prices following are hereby authorized for the indicated sales of "Vita-Snak Bar", a 1.7 ounce confectionery item, manufactured by Mason, Au & Magenheimer Confectionery Mfg. Co. in accordance with its formula contained in price application of March 6, 1944:

(1) Mason, Au & Magenheimer Confectionery Mfg. Co. to wholesalers and chain and syndicate stores, $1.06 per 20 count box delivered.

(2) Mason, Au & Magenheimer Confectionery Mfg. Co. and wholesalers to independent retailers, $1.33 per 20 count box delivered.

(3) Retailers to consumers $0.10 per bar.

(b) The prices established in this order are the highest prices for which "Vita-Snak Bars" may be sold by the respective sellers. All sellers, on sales of "Vita-Snak Bars", shall use their customary discounts, allowances and price differential applying to sales of comparable candy items. In the application of any existing differentials, the maximum prices established by this order shall not be exceeded.

(c) For a period of at least 90 days or until deliveries of "Vita-Snak Bars" have been made to all its purchasers, Mason, Au & Magenheimer Confectionery Mfg. Co., shall place in or attach to each smallest retail packing unit the appropriate portions of the following notice:

The Office of Price Administration has established maximum prices for sales of the "Vita-Snak Bar" as follows: (1) Sales by Mason, Au & Magenheimer to wholesalers and chain and syndicate stores ..... $1.06 per 20 count box delivered.

(2) Sales by Mason, Au & Magenheimer and Wholesalers to independent retailers ..... $1.33 per 20 count box delivered.

(3) Sales by retailers to consumers ..... $0.10 per box.

(4) All sellers are required to use for this item their customary discounts, allowances and price differentials supplying to like sales of comparable candy items. In the application of any existing differentials, the maximum prices mentioned herein shall not be exceeded.

(d) This order may be revoked or amended at any time by the Price Administrator.

(e) This Order No. 29 shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5744; Filed, April 22, 1944; 11:50 a. m.]

PART 1358—TOBACCO

[TMPR 38]

CIGAR CUTTINGS AND CLIPPINGS

In the judgment of the Price Administrator, the prices of cigar cuttings and clippings have advanced to a point and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and it is necessary in order to prevent further advances, to issue a temporary maximum price regulation establishing prices at levels prevailing during the five days immediately prior to its issuance. The prices for cigar cuttings and clippings established by this regulation are not below those which will reflect to producers prices equal to the highest of those required by the provisions of section 3 of the act.

§ 1358.258 *Maximum prices for cigar cuttings and clippings.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Temporary Maximum Price Regulation No. 35—Cigar Cuttings and Clippings, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1358.258 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

TEMPORARY MAXIMUM PRICE REGULATION NO. 35—CIGAR CUTTINGS AND CLIPPINGS

Sec.

1. Explanation of the regulation.
2. Maximum prices for cigar cuttings and clippings.
3. Relation of this regulation to the General Maximum Price Regulation.
4. Records to be kept.
5. What is prohibited under this regulation.
6. Petitions for amendment.

SECTION 1. *Explanation of the regulation.* (a) This regulation fixes maximum prices for all sales of cigar cuttings and clippings, except export sales which are subject to the provisions of the Second Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration.

"Cigar cuttings and clippings" means cuttings and clippings and other scraps or pieces of tobacco resulting from cigar manufacturing operations.

(b) This regulation is applicable to the forty-eight states of the United States, the District of Columbia, and the territories and possessions of the United States.

[1] 8 F.R. 4132, 5987, 7662, 9098, 15193.

(c) This regulation shall become effective April 22, 1944, and unless sooner revoked or superseded by a permanent regulation shall expire at 11: 59 p. m. on June 20, 1944.

(d) Unless the context otherwise requires, the definitions contained in the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, apply to the terms used in this regulation.

SEC. 2. *Maximum prices for cigar cuttings and clippings.* (a) For a sale of cigar cuttings and clippings, the maximum price to a particular purchaser is the highest price charged by the seller for the same quantity of the same or substantially the same type of cigar cuttings and clippings sold to that purchaser or a purchaser of the same class.

If a seller during the period April 17, 1944 to April 21, 1944, inclusive, customarily made no distinction between types of cigar cuttings and clippings and sold all types at the same price to each class of purchasers, his maximum price to a particular purchaser is the highest price charged that purchaser or a purchaser of the same class for the same quantity irrespective of the type being sold.

"Type of cigar cuttings and clippings" refers to the customary practice, if any, of the particular seller to separately price cigar cuttings and clippings because of different kinds or grades of tobacco leaf or because of the quality or condition of the cuttings and clippings. If a seller had no such practice, all his sales shall be deemed sales of the same type of cigar cuttings and clippings.

"Highest price charged" means the highest price which the seller charged for the same quantity of the same or substantially the same type of cigar cuttings and clippings in any delivery made by him during the period April 17, 1944, to April 21, 1944, inclusive, to a purchaser of the same class.

If the seller made no such delivery, the "highest price charged" means his highest offering price for the same quantity of the same or substantially the same type of cigar cuttings and clippings for delivery during that period to a purchaser of the same class.

(b) If the seller did not deliver or offer to deliver the same or substantially the same type of cigar cuttings and clippings during the period April 17, 1944, to April 21, 1944, inclusive, to a purchaser of the same class, his maximum price is the highest price charged for a delivery of the same quantity thereof during that period by his most closely competitive seller to a purchaser of the same class.

(c) If the seller delivered or offered to deliver the same type of cigar cuttings and clippings to purchasers of the same class during the period April 17, 1944, to April 21, 1944, inclusive, but did not deliver or offer to deliver to such purchasers the quantity thereof being priced, his maximum price for such quantity shall be determined on a proportionate basis.

(d) On all sales of cigar cuttings and clippings a seller must maintain his customary discounts, allowances and other price differentials in effect during the period April 17, 1944, to April 21, 1944, inclusive.

SEC. 3. *Relation of this regulation to the General Maximum Price Regulation.* (a) The following provisions of the General Maximum Price Regulation and amendments to that regulation are applicable to every seller of cigar cuttings and clippings:

(1) Transfer of business or stock-in-trade. (Section 1499.5)

(2) Federal and state taxes. (Section 1499.7, except that the base period April 17, 1944 to April 21, 1944, inclusive, must be substituted for March 1942, and the date April 21, 1944 must be substituted for March 31, 1942.)

SEC. 4. *Records to be kept.* (a) As to all sales of cigar cuttings and clippings covered by this regulation, every seller must preserve for examination by the Office of Price Administration all of his existing records relating to prices which he charged during the period April 17, 1944 to April 17, 1944, inclusive, and his offering prices for delivery during that period; and he must prepare on or before May 12, 1944 on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices for the items sold to each class of purchasers during that period and (2) all of his customary allowances, discounts and other price differentials.

(b) In addition he must keep records of the same kind as he has customarily kept relating to the prices which he charged for cigar cuttings and clippings during the period April 17, 1944 to April 21, 1944, inclusive, together with the basis upon which he determined his maximum prices.

SEC. 5. *What is prohibited under this regulation.* (a) *No buying or selling above maximum prices.* On and after April 22, 1944, regardless of any contract, agreement or other obligation, no person may sell or deliver, and no person in the course of trade or business may buy or receive cigar cuttings and clippings at prices higher than the maximum prices fixed by this regulation; and no person may agree, offer, solicit, or attempt to do any of these acts. However, prices lower than the maximum prices fixed by this regulation may be charged, demanded, paid, or offered.

(b) *Evasion.* The price limitations contained in this regulation may not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any cigar cluttings and clippings for which maximum prices are fixed by this regulation, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, packing or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[2] issued by the Office of Price Administration, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 6. *Petitions for amendment.* Any person seeking a modification of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

This temporary maximum price regulation shall become effective April 22, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5755; Filed, April 22, 1944; 3:05 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 58]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 2.7 (a) is amended by deleting the words "ninety percent (90%)" and substituting in place thereof the words "seventy-five percent (75%)."

2. A new section 10.1 (g) is added to read as follows:

(g) A seasonal user may be granted a single allotment covering more than

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12537, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3080, 3075, 3340, 3704, 3577.

[2] 8 F.R. 13240.

[3] 7 F.R. 9961; 8 F.R. 3313, 3533, 6173, 11806.

one allotment period. However, that allotment may not cover more than ninety (90) consecutive days. If he applies for an allotment under this paragraph he must notify the Board of the number of days he will actually be in operation and the Board shall increase his allotment proportionately. Any allotment granted under this paragraph shall be in lieu of any regular allotments that he may be entitled to under any other provisions of this order.

This amendment shall become effective April 28, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M, and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5816; Filed, April 24, 1944; 11:37 a. m.]

PART 1309—COPPER

[RMPR 20,[1] Amdt. 1]

COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 20 is amended in the following respects:

1. Section 4 is amended to read as follows:

SEC. 4. *Toll or conversion agreements*—(a) *Copper.* The maximum price which may be charged by one person for treating or processing the copper scrap or copper alloy scrap of another by smelting, remelting or other method to produce copper shall be an amount equal to the difference between the maximum price for such scrap established by this regulation and the maximum price for the copper processed or produced from such scrap.

(b) *Brass or bronze alloy ingot or shot.* The maximum price which may be charged by one person for treating or processing the copper scrap or copper alloy scrap of another by smelting, remelting or other method to produce brass or bronze alloy ingot or shot shall be a price or charge approved by the Office of Price Administration for the particular service.

Requests for approval of toll or conversion charges for the production of brass or bronze alloy ingot or shot should be made by letter addressed to the Nonferrous Metals Branch, Office of Price Administration, Washington, D. C. A copy of the proposed toll or conversion contract should be enclosed or the letter should state the proposed charge and summarize the other terms of the contract. When a toll or conversion charge is submitted for approval in this manner, it shall be deemed to be approved unless the Administrator specifically disapproves such charge within fifteen days from the date on which receipt of the request for approval is acknowledged. Approval shall, however, apply only to the charge for the service to be performed under the particular contract as to which the request is made.

2. Section 16 (c) (1) (i) is amended to read as follows:

(c) *Special preparation premiums*—(1) *Special preparation premiums for copper scrap.* (i) To the maximum base price for No. 1 copper wire and No. 1 heavy copper, No. 1 tinned copper wire and No. 1 tinned heavy copper, No. 1 copper borings, No. 2 copper wire and mixed heavy copper, or No. 2 copper borings, the applicable one of the following crucible-shape or briquetting premiums may be added. However, no crucible shape or briquetting premium may be added on the sale or delivery of any such copper scrap to a copper refinery or a brass and bronze ingot manufacturer.

	Cents per pound
No. 1 copper wire and No. 1 heavy copper in briquettes or in crucible shape	1.36
No. 1 tinned copper wire and No. 1 tinned heavy copper in briquettes or in crucible shape	1.25
No. 1 copper borings	1.25
No. 2 copper wire and mixed heavy copper in briquettes or in crucible shape	1.00
No. 2 copper borings	1.00

3. Section 16 (f) (6) is amended to read as follows:

(6) *Sales of certain grades of copper alloy scrap to a consumer other than a copper refinery or a brass and bronze ingot manufacturer.* The maximum base prices, f. o. b. freight cars, trucks or other means of transportation, at the point of shipment, for the grades of copper alloy scrap listed below, on a sale to a consumer other than a copper refinery or a brass and bronze ingot manufacturer, shall be as follows:

	Cents per pound
Brass pipe	8.00
Old rolled brass	7.75
Admiralty condenser tubes	8.00
Muntz metal condenser tubes	7.50
Plated rolled brass sheet, pipe and reflectors	7.50

Subject in all cases to the deduction provided for in footnote 2.

This amendment shall become effective April 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5815; Filed, April 24, 1944; 11:36 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 131,[1] Amdt. 1]

CAMELBACK AND TIRE AND TUBE REPAIR MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 131 is amended in the following respects:

1. The proviso in section 3 (b) is amended to read as follows:

Provided, That the maximum price for any sale to a recapper or vulcanizer of camelback (other than base and lug stock) which is predesigned for use with open steam method of retreading or recapping by cutting a non-skid pattern therein, shall be determined by adding 8 cents per pound to the price set forth for such camelback in the following table:

2. In Table I, section 4 (b) (1) the references to padding stock are amended to read as follows:

Type	Size	Unit	Price to which discounts are to be applied
Padding stock	18 inch or wider	Per pound	$0.75
	Cut in stripe	Per pound	.60

3. In section 6 (d) (3) (iii) the reference to reliners is amended to read as follows:

General type:	*Base item*
Reliners:	
Truck tires	32 x 6 size, 4-ply.
Passenger car tires	6.00-16 size, 2-ply.

4. In section 6 (d) (3) (iii), the statement opposite Consumers' kit is amended to read as follows:

Select the consumers' kit which the manufacturer is presently delivering in the largest volume.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5809; Filed, April 24, 1944; 11:38 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 756.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1110.

PART 1340—FUEL

[MPR 88,[1] Amdt. 6]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simiultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 2.27 (a) is amended as follows:

a. The entire wording above the table is modified to read as follows:

(a) *State of New Hampshire.* Maximum tank wagon prices to consumers for kerosene, No. 1 fuel oil and range oil and Nos. 2 and 3 fuel oils in the following towns and cities in the State of New Hampshire shall be as follows:

b. The table heading is amended to read as follows:

City or town	Kerosene, No. 1 fuel oil and range oil—on deliveries of 25 gallons or over [1]	Nos. 2 and 3 fuel oils—on deliveries of 100 gallons or over [2]

c. Footnotes 1 and 2 are added to read as follows:

[1] Sellers may add 1.5¢ per gallon on single lot deliveries of less than 25 gallons.

[2] Sellers may add .5¢ per gallon on single lot deliveries of less than 100 gallons.

d. The Rollingsford price of 9.5¢ for Nos. 2 and 3 fuel oils, as stated in the table, is amended to 9.3¢ per gallon.

e. Section 2.27 (a) (2) is revoked.

2. Section 2.28 (a) is amended to read as follows:

(a) *State of New Jersey.* In the State of New Jersey, at points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil, range or stove oil:

[All prices in cents per gallon]

	Wholesale f. o. b. prices				Delivered prices		
	F. o. b. terminals in bulk lots loaded into barges	F. o. b. refineries, seaboard tanker terminals and pipeline terminals in bulk lots loaded into tank cars and motor transports in single lots of 3,000 gallons or over	Loaded into buyer's tank wagon in single lots of less than 3,000 gallons		For tank wagon delivery to resellers in any quantity	For tank wagon delivery to consumers in quantities of 25 gallons or over	For tank wagon delivery to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons
For delivery within:				For delivery within:			
Union County	7.0	7.1	7.6	Union County	10.0	10.5	12.0
Middlesex County	7.0	7.1	7.6	Middlesex County	10.0	10.5	12.0
Excepting town of Dunellen			7.7	Essex County	10.0	10.5	12.0
Essex County	7.0	7.1	7.8	Excepting:			
Excepting storage facilities situated on Doremus Avenue, city of Newark.	7.0	7.1	7.6	Towns of Caldwell, Essex Fells, West Caldwell, North Caldwell, Roseland and Caldwell Township.	10.5	11.0	12.5
Hudson County	7.0	7.1	7.8	Hudson County	10.0	10.5	12.0
Bergen County	7.0	7.1	7.9	Bergen County	10.0	10.5	12.0
Excepting:				Passaic County	10.0	10.5	12.0
Borough of Edgewater	7.0	7.1	7.6				
Borough of North Arlington and township of Lyndhurst.			7.8				
Passaic County			7.9				

(2) For Nos. 2, 3 and 4 distillate fuel oil:

[All prices in cents per gallon]

	Wholesale f. o. b. prices				Delivered prices	
	F. o. b. terminals in bulk lots loaded into barges	F. o. b. refineries, seaboard tanker terminals, and pipe-line terminals, in bulk lots loaded into tank cars and motor transports, in single lots of 3,000 gallons or over	Loaded into buyer's tank wagon in single lots of less than 3,000 gallons		For tank wagon deliveries in quantities of 100 gallons or over	For tank wagon deliveries in quantities of less than 100 gallons
For delivery within:				For delivery within:		
Union County	6.6	6.7	7.0	Entire State of New Jersey	9.5	9.5
Middlesex County	6.6	6.7	7.0			
Excepting town of Dunellen			7.4			
Essex County	6.6	6.7	7.1			
Excepting storage facilities situated on Doremus Avenue, city of Newark	6.6	6.7	7.0			
Excepting storage facilities situated on Frelinghuysen Avenue or Wheeler Point Road, city of Newark			7.2			
Hudson County	6.6	6.7	7.2			
Excepting city of Bayonne	6.6	6.7	7.0			
Bergen County	6.6	6.7	7.2			
Excepting:						
Borough of Edgewater	6.6	6.7	7.0			
City of Garfield and Borough of Wallington			7.3			
Boroughs of East Paterson, Paramus and Ramsey; township of Wychoff and town of Mahwah			7.5			
Passaic County			7.3			
Excepting city of Paterson and Borough of Hawthorne			7.5			

3. Section 5.1 is amended as follows:

A new unnumbered paragraph is inserted between the existing second and third paragraphs, said insertion to read as follows:

The quotation in the above named periodical for 72–74 octane motor gasoline, as set forth on page 40 of such publication under the sub-heading "Ohio," shall not be used for determining a seller's maximum price except on sales to consumers.

4. Section 6.5 (d) is added to read as follows:

(d) *In certain Maryland and Virginia communities—on tank wagon deliveries.* Effective as of February 19, 1944, on tank wagon deliveries of gasoline in those communities of Maryland and Virginia, where immediately prior to January 1,

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1783, 2405, 3076, 3230, 3849.

1942, tank wagon sellers were absorbing part of the state gasoline taxes in order to avoid wide differences between the total selling prices in such communities and those in Washington, D. C., there may be added to a maximum price determined under section 5.2 a sum equal to the amount of tax absorbed or .5¢ per gallon, whichever is lower.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5818; Filed, April 24, 1944; 11:37 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 3]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9 (c) of Revised Maximum Price Regulation 341 is amended by the addition of the following paragraph:

However, where a heavy duty crane, or shovel, designed and manufactured for construction work and operated by independent power, is mounted on a used vehicle and the price of the crane, or shovel, under Maximum Price Regulation 136, as amended,[2] is higher than the price of the used vehicle under this revised regulation, the entire unit shall be priced under Maximum Price Regulation 136, as amended. The prices used in this determination shall be:

(1) *For the crane or shovel.* The maximum price, at the time of the sale of the combination by the present seller.

(2) *For the used vehicle.* The maximum price, at the time of the sale of the combination by the present seller, for the bare used vehicle as though it were standard and without any extras, alterations or other improvements.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5810; Filed, April 24, 1944; 11:38 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11176, 17036, 17414.

[2] 8 F.R. 16132; 9 F.R. 1523, 2032, 2138, 2791, 3084, 3578, 4020.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 118]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

In § 1394.8051 (b) (2) subdivisions (i) and (ii) are deleted and the present text, preceding subdivision (i) is amended by adding the following sentence:

In any case in which an applicant has failed to appear to receive a quarterly ration within the first thirty days of any quarter, the Board shall not issue such quarterly ration or any portion thereof except upon instructions from the Office of Defense Transportation.

This amendment shall become effective April 28, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5817; Filed, April 24, 1944; 11:37 a. m.]

PART 1399—CONSTRUCTION, OIL FIELD, MINING AND RELATED MACHINERY

[MPR 134,[1] Amdt. 15]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES AND CHARGES FOR OPERATING AND MAINTENANCE OR REPAIR AND REBUILDING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 134 is amended in the following respects:

1. Section 1399.5 (b) (2) (ii) is amended by adding the following: "except that where he is required to pay his operators or operating crews overtime wages because of overtime operation of the equipment with which such services are being supplied, there may be added the dollar amount of so much of the excess of actual overtime over actual straight time wages as is paid such operators or operating crews, plus payroll taxes and insurance, but not including markup, thereon;

2. Section 1399.16 (a) (6) is amended by inserting after the words "as is actually paid the operator", the words "plus payroll taxes and insurance."

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5811; Filed, April 24, 1944; 11:38 a. m.]

[1] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1328, 1397, 1712, 2033, 2087, 2239, 2654, 2302, 2567, 2655, 2629, 2791, 3073, 2909, 3232, 3734, 3745.

PART 1410—WOOL

[MPR 163, incl. Amdts. 1-15,[1] Correction]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

Through inadvertence, an undesignated paragraph, formerly a part of § 1410.103 (a) of the regulation, was omitted in the collation issued on April 13, 1944, as MPR 163, including amendments 1-15. Therefore, § 1410.103 (a) (1) is corrected by adding at the end thereof the following undesignated paragraph:

In cases of sales and deliveries covered by subdivisions (iv), (v), or (vi) where a jobber has several styles of a woolen or worsted apparel fabric in the same range and the differential between the manufacturer's net invoice prices of all the styles in the range does not exceed $0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

This correction shall become effective as of April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5813; Filed, April 24, 1944; 11:36 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 32]

CONCRETE PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneouly herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended by changing the list of commodities in § 1499.167, Appendix B, as follows:

[1] 9 F.R. 3972.

[2] 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 537, 1815, 1960, 3105, 3788, 3850, 4140, 4931, 5759, 8751, 8753, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556.

1. The commodities listed under the heading "Concrete Products" are amended to read:

Concrete products:
Building blocks and bricks.
Cast shapes and cast stone.
Tile and tiling.
Sewer and culvert pipe.
Drain tile.
Posts, piles, and cribbing.
Terrazzo.
Septic tanks.
Grave vaults and liners.
Laundry trays.

This Amendment No. 32 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5814; Filed, April 24, 1944; 11:36 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 124]

SHELLAC VARNISH

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.2 (b) (1) is amended to read as follows:

(1) *Maximum prices for sales by wholesalers to retailers and commercial users.* The maximum price of shellac varnish for sales by a wholesaler to a retailer or commercial user shall be 125 per cent of the actual delivered cost of such shellac varnish to such wholesaler.

"Commercial user" means a person who buys for use in an establishment furnishing goods or services directly to the ultimate consumer other than an industrial or other commercial user.

Examples. A wholesaler may sell shellac varnish at the ceilings established by this subparagraph (1) to an operator of a bowling alley for use in resurfacing the alleys. Such an establishment furnishes a service directly to an ultimate consumer.

A wholesaler may not sell shellac varnish at the ceilings established by this subparagraph (1) to a manufacturer for application to kitchen cabinets for resale. The cabinets are not furnished directly to an ultimate consumer.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5812; Filed, April 24, 1944; 11:37 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 275]

PART 408—ACCOUNTING DIVISION

Section 408.000[1] is amended to read as follows:

§ 408.000 *Accounting procedure for interest at 4½ percent.* The accrual of interest at 4½% per annum, as authorized after October 16, 1939, on all home owner accounts, except accounts authorized for foreclosure, hereafter shall apply to all home owner accounts except those on which statements of account have been prepared and delivered to the Legal Department prior to the effective date of this revision.

In the latter cases, interest shall continue to be charged, while the accounts are authorized for foreclosure, at the rate specified in the loan or sales instrument as applicable prior to default, even though such rate may exceed 4½% per annum.

Effective April 21, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-5763; Filed, April 22, 1944; 3:27 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—REGULATIONS FOR SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II, of the Espionage Act, approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (50 U.S.C., sec. 191, 191a), and by virtue of the Proclamation and Executive order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581) respectively, the regulations relating to the control of vessels in the navigable waters of the United States, are hereby amended as follows:

Section 6.3 (b) is deleted.

Section 6.20 is deleted.

Section 6.1–27 is amended to read as follows:

§ 6.1–27 *Narragansett Bay, Naval Torpedo Station Torpedo Testing Area—(a) Danger zone.* (1) The Torpedo Testing Range comprises all of the waters within the area bounded as follows:

From the east shore of Conanicut Island at Lat. 41°31′ N. to Point A in Lat. 41°31′ N. Long. 71°20′48″ W. thence to Point B in Lat. 41°31′45″ N. Long. 71°20′09″ W., thence to Point C in Lat. 41°33′56″ N. Long 71°19′30″ W., thence 346° true to the shore of Prudence Island, thence along the south and west shores of Prudence Island and Patience Island to the North West Point Patience Island, thence 177° true tangent to the east shore of Conanicut Island and along the east shore of Conanicut Island to Lat. 41°31′ N. the point of origin.

(2) *The prohibited area.* The prohibited area, which overlaps the torpedo testing range, is bounded by a line beginning at Lat. 41°32′17″ N., Long. 71° 20′32″ W., and running thence to Lat. 41°37′17″ N., Long. 71°21′03″ W., thence to Lat. 41°37′15″ N., Long. 71°21′26″ W., thence to a point on the north shore of Hope Island at Lat. 41°36′22″ N., Long. 71°22′00″ W., thence easterly, southerly, and southwesterly along the mean high-water mark of the shore of Hope Island to Lat. 41°36′00″ N., Long. 71°22′03″ W., thence to a point on the northeast shore of Conanicut Island at Lat. 41°34′16″ N., Long. 71°22′00″ W., thence southeasterly and southerly along the mean high-water mark of the shore of Conanicut Island to Lat. 41°33′15″ N., Long. 71° 21′39″ W., thence to Lat. 41°32′14″ N., Long. 71°20′58″ W., thence to the point of beginning.

(b) *The regulations.* (1) No vessel shall anchor or fish, or tow a drag of any kind in the prohibited area.

(2) Anchoring in the Torpedo Testing Range outside the prohibited area is forbidden except in cases of great emergency and vessels anchoring there under such conditions shall move out of the area as soon as possible.

(3) The danger zone shall be given a wide berth when possible in order to avoid danger from running torpedoes, damage to range installations, or interference with range operations.

(4) The danger zone may, in case of necessity, be entered under the following conditions:

(i) Vessels proceeding to or from the Naval Air Station, Quonset Point, the Advanced Base Depot or other points in the western part of Narragansett Bay may pass between Conanicut Island and Gould Island:

When firing is in progress. In the case of major vessels making this passage, firing will be suspended on the approach of such vessels to the danger zone or on request to the Proof Officer, Firing Pier, Gould Island.

In the case of minor vessels, they must proceed with caution, avoid torpedoes, and observe orders of craft patrolling the zone which are identified by a square red flag.

When firing is not in progress. Vessels may make this passage without special precautions except that diving tenders with divers down shall be given a wide berth and passed at slow speed.

(ii) Other than as specified above, vessels shall not enter the danger zone while firing is in progress except by special arrangement through the Proof Officer, Firing Pier, Gould Island or, through the Officer in Charge, Magnetic Range, if entering for operations on the Magnetic Range.

(5) The following signals shall be displayed from the Firing Pier at the North

[1] 4 F.R. 4034.

end of Gould Island to indicate that torpedo firing is in progress:

By day: A large red flag.
At night. An all around green light.

Torpedo firing may be expected at any time of the day or night, Sundays and holidays included.

(6) When torpedo firing is in progress a patrol boat shall be kept in readiness and shall give timely warnings to vessels approaching dangerous areas and shall issue necessary orders and instructions regarding navigating the danger zone. Craft patrolling the danger zone shall fly or expose a square red flag.

(7) Orders and instructions issued by patrol craft or other authorized representatives of the enforcing agency must be promptly carried out by vessels in, or in the vicinity of, the Danger Zone. The following emergency signals shall be employed by patrolling aircraft:

(i) Emergency, stop and await instructions—plane lands in front of offending vessel or drops smoke float directly ahead of her.

(ii) Emergency, torpedo heading toward you, maneuver to avoid plane zooms vessel in danger.

(8) Nothing in these regulations shall prevent the setting of fish traps outside the Prohibited Area under permits granted by the War Department, nor shall the passage of fishing vessels to and from authorized traps be unreasonably interfered with or restricted.

(9) These regulations shall be enforced by the Commandant, United States Naval Operating Base, Newport, Rhode Island, and such agencies as he may designate.

Amend § 6.5–9 (a) to read as follows:

§ 6.5–9 *Patuxent River, Maryland; prohibited area*—(a) *The area.* From a line extending from shore approximately from Sand Gates, Maryland to Prison Point, Maryland (longitude 76° 36'30" W.) to a line extending from shore to shore approximately 400 yards east of Drum Point Lighthouse (longitude 76°25').

Amend § 6.5–10 (b) (1) to read as follows:

§ 6.5–10 *Gunnery Ranges and Seaplane Landing Area, U. S. Naval Air Station, Patuxent River, Maryland*—(b) *The regulations.* (1) No vessel or other craft shall enter or remain in the Machine Gun Range at any time.

No vessel or other craft, except military and naval vessels engaged in scheduled gunnery and training exercises, shall enter or remain in the Seaplane Landing Area or the Aerial Gunnery Range or Ground Gunnery Range during their use for firing practice except as provided in paragraph (b) (5), (6) and (7).

Add the following section:

§ 6.7–26 *Old Tampa Bay, Fla., along southerly shore; Practice Rifle Range, Third Air Force, U. S. Army, Tampa, Fla.*—(a) *The danger zone.* An area along the southerly shore of Old Tampa Bay, approximately 8,500 feet wide in an east-west direction and approximately 9,000 feet long in a north-south direction bounded as follows:

West boundary—Long. 82°41'36" W.
North boundary—Lat. 27°56'15" N.
East boundary—Long. 82°40'00" W.
South boundary—Shore of Old Tampa Bay.

The military operations which will be carried on in the area consist of horizontal rifle firing from 8:00 a. m. to 6:00 p. m. Firing will be in a northeasterly direction from a point within the Pinellas Army Airfield located near the southwest corner of the danger area. The area will not be marked.

(b) *The regulations.* (1) No vessel or craft shall enter or remain within the area during its use for rifle practice, except as provided in paragraph (b) (5).

(2) Since rifle practice will take place in the area at frequent and irregular intervals throughout the year, regardless of season, advance notice will be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be sent out that rifle practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners."

(3) Prior to the conducting of each rifle practice the area will be patrolled by Army aircraft to insure that no watercraft are within the danger area, and any such watercraft seen in the vicinity will be warned that practice is to take place by the "zooming" of Army aircraft at a safe distance to one side.

(4) Any such watercraft shall, upon being so warned, immediately vacate the area designated and shall remain outside the area until the conclusion of the practice.

(5) These regulations shall not deny traverse of portions of the danger area by regular cargo-carrying vessels proceeding in established steamer lanes. In case of the presence of any such vessel in the danger area, the officer in charge of firing operations shall cause the cessation or postponement of such operations until the vessel has cleared the area. The vessel shall proceed on its normal course and shall not delay its progress.

(6) These regulations shall be enforced by the Commanding General, Third Air Force, Tampa, Florida, and such agencies as he may designate.

Amend § 6.9–30 (c) by amending subparagraph (11) and adding subparagraph (12) as follows:

§ 6.9–30 *St. Mary's River, Michigan*

* * *

(c) * * *

(11) *Guarding of vessels.* All vessels except those of British registry which operate in the St. Mary's Falls Canal and Locks are required to detail or maintain a senior ship's officer or competent member of the crew to serve as a guard and report any unusual occurrences or interferences with such vessels during their passage through the canal and locks.

(12) *Other applicable regulations.* The regulations contained in this paragraph shall be supplementary to the "Regulations to Govern the Use, Administration, and Navigation of St. Mary's Falls Canal and Locks, Michigan."

FRANK KNOX,
Secretary of the Navy.

Approved: 18 April 1944.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44–6767; Filed, April 24, 1944; 10:33 a. m.]

Chapter II—Corps of Engineers, War Department

PART 207—NAVIGATION REGULATIONS

LOWER ATCHAFALAYA RIVER (BERWICK BAY), MORGAN CITY, LA.

Pursuant to section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the provisions of § 207.240 are hereby modified and made applicable to the movement of vessels and the composition of tows passing, in either direction, through the Southern Pacific Railroad bridge across the Lower Atchafalaya River at Morgan City, Louisiana, during periods of critical velocity or whenever the District Engineer finds it necessary in the interests of safety, the title and regulations being amending to read as follows:

§ 207.240 *Atchafalaya River, La.; special regulations to govern navigation through the reach of the Lower Atchafalaya River (Berwick Bay) in the vicinity of the Southern Pacific Railroad bridge at Morgan City, La.* (a) Whenever the velocity of flow, either southward or northward, through the reach of the Lower Atchafalaya River (Berwick Bay) at Morgan City, Louisiana, reaches or exceeds a critical velocity as determined by the District Engineer, United States Engineer Department at Large, in charge of the locality, or whenever the District Engineer finds it necessary for the protection of life and property, the movement of vessels and the composition of tows passing through the Southern Pacific Railroad bridge shall be governed by these regulations. Day and night visual signals will be displayed at the center of the drawspan above the operator's house on top of the bridge structure when the regulations are in effect. During periods of foggy or inclement weather, or when for any other reason the visual signals cannot readily be seen, notice that the signals are being displayed will be given by blasts of a fog horn (located on the bridge) as follows:

(1) To indicate that signals are being displayed to govern only traffic moving southward through the bridge, one blast of six seconds' duration each minute.

(2) To indicate that signals are being displayed to govern only traffic moving northward through the bridge, one blast of six seconds' duration, followed by one short blast, each minute.

(3) To indicate that signals are being displayed to govern both southbound and northbound traffic through the bridge, one blast of six seconds' duration, followed by two short blasts, each minute.

(b) By day the visual signals will consist of:

(1) Two red balls displayed vertically, one above the other, from a pole, to indicate that vessels and tows southbound through the bridge shall be governed by these regulations.

(2) Two red cylinders displayed vertically, one above the other, from a pole, to indicate that vessels and tows northbound through the bridge shall be governed by these regulations.

(c) At night the visual signal will be a light displayed immediately above the usual bridge light: (1) On the north side of the bridge to indicate that these regulations are in effect with respect to southbound traffic; (2) on the south side of the bridge to indicate that these regulations are in effect with respect to northbound traffic. This light will be red when the bridge is closed and green when the bridge is open.

(d) When the above signals governing southbound traffic are displayed, unless otherwise directed by the District Engineer tows moving south through the bridge shall not exceed one barge with the towing vessel in the rear or lashed securely to the side of the barge. If the river's flow is in a southward direction, the tow shall be drifted through the navigation opening of the bridge at a speed not exceeding the velocity of flow. If the river's flow is in a northward direction, the tow shall move through the navigation opening of the bridge at the minimum speed required to maintain steerageway.

(e) When the above signals governing northbound traffic are displayed, unless otherwise directed by the District Engineer tows moving north through the bridge shall not exceed two barges arranged in tandem with the towing vessel in the rear pushing the tow with its bow made up to the stern of the rear barge, or lashed securely alongside and near the stern of the rear barge. If the river's flow is in a southward direction, the tows shall move through the navigation opening of the bridge at the minimum speed required to maintain steerageway. If the river's flow is in a northward direction, the tow shall be drifted through the navigation opening of the bridge at a speed not exceeding the velocity of flow.

(f) The above regulations, except those governing speed of movement through the navigation opening, shall not apply to tows with two towing vessels of sufficient power, one ahead and one astern of the tow.

(g) Vessels and tows proceeding with the current shall have the right of way over vessels and tows proceeding against the current. When two vessels or tows are about to enter the navigation opening through the bridge from opposite directions at the same time, the vessel or tow proceeding against the current shall stop short of the opening until the vessel or tow having the right of way shall have passed through.

(h) Vessels and tows desiring to pass through the navigation opening of the bridge shall approach the opening along the axis of the channel and shall proceed with due regard for direction and velocity of the current and any tendency to drift either to the right or to the left so as to pass through without danger of striking the bridge or the fenders. No vessel or tow shall attempt passage through the navigation opening until the bridge is fully open. (40 Stat. 266; 33 U.S.C. 1) [Regs. 17 April 1944 (CE 823 Berwick Bay-Morgan City-Berwick, La.-Mile 17.5–SPEWR)]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–5774; Filed, April 24, 1944; 10:55 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION; DEPENDENTS' CLAIMS

DEFINITIONS OF RELATIONSHIP

§ 5.2502 *General Law.* For the purposes of the General Law the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) *Widow.* The term "widow" shall mean a person who was married to the veteran at any time prior to the death of the veteran. As to awards approved on or after March 1, 1944, based on service rendered on or after April 21, 1898, continuous cohabitation as described in § 5.2516 must be established. (Public No. 242, 78th Congress, Act of March 1, 1944.) In claims based on service rendered prior to April 21, 1898, continuous cohabitation to date of death of the veteran is required in marriages entered into subsequent to March 2, 1899, unless the marriage was entered into prior to or during service. (30 Stat. 1380) (Public No. 242, 78th Congress)

* * * * * *

§ 5.2504 *Indian Wars.* For the purposes of the Acts of March 4, 1917 (39 Stat. 1199), and March 3, 1927 (44 Stat. 1361), as amended, the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) *Widow.* (1) The term "widow" shall mean a person who was married to the veteran prior to March 4, 1917. However the $50 rate provided for in the act of March 3, 1944, is payable only when the unremarried widow was the wife of the veteran during his Indian war service (Public No. 245, 78th Congress). (See § 5.2580.) Continuous cohabitation to date of death of the veteran is required in marriages entered into subsequent to March 2, 1899. (30 Stat. 1380) (See § 5.2516.)

(2) As to claims filed under Public No. 245, 78th Congress, after March 3, 1944, the term "widow" shall mean a person as defined in subparagraph (1) of this paragraph or a person who:

(i) Was married to the veteran ten or more years prior to the date of his death;

(ii) Lived with the veteran continuously from the date of marriage to the date of his death as provided in § 5.2516;

(iii) Is 60 years of age or over;

(iv) Has not remarried;

(v) Is in dependent circumstances. In determining dependency, the criteria outlined in § 2.1057 for determining the dependency of a parent shall be applied. (Public No. 245, 78th Congress)

(b) *Remarried widow.* The term "remarried widow" shall mean a person who was married to the veteran prior to March 4, 1917, and who otherwise meets the requirements of paragraph (a) (1) of this section and whose subsequent or successive marriage or marriages has or have been dissolved either by death of the husband or husbands or by divorce without fault on her part. (44 Stat. 1361)

(c) *Child.* The term "child" is as defined in § 5.2502 (b) (1). (Public No. 245, 78th Congress)

§ 5.2508 *Spanish-American War, Boxer Rebellion, Philippine Insurrection, peacetime service.* For the purposes of Public No. 2, 73d Congress (Act of March 20, 1933), as amended, the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) *Widow.* The term "widow" of a veteran of the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection, shall mean a person who was married to the veteran prior to September 1, 1922: *Provided,* That as to awards approved on or after March 1, 1944, continuous cohabitation as described in § 5.2516 must be established (Public No. 242, 78th Congress, Act of March 1, 1944); of a peacetime veteran—who was married to the veteran prior to the expiration of ten years subsequent to his discharge from the enlistment during which the injury or disease, on account of which claim is being filed, was incurred. (§ 35.10 (e))

(b) *Child.* The term "child" shall mean the same as defined in § 5.2514 (c). (Public No. 144, 78th Congress)

(c) *Parent-father-mother.* The terms "parent," "father," and "mother" shall mean the same as defined in § 5.2514 (d). (Public No. 144, 78th Congress) (Public No. 242, 78th Congress)

§ 5.2512 *Spanish-American War, Boxer Rebellion and Philippine Insurrection—service acts as reenacted by Public No. 269, 74th Congress.* For the purposes of Public No. 269, 74th Congress (Act of August 13, 1935), as amended by Public No. 144, 78th Congress (Act of July 13, 1943), and Public No. 242, 78th Congress (Act of March 1, 1944), the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) *Widow.* For the purposes of the act of May 1, 1926, as reenacted by Public No. 269, 74th Congress (Act of August 13, 1935), the term "widow" of a veteran of the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection, shall mean a person who was married to the veteran prior to January 1, 1938. As to awards approved on or after March 1, 1944, and increases in pension under section 3, Public No. 242, 78th Congress, continuous cohabitation as described in § 5.2516 must be established: *Provided,*

That where the widow is entitled solely by virtue of the provisions of section 2, Public No. 242, 78th Congress, pension shall not be paid for any period prior to April 1, 1944. However, the $50 rate is payable only when the widow was the wife of the veteran during his war service. (Public No. 242, 78th Congress, Act of March 1, 1944) (See § 5.2617.

(b) *Remarried widow.* For the purposes of the Act of May 1, 1926 as reenacted by Public No. 269, 74th Congress (Act of August 13, 1935), the term "remarried widow" of a veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall mean a person who married the veteran prior to January 1, 1938 (Public No. 242, 78th Congress, Act of March 1, 1944), and who otherwise meets the definition of the term "widow", and whose subsequent or successive marriage or marriages has or have been dissolved either by the death of the husband or husbands, or by divorce on any ground except adultery on the part of the wife. (44 Stat. 382) (Public No. 242, 78th Congress)

PENSIONABLE AND COMPENSABLE SERVICE FOR DEATH PENSION AND COMPENSATION PURPOSES

§ 5.2524 *Death of Indian War Veteran; Act of March 3, 1927.* For the purposes of the Act of March 3, 1927 (44 Stat. 1361), the widow, remarried widow, child or children of a person who served thirty days in any Indian war or campaign, or in connection with, or in the zone of any active Indian hostilities from January 1, 1817, to December 31, 1898, inclusive, and whose service was honorably terminated, the cause of death of the veteran being immaterial, shall be entitled to receive pension at the monthly rates specified in § 5.2630. (Public No. 245, 78th Congress)

§ 5.2526 *Death of Indian War veteran; Act of March 3, 1944.* (a) For the purposes of this Act the widow, remarried widow, child or children of a person who served thirty days or more, or for the duration of one of the campaigns cited in section 1 of the Act of March 4, 1917, even though such campaign was of less than thirty days duration, in any military organization, whether such person was regularly mustered into the service of the United States or not, but whose services was under the authority of or by the approval of the United States or any State or territory in any Indian war or campaign, or in connection with, or in the zone of, any active Indian hostilities in any of the States or territories of the United States from January 1, 1817, to December 31, 1898, inclusive, and whose service was honorably terminated, the cause of death being immaterial shall be entitled to receive pension at the monthly rates specified in § 5.2630.

(b) If a pension has been granted to an insane, idiotic or otherwise helpless child of the veteran or to a child or children of the veteran under sixteen years of age, the widow shall not be entitled to the pension authorized by section 3, Public No. 245, 78th Congress, until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow, then the difference between said amounts shall be paid to the widow. (Public No. 245, 78th Congress)

COMMENCEMENT OF ORIGINAL AWARDS OF DEATH PENSION OR COMPENSATION

§ 5.2571 *Service Act, Indian Wars.* Original awards of death pension under the Service Act relating to the Indian wars (Act of March 3, 1927, 44 Stat. 1361), as amended shall commence:

(a) (1) *Widows.* The date of filing formal application, provided that where title is derived solely under the provisions of Public No. 245, 78th Congress (Act of March 3, 1944), pension shall commence from the date of filing claim after March 3, 1944.

(2) *Remarried widows.* The date of filing formal application. Remarried widows have no title under Public No. 245, 78th Congress. (Public No. 245, 78th Congress)

* * * * *

§ 5.2578 *Death pension payable solely by virtue of Public No. 242, 78th Congress.* The date of commencement of original awards of death pension payable solely as a result of the provisions of Public No. 242, 78th Congress, shall be the day following the date of death of the veteran or April 1, 1944, whichever is the later, if application is filed within one year from date of death, otherwise from date of filing application, but in no event prior to April 1, 1944. A claim pending on March 1, 1944, shall be considered a claim under this law. (Public No. 242, 78th Congress)

NOTE: § 5.2578, Special Acts, Code of Federal Regulations of the U. S. A., canceled April 24, 1944.

EFFECTIVE DATES OF INCREASE OF DEATH PENSION OR COMPENSATION

§ 5.2580 *Civil and Indian wars.* Under the provisions of the acts of June 9, 1930 (46 Stat. 529) and March 3, 1944 (Public No. 245, 78th Congress), increased pension on account of age of widows and remarried widows shall commence from the seventieth birthday: *Provided*, That as to widows of Indian war veterans in receipt of pension on March 3, 1944, the increased rates payable under Public No. 245, 78th Congress, by reason of attained age or because the widow was the wife of the soldier during his war service shall commence from the date of filing claim after March 3, 1944. (Public No. 245, 78th Congress)

§ 5.2582 *Public No. 2, and sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, or Public No. 242, No. 359, No. 667, No. 690, 77th Congress, and Public No. 242, 78th Congress.* The effective date of an award of increased pension or compensation payable under Public No. 2, 73d Congress, sections 28 and 31, Title III, Public No. 141, 73d Congress, section 3, Public No. 304, 75th Congress, section 5, Public No. 198, 76th Congress, Public No. 242, No. 359, No. 667, No. 690, 77th Congress, and Public No. 242, 78th Congress, shall be fixed in accordance with the facts found; except that:

(a) No award of increased pension or compensation may be effective prior to the date of receipt of the evidence showing entitlement thereto; except that a widow who attains an age at which an increased rate is provided under § 35.011 or under section 3 of Public No. 304, 75th Congress, or under section 5 of Public No. 198, 76th Congress, or under section 1 of Public No. 690, 77th Congress, or under section 3 of Public No. 242, 78th Congress, shall be entitled to receive such increase effective on the date of attainment of the age at which an increase is authorized if evidence establishing the date of birth is on file on the date of attainment of such age or is received within one year from the date of the prescribed anniversary of the date of birth: *Provided*, That in original claims where the claimant has shown that she was past the age at which the minimum rate is payable at the date of filing her claim, the increased rate provided on account of age may be authorized as of the beginning date of the award or as of the date she attained the required age whichever is the later: *Provided*, That satisfactory proof of the fact and date of birth is received within one year from the date of request therefor: *Provided further*, That in no event will the increase be awarded from a date prior to the date authorized in the law or regulation invoked: *Provided further*, That any increase authorized for periods prior to September 1, 1941, under section 3 of Public No. 304, 75th Congress, or section 5, Public No. 198, 76th Congress, must be made subject to the conditions of paragraph (c) of this section: *Provided further*, That any increase authorized for periods beginning on or after September 1, 1941, under Public No. 242, 77th Congress, must be made subject to the conditions of paragraph (f) of this section. See § 5.2552. (Public No. 242, 78th Congress)

APPORTIONMENT OF DEATH PENSION OR COMPENSATION

§ 5.2591 *Conditions under which apportionments may be made.* * * *

(c) (1) *Rates payable.* * * *

(ii) When pension is payable under Public No. 190, 66th Congress (Act of May 1, 1920); Public No. 723, 69th Congress (Act of March 3, 1927) or Public No. 166, 69th Congress (Act of May 1, 1926) as reenacted by Public No. 269, 74th Congress (Act of August 13, 1935), apportioned rates shall be as follows:

Widow	$21
Child	15
Each additional child	6

Total amount for children equally divided.

The additional monthly payments provided by the Acts of May 23, 1928, June 9, 1930, March 1, 1944, and March 3, 1944, because of attained age of a widow of a

Civil War, Indian wars, Spanish-American War, Boxer Rebellion or Philippine Insurrection veteran shall be added to the widow's share. (Publics No. 242, 245, 78th Congress)

* * * * *

PROTECTED AWARDS; DEATH CASES

§ 5.2617 *Protection of awards to widows of veterans of the Spanish-American War, Boxer Rebellion or Philippine Insurrection Granted Prior to March 1, 1944.* The provisions of section 4, Public No. 242, 78th Congress, providing that no pension or increase in pension shall be allowed to the widow of a veteran of the War with Spain, Philippine Insurrection or the China Relief Expedition under any law unless there was continuous cohabitation from the date of marriage to the date of the death of the person who served except where there was a separation which was due to the misconduct of or procured by the person who served without the fault of the widow, shall not be construed so as to discontinue any pension granted prior to March 1, 1944. (Public No. 242, 78th Congress)

RATES OF DEATH PENSION AND COMPENSATION FOR WIDOWS, REMARRIED WIDOWS, CHILDREN AND DEPENDENT PARENTS

§ 5.2630 *Indian Wars*—(a) *Widow.*

	Per month
Act of March 3, 1927	$30.00
Act of March 3, 1944	30.00
70 Years of age or over	40.00
Wife during service	50.00
Additional for each child	6.00

(b) *Remarried widow.*

Act of March 3, 1927	$30.00
Additional for each child	6.00

* * * * *

(Public, No. 245, 78th Congress)

§ 5.2634 *War with Spain, Philippine Insurrection and Boxer Rebellion, Act of May 1, 1926, as reenacted by Act of August 13, 1935 (Public No. 269, 74th Congress); sections 1 and 7, Act of July 13, 1943 (Public No. 144, 78th Congress); Act of March 1, 1944 (Public No. 242, 78th Congress)*—(a) (1) *Widows and remarried widows.*

	Per month
Widow or remarried widow	$30.00
Additional for each child	6.00

Where there is a widow or remarried widow the additional amount of $6 per month is applicable as to each child within the purview of either § 5.2502 (b) (1) or § 5.2514 (c). (See § 5.2512 (c).)

(2) Rates to widows and remarried widows (see § 5.2512) on and after April 1, 1944:

	Per month
Under 65 years of age	$30.00
65 years of age or over	40.00
Wife during service	50.00

(b) *Children.* (1) The rates for children who are eligible by reason of the definition of the term "child" contained in § 5.2502 (b) (1), (see § 5.2512 (c)), are as follows:

	Per month
No widow but one child (plus $6 per month for each additional child, equally divided)	$36.00

The rate for a child or children entitled under this subparagraph is not affected by any payments made to a child or children under subparagraph (2) over the same period of time.

(2) The rates for children who are eligible solely as a result of the definition of the term "child" contained in § 5.2514 (c), (see § 5.2512 (c)), such rates to be effective only for periods on and after July 13, 1943, are as follows:

	Per month
No widow but one child	$15.00
No widow but two children (equally divided)	22.00
No widow but three children (equally divided) (with $3 per month for each additional child, total amount to be equally divided)	30.00

The rate for a child or children entitled only under this subparagraph over any period of time that a child or children are entitled under subparagraph (1) will be the share to which such child or children would be entitled, if all of the children were awarded pension under this subparagraph.

As to a widow and child or children not in her care and custody, any amount payable under this paragraph may be apportioned as prescribed in §§ 5.2591 and 5.2592. (Public No. 242, 78th Congress)

[SEAL] FRANK T. HINES, *Administrator.*

APRIL 24, 1944.

[F. R. Doc. 44-5765; Filed, April 22, 1944; 5:00 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office
(Appendix)

[Circular 1571]

PART 70—MINERAL LANDS: COAL PERMITS AND LEASES AND PERMITS FOR FREE USE OF COAL

COAL LEASES

The coal regulations contained in the sections indicated below are amended as follows:

§ 70.10 *Area.* In accordance with the provisions of section 6 of the Act of October 20, 1914 (38 Stat. 743; 48 U.S.C. 440), as amended by the Act of February 21, 1944 (Public Law 231, 78th Cong.), the total area that may be held by any one lessee in one or more leases is 2,560 acres, and no person, association or corporation is permitted to take or hold any interest as a stockholder or otherwise in leases or applications therefor exceeding in the aggregate 2,560 acres. One or more contiguous leasing blocks within the acreage limitation may be embraced in one lease.

§ 70.11 *Form and contents of application.* Applications for lease must be under oath and should be filed in the proper district land office. No specific form of application is required and no blanks will be furnished, but the application should cover the following points:

(a) Applicant's name and address.

(b) Statement as to citizenship: In the case of an individual, whether native born or naturalized, and if naturalized, date of naturalization, court in which naturalized, and the number of certificate if known, and if a woman, whether married or single, and if married, the date of marriage and the citizenship of her husband; of a corporation, by showing the residence and citizenship of its stockholders and filing a certified copy of its articles of incorporation. In case any of the stockholders of the corporation are aliens, their names, record addresses and the amount of stock held by each is required to be shown.

(c) A statement showing all leases and applications under the Act in which the applicant has any interest, direct or indirect. If applicant is a corporation it must also list the holdings of any single holder of a majority of its stock.

(d) A description of the leasing block or blocks desired, and the applicant's experience in coal mining, the amount of capital proposed as an investment under the lease, and references as to the financial standing of the applicant.

(e) A statement showing that the applicant filed his application on his own behalf and if not, for whom he is acting and what agreement, if any, he has with such persons on whose behalf he may be acting.

The footnote No. 7, "Coal leases," for §§ 70.8 to 70.18, is amended by eliminating therefrom the words "application (Form 4-031) and".

FRED W. JOHNSON, *Commissioner.*

Approved: April 12, 1944.

OSCAR L. CHAPMAN, *Assistant Secretary.*

[F. R. Doc. 44-5731; Filed, April 22, 1944; 10:03 a. m.]

[Public Land Order 224]

MONTANA

REVOCATION OF LAND WITHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking Public Land Order No. 137 of June 10, 1943, withdrawing public lands for use of the War Department as an aerial gunnery range.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 137 of June 10, 1943, withdrawing public lands in the vicinity of Fort Peck, Montana, for the use of the War Department as an aerial gunnery range is hereby revoked.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 137 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which

it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

APRIL 15, 1944.

[F. R. Doc. 44-5732; Filed, April 22, 1944; 10:03 a. m.]

[Circular 1572]

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

SALE OF TIMBER

Section 115.42 is amended to read as follows:

§ 115.42 *Acceptance and rejection of bids.* The right is hereby reserved to waive technical defects in the advertisement; to reject all bids, or to award the timber for the amount of the highest bid to other than the highest bidder when necessary, pursuant to the act of August 28, 1937 (50 Stat. 874), in order to provide a continued supply of timber to local industry so as to assure the permanence of the community which is dependent upon such industry. Any award to other than the highest bidder, irrespective of the amount involved, shall be submitted to the Secretary of the Interior for his approval.

FRED W. JOHNSON,
Commissioner.

Approved: April 15, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-5773; Filed, April 24, 1944; 10:54 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS

QUALIFIED MEMBERS OF THE ENGINE DEPARTMENT ON GREAT LAKES VESSELS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war, and,

The Acting Director of the Office of Defense Transportation having advised that a critical manpower situation has developed in Great Lakes transportation through reclassification by the Selective Service System of men of the ages of 22 to 26 and that, accordingly, it is necessary to relax the requirements of laws and regulations with respect to qualified members of the engine department on Great Lakes vessels,

Now therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, including regulations issued thereunder, in the case of any vessel on the Great Lakes engaged in business connected with the conduct of the war, to the following extent and in the following manner:

To the extent necessary to waive compliance with any such law or regulation imposing requirements for carrying as members of the crews of such vessels certificated seamen rated as qualified members of the engine department, or forbidding service in the engine department of such vessels without a certificate of service as a qualified member of the engine department.

Dated: April 22, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-5766; Filed, April 24, 1944; 9:19 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 200]

PART 95—CAR SERVICE

REICING OF POTATOES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of April, A. D. 1944.

It appearing that shipments of potatoes in refrigerator cars are being reiced unnecessarily, thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.337 *Refrigerator cars; reicing of potatoes*—(a) *Cars of potatoes not to be reiced in transit.* After the first or initial icing no common carrier by railroad subject to the Interstate Commerce Act after the effective date of this order shall allow or permit reicing, or a subsequent icing after the first or initial icing, of a refrigerator car or cars loaded with potatoes.

(b) *Application.* The provisions of this order shall apply to intrastate transportation as well as interstate transportation.

(c) *Tariff provisions suspended.* The operation of all traffic rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., April 24, 1944; that a copy of this order and direction shall be served upon each State Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5808; Filed, April 24, 1944; 11:30 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 24]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATION OF AUTHORITY CONCERNING THE RATIONING OF FUEL OIL FOR USE IN WATER CRAFT

Pursuant to the Act of May 31, 1941, as amended, by the Second War Powers Act, 1942, and Executive Order 8989, as amended, and in order to provide a uniform procedure for the issuance of permits with respect to the rationing of fuel oil for vessels engaged in occupational uses, it is hereby ordered, that:

Sec.
503.430 Permits pursuant to Revised Ration Order 11, as amended.
503.431 Issuance of a permit.
503.432 Applicability.
503.433 Definitions.
503.434 Communications.

AUTHORITY: §§ 503.430 to 503.434, inclusive, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183.

§ 503.430 *Permits pursuant to Revised Ration Order 11, as amended.* The Assistant Director in Charge of Water Transport is hereby authorized and directed to execute and issue in his discretion and in the name of the Director of the Office of Defense Transportation the permits concerning the rationing of fuel oil for the occupational use of boats for pleasure cruising, guiding or fishing parties or sightseeing, contemplated to be issued by the Office of Defense Transportation, referred to in Revised Ration Order 11, as amended. Any person desiring such a permit shall make application therefor to the Assistant Director in Charge of Water Transport, Office of Defense Transportation, Washington 25, D. C., by filing with the Assistant Director a copy of the application to be filed with the Office of Price Administration.

§ 503.431 *Issuance of a permit.* A permit shall be issued by the Assistant Director in Charge of Water Transport when he determines that the proposed operations of the boat or boats in which such fuel oil is to be used will not impede the war effort by the consumption of fuel oil that is needed for more essential transportation purposes, or will not require the use of manpower that is otherwise needed for more essential transportation purposes. No permit shall be issued with respect to the operation of a vessel that is to use gasoline or fuel oil other than that herein defined.

§ 503.432 *Applicability.* The provisions of this order shall be applicable only in the continental United States.

§ 503.433 *Definitions.* As used in this order, and unless otherwise indicated by the context, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Boat" means any water craft or other artificial contrivance of whatever description which is designed or converted for use, which is used, or is capable of being used, or is intended to be used, as a means of transportation by water.

(c) "Continental United States" means the 48 states and the District of Columbia.

(d) "Revised Ration Order 11, as amended" means an order so designated and issued by the Office of Price Administration and shall include all amendments heretofore or hereafter made to such order.

(e) "Fuel oil" means No. 5 or No. 6 or Bunker "C" fuel oil having an A. P. I. gravity of 20° or below.

(f) "Occupational use" shall have the same meaning as used or defined in Revised Ration Order 11, as amended.

§ 503.434 *Communications.* Communications concerning this order shall refer to "Administrative Order ODT 24" and, unless otherwise directed, shall be addressed to the Assistant Director in Charge of Water Transport, Office of Defense Transportation, Washington 25, D. C.

This Administrative Order ODT 24 shall become effective April 22, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 22d day of April 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 44-5781; Filed, April 24, 1944; 10:52 a. m.]

[Special Direction ODT 18A-3, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, paragraphs (b) and (c) of Special Direction ODT 18A-3 (8 F.R. 14485) are hereby amended to read as follows:

(b) When carload freight moving by water and thence by rail is transferred by a water carrier to a rail carrier for movement beyond in a closed car, such closed car shall be loaded in accordance with one of the following requirements: (1) to a net weight of 80,000 pounds, or (2) to the marked capacity of the car; or (3) to the extent shown in any special direction or general permit issued pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, or (4) a minimum of 2,500 cubic feet of loading space in such car shall be utilized.

(c) When carload freight moving by water and thence by rail is transferred by a water carrier to a rail carrier for movement beyond in an open car, such open car shall be loaded in accordance with one of the following requirements: (1) to a net weight of 100,000 pounds, or (2) to the marked capacity of the car, or (3) to the extent shown in any special direction or general permit issued pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, or (4) a minimum of 1,500 cubic feet of loading space in such car shall be utilized.

This Amendment 1 to Special Direction ODT 18A-3 shall become effective on April 24, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, as amended, 8 F.R. 14477, 9 F.R. 116)

Issued at Washington, D. C., this 24th day of April 1944.

HENRY F. MCCARTHY,
Director, Division of Traffic Movement, Office of Defense Transportation.

[F. R. Doc. 44-5782; Filed, April 24, 1944; 10:52 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service, Bureau of the Public Debt.

[1944 Dept. Circ. 744]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES D-1945

OFFERING OF CERTIFICATES, ETC.

APRIL 24, 1944.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series D-1945, in exchange for Treasury Certificates of Indebtedness of Series C-1944, maturing May 1, 1944.

II. *Description of certificates.* 1. The certificates will be dated May 1, 1944, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on November 1, 1944, and May 1, 1945. They will mature May 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to

these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before May 1, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series C-1944, maturing May 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-5768; Filed, April 24, 1944; 10:40 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 339]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. John W. De Bruycker from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Miss Maria Luisa Arcelay of Mayaguez, Puerto Rico.

Signed at New York, New York, this 18th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5777; Filed, April 24, 1944; 11:01 a. m.]

[A. O. 340]

SAINT CROIX, VIRGIN ISLANDS

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Robert W. Skeoch from a special industry committee for the municipality of Saint Croix, Virgin Islands, and do appoint in his stead as representative for the employers on such committee, Mr. Robert S. Fleming of Saint Croix, Virgin Islands.

Signed at New York, N. Y., this 20th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-5778; Filed, April 24, 1944; 11:01 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Purinton Pottery Company, Shippenville, Pennsylvania; pottery ware; 10 learners (T); selector, finisher, decorator for a learning period of 320 hours at 30 cents per hour for the first 160 hours and 35 cents per hour for the next 160 hours; effective April 24, 1944, expiring October 24, 1944.

Weber Lifelike Fly Company, Stevens Point, Wisconsin; flies, snelled hooks, leaders; 16 learners (T); fly tier for a learning period of 480 hours at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective April 24, 1944, expiring October 24, 1944.

Signed at New York, New York, this 22d day of April 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-5779; Filed, April 24, 1944; 11:01 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Cohoes Silk Undergarment Company, 31 Ontario Street, Cohoes, New York; gown, pajamas; 10 percent (T); effective April 20, 1944, expiring April 19, 1945.

Eskay Manufacturing Company, Kerrville, Texas; infants' and children's wear; 60

learners (E); effective April 24, 1944, expiring October 23, 1944.

The Grace Company, Belton, Missouri; pinafores, overalls, sunsuits, blouses, bibs; 10 percent (T); effective April 17, 1944, expiring April 16, 1945.

The Grace Company, Clinton, Missouri; pinafores, overalls, sunsuits, blouses, bibs; 10 percent (T); effective April 17, 1944, expiring April 16, 1945.

Liberty Trouser Company, 2209–11 First Avenue North, Birmingham, Alabama; overalls, unionalls and overall jackets, trousers; 10 percent (T); effective April 19, 1944, expiring April 18, 1945.

Lustberg, Nast & Company, Inc., 6th Avenue & Mifiin Street, Lebanon, Pennsylvania; Navy jungle suits, Navy jumpers, trousers, mackinaws, jackets; 10 percent (T); effective April 18, 1944, expiring April 17, 1945.

Mount Carmel Manufacturing Company, Fifth and Walnut Streets, Mount Carmel, Pennsylvania; boys' shirts; 10 percent (T); effective April 23, 1944, expiring April 22, 1945.

Mt. Vernon Garment Company, 16th & Herbert Streets, Mt. Vernon, Illinois; house dresses and uniforms; 10 percent (T); effective April 20, 1944, expiring April 19, 1945.

Osgood and Sons, Inc., 349 East North Street, Decatur, Illinois; wash dresses, housecoats and robes; 10 percent (T); effective April 20, 1944, expiring April 19, 1945.

Phillips-Lester Manufacturing Company, 2300 First Avenue North, Birmingham, Alabama; work clothing, men's and boys' overalls and trousers; 10 percent (T); effective April 19, 1944, expiring April 18, 1945.

Press Dress & Uniform Company, Hummelstown, Pennsylvania; maids' and nurses' uniforms, women's work clothing and dresses; 10 percent (T); effective April 20, 1944, expiring April 19, 1945.

Rice-Stix Factory #10, Bonne Terre, Missouri; men's and boys' dress and sport shirts; 20 percent (AT); effective April 23, 1944, expiring October 22, 1944.

Rice-Stix Factory #15, Lebanon, Missouri; overalls, jumpers, work pants; 20 percent (AT); effective April 23, 1944, expiring October 22, 1944.

Rice-Stix Factory #25, First & South A. Streets, Farmington, Missouri; men's shirts; 20 percent (AT); effective April 23, 1944, expiring October 22, 1944.

I. Rodis & W. Mittleman, 437 South Street, Upper Mauch Chunk, Pennsylvania; children's dresses; 10 learners (T); effective April 17, 1944, expiring April 16, 1945.

Steward Manufacturing Company, Inc. 63 Central Avenue, Ossining, New York; dresses and sportswear; 10 percent (T); effective April 20, 1944, expiring April 19, 1945.

GLOVE INDUSTRY

Frederic H. Burnham Company, 1602 Tennessee Street, Michigan City, Indiana; work gloves, leather dress gloves; 10 percent (AT); effective April 25, 1944, expiring October 24, 1944.

Knoxville Glove Company, 815 McGhee Street, Knoxville, Tennessee; work gloves; 10 percent (AT); effective April 24, 1944, expiring October 23, 1944.

Montpelier Glove Company, Inc. 129 N. Main Street, Montpelier, Indiana; work gloves; 5 percent (T); effective April 18, 1944, expiring April 17, 1945.

Scotsmoor Company, Inc. Broadalbin, New York; knit wool gloves; 5 learners (T); effective April 20, 1944, expiring April 19, 1945.

Wool Products Industries, Inc., 980 Kent Street, St. Paul, Minnesota; children's woolen fabric mittens; 5 learners (T); effective April 20, 1944, expiring April 19, 1945.

HOSIERY INDUSTRY

Joseph Black & Sons Company, 1200 W. Market Street, York, Pennsylvania; seamless hosiery; 5 percent (T); effective April 17, 1944, expiring April 16, 1945.

Crewe Hosiery Company, Inc., Crewe, Virginia; full-fashioned hosiery; 10 learners (AT); effective April 17, 1944, expiring October 16, 1944.

Debonair Full Fashioned Mills, Inc., Cleveland, Tennessee; full-fashioned hosiery; 10 learners (AT); effective April 17, 1944, expiring October 16, 1944.

Holeproof Hosiery Company, Rose Lane Street, Marietta, Georgia; seamless hosiery; 30 learners (AT); effective April 21, 1944, expiring October 20, 1944.

Holston Manufacturing Company, Ninth Avenue & Mitchell Street, Knoxville, Tennessee; seamless hosiery; 5 percent (T); effective April 21, 1944, expiring April 20, 1945.

Interwoven Stocking Company, Morristown, Tennessee; seamless hosiery; 10 percent (AT); effective April 17, 1944, expiring October 16, 1944.

Long Finishing Mills, Inc., Trade & Worth Streets, Burlington, North Carolina; full-fashioned and seamless hosiery; 10 percent (AT); effective April 23, 1944, expiring October 22, 1944.

Newman Hosiery Mills, Inc., Berry Avenue, Newman, Georgia; seamless hosiery; 10 percent (AT); effective April 25, 1944, expiring October 24, 1944.

Princeton Hosiery Mills, Inc., Princeton, Kentucky; full-fashioned and seamless hosiery; 5 percent (T); effective April 20, 1944, expiring April 19, 1945.

Radford Knitting Mills, Norwood Street, Radford, Virginia; full-fashioned hosiery; 10 learners (AT); effective April 20, 1944, expiring October 19, 1944.

S. & W. Hosiery Mills, Athens, Tennessee; seamless hosiery; 5 learners (T); effective April 21, 1944, expiring October 20, 1944.

Sterling Hosiery Mills, Inc., Spindale, North Carolina; full-fashioned hosiery; 10 learners (AT); effective April 24, 1944, expiring October 23, 1944.

Van Raalte Company, Inc., Blue Ridge, Georgia; full-fashioned hosiery; 10 percent (AT); effective April 22, 1944, expiring October 21, 1944.

TEXTILE INDUSTRY

The Trion Company—Grey Mill, Trion, Georgia; cotton; 5 percent (T); effective April 23, 1944, expiring April 22, 1945.

Signed at New York, N. Y., this 22d day of April 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44–5780; Filed, April 24, 1944; 11:01 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6561]

WORTH KRAMER, ET AL.

NOTICE OF HEARING

In re application of Worth Kramer (transferor) and Eugene R. Custer and Richard M. Venable (transferees); date filed, December 10, 1943 for relinquishment of control of Kanawha Valley Broadcasting Co. (WGKV), Charleston, West Virginia; class of service, Broadcast; class of station, Broadcast; location, Charleston, West Virginia; operating assignment specified: Frequency 1490 kc; Power, 100 w; Hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-entitled application and has designated the matter for hearing to be consolidated with the application of Kanawha Valley Broadcasting Company, Docket No. 6558, for the following reasons:

1. To determine whether the applicant, in its applications for modification of construction permit and for license, following construction, for the operation of Station WGKV, made full disclosure as to all parties in interest in the applicant corporation, the distribution of the stock of said corporation and outstanding options for stock therein.

2. To obtain full information in connection with the financing of the construction of the station and the issuance of stock and options for stock in the applicant corporation, to John A. Kennedy and other parties.

3. To obtain full information respecting the manner in which and by whom the station has been and is now being operated.

4. To determine whether the statements and representations made to the Commission in the various applications and documents filed on behalf of the applicant, its officers, directors and agents, fully and accurately reflect the facts, or whether same were false, and misleading.

5. To determine what contracts, options, or other instruments or oral agreements or understandings have been executed or entered into relative to the transfer of stock in the licensee corporation, and whether same were filed with the Commission as required by its Rules, particularly § 43.1.

6. To determine whether the license granted for the operation of Station WGKV, or the rights and/or responsibilities incident thereto, have been, in any manner, either directly or indirectly, transferred, assigned or in any manner disposed of, without the consent of the Commission, as provided by the provisions of the Communications Act of 1934, as amended, and particularly, section 310 (b) thereof.

7. To determine whether the statements made to the Commission with reference to the sale and transfer of stock of the licensee corporation by W. A. Carroll to Worth Kramer and whether the representations made to the Commission by said Kramer with reference thereto and as to the source of the funds used in purchasing said stock, were true or false.

8. To obtain full information on all transactions relating to all transfers of the stock of the licensee corporation.

9. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such

issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The transferor's address is as follows: Worth Kramer, 210 Dickinson Street, Charleston 1, West Virginia. The transferees' addresses are as follows: Eugene R. Custer, 2602 Kanawha Avenue, S. E., Charleston, West Virginia; Richard M. Venable, R. R. #1, Box, 48, Charleston, West Virginia. The licensee's address is as follows: Kanawha Valley Broadcasting Co., Radio Station WGKV, Empire Building, 208 Dickson Street, Charleston 1, West Virginia.

Dated at Washington, D. C., April 20, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-5792, Filed, April 24, 1943; 11:26 a. m.]

[Docket No. 6563]

CALUMET BROADCASTING CORP.

NOTICE OF HEARING

In re application of Calumet Broadcasting Corporation (New); date filed December 9, 1943, for construction permit; class of service, Broadcast; class of Station, Broadcast; location, Hammond, Indiana; operating assignment specified: Frequency, 1520 kc; power, 5 kw; hours of operation, daytime.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To obtain full information with reference to the method of financing the applicant corporation and the issuance, ownership, transfer and control of the stock of the applicant corporation.

3. To obtain full information with reference to the acquisition of stock in application corporation by George F. Courrier and Doris Keane.

4. To determine whether the statements and representations made to the Commission in the application and documents filed on behalf of the applicant corporation, its officers, directors and agents, fully and accurately reflect the facts.

5. To determine what contracts, or agreements, or understandings have been executed or entered into relative to the transfer of stock in the licensee corporation, and whether full information has been presented to the Commission relative thereto.

6. To determine the source of funds used in the purchase of equipment and other property by the licensee and the plans of meeting the operating expenses in the event of a grant of the instant application.

7. To determine and obtain full information as to the means and methods used by the applicant's controlling stockholders, George F. Courrier and Doris Keane, in acquiring control of the Hammond-Calumet Broadcasting Corporation and the financial transactions involving the issuance, ownership and transfer of stock of said corporation.

8. To obtain full information as to the various financial statements and information prepared, submitted and offered by George F. Courrier and Doris Keane with respect to the Hammond-Calumet Broadcasting Company.

9. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast service is available to those areas and populations.

10. To determine whether the proposed station would provide primary service to the Chicago metropolitan district as contemplated by the Standards of Good Engineering Practice.

11. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Calumet Broadcasting Corporation, 165 N. Michigan Avenue, Chicago, Illinois.

Dated at Washington, D. C., April 20, 1944.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-5793; Filed, April 24, 1944; 11:26 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5886]

CALIFORNIA ELECTRIC POWER COMPANY

NOTICE OF APPLICATION

APRIL 19, 1944.

Notice is hereby given that on April 18, 1944, an application was filed with the Federal Power Commission, pursuant to the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of California, Arizona and Nevada, with its principal business office at Riverside, California, seeking an order authorizing the acquisition by it, by merger, of all of the electric facilities and properties (except certain land) owned by Leonard P. Wikoff, doing business under the fictitious name of Leonard P. Wikoff Electric Light and Power, and/or an order approving the contract for the purchase by Applicant of such facilities and properties to the extent that the same may involve an issue of securities, or in the alternative, an order dismissing the application for lack of jurisdiction. The facilities to be acquired by the Applicant consist of all electric properties (except certain land) owned by the aforesaid Leonard P. Wikoff, doing business as Leonard P. Wikoff Electric Light and Power, located in and in the vicinity of and serving, the unincorporated community of Twenty Nine Palms, in San Bernardino County, California. The Applicant proposes to pay Leonard P. Wikoff a sum equal to the original cost of the properties depreciated as determined by the California Railroad Commission plus $25,000. It is estimated that the purchase price will be approximately $100,000, and by the terms of the agreement of sale and purchase, $10,000 of the purchase price will be payable upon delivery of possession of the properties, $15,000 thereof on January 2, 1945, and the balance in equal annual installments on the second day of each January until and including January 2, 1956; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 10th day of May, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-5780; Filed, April 22, 1944; 10:03 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5106]

VAWNE FOUNDATIONS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of April, A. D. 1944.

In the matter of Arthur R. Lewis and Ben A. Hensler, individually and as copartners trading as Vawne Foundations.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on

Friday, May 5, 1944, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5733; Filed, April 22, 1944; 10:43 a. m.]

[Docket No. 5051]

AL ROSENFELD, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of April, A. D. 1944.

In the matter of Al Rosenfeld, Inc., a corporation, and Al Rosenfeld and S. Theodore Lande, individually and as officers of Al Rosenfeld, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, May 2, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5734; Filed, April 22, 1944; 10:43 a. m.]

[Docket No. 5034]

GOOD VALUE BARGAIN HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of April, A. D. 1944.

In the matter of Peter Galasso and Herman Daniel, individuals trading and doing business as Good Value Bargain House.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, May 8, 1944, at ten o'clock in the forenoon of that day (Eastern standard time), in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5735; Filed, April 22, 1944; 10:42 a. m.]

[Docket No. 5005]

WATTS-WAGNER CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of April, A. D. 1944.

In the matter of Watts-Wagner Co., Inc., a corporation, Allen P. Wagner and William W. Wagner, individually and as officers of Watts-Wagner Co., Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, April 26, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room of the Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5736; Filed, April 22, 1944; 10:42 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70A, Special Permit 206]

RECONSIGNMENT OF ASPARAGUS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 19, 1944, by Sepron District Company, of car RD 4274, asparagus, now on the Chicago Produce Terminal to Buffalo, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5738; Filed, April 22, 1944; 11:32 a. m.]

[S.O. 70-A, Special Permit 207]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 19, 1944, by Austen Company, of car FGE 51335, oranges, now on the Chicago Produce Terminal to Minneapolis, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5739; Filed, April 22, 1944; 11:32 a. m.]

[S. O. 70-A, Special Permit 208]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, (C. N. W.) April 19, 1944, by National Produce Company, of car ART 20070, potatoes, now on the Wood Street Terminal to Evansville, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5740; Filed, April 22, 1944; 11:32 a. m.]

[S. O. 70-A, Special Permit 209]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois (C.A.N.W.), April 19, 1944, by Bacon Brothers, of car PFE 38739, potatoes, now on the Wood Street Terminal to Rushville, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5741; Filed, April 22, 1944; 11:32 a. m.]

[S. O. 103, Special Permit 8]

SHIPMENT OF CANADIAN MALTING BARLEY AT DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 25,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company Duluth, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5742; Filed, April 22, 1944; 11:32 a. m.]

[S. O. 164, Special Permit 29]

REFRIGERATION OF CITRUS FRUIT AT LAKELAND, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PFE 30397 a mixed car of citrus fruit from Franzblau Company, Lakeland, Florida, consigned to the Great Bend Army Air Base, Great Bend, Kansas, with stop-off for partial unloading at Kansas City, Missouri-Kansas. Originating carrier Atlantic Coast Line.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5743; Filed, April 22, 1944; 11:32 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 227]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict there with.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. M. & M. Transportation Co. (a corporation), Somerville, Mass.
2. N. E. Carrier Corp. (a corporation), Paterson, N. J.
3. Malcolm McLean, Jr., doing business as McLean Trucking Co., Fayetteville, N. C.
4. A. B. & C. Motor Transp. Co. Inc. (a corporation), Fitchburg, Mass.
5. Harrison Motor Freight (a corporation), Hillside, N. J.
6. William H. Watt and Robert A. Watt, doing business as Watt Bros. (a copartnership), Central Falls, R. I.
7. Lefrancois Transfer & Teaming Co. (a corporation), Woonsocket, R. I.

[1] Filed as part of the original document.

[F. R. Doc. 44-5737; Filed, April 22, 1944; 11:23 a. m.]

[Supp. Order ODT 3, Rev. 31, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LOUISVILLE AND OWINGSVILLE, KY.

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), by Edwin N. Yeary, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-31 (8 F.R. 8689) be, and it is hereby, revoked, effective April 24, 1944.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5783; Filed, April 24, 1944; 10:52 a. m.]

[Supp. Order ODT 3, Rev. 40, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS AND MISSOURI

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357) by carriers subject to Supplementary Order ODT 3, Revised-40 (8 F.R. 9584), and good cause appearing therefor, *It is hereby ordered*, That:

Supplementary Order ODT 3, Revised-40, be, and it is hereby amended by eliminating Knaus Truck Lines, Inc., of Kansas City, Missouri, as a carrier subject thereto, and by substituting in lieu thereof Ezra Knaus and Mary Jane Knaus, doing business as Knaus Truck Lines (Lessee and Operator of Knaus Truck Lines, Inc.) of Kansas City, Missouri.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5784; Filed, April 24, 1944; 10:52 a. m.]

[Supp. Order ODT 3, Rev. 58, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS AND MISSOURI

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), by carriers subject to Supplementary Order ODT 3, Revised-58 (8 F.R. 12109), and good cause appearing therefor, *It is hereby ordered*, That:

Supplementary Order ODT 3, Revised-58, be, and it is hereby, amended by eliminating Knaus Truck Lines, Inc., of Kansas City, Missouri, as a carrier subject thereto, and by substituting in lieu thereof Ezra Knaus and Mary Jane Knaus, doing business as Knaus Truck Lines (Lessee and Operator of Knaus Truck Lines, Inc.) of Kansas City, Missouri.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5785; Filed, April 24, 1944; 10:52 a. m.]

[Supp. Order ODT 3, Rev. 71, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ILLINOIS

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), by carriers subject to Supplementary Order ODT 3, Revised-71 (8 F.R. 13409), and good cause appearing therefor, *It is hereby ordered*, That:

Supplementary Order ODT 3, Revised-71, be, and it is hereby, amended by eliminating Knaus Truck Lines, Inc., of Kansas City, Missouri, as a carrier subject thereto, and by substituting in lieu thereof Ezra Knaus and Mary Jane Knaus, doing business as Knaus Truck Lines (Lessee and Operator of Knaus Truck Lines, Inc.) of Kansas City, Missouri.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5786; Filed, April 24, 1944; 10:52 a. m.]

[Supp. Order ODT 3, Rev. 226]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 957, 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in

order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. North East Texas Motor Lines, Inc. (a corporation), Paris, Tex.
2. W. A. Johnson (an individual), doing business as Johnson Motor Lines, Fort Worth, Tex.

[F. R. Doc. 44-5787; Filed, April 24, 1944; 10:52 a. m.]

[Supp. Order ODT 3, Rev. 228]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

1. Finnegan's Express & Storage, Inc., Newburgh, N. Y.
2. Newburgh Transfer, Inc., Newburgh, N. Y.
3. Weston Transfer Co., Inc., Newburgh, N. Y.
4. Harry B. Miller, doing business as Southern Tier Trucking Co., Middletown, N. Y.
5. Daniel Rose and Carl Scherf, doing business as Liberty-Middletown Express (a partnership), Middletown, N. Y.
6. Jacob T. Roberts, Jr., doing business as Roberts Motor Express, Catskill, N. Y.
7. Alonzo Ralph Townsend, doing business as Townsend's Express, Peekskill, N. Y.
8. Robert Halstead, doing business as Halstead's Express, Newburgh, N. Y.
9. Dave Mendel and Irving Polsky, doing business as Mountain Top Express (a partnership), Kingston, N. Y.
10. Clarence O. Wyatt, doing business as Albany-Beacon Express, Poughkeepsie, N. Y.

[F. R. Doc. 44-5788; Filed, April 24, 1944; 10:53 a. m.]

[Supp. Order ODT 3, Rev. 230]

COMMON CARRIERS

REGISTRATION OFFICE AT PARKERSBURG, W. VA., FOR HOUSEHOLD GOODS MOTOR CARRIERS

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the motor carriers named in the appendix hereof, as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), and good cause appearing therefor, *It is hereby ordered*, That:

1. The carriers and each of them, named in Appendix 1 hereof (hereinafter collectively called "carriers"), respectively, in the transportation of shipments of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at Parkersburg, West Virginia, to facilitate the movement of such shipments, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 43 (9 F.R. 3261);

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation; and

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto; and

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereo. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same manner and degree as the carriers named in Appendix 1 hereof.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with district offices and obtaining clearance authority as provided in General Order ODT 43 (9 F.R. 3261), or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-230," and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This supplementary order shall become effective on April 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

George L. Buckley, doing business as George L. Buckley Transfer & Storage, Parkersburg, W. Va.
Tom S. Hannan, Parkersburg, W. Va.
Citizens Transfer & Storage Co., Parkersburg, W. Va.
Athey Brooks Motors, Inc., Parkersburg, W. Va.

[F. R. Doc. 44-5789; Filed, April 24, 1944; 10:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RO 5C,[1] Order 3]

MILEAGE RATIONING: GASOLINE REGULATIONS

AUTHORIZATION TO ACCEPT CLASS R COUPONS

Pursuant to the authority conferred upon the Deputy Administrator in Charge of Rationing by § 1394.8153 (b) (4) (iv) of Ration Order No. 5C, as amended, the following order is prescribed:

(a) *Findings.* Under the laws of the State of Kansas tax exempt gasoline for non-highway purposes may be sold to consumers by licensed distributors only, and such transfers must be made in quantities of forty gallons or more. The purchaser of tax exempt gasoline must present to the seller an exemption permit and a signed exemption statement.

Exemption permits and statements are issued by the State Director of Revenue

[1] 8 F.R. 15937.

of the Commission of Revenue and Taxation to any person who satisfies the Director that he needs gasoline for non-highway uses and that gasoline obtained on exemption statements will only be used for such purposes. The exemption statement, which is executed in triplicate at the time of sale, is signed by both the seller and purchaser and stipulates the amount and kind of gasoline transferred. Copies of the exemption statement are retained by the buyer and seller and the original is transmitted to the State Director in lieu of taxes.

If gasoline which is obtained on a tax exemption statement is used for other than non-highway purposes, the purchaser's exemption permit is revocable by the State Director. In Kansas there are approximately 1,100 licensed distributors who have qualified to make tax exempt sales of gasoline. Each distributor is required to maintain and keep, for a period of two years, a full record or records of all motor vehicle fuels received, used or sold by such distributor, together with invoices and bills of lading and such other pertinent papers as may be required by the State Director. In substance, the laws of the State of Kansas carefully safeguard the sale of tax exempt gasoline, and contain strict standards in order to assure that such transfers will be made for non-highway purposes. The use of the exemption statement and the keeping of full records will enable the investigators of the Office of Price Administration to determine whether or not prohibited transfers are being made. Hence, it appears that authority may be extended to licensed distributors located in the State of Kansas to make tax exempt transfers of gasoline in exchange for Class R coupons to persons who have been issued exemption permits and exemption statements without facilitating the unlawful acquisition of Class R coupons.

(b) *Order.* It is hereby ordered that licensed distributors in the State of Kansas who are permitted by that State to make tax exempt sales of gasoline are authorized to accept Class R coupons at their retail facilities for such tax exempt sales where these sales are made in quantities of forty gallons or more and are made as tax exempt sales in compliance with the laws of the State of Kansas.

(c) *Definitions.* The definition of terms and rules of construction contained in § 1394.7551 of Ration Order 5C shall apply to this order.

(d) *Effective period.* This order shall become effective April 21, 1944, and shall remain in effect until modified or revoked.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 21st day of April 1944.

COL. BRYAN HOUSTON,
Deputy Administrator
In Charge of Rationing.

[F. R. Doc. 44-5713; Filed, April 21, 1944; 4:46 p. m.]

[MPR 120, Order 719]

HO-MAR COAL COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 719 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices and price classifications for coals of Ho-Mar Coal Company.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Ho-Mar Nos. 1, 2 and 3 Mines of Ho-Mar Coal Company, located in Somerset County, Pennsylvania, in Subdistrict No. 33 of District No. 1, are hereby assigned Mine Index Nos. 5022, 5023 and 5048, respectively.

(b) Coals produced by Ho-Mar Coal Company, Pittsburgh, Pennsylvania, at its Ho-Mar Nos. 1, 2 and 3 Mines, Mine Index Nos. 5022, 5023 and 5048, respectively, in District No. 1, for the indicated uses and movements, are hereby classified as follows, and may be sold and purchased at per net ton prices not exceeding the following:

HO-MAR NO. 1 MINE

	Size group No.				
	1	2	3	4	5
Price classification	A	A	A	A	C
Rail shipment	$3.65	$3.70	$3.60	$3.45	$3.30
Truck shipment	3.85	3.60	3.60	3.30	3.30
Railroad locomotive fuel	3.30	3.30	3.00	2.95	2.95

HO-MAR NOS. 2 AND 3 MINES

	Size group No.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.45	$3.30	$3.15	$3.15
Truck shipment	3.65	3.40	3.40	3.20	3.20
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This order may be revoked or amended at any time.

(f) All prayers of the applicant not granted herein are hereby denied.

This order shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R.)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5786; Filed, April 22, 1944; 3:05 p. m.]

[MPR 120, Order 720]

FARRAR AND NAGODE

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 720 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of Farrar and Nagode.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Farrar & Nagode Mine No. 1 of Farrar & Nagode, Washington County, Pennsylvania, Subdistrict No. 7 in District No. 2 is hereby assigned Mine Index No. 4030 and classified in Railroad Fuel Price Group No. 2.

(b) Coals produced by Farrar & Nagode at their Farrar & Nagode Mine No. 1, Mine Index No. 4030, located in Washington County, Pennsylvania in District No. 2 for the use indicated by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	L	L	J	J	J	J	K	K	K		
Rail shipments	$2.75	$2.75	$2.50	$2.50	$2.50	$2.40	$2.20	$2.20	$2.10		
Truck shipments	4.25	4.25	4.25	3.85	3.75	3.75	3.75	3.25	2.90	$2.90	$2.55
Railroad fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.55	2.25	2.25	2.25	

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad fuel use.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5787; Filed, April 22, 1944; 3:05 p. m.]

[MPR 509, Order 9]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 2.1 (c) of Maximum Price Regulation 509, It is ordered:

(a) For grapefruit juice packed during the month of March 1944, processors shall reduce the named maximum prices for government sales as listed in section 2.1 (a) of Maximum Price Regulation No. 509 by the amounts set forth below respectively for the period of pack, state or area and container size. The resulting figures shall be the processors' maximum prices for grapefruit juice packed during March 1944, for sales to government procurement agencies. For the purpose of applying the monthly area grapefruit juice cost reduction, the states of Florida and Texas shall be treated as two separate areas.

(b) Reduction per dozen containers:

State or area	Style of pack	Grade	Period of pack	Reduce maximum price named in section 2.1 (a) for Government sales per dozen containers by amounts set forth below			
				No. 2 can	*No. 2½ cal. can*	*No. 3 can*	*No. 10 can*
Florida	All	All	March 1944	$0.1900	$0.1900	$0.0900	$0.3180
Texas	All	All	March 1944	None	None	None	None
California and Arizona	All	All	March 1944	.3035	.3035	.1000	.5045

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5819; Filed, April 24, 1944; 11:36 a. m.]

Regional and District Office Orders.

[Region VIII Order G-4 Under MPR 418]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

Order No. G-4 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Adminis-

[MPR 120, Order 721]

CRYSTAL LAKES COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 721 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Crystal Lakes Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Crystal Lakes Mine of the Crystal Lakes Coal Company of Vermillion County, Indiana, Subdistrict Brazil-Clinton, in District No. 11, is hereby assigned Mine Index No. 2005 and classified in Price Group No. 1.

(b) Coals produced by the Crystal Lakes Coal Company at its Crystal Lakes Mine, Mine Index No. 2005, located in Vermillion County, Indiana, in District No. 11, for uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups														
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17
Rail shipments	$2.40	$2.40	$2.40	$2.40	$2.40	$2.40	$2.00	$2.40	$2.15	$2.15	$1.75	$1.75	$1.25	$1.05	$1.00
Truck shipments	3.10	3.05	2.95	2.80	2.80	2.80	2.45	2.90	2.45	2.40	2.10	2.00	1.45	1.15	

	Size groups														
	18	19	20	21	22	23	24	25	26, 27	28, 29	30	31	32	33	34
Rail shipments	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00	$1.00
Truck shipments	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15

RAILROAD LOCOMOTIVE FUEL

Mine run, modified mine run, lump and double screened coal..... $2.40
Screenings not exceeding 2" x 0..... 1.85

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5788; Filed, April 22, 1944; 3:05 p. m.]

[MPR 120, Order 722]

WEST GULF COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 722 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the West Gulf Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Maryland Mine of the West Gulf Coal Company of Wyoming County, West Virginia, Subdistrict No. 5, District No. 7, is hereby assigned Mine Index No. 1025.

(b) Coals produced by the West Gulf Coal Company at its Maryland Mine, Mine Index No. 1025, located in Wyoming County, West Virginia in District No. 7, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups									
	1	2	3	4	5	6	7	8	9	10
Price classifications	A	A	A	A	A	B	B	B	A	A
Rail shipments	$4.35	$4.40	$4.10	$3.55	$3.45	$3.90	$3.90	$3.20	$3.15	$3.10
Truck shipments	4.65	4.55	4.15	3.60	3.35	3.90				

tration by section 20 (a) of Maximum Price Regulation No. 418, as amended, *It is hereby ordered:*

(a) The maximum prices for sales of salmon, seine caught (Pacific Coast) sockeye (bluebback) (Oncorhynchus Nerka) in Region VIII of the Office of Price Administration shall be as follows:

	Item No.	Style of dressing	Size	Price per pound Apr. 15 to June 1
				Cents
Table A [1]	1	Round	All	16
Table B [2]	1	Round	All	10½
	2	Dressed	All	25½
Table C	1	Round	All	21
	2	Dressed	All	27¼
Table D	1	Round	All	22
	2	Dressed	All	28¼
Table E	1	Round	All	24½
	2	Dressed	All	31

[1] The maximum prices listed for this species of fish apply only when it is delivered ex-vessel Nash Bay, Washington, and the fishing grounds of all waters of Oregon and Washington.

[2] When the State Privilege Tax on this species of fish has been customarily paid by the purchaser of the fish, he may continue such payment and the amount actually paid may be added to the listed maximum price.

(b) All other provisions of Maximum Price Regulation No. 418, as amended, shall be applicable to such sales unless the context clearly requires otherwise.

(c) *Definition of Region VIII.* "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following Counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of April 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-5657; Filed, April 20, 1944; 2:26 p. m.]

[North Georgia District Order G-1 Under MPR 376]

SWEET POTATOES IN NORTH GEORGIA DISTRICT AREA

Order No. G-1 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables. Adjustment of maximum prices for the sale of sweet potatoes at retail in the North Georgia District area.

For the reasons set forth in an accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, it is hereby ordered:

(a) *Purpose of order.* It is the purpose of this order to adjust the maximum prices which may be charged in accordance with Maximum Price Regulation No. 376, as amended, for the sale at retail by sellers making retail sales which, were it not for this order, would be subject to Maximum Price Regulation No. 376, as amended, by establishing maximum prices by this order for such sales of sweet potatoes at retail.

(b) *Maximum prices.* The maximum price which may be charged on and after the effective date of this order for such sales of sweet potatoes as set forth in paragraph (a) above shall be a price calculated by the retail seller as follows: The seller shall take the cost which he paid, less all trade and cash discounts, for the particular lot of sweet potatoes from which the sale is being made, delivered to his store, when such purchase is made from a customary type supplier, in a customary quantity, and delivered to his store by a customary mode of transportation, and multiply such net cost by 1.40, and the resulting figure shall be his maximum selling price. If the sweet potatoes for which the seller is calculating a maximum price were not purchased from a customary type supplier, in a customary quantity, and delivered to his store by a customary mode of transportation, he shall find out what the sweet potatoes would have cost him if he had purchased them from a customary type supplier, in a customary quantity, and delivered to his store by a customary mode of transportation; and he shall multiply that net cost by 1.40 (rather than multiply the actual cost by 1.40), and the resulting figure shall be his maximum price. If a seller calculates a maximum selling price which exceeds 10¢ per pound, he may not use the price so calculated as his maximum price but his maximum price shall be 10¢ per pound.

(1) Any maximum price calculated hereunder which results in a fraction of less than a half cent shall be reduced to the next lower cent, or if it results in a fraction of a half cent or more it may be increased to the next whole cent.

(c) *Records.* Each retail seller subject to this order shall, before offering for sale any sweet potatoes after the effective date of this order, calculate his maximum price for each lot of potatoes purchased on the purchase invoice or other evidence of purchase given him by his supplier of each lot of sweet potatoes. He shall preserve such invoices and the calculations contained thereon for the purpose of examination by the Office of Price Administration so long as this order shall remain in effect.

(d) *Relationship to Maximum Price Regulation No. 376, as amended.* It is not the intention of this order to modify or change any sections, parts, or provisions of Maximum Price Regulation No. 376, as amended, which are not in conflict with the provisions of this order, and each seller shall continue to remain subject to such applicable provisions of Maximum Price Regulation No. 376, as amended, which are not in conflict with this order.

(e) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, the General Maximum Price Regulation, and Maximum Price Regulation No. 376, as amended, issued by the Office of Price Administration, shall apply to the terms used herein.

(2) The "North Georgia District Area" means the territory located within the Counties of Lincoln, Wilkes, Taliaferro, Hancock, Washington, Johnson, Laurens, Dodge, Wilcox, Crisp, Lee, Terrell, Randolph, Quitman, or any county north or northwest of the named counties in the State of Georgia.

(f) *Geographical applicability.* This order applies to and is limited to sales by retail sellers making sales through their places of business located within the "North Georgia District Area."

(g) *Modification.* This order may be revoked, amended, modified, or corrected at any time by the District Director.

(h) *Effective date.* This order shall become effective April 8, 1944: *Provided, however,* That any seller subject to this order, if he prefers, may continue to establish his maximum prices in accordance with Maximum Price Regulation No. 376, as amended, until April 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-5658; Filed, April 20, 1944; 2:26 p. m.]

[Region VIII Order G-1 Under MPR 285]

IMPORTED FRESH BANANAS IN SACRAMENTO, CALIF.

Order No. G-1 under Maximum Price Regulation No. 285, as amended. Imported fresh bananas.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.1254a (a) of Maximum Price Regulation No. 285, as amended, it is hereby ordered.

(a) *Sales by wholesalers beyond the free delivery zone.* When wholesalers located in the city of Sacramento, California, make sales of imported fresh bananas beyond the customary free delivery zone, an addition of 35 cents per cwt. net weight may be made to the maximum prices established for such sales under Maximum Price Regulation 285, as amended.

(b) *Definitions.* All the terms in this order shall have the same meaning as in Maximum Price Regulation No. 285, as amended, unless the context clearly requires otherwise.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective April 20, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

L. P. GENTNER,
Regional Administrator.

[F. R. Doc. 44-5705; Filed, April 21, 1944; 12:58 p. m.]

[Region VIII Order G–90 Under 18 (c)]

BLUING AND AMMONIA IN SEATTLE, WASH.

Order No. G–90 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales at retail and wholesale of bluing and ammonia bottled by Pacific Coast Vinegar Company, Seattle, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation: *It is hereby ordered:*

(a) The adjusted maximum prices at which sellers at retail and wholesale may sell and deliver bluing and ammonia bottled by Alfred Wolfheim, Pacific Coast Vinegar Company, 815 Weller Street, Seattle, Washington shall be the particular seller's present maximum price plus 1¢ per 12 ounce bottle.

(b) This order may be revoked, amended, or corrected at any time. This order shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–5706; Filed, April 21, 1944; 12:58 p. m.]

[Region IV Order G–13 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WILMINGTON, N. C.

Amendment No. 1 to Order No. G–13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Wilmington in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (f) of Order No. G–13 under said regulation, *It is hereby ordered,* That:

The maximum prices set forth in the fourth unnumbered subparagraph of paragraph (c) (1) (i) be amended by changing the prices contained in said subparagraph for Virginia anthracite (egg or stove) to $13.40 per ton, $6.95 per ½ ton, and $3.60 per ¼ ton. The amended prices provided herein shall apply during the period April 12, 1944, to March 31, 1945, inclusive, unless amended or revoked during said period. On and after April 1, 1945, the maximum prices for said Virginia anthracite shall be $13.20 per ton, $6.85 per ½ ton, and $3.55 per ¼ ton.

This Amendment No. 1 shall become effective April 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 18, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–5760; Filed, April 22, 1944; 3:06 p. m.]

[Louisville, Ky. Order G–1 Under MPR 285]

BANANAS IN LOUISVILLE, KY.

Order No. G–1 under Maximum Price Regulation No. 285. Imported fresh bananas, sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1254a (b) of Maximum Price Regulation No. 285 and by him delegated to the District Director of the Louisville District under the provisions of Delegation Order 1-A, Revised: *It is hereby ordered:*

In any instance where there is hauling of imported fresh bananas for sales except at retail from a wholesaler's customary receiving point to his place of business or to his ripening facilities, such wholesaler may adjust his maximum prices upward to include the actual cost of such hauling, not to exceed 35 cents per hundredweight.

This order does not provide for any charge or addition for the cost of local hauling within the free delivery zone surrounding the wholesaler's customary receiving point.

This order shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

GEO. H. GOODMAN,
District Director.

[F. R. Doc. 44–5761; Filed, April 22, 1944; 3:06 p. m.]

RAILROAD RETIREMENT BOARD.

Office of the General Counsel.

[Jurisdictional Docket No. 27]

THE SHIPLEY COMPANY

NOTICE OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Pursuant to regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 351–367), Part 319, §§ 319.42 et seq. (7 F.R. 4777), the following orders have been issued:

ORDER AWARDING BENEFITS ON THE BASIS OF COMPENSATION EARNED IN SERVICE UNDER CERTAIN AGREEMENTS BETWEEN THE SHIPLEY COMPANY AND THE CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA RAILWAY COMPANY

In accordance with the determination of the issues presented and passed upon in the General Counsel's opinion of January 12, 1943, I–43–22, holding that individuals who are, or have been, engaged in the performance of service under certain agreements, and supplements thereto, specified in the abovementioned opinion, between The Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company, covering the performance of labor in connection with the handling of locomotive coal and sand, the unloading of coal and briquettes, the removal and disposal of cinders, the cleaning of cars, and icing services, are, and have been, subject to the continuing authority of the Chicago, St. Paul, Minneapolis and Omaha Railway Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreements, employees of the Chicago, St. Paul, Minneapolis and Omaha Railway Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act:

Benefits are hereby awarded to all individuals whose compensation earned in service under the above-mentioned agreements exclusively or in addition to compensation earned in other employee service for covered employers, is $150 or more in the applicable base year, such benefits to be determined in accordance with section 2 (a) of the Railroad Unemployment Insurance Act by including compensation earned in service under the above-mentioned agreements, and to be payable for any days of unemployment established in accordance with the Railroad Unemployment Insurance Act and applicable regulations: *Provided, however,* That all benefits paid pursuant to this award shall be paid subject to a right of recovery thereof as provided in section 5 (c) of the Railroad Unemployment Insurance Act.

Order entered and award of benefits made pursuant to authority vested in me by regulations, § 319.40, this 20th day of April 1944.

ORDER REOPENING INITIAL DETERMINATION ON CREDITABILITY OF SERVICE RENDERED UNDER CERTAIN AGREEMENTS BETWEEN THE SHIPLEY COMPANY AND THE CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA RAILWAY COMPANY

Whereas the General Counsel on January 12, 1943, issued an opinion, I–43–22, holding that individuals who are, or have been, engaged in the performance of service under certain agreements, and supplements thereto, specified in the above-mentioned opinion, between The Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company, covering the performance of labor in connection with the handling of locomotive coal and sand, the unloading of coal and briquettes, the removal and disposal of cinders, the cleaning of cars, and icing services, are, and have been, subject to the continuing authority of the Chicago, St. Paul, Minneapolis and Omaha Railway Company to supervise and direct the manner of rendition of their service, which they render for compensation, and therefore that such individuals are, and have been, with respect to their service under the agreements, employees of the Chicago, St. Paul, Minneapolis and Omaha Railway Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act; and

Whereas The Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company notified the General Counsel of the Board that they questioned the correctness of the General Counsel's determination; and

Whereas, in accordance with § 319.40 of Part 319 of the regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, the General Counsel, on April 20, 1944, entered a general order awarding benefits on the basis of compensation earned in service under the above-mentioned agreements entered into between The Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company, subject to a right of recovery of any benefits paid pursuant to such order as provided in section 5 (c) of the Railroad Unemployment Insurance Act;

Now, therefore, pursuant to the authority vested in the General Counsel by Part 319 of the Regulations, *It is hereby ordered and directed*, That The General Counsel's determination of January 12, 1943, L-43-22, be, and it hereby is, reopened for further consideration and proceedings in accordance with Part 319 of the regulations.

Dated: April 20, 1944.

In accordance with the above orders, and pursuant to the authority vested in the General Counsel by Part 319 of the regulations, notice is hereby given that a hearing in the above-entitled matter will be held before the General Counsel, presiding as Examiner, on Monday, May 15, 1944, at 10:00 a. m., in the Hearing Room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois, on the following questions:

(1) Have the individuals engaged in the performance of service under contracts between The Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company been, and are they, with respect to such service, employees of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, within the meaning of the Railroad Unemployment Insurance Act?

(2) Has The Shipley Company ever been directly or indirectly owned or controlled by, or under common control with, one or more express companies, sleeping-car companies, or carriers by railroad, subject to Part I of the Interstate Commerce Act, within the meaning of section 1 (a) of the Railroad Unemployment Insurance Act?

(3) Has The Shipley Company ever operated any equipment or facilities or performed any service (other than trucking service or casual service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer-in-transit, refrigeration or icing, storage or handling of property transported by railroad, within the meaning of section 1 (a) of the Railroad Unemployment Insurance Act?

The Shipley Company, the Chicago, St. Paul, Minneapolis and Omaha Railway Company, the individuals who have been awarded benefits on the basis of pay earned in service under the above-mentioned agreements, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and arguments.

In preparation for, and in the conduct of, said hearing, the General Counsel, acting as Examiner, is authorized to require and compel the attendance of witnesses, administer oaths, take testimony and make all necessary investigations. A record will be kept of all evidence and argument presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. Parties offering exhibits to be admitted in evidence at the hearing may be required to furnish copies of the same to all other parties participating or entering an appearance in the proceeding.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

APRIL 20, 1944.

[F. R. Doc. 44-5776; Filed, April 24, 1944; 10:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 52-22, 52-18]

ASSOCIATED GAS AND ELECTRIC CO. AND ASSOCIATED GAS AND ELECTRIC CORP.

ORDER APPROVING PLAN AS AMENDED AND DISMISSING PROCEEDINGS ON ANOTHER PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of April, A. D. 1944.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, File No. 52-22; Henry A. Stix, Associated Gas and Electric Company, Associated Gas and Electric Corporation, File No. 52-18.

A joint application having been filed under section 11 (f) of the Public Utility Holding Company Act of 1935 by Stanley Clarke, Trustee of Associated Gas and Electric Company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, registered holding companies, requesting the Commission's approval of a plan, as amended, for the reorganization of said companies under said section and Chapter X of the Bankruptcy Act;

An application having also been filed under said section by Henry A. Stix for the Commission's approval of his plan for the reorganization of the same companies, and proceedings on both plans having been consolidated by order of the Commission;

Hearings having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion, and pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935,

It is ordered, That the plan of reorganization, as amended, filed jointly by the trustees above named, be and it hereby is approved, subject to the following terms and conditions:

(1) That the surviving company contemplated by said plan, as amended, shall be bound by the record heretofore or hereafter made in proceedings (File No. 59-32) under section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed to the aforesaid trustees of Associated Gas and Electric Corporation, and shall be subject to such orders as we have issued or shall issue therein;

(2) That the Commission reserves jurisdiction to approve or disapprove the accounting entries to be made on the books of the surviving company as of the effective date of the plan; and

(3) That the Commission reserves jurisdiction to pass upon all future amendments to said plan, including (without limitation) certain necessary amendments with respect to the surviving company's new senior debt and new debentures, and the number of directors and the persons to be named as members of its initial board of directors; and in general to conduct all further proceedings that may properly be brought before it in respect of the plan, the consummation thereof, and the transactions incidental thereto.

It is further ordered, That the proceedings on the plan filed by Henry A. Stix be and they hereby are dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5674; Filed, April 21, 1944; 10:06 a. m.]

[File No. 70-886]

PUBLIC SERVICE CORPORATION OF NEW JERSEY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April 1944.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Corporation of New Jersey (Public Service), a holding company and a subsidiary of The United Corporation, a registered holding company.

Notice is further given that any interested person may, not later than May 8, 1944 at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Public Service proposes to deliver, pursuant to a general call for redemption, $135,000 principal amount of New Jersey and Hudson River Railway and Ferry Company First Mortgage 4% Fifty-year Bonds assumed on June 28, 1940 by Public Service Coordinated Transport (Transport), a subsidiary of Public Service. In connection therewith, Public Service proposes to contribute to Transport $43,496.25 cash, representing the difference between the redemption price of 105% and the cost of the bonds to Public Service purchased in the open market for $98,253.75.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5754; Filed, April 22, 1944; 3:02 p. m.]

[File No. 52-22]

ASSOCIATED GAS AND ELECTRIC CO. AND ASSOCIATED GAS AND ELECTRIC CORP.

NOTICE OF FILING AMENDMENT TO PLAN OF REORGANIZATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of April, 1944.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation.

Notice is hereby given that an amendment designated as Amendment No. 3 has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation, registered holding companies; and

Notice is further given that any interested person may, not later than April 29, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, this amendment as filed or as further amended may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All persons interested are referred to said amendment, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

On April 14, 1944, the Commission entered its findings and opinion and order approving the plan of reorganization, as amended, of the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation. The present amendment eliminates certain exhibits and introductory statements as filed in the original plan, as amended, in order to facilitate printing and mailing to creditors of the two estates, in accordance with the provisions of the Bankruptcy Act. No change has been made in the substance of the proposed plan, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5770; Filed, April 24, 1944; 10:54 a. m.]

[File No. 70-851]

PUBLIC SERVICE CORP. OF NEW JERSEY AND PUBLIC SERVICE COORDINATED TRANSPORT

ORDER CONSENTING TO WITHDRAWAL

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of April 1944.

Public Service Corporation of New Jersey and its subsidiary, Public Service Coordinated Transport, having filed a request for the withdrawal of their joint application or declaration, filed with this Commission on January 14, 1944, regarding the proposed acquisition by Public Service Coordinated Transport of certain of its direct and assumed obligations from Public Service Corporation of New Jersey and from the public, as is more fully described in our notice of filing and order for hearing of January 29, 1944 (Holding Company Act Release No. 4862); said request stating that "After further consideration the management of Public Service Coordinated Transport deems it advisable at this time to conserve its working capital"; and

It appearing to the Commission that the withdrawal of the joint application or declaration is not detrimental to the public interest or to the interests of investors or consumers,

It is ordered, That the request of Public Service Corporation of New Jersey and Public Service Coordinated Transport be, and it is hereby, granted, and said joint application or declaration is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5771; Filed, April 24, 1944; 10:54 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 369, 367, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following items of equipment are approved:

EMBARKATION-DEBARKATION LADDER

Embarkation-debarkation ladder with aluminum discs, for use on tank vessels (Dwg. No. 241-B aluminum, dated 30 March, 1944), submitted by the American Chain Ladder Co., Inc., 151 East 50th Street, New York, N. Y.

LIFEBOAT

26' x 8.5' x 3.825' metallic lifeboat with Allen hand-operated propelling gear, Type "HMS" (583 cu. ft. S. B. capacity) (Construction Detail Dwg. No. 499 B, dated February 1944), submitted by Tregoning Boat Company, 6505 Seaview Avenue, Seattle, Wash. (For use on the U. S. A. H. S. MARIGOLD only.)

LIFE FLOAT

40-person, rectangular balsa wood life float (Dwg. No. M751, dated 25 October, 1943), manufactured by Roof Structures, Inc., 45 West 45th Street, New York, N. Y.

LINE-THROWING GUN

2½" line-throwing gun, Model "B" short barrel (Dwg. No. 100, dated 1 April, 1944), submitted by the Hawley Smith Machinery Company, Croton Falls, New York.

LIFE PRESERVER

U. S. Army Transportation Corps adult kapok life preserver (Dwg. No. XA-252-A), Approval No. B-217, for general use, and not for use with a rubber lifesaving suit, submitted by U. S. Army Transportation Corps, Water Division, Marine Safety Inspection Section, 201 64th Street, Brooklyn, N. Y.

PORTABLE ELECTRIC MEGAPHONE

Portable electric megaphone, Type AM-5 (Dwgs. Nos. 31044 and 31144, dated 14 March, 1944, and 11044, dated 12 January, 1944), submitted by Herbach & Rademan Co., 517 Ludlow St., Philadelphia, Pa.

SEA ANCHOR

Sea anchor, Type 3 x 6 (U. S. Coast Guard specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by the Weber Showcase & Fixture Corporation, 5700 Avalon Boulevard, Los Angeles, California.

FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION INSULANT FOR CLASS A-1 CONSTRUCTION

Mineral wool insulation, for use as an insulant for Class A-1 construction (in conjunction with an approved class B panel), minimum thickness 1½"—6 lb. per cu. ft. density, minimum thickness 2"—6 lb. per cu. ft. density, batts or blankets, submitted by Forty-Eight Insulations, Inc., Aurora, Illinois.

R. R. WAESCHE,
Vice Admiral, USCG, Commandant.

APRIL 22, 1944.

[F. R. Doc. 44-5775; Filed, April 24, 1944; 10:55 a. m.]

WAR PRODUCTION BOARD.

CROWN TAILORING COMPANY

CONSENT ORDER

Max Epstein, doing business as Crown Tailoring Company at 203 Mitchell Street, S.W., Atlanta, Georgia, is engaged in the retail clothing business. He is charged by the War Production Board with, during the period July, 1943 to February 2, 1944, having caused to be put in process for his account wool cloth for the manufacture of men's clothing which exceeded the limitations on size, in violation of War Production Board Order L-224. He is also charged with delivering said clothing in violation of Order L-224. Max Epstein admits the violations as charged, and does not care to contest the wilfulness of the same; and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Max Epstein, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Max Epstein, doing business as Crown Tailoring Company, or otherwise, his successors or assigns, shall not, directly or indirectly, buy, order, receive, or accept delivery of, or deliver, any wool cloth or men's wool clothing except as specifically authorized in writing by the War Production Board.

(b) The restrictions of this order do not apply to finished garments on hand or in transit as of the effective date of this order. Said garments may be delivered by Max Epstein, doing business as Crown Tailoring Company.

(c) Nothing contained in this order shall be deemed to relieve Max Epstein from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 21, 1944, and shall expire on June 5, 1944.

Issued this 14th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5728; Filed, April 21, 1944; 4:58 p. m.]

STANDARD OIL CO. OF INDIANA

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating number, builder's serial number, company, address, and location of project:

53; 22007; Standard Oil Co. of Indiana, 910 S. Michigan Ave., Chicago, Illinois; Wood River, Illinois.

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5752; Filed, April 22, 1944; 11:58 a. m.]

UNION OIL CO. OF CALIFORNIA

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with high octane gasoline facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating number, Builder's serial number, Company, Address, and Location of project:

58; 6130; Union Oil Co. of California; Los Angeles, California, Wilmington, California.

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5751; Filed, April 22, 1944; 11:58 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 83

Washington, Wednesday, April 26, 1944

Regulations

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51046]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

DECLARATION ON ENTRIES

Section 8.18 (c), Customs Regulations of 1943 (19 CFR 8.18 (c)), is amended to read as follows:

§ 8.18 *Declaration on entry.* • • •

(c) When entry is made by an agent,[1] he shall execute on the entry form, as agent, the declaration of the consignee applicable to the person for whom he acts as agent. An agent shall not execute the declaration of a nominal consignee unless he is acting as agent for a nominal consignee. If the agent has knowledge of the facts and is authorized under a proper power of attorney to execute the declaration of the principal (consignee), no further declaration of the consignee shall be required; otherwise a declaration of the consignee on customs Form 3347–A shall be produced with the entry or a charge for the production of such declaration made against the appropriate entry bond." No separate bond of the agent shall be required.

(Sec. 485, 46 Stat. 724, sec. 13, 52 Stat. 1083, sec. 624, 46 Stat. 759; 19 U.S.C. 1485, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: April 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–5620; Filed, April 24, 1944; 8:39 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

STATEMENT CONCERNING SHIPMENT TO LAKES[1]

Under § 602.391 of SFAW Regulation No. 20 some producers have erroneously construed the section to mean that equal or regular shipments of coal shall be made within each month and have, for example, shipped 2,500 tons per week in order to fulfill a 10,000 ton per month commitment. Such shipments are too small to permit quick dumping into vessels and prompt release of railroad cars.

The words "regular equal monthly shipments" as used in § 602.391 of the regulation contemplate that the monthly shipments would be made from the mines in as large quantities as necessary to assure the expeditious dumping of coal into vessels and the prompt release of railroad cars. It also contemplates that the coal would move in as even a flow as is consistent with achieving this objective.

Under Regulation No. 20 it is expected that lake commitments, subject to modifications or cut-backs by SFAW, will be fulfilled by November 1, 1944 and that during the season of lake navigation there will also be, to the extent practicable, an even flow of coal all-rail.

Dated: April 24, 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44–5640; Filed, April 25, 1944; 10:08 a. m.]

[1] 9 F.R. 3487.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–504]

PILGRIM VILLAGE, INC.

Pilgrim Village, Inc., is a corporation engaged in the business of constructing, renting and selling houses, with its prin-

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

Book 3: Titles 10-17, with index.

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authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Pilgrim Village, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1944, and shall expire on August 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5822; Filed, April 24, 1944; 4:48 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-518]

GENERAL PLAYGROUND EQUIPMENT, INC.

General Playground Equipment, Inc., 1133 South Courtland Avenue, Kokomo, Indiana, is a corporation engaged among other things, in the business of manufacturing playground equipment. It has not kept either adequate inventory records or production records, in violation of Priorities Regulation No. 1. Between January 1, 1943, and January 1, 1944, it violated Conservation Order M-126 by fabricating, assembling, and delivering 65 items of playground equipment, by assembling and delivering 421 items of such equipment, and by delivering 108 items of such equipment; all of these items contained iron or steel. The responsible officers of General Playground Equipment, Inc., were aware of the regulations and orders of the War Production Board governing its business and its violations of Priorities Regulation No. 1 and Conservation Order M-126 must be deemed wilful.

These violations of Priorities Regulation No. 1 and Conservation Order M-126 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.518 *Suspension Order No. S-518.* (a) General Playground Equipment, Inc., its successors or assigns, shall not directly or indirectly put into process, process, manufacture or assemble any iron or steel item, article, or part listed on Conservation Order M-126, irrespective of any special exception or permission provided for in said order, which said exception or permission shall not be applicable to respondent's operations, unless hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions set forth herein shall not apply to orders bearing preference ratings of AA-2X or higher for items, articles or parts so excepted or permitted.

(c) Nothing contained in this order shall be deemed to relieve General Playground Equipment, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1944, and shall expire on July 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5823; Filed, April 24, 1944; 4:48 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-530]

WINTHROP MILLS

Winthrop Mills is a corporation operating a woolen mill in Winthrop, Maine. In August, 1943, it began construction of a carbonizing plant as an addition to its mill at an estimated cost of about $13,000, which was in excess of the $5,000. limitation for that type of construction provided by Conservation Order L-41. Furthermore, it continued such construction notwithstanding it received two warnings from the War Production Board in October 1943, that the construction was unlawful. The beginning of this construction was a negligent violation of Conservation Order L-41, and became wilful after receipt of the warnings in October.

In the course of this construction, the corporation on August 27, 1943, placed an order for twelve cast iron brackets and twelve cast iron post caps certifying under the provisions of CMP Regulation 5 that they were for essential maintenance, repair or operating supplies. It received these products in September and used them for this new construction. These actions constituted grossly negligent violations of CMP Regulation 5.

These violations of Conservation Order L-41 and CMP Regulation 5 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.530 *Suspension Order No. S-530.* (a) Neither Winthrop Mills, its successors, assigns, nor any other person, shall do any construction on the carbonizing plant of Winthrop Mills at Winthrop, Maine, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Winthrop Mills, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 24, 1944.

Issued this 17th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5824; Filed, April 24, 1944; 4:48 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended Apr. 25, 1944]

§ 944.23 *Priorities Regulation 3*—(a) *Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all ex-

tensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB–2613 (formerly PD–870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P–140 and P–146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 of 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA–2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA–3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services*—(1) *Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB–541 (formerly PD–1A) or WPB–542 (formerly PD–3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

_____
(Name of Purchaser)

_____
(Address)

By _____
(Signature and Title of Duly Authorized Officer)

_____
(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and codimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Steam heating, central.

Sterilizer equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-53-b).

Ice.

Tobaccos.[1]

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).[1]

Sulfated, sulfonated, and sulfurized fats and oils.[1]

Tall oil.[1]

Wool grease.[1]

Soap (other than metallic).[1]

Fatty acids.[1]

Food for human or animal consumption.[1]

Glycerine.[1]

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-200.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-168.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of $25 or more, inclusive of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers.

b. Gummed stay and sealing tape, paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from

[1] Subject to FD Regulation No. 1 of the War Food Administration.

the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
b. Baskets and hampers.
c. Cans, as defined in Order M-81.
d. Collapsible tubes.
e. Cooperage, tight and slack.
f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
g. Folding and set-up boxes (paperboard).
h. Gas cylinders, as defined in M-323.
i. Glass containers.
j. Ice cream cans (paperboard) and paraffin cartons and pails.
k. Paper cups and paper food containers (except as otherwise stated in Direction 2 of this regulation).
l. Paper milk containers.
m. Steel shipping drums as defined in Order L-197.
n. Wooden and fibre inner containers.
o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

Corrugated and solid fibre sheets, not constituting "shipping containers" or "parts" as defined in Order P-140.

Cutlery, as defined in any order of the L-140 series.

Electrical appliances as defined in Order L-65.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including
a. Couplings, playpipes and allied fittings;
b. Fire hose, hose dryers, racks and reels;
c. (Revoked.)
d. Fire pumps;
e. Fire sprinkler systems;
f. Foam generators;
g. Indicator posts;
h. Lightning rod systems;
i. Piped extinguishing systems;
j. Portable fire extinguishers;
k. Stirrup pumps;
l. Water spray nozzles.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Industrial air circulators, new.

Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292:
a. Bakery utensils;
b. Butcher benches;
c. Butcher blocks;
d. Canopies or hoods;
e. Carriers, food;
f. Carriers, tray;
g. Coffee mills and grinders;
h. Counters, cafeteria, lunch and serving;
i. Counter protectors;
j. Cutters, french fry;
k. Cutters, meat, bone and fish;
l. Dispensers, milk and cream;
m. Display racks;
n. Dough dividers;
o. Dough troughs;
p. Knife sharpeners and grinders;
q. Pans, cold;
r. Potato mashers;
s. Potato and vegetable parers or peelers;
t. Racks, bread (bakery);
u. Racks, dump (bakery);
v. Racks, pans (bakery);
w. Sandwich units;
x. Slicers, meat and bread;
y. Tables, bakers;
z. Tables, cooks, chef, salad and work;
aa. Tables, soiled and clean dish;
bb. Toaster stands;
cc. Tray stands;
dd. Trucks, food;
ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:
(a) Internal combustion engines, or electric motors.
(b) Blowers.
(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-88, P-89, and P-98-b, and ratings assigned pursuant to Orders P-56, P-68 and P-73.)

Lawn mowers, including power and gang mowers.

Light power driven tools (as defined in L-287) which had a producer's list price on October 15, 1942, of more than $175. The following types only:
a. Abrasive belt finishing machines (excluding wet and dry type)
b. Band saw machines (excluding gear driven)
c. Jointers
d. Lathes, bench and floor types as follows: Metal spinning and woodworking
e. Radial saws
f. Routers
g. Scroll and jig saws
h. Shapers, vertical spindle
i. Table saws

Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-212), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:
a. Anaesthesia and oxygen equipment and accessories;
b. Atomizers;
c. Clinical thermometers;
d. Crutches;
e. Dental consumable supplies;
f. Dental equipment and appliances (except dental lathes);
g. Diagnostic instruments and apparatus;
h. Electric light bulbs for diagnostic instruments;
i. Hearing aids;
j. Hospital and medical rubber drug sundries;
k. Hospital enamelware and stainless steel ware;
l. Hypodermic needles and syringes;
m. Operating and examining room furniture;
n. Operating and examining room lights;
o. Opthalmic goods.
p. Orthopedic appliances including splints, belts and trusses;
q. Physical therapy equipment and supplies;
r. Sterilizers;
s. Surgical dressings;
t. Suture needles;
u. Sutures;
v. X-ray equipment and supplies.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than $200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitised paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Pins, common and safety.

Precision measuring instruments and testing equipment—Preference Rating Order E-9.

Printing and publishing:
a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;
b. Processed printing plates;
c. Type metal, stereotyping metal and electrotype backing-metal;
d. Printing paper, paperboard and binders' board;
e. Book cloth;
f. Blankbook and loose-leaf binders, metal parts and units;
g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Signal and alarm equipment, including:
a. Central Station, proprietary, auxiliary and automatic fire alarms;
b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.

Slide rules, precision engineering, having a list price of $7.50 or more.

Venetian blinds.

Wire intercommunicating systems.

Wooden shelving.

Woodworking machinery having a producer's list price (as defined in Order L-311) of more than $175.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about June 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similiarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable. (Issued Feb. 26, 1944.)

INTERPRETATION 4

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 6, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

[F. R. Doc. 44-6884; Filed, April 25, 1944; 11:24 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 10]

USE OF RATING TO OBTAIN LEASED MACHINERY

The following interpretation is issued with respect to Priorities Regulation 3:

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding $500. This rating can be used to lease a machine if its fair market value is not more than $500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5885; Filed, April 25, 1944; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 11]

IDENTIFICATION OF BLANKET MRO RATINGS

The following interpretation is issued with respect to Priorities Regulation 3:

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filed before the item was added to List B. (See paragraph (c) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S-8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 12]

RECORDS OF EXPORTERS

The following interpretation is issued with respect to Priorities Regulation 3:

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Apr. 25, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not deliver any steel on an authorized controlled material order bearing a specific allotment number except in the period for which the allotment was made or within 15 days before or 30 days after such period. For example, a distributor receiving an order bearing the allotment number N-1-4Q43 may fill the order at any time during the period September 15, 1943, through January 31, 1944. Orders bearing symbols such as MRO which do not have to bear any quarterly identification are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of $25 or less. No endorsement is required on such orders.

(ii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (Including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod	300	------	300
Mechanical tubing	1,000*	100*	300*
Wire rope and strand	300*	------	------
Music Wire	300	------	------
All other steel products	20,000	1,000	4,000

*Feet per quarter.

Each order placed under this paragraph (d) (4) (ii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (ii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (ii) is to permit persons using small

quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (ii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) Beginning May 15, 1944 no person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any calendar week which aggregates more than 500 pounds gross weight, or, effective immediately, for delivery, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of these amounts. However, the 500 pound limitation does not apply to a single continuous length of rod, tube, pipe, sheet or strip and neither the 500 pound nor the 2,000 pound limitation applies to condenser tubes or to the resale of brass mill products obtained by brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 5th Avenue, New York City, New York.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination, during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 Fifth Avenue, New York City, New York.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to fill under paragraph (f) (1) or (f) (2) above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill (i) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire, rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (a) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (c) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire, without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders. (Issued Feb. 27, 1943)

[F. R. Doc. 44-6886; Filed, April 25, 1944; 11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALISTS

[Conservation Order M-319, as Amended Apr. 25, 1944]

MANUFACTURED ABRASIVE GRAIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of manufactured abrasive grain for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.91 *Conservation Order M-319*—(a) *Definitions.* For the purpose of this order:

(1) "Manufactured abrasive grain" means: (i) Any silicon carbide or fused aluminum oxide which has been classified as to particle size by mechanical, hydraulic, pneumatic, or other methods, and (ii) Abrasive optical finishing powders, abrasive flours, blasting grain, reclaimed grain, refractory grain, firesand, and other manufactured abrasive and refractory grain specialties, whether or not classified as to particle size.

Unfused or levigated alumina, and natural abrasives such as emery, garnet, corundum, and flint are not subject to this order.

(2) "Silicon carbide" means that product which results from combining silica and coke in a resistance-type electric furnace.

(3) "Fused aluminum oxide" means that product resulting from the fusion of alumina, or the fusion and purification of bauxite in an electric furnace, reduced by sledging or crushing to ungraded lumps or fine particles.

(4) "Reclaimed grain" means: (i) Any manufactured abrasive grain recovered from wheel stubs or other baked or fired abrasive or refractory stock, including lathe room turnings and dressings. The term does not include green shavings; (ii) Any manufactured abrasive grain recovered from coated abrasive products; (iii) Any manufactured abrasive grain previously used in grain form or on wheels, in blasting, grinding, or polishing operations.

(5) "Fine grit silicon carbide abrasive grain" means any abrasive grain manufactured from silicon carbide which has been classified into any of the following grit sizes: 280, 320, 400, 500, 600, 1F, 2F, 3F, 4F, XF, 8F, STF, and DCF. The term does not include reclaimed grain.

(6) "Producer" means any person who produces manufactured abrasive grain.

(7) "Importer" means any person who imports manufactured abrasive grain from sources outside the United States.

(8) "Branch outlet" means any branch store, branch warehouse, or other direct agent of a producer or importer, used for purposes of distributing manufactured abrasive grain.

(9) "Distributor" means any purchaser of manufactured abrasive grain for purposes of resale without further processing.

(10) "Ultimate consumer" means any purchaser of manufactured abrasive grain other than a distributor.

(11) "Period of authorization" means the period in which any producer or importer is authorized to use, and any person is authorized to accept delivery of manufactured abrasive grain pursuant to authorization on Form WPB-2781 (PD-886). Each period of authorization shall be of two calendar months' duration. The first period of authorization shall be for the months of May and June 1944; the second period shall be for the months of July and August 1944, etc.

Provisions Relating to Fine Grit Silicon Carbide

(b) *Restrictions on use and delivery of fine grit silicon carbide abrasive grain.* (1) Except as permitted by paragraph (d) of this order, beginning May 1, 1944: (i) No producer or importer shall himself use, and no producer, importer, branch outlet, or distributor shall deliver to any person any fine grit silicon carbide abrasive grain unless specifically authorized to do so by the War Production Board on Form WPB-2781 (PD-886); (ii) No person shall accept delivery of any fine grit silicon carbide abrasive grain unless specifically authorized to do so by the War Production Board on Form WPB-2781 (PD-886).

(2) Deliveries pursuant to authorization on Form WPB-2781 (PD-886) may be made and accepted at any time during the two months period covered by the application or during the first ten days of the next month. An order which has been authorized by the War Production Board on Form WPB-2781 (PD-886) must be accepted by the producer, importer, branch outlet or distributor, and the producer, importer, branch outlet or distributor must make delivery under it unless it does not meet his regularly established prices and terms. However, within any given two-month period of authorization, delivery of orders for fine grit silicon carbide abrasive grain may be scheduled without regard to preference ratings in the sequence best suited to maximum production and customers' needs.

(3) No producer or importer authorized to use, and no person authorized to accept delivery of fine grit silicon carbide abrasive grain by an authorization on Form WPB-2781 (PD-886) shall use such abrasive grain for any purposes other than the purposes authorized on the form except when otherwise specifically directed by the War Production Board.

(c) *Applications for authorization to use or accept delivery of fine grit silicon carbide abrasive grain.* (1) Every person requiring authorization to use or accept delivery of fine grit silicon carbide abrasive grain during May and June 1944 shall apply immediately if he has not already done so. Applications for subsequent periods shall be filed by the 15th day of the first month of the preceding period of authorization (i. e., on May 15th for the July and August period, etc.). All such applications shall be made on Form WPB-2781 (PD-886). Copies of Form WPB-2781 revised April 20, 1944, may be obtained at local Field Offices of the War Production Board.

Each applicant when filing his application with the War Production Board must also file one copy of his application with the producer from whom he expects to obtain the abrasive grain applied for. If the applicant is placing his order through a branch outlet or distributor, and does not know the name of the producer, he must file two copies with the branch outlet or distributor. The confidential information required to be reported on the application need only be furnished on the original of each application.

(2) No application need be filed by a branch outlet or distributor through whom an ultimate consumer is ordering fine grit silicon carbide abrasive grain, but the War Production Board, when acting on the ultimate consumer's application, will simultaneously grant or deny to the branch outlet or distributor authorization to accept delivery for, and to redeliver to, the ultimate consumer.

(3) Whenever any order for fine grit silicon carbide abrasive grain, previously authorized on Form WPB-2781 (PD-886) is cancelled, the producer, importer, branch outlet, or distributor, with whom such order was placed, shall immediately notify the War Production Board of the cancellation.

(d) *Small order exemption for fine grit silicon carbide abrasive grain.* (1) After May 1, 1944, any ultimate consumer who has not received a specific authorization on Form WPB-2781 (PD-886) for a particular two months period may accept delivery of fine grit silicon carbide abrasive grain in such period without specific authorization, but the list value of the total quantity of fine grit silicon carbide abrasive grain which he accepts from all sources combined in that period of authorization may not exceed $350.

(2) Subject to the inventory limitations contained in paragraph (g), any branch outlet or distributor may accept delivery of fine grit silicon carbide abrasive grain for stock to fill small orders. No specific authorization on Form WPB-2781 (PD-886) shall be required for a branch outlet or distributor to accept delivery of such abrasive grain, but each such order for abrasive grain placed by a branch outlet or distributor with a producer, importer, or another branch outlet, must be accompanied by a certification by the branch outlet or distributor, signed manually, or as provided by Priorities Regulation No. 7, substantially as follows:

The abrasive grain specified on this purchase order is required by the undersigned for stock to fill small orders pursuant to paragraph (d) (1) of Conservation Order M-319, with the terms of which the undersigned is familiar. Delivery of this order will not increase the undersigned's inventory of the specified sizes and types of abrasive grain beyond a supply required under the undersigned's current practices for resale on such small orders during a period of sixty days.

(Name and address of distributor or branch outlet)

By---
(Authorized signature)

(3) Beginning May 1, 1944, any producer, importer, branch outlet, or distributor, may deliver abrasive grain to fill orders authorized by paragraphs (d) (1) and (d) (2). However, the total quantity of abrasive grain which any producer or importer may deliver in any period of authorization pursuant to this paragraph (d) (3) shall not exceed the quantity which the War Production Board shall authorize him to deliver on such orders during such period. On or before May 15, 1944, and on or before the 15th day of each alternating succeeding calendar month, each producer or importer shall apply on Form WPB-2781 (PD-886) for the quantity of abrasive grain which he estimates will be required to fill orders authorized by paragraphs (d) (1) and (d) (2) during the next succeeding period of authorization. Deliveries of orders authorized by paragraphs (d) (1), (d) (2), and (d) (4) shall, so far as practicable, be scheduled evenly throughout each period of authorization without regard to preference ratings in the sequence best suited to maximum production and customers' needs.

(4) Delivery of sample lots of fine grit silicon carbide abrasive grain may be made, or may be accepted without specific authorization when the quantity of abrasive grain to be delivered to any person for experimental purposes in any period of authorization does not exceed 25 pounds of any grit size. Persons desiring to accept delivery of such abrasive grain shall state on their purchase order that the grain is desired for experimental purposes. All shipments of abrasive grain made by producers or importers pursuant to this paragraph shall be deducted from the quantity of abrasive grain authorized for delivery against small orders pursuant to paragraph (d) (3).

(e) Necessity for placement of orders. Every person who has been authorized on Form WPB-2781 (PD-886) to accept delivery of fine grit silicon carbide abrasive grain must place an order with the authorized supplier named in the approved application as soon as he receives it from the War Production Board. In the event that no order is placed within fourteen days from the date the application was approved by the War Production Board or if the orders which the applicant has placed within that time cover less than the quantity of abrasive grain authorized, the authorization to accept delivery of the quantity of abrasive grain not covered by a purchase order shall be automatically canceled and the authorized supplier who will have received a copy of the original authorization shall immediately notify the War Production Board of the quantity of abrasive grain so canceled, in order that it may be made available for allocation to other consumers.

General Provisions

(f) *Use and delivery of manufactured abrasive grain other than fine grit silicon carbide.* Use and delivery of manufactured abrasive grain other than fine grit silicon carbide abrasive grain shall be in accordance with Priorities Regulation No. 1 and other applicable regulations of the War Production Board as amended from time to time.

(g) *Limitation on inventories.* No person other than a producer or importer shall purchase or accept delivery of any size and type of manufactured abrasive grain if his inventory thereof is or will by virtue of such purchase or acceptance become, greater than the quantity of such size and type of abrasive grain which will be required under his current practices for use or resale during a period of sixty days: *Provided, however*, That the delivery of manufactured abrasive grain pursuant to the following designated types of purchase orders shall be permitted to effect such an increase;

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for manufactured abrasive grain required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(h) *Proposed production schedules to be filed.* On or before June 5, 1944, and bi-monthly thereafter on or before the 5th day of each alternate succeeding calendar month, each producer shall file with the War Production Board his proposed schedule of production of manufactured abrasive grain for the next succeeding two calendar months. Proposed schedules for the production of manufactured abrasive grain shall be filed on Form WPB-2780 (PD-887).

Approved production schedules will be furnished to all producers by the War Production Board for each period of authorization. In the event that a producer finds that the quantity of manufactured abrasive grain which he is able to produce in any period will vary appreciably from the quantity indicated on his schedule as approved, he shall immediately notify the War Production Board of the amount of increase or decrease in available material and the reasons therefor.

(i) *Other allocation and scheduling directions.* Notwithstanding any other provisions of this order, the War Production Board may at any time;

(1) Direct the return or cancellation of any order for manufactured abrasive grain;

(2) Direct or change any schedule of production or delivery of manufactured abrasive grain;

(3) Allocate orders for manufactured abrasive grain placed with one person to another person;

(4) Revoke any authorization to use or accept delivery of manufactured abrasive grain, granted pursuant to this order;

(5) Take such other action as it deems necessary with respect to the placing of orders for, or the production, use, or delivery of, manufactured abrasive grain.

(j) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of manufactured abrasive grain shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section, of a single integrated enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(k) *Notification to customers.* Each producer, importer, branch outlet, or distributor shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give or receive such notice shall not excuse any such person from complying with the terms hereof.

(l) *Reports.* All producers, importers, branch outlets, or distributors, affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time request, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(m) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control, and may be deprived of priorities assistance.

(o) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(p) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to: War Production Board, Tools Division, Washington 25, D. C. Ref: M-319.

(q) *Effective date.* This order as amended shall become effective May 1, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5889; Filed, April 25, 1944; 11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M-319, Interpretation 1, Revocation]

USE OF SMALL ORDER EXEMPTION BY CONSUMERS SPECIFICALLY AUTHORIZED TO RECEIVE ABRASIVE GRAIN

Interpretation 1 of Conservation Order M-319 is superseded by paragraph (d) (1) of the order as amended April 25, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5890; Filed, April 25, 1944; 11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M-319, Interpretation 2, as Amended Apr. 25, 1944]

USE OF SMALL ORDER CERTIFICATION BY PRODUCERS WHO ARE ALSO DISTRIBUTORS

Interpretation 2 of Conservation Order M-319 is hereby amended to read as follows:

A question has arisen as to whether a person who produces certain sizes and types of abrasive grain, but who also purchases abrasive grain from other producers for resale without further processing, may use the small order certification described in paragraph (d) (2) of Conservation Order M-319 to obtain abrasive grain for stock to fill small orders. Paragraph (a) (9) defines a distributor as any purchaser of manufactured abrasive grain for purposes of resale without further processing. To the extent that a producer obtains abrasive grain from other producers for resale without further processing, he is a distributor within the meaning of M-319 and, as such, may accept delivery of abrasive grain for stock to fill small orders, if he signs the certification required by paragraph (d) (2). The grain which he obtains by this means, however, can only be used to fill small orders placed with him, and is subject to the sixty-day inventory limitation contained in paragraph (g). This grain, when obtained, should not be reported as a part of his inventory in making out his proposed production schedule (Form WPB-2799), nor should he include it in the WPB-2781 application which he files as a producer, pursuant to paragraph (d) (3), for authorization to deliver his own grain to fill small orders.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5891; Filed, April 25, 1944; 11:33 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-327, as Amended Apr. 25, 1944]

AIRCRAFT LIGHTING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used to produce aircraft lighting equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.48 *Limitation Order L-327*—(a) *Definitions.* For the purposes of this order "aircraft lighting equipment" means any light or lamp assemblies (whether portable or not) specifically designed or constructed for use on aircraft, either for purposes of illumination or indication. The term includes all parts, equipment, and devices specifically designed or constructed for use in conjunction with such light or lamp assemblies. The following are examples of types of assemblies included in this definition:

(1) "Landing light," meaning a light or lamp assembly, including any retractable mechanism or adapter, designed to illuminate the ground or other area for the purpose of facilitating the landing of aircraft;

(2) "Position light," meaning a light or lamp assembly used on aircraft to indicate its position and direction of motion;

(3) "Anchor or riding light," meaning a light or lamp assembly used on floating aircraft to indicate its position when anchored;

(4) "Formation light," meaning a light or lamp assembly used to facilitate formation flying;

(5) "Recognition light," meaning a light or lamp assembly used for the identification of friendly aircraft;

(6) "Instrument light," meaning a light or lamp assembly used to illuminate or irradiate aircraft instruments;

(7) "Cabin light," meaning a light or lamp assembly designed for the purpose of illuminating the interior of aircraft;

(8) "Signal light," meaning a light or lamp assembly designed to be operated manually for the purpose of signaling from aircraft;

(9) "Indicator light," meaning a light or lamp assembly which indicates a condition or the functioning of a device or indicates some action taken or to be taken;

(10) "Approach light," meaning a light or lamp assembly mounted on aircraft and designed for the purpose of facilitating the landing of aircraft on aircraft carriers.

The term "aircraft lighting equipment" does not include pyrotechnic devices, gunsights or bombsights, indicator lights incorporated as an integral part of radio and radar apparatus, or aviation ground lighting equipment as defined in Order L-235.

(b) *Restrictions on manufacture, sale, and delivery.* On and after April 10, 1944, no person may manufacture, assemble, sell or deliver any aircraft lighting equipment except:

(1) Aircraft lighting equipment certified by The Aeronautical Board of the United States, Washington, D. C., as conforming to specifications or drawings issued by such Board, or

(2) Aircraft lighting equipment certified by the Matériel Command of the Army Air Forces of the United States, Wright Field, Dayton, Ohio, as conforming to specifications or drawings issued by or acceptable to such Command, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(3) Aircraft lighting equipment certified by the Bureau of Aeronautics of the Navy Department of the United States, Washington, D. C., as conforming to specifications or drawings issued by or acceptable to such Bureau, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(4) Aircraft lighting equipment certified by the Civil Aeronautics Administration of the U. S. Department of Commerce, Washington, D. C., as conforming to the Civil Air Regulations, or

(5) Aircraft lighting equipment to be used only for purposes of experimentation, research and development, or test, or

(6) Aircraft lighting equipment specifically authorized in writing by the War Production Board. (Each person filing a request for authorization pursuant to this subparagraph shall provide information by letter in triplicate, including the following: Description of lighting equipment and/or accessories, giving type, specification, drawing numbers, and value; quantity; customer's name and location; purchase order number and date received; delivery schedule; prime contract number; and reasons why equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order cannot be used), or

(7) Parts required for the maintenance and repair of existing aircraft lighting equipment, and complete assemblies where required for replacement of aircraft lighting equipment damaged beyond repair, to the extent that equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order is impracticable for such replacement.

(c) *Restrictions on installation.* On and after April 10, 1944, no person may install any aircraft lighting equipment unless the manufacture, assembly, sale, and delivery of such equipment is permitted under the provisions of paragraph (b) of this order or unless specific authorization to install such equipment has been obtained from the War Production Board in the manner prescribed in paragraph (b) (6) of this order.

(d) *Table of acceptable aircraft lighting equipment.*[1] The table supplementing this order lists certain types, drawings, and specifications of acceptable aircraft lighting equipment and manufacturers whose products have been certified under paragraphs (b) (1), (b) (2), (b) (3), and (b) (4) of this order. This table will be brought up to date from time to time to include new certifications granted subsequent to the latest revision of this table.

(e) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(f) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Communications.* All communications and appeals concerning this order shall be addressed to War Production Board, Building Materials Division, Lighting and Fixtures Section, Washington 25, D. C., Ref: L-327.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5892; Filed, April 25, 1944; 11:33 a. m.]

[1] Filed as part of the original document.

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, as Amended Apr. 25, 1944]

PLUMBING, HEATING AND COOKING EQUIPMENT

§ 3288.31 *General Limitation Order L-79*—(a) *What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items, the production of which is restricted, and which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders. The order supersedes the previous version of L-79, as well as General Preference Order P-84.

(b) *Assignment of preference ratings.* Preference rating AA-3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.

(2) Repair parts only for items on List B, and repair parts for stoves rationed by the O. P. A. under Ration Order 9-A.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food, to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings, including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment using electricity as fuel; heat exchangers subject to L-123; domestic water systems as covered by L-257; liquefied petroleum gas equipment as defined in L-86; fans, blowers and exhausters as covered by L-123 except those on List A of this order (L-79); steel or wrought iron pipe or steel sheets; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.* (1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L-63.

(e) *Up-rating.* In the case of ratings applied or extended by sellers under Order P-84 prior to its revocation, deliveries may be re-rated in accordance with the provisions of Priorities Regulation No. 12. However, any person with whom such an order was placed is authorized to treat it

as re-rated without requiring any notice or certificate to be furnished to him by the seller: *Provided*, That any manufacturer or seller who re-rates any orders placed with him under this paragraph must so re-rate all orders placed with him which can be re-rated.

(f) *Restrictions on deliveries of items on List A.* No person may deliver or accept delivery of equipment included in List A of this order except:

(1) Equipment which has previously been used.

(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace existing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the part or parts worn out, damaged or destroyed.

(g) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made on Form WPB–1319 to the nearest War Production Board field office.

However, if the material is to be used in new construction of a type which is restricted under Order L–41, the consumer must use the form specified in Schedule C of that order. Industries and government institutions may use CMP Regulations 5 and 5A ratings for repair parts and replacement items.

(h) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation _____
Consumer's signature _____
Address _____

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(i) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement. This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD–500) with a field office of the War Production Board.

(n) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–79.

(o) *Definitions.* For the purposes of this order:

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items of plumbing and heating equipment:

1. Furnaces, heating (as defined in Order L–22), and cast iron boilers, heating (as defined in Order L–187), but excluding furnace-burner and boiler-burner units in which the boiler or furnace is designed for use of oil or gas only as a fuel.

2. Water heaters, not electric or industrial (direct fired and indirect fired as defined in Order L–185), but excluding direct hand fired (solid fuel) hot water heaters of the following types: bucket-a-day stoves, dome-type water heaters, and service water and tank heaters.

3. Tanks, including range boilers and expansion tanks (as defined in Order L–199).

4. Cast iron tubular radiators.

5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use.

6. Furnace fans 16" diameter and under, less electric motors.

7. Forced draft blowers for warm air, hot water and low pressure steam systems.

LIST B

1. Commercial cooking and food and plate warming equipment as defined in Limitation Order L–182, as amended: all not electric.
Bakers.
Broilers.
Fryers.
Food warmers.
Griddles: commercial cooking.
Grills.
Hot plates: commercial.
Ovens: bake, except industrial type.
Ranges.
Roasters: commercial.
Steamers: oven.
Toasters: commercial.
Urns.
Warmers: food-plate.

2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L–248 as amended.

3. Class A stokers: grate area 36 sq. ft. or less, capacity in excess of 60 lbs. per hour, as defined in Limitation Order L–75 as amended.

4. Class B oil burners: not designed specifically for shipboard use or heat processing: as defined in Limitation Order L–74 as amended.

5. Extended surface heating equipment as defined in Limitation Order L–107, as amended.
Unit heaters: steam or hot water.
Unit ventilators, heating: steam or hot water.
Convectors.
Blast heating coils: steam or hot water.
Special heating coils: steam or hot water.
Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.

6. Steel boilers of types listed in Order M–293, Table 14, excluding low pressure boilers on List A of this order.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9–A.

The words "without restriction" as used in L–79 refer only to restrictions placed by the War Production Board, and Order L–79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

INTERPRETATION 3

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L–79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 44–5893; Filed, April 25, 1944; 11:33 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M–310, General Direction 3]

MANDATORY PROCESSING, SALE AND DELIVERY OF CABRETTAS AND SPANISH OR PORTUGUESE LAMBSKINS AND SHEEPSKINS FOR MILITARY PURPOSES

The following general direction is issued pursuant to General Conservation Order M–310:

(a) No person shall process any South African, Sudan, Nigerian, Abyssinian, Djeddah or Brazil cabretta into suede, mocha or doeskin type leather.

(b) No person shall process any cabretta, Spanish or Portuguese lambskin or sheepskin, or leather made therefrom, except:

(i) To produce suitable leather meeting Army Air Forces Specification 12029A, as revised or amended from time to time—Class I in the case of cabrettas, and Class II in the case of Spanish or Portuguese lambskins or sheepskins, or

(ii) To fill a specific military order.

(c) No person shall sell or deliver any leather made from cabrettas, Spanish or Portuguese lambskins or sheepskins, or incorporate or manufacture such leather into any product, except to fill a specific military order.

(d) The restrictions of paragraphs (a), (b) and (c) of this direction shall not apply to any person who at no time puts into process, splits, shaves, skives, sells, delivers, or uses more than 100 cabrettas, Spanish or Portuguese lambskins and sheepskins during any calendar month (beginning with April, 1944) or causes more than 100 cabrettas, Spanish or Portuguese lambskins and sheepskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(e) The restrictions of paragraphs (b) and (c) of this direction shall not apply to:

(i) Any cabretta, Spanish or Portuguese lambskin or sheepskin, or leather made therefrom, which does not meet and cannot be made to meet the above specification.

(ii) Leather rejected in writing by the Army Air Forces Eastern Procurement District, Inspection Section, New York, N. Y.

(iii) Any "blackhead" cabretta which is put in process for mocha leather and finished into such leather.

(f) For the purpose of this direction "cabretta" means the skin of a hair sheep.

(g) This direction shall take effect immediately and shall continue in force until December 31, 1944.

Issued this 24th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–5825; Filed, April 24, 1944; 4:48 p. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 7]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10757, 13125, 14155, 15968.

Ration Order 5F is amended in the following respects:

1. The first sentence of section 11.6 (c) (1) is amended to read as follows:

(1) Upon receiving the surrender, pursuant to section 11.6 (a), of all of the unused coupons and coupon books which represent a ration for use with a motor vehicle transferred to a new owner, and upon having the seller execute OPA Form THP–3 (Rev. 3–44) (in the event a used passenger vehicle is transferred) or OPA Form 694–457 (in the event a used commercial vehicle is transferred) in accordance with the instructions thereon, the Board shall issue a Receipt (OPA Form R–569) in duplicate: Provided, that OPA Form 694–457 shall not be required where a used commercial vehicle is transferred to a motor vehicle dealer.

2. Section 11.6 (c) (3) is amended to read as follows:

(3) After December 1, 1943, the purchaser of a motor vehicle shall present the original copy of the receipt (OPA Form R–569) to the appropriate registrar of motor vehicles before such vehicle can be registered for use. The duplicate copy of the Receipt (OPA Form R–569), together with OPA Form THP–3 (Rev. 3–44), executed by the buyer in accordance with the instructions thereon, must be filed with the buyer's Board before a gasoline ration can be issued for the vehicle.

This amendment shall become effective April 24, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1–Q 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 24th day of April 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–5830; Filed, April 24, 1944; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 111 Under 3 (b)]

ALASKA FUR SEAL SKINS AND FOX PELTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation. Sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts.

Order No. 111 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, it is ordered:

§ 1499.975 *Approval of maximum prices for sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts.* (a) On and after April 21, 1944, the maximum prices at which the Department of the Interior of the United States Government, or the Fouke Fur Company of St. Louis, Missouri, acting as it agent, may sell, deliver or offer for sale dyed and dressed Alaska fur seal skins and dressed blue and white Alaska fox pelts shall be the highest prices received by the Department of the Interior of the United States Government for the same or similar skins or pelts sold by it at the auction sale conducted for its account by the Fouke Fur Company of St. Louis, Missouri, on April 20, 1942.

(b) Within 10 days after a maximum price for any such skin or pelt has been determined in accordance with paragraph (a) of this order, the Department of the Interior of the United States Government shall report such price to the Office of Price Administration, Washington, D. C.

(c) On and after April 21, 1944, the maximum price at which any other person may sell, deliver or offer for sale any skin or pelt priced under paragraph (a) of this order shall be the price at which said skin or pelt was sold at the auction sale conducted for the account of the Department of the Interior of the United States Government by the Fouke Fur Company of St. Louis, Missouri plus 10% of such price, plus freight actually paid thereon.

(d) The Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, shall, in connection with each sale of skins or pelts priced under paragraph (a) of this order, deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) the name and address of the purchaser, (3) the lot number and price per skin or pelt and (4) the size, color and quality of each skin or pelt.

(e) Any other person selling any skin or pelt priced under paragraph (a) of this order shall, in connection with each sale of such skin or pelt deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) the name and address of the seller and the purchaser, (3) the shipping terms, (4) the terms of sale and selling price of each skin or pelt, (5) a complete description of the furs sold stating the color, size and quality of each skin or pelt, (6) the lot number under which each skin or pelt was sold and the price charged by the Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, and the date of such sale and (7) the freight actually paid thereon.

(f) The maximum prices established by paragraph (a) and (c) of this Revised Order No. 111 shall be subject to adjustment by the Office of Price Administration at any time.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

(h) This Revised Order No. 111 (§ 1499.975) shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5710; Filed, April 21, 1944; 4:46 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 16]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 422 is amended in the following respect:

1. In section 39 (b) (2) the undesignated paragraph commencing with the word "Berries" is amended to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

This amendment shall become effective at 12:01 a. m. April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5826; Filed, April 24, 1944; 4:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14859, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 17]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 423 is amended in the following respect:

1. In section 28 (b) (2) the undesignated paragraph commencing with the word "Berries" is amended to read as follows:

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

This amendment shall become effective at 12:01 a. m., April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-5827; Filed, April 24, 1944; 4:47 p. m.]

[1] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95, 3510, 3648, 4017.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426[1], Amdt. 25]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 of Maximum Price Regulation 426 is amended in the following respects:

1. Appendix C is deleted.

2. Appendix H is amended in the following respects:

a. In the third undesignated paragraph in paragraph (a) a parenthetical phrase reading "(except fresh fruits and berries)" is added immediately after the words "the provisions of this appendix do not apply to sales of any listed commodities."

b. In paragraph (b) the third undesignated paragraph is amended to read as follows:

Regardless of whether maximum f. o. b. shipping point prices are named for any or all sales, all listed commodities are subject to the maximum prices named in Column 6 and 7 of the following tables, irrespective of where produced or shipped.

c. In paragraph (b), Table 8 is added to read as follows:

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088.

TABLE 6—MAXIMUM PRICES FOR STRAWBERRIES

1	2	3	4	5	6	7
Item	Zone	Unit[1]	Season	Maximum price f. o. b. country shipping point	Maximum price for sales delivered at any wholesale receiving point in any quantity[2]	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency, or institutional buyer[3]
				Cents		
1	States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and all States east thereof.	Pint	Beginning through April 15	23	Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services.	Column 6 price plus 3½¢.
			April 16 through May 1	19½		
			May 2 to end of season	16½		
2		Quart	Beginning through April 15	44		Column 6 price plus 5¢.
			April 16 through May 1	37		
			May 2 to end of season	32½		
3		Pound	Beginning through April 15	29½		Column 6 price plus 3½¢.
			April 16 through May 1	24½		
			May 2 to end of season	21½		
4	States of Montana, Wyoming, Colorado, Idaho, New Mexico, Arizona, Nevada, Utah and California.	Pint	Entire season	20	Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services.	Column 6 price plus 3½¢.
5		Quart		30		Column 6 price plus 5¢.
6		Pound		26½		Column 6 price plus 3½¢.
7	States of Washington and Oregon.	Pint	Entire season	18	Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual costs of protective services.	Column 6 price plus 3½¢.
8		Quart		27		Column 6 price plus 5¢.
9		Pound		18		Column 6 price plus 3½¢.

[1] The units in Column 3 are pints and quarts of strawberries packed in pint and quart containers respectively. The pound unit is for strawberries in any other container.

[2] In determining the delivered price at a wholesale receiving point, the Column 5 price to be used is the price for the zone in which the shipping point is located, in effect at the time of shipment of the particular goods being priced from the country shipping point.

[3] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of strawberries received and sold by the particular seller. For the sellers covered by Column 7, see general provisions of this appendix.

D. In the table in paragraph (c), the titles to Columns 4 and 7, are amended, in each case, by deleting the word "terminal," and item 8 is added, to read as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
			Sales by a grower or a country shipper					Sales by a service wholesaler delivered to the premises of any retail store, government procurement agency, or institutional buyer, within the free delivery zone	
Item No.	Commodity	Unit	Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or auction in less-than-carlot or less-than-trucklot.	Through a commission merchant in less-than-carlots or less-than-trucklots.	Sales by anyone, other than a grower or country shipper, who has purchased a carlot or trucklot, and sells such a carlot or trucklot unbroken.	Sales by carlot receivers in less-than-carlots or less-than-trucklots. (For sales by carlot received through auction the markups named in Col. 4 shall be applied)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser.	Half container or larger.	Less than half container.
•	• • •	• • •	• •	• •	• •	• •	• •	• •	• •
8	Strawberries	Pint	4½¢	13½¢	4½¢	13½¢	33½¢	33½¢	
		Quart	9½¢	23½¢	9½¢	23½¢	5¢	5¢	
		Pound	4½¢	13½¢	4½¢	13½¢	33½¢	33½¢	
		24 pint crate	$0.10	$0.45	$0.10	$0.45	$0.80	$0.80	
		24 quart crate	$0.15	$0.70	$0.15	$0.70	$1.20	$1.20	

e. In paragraph (d) (2) the headnote is amended by deleting the word "terminal".

f. Paragraph (d) (2) (iii) is amended to read as follows:

(iii) The maximum price in each case for sales by growers or country shippers through any auction is the maximum price, f. o. b. country shipping point, in the case of sales through auction at a country shipping point, or the maximum delivered price, in the case of sales through auction at a terminal market or other wholesale receiving point, as named in column 6 of the applicable table in paragraph (b), plus the respective actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

"Auction" means a place where, on the basis of competitive bidding open to any person who has established credit with the auction company or pays cash, the listed commodity being priced is sold by persons operating through a licensed sales organization, known as an "auction company", for whose services a fee is charged.

This amendment shall become effective at 12:01 a. m. April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 21, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-6828; Filed, April 24, 1944; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR,[1] Amdt. 125]

FURS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. The headnote of section 3.4 is amended to read as follows: "Raw skins and hides".

2. Section 3.4 (a) is amended by substituting the words "raw skins or hides" for the words "raw furs, skins or peltries", wherever such words appear.

3. Section 3.4 (b) is amended to read as follows:

(b) *Definition.* The term "raw skins and hides" means undressed or untanned skins or hides, whether imported or domestic, the sale or delivery of which is subject to the General Maximum Price Regulation. It does not include raw furs and peltries as defined in section 3.12 (a).

4. Section 3.12 is added to read as follows:

SEC. 3.12 *Raw, dressed, and dressed and dyed furs and peltries*—(a) *Definitions.* The definitions in § 1499.20 of the

[1] 9 F.R. 1385.

*Copies may be obtained from the Office of Price Administration.

General Maximum Price Regulation shall apply to the terms used herein, to the extent that they are not inconsistent with the definitions set forth in this paragraph.

(1) "Raw furs and peltries". The term "raw furs and peltries" means undressed or untanned fur skins or peltries, whether imported or domestic, which are commonly known as fur skins and the sale or delivery of which was subject to the General Maximum Price Regulation, section 3.4 of this Regulation or the Maximum Import Price Regulation.

(2) "Dressed or dressed and dyed furs and peltries". The term "dressed or dressed and dyed furs and peltries" means raw fur skins or peltries which have been processed with the hair on and made suitable for use in the manufacture of fur garments or fur trimmings.

(3) "Highest price". The term "highest price" means the highest price at which the seller delivered the particular type of fur or peltry to any purchaser during the base period, including all commissions paid by the seller, but not including freight paid by the seller.

(4) "Base period". The term "base period" means the period from October 1, 1941 to April 30, 1942, inclusive.

(5) "Seller" means a person who sells furs or peltries which he owns.

(6) "Bulk lot". The term "bulk lot" means a lot containing furs or peltries of more than one grade billed at a flat unit price for all furs or peltries included in the lot.

(7) "Graded lot". The term "graded lot" means a number of skins graded as to size and either quality, condition, fineness or color and texture, and sold with a statement specifying the grades included in the lot, the number or percentage of skins of each grade, and the price per skin for each grade.

(8) "Matched lot" is a number of dressed or dressed and dyed skins sufficient to make more than one garment, matched as to size, quality, condition, grade, fineness, color and texture, dye and suitability for use with the lot and sold as a unit.

(9) "Matched bundle" is a number of dressed or dressed and dyed skins sufficient to make not more than one garment, matched as to size, quality, condition, grade, fineness, color and texture, dye and suitability for use in a single garment and sold as a unit.

(10) "Auction company" means a person who sells at auction furs or peltries owned by another person, and who receives a commission for making such sale.

(11) "Broker" means any person, other than an auction company, who sells, on commission, furs or peltries owned by another person.

(12) "Types of fur or peltry." Each species of raw fur or peltry, dressed fur or peltry, and dressed and dyed fur or peltry is a "type", and, in addition, each fur listed in paragraph (i) is a "type".

(13) "General level of prices prevailing among sellers of the same class" means a price or price range at which a substantial number of skins were delivered during the base period by a representative group of sellers of the same class.

(14) "Sellers of the same class" means sellers dealing in the same or similar types of furs or peltries, selling in the same trading area, performing the same services, doing a similar volume of business and selling to the same classes of purchasers.

(b) *Relation to other maximum price regulations.* This section shall apply, and the General Maximum Price Regulation and the Maximum Import Price Regulation [3] shall not apply to sales of furs and peltries, whether raw, dressed or dressed and dyed, except that furs or peltries pelted outside the continental United States and purchased by the original importer pursuant to a written contract entered into on or before April 24, 1944 may be priced under the General Maximum Price Regulation or the Maximum Import Price Regulation.

(c) *Maximum prices for types of furs and peltries delivered during the base period.* All maximum prices established under this paragraph are f. o. b. domestic shipping point. The maximum prices established in this paragraph apply to all sales of domestic and imported furs and peltries, except sales covered by Revised Order No. 111 issued under § 1499.3 (b) of the General Maximum Price Regulation and sales exempted by section 3.2 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

(1) *Raw furs and peltries.* The maximum price for any type of raw fur or peltry delivered by the seller during the base period shall be a price in line with the highest price at which the seller delivered the same type of raw fur or peltry during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as part of such lot. *Provided:* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any raw fur or peltry may not be higher than the highest price at which he delivered the same type during the base period.

(2) *Dressed or dressed and dyed furs and peltries*—(i) *Sales in bulk lots.* The maximum price for any dressed or dressed and dyed fur or peltry, sold in a bulk lot, shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a bulk lot during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture. *Provided:* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a bulk lot may not exceed the highest price at which he delivered the same type in a bulk lot during the base period.

(ii) *Sales in matched or graded lots.* The maximum price for any dressed or dressed and dyed fur or peltry sold in a matched or graded lot shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a matched or graded lot during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with the lot. *Provided,* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a matched or graded lot may not exceed the highest price at which he delivered the same type in a matched or graded lot during the base period.

(iii) *Sales in matched bundles.* The maximum price for any dressed or dressed and dyed fur or peltry sold in a matched bundle shall be a price in line with the highest price at which the seller delivered the same type of dressed or dressed and dyed fur or peltry in a matched bundle during the base period, making downward adjustments for differences in size, quality, condition, grade, fineness, color and texture and suitability for use with the lot. *Provided,* That until the seller has received written authorization from the Office of Price Administration under paragraph (d), his maximum price for any dressed or dressed and dyed fur or peltry sold in a matched bundle may not exceed the highest price at which he delivered the same type in a matched bundle during the base period.

(3) *Reduction of highest prices.* The highest price at which the seller delivered a type of fur or peltry during the base period may be reduced by the Office of Price Administration if, and to the extent that, it is in excess of the general level of prices prevailing during the base period among sellers of the same class for furs or peltries of the same type.

(d) *Maximum prices for furs or peltries not priced under paragraph (c).* (1) Until he has received written authorization from the Office of Price Administration to establish maximum prices:

(i) No seller who delivered any raw, dressed or dressed and dyed furs or peltries during the base period may sell, offer to sell or deliver any furs or peltries at prices higher than those established under paragraph (c).

(ii) No seller may sell, offer to sell or deliver any type of fur or peltry which he did not deliver during the base period, and

(iii) No seller who did not deliver any furs or peltries during the base period may sell, offer to sell or deliver any furs or peltries.

(2) Maximum prices under this paragraph (d) will be established in line with the general level of prices prevailing during the base period among sellers of the same class for raw, dressed or dressed and dyed furs or peltries of the same type, size, quality, condition, grade, fineness, color and texture and suitability for use with a lot when offered for sale as part of such lot.

(3) The seller shall file two signed copies of an application with the Office of Price Administraiton at the district office having jurisdiction over the area in which the seller is located. Such application shall contain the following:

(i) Name of seller and address of principal place of business.

(ii) A list of each grade of each type of fur or peltry and each kind of sale (sales in bulk, matched, graded, bundled) for which applicant seeks a price.

(iii) A list of the prices requested for each type, grade and kind of sale listed in (ii).

(iv) Names and addresses of 5 of applicant's most closely competitive sellers of the same class.

(v) The general level of price prevailing among sellers of the same class (defined in paragraph (a) (13) during the base period, for each type, grade and kind of sale listed in (ii).

(vi) A statement showing how the applicant determined the price levels listed in (v).

(e) *Auction companies and brokers.* No auction company or broker shall sell any fur or peltry which it does not own at a price higher than the owner's maximum price for such fur or peltry established under paragraph (c) or (d) of this section.

(f) *Invoices*—(1) *Auction companies and brokers.* Every auction company and broker shall, in connection with each sale of furs or peltries, deliver to the purchaser an invoice showing:

(i) Date of sale,

(ii) Name and address of the auction company or broker and the purchaser,

(iii) Shipping terms, if any,

(iv) Identifying lot number and sample number for each lot sold (in the case of auction companies these must be as set forth in the descriptive catalogue [4] of the sale),

(v) Quantity of each type and grade in each lot (in the case of auction companies these must be as set forth in the descriptive catalogue [4] of the sale),

(vi) Selling price per skin for each type and grade, and

(vii) Maximum price per skin for each type and grade.

(2) *All other sellers.* Every seller other than a hunter or trapper shall, in connection with every sale of furs or peltries other than sales made through auction companies or brokers, deliver to the purchaser an invoice showing:

(i) Date of sale,

(ii) Name and address of seller and purchaser,

(iii) Shipping terms, if any,

(iv) Terms of sale,

(v) Description of the furs or peltries sold, as follows:

(a) Type of skin,

(b) Size, color, grading, quality and assortment, and,

(c) If sold on a bundled basis, the bundle number,

(vi) Identifying lot number for each lot sold,

(vii) Quantity of each type and grade sold, and, if bundled, number of bundles and number of skins in each bundle,

(viii) Selling price per skin for each type, grade or bundle sold, and

(ix) Maximum price per skin for each type, grade or bundle.

(g) *Records*—(1) *Current records.* Every seller must keep a duplicate of the invoice delivered by him in connection with every sale, and every buyer, in the course of trade or business, must keep the invoices received by him in connection with every purchase for which a maximum price is established by this section. Every seller and every purchaser of raw, dressed or dressed and dyed furs and peltries must keep a record either in the form of the duplicate invoice or otherwise of each sale or purchase of furs or peltries, including the type of fur or peltry, the quantity of each type, and the price at which each fur or peltry was purchased or sold (a seller or purchaser who sold or purchased through an auction company or broker must also state that fact in his record and state the name and address of the auction company or broker). In addition, every seller must record on either his retained duplicate of the invoice delivered in connection with every sale, or elsewhere in his records, the fact that he purchased the furs from a hunter or trapper, or in the case of a purchase from another person, the name of that person or persons and identifying lot and purchase invoice number or numbers covering such purchase by the seller.

(2) *Base period records.* Every seller must preserve the records required by § 1499.11 of the General Maximum Price Regulation, and such other records relating to purchases and deliveries during the base period as may be in his possession on the effective date of this section.

(3) *Auction companies and brokers.* Every auction company and every broker must keep the records required by subparagraph (1) of this paragraph and must also supply to his consignor or principal the information required in subparagraph (1).

In addition, every auction company which sells an original consignment at auction in separately graded lots (regardless of whether such lots are made exclusively from skins contained in that consignment, or whether skins from several consignments are made into a single lot) must maintain records for each such consignment which will:

(i) State the date of receipt of the consignment,

(ii) State the number of skins contained in the consignment,

(iii) State the name and address of the consignor,

(iv) State the consignor's maximum price for the consignment,

(v) State whether such maximum price was determined under paragraph (c) or (d) of this section,

(vi) State the lot numbers of the graded lots which include skins from this consignment,

(vii) State the number of skins from this consignment included in each lot listed in (vi),

(viii) State the selling price per skin for each graded lot listed in (vi),

(ix) State the name and address of the purchaser or purchasers, and

(x) Identify by lot number and sample number each sale to each such purchaser.

For purposes of this subparagraph each type of fur or peltry included in an original consignment shall be considered a separate consignment.

(h) *Prohibitions.* (1) No seller shall sell, offer for sale or deliver any furs or peltries at a higher selling price than the prices established under paragraph (c) or (d) of this section.

(2) No seller shall change his customary discounts, allowances, or other price differentials if the change would result in a higher net price.

(3) No seller shall make a sale of furs or peltries which is conditioned directly or indirectly on the purchase of any other commodity or service.

(4) No person shall, in the course of trade or business, buy or receive any fur or peltry which was sold in violation of subparagraphs (1), (2) or (3) of this paragraph. However, dealers purchasing furs from a breeder, trapper or hunter at prices higher than the maximum prices established by this section shall not be deemed to have violated this section unless they know or have reason to believe that such purchases are subject to this section.

(5) No person shall, for the purpose of evading the price limitations set forth in this regulation, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller. No person shall do any other act which directly or indirectly increases the consideration paid for any fur or peltry. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, trade understandings and all similar practices.

(6) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in this paragraph (h).

(i) *Types of furs and peltries.* Each species of raw fur or peltry, dressed fur or peltry, and dressed and dyed fur or peltry is a type, and in addition, each of the following furs in the raw, dressed, and dressed and dyed state, is a type:

Badger—Canadian.
Badger—United States.
Badger—Russian.
Brazilian Cats.
Civet Cats (North American).
Lynx Cats and Wild Cats (North American).
Ringtail Cats.
Spotted Cat (South American).
North American Ermine.
Russian Ermine.
Black Fitch.
White Fitch.
Australian Fox.
South American Fox.
Blue Fox (Alaskan).
Blue Fox (Russian).
Blue Fox (Scandinavian).
Cross Fox (North American).

[3] 9 F.R. 11681, 12237.

[4] If the catalogue of the auction company does not contain a complete description of the furs sold, giving the species of skin, whether raw, dressed or dressed and dyed, and if applicable, the size, color, grading, quality, type and assortment and, if sold on a bundled or a graded basis, the bundle number or grade, this information must be shown on the invoices.

Cross Fox (Russian).
Grey Fox.
Kitt Fox.
Red Fox (Alaska Type).
Red Fox (Central Type).
Red Fox (Northeastern Type).
Red Fox (Northwestern Type).
Red Fox (Russian).
Red Fox (Swedish).
Silver Fox.
White Fox (Canadian).
White Fox (Russian).
Lambskin (Chinese).
Lamb (Indian).
Lamb (Lincoln).
Lynx (Alaskan).
Lynx (Russian).
Marten (Coast).
Marten (Canadian).
Baum Marten (Russian).
Stone Marten (Russian).
Muskrat (Northern).
Muskrat (Southern).
Muskrat (Russian).
Opossum (Australian).
Opossum (New Zealand).
Opossum (North American).
Opossum (South American).
Ringtail Opossum.
Pony (Russian).
Pony (South American).
Skunk (North American).
Skunk (South American).
Weasel (Chinese).
Weasel (North American).
Weasel (South American).
Wolf (Canadian and Martava Type).
Wolf (Northwestern Type).
Wolf (Russian).
Wolf (Southwestern Type).
Wolf (Western Type).
Timber Wolf.
Kidskin, Grey.
Kidskin, (Far Eastern, China).
Kidskin, White and Black.
Mink, Ranch.
Mink, Wild.
Mink, Jap.
Persian Lamb (Russian).
Persian Lamb (Afghanistan).
Persian Lamb (Southwestern African).
Persian Lamb, Broadtail.
Raccoon, Heavy trimming.
Raccoon, Semi heavy.
Raccoon, Coat only.
Squirrels (North American).
Squirrels (Siberian, East and North Europe).
Shiraz Lamb, Black.
Shiraz Lamb, Grey.
Rabbits—Australian, New Zealand, United Kingdom, South American, North American.
Hares—Russian, South American, Spanish, Australian, New Zealand, United Kingdom, North American.
Otter—North American, South American.
Beaver—Canadian, United States, Alaska.

This amendment shall become effective June 23, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6629; Filed, April 24, 1944; 4:44 p. m.]

PART 1340—FUEL

[RMPR 122, Corr. to Amdt. 20]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

In the table of § 1340.286 (c) (3), the date over the third column is corrected to read July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6694; Filed, April 25, 1944; 11:44 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 529]

SECOND HAND PAPERBOARD SHIPPING CONTAINERS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for second hand paperboard shipping containers by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

§ 1347.807 *Maximum prices for second hand paperboard shipping containers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 529 (Second Hand Paperboard Shipping Containers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.807 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

MAXIMUM PRICE REGULATION No. 529—SECOND HAND PAPERBOARD SHIPPING CONTAINERS

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Appendix A.—Maximum prices for sales of second hand paperboard shipping containers.

SECTION 1. *Applicability*—(a) *Commodity.* This regulation establishes maximum prices for sales of second hand paperboard shipping containers. The term, "second hand paperboard shipping container," shall include any used corrugated or solid fibre paperboard shipping containers except fibre drums which is either:

(1) "Reusable," that is, can be used as a shipping container without being repaired, or

(2) "Repairable," that is, can be made reusable by repair or alteration, or

(3) "Reconditioned," that is, has been repaired or altered so as to be reusable.

Any used paperboard shipping container which is not reusable or repairable is wastepaper and is not a second hand paperboard shipping container. Any used container which has an outside surface tear or a hole in the fibre or which is not knocked down flat shall not be considered as a reusable or repairable container. All sales of used or second hand paperboard shipping containers to any person who uses wastepaper as a raw material in any manufacturing process are sales of wastepaper, regardless of the condition of the containers. Maximum prices for sales of such wastepaper shall be determined under Maximum Price Regulation No. 30.[1]

(b) *Levels covered.* The maximum prices established by this regulation apply to sales by all persons at all levels of distribution, except where otherwise specifically stated.

(c) *Relationship of this regulation to other regulations.* This regulation supersedes the General Maximum Price Regulation[2] with respect to all sales of second hand paperboard shipping containers for which maximum prices are established by this regulation. It will be noted that under this regulation maximum prices are now established for certain sales which have hitherto been exempt from all price control by reason of their exemption from the General Maximum Price Regulation. This regulation does not apply to any sales for which maximum prices are established by Revised Maximum Price Regulation No. 187[3] (Certain Paperboard Products), or

[1] 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7831, 13049, 17463.
[2] 8 F.R. 2006, 3849, 4347, 4486, 4724, 4978, 6047, 6962, 8311, 9035, 9991, 11965, 13724; 9 F.R. 1365.
[3] 8 F.R. 14395, 17367; 9 F.R. 1320, 2464.

by Maximum Price Regulation No. 117[4] (Used Egg Cases and Used Component Parts), or by Maximum Price Regulation No. 434[5] (Used Fruit and Vegetable Containers).

(d) *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight States and to the District of Columbia.

SEC. 2. *Export sales.* The maximum prices at which any person subject to this regulation may export second hand paperboard shipping containers for which maximum prices are established by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration.

SEC. 3. *Imports.* No person importing second hand paperboard shipping containers shall pay a total price therefor, including United States customs duties paid directly or indirectly by him, which exceeds the maximum price established by this regulation for a domestic sale of the same containers.

SEC. 4. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of second hand paperboard shipping containers imposed by any statute of the United States or statute or ordinance of any state or any subdivision thereof, shall be treated as follows in determining the seller's maximum price for such second hand paperboard shipping containers and in preparing the records of such seller with respect thereto:

If, at the time the seller determines his maximum price the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

SEC. 5. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 6. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[7]

SEC. 7. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, delivery, purchase, or receipt of or relating to second hand paperboard shipping containers alone or in connection with any other commodity, or by way of commission, service, transportation, or other charges or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 8. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Records and reports.* (a) Every person making sales or purchases of second hand paperboard shipping containers shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each such sale or purchase, showing the following:

(1) Date of purchase or sale.

(2) Name and address of the buyer or seller.

(3) Quantity and weight purchased or sold, broken down to show whether containers are reusable, repairable, or reconditioned.

(4) Prices paid or received.

Such records shall set forth separately the price charged, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale. Such records may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase, providing the invoice contains the information specified above.

(b) On or before May 22, 1944 every person who purchases second hand paperboard shipping containers for resale shall file with the Office of Price Administration, Washington, D. C., an inventory statement of second hand paperboard shipping containers on hand as of May 1, 1944. This inventory statement shall show the number of pounds of second hand paperboard shipping containers owned or possessed by him or for his account and shall be broken down to show the location of all second hand paperboard shipping containers covered by it.

(c) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 11. *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Second hand paperboard shipping containers" has the meaning stated in section 1.

(3) "Reusable" has the meaning stated in section 1.

(4) "Repairable" has the meaning stated in section 1.

(5) "Reconditioned" has the meaning stated in section 1.

(6) "Broker" has the meaning stated in Appendix A.

(7) "Commission agent" has the meaning stated in Appendix A.

(8) "Dealer" means a person who purchases second hand paperboard shipping containers for resale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 12. *Pricing provisions*—(a) *Prohibitions.* On and after May 1, 1944, regardless of any contract or other obligation:

(1) No person shall sell or deliver or negotiate the sale or delivery of second hand paperboard shipping containers at higher prices than those set forth in Appendix A of this regulation;

(2) No person shall buy or receive second hand paperboard shipping containers in the course of trade or business at higher prices than those set forth in Appendix A of this regulation.

(b) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

APPENDIX A—MAXIMUM PRICES FOR SALES OF SECOND HAND PAPERBOARD SHIPPING CONTAINERS

(a) The following prices apply only to sales and deliveries of second hand paperboard shipping containers as defined in section 1.

Description:	*Maximum price per cwt.*
Repairable	$1.75
Reusable—unsorted	2.25
Reusable or reconditioned (sorted by size)	3.75
Reusable or reconditioned (sorted by size and by brand name)	4.00

[4] 8 F.R. 13727.
[5] 8 F.R. 10086, 11382, 12477; 9 F.R. 908.
[6] 8 F.R. 4132, 5987, 7662, 9998, 15192; 9 F.R. 1036.
[7] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11606; 9 F.R. 1594, 3075.
[8] 8 F.R. 13240.

Where reusable or reconditioned second hand paperboard shipping containers are sold by dealers in lots of less than 100 containers 95¢ per cwt. may be added to the price established above for such containers sorted by size and $1.00 per cwt. may be added to the price established above for such containers sorted by size and by brand name.

(b) *Transportation and delivery charges.* (1) When the distance between the point of shipment and the point of delivery is 10 miles or less: (i) If delivery is by rail, or by truck or other carrier owned, controlled or hired by the seller, then the applicable price set forth in paragraph (a) above shall apply on a delivered basis; (ii) If sales are made f. o. b. seller's place of business, shipment to be made by carrier other than by railroad, then the maximum price f. o. b. truck shall be the applicable price set forth in paragraph (a) above less the sum of $0.25 for each hundred pounds of second hand paperboard shipping containers in the shipment.

(2) When the distance between the point of shipment and the point of delivery is in excess of 10 miles, then the following rules shall apply: (i) When shipment is made by rail the maximum prices f. o. b. cars shall be those set forth in paragraph (a); (ii) When shipment is made by the seller either in his own truck or by common or contract carrier (other than by rail) the maximum price shall be the applicable price set forth in paragraph (a) less $0.25 for each hundred pounds of second hand paperboard shipping containers contained in the shipment plus the actual cost of transportation incurred by him; (iii) If the purchaser sends a truck owned or controlled by him to take delivery at seller's place of business, then the maximum price shall be the applicable price set forth in paragraph (a) less the sum of $0.25 for each hundred pounds of second hand paperboard shipping containers contained in the shipment.

(c) If the weight of any such delivery contains 5% or less of wastepaper, including any used containers which have an outside tear or hole in the fibre and which are not knocked down flat, then the total weight may be treated as a delivery of second hand paperboard shipping containers. If, however, the weight of any such delivery contains more than 5% of wastepaper, including any used containers which have an outside tear or hole in the fibre and which are not knocked down flat, then the charge for the entire shipment shall not exceed the appropriate maximum price established under this regulation, applied only to the actual weight of second hand paperboard shipping containers in such shipment.

(d) Upon sales of mixtures of repairable containers with reusable and reconditioned containers, the maximum price for repairable containers applies if the repairable containers in the mixture constitute more than 5%. If any such mixture contains 5% or less by weight of repairable containers, then the entire shipment may be treated as reusable or reconditioned containers.

(e) *Brokerage Allowance.* Under the circumstances stated in this paragraph (e) an allowance not in excess of 40¢ for each hundred pounds of second hand paperboard shipping containers may be paid to a broker for selling or negotiating for the sale of second hand paperboard shipping containers. The maximum price at which a broker may sell second hand paperboard shipping containers shall not exceed the sum of the price paid by him under this regulation for such containers plus 40¢ for each hundred pounds of second hand paperboard shipping containers in the shipment. The broker may include in the computation of the price paid by him, any amount actually paid to another for repairing, reconditioning and/or sorting such containers. In no event, however, may the broker's selling price exceed the maximum price established under paragraphs (a) (b) (c) and (d) of this Appendix A for the type of second hand paperboard shipping containers involved in the broker's sale plus the sum of 40¢ for each hundred pounds of second hand paperboard shipping containers in the shipment.

In addition the following requirements must be satisfied:

(1) The sale must comply with all the requirements of this regulation;

(2) The containers must not have been repaired or sorted by the broker or by any person with whom the broker has any connection consisting of a community or ownership or other beneficial interest, profit-sharing arrangement, agreement for division of losses, or control based on close family relationship.

(3) The allowance must not be split or divided with any other person; and

(4) The allowance must be shown on a separate invoice or as a separate item on the invoice accompanying the delivery. In connection with each delivery the broker must send to the purchaser a statement that the broker does not engage in the business of repairing or sorting second-hand paperboard shipping containers.

A "broker" is any person who complies with the requirements of this paragraph (e) and who purchases and resells reusable or reconditioned second hand paperboard shipping containers or who arranges for the sale thereof.

Nothing herein contained shall prevent a buyer from paying a finder's fee for the procurement of second hand paperboard shipping containers, provided the total amount paid by him does not exceed the maximum price which a broker might receive under this regulation for selling or negotiating for the sale of second hand paperboard shipping containers. For the purpose of this paragraph (e) it is immaterial whether or not title is taken by the person to whom the brokerage allowance is paid.

This Maximum Price Regulation No. 529 shall become effective May 1, 1944.

NOTE: All of the reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5895; Filed, April 25, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,[1] Amdt. 32]

BULK POWDERED SKIM MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 289 is amended in the following respect:

Section 1351.1522 (a) (2) is amended to read as follows:

(2) In addition to the maximum prices established in subparagraph 1 of this paragraph (a) any manufacturer or wholesaler who is designated as an "authorized receiver" of bulk powdered skim milk by the Food Distribution Administration, may charge ¾ cents per pound on sales of carlot quantities.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5896; Filed, April 25, 1944; 11:45 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 390,[1] Amdt. 4]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 390 is amended in the following respects:

1. Section 5 is deleted and in lieu thereof the following is inserted:

SEC. 5. *Posting your ceiling prices.* After you have found your group of store, you should apply to your local War Price and Rationing Board which will supply you with a list of maximum prices for your group of store setting out in dollars and cents the prices for all brands of household soaps and cleansers listed in this regulation. You are required to post this list in plain view of your customers either at the points in your store where the soaps and cleansers you sell are displayed or at the points where purchases of soap are ordinarily paid for. In addition to posting this list of prices, you are required to figure your maximum prices for all unlisted brands of soap you sell. You must also post these prices at the places specified above.

2. Section 3. *Your ceiling prices* is amended by adding the following paragraph:

(c) Manufacturers may be required to change the size of packs in the tables of sections 17, 18, and 19 below, in compliance with War Production Board Limitation Order No. 317, Fibre Shipping Containers, dated March 23, 1944, which order is designed to conserve paper board. This change has no effect on your maximum prices listed in the tables or otherwise determined as required, because these maximum prices are per unit contained in the pack regardless of the size of the pack.

3. The following paragraphs of section 17, *Maximum prices for sales of household soaps and cleansers by Group 1 stores,* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 17 (a), *Maximum prices for bar or cake toilet soap,* insert:

Cashmere Bouquet, Regular, 144	.10	(3 for 27¢)

b. Section 17 (b), *Maximum prices for bar laundry soap,* is amended by deleting Octagon, large, 100, .05, and inserting in lieu thereof:

Octagon, Large	100	.06	

c. In section 17 (c), *Maximum prices for cleansers and scouring[2] powders,* insert:

Cameo Cleanser	14	48	.09

d. In section 17 (d), *Maximum prices for package soaps,* insert:

Par granulated	23	24	.26
Par granulated	50	12	.53
Par granulated	69	8	.69

4. The following paragraphs of section 18, *Maximum prices for sales of household soaps and cleansers by Group 2 stores* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 18 (a), *Maximum prices for bar or cake toilet soaps,* insert:

Cashmere Bouquet, Regular, 144	.10	(3 for 27¢)

b. In section 18 (c), *Maximum prices for cleansers and scouring powders,* insert:

Cameo Cleanser	14	48	.09

c. In section 18 (d), *Maximum prices for package soaps,* insert:

Par granulated	23	24	.26
Par granulated	50	12	.53
Par granulated	69	8	.69

5. The following paragraphs of section 19, *Maximum prices for sales of household soaps and cleansers by Group 3 and 4 stores* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In section 19 (a), *Maximum prices for bar or cake toilet soaps,* insert:

	Group 3 price		Group 4 price	
	Multiple sale	Unit	Multiple sale	Unit
Cashmere Bouquet, regular 144	3 for 27¢	.10	3 for 27¢	.10

b. In section 19 (c), *Maximum prices for cleansers and scouring powders,* insert:

	Group 3 price		Group 4 price	
	Multiple sale	Unit	Multiple sale	Unit
Cameo Cleanser, 14, 48	3 for 25¢	.08	3 for 25¢	.08

c. In section 19 (d), *Maximum prices for packaged soaps,* insert:

	Group 3 price per unit	Group 4 price per unit
Par granulated, 23, 24	.23	.23
Par granulated, 50, 12	.45	.46
Par granulated, 69, 8	.63	.61

This amendment shall become effective May 5, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10996; 8 F.R. 490, 1458, 1886, 1972, 2252, 3327, 4335, 4513, 4287, 4336, 4918, 6440, 7506, 14312, 7560, 8276, 8751, 9380, 9239, 10057, 11348, 15428, 15327, 15455, 16894, 16962, 16836; 9 F.R. 2135, 2259, 3073, 3549, 3847.

[1] 8 F.R. 6428, 9847, 9380, 13490.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5897; Filed, April 25, 1944; 11:45 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 391,[1] Amdt. 2]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 391 is amended in the following respects:

1. Section 3 (g) is amended to read as follows:

(g) *Import sales.* The provisions of this regulation supersede the provisions of the Maximum Import Price Regulation and the General Maximum Price Regulation with respect to sales, deliveries and transfers of imported household soaps and cleansers for which maximum prices are established by this regulation.

2. The following paragraphs of section 5, *Maximum prices for sales of household soaps and cleansers by manufacturers,* are amended by inserting in the table of maximum prices, in alphabetical order, the commodities listed below:

a. In paragraph (a), *Maximum prices for bar or cake toilet soaps,* insert:

Cashmere Bouquet, Regular, 144			$10.100

b. In paragraph (c), *Maximum prices for cleansers and scouring powders,* insert:

Cameo Cleanser	14	48	$2.760

c. In paragraph (d), *Maximum prices for package soaps,* insert:

Par granulated	23	24	$4.925
Par granulated	50	12	5.225
Par granulated	69	8	4.575

3. Section 5 (h) is amended to read as follows:

(h) Each manufacturer shall continue to allow the cash and quantity discounts allowed by him during January 1943 which were most favorable to the buyer.

Redemption or premium plans offered by the manufacturer wherein the manufacturer offers to redeem a tag, wrapper, coupon or other evidence of a purchase of his product, for something of value, whether cash, commodity, "trading stamp" or similar right, or a service, shall be deemed a cash or quantity discount to the buyer within the meaning of this section whether the buyer purchases directly from the manufacturer or indirectly through a wholesaler, distributor, or retailer.

4. The following paragraphs of section 6, *Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores,* are amended by inserting in the table of maximum prices in alphabetical order the commodities listed below.

a. In paragraph (a), *Maximum prices for bar or cake toilet soaps,* insert:

Cashmere Bouquet, Regular, 144		$10.42	$10.64

b. In paragraph (c), *Maximum prices for cleansers and scouring powders,* insert:

Cameo Cleanser	14	48	$3.13	$3.20

c. In paragraph (d), *Maximum prices for package soaps,* insert:

Par granulated	23	24	$5.08	$5.19
Par granulated	50	12	5.39	5.51
Par granulated	69	8	4.72	4.82

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5898; Filed, April 25, 1944; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Corr. to Amdt. 45[1]]

EXCEPTIONS FOR CERTAIN SERVICES

Section 1499.46 (c) (2) is corrected by deleting the reference therein to paragraph (b) (73).

This correction shall become effective as of March 24, 1944.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5900; Filed, April 25, 1944; 11:44 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 51—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS[1]

CORDOVA AIRFIELD, ET AL.

§ 51.1 *Executive orders, proclamations, and public land orders.* The following military reservations are set apart for the use of, or transferred to, the War Department, either wholly or in part, by the indicated documents:

[1] 9 F.R. 3331.

[1] Executive orders and public land orders issued during the period, 2 June 1943 to 31 December 1943, both dates inclusive, supplementary to § 51.1, Title 10, Code of Federal Regulations. No proclamations affecting military reservations during this period are on record.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6435, 13500.

Designation	State or Territory	Acreage	Documents affecting		
			No.	Date	Citation
Cordova Airfield	Alaska		P.L.O. 134	20 July 1943	8 F.R. 10005.
Valdez Garrison Site	Alaska	5.6	P.L.O. 161	Not published	
Kingman Gunnery Range	Ariz.	20,760.00	P.L.O. 166	15 Sept. 1943	8 F.R. 13069.
Navajo Ordnance Depot	Ariz.	23.8	P.L.O. 170	29 Sept. 1943	8 F.R. 14017.
Kingman Aerial Gunnery Range	Ariz.	992,161.62	P.L.O. 182	2 Nov. 1943	8 F.R. 15365.
Camp Bouse	Ariz.	552,800.00	P.L.O. 196	8 Dec. 1943	8 F.R. 16988.
Yuma Aerial Gunnery Range	Ariz.	284.73	P.L.O. 197	20 Dec. 1943	8 F.R. 17380.
Camp Young	Calif.	960.00	P.L.O. 149	8 July 1943	8 F.R. 10027.
Rice Field	Calif.	20.00	P.L.O. 181	1 Oct. 1943	8 F.R. 13711
March Field Rifle Range	Calif.	80.00	P.L.O. 198	23 Dec. 1943	9 F.R. 110.
Leadville Landing Strip	Colo.	240.00	P.L.O. 152	26 July 1943	8 F.R. 10942.
Mountain Home Airbase	Idaho	7,672.20	P.L.O. 172	27 Sept. 1943	8 F.R. 13746.
Pocatello Army Air Base	Idaho	4,862.53	P.L.O. 178	1 Oct. 1943	8 F.R. 13824.
Gowen Field	Idaho	14,765.20	P.L.O. 179	1 Oct. 1943	8 F.R. 13825.
Pocatello Army Air Base	Idaho	5,322.65	P.L.O. 180	1 Oct. 1943	8 F.R. 13825.
Pocatello Demolition and Incendiary Bombing Range	Idaho	3,840.00	P.L.O. 185	7 Oct. 1943	8 F.R. 14093.
Gove County Aerial Gunnery Range	Kansas	40.00	P.L.O. 183	1 Oct. 1943	8 F.R. 13826.
Lewiston Bombing Range	Mont.	80.00	P.L.O. 134	7 June 1943	8 F.R. 8557.
Fort Peck Aerial Gunnery Range	Mont.	811,088.49	P.L.O. 157	10 June 1943	8 F.R. 8558.
Black Rock Desert Bombing Range	Nev.	Revokes P. L. O. 534 Nov. 1942	P.L.O. 153	26 July 1943	8 F.R. 10942.
Las Vegas Army Air Field	Nev.	37.40	P.L.O. 168	17 Sept. 1943	8 F.R. 13261.
Alamogordo Bombing Range	N. Mex.	160	P.L.O. 173	27 Sept. 1943	8 F.R. 13746.
Carlsbad Army Air Field	N. Mex.	9,722.24	P.L.O. 186	11 Oct. 1943	8 F.R. 14317.
Kirtland Advance Flying School	N. Mex.	Revokes P. L. O. 113	P.L.O. 190	1 Nov. 1943	8 F.R. 15330.
Camp White	Oreg.	10,981.80	P.L.O. 167	15 Sept. 1943	8 F.R. 13069.
Pierre Pattern Gunnery Range	S. Dak.	80.00	P.L.O. 147	12 July 1943	8 F.R. 10578.
Ephrata Bombing Range	Wash.	5,140.00	P.L.O. 164	6 Sept. 1943	8 F.R. 12823.
Ephrata Bombing Range	Wash.		P.L.O. 164	Correcting 8 F. R. 12823.	8 F.R. 14317.
Hanford Engineer Works	Wash.	12,025.36	P.L.O. 165	6 Sept. 1943	8 F.R. 12823.
Hanford Engineer Works	Wash.	6,450.31	P.L.O. 191	1 Nov. 1943	8 F.R. 15330.
Yakima Anti-Aircraft Firing Range	Wash.	45,725.31	P.L.O. 194	24 Nov. 1943	8 F.R. 16171.
Casper Low Altitude Bombing Range	Wyo.	960.16	P.L.O. 183	1 Oct. 1943	8 F.R. 13826.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-5769; Filed, April 24, 1944; 10:58 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[Rev. Gen. Order 8, Revocation of Rev. Supp. 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

Sections 302.76 to 302.87, inclusive, are revoked. The matters treated in such revoked sections will hereafter be dealt with in operations regulations issued from time to time by the Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

APRIL 20, 1944.

[F. R. Doc. 44-5839; Filed, April 25, 1944; 9:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 184, Amdt. 8]

PART 95—CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924; 9 F.R. 3594) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, as amended (9 F.R. 2924; 9 F.R. 3594) be further amended by striking from the last ordering paragraph as amended, the clause "That this order shall become effective at 7:00 a. m., May 3, 1944:" and by inserting in lieu thereof the following clause "That this order shall become effective at 7:00 a. m., August 3, 1944;". (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 7:00 a. m., May 3, 1944; that copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5853; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 165-A]

PART 95—CAR SERVICE

USE OF REFRIGERATOR CARS FOR CANNED GOODS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 165 (8 F.R. 16172) of November 23, 1943, as amended (8 F.R. 17428–29; 9 F.R. 542; 9 F.R. 1183–84) and good cause appearing therefor; *It is ordered*, That:

Service Order No. 165 (8 F.R. 16172) of November 23, 1943, 49 CFR § 95.324, as amended (8 F.R. 17428–29; 9 F.R. 542; 9 F.R. 1183–84) prohibiting the movement of canned foodstuffs in refrigerator cars, be, and it is hereby, vacated and set aside. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 USC 1 (10)–(17))

Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5851; Filed, April 25, 1944; 11:06 a. m.]

[S. O. 180, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES FOR STORAGE IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of April, A. D. 1944.

Upon further consideration of Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747) and good cause appearing therefor, *It is ordered*, That:

Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, 49 CFR § 95.330, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747) be, and it is hereby, further suspended until August 5, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

And it is further ordered, That this order shall become effective May 5, 1944; that a copy of this order and direction shall be served upon each State Railroad Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5852; Filed, April 25, 1944; 11:05 a. m.]

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5850; Filed, April 25, 1944; 11:05 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 3, Rev. 5A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS AND EXEMPTIONS

COMMON CARRIERS OF PROPERTY; SMALL AND SPECIALLY DESIGNED TRUCKS

Pursuant to § 501.8 of General Order ODT 3, Revised, as amended, General Permit ODT 3, Revised-5 (7 F.R. 7102) is hereby superseded, and it is hereby authorized, that:

§ 521.504 *Small and specially designed trucks.* Any common carrier operating a motor truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or, (b) where the primary carrying capacity is occupied by built-in loading racks, trays or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability, as defined in paragraph (g) of § 501.65 of General Order ODT 17, as amended, does not exceed 12,000 pounds, is hereby relieved, in respect of such trucks, from compliance with the provisions of subparagraphs (1) and (2) of paragraph (a) of § 501.69 (registering of empty or partially loaded trucks) of General Order ODT 17, as amended: *Provided*, That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 3, Revised-5 is hereby revoked as of the effective date of this General Permit ODT 3, Revised-5A.

This General Permit ODT 3, Revised-5A shall become effective April 25, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 3, Revised, as amended, 7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582, 9 F.R. 2793, 3264, 3357)

Issued at Washington, D. C., this 25th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5844; Filed, April 25, 1944; 11:08 a. m.]

[General Permit ODT 17-14A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

MOTOR CARRIERS OF PROPERTY; SMALL AND SPECIALLY DESIGNED TRUCKS

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-14 (7 F.R. 7102) is hereby superseded, and it is hereby authorized, that:

§ 521.2890 *Small and specially designed trucks.* Any motor carrier operating a truck (a) which can be utilized only for the transportation of that type of property for which it is specially designed, and not for the transportation of property generally; or, (b) where the primary carrying capacity is occupied by built-in loading racks, trays or crates designed for the loading of specific property; or, (c) where the rated load-carrying ability, as defined in paragraph (g) of § 501.65 of General Order ODT 17, as amended, does not exceed 12,000 pounds, is hereby relieved, in respect of such trucks, from compliance with the provisions of subparagraphs (1) and (2) of paragraph (a) of § 501.69 (registering of empty or partially loaded trucks) of General Order ODT 17, as amended: *Provided*, That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 17-14 is hereby revoked as of the effective date of this General Permit ODT 17-14A.

This General Permit ODT 17-14A shall become effective April 25, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 25th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-5845; Filed, April 25, 1944; 11:08 a. m.]

Notices

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 210]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph § 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by E. E. Fadler Company of car PFE 17012, tomatoes, now on the Rock Island Lines to Nash Finch Company at Davenport, Iowa, with stop for partial unloading at Cedar Rapids, Iowa.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5798; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 211]

RECONSIGNMENT OF PEPPERS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by Gridley Maxson of car GARX 67389, peppers, now on the Wood Street Terminal to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice

of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5799; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 212]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by La Mantia Brothers, of car NRC 7008, cabbage, now on the Chicago Produce Terminal to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5800; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 213]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by Christ Hansen Company of car GARX 67380, potatoes, now on the Wood Street Terminal, to Detroit, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5801; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 214]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph § 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 20, 1944, by F. E. Baldwin Company, of car EREX 78333, potatoes, now on the Wood Street Terminal to Indianapolis, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5802; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 215]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, April 20, 1944, by Marshall Fruit, Inc., of car SFRD 33077, potatoes, now on the Chicago, Minneapolis, St. Paul & Pacific to Owatonna, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5803; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 216]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by Innes Brothers, of car NYC 133400, potatoes, now on the Union Pacific to Paragould, Arkansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5804; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 217]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 20, 1944, by Innes Brothers, of car PRR 565197, potatoes, now on the Chicago, Rock Island & Pacific Railway, to St. Joseph, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5805; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 218]

RECONSIGNMENT OF POTATOES AT COLUMBIA, S. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F. R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Columbia, South Carolina, April 20, 1944, by War Food Administration of cars WFEX 62776, FGEX 33607, CX 50139, FGEX 31794, WFEX 61341, potatoes, now on the Seaboard Air Line Railway, to Franklinton, Georgia.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5806; Filed, April 24, 1944; 11:30 a. m.]

[S. O. 164, Special Permit 23]

REICING OF ORANGES FROM ORLANDO, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit to full bunker capacity one time only, after the first or initial icing, cars SFRD 4500, FGE 25492, MDZ 3085, oranges, shipped from Orlando, Florida, by Babi-Juice Corporation of Florida, to S. A. Albertson, Boston, Massachusetts. (S. A. L.-R. F. & P.-B. & O.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of January 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-5807; Filed, April 24, 1944; 11:31 a. m.]

[S. O. 70-A, Special Permit 219]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 21, 1944, by La Mantia Brothers Arrigo of car NP 93595, lettuce, now on the Chicago Produce Terminal to Decatur, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5846; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 70-A, Special Permit 220]

RECONSIGNMENT OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 21, 1944, by Julius Berman, of car RD 23543, cauliflower, now on the Chicago Produce Terminal to Philadelphia, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5847; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 70-A, Special Permit 221]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 19 to 22, 1944, by W. J. Engle Company, of cars containing potatoes, now on the Wood Street Terminal, as follows:

CB&Q 109011 to St. Louis, Missouri.
SFRD 119753 to Flora, Illinois.
PFE 22367 to Springfield, Illinois.
Nor.Pac. 12977 to unknown destination.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5848; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 164, General Permit 18]

REICING OF CITRUS FRUITS AT POINTS IN IOWA, ETC.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at any point in the States of Iowa, Minnesota, or States located east of the Mississippi River and north of the Ohio

River, any refrigerator car loaded with citrus fruits which have been sterilized prior to loading into refrigerator cars at Texas origins. This reicing shall be in addition to the icing services authorized on Texas citrus fruits in Amended General Permits Nos. 8 and 9 under Service Order 104.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 23, 1944, and shall expire June 30, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

R. S. Booth,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6850; Filed, April 25, 1944; 11:05 a. m.]

[S. O. 197, Amended General Permit 2]

Transportation of Potatoes from Designated Western States

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, Turlock, or Visalia, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, Lebanon, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only: *Provided*, The bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

This general permit shall become effective at 7:00 a. m., April 22, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of April 1944.

R. S. Booth,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6849; Filed, April 25, 1944; 11:05 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 8, Rev. 225]

Common Carriers

Coordinated Operations Between Points in Illinois and Wisconsin

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14562; 9 F.R. 947, 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of April 1944.

J. M. Johnson,
Director,
Office of Defense Transportation.

Appendix 1

1. Knox Motor Service, Inc., Cherry Valley, Ill.
2. Rockford-Milwaukee Dispatch, Inc., Rockford, Ill.

[F. R. Doc. 44-6843; Filed, April 25, 1944; 11:00 a. m.]

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[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1539]

Homer Furnace and Foundry Corp.

Authorization of Maximum Prices

Order No. 1539 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and con-

sumers' goods other than apparel. Authorization of maximum prices for the Homer Furnace and Foundry Corporation, its national distributor (The Rudy Furnace Company) and its jobbers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Homer Furnace and Foundry Corporation, General Foundry Division, Coldwater, Michigan, may sell, offer to sell, and deliver to the persons listed below the following models of Hot-water supply boilers (also referred to as tank heaters) at the net prices indicated:

Model	Sales to national distributor (Rudy Furnace Co.)	Sales to jobbers	Sales to dealers
20-0	$7.40	$8.46	$11.29
20-4	8.11	9.27	12.36
30-0	8.68	9.92	13.22
30-8	9.31	10.64	14.19
155	19.75	22.58	30.10

(b) The maximum net prices established in (a) shall be subject to the rendition of the same services and the absorption of the same transportation charges which the Rudy Furnace Company rendered or absorbed or would have rendered or absorbed during March 1942 on sales to purchasers of the same class.

(c) The National Distributor, The Rudy Furnace Company, and all jobbers of the Homer Furnace and Foundry Corporation, General Foundry Division, may sell, offer to sell, and deliver to the classes of purchasers listed below the following models of hot-water supply boilers (also referred to as tank heaters) at the net prices indicated:

(1) *National Distributor (The Rudy Furnace Company).*

Model	Sales to jobbers	Sales to dealers
20-0	$8.46	$11.29
20-4	9.27	12.36
30-0	9.92	13.22
30-8	10.64	14.19
155	22.58	30.10

(2) *Jobbers.*

Model:	Sales to dealers
20-0	$11.29
20-4	12.36
30-0	13.22
30-8	14.19
155	30.10

(d) The maximum net prices established in (c) shall be subject to the rendition of the same services and the absorption of the same transportation charges which the national distributor or each jobber rendered or absorbed or would have rendered or absorbed during March 1942 on sales to the same class of purchaser.

(e) This Order No. 1539 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 1539 shall become effective April 25, 1944.

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5834; Filed, April 24, 1944; 4:44 p. m.]

[MPR 528, Order 1]

U. S. RUBBER CO. OF NEW YORK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of tires manufactured by the United States Rubber Company of New York, New York, shall be:

SPECIAL SERVICE CON-TRAK-TOR

Size	Ply	Maximum retail price, each
10.00 x 22	14	$132.40
11.00 x 22	14	155.70

U. S. MASTER GRIP CON-TRAK-TOR TYPE

9.00 x 20	12	$100.90
10.00 x 20	14	125.65

U. S. INDUSTRIAL PNEUMATIC

3.50 x 6, tire	6	$5.60
4.00 x 7, tire	4	5.90
4.00 x 7, tube		1.75

(b) All other provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5831; Filed, April 24, 1944; 4:44 p. m.]

[MPR 528, Order 2]

GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528: *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by the Goodyear Tire and Rubber Company of Akron, Ohio, shall be:

TRACTION IMPLEMENT

Size	Ply	Maximum retail price per tire
7.50 x 20	8	$54.60
7.50 x 24	8	54.88

GARDEN TRACTOR

5.50 x 16	2	$11.75

(b) All other provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5832; Filed, April 24, 1944; 4:45 p. m.]

[MPR 528, Order 3]

PENNSYLVANIA RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes of Pennsylvania Rock Service and Loggers' Special new tires manufactured by the Pennsylvania Rubber Company of Jeannette, Pennsylvania, shall be:

Size	Ply	Maximum retail price per tire
8.25 x 20	12	$83.20
9.00 x 20	12	100.90
10.00 x 20	14	125.65
11.00 x 20	14	154.90
11.00 x 24	14	162.80

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5833; Filed, April 24, 1944; 4:45 p. m.]

[MPR 120, Order 223]

D AND B COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 723 under Maximum Price Regulation No. 120. Bituminous coal de-

livered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the D and B Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered:*

(a) The No. 1 Mine of the D and B Coal Company of Tulsa County, Oklahoma, Production Group No. 11, District No. 15, is hereby assigned Mine Index No. 2016 and classified in Production Group No. 11.

(b) Coals produced by the D and B Coal Company at its No. 1 Mine, Mine Index No. 2016, located in Tulsa County, Oklahoma in District No. 15, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size group No.								
	1, 2, and 3	4	6	8	9	10	11	14	15
Rail shipments	$3.20	$3.15	$3.00	$2.95	$2.95	$2.15	$2.55	$1.55	$1.80
Truck shipments	4.05	3.75	3.45	3.35	3.05	3.15	2.25	1.90	

RAILROAD LOCOMOTIVE FUEL

Any size not specifically listed below	$2.70
3" x ¼" unwashed	2.60
2" x ¼" unwashed	2.45
1¼" x 0 unwashed	2.30

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub.Law 151 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R.)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6838; Filed, April 24, 1944; 4:46 p. m.]

[MPR 120, Order 725]

B. A. GARDETTO, INC.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 725 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of B. A. Gardetto, Inc.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered:*

(a) The Roxbury No. 5 Seam and Roxbury No. 6 Seam, Mines of the B. A. Gardetto, Inc., of Perry County, Ohio in District No. 4, are hereby assigned Mine Index Nos. 4044 and 4045, respectively, and classified in Crooksville Freight Origin Group and Railroad Fuel Group No. 102.

(b) Coals produced by the B. A. Gardetto, Inc., Company at its Roxbury No. 5 Seam and Roxbury No. 6 Seam Mines, Mine Index Nos. 4044 and 4045, respectively, located in Perry County, Ohio in District No. 4, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups										
	1	2	3	4	5	6	7	8	9	10	12
Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.80	$2.10	$2.80
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.20			
Railroad fuel	3.35	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.80	2.20	2.60

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o .b. the rail shipping point for rail shipment and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6837; Filed, April 24, 1944; 4:46 p. m.]

[MPR 120, Order 724]

STANDARD COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 724 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Leonard Sasso T/A Standard Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Leonard Sasso No. 5 Mine of The Leonard Sasso T/A Standard Coal Company of Washington County, Pennsylvania, Subdistrict No. 7 in District No. 2, is hereby assigned Mine Index No. 4001 and classified in Railroad Fuel Price Group No. 1.

(b) Coals produced by The Leonard Sasso T/A Standard Coal Company at his Leonard Sasso No. 5 Mine, a strip mine, Mine Index No. 4001, located in Washington County, Pennsylvania in District No. 2, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size group No.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	F	F	H	H	H	H	J	J	J		
Rail shipments	$2.85	$2.85	$3.70	$2.70	$3.70	$2.60	$2.35	$2.35	$2.85		
Truck shipments	4.25	4.25	4.25	3.85	3.75	3.75	3.75	3.25	2.85		
Railroad fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.45	2.45	2.45	2.60	$2.35

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad fuel use.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6836; Filed, April 24, 1944; 4:46 p. m.]

Regional and District Office Orders.

[Region III Order G-5 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED OHIO LOCALITIES

Amendment No. 2 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 for specified municipalities in Cuyahoga County, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Administrator by the Act of October 2, 1942, and Executive Order 9250, and pursuant to § 1340.250 (a) of Maximum Price Regulation No. 122, it is hereby ordered:

(a) The introductory paragraph and price schedule of Order No. G-5 are amended to read as follows:

(c) *Schedule of maximum prices.* The following *Price schedule* sets forth the applicable maximum prices for the various coal sizes, kinds, and shipping methods. Column I designates the maximum prices are established for the maximum prices for "f. o. b. mine" delivery" basis. Column II designates the maximum prices for coal sold for delivery paid on or before the 10th day of the month following the month of delivery. Column III designates the maximum prices for coal sold for delivery on or before the 10th day of the following month. Column IV shows the maximum prices for coal sold for all "yard sales" to consumers. All prices are on a net ton basis.

(b) Subparagraph A, Paragraph A, Part II, section (c) is amended to read as follows:

Column I	Column II	Column III	Column IV
a. Mine Price Class D and E, effective July 1, 1944, No. 136			
a. Ohio No. 8 Freight Origin			

(c) Subparagraph A, Paragraph A, Part II, section (c) is amended to read as follows:

This Amendment No. 2 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued April 24, 1944.

Acting Administrator.

[F. R. Doc. 44-6839; Filed, April 24, 1944; 4:46 p. m.]

Regulation No. 122. Maximum prices for specified solid fuels in the municipalities of Akron, Barberton and Cuyahoga Falls in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254, 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Revised Order No. G–5 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The introductory paragraph to the price schedules in section (c) (1) is amended to read as follows:

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for sales of specified sizes, kinds, and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis, where account is not paid on or before the tenth day of the month following; Column III shows maximum prices for sales on a "direct delivery" basis, where account is paid on or before the tenth day of the month following, (including cash sales); Column IV shows cash or credit prices for all "yard sales" to dealers and to consumers.. All prices are for sales on a net ton basis.

(b) Subparagraph (1) (a) of Paragraph A, Part II in section (c) (1) is amended to read as follows:

Column I	Column II	Column III	Column IV
a. Ohio No. 8 and Middle Freight Origin District	$7.30	$7.05	$6.05

(c) Subparagraph (1) (a) of Paragraph A, Part III of the price schedule in section (c) (1) is amended to read as follows:

Column I	Column II	Column III	Column IV
a. Mine Price Classifications D and E, excepting until July 1, 1944, Mine Index No. 136	$7.40	$7.15	$6.15

This Amendment No. 2 to Revised Order No. G–5 under Revised Maximum Price Regulation No. 122 shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–5724; Filed, April 21, 1944; 4:51 p. m.]

[Region III Order G–9 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 4 to Order No. G–9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G–9 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Part I of Schedule I, in section (c) is revised to read as follows:

SCHEDULE I

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia and Northeastern Tennessee), excluding Mine Index Nos. 124, 127, 285 and 635:		
A. Lump:		
1. Size Group Nos. 1, 2, 3 (larger than 2") Mine Price Classification A	$9.85	$8.95
2. Size group Nos. 1 and 2 (larger than 3"):		
a. Mine Price Classification D through E	9.55	8.50
b. Mine Price Classifications J and K	9.20	8.30
c. Mine Price Classifications L through O	9.05	8.05
d. Mine Price Classifications P and lower	8.05	7.95
B. Egg:		
1. Size Group Nos. 6 and 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine Price Classification A	9.15	8.10
b. Mine Price Classifications B through K	9.00	8.00
c. Mine Price Classifications L through N	8.60	7.80
d. Mine Price Classifications O and lower	8.35	7.60
2. Junior Egg (or Stove), Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller):		
a. Mine Price Classification A	8.95	7.95
b. Mine Price Classifications B through G	8.85	7.75
c. Mine Price Classifications H and lower	8.55	7.65
C. Stoker—Size Group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger:		
1. Mine Price Classification A	9.40	8.75
2. Mine Price Classifications B through E	9.10	8.40
3. Mine Price Classifications F and lower	8.90	8.10
D. Run of mine (straight, resultant or altered), Size Group Nos. 16 and 17 (larger than 2¾" x 0; no coal smaller than ¾" removed)—Mine Price Classifications A through G		7.60
E. Screenings, size Group Nos. 19, 20, 21 (straight screenings larger than ¾" x 0, but not exceeding 2¾" x 0; and altered screenings top size not exceeding 2¾" from which all of the 1" to 1¼" top and ⅛" to ¾" bottom coal has been removed):		
1. Mine Price Classifications A through D		7.85

SCHEDULE I—Continued

Column I	Column II	Column III
I. High volatile bituminous coals from Producing District No. 8—Continued.		
E. Screenings, size Group Nos. 19, 20, 21—Continued.		
2. Mine Price Classifications E through L		$7.45
3. Mine Price Classifications M and lower		7.20
F. To the prices stated in Sections A, B, C, D, and E of Part I may be added $0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		

(b) Part II of Schedule I, in section (c) is revised to read as follows:

SCHEDULE I

Column I	Column II	Column III
II. High volatile bituminous coals from Producing District No. 11 (Indiana):		
A. Lump and Egg, Size Group Nos. 1, 2, 3 (bottom size larger than 2", washed or raw):		
1. Linton-Sullivan District:		
a. Price Group No. 6	$7.90	$6.85
b. Price Group Nos. 7, 18, 19	6.90	6.00
c. Price Group Nos. 8 through 12	6.25	5.65
2. Princeton-Ayrshire District—Price Group No. 10	6.45	5.75
B. Lump, Egg and Stove, Size Group Nos. 4, 5, 6, 8 (bottom size 2" and smaller, washed or raw)—Linton Sullivan District:		
a. Price Group Nos. 7, 18, 19	6.70	5.75
b. Price Group No. 13	6.70	6.00
C. Raw Nut and Pea, Size Group Nos. 9, 10, 11, 12 (bottom size larger than 10 mesh or 3/32"):		
1. Linton-Sullivan District:		
a. Price Group No. 6	7.05	6.25
b. Price Group Nos. 7, 18, 19	6.10	5.45
c. Price Group Nos. 8 through 12	6.10	5.45
2. Princeton-Ayrshire District—Price Group No. 10	6.25	5.45
3. Brazil-Clinton District—Price Group No. 1	6.55	5.40
D. Raw screenings, size Group Nos. 13 and 14 (larger than ¾" x 0 but not exceeding 2" x 0)—Linton-Sullivan District—Price Groups Nos. 7, 18, 19	6.80	6.15
E. Washed or air cleaned nut, size Group Nos. 17 through 22(bottom size larger than 10 mesh or 3/32"):		
1. Linton-Sullivan District—Price Group Nos. 8 through 12	6.20	5.55
2. Princeton-Ayrshire District:		
a. Price Group No. 10	6.35	5.60
b. Price Group No. 14	7.10	6.40
3. Boonville District—Price Group No. 11	6.35	5.60
F. Washed or air cleaned screenings, size Group Nos. 23 and 24 (larger than ⅜" x 0 but not exceeding 2" x 0)—Princeton-Ayrshire District—Price Group No. 14	6.30	5.65
G. Dry deducted screenings, size Group Nos. 26 and 27 (larger than ⅜" x 0 but not exceeding 2" x 0):		
1. Linton-Sullivan District—Price Group Nos. 8 through 12	5.85	5.20
2. Princeton-Ayrshire District—Price Group No. 10	5.90	5.25
H. Water dedusted screenings, size Group Nos. 30 and 31 (larger than ⅜" x 0 but not exceeding 2" x 0)—Princeton-Ayrshire District—Price Group No. 10	5.95	5.30
I. A charge of 10¢ per ton may be made for treating coals described under Parts C, E and G above if the producer has customarily and is now making such a charge.		

SOLID FUELS IN DESIGNATED OHIO LOCALITIES

Amendment No. 2 to Revised Order No. G–5 under Revised Maximum Price Regulation No. 122

This order shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

(c) Schedule II in section (c) is deleted from said section.

(d) Part VII of Schedule I in section (c) is amended to read as follows:

SCHEDULE I

Column I	Column II	Column III
VII. Briquettes (low volatile)	$10.70	

This amendment to Order No. G-6 under Revised Maximum Price Regulation No. 122 shall become effective April 5, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 5, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5725; Filed, April 21, 1944; 4:51 p. m.]

[Region III Order G-18 Under 18 (c), Revocation]

MILK IN KENTUCKY

Revocation of Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280: *It is hereby ordered:*

(a) That Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, be, and the same is, hereby revoked.

(b) That the revocation of said Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, shall be subject to all of the conditions, stipulations, and provisions of Supplementary Order No. 40.

This order shall become effective April 16, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5722; Filed, April 21, 1944; 4:50 p. m.]

[Region III Rev. Order G-18 Under 18 (c)]

MILK IN KENTUCKY

Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, it is hereby ordered that:

(a) *Sales of approved fluid milk.* (1) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Anderson, Franklin, Jessamine, Oldham, Shelby, and Woodford in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) At the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	One gallon or multiples thereof	80¢ per gal.
Retail	Glass or paper	One quart or multiples thereof	13½¢ per qt.
Retail	Glass or paper	One pint	7¢ per pint.
Retail	Glass or paper	One half-pint	5¢ per one-half pint.
Wholesale	Glass, paper or other	One gallon or multiples thereof	40¢ per gal.
Wholesale	Glass or paper	One quart or multiples thereof	11¢ per qt.
Wholesale	Glass or paper	One pint	5½¢ per pint.
Wholesale	Glass or paper	One-half pint	3¢ per one-half pint.

(2) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Barren, Bourbon, Bullitt, Carroll, Harrison, Montgomery, Nelson, Owen, Scott and Spencer in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The Maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) at the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	One gallon or multiples thereof	80¢ per gallon.
Retail	Glass or paper	One quart or multiples thereof	13½¢ per quart.
Retail	Glass or paper	One pint	7¢ per pint.
Retail	Glass or paper	One-half pint	5¢ per one-half pint.
Wholesale	Glass, paper or other	One gallon or multiples thereof	42¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11½¢ per quart.
Wholesale	Glass or paper	One pint	5½¢ per pint.
Wholesale	Glass or paper	One-half pint	3¢ per one-half pint.

(3) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Bell, Boone, Bracken, Calloway, Campbell, Carter, Christian, Daviess, Elliott, Fleming, Gallatin, Grant, Hardin, Henderson, Kenton, Lawrence, Lewis, Logan, Pendleton, Robertson, Rowan, Simpson and Warren in the State of Kentucky shall be (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One-half gallon	27½ per one-half gallon.
Retail	Glass or paper	One quart	14¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	4¢ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One-half gallon	23½ per half-gallon.
Wholesale	Glass or paper	One quart	12½ per quart.
Wholesale	Glass or paper	One pint	6¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per one-half pint.[1]

[1] 3¼¢ per one-half pint for sales within the corporate limits of the municipalities of Morehead, County of Rowan in the State of Kentucky.

(4) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Boyd and Greenup in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	30¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	15½¢ per quart.
Retail	Glass or paper	One pint	10¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	27¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13¾¢ per quart.
Wholesale	Glass or paper	One pint	8½¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per one-half pint.

Regulation, (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One quart or multiples thereof	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	5¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12¢ per quart.
Wholesale	Glass or paper	One pint	6¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half pint.

(9) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Clark, Madison, Allen, Ballard, Butler, Caldwell, Carlisle, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingston, Lyon, McLean, Marshall, Muhlenberg, Ohio, Todd, Trigg, Union and Webster in the State of Kentucky shall be (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One half gallon	27½ per half gallon.
Retail	Glass or paper	One quart	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or other	One half pint	5¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One half gallon	24¢ per half gallon.
Wholesale	Glass or paper	One quart	12¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One half pint	3½¢ per half pint.

(10) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Clay, Mason and Whitley in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One half gallon	27½ per half gallon.
Retail	Glass or paper	One quart	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or other	One half pint	5¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One half gallon	24¢ per half gallon.
Wholesale	Glass or paper	One quart	12¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One half pint	3½¢ per half pint.

(11) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the County of Johnson in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Retail	Glass or paper	One half gallon	26¢ per one-half gallon.
Retail	Glass or paper	One quart	13¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	4¢ per half pint.
Wholesale	Glass or paper	One gallon or multiples thereof	23¢ per gallon.
Wholesale	Glass or paper	One half gallon	12¢ per half-gallon.
Wholesale	Glass or paper	One quart	6½¢ per quart.
Wholesale	Glass or paper	One pint	3½¢ per pint.
Wholesale	Glass or paper	One-half pint	2¢ per half pint.

(5) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the Counties of Harlam and Knott in the State of Kentucky shall be (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	82¢ per gallon.
Retail	Glass or paper	One-half gallon	30¢ per half-gallon.
Retail	Glass or paper	One quart	17¢ per quart.
Retail	Glass or paper	One pint	9½¢ per pint.
Retail	Glass, paper or other	One half pint	6¢ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	66¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	15¢ per quart.
Wholesale	Glass or paper	One pint	7½¢ per pint.
Wholesale	Glass or paper	One half pint	4¢ per one-half pint.

(6) Any person may sell or deliver approved fluid milk at retail or wholesale in the Counties of Floyd, Letcher, Perry and Pike in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) at the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass, paper or other	One gallon or multiples thereof	64¢ per gallon.
Retail	Glass or paper	One quart or multiples thereof	17¢ per quart.
Retail	Glass or paper	One pint	9½¢ per one-half pint.
Retail	Glass, paper or other	One gallon or multiples thereof	66¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	15¢ per quart.
Wholesale	Glass or paper	One pint	7½¢ per pint.
Wholesale	Glass or paper	One half pint	4¢ per one-half pint.

(7) Any person may sell or deliver approved fluid milk at retail or wholesale in the County of McCreary in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	26¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	15¢ per quart.
Retail	Glass or paper	One pint	9¢ per pint.
Retail	Glass or paper	One half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One half gallon or multiples thereof	23¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13¢ per quart.
Wholesale	Glass or paper	One pint	8¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

(8) Any person may sell or deliver approved fluid milk at retail or wholesale in the County of Fayette in the State of Kentucky at: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Retail	Glass or paper	One half gallon	26¢ per half-gallon.
Retail	Glass or paper	One quart	15¢ per quart.
Retail	Glass or paper	One pint	9¢ per pint.
Retail	Glass or paper	One half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One half gallon or multiples thereof	23¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13¢ per quart.
Wholesale	Glass or paper	One pint	8¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	39¢ per gallon.
Retail	Glass or paper	One-half gallon	20¢ per half gallon.
Retail	Glass or paper	One quart	10½¢ per quart.
Retail	Glass or paper	One pint	6¢ per pint.
Retail	Glass or paper	One-half pint	4¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	32¢ per gallon.
Wholesale	Glass or paper	One-half gallon	27½ per half gallon.
Wholesale	Glass or paper	One quart	14⅓¢ per quart.
Wholesale	Glass or paper	One pint	7¢ per pint.
Wholesale	Glass or paper	One half pint	4¢ per half pint.

(12) The maximum prices of any person selling or delivering approved fluid milk at retail or wholesale in the County of McCracken in the State of Kentucky shall be (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) The maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) The prices set forth in the following schedule whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	56¢ per gallon.
Retail	Glass or paper	One-half gallon	28¢ per half gallon.
Retail	Glass or paper	One quart	14½¢ per quart.
Retail	Glass or paper	One pint	8½¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	47¢ per gallon.
Wholesale	Glass or paper	One-half gallon	23¢ per half gallon.
Wholesale	Glass or paper	One quart	12½¢ per quart.
Wholesale	Glass or paper	One pint	7½¢ per pint.
Wholesale	Glass or paper	One-half pint	9½¢ per half pint.

(13) Any person may sell or deliver approved fluid milk at wholesale or retail in any county in the State of Kentucky not specifically mentioned in section (a), sub-sections (1) to (12) inclusive, of this section (a) at (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	48¢ per gallon.
Retail	Glass or paper	One quart or multiples thereof	13¢ per quart.
Retail	Glass or paper	One pint	7¢ per pint.
Retail	Glass or paper	One half pint	5¢ per one-half pint.
Wholesale	Glass or other	One gallon or multiples thereof	40¢ per gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One half pint	4¢ per half pint.

(b) *Sales of special milk.* (1) Except as hereinafter provided in paragraph (2) of this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Kentucky, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III.

(2) The adjusted maximum price of plain homogenized milk, chocolate drink, buttermilk and skim milk as established under the preceding paragraph (1) shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) established under the applicable provisions of this order.

(3) If any person selling special milk at retail or wholesale in any County in the State of Kentucky cannot determine his maximum prices for such special milk under the provisions of (1) or (2) of this section (b), he may apply by letter to the Regional Office, Office of Price Administration, Union Commerce Building, Cleveland, Ohio, for determination of his maximum prices. He shall submit full information as to his present maximum prices, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full statement of the reasons why he is unable to determine adjusted prices under paragraph (1) and (2) hereof.

(c) Notwithstanding the provisions of paragraph (a) and (b) of this order, there shall be no increase in the prices of approved fluid milk or special milk, as hereinafter defined, in the County of Jefferson in the State of Kentucky.

(d) *Fractional sales.* (1) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at retail, may adjust the unit price therefor to the next highest full cent. For sales of two or more such units, such seller shall, however, multiply such fractional unit figure by the number of units in such sale; for example, a maximum price of 7½¢ per unit may be adjusted to 8¢ for the sale of one unit, but must be 15¢ for the sale of two units, etc.

(2) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at wholesale, shall multiply such fractional unit figure by the number of units in such sale; for example, the maximum price for 24 pints of fluid milk at a per unit cost of 5½¢ would be $1.32.

(e) *Reports.* Each person, other than a retail store, adjusting his maximum prices pursuant to the provisions of this order, shall, within five (5) days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland Ohio, by letter, of his maximum prices established pursuant to this order, together with a statement of his previous maximum prices.

Each such person shall, in addition to the above, file with the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, such reports as may hereafter be required by said Regional Office.

(f) *Discounts.* Any person selling approved fluid milk and/or special milk at retail or wholesale in the State of Kentucky may discontinue the granting of discounts.

(g) *Notification of retail stores.* Each distributor selling approved fluid milk and/or special milk at wholesale to a retail store or stores shall notify each store to whom he sells, by letter, of the adjustment permitted by this order, and each retail store is hereby required to comply with the requirements of the General Maximum Price Regulation as to the posting of prices of cost-of-living commodities.

(h) The provisions of this order supersede the provisions of General Order No. 1 pertaining to certain trade practices in Region III. Said Order No. 1 is therefore revoked as to all counties, except Jefferson County in the State of Kentucky.

(i) *Definitions*—(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing.

(2) *Approved fluid milk and special milk.* (i) "Approved fluid milk" is defined to mean fluid cows' milk, whether raw or pasteurized, meeting the minimum butterfat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the army or navy purchasing officer making purchases for the armed forces of the United States.

(ii) "Special milk" is defined to mean plain homogenized milk, softcurd milk, buttermilk, regular or standard milk flavored with chocolate, chocolate drink, skim milk and, in addition to the foregoing, any milk conforming to both of the following requirements: (a) it must contain a greater butterfat content than regular or standard milk, and (b) it must have sold during the month of March, 1942, at a price higher than regular or standard milk.

(3) "Sale or delivery at retail" means a sale or sales of approved fluid milk in glass or paper containers to an ultimate consumer, other than an industrial or commercial user.

(4) "Sale or delivery at wholesale" refers to a sale of approved fluid milk or special milk in glass, paper or other containers to any person, including an industrial or commercial user, other than an ultimate consumer. For the purposes of this order, a sale or delivery at wholesale shall include a sale or delivery to stores, hotels, restaurants, institutions, and any branch of the Armed Forces of the United States. A sale or delivery at wholesale does not include a sale of bulk milk made by one distributor to another, or a sale by a cooling station to a distributor.

(j) This order shall remain in effect until modified or revoked by the Regional Administrator.

This order shall become effective April 16, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5723; Filed, April 21, 1944; 4:50 p. m.]

[Region III Order G-28 Under MPR 329]

MILK IN CLARK COUNTY, OHIO

Order No. G-28 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk, Clark County, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1351.408 (b) and 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in Clark County, Ohio, may pay to producers the following quantity bonuses, in addition to his maximum producer price established by (1) Maximum Price Regulation No. 329, or (2) any applicable order thereunder:

	Bonus (cents per cwt.)
150–299 lbs. daily average	5
300–399 lbs. daily average	10
400 lbs. and over daily average	15

(b) Each distributor increasing his price to producers pursuant to the provisions of this order shall, within five days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions*—(1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall be effective as of April 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-5721; Filed, April 21, 1944; 4:50 p. m.]

[Region IV Order G-3 Under MPR 280]

FLUID MILK IN ATLANTA, GA., REGION

Order No. G-3 under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Maximum prices for interhandler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1351.-817a of Maximum Price Regulation No. 280, as amended: *It is hereby ordered:*

(a) On and after the effective date of this order, regardless of any contract, agreement or other obligation, no handler shall sell or deliver, or agree, solicit, or attempt to sell or deliver, fluid milk in bulk (other than in glass or paper containers) to persons other than stores, hotels, restaurants, and institutions, at a price higher than the maximum price permitted by this order. No handler or dealer shall buy such fluid milk at a price higher than the maximum price permitted by this order, or agree, offer, solicit, or attempt to do so. Lower prices may be offered, demanded, paid or received.

(b) The maximum price at which a primary or intermediate handler may sell or deliver fluid milk in bulk (other than in glass or paper containers) to persons, other than stores, hotels, restaurants, and institutions, and the maximum price at which such persons may purchase or receive such fluid milk in the course of trade or business shall be determined by adding the following charges, according to service rendered, to the handler's fluid milk cost:

(1) A "maximum base handling charge" of not more than 40 cents per cwt. for a "primary handler" and 20 cents per cwt. for an "intermediate handler"; and

(2) Charges and deductions, if any, according to "handling services" and "contract terms", which are set forth below opposite each such service or term:

(i) Handling services:

(a) For receiving, cooling and inspecting (plant or farm) fluid milk there shall be no allowance added to the maximum base handling charge of the respective seller.

(aa) For loading into bulk tank cars or bulk tank trucks for delivery there shall be no allowance added to the maximum base handling charge of the respective seller.

(b) For standardizing there may be added not more than 5¢ per each cwt. of fluid milk.

(c) For pasteurizing there may be added not more than 15¢ per each cwt. of fluid milk.

(d) For the service of filling containers of more than 5 gallons content, there may be added 5¢ for each cwt. of fluid milk.

(e) For the rental of sellers' cans (any size over five gallons content) there may be added not more than 5¢ for each can.

(ii) Contract terms:

(a) For a contract for the delivery of a specified volume of fluid milk where the contract extends for thirty or more consecutive days, no additional charge is permitted.

(b) For a contract for deliveries of fluid milk extending less than thirty days or for "spot shipments" of fluid milk, there may be added not more than 10¢ for each cwt.

(c) For a contract during which the entire plant output is purchased by the handler there shall be deducted at least 5¢ for each cwt.

(3) *Butterfat content and differentials.* The maximum prices specified in this section (b) are applicable to fluid milk of 3.5% butterfat content. For each one-tenth of one percent butterfat content in excess of 3.5% an additional charge of 6¢ per cwt. may be made. For each one-tenth of one percent butterfat content less than 3.5% at least 6¢ per cwt. shall be deducted from the prices specified.

(c) *Transportation charges.* In the event a handler delivers such fluid milk to a place designated by the purchaser, there may be added to the applicable maximum price established in section (b) hereof, transportation charges not to exceed the lowest of any of the following:

(1) The lowest available common carrier rate or,

(2) The lowest available contract rate, or

(3) When transportation is provided in trucks owned or controlled by the seller, the reasonable value of such transportation.

(d) *Agency.* Every broker taking part in a purchase or sale of bulk fluid milk subject to the provisions of this order, shall be considered the agent of the seller and not the agent of the buyer;

and the total of the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the maximum amount for the particular sale which a seller is permitted to charge by the terms of this order in the absence of a broker.

(e) *Applicability.* This order applies to all sales by a handler of fluid milk, destined for human consumption in fluid form, (1) first physically received from producers by any handler at a receiving station or processing plant located within the Atlanta Regional Area, which comprises the states of Virginia, North Carolina, Tennessee, South Carolina, Georgia, Florida, Alabama and Mississippi; or (2) purchased from any handler who, directly or indirectly, has purchased such fluid milk from any producer at a receiving station or processing plant located within the Atlanta Regional Area.

(f) *Maximum prices for handlers other than primary or intermediate handlers.* The maximum price at which any handler, except as defined in paragraph (j) (3) and (4), may sell or deliver fluid milk in bulk (other than in glass or paper containers) to persons other than stores, hotels, restaurants and institutions, and the maximum price at which any such handler may purchase or receive such fluid milk in the course of trade or business shall be the maximum price of his supplier, f. o. b. supplier's plant, plus transportation charges, if any to the handler's place of business.

(g) *Inability to fix maximum prices.* If a primary or intermediate handler cannot establish a maximum price under the provisions of paragraph (b) of this order, he shall apply to the Atlanta Regional Office, Candler Building, Atlanta, Georgia, for a maximum price. Such application shall contain a statement of the reason why the applicant cannot avail himself of the pricing provisions of this order and such additional information as the applicant may deem necessary to the proper consideration of his application. The applicant shall furnish such additional information as the Regional Office may subsequently request in order to act on the application.

(h) *Records and reports.* (1) Every handler subject to the provisions of this order shall preserve all existing records relative to the prices which he paid for "fluid milk" for the months of July, August and December, 1943 and the transportation charges made for delivery since January, 1943, and maintain and preserve all records of the same kind as he has customarily kept relating to "fluid milk cost" and transportation charges so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(2) Every handler making a sale of "fluid milk" shall furnsh the purchaser at the time of delivery of such "fluid milk" a written statement setting forth the name and address of the buyer and seller; the f. o. b. plant price; and, if the seller makes delivery, the amount of the transportation charges for such delivery.

(i) *Adjustment of established maximum prices.* The Atlanta Regional Office of the Office of Price Administration may, upon application of any person seeking an adjustment of a maximum price for the sale or delivery by and purchase from handlers of fluid milk established by this Order No. G-3 under Maximum Price Regulation No. 280, adjust any maximum price established hereunder in accordance with the adjustment provisions of § 1351.217a (c) of Maximum Price Regulation No. 280. Such application for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

(j) *Definitions.* (1) "Fluid Milk" means liquid cow's milk sold or resold for human consumption in fluid form.

(2) "Handler" means any person, firm, or corporation who, on his own behalf or on behalf of another, purchases fluid milk from any producer, association of producers, or other handler, and who sells such fluid milk at wholesale in bulk to any person, firm or corporation other than stores, hotels, restaurants and institutions.

(i) A producer is a "handler" with respect to that fluid milk purchased by him from any producer, association of producers, or other handler, which fluid milk is sold by him at wholesale in bulk to any person other than stores, hotels, restaurants and institutions.

(ii) A farmers' cooperative association is a "handler" with respect to that fluid milk processed for it by any operator of a receiving or processing plant, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk to any person other than stores, hotels, restaurants and institutions.

(3) A "primary handler" of fluid milk is a handler who purchases or receives fluid milk from any producer at a receiving station or processing plant within Region IV. Such handler shall use the pricing provisions of paragraph (b) of this order governing primary handlers only with respect to that fluid milk to which he performs a function of a primary handler.

(4) An "intermediate handler" of fluid milk is a handler who purchases or receives fluid milk from a primary handler for resale at wholesale in bulk to persons other than stores, hotels, restaurants and institutions. Such a handler shall use the pricing provisions of paragraph (b) governing intermediate handlers only with respect to that fluid milk to which he performs a function of an intermediate handler.

(5) A "dealer" means any person who sells fluid milk delivered to homes at retail, or at wholesale in glass or paper containers, or at wholesale in other containers, to stores, hotels, restaurants and institutions.

(6) *"Handler's fluid milk cost."* (i) "Fluid milk cost" of a primary handler means the price paid to producers (or the returns made to producer members of a farmers' cooperative, excluding patronage dividends), determined as follows:

The weighted average producer price (or returns to producer members of a cooperative, excluding patronage dividends) paid for milk adjusted to 3.5% butterfat content f. o. b. cooling station, receiving plant, or processing plant of the primary handler of all milk regardless of type, grade, utilization, or class, purchased or received directly from producers (or members of a producers' cooperative association) during the months of July, August and December, 1943 or the lowest price paid to producers (or members of a cooperative) during the month of December 1943 for any grade or type of milk at 3.5% butterfat test, whichever is higher.

(ii) "Fluid milk cost" of an intermediate handler means the cost of milk to him f. o. b. his cooling station, receiving plant, or processing plant. This cost must be computed for that portion of milk actually purchased from a primary handler regardless of sale or distribution by the intermediate handler.

(7) "Maximum base handling charge" means the basic charge which may be added to the fluid milk cost of the respective handler as set forth in paragraph (b) (1).

(8) "Handling services" and "contract terms" are the services and terms set forth in paragraph (b) (2), for the performance of certain of which "handling services" additions may be made to, and for ascertainment of the specific "contract terms" under which deductions must be made from, the base handling charge according to the rate set forth for each such service or term. In no case may the same service or term charge be added by both a primary and intermediate handler with respect to a particular volume of milk, but such charge may be made by either handler when such service has been performed.

(9) "Broker" means any person taking part in the purchase or sale of bulk fluid milk (in other than glass or paper containers) who is not a dealer, a primary handler, or an intermediate handler.

(10) A "spot shipment" is any sale or delivery of milk covered by this order made upon prior order involving notice of five days or less.

(11) Unless the context otherwise requires, the definitions set forth in section 302 of Emergency Price Control Act of 1942, as amended, in the General Maximum Price Regulation and Maximum Price Regulation 280, issued by the Office of Price Administration, shall apply to other terms used herein.

(k) This order may be revoked, corrected or amended at any time.

(l) This order shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: April 15, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-5717; Filed, April 21, 1944; 4:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-74; 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.

NOTICE OF FILING OF APPLICATIONS AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of April, A. D. 1944.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

The Commission, having by order entered on November 16, 1943 approved a plan proposing the liquidation and dissolution of North Continent Utilities Corporation ("North Continent"), a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent to take such action as may be necessary to cause its liquidation and dissolution;

Notice is hereby given that North Continent and its subsidiary companies, New Mexico Public Service Company ("New Mexico") and Highland Utilities Company ("Highland"), have filed with this Commission applications and declarations designed as "Application No. 3" and "Application No. 4", pursuant to sections 11 (b) (1), 11 (b) (2), 11 (e), 12 (d), and any other applicable sections of the Act and the rules promulgated thereunder, with respect to certain transactions in connection with North Continent's aforesaid plan of liquidation.

All interested persons are referred to said applications and declarations which are on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized below:

New Mexico proposes to sell to the Kit Carson Electric Cooperative, Inc., a New Mexico corporation, its electric generating plant and distribution system located in the County of Taos, State of New Mexico, together with the real estate and other assets pertinent thereto, for a base price of $150,000 in cash, subject to certain adjustments to the date of sale. The said properties are known as New Mexico's "Taos Division", serving the towns of Taos, Ranchos De Taos, Talpa, Panchito, Arrogo Seeco, and Arrogo Hondo.

Highland proposes to sell to the Southeast Colorado Power Association, a Colorado corporation, all of Highland's properties, consisting principally of electric generating plants and distribution systems located in the towns of Springfield and Eads, State of Colorado, and Ulysses, State of Kansas, together with the real estate and other assets pertinent thereto, for a base price of $278,000 in cash, subject to certain adjustments to the date of sale.

The proceeds of the aforesaid proposed sales, after deducting necessary expenses, will be deposited in the general funds of New Mexico and Highland, respectively, and thereafter will be made available to each of said companies' sole stockholder, North Continent, to be applied against certain of each of said companies' indebtedness owed to North Continent. North Continent proposes to deposit such funds with the Trustee under the indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent's aforesaid plan.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said applications and declarations shall not be granted or permitted to become effective except pursuant to further order of this Commission.

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on May 8, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing copies of this order by registered mail to the said applicants and declarants and to the New Mexico Public Service Commission, the Colorado Public Utilities Commission, and the Kansas State Corporation Commission, and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein, shall file with the Secretary of the Commission on or before May 5, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said applications and declarations otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the considerations to be received, including all fees, commissions, and other remuneration to whomsoever paid in connection with the proposed transactions, are fair and reasonable.

2. The propriety of the proposed accounting treatment on the books of the applicants and declarants.

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

4. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5838; Filed, April 25, 1944; 9:45 a. m.]

WAR COMMUNICATIONS BOARD.

[Order 30]

TRAFFIC COORDINATOR AND ASSISTANT TRAFFIC COORDINATOR

ESTABLISHMENT OF OFFICES AND DEFINITIONS OF DUTIES

Whereas the uninterrupted flow of essential communication traffic between the United States and European points is essential to the effective prosecution of the war; and

Whereas the facilities and personnel of the United States communication carriers engaged in the handling of such communication traffic are now operating at or near maximum capacity; and

Whereas a great increase in the volume of such communication traffic is now anticipated;

Now, therefore, by virtue of the authority vested in the Board of War Communications by Executive Order No. 8964 (6 F.R. 6367) of December 10, 1941, and by Executive Order No. 9089 (7 F.R. 1777) of March 6, 1942; it is hereby ordered as follows:

Establishment of offices of Traffic Coordination and Assistant Traffic Coordinator. There are hereby established offices of the Board to be known as "Traffic Coordinator" and "Assistant Traffic Coordinator", which offices shall be held by such persons as the Board may designate and who shall serve at the pleasure of and pursuant to the direction of the Board.

Duties. It shall be the duty of the Traffic Coordinator and the Assistant Traffic Coordinator to maintain an effective and continuous liaison between the Board and the United States communication carriers engaged in the handling of communication traffic between the United States and European points in order that the Board may be promptly advised of:

(a) Any increase or decrease in communication traffic of any class or category between any and all of such points;

(b) Any change in the personnel or the physical plant or equipment available to United States communication carriers for the handling of such traffic;

(c) Any changes which may occur in the speed or efficiency of handling such traffic; and

(d) Any action which should be taken by the Board for the purpose of promot-

ing the speed and efficiency of the handling of such traffic.

Authorization for investigations. The Traffic Coordinator and the Assistant Traffic Coordinator, acting jointly or severally as circumstances may require, are hereby authorized and directed to make such investigations of the plants, personnel and equipment of the United States communication carriers handling such traffic as may be necessary in the performance of their duties under § 1725.2 hereof, and, upon the Board's behalf, to supervise and assist in the execution or implementation of any order or requirement made or promulgated by the Board with respect to this subject.

Establishment and maintenance of offices; allocation of time. The Traffic Coordinator and Assistant Traffic Coordinator are hereby authorized and directed to establish and maintain such headquarters facilities, including office space, as may be necessary in the performance of their duties in the City of New York, New York, and in the City of Washington, D. C., and to allocate the time spent at such headquarters or in travel between them in such manner as in their judgment will best promote the efficient performance of their duties.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JOSEPH R. REDMAN,
Acting Chairman.

APRIL 13, 1944.

[F. R. Doc. 44-5821; Filed, April 24, 1944; 3:31 p. m.]

WAR MANPOWER COMMISSION.

NEW BERN, N. C., AREA

MINIMUM WARTIME WORKWEEK

Designation of the New Bern, North Carolina, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IV by section 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the New Bern, North Carolina, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the New Bern, North Carolina, Area shall include:

Carteret County; Craven County; Jones County; Pamlico County; Onslow County.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the New Bern, North Carolina, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 18, 1943.

HENRY E. TREIDE,
Regional Director, Region IV.

[F. R. Doc. 44-5708; Filed, April 21, 1944; 3:07 p. m.]

SEATTLE-BREMERTON-TACOMA AREA, WASH.

MINIMUM WARTIME WORKWEEK

Designation of the Seattle-Bremerton-Tacoma Area, Washington as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Seattle-Bremerton-Tacoma Area, Washington, as subject to the provisions of Executive Order Order 9301.

I. For the purposes of this designation, the Seattle-Bremerton-Tacoma Area, Washington shall include:

King County.
Pierce County.
Kitsap County.
Snohomish County.

II. The effective date of this designation is February 25, 1943.

III. Not later than the effective date, each employer in the Seattle-Bremerton-Tacoma Area, Washington shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 18, 1943.

HENRY E. TREIDE,
Regional Director, Region IV.

[F. R. Doc. 44-5708; Filed, April 21, 1944; 3:07 p. m.]

SAN FRANCISCO BAY AREA, CALIF.

MINIMUM WARTIME WORKWEEK

Designation of the San Francisco Bay Area, California, as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the San Francisco Bay Area, California as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the San Francisco Bay Area, California shall include:

Alameda County: Alameda, Brooklyn, Eden, Oakland, and Washington Townships.
Contra Costa County: Townships Nos. 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 15, and 16.
Marin County: San Rafael and Sausalito Townships.
Napa County: Napa Township.
San Francisco County.
San Mateo County: Townships Nos. 1, 2, 3, and 5.
Solano County: Benicia and Vallejo Townships.

II. The effective date of this designation is May 24, 1943.

III. Having found that workers released as a result of the extension of the workweek to the minimum wartime workweek in any establishment or place of employment in the San Francisco Bay Area, California, can immediately be placed in suitable employment with other employers, I hereby direct each employer in the San Francisco Bay Area, California, in accordance with War Manpower Commission Regulation No. 3.

(a) To extend promptly after the effective date, to a minimum wartime workweek of 48 hours, the workweek of all his workers; or

(b) To file, on or before June 24, 1943, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 24, 1943.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-5710; Filed, April 21, 1944; 3:07 p. m.]

SOUTHERN CALIFORNIA AREA

MINIMUM WARTIME WORKWEEK

Designation of the Southern California Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Southern California Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Southern California Area shall include:

Los Angeles County.
Orange County.
Riverside County.
San Bernardino County.
Ventura County.

II. The effective date of this designation is June 15, 1943.

III. Having found that workers released as a result of the extension of the workweek to the minimum wartime workweek in any establishment or place of employment in the Southern California Area, can immediately be placed in suitable employment with other employers, I hereby direct each employer in the Southern California Area in accordance with War Manpower Commission Regulation No. 3.

(a) To extend promptly after the effective date, to a minimum wartime workweek of 48 hours, the workweek of all his workers; or

(b) To file, on or before July 15, 1943, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 15, 1943.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-5711; Filed, April 21, 1944; 3:07 p. m.]

WARREN-NILES, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Warren-Niles, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3 "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Warren-Niles Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Warren-Niles Area shall include:

Trumbull County (all)

II. The effective date of this designation is June 1, 1944.

III. Not later than the effective date, each employer in the Warren-Niles Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before May 16, 1944.

Date of issuance: April 15, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5753; Filed, April 22, 1944; 12:01 p. m.]

WAR PRODUCTION BOARD.

[Certificate 93,[1] Amdt. 3]

TRANSPORTATION OF ESSENTIAL MATERIALS

The ATTORNEY GENERAL:

Referring to Certificate No. 93 issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) on July 10, 1943, to Amendment 1 thereto issued October 4, 1943 and to Amendment 2 thereto issued January 29, 1944, I submit herewith Haulage Request TR-2[2] of the War Production Board as amended today.

For the purposes of the statute cited I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Haulage Request TR-2, as amended, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 21, 1944.

[F. R. Doc. 44-5841; Filed, April 25, 1944; 10:37 a. m.]

[1] 8 F.R. 9730, 13696, 15848; 9 F.R. 1341.

[2] *Infra.*

[Haulage Request TR-2 as Amended Apr. 21, 1944]

TRANSPORTATION OF ESSENTIAL MATERIALS

It is requisite to the prosecution of the war that the maximum amount of essential materials be delivered to essential war industries with a minimum dislocation of the general economy, with a minimum of delay and with a minimum of strain upon transportation facilities already severely taxed. This can best be accomplished through voluntary arrangements which permit materials to be consumed as near as may be to their source. Now, therefore, it is hereby requested that:

SECTION 1. *Purchases, sales, exchanges, and common use of facilities.* All persons engaged in producing, supplying or distributing the materials listed on Schedule X hereto annexed (herein referred to as "Schedule X materials"), may arrange for such purchases, sales, exchanges or loans of Schedule X materials and for such common use of transportation and storage facilities as may be requisite or necessary in order to attain the most efficient utilization of such facilities. All such arrangements shall remain subject to review and adjustment by the War Production Board to the end (1) that no producer, supplier, or distributor of any Schedule X material shall be deprived of an opportunity to share equitably in the available supply of such material and the use of transportation and storage facilities, (2) that no consumer shall be inequitably treated in the distribution of Schedule X materials by reason of such arrangements, and (3) that such arrangements shall not go beyond the purpose and objective of this request.

SEC. 2. *Reports.* All persons who effect arrangements for purchases, sales, exchanges, or loans of Schedule X materials and for common use of transportation and storage facilities, pursuant to section 1 hereof, shall inform the War Production Board thereof by letter, giving the following information:

1. Names and addresses of parties, including names and addresses of persons to whom inquiries concerning the report should be directed.

2. Effective date and duration of arrangement.

3. Kind and quantity of material involved.

4. Location of points of origin and destination of Schedule X materials to be shipped or location of storage facilities to be jointly used.

5. A statement that to the best of the informant's knowledge and belief, no supplier, distributor or producer of the material involved in the arrangement is or will be deprived by the arrangement of an opportunity to share equitably in

the available supply and uses of transportation and storage facilities.

6. A statement that to the best of the informant's knowledge and belief, no consumer of the material involved in the arrangement is or will be treated inequitably in the distribution of such material by reason of the arrangement.

A separate letter for each Schedule X material involved shall be filed, and if in furnishing the information called for by subparagraphs 3 and 4 above, the quantity of the material involved and the actual location of points of origin and destination or of storage facilities are estimated, supplemental information giving the exact, rather than the estimated, quantity and location, shall be furnished by letter to the War Production Board monthly throughout the duration of the arrangement. Further information may be specifically requested in particular cases.

NOTE: The reporting requirements of section 3 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 3. *Revocation of Transportation Request No. 1.* This request superseded and revoked Transportation Request No. 1 issued January 9, 1943,[1] covered by Certificate No. 27,[2] pursuant to Public Law No. 603, 77th Congress, but any action taken pursuant to the provisions of said Transportation Request No. 1 and said Certificate No. 27, prior to the date of the issue of this request (July 10, 1943), has the protection thereof.

SEC. 4. *Certification of this request.* Having consulted with the Attorney General, the Chairman of the War Production Board issued a certificate under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), with respect to this Haulage Request TR-2. (Certificate No. 93[3])

SEC. 5. *Communications.* All communications concerning this request and all information filed hereunder shall, unless otherwise directed, be addressed to: War Production Board, Washington (25), D. C., Reference TR-2 (Specify Material).

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE X

1. Acetate: Amyl, butyl, ethyl, vinyl.
2. Acetic anhydride.
3. Acetone.
4. Acid: Acetic, citric, hydrochloric (muriatic), mixed (nitric and sulphuric), nitric, picric, sulphuric.
5. Adhesives.[1]
6. Alcohol: Amyl, butyl, diacetone, ethyl, isopropyl, methal (methanol).
7. Aluminum: Acetate, ammonium sulfate, chloride (anhydrous & crystals), formate potassium sulfate, sulfate.
8. Ammonia: Anhydrous and solutions.
9. Ammonium: Bicarbonate, carbonate, chloride (gray), nitrate (including fertilizer grades), sulfate.
10. Aniline.
11. Antifreeze preparations.
12. Butadiene.[2]
13. Calcium: Arsenate, carbide, chloride phosphates.
13a. Carbon bisulfide.[2]
14. Castor oil.
15. Caustic potash.
16. Caustic soda.
17. Cement (Portland cement).
18. Charcoal.[1]
19. Chemical cotton pulp and cotton linters.
20. Chlorinated hydrocarbons.
21. Chlorine.
22. Coal tars.
23. Coke.
23a. Containers,[2] fabricated (in knock-down or set-up form, whether assembled or unassembled). For the purpose of this item the word "containers" shall include all containers required for packaging products to be shipped or delivered, including, but not limited to: Bags, all types (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment kraft or sulphite), baskets and hampers, cans (metal), collapsible tubes, cooperage, tight and slack, fibre cans, fibre tubes, fibre bottles, fibre mailing cases, and fibre drums, folding and set-up boxes (paperboard), gas cylinders, glass containers and closures, ice cream cans (paperboard) and parafin cartons and pails, paper cups and paper food containers, paper milk containers, steel shipping drums, veneer and built-up wood (when used for containers), wooden and fibre inner containers, wooden and fibre shipping containers.
24. Copper sulfate.
25. Corn oil.
26. Corn syrup (glucose).
27. Cottonseed oil.
28. Distillates and distillation residue of coal tars or coke oven crude light oils (including but not limited to benzol, creosote, cresol, cresylic acid, naphthalene, phenol, solvent naphtha, toluol, xylanol, and xylol).
29. Drugs, medicine, toilet preparations and basic medicinal chemicals.
30. Formaldehyde.
31. Glycols.
32. Hydrogen peroxide.
33. Lead arsenate.
34. Lard and lard oil.
35. Lime and limestone (including but not limited to fluxstone).
36. Linseed oil.
37. Litharge.
38. Magnesium: Carbonate and sulfate.
39. Methyl ethyl ketone.
40. Molasses.
41. Methyl isobutyl ketone.
42. Paint driers, solid and liquid.
43. Paints, varnish, lacquers and stains.
44. Peanut oil.
45. Phosphorus.
46. Phthalic anhydride.[1]
46a. Pig iron.[3]
47. Pigments, colors and extenders.
48. Plasticizers, phosphate and phthalate.
49. Potash salts.
49a. Pulpboard,[2] viz: Boxboard, chipboard, newsboard, paperboard, paper stockboard, pulpboard, strawboard.
50. Pyridine, crude and refined.
51. Pyrites.
52. Road tar and road oil.
52a. Roofing tar and/or pitch.[2]
53. Sodium: Bicarbonate, bichromate,[2] carbonate, chlorate, chloride, hydroxide, nitrate, nitrite, phosphates, silicates, sulfate, pyrophosphate, thiosulfate.
54. Solvents, alcohol.
55. Solvents of petroleum origin.
56. Soybean oil.
57. Styrene.[2]
58. Superphosphates.
59. Tallow: Inedible and edible.
60. Vegetable oil foots and fatty acids.
61. Water gas tar.

[1] Added to Schedule X as of October 4, 1943.
[2] Added to Schedule X as of January 20, 1944.
[3] Added to Schedule X as of April 21, 1944.

[F. R. Doc. 44-6043; Filed, April 25, 1944; 10:37 a. m.]

[1] 8 F.R. 809.
[2] *Supra.*

FEDERAL REGISTER

VOLUME 9 NUMBER 84

Washington, Thursday, April 27, 1944

The President

EXECUTIVE ORDER 9438

AUTHORIZING THE SECRETARY OF COMMERCE TO TAKE POSSESSION OF AND TO OPERATE THE PLANTS AND FACILITIES OF MONTGOMERY WARD AND COMPANY, LOCATED IN CHICAGO, ILLINOIS

WHEREAS after investigation I find and proclaim that there are existing and threatened interruptions of the operations of the plants and facilities of Montgomery Ward and Company, located in Chicago, Illinois, as a result of labor disturbances arising from the failure of Montgomery Ward and Company to comply with directive orders of the National War Labor Board; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities and of other plants and facilities which are threatened to be affected by the said labor disturbances:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of Commerce is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of Montgomery Ward and Company, located in Chicago, Illinois, including the mail order house, the retail store and the Schwinn Warehouse, together with any real or personal property and other assets used in connection with the operation thereof, and to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war, and to do all things necessary or incidental thereto. The Secretary of Commerce is further authorized to exercise any contractual or other rights of the Company and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of Commerce shall operate the plants and facilities of the Company under the terms and conditions of the directive orders of the National War Labor Board dated January 15, 1944, and April 5, 1944.

3. The Secretary of Commerce is authorized to take any action that he may deem necessary or desirable to provide protection for the plants and facilities and for all persons employed or seeking employment therein.

4. Upon the request of the Secretary of Commerce, the Secretary of War shall take any action that may be necessary to enable the Secretary of Commerce to carry out the provisions and purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of Commerce within sixty days after he determines that the productive efficiency of the plant, facility, or parts thereof prevailing prior to the existing and threatened interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 25, 1944.

[F. R. Doc. 44-5953; Filed, April 26, 1944; 4:24 p. m.]

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 142—PREEXAMINATION OF ALIENS WITHIN THE UNITED STATES

MISCELLANEOUS AMENDMENTS

APRIL 14, 1944.

The following changes are made in Part 142, Chapter I, Title 8, Code of Federal Regulations:

Section 142.5 is amended to read as follows:

§ 142.5 *Preexamination; authorization; where deportation proceedings have*

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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not been instituted. A designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of this Part against whom a warrant of arrest in deportation proceedings has not been issued.

Section 142.6 is amended to read as follows:

§ 142.6 *Preexamination; application; how filed.* An application for preexamination on the part of an alien against whom no deportation proceeding is pending shall be made on Form No. I–155, accompanied by General Information Form No. I–55, and both filed in duplicate with the Commissioner, Immigration and Naturalization Service, Philadelphia, Pennsylvania. Such application may be filed independently or in conjunction with a petition for nonquota or preference quota visa filed on the applicant's behalf pursuant to § 165.1 of this title. An application for preexamination on the part of an alien against whom a deportation proceeding is pending shall be made on Form No. I–255, accompanied by General Information Form No. I–55, and both filed in duplicate in conjunction with an application for the privilege of departure in lieu of deportation as provided in §§ 150.6 (g) and 150.8 (b) of this title.

Section 142.9 is amended by deleting paragraph (d).

(39 Stat. 892, 43 Stat. 166; 8 U.S.C. 102, 222)

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–5901; Filed, April 25, 1944; 12:24 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 33—GRATUITY UPON DEATH

DESIGNATION OF BENEFICIARIES

Section 33.4 is amended to read as follows:

§ 33.4 *Classes of beneficiaries.*—(a) *Preferred beneficiaries.* Under the law, preferred beneficiaries in the order named, are first, the widow or widower, and second, the child or children, and are so referred to in these regulations. Under the law as now construed payment may not be made to a married child in any case, or to an unmarried child over 21 years of age unless actually dependent on the deceased. An unmarried child over 21 years of age will be required to furnish proof of actual dependency to establish eligibility for the gratuity.

(b) *Designated dependent relative.* (1) A designated dependent relative means a relative other than a preferred beneficiary, with an insurable interest, and who has been designated by the deceased member of the Army of the United States as the person to whom the 6 months' gratuity should be paid in the event there is no preferred beneficiary eligible at the time of decease to receive such gratuity. A designated dependent relative may include any person who is related to the member of the Army of the United States either by consanguinity (that is, by blood) or by affinity (that is, by marriage) and who has an insurable interest (see subparagraph (2) of this paragraph) in the person making the designation. Only those designated relatives found to have an insurable interest are eligible as beneficiaries. A husband is related by affinity to all persons related to his wife by consanguinity, and the wife is related by affinity to all persons related to her husband by consanguinity. Neither is related by affinity to any person related to the other by affinity, and blood relations of the husband and blood relations of the wife are not related to each other by affinity. A friend is not eligible for designation as a beneficiary.

(2) (i) A father, mother, brother, or sister of a member of the Army of the United States is deemed to have an insurable interest in such member by relationship alone, without affirmative proof of dependency.

(ii) Insurable interest in a member of the Army of the United States on the part of other relatives must be demonstrated affirmatively for payment. The term "insurable interest" is dependent upon the facts in each individual case at the time of death, but as an aid to a determination as to what constitutes an insurable interest the following should be considered, and will ordinarily meet the requirements of the law: Evidence tending to show that such relative stood in place of parent to such member of the Army of the United States; contributions from one to the other for support, education, etc., or a debtor-creditor relationship between the member of the Army and the relative; other conditions and circumstances resulting in the reasonable expectation of some benefit or advantage from the continuance of the life of such member of the Army of the United States.

(iii) The test of insurable interest has no application in the determination of the rights of preferred beneficiaries.

(c) *Undesignated dependent relative.* In the absence of an eligible preferred or designated beneficiary at the time of death, undesignated grandchildren, parents, brothers or sisters, and grandparents may, under conditions set forth in this paragraph (c), be beneficiaries elegible to receive the death gratuity.

(1) If there is no widow, widower, child, or eligible previously designated dependent relative the gratuity is payable to any grandchild, parent, brother or sister, or grandparent shown to have been dependent upon the officer or enlisted person prior to his death. This provision of law is effective from 27 August 1940.

(2) "Dependent prior to death" is construed to define a class of dependents of the relationship specified and having an insurable interest in the life of the deceased person. All determinations relative thereto are made within the War Department as directed by the Secretary of War.

(3) Insurable interest is established by relationship without requirement for affirmative evidence in the cases of parents and brothers or sisters. In the cases of grandchildren and grandparents it is to be determined from the circumstances in each case, due consideration being given to factors stated in paragraph (b) (2) (ii) of this section.

(4) The order of succession for these payments is:

(i) Grandchildren,
(ii) Parents,
(iii) Brothers or sisters,
(iv) Grandparents,

each constituting a group all the eligible members of which having an insurable interest share equally in the amount of gratuity payable. (41 Stat. 367, 41 Stat. 766, 57 Stat. 599; 10 U.S.C. Sup. 903) [Pars. 2 and 5, AR 600–600 12 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–5914; Filed, April 26, 1944; 9:24 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4990]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MACDOUGAL BROTHERS

§ 3.36 (k) *Misbranding or mislabeling; source or origin; place.* In connection with offer, etc., in commerce, of potatoes, (1) representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes; and (2) representing in any manner that potatoes were grown in a State or locality different from that in which they were actually grown; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, MacDougal Brothers, Docket 4990, April 11, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1944.

In the Matter of Donald N. MacDougal and Dan A. MacDougal, Individuals, Doing Business as MacDougal Brothers

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents Donald N. MacDougal and Dan A. MacDougal, individuals trading as MacDougal Brothers, or under any other name, jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of potatoes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes.

2. Representing in any manner that potatoes were grown in a State or locality different from that in which they were actually grown.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–5929; Filed, April 26, 1944; 11:02 a. m.]

[Docket No. 5000]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BISHOP & BABBIN, INC.

§ 3.66 (k) *Misbranding or mislabeling; source or origin; place.* In connection with offer, etc., in commerce, of potatoes, (1) representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes; and (2) representing in any manner that potatoes were grown in a State or locality different from that in which they were actually grown; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Bishop & Babbin, Inc., Docket 5000, April 11, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1944.

In the Matter of Bishop & Babbin, Inc. a Corporation

This proceeding having been heard by the Federal Trade Commission on

the complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Bishop & Babbin, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of potatoes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes.

2. Representing in any manner that potatoes were grown in a state or locality different from that in which they were actually grown.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-5030; Filed, April 26, 1944; 11:02 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[Public Circular 14]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

LIMITATIONS ON ACQUISITIONS OF SECURITIES FOR BLOCKED ACCOUNTS

APRIL 26, 1944.

Public Circular No. 14, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 14 is hereby amended to read as follows:

(1) *Acquisitions of securities not authorized in certain cases.* No license or other authorization now outstanding or hereafter issued, unless expressly referring to this public circular, shall be deemed to authorize any blocked country or any national thereof to acquire, directly or indirectly, securities of any one issue of a corporation if the securities so acquired together with the aggregate of all other securities held, directly or indirectly, by such blocked country or national, constitute more than three percent of the outstanding securities of that issue. Banking institutions shall not effect any such acquisitions if they have reasonable cause to believe that the terms hereof are being violated.

(2) *Reports required on Form TFR-14.* Beginning with the quarter ending June 30, 1944, banking institutions shall file quarterly reports on Form TFR-14 with respect to securities of domestic corporations held for any blocked country or national thereof which aggregate, at the end of the quarter, one percent or more of the outstanding securities of the issue of which they form a part. A separate report for each blocked country or national shall be filed in duplicate with the appropriate Federal Reserve Bank on or before the end of the month following the calendar quarter. This reporting requirement shall be deemed to be in lieu of that required under any license now outstanding or hereafter issued so far as such license requires the filing of reports with respect to securities held for any blocked account or to the acquisition or sale of securities for any blocked account, unless such license specifically requires reports notwithstanding this circular.

(3) *Sub-account regarded as part of entire account.* For the purposes of this circular, securities in a sub-account shall be regarded as held for the national in whose name the entire account is maintained.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, Dec. 9, 1941, and Ex. Order 8998, Dec. 26, 1941; Ex. Order 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON, *Acting Secretary of the Treasury.*

[F. R. Doc. 44-5944; Filed, April 26, 1944; 11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-529]

L. BRUCKER STOVE & HARDWARE COMPANY, INC.

L. Brucker Stove & Hardware Company, Inc., is a Missouri corporation, engaged in the sale at retail of hardware, plumbing and heating equipment, at 306 North Main Street, St. Charles, Missouri. After March 14, 1942, it extended A-10 ratings on numerous occasions to replace new plumbing and heating equipment in inventory when the material so replaced was not sold for necessary emergency repairs, but for new installations, in violation of Preference Rating Order P-84. After April 16, 1942, respondent sold and delivered numerous items of new plumbing and heating equipment, the cost of which to the purchaser was more than $5.00, in violation of General Limitation Order L-79, such sales being made on unrated purchase orders not accompanied by any certificates specified in the order. The company failed to keep records as required by the respective orders, in violation of Priorities Regulation No. 1, General Limitation Order L-79, and Preference Rating Order P-84.

All of these violations were wilful, and have resulted in a diversion of scarce materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.529 Suspension Order No. S-529. (a) Deliveries of material to L. Brucker Stove & Hardware Company, Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, including, without limiting the generality of the foregoing, preference ratings assigned under the provisions of General Limitation Order L-79, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation including allotments shall be made to L. Brucker Stove & Hardware Company, Inc., its successors or assigns, directly or indirectly, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve L. Brucker Stove & Hardware Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same way be inconsistent with the provisions hereof.

(d) This order shall take effect on April 25, 1944, and shall expire on July 25, 1944.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5907; Filed, April 25, 1944; 4:34 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-531]

CARTMELL'S SALES & SERVICE

Robert J. Cartmell, doing business as Cartmell's Sales & Service, sells and services farm machinery, milk cooling equipment, and refrigerating equipment, in Middlebury, Vermont. In January, 1943, he installed a frozen food locker storage plant in Morrisville, Vermont; the installation was not on a preferred order, and it was therefore in violation of Limitation Order L-38. In July and August, 1943, he used copper tubing for interconnecting refrigerant lines larger than ⅝ inch size (O. D.) in food locker installations in Fairhaven and Woodstock, Vermont, although Limitation Order L-126, Schedule II, prohibited the use of such tubing larger than ⅜ inch size (O. D.). This was a violation of Limitation Order L-126, Schedule II. In 1943 Mr. Cartmell made four sales of new metal plumbing equipment for more than $10, to ultimate consumers, which equipment he knew was unlike any the purchasers had before; he stamped on the orders (his printed forms) for the equipment "material for maintenance, repair or operating supplies—rating A-10 under Preference Rating Order P-10" and told the purchasers that in order to obtain the equipment they had to sign the certificates, although he knew that the orders were not for maintenance, repair or operating supplies. This was in violation of Limitation Order L-79. In view of the foregoing, it is hereby ordered, that:

§ 1010.531 *Suspension Order No. S-531.* (a) Deliveries of material to Robert J. Cartmell, doing business as Cartmell's Sales & Service, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, shall be made to Robert J. Cartmell, doing business as Cartmell's Sales & Service, or otherwise, his successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this order shall not apply to repair parts for the servicing of refrigerating equipment and farm machinery.

(d) Nothing contained in this order shall be deemed to relieve Robert J. Cartmell, doing business as Cartmell's Sales & Service, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 25, 1944, and shall expire on August 25, 1944.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5908; Filed, April 25, 1944; 4:34 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-273 as Amended Apr. 26, 1944]

BUSWAYS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.87 *General Limitation Order L-273*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacture" means to fabricate, process or assemble materials into busway.

(3) "Busway" means any bus duct, busway, or other device for the transmission and distribution of electric energy at 600 volts or less, and consisting of prefabricated (factory fabricated) sections or units made up of rigid copper conductors of any shape or arrangement, separated by insulators or insulating material and enclosed in a case or attached to a supporting framework, and assembled into a connected system in the course of installation, and includes plug-in devices, feed-in boxes, over-current protective devices, and any other parts designed for use therewith.

(i) "Plug-in type busway" means busway having a case (or framework) designed primarily to afford protection against accidental contact and/or extra rigidity for use with plug-in devices; and

(ii) "Feeder type busway" means busway having a case (or framework) affording mechanical protection and rigidity for the support normally required, but designed primarily to assure maximum current carrying capacity without excessive temperature rise.

(iii) The term "busway" shall not include

(a) Busway designed for use with movable or rolling trolleys; or

(b) Busway having a cross-sectional area per conductor of less than 50,000 circular mils; or

(c) Extensions of any size or type of busway or conductors not exceeding ten feet in length furnished as an integral part of a switchboard, panelboard, or distribution transformer bank; or

(d) Step type busway designed to be used as a distribution center wherein provision is made to tap branch circuit wiring to over-current protective devices directly from the busway conductors through the use of lugs bolted on such conductors, and not having provision for the use of plug-in devices.

(b) *Restrictions on acceptance of orders, and deliveries.* On and after April 5, 1943, no manufacturer, dealer or other person shall accept any order for any new busway, or deliver any busway under any order tendered before or after that date, unless such order bears a preference rating of AA-5 or higher.

(c) *Restrictions on mechanical and electrical design.* Except as otherwise provided in paragraph (d) of this order, no person shall manufacture or deliver, and no person shall accept delivery of, any busway which is not manufactured in accordance with the following restrictions:

(1) (i) *Plug-in type busway.* No person shall manufacture any plug-in type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

Reference No.	Nominal ampere rating	Copper circular mill area for conductor	Conductor tolerance	Steel maximum lbs. per linear foot
Plug-in type			*Percent*	
1	250	134,000	±5	4.5
2	400	301,000	±5	4.5
3	600	472,000	±5	4.5

Provided, that no person shall manufacture any such busway, with provision for the use of plug-in devices, of larger size or capacity than Size No. 3 above unless and until specifically authorized to do so by the War Production Board pursuant to paragraph (d) of this order; and if authorized, the sizes of copper conductors used shall conform to the conductor sizes, and the steel used therein per linear foot shall not exceed the quantities specified below for corresponding sizes of feeder type busway.

(ii) *Feeder type busway.* No person shall manufacture any feeder type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

Reference No.	Nominal ampere rating	Copper circular mill area per conductor	Conductor tolerance	Steel maximum lbs. per linear foot
Feeder Type			*Percent*	
1	250	134,000	±5	4.5
2	400	301,000	±5	4.5
3	600	472,000	±5	4.5
4	800	637,000	±5	6.0
5	1,000	957,000	±5	6.0
6	1,350	1,273,000	±5	7.0
7	1,600	1,486,000	±5	8.0
8	2,000	1,914,000	±5	8.0
9	3,000	3,190,000	±5	9.0
10	4,000	5,104,000	±5	10.0

Provided, That no person shall manufacture any feeder type busway in Sizes 9 or 10 above unless and until specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that the use of runs of smaller size feeder type busway would not be practicable.

(iii) For the purpose of this order, the "nominal ampere rating" shall be

deemed to indicate the approximate capacity of the designated size of busway under average installation conditions and continuous operation, but shall not be construed to prohibit the use of the designated size for carrying a load in excess of, or less than, such nominal ampere rating; and the "steel maximum lbs. per linear foot" shall mean the permitted average weight in pounds of steel per linear foot included in the case (or framework), insulator supports, covers, nuts, bolts, straps, and other hardware, but excluding any hangers, or other supporting members which are used for attaching the busway to the structure in which installed.

(2) (i) No person shall manufacture more than one model or design of plug-in type busway, or of feeder type busway, in any of the sizes provided for under the preceding paragraph (c) (1), except that any person may produce not more than two models or designs in Size No. 1 of plug-in type busway. The use of any of the following types or arrangements of busway parts shall not be deemed to constitute a separate model or design within any of the sizes provided for under the preceding paragraph (c) (1):

(*a*) Conductors in single phase, two pole; three phase, three pole; three phase, four wire; two phase, four wire, or two phase, five wire;

(*b*) Use, or non-use, of plug-in or ventilating openings in Sizes No. 1 to No. 3 inclusive, of any busway;

(*c*) Use of additional sealing compound to afford weatherproof construction;

(*d*) Variations in length of sections, or in size or shape of such associated fittings as elbows, crosses, tees, connections between busway sections of different sizes or types, or special end construction to fit switchboards, panelboards and other devices not a part of the busway system.

(ii) After April 24, 1943, no person shall manufacture any plug-in type or feeder type busway, in any size, or of any design or model, unless and until he has first filed with the War Production Board by letter, in triplicate, a description of the size and model or design of such busway. Such description shall clearly set forth the following information with regard to such busway:

(*a*) Nominal cross-sectional dimensions of line or phase copper conductors;

(*b*) Average weight in pounds of steel used per linear foot, computed in accordance with (c) (1) (iii) above;

(*c*) Insulator spacing when ten foot sections are used;

(*d*) Type of plating or finish used on bus bar;

(*e*) Type of paint or finish used on case or framework;

(*f*) Case design with nominal dimensions and thickness, U. S. S. gauge, of the busway case (or framework).

The models or designs so described shall constitute the standard models or designs adopted by the manufacturer as those which he proposes to manufacture in accordance with paragraph (c) (2) (i) above.

(iii) Except as permitted under paragraph (c) (2) (i), no person shall alter or change any such model or design manufactured by him to such an extent that it does not substantially conform to the description adopted and furnished by him pursuant to this order, or manufacture any busway of any other model or design for any particular installation, unless and until he has been specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that such change of the standard model or design would result in the conservation of additional quantities of steel or other critical materials, or the more effective utilization of labor or production facilities without increase in the use of such materials, or that the manufacture of an exceptional model or design is essential on account of the exceptional installation conditions of the particular installation.

The application for such specific authorization shall be made by letter, in triplicate, and shall include a description of the proposed model or design as specified above under (c) (2) (ii). If such authorization is granted, all busway manufactured pursuant thereto shall be in conformity with such description, and if a new standard model or design is thereby established in any size for a particular manufacturer, such model or design shall replace his former model or design in such size.

(3) No person shall manufacture any feeder type busway unless it is so designed that any designated size will carry, under continuous duty, a full power load equivalent to the nominal ampere rating for such size as indicated under paragraph (c) (1) (ii) above, and without exceeding a temperature rise of 70° C. in any part of the conductors when the busway is so placed in various horizontal positions that the maximum temperature rise in any conductor is attained at the heat saturation point (when measured for "hot-spot" temperatures in accordance with American Institute of Electrical Engineers Standards, "A. I. E. E. No. 1, June 1940").

(4) No person shall manufacture any plug-in type or feeder type busway which contains in, or as a plating or finish on, the case (or framework), nuts, bolts, washers, name plates or identification plates any of the following materials: copper, chromium, nickel, cadmium, or alloys thereof. Zinc may not be used as a finish or plating on the case or framework.

(d) *Authorizations.* Application for authorization by the War Production Board under paragraphs (c) (1) (i), or (c) (1) (ii), or for a particular installation under (c) (2) (iii) above, shall be made by the manufacturer, by letter, in triplicate, setting forth facts sufficient to enable the War Production Board to determine the necessity or justification for such an authorization.

(e) *Exemptions.* The restrictions and limitations of paragraph (c) of this order shall not apply:

(1) [Deleted Apr. 26, 1944]

(2) To the use of component parts of busway which on April 5, 1943, had been fabricated or processed to the extent that use in conformity with this order would be impractical; or

(3) [Deleted Apr. 26, 1944]

(4) To the manufacture and delivery of any busway not exceeding 100 feet in length when used as an extension to or in a rearrangement or repair of a presently installed busway system.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all regulations of the War Production Board, as issued and amended from time to time.

(2) [Deleted Oct. 26, 1943.]

(3) [Deleted Oct. 26, 1943.]

(4) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-273.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6987; Filed, April 26, 1944; 11:28 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 1, as Amended Apr. 26, 1944]

HOW TO OBTAIN ALUMINUM PATTERN EQUIPMENT UNDER CMP

The following amended direction is issued pursuant to CMP Regulation 5:

(a) The word "patterns" as used in the following instructions means only match plates, patterns, core boxes, core driers, flasks and bottom boards made of aluminum. It does not include such items as jigs, dies, molds, fixtures, or other tooling of a type which has only one special use since these are provided for in Direction 35 to CMP Regulation No. 1.

(b) Patterns (including finished aluminum patterns) are castings under CMP and hence controlled materials.

(c) When the purchaser of a pattern furnishes the pattern foundry with all the required weight of aluminum in the form of obsolete or defective patterns:

(1) No preference rating or CMP allotment symbol, number or certification is required on the order to the foundry or to the pattern maker;

(2) Any foundry may remelt aluminum scrap in the form of obsolete or defective patterns furnished by the prospective purchaser of the new pattern (and only such type of aluminum scrap) without prior authorization; and

(3) Wherever possible, old patterns should be used to make new patterns.

(d) When the purchaser of a pattern does not furnish all the aluminum, he may place an authorized controlled material order for aluminum patterns by affixing the symbol MRO on his order and the certification set forth in CMP Regulation No. 7, executed as provided in that regulation.

NOTE: Remainder of the paragraph imposing a 600 pound limit on the use of new aluminum for patterns deleted April 26, 1944.

(e) [Deleted Apr. 26, 1944]

(f) Pattern manufacturers are hereby authorized to use the MRO symbol endorsed on their customers' orders to obtain aluminum pattern castings. Pattern manufacturers are not required to apply for an allotment of aluminum notwithstanding anything to the contrary in any CMP regulation.

(g) Foundries fill only authorized controlled material orders for aluminum patterns (except as provided in paragraph (c) above,) which they may recognize by the symbol MRO and the certification described in CMP Regulation No. 7.

(h) The foregoing direction also applies to a company which makes its own aluminum patterns. Except as provided in paragraph (c) above, every such company places authorized controlled material orders on its own pattern foundry so that the foundry may make delivery of the patterns.

(i) Nothing in this direction shall be construed to relieve any person from complying with the provisions of Supplementary Order M-1-l which requires that only low-grade aluminum ingot (as defined in the order) be used for aluminum pattern equipment, and prohibits contamination of aluminum. Pattern foundries, and not the purchaser or user of patterns, must file Forms WPB-2530 (formerly CMP-19) and WPB-2685 (formerly CMP-24) monthly. Foundries regularly producing aluminum castings have been assigned an AM license number which must be shown on all orders for ingot. Foundries which do not have an AM license may secure ingot for patterns only by indicating on their order "MRO patterns".

This direction supersedes all previous instructions relating to the acquisition of aluminum for the manufacture of patterns.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6938; Filed, April 26, 1944; 11:28 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 6, as Amended Apr. 26, 1944]

GENERAL INDUSTRIAL EQUIPMENT DIVISION

§ 3208.7 *Table for General Industrial Equipment Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293, as amended:

Type of M-293 product	Designation	Applicable forms: 1 Operations report	2 Shipping schedule [2]	3 Application and authorization	4 Calendar months frozen [1]
1. Motors and generators, electric: Any new rotating equipment designed to transform electric energy into mechanical energy, mechanical energy into electric energy, or to transform or amplify electric energy of one type, voltage, or frequency into another.					
Fractional horsepower motors and generators: Any electric motor or generator built in a frame size less than 203 (or normal frame diameter equivalent to less than one horsepower, 1800 rpm, 60 cycles, 3 or 3 phase, open 40° C rise continuous duty, self ventilated motor).					
a. Non-combat, defined as all standard AC, DC or Universal motors	----	1601	#3003	----	3
b. All other types	----	1601	#3003	----	3
Excluded from (a) and (b) are:					
i. Generators, magnetos and starter motors used as internal combustion engine mounted accessories.					
ii. Power frequency changers, 62½ cycles and below.					
Integral horsepower motors and generators: Any electric motor or generator built in frame size 203 (or normal frame diameter equivalent to one horsepower, 1800 rpm, 60 cycles, 3 or 3 phase, open 40° C rise continuous duty, self-ventilated motor) or larger.					
c. Shipboard program items.					
i Up to and including 200 HP or 150 KW	X	1601	#3003	----	7
ii Over 200 HP or 150 KW	X	1601	#3003	----	9
d. Single phase motors and generators	----	1601	#3003	----	5
e. All other motors up to and including 200 HP and generators up to and including 150 KW	----	1601	#3003	----	8
f. All other motors over 200 HP and generators over 150 KW	----	1601	#3003	----	9
Excluded from (c), (d), (e) and (f) are:					
i. Internal combustion engine mounted accessories.					
ii. Power frequency changers (62½ cycles and below).					
iii. Hydro-electric generators.					
iv. Steam turbine generators.					
v. Marine auxiliary steam turbine generators.					
vi. Gas turbine generators					
vii. Steam engine generators					
viii. Non-marine diesel engine and natural gas engine generators, 750 rpm or less.					
2. Electric motor control equipment, except internal combustion engine mounted accessories.					
a. Shipboard type	X	3000.06	#3003	----	7
b. All other sizes and types	----	3000.06	#3003	----	8
3. Small air circuit breakers.					
a. Types, AB, ET or similar, except Navy high shock type, listed in item 3b	----	3000.04	3003	----	2
b. Navy high shock type	----	3000.04	3003	----	7
4. Aircraft switches and circuit breakers	----	3000.05	3003	----	8
5. Panelboards, 600 volts or less, for lighting and power distribution, wall mounted type for shipboard use	----	----	3003	----	7
6. Compressors: Industrial machines of the reciprocating type designed to compress air or other gases, all sizes, stationary or portable compressors, dry vacuum pumps, booster compressors and circulators.					
a. Stationary types up to 200 HP	----	3000.09	3001.09	----	4
b. Stationary types 200 HP and over	----	3000.09	3001.09	----	6
c. Portable types having a piston displacement of 50 cubic feet and over, driven by an internal combustion engine, 750 rpm or more	X	3000.09	3001.09	----	6
Excluded from (a), (b) and (c) above are:					
i. Gas compressors designed and constructed specifically for use as parts of air conditioning systems, food and beverage cooling systems, food freezing and preservative systems or ice making systems when fabricated by manufacturers who currently produce any of the systems specified in this paragraph.					
ii. Air compressors designed and constructed specifically for use as parts of air braking systems when fabricated by manufacturers who currently produce such systems.					
7. Pumps: Industrial, designed to raise, circulate or otherwise move any liquid.					
a. Reciprocating types	----	3000.01	#3003	----	6
b. Centrifugal types	----	3000.02	#3003	----	6
c. Rotary type (vane, screw, lobe or gear)	----	3000.02	#3003	----	5
d. Fluid power systems (hydraulic)	----	3000.14	#3003	----	8
Excluded from (a), (b) and (c) are:					
i. Pumps specially designed and fabricated solely for incorporation into or repair of other machinery (not pumps) produced by the same manufacturer.					
ii. Pumps for use as parts of internal combustion engines, or parts of motor vehicles of the types covered by Order L-158.					
iii. Pumps for use as parts of fire fighting equipment of the types covered by Order L-43.					
iv. Pumps which are farm machinery and equipment as defined in Order L-257.					
v. Service station type measuring and dispensing pumps.					
vi. The following pumps when designed and used solely for heating of building space: condensate return pumps and hot water circulating pumps.					
vii. Pumps of the sanitary type for milk or egg processing.					
viii. Pumps ordinarily used for construction contractors' purposes or by construction contractors for dewatering and supply, as defined in Order L-192.					

[1] For explanation of time during shipping schedule is frozen Pars. (c) of M-293.
[2] Form WPB-3401 may be used in place of WPB-3003.

Type of M-293 product	Desig-nation	Applicable forms: 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
8. Fans, blowers and exhausters: Any device or machine which moves, compresses or exhausts air or other gas by centrifugal, axial or propeller fans (including drivers):					
a. Axial and propeller fans (including drivers)		3000.20	3001.20		2
b. All other fans (including drivers)		3000.20	3001.20		
Excluded from (a) and (b) are:					
i. Ceiling, table, window fans and pedestal type fans of a portable nature.					
ii. Fans and blowers manufactured by a person solely for incorporation into other devices or equipment (such as heaters, coolers and boilers) also manufactured by him.					
iii. Propeller type fans for use as parts of internal combustion engines.					
iv. High pressure blowers included in Item 9 of this list.					
9. High pressure blowers: Blowers, compressors, exhausters and vacuum pumps of the rotative type designed for a pressure differential of 1½ pounds or more per square inch (including diesel engine supercharges and scavengers and helium unloading blowers):					
a. Centrifugal type (single-stage, multi-stage, axial flow and blast furnace).		3000.52	3001.13		7
i. Single-stage.					
ii. Multi-stage including blast furnace and axial flow.					
b. Rotary vacuum pumps (both air and liquid piston).					
c. Rotary type (lobe, piston, etc.) (a) and (b).					
Excluded from (a) and (b) are:					
i. High pressure, forced draft fans for the direct use of the Navy or Maritime Commission aboard ship (included in Item 8 of this list).					
ii. Centrifugal vacuum pumps and compressors.					
iii. Aircraft engine supercharger.					
iv. Rotary vacuum pumps for laboratory use only.					
10. Heat Exchangers: Any new equipment or apparatus hereafter designed or installed within a flue gas passage, any part of the heat content involving physical contact between (a) any fluid (including steam) and (b) any solid (metallic or nonmetallic) or metal plates or fluid (including steam) and any shell or pressure vessel to contain the same, designed for the transfer or exchange of heat between two or more fluids (liquids, gases or vapors).		3000.08	46003		6
a. All sizes.					
Excluded from (a) are:					
i. Any equipment or apparatus which is directfired or installed within a flue gas passage.					
ii. Any equipment or apparatus which permits the heat content involving physical contact between (a) any fluid (other than direct contact boiler feed water (either).					
iii. Any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure.					
iv. Any heat exchanger using air as a coolant.					
v. Any unit heater, convector, unit ventilator, unit cooler or blast coil when any such item is for space heating or cooling or industrial space heating or drying.					
vi. Any steam or water heater, commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the heating and storing of hot water for any purpose.					
vii. Any coil or tubular water heater consisting of a coil or a unit of tubes installed in a shell or pressure vessel having a diameter of 12 inches or less (if other than circular in cross section, 113 square inches of internal cross sectional area) and used for an internal cross section or tubes) used for supplying hot water for domestic purposes.					
ix. Any heat exchanger of non-metallic construction for use in a chemical experimental laboratory.					

* For explanation as to the orders and deliveries which must be rated, and those which must be authorized on Form WPB-3131, see Order L-311.

For the information of manufacturers who are required to file standard forms (such as WPB-3000, 3001, 3003 and 3401) the forms themselves are standardized and a supply is available in any WPB field office. However, the distribution of the instructions, except those for WPB-3003 (shown in Column 2) and WPB-3401 for the use of these forms is restricted: copies may be obtained from

the respective industry section of General Industrial Equipment Division.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5943; Filed, April 26, 1944; 11:29 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-232 as Amended Apr. 26, 1944]

WOODEN SHIPPING CONTAINERS

§ 3270.56 *Limitation Order L-232*—(a) *Definitions.* For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) "Restricted crop" means any fruit or vegetable listed in Table II of Schedule B.

General Restrictions

(b) *Restrictions*—(1) *Manufacture, sale or delivery of containers.* No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) *Coloring.* No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) *Printing.* All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any wooden shipping container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation.

Restrictions on Packing and Shipping Commodities Other Than Restricted Crops

(c) *Restrictions*—(1) *Commodities for which wooden shipping containers are forbidden.* No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) *Quota restriction on packing.* Packers of a commodity listed in Table II of Schedule B, other than a restricted crop, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

Restrictions on Fruits and Vegetables Listed in Table II of Schedule B (hereafter called "Restricted Crops")

(d) *Restrictions.* (1) In the case of the restricted crops listed in Table II of Schedule B, no person shall, in any calendar year, commercially pack in wooden shipping containers a greater quantity of restricted crops than the total quantity of the designated quotas of each of the restricted crops that he packed in wooden shipping containers in 1942. After determining his quota of wooden shipping containers based on what he packed in 1942, he may use these containers to pack any of the restricted crops interchangeably.

(2) The restrictions of paragraph (d) shall not become effective until July 1, 1944 (except in the case of table and juice grapes), and the quotas for the second half of 1944 shall be based on the second half of 1942.

(3) It is the policy of the War Production Board that each grower of a restricted crop be allowed to market in wooden shipping containers the quantity of restricted crops contemplated by the quotas. Under this policy every packer, so far as practicable, should use his permitted quantity of wooden containers to pack the restricted crops of each of the growers for whom he packs without prejudice to each of them, provided they are prepared to meet current prices and terms. If this policy is not observed voluntarily, the War Production Board may issue specific directives to named packers, and failure to comply with these directives will be deemed a violation.

(4) A packer may not pack a greater quantity of restricted crops grown by him in wooden shipping containers than the total of the designated quotas of restricted crops grown by him and packed in wooden shipping containers in 1942.

(5) If a grower, who did not do his own packing in 1942, wants to do his own packing, he must notify the War Production Board by letter stating the name of the person who packed for him in 1942 and the quantity of each restricted crop packed in wooden shipping containers during that year. Such notice must be filed within ten days before a grower begins his packing. He may then pack a quantity of restricted crops in wooden shipping containers permitted by the quotas set up in the table, based upon the quantity of his restricted crops which were packed in wooden shipping containers in 1942. The War Production Board may then reduce the quota of the packer who packed for him in 1942 where such action seems necessary to keep the total consumption of wooden shipping containers down to the levels contemplated by this order.

Certification

(e) *Certification for fruit and vegetable containers.* On and after July 1, 1944, no person shall sell or deliver any new wooden shipping containers for the shipment of fruits and vegetables without obtaining a certificate from the purchaser. The certificate may be either the one set forth in paragraph (v) of Order P-140 (if the purchaser is using a rating to buy his containers) or the standard certificate provided for in paragraph (d) of Priorities Regulation No. 7. In case the former is used, the purchaser shall add the following words to the certification:

The undersigned, purchaser, further certifies that he is familiar with the provisions of

Order L-232 and that the containers which he is buying will not be used in violation of the terms of that order.

If he uses the standard certification, he shall add the words, "Reference L-232."

Miscellaneous

NOTE: Paragraphs (f) to (i), formerly (d) to (g), redesignated April 26, 1944.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

NOTE: The reporting requirements of paragraph (c) (3) has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	*Dry capacity* (2)
1. Hampers	½, ⅝, 1 bu.
2. Round stave baskets	½, 1 bu.
3. Splint baskets	8, 12, 16, 24, 32 qts.
4. Climax baskets	4, 12 qts.
5. Till baskets	1, 2, 3, 4 qts.
6. Berry cup	½, 1 pt., 1 qt.

(b) *Exceptions.* The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not apply to:

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(c) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations[1] of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.[2] "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations[1] of The Secretary of Agriculture issued under the United States Standard-Container Act of 1916,[3] as amended.[4]

[1] U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

[2] 45 Stat. 685; 15 U.S.C. 257.

[3] U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

[4] 39 Stat. 673; 15 U.S.C. 251.

[5] 45 Stat. 930; 15 U.S.C. 251.

TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES

NOTE: Items 6, 24, 30, 40, 44 amended Apr. 26, 1944.

Unit name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	10¾ [1]	11¾	18.
2. Apple box	11	12½	16.
3. Apple box	11	11	17.
4. Apricot lug	4⅝	13¼	16.
5. Artichoke box	9¾	11	20¾.
6. Asparagus crate	10½	9 to 9½ top, 11 bottom	17½ to 18.
7. Asparagus crate	12⅝	9¾ top, 10½ bottom	17¼.
8. Asparagus crate	11	9¾ top, 12 bottom	16¾.
9. Avocado box	4½	13¼	16.
10. Berry crate	2¾	16½	21⅛.
11. Berry crate	2⅝	13½	18.
12. Berry crate	3½ or 3⅞	13½	18.
13. Berry crate	9 or 9½	9	22.
14. Berry crate	7¾	11	22.
15. Berry crate	9	11	22.
16. Berry crate	11	11	21¼ to 22.
17. Bushel crate	12	12	18.
18. Cantaloupe pony crate	11	11	22.
19. Cantaloupe standard crate	12	12	22.
20. Cantaloupe jumbo crate	13	13	22.
21. Cauliflower crate	8½	18	21¼ to 22.
22. Cauliflower crate	12¼	14½	22.
23. Celery crate	20	11	20¾.
24. Celery crate	9¾	18	19¼ to 20.
24a. Celery crate	10	16	22.
26. Celery crate	5⅞	18	12¼.
26. Celery crate	8	8	12¼.
28. Celery crate	3¾	11½	14.
*27. Cherry, apricot, prune lug	3⅜	10½	14.
*28. Cherry, apricot, prune lug	3⅜	10½	18.
*29. Cherry, apricot, prune lug	3⅜	10½	18.
30. Cranberry box	9½	11	13 1/16.
31. Cranberry box	2¾	13½	16.
31a. Date box	1¾	11	16.
32. Fig box	8	11½	16.
*33. Fruit box	4	11½	16.
*34 Fruit box	4½	11½	16.
*35. Fruit box	5	11½	16.
*36. Fruit box	4 1/16	16	16.
*37. Four-basket crate	4½	16	16.
*38. Four-basket crate	4¾	18	16.
*39. Four-basket crate	5	18	16.
*40. Four-basket crate	6¾	18	22.
41. Honey dew standard crate	7¾	16	22.
42. Honey dew jumbo crate	9¾	13	25.
43. Lemon box	13¾	17½	21¼ to 22.
44. Lettuce crate	6	13	12.
45. Lime box	5¾	13½	16.
*46. Lug box	4¾	13½	16.
*47. Lug box	3¾	13½	16.
*48. Lug box	6¾	14	22.
49. Melon crate	7¾	14	22.
50. Melon crate	11¾	11¾	24.
51. Orange and grapefruit box	9½	12	24.
52. Orange and grapefruit box	8½	9¼	18.
53. Half orange and grapefruit box	8½	11½	18.
54. Pear box	5¼	11½	18.
55. Half pear box	6¼	13½	20¾.
*56. Pear lug	13¾	11	22.
57. Pepper crate	7 1/16 [2]	17½	17½.
58. Produce box (1 bushel)	7 1/16 [3]	12¾	12⅝.
59. Produce box (½ bushel)	10½	12	33.
60. Pineapple crate	0	11½	24¾.
61. Rhubarb box	3 1/16	11½	24¾.
62. Rhubarb box	12½	12¼ top	18 top.
63. Sweetpotato crate		13¾ bottom	16 bottom.
64. Sweetpotato crate	12	12	16¾.
65. Vegetable crate	13	17½	21½ to 22.
66. Vegetable crate	8	18	21½ to 22.
67. Vegetable crate	8	12	22.
68. Vegetable crate	7½	15 or 15½	18¾.

[1] The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[2] The inside depth of this box may be increased up to 7 1/16" by the addition of cleats of any thickness or by the use of a solid end.

[3] The inside depth of this box may be increased up to 5⅛" by the addition of cleats of any thickness or by the use of a solid end.

*Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to 1/16" under or up to 1/16" over the specified inside lengths is allowed. A tolerance of up to 1/16", plus or minus, in the specified inside depths and inside width is allowed for shrinkage and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of 1/16", 3/16", 1/8", 5/16", 11/16", or 3/8" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) *Exceptions.* (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(i) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943:

(ii) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943; provided, such assembly is completed by August 31, 1943;

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7;

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company_____
By_____
Title_____ Date_____"

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III—WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight) (1)	Inside length (inches) (2)	Inside width (inches) (3)	Inside depth (inches) (4)
101. 36 lbs.	18	14	7¾
102. 42 lbs.	19	14½	7¾
103. 48 lbs.	20	15½	7¾
104. 54 lbs.	21	16½	7¾
105. 60 lbs.	22	17	8
106. 72 lbs.	24	18	8½
TURKEY BOXES			
111. Small	28	24	6¼
112. Large	32	28	7¼
113. Very large	31	16	8
114. West Coast	30	22	8¼

(a) *Exceptions.* The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

SCHEDULE B—RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I—COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt, (5) shipments of the fresh vegetables listed until after January 1, 1944.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 26, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Building Materials

1. Asphalt roofing (rolls or shingles), siding and tiles
2. Brick, except fire and glass
3. Cement [b]
4. Cork (except pipe covering and slabs)
5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)
6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
7. Roof coatings and cements [b]
8. Steel sash and windows

Foods (Fresh Vegetables Are Listed as Items 38–43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers
10. Baking powder
11. Candy or confectionery
12. Canned and glassed foods or food products
13. Cereals, prepared
14. Chocolate
15. Cocoa
16. Coffee
17. Condiments [b]
18. Corn starch [b]
19. Dessert powders
20. Flours, prepared products
21. Food seasoning, coloring and related products [b]
22. Fruit and vegetable juices [b]
23. Gelatins [b]
24. Horseradish products [b]
25. Ice cream cones
26. Macaroni [b]
27. Mayonnaise and salad dressing [b]
28. Noodles [b]
29. Nuts, edible
30. Peanut butter and peanuts [b]
31. Popcorn
32. Potato chips
33. Rice
34. Salt
35. Spaghetti [b]
36. Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)
37. Tea

Fresh Vegetables

38. Cabbage
39. Corn, green
40. Onions, dry
41. Potatoes, white
42. Rutabagas
43. Turnips, root

Glass Products

44. Jars, home canning
45. Ornaments and decorations

Hardware

46. Buckets and pails (wood or metal)
47. Handles, wooden, for hand tools
48. Wash tubs, wood or metal

Horticultural Items

49. Flowers, flower seeds, and flower plants
50. Shrubs, ornamental or cuttings
51. Trees, ornamental or cuttings

Leather Products

52. Belting butts
53. Bridles
54. Harnesses
55. Horse collars
56. Novelties
57. Pocketbooks
58. Saddles
59. Suitcases
60. Traveling bags—all kinds
61. Trunks
62. Whips and crops

Paper Products

63. Advertising displays—counter, window or floor
64. Albums
65. Announcements
66. Calendars
67. Catalogues
68. Greeting cards
69. Illustrated post cards
70. Magazines, including house organs

71. Novelties
72. Posters
73. Punch boards

Textiles (Except Clothing)

74. Awnings
75. Blankets
76. Comforters
77. Mattresses
78. Rope, string and twine
79. Tents

Miscellaneous

80. Adhesives or cements, household
81. Appliances, electric, domestic (except stoves, refrigerators, washing machines and mangles)
82. Art supplies
83. Ash trays
84. Baskets
85. Bed springs
86. Beverages, carbonated, malt or alcoholic and concentrates, except in multiple trip returnable containers.
87. Bicarbonate of soda
88. Brushes and brooms
89. [Deleted Jan. 3, 1944]
90. Candles, except for religious purposes
91. Ceramics, ornamental
92. Charcoal, except activated carbon
93. Cigars and cigarettes
94. Combs
95. Cosmetics
96. Dentifrices
97. Depilatories
98. Dry cleaning preparations, household
99. Electric light bulbs
100. Fertilizers
101. Food, animal and pet
102. [Deleted Jan. 3, 1944]
103. Hair, dressing and dyes, shampoos and tonics
104. Hats, millinery
105. Heels and soles, footwear
106. Hose, rubber and fabric except wire imbedded
107. Jewelry
108. Mops
109. Ornaments, made of glass, plastic, pottery, china, metal, wood, paper or leather
110. Paint [b]
111. Peat moss
112. Pens and pencils
113. Perfumes and toiletries
114. Polishes [b]
115. Scouring and cleaning compounds and detergents (does not include liquid acidic materials shipped in carboys with a capacity of 5 gallons or more).
116. Shoes
117. Soap [b]
118. Soda ash
119. Sporting goods
120. Starch [b]
121. Tobacco [b]
122. Toys and games
123. Varnishes [b]
124. Waxes [b]

TABLE II—COMMODITIES WHOSE PACKING AND SHIPPING IN WOODEN SHIPPING CONTAINERS IS RESTRICTED

Fruits and Vegetables

Commodity:	Quota based on 1942 calendar year (percent)
1. Cantaloupes and melons	80
2. Carrots	100
3. Cauliflower	80
4. Celery	80
5. Cucumbers	50
6. Grapes, juice [a]	50
7. Grapes, table: [a]	
a. Thompson	100
b. Muscat	100
c. Sultana	100
d. Zante Currant	100
e. All other varieties	110
8. Lettuce	80
9. Radishes	80

Miscellaneous Products

NOTE: Items 16a and 16b added Apr. 26, 1944.

10. Animal proprietary drug remedies	65
11. Books	80
12. Carpets	80
13. China and glassware (except vitrified for commercial use)	80
14. Clothing, except shoes	80
15. Glass tableware and glass kitchen articles	80
16. Hooks and eyes, slide and snap fasteners, buckles, buttons, and miscellaneous metal apparel bindings	80
16a. Leather, restricted to goat, kid, cabretta and kangaroo and limited to processed hides, skins and splits which have not been incorporated into any product	70
16b. Leather, all other, limited to processed hides, skins and splits which have not been incorporated into any product	50
17. Linoleum	80
18. Musical instruments	80
19. Pottery products, household (except ornamental)	80
20. Printing and publishing products, except those listed elsewhere	80
21. Rugs	80
22. Tile (floor, wall, facing, glazed or unglazed)	80

NOTE 1: Juice grapes are grapes of the following varieties:

Alicante Bouschet	Malvoisie
Alicante Ganzin	Mataro
Aramon	Mission
Barbera	Mondeuse
Becian	Mourastel
Carbernet Sauvignon	Nebbiola
Carignane	Petit Bouschet
Charbono	Petite Sirah
Crabb's Black Burgundy	Portuguese Blue
Prizm	Salvador
Gamay	St. Macaire
Grand Noir	Tannat
Grenache	Teouiller
Grignolino	Trousseau
Lenoir	Valdepenas
Limberger	Zinfandel
Malbec	

NOTE 2: Notwithstanding the provisions of paragraph (d) (1) concerning interchangeability of quotas in the case of Thompson, Muscat, Sultana and Zante Currant variety of table grapes, the quota is limited to each of these varieties, and in the event that the quantity of each of these varieties is insufficient to fill the quota, no other variety of grape or other restricted crop may be packed as part of that quota.

NOTE 3: The base period and quota period quantities of a commodity shall be determined as follows (the same measure shall be used in both the base period and quota period quantities for any commodity: (a) for miscellaneous products, by weight, volume or count of the commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required; (b) for fruits and vegetables, by volume only, or by the board footage content of the wooden shipping containers required.

NOTE 4: *Exceptions.* (i) No person shall be bound by quota restrictions contained in paragraphs (c) (2) or (d) (1) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

(ii) The provision with respect to a grower reporting his intention of becoming a packer contained in paragraph (d) (5) shall not apply where less than a carload or 80,000 pounds of a commodity, whichever is the lesser, is involved in any calendar year.

[Notes 5 and 6 deleted Apr. 26, 1944]

[F. R. Doc. 44-5936; Filed, April 26, 1944; 11:28 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended Apr. 26, 1944]

TEXTILE BAGS

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of textile bags for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.23 *Conservation Order M-221*—(a) *Definitions.* For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton and twisted paper yarns, but excepting shopping bags, carry-out bags, bale covers, textile wrappings and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or the fabric previously has been used one or more times.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) A person shall be deemed a "commercial emptier" at such times when in any of the three immediately preceding calendar months he acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the continental United States (the 48 states and the District of Columbia).

(9) "Burlap laminated bag" means any bag made of burlap laminated to paper, with any adhesive or water-proofing substance.

General Restrictions for All Persons

(b) *Joint responsibility.* No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) *Sampling bag-contents.* No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) *Sand bags.* No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(e) *Size-changing.* No dealer, user, or commercial emptier shall change the size of any burlap textile bag while it has a commercial use as a bag, with or without mending.

(f) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further re-use.

(g) *Sale of used raw sugar bags.* No dealer, user or commercial emptier shall sell or deliver any No. 1 jute (gunny) sugar bag suitable for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing Puerto Rican or Cuban raw sugar. For the purposes of this paragraph, the jute bags referred to shall be limited to bags which have been used for packing raw sugar and which have no holes at all or have no more than seven trier holes, all of which have been patched or mended.

(h) *Export of empty bags.* Unless specifically authorized by the War Production Board, no person shall export any empty new or used burlap textile bag or any empty new or used open mesh textile bag. The requirement for such authorization is in addition to, and not in place of, any applicable export licensing requirements of the Office of Economic Warfare. Application for authorization for such export shall be made by letter or telegram to the War Production Board stating the pertinent facts, including (1) the destination of the bags (2) the source from which the bags have been or are to be acquired, and (3) the quantity, size and material of the bags. Such applications concerning exports which also require licensing by the Office of Economic Warfare should be submitted through that agency to the War Production Board. The restriction of this paragraph shall not apply to:

(1) *Foreign re-users.* The export of empty used bags which previously contained any of the following products and which, in accordance with established practice of the industry involved, are being exported in the expectation that they will be re-used by foreign suppliers of the same product for further packing of that product: sugar, asbestos, or any other product designated by the War Production Board because it so impregnates the bag material as to make the bag unsuitable for packing any other commodity without excessive cleaning.

(2) *Transshipment.* Completing the transshipment of textile bags which are in transit from a point outside the continental United States to another such point and which have been landed in the continental United States (in a free zone or free port or in bond) pending such transshipment.

(3) *Exports to Canada.* The export of empty new or used burlap textile bags or new or used open mesh textile bags to Canada.

Additional Restrictions for Bag Makers

(i) *Overstitching.* No bag maker shall overstitch the raw edge or selvage edge of any new textile bag except new wool bags.

(j) *Eyelets, grommets.* No bag maker shall manufacture any new textile bags with metal eyelets or metal grommets.

(k) *Bag sizes for certain commodities*—(1) *Sizes permitted.* No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) [1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes [2]	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-5-10-25-50-100 lbs.
Seeds	2-5-10-25-50-100 lbs., 1, 2 bu. [3]
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, bromated, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] Additional sizes are permitted as follows: ½ bu. for hybrid seed corn; 8 bu. for cotton seed.

[3] These restrictions do not apply to open mesh bags used for packing potatoes.

(2) *Exception for export by bag maker.* The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags to be exported, empty, by the bag maker. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

(3) *Exception for export by user.* The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags ordered by any person for packaging any listed commodity to be exported by him, provided the bag maker receives from such person a written certification as provided for in Exhibit A attached to this order. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

Additional Restrictions for Commercial Emptiers

(l) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(m) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal re-use.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (n) below.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

Additional Restrictions for Users

(n) *Inventory restriction.* No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next 60 days.

(o) *Quota restriction on acceptances of burlap bags.* (1) During 1943, no user shall accept delivery of more than his quota of new burlap textile bags for packing the products below. His quota shall be the larger of the following amounts: (i) 500 such bags for all the products or (ii), for each class of product listed below, the specified percentage of the number of such bags he accepted during the calendar year 1941 for packing that class:

Class of product (1):	Quota percentage (2) (Percent)
Petroleum waxes	100
Stearic acid (cakes or slabs)	100
Salt	100
Refined sugar (restricted to covers or balers for smaller packages totaling approximately 100 pounds)	100

The above restriction does not apply to bags made of "scrim" (burlap weighing less than 7 ounces per yard—40" width) nor to bags for packing mohair, wool, or wool products. The number of any such bags accepted by any user during 1941 shall not be included in computing any quota above.

(2) The provisions of subparagraph (1) shall apply to the calendar year 1944 and succeeding calendar years except that the quota restriction will be based on the number of bags accepted during

either the calendar year 1941 or 1942, whichever is the greater, and the number of "scrim" bags or bags for packing mohair, wool or wool products accepted during 1941 or 1942, whichever year is taken as the base period, shall not be included in computing the quota.

(3) During 1944 and each succeeding calendar year each person packing wheat or small grains in the States of California, Idaho, Montana, Oregon, Washington or Arizona may accept delivery of not more thn 100% of the number of new Calcutta Wheat bags that he used during the calendar year 1940 for packing those products. These may only be used for packing wheat or small grains in those states. However, if he used less than 500 such bags during 1940 he may accept delivery of 500 such bags for packing those products during 1944.

(p) *Products permitted for burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following:

Mohair; wool; wool products; petroleum waxes; stearic acid (cakes or slabs); agricultural products except refined cane or beet sugar (not in balers or covers for smaller packages totalling approximately 100 pounds), corn sugar refined beyond the crude or chip stage, fertilizer tankage, or fertilizer.

(q) *Products permitted for cotton bags.* No user shall use any new textile bags made of cotton for packing any products other than the following:

Agricultural products; cement; chemicals; core sand; currency, coin, or securities; fertilizer; glues; gypsum; malt; meats; metal abrasives; metal parts; pastes; plaster; sand; shellfish; tire chains; or such other products as may be authorized by the War Production Board, pursuant to application on Form WPB-1319 (PD-556).

"Agricultural products" includes, but is not limited to, beans; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(r) *Mohair bags.* No user shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(s) *Burlap laminated bags.* No user shall use any new burlap laminated bag for packing organic fertilizer. The restriction shall not apply to bags ordered before January 12, 1944.

(t) *Use of wool bags.* No user shall use any wool bag except as provided below. A "wool bag" is any new or used textile bag, made of burlap, between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: grease wools, scoured wools, noils, wool wastes or mohair.

(1) *General.* Wool bags shall be used only for packing or wrapping wool or wool products and only in accordance with the further restrictions of paragraphs (s) (2), (3), and (4) below.

(2) *Heavy #1 wool bags.* A "heavy #1 wool bag" is a new or used wool bag made of 12-ounce or heavier burlap and capable of being packed or repacked to its intended capacity with any of the types of wool listed below in this subparagraph. Heavy #1 wool bags shall be used only for packing any of the following types of wool:

Graded wools; Territory, California, or Texas grease wools or mohair.

(3) *Light #1 wool bags.* A "light #1 wool bag" is a new wool bag made of burlap lighter than 12-ounce weight. Light #1 wool bags shall be used only for packing any of the following types of wool:

Territory, California, or Texas grease or scoured wools or mohair; carbonized wool; carbonized noils; carbonized card waste; fine white garnetts; fine white laps; cut wool tops; broken wool tops; wool backings; rayon; synthetic fibres.

(4) *#2 Wool bags.* A "#2 wool bag" is any used wool bag other than a heavy #1 wool bag. #2 wool bags shall be used only for packing any of the following types of wool:

Grease wools; fleece wools; pulled wools; scoured wools or noils; carbonized or uncarbonized wool wastes.

General Exceptions

(u) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the government agencies listed below or (2) to the purchase, acceptance, use, or export of textile bags by those agencies: the Army, Navy, Maritime Commission, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Miscellaneous Provisions

(v) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: M-221.

(w) *Appeals.* Appeals from the quota restrictions of paragraph (o) above shall be made by application in triplicate on Form WPB-2907 (PD-188-c). Appeals from any other restriction of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

The certification provided for in paragraph (k) (3) shall be substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

"The bags ordered herewith are for packaging commodities for export by the undersigned and therefore need not correspond with the sizes specified in Order M-221 for the commodities concerned.

Company ---------- By ----------

Date ---------- Title ----------"

Any such certification shall constitute a representation to the War Production Board and to the bag manufacturer. The bag manufacturer shall be entitled to rely thereon unless he has reason to believe it is not true.

[F. R. Doc. 44-5941; Filed, April 26, 1944; 11:29 a. m.]

PART 3280—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-217, Interpretation 5]

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

The following interpretation is issued with respect to General Conservation Order M-217:

Paragraph (c) (4) restricts the manufacture of footwear of more than one color. Where a manufacturer produces a line of footwear designed especially for taking dye on the tip, foxing, saddle or other portions, so that it can be converted into a two-tone shoe (such as a spectator or saddle oxford type), and he has reason to believe that it will be converted by retailers or consumers, he is putting material into process for the manufacture of footwear of more than one color. This is prohibited by the paragraph.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5940; Filed, April 26, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Limitation Order L-136, as Amended Apr. 26, 1944]

CHURCH GOODS

§ 3291.250[1] *Limitation Order L-136—(a) Definitions.* For the purposes of this Order:

[1] Formerly Part 1247, § 1247.1.

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have definite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means aluminum, cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, magnesium, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M-21-a, as amended).

(5) "Iron" and "steel" means all iron and steel except iron and steel contained in joining hardware.

(6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.

(7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.

(b) *General restrictions.* (1) No manufacturer shall put any restricted materials into process in the manufacture or assembly of church goods, parts or repair parts for church goods, except the following materials for Class A products and parts for those products:

(i) Lead.

(ii) Tin for soldering if not prohibited by Order M-43.

(iii) Tin Plate, if not prohibited by Order M-21-e.

(iv) Zinc, as permitted by M-11-b.

(v) Chromium for direct plating on iron and steel.

(2) No manufacturer shall put into process, in any calendar quarter, in the manufacture or assembly of Class A products or parts (including repair parts) for those products, more iron and steel by weight than 12½% of the aggregate weight of iron and steel and other metals except gold and silver, put into process by him in the manufacture of those products and parts in 1940.

(3) No manufacturer shall put into process any iron and steel in the manufacture of any Class B products or parts for those products.

(c) *Certain Class A products exempted from quota restrictions.* The quota restrictions contained in paragraph (b) (2) do not apply to the manufacture or assembly of candlewick holders and bases and tops for altar or table sanctuary lights.

(d) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of church goods to a greater extent than does this order, the other order shall govern unless it states otherwise.

(e) [Deleted Apr. 26, 1944]

(f) [Deleted Apr. 26, 1944]

(g) [Deleted Apr. 26, 1944]

(h) [Deleted Apr. 26, 1944]

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the provisions of this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-136.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5934; Filed, April 26, 1944; 11:29 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, Interpretation 3]

REPLACEMENT PARTS FOR ARMY DELIVERED FROM INVENTORY

The following interpretation is issued with respect to L-158:

Paragraph (m) (1) of the order (which was paragraph (L) (1) before the amendment of April 12, 1944) permits delivery on certain Army orders of replacement parts "in distributors' inventory available for immediate delivery". This means that the parts must be in inventory at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5935; Filed, April 26, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-374 as Amended Apr. 26, 1944]

BEVERAGE CANE SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial alcohol and of sugar, molasses, and grain, and facilities for the production of industrial alcohol, for defense, for private account and for export. The use of such raw materials as sugar, molasses and grain is necessary to the production of industrial alcohol for the manufacture of synthetic rubber and munitions. It is therefore deemed necessary and appropriate in the public interest and to promote the national defense, to allocate facilities for the production of beverage cane spirits (as defined in this order), and to control the importation of beverage cane spirits so as to prevent further uncontrolled diversion of sugar and molasses to the production of these spirits:

§ 3293.616 *Conservation Order M-374—(a) Definitions.* (1) "Beverage cane spirits" means ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, and produced for beverage purposes or tax paid for beverage purposes. The term includes any solution, compound or mixture containing ethyl alcohol of 50 proof or higher, such as, for example, rum, cordials or gin.

(2) "Producer" means any person engaged in the production of beverage cane spirits.

(3) "Import" means to transport in any manner into the continental United States or into Puerto Rico, the Virgin Islands of the United States, or the territories of Hawaii and Alaska, from any foreign country, or from any territory or possession of the United States other than those mentioned above. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.

(4) Beverage cane spirits shall be deemed "in transit" if it is afloat, if an on-board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(b) *Restrictions on production of beverage cane spirits.* On and after March 15, 1944, no person shall produce beverage cane spirits except as specifically authorized by the War Production Board. The provisions of this paragraph shall be applicable to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(c) *Restrictions on imports of beverage cane spirits.* On and after March 15, 1944, no person shall import, attempt to import, purchase for import, or make any contract or other arrangement for the importing of any beverage cane spirits without first having obtained authorization to do so from the War Production Board. This paragraph applies to the importation of beverage cane spirits regardless of the existence on March 15, 1944, or thereafter, of any contract or other arrangement for importation.

(d) *Applications for authorization to produce or import.* Any person requiring authorization to produce or import beverage cane spirits may apply by letter, in triplicate, to the War Production Board, stating the amount, by calendar quarter, of beverage cane spirits applicant desires to produce or import. Applicant must also state the amount of beverage cane spirits he has produced or imported, by calendar quarters, during the years 1940, 1941, 1942, 1943 and 1944. All quantities should be expressed in terms of proof gallons. It will be the policy of the War Production Board to permit production or importation of beverage cane spirits to the extent consistent with the fulfillment of requirements of sugar, molasses and industrial alcohol for the defense of the United States.

(e) *Exceptions.* Paragraphs (c) and (d) of this order do not apply:

(1) To beverage cane spirits which, on or before March 15, 1944, were in transit to a point within the continental United States; or

(2) To beverage cane spirits consigned as gifts or as samples, or for use as samples, or imported for personal use, where the quantity of each consignment or shipment is not more than two proof gallons. No person shall split up a single order of beverage cane spirits into smaller orders for the purpose of coming within this exception.

(3) To shipments of beverage cane spirits in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.

(4) To any bank or other person who participates, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after March 15, 1944 of beverage cane spirits, provided such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (d), or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in this paragraph (e).

(f) *Special directives.* The War Production Board may from time to time issue special directives to producers concerning the kind of raw materials which may be used for the production of beverage cane spirits. This paragraph applies only to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(g) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Reports.* No beverage cane spirits, which are imported after March 15, 1944, shall be entered through the United States Bureau of Customs for any purpose (other than pursuant to paragraph (e) (2) of this order) whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry a certificate in duplicate, stating the following information: (1) Name of importer; (2) Date of bill of lading (this is only necessary if the beverage cane spirits were in transit on or before March 15, 1944); (3) Date and number of importer's WPB authorization; (4) Quantity of beverage cane spirits covered by the entry; (5) Port of entry; (6) Port of origin of shipment. The certificate shall be signed manually by a duly authorized official of the importer or as provided by Priorities Regulation No. 7. The standard form of certification provided in Priorities Regulation No. 7 may not be used instead of the certificate described above. The filing of such certificate a second time shall not be required upon any subsequent entry of the same shipment of beverage cane spirits through the United States Bureau of Customs for any purpose; nor shall the filing of such certificate be required upon the withdrawal of any beverage cane spirits from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of the certificate shall be promptly transmitted by the Collector of Customs to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

(i) *Bureau of the Budget Approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

This amended order shall become effective May 5, 1944.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5942; Filed, April 26, 1944; 11:29 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-21-1, as Amended Apr. 26, 1944]

MALLEABLE IRON CASTINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of malleable iron castings for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.113 *Order M-21-1*—(a) *Inventory limitations.* No person may accept delivery of any malleable iron castings if his inventory of such castings will after acceptance exceed what he reasonably expects to use in his authorized operations during the next 45 days. No person may deliver malleable iron castings if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45-day limitation.

(b) *Exception.* This order shall not apply to the delivery of any malleable iron castings produced before March 22, 1944, to a delivery of less than 2000 pounds from any one pattern or mold which would raise the inventory of the person accepting delivery from less than a forty-five day supply to an inventory in excess thereof, or to a minimum production run as explained in Interpretation No. 7 to Priorities Regulation No. 1.

(c) *Appeals.* Any producer or purchaser of malleable iron castings who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(d) *Communications.* All appeals and other communications concerning this order should be addressed to Redistribution Division, War Production Board, Washington 25, D. C., Ref: M-21-1.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44—5939; Filed, April 26, 1944; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 12]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.163 (a) is amended by deleting the last sentence and inserting in place thereof the following:

The Board may not pass upon the petition but must forward it, together with all information received therewith, to the District Office. The Board may attach its recommendation as to the action to be taken. Where the petitioner wishes to use sugar for experimental, educational, or testing purposes, the District Office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the District Office shall send the file to the Washington Office for decision or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 662, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 8, 8 F.R. 7093)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5904; Filed, April 25, 1944; 4:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 12,[1] Amdt. 97]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence of section 12.4 (c) is deleted and the following substituted therefor:

In cases in which the applicant wishes to make an industrial use of processed foods for experimental, educational, or testing purposes, the district office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

(Pub. Law 421, 77th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5905; Filed, April 25, 1944; 4:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 130]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence of section 13.3 (c) is deleted and the following substituted therefor:

In cases in which the applicant wishes to make an industrial use of foods covered by this order for experimental, educational, or testing purposes, the district office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 25th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5906; Filed, April 25, 1944; 4:12 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 674, 695, 765, 846, 1397, 1737, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2701.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 233, 2626, 2628, 3031, 3513, 3579, 3647, 3944.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 46]

LEASING OF TRUCKS BETWEEN CARRIERS

Correction

In F.R. Doc. 44-5318, appearing on page 4030 of the issue for Saturday, April 15, 1944, the second paragraph should read as follows: "A new subparagraph (142) is added to § 1499.46 (b) to read as follows:"

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[2d Rev. MPR 339,[1] Amdt. 2]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 339 is amended in the following respects:

Section 2 (b) (3) is redesignated section 2 (b) (4) and a new section 2 (b) (3) is added to read as follows:

(3) Any establishment which itself manufactures part of its hosiery and which otherwise meets the requirements of subdivisions (i) through (iv) of section 2 (b) (1) may qualify to make sales at wholesale of such hosiery as it does not itself manufacture, *Provided*, That:

(i) It has continuously since January 1, 1942, in its sales of women's full length hosiery, represented itself and been known primarily as a wholesaler and

(ii) In its sales and deliveries of women's full length hosiery, it has continuously since January 1, 1942, maintained the identity of hosiery of its own manufacture from that which it purchases for re-sale.

This amendment shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-5899; Filed, April 25, 1944; 11:44 a. m.]

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[1] 9 F.R. 206, 4024.

PART 1382—HARDWOOD LUMBER

[MPR 469,[1] Amdt. 8]

NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 432 is amended in the following respects:

1. In section 7, a new paragraph (c) is added, to read as follows:

(c) *Applications for adjustment.* The Price Administrator may by order adjust the maximum prices established under this regulation for any seller of maple, birch and beech flooring subject to this regulation who shows that these prices will not permit him to cover the total costs of his maple, birch and beech flooring operations.

Applications under this section must be filed before June 1, 1944, and must be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

All applications must contain:

(1) Profit and loss statements, in the detail normally prepared by the applicant, covering the company's entire operations for the years 1941, 1942, and 1943. Companies which have previously filed O. P. A. forms "A" and "B" for the above periods need not file additional financial statements;

(2) Operating statements for maple, birch, and beech flooring operations only, for the same periods, and, if available, for the last three months of 1943.

(3) A tabulation showing, for the last six months of 1943, the production of maple, birch and beech flooring and each item within each grade.

Companies which have previously submitted any of the above-required data may omit such items from the data submitted with their applications.

2. Article IV is amended in its entirety, to read as follows:

ARTICLE IV—PRICE TABLES

The maximum prices, f. o. b. mill, for maple, birch, and beech flooring, according to the region[1] in which produced, are as follows:

Southern, South Central, and Appalachian Hardwood Regions.—Established in Maximum Price Regulation No. 456.

Northern Hardwood Region.—Tables 1 to 6, inclusive, of this regulation.

All other areas.—Tables 7 to 12, inclusive, of this regulation.

NORTHERN HARDWOOD REGION

TABLE 1—MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2¼"		
First	2-10'	$108.00
	2-5½'	96.50
	7-21"	78.00
Second	1½-10'	97.00
	1½-5½'	92.00
	7-21"	70.50
Second and better	1½-10'	100.00
Third	1-10'	88.50
	2-10'	82.50
Third and better	1-10'	94.00
25/32 x 1½"		
First	2-10'	88.00
	2-5½'	81.00
	7-21"	68.50
Second	1½-10'	71.00
	7-21"	51.00
Third	1-10'	61.50
25/32 x 2"		
First	2-10'	92.00
	2-5½'	84.50
	7-21"	62.50
Second	1½-10'	86.00
	1½-5½'	80.50
	7-21"	59.00
Third	1-10'	72.50
25/32 x 3¼"		
First	2-10'	99.00
	7-21"	74.50
	1½-10'	94.00
Second	7-21"	65.00
Second and better	1½-8"	90.50
Third	1-10'	83.00
Third and better	1-10'	91.00
25/32 x 3¼"		
First	2-10'	107.50
	1½-10'	102.00
Second	5-10'	105.50
Second and better	1½-10'	104.50
Third	1-10'	82.00
Third and better	1-10'	98.50
25/32 x 1½"		
First	2-10'	66.00
Second	1½-10'	73.00
Third	1-10'	57.00
25/32 x 2"		
First	2-10'	99.00
Second	1½-10'	93.00
Third	1-10'	78.00
25/32 x 3¼"		
First	2-10'	107.50
Second	1½-10'	100.00
Second and better	1½-10'	104.00
Third	1-10'	84.00
Third and better	1-10'	98.00
4½ x 3¼"		
First	2-10'	$111.50
Second	1½-10'	105.00
Second and better	1½-10'	108.00
Third	1-10'	85.00
Third and better	1-10'	103.00
4½ x 3¼"		
First	2-10'	106.50
Second	1½-10'	103.00
Second and better	1½-10'	105.50
Third	1-10'	85.00
Third and better	1-10'	100.00
25/32 x 2¼"		
First	2-10'	116.00
Second	1½-10'	108.00
Second and better	1½-10'	172.00
Third	1-10'	90.00
Third and better	1-10'	107.50
25/32 x 3¼"		
First	2-10'	116.00
Second	1½-10'	108.00
Second and better	1½-10'	112.00
Third	1-10'	90.00
Third and better	1-10'	107.50
5/16 x 1½"		
First	2-10'	78.00
Second	1½-10'	66.00
Third	1-10'	60.50
5/16 x 2"		
First	2-10'	83.50
Second	1½-10'	71.50
Third	1-10'	65.50
5/16 x 1½"		
First	2-10'	74.50
Second	1½-10'	64.00
Second and better	1½-10'	69.50
Third	1-10'	47.50
5/16 x 2¼"		
First	2-10'	90.00
Second	1½-10'	82.00
Second and better	1½-10'	86.00
Third	1-10'	66.50

TABLE 2—JOINTED MAPLE FLOORING

25/32 x 2¼"		
First	2-10'	$105.00
Second	1½-10'	101.00
Second and better	1½-10'	102.00
Third	1-10'	82.00
Third and better	1-10'	97.50
25/32 x 3¼"		
First	2-10'	102.50
Second	1½-10'	97.00
Second and better	1½-10'	99.50
Third	1-10'	82.00
Third and better	1-10'	95.00
25/32 x 3¼"		
First	2-10'	112.00
Second	1½-10'	108.00
Second and better	1½-10'	109.00
Third	1-10'	85.00
Third and better	1-10'	103.50
25/32 x 3¼"		
First	2-10'	115.50
Second	1½-10'	110.00
Second and better	1½-10'	113.00
Third	1-10'	87.00
Third and better	1-10'	107.00
25/32 x 3¼"		
Second and better	1½-10'	99.00
Third and better	1-10'	93.00

[1] For description of Southern Hardwood region, see RMPR 97. For description of South Central Hardwood region, see MPR 188. For description of Appalachian Hardwood region, see MPR 146. For description of Northern Hardwood region, see MPR 222.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10079, 12180; 9 F.R. 171.

TABLE 3—BIRCH FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2¼"		
First	2-10'	$92.50
	3-8½'	86.50
	7-21"	68.00
Second	1½-10'	86.00
	1½-8½'	81.50
	7-21"	59.50
Second and better	1½-10'	89.50
Third	1-10'	71.00
Third and better	1-10'	82.50
25/32 x 1½"		
First	2-10'	78.00
	3-8½'	75.00
	7-21"	60.50
Second	1½-10'	61.00
	7-21"	44.00
Third	1-10'	53.00
25/32 x 2"		
First	2-10'	78.00
Second	1½-10'	72.00
Third	1-10'	60.00
25/32 x 2¼"		
First	2-10'	89.50
	7-21"	73.00
Second	1½-10'	83.50
	7-21"	61.00
Second and better	1½-10'	86.50
Third	1-10'	72.50
Third and better	1-10'	86.50
5/16 x 1½"		
First	2-10'	68.00
Second	1½-10'	56.00
Third	1-10'	50.50
5/16 x 2"		
First	2-10'	74.50
Second	1½-10'	64.00
Third	1-10'	47.50
5/16 x 2¼"		
First	2-10'	80.00
Second	1½-10'	72.00
Second and better	1½-10'	76.00
Third	1-10'	56.50

TABLE 4—JOINTED BIRCH FLOORING

25/32 x 2¼"		
First	2-10"	$74.50
Second	1½-10"	62.00
Third	1-10"	50.00

TABLE 5—BEECH FLOORING, TONGUED AND GROOVED, AND END MATCHED

25/32 x 2¼"		
First	2-10'	$92.00
	2-5½'	86.00
	8-21"	68.00
Second	1½-10'	87.00
	1½-8½'	81.50
Second and better	1½-10'	89.00
Third	1-10'	71.00
	1-8½'	66.50
	8-21"	51.00
Third and better	1-10'	82.50
25/32 x 1½"		
First	2-10'	78.50
	2-8½'	70.50
	8-21"	48.00
Second	1½-10'	62.50
Third	1-10'	54.00
25/32 x 2"		
First	2-10'	80.50
Second	1½-10'	75.00
Third	1-10'	62.50

TABLE 6—BEECH FLOORING, TONGUED AND GROOVED, AND END MATCHED—continued

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 3¼"		
First	2-10'	$97.00
Second	1½-10'	82.50
Second and better	1½-10'	85.00
Third	1-10'	71.50
Third and better	1-10'	78.00
5/16 x 2¼"		
First	2-10'	79.00
Second	1½-10'	71.50
Third	1-10'	57.50
5/16 x 2¼"		
First	2-10'	95.00
Second	1½-10'	90.00
Second and better	1½-10'	92.50
Third	1-10'	71.50
Third and better	1-10'	83.50
5/16 x 3¼"		
Second and better	1½-10'	92.00
Third	1-10'	73.50

TABLE 8.—SPECIAL LENGTHS

When maple, birch or beech flooring of the standard grades for which maximum prices are established in Tables 1, 2, 3, 4, and 5, is ordered and furnished in the following special lengths, the following additions may be made to the maximum price for the same item in the standard lengths shown in the tables:

Special lengths (feet)	Grade	Size	Maximum addition to maximum price for standard length stock
4 to 16	First	Any	$4.00
4 to 16	Second	Any	6.00
4 to 16	Third	Any	9.00
4 to 16	Second and better	Any	8.50
4 to 16	Third and better	Any	7.00

Non-standard lengths (feet)	Grade	Size	Minimum deduction from maximum price for standard length stock
2 to 3½	First	Any	$11.00
1¼ to 3½	Second	Any	9.00
1 to 3½	Third	Any	8.00

ALL REGIONS OR AREAS OTHER THAN NORTHERN, SOUTHERN, SOUTH CENTRAL AND APPALACHIAN HARDWOOD REGIONS

TABLE 7—MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2¼		
First	2-10'	$90.50
	2-5½'	87.00
	7-21"	68.00
Second	1½-10'	87.00
	1½-5½'	82.00
	7-21"	59.50
Second and better	1½-10'	89.50
Third	1-10'	71.00
Third and better	1-10'	82.50
25/32 x 1½"		
First	2-10'	78.00
Second	1½-10'	75.00
Second and better	1½-10'	76.00
Third	1-10'	61.00
Third and better	1-10'	55.00
25/32 x 2"		
First	2-10'	78.00
Second	1½-10'	72.00
Third	1-10'	60.00
25/32 x 2¼"		
First	2-10'	89.50
	7-21"	73.00
Second	1½-10'	83.50
	7-21"	61.00
Second and better	1½-10'	86.50
Third	1-10'	72.50
Third and better	1-10'	86.50
5/16 x 1½"		
First	2-10'	68.00
Second	1½-10'	56.00
Third	1-10'	50.50
5/16 x 2"		
First	2-10'	72.50
Second	1½-10'	64.00
Third	1-10'	47.50
5/16 x 2¼"		
First	2-10'	79.00
Second	1½-10'	71.00
Third	1-10'	57.00
5/16 x 2¼"		
First	2-10'	95.50
Second	1½-10'	90.50
Second and better	1½-10'	93.00
Third	1-10'	72.00
Third and better	1-10'	87.50

TABLE 7—MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED—continued

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2"		
First	2-10'	$82.50
	2-5½'	77.00
	7-21"	57.00
Second	1½-10'	78.00
	1½-5½'	73.00
	7-21"	53.50
Third	1-10"	66.00
25/32 x 3¼"		
First	2-10'	95.00
	7-21"	67.50
Second	1½-10'	85.50
	7-21"	60.00
Second and better	1½-10'	87.50
Third	1-10'	74.50
Third and better	1-10'	82.50
25/32 x 2¼"		
First	2-10'	97.50
	11½-10'	92.50
Second	2-10'	96.00
Second and better	1½-10'	95.00
Third	1-10'	74.50
Third and better	1-10'	90.50
25/32 x 1½"		
First	2-10'	86.50
Second	1½-10'	69.50
Third	1-10'	52.00
25/32 x 2"		
First	2-10'	90.00
Second	1½-10'	84.50
Third	1-10'	71.00
25/32 x 3¼"		
First	2-10'	97.50
Second	1½-10'	91.00
Second and better	1½-10'	94.50
Third	1-10'	76.50
Third and better	1-10'	89.00
4½ x 2¼"		
First	2-10'	101.50
Second	1½-10'	95.00
Second and better	1½-10'	98.00
Third	1-10'	77.50
Third and better	1-10'	93.00
4½ x 3¼"		
First	2-10'	98.50
Second	1½-10'	92.50
Second and better	1½-10'	96.00
Third	1-10'	77.50
Third and better	1-10'	91.00
25/32 x 2¼"		
First	2-10'	105.50
Second	1½-10'	98.00
Second and better	1½-10'	102.00
Third	1-10'	82.00
Third and better	1-10'	97.50
25/32 x 3¼"		
First	2-10'	105.50
Second	1½-10'	98.00
Second and better	1½-10'	102.00
Third	1-10'	82.00
Third and better	1-10'	97.50
5/16 x 1½"		
First	2-10'	71.00
Second	1½-10'	60.00
Third	1-10'	57.50
5/16 x 2"		
First	2-10'	76.00
Second	1½-10'	65.00
Third	1-10'	62.50
5/16 x 1½"		
First	2-10'	67.50
Second	1½-10'	58.00
Second and better	1½-10'	63.00
Third	1-10'	43.00
5/16 x 2¼"		
First	2-10'	82.00
Second	1½-10'	74.50
Second and better	1½-10'	78.50
Third	1-10'	60.50

TABLE 8—JOINTED MAPLE FLOORING

25/32 x 2¼"		
First	2-10'	$95.50
Second	1½-10'	91.00
Second and better	1½-10'	93.50
Third	1-10'	74.50
Third and better	1-10'	88.50

TABLE 8—JOINTED MAPLE FLOORING—Continued

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 3½"		
First	2-10'	$93.00
Second	1½-10'	88.00
Second and better	1½-10'	90.50
Third	1-10'	74.50
Third and better	1-10'	86.50
25/32 x 2½"		
First	2-10'	102.00
Second	1½-10'	96.50
Second and better	1½-10'	99.00
Third	1-10'	77.50
Third and better	1-10'	94.00
25/32 x 2¼"		
First	2-10'	105.00
Second	1½-10'	100.00
Second and better	1½-10'	102.50
Third	1-10'	79.00
Third and better	1-10'	97.50
25/32 x 2¼"		
Second and better	1½-10'	90.00
Third and better	1-10'	84.50

TABLE 9—BIRCH FLOORING, TONGUED AND GROOVED AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2¼"		
First	(2-10' (2-5½' (7-21"	$84.00 78.50 82.00
Second	(1½-10' (1½-5½' (7-21"	78.50 74.00 54.00
Second and better	1½-10'	81.50
Third	1-10'	64.50
Third and better	1-10'	76.00
25/32 x 1¼"		
First	(2-10' (2-5½' (7-21"	71.00 68.00 48.00
Second	(1½-10' (7-21"	56.00 40.00
Third	1-10'	48.00
25/32 x 2"		
First	2-10'	71.00
Second	1½-10'	65.50
Third	1-10'	54.50
25/32 x 3¼"		
First	(2-10' (7-21"	81.50 66.50
Second	(1¼-10' (7-21"	76.00 55.50
Second and better	1½-10'	78.50
Third	1-10'	66.00
Third and better	1-10'	73.00
⅜ x 1¼"		
First	2-10'	62.00
Second	1¼-10'	51.00
Third	1-10'	22.00
⅜ x 2"		
First	2-10'	66.00
Second	1¼-10'	55.50
Third	1-10'	26.00
½ x 1¼"		
First	2-10'	59.00
Second	1½-10'	49.50
Third	1-10'	36.00
½ x 2¼"		
First	2-10'	72.00
Second	1½-10'	64.50
Third	1-10'	52.00
25/32 x 2¼"		
First	2-10'	87.50
Second	1½-10'	82.50
Second and better	1½-10'	84.50
Third	1-10'	65.50
Third and better	1-10'	79.50

TABLE 10—JOINTED BIRCH FLOORING

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 3¼"		
First	2-10'	$97.00
Second	1½-10'	88.50
Third	1-10'	81.50

TABLE 11—BEECH FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
25/32 x 2¼"		
First	(2-10' (2-5½' (8-21"	$81.50 78.00 62.00
Second	(1½-10' (1½-5½' 1½-10'	79.00 74.00 81.00
Second and Better	(1-10' (1-5½'	64.50 62.00
Third	(8-21"	67.00
Third and Better	1-10'	76.00
25/32 x 1¼"		
First	(2-10' (2-5½' (8-21"	71.50 69.50 43.50
Second	1½-10'	57.00
Third	1-10'	49.00
25/32 x 2"		
First	2-10'	73.00
Second	1½-10'	68.00
Third	1-10'	57.00
25/32 x 3¼"		
First	2-10'	79.00
Second	1¼-10'	73.00
Second and better	1¼-10'	77.50
Third	1-10'	55.00
Third and better	1-10'	71.00
½ x 2¼"		
First	2-10'	72.00
Second	1½-10'	65.00
Third	1-10'	52.50
25/32 x 2¼"		
First	2-10'	80.50
Second	1½-10'	82.00
Second and better	1½-10'	84.00
Third	1-10'	65.00
Third and better	1-10'	77.50
25/32 x 3¼"		
Second and better	1½-10'	88.50
Third	1-10'	67.00

TABLE 12—SPECIAL LENGTHS

When maple, birch or beech flooring of the standard grades for which maximum prices are established in Tables 7, 8, 9, 10, and 11, is ordered and furnished in the following special lengths, the following additions may be made to the maximum price for the same item in the standard lengths shown in the tables:

Special lengths (feet)	Grade	Size	Maximum addition to maximum price for standard length stock
4 to 16	First	Any	$4.00
4 to 16	Second	Any	6.00
4 to 16	Third	Any	9.00
4 to 16	Second and better	Any	5.50
4 to 16	Third and better	Any	7.00

Non-standard lengths (feet)	Grade	Size	Minimum deduction from maximum price for standard length stock
2 to 3½	First	Any	$11.00
1½ to 3½	Second	Any	9.00
1 to 3½	Third	Any	6.00

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5949; Filed, April 26, 1944; 11:56 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIAL FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 530]

IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROVINCES OF QUEBEC, NEW BRUNSWICK AND NOVA SCOTIA IN THE DOMINION OF CANADA

In the judgment of the Price Administrator, it is necessary and proper to establish maximum import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency.

§ 1347.808 *Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 530 (Import Prices For Pulpwood Produced In The Provinces of Quebec, New Brunswick and Nova Scotia In The Dominion of Canada) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.808 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 530—IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROVINCES OF QUEBEC, NEW BRUNSWICK AND NOVA SCOTIA IN THE DOMINION OF CANADA

Sec.
1. Prohibitions.
2. Less than maximum prices.
3. Adjustable pricing.
4. Evasion.
5. Enforcement.
6. Records and reports.
7. Petitions for amendment.

*Copies may be obtained from the Office of Price Administration.

Sec.
8. Definitions.
9. Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.

SECTION 1. *Prohibitions.* (a) On and after May 1, 1944, regardless of any contract except those made on or before February 2, 1944, agreement, lease or other obligation, no person in the course of trade or business shall import from the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada into the continental limits of the United States of America, pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada at prices in excess of the maximum prices set forth in Section 9 of this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing: *"Provided,* That the maximum prices established herein shall not apply to pulpwood which is produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada on limits owned or operated by a United States consuming mill or its subsidiary when the pulpwood is sold to the United States consuming mill owning the operation or controlling the subsidiary.

(b) *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents prices is as much a violation of this regulation as an outright over-ceiling price.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in section 9 of this regulation may be charged, demanded, paid, or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to buy at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, receive or agree to receive pulpwood at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by letter or order.

SEC. 4. *Evasion.* The price limitations set forth in this Maximum Price Regulation 530 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to imported pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium or other privilege, or by tying agreement or understanding, or otherwise.

SEC. 5. *Enforcement.* Persons violating any provisions of this Maximum Price Regulation 530 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 6. *Records and reports.* (a) On and after May 1, 1944, every person importing pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, records of such imports in the same manner as were customarily kept by such person prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 7. *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 530 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

SEC. 8. *Definitions.* (a) When used in this Maximum Price Regulation 530 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes any government, or any of its political subdivisions, or any agency of the foregoing except the United States or any agency thereof:

(2) "Import" means to buy, receive, transfer, transport or accept delivery of pulpwood into the continental limits of the United States which has been produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada, regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the continental limits of the United States, and regardless of whether such importation is for use or for resale.

(3) "Broker" means any person who sells to consumers pulpwood not cut or prepared by him, but purchased by him in the condition in which it is to be delivered to a consumer.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

SEC. 9. *Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.* (a) The maximum import price per cord for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada shall not exceed the appropriate domestic Canadian ceiling prices as established by Administrator's Orders Nos. A-1079, A-1080 and A-1081 issued by the Canadian Wartime Prices and Trade Board and effective on and after February 2, 1944 by more than 50¢ (Canadian funds) per cord for rough pulpwood and 50¢ (Canadian funds) per cord for peeled pulpwood.

(b) Notwithstanding the limitations of the above-mentioned Canadian Orders, if a consumer buys pulpwood through a broker as defined in section 8 (a) (3) hereof, such consumer may pay such broker, in addition to the maximum price provided in section 9 hereof, a commission not to exceed 50¢ per cord for rough pulpwood and $1.00 per cord for peeled pulpwood. Commissions so paid may not be split or divided with any other person.

(c) In the event that the Canadian Wartime Prices and Trade Board or any other duly authorized person grants an exception or adjustment to any producer or seller of Canadian pulpwood from the maximum prices established by the above-mentioned Administrator's Orders Nos. A-1079, A-1080 and A-1081, the person importing such pulpwood may apply to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C. for authority to pay the amount necessary to cover such exception or adjustment. Such application shall set forth (1) that the application is based on an adjustment or exception granted to the producer and/or seller by the Canadian Wartime Prices and Trade Board or any other duly authorized person (2) the name and address of the producer and/or seller and (3) the amount of the adjustment or exception so granted. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 10 days from the filing of such application approve, disapprove, adjust, amend or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to nonretroactive written disapproval or adjustment at any later time by the Office of Price Administration.

This regulation shall become effective May 1, 1944.

NOTE: All of the reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5948; Filed, April 26, 1944; 11:56 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 14—CLAIMS

REIMBURSEMENT OF MARINE CORPS PERSONNEL FOR LOSS, DAMAGE, OR DESTRUCTION OF PRIVATE PERSONAL PROPERTY

Section 14.3 (a) (8 F.R. 16931) is amended to read as follows:

§ 14.3 *Marine Corps Service personnel—*(a) *Claims.* The Commandant of the Marine Corps and under his direction the Officer in Charge, Research Division, Personnel Department, Headquarters U. S. Marine Corps, are hereby designated and authorized to consider, ascertain, adjust, and determine claims filed under the provisions of subject act by Marine Corps service personnel.

(Pub. Law 176, 78th Cong.)

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-5915; Filed, April 26, 1944; 10:10 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

PILOTS ON ALASKAN RUNS: HOURS OF DUTY AND WATCHES

WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war, and

It appearing from facts reported by the Commandant, Thirteenth Naval District, that due to wartime unavailability of sufficient experienced personnel to serve as pilots on the Alaskan runs the efficiency of transportation necessary in the conduct of the war is impaired by the application to pilots on the Alaskan runs of certain navigation and vessel inspection laws relating to the hours of duty and watches of such pilots,

Now therefore, upon the recommendation of the Vice Chief of Naval Operations, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, including section 2 of the Act of March 4, 1915, c. 153, as amended (46 U.S.C. 673), R.S. 4463, as amended (46 U.S.C. 222), and section 2 of the Act of May 11, 1916, c. 72 (46 U.S.C. 223), in the case of any vessel on the Alaskan runs engaged in business connected with the conduct of the war, to the following extent and in the following manner:

To the extent necessary to permit, but not to compel, the employment of pilots on the Alaskan runs for a maximum period of twelve hours per day.

Dated: April 25, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-5911; Filed, April 26, 1944; 9:17 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 201]

PART 95—CAR SERVICE

RS TYPE REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of April, A. D. 1944.

It appearing that the transportation of ice in RS type refrigerator cars delays the movement of such cars and impedes the use of such cars acutely needed for the transportation of perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of RS

It is ordered, That:

§ 95.336 *RS type refrigerator cars; use for transporting ice.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall furnish an RS type refrigerator car for loading with ice or shall accept for transportation or move any RS type refrigerator car loaded with ice.

(b) *Application.* The provisions of this order shall apply to intrastate transportation as well as interstate transportation.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., April 29, 1944; that a copy of this order and direction shall be served upon each State Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5918; Filed, April 26, 1944; 10:52 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Ex Parte MC-5]

PART 174—SURETY BONDS AND POLICIES OF INSURANCE

INSURANCE COMPANIES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 18th day of April, A. D. 1944.

In the matter of security for the protection of the public as provided in Part II of the Interstate Commerce Act, and of rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to Part II of the Interstate Commerce Act.

The matter of amending § 174.8 of our rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements prescribed by our order entered August 3, 1936, as amended, and relating to security for the protection of the public, being under consideration; and for good cause appearing therefor;

It is ordered, That from and after April 25, 1944, § 174.8 of said rules and regulations prescribed by said order of August 3, 1936, be, and it is hereby, amended to read as follows:

§ 174.8 *Insurance companies*—(a) *State authority.* No policy of insurance (or certificate of insurance in lieu thereof) will be approved by the Commission under these rules and regulations unless written or issued by an insurance company legally authorized to issue such a policy in each state in which the insured motor carrier is authorized to operate under Part II of the Interstate Commerce Act, and such insurance company fully complies with paragraph (b) of this rule: *Provided, however,* That the Commission will approve certificates of insurance from two or more insurance companies, or a certificate of insurance and a surety bond as provided for in § 174.6 hereof, in lieu of a certificate of insurance from one company if such certificates, or certificate and surety bond, each provide the prescribed coverage for separate states and collectively provide all the coverage prescribed in these rules and regulations.

(b) *Financial resources.* Each insurance company must possess the minimum financial resources applicable to it as hereinafter provided, which minimum will be determined on the basis of the values of assets and liabilities as shown in its financial statements filed with and approved by the insurance department or other insurance regulatory authority of the state of domicile (home state) of such company, except in instances where, in the judgment of the Commission, additional evidence with respect to such values is considered necessary:

(1) Stock corporations must have and maintain minimum policyholders' surplus funds of $200,000, of which paid-in capital shall be not less than $150,000.

(2) Non-stock corporations and other non-stock organizations or associations issuing non-assessable policies of insurance must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less than $200,000.

(3) Non-stock corporations and other non-stock organizations or associations, issuing policies of insurance on an assessable basis only, must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less than $150,000.

(c) *Effective date.* This section shall be effective (1) on April 25, 1944, as to insurance companies which are not now qualified to file certificates of insurance with the Commission, and (2) on June 24, 1944, as to companies which are now qualified to file certificates of insurance with this Commission, except that if any affected company which is now qualified to file certificates of insurance with this Commission shall on or before June 24, 1944, give assurance to this Commission, in writing, of its willingness, apparent ability, and intent, promptly to rearrange its financial affairs so as to qualify, then as to such company, the amended rule shall not be effective until October 23, 1944.

(Sec. 215, 49 Stat. 557; 49 U.S.C. 315)

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5910; Filed, April 25, 1944; 4:49 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

MAMMOTH CAVE NATIONAL PARK, KY.

POLICE JURISDICTION ASSUMED BY U. S.

APRIL 10, 1944.

GOVERNOR WILLIS: The United States has acquired under the authority of the act of Congress approved May 25, 1926 (44 Stat. 636), as amended by the acts approved May 14, 1934 (48 Stat. 775), and August 28, 1937 (50 Stat. 871), certain lands in Barren, Edmonson, and Hart Counties, Kentucky, for the establishment of the Mammoth Cave National Park. The lands so acquired by the United States are described in the deeds listed in the attached schedule marked Exhibit A,[1] showing the name of the grantors, the date of the deeds, and place of recordation.

Notice is hereby given, in accordance with the provisions of section 10 of the Act of Congress approved June 5, 1942 (56 Stat. 317), that the United States assumes police jurisdiction over the above-mentioned lands, effective as of the first day of May 1944, at 12 m., Central War Time. The transfer of such jurisdiction to the United States has been authorized by the act of the General Assembly of the Commonwealth of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 465).

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Department. There is attached for your convenience a self-addressed envelope which requires no postage.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

The HON. SIMEON S. WILLIS,
Governor of Kentucky,
Frankfort, Kentucky.

Enclosure 696.

Received this 13th day of April 1944, at 10 a. m.

SIMEON WILLIS,
Governor of Kentucky.

[F. R. Doc. 44-5912; Filed, April 26, 1944; 9:24 a. m.]

[1] Filed as part of the original document.

FEDERAL POWER COMMISSION.

[Docket Nos. G-220, G-402]

MONDAKOTA DEVELOPMENT CO., ET AL.

ORDER POSTPONING HEARING

APRIL 25, 1944.

In the matter of Mondakota Development Company v. Montana-Dakota Utilities Co., Docket No. G-220; in the matter of Montana-Dakota Utilities Co., Docket No. G-402.

It appearing to the Commission that:

A public hearing in the above proceedings is now scheduled to be held beginning at 10 o'clock a. m. on May 3, 1944, in Court Room No. 3, Third Floor, U. S. Court House, Minneapolis, Minnesota;

The principal attorney of one of the companies in the above proceeding has been subpoenaed to appear as a witness in the Federal Court in San Antonio, Texas, on May 3, 1944;

The Commission finds that:

It is necessary and appropriate to postpone the hearing in this matter from May 3 to May 5, 1944, so that said attorney may appear as a witness in the Federal Court in San Antonio, Texas;

The Commission orders that:

The hearing now set for May 3, 1944, be postponed until May 5, 1944, at 10 o'clock a. m., in Court Room No. 3, Third Floor, U. S. Court House, Minneapolis, Minnesota.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5913; Filed, April 26, 1944; 9:24 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5152]

H. A. IRVING CO.

NOTICE OF HEARING

In the matter of Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, copartners trading as H. A. Irving Company.

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, section 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE. Respondents Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, since June 19, 1936, have engaged and are now engaged as copartners trading as H. A. Irving Company, with their principal office and place of business located at 206 Sansome Street, San Francisco, California, and have engaged and are now engaged in the business of canning, packing, distributing and selling sea food products.

The respondents, since June 19, 1936, have owned a controlling stock interest in Sea Pride Packing Corporation, Ltd.; which corporation has operated since June 19, 1936, two packing plants, one of which is located at Monterey, California, and another at Terminal Island, California, and have engaged and are now engaged in the business of canning, packing and distributing canned sardines, canned tuna, canned mackerel, fish meal and fish oil. This corporation has its principal office and place of business located at 206 Sansome Street, San Francisco, California, where respondents' principal office and place of business is also located.

The respondents since June 19, 1936, have owned a controlling stock interest in Carmel Canning Company, which company has operated since June 19, 1936, a packing plant located at Monterey, California, and have engaged and are now engaged in the business of canning, packing and distributing canned sardines, fish meal and fish oil. This company has its principal office and place of business located at 206 Sansome Street, San Francisco, California, where respondents'

principal office and place of business is also located.

The respondents since June 19, 1936, have engaged in business as sales agents for Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, and for other corporations, firms and individuals who are engaged or who have engaged in the business of canning, packing and distributing sea food products.

PAR. TWO. The respondents, as the controlling stockholders and as sales agents for Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, have, directly and indirectly, engaged in the business of distributing and selling canned sardines, canned tuna fish, canned mackerel and other sea food products in their own name and for their own account for resale, and also in the name of Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, for respondents' own account for resale.

The respondents sell and distribute their sea food products through two separate and distinct methods. Their principal method of selling and distributing sea food products is through the efforts of their own sales agents or intermediaries located in various sections of the United States, who, under respondents' direction, negotiate and sell respondents' sea food products in respondents' name and at respondents' prices and on respondents' terms, and for which services to the respondents such sales agents or intermediaries are paid by respondents the customary rate of commissions or brokerage fees.

The respondents' secondary method of sale and distribution is by the direct sale of their sea food products to certain buyers who are also paid by respondents commissions or brokerage fees on their own purchases.

Such buyers customarily designate themselves as "brokers" and their business as "brokerage", although they are generally known to the trade as "buying brokers" or "speculative brokers". Such buyers purchase merchandise in their own name and for their own account directly from those sellers, and only from those sellers, who will pay them commissions or brokerage fees on their own purchases. It is the custom of such buyers, after the purchase and receipt of such merchandise, to store it in their own warehouses or in public warehouses, where it is immediately covered by the respective buyers' insurance. Normally such buyers utilize warehouse receipts covering the merchandise they have purchased and stored as collateral or security in obtaining loans from banks. Such buyers sell such merchandise in their own name and for their own account and at their own prices and on their own terms, and assume full and complete credit risk on such merchandise as they buy and sell in their own name and for their own account. Where such merchandise is lost or damaged in transit from the sellers to the buyers, such buyers file claims against and collect damages from the respective transportation companies. Such buyers collect such damages in their own name and for their own account.

Such buyers mask these operations under the fictionalized designation of "brokers" or "merchandise brokers" for the sole purpose of coloring the name and method of their operation, in order to collect commissions or brokerage fees from the few remaining sellers who will pay such buyers commissions or brokerage fees on purchases made in such buyer's own names and for such buyers' own accounts.

The respondents, to distinguish their sea food products from the sea food products sold by competitors, and to facilitate sales, utilize registered and unregistered trade marks and brands for the various sea food products they sell. These brands or trade marks are generally known as packers' or sellers' brands. Representative of respondents' brands are "Sea Pride," "Salomer," "Sea Knight," "Calistar," "Sea Mist," "Valid," "Bright Eye," "Cali-Gem," "Diver," "Ben-Sen," "Life Saver" and "Linde De Luxe." The respondents also sell their sea food products unlabeled or unbranded and under the labels or brands of their respective buyers which labels or brands are generally known to the trade as private or buyers' labels or brands.

PAR. THREE. The respondents, in the course and conduct of their said business since June 19, 1936, have sold and distributed a substantial portion of their sea food products directly to buyers located in states other than the state in which the respondents are established, and as a result of said sales and the respondents' instructions, such sea food products are shipped and transported across state lines to such buyers located in the various states of the United States.

PAR. FOUR. The respondents, since June 19, 1936, in connection with the interstate sale and distribution of sea food products in their own name and for their own account, for resale, have sold such sea food products to numerous buyers located in the various states of the United States other than the state where respondents are established, and have been and are now paying or granting, or have paid or granted, directly or indirectly, commissions, brokerage fees or other compensation, allowances or discounts in lieu thereof, to numerous buyers of said sea food products sold under respondents' own labels or brands, unlabeled, or under buyers' labels or brands.

A representative, but by no means complete, list of buyers, some or all of whom designate themselves as "brokers", and who classify their business as "merchandise brokerage", who since June 19, 1936, have purchased sea food products unlabeled or under the respondents' labels or brands or under such respective buyers' labels or brands from the respondents for such buyers' own account for resale, and who have received and accepted, and who are now receiving and accepting, directly or indirectly, from said respondents on their own purchases of sea food products, commissions, brokerage fees or allowances and discounts in lieu thereof, is as follows:

Lloyd A. Gray Company, Inc., Jacksonville, Florida;

William H. Stanley, Inc., New York, New York;

Spence-Tomlin Company, Albany, Georgia;

Hutchings Brokerage Company, Mobile, Alabama;

Hunt & Stembridge, Inc., Dothan, Alabama;

B. G. Lafaye Company, New Orleans, Louisiana.

PAR. FIVE. The paying and granting by respondents, directly or indirectly, of commissions, brokerage fees or other compensation and allowances or discounts in lieu thereof, to buyers of sea food products on their own purchases which are resold unlabeled or under either the buyers' or sellers' labels, and the acts and practices of the respondents in promoting sales of sea food products by paying to buyers, directly or indirectly, commissions, brokerage fees or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 21st day of April, A. D. 1944, issues its complaint against said respondents.

Notice. Notice is hereby given you, Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, copartners trading as H. A. Irving Company, respondents herein, that the 26th day of May, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 21st day of April, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-5931; Filed, April 26, 1944; 11:02 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order 202]

CANTON AND CARTHAGE RAILROAD CO.

ORDER REROUTING FREIGHT TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of April 1944.

It appearing, that due to the destruction of a bridge by flood on the Canton & Carthage Railroad Company that carrier by railroad is unable to transport the traffic offered to it; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people; *It is ordered*, That:

(a) *Bridge destruction; rerouting of freight traffic.* Effective at once and until further order of the Commission the Canton & Carthage Railroad Company is hereby directed to forward freight traffic routed over its lines by routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made; provided that the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to the order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That copies of this order and direction shall be served upon the Canton & Carthage Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5919; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Corrected Special Permit 215]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, April 20, 1944, by Marshall Fruit, Inc., of car SFRD 33077, potatoes, now on the Chicago, Milwaukee, St. Paul & Pacific to Owatonna, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington,, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5920; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Special Permit 222]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 22, 1944, by Chris Hansen of car CX 8014, potatoes, now on the Wood Street Terminal to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5921; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Special Permit 223]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 22, 1944, by Bacon Brothers of car FGE 10869, potatoes, now on the Wood Street Terminal to Bloomington, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5922; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Special Permit 294]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, April 24, 1944, by A. M. Macheca Produce Company of car UET 92643, potatoes, now on the Alton Railroad, to Mt. Vernon, Illinois.

The waybill shall show refrence to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5923; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 164, Amended Gen. Permit 18]

REICING OF CITRUS FRUITS IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity any refrigerator car loaded with citrus fruits which have been sterilized prior to loading at Texas origins when such refrigerator car or cars are destined to points in Iowa, Minnesota, or to points east of the Mississippi River and north of the Ohio River. This reicing shall be in addition to the icing services authorized on Texas citrus fruits in Amended General Permits Nos. 8 and 9 under Service Order 164.

This permit shall become effective at 12:01 a. m., April 24, 1944, and shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5928; Filed, April 26, 1944; 10:53 a. m.]

[S.O. 164, Special Permit 30]

REFRIGERATION OF CITRUS FRUITS AT AUBURNDALE, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to a mixed car of 300 cases oranges and 235 cases grapefruit shipped April 22, by Adams Packing Company, Auburndale, Florida, to Camp Phillips, Smolan, Kansas, via S. A. L.-G. M. & O.-Mo. Pac.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5924; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 164, Special Permit 31]

REFRIGERATION OF ORANGES AT LAKE HAMILTON, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PGE 37771, April 24, another car, number unknown, April 25 and 4 cars May 1 and 2, all containing valencia oranges, shipped or to be shipped by Lake Hamilton Cooperative, Lake Hamilton, Florida, on Atlantic Coast Line Railroad to Seattle, Washington.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5925; Filed, April 26, 1944; 10:53 a. m.]

[S. O. 178, Amended Gen. Permit 7]

LOADING OF DRIED OR EVAPORATED FRUITS, ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with dried or evaporated fruits, fig paste, fig powder, or fig pulp, or the transportation or movement of a refrigerator car or cars so loaded when shipped from cold storage warehouses and moving under refrigeration.

This general permit shall become effective at 12:01 a. m., April 24, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5927; Filed, April 26, 1944; 10:53 a. m.]

[S. O. 200, Special Permit 1]

REFRIGERATION OF POTATOES FROM CAMERON COUNTY, TEX.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with potatoes, other than sweet, moving from any origin in Cameron County, Texas.

This permit shall become effective at 6:00 p. m., April 24, 1944, and shall expire at 12:01 a. m., May 4, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5926; Filed, April 26, 1944; 10:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

MANAGER OF NEW YORK OFFICE

CERTIFICATE OF APPOINTMENT

Certificate of Appointment with power to make and revoke authorizations and to designate supervisors.

Know all men by these presents, that, pursuant to the authority vested in me by Executive Order No. 9095, as amended, I do hereby appoint and designate Frank J. Garvey, Manager of the New York Office, as my agent and delegate to make and to revoke on my behalf authorizations of transactions with respect to any bank, branch of a bank, insurance company or branch of an insurance company or any property of any bank, branch of a bank, insurance company, or branch of an insurance company, subject to the authority and power conferred upon me; and I do hereby further grant to said Frank J. Garvey power to appoint and designate for any specific bank, branch of bank, insurance company, or branch of insurance company, supervisors who shall have power to make and revoke authorizations of transactions on my behalf.

All transactions involving any such bank, branch of bank, insurance company or branch of insurance company, or property of any of them, are prohibited unless heretofore or hereafter authorized by the Alien Property Custodian or by his delegate or by a supervisor designated by the Alien Property Custodian or by his delegate.

This certificate of appointment supersedes and revokes the authority of all delegates and supervisors appointed by the Alien Property Custodian before this date over and with respect to the said banks, branches of banks, insurance companies and branches of insurance companies; *Provided, however,* That nothing contained herein shall affect the validity of anything heretofore done by authority of the Alien Property Custodian.

In testimony whereof, I have hereunto set my hand and seal this 18th day of April 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5881; Filed, April 25, 1944; 11:16 a. m.]

AUBREY C. STEEVES

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIM

In the matter of the claim of Bessie E. Steeves, Administratrix of the Estate of Aubrey C. Steeves, deceased, Informal Notice of Claim re Patent No. 1,750,202, vested by V.O. No. 201.

The Alien Property Custodian having by the vesting order above identified vested the above described property as property of a national of a foreign country; and the claimant above identified having filed a notice of claim alleging that she is the Administratrix of the Estate of Aubrey C. Steeves, deceased, who was the owner of the property described in the notice of claim and that she is not a national of a designated enemy country; and recommendation for allowance of said claim having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting order, claim and recommendation are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N.W., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 8, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

APRIL 24, 1944.

[F. R. Doc. 44-5882; Filed, April 25, 1944; 11:12 a. m.]

GEORGE DE BECZE, ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of George de Becze, APC-16 re Patents Nos. 2,154,150 and 2,209,444, vested by V.O. No. 201; Robert Honigsberg, Informal claim re Patent No. 2,180,758, vested by V.O. No. 201; Leopold Lion, APC-16 re Patent No. 2,189,506, vested by V.O. 2430; Georg Szekely, Informal claim re Patent No. 2,117,863 et al. vested by V.O. No. 201.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that he is the owner of the property described in each notice of claim respectively and that he is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 8, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS.

APRIL 24, 1944.

[F. R. Doc. 44-5883; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3360]

COPYRIGHT INTERESTS HELD BY CERTAIN FOREIGN-NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof,[1] if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held

[1] Filed as part of the original document.

therein by, nationals of one or more foreign countries.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interst of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–5857; Filed, April 25, 1944; 11:14 a. m.]

[Vesting Order 3413]

CARL RUDOLF UHLICH AND HANS OTTO HELLMUTH VON STERN

In re: Interests of Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern in an agreement with Eugene Dietzgen Co. and Kalle & Co. Aktiengesellschaft; Interests of Hans Otto Hellmuth von Stern, Hans von Stern and Kalle & Co. Aktiengesellschaft in an agreement between them; Interests of Kalle & Co. Aktiengesellschaft in an agreement dated December 15, 1937 with Ozalid Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That Hans von Stern and Kalle & Co. Aktiengesellschaft are firms organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

3. That the property described in subparagraph 6a hereof is property of Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern;

4. That the property described in subparagraph 6b hereof is property of Hans Otto Hellmuth von Stern and Hans von Stern and Kalle & Co. Aktiengesellschaft;

5. That the property described in subparagraph 6c hereof is property of Kalle & Co. Aktiengesellschaft;

6. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern, and each of them, by virtue of an agreement dated October 1, 1931 (including all modifications thereof and supplements thereto, if any) by and between Eugene Dietzgen Co., Carl Rudolf Uhlich, Hans Otto Hellmuth von Stern and Kalle & Co. Aktiengesellschaft, which agreement relates to Patents No. 1,841,468 and 1,841,482.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Otto Hellmuth von Stern, Hans von Stern and Kalle & Co. Aktiengesellschaft, and each of them, by virtue of an agreement dated December 14, 1933 (including all modifications thereof and supplements thereto, including, but not by way of limitation, agreement by exchange of letters dated April 16, 1936 and April 25, 1936 and agreement dated February 12, 1936) by and between Hans von Stern and Kalle & Co. Aktiengesellschaft, which agreement relates, among other things, to Patent No. 1,861,329.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kalle & Co. Aktiengesellschaft by virtue of an agreement dated December 15, 1937 (including all modifications thereof and supplements thereto, if any) by and between Kalle & Co. Aktiengesellschaft and Ozalid Corporation, which agreement relates to Patents No. 1,841,466 and 1,841,482,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5858; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3414]

PETER OSTBYE

In re: Interest of Peter Ostbye in an agreement with S. L. Allen & Co., Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Peter Ostbye is a resident of Norway and is a national of a foreign country (Norway);

2. That the property described in subparagraph 3 hereof is property of Peter Ostbye;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Peter Ostbye, doing business as Spiltzeinfabrikken, Ostbye Salgskontor, by virtue of an agreement dated June 8, 1939 (including all modifications thereof and supplements thereto, if any) by and between Peter Ostbye and S. L. Allen & Co., Inc., which agreement relates, among other things, to United States Letters Patent No. 2,112,183,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5859; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3415]

SAURESCHUTZGESELLSCHAFT M. B. H.

In re: Patents and interest of Saureschutzgesellschaft m. b. H. in an agreement with Continental-Diamond Fibre Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johann K. Wirth is a resident and citizen of Germany and is a national of a foreign country (Germany);

2. That Saureschutzgesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Johann K. Wirth;

4. That the property described in subparagraphs 5b and 5c hereof is property of Saureschutzgesellschaft m. b. H.;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1,747,964; 2–19–30; Johann K. Wirth; Process of uniting parts of artificial resin and article made thereby.

1,767,421; 6–24–30; Johann K. Wirth; Method of producing chemically stable articles.

1,789,642; 1–20–31; Johann K. Wirth; Process of manufacturing large receptacles.

1,867,960; 7–19–32; Johann K. Wirth; Acid-proof structure.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1,917,413; 7–11–33; Johann K. Wirth; Process for manufacturing chemical resisting articles.

in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5859; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3415]

SAURESCHUTZGESELLSCHAFT M. B. H.

In re: Patents and interest of Saureschutzgesellschaft m. b. H. in an agreement with Continental-Diamond Fibre Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johann K. Wirth is a resident and citizen of Germany and is a national of a foreign country (Germany);

2. That Saureschutzgesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Johann K. Wirth;

4. That the property described in subparagraphs 5b and 5c hereof is property of Saureschutzgesellschaft m. b. H.;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1,747,964; 2–19–30; Johann K. Wirth; Process of uniting parts of artificial resin and article made thereby.

1,767,421; 6–24–30; Johann K. Wirth; Method of producing chemically stable articles.

1,789,642; 1–20–31; Johann K. Wirth; Process of manufacturing large receptacles.

1,867,960; 7–19–32; Johann K. Wirth; Acid-proof structure.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1,917,413; 7–11–33; H. Lebach & Johann K. Wirth; Process for the production of molded articles from plastic compositions.

1,949,135; 2–27–34; Johann K. Wirth; Method of manufacturing vessels.

1,960,120; 5–22–34; Erich Mohring; Manufacturing of articles from synthetic resin compounds.

2,016,997; 10–8–35; Fritz Hartke; Draining cock.

2,016,998; 10–8–35; Fritz Hartke; Straight way cock.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Saureschutzgesellschaft m. b. H. by virtue of an agreement dated July 22, 1932 (including all modifications thereof and supplements thereto, if any) by and between Saureschutzgesellschaft m. b. H. and Continental-Diamond Fibre Company, relating, among other things, to the formation of a corporation to be known as "Haveg Corporation",

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5860; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3416]

DR. ERICH CLAR

In re: Interest of Dr. Erich Clar is an agreement with E. I. du Pont de Nemours and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Dr. Erich Clar is a resident of Czechoslovakia and is a national of a foreign country (Czechoslovakia);

2. That the property described in subparagraph 3 hereof is property of Dr. Erich Clar;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Erich Clar by virtue of an agreement dated November 1, 1936 (including all modifications thereof and supplements thereto, if any) by and between Dr. Erich Clar and E. I. du Pont de Nemours and Company, which agreement relates, among other things, to United States Letters Patent No. 2,172,020,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Czechoslovakia);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5861; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3417]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: United States Patent No. 1,826,433 of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Patent:

Patent Number, Date of Issue, Inventor, and Title

1,826,433; 10–6–31; Gustav Pistor, Robert Suchy and Emil Reubke; Process of simultaneously volatilizing phosphorus and producing latent hydraulic binders.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5862; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3418]

BENJAMIN ROOS

In re: Interest of Benjamin Roos in a patent and in an agreement with The Roessler & Hasslacher Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Benjamin Roos is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Benjamin Roos;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) An undivided one-half (½) interest which stands of record in the United States Patent Office in the name of Benjamin Roos in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,699,377; 1–15–29; Benjamin Roos; Sodium sulphide pellet.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Benjamin Roos by virtue of an agreement (including all modifications thereof and supplements thereto, if any) by and between Benjamin Roos and The Roessler & Hasslacher Chemical Company, evidenced by a letter dated October 28, 1924 from The Roessler & Hasslacher Chemical Company to Benjamin Roos, which agreement relates to Patent No. 1,699,377.

[F. R. Doc. 44–5863; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3419]

WALTER FRIEDERICH

In re: Reissue patent of Walter Friederich.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Walter Friederich is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Walter Friederich;

That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringements thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

Re. 19,953; 5–8–36; Walter Friederich; Process of manufacturing nitrous oxide.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5864; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3420]

SOCIETE RHODIACETA

In re: Patent and interests of Societe Rhodiaceta and/or Societe pour la Fabrication de la Soie Rhodiaseta in an agreement with Du Pont Rayon Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe pour la Fabrication de la Soie Rhodiaseta and Societe Rhodiaceta are corporations organized under the laws of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 4a hereof is property of Societe Rhodiaceta;

3. That the property described in subparagraph 4b hereof is property of Societe pour la Fabrication de la Soie Rhodiaseta and/or Societe Rhodiaceta;

4. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,244,281; 6–3–41; Jean Marie Alibert; Cellulosic structure apparatus and method for producing same.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe pour la Fabrication de la Soie Rhodiaseta by virtue of an agreement dated January 1, 1928 and executed on July 27, 1928 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated December 23, 1936 from E. I. du Pont de Nemours & Company to Societe pour la Fabrication de la Soie Rhodiaseta, two letters dated May 5, 1941 and August 13, 1941, from E. I. du Pont de Nemours & Company to Societe Rhodiaceta and a letter dated March 20, 1940 from Societe Rhodiaceta to E. I. du Pont de Nemours & Company) by and between Societe pour la Fabrication de la Soie Rhodiaseta and Du Pont Rayon Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,277,486,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5865; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3421]

HEINRICK NEUHAUSS

In re: Interest of Heinrich Neuhauss in an agreement with The Ajax Metal Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Heinrich Neuhauss is a resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Heinrich Neuhauss;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heinrich Neuhauss by virtue of an agreement dated May 7, 1928 (including all modifications thereof and supplements thereto, if any) by and between Heinrich Neuhauss and The Ajax Metal Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,946,873.

[F. R. Doc. 44–5866; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3422]

CHEMISCHE FABRIK POTT AND COMPANY, G. M. B. H.

In re: Patents and interests of Chemische Fabrik Pott and Company, G. m. b. H. and Chemische Fabrik Pott and Company in an agreement with The Newport Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Chemische Fabrik Pott and Company is or was a business organization organized under the laws of Germany and is or was a national of a foreign country (Germany);

2. That Chemische Fabrik Pott and Company, G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 4 hereof is property of Chemische Fabrik Pott and Company and Chemische Fabrik Pott and Company, G. m. b. H.;

4. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Pott and Company by virtue of an agreement dated August 10, 1927 (including all modifications thereof and supplements thereto, if any) by and between Chemische Fabrik Pott and Company and The Newport Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,944,267.

[F. R. Doc. 44–5867; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3423]

PAUL TSCHAMMER

In re: Patent of Paul Tschammer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Paul Tschammer is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Paul Tschammer;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Patent:

Patent Number, Date of Issue, Inventor, and Title

1,949,287; 2–27–34; Paul Tschammer; Dyeing and washing tray.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5866; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3424]

HELMUT JUNGHANS, ET AL.

In re: Patents of nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or, if a corporation or other business organization, is organized under the laws of, Germany and is a national of a foreign country (Germany);

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons whose names appear opposite the respective numbers thereof in said Exhibit A;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date, Inventor, Owner, and Title

Re. 19,755; 11–12–35; Helmut Junghans; Helmut Junghans & Gebruder Junghans A. G.; fuses for aeroplane defense projectiles.

1,944,951; 10–11–27; Olof Rodhe; H. Maihak A. G.; continuously operating gas analyzing apparatus.

1,961,049; 2–28–28; Olof Rodhe; H. Maihak A. G.; arrangement in discontinuously operating gas analyzing apparatus.

1,961,027; 5–6–28; Olof Rodhe; H. Maihak A. G.; methods of analyzing gas mixture.

1,919,861; 7–25–33; Olof Rodhe; H. Maihak A. G.; apparatus for analysing the gaseous content in liquids.

2,018,012; 9–3–35; Gustave Tauschek; Anna Franziska Brydl; record filing and selecting apparatus.

2,026,330; 12–31–35; Gustave Tauschek; Anna Franziska Brydl; reading machine.

2,080,100; 5–11–37; Gustave Tauschek; Anna Franziska Brydl; method and means for storing and selecting records.

2,099,993; 11–23–37; Gustave Tauschek; Anna Franziska Brydl; firearm.

[F. R. Doc. 44–5869; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3425]

ALBERT KRAUTZBERGER

In re: Interest of Albert Krautzberger in a reissue patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Albert Krautzberger is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Albert Krautzberger;

3. That the property described as follows:

All right, title and interest (including, but not by way of limitation, licenses and other contractual rights) created or reserved in Albert Krautzberger, in or by an assignment from Albert Krautzberger to Royce A. Ruess dated June 14, 1934 and recorded in the assignment records of the United States Patent Office on July 12, 1934 in Liber G 160, page 447, and in or by an assignment from Royce A. Ruess to The DeVilbiss Company dated April 9, 1936 and recorded in the assignment records of the United States Patent Office on April 9, 1936 in Liber K 166, page 91, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

Reissue 19,907; 3–21–36; Albert Krautzberger; means for coating by spraying.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5870; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3455]

CHRISTIAN BAHNSEN

In re: Estate of Christian Bahnsen, deceased; File D–28–7851; E. T. sec. 8573.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Bahnsen, John Detjens and Samuel D. Leidesdorf, Co-executors of the estate of Christian Bahnsen, deceased, acting under the judicial supervision of the Passaic County Orphans' Court of Paterson, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Stockhausen, Othmarschen (near Altona), Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Stockhausen, in and to the Estate of Christian Bahnsen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5871; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3456]

MORITZ BAMBERGER

In re: Trust created under the will of Moritz Bamberger, deceased; File: D–28–1773; E.T. sec. 922.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Walker Bank and Trust Company, Trustee, acting under the judicial supervision of the Third Judicial District Court, in and for Salt Lake County, State of Utah;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Laura Grunebaum Oppenheim or her heirs, Holland.

And determining that—

(3) Laura Grunebaum Oppenheim or her heirs, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied area, Holland, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laura Grunebaum Oppenheim or her heirs, and each of them, in and to the Trust Estate created under the will of Moritz Bamberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5872; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3457]

ELISE BECKENBACH

In re: Estate of Elise Beckenbach, deceased; File F–28–0214; E.T. sec. 3468.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl F. Bollmann, as Administrator, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Beckenbach, Germany.
Christine Katharine Landau, Germany.
Irmgard Marianne Grein, Germany.
Irene Gertrud Grein, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Beckenbach, Christine Katharine Landau, Irmgard Marianne Grein and Irene Gertrud Grein, and each of them, in and to the estate of Elise Beckenbach, late of Framersheim, Germany, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5873; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3458]

ANDREW BERES

In re: Andrew Beres, also known as Andy Geres, vs. Teres Szegedi Beres; File D–34–662; E.T. sec. 7946.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis A. Money, trustee, acting under the judicial supervision of the Court of Chancery of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Teres Szegedi Beres, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Teres Szegedi Beres in and to the Trust established by an Order of the Court of Chancery of New Jersey, dated December 16, 1941, and entered in a proceeding entitled Andrew Beres, also known as Andy Geres, vs. Teres Szegedi Beres,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5874; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3459]

MADELINE BERGER

In re: Estate of Madeline Berger, deceased; File D–28–8381; E.T. sec. 9710.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelm F. Dreyfuss, Executor, acting under the judicial supervision of the Superior Court of the State of Arizona, in and for the County of Pima;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hilde Heineman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hilde Heineman, in and to the Estate of Madeline Berger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5875; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3460]

MARIA KATERINE BERND

In re: Estate of Maria Katerine Bernd, deceased; File D–28–1981; E. T. sec. 2035).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Otto A. Deffaa, as Executor of the Estate of Maria Katerine Bernd, deceased, 3115 Grand Concourse, Borough of Bronx, City and State of New York, acting under the judicial supervision of the Surrogate's Court, County of Bronx, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Julius Bernd, Germany.
The wife and four children of Julius Bernd (whose names are unknown), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title and interest and claim of any kind or character whatsoever of Julius Bernd, the wife and four children of Julius Bernd, (names unknown), and of each of them, in and to the Estate of Maria Esterine Bernd, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date thereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5876; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3461]

AUGUST BIEDERMANN

In re: Estate of August Biedermann, deceased; File D–28–7621; E.T. sec. 8026.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arno Biedermann, 1336 East 34th Street, Brooklyn, New York, Executor, Ferdinand L. Biedermann, 6023 69th Avenue, Queens, New York and Charles Prueb, 671 Lafayette Avenue, Brooklyn, New York, Co-executors acting under the judicial supervision of the Surrogate's Court, Kings Country, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Joseph Biedermann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Biedermann in and to the estate of August Biedermann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5877; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3462]

ANNA BIELEFELD

In re: Trust under the will of Anna Bielefeld, deceased; File D–28–3327; E. T. sec. 741.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles A. Tschopp, Paterson, New Jersey, and Joseph T. Keller, Paterson, New Jersey, Trustees, acting under the judicial supervision of the Passaic County Orphans' Court, Paterson, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by a national

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5672; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3457]

ELISE BECKENBACH

In re: Estate of Elise Beckenbach, deceased; File F–28–0214; E.T. sec. 2468.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian hereby makes the following determination:

It is hereby determined:

That Elise Beckenbach, late of Frankenheim, Germany, deceased, and all persons claiming by, through or under her, are nationals of a designated enemy country (Germany);

That the property described as follows: All right, title and interest of Elise Beckenbach, late of Frankenheim, Germany, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5673; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3458]

ANDREW BERES

In re: Andrew Beres, also known as Andy Ceres, vs. Teres Szegedi Beres.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian hereby makes the following determination:

It is hereby determined:

That Teres Szegedi Beres, and all persons claiming by, through or under her, are nationals of a designated enemy country (Germany);

That the property described as follows: All right, title and interest of Teres Szegedi Beres in and to the Trust established by an Order of the Court of Chancery of New Jersey, dated December 16, 1941, and entered in a proceeding entitled Andrew Beres, also known as Andy Ceres, vs. Teres Szegedi Beres,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5674; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3459]

of a designated enemy country, Germany, namely,

National and Last Known Address

Katie Auer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katie Auer in and to the Trust Estate created under the Last Will and Testament of Anna Bielefeld, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5878; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3463]

MARIE BLAU

In re: Estate of Marie Blau, also known as Hulda Clara Marie Blau, deceased; File F–28–17288; E. T. sec. 1509.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Richter, as Ancillary Administrator with the Will annexed, acting under the judicial supervision of the Surrogate's Court of Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hugo Ernst Georg Zimmerman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all actions, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hugo Ernst Georg Zimmerman in and to the Estate of Marie Blau, also known as Hulda Clara Marie Blau, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5879; Filed, April 25, 1944; 11:13 a. m.]

[Vesting Order 3464]

CARRIE BOEHME

In re: Estate of Carrie Boehme, deceased, File No. D–28–1636; E.T. sec. 470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are propery which is in the process of administration by the Federal Trust Company, as executor and trustee, acting under the judicial supervision of the Orphans' Court, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Alten, Germany.
Albert Boehme, Germany.
Anna Boehme, Germany.
Else Reese, Germany.
Fritz Boehm, Germany.
Johanna Marie Henriette Boehme, Germany.
Guenther Boehme, Germany.
Lisa Boehme, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Alten, Albert Boehme, Anna Boehme, Else Reese, Fritz Boehme, Johanna Marie Henriette Boehme, Guenther Boehme, Lisa Boehme, and each of them, in and to the Estate of Carrie Boehme, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5880; Filed, April 25, 1944; 11:14 a. m.]

[Vesting Order 43, Amdt.]

AMBER MINES, INC.

Vesting Order Number 43, dated July 1, 1942, is hereby amended as follows and not otherwise:

By deleting therefrom "$50 par value common stock", and by substituting therefor "no par value common stock".

All other provisions of such Vesting Order Number 43 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5854; Filed, April 25, 1944; 11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 15, Rev. 1]

MARTIN MARINE TRANSPORTATION CO.

OPERATIONS WITH TUG "P. F. MARTIN"

Pursuant to the provisions of § 502.35 of General Order ODT 15, Revised (7 F.R. 10487); *It is hereby ordered*, That:

1. Martin Marine Transportation Co., Wilmington, Delaware, shall not use or operate the tug *P. F. Martin*, No. 200439, or permit the use or operation of such tug in any service, except the towing of barges between Hampton Roads, Virginia, and New York, New York.

2. The provisions of this order shall be subject to any special permit issued by the Director, Division of Coastwise and Intercoastal Transport, Office of Defense Transportation, New York, New York, to meet specific needs or exceptional circumstances or to prevent undue public hardships.

3. Communications concerning this order should refer to "Supplementary Order ODT 15, Revised–1" and, unless otherwise directed, should be addressed to the Director, Division of Coastwise and Intercoastal Transport, Office of Defense Transportation, New York, New York.

Issued at Washington, D. C., this 26th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–5932; Filed, April 26, 1944; 11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 426, Order 1]

GRAPES IN NEW YORK, N. Y.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail.

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and for the reasons set forth in an opinion accompanying this order, *It is ordered:*

(1) That importers may sell grapes of "Almeria," "Santa Paula," "Maravilla de Malaga," "Angelino," "Emperor," "Lactuario," or "Alfonso Lavalle" varieties, in any quantities, in New York City alone, at a maximum price of 16½¢ per pound, without addition of any amount on account of transportation or delivery charges, or for any other reason;

(2) That the maximum price for which a carlot distributor (as defined in footnote 5 to the table in Appendix D of Maximum Price Regulation No. 426) may sell the above described grapes in New York City is 16.7¢ per pound;

(3) That the maximum price for which any person other than an importer may sell the above described grapes in New York City in less-than-carload or less-than-truckload quantities to any person other than an ultimate consumer is 18¢ per pound;

(4) That the maximum price at which any of the grapes covered by this order may be sold by any person outside of New York City is the maximum price for grapes established by Appendix D of Maximum Price Regulation No. 426.

This order shall become effective April 26, 1944, and shall expire on May 20, 1944, as to importers and on June 15, 1944, as to all other sellers.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5946; Filed, April 26, 1944; 11:55 a. m.]

[MPR 120, Order 665]

A. D. CLARK COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F.R. Doc. 44–4608, appearing on page 3608 of the issue for Tuesday, April 4, 1944, the maximum price for rail shipments, Size Group No. 15, in the table for A. D. Clark Coal Co. should be "$2.10".

[MPR 120, Amdt. 1 to Order 290]

BITUMINOUS COAL IN APPANOOSE COUNTY, IOWA

EXTENSION OF EXPIRATION DATE

Amendment No. 1 to Order No. 290 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket No. 3120–491. Order extending expiration date of Order No. 290 under Maximum Price Regulation No. 120. Bituminous coal in Appanoose County, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Paragraph (f) of Order No. 290 is hereby deleted.

This Amendment No. 1 to Order No. 290 shall become effective April 27, 1944.

Issued this 26th day of April, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–5947; Filed, April 26, 1944; 11:55 a. m.]

[MPR 120, Order 694]

DOMESTIC COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATION

Correction

In F.R. Doc. 44–5355, appearing at page 4116 of the issue for Tuesday, April 18, 1944, the maximum price for railroad fuel shipments, Size Group No. 7, in the first table on page 4117, should be "2.50". In the second table on page 4117, the price classification for Size Group No. 5 should be "G".

Regional and District Office Orders.

[Region IV Order G–17 Under RMPR 122, Amdt. 13]

SOLID FUELS IN ROME, GA., AREA

Amendment No. 13 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix III—Maximum prices for solid fuels in the City of Rome and certain adjacent territory in the State of Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered*, That:

Paragraph (m) (3) (i) of said Order No. G–17 be amended by changing the ½ ton price for Block from Sub-district No. 6 (Southern Appalachian) from $4.95 to $4.66.

This Amendment No. 13 to Order No. G–17 shall become effective April 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 13, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44–5720; Filed, April 21, 1944; 4:50 p. m.]

[Region VI Order G–5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TWIN CITIES AREA

Amendment No. 4 to Order No. G–5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price

Description	Domestic coal: Delivered	Domestic coal: Consumer at yard	Steam coal: Delivered	Steam coal: Consumer at yard	Dealer at yard: Domestic	Dealer at yard: Steam
1	2	3	4	5	6	7
I. High volatile bituminous coal from district #10 (Ill.):						
A. Southern subdistrict:						
1. Egg 3" x 2"	$11.45	$10.45	$9.75	$8.80	$8.70	$8.75
2. Small egg 3" x 2"	11.15	10.15	9.45	8.50	8.40	8.45
3. Stove 2" x 1¼"	10.70	9.70	9.05	8.00	7.90	8.00
4. Raw screenings, not exceeding (3" x 0)	9.80	8.80	7.10	6.00	7.00	6.10
5. Lump, 6" and larger, run of mine, washed and cleaned, 25% 6 and smaller	9.75	8.75	7.00	6.00	7.50	6.00
6. Special prepared (double screened) domestic stoker	10.35	9.35	8.15	7.15	8.15	7.15
B. Central subdistrict, price Group Nos. 13 and 13a:						
1. Lump 6", 7"	10.35	9.35	8.50	7.50	7.70	7.50
2. Egg, 3" x 2"	10.50	9.50	8.65	7.65	7.85	7.65
3. Egg, 3" x 1¼"	10.15	9.15	8.30	7.30	7.50	7.30
4. Stove, 2" x 1¼"	9.90	8.90	8.05	7.05	7.25	7.05
5. Washed screenings, 1¼" x 0	8.75	7.75	6.90	5.90	6.10	5.90
C. Indiana Unstratified Price Group No. 15:						
1. Egg, 3" x 2"	10.45	9.45	8.75	7.75	7.95	7.75
2. Stove, 2" x 1¼"	10.20	9.20	8.55	7.55	7.75	7.55
3. Washed screenings, 1¼" x 0	9.05	8.05	7.40	6.40	6.60	6.40
D. Mollfied screenings	11.05	10.05	9.40	8.40	8.60	8.40
VII. Pennsylvania anthracite:	11.20	10.20	9.55	8.55	8.75	8.55
A. To and Inc. May 31, 1944:						
1. Egg, stove, nut	16.35	15.35	11.90	10.90	11.10	10.90
2. Buckwheat	16.70	15.70	12.20	11.20	11.40	11.20
B. On and after June 1, 1944 to and inc. June 30, 1944:	14.90	13.90	10.85	9.85	10.05	9.85
1. Egg, stove, nut	17.35	16.35	12.90	11.90	12.10	11.90
2. Buckwheat	16.45	15.45	12.00	11.00	11.20	11.00
IX. High volatile bituminous coal from Arkansas and Oklahoma, Dist. #14 ("semi-anthracite"):	13.60	12.60	10.15	9.15	9.35	9.15
1. Egg, stove, nut	15.75	14.75	11.30	10.30	10.50	10.30
2. Pea	14.35	13.35	10.30	9.30	9.50	9.30
X. By-product coke:	13.10	12.10	9.05	8.05	8.25	8.05
1. Egg, stove, nut	14.55	13.55	10.30	9.30	9.50	9.30
2. Pea	14.15	13.15	9.95	8.95	9.15	8.95
XI. Briquettes:	13.75	12.75	9.80	8.80	9.00	8.80
1. Briquettes made from Hocking Seam District No. 7 Coal	13.85	12.85	9.90	8.90	9.10	8.90
XII. Packaged fuel	1.05	0.95	0.25	0.25	8.50	8.75
XIII. High volatile bituminous coal from Dist. #9 (Western Kentucky)	0.55	0.55	7.40	7.00		6.40
A. Lump, 6"-3" and 3" x 2":						
1. Egg, 6"-3" and 3" x 2"						
2. Washed screenings (larger than ¾" x 0, not exceeding 2" x 0)						
XIV. High volatile bituminous coal from Dist. #11 (Indiana-Sullivan subdistrict, 4th vein, in consolidated price groups (including price Group No. 13):						
A. Lump 6" and over:						
1. Egg, 3" x 2"	10.05	9.05	8.35	8.35	8.55	8.35
2. Stove, 2" x 1¼"	10.70	9.70	9.05	8.00	8.20	8.00
3. Washed nut, 1¼" x ¾"	10.50	9.50	8.80	7.80	8.00	7.80
4. Washed screenings (larger than ¾" x 0 but not exceeding 2" x 0)	10.05	9.05	8.35	7.35	7.55	7.35
	9.28	8.25	7.10	6.00	7.10	6.10

To the above prices there may be added for calcium treated coal. If charged for at the mine, the sum of $0.10 per ton.
To the above prices there may be added for oil treated, wax treated or calcium treated coal, if charged for as the docks, and for coal calcium treated at the docks, the sum of $1.00 per ton.
To the above prices there may be added for sacking the coal the sum of $1.00 per ton.

Regulation No. 122, and for reasons stated in the opinion issued herewith, it is ordered that the price schedule set forth in paragraph (c) (1) of Order No. G–5 as amended, be and it is hereby amended to read as follows:

Description	Domestic coal: Delivered	Domestic coal: Consumer at yard	Steam coal: Delivered	Steam coal: Consumer at yard	Dealer at yard: Domestic	Dealer at yard: Steam
1	2	3	4	5	6	7
I. Low volatile bituminous coal from Dist. #7 (W. Va. & No. Va. Smokeless):						
1. Lump 3" and over, run of mine	$15.55	$14.55	$14.10	$13.70	$12.90	$13.10
2. Egg, 3" and larger egg mixed	15.90	14.90	14.45	14.05	13.25	13.45
3. Stove, 2" x 1¼" and larger	15.35	14.35	13.90	13.50	12.60	12.80
4. Pea or Nut, 1¼" x ¾"	14.55	13.55	13.05	12.65	11.80	12.00
5. Stoker Pea, ¾" x ¼"	13.55	12.55	11.90	11.55	10.80	10.95
6. Unscreened, stoker (buckwheat)	12.20	11.20	10.25	9.95	9.95	10.05
7. Screenings, stoker (buckwheat)	12.55	11.55	10.90	10.55	10.55	10.55
8. Run-of-mine, 3" and larger	13.45	12.45	11.90	11.55	11.05	10.95
Coal from Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Coal Company:						
9. Lump, 3" and over	16.40	15.40	14.95	14.55	13.95	13.95
10. Egg, 3" and larger	16.75	15.75	14.30	14.00	14.00	13.75
11. Stove, 2" x 1¼" and larger	16.20	15.20	14.70	14.20	12.45	13.75
II. High volatile bituminous coal from Dist. #8 (Southern W. Va., Va., Eastern Ky., Northern Tenn.):						
1. Lump, 3" and over:						
A. Premium Ky. (inc. coals in High Splint, Miller's Creek and Jellico Seams and No. 5 seam coal in Price Classification A)	14.35	13.35	12.50	12.10	11.60	11.80
B. Elkhorn	13.50	12.50	12.10	11.70	11.20	11.40
C. Dorothy, Hazard	13.60	12.60	12.00	11.55	11.05	11.25
E. Island Creek	13.40	12.40	11.75	11.35	10.85	11.05
2. Egg:						
A. Premium Kentucky (inc. coals in High Splint, Miller's Creek and Jellico Seams and No. 5 Seam Coal in Price Class. A)	14.15	13.15	12.30	11.90	11.40	11.60
B. Elkhorn	13.75	12.75	11.80	11.40	11.00	11.20
C. Harlan	13.60	12.60	11.75	11.35	10.85	11.05
D. Dorothy, Hazard	13.40	12.40	11.55	11.15	10.65	10.85
E. Island Creek	13.20	12.20	11.35	10.95	10.45	10.65
3. Stove:						
A. Premium Ky. (inc. coal in High Splint, Miller's Creek and Jellico Seams and No. 5 Seam Coal in Price Class. A)	13.80	12.80	11.95	11.55	11.05	11.25
B. Elkhorn	13.40	12.40	11.55	11.15	10.65	10.85
C. Harlan	13.25	12.25	11.40	11.00	10.50	10.70
D. Dorothy, Hazard	13.05	12.05	11.25	10.85	10.30	10.50
E. Island Creek	12.85	11.85	11.00	10.60	10.10	10.30
4. Domestic stoker (double screened coal):						
A. Premium Ky. (inc. coals in High Splint, Miller's Creek and Jellico Seams and No. 5 Seam Coal in Price Class. A) Elk. horn, Harlan	12.35	11.35	10.30	9.90	9.90	9.90
B. Dorothy, Hazard, Island Creek	12.05	11.05	10.30	9.90	9.90	9.90
C. Island Creek from Logan County, W. Va., in Price Class. H and in sizes	12.35	11.35	10.30	9.90	10.10	9.90
5. Screenings 1¼" and not exceeding 2" x 0:						
A. Premium Ky. (inc. coals in High Splint, Miller's Creek and Jellico Seams and No. 5 Seam Coal in Price Class. A), Elkhorn, Dorothy, Hazard, and Island Creek	11.45	10.45	9.35	8.95	9.20	8.95
B. Dorothy Screenings, and Island Creek	11.20	10.20	9.10	8.70	9.00	8.70
C. Hazard, and Island Creek	11.20	10.20	9.10	8.70	9.00	8.70
III. Cannel coal from Dist. #8 (W. Va. & Eastern Ky.):						
1. Lump, 3" and over, cut	15.90	14.90	13.50	13.10	12.30	12.50
IV. Low volatile bituminous coal (Smithing) from Dist. #7, (W. Va. and Northern Va.):						
1. Smithing Coal-bulk	14.95	13.95	13.05	12.65	12.10	12.40
V. Southern mid-volatile bituminous coal from Dist. #7 and #8 and Dist. #3 coal in Price Class. A:						
1. Lump, 3" and over	14.30	13.30	12.45	12.05	11.25	11.55
2. Egg, 3" x 1¼"	14.85	13.85	13.40	13.00	12.20	12.40
3. Stove, 2" x 1¼"	14.30	13.30	12.85	12.45	11.65	11.85
4. Nut, 1¼" x ¾"	13.30	12.30	11.45	11.05	10.25	10.45
5. Screenings 1¼" and not exceeding 2" x 0	11.45	10.45	9.35	8.95	9.20	8.95

This amendment No. 4 to Order No. G–5 shall become effective April 15, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–5718; Filed, April 21, 1944; 4:40 p. m.]

[Region VI Order G–14 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 4 to Order No. G–14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, *It is ordered*, That section (c) (1) of Order No. G–14 as amended, be and it is hereby amended to read as follows:

(c) *Price Schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of more than 1 ton. Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery", "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

AREA PRICES FOR MILWAUKEE, WISCONSIN

Description	Domestic ½ ton	Domestic 1 ton or more	Domestic at yard	Commercial	Dealer at yard
1	2	3	4	5	6
I. Hi-volatile bituminous, Dist. #2 and #3					
1. Lump 2" or larger	$5.45	$5.00	$9.15		$7.50
2. Egg and lump mixed	5.40	5.00	9.05		7.40
3. Stove 2" x 1¼" and larger	5.35	9.65	8.90		7.25
II. Low volatile bituminous, Dist. #7:					
1. Egg 3" x 2" and larger	7.45	13.90	13.15	$12.25	11.50
2. Stove 2" x 1¼" and larger	7.10	13.15	12.40	11.50	10.75
3. Nut 1¼" x ¾ and larger	6.60	12.15	11.40	10.50	9.75
4. Pea ¾" x ¾ and larger	6.15	11.25	10.50	9.60	8.85
5. Screenings ¼" x 0 and larger	4.90	8.80	8.05	7.00	6.40
6. Run of mine	5.70	10.35	9.60	8.70	7.95
III. Hi-volatile bituminous, Dist. #8:					
1. Lump, 2" and larger:					
A. Miller's Creek	6.05	11.10	10.35	9.45	8.70
B. Elkhorn	5.90	10.75	10.00	9.10	8.35
C. Dorothy	5.80	10.55	9.80	8.90	8.15
D. Island Creek	5.70	10.35	9.60	8.70	7.95
E. Hand Picked Fireplace, Class A	6.35	11.65	10.90		9.25
2. Egg:					
A. Miller's Creek	5.90	10.75	10.00	9.10	8.35
B. Elkhorn	5.80	10.55	9.80	8.90	8.15
C. Dorothy	5.70	10.35	9.60	8.70	7.95
D. Island Creek	5.60	10.20	9.45	8.55	7.80
3. Stove:					
A. Miller's Creek	5.70	10.35	9.60	8.70	7.95
B. Elkhorn	5.65	10.30	9.55	8.65	7.90
C. Dorothy	5.60	10.20	9.45	8.55	7.80
D. Island Creek	5.55	10.10	9.35	8.45	7.70
4. Stoker:					
A. Unscreened	5.70	10.35	9.60	8.65	7.95
B. Rescreened	5.90	10.75	10.00	9.05	8.35
5. Screenings:					
A. Miller's Creek	5.10	9.20	8.45	7.50	6.80
B. Elkhorn	5.10	9.20	8.45	7.50	6.80
C. Dorothy	5.00	9.00	8.25	7.30	6.60
D. Island Creek	4.96	8.90	8.15	7.20	6.50
IV. Hi-volatile bituminous, Dist. #10 (Southern subdistrict):					
1. Egg, 3" x 2"	5.15	9.30	8.55		6.80
2. Screenings	4.90	8.75	8.00		6.35
V. Pennsylvania anthracite:					
A. To and including May 31, 1944:					
1. Egg, stove, nut	8.25	15.30	14.75		13.15
2. Pea	7.50	14.00	13.35		11.60
3. Buckwheat	6.65	12.30	11.55		9.90
4. Rice	5.55	10.10	9.35		7.70
B. On and after June 1, 1944, to and including June 30, 1944:					
1. Egg, stove, nut	8.10	15.20	14.45		12.85
2. Pea	7.35	13.70	13.05		11.30
3. Buckwheat	6.50	12.00	11.25		9.60
4. Rice	5.45	9.95	9.10		7.45
VI. By-product coke:					
1. Egg, stove, nut	7.35	13.65	12.90		11.15
VII. Briquettes, all types	6.80	12.55	11.80		10.15

This amendment No. 4 to Order No. G–14 shall become effective as of April 15, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78 Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–5719; Filed, April 21, 1944; 4:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–876]

WHEELING ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City Philadelphia, Pennsylvania, on the 24th day of April, A. D. 1944.

Wheeling Electric Company ("Wheeling"), a public utility company, and its corporate parent, American Gas and Electric Company ("American Gas"), a registered holding company, having filed a joint declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 12 (c) and 12 (d) thereof, and Rules U-42, U-43 and U-50 promulgated thereunder with respect to the following transactions:

Wheeling will borrow from three New York City banks, Irving Trust Company, Bankers Trust Company and Guaranty Trust Company of New York, the sum of $2,000,000 and will issue notes therefor bearing 2% interest. Semi-annual payments on account of principal will be made which will liquidate the loan in six years. The proceeds of the loan, together with treasury funds of Wheeling to the extent necessary, will be applied to:

(1) Redemption and cancellation of 24,856 shares of 6% preferred stock of Wheeling now in the hands of the public at the redemption price of $110 per share plus any dividends unpaid to the date of redemption;

(2) Purchase for cancellation of 972 shares of said 6% preferred stock from American Gas for $94,882.75 (stated to be American Gas' cost of such shares) plus accrued dividends thereon to the date of delivery.

The accrued dividends will be paid by Wheeling out of general funds. Upon the redemption or purchase and cancellation of all of the 6% preferred stock the capital of Wheeling will be reduced by $2,582,800. Wheeling will amend its charter to eliminate from its capital structure the said preferred stock so that

the authorized shares of Wheeling will consist solely of 150,000 shares of no par value common stock. Wheeling presently has no outstanding funded debt.

The Public Utilities Commission of Ohio has authorized the issuance of promissory notes and the use of the proceeds together with other funds for the redemption and retirement of Wheeling's outstanding preferred stock.

Said declaration having been filed on March 29, 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the standards of section 7 will be satisfied by the issuance of the proposed note in that it is to be issued solely for the purpose of discharging the outstanding preferred stock of the declarant within the meaning of section 7 (c) (2) (A), that it is reasonably adapted to the security structure and earning power of declarant and other companies in the same holding company system within the meaning of sections 7 (d) (1) and 7 (d) (2), that it is appropriate to the economical and efficient operation of the business in which declarant is engaged within the meaning of section 7 (d) (3) and that the terms and conditions of the issue and sale are not detrimental to the public interest or the interest of investors or consumers within the meaning of section 7 (d) (5); and

The Commission further finding that the acquisition and retirement of the preferred stock of Wheeling will not adversely affect its financial integrity or its working capital or result in the circumvention of any of the provisions of the act or of the rules, regulations or orders thereunder within the meaning of section 12 (c) and that the sale by American Gas to Wheeling of the preferred stock of Wheeling held by it and the acquisition thereof by Wheeling at the cost thereof to American Gas require no adverse findings under the provisions of sections 12 (d) and 12 (f) and will not be detrimental to the public interest or the interests of investors or consumers and will not result in the circumvention of the provisions of this act or the rules, regulations or orders thereunder:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5016; Filed, April 26, 1944; 10:56 a. m.]

[File No. 70-887]

WEST PENN POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of April, A. D. 1944.

Notice is herby given that an application or declaration (or both) has been filed pursuant to the Public Utility Holding Company Act of 1935 by West Penn Power Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, a registered holding company.

All interested persons are referred to said application or declaration (or both), which is on file at the offices of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

West Penn Power Company proposes to issue and sell $12,500,000 principal amount of First Mortgage Bonds, Series L, 3%, due May 1, 1974. Such Series L Bonds will be sold through competitive bidding, pursuant to Rule U-50 promulgated under the Public Utility Holding Company Act of 1935.

The First Mortgage Bonds, Series L, 3% are proposed to be issued under the Indenture dated March 1, 1916 and Supplemental Indenture dated March 1, 1940 between the company and the Equitable Trust Company of New York (now succeeded by The Chase National Bank of the City of New York) as Trustee. Such bonds will contain a provision that the bearer or registered holder thereof waives that part of the covenant contained in the said Indenture whereby the company assumes any taxes with respect to such bonds.

The proceeds of the sale of such bonds, together with such other cash as may be required from the company's treasury, will be used by West Penn Power Company to redeem on September 1, 1944, $12,500,000 principal amount of its First Mortgage Bonds, Series E, 5%, at 105% of the principal amount thereof together with accrued interest thereon.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on May 8, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Notice is hereby given of said hearing to the above named applicant-declarant, to the Pennsylvania Public Utility Commission, and to all interested persons, said notice to be given to said applicant-declarant and to the Pennsylvania Public Utility Commission by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before May 5, 1944.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds meet the standards of the applicable provisions of the act and the rules promulgated thereunder.

(2) Whether the terms and conditions of the issue or sale of the bonds are detrimental to the public interest or the interest of investors or consumers.

(3) Whether the fees and commissions or other remuneration to whomsoever paid, directly or indirectly, in connection with the issue, sale or distribution of the bonds are reasonable.

(4) Whether, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5017; Filed, April 26, 1944; 10:55 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 85

Washington, Friday, April 28, 1944

The President

PROCLAMATION 2612

MOTHER'S DAY—1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS we are wont each year to express anew our love and affection for our mothers and our appreciation of their devotion to those national ideals which they have done so much to realize and preserve; and

WHEREAS the coming year will require of American mothers a still further demonstration of their splendid courage, that they may endure the absence, and even the loss, of their sons and husbands, and that they may continue valiantly to carry on their wartime responsibilities; and

WHEREAS the joint resolution of Congress approved May 8, 1914 (38 Stat. 770), designating the second Sunday in May as Mother's Day, recites that "the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration":

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby request the observance of Sunday, May 14, 1944, as Mother's Day, and direct that the flag of the United States be displayed on all Government buildings on that day.

And I call upon the people of the United States to give public and private expression on Mother's Day to the esteem in which our country holds its mothers, through the display of the flag at their homes and other suitable places, through tokens and messages of affection, and through prayers offered up in their places of worship that God will strengthen and protect all sons and daughters exposed to the dangers of war and that He will be near all mothers who need His comfort in the time of grief.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 25th day of April in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6019; Filed, April 27, 1944; 11:37 a. m.]

PROCLAMATION 2613

NATIONAL MARITIME DAY—1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Congress by a joint resolution approved May 20, 1933 (48 Stat. 73), designated May 22 of each year as National Maritime Day, in commemoration of the sailing from Savannah, Georgia, on May 22, 1819, of *The Savannah*, the first steam-propelled vessel to cross the Atlantic, and requested the President to issue annually a proclamation calling upon the people of the United States to observe that day; and

WHEREAS the Congress, in the Merchant Marine Act of 1936, approved June 29, 1936 (49 Stat. 1985), has declared it to be the policy of the United States to foster and encourage the development and maintenance of a merchant marine "(a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States insofar as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel"; and

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THE PRESIDENT

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–8, with index.

Book 3: Titles 10–17, with index.

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WHEREAS many thousands of American men and women have toiled through long hours in shipyards and factories in order to construct in the shortest possible time the fleet of vessels needed to carry out not only the long-range program envisioned in the Merchant Marine Act of 1936 but also the emergency program necessitated by the global war in which we are involved; and

WHEREAS many men have already given their lives, and thousands of others are daily risking their lives, on our ships traversing dangerous seas to carry men and materials to the far-flung battlefields; and

WHEREAS it is fitting that the patriotism, courage, sacrifice, and labor of these men and women, ashore and afloat, be publicly recognized:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1944, as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 25 day of April in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6020; Filed, April 27, 1944; 11:37 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-102, Amdt. 1]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN THE ADMINISTRATION OF WAR FOOD ORDERS FOR THE CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F. R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–102 (8 F. R. 16313, 9 F. R. 4319) is hereby amended as follows:

1. By deleting in § 1401.135 (b) the words "No. 79–1 through No. 79–101 (except No. 79–82)."

2. By deleting in (5) (iii) of § 1401.135 (b) the words "and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of solids for each one percent of butterfat content of such cheese," and substituting therefor, the following:

and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese).

3. By adding as (7) in § 1401.135 (b) the following provision:

(7) With the prior approval of the Chief, Dairy, and Poultry Branch, Office of Distribution, to increase for any or all of the quota periods of April, May, June, or July the quotas of any handler or group of handlers in any milk sales area for which he is market agent, in order to provide for the full utilization of milk in the public interest and to promote the national defense.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–102, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–102 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 24th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-6003; Filed, April 25, 1944; 12:52 p. m.]

[WFO 77, Revocation]

PART 1405—FRUITS AND VEGETABLES

DRY ONIONS

War Food Order No. 77 (9 F.R. 4310) (formerly designated as Food Distribution Order No. 77, as originally issued by the War Food Administrator on August 27, 1943, 8 F.R. 11889, and as amended, 8 F.R. 12775), is revoked as of 12:01 a. m., e. w. t., April 26, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 77, prior to the effective time of this revocation, all provisions of said War Food Order No. 77, in effect prior to this revocation shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-6009; Filed, April 25, 1944; 3:26 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5362]

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDIT FOR DEBT RETIREMENT

In order to conform Regulations 112 [Part 35, Title 26, Code of Federal Regulations, Cum. Supp.] to section 251 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 35.783–1 the following:

SEC. 251. TECHNICAL AMENDMENT TO CREDIT FOR DEBT RETIREMENT. (Revenue Act of 1943.)

(a) *In general.* Section 783 (b) (2) (relating to a limitation on the credit for debt retirement) is amended to read as follows:

(2) An amount equal to 40 per centum of the amount by which (A) the amount of indebtedness as of September 1, 1942, or (B) the smallest amount of indebtedness as of the close of any preceding taxable year ending after September 1, 1942, whichever amount is the lesser, exceeds the amount of indebtedness as of the close of the taxable year.

(b) *Taxable years to which applicable.* The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after September 1, 1942.

(c) *Election with respect to prior taxable years.* If by reason of the amendment made by subsection (a) a taxpayer would be entitled, had the election provided for in section 783 (a) of the Internal Revenue Code been duly made, to take any credit under such section with respect to a taxable year ended prior to the date of the enactment of this Act in any amount to which such taxpayer would not be entitled were it not for such amendment, the election of the taxpayer to take such credit in such amount may be made within ninety days after the date of the enactment of this Act.

PAR. 2. Section 35.783–1 is amended as follows:

(A) By inserting after the last sentence in paragraph (a) the following:

For special provisions relating to the election to take the credit for a taxable year beginning after September 1, 1942, and ending before February 25, 1944, in any amount to which the taxpayer would not be entitled were it not for the amendment to section 783 (b) (2) made by section 251 (a) of the Revenue Act of 1943, see § 35.783–2.

(B) By striking out subdivision (ii) of paragraph (b) (3) and inserting in lieu thereof the following:

(ii) An amount equal to 40 percent of the amount by which (a) the amount of indebtedness as of the beginning of September 1, 1942, or (b) the smallest amount of indebtedness as of the close of any preceding taxable year ending after September 1, 1942, whichever amount is the lesser, exceeds the amount of indebtedness as of the close of the taxable year.

(C) By striking out the last two paragraphs in example (2) in paragraph (b) and inserting in lieu thereof the following:

The credit allowable for debt retirement for 1943 is $68,000, computed as follows:

40 percent of $170,000, the total repaid in 1943 (see section 783 (a) and § 35.783–1 (a))	$68,000
But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 35.783–1 (b) (3)):	
10 percent of $800,000 (amount of tax imposed)	$80,000
40 percent of $170,000 (amount by which amount of indebtedness September 1, 1942, $400,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), $370,000, whichever amount ($400,000 or $370,000) is the lesser, $370,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), $200,000)	$68,000

(D) By striking out example (3) in paragraph (b) and inserting in lieu thereof the following:

Example (3). The excess profits tax imposed upon the W Corporation for the calendar year 1942 is $500,000, for the calendar year 1943 is $300,000, and for the calendar year 1944 is $400,000. The amounts paid by the corporation in repayment of indebtedness throughout the year 1942 total $100,000, throughout the year 1943 total $60,000, and throughout the year 1944 total $90,000. The outstanding indebtedness of the corporation during the years 1942, 1943, and 1944 is as follows:

	Paid	Borrowed	Total indebtedness
1942			
January 1			$250,000
July 10	$50,000		200,000
September 1			200,000
October 15	50,000		150,000
December 5		$25,000	175,000
December 31			175,000
Total paid	100,000		
1943			
January 1			175,000
March 15		75,000	250,000
November 10	60,000		190,000
December 31			190,000
Total paid	60,000		
1944			
January 1			190,000
June 30	90,000		100,000
December 31			100,000
Total paid	90,000		

The credit allowable for debt retirement for 1942 is $10,000, computed as follows:

40 percent of $100,000, the total repaid in 1942 (see section 783 (a) and § 35.783–1 (a))	$40,000
But the credit for debt retirement for 1942 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (3) and § 35.783–1 (b) (2)):	
10 percent of $500,000 (amount of tax imposed)	$50,000
40 percent of $25,000 (amount by which indebtedness September 1, 1942, $200,000, exceeds indebtedness at close of taxable year 1942, $175,000)	10,000

The credit allowable for debt retirement for 1943 is zero, computed as follows:

40 percent of $60,000, the total repaid in 1943 (see section 783 (a) and § 35.783–1 (a))	$24,000
But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 35.783–1 (b) (3)):	
10 percent of $300,000 (amount of tax imposed)	$30,000
40 percent of zero (amount by which amount of indebtedness September 1, 1942, $200,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), $175,000, whichever amount ($200,000 or $175,000) is the lesser, $175,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), $190,000)	zero

The credit allowable for debt retirement for 1944 is $30,000, computed as follows:

40 percent of $90,000, the total repaid in 1944 (see section 783 (a) and § 35.783–1 (a))	$36,000

But the credit for debt retirement for 1944 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 35.783–1 (b) (3)):

10 percent of $400,000 (amount of tax imposed)	$40,000
40 percent of $75,000 (amount by which amount of indebtedness September 1, 1942, $200,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942, $175,000; December 31, 1943, $190,000), $175,000, whichever amount ($200,000 or $175,000) is the lesser, $175,000, exceeds amount of indebtedness at close of taxable year (December 31, 1944), $100,000)	30,000

(E) By striking out the last computation, together with the parenthetical matter, under example (4) in paragraph (b), which begins as follows: "40 percent of $85,000", and inserting in lieu thereof the following:

40 percent of $85,000 (amount by which amount of indebtedness September 1, 1942, $100,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), $85,000, whichever amount ($100,000 or $85,000) is the lesser, $85,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), $270,000)	$34,000

PAR. 3. There is inserted immediately after § 35.783–1 the following new section:

§ 35.783–2 *Election to take certain credit for debt retirement for taxable years beginning after September 1, 1942, and ending before February 25, 1944*—(a) *Scope of section.* Section 251 (c) of the Revenue Act of 1943 provides in effect that, if by reason of the amendment to section 783 (b) (2) (relating to one of the limitations on the credit for debt retirement in the case of a taxable year beginning after September 1, 1942), made by section 251 (a) of such act a taxpayer would be entitled, had the election provided for in section 783 (a) been duly made, to take any credit for debt retirement with respect to a taxable year ended prior to February 25, 1944 (the date of the enactment of the Revenue Act of 1943), in any amount to which such taxpayer would not be entitled were it not for such amendment, the election of the taxpayer to take such credit in such amount may be made on or before May 25, 1944 (the ninetieth day after the date of the enactment of the Revenue Act of 1943). Section 783 (a) provides in effect, with respect to the election to take credit, that, if the taxpayer desires to take the credit for a taxable year in which amounts are paid in repayment of the principal of indebtedness, the election to take the credit must be made in the taxpayer's return for such year.

This section applies only to the election of the taxpayer to take credit for debt retirement against the excess profits tax for a taxable year beginning after September 1, 1942, and ending before February 25, 1944, in any amount to which such taxpayer would not be entitled were it not for the amendment made by section 251 (a) of the Revenue Act of 1943. The election to take the credit against the tax for such taxable year in any other amount and the election to take the credit against the tax for any other taxable year in any amount shall be made in accordance with section 783 (a) and § 35.783–1 (a).

The amount of the credit to which this section is applicable may be illustrated by the following example:

Example. The excess profits tax imposed upon the X Corporation for the calendar year 1943 is $800,000. The amounts paid by the corporation in repayment of indebtedness throughout the year 1943 total $170,000. The outstanding indebtedness of the corporation during the years 1942 and 1943 is as follows:

	Paid	Borrowed	Total indebtedness
1942			
January 1			$500,000
July 10	$100,000		400,000
September 1			400,000
October 22	50,000		350,000
December 3		$20,000	370,000
December 31			370,000
1943			
January 1			370,000
November 5	170,000		200,000
December 31			200,000
Total paid	170,000		

The credit allowable for debt retirement for 1943 under the law in force after the amendment made by section 251 (a) of the Revenue Act of 1943 is $68,000, computed as follows:

40 percent of $170,000, the total repaid in 1943 (see section 783 (a) and § 35.783–1 (a))	$68,000

But the credit for debt retirement for 1943 may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and (2) and § 35.783–1 (b) (3)):

10 percent of $800,000 (amount of tax imposed)	$80,000
40 percent of $170,000 (amount by which amount of indebtedness September 1, 1942, $400,000, or smallest amount of indebtedness at close of any preceding taxable year ending after September 1, 1942 (December 31, 1942), $370,000, whichever amount ($400,000 or $370,000) is the lesser, $370,000, exceeds amount of indebtedness at close of taxable year (December 31, 1943), $200,000)	68,000

The credit allowable for debt retirement for 1943 under the law in force prior to the amendment made by section 251 (a) of the Revenue Act of 1943 would have been $60,000, computed as follows:

40 percent of $170,000, the total repaid in 1943 (see section 783 (a) and § 35.783–1 (a))	$68,000

But the credit for debt retirement for 1943 under the law in force prior to the amendment may not exceed whichever of the following amounts is the lesser (see section 783 (b) (1) and section 783 (b) (2) in force prior to the amendment):

10 percent of $800,000 (amount of tax imposed)	$80,000
40 percent of $150,000 (amount by which lowest amount of indebtedness during period beginning September 1, 1942, through close of preceding taxable year (December 31, 1942), $350,000, exceeds indebtedness at close of taxable year (December 31, 1943), $200,000)	60,000

The amount of the credit to which this section is applicable is $8,000 ($68,000 minus $60,000). The election to take credit in such amount with respect to a taxable year beginning after September 1, 1942, and ending before February 25, 1944, is governed by the provisions of this section, while the election to take credit in the amount of $60,000 with respect to such taxable year is governed by the provisions of § 35.783–1 (a).

(b) *Manner and time of making election.* If the taxpayer desires to make the election to which this section applies, such election must be made in the taxpayer's excess profits tax return, either the return or an amended return, for the taxable year beginning after September 1, 1942, and ending before February 25, 1944, with respect to which the credit is allowable. If the taxpayer's excess profits tax return for such taxable year is filed on or before the last day on which the taxpayer's return for such year is required to be filed (including any extension of time for filing the return granted pursuant to section 53), such election must be made on or before whichever of the following dates is applicable:

(1) May 25, 1944, if such last day is on or before May 25, 1944, or

(2) Such last day, if such last day is after May 25, 1944.

An election not to take the credit to which this section applies, once made by filing a return for the taxable year on which such credit is not taken, is irrevocable after the expiration of the time prescribed for making the election under this section. An election to take such credit, once made by filing a return for the taxable year on which such credit is taken, similarly becomes irrevocable.

If the taxpayer files an excess profits tax return for the taxable year on or before the last day on which the taxpayer's return for such year is required to be filed (including any extension of time for filing the return granted pursuant to section 53) and if the taxpayer makes the election under this section in the return, the taxpayer should claim on such return such allowable credit for the taxable year as it desires to take, not only the credit to which the election under this section applies but also the credit to which the election under § 35.783–1 (a) applies.

If the taxpayer has filed an excess profits tax return for the taxable year prior to the expiration of the time prescribed for making the election under this section and if the taxpayer did not make such election in the return or desires to make a new election under this section, the election under this section may be made in an amended return filed by the taxpayer within the time prescribed for making such election. If such election is made in an amended return, such return shall fully and accurately set forth all the information required by the return form and by these regulations with respect to the computation of the tax, including the recomputation of the credit for debt retirement, the excess profits tax due, and the post-war credit under section 780 (a). The recomputation of the credit for debt retirement shall include (1) any allowable credit for debt retirement for the taxable year duly claimed by the taxpayer on the return previously filed and with respect to which the election under § 35.783–1 (a) has become irrevocable and (2) any allowable credit for debt retirement for the taxable year which the taxpayer elects to take pursuant to this section. If the election under § 35.783–1 (a) has not become irrevocable, the recomputation should include, in lieu of the credit mentioned in clause (1) of the preceding sentence, any allowable credit for debt retirement for the taxable year which the taxpayer desires to take pursuant to an election under § 35.783–1 (a). Such amended return shall not constitute a claim for credit or refund of an overpayment of tax. If the application of the credit for debt retirement, as recomputed, results in an overpayment of the excess profits tax for the taxable year, a timely claim for credit or refund should be filed in the usual manner. No interest will be allowed or paid upon any such overpayment. For limitations upon credits and refunds generally, see section 322.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62), as made applicable by sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C., 729 (a)), and in sec. 251 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 25, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6003; Filed, April 26, 1944; 11:25 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

AMENDMENT OF DETERMINATION UNDER EXECUTIVE ORDER 9240 AS TO THE FISH PROCESSING INDUSTRY

On June 7, 1943, the Secretary of Labor ordered, pursuant to Executive Order 9248, that the provisions of Executive Order 9240 shall not apply to employees engaged in the processing of fish, including the canning and reduction thereof, and operations incidental thereto, in the States of Washington, Oregon, and California and the Territory of Alaska. Upon application, an investigation has been made of the necessity and advisability of extending this order so that it will apply to the Fish Processing Industry in all other States and Territories, and Possessions of the United States. I find, upon the basis of this investigation, that the nature and exigencies of the operations in this industry make it necessary and advisable for the successful prosecution of the war to determine that the provisions of Executive Order 9240 shall not apply to the Fish Processing Industry in the United States, its Territories, and Possessions.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, I hereby amend my Determination of June 7, 1943, to provide that Executive Order 9240 entitled "Regulations Relating to Overtime Wage Compensation" shall not apply to employees engaged in the processing of fish including the canning and reduction thereof and operations incidental thereto in the United States, its Territories, and Possessions.

This order shall become effective April 26, 1944.

Dated: April 24, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44–6017; Filed, April 27, 1944; 11:35 a. m.]

Chapter V—Wage and Hour Division

PART 645—MINIMUM WAGE RATE IN THE FRUIT AND VEGETABLE PACKING AND FARM PRODUCTS ASSEMBLING INDUSTRY

RECOMMENDATION OF INDUSTRY COMMITTEE NO. 62

Whereas, on July 2, 1943, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 202, appointed Industry Committee No. 62 for the fruit and vegetable packing and farm products assembly industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the fruit and vegetable packing and farm products assembling industry in accordance with section 8 of the act; and

Whereas, the Committee included eight disinterested persons representing the public, a like number of persons representing employers in the fruit and vegetable packing and farm products assembling industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the fruit and vegetable packing and farm products assembling industry is carried on; and

Whereas, on July 30, 1943, the Committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the fruit and vegetable packing and farm products assembling industry; and

Whereas, after notices duly published in the FEDERAL REGISTER on August 7, 1943 and November 12, 1943, Donald M. Murtha, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at New York, New York, on August 26, 1943 and on December 2, 1943, at which all interested persons were given an opportunity to be heard; and

Whereas, the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas, all persons who appeared at the hearing held on August 26, 1943 and on December 2, 1943 were given leave to file briefs on or before September 10, 1943 and January 24, 1944, respectively; and

Whereas, after notice published in the FEDERAL REGISTER on January 11, 1944, oral argument was held on January 26, 1944 before the Administrator; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the act, with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the fruit and vegetable packing and farm products assembling industry, as defined by Administrative Order No. 202, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 62 for a Minimum Wage Rate in the Fruit and Vegetable Packing and Farm Products Assembling Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York,

Now, therefore, *It is ordered*, That:

Sec.
645.1 Approval of recomendation of Industry Committee No. 62.
645.2 Wage rate.
645.3 Posting of notices.
645.4 Definition of fruit and vegetable packing and farm products assembling industry.
645.5 Scope of the definition.
645.6 Effective date.

AUTHORITY: §§ 645.1 to 645.6, inclusive, issued under sec. 6, 52 Stat. 1064; 29 U.S.C., Supp. IV, sec. 206.

§ 645.1 *Approval of recommendation of Industry Committee No. 62.* The Committee's recommendation is hereby approved.

§ 645.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the fruit and vegetable packing and farm products assembling industry.

§ 645.3 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the fruit and vegetable packing and farm products assembling industry shall post and keep posted in a conspicuous place in each

department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 645.4 *Definition of the fruit and vegetable packing and farm products assembling industry.* For the purposes of this order the term "fruit and vegetable packing and farm products assembling industry" means:

The assembling and preparing for market of fresh fruits and vegetables, and other farm and related products (including wild and domesticated animals other than those assembled for processing into food for human or animal consumption).

(a) It includes, but without limitation:

(1) The packing of fresh fruits and vegetables; the shelling of nuts; the ginning and compressing of cotton; the retting and decorticating of flax and other vegetable fibers; and other similar operations performed on farm and related products.

(2) The gathering or collecting of wild berries, plants, flowers, gums, saps, seeds and other forms of wild plant or animal life.

(3) "The leaf processing branch of the Cigar Industry" as defined in the wage order for the Cigar Industry.

(b) *Provided, however,* That this industry does not include: (1) the assembling of fresh fruits and vegetables or other farm and related products when performed in a marketing or wholesaling establishment which does no preparing for market within the meaning of this definition and which receives directly from gatherers of non-cultivated products or from farmers products constituting less than one-half of all products handled; (2) logging; (3) public warehousing of commodities other than cotton; (4) any product included in the canned fruits and vegetables and related products industry; cottonseed and peanut crushing industry; vegetable fats and oils industry; and meat, poultry, and dairy products industry (as defined in Administrative Orders Nos. 182, 189, 190, and 201 respectively), or in the grain products industry and the tobacco industry (as defined in the wage orders for such industries).

§ 645.5 *Scope of the definition.* The definition of the fruit and vegetable packing and farm products assembling industry covers all occupations which are necessary to the operations of the industry, including clerical, maintenance, shipping and selling occupations: *Provided,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 645.6 *Effective date.* This wage order shall become effective May 22, 1944.

Signed at New York, N. Y. this 20th day of April, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-6977; Filed, April 26, 1944; 4:56 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 162]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 201.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce Number	*General license group*
Animals, edible:	
Poultry, live, 0019.00	K
Asbestos manufactures:	
Boiler mattress covers and fillers, 5459.09	K
Brake blocks, molded and semi-molded, 5459.01	K
Brake lining, molded and semi-molded, 5456.00	K
Clutch facing, molded and semi-molded, 5458.10	K
Paper, millboard, and roll board, 5453.00	K
Pipe covering and cement, 5454.00	K
Sheets, 5459.15	K
Buttons:	
Buttons and parts of all materials except synthetic resins or pearl shell, 9712.90	K
Button parts, backs, blanks, and molds, 9713.00	K
Clay and clay products:	
Electrical porcelain for less than 6600 volts, 3295.00	K
Cotton manufactures:	
Laces, embroideries and articles thereof, n. e. s., 3185.00	K
Electrical machinery and apparatus:	
Batteries, dry, multiple cell except flashlight, 7017.00	
Earphone batteries, 7017.00	None
Other batteries, 7017.00	None
Fodders and feeds:	
Hay, 1101.00	K
Glass and glass products:	
Electric insulators, glass, 5293.00	K
Leather manufactures:	
Leather manufactures, n. e. s. (include watch straps), 0699.00	K
Miscellaneous:	
Coin-operated commodity vending machines, 9871.00	K
Coin-operated machines except musical, n. e. s., 9872.00	K
Notions, cheap novelties and specialties, n. e. s. (except beads and bead articles), 9840.98	K
Musical instruments:	
Brass-wind instruments (include bugles, cornets, trombones, tubas, trumpets, sousaphones, French horns and other horns with cup mouthpieces), 9247.00	K
Percussions (include drums, cymbals, xylophones, etc.), 9245.00	K
Wood-wind instruments (include saxaphones, clarinets of wood, metal, or composition, flutes, piccolos, oboes, bassoons, English horns, heckelphones, fifes and sarrusophones), 9248.00	K
Office supplies, miscellaneous:	
Carbon paper, 9892.00	K
Fountain pen parts (include holders and nib assemblies and parts), 9812.00	K
Pencil leads, 9305.30	K
Pencil parts, 9305.50	K
Penholders and parts, n. e. s., 9819.00	K
Typewriter ribbons, 9395.00	
Mounted on spools containing steel or other CMP products, 9395.00	K
Other, mounted or unmounted, 9395.00	K
Office supplies, n. e. s. (including paper clips, binders, ink stands, dictaphone records, file fasteners, thumb tacks and pencil sharpeners), 9899.00	None
Desk pencil sharpeners, 9899.00	None
Paper clips, clamps and fasteners, 9399.00	None
Punches and perforators, 9399.00	None
Staple removers, 9399.00	None
Thumb tacks, 9899.00	None
Other office supplies, n. e. s., 9899.00	K
Scientific and professional instruments, apparatus, and supplies:	
Compasses, engineering and surveying, 9160.15	K
Drawing equipment, 9160.21	K
Levels, engineering and surveying, except mechanics hand tools, 9160.13	K
Map reproduction equipment, 9160.19	K
Plane tables, 9160.17	K
Surveying and engineering instruments, equipment and parts, n. e. s., 9160.29	K
Transits, 9160.11	K
Wood manufactures:	
Chairs (report chairs, chief value upholstery in 4248.00), 4242.00	K
Office furniture and store fixtures, 4244.00	K
Furniture, chief value of upholstery, n. e. s. (wood predominating in frame construction), 4248.00	K
Furniture, chief value of wood, n. e. s., 4247.00	K
Woodenware, 4298.00	K
Zinc:	
Photo engraving plates, finished, 9830.00	K

Shipments of the above commodities listed under the heading "Electrical machinery and apparatus" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to those commodities listed under the heading "Electrical machinery and apparatus" as to which this amendment shall become effective on May 4, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 25, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6000; Filed, April 27, 1944; 10:42 a. m.]

[Amdt. 163]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subdivision (ii) of subparagraph (2) of paragraph (a) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended by deleting therefrom the words "exclusive of zinc plates".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 236, 77th Cong.; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 21, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6001; Filed, April 27, 1944; 10:42 a. m.]

[Amdt. 164]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by deleting from the commodities listed therein the following commodities:

Commodity	*Schedule B No.*
*Aconite and preparations	2209.27 8124.98, 8127.98
*Arnica	2209.53, 8124.98
*Belladonna	2209.01, 8124.08, 8127.93, 8180.01, 8151.01, 8180.03
*Cinchopen	8135.98
Commutators	7099.90
Digitalis compounds	2209.98, 8136.98
Electrodes, carbon or graphite	5473.01, 5473.05, 5473.00, 5480.01, 5480.03
*Ergot and preparations	2209.96, 8124.98, 8127.98
*Gallic acid	8303.98
Gelatin capsules, empty	0099.00
*Guaicol	8135.98
*Homatropine	8180.03
*Hyoscyamus	2209.11, 8124.13, 8127.94, 8180.13
Kava-Kava	2209.98
Nutgall	2209.98
Paint spraying equipment	7720.00
Podophyllum	2206.00
Red squill	2209.31
*Stramonium and preparations	2209.25, 8124.98, 8127.96, 8180.14, 8180.19
Tannic acid	8303.98

And by inserting an asterisk (*) before the commodity "Hormones".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 636, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 27, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6002; Filed, April 27, 1944; 10:42 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88,[1] Amdt. 7]

FUEL OIL, GASOLINE, AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.19 (b) is added to read as follows:

(b) *Worcester, Massachusetts Area.* In the Worcester, Massachusetts Area, comprising the following townships and cities: Auburn, Barre, Berlin, Boylston, Charlton, Clinton, Dudley, East Brookfield, Grafton, Holden, Hopkinton, Lancaster, Leicester, Millbury, New Braintree, Northbridge, North Brookfield, Northborough, Oakham, Oxford, Paxton, Princeton, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sutton, Upton, Webster, West Boylston, Westborough and Worcester, maximum prices shall be as follows:

(1) For kerosene, No. 1 Fuel Oil and Range Oil:

	Cents per gallon
Loaded into buyers' tank wagons	8.3
Loaded into containers in quantities of 10 gallons or less at sellers bulk plant	10.8
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.6
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.6
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.1

(2) For Nos. 2, 3 and 4 Distillate Fuel Oil:

	Cents per gallon
Loaded into buyers' tank wagons	7.8
Tank wagon deliveries to consumers in quantities of 100 gallons or over	9.3
Tank wagon deliveries to consumers in quantities of less than 100 gallons	9.8

This amendment shall become effective May 2, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3718.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6009; Filed, April 27, 1944; 11:18 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 132]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 26.3 (d) is amended by substituting in the first sentence the number "50" for the number "75".

2. Section 26.3 (d) (3) is amended to read as follows:

(3) The number of points he needs until the end of the period. If the district office finds that he needs additional points, it will issue to him a certificate for the number of points he requests, but not more than 50% of his allotment for that period.

3. Section 26.3 (d) (4) is revoked.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6010; Filed, April 27, 1944; 11:20 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 133]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and

[1] 8 F.R. 13128, 13304, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16727, 16806, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 408, 677, 695, 849, 1054, 1532, 1561, 1728, 1818, 1909, 2236, 2240, 2406, 2568.

has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 10.5 (f) (7) is amended by deleting the words "primary distributor,".

2. Section 26.6 (a) is amended by substituting the words "a 'retail' or 'wholesale establishment,'" for the words "a 'retail,' 'wholesale,' or 'primary distributor establishment,'".

3. The first sentence of section 26.7 (a) is amended by inserting after the words "An independent collector" the words "who acquired household salvage fats for sale or transfer during October 1943".

4. Section 26.7 (a) (1) is amended by deleting the word "and".

5. Section 26.7 (a) (2) is amended by substituting a semicolon for the period at the end.

6. Section 26.7 (a) (3), (4) and (5) are added to read as follows:

(3) The number of points he owes for household salvage fats he acquired;

(4) The number of points owed to him for household salvage fats he transferred; and

(5) The number of points he has on hand and in his ration bank account.

7. Section 26.7 (b) is amended by deleting the second and third sentences, and substituting the following:

This allowable inventory is his working capital and is determined by multiplying by two the number of pounds of household salvage fats he transferred October 1943. The district office will issue to him a certificate in this amount, less the number of points owed to him for household salvage fats he transferred, the number of points he has on hand and in his ration bank account, and the number of pounds of such fats multiplied by two which he has on hand on the date of his application. However, if he owes points for fats acquired by him, the amount of any certificate issued under this paragraph shall be increased by the number of points owed.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6011; Filed, April 27, 1944; 11:20 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 515,[1] Correction]

SOYBEANS OF THE 1943 CROP

Maximum Price Regulation 515 is corrected in the following respects:

1. The definition of "country elevator" in section 10 should be corrected to read as follows:

"Country shipper" means, with respect to any lot of soybeans, a person who has received the soybeans from a producer or trucker-merchant and who has placed them in storage such as an elevator or warehouse.

2. Section 11 (d) (1) is corrected to read as follows:

(1) The aggregate markup for all sales by all sellers whose maximum prices are established under this paragraph (d) shall not exceed the applicable maximum markup specified in this paragraph, and the markup which a subsequent seller may add on resale is reduced or eliminated as the case may be, by the amount of the markup taken by prior sellers establishing a maximum price under this paragraph (d).

This correction shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6012; Filed, April 27, 1944; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[2] Amdt. 33]

CRUDE GYPSUM

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

1. The list of commodities in § 1499.167, Appendix B, of the Maximum Price Regulation No. 188, is amended by adding thereto the following product:

§ 1499.167 *Appendix B* * * *

Crude gypsum

This amendment shall become effective May 2, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2235, 2477.

[2] 7 F.R. 5672, 7967, 9943, 10155; 8 F.R. 537, 1315, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 8751, 8758, 9836, 10433, 10906, 11057, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2566, 3095, 3858.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6014; Filed, April 27, 1944; 11:20 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 127]

BUTCHERS' FROCKS SOLD BY DEFENSE SUPPLIES CORPORATION, THE AMERICAN MEAT INSTITUTE, AND MEAT PACKERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 3.13 is added to read as follows:

SEC. 3.13 *Butchers' frocks sold by Defense Supplies Corporation, the American Meat Institute, and meat packers.* Maximum prices for sales of butchers' frocks manufactured under Quartermaster Corps tentative specifications P. Q. D. No. 120, dated January 15, 1942, and sold by Quartermaster Corps to Defense Supplies Corporation are established as follows:

(a) Sales by Defense Supplies Corporation: $2.56 net per garment, f. o. b. warehouse.

(b) Sales by the American Meat Institute, Chicago, Illinois: $2.57 net per garment, f. o. b. warehouse.

(c) Sales by meat packers: a price not to exceed $2.57 per garment, plus the actual incoming transportation cost per garment which the packer paid.

(d) Prior to or at the time of shipment, the American Meat Institute shall furnish to persons purchasing these garments from it, the following notice:

We are sending this notice to you pursuant to requirement of the OPA. This notice advises you as to your ceiling price for the butchers' frocks which we are delivering to you. These frocks were made for the United States Army. Because of the urgent need for butchers' frocks by the packing industry, arrangements have been made for the release by the Army of these frocks for ultimate sale or distribution to employees at meat packing houses.

The ceiling price for the American Meat Institute, as fixed by the OPA, is $2.57 net per garment, F. O. B. warehouse.

If you are a packer, and you sell these frocks to your employees, your ceiling price as fixed by the OPA must not exceed the amount which you paid to the American Meat Institute, plus the incoming transportation cost, per garment, which you paid. Meat packers who have arrangements with employees for the distribution of protective clothing below acquisition cost, or without any charge, may, of course, continue these practices with respect to these frocks.

This amendment shall become effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6013; Filed, April 27, 1944; 11:18 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1673]

PART 192—OIL AND GAS LEASES

MISCELLANEOUS AMENDMENTS

Section 192.76, 192.77 and 192.78 are amended to read as follows:

§ 192.76 *Application for renewal.* An application to renew a 20-year lease for a period of 10 years should be filed in triplicate with the register of the district land office in which the leased land is located or if in a state in which there is no district land office, in the General Land Office at least 90 days, but not more than six months, prior to the expiration of its term. Such application should be made by the record title holder or holders of the lease and may be joined in or consented to by the operator of record. The application should show whether all monies due the United States have been paid and whether operations under the lease have been conducted in accordance with the regulations of the Department.

The applicant or his operator shall furnish in triplicate with the application for renewal, copies of all agreements not heretofore filed providing for overriding royalties or other payments out of production from the lease which will be in existence as of the date of its expiration. When such payments, including overriding royalties, are in excess of 5 percent of gross production a detailed statement of the income from and costs of operation of the lease for the twelve month period immediately preceding the month in which the application for renewal is filed must also be furnished. The register will forward one copy of the application to the supervisor of oil and gas operations, Geological Survey, for the district in which the lands are located.

§ 192.77 *Report by Geological Survey.* Upon receipt of a copy of the application for renewal, the oil and gas supervisor will report to the Director of the Geological Survey as to the effect of the overriding royalties or other payments out of production on the successful operation of the lease, the number and status of the wells drilled on the leasehold, the current rate of production, if any, whether the lessee has made full compliance with the operating regulations of the Geological Survey and, if not, the respects in which the lessee has failed to make compliance.

In reporting the facts with respect to overriding royalties or other payments, due consideration shall be given to the following: The cost of drilling, equipping, and operating the wells and the marketing of production, together with prevailing prices for production, the marketing facilities, the cost of transportation, the possibilities of increasing production under wise and skillful management, including secondary recovery operations, the estimated reserves, and any other factors that may influence the costs and income from the lands leased. The Director will report these facts to the Commissioner, General Land Office, with such recommendation as he deems proper.

§ 192.78 *Action in General Land Office.* The Commissioner of the General Land Office shall consider the application and report submitted by the Director of the Geological Survey. If the outstanding obligations payable from production do not constitute a burden on the lease prejudicial to the interests of the United States, they will not be considered a bar to its renewal but any lease that issues shall be upon the condition, to be incorporated in the lease, that if and when the costs of operations including the payment of overriding royalties or payments out of production shall be determined by the Secretary of the Interior to constitute such a burden such royalties and payments shall be reduced to not more than 5 percent of the value of the production. If no objection to the renewal of the lease appears to the Commissioner, copies of a renewal lease, in triplicate, dated the first day of the month in which the original lease terminated, will be forwarded to the lessee for execution. Upon receipt of the executed lease forms and a satisfactory lease bond the Commissioner shall then make his recommendation to the Secretary, and if the lease is executed by the Secretary, one copy thereof will be delivered to the lessee.

If a determination is made that overriding royalties and payments out of production in excess of 5 percent of gross production constitute a burden on lease operations to the extent that proper and timely development will be retarded, or continued operation of the lease impaired, or premature abandonment of the wells caused, the lease application will be suspended and the parties in interest will be offered an opportunity to reduce the excessive overriding royalties or other payments out of production to not more than 5 percent of the value of the production. In the event that the holders of outstanding overriding royalty or other interests payable out of production, the operator, and the lessee are unable to enter into a mutually fair and equitable agreement, any of the parties may apply for a hearing at which all interested parties may be heard and written statements presented. Thereupon a final decision will be rendered by the Department outlining the conditions acceptable to it as a basis for a fair and reasonable adjustment of the excessive overriding royalties and other payments out of production, and an opportunity will be afforded within a fixed period of time to submit proof that such adjustment has been effected. Upon failure to submit such proof within the time so fixed, the application for renewal will be denied.

Section revoked. Section 192.81a prescribed by Circular No. 1505 of March 9, 1942, is revoked.

FRED W. JOHNSON,
Commissioner.

NOVEMBER 12, 1943.

I concur:

THOMAS B. NOLAN,
Acting Director, Geological Survey.

Approved: April 20, 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44–6018; Filed, April 27, 1944; 11:38 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Exemption Order ODT 21–2A, Amdt. 1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

CERTIFICATES OF WAR NECESSITY

Pursuant to Executive Orders 8989, as amended, and 9156, § 521.3506 of Exemption Order ODT 21–2A, 8 F.R. 7404) is hereby amended by striking the word "Partial" from the caption, and by adding a paragraph designated as (h) immediately following the existing paragraph (g), to read as follows:

§ 521.3506 *Exemption of certain motor vehicles.* The following described commercial motor vehicles are hereby exempted from the provisions of General Order ODT 21, as amended:

* * * * * * *

(h) Any commercial motor vehicle operated in the course of its rebuilding, including operation to and from, within and between, rebuilding plants.

This Amendment 1 to Exemption Order ODT 21–2A shall become effective on April 27, 1944.

(Gen. Order ODT 21, as amended, 7 F.R. 7100, 9437, 8 F.R. 2510, 7357, 7680, 9033, 13071; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 27th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–5983; Filed, April 27, 1944; 10:16 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Credit Administration.

4 PERCENT CONSOLIDATED BONDS OF MAY 15, 1944–64

NOTICE OF CALL FOR REDEMPTION BY THE TWELVE FEDERAL LAND BANKS

To holders of 4 percent Consolidated Federal farm loan bonds of May 15, 1944–64, and others concerned:

Public notice is hereby given that the twelve Federal land banks have called all outstanding 4 percent consolidated Federal farm loan bonds of May 15, 1944–64, for redemption on May 15, 1944. Interest on them will cease on that date. Unless previously surrendered, these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after May 15, 1944.

[SEAL] W. E. RHEA,
Land Bank Commissioner.

APRIL 22, 1944.

Attest:

JOHN A. SMITH,
Deputy Land Bank Commissioner.

[F. R. Doc. 44–6015; Filed, April 27, 1944; 11:25 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 225]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, April 25, 1944, by National Produce of car URT 85488, potatoes, now on the Wood Street Terminal to Hoopeston, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44–6003; Filed, April 27, 1944; 11:04 a. m.]

[S. O. 200, Special Permit 2]

REICING OF EARLY POTATOES FROM CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once-in transit to full bunker capacity any refrigerator car loaded with early potatoes originating in California.

This permit shall become effective 12:01 a. m., April 26, 1944, and shall expire with May 10, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44–6004; Filed, April 27, 1944; 11:04 a. m.]

[S. O. 178, 3d Amended Gen. Permit 7]

LOADING OF DRIED OR EVAPORATED FRUITS, ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with dried or evaporated fruits, fig paste, fig powder, or fig pulp, or the transportation or movement of a refrigerator car or cars so loaded when moving under refrigeration.

This general permit shall become effective 12 noon April 25, 1944, and shall expire with September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44–6005; Filed, April 27, 1944; 11:04 a. m.]

[S. O. 201, Gen. Permit 1]

TRANSPORTATION OF ICE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the use for the transportation of ice of RS type refrigerator cars which are regularly assigned for the movement of ice and are stencilled, boarded or otherwise plainly marked for ice service.

This general permit shall become effective at 12:01 a. m., April 29, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44–6006; Filed, April 27, 1944; 11:04 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3465]

MARIA DETTMER

In re: Mortgage Participation Certificate for Maria Dettmer No. 95 of Series 150,275, issued by the Bond and Mortgage Guarantee Company, of New York; File D–66–889; E. T. sec. 5474.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sterling National Bank & Trust Company of New York, as Trustee, for the benefit of holders of certificates of participation in a mortgage investment guaranteed by the Bond and Mortgage Guarantee Company, and designated as Guarantee No. 150,275, 122 East 42nd Street, New York, New York, acting under the judicial supervision of the Supreme Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Maria Dettmer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Dettmer in and to the income and proceeds of bond and mortgage participation certificate No. 95 in the amount of $320.93 issued in Guaranteed Series No. 150,275 by the Bond and Mortgage Guarantee Company, being serviced by the Sterling National Bank & Trust Company of New York, 122 East 42nd Street, New York, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5985; Filed, April 27, 1944; 10:28 a. m.]

[Vesting Order 3466]

ALBERT EHLER

In re: Trust under will of Albert Ehler, deceased; File No. D–28–7423; E. T. sec. 7606.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bronx County Trust Company, as executor and trustee, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ella Klee Martens and her issue, names unknown, Spieka Neufeld, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act, or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ella Klee Martens, and her issue, names unknown, and each of them, in and to the trust created under the last will and testament of Albert Ehler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5986; Filed, April 27, 1944; 10:28 a. m.]

[Vesting Order 3467]

WILHELMINA BADER FELLMETH

In re: Estate of Wilhelmina Bader Fellmeth, deceased; File D–28–7833; E. T. sec. 8591.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. Lester Wolfe, Receiver, acting under the judicial supervision of the Superior Court for Mecklenburg County, North Carolina;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Paul Schaile, Germany.

Heirs, next of kin and distributees, names unknown, of Wilhelmina Bader Fellmeth, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $2,441.21 which is in the possession and custody of J. Lester Wolfe, Clerk of the Superior Court of Mecklenburg County, North Carolina,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5987; Filed, April 27, 1944; 10:28 a. m.]

[Vesting Order 3468]

CHARLES FRENZEL

In re: Estate of Charles Frenzel, deceased; File D–28–7898; E. T. sec. 8641.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Seattle-First National Bank, Executor, acting under the judicial supervision of the Superior Court of the State of Washington for King County;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelmine Wackner or her heirs, Germany.
August Frenzel or his heirs, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmine Wackner or her heirs, and August Frenzel or his heirs, and each of them, in and to the estate of Charles Frenzel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5988; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3469]

LOUIS HAAF

In re: Estate of Louis Haaf, deceased; File D–28–7620; E. T. sec. 8025.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Clara Johanson, Executrix, 4544a Flora Place, St. Louis (10), Missouri, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Schwestes Germana, Germany.
Simon Bohnert, Germany.
Mrs. Mina Schneider, (nee Wachenheim), Germany.
Mrs. Anna Schreiyack (nee Grusek), Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Schwester Germana, Simon Bohnert, Mrs. Mina Schneider (nee Wachenheim), and Mrs. Anna Schreiyack (nee Grusek), and each of them, in and to the estate of Louis Haaf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5989; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3470]

FRED HELLMAN

In re: Estate of Fred (Friederich) Hellmann, deceased; File D–66–240; E. T. sec. 2072.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by John C. Bambenek, Treasurer of Winona County, Winona, Minnesota, Depositary, acting under the judicial supervision of the Probate Court of Winona County, Winona, Minnesota;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Peter Schroeder, Germany.
Friedrich Schroeder, Germany.
Anna Barbara Schroeder Weigold, Germany.
Susanna Schroeder Paul, Germany.
Gottlieb Schroeder, Germany.
Elise Schroeder Bletzer, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $10,749.80, which is in the possession and custody of John C. Bambenek, Treasurer of Winona County, Minnesota, Depositary, pursuant to order entered June 17, 1940, by the Probate Court of Winona County, Minnesota, in the matter of the estate of Fred (Friederich) Hellmann, deceased, Case No. 9427; also,

All right, title, interest and claim of any kind or character whatsoever of Peter Schroeder, Friedrich Schroeder, Anna Barbara Schroeder Weigold, Susanna Schroeder Paul, Gottlieb Schroeder, Elise Schroeder Bletzer, and each of them, in and to the estate of Fred (Friederich) Hellmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5990; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3471]

ALICE H. HEMINGWAY

In re: Estate of Alice H. Hemingway, deceased; File No. D–28–7614; E. T. sec. 8082.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Georgiana H. Gray, as Executrix, acting under the judicial supervision of Probate Court, County of Middlesex, Commonwealth of Massachusetts;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rudolph von Pfister, Germany.
Elsie Hecker, Germany.
Hildegarde von Schapper, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rudolph von Pfister, Elsie Hecker and Hildegarde von Schapper, and each of them, in and to the estate of Alice H. Hemingway, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5991; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3472]

DETLEF HENSEN

In re: Trust under the last will of Detlef Hensen, deceased; File F–28–11358; E. T. sec. 1278.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Richards, Keene & Co., Trustee, 111 East 5th Street, Fremont, Nebraska, acting under the judicial supervision of the County Court of Dodge County, Nebraska (No. 3301);
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Magaretha Wohldmann (also known as Margaretha Wohldman), Germany.
Anna Behrend, Germany.
Katharina Losee (also known as Lohse), Germany.
Hans Hensen (also known as Hans J. Hensen), Germany.
Katharina Tons (also known as Catharine Toens), Germany.
Magaretha Gosch (also known as Margaretha), Germany.
Person or persons, names unknown, surviving issue of any of the above designated nationals who died prior to August 29, 1941, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Magaretha Wohldmann (also known as Margaretha Wohldman), Anna Behrend, Katharina Losee (also known as Lohse), Hans Hensen (also known as Hans J. Hensen), Katharina Tons (also known as Catharine Toens), Magaretha Gosch (also known as Margaretha), and person or persons, names unknown, surviving issue of any of the above designated nationals who died prior to August 29, 1941, and each of them, in and to the trust under the last will of Detlef Hensen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5992; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3473]

GUSTAV KACHEL

In re: Estate of Gustav Kachel, deceased; File F–28–11566; E. T. sec. 9619.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Walter F. Sheehan, 8004 Delmar Avenue, St. Louis, Missouri, Administrator, acting under the judicial supervision of the Probate Court of the City of St. Louis, State of Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Alfred Kachel, Germany.
Franz Kachel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alfred Kachel and Franz Kachel, and each of them, in and to the estate of Gustav Kachel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5993; Filed, April 27, 1944; 10:29 a. m.]

[Vesting Order 3474]

CHARLES T. KLEIN

In re: Trust under the will of Charles T. Klein, deceased; File D–28–2547; E. T. sec. 4920.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The City Bank Farmers Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Personal representatives, heirs, next of kin and distributees of Clara Wertheim, deceased, Germany.

Elsie Yoschkowitz, also known as Elise Joschkowitz, Germany.

The issue of Elsie Yoschkowitz, also known as Elise Joschkowitz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of personal representatives, heirs, next of kin, and distributees of Clara Wertheim, deceased, Elsie Yoschkowitz, also known as Elise Joschkowitz and the issue of Elsie Yoschkowitz, also known as Elise Joschkowitz, and each of them, in and to the trust created under the will of Charles T. Klein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5994; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3475]

HENRY KRANKENBERG

In re: Estate of Henry Krankenberg, deceased; File No. D–28–3896; E.T. sec. 6655.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Krankenberg, Executor of the Estate of Henry Krankenberg, deceased, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fred Krankenberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fred Krankenberg, in and to the estate of Henry Krankenberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5995; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3476]

WILLIAM J. KROMMINGA

In re: Estate of William J. Krommınga, deceased; File D–28–3833; E. T. sec. 6409.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the District Court in and for Hardin County, Eldora, Iowa, Depositary, acting under the judicial supervision of the District Court in and for Hardin County, Eldora, Iowa;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Krommınga, Germany.
Helen Boskhoff, Germany.
Wilhelmina Albers, Germany.
Person or persons, names unknown, heirs at law of William Krommınga, Helen Boskhoff, and Wilhelmina Albers, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $576.15, which is in the possession and custody of the Clerk of the District Court in and for Hardin County, Eldor, Iowa, Depositary, pursuant to the order of the District Court in and for Hardin County, Eldora, Iowa, entered March 26, 1943, in the matter of the estate of William J. Krommınga, deceased; also

All right, title, interest and claim of any kind or character whatsoever of William Krommınga, Helen Boskhoff, Wilhelmina Albers, and person or persons, names unknown, heirs-at-law of William Krommınga, Helen Boskhoff, and Wilhelmina Albers, and each of them, in and to the estate of William J. Krommınga, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5996; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3477]

ANNIE H. LACKLAND

In re: Estate of Annie H. Lackland, deceased; File: D–28–7991; E. T. sec. 8953 (H–55).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hawaiian Trust Company, Limited, Executor and Trustee, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elinor Castendyk Struve, Germany.
Surviving children, names unknown, of Elinor Castendyk Struve or the issue of any deceased child, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elinor Castendyk Struve and the Surviving children, names unknown, of Elinor Castendyk Struve or the issue of any deceased child, and each of them, in and to the Estate of Annie H. Lackland, deceased, and in and to the trust created under the will of Annie H. Lackland, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5997; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3478]

RUFUS W. LANE

In re: Estate of Rufus W. Lane, deceased; File D–11–72; E. T. sec. 8968.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, as Executor, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Bulgaria, namely,

National and Last Known Address

Etienne Psiachi, Bulgaria.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Etienne Psiachi in and to the estate of Rufus W. Lane, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5998; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3479]

MARGARET LINDNER

In re: Estate of Margaret Lindner, also known as Margarite Lindner, also known as Margarete Lindner and as Margaret Linder, deceased; File D–28–3743; E. T. sec. 5310.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Catherine Schmidt, Germany.
Sophie Schumm, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Catherine Schmidt and Sophie Schumm, in and to the Estate of Margaret Lindner, also known as Margarite Lindner, also known as Margarete Lindner and as Margaret Linder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5999; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 808, Amdt.]

MAXIMILIAN SPIESMACHER

Whereas, through clerical error the name, the Treasurer of the City of New York, Depositary, was inadvertently omitted from subparagraph (1) of Vesting Order Number 808 of February 1, 1943;

Now, therefore, Vesting Order Number 808 is hereby amended as follows and not otherwise by deleting said subparagraph (1) and inserting in lieu thereof the following paragraph:

The property and interests hereinafter described are property which is in the process of administration by Carl Spiesmacher, Administrator of the estate of Maximilian Spiesmacher, also known as Max Spiesmacher, deceased, and the Treasurer of the City of New York, Depositary, acting under the judicial supervision of the Surrogate's Court of the State of New York in and for Kings County,

All other provisions of said Vesting Order Number 808 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5855; Filed, April 25, 1944; 11:14 a. m.]

[Vested Order 2180, Amdt.]

EMPIRE STATE PROPERTIES AND TRADING CORP.

Vesting Order Number 2180, dated September 10, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the outstanding capital stock of Empire State Properties and Trading Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 10,000 shares of common having a par value of $65 a share, all registered in the name of "Voting Trustees under Trust Agreement, dated December 1, 1936" (Albrecht Pagenstecher III and Horst von Hennig), 5,000 shares (50%) represented by Voting Trust Certificates Nos. 11 and 15 registered in the names of Armin Wedekind and Alfred Wyss, respectively, are beneficially owned by the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

Name and Number of Shares

Oscar von Wedekind	2,500
Julia von Knorr	2,500
Total	5,000

2. That of the issued and outstanding Voting Trust Certificates representing 10,000 shares of common stock of Empire State Properties and Trading Corporation and issued under Voting Trust Agreement, dated December 1, 1936, Voting Trust Certificates Nos. 11 and 15 representing 2,500 shares each are registered in the names of Armin Wedekind and Alfred Wyss, respectively, and are beneficially owned by Oscar von Wedekind and Julia von Knorr, as their interests may appear, and are evidence of control of said Empire State Properties and Trading Corporation;

3. That Oscar von Wedekind and Julia von Knorr whose last known addresses are Berlin, Germany, are nationals of a designated enemy country (Germany);

and determining:

4. That Empire State Properties and Trading Corporation is controlled by or acting for or on behalf of Oscar von Wedekind and Julia von Knorr or a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 5,000 shares of the common stock of Empire State Properties and Trading Corporation hereinbefore more fully described in subparagraph 1 above and Voting Trust Certificates representing 5,000 shares of common stock of Empire State Properties and Trading Corporation hereinbefore more fully described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and

hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by,

payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5856; Filed, April 25, 1944; 11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 229]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CINCINNATI, OHIO, AND POINTS IN KENTUCKY AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective May 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Dixie Ohio Express Co. (a corporation), 1333 W. Seventh St., Cincinnati, Ohio.
Meeks Motor Freight (a corporation), Third & Baymiller Sts., Cincinnati, Ohio.

[F. R. Doc. 44–5984; Filed, April 27, 1944; 10:16 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[RMPR 204, Order 14]

RUBBER THREAD AND YARN; ELASTIC WEB AND BRAID

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328 and section 23 (a) of Revised Maximum Price Regulation 204, it is ordered:

(a) *Applicability of this order.* This order is applicable to:

(1) Sales of bare rubber thread to Defense Supplies Corporation;

(2) Sales of covered rubber thread and yarn to Defense Supplies Corporation; and

(3) Sales of elastic web and braid to Defense Supplies Corporation by holders of elastic web and braid who have altered its form.

(b) *Maximum prices for bare rubber thread.* The maximum price for sales of bare rubber thread covered by this order shall be the manufacturer's October 1, 1941, list price except in those cases where the Federal excise tax has been paid, in which event the amount of the tax may be added.

(c) *Maximum prices for covered rubber thread and yarn.* (1) The maximum prices for sales by manufacturers or coverers shall be:

(i) The manufacturer's or coverer's October 1, 1941, list price for the covered yarn or thread; or, if he had no list price as of that date,

(ii) The United States Rubber Company, New York, New York, October 1, 1941, list prices.

(2) The maximum prices for sales by persons other than manufacturers and commercial coverers shall be the lower of the following:

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5998; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 3479]

MARGARET LINDNER

In re: Estate of Margaret Lindner, also known as Margarite Lindner, also known as Margarete Lindner and as Margaret Linder, deceased; File D–28–3743; E. T. sec. 6310.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–5999; Filed, April 27, 1944; 10:30 a. m.]

[Vesting Order 808, Amdt.]

MAXIMILIAN SPIESMACHER

Whereas, through clerical error the name, the Treasurer of the City of New York, Depositary, was inadvertently omitted from subpparagraph (1) of Vesting Order Number 808 of February 1, 1943;

Now, therefore, Vesting Order Number 808 is hereby amended as follows and not otherwise by deleting said subparagraph (1) and inserting in lieu thereof the following paragraph:

The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the outstanding capital stock of Empire State Properties and Trading Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 10,000 shares of common having a par value of $65 a share, all registered in the name of "Voting Trustees under Trust Agreement, dated December 1, 1936" (Albrecht Pagenstecher III and Horst von Hennig), 5,000 shares (50%) represented by Voting Trust Certificates Nos. 11 and 15 registered in the names of Armin Wedekind and Alfred Wyss, respectively, are beneficially owned by the persons listed below in the number appearing opposite each name and are evidence of control of said business enterprise:

Name and Number of Shares	
Oscar von Wedekind	2,500
Julia von Knorr	2,500
Total	5,000

2. That of the issued and outstanding Voting Trust Certificates representing 10,000 shares of common stock of Empire State Properties and Trading Corporation and issued under Voting Trust Agreement, dated December 1, 1936, Voting Trust Certificates Nos. 11 and 15 representing 2,500 shares each are registered in the names of Armin Wedekind and Alfred Wyss, respectively, and are beneficially owned by Oscar von Wedekind and Julia von Knorr, as their interests may appear, and are evidence of control of said Empire State Properties and Trading Corporation;

3. That Oscar von Wedekind and Julia von Knorr whose last known addresses are Berlin, Germany, are nationals of a designated enemy country (Germany);

and determining:

4. That Empire State Properties and Trading Corporation is controlled by or acting for or on behalf of Oscar von Wedekind and Julia von Knorr or a designated enemy country

(i) The manufacturer's or coverer's March 1942 list price for the covered yarn or thread; or

(ii) The seller's net invoice cost of the covered yarn or thread.

(d) *Maximum prices for elastic web and braid.* The maximum price for sales of elastic web and braid covered by this order shall be that established by the General Maximum Price Regulation or Maximum Price Regulation 220, whichever is lower.

(e) *Conditions of sale.* The maximum prices established by this order are f. o. b. cars or trucks at seller's plant or point of storage.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 27, 1944.

Issued this 26th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6004; Filed, April 26, 1944; 3:53 p. m.]

[RPS 60, Order 13]

DIRECT CONSUMPTION SUGAR

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 13 under § 1334.51 (a) (6) (i) of Revised Price Schedule 60. Direct consumption sugar.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for pressed tablets and dots, unwrapped, packed four ounces per carton, net weight, 200 cartons in a fibreboard container by adding a differential of $5.25 per 100 pounds net to the maximum basis price.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective April 28, 1944.

(56 Stat. 23, 765; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6007; Filed, April 27, 1944; 11:21 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 22, 1944.

REGION I

Boston Order No. 2-F, Amendment No. 8, filed 3:08 p. m.

Connecticut Order No. 2-F, Amendment No. 4, filed 3:08 p. m.

Connecticut Order No. 3-F, Amendment No. 2, filed 3:08 p. m.

REGION II

Binghamton Order No. P-1, Amendment No. 3, filed 3:38 p. m.

District of Columbia Order No. P-1, Amendment No. 2, filed 3:35 p. m.

District of Columbia Order No. 1-F, Amendment No. 2, filed 3:35 p. m.

Harrisburg Order No. 1-F, Amendment No. 1, filed 3:10 p. m.

Maryland Order No. 1-F, Amendment No. 3, filed 3:58 p. m.

Maryland Order No. 2-W, filed 3:58 p. m.

Syracuse Order No. P-1, Amendment No. 3, filed 3:08 p. m.

Trenton Order No. 1-F, Amendment No. 2, filed 3:39 p. m.

Williamsport Order No. 1-F, Amendment No. 2, filed 3:39 p. m.

Williamsport Order No. P-1, Amendment No. 1, filed 3:39 p. m.

REGION III

Cincinnati Order No. 1-F, Amendment No. 20, filed 3:13 p. m.

Cincinnati Order No. 2-F, Amendment No. 19, filed 3:13 p. m.

Cincinnati Order No. 3-F, Amendment No. 4, filed 3:13 p. m.

Columbus Order No. 3-F, Amendment No. 17, filed 3:14 p. m.

Columbus Order No. 4-F, Amendment No. 8, filed 3:14 p. m.

Columbus Order No. 5-F, Amendment No. 6, filed 3:15 p. m.

Columbus Order No. 7-F, Amendment No. 17, filed 3:15 p. m.

Indianapolis Order No. 4-F, Amendment No. 11, filed 3:10 p. m.

Indianapolis Order No. 5-F, Amendment No. 11, filed 3:11 p. m.

Indianapolis Order No. 6-F, Amendment No. 11, filed 3:11 p. m.

Indianapolis Order No. 8-F, Amendment No. 11, filed 3:12 p. m.

Indianapolis Order No. 9-F, Amendment No. 11, filed 3:12 p. m.

Indianapolis Order No. 10-F, Amendment No. 11, filed 3:12 p. m.

Indianapolis Order No. 11-F, Amendment No. 11, filed 3:13 p. m.

Saginaw Order No. 2-F, Amendment No. 5, filed 3:47 p. m.

Saginaw Order No. 3-F, Amendment No. 6, filed 3:47 p. m.

Saginaw Order No. 2-F, Amendment No. 7, filed 3:47 p. m.

Saginaw Order No. 2-F, Amendment No. 8, filed 3:46 p. m.

Saginaw Order No. 2-F, Amendment No. 9, filed 3:50 p. m.

Saginaw Order No. 2-F, Amendment No. 10, filed 3:45 p. m.

Saginaw Order No. 2-F, Amendment No. 11, filed 3:46 p. m.

Saginaw Order No. 2-F, Amendment No. 12, filed 3:46 p. m.

Saginaw Order No. 2-F, Amendment No. 13, filed 3:46 p. m.

Saginaw Order No. 2-F, Amendment No. 14, filed 3:46 p. m.

Saginaw Order No. 2-W, Amendment No. 1, filed 3:44 p. m.

Saginaw Order No. 19, Amendment No. 1, filed 3:45 p. m.

REGION IV

Atlanta Order No. 1-F, Amendment No. 10, filed 3:16 p. m.

Atlanta Order No. 5-F, Amendment No. 7, filed 3:17 p. m.

Atlanta Order No. 6-F, Amendment No. 1, filed 3:16 p. m.

Jackson Order No. 2-F, Amendment No. 7, filed 3:18 p. m.

Montgomery Order No. 5-F, Amendment No. 5, filed 3:19 p. m.

Montgomery Order No. 7-F, Amendment No. 2, filed 3:40 p. m.

Montgomery Order No. 8-F, Amendment No. 6, filed 3:40 p. m.

Montgomery Order No. 9-F, Amendment No. 2, filed 3:19 p. m.

Roanoke Order No. 1-W, filed 3:18 p. m.

Savannah Order No. 1-F, Amendment No. 31, filed 3:51 p. m.

Savannah Order No. 2-F, Amendment No. 26, filed 3:52 p. m.

Savannah Order No. 3-F, Amendment No. 24, filed 3:52 p. m.

Savannah Order No. 4-F, Amendment No. 23, filed 3:52 p. m.

Savannah Order No. 5-F, Amendment No. 4, filed 3:52 p. m.

REGION V

Dallas Order No. 1-F, Amendment No. 12, filed 3:40 p. m.

Dallas Order No. 3-F, Amendment No. 10, filed 3:38 p. m.

Fort Worth Order No. 1-F, Amendment No. 13, filed 3.21 p. m.

Fort Worth Order No. 2-F, Amendment No. 13, filed 3.21 p. m.

Fort Worth Order No. 3-F, Amendment No. 13, filed 3:20 p. m.

Fort Worth Order No. 4-F, Amendment No. 13, filed 3:19 p. m.

Fort Worth Order No. 5-F, Amendment No. 13, filed 3:21 p. m.

New Orleans Order No. 2-F, Amendment No. 13, filed 3:23 p. m.

New Orleans Order No. G-17, Amendment No. 1, filed 3:23 p. m.

New Orleans Order No. G-18, Amendment No. 1, filed 3:32 p. m.

New Orleans Order No. G-19, Amendment No. 1, filed 3:22 p. m.

New Orleans Order No. G-20, Amendment No. 1, filed 3:22 p. m.

Shreveport Order No. 2-F, Amendment No. 10, filed 3:22 p. m.

Tulsa Order No. 5-F, Amendment No. 3, filed 3:41 p. m.

Tulsa Order No. 6-F, Amendment No. 3, filed 3:41 p. m.

REGION VI

Fargo-Moorhead Order No. 1-W, Amendment No. 1, filed 3:41 p. m.

Fargo-Moorhead Order No. 2-W, filed 3:42 p. m.

La Crosse Order No. 1-F, Amendment No. 13, filed 3:25 p. m.

La Crosse Order No. 3-F, Amendment No. 8, filed 3:24 p. m.

La Crosse Order No. 4-F, Amendment No. 8, filed 3:25 p. m.

La Crosse Order No. 5-F, Amendment No. 8, filed 3:25 p. m.

Milwaukee Order No. 1-F, Amendment No. 1, filed 3:25 p. m.

Milwaukee Order No. 2-F, Amendment No. 10, filed 3:26 p. m.

Milwaukee Order No. 3-F, Amendment No. 10, filed 3:26 p. m.

Milwaukee Order No. 5-F, Amendment No. 9, filed 3:30 p. m.

Sioux Falls Order No. 2-W, filed 3:42 p. m.

Springfield Order No. 23, Amendment No. 1, filed 3:43 p. m.

Springfield Order No. 23, Amendment No. 2, filed 3:43 p. m.

Springfield Order No. 24, Amendment No. 1, filed 3:36 p. m.

Springfield Order No. 24, Amendment No. 2, filed 3:43 p. m.

Springfield Order No. 25, Amendment No. 1, filed 3:35 p. m.

Springfield Order No. 25, Amendment No. 2, filed 3:43 p. m.

Springfield Order No. 26, Amendment No. 1, filed 3:43 p. m.

Springfield Order No. 26, Amendment No. 2, filed 3:43 p. m.

Springfield Order No. 27, Amendment No. 1, filed 3:36 p. m.
Springfield Order No. 27, Amendment No. 2, filed 3:43 p. m.
Springfield Order No. 28, Amendment No. 1, filed 3:36 p. m.
Springfield Order No. 28, Amendment No. 2, filed 3:43 p. m.

REGION VII

Montana Order No. 8–F, filed 3:47 p. m.
Montana Order No. 9–F, filed 3:49 p. m.
Montana Order No. 10–F, filed 3:48 p. m.
Montana Order No. 11–F, filed 3:48 p. m.

REGION VIII

Fresno Order No. 1–F, Amendment No. 13, filed 3:38 p. m.
Fresno Order No. 2–F, Amendment No. 1, filed 3:38 p. m.
Los Angeles Order No. 1–F, Amendment No. 8, filed 3:51 p. m.
Phoenix Order No. 3–F, Amendment No. 15, filed 3:31 p. m.
Phoenix Order No. 8, Amendment No. 3, filed 3:39 p. m.
Phoenix Order No. 9, Amendment No. 3, filed 3:30 p. m.
Phoenix Order No. 12, Amendment No. 1, filed 3:49 p. m.
Sacramento Order No. 1–W, Amendment No. 1, filed 3:30 p. m.
Sacramento Order No. 2–W, Amendment No. 1, filed 3:31 p. m.
Sacramento Order No. 13, Amendment No. 2, filed 3:33 p. m.
Sacramento Order No. 3 (Rev.), Amendment No. 3, filed 3:33 p. m.
Sacramento Order No. 6 (Rev.), Amendment No. 4, filed 3:32 p. m.
Sacramento Order No. 7 (Rev.), Amendment No. 3, filed 3:32 p. m.
Sacramento Order No. 8 (Rev.), Amendment No. 3, filed 3:32 p. m.
Sacramento Rev. Order No. 9, Amendment No. 3, filed 3:33 p. m.
San Diego Order No. 1–F, Amendment No. 32, filed 3:34 p. m.
San Francisco Order No. 1–F, Amendment No. 10, filed 3:49 p. m.
San Francisco Order No. 2–F, Amendment No. 3, filed 3:50 p. m.
San Francisco Order No. 3–F, Amendment No. 2, filed 3:50 p. m.
San Francisco Order No. 4–F, Amendment No. 1, filed 3:50 p. m.
San Francisco Order No. 5–F, filed 3:49 p. m.
Seattle Order No. 1–F, Amendment No. 12, filed 3:38 p. m.
Seattle Order No. 2–F, Amendment No. 10, filed 3:37 p. m.
Seattle Order No. 3–F, Amendment No. 12, filed 3:37 p. m.
Seattle Order No. 5–F, Amendment No. 10, filed 3:37 p. m.
Seattle Order No. 4–F, Amendment No. 12, filed 3:37 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–5009; Filed, April 25, 1944; 4:10 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 25, 1944.

REGION II

Altoona Order No. 1–F, Amendment No. 3, filed 10:07 a. m.

REGION III

Escanaba Order No. 9–F, Amendment No. 8, filed 10:06 a. m.
Escanaba Order No. 10–F, Amendment No. 8, filed 10:06 a. m.
Escanaba Order No. 11–F, Amendment No. 8, filed 10:06 a. m.
Escanaba Order No. 12–F, Amendment No. 7, filed 10:06 a. m.
Escanaba Order No. 13–F, Amendment No. 7, filed 10:06 a. m.
Escanaba Order No. 14–F, Amendment No. 7, filed 10:06 a. m.
Escanaba Order No. 15–F, Amendment No. 7, filed 10:06 a. m.
Escanaba Order No. 16–F, Amendment No. 7, filed 10:05 a. m.
Escanaba Order No. 17–F, Amendment No. 6, filed 10:05 a. m.

REGION IV

Montgomery Order No. 5–F, Amendment No. 6, filed 10:08 a. m.
Montgomery Order No. 7–F, Amendment No. 3, filed 10:05 a. m.
Montgomery Order No. 8–F, Amendment No. 7, filed 10:09 a. m.
Montgomery Order No. 9–F, Amendment No. 3, filed 10:09 a. m.
Raleigh Order No. 1–W, Amendment No. 1, filed 10:07 a. m.
Raleigh Order No. 5–F, Amendment No. 1, filed 10:07 a. m.
Raleigh Order No. 11, Amendment No. 3, filed 10:07 a. m.

REGION V

Fort Worth Order No. 1–W, Amendment No. 1, filed 10:05 a. m.
Houston Order No. 1–F, Amendment No. 8, filed 10:10 a. m.
St. Louis Order No. G–15, Amendment No. 1, filed 10:07 a. m.

REGION VI

Chicago Order No. 2–F, Amendment No. 10, filed 10:15 a. m.
Moline Order No. 2–F, Amendment No. 10, filed 10:09 a. m.

REGION VIII

Portland Order No. 1–F, Amendment No. 12, filed 10:10 a. m.
San Diego Order No. 7, filed 10:10 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–5045, Filed April 26, 1944; 11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–94; 59–59]

AMERICAN STATES UTILITIES CORP., ET AL.

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of April, A. D. 1944.

In the matters of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, applicants, File No. 54–94; American States Utilities Corporation, et al., respondents, File No. 59–59. Notice of filing and notice of and order for hearing on plan filed pursuant to section 11 of the Act, and order of consolidation.

I. Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by American States Utilities Corporation ("American States"), a registered holding company, Edison Sault Electric Company ("Edison Sault"), and Southern California Water Company ("Southern California"), subsidiaries of American States, whereby said applicants seek approval, pursuant to section 11 (e) of said act, of a plan for certain action designed to enable American States to comply with section 11 (b) of said act, a copy of which plan is made a part of said application. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

American States, organized under the laws of Maryland in 1936 pursuant to a Modified Plan of Reorganization for its predecessor company, American States Public Service Company, which plan was confirmed on September 28, 1936 under section 77B of the National Bankruptcy Act by the United States District Court for the district of Maryland, proposes to liquidate and dissolve after having distributed its assets to its present security holders, on the basis described below. Such assets consist mainly of all of the outstanding common stocks of its two subsidiaries, Edison Sault and Southern California. American States had outstanding, as of February 29, 1944, 125,713 shares of 5½% Cumulative Preferred Stock, $25 par value, and 221,088 shares of Common Stock, $1 par value.

The plan provides that the Articles of Incorporation of Edison Sault and Southern California shall be amended, subject to approval of appropriate state authorities, to provide for the reduction in the stated or par value of the common stocks of such companies so as to enable each company to issue 162,561 shares of common stock instead of the presently outstanding number of shares. The plan further provides that such 162,561 shares of common stock of Edison Sault and Southern California will then be transferred to the Baltimore National Bank, as exchange agent, which bank will distribute such securities to the holders of American States preferred and common stocks in the following proportions:

(1) To the holder of each share of American States preferred stock, one share of Edison Sault common and one share of Southern California common will be issued.

(2) To the holders of six shares of American States common stock, one share of Edison Sault common and one share of Southern California common will be issued. Scrip certificates will be issued to the holders of American States common stock in place of issuing stock in amounts of less than full shares of Edison Sault common and Southern California common stocks.

The plan further proposes that after the said distribution of the stocks of Edison Sault and Southern California among the holders of American States preferred and common stocks and after providing for all of the debts and obligations of American States, any remaining cash balances will be delivered to the Baltimore National Bank to be distributed

among the preferred and common stockholders of American States on the same basis as the common stocks of Edison Sault and Southern California are proposed to be distributed. Thereafter, American States will be dissolved.

The plan further proposes that if the preferred and common stocks of American States and the outstanding and unexchanged First Lien 5% Gold Bonds and 10-year 6% Convertible Gold Debentures of American States Public Service Company (predecessor company) are not exchanged for the securities and cash available for such security holders within a period of five years from the date of approval of the said plan by the United States District Court having jurisdiction over the enforcement of the plan, then, at the expiration of such period of time, all the rights of such security holders shall be cut off and extinguished. The plan further provides that within 90 days after such cut-off date, all of the common stocks of Edison Sault and Southern California which may then remain in possession of the Baltimore National Bank shall be surrendered for retirement to the respective companies which issued said stocks, that any cash held by the bank derived from dividends upon shares of Edison Sault and Southern California shall be returned to such respective companies, and that any other cash then held by the bank as agent for the security holders of American States or its predecessor shall be divided equally between Edison Sault and Southern California. All such cash shall then be distributed pro rata among the then common stockholders of the said companies.

The plan further proposes that the rights to purchase common stock of American States, now possessed by holders of warrants issued under the Warrant Agreement of American States dated November 10, 1936, and the rights to obtain warrants, now possessed by holders of 6% Cumulative Preferred Stock of American States Public Service Company who have not obtained warrants under said Warrant Agreement of November 10, 1936, shall be terminated upon consummation of the proposed liquidation of American States in accordance with the provisions of the Articles of Incorporation of American States.

The consummation of the plan is subject to all necessary approvals by this Commission and to approval by a United States Court having jurisdiction with respect thereto, and upon such approvals having been obtained, the plan and each of the steps, terms and provisions thereof is to be binding upon all security holders of American States.

II. Heretofore, on April 9, 1943, the Commission entered an order (Holding Company Act Release No. 4230) in the proceeding theretofore instituted by the Commission directed to American States and its subsidiaries, pursuant to section 11 (b) of the act, identified by the Commission's File No. 59-59, which order was, in pertinent part, as follows:

It is ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that American States Utilities Corporation shall take such action as may be necessary to cause its liquidation and dissolution; and

It is further ordered, That American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, and Grimes Pass Power Company, respondents herein, shall proceed with due diligence to submit to this Commission a plan to effect prompt compliance with the foregoing order pursuant to section 11 (b) (2) of said act and shall take such steps as may be necessary or appropriate to effectuate this order; and

It is further ordered, That jurisdiction be, and the same hereby is, reserved for the purpose of considering any and all plans for compliance with the action hereinbefore ordered, for the purpose of entering such further orders as may be necessary or appropriate to ensure that the action hereinbefore ordered is accomplished in a manner consistent with the public interest and with the provisions of the Public Utility Holding Company Act of 1935.

In conformity with said order, and it appearing to the Commission that common questions of law and of fact are involved in said proceeding instituted by the Commission pursuant to section 11 (b) of the act and in the proceedings upon the applications filed by American States, Edison Sault, and Southern California pursuant to section 11 (e) of the act, summarized in Part I of this notice and order;

It is ordered, That the proceedings upon said applications of American States, Edison Sault, and Southern California designated by the Commission's File No. 54-94 be, and the same are, hereby consolidated with those proceedings instituted by the Commission directed to American States, and its subsidiaries under section 11 (b) of the act, identified by the Commission's File No. 59-59;

Provided, That nothing herein contained shall be deemed to constitute a reopening of the record in said proceeding instituted by the Commission in respect of any issue decided by said order of April 9, 1943 or to constitute a modification or amendment of said order.

III. *It is further ordered*, That a hearing on said matters so consolidated be held on the 8th day of June, 1944, at 10:00 a. m., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for the purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

Notice is hereby given of said consolidated hearing to the above-named applicants and respondents, California Railroad Commission, Michigan Public Service Commission, and to all interested persons; said notice to be given to said applicants and respondents and to the California Railroad Commission and to the Michigan Public Service Commission by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of this Commission, on or before June 1, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That American States shall give additional notice of said hearing to all known holders of its preferred and common stocks and its stock purchase warrants by causing a copy of this notice and order of hearing to be mailed to such holders at their respective last-known addresses, such mailing to be made not later than May 10, 1944.

It is further ordered, That, without limiting the scope of the issues presented by said application under section 11 (e) and otherwise to be considered in these proceedings, particular attention shall be directed at the hearing to the following matters and questions:

(1) Whether the plan as proposed or as modified is necessary and appropriate to effectuate the provisions of section 11 (b) of the act, fair and equitable to the persons affected thereby, and in conformity with the requirements of the Commission's order of April 9, 1943.

(2) Whether the proposed allocation of the common stocks of Edison Sault and Southern California to the preferred and common stockholders of American States is fair and equitable, or whether such allocation should be modified to provide a different allocation of said common stocks of Edison Sault and Southern California among the preferred and common stockholders of American States.

(3) Whether the proposed reduction in the stated or par value of the common stocks of Edison Sault and Southern California and the proposed increase in the number of outstanding shares of the said companies meet applicable standards of the Act;

(4) Whether the plan contains provisions with respect to fees and expenses to be paid in connection with the plan and all transactions incidental thereto which are reasonable and appropriate and in the public interest.

(5) Whether the accounting adjustments and entries proposed to be made in connection with the plan are proper and are in accordance with sound accounting practice.

(6) To what extent, if any, the proposed plan should be modified or amended to render it feasible and fair and equitable to the persons affected and what terms and conditions should be imposed in the public interest or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5981; Filed, April 27, 1944; 9:51 a. m.]

[File No. 1-2295]

BANK OF SILESIAN LANDOWNERS ASSOCIATION

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of April, A. D. 1944.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% First Mortgage Collateral Sinking Fund Gold Bonds, due 1947, of Bank of Silesian Landowners Association;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, May 8, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Chas. S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5980; Filed, April 27, 1944; 9:51 a. m.]

[File No. 70-826]

AGINCOURT LAND CORPORATION AND JERSEY CENTRAL POWER & LIGHT COMPANY

ORDER GRANTING APPLICATION DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of April 1944.

Jersey Central Power & Light Company, a subsidiary of a registered holding company, and its wholly-owned subsidiary, Agincourt Land Corporation, having filed a joint application-declaration pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and rules promulgated thereunder regarding: (1) the donation by Jersey Central Power & Light Company of the open account indebtedness owed to it by Agincourt Land Corporation, which, as at October 31, 1943, amounted to $302,975.02; and (2) the subsequent merger of Agincourt Land Corporation and Jersey Central Power & Light Company, to be effected by the acquisition by Jersey Central Power & Light Company of all of the assets of Agincourt Land Corporation, which consist solely of interests in real property, principally rights of way, plant and substation sites for electric and gas utility purposes, and land acquired in connection with needed acquisitions, and the surrender by Jersey Central Power & Light Company to Agincourt Land Corporation for cancellation all of the common stock of Agincourt Land Corporation;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5982; Filed, April 27, 1944; 9:51 a. m.]

N. Y. STOCK EXCHANGE AND N. Y. CURB EXCHANGE

DECLARATION OF EFFECTIVENESS OF AMENDED PLANS

The Securities and Exchange Commission, having previously declared effective a plan for special offerings, and certain amendments thereto, filed pursuant to Rule X-10B-2 (d) (§ 240.10b-2 (d)) by the New York Stock Exchange and the New York Curb Exchange; and the New York Stock Exchange, on April 14, 1944, and the New York Curb Exchange, on April 20, 1944, having filed further amendments to their plans for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plans of both the New York Stock Exchange and the New York Curb Exchange, as amended, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plans as filed by the New York Stock Exchange on April 14, 1944, and by the New York Curb Exchange on April 20, 1944, to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plans by sending at least ten days' written notice to the Exchanges.

Effective April 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-5979; Filed, April 27, 1944; 9:51 a. m.]

WAR MANPOWER COMMISSION.

ADRIAN, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Adrian, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Adrian, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Adrian Area shall include:

Lenawee County.

II. The effective date of this designation is December 15, 1943.

III. Not later than the effective date, each employer in the Adrian Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 13, 1943.

ROBERT C. GOODWIN, *Regional Director, Region V.*

[F. R. Doc. 44-5954; Filed, April 26, 1944; 3:02 p. m.]

BATTLE CREEK, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Battle Creek, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Battle Creek, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Battle Creek Area shall include:

Calhoun County.

Barry County: (Baltimore, Maple Grove, Barry, Johnstown and Assyria Townships only).

Eaton County: Kalamo, Bellevue and Walton Townships only).

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Battle Creek Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum war-

time workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 30, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5955; Filed, April 26, 1944; 3:02 p. m.]

BAY CITY-SAGINAW-MIDLAND, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Bay City-Saginaw-Midland, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Bay City-Saginaw-Midland, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Bay City-Saginaw-Midland Area shall include:

Arenac County.
Bay County.
Midland County.
Saginaw County.
Tuscola County.

II. The effective date of this designation is May 1, 1943.

III. Not later than the effective date, each employer in the Bay City-Saginaw-Midland Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: April 2/1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5956; Filed, April 26, 1944; 3:02 p. m.]

BENTON HARBOR-ST. JOSEPH, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Benton Harbor-St. Joseph, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F. R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Benton Harbor-St. Joseph, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Benton Harbor-St. Joseph Area shall include:

Berrien County (Coloma, Hager, Watervliet, Benton, Bainbridge, St. Joseph, Sodus, Pipestone, Lincoln, Royalton, Lake, and Baroda Townships only).
Van Buren County (South Haven, Geneva, Columbia, Covert, Bangor, Arlington, Hartford and Keeler Townships only).
Allegan County (Casco and Lee Townships only).

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Benton Harbor-St. Joseph Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 1, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5957; Filed, April 26, 1944; 3:02 p. m.]

DETROIT, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Detroit, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Detroit, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Detroit Area shall include:

Wayne County.
Macomb County (Warren Township only).
Oakland County (Royal Oak, Southfield Townships only).
Washtenaw County (Ypsilanti Township only).

II. The effective date of this designation is April 1, 1943.

III. Not later than the effective date, each employer in the Detroit Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 28, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5958; Filed, April 26, 1944; 3:02 p. m.]

MONROE, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Monroe, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by section 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Monroe, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Monroe Area shall include:

Monroe County (except Whiteford, Bedford and Erie Townships).

II. The effective date of this designation is July 1, 1943.

III. Not later than the effective date, each employer in the Monroe Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 15, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5959; Filed, April 26, 1944; 3:03 p. m.]

MUSKEGON, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Muskegon, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me a Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Muskegon, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Muskegon Area shall include:

Muskegon County.
Oceana County (Southern half only).
Ottawa County (Spring Lake, Crockery, Grand Haven and Robinson Townships only).
City of Grand Haven.

II. The effective date of this designation is December 15, 1943.

III. Not later than the effective date, each employer in the Muskegon Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 21, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5960; Filed, April 26, 1944; 3:03 p. m.]

NILES, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Niles, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Niles, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Niles Area shall include:

Cass County.
Berrien County (Chickaming, Niles, Three Oaks, Buchanan, Galien, Oronoko, Bertrand, New Buffalo, Weesaw and Berrien Townships only).

II. The effective date of this designation is February 1, 1944.

III. Not later than the effective date, each employer in the Niles Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 5, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5961; Filed, April 26, 1944; 3:03 p. m.]

OWOSSO, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Owosso, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Owosso, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Owosso Area shall include:

Shiawassee County.

II. The effective date of this designation is February 1, 1944.

III. Not later than the effective date, each employer in the Owosso Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 28, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-5962; Filed, April 26, 1944; 3:03 p. m.]

PORT HURON, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Port Huron, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found

that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Port Huron, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Port Huron Area shall include:

St. Clair County only.

II. The effective date of this designation is July 1, 1943.

III. Not later than the effective date, each employer in the Port Huron Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 2, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-8063; Filed, April 26, 1944; 3:08 p. m.]

DESIGNATED COUNTIES IN INDIANA AND WISCONSIN

MINIMUM WARTIME WORKWEEK

SECTION I. Having ascertained that the shortage of manpower in the areas described below is creating a serious situation which may interfere with the effective prosecution of the war, and having determined that such shortages can be alleviated by application of the minimum wartime workweek to such areas; and pursuant to the authority granted me by the provisions of § 903.2 of Regulation No. 3 of the War Manpower Commission dated May 27, 1943, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

The following counties in the State of Indiana—Madison, Tipton, Adams, Allen, DeKalb, Huntington, Noble, Wells, Whitley, Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, Shelby, Marshall and St. Joseph.

The following communities in the State of Wisconsin—The Counties of Racine and Door and the towns of Ahnapee, Lincoln and Red River in Kewaunee County.

SEC. II. A minimum workweek of 48 hours shall be established in each community and county designated above:

(a) Not later than November 15, 1943, if such minimum wartime workweek can be established without release of workers; and

(b) On and after the date approved as provided in section 3 hereof, if such minimum wartime workweek cannot be established without the release of workers.

SEC. III. If the adoption, on and after November 15, 1943, of a minimum wartime workweek of 48 hours in any community subject to this order, would require the release of workers, a schedule indicating the time of such a release shall be submitted on or before November 15, 1943, to the Area Director of the War Manpower Commission or his designated representative. Upon the approval of a schedule for such release of workers by the War Manpower Commission representatives or upon the issuance of a schedule by the Area Director on his own initiative, the minimum wartime workweek of 48 hours shall be established in accordance therewith.

SEC. IV. If the workweek of any worker employed in any establishment in any of the communities subject to this order is less than 48 hours per week, on and after November 15, 1943, no additional worker shall be hired for work therein without the approval of the War Manpower Commission for the specified job and department involved, unless an exemption has been granted under section V.

SEC. V. The area manpower director for each community subject to this order is authorized to determine all questions arising within the area with respect to the interpretation and application of this order.

Exemptions shall be subject to instructions from the Regional Director within the framework of War Manpower Commission Regulation No. 3, and exemptions shall be allowed by the Area Director only in accordance with such instructions.

SEC. VI. "Minimum wartime workweek" as used in this order means a workweek of 48 hours within a period of seven successive days beginning with the same calendar day each week during which workers are normally required to be on duty.

SEC. VII. No provision of this order shall be construed or applied so as to require the extension of the workweek to the following:

(a) In any establishment or other place of employment in which less than eight workers are regularly employed;

(b) In any establishment or place of employment principally engaged in agriculture;

(c) Of youths under the age of sixteen years;

(d) Of persons in the employ of any State or any political subdivision thereof, the District of Columbia, any foreign government, the legislative or judicial branches of the Federal Government or any instrumentality of any one or any of the foregoing;

(e) Of individuals who on account of other employment, household responsibilities, or physical limitations are not available for full-time work; or

so as to conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 25, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-6016; Filed, April 27, 1944; 11:25 a. m.]

WAR SHIPPING ADMINISTRATION.

"DOROTHY"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 2 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on September 8, 1942, title to the vessel *Dorothy*, (212012), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *";

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: April 26, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-6078; Filed, April 27, 1944; 9:37 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 86

Washington, Saturday, April 29, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

Subchapter A—Administration

[Administration Letter 672]

PART 300—GENERAL

DELEGATION OF AUTHORITY TO REGIONAL DIRECTORS

§ 300.12 *Delegation of authority to regional directors of the Farm Security Administration to sell real and personal property and to execute deeds and other instruments of conveyance, to accept, record, release and satisfy instruments of security, and to perform other functions.* (a) Pursuant to the authority vested in me by the War Food Administrator's Memoradum No. 37, dated March 13, 1944 (9 F.R. 2840), Regional Directors of the Farm Security Administration are hereby authorized on behalf of the United States, in accordance with applicable provisions of FSA instructions and otherwise:

(1) To sell and dispose of all real and personal property or any interests therein under the jurisdiction of the Farm Security Administration, including such property held in trust for State rural rehabilitation corporations and to execute on behalf of the United States all deeds and other instruments necessary in connection with such sales.

(2) To exercise for and on behalf of the United States of America all rights, privileges and powers of the United States of America under the terms of any agreement or instrument heretofore or hereafter entered into in connection with the sale of such land or property or taken as security for the purchase price in connection with such sale; to execute and perform all notices, consents, or other acts to be given or done by the United States under the aforesaid agreements or security instruments; to do and perform all things necessary for servicing, renewing and collecting outstanding indebtednesses in favor of the United States and to accept, record, release and satisfy instruments of security of all kinds and upon default in any payment or obligation, to enforce payment by realising upon security.

(b) All transactions authorized hereunder shall conform to all applicable requirements of law and all applicable regulations of the Department of Agriculture.

(c) In the absence of the Regional Director of the Farm Security Administration or his inability to carry out the powers and functions hereby delegated, the authority conferred by this delegation may be exercised by the Acting Regional Director of the Farm Security Administration.

(d) This authority shall be effective as of the 27th day of April 1944, and previous delegations of authority relating to matters to which reference is herein made are hereby superseded. All other delegations of authority not in conflict herewith shall remain in full force and effect.

Issued this 27th day of April 1944.

FRANK HANCOCK,
Farm Security Administrator.

[F. R. Doc. 44-6023; Filed, April 27, 1944; 3:26 p. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 493, 3d Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Introductory note. This revision of circular B. E. P. Q. 493 is necessitated by the revision, effective May 1, 1944, of the pink bollworm quarantine and regulations, which removed from the regulated area the counties of Roosevelt, N. Mex., and Cochran, Hockley, and the regulated parts of Bailey and Lamb Counties, Tex. These counties are therefore eliminated from the present revision of the circular as no longer subject to any requirements of the quarantine or administrative instructions thereun-

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

Book 3: Titles 10-17, with index.

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der. The lifting of restrictions on cotton linters produced from sterilized seed, as authorized in the previous revision of this circular, effective October 1, 1942, has been incorporated in the current quarantine regulations as a proviso of paragraph (a) of § 301.52–4.

§ 301.52–4b *Administrative instructions designating the area in which baled cotton lint and products thereof may be moved from certain lightly infested areas in New Mexico and Texas without treatment.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 52, on account of pink bollworm), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52–4, notice is hereby given that, effective May 1, 1944, all restrictions are hereby waived on the interstate movement of baled cotton lint and products thereof from the following area:

New Mexico: Lea County.

Texas: Counties of Andrews, Concho, Dawson, Hctor, Gaines, Glasscock, Howard, Irion, Martin, Midland, Mitchell, Schleicher, Sterling, Terry, Tom Green, Yoakum, and the regulated part of Coke County: *Provided*, (1) That the products have been produced in an authorized oil mill or gin and subsequently protected from contamination, and (2) that a certificate of the United States Department of Agriculture has been obtained and attached to the containers or shipping papers in accordance with the requirements prescribed in § 301.52–11.

These instructions supersede those in circular B. E. P. Q. 493, dated September 28, 1942.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.52; 7 U.S.C. 1940 ed. 161)

Done at Washington, D. C., this 12th day of April 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 44-6025; Filed, April 27, 1944; 3:25 p. m.]

[B. E. P. Q.; Q. 52]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE

Introductory note. This revision of the quarantine and regulations is made primarily for the purpose of extending the regulated area to include recently found infestations of the pink bollworm in southwestern Louisiana, the Coastal Bend of Texas, and one county in western Texas; also to release from quarantine an area in the Panhandle of Texas and an adjacent county in New Mexico in which no specimens of the pink bollworm have been taken in recent years. The newly added area is comprised of the Louisiana parishes of Cameron, Calcasieu, and part of Jefferson Davis Parish, and the counties of Brazoria, Calhoun, Matagorda, Schleicher, and part of Jackson County, Tex. The area released from regulation is comprised of Roosevelt County, N. Mex., Cochran and Hockley Counties, Tex., and those parts of Bailey and Lamb Counties, Tex., that were formerly within the regulated area.

The lifting of all restrictions on the interstate movement, from any regulated area, of cotton linters produced from sterilized seed, as previously authorized in circular B. E. P. Q. 493, revised effective October 1, 1942, has been incorporated in the revised regulations as the second proviso of paragraph (a) of § 301.52–4.

Determination of the Secretary of Agriculture

The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Arizona, New Mexico, and Texas to prevent the spread of infestations of the pink bollworm (Pectinophora gossypiella Saunders), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.52, part 301, chapter III, title 7, Code of Federal Regulations, and regulations supplemental thereto, governing the movement of carriers of the pink bollworm from any of the above-named States into or through any other State or Territory or District of the United States, §§ 301.52–1 to 301.52–12, inclusive, part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, effective March 15, 1930, as amended effective February 10, 1943].

Because of the discovery of substantial infestations of the pink bollworm in Louisiana, the Secretary of Agriculture, having given a further public hearing in the matter, has determined that it is necessary to quarantine the State of Louisiana and to make other changes in the regulated areas and other minor modifications.

Order of the Secretary of Agriculture

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161), the subpart entitled "Pink Bollworm" of part 301, chapter III, title 7, Code of Feleral Regulations [B. E. P. Q.—Q. 52, as revised] is hereby further revised, effective May 1, 1944, to read as follows:

SUBPART—PINK BOLLWORM

Sec.
301.52 Notice of Quarantine.
301.52–1 Definitions.
301.52–2 Regulated areas.
301.52–3 Articles the interstate movement of which is restricted or prohibited.
301.52–4 Conditions governing the issuance of certificates.
301.52–5 Limited permits.
301.52–6 Restricted articles originating outside the regulated area.
301.52–7 Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.
301.52–8 Dealer-carrier permits.
301.52–9 Cancelation of certificates.
301.52–10 Alternate treatments to be prescribed by the Chief of the Bureau.
301.52–11 General certification provisions and marking and labeling requirements.
301.52–12 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.52 to 301.52–12 issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 1940 ed. 161.

§ 301.52 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161), the Secretary of Agrioulture quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of the pink bollworm. Hereafter (1) fresh okra pods; (2) cotton, wild cotton, including all parts of either cotton or wild cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment; shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved or allowed to be moved from the States of Arizona, Louisiana, New Mexico, or Texas into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, now or which may be hereafter designated by the Secretary of Agriculture as regulated areas, in the quarantined States, as in his judgment, shall be adequate to prevent the spread of the said pest. Any such limitation shall be conditioned, however, upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement under existing provisions of the Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further*, That whenever, in any year, the Chief of the Bueau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

Regulations

§ 301.52–1 *Definitions.* For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

(a) *Pink bollworm.* The insect known as the pink bollworm of cotton (Pectinophora gossypiella Saunders), in any stage of development.

(b) *Cotton and cotton products.* Cotton and wild cotton plants of the genera Gossypium and Thurberia, and products of these plants, including seed cotton; cottonseed; cotton lint and linters, and all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; gin waste; and all other parts of such plants.

(c) *Seed cotton.* All forms of cotton lint from which the seed has not been separated.

(d) *Lint.* All forms of unmanufactured cotton fiber except linters.

(e) *Linters.* All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed.

(f) *Certificate.* An approved document issued by an inspector evidencing the apparent freedom of restricted articles from the pest.

(g) *Limited permit.* An approved document issued by an inspector to allow movement of noncertified, restricted articles to or from authorized and designated gins, oil mills, and processing or manufacturing plants. Limited permits will cover all interstate movements of restricted articles while in the process of being made eligible for certification.

(h) *Dealer-carrier permit.* An approved document issued to persons or firms engaged in ginning, manufacturing, or processing restricted articles for subsequent interstate movement from regulated areas, and to persons or firms moving restricted articles interstate from regulated areas.

(i) *Infestation or infested area.* Infested by the pink bollworm.

(j) *Moved or movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from any regulated area interstate to points outside thereof.

(k) *Inspector.* An authorized inspector of the United States Department of Agriculture.

§ 301.52–2 *Regulated areas.* The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

HEAVILY INFESTED AREAS

Texas. Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of *Hudspeth County*, except that part of the northwest corner of county lying north and

west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

LIGHTLY INFESTED AREAS

Arizona. Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County[1] except that part lying west of the western boundary line of range 8 east.

Louisiana. The entire parishes of Cameron and Calcasieu and that part of Jefferson Davis Parish lying south of the township line between Tps. 8 and 9 S.

New Mexico. Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, Socorro, and Valencia.

Texas. Counties of Andrews, Breworia, Brooks, Calhoun, Cameron, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Matagorda, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Schleicher, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Jackson County* lying south of a line beginning at a point where East Carancahua Creek crosses the Jackson-Matagorda County line; thence southwestward along East Carancahua Creek and Carancahua Bay to the southeast corner of a 2,408-acre tract belonging to L. Ward out of the James Pierce survey; thence west along the south line of the above-described Ward tract to the east line of the James Morgan survey; thence north along the east line of the James Morgan survey about 1,660 varas to the northeast corner of the 1,943-acre league out of the James Morgan survey owned by the Mrs. Addie Coats' Estate; thence west along the north line of the above-described league owned by the Mrs. Addie Coats' Estate to the left (east) bank of the Lavaca River; thence southward along the left bank of the Lavaca River and Lavaca Bay to the Calhoun-Jackson County line (that part of the line from the East Carancahua Creek and Carancahua Bay to the Lavaca River being the northern boundary of the S. F. Ward School District (No. 15) of Jackson County); and those parts of *Live Oak* and *McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point on said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

§ 301.52–3 *Articles the interstate movement of which is restricted or prohibited—*(a) *Articles prohibited movement.* The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement.* Seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas only as prescribed herein.

§ 301.52–4 *Conditions governing the issuance of certificates—*(a) *Cotton lint and linters.* A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than 1/64 inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided,* That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further,* That no certificates are required and no restrictions are placed on the interstate movement from any regulated area of cotton linters produced from sterilized seed.

(b) *Cotton seed.* A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds: *Provided,* That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal.* Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton.* The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra.* Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to contiguous infested area.* No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

§ 301.52–5 *Limited permits.* Limited permits will be issued for the movement of uncertified, restricted articles to such gins, oil mills, or processing or manufacturing plants as may be authorized and designated by authority of the Chief of the Bureau of Entomology and Plant Quarantine for manufacturing, processing, or treatment incidental to preparing such products for certification. As a condition of such authorization and designation, operators of gins, oil mills, manufacturing, or processing plants will agree in writing to handle restricted articles as to segregation of processed and nonprocessed products, as to efficient function of processing equipment, as to disposition of waste, as to use of uncontaminated containers of processed products, as to prevention of contamination of processed products, as to the maintenance of identity of regulated and nonregulated products, and to maintain such other sanitary safeguards against the establishment and spread of infestation and to comply with such other restrictions as to the handling and subsequent movement of restricted articles as may be required by the inspector.

§ 301.52–6 *Restricted articles originating outside the regulated area.* Restricted articles originating outside the regulated area may be certified for interstate movement from a regulated area without processing, treatment, or sterilization: *Provided,* That while in the regulated area these products have been handled and stored in such manner as to maintain identity, and as to prevent infestation, or contamination with other restricted articles originating in the regulated area.

§ 301.52–7 *Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.* When contaminated with cotton or cotton products originating wtihin a regulated area, railway cars, trucks, or other vehicles, cotton bagging, or other containers of cotton, cotton processing machinery, farm household goods, farm equipment, farm products, or any other articles shall not be moved interstate from a regulated area until freed from such contamination to the satisfaction of an inspector, after which cleaning or treatment no certificate or permit will be required except for cotton bagging, or other containers of cotton, and cotton processing machinery.

§ 301.52–8 *Dealer-carrier permits.* As a condition of issuance of certificates or limited permits for the interstate movement of restricted articles handled by persons or firms engaged in purchasing, assembling, ginning, processing, or carrying such restricted articles originating or stored in regulated areas, such persons or firms shall make application for a dealer-carrier permit to the Bureau of Entomology and Plant Quarantine, San Antonio, Tex., and agree to maintain an accurate record of receipts and sales, shipments or services, when so required (which record shall be available at all times for examination by an inspector), and agree to carry out any and all conditions, treatments, precautions, and sanitary measures which may be required.

§ 301.52–9 *Cancelation of certificates.* Any certificates, limited permits, or dealer-carrier permits issued under these regulations may be withdrawn or canceled and further certificates or permits refused, whenever, in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of the pink bollworm.

§ 301.52–10 *Alternate treatments to be prescribed by the Chief of the Bureau.* When more effective methods of treatment, processing, or sterilization shall have been developed or when methods of treatment, processing, or sterilization as stipulated in the regulations hereof are found unsatisfactory by the Chief of the Bureau of Entomology and Plant Quarantine, he is authorized to alter them or substitute other requirements.

§ 301.52–11 *General certification provisions and marking and labeling requirements.* To obtain certificates or limited permits under these regulations application shall be made either to the local inspector or to the Bureau of Entomology and Plant Quarantine, Federal Building, San Antonio, Tex.[2]

Certificates or permits required under these regulations shall be securely attached to the outside of each container of restricted articles, or, in the case of carlot or bulk shipments by freight, to the waybills or other shipping papers which accompany the shipment. In the case of movement by road vehicle, such certificate or permit shall accompany the vehicle. Each container of restricted articles so moved shall bear such marking and labeling as may be necessary, in the judgment of the inspector, to identify the material.

The United States Department of Agriculture shall not be responsible for any costs incident to inspection or treatment, other than the services of inspectors.

§ 301.52–12 *Shipments for experimental and scientific purposes.* Products and articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

This revision of the quarantine and regulations shall be effective on and after May 1, 1944, and shall supersede the quarantine and regulations promulgated March 7, 1939, and amendments thereto.

Done at Washington, D. C., this 27th day of April, 1944.

Witness my hand and the seal of the United States Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[1] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

[2] See Appendix for list of field stations.

APPENDIX—FIELD HEADQUARTERS AND STATIONS

Applications for certificates or permits may be made to the field project leader, addressing Pink Bollworm Control, Bureau of Entomology and Plant Quarantine, P. O. Box 798, or Room 571 Federal Building (Telephone F–7141–275), San Antonio 6, Tex., or the nearest inspector.

Inspectors may be reached by addressing Pink Bollworm Inspector, Bureau of Entomology and Plant Quarantine, at the following field stations:

ARIZONA

Address	Town	Telephone
P. O. Box 206, 405 North Morrison St.	Casa Grande	274
P. O. Box 262, 628 East Glendale.	Glendale	254
202 Security Bldg.	Phoenix	4-4062
P. O. Box 246, 309 Post Office Bldg.	Safford	132
P. O. Box 924, 311 Post Office Bldg.	Tucson	1-960

LOUISIANA

Contact the State Entomologist, Mr. W. E. Anderson, P. O. Box 4153, Capitol Station, Baton Rouge 4, La.

NEW MEXICO

P. O. Box 784, 210 North Canyon St.	Carlsbad	513–W
P. O. Box 849	Las Cruces	206

TEXAS

P. O. Box 482, Bellen & Charles Bldg.	Alice	970
P. O. Box 840, 217 Fuller Bldg.	Alpine	80
P. O. Box 108	Bay City	895
P. O. Box 269, 23 Post Office Bldg.	Big Spring	1864
P. O. Box 100	Brownfield	
843 Southeast Elizabeth St.	Brownsville	327
623 Nixon Bldg.	Corpus Christi	2-7613
P. O. Box 432, 207 West Harriman St.	Edinburg	18
204 U. S. Courthouse	El Paso	Main-2295
P. O. Box 27	Fabens	54
P. O. Box 592, 423 Embee Bldg.	Harlingen	616
P. O. Box 67, Post Office Bldg.	Lamesa	188–J
P. O. Box 141, 206 Franklin Bldg.	Laredo	930
P. O. Box 888, 712 West First St.	Littlefield	239–W
P. O. Box 1618, 209 Federal Bldg.	Lubbock	3001
P. O. Box 1094, 1308 Chicago Ave.	McAllen	663
P. O. Box 455	Mercedes	
P. O. Box 188, 306 Federal Bldg.	Pecos	57
P. O. Box 264	Port Lavaca	
P. O. Box 928	Presidio	14
P. O. Box 706, 253 South Seventh St.	Raymondville	258
P. O. Box 1107	Robstown	127
P. O. Box 680, 507 Rust Bldg.	San Angelo	6326
P. O. Box 1963, 636 South Sam Houston St.	San Benito	720
P. O. Box 426, 10734 Fourth St.	Weslaco	

[F. R. Doc. 44–6024; Filed, April 27, 1944; 8:25 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 1, Amdt. 1]

PART 1404—BAKERY PRODUCTS

ENRICHMENT OF WHITE BREAD AND ROLLS

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 599), is further amended as follows:

1. By deleting (a) (6) and substituting in lieu thereof the following:

(6) "White bread" means any bread, whether baked in a pan or on a hearth or screen, which is commonly known or usually represented and sold as white bread, including, but not restricted to, Vienna bread, French bread, and Italian bread.

2. By deleting (d) and substituting in lieu thereof the following:

(d) *Enrichment.* (1) No baker shall make or sell any white bread or rolls not containing the following ingredients in the quantities specified:

(i) Thiamin: Not less than 1.1 nor more than 1.8 milligrams per pound;

(ii) Niacin: Not less than 10.0 nor more than 15.0 milligrams per pound;

(iii) Riboflavin: Not less than 0.7 nor more than 1.6 milligrams per pound; and

(iv) Iron: Not less than 8.0 nor more than 12.5 milligrams per pound.

(2) No person shall sell any imported white bread or rolls unless they contain the ingredients listed under (d) (1) hereof in the quantities therein specified.

This amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 1, as amended, prior to the effective date of this amendment, all provisions of War Food Order No. 1, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–5950; Filed, April 26, 1944; 1:11 p. m.]

[WFO 69–1, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

DELEGATION OF AUTHORITY

War Food Order No. 69–1 (originally issued as Food Distribution Order No. 69–1, 8 F.R. 13552; and redesignated as War Food Order No. 69.1, 9 F.R. 4319) is hereby amended to read as follows:

§ 1405.32 *Delegation of authority—*(a) *Definitions.* (1) "Order" means War Food Order No. 69, as amended (originally issued as Food Distribution Order No. 69, 8 F.R. 10477; as amended, 8 F.R. 13549; and redesignated as War Food Order No. 69).

(2) Each term defined in the order shall, when used herein, have the same meaning as set forth in said order.

(3) "Order Administrator" means the person designated by the Director to serve as Order Administrator or alternate for the Order Administrator.

(b) *Delegation of authority.* In accordance with the provisions of the order, there is hereby delegated the following authority:

(1) The Order Administrator shall exercise the authority conferred upon the Director by the provisions of § 1405.13 (b) (1) (i) of the order only with respect to the issuance of any special authorization.

(2) The issuance of any special authorization, in accordance with the provisions of § 1405.13 (b) (1) (ii) of the order by the chairman or secretary of a County AAA Committee, shall be under the supervision of the Order Administrator.

(3) Under the supervision of, and in accordance with instructions from, the Order Administrator, each regional authorization officer, designated by the Director, of the respective regional office of the Office of Distribution, War Food Administration, serving the area (8 F.R. 15764) in which a particular lot of fruit is located, is authorized to release, by special authorization, such fruit for use in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, if such authorization officer determines that no market is available for such fruit for human consumption except when the fruit is used in the production for sale of such alcoholic product: *Provided*, That if such authorization officer determines that no market is available because the fruit is unsuitable for human consumption except when used in the production of such alcoholic product, such fruit shall not be released if the owner, or any previous owner, of the fruit failed to exercise either reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid.

(c) *Retention of authority by the Director.* Nothing herein contained shall be construed to abrogate any powers or authority vested in the Director by the order; and any release, as aforesaid, of a particular lot of fruit, shall be subject to such additional or other conditions as the Director may hereafter, from time to time, specify.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-5953; Filed, April 26, 1944; 1:11 p. m.]

[WFO 69, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69 (originally issued as Food Distribution Order No. 69, 8 F.R. 10477; as amended, 8 F.R. 13549; and redesignated as War Food Order No. 69, 9 F.R. 4319) is hereby amended so as to read as follows:

§ 1405.13 *Restrictions relative to the use of fruit*—(a) *Definitions.* (1) "Fruit" means any one or more of the following whether fresh or processed (including, but not being limited to, dried, canned, frozen, or partially processed), and whether produced in or imported into the United States: apples, apricots, cherries, currants, Concord grapes, dates, peaches, pears, pineapple, plums, prunes, blackberries, blueberries, Boysenberries, dewberries, gooseberries, huckleberries, Johnsonberries, Loganberries, Olympic berries, raspberries, strawberries, Youngberries, and such other fruits as the Director may hereafter designate. This term also means the juice of fruit.

(2) "Imported" means brought into the United States from a foreign country or any Territory or Possession of the United States.

(3) "Concord grapes" means any one or more of the following Concord type grapes: Concord, Early Concord, Cottage, Eaton, Fredonia, Hicks, King, Moore Early, Rockwood, and Worden.

(4) "County AAA Committee" means a county agricultural conservation committee established in accordance with the provisions in 16 U.S.C., 1940 ed., Sup. I, 590h (b).

(5) "Pharmaceutical preparation" means any drug or combination of drugs compounded for medicinal use.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(7) "Lot of fruit" means a quantity of a particular kind of fruit.

(8) "Special authorization" means an authorization issued to a designated person permitting such person to use a designated lot of fruit for a specified purpose.

(9) "General authorization" means an authorization issued by the Director applicable to any area, specified by the Director, permitting the use of fruit of a specified kind, variety, type, grade, or quantity for a specified purpose.

(10) "Director" means the Director of Distribution, War Food Administration.

(11) "United States" means the 48 States of the United States and the District of Columbia.

(b) *Restrictions.* (1) Except as provided in (b) (2) hereof, no person shall use fruit in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, unless authorized to use such fruit for such purpose (i) pursuant to a special or general authorization issued by the director or (ii) pursuant to a special authorization issued by the chairman or, in his absence, the secretary of the County AAA Committee in the county where such fruit is available. An authorization, as aforesaid, by the chairman or the secretary of the respective County AAA Committee shall be issued only with respect to a particular lot of fruit which is in fresh form and is still owned by the grower thereof, if such chairman or secretary determines that no market is available for such fruit for human consumption except when used in the production for sale of a product containing 7 percent, or more, of alcohol, by volume: *Provided*, That if the chairman or secretary of the respective County AAA Committee determines that no market is available because the fruit is unsuitable for human consumption except when used in the production of such alcoholic product, such fruit shall not be released if the grower thereof failed to exercise reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid. The issuance of any special authorization in accordance with (b) (1) (ii) hereof, to use a particular lot of fruit, shall be under the supervision of the director and subject to such additional or other conditions as the director may, from time to time, specify.

(2) The provisions of this order shall not prohibit any person from (i) using fruit in the manufacture of flavoring for food or flavoring for pharmaceutical preparations; (ii) using fruit in the production, by the addition of alcohol or a product containing alcohol, of flavoring, flavoring extract, or flavoring concentrate, for food, or flavoring, flavoring extract, or flavoring concentrate for pharmaceutical preparations; or (iii) using any flavoring, flavoring extract, or flavoring concentrate, manufactured or produced as aforesaid.

(3) No person shall sell or deliver fruit with knowledge or reason to believe that such fruit or any portion thereof thus sold or delivered is to be used in violation of this order.

(4) The provisions of this order and of any regulations or orders issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, stocks of fruit, or products containing alcohol, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fruit and products containing alcohol.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the administrator of this order. Such petition shall be addressed to Order Administrator, War Food Order No. 69, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using fruit, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Territorial extent.* The provisions of this order shall apply only within the United States.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C., Ref. WF-69.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69, prior to the effective date of the provisions hereof, the provisions of War Food Order No. 69 in effect prior to the effective date of this order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-5951; Filed, April 26, 1944; 1:11 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 70—ARMY NURSES, DIETITIANS AND PHYSICAL THERAPY AIDES

DIETITIANS AND PHYSICAL THERAPY AIDES

Paragraph (c) of § 70.23 (8 F.R. 7525) is amended by the addition of subparagraph (8), as follows:

§ 70.23 *Appointment and promotion.* • • •

(c) *Original appointment.* • • •

(8) The provisions of subparagraphs (1) to (7), of this paragraph (c), may be waived in the cases of those persons who are prisoners of war or internees of an enemy. Such appointments will be effective as of the date announced. Upon return to the United States of any individual appointed under this authority, confirmation of the appointment will be obtained or discharge effected. (56 Stat. 1072; 10 U.S.C. Sup. 81) [Par. 5c, AR 40-25, 9 April 1943, as amended by W. D. Cir. 162, 25 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6031; Filed, April 26, 1944; 10:08 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4865]

PART III—DIGEST OF CEASE AND DESIST ORDERS

GOLD MEDAL HAARLEM OIL CO.

§ 3.6 (t) *Advertising falsely or misleadingly; qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly; safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure; safety.* In connection with offer, etc., of respondents' "Gold Medal Haarlem Oil Capsules" or any other similar preparation, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said medicinal preparation, which advertisement (1) represents, directly or through inference, that said preparation (a) is safe or harmless; (b) will flush excess waste matters from the kidneys, or that it will keep the blood free from waste matters, poisons or acids; (c) is an effective and competent treatment for conditions described as weak kidneys or irritations of the bladder, or that its use will restore the kidneys or bladder to a state of healthy activity; (d) will give relief from scanty, burning or smarting urine, or that it will stimulate the functions of the kidneys, or clean out kidneys described as having become clogged; (e) is an effective treatment for conditions described as scanty, burning and smarting urine passage, aches, pains, joint agony, sciatica, neuritis, neuralgia, lumbago, rheumatism, backache, nervousness, leg cramps, getting up at nights, moist palms, puffy eyes, nagging pains, dizzy, spells, or swollen ankles, or that such conditions are symptomatic of ailments or diseased conditions which are treated successfully by the use of said preparation; and (f) is a remedy or cure for ailments or diseases of the human kidneys or that it has any therapeutic value in the treatment of diseased or injured kidneys; and (2) fails to reveal that the indiscriminate use of said preparation by persons whose kidneys are injured or diseased, may interfere with their proper functioning, and that prolonged administration may injure kidneys that are normal; prohibited; subject to the provision, however, that such advertisements need contain only the statement, "Caution: Use only as directed", if and when the directions for use wherever they appear on the label, in the labeling, or both, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gold Medal Haarlem Oil Company, Docket 4865, April 13, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of April, A. D. 1944.

In the Matter of Leonard Block, Melvin Block and Betty Roberts, Trading as Gold Medal Haarlem Oil Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, and a stipulation as to the facts entered into by the respondents herein and Richard P. Whiteley, Assistant Chief Counsel of the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion, that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents Leonard Block, Melvin Block and Betty Roberts, individually, and trading as Gold Medal Haarlem Oil Company, or trading under any other name or names,

their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the medicinal preparation designated "Gold Medal Haarlem Oil Capsules", or any other medicinal preparation composed of substantially similar ingredients or possessing substantially similar properties, whether sold under the same name or under any other name or names, do forthwith cease and desist from:

Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, or disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in such commerce of said medicinal preparation, which advertisement—

(1) Represents, directly or through inference, that said preparation

(a) Is safe or harmless;

(b) Will flush excess waste matters from the kidneys, or that it will keep the blood free from waste matters, poisons or acids;

(c) Is an effective and competent treatment for conditions described as weak kidneys or irritations of the bladder, or that its use will restore the kidneys or bladder to a state of healthy activity;

(d) Will give relief from scanty, burning or smarting urine, or that it will stimulate the functions of the kidneys, or clean out kidneys described as having become clogged;

(e) Is an effective treatment for conditions described as scanty, burning and smarting urine passage, aches, pains, joint agony, sciatica, neuritis, neuralgia, lumbago, rheumatism, backache, nervousness, leg cramps, getting up at nights, moist palms, puffy eyes, nagging pains, dizzy spells, or swollen ankles, or that such conditions are symptomatic of ailments or diseased conditions which are treated successfully by the use of said preparation.

(f) Is a remedy or cure for ailments or diseases of the human kidneys or that it has any therapeutic value in the treatment of diseased or injured kidneys.

(2) Fails to reveal that the indiscriminate use of said preparation by persons whose kidneys are injured or diseased, may interfere with their proper functioning, and that prolonged administration may injure kidneys that are normal: *Provided however*, That such advertisements need contain only the statement, "Caution: Use only as directed", if and when the directions for use wherever they appear on the label, in the labeling, or both, containing a warning to the above effect.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6059; Filed, April 28, 1944; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 1]

CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH MANUFACTURERS

The following direction is issued pursuant to Priorities Reg. 1:

(a) This direction tells what happens when a customer, having placed a rated order with a manufacturer, wishes to make a change in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change if (but only if) the change will require the manufacturer to interfere with his production. For example:

(1) A change in shipping destination does not constitute the placing of a new order.

(2) An increase in the total amount ordered is a new order to the extent of the increase unless it can be filled with only a negligible interference with sequence of later orders.

(3) A change in the date of the delivery, whether advanced or deferred, when made by the customer is a new order if it interferes with production, or delays delivery on an equal or higher rated order.

(4) Mere substitution of one allotment number for another, where there is no change in the accompanying rating, is not considered to be the placing of a new order.

(5) A change in preference rating will not constitute a new order. Treatment of the new rating is governed by the provisions of Priorities Regulation No. 12.

(6) A reduction in the total amount ordered will presumably not require a change in the manufacturer's schedule and will not constitute a new order. If the quantity is reduced below a minimum production quantity, the manufacturer may insist on the delivery of not less than the minimum production quantity as explained in Interpretation No. 7. If the customer is not willing to order that amount, the manufacturer may reject the order. The manufacturer may not discriminate between customers in requiring delivery of minimum production amounts or in rejecting orders.

(7) When the customer directs the manufacturer to hold or suspend production without specifying a new delivery date, the order must be considered cancelled. If requested to do so within ten days after receiving such an instruction, the manufacturer must reinstate the order as nearly as possible to its former place in his proposed schedule of deliveries as long as the reinstatement does not cause loss of production or delay in the scheduled deliveries on equal or higher rated orders. Any request for reinstatement made after ten days shall be treated as the placing of an entirely new order. The rule with respect to the effect of a request for reinstatement of an order which was part of a frozen schedule is stated in paragraph (d) of Priorities Regulation 18.

(8) Where minor variations in size, design, capacity, etc., are requested by the customer and can be arranged by the manufacturer without interfering with his production, such changes do not constitute a new order.

(c) Where a change in an order constitutes a new order the conditions existing at the time the changes are received govern the acceptance of the order and its sequence in delivery under the rules of Priorities Regulation No. 1. If a customer changes his order in such a way as to constitute a new order, but finds that as a new order it will not be scheduled for delivery at the time required by the customer, he may, if he likes, request reinstatement of his original order within the time and manner provided in paragraph (b) (7) above.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6048; Filed, April 28, 1944; 11:20 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 2]

SALES OF WHEEL-TYPE TRACTORS FOR INDUSTRIAL USE WITH CONSTRUCTION MACHINERY ATTACHMENTS

The following direction is issued pursuant to Limitation Order L-257:

(a) *Purpose and scope.* Paragraph (f) (2) of Limitation Order L-257 (§ 1029.15) prohibits the sale for non-farm use of most machinery and equipment covered by that order unless the buyer has a rating of AA-4 or higher. If the buyer has no rating, he usually must apply for one on Form WPB-541 (PD-1A). This direction requires that any one who wants to buy a wheel-type tractor for use with construction machinery attachments must apply on Form WPB-1319 for approval to buy it and any necessary rating; he should use the same Form WPB-1319 that he uses in applying for the attachments under Order L-192. "War agencies" are treated the same as they are under L-192.

This direction covers only sales and deliveries to the ultimate user who wants to buy wheel-type tractors plus construction machinery attachments for non-farm use. All other sales of wheel-type tractors for non-farm use are governed by paragraph (f) (2) of L-257.

(b) *Restrictions on sale.* Except where the buyer is a "war agency", on and after May 12, 1944, no person may sell or deliver, and no person may buy or accept delivery of, any new wheel-type tractor for use with new construction machinery attachments covered by Schedule A of Limitation Order L-192, without specific approval of the War Production Board. Application for this approval, including both the tractor and the construction machinery attachments, should be made by the prospective buyer on a single Form WPB-1319 in accordance with the current instructions for the form. He must file the application in quintuplicate with the WPB regional office in the region in which he desires to use the tractor and attachments. This application when approved will state all conditions under which the purchase order may be placed with the seller, including the assignment of any necessary preference rating.

(c) *Sales to "war agencies".* If the buyer of the tractor is a "war agency", as defined in Order L-192, it does not have to get specific approval under this direction. However, when it files information copies of Form WPB-1319 under paragraph (d) (1) (iii) of L-192 covering its purchase of the construction machinery attachments, it must on the same form identify the tractor to be purchased.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6043; Filed, April 28, 1944; 11:19 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M-161, as Amended Apr. 28, 1944]

§ 1255.1 *General Inventory Order M-161*—(a) *What this order does.* This order excepts certain materials from inventory restrictions and from limits on the purchase of maintenance, repair, and operating supplies. The exception is made in some cases because there is no serious shortage of the material and in other cases because the material is available in quantity only in certain seasons, so that it is desirable to permit persons to buy and store it without limit.

(b) *Exception to inventory restrictions.* Section 944.14 of Priorities Regulation 1, which restricts inventory to a practicable working minimum, does not apply to the materials listed on Schedule A. Each of these materials is also exempted from all inventory restrictions in any other regulation or order of the War Production Board unless they expressly mention the material.

(c) *Exemption from restrictions on maintenance, repair, and operating supplies.* The materials listed on Schedule A are not subject to any restrictions in any regulation or order of the War Production Board which limit the quantity of material received or ordered for maintenance, repair, or operating supplies during any period on the basis of the amount of such supplies purchased during a base period. A person may receive or order for delivery any quantity of listed materials without regard to these restrictions. He does not have to charge his orders for any such material against his base-period quota except to the extent that purchases of the same material were taken into account in arriving at his quota. For example, a manufacturer operating under CMP Regulation 5 is limited in his purchases of maintenance, repair, and operating supplies to the amount which he spent in the base period. A manufacturer who spent $50,000 during the base period, including $500 for lead, may buy any amount of lead during the current period, and may use his MRO rating for that purpose, and he need include only $500 of the amount thus spent for lead in figuring the amount to be charged to his quota of MRO.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This lists the materials which are exempt from all inventory limitations and from restrictions on the quantity which may be purchased for maintenance, repair or operating supplies.

Asbestos of grades included in Groups 4, 5, 6, 7, 8 and 9 (Canadian Asbestos Classification).
Ball clay.
Diatomaceous earth.
Domestic andalusite.
Domestic dumortierite.
Ilmenite.
Kaolin.
Lead.
Phosphate rock.
Pinite.
Potter's flint.
Salt (sodium chloride) in bulk.
Soapstone.
Sodium sulfate (salt cake).
Stoneware clay.
Sulphur.
Waste paper.

[F. R. Doc. 44-6047; Filed, April 28, 1944; 11:20 a. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L-78, as Amended Apr. 28, 1944]

FLUORESCENT LIGHTING FIXTURES

§ 3284.36 *General Limitation Order L-78*—(a) *Purpose of this order.* This order places certain limitations on the manufacture and assembly of fluorescent lighting fixtures. It also restricts the sale and delivery of new fixtures and parts.

Restrictions on Manufacture and Assembly

(b) *Rectified fluorescent lighting fixtures.* No person may manufacture or assemble a rectified fluorescent lighting fixture.

(c) *Parts for rectified fluorescent lighting fixtures.* No person may manufacture or assemble any part for a rectified fluorescent lighting fixture except for purposes of maintenance or repair.

(d) *Use of non-ferrous metal.* No person may incorporate any non-ferrous metal in any fluorescent lighting fixture or part except as permitted by Orders M-1-i (aluminum), M-6-b (nickel), M-9-c (copper), M-11-b (zinc), M-18-b (chrome), M-43 (tin), M-65 (cadmium) and any other applicable orders of the War Production Board.

(e) *Prohibited uses of metal in hot cathode fixtures.* Unless specific written authorization is granted by the War Production Board, after application as required in paragraph (j), no person may incorporate any metal in a fluorescent lighting fixture designed for:

(1) One tube of any wattage, unless the fixture is an industrial portable or an industrial attachable model;

(2) A continuous row of single tubes of any wattage;

(3) Two tubes rated 30 watts per tube or less, unless the fixture is an industrial portable or an industrial attachable model;

(4) Three or more tubes rated 30 watts per tube or less;

(5) Five or more rows of tubes of any wattage in either an individual fixture or in a continuous row section.

Restrictions on Sale and Delivery

(f) *Preference ratings.* No person may sell or deliver any new fluorescent lighting fixture or part except on an order or contract bearing a preference rating. (An order or contract bearing a rating lower than AA-2 must be regarded as an unrated order or contract, if the supplier knows or has reason to believe that the rating is a blanket MRO rating. The term "blanket MRO rating" is defined in Priorities Regulation 3.)

(g) *Exceptions to paragraph (f).* There are five exceptions to the rule stated in the preceding paragraph. No preference rating is necessary for:

(1) The delivery of a fixture or part to an established laboratory for testing purposes only;

(2) The delivery of a fixture or part to a potential customer for demonstration but not for stock;

(3) The sale or delivery of a part to be used solely for maintenance or repair of an existing fixture;

(4) The sale and delivery of a fixture or part to a manufacturer or wholesaler on a special sale under Priorities Regulation 13; or

(5) The delivery (for inventory purposes only) of a fixture or part from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(h) *Release of fixtures held in inventory.* Upon specific authorization of the War Production Board, after application as required in paragraph (j), a manufacturer, assembler, wholesaler or retailer may sell or deliver from his inventory on unrated orders any completely assembled fluorescent lighting fixture which was manufactured before June 2, 1942, and which was reported to the War Production Board on Forms PD-499 or WPB-1066. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Definitions

(i) *Meaning of terms used in this order.* For the purpose of this order:

(1) The term "fluorescent lighting fixture" includes hot cathode, cold cathode, and rectified equipment designed or constructed for the purpose of illumination. In addition to its ordinary meaning, the term also includes Cooper-Hewitt and 3000 watt mercury vapor equipment. The term "fluorescent lighting fixture" does not include:

(i) Tubes or bulbs covered by Order L–28, or replaceable fluorescent starters;

(ii) Incandescent lighting fixtures, as defined in Order L–212 (that definition of "incandescent lighting fixtures" includes fixtures designed for use with 250 watt and 400 watt mercury vapor tubes);

(iii) Any portable or attachable lamp or fixture designed to be plugged into an electric outlet, other than (a) "industrial portable" and "industrial attachable" fluorescent lighting fixtures, as defined in this order, and (b) portable or attachable overhead suspended fluorescent lighting fixtures;

(iv) Fixtures designed to accommodate germicidal lamps;

(v) Aviation ground lighting equipment covered by Order L–235;

(vi) Aircraft lighting equipment, as defined in Order L–327; or

(vii) Photographic lighting equipment and accessories covered by Order L–267.

(2) An "industrial portable" fluorescent lighting fixture is one which is designed for use in the operation of some piece of factory equipment (such as an industrial machine or tool) or in the assembly, inspection or servicing of a product, but which is not permanently attached to the equipment or the product. Such fixtures are designed to be plugged into an electric outlet and are usually equipped with either a handle, a hook, or a base fitted with free rolling casters. The term does not include any portable overhead suspended fluorescent lighting fixture.

(3) An "industrial attachable" fluorescent lighting fixture is one which is designed to be used with some piece of factory equipment (such as an industrial machine, tool, or assembly bench) and is so constructed that it may be permanently affixed by screws to the equipment or to an adjoining wall. Such fixtures are designed to be plugged into an electric outlet. The term does not include any attachable overhead suspended fluorescent lighting fixture.

(4) A "continuous row" of tubes consists of two or more placed end to end.

(5) A "new" fluorescent lighting fixture or part is one which has never been used by an ultimate consumer.

Miscellaneous Provisions

(j) *Requests for authorizations.* Requests for specific authorization under paragraphs (e) and (h) shall be made by letter, in duplicate, giving the following information:

(1) Where authorization is requested under the provisions of paragraph (e), the letter shall state the government contract number and item number (if any), the name and address of the project where the lighting fixtures will be used, the preference rating used on the contract or order, a full description of the fixtures, and an explanation as to why permitted types cannot be used.

(2) Where a request is made under the provisions of paragraph (h) to sell fixtures (on unrated orders) which have been held in inventory, the letter shall state whether the fixtures are industrial or non-industrial types, the quantity of each type of fixture, the number of tubes per fixture, the wattage per tube and the voltage and frequency (cycles) on which the fixtures are designed to operate.

Letters requesting authorizations under paragraphs (e) and (h) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: Administrator of L–78. These provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of regulations.* This order and all transactions affected by it are subject to all regulations of the War Production Board as amended from time to time.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 (formerly PD–580) or a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(m) *Routing of correspondence.* Reports to be filed, requests for specific authorization and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L–78.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6040; Filed, April 28, 1944; 11:19 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L–265, Interpretation 2]

LABORATORY RESEARCH AND DEVELOPMENT; RELATION OF PREFERENCE RATING ORDER P–43 AND GENERAL LIMITATION ORDER L–265

The following interpretation is issued with respect to General Limitation Order L–265:

The restrictions of paragraph (b) (1) of Order L–265 on manufacture apply to persons only to the extent that they are "engaged in the manufacture of electronic equipment for transfer or for commercial use". A person who gets materials with the priorities assistance given by Order P–43 may use those materials to make experimental electronic equipment for his own use without regard to the restrictions of paragraph (b) (1) of Order L–265. If he makes experimental electronic equipment for transfer or for commercial use he must do so only within the limits of paragraph (b) (1) of Order L–265. In all cases where he gets and uses materials with the priorities assistance of Order P–43, he must comply with all the provisions of Order P–43.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L–85, Schedule III, as Amended Apr. 28, 1944]

WOMEN'S, MISSES' AND JUNIOR MISSES' COATS, FUR COATS, TOPPERS, SUITS, JACKETS, SKIRTS, SLACKS, OVERALLS, COVERALLS, PLAY SUITS AND SHORTS

§ 3290.4 *Schedule III to General Limitation Order L–85—(a) Definitions.* For the purpose of this schedule:

(1) "Coat" means any outer garment for feminine wear, usually worn over other outer apparel, including a cape, a raincoat, an evening coat, a reefer and a topper, but excluding a fur coat;

(2) "Fur coat" means an outer garment for feminine wear, usually worn over other outer apparel, and made of fur;

(3) [Deleted October 26, 1943]

(4) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(5) "Jacket" means a coat shorter than 33 inches of the type usually worn with a skirt or slacks or over other apparel. (Note that paragraph (e) (2) specifies the maximum permitted length for a jacket);

(6) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(7) "Evening skirt" means a skirt of floor or ankle length;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurements of the length of coats, toppers, reefers, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(iv) "Sleeve length" means the maximum measurement from the side of the neck over the shoulder to the bottom of the sleeve;

(v) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff.

(b) *General exceptions.* The provisions of this schedule shall not apply to any apparel for feminine wear referred to in this schedule, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel for feminine wear; and

(2) July 1, 1943, in the case of summer apparel for feminine wear, provided that the provisions of General Limitation Order L–85 as amended July 10, 1942, shall apply to summer apparel for feminine wear until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all women's misses', junior misses' coats, suits, jackets, skirts, slacks, coveralls, overalls, play suits, shorts and fur coats.* (1) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this Schedule with another garment or article at a unit price, except that:

(i) A jacket may be sold with a skirt, or with a slack, or with ski pants as a two-piece outfit at a unit price;

(ii) A skirt may be sold with a one-piece short playsuit at a unit price; and

(iii) A slack may be sold with a blouse at a unit price.

(2) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this schedule with an attached hood, cape, capelet, fichu, vest, cap, pants, handkerchief, shawl or scarf.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of apparel for feminine wear covered by this schedule.* (1) No person shall put into process any cloth for the manufacture of a coat with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing or Norfolk-type backs;

(iv) Balloon, dolman or leg-of-mutton sleeves;

(v) Sleeve facings over 2 inches;

(vi) More than one collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) Epaulets or tabs on the shoulders;

(viii) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 64 square inches of material before reduction;

(ix) More than 4 flaps;

(x) Separate or attached vestees, dickeys, gilets, or scarfs.

(2) No person shall put into process any cloth for the lining of a fur coat:

(i) Exceeding a maximum sweep of 64 inches for a box coat or 74 inches for a fitted coat, for a size 16. The maximum measurements for sweep of other sizes shall be 2 inches more for each larger size and 2 inches less for each smaller size;

(ii) Exceeding a maximum length of 43 inches for a size 16. Other sizes shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit or a ski suit, with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing, vent, or Norfolk-type backs;

(iv) Balloon, dolman, or leg-of-mutton sleeves;

(v) Sleeve facings over 1½ inches;

(vi) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) A collar over 5 inches in width;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(x) More than 4 flaps;

(xi) Separate or attached vestees, dickeys, gilets or scarfs;

(xii) Double breasted fronts;

(xiii) Quilting, except when used as a lining;

(xiv) Pleating, tucking or shirring of any part or section of a jacket which increases by more than 10% said part or section, except that the width of the complete front of a jacket may be increased by 8 inches of material.

(4) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) Suspenders;

(v) More than 1 pocket, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(vi) A flap on the pocket;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Pleating, tucking, or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size.

(5) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, or ski pants, with:

(i) A separate or attached half belt, full belt, simulated belt, tab, or belt loops, except that a coverall may have a belt and belt loops, and a slack, a short and ski pants may have belt loops.

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) More than 2 pockets, inside or out, or with any patch pockets exceeding 36 square inches of material before reduction;

(v) Flaps on pockets;

(vi) A cuff;

(vii) A blouse or shirt top which exceeds the restrictions of Schedule II governing blouses.

(e) *General restrictions on the measurements of all apparel for feminine wear covered by this schedule.* Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) *Coats.* Coats shall not be shorter than 33 inches for any size and shall be of and graded from the following maximum measurements:

COATS

Type	Size	Hems	Outside sleeve measurements	Sleeve circumf.	Sweep		Length	
					Fit	Box[1]	Fit	Box
Misses'	16	2	20	16½	70	60	43	42
Jr. misses'	15	2	20	16½	70	60	41½	40½
Little women	20½	2	29½	16½	76	66	44	43
Women's reg	40	2	31½	16½	76	66	45½	44½
Women's stout	42½	2	32	16½	78	68	46½	45½
Women's odd	41	2	31½	16½	78	68	46½	45½

[1] Box coats between 38" and 46" in length may be made with same sweep as designated for fitted coats.

(2) *Jackets.* Separate jackets and jackets which are the tops of suits, slack suits, and ski suits shall be of and graded from the following maximum measurements:

JACKETS

Type	Size	Jacket length	Sleeve length	Sleeve circumference	Hems
Misses'	16	25	20	14	1½
Jr. misses'	15	25	20	14	1½
Little women	20½	23½	21½	15½	1½
Women's reg	40	26½	20	15½	1½
Women's stout	42½	26½	32	16	1½
Women's odd	41	29½	31	16	1½

(3) *Separate skirts.* Separate skirts shall be of and graded from the following maximum measurements:

SEPARATE SKIRTS

Type	Size	Length inc. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'	16	28	2	78	64
Jr. misses'	15	27	2	78	64
Women's reg	40	29½	2	82	70

(4) *Suit skirts.* Suit skirts shall be of and graded from the following maximum measurements:

SUIT SKIRTS

Type	Size	Length inc. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'.....	16	26	2	72	64
Jr. misses'.....	15	27	2	72	64
Women's reg..	40	29½	2	76	70

(5) *Evening and dinner skirts.* (i) Sweeps on all sizes of evening and dinner skirts shall be limited, with respect to the following materials, to:

(a) 90 inches when made of crepes, crepe satins, and similar fabrics;

(b) 144 inches when made of taffeta, flat satins, and failles;

(c) 288 inches when made of transparent fabrics;

(d) 90 inches when made of any other material.

(ii) Lengths for evening and dinner skirts shall not exceed:

(a) 45½" for size 16, Misses' range;

(b) 44" for size 15, Junior Misses' range;

(c) 46" for size 40, Women's range.

(iii) No evening or dinner skirt may be made of wool cloth.

(iv) Any skirt shorter than ankle or floor length shall conform in all respects with the measurements prescribed for daytime and suit skirts.

(6) *Slacks, overalls and coveralls.* Slacks, overalls and coveralls from waist down shall be of and graded from the following maximum measurements:

SLACKS, OVERALLS AND COVERALLS

Type	Size	Bottom width	Length incl. waistband and turn-up at bottom
Misses'.....	16	19½	43½
Jr. misses'.....	15	19½	44½
Women's reg.....	40	22½	46½

(7) *Ski pants.* Ski pants shall be of and graded from the following maximum measurements:

SKI PANTS

Type	Size	Bottom width	Length including waistband and turn-up at bottom
Misses'.....	16	13	42½
Jr. misses'.....	15	13	41½
Women's reg.....	40	17	44½

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Obsolete.

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PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule V as Amended Apr. 28, 1944]

CHILDREN'S APPAREL FOR OUTER WEAR

§ 3290.6 *Schedule V to General Limitation Order L-85*—(a) *Definitions.* For the purpose of this schedule:

(1) "Outerwear" means all apparel for children, excluding underwear and lounging wear;

(2) "Children's apparel" means outerwear of the following size ranges:

(i) Toddler's range 1 to 4 for both sexes;

(ii) Children's range 3 to 6x for both sexes;

(iii) Girl's range 7 to 14;

(iv) Teen age range 10 to 16;

(v) Chubbie range 7½ to 14½ and 10½ to 16½.

(3) "Children's" means all ranges from 1 to 16½;

(4) "Coat" means any outer garment for children usually worn over other outer apparel, including a cape, a raincoat, a reefer and a topper, but excluding a jacket;

(5) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(6) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(7) "Jacket" means a coat shorter than 33" in teen age and shorter than 24" in girls' range; (Note that paragraph (d) (2) (xvi) specifies the maximum permitted length for a jacket.)

(8) "Dress" includes a street dress, a suit dress and a party dress;

(9) "Street dress" means any dress other than a party dress;

(10) "Party dress" means a dress of floor or ankle length;

(11) "Suit dress" means an unlined two-piece outfit consisting of a top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of paragraph (d) (5) governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress and shall be subject to paragraphs (d) (2) and (d) (8) governing packets and skirts.

(12) "Legging set" means a combination of coat and leggings or pants, of the type known as a double duty outfit;

(13) "Snow suit" or "ski suit" means a one-piece garment or a combination of a jacket and leggings or pants, made exclusively for outdoor wear;

(14) "French facing" means a facing extending to the armhole or beyond;

(15) "Culotte" means a garment with a divided skirt;

(16) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurement of the length of coats, toppers, dresses, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt or a dress at any point parallel to the floor.

(b) *General exceptions.* The provisions of this schedule shall not apply to children's apparel, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel; and

(2) July 1, 1943, in the case of summer apparel: *Provided*, That the provisions of General Limitation Order L-85 as amended July 10, 1942, shall apply to summer apparel until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all children's apparel.* (1) No person shall put into process, manufacture, sell or deliver any children's apparel, including a jumper or pinafore, with another garment or article at a unit price, except in the case of the following garments which may be sold as one unit:

(i) A skirt and a top may be sold as a dress;

(ii) A jacket may be sold with a skirt, or with slacks, or with ski pants, as a suit;

(iii) A coat may be sold with one pair of leggings up to and including size 14;

(iv) A one-piece play suit may be sold with a skirt.

(2) No person shall put into process, manufacture, sell or deliver any children's apparel with an attached cape, muff, scarf, bag, hat, cap, capelet, handkerchief or hood, except that a collarless raincoat and a collarless mackinaw or ski jacket may be sold with a permanently attached hood up to and including size 14.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of children's apparel.* (1) No person shall put into process any cloth for the manufacture of a Coat, Cape, or Raincoat, with:

(i) Epaulets or tabs on the shoulders.

(ii) More than one collar or revers. (Single collar or revers of two thicknesses with inside lining permitted);

(iii) A collar over 5 inches wide;

(iv) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 36 square inches of material before reduction.

(v) More than 1 flap on each pocket.

(vi) More than 2 separate flaps for trimming use;

(vii) Balloon, dolman, or leg-of-mutton sleeves;

(viii) French facings, except of wool cloth;

(ix) Turn-back cuffs;

(x) A belt over 2 inches wide;

(xi) Bi-swing, vent, pleat, or Norfolk-type backs from the waist up;

(xii) Vestees, dickeys or gilets;

(xiii) Sleeve facings over 1½ inches;

(xiv) Bibs on leggings of legging sets;

(xv) Measurements which are not of or graded from the following maximum measurements:

COATS, CAPES AND RAINCOATS

Type	Size	Length box coat	Sweep box coat	Length fitted	Sweep fitted	Hem	Sweep for coat sold with leggings
Toddlers'.....	4	19	46	.....	.....	2	48
Children's.....	6x	28	52½	.....	.....	2	54½
Girls'.....	14	36	53	36	63	2	64
Chubbie girls'.....	14½	36	60	36	70	2	.....
Teen age.....	16	40	59½	41	68	2	.....
Chubbie teen age.....	16½	40	63½	41	72	2	.....

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions. Coats in teen age and chubbie teen age types shall not be shorter than 33" for any size, and coats in girls' and chubbie girls' types shall not be shorter than 24" for any size.

(2) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit, a snow suit, or a ski suit, with:

(i) A belt wider than 2 inches;

(ii) Balloon, dolman or leg-of-mutton sleeves;

(iii) Sleeve facings over 1½ inches;

(iv) A cuff on a sleeve;

(v) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vi) Collar or revers over 5 inches in width;

(vii) More than 2 pockets, inside or out, or with a patch pocket exceeding 36 square inches of material before reduction;

(viii) More than 1 flap on each pocket;

(ix) More than 2 separate flaps for trimming use;

(x) Epaulets or tabs on the shoulders;

(xi) French facings except of wool cloth;

(xii) Double breasted fronts in teen age sizes 10 to 16;

(xiii) Quilting, except when used as a lining;

(xiv) Bi-swing, vent, or Norfolk-type backs;

(xv) A dickey collar except on collarless jackets;

(xvi) Measurements which are not of or graded from the following maximum measurements:

JACKETS

Range	Size	Jacket length	Snow & ski suit jacket length	Hems
Toddlers'.....	3	14½	15½	1½
Children's.....	6x	16½	18	1½
Girls'.....	14	20½	22	1½
Chubbie girls'.....	14½	20½	22	1½
Teen age.....	16	22½	23½	1½
Chubbie teen age.....	16½	23½	23½	1½

Maximum measurements for all sizes and ranges other than those specified above shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) Suspenders, except on sizes 1 to 3 and 3 to 6x. (If suspenders are used on the approved sizes the width must be limited to 1½ inches finished and no ruffles may be applied to the suspenders);

(iv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(v) A flap on the pocket;

(vi) A waistband over 2 inches in width at its maximum width;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Over-all pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(ix) Measurements which are not of or graded from the following maximum measurements:

SKIRTS

Range	Size	Sweep	Length including waistband	Hems
Toddlers'.....	3	48	11½	2
Children's.....	6x	56	16½	2
Girls'.....	14	66	24	2
Chubbie girls'.....	14½	72	24	2
Teen age.....	16	75	26	2
Chubbie teen age.....	16½	78	26	2

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

(4) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, snow suit or ski pants, with:

(i) A separate or attached belt, half belt, simulated belt, tab, or belt loops, except that

(a) Slacks or shorts for male children may have a belt and belt loops if they do not have either suspenders, a bib or any button-on features; and

(b) A one-piece play suit and a one-piece snow suit may have a belt; and

(c) Slacks and shorts (except for male children) and ski pants may have belt loops.

(ii) A waistband over 2 inches in width at its maximum width;

(iii) Pleating, tucking or shirring on the waistband;

(iv) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(v) Flaps on the pockets;

(vi) Cuffs;

(vii) Suspenders, except on size 1 to 3, 3 to 6x and 6x to 14. (If suspenders are used on the approved sizes the width must be limited to 1½ inches finished and no ruffles may be applied to the suspenders).

(viii) Measurements which are not of or graded from the following maximum measurements:

SLACKS, COVERALLS, OVERALLS, SHORTS, PLAYSUITS, SNOW-SUITS AND SKI PANTS

Range	Size	Length ski pants	Max. length incl. turn-up slacks & coveralls & overalls from waist down	Circumference at bottom
Toddlers'.....	3	27	22½	15
Children's.....	6x	33	28	16
Girls'.....	14	42	40	18
Teen age.....	16	44	42¼	19

(5) No person shall put into process any cloth for the manufacture of children's dresses, with:

(i) Balloon, dolman or leg-of-mutton sleeves;

(ii) French facings;

(iii) A belt over 2 inches in width;

(iv) A sash over 3 inches in width;

(v) A bias cut sash;

(vi) Double yokes;

(vii) Bi-swing, vent, pleat, or Norfolk-type backs;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 1 collar or revers. (Single collar or revers of 2 thicknesses permitted);

(x) A collar or revers over 5 inches in width;

(xi) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(xii) More than 1 flap on each pocket;

(xiii) More than 2 separate flaps for trimming use;

(xiv) Cuffs over 2 inches in width;

(xv) More than 1 button or buttonhole on a cuff;

(xvi) Sleeve facings over 1½ inches;

(xvii) Suspenders;

(xviii) Extra sleeves, attached or otherwise;

(6) "Ship's service stores" means the stores maintained by the United States Navy Ship Service Department.

(7) [Deleted Oct. 11, 1943.]

(8) "Design and construction" of luggage means the make-up of the luggage in every detail, so that any two pieces of luggage of the same design and construction are necessarily identical, except in quality and color of material utilized.

(b) *Restrictions on manufacturing—*(1) *Limitations on construction.* (i) After June 30, 1943, no person shall produce any luggage except in conformity with the restrictions contained in Schedule I, annexed; and

(ii) After April 30, 1943, no person shall cut or otherwise put into process any material for the manufacture of any animal carriers, bellows and extension cases, bottle cases, cosmetic cases, fitted cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, picnic cases, secretary cases, shoe cases, vanity cases, women's wardrobe cases or wardrobe trunks of any type: *Provided, however,* That no person shall be deemed to be in violation of this paragraph (b) (1) (ii) in cutting material in his inventory on April 30, 1943, if used only in connection with fabricated or semi-fabricated parts in his inventory on said date and if the luggage into which such material is incorporated is completed prior to July 1, 1943.

(2) *Limitation on quantity produced.* No manufacturer shall produce during any calendar semi-annual period, beginning January 1, 1944, a greater net dollar volume of luggage (factory sales, excluding taxes) than that shown for his class on the following list:

Class factory sales during the base period:	Factory sales permitted during any calendar semi-annual period	Rate of production on annual basis (percent)
$750,000 or more	32% of base period volume	64
Between $250,000 and $750,000	35% of base period volume	70
Between $25,000 and $250,000	38% of base period volume	76
Less than $25,000	45% of base period volume	90

Provided, however, That nothing in this paragraph (b) (2) shall prevent any manufacturer from making factory sales up to $1,000 per month or from producing luggage within such dollar volume.

(3) *Application to military and Post Exchanges orders.* None of the restrictions of this paragraph (b) shall apply to luggage produced under specific military orders as above defined.

Luggage produced for Post Exchanges and Ships' Service Stores must conform to paragraph (b) (1) above, whether or not produced on rated orders, but need not be included within the quota assigned in the second column of the schedule in paragraph (b) (2).

In computing factory sales for the purpose of determining a manufacturer's base period volume, sales to civilian stores, Post Exchanges and Ships' Service Stores shall be included and sales on specific military orders as above defined shall be excluded.

(c) *Restrictions on sales, deliveries and inventories.* (1) No manufacturer or dealer shall sell or deliver any luggage which he knows or has reason to believe was manufactured in violation of this order.

(2) No manufacturer shall accept delivery of any item of material to be incorporated into luggage if by reason of such delivery such manufacturer's inventories of such item will be in excess of his minimum practicable working requirements, or in any event in excess of his requirements for the next 120 days.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board, as amended from time to time, except paragraph (d) of Priorities Regulation 17, which shall be inapplicable to luggage.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(f) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L-284.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(a) *Limitation of types and styles.* (1) Subject to paragraph (a) (3) below, all items shall be of the following types and within the following maximum outside length:

Type	Maximum outside length (inches)
Furlough bag	20
Over-night case	21
Pullman case (empty)	26
Tray pullman case	29
Men's wardrobe	24
Men's week-end	24
Foot locker	31
Physician's bag	18
Sample cases and sample trunks	Unlimited
Packing trunks	40

(2) Except with respect to sample cases and sample trunks, no manufacturer shall in any calendar year produce within each type mentioned above more than two price lines, i. e., either one style in two price lines or two styles in one price line each. For this purpose "style" shall refer to the design and construction of the luggage, including its size, but not to the quality or color of the material utilized.

(3) The restrictions in this paragraph (a) regarding dimensions and number of styles and price lines shall not apply to items produced by manufacturers whose factory sales have not in any prior calendar month (subsequent to May, 1943) exceeded $1,000.

(b) *Limitation on use of materials.* (1) None of the following materials shall be used in making luggage:

(i) Parts containing iron or steel, other than slide fasteners (closures only), frames, locks, bolts, dowels, handle dee rings, handle posts, valances, valance clamps, binding corner clips, men's wardrobe hanger brackets, foot locker corners, foot locker bindings, snap fasteners, buckles, hinges, rivets, screws, nails, tacks, washers, burrs, or other small hardware for essential joinings. No stainless steel may, however, be used in any of these parts.

(ii) Any slide fasteners, except for closures.

(iii) Parts containing copper, zinc, aluminum, or copper, zinc or aluminum alloys.

(iv) Leather, except:

(a) Sheepskin, pigskin, sealskin, walrus, sharkskin or alligator leather,

(b) Rawhide (cattlehide) or vegetable tanned cattlehide leather under 3½ ounces in weight,

(c) Scrap cattle hide leather, or

(d) Vegetable tanned bag, case and strap cattle hide leather bellies under 7 ounces in weight.

Any of the foregoing may be used for handles, attaching handle pieces, welts, bindings, corners, closures but for no other purpose.

(2) In no event shall more iron, steel, or leather be used than is essential to perform a functional purpose. The functional uses for handle loops, leather straps, leather corners and leather bindings shall be limited as follows:

(i) Leather handle loops shall consist of necessary attaching pieces only and shall not include extended strips for design or decorative purposes.

(ii) Leather straps shall be used for essential closure means only and shall not include extended or long straps.

(iii) Leather corners shall be used for essential reinforcements for the top or bottom, or both, of a case or bag only and shall not include wing-tip corners or over-sized corners for design or decorative purposes.

(iv) Leather bindings shall be used for essential reinforcements and shall not exceed 1¼" width before attachment.

INTERPRETATION 1

LUGGAGE

The quota exemption contained in paragraph (b) (3) in favor of "luggage produced for post exchanges and ship's service stores" refers only to luggage produced to fill direct orders from post exchanges and ship's service stores. It does not refer to luggage produced for wholesalers or retailers, even though such wholesalers or retailers may intend to resell the luggage to post exchanges or ship's service stores. (Issued Nov. 17, 1943.)

[F. R. Doc. 44-6045; Filed, April 28, 1944; 11:20 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-45, as Amended Apr. 28, 1944]

JEWELRY

§ 3291.195 *General Limitation Order L-45—*(a) *Definitions.* For the purposes of this order:

(1) "Jewelry" means all articles commonly known as jewelry designed to be worn on or about the person, including but not limited to, mesh bags, vanity cases, lip sticks, compacts, cigarette cases, cigar and cigarette lighters, watch bracelets, clasps, money clips, belt buckles, pocket knives, emblematic jewelry, merit awards, and luck pieces. It includes jewelry having religious significance, such as crosses, stars or medals, but it does not include rosaries. It does not include watch cases unless they contain or are designed to contain stones, pearls or jewels.

(2) "Manufacturer" means any person engaged in the business of producing jewelry.

(3) To "produce jewelry" means the performance of the last manufacturing or assembling operation on jewelry. It includes the repair of jewelry if the repair requires more karat gold or palladium (by weight) in combined total than 5 percent of the combined weight of karat gold and palladium in the jewelry being repaired. A manufacturer making such repair shall, for the purpose of paragraph (b), be deemed to have produced jewelry containing only the amount of karat gold and palladium he has added. It does not include the following: (i) the sizing of a ring for the ultimate consumer when material is removed or when material is added for the purpose of sizing alone; or (ii) the addition of one or more stones, pearls or jewels to an otherwise finished article and the polishing of such article.

(4) "Karat gold" means karat gold as defined in United States Commercial Standard CS67-38 (issued by the National Bureau of Standards).

(5) "Palladium" includes the total weight of any palladium alloy containing 10 percent or more of palladium by weight.

(b) *General restrictions.* (1) In the first calendar quarter of 1944 and in each calendar quarter after that, no manufacturer shall produce jewelry containing more karat gold and palladium (by weight) in combined total than a weight computed by adding 18¾% of the weight of karat gold and palladium and 37½% of the weight of platinum contained in jewelry produced by him in 1941.

(2) The restrictions in paragraph (b) do not apply to a manufacturer who produced jewelry in 1941 containing karat gold or palladium or platinum and who now in any calendar quarter does not produce jewelry containing more karat gold and palladium (by weight) in combined total than 250 ounces.

(c) *Applicability of other orders and regulations.* (1) This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of jewelry (as defined in this order) to a greater extent than does this order, the other order shall govern unless it states otherwise.

(2) Notwithstanding the restrictions contained in Order M-0-c, as amended from time to time, karat gold containing not more than 45% copper (by weight) may be used in the production of jewelry within the quota established by this order.

(xix) Vestees or gilets;

(xx) Quilling;

(xxi) More than 1 ruffle (not to exceed 2 inches in width) on a sleeve;

(xxii) Ruffles on skirt, except that ruffles may be used on or around skirt pockets;

(xxiii) A skirt pleated, tucked or shirred, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

DRESSES

Range	Size	Street length	Street sweep	Street hems	Party length	Party sweep	Party hem	Length top two-piece dress
Toddlers	3	17½	48	3				14½
Children's	6x	26	56	3	37	91		19½
Girls	14	36	72	3	52	135	1	20½
Chubbie girls	14½	36	72	3	52	135	1	23½
Teen age	10	41		3	57	135		23½
Teen age chubbie	16½	41		3	57	135		25½

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6041; Filed, April 28, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-284, as Amended Apr. 28, 1944]

LUGGAGE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials for making luggage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.186 *General Limitation Order L-284—*(a) *Definitions.* For the purpose of this order:

(1) "Luggage" means a container of the type used for the transportation of personal effects on a journey, and includes (without limitation of the foregoing) the following: animal carriers, army lockers, bellows and extension cases, Boston bags, bottle cases, carryalls, cosmetic cases, duffel, sport and furlough bags, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, over-night or week-end cases, physician's bags, picnic cases, pullman cases, pullman tray cases, salesmen's sample cases, secretary cases, shoe cases, suit cases, travelling bags, vanity cases, victoria cases, women's and men's wardrobe cases, trunks of all types, and all other products that are sold and known as luggage in the trade. It shall not include any items having a factory price (exclusive of taxes) of $1.50 or less.

(2) "Base period" means the twelve months ended December 31, 1941.

(3) "Cattle hide leather" means leather or rawhide produced from the hides or skins of bulls, steers, cows and buffaloes, whether native or branded, foreign or domestic, including calf and kipskins.

(4) "Military order" means an order for luggage to be delivered to the Army or Navy of the United States (excluding post exchanges and ship's service stores), United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(5) "Post exchanges" means United States Army post exchanges and United States Marine Corps post exchanges.

(d) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from this order should be made on Form WPB–1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L–45.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6090; Filed, April 28, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–322, as Amended Apr. 28, 1944]

JACKS, MECHANICAL, HYDRAULIC, AIR AND

the public interest and to promote the national defense.

§ 3292.116 *Limitation Order L–322*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air or electrically operated jacks.

(3) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B to this order.

(4) "Non-military production" means any mechanical, hydraulic, air or electrically operated jacks produced or assembled except under contracts or orders for delivery to the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(b) *Restriction on production.* On and after November 15, 1943, no producer shall manufacture or assemble any jack except of a model, size, and capacity listed in Schedules A and B of this order.

(c) *Restriction on distribution.* Notwithstanding the provisions of Priorities Regulation Number 1, commencing with the month of November, 1943, and each month thereafter, each producer shall retain, for delivery against orders rated on Form WPB–547, a minimum of twenty-five (25) percent of the number of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks manufactured or assembled by him in non-military production.

(1) In the event that in any month a producer's orders rated on Form WPB–

or B to this order, except pursuant to orders bearing preference ratings of AA–5 or higher. The provisions of this paragraph (d) shall not apply to repair parts for mechanical, hydraulic, air or electrically operated jacks.

(e) *Exceptions to applicability of this order.* The terms and restrictions of paragraph (b) of this order shall not apply, until February 1, 1944, to jacks produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, stating therein the information called for.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as stipulated in paragraph (c).

(d) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from this order should be made on Form WPB–1477 (formerly PD–500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L–45.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6039; Filed, April 26, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–322, as Amended Apr. 28, 1944]

JACKS, MECHANICAL, HYDRAULIC, AIR AND ELECTRICALLY OPERATED

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials entering into the production of mechanical, hydraulic, air and electrically operated jacks for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.116 *Limitation Order L–322.*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air or electrically operated jacks.

(3) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B to this order.

(4) "Non-military production" means any mechanical, hydraulic, air or electrically operated jacks produced or assembled except under contracts or orders for delivery to the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(b) *Restriction on production.* On and after November 15, 1943, no producer shall manufacture or assemble any jack except of a model, size, and capacity listed in Schedules A and B of this order.

(c) *Restriction on distribution.* Notwithstanding the provisions of Priorities Regulation Number 1, commencing with the month of November, 1943, and each month thereafter, each producer shall retain, for delivery against orders rated on Form WPB–547, a minimum of twenty-five (25) percent of the number of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks manufactured or assembled by him in non-military production.

(1) In the event that in any month a producer's orders rated on Form WPB–547, do not equal twenty-five (25) percent of his non-military production of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks, he may deliver the balance of his non-military production, not covered by such orders, against other orders.

(d) *Restriction on sales.* On and after November 15, 1943, no producer shall sell, transfer, or deliver, to any person any jacks listed in Schedule A or B to this order, except pursuant to orders bearing preference ratings of AA–5 or higher. The provisions of this paragraph (d) shall not apply to repair parts for mechanical, hydraulic, air or electrically operated jacks.

(e) *Exceptions to applicability of this order.* The terms and restrictions of paragraph (b) of this order shall not apply, until February 1, 1944, to jacks produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, stating therein the information called for.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as stipulated in paragraph (c).

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., reference: L–322.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Items I, VI, XIV, XV, and XIX amended Apr. 28, 1944.

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
I. Ratchet lever automatic lowering jacks (rigid base).	5	1	3	14" to 21".
	10	1	1	21" to 22".
	15	1	2	22" to 28".
	20	1	1	28" to 29".
	25	1	1	22" to 28".
II. Ratchet lever automatic lowering jacks (hinged base).	15	1	1	28" to 50".
III. Ratchet lever automatic lowering pole jacks.	5	1	1	37" to 58".
	15	1	1	20" to 21".
IV. Ratchet lever automatic lowering cable reel jacks.	5	1	1	24¼" to 40".
	10	1	2	
V. Cable reel screw jacks	----------	2	6	15" to 30" x 1¾". 2" or 2¼" screw.

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
VI. Telescope screw jacks	3	1	1	7" to 11".
	5	1	1	7" to 13".
NOTE: Capacity of bumper and tool box type jacks shall be measured by load raising ability through entire jacking range from minimum to maximum height.	8	1	1	8" to 11".
	10	1	1	10" to 14".
	12	1	1	8" to 13".
	20	1	1	9¼" to 27".
	25	1	1	20" to 22".
VII. Telescope scissors screw jacks—mechanical.	3	1	1	4" to 6"
VIII. Track or trip jacks single acting.	15	1	4	10½" to 29".

SCHEDULE A—Continued

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
IX. Track or trip jacks double acting.	15	1	2	22" to 31".
X. Combination trip and automatic lowering jacks.	15	1	3	22" to 28".
XI. Geared automatic lowering jacks.	25	1	1	22" to 28".
	35	1	1	27" to 28".
	50	1	1	27" to 28"
XII. Journal jack (standard speed).	15	1	1	10".
	25	1	1	10".
	35	1	1	10".
	50	1	1	10" to 17"
XIII. Jacks on traversing bases (complete units).	10	1	1	
	25	1	1	
	35	1	1	
XIV. Standard speed bevel gear screw jacks.	10	1	1	14".
	15	2	2	14" to 22".
	25	2	2	20" to 28".
	35	2	2	22" to 27".
	50	2	2	12" to 27".
XV. Self lowering bevel gear screw jacks.	75	1	1	24" to 27"
	20	1	1	28".
	25	2	2	26" to 28".
	35	2	4	22" to 30".
	50	2	4	20" to 36"
	75	1	1	26".
	100	1	1	26".
XVI. Bell bottom jack screws four way head.	----------	1	19	1" screw x 6".
				1¼" screw x 6"–8"–10".
				1¼" screw x 8"–10"–12".
				1½" screw x 10"–12"–14".
				2" screw x 10"–12"–14"–16".
				2¼" screw x 10"–12"–14"–16"–18".
XVII. Bell bottom jack screws ratchet head.	----------	1	11	1¼" screw x 10"–12"–14".
				2" screw x 10"–12"–14"–16".
				2½" screw x 10"–12"–14"–16"–18".
XVIII. Shoring or house raising jack screws.	----------	1	8	2" screw x 10"–12"–14"–16".
				2½" screw x 12"–16"–18"–20".
XIX. Hydraulic self contained jacks (hand operated).	3	1	2	7" to 11".
	5	1	2	7" to 13".
	8	1	2	8" to 11".
	12	1	2	8" to 13".
	20	2	2	7¼" to 22".
	25 or 30	2	3	7¼" to 18".
NOTE: Capacity of bumper and tool box type jacks shall be measured by load raising ability through entire jacking range from minimum to maximum height.				
XX. Wheel type service or shop jacks—hydraulic or mechanical (only as permitted in Limitation Order L–270).	1½	1	1	
	4	1	1	
	10	1	1	
XXI. Transmission jacks only as permitted in Limitation Order L–270).	¼ ton or over	1	1	
XXII. Power jacks (air and/or electric operated).	10	1	1	28".
	50	1	2	28" and 36".
	100	1	2	28" and 44".
XXIII. Hydraulic self-contained heavy duty jacks (hand operated).	10	2	1	22" to 30".
	15	2	1	22" to 32".
	20	2	1	22" to 27".
	25 or 30	3	1	20" to 30".
	50 or 60	2	1	11" to 30".
	100	2	1	11" to 30".
	125	2	1	20" to 30".
	150	2	1	20" to 30"

SCHEDULE B

The following types and models of mechanical and hydraulic jacks have not been simplified and may be produced by manufacturers, unless they are prohibited by other orders of the War Production Board:

Aircraft jacks, wing, tail, nose, bomber, tripod, testing, turret
Push-pull jacks
Steamboat jacks
Adjustable mine roof jacks
Mine timber jacks
Mine post puller jacks
Anchor or hold down jacks
Cable and wire extension jacks
Pipe pulling and pushing jacks
Pull rod jacks
Planer or machinists jacks
Oil Well circle jacks
Suspension type journal jacks
Independent pumps and rams
Under aircraft jacks
Aircraft axle jacks
Float bridge jacks
Bolt pulling and/or forcing jacks
Pipe bending jacks
Rail bending jacks
Hydraulic jenny puller jacks
Hydraulic or mechanical pit jacks (five-ton or over)
Jacks: designed as an integral part of special military equipment, vehicle or vessel, or for specific uses in connection with military equipment, vehicle or vessel, or as a component part of a product and included in the sales price of that product as original equipment.
Farm utility jacks

[F. R. Doc. 44–6046; Filed, April 28, 1944; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amdt. 18]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respects:

1. Section 1300.603 is amended by adding a new sentence to read as follows:

However, if the appellant shows good cause for his failure to file his appeal within the time prescribed by this section, such thirty day period may be waived.

2. Section 1300.604 is amended by adding the words "Except as provided for in § 1300.608b" before the first word of the first sentence.

3. Section 1300.605 (g) is amended by adding the phrase "except as permitted in § 1300.603" at the end of the first sentence.

4. Section 1300.607 is amended by adding the words "Except in the case of appeals brought under the provisions of § 1300.608b" before paragraph (a).

5. Section 1300.607 (d) is amended by amending the second sentence to read as follows:

Thereafter there shall be no further right of appeal, except as permitted in § 1300.603.

6. Section 1300.608 (d) is amended by adding the words "except in the case of appeals brought under the provisions of § 1300.608b" after the words "District Director" in the first paragraph.

7. Section 1300.608 (e) is amended by adding the words "except in the case of appeals brought under the provisions of § 1300.608b," after the words "record of the case" in the first sentence thereof.

8. Section 1300.608b is added to read as follows:

§ 1300.608b. *Appeals where there is no District Director; how brought.* Notwithstanding any other provision of this regulation:

(a) Appeals pending May 2, 1944 or taken thereafter from the action of a Board in counties where there is no District Director shall be to the Regional Administrator and shall be brought by the persons entitled to bring such appeals as if the said appeals were being taken to a District Director under the provisions of § 1300.604 substituting, for the purposes of this section only, the words "Regional Administrator" for "District Director" wherever they appear in said § 1300.604.

(b) The Regional Administrator shall keep an appeal docket for such appeals similar to, but separate from, that main-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796; 8 F.R. 826, 1288, 2080, 2594, 2941, 4950, 4920, 7381, 11490, 11806, 14211; 9 F.R. 1599.

tained under the provisions of § 1300.607 (a) for appeals taken from decisions of District Directors.

(c) The Regional Administrator may in cases provided for in this section require the appellant to present additional pertinent information.

(d) Appeals to the Regional Administrator in the cases provided for in this section shall be decided by the Regional Administrator, who may affirm, modify or reverse the decision of the Board. The decision shall be in writing and copies shall be mailed to the appellant and to the Board. The decision shall direct the Board to take such action as may be necessary to give effect thereto.

(e) If no statement of appeal to the Washington Office is filed with the Regional Administrator from a decision in cases brought under the provisions of this section within 30 days after the appellant has been notified of the Regional Administrator's decision, the record shall be closed and shall remain on file in the Regional Administrator's office, except that documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal except as permitted in § 1300.603.

9. Section 1300.611 (a) is amended by deleting the word "Boston" appearing between the words "Massachusetts" and "New Hampshire."

10. Section 1300.611 (b) is amended by deleting the words "New York" appearing between the words "Binghamton" and "Albany."

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6054; Filed, April 28, 1944; 11:23 a. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 91]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.220 (c) the date, January 28, 1944, is corrected to read January 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F. R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6057; Filed, April 28, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 49]

GROCERY ITEMS IN THE TERRITORY OF HAWAII

Correction

In F.R. Doc. 44-5563, appearing at page 4240 of the issue for Thursday, April 20, 1944, the following changes should be made in the tables under paragraph (e) (5):

In table (i), the maximum price at wholesale for tomatoes, large, wrapped, in standard lugs, should be ".16".

In table (ii), the maximum price at wholesale for bananas, hands, Bluefield, should be ".05".

In table (iv), the maximum price at retail for Swiss chard, bunched or loose, should be ".06".

In table (v), the maximum price at wholesale for okra should be ".09".

In table (vi), for eggplant, round and half long, the maximum price at retail should be ".06".

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,[1] Amdt. 7]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 130 is amended in the following respect:

1. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Light weight quality.* There may be added to the maximum prices hereinabove established, a price differential not in excess of $4.00 per ton for light weight newsprint paper as hereinbefore defined: *Provided, however,* That with respect to newsprint paper manufactured outside the continental United States such light weight differential not to exceed $4.00 per ton shall be effective only during the period commencing May 1, 1944 and expiring July 31, 1944.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6056; Filed, April 28, 1944; 11:23 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9251, 10265; 8 F.R. 1588, 2670, 7766, 11362, 16918; 9 F.R. 3589.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 528]

TIRES AND TUBES, RECAPPING AND REPAIRING

Correction

In F.R. Doc. 44-5640, appearing at page 4291 of the issue for Friday, April 21, 1944, the table which appears between Table B-VII and Table B-VIII should be a part of footnote 1.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,[1] Amdt. 3]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respect:

In section 26, the heading of Table A is amended to read as follows: "Cents-per-pound mark-ups over 'net cost' allowed to retailers for fresh fish and seafood covered by this regulation, by species, for the months of January, February, March, April and May."

This amendment shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6055; Filed, April 28, 1944; 11:23 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[2] Amdt. 23]

In § 1388.1201 of Designation and Rent Declaration 25, items 104 and 230 are amended and item 268 is added to read as follows:

(104), Jackson Michigan, Michigan, Counties of Jackson and Lenawee.

(230), Salt Lake City, Utah, Counties of Box Elder, Cache, Davis Morgan, Salt Lake, Tooele, and Weber.

Nevada, Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.

[1] 9 F.R. 607, 3511, 3512.

[2] 7 F.R. 3195, 3892, 4170, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228, 4779, 5738, 9031, 10738, 12094, 12919, 14763, 15581, 16208, 17297; 9 F.R. 971, 3230.

(268), Monroe, Michigan, Michigan, County of Monroe.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6062; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 17]

In § 1388.1341 of Designation and Rent Declaration 31, items 9, 24, 29, and 45 are amended and items 83, 84, and 85 are added to read as follows:

(9) Illinois, Illinois, That portion of the State of Illinois not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of De Kalb, Fulton, Kankakee, Knox, La Salle, McDonough, and Mason.

(24) Nevada, Nevada, That portion of the State of Nevada not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.

(29) North Carolina, North Carolina, That portion of the State of North Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of Alamance, Buncombe, Chowan, Edgecombe, Moore, Nash, Pender, and Perquimans.

(45) Wyoming, Wyoming, That portion of the State of Wyoming not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Converse.

(83) Galesburg, Illinois, County of Knox.

(84) Pender County, North Carolina, County of Pender.

(85) Douglas, Wyoming, County of Converse.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6061; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[2] Amdt. 18]

Items 91a, 154a, 221b and 369a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses and items 151 and 336 in the said Schedule A are amended to read as follows:

Name of Defense-Rental Area	State	County or Counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(151) Jackson, Michigan.	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(154a) Monroe, Michigan.	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(221b) Pender County.	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(336) Salt Lake City.[1]	Utah	Davis, Morgan, Salt Lake, and Weber.	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6050; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[3] Amdt. 22]

Items 91a, 154a, 221b and 369a are added to Schedule A of the Rent Regulation for Housing and items 151 and 336 in the said Schedule A are amended to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(151) Jackson, Michigan.	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(154a) Monroe, Michigan.	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(221b) Pender County.	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(336) Salt Lake City[1]	Utah	Davis, Morgan, Salt Lake, and Weber.	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this schedule A.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6053; Filed, April 28, 1944; 11:22 a. m.]

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[1] 7 F.R. 7942; 8 F.R. 122, 1220, 1749, 4779, 5738, 5739, 10739, 12099, 12624, 13920, 14112, 14687, 15581, 16209; 9 F.R. 972, 3232.

[2] 9 F.R. 2165, 2290, 3231, 3421, 4194.

[3] 8 F.R. 14663, 14815, 15585, 16032, 16208, 16427, 17297; 9 F.R. 206, 972, 2176, 2289, 3231, 3422, 4028.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 10 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (6) is added to read as follows:

(6) For the reporting period beginning April 30, 1944 and ending June 3, 1944—3.5.

This amendment shall become effective April 29, 1944.

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6058; Filed, April 28, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MFR 395, Amdt. 18]

PIECE GOODS ON VIRGIN ISLANDS

Correction

In F. R. Doc. 44-5461, appearing at page 4194 of the issue for Thursday, April 20, 1944, the heading for the middle column in Table XXVI should read "Sales in the municipality of St. Thomas and St. John"; the dollar signs before the multipliers should be deleted.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter III—Coast Guard: Inspection and Navigation

PART 312—PILOT RULES FOR INLAND WATERS

PILOT RULES

By virtue of the authority vested in me by section 2, 30 Stat. 102, 38 Stat. 381 (33 U.S.C. 157) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation regulation is prescribed:

The document dated February 5, 1944, published in 9 F.R. 1535, as amended by document dated March 31, 1944, published in 9 F.R. 3515, is further amended by changing the effective date to read January 1, 1945, instead of May 1, 1944.

Dated: April 28, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-6062; Filed, April 28, 1944; 11:39 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. T-10, Amdt.]

PART 261—TRESPASS

SETTLEMENT OF TRESPASS CASES

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the sixth sentence of Regulation T-10 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes § 261.12, Part 261, Chapter II, Title 36, Code of Federal Regulations (as amended February 29, 1940; 5 F.R. 933), is hereby amended to read as follows:

§ 261.12 *Settlement of trespass cases.* * * *

Civil trespasses requiring the institution of legal proceedings which involve a new or unusual question of law or policy, or which involve a claim for more than $1,000, shall be reported through the Chief of the Forest Service to the Solicitor for reference to the Attorney General for appropriate action.

* * * * *

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 27th day of April 1944.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-6026; Filed, April 27, 1944; 3:25 p. m.]

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2630, 2947, 3707, 3560.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

M. C. SCHRANK CO.

NOTICE OF EXCEPTION TO RECORD-KEEPING REQUIREMENT

Pursuant to § 516.18 of the record keeping regulations, Part 516, issued under the Fair Labor Standards Act of 1938, authority is hereby granted to the M. C. Schrank Company, Bridgeton, New Jersey, to discontinue preserving its employees' piece-work tickets for the period required by § 516.15 (a) (1) of the record keeping regulations: *Provided*, That these piece-work tickets are preserved for not less than 90 days, and that the weekly totals of piece work performed by each of the employees are entered in other records which shall be preserved for 4 years as required by § 516.14 of the record keeping regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 20th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-6029; Filed, April 27, 1944; 5:02 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-507, G-508, G-510, G-516, G-519]

HOPE NATURAL GAS CO., ET AL.

ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, REOPENING HEARING AND SETTING DATE THEREOF

APRIL 26, 1944.

In the matters of Hope Natural Gas Company, Docket No. G-507; New York State Natural Gas Corporation, Docket No. G-508; The Manufacturers Light and Heat Company, and Manufacturers Gas Company, Docket No. G-510; United Fuel Gas Company, Docket No. G-516; Home Gas Company, Docket No. G-519.

Upon consideration of the entire record herein, the Commission, having this day adopted its Opinion No. 114, which is referred to and made a part hereof by reference, finds that:

(1) The public convenience and necessity require the delivery into the area to be served of the additional quantities of natural gas necessary to provide adequate service in the face of declining local production.

(2) The proposed construction and operation by Hope Natural Gas Company and New York State Natural Gas Corporation are and will be required by the present and future public convenience and necessity, and certificates therefor should be issued as hereinafter ordered and conditioned.

(3) Said applicants are able and willing properly to do the acts and perform the service proposed and to conform to the provisions of the Natural Gas Act, as amended, and the requirements, rules, and regulations of the Commission thereunder.

(4) It is necessary and appropriate in the public interest that these proceedings should be reopened for the purpose of hearing additional evidence and further argument, as hereinafter ordered.

The Commission orders that:

(A) A certificate of public convenience and necessity be and it is hereby issued authorizing Hope Natural Gas Company to construct and operate its proposed facilities which are described in the Commission's Opinion No. 114 and more fully set forth in that company's application in Docket No. G-507, for the transportation and sale of natural gas to New York State Natural Gas Corporation, upon the terms and conditions of this order.

(B) A certificate of public convenience and necessity be and it is hereby issued authorizing New York State Natural Gas Corporation to construct and operate its proposed facilities which are described in the Commission's Opinion No. 114 and more fully set forth in that corporation's application in Docket No. G-508, for the transportation and sale of natural gas, subject to the jurisdiction of the Commission, upon the terms and conditions of this order.

(C) Until further order of the Commission, the facilities herein authorized shall be operated exclusively for the purpose of enabling Hope Natural Gas Company and New York State Natural Gas Corporation to supply the natural-gas requirements of the following-named customers of New York State Natural Gas Corporation in accordance with the terms and provisions of existing contracts covering the sale and delivery of such requirements, limited, however, to the maximum annual quantities of natural gas set forth in the following tabulation:

	Annual volume (Mcf)
New York State Electric & Gas Corporation	1,900,000
Central New York Power Corporation	8,300,000
Empire Gas & Fuel Co. (Pa.)	308,750
Godfrey L. Cabot, Inc.	592,750
North Penn Gas Co. and Allegany Gas Co.	1,581,250
Penn-York Natural Gas Corporation	1,718,000

(D) Hope Natural Gas Company and New York State Natural Gas Corporation shall commence the construction of the facilities herein authorized at the earliest practicable date after the issuance of this certificate and shall complete such construction not later than November 1, 1944.

(E) Hope Natural Gas Company and New York State Natural Gas Corporation shall report to the Commission in writing, under oath, the completion date of the facilities herein authorized, and the date the same are put in operation.

(F) The certificates granted hereby shall not be transferable and are without prejudice to the authority of this Commission or any other regulatory body with respect to rates, service, accounts, valuation, estimate or determination of cost, or any other matters whatsoever now pending or which may come before this Commission or other regulatory body, and nothing herein shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of property claimed or asserted.

(G) Nothing herein is to be construed as affecting in any manner the determination of the service area of Hope Natural Gas Company or New York State Natural Gas Corporation or of any other natural-gas company under section 7 (f) of the Natural Gas Act.

(H) The certificates granted hereby shall be effective as long as Hope Natural Gas Company and New York State Natural Gas Corporation continue the operations and acts hereby authorized in accordance with the provisions of the Natural Gas Act and any pertinent rules, regulations or orders heretofore or hereafter issued by the Commission.

(I) Appropriate evidence of the issuance of these certificates shall be furnished to Hope Natural Gas Company and New York State Natural Gas Corporation.

(J) These proceedings shall be reopened and further hearings held commencing on May 16, 1944, at 9:45 a. m., in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., for the limited purpose of hearing additional evidence (1) by The Manufacturers Light and Heat Company, Manufacturers Gas Company, United Fuel Gas Company and Home Gas Company to show why, in addition to the facilities herein authorized, the public convenience and necessity require the construction and operation of all or any part of the facilities for which they have made applications in Docket Nos. G-510, G-516 and G-519, and (2) by Hope Natural Gas Company and New York State Natural Gas Corporation to show why, if they should hereafter be authorized to supply the requirements of United Natural Gas Company and Home Gas Company, they should not substantially meet the terms set forth by United Fuel Gas Company, The Manufacturers Light and Heat Company, and Manufacturers Gas Company in their contracts covering service to such companies.

(K) Interested State Commissions and interveners of record may continue participation in these proceedings as provided in the provisional rules of practices and regulations under the Natural Gas Act, such participation to be confined, however, to the issues as defined in paragraph (J), above.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6034; Filed, April 28, 1944; 10:06 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 203]

REROUTING OF COAL FROM CLINCH AND HARRISBURG, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of April, A. D. 1944.

It appearing, that due to flood conditions at Alton, Illinois, the barge lines are unable to accept traffic from the Illinois Terminal Railroad Company; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, *It is ordered*, That:

(a) *Flood conditions at Alton, Illinois; rerouting.* Effective at once and until further order of the Commission the Illinois Terminal Railroad Company is hereby directed to forward the following cars of coal consigned by the Peabody Coal Company; 39 cars of coal from Clinch, Illinois, to Minneapolis, Minnesota; 26 cars of coal from Harrisburg, Illinois, to Winona, Minnesota; 22 cars of coal from Clinch, Illinois, to Genoa, Wisconsin, via the most available all-rail routes to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which these cars have been received or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only insofar as they conflict with the directions hereby made: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is due to the disability of the barge lines, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied over the all-rail routes from points of origin to points of destination.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That copies of this order and direction shall be served upon the Illinois Terminal Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6060; Filed, April 28, 1944; 11:40 a. m.]

[S. O. 117, Special Permit 2]

TRANSPORTATION OF BANANAS FROM MEXICO

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.9) of Service Order No. 117 of April 13, 1943, permission is hereby granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept or move bananas in carloads originating in Mexico and moving through the United States all rail to points in Canada, to Bondi Better Bananas, Toronto, in addition to the monthly quota, of 17 cars for April, 1944, 11 cars to Detroit, Michigan, with car numbers as follows:

PFE 15720	PFE 28859
31739	50980
73565	76019
41914	30900
42615	38800
42569	

Bills of lading and waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director, Bureau of Service.

[F. R. Doc. 44-6061; Filed, April 28, 1944; 11:40 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–103]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN DENVER, COLO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Denver, Colorado, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Denver, Colorado, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–103" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Denver, Colorado.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Forrest M. Woods, dba Dollar Cab Lines, Denver, Colo.
Ed W. Dundon, dba Checker Cab Co., Denver Colo.
Lloyd Woods and Nathan R. Kobey, dba Publix Cab Co., Denver, Colo.
W. F. Marlar, dba Bill's Cab Co., Denver, Colo.
Leslie E. Powell, dba Green & White Cab Co., Denver, Colo.
Joe Benov, dba Joe's Cab Co., Denver, Colo.
Willard T. Lewis, dba Ritz Cab Co., Denver, Colo.
Byron G. Rogers, dba John's Cab Co., Denver, Colo.

[F. R. Doc. 44–6035; Filed April 28, 1944, 10:45 a. m.]

[Supp. Order ODT 20A–104]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MOBERLY, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Moberly, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–104" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Jess Lee Bass, dba City Cab Co., Moberly, Mo.
Roy Clark, dba City Cab Co., Moberly, Mo.
C. R. Crews, dba City Cab Co., Moberly, Mo.
Virgil Rafferty, dba City Cab Co., Moberly, Mo.
Ernest Staples, dba City Cab Co., Moberly, Mo.
Harold White, dba City Cab Co., Moberly, Mo.
N. D. Casto, dba Oliver Cab Co., Moberly, Mo.

[F. R. Doc. 44–6036; Filed, April 28, 1944; 10:45 a. m.]

[Supp. Order ODT 20A–105]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN SARATOGA SPRINGS, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Saratoga Springs, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–105" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William McCarty, d/b/a McCarty Taxi Service, 19 Church Street, Saratoga Springs, N. Y.
Dewey Senecal, d/b/a Dewey's Taxi, 3 Congress Avenue, Saratoga Springs, N. Y.
Howard E. Baker, d/b/a Baker's Taxi, 254 Church Street, Saratoga Springs, N. Y.
Peter E. Smith, 26 Marion Place, Saratoga Springs, N. Y.
Martin Van Steele, 87 Nelson Avenue, Saratoga Springs, N. Y.
Saratoga Central Taxi, Inc., Manfred Connors, South Broadway, Saratoga Springs, N. Y.
Albert Lanzara, Al's Taxi, 194½ Caroline Street, Saratoga Springs, N. Y.
James & Nicholas Del Vecchio, Jim and Nick's Taxi, 143 West Circular Street, Saratoga Springs, N. Y.
Anthony Corona, 79 Beekman Street, Saratoga Springs, N. Y.
John Mark, d/b/a Johnnie's Taxi, 56 Ash Street, Saratoga Springs, N. Y.
William B. Rowland, 11 Pinewood Avenue, Saratoga Springs, N. Y.
Elizabeth Verro, d/b/a Verro's Taxi, 19 Joseph Street, Saratoga Springs, N. Y.
James & Catherine Tarantino, d/b/a Joe's Taxi, 21 Lake Avenue, Saratoga Springs, N. Y.

[F. R. Doc. 44–6037; Filed, April 28, 1944; 10:45 a. m.]

[Supp. Order ODT 20A–106]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN GLOVERSVILLE, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Gloversville, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the

[1] Filed as part of the original document.

appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–106" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany, New York.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Emory Aird, d/b/a Aird's Taxi, 35 N. Arlington Avenue, Gloversville, N. Y.
Robert H. Lee, d/b/a Central Cab, 23 S. Main Street, Gloversville, N. Y.
Raymond Benton, South Main Street, Gloversville, N. Y.

[F. R. Doc. 44–6098; Filed, April 28, 1944; 10:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1545]

MARTIN LEATHERMAN MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1545 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Martin Leatherman Manufacturing Company, Martin Building, Little Rock, Arkansas, of two canvas folding chairs, as described in its application, after such articles became subject to Maximum Price Regulation No. 188 are those as set forth below:

	To dealers	To jobbers
	Doz.	*Doz.*
Canvas folding chair, No. 1	$24.00	$30.40
Canvas folding chair, No. 2	18.00	18.30

These maximum prices are net f. o. b. factory.

(b) Any person may sell and deliver at wholesale the canvas folding chairs manufactured by Martin Leatherman Manufacturing Company to dealers at maximum prices no higher than those set forth below, net f. o. b. shipping point.

	Dozen
Canvas folding chair, No. 1	$24.00
Canvas folding chair, No. 2	18.00

(c) At the time of or prior to the first invoice to each purchaser for resale, Martin Leatherman Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of April 1944.

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6027; Filed, April 27, 1944; 3:55 p. m.]

[RMPR 143, Order 14]

NEW RUBBER TIRES AND TUBES

ESTABLISHMENT OF MAXIMUM WHOLESALE PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7 of Revised Maximum Price Regulation 143, it is ordered:

(a) *What this order covers.* This order covers all sales of imported natural rubber tires and tubes of a type, size and ply listed in paragraph (c).

(b) *Maximum wholesale prices.* The maximum wholesale prices for sales covered by this order shall be computed by deducting the following minimum discounts from the maximum retail prices listed in paragraph (c):

Tires—30%.
Tubes—15%.

(c) *Maximum retail prices.* The maximum retail prices for sales of tires and tubes covered by this order are the prices set forth below:

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES

Passenger car tires:

Size	Ply	Price
4.00 x 18	4	$9.65
4.40/4.50 x 21	4	12.80
4.40/4.50/4.75 x 21	6	15.65
4.50 x 16	4	12.80

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

1. Passenger car tires—Continued.

Size	Ply	Price
4.50 x 16	6	$15.65
4.50 x 17	4	12.80
4.50 x 18	4	12.35
4.50 x 19	6	15.65
4.50 x 19	4	13.30
4.50 x 20	6	16.55
4.50 x 20	4	12.80
4.50 x 21	6	15.65
4.50 x 21	4	14.20
4.50/5.00 x 20	6	16.80
4.50/5.00 x 20	4	14.20
4.50/4.75/5.00 x 20	6	16.80
4.50/4.75/5.00 x 20	6	16.40
4.75 x 16	4	12.80
4.75 x 17	6	16.40
4.75 x 17	4	12.80
4.75 x 18	6	16.40
4.75 x 18	4	12.80
4.75 x 19	6	16.40
4.75 x 19	4	12.80
4.75/5.00 x 19	6	16.40
4.75/5.00 x 19	4	14.20
4.75/5.00 x 20	4	12.65
5.00 x 15	6	15.65
5.00 x 15	4	12.40
5.00 x 16	4	13.55
5.00 x 17	4	13.15
5.00 x 19	6	16.40
5.00 x 19	4	14.20
5.00 x 20	6	17.75
5.00 x 20	4	12.80
5.00 x 21	4	14.35
5.25 x 16	6	17.95
5.25 x 16	4	15.70
5.25 x 17	4	14.35
5.25 x 18	6	17.95
5.25 x 18	4	21.00
5.25 x 19	6	21.80
5.25 x 20	6	18.05
5.25 x 21	6	22.90
5.25 x 21	4	15.70
5.25/5.50 x 17	6	19.90
5.25/5.50 x 17	4	14.35
5.25/5.50 x 18	6	17.95
5.25/5.50 x 18	6	23.70
5.25/5.50 x 19	4	15.25
5.50 x 18	4	15.25
5.50 x 18	6	19.10
5.50 x 16	4	15.70
5.50 x 17	6	19.00
5.50 x 17	4	15.40
5.50 x 18	6	17.95
5.50 x 18	6	23.70
5.50 x 19	4	16.45
5.50 x 20	6	24.20
5.50 x 20	6	21.40
6.00 x 16	4	18.55
6.00 x 17	6	23.70
6.00 x 17	4	20.00
6.00 x 18	6	20.05
6.00 x 18	6	25.50
6.00 x 19	6	24.40
6.00 x 20	6	28.95
6.00 x 21	6	25.05
6.00/6.50 x 18	4	19.25
6.25 x 16	6	24.20
6.25/6.50 x 16	4	20.75
6.50 x 16	6	26.05
6.50 x 16	4	23.75
6.50 x 17	6	25.50
6.50 x 19	6	28.70
7.00 x 15	6	31.65
7.00 x 17	6	32.05
7.00 x 18	6	33.95
7.00 x 19	6	35.10
7.00 x 20	4	30.85
7.50 x 16	6	43.10
7.50 x 17	6	47.30
7.50 x 18	6	47.55
7.50 x 19	6	

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

2. Truck tires:

Size	Type	Ply	Price
6.00 x 16		6	$20.95
6.00 x 20		6	24.00
6.50 x 20		8	28.00
32 x 6		8	35.30
7.00 x 20		8	36.40
32 x 6		10	47.50
32 x 6	Mud & Snow	10	49.80
32 x 6		12	54.00
32 x 6	Mud & Snow	12	56.10
32 x 6½		10	50.05
32 x 6½		12	54.00
32 x 6½		10	63.40
7.50 x 20		12	71.75
32 x 7		10	66.45
34 x 7	Mud & Snow	12	72.85
34 x 7		12	76.85
34 x 7	Mud & Snow	12	94.50
36 x 8		14	103.95
36 x 8		14	105.65
9.75 x 18		12	102.35
9.75 x 20		14	111.30
40 x 8		12	109.20
10.50 x 18			

3. Passenger car tubes:

	Size	Price
	4.00 x 15	$2.60
	4.00 x 17	3.20
A17–W	4.50 x 17	3.20
A17	4.50 x 17, 4.75 x 17, 5.25 x 17	3.20
A17		3.20
	4.50 x 18	3.40
A19	4.50 x 19, 4.75 x 19	3.25
A20–21	4.50/4.75/5.00 x 20, 4.50 x 21	3.25
A21	4.50 x 21	3.25
B–15–W	5.00/5.50 x 15	3.20
	5.00 x 18	3.05
B–16–W	4.50 x 16, 5.00 x 16	3.05
B–16	5.00 x 16	3.05
B–16	5.00 x 16, 5.25 x 16	3.85
B–17	5.25 x 17, 5.50 x 17	3.85
B–17		3.20
B–17/18	5.25/5.50 x 18	3.20
B–17/18	5.00 x 17, 4.75 x 18, 5.25 x 18, 5.50 x 18	3.20
B–18	5.25 x 18	3.40
B–19–W	5.25/5.50 x 19	3.40
B–19	4.75 x 19	3.40
B–19	4.75/5.00 x 19	3.40
B–19	5.00 x 19	3.25
B–20	5.00 x 20	3.25
B–20		3.25
B–20/21		4.60
B–21		4.60
B–21	5.25 x 21	4.55
B–21/22		4.25
C–16	5.50 x 16	4.05
C–16–W	5.50 x 16, 6.00 x 16	
C–17	5.25/5.50 x 17, 6.00/6.50 x 18, 6.00/6.50 x 17.	3.85
C–17–W	5.25/5.50 x 17	3.85
C–17	5.25/5.50 x 17, 6.00 x 18 D. C.	3.85
C–17	5.50 x 17, 6.00 x 17	3.85
C–18	5.50/6.00 x 18	4.05
C–18/19	5.25/5.50 x 19	4.05
C–18/19	5.50 x 18, 5.25 x 19, 6.00 x 18 F. B.	3.85
C–19	6.00 x 18	4.05
C–19	5.50/6.00 x 19	4.05
C–19		4.50
C–20		4.50
C–20	6.00 x 20	4.50
C–20	6.00 x 20, 6.00 x 21	4.25
CD–16	6.00 x 16	5.00
	6.00 x 16, 6.50 x 16	5.00
D–15		5.00
D–16	6.50 x 16	5.00
D–16	6.50/7.00 x 16	4.05
D–18	6.50 x 18, 7.00 x 18	4.05
D–18/19	6.50 x 18, 6.50 x 19	4.05
D–19		

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

3. Passenger car tubes—Continued.

	Size	Price
D–19	6.50 x 19	$4.05
D–20		5.40
D–20	7.00 x 20	5.40
E–15		5.80
	7.50 x 19	6.95
B–1	Michelin	3.40
F–9	Michelin	3.85
G–2	Michelin	3.85

4. Truck tubes:

CT–20	6.00 x 20, 30 x 5	$4.15
CT–20		4.15
G–1	30 x 5	4.15
H–1	6.00 x 20	4.15
BT	7.00/7.50 x 17	5.10
	7.50 x 18	5.10
G–3	32 x 6½	5.10
	32 x 7	5.10
	7.00 x 20	5.10
	36 x 6	6.80
G–4	36 x 6	6.80
B–10	9.00 x 20	11.75
	9.75 x 18	13.25
F–8	9.75 x 18	13.25
	40 x 8	13.85
	9.75 x 22	12.95
HT–18	10.50 x 18	13.75

(d) *Posting, records, and sales slips.* All sellers at wholesale shall keep the records required by section 10 of Revised Maximum Price Regulation 143. All sellers at retail shall comply with the requirements of sections 8, 9, and 10 of Maximum Price Regulation 528, regarding the posting of maximum retail prices, the furnishing of sales slips, and the keeping of records.

(e) *Notification.* Each seller, except a seller at retail, shall furnish each buyer a notification, in writing, including the following:

(1) A statement of the maximum retail prices fixed by this order for the tires or tubes being sold.

(2) A statement that the buyer, on all sales other than at retail, must furnish his buyers written notifications of (1) and (2).

(f) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6008; Filed, April 27, 1944; 11:18 a. m.]

Regional and District Office Orders.

[Region I Supp. Order 2 Under RMPR 122, Amdt. 6]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 6 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.250 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The second sentence of the definition of "Franklin" in subparagraph (4) of paragraph (d) is deleted.

2. Subparagraph (11) of paragraph (d) is amended to read as follows:

(11) "Raven Run" means that Pennsylvania anthracite which is produced by Hasle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

This Amendment No. 6 shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5976; Filed, April 26, 1944; 3:57 p. m.]

[Region I Order G-13 Under RMPR 122, Amdt. 3]

SOLID FUELS IN LYNN-SALEM, MASS., AREA

Amendment No. 3 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lynn-Salem Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) of paragraph (b) of Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) *Price Schedule I.* Sales on a delivered basis.

* * * * * *

(2) *Additions to base prices*—(a) *Vermont.* Any dealer whose place of business is located in that portion of Vermont which is included in the Springfield-Claremont Area shall deliver at the base maximum price to those points to which delivery was made without extra charge during December, 1941. For deliveries for which an extra charge was

(g) *Definitions.* When used in Order G-13, the term:

(1) "Lynn-Salem Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Beverly, Danvers, Essex, Hamilton, Ipswich, Lynn, Lynnfield, Manchester, Marblehead, Middleton, Nahant, Peabody, Rowley, Salem, Saugus, Swampscott, Topsfield and Wenham.

This Amendment No. 3 to Order G-13 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5973; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-60 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SPRINGFIELD-CLAREMONT, VT.-N. H., AREA

Amendment No. 1 to Order No. G-60 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Springfield-Claremont Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) of paragraph (b) of Region I Order No. G-60 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) *Price Schedule I.* Sales on a delivered basis.

* * * * * *

(2) *Additions to base prices*—(a) *Vermont.* Any dealer whose place of business is located in that portion of Vermont which is included in the Springfield-Claremont Area shall deliver at the base maximum price to those points to which delivery was made without extra charge during December, 1941. For deliveries for which an extra charge was

Miles from dealer's yard	Amount of addition		
	Per 2nd ton	Per ½ ton	Per ¼ ton
More than 2 but not more than 4	$0.25	$0.15	$0.10
More than 4 but not more than 6	.50	.25	.15
More than 6 but not more than 10	.75	.40	.20
More than 10 but not more than 14	1.00	.50	.25
More than 14	1.50	.75	.40

This Amendment No. 1 to Order No. G-60 shall become effective May 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5975; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-68 Under RMPR 122]

SOLID FUELS IN FALL RIVER, MASS., AREA

Order No. G-68 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Fall River Area.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Fall River Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes

Regional and District Office Orders.

[Region I Supp. Order 2 Under RMPR 122, Amdt. 6]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 6 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The second sentence of the definition of "Franklin" in subparagraph (4) of paragraph (d) is deleted.

2. Subparagraph (11) of paragraph (d) is amended to read as follows:

(11) "Raven Run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

This Amendment No. 6 shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5976; Filed, April 26, 1944; 3:57 p. m.]

[Region I Order G-13 Under RMPR 122, Amdt. 3]

SOLID FUELS IN LYNN-SALEM, MASS., AREA

Amendment No. 3 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Lynn-Salem Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (g) of Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(g) *Definitions.* When used in Order G-13, the term:

(1) "Lynn-Salem Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Beverly, Danvers, Essex, Hamilton, Ipswich, Lynn, Lynnfield, Manchester, Marblehead, Middleton, Nahant, Peabody, Rowley, Salem, Saugus, Swampscott, Topsfield and Wenham.

This Amendment No. 3 to Order G-13 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5973; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-60 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SPRINGFIELD-CLAREMONT, VT.-N. H., AREA

Amendment No. 1 to Order No. G-60 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Springfield-Claremont Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) of paragraph (b) of Region I Order No. G-60 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) *Price Schedule I.* Sales on a delivered basis.

* * * * * * *

(2) *Additions to base prices*—(a) *Vermont.* Any dealer whose place of business is located in that portion of Vermont which is included in the Springfield-Claremont Area shall deliver at the base maximum price to those points to which delivery was made without extra charge during December, 1941. For deliveries for which an extra charge was made during December, 1941 (other than carry charges, which are specifically provided for hereinafter), the dealer may add to the base maximum price the extra amount which he charged for delivery to that point during December, 1941.

(b) *New Hampshire.* Any dealer whose place of business is located in that portion of New Hampshire which is included in the Springfield-Claremont Area shall deliver at the base maximum price to all points which are located not more than two (2) miles from his yard. For deliveries to points which are located more than two (2) miles from his yard, the dealer may add the following amounts to the base maximum prices for quarter-ton or larger quantities:

Miles from dealer's yard	Amount of addition		
	Per net ton	Per ½ ton	Per ¼ ton
More than 2 but not more than 4	$0.25	$0.15	$0.10
More than 4 but not more than 6	.50	.25	.15
More than 6 but not more than 10	.75	.40	.20
More than 10 but not more than 14	1.00	.50	.25
More than 14	1.50	.75	.40

This Amendment No. 1 to Order No. G-60 shall become effective May 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5975; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-68 Under RMPR 122]

SOLID FUELS IN FALL RIVER, MASS., AREA

Order No. G-68 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Fall River Area.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Fall River Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-68 is explained in paragraph (1) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-68. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-68 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts or the State of Rhode Island, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Maximum prices for Pennsylvania anthracite, coke and certain briquettes*—(1) *Price Schedule I; sales on a delivered basis.* Price Schedule I sets forth base maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes on a "direct delivery" basis to consumers at any point in the Fall River Area. These prices are subject to the provisions of paragraph (d) concerning service and deposit charges; to the provisions of paragraph (e) concerning deliveries to specified points; and to the provisions of paragraph (f) concerning terms of sale.

Kind and size	Per net ton	½ ton	¼ ton	100 lb.
Pennsylvania anthracite:				
Broken, egg, and chestnut	$17.00	$9.00	$4.55	$1.00
Stove	17.25	9.15	4.95	1.00
Pea	14.40	7.70	4.20	.85
Buckwheat	12.30	6.65	3.70	.75
Rice	11.45	6.25	3.50	.70
Yard screenings	5.05	----	----	----
Coke—Egg, stove and chestnut:				
New England and Providence	15.75	8.40	4.55	.95
Glocoke	15.25	8.15	4.45	.90
Ambricoal	15.30	8.15	4.45	.90
Staples nuggets	15.30	8.15	4.45	.90

(2) *Price Schedule II; yard sales to consumers.* Price Schedule II sets forth maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes delivered at the yard or dock of any dealer in the Fall River Area to consumers. These prices are subject to the provisions of paragraph (f) concerning terms of sale, and to the provisions of paragraph (d) concerning service and deposit charges.

Kind and size	Per net ton	½ ton	¼ ton	100 lb.
Pennsylvania anthracite:				
Broken, egg and chestnut	$16.00	$8.60	$4.60	$0.95
Stove	16.25	8.65	4.70	.95
Pea	13.40	7.20	3.95	.80
Buckwheat	11.30	6.15	3.45	.70
Rice	10.45	5.75	3.25	.65
Yard screenings	5.05	----	----	----
Coke—Egg, stove and chestnut:				
New England and Providence	14.75	7.90	4.30	.90
Glocoke	14.25	7.65	4.20	.85
Ambricoal	14.30	7.65	4.20	.85
Staples nuggets	14.30	7.65	4.20	.85

(3) *Price Schedule III; yard sales to dealers.* (a) Price Schedule III sets forth maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes delivered at the yard or dock of any dealer in the Fall River Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg and chestnut	$13.80	$6.75	$3.40
Stove	13.75	6.90	3.45
Pea	10.90	5.45	2.70
Buckwheat	9.30	4.65	2.30
Rice	8.45	4.25	2.15
Yard screenings	5.05	----	----
Coke—Egg, stove and chestnut:			
New England and Providence	12.25	6.15	3.10
Glocoke	11.75	5.90	2.95
Ambricoal	11.80	5.90	2.95

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(4) *Certain named Pennsylvania anthracite coals.* The specific prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lb.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.10	None
Rice	.15	.10	None	None
Franklin or Salem Hill:				
Broken and chestnut	.75	.40	.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Pea	.25	.15	.05	None
Rice	.10	.05	None	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.30	.15	.05	None
Rice	.25	.15	.05	None
Greenwood:				
Egg, stove, chestnut, and pea	.25	.15	.05	None
Colonial:				
Broken, egg, stove, chestnut, pea and buckwheat	.65	.35	.15	None
Rice	.55	.30	.15	None

(c) *Maximum prices for bituminous coal*—(1) *Price Schedule IV; sales on a delivered basis.* (a) Price Schedule IV sets forth base maximum prices for sales of bituminous coal on a "direct delivery" basis to consumers at any point in the Fall River Area. These prices are subject to the provisions of paragraph (d) concerning service and deposit charges; to the provisions of paragraph (e) concerning deliveries to specified points; and to the provisions of paragraph (f) concerning terms of sale.

Kind of coal	Prices per net ton			
	Classes I and II	Class III	Class IV	
Domestic run of mine	$11.40			
Straight run of mine	10.40	$8.80	$8.55	
Nut and slack	10.00	8.40	8.15	
1½-inch nut and slack	10.40	8.80	8.55	
Pea	11.45	----	----	
Lump, egg, stove and chestnut	14.40	----	----	
Smithing coal	12.20	----	----	

(b) *Classes of purchasers.* Quantities refer to the consumer's annual purchases in net tons. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

Class I—Less than 250 tons.

Class II—250 tons to 1000 tons, inclusive.

Class III—More than 1000 tons, but not over 5000 tons.

Class IV—More than 5000 tons.

If the purchaser's proper classification cannot be determined at the time of the delivery (as for example, in the case of a purchaser who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the purchaser agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(2) *Price Schedule V; f. o. b. yard sales to consumers within the area.* (a) Price Schedule V sets forth maximum prices for sales of bituminous coal f. o. b. transportation facilities at the yard or dock of any dealer in the Fall River Area to any consumer whose place of residence or business is located in the Fall River Area. These prices are subject to the provisions of paragraph (f) concerning terms of sale. All references to Classes are to Classes of Purchasers as defined in paragraph (c) (1), above.

Kind of coal	Prices per net ton			
	Class I	Class II	Class III	Class IV
Domestic run of mine	$10.40	$10.25	----	----
Straight run of mine	9.40	9.25	$8.55	$8.30
Nut and slack	9.00	8.85	8.15	7.90
1½ inch nut and slack	9.40	9.25	8.55	8.30
Pea	10.45	10.30	----	----
Lump, egg, stove and chestnut	13.40	13.25	----	----
Smithing coal	11.20	11.05	----	----

(3) *Price Schedule VI; f. o. b. yard sales to dealers and to industrial consumers outside the area.* (a) Price Schedule VI sets forth maximum prices for sales of bituminous coal f. o. b. transportation facilities at the yard or dock of any dealer in the Fall River Area to all dealers in fuels who resell them, and to those industrial consumers whose plants are located outside of the Fall River Area.

Kind of coal:	*Price per net ton*
Domestic run of mine	$7.75
Straight run of mine	7.60
Nut and slack	7.45
1½-inch nut and slack	7.60
Pea	8.00
Lump	11.60
Egg	11.70
Stove	11.75
Chestnut	11.20

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit

terms of net 30 days or net 10 days e. o. m.

(4) *Fractions of a ton.* The maximum price for less than a net ton of bituminous coal to any class of purchaser (including dealers and consumers who are located outside the area) shall be determined as follows:

One-half ton: One-half of the Class I price from Price Schedule IV or V, as the case may be, plus 80 cents.

One-quarter ton: One-half of the price for a half-ton, plus 35 cents.

(5) *Dust treatment.* No extra charge may be made for bituminous coal which has been subjected to a chemical, oil or waxing process for allaying dust except that ten cents (10¢) per ton may be added to the otherwise applicable maximum price in the following cases:

(a) When the coal has been so treated at the mine and the producer or distributor makes an extra charge for such treatment pursuant to § 1340.210 (a) (10) of Maximum Price Regulation No. 120.

(b) When the coal has been so treated by a dealer subject to this Order; but no dealer shall require a purchaser to buy coal which has been so treated by the dealer. The additional charge for such treatment shall be shown separately on the invoice or similar document which is furnished by the dealer to the purchaser.

(d) *Maximum authorized service and deposit charges*—(1) *100 pound lots.* All specific delivered prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. All specific prices per 100 pounds are for 100 pounds bagged, but do not include the bag.

(2) *Carrying or wheeling; delivered sales.* If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point which does not involve a carry up or down one or more flights of stairs	$0.80	$0.35	$0.15
For any carry or wheel from a "direct delivery" point which includes a carry up or down one or more flights of stairs:			
Straight carry plus one flight up or down	.80	.40	.20
Straight carry plus 2 flights	1.40	.70	.35
Each additional flight over 2	.40	.20	.10

(3) *Bagging at the yard.* If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags furnished by the seller:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(e) *Extra charges for deliveries to specified points.* In the case of deliveries from yards or docks which are located in the City of Fall River, the following extra charges may be made for deliveries to the following points:

Location	Amount per net ton
(1) In Little Compton, R. I., that portion which lies beyond Windmill Hill via West Road	$0.50
(2) In Tiverton, Rhode Island—	
(a) That portion beyond Bliss Four Corners via Stafford Road to and including Adamsville	.50
(b) Beyond Adamsville	1.00
(3) In Westport, Rhode Island—	
(a) (i) That portion beyond Potter's Corner via Sanford Road to and including Cornell Road	.50
(ii) Beyond Cornell Road	1.00
(b) (i) That portion beyond the junction of Westport Factory and Read Road, and beyond Head of Westport via Drift Road and Pine Hill Road to and including Hick's Bridge and Codman's Neck	.50
(ii) Beyond Hick's Bridge and Codman's Neck	1.00

(f) *Terms of sale; price Schedules I, II, IV and V.* Terms of sale applicable to the prices set forth in Price Schedules I, II, IV and V in paragraph (b) (1) and (2) and (c) (1) and (2), including the prices for named Pennsylvania Anthracite coals arrived at by adding the amounts provided for in paragraph (b) (4) to the prices for Pennsylvania Anthracite set forth in Price Schedules I and II, and the prices for half and quarter-tons of bituminous coal arrived at in accordance with paragraph (c) (4), shall be as follows (all provisions for reductions for payment at or within a specified time are referred to as "cash discounts"; if no provision is made for a cash discount, as in the case of Pennsylvania Anthracite yard screenings, or 100 pound lots which are specifically priced, terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.):

(1) *Price Schedules I, II, IV and V.* On all sales of broken, egg, stove, chestnut and pea sizes of Pennsylvania Anthracite, Coke, Ambricoal, Staples Briquettes, and lump, egg, stove and chestnut sizes of bituminous coal, a cash discount of $1.00 per ton, or 50 cents per half-ton, or 25 cents per quarter-ton, shall be granted for payment at or before delivery or by the close of the next business day following the date of delivery; *Provided, however,* That said cash discounts shall be granted to a charitable institution if payment is made by it within 90 days from the date of delivery.

(2) *Price Schedules I, II, IV and V.* On all sales of buckwheat and rice sizes of Pennsylvania Anthracite, and on all sales to domestic consumers and charitable institutions of bituminous Domestic Run of Mine, Straight Run of Mine, Nut and Slack, 1½" Nut and Slack and Pea, a cash discount of 50 cents per ton, or 25 cents per half-ton, or 10 cents per quarter-ton, shall be granted for payment at or before delivery or by the close of the next business day following the date of delivery; *Provided, however,* That said cash discounts shall be granted to a charitable institution if payment is made by it within 90 days from the date of delivery.

(3) *Price Schedules IV and V.* On all sales of bituminous Domestic Run of Mine, Straight Run of Mine, Nut and Slack, 1½" Nut and Slack, Pea and Smithing Coal to commercial and industrial consumers in Classes I and II, the following cash discounts shall be granted for payment on or before the 25th day of the month following the month during which the coal is delivered:

	Per ton
Price Schedule IV:	
Class I	$0.50
Class II	1.00
Price Schedule V:	
Classes I and II	.50

Terms of sale for sales of Straight Run of Mine, Nut and Slack and 1½" Nut and Slack to Class III and IV purchasers may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(g) *Definitions.* When used in this Order G-68, the term:

(1) "Fall River Area" shall include the following cities and towns in the Commonwealth of Massachusetts and the State of Rhode Island:

In Massachusetts: Fall River, Freetown, Somerset, Swansea and Westport.

In Rhode Island: Little Compton, Portsmouth and Tiverton.

(2) "Specified Solid Fuels" shall include Pennsylvania anthracite, New England Coke, Providence Coke, Glocoke, Ambricoal, Staples Nuggets, and those kinds of bituminous coal for which specific prices are established by this order and which are hereinafter defined.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" means Jeddo Highland, Franklin, Salem Hill, Silver Brook, Greenwood and Colonial.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(7) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(8) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(9) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(10) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(11) "Broken", "egg", "stove", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(12) "New England Coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts.

(13) "Providence Coke" means the retort gas coke produced by the Providence Gas Company, Providence, Rhode Island.

(14) "Glocoke" means the retort gas coke produced by the Fall River Gas Company, Fall River, Massachusetts.

(15) "Staples Nuggets" means the bituminous coal briquettes produced by Staples Coal Company (doing business as Atlantic Coal Company of Massachusetts) at its plant at Globe Wharf, Fall River, Massachusetts.

(16) "Ambricoal" means Anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(17) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all references to terms defined by the Bituminous Coal Division (such as "Price Classifications") are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to Producing Districts are to the geographical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, as they were in effect (or established) as of midnight August 23, 1943.

(18) *Definitions of and specifications for bituminous coals.* The bituminous coals for which specific maximum prices are established by this order shall conform to the following specifications:

(a) "Domestic run of mine": bituminous coal from the low volatile section of Producing District 7, price classifications A or B, which was defined by the Bituminous Coal Division as "domestic dealer, modified or screened run of mine"; *Provided, however,* That such coal shall be equivalent in coarseness to the coal which was sold by the dealer as "domestic run of mine" during December 1941. (See note after paragraph (b), below, as to mixtures).

(b) "Straight run of mine" (which may, at the dealer's option, be called "standard run of mine"): bituminous coal from the low volatile section of Producing District 7, price classifications A or B, which was defined by the Bituminous Coal Division as "straight run of mine"; *Provided, however,* That such coal shall be equivalent in coarseness to the coal which was sold by the dealer as "straight run of mine" or "standard run of mine" during December 1941. (See following note as to mixtures).

NOTE: To the extent that it is necessary to add lump coal to either of the foregoing kinds of coal as they are shipped from the mines, in order to make them equivalent in coarseness to the coals of those kinds which were sold by the dealer during December, 1941, said lump coals may be either high or low volatile coals from Producing Districts 7 or 8. In addition, either type of run of mine coal may be composed of a mixture of said lump coals with "nut and slack."

(c) *"Nut and slack"*: bituminous coal screenings from the low volatile section of Producing District 7, price classification B or C, which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(d) "1½" nut and slack" (which may, at the dealer's option, be called "1½" run of mine"): bituminous coal screenings from the low volatile section of Producing District 7, price classification A or B, which, at the mine, have passed through a screen with openings one and one-half (1½) inches or larger.

(e) "Pea": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines, with a top size not exceeding three-quarters (¾) of an inch and a bottom size smaller than three-quarters (¾) of an inch.

(f) "Chestnut": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than three-quarters (¾) of an inch but not exceeding two (2) inches, and a bottom size smaller than one and one-quarter (1¼) inch.

(g) "Stove": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than one and one-quarter (1¼) inches but not exceeding (3) inches, and a bottom size smaller than three (3) inches.

(h) "Egg": bituminous coal from the low volatile section of Producing District 7, price classification A or B, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than three (3) inches, bottom size no limit.

(i) "Lump": bituminous coal from the low volatile section of Producing District 7, price classification A or B, all of which passes over a screen with openings one and one-quarter (1¼) inches or larger.

(j) "Smithing coal": low volatile, low sulphur bituminous coal which is suitable for use in forge work.

(19) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of a mine, a coke oven, or a briquette plant.

(20) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(21) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(22) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(23) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this Order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" and sales f. o. b. transportation facilities shall apply to all such sales of the specified solid fuels at a yard or dock located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to con-

sumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.263 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

This Order No. G-63 shall become effective May 1, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6970; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G-1 Under MPR 423]

POULTRY SOLD BY GROUP 3 AND GROUP 4 STORES IN NEW YORK REGION

Order No. G-1 under section 29a of Maximum Price Regulation No. 423. Retail markups for poultry sold by Group 3 and Group 4 Stores in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 29a of Maximum Price Regulation No. 423, this order is hereby issued.

SECTION 1. *What this order does.* This order reduces the markups listed in Table B of section 29 (a) of Maximum Price Regulation No. 423 for sales by Group 3 and Group 4 retailers in Region II of poultry, except turkeys, bought live and sold live or on a dressed weight basis and of poultry, except ducks and turkeys, bought kosher-killed and sold kosher-killed. This reduction is necessary in order to prevent an increase in the retail prices at which such poultry items might be sold, which would otherwise result from an increase in retailers' costs of live and kosher-killed poultry made by an order issued simultaneously herewith under § 1429.14 of Revised Maximum Price Regulation No. 269.

SEC. 2. *Where this order applies.* This order applies in the States of Delaware, Maryland, New Jersey and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. *Markups for live and kosher-killed poultry.*

Food commodity	Allowed markups over "net cost": Group 3—Retailer other than independent, with annual volume under $400,000	Allowed markups over "net cost": Group 4—Any retailer with annual volume of $400,000 or more	Selling unit in which selling price must be calculated
	Pct.	*Pct.*	*Lb.*
(a) Poultry bought live and sold live:			
(1) Broilers, fryers, roasters, light capons, ducks and geese	16	16	1
(2) Heavy capons	17	17	1
(3) Fowl, stags and old roosters	15	15	1
(4) Turkeys	20	20	1
(b) Poultry bought kosher-killed and sold kosher-killed:			
(1) Broilers, fryers, roasters, light and heavy capons	17	17	1
(2) Fowl	17	17	1
(3) Stags and old roosters	16	16	1
(4) Geese	16	16	1
(5) Turkeys	17	13	1
(c) Poultry bought live and sold on a dressed weight basis:			
(1) Broilers, fryers, roasters, light and heavy capons	33	32	1
(2) Fowl, stags and old roosters, geese and ducks	34	34	1
(3) Turkeys	36	35	1

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 422, 8 F.R. 9395, 10569)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-6967; Filed, April 26, 1944; 3:54 p. m.]

[Region II Order G-1 Under MPR 423]

POULTRY SOLD IN GROUP 1 AND GROUP 2 STORES IN NEW YORK REGION

Order No. G-1 under section 19a of Maximum Price Regulation No. 423. Retail markups for poultry sold by Group 1 and Group 2 Stores in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 19a of Maximum Price Regulation No. 423, this order is hereby issued.

SECTION 1. *What this order does.* This order reduces the markups listed in Table B of section 29 (a) of Maximum Price Regulation No. 423 for sales by Group 1 and Group 2 retailers in Region II of poultry, except turkeys, bought live and sold live or on a dressed weight basis and of poultry, except ducks and turkeys, bought kosher-killed and sold kosher-killed. This reduction is necessary in order to prevent an increase in the retail prices at which such poultry items might be sold, which would otherwise result from an increase in retailers' costs of live and kosher-killed poultry made by an order issued simultaneously herewith under § 1429.14 of Revised Maximum Price Regulation No. 269.

SEC. 2. *Where this order applies.* This order applies in the States of Delaware, Maryland, New Jersey and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. Markups for live and kosher-killed poultry.

Food commodity	Allowed markups over "net cost"—Independent retailers with annual volumes: Group 1—under $50,000	Group 2—$50,000 but less than $500,000	Selling unit in which selling price must be calculated
	Pct.	*Pct.*	*Lb.*
(a) Poultry bought live and sold live:			
(1) Broilers, fryers, roasters, light capons, ducks and geese	17	17	1
(2) Heavy capons	18	18	1
(3) Fowl, stags and old roosters	16	16	1
(4) Turkeys	21	21	1
(b) Poultry bought kosher-killed and sold kosher-killed:			
(1) Broilers, fryers, roasters, light and heavy capons	18	18	1
(2) Fowl	17	17	1
(3) Stags and old roosters	16	16	1
(4) Geese	17	17	1
(5) Turkeys	17	17	1
(c) Poultry bought live and sold on a dressed weight basis:			
(1) Broilers, fryers, roasters, light and heavy capons	34	34	1
(2) Fowl, stags and old roosters, geese and ducks	33	33	1
(3) Turkeys	36	36	1

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 423, 8 F.R. 9407, 10570)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R., Doc. 44-6968; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G-1 Under RMPR 269, Amdt. 1]

POULTRY, EXCEPT DUCKS, IN NEW YORK REGION

Amendment No. 1 to Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of poultry except ducks in Region II.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this order does.* Revised Maximum Price Regulation No. 269 requires the determination of maximum selling prices of poultry items by reference to maximum base prices. This order divides Region II into four zones, and in each zone one specific dollar and cent maximum base price is established for each poultry item covered by Revised Maximum Price Regulation No. 269, except duck items. This order supersedes that regulation insofar as it establishes such maximum base prices in Region II. The base prices established by this order are to be used in determining maximum selling prices instead of the base prices established by Revised Maximum Price Regulation No. 269. All other provisions of that regulation continue in effect.

2. Section 2 is amended to read as follows:

SEC. 2. *Where this order applies.* This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

3. The footnote applicable to kosher-killed poultry items in section 3 (a) (2) is amended to read as follows:

[1] Maximum base prices for kosher-killed poultry items, except turkeys, for determining maximum selling prices for sales to "wholesalers" and individual retail stores only, shall be 1¢ per pound higher than those listed above.

4. Section 3 (a) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 1: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
•	•	•	•	•	•	•	•
Cut-up poultry:							
Wings						29.0	
Legs						61.6	
Breast						61.6	
Back, neck or skin						14.1	
Liver						60.1	
Gizzard or heart [1]						[1] 29.9	
Raw poultry fat						34.0	
Government inspected raw poultry fat						59.0	
Rendered poultry fat						73.5	
Government inspected rendered poultry fat						78.5	

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

5. Section 3 (b) (2), section 3 (c) (2), and section 3 (d) (2) are amended by inserting a superior (1) at the top of the column of maximum prices designated "kosher-killed" in each section and by adding at the bottom of each table the following footnote:

[1] Maximum base prices for kosher-killed poultry items, except turkeys, for determining maximum selling prices for sales to "wholesalers" and individual retail stores only, shall be 1¢ per pound higher than those listed above.

6. Section 3 (b) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 2: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
•	•	•	•	•	•	•	•
Cut-up poultry:						29.8	
Wings						61.5	
Legs						61.5	
Breast						14.0	
Back, neck or skin						69.0	
Liver						[1] 29.8	
Gizzard or heart [1]						53.9	
Raw poultry fat						58.9	
Government inspected raw poultry fat						73.4	
Rendered poultry fat						73.4	
Government inspected rendered poultry fat							

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

7. Section 3 (c) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 3: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
•	•	•	•	•	•	•	•
Cut-up poultry:						29.7	
Wings						61.4	
Legs						61.4	
Breast						13.9	
Back, neck or skin						68.9	
Liver						[1] 29.7	
Gizzard or heart [1]						53.8	
Raw poultry fat						58.3	
Government inspected raw poultry fat						73.3	
Rendered poultry fat						78.3	
Government inspected rendered poultry fat							

[1] If the gizzard is not cleaned by removing the contents and lining, the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

8. Section 3 (d) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 4: Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
•	•	•	•	•	•	•	•
Cut-up poultry:						29.6	
Wings						61.3	
Legs						61.3	
Breast						13.8	
Back, neck or skin						68.8	
Liver						[1] 29.6	
Gizzard or heart [1]						83.7	
Raw poultry fat						58.7	
Government inspected raw poultry fat						73.2	
Rendered poultry fat						78.2	
Government inspected rendered poultry fat							

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

9. *Effective date.* This amendment shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

J. BURKE,
Price Executive, Poultry, Eggs and Dairy Products Branch, Food Price Division, Office of Price Administration.

JEFFERSON D. BURRUS, Jr.,
Division Counsel for Food, Office of Price Administration.

[F. R. Doc. 44-6969; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G-2 Under RMPR 269, Revocation]

Poultry, Except Ducks in New York City Metropolitan Area

Order of Revocation of Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of kosher-killed poultry, except ducks, in the New York City Metropolitan Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, this order is hereby issued.

1. Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269 is hereby revoked and shall be of no further effect.

This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 FR. 6736, 9299, 10940)

Issued this 26th day of April 1944.

Daniel P. Woolley,
Regional Administrator.

[F. R. Doc. 44-5965; Filed, April 26, 1944; 8:54 p. m.]

[Region II Order G-3 Under RMPR 269]

Live Poultry, Except Turkeys, in New York Region

Order No. G-3 under § 1429.14 of Revised Maximum Price Regulation No. 269. Allowances for transporting live poultry, except turkeys, in region II.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, this order is hereby issued.

Sec. 1. *What this order does.* This order establishes allowances for the transportation of live poultry, except turkeys, sold and delivered in Region II. It supersedes the provisions of § 1429.21 (a) (1) and § 1429.21 (a) (2) (i), Table B (ia) of Revised Maximum Price Regulation No. 269. All other provisions of that regulation continues in effect.

Sec. 2. *Where this order applies.* This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

Sec. 3. *Permitted increases to maximum base prices.*—(a) *Permitted increase for transporting live poultry.* (1) Any person who transports live poultry items except turkey, for a distance of more than 5 miles to the processing plant of any processor may sell or deliver them to the processor at the maximum base price for the point at which the processing plant is located established by Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued by the Regional Administrator for Region II, or by Revised Maximum Price Regulation No. 269, plus 1½ cents per pound. The weight of the live poultry items sold or delivered shall be the weight at the time of delivery at the processing plant.

(2) Any person who transports live poultry items, except turkeys, for a distance of more than 5 miles to any city, town or village where the poultry items are destined for ultimate consumption, may sell or deliver them to any "wholesaler" or individual retail store located in that city, town or village, at the maximum base price established for that city, town or village by Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued by the Regional Administrator for Region II, or by Revised Maximum Price Regulation No. 269, plus whichever one of the following permitted increases in cents per pound is applicable:

Shortest distance in road miles or railroad miles from the place where transportation of live poultry begins to the place where such transport ends:	*Maximum permitted increase in cents per pound*
Less than 5 miles	No increase.
5 to 25 miles	1 cent.
25 to 50 miles	1½ cents.
50 to 100 miles	2 cents.
100 to 150 miles	2½ cents.
150 to 200 miles	2½ cents.
200 to 250 miles	2¾ cents.
250 or more miles	3 cents.

Only one permitted increase for transporting live poultry items may be added to the maximum base price. The weight of the live poultry items sold and delivered shall be the weight at the time of physical delivery to the purchaser in the city, town or village where his place of business is located and where the live poultry items are destined for ultimate consumption.

(b) *Permitted increase for wholesalers.* Any "wholesaler" (as defined in § 1429.21 (b) (5) of Revised Maximum Price Regulation No. 269) who buys and sells live poultry items, except turkeys, and who has either transported those items to his place of business or paid out a permitted increase to a transporter of live poultry for transporting the items to his place of business, and who sells to a "wholesaler" or individual retail store located in the same metropolitan area as the location of the seller's place of business, may, for a sale of less than 10,000 pounds of any live poultry item except turkeys, add to the maximum base price at the seller's shipping point (1) the permitted increase established by section 3 (a) (2) of this order for the actual distance the live poultry items being sold were transported to the seller's place of business, in an amount not to exceed 3¢ per pound, and (2) whichever of the following additions is applicable:

	Cents
a. For non-delivered sales	1½
b. For sales delivered within 25 miles	1¾
c. For sales delivered beyond 25 miles	2

The weight of the live poultry items sold and delivered shall be the weight at the time and point of delivery to the purchaser.

Sec. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 26th day of April 1944.

Daniel P. Woolley,
Regional Administrator.

Approved:

A. J. Burke,
Price Executive, Poultry, Eggs & Dairy Products Branch, Food Price Division, Office of Price Administration.

Jefferson D. Burrus, Jr.,
Division Counsel for Food, Office of Price Administration.

[F. R. Doc. 44-5965; Filed, April 26, 1944; 8:54 p. m.]

[Region II Rev. Order G-7 Under RMPR 122]

Pennsylvania Anthracite in Designated Areas in Pennsylvania

Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania, Coal Area I.

Under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*—(1) *Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" delivered to or at any point in Coal Area I. Coal Area I includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southampton, Northampton, Warminster, Warwick, and the Borough of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpain, Whitemarsh, Springfield, Lower Merion, and the Boroughs of Bryn, Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

Hereinafter in this order "Pennsylvania anthracite" shall be called simply "anthracite".

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area I, are set forth in Schedules I, II, and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area I, whether or not you are located in Coal Area I.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service set forth in Schedule I higher than the schedule price for such service, or

(v) Increasing any interest rate on debts over the rate charged in December 1941, or

(vi) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(vii) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to "direct-delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales" by dealers who sell exclusively to equipped dealers, and by other dealers. You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 25 lb. and 18 lb. paper bags. You will find Schedule III in paragraph (f)).

(2) Take the dollars-and-cents figure given in the applicable schedule for the size and quantity you are selling.

(3) Deduct from this figure the amount of the discount which you are required to give as specified in the schedule. If the schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above, no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(5) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area I.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lb. (for sales of 100 lb. or more, but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.50	$7.25	$0.60	$0.475
Pea	11.70	6.35	.70	.426
Buckwheat	10.05	5.55	.60	------
Rice	8.85	4.95	.55	------
Barley	7.70	3.95	------	------
Buckwheat #4	5.60	2.90	------	------
Screenings	3.95	2.00	------	------

(2) *Required discounts.* You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net half ton, where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except Buckwheat #4 and screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 100 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 100 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 100 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the one-hundredth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(3) *Maximum authorized service charges.*

Special service rendered at the request of the Purchaser:	*Cents per net ton*
"Carry" or "wheel" (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton)	50
Carrying upstairs, for each floor above the ground floor (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite sold at dealer's "yard".

(1) *Sales by dealers except those who normally sold exclusively to equipped dealers.*

Size	Per net ton, for sales of ½ ton or more	Per 100 lb. for 100 lb. or more, but less than ½ ton	Per 80 lb. paper bags
Broken, egg, stove, nut	$10.80	$0.70	$0.425
Pea	9.20	.60	.375
Buckwheat	7.55	.50	------
Rice	6.55	.45	------
Barley	5.55	------	------
Screenings	2.20	------	------

(2) *Wholesale yard sales (sales from yards of dealers who normally sold exclusively to equipped dealers).*

Size:	*Per net ton*
Broken, egg, stove, nut	$10.80
Pea	9.00
Buckwheat	7.40
Rice	6.45
Screenings	2.20

(3) *Required discounts on wholesale yard sales.* You shall deduct from the prices set forth in paragraph (e) (2) of this schedule, for payment within fifteen days after delivery, the following discounts:

Size:	*Discount per net ton (Cents)*
Broken, egg, stove, nut	15
Pea and buckwheat	10
Rice	5

(f) *Schedule III.* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 25 lb. and 18 lb. paper bags.

(1) *Maximum price per 25 lb. paper bag.*

Size	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.18	$0.22

(2) *Maximum price per 18 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(g) *Commingling.* If you sell one size of anthracite, commingled with another

size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale", or "sales of bagged coal", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined for the quantity of each size in the combination.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal Tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of revised procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known; the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if during December 1941 you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Philadelphia District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G-7, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) "Coal Area 1" includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southampton, Northampton, Warminster, Warwick, and the Boroughs of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpain, Whitemarsh, Springfield, Lower Merion, and the Boroughs of Bryn Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

(6) "Direct-delivery", except with respect to sales in 50 lb. paper bags or 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 50 lb. bags or 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct-delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Wholesale yard sales" means sales from yards of dealers who normally sold exclusively to equipped dealers.

(10) "Equipped dealer" means a person who purchases coal for resale and who has a yard or terminal facilities for storing and handling solid fuels.

(11) "Delivered at dealer's yard" as applied to sales of bagged coal in 18 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(12) "Delivered to retail stores" as applied to sales of bagged coal in 18 lb. or 25 lb. bags, means deposit in that part of the store designated by the purchaser.

(13) "Sales to ultimate consumer" as applied to bagged coal in 18 lb. or 25 lb. bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(14) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley, buckwheat #4 and screenings shall refer to the same sizes of the same fuel as were sold and delivered in Coal Area I with such designation during December 1941.

(15) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(s) *Effect of order on Order No. G-7 as originally issued and amended, and on Order No. G-23.* Order No. G-7 under Revised Maximum Price Regulation No. 122 as issued on May 4, 1943, and amended by Amendment No. 1 issued on May 25, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-7.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This revised order shall become effective December 13th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5971; Filed, April 26, 1944; 3:56 p. m.]

[Region II Rev. Order G-7 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN DESIGNATED AREAS IN PENNSYLVANIA

Amendment No. 1 to Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania, Coal Area I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this amendment and expiring on midnight April 30, 1944, Revised Order No. G-7 is amended in the following respects:

1. Any dealer making sales of anthracite subject to Revised Order No. G-7 may increase the maximum prices specified therein as follows:

(a) For direct-delivery sales, in quantities of ½ ton or more, subject to Schedule I in paragraph (d), there may be added 35¢ per net ton. For sales of fractions of a net ton, but not less than ½ ton, dealers may take a proportionate increase based upon the per net ton increase.

(b) For yard sales in quantities of ½ ton or more, subject to Schedule II in paragraph (e), there may be added 10¢ per net ton. For sales of fractions of a net ton, but not less than ½ ton, dealers may take a proportionate increase based upon the per net ton increase.

2. The maximum prices established by Revised Order No. G-7 for sales in units under ½ ton shall remain unchanged, whether the sale be in bulk or in bags.

3. At the termination of this amendment on midnight April 30, 1944, all dealers subject to Revised Order No. G-7 shall revert to the schedules of prices in effect immediately prior to the issuance of this amendment.

This Amendment No. 1 to Revised Order No. G-7 shall become effective on March 6, 1944 and, unless earlier revoked or modified, shall expire on midnight April 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5972; Filed, April 26, 1944; 3:57 p. m.]

[Region II Rev. Order G-26 Under RMPR 122, Amdt. 3]

Amendment No. 3 to Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-26 is amended in the following respects:

1. The opening words of subparagraph (3) of paragraph (a), now reading, *"Conditions and limitations, commingling:* To be eligible for the increases authorized by this order, * * *" are amended to read as follows:

(3) *Conditions and limitations, commingling:* To be eligible for the increases authorized by paragraph (a) of this order, * * *

2. Paragraph (b) is redesignated paragraph (c), paragraph (c) is redesignated paragraph (d), paragraph (d) is redesignated paragraph (e), paragraph (e) is redesignated paragraph (f), paragraph (f) is redesignated paragraph (g).

3. A new paragraph (b) is inserted to read as follows:

(b) *Alternative pricing provision, application for a price.* Dealers making sales of the anthracite specified in paragraph (a) (1), in communities subject to the area dollars-and-cents orders listed in paragraph (d), who prefer to commingle such anthracite with other anthracite and not to keep it separate in storage and delivery, and who would thereby not be eligible to take the automatic increases permitted under paragraph (a) hereof, may apply to the New York Regional Office of the Office of Price Administration for adjustment of their maximum prices for all anthracite sales to compensate for the increased cost of such specified anthracite. An application may be filed between the first and tenth day of each month based upon the proportions of anthracite having different mine costs received during the previous calendar month and should request an adjusted price for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of all anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of anthracite specified in paragraph (a) (1) received during the previous calendar month, by size and kind.

(iii) State separately the tonnage of any higher cost anthracite received during the previous calendar month and subject to Regional Order No. G-34 under Revised Maximum Price Regulation No. 122, identifying such in the manner described therein.

(iv) Proposed increase above area ceiling price.

(v) Any other pertinent information the Regional Administrator may request.

The Regional Administrator will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

This Amendment No. 3 to Revised Order No. G-26 shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5974; Filed, April 26, 1944; 3:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 26, 1944.

REGION I

Boston Order No. 4–F, filed 9:51 a. m.
Concord Order No. 12, Amendment No. 1, filed 1:44 p. m.

REGION II

Albany Order No. P–2, filed 1:57 p. m.
Buffalo Order No. 1–F, Amendment No. 2, filed 2:00 p. m.
Buffalo Order No. 2–F, Amendment No. 2, filed 9:48 a. m.
Binghamton Order No. 1–F, Amendment No. 3, filed 1:47 p. m.
Camden Order No. 1–F, filed 9:51 a. m.
Camden Order No. 1–F, Amendment No. 1, filed 9:52 a. m.
Camden Order No. 1–F, Amendment No. 2, filed 9:52 a. m.
Camden Order No. 1–F, Amendment No. 3, filed 9:48 a. m.
Maryland Order No. P–1, Amendment No. 3, filed 1:50 p. m.
Newark Order No. 1–W, filed 1:56 p. m.
New York Order No. 1–F, Amendment No. 4, filed 1:54 p. m.
Philadelphia Order No. P–2, filed 1:57 p. m.
Scranton Order No. P–2, filed 1:57 p. m.
Syracuse Order No. 1–F, Amendment No. 2, filed 1:50 p. m.
Williamsport Order No. 1–F, Amendment No. 3, filed 1:55 p. m.
Williamsport Order No. W–1, filed 1:45 p. m.
Williamsport Order No. W–2, filed 1:46 p. m.
Williamsport Order No. W–3, filed 1:45 p. m.
Wilmington Order No. 2–F, filed 1:50 p. m.
Wilmington Order No. 2–F, Amendment No. 1, filed 1:51 p. m.
Wilmington Order No. P–1, Amendment No. 2, filed 1:51 p. m.

REGION III

Cincinnati Order No. 1–F, Amendment No. 27, filed 1:47 p. m.
Cincinnati Order No. 1–W, filed 1:43 p. m.
Cincinnati Order No. 2–W, filed 1:43 p. m.
Cincinnati Order No. 2–F, Amendment No. 20, filed 1:46 p. m.
Charleston Order No. 1–F, Amendment No. 19, filed 9:53 a. m.
Charleston Order No. 1–F, Amendment No. 20, filed 9:54 a. m.
Charleston Order No. 1–F, Amendment No. 21, filed 9:49 a. m.
Charleston Order No. 3–F, Amendment No. 16, filed 9:55 a. m.
Charleston Order No. 3–F, Amendment No. 17, filed 9:52 a. m.
Charleston Order No. 6–F, Amendment No. 9, filed 9:55 a. m.
Charleston Order No. 6–F, Amendment No. 10, filed 9:53 a. m.
Charleston Order No. 29, Amendment No. 2, filed 9:53 a. m.
Charleston Order No. 24, Amendment No. 1, filed 9:56 a. m.
Charleston Order No. 35, Amendment No. 1, filed 9:56 a. m.
Charleston Order No. 36, Amendment No. 1, filed 9:56 a. m.
Charleston Order No. 37, Amendment No. 1, filed 9:57 a. m.
Columbus Order No. 3–F, Amendment No. 18, filed 9:57 a. m.
Columbus Order No. 7–F, Amendment No. 18, filed 1:55 p. m.
Columbus Order No. 8, Amendment No. 6, filed 9:48 a. m.
Columbus Order No. 9, Amendment No. 5, filed 9:48 a. m.
Detroit Order No. 1–F, Amendment No. 11, filed 1:47 p. m.
Lexington Order No. 1–F, Amendment No. 26, filed 1:59 p. m.
Lexington Order No. 3–F, Amendment No. 17, filed 1:59 p. m.
Lexington Order No. 2–F, Amendment No. 19, filed 1:59 p. m.
Louisville Order No. 1–F, Amendment No. 27, filed 10:03 a. m.
Louisville Order No. 2–F, Amendment No. 21, filed 10:01 a. m.
Louisville Order No. 3–F, Amendment No. 14, filed 10:03 a. m.
Indianapolis Order No. 18, Amendment No. 1, filed 9:58 a. m.
Indianapolis Order No. 19, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 20, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 21, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 22, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 23, Amendment No. 1, filed 10:01 a. m.
Indianapolis Order No. 24, Amendment No. 1, filed 10:01 a. m.
Indianapolis Order No. 25, Amendment No. 1, filed 10:01 a. m.
Saginaw Order No. 19, Amendment No. 2, filed 9:57 a. m.

REGION IV

Atlanta Order No. 1–F, Amendment No. 11, filed 2:00 p. m.
Atlanta Order No. 5–F, Amendment No. 8, filed 2:00 p. m.
Atlanta Order No. 6–F, Amendment No. 2, filed 2:01 p. m.
Charlotte Order No. 12, Amendment No. 2, filed 10:03 a. m.
Jacksonville Order No. 2–W, Amendment No. 1, filed 9:50 a. m.
Jacksonville Order No. 3–F, Amendment No. 4, filed 10:05 a. m.
Montgomery Order No. 1–W, Amendment No. 2, filed 1:44 p. m.
Richmond Order No. 5–F, filed 2:01 p. m.
Richmond Order No. 14, Amendment No. 3, filed 2:02 p. m.
Roanoke Order No. 11, Amendment No. 1, filed 1:45 p. m.
Savannah Order No. 1–F, Amendment No. 32, filed 10:03 a. m.
Savannah Order No. 2–F, Amendment No. 27, filed 10:04 a. m.
Savannah Order No. 3–F, Amendment No. 25, filed 10:04 a. m.
Savannah Order No. 4–F, Amendment No. 24, filed 10:04 a. m.
Savannah Order No. 5–F, Amendment No. 25, filed 10:04 a. m.
Savannah Order No. 6–F, Amendment No. 1, filed 10:06 a. m.

REGION V

Dallas Order No. 1–F, Amendment No. 13, Filed 10:05 a. m.
Houston Order No. 12, Amendment No. 1, Filed 9:50 a. m.
Houston Order No. 13, Amendment No. 1, Filed 9:50 a. m.
New Orleans Order No. 2–F, Amendment No. 14, Filed 1:52 p. m.
Oklahoma City Order No. 3–F, Amendment No. 14, Filed 10:06 a. m.
St. Louis Order No. 1–W, Amendment No. 1, Filed 1:51 p. m.
St. Louis Order No. 2–W, Amendment No. 1, Filed 1:52 p. m.
St. Louis Order No. G–13, Amendment No. 1, Filed 1:51 p. m.
St. Louis Order No. G–14, Amendment No. 1, Filed 1:52 p. m.
St. Louis Order No. G–16, Amendment No. 1, Filed 1:52 p. m.
Wichita Order No. 3–F, Amendment No. 6, Filed 10:06 a. m.

REGION VI

Duluth-Superior Order No. 1–F, Amendment No. 13, Filed 1:55 p. m.
Green Bay Order No. 2–F, Amendment No. 11, Filed 1:52 p. m.
Green Bay Order No. 3–F, Amendment No. 5, Filed 1:54 p. m.
Milwaukee Order No. 1–W, Amendment No. 1, Filed 1:44 p. m.
Sioux City Order No. 2–F, Amendment No. 11, Filed 1:54 p. m.

REGION VIII

Phoenix Order No. 10, Amendment No. 3, Filed 1:47 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLOCK,
Secretary.

[F. R. Doc. 44–6049; Filed, April 28, 1944; 11:22 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–836, 70–884]

COLUMBIA GAS & ELECTRIC CORP. AND CONSOLIDATED NATURAL GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Echange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of April 1944.

Notice is hereby given that applications or declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation (Columbia Gas) and by Consolidated Natural Gas Company (Consolidated), both registered holding companies.

Notice is further given that any interested person may, not later than May 11, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said applications or declarations, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications or declarations, which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas and Consolidated propose to cause their respective subsidiaries, The Ohio Fuel Gas Company (Ohio Fuel) and The East Ohio Gas Company (East Ohio) to effectuate an exchange of certain natural gas production properties and equipment, as follows:

Ohio Fuel will transfer to East Ohio all of the former's 74 natural gas wells with appurtenant mineral rights, operated and unoperated leaseholds, in Jackson and Plain Townships, Stark County, Ohio, together with five gas purchase contracts and all the land, rights of way, and related equipment and structures in said townships used in the operation, production and delivery of gas from these wells; East Ohio will transfer to Ohio Fuel all of the former's 88 natural gas wells with appurtenant mineral rights and operated leaseholds in Ashland, Conshocton, Holmes, Knox, Medina and Wayne Counties, Ohio, together with three gas purchase contracts, and all the land, rights of way, and related equipment and structures used in the operation, production and delivery of the gas from these wells and the buildings, piping and equipment comprising and appurtenant to East Ohio's Shreve Compressor Station, situated in Clinton Township, Wayne County, Ohio. In connection therewith and in order to equalize the exchange, East Ohio will pay Ohio Fuel the sum of $89,997 in cash and deliver 1,648,647 Mcf of natural gas to Ohio Fuel at the rate of approximately 1,000,000 Mcf per year.

According to the applicants, the proposed transactions have been authorized by the Public Utilities Commission of Ohio and are for the purpose of "effecting improvements in the location and delivery capacity of the properties of the respective companies in accordance with the suggestions of the War Production Board for developing and maintaining adequate natural gas supplies for necessary uses in Ohio and other Appalachian areas".

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–6032; Filed, April 28, 1944; 10:08 a. m.]

[File No. 54–43]

GREAT LAKES UTILITIES CO.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 27th day of April 1944.

The Commission having by order dated March 31, 1942, pursuant to section 11 of the Public Utility Holding Company Act of 1935, approved a plan of liquidation filed by Great Lakes Utilities Company ("Great Lakes") providing, among other things, for the liquidation of all the assets of Great Lakes, and for the subsequent dissolution of Great Lakes; and said order having provided that the maturity date of Great Lakes' outstanding First Lien Collateral Trust Gold Bonds, 5½% Series due 1942, be extended to May 1, 1943, and that upon a showing of due diligence and subject to the approval of the Commission and the court, Great Lakes should have the right to extend the maturity date of the bonds from May 1, 1943, to May 1, 1944; and

The Commission, upon application of Great Lakes, having by order dated April 28, 1943, approved the extension of the bond maturity from May 1, 1943, to May 1, 1944, and the extension of the maturity of said bonds having also been approved by the United States District Court for the Eastern District of Pennsylvania; and

Great Lakes having filed an application for the approval of amendments to the section 11 (e) plan heretofore approved regarding (1) the extension of the maturity date of its First Lien Collateral Trust Gold Bonds from May 1, 1944, to May 1, 1945, (2) the postponement of the date of payment of interest on such bonds from May 1, 1944, to May 1, 1945, and (3) the payment on the extended maturity date of interest on the interest accrued and unpaid upon such bonds on November 1, 1942, and on each May 1 and November 1 thereafter, from each of said respective dates to the date of payment of such interest; and

Great Lakes having requested that the Commission apply to the United States District Court for the Eastern District of Pennsylvania, pursuant to the provisions of section 11 of the act, to enforce and carry out, in accordance with the provisions of subsection (f) of section 18 of said act, the terms and provisions of the amendments; and

A public hearing having been held after appropriate notice, and an opportunity for hearing having been given to all security holders of Great Lakes and to Great Lakes and to any other persons desiring to be heard at said hearing; and Albert L. Sylvester, a bondholder of Great Lakes, having appeared at said hearing and having participated therein; and a trial examiner's report, briefs and oral argument having been waived, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found that said amendments to the section 11 (e) plan are necessary and appropriate to effectuate the provisions of section 11 of the Public Utility Holding Company Act of 1935, and are fair and equitable to the persons affected thereby,

It is ordered, That said amendments to the section 11 (e) plan be and hereby are approved, subject to the terms and conditions prescribed in Rule U–24, and to the following additional conditions:

1. That Great Lakes shall mail a copy of our findings and opinion herein to each of its security holders, together with a copy of such Notice of Hearing as the Court may direct.

2. Rule U-9 shall not apply to Great Lakes Utilities Company, or to any subsidiary company thereof, except upon further order of the Commission.

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application forthwith on behalf of the Commission to the United States District Court for the Eastern District of Pennsylvania to enforce and carry out the terms and provisions of the amendments, pursuant to the provisions of section 11 (e) of the act and in accordance with the provisions of subsection (f) of section 18 thereof and the request of Great Lakes.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–6033; Filed, April 28, 1944; 10:08 a. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

SALE OF CONTRACT TERMINATION INVENTORIES

STATEMENT OF POLICIES TO BE FOLLOWED BY GOVERNMENT AGENCIES

The selling and pricing policies set forth below shall be followed by all agencies of the Federal Government having jurisdiction over the termination of Government contracts. Their purpose is to support and encourage the contracting officers of such procuring agencies (1) to liquidate promptly, before and during contract termination proceedings, the Government's interest in connection with property obtained to fulfill a Government contract but not now needed for the performance of the contract, and (2) to move as much of this property as possible into consumption channels during the current period of urgent demand, while still protecting the public interest.

The public interest embraces not only financial considerations but also the responsibility for insuring continuous production during the war and a healthy economy after the war. Speedy clearance of termination property is consistent with this interest.

The policy set forth herein may require modification from time to time as the situation changes.

I. *Types of property covered.* The policies enumerated herein shall, with the exceptions noted below, cover the following types of property becoming available for disposition under the termination or partial termination of a Government contract:

(a) Property owned by a contractor or subcontractor with respect to which the contractor or subcontractor has a claim against the Government (either directly or through another contractor or subcontractor) as part of his termination settlement claim.

(b) Property owned by the Government but in the custody of a contractor or subcontractor.

The policies enumerated herein shall not, however, apply to either of the following excepted classes of property:

(1) Completed articles deliverable to the Government under a prime contract.

(2) Machinery, equipment and similar property commonly treated as capital equipment.

With respect to such excepted classes of property, particularly capital equipment becoming available on contract

terminations, it is not intended to discourage sales to or by the contractors. They are excepted because the policies herein enumerated are not as directly applicable to their disposal as to that of such property as raw and semi-processed materials, component end products and parts, jigs, dies, fixtures and small tools, and the like. Procuring agencies shall continue to fix their own price policies on the disposal of the excepted classes of property until otherwise directed.

The policies enumerated herein do not relate to the disposal of surplus Government-owned property other than that becoming available for disposition as the result of contract terminations. Regulations are in preparation for the reporting of such property as surplus to the disposal agencies named in Executive Order No. 9425. Meanwhile existing practices shall be followed except to the extent that specific arrangements have been or will be made with particular agencies.

II. *Types of disposal covered.* The policies herein enumerated shall apply to the disposition of the property covered, as outlined above, whether the procuring agency:

(a) Allows the contractor or subcontractor to keep the property at some agreed upon value, which will be reflected in the contract settlement;

(b) Allows the contractor or subcontractor to sell the property at some agreed upon value, which will be reflected in the contract settlement; or

(c) Takes over the property and sells it itself.

III. *General principles.* The specific policies enumerated herein should be read in the light of the following basic principles:

(1) Termination proceedings and the clearance of plants should be handled as speedily as possible.

(2) Retention of property by the holding contractor or subcontractor, or sales to other buyers who will themselves consume the property is desirable.

(3) Prices for property sold for resale should be sufficiently high to discourage long-term holding or quick turnover at excessive profits.

(4) Within these limits contracting officers, and their representatives, are urged to act boldly and to exercise wide discretion in the prompt disposal of property, and will have the full support of SWPA in so doing.

IV. *Property having no use except as scrap.* The many groups who have analyzed the problem of contract termination have uniformly agreed that much of the property involved is of such special nature, or has been processed in such a way, as to admit of no possibility of use in its existing form. There is an additional amount which might be used if time permitted an extended search for an appropriate use, or if use restrictions could be relaxed. The necessity for prompt clearance of plants severely limits the amount of effort and time that can be expended on such a search. It is essential to make an early determination that property either offers reasonable possibility of sale, or should be scrapped.

A. *Procedures for determining what property should be sold as scrap.* Primary responsibility for making this determination rests with the procuring agencies. Each agency shall determine and operate under internal procedures adapted to its peculiar problems and organization. It is suggested, however, that the procedures of the procuring agencies should provide for referral to a reviewing authority before scrapping if the cost of any item, or group of substantially similar items, which it is proposed to scrap, is estimated to be $50,000 or more. This reviewing authority may be either local, regional, or departmental boards of review or another officer designated by the procuring agency.

The Surplus War Property Administrator proposes to have the disposal agencies under Executive Order No. 9425 work closely with the procuring agencies in this operation and, at the earliest possible moment, provide a system of regional or local consultants, upon whom the contracting officers, review boards or other representatives of the procuring agencies can call for responsible advice and assistance in connection with questions concerning the scrapping of property.

B. *Procedure for selling and pricing property that has been determined to be scrap.* When property has been determined to be scrap in accordance with the above procedure, it shall be sold as follows, providing that all sales shall be made subject to applicable War Production Board and Office of Price Administration regulations:

(1) Sales of scrap are authorized at the best price obtainable in the judgment of the contracting officer (or the person to whom the procuring agency has delegated the power to approve the termination settlement) in any case where the entire termination claim of the contractor or subcontractor in question, before disposal credits, is less than $10,000.

(2) Whenever the entire termination claim of the contractor or subcontractor in question, before disposal credits, is $10,000 or more, sales of scrap shall be made in accordance with the following policies:

(a) The contracting officer, or his representative, shall determine, as nearly as may be possible by reasonable effort within a reasonable time, the going price of the type of scrap in question by reference to published trade indicators or inquiry among Government agencies, dealers or other informed sources, taking into account transportation cost and sundry other charges.

(b) If it is possible to realize this price without competitive bidding the contracting officer will approve the sale.

(c) If it is not possible to obtain this price the contracting officer will arrange for sale of the property after competitive bids, reserving the right to reject all bids if in his judgment an inadequate price is offered.

(d) All sales of such scrap, whatever method of sale is adopted, shall be subject to the buyer's warranty that the property will in fact be used as scrap. A warranty substantially as follows is recommended:

> The purchaser represents and warrants to the United States that the property covered by this agreement was offered as scrap, purchased by him as scrap, and that he will sell and ship or use it as scrap either in its existing condition or after further preparation and only in conformity with all applicable regulations and orders of the Office of Price Administration and the War Production Board.

(e) By subsequent regulations, the Surplus War Property Administration will provide for reports of scrap sales to the disposal agencies, and for a mechanism for stopping of sales in any area where prices drop to unsatisfactory levels.

V. *Usable property.* During the present phase of the war a principal objective should be to insure the earliest possible use of usable property. The surest way to accomplish this objective would be to sell the property directly to manufacturing establishments or others having current permitted uses for it. It must be recognized, however, that in many cases, suppliers, dealers, or others engaged in distribution will be willing to buy surplus goods at reasonable prices.

The procuring agencies shall therefore exercise the following authority with respect to the sale of usable property, providing that all sales shall be made subject to applicable War Production Board and Office of Price Administration regulations:

(1) Sales of any quantity of any item, or group of items, are authorized at the best price obtainable in the judgment of the contracting officer (or the person to whom the procuring agency has delegated the power to approve the termination settlement) in any case where the entire termination claim of the contractor or subcontractor in question, before disposal credits, is less than $10,000.

(2) Whenever the entire termination claim of the contractor or subcontractor in question, before disposal credits, is $10,000 or more sales shall be made in accordance with the following policies:

(a) If the property is a crude or simple raw material, such as raw cotton, pig iron, electrolytic copper or sulphur, which is freely traded in and for which there is a recognizable market price:

(1) Sales should be authorized whenever the going market price, as nearly as it can be determined by reasonable effort within a reasonable time, can be obtained, taking into account transportation cost and sundry other charges.

(2) Whenever such going market price cannot be obtained the property should be reported to the appropriate disposal agency for disposition, except that if the quantity of the item involved is less than a minimum commercial quantity, it should be sold at the best price obtainable.

The disposal agencies under Executive Order No. 9425 will be requested to prepare and make available to the procuring agencies at the earliest possible date, lists of items considered to belong in the category described in paragraph 2 (a), together with the quantities thereof to be regarded as minimum commercial quantities.

(b) If the property is not in the category described in paragraph 2 (a) contracting officers and their representatives are urged to make an active effort to accomplish sales in accordance with the policies stated below, after due consideration has been given to any reasonably obtainable information as to market values:

(1) Sales of nominal quantities (single items, or groups of items where the cost of all substantially similar items at any one location does not exceed $1,000) should be made at the best price obtainable, without review.

(2) Sales should be made to any buyer at the best price obtainable in excess of 75% of (a) cost or (b) the price which that buyer would have to pay if he bought an equivalent quantity from a normal source of supply, whichever is lower.

(3) Sales of property which cannot be sold within a reasonable period of time on the terms stated in paragraph (b) (2) above should be made to a buyer who will consume the property in the United States for manufacturing or maintenance or repair purposes, and who will agree that if he does not so consume it, he will not resell it at a profit, at the best price obtainable. This policy shall prevail until the Surplus War Property Administration by specific direction establishes such other sales procedures or policies (which may include a determination not to sell) with respect to specific items, such as standard consumer articles, as in its judgment are required to maintain orderly markets.

Wherever referred to in this statement, sale "at the best price obtainable" implies a reasonable effort to test the market, having due regard for the circumstances, the nature, condition, quantity and location of the particular property and the general principles herein stated.

Washington, D. C., April 21, 1944.

W. L. CLAYTON,
Administrator.

[F. R. Doc. 44-6030; Filed, April 28, 1944; 10:23 a. m.]

WAR COMMUNICATIONS BOARD.

[Order 30]

TRAFFIC COORDINATOR AND ASSISTANT TRAFFIC COORDINATOR

ESTABLISHMENT OF OFFICES AND DEFINITIONS OF DUTIES

Correction

In F. R. Doc. 44-5821, appearing at page 4455 of the issue for Wednesday, April 26, 1944, in the paragraph headed "Authorization for investigations", the eleventh line should read "the paragraph headed 'Duties' hereof, and, upon the Board's".

WAR PRODUCTION BOARD.

HUTTON-JONES ELECTRIC COMPANY, INC.

CONSENT ORDER

Hutton-Jones Electric Company, Inc., located at 170 Pine Avenue, S. E., Warren, Ohio, an Ohio corporation, is engaged in the business of electrical construction, wiring, fixtures and supplies. From January 1, 1943, to September 1, 1943, the company in many instances applied a preference rating for the purchase of copper wire when the preference rating so used had not been extended or assigned to it, and in other instances extended preference ratings for the purchase of copper wire in quantities exceeding those contained in the preference ratings extended to it, thereby securing copper wire which had been sold and delivered on unrated orders. The aforementioned transactions were violations of Priorities Regulation No. 1 and Priorities Regulation No. 3. Hutton-Jones Electric Company, Inc., admits the violations and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Hutton-Jones Electric Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Hutton-Jones Electric Company, Inc., its successors or assigns, are hereby prohibited from purchasing and receiving or selling and delivering new copper wire of any size, except to complete deliveries under uncompleted orders or contracts on the books of the company as of the date of issuance of this order, or except on orders rated AA-2 or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Hutton-Jones Electric Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire sixty days from the date thereof.

Issued this 27th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6028; Filed, April 27, 1944; 4:25 p. m.]